

INTRODUCED: September 14, 2020

AN ORDINANCE No. 2020-209

To amend City Code §§ 30-438.1, concerning permitted principal and accessory uses, 30-438.3:1, concerning floor area and usable open space, 30-438.4, concerning screening, 30-452.1, concerning permitted principal uses, and 30-515, concerning sign regulations, to amend ch. 30, art. IV, div. 21 of the City Code by adding therein new §§ 30-438, concerning the intent of the B-3 zoning district, and 30-438.6, concerning parking and circulation of vehicles, and to amend ch. 30, art. XII of the City Code by adding therein new §§ 30-1220.15:1 and 30-1220.84:1, concerning certain definitions.

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Patrons – Mayor Stoney and Mr. Jones

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

PUBLIC HEARING: OCT 12 2020 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 30-438.1, 30-438.3:1, 30-438.4, 30-452.1, and 30-515 of the Code of the City of Richmond (2015), as amended, be and are hereby **amended** and reordained as follows:

**Sec. 30-438.1. Permitted principal and accessory uses.**

The following uses of buildings and premises shall be permitted in the B-3 district, provided that no use which includes a drive-up facility shall be located on a transitional site. A plan of development shall be required as set forth in Article X of this chapter for: such uses as

AYES: 8 NOES: 0 ABSTAIN: \_\_\_\_\_

ADOPTED: OCT 12 2020 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

specified in this section; any use with drive-up facilities; and any newly constructed building with greater than ~~[50,000]~~ 2,500 square feet of floor area; 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;

(2) ~~[Adult entertainment establishments, adult book stores, adult motion picture theaters and massage parlors; provided that the property devoted to any such use shall not be situated within 1,000 feet of property in an R or RO district, nor within 1,000 feet of any property occupied by a church or other place of worship, public or private elementary, intermediate or high school, public library, lodginghouse, tourist home, day care center, nursing home, hotel, motel or other adult entertainment establishment, adult book store, adult motion picture theater or massage parlor;]~~

~~[(3)]~~ Art galleries;

~~[(4)]~~ (3) Auto service centers, provided that no such use shall be located on a transitional site, and provided further that the following conditions are met for any such use that includes facilities for dispensing motor fuels:

a. 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;

b. A landscaped buffer having a depth of not less than five feet and providing an evergreen vegetative screen of not less than three feet in height within one year of planting shall be provided along the street frontage of the property;

~~[b.]~~ c. Notwithstanding other provisions of this chapter regarding yards, pump islands for dispensing motor fuels may be located within required yards adjacent to streets,

but not within 20 feet of any street or property line. Marquees, cantilevers and similar roofs over pump islands may extend to within ten feet of street lines;

[e-] d. A plan of development shall be required as set forth in Article X of this chapter;

~~[(5)]~~ (4) Auto, truck, motorcycle, boat, trailer, recreational vehicle, manufactured home and construction equipment sales, rental, service, storage and general repair, and body repair and painting, convertible top and seat cover repair and installation; provided that:

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

b. All facilities involving general repair, body repair and painting and convertible top and seat cover repair and installation shall be located within completely enclosed buildings;

c. No dismantled or junked vehicle unfit for operation on the streets shall be parked or stored outside of an enclosed building;

d. All outdoor areas devoted to storage or display shall be provided with landscaped buffers along streets in accordance with the standards applicable to parking areas and parking lots set forth in Section 30-710.13(1) and (2);

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

~~[(6)]~~ (5) Banks, savings and loan offices and similar financial services, including accessory automated teller machines 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 automated teller machine accessible from the exterior of a building;

~~[(7)]~~ (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, 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 and in no case shall chain link fencing, chain link fencing with slats, or similar fencing be considered as meeting the requirements of the fence and wall design guidelines;

(7) 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);

(8) Catering businesses;

(9) Churches and other places of worship, which may include the serving of food for charitable or fellowship purposes, and as an accessory use the temporary housing of not more than 30 homeless individuals within churches and other places of worship, subject to meeting applicable building code and fire code requirements, for up to a total of seven days and only within the time period beginning on October 1 of any year and ending on April 1 of the following year;

