



Legislation Details (With Text)

**File #:** ORD. 2017-017    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Adopted

**File created:** 12/6/2016    **In control:** City Council

**On agenda:** 2/27/2017    **Final action:** 2/27/2017

**Title:** To authorize the special use of the property known as 3407 Chamberlayne Avenue for the purpose of the installation of two solar panel structures within the front yard, upon certain terms and conditions.

**Sponsors:** Mayor Stoney (By Request)

**Indexes:** Special Use Permit

**Code sections:**

**Attachments:** 1. Ord. No. 2017-017, 2. Staff Report, 3. Plans, 4. Application & Applicant's Report, 5. Appendix to Applicant's Report, 6. Map

Date	Ver.	Action By	Action	Result
2/27/2017	1	City Council	adopted	Pass
2/21/2017	1	Planning Commission	recommended for approval	
1/23/2017	1	City Council	introduced and referred	

To authorize the special use of the property known as 3407 Chamberlayne Avenue for the purpose of permitting the installation of solar panels within the front yard, upon certain terms and conditions.

**O&R REQUEST**

**EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** Levar M. Stoney, Mayor  
**(This in no way reflects a recommendation on behalf of the Mayor)**

**THROUGH:** Selena Cuffee-Glen, Chief Administrative Officer

**THROUGH:** Peter L. Downey, Deputy Chief Administrative Officer

**FROM:** Mark A. Olinger, Director of Planning and Development Review

**RE:** Special use permit for 3407 Chamberlayne Avenue to authorize two solar panel arrays to be located within the front yard.

**ORD. OR RES. No.**

**PURPOSE:** To authorize the special use of the property known as 3407 Chamberlayne Avenue for the purpose of permitting the installation of solar panels within the front yard, upon certain terms and conditions.

**REASON:** The applicant is proposing to install two solar panel arrays that would be approximately six and a half feet in height within the front yard between the existing single-family dwelling and Chamberlayne Avenue. The subject property is located in the City's R-48 Multi-Family Residential zoning district, which requires a 15 foot minimum front yard. The proposed solar arrays would be located outside of the required 15 foot front yard; however, the definitions and the supplemental regulations in the Zoning Ordinance prohibit any structure other than a fence to be over three feet in height when located between the street line and the main building.

**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. This item will be scheduled for consideration by the Commission at its February 6, 2017 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property is located on the east side of Chamberlayne Avenue between Melrose and Westwood Avenues. The subject property is approximately 18,800 square feet in area and is currently improved with a single-family dwelling and an accessory structure located in the rear yard.

The applicant proposes to located two solar arrays that are approximately six and a half feet in height within the front yard, which is not currently permitted by the Zoning Ordinance. The front yard is currently enclosed by a fence that would block the view of the solar arrays from the street.

The subject property falls within the Multi-Family (Medium Density) land use designation established by the 2000-2020 City of Richmond Master Plan. Such areas are recommended for multi-family developments at up to 20 units per acre and include residential support uses such as church, day nurseries and schools.

Properties to the west across Chamberlayne Avenue are located in the R-53 Multi-Family Residential zoning district and are currently occupied by the Union Presbyterian. Properties to the north and south are located in the R-48 Multi-family zoning district and are occupied be a mix of multi-family, single-family and group home uses. The properties to the east are located in the R-1 Single-Family zoning district and are occupied by single-family dwellings.

**FISCAL IMPACT / COST:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**FISCAL IMPLICATIONS:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**BUDGET AMENDMENT NECESSARY:** N/A

**REVENUE TO CITY:** \$300 application fee

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** January 9, 2017

**CITY COUNCIL PUBLIC HEARING DATE:** February 13, 2017

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, February 6, 2017

**AFFECTED AGENCIES:** Office of the Deputy Chief Administrative Officer, Office of the City Attorney (review of draft ordinance), Office of the Assessor (preparation of mailing labels for public notice)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None.

**REQUIRED CHANGES TO WORK PROGRAM(S):** N/A

**ATTACHMENTS:** Draft Ordinance, Plans, Application Form, Applicant's Report

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*PDR O&R No. 16-39*