



City of Manassas, Virginia
Planning Commission Zoning Ordinance Review
Committee Meeting

AGENDA

**Planning Commission Subcommittee
Manassas Museum - Family History & Education Center
9101 Prince William Street
Manassas, VA 20110
Wednesday, April 29, 2026**

Call to Order - 5:30 p.m.

Roll Call and Determination of a Quorum

1. Approval of Meeting Minutes

- 1.1 Approval of the Meeting Minutes for October 1, 2025**
[Attachment 1. Draft Meeting Minutes for October 1, 2025](#)

2. New Business

- 2.1 ZTA 2026-0002, Accessory Dwelling Units**
(Staff: Christian Samples, AICP, Planning Manager)

[Memorandum](#)
[Attachment 1. Accessory Dwelling Units - Draft Ordinance - Redline](#)
[Attachment 2. Senate Bill 531](#)
[Attachment 3. Previous Draft ADU Ordinance](#)

- 2.2 ZTA 2026-0003, Zoning Technical Amendments**
(Staff: Christian Samples, AICP, Planning Manager)

[Memorandum](#)
[Attachment 1. Zoning Ordinance Technical Amendments - Draft Ordinance - Redline](#)

Adjournment

**PLANNING COMMISSION
ZONING ORDINANCE REVIEW COMMITTEE (ZORC)
OCTOBER 1, 2025
CITY HALL – COUNCIL CHAMBERS
9027 CENTER STREET, MANASSAS, VA 20110
6:00 P.M.**

In Attendance

Dheeraj Jagadev, Chair, Committee Member
Eric Brescia, Vice-Chair, Committee Member
Leah Sanders, Committee Member
Robert Keller, Planning Commission
Jeremy Rood, Planning Commission
Miguel Pires, Planning Commission

Staff

Christian Samples, Planning Manager
Christen Miller, Clerk

1. Meeting convened at 6:03 P.M.

The Committee took a brief break and reconvened around 6:15 P.M. in the Council Conference Room.

2. Approval of Meeting Minutes for September 10, 2025

Commissioner Sanders made a motion to **APPROVE** the September 10, 2025 minutes as presented.
Commissioner Brescia seconded. **THE MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

**3. ZTA #2026-0001 – 2026 Zoning Ordinance Annual Updates
(Staff: Christian Samples, AICP, Zoning Administrator & Planning Manager)**

Mr. Samples presented that draft ordinance for Data Center and Industrial Zone Standards, Cannabis and Accessory Dwelling Units.

Commissioner Brescia made a motion to **RECOMMENDED APPROVAL** of **ZTA #2026-0001** as presented.
Commissioner Sanders seconded. **THE MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

4. Adjournment

Commissioner Jagadev moved to **ADJOURN** the meeting. **Commissioner Sanders** seconded the motion.
THE MEETING WAS ADJOURNED AT 6:35 P.M.



MEMORANDUM

CITY OF MANASSAS

Department of Community Development

Phone: 703-257-8223 Fax: 703-257-5117

TO: Zoning Ordinance Review Committee
FROM: Christian Samples, AICP, Planning Manager
DATE: April 29, 2026
RE: ZTA #2026-0002 – Accessory Dwelling Units

Background

The Zoning Code is amended as needed to implement the Comprehensive Plan, to address citizen concerns, to make technical adjustments and to comply with newly passed Code of Virginia changes. The Zoning Ordinance Review Committee will meet April 29, 2026 and May 20, 2026 to review proposed amendments concerning accessory dwelling units (ADUs). Initiation of these amendments is scheduled at the May 6, 2026 Planning Commission hearing.

Accessory Dwelling Units

The General Assembly has passed Senate Bill 531, requiring all jurisdictions to allow accessory dwelling units on properties zoned for single family detached dwelling units. The law allows jurisdictions to set minimum standards provided those standards meet the minimum requirements of the law. The proposed draft is intended to comply with the new law and sets minimum standards. The law has an effective date of July 1, 2027, but allows jurisdictions to adopt the provisions sooner.

1. Accessory Dwelling Units - Draft Ordinance – Redline
2. Senate Bill 531

ARTICLE II. DEFINITIONS

Sec. 130-42. Definitions.

Accessory dwelling unit means an attached or detached dwelling unit on a residential dwelling lot that:

- (1) Provides complete independent living facilities for one or more individuals;
- (2) Is located on the same lot as a proposed or existing primary residence; and
- (3) Includes facilities for living, sleeping, eating, cooking, and sanitation

ARTICLE III. GENERAL REGULATIONS

DIVISION 1. DEVELOPMENT STANDARDS

Sec. 130-68 Accessory dwelling units.

(a) General regulations:

- (1) A maximum of one accessory dwelling unit is ~~permitted per~~ permitted per lot with a principal dwelling.
- (2) The unit shall contain a separate living area, bedroom, kitchen, and a bathroom.
- (3) Accessory dwelling units shall not be sold separately or subdivided from the primary dwelling.
- (4) Owner occupancy of the accessory dwelling unit or the primary dwelling is required at the time of application for a permit to construct or convert an accessory dwelling unit.
- (5) Rental of an accessory dwelling unit shall be for a minimum lease term of 30 consecutive days or longer.
- (6) Nonconforming accessory structures that do not meet the setback requirements of this section may be converted into an accessory dwelling unit, subject to the requirements of this Ssection and Sec. §130-163.

(b) Design:

(1) Setbacks:

- a. Accessory dwelling units shall meet the setback requirements for accessory structures or the setback of the zoning district the primary dwelling is located in, whichever is less.
 - b. An accessory dwelling unit shall be located no more than 500 feet from the principal dwelling.
- (2) Height: The maximum height of an accessory dwelling unit shall be the height limit of the zoning district the primary dwelling is located in.
- (3) The maximum square footage of accessory dwelling units shall be as follows:
 - a. For lots of less than 2,500 square feet: 400 sq. ft.

b. For lots of 2,500 square feet or more: 800 sq. ft.

(4) Parking shall meet the requirements of Article VI. Parking spaces required for the primary dwelling that are eliminated to build an accessory dwelling unit shall be replaced.

(1)(5) The height and setbacks of the unit shall meet the requirements of principal structures in the zoning district.

Secs. 130-69 130-90. Reserved.

ARTICLE V. NONCONFORMING USES, LOTS, AND STRUCTURES

Sec. 130-163. Nonconforming structures and improvements.

- (a) All structures and improvements except single-family detached dwellings, the conversion of nonconforming accessory structures into accessory dwelling units or manufactured homes:
- (1) A nonconforming structure under §130-163(a) or nonconforming improvement may continue as it existed when it became nonconforming. A nonconforming structure or nonconforming improvement shall not be reconstructed, altered, or expanded in any manner, except as provided in this section.
 - (2) A nonconforming structure or nonconforming improvement may be repaired only if:
 - a. Such repair constitutes routine maintenance necessary to keep the structure or improvement in the same general condition it was in when it originally became nonconforming; or
 - b. Such repair constitutes minor alterations, cosmetic modifications, interior renovations and similar changes that do not increase the land area occupied, unless approved as provided in §130-163(4).
 - (3) A nonconforming structure may be changed to make it a conforming structure.
 - (4) A nonconforming structure under §130-163(a) may be enlarged or altered to an extent not to exceed 20 percent of its original footprint by administrative approval if the proposed enlargement or alteration will be constructed in a manner that conforms to all current yard dimensions and setbacks as required for new construction within the specified zoning district.
 - (5) If a nonconforming structure is removed for any reason to another parcel of land, regardless of distance, or the lot lines of the parcel on which it is located change, the structure shall thereafter conform to the requirements of the district in which it is located.
- (b) All single-family detached dwellings:
- (1) A nonconforming single-family detached structure may continue as it existed when it became nonconforming. A nonconforming structure shall not be reconstructed, altered, or expanded in any manner, except as provided in this section.

- (2) A nonconforming single-family detached structure may be changed to make it a conforming structure.
- (3) A nonconforming single-family detached structure may be enlarged or altered by administrative approval if the proposed enlargement or alteration conforms to all currently required yard dimensions and setbacks as specified in the district in which it is located.
- (4) Should a proposed alteration of a nonconforming single-family detached structure not meet current yard dimensions or setbacks, and the expansion proposed is less than 20 percent of the original footprint of the nonconforming structure, the Zoning Administrator may administratively approve the expansion if the proposed expansion does not increase the nonconformity of the existing yard dimensions or setbacks.
- (5) Should a nonconforming single-family detached structure be removed for any reason to another parcel of land, regardless of distance, or the lot lines of the parcel on which it is located change, the structure shall thereafter conform to the requirements of the district in which it is located.

(c) Conversion of nonconforming accessory structures into accessory dwelling units:

- (1) A nonconforming accessory structure may be converted into an accessory dwelling unit in accordance with Sec. 130-68. Such conversion shall not change the nonconforming status of the structure.
- (2) A converted accessory dwelling unit may be changed into a conforming structure.
- (3) A converted accessory dwelling unit may be enlarged or altered by administrative approval if the proposed enlargement or alteration conforms to all currently required yard dimensions and setbacks as specified in the district in which it is located.
- (4) Should a proposed expansion of a converted accessory dwelling unit not meet current yard dimensions or setbacks, and the expansion proposed is less than 20 percent of the original footprint of the nonconforming structure, the Zoning Administrator may administratively approve the expansion if the proposed expansion does not increase the nonconformity of the existing yard dimensions or setbacks.
- (5) Should a converted accessory dwelling unit be removed for any reason to another parcel of land, regardless of distance, or the lot lines of the parcel on which it is located change, the structure shall thereafter conform to the requirements of the district in which it is located.

