



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

AGENDA

Planning Commission Subcommittee
Manassas City Hall
9027 Center Street
Manassas, VA 20110
Community Conference Room
Wednesday, August 27, 2025

1. **Call to Order - 5:30 p.m.**
2. **Roll Call and Determination of a Quorum**
3. **Approval of Meeting Minutes**
 - 3.1 **Approval of Meeting Minutes for August 13, 2025**
[Attachment 1. Draft Meeting Minutes for August 13, 2025](#)
4. **New Business**
 - 4.1 **ZTA #2026-0001, 2026 Zoning Ordinance Annual Updates - Data Centers**
(Staff: Christian Samples, AICP, Planning Manager)
[Memorandum](#)
[Attachment 1. Draft Data Center Ordinance](#)
[Attachment 2. City of Manassas Noise Ordinance](#)
[Attachment 3. Fairfax County Data Center Regulations](#)
[Attachment 4. Prince William County Data Center Ordinance](#)
[Attachment 5. Loudoun County Data Center Ordinance](#)
5. **Old Business**
 - 5.1 **ZTA #2026-0001, 2026 Zoning Ordinance Annual Updates - Accessory Dwelling Units**

(Staff: Christian Samples, AICP, Planning Manager)

[Attachment 1. Draft ADU Ordinance - 8-13-2025](#)

[Attachment 2. Draft ADU Ordinance - 8-27-2025](#)

6. Adjournment

**PLANNING COMMISSION
ZONING ORDINANCE REVIEW COMMITTEE (ZORC)
AUGUST 13, 2025
CITY HALL – FIRST FLOOR CONFERENCE ROOM
9027 CENTER STREET, MANASSAS, VA 20110
5:30 P.M.**

In Attendance

Dheeraj Jagadev – Committee Member
Eric Brescia – Committee Member

Staff

Christian Samples, Planning Manager
Audra Ovalle, Planner
Christen Miller, Clerk

Absent

Leah Sanders – Committee Member

Commissioners in Attendance

Miguel Pires – Planning Commission
Jeremy Rood – Planning Commission
Charles Sweet – Planning Commission

1. Meeting convened at 5:30 P.M.

2. Approval of Meeting Minutes for March 6, 2024

Commissioner Brescia made a motion to **APPROVE** the March 6, 2024 minutes as presented.
Commissioner Jagadev seconded. **THE MOTION PASSED UNANIMOUSLY BY VOICE VOTE.**

3. Public Comments – None

4. ZTA #2026-0001 – 2026 Zoning Ordinance Annual Updates

Accessory Dwelling Units

Mr. Samples provided an overview of the proposed revisions to the accessory dwelling ordinance.

The committee discussed the general regulations and staff comments to include limits on rentals and removing lot restrictions.

The committee agreed to removing the following regulations:

- “Rental of an accessory dwelling until shall meet the requirements of the use boardinghouse” and noted that rental of these units will be encouraged.
- “No more than three individuals shall reside in the accessory dwelling unit” and noted that enforcement can be based on building code and occupancy limits.
- “The minimum lot size for an accessory dwelling unit is 1.25 times the minimum lot size of the property’s zoning district” and noted that this provision would discourage ADU development.

Mr. Samples noted that staff reviews the zoning ordinance annually and that the accessory dwelling unit ordinance could be brought back for amendments if issues arise. Mr. Samples also noted that the City cannot restrict the issuance of building permits for accessory dwelling units.

Mr. Samples announced that at the upcoming ZORC meeting scheduled for August 27 will be discussion around data centers.

Mr. Samples asked the committee for their availability to schedule a September 10th ZORC meeting to discuss cannabis regulations. The Committee indicated that they were available to meet on September 10th.

5. Adjournment

Commissioner Jagadev moved to **ADJOURN** the meeting. **Commissioner Brescia** seconded the motion.
THE MEETING WAS ADJOURNED AT 6:08 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: August 27, 2025
RE: ZTA #2026-0001, 2026 Zoning Ordinance Annual Updates – Data Centers

Background

Data center development has arisen as a significant issue over the past five years. Northern Virginia is home to the largest cluster of data center development in the United States. The City presently regulates data centers under the use “Warehousing and Distribution”, which is a permitted use in the I-1 Light Industrial, I-2 Heavy Industrial, and I-A Airport zoning districts and prohibited in all other zones. The use is also regulated by DCSM standards and City utility requirements.

The City is home to one completed data center, with three sites containing seven structures being developed. City residents have expressed concerns that the effects of data centers, including noise, size, location and environmental effects, may detract from the City’s quality of life. The proposed ordinance is intended to address these concerns.

Draft Data Center Ordinance

The proposed ordinance addresses data centers by regulating their location, height, massing, screening, and noise mitigation. Data centers are defined as “a facility comprised of computer systems and related infrastructure that is designed to store, manage, process, and transmit digital data, but does not include server rooms or information technology infrastructure that are accessory to a principal use.” A data center requires a special use permit in the I-1 and I-2 zones and are prohibited in all others.

Height is limited to 75 feet in the industrial zones unless additional height is requested through a special use permit. Setbacks are similar to the standards of the industrial zones, but are modified to address data centers. An additional setback of 100 feet is required from an “R” zoned property and the uses Child Care Center, Cultural Facility, Day Care Center - Adult, Educational Facility, Hospital, and Parks and Open Space. The “R” zoned properties and these uses were identified as those that would have the most significant impact from the effects of a data center. A provision has been included that prohibit shade and shadow from data center structures to be cast upon “R” zoned properties and the uses listed above. Data center

structures over 30 feet are required to have an additional one foot of setback per every additional foot of height over 30 feet.

Noise generated by data centers is required to meet the requirements of the noise ordinance in Chapter 58 (Environment). A noise study demonstrating these requirements are met is required to be submitted with the special use permit and site plan applications. A post construction noise study is also required no later than 30 days after the data center is operational. The City's Noise Ordinance (Attachment 2) limits noise from industrial uses to 70 decibels during the day, 60 decibels when measured from any residential zoning district, and 65 decibels from all other zones.

Mechanical equipment is required to be screened in accordance with the zoning ordinance and the DCSM. The location of mechanical equipment is limited to the roof, side, or rear of the principal structure. Rooftop mechanical equipment requires a parapet wall or similar screening. This equipment is not allowed between the principal structure and an adjacent street and between the principal structure and any "R" zoned property, any "B" zoned property containing a dwelling unit", Child Care Center, Cultural Facility, Day Care Center - Adult, Educational Facility, Hospital, or Parks and Open Space.

Data center façades are required to have variation to further mitigate impacts from the height, width and scale of the structures. Facades are required to have one variation, such as a change in building materials, color, glazing or similar variation, for every 100 feet of building length. Buildings less than 100 feet long must have at least 35% of its façade contain one variation. Landscaping beyond the requirements of the zoning ordinance and DCSM, can be credited toward one required variation.

Data center parking is proposed to be determined by the Zoning Administrator. Data centers can have unique configurations that make having a standard parking requirement difficult to administer. A Zoning Administrator determination allows a precise approach that can take specific configurations into account.

Data center ordinances from Fairfax County, Prince William County, and Loudoun County were reviewed and are included for your reference (Attachment 3 – 5).

Attachment:

1. Draft Ordinance – Data Centers
2. City of Manassas Noise Ordinance
3. Fairfax County Data Center Ordinance
4. Prince William County Data Center Ordinance
5. Loudoun County Data Center Ordinance

ARTICLE II. DEFINITIONS

Sec. 130-42. Definitions.

Data center means a facility comprised of computer systems and related infrastructure that is designed to store, manage, process, and transmit digital data, but does not include server rooms or information technology infrastructure that are accessory to a principal use.

Sec. 130-105. Data center.

(a) Minimum setback requirements:

- a. Front: 15 feet from any lot line, any street or private access easement right-of way line.
- b. Side and rear: None adjacent to a "B" district lot line that does not contain a dwelling unit or an "I" district lot line.
- c. All structures shall have a minimum setback of 100 feet from any "R" zoned lot, any "B" zoned lot containing a dwelling unit, Child Care Center, Cultural Facility, Day Care Center - Adult, Educational Facility, Hospital, or Parks and Open Space.
- d. Structures over 30 feet tall shall have an additional one foot of setback per every foot of height over 30 feet.
- e. No structure shall cast any shade or shadow upon any "R" zoned lot, any "B" zoned lot containing a dwelling unit, Child Care Center, Cultural Facility, Day Care Center - Adult, Educational Facility, Hospital, or Parks and Open Space. An analysis demonstrating the structures meets the requirements of this subsection shall be submitted with any special use permit, site plan, and building permit applications.

(b) Noise standards:

- a. Noise generated from the use shall meet the requirements of Chapter 58 (Environment).
- b. A noise study demonstrating that the use meets Chapter 58 (Environment) shall be submitted with the special use permit and site plan applications and recommended mitigation shall be incorporated into the approved site plan and/or building plans.
- c. A post-construction noise study shall be submitted within 30 days after the use is operational demonstrating compliance with Chapter 58 (Environment).

(c) Mechanical equipment standards:

- a. All mechanical equipment must be screened from view in accordance with this Chapter and the DCSM. Rooftop mechanical equipment shall be screened from view by a parapet wall or other similar screening method.
- b. Mechanical equipment shall be permitted to the side or rear of a principal structure unless otherwise prohibited by this section.
- c. Mechanical equipment shall not be located between a principal structure and any adjacent streets.

- d. Mechanical equipment shall not be located between the principal structure and any “R” zoned lot, any “B” zoned lot containing a dwelling unit”, Child Care Center, Cultural Facility, Day Care Center - Adult, Educational Facility, Hospital, or Parks and Open Space.

(d) Principal structure façade standards:

- a. Variations to the structure’s façade shall be provided to diminish and mitigate the height, width, and scale of the structure, providing a design that is compatible to the surrounding community and streetscape.
- b. The structure shall have a variation in its façade for every 100 feet of linear area. For structure’s with less than 100 feet of linear area, at least 35% of the building façade shall contain at least one variation.
- c. Variations in the structure’s façade shall be consistent with the overall design of the structure.
- d. To qualify as a variation, the structure shall include a change in building materials, color, glazing, or similar variation.
- a-e. When appropriate, landscaped berms, enhanced landscape plantings, and tree preservation, beyond the requirements of this Chapter and the DCSM, can be considered for credit towards a part of the required variation.

