

Town of Blacksburg, VA
CODE Town of BLACKSBURG, VIRGINIA
Abstracted June 2010

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CODE

Chapter 2 - ADMINISTRATION

ARTICLE IV. - TOWN DEPARTMENTS

Section 2-420. - Department of public works; director.

(a) There is created the department of public works of the town. This department shall provide the functions of public utility facilities construction, operation, maintenance, and repair; maintenance and operation of general properties; street construction maintenance and repair; and landscaping, horticulture, and tree preservation.

...

(d) The director of public works shall assume and carry out responsibility for all landscaping, tree preservation, tree planting, and care for public areas and land of and in the town. The department of public works shall serve as the town's tree department and shall address issues and formulate procedures and measures for the attainment of the town's goals of supporting, maintaining, planting, and preservation of trees in the town. The director of public works shall be responsible for writing and implementing the town's annual community forestry program, in accord with the town's public tree-care policies for planting, maintenance, and removal of trees and street trees, set out in Appendix A, Zoning Ordinance, Blacksburg Town Code. The community forestry program shall include an inventory of trees growing on public property, analysis of the present state of the urban forest with recommendations for future management, methods to address dead and hazardous tree removal, safety, fine pruning, planting, watering, fertilizing, and insect and disease control of trees on public property.

(Ord. No. 1504, § 1, 11-11-08)

Chapter 3 - AGRICULTURAL AND FORESTAL DISTRICTS

ARTICLE I. - IN GENERAL

Section 3-100. - Purpose.

The purpose of this chapter is to provide for procedures to effectuate Title 15.2, Chapter 43 of the Code of Virginia (1950), as amended, relating to the creation of agricultural and forestal districts. It is the policy of the Town to conserve and protect and to encourage the development and improvement of the Town's agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also the policy of the Town to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, as well as for aesthetic purposes. It is the purpose of this chapter to provide a means for a mutual undertaking by landowners and the Town to protect and enhance agricultural and forestal land as a viable segment of the Commonwealth's economy and as an economic and environmental resource of major importance.

Chapter 21 - STREETS AND SIDEWALKS

ARTICLE III. - OBSTRUCTIONS AND ENCROACHMENTS

Section 21-302. - Encroachments and projections generally.

...

(f) Tree limbs overhanging from private property. It shall be the duty of property owners to maintain trees growing on their property in such a manner that no limbs thereof project over any street at a height of less than fourteen (14) feet, or sidewalk at a height of less than eighty (80) inches.

Section 21-305. - Obstruction by vegetative material, fences, walls or structures unlawful.

It shall be unlawful for any landowner, tenant, firm or corporation to own or maintain, either on private property or a public street right-of-way, vegetative material, wire, fences, walls or similar structures which create a sight obstruction in violation of section 21-304. Any such obstruction may be removed by the town through the process established in section 21-301.

(Ord. No. 1491, § 1, 5-13-08)

**APPENDIX A - Ordinance No. 1137 BLACKSBURG ZONING ORDINANCE
DIVISION 2. - PLANNING COMMISSION**

Sec. 1120 - Planning commission; powers, duties, and composition.

There is hereby created a Town Planning Commission, which commission shall be known as the "Blacksburg Town Planning Commission," which may be referred to in this ordinance as the "Planning Commission" or "the Commission."

...

The Planning Commission shall have all the powers and duties which are now or may hereafter be granted to or imposed upon such commissions by state law, and in addition thereto, such powers and duties as are provided by this Code or other ordinances.

(b) The Commission shall develop, adopt and maintain by-laws that govern its operation.
Sec. 1126 - Officers and staff support.

Sec. 1127 - Authority to grant exceptions.

(a) The Planning Commission is authorized to grant an exception to the use and design standards contained in Article IV when the applicant demonstrates that, due to the unusual shape or topography of the lot or an adjoining lot, or due to the location of existing structures, mature trees, or other features, the application of the use and design standards would be unreasonable.

...

(Ord. No. 1184, adopted 6-9-98)

**APPENDIX A - Ordinance No. 1137 BLACKSBURG ZONING ORDINANCE
Article II Definitions and Use Types**

AGRICULTURE—The use of land for the production of food and fibre, including farming, dairying, pasturage, agriculture, horticulture, viticulture, and animal and poultry husbandry. A garden accessory to a residence shall not be considered agriculture. The keeping of a horse, cow, pig, sheep, goat, or chicken shall constitute agriculture regardless of the size of the animal and regardless of the purpose for which it is kept. (Ord. No. 1188, § 1, 11-10-98)

CALIPER—The diameter of the trunk of a tree at the height of twelve (12) inches above grade.

BUFFER YARD—A yard improved with screening and landscaping materials required between abutting zoning districts of differing intensities or between adjoining land uses for the purpose of decreasing the adverse impact of differing uses and districts.

HEIGHT, TREE—The measurement taken from the top of the root ball to the top of the trunk. (Ord. No. 1184, adopted 6-9-98)

LANDSCAPING—The improvement of the appearance of an area by the planting of trees, grass, shrubs, or other plant materials, or by the alteration of the contours of the ground.

LIGHT TRESPASS—Light sources casting excessive light upon adjacent property or upon a public right-of-way, also called light spillover.

OPEN SPACE—A cohesive body of land designated for agriculture, horticulture, forestry, or open space use, as those terms are defined by Virginia Code 58.1-3230. This definition also includes land in which the Town has an interest of not less than five years' duration which the Town has designated to be retained and used for the preservation and provision of open-space land.

OPEN SPACE, COMMON—Land within or related to a development, not individually owned or dedicated for public use, which is intended for the common use or enjoyment of the residents of the development and may include such complementary structures as are

necessary and appropriate. Common open space may include, recreation centers, swimming pools, tennis and basketball courts, and similar facilities.

PUBLIC PARKS AND RECREATIONAL AREAS—Publicly owned and operated parks, picnic areas, playgrounds, indoor/outdoor athletic or recreation facilities, indoor/outdoor shelters, amphitheaters, game preserves, open spaces, and other similar uses. This shall not include Public Recreation Assembly.

TREE CANOPY—All areas of coverage by plant material exceeding five feet in height.

