



Legislation Text

File #: ORD. 2022-245, Version: 1

To amend and reordain City Code §§ 30-451.1, concerning the intent of the RP Research Park District, 30-451.2, concerning principal and accessory uses, 30-451.5, concerning yard requirements, 30-451.6, concerning screening requirements, 30-451.7, concerning requirements for areas devoted to parking or circulation of vehicles, 30-451.8, concerning height limits, 30-522, concerning sign regulations for the RP Research Park District, 30-630.1, concerning required yards on lots having more than one street frontage, 30-698.2, concerning emergency, transitional, and permanent supportive housing regulations, and 30-710.2:1, concerning special off-street parking requirements in the RP Research Park District; and to amend ch. 30, art. IV, div. 27.1 of the City Code by adding therein new §§ 30-451.2:1, 30-451.7:1, and 30-451.9.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 30-451.1, 30-451.2, 30-451.5, 30-451.6, 30-451.7, 30-451.8, 30-522, 30-630.1, 30-698.2, and 30-710.2:1 of the Code of the City of Richmond (2020) be and are hereby amended and reordained as follows:

Sec. 30-451.1. Intent of district.

Pursuant to the general purposes of this chapter, the intent of the RP Research Park District is to encourage development of [a technology research park] an innovation district with mixed-uses including residential, ground floor activation, and unlimited height and density as envisioned in the [downtown plan] City Center Innovation District Small Area Plan, approved by the Council by Ordinance No. 2022-010, adopted January 24, 2022. The area will become an engine for expanding life sciences industries within the Richmond-Petersburg Metropolitan Statistical Area. The district regulations are intended to [promote an environment that is conducive to continued development of the research park and to accommodate the unique needs of research, development and laboratory facilities related to the medical, biotechnology and other life sciences industries. Such facilities, along with offices, are the primary intended uses in the district, with secondary uses such as retail and personal services intended for the convenience of workers and visitors in the area. These convenience uses are encouraged to be located on the ground floor of buildings devoted to permitted principal uses and with

active pedestrian orientation to the main street frontages in the district. Public entrances and storefront character along the streets are encouraged in order to enhance pedestrian presence in the district. The district is designed to enable flexibility of development, maximum utilization of scarce land resources and innovative and efficient means of providing needed off-street parking facilities, while affording protection from potentially incompatible development. Through the district regulations and the plan of development review process, the district is intended to encourage high-quality development that promotes continued economic investment; that provides amenities that contribute to an attractive and comfortable pedestrian environment; and that complements and does not detract from the adjacent downtown retail, office and medical areas] create a place to live, learn, collaborate, innovate, and develop new life science businesses in a high density, walkable, urban, full-service environment that includes multi-modal transportation options to city and regional neighborhoods and job centers. The RP Research Park District is intended to promote an environment that is conducive to the expansion of research, development, and laboratory facilities related to the medical, biotechnology, and life sciences industries, and other uses that support innovation such as a mixed-use residential, hotel, walkable mixed-use built environment.

Sec. 30-451.2. Permitted principal and accessory uses.

The uses of buildings and premises listed in this section shall be permitted in the RP district, provided that drive-up facilities and facilities for dispensing motor fuels shall not be permitted in conjunction with any of the uses permitted in the district. A plan of development as set forth in Article X of this chapter shall be required for such uses as specified in this section and for construction of any new building or any addition to an existing building when such new building or addition occupies a cumulative total of more than 1,000 square feet of lot coverage, provided that a plan of development shall not be required for any use that is subject to location, character and extent approval by the City Planning Commission in accordance with Section 17.07 of the City Charter.

- (1) Research, development and laboratory facilities related to the medical, biotechnology and other

life sciences industries;

(2) Offices, including business, professional and administrative offices, and medical and dental offices and clinics;

(3) Day nurseries licensed by and subject to the requirements of the State of Virginia Department of Social Services;

(4) Public open spaces and uses owned or operated by a governmental agency, but not including facilities intended for incarceration or alternative sentencing or facilities primarily for the care, treatment or housing of persons who are currently illegally using or are addicted to a controlled substance as defined in Code of Virginia, § 54.1-3401;

(5) ~~[Parking areas and parking lots, provided that any card reader or other access control device at an entrance to a parking area or parking lot shall be provided with not less than one stacking space situated off the public right-of-way, and provided further that a plan of development shall be required as set forth in Article X of this chapter for construction of any parking area for five or more vehicles which is accessory to and located on the same lot as a use for which a plan of development is required;~~

