

INTRODUCED: July 24, 2017

AN ORDINANCE No. 2017-150

As Amended

To amend City Code §§ 30-446.2, 30-446.3, 30-446.6, and 30-446.8, concerning the B-7 Mixed-Use Business District; to amend ch. 30, art. IV of the City Code by adding therein a new div. 31 consisting of §§ 30-457.1 through 30-457.10, concerning the establishment of a new TOD-1 Transit-Oriented Nodal District; to amend ch. 30, art. V, div. 2 by adding therein a new § 30-518.4, concerning signage in the new TOD-1 Transit-Oriented Nodal District; to amend City Code § 30-694.2, wireless communications facilities; to amend City Code §§ 30-710.1, 30-710.2, 30-710.2:3, 30-710.3:1, 30-710.4, and 30-710.13, concerning parking and perimeter buffers; to amend City Code §§ 30-720.1 and 30-720.5, concerning loading requirements; and to amend City Code § 30-1220, concerning definitions, for the purpose of establishing a new Transit-Oriented Nodal District, including small-scale manufacturing as a permitted principal use in the B-7 Mixed-Use Business District, defining the terms “priority street” and “street-oriented commercial frontage,” and imposing requirements for priority streets.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 11 2017 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 30-446.2, 30-446.3, 30-446.6, and 30-446.8 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

Sec. 30-446.2. Permitted principal and accessory uses.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: SEPT 25 2017 REJECTED: _____ STRICKEN: _____

The following uses of buildings and premises shall be permitted in the B-7 district, provided that drive-up facilities and facilities for dispensing motor fuels shall not be permitted in conjunction with any of the uses permitted in the district, except as specifically authorized by conditional use permit pursuant to Section 30-446.3. A plan of development shall be required as set forth in Article X of this chapter for: such uses as specified in this section; construction of any new building of greater than 50,000 square feet of floor area; and construction of any new building or of any addition to an existing building, other than a single-family detached or two-family detached dwelling, when such new building or addition occupies a cumulative total of more than 1,000 square feet of lot coverage and where vehicular circulation, including driveways, parking areas or loading areas, is to be provided on the site; provided that a plan of development shall not be required for any use, new building or addition that is subject to approval of a conditional use permit or subject to location, character and extent approval by the City Planning Commission in accordance with Section 17.07 of the City Charter.

- (1) Adult day care facilities.
- (2) Art galleries.
- (3) Auto service centers, subject to the provisions of Section 30-446.3(6), and provided

that:

- a. No such use shall be located on a transitional site.
- b. A plan of development shall be required as set forth in Article X of this chapter.

(4) Banks, savings and loan offices and similar financial services, including accessory ATM's accessible from the interior or exterior of buildings devoted to such uses, provided that a

plan of development shall be required as set forth in Article X of this chapter for any ATM accessible from the exterior of a building.

(5) Breweries producing not more than 100,000 barrels of beer per year and distilleries producing not more than 250,000 cases of liquor per year, subject to the provisions of Section 30-446.3(6).

(6) Building materials and contractors' sales and storage yards and similar uses involving outside storage of materials or products other than scrapped or junked materials, subject to the provisions of Section 30-446.3(6), and provided that:

a. No such use shall be located on a transitional site.

b. Areas devoted to storage shall be enclosed by opaque fences or walls not less than six feet in height.

c. A plan of development shall be required as set forth in Article X of this chapter.

(7) Catering businesses.

(8) Communications centers and telephone repeater stations operated by public service corporations.

(9) Contractors' shops, offices and display rooms.

(10) Day nurseries licensed by and subject to the requirements of the State Department of Social Services.

(11) Dry cleaning and laundering establishments, provided that the total capacity of all dry cleaning machines shall not exceed 100 pounds dry weight and the total capacity of all laundry machines shall not exceed 150 pounds dry weight.

(12) Dwelling units, other than a single-family detached, a single-family attached or a two-family dwelling, provided that when dwelling units are located within buildings located on lots having street frontage on Hull Street or Commerce Road, or street-oriented commercial frontage, a minimum of one-third or 1,000 square feet, whichever is greater, of the floor area of the ground floor of the building shall be devoted to other principal uses permitted in this district, and such uses shall have a depth of not less than 20 feet along the entire Hull Street and Commerce Road street frontages or along street-oriented commercial frontage, except for ingress and egress, provided that dwelling units shall not be located in any building devoted to a use that is prohibited on a transitional site. A plan of development shall be required as set forth in Article X of this chapter for construction of any new building containing more than ten dwelling units.

(13) Entertainment, cultural and recreational uses, including theaters, museums, bowling alleys, amusement centers, and other commercial recreation facilities located within completely enclosed buildings.

(14) Funeral homes.

(15) Furniture repair and upholstery shops.

(16) Greenhouses and plant nurseries, subject to the provisions of Section 30-446.3(6).

(17) Grocery stores, convenience stores and specialty food and beverage stores, including bakeries where products are sold principally at retail on the premises.

(18) Hospitals, but not psychiatric hospitals for the care of patients committed by a court, provided that a plan of development shall be required as set forth in Article X of this chapter.

(19) Hotels, provided that:

a. The area of the lot devoted to such use shall be not less than 25,000 square feet, and no property line coincidental with a street line shall be less than 100 feet in length.

b. The ground floor of portions of buildings adjacent to principal street frontages or priority street frontages shall be devoted to those uses specified in Subsection (2), (4), (17), (30), (37) or (39) of this section, provided that not more than 30 percent of the frontage of such ground floor may be devoted to entrances or lobbies serving the hotel use.

c. A plan of development shall be required as set forth in Article X of this chapter.

(20) Janitorial and custodial service and supply establishments.

(21) Laboratories and research facilities which are not any more objectionable due to smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district, and which do not involve any manufacturing, processing or fabrication other than that incidental to testing or research activities conducted on the premises, subject to the provisions of Section 30-446.3(6).

(22) Laundromats and dry cleaning pick up stations.

(23) Libraries, museums, schools, parks and noncommercial recreational facilities, when such uses are owned or operated by a nonprofit organization.

(24) Manufacturing uses of under 15,000 square feet of area, as listed in Section 30-452.1(2)(a), but not allowing paragraph (13), Section 30-452.1(2)(c), Section 30-452.1(2)(d), or Section 30-452.1(2)(e)(34). A plan of development shall be required as set forth in article X of this chapter.

(24.1) Marinas, provided that a plan of development shall be required as set forth in Article X of this chapter; and boathouses, piers and docks.

(25) Nursing homes, provided that a plan of development shall be required as set forth in Article X of this chapter.

(26) Office supply, business and office service, photocopy and custom printing establishments.

(27) Offices, including business, professional and administrative offices, medical and dental offices and clinics, and studios of writers, designers and artists engaged in the arts.

(28) Parking areas and parking lots, subject to the provisions of Section 30-446.3(6), and provided that any card reader or other access control device at an entrance to a parking area or parking lot shall be provided with not less than one stacking space situated off the public right-of-way, and provided further that a plan of development shall be required as set forth in Article X of this chapter for construction of any parking area for five or more vehicles which is accessory to and located on the same lot as a use for which a plan of development is required.

(29) Parking decks and parking garages, provided that:

a. No portion of such structure located along a principal street frontage or priority street frontage shall be used for parking or related circulation of vehicles, but such portion shall be devoted to other permitted principal uses which shall have a depth of not less than 20 feet along the principal street frontage or priority street frontage or to means of pedestrian or vehicle access, provided that vehicle access along such street frontage shall be permitted only when no other street or alley is available for adequate access. In the case of a portion of a story located along a principal street frontage or priority street frontage and having less than five feet of its height above the grade level at the building facade along the street frontage, the provisions of this section prohibiting parking or related circulation

of vehicles shall not apply, provided that parking spaces shall be completely screened from view from the street by structural material similar to the material of the building facade.

b. Except as provided in Subsection (29)a of this section, parking spaces contained therein shall be screened from view from abutting streets by structural material of not less than 45 percent opacity.

c. ~~[Not less than one exit lane and one entrance lane shall be provided for each 300 parking spaces or major fraction thereof contained within the structure, and any]~~ Any card reader or other access control device at an entrance to a parking deck or parking garage shall be provided with not less than one stacking space situated off the public right-of-way.

d. A plan of development shall be required as set forth in Article X of this chapter.

(30) Personal service businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops and similar establishments.

(31) Pet shops, veterinary clinics and animal hospitals, including boarding kennels operated in conjunction therewith, provided that all facilities shall be located within completely enclosed and air conditioned buildings which are soundproof to the extent that sounds produced by animals kept or treated therein are not audible outside the building.

(32) Postal and package mailing services, but not including distribution centers.

(33) Printing, publishing and engraving establishments.

(34) Professional, business and vocational schools, provided that no heavy machinery, welding equipment or internal combustion engine shall be used in conjunction therewith.

(35) Radio and television broadcasting studios and offices, including accessory antennas, provided that the supporting hardware for any such antenna does not exceed 15 feet above ground level, or in the case of a building-mounted antenna, 15 feet above the surface of the building on which it is mounted, and that a plan of development as set forth in Article X of this chapter shall be required for any ground-mounted antenna.

(36) Repair businesses conducted within completely enclosed buildings.

(37) Restaurants, tea rooms, cafés, delicatessens, ice cream parlors and similar food and beverage service establishments, including entertainment in conjunction therewith. Such establishments may include areas outside completely enclosed buildings and intended for service to or consumption of food and beverages by patrons, provided that the following conditions shall be met:

a. No deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodation of patrons shall be situated within 100 feet of any property in any R district.

b. Covered trash containers shall be provided in service areas, and fences, walls or vegetative screening shall be provided around service areas, except at entrances and exits, to prevent refuse from blowing onto adjacent properties or streets. Fences or walls to be credited toward this requirement shall comply with “Fence and Wall Design Guidelines” adopted by resolution of the City Planning Commission, as amended, or their equivalent as determined by the Zoning Administrator. In no case shall chain link, chain link with slats or similar fencing be considered as meeting the requirements of the fence and wall design guidelines.

(38) Retail sales and food or beverage sales conducted in an open area or structure by one or more individual vendors operating from stalls, stands, carts or other spaces which are rented or otherwise made available to such vendors.

(39) Retail stores and shops.

(40) Rights-of-way, easements and appurtenances necessary for the provision and maintenance of public utilities and public transportation, including streets, rail lines, power lines, cables, poles, pipes, meters, transformers and similar devices, but not including railroad yards, freight or passenger depots, loading platforms, generating plants, transformer stations, electric substations, wastewater treatment plants, water treatment plants, utility storage yards and similar uses, unless owned or operated by a government agency.

(41) Sales lots for Christmas trees, vegetable stands and other seasonal uses, but not including flea markets, and provided no such use shall be located on a transitional site.

(42) Service businesses that service, repair or rent audio or video equipment, home appliances, furniture, personal recreational equipment, home yard and garden equipment, tools, bicycles, locks, computers, office machines and similar household or business items; provided that no products shall be serviced, repaired, stored or displayed outside a completely enclosed building.

(43) Showrooms and display areas for goods which are sold at both wholesale and retail on the premises, including the storage and distribution of such goods in conjunction therewith.

(44) Tourist homes.

(45) Uses owned or operated by a governmental agency, but not including facilities intended for incarceration or alternative sentencing or facilities primarily for the care, treatment or housing of persons who are currently illegally using or are addicted to a controlled substance as defined in Code of Virginia, § 54.1-3401.

(46) Uses permitted in the M-1 and M-2 districts and not otherwise listed as permitted uses in this division, when such uses are lawfully existing on the effective date of the ordinance creating the B-7 district to include the property in the B-7 district, and:

a. Such uses shall not be considered nonconforming uses, shall not be subject to the limitations on nonconforming uses set forth in Article VIII of this chapter and, subject to the provisions of Section 30-446.3(6), may be extended, expanded or enlarged to occupy any portion of the property devoted to the use at the time of its inclusion in the B-7 district.

b. Any such use may be changed to another use that is permitted by right or by conditional use permit in the B-7 district, or to a use that is first permitted in the same district as or a more restricted district than the district in which such use is first permitted, subject to the provisions of Section 30-454.1(2).

c. In the case of a building or portion thereof that is vacant on the effective date of the ordinance to include the property in the B-7 district, the last lawful use, subject to the provisions of Sections 30-800.4 and 30-800.5, to occupy such building or portion thereof shall determine the applicability of this subsection.