VEGETATIVE BUFFER—Perennial vegetation established or left undisturbed adjacent to the shoreline of a watercourse intended to filter out sediment and other nonpoint source pollutants from runoff before it reaches a watercourse.

WETLANDS—All lands that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined by the U.S. Environmental Protection Agency pursuant to section 404 of the Federal Clean Water Act, in 33 C.F.R. 328.3b, dated November 13, 1986.

WOODLANDS—Tree stands, lines of trees, and lands in active forestal use.

Article III District Standards

DIVISION 2. - RURAL RESIDENTIAL 1

Sec. 3020 - Purpose.

The purpose of the Rural Residential district is to provide for residential development at a scale intended to conserve the rural character of the district. Development within the Rural Residential district is intended to promote the following goals and objectives. Development proposals shall be evaluated for their adherence to these goals:

- (1) Conservation of agricultural and forestal lands, including farm fields and pastures.
- (2) Conservation of natural resources including wetlands, floodplains, natural drainage ways, aquifer recharge areas, existing tree cover, steep slopes, ridge lines, hilltops, wildlife habitats, deer wintering areas, stream valleys, locations comprising scenic views or scenic view corridors, and other outstanding natural topography.
- (3) Conservation of a unified open space area.
- (4) Creation of residential developments on a traditional rural scale, with small villages surrounded by agricultural, forestal, or open space lands.
- (5) Flexibility and creativity in the design of residential subdivisions, with less suburban-style sprawl and less consumption of open land.

These measures will prevent soil erosion by permitting development according to the nature of the terrain, provide larger open areas with greater utility for rest and recreation, and encourage the development of more attractive and economic site design. They will create a convenient, attractive, and harmonious community, and facilitate the provision of parks, forests, playgrounds and other recreational facilities. These goals are intended to preserve existing agricultural, forestal and other lands of significance for the protection of the natural environment.

(Ord. No. 1184, adopted 6-9-98)

DIVISION 3. - RURAL RESIDENTIAL 2

Sec. 3030 - Purpose.

The purpose of the Rural Residential 2 District is to encourage high-quality planned residential development, to preserve agricultural and forestal lands, to maximize the conservation of scenic and recreational open space, and to implement the Comprehensive Plan through the use of open space design and a density bonus system. In reviewing an application for RR2 zoning, the Planning Commission and Town Council should consider, among other things: (Ord. No. 1184, adopted 6-9-98)

(a) Whether the proposed development will efficiently utilize available land and will protect and preserve to the maximum extent possible natural features of the land such as trees, streams and topographic features;

...

DIVISION 5. - R-5 TRANSITIONAL RESIDENTIAL DISTRICT

Sec. 3050 - Purpose.

The Transitional Residential District is to provide for a transitional land use between low density residential and higher intensity land uses. This is a predominantly residential district with neighborhood character. Conditional uses which are sensitive to and reinforce the residential neighborhood character are appropriate. These typically will involve the conversion or replication of single-family houses. Properties along arterial and collector roads are particularly suited for such conditional uses. The livability or small-town character of the Transitional Residential District is made up of tree lined streets, open space, and greenways interspersed within a more urban residential pattern.

(Ord. No. 1513, § 1, 4-14-09)

DIVISION 14. - DOWNTOWN COMMERCIAL DISTRICT

Sec. 3140 - Purpose.

The Downtown Commercial district is the heart of Town culturally, geographically, and historically. It lends the Town its small-Town architecture, scale, and feel. It is intended to be a predominantly pedestrian area, catering to bicycle and pedestrian traffic with shops and storefronts close to the road, pedestrian scale, wide walkways, street trees and limited off-street parking, well screened. The history of the area is retained with preservation of historic structures and replication of style in additions and expansions. The core of the Downtown exudes the vitality of the interaction of people and activities. Commercial opportunities include a diversity of specialty, retail services, cultural, recreation, entertainment activities, and public functions.

DIVISION 16. - PLANNED COMMERCIAL DISTRICT PC

Sec. 3162 - Site development regulations.

Each planned commercial development shall be subject to the following site development standards.

...

(i) Parking facilities shall be located behind the front building line. The Administrator or Town Council may grant exceptions if necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

DIVISION 23. - CREEK VALLEY OVERLAY

Sec. 3230 - Purpose.

The purpose of the Creek Valley District is to regulate land use and development on lands adjacent to streams in such a manner as to: (1) ensure that development adjacent to creeks will not result in substantial damage to significant environmental resource areas; (2) ensure that creek valley development complements and enhances the protection of natural floodplains provided by the floodplain regulations of this district; (3) control the development that impacts wetlands, steep slopes, and vegetative buffer areas along creeks; (4) ensure that proper planning and design precedes land disturbing activities near creeks;

(5) ensure that creek valley drainage and soil conditions are properly identified and incorporated into the planning process for subdivision and site plan review; (6) implement the intent of the Comprehensive Plan; (7) protect and enhance water quality and groundwater recharge processes by protecting the natural capacity of vegetation areas along creeks to filter and purify stormwater runoff; and (8) protect aquatic environments from the warming effects of solar radiation by preserving riparian tree canopy cover.

DIVISION 28 – MIXED USE DEVELOPMENT DISTRICT

Sec. 3303. - Additional site development standards.

...

(d) Pedestrian Amenities and Transit Facilities.

(1) General Pedestrian Amenities. Each new structure and every expansion to an existing building shall provide pedestrian amenities located to serve the subject structure, as specified herein. The number of general pedestrian amenities provided shall comply with the following schedule:

...

b. Installation of street trees that exceed the minimum caliper requirement or minimum height requirement by twenty-five (25) percent;

...

(Ord. No. 1439, 4-10-07)

Article 4 Use and Design Standards

DIVISION 1. - AGRICULTURAL USES

Sec. 4103 - Forestry operations.

(a) Creek Valley District standards: Forestry operations conducted in the Creek Valley District shall be conducted in accordance with a Timber Management Plan that has been approved by the Virginia Department of Forestry.

DIVISION 2. - RESIDENTIAL USES

Sec. 4231 - Townhouse.

(b) General standards:

...