(5.1) Parking decks and parking garages, provided that:

a. No portion of the ground floor of such structure located along a principal street frontage or priority street frontage shall be used for parking or related circulation of vehicles, but such portion shall be devoted to other permitted principal uses which shall have a depth of not less than 20 feet along the principal street frontage or priority street frontage or to means of pedestrian or vehicle access, provided that vehicle access along such street frontage shall be permitted only when no other street or alley is available for adequate access. In the case of a portion of a story located along a principal street frontage or priority street frontage and having less than five feet of its height above the grade level at the building façade along the street frontage, the provisions of this paragraph prohibiting parking or related circulation of vehicles shall not apply, provided that parking spaces shall be completely screened from view from the street by structural material similar to the

material of the building façade. Upper stories of such structure may be used for parking or related circulation of vehicles subject to subsection c of this section;

b. Not less than one exit lane and one entrance lane shall be provided for each 300 parking spaces or major fraction thereof contained within the structure, and any card reader or other access control device at an entrance to a parking deck or parking garage shall be provided with not less than one stacking space situated off the public right-of-way;

[b.] c. Parking spaces contained therein shall be screened from view from abutting streets by structural material of not less than 45 percent opacity;

[e.] d. A plan of development shall be required as set forth in Article X of this chapter;

(6) ~~[Retail stores and shops, personal service businesses, travel agencies, banks and savings and loan offices, automated teller machines accessible only from the interior of buildings and restaurants, tearooms, cafes, delicatessens, ice cream parlors and similar food and beverage service establishments, provided that:~~

a. ~~Such uses are limited to the ground floor of buildings devoted to other permitted principal uses;~~

b. ~~Such uses shall have public entrances from the street, and building frontages devoted to such uses shall include display windows and/or storefront treatment;~~

c. ~~Not more than 20 percent of the total floor area of the building shall be devoted to such uses, except that this limitation shall not apply to parking garage structures;~~

d. ~~Food and beverage service establishments may include areas outside completely enclosed buildings and intended for service to or consumption of food and beverages by patrons, provided that the following conditions shall be met:~~

1. ~~Such areas shall be oriented to and be provided with public access from the street;~~

2. No deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodation of patrons shall be situated within 100 feet of any property in any R district;

3. Covered trash containers shall be provided in service areas, and fences, walls or vegetative screening shall be provided around service areas, except at entrances and exits, to prevent refuse from blowing onto adjacent properties or streets. Fences or walls to be credited toward this requirement shall comply with fence and wall design guidelines adopted by resolution of the Planning Commission, or their equivalent as determined by the Zoning Administrator. In no case shall chain link, chain link with slats or similar fencing be considered as meeting the requirements of the fence and wall design guidelines;

4. No music or public address system shall be operated in such a manner that sound produced therefrom is audible beyond the boundaries of the premises] Adult care residences, provided that a plan of development shall be required as set forth in Article X of this chapter;

(7) Adult day care facilities;

(8) Art galleries;

(9) Banks, savings and loan offices and similar financial services, any accessory automated teller machines accessible from the interior or exterior of buildings devoted to such uses, provided that a plan of development shall be required as set forth in Article X of this chapter for any such use with an automated teller machine accessible from the exterior of a building;

(10) Catering businesses;

(11) Churches and other places of worship, which may include the serving of food for charitable or fellowship purposes and, as an accessory use, emergency housing, subject to the provisions of Article VI,

Division 15 of this chapter;

(12) Communications centers and telephone repeater stations operated by public service corporations;

(13) Dry cleaning and laundering establishments, provided that the total capacity of all dry cleaning machines shall not exceed 100 pounds dry weight and the total capacity of all laundry machines shall not exceed 150 pounds dry weight, and provided further that no such use shall be located on a transitional site;

(14) Dwelling units, provided that when such units are located within buildings fronting on streets designated as street oriented commercial frontage, as shown on the official zoning map, the ground floor of the building shall be devoted to other principal uses permitted in this district, and such uses shall have a depth of not less than 20 feet along the entire street oriented commercial frontage, except for ingress and egress. A plan of development shall be required as set forth in Article X of this chapter for construction of any new building containing more than ten dwelling units;

(15) Grocery stores, convenience stores, and specialty food and beverage stores, including bakeries where products are sold principally at retail on the premises;

(16) Hospitals, but not psychiatric hospitals for the care of patients committed by a court, provided that a plan of development shall be required as set forth in Article X of this chapter;

