

Article

3

Overlay Districts

*City of Richmond
Unified Development
Ordinance*

Airport Compatibility Overlay (ACO) District

3.01 ACO District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Land Uses	Effect on Development Standards
<p>The Airport Compatibility Overlay (ACO) District is intended to: (1) minimize land uses located in close proximity to an airport that may adversely impact the airport's operations; (2) discourage land uses located in close proximity to an airport that may be adversely impacted by the airport's operations; (3) minimize wildlife incursions on airport property or airspace, particularly migratory birds; (4) disallow tall structures that impede aircraft operations; (5) disallow lighting and other development features that could disrupt aircraft operations; (6) encourage land uses that add value to and complement the airport; and (7) reduce risk to life and property from aircraft crashes.</p> <p>By assuring all development at the airport and development around the airport are compatible, three benefits are gained. They are (1) maximize the opportunity for Federal and State funding (typically 80% and 10% of all costs respectively) for airport expansions, acquisitions, and improvements; (2) maximize the FAA's support for airport expansion and increases in operations; and (3) minimize complaints and remonstrations against airport expansion and increases in operations. See the next paragraph for further clarification on the importance of this overlay district.</p> <p>All airports that receive Federal grants are obligated by contract to follow FAA Advisory Circulars; essentially they become "mandatory circulars." Failure to follow the Advisory Circulars may result in forfeiture of current funding and/or loss of standing to apply for future funding.</p> <p>The regulations and restrictions for the ACO District are based on FAA Advisory Circulars, NTSB crash statistics, FAA Land Use Planning Guides, State of Indiana Tall Structures Act, the 2004 Land Use Report from the National Association of State Aviation Officials, University of Berkeley Transportation Institute's study on the location of general aviation aircraft accidents in relationship to runways, and the Aircraft Owner's and Pilot's Association's Guide to Airport Noise and Compatibility of Land Use.</p>	<p>All permitted uses in the base zoning district are permitted in the ACO District except as restricted in <i>Section 3.04</i>. All special exception uses permitted in the base zoning district are allowed as such in the ACO District except as restricted in <i>Section 3.04</i>.</p>	<p>The development standards from the base zoning district shall apply to the ACO District in addition to the development standards described in <i>Section 3.05</i>.</p>

Airport Compatibility Overlay (ACO) District

3.02 ACO District Applicability

The following requirements apply to all land within the ACO District as defined in *Section 3.03: ACO District Boundary* and were created per *FAA Advisory Circular AC 150.2500-33B*. Under no circumstances shall a planned development or rezoning of property change the applicability of the ACO District's land use restrictions and additional development standards.

3.03 ACO District Boundary

The boundaries for the ACO District shall include any land fully or partially within five (5) nautical miles (30,380.59 feet) of the airport property and may be shown on the Official Zoning Map as a hatched or textured pattern, and noted in the map legend as the Airport Compatibility Overlay (ACO) District.

3.04 ACO District Restriction of Permitted and Special Exception Land Uses

- A. Effect on Base Zoning: All uses allowed as a permitted use or special exception use in the base zoning district shall remain permitted except as described in *Section 3.04(B)*, *3.04(C)*, and *3.04(D)*.
- B. Within Five (5) Statute Miles of the Airport:
1. *Prohibited Land Uses and Site Features*: When the airport facility is fully or partially located within five (5) statute miles of the subject property, the following land uses and site features shall not be allowed as a permitted use or special exception use:
 - a. Grain elevator
 - b. Grain storage, outdoor or open
 - c. Recycling processing, outdoor or open
 - d. Sanitary landfill/refuse dump
 - e. Putrescible waste processing or disposal facility
 - f. Transfer station, outdoor or open (grain/fruit/vegetables)
 - g. Transfer station, outdoor or open (recycling/putrescible waste)
 2. *Discouraged Land Uses and Site Features*: When the airport's facility is fully or partially located within five (5) statute miles from the boundary of the subject property, the following land use and site feature shall not be allowed as a permitted use. However, they may be granted as a special exception when the base zoning district permits the land use as a permitted use or special exception use; or if the base zoning district permits the site feature:
 - a. Golf course
 - b. Constructed wetlands
 - c. Recreation pond
 - d. Retention pond
 - e. Wastewater treatment facility
 - f. Aquaculture
 - g. Livestock production
- C. Within 10,000 Feet of the Airport:
1. *Prohibited Land Uses and Site Features*: When the airport facility is fully or partially located within 10,000 feet of the subject property, the following land uses and site features shall not be allowed as a permitted use or special exception:
 - a. All land uses and site features listed in *Section 3.04(B)(1)*
 - b. Wetland
 - c. Golf course
 - d. Recreational pond
 - e. Retention pond
 - f. Wastewater treatment facility
 - g. Aquaculture
 - h. Livestock production

D. Within One (1) Nautical Mile of the Airport:

1. *Prohibited Land Uses and Site Features:* When the airport facility and/or a 1,500 feet runway extension line (i.e. an imaginary line extending the centerline of an existing or proposed runway) is fully or partially located within one (1) nautical mile from the boundary of the subject property, the following land uses and site features shall not be allowed as a permitted use or special exception:
 - a. All land uses and site features listed in *Section 3.04(C)(1)*
 - b. Assisted living
 - c. Auditorium
 - d. Bed and breakfast
 - e. Boarding house
 - f. Composting facility
 - g. Construction material landfill
 - h. Child care institution
 - i. Church, temple, or mosque
 - j. Dwelling, manufactured home
 - k. Dwelling, multiple-family
 - l. Dwelling, single-family attached
 - m. Dwelling, single-family detached
 - n. Dwelling unit (upper floors)
 - o. Electrical generation plant
 - p. Ethanol plant (or other biofuel plant)
 - q. Fair housing facility (large)
 - r. Fair housing facility (small)
 - s. Hospital
 - t. Incinerator
 - u. Library, public
 - v. Liquid fertilizer storage/distribution
 - w. Manufactured home park
 - x. Mobile home park
 - y. Movie theater
 - z. Nursing home
 - aa. Radio/TV station
 - ab. Retirement community
 - ac. Sanitary landfill/refuse dump
 - ad. School (P-12)
 - ae. Stadium
 - af. Storage tanks (hazardous)
 - ag. Telecommunication facility
 - ah. Trade or business school
 - ai. University or college

E. Discretion of the Zoning Administrator: The Zoning Administrator may restrict any additional land use or site feature not listed if it is either a:

1. *Noise Sensitive Land Use:* A noise sensitive land uses that would now or in the future likely be negatively impacted by airport and aircraft operations,
2. *Life Safety Risk:* A land use where a large number of people gather for events or a large number of people work in a small area which, if a airplane crashed, could injure or kill numerous people, or
3. *A Wildlife Attractant:* A land use that encourages migratory, raptor, vulture, or other large birds to land, eat, or reside on the subject property, or that attracts wild animals to or toward the airport's vicinity.

