

## LEXINGTON PLANNING COMMISSION

June 23, 2022 - 5:00 P.M

Rockbridge County Administrative Offices – First Floor Meeting Room  
150 South Main Street, Lexington, VA 24450

### AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF THE AGENDA**
3. **APPROVAL OF MINUTES**  
Minutes from June 9, 2022\*
4. **CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA**
5. **NEW BUSINESS**
  - A. ZOA 2021-04: Annual Zoning Ordinance Amendments. Planned Unit Development (PUD).
    - 1) Continued discussion of PUD text amendment\*
    - 2) Public Comment
6. **OTHER BUSINESS**
  - A. Zoning and Planning Report – If applicable
  - B. Catalyst Project Updates – If applicable
    - 1) Bike/Ped Plan: Ongoing
    - 2) Increase Sidewalk Connectivity: Ongoing
    - 3) Accessory Dwelling Unit Ordinance: Starting soon
    - 4) Jordan's Point Park Plan Implementation
    - 5) Reprogram Traffic Signals Downtown: Complete
    - 6) Assess Stormwater Fees: Tabled until next year
    - 7) Green Infrastructure Group
  - C. Key Annual PC Milestones: Ongoing. Remaining items:
    - 1) Zoning Text Amendments: Ongoing. Remaining items:
      - a. Small Cell
      - b. Planned Unit Development
      - c. Accessory Dwelling Unit
      - d. Cottage Housing
      - e. What else, if any?
    - 2) Comp Plan Review: Ongoing
7. **CITY COUNCIL REPORT**
8. **ADJOURN**

\*indicates attachment

## MINUTES

**The Lexington Planning Commission  
Thursday, June 9, 2022 – 5:00 p.m.  
Rockbridge County Administrative Offices – First Floor Meeting Room  
150 South Main Street, Lexington, VA 24450**

**Planning Commission:**

Presiding: B. Shester, Vice-Chair  
Present: Nicholas Betts  
P. Bradley  
B. Shester  
Leslie Straughan, Council Liaison  
Matt Tuchler – arrived at 5:03 pm

**City Staff:**

Arne Glaeser, Planning Director  
Kate Beard, Administrative Assistant

Absent: Jamie Goodin, Chair  
J. Driscoll

### CALL TO ORDER

Vice-Chair Shester called the meeting to order at 5:00 p.m.

### AGENDA

The agenda was unanimously approved as presented. (N. Betts / L. Straughan)

### MINUTES

L. Straughan indicated that K. Beard had provided her with an adjustment to the City Council report to correct punctuation. The minutes from the May 26, 2022 meeting were unanimously approved as amended. (L. Straughan / N. Betts) Commissioner Bradley abstained from the vote as he did not attend the meeting.

### CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

### NEW BUSINESS

**A. ZOA 2021-04: Annual Zoning Ordinance Amendments. Planned Unit Development (PUD)**

1) Continued discussion of PUD text amendment –

A. Glaeser reminded the Commission that the focus was now on amending the existing PUD regulations in the City's zoning ordinance. He directed attention to the decision points and modifications suggested during previous discussions and reflected in the staff report. He noted the additions to the Character of development section line J. and suggested that line of text could be finessed. There seemed to be agreement that adding the words *such as* before the added language would be sufficient. There also appeared to be agreement to adopt the staff recommended language in the final paragraph of that section.

Responding to a question from B. Shester, A. Glaeser addressed the inconsistency in the acronyms used for the district, explaining that the language in the Intent section had

been largely borrowed from Henrico's Planned Development Mixed-Use District (PD-MU) while the rest of the text is from Lexington's existing PUD ordinance. He said identification would be made consistent throughout the text once the Commission decided what the district should be named. There seemed to be agreement to name the district *Planned Development – Mixed Use (PD-MU)* and to apply the name and acronym throughout the ordinance. It was also suggested a similar residential district could be developed at some later date.

During discussion of the sections concerning permitted uses, there seemed to be no objection to the wide array of allowable uses. A. Glaeser explained that conditional uses would be allowed if documented in an approved master plan. L. Straughan pointed out that residential uses are not permitted either by-right or conditionally in the C-2 district and would therefore not be permitted in the new district if it is adopted as an overlay. A. Glaeser acknowledged that was the case and stated that unless the Commission opted to amend the permitted uses in C-2 district, the new district should be adopted as a stand-alone district rather than an overlay.

During discussion of the Mixture of uses section, it was suggested that the second sentence read "...uses, goals and strategies recommended in the comprehensive plan." P. Bradley asked whether a residential component should be required rather than simply strongly encouraged. A. Glaeser suggested the text could be amended to either require some residential component or, alternatively, to require due justification for any project that does not include a residential component. After additional discussion, Commissioners Bradley and Straughan indicated they were comfortable with the existing language and Commissioners Tuchler and Betts voiced support for some sort of residential requirement. B. Shester noted that a mixed-use development would likely have a residential component by default. N. Betts requested that staff provide examples of minimum requirements from other jurisdictions and the Commission agreed to continue the consideration of a residential requirement during future discussions.

N. Betts voiced support for reducing the 3 acre requirement to allow for more flexibility. He suggested 2 acres might be a better limit given that there are a number parcels, especially along E. Nelson Street, that are close to that size and he asked how the current 3 acre limit was determined. A. Glaeser explained the minimum area was reduced from 5 acres to 3 acres relatively recently based on an application submitted for the Generals Retreat, though the project was ultimately designed using the underlying zoning rather than a PUD. P. Bradley added that the Commission had considered reducing the minimum area to 2 acres at that time but determined that would be too small an area. L. Straughan said she had concerns about going too small and P. Bradley agreed. There appeared to be agreement that the text of the Minimum area section was acceptable for now.

A. Glaeser reminded the Commission that it was suggested during a prior discussion that lines A – C of the Open Space section be deleted. He noted the language in lines D and E might not be particularly useful when applied to the already built-out C-2 areas where this district would be used. L. Straughan said she thought the remaining language was fine. She liked the idea of protecting natural features, particularly if the district were to ever be

applied to parcels in the East Lexington opportunity area, and she believed the VDOT property, given its size, would benefit from the expectation of significant open space. M. Tuchler suggested adding “*in keeping with the Comprehensive Plan*” to the end of the first sentence. B. Shester suggested adding a sentence strongly encouraging shared use of and public accessibility to any open space.