(17) Hotels, provided that:

a. The ground floor of portions of buildings adjacent to principal street frontages shall be devoted to those uses specified in subsections (8), (9), (15), (24), (34), (35), or (36) of this section; provided that not more than 50 percent of the frontage of such ground floor may be devoted to entrances or lobbies serving the hotel use, except entrances or lobbies existing at the effective date of this subsection that exceed 50 percent of such frontage shall be permitted, but shall not be expanded to occupy a greater percentage of such frontage;

b. A plan of development shall be required as set forth in Article X of this chapter;

(18) Laundromats, and laundry and dry cleaning pick-up stations;

(19) Libraries, museums, schools, parks, and noncommercial recreational facilities, when such uses are owned or operated by a nonprofit organization;

(20) Nursing homes, provided that a plan of development shall be required as set forth in Article X of this chapter;

(21) Office supply, business and office service, photocopy, and custom printing establishments;

(22) Permanent supportive housing, subject to the provisions of Article VI, Division 15 of this chapter;

(23) Personal loan and financial services;

(24) Personal service businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops and similar establishments;

(25) Pet shops, veterinary clinics, and animal hospitals, provided that all facilities shall be located within completely enclosed and air conditioned buildings which are soundproof to the extent that sounds produced by animals kept or treated therein are not audible outside the building;

(26) Postal and package mailing services, but not including package distribution centers;

(27) Printing, publishing and engraving establishments employing not more than 20 persons on the premises;

(28) Public elementary or secondary schools, or private elementary and secondary schools having curricula substantially the same as that offered in public schools;

(29) Professional, business and vocational schools;

(30) Public utilities installations, equipment buildings, and passenger terminals for public transportation, including servicing of motor vehicles used in connection therewith when such servicing is conducted within a completely enclosed building, provided that no passenger terminal shall be located on a transitional site;

(31) Radio and television broadcasting studios and offices, including accessory antennas, provided that the supporting hardware for any such antenna does not exceed 15 feet above ground level or, in the case of a building mounted antenna, 15 feet above the surface of the building on which it is mounted, and that a plan of development as set forth in Article X of this chapter shall be required for any ground-mounted antenna;

(32) Recreation and entertainment uses, including theaters, museums, amusement centers, lodges and clubs, meeting facilities, auditoriums, and assembly halls;

(33) Repair businesses conducted within completely enclosed buildings;

(34) Restaurants, tearooms, cafes, delicatessens, ice cream parlors, and similar food and beverage service establishments, including entertainment in conjunction therewith. Such establishments may include areas outside completely enclosed buildings and intended for service to or consumption of food and beverages by patrons, provided that the following conditions shall be met:

a. Covered trash containers shall be provided in service areas, and fences, walls or vegetative screening shall be provided around service areas, except at entrances and exits, to prevent refuse from blowing onto adjacent properties or streets. Fences or walls to be credited toward this requirement shall

comply with fence and wall design guidelines adopted by resolution of the City Planning Commission, or their equivalent as determined by the Zoning Administrator. In no case shall chain link, chain link with slats or similar fencing be considered as meeting the requirements of the fence and wall design guidelines;

b. No music or public address system shall be operated in such a manner that sound produced therefrom is audible beyond the boundaries of the premises;

(35) Retail stores and shops, provided that not more than 70 percent of the floor area may be devoted to storage of merchandise to be sold at retail on the premises;

(36) Rights-of-way, easements, and appurtenances necessary for the provision and maintenance of public utilities and public transportation, including streets, rail lines, power lines;

(37) Sales lots for Christmas trees, vegetable stands, and other seasonal uses, but not including flea markets, and provided no such use shall be located on a transitional site;

(38) Service businesses that service, repair, or rent audio or video equipment, home appliances, furniture, personal recreational equipment, home yard and garden equipment, tools, bicycles, locks, computers, office machines, and similar household or business items; provided that no products shall be serviced, repaired, stored, or displayed outside a completely enclosed building;

(39) Shopping centers containing uses permitted in this district, provided that a plan of development shall be required as set forth in Article X of this chapter;

(40) Short-term rental, subject to the requirements of Article VI, Division 14 of this chapter;

(41) Showrooms and display areas for goods which are sold at both wholesale and retail on the premises, including the storage and distribution of such goods in conjunction therewith;

(42) Social service delivery uses, provided that a plan of development shall be required in accordance with 30-698.3(d);

(43) Tourist homes;

(44) Transitional housing, subject to the provisions of Article VI, Division 15 of this chapter;