Airport Compatibility Overlay (ACO) District

3.05 ACO District Development Standards

The following development standards are required as follows in order to promote the intent of the ACO District and meet the goals and objectives of the *City of Richmond Comprehensive Plan*.

- A. Effect on Development Standards of the Base Zoning: All development standards in the base zoning district shall remain permitted except as described in *Section 3.05(B), 3.05(C), and 3.05(D)*.
- B. Cross Reference:
 1. *Federal Aviation Administration*: The maximum height of any structure shall be in accordance with *Federal Aviation Regulations (FAR) Part 77*.
 2. *Indiana Department of Transportation*: New structures and additions or alterations to existing structures are subject to review by the Indiana Department of Transportation when within five (5) nautical miles of the airport facility. All developments in this area shall review *IC 8-21-10* for determination of applicability and notification standards.
 3. *Plan Commission*: Any zoning ordinance amendment or rezoning which results in an allowance for tall structures or noise sensitive land uses within five (5) nautical miles of the airport, or that allows structures greater than 500 feet above ground level shall comply with *IC 8-21-10* and *IC 36-7-4-604(i)*.
 4. *Board of Zoning Appeals*: Any request for a variance that may result in a structure's height exceeding the thresholds outlined in *IC 8-21-10* shall comply with *IC 36-7-4-918.5*.
- C. Within 10,000 Feet of the Airport: When the airport facility is fully or partially located within 10,000 feet from the boundary of the subject property, the following development standards apply:
 1. *Waiver to Not Remonstrate*: All applicants, regardless of whether they are requesting a land use currently considered noise sensitive or not, shall be required to sign a waiver indicating that they, nor their heirs or successors shall have the right to remonstrate against the airports operations or any future airport expansions; that they understand that the airport facility is expected to expand; and that they understand that the frequency of aircraft, hours of aircraft operation, and types of aircraft will likely expand. The waiver shall be signed and placed in the Zoning Administrator's files prior to granting an Improvement Location Permit. Subdivisions of land shall be required to record the waiver as a deed restriction in perpetuity on each resulting lot. The waiver shall also be recorded at the County Recorder's Office within five (5) days of the Improvement Location Permit's issuance or else the Improvement Location Permit shall be void.
 2. *Wetlands*: Construction of a new primary structure or a fifty percent (50%) expansion of an existing primary structure on properties with wetlands shall be required to drain or fill the wetlands and mitigate the environmental damage according to state and federal regulations; or shall prepare and implement a wildlife mitigation plan assuring that any current or future wildlife hazards are addressed immediately. The wildlife mitigation plat shall be written according to FAA Advisory Circular and other FAA published guidance.
 3. *Storm Water Management*: All management of on-site storm water shall be achieved by drainage swales, detention ponds, and/or piping the water to a retention pond facility, constructed with appropriate wildlife management techniques, outside of the 10,000 feet buffer around the airport. Detention ponds shall have under-drains to help dissipate water, and shall be designed to fully drain within forty-eight (48) hours of a storm event.

D. Within One (1) Nautical Mile:

1. *Maximum Lot Coverage:* Thirty percent (30%) for residential, fifty-five percent (55%) for commercial and institutional, and seventy percent (70%) for industrial zoning districts.
2. *Landscaping Standards:*
 - a. *Minimize Attractiveness:* Landscaping within in the ACO District shall be designed and maintained to minimize its attractiveness to wildlife.
 - b. *Turf Grass:* At least eighty percent (80%) of all land not covered by a building, structure, wetland, creek, natural lake, or woodlot shall be maintained with turf grass. Turf grasses shall be selected based on minimizing attraction of wildlife.
3. *Lighting Standards:* Adjustments to lighting standards are as follows:
 - a. *Fixture Limitations:* No parking lot lighting, street lighting, exterior building lighting, or landscape lighting shall be allowed to project upward or horizontally. All lighting mounted on a pole, structure, or building shall be a full cutoff fixture.
 - b. *Movement Limitations:* No lighting shall spin, oscillate, or blink within the ACO District, except the airport's fixtures and equipment installed on or off the airport property.
4. *Location Standards:* No structure shall be located within 1,000 feet of a runway unless it is uses as a part of the airport facility or aviation operation.
5. *Airport Noise:* Any noise restrictions in *Article 5: Development Standards* shall not apply to the airport, airport facility, or aircraft operations.
6. *Noise Mitigation:* Any permitted primary structures used for office, institutional, residential, or medical purposes are encouraged to be constructed to a Sound Transmission Class of 50.
7. *Site Design Standards:* Site design of any property or design of any structure shall not resemble an airport, taxiway, or runway.
8. *Setback from Airport:* All structures, except structures of the airport, shall be setback at least 100 feet from airport property; and at least 500 feet from the centerline of each existing and proposed runway, and from an imaginary line extending the centerline of the existing and proposed runways by 1,500 feet.
9. *Condition of a Variance:* As a condition of approval as a special exception, the Board of Zoning Appeals may require a wildlife mitigation plan be prepared and implemented according to FAA Advisory Circular and other FAA published guidance, and require assurances that any current or future wildlife hazards are addressed immediately.
10. *Discretion of the Zoning Administrator:* The Zoning Administrator may require additional and reasonable development standard that serve the district's intent when necessary.

3.06 ACO District Conditions of Variances, Special Exceptions and other Approvals

- A. Wildlife Hazard Mitigation, Condition of Approval: As a condition of approval as a special exceptions or use variance, the Board of Zoning Appeals may require a wildlife mitigation plan be prepared and implemented according to FAA Advisory Circular and other FAA published guidance, and require assurances that any current or future wildlife hazards are addressed immediately.
- B. Noise Mitigation, Condition of Approval: As a condition of approval as a special exception or use variance, the Board of Zoning Appeals may require a primary structure to be constructed to a Sound Transmission Class of 50, commonly used when soundproofing homes near airports. This requirement would result in the ceiling, walls and windows to all be constructed to a reasonably higher standard necessary to mitigate airport noise.

