



## CITY OF RICHMOND

### Department of Planning & Development Review **Staff Report**

**Ord. No. 2022-101:** To authorize the special use of the property known as 1514 North 22<sup>nd</sup> Street for the purpose of a wildlife rehabilitation facility accessory to an existing single-family dwelling, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** April 18, 2022

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#### **PETITIONER**

Adrianna Clinton

#### **LOCATION**

1514 North 22<sup>nd</sup> Street

#### **PURPOSE**

To authorize the special use of the property known as 1514 North 22<sup>nd</sup> Street for the purpose of a wildlife rehabilitation facility accessory to an existing single-family dwelling, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The property is located in the R-6 Single-Family Attached Residential District. In this district, the keeping or raising of domestic animals for noncommercial purposes is a permitted accessory use. However, a wildlife rehabilitation facility is not specifically listed as a permitted accessory use. A special use permit is therefore required.

The applicant is seeking a Category IIA Wildlife Rehabilitation Permit from the Virginia Department of Wildlife Resources. As described in the VDWR application documentation, this permit *is for those with advanced skills who have more than two (2) years of rehabilitation (as a Category I rehabilitator), or equivalent, wildlife care experience. Applicants must provide evidence of completion of at least six (6) hours of approved continuing education prior to submitting an application to become a Category I permittee and must satisfy annual educational requirements. They must work in cooperation with a licensed veterinarian and may provide care for all wildlife (except bald and golden eagles, black bears, coyotes, adult white-tailed deer, elk, mute swans, feral swine, or other nuisance species as defined in 4 VAC 15-20-160 of the Virginia Administrative Code, with the exception of woodchucks), providing that their animal holding facilities meet standard requirements, have passed inspection by VDWR.*

The applicant has stated that her rehabilitation care will be limited to small mammals, birds, and reptiles.

The subject property is located within the Fairmont Neighborhood. It contains 5,000 square feet of area and is improved with a 1,472 square foot two-story single-family detached dwelling. The wildlife rehabilitation will take place within a single enclosed room within the house. As the rehabilitation progresses, the animals are placed in small cages within the fenced in back yard in order for them to acclimate to outdoor life. After acclimation is complete, the patients are released to their native habitat.

Staff finds that the proposed wildlife rehabilitation use would provide a needed service, and that this activity would be licensed and regulated by the Commonwealth's Department of Wildlife Resources. Furthermore, staff finds that the proposed wildlife rehabilitation use would not be a more intensive use than domestic animal keeping which is a permitted use in the zoning district.

Staff finds that with the ordinance conditions the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. Specifically, staff finds that the proposed use would not be detrimental to the general welfare of the community involved and would not create congestion in the streets in the area involved.

Therefore, staff recommends approval of the Special Use Permit.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property is located midblock on the western side of North 22<sup>nd</sup> Street between U Street and V Street. A public alley runs behind the property, extending the full length of the block.

### **Proposed Use of the Property**

The proposed special use will consist of a rehabilitation room inside an existing single-family dwelling. The number of animals kept will be small due to space available and the time commitments for care. Several outdoor cages are located in the back yard and these are used in order to acclimate animals to the outdoor environment prior to release. No change in the existing building or floorplan are proposed. No animals will roam at large on the property.

### **Master Plan**

The City's Richmond 300 Master Plan designates the property as Neighborhood Mixed Use. Existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.

Development Style: These areas feature a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. New developments on larger parcels continue or introduce a gridded street pattern to increase connectivity within the neighborhood and to adjacent neighborhoods. In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish. In new neighborhoods, small scale commercial buildings should be introduced.

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets (see Street Typologies Map). Parcels are generally between 1,500 and 5,000 sq. f.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multi-family buildings (10+units), retail/office/personal service, institutional, cultural, and government.

### **Zoning and Ordinance Conditions**

The property is located in the R-6 Single-Family Attached Residential District. The zoning office reviewed this request and determined that the keeping or raising of domestic animals for noncommercial purposes is a permitted accessory use in this district. However, a wildlife rehabilitation facility is not listed as a permitted accessory use. A special use permit is therefore required. The zoning office has no concerns regarding the proposed use.

If adopted, the Special Use Permit would impose conditions on the property, including:

- (a) The Special Use of the Property shall be as a wildlife rehabilitation facility accessory to an existing single-family dwelling, substantially as shown on the Plans and as described in the Applicant's Report, with the exception of the photograph referenced on the first page thereof, a copy of which report is attached to and made a part of this ordinance.
- (b) The Special Use shall be regulated by the Virginia Department of Game and Inland Fisheries and shall only be operated by a person or persons licensed by such agency as Wildlife Rehabilitators. No rehabilitation for wild animals not designated on such Wildlife Rehabilitator's license shall occur on the Property.

### **Surrounding Area**

All properties surrounding the subject property are located within the same R-6 Single-Family Attached Zoning District. Within the area of the subject property, properties are developed primarily with detached residential dwellings.

### **Neighborhood Participation**

Staff notified area residents and property owners, as well as the Unity Civic League, of the application. Staff has received no letters of support or opposition from residents or the civic association.

**Staff Contact:** David Watson, Senior Planner, Land Use Administration, 804-646-1036