(45) Wireless communications facilities, microwave relay facilities, and radio broadcast antennas, on alternative support structures, provided that a plan of development shall be required in accordance with the requirements of Article X of this chapter and in accordance with the additional requirements of Sections 30-692.1 through 30-692.6; and

~~[(7) Rights-of-way, easements and appurtenances necessary for the provision and maintenance of public utilities and public transportation, including streets, rail lines, power lines, cables, poles, pipes, meters, transformers and similar devices, but not including railroad yards, freight or passenger depots, loading platforms, generating plants, transformer stations, electric substations, wastewater treatment plants, water treatment plants, utility storage yards and similar uses; and~~

~~(8)]~~ (46) Accessory uses and structures customarily incidental and clearly subordinate to uses permitted in this district, including automated teller machines accessible only from the interior of buildings devoted to permitted principal uses other than individual dwelling units or lodging units, and including assembly, processing, prototype production activities and indoor storage of materials, when such are located within the same building.

Sec. 30-451.5. Yard requirements.

~~[Except as provided in Section 30-451.7, there shall be no minimum required front yard, side yard or rear yard in the RP Research Park District (see Article VI, Division 4 of this chapter for supplemental yard regulations).]~~

(1) Front Yard.

a. No front yard shall be required. In no case shall a front yard with a depth of greater than ten feet be permitted, except as may be authorized pursuant to subdivision (1)(b) of this section.

b. A front yard with a depth greater than permitted by subdivision (1)(a) of this section may be provided when such front yard is improved for purposes of outdoor dining area as permitted by section 30-451.2 or vehicular drop-off or pick-up area permitted by section 30-451.7(a), and is approved subject to a plan of development as set forth in Article X of this chapter.

(2) Side yards. No side yards shall be required except that where a side lot line abuts or is situated across an alley from property in an RO district, there shall be a side yard of not less than ten feet in width.

(3) Rear yard. No rear yard shall be required except that where a rear lot line abuts or is situated across an alley from property in an RO district, there shall be a rear yard of not less than ten feet in depth.

Sec. 30-451.6. Screening requirements.

~~[(a)] In the RP Research Park District, [where a side or rear lot line abuts property in an R district, there shall be a continuous evergreen vegetative screen not less than 3½ feet in height at the time of installation or opaque structural fence or wall not less than four feet in height erected along such lot line, but not within 15 feet of any street line. Evergreen vegetative material intended to satisfy this subsection shall be planted at such intervals that will result in a continuous visual screen within one year of planting] the screening of refuse areas and parking areas shall be provided as set forth in sections 30-660 and 30-710.2, respectively.~~

~~[(b) Screening of refuse areas shall be provided as set forth in Section 30-660.]~~

Sec. 30-451.7. Requirements for areas devoted to parking or circulation of vehicles.

(a) Location of parking and circulation areas. Areas devoted to the parking or circulation of vehicles shall not be located between the main building on a lot and the street line, nor shall such areas be

located closer to the street than the main building on the lot. On a lot having more than one street frontage, this subsection shall apply along both the principal street frontage and the priority street frontage. This subsection shall not be construed to prohibit vehicular drop-off or pick-up areas serving hotels or hospitals when approved in accordance with section 30-451.5(1).

(b) *Driveways from streets.* No driveway intersecting a priority or principal street shall be permitted when alley access or another street frontage is available to serve such a lot.

(c) *Improvement requirements and landscaping standards.* Parking areas and parking lots in the RP Research Park District shall be subject to the applicable improvement requirements and landscaping standards set forth in Article VII, Division 2.1 of this chapter, except that the requirements of Section 30-710.12(1) shall not apply.

~~(b)~~ (d) *Paving of loading areas.* All loading areas, including entrances thereto and exits therefrom, shall be designed and improved using accepted engineering practices for usability and longevity with asphalt, concrete, unit pavers or similar materials approved by the administrator of the erosion and sediment control ordinance found in Chapter 14, Article III.

Sec. 30-451.8. Height limit.

In the RP Research Park District, ~~[no building or structure shall exceed 120 feet in height]~~ there shall be no maximum height limit, provided that ~~[no portion of any building or structure located within 300 feet of any residential, RO-1, RO-2 or B-2 district shall exceed a height of 60 feet]~~ any building above seven stories in height shall have a minimum building setback of ten feet from the building façade line along each street frontage, which setback shall occur above the ground story and no higher than the fifth story. For purposes of this section, the term “stepback” means the setting back of the upper stories of a building that fronts on a public right-of-way from the face of the lower story or stories of such building. Every main building hereinafter constructed shall have a minimum height of three stories, except that porches, porticos, and similar structures

attached to a main building may be of lesser height (see Article VI, Division 6 of this chapter for height exceptions).