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	
INDUSTRIAL USES				No maximum parking required
<u>Data Center</u>	<u>Zoning Administrator Determination</u>	<u>Zoning Administrator Determination</u>	<u>Zoning Administrator Determination</u>	<u>Sec. 130-105</u>

§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	
Heavy Equipment Sales and Rental	1 customer vehicle space per 500 SF	1 customer vehicle space per 500 SF	1 customer vehicle space per 500 SF	Spaces for customer parking and outdoor display shall be marked separately. See also §130-99.
Laboratory or Research and Development	1 per 800 SF	1 per 800 SF	1 per 800 SF	
Laundry, Commercial	1 per 500 SF	1 per 1,200 SF	1 per 600 SF	
Manufacturing (Heavy or Light)	1 per 800 SF	1 per 800 SF	1 per 800 SF	
Storage Yards	Zoning Administrator	Zoning Administrator	Zoning Administrator	
Truck Terminal	1 per 2,000 SF	1 per 2,000 SF	1 per 2,000 SF	
Warehousing and Distribution	1 per 1,250 SF	1 per 5,000 SF	1 per 1,250 SF	
Wholesale Trade	1 per 1,250 SF	1 per 5,000 SF	1 per 1,250 SF	

ARTICLE VIII. ZONING DISTRICTS

DIVISION 1. PERMITTED USES

Sec. 130-241. Use tables.

- (a) Tables 1 and 2 list all use types and all zoning districts where the use type is permitted (“P”) or permitted with approval of a special use permit (“S”) in accordance with the requirements of Article IX of this chapter.
- (b) All uses defined in Sec. 130-42 and/or listed in Tables 1 and 2 that are not specifically permitted (“P”) or permitted with approval of a special use permit (“S”) are prohibited.
- (c) Overlay Districts: Regardless of whether the use table lists a use type as permitted or permitted with approval of a special use permit, the use type shall be restricted or prohibited by the requirements of any overlay district.
- (d) The “Additional Requirements” column in Tables 1 and 2 is for reference only and is not intended as an all-inclusive listing of all local, state, or federal requirements and regulations applicable to a use type.

"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	
INDUSTRIAL	Data Center							<u>S</u>	<u>S</u>		Sec. 130-105
	Heavy Equipment Sales and Rental							S	P		Sec. 130-99
	Laboratory					P		P	P	P	
	Laundry, Commercial							P	P		
	Manufacturing, Heavy								S		
	Manufacturing, Light							P	P	P	
	Motor Vehicle Repair							S	P		Sec. 130-100
	Research and Development					P		P	P	P	
	Storage Yard/Facility/Chemical Storage/Tank Farm (Hazardous Materials)							S	S	S	
INDUSTRIAL (CONT)	Storage Yard/Facility/Chemical Storage/Tank Farm (Non-Hazardous Materials)								P		
	Truck Terminal								P		
	Warehousing and Distribution							P	P	P	
	Wholesale Trade							P	P	P	

ARTICLE I. - NOISE

Footnotes:

--- (2) ---

Editor's note— Ord. No. O-2024-24, adopted July 22, 2024, amended Art. I in its entirety to read as herein set out. Former Art. I, §§ 58-1—58-11, pertained to similar provisions, and derived from Ord. No. O-2016-002, § 1, adopted August 10, 2015.

Sec. 58-1. - General policy.

It is hereby declared to be the public policy of the City of Manassas to protect its citizens against excessive noise which is detrimental to life, health and enjoyment of property. In order to promote the public health, safety, welfare and the peace and quiet of the inhabitants of the city, the following measurements and standards relating to noise are hereby adopted.

(Ord. No. O-2024-24, 7-22-2024)

Sec. 58-2. - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Approved sound-level meter means an instrument sensitive to pressure fluctuations and meeting the standards of the American National Standards Institute (ANSI), and the Virginia Department of General Services. Sound meters used in the enforcement of this ordinance shall be calibrated by the manufacturer or a company that can certify the calibration at least once every 12 months, as required by Virginia Code § 19.2-270.7.

A-weighted sound pressure level means the A-weighting network measures the sound pressure level on an approved sound level meter. The unit of measurement is dB(A) or dBA. Sounds measured with the "A" weighting network shall be as specified under the most current specifications of the ANSI.

Chief means the Chief of Police of the City of Manassas or his or her authorized agents.

City manager means the City Manager of the City of Manassas or his or her designee.

Commercial zoning district means any parcel or parcels of real property with a zoning classification beginning with "B" or "PMD", as described in City Code sections 130-301 through 130-305 or 130-308.

Construction area means any site preparation, assembly, erection, substantial repair, alteration, or similar action, demolition, installing or equipping of buildings, public or private roadways, roads, railroads, premises, parks, utility lines, or other property, including land clearing, grading, milling, excavating and filling.

Construction work means any activity involving the use of any equipment in construction, repair, alteration or demolition work on structures or appurtenances thereto in the outdoors.

Daytime means the local time of day between the hours of 7:00 a.m. and 7:00 p.m. weekdays and from 9:00 a.m. to 6:00 p.m. on Saturdays, Sundays and legal holidays observed by the City of Manassas government unless otherwise specified.

Decibel (dB) means a unit for measuring the volume of a sound, equal to 20 times (the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure which is 20 micro pascals (20 micro newtons per square meter)).

Downtown entertainment district means all real property within the "designated outdoor refreshment area", as described in Ordinance O-2022-02.

Emergency means an urgent, sudden, and serious event that requires immediate action to remedy harm or avert imminent danger to life, health, or property; an exigency.

Emergency work means any work performed to prevent or alleviate physical injury, illness, or property damage threatened or caused by an emergency.

Holidays means those days established by the City of Manassas as official holidays.

Industrial zoning district means any parcel or parcels of real property with a zoning classification beginning with "I", as described in City Code sections 130-306 through 130-307.

Motorcycle shall have the meaning outlined in § 46.2-100 of the Code of Virginia, 1950, as amended, except that for this chapter, the definition shall include motorscooters, minibikes, and mopeds.

Motor vehicle shall have the meaning outlined in § 46.2-100 of the Code of Virginia, 1950, as amended.

Musical entertainment as used herein shall mean music made by what are commonly known as musical instruments, amplifiers, loudspeakers, recordings of music, choral or vocal singings sponsored or provided by the business wherefrom the noise emanates.

Nighttime means the local time of day between the hours of 7:00 p.m. and 7:00 a.m. weekdays and from 6:00 p.m. to 9:00 a.m. on Saturdays, Sundays and legal holidays observed by the City of Manassas government unless otherwise specified.

Noise means any steady-state or impulsive sound occurring on either a continuous or intermittent basis.

Plainly audible means the human ear can hear the sound with or without a medically approved hearing aid or device.

Public premises means all real property, including appurtenances thereon, is owned or controlled by the city and includes, without limitation, rights-of-way, streets, highways, sidewalks, alleys, parks, and waterways.

Real property boundary means an imaginary line along the ground surface and its vertical extension which separates property owned by one person from that held by another, but not including intra-building real property divisions.

Receiving premises means the premises where noise is plainly audible after being emitted from the source premises and crossing one or more property boundaries.

Residential dwelling means any structure in which one or more persons live on a permanent or temporary basis, including, but not limited to, single-family dwellings, multiple-family dwellings, hotels, and motels.

Residential zoning district means any parcel or parcels of real property with a zoning classification beginning with "R", as described in City Code sections 130-262 through 130-269.

Right-of-way means any street, avenue, boulevard, highway, or alley open to the public.

Sound means an oscillation in pressure, particle displacement, particle velocity, or other physical parameters in a medium with internal forces that causes compression and rarefaction of that medium. The sound description may include any characteristic of such sound, including duration, intensity, and frequency.

Sound amplifying equipment means any machine or device for the sound amplification of the human voice, music, or any other sound. "Sound amplifying equipment" shall not include warning devices on authorized emergency vehicles or horns or other warning devices on any motor vehicles used only for traffic safety purposes.

Sound generation means any conduct, activity, or operation, whether human, mechanical, electronic, or other, including but not limited to any animal or bird, and any instrument, machine, or device, whether continuous, intermittent, or sporadic, and whether stationary or ambulatory, which produces or results in a sound that is audible and discernible to the human ear.

Sound level means the weighted sound pressure level is obtained using a sound level meter and frequency-weighting network as specified in the American National Standards Institute (ANSI) for sound level meters or the latest approved revision.

Sound level meter means an instrument to measure sound pressure levels that meets or exceeds performance standards for a Type 2 meter as specified by the ANSI and approved by the Division of Consolidated Laboratory Services in the Virginia Department of General Services.

Sound pressure level means the intensity in decibels (dB) of a sound.

Source premises means the premises (residential, commercial, downtown entertainment focus area, industrial), emitting noise crossing one or more property lines and impacting the receiving premises.

Structure means the outer shell of a building, typically consisting of exterior walls covered by a roof.

Warning device means sound signal devices used to alert and warn people.

Zoning district classification. See section 130-41 of this Code.

Zoning district classification refers to the land use classification of parcels of real property as shown on the Official Zoning Map of the City of Manassas, as referenced in Manassas City Code section 130-6.

(Ord. No. O-2024-24, 7-22-2024)

Sec. 58-3. - Maximum permissible sound levels generally.

Except as otherwise provided in this Article, any noise which emanates from any operation, activity or source and which exceeds the maximum permissible sound levels established in this section below is hereby prohibited. Such levels shall be measured at the lot line of the sound source or at any point within any other property where the noise is audible.

*MAXIMUM PERMISSIBLE SOUND
PRESSURE LEVELS*

- (1) Sound emanating from within any residential zoning district shall not exceed 60 dBA during daytime or 55 dBA during nighttime.
- (2) Sound emanating from within any commercial zoning district shall not exceed 65 dBA during daytime or 60 dBA during nighttime.
- (3) Sound emanating from within the Downtown Entertainment District shall not exceed 65 dBA during daytime or 60 dBA during nighttime; provided, however, that musical entertainment provided within businesses in the Downtown Entertainment District shall not exceed 80 dBA as measured at any point 50 feet perpendicular to the apparent property boundary of the property from which the noise emanates; and, notwithstanding the preceding, during the period beginning at 11:30 p.m. and ending at 9:00 a.m., such noise shall not occur or extend beyond the interior of such businesses.
- (4) Sound emanating from within any industrial zoning district shall not exceed 70 dBA during daytime or 65 dBA during nighttime, except that the nighttime limit shall be 60dBA when measured in any residential zoning district.
- (5) Noise levels generated from the operating, playing or permitting the operation of any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound at any special event authorized under Manassas City Code Chapter 14 shall not exceed 85 dBA as read by the slow meter response on a sound level meter at any site normally occupied by an attendee or participant of such special event.

(Ord. No. O-2024-24, 7-22-2024)

Sec. 58-4. - Prohibitions generally.