(c)(d) The owner of any nonconforming structure damaged or destroyed by a natural disaster or other Act of God may repair, rebuild, or replace such structure to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance. If such structure is damaged greater than 50 percent and cannot be repaired, rebuilt, or replaced except to restore it to its original nonconforming condition, the owner shall have the right to do so. Any work done to repair, rebuild, or replace such structure shall comply with the requirements of the building code and City floodplain requirements. Unless such structure is repaired, rebuilt, or replaced within two years of the date of the natural disaster or other Act of God, such structure shall only be repaired, rebuilt, or replaced in accordance with the requirements of this chapter. However, if a nonconforming

structure is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the property owner shall have an additional two years for the building to be repaired, rebuilt, or replaced as otherwise provided in this paragraph.

~~(d)~~(e) Any building or structure which is nonconforming under paragraph (2) of the definition of nonconforming structure shall be brought into compliance with the Uniform Statewide Building Code, and doing so shall not affect the nonconforming status of such building or structure.

~~(e)~~(f) Any nonconforming improvement shall be maintained in good condition, reasonable wear and tear excepted, or replaced with a conforming improvement.

~~(f)~~(g) Access to sanitary sewer systems being available throughout the City, the owner of real property with existing on-site sewage system may not replace such system if it is damaged by natural disaster or other Act of God, and shall connect to the City's sanitary sewer system.

ARTICLE VI. PARKING AND LOADING REQUIREMENTS

Sec. 130-204. Off Street Parking Requirements.

§130-204, TABLE 1: MINIMUM OFF-STREET PARKING REQUIREMENTS				
LAND USES DU = Dwelling Unit SF = Building's Gross Square Feet	REQUIRED OFF-STREET PARKING	SPECIAL DISTRICTS		EXCEPTIONS/ COMMENTS/ ADDITIONAL REQUIREMENTS
		DOWNTOWN* *For B-3 Zoning See §130-204(b)	GODWIN TECHNOLOGY, MATHIS, SUDLEY MEDICAL	
ACCESSORY USES				No maximum parking required
<u>Accessory Dwelling Unit</u>	<u>1 per bedroom plus single- family detached unit requirement</u>	<u>1 per bedroom plus single- family detached unit requirement</u>	<u>1 per bedroom plus single- family detached unit requirement</u>	<u>Sec. 130-68</u>

Editor's Note: No other changes to §130-204 Table 1.

ARTICLE VIII. ZONING DISTRICTS

DIVISION 1. PERMITTED USES

Sec. 130-241. Use tables.

§ 130-241 TABLE 1											
"P"= Permitted By-Right "S"= Special Use Permit is Required											
CATEGORY	USE TYPE	ZONING DISTRICTS									ADDITIONAL REQUIREMENTS
		RESIDENTIAL DISTRICTS									
		A-1	R-1	R-2	R-2-S	R-3	R-4	R-5	R-6	R-7	
ACCESSORY	<u>Accessory Dwelling Unit</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Sec. 130-68</u>

Editor's Note: No other changes to §130-241 Table 1.

§ 130-241 TABLE 2											
"P"= Permitted By-Right "S"= Special Use Permit is Required											
		ZONING DISTRICTS									ADDITIONAL REQUIREMENTS
CATEGORY	USE TYPE	NON-RESIDENTIAL & MIXED USE DISTRICTS									
ACCESSORY		B-2 ¹	B-3	B-3.5	PMD	B-1 ²	B-4	I-1	I-2	I-A	
	<u>Accessory Dwelling Unit</u>		<u>P</u>	<u>P</u>	<u>P</u>						<u>Sec. 130-68</u>

Editor's Note: No other changes to §130-241 Table 2.

¹ All uses subject to floor area limit of 10,000 square feet

² Refer to § 130-301 for list of uses subject to 25% gross floor area limit

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend the Code of Virginia by adding a section numbered 15.2-2292.3, relating to zoning; development and use of accessory dwelling units.

[S 531]

Approved

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2292.3 as follows:

§ 15.2-2292.3. Development and use of accessory dwelling units.

A. As used in this section, "accessory dwelling unit" or "ADU" means an attached or detached dwelling unit on a residential dwelling lot that:

1. Provides complete independent living facilities for one or more individuals;
2. Is located on the same lot as a proposed or existing primary residence; and
3. Includes facilities for living, sleeping, eating, cooking, and sanitation.

B. Zoning ordinances for single-family residential zoning districts shall be deemed to include accessory dwelling units as a permitted accessory use, and no locality shall require compliance with any other requirements except as provided in this section.

C. Any person proposing an ADU shall first obtain an ADU permit from the locality, for which the locality may charge a fee of no more than \$500. Such fee shall be in addition to any other applicable fees, including inspection, site, or building permit fees, that may be required in connection with the ADU. A locality shall issue the permit if the applicant demonstrates that the ADU complies with the requirements of this section and the local codes and ordinances referenced herein.

D. Localities may require the following:

1. A lease term for the rental of an ADU of 30 consecutive days or longer;
2. Replacement of a primary dwelling's required parking if the construction of the ADU eliminates such parking;
3. Dedicated parking for the ADU;
4. Limits on floor area, lot coverage, and impervious area of an ADU of no less than (i) 350 square feet on lots less than 2,500 square feet and (ii) 500 square feet on lots 2,500 square feet or greater;
5. Compliance with (i) building codes, including the requirements of the Uniform Statewide Building Code (§ 36-97 et seq.), for an accessory dwelling unit if the ADU is attached or for a dwelling unit if the ADU is detached; (ii) water, sewer, septic, emergency access, flood zone, and stormwater requirements; (iii) historic and architectural districts and corridor protection restrictions; and (iv) Air Installations Compatible Use Zone restrictions;

6. Owner occupancy of the ADU or the primary dwelling, but not both, only at the time an application is submitted to construct or convert an accessory dwelling unit;

7. That the ADU shall be no more than 500 feet from the primary dwelling;

8. No ADUs on a residential lot that has more than one dwelling unit; and

9. No ADUs sold separately or subdivided from the primary dwelling.

E. Localities shall not require the following:

1. Rear or side setbacks for the ADU that are greater than the setback required for the primary dwelling or the setback required for accessory structures on the residential lot, whichever is less;

2. Restrictions for ADUs that are more restrictive than those for single-family dwellings within the same zoning area with regard to height, rear or side setbacks, lot size or coverage, or building frontage;

3. A restrictive covenant concerning an ADU on a lot or parcel zoned for residential use by a single-family dwelling;

4. Improvements to public streets as a condition of allowing an ADU, except as necessary to reconstruct or repair a public street that is disturbed as a result of the construction of the ADU; or

5. Consanguinity or affinity between the occupants of an ADU and the primary dwelling.

F. Nothing in this section shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants, the provisions of condominium instruments of a condominium created pursuant to the Virginia Condominium Act (§ 55.1-1900 et seq.), the declaration of a common interest community as defined in § 54.1-2345, the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq.), or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (§ 55.1-1800 et seq.).

G. Nothing in this section shall apply to any existing permits for an ADU approved by the locality prior to

57 July 1, 2027.

58 *H. Nothing in this section shall be construed to restrict a locality's passage prior to July 1, 2027, of an*
59 *ADU ordinance, or a subsequent amendment thereof, that substantially complies with the requirements of*
60 *this section.*

61 *I. Nothing in this section shall apply to a locality that adopted an ADU ordinance prior to January 1,*
62 *2026.*

63 **2. That the provisions of this act shall become effective on July 1, 2027.**

ARTICLE II. DEFINITIONS

Sec. 130-42. Definitions.

Accessory dwelling unit, detached means a secondary, independent dwelling unit that is detached from a single-family detached dwelling unit.

Accessory dwelling unit, attached means a secondary, independent dwelling unit located within or attached to a single-family detached dwelling unit.

ARTICLE III. GENERAL REGULATIONS

DIVISION 1. DEVELOPMENT STANDARDS

Sec. 130-67 Accessory Dwelling Units

(a) General regulations:

- (1) A maximum of one accessory dwelling unit is permitted per property.
- (2) ~~The Rental of an~~ accessory dwelling unit shall ~~not be rented~~ meet the requirements of the use boardinghouse. for less than 30 consecutive days or 104 days in a calendar year.
- (3) No more than ~~two~~ three individuals shall reside in the accessory dwelling unit.
- (4) The unit shall contain a separate kitchen and, a bathroom, ~~and a maximum of one bedroom.~~
- (5) Parking shall meet the requirements of Article VI.
- (6) Both the single-family detached dwelling and the accessory dwelling unit shall remain under common ownership.
- (7) Accessory dwelling units shall not count against the maximum density of the zoning district or against the limitations of Sec. 130-57(a)(2).
- (8) The unit's architecture and materials shall be consistent with the design of the single-family detached dwelling.
- (9) The minimum lot size for an ADU is 1.25 times the minimum lot size of the property's zoning district.
- ~~(10) The unit's setbacks shall meet the setback requirements for principal structures in the zoning district.~~
- ~~(7)~~

(b) Accessory dwelling unit, detached:

- (1) The unit shall have a gross floor area not to exceed ~~8~~ 600 sq. ft.
- ~~(2)(1) The unit's architecture and materials shall be consistent with the design of the single-family detached dwelling.~~

~~(3) The minimum lot size required for a detached accessory dwelling unit is one and a half times the minimum lot area required in the zoning district.~~

~~(4)(2)~~ Height. See §130-57.

~~(5) Setbacks:~~

~~(3) The unit~~New units and existing conforming accessory structures that are converted into a unit shall meet the location requirements of §130-57. only be placed located in the rear or side yards.

a. —

~~b. The unit's setbacks shall meet the setback requirements for principal structures in the zoning district.~~

~~a. The u~~Units shall be placed located a minimum of 10 feet from any other structure, on site or off-site. on the property.

~~€~~ (4) Nonconforming accessory structures may be converted into a unit, subject to the additional requirements of Sec. §130-163.

(c) *Accessory dwelling unit, attached.*

(1) The gross floor area of the accessory dwelling unit, excluding basements, shall not exceed 30% of the gross floor area of the single-family detached dwelling.

~~(1)(2)~~ An accessory dwelling unit located in a basement may occupy the entire basement floor. for the unit.

(3) The entrance to the unit shall be provided by a separate exterior door.