During discussion of the Densities section, L. Straughan noted Commissioner Driscoll’s prior objection to density being determined by Council, but argued the limit should be higher than 20 dwelling units per acre. A. Glaeser noted the focus seemed to be on multi-family development and suggested 30 multi-family units per acre as a starting point. L. Straughan said allowable height should be considered when determining maximum density, noting that a 60’ building could likely have a density greater than 30 units per acre. P. Bradley agreed and added that he was under the impression that that was what the Commission was looking for. After additional discussion, there appeared to be agreement that the text of the paragraph, with the strikethrough, was acceptable. A. Glaeser said staff would try to make contact with an individual with multi-family development experience to assist the Commission with finalizing this section. M. Tuchler suggested adding a reference to the Intent section to the final sentence of the second paragraph.

A. Glaeser pointed out that the existing language in the Setback regulations section provides for a range of setbacks rather than minimum setbacks and asked the Commission to consider if that was acceptable. There were no objections to the existing text of this section.

There was discussion about the acceptability of a 60’ maximum building height in the C-2 district. L. Straughan expressed concern this was too great a height. P. Bradley commented that it was not much greater than the building heights recently approved by the Commission for two W&L capital projects. B. Shester noted there was public opposition to a suggested height of 55 feet for the Spotswood development. P. Bradley pointed out that the Spotswood parcel adjoins a number of residential properties, whereas the C-2 district areas, particularly the VDOT parcel, do not. N. Betts observed that if lot size is limited to a minimum of 3 acres and the building height is also restricted, fewer dwelling units will be created. L. Straughan indicated that the 3 acre minimum would allow for greater setbacks which in turn reduced some of her concern about additional allowable building height. A. Glaeser suggested minimum setbacks to residentially zoned properties could be increased/set. He also suggested considering a slightly lower maximum building height, incentivized by lowering the C-2 maximum building height. He offered to provide maximum building heights for the commercial districts of local jurisdictions. After additional discussion, there appeared to be agreement to leave the C-2 building height unchanged and to consider a 60 foot maximum building height for the PUD, with the understanding that mixed-use with a residential component is strongly encouraged. The Commission considered and opted not to delete the provision for single-family residences.

2) Public Comment - none

## OTHER BUSINESS

### A. Zoning and Planning Report – Director Glaeser reported the following:

- The W&L Campus Master Plan update applications were advertised for June 16, 2022 public hearings. The meeting agenda and staff report will be posted tomorrow.
- He attended a housing listening session with Olivia Raines for the CSPDC to talk about housing issues in Lexington, Buena Vista and Rockbridge County. This was the beginning of a regional housing study.
- Staff dealt with a code enforcement issue related to an A/C unit installed in an exterior side wall at 25 W. Washington Street without a mechanical permit or ARB approval. Screening of the unit will be required.
- Another unregistered short term rental was discovered being advertised on Facebook and Airbnb on Carruthers Street.

### B. Catalyst Project Updates

- 1) Bike/Ped Plan – A. Glaeser stated he was in the process of reviewing the plan submitted by the consultants and the final plan would be posted to the City website soon.

## CITY COUNCIL REPORT - L. Straughan reported the following:

City Council met on Thursday, June 2.

- Prior to the regular meeting, a work session was held with Washington & Lee regarding the Master Plan. The Public Hearing for the Washington & Lee Master Plan will be held on June 16.
- At the regular meeting, a Public Hearing was held to receive comments relative to a purchase agreement for the sale of the Spotswood site. Two presenters spoke in person with concerns regarding traffic, the need for traffic lights, keeping the height of the building in sync with the neighborhood, not developing the property, and using it as cemetery space. Another commenter noted by phone to Council that the deposit was too small and should be non-refundable. No action was taken by Council, and the public hearing will continue at our June 16 meeting.
- A Public Hearing was held to receive public comment on the 4 applicants for two (2) School Board terms from July 1, 2022 – June 30, 2025. Council will likely vote on the appointments at our June 16 meeting.

## ADJOURN

The meeting was adjourned at 6:30 pm with unanimous approval. (P. Bradley / N. Betts)

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B. Shester, Vice-Chair, Planning Commission

## Decision points for new PUD regulations

- What is the purpose/intent of the proposed PUD?
  - Where will PUDs be allowed/encouraged?
  - Should the proposed PUD be as-of-right or conditional?
  - Should the proposed PUD be an overlay district or a base zoning district?
  - Should the proposed PUD require a concept plan or a highly detailed development plan?
  - The minimum acreage for a PUD is?
  - The maximum height of buildings allowed in the PUD is?
  - The minimum open space requirement (if any) is?
  - The minimum parking requirements are?
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## Lexington Zoning Ordinance

### Article V. Planned Development – Mixed Use District (PD-MU) Unit Development (PUD)

#### §420-5.1. Intent and purpose.

~~Planned Unit Development Districts are intended to provide for variety and flexibility in design necessary to implement the varied goals of the City as set forth in the comprehensive plan. Through a Planned Unit Development District approach, the regulations of this division are intended to accomplish the purposes of zoning and other applicable regulations to the same extent as regulations of conventional districts. Additionally, planned unit development districts are intended to implement the specific goals enunciated by the comprehensive plan.~~

~~It is intended that Planned Unit Development Districts be established in areas designated as mixed use, commercial use, or special planning areas on the future land use map and be established in areas with adequate infrastructure including roadway, water, sewer, etc. Planned district master plans should demonstrate a unified development with an interconnected system of internal roads, sidewalks, and paths as well as manage access points along existing roads in order to maximize safety and the efficiency of existing roads. Pavement widths of internal and external roads shall minimize paving requirements as described in the comprehensive plan while accommodating projected traffic generated from the district. Planned developments allow for a higher density of development for a more efficient use of the land. Other benefits of a planned development include less infrastructure costs, more efficient provision of public safety services, less environmental impact, and through the provision of affordable housing achieve significant economic and social integration.~~

The purpose of the Planned Development Mixed-Use District is to promote areas appropriate for office, retail, and residential uses, designed in a unified and cohesive manner in order to create an attractive environment in which to live, work, and recreate. Two or more uses shall be

integrated into a mixed use project. The district is appropriate in areas suitable for redevelopment such as the Opportunity Areas identified within the Comprehensive Plan and will provide a process and design criteria that can be used to transition from established uses while accommodating new growth and evolving market trends. Vertical integration combination of uses is encouraged where appropriate and a PD-MU is expected to produce a better design than can be produced through traditional zoning.

#### §420-5.2. Character of development.

The goal of a Planned Unit ~~Development~~ Development-Mixed Use District is to encourage a development form and character that is aesthetically pleasing and is different from conventional suburban development by providing many of the following characteristics:

- A. Pedestrian orientation;
- B. Neighborhood friendly streets and paths;
- C. Interconnected streets and transportation networks;
- D. Parks and open space as amenities;
- E. Neighborhood centers;
- F. Buildings and spaces of appropriate scale;
- G. ~~Relegated~~ appropriately screened parking;
- H. Mixture of uses and use types;
- I. Mixture of housing types and affordability;
- J. Environmentally sensitive design, such as energy efficiency of buildings, low impact development measures for stormwater, encouragement of public accessibility to parks and open spaces in any new development; and
- K. Clear boundaries with any surrounding rural areas.

