



## **Department of Planning and Community Development**

### **MEMORANDUM**

TO: Thomas L. Mattis, City Manager

FROM: George W. Schanzenbacher, AICP, Director; Hugh P. Fisher, City Attorney

DATE: December 14, 2010

### **SUBJECT: City Council Review of Zoning Ordinance (pp1-98)**

After the November 16<sup>th</sup> meeting we discussed Council's suggested revisions with our Zoning Consultant Terry Harrington. As a result of those discussions enclosed please find the following:

1. Summary table of review comments of City Council at 11/16/2010 meeting.
2. Detailed staff response recommendations, with specific text changes as necessary to the following items:
  1. **Administrator**- definition is provided
  2. **Medical office**-revised definition is provided
  3. **Minimum Square footage of dwelling Units**- Table of minimum square footages is provided. Staff does not favor inclusion in ordinance. Please see Exhibit A.
- Special Exception permit for Townhouses has been removed.
4. **Max. Height of Accessory Structures in RH District**- Revised height is provided

5. **Park and Ride facility**- Development standard is provided, similar to Parking Facility Surface/ Structure
6. **Veterinary Hospital/Clinic**- Removal from permitted uses in RO District
7. **Tattoo Parlor**-List as permitted use in GB District only. Add definition of Tattooing and Body Piercing and revise definition of Personal Service.
8. **Historic District/Architectural Character Districts**-Consolidation not recommended as authority is from two different sources (Code of VA and City Charter) and the purposes are entirely different. Also the mapped districts are not similar and represent two different features.

The Board of Architectural Review could be changed so that the Planning Commission is not that body, but it is not mandatory.

The two individual districts could be located adjacent to each other in the code, rather than being separated by several unrelated sections as is now the case.

Enc.

## Zoning Ordinance- City Council review -1/11/2010

last revised 12/14/2010

page #	issue	discussion	requested council action	Staff recommended result
14	Administrator- not defined	Zoning Administrator is defined, makes reference to Administrator CA explained differences	add definition	(1) new definition
17	Condominium	should there be a definition?	none	definition is on page 17
38	Medical office	clarify what this includes Medical doctors and/or other users	consider	(2) revised definition
	Nonconforming uses	explained concept and application	clarify definition	
49	Manufactured home, Emergency	discussed need for extension beyond 12 months	none	
49	Accessory Apartments	discussed inclusion or not	none- agreed to leave as is 5:2 vote	
52 & 55	Town House & Multi-Family Dwelling	need to include minimum square footage for individual dwelling units	staff to develop minimum standards for consideration	(3), min standards created for Council Consideration-exhibit A Staff does not recommend. No statutory basis for minimums Not found in other Tri-Cities communities
52		special exception permit for townhouses referenced in sec 286.404 36 (B) 8 -PP 1:43	review provision for consistency with special exception permit	last sentence needs to be removed- townhouses are allowed by right in RM District
57	Max height of Accessory Structures in RH District	is 15' correct? Probably should be higher check other districts also	clarify	(4) revised standard
57	Park & Ride facility	specific development standards not found	clarify	(5) standard created same as Parking Facilities, Surface Structures
59	Veterinary Hospital/Clinic	appropriateness of use in the RO District	staff to review	(6) Use removed from district
	Accessory Structures-20% max lot coverage in Residential areas	is standard appropriate?	none	
63	Parking Facility, Surface/Structure	are standards the same as Park & ride?	clarify	same as Park and Ride
63	Studio, Fine Arts	should this be (S) Special exception due to possible displays	none- CA clarified Adult use on page 39 of definitions	
62	Tattoo parlors and Check cashing (Personal Services)	could these uses be restricted to GB District?	explore possibility	(7) Add definition of Tattooing & Body piercing Add tattoo parlor as permitted uses in GB District Change def of personal services
75	PUD	areas where this district could be used use for apartment development	none- clarified as overlay district Council would determine future areas	Advisory review board composition could be modified
91	Board of Arch review	discussed creating board with broader representation than Planning Comm		
	Historic Resources District			Keep separate- different uses and authorizations (Code of VA and City Charter), Uses are significantly different and mapped areas also are not similar.
111	Arch Character District	incorporate as part of Historic Resources District and/or move closer together in text	staff to explore options	Could locate Districts in code to be adjacent
				11/17/10 GS

# **Proposed Changes to City of Colonial Heights Zoning Ordinance (12-14-10)**

## **(1). Section 286-200 Definitions**

*Pp 4.ADMINISTRATOR – The zoning administrator of the City of Colonial Heights, or an authorized agent thereof.*