(6) Shared driveways are permitted, with the recordation of perpetual easements to provide for the use and maintenance of the shared driveway. Courtyard style parking is permitted. Only one (1) yard, either the front yard or the rear yard, or in the case of an end unit, the side yard, shall be improved with a driveway or parking spaces. All parking spaces shall be located behind the front building line, provided, the Administrator or Planning Commission may grant an exception from this requirement on the basis of the depth of the lot or the location of mature trees, or other similar factors.

...

Sec. 4241 - Two-family dwellings.

...

(d) Additional standards in the R-5 district:

(1) Require landscaping:

Street trees: One (1) tree per thirty (30) feet of road frontage.

Tree canopy coverage: R-5 requirement is twenty (20) percent.

Parking lot landscaping: Five (5) percent of the parking lot shall be landscape with trees and groundcover.

Tree replacement requirement: Any trees on the site which are a caliper of five (5) inches or more at a height of one (1) foot above the ground, or ornamental trees over twelve (12) feet in height which are to be removed during site development shall be replaced.

...

(Ord. No. 1184, adopted 6-9-98; Ord. No. 1215, § 34, 5-11-99; Ord. No. 1278, § 12, 11-13-0; Ord. No. 1308, § 11, 8-13-02; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

DIVISION 3. - CIVIC USES

Sec. 4304 - Administrative services.

(a) General standards:

...

(2) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(Ord. No. 1215, § 34, 5-11-99)

Sec. 4305 - Camps.

(a) General standards:

(1) Any outdoor activity area, swimming pool, or ball field or court which adjoins a residential use type shall have a thirty (30) feet transitional yard, which shall be landscaped in accordance with Article V of this ordinance. Where night-time lighting of such areas is proposed large evergreen trees shall be required in a location appropriate to screen adjoining residences. Any such night-time lighting shall be constructed in accordance with the standards for a residential district contained in Article V of this ordinance.

...

Sec. 4307 - Clubs.

(a) General standards:

(1) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1258, § 2, 1-9-01; Ord. No. 1513, § 1, 4-14-09)

Sec. 4308 - Community recreation.

(1) General standards: Any outdoor activity area, swimming pool, or ball field or court which adjoins a residential use type shall be landscaped in accordance with Article V of this ordinance. Where night-time lighting of such areas is proposed large evergreen trees shall be required in a location appropriate to screen adjoining residences. Any such night-time lighting shall be constructed in accordance with the standards for a residential district contained in Article V of this ordinance.

...

(Ord. No. 1258, § 2, 1-9-01; Ord. No. 1308, § 12, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4309 - Cultural services.

...

(3) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(c) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1258, § 2, 1-9-01; Ord. No. 1308, § 13, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4310 - Day care center.

...

(b) Additional standards in the RR1, R-4, R-5, and OTR zoning districts.

...

(2) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(e) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 14, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4313 - Education facilities.

(a) General standards:

(1) Any outdoor activity area, swimming pool, or ball field or court which adjoins a residential zoning district shall have a type C buffer yard. Where exterior lighting of such areas is proposed, large evergreen trees shall be required in a location appropriate to screen adjoining residences.

...

(b) Additional standards in the RR1, R-4, R-5, and OTR zoning districts.

...

(2) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(d) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1247, § 13, 9-12-00; Ord. No. 1308, § 15, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4319 - Home for adults.

...

(b) Additional standards in the RR1, R-4, R-5, and OTR zoning districts.

...

(2) Parking shall be located behind the front line of the principal building. The Town Council or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(d) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 16, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4320 - Lighting, public park and recreation area field.

The purpose of this lighting is to allow fields in public park and recreation areas to be illuminated at a higher intensity while (i) controlling the spillover of light onto adjacent properties and (ii) protecting public safety by reducing glare from outdoor luminaries.

...

(b) General Standards.

...

(2) Large evergreen trees or other screening technique shall be required in appropriate locations to screen adjoining residences from light trespass or glare.

...

(Ord. No. 1405, § 2, 8-8-06; Ord. No. 1513, § 1, 4-14-09)

Sec. 4321 - Life care facility.

...

(b) Additional standards in the RR1, R-4, R-5, and OTR zoning districts.

...

(2) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(d) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the

shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, §§ 17, 18, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4326 - Nursing home.

...

(b) Additional standards in the R-5 district:

...

(2) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(c) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 19, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4328 - Open space.

...

(b) Additional standards in the RR1 and RR2 zoning districts:

...

(2) Use of open space.

...

b. Prohibited uses of open space. The following activities are prohibited in open space:

...

4. The destruction or removal of live trees, except as necessary, in accordance with generally accepted forestry conservation practices, to control or prevent hazard, disease, or fire; provided that trees may be harvested for any purpose, including, without limitation, commercial timber production on a sustained yield basis in accordance with a plan prepared in consultation with a registered professional forester that is designed to protect the conservation values of the open space, including without limitation, scenic and wildlife habitat values.

...

(Ord. No. 1215, § 27, 5-11-99; Ord. No. 1247, § 13, 9-12-00; Ord. No. 1258, § 3, 1-9-01; Ord. No. 1339, § 17, 9-9-03)

Sec. 4331 - Post office.

...

(b) Additional standards in the R-4, R-5, and OTR zoning districts:

...

(3) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this

requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(7)

Loading areas shall be sited in such a way so as to minimize the impact on any surrounding neighborhood. Sufficient screening meeting the standards of Article V, Division 3 of this ordinance [Appendix] shall be provided to screen and diffuse noise impacts on adjacent residences. A type D buffer yard shall be required when a loading area is located adjacent to a residential use.

...

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 20, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4331.1 - Public assembly.

(1) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 21, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4332 - Public parks and recreational areas.

General standards:

...

(2) Where nighttime lighting of such areas is proposed large evergreen trees shall be required in a location appropriate to screen adjoining residences. Any such nighttime lighting shall be constructed in accordance with the standards for a residential district.

Sec. 4333 - Public recreation assembly.

...

(b) Additional standards in the RR1, R-4, R-5, and OTR zoning districts:

...

(2) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(Ord. No. 1339, § 18, 9-9-03)

Sec. 4338 - Religious assembly.

...

(c) Additional standards in the RR1 and RR2 zoning districts:

...

(d) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 22, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4339 - Safety services.

...

(b) Additional standards in the R-4, R-5, and OTR zoning districts:

...