~~(2)(4)~~ Nonconforming attached accessory structures may be converted into a unit, subject to the additional requirements of Sec. §130-163.

~~(3) The unit's setbacks shall meet the setback requirements for principal structures in the zoning district.~~

~~The unit shall not change the exterior character of the single-family detached dwelling.~~

Secs. 130-68-130-90. Reserved.

Sec. 130-163. Nonconforming structures and improvements.

(a) All structures and improvements except single-family detached dwellings, the conversion of nonconforming accessory structures into accessory dwelling units or manufactured homes:

(1) A nonconforming structure under §130-163(a) or nonconforming improvement may continue as it existed when it became nonconforming. A nonconforming structure or nonconforming

improvement shall not be reconstructed, altered, or expanded in any manner, except as provided in this section.

- (2) A nonconforming structure or nonconforming improvement may be repaired only if:
 - a. Such repair constitutes routine maintenance necessary to keep the structure or improvement in the same general condition it was in when it originally became nonconforming; or
 - b. Such repair constitutes minor alterations, cosmetic modifications, interior renovations and similar changes that do not increase the land area occupied, unless approved as provided in §130-163 ~~(4)~~(4).
- (3) A nonconforming structure may be changed to make it a conforming structure.
- (4) A nonconforming structure under §130-163(a) may be enlarged or altered to an extent not to exceed 20 percent of its original footprint by administrative approval if the proposed enlargement or alteration will be constructed in a manner that conforms to all current yard dimensions and setbacks as required for new construction within the specified zoning district.
- (5) If a nonconforming structure is removed for any reason to another parcel of land, regardless of distance, or the lot lines of the parcel on which it is located change, the structure shall thereafter conform to the requirements of the district in which it is located.

(b) All single-family detached dwellings:

- (1) A nonconforming single-family detached structure may continue as it existed when it became nonconforming. A nonconforming structure shall not be reconstructed, altered, or expanded in any manner, except as provided in this section.
- (2) A nonconforming single-family detached structure may be changed to make it a conforming structure.
- (3) A nonconforming single-family detached structure may be enlarged or altered by administrative approval if the proposed enlargement or alteration conforms to all currently required yard dimensions and setbacks as specified in the district in which it is located.
- (4) Should a proposed alteration of a nonconforming single-family detached structure not meet current yard dimensions or setbacks, and the expansion proposed is less than 20 percent of the original footprint of the nonconforming structure, the Zoning Administrator may administratively approve the expansion if the proposed expansion does not increase the nonconformity of the existing yard dimensions or setbacks.
- (5) Should a nonconforming single-family detached structure be removed for any reason to another parcel of land, regardless of distance, or the lot lines of the parcel on which it is located change, the structure shall thereafter conform to the requirements of the district in which it is located.

(c) Conversion of nonconforming accessory structures into accessory dwelling units:

(1) A nonconforming accessory structure may be converted into an accessory dwelling unit in accordance with Sec. 130-67. Such conversion shall not change the nonconforming status of the structure.

(2) A converted accessory dwelling unit may be changed into a conforming structure.

(3) A converted accessory dwelling unit may be enlarged or altered by administrative approval if the proposed enlargement or alteration conforms to all currently required yard dimensions and setbacks as specified in the district in which it is located.

(4) Should a proposed expansion of a converted accessory dwelling unit not meet current yard dimensions or setbacks, and the expansion proposed is less than 20 percent of the original footprint of the nonconforming structure, the Zoning Administrator may administratively approve the expansion if the proposed expansion does not increase the nonconformity of the existing yard dimensions or setbacks.

(5) Should a converted accessory dwelling unit be removed for any reason to another parcel of land, regardless of distance, or the lot lines of the parcel on which it is located change, the structure shall thereafter conform to the requirements of the district in which it is located.

~~(e)~~(d) The owner of any nonconforming structure damaged or destroyed by a natural disaster or other Act of God may repair, rebuild, or replace such structure to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance. If such structure is damaged greater than 50 percent and cannot be repaired, rebuilt, or replaced except to restore it to its original nonconforming condition, the owner shall have the right to do so. Any work done to repair, rebuild, or replace such structure shall comply with the requirements of the building code and City floodplain requirements. Unless such structure is repaired, rebuilt, or replaced within two years of the date of the natural disaster or other Act of God, such structure shall only be repaired, rebuilt, or replaced in accordance with the requirements of this chapter. However, if a nonconforming structure is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the property owner shall have an additional two years for the building to be repaired, rebuilt, or replaced as otherwise provided in this paragraph.

~~(d)~~(e) Any building or structure which is nonconforming under paragraph (2) of the definition of nonconforming structure shall be brought into compliance with the Uniform Statewide Building Code, and doing so shall not affect the nonconforming status of such building or structure.

~~(e)~~(f) Any nonconforming improvement shall be maintained in good condition, reasonable wear and tear excepted, or replaced with a conforming improvement.

~~(f)~~(g) Access to sanitary sewer systems being available throughout the City, the owner of real property with existing on-site sewage system may not replace such system if it is damaged by natural disaster or other Act of God, and shall connect to the City's sanitary sewer system.

~~(g)~~(h) Nonconforming signs. See Article IV. In the event of any permitted expansion of a nonconforming structure, all signs located on the property shall be brought into full compliance with the current Zoning Ordinance requirements.

ARTICLE VI. PARKING AND LOADING REQUIREMENTS

Sec. 130-204. Off Street Parking Requirements.

§130-204, TABLE 1: MINIMUM OFF-STREET PARKING REQUIREMENTS				
LAND USES DU = Dwelling Unit SF = Building's Gross Square Feet	REQUIRED OFF-STREET PARKING	SPECIAL DISTRICTS		EXCEPTIONS/ COMMENTS/ ADDITIONAL REQUIREMENTS
		DOWNTOWN* *For B-3 Zoning See §130-204(b)	GODWIN TECHNOLOGY, MATHIS, SUDLEY MEDICAL	
ACCESSORY USES				No maximum parking required
Family Day Home	1 plus residential requirement	1 plus residential requirement	1 plus residential requirement	
Home Business	1 plus residential requirement	1 plus residential requirement	1 plus residential requirement	
Accessory Dwelling Unit	1 plus single-family detached unit requirement	1 plus single-family detached unit requirement	1 plus single-family detached unit requirement	Sec. 130-67

Editor's Note: No other changes to §130-204 Table 1.

ARTICLE VIII. ZONING DISTRICTS

DIVISION 1. PERMITTED USES

Sec. 130-241 Use Tables

§ 130-241 TABLE 1											
"P"= Permitted By-Right "S"= Special Use Permit is Required											
CATEGORY	USE TYPE	ZONING DISTRICTS									ADDITIONAL REQUIREMENTS
		RESIDENTIAL DISTRICTS									
		A-1	R-1	R-2	R-2-S	R-3	R-4	R-5	R-6	R-7	
ACCESSORY	Accessory Uses	P	P	P	P	P	P	P	P	P	Sec. 130-57
	Accessory Dwelling Unit		P	P	P				P	P	
	Amateur Radio Tower	P	P	P	P					P	Sec. 130-57
	Caretaker Quarters										Sec. 130-67
	Family Day Home	P	P	P	P	P	P	P	P	P	Sec. 130-93
	Family Health Care Structure, Temporary	P	P	P	P					P	Sec. 130-104
	Home Business	S	S	S	S					S	Sec. 130-95
	Home Occupation	P	P	P	P	P	P	P	P	P	Sec. 130-96
	Temporary Use (Outdoor Events)	P									Sec. 130-104 Ch. 14
	Temporary Use (Outdoor Sales)										Sec. 130-104
	Yard Sale, Residential	P	P	P	P	P	P	P	P	P	Sec. 130-101

Editor's Note: No changes to residential, assembly & institutional, commercial or industrial categories.

§ 130-241 TABLE 2											
"P"= Permitted By-Right "S"= Special Use Permit is Required											
CATEGORY	USE TYPE	ZONING DISTRICTS									ADDITIONAL REQUIREMENTS
		NON-RESIDENTIAL & MIXED USE DISTRICTS									
		B-2 ¹	B-3	B-3.5	PMD	B-1 ²	B-4	I-1	I-2	I-A	
ACCESSORY	Accessory Uses	P	P	P	P	P	P	P	P	P	Sec. 130-57
	Accessory Dwelling Unit		P	P	P						Sec. 130-67
	Amateur Radio Tower		P	P	P						Sec. 130-57
	Caretaker Quarters						P	P	P		
	Family Day Home		P	P	P						Sec. 130-93
	Family Health Care Structure, Temporary		P	P	P						Sec. 130-104
	Home Business		S	S	S						Sec. 130-95
	Home Occupation		P	P	P						Sec. 130-96
	Temporary Use (Outdoor Events)	P	P	P	P	P	P	P	P	P	Sec. 130-104 Ch. 14

§ 130-241 TABLE 2											
"P"= Permitted By-Right "S"= Special Use Permit is Required											
CATEGORY	USE TYPE	ZONING DISTRICTS									ADDITIONAL REQUIREMENTS
		NON-RESIDENTIAL & MIXED USE DISTRICTS									
		B-2 ¹	B-3	B-3.5	PMD	B-1 ²	B-4	I-1	I-2	I-A	
	Temporary Use (Outdoor Sales)	P	P	P	P	P	P	P	P	P	Sec. 130-104
	Yard Sale, Residential		P	P	P						Sec. 130-101

Editor's Note: No changes to residential, assembly & institutional, commercial or industrial categories.



MEMORANDUM

CITY OF MANASSAS

Department of Community Development

Phone: 703-257-8223 Fax: 703-257-5117

TO: Zoning Ordinance Review Committee
FROM: Christian Samples, AICP, Planning Manager
DATE: April 29, 2026
RE: ZTA #2026-0003 – 2026 Zoning Ordinance Technical Amendments

Background

The Zoning Code is amended as needed to implement the Comprehensive Plan, to address citizen concerns, to make technical adjustments and to comply with newly passed Code of Virginia changes. The Zoning Ordinance Review Committee will meet April 29, 2026 and May 20, 2026 to review proposed amendments concerning zoning technical amendments. Initiation of these amendments is scheduled at the May 6, 2026 Planning Commission hearing.