(10) Communications centers and telephone repeater stations operated by public service corporations;

(11) Contractors' shops, offices and display rooms;

(12) Day nurseries licensed by and subject to the requirements of the State of Virginia Department of Social Services;

(13) Drive-in theaters, provided that:

- a. No such use shall be located on a transitional site;
- b. Principal points of vehicular access to the premises shall be located on arterial or collector streets as designated in the City's master plan;
- c. Theater screens shall be located so as not to face any street or public area;
- d. A plan of development shall be required as set forth in Article X of this chapter;

(14) 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, and provided further that no such use shall be located on a transitional site;

(15) Dwelling units [~~contained within the same building as other permitted principal uses, provided that such dwelling units shall be located above the ground floor of the building or to the rear of other permitted principal uses so as not to interrupt commercial frontage in the district, and provided further that the ground floor area devoted to other permitted principal uses shall be a minimum of one-third or 1,000 square feet, whichever is greater, of the floor area of the ground floor of the building and shall be not less than 20 feet in depth along the entire length of a principal street frontage, except for ingress and egress. A~~], provided that 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 [~~(see Section 30-800.1 for provisions for nonconforming dwelling uses)~~];

- (16) Funeral homes;
- (17) Furniture repair and upholstery shops;
- (18) Greenhouses and plant nurseries;

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

(20) 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;

(21) Hotels [~~and motels~~], 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 25,000 square feet, and no property line coincidental with a street line shall be less than 100 feet in length;

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

(22) Janitorial and custodial service and supply establishments;

(23) Laboratories and research facilities which are not any more objectional 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;

(24) Laundromats and laundry and dry cleaning pick-up stations;

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

(26) Manufacturing uses of under 15,000 square feet of area, as listed in section 30-452.1(2)a, excepting section 30-452.1(2)a.13.

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

~~[(27)]~~ (28) Motor fuels dispensing in conjunction with other uses permitted in this district, 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;~~

e.] Notwithstanding other provisions of this chapter regarding yards, pump islands for dispensing motor fuels may be located within required yards adjacent to streets, but not within 20 feet of any street or property line. Marquees, cantilevers and similar roofs over pump islands may extend to within ten feet of street lines;

~~[d.]~~ c. A plan of development shall be required as set forth in Article X of this chapter;

~~[(28)]~~ (29) Nursing homes, provided that a plan of development shall be required as set forth in Article X of this chapter;

~~[(29)]~~ (30) Office supply, business and office service, photocopy and custom printing establishments;

~~[(30)]~~ (31) 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;

~~[(31)]—Parking areas and parking lots, 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;]~~

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

a. No portion of such structure located along a principal street frontage shall be used for parking or related circulation of vehicles, but 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 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 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 subdivision 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. 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 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;

c. Except as provided in Subsection (32)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;

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

(33) Personal loan and financial services, provided that such use may not be located within 5,000 feet of any other personal loan or financial service;

(34) 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;

(35) 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;

(36) Postal and package mailing services;

(37) Printing, publishing and engraving establishments;

(38) Private elementary and secondary schools having curricula substantially the same as that offered in public schools;

(39) Professional, business and vocational schools;

(40) Public utilities installations, equipment buildings and passenger terminals for public transportation, including servicing of motor vehicles used in connection therewith when such servicing is conducted within a completely enclosed building, and provided that no passenger terminal shall be located on a transitional site;

(41) 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;

(42) Recreation and entertainment uses, including theaters, museums, amusement centers, bowling alleys, lodges and clubs, meeting facilities, auditoriums and assembly halls, when such uses are located within completely enclosed buildings, and provided that no such use shall be located on a transitional site and 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;

(43) Recreation uses, outdoor, including golf courses, par three and miniature golf courses, driving ranges, putting greens, temporary carnivals and similar amusement facilities, but not including shooting ranges; provided that:

- a. No such use shall be permitted on a transitional site;
- b. Such use shall be so located, designed and operated that noise from equipment, machinery or loudspeaker systems is not audible from nearby properties in R or RO districts;
- c. A plan of development shall be required as set forth in Article X of this chapter;

(44) Repair businesses conducted within completely enclosed buildings, provided that any service doors face away from any property in a R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, R-8 or R-63 district;

(45) Restaurants, tearooms, 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~~] R-1, R-2, R-3, R-4, R-5, R-5A, R-6, R-7, R-8 or R-63 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;

d. Drive-through or drive-up windows shall be located at the rear or side of the building and accessed by an alley or a side street where possible.

