

**TO AMEND THE ZONING ORDINANCE OF THE TOWN OF WASHINGTON,
VIRGINIA TO ADD A NEW ZONING DISTRICT LABLED “VILLAGE
COMMERCIAL” (VC)**

WHEREAS, By authority granted in §§ 15.2-1427 (D), 15.2-2285 (B), and 15.2-2286(A)(7) of the Code of Virginia, the Town Council may amend, supplement, or change the Town’s zoning regulations after obtaining the recommendation of its Planning Commission and public comment; and

WHEREAS, The Town Planning Commission and Town Council have held public hearings, after due advertisement according to Virginia law, to obtain public comment; and

WHEREAS, After receiving the Planning Commission’s recommendation and comment from the public, the Town Council finds it necessary and appropriate to create a new zoning district, designate zoning categories for property brought into the town and to not exempt the town from the requirements of the Historic District; and

NOW, THEREFORE,

BE IT ORDAINED by the Council for the Town of Washington, Virginia meeting on this 13th day February, 2023:

Remove the exemption from Architectural Review Board review of Town-owned property in the Historic District as recommended by the Planning Commission on January 23, 2023.

Note: Amended ordinance language is highlighted in bold and italic text.

Amend the Zoning Ordinance, Article 1-5-4 by inserting “except the provisions related to the Architectural Review Board as outlined in Article 13 of this Ordinance” after “Properties currently and wholly owned by the Town of Washington shall be exempt from the provisions of this Ordinance for any use or purpose made of them by the Governing Body.”

Article 1 Creation of Zoning Districts

1-5 General Provisions Applicable to all Districts

1-5-4 Properties currently and wholly owned by the Town of Washington shall be exempt from the provisions of this Ordinance for any use or purpose made of them by the Governing Body ***except the provisions related to the Architectural Review Board as outlined in Article 13 of this Ordinance***. Properties owned by the Town but let to any other governmental entity or private individual or group for a term of more than seven days shall comply with the provisions of this Ordinance.

Creating a new Zoning District that does not allow by-right or with a Special Use Permit (SUP) residential uses as recommended by the Planning Commission on January 23, 2023.

Note: Amended ordinance language is highlighted in bold text.

Amend the Zoning Ordinance, Article 1, Creation of Zoning Districts by adding the following new Zoning District identified as Village Commercial (VC), and; amend Article 5, General Provisions by adding the same provisions of zoning dimensions to the new Village Commercial (VC) Zoning District as the provided for the Village Services (VS) Zoning District.

ARTICLE 1

CREATION OF ZONING DISTRICTS

1. No uses, practices, and structures may be employed or constructed within the Town of Washington except those which are specifically permitted by this Ordinance within any of the Zoning Districts, either as non-conforming uses or structures, "by right", or by Special Use Permit. There are hereby created ~~five (5)~~ **six (6)** zoning districts within the Town as follows:

VILLAGE RESIDENTIAL (VR)
VILLAGE MIXED USE (VM)
VILLAGE SERVICES (VS)
Add Zoning District: VILLAGE COMMERCIAL (VC)
RURAL RESIDENTIAL (RR)
GOVERNMENT SERVICES (GS)

Note: The Historic and Flood Plain Districts stay intact as "overlay" zoning districts.

2. The areas of the Town which comprise each of the districts referred to in 1-1 above are as set forth on the map (***Zoning District Map to be amended upon adoption to include a new category with no specific property designated as VC at the time of adoption of this amendment***) attached hereto and made a part hereof, or as shown on any properly amended map subsequent hereto
3. USES PERMITTED BY RIGHT, Subject to all other requirements of this ordinance.
 - 3.1. The following uses are permitted by-right in ~~every zoning district~~ **VR, VM, VS, RR and GS.** (Commercial, Craft and Office uses shall submit a Development Plan in accordance with Article II):