Zoning Technical Amendments

The following technical amendments are proposed:

- To consider changes and updates to the City Code required by the General Assembly;
- To consider updates to the definitions of Airport, Landside, Airport or Aviation Facility, and Group Home (Sec. 130-42);
- To consider a new term and definition for Temporary Support Structure (Sec. 130-42) and authorizing temporary support structures for wireless facilities (Sec. 130-104)
- To consider new terms and definitions for Residential Facility (Sec. 130-42) and add the use to the Use Table (Sec. 130-241);
- To consider clarifying standards for fencing (Sec. 130-56);
- To consider adding additional language to clarify accessory structure setbacks and height in the A-1, R-1, R-2, and R-2-S Zoning Districts (Sec. 130-57);
- To consider clarifying the application of setback lines to unroofed decks (Sec. 130-58);
- To consider clarifying the reduction in minimum yard requirements based on an error to apply to zoning permits (Sec. 130-59);
- To consider adding language to prohibit the issuance of a zoning certification on properties with active city code and/or building code violations until the violations are remedied (Sec. 130-63);
- To consider removing standards requiring vehicles associated with the uses Home Business and Home Occupancy to cover their vehicle signs (Sec. 130-95, Sec. 130-96);

- To consider adding language to clarify the placement of a manufactured homes in the A-1, R-1, R-2, and R-2-S Zoning Districts (Sec. 130-98);
- To consider amending the standards for the use Motor Vehicle Sales and Rental to prohibit the loading and unloading of vehicles on public roadways (Sec. 130-99);
- To consider allowing the placement of a temporary structure for up to 120 calendar days (Sec. 130-104);
- To consider adding language enabling temporary support structures associated with telecommunications uses (Sec. 130-104) and add the use to the Use Table (Sec. 130-241);
- To consider allowing a freestanding banner associated with assembly and institutional uses to be placed without a temporary permit and for a limited number of days (Sec. 130-129);
- To consider adding language and limits for accessory structures in nonconforming manufactured home parks (Sec. 130-164);
- To consider updating the parking table to change the name of the uses Motor Vehicle Repair, Major and Motor Vehicle Repair, Minor to the uses Motor Vehicle Repair and Motor Vehicle Service (Sec. 130-204);
- To consider adding provisions to set minimum maintenance standards for driveways, to create a civil penalty for driveway expansions and driveway modifications conducted without a permit, and to enable the expiration of driveway permits if the work is not completed within 2 years of permit issuance (Sec. 130-205);
- To consider amending the driveway modification process to add provisions to address Americans with Disabilities Act (ADA) compliance (Sec. 130-205);
- To consider removing a missing reference in the loading chart (Sec. 130-206);
- To consider amending the R-2-S zoning district standards to clarify standards for previously approved cluster subdivisions (Sec. 130-264);
- To consider removing duplicate language concerning digital submissions (Sec. 130-502.h and Sec. 130-502.k); and
- To consider adding a civil penalty for failure to maintain a driveway and the unauthorized expansion and/or modification of a driveway without a permit (Sec. 130-603)

1. Zoning Ordinance Technical Amendments - Draft Ordinance - Redline

ARTICLE II. DEFINITIONS

Sec. 130-42. Definitions.

Airport, Landside means the portion of an Airport or Aviation Facility that are not considered part of the airfield system including, but not limited to, vehicle parking ~~areas~~lots, streets, pedestrian walkways, and parts of the terminals and other structures located around the airport premises that are accessible to the public.

Airport or Aviation Facility means the use of land for landing fields, aircraft parking, terminal buildings, vehicle parking, service, and related facilities for operation, ~~service,~~ fueling, navigational aids, repair, storage, charter, sales, or rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

Group Home means the use of land for a ~~residential~~ facility in which no more than eight mentally ill, intellectually disabled, or developmentally disabled persons, ~~or no more than eight aged, infirmed or disabled persons reside,~~ with one or more resident counselors or other resident or nonresident staff persons. The terms "mental illness" and "developmental disability" shall not include current illegal use of, or addiction to, a controlled substance as defined in Code of Virginia, §54.1-3401. ~~The residential facility, to qualify as a~~ Group Home, must have a license from the Virginia Department of Behavioral Health and Developmental Services or the State Department of Social Services.

Residential Facility means the use of land for an assisted living facility in which no more than eight aged, infirmed, or disabled persons reside with one or more resident counselors or other staff persons. The terms "aged", "infirmed", or "disabled" shall not include current illegal use of or addiction to, a controlled substance as defined in Code of Virginia §54.1-3401. A Residential Facility must have a license from the Virginia Department of Behavioral Health and Development Services or Virginia Department of Social Services.

Temporary Support Structure means a monopole or portable wireless communications facility used to provide wireless transmission, that is not constructed on a permanent foundation.

ARTICLE III. GENERAL REGULATIONS

DIVISION 1. DEVELOPMENT STANDARDS

Sec. 130-56. Obstructions, fences, and sight distance requirements.

- (a) Along the street frontage of every corner lot, obstructions that impair the vehicular sight distance at the intersection, such as structures, fences, plantings, or landscaping, are prohibited.
- (b) At no time shall a person construct any structure or plant landscaping of any form along a street right-of-way that will impede the adjoining property owners' sight distance for access onto a street right-of-way.
- (c) For the purpose of this section, the vehicular sight distance is measured from a point four feet above the legal vehicular stop bar. From this point, the driver shall have an unobstructed view of the

intersecting street for a distance of 200 feet in both directions. Sight distance at all intersections and driveway entrances shall comply with the standards as established in the DCSM.

- (1) For the streets without a painted vehicular stop bar, the sight distance shall be measured from a point four feet above the centerline of the street and perpendicular with the fixed point of curvature (PC) of the intersection.
- (2) For intersections adjacent to lots without a PC or radial corner, the PC shall be a line drawn on a 25-foot radius within the lot's corner and intersecting the lot lines adjacent to the street.
- (d) Subject to the sight distance limitations of this section, the owner of a corner lot may construct a fence ~~no higher that is less~~ than four feet in the area located between a right-of-way and the applicable front or side building setback lines. The owner may construct a fence ~~more-greater~~ than four feet in height parallel to a right-of-way in the rear yard or side yard if the fence otherwise conforms to the applicable building setback for the corresponding yard.
- (e) On all lots, the setback and yard requirements of this article shall not prohibit any otherwise lawful fence or wall that is less than four feet high along any lot line.
- (f) A fence or wall located along the lot line in the rear yard or side yard, except on a corner lot, may be erected to a height not exceeding seven feet for residential uses and eight feet for all other uses.

Sec. 130-57. Requirements for accessory structures.

- (a) In all zoning districts, the following standards shall apply:
 - (1) No accessory structure, unless otherwise permitted by this Chapter, shall be used for a residential dwelling unit.
 - (2) The lot coverage of an accessory structure or cumulative total of all accessory structures shall not exceed 40 percent of the lot coverage of the principal building on the lot.
 - (3) Amateur radio towers shall not exceed a height of 75 feet without approval of a special use permit under the requirements of Article IX of this chapter and shall comply with all other requirements of the zoning district where they are permitted as an accessory use, including setbacks and screening. Within ninety days of the discontinuance of the use of the tower for amateur radio purposes, said amateur radio tower shall be disassembled, removed, and the site restored as closely as possible to the condition before the tower was constructed. Discontinuance includes when the amateur radio operator is no longer licensed by the Federal Communications Commission or no longer owns or resides on the property where the amateur radio tower was permitted.
 - (4) Residential structures including, but not limited to, flag poles, basketball hoops, clotheslines, arbors, playsets, mechanical equipment and structures less than six square feet in area, or residential yard ornaments are not accessory structures and shall be exempt from the minimum setback, lot area, and certification requirements as specified in this chapter.

(b) In the A-1, R-1, R-2, and R-2-S zoning districts, the following additional standards shall apply:

- (1) No second-floor storage/attic area of an accessory structure, unless otherwise permitted by this Chapter, shall be designed, constructed, or modified in such a manner that it would qualify as habitable space under ceiling height and/or area requirements specified in the Uniform Statewide Building Code.
- (2) No accessory structure, excluding amateur radio towers, shall exceed the height of 22 feet to roof ridge, in the case of a flat roof 16 feet, or the height of the principal structure, whichever is less. Broadcasting or telecommunication towers that are collocated in accordance with §130-92 as part of the principal use of a parcel shall conform to the principal structure requirements.

(3) Accessory structures shall be a minimum of ten feet from the principal structure.

~~(3) Reserved.~~

- (4) The placement of accessory structure in a front yard shall be prohibited.
- (5) Accessory structures located in a side yard shall meet the side yard requirements for principal structures.

(6) Accessory structures located in a rear yard shall be a minimum of five feet from any side or rear lot line.

~~(6)~~(7) Accessory structures shall not exceed 50 percent of the height of the principal structure.

(c) In the R-3, R-5, R-6, R-7, B-3.5, and PMD zoning district, the following additional standards shall apply:

- (1) Detached private garages and private community recreational uses shall be permitted only if shown on the approved site plan.
- (2) On lots with a dwelling unit other than a multifamily building, accessory structures are not permitted except:
 - a. Accessory structures not exceeding 80 square feet and no more than eight and one-half feet in height are permitted in the rear yard, provided they are setback a minimum of five feet from all lot lines. In the R-3 and R-5 districts no minimum rear yard setback is required; and
 - b. Detached private garages and private community recreational uses are permitted in side and rear yards, provided they are five feet from the side and rear yards.
- (3) Accessory structures shall not exceed 50 percent of the height of the principal structure.

Sec. 130-58. Building projections.