(47) Wholesale, warehouse and distribution establishments with not more than 30,000 square feet of floor area devoted to storage of goods, subject to the provisions of Section 30-446.3(6), and provided that a plan of development shall be required as set forth in Article X of this chapter.

(48) Wireless communications facilities, microwave relay facilities, and radio broadcast antennas, on alternative support structures, subject to the provisions of Section 30-446.3(6), and

in accordance with the additional requirements of Sections 30-692.1 through 30-692.6, provided that a plan of development shall be required as set forth in Article X of this chapter.

(49) Accessory uses and structures, including automated teller machines accessible only from the interior of buildings devoted to permitted principal uses other than individual dwelling units or lodging units.

Sec. 30-446.3. Principal uses permitted by conditional use permit.

The following uses of buildings and premises may be permitted in the B-7 district by conditional use permit as set forth in Article X of this chapter:

(1) Drive-up facilities in conjunction with principal uses permitted by Section 30-446.2, provided that:

a. No such use shall be located on a transitional site, a priority street frontage, or a street-oriented commercial frontage.

b. The area of the lot devoted to such use shall be not less than 10,000 square feet, and no property line coincidental with a street line shall be less than 100 feet in length.

(2) Motor fuels dispensing in conjunction with principal uses permitted by Section 30-446.2, provided that:

a. No such use shall be located on a transitional site, a priority street frontage, or a street-oriented commercial frontage.

b. The area of the lot devoted to such use shall be not less than 10,000 square feet, and no property line coincidental with a street line shall be less than 100 feet in length.

c. Notwithstanding other provisions of this chapter regarding yards, pump islands for dispensing motor shall not be located within 20 feet of any street or property

line. Marquees, cantilevers and similar roofs over pump islands shall not extend within ten feet of any street line.

(3) Nightclubs.

(4) Required off-street parking consisting of less than one parking space per dwelling unit, but not less than one parking space per two dwelling units, serving multifamily dwellings located in buildings existing on the effective date of the ordinance from which this section is derived, when such off-street parking is located on the site of the dwelling units or off the premises.

(5) ~~[Retail sales of liquor.~~

~~(6)~~ Self-service auto washing facilities and automatic auto washing facilities operated by attendants, provided that:

a. No such use shall be located on a transitional site.

b. The area of the lot devoted to such use shall be not less than 10,000 square feet, and no property line coincidental with a street line shall be less than 100 feet in length.

c. Doors, curtains or screens shall be installed as necessary to prevent water spray from blowing onto adjacent properties.

~~[(7)]~~ (6) Social service delivery uses.

~~[(8)]~~ (7) Uses listed in Section 30-446.2(3), (5), (6), (16), (21), (28), (47) and (48) and the extension, expansion or enlargement of a use listed in Section 30-446.2(46), when any such use is located on a lot having street frontage on Hull Street or Commerce Road.

Sec. 30-446.6. Requirements for areas devoted to parking or circulation of vehicles.

(a) *Location of parking and circulation areas.* Areas devoted to the parking or circulation of vehicles shall not be located between the main building on a lot and the street line, nor shall such areas be located closer to the street than the main building on the lot. On a lot having

more than one street frontage, the provisions of this subsection shall apply ~~[only along]~~ to the principal street frontage of the lot as defined in Article XII of this chapter as well as any priority street frontage.

(b) *Driveways from streets.* No driveway intersecting a street which constitutes the principal street frontage or priority street frontage of a lot shall be permitted when ~~[other street frontage or]~~ alley access is available to serve such lot. No driveway intersecting a street which constitutes the principal street frontage of a lot shall be permitted when other street frontage is available to serve such lot. For purposes of this provision, principal street frontage shall be as defined in Article XII of this chapter.

(c) *Improvement requirements and landscaping standards.* In addition to the provisions of this section, parking areas and parking lots shall be subject to the applicable improvement requirements and landscaping standards set forth in Article VII, Division 2.1 of this chapter.

Sec. 30-446.8. Building facade fenestration.

Fenestration requirements applicable to building facades along street frontages in the B-7 district shall be as set forth in this section. In the case of a corner lot, the requirements shall be applicable along the principal street frontage of the lot as well as along any priority street frontage.

(1) *Street level story.*

a. *Nondwelling uses.* For nondwelling uses, other than those listed in Section 30-446.2(1), (3), (5), (6), (8), (10), (14), (16), (18), (21), (23), (24), (25), (29), (44), (45), (46) and (47), a minimum of 60 percent of the building facade between two and eight feet in height along the street frontage shall be comprised of windows or glass doors or both that allow views into and out of the interior building space. Windows used to satisfy this

requirement shall have a minimum height of four feet. In the case of a street level story having less than its full height above the mean grade level at the building facade along the street frontage of the lot, a minimum of 30 percent of the building facade above such mean grade level shall be comprised of windows or glass doors or both that allow views into and out of the interior building space, provided that in the case of any portion of a story having less than five feet of its height above the grade level at the building facade along the street frontage of the lot, the requirements of this Subsection (1)a shall not apply.

b. *Dwelling uses.* For dwelling uses, other than single-family and two-family dwellings, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building facade between two and eight feet in height along the street frontage. In the case of a street level story having less than its full height above the mean grade level at the building facade along the street frontage of the lot, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 15 percent of the building facade above such mean grade level, provided that in the case of any portion of a story having less than five feet of its height above the grade level at the building facade along the street frontage of the lot, the requirements of this Subsection (1)b shall not apply. In all cases, windows shall be double-hung, single-hung, awning or casement type, and fixed windows shall be permitted only as a component of a system including operable windows within a single wall opening.

(2) *Upper stories.*

a. *Nondwelling uses.* For nondwelling uses, other than those listed in Subsection (1)a of this section, windows or glass doors or both that allow views out of the

interior building space shall comprise a minimum of 30 percent of the building facade between two and eight feet in height above the floor level of each story above the street level story.

b. *Dwelling uses.* For dwelling uses, other than single-family and two-family dwellings, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building facade between two and eight feet in height above the floor level of each story above the street level story. The types of permitted windows shall be as specified in Subsection (1)b of this section.

§ 2. That Chapter 30, Article IV of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** division numbered 31, consisting of new sections numbered 30-457.1 through 30-457.10, as follows:

DIVISION 31

TOD-1 TRANSIT-ORIENTED NODAL DISTRICT

Sec. 30-457.1. Intent of district.

Pursuant to the general purposes of this chapter, the intent of the TOD-1 district is to encourage dense, walkable transit-oriented development consistent with the objectives of the master plan and to promote enhancement of the character of this development along principal corridors, at key gateways, and at nodes of high activity located near transit service, bicycle infrastructure, and pedestrian-friendly streetscapes. The district regulations are also intended to safeguard the character of adjoining properties by only being applied in areas that meet the criteria above, with buffering by setbacks and screening or transitional districts to lower intensity residential areas.

The district regulations are intended to encourage redevelopment and place-making, including adaptive reuse of underutilized buildings, to create a high-quality urban realm. They are intended to improve streetscape character by providing continuity of building setbacks, to enhance public safety by encouraging an active pedestrian environment consistent with the mixed-use character of the district by providing for windows in building facades along street frontages, and to promote an environment that is safe for walking and biking.

Sec. 30-457.2. Permitted principal and accessory uses.

The following uses of buildings and premises shall be permitted in the TOD-1 district, provided that drive-up facilities and facilities for dispensing motor fuels shall not be permitted in conjunction with any of the uses permitted in the district.

A plan of development shall be required as set forth in article X of this chapter for such uses as specified in this section and for any newly constructed building with greater than 30,000 square feet of floor area, and construction of any new building or addition to any existing building where vehicular circulation, including driveways, parking areas or loading areas, is to be provided on the site; provided that a plan of development shall not be required for any use that is subject to location, character and extent approval by the city planning commission in accordance with section 17.07 of the City Charter.

(1) Adult day care facilities licensed by and subject to the requirements of the State Department of Social Services.

(2) Art galleries.

(3) Banks, savings and loan offices and similar financial services, including accessory automated teller machines accessible only from the interior of buildings devoted to such uses.

(4) Breweries producing not more than 10,000 barrels of beer per year and distilleries producing not more than 25,000 cases of liquor per year, subject to the provisions of section 30-446.3 (6).

(5) Catering businesses.

(6) Day nurseries licensed by and subject to the requirements of the State Department of Social Services.

(7) Dwelling units, provided that when such units are located within buildings fronting on streets designated as street-oriented commercial frontage, a minimum of one-third or 1,000 square feet, whichever is greater, of the floor area of the ground floor of the building shall be devoted to other principal uses permitted in this district, and such uses shall have a depth of not less than 20 feet along the entire street oriented commercial frontage, except for ingress and egress. A plan of development shall be required as set forth in article X of this chapter for construction of any new building containing more than ten dwelling units.

(8) Grocery stores, convenience stores and specialty food and beverage stores, including bakeries where products are sold principally at retail on the premises.

(9) Hospitals, but not psychiatric hospitals for the care of patients committed by a court, provided that a plan of development shall be required as set forth in article X of this chapter.

(10) Hotels, provided that:

a. No such use shall be located on a transitional site.

b. The ground floor of portions of buildings adjacent to principal or priority street frontages shall be devoted to those uses specified in subsections (2), (3), (4), (8), (11), (12), (15), (16), (18), (20), (21), (23), (24), (25), (26), (28) of this section,

provided that not more than 30 percent of the frontage of such ground floor may be devoted to entrances or lobbies serving the hotel use.

c. A plan of development shall be required as set forth in article X of this chapter.

(11) Laundromats and laundry and dry cleaning pick-up stations.

(12) Libraries, museums, schools, parks and noncommercial recreational facilities, when such uses are owned or operated by a governmental agency or a nonprofit organization, and other uses required for the performance of a governmental function.

(13) Laboratories and research facilities which are not any more objectionable due to smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district, and which do not involve any manufacturing, processing or fabrication other than that incidental to testing or research activities conducted on the premises, subject to the provisions of Section 30-446.3(6).

(14) Manufacturing, warehouse, and distribution uses of food and beverages as listed in Section 30-452.1(2)(a) of under 8,000 square feet of area, but not allowing paragraph (13), and requiring consumption on premises with a minimum of 1,000 square feet of another principal use. A plan of development shall be required as set forth in article X of this chapter.

(15) Nursing homes, provided that a plan of development shall be required as set forth in article X of this chapter.

(16) Office supply, business and office service, photocopy and custom printing establishments.

(17) Offices, including business, professional and administrative offices, medical and dental offices and clinics, and studios of writers, designers and artists engaged in the graphic arts.

(18) Parking decks and parking garages, provided that:

a. No portion of such structure located along a principal street frontage or a priority street frontage shall be used for parking or related circulation of vehicles, but such portion shall be devoted to other permitted principal uses which shall have a depth of not less than 20 feet along the principal street frontage or priority street frontage or to means of pedestrian or vehicle access, provided that vehicle access along any principal street frontage or priority street frontage shall be permitted only when no alley or other street frontage is available for adequate access. In the case of a portion of a story located along a street frontage and having less than five feet of its height above the grade level at the building façade along the street frontage, the provisions of this paragraph prohibiting parking or related circulation of vehicles shall not apply, provided that parking spaces shall be completely screened from view from the street by structural material similar to the material of the building façade.

b. Except as provided in subdivision (a) of this subsection, parking spaces contained therein shall be screened from view from abutting streets by structural material of not less than 45 percent opacity.

c. Any card reader or other access control device at an entrance to a parking deck or parking garage shall be provided with not less than one stacking space situated off the public right-of-way.

d. A plan of development shall be required as set forth in article X of this chapter.

(19) Personal service businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios,

photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops and similar establishments.

(20) Pet shops, veterinary clinics and animal hospitals, including boarding kennels operated in conjunction therewith, provided that all facilities shall be located within completely enclosed and air conditioned buildings which are soundproof to the extent that sounds produced by animals kept or treated therein are not audible outside the building.

(21) Postal and package mailing services, but not including package distribution centers.

(22) Printing, publishing and engraving establishments employing not more than 20 persons on the premises.

(23) Professional, business and vocational schools, provided that no heavy machinery, welding equipment or internal combustion engine shall be used in conjunction therewith.

