

INTRODUCED: June 24, 2019

AN ORDINANCE No. 2019-170

To amend City Code §§ 30-440.1, 30-440.2, 30-440.4:1, 30-440.6, and 30-440.7, concerning permitted principal and accessory uses, principal uses permitted by a conditional use permit, requirements for areas devoted to parking or circulation of vehicles, height, and building façade fenestration in the B-4 Central Business District, and to amend ch. 30, art. IV, div. 22 by adding therein a new § 30-440, concerning the intent of the district, for the purpose of modifying elements of the B-4 Central Business District and promoting dense, transit-oriented development with greater building height than elsewhere in the region.

\_\_\_\_\_  
Patron – Mayor Stoney

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

PUBLIC HEARING: JUL 22 2019 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 30-440.1, 30-440.2, 30-440.4:1, 30-440.6, and 30-440.7 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

**Sec. 30-440.1. Permitted principal and accessory uses.**

The following uses of buildings and premises shall be permitted in the B-4 district, provided that drive-up facilities and facilities for dispensing motor fuels shall not be permitted in

AYES:            9            NOES:            0            ABSTAIN: \_\_\_\_\_

ADOPTED:    JUL 22 2019    REJECTED: \_\_\_\_\_    STRICKEN: \_\_\_\_\_

conjunction with any of the uses permitted in the district unless specifically set forth in this section.

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 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;

(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) Auto rental establishments;

(5) Banks, savings and loan offices and similar financial services~~[, including drive-up facilities in conjunction therewith and]~~ 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 such use with ~~[drive-up facilities or]~~ an automated teller machine accessible from the exterior of a building;

(6) Catering businesses;

(7) 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;

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

(9) ~~[Contractor's shops, offices and display rooms;~~

~~(10)]~~ Day nurseries licensed by and subject to the requirements of the State of Virginia Department of Social Services;

~~[(11)]~~ (10) 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;

~~[(12)]~~ (11) Dwelling units, provided that when such units are located within buildings fronting on streets designated as street oriented commercial frontage or priority street frontage, as shown ~~[below]~~ on the official zoning map, 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 or priority street 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;

~~[(13) Funeral homes;~~

~~(14) Furniture repair and upholstery shops;~~

~~(15)]~~ (12) Grocery stores, convenience stores and specialty food and beverage stores, including bakeries where products are sold principally at retail on the premises;

~~[(16)]~~ (13) 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;

~~[(17)]~~ (14) 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 street frontages shall be devoted to those uses specified in subsections (3), (5), ~~[(15)]~~ (12), ~~[(29)]~~ (24), ~~[(39)]~~ (34), or ~~[(40)]~~ (35) of this section; provided that not more than 50 percent of the frontage of such ground floor may be devoted to entrances or lobbies serving the hotel use, except entrances or lobbies existing at the effective date of this subsection that exceed 50 percent of such frontage shall be permitted, but shall not be expanded to occupy a greater percentage of such frontage;

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

~~[(18) Janitorial and custodial service and supply establishments;~~

~~[(19)]~~ (15) Laboratories and research facilities which are not any more ~~[objectional]~~ 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;

~~[(20)]~~ (16) Laundromats and laundry and dry cleaning pick-up stations;

~~[(21)]~~ (17) Libraries, museums, schools, parks and noncommercial recreational facilities, when such uses are owned or operated by a nonprofit organization;

~~[(22)]~~ (18) Marinas~~[-, including facilities for dispensing motor fuels]~~, provided that a plan of development shall be required as set forth in article X of this chapter for any marina; and boathouses, piers and docks;

~~[(23)]~~ (19) Nursing homes, provided that a plan of development shall be required as set forth in article X of this chapter;

~~[(24)]~~ (20) Office supply, business and office service, photocopy and custom printing establishments;

~~[(25)]~~ (21) 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;

~~[(26)]~~ (22) Parking decks and parking garages, provided that:

a. No portion of the ground floor 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 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 a 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 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 facade. Upper stories of such structure may be used for parking or related circulation of vehicles subject to the fenestration requirements set forth in section 30-440.7(2);

b. Except as provided in paragraph (a) of this subsection (27), 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.