Aquifer Protection Overlay (APO) District

3.07 APO District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Land Uses	Effect on Development Standards
<p>The Aquifer Protection Overlay (APO) The intent of this District is to guide development and existing uses in those areas where an aquifer has been identified as deserving of detailed standards because of the existence of a wellfield providing potable water to the local water utility. This District also stems from <i>Section 1428 of the 1986 Amendment to the Federal Safe Drinking Water Act</i> that mandates that every State develop a Wellhead Protection Program to protect public water supplies which utilize a groundwater source.</p> <p>Land Use Restrictions</p> <ul style="list-style-type: none"> • Uses that utilize or contain volatile, poisonous, toxic, or other material hazardous to the potability of water are restricted or prohibited <p>Development Standard Restrictions</p> <ul style="list-style-type: none"> • Prevent the contamination of groundwater resources • Prevent excessive extraction of the groundwater resources • Regulate land-use activities that store, handle, or produce hazardous material • Require the use of best management practices (regulatory and non-regulatory) for the protection of existing and future groundwater sources of drinking water • Identify the responsibility of the City of Richmond, as the local governmental unit, and the Department of Metropolitan Development, as the responsible agent for the City, in protecting groundwater resources in the City of Richmond • Prevent any increase in the risk of contamination of the aquifer from existing or future uses <p>Application of District</p> <ul style="list-style-type: none"> • Two Zoning Districts, designated as the East Aquifer Protection District and the West Aquifer Protection District are designated on the Official Zoning Map. 	<p>All permitted uses in the base zoning district are permitted in the APO District except as prohibited in <i>Section 3.10(G)</i>. All special exception uses permitted in the base zoning district are allowed as such in the APO District except as prohibited in <i>Section 3.10(G)</i>.</p>	<p>The development standards from the base zoning district shall apply to the APO District in addition to the development standards described in <i>Section 3.10</i>.</p>

Aquifer Protection Overlay (APO) District

3.08 APO District Applicability

The following requirements apply to all land within the APO District as defined in *Section 3.09: APO District Boundary*. Under no circumstances shall a planned development or rezoning of property change the applicability of the APO District's land use restrictions and additional development standards.

3.09 APO District Jurisdictional Boundary

Two Aquifer Protection areas are hereby established the Aquifer Protection Overlay (APO) District; An East Aquifer Protection District, and a West Aquifer Protection District and shall be noted independently on the Official Zoning Map.

3.10 APO District Development Standards

- A. **Exemptions:** Notwithstanding any prohibition or other requirements under this Ordinance, special exemptions and limited exclusions are authorized for:
1. Transportation of any regulated substances through the Aquifer Protection Districts, provided the transporting vehicle is in continuous transit;
 2. Storage of fuel and lubricants for on-site vehicle and/or machinery operations, either in above ground storage facilities or in underground storage tanks that meet U.S. EPA standards as set forth in IDEM requirements and regulations (*329 IAC 9-1-1*);
 3. The use, storage, handling and/or production of regulated substances associated with non-routine maintenance or repair of property or equipment, shall be limited to normal business use, as identified in the information supplied for the Certificate of Conformance;
 4. Regulated substances provided they are packaged for personal or household use or are present in the same form and concentration as a product packaged for use by the general public. In no case shall regulated substances claimed under this exclusion include hydrocarbons or halogenated hydrocarbon solvents. The inventory of such regulated substances shall be limited to normal business use, as identified in the information supplied for the Certificate of Conformance;
 5. Office supplies that are used for the operation of on-site administrative offices, provided such supplies are prepackaged in a form ready for use;
 6. Sales or distribution establishments that store and handle regulated substances for resale in their original containers;
 7. Geotechnical borings; and
 8. Facilities used in the transmission and distribution of electricity by an electric utility authorized to provide service in the Aquifer Protection District.
- B. **Water Recharge:** Any storm water structure within the East Aquifer Protection District shall be designed to provide for a maximum rate of recharge into the groundwater system. Any recharge system shall be constructed to the satisfaction of the Engineer of the City of Richmond, Indiana preferably using low impact development techniques that serve to both detoxify pollution and provide for infiltration to recharge the aquifer. Acceptable examples include, but are not limited to, permeable pavements, bio-retention areas, constructed wetlands and grassy swales. The use of dry wells, French drains and gravel-lined ditches that do not provide for detoxification is prohibited. Site plans exceeding five acres must:
1. Include an approval by a licensed professional qualified in the field of groundwater hydrology; and
 2. Be acceptable to the City Engineer.
- C. **Sanitary Sewers:** Except where service is not currently available, all sewage disposal within the Districts must be through sanitary sewers and the publicly owned treatment works or holding tanks. Infiltration and leach field systems are prohibited. Sanitary sewer lines shall be inspected by the Richmond Sanitary District for exfiltration and/or infiltration at least once every five (5) years.
- D. **Paved Surfaces:** The use of salt and other substances for ice control shall be minimized consistent with public highway safety requirements.

Aquifer Protection Overlay (APO) District

- E. Outside Storage: Hazardous substances as defined in *Section 3.10(G)* and regulated substances in storage containers totaling fifty-five (55) gallons or greater in whole or in part which have the potential to contaminate the aquifer and could leach or diffuse by rain or wind into the sub-surface soils either directly or indirectly shall be permitted to be stored outside only in areas with secondary containment and/or diversionary structures designed so that said leaching or diffusion of said materials or substances does not occur and an accidental spill is contained on an impermeable surface for total recapture.
- F. Restrictions within the Districts:
1. No facility shall be permitted to construct or cause to be constructed, any underground storage tanks, except as set out in *Section 3.10(A)(2)*.
 2. Fertilizers, pesticides (including, but not limited to: herbicides, insecticides, fungicides, rodenticides), or other leachable materials shall not be used in amounts which result in groundwater contamination and shall be used and disposed of in accordance with the state Pesticide Review Board and all federal label instructions;
 3. Disposal of liquid or leachable wastes on or in the land is prohibited;
 4. Extractive operations, except for potable quality water, are prohibited, except for construction, which may replace topsoil and re-vegetate as quickly as possible.
- G. Special Restrictions within the Districts: Except as allowed in *Section 3.10(A)*, the following uses remain prohibited in the Aquifer Protection Districts, even if they shall be allowed by right in the underlying zoning district:
1. *Regulated Substances*: The manufacturing, compounding, processing, packaging and/or assembling and storage of any federally regulated pesticides (including, but not limited to: herbicides, insecticides, fungicides, rodenticides and disinfectants), acids, radioactive materials, coke or gas, metal electroplating exclusively, chemical packaging facilities, composting, sanitary and/or demolition landfills, battery and/or tire storage and collection facilities, paper pulp, or the tanning of hides or the rendering of animals;
 2. *Land Application*: Land application of waste water, surface impoundments for waste treatment or storage, waste burning areas, pipelines except natural gas and water, and all classes of injection wells except geothermal heat pumps utilizing a “closed loop” system;
 3. *Hazardous Material Storage*: The manufacturing, compounding, processing, packaging and/or assembling and storage of hazardous materials, excluding manufacturing, compounding, processing, packaging and/or assembling and storage for on-site usage. These hazardous materials, as periodically updated, include:
 - a. Any hazardous substance, toxic, chemical or hazardous waste as listed in the following federal regulations:
 - i. Superfund Amendments and Reauthorization Act (SARA) of 1986, *Section 302 Extremely Hazardous Substances List (40 Code of Federal Regulations (C.F.R.) 300, App. A and B)*;
 - ii. Comprehensive Environmental Response Compensation and Liability Act Superfund (CERCLA) of 1980, Hazardous Substances List (40 C.F.R. 302, Table 302.4);
 - iii. SARA of 1986, *Section 313, Toxic Chemicals List (40 C.F.R. Section 372.45)*; and
 - iv. Resource Conservation and Recovery Act (RCRA) of 1976 and 1984 Amendments, Hazardous Wastes List (P and U Categories) (*40 C.F.R. Section 261.33 (e) and (f)*).
 - b. Note: The lists referenced in *Section 3.10(G)(3)(a)(i to iv)*, are summarized on the *Title III List of Lists – Chemicals Subject to Reporting Under Title III of the Superfund Amendments and Reauthorization Action (SARA) of 1986*, published July 1987, U.S. EPA. (See www.epa.gov/ceppo/pubs/title3.pdf).
 - c. If it can be demonstrated that the chemical characteristics of a specific hazardous material set forth in *Section 3.10(G)* above (such as, but not limited to, gases and insoluble solids) pose no risk to the aquifer, an exemption may be granted by the Department of Metropolitan Development in consultation with the Wayne County Emergency Management Agency.
 4. *Manufacturing of Regulated Substances*: The manufacturing, compounding, processing, packaging and/or assembling and storage of regulated substances not included in *Section 3.10(G)(3)* above must be in accordance with Best Management Practices.