Sec. 30-522. RP district.

Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the RP Research Park District:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning signs, canopy signs, and freestanding signs shall be permitted, subject to the restrictions set forth in this section.

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 200 square feet for each street frontage. Where more than one main building is located on a lot, the formula in this subsection for determining permitted sign area shall apply to individual buildings and building frontages along a street, rather than to lots and lot frontages.

(3) [~~Awning and canopy~~] Projecting signs. [~~Not more than one sign shall be attached to each face of an awning or canopy, and no such sign shall exceed 12 square feet in area~~] No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

(4) *Freestanding signs.* One freestanding sign not exceeding 25 square feet in area or eight feet in height shall be permitted along each street frontage~~[, provided that:~~

a. ~~On any lot used as a parking lot, one freestanding sign not exceeding 12 square feet in area or eight feet in height shall be permitted along the frontage of each street from which public vehicular access is provided to the parking lot.~~

~~b. On any lot used as a research park, freestanding signs not exceeding 60 square feet in area or 12 feet in height shall be permitted in addition to other signs permitted by this section and shall not be included in the calculation of aggregate sign area permitted on any lot].~~

Sec. 30-630.1. Required yards on lots having more than one street frontage.

(a) Except as provided in Section 30-620.1(c) and (d), on a corner lot in a zoning district where a front yard is required there shall be a front yard along at least one street frontage, and on a corner lot on which side yards are required there shall be a street side yard of not less than ten feet along all other street frontages, provided that:

(1) There shall be a front yard along any street frontage adjacent to or across an alley from a side lot line of another lot located in any district in which a front yard is required. The depth of such yard shall be not less than the minimum required depth of the front yard on the adjacent lot.

(2) There shall be a front yard along any street frontage opposite the architectural front of any dwelling use located on the lot.

(3) In the R-6, R-7, and R-8 districts, no street side yard shall be required for single- or two-family dwellings.

(b) Where only one front yard is required on a corner lot having frontage on two streets, a rear yard as required in the district shall be provided at the opposite end of the lot from the front yard. Where more than one front yard is required on a corner lot, yards other than those along street frontages shall be considered side yards, and no rear yard shall be required.

(c) On through lots, there shall be a front yard as required in the district along each street frontage, and a rear yard as required in the district shall be provided at the opposite end of the lot from the front yard.

(d) On through lots located in residential zoning districts with front yard maximums, the front yard maximum shall only be applicable to the principal street frontage.

(e) On a corner lot in an R-63, UB-2, B-4, B-5, B-6 [Ø], B-7, or RP district, no street side yard shall

be required. On such lot, yards other than those along street frontages shall be considered side yards, and no rear yard shall be required.

Sec. 30-698.2. Regulations.

(a) *Location.*

(1) A property with an emergency housing, transitional housing, or permanent supportive housing use shall be located no more than 2,640 feet from a public transit stop.

(2) A property with an emergency housing, transitional housing, or permanent supportive housing use shall be located no less than 1,320 feet from any property with an emergency housing, transitional housing, or permanent supportive housing use.

(3) A property providing an emergency housing, transitional housing, or permanent supportive housing use through a building, or portion thereof, shall only be located in a R-73 Multi-family Residential District, RO-2 Residential-Office District, I Institutional District, B-1 Neighborhood Business District, B-2 Community Business District, B-3 General Business District, B-4 Central Business District, OS Office-Service District, RP Research Park District, or M-1 Light Industrial District as permitted in this Chapter, and subject to all other provisions of such zoning district.

(4) A property providing an emergency housing, transitional housing, or permanent supportive housing use through an assemblage of two (2) or more tiny home units shall only be located in a B-3 General Business District or M-1 Light Industrial District and shall be subject to all other provisions of such zoning district.

(5) A property providing an emergency housing use through a tent encampment shall only be located in a B-3 General Business District or M-1 Light Industrial District, and shall be subject to all other provisions of such zoning district.

(6) A property providing an emergency housing use through a safe parking area shall only be located in a R-73 Multi-family Residential District, RO-2 Residential-Office District, I Institutional

District, B-1 Neighborhood Business District, B-2 Community Business District, B-3 General Business District, B-4 Central Business District, OS Office-Service District, or M-1 Light Industrial District, and shall be subject to all other provisions of such zoning district.