- a. Single-family residences
- b. Non-commercial beekeeping
- c. Orchards, gardens & vineyards
- d. Making of cider and/or wine
- e. Keeping of no more than three dogs per dwelling unit

3.2. **VILLAGE RESIDENTIAL**

- a. Temporary signs and non-commercial signs no larger than six square feet

3.3. **VILLAGE MIXED USE**

- a. Temporary signs and non-commercial signs no larger than six square feet, and signs for permitted commercial use no larger than 15 square feet
- b. Retail uses of less than 1000 square feet in an existing retail space
- c. Craft occupations in an existing retail space

3.4. **VILLAGE SERVICES**

- a. Temporary signs and non-commercial signs no larger than six square feet, and signs for permitted commercial uses no larger than 15 square feet
- b. Retail uses of less than 1000 square feet in an existing retail space
- c. Craft occupations in an existing retail space
- d. Public buildings for offices, courtrooms, meeting rooms, jails
- e. Offices in buildings of not more than two stories above ground with not more than 1000 square feet on the ground floor

3.5 ***VILLAGE COMMERCIAL***

- a. Orchards, gardens & vineyards*
- b. Making of cider and/or wine*
- c. Temporary signs and non-commercial signs no larger than six square feet, and signs for permitted commercial uses no larger than 15 square feet*
- d. Retail uses of less than 1000 square feet in an existing retail space*
- e. Craft occupations in an existing retail space*
- f. Public buildings for offices, courtrooms, meeting rooms, jails*
- g. Offices in buildings of not more than two stories above ground with not more than 1000 square feet on the ground floor*

3.6 **RURAL RESIDENTIAL**

- a. Temporary signs and non-commercial signs no larger than six square feet, and signs for permitted commercial uses no larger than 15 square feet
- b. Agricultural and forestry uses and structures, including the keeping of farm animals, except swine, and except for structures exceeding 200 square feet for the commercial raising of poultry.

3.7 GOVERNMENTAL SERVICES

- a. Office, governmental
- b. Office, Professional, if incidental to other governmental uses, i.e. renting out incidental portions of governmental buildings to private parties
- c. Office, Business, if incidental to other governmental uses, i.e. renting out incidental portions of governmental buildings to private parties
- d. Public Library
- e. Public buildings for office, courtrooms and meeting rooms
- f. Emergency Communications Facilities, but excluding antennas or towers exceeding 35' above grade which may be permitted by Special Use Permit
- g. Public Safety Facilities, not including jails
- h. Parking Lots and Public Parking
- i. Equipment Storage in an enclosed building, such building or buildings collectively not to exceed 5,000 square feet within the Governmental Services Zoning District
- j. Public Parks
- k. Flood Control or stormwater management facilities.

4. USES BY SPECIAL PERMIT

The following uses shall be permitted subject to all the other requirements of this ordinance, including, among others, the General Standards of 6-1-1 and the Additional Standards of Section 6-1-2, only upon obtaining a Special Use Permit from the Town Governing Body as provided in Article 6.

All uses requiring a Special Use Permit shall be governed by the requirements of Article II and Article VI, and applicants shall prepare and submit a development plan.

- 1. The following uses may be permitted by Special Use Permit in every zoning district except as noted:
 - a. Two family residences in all zoning districts *except Village Commercial (VC)*
 - b. Public utilities
 - c. Schools, parks and/or playgrounds
 - d. Accessory apartment in all zoning districts *except Village Commercial (VC)*
 - e. Setback exception

- f. Height exception
- g. Package sewage treatment plants
- h. Adaptive re-use of existing structures in all districts, *however, an adoptive re-use in the Village Commercial (VC) shall not allow residential uses.*
- i. Sewage treatment facilities and accessory buildings
- j. Amplified external music or sound.
- k. Short-Term Rental
- l. Post Offices and related to postal services, subject of the General Standards of Article 6-1-1.
- m. Planned Unit Development, subject to the General Standards of Article 6-1-1.