The following acts are violations of this chapter:

- (1) *Trash and refuse collection.* The collection of trash, refuse, yard waste or recyclables between the hours of 10:00 p.m. of one day and 6:00 a.m. the following day; provided that the emptying of dumpsters, as defined in City Code section 98.1-2, is prohibited between the hours of 10:00 p.m. of one day and 7:00 a.m. the following day.
- (2) *Loading and unloading.* The creation of noise in connection with operating, loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects that is plainly audible by persons in any office or residence with the doors and windows closed, across property boundaries at a distance of 50 feet from the source of the noise, between the hours of 10:00 p.m. and 7:00 a.m. the following day.
- (3) *Animal noise.* Any violation of Manassas City Code section 18-11 ("noisy animals").
- (4) *Power equipment.* To operate or permit the operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tool, snow or leaf blower, or similar device used outdoors in residential zoning districts between the hours of 10:00 p.m. and 7:00 a.m. the following day.
- (5) *Human sounds.* To yell, shout, hoot, whistle, sing or scream between the hours of 10:00 p.m. to 7:00 a.m. the following day in such a manner as to be audible across property boundaries or audible through partitions common to two or more residences within a building, except in case of an emergency.
- (6) *Radios, television, musical instruments, and similar devices.* Operating, playing, or permitting the operation of any radio, phonographs, televisions, tape or disc players, musical instruments or drums, sound amplifiers or speakers, digital devices, or similar devices in a residential dwelling unit which produce, reproduce, or amplify sound in such a manner as to be plainly audible in any other person's residential dwelling with the doors and windows closed.
- (7) *Noise-sensitive structures.* Creating any noise on any public-right-of way adjacent to any school, institution of learning, or court while in session, or adjacent to any hospital at any time, where such noise is plainly audible inside the confines of the school, institution of learning, court, or hospital.

(Ord. No. O-2024-24, 7-22-2024)

Sec. 58-5. - Motor vehicle prohibitions.

The following are violations of this article:

- (1)

Sound signaling device. The sounding of any horn or other warning device on any automobile, motorcycle, or other vehicle on any street or public place of the city, except as a warning of danger or as a safety measure.

- (2) *Operation of vehicle.* The creation of any plainly audible sound in a public right of way or on public property caused by intentional action by the driver that is unnecessary to either the safe or normal operation of the motor vehicle or motorcycle. Such actions shall include, but not be limited to:
 - (i) Revving the motor of such motorcycle or motor vehicle while standing or moving, except when necessary to maintain operation of the vehicle or motorcycle;
 - (ii) The discharge into the open air of the exhaust of any motor vehicle except through a muffler or other device in compliance with Virginia Code §§ 46.2-1047 and 46.2-1049.
- (3) The playing, use or operation of any radio, tape player, compact disc player, loud speaker, or sound amplifying equipment within a motor vehicle, whether in operation or parked, which is plainly audible from outside the motor vehicle at a distance of 50 or more feet from the vehicle, or between the hours of 10:00 p.m. and 7:00 a.m. inside a residence or another person's motor vehicle.
- (4) The provisions of this section shall not apply to motor vehicle alarms or other security devices, the emission of sound to alert persons to the existence of an emergency, or the emission of sound in the performance of emergency work.

(Ord. No. O-2024-24, 7-22-2024)

Sec. 58-6. - Building, utility, road construction, and excavation operations.

- (a) It shall be a violation of this article to operate or cause to be operated between the hours of 7:00 p.m. Monday through Friday and 7:00 a.m. the following day, and Saturdays after 6:00 p.m., or any time on Sundays and legal holidays observed by the Manassas City government, any equipment used in construction, excavation, repair, alteration or demolition work on any buildings, structures or appurtenances, land excavation or road construction in the outdoors.
- (b) This section shall not apply to the construction, excavation, repair or maintenance of public projects, the work performed by public or private utility companies for the repair of facilities or restoration of services, or work of an emergency nature.
- (c) On application, the city manager may expand these hours by written permit with conditions in specific cases should they determine that the public health and safety will not be impaired by such construction and if he shall further determine that failure to permit such construction would result in loss or convenience to any party in interest, permission may be granted for the work to be completed.
- (d)

Nothing in this section shall preclude additional conditions, including but not limited to conditions limiting hours of work, that may be included in any permit issued pursuant to City Code Chapter 26, or imposed on any activity taking place on public premises.

(Ord. No. O-2024-24, 7-22-2024)

Sec. 58-7. - Exemptions.

This article shall not apply to the following:

- (1) Noise generated by railroads or airplanes. The mitigation of aircraft noise is governed by Manassas City Code section 130-425 (Noise impact area use restrictions) and section 130-426 (Interior noise level standards).
- (2) Properly functioning residential heating and cooling systems, including but not limited to air conditioners and heat pumps, and legally installed residential mechanical equipment for which official final approval for installation was received before the effective date of this article.
- (3) Any noise resulting from activities of a temporary duration permitted by law and for which a license or permit thereof has been granted by the city.
- (4) Entertainment and sporting events. The limits outlined in this article shall not apply to those sounds emanating from authorized school bands, school and private athletic clubs, school entertainment events, and parades.
- (5) Lawful discharge of firearms;
- (6) Audible signal devices which are employed as warning or alarm signals in case of fire, emergency, collision, theft, burglary, or imminent danger, and the testing of such signals and or noise that is emitted in conjunction with a duly-authorized parade;
- (7) Military activities of the Commonwealth of Virginia or the United States of America;
- (8) Religious or political gatherings and other activities protected by the First Amendment to the Constitution of the United States of America. Church bells or carillons are exempt under this article.
- (9) Public safety responses. Noises resulting from any authorized police, fire, or emergency vehicle when responding to an emergency call or acting in time of emergency;
- (10) Electricity-generating systems used to provide emergency backup electric power;
- (11) Fireworks displays. The limits outlined in this article do not apply to any public or private legally permitted fireworks displays;
- (12) Total preemption. The limits and restrictions in this article do not apply to sounds or noise from activities which are exclusively governed by federal, state, or other municipal laws or regulations.

(Ord. No. O-2024-24, 7-22-2024)

Sec. 58-8. - Decibel measurement criteria.

The measurement of sound or noise pursuant to this section shall be as follows:

The measurement of sound or noise shall be made with an approved sound level meter that meets the standards prescribed by the ANSI and approved by the Virginia Department of General Services. The instruments shall be maintained in calibration and good working order. The system shall be calibrated at the time of any noise measurement. Measurements recorded shall be taken to represent the noise source properly. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. A minimum of three sound level readings will be taken. The geometric mean of these readings will be used as the average sound level. If the background noise is equal to the levels outlined in section 58-4, three dBA shall be subtracted from the average sound.

- (1) The slow meter response of the sound level meter shall be used to determine that the average amplitude has not exceeded the dBA readings or the limiting noise spectra outlined in section 58-4.
- (2) Any indoor noise measurements for compliance purposes should be taken in a location that could be reasonably assumed to affect one or more persons. For residential receiving premises, inside noise level measurements are performed in sleeping or living areas with windows open to approximately 25 percent of their maximum in residences without mechanical ventilation and windows closed for dwellings with mechanical ventilation.
- (3) In a structure used as a multi-family dwelling or mixed-use structure, measurements to determine sound levels shall be taken from the common indoor areas within or outside the structure or other units within the structure when requested by the occupant in possession and control thereof. Such measurements shall be taken at least four feet from the wall, ceiling, or floor nearest to the noise source, with doors and windows to the receptor premises closed.
- (4) Unless otherwise specified in this article, public premises are to be measured at a reasonable distance from walls or similar large reflecting surfaces and with the approved sound-level meter protected from the effects of wind and other extraneous sounds by using screens when appropriate.

(Ord. No. O-2024-24, 7-22-2024)

Sec. 58-9. - Temporary permits for amplified sound or construction noise.

- (a) Any person responsible for any noise source may apply to the administrator for an exemption or partial exemption from the provisions of this chapter. The application shall be accompanied by such information and data as the administrator may require. The administrator may grant such exemption or partial exemption if they find that:
 - (1) The benefit to the public interest outweighs the potential danger to the community during the period of exemption; or
 - (2) Compliance with the provisions of this chapter from which exemption is sought would produce severe hardship without equal or greater benefits to the public.
- (b) In determining whether to grant the extension, the administrator will consider the following:
 - (1) The time of day the noise will occur;
 - (2) The duration of the noise;
 - (3) The loudness of the noise in relation to the maximum permissible sound levels outlined in section 58-5;
 - (4) Whether the noise is intermittent or continuous.
- (c) Exemptions or partial exemptions issued under this section shall be granted for a period the administrator deems reasonable. Any such exemption shall be reviewed if complaints are received by the administrator and may be revoked if circumstances no longer justify the exemption or partial exemption when the previous standards are applied.
- (d) Any person aggrieved by a decision under subsection (a) of this section may request a review of such determination by the city manager by delivering a written statement of appeal to the office of the city manager within ten days of the date of the decision. The city manager shall review all notices of appeal and shall, within ten days after receipt of such a statement, grant an exemption, give a partial exemption with terms, or deny an exemption, based on the criteria listed in subsections (a)(1) and (2) of this section. The city manager's decision shall be the final administrative level of appeal.

(Ord. No. O-2024-24, 7-22-2024)

Sec. 58-10. - Violations of chapter.

- (a) Any person violating any provision of this chapter, whether by act or omission, shall be guilty of a Class 3 misdemeanor, punishable by a fine of not more than \$500.00.
- (b) Each violation of any provision of this article shall constitute a separate offense.
- (c) The person operating or controlling the noise source shall be guilty of any violation caused by that source. If the person operating or controlling the noise source cannot be identified, any owner, tenant or resident physically present on the property where the offense is occurring is rebuttably presumed to be responsible for creation of the noise.

(d) The city may seek injunctive or other civil relief to remedy or abate a continuing violation of this article.

(Ord. No. O-2024-24, 7-22-2024)

Secs. 58-11—58-30. - Reserved.

ZO 112.1-2024-9
ZO 112.2-2024-8

ADOPTION OF AN AMENDMENT TO CHAPTERS 112.1 and 112.2
(ZONING)
OF THE 1976 CODE OF THE COUNTY OF
FAIRFAX, VIRGINIA

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium, Lobby Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia, on Tuesday, September 10, 2024, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment to Chapters 112.1 and 112.2 (Zoning) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following:

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

Amend Chapters 112.1 and 112.2 (Zoning Ordinance), as follows

In Table 4101.1, revise the permissions for Data Center from P to P or SE in I-4, I-5, I-6. In Table 4101.2, remove the permission for a data center in the PRC District, and change the PDC and PTC permissions to SE.