(46) Retail stores and shops, provided that not more than 70 percent of the floor area may be devoted to storage of merchandise to be sold at retail on the premises;

(47) 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;

(48) 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];~~

(49) 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;~~

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

~~[d.]~~ c. A plan of development shall be required as set forth in Article X of this chapter;

(50) 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;

(51) Service stations, 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. Notwithstanding other provisions of this chapter regarding yards, pump islands for dispensing motor fuels may be located within required yards adjacent to streets, but not within 20 feet of any street or property line. Marquees, cantilevers and similar roofs over pump islands may extend to within ten feet of street lines;~~

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

(52) Shopping centers containing uses permitted in this district, provided that a plan of development shall be required as set forth in Article X of this chapter;

(53) Tire recapping and vulcanizing shops, provided that ~~[nø]~~:

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

b. Any tire storage must be located behind a continuous evergreen vegetative screen at least eight feet high within three years of planting, or to the rear of the building, or otherwise not visible from the street;

(54) Tourist homes;

(55) Travel trailer parks and campgrounds, provided that no such use shall be located on a transitional site, and provided further that a plan of development shall be required as set forth in Article X of this chapter;

(56) Truck and freight transfer terminals, provided that:

- a. No such use shall be located on a transitional site;
- b. Principal points of vehicular access to the premises shall be located on arterial or collector streets as designated in the City's master plan;
- c. All outdoor areas devoted to truck or trailer storage or parking shall be provided with landscaped buffers along streets in accordance with the standards applicable to parking areas and parking lots set forth in Section 30-710.13(1) and (2);
- d. A plan of development shall be required as set forth in Article X of this chapter;

(57) 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;

(58) Wholesale, warehouse and distribution establishments with not more than 20,000 square feet of floor area devoted to storage of goods;

(59) 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;

(59.1) Short-term rental, subject to the requirements of Article VI, Division 14 of this chapter.

(60) 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. 30-438.3:1. Floor area and usable open space.**

In the B-3 General Business District, [~~the following floor area and usable open space ratios shall be applicable to dwelling uses and shelters, other than dwelling units contained within the same building as other permitted principal uses (see Section 30-1220):~~

~~(1) *Floor area ratio.* The floor area ratio shall not exceed 2.0.~~

~~(2) *Usable open space ratio.* A] a usable open space ratio of not less than 0.25 shall be provided.~~

**Sec. 30-438.4. Screening.**

Screening regulations in the B-3 General Business District shall be as follows:

(1) Where a side lot line abuts property in an R district, there shall be a continuous evergreen vegetative screen not less than 3½ feet in height at the time of installation or opaque structural fence or wall not less than four feet in height erected along such lot line, but not within 15 feet of any street line, provided that no chain link or similar material is used. Evergreen vegetative material intended to satisfy this subsection shall be planted at such intervals that will result in a continuous visual screen within one year of planting.

(2) Where a use prohibited on a transitional site is situated across an alley from the side lot line of property in an R district, there shall be an opaque structural fence or wall not less than four feet in height erected along the alley line, but not within 15 feet of any street line.

(3) Screening of parking areas and refuse areas shall be provided as set forth in Sections 30-660 and 30-710.12.

