

# **Master Plan Zoning Requirements for Bluestone Town Center**

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# ZONING REGULATIONS FOR BLUESTONE TOWN CENTER

## A. Uses Permitted By Right

- (a) Single-family detached dwellings.
- (b) Single-family attached dwellings (townhouse dwellings of two (2) to eight (8) dwelling units).
- (c) Multiple-family dwellings with no more than sixty-four (64) units per building under conditions set forth in subsections 10-3-57.6.(c) and (d).
- (d) Home occupations.
- (e) Community buildings.
- (f) Public and private schools.
- (g) Child day care centers.
- (h) Adult day care centers.
- (i) Retail stores, convenience shops, personal service establishments, restaurants (excluding drive-through facilities unless permitted by special use permit) food and drug stores.
- (j) Governmental, business and professional offices and financial institutions.
- (k) Churches.
- (l) Parks.
- (m) Common open space.
- (n) Public uses.
- (o) Accessory buildings and uses customarily incidental to any of the above-listed uses.
- (p) Dwelling units may be occupied by a single family or not more than two (2) persons, except that such occupancy may be superseded by building regulations.
- (q) Parking lots and parking garages.
- (r) Small cell facilities. Wireless telecommunications facilities are further regulated by Article CC.
- (s) Homestays, as further regulated by Article DD.
- (t) Manufactured homes, provided that the Manufactured homes are (i) attached to a permanent foundation, (ii) titled as real estate, and (iii) limited to one Manufactured home per lot.

## B. Uses Permitted Only by Special Use Permit

- (a) Private clubs and golf courses.
- (b) Home for the aged in which three not more than three (3) persons not of the immediate family are provided with food, shelter and care for compensation.
- (c) Major family day home.
- (d) Short-term rentals, as further regulated by Article DD.
- (e) Walls and fences greater than the height otherwise permitted, under such conditions as are deemed necessary by the city council.
- (f) Drive-through facility.
- (g) Reducing required parking areas to permit fewer than the required number of vehicle parking spaces for any use, provided that an amount of open space equal to the

amount of space that would have been used for the required number of vehicle parking spaces is left available for parking in the event that, at the discretion of the city council, it is needed at some time in the future. Open space used for this purpose shall be so noted in the deed and shall not be used to meet any conflicting requirements of the zoning ordinance.

- (h) Public uses which deviate from the requirements of title 10, chapter 3.
- (i) Concealed wireless telecommunications facilities, industrial microcells, distributed antenna systems, and macrocells. Telecommunications towers are not permitted, except towers primarily erected for the use of the Harrisonburg-Rockingham Emergency Communications Center up to two hundred (200) feet in height. Wireless telecommunications facilities are further regulated by article CC.

### C. Area, Density and Dimensional Regulations

- (a) Maximum density: Ten (10) dwelling units per acreage.
- (b) Lot area, lot height, lot width, and yards for all uses:

ZONING	Uses	MINIMUM LOT AREA (SF)	LOT WIDTH (FEET)	FRONT YARD SETBACK (FEET)	SIDE YARD SETBACK (FEET)	REAR YARD SETBACK (FEET)	MAX HEIGHT (FEET)	
A	Multiple-Family Dwellings	Senior Apartments	8100	90	10	5	10	50
B		Multi-family Apartments	8100	90	10	5	10	50
C		Garden Apartments	8100	90	10	5	10	50
D		Town Homes- Over Retail	1080	18	0	0	10	50
E	Single-family attached dwellings	Town Homes	1080	18	0	5	10	40
F	Single-family detached dwellings		4500	50	20	5	25	40
G	Community Buildings		6000	40	5	5	5	40
H	All Other Uses		1080	18	0	0	10	40

- (c) As shown on the Master Plan Layout, housing by unit type and community buildings will be restricted within designated areas.
- (d) Setback and height regulations for accessory buildings and structures are in Section E. Modifications and Adjustments of this master plan.
- (e) The minimum setback for principal buildings along exterior property lines of the development shall be 7-feet for one- and two-story buildings and 10-feet for three-story buildings.