(24) Recreation and entertainment uses, including theaters and museums, when such uses are located within completely enclosed buildings, and provided that no such use shall be located on a transitional site.

(25) Restaurants, tearooms, cafes, delicatessens, ice cream parlors and similar food and beverage service establishments, including catering businesses and entertainment in conjunction therewith. Such establishments may include areas outside completely enclosed buildings and intended for service to or consumption of food and beverages by patrons, provided that the following conditions shall be met:

a. No deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodation of patrons shall be situated within 100 feet of any property in any R district.

b. Covered trash containers shall be provided in service areas, and fences, walls or vegetative screening shall be provided around service areas, except at entrances and exits, to prevent refuse from blowing onto adjacent properties or streets. Fences or walls to be credited toward this requirement shall comply with fence and wall design guidelines adopted by resolution of the planning commission, or their equivalent as determined by the zoning administrator. In no case shall chain link, chain link with slats or similar fencing be considered as meeting the requirements of the fence and wall design guidelines.

c. No music or public address system shall be operated in such a manner that sound produced therefrom is audible beyond the boundaries of the premises.

(26) Retail sales and food or beverage sales conducted in an open area or structure by one or more individual vendors operating from stalls, stands, carts or other spaces which are rented or otherwise made available to such vendors.

(27) Retail stores and shops.

(28) Rights-of-way, easements and appurtenances necessary for the provision and maintenance of public utilities and public transportation, including streets, rail lines, power lines, cables, poles, pipes, meters, transformers and similar devices, but not including railroad yards, freight depots, generating plants, transformer stations, electric substations, wastewater treatment plants, water treatment plants, utility storage yards and similar uses.

(29) Service businesses that service, repair or rent audio or video equipment, home appliances, furniture, personal recreational equipment, home yard and garden equipment, tools, bicycles, locks, computers, office machines and similar household or business items; provided that no products shall be serviced, repaired, stored or displayed outside a completely enclosed building.

(30) Uses owned or operated by a governmental agency, but not including facilities intended for incarceration or alternative sentencing or facilities primarily for the care, treatment or housing of persons who are currently illegally using or are addicted to a controlled substance as defined in Code of Virginia, § 54.1-3401.

(31) Wireless communications facilities, microwave relay facilities, and radio broadcast antennas, on alternative support structures, provided that a plan of development shall be required in accordance with the requirements of article X of this chapter and in accordance with the additional requirements of Sections 30- 692.1 through 30-692.6.

(32) Accessory uses and structures customarily incidental and clearly subordinate to uses permitted in this district, including automated teller machines accessible only from the interior of buildings devoted to permitted principal uses other than individual dwelling units or lodging units.

Sec. 30-457.3. Principal uses permitted by conditional use permit.

The following uses of buildings and premises may be permitted in the TOD-1 district by conditional use permit as set forth in article X of this chapter:

- (1) Nightclubs,
- (2) Social service delivery uses, provided that:
 - a. A plan of development shall be required as set forth in article X of this chapter.
 - b. No property devoted to such use shall be situated within 500 feet of property occupied by another social service delivery use or an adult care residence, group home, lodginghouse or shelter.

c. A management program, addressing not less than the following elements shall be submitted as part of the plan of development application. The Director of Planning and Development Review may include as conditions, elements of the management program as part of the approval of a plan of development. If a particular element listed below is not applicable to a specific type of use because of the characteristics of that use, the management program shall include a statement of why the element is not applicable:

1. Detailed description of the managing entity, including the organizational structure, names of the board of directors, mission statement, and any by laws.

2. Detailed description of programs offered on the premises, including operating procedures and characteristics, the intent of the programs and a description of how the programs support a long term strategy for meeting the clients' needs.

3. Detailed description of off-site programs offered or description of linkages to programs operated by others, or both.

4. Detailed description of the number and type of clients to be served, including an outline of program objectives, eligibility criteria, and requirements for referrals to other programs.

5. Operational details for on-site programs including: hours of operation, number and type of staff, staff qualifications, and typical hours worked by staff; method of client supervision; operating procedures including procedures for orienting a new client to the facility's programs; expectations for clients; prerequisites for continued client enrollment such as a requirement that the client

participate in programs; rules of behavior for clients; the location and nature of any security features and arrangements; and names and telephone numbers of persons to contact in emergencies and any emergency procedures.

6. Annual operating budget, including sources of funding.

Sec. 30-457.4. Nonconforming uses.

Alterations to buildings or structures devoted to nonconforming uses in the TOD-1 transit-oriented nodal district shall be subject to Section 30-800.1.

Sec. 30-457.5. Yards.

Yard regulations in the TOD-1 district shall be as follows (see article VI, division 4, of this chapter):

- (1) *Front yard.*

- a. For dwelling units located on the ground floor:

1. A front yard of at least ten feet shall be required. In no case shall a front yard with a depth greater than fifteen feet be permitted, except as may be authorized pursuant to paragraphs (2) or (3) of this subdivision.

2. A front yard with a depth greater than fifteen feet may be provided when such front yard is improved for purposes of a pedestrian plaza as permitted by Section 30-440.1 and is approved subject to a plan of development as set forth in article X of this chapter. Except where the property is within an Old and Historic District, the Urban Design Committee shall review the application and plans and submit a recommendation to the Director of Planning and Development Review prior to approval of such plan of development by the Director.

3. A building entrance feature that is set back from the street a greater distance than the primary building façade along the street and that is no greater than two times the width of the building entranceway shall be permitted, and shall not be subject to the provisions of this subsection.

b. For all other uses:

1. No front yard shall be required. In no case shall a front yard with a depth greater than ten feet be permitted, except as may be authorized pursuant to paragraphs (2) or (3) of this subdivision.

2. A front yard with a depth greater than ten feet may be provided when such front yard is improved for purposes of a pedestrian plaza or outdoor dining area as permitted by section 30-440.1 of this division and is approved subject to a plan of development as set forth in article X of this chapter. Except where the property is within an Old and Historic District, the Urban Design Committee shall review the application and plans and submit a recommendation to the Director of Planning and Development Review prior to approval of such plan of development by the Director.

3. A building entrance feature that is set back from the street a greater distance than the primary building façade along the street and that is no greater than two times the width of the building entranceway shall be permitted, and shall not be subject to the provisions of this subsection.

(2) *Side yards.* No side yards shall be required, except that where a side lot line abuts or is situated across an alley from property in an R district there shall be a side yard of not less than 20 feet in width.

(3) *Rear yard.* No rear yard shall be required, except that where a rear lot line abuts or is situated across an alley from property in an R district there shall be a rear yard of not less than 20 feet in depth.

Sec. 30-457.6. Usable open space.

In the TOD-1 Transit-Oriented Nodal District, a usable open space ratio of not less than 0.10 shall be provided for newly constructed buildings or portions thereof devoted to dwelling uses.

Sec. 30-457.7. Screening.

In the TOD-1 Transit-Oriented Nodal District, the screening of parking areas and refuse areas shall be provided as set forth in Sections 30-660 and 30-710.12.

Sec. 30-457.8. Requirements for areas devoted to parking or circulation of vehicles.

(a) *Location of parking and circulation areas.* Areas devoted to the parking or circulation of vehicles shall not be located between the main building on a lot and the street line, nor shall such areas be located closer to the street than the main building on the lot. On a lot having more than one street frontage, this subsection shall apply along the principal street frontage of the lot as defined in Section 30-1220 as well as any designated priority street frontage.

(b) *Driveways from streets.* No driveway intersecting a priority or principal street shall be permitted when alley access or another street frontage is available to serve such a lot. For purposes of this subsection, principal street frontage shall be as defined in section 30-1220.

(c) *Improvement requirements and landscaping standards.* In addition to subsections (a) and (b) of this section, parking areas and parking lots shall be subject to the applicable improvement requirements and landscaping standards set forth in article VII, division 2.1, of this chapter.

Sec. 30-457.9. Height.

For purposes of this section 30-457.9, story height as defined in section 30-1220 shall be not less than ten feet and not greater than 15 feet, except that the ground floor of a building may be of greater height. Height regulations in the TOD-1 district shall be as follows:

(1) *Maximum height.*

a. No building shall exceed twelve stories in height.

b. When a rear lot line abuts or is situated across an alley from property in an R district, no portion of a building should penetrate an inclined plane originating from the third story of the property at the rear building wall and extending over the lot to the front lot line at an inclination of one foot horizontal for each one foot vertical.

c. When a side lot line abuts or is situated across an alley from property in an R district, no portion of a building should penetrate an inclined plane originating from the third story of the property at the side building wall and extending over the lot to the opposite lot line at an inclination of one foot horizontal for each one foot vertical.

(2) *Minimum height.* Every main building hereinafter constructed shall have a minimum height of not less than two stories, except that porches, porticos and similar structures attached to a main building may be of lesser height.

(3) *Determination of number of stories.* For purposes of this section, the number of stories in a building shall be determined by application of the definition of “story” set forth in article XII of this chapter and shall be measured at the building facade along the street frontage of the lot or, in the case of a corner lot, shall be measured at the building facade along the principal street frontage of the lot.

Sec. 30-457.10. Building facade fenestration.

Fenestration requirements applicable to building facades along street frontages in the TOD-1 Transit-Oriented Nodal District shall be as set forth in this section.

(1) *Street level story.*

a. *Nondwelling uses.* For nondwelling uses, other than those listed in Section 30-457.2(18), (28), and (31), a minimum of 60 percent of the building facade between two and eight feet in height along the street frontage shall be comprised of windows or glass doors or both that allow views into and out of the interior building space. Windows used to satisfy this requirement shall have a minimum height of four feet. In the case of a street-level story having less than its full height above the mean grade level at the building façade along the street frontage of the lot, a minimum of 30 percent of the building façade above such mean grade level shall be comprised of windows or glass doors or both that allow views into and out of the interior building space, provided that in the case of a street level story having less than five feet of its height above the grade level at the building facade along the street frontage of the lot, the requirements of this subdivision (a) shall not apply.

b. *Dwelling uses.* For dwelling uses, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building facade between two and eight feet in height along the street frontage. In the case of a street level story having less than its full height above the mean grade level at the building façade along the street frontage of the lot, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 15 percent of the building facade above such mean grade level, provided that in the case of any portion of a story having less than five feet of its height above the grade level at the building façade along the street frontage of the lot, the requirements of this subdivision (b) shall not apply.

In all cases, windows shall be double-hung, single-hung, awning or casement type, and fixed windows shall be permitted only as a component of a system including operable windows within a single wall opening.

(2) *Upper stories.*

a. *Nondwelling uses.* For nondwelling uses, other than those listed in Section 30-457.2(18), (28), and (31), windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building facade between two and eight feet in height above the floor level of each story above the street level story.

b. *Dwelling uses.* For dwelling uses, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building facade between two and eight feet in height above the floor level of each story above the street level story. Such windows shall be double-hung, single-hung, awning or casement type, and fixed windows shall be permitted only as a component of a system including operable windows within a single wall opening.

§ 3. That Chapter 30, Article V, Division 2 of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** section numbered 30-518.4 as follows:

Sec. 30-518.4. TOD-1 district.

In addition to the regulations set forth in this article applicable to signs in all districts, the following signs shall be permitted and the following sign regulations shall apply in the TOD-1 transit-oriented nodal district:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning and canopy signs, and freestanding signs shall be permitted, subject to the restrictions set forth in this section.

(2) *Permitted sign area.* The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 300 square feet for each street frontage.

(3) *Projecting signs.* Projecting signs shall be permitted subject to the following:

a. No projecting sign shall be located within 15 feet of another projecting sign on the same building wall.

b. No such sign, other than a noncommercial flag, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

c. The aggregate area of all projecting signs shall not exceed 100 square feet.

(4) *Freestanding signs.* One freestanding sign not exceeding 20 square feet in area or five feet in height shall be permitted.

(5) *Roof signs.* Roof signs located on buildings utilized for uses permitted by Section 30.457.2, when such signs are lawfully existing on the effective date of the ordinance from which this section is derived, provided that such signs shall not be included in calculation of permitted sign area set forth in subsection (2) of this section.

§ 4. That section 30-692.4 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

Sec. 30-692.4. Review criteria for installations utilizing alternative support structures.