(b) *Capacity*. The maximum number of individuals residing in emergency housing, transitional housing, or permanent supportive housing on a property shall at all times be in compliance with all applicable provisions of building, fire, health, and zoning codes.

(c) *Emergency contact*. The owner, tenant, or operator of any emergency housing, transitional housing, or permanent supportive housing use shall provide the Zoning Administrator with a phone number for an individual who can be reached 24 hours a day in the event of an emergency.

Sec. 30-710.2:1. [~~Special-off-street~~] Off-street parking requirements in RP district.

~~[The following pertaining to off-street parking shall be applicable in]~~ In the RP research park district~~[-~~. Except as specified in this section, all other sections of this article shall be applicable in such district:

(1) *Number of spaces*. ~~Not less than one off-street parking space shall be provided per 700 square feet of floor area devoted to research, development and laboratory facilities; related accessory uses; and retail, personal service, restaurant including outdoor dining areas, and similar uses located in the same building as other permitted uses.~~

(2) *Location of spaces*. ~~Off-street parking spaces required for any use may be provided on the site of the use or off the premises on property zoned to permit such parking, provided that the parking area or lot within which such spaces are provided shall be located within a 750-foot radius of the property occupied by the use they are intended to serve.~~

(3) *Spaces reserved for employees*. ~~Notwithstanding the definition of the term “parking space” in Section 30-1220, not more than 25 percent of the minimum number of off-street parking spaces required for a use may be arranged in such manner that access to one such space is provided by passage through another parking space, when such spaces are assigned to specific individuals], no off-street parking spaces shall be~~

required for any use.

§ 2. That Chapter 30, Article IV, Division 27.1 of the Code of the City of Richmond (2020) be and is hereby amended and reordained **by adding therein new** sections numbered 30-451.2:1, 30-451.7:1, and 30-451.9 as follows:

Sec. 30-451.2:1. Principal uses permitted by conditional use permit.

- (1) Lodginghouses;
- (2) Nightclubs;
- (3) Retail sales of liquor.

Sec. 30-451.7:1. Usable open space.

In the RP district, a usable open space ratio of not less than 0.10 shall be provided for newly constructed buildings or portions thereof devoted to dwelling uses.

Sec. 30-451.9. Building façade fenestration.

Fenestration requirements applicable to building façades along street frontages in the RP district shall be as set forth in this section.

- (1) *Street level story:*
 - a. *Non-dwelling uses.* For non-dwelling uses, other than those listed in section 30-451.2 (1), (4), (5), (11), (12), (16), (19), (30), and (45), a minimum of 60 percent of the building façade between three and ten feet in height along the street frontage shall be comprised of windows or glass doors or both that allow views into and out of the interior building space. The horizontal linear dimension of contiguous building wall that does not contain fenestration or doors shall not exceed twenty feet. Windows used to satisfy this requirement shall have a minimum height of four feet. In the case of a street level story having less than its full height above the mean grade level at the building façade along the street frontage of the lot, a minimum of 30 percent of the building façade above such mean grade level shall be comprised of windows or glass doors or both that allow views into and out of

the interior building space, provided that in the case of any portion of a story having less than five feet of its height above the grade level at the building façade along the street frontage of the lot, the requirements of this subsection shall not apply.

b. Dwelling uses. For dwelling uses, tourist homes, and shelters, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building façade between three and ten feet in height along the street frontage. The horizontal linear dimension of contiguous building wall that does not contain fenestration or doors shall not exceed twenty feet. In the case of a street level story having less than its full height above the mean grade level at the building façade along the street frontage of the lot, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 15 percent of the building façade above such mean grade level, provided that in the case of any portion of a story having less than five feet of its height above the grade level at the building façade along the street frontage of the lot, the requirements of this subsection shall not apply. In all cases, windows shall be double-hung, single-hung, awning, or casement type and fixed windows shall be permitted only as a component of a system including operable windows within a single wall opening.

(2) *Upper stories.*

a. *Non-dwelling uses.* For non-dwelling uses, other than those listed in subdivision (1)(a) of this section, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building façade between two and eight feet in height above the floor level of each story above the street level story.

b. *Dwelling uses.* For dwelling uses, tourist homes, and shelters, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent

of the building façade between two and eight feet in height above the floor level of each story above the street level story. Such windows shall be double-hung, single-hung, awning, or casement type and fixed windows shall be permitted only as a component of a system including operable windows within a single wall opening.

§ 3. This ordinance shall be in force and effect upon adoption.