Aquifer Protection Overlay (APO) District

- H. **Best Management Practices Plan:** Businesses, facilities or activities that use or store regulated substances in excess of five (5) gallons of a liquid, or twenty-five (25) pounds of a solid, shall develop and maintain a Best Management Practices Plan that includes:
1. A list of Regulated Substances
 2. Secondary containment for storage and use area
 3. Disposal procedures
 4. Emergency spill procedures and notification
 5. Appropriate training for workers
 6. The management plan, which may include forms or information prepared for other governmental agencies, shall be placed on file with the Department of Metropolitan Development and the Wayne County Emergency Management Agency, and shall be updated in a timely manner whenever a change affecting the management plan occurs.

3.11 Process Supplement

- A. **Requirement for Conformance Certificate:** Prior to Preliminary Plan Approval by the Department of Metropolitan Development, the applicant shall provide a "Certificate of Conformance" with the Aquifer Protection District Ordinance, issued by the City Engineer of the City of Richmond, in a timely manner, for all proposed land-use activities in the East and West Districts within the City of Richmond. A building permit in conformity with this Ordinance shall be required prior to the commencement of any development activity.

3.12 Monitoring

- A. **Inspections:** Inspections, during normal business hours, may be required to verify compliance with the Aquifer Protection Ordinance. Such inspections shall be performed by the City of Richmond or its designee.
- B. **Reporting of Discharges:** The discharge of greater than ten (10) pounds or one (1) gallon of any regulated substance shall be reported immediately by the facility owner, operator, or responsible party by calling 911. Discharges of hazardous materials shall comply with Federal EPA reporting requirements.

3.13 Administration

- A. **Review and Administration:** The Department of Metropolitan Development shall be responsible for the review of all development plans within the Aquifer Protection Districts, and other related matters that may arise in the administration of this Ordinance.
- B. **Reporting Requirements:** It shall be the responsibility of the City of Richmond Department of Metropolitan Development to provide the Wellhead Protection Local Planning Team with copies of Conformance Certificates, Regulated Substances registration information and Facilities Inspection Reports.

North Corridor Overlay (NCO) District

3.14 NCO District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Land Uses	Effect on Development Standards
<p>The North Corridor Overlay (NCO) District is intended to promote the City's goals for the north U.S. 27 corridor and gateway by promoting safe pedestrian and vehicular circulation, architectural enhancements, high quality site design, and a sense of place. The standards are also intended to maximize consistency of signs and minimize "clutter" that can be distracting to drivers.</p>	<p>All permitted uses in the base zoning district are permitted as such in the NCO District. All special exception uses permitted in the base zoning district are allowed as such in the NCO District.</p>	<p>The development standards from the base zoning district shall apply to the NCO District except as described otherwise in <i>Section 3.17</i>.</p>

North Corridor Overlay (NCO) District

3.15 NCO District Applicability

The following requirements apply to all land within the NCO District as defined in *Section 3.16: NCO District Jurisdictional Boundary*. The City of Richmond shall carefully consider any attempt to circumvent the NCO District's land use restrictions and additional development standards regulations with a planned development or rezoning of property.

3.16 NCO District Jurisdictional Boundary

The jurisdictional boundaries for the NCO District shall be shown on the Official Zoning Map as a hatched or textured pattern and noted on the map legend as the NCO District.

3.17 NCO District Development Standards

The following development standards are required in order to achieve the intent of the NCO District and meet the goals and objectives of the *City of Richmond Comprehensive Plan*.

- A. **Lot Planting Standards:** The following lot planting standards supersede the lot planting standards in *Section 5.45: Lot Planting Standards*.
1. **Lot Planting Quantity:** The quantities listed below are in addition to landscape materials that may be required by other regulations in the applicable *Landscape Standards*.
 - a. **Foundation Plantings:** Primary structures with facades that face a street shall plant one (1) shrub for every twelve (12) lineal feet of facade that faces the street. If the facade that faces the street is greater than twenty-five (25) feet in height, instead of shrubs, the required plant material shall be ornamental trees at a ratio of one (1) tree per every twenty (20) lineal feet of facade. This provision applies to all facades that face a street.
 - b. **Yard Plantings:**
 - i. Lots 14,000 square feet or less shall plant two (2) canopy trees. Each tree shall have a caliper measurement of at least two (2) inches.
 - ii. Lots over 14,000 square feet, but less than 28,000 square feet, shall plant three (3) canopy trees. Each tree shall have a caliper measurement of at least two (2) inches.
 - iii. Lots 28,000 square feet or more shall plant four (4) canopy trees, plus one (1) canopy tree for every additional 15,000 square feet of lot size above 28,000 square feet. Each tree shall have a caliper measurement of at least two (2) inches. Under no circumstances shall more than twelve (12) trees be required for this provision.
 2. **Lot Planting Placement:**
 - i. **Foundation Plantings:** Foundation plantings shall be used to decoratively landscape the facade facing the street and be shall located within ten (10) feet of that foundation. When ornamental trees are required as a replacement to shrubs, the ornamental trees shall be located within eighteen (18) feet of that foundation.
 - ii. **Yard Plantings:** Yard plantings shall be planted in the front or side yard.
- B. **Parking Lot Planting Standards:** The following parking lot planting standards supersede the parking lot planting standards in *Section 5.47: Parking Lot Planting Standards*.
1. **Parking Lot Planting Quantity:** The quantities listed below are in addition to landscape materials that may be required by other landscaping regulations in *Section 3.17: NCO District Development Standards*.
 - a. **Parking Lot Perimeter Plantings:** Parking lots with ten (10) or more spaces shall have one (1) deciduous tree per thirty-five (35) feet of parking lot perimeter and one (1) shrub per sixteen (16) feet of parking lot perimeter. Each tree shall have a caliper measurement of at least two (2) inches and each shrub shall be a two (2) gallon container.
 - b. **Parking Lot Perimeter Planting Exemption:** Portions of parking lot perimeter that is immediately adjacent to a building on the same lot shall be exempt from the calculation for determining quantity.

