CITY OF RICHMOND

Department of Planning & Development Review
Staff Report

ORD. 2023-369: To amend the official zoning ordinance for the purpose of amending the TOD-1 district in accordance with the Richmond 300 Master Plan.

To: City Planning Commission
From: Department of Planning and Development Review
Date: January 2, 2024

PETITIONER
City of Richmond
900 East Broad Street
Richmond, VA 23219

LOCATION
City-wide

PURPOSE
To amend the official zoning ordinance for the purpose of amending the TOD-1 district in accordance with the Richmond 300 Master Plan.

SUMMARY & RECOMMENDATION
The Transit-Oriented Nodal (TOD-1) zoning district was created in September 2017 to better fulfill the land use vision established in the Pulse Corridor Plan, adopted by the City Council on July 24, 2017. The intent of this new zoning district was to encourage dense, walkable transit-oriented development consistent with the objectives of the master plan and to promote enhancement of the character of this development along principal corridors, at key gateways, and at nodes of high activity located near transit service, bicycle infrastructure, and pedestrian-friendly streetscapes.

The TOD-1 zoning district was originally located along West Broad Street and North Arthur Ashe Boulevard in the Scott's Addition area. The success of the TOD-1 zoning district has encouraged other areas of the City to be rezoned to this district through City-initiated and property owner rezonings. The TOD-1 zoning district has expanded to parts of Monroe Ward, Manchester, Shockoe Bottom, Greater Scott's Addition (including the Diamond District), and the West Broad Street corridor between Scott's Addition and Willow Lawn. The expansion of the TOD-1 zoning district and the proposed development of the Diamond District have generated the need for amendments to the TOD-1 regulations. Amendments to the existing sections of the TOD-1 zoning district include:

- Permitted principal and accessory uses
    - Add stadiums and arenas (not within 500 feet of any property in any R district) as permitted principal uses

    - Permit parks that are not owned or operated by a governmental agency or nonprofit organization
    - Permit recreation and entertainment uses outside completely enclosed buildings (unless within 100 feet of an property in any R district)
    - Permit certain accessory uses to multifamily dwellings along ground floor of buildings along street oriented commercial frontages
    - Permit automated teller machines (ATMs) on exterior facades of buildings devoted to permitted principal uses (other than individual dwelling units or lodging units)
    - Permit flea markets as accessory uses to parks, stadiums and arenas, and uses owned or operated by a governmental agency
    - Require all dwelling units have a minimum of two exterior windows or exterior doors, or a combination thereof
    - Permit parking or circulation of vehicles on upper stories of parking deck or garage located along a principal or priority street frontage
    - Remove noise requirements for restaurants and similar food and beverage uses (police to enforce through new noise ordinance)
- Yards
    - Remove front yard requirement of ten feet for dwelling units located on the ground floor
    - Require all uses to have a front yard between zero and twenty feet (except for hotels, parks, recreation and entertainment uses, stadiums and arenas, and uses owned or operated by a governmental agency)
    - Feature requirements for dwelling units located along the ground floor with front yards greater than zero feet
- Usable open space
    - Apply usable open space ratio only to portions of newly constructed buildings devoted to dwelling uses
- Parking and circulation of vehicles
    - Permit circulation of vehicles between the main building on a lot and the street line for hotels, hospitals, and stadiums and arenas
- Height
    - Permit height under two stories for buildings on parks, recreation and entertainment uses, stadiums and arenas, and uses owned or operated by a governmental agency

    - Change inclined plane requirement originating point from building wall to a fixed point along the lot line
- Fenestration
    - Add additional uses (parks, recreation and entertainment uses, stadiums and arenas, and uses owned or operated by a governmental agency) that are exempt from fenestration requirements
    - Add “blank wall” requirement (horizontal linear dimension of contiguous building wall that does not contain fenestration or doors shall not exceed twenty feet) along street level story
    - Remove types of windows required in all cases for dwelling uses
- Sign regulations
    - Change calculation of permitted sign area from lot frontage to building frontage when more than one main building is located on a lot
    - Permit additional signage on each face of a building above a height of 100 feet when no other signs are located above 35 feet on the building face
    - Exempt stadium structures containing at least three thousand seats from all sign regulations

A new section is proposed to the TOD-1 zoning district that only applies to newly constructed buildings. This section requires buildings to be oriented towards the street and have a width of at least eighty percent of the lot frontage. In addition, any dwelling unit located along the ground floor in a multifamily building shall have an exterior entrance accessible from the street frontage. These requirements will help create strong building form and promote active streetscapes in the TOD-1 zoning districts.

The proposed TOD-1 amendments better align the zoning district with the goals and objectives listed in the Master Plan. Goal 4 of the Master Plan focuses on urban design and how the built environment looks and feels, how buildings relate to one another, and how the “public realm” (streets, sidewalks, parks, etc.) enables such uses to function. The change in yard requirements and the proposed building form requirements for newly constructed buildings will improve the built environment and streetscapes throughout the TOD-1 zoning districts.

Objective 4.1 of the Master Plan describes the need to create and preserve high-quality, distinctive, and well-designed neighborhoods and Nodes throughout the city. The proposed TOD-1 amendments will support the development of the Diamond District as a new and well-designed neighborhood that is distinctive from any other area in the city.

PDR staff hosted a community meeting via MS Teams on March 14, 2023. Staff provided a presentation with an opportunity for questions and comments. The feedback from this meeting was used to draft the amendments. PDR staff shared a presentation outlining the draft amendments to the Zoning Ordinance with the City Planning Commission on March 20, 2023.

Staff recommends approval of the Ordinance.

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