**Sec. 30-452.1. Permitted principal and accessory uses.**

The following uses of buildings and premises shall be permitted in the M-1 district:

(1) Any use permitted in the district as set forth in section 30-438.1, provided that:

a. A plan of development shall not be required for any use except the following: parking decks, parking garages, shopping centers, hotels and motels, motor fuels dispensing in conjunction with other uses permitted in the B-3 district and uses with drive-up facilities;

b. The prohibition of uses outside of enclosed buildings shall not be applicable in this district;

c. No building shall be erected for dwelling use or converted to such use unless permitted by the board of zoning appeals pursuant to the provisions of section 17.20 of the Charter, in which event such use shall be discontinued within ten years from the date such use is permitted, provided that a building may be used for dwelling purposes by a guard, caretaker or watchman employed in connection with the use of a building or premises permitted in this district;

(2) The following uses and any similar uses which are not likely to create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influence than the minimum amount normally resulting from other uses permitted; such permitted uses being generally light industries that manufacture, process, store and distribute goods and materials and are in general dependent upon raw materials refined elsewhere, and manufacturing, compounding, processing, packaging or treatment as specified of the following or similar products:

a. *Food and beverages:*

1. Baked goods.
2. Beverages: blending and bottling plants.
3. Chocolate, cocoa and cocoa products: processing and packaging.
4. Coffee, tea and spices: processing and packaging.
5. Condensed milk: processing and canning.
6. Dairy products: creameries and plants.
7. Fruit and vegetable processing, including canning, preserving, drying and freezing.
8. Gelatin products.
9. Glucose and dextrine.
10. Macaroni and noodle manufacturing.
11. Meat products: packing and processing, but not including slaughtering.
12. Oleomargarine: compounding and packaging.
13. Poultry packaging and slaughtering.

b. *Metal and metal products:*

1. Agricultural or farm implements.
2. Aircraft and aircraft parts.
3. Aluminum extrusion, rolling, fabrication and forming.
4. Automobile, truck, trailer, motorcycle and bicycle assembly.
5. Bolts, nuts, screws, washers and rivets.
6. Containers (metal).

7. Culverts.
  8. Firearms.
  9. Foundries and foundry products manufacturing.
  10. Heating, ventilating, refrigeration and appliance supplies and equipment.
  11. Iron or structural steel fabrication.
  12. Nails, brads, tacks, spikes and staples.
  13. Needles and pins.
  14. Plating (electrolytic process).
  15. Plumbing supplies.
  16. Safes and vaults.
  17. Sheet metal products.
  18. Silverware and plated ware.
  19. Tool, die, gauge and machine shops.
  20. Tools and hardware products.
  21. Vitreous enameled products.
- c. *Textiles, bedding and fibers:*
1. Garment making, repair and tailoring.
  2. Hats.
  3. Hosiery mill.
  4. Knitting, weaving, printing, dyeing and finishing of textiles and fibers into fabric goods.

5. Rubber and synthetic treated fabrics, but not including rubber and synthetic processing.
  6. Yarn, threads and cordage.
- d. *Wood and paper products:*
1. Baskets and hampers.
  2. Boxes and crates.
  3. Forests and wildlife preserves: public and private.
  4. Furniture.
  5. Pencils.
  6. Pulp goods and paper processing, but not including pulp milling.
  7. Shipping containers.
  8. Trailers and wagons.
- e. *Unclassified uses:*
1. Animal, poultry and bird raising.
  2. Animal pound for detention only.
  3. Boat manufacturing (vessels less than five tons).
  4. Building materials storage and sales.
  5. Bus and other transportation terminals, garages and repair shops.
  6. Button manufacturing.
  7. Carbon paper and inked ribbon manufacturing.
  8. Chewing gum manufacturing.
  9. Clay, stone and glass products.
  10. Cigar, cigarette, chewing and smoking tobacco manufacturing.

11. Circus and fairgrounds.
12. Coal and coke storage and sales.
13. Concrete products.
14. Contractors' shops and storage yards.
15. Drive-in or outdoor theatres.
16. Dry cleaning and laundering.
17. Exhibition space: enclosed or unenclosed.
18. Electric transformer stations, substations and generating plants.
19. Entertainment and recreational uses.
20. Feed and grain storage.
21. Flour and feed packaging and blending.
22. Fur finishing.
23. Grain blending and packing, but not including milling.
24. Greenhouses.
25. Ice manufacturing.
26. Industrial and vocational training schools.
27. Insecticides, fungicides, disinfectants and related industrial and household chemical compounds (blending only).
28. Kennels.
29. Laboratories and research facilities.
30. Leather goods manufacturing, but not including tanning operations.
31. Livery stables and riding academies.