(3) Parking for nonemergency vehicles shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(c) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 23, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4341 - Shelter.

...

(b) Additional standards in the R-5 and OTR zoning districts:

...

(5) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(d) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 24, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4350 - Utility services, major.

...

(h) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 25, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

DIVISION 4. - OFFICE USES

Sec. 4410 - Financial institutions.

...

(b) Additional standards in the RR1, RR2, R-5, and OTR zoning districts:

...

(5) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(f) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 26, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)
Secs. 4411—4419 - [Reserved].

Sec. 4420 - General office.

(a) General standards:

...

(7) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(d) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 27, 8-13-02; Ord. No. 1339, §§ 19, 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4430 - Medical office.

...

(e) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 28, 8-13-02; Ord. No. 1339, §§ 20, 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

DIVISION 5. - COMMERCIAL USES

Sec. 4501 - Adult entertainment establishment.

...

(h) Parking shall be located behind the front line of the principal building. The Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of the parcel, the location of existing mature trees, or other similar circumstances.

...
(Ord. No. 1340, § 3, 8-12-03)

Sec. 4501.5 - Adult store.

...
(c)
Parking shall be located behind the front line of the principal building. The Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of the parcel, the location of existing mature trees, or other similar circumstances.

...
(Ord. No. 1340, § 4, 8-12-03)

Sec. 4509 - Automobile repair services.

...
(e)
Additional standards in the DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.
(Ord. No. 1308, § 29, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1415, § 15, 7-11-06)

Sec. 4510 - Automobile rental/leasing.

...
(b)
Additional standards in the GC and MXD zoning districts: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances
(Ord. No. 1308, § 30, 8-13-02; Ord. No. 1439, 4-10-07)

Sec. 4511 - Automobile parts/supply, retail.

...
(c)
Additional standards in the GC and MXD zoning districts: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.
(Ord. No. 1308, § 31, 8-13-02; Ord. No. 1415, § 16, 7-11-06; Ord. No. 1439, 4-10-07)

Sec. 4512 - Bed and breakfast.

...
(b) Additional standards in the R-5, OTR, RM-27, RM-48 Districts:
...
(4) Required parking for guests and employees shall be provided on-site. Parking shall be located behind the front line of the building, unless such location is impractical, due to the shallow depth of the parcel, the location of existing mature trees, or other similar circumstances.

(c)

Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1184, adopted 6-9-98; Ord. No. 1308, § 32, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Section 4513 - Brewpub.

(a) General standards.

...

(2)

Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(Ord. No. 1369, § 13, 10-12-04)

Section 4514 - Business support services.

Standards in the GC and MXD zoning districts: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 33, 8-13-02; Ord. No. 1369, § 12, 10-12-04; Ord. No. 1439, 4-10-07)

Sec. 4516 - Car wash.

...

(c) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 34, 8-13-02; Ord. No. 1415, § 17, 7-11-06)

Sec. 4521 - Clinic.

...

(b) Additional standards in the R-5, OTR, R-27, R-48 zoning districts:

...

(10) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(c) Additional standards in the R-5, OTR zoning districts:

(1) For existing structures, no exterior changes may be made that are nonresidential in character.

(2) A type B buffer yard shall be provided in yards adjacent to a R-4, R-5, OTR, PR, RR1 or RR2 zoning district.

...

(e) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 35, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4521.1 - Commercial indoor entertainment.

Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 36, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4521.2 - Commercial indoor amusement.

Additional standards in the DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 36, 8-13-02; Ord. No. 1339, § 27, 9-9-03)

Sec. 4521.3 - Commercial indoor sports and recreation.

Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 36, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4521.4 - Communication services.

Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 36, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4522 - Construction sales and services.

...

(c) Additional standards in the GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 37, 8-13-02)

Sec. 4523 - Consumer repair services.

(a) General standards:

(1) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 38, 8-13-02)

Sec. 4523.1 - Dance hall.

Additional standards in the DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 39, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1513, § 1, 4-14-09)

Sec. 4524 - Equipment sales/rental.

...

(b) Additional standards in the GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 40, 8-13-02)

Sec. 4525 - Funeral home.

...

(b) Additional standards in the RM-27 and RM-48 zoning districts:

...

(10) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(c) Additional standards in the DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1247, § 15, 9-12-00; Ord. No. 1308, § 41, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1513, § 1, 4-14-09)

Sec. 4526 - Garden center.

...

(b) Additional standards in the GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 42, 8-13-02)

Sec. 4527 - Gasoline station.

(a) General standards:

...

(4) Fuel pumps and canopies over fuel pumps should be located behind the front line of the primary structure unless impractical to do so as a result of the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances, or unless beneficial to surrounding properties to not do so. In such cases, additional street trees or front yard landscaping shall be considered as a condition for approval.

...

(Ord. No. 1278, § 13, 11-13-01; Ord. No. 1308, § 43, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1415, § 18, 7-11-06; Ord. No. 1513, § 1, 4-14-09)

Sec. 4528.1 - Grocery store.

Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 44, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4528.2 - Hotel/motel.

Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 44, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4529 - Hospital.

(a) General standards:

(1) Parking shall be located behind the front lot line of the building. The Planning Commission may grant exceptions as a result of the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1513, § 1, 4-14-09)

Sec. 4531 - Kennel, commercial.

...

(b) Additional standards in the GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 45, 8-13-02)

Sec. 4541 - Mini warehouse.

...

(b) Additional standards in the GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 46, 8-13-02)

Sec. 4542 - Neighborhood convenience store.

...

(15) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(c) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 47, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4544 - Pawn shop.

Additional standards in the DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 48, 8-13-02; Ord. No. 1339, § 27, 9-9-03)

Sec. 4545 - Personal improvement services.

Additional standards in the DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 48, 8-13-02; Ord. No. 1339, § 27, 9-9-03)

Sec. 4546 - Personal services.

Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 48, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4552 - Restaurant, drive-in.

...

(b) Additional standards in the GC and MXD zoning districts: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 49, 8-13-02; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4552.1 - Restaurant, fast food.

Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 50, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4553 - Restaurant, general.

...
(b) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 51, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07)

Sec. 4555 - Restaurant, small.

...
(d) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 52, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4559 - Retail sales.