### D. Off-Street Vehicle and Bicycle Parking

Off-Street Vehicle and Bicycle Parking are to be governed by Article G of the Zoning Ordinance except for the off-street vehicle parking uses specified below in subsections (1) through (12):

#### Off-Street Vehicle Parking Regulations

Off-street parking requirements shall be met as stated herein for all new buildings and structures and all existing building types included herein which are hereafter enlarged, altered and/or changed in use.

- (1) Definition of a "parking space:" The area required for accommodating one (1) automobile or other motorized vehicle on private property, which shall be a

minimum of nine (9) feet in width and eighteen (18) feet in length, not including passageways (9' x 18'). Twenty-five (25) percent of the total parking provided may be designated for compact automobiles. Compact spaces shall be a minimum of eight feet by seventeen feet (8' x 17') for regular spaces and eight feet by twenty feet (8' x 20') for parallel spaces and that all such compact car spaces be clearly marked, using vertical signage or pavement markings, with the wording "Compact Cars Only."

- (2) All off-street parking spaces and drives shall be constructed of an all-weather stabilized, dust free surface which is clearly defined from adjoining on-site improvements.
- (3) On-site parking shall not depend on the public right-of-way in order to maneuver into or out of parking spaces, except for single family detached or duplex dwellings.
- (4) All means of ingress and egress for parking on lots fronting on more than one (1) public street shall be located at least twenty-five (25) feet from the intersection of property lines (rights-of-way) of such streets.
- (5) All vehicle parking spaces required herein shall be located on the same lot with the building or use served, on adjoining lots located on property zoned where such parking is permitted, or within a common or cooperative location in the ownership of all participating owners or have easement and maintenance agreements between the participating owners.
- (6) All off-street vehicle parking spaces for handicapped persons shall conform with the most recent Americans with Disabilities Act regulations at the time of their construction.
- (7) All off-street parking spaces, loading areas, driveways, travelways, parking bays and entrances shall comply with the City Design and Construction Standards Manual.
- (8) Single-family detached, manufactured homes, duplexes, townhomes, and multifamily units shall provide a minimum of one (1) parking space per dwelling unit.
- (9) Multifamily dwellings designated as Senior dwellings shall provide a minimum of one half (0.5) of a parking space per dwelling unit. This senior housing designation of 55 years old to apply for senior parking.
- (10) Community centers/buildings, including those associated with housing developments, where the use of such space is primarily for the use of residents of the housing development, will have a minimum off street parking requirement of 1 space per 500 gross sf.
- (11) Retail stores, convenience shops, personal service establishments, restaurants, food and drug stores and governmental, business and professional offices, financial institutions, public and private schools, child day care centers, adult day care centers, and churches shall provide a minimum of one (1) parking space per 600 square feet of gross floor area.
- (12) All uses not listed above are to be governed by Article G of the Zoning Ordinance."

### *Combining or Assigning Spaces for Separate Uses*

Combining or Assigning Spaces for Separate Uses to be governed by Article G of the

Zoning Ordinance.

### *Rules For Computing Required Number of Spaces*

Rules for Computing Required Number of Spaces to be governed by Article G of the Zoning Ordinance.

### *Off-Street Bicycle Parking Regulations*

Off-street bicycle parking is to be governed by Article G of the Zoning Ordinance.

### *Parking Lot Landscaping*

Parking lot landscaping is to be governed by Article G of the Zoning Ordinance.

## **E. Modifications and Adjustments**

Article T of the Zoning Ordinance does not apply. Modifications and adjustments set forth in this section modify, supplement, or qualify regulations appearing elsewhere in this master plan.