- (a) Bay windows, chimneys, eaves, and similar architectural features may project no more than two feet beyond any required setback line. Discharge pipes for roof and surface drains and for sump pump discharge that do not connect into an underground drainage system shall be setback from property

lines in accordance with the requirements of the DCSM. Setback lines shall not apply to terraces, patios, and unroofed decks ~~on ground level~~ level with the adjacent yard surface.

- (b) Any unroofed deck attached to a dwelling unit with no part of its floor higher than four feet above finished ground level may extend into minimum required setbacks as follows:
 - (1) Front setback, no extension.
 - (2) Side setback, no extension.
 - (3) Rear setback, single-family detached dwelling units, ten feet, but not closer than 15 feet to any rear lot line.
 - (4) Rear setback, all other dwelling units, ten feet, but no closer than eight feet to any rear lot line.
- (c) Any unroofed deck attached to a dwelling unit with any part of its floor higher than four feet above finished ground level may extend into minimum required setbacks as follows:
 - (1) Front setback, no extension.
 - (2) Side setback, no extension.
 - (3) Rear setback, single-family detached dwelling units, five feet, but no closer than 20 feet to any rear lot line.
 - (4) Rear setback, all other dwelling units, five feet, but no closer than eight feet to any rear lot line.
- (d) Any unroofed stairs or ramps attached to a dwelling unit may extend into minimum required setbacks as follows:
 - (1) Front setback, three feet, but not closer than 5 feet to any front lot line.
 - (2) Side setback, three feet, but not closer than 5 feet to any side lot line.
 - (3) Rear setback, ten feet, but not closer than 15 feet to any rear lot line.
- (e) Any unroofed stairs or ramps attached to a non-residential structure may extend into the minimum required setbacks up to three feet.

Sec. 130-59. Reduction in minimum yard requirements based on error in building location.

Notwithstanding any other requirement of this chapter, the Zoning Administrator shall have the authority, as qualified below, to approve a reduction in the minimum yard requirements in the case of any building existing or partially constructed which does not comply with requirements applicable at the time of the ~~building~~ permit issuance and construction. Such a reduction may be approved by the Zoning Administrator in accordance with the following requirements:

- (a) The Zoning Administrator determines that the following conditions exist:
 - (1) The error does not create an encroachment into the required yard area greater than 12 inches;

- (2) The noncompliance was done in good faith, through no fault of the property owner, or was the result of an error in the location of the building subsequent to the issuance of a ~~building~~ permit, if such was required;
 - (3) Such reduction will not impair the purpose and intent of this chapter;
 - (4) Such reduction will not be detrimental to the use and enjoyment of other property in the immediate vicinity;
 - (5) Such reduction will not create an unsafe condition with respect to both other property and streets;
 - (6) To force compliance with the minimum yard requirements would cause unreasonable hardship upon the owner; and
 - (7) The reduction will not result in an increase in density from that permitted by the applicable zoning district regulations.
- (b) In approving such a reduction under the requirements of this section, the Zoning Administrator shall allow a reduction necessary to provide reasonable relief and, as deemed advisable, may prescribe such conditions to include landscaping and screening measures to ensure compliance with the intent of this chapter.
- (c) Upon the approval of a reduction for a particular building in accordance with the requirements of this section, the same shall be deemed to be a lawful building.
- (d) The Zoning Administrator shall have no power to waive or modify the requirements necessary for approval as specified in this section.
- (e) If there is an error greater than specified in §130-59(a)(1), a variance may be requested in accordance with the requirements of Article IX of this chapter.

Sec. 130-63. Requirements for zoning certification.

- (a) The following specific uses and construction activities shall require written certification that they are in compliance with this chapter prior to approval or commencement of the activity:
- (1) The installation or construction of any permanent structure (such as a retaining wall, fence, shed, aboveground pool, or similar structure) or temporary structure as required by §130-104 that exceeds a height of four feet or has a surface area exceeding 75 square feet, is otherwise regulated by the height, setback, or use requirements of this chapter, and does not require a building permit, a temporary directional sign permit, or a permit for a temporary use;
 - (2) The change of use or occupant on any commercially or industrially zoned property;
 - (3) Any activity requiring a building permit;
 - (4) The installation of a new electric meter base or exterior lighting on commercially or industrially zoned property;

- (5) Any exterior repair, addition, or alteration to a structure within a designated historic overlay district;
 - (6) The installation, modification, or construction of a residential driveway or off-street parking spaces, but not for repair, repaving, or surface treatments which do not increase the lot coverage of impervious surfaces; or
 - (7) The storage on a residential lot of any vehicle registered for personal use and exceeding a gross weight of more than 10,000 pounds, in excess of 21 feet in length, or wider than 102 inches.
- (b) The request for zoning certification shall be made on a form provided by the City and shall be acted on within ten working days. The review shall be limited to the requirements of this chapter.
- (c) The zoning certification shall be posted onsite in a conspicuous place during construction.
- (d) A zoning certification shall not be issued on properties with active city code and/or building code violations unless a certification is required to remedy the violations.

Sec. 130-95. Home businesses.

- (a) Notwithstanding any other requirement of this chapter, a home business, where permitted, shall be subject to the following requirements.
- (b) *General requirements.*
- (1) A maximum of one home business shall be located in a single-family detached dwelling unit, and shall neither change the character of the dwelling unit nor exhibit any exterior evidence of a non-residential use.
 - (2) At no time shall the permit holder maintain a permanent residence off-site.
 - (3) At all times, the on-site operations and supervisory responsibility of the permitted activity shall rest with the permit holder.
 - (4) Adequate on-site parking shall be provided for employees, customers, and clients.
 - (5) At no time shall more than two customers or clients be on-site at the same time. Customer or client contact on-site shall be by appointment only. Customer appointments shall be limited to not more than eight appointments a day, and not scheduled before 8:00 a.m. or after 6:00 p.m. Monday through Friday, unless otherwise authorized through the approval of a special use permit.
 - (6) On-site business signs shall be prohibited. No business sign is permitted on any mailbox.
 - (7) Motor vehicles used in the home business shall conform to the following requirements:
 - a. No vehicle used in the home business and with a gross weight of more than 10,000 pounds, in excess of 21 feet in length, or wider than 102 inches shall be parked, garaged, or stored in any residential district.

b. No more than one motor vehicle used in the home business shall be parked, garaged, or stored in any residential district.

~~c. Any sign maintained on any vehicle used in a home business shall be covered or removed when the vehicle is parked overnight in any residential district.~~

(8) On-site storage and use of materials, merchandise, or equipment is limited to the following standards:

a. Materials associated with the home business shall be limited to just-in-time delivery and storage practices. No bulk storage on-site is permitted.

b. Exterior storage of equipment, including open trailers and other business-related equipment, materials, or merchandise is prohibited.

c. Interior use of office equipment such as a telephone, fax, computer, or other typical light office equipment necessary to the home business is permitted.

d. All bulk storage of materials, equipment, or supplies must be identified and maintained off-site in an approved storage facility.

(9) No detached accessory structure shall be used for any portion of the home business.

(10) Not more than 25 percent of the gross floor area of a single-family detached dwelling unit, inclusive of any attached garage, shall be used for a home business.

(11) Exterior changes or modification of the single-family detached structure shall be limited to the minimum handicapped accessibility requirements.

(12) The home business shall require a separate occupancy permit for the home business.

Sec. 130-96. Home occupations.

(a) A home occupation shall be permitted as an accessory use by right in any residential dwelling unit lawfully occupied by one family as defined in §130-42. Such accessory use shall neither change the character of the dwelling unit nor exhibit any exterior evidence of a non-residential use. The City shall approve a home occupation permit, where permitted, subject to the following requirements.

(b) *General requirements.*

(1) No employees shall be permitted to come to the dwelling unit, except for family members residing in the dwelling unit.

(2) No more than one customer shall be permitted to come to the dwelling unit for business related purposes at any given time and shall conform to the following requirements:

a. Customer contact on-site shall be by appointment only.

b. Customer appointments shall be limited to not more than five appointments a day, and not scheduled before 8:00 a.m. or after 6:00 p.m. Monday through Friday.

- c. A minimum of one on-site parking space in addition to required parking for the residential dwelling unit shall be provided.
- (3) No business signs affixed to a mailbox, freestanding or otherwise, shall be permitted on-site.
- (4) On-site storage of materials, merchandise, or equipment is limited to the following standards:
 - a. Materials associated with the home occupation shall be limited to just-in-time delivery and storage practices. No bulk storage on-site is permitted.
 - b. Exterior storage of equipment, trailers, other business related equipment, materials, or merchandise is prohibited.
 - c. Interior use of equipment such as a telephone, computer, or other typical light office equipment necessary to the business is permitted.
 - d. All delivery of supplies shall be made just-in-time for its use.
- (5) Any motor vehicle used in a home occupation shall conform to the following requirements:
 - a. No vehicle used in a home occupation and with a gross weight of more than 10,000 pounds, in excess of 21 feet in length, or wider than 102 inches shall be parked, garaged, or stored on the site or in a residential district for any reason.
 - b. No more than one motor vehicle used for each home occupation shall be parked within the residential district.
 - ~~c. Any sign maintained on any vehicle used in a home occupation shall be covered or removed when the vehicle is parked in any residential district. Vehicles displaying a sign prior to enactment of this subsection shall be exempt from this provision until the vehicle is replaced.~~
- (6) The following commercial activities are specifically prohibited, and shall not be deemed or construed as activities constituting a home occupation:
 - a. Storage or staging facilities for landscaping and lawn maintenance services or construction services.
 - b. Motor vehicle repair, motor vehicle service, or motor vehicle sales and rental.
- (7) In the event a vehicle, including trailers or other on/off road equipment, is required as part of the home occupation, the applicant shall provide the following as part of the application process:
 - a. A valid street address where the vehicle will be garaged.
 - b. A copy of the current vehicle registration indicating the jurisdiction in which the vehicle is registered.
 - c. At no time shall a trailer or other off road equipment associated with a home occupation be permitted to be stored in any residential district.

