

1. Planning Commission Meeting Documents

Documents: [CPC AGENDA 2.3.16.PDF](#), [CPC MINUTES 1.20.16.PDF](#), [S.E. 2882.PDF](#),
[ZT-16-376 377 378.PDF](#)



NEWPORT NEWS CITY PLANNING COMMISSION
2400 WASHINGTON AVENUE
NEWPORT NEWS, VIRGINIA 23607

MICHAEL F. CARPENTER
Chairman

(757) 926-8761

SHEILA W. McALLISTER
Executive Secretary

MARK W. MULVANEY
Vice-Chairman

- A G E N D A -

NEWPORT NEWS CITY PLANNING COMMISSION
February 3, 2016
4:00 P.M.
CITY COUNCIL CHAMBERS

- A. CALL TO ORDER
- B. INVOCATION
- C. MINUTES OF JANUARY 20, 2016
- D. PUBLIC HEARING

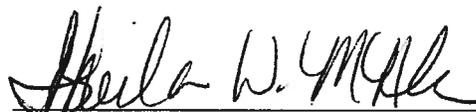
SPECIAL EXCEPTION

S. E. 2882, Howard L. Jones. Requests a special exception to allow a residential kennel for keeping six (6) domesticated animals (3 dogs & 3 cats) on a 0.20 acre parcel located at 707 Godfrey Road and zoned R3 Single-Family Dwelling. The Parcel No. is 127.00-01-04. **(Contact Planner: David Watson at 926-3833)(To be heard by Board of Zoning Appeals on March 15, 2016)**

ZONING TEXT AMENDMENT

ZT-16-376, 377 & 378 City of Newport News Requests an amendment to the Zoning Ordinance to define a new use, Police K9 Training Facility, add it to the Summary of Uses by District matrix, and add general regulations for the use. Article II, Section 45-201; Article IV, Section 45-402; and Article V, Section 45-535. **(Contact Planner: Claudia Cotton at 926-8075)(To be heard by City Council on February 23, 2016)**

- E. EXECUTIVE SECRETARY REPORT
 - Comprehensive Plan Update
by Britta Ayers, Manager of Comprehensive Planning
- F. COMMITTEE REPORTS
- G. UNFINISHED BUSINESS
- H. NEW BUSINESS
- I. ADJOURN MEETING


Sheila W. McAllister, AICP
Executive Secretary

MINUTES OF THE PLANNING COMMISSION MEETING
Wednesday, January 20, 2016
City Council Chambers
2400 Washington Avenue
Newport News, Virginia

PRESENT: Michael F. Carpenter, Chairman; Mark Mulvaney, Vice-Chairman; Sharyn L. Fox; Robert B. Jones; Lorraine P. Austin; Elizabeth W. Willis; N. Steve Groce; (Staff: Sheila W. McAllister, Director of Planning; Claudia Cotton, Manager of Current Planning; Britta S. Ayers, Manager of Comprehensive Planning; Saul Gleiser, Senior Planner; Flora Chioros, Planning Coordinator; David Watson, Planner; Johnnie Davis, Planner; Lynn Spratley, Deputy City Attorney; Christine Mignogna, Zoning Administrator) **Guest:** Willard Maxwell, Jr.

ABSENT: Daniel L. Simmons, Jr.

CALL TO ORDER

Ms. Fox read the Planning Commission's purpose as stated in Section 15.2-2210 of the Code of Virginia. She made a motion to adopt the agenda before the Planning Commission. Mr. Jones seconded the motion. The City Planning Commission voted to adopt the agenda by acclamation.

INVOCATION

Mr. Groce presented the invocation.

MINUTES

The minutes of the January 6, 2016 public hearing were presented. Mr. Carpenter requested a modification on Page 8 to read: "Mr. Carpenter asked Ms. Ayers to provide an overview of the comprehensive plan and to explain its importance."

PUBLIC MEETING

SPECIAL EXCEPTION

S. E. 2881 Dunamis Christian Center Trustees & SLCCFCO Requests a special exception to reduce the rear yard transitional buffer area from thirty (30) feet to zero (0) to enable the construction of a retail development on parcels totaling 0.84 acres located at 2000, 2006 and 2010 27th Street and zoned C1 Retail Commercial.

David Watson, Planner, presented the staff report (copy attached to record minutes).

Ms. Willis stated that, because the fence goes along the full length of the back of the property, she is concerned about pedestrians using the adjacent sidewalk and having

sight lines for people driving in their vehicles to see the people coming and going. Mr. Watson stated this was a consideration during site plan review. He stated a 'sight-view-triangle' is an important criteria in site plan review and the fence was required to be moved back to ensure there is plenty of sight-line for safe use of the entrances.

Mr. Mulvaney asked why is there a statement about not reducing the number of trees in a transitional buffer that does not exist. Mr. Watson stated there are no trees in the transitional buffer and therefore, the number of trees cannot be reduced.

Mr. Mulvaney asked if the area between the fence and the property line will have some type of landscaping. Mr. Watson stated the applicant has proposed placing planters along the fence, which will be set five (5) feet within the property because of the utility easement. Mr. Mulvaney asked how the area between the fence and the property line will be maintained. Mr. Watson stated that area will be paved, and will need to remain clear at all times because of the utility easement. Ms. Cotton stated there will be a buffer that borders Hickory Avenue, which will not be reduced in this proposal.

Ms. Fox asked where the dumpster will be located and how it will be screened. Mr. Watson stated the dumpster area will be setup against the side of the building, with fences on either side of the dumpster. He stated that, with the privacy fence along the rear of the property, the rear view of the dumpster will be covered. Ms. Fox asked if the rear fence will add to the ambiance of the property by screening the dumpster. Mr. Watson stated yes. He stated the fence around the dumpster also will be gated.

Ms. Fox stated the whole area has a lot of different types of zoning, from residential to commercial from one house to the next. Ms. McAllister stated the entire area was zoned commercial at one time and during the comprehensive rezoning, what was commercial was identified as commercial and what was residential as residential.

Ms. Austin asked how will a dump truck approach the dumpster in the rear of the building. Mr. Watson stated he is not sure how the ingress and egress will work because it will depend on what kind of dumpster the applicant decides to use. He stated the traditional large steel dumpster may not be applicable here, and many businesses use a smaller container which will allow greater access. Mr. Watson stated that in urban settings on tighter sites you do not see the larger dumpsters.

Ms. Austin asked how a truck will be able to access the porch area in the rear for delivery. Mr. Watson stated an appropriate sized truck could either back-in or drive through. He stated a canopy will provide shelter when the delivery truck is being offloaded.

Ms. Austin asked if there will be lights for the parking areas. Mr. Watson stated a lighting plan is required under site plan review. He stated the plan calls for a certain amount of lighting or foot candles, and lighting spillover is also taken into consideration. Mr. Watson stated there will be lighting fixtures along the back of the building directed straight down so it illuminates that area of the building and does not go into the

neighbor's yard. Ms. Austin stated she would like to add a condition on the lighting. She stated "All lighting on the Property shall be consistent with those standards recommended by the Illumination Engineering Society of North America (IESNA.) A photometric lighting plan indicating the number and type of lighting shall be submitted for review and approval by the Director of Engineering. Lighting shall be installed and operated as shown on the approved plan. Lighting shall be directed inward and downward on the Property so that such lighting does not