



Legislation Details (With Text)

File #: ORD. 2018-049 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 1/11/2018 **In control:** City Council

On agenda: 3/19/2018 **Final action:** 3/26/2018

Title: To amend and reordain City Code §§ 30-442.1, 30-442.5:1, and 30-442.7, concerning permitted principal uses in the B-5 Central Business District, for the purpose of adding new permitted principal uses, as well as the priority street designation.

Sponsors: Mayor Stoney (By Request)

Indexes:

Code sections:

Attachments: 1. Ord. No. 2018-049, 2. Staff Report, 3. Resolution of Intent - City Planning Commission

Date	Ver.	Action By	Action	Result
3/26/2018	1	City Council	adopted	Pass
3/19/2018	1	Planning Commission	recommended for approval	Pass
2/26/2018	1	City Council	introduced and referred	

To amend and reordain City Code §§ 30-442.1, 30-442.5:1, and 30-442.7, concerning permitted principal uses in the B-5 Central Business District, for the purpose of adding new permitted principal uses, as well as the priority street designation.

O & R Request

DATE: January 18, 2018 **EDITION:** 1

TO: The Honorable Members of City Council

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

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Peter L. Downey, Jr., Deputy Chief Administrative Officer for Economic Development and Planning

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

RE: Request to amend the City's Zoning Ordinance for the purpose of adding new permitted principal uses to the B-5 Central Business district, as well as the priority street designation.

ORD. OR RES. No.

PURPOSE: Request to amend the City’s Zoning Ordinance for the purpose of adding new permitted principal uses to the B-5 Central Business District, as well as the priority street designation.

REASON: These amendments to the existing B-5 Central Business district will make the zoning district more applicable to neighborhood-oriented commercial and mixed-use areas, such as Hull Street, with the inclusion of additional permitted principal uses and form-based requirements.

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 March 5, 2018, meeting. A letter outlining the Commission’s recommendation will be forwarded to City Council following that meeting.

BACKGROUND:

These amendments arise out of the desire to make the B-5 Central Business district more applicable to historic commercial corridors, such as Hull Street, and other mixed-use areas by including additional permitted principal uses and form requirements, such as the priority street designation.

Master Plan

The Downtown Plan, originally adopted in 2008, designates the historic Hull Street corridor as “Downtown Urban Center Area,” which is characterized by, “higher density, mixed-use development, typically arranged on a fine-grained street network, with wide sidewalks, regular tree planting, and minimal setbacks. The apartment buildings along The Boulevard are an example of a residential urban center condition in Richmond, with a dense urban fabric of three to five story buildings, and limited retail at key intersections” (3.25).

The Downtown Plan states to, “Encourage mixed commerce so that residents at all income levels can fulfill their daily needs within reasonable proximity of their home” (3.36). The Plan addresses Hull Street specifically by stating that, “It is important that Hull Street be revitalized to its original status as a bustling commercial center in Manchester” (4.35).

By amending the B-5 Central Business district appropriately to be more applicable to historic commercial corridors such as Hull Street, the goals of the Downtown Plan in relation to Manchester and Hull Street may be realized, while not negatively effecting other areas of the city, such as Shockoe Slip and Shockoe Bottom, which are already zoned B-5 Central Business.

Existing and Proposed Zoning

Additional Permitted Principal Uses

There are a total of five additional permitted principal uses proposed to be added to the B-5 Central Business district in order to make it more suitable to mixed-use neighborhoods and corridors. These include:

- a) Adult daycare facilities;
- b) Day nurseries licensed by and subject to the requirements of the state department of social services;
- c) Pet shops, veterinary clinics, and animal hospitals, including boarding kennels operated in conjunction therewith, provided that all facilities shall be located within completely enclosed and air conditioned buildings which are soundproof to the extent that sounds produced by animals kept or treated therein are not audible outside the building;
- d) Sales lots for Christmas trees, vegetable stands and other seasonal uses, but not including flea markets, and provided no such use shall be located on a transitional site; and

- e) Uses owned or operated by a governmental agency, but not including facilities intended for incarceration or alternative sentencing or facilities primarily for the care, treatment or housing of persons who are currently illegally using or are addicted to a controlled substance as defined in section 54.1-3401 of the Code of Virginia.

Priority Street Designation

The priority street designation would allow for the mapping of Priority Streets within the B-5 Central Business district. This designation would apply similar form-based requirements and restrictions that currently exist along principal street frontages to mapped priority street frontages. The following requirements and restrictions that apply to principal street frontages would apply to newly mapped priority street frontages:

- a) Hotel uses requiring portions of buildings devoted to other specified uses;
- b) Parking decks to be screened with another permitted principal uses of a depth not less than 20’;
- c) Parking lots not allowed between the street frontage and the main building on a lot;
- d) Driveways not allowed when other street frontage or alley access is available to serve a lot; and
- e) Fenestration requirements for windows.

Hotel uses, other uses required on ground floor

Currently in the B-5 Central Business district, where hotels are a principal use of a lot there exists a requirement that portions of the structure along a principal street frontages shall be devoted to other specified uses. However, due to a prior zoning amendment which removed parking areas and parking lots from the list of permitted principal uses, the reference to other uses for hotels along a principal street frontage became misnumbered. Appropriate amendments to the hotel permitted principal use description will reference the other permitted uses as they were prior to that amendment which removed parking areas and parking lots from the list of permitted principal uses, and will consist of:

- a) Art galleries;
- b) Banks, savings and loan offices, and similar financial services;
- c) Grocery stores, convenience stores and specialty food and beverage stores;
- d) Personal service businesses;
- e) Restaurants, tearooms, cafes; and
- f) Retail stores and shops.

FISCAL IMPACT / COST: The Department of Planning and Development Review anticipates that the impact to the City’s budget will be positive. By amending the B-5 Central Business district in order for it to be applied to more areas of the city, the resulting upzoning of properties should increase economic activity and assessed values.

FISCAL IMPLICATIONS: The Department Planning and Development Review does not anticipate any fiscal implications from this proposal.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: February 12, 2018

CITY COUNCIL PUBLIC HEARING DATE: March 12, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, March 5, 2018

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: Companion to request to amend the official zoning map along Hull Street between Cowardin Avenue and E. 9th Street.

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Draft Ordinance

STAFF: William Palmquist, Senior Planner (Room 510), 646-6307

Key Issues:

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

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