- (8) Not more than 25 percent of the gross floor area of a dwelling unit, inclusive of any attached garage, shall be used for a home occupation.
- (9) A permit for a home occupation shall only be valid for the original applicant and is not transferable to any other resident of the dwelling unit, address, or to any other home occupation use. Upon termination of the applicant's residency, the home occupation permit shall become null and void.

Sec. 130-98. Manufactured homes.

No manufactured home shall be occupied for dwelling purposes, except in an A-1, R-1, R-2, and R-2-S zones or the manufactured home is located in a legal manufactured home park, in accordance with all the regulations applying thereto under state law, this Code, or other City ordinance. A manufactured home that is located in the A-1, R-1, R-2, or R-2-S zones shall be required to meet the requirements of the Code of Virginia §15.2-2290 and shall be considered a dwelling, single-family detached. ~~These~~ requirements, however, shall not apply to temporary family health care structures meeting the requirements of §130-104.

It shall be unlawful for any property owner, tenant, lessee, or administrator of any real estate in the City to rent, lease, or allow any manufactured home that is to be used as a dwelling unit or living quarters to be parked on the land under their supervision, unless it is located in a legal manufactured home park or converted to real property and maintained in accordance with the requirements of this chapter and subject to an occupancy permit as set forth in this chapter.

Sec. 130-99. Motor vehicle sales and rental or heavy equipment sales and rental.

Notwithstanding any other requirement of this chapter, motor vehicle sales and rental or heavy equipment sales and rental, where permitted, shall conform with the following requirements:

- (a) Each sales or rental office shall have a minimum lot area of 20,000 square feet.
- (b) No portion of the use, excluding required screening and landscape buffers, shall be located within 50 feet of a "R" district or structure containing a dwelling unit.
- (c) Outdoor display shall be designated on an approved site plan, and prohibited in any off-street parking or loading areas used to meet the minimum requirements of this chapter, fire lanes, travelways, sidewalks five feet or less in width, buffers, yards, and landscaped areas. The use of outdoor display ramps and stands is prohibited.
- (d) Outdoor display shall be limited to the vehicles or equipment sold on the property. No other outdoor display of any other goods or merchandise shall be permitted.
- (e) All accessory vehicle maintenance or service shall be conducted within a completely enclosed building. Outdoor storage, including temporary storage of vehicles on-site for maintenance, repair, or service, shall be permitted in accordance with the requirements of the zoning district.

~~(e)(f)~~ All deliveries, including loading and unloading of vehicles or equipment shall occur on-site.

Sec. 130-104. Temporary uses and structures.

Temporary uses and structures may be administratively approved where permitted as per §130-241 when the public health, safety, and welfare will not be impaired, when the use is not so recurring in nature as to constitute a permanent or principal use, and when the following requirements of this section are met:

- (a) All temporary uses and temporary structures shall comply with the following general requirements:
- (1) Written approval of the owner of the site shall be obtained. This approval shall identify the site address, owner's name, owner's mailing address, owner's telephone number, and owner's acknowledgment of proposed activity and date(s) activity is to operate.
 - (2) No permanent structure shall be constructed.
 - (3) Except as allowed by § 130-104(f) or by the conditions of a special use permit, no temporary structure shall be placed for a period greater than ~~90~~120 calendar days, unless otherwise permitted in this chapter. Removal of temporary structures shall be guaranteed in writing, and such structures shall be removed within 48 hours after permit expiration.
 - (4) A permit for a temporary use is required for (i) temporary outdoor events, (ii) temporary outdoor sales, and (iii) temporary structures placed for a period of five or more days and requiring a zoning certification as required by §130-63 even if not in connection with a temporary outdoor event or temporary outdoor sale. Except as allowed by § 130-104 (f), no permit shall be issued to an applicant unless and until at least 30 days after a permit issued to that applicant for the same or an adjacent lot or parcel has expired. Only one permit shall be active on any lot or parcel at any time.
 - (5) The City may revoke any permit issued for a temporary use or temporary structure if the permit holder violates any requirement of this chapter or other applicable local or state requirements. If no permit was required, the City may prohibit the temporary use or temporary structure by appropriate notice if the use or structure violates any part of this chapter.

Editor's Note: No changes to (b) through (e)

- (f) The following additional requirements apply to temporary support structures that are eighty (80) feet or more in height and erected for a period greater than 30 days:
- a. Prior to installing a temporary support structure, a permit application shall be submitted to and approved by the City.
 - b. Application materials should demonstrate that the structure is necessary for one of the following reasons (i) administering limited frequency and modulation testing to evaluate system performance and the need for additional wireless facilities, (ii) supplementing communications coverage when a previously permitted wireless facility has become involuntarily non-operational through an accident or natural disaster, (iii) a substantial increase in the

communications needs of the businesses, residents, or visitors of the locality for a limited period of time due to a special event, or (iv) any other reason deemed necessary and appropriate by the locality.

c. Temporary support structures can request approval for installation for up to 180 calendar days. Extensions of the initial approval timeframe may be administratively granted if a request is made in writing, and is found to be reasonably necessary. No extensions shall exceed a two-year period from date of original permit issuance.

~~(f)~~(g) When authorized by this section, the expiration of a permit for a temporary use or structure may be extended by the zoning administrator in the event of a local emergency subject to the following requirements:

- (1) The permit holder shall demonstrate the extension request meets the following criteria:
 - a. The local emergency has a direct and quantifiable negative impact on the permit holder of the temporary use or structure;
 - b. The temporary use or structure will not prevent or inhibit the City or the Commonwealth of Virginia from addressing the local emergency; and
 - c. The temporary use or structure will not further increase the severity or negative impact of the local emergency.
- (2) Each extension authorized under this subsection shall be limited to no more than the number of days allowed in the original permit.
- (3) The expiration date of a permit authorized under this subsection shall not extend beyond the length of time stated in the local emergency declaration or the end of the calendar year, whichever is sooner.
- (4) The temporary use or structure shall comply with all applicable laws and guidance of the City and the Commonwealth of Virginia to address the local emergency.
- (5) Extensions authorized under this subsection do not constitute changing a temporary use or structure to a permanent use or structure.

ARTICLE IV. SIGNS

Sec. 130-129. Signs not requiring permit.

In addition to signs allowed without a permit elsewhere in this article, the following signs are allowed and do not require a permit:

- (a) The changing of message content, including message content on a changeable message sign, if permitted in that district.
- (b) Signs erected by the City or other government entity, including but not limited to traffic control signs, signals, regulatory devices, legal announcements, historical markers, and directional signs.
- (c) The following small signs:
 - (1) Yard sale signs permitted under §130-101.

- (2) Multi-occupant signs erected in multiple-building complexes or on lots supporting three or more occupants, and operating as a shopping center, plaza, mall, or other common title.
- (3) Two minor signs, not exceeding three square feet in sign area. Freestanding minor signs shall be located a minimum distance of twenty-five feet apart.
- (4) Menu boards located adjacent to a drive-through lane and not exceeding six-feet in height.
- (5) Temporary signs not exceeding three square feet in sign area and erected for not more than 30 consecutive days.
- (d) Noncommercial signs on private property, subject to the restrictions on location, cumulative size, and materials provided in this article.
- (e) On a property under construction or renovation, for sale, or for rent, signs not exceeding four square feet for single-family detached properties or 18 square feet for all other residential, non-residential, or mixed-use properties.
- (f) Window signs, provided the aggregate sign area of all window signs does not exceed 25 percent of the total transparent area of the windows and doors on the building wall.
- (g) Signs affixed to the interior of a permanent fence of a recreational or sports facility at a private community recreational use, public facility, or educational facility.
- ~~(g)~~(h) Temporary freestanding banner signs are permitted to be displayed for a maximum of 14 calendar days for assembly and institutional uses.

ARTICLE V. NONCONFORMING USES, LOTS, AND STRUCTURES

Sec. 130-164. Nonconforming manufactured homes or accessory structures.

- (a) A nonconforming manufactured home (unit) or associated accessory structures may continue as it existed when it became a nonconforming structure. A nonconforming manufactured home shall not be reconstructed, altered, or expanded in any manner, except as provided in this section.
- (b) Such nonconforming unit may be enlarged or altered to an extent not to exceed 20 percent of the original footprint of the unit at the time of adoption of this chapter. Such enlargement or alteration may be approved if the construction conforms to minimum requirements as outlined in §130-164(d).
- (c) Should a nonconforming unit be removed from an existing nonconforming mobile home park lot, a comparable replacement unit may be placed on that lot provided the replacement unit meets the current HUD manufactured housing code. In such manufactured home park, a single-section unit may replace a single-section unit and a multi-section unit may replace a multi-section unit. Such replacement unit shall retain the valid nonconforming status of the prior unit.
- (d) Minimum location requirements for unit expansions in an existing nonconforming manufactured home park:

- (1) No unit expansion shall be located closer than 15 feet to another unit.
- (2) No unit expansion shall be located closer than five feet to a lot line.
- (3) No unit expansion shall be located closer than 15 feet to the centerline of the pavement of any street or vehicle travelway.
- (4) Each unit expansion shall maintain at least two off-street parking spaces.
- (5) Each unit expansion may be provided appropriate access by means of stairs and an unroofed platform, subject to the following requirements:
 - a. No stairs, deck, or platform shall exceed 25 percent of the unit length.
 - b. No stairs, deck, or platform shall be located closer than 10 feet to an adjacent unit or the edge of any street or vehicle travelway.
 - c. When a unit is designed with a second exterior door, a minimum access stairway without a platform or deck shall be permitted if the stairs are not located closer than 10 feet to an adjacent unit.
- (e) At no time shall any unit, replacement unit, or expansion be located in such a manner that it obstructs any street, vehicle travelway, or fire lane in the manufactured home park.
- (f) A nonconforming accessory structure in a manufactured home park may be replaced or moved, but only if the replacement or the relocated structure is no closer than five feet to any other accessory structure, lot line, or unit. No accessory structure shall be located closer than 20 feet to the centerline of any street or vehicle travelway.
- (g) A new accessory structure in a manufactured home park shall not exceed a maximum height of eight and one-half feet nor exceed 80 square feet in total area. The accessory structure shall be located no closer than five feet to any other structures, lot line, or unit. No accessory structure shall be located closer than 20 feet to the centerline of any street or vehicle travelway.
- ~~(g)~~(h) Should a unit be removed for any reason to another parcel of land, it shall thereafter conform to the requirements for the district in which it is relocated.

