

ORDINANCE #15-09

**AN ORDINANCE AMENDING CHAPTER 21, ZONING,
ARTICLE III. DISTRICT REGULATIONS, DIVISION 15, PLANNED DEVELOPMENT
DISTRICTS PDR, PDC AND PDU, AND ARTICLE V. PARKING,
TO ADD THE PLANNED DEVELOPMENT HOUSING DISTRICT PDH
(PCR #15-006)**

WHEREAS, these revisions to the Williamsburg Code, Chapter 21, Zoning, are intended to create a new Planned Development Housing District PDH which will allow converting a limited number of existing hotel rooms in the B-2 District for the purpose of providing non-permanent affordable and flexible-term housing for individuals and families who may not have access to traditional housing alternatives that exist in the City.

THEREFORE, BE IT ORDAINED that Chapter 21, Zoning, Article III. District Regulations, Division 15, Planned Development Districts PDR, PDC and PDU be amended by the addition of Sec. 21-483.1 Planned Development Housing District PDH, to read as follows:

ARTICLE III. DISTRICT REGULATIONS

DIVISION 15. PLANNED DEVELOPMENT DISTRICTS PDR, PDC, PDU AND PDH

Sec. 21-483.1. Planned development housing district PDH.

(a) *Statement of intent.* The PDH district is established to encourage adaptive housing by allowing conversion of a limited number of existing hotel/motel rooms located in the B-2 zoning district into affordable housing for individuals and families, and thereby fulfilling a housing need not addressed by the City's existing housing inventory. The PDH district should be located so as to take advantage of proximity to existing transit routes and pedestrian and bicycle facilities, and should not be located on sites that have significant redevelopment potential.

(b) *Where permitted.* PDH districts shall be permitted only in the B-2 zoning district.

(c) *Minimum size of district.* There is no minimum size required for a planned development housing district PDH.

(d) *Permitted dwelling unit occupancy.* The permitted occupancy in a planned development housing district PDH is as follows:

- (1) No more than three persons in an efficiency or one bedroom unit; or
- (2) No more than five persons in a two or more bedroom unit.

(e) *Permitted uses.* The uses permitted in the planned development housing district PDH are as follows:

- (1) Adaptive housing, subject to the following:
 - a. *Definition.* "Adaptive housing" is defined for the purpose of this section [21-483.1] as primarily efficiency and one-bedroom units with adequate cooking facilities created from all or part of an existing hotel/motel, and used for the purpose of providing non-permanent, affordable and flexible-term housing for individuals and families who may not have access to traditional housing alternatives existing in the City of Williamsburg but who are not visitors as defined in Sec. 21-2.

- b. **Management.** Management shall be provided in accordance with a management plan that is approved as a part of the rezoning and which provides for prompt and adequate performance of regular and emergency upkeep and maintenance on the complex and all dwelling units therein, and shall remain in effect unless the approved development plan is amended in accordance with this chapter. The management plan shall include procedures to link residents with the Williamsburg Human Services Department and with other non-governmental organizations addressing human service needs.
- c. **Number.** No more than a total of 100 adaptive housing units shall be permitted in the City, and there shall be no more than 50 units in an individual adaptive housing facility.
- d. **Review standards.** When reviewing an application for rezoning to planned development housing district PDH, city council shall consider the location of the hotel/motel, the potential of the site for significant redevelopment, the history of property maintenance and fire code violations for the proposed site, the proximity of the site to existing transit routes, the proximity of the site to pedestrian and bicycle facilities, the inclusion of housing for suitable for seniors and for persons with disabilities when it is appropriate as part of the adaptive housing facility, the suitability of the proposed management plan, and the compatibility of the adaptive housing facility with existing residential and commercial development in the vicinity of the proposed location.
- f. **Reversion.** In the event that the owner of the property desires to convert or redevelop the property to a use or uses allowed in the corridor business district B-2, the owner may apply for a rezoning to the previous corridor business district B-2 zoning in accordance with article II, division 3.