(a) The authorization in this chapter for use of alternative support structures provides a less obtrusive alternative to the traditional monopole and tower-based facilities by accommodating installations that are a companion and subordinate use in conjunction with a permitted principal or accessory use of a property. Such installations may include but not be limited to rooftop installations; installations on the face of buildings and on the exterior of otherwise permitted rooftop mechanical enclosures; installations on otherwise permitted water towers serving municipal, business or industrial uses; and installations within otherwise permitted ornamental towers and steeples. The specific review criteria set forth in this section are intended to result in installations in the residential and less-intensive office business districts which are only minimally visible when viewed from surrounding properties, with greater flexibility in the more intensive office and business districts.

(b) The following standards shall be applicable to all installations on alternative support structures:

(1) The maximum combined projection (antenna and mounting hardware) above the alternative support structure shall not exceed 25 feet, except for whip antennas which may result in a combined projection of up to 35 feet, and the hardware on which antennas are mounted shall not project above the alternative support structure by more than 20 feet.

(2) Installations shall not be permitted on single- and two-family dwellings or on property containing such use.

(3) Installations meeting the following criteria shall not be subject to the review criteria set forth in Subsections (c) and (d) of this section, shall be required to obtain a

certificate of zoning compliance and shall not require a plan of development or final community unit plan approval:

a. The maximum combined projection (antenna and mounting hardware) above the alternative support structure shall not exceed ten feet; provided, however, if the installation is visible from the principal street frontage, then the maximum combined projection (antenna and mounting hardware) above the alternative support structure shall not exceed five feet in height.

b. The maximum dimensions of the antenna shall not exceed two feet by two feet by two feet or an alternative design not to exceed three cubic feet.

c. The maximum dimensions of any new mechanical enclosures or cabinets located on a support structure where they would be visible shall not exceed five feet by two feet by two feet.

d. Any portion of the installation that is visible from the principal street frontage shall be designed and colored to appear as an element of the alternative support structure, including the use of antennas, cables and equipment that are painted or tinted to match the surface of the alternative support structure to which they are affixed.

(c) The following additional review criteria are applicable in residential districts; in the RO-1 and RO-2, UB, UB-2, B-1 and B-2 and I districts; on properties with nonconforming uses or features; and on properties already subject to special use permits or community unit plans:

(1) The property on which the installation is to occur shall contain no less than 12,000 square feet of lot area, shall be developed with an existing building containing a

minimum of 14,000 square feet of floor area, and the mounting height on the alternative support structure shall be no less than 45 feet.

(2) The antennas and related mounting hardware and cables shall be designed and arranged so as to be integrated into the design of the alternative support structure, except that whip antennas may extend up to 20 feet above the support structure. Methods of integration shall include but not be limited to concealment of the equipment within the support structure or within design elements attached to the support structure, the use of antennas, cables, and equipment that are painted or tinted to match the surface of the support structure on which they are affixed.

(3) Any new mechanical enclosures or cabinets located on a support structure where they would be visible shall not exceed a height of six feet, a floor area of 100 square feet per installation, or an aggregate of ten percent of roof area, whichever is less, and interior space devoted to such installation shall not exceed five percent of the total floor area of the building. Any new enclosures or cabinets shall be designed and colored so as to appear to be an element of the support structure.

(d) The following additional review criteria are applicable in RO-3, B-3, B-4, B-5, B-6, B-7, TOD-1, RF-1, RF-2, CM and M-1 districts where the alternative support structure has a height of less than 65 feet:

(1) The maximum combined projection (antenna and mounting hardware) above the alternative support structure shall not exceed 15 feet except for whip antennas which may result in a combined projection of up to 20 feet, and the hardware on which antennas are mounted shall not project above the alternative support structure by more than ten feet.

(2) Unconcealed dish antennas shall not exceed a diameter of nine feet.

§ 5. That sections 30-710.1, 30-710.2, 30-710.2:3, 30-710.3:1, and 30-710.4 be and are hereby **amended** and reordained as follows:

Sec. 30-710.1. Number of spaces required for particular uses.

(a) Except as otherwise provided in this article, the minimum number of off-street parking spaces required for uses located in any district shall be as follows (See sections 30-710.2 through 30-710.3 for special off-street parking requirements in certain districts and the method of determining the number of parking spaces, and see article IX of this chapter for requirements if property is located in a parking overlay (PO) district):

	Use	Number of Spaces Required
(1)	Dwelling, single-family detached	1
(2)	Dwelling, single-family attached	1
(3)	Dwelling, two-family	2
(4)	Dwelling, multifamily:	
	a. One main building on a lot of record	1 per dwelling unit
	b. More than one main building on a lot of record	1.5 per dwelling unit containing 2 bedrooms or more; 1.25 per dwelling unit containing fewer than 2 bedrooms
	c. In R-63 district	1 per dwelling unit
(4.1)	Dwelling unit:	
	a. In B-1, B-2, B-3, and UB districts where such units are contained within the same building as a nondwelling use	None for 1 to 3 units; otherwise, 1 per 4 dwelling units
	b. In B-4 and B-5 districts	None for 1 to 16 dwelling units; 1 per 4 dwelling units over 16 units
	c. In a B-4 district where such units are contained within the same buildings as a non-dwelling use	None.
	d. In UB-2 district where such units are contained within the same building as a nondwelling use	1 per 2 dwelling units
	e. In B-6, B-7, RF-1 and RF-2 districts	1 per dwelling unit (see section 30-446.3)

Use		Number of Spaces Required
	f. <u>In TOD-1 district</u>	<u>None for 1 to 16 dwelling units; 1 per 2 dwelling units over 16 units</u>
(5)	Dwelling, multifamily, where at least 90 percent of units are occupied by persons 60 years or more of age	1 per 2 dwelling units
(5.1)	Live/work unit	1
(6)	Mobile home	Average of 1.5 per unit
(7)	Tourist home, hotel or motel:	
	a. RO-3, HO, B-6, B-7, RF-1, RF-2, CM and DCC districts	1 per guestroom up to 100 rooms, plus 1 per every 2 guestrooms over 100 rooms
	b. B4, B5, <u>TOD-1 districts</u>	1 per every 4 guestrooms
	c. All other districts	1 per guestroom
(8)	Lodginghouse	1 per 2 occupants
(9)	Fraternity or sorority house	1 per 4 beds
(10)	Nursing home, adult care residence, group home, shelter	1 per 4 beds
(11)	Hospital	1 per 3 beds, plus 1 per 3 employees and staff
(12)	Church or other place of worship	1 per 8 seats in main auditorium
(13)	Day nursery	1 per 2 employees
(14)	School: kindergarten through junior high (public or private)	1 per 10 seats in main auditorium or 1 per classroom, whichever is greater
(15)	School: high school, college or vocational (public or private)	1 per 8 seats in main auditorium or 3 per classroom, whichever is greater
(16)	Lodge, club or meeting facility	1 per 100 sq. ft. floor area in meeting or club rooms
(17)	Art gallery, library or museum	10, plus one per 300 sq. ft. of floor area in excess of 2,000 sq. ft.
(18)	Theater, auditorium, sports arena or stadium	1 per 5 seating capacity
(19)	Private park, recreational area or country club	1 per 5 members
(20)	Public golf course or miniature golf course	5 per hole
(21)	Golf driving range	2 per tee
(22)	Bowling alley	5 per lane
(23)	Office: general; medical or dental office or clinic; social service delivery use; animal hospital	1 per 300 sq. ft. of floor area for the first 1,500 sq. ft., plus 1 per 400 sq. ft. in excess thereof
(24)	Funeral home	1 per 4 seating capacity of chapel and funeral service rooms, plus 1 per 2 employees

	Use	Number of Spaces Required
(25)	Service station, auto repair	2 per service bay or repair stall plus spaces to accommodate all vehicles used in connection therewith
(26)	Restaurant, tearoom or similar food and beverage service establishment	1 per 100 sq. ft. of floor area, plus 5 stacking spaces per restaurant drive-in window
(26.1)	Nightclub	1 per 70 sq. ft. of floor area
(27)	Grocery store, convenience store, specialty food or beverage store, take-out restaurant:	
	(a) Grocery or convenience store occupying more than 5,000 sq. ft. of floor area; take-out restaurant with no patron seating	1 per 150 sq. ft. floor area
	(b) Grocery or convenience store occupying more than 5,000 sq. ft. of floor area; specialty food or beverage store	1 per 300 sq. ft. floor area
(28)	Retail or personal service establishment, financial service, retail bakery (unless otherwise specified herein)	1 per 300 sq. ft. floor area
(29)	Bank or savings and loan office, including drive-in	1 per 300 sq. ft. for the first 1,500 sq. ft. of floor area, plus 1 per 400 sq. ft. in excess thereof, plus 5 stacking spaces per drive-in teller
(30)	Furniture, appliance or hardware store; auto salesroom; tire repair and sales; clothing, shoe or other repair shop; machinery and equipment sales and service	1 per 500 sq. ft. of floor area
(31)	Wholesale establishments	1 per 800 sq. ft. of floor area, plus spaces to accommodate all vehicles used in connection therewith
(32)	Manufacturing, processing, fabricating, testing, research, bottling, warehousing and distribution establishments	1 per 2 employees, plus spaces to accommodate all vehicles used in connection therewith
(33)	Shopping centers	1 per 300 sq. ft. of gross leasable area, provided that for shopping centers with greater than 50 percent of the gross leasable area devoted to uses for which the number of spaces required is 1 per 100 sq. ft. of floor area or greater, required parking shall be as specified in section 30-710.3(e)

	Use	Number of Spaces Required
(34)	Philanthropic, charitable or eleemosynary	Sum of spaces required for each component of the use, per the most similar use listed in this section
(35)	Flea market	1 per 300 sq. ft. of area devoted to sales and display
(36)	Marinas	1 per 3 boat slips, provided that parking for uses other than a marina shall be as specified in section 30-710.3(e)

(b) The minimum number of parking spaces required for a use not specifically mentioned in this section shall be as required for the most similar use listed as determined by the zoning administrator.

Sec. 30-710.2. Off-street parking not required in certain districts.

In CM, DCC, B-4 [~~and B-5~~], B-5, and TOD-1 zoning districts, off-street parking spaces shall not be required for uses other than dwelling uses, hotels and motels. [~~In B, UB and UB-2 districts, off-street parking spaces shall not be required for two or fewer dwelling units where such units are contained within the same building as a nondwelling use.~~]

Sec. 30-710.2:3. Special off-street parking requirements in the UB, UB-2, B-1, B-2, B-3, B-6, B-7, RF-1 and RF-2 districts.

(a) *Shared parking.* In the UB, UB-2, B-1, B-2, B-3, B-6, B-7, RF-1 and RF-2 districts, off-street parking spaces required for dwelling units may be supplied by off-street parking spaces provided for nondwelling uses, provided that all of the following conditions are met:

(1) The nondwelling use is not routinely open, used or operated after 6:00 p.m. or before 8:00 a.m. on any day.

(2) The total number of off-street parking spaces provided for dwelling units, including spaces shared with nondwelling uses and spaces provided exclusively for dwelling units, shall not be less than the number of spaces required for such dwelling units by the provisions of this chapter.

(3) Off-street parking spaces located off the premises and intended to contribute to the off-street parking requirements of this section for dwelling units shall be subject to the requirements of Section 30-710.4, subsections (1), (3), (4) and (5), except where such requirements are modified by provisions applicable within a parking overlay district.

(b) *Reduced parking requirement for uses located in existing buildings in certain districts.*

(1) In the UB-2 district, [~~subject to the limitation set forth in subsection (e) of this section,~~] the off-street parking requirements established by Section 30-710.1 shall be reduced by 50 percent for nondwelling uses located within buildings existing on July 10, 2006, beyond the limitation set forth in subsection (c) of this section.

(2) In the B-6 district, [~~subject to the limitation set forth in subsection (e) of this section,~~] the off-street parking requirements established by Section 30-710.1 shall be reduced by 50 percent for uses located within buildings existing on July 10, 2006, beyond the limitation set forth in subsection (c) of this section.

(3) In the B-7 district, the off-street parking requirements established by section 30-710.1 shall be reduced by 50 percent for uses located within buildings existing on July 1, 2017 beyond the limitation set forth in subsection (c) of this section.

(c) *Limitation on parking requirements.* In the UB-2, B-6, B-7, RF-1 and RF-2 districts, in no case where the number of required off-street parking spaces is determined based on floor area devoted to a use shall the off-street parking requirement for such use exceed one space per 300 square feet of floor area.