ARTICLE VI. PARKING AND LOADING REQUIREMENTS

Sec. 130-204. Off-street parking space requirements.

§130-204, TABLE 1: MINIMUM OFF-STREET PARKING REQUIREMENTS				
LAND USES DU = Dwelling Unit SF = Building's Gross Square Feet	REQUIRED OFF-STREET PARKING	SPECIAL DISTRICTS		EXCEPTIONS/ COMMENTS/ ADDITIONAL REQUIREMENTS
		DOWNTOWN* *For B-3 Zoning See §130-204(b)	GODWIN TECHNOLOGY, MATHIS, SUDLEY MEDICAL	
Motor Vehicle <u>Service and Motor</u> <u>Vehicle Repair</u> Repair (Major or Minor)	3 per repair bay	3 per repair bay	3 per repair bay	

Editor's Note: No other changes to §130-204 Table 1

Sec. 130-205. Off-street parking and driveway location and design requirements.

- (a) The location and design of all off-street parking or driveways shall comply with the requirements listed below and all requirements of the DCSM.
- (b) *Single-family detached dwellings.* For any single-family detached dwelling, off-street parking or driveways shall be located and designed in compliance with the following requirements.
 - (1) *Surfacing.* Surfacing of off-street parking or driveways shall be designed to maintain proper drainage, shall consist of an improved dustless surface, and shall not include dirt or sand. The use of gravel for surfacing shall also be prohibited, except for single-family detached dwellings located in a Historic Overlay District (HOD) and approved in accordance with the requirements of the HOD and DCSM.
 - (2) *Driveway or access.* Any improved surface used for off-street parking or driveways and which is located in any required yard abutting a street shall be limited to a driveway or access installed generally perpendicular to the abutting street. The width and number of such driveways or accesses per lot shall be limited as per the requirements of §130-205, Table 1. In order to provide additional vehicle maneuvering, off-street parking, or access to a side yard, additional driveway area, not to exceed 200 square feet, may be installed contiguous to an approved driveway and shall not be counted against the maximum driveway width requirements of this section. The additional driveway area, however, shall meet all other requirements of this article.

Lot Frontage on Improved Street (Total of All Frontages)	Maximum Driveway Width	Other Requirements
100' or more	25'	25' street frontage separation between driveways if located on the same street
60'-99'	20'	Through lots may have one driveway per lot frontage where permitted by the DCSM
30'-59'	15'	Through lots may have one driveway per lot frontage where permitted by the DCSM
Less than 30'	See §130-205(b)(7)	

- (3) *Additional restrictions for nonstandard-width parcels.* Notwithstanding the requirements regarding the permissible width and number of such driveways per the requirements of §130-205(b)(2), off-street parking or driveways must comply with all other requirements of this chapter and the DCSM.
- (4) *Setback.* At no time shall off-street parking or driveways be located closer than two feet to a side or rear lot line, except where a shared driveway between two single-family detached dwellings is proposed, and shared access and maintenance easements have been approved by the City.
- (5) *Side yards.* A maximum of one side yard shall contain off-street parking or driveways.
- (6) *Total area.* In no event shall the total area within all front, side, and rear yards devoted to off-street parking or driveways exceed 20 percent of the total lot area.
- (7) *Modification.* When the requirements of §130-205(b) cannot be met, due to topography, building location, easements, specimen trees, legally non-conforming lot frontage, or other physical conditions beyond the control of the owner, for an off-street parking space or driveway cannot be placed in one of the yards as otherwise permitted, or to provide a disabled person reasonable access in accordance with the Americans for Disabilities Act (ADA), the property owner may submit a request for a modification on an application provided by the City. The application shall include a plan identifying the area and location of the proposed paved area, specific topographic information, or other information as necessary to support the request for a modification. The Zoning Administrator shall give, or require the applicant to give, all adjoining property owners written notice of the request for modification, and an opportunity to respond to the request within 21 days of the date of the notice. The Zoning Administrator shall make a decision on the application for modification and issue a written decision with a copy provided to the applicant and any adjoining landowner who responded in writing to the notice sent pursuant to this paragraph. The Zoning Administrator shall only issue a modification if the following criteria are met:
- a. For modifications associated with providing a disabled person access:

1. The strict application of the ordinance would produce an undue hardship that would prevent a disabled person, as defined by the ADA, from reasonable access to their property; and

2. The modification is necessary to provide reasonable access and is directly connected to the type of disability.

b. For all other modifications:

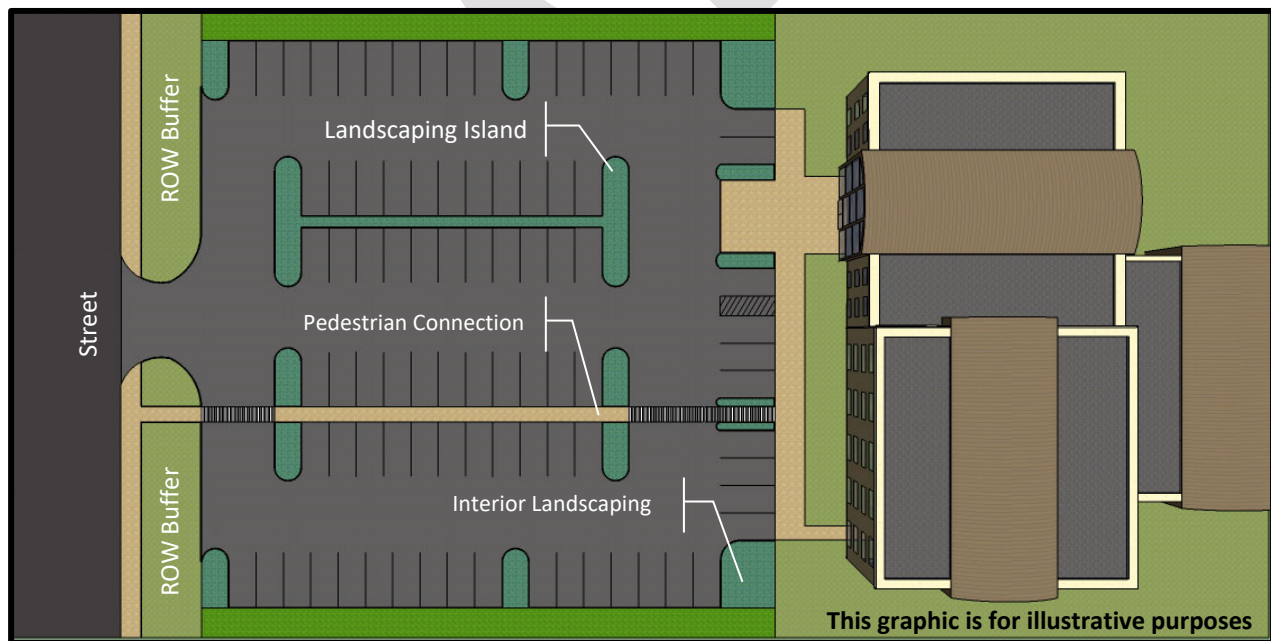
1. The strict application of the ordinance would produce undue hardship;
2. The hardship is not shared generally by other properties in the same zoning district and the same vicinity;
3. The authorization of the modification will not be of substantial detriment to adjacent property, and the character of the zoning district will not be changed by the granting of the modification; and
4. The total lot area within all front, side, and rear yards devoted to off-street parking or driveways shall not exceed 20 percent of the total lot area.

(c) *Uses other than single-family detached dwellings.* For all uses other than single-family detached dwellings, all off-street parking and driveways shall be located and designed in compliance with the following requirements and all requirements of the DCSM.

- (1) *Surfacing.* Surfacing of off-street parking or driveways shall be designed to maintain proper drainage, shall consist of an improved dustless surface, and shall not include dirt, gravel, or sand. These areas shall be designed to maintain proper drainage, and shall be striped and maintained in a safe and usable condition in accordance with the requirements in the DCSM. Driveways shall be free of significant cracks, potholes, corrosion, and other signs of disrepair that render the surfacing in an unsafe. Permeable pavements may be authorized by the City pursuant to the DCSM.
- (2) *Storage yards.* Whenever outdoor or exterior storage is designed or used for the storage or movement of vehicles, an improved dustless surface shall be provided for all storage areas, parking areas, and driveways within the storage area or yard.
- (3) *Fleet vehicles.* Whenever daily or overnight storage of fleet vehicles is proposed, these vehicles shall be parked in off-street parking spaces located to the side or rear of the principal structure and screened in accordance with the requirements of this chapter and the DCSM. These off-street parking spaces shall be identified on any approved site plan.
- (4) *Off-street parking setbacks.* Off-street parking shall not be located within five feet of any building. Driveways shall not be located within five feet of any building except where emergency vehicular access is required by the building code or fire prevention code. The five-foot setback for off-street parking and driveways shall not be required for:
 - a. Off-street parking and driveways located underneath a building; or
 - b. Off-street parking and driveways located within a multi-level parking structure.

- (5) *Landscaping and pedestrian connections.* Off-street parking areas shall comply with all applicable DCSM requirements as well as the following requirements for parking bays and landscaped islands.
- Any site requiring four or more off-street parking spaces shall be provided with interior landscaping comprising at least seven percent of the total area of the off-street parking area and associated driveways and travelways. Such landscaping shall be in addition to any planting or landscaping buffers required by this chapter or the DCSM Interior landscaping shall not be required for any off-street parking spaces located airside and zoned I-A, Airport.
 - Landscaping islands. Off-street parking areas shall be constructed so that spaces are grouped into bays with interior landscaping islands separating the bays from each other. No off-street parking bay shall contain more than 25 parking spaces or be constructed to a length of more than 200 feet. Interior landscaping islands shall, at a minimum, be provided at both ends of all bays and may also be provided within a continuous landscaped median separating two rows of parking. Perimeter landscape buffer areas shall not substitute for interior landscaping islands.

