

TND-I District: This district is intended to enhance and complement existing communities and villages by integrating new uses and structures into the existing community fabric, encouraging reuse and revitalization of existing structures, strengthening connections within communities to improve walkability and expand traditional, human scale, pedestrian oriented neighborhoods, and providing a strong orientation to transit service. This district provides flexible development standards for infill parcels so that properties can be developed in a way that is compatible with adjacent properties in historic communities, to help create a "complete" walkable and transit-friendly community with housing, jobs, services, civic uses and open space. The district is intended to implement specific comprehensive plan recommendations for the County's Villages, Village Expansion Areas, Urban Expansion Areas and Urban Development Areas to promote the redevelopment of older, historic areas.

Qualifying lands: Lands qualifying for inclusion in the TND-I district shall be tracts located in areas mapped as Urban Development Areas, Urban Expansion Areas, Villages and Village Expansion Areas in the Comprehensive Plan and that are generally served by, or planned for, public sewer and water service. If the proposed development will require public sewer and water service, the applicant must demonstrate to the satisfaction of the Board of Supervisors that there is sufficient available sewer and water capacity to accommodate the proposed development at full build out and/or provide a plan demonstrating that such improvements will be phased to accommodate projected development as it occurs.

Area requirements and Mix of Uses: The area required for a Traditional Neighborhood Infill (TND-I) district shall not be more than ten (10) acres since this district is targeted at undeveloped or underdeveloped lots in established communities rather than creating new communities. The tract of land to be developed shall be under single ownership, or shall be the subject of an application filed jointly and subject to a single concept plan. A mix of uses is encouraged.

Development Density: The permitted maximum and minimum development densities in the TND-I district shall conform to density guidelines established in the Comprehensive Plan as follows:

- In areas designated in the comprehensive plan as village or village expansion areas, gross residential densities shall not exceed three (3) dwelling units per acre. In areas designated in the comprehensive plan as urban expansion areas and urban development areas gross residential densities shall not exceed twelve (12) dwelling units per acre.
- In areas designated in the comprehensive plan as, village, or village expansion areas, non-residential gross floor area ratios shall not exceed 0.25 F.A.R. In areas designated in the comprehensive plan as urban expansion areas, urban development areas non-residential gross floor area ratios shall not exceed 0.40 F.A.R.
- For non-residential or mixed use development less than one (1) acre, higher densities may be approved by the Board of Supervisors to promote redevelopment.
- Accessory dwelling units (as defined in section 10-41) shall not be included in the calculation of residential density.

Permitted traditional neighborhood infill district uses by category:

- **Commercial uses:** Convenience stores and general stores without fuel sales; Day care center; Data pole; Financial services; Funeral home; Laundromat; Medical care facility; Mixed use buildings (integrated horizontally or vertically) which include residential and commercial uses; Office, administrative, business or professional, less than twenty thousand (20,000) square feet in size, and no more than ten thousand (10,000) square feet per floor plate; Park and ride lot, of 50 or fewer spaces; Parking areas that are accessory to any permitted or permissible commercial, residential, civic, institutional or open space use; Printing services; Restaurants and outdoor seating; Retail Sales and Services, no larger than ten thousand (10,000) square feet in size.
- **Residential uses:** Single-family detached and attached dwellings, including duplexes, townhouses, row houses; Accessory dwelling units (as defined in Sec. 10-41) associated with single family dwellings; Live/work units that combine a residence and the resident's workplace; Home occupation; Residential chicken keeping, subject to the requirements of Sec. 10-41 (19).
- **Civic or institutional uses:** Municipal offices, fire stations, libraries, museums, community meeting facilities, community centers, and post offices; Transit shelters; Civic club; Church; Open Space.

Uses permitted by special use permit: Amateur radio tower (subject to requirements of Section 10-41 (20) of County Code); Conference or training center; Drive-through windows serving or associated with permitted uses provided such facilities are located at the rear or side of the structure and do not conflict with pedestrian travel ways (in no case shall the drive through lane or window abut or face a public street); Farm Market; Home business; Hotels and motels; Multifamily dwellings, including senior housing; nursing home, congregate care facility, and assisted living facilities; Park and ride lot of more than 50 spaces; Retail Sales and Services, above ten thousand (10,000) square feet and no larger than twenty thousand (20,000) square feet in size; School; Transition house.

Lot and setback standards: *Maximum lot coverage:* Eighty-five (85) percent

Lot standards for residential uses.

- Single-family detached dwellings: Minimum five thousand (5,000) square feet, Maximum ten thousand (10,000) square feet.
- Single-family attached dwellings: Minimum fifteen hundred (1,500) square feet; Maximum of eight (8) single-family attached dwelling units connected together in one (1) group of units.
- Duplex dwellings: Minimum three thousand (3,000) square feet.
- Multi-family structures: Eight thousand five hundred (8,500) square feet.