(d) *Credit for on-street parking in UB, UB-2, B-1, B-2, B-3, B-6, B-7, M-1, M-2, RF-1 and RF-2 districts.* For purposes of calculating the number of off-street parking spaces provided

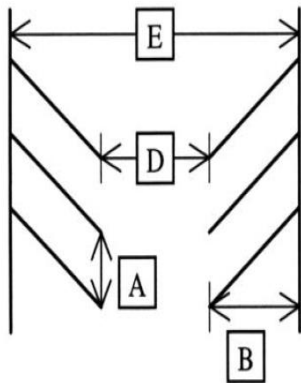
for a use located in an UB, UB-2, B-1, B-2, B-3, B-6, B-7, M-1, M-2, RF-1 or RF-2 district, on-street parking spaces provided within portions of the public right-of-way abutting the street frontage of the property shall be credited as though they were off-street parking spaces located on the premises. In a case where any portion of such on-street parking spaces are eliminated by government action subsequent to city approval of plans for development of the property, the off-street parking requirement applicable to the use shall be reduced by the number of on-street parking spaces eliminated.

Sec. 30-710.3:1. Dimensions of parking spaces.

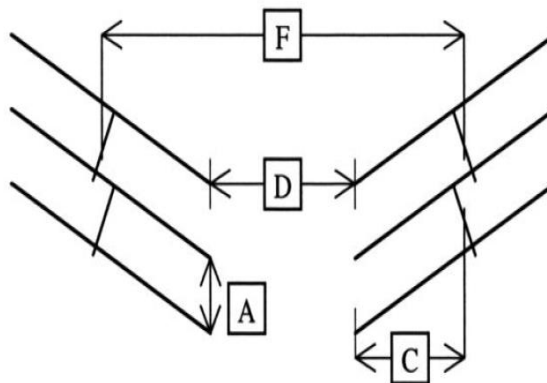
(a) The minimum size of parking spaces and access aisles, in feet, shall be as follows:

Category	Stall Width	(A) Stall Width Parallel to Aisle	(B) Stall Depth to Wall	(C) Stall Depth to Interlock	(D) Aisle Width	(E) Wall to Wall	(F) Interlock to Interlock
Full Size Stalls:							
45 degrees							
	8.0	11.3	16.6	14.5	13.0	46.5	42.0
	8.5	12.0	16.6	14.5	12.0	45.5	41.0
60 degrees							
	8.0	9.2	18.2	16.7	17.0	53.5	50.5
	8.5	9.8	18.2	16.7	16.0	52.5	49.5
75 degrees							
	8.0	8.3	18.5	17.7	21.0	58.0	56.5
	8.5	8.8	18.5	17.7	20.0	57.0	55.5
90 degrees							
	8.0	8.0	17.5	17.5	25.0	60.0	60.0
	8.5	8.5	17.5	17.5	23.0	58.0	58.0
Compact Stalls:							
45 degrees							
	7.5	10.6	14.5	12.5	12.0	41.0	37.0
	8.0	11.3	14.5	12.5	11.0	40.0	36.0

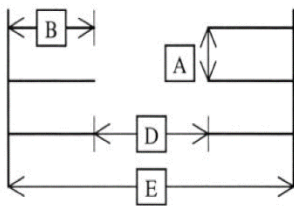
	60 degrees						
	7.5	8.7	15.8	14.4	15.0	46.5	44.0
	8.0	9.2	15.8	14.4	14.0	45.5	43.0
	75 degrees						
	7.5	7.8	16.0	15.2	18.0	50.0	48.5
	8.0	8.3	16.0	15.2	17.0	49.0	47.5
	90 degrees						
	7.5	7.5	15.0	15.0	21.0	51.0	51.0
	8.0	8.0	15.0	15.0	20.0	50.0	50.0



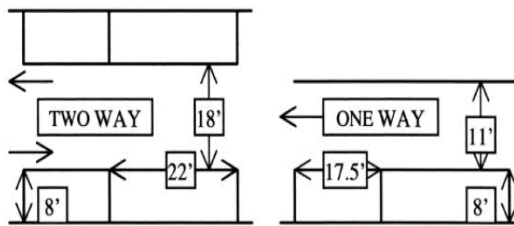
Angled Parking – Wall to Wall



Angled Parking – Interlock to Interlock



90 Degree Parking – Wall to Wall



0 Degree - Parallel Parking

The minimum aisle width for two-way traffic shall be 18 feet. Captive stalls for parallel parking shall be 22 feet in length. End stalls for parallel parking shall be 17½ feet in length. The Zoning Administrator may interpolate dimensions for angles not listed above.

(b) Parking areas with five or more spaces may provide a maximum of 20 percent of spaces at compact dimensions, provided that such spaces shall be clearly marked as compact spaces.

(c) A further reduction of two feet in aisle width for full-size stalls shall be permitted in RO-3, HO, B-4, B-5, B-6, B-7, TOD-1, CM, DCC, and RP districts.

(d) Up to 2½ feet of the required parking stall depth specified in Subsection (a) of this section may be provided as vehicle overhang area and need not be paved, provided that curbs or wheel stops shall be installed in such manner that the vehicle overhang area is clear of any obstruction to vehicles utilizing the parking space and that the vehicle overhang area shall not encroach into any other parking space, access aisle, public right-of-way, abutting property, pedestrian walkway or any required yard, perimeter buffer or internal landscaped area.

(e) All dead-end aisles providing access to parking spaces shall be provided with backup space of not less than five feet in depth at the end of such aisles.

Sec. 30-710.4. Required spaces located off the premises.

Off-street parking spaces required for any use may be provided off the premises of the use for which they are required, provided that:

(1) [A†] In the B-4, B-5, B-7, and TOD-1 districts, at least some portion of the parking area, parking lot, parking deck, or parking garage within which such spaces are provided shall be located within a 750-foot radius of a principal entrance to the building occupied by the use for which they are required.

(2) In all other districts, at least some portion of the parking area, parking lot, parking deck, or parking garage within which such spaces are provided shall be located within a 500-foot radius of a principal entrance to the building occupied by the use for which they are required,

except that in an RP district, parking spaces located off the premises shall be subject to the provisions set forth in Section 30-710.2:1.

~~[(2)]~~ (3) In all cases, property used for such parking spaces shall be located in a district where parking areas serving the proposed use are permitted except that such parking spaces may be located within a parking deck or a parking garage that is not located in a district where parking areas serving the proposed use are permitted if such parking deck or parking garage was constructed before the commencement of the proposed use.

~~[(3)]~~ (4) Subject to subsection (1) of this section, any portion of the parking spaces required for any use may be supplied by parking spaces provided for any other use which is not routinely open, used or operated during the same hours of the day or night.

~~[(4)]~~ (5) Where parking spaces required by this article are located on property other than that occupied by the use for which such spaces are required, the property shall be held in fee simple by the owner of the use involved or in such other tenure as assures continued availability for such. When the tenure is other than ownership in fee simple, the tenure shall not be less than one year, and the form and terms of tenure shall be approved by the City Attorney before a certificate of use and occupancy or a certificate of zoning compliance may be issued. When use of property for parking purposes is discontinued, the Zoning Administrator shall be notified, by both the lessor and the lessee, in writing, a minimum of 30 days prior to the discontinuance, and unless the parking spaces located thereon are no longer required by this article, such spaces shall be provided elsewhere in compliance with this article.

~~[(5)]~~ (6) Off-premises parking areas and lots containing five or more spaces shall be improved as specified in Division 2.1 of this article.

~~[(6)]~~ (7) Off-premises parking spaces, areas or lots shall be provided with identification indicating the use for which they are required and, if applicable, the hours of their availability, provided that such identification shall not be required in the case of off-premises parking spaces, areas or lots that are operated by a governmental agency. In lieu of such identification, the owner of the property on which the parking is located shall provide to the Zoning Administrator an affidavit indicating the location of the property, the number of parking spaces on the property, the number of spaces currently leased or otherwise allocated to serve a use, the use for which such spaces are leased or otherwise allocated, and to whom parking spaces are leased. The Zoning Administrator shall be notified in writing by the owner of the property on which the parking spaces are located prior to any change in the information contained in such affidavit. In addition, the use for which the off-premises parking is provided shall contain notification, in a conspicuous manner on the premises of the use and on a website, if one exists, of the use for which the parking is required, of the availability and location of such parking spaces.

§ 6. That section 30-710.13 of the Code of the City of Richmond (2015) be and is hereby **amended** and reordained as follows:

Sec. 30-710.13. Perimeter buffers: landscaping requirements.

Except as provided in subsection (3) of this section, parking areas and parking lots containing five or more parking spaces shall be improved and maintained with landscaping in accordance with the requirements of this section as follows:

(1) *Treatment of required landscaped buffers.* Treatment of required landscaped buffers shall be in accordance with the following:

- a. Required landscaped buffers shall be provided with vegetative ground cover, trees, shrubs, other plant material, or any combination thereof, except where more

specific requirements are set forth in subsection (2) of this section. Mulch ground cover may be provided as a border or supplement to other vegetation in a required landscaped buffer. Pedestrian walkways incidental to landscaped buffers may be incorporated within such buffers when the other requirements of this subsection (1)a. are met.

b. All required landscaped buffers shall be protected from encroachment by motor vehicles by installation of curbs, wheel stops or other features which separate the landscaped buffer from areas improved for vehicle parking or circulation.

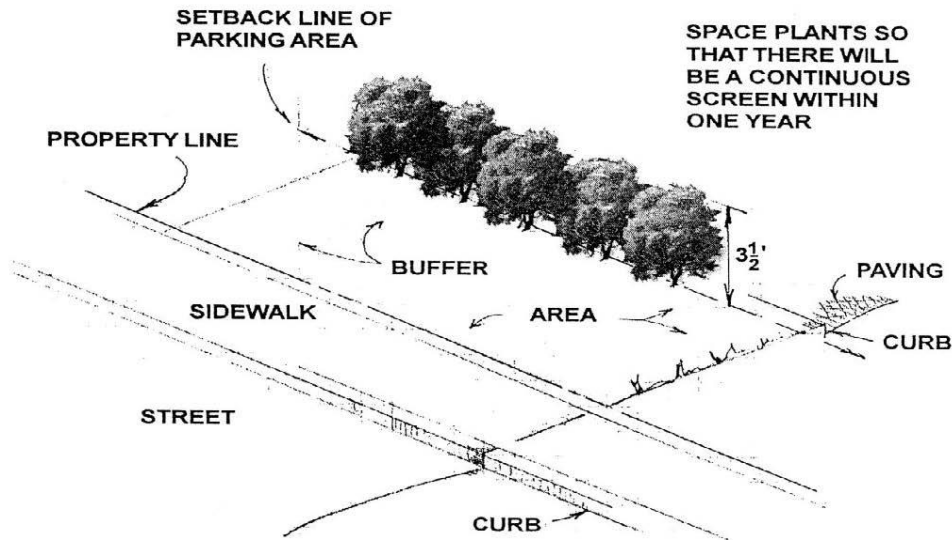
(2) *Landscaped buffers along streets.* Landscaped buffers as set forth in subsections (2)a. through (2)d. of this section shall be installed and maintained between all areas devoted to parking and all adjacent street lines, provided that approved driveways enabling access to abutting streets may extend through such buffers.

a. *Zoning districts and permitted buffer alternatives.* The following table specifies the buffer and buffer alternatives that satisfy the landscaped buffer requirement in each zoning district. Where more than one buffer alternative is listed for a zoning district, any of the listed alternatives may be provided to satisfy the buffer requirement in that district:

Zoning Districts	Buffer Alternatives
R, RO, HO, I	A, B, C, D
UB	F, G, H
B-1	E
UB-2, B-2, B-3	F, G, H
B-4, B-5, B-6, B-7	F, G, H, <u>I</u>
RF-1, RF-2	F, G, H
<u>TOD-1</u>	<u>H, I</u>
CM, DCC	F, G, H
OS	F
RP	F, G, H
M-1, M-2	F, G, H

b. *Description of buffer alternatives.* The depth of and improvements required within each buffer alternative are as follows. In all cases, buffer alternatives are minimum requirements, and greater buffer depth, additional landscaping or additional fence or wall improvements may be provided:

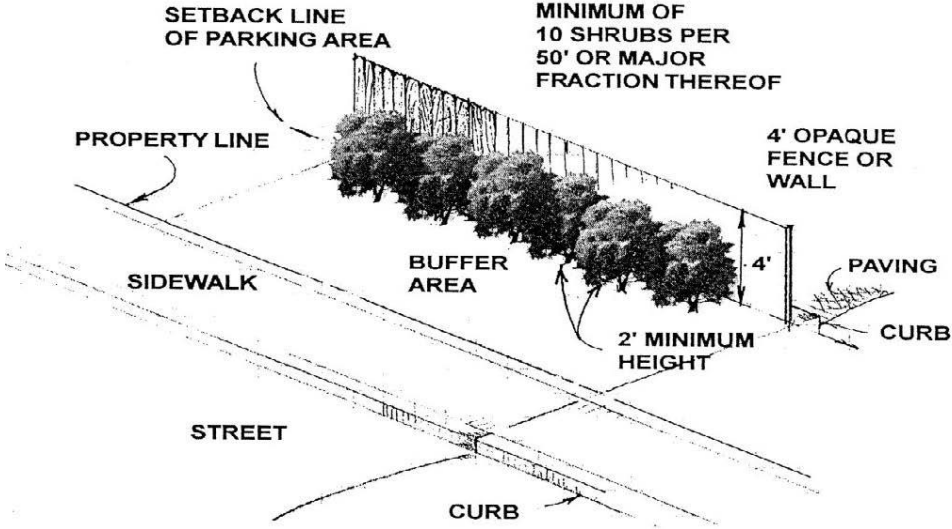
1. Buffer “A,” as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property, but in no case less than five feet, and shall include an evergreen vegetative screen not less than three and one-half feet in height at the time of installation placed along the setback line of the parking area. Evergreen vegetative material intended to satisfy this requirement shall be planted at such intervals that will result in a continuous visual screen within one year of planting.