North Corridor Overlay (NCO) District

- c. **Parking Lot Interior Plantings:** Parking lots with twenty (20) or more parking spaces shall have one (1) landscape island for every twenty (20) spaces. Each landscape island shall be at least 180 square feet in area or at least as large as the drip line area of the tree(s), which ever is greater. Each landscape island shall contain at least one (1) tree per 180 square feet in area. Each tree shall have a caliper measurement of at least two (2) inches. Parking lot landscape islands shall be maintained with, grass, ground cover, plant materials and/or mulch; gravel shall not be permitted. If a parking lot only has one aisle then the required landscape islands shall be installed as landscape bumpouts.
2. ***Parking Lot Planting Placement:***
 - a. **Parking Lot Perimeter Plantings:** Parking lot perimeter plantings shall be installed within ten (10) feet of the parking lot edge. Clustering and inconsistent spacing of perimeter plantings is encouraged to imitate natural vegetation. Equal spacing of perimeter planting is discouraged. All sides of a parking lot shall have parking lot perimeter plantings installed in proportion to the lineal feet of parking lot perimeter per side.
 - b. **Parking Lot Interior Plantings:** Landscape islands shall be distributed equally throughout the parking lot.
- C. **Sign Standards:** The following sign standard apply to the NCO District.
 1. ***Pole Signs:*** The NCO District shall disallow pole signs.
 2. ***Ground Signs:*** The NCO District shall require all exposed foundation and sign bases to be at least fifty percent (50%) brick or natural stone. Also, all ground signs shall have landscape beds equal in area to the sign area; and shall be maintained with flowers and/or ornamental shrubs.
- D. **Architectural Standards:** In addition to the architectural standards in *Section 5.16: Institutional and Commercial Architectural Standards*, all front facades and facades that face an interstate, highway or arterial street shall have at least thirty-three percent (33%) of non-window portions of the facade be brick or natural stone.



Transitional Corridor Overlay (TCO) District

3.18 TCO District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Land Uses	Effect on Development Standards
<p>The Transitional Corridor Overlay (TCO) District is intended to promote the City's goals for transitional corridors (e.g. Chester Boulevard) within the City by promoting appropriate, and prescribed transitional opportunities when land is assembled and strict development standards are applied.</p> <p>Primarily this overlay district's intent is to allow existing residential areas along the "transitional corridor" to evolve to higher intensity uses when done so in larger tracts and sensitively to existing residential uses behind or next to the subject site.</p> <p>Further, the intent is to allow existing residential uses to continue indefinitely as it is currently zoned; until a day the property owner decides to redevelop (assuming their property meets the prerequisites), sell to a developer who is assembling land, or the like.</p> <p>Generally, the applicable development standard should reduce curb cuts along the "transitional corridor," buffer adjacent existing residential uses, have high architectural standards, place parking on side and rear yards to the extent possible, have high quality signs, not have pole signs, and have meaningful landscaping to help beautify the site and corridor.</p>	<p>All permitted uses in the base zoning district are permitted as such in the TCO District until which time it is redeveloped as described below. All special exception uses permitted in the base zoning district are allowed as such in the TCO District until which time it is redeveloped as described below.</p> <p>The act of assembling land and applying for redevelopment, and meeting the prerequisites for redevelopment within the TCO District shall trigger the loss of some permitted and special exception uses and gaining of others. The full and completed list of permitted uses and special exception uses are described below.</p> <p>Commercial Permitted Uses</p> <ul style="list-style-type: none"> • barber/beauty shop • coffee shop • day care • delicatessen • health spa/day spa • ice cream shop • office, design services • office, general services • office, medical services • photography studio • retail (type 1), very low intensity • retail (type 2), low intensity • studio arts <p>Institutional Permitted Uses</p> <ul style="list-style-type: none"> • community center • government office • library • post office <p>Commercial Special Exception Uses</p> <ul style="list-style-type: none"> • restaurant • retail (type 3), medium intensity 	<p>The development standards from the base zoning district shall apply to the TCO District until which time it is redeveloped as described below.</p> <p>The act of assembling land and applying for redevelopment, and meeting the prerequisites for redevelopment within the TCO District shall trigger a change in development standards as described in <i>Section 3.22</i>.</p>

Transitional Corridor Overlay (TCO) District

3.19 TCO District Applicability

The following requirements apply to all land within the TCO District as defined in *Section 3.20: TCO District Jurisdictional Boundary*. The City of Richmond shall carefully consider any attempt to circumvent the TCO District's land use restrictions and additional development standards regulations with a planned development or rezoning of property.

3.20 TCO District Jurisdictional Boundary

The jurisdictional boundaries for the TCO District shall be shown on the Official Zoning Map as a hatched or textured pattern and noted on the map legend as the TCO District.

3.21 TCO District Redevelopment

- A. **Prerequisite for Redevelopment:** The below criteria are mandatory for any lot or lots used in combination to be entitled to the permitted land uses and special exception uses described in *Section 3.18: TCO District Intent, Effect on Uses, and Effect on Standards*. Additionally, an application to redevelop the lot or lots used in combination shall be filed indicating interest in "transition."
1. *Minimum Lot Area:* The minimum lot area required shall be at least ½ acre.
 2. *Minimum Lot Frontage:* The minimum lot frontage shall be 120 feet.
 3. *Contiguity:* The lot or lots used in combination shall be adjacent on at least one (1) side, not including the transitional corridor (e.g. Chester Boulevard) or rear yard, with either:
 - a. A pre-existing commercial or institutional development;
 - b. A perpendicular road to the "transitional corridor;" or
 - c. A previously approved redevelopment of land utilizing the TCO District standards.
 4. *Commitment to Reduce Curb Cuts:* When the lot or lots used in combination have more than one curb cut off of the "transitional corridor" the applicant shall be required to reduce the number of curb cuts and width of existing curb cuts if unnecessarily too wide. The curb cut standard in *Section 3.22: TCO District Development Standards* shall strictly apply.
 5. *Protection of Intent:* The proposed development will not seek variances that supersede the intent of TCO District.
- B. **Permitted and Special Exception Uses:** The list in *Section 3.18: TCO District Intent, Effect on Uses, and Effect on Standards* represents the permitted uses and special exception uses for the TCO District. This list is only applicable to lot or lots used in combination which clearly meet the prerequisites for redevelopment listed in *Section 3.21: TCO District Redevelopment*. The base zoning district's permitted uses and special exception uses apply until a time the lot is redeveloped.

