

**Requested by Councilmember Wooten**

AN ORDINANCE TO AMEND SECTIONS 501, 801, 901, 1001 AND 1110 OF THE CITY ZONING ORDINANCE PERTAINING TO HOME BASED WILDLIFE REHABILITATION FACILITIES

Sections Amended: §§ 501, 801, 901, 1001, 1110 of the City Zoning Ordinance

WHEREAS, the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA BEACH, VIRGINIA:

That Sections 501, 801, 901, 1001, and 1110 of the City Zoning Ordinance is hereby amended and reordained to read as follows:

**Sec. 501. – Use regulations.**

(a) *Principal and conditional uses.* The following chart lists those uses permitted within the R-40 through R-2.5 Residential Districts. Those uses and structures in the respective residential districts shall be permitted as either principal uses indicated by a "P" or as conditional uses indicated by a "C." Uses and structures indicated by an "X" shall be prohibited in the respective districts. No uses or structures other than as specified shall be permitted.

Uses	Residential Districts									
	R-40	R-30	R-20	R-15	R-10	R-7.5	R-5D	R-5R	R-5S	R-2.5
.....										
Home-based wildlife rehabilitation facilities <u>meeting the requirements of Sec. 242.3</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	X
.....										

**Sec. 801. – Use regulations.**

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(a) *Principal and conditional uses.* The following chart lists those uses permitted within the O-1 and O-2 Office Districts. Those uses and structures in the respective office districts shall be permitted as either principal uses indicated by a "P" or as conditional uses indicated by a "C." Uses and structures indicated by an "X" shall be prohibited in the respective districts. No uses or structures other than as specified shall be permitted.

Use	O-1	O-2
....		
Home-based wildlife rehabilitation facilities <u>meeting the requirements of Sec. 242.3</u>	C-P	C-P
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**Sec. 901. – Use regulations.**

(a) *Principal and conditional uses.* The following chart lists those uses permitted within the B-1 through B-4K Business Districts. Those uses and structures in the respective business districts shall be permitted as either principal uses indicated by a "P" or as conditional uses indicated by a "C." Uses and structures indicated by an "X" shall be prohibited in the respective districts. No uses or structures other than as specified shall be permitted.

Use	B-1	B-1A	B-2	B-3	B-4	B-4C	B-4K
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Home-based wildlife rehabilitation facilities <u>meeting the requirements of Sec. 242.3</u>	C-P	C-P	C-P	X	X	X	X
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**Sec. 1001. – Use regulations.**

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(a) *Principal and conditional uses.* The following chart lists those uses permitted within the I-1 and I-2 Industrial Districts. Those uses and structures in the respective industrial districts shall be permitted as either principal uses indicated by a "P" or as conditional uses indicated by a "C." Uses and structures indicated by an "X" shall be

55 prohibited in the respective districts. No uses or structures other than as specified shall  
 56 be permitted.  
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Use	I-1	I-2
.....		
Home-based wildlife rehabilitation facilities <u>meeting the requirements of Sec. 242.3</u>	C P	C P
.....		

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 59 **Sec. 1110. – Land use regulation.**  
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63 (c) Within a PD-H1 District, all of the principal uses and structures permitted within an  
 64 A-12 Apartment District other than hospitals and sanitariums, together with the  
 65 following enumerated uses and structures, shall be permitted:  
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- 67 (1) Fraternity and sorority houses, student dormitories and student centers;
- 68 (2) Housing for seniors and disabled persons, with a conditional use permit;
- 69 (3) ~~Marras;~~
- 70 (4) Private clubs or social centers provided that clubs where conduct of  
 71 commercial affairs is a principal activity shall not be permitted;
- 72 (5) Residential care for seniors, provided that no more than two (2) employees  
 73 including a bona fide resident of the dwelling shall be permitted; and
- 74 (6) Home sharing meeting the requirements of section 209.6;
- 75 (7) Short term rentals within the Sandbridge Special Service District; and
- 76 (8) Short term rentals within a STR Overlay District; and
- 77 (9) Home-based wildlife rehabilitation facilities provided that the principal  
 78 structure is a single-family dwelling, the lot is greater than two thousand five  
 79 hundred (2,500), and it meets the requirements of Sec. 242.3.

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 89 (d) Within a PD-H1 District, the following uses shall be allowed as conditional uses:  
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- 91 (1) Communication towers;  
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93 (2) Family day-care homes;  
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95 (3) Group homes;  
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97 (4) Kennels, residential;  
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99 (5) Religious uses;  
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101 (6) Wind energy conversion systems, free standing and roof-mounted; and  
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103 (7) ~~Home-based wildlife rehabilitation facilities, provided that the principal~~  
104 ~~structure is a single family dwelling and the lot is greater than two thousand~~  
105 ~~five hundred (2,500) square feet; and~~  
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107 (8) Short term rentals.  
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Adopted by the Council of the City of Virginia Beach, Virginia, on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

APPROVED AS TO CONTENT:

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
Planning Department

\_\_\_\_\_  
City Attorney's Office

CA14714  
R-1  
March 20, 2019