3. Use Table for Residential, Commercial, and Industrial Districts

TABLE 4101.1: Use Table for Residential, Commercial, and Industrial Districts

P = permitted; SE = special exception; SP = special permit; blank cell = not allowed

A = allowed as accessory use only; A+ = permitted as an associated service use; AP = allowed with approval of administrative permit

Use	Residential Districts														Commercial Districts								Industrial Districts						Use-Specific Standards NOTE: General Standards also apply	
	R-A	R-C	R-E	R-1	R-2	R-3	R-4	R-5	R-8	R-12	R-16	R-20	R-30	R-MHP	C-1	C-2	C-3	C-4	C-5	C-6	C-7	C-8	I-1	I-2	I-3	I-4	I-5	I-6		
Industrial Uses																														
Freight Movement, Warehousing, and Wholesale Distribution: uses involving the movement, storage, and distribution of goods. Goods are generally delivered to other firms or the final consumer.																														
Data Center																	P SE	P SE							P SE	P SE	P SE	P SE	P SE	4102.6.A

4. Use Table for Planned Development Districts

TABLE 4101.2: Use Table for Planned Development Districts

✓ = permitted if shown on final development plan/PRC development plan and PRC plan;

✓/SE = permitted if shown on final development plan/PRC development plan and PRC plan, or as special exception if not on plan(s)

SE = special exception; SP = special permit; blank cell = not allowed

A = allowed as accessory use only; A+ = permitted as an associated service use;

AP = allowed with approval of administrative permit

Use	PDH		PRC					PDC		PRM		PTC	PCC		Use-Specific Standards NOTE: General Standards also apply
	Principal	Secondary	Residential	Neighborhood Convenience Center	Village Center	Town Center	Convention/Conference Center	Principal	Secondary	Principal	Secondary		Principal	Secondary	
Industrial Uses															
Freight Movement, Warehousing, and Wholesale Distribution: uses involving the movement, storage, and distribution of goods. Goods are generally delivered to other firms or the final consumer.															
Data Center								SE				SE			4102.6.A

Revise the data center standards in subsection 4102.6.A as shown below.

6. Industrial Uses

Freight Movement, Warehousing, and Wholesale Distribution

A. Data Center

Standards applicable to all data centers:

- (1)** To provide visual screening and reduce noise levels, any equipment necessary for cooling, ventilating, or otherwise operating the facility, including power generators or other power supply equipment, must be fully enclosed, except where determined by the Director not to be mechanically feasible based on the manufacturer specifications. If the Director determines it is not mechanically feasible to fully enclose the equipment, it must be screened by a wall or similar barrier. In addition, any equipment as referenced above that is located on the ground and any accessory electrical substation must be screened from view from abutting lots and from rights-of-way by a visually solid wall or a building. This standard does not apply to solar panels.
- (2)** In the C-3 and C-4 Districts, the maximum building size is 40,000 square feet of gross floor area. However, this size limit may be exceeded with special exception approval in accordance with subsection 8100.3.
- (3)** In the I-2, I-3, and I-4 Districts, the maximum building size is 80,000 square feet of gross floor area. However, this size limit may be exceeded with special exception approval in accordance with subsection 8100.3.
- (4) Minimum Distance from Residential**
 - (a)** Any data center building must be located at least 200 feet from the lot line of an R district or a property developed with a residential use.
 - (b)** If located on the ground, any equipment for cooling, ventilating, or otherwise operating the facility, including any power generator or other power supply equipment, must be either:
 - 1.** Located at least 300 feet from the lot line of an R district or a property developed with a residential use; or
 - 2.** Separated from the lot line of an R district or a property developed with a residential use by the principal data center building.
 - (c)** Lesser distances may be allowed with special exception approval in accordance with subsection 8100.3.
 - (d)** For the purpose of this provision, an R district does not include an area within a public street right-of-way.
- (5)** A data center building must be located at least one mile from a Metro station entrance. A lesser distance may be allowed with special exception approval in accordance with subsection 8100.3.
- (6)** Prior to site plan approval, a noise study must be submitted demonstrating to the Zoning Administrator's satisfaction that the operation of the data center will comply with the Noise Ordinance, Chapter 108.1 of the County Code. In addition, prior to issuance of a

Nonresidential Use Permit, a post-construction noise study must be submitted demonstrating to the Zoning Administrator's satisfaction that the operation complies with the Noise Ordinance.

Standards when permitted by right:

- (7)** A data center building must include a main entrance feature that is differentiated from the remainder of the building façade by a change in building material, pattern, texture, color, or accent material. The entrance feature must also either project or recess from the adjoining building plane.
- (8)** All building façades must include:
 - (a)** A change in the façade surface for every 150 horizontal feet of at least one of the following: building material, pattern, texture, color, or accent material; and
 - (b)** Windows, doors, or similar fenestration design features such as faux windows, must be distributed horizontally and vertically across the façade and comprise a minimum of 30 percent of the individual façade.

Standards when permitted by development plan or special exception:

- (9)** A data center building must be designed to minimize adverse visual impacts on surrounding development as demonstrated by the submission of elevations, architectural sketches, or sight line studies. The building should have a high-quality design as evidenced by the use of materials, color, and texture. If the building is located less than 200 feet from an R district or a property developed with a residential use, it should include changes in building height or other design techniques to provide variation in building mass as viewed from the nearby residential district.

Add rezoning and special exception submission requirements for a data center. Renumber as needed.

8101. Submission Requirements

2. Zoning Map Amendments (Rezoning)

E. Supporting Reports and Studies

The following additional information must be submitted:

(12) Data Center

For a rezoning to allow a data center, the application requires the following additional information:

- (a)** A noise study demonstrating that the operation of the data center will comply with the Noise Ordinance, Chapter 108.1 of the County Code.
- (b)** Architectural depictions of the proposed building and associated equipment as viewed from all lot lines and street lines.

3. Special Exceptions, Special Permits, and Variances

D. Additional or Modified Submission Requirements for Specific Special Exception Applications

The following are additional or modified submission requirements for special exception applications for:

(8) Data Center

- (a) A noise study demonstrating that the operation of the data center will comply with the Noise Ordinance, Chapter 108.1 of the County Code.
- (b) Architectural depictions of the proposed building and associated equipment as viewed from all lot lines and street lines.

Add provisions for the Data Centers Zoning Ordinance Amendment to subsection 2.B of Appendix 1, Provisions Relating to Previous Approvals.

Data Centers

- (a) Any site plan for a data center accepted for review on or before July 16, 2024, will be reviewed based on the provisions of the Zoning Ordinance in effect on July 16, 2024, if:

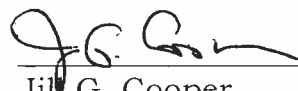
- 1. The site plan is approved by July 16, 2025;
- 2. The approval remains valid; and
- 3. The uses, features, and structures are established or constructed in accordance with approved plans and permits.

An approved plan may be revised notwithstanding this amendment if it does not aggravate conflicts with the amendment. Building permits and other related subsequent plan and permit submissions may be accepted and new approvals may be granted, consistent with the approved site plan. The applicant/owner may elect to have the above applications reviewed in their entirety under the provisions of this amendment.

- (b) For all applications for rezonings and related development plans, special exceptions, site plans, or building permits that include a data center approved on or before July 16, 2024, the applicant/owner may continue under their previous approval. Subsequent plan and permit submissions may be accepted and new approvals may be granted, consistent with those prior approvals. Revisions to such prior approvals may be approved if they do not aggravate conflicts with this amendment.

These amendments shall become effective on September 11, 2024, at 12:01 a.m.

GIVEN under my hand this 10th day of September, 2024.



Jill G. Cooper
Clerk for the Board of Supervisors

PART 509. - DATA CENTER OPPORTUNITY ZONE OVERLAY DISTRICT

Sec. 32-509.01. - Purpose and intent.

The Data Center Opportunity Zone Overlay District was created for the purpose of promoting development of data centers within areas of the County where there is existing infrastructure that could adequately support the proposed use. This District continues the County's efforts to attract and advance high-tech industrial development while limiting negative impacts to communities.

(Ord. No. 16-21, Attch., 5-17-16)

Sec. 32-509.02. - Establishment of Data Center Opportunity Zone Overlay District.

1. A Data Center Opportunity Zone Overlay District may be established by the Board of County Supervisors on lands in proximity to high voltage transmission lines of 115kv or more and planned or zoned for office or industrial uses.
2. A Data Center Opportunity Zone Overlay District shall be created and amended by ordinance upon resolution of the Board of County Supervisors. The boundaries shall be set using a map.
3. Said District shall overlay the existing zoning district. The regulations and requirements of the underlying zoning district and the Data Center Opportunity Zone Overlay District shall both apply, provided however, that when the regulations applicable to the Data Center Opportunity Zone Overlay District conflict with the regulations of an underlying zoning district, the Data Center Opportunity Zone Overlay District regulations shall apply.
4. Data Center Design Standards. Data Centers shall meet the following design guidelines:
 - (A) Principal building façades. Principal building façades shall include all building façades that face adjacent major arterials or interstates. When a building has more than one principal façade, such principal building façades shall be consistent in terms of design, materials, details, and treatment. Principal building façades associated with new construction shall meet the following standards:
 - (1) Principal building façades shall avoid the use of undifferentiated surfaces by including at least two of the following design elements:
 - a. change in building height;
 - b. building step-backs or recesses;
 - c. fenestration;
 - d. change in building material, pattern, texture, color; or
 - e. use of accent materials.

- (B) Screening of mechanical equipment. In order to minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment shall be screened from major arterials, interstates and abutting residentially zoned or planned properties. This screening may be provided by a principal building or existing vegetation that will remain on the property or is within a landscaping/buffer easement on an adjacent property. Mechanical equipment not screened by a principal building or existing vegetation shall be screened by a visually solid fence, screen wall or panel, parapet wall, or other visually solid screen that shall be constructed of materials compatible with those used in the exterior construction of the principal building. Notwithstanding the requirements of this section, mechanical equipment located in a manner found to have no adverse impact on adjacent roads and adjacent properties, as determined by the Planning Director, shall not be required to be screened.
- (C) Buffer yard requirement. A buffer yard is required in order to screen the data center from adjacent residentially zoned or planned properties. In lieu of the buffer yard requirement in DCSM Section 800, any side/rear yard abutting property that is not planned or developed with commercial or industrial uses shall include a buffer yard required plantings installed on an earthen berm that has a minimum height of six (6) feet and a slope not steeper than 2:1, planted to a type C DCSM buffer standard. The buffer yard plantings shall be installed in accordance with the requirements of the DCSM. Notwithstanding the requirements of this section, use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, or on the outside of a six foot tall solid fence, may be substituted for the above requirements when found by the Planning Director to provide visual screening from adjacent land uses at the density, depth, and height equivalent to the buffer yard with earthen berm.
- (D) Fencing. Fencing of the property is permitted, provided that fencing along public or private streets is not chain-link, with or without slatted inserts, and does not include barbed wire or other similarly visibly intrusive deterrence device. Chain-link fencing or barbed wire fencing are prohibited along public or private street frontages. This fencing allowance does not relieve a property owner from complying with all fire and access code requirements. The Planning Director may allow for alternative compliance with this requirement, provided the applicant demonstrates that the fencing visibility is reduced, through the use of landscaping and other methods to reduce visibility. Examples of permitted fencing include the following:



- (E) Data Centers are permitted an increased FAR, within the Data Center Opportunity Zone Overlay District, up to 1.0 FAR provided all other development standards (excluding FAR limitations) for the underlying district are met. Data center outside of the Data Center Opportunity Zone Overlay District may request an increase in FAR through a special use permit process, as described and allowed in Section 32-400.04 of the Zoning Ordinance.
- (F) Substations. Substations shall be screened from adjacent major roads or residentially zoned/planned properties as follows:
 - (1) Ten-foot-tall opaque fencing facing residentially zoned/planned properties.
 - (2) All other buffering and landscaping requirements of the DCSM shall still apply.
- (G) Building façades facing County registered historic site Manassas Battlefield Park. Building façades facing Manassas Battlefield Park, that are visible from viewshed anchors as identified in the Manassas Battlefields Viewshed Preservation Study, shall be non-reflective and dark green or dark brown in color. The Planning Director may approve other colors provided the colors are demonstrated to be earth tones that will help the building façade blend into the tree line.