~~[(27)]~~ (23) Personal loan and financial services;

~~[(28)]~~ (24) 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;

~~[(29)]~~ (25) 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;

~~[(30)]~~ (26) Postal and package mailing services, but not including package distribution centers;

~~[(31)]~~ (27) Printing, publishing and engraving establishments employing not more than 20 persons on the premises;

~~[(32)]~~ (28) ~~[Private]~~ Public elementary or secondary schools, or private elementary and secondary schools having curricula substantially the same as that offered in public schools;

~~[(33)]~~ (29) Professional, business and vocational schools, provided that no heavy machinery, welding equipment or internal combustion engine shall be used in conjunction therewith;

~~[(34)]~~ (30) 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, provided that no passenger terminal shall be located on a transitional site;

~~[(35)]~~ (31) 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)]~~ (32) Recreation and entertainment uses, including theaters, museums, amusement centers, 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;

~~[(37)]~~ (33) Repair businesses conducted within completely enclosed buildings;

~~[(38)]~~ (34) Restaurants, tearooms, cafes, 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 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.



~~[(39)]~~ (35) 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;

~~[(40)]~~ (36) Rights-of-way, easements and appurtenances necessary for the provision and maintenance of public utilities and public transportation, including streets, rail lines, power lines,

~~[(41)]~~ (37) 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)]~~ (38) 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)]~~ (39) 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;

~~[(44)]~~ (40) 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;

~~[(45)]~~ (41) 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, and/or description of linkages to programs operated by others;

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.

~~[(46)]~~ (42) Tourist homes;

~~[(47)]~~ (43) 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 section 54.1-3401 of the Code of Virginia;

~~[(48)]~~ (44) 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;

~~[(49)]~~ (45) 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. 30-440.2. Principal uses permitted by conditional use permit.**

The following uses of buildings and premises may be permitted in the B-4 district by conditional use permit as set forth in Article X of this chapter:

- (1) Adult care residences;
- (2) Group homes;

- (3) Lodginghouses;
- (4) Nighclubs;
- (5) ~~[Parking areas and parking lots;~~
- ~~(6)]~~ Retail sales of liquor;
- ~~[(7)]~~ (6) Shelters.

**Sec. 30-440.4:1. 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 both the principal street frontage and the priority street frontage ~~[as defined in section 30-1220]~~. This subsection shall not be construed to prohibit vehicular drop-off or pick-up areas serving hotels or hospitals when approved in accordance with section 30-440.3(1).

(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. ~~[For purposes of this subsection, principal street frontage shall be defined as in section 30-1220.]~~ This subsection shall not be construed to prohibit vehicular drop-off or pick-up areas serving hotels or hospitals when approved in accordance with section 30-440.3(1).

(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. 30-440.6. Height.**

For purposes of this section, story height shall not be less than ten feet nor greater than 15 feet, except that the ground floor of a building may be of greater height. Height regulations in the B-4 district shall be as follows:

(1) Maximum height. There shall be no maximum height limit in the B-4 Central Business District, provided that no portion of a building shall penetrate an inclined plane originating at the centerline of each abutting street and extending over the lot at an inclination of one foot horizontal for each four feet vertical [~~and provided, further, that such inclined plane may be penetrated by a building wall adjacent to a street for a horizontal distance not exceeding 50 percent of the length of the property line along such street].~~

(2) Minimum height. Every main building hereinafter constructed shall have a minimum height of three 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 façade along the principal street frontage of the lot.

**Sec. 30-440.7. Building façade fenestration.**

Fenestration requirements applicable to building façades along street frontages in the B-4 district shall be as set forth in this section. In the case of a corner, the requirements shall be applicable along both the principal street frontage of the lot or both the principal street frontage and the priority street frontage where applicable.

(1) *Street level story.*

a. *Non-dwelling uses.* For non-dwelling uses, other than those listed in subsections 30-440.1(1), (7), (8), ~~[(40)]~~ (9), (13), ~~[(46)]~~ (15), (17), ~~[(49), (21), (33), (35), (47)]~~ (29, (31), (43), and ~~[(48)]~~ (44), a minimum of 60 percent of the building façade 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 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 subsection shall not apply.

b. *Dwelling uses.* For dwelling uses, tourist homes, and shelters, 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 façade 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 façade 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 subsection 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. *Non-dwelling uses.* For non-dwelling 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 façade 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, tourist homes, and shelters, 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 façade 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.