An application is not necessarily required to possess every characteristic of the planned unit development district as delineated in ~~§420-5.1~~ in this subsection in order to be approved. The size of the proposed district, its integration with surrounding districts, or other similar factors may prevent the application from possessing every characteristic. *(P.C. requested staff double check the reference to §420-5.1 and this is the correct reference when the PUD section was significantly revised in 2017. The reference can/should be changed since we are now proposing a rewrite of the §420-5.1 that includes fewer characteristics in that section. An alternative is the shown in green above.)*

#### §420-5.3. Permitted uses- generally.

In the Planned Unit Development - Mixed Use District, all uses permitted by-right in the residential, commercial, and industrial districts may be permitted. Additional uses specifically enumerated in the final master plan may be permitted by-right at the discretion of the City Council. Specific uses may also be excluded.

#### §420-5.4. Permitted uses- with conditional use permit.

One or more uses permitted by conditional use permit in any zoning districts may be permitted in the Planned Unit Development – Mixed Use District, if documented in the master plan. Any use desired but not documented in the approved master plan requires an application to amend the master plan.

#### §420-5.5. Mixture of uses.

A variety of housing types and non-residential uses are strongly encouraged. The mixture of uses shall be based upon the uses, goals and strategies recommended in the comprehensive plan. This mixture may be obtained with different uses in different buildings or a mixture of uses within the same building.

#### §420-5.6. Minimum area for a Planned Unit Development – Mixed Use District.

Minimum area required for the establishment of a Planned Unit Development – Mixed Use District shall be three (3) acres.

Additional area may be added to an established Planned Unit Development – Mixed Use District if it adjoins and forms a logical addition to the approved development. The procedure for the addition of land to the Planned Unit Development Mixed Use District shall be the same as if an original application was filed and all requirements shall apply except the minimum lot area requirement as set forth above.

#### §420-5.7. Open Space.

Open space promotes attractive and unique developments that are also environmentally conscious. Planned unit developments PD-Mus shall include the following, in keeping with the Comprehensive Plan:

- ~~A. Not less than thirty percent (30%) of total acreage shall be open space, whether dedicated to public use or retained privately;~~
- ~~B. If fifty percent (50%) or more of the total acreage is open space, then a thirty percent (30%) increase in density shall be permitted. If seventy-five percent (75%) or more of the total acreage is open space, then a fifty percent (50%) increase in density shall be permitted;~~
- ~~C. A minimum usable area of five thousand square feet every 5 acres shall be provided for active or passive recreational activities;~~
- D. Open space shall be dedicated in a logical relationship to the site and in accordance with any guidance from the comprehensive plan regarding significant open space, public access and shared use of open space is strongly encouraged;
- E. Improvements shall be configured to accommodate permitted, accessory and conditional uses in an orderly relationship with one another, with the greatest amount of open area and with the least disturbance to natural features.

#### §420-5.8. Densities.

The gross and net residential densities shall be shown on the approved final master plan by area and for the development as a whole in dwelling units per acre, and shall be binding upon its approval. The overall gross density so approved shall be determined by the City Council with reference to the comprehensive plan, ~~but shall not exceed twenty (20) dwelling units per acre, unless the density is increased with the provisions of §420-5.7. B.~~



Non-residential density should be expressed in terms of total square footage by area and for the development as a whole. There is no maximum square footage for non-residential uses but the proposed uses should be in proportion to the overall intent and functionality of the planned district concept [as set forth in §420-5.1.](#)

#### §420-5.9. Setback regulations.

Within the Planned Unit Development – [Mixed Use](#) District, minimum setback ranges shall be specifically established during the review and approval of the concept plan. Specific setbacks may be approved administratively in the site plan process if they are in conformance with the established ranges, or a modification to the master plan will be required if the provided setbacks are not within the established ranges. The following guidelines shall be used in establishing the building spacing and setbacks:

- A. Areas between buildings used as service yards, storage of trash, or other utility purposes should be designed so as to be compatible with adjoining buildings;
- B. Building spacing and design shall incorporate privacy for outdoor activity areas (patios, decks, etc.) associated with individual dwelling units whenever feasible; and
- C. Yards located at the perimeter of the planned unit development district shall conform to the setback requirements of the adjoining district, or to the setback requirements of the planned district, whichever is greater.

In no case shall setbacks interfere with public safety issues such as sight lines and utilities, including other public infrastructure such as sidewalks, open space, etc.

#### §420-5.10. Height of buildings.

In the Planned Unit Development – [Mixed Use](#) District, the height regulations shall be:

- A. Single-family residences: 45 feet (maximum).
- B. Banks, office buildings and hotels: 60 feet (maximum).
- C. Apartments, shopping centers, and other permitted buildings: 60 feet (maximum).
- D. Conditional use permits are required for structures exceeding the maximums listed in this section.
- E. These limitations shall not apply to church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennas and radio aerials.
- F. All accessory buildings shall generally be less than the main building in height.

#### §420-5.11. Parking.

Within the Planned Unit Development – [Mixed Use](#) District, the applicant shall establish parking regulations for consideration by the City Council. The proposed regulations should be based on a parking needs study or equivalent data. Such regulations shall reflect the intent of the comprehensive plan to decrease impervious cover by reducing parking requirements, considering alternative transportation modes and using pervious surfaces for spillover parking areas. Shared parking areas, especially with non-residential uses is encouraged.

#### §420-5.12. Utilities.

All new utility lines, electric, telephone, cable television lines, etc., shall be placed underground.

#### §420-5.13. Application for rezoning.

- A. The applicant shall file an application for rezoning with the Zoning Administrator. The application shall consist of three primary sections: a narrative, an existing conditions map, and a master plan.

##### 1. Narrative

- i. A general statement of objectives to be achieved by the planned district including a description of the character of the proposed development and the market for which the development is oriented;
- ii. A list of all adjacent property owners;
- iii. Site development standards including, but not limited to density, setbacks, maximum heights, and lot coverage;
- iv. Utilities requirement and implementation plan;
- v. Phased implementation plan;
- vi. Comprehensive sign plan;
- vii. Statements pertaining to any architectural and community design guidelines shall be submitted in sufficient detail to provide information on building designs, orientations, styles, lighting plans, etc.
- viii. List of exceptions or variances from the requirements of the Zoning chapter, if any are being requested.

