

## ORDINANCE #17-02

### AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE III. DISTRICT REGULATIONS, DIVISION 6.2. LB-2 DISTRICT, BY ADDING STUDENT DWELLINGS AS A SPECIAL USE PERMIT USE (PCR #17-001)

These revisions to Chapter 21, Zoning, are intended to promote the health, safety and general welfare of the public, and to carry out the purpose and intent of Chapter 21 as stated in Sec. 21-1.

**BE IT ORDAINED** that Chapter 21, Zoning, Article III, Division 6.2. Limited Business Neighborhood District LB-2, Sec. 21-255.4 and Sec. 21-255.5 be amended to read as follows:

#### DIVISION 6.2. LIMITED BUSINESS NEIGHBORHOOD DISTRICT LB-2

##### Sec. 21-255.4. Uses permitted with a special use permit.

Uses permitted in the limited business neighborhood district LB-2 with a special use permit approved by the city council in accordance with article II, division 2, are as follows:

- (1) Multifamily dwellings.
- (2) Student dwellings, with or without kitchens, owned, operated or leased by the College of William and Mary
- ~~(3)~~(2) Townhouses in accordance with section 21-255.10.
- ~~(4)~~(3) Churches and other buildings used for religious worship.
- ~~(5)~~(4) Day care centers located in the same building as a church or public or private school.
- ~~(6)~~(5) Hotels/motels and timeshare units, and associated meeting facilities with more than ten bedrooms.
- ~~(7)~~(6) Laundry and dry cleaning establishments.
- ~~(8)~~(7) Lighted athletic fields owned and/or operated by the City of Williamsburg.
- ~~(9)~~(8) Public or private elementary, middle or high schools, colleges and universities, and including temporary classroom facilities when accessory to and on the same lot as a school located in a permanent building.
- ~~(10)~~(9) Radio and television broadcasting stations, studios and offices, but excluding onsite towers.
- ~~(11)~~(10) Restaurants without drive-thru windows and with a gross floor area exceeding 2,500 square feet.
- ~~(12)~~(11) Retail sales establishments with a gross floor area exceeding 5,000 square feet.

- ~~(13)~~(12) Uses in buildings with a gross floor area exceeding 10,000 square feet per building:
- a. Bake shops.
  - b. Banks and financial establishments.
  - c. Convenience service establishments, limited to barbershops, beauty parlors, tailors, and shoe repair shops.
  - d. Medical and dental offices and clinics.
  - e. Museums and art galleries.
  - f. Offices.
  - g. Printing and photocopying shops.
  - h. Restaurants without drive-thru windows and with a gross floor area exceeding 2,500 square feet.
  - i. Retail sales establishments with a gross floor area exceeding 5,000 square feet.

**Sec. 21-255.5 Lot area/density.**

The density requirements in the limited business neighborhood district LB-2 are as follows:

- (1) *Dwelling units: There shall be a maximum density of eight dwelling units per net acre, except that the maximum density may be increased up to 14 dwelling units per net acre with a special use permit approved by the city council in accordance with article II, division 4. Net acreage shall be based on existing land conditions, as specified in the following chart:*

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

(2) Student dwellings. For student dwellings in the LB-2 district, density shall be determined as a part of the special use permit process. In deciding on the density to be allowed, city council shall consider the proximity of the property to the campus of the College of William and Mary, the unique characteristics of the property, the reuse of the existing buildings and structures on the property, 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 and to the Planning Area in which it is located as a whole. The approved density shall be based upon net acreage, which shall be calculated based on existing land conditions, as specified in the following chart:

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

(3) ~~(2)~~ *Other uses:* For all other uses, there shall be no minimum lot area required.

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

Adopted: March 9, 2017

  
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 Paul T. Freiling, Mayor

Attest:   
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 Donna Scott, Clerk of Council