§ 2. That Chapter 30, Article IV, Division 22 of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** section numbered 30-440 as follows:

**Sec. 30-440. Intent of district.**

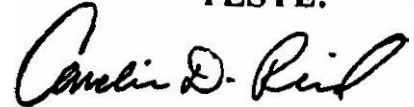
Pursuant to the general purposes of this chapter, the intent of the B-4 Central Business District is to define the urban center of the city of Richmond by promoting dense, transit-oriented development with greater building height than elsewhere in the region. The district regulations are intended to promote redevelopment, placemaking, and development of surface parking lots to create high-quality urban spaces. Such regulations are also intended to improve streetscape

character and enhance public safety by encouraging an active pedestrian environment consistent with the mixed-use character of the district and by providing uniform setbacks, first floor commercial uses, and windows in building façades along street frontages.

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

**A TRUE COPY:**

**TESTE:**

A handwritten signature in black ink, appearing to read "Amelia D. Reed". The signature is written in a cursive style with a large initial 'A'.

**City Clerk**





# City of Richmond

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

## Item Request

File Number: PRE.2019.209

**RECEIVED**

O & R Request

DATE: May 28, 2019

TO: The Honorable Members of City Council

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

THROUGH: Selena Cuffee-Glenn, 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: Request to amend the Official Zoning Map and text for the purposes of rezoning Monroe Ward in order to meet the recommendations of the adopted Pulse Corridor Plan. The rezoning is comprised of a package of five ordinances, which together will meet the objectives of the Plan.

ORD. OR RES. No. \_\_\_\_\_

**PURPOSE:**

To amend the official zoning map and text for the purpose of rezoning certain properties in Monroe Ward in order to meet the recommendations of the Pulse Corridor Plan and create a high-quality urban neighborhood.

The rezoning is comprised of five ordinances, which together will revise the City's official zoning map and official zoning ordinance text for the purpose of rezoning certain properties in Monroe Ward, bounded by Belvidere Street to the west, Broad Street to the north, the Downtown Expressway to the south and Ninth Street to the east, in order to increase density and accommodate growth and development while complimenting the historic character of the neighborhood.

Each Ordinance represents one of five elements to this process, a combination of which will reach the desired outcome:

1. Changing zoning classification of certain parcels from light industrial or auto-oriented designations to those more in keeping with the historic building patterns and intent of the Pulse Plan;
2. Adding Street-Oriented Commercial and Priority Streets in the area to the official zoning map;
3. Creating a Plan of Development Overlay District for the area to ensure development meets the six design elements of the Pulse Plan;
4. Amending the B-4 district to remove incompatible uses, add a three-story height minimum, and remove the option to break the inclined plane of 4:1 by 50% of the length of the building along the street; and
5. Amending the RO-3 district to remove incompatible uses and add form-based elements.

JUN 18 2019 EDITION O & R REQUEST

OFFICE OF THE CITY ATTORNEY

4-8864

MAY 30 2019

Office of the Chief Administrative Officer

*SOLO*

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**REASON:** This item is being requested because a rezoning will fulfill the recommendations for the Arts District Station Area as a high priority station area recommended in the adopted Pulse Corridor Plan, an adopted amendment to the City of Richmond Master Plan, adopted by Richmond City Council on July 24, 2017.

**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. These items will be scheduled for consideration by the Commission at its July 1, 2019, meeting; to be forwarded to City Council at its July 22, 2019 meeting. 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 adopted Pulse Corridor Plan, an analysis of the existing zoning ordinance and its application across the City, and an extensive public engagement process, both for the plan and for this area rezoning. There is significant building activity in the downtown which continues to move west into Monroe Ward and expansion of VCU's Monroe Park campus has stretched east of Belvidere into Monroe Ward. While Monroe Ward is home to an array of historic structures, there are also a significant number of surface parking lots, several of which take up entire blocks. This proactive rezoning process is in order to ensure that new development is in keeping with the principles of the Pulse Plan, creating a decidedly urban neighborhood in an area of great potential.

**Master Plan**

The area for this rezoning is part of the Arts District Station Area in the Pulse Corridor Plan, an adopted amendment to the City's Master Plan. The Pulse Plan Future Land Use map labels the area as "Downtown Mixed Use".

(Note: the Arts District Station Area also includes Jackson Ward, but the character of the neighborhoods and the current zoning already fit the Future Land Use recommendations.)

Rezoning Monroe Ward to districts that align with the future land use map is the first recommendation for this study area (p.84). The plan envisions a strong transit-oriented node at each station area along the corridor, and describes Monroe Ward's future land use as high-intensity pedestrian- and transit-oriented development", with tall signature buildings, active commercial ground floors, few driveways cutting through sidewalks, and little to no setbacks for commercial building, adding that new buildings will add to the already "incredibly dynamic and diverse building stock, creating a truly eclectic urban neighborhood" (p.84). The plan recommends that new zoning does not allow surface parking lots as a principal permitted use.