## **(2). Section 286-202.08      Office Use Types**

*Pp38.MEDICAL OFFICE – An establishment which provides *physical or mental health* diagnoses, minor surgical care and outpatient care on a routine basis, but which does not provide overnight care or serve as a base for an ambulance service. Excluded from this definition shall be facilities operated for the treatment of drug addiction and substance abuse. ~~Medical offices are operated by doctors, dentists, or similar practitioners licensed by the Commonwealth of Virginia.~~ “Medical Office” includes offices operated by:*

- (a) persons licensed by the Commonwealth of Virginia to practice medicine, osteopathy, chiropractic, podiatry, optometry, dentistry, or acupuncture;*
- (b) persons licensed by the Commonwealth to practice professions in the healing arts similar to those in paragraph (a);*
- (c) mental health service providers licensed by the Commonwealth to practice clinical psychology, professional counseling, clinical social work, marriage and family therapy, or practical nursing; and*
- (d) providers licensed by the Commonwealth to practice professions similar to those in paragraph (c).*

## **(4). Section 286-304.06      Site Development Regulations**

### **Pp 58(C)      Maximum Height of Structures**

- 1.      Principal Structures: 60 feet**
- 2.      Accessory Structures: Shall not exceed the height of the principal structure or 35 feet which ever is lower 15 feet**

## **(5). Section 286-414.08 Park and Ride facility, Parking Facility, Surface/Structure**

Pp. 157. (A) General standards:

“A park and ride facility and/or Surface parking facilities containing fifteen (15) or more spaces shall include landscaped medians, peninsulas or planter islands. Such landscaped areas shall constitute no less than ten (10) percent of the total paved area. They shall be planned, designed and located to channel traffic flow, facilitate storm water management, and define and separate parking areas and aisles. Each landscaped area shall be planted with a deciduous tree with a minimum caliper of one inch at the time of planting in accordance with Section 286-512.”

**(6). Section 286-306.04      Permitted Uses -RO District**

Pp. 59.      Commercial Use Types

Day Care Center \*  
Studio, Fine Arts  
~~Veterinary Hospital/Clinic~~

**(7). Tattoo Parlors**

Amend Section 286 – 200 Definitions to include the following definitions:

Pp. 15 **BODY PIERCING** – The creation of an opening in an individual’s body, other than an individual’s ear, to insert jewelry or another decoration.

Pp. 30 **TATTOOING**- The practice of producing an indelible mark or figure on the human body by scaring or placing a pigment under the skin using needles, scalpels, or other related equipment.

II.      Amend Section 286 – 202.10 Commercial Use Types to include the following use type:

Pp. 45 **STUDIO, TATTOO** - An establishment where tattooing and or body piercing is performed as the principal business activity.

III.      Amend Section 286 – 202.10 Commercial Use Types to modify the following use type:

Pp. 44 **PERSONAL SERVICES**- Establishments or places of business engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops; massage clinics; ~~tattoo and piercing establishments~~; grooming of pets; seamstresses, tailors; florists; and laundry dry cleaning services.

IV.      Amend Section 286-310.04 (A) 5. To included the following commercial use type by right in the GB General Business District.

Pp. 67. **STUDIO, TATTOO**

## ARTICLE IV USE AND DESIGN STANDARDS

### *Section 286-404.36 Townhouses*

Pp. 143. (B) General standards.

8. Public street frontage shall not be required for any proposed lot of record platted for townhouse development within RH districts. ~~In RM districts, the applicant shall designate as part of the special exception permit application, the location of any lot that is not proposed to front on a public street.~~

(3).

**EXHIBIT A****Proposed Minimum Square Footage requirements for Dwelling units**

Type of Dwelling	Existing ordinance	Proposed Ordinance
Single Family-detached	900-1100	1100
Single Family-attached	600-900	1100
Duplex(per unit)	600-800	800
Townhouse	1000	1000
Multi-Family Dwelling		
Studio	450	450
One-bedroom	600	500
Two bedroom	800	600
Three bedroom	1050	700
Four+ bedroom	1200	900

**Existing Building Code requirements**

## Section R304 Minimum Room Areas

Minimum Area	One (1) room not less than 120 sq ft
Other Rooms	Other habitable rooms-not less than 70 sq ft each

**Peer Review of Area Community ordinances**

Community	Minimum Dwelling Unit Square Footage requirements
Chesterfield County	No
City of Hopewell	No
City of Petersburg	No*
Prince George County	No
Dinwiddie County	No

\* Have set minimum stds as part of profers on conditional rezoning requests