32. Malt products manufacturing, but not including breweries producing more than 100,000 barrels of beer per year or distilleries producing more than 250,000 cases of liquor per year.

33. Motion picture production.

34. Pottery and porcelain products.

35. Propagation and cultivation of crops, flowers, trees and shrubs.

36. Public utility storage yard.

37. Railroad passenger and freight depots.

38. Repair and servicing of diesel engines.

39. Repair, servicing, sale and storage of heavy construction equipment.

40. Sanitary landfills operated by governmental agencies.

41. Storage of petroleum products for distribution within the metropolitan area.

42. Support structures used in connection with wireless communications facilities, radio and television broadcast antennas and microwave relay facilities, 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 32-692.1 through 32-692.6.

43. Wholesale, warehouse and distribution establishments.

(3) Adult entertainment establishments, adult book stores, adult motion picture theaters, and massage parlors, provided that the property devoted to any such use shall not be situated within 1,000 feet of property located in any R or RO district, and shall not be situated within 1,000 feet of any property occupied by a church or other place of worship, public or private

elementary, middle, or high school, public library, lodginghouse, tourist home, day care center, nursing home, hotel, motel, or other adult entertainment establishment, adult book store, adult motion picture theater, or massage parlor.

(4) Parking areas and parking lots.

**Sec. 30-515. B-3 district.**

Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the B-3 General Business District:

(1) *Types of permitted signs.* Wall signs, projecting signs, suspended signs, awning signs, canopy signs, freestanding signs and off-premises signs shall be permitted, subject to the restrictions set forth in this section and Section 30-504.

(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~~ 200 square feet for each street frontage, provided that this shall not be construed to restrict any lot to less than 50 square feet of sign area per street frontage. Where more than one main building is located on a lot, the formula in this subsection for determining permitted sign area shall apply to individual buildings and building frontages along a street, rather than to lots and lot frontages.

(3) *Projecting signs.* No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. 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.

(4) *Freestanding signs.* Freestanding signs shall be permitted subject to the following:

a. Not more than one freestanding sign shall be permitted along each street frontage. The total square footage attributable to a freestanding sign shall not exceed 100 square feet in area, nor shall a freestanding sign exceed 35 feet in height.

b. On any lot less than two acres in area and utilized for a shopping center, one freestanding sign not exceeding 100 square feet in area or 35 feet in height shall be permitted. On any such lot having multiple street frontages, one additional freestanding sign shall be permitted along each street frontage of 300 feet or more. Such freestanding signs shall not be included in the calculation of the permitted sign area set forth in Subsection (2) of this section.

(5) *Off-premises signs.* Off-premises signs shall be permitted provided such off-premises signs are oriented towards, visible from, and located within 660 feet of the right-of-way of an interstate highway, and further provided that:

a. Such signs shall not exceed 700 square feet in area or 35 feet in height.

b. No two structures shall be spaced less than 500 feet apart along the same side of the highway. The distance between structures shall be measured along the nearest edge of the pavement between points marking the intersections of the edge of the pavement and perpendiculars extending from the edge of the pavement to the structures.

c. No such structure shall be located within 500 feet of an interchange. The distance from an interchange shall be measured along the nearest edge of the pavement between points marking the beginning or ending of the pavement widening at the exit ramp from or entrance ramp to the main traveled way and a point marking the intersection of the edge of the pavement and a perpendicular extending from the edge of the pavement to the structure.

§ 2. That Chapter 30, Article IV, Division 21 of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein new** sections numbered 30-438 and 30-438.6 as follows:

**Sec. 30-438. Intent of district.**

Originally intended to provide space for auto-oriented uses, the B-3 General Business District shaped the character of the corridors on the south side and other areas of Richmond by encouraging high-frequency, high-speed, regional traffic-generators that have separated one residential neighborhood from another, detracting from the development of community identity. The B-3 General Business District has been amended with the aim of improving aesthetics and walkability by reducing parking minimums, increasing screening requirements, adding uses to provide services to nearby residents in an effort to encourage more cohesive community fabric, and mitigating the impact of auto-oriented uses on adjacent residential neighborhoods. The amendments were intended to gradually improve the character and livability of those corridors, while still providing space for businesses to provide services.