(a) General standards:

...
(11) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(c) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1247, § 16, 9-12-00; Ord. No. 1308, § 53, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4560. - Retail sales, large format.

General standards:

...
(j) Parking shall be located behind the front line of the principal building. The Planning Commission or Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, the protection of existing residential zoning, or other similar circumstances. Conditions including increased landscaping and enhanced pedestrian paths may be applied in granting such exception or in approving the conditional use permit.

(Ord. No. 1450, § 1, 5-29-07; Ord. No. 1509, § 1, 2-10-09; Ord. No. 1513, § 1, 4-14-09)

Sec. 4561 - Specialty shop.

...

(b) Additional standards in the OTR zoning district:

...

(12) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(c) Additional standards in the DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 54, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1513, § 1, 4-14-09)

Sec. 4564 - Studio, fine arts.

...

(b) Additional standards in the OTR, RR1, RM-27, and RM-48 zoning districts.

...

(11) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...

(d) Additional standards in the MXD, DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1215, § 34, 5-11-99; Ord. No. 1308, § 55, 8-13-02; Ord. No. 1339, § 27, 9-9-03; Ord. No. 1439, 4-10-07; Ord. No. 1513, § 1, 4-14-09)

Sec. 4565. - Veterinary hospital/clinic.

Additional standards in the DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 56, 8-13-02; Ord. No. 1339, § 27, 9-9-03)

DIVISION 6. - INDUSTRIAL USES

Sec. 4605 - Custom manufacturing.

...

(c) Standards in the GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

(Ord. No. 1308, § 57, 8-13-02)

Sec. 4606. - Laboratory.

...

(b) Additional standards in the DC and GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.
(Ord. No. 1308, § 58, 8-13-02; Ord. No. 1416, § 4, 7-11-06)

Sec. 4607. - Research and development.

...
(b) In the DC and GC zoning district, parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.
(Ord. No. 1416, § 5, 7-11-06)

Sec. 4626 - Transportation terminal.

...
(b) Standards in the GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.
(Ord. No. 1308, § 59, 8-13-02)

DIVISION 7. - MISCELLANEOUS USES

Sec. 4720 - Broadcasting or communication tower.

...
(e) Additional standards in the GC zoning district: Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.
(Ord. No. 1170, adopted 11-11-97; Ord. No. 1247, § 17, 9-12-00; Ord. No. 1308, § 60, 8-13-02; Ord. No. 1339, § 21, 9-9-03; Ord. No. 1513, § 1, 4-14-09)

Sec. 4722. - Outpatient substance abuse treatment center.

(a) General standards:

...
(6) Parking shall be located behind the front line of the principal building. The Planning Commission or the Zoning Administrator may grant an exception to this requirement where necessary due to the shallow depth of a parcel, the location of existing mature trees, or other similar circumstances.

...
(Ord. No. 1415, § 21, 7-11-06; Ord. No. 1513, § 1, 4-14-09)

Article 5 Development Standards

DIVISION 1. - SITE DEVELOPMENT PLANS

Sec. 5130 - Information required.

Every site development plan shall contain the following information. The information contained under the heading, "optional" may be required by the Administrator as

appropriate based upon the planning and engineering issues posed by the project, in order to achieve the goals of this chapter [Appendix] [Appendix] and of the Town Code.

...

(f) Screening, Landscaping, and Buffer Yards:

Mandatory:

- (1) Location, type, size and height of all fencing, and screening, where required under the provisions of Article V, Division 3, Zoning Ordinance, Town Code.
- (2) Location of required buffer yards.
- (3) Location, type, height, and detail of any proposed retaining walls.
- (4) A landscape planting chart showing the planting schedule, minimum size at planting, total canopy percentage, species, and total canopy coverage for the site.
- (5) The outline of existing groupings of trees. Physically outstanding or specimen trees within the groups shall be shown if they are to be removed.
- (6) All individual trees with a caliper of five (5) inches or more at a height of two (2) feet above the ground or ornamental trees over twelve (12) feet shall be shown on the plan and labeled as to whether they will be saved or removed.
- (7) Where applicable, parking lot landscaping.
- (8) A landscape design plan, based upon accepted professional design layouts and principles.

...

(Ord. No. 1247, § 19, 9-12-00; Ord. No. 1513, § 1, 4-14-09)

DIVISION 3. - BUFFER YARDS AND SCREENING

Sec. 5300 - Buffer yards—Purpose.

The purpose of buffer yards is to limit the view and reduce the noise between abutting incompatible uses, and to ease the transition from one zoning district to another. Buffer yards are intended to provide a physical integration of uses which promote the public health, welfare and safety by:

- (1) Preventing visual pollution;
- (2) Preventing the overcrowding of land;
- (3) Preventing the undue congregation of people and vehicles; and
- (4) Promoting the peaceful enjoyment of property within the Town of Blacksburg.

Sec. 5305 - Buffer yards—When required.

(a) A buffer yard shall be required of any lot in any zoning district when the lot in that district abuts a zoning district of lower intensity.

(b) When a public right-of-way separates zones of different intensities, the following criteria shall apply, regardless of whether the zoning line is on one side or the other or the center of the public right-of-way:

- (1) If the public right-of-way is an alley, a buffer yard with screening shall be provided as per the table below.
- (2) If the public right-of-way is a local or collector street, a buffer yard with screening shall be provided on any side or rear of the higher intensity use which abuts the right-of-way as per the table below; however the buffer yard shall not be required on the front of the higher intensity use where the front abuts the public right-of-way.
- (3) If the public right-of-way is an arterial street or highway, no buffer yard or screening shall be required for the portion of the higher intensity use abutting the public right-of-way.

(c) No buffer yard is required within or adjacent to the University zoning district.

(d) When a site plan is submitted to modify or expand an existing building or site improvements, or accommodate a change in land use, buffer yard and screening

requirements shall only be applied to those portions of the site that are directly affected by the proposed improvements, or change in land use, as determined by the Administrator.

Sec. 5310 - Buffer yards—General standards.

(a) Buffer yards shall contain vegetative and/or architectural screening that achieves the purpose of the buffer yard, and which meets the requirements for screening, below. Trees used for screening purposes shall be suitable as defined in section 5331.

