

ORDINANCE NUMBER 2020-



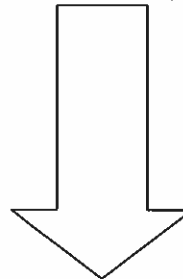
AN ORDINANCE TO AMEND ZONING TEXT TO CREATE A NEW ZONE, DESIGNATED THE MX-B (MIXED BUSINESS) ZONE, IN THE CITY CODE OF THE CITY OF WAYNESBORO, VIRGINIA

**2.1 GENERAL DISTRICTS ESTABLISHED**

A. The following general zoning districts are hereby established:

Residential Districts	
RS-12	Single-family Residential-12
RS-7	Single-family Residential-7
RS-5	Traditional Residential-5
RG-5	General Residential-5
R-MX	Mixed Residential
R-MF	Multifamily Residential
Nonresidential Districts	
R-O	Residential Office
L-B	Local Business
H-B	Highway Business
MX-B	Mixed Business
C-B	Central Business
L-I	Light Industrial
H-I	Heavy Industrial

DISTRICT HIERARCHY (MOST RESTRICTIVE TO LEAST RESTRICTIVE)



**2.6.3 Nonresidential Development Standards (In Nonresidential Districts)**

Nonresidential Development in Nonresidential Districts							
Area and Dimensional Standards	R-O	L-B	H-B	MX-B	C-B	L-I	H-I
<b>Site Area, Minimum</b>							
Site area (square feet)	6,000	6,000	8,000	3,000	N/A	20,000	20,000
Site width (feet)	50	50	60	25	N/A	100	100
<b>Yards</b>							
Front, minimum (feet)	20	10	20	0	0	20	25
Front, maximum (feet)	55	55	N/A	10	0	N/A	N/A
Side, minimum street (feet)	10	20	25	0	0	25	25
Side, minimum interior (feet)	5	5	0	0	0	5	0
<i>abutting residential district</i>	20	9	25	5	30	30	30
Rear (feet)	10	10	25	0	0	10	10
<i>abutting residential district</i>	20	20	30	20	20	40	40
Build-to line, mandatory (percent)	N/A	N/A	N/A	N/A	70%	N/A	N/A
<b>Bulk</b>							
Height, minimum (feet)	N/A	N/A	N/A	N/A	25 <sup>(1)</sup>	N/A	N/A
Height, maximum (feet)	35	35	50 <sup>(2)</sup>	35	100 <sup>(2)</sup>	100	100
Impervious area, maximum (percent)	50%	75%	85%	85%	100%	85%	85%

Use Table (2.4):

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	MX-B	C-B	L-I	H-I	USE STANDARD
<b>RESIDENTIAL USES (SEE §10.2.7)</b>															
Household living	Single-family detached	P	P	P	P	P	P	P	P		P				
	Single-family attached				P	C	P	P	P		P				
	Two-family houses (duplex)				P	C	P	P	P		P				
	Corner lot duplexes			P	P	P	P	P	P		P				§4.2.1
	Multiplexes				P	P	P	P	C	C	P	C			§4.2.2
	Multifamily building					P	P		C	C	C	C			
	Zero lot line houses				P	P	P	P	C	C	P	C			§4.2.3
	Townhouses				P	P	P	C	C	C	P	C			§4.2.5
	Upper-story residential				P	P	P	P	P	P	P	P	C		§4.2.6
	Manufactured homes	C	C	C	C	C	C		C		C				§4.2.7
	Manufactured home parks or subdivisions				C				C						§4.2.8
Group living	Boarding or rooming houses				P	P	P	P		P	P				§4.2.9
	Assisted or congregate living					P	P	C	C	P	P				
	Dormitories					P	P								
	Group homes/other (8 persons or fewer)	P	P	P	P	P	P	P		P	P				§4.2.10
	Group homes/seniors					P	P	P		P	P	C			§4.2.11
	Nursing or convalescent home					P	P	C	C	P	P	C			
<b>PUBLIC AND CIVIC USES (SEE §10.2.8)</b>															
Community service	Civic clubs or community centers	C	C	C	C	C	C		P	P	P	P	C		§4.3.1
	Libraries or museums	C	C	C	C	C	C		P	P	P	P	C		§4.3.4
Day care	All day care			C	C	C	C	C	P	P	C	C	C		§4.3.2
Educational facilities	Schools, elementary or secondary	P	P	P	P	P	P				P				§4.3.7
	Military academies				P	P	P			P	P	P			
Government facilities	Government offices			P	P	P	P	P	P	P	P	P	P	P	
	Post offices					C	C		P	P	P	P	P		
	Public safety facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	
Medical facilities	Hospitals								C	P	P		P		
	Medical or dental clinics							P	P	P	P	P	P		
Parks and open space	Cemeteries and mausoleums	C	C			C	C								
	Golf courses or clubs	P	P	P	P										§4.3.3
	Parks or playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P	§4.3.5
Passenger terminals and services	Airports												P		
	Heliports									P			P		
	All other passenger terminals and services									P		C	P		
Religious institution	All religious institutions	P	P	P	P	P	P	C	P	P	P	P	P		§4.3.6
	Alternative- or post-incarceration facility								P	P		P	P		