**Sec. 30-438.6. Parking and 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 and such areas shall not 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 to the principal street frontage, as the term “principal street frontage” is defined in section 30-1220.86.

(b) *Driveways from street.* No driveway intersection on a street that constitutes the principal street frontage of a lot shall be permitted when other street frontage or alley access is

available to serve the lot. For purposes of this subsection, principal street frontage means “principal street frontage” as defined in section 30-1220.86.

(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.

§ 3. That Chapter 30, Article XII of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein new** sections numbered 30-1220.15:1 and 30-1220.84:1 as follows:

**Sec. 30-1220. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

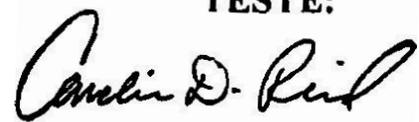
.15:1 *Booking transaction* means any transaction in which there is a charge to one or more short-term renters by a short-term rental operator in exchange for the occupancy of a short-term rental.

.84:1 *Personal loan and financial services* means any private, for-profit entity offering loans using car titles, paychecks, or other such assets as collateral, including “payday lenders” as defined by Code of Virginia, § 6.2-18, “motor vehicle title loans” as defined by Code of Virginia, § 6.2-22, and “pawnbrokers” as defined by Code of Virginia, § 54.1-4000.

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

**A TRUE COPY:**

**TESTE:**



**City Clerk**

# City of Richmond

900 East Broad Street  
2nd Floor of City Hall  
Richmond, VA 23219  
www.richmondgov.com

## Item Request

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### O & R Request

**DATE:** June 29, 2020

**EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor (Patron: Mayor. by Request)  7/17/2020

**THROUGH:** Lenora G. Reid, Acting Chief Administrative Officer 

**THROUGH:** Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning 

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

**RE:** To amend the Zoning Ordinance for the purpose of amending and improving the B-3 General Business District

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**PURPOSE:** To amend the Zoning Ordinance text for the purpose of updating the B-3 district to remove uses incompatible with adjacent neighborhoods; improve aesthetics and walkability along corridors; currently allow for higher density; and the creation of a sense of place. Councilman Michael Jones desires to co-patron this Ordinance.

**REASON:** This Ordinance is a response to City Council Resolution 2018-R081, which requested "that the Planning Commission cause to be conducted a study of all properties zoned for the B-3 General Business District in all Council Districts of the city of Richmond to determine if such properties should be rezoned to facilitate development or redevelopment of such properties." Staff has studied the district; and recommends making these changes to the B-3 district to ameliorate the stark effect that the B-3 district has on areas to which it is applied. After adoption of this Ordinance, new developments will have to follow the new standards, improving the corridors over time. Existing businesses may remain indefinitely as legally non-conforming ("grandfathered"), unless, or until, they are left vacant for over two years.

**RECOMMENDATION:** In accordance with requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. These items will be scheduled for consideration by the Commission at its September 8<sup>th</sup> 2020, meeting; to be forwarded to the City Council following that meeting.

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For these 2020 amendments, staff conducted GIS analysis of areas in which adult uses would be allowed following these amendments, and determined that there is not a significant decline in properties in the city where these uses would be allowed.

Adult uses are still permitted in the B-4 Central Business, M-1 Light Industrial and M-2 Heavy Industrial districts. Of the 1,274 parcels in Richmond City zoned B-3, only four (0.003%) fall outside a 1,000' buffer from residential districts, schools, etc. Of the 4,247 parcels zoned either B-4, M-1 or M-2, 349 fall outside the buffer. Removing adult uses from the B-3 district removes just four parcels across the city from potential use as an adult establishment, resulting in a 0.01% reduction in parcels available for adult uses in total.

