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HOUSE BILL NO. 888  
AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Local Government  
on \_\_\_\_\_)

(Patrons Prior to Substitute—Delegates Shin and Simonds [HB 262])

*A BILL to amend and reenact § 15.2-2279 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.4, relating to minimum off-street parking requirements in certain areas.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 15.2-2279 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.4 as follows:**

**§ 15.2-2209.4. Minimum off-street parking requirements; designated areas; administrative reductions.**

*A. As used in this section:*

*"Designated area" means any parcel (i) located within one-half mile of the entrance to a mass transit or public transportation station or facility; (ii) located within an approved small area plan and designated therein as a revitalization area or other designated district established for the purpose of facilitating residential or mixed-use development; (iii) located within a zoning district classification that permits residential, multifamily, or mixed-use development and authorizes a floor area ratio of 1.0 or greater, or an equivalent density based on units per acre, either by-right or by rezoning, special exception, special use permit, conditional use permit, or other discretionary approval; or (iv) that is the subject of an application for rezoning, special exception, special use permit, conditional use permit, site plan, or subdivision plat, that, if approved, would include affordable dwelling units in accordance with an ordinance adopted pursuant to § 15.2-2304, 15.2-2305, or 15.2-2305.1.*

*"Mass transit or public transportation" means passenger transportation by rubber-tired, rail, or other surface conveyance providing shared-ride service to the general public on a regular and continuing basis.*

*"Mass transit or public transportation" does not include school buses, charter or sight-seeing services, a vehicular ferry service that serves as a link in the highway network, or a human service agency or other client-restricted transportation.*

*B. Any locality that has adopted a zoning ordinance pursuant to this chapter shall not require, as a condition of zoning approval, minimum off-street parking for residential, multifamily, or mixed-use development located within a designated area in amounts exceeding the following:*

*1. One-half of one parking space per dwelling unit for multifamily or mixed-use residential development;*

33 *and*

34 *2. One parking space per dwelling unit for one-family and two-family dwellings and townhouses.*

35 *C. No locality shall adopt or enforce any provision of a zoning ordinance that imposes minimum off-street*  
36 *parking requirements for residential, multifamily, or mixed-use development located within a designated area*  
37 *in excess of the limitations set forth in subsection B.*

38 *D. Any locality with a population greater than 20,000 shall, by ordinance, provide for an administrative*  
39 *reduction of minimum off-street parking requirements of not less than 20 percent for residential, multifamily,*  
40 *or mixed-use development proposed on parcels not located within a designated area. The ordinance shall*  
41 *include criteria to determine eligibility for, and prescribe procedures for the submission and review of, the*  
42 *administrative reduction authorized by this subsection.*

43 **§ 15.2-2279. Ordinances regulating the building of houses and establishing setback lines.**

44 Any locality may by ordinance regulate the building of houses in the locality including the adoption of  
45 ~~off-street parking requirements~~, minimum setbacks and side yards and the establishment of minimum lot  
46 sizes.

47 Any locality may by ordinance require that no building be constructed within thirty-five feet of any street  
48 or roadway and may provide for exceptions to such requirement whenever a large portion of existing  
49 buildings along a section of street or roadway is within thirty-five feet of such street or roadway. The  
50 provisions of such an ordinance shall not apply within the limits of any town which has enacted a zoning  
51 ordinance or has adopted an ordinance establishing minimum setbacks.