(Ord. No. 16-21, Attch., 5-17-16; Ord. No. 19-24, Attch., 6-18-19)

Sec. 32-509.03. - Uses permitted by right.

All uses permitted by right in the underlying zoning district shall be permitted in the Data Center Opportunity Zone Overlay District. Data centers shall be permitted by right in the Data Center Opportunity Zone Overlay District in the O(L), O(H), O(M), O(F), M-1, M-2, and M/T zoning districts and in designated office or industrial land bays in the PBD and PMD district.

(Ord. No. 16-21, Attch., 5-17-16)

Sec. 32-509.04. - Secondary uses.

All permitted secondary uses in the underlying zoning district shall be permitted in the Data Center Opportunity Zone Overlay District.

(Ord. No. 16-21, Attch., 5-17-16)

Sec. 32-509.05. - Uses permitted by Special Use Permit.

All permitted special uses in the underlying zoning district shall be permitted by special use permit in the Data Center Opportunity Zone Overlay District.

(Ord. No. 16-21, Attch., 5-17-16)

Sec. 32-509.06. - Prohibited Districts.

Data centers shall be prohibited in agricultural, residential, PMR, B-2, B-3, and V districts.

(Ord. No. 16-21, Attch., 5-17-16)

4.06.02 Data Centers

- A. **Applicability.** Section 4.06.02 applies to Data Center Uses. In addition to any other applicable requirements of Chapter 10, applicants must submit materials at the time of submission of a Site Plan that include any information necessary to evaluate conformance with standards in Section 4.06.02. Conditional or final Site Plan approval is contingent upon the applicant demonstrating conformance to standards in Section 4.06.02 and other standards of the Zoning Ordinance.
- B. **Data Center Use-Specific Standards.** Data centers must meet the Façade Standards in Section 4.06.02.C and the General Site Design Standards in Section 4.06.02.D.
- C. **Façade Standards.**
 1. **Principal Façade.**
 - a. **Applicability.** Principal Façade requirements apply to all building façades that face adjacent existing or planned public roads or that face an adjacent property with existing residential development, an approved CDP, or plat, or plan showing residential development, or Zoning District permitting residential uses; and all building facades adjacent to or facing property with the following existing uses or an approved CDP, or plat, or plan showing the following uses:
 1. Uses listed in Chapter 3 under the Residential and Lodging use classifications;
 2. Uses listed in Chapter 3 under the Day Care, Financial Services, Food and Beverage Sales/Service, Government, Education, Arts, Entertainment, and Recreation, and Retail use categories; and
 3. The following additional uses: civic, social, and fraternal meeting place, community center, standalone religious assembly, cemetery, farm winery, community garden, and limited brewery.
 - b. **Requirements.**
 1. **Differentiated Surfaces.** Principal façades of a building must incorporate the following standards at horizontal linear intervals that may vary in frequency but must be no less frequent than every 150 horizontal linear feet or no less frequent than 3 times the average height of the building:
 - a. Fenestration or Fenestration and (Optional) Green Wall; and
 - b. A change in 1 of the following design elements:
 - A. Building material;
 - B. Pattern;
 - C. Texture;
 - D. Color; or
 - E. Accent materials.
 2. **Consistent Design.** When a building has more than 1 Principal Façade, the Principal Façades of such building must be consistent in terms of design, materials, details, and treatment.
 3. **Fenestration.** Each Principal Façade of a building must include Fenestration as follows:
 - a. **Fenestration Surface Coverage of the Façade.** Fenestration must comprise at least 30% of the total surface coverage area of the Principal Façade. **Distributed Fenestration Coverage.** Fenestration provided to meet the following:

- A. Each placement or bay may count towards no more than 7.5% of such total surface coverage area.
 - B. Required 30% total surface coverage area of the Principal Façade must be located in separated, individual placements or clustered bays; and
 - b. **Fenestration Coverage Pattern.** The placement pattern of individual or clustered bays of Fenestration must be distributed horizontally and vertically across the Principal Façade; and
 - c. **Fenestration Consistent Design with Principal Façade.** The Fenestration must be compatible with the other design, materials, details, and treatment used on the same Principal Façade.
- 2. **Green-Wall Treatment.**
 - a. **Applicability.** A Green-Wall Treatment may be provided in lieu of up to half of the Fenestration Surface Coverage of the façade requirement of Section 4.06.02.C.1.b.3.a.
 - b. **Requirements.** Green-Wall Treatments must provide the following:
 - 1. **Maintenance.** The owner, or the owner's agent, is responsible for the repair, replacement, and maintenance of the Green-Wall for the duration of the use;
 - 2. **Distributed Green-Wall Surface Coverage.** Green-Wall areas must be provided to meet up to half of the required 30% total surface coverage area of the Principal Façade of a building; and
 - 3. **Green-Wall Coverage Pattern.** The Green-Wall areas must be distributed horizontally and vertically across the Principal Façade.
- 3. **Data Center Mechanical Equipment Façade.**
 - a. **Applicability.** If 2 Principal Façades are required on opposing sides of a building pursuant to Section 4.06.02.C.1, up to 1 Data Center Mechanical Equipment Façade pursuant to Section 4.06.02.C.3.b may be provided in lieu of 1 such required Principal Façade if such Principal Façade faces an adjacent existing or planned public road.
 - b. **Requirements.**
 - 1. **Data Center Mechanical Equipment Façade.** Optional Data Center Mechanical Equipment Façades must provide the following:
 - a. **Partial or Full Visual Screening of Data Center Mechanical Equipment.** Data Center Mechanical Equipment attached to or mounted on the building façade must be partially or fully visually screened from view at the ground level from all existing and planned public roads and adjoining parcels using mesh, lattice, cladding, or grillwork or a combination of these methods, or similar methods so as to ensure that the Data Center Mechanical Equipment is partially or fully screened to the maximum extent that permits necessary ventilation for any equipment; and
 - b. **Differentiated Surfaces.** The Data Center Mechanical Equipment Façade, including any provided screening methods, must incorporate a change in at least one of the following design elements at horizontal linear intervals that may vary in frequency but must be no less frequent than every 150 horizontal linear feet or no less frequent than 3 times the average height of the building:
 - A. Building material;
 - B. Pattern;
 - C. Texture;

- D. Color; or
- E. Accent materials.

4. Main Entrance Feature.

- a. **Applicability.** Each building containing a Data Center must include at least 1 Main Entrance Feature that meets the requirements of Section 4.06.02.C.4.b.
- b. **Requirements.**
 - 1. **Entrance Feature Design.** Main Entrance Features must either project or recess from the main building plane, and/or be differentiated from the remainder of the building façade by a change in building material; and
 - 2. **Foundation Plantings or Enhanced Landscaping.** Main Entrance Features must incorporate foundation plantings consisting of a mix of evergreen and deciduous shrubs, grasses, sedges, or rushes, and/or herbaceous perennials, ferns, or vines for a minimum of 50% of the length of the Façade. These foundation plantings are in addition to any required buffers and parking lot landscaping required by Section 7.04 and Section 4.06.02.D.11. Alternatively, in lieu of Foundation Plantings, any required buffering and parking area landscaping may be provided at an enhanced rate of 20% of plant units greater than what is required pursuant to Section 4.06.02.D.11 and Section 7.04.06, respectively.

D. General Site Design Standards.

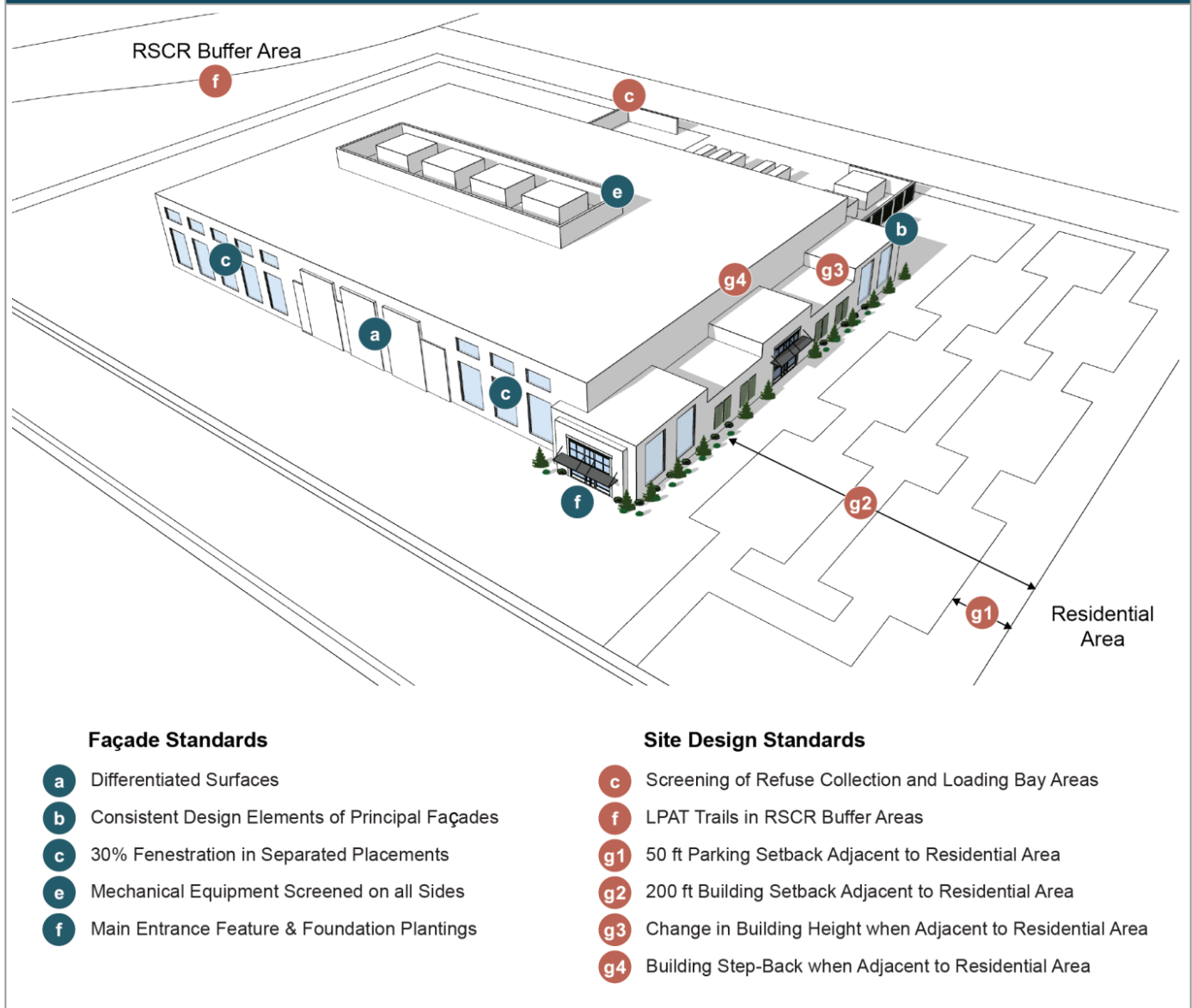
- 1. **Loading Bay Location.** Loading bays are permitted to be located on only 1 façade.
- 2. **Location and Screening of Data Center Mechanical Equipment.** All ground level and roof top Data Center Mechanical Equipment must meet the following standards: Data Center Mechanical Equipment must be shown on any proposed Site Plan and must be fully screened on all sides. Such visually solid screen must be constructed with a design, materials, details, and treatment compatible with those used on the nearest Principal Façade of a building;
 - a. **Perforation for Ventilated Screening.** As determined by the Zoning Administrator, screening for Data Center Mechanical Equipment may incorporate perforated surfaces on screening walls as necessary to permit ventilation of Data Center Mechanical Equipment;
 - b. **Separation from Residential.** Ground mounted Data Center Mechanical Equipment must be separated from adjacent property that has existing residential development, an approved CDP or plat or plan showing residential development, or Zoning District permitting residential uses, by a principal building, or is otherwise not permitted adjacent to property with existing residential development, an approved CDP or plat or plan showing residential development, or Zoning District permitting residential uses;
 - c. **Ground Mounted Prohibited in Front Yards.** Ground mounted Data Center Mechanical Equipment must not be located in any required front yard; and
 - d. **No Screening Requirements Adjacent to Industrially Zoned Property.** As determined by the Zoning Administrator, Data Center Mechanical Equipment located in a manner found to have no adverse impact on adjacent properties zoned IP, GI, or MR-HI is not required to be screened pursuant to Section 4.06.02.D.2, except that such Data Center Mechanical Equipment must be screened from any existing or planned public road.
- 3. **Refuse Collection and Loading Bay Area Screening.** Refuse collection areas must be fully screened on all sides and loading bays must be screened from view at the ground level from all adjacent parcels and existing or planned public roads.

