

INTRODUCED: September 13, 2021

A RESOLUTION No. 2021-R070

To declare a public necessity to amend ch. 30 of the City Code and to initiate an amendment to the City’s zoning ordinance to establish a height overlay district for an area bounded by West Broad Street to the north, Strawberry Street to the east, an alley between West Broad Street and West Grace Street to the south, and North Arthur Ashe Boulevard to the west within the B-5 Central Business District and an area bounded by West Broad Street to the north, Ryland Street to the east, an alley between West Broad Street and West Grace Street to the south, and Strawberry Street to the west within the B-6 Mixed-Use Business District for the purpose of regulating the height, setbacks, and frontage of buildings generally within the area known as the West Grace Street Old and Historic District, as set forth in City Code § 30-930.5:42.

\_\_\_\_\_  
Patron – Ms. Jordan

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: SEP 27 2021 AT 6 P.M.

WHEREAS, section 15.2-2286 of the Code of Virginia (1950), as amended, provides that a zoning ordinance may include, among other things, reasonable regulations and provisions for the amendment of regulations or district maps from time to time; and

WHEREAS, in accordance with section 15.2-2286 of the Code of Virginia (1950), as amended, such amendment may be initiated by resolution of the governing body, provided that

AYES:           8           NOES:           1           ABSTAIN: \_\_\_\_\_

ADOPTED: SEP 27 2021   REJECTED: \_\_\_\_\_   STRICKEN: \_\_\_\_\_

any such resolution by the governing body proposing an amendment to the regulations or district maps shall state the public purposes therefor; and

WHEREAS the City developed the Pulse Corridor Plan, adopted unanimously by the City Council via Ordinance No. 2017-127 on July 24, 2017, with significant community input and collaboration between impacted neighborhoods and the Department of Planning and Development Review, and the Council, by initiating the amendments to the City's zoning ordinance set forth in this resolution, intends to conform the City's zoning regulations more closely with the Pulse Corridor Plan; and

WHEREAS, the Council believes that the City's zoning ordinance, codified as Chapter 30 of the Code of the City of Richmond (2020), as amended, should be amended by establishing a height overlay district for an area bounded by West Broad Street to the north, Strawberry Street to the east, an alley between West Broad Street and West Grace Street to the south, and North Arthur Ashe Boulevard to the west within the B-5 Central Business District and an area bounded by West Broad Street to the north, Ryland Street to the east, an alley between West Broad Street and West Grace Street to the south, and Strawberry Street to the west within the B-6 Mixed-Use Business District, hereinafter referred to, together, as the "Height Overlay District Area," to regulate the height, setbacks, and frontage of buildings generally within the area known as the West Grace Street Old and Historic District, as set forth in section 30-930.5:42 of the Code of the City of Richmond (2020), as amended, in accordance with certain conditions;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the City Council hereby declares that the public necessity, convenience, general welfare and good zoning practices of the City require the initiation of an amendment of the

zoning ordinance set forth in Chapter 30 of the City of Richmond (2020), as amended, to establish a height overlay district for the Height Overlay District Area for the purpose of regulating the height, setbacks, and frontage of buildings generally within the area known as the West Grace Street Old and Historic District, as set forth in section 30-930.5:42 of the Code of the City of Richmond (2020), as amended.

**BE IT FURTHER RESOLVED:**

That, for the purpose of preventing excess encroachment and massing of development in close proximity to a historic residential neighborhood situated generally within the area known as the West Grace Street Old and Historic District, as set forth in section 30-930.5:42 of the Code of the City of Richmond (2020), as amended, the City Council hereby declares that the public necessity, convenience, general welfare and good zoning practices of the City require that the amendment of the zoning ordinance set forth in Chapter 30 of the City of Richmond (2020), as amended, to establish a height overlay district for the Height Overlay District Area provide for the following conditions, in addition to the existing height restrictions of the underlying district:

1. For properties situated and currently zoned for uses within the B-6 Mixed-Use Business District and located on the south side of West Broad Street from its intersection with Ryland Street to its intersection with Strawberry Street, the height limits shall not exceed four stories or a maximum height of 50 feet, whichever is greater, with a 45 degree step back from three stories at the rear of a building to four stories at the front of a building.