Minimum lot width for residential uses.

- Single-family detached dwellings: Forty (40) feet.
- Duplex dwellings: Eighty (80) feet.
- Single-family attached dwellings: Eighteen (18) feet.
- Multi-family structures: Eighty (80) feet

Required yards for residential uses.

Front: Front yard setbacks for new residential uses shall be established based on the setbacks of existing residential uses on the same block as follows:

- The average of the front yard setbacks of new residential dwellings shall not vary more than three (3) feet from the average front yard setbacks of the existing residential dwellings located on either side of the proposed lot.
- The average front setback of existing residential dwellings shall be established based on the 3 existing lots on each side of the lot in question, along the same block face as the lot in question. In cases where the 3 existing lots extend more than 300 feet from the proposed lot, the average setbacks shall only be calculated within 300 feet of the proposed lot.
- If any of the 3 existing lots on each side of the proposed lot are more than twice the size of the proposed lot, they shall not be used to calculate average existing setbacks.
- In cases where there are no existing residential dwellings on each side of the proposed lot, the front setback shall be no less than ten (10) feet and no more than twenty (20) feet.
- In no case shall the front setback less than ten (10) feet. Notwithstanding any other provisions (Sec 10-41), the minimum setback from the front property line to the porch shall be no less than six (6) feet.
- In the case of a corner lot, the required front yard will be determined by the prevailing building pattern, and shall be established using the average setbacks of 3 existing lots located directly adjacent to and along the same block face from the lot in question following the provisions outlined above.

Side: Side yard setbacks for new residential uses shall be established based on the setbacks of existing residential uses on the same block as follows:

- The average of the side yard setbacks of new residential dwellings shall not vary more than two (2) feet from the average side yard setbacks of the existing residential dwellings located on either side of the proposed lot.
- The average side setback of existing residential dwellings shall be established based on the three (3) existing lots on each side of the lot in question, along the same block face as the lot in question. In cases where the three (3) existing lots extend more than three hundred (300) feet from the proposed lot, the average setbacks shall only be calculated within three hundred (300) feet of the proposed lot.
- If any of the three (3) existing lots on each side of the proposed lot are more than twice the size of the proposed lot, they shall not be used to calculate average existing setbacks
- In cases where there are no existing residential dwellings on each side of the proposed lot, the side setback shall be no less than eight (8) feet.
- In no case shall the side setback less than eight (8) feet.

Rear. The rear yard setback shall be not less than twenty (20) percent of the total lot depth, except that the rear yard shall in no case be no less than fifteen (15) feet.

Accessory Buildings: Required Setback for accessory buildings and garages shall not be closer than five (5) feet to a side or rear lot line; accessory buildings and garages shall not be permitted in front yards.

Lot standards for non-residential uses and mixed-use buildings.

- *Minimum Lot Size:* Five thousand (5,000) square feet.
- *Minimum Lot Width for Non-residential Uses and Mixed Use Buildings:* Forty (40) feet.
- *Maximum lot coverage:* Ninety (90) percent.

Required yards for commercial uses.

- *Front. Minimum:* None. A minimum eight (8) foot wide sidewalk shall be provided along all lot frontages in which the setback is less than fifteen (15) feet. *Maximum:* None; however, all building setbacks shall be designed so as to achieve the purpose and intent of the district to create streets that are framed by buildings and thus comfortable for pedestrians.
- *Side. Minimum:* None, unless adjacent to a residential structure in which case a minimum setback of ten (10) feet shall be required. *Maximum:* None; however, all building setbacks shall be designed so as to achieve the purpose and intent of the district to create streets that are framed by buildings and thus comfortable for pedestrians.
- *Rear. Minimum:* None *Maximum:* None; however, all building setbacks shall be designed so as to achieve the purpose and intent of the district to create streets that are framed by buildings and thus comfortable for pedestrians.

Accessory Buildings: Required setback for accessory buildings and garages shall not be closer than five (5) feet to a side or rear lot line; accessory buildings and garages are not permitted in front yards.

Lot access: Lots shall be accessed from a road in the Virginia Department of Transportation (VDOT) system or from a hard-surfaced private street designed by a professional engineer to meet current VDOT subdivision street requirements (section 8-152 of the County Code). Where parking is located to the rear of a building, parking areas may be accessed via an alley.

Building Height: New single family and single family attached units shall be no more than thirty-five (35) feet (three (3) stories) or forty-five (45) feet (four (4) stories) for non-residential, multifamily residential or mixed-use structures.

FOR ADDITIONAL INFORMATION:

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VISIT www.MontgomeryCountyVA.gov/Planning

This sheet is intended to only be a guide for development regulations in this zoning district. Please see Chapter 10 of the Montgomery County Code for the specific regulations. The full texts of the zoning and subdivision ordinances are available at www.montgomerycountyva.gov/planning or at www.municode.com.