4. **Utilities.** Data Centers are subject to Utilities requirements pursuant to Section 7.08.
5. **Transportation.** Except for the Mid-Block Passageway requirement pursuant to Section 7.07.03.C, which does not apply to Data Centers, Data Centers are subject to Transportation requirements pursuant to Section 7.07.
6. **LPAT Trails in RSCR Buffer Areas.** For any proposed Data Center use on a lot containing RSCR Buffer Areas or Adjacent Steep Slopes pursuant to Chapter 6, Trails must be provided as determined by the Department of Parks, Recreation, and Community Services in accordance with the LPAT Design Guidelines for a trail.
7. **Setbacks and Building Massing Adjacent to Residential.** The following requirements apply when a proposed Data Center is to be located on a property adjacent to property with existing residential development, an approved CDP or plat or plan showing residential development, or Zoning District permitting residential uses, including when the Data Center property and adjacent residential property are separated by a principal arterial or lesser designated roadway, per the Countywide Transportation Plan:
 - a. **Minimum Parking Setback.** Parking must be setback at least 50 feet from the common property line, provided existing forest and other natural screening exists within 50 feet of the lot line, and such forest and screening remains undisturbed or enhanced in accordance with Chapter 7; or, if no forest or natural screening exists, berms are provided at least 10 feet in height constructed to a maximum 2:1 slope on either side of the crown edge, and 10-foot-tall fencing and plantings are placed on top of the berm;
 - b. **Minimum Setback for Structures.** Structures must be setback at least 200 feet from the common property line;
 - c. **Change in Building Height.** If a building is located within 400 feet measured from the property line adjacent to property with existing residential development, an approved CDP or plat or plan showing residential development, or Zoning District permitting residential uses, any building façade facing the adjacent property must include a change in building height at a minimum interval no less frequent than every 150 horizontal linear feet or no less frequent than 3 times the average height of the building; and
 - d. **Building Step-Back.** If a building is located within 400 feet measured from the property line adjacent to property with existing residential development, an approved CDP or plat or plan showing residential development, or Zoning District permitting residential uses, the building envelope must provide a step-back of no less than 15 feet from the building wall at a height point that begins at the top of the second story of the building or 40 feet, whichever of the 2 is lower.
8. **Generator Noise Adjacent to Residential.** For Data Centers on property adjacent to property with existing residential development, an approved CDP, or plat, or plan showing residential development, or Zoning District permitting residential uses, the following standard applies to generator testing, subject to Commonwealth regulations or permits issued for the property:
 - a. Generator testing is limited to between 5:00 p.m. and 7:00 m. between May 1 and September 30;
 - b. Generator testing is limited to between 11:00 a.m. and 5:00 p.m. between October 1 and April 30; and
 - c. Except for generator testing or commissioning activities, generator use is limited to backup/emergency use only.

9. **Light and Glare.** In addition to the requirements of Section 7.05.02, Data Centers must meet the following standards:
 - a. Data Centers must include a photometric plan that shows all exterior lighting, including any security lighting; and
 - b. Maximum illumination under Section 7.05.02.B.3 includes any security lighting.
10. **Noise Studies and Soundproofing.**
 - a. **Noise Studies.** Data Centers are subject to the Noise Study standards pursuant to Section 7.05.03.G.
 - b. **Soundproofing.** For Data Centers on property adjacent to property with existing residential development, an approved CDP, or plat, or plan showing residential development, or Zoning District permitting residential uses, any Data Center Mechanical Equipment located on the property, whether on a roof top, on the ground level, or elsewhere on the exterior of the property, must be screened on all four sides by an acoustical barrier. For purposes of this section, acoustical barrier is defined as an exterior solid or louvred wall containing soundproofing materials designed to absorb noise and protect neighboring properties from noise pollution.
11. **Landscaping/Buffering/Screening.** All applicable regulations for Landscaping, Buffers, and Screening pursuant to Section 7.04 apply except as follows:
 - a. **Specific Plant Unit Composition Requirements.** In lieu of the requirements of Section 7.04.07.B.2, the following requirements apply to the plant types used to meet Section 7.04.03 Buffer requirements. Maximum percentages apply solely in determining the quantity of a given plant type that can be counted towards meeting a Plant Unit requirement and do not preclude the installation of additional plant material from that plant type, if desired.
 1. **Specific Plant Unit Percentages.** The following plant unit percentages apply to each property line where the buffer or road corridor buffer is required:
 - a. A maximum of 20% of the required plant units may be a combination of shrubs, ornamental grasses, and perennials.
 - b. A minimum of 40% and a maximum of 70% of the required plant units must be evergreen trees that are a minimum of 8 feet in height at the time of planting.
 - c. A maximum of 30% of the required plant units may be small deciduous trees.
 - d. A maximum of 30% of the required plant units may be large deciduous trees.
 - e. Buffer Substitution Using Topography and Vegetation. Use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, may be substituted for the above requirements if determined by the Zoning Administrator in consultation with the County Urban Forester to provide screening at the density, depth, and height equivalent to the Buffer Type C with earthen berm or Road Corridor Buffer Type 3 with earthen berm.
 2. **Specific Buffer and Berm Requirements.** In lieu of the buffer required under Table 7.04.03-1, a Buffer Type C is required with the specified plantings and located on an earthen berm that has a minimum height of 6 feet and a grade lower than 2:1. Use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, may be substituted if determined by the Zoning Administrator in consultation with the County Urban Forester to provide an equivalent density, depth, and height to the required Buffer Type C and earthen berm.

3. **Road Corridor Buffer.** If a Gateway Corridor Buffer is required pursuant to Section 7.04.02, the Gateway Corridor Buffer standards of Section 7.04 apply.

Figure 4.06.02-1. Data Center Standards



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. 130-68 Accessory dwelling units.

(a) General regulations:

- (1) A maximum of one accessory dwelling unit is permitted per property containing a single family detached dwelling unit.
- (2) Rental of an accessory dwelling unit shall meet the requirements of the use boardinghouse.
- (3) No more than three individuals shall reside in the accessory dwelling unit.
- (4) The unit shall contain a separate kitchen and a bathroom.
- (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 accessory dwelling unit is 1.25 times the minimum lot size of the property's zoning district.

(b) Accessory dwelling unit, detached:

- (1) The unit shall have a gross floor area not to exceed 800 sq. ft.
- (2) Height and setbacks. See §130-57.
- (3) New units and existing conforming accessory structures that are converted into a unit shall meet the location requirements of §130-57.
- (4) Units shall be located a minimum of 10 feet from any other structure, on site or off-site.
- (5) Nonconforming accessory structures may be converted into a unit, subject to the requirements of Sec. §130-163.

Commented [CS1]: 2045 Comp Plan, if adopted, would encourage rental of these units and not limited by the boardinghouse regulations.

Commented [CS2]: Building code can be a better enforcement mechanism for this as occupancy limits are set.

Commented [CS3]: This provision could discourage ADU development. Also, this would not apply to these units in the B3.5 and PMD zones as they have no minimum lot size.

Commented [CS4]: Added setbacks as the draft ordinance was not clear

(c) Accessory dwelling unit, attached.

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

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

(3) A unit located in a basement may occupy the entire basement floor.

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

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

Commented [CS5]: Added setbacks to clarify as the draft ordinance was not clear

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.

~~(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.

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 plus single- family detached unit requirement</u>	<u>1 plus single- family detached unit requirement</u>	<u>1 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.

- Tables 1 and 2 list all use types and all zoning districts where the use type is permitted ("P") or permitted with approval of a special use permit ("S") in accordance with the requirements of Article IX of this chapter.
- All uses defined in Sec. 130-42 and/or listed in Tables 1 and 2 that are not specifically permitted ("P") or permitted with approval of a special use permit ("S") are prohibited.
- Overlay Districts: Regardless of whether the use table lists a use type as permitted or permitted with approval of a special use permit, the use type shall be restricted or prohibited by the requirements of any overlay district.
- The "Additional Requirements" column in Tables 1 and 2 is for reference only and is not intended as an all-inclusive listing of all local, state, or federal requirements and regulations applicable to a use type.