(b) The maximum slope of any buffer yard shall be 2H: 1V. Additional width shall be added to any portion of any buffer yard which exceeds this slope such that the minimum buffer yard width is met by land less steep than 2H: 1V.

(c) The buffer yard shall be located entirely within the higher intensity zoning district and abutting the zoning district line, or adjacent right-of-way if such right-of-way separates the lot from the zoning district line. However, the buffer yard may be placed in the lower intensity zoning district or partially within both zoning districts if both sides of the zoning district line and entire buffer yard width are within common ownership and a permanent easement is provided over any portion of the buffer yard not within the higher intensity zoning district.

(d) A driveway required to serve the principal structure on the site may exist in the buffer yard. This driveway shall run substantially perpendicular to the buffer yard.

(e) Buffer yards shall be maintained in a natural condition free of structures, loading or storage areas, parking, roads, or driveways except as provided for in (d) above.

(f) Buffer yards required by this Section shall be applied equally to all similarly situated properties. Modifications to these standards may be granted in writing by the Administrator if the Administrator finds any of the following circumstances exist on the proposed building site, or surrounding properties:

- (1) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of this section.
- (2) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.
- (3) The required screening and landscaping would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.
- (4) The topography of adjacent and surrounding sites is such as to render required screening ineffective at maturity.

(g) When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, buffer yards shall be reserved as required by this section. However, to achieve the intent of this section, the Administrator may require an alternative location and design for required screening and plantings.

(h) When property lines abut an adjacent jurisdiction, the Administrator shall determine the specific screening and buffering requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated /zoned property within the Town.

(i) Buffer yard dimensions and screening requirements shall be provided as detailed in the chart below:

Abutting District (Higher intensity; where buffer is to be located)	Abutted District (Lower intensity to be protected)					
	RR1, RR2,	RM-27,	O	DC, GC,	I, PIN	MXD

	R-4, R-5, OTR, PR	RM-48, PMH		PC, RD		
RR1, RR2, R-4, R-5, OTR, PR	N/A	N/A	N/A	N/A	N/A	N/A
RM-27, RM-48, PMH	B	N/A	N/A	N/A	N/A	N/A
O	B	A	N/A	N/A	N/A	N/A
DC, GC, PC, RD	C	B	N/A	N/A	N/A	C
I, PIN	D	C	C	C	N/A	D
MXD	C when abutting RR1, RR2, or R-4. B when abutting R- 5, OTR or PR.	B	A	A when abutting RD	N/A	N/A

Buffer Yards	Architectural	Vegetative
A	4' screen 10' buffer yard small evergreen trees	20' buffer yard, Small evergreen trees and one row small evergreen shrubs
B	6' screen 15' buffer yard Small evergreen trees	30' buffer yard, small evergreen trees, and one row evergreen shrub
C	6' screen 25' buffer yard Large and small evergreen trees	50' buffer yard, large evergreen trees, small evergreen trees, and one row of evergreen shrub
D	8' screen 30' buffer yard Large deciduous and large evergreen trees	60' buffer yard, large evergreen trees, small evergreen trees, and one row of evergreen shrubs

(Ord. No. 1215, § 32, 5-11-99; Ord. No. 1439, 4-10-07)

Sec. 5330 - Screening—When required.

(a) Screening shall be provided within a buffer yard to ease the transition of one land use or activity to another, to achieve the purposes of the buffer yard. Screening may be accomplished through architectural or vegetative materials.

(b) Screening shall be provided, in addition to the requirements listed above, for:

- (1) All articles or materials being stored, maintained, repaired, processed, erected, fabricated, dismantled, or salvaged, such that the activity is not visible from surrounding properties or roads.
- (2) Refuse storage and loading areas such that these activities are not visible from surrounding properties or roads.
- (3) Rooftop and ground level mechanical equipment such that it is not visible from surrounding properties or roads.
- (4) All trash dumpsters or containers used for recycling shall be screened so that it is not visible from surrounding properties or roads. At minimum, the dumpster or container shall be screened on three sides with architectural screening supplemented by plantings. Screening shall be based upon the standards below and subject to the approval of the Administrator.

- a. Four foot tall architectural screening is acceptable when household style trash containers are used in place of dumpsters;

- b. The requirement for supplemental plantings may be waived by the Administrator in cases where dumpsters or containers are added to an existing development. In determining whether to grant a waiver, the Administrator shall be guided by these standards: proximity of the facility to residential structures; efficacy of screening to mitigate any adverse effect of the use; and benefit of the screening relative to its cost.

(c) No screening is required within or adjacent to the University zoning district.

(d) When a site plan is submitted to modify or expand an existing building or site improvements, or accommodate a change in land use, screening requirements shall only be applied to those portions of the site that are directly affected by the proposed improvements, or change in land use, as determined by the Administrator.

(Ord. No. 1308, § 63, 8-13-02)

Sec. 5331 - Screening—General standards.

(a) Screening shall be continuous and in place at the time of occupancy. If vehicular or pedestrian access through the screen is necessary, the screening function shall be preserved.

(b) Screening may be architectural or vegetative, per the requirements below:

- (1) Acceptable architectural screening materials include stockade fences, decorative masonry walls, brick walls, and earth berms, and other like materials approved by the Administrator.

- (2) Architectural screening shall be at least four feet in height, shall be supplemented with plantings, and shall be subject to the provisions of Blacksburg Town Code section 21-304, "sight triangles established."

- (3) Vegetative material shall be alive and in good health.

- (4) Small evergreen trees shall be at least 4 feet in height at planting and allowed to grow to at least 6 feet in height. Large evergreen trees shall be at least 6 feet in height at planting and allowed to grow to at least 10 feet in height. All required evergreen vegetation shall be maintained in good condition.

- (5) Deciduous trees shall be at least 1 ½" caliper or 10' to 12' in height. They shall be supplemental and not deemed to be adequate screening in themselves.

- (6) Acceptable vegetative plantings include any tree listing in the "recommended list of trees" for screening purposes; or yew, box honeysuckle or similar dense hedge.

(c) Screening design and development shall be compatible with the existing and proposed land use and the development character of the surrounding land and structures.