**Public Engagement**

These district amendments are the result of many conversations that Councilman Jones, a co-patron of Resolution 2018-R08, has had with his constituents over several years. The amendments are consistent with the 2001 Master Plan and the Richmond 300 plan, for which there has been extensive public engagement. Public hearings will occur when the Ordinance comes before both Planning Commission and City Council.

**FISCAL IMPACT / COST:** There is no cost associated with this amendment.

**FISCAL IMPLICATIONS:** The Department of Planning and Development Review does not anticipate any fiscal implications.

**BUDGET AMENDMENT NECESSARY:** No.

**REVENUE TO CITY:** N/A

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** July 27, 2020

**CITY COUNCIL PUBLIC HEARING DATE:** September 14, 2020

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** N/A

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:**  
City Planning Commission, September 8, 2020

**AFFECTED AGENCIES:** City Attorney's Office (for review of ordinance)  
Department of Planning and Development Review

**RELATIONSHIP TO EXISTING ORD. OR RES.:** RES. 2018-R081

**REQUIRED CHANGES TO WORK PROGRAM(S):** N/A

**ATTACHMENTS:** RES. 2018-R081, Draft Ordinance

**STAFF:** Anne W. Darby, AICP, Planner III, Zoning Specialist, [anne.darby@richmondgov.com](mailto:anne.darby@richmondgov.com),

**FISCAL IMPACT STATEMENT**

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact	\$ N/A	

Note: Studies are generally are a part of the routine business of the Commission.

Attachment/s      Yes  No



# Richmond City Council

**RICHMOND SOUTH CENTRAL 9TH VOTER DISTRICT**

**The Honorable Michael J. Jones**

Councilman, Richmond South Central 9th Voter District

June 18, 2020

**VIA EMAIL: [Mark.Olinger@Richmondgov.com](mailto:Mark.Olinger@Richmondgov.com)**

Mark A. Olinger

Director, Department of Planning and Development Review

900 E. Broad Street, Room 511

Richmond, Virginia

23219

Dear Mr. Olinger,

I would like to be added as a co-patron to the Ordinance that will amend the B-3 zoning district. You and your staff have been very helpful in making these amendments and confronting the prevalence of B-3 zoning in Southside and its impact.

Sincerely,

Dr. Michael J. Jones

Richmond City Councilman



CITY OF RICHMOND

PLANNING COMMISSION

August 3, 2020

**RESOLUTION 2020-033  
MOTION OF THE CITY OF RICHMOND PLANNING COMMISSION**

**TO DECLARE AN INTENT TO AMEND THE B-3 GENERAL BUSINESS DISTRICT IN  
RESPONSE TO CITY COUNCIL RESOLUTION 2018-R081.**

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, City Council passed Resolution 2018-R081 requesting that the Planning Commission cause to be conducted a study of all properties zoned B-3 General Business and to determine if such properties should be rezoned; and

WHEREAS, Planning and Development Review staff did conduct said study, and produced a report presented to the Resolution's patron and the Planning Commission in January of 2019, in which each area zoned B-3 was categorized as either needing rezoning within 1 to 3 years or needing further study and public input as part of the Richmond 300 Master Plan process; and

WHEREAS, staff has further analyzed and discussed and believes that the most effective first step is to amend the language and requirements of the B-3 district itself; and

WHEREAS, there has been significant concern within the Ninth Council District regarding adult related uses currently allowed in the B-3 district and amending the district is an effective method of addressing those concerns; and

WHEREAS, amending the B-3 General Business District is in conformity with both the draft Richmond 300 Master Plan and good planning practices; and

NOW, THEREFORE BE IT RESOLVED THAT, for the purposes of public necessity, convenience, general welfare and good zoning practices, the City of Richmond Planning Commission hereby adopts a resolution of intent to amend the B-3 General Business District.

Handwritten signature of Rodney M. Poole in black ink.

Rodney Poole  
Chair, City Planning Commission

Handwritten signature of Matthew Ebinger in black ink.

Matthew Ebinger  
Secretary, City Planning Commission