##### 2. Existing Conditions Map

- i. Topography, including steep slopes (>15%);
- ii. Water features;
- iii. Roadways;
- iv. Structures;
- v. Tree lines;
- vi. Major utilities;
- vii. Significant environmental features;
- viii. Existing and proposed ownership of the site along with all adjacent property owners;

##### 3. Master Plan

The preliminary master plan shall be of sufficient clarity and scale to accurately identify the location, nature, and character of the proposed Planned ~~Unit~~ Development – Mixed Use District. At a minimum, the preliminary master plan, shall include the following:

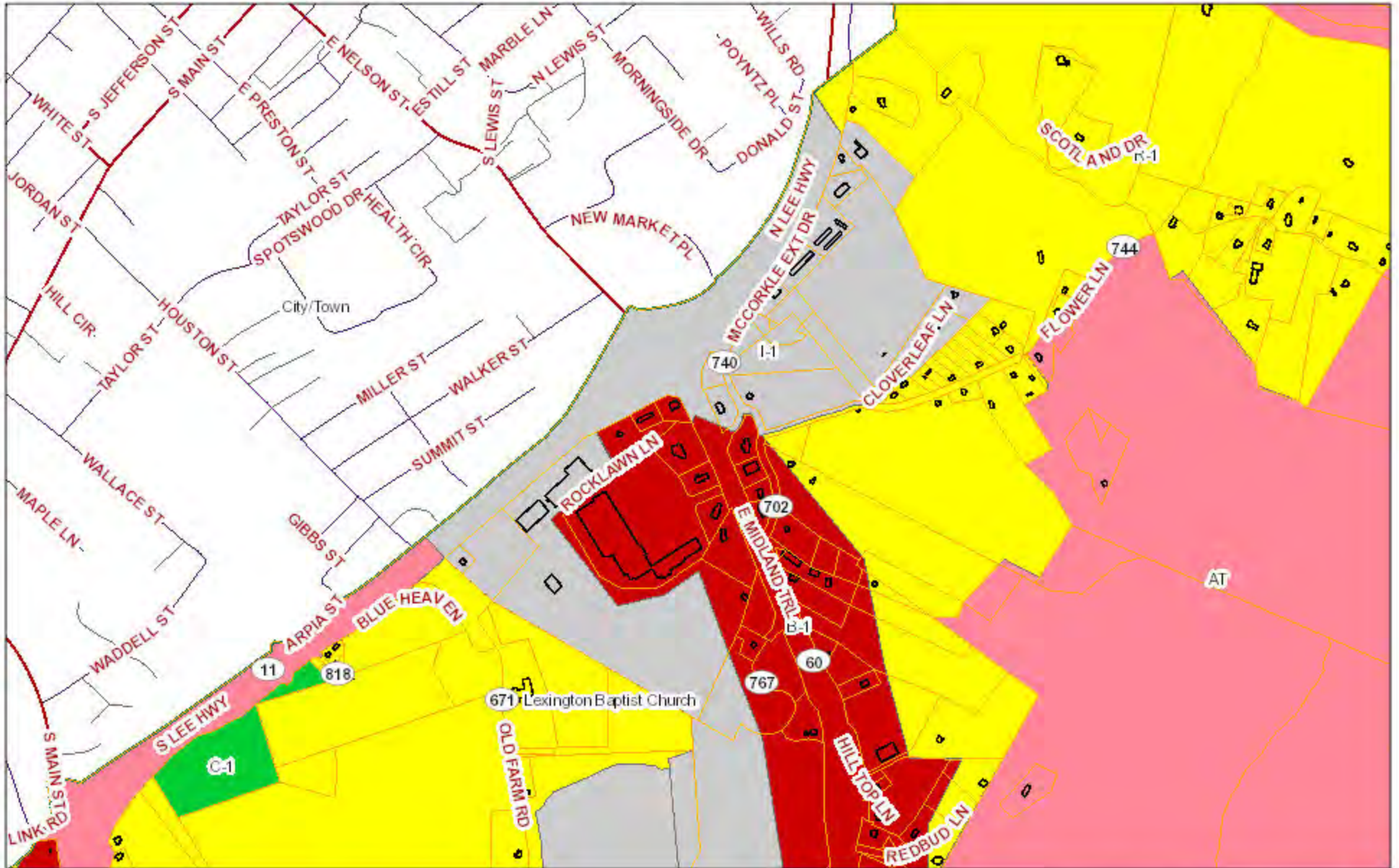
- i. Proposed layout of the Planned ~~Unit~~ Development – Mixed Use District including the general location of uses, types of uses, and density range of uses;
  - ii. Methods of access from existing state-maintained roads to proposed areas of development;
  - iii. General road alignments;
  - iv. General alignments of sidewalks, bicycle and pedestrian facilities;
  - v. A general water layout plan indicating the intended size and location of primary lines and the general location of fire hydrants (e.g., one every two blocks, etc.);
  - vi. A general sanitary sewer layout indicating the size and location of primary lines, and the location of pump stations; and
  - vii. A general plan showing the location and acreage of the active and passive recreation spaces, parks and other public open areas.
- B. Additionally, an environmental impact study and a traffic study ~~are~~ may also be required to be submitted as part of the application package. The environmental impact study should detail any project impacts on FEMA identified flood area and slopes greater than 25%, and should provide a stormwater management plan detailing both stormwater quantity and quality mitigation measures and best practices. The traffic study should quantify existing and projected traffic levels on all adjacent streets, and at all proposed entrances.
- C. The City Attorney shall review any property owner's or other association's charter and regulations prior to final site plan approval.
- D. The Planning Commission shall review the preliminary master plan for the proposed Planned ~~Unit~~ Development – Mixed Use District in light of the goals enumerated in the comprehensive plan, consider it at a scheduled public hearing, and forward its recommendation along with the preliminary master plan to the City Council for consideration. The City Council shall hold a public hearing thereon, pursuant to public notice as required by the Code of Virginia, 15.2-2204, after which the City Council may make appropriate changes or corrections in the ordinance or proposed amendment. However, no land may be zoned to a more intensive use classification than was contained in the public notice without an additional public hearing after notice required by the Code of Virginia, 15.2-2204. Such ordinances shall be enacted in the same manner as all other ordinances. The plan approved by the City Council shall constitute the final master plan for the Planned ~~Unit~~ Development – Mixed Use District.
- E. Once the City Council has approved the final master plan, all accepted conditions and elements of the plan shall constitute proffers, enforceable by the Zoning Administrator.
- F. The Zoning Administrator shall approve or disapprove a final site plan within sixty days from the receipt of such plan. The plan shall be in substantial conformance with the approved final master

plan. Such final site plan may include one or more sections of the overall Planned Unit Development – Mixed Use District, and shall meet all applicable federal, state, and City regulations.

