

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

5 [H 888]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 15.2-2279 of the Code of Virginia is amended and reenacted and that the Code of Virginia is**
 9 **amended by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.4 as follows:**10 **§ 15.2-2209.4. Minimum off-street parking requirements; designated areas; administrative reductions.**

11 A. As used in this section:

12 "Bus rapid transit" means a rubber-tired bus transit system with features such as frequent service,
 13 dedicated lanes, traffic signal priority, and enhanced stations.14 "Designated area" means any parcel (i) located within one-half mile of the entrance to a mass transit or
 15 public transportation station or facility; (ii) located within an approved small area plan and designated
 16 therein as a revitalization area or other designated district established for the purpose of facilitating
 17 residential or mixed-use development; (iii) located within a zoning district classification that permits
 18 residential, multifamily, or mixed-use development and authorizes a floor area ratio of 1.0 or greater, or an
 19 equivalent density based on units per acre, either by-right or by rezoning, special exception, special use
 20 permit, conditional use permit, or other discretionary approval; or (iv) that is the subject of an application
 21 for rezoning, special exception, special use permit, conditional use permit, site plan, or subdivision plat, that,
 22 if approved, will include affordable dwelling units in accordance with an ordinance adopted pursuant to
 23 § 15.2-2304, 15.2-2305, or 15.2-2305.1.24 "Mass transit or public transportation" means passenger transportation by rubber-tired, rail, or other
 25 surface conveyance providing shared-ride service to the general public on a regular and continuing basis,
 26 including bus rapid transit. "Mass transit or public transportation" does not include school buses,
 27 microtransit, charter or sight-seeing services, a vehicular ferry service that serves as a link in the highway
 28 network, or a human service agency or other client-restricted transportation.29 "Microtransit" means a flexible, on-demand, dynamically routed shared-ride passenger transportation
 30 service that operates similarly to traditional public transit but with greater adaptability to individual trip
 31 needs.32 B. Any locality that has adopted a zoning ordinance pursuant to this chapter shall not require, as a
 33 condition of zoning approval, minimum off-street parking for residential, multifamily, or mixed-use
 34 development located within a designated area in amounts exceeding the following:35 1. One-half of one parking space per dwelling unit for multifamily or mixed-use residential development;
 36 and

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

38 C. No locality shall adopt or enforce any provision of a zoning ordinance that imposes minimum off-street
 39 parking requirements for residential, multifamily, or mixed-use development located within a designated area
 40 in excess of the limitations set forth in subsection B.41 D. Any locality with a population greater than 600,000 may by ordinance impose off-street parking
 42 requirements exceeding the limits in subsections B and C for residential, multifamily, or mixed-use
 43 development within one-half mile of a locality-managed fixed-route bus stop, provided that the ordinance
 44 includes an administrative process allowing an applicant, in connection with a pending rezoning, special
 45 exception, proffered condition amendment, site plan, or subdivision plat, to obtain a reduction of at least 25
 46 percent in minimum off-street parking requirements for such development within 1,000 feet of such bus stop.
 47 An administrative reduction shall be granted upon the applicant's demonstration that (i) all dwelling units
 48 serve households at or below 70 percent of area median income, using income averaging; (ii) due to the
 49 unique characteristics of the site or uses on the site, the spaces proposed to be eliminated are unnecessary or
 50 infeasible; or (iii) a written shared parking agreement ensures availability of equivalent spaces within 1,000
 51 feet of the subject property.52 E. Any locality with a population greater than 20,000 shall, by ordinance, provide for an administrative
 53 reduction of minimum off-street parking requirements of not less than 20 percent for residential, multifamily,
 54 or mixed-use development proposed on parcels not located within a designated area. The ordinance shall
 55 include criteria to determine eligibility for, and prescribe procedures for the submission and review of, the
 56 administrative reduction authorized by this subsection.

57 **§ 15.2-2279. Ordinances regulating the building of houses and establishing setback lines.**

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

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