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	MX-B	C-B	L-I	H-I	USE STANDARD
Social service institutions	Exclusive care and treatment for psychiatric, alcohol, or drug problems, where patients are residents (NAICS <sup>1</sup> 62221, 6232)								P	P		P	P		
	Neighborhood resource center						C		P	P	C	P	P		
	Rehabilitative clinic								P	P		P	P		
	Social service facility, soup kitchen, transient lodging or shelter for the homeless (NAICS <sup>1</sup> 624, 6242)				C	C	C				C		C		
	All other social service institutions								P	P	C	P	P		
Utilities, minor	All minor utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Electric substations	C	C	C	C	C	C	C	C	C	C	C	C	C	
Utilities, major	Telecommunications towers and facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	\$4.3.8
	Utility offices, shops or yards					C	C				C		C	C	\$4.3.9
	Water/wastewater treatment plants												C	C	
<b>COMMERCIAL USES (SEE §10.2.9)</b>															
Eating establishments	Coffee shops					P	P		P	P	P	P	P		\$4.4.5
	Fast food								P	P	P	P	P		\$4.4.9
	Restaurants, limited					C	C	C	P	P	P	P	P		\$4.4.8
	Restaurant and bar								P	P	P	P			
Entertainment, indoor	Adult uses									C			P	P	\$4.4.1
	Bars or nightclubs								C	P	C	P	C		
	Bowling alleys								P	P	P	P			
	Firing ranges, indoor									P			P		
	Pool halls								C	P	C	P	P		
	Theaters, auditoriums or exhibition hall									P	P	P	P		
	Membership clubs or lodges								P	P	P	P	P		
Entertainment, outdoor	Arenas or stadiums									P		P	P		
	Driving ranges									P					
	Riding academy or boarding stable	C											P		
Offices	Bank or financial institution								P	P	P	P	P		
	Business and professional offices					P	P	P	P	P	P	P	P		
	Radio or television studio									P	P	P	P		
Overnight accommodations	Bed and breakfasts		C	C	P	P	P	P	P	P	P	P			\$4.4.4
	Hotels and motels									P	C	P			
	Inns						P	P	P	P	P	P			\$4.4.6
Parking, commercial	All commercial parking								P	P	P	P	P		

<sup>1</sup> North American Industry Classification System (see <http://www.naics.com> for more information)

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	MX-B	C-B	L-I	H-I	USE STANDARD	
Retail sales and service, sales-oriented	Alcoholic beverage or liquor								C	P	C	P				
	Artist studios or galleries						P	P	P	P	P	P			\$4.4.3	
	Building supply and lumber									P	P		P	P		
	Convenience stores with fuel service								C	P	C	C	P			
	Convenience stores without fuel service						P	P		P	P	P	P			
	Drug store with drive-through								C	P	C					
	Drug store without drive-through						P	P		P	P	P	P			
	Farmers market or farm stand									P	P	P				
	Flea market or auction									P	P	C				
	Florists, retail									P	P	P	P			
	Greenhouse or nursery										P	P		P		
	Grocery stores									P	P	P	P			
Manufactured home sales										C			P			
Retail sales and service, personal service-oriented	Animal care facilities and services								P	P	P		P		\$4.4.2	
	Art studio or gallery							P	P	P	P	P				
	Body art studios								C	P	P	P				
	Hair, nail, tanning or personal care services							C	P	P	P	P				
	Hardware stores								P	P	P	P	P			
	Headstone, monument or vault sales								P	P	P			P		
	Laundry or dry cleaning pickup stations								P	P	P			P	P	
	Mortuaries or funeral homes								P	P	P					
Schools of special instruction								C	P	P	P	P				
Retail sales and service, repair-oriented	All retail sales and service, repair-oriented								P	P	P	P	P			
Self-service storage	All self-service storage									P			P	P	\$4.4.5	
Vehicle sales and service	Body shops and upholstery shops										C		P	P		
	Fuel stations, including full-service, mini-service and self-service								C	P	C	C	P	P	\$4.4.10	
	Towing services												P	P		
	Vehicle service, full										C		P	P	\$4.4.10	
	Vehicle services, limited								C	P	P	C	P	P	\$4.4.10	
	Vehicle sales, rental, or leasing facilities								C	P	C	C	P	P		
<b>INDUSTRIAL USES (SEE §10.2.10)</b>																
Light industrial service	All light industrial service uses not listed below										C		P	P	\$4.5.4	
	Crematorium												P			
	Manufacture or assembly of equipment, instruments (including musical instruments), appliances, precision items, and other electrical items										P		P	P	\$4.5.3 and \$4.5.4	
	Vehicle or equipment storage yards												P	P	\$4.5.1	