3.22 TCO District Development Standards

The following development standards are required for redevelopment projects in order to promote the intent of the TCO District and meet the goals and objectives of the *City of Richmond Comprehensive Plan*. The base zoning district's development standard apply until a time the lot is redeveloped.

- A. **Lot Planting Standards:** The following lot planting standards supersede the lot planting standards in *Section 5.45: Non-Residential Lot Planting Standards*.
1. *Lot Planting Quantity:* The quantities listed below are in addition to landscape materials that may be required by other landscaping regulations in *Section 3.22: TCO District Development Standards*.
 - a. **Foundation Plantings:** Primary structures with facades that face a street shall plant one (1) shrub for every twelve (12) lineal feet of facade that faces the street. If the facade that faces the street is greater than twenty-five (25) feet in height, instead of shrubs, the required plant material shall be ornamental trees at a ratio of one (1) tree per every twenty (20) lineal feet of facade. This provision applies to all facades that face a street.
 - b. **Yard Plantings:**
 - i. Lots 14,000 square feet or less shall plant two (2) canopy trees. Each tree shall have a caliper measurement of at least two (2) inches.
 - ii. Lots over 14,000 square feet, but less than 28,000 square feet, shall plant three (3) canopy trees. Each tree shall have a caliper measurement of at least two (2) inches.
 - iii. Lots 28,000 square feet or more shall plant four (4) canopy trees, plus one (1) canopy tree for every additional 15,000 square feet of lot size above 28,000 square feet. Each tree shall have a caliper measurement of at least two (2) inches. Under no circumstances shall more than twelve (12) trees be required for this provision.

Transitional Corridor Overlay (TCO) District

2. *Lot Planting Placement:*
 - a. *Foundation Plantings:* Foundation plantings shall be used to decoratively landscape the facade facing the street and be located within ten (10) feet of that foundation. When ornamental trees are required as a replacement to shrubs, the ornamental trees shall be located within eighteen (18) feet of that foundation.
 - b. *Yard Plantings:* Yard plantings shall be planted in the front or side yard.
- B. Parking Lot Planting Standards: The following parking lot planting standards supersede the parking lot planting standards in *Section 5.47: Parking Lot Planting Standards.*
 1. *Parking Lot Planting Quantity:* The quantities listed below are in addition to landscape materials that may be required by other landscaping regulations in *Section 3.22: TCO District Development Standards.*
 - a. *Parking Lot Perimeter Plantings:* Parking lots with ten (10) or more spaces shall have one (1) deciduous tree per thirty-five (35) feet of parking lot perimeter and one (1) shrub per sixteen (16) feet of parking lot perimeter. Each tree shall have a caliper measurement of at least two (2) inches and each shrub shall be a two (2) gallon container.
 - b. *Parking Lot Perimeter Planting Exemption:* Portions of parking lot perimeter that is immediately adjacent to a building on the same lot shall be exempt from the calculation for determining quantity.
 - c. *Parking Lot Interior Plantings:* Parking lots with twenty (20) or more parking spaces shall have one (1) landscape island for every twenty (20) spaces. Each landscape island shall be at least 180 square feet in area or at least as large as the drip line area of the tree(s), which ever is greater. Each landscape island shall contain at least one (1) tree per 180 square feet in area. Each tree shall have a caliper measurement of at least two (2) inches. Parking lot landscape islands shall be maintained with, grass, ground cover, plant materials and/or mulch; gravel shall not be permitted. If a parking lot only has one aisle then the required landscape islands shall be installed as landscape bumpouts.
 2. *Parking Lot Planting Placement:*
 - a. *Parking Lot Perimeter Plantings:* Parking lot perimeter plantings shall be installed within ten (10) feet of the parking lot edge. Clustering and inconsistent spacing of perimeter plantings is encouraged to imitate natural vegetation. Equal spacing of perimeter planting is discouraged. All sides of a parking lot shall have parking lot perimeter plantings installed in proportion to the lineal feet of parking lot perimeter per side.
 - b. *Parking Lot Interior Plantings:* Landscape islands shall be distributed equally throughout the parking lot.
- C. Sign Standards:
 1. *Sign Quantity:* One (1) permanent wall or ground sign may be installed on a lot with a permitted commercial land use.
 2. *Sign Area:* The sign area shall not exceed eight (8) square feet.
 3. *Ground Sign Design:*
 - a. *Maximum Height:* The maximum sign height shall be six (6) feet above ground level.
 - b. *Materials:* A ground sign shall be made of professional grade sign fabrication materials that are designed to withstand exposure to weather, sun, wind and temperature change. Sign materials shall not include extruded plastic letters.
 - c. *Changeable Copy:* Ground signs shall not include electronic changeable copy or manual changeable copy.
 - d. *Aesthetic:* Ground signs shall be designed to fit the character of a residential neighborhood.
 - e. *Framing and Mounting:* Ground signs shall be enframed, affixed to the ground.
 - f. *Location:* A ground sign shall be located perpendicular to the street, in the front yard, and be setback at least eight (8) feet from any right-of-way, five (5) feet from any public sidewalk, two (2) feet from any on-site sidewalk, and ten (10) feet from side property lines. Ground signs shall not impede pedestrian circulation or safety.
 - g. *Illumination:* A ground sign shall not be illuminated internally or externally.

