

**ORDINANCE AMENDING AND RE-ENACTING MULTIPLE SECTIONS OF TITLE 10
– PLANNING AND DEVELOPMENT, CHAPTER 3. – ZONING, THE CODE OF
ORDINANCES CITY OF HARRISONBURG, VIRGINIA**

Be it ordained by the Council of the City of Harrisonburg, Virginia:

Section 10-3-36. Other regulations (R-1)

Amend subsection (c) as shown:

~~(c) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-42. Other regulations (R-2)

Amend subsection (d) as shown:

~~(d) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-48. Other regulations (R-3, Multiple Dwelling)

Amend subsection (d) as shown:

~~(d) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened, and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-48.6. Other regulations (R-3, Medium Density)

Amend subsection (d) as shown:

~~(d) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-54. Other regulations (R-4)

Amend subsection (d) as shown:

~~(d) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said~~

~~facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-55.6. Other regulations (R-5)

Amend subsection (d) as shown:

~~(d) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-56.5. Area, density and dimensional regulations. (R-6)

Amend subsection (f)(1) as shown:

~~(1) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-57.5. Area, density and dimensional regulations. (R-7)

Amend subsection (f)(1) as shown:

~~(1) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-58.5. Area, density and dimensional regulations. (MX-U)

Amend subsection (5) as shown:

(1) Unless modified or superseded by other ordinances which directly apply to the general health, safety and welfare of the public, all accessory storage of products to be processed or being processed, and supplies and waste materials resulting from such work, shall be completely enclosed within structures of permanent and durable construction. ~~In addition, all on-site refuse containers or refuse storage facilities shall be located within a designated area, screened, and meet the requirements for accessory buildings per section 10-3-114.~~

(2) Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-59.6. Other regulations (R-8)

Amend subsection (d) as shown:

~~(d) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-65. Other regulations (MH-1)

Add subsection (c) as shown:

(c) Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-73. Other regulations (MH-2)

Add subsection (c) as shown:

(c) Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-81. Other regulations (B-1A)

Amend as shown:

(c) Unless modified or superseded by other ordinances which directly apply to the general health, safety and welfare of the public, all accessory storage or products to be processed or being processed, and supplies and waste materials resulting from such work, shall be completely enclosed within the structures of permanent and durable construction. ~~In addition, all on-site refuse containers or refuse storage facilities shall be located within a designated area, screened, and meet the requirements for accessory buildings per section 10-3-114.~~

(d) Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-87. Other regulations (B-1)

Amend as shown:

(b) Unless modified or superseded by other ordinances which directly apply to the general health, safety and welfare of the public, all accessory storage of products to be processed or being processed, and supplies and waste materials resulting from such work, shall be completely enclosed within structures of permanent and durable construction. ~~In addition, all on-site refuse containers or refuse storage facilities shall be located within a designated area, screened, and meet the requirements for accessory buildings per section 10-3-114.~~

(c) Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-93. Other regulations (B-2)

Amend as shown:

(c) Unless modified or superseded by other ordinances which directly apply to the general health, safety and welfare of the public, all accessory storage or products to be processed or being processed, and supplies and waste materials resulting from such work, shall be completely enclosed within the structures of permanent and durable construction. ~~In addition, all on-site refuse containers or refuse storage facilities shall be located within a designated area, screened, and meet the requirements for accessory buildings per section 10-3-114.~~

(e) Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-99. Other regulations. (M-1)

Amend as shown:

(c) Unless modified or superseded by other ordinances which directly apply to the general health, safety and welfare of the public, or unless otherwise permitted, all accessory storage or products to be processed or being processed, and supplies and waste materials resulting from such work, shall be completely enclosed within the structures of permanent and durable construction. ~~In addition, all on-site refuse containers or refuse storage facilities shall be located within a designated area, screened, and meet the requirements for accessory buildings per section 10-3-114.~~

(d) Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-181. Other regulations. (UR)

Add subsection (d) as shown:

~~(d) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.~~ Private refuse collection facilities shall be provided at a designated point and shall meet the requirements in Section 10-3-110 (h).

Section 10-3-110. General modifications.

Add subsection (h) as shown:

(h) Private refuse collection facilities (i.e. dumpsters, trash compactors, and areas storing multiple waste receptacles, etc.) shall meet the following requirements:

(1) The boundaries of the designated point of collection are considered the entire area that must be screened, measured from the outside boundary of the required screening.

(2) Location on parcels with principal buildings. Designated point(s) of collection:

(i) Shall not be located in any yard adjoining a developed public street; except on through lots, where it may be located in the established rear yard and meet principal building setbacks;

(ii) Shall be no closer than five feet from any property line not adjoining a developed public street, except in the B-1 district where there is no minimum distance from such lines; and

(iii) Shall not be located within the limits of a required fire lane.

(3) Location on parcels without principal buildings. Designated points of collection:

(i) On common area parcels shall be no closer to a property line adjoining a developed public street than the principal building closest to the property line adjoining a developed public street within the same development and shall be no closer than five feet from any other property lines.

(ii) Within the B-1 district shall be no closer than 20-feet from a property line adjoining a developed public street and has no minimum distance from other property lines.

(4) Screening. The designated point of collection shall be screened by opaque fencing, walls, or other structural enclosures that are equal to or greater than the height of the container(s) placed within the storage area. Such screening shall include a closable gate with a maximum 6-inch spacing at the bottom of the gate to the ground surface. The definition of Screening described in Section 10-3-24 does not apply to the requirements of this subsection.

The remainder of each Section is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2024. Adopted and approved this _____ day of _____, 2024.

MAYOR

ATTESTE:

CITY CLERK