§ 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	
RESIDENTIAL	Age-Restricted Housing								P	P	Sec. 130-268 Sec. 130-269
	Cottage Court							P	P	P	Sec. 130-66
	Duplex					P		P	P	P	
	Dwelling, Multifamily							P	P	P	
	Dwelling, Single-Family Attached					P			P	P	
	Dwelling, Single-Family Detached	P	P	P	P				P	P	
	Live/Work Unit							P		P	
	Manufactured Home	P					P				Sec. 130-98

§ 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	
	Manufactured Home Park						P				Sec. 130-98
	Private Community Recreational Use	P	P	P	P	P	P	P	P	P	
	Group Home	P	P	P	P	P	P	P	P	P	
ASSEMBLY & INSTITUTIONAL	Assembly, Place of (less than 50 persons)	S	S	S	S	S		S	S	S	
	Assembly, Place of (50 or more persons)	S	S	S	S	S		S	S	S	
	Broadcasting or Telecommunication Tower	S	S	S	S	S	S	S	S	S	
	Broadcasting or Telecommunication Tower, Administrative Review	P	P	P	P	P	P	P	P	P	Sec. 130-92
	Business or Trade School (less than 50 persons)										
	Business or Trade School (50 or more persons)										
	Cemetery	S	S	S	S	S		S	S	S	
ASSEMBLY & INSTITUTIONAL	Child Care Center	S	S	S	S					S	
	Children's Residential Facility									S	
	Congregate/Continuing Care, Assisted Living Facility								P	S	

§ 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	
	Cultural Facility	P	S	S	S	S	S	S	S	S	
	Day Care Center, Adult								P	S	
	Educational Facility, College or University										
	Educational Facility, Primary or Secondary	S	S	S	S	S	S	S		S	
	Hospital										
	Medical Care Facility										
	Nursing Home								P		
	Parks and Open Space	P	P	P	P	P	P	P	P	P	
	Public Dancehall										Ch. 14
	Public Facility	P	S	S	S	S	S	S	S	S	
	Public Utility	P	P	P	P	P	P	P	P	P	
	Sexually Oriented Business (Adult Cabaret/Adult Motion Picture Theater)										Sec. 130-103
	Shelter, Residential										
COMMERCIAL	Agriculture and Silviculture	P									
	Airport or Aviation Facility										
	Antique Shop										
	Bed and Breakfast	S	S	S	S					S	Sec. 130-91
	Brewery or Distillery										

§ 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	
COMMERCIAL (CONT)	Business Support Service										
	Car Wash										
	Catering Facility										
	Construction Material Sales										
	Consumer Repair or Contractor/Tradesperson Services										
	Craft Shop										
	Crematory										
	Financial Institution										
	Garden Center										
	Fueling Station (8 or fewer fuel pumps)										
	Fueling Station (9 or more fuel pumps)										
	Heliport										
	Hotel										
	Kennel										Sec. 130-97
	Liquor Store										Sec. 130-94
	Mini-Warehouse or Self-Storage										
	Motor Vehicle Service										Sec. 130-100
Motor Vehicle Sales and Rental										Sec. 130-99	

§ 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	
	Office, General										
	Office, Medical										
	Parking Structure, Multilevel										
	Personal Improvement Service										
	Professional Personal Service										
COMMERCIAL (CONT)	Restaurant										
	Retail Sales										
	Sexually Oriented Business (Adult Bookstore or Video Store/Seminude Model Studio/Sexual Device Shop)										Sec. 130-103
	Short-Term Loan Establishment										Sec. 130-94
	Specialty Food Shop										
	Tattoo Parlor and/or Body Piercing Salon										
	Veterinary Hospital										
ACCESSORY	Accessory Uses	P	P	P	P	P	P	P	P	P	Sec. 130-57
	<u>Accessory Dwelling Unit</u>		<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>	<u>Sec. 130-68</u>
	Amateur Radio Tower	P	P	P	P					P	Sec. 130-57
	Caretaker Quarters										
	Family Day Home	P	P	P	P	P	P	P	P	P	Sec. 130-93

§ 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	
	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

§ 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	Age-Restricted Housing			P	P						Sec. 130-308
	Cottage Court		P	P	P						Sec. 130-66
	Duplex		P	P	P						
	Dwelling, Multifamily		P	P	P						Sec. 130-303
	Dwelling, Single-Family			P	P						

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

§ 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	
	Attached									
	Dwelling, Single-Family Detached		P	P	P					
	Live/Work Unit		P	P	P					
	Manufactured Home									Sec. 130-98
	Manufactured Home Park									Sec. 130-98
	Private Community Recreational Use		P	P	P					
	Group Home		P	P	P					
ASSEMBLY & INSTITUTIONAL	Assembly, Place of (less than 50 persons)	P	P	P	P	P	P	S		S
	Assembly, Place of (50 or more persons)	S	S	S	S	S	S	S		S
	Broadcasting or Telecommunication Tower	S			S	S	S	S	S	
	Broadcasting or Telecommunication Tower, Administrative Review	P	P	P	P	P	P	P	P	Sec. 130-92
	Business or Trade School (less than 50 persons)	P	P	P	P	P	P	P		P
	Business or Trade School (50 or more persons)	S	S	S	S	P	P	S		S

§ 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	
ASSEMBLY & INSTITUTIONAL (CONT)	Cemetery	S	S	S	S	S	S	S			
	Child Care Center	P	S	S	P	S	P	S		S	
	Children's Residential Facility			S	S						
	Congregate/Continuing Care, Assisted Living Facility			S	S						
	Cultural Facility	P	P	P	P		P			S	
	Day Care Center, Adult	P	S	S	P	S	P	S			
	Educational Facility, College or University		S	S	S	S	S	S		S	
	Educational Facility, Primary or Secondary		S	S	S	S	S	S		S	
	Hospital				S	S	S				
	Medical Care Facility	S	S	S	S	S	S				
	Nursing Home			S	S						
	Parks and Open Space	P	P	P	P	P	P	P	P	P	
	Public Dancehall						S	S			Ch. 14
	Public Facility	P	P	P	P	P	P	P	P	P	
	Public Utility	P	P	P	P	P	P	P	P	P	
Sexually Oriented Business (Adult Cabaret/Adult Motion Picture Theater)							P			Sec. 130-103	
Shelter, Residential						S	S				

§ 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	
COMMERCIAL	Agriculture and Silviculture										
	Airport or Aviation Facility							P		P	
	Antique Shop	P	P	P	P		P				
	Bed and Breakfast		P	S	S						Sec. 130-91
COMMERCIAL (CONT)	Brewery (500 barrels or less annually) or Distillery (5,000 gallons or less annually)	P	P	P	P		P				
	Brewery (over 500 barrels annually) or Distillery (over 5,000 gallons annually)	S	S	S	P		P	P	P		
	Business Support Service	P	P	P	P	P	P	P	P	P	
	Car Wash	S			S		S	S			
	Catering Facility	P	P	P	P		P	P		P	
	Construction Material Sales						P	P			Sec. 130-61
	Consumer Repair or Contractor/Tradesperson Services	P	S	S	S		P	P	P		
	Craft Shop	P	P	P	P		P	P			Sec. 130-61
	Crematory	S	S	S	S	S	S	S	S		
	Financial Institution	P	P	P	P	P	P	P			
	Garden Center						P	P			Sec. 130-61

§ 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
	Fueling Station (8 or fewer fuel pumps)	S			S		S	S	S	S	
	Fueling Station (9 or more fuel pumps)				S		S	S	S	S	
	Heliport				S		S	S		P	
	Hotel		P	P	P		P			S	
	Kennel				S		S	S			Sec. 130-97
	Liquor Store						P				Sec. 130-94
	Mini-Warehouse or Self-Storage							P	P		
	Motor Vehicle Parts/Supply Establishment						P	P	P		
	Motor Vehicle Service						S	S	P		Sec. 130-100
	Motor Vehicle Sales and Rental						S	S	P	S	Sec. 130-99
COMMERCIAL (CONT)	Office, General	P	P	P	P	P	P	P		P	
	Office, Medical	P	P	P	P	P	P				
	Parking Structure, Multilevel		P	P	P	P	P	P	P	P	
	Personal Improvement Service	P	P	P	P	P	P	P	P	P	
	Professional Personal Service	P	P	P	P	P	P			P	
	Restaurant	P	P	P	P		P			P	

§ 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
	Retail Sales	P	P	P	P	P	P			P	
	Sexually Oriented Business (Adult Bookstore or Video Store/Seminude Model Studio/Sexual Device Shop)							P	P		Sec. 130-103
	Short-Term Loan Establishment						P				Sec. 130-94
	Specialty Food Shop	P	P	P	P	P	P	P		P	
	Tattoo Parlor and/or Body Piercing Salon						P				
	Veterinary Hospital	P	P	P	P		P	S			
	Heavy Equipment Sales and Rental							S	P		Sec. 130-99
	Laboratory					P		P	P	P	
	Laundry, Commercial							P	P		
	Manufacturing, Heavy								S		
	Manufacturing, Light							P	P	P	
	Motor Vehicle Repair							S	P		Sec. 130-100
	Research and Development					P		P	P	P	
	Storage Yard/Facility/Chemical Storage/Tank Farm (Hazardous Materials)							S	S	S	

§ 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	
INDUSTRIAL (CONT)	Storage Yard/Facility/Chemical Storage/Tank Farm (Non-Hazardous Materials)								P		
	Truck Terminal								P		
	Warehousing and Distribution							P	P	P	
	Wholesale Trade							P	P	P	
ACCESSORY	Accessory Uses	P	P	P	P	P	P	P	P	P	Sec. 130-57
	<u>Accessory Dwelling Unit</u>		<u>P</u>	<u>P</u>	<u>P</u>						<u>Sec. 130-68</u>
	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
	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	

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. 130-68 Accessory dwelling units.

(a) General regulations:

- (1) A maximum of one accessory dwelling unit is permitted per property containing a single family detached dwelling unit.
- (2) The unit shall contain a separate kitchen and a bathroom.
- (3) Parking shall meet the requirements of Article VI.
- (4) Both the single-family detached dwelling and the accessory dwelling unit shall remain under common ownership.
- (5) Accessory dwelling units shall not count against the maximum density of the zoning district or against the limitations of Sec. 130-57(a)(2).
- (6) The unit's architecture and materials shall be consistent with the design of the single-family detached dwelling.

(b) Accessory dwelling unit, detached:

- (1) The unit shall have a gross floor area not to exceed 800 sq. ft.
- (2) Height and setbacks. See §130-57.
- (3) New units and existing conforming accessory structures that are converted into a unit shall meet the location requirements of §130-57.
- (4) Units shall be located a minimum of 10 feet from any other structure, on site or off-site.
- (5) Nonconforming accessory structures may be converted into a unit, subject to the requirements of Sec. §130-163.

(c) Accessory dwelling unit, attached.

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

- (2) The gross floor area of the unit, excluding basements, shall not exceed 30% of the gross floor area of the single-family detached dwelling.
- (3) A unit located in a basement may occupy the entire basement floor.
- (4) The entrance to the unit shall be provided by a separate exterior door.
- (5) Nonconforming attached accessory structures may be converted into a unit, subject to the additional requirements of Sec. §130-163.