Buffer area depth dependent on yard requirement in district, but in no case less than five feet.

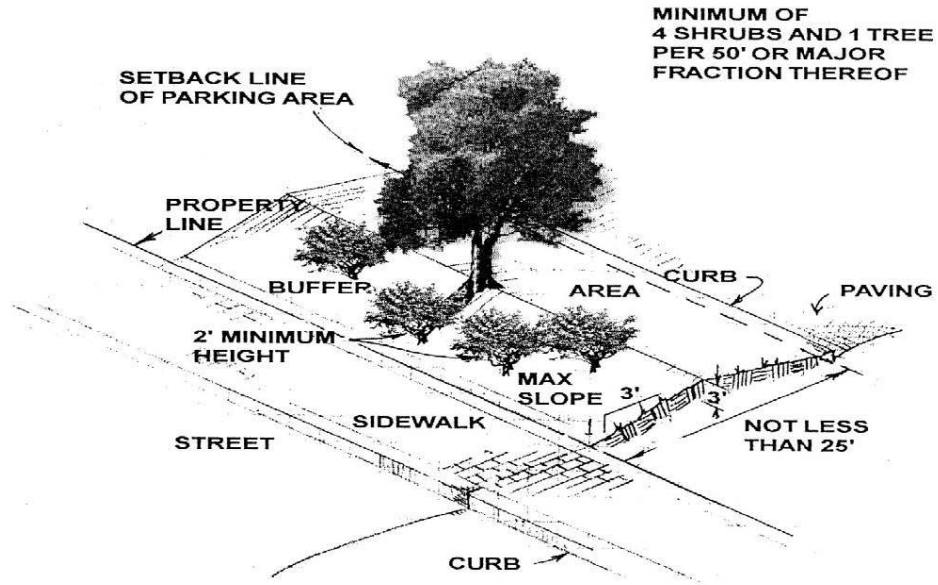
2. Buffer “B,” as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property, but in no case less than five feet, and shall include an opaque structural fence or

wall not less than four feet in height placed along the setback line of the parking area and shall include shrubs located adjacent to such fence at a rate of not less than ten for each 50 linear feet or major fraction thereof of buffer along each street frontage.



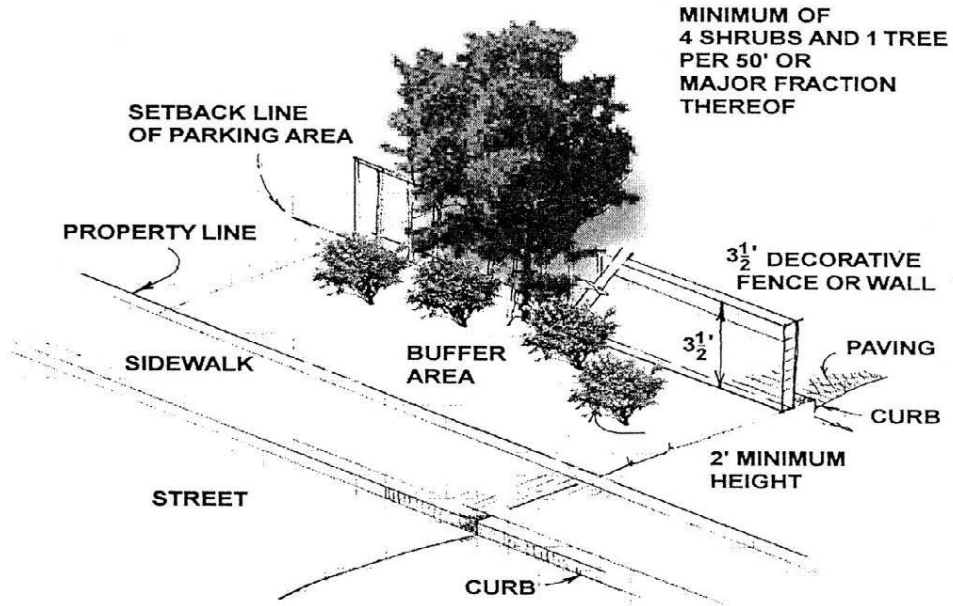
Buffer area depth dependent on yard requirement in district, but in no case less than five feet.

3. Buffer “C,” as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property, but in no case less than five feet, and shall include a decorative fence or wall not less than three and one-half feet in height placed along the setback line of the parking area and shall include trees and shrubs located adjacent to such fence at a rate of not less than one tree and four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.

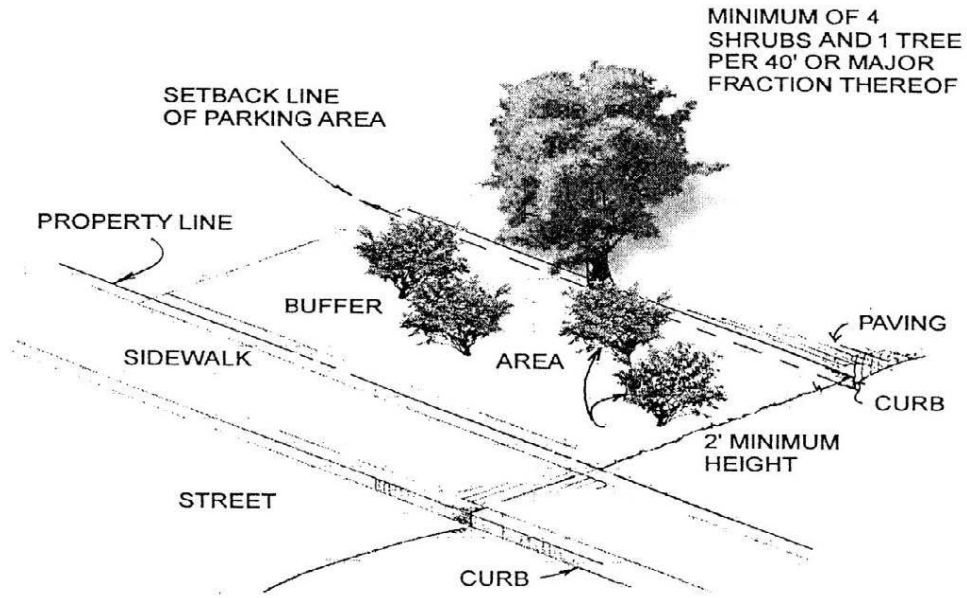


Buffer area depth dependent on yard requirement in district, but in no case less than five feet.

4. Buffer "D," as shown below, shall have a depth of not less than 25 feet and shall consist of an earthen berm not less than three feet in height with slopes not greater than three feet horizontal for each one foot vertical and shall include trees and shrubs located on the top or street side of such berm at a rate of not less than one tree and four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.

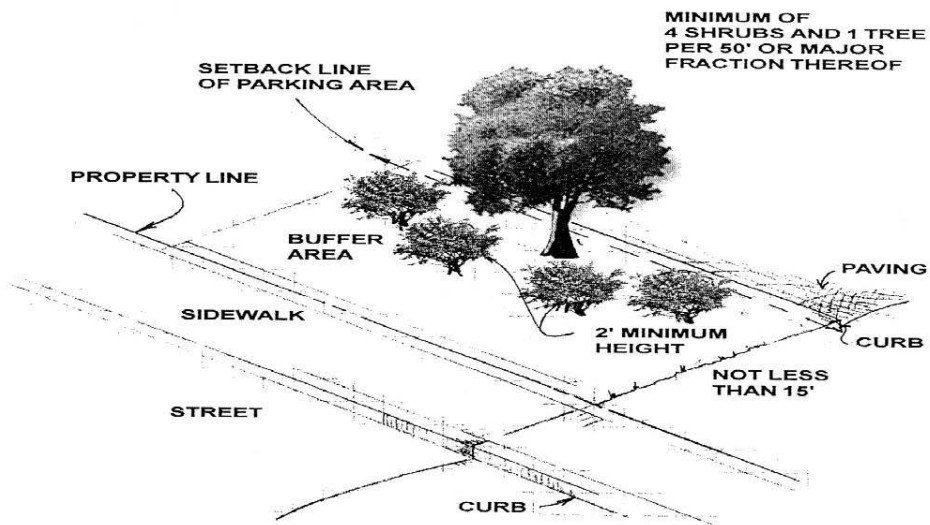


5. Buffer “E,” as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property and shall include trees and shrubs at a rate of not less than one tree and four shrubs for each 40 linear feet or major fraction thereof of buffer along each street frontage. In any case where the applicable yard requirement along a street is five feet or less, the trees and shrubs required for buffer “E” may be substituted with the improvements specified for buffer “H” provided that the applicable yard requirement is met.

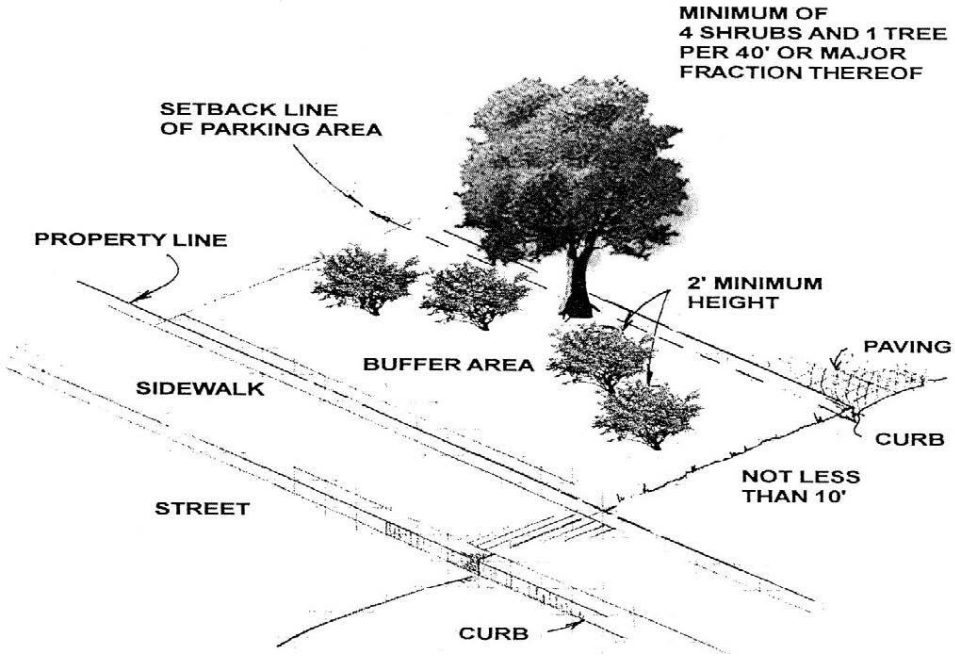


Buffer area depth dependent on yard requirement in district, but in no case less than five feet. Where yard requirement is five feet or less, trees and shrubs may be substituted as specified for buffer “H.”

