



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

ORD. 2017-150: To amend City Code §§ 30-446.2, 30-446.3, 30-446.6, and 30-446.8, concerning the B-7 Mixed Use Business District; to amend ch. 30, art. IV of the City Code by adding therein a new div. 31 consisting of §§ 30-457.1 through 30-457.10, concerning the establishment of a new TOD-1 Transit-Oriented Nodal District; to amend ch. 30, art. V, div. 2 by adding therein a new § 30-518.4, concerning signage in the new TOD-1 Transit-Oriented Nodal District; to amend City Code § 30- 694.2, wireless communications facilities; to amend City Code §§ 30-710.1, 30-710.2, 30-710.2:3, 30-710.3:1, 30-710.4, and 30-710.13, concerning parking and perimeter buffers; to amend City Code §§ 30-720.1 and 30-720.5, concerning loading requirements; and to amend City Code § 30- 1220, concerning definitions, for the purpose of establishing a new Transit-Oriented Nodal District, including small-scale manufacturing as a permitted principal use in the B-7 Mixed-Use Business District, defining the terms “priority street” and “street-oriented commercial frontage,” and imposing requirements for priority streets.

To: City Planning Commission
From: Land Use Administration
Date: September 5, 2017

PETITIONER

City of Richmond
900 East Broad Street
Richmond, VA 23219

LOCATION

Citywide

PURPOSE

To amend the official zoning ordinance for the purpose of adding a new transit-oriented nodal district, TOD-1, make changes to relevant sections of the ordinance related to parking, signage, and buffers, and add further form-based requirements in the form of priority and street-oriented commercial streets as well as small-scale manufacturing uses to the B-7 district.

SUMMARY & RECOMMENDATION

This ordinance would revise the City’s Zoning Ordinance to better fulfill the land use vision established in the Pulse Corridor Plan, adopted by the Planning Commission on May 15, 2017.

Staff recommends approval of the ordinance with the following amendments: 1) That in the TOD-1 district, the requirement that a parking deck as a principal use be screened by a 20’ depth of another permitted principal use along all street frontages be amended to be required only along principal street frontages and priority street frontages. 2) That in the TOD-1 district, vehicle access to parking decks be prohibited along priority street frontages as well as principal street frontages when an alley or other street frontage is available for adequate access.

FINDINGS OF FACT

Background

These amendments arise out of the recommendations of the recently-adopted Pulse Corridor Plan, an analysis of the existing zoning ordinance and its application across the City, and an extensive public engagement process

Master Plan

On May 15, 2017, the Planning Commission adopted the Pulse Corridor Plan as a major Master Plan amendment. This Pulse Corridor Plan has detailed land use recommendations, including specific recommendations for future land use in specific locations, and detailed land use descriptions. A specific recommendation of the Plan is to create a new mixed-use zoning district allowing mid-rise buildings up to 12-stories in building height, as well as to update the map of Street-Oriented Commercial and Priority Streets along the Pulse Corridor and incorporate it into the zoning ordinance. Further relevant recommendations applicable corridor-wide include: creating a Plan of Development overlay along the corridor to outline form elements projects must incorporate to meet TOD goals; to rezone the Corridor to match the future land use map; to remove parking requirements for small-scale projects; to incentivize underground parking, require wrapping of structure parking, and discourage the development of new surface parking lots along the Corridor; to create better access to parking and loading via alleys and reduce the need for driveway entrances along the Corridor.

New Zoning District

The new district is written to be “unabashedly urban” in character, allowing a wide array and mix of uses, strong building form and site plan requirements to engage the street, and market-based parking requirements with strong screening requirements.

The permitted principal uses are modeled on existing mixed use districts like the B-5 and B-6 districts, and including some uses from the B-7 district, like breweries, as appropriate. In many instances these uses have been modified, such as adding smaller size restrictions, to be in keeping with the goals of the district. Small scale food and beverage manufacturing is allowed as a use, with a limit of 8,000 square feet, when there is at least 1,000 square feet of another principal use on the property. The district does not allow parking lots and parking areas as a principal or conditional uses; parking will have to be provided in decks or structures when it is the principal use of a property, or be accessory to another use of the property. Conditional uses include nightclubs and social service delivery uses.

Height and massing is proposed with a two-story minimum and 12-story maximum. Like other mixed use districts, residential density is limited by the form requirements rather than a measure of dwelling units per acre. Front yards are a maximum of 10' depth, except in special cases like the provision of a pedestrian plaza, outdoor dining, or recessed building

entrance feature. Where a building includes ground floor dwelling units, the front yard will have a setback of 10'-15'.

A concern for the new district, given its mid-rise nature, is how buffering to residential districts will ensure adequate measures. The district proposes to have a different height limit when property is located adjacent to the side yard or rear yard of an R-district. A 20' setback will be required for the building; then a height limit will start at the third-story of the building along the side or rear building wall and extend in an inclined plane at a rate of one foot for every one foot to the opposite lot line. This has the result of limiting overall height based on the lot depth, as well as pushing building height to the lot frontage away from the residentially-zoned area.

