

**ORDINANCE # 1029**

**APPROVED BY THE BOARD OF SUPERVISORS: JUNE 11, 2002**

ORDINANCE - To add new Sections 24-50.2:1 Entitled "Provisional uses permitted," 24-50.6:1 Entitled "Provisional uses permitted," and 24-50.11:1 Entitled "Provisional uses permitted," and To Amend and Reordain 24-55 Entitled "Provisional uses permitted," 24-58.2 Entitled "Provisional uses permitted," and 24-62.2 Entitled "Provisional uses permitted," In Order to Add Requirements for Accessory Dwellings in Office and Business Districts.

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BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HENRICO, VIRGINIA:

1. That a new Section 24-50.2:1 be added to the Code of the County of Henrico as follows:

Section 24-50.2:1. Provisional uses permitted.

(a) *Accessory dwellings.* Up to four dwelling units, located on a floor or floors above an office use, may be permitted as a provisional use, subject to the following requirements:

- (1) The dwelling shall be categorized as nonresidential for the purpose of applying area and bulk regulations.
- (2) Each dwelling shall provide one parking space.
- (3) The dwelling entrance must be either an exterior door leading directly outside or a door to a common entrance shared with the principal use.
- (4) The dwelling shall have at least 500 square feet of livable floor area.
- (5) The requirements of section 24-122.1 of this code.

2. That a new Section 24-50.6:1 be added to the Code of the County of Henrico as follows:

Section 24-50.6:1. Provisional uses permitted.

(a) *Accessory dwellings.* Up to four dwelling units, located on a floor or floors above an office use, may be permitted as a provisional use, subject to the following requirements:

- (1) The dwelling shall be categorized as nonresidential for the purpose of applying area and bulk regulations.

- (2) Each dwelling shall provide one parking space.
- (3) The dwelling entrance must be either an exterior door leading directly outside or a door to a common entrance shared with the principal use.
- (4) The dwelling shall have at least 500 square feet of livable floor area.
- (5) The requirements of section 24-122.1 of this code.

3. That a new Section 24-50.11:1 be added to the Code of the County of Henrico as follows:

Section 24-50.11:1. Provisional uses permitted.

(a) *Accessory dwellings.* Up to four dwelling units, located on a floor or floors above an office use, may be permitted as a provisional use, subject to the following requirements:

- (1) The dwelling shall be categorized as nonresidential for the purpose of applying area and bulk regulations.
- (2) Each dwelling shall provide one parking space.
- (3) The dwelling entrance must be either an exterior door leading directly outside or a door to a common entrance shared with the principal use.
- (4) The dwelling shall have at least 500 square feet of livable floor area.
- (5) The requirements of section 24-122.1 of this code.

4. That Section 24-55 of the Code of the County of Henrico be amended and reordained by adding a new subsection (g) as follows:

Section 24-55. Provisional uses permitted.

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(g) *Accessory dwellings.* Up to four dwelling units, located on a floor or floors above a retail or office use, may be permitted as a provisional use, subject to the following requirements:

- (1) The dwelling shall be categorized as nonresidential for the purpose of applying area and bulk regulations.
- (2) Each dwelling shall provide one parking space.
- (3) The dwelling entrance must be either an exterior door leading directly outside or a door to a common entrance shared with the principal use.
- (4) The dwelling shall have at least 500 square feet of livable floor area.
- (5) The requirements of section 24-122.1 of this code.

5. That Section 24-58.2 of the Code of the County of Henrico be amended and reordained by adding a new subsection (g) as follows:

Section 24-58.2. Provisional uses permitted.

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*(g) Accessory dwellings.* Up to four dwelling units, located on a floor or floors above a retail or office use, may be permitted as a provisional use, subject to the following requirements:

- (1) The dwelling shall be categorized as nonresidential for the purpose of applying area and bulk regulations.
- (2) Each dwelling shall provide one parking space.
- (3) The dwelling entrance must be either an exterior door leading directly outside or a door to a common entrance shared with the principal use.
- (4) The dwelling shall have at least 500 square feet of livable floor area.
- (5) The requirements of section 24-122.1 of this code.

6. That Section 24-62.2 of the Code of the County of Henrico be amended and reordained by adding a new subsection (l) as follows:

Section 24-62.2. Provisional uses permitted.

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*(l) Accessory dwellings.* Up to four dwelling units, located on a floor or floors above a retail or office use, may be permitted as a provisional use, subject to the following requirements:

- (1) The dwelling shall be categorized as nonresidential for the purpose of applying area and bulk regulations.
- (2) Each dwelling shall provide ~~the~~ one parking space.
- (3) The dwelling entrance must be either an exterior door leading directly outside or a door to a common entrance shared with the principal use.
- (4) The dwelling shall have at least 500 square feet of livable floor area.
- (5) The requirements of section 24-122.1 of this code.

7. That this ordinance shall be in full force and effect on and after its passage as provided by law.