### *General Modifications*

- (1) Architectural treatments and functional elements, including, but not limited to: chimneys, moldings, rain gutters, downspouts, roof eaves, buttresses and bay windows, shall be allowed to project not more than two (2) feet, eight (8) inches into the required yard setback, provided they do not include additional floor space.
- (2) Fire escapes and other required means of egress from any building may project into a required yard setback, provided that they are uncovered and unenclosed.
- (3) Terraces, patios, uncovered porches, decks, uncovered swimming pools, and other similar features may project into a side or rear yard, provided these projections are at least two (2) feet from any adjoining property.
- (4) Front, side, and rear yards are established based upon the proposed orientation of the principal building.
- (5) For corner and through lots, the required principal building setbacks for side and rear yards adjoining public streets shall comply with the minimum side and rear yard requirements in Section C. Area, Density and Dimensional Requirements.
- (6) All manufactured housing in the development will, at the time of construction, meet or exceed the then-current requirements of the Fannie Mae MH Advantage or the Freddie Mac CHOICEhome lending programs, or any replacement program with requirements that are substantially similar.

### *Height*

The height regulations heretofore established will be adjusted in the following cases:

- (1) The height limitations of this master plan shall not apply to the architectural features such as chimneys, spires, etc., and necessary accessory structures such as water towers, smoke-stacks and conveyors which are incidental to uses permitted in nonresidential districts.
- (2) The limitations on the number of stories shall not apply to buildings and structures not intended for human occupancy.

### *Townhouses*

The exterior facades of all townhouse units shall be varied in material and design so that no more than two (2) abutting units will have the same architectural appearance and front yard setback depth. Varied front yard setbacks shall not be less than two (2) feet offset from adjoining units as measured at the principal foundation line of each unit, and no setback distance shall be less than the required minimum.

### *Accessory Buildings*

- (1) *In residential areas, except portable restroom facilities, which are further restricted in this section.* Accessory buildings may be built in the rear yard, but such accessory buildings shall not be less than five (5) feet from any interior side or rear lot line.
- (2) *In business areas, except portable restroom facilities, which are further restricted in this section.* Accessory buildings shall be held to the same setbacks required of principal buildings. No accessory buildings may be placed within the limits of a recorded easement or required fire lane.
- (3) No accessory buildings or garages may be placed within the limits of a recorded easement or required fire lane.
- (4) *Bus shelters* are exempt from all regulations within this master plan except that no shelter shall be located within the limits of a recorded easement or required fire lane.
- (5) *Portable restroom facilities.* Portable restroom facilities are not permitted except for active construction sites, emergencies, or temporary events or festivals.
- (6) *Principal building or use required.* No accessory building shall be constructed on property which has not been improved with a principal building or use and no accessory building shall be used unless the principal use is active.

### *Walls and fences*

Walls and fences, beams and similar items which may restrict passage or vision or simply enhance private property may be located within required yards and defined by building setbacks except as restricted herein:

- (1) No walls or fences or similar items other than landscaping shall exceed a height of eight (8) feet.
- (2) Walls and fences which adjoin property lines shall not be electrified, barbed or otherwise secured in a manner inappropriate or dangerous to the neighborhood.

- (3) Walls and fences shall not impede sight distance at entrances and street intersections, in accord with the City's Design and Construction Standards Manual.

## F. Other Regulations

- (1) Where buildings are 20-feet or less apart, there shall be no temporary or permanent structures and obstacles, including but not limited to fences, mechanical equipment (exclusive of HVAC equipment), and landscaping (such as trees and shrubs) between the buildings, except when:
  - (a) Sprinkler systems have been installed in the buildings according to National Fire Protection Association (NFPA) 13, 13R, or 13D fire sprinkler system standards; or
  - (b) The parallel or generally parallel exterior wall(s) of the buildings that are 20-ft or less apart are constructed without openings and have a minimum 1-hour fire resistance rating in accordance with testing standards described in the Virginia Residential Code
- (2) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection for dumpsters, trash cans, or other containers, with appropriate dumpster and refuse storage areas. Said facilities shall be screened on all sides by fences, walls, or landscaping to hide them from view and screening shall be equal to or greater than the height of the container(s) placed within the storage area. Except for landscaping, screening shall be made of decay-resistant material.