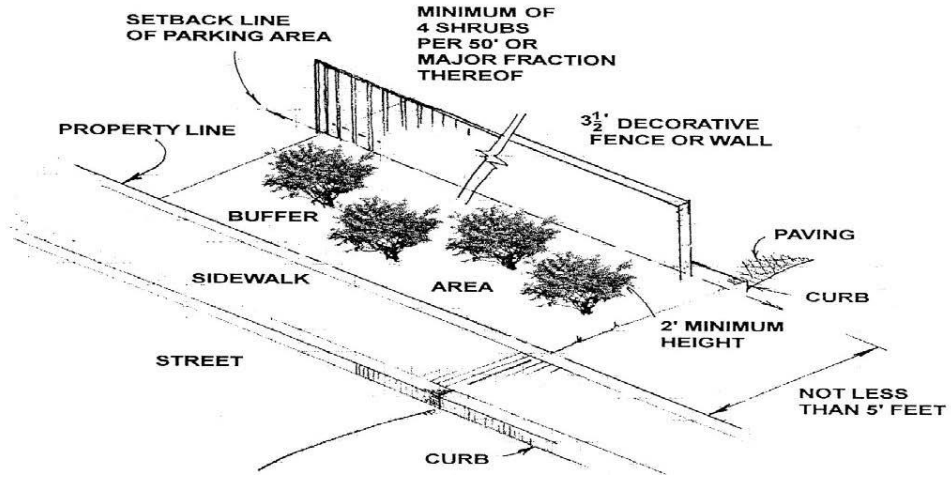
6. Buffer “F,” as shown below, shall have a depth of not less than 15 feet and shall include trees and shrubs at a rate of not less than one tree and four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.



7. Buffer “G,” as shown below, shall have a depth of not less than ten feet and shall include trees and shrubs at a rate of not less than one tree and four shrubs for each 40 linear feet or major fraction thereof of buffer along each street frontage.

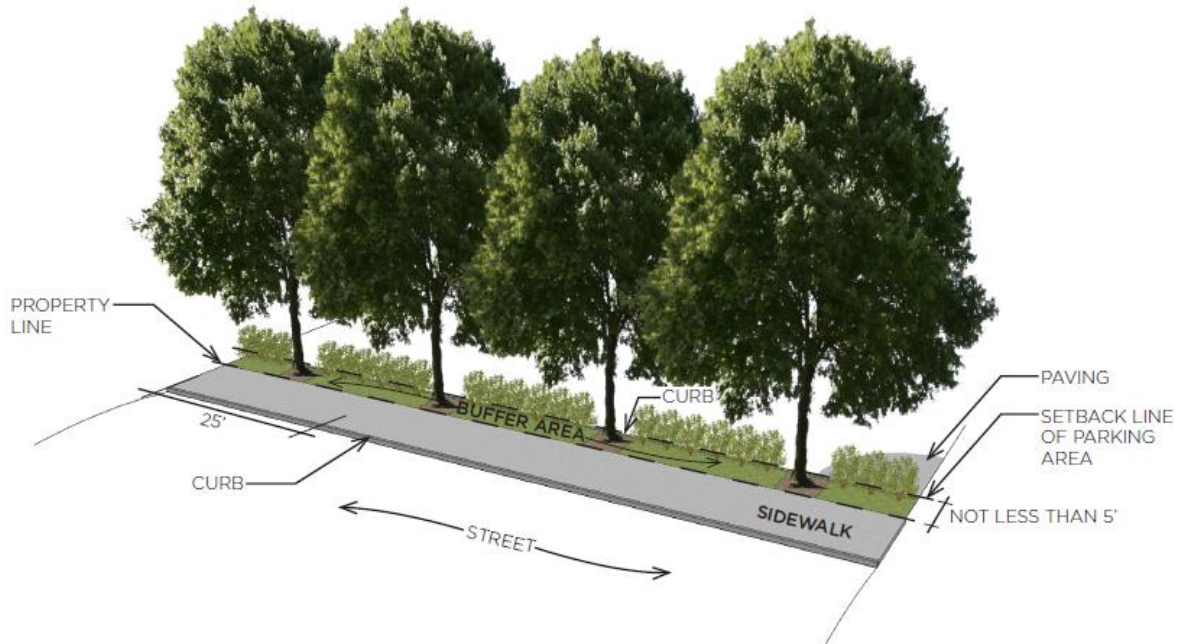


8. Buffer “H,” as shown below, shall have a depth of not less than five feet and shall include a decorative fence or wall not less than three and one-half feet in height and shrubs at a rate of not less four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.

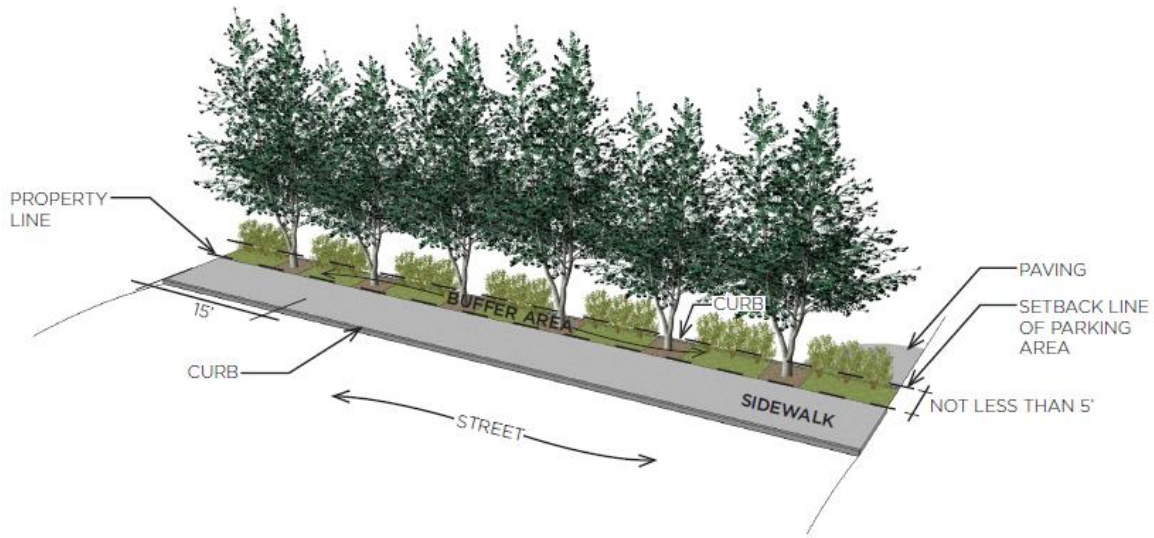


9. Buffer "I," as shown below, shall have a depth of not less than five feet and shall include either trees classified as medium or large in the Tree Canopy Chart dated November, 2002, adopted by the Planning Commission at a rate of one tree for every 30 linear feet or trees classified as compact or small trees in Tree Canopy Chart dated November, 2002, adopted by the Planning Commission at a rate of one tree for every 20 linear feet; as well as groundcover or shrubs covering at least 50 percent of the area of the buffer along each street frontage.

Buffer I, medium or large trees illustration



Buffer I, small or compact trees illustration



c. *Tree and shrub standards.* Standards for trees and shrubs shall be as follows:

1. Trees to be credited toward buffer requirements shall be deciduous trees having a caliper of not less than two and one-half inches at the time of installation measured six inches above the ground or evergreen trees having a height of not less than six feet at the time of installation. Healthy existing trees to be retained within a buffer area may be credited toward buffer requirements when such trees are shown on approved plans and are adequately protected during construction.

2. Trees to be credited toward buffer requirements shall be distributed as equally as practical throughout the length of the buffer, with consideration for the species of trees, topography, location of driveways and utilities and other physical conditions.

3. Shrubs to be credited toward buffer requirements shall be evergreen shrubs not less than two feet in height at the time of installation. Shrubs may be grouped in a manner appropriate to the species and need not be distributed equally throughout the length of the buffer.

d. *Fences or walls.* Fences or walls to be credited toward buffer requirements shall comply with fence and wall design guidelines adopted by resolution of the Planning Commission or their equivalent as determined by the Zoning Administrator. In no case shall chainlink, chainlink with slats or similar fencing be considered to meet the requirements of the fence and wall design guidelines.

1. A fence or wall disapproved by the Director of [~~Community~~] Planning and Development Review shall, at the request of the applicant, be submitted to the Planning Commission for its review. The request for such review shall be made in writing to the Secretary of the Commission, who shall place the request on the Planning Commission's agenda for consideration at its first regularly scheduled meeting following the receipt of such request, provided that the request is received not less than ten days prior to such meeting.

2. After reviewing the decision of the Director of [~~Community~~] Planning and Development Review, the Planning Commission may affirm the decision or, upon finding that the proposed fence or wall satisfies the fence and wall design guidelines, may instruct the Director of [~~Community~~] Planning and Development Review to approve the fence or wall. The Planning Commission may attach such conditions as it deems necessary to ensure conformance with the intent and purpose of the fence and wall design guidelines.

e. Buffer I. Trees classified as medium or large in the Tree Canopy Chart dated November, 2002, adopted by the Planning Commission shall have a caliper of not less than 2½ inches at the time of installation measured six inches above the ground or evergreen trees having a height of not less than six feet at the time of installation. Trees classified as small or compact in the Tree Canopy Chart dated November, 2002, adopted by the Planning Commission shall have a caliper of not less than 1½ inches at the time of installation measured six inches above the ground or evergreen trees having a height of not less than five feet at the time of installation. Shrubs and groundcover credited towards the 50-percent coverage requirement may be evergreen or deciduous. All shrubs, groundcover, and trees may be grouped in a manner appropriate to the species with consideration for the topography, location of driveways and utilities, and other physical conditions and need not be distributed equally throughout the length of the buffer.

(3) *Landscaped buffers along interior lot lines.* In addition to the screening requirements set forth in Section 30-710.12, parking areas and parking lots containing 30 or more parking spaces and parking areas containing five or more parking spaces serving uses with drive-up facilities or facilities for dispensing motor fuels shall be provided with landscaped buffers of not less than five feet in depth installed and maintained between all areas devoted to parking and all lot lines other than street lines, provided that approved driveways connecting properties or enabling access to abutting alleys may extend through such buffers.

§ 7. That sections 30-720.1 and 30-720.5 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

Sec. 30-720.1. Number and length of spaces required.

The minimum number and the minimum length of off-street loading spaces required for uses occupying certain amounts of floor area and located in particular districts shall be as follows:

(1) Office, hotel, bank, or institution	RO-1, RO-2, RO-3, HO, I, UB-2, B-1, B-2, B-3 or OS	Less than 20,000 20,000—49,999 50,000—300,000 Each additional 100,000 or major fraction thereof	None One/35' One/35' and One/50' One/35'
(2) Office, hotel, bank, or institution	B-4, B-5, B-6, B-7, <u>TOD-1</u> , RF-1, RF-2, CM, DCC, RP and M-1 or M-2	Less than 20,000 20,000—99,999 100,000—300,000 Each additional 100,000 or major fraction thereof	None One/35' One/35' and One/50' One /35'
(3) Retail, wholesale, or service establishment	Any district	Less than 5,000 5,000—14,999 15,000—75,000 Each additional 75,000 or major fraction thereof	None One/35' One/35' and One/50' One /35'
(4) Manufacturing, industrial or warehousing	Any district	Less than 5,000 5,000—24,999 25,000—100,000 Each additional 75,000 or major fraction thereof	None One/35' One/35' and One/50' One /35'
(5) Research, development and laboratory	Any district	Less than 20,000 20,000—99,999 100,000—300,000 Each additional 100,000 or major fraction thereof	None One/35' One/35' and One/50' One /35'

Sec. 30-720.5. Required loading spaces in UB-2, B-5, B-6, B-7, TOD-1, and DCC districts.

In the UB-2, B-5, B-6, B-7, TOD-1, and DCC districts, spaces for the loading of vehicles shall be required only for uses occupying buildings newly constructed after the effective date of the ordinance from which this chapter is derived.