#### **§420-5.14. Waivers and Modifications.**

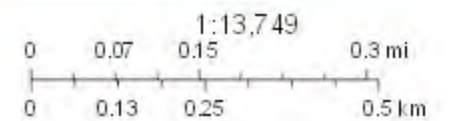
Where sections of the Zoning or Subdivision Ordinance are deemed to be in conflict with the goals of the final master plan, the rezoning application shall be considered a waiver or modification to these sections if specified in the final master plan. Otherwise, the applicant must provide a clear explanation as to why certain regulations are in conflict with the final master plan, demonstrate that the public's health, safety and welfare will not be compromised, and request the specific waivers or modifications to be considered by the City Council after a public hearing.

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March 22, 2022

Zoning_labels	A-2	B-1	C-1	R-1	Towns_labels	2	4
Zoning	AT	B-2	I-1	R-2	Towns	3	Structures
	A-1					1	



**TABLE 1. AREA AND SETBACK REQUIREMENTS**

DISTRICT	AREA (ACRES)	SETBACK	FRONTAGE	SIDE	REAR	HEIGHT	ACCESSORY BUILDINGS
C-1	N/A	N/A	N/A	25'	50'	N/A	N/A
A-1	See Notes 8 and 9	65'	175'	50'	50'	35**	5*
A-2	See Notes 8 and 9	65'	175'	50'	50'	35**	5*
A-T	2	65'	175'	50'	50'	35**	5*
R-1	See Table 2	25'	100'	15'	25'	35**	5*
R-2	See Table 2	25'	75'	10'	25'	35**	5*
B-1	N/A	20'	N/A	20**	20'	35**	20**
I-1	N/A	20'	N/A	20**	20'	35**	20**

(Table 1 Amended by Ord. of 4-14-08; Table 1 Amended by Ord. of 5-27-08)

**TABLE 2. RESIDENTIAL DISTRICT- AREA REQUIREMENTS**

USE	PUBLIC WATER & SEWER	PUBLIC/PRIVATE WATER & PRIVATE DRAINFIELD
R-1	.5 ACRES	1 ACRE
R-2	.25 ACRES	N/A
MULTI FAMILY	.5 ACRES PLUS 2000 SF EACH ADDITIONAL UNIT	N/A

(Table 2 Amended by Ord. of 4-14-08)

**\* NOTES**

1. Height measured from average grade to highest point of structure. The height limit for dwellings may be increased to a maximum of 45' and up to 3 stories provided the side line setbacks are increased a minimum of one foot for each additional foot of building height over 35'.

2. The height limit for buildings (except hotels/motels) in the B-1 and I-1 Districts may be increased to 45' and up to 4 stories provided the side line setbacks are increased a minimum of one foot for each additional foot of building height over 35'. **The height limit for hotels/motels in the B-1 District may be increased to 55' and up to 5 stories provided the side line setbacks are increased a minimum of one foot for each additional foot of building height over 35'.** This limit may be increased by 75' by special exception for architectural purposes with additional setback in a 1:1 ratio.  
(Note 2 Amended by Ord. of 11-22-10; Note 2 Amended by Ord. of 7-22-19)

3. A public or semi-public building such as a school, church, library, or hospital may be erected to a height of 60' from grade provided required front, side, and rear setbacks are increased one foot for each additional foot of building height over 35'.

4. Church spires, belfries, cupolas, monuments, water towers, silos, tanks, chimneys, flues, flag poles, television and radio antennae, and associated poles or towers are exempt from height requirement. Parapet walls may be erected up to 4' above building height.  
(Note 4 Amended by Ord. of 4-14-08; Note 4 Amended by Ord. of 10-27-14)

5. Side yard setbacks for B-1 and I-1 Districts are applicable only when adjacent to residential or agricultural districts or corner lots, except when the building height exceeds 35'. When the building exceeds 35' in height, side line setbacks are increased a minimum of one foot for each additional foot of building height that exceeds 35'.  
(Note 5 Amended by Ord. of 7-22-19)

6. Accessory buildings/structures limited to 15' at the highest point when within 20' of property lines. If over 20' from property line (15' in R-1, 10' in R-2) building/structure may be up to 35'. All accessory buildings/structures shall be less than the main building in height

except farm and industrial buildings/structures. Accessory buildings/structures shall meet the required front setback of the primary building and shall have a required minimum separation of 5' from the primary building.

(Note 6 Amended by Ord. of 4-14-08)

7. Decks, ramps, landings, garages and other structures attached to the primary structure shall meet the setbacks applicable to the primary structure except for the ordinary projection of steps, sills, cornices, buttresses, ornamental features, chimneys, flues, and eaves, provided such projections are 2' or less.

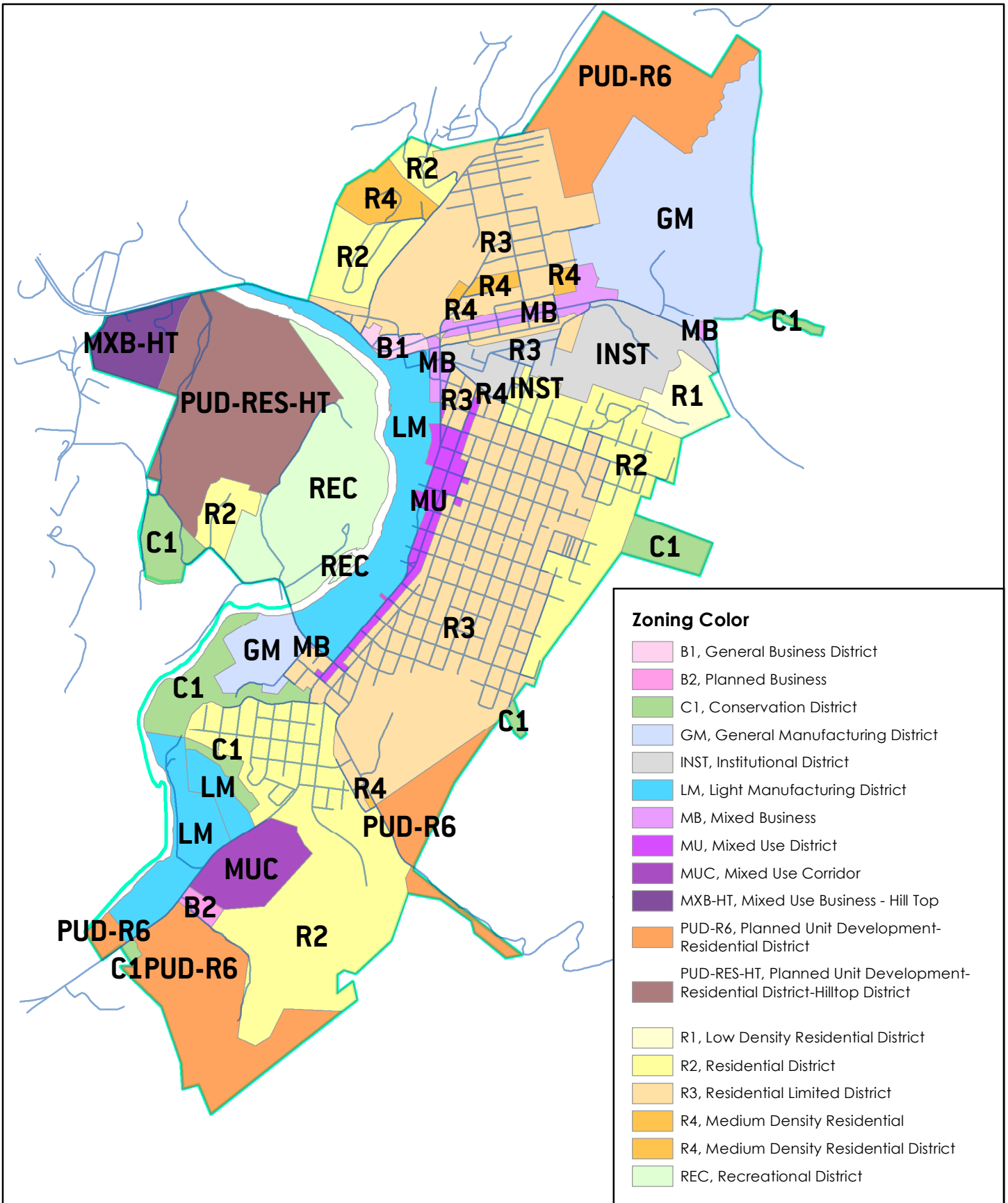
8. The minimum lots size in A-1, A-2 and A-T shall be 2 acres unless approved as a clustered development pursuant to Section 712.00, Cluster Developments.