- (2) Hotels/motels and associated meeting facilities.
- (3) Off-street parking and loading areas for permitted uses in accordance with article V.
- (4) Signs in accordance with article VI.
- (5) Accessory uses in accordance with section 21-603
- (6) Home occupations in accordance with section 21-606

(f) **Uses permitted as special exceptions.** Uses permitted in the planned development housing district PDH with a special exception approved by the board of zoning appeals in accordance with section 21-97(f) are as follows:

No special exception uses are listed for this district.

(g) **Uses permitted with special use permit.** Uses permitted in the planned development housing district PDH with a special use permit approved by the city council in accordance with article II, division 2, are as follows:

No special use permit uses are listed for this district.

(h) *Density*. For the planned development housing district PDH residential density shall be determined as a part of the rezoning process. In deciding on the density to be allowed, city council shall consider the quality of the building and site design of the proposed development, and how the scale and character of the development relates to its immediate surroundings. The approved density shall be based upon the net acreage, which shall be calculated based on existing land conditions, as specified in the following chart:

| Physical Land Unit | Percent Credited Toward Net Acreage |
|---|-------------------------------------|
| Slopes less than 10% | 100% |
| Slopes from 10% but less than 20% | 70% |
| Slopes from 20% but less than 30% | 50% |
| Slopes 30% or more | 10% |
| 100-year floodplains | 0% |
| Wetlands | 0% |
| Existing water features (bodies of water, drainage channels, streams, etc.) | 0% |
| Above ground high voltage electric transmission line easements (69 kv or greater) | 0% |

(i) *Lot area, lot width and yards*.

- (1) *Lot area*. There shall be no lot area required in the planned development housing district PDH.
- (2) *Lot width*. The minimum lot width at the building line in the planned development housing district PDH shall be 50 feet, and the lot width shall not be less than 25 feet at the street line.
- (3) *Yards*. The yard requirements in the planned development housing district PDH are as follows:
 - a. *Front*. There shall be a front yard of not less than 35 feet, except that for lots fronting on Richmond Road between New Hope/Bypass Road and Ironbound Road, Parkway Drive, Penniman Road and Second Street, there shall be a front yard of not less than 15 feet; and except that for lots fronting on Second Street between Page Street and Parkway Drive there shall be a front yard of not less than five feet.
 1. Where 40 percent or more of the frontage on one side of the street within the same block is improved with buildings, no building on that side of the street within the same block shall be required to have a front yard greater than the average front yard of the existing buildings. However, when there are buildings on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of the front yards of the buildings on the adjacent lots. The side line of a building on a corner lot shall not be a factor in these calculations.

2. When a lot has a double frontage, front yards shall be provided on both streets, subject to such reductions as may be allowed under subsection 21-483.1(i)(3)a.1. above.
 3. No accessory building shall be located in a front yard.
- b. *Side.*
1. There shall be side yards of not less than ten feet.
 2. *Corner lots:* On a corner lot, the owner shall choose which yard is the front yard unless the front yard is designated on the recorded subdivision plat. The rear yard shall be opposite the chosen front yard. The other yard abutting the street shall be a side yard and shall not be less than 17½ feet for both main and accessory buildings (not less than 15 feet for both main and accessory buildings adjacent to Parkway Drive, Penniman Road and Second Street), unless a greater side yard is designated on a recorded subdivision plat. Gasoline pump islands, pump island canopies and outdoor dining areas shall be required to have a side yard of not less than 15 feet.
 3. Side yards for accessory buildings, except for those on corner lots, shall not be less than three feet.
 4. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-483.1(i)(3)d. below.
- c. *Rear.*
1. There shall be a rear yard of not less than 15 feet.
 2. Rear yards for accessory buildings shall not be less than five feet.
 3. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-483.1(i)(3)d. below.
- d. *Transitional screening.*
1. A landscaped open space area for transitional screening at least 35 feet in width shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district or to the Colonial Parkway, except that:
 - i. A landscaped open space area for transitional screening at least ten feet in width shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district for lots fronting on Second Street between Page Street and Parkway Drive. The transitional screening open space shall include the required side and rear yards. In conjunction with site plan review, planning commission

may require a screening fence or wall in conjunction with or in lieu of the required landscaping.