Parking is market-based, with no surface parking allowed as a principal or conditional use. There is no commercial parking requirement except for hotels, which have a 1 space for every 4 rooms as required in the B-4 and B-5 districts. There is no residential parking requirement for up to 16 dwelling units, again same as the B-4 and B-5 districts, with over 16 units a parking requirement of 1 space for every 2 dwelling units, which is the same as the existing UB-2 district. The new TOD-1 district will be added to the districts allowing for off-premise parking, but is not added to the districts allowing credit for on-street spaces. The intent is that on-street spaces will be managed as a public resource and commons, not to meet residential zoning requirements.

When a parking deck or parking garage is the principal use of a property, they must be screened by a minimum 20' depth of another principal use. **Staff recommends this be amended to only be required along principal or priority street frontages.**

No parking deck access along priority streets will be allowed if alley access or another street frontage is available. **Staff recommends this be amended to include the prohibition of parking deck access along principal street frontages as well.**

Similarly, no driveway access intersecting a principal or priority street will be permitted when alley access or another street frontage is available. Areas devoted to parking cannot be located between the main building on a lot and the street line; this requirement applies to the principal street frontage of a lot, as well as any priority streets designated on the zoning map.

The parking perimeter buffers now have another option: a new buffer that is 5' wide, with at least one tree for every 30' linear required for medium or large trees, and one tree every 20' linear for small or compact trees. There is a requirement for 50% groundcover coverage across the buffer. The other allowed parking perimeter buffer is existing, and is 5' wide with shrubs and a wall or fence required.

There are some key form-based and design elements modeled after other districts, including fenestration requirements that vary for residential and non-residential uses. These requirements will apply to all street frontages of a lot. Buildings containing residential uses will be required to provide a usable open space ration of 0.10, which can take the form of yard and landscaping, balconies, or roof decks. A plan of development will be required for

30,000 square feet of development, which is a smaller size than the 50,000 square feet required in other districts.

Signage requirements are consistent with other mixed-use business districts in terms of scale and size allowances. Most building-mounted signs are allowed, with limits on free-standing signs.

Existing and Proposed Zoning

There are a few small changes proposed to the existing B-7 mixed-use business district to strengthen form requirements, particularly with respect to streetscape and street orientation, modify parking requirements, and allow for small-scale manufacturing uses. Currently the district allows for multi-family dwellings, a wide variety of commercial and light industrial uses including large breweries, service businesses, retail, offices, and restaurants. Existing industrial uses are considered principal permitted uses and allowed to expand on the existing property. The proposed changes would allow for manufacturing uses of up to 15,000 square feet of food and beverages; textiles, bedding, and fibers; wood and paper products; and pottery and porcelain products as enumerated in the existing M-1 district. Retail sales of liquor are eliminated as a conditional use, and so would be allowed as a principal use.

Currently, parking within this district is a 1:1 requirement for dwelling uses, with requirements for other uses set by square footage at a rate not to exceed 1 space for every 300 square feet. On-street spaces can count towards meeting the zoning requirement.

Changes to parking include expanding the radius for off-premise parking for the B-4, B-5, B-7, and TOD-1 district to the 750' allowed currently in the RP district, as well as adding the B-7 to the districts where there a 50% reduction in parking requirement for uses in existing buildings to allow for more flexibility in meeting the zoning requirement. The language allowing for this bonus is refined to be clear that it applies after any other limitation on parking in the B-6, UB-2, and B-7 district where it would apply.

Additionally, no driveways intersecting a principal or priority street would be allowed if the site can be accessed by an alley or other street frontage.

A number of restrictions or requirements would apply to priority or street-oriented commercial streets. Parking decks and garages would be required to provide screening at 20' depth with other principal permitted uses along principal street frontages as well as any street frontage designated a priority street. No drive-up facilities or motor-fuel dispensing, which are currently conditional uses within the B-7 district, would be allowed on priority or street-oriented commercial streets. Fenestration requirements would apply to the principal street frontage of a building as well as any priority street. And parking must be located between the building and any priority street frontage as well as the principal street frontage of the lot.

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. Additionally, City staff attended the meetings of the two civic associations in the proposed rezoning area, the Scott's Addition Boulevard Association and the Museum District Association, repeatedly over a series of months, including their zoning committees and board meetings, in order to go over drafts of the proposed rezoning in detail and address questions. Once the Pulse Corridor Plan was adopted, City staff conducted a mailing to every proposed property owner in the rezoning area with information about the proposal as well as two open houses held on May 24 and June 7. Over 80 people attended one of the two open houses, and a website and email list have provided updates as the draft rezoning has been updated and amended.

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