(Note 8 Added by Ord. of 4-14-08; Note 8 Amended by Ord. of 5-27-08)

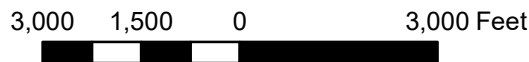
9. As stated in Note 8, the minimum lot size in the A-1 and A-2 Districts shall be 2 acres. In addition, density in the A-1 and A-2 Districts is regulated by Sections 701.05 through 701.05-4, Section 712.02-1 and Tables 4 and 5.

(Note 9 Added by Ord. of 5-27-08)





Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.



## Zoning Map - July 2020 City of Buena Vista

Buena Vista

**Sec. 616.00. - Mixed business district (MB)** – business district, wide variety and intensity of uses (including residential)

616.15-1 Buildings shall be limited to three stories in height or one story greater than contiguous buildings, up to a maximum height of 40 feet, unless a conditional use for additional height is granted.

**Sec. 614.00. - Mixed Use District (MU)** – business and residential district, wide variety and intensity of uses

614.11-1 Buildings shall be limited to three stories in height or one story greater than contiguous buildings, up to a maximum height of 40 feet, unless a conditional use for additional height is granted.

**Sec. 619.00. - Mixed Use Corridor (MUC)** - range of commercial and residential uses appropriate to a major arterial corridor. It also encourages mixed-use planned developments that create walkable neighborhoods and expand the urban development pattern of the city

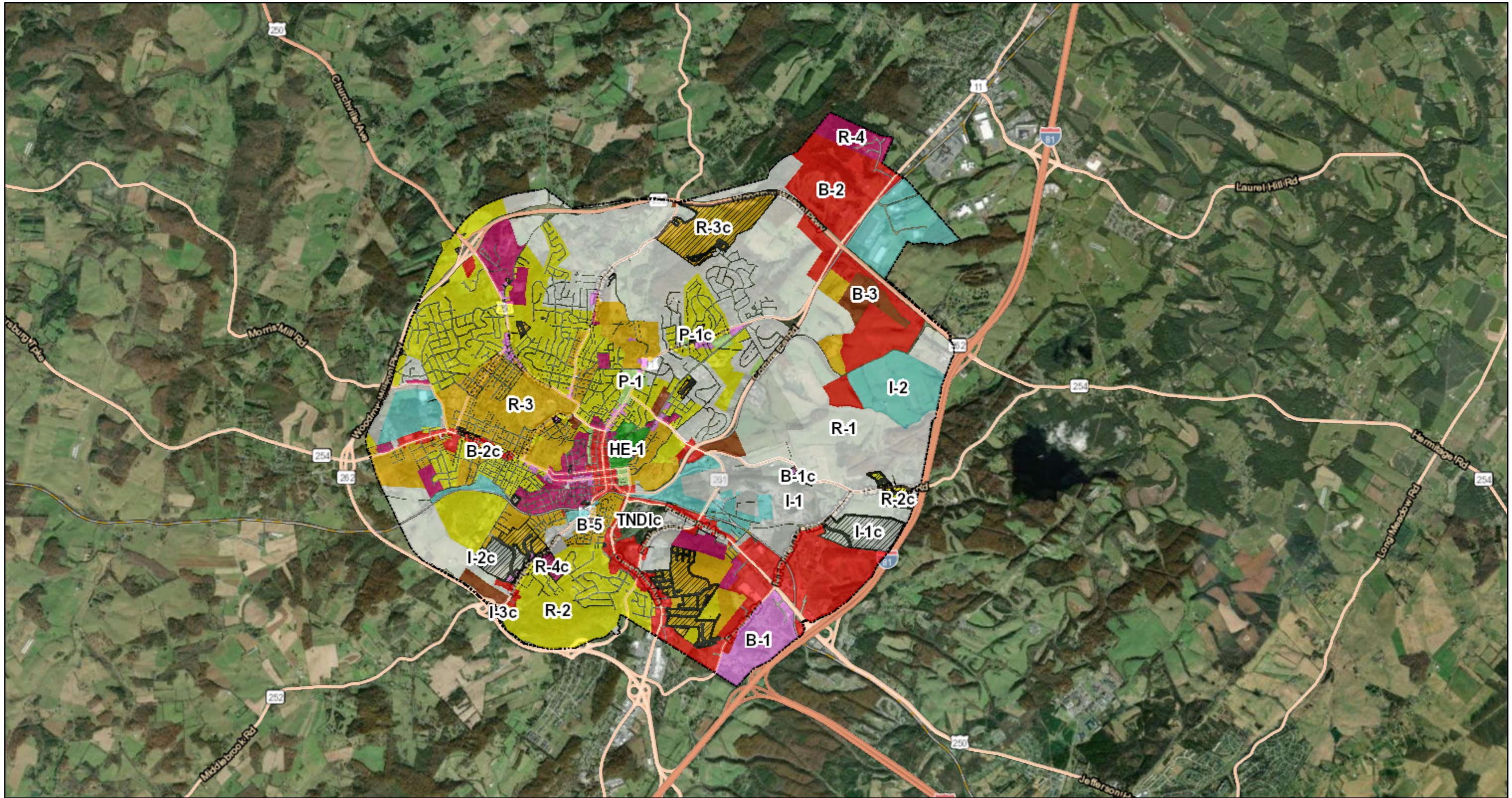
619.05-4 *Height*. Buildings may be no more than three (3) stories tall, unless a conditional use permit is obtained. The maximum distance between the floor and finished ceiling of any story of any building shall be 20 feet.