(d) Screening shall be of sufficient density and diversity to achieve the intent of this section. However, at the time of planting, the spacing of trees shall not exceed 12' on center, and the planting pattern shall be staggered. Shrubbery shall be more closely-spaced. Specific

exceptions to this requirement may be granted by the Administrator to encourage quality and creativity of design where the intent of this section is met.

(e) Existing vegetation within buffer yards shall be considered as a substitute for otherwise required landscaping or screening, if in the opinion of the Administrator, the type, size, and density of the existing vegetation complies with the standards and intent of this section.

(f) When a proposed buffer yard has a variation in elevation of greater than 10 vertical feet at any point, the required screening or landscaping within the yard shall be placed to maximize the effectiveness of the screening or landscaping, as determined by the Administrator.

(g) Trees planted to meet any of the screening requirements may also be used to meet any other landscaping requirement within this Article.

(h) Screening required by this Section shall be applied equally to all similarly situated properties. Modifications to these standards may be granted in writing by the Administrator if the Administrator finds any of the following circumstances exist on the proposed building site, or surrounding properties:

(1) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of this section.

(2) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.

(3) The required screening and landscaping would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.

(4) The topography of adjacent and surrounding sites is such as to render required screening ineffective at maturity.

(Ord. No. 1247, § 20, 9-12-00)

DIVISION 4. - LANDSCAPING

Sec. 5400 - Landscaping—Purpose.

The preservation of existing trees and vegetation, as well as the planting of new trees and vegetation, can significantly add to the quality of the physical environment of the community. The regulations outlined herein are designed to provide for the health, safety and welfare of the residents of the Town. Trees can provide the following benefits to the community:

(1) Provide buffers and screens against noise, air pollution, and unsightly and incompatible land uses;

(2) Reduce the hazards of flooding and aid in the control of erosion and storm water runoff. Trees also assist in the stabilization of soil and replenish groundwater supplies;

(3) Act to moderate extremes of temperature and provide shade;

(4) Absorb carbon dioxide and supply oxygen in our atmosphere, which is an essential ecological function in the preservation of human and animal life. Trees can provide a haven for birds which, in turn, assist in the control of insects;

(5) Aid in energy conservation;

(6) Are physiologically, psychologically, sociologically and aesthetically necessary counterpoints to the man-made urban setting.

Sec. 5410 - Landscaping—When required.

The requirements of this division apply to any development for which a site development plan is required by Article V, Division 1, "Site Development Plans," section 5100.

Sec. 5420 - Landscaping—General standards.

(a) Acceptable trees include, but are not limited to, those identified as suitable for the intended use in the "Recommended list of trees" figure below. Acceptable vegetative ground cover consists of shrubs and ground cover including grass. Using standards from recognized texts on the subject, the Administrator shall decide the appropriateness of any such trees and ground cover.

(b) Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, and the fruit is considered a nuisance or high maintenance, as determined by the Administrator.

(c) The planting of trees shall be done in accordance with the standardized landscape specifications jointly adopted by the Virginia Nurserymen's Association, the Virginia Society of Landscape Designers and the Virginia Chapter of the American Society of Landscape Architects.

(d) All trees shall be planted in good condition and meet "American Standard for Nursery Stock" (1990), ANSI Z60.1-1990, as may be amended.

(e) The developer shall plant, or install, as appropriate grass, tree grates, porous pavers, or similar pervious surfaces, which shall extend to twice the initial drip line of the newly planted tree. Minimum tree grate size shall be five square feet.

(f) Trees planted to meet any of the requirements below may also be used to meet any other screening or landscaping requirement within this Article.

Sec. 5425 - Tree replacement requirements.

Any trees on the site which are a caliper of five inches or more at a height of one foot above the ground, or ornamental trees over twelve feet in height which are to be removed during site development shall be replaced up to the maximum canopy coverage required in Section 5426 below.

(Ord. No. 1247, § 21, 9-12-00)

Sec. 5426 - Canopy coverage requirements.

(a) Trees shall be provided within the limits of construction to the extent that at twenty years from the date of planting, tree canopies or covers will provide at least the following minimums:

Zoning District

RR1 20% Tree Canopy

R-4, R-5 20%

OTR 20%

RM-27, RM-48 10%

GC, O, IN, R&D, MXD 10%

Planned Districts Per Uses Above

(b) Existing trees or wooded areas which are to be preserved, at the applicants option may be included to meet all or part of the canopy requirements, provided the site plan identifies such trees and the trees meet the standards of size, health, placement, etc. set out in this section. The Administrator shall evaluate use of existing trees to ensure they have adequate health and strength to allow such use.

(c) Existing trees designated to be included as part of these requirements shall be protected during construction by fencing placed at a distance in feet equal to or greater than the diameter of the tree in inches at the height of 4½ feet.

(d) The extent of canopy at maturity shall be based on published reference texts described below, generally accepted by landscape architects, nurserymen, and arborists.

(Ord. No. 1215, § 33, 5-11-99; Ord. No. 1439, 4-10-07)

Sec. 5427 - Parking lot landscaping.

(a) The following provisions are intended to require that 5% of the entire parking lot, excluding the access drive, is landscaped with trees and vegetative ground cover. The area of the parking lot is the square foot area of the parking spaces and aisles and interior parking lot islands, excluding access drives that do not contain either parallel or perpendicular parking spaces.

(b) Within the parking lot there shall be planted one tree per ten spaces, rounded down to the closest whole number.

(c) Planter islands or peninsulas containing trees shall be located within the parking lot, such that each island or planter is surrounded on at least 3 sides by parking lot or an access road to the parking lot. Their size shall be eighteen feet square in area, or equal total area in irregular shapes such that adequate space is provided for adequate tree canopy maturation.

(d) Planter islands may be combined or placed together such that more than one tree may be provided in the combined planter island, so long as the total space equals a multiple of the requirements above.

(e) Perimeter plantings may be used to satisfy this requirement in parking facilities less than forty-two feet in width.

(f) Perimeter planting beds at least 10 feet in width shall be provided whenever a parking area is immediately adjacent to a public right-of-way. If a question arises as to whether or not a parking area is immediately adjacent to a public right-of-way, the Zoning Administrator shall make the determination. (Ord. No. 1184, adopted 6-9-98)

- (1) Plantings within this area shall include trees and vegetative ground cover.
- (2) Berms may be used in addition to, but not instead of plantings.