§130-205(d), FIGURE 1: LANDSCAPING AND PEDESTRIAN CONNECTIONS



- Pedestrian connection. Off-street parking areas containing four or more parking spaces shall provide a minimum of one direct and continuous paved pedestrian connection within the parking area that connects building entrances, off-street parking spaces, and new or existing sidewalks adjacent any street right-of-way. The pedestrian connection shall be uninterrupted by off-street parking spaces and may be contained within interior parking lot landscaping, landscaping islands, or buffer areas.

Editor's Note: No changes to (d) through (g)

Sec. 130-206. Off-street loading.

- (a) The quantity, location, and design of off-street loading spaces shall comply with the requirements listed below and all requirements of the DCSM.
- (b) *Specific requirements.* Except where indicated otherwise in this article, every use listed in §130-206, Table 1: Off-Street Loading Requirements shall provide loading areas.

§130-206, TABLE 1: OFF-STREET LOADING REQUIREMENTS		
LAND USES	GROSS FLOOR AREA THRESHHOLD**	MINIMUM NO. OF LOADING AREAS*
RESIDENTIAL	None	None
ASSEMBLY & INSTITUTIONAL (only those uses listed below)		
Assembly and Institutional Uses providing food service	None	1
Continuing Congregate/Continuing Care, Assisted Living Facility, Hospital, Medical Care Facility, or Nursing Home	10,000 SF	1 + 1 for every additional 100,000 SF
COMMERCIAL (except those uses listed below)	10,000 SF	1 + 1 for every additional 25,000 SF
Gasoline Station	None	1 for fuel deliveries
Office (General or Medical)	20,000 SF	1 + 1 for every additional 30,000 SF
INDUSTRIAL	10,000 SF	1 + 1 for every additional 25,000 SF
** Gross Floor Area includes all principal buildings and structures on premises. See §130-206(g) for facilities below the listed threshold GFA.		

Editor's Note: No changes to (c) through (g)

ARTICLE VIII. ZONING DISTRICTS

DIVISION 1. PERMITTED USES

Sec. 130-241. Use tables.

		§ 130-241 TABLE 1									
		"P"= Permitted By-Right "S"= Special Use Permit is Required									
		ZONING DISTRICTS									ADDITIONAL REQUIREMENTS
CATEGORY	USE TYPE	RESIDENTIAL DISTRICTS									
RESIDENTIAL		A-1	R-1	R-2	R-2-S	R-3	R-4	R-5	R-6	R-7	
	Manufactured Home	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		P				Sec. 130-98
	<u>Residential Facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
ACCESSORY	<u>Temporary Support Structure</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Sec. 130-104</u>

Editor's Note: No other changes to §130-241 Table 1.

§ 130-241 TABLE 2											
"P"= Permitted By-Right "S"= Special Use Permit is Required											
CATEGORY	USE TYPE	ZONING DISTRICTS									ADDITIONAL REQUIREMENTS
		NON-RESIDENTIAL & MIXED USE DISTRICTS									
		B-2 ¹	B-3	B-3.5	PMD	B-1 ²	B-4	I-1	I-2	I-A	
RESIDENTIAL	Manufactured Home		P								Sec. 130-98
	<u>Residential Facility</u>		P	P	P						
ACCESSORY	<u>Temporary Support Structure</u>	P	P	P	P	P	P	P	P	P	<u>Sec. 130-104</u>

¹ All uses subject to floor area limit of 10,000 square feet

² Refer to § 130-301 for list of uses subject to 25% gross floor area limit

DIVISION 2. RESIDENTIAL DISTRICTS

Sec. 130-264. R-2-S small lots, single-family residential.

- (a) *Purpose and intent.* The R-2-S small lots, single-family residential district is intended to preserve and promote quality residential-scale architecture and neighborhood character. This district is designed to provide for and encourage development of high-quality detached single-family homes at a moderate suburban density of approximately 4.3 dwelling units per acre or less.
- (b) *Uses permitted.* See §130-241.
- (c) *Minimum lot dimensions:*
- (1) Area: 10,000 square feet.
 - (2) Width:
 - a. Interior lots, 70 feet at the front setback line.
 - b. Corner lots, 100 feet at the front setback line.
- (d) *Minimum setback requirements:*
- (1) Front, all structures shall be located a minimum of 35 feet from the front lot line.
 - (2) Side, all structures shall be located a minimum of ten feet from any side lot line, and the two required side yards shall total a minimum of 25 feet with no side yard less than ten feet wide.
 - (3) Rear, all principal structures shall be located a minimum of 25 feet from the rear lot line.
 - (4) Corner lots:
 - a. All structures shall be located a minimum of 35 feet from the front lot line and a minimum of 20 feet from any other lot lines abutting a street right-of-way.
 - b. All principal structures shall be located a minimum of ten feet from all other lot lines, and the two required side yards shall total a minimum of 25 feet.
 - (5) Unoccupied architectural features, building projections and unroofed decks: See §130-58.
- (6) Accessory structures: See §130-57.
- (7) Cluster Subdivisions:
- a. The following minimum setbacks apply to existing R-2-S cluster subdivisions approved prior to July 15, 2006:
 - i. Front, all structures shall be located a minimum of 20 feet from the front lot line.
 - ii. Side, all structures shall be located a minimum of five feet from any side lot line, and the two requires die yards shall total a minimum of 10 feet with no side yard less than five feet wide.
 - iii. Rear, all principal structures shall be located a minimum of 10 feet from the rear lot line.

b. Corner lots:

i. All structures shall be located a minimum of 20 feet from the front lot line and a minimum of 15 feet from any other lot lines abutting a street right-of-way.

i-ii. All principal structures shall be located a minimum of 10 feet from the rear lot line, opposite the front lot line and 5 feet from the side lot line, opposite any other lot lines abutting a street right-of-way.

(e) *Maximum structure height:*

(1) No structure shall be greater than 35 feet in height. However, uses permitted by a special use permit and public utility uses may exceed this height subject to approval of a special use permit in accordance with Article IX of this chapter.

(2) Accessory structure height, see §130-57.

(f) *Off-street parking requirements.* See Article VI of this chapter.

(g) *Frontage on an improved street.* See §130-53.

ARTICLE IX. LAND USE APPLICATIONS

DIVISION 1. SPECIAL USE PERMITS

Sec. 130-502. Application requirements.

The City may require a pre-application meeting prior to submission of any application. No application shall be officially accepted for filing until all of the information identified in this section is furnished, unless specific items are waived by the City or approved for later submission in accordance with the requirements of this article. Applications and supplemental information shall be filed on forms provided by the City and shall include the following:

(a) Two copies of a completed City special use permit application form:

(1) The application shall be signed by all owners of the subject property or such owner(s)' agent. However, if the application is signed by their agent, a copy of written authority or power of attorney form from all owners must accompany the application.

(2) The completed form shall be printed or typed.

(b) Two copies of a notarized affidavit regarding disclosure of real parties of interest and in accordance with the requirements of §15.2-2289 of the Code of Virginia.

(c) A written narrative describing the proposed use, operational conditions, and conditions proposed by the applicant to minimize the impact of the use on surrounding properties.

(d) Three copies of a generalized development plan in accordance with the requirements of §130-503. Each submission shall also include a reduction of the generalized development plan.

- (e) When construction or alteration of a structure, including signage and screening, is proposed, the applicant shall submit architectural renderings in color of all structures and a list of the color and type of exterior finishes proposed.
- (f) An impact analysis identifying the impacts of the proposed activity or development, prepared at the applicant's expense, together with proposed conditions to mitigate those impacts. The impact analysis must be based on current data and sound methodology, and demonstrate a nexus between the impacts of the proposal and the condition and rough proportionality between the condition and the impact.
- (g) Additional studies prepared at the applicant's expense, as identified during the pre-application meeting or as identified during the review of the application, to appropriately evaluate the proposal.
- (h) Electronic submission of all documents included in the application package.
- (i) A nonrefundable filing fee in accordance with a fee schedule established by an uncodified ordinance enacted by the City Council, as amended.
- (j) Payment of all delinquent taxes and fees as required by §130-64.
- ~~(k) A digital copy of all documents required by this section.~~

ARTICLE X. ENFORCEMENT

Sec. 130-603. Infractions and civil penalties.

- (a) With the exception of the subdivision ordinance located in Division 3, Article I, any violation of the following requirements of this chapter, not resulting in injury to any persons, shall be punishable by a civil penalty of \$200.00 for the initial summons and \$500.00 for each additional summons. Before a civil penalty is imposed, however, the City shall issue a written warning providing a reasonable period of remediation not to exceed ten calendar days.
 - (1) Erecting or maintaining fences in violation of this chapter.
 - (2) Erecting or maintaining signs in violation of this chapter.
 - (3) Failure to enclose trash dumpsters in violation of this chapter.
 - (4) Failure to use or maintain driveways, parking, and or loading spaces in accordance with this chapter and/or the approved site plans.
 - (5) Obstructions that impair the vehicular sight distance at an intersection, such as structures, fences, plantings, or landscaping; and obstructions created by any structure or landscaping of any form along a street right-of-way that will impede the adjoining property owner's sight distance for access onto a street right-of-way.
 - (6) Conducting a home occupation, as defined in this chapter, without obtaining the approval of the City.

- (7) Permitting, maintaining, or operating a Junkyard, as defined by §130-42, in violation of this chapter.
- (8) Alteration of a structure within the historic district without a Certificate of Appropriateness.
- (9) Parking and storing vehicles in violation of this chapter.
- (10) Constructing accessory structures in violation of this chapter.
- (11) Failure to operate in accordance with the performance standards for any use listed under Article III, Division 2 in violation of this chapter.
- (12) Expansion and/or modification of a driveway in violation of this chapter.