**618.54. Mixed Use Business – Hill Top (MXB-HT)**. The primary land uses in this subdistrict are commercial in scale and character, including many auto-oriented uses that typically found along high-volume thoroughfares including retail, restaurant and office uses. (Single family, two family, multi-family and townhouse are permitted by right)

Commercial building maximum height: Three stories (42 feet)

Civic buildings: 42 feet (church spires, belfries, cupolas, etc. are exempt to 60 feet)

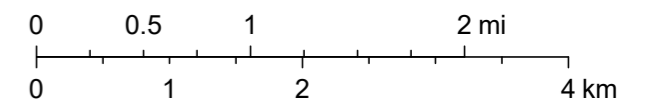
# Zoning Map



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Zoning Map	B-2(conditional)	I-1	I-3(conditional)	R-2	R-4
B-1	B-3	I-1(conditional)	P-1	R-2(conditional)	R-4(conditional)
B-1(conditional)	B-5 outline	I-2	P-1(conditional)	R-3	City Limits
B-2	HE-1	I-2(conditional)	R-1	R-3(conditional)	

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Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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### **B-5 Mixed-Use Business District**

Height regulations in the B-5 district shall be as follows:

(1) Maximum Height in General. No building shall exceed four stories in height; provided, that where an existing building on the same lot or on an adjacent lot along the same street frontage is greater than four stories in height, no building shall exceed the number of stories contained in such existing building.

(2) Maximum Height in Special Cases.

(a) Where greater than 50 percent of the lineal block frontage is comprised of lots occupied by existing buildings of greater than four stories in height, the average number of stories (rounded to the nearest whole number) contained in such existing buildings shall be the maximum permitted number of stories.

(b) Where there are no buildings existing on an entire block at the time of development, or where there are existing buildings to be retained and vacant land to be developed on an entire block, and where the entire block is to be developed under the same ownership or control pursuant to an overall development plan, the maximum permitted height shall be five stories.

(3) Minimum Height. Every main building hereinafter constructed shall have a minimum height of not less than two stories, except that porches, porticos and similar structures attached to a main building may be of lesser height. (Ord. 2021-25).

### **B-3 Planned Business District**

In this district the area regulations, maximum lot coverage, height regulations, and off-street parking shall comply with the requirements of the B-1 district. There shall be a 25-foot setback from all streets and all adjoining residential property.

### **B-2 General Business District**

(1) Except as provided hereinafter in Chapter [18.115](#) SCC, no building or structure shall exceed six stories or 75 feet in height, whichever is less.

(2) Notwithstanding the foregoing, however, a greater height may be allowed on review by the planning commission and city council in accordance with the provisions of Chapter [18.210](#) SCC. (Zoning ordinance Art. 4, § 9).

### **B-1 Local Business District**

No building shall exceed two and one-half stories, or 35 feet in height, except as provided in Chapter [18.115](#) SCC. (Zoning ordinance Art. 4, § 8).

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### **OFFICE AND INSTITUTIONAL DISTRICT C-1**

- **Section 5. - Height regulations.**

(5-1) No building shall be erected to contain more than 3½ stories, not to exceed 45 feet in height from grade.

(5-2) Churches, schools, hospitals, sanitariums, and other public and semipublic buildings may be built to a height of 55 feet, or four stories if the minimum depth of front and rear yards and the minimum width of side yards required in the district are increased one foot for each foot by which the height of such public or semipublic structure exceeds the height limit in feet prescribed for other structures in the district.

### **NEIGHBORHOOD BUSINESS DISTRICT C-2**

Height regulations shall conform to the provisions established in article VIII, section 5. (above)

### **GENERAL BUSINESS DISTRICT C-3**

Height regulations shall conform to the provisions established in article VIII, section 5. (above)

## §420-4.6. Lot Requirements.

Zoning District	Lot Area	Lot Width	Building Height	Front Yard	Side Yard	Rear Yard
<b>R-1</b>	8,000 sq. ft.; 12,000 sq. ft. for two-family dwellings	60 feet; 80 feet for two-family dwellings	35 feet; up to 45 feet w/30 foot side yard plus 1 foot for each additional foot over 35 feet	15 feet	10 feet	25 feet for main buildings, 5 feet for accessory buildings
<b>R-2</b>	15,000 sq. ft.	80 feet	35 feet; up to 45 feet w/30 foot side yard plus 1 foot for each additional foot over 35 feet	25 feet	15 feet	25 feet for main buildings, 5 feet for accessory buildings
<b>R-M</b>	8,000 sq. ft.; Two- family dwellings- 12,000 sq. ft.; Multi-family- 10,000 sq. ft. plus 1,500 sq. ft. for each unit in excess of 4; Townhouses - 2,400 sq. ft. per unit	60 feet; Two-family dwellings-80 feet; Townhouses-20 feet each unit; Multi-family-50 feet plus 10 feet for each unit above 4	45 feet	25 feet	10 feet; 20 feet for multi-family	25 feet; 30 feet for multi-family
<b>R-LC</b>	Residential use: 8,000 sq. ft.; Two- family dwellings- 12,000 sq. ft.; Multi-family- 10,000 sq. ft. plus 1,500 sq. ft. for each unit in excess of 4; Townhouses - 2,400 sq. ft. per unit; Non- residential: 8,000 s.f.	Residential uses: 60 feet; Two-family dwellings-80 feet; Townhouses-20 feet each unit; Multi-family-50 feet plus 10 feet for each unit above 4; Non-residential: 60 feet	35 feet, except dwellings may be increased up to 45 feet, provided that each side yard is 20 feet, plus at least one foot for each additional foot of building height over 35 feet.	25 feet	Residential uses: 10 feet, or 20 feet for multi-family  Non- residential: 10 feet	Residential uses: 25 feet, or 30 feet for multi-family  Non-residential: 25 feet

Zoning District	Lot Area	Lot Width	Building Height	Front Yard	Side Yard	Rear Yard
<b>C-1</b>	None	None	45 feet; public and governmental buildings up to 60 feet w/CUP	None	10 feet when abutting a residential district	10 feet when abutting a residential district
<b>C-2</b>	None	None	45 feet	30 feet	30 feet when abutting a residential district	30 feet when abutting a residential district
<b>PUD</b>	3 acres		see §420-5.10			
<b>POS</b>	0 sq. ft.	0 feet	15 feet; 35 feet if ≥ 10 feet from a property line	5 feet <sup>1</sup>	5 feet <sup>1</sup>	5 feet <sup>1</sup>

<sup>1</sup>Structures located in designated cemeteries and designed to contain human remains, such as but not limited to, mausoleums, columbaria, crypts, and niche walls, are not subject to P-OS yard setback regulations.