§ 8. That section 30-1220 of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein new** definitions numbered .86:1 and .118:1, as follows:

.86:1 *Priority street frontage* means that portion of a lot abutting a street designated as a priority street on the official zoning map established and maintained pursuant to Section 30-200 and situated between lot lines intersecting such street.

.118:1 *Street-oriented commercial frontage* means that portion of a lot abutting a street designated as a street-oriented commercial street on the official zoning map established and maintained pursuant to Section 30-200 and situated between lot lines intersecting such street.

§ 9. This ordinance shall be in force and effect upon adoption.



Item Request

File Number: PRE. 2017.263

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O & R Request

O & R REQUEST

4-6697 JUN 30 2017

Office of the Chief Administrative Officer

DATE: June 28, 2017

EDITION:1

TO: The Honorable Members of City Council

THROUGH: Mayor M. Stoney, Mayor (Patron: Mayor, by Request) (This in no way reflects a recommendation on behalf of the Mayor.)

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Peter L. Downey, Deputy Chief Administrative Officer for Economic Development and Planning

FROM: Mark A. Olinger, Director, Department of Planning and Development Review

RE: Request to amend the City's Zoning Ordinance for the purpose of adding a new transit-oriented nodal district, TOD-1, including subsequent amendments to the parking, signage, and screening sections and to amend the B-7 Mixed Use Business District to include priority streets, small-scale manufacturing uses, and adjust parking requirements in special cases.

ORD. OR RES. No. _____

PURPOSE: Request to amend the City's Zoning Ordinance for the purpose of adding a new transit-oriented nodal district, TOD-1, including subsequent amendments to the parking, signage, and screening sections and to amend the B-7 Mixed-Use Business District to include priority streets, small-scale manufacturing uses, and adjust parking requirements in special cases.

REASON: These amendments help implement the vision of the Pulse Corridor Plan, providing for a mid-rise, "unabashedly urban" zoning district with strong form-based requirements and market-based parking with strong screening requirements.

They also improve the B-7 mixed-use district to better fulfill the vision of industrial mixed-use as described in the Pulse Corridor Plan, allowing for compatible small-scale manufacturing and strengthening form requirements by adding requirements for priority streets into the ordinance. They also provide more consistency across mixed use districts, adding the B-7 to the districts where there is a parking credit provided in existing buildings, and clarifies how that credit is calculated with other special requirements for parking.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its August 21, 2017, meeting; or its September 5, 2017, meeting if the August meeting is canceled for the summer recess. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: These amendments arise out of the recommendations of the recently-adopted Pulse Corridor Plan, an analysis of the existing zoning ordinance and its application across the City, and an extensive public engagement process.

Master Plan

On May 15, 2017, the Planning Commission adopted the Pulse Corridor Plan as a major Master Plan amendment. The Pulse Corridor Plan has detailed land use recommendations, including specific recommendations for future land use in specific locations, and detailed land use descriptions. A specific recommendation of the Plan is to create a new mixed-use zoning district allowing mid-rise buildings up to 12-stories in building height, as well as to update the map of Street-Oriented Commercial and Priority Streets along the Pulse Corridor and incorporate it into the zoning ordinance. Further relevant recommendations applicable corridor-wide include: creating a Plan of Development overlay along the corridor to outline form elements projects must incorporate to meet TOD goals; to rezone the Corridor to match the future land use map; to remove parking requirements for small-scale projects; to incentivize underground parking, require wrapping of structured parking, and discourage the development of new surface parking lots along the Corridor; to create better access to parking and loading via alleys, and to reduce the need for driveway entrances along the Corridor. These amendments are written to help accomplish all of these recommendations from the Plan.

New Zoning District

The new district is written to be "unabashedly urban" in character, allowing a wide array and mix of uses, strong building form and site plan requirements to engage the street, and market-based parking requirements with strong screening requirements.

The permitted principal uses are modeled on existing mixed use districts like the B-5 and B-6 districts, and including some uses from the B-7 industrial mixed use district, like breweries, as appropriate. In many instances these uses have been modified, such as adding smaller size restrictions, to be in keeping with the goals of the district. Small-scale food and beverage manufacturing is allowed as a use, with a limit of 8,000 square feet, when there is at least 1,000 square feet of another principal use on the property. This would allow, for example, a coffee roaster with a café to operate and grow a significant roasting business. The district does not allow parking lots and parking areas as a principal or conditional uses; parking will have to be provided in decks or structures when it is the principal use of a property, or be accessory to another use of the property. Conditional uses include nightclubs and social service delivery uses.

Height and massing is proposed with a two-story minimum and twelve-story maximum. Like other mixed-use districts, residential density is limited by the form requirements rather than a measure of dwelling units per acre. Front yards are a maximum of 10' depth, except in special cases like the provision of a pedestrian plaza, outdoor dining, or recessed building entrance feature. Where a building includes ground floor dwelling units, the front yard will have a setback of 10'-15'.

A concern for the new district, given its mid-rise nature, is how to achieve adequate buffering to residential districts. The district proposes to have a different height limit when property is located adjacent to the side yard or rear yard of an R-district. A 20' setback will be required for the building; then a height limit will start at the third-story of the building along the side or rear building wall and extend in an inclined plane at a rate of one foot for every one foot to the opposite lot line. This has the result of limiting overall height based on the lot depth, as well as pushing building height to the lot frontage away from the residentially-zoned area.

Parking is market-based, with no surface parking allowed as a principal or conditional use. There is no commercial parking requirement except for hotels, which have a 1 space for every 4 rooms as required in the B-4 and B-5 districts. There is no residential parking requirement for up to 16 dwelling units, again same as the B-4 and B-5 districts, with over 16 units a parking requirement of 1 space for every 2 dwelling units, which is the same as the existing UB-2 district. The new TOD-1 district will be added to the districts allowing for off-premise parking, but is not added to the districts allowing credit for on-street spaces. The intent is that on-street spaces will be managed as a public resource and commons, particularly for commercial uses, not to meet residential zoning requirements.

When a parking deck or parking garage is the principal use of a property, they must be screened by a minimum 20' depth of another principal use along all street frontages. No parking deck access along a principal or priority street will be allowed if alley access is available. Similarly, no driveway access intersecting a street will be permitted when alley access is available, and no driveway intersecting a principal street frontage will be allowed when another street frontage is available to serve the lot. Areas devoted to parking cannot be located between the main building on a lot and the street line; this requirement applies to the principal street frontage of a lot, as well as any priority streets designated on the zoning map.

The amendments create a new option for parking perimeter buffers; the new buffer is 5' wide, with at least one tree for every 30' linear required for medium or large trees, and one tree every 20' linear for small or compact trees. There is a requirement for 50% groundcover coverage across the buffer. The other allowed parking perimeter buffer for the TOD-1 district is existing, and is 5' wide with shrubs and a wall or fence required.

There are some key form-based and design elements modeled after other districts, including fenestration requirements that vary for residential and non-residential uses. These requirements will apply to any priority streets in addition to the principal street of a lot. Buildings containing residential uses will be required to provide a usable open space ration of 0.10, which can take the form of yard and landscaping, balconies, or roof decks. A plan of development will be required for 30,000 square feet of development, which is a smaller size than the 50,000 square feet required in other districts.

Signage requirements are consistent with other mixed-use business districts in terms of scale and size allowances. Most building-mounted signs are allowed, with limits on free-standing signs.

Existing and Proposed Zoning

There are a few small changes proposed to the existing B-7 mixed-use business district to strengthen form requirements with respect to streetscape and street orientation, modify parking requirements, and

allow for small-scale manufacturing uses. Currently the district allows for multi-family dwellings and a wide variety of commercial and light industrial uses including large breweries, service businesses, retail, offices, and restaurants. Existing industrial uses are considered principal permitted uses and allowed to expand on the existing property. The proposed changes would allow for manufacturing uses of up to 15,000 square feet of food and beverages; textiles, bedding, and fibers; wood and paper products; and pottery and porcelain products as enumerated in the existing M-1 district. Retail sales of liquor are eliminated as a conditional use, and so would be allowed as a principal use; the district currently allows for large distilleries as a principal use.

Currently, parking within this district is a 1:1 requirement for dwelling uses, with requirements for other uses set by square footage at a rate not to exceed 1 space for every 300 square feet. On-street spaces can count towards meeting the zoning requirement.

Changes to parking include expanding the radius for off-premise parking for the B-4, B-5, B-7, and TOD-1 district to the 750' allowed currently in the RP district, as well as adding the B-7 to the districts, currently including B-6 and UB-2, where there a 50% reduction in parking requirement for uses in existing buildings to allow for more flexibility in meeting the zoning requirement. The language allowing for this bonus is edited to be clear that it applies after any other special limitation on parking applied in the eligible B-6, UB-2, and B-7 districts.

Additionally, no driveways intersecting a street would be allowed if adequate alley access is available to serve such a site.

A number of restrictions or requirements would apply to priority or street-oriented commercial streets. Parking decks and garages would be required to provide screening at 20' depth with other principal permitted uses along principal streets as well as any street designated a priority street. No drive-up facilities or motor-fuel dispensing, which are currently conditional uses within the B-7 district, would be allowed on priority or street-oriented commercial streets. Fenestration requirements would apply to the principal street frontage of a building as well as any priority street. And parking must be located between the building and any priority street frontage as well as the principal street frontage of the lot.

FISCAL IMPACT / COST: The Department of Planning and Development Review anticipates that impact to the City's budget will be positive. Implementation of the Pulse Corridor Plan and programs established to implement the Plan, including increased development from City-initiated rezonings, will ultimately achieve the \$1 billion increase in new assessed value over the next twenty years as identified in this Plan.

FISCAL IMPLICATIONS: The Department Planning and Development Review does not anticipate any fiscal implications from this proposal.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: July 24, 2017

CITY COUNCIL PUBLIC HEARING DATE: September 11, 2017

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, August 21, 2017 or September 5, 2017

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Draft Ordinance

STAFF: Kathleen Onufer, Executive Staff Assistant (Room 511)
646-5207



CITY OF RICHMOND

PLANNING COMMISSION

June 19, 2017

MOTION OF THE CITY OF RICHMOND PLANNING COMMISSION

TO DECLARE AN INTENT TO AMEND THE OFFICIAL ZONING ORDINANCE FOR THE PURPOSE OF ADDING A NEW TRANSIT-ORIENTED NODAL DISTRICT WITH SUBSEQUENT AMENDMENTS TO THE PARKING, SIGNAGE, AND SCREENING SECTIONS AND TO AMEND THE B-7 MIXED USE BUSINESS DISTRICT TO INCLUDE PRIORITY STREETS, SMALL-SCALE MANUFACTURING USES, AND ADJUST PARKING REQUIREMENTS IN SPECIAL CASES

WHEREAS, in accordance with Section 15.2-2286 of the Code of Virginia an amendment to the zoning regulations or district maps may be initiated by motion of the City of Richmond Planning Commission provided any such motion or resolution of the Commission proposing an amendment to the regulations or district maps shall state the public purposes therefore; and

WHEREAS, the Planning Commission has adopted the Pulse Corridor Plan, which, among other things, recommends the creation of a new mid-rise zoning district as well as other land use recommendations; and

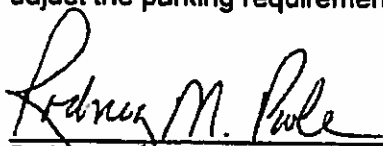
WHEREAS, the off-street parking and loading requirements of the zoning ordinance establish compatible parking for different land use districts; and

WHEREAS, the Department of Planning and Development Review has held an extensive community engagement process on the Pulse Corridor Plan and the zoning changes; and


WHEREAS, good zoning practice dictates that the comprehensive zoning plan be amended as required to reflect current conditions and trends in land use; and

WHEREAS, the purposes of zoning cited in the Code of Virginia include facilitating the creation of a convenient, attractive and harmonious community, encouraging economic development and enlarging the tax base, and providing for public safety and preventing congestion in the streets;

NOW, THEREFORE BE IT RESOLVED, that the City Planning Commission hereby concludes that an amendment to the zoning ordinance should be drafted for the purpose of adding a new transit-oriented nodal district to the ordinance, including subsequent changes to the parking, signage, and screening sections and to amend the B-7 Mixed Use Business District to include priority streets, small-scale manufacturing uses, and adjust the parking requirements in special cases.



Rodney Poole
Chair, City Planning Commission



Matthew Ebinger
Secretary, City Planning Commission