Transitional Corridor Overlay (TCO) District

4. *Wall Sign Design:*
 - a. **Maximum Height:** Ten (10) feet above ground level.
 - b. **Materials:** Signs shall be made of professional grade sign fabrication materials that are designed to withstand exposure to weather, sun, wind and temperature change. Sign materials shall not include extruded plastic letters.
 - c. **Changeable Copy:** Wall signs shall not include electronic changeable copy or manual changeable copy.
 - d. **Aesthetic:** Wall signs shall be designed to fit the character of a residential neighborhood.
 - e. **Location on Facade:** A wall sign shall be permanently attached to the first floor of the front facade of a primary structure, fully within ten (10) feet of the front door, or entrance customers are expected to use.
 - f. **Installation Restrictions:** A wall sign shall not project from the facade by more than three (3) inches or be hung from a porch ceiling.
 - g. **Illumination:** A wall sign shall not be illuminated internally or externally.
- D. **Architectural Standards:** In addition to the architectural standards in *Section 5.16: Institutional and Commercial Architectural Standards*, the following apply:
 1. *New Construction:* Existing residential shall be redeveloped into unified commercial development.
 2. *Complementary Design:* If more than one new building is being build on the same lot or lots used in combination, they all shall be significantly complementary of one another. However, the building(s) on the lot or lots used in combination may be unique to other commercial buildings along the corridor.
 3. *Four-Sided Architecture:* The architectural style, materials, color, design, and theme on the front elevation shall be applied to all elevations of the structure.
 4. *Variations in Mass:* Structures shall incorporate variations in height, mass, roof forms, and changes in wall planes. Lineal/strip development (i.e. strip mall) shall not be permitted to exceed four (4) storefronts or a front facade over 250 feet, whichever is more restrictive.
 5. *Roof Design:* All new construction shall be designed to have pitched roofs greater or equal to six (6) vertical units to twelve (12) horizontal units (6:12 pitch). Buildings with 3,000 square feet or greater footprint shall be required to have roof designs with multiple roof planes to break the monotony of a simple gable roof.
- E. **Access Standards:** If the *City of Richmond Comprehensive Plan*, *Thoroughfare Plan*, or a subarea plan calls for a frontage street running parallel or relatively parallel with a highway, primary arterial or secondary arterial; or calls for an access street, then the development shall dedicate the necessary right-of-way or half-right-of-way and construct its share of the frontage or access street as per the details of the *City of Richmond Comprehensive Plan*, *Thoroughfare Plan*, or subarea plan. If the frontage or access street is determined by the City Engineer as not ready to proceed, then an amount equal to the construction cost shall be contributed to the City and placed in escrow until a time when the road is ready to be constructed.
- F. **Accessory Structure Standards:** All accessory structures that are permitted in the base zoning district shall be permitted in the TCO District. The following additional standards apply:
 1. *Four-Sided Architecture:* The architectural style, materials, color, and design on the front elevation shall be applied to all elevations of the accessory structure.
 2. *Relationship to Primary Structure:* All accessory structures shall be architecturally complementary in materials and colors to the primary structure.

Transitional Corridor Overlay (TCO) District

- G. Entrance and Drive Standards: The following location standards for entrances and drives shall be met. However, if an alternative layout is proposed and accepted by the Zoning Administrator and the Technical Review Committee for a proposed development, then these standards may be waived by the Zoning Administrator for that particular project.
1. *Adjacent Properties*: Entrances and drives shall be located immediately across from existing entrances and drives. When the lot(s) immediately across the street are undeveloped, the new entrances and drives shall be designed as much as possible to allow the undeveloped lot to match entrances and drives with the proposed development.
 2. *Adjoining Properties*: Entrances and drives shall be shared between adjoining properties with the use of cross-access easements to reduce the number of entrances and drives. No more than two (2) properties may share a single entrance or drive.
 3. *Assembled Lots*: When two (2) or more lots have been assembled, each having their own curb cut onto the "transitional corridor", the development shall be required to reduce the number of curb cuts by at least 50%. Also, any existing driveway that is greater than twenty-four (24) feet shall be required to reduce the width of the curb cut per the discretion of the Technical Review Committee. Under no circumstances shall the Technical Review Committee require anything less than eleven (11) foot lanes if wider lanes existed prior to redevelopment.
- H. Buffering: The following bufferyard standards supersede the standards in *Section 5.49 Bufferyard Planting Standards*:
1. *Applicability*: The following bufferyard standards apply to and uses permitted in the TCO District when adjacent to any R1, R2, R3, or UR Zoning District.
 2. *Location*: Bufferyards shall be installed along all segments where the redevelopment project is contiguous with a lot with a single-family residential land use or is a single-family residential zoning district. An easement, alley or similar break between two (2) lots shall not constitute a loss of adjacency. However, a street right-of-way shall constitute a break in contiguity.
 3. *Depth*: Bufferyards shall be six (6) feet deep and shall not count toward required setbacks.
 4. *Plant Quantities*: The following plant material shall be installed within the buffer yard:
 - a. One (1) evergreen tree per twenty (20) feet of contiguous boundary with the conflicting zoning district shall be planted.
 - b. One (1) shrub per ten (10) feet of contiguous boundary with the conflicting zoning district shall be planted.
 - c. One (1) deciduous canopy tree per seventy-five (75) feet of contiguous boundary.
 5. *Solid Wood Fence*: A six (6) foot tall, solid wood fence shall be installed six (6) to eight (8) feet from the property line.
 6. *Placement*: Clustering and inconsistent spacing of bufferyard plantings is encouraged to imitate natural vegetation. Equal spacing of perimeter planting is discouraged. Landscape materials shall be installed to provide the most benefit to the neighboring, less intense lot (i.e. screen the dumpster from views from a residential patio).
- I. Parking Lot Standards: All parking lots shall be linked to adjacent parking lots for internal circulation when possible. When no adjacent commercial or institutional land use exists, the parking lot shall be designed to connect in the future to those lots. The Technical Review Committee shall have the discretion to waive this requirement when strong evidence exists to suggest this regulation is unnecessary.
- J. Trash Receptacles: All dumpsters shall be fully surrounded by brick masonry walls on three sides and a high quality gate. The wall and gate shall be at least eighteen (18) inches greater in height than the type of trash receptacle intended to be used. Failure to keep the gate closed when not being accessed shall be considered a violation of the Unified Development Ordinance. Lastly, trash receptacles shall be located in an inconspicuous location at least thirty (30) feet from any property line shared with a residential uses. The Technical Review Committee shall have discretion to determine the best location of trash receptacles, gate location, and place limits on the hours a trash hauler can empty dumpsters when the subject lot is adjacent to residentially zoned lots.



Neighborhood Transition Overlay (NTO) District

3.23 NTO District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Land Uses	Effect on Development Standards
<p>The Neighborhood Transition Overlay (NTO) District is intended to promote the City's goals for specific neighborhoods, including the recognition of historic character, within the City to evolve to appropriate mixed-uses compatible with adjacent and nearby existing homes.</p> <p>Transition to mixed-uses shall always result in a more stable neighborhood and promote safe pedestrian and vehicular circulation, traffic management, high quality site design, stabilization of structures, and a sense of place.</p>	<p>All permitted uses in the base zoning district are permitted as such in the NTO District. All special exception uses permitted in the base zoning district are allowed as such in the NTO District.</p> <p>In addition to the base zoning district's permitted uses, the following list of uses are allowed as a special exception.</p> <p>Commercial Special Exception Uses</p> <ul style="list-style-type: none"> • office, design services • office, general services • photography studio • retail (type 1), very low intensity <p>Residential Special Exception Uses</p> <ul style="list-style-type: none"> • bed and breakfast 	<p>The development standards from the base zoning district shall apply to the NTO District except as described otherwise in <i>Section 3.26.</i></p>

Neighborhood Transition Overlay (NTO) District

3.24 NTO District Applicability

The following requirements apply to all land within the NTO District as defined in *Section 3.25: NTO District Jurisdictional Boundary*. The City of Richmond shall carefully consider any attempt to circumvent the NTO District's land use restrictions and additional development standards regulations with a planned development or rezoning of property.