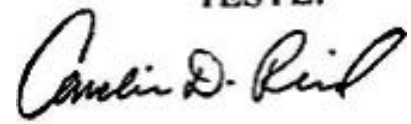
2. For properties situated and currently zoned for uses within the B-5 Central Business District and located on the south side of West Broad Street from its intersection with Strawberry Street to its intersection with North Arthur Ashe Boulevard, the height limits shall

not exceed five stories or a maximum of 60 feet, whichever is greater, with a 45 degree step back from three stories at the rear of a building to five stories at the front of a building.

3. A 20-foot setback shall be maintained at the rear of buildings located within the area from the northern portion of the alley between West Broad Street and West Grace Street and the alley between Ryland Street and North Arthur Ashe Boulevard.

**A TRUE COPY:**

**TESTE:**

A handwritten signature in black ink, appearing to read "Carlin D. Reil". The signature is written in a cursive style with a large initial "C".

**City Clerk**



# Richmond City Council

The Voice of the People

Richmond, Virginia

## Office of the Council Chief of Staff

### Ordinance/Resolution Request

**TO** Haskell Brown, Interim City Attorney

**THROUGH** Joyce Davis, Interim Council Chief of Staff

**FROM** Steven Taylor, Council Policy Analyst

**COPY** Katherine Jordan, 2<sup>nd</sup> District Council Member  
Sven Philipsen, 2<sup>nd</sup> District Liaison  
Tabrica Rentz, Interim Deputy City Attorney

**DATE** September 2, 2021

**PAGE/s** 1 of 2

**TITLE** Building Height Restriction Zoning Code Amendment – Pulse Corridor Area

This is a request for the drafting of an **Ordinance**  **Resolution**

**REQUESTING COUNCILMEMBER/PATRON**

K. Jordan

**SUGGESTED STANDING COMMITTEE**

Land Use, Housing & Transportation

**ORDINANCE/RESOLUTION SUMMARY**

The patron requests that a legislation be drafted that would declare a public necessity for to amend the zoning ordinance to rezone a portion of Broad Street from its intersection with Ryland Street to its intersection with Strawberry Street and from the Broad Street intersection with Strawberry Street to the Broad Street intersection with Arthur Ashe Boulevard regulating heights, setbacks, and frontage. This is needed to prevent excess encroachment and massing of development in close proximity to a historic residential neighborhood by creating “height restriction overlays,” and otherwise amending the zoning in these areas.

Specifically, the zoning amends should regulate building and construction to height limits of four stories and a maximum height of 50 feet with a 45 degree step back from three stories at the rear and to four stories at the front from Strawberry Street to Ryland Street. And

specifically regulating building height from the intersection of Strawberry Street and Broad Street to intersection of Broad Street and Arthur Ashe Boulevard to a maximum of 60 feet (five stories), with a 45 degree step back from three stories at the rear to five stories at the front. Also maintaining a 20 foot setback at the rear from the northern extent of the alley between Broad Street and West Grace Street between Ryland and Arthur Ashe Boulevard.

The rezoning study area should roughly extend south of Broad Street to the alley line between Broad Street and West Grace Street, and between Ryland and Arthur Ashe Boulevard (see attached map for more precise boundaries) to effectuate TOD-1 zoning with heights overlays.

#### **BACKGROUND**

Area residents, business, the Historic West Grace Street Association, Fan District Association, and the Monument Avenue Preservation Society have expressed concern that current zoning allows for excess encroachment and massing of development in close proximity to a historic residential neighborhood. These amendments would bring the zoning into closer alignment with the stated goals and elements expressed in the 2017 Pulse Corridor Plan that was passed by City Council and supported by the aforementioned stakeholder groups.

#### **FISCAL IMPACT STATEMENT**

Fiscal Impact Yes  No

Budget Amendment Required Yes  No

Estimated Cost or Revenue Impact \$ N/A

Note: N/A.

Attachment/s Yes  No  **Map of the Area at issue reflection TOD-1.**