Sec. 5428 - Street trees.

(a) In addition to the requirements set out above, in every development requiring a site development plan, there shall be planted on or adjacent to the site an average of at least one tree for every thirty feet of public street frontage.

(b) The trees shall be planted adjacent to the public right-of-way on the site being developed, or with the concurrence of the developer, and the Administrator in the public right-of-way.

(c) The Administrator may reduce or eliminate this standard based on the size, street frontage, existing vegetation, and specific conditions of the site.

Sec. 5429 - Recommended tree species.

Acceptable trees include, but are not limited to, those identified as suitable for the use intended in the table below:

RECOMMENDED TREE SPECIES

Species Name	Minimum Height/ Caliper	Canopy at 20 years (sq.ft.)	Suitability
Acer rubrum "October Glory", October Glory Red Maple	2½"	314	P,L
Acer palmatum, Japanese Maple	5'	177	L
Acer rubrum columnare, Columnare Red Maple	2½"	314	P,L
Acer saccharum, Sugar Maple*	1½"	314	L
Acer pseudoplatanus, Sycamore Maple*	2½"	314	P
Acer platanoides, Norway Maple	2½"	314	P
Acer saccharum columnare, Columnare Sugar Maple*	1½"	314	L
Amelanchier arborea, Serviceberry*	6'	201	L
Betula nigra, River Birch*	2"	254	L
Carpinus caroliniana, American Hornbeam*	2"	177	L
Celtis occidentalis, Common Hackberry*	2½"	380	P,L
Cercis canadensis, Eastern Redbud*	5'	201	L
Chionanthus virginicus, White Fringe Tree*	1½"	113	L
Cornus kousa, Korean Dogwood	4'	177	L
Cornus florida rubra, Flowering Dogwood, Pink*	4'	177	L
Cornus florida, Flowering Dogwood, White*	4'	177	L
Cornus mas, Cherry Bark Dogwood	4'	113	L,S
Cotinus coggygia, Smoke Tree	5'	177	L
Crataegus phaenopydrum, Washington Hawthorn*	4'	113	L,S
Fagus grandifolia, American Beech*	1½"	177	L
Fagus sylvatica cuprea, Copper Beech	4'	177	P
Fraxinus americana, White Ash*	2.5"	254	P,L
Fraxinus lanceolata (Marshall's Seedless), Green Ash Marshall's Seedless*	2½"	177	P,L
Fraxinus lanceolata, Green Ash*	2½"	177	P
Ginkgo biloba, Ginkgo (Male Variety)	1½"	133	L
Gleditcia tricanthos inermis, Sharemaster Thornless Honey Locust	2½"	314	P,L
Ilex opaca, American Holly*	5'	38	L
Juniperus virginiana, Eastern Red Cedar*	4'	38	S
Koelreuteria paniculata, Golden Rain Tree	1½"	177	L
Liriodendron tulifera, Tulip Poplar*	2½"	254	P,L
Malus floribunda, Japanese Flowering Crab	4'	177	L
Metaequola glyptostrobolies, Dawn Redwood	1½"	177	L
Nyssa sylvatica, Sour Gum*	1½"	177	L
Ostrya virginiana, American Hophornbeam*	1.5"	254	L
Oxydendrum arboreum, Sourwood*	5'	113	L
Picea abies, Norway Spruce	4'	177	S
Picea glauca, White Spruce	4'	113	P
Pinus strobus, White Pine*	4'	177	S
Platanus occidentalis, American Sycamore*	1½"	491	L

Platanus acerfolia, London Plane Tree	2½"	380	P,L
Prunus serrulata kawanzan, Kwansan Cherry	4'	177	L
Prunus serotina, Black Cherry	5'	133	L
Quercus palustris, Pin Oak	2"	254	L
Quercus phellos, Willow Oak*	2½"	177	P,L
Quercus alba, White Oak*	2"	254	L
Quercus rubra, Northern Red Oak	2½"	254	P, L
Quercus accutissim, Saw Tooth Oak	1½"	177	L
Quercus robur fastigiata, Pyramidal English Oak	2½"	79	P,L
Quercus macrocarpa, Bur Oak	2½"	177	P,L
Quercus montana, Chesnut Oak*	1½"	177	L
Quercus coccinea, Scarlet Oak*	2"	254	L
Tilia americana, American Linden*	2"	314	P,L
Tilia cordata, Little Leaf Linden	2½"	177	P,L
Tilia cordata greenspire, Greenspire Linden	2½"	177	P,L
Tsuga canadensis, Canada Hemlock*	4'	177	S
X Cupress ocypari leylandii, Leyland Cypress	2½"	113	S
Zelkov serrata, Japanese Zelkova	1½"	177	L
Zelkov serrata village green, Village Green Zelkova	1½"	177	L

P = Parking Lot and Street Trees

L = General Landscape Trees

S = Screening Trees

* = Use of native species is encouraged

Sizes shown in feet are height; sizes shown in inches are caliper

(Ord. No. 1184, adopted 6-9-98; Ord. No. 1308, § 64, 8-13-02)

Sec. 5440 - Landscaping—Exceptions.

(a) Tree canopy and tree replacements shall not be required of playing fields and other nonwooded recreation areas, and other facilities and uses of a similar nature.

(b) Tree canopy provisions shall not apply where they would negatively affect the preservation of wetlands.

(c) Landscaping requirements of this section shall be applied equally to all similarly situated properties. Modifications to these standards may be granted in writing by the Administrator if the Administrator finds any of the following circumstances exist on the proposed building site, or surrounding properties:

(1) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of this section.

(2) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.

(3) The required screening and landscaping would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.

(4) The topography of adjacent and surrounding sites is such as to render required screening ineffective at maturity.

(d) When a site plan is submitted to modify or expand an existing building or site improvements, or accommodate a change in land use, landscaping requirements shall only be applied to those portions of the site that are directly affected by the proposed improvements, or change in land use, as determined by the Administrator.

(e) No landscaping or screening shall be required which in the opinion of the Administrator interferes with traffic safety, or which violates Town Code Section 21-304.

(Ord. No. 1419, § 1, 12-11-07)