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 plus single-family detached unit requirement</u>	<u>1 plus single-family detached unit requirement</u>	<u>1 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.

- (a) Tables 1 and 2 list all use types and all zoning districts where the use type is permitted ("P") or permitted with approval of a special use permit ("S") in accordance with the requirements of Article IX of this chapter.
- (b) All uses defined in Sec. 130-42 and/or listed in Tables 1 and 2 that are not specifically permitted ("P") or permitted with approval of a special use permit ("S") are prohibited.
- (c) Overlay Districts: Regardless of whether the use table lists a use type as permitted or permitted with approval of a special use permit, the use type shall be restricted or prohibited by the requirements of any overlay district.
- (d) The "Additional Requirements" column in Tables 1 and 2 is for reference only and is not intended as an all-inclusive listing of all local, state, or federal requirements and regulations applicable to a use type.

§ 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	
RESIDENTIAL	Age-Restricted Housing								P	P	Sec. 130-268 Sec. 130-269
	Cottage Court							P	P	P	Sec. 130-66
	Duplex					P		P	P	P	
	Dwelling, Multifamily							P	P	P	
	Dwelling, Single-Family Attached					P			P	P	
	Dwelling, Single-Family Detached	P	P	P	P				P	P	
	Live/Work Unit							P		P	
	Manufactured Home	P					P				Sec. 130-98
	Manufactured Home Park						P				Sec. 130-98

§ 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	
	Private Community Recreational Use	P	P	P	P	P	P	P	P	P	
	Group Home	P	P	P	P	P	P	P	P	P	
ASSEMBLY & INSTITUTIONAL	Assembly, Place of (less than 50 persons)	S	S	S	S	S		S	S	S	
	Assembly, Place of (50 or more persons)	S	S	S	S	S		S	S	S	
	Broadcasting or Telecommunication Tower	S	S	S	S	S	S	S	S	S	
	Broadcasting or Telecommunication Tower, Administrative Review	P	P	P	P	P	P	P	P	P	Sec. 130-92
	Business or Trade School (less than 50 persons)										
	Business or Trade School (50 or more persons)										
	Cemetery	S	S	S	S	S		S	S	S	
ASSEMBLY & INSTITUTIONAL (CONT)	Child Care Center	S	S	S	S					S	
	Children's Residential Facility									S	
	Congregate/Continuing Care, Assisted Living Facility								P	S	
	Cultural Facility	P	S	S	S	S	S	S	S	S	

§ 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	
	Day Care Center, Adult								P	S	
	Educational Facility, College or University										
	Educational Facility, Primary or Secondary	S	S	S	S	S	S	S		S	
	Hospital										
	Medical Care Facility										
	Nursing Home								P		
	Parks and Open Space	P	P	P	P	P	P	P	P	P	
	Public Dancehall										Ch. 14
	Public Facility	P	S	S	S	S	S	S	S	S	
	Public Utility	P	P	P	P	P	P	P	P	P	
	Sexually Oriented Business (Adult Cabaret/Adult Motion Picture Theater)										Sec. 130-103
	Shelter, Residential										
COMMERCIAL	Agriculture and Silviculture	P									
	Airport or Aviation Facility										
	Antique Shop										
	Bed and Breakfast	S	S	S	S					S	Sec. 130-91
	Brewery or Distillery										
C O	Business Support Service										

§ 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	
	Car Wash										
	Catering Facility										
	Construction Material Sales										
	Consumer Repair or Contractor/Tradesperson Services										
	Craft Shop										
	Crematory										
	Financial Institution										
	Garden Center										
	Fueling Station (8 or fewer fuel pumps)										
	Fueling Station (9 or more fuel pumps)										
	Heliport										
	Hotel										
	Kennel										Sec. 130-97
	Liquor Store										Sec. 130-94
	Mini-Warehouse or Self-Storage										
	Motor Vehicle Service										Sec. 130-100
	Motor Vehicle Sales and Rental										Sec. 130-99
	Office, General										

§ 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	
	Office, Medical										
	Parking Structure, Multilevel										
	Personal Improvement Service										
	Professional Personal Service										
COMMERCIAL (CONT)	Restaurant										
	Retail Sales										
	Sexually Oriented Business (Adult Bookstore or Video Store/Seminude Model Studio/Sexual Device Shop)										Sec. 130-103
	Short-Term Loan Establishment										Sec. 130-94
	Specialty Food Shop										
	Tattoo Parlor and/or Body Piercing Salon										
	Veterinary Hospital										
ACCESSORY	Accessory Uses	P	P	P	P	P	P	P	P	P	Sec. 130-57
	<u>Accessory Dwelling Unit</u>		<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>	<u>Sec. 130-68</u>
	Amateur Radio Tower	P	P	P	P					P	Sec. 130-57
	Caretaker Quarters										
	Family Day Home	P	P	P	P	P	P	P	P	P	Sec. 130-93

§ 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	
	Family Health Care Structure, Temporary	P	P	P	P					P	
Home Business	S	S	S	S					S	Sec. 130-95	
Home Occupation	P	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	P	Sec. 130-101

§ 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	Age-Restricted Housing			P	P						Sec. 130-308
	Cottage Court		P	P	P						Sec. 130-66
	Duplex		P	P	P						
	Dwelling, Multifamily		P	P	P						Sec. 130-303
	Dwelling, Single-Family			P	P						

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

§ 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	
	Attached										
	Dwelling, Single-Family Detached		P	P	P						
	Live/Work Unit		P	P	P						
	Manufactured Home										Sec. 130-98
	Manufactured Home Park										Sec. 130-98
	Private Community Recreational Use		P	P	P						
	Group Home		P	P	P						
ASSEMBLY & INSTITUTIONAL	Assembly, Place of (less than 50 persons)	P	P	P	P	P	P	S		S	
	Assembly, Place of (50 or more persons)	S	S	S	S	S	S	S		S	
	Broadcasting or Telecommunication Tower	S			S	S	S	S	S	S	
	Broadcasting or Telecommunication Tower, Administrative Review	P	P	P	P	P	P	P	P	P	Sec. 130-92
	Business or Trade School (less than 50 persons)	P	P	P	P	P	P	P		P	
	Business or Trade School (50 or more persons)	S	S	S	S	P	P	S		S	

§ 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	
ASSEMBLY & INSTITUTIONAL (CONT)	Cemetery	S	S	S	S	S	S	S			
	Child Care Center	P	S	S	P	S	P	S		S	
	Children's Residential Facility			S	S						
	Congregate/Continuing Care, Assisted Living Facility			S	S						
	Cultural Facility	P	P	P	P		P			S	
	Day Care Center, Adult	P	S	S	P	S	P	S			
	Educational Facility, College or University		S	S	S	S	S	S		S	
	Educational Facility, Primary or Secondary		S	S	S	S	S	S		S	
	Hospital				S	S	S				
	Medical Care Facility	S	S	S	S	S	S				
	Nursing Home			S	S						
	Parks and Open Space	P	P	P	P	P	P	P	P	P	
	Public Dancehall						S	S			Ch. 14
	Public Facility	P	P	P	P	P	P	P	P	P	
	Public Utility	P	P	P	P	P	P	P	P	P	
	Sexually Oriented Business (Adult Cabaret/Adult Motion Picture Theater)							P			Sec. 130-103
Shelter, Residential						S	S				

§ 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	
COMMERCIAL	Agriculture and Silviculture										
	Airport or Aviation Facility							P		P	
	Antique Shop	P	P	P	P		P				
	Bed and Breakfast		P	S	S						Sec. 130-91
COMMERCIAL (CONT)	Brewery (500 barrels or less annually) or Distillery (5,000 gallons or less annually)	P	P	P	P		P				
	Brewery (over 500 barrels annually) or Distillery (over 5,000 gallons annually)	S	S	S	P		P	P	P		
	Business Support Service	P	P	P	P	P	P	P	P	P	
	Car Wash	S			S		S	S			
	Catering Facility	P	P	P	P		P	P		P	
	Construction Material Sales						P	P			Sec. 130-61
	Consumer Repair or Contractor/Tradesperson Services	P	S	S	S		P	P	P		
	Craft Shop	P	P	P	P		P	P			Sec. 130-61
	Crematory	S	S	S	S	S	S	S	S		
	Financial Institution	P	P	P	P	P	P	P			
	Garden Center						P	P			Sec. 130-61

§ 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	
	Fueling Station (8 or fewer fuel pumps)	S			S		S	S	S	S	
	Fueling Station (9 or more fuel pumps)				S		S	S	S	S	
	Heliport				S		S	S		P	
	Hotel		P	P	P		P			S	
	Kennel				S		S	S			Sec. 130-97
	Liquor Store						P				Sec. 130-94
	Mini-Warehouse or Self-Storage							P	P		
	Motor Vehicle Parts/Supply Establishment						P	P	P		
	Motor Vehicle Service						S	S	P		Sec. 130-100
	Motor Vehicle Sales and Rental						S	S	P	S	Sec. 130-99
COMMERCIAL (CONT)	Office, General	P	P	P	P	P	P	P		P	
	Office, Medical	P	P	P	P	P	P				
	Parking Structure, Multilevel		P	P	P	P	P	P	P	P	
	Personal Improvement Service	P	P	P	P	P	P	P	P	P	
	Professional Personal Service	P	P	P	P	P	P			P	
	Restaurant	P	P	P	P		P			P	

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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
	Retail Sales	P	P	P	P	P	P			P	
	Sexually Oriented Business (Adult Bookstore or Video Store/Seminude Model Studio/Sexual Device Shop)							P	P		Sec. 130-103
	Short-Term Loan Establishment						P				Sec. 130-94
	Specialty Food Shop	P	P	P	P	P	P	P		P	
	Tattoo Parlor and/or Body Piercing Salon						P				
	Veterinary Hospital	P	P	P	P		P	S			
	Heavy Equipment Sales and Rental							S	P		Sec. 130-99
	Laboratory					P		P	P	P	
	Laundry, Commercial							P	P		
	Manufacturing, Heavy								S		
	Manufacturing, Light							P	P	P	
	Motor Vehicle Repair							S	P		Sec. 130-100
	Research and Development					P		P	P	P	
	Storage Yard/Facility/Chemical Storage/Tank Farm (Hazardous Materials)							S	S	S	

§ 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	
INDUSTRIAL (CONT)	Storage Yard/Facility/Chemical Storage/Tank Farm (Non-Hazardous Materials)								P		
	Truck Terminal								P		
	Warehousing and Distribution							P	P	P	
	Wholesale Trade							P	P	P	
ACCESSORY	Accessory Uses	P	P	P	P	P	P	P	P	P	Sec. 130-57
	<u>Accessory Dwelling Unit</u>		<u>P</u>	<u>P</u>	<u>P</u>						<u>Sec. 130-68</u>
	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
	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

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