- ii. No transitional screening open space shall be required when multifamily dwellings adjoin multifamily zoning districts.
2. Landscaping of transitional screening open space areas shall be in accordance with landscaping standards contained in section 21-784(e).
 3. Transitional screening open space shall not contain accessory buildings or be used for storage purposes. No more than 25 percent of a transitional screening open space area shall be used for stormwater management facilities.
 4. Transitional screening open space shall be in addition to the required side and rear yards, unless otherwise specified.
 5. The planning commission may reduce the required width of transitional open space. A reduction shall not be approved unless it is found that:
 - i. The provision of the required transitional screening open space would unreasonably restrict the use of the property due to exceptional narrowness, shallowness, size or shape of the lot, or by reason of exceptional topographic conditions or other extraordinary situation or condition of the property; and
 - ii. Additional landscaping and/or screening is proposed that will provide screening equivalent to that required by this section.

(j) *Height.* The height requirements in the planned development housing district PDH are as follows:

- (1) Buildings may be erected up to 45 feet from grade except that:
 - a. Stair towers, equipment penthouses, mechanical equipment and screening walls are exempt from the height limitations, provided that they shall not cover more than 30 percent of the total roof area and shall not exceed the building height by more than ten feet. Equipment penthouses, mechanical equipment and screening walls shall be set back from the front wall of the building one foot for each foot of height above the roof level.
 - b. Parapet walls shall not exceed the building height by more than four feet.

c. Cupolas, spires and steeples may be erected to a height of 90 feet above grade, and may extend higher if a special exception is approved by the board of zoning appeals in accordance with section 21-97(f). The board shall not approve the special exception unless it finds that the cupola, spire or steeple is in proper proportion to the building.

(k) *Landscaped open space.*

(1) The landscaped open space requirements in the planned development housing district PDH are as follows:

a. At least 20 percent of the total land area of the lot shall be landscaped open space.

BE IT FURTHER ORDAINED that Chapter 21, Zoning, Article III. District Regulations, Division 15, Planned Development Districts PDR, PDC and PDU, Sec. 21-484. *Application procedures for planned development districts* be amended by changing “PDR, PDC or PDU” to “PDR, PDC, PDU and PDH” in subsections (a), (b), (c), and by changing “PDC and PDU” to “PDC, PDU and PDH” in subsection (c)(7)i.8.

BE IT FURTHER ORDAINED that Chapter 21, Zoning, Article V. Parking, Sec. 21-207. Amount of offstreet parking required, be amended to read as follows:

ARTICLE V. PARKING

Sec. 21-207. Amount of offstreet parking required.

The offstreet parking required by this article shall be provided and maintained on the basis of the following table, except as otherwise provided in this article:

| <i>Use Type</i> | <i>Required Parking Spaces</i> |
|--|--|
| (a) Residential uses: | |
| (1) Single-family detached dwelling | 2 for each dwelling unit |
| (2) Duplex dwellings | 2 for each dwelling unit |
| (3) Townhouses and planned unit developments | 2 for each dwelling unit, plus 0.25 for each dwelling unit for visitor parking |
| (4) Multifamily dwellings | 1.25 for each efficiency and one bedroom dwelling unit, and 1.5 for each two or more bedroom dwelling unit, plus 0.25 for each dwelling unit for visitor parking |
| (5) Senior housing, as defined | 1 for each 2 dwelling units |
| (6) Adaptive housing, as defined | 1 for each efficiency and one bedroom unit, and 2 for each two or more bedroom unit |

EXCEPT, as here amended, the Williamsburg Code shall remain unchanged.

Adopted: April 9, 2015

Attest: 
 Gerry S. Walton, Deputy Clerk of Council


 Clyde A. Maulman, Mayor