# Land Use

## ▷ Future Land Use

### Future Land Use and Zoning

While the Comprehensive Plan provides guidance for future land use in Lexington, the City's primary tool for shaping and regulating land use is the City's Zoning Ordinance. The Zoning Ordinance is a legal requirement that divides the City into eight zones and specifies allowed uses and dimensional requirements for each zone.

Future land use differs from zoning, although the two are related. Future land use can be thought of as a picture of what the City should strive to achieve within the next 20 or more years. This map does not change what is allowed on a piece of property right now, although it should be used to guide decisions on rezonings and conditional use permits. To determine the appropriate use and development form for a specific parcel, property owners should refer to the future planning framework map and the corresponding planning objectives and design principles. Ultimately, the specific use and zoning of an individual parcel will be reviewed by the City using the Comprehensive Plan as a guide.

**Table 8.2** illustrates the relationship between the Future Planning Framework Map and Lexington's existing zoning categories.

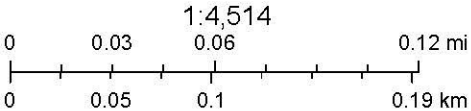
**Table 8.2 Future Land Use and Zoning**

Future Land Use Pattern Area	Zoning Districts								COMMUNITY MIXED USE DISTRICT (CMU)	
	General Residential District (R-1)	Suburban Residential District (R-2)	Multifamily Residential District (R-M)	Residential Light Commercial (R-LC)	Central Business District (C-1)	General Commercial District (C-2)	Parks and Open Space District (P-OS)	Planned Unit Development (?)		Institutional Overlay District (I-1)
Suburban Neighborhood		X					X	X		
Traditional Neighborhood	X						X	X		
Mixed Use Neighborhood			X	X	X			X		
Downtown Center					X					
Commercial Center				X		X		X		X
Civic/Campus/Post							X		X	
Conservation							X			



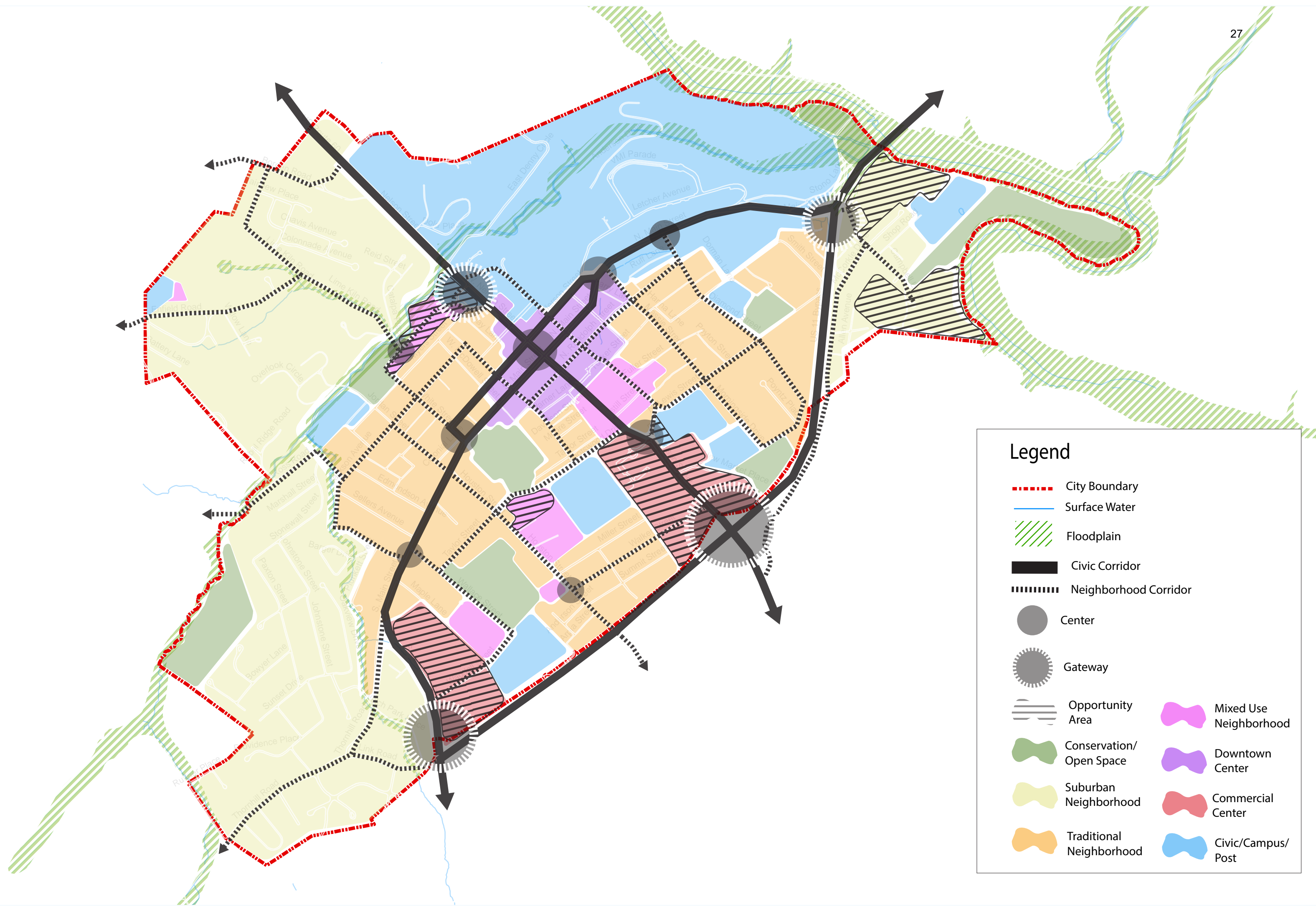


March 23, 2022



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community





### Legend

- City Boundary
- Surface Water
- Floodplain
- Civic Corridor
- Neighborhood Corridor
- Center
- Gateway
- Opportunity Area
- Mixed Use Neighborhood
- Downtown Center
- Conservation/Open Space
- Suburban Neighborhood
- Commercial Center
- Traditional Neighborhood
- Civic/Campus/Post