

COMMON COUNCIL



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I, Kari J. Van Diest, Deputy Clerk of the Common Council, hereby certify on this 15th day of December, 2014, that the following Ordinance is a true and exact copy of one and the same adopted by the Common Council of the City of Winchester, assembled in regular session on the 9th day of December 2014.

AN ORDINANCE TO AMEND AND REENACT SECTION 10-6 AND ENACT SECTION 10-9 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO SIDE AND REAR YARD SETBACK REQUIREMENTS AND SPECIAL PROVISIONS FOR REDEVELOPMENT SITES IN THE COMMERCIAL INDUSTRIAL (CM-1) DISTRICT.

TA-14-593

Ed Note: The following text represents excerpts of Article 10 of the Zoning Ordinance that are subject to change. Words with strikethrough are proposed for repeal. Words that are boldfaced and underlined are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excerpted text.

SECTION. 10-6. YARD REGULATIONS.

- 10-6-1 Side. The minimum width of each side yard for a main structure shall be ten (10) feet, except that when such use abuts a residential district, there shall be a side yard of twenty-five (25) feet and except as per Section 10-8 of this Ordinance. No side yard shall be required when a building adjoins a railroad right-of-way or siding **or as permitted by Section 10-9 of this Ordinance.**
- 10-6-2 Rear. Each main structure shall have a rear yard of at least twenty-five (25) feet except as follows:
- 10-6-2.1 When a rear yard abuts a lot in a residential district the minimum rear yard shall be fifty (50) feet.
- 10-6-2.2 No rear yard shall be required when a building adjoins a railroad right-of-way or siding and the proposed building or structure functionally requires immediate proximity to the railroad right of way or siding as determined by the administrator **or as permitted by Section 10-9 of this Ordinance.** (9/11/01, TA-01-03, Ord. No. 028-2001)

SECTION 10-9. SPECIAL PROVISIONS FOR REDEVELOPMENT SITES

For the purposes of this Section, the term Redevelopment Site shall mean a property or properties identified within the Comprehensive Plan Character as a "Redevelopment Site."

10-9-1 No side or rear yard shall be required along the common shared property line of buildings within the same redevelopment site provided the following conditions are met:

10-9-1.1 Any necessary cross easements are created to permit vehicular and pedestrian access to and from any proposed lot(s). Easements shall also be provided for utilities necessary to service any proposed lot(s) within the redevelopment site.

10-9-1.2 The cross easements shall contain provisions for the maintenance of any common open space, private streets and parking areas within the redevelopment site.

Ordinance No. 2014-43

ADOPTED by the Common Council of the City of Winchester on the 9th of December, 2014.

Witness my hand and the seal of the City of Winchester, Virginia.



Handwritten signature of Kari J. Van Diest in blue ink.

*Kari J. Van Diest, CMC
Deputy Clerk of the Common Council*