**Existing and Proposed Zoning**

Staff has completed an extremely thorough analysis and vetting of exactly the tools needed to accomplish the plan vision and spur development while complementing the historic urban character of the neighborhood. Staff has also responded to citizen comments and concerns.

As a result, there are five elements to this rezoning process:

1. Rezoning the area from either light industrial (M-1) or auto-oriented commercial (B-3), to transit-oriented development (TOD-1) or downtown mixed-use (B-4);
2. Adding Priority and Street-Oriented Commercial designations in the area to the official zoning map;
3. Creating a Plan of Development Overlay District for the area to ensure that new development meets the six design elements of the Pulse Corridor Plan;
4. Amending the B-4 district; and
5. Amending the RO-3 district to remove incompatible uses and add form-based elements.

#### **Attached Summary Document**

In order to convey the ideas and reasoning behind this rezoning process clearly and thoroughly, staff created a summary document complete with explanatory text, maps of existing and proposed zoning, exact zoning changes, and explanation of each recommendation. Please see attached summary for further details.

#### **Public Engagement**

As the Pulse Corridor Plan was developed over the course of 2015-2017, City Staff held numerous public forums, set up online surveys, attended standing civic association meetings, and tracked public feedback.

In July 2017, staff held two public open houses at the Main Library to discuss the Monroe Ward rezoning, and provided informational maps and comparisons of zoning districts. In addition, a letter was sent to each property owner of over 400 addresses which will be affected by the rezoning. Of the 400 property owners affected, PDR received only two letters expressing concern or opposition, and has subsequently engaged with both parties.

In November 2018, staff once again sent notices in postcard form to 444 individual property owners, and received one inquiry of concern regarding parking, and twelve letters or emails from Historic Richmond Foundation and members regarding height and protection of historic buildings. Staff also received one letter and one email of support regarding the rezoning, from an affordable housing advocate and a large developer/property-owner in the area.

Staff has considered these letters and weighed these concerns seriously, and continues to recommend the overall rezoning package, amended in response to citizen comments to retain RO-3 along Franklin Street with these changes.

**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 will ultimately achieve the \$1 billion increase in new assessed value over the next twenty years as identified in the 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:** Positive revenue is expected from tax revenue due to increased development.

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** June 24, 2019

**CITY COUNCIL PUBLIC HEARING DATE:** July 22, 2019

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, July 1, 2019

**AFFECTED AGENCIES:** Office of Chief Administrative Officer  
Law Department (for review of draft ordinance)  
Planning and Development Review

**RELATIONSHIP TO EXISTING ORD. OR RES.:** ORD. 2017-127 (Pulse Corridor Plan)

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** Draft Ordinance, Rezoning Summary document

**STAFF:** Anne W. Darby, AICP, Planner III, Zoning Specialist  
Department of Planning and Development Review  
646-5648



CITY OF RICHMOND

PLANNING COMMISSION

October 15, 2018

**RESOLUTION #2018.087  
MOTION OF THE CITY OF RICHMOND PLANNING COMMISSION**

**TO DECLARE AN INTENT TO AMEND THE OFFICIAL ZONING ORDINANCE FOR  
THE PURPOSE OF REMOVING THE INCLINED PLANE FROM THE  
B-4 (CENTRAL BUSINESS) DISTRICT**

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 greater height and density in the area as well as little to no setback of new development, and suggests B-4 as an appropriate zoning designation; and

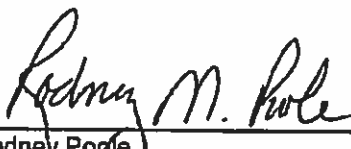
WHEREAS, the B-4 (Central Business) District has no specific height limitation, but determines maximum building height by an imaginary line rising from the street centerline at a slope of 4:1, which can only be broken by the building at a maximum of 50% of the distance the building runs along the street; and

WHEREAS, the Inclined Plane creates physical hardship on architects and developers by forcing buildings back from the street centerline and creating either a building shape formed by the inclined plane or unused pedestrian plazas; 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 removing the Inclined Plane requirement from the B-4 (Central Business) district.

  
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Rodney Poole  
Chair, City Planning Commission

  
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Matthew Ebinger  
Secretary, City Planning Commission