2. VILLAGE RESIDENTIAL

- a. Bed and Breakfast establishments

3. VILLAGE MIXED USE

- a. Multi-family dwelling
- b. Museums
- c. A retail use in a structure converted from non-retail use(s), or in a new structure constructed with retail use of less than 1,000 square feet on an un developed lot.
- c. Retail uses greater than 1,000 square feet
- d. Bed and Breakfast establishments
- e. Hotels and restaurants
- f. Houses of Worship
- g. Commercial signs larger than 15 square feet
- h. Public libraries

4. VILLAGE SERVICES

- a. Retail uses of greater than 1000 square feet
- b. Bed and Breakfast establishments
- c. Clubs and lodges civic, fraternal, or patriotic, with bona fide membership
- d. Hotels
- e. Restaurants
- f. Museums
- g. Houses of Worship
- h. Offices in buildings of not more than two stories above ground and not more than 1600 square feet on the ground floor
- i. Commercial signs larger than 15 square feet
- j. Craft occupations in other than existing retail space
- k. Public libraries

4. **VILLAGE COMMERCIAL** *(This is a new zoning district)*
 - a. *Retail uses of greater than 1000 square feet*
 - b. *Clubs and lodges civic, fraternal, or patriotic, with bona fide membership*
 - c. *Restaurants*
 - d. *Museums*
 - e. *Houses of Worship*
 - f. *Offices in buildings of not more than two stories above ground and not more than 1600 square feet on the ground floor*
 - g. *Commercial signs larger than 15 square feet*
 - j. *Craft occupations in other than existing retail space*
 - k. *Public libraries*
 - l. *Amphitheaters*
 - m. *Non-profit offices*

5. **RURAL RESIDENTIAL**
 - a. Home industries
 - b. Utilities
 - c. Agricultural production, packing, processing and storage
 - d. Houses of worship
 - e. Public libraries
 - f. Bed and Breakfast establishments
 - g. Commercial signs larger than 15 square feet
 - h. Wayside markets
 - i. Commercial beekeeping
 - j. Residential cluster subdivision
 - k. Reduction of Minimum Lot Widths
 - l. Crop and livestock farming.

6. **GOVERNMENTAL SERVICES**
 - a. Antennas exceeding 35 feet above grade
 - b. Towers exceeding 35 feet above grade

Amend Article 5, General Provisions by adding the same provisions of zoning dimensions to the new Village Commercial (VC) Zoning District as the provided for the Village Services (VS) Zoning District.

ARTICLE 5

GENERAL PROVISIONS

5-1 AREA, SETBACK, HEIGHT AND DENSITY REGULATIONS VR, VMU, VS, VC, RR, GS

Minimum Lot Area: 0.5 (VR), 0.5 (VMU), 0.5 (VS), 0.5 (VC), 5.0* (RR), 4.0 (GS) (In acres):

Minimum Side Yard, Minimum Rear Yard, Maximum Building Height and Minimum Lot Width **by adding the Village Commercial (VC) Zoning District with the same requirements as set forth in Article 5 as the Village Services (VS) Zoning District.**

Provide for temporary zoning of property brought into the Town by annexation or otherwise. The Planning Commission did not take action on this item at its January 23, 2023 meeting.

Note: Amended ordinance language is highlighted in bold text.

Amend the Town of Washington, Virginia Zoning Ordinance Article 5, General Provisions with the addition of the following provision:

Article 5, General Provisions

5-10 ZONING OF PROPERTY BROUGHT INTO TOWN

All properties brought into the corporate boundary of the Town of Washington shall be designated as Village Commercial Zoning District.

That this ordinance is effective upon passage.

MOTION: Mr. Catlin

Date: FEB 13, 2023
Joint Meeting

SECOND: Mr. Beard

TOWN OF WASHINGTON, VIRGINIA

By: _____

Mayor

ATTEST:

Town Clerk/Administrator