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	MX-B	C-B	L-I	H-I	USE STANDARD
Warehouse and freight movement	Cold storage plants, including frozen food lockers												P	P	
	Household moving and general freight storage												P	P	
	Parcel services									P	P		P	P	
	Separate warehouses used by retail stores such as furniture and appliance stores									C			P	P	
	Stockpiling of sand, gravel or other aggregate materials												P	P	
Waste-related service	Recycling centers												P	P	
	Solid waste transfer or composting												P	P	
	Waste service													P	
	Wrecking or salvage yards												C	P	\$4.5.2
Wholesale trade	Sale or rental of machinery, equipment, heavy trucks									C			P	P	
	Lumber yard									C	C		P	P	
	Mail order house								P	P	P	P	P	P	
	Railroads and appurtenances, right-of-way and tracks	C	C	C	C	C	C	C	C	C	C	C	P	P	
	Retail sales of farm equipment and machinery and earth moving and heavy construction equipment									C			P	P	
Heavy industrial	Animal concentrations; animal processing, packing, treating and storage													P	
	All other heavy industrial													P	
<b>OTHER USES (SEE §10.2.11)</b>															
Agriculture	Agricultural crops, community gardens	P	P	P	P	P	P	P	P	P	P	P	P	P	
	All other agriculture	C													

## Zone Description (2.6.2):

### B. Mixed Business (MX-B)

The MX-B district is established to provide greater flexibility in areas of the City with 1) housing in close proximity to legacy industrial and commercial structures, and 2) a historic urban subdivision pattern with gridded infrastructure, small lots, and abundant on-street shared parking. It allows for a range of residential and commercial uses, as well as industrial uses with additional use standards. The MX-B zone's permitted uses and use standards are meant to encourage business activity and redevelopment while ensuring reasonably quiet enjoyment of residential property. The zone provides only moderate protection from aesthetic concerns or intense daytime activity. As such, the MX-B zone should be used in areas where the existing mix of structures and uses suggest an expectation of vibrancy and activity levels similar to a commercial or industrial area.

## Use Standards

### 4.4.10 Vehicles Sales and Service

All service bay doors (openings) shall face away from adjacent thoroughfares, right-of-way and residential uses.



In the MX-B (Mixed Business) zone, vehicle sales and service uses must meet the following standards:

- C. Vehicle sales and service uses may not operate between the hours of 8:00 PM and 8:00 AM.
- D. All vehicle service must be contained in a constructed building. All outdoor storage or display must be fully screened by a solid fence. Outdoor vehicle sales must be screened by a solid fence or class A landscape buffer.

### 4.5.4 Industrial Development in the MX-B Industrial Redevelopment Zone

Manufacturing and other industrial uses in the MX-B zone must meet the following additional standards:

- E. Industrial uses may not operate or receive deliveries between the hours of 8:00 PM and 7:00 AM.
- F. Industrial uses which generate noxious discharges (e.g. smoke or noxious smells) are prohibited.
- G. Industrial uses involving manufacture of hazardous chemicals or discharge of hazardous byproducts into the soil or air are prohibited.
- H. All industrial activity and equipment storage must be contained in a constructed building. The Zoning Administrator may permit limited outdoor storage if fully screened from neighboring properties and public rights of way.

## Parking:

### 5.1.3

#### E. Exception for MX-B District

The requirements of 5.1.3 shall not apply to:

1. Properties in the MX-B district if the number of off-street spaces required is less than 4.
2. If the number of off-street spaces required is 4 or more, the requirements of this §98-5.1.3 shall be reduced by 50%.

3. Properties in the C-B district, except for the maximum requirements as established in 5-3.B.

**5.6.6 Signs Requiring Permits**

**I. Maximum Aggregate Sign Area**

Unless otherwise specified, the maximum allowable aggregate sign area per licensed business or nonresidential use in the respective districts, shall be as follows:

<b>Maximum Aggregate Sign Area (SF)</b>											
<b>RS-12</b>	<b>RS-7</b>	<b>RS-5</b>	<b>R-MX</b>	<b>R-MF</b>	<b>R-O</b>	<b>L-B</b>	<b>H-B</b>	<b>MX-B</b>	<b>C-B</b>	<b>L-I</b>	<b>H-I</b>
1	1	6	6	6	6	32	120	32	32	120	120

**INTRODUCED: ON NOVEMBER 9, 2020 BY COUNCIL MEMBER TERRY SHORT, JR.**

**ADOPTED:**

**EFFECTIVE:**

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CLERK

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MAYOR