Legislation Details (With Text)

File #:	RES. 2022-R073	**Version:**	1	**Name:**	
Type:	Resolution			**Status:**	Adopted
File created:	11/15/2022			**In control:**	City Council
On agenda:	12/12/2022			**Final action:**	12/12/2022

Title: To declare a public necessity to amend ch. 30 of the City Code and to initiate an amendment to the City's zoning ordinance to make such lawful changes as may be necessary to exclude convenience stores from the permitted use of grocery stores, convenience stores and specialty food and beverage stores in all zoning districts where that use is permitted and to provide instead that convenience stores be regulated through either a neighborhood-based convenience store overlay district applied to such areas of the city as the Director of Planning and Development Review may deem appropriate to recommend or the conditional use permit process by requesting that the Chief Administrative Officer cause to be conducted a study thereof.

Sponsors: Vice President Robertson, Ann-Frances Lambert, Andreas Addison, Reva Trammell

Indexes:

Code sections:

Attachments: 1. Res. No. 2022-R073

Date	Ver.	Action By	Action	Result
12/12/2022	1	City Council	adopted	Pass
11/22/2022	1	Land Use, Housing and Transportation Standing Committee	recommended for approval	
11/14/2022	1	City Council	introduced and referred	

To declare a public necessity to amend ch. 30 of the City Code and to initiate an amendment to the City's zoning ordinance to make such lawful changes as may be necessary to exclude convenience stores from the permitted use of grocery stores, convenience stores and specialty food and beverage stores in all zoning districts where that use is permitted and to provide instead that convenience stores be regulated through either a neighborhood-based convenience store overlay district applied to such areas of the city as the Director of Planning and Development Review may deem appropriate to recommend or the conditional use permit process by requesting that the Chief Administrative Officer cause to be conducted a study thereof.

WHEREAS, section 15.2-2286 of the Code of Virginia (1950), as amended, provides that a zoning ordinance may include, among other things, reasonable regulations and provisions for the amendment of regulations or district maps from time to time; and

WHEREAS, in accordance with section 15.2-2286 of the Code of Virginia (1950), as amended, such amendment may be initiated by resolution of the governing body, provided that any such resolution by the governing body proposing

an amendment to the regulations or district maps shall state the public purposes therefor; and

WHEREAS, convenience stores are included along with grocery stores and specialty food and beverage stores as a permitted use in the UB, UB-2, B-1, B-2, B-3, B-4, B-5, B-6, B-7, and TOD-1 zoning districts and as uses permitted under certain circumstances or conditions in the R-8 and R-63 zoning districts; and

WHEREAS, the Council of the City of Richmond believes that the City's zoning ordinance, codified as Chapter 30 of the Code of the City of Richmond (2020), as amended, should be amended to exclude convenience stores from the permitted use of grocery stores, convenience stores and specialty food and beverage stores in all zoning districts where that use is permitted and to provide instead that convenience stores, to the extent practicable, be regulated through either a neighborhood-based convenience store overlay district applied to such areas of the city as the Director of Planning and Development Review may deem appropriate to recommend or the conditional use permit process; and

WHEREAS, the Council believes that it is in the best interests of the citizens of the City of Richmond that the City amend its zoning ordinance, codified as Chapter 30 of the Code of the City of Richmond (2020), as amended, to make such lawful changes as may be necessary to exclude convenience stores from the permitted use of grocery stores, convenience stores and specialty food and beverage stores in all zoning districts where that use is permitted and to provide instead that convenience stores, to the extent practicable, be regulated through either a neighborhood-based convenience store overlay district applied to such areas of the city as the Director of Planning and Development Review may deem appropriate to recommend or the conditional use permit process;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the City Council hereby declares that the public necessity, convenience, general welfare and good zoning practices of the City require the initiation of an amendment of the zoning ordinance set forth in Chapter 30 of the City of Richmond (2020), as amended, to make such lawful changes as may be necessary to exclude convenience stores from the permitted use of grocery stores, convenience stores and specialty food and beverage stores in all zoning districts

where that use is permitted and to instead provide that convenience stores, to the extent practicable, be regulated through either a neighborhood-based convenience store overlay district applied to such areas of the city as the Director of Planning and Development Review may deem appropriate to recommend or the conditional use permit process.

BE IT FURTHER RESOLVED:

That, pursuant to section 15.2-2286 of the Code of Virginia (1950), as amended, the City Council hereby initiates an amendment to the City's zoning ordinance by requesting the Chief Administrative Officer to cause to be conducted a study to determine whether and, if so, how the City's zoning ordinance lawfully may be amended, to the extent permitted by law, to exclude convenience store from the permitted use of grocery stores, convenience stores and specialty food and beverage stores in all zoning districts where that use is permitted and to provide instead that convenience stores, to the extent practicable, be regulated through either a neighborhood-based convenience store overlay district applied to such areas of the city as the Director of Planning and Development Review may deem appropriate to recommend or the conditional use permit process and to provide the Council with a report concerning the results of the study and the recommended changes to the zoning ordinance based on such study as soon as practical after the adoption of this resolution.

BE IT FURTHER RESOLVED:

That the Chief Administrative Officer hereby is requested to cause the Director of Planning and Development Review to collaborate with the City Planning Commission and the City's Department of Police to develop appropriate zoning regulations for the new neighborhood-based convenience store overlay district or conditional use permit process

BE IT FURTHER RESOLVED:

That the City Planning Commission is hereby directed to hold a public hearing on any such proposed changes to the zoning ordinance and submit its recommendation and any explanatory materials to the City Council as soon as practicable.

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