3.25 NTO District Jurisdictional Boundary

The jurisdictional boundaries for the NTO District shall be shown on the Official Zoning Map as a hatched or textured pattern and noted on the map legend as the NTO District.

3.26 NTO District Development Standards

The following development standards are required in order to promote the intent of the NTO District and meet the goals and objectives of the *City of Richmond Comprehensive Plan*.

- A. Maximum Lot Coverage: The maximum lot coverage in the NTO District shall be seventy-two percent (72%).
- B. Sign Standards:
1. *Sign Quantity*: One (1) permanent wall or ground sign may be installed on a lot with a permitted commercial land use.
 2. *Sign Area*: The sign area shall not exceed eight (8) square feet.
 3. *Ground Sign Design*:
 - a. *Maximum Height*: The maximum sign height shall be six (6) feet above ground level.
 - b. *Materials*: A ground sign shall be made of professional grade sign fabrication materials that are designed to withstand exposure to weather, sun, wind and temperature change. Sign materials shall not include extruded plastic letters.
 - c. *Changeable Copy*: Ground signs shall not include electronic changeable copy or manual changeable copy.
 - d. *Aesthetic*: Ground signs shall be designed to fit the character of a residential neighborhood.
 - e. *Framing and Mounting*: Ground signs shall be enframed, affixed to the ground.
 - f. *Location*: A ground sign shall be located perpendicular to the street, in the front yard, and be setback at least eight (8) feet from any right-of-way, five (5) feet from any public sidewalk, two (2) feet from any on-site sidewalk, and ten (10) feet from side property lines. Ground signs shall not impede pedestrian circulation or safety.
 - g. *Illumination*: A ground sign shall not be illuminated internally or externally.
 4. *Wall Sign Design*:
 - a. *Maximum Height*: Ten (10) feet above ground level.
 - b. *Materials*: Signs shall be made of professional grade sign fabrication materials that are designed to withstand exposure to weather, sun, wind and temperature change. Sign materials shall not include extruded plastic letters.
 - c. *Changeable Copy*: Wall signs shall not include electronic changeable copy or manual changeable copy.
 - d. *Aesthetic*: Wall signs shall be designed to fit the character of a residential neighborhood.
 - e. *Location on Facade*: A wall sign shall be permanently attached to the first floor of the front facade of a primary structure, fully within ten (10) feet of the front door, or entrance customers are expected to use.
 - f. *Installation Restrictions*: A wall sign shall not project from the facade by more than three (3) inches or be hung from a porch ceiling.
 - g. *Illumination*: A wall sign shall not be illuminated internally or externally.

Neighborhood Transition Overlay (NTO) District

- C. Parking Location: Parking areas may be established in the rear yard and shall be setback at least one (1) foot from the rear property line and five (5) feet from side property lines. Under no circumstances shall off-street parking spaces be located in the front yard of the lot.
- D. Parking Quantity: The minimum required off-street parking spaces for the commercial land uses shall be one (1) off-street parking space per 400 square feet of spaced dedicated to the commercial land use; plus one (1) parking space per dwelling unit. The Technical Review Committee may grant up to fifty percent (50%) relief from this standard if on-street parking spaces are available with 400 feet of the subject lot.
- E. Parking Lot Surface: All off-street parking area surfaces shall be paved with asphalt, concrete, brick or porous pavers.
- F. Parking Lot Landscaping: At least two (2) ornamental trees or three (3) shrubs shall be planted between parking lots and side lot lines.

Mixed-Use Overlay (MUO) District

3.27 MUO District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Land Uses	Effect on Development Standards
<p>The Mixed-Use Overlay (MUO) District is intended to promote the City's goals for specific areas zoned General Commercial with existing development plans or zoning approvals in place prior to the adoption of the UDO that would otherwise not be permitted in the UDO.</p>	<p>All permitted uses in the base zoning district are permitted as such in the MUO District.</p> <p>In addition to the base zoning district's permitted uses, the following list of uses is permitted.</p> <p>Agricultural Permitted Uses</p> <ul style="list-style-type: none"> • agricultural crop production • land conservation • orchard • tree farm • vineyard <p>Institutional Permitted Uses</p> <ul style="list-style-type: none"> • bus station • camp • cemetery/mausoleum • child care institution • church, temple, or mosque • community center • government office • government operations (non-office) • hospital • library • museum • nature center • park • police, fire, or rescue station • pool, public • post office • retreat center • school (P-12) <p>Residential Permitted Uses</p> <ul style="list-style-type: none"> • dwelling, multiple-family (2 or 3 units) • dwelling, multiple-family (4 to 6 units) • dwelling, multiple-family (7 to 15 units) • dwelling, multiple-family (16+ units) • dwelling, single-family attached • dwelling, single-family detached • fair housing facility (small) 	<p>The development standards from the base zoning district shall apply to the MUO District except as described otherwise in <i>Section 3.31</i>.</p>

Mixed-Use Overlay (MUO) District

3.28 MUO District Applicability

The following requirements apply to all land within the MUO District as defined in *Section 3.29: MUO District Jurisdictional Boundary*. The City of Richmond shall carefully consider any attempt to circumvent the MUO District's land use restrictions and additional development standards regulations with a planned development or rezoning of property.

3.29 MUO District Jurisdictional Boundary

The jurisdictional boundaries for the MUO District shall be shown on the Official Zoning Map as a hatched or textured pattern and noted on the map legend as the MUO District.

3.30 MUO Prerequisites

- A. Minimum Lot Area: The minimum lot area required to qualify for the MUO District shall be forty (40) acres at the time of the Unified Development Ordinance's adoption; which may be comprised of one (1) or more contiguous lots all under the same single ownership.
- B. Base Zoning District: The base zoning district shall have been a commercial zoning district at the time of the Unified Development Ordinance's adoption.

3.31 MUO District Development Standards

The following development standards are required in order to promote the intent of the MUO District and meet the goals and objectives of the *City of Richmond Comprehensive Plan*.

- A. Agricultural Uses: Any portion of a lot used for an agricultural use shall be regulated by all applicable development standards for the AG District.
- B. Institutional Uses: Any portion of a lot used for an institutional use shall be regulated by all applicable development standards for the IS District.
- C. Single-family Residential Uses: Any portion of a lot used for a single-family residential use shall be regulated by all applicable development standards for the R2 District.
- D. Multiple-family Residential Uses: Any portion of a lot used for a multiple-family residential use shall be regulated by all applicable development standards for the M2 District.
- E. All Other Uses: Any portion of a lot used for any other permitted use shall be regulated by the base zoning district's applicable development standards.

