



CITY OF RICHMOND

Department of Planning & Development Review

Staff Report

ORD. NO. 2020-238: To adopt a new Code of the City of Richmond, Virginia; to repeal the Code of the City of Richmond, Virginia, 2015; to prescribe the effect of such repeal; and to provide for the manner of amending the new City Code.

To: City Planning Commission
From: Land Use Administration
Date: December 7, 2020

PETITIONER

City of Richmond, Department of Planning & Development Review

PURPOSE

To adopt a new Code of the City of Richmond, Virginia; to repeal the Code of the City of Richmond, Virginia, 2015; to prescribe the effect of such repeal; and to provide for the manner of amending the new City Code.

SUMMARY & RECOMMENDATION

In accordance with section 4.13 of the Charter of the City of Richmond and section 15.2-1433 of the Code of Virginia, the City is required to recodify the Code of the City of Richmond every five years. The Code of the City of Richmond was last recodified by Ordinance No. 2015-224-218, adopted November 9, 2015, and must be recodified in the year 2020 in accordance with section 4.13 of the Charter of the City of Richmond and section 15.2-1433. The proposed recodified Code of the City of Richmond incorporates changes to all chapters of the Code of the City of Richmond, including Chapter 30, to conform provisions of those chapters to state law and to reflect the current names of state agencies referenced in those chapters. A summary of the amendments to the Zoning Ordinance is as follows:

-Sec. 30-1000.1 (“Enforcement duties”). This section is revised to conform to Va. Code § 15.2-2286(A)(4) by adding the text “The Zoning Administrator shall respond within 90 days of a request for a decision or determination on zoning matters within the scope of his authority unless the requester has agreed to a longer period.”

-Sec. 30-1170.3 (“Proffered conditions”). This section is revised by adding certain provisions of Va. Code § 15.2-2298(A) specifically the third paragraph of thereof concerning reasonable conditions that an owner may proffer in writing.

-Sec. 30-1170.8 (“Review of zoning administrator’s decision”). This section is revised by adding the sentence “An aggrieved party may petition the circuit court for review of the decision of the governing body on an appeal taken pursuant to this section,” as provided in Va. Code § 15.2-2301.

-Sec. 30-1220.33 (“Definitions; ‘family’”). The definition of “family” in this section is revised to change the term “mentally retarded” to “intellectual disability,” in accordance with Va. Code § 15.2-2291(A), and to change the reference to “department of mental health, mental retardation and substance abuse services” to “Department of Behavioral Health and Developmental Services.”

On November 2, 2020 the Planning Commission adopted a Resolution of Intent regarding these amendments. Staff there recommends approval of the Ordinance.

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