



Staff Report
City of Richmond, Virginia



Urban Design Committee

UDC 2024-06	Delegate to Staff the Plan of Development Recommendation for minor setbacks Meeting Date: 2/8/2024
Purpose: Delegate to Staff	<p>(1) <i>Front yard.</i></p> <p>a. For dwelling units located on the ground floor:</p> <ol style="list-style-type: none">1. A front yard of at least ten feet shall be required. In no case shall a front yard with a depth greater than 15 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 15 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. <p>b. For all other uses:</p> <ol style="list-style-type: none">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 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.
<p>High-Level Details:</p> <p>City Code requires that a Plan of Development Application receive review by the UDC when a setback depth is greater than permitted by the zoning code. The UDC makes a recommendation for the consideration by the Director of Planning and Development Review in approving the Plan of Development.</p> <p>Staff requests the delegation of this review in minor instances of less than 1000 square ft. or less than 10ft in depth.</p>	
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Findings of Fact

Scope of Review	<p>In a number of zoning districts, the UDC is required to provide a recommendation to the Planning Director in the review of a Plan of Development Application. These sections all say almost the same thing, but have minor differences between what is allowed in the setback. Some allow a plaza, some allow a outdoor seating section or drop, or all three.</p> <p>Typical Code Section:</p> <p><i>A front yard with a depth greater than permitted by subsections (1)a through c of this section may be provided when such front yard is improved for purposes of a pedestrian plaza, outdoor dining area as permitted by Section 30-440.1 or vehicular drop-off or pick-up area permitted by Section 30-440.4.1, 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 City 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.</i></p>
Prior Approvals	The Application reviewed at the February 8 th 2024 UDC meeting for the VMP Building located at 13 East Broad was for this type of review.

Project Description	<p>As stated above, the UDC is required by the City Zoning Code to review setbacks in certain instances relating to Plan of Development Applications. The UDC then makes a recommendation to the Planning Director, who then makes the final review of the Plan of Development (POD) Application.</p> <p>Staff requests that minor instances of these setback reviews be delegated to Staff.</p> <p>The POD review process is meant to be quick and not require public hearing or approval. Requiring applications to go to UDC for minor setbacks becomes burdensome for both Staff and the Applicant. It is also difficult to interpret these code sections for what is a setback that requires UDC to review. Instances where only a small section of a building is setback and only a small amount would be an example. Such minor setbacks are also just that, minor. The UDC and Staff have historically had little to add to the design as long as pedestrian or seating space is provided.</p> <p>Staff recommends the threshold for UDC review be instances of less than 1000 square ft. total or less than 10ft in depth.</p> <p>10ft in depth could be considered the point where a setback truly starts to become a plaza. 10ft by 10ft starts to become the first instance where items could be placed into such a space such as a fountain, art, or tree well when considering the need for ADA space around obstacles. 10ft depth also is the first instance that more than two (2) four-person tables could be placed as outdoor seating – which could be considered the point where outdoor seating becomes a major installation.</p> <p>1000 square feet could also be considered a tipping point in threshold. The typical block downtown is 250ft long – larger in less dense areas of the City. A building that takes up an entire block would only have to be set back four feet from the property line to meet this threshold. Properties and buildings that are only 100ft long would have to be setback 10ft to meet this threshold – which coordinates into the 10ft setback threshold.</p> <p>Staff, in a general sense, does not support setbacks significantly greater than what is surrounding or beyond what is prescribed by code. The recommended thresholds start to be the point where Staff would not support unless a good design is proposed. Determining the instances of “good design” or an exceptional reason to provide a large setback is the intended role for the UDC.</p> <p>The Rules of Procedure adopted by the UDC states:</p> <p>11-1 The Committee may delegate certain routine items to staff for administrative review and approval.</p> <p>11-2 If the Urban Design Committee Secretary finds that a particular project has unique characteristics that may call for an alternate design treatment or more comprehensive review, she/he shall schedule the application for consideration by the Committee at its next meeting.</p> <hr/> <p>Staff requests the delegation of setback review in instances of less than 1000 square ft. or less than 10ft in depth. Staff finds these thresholds to be logically determined and reasonable to facilitate both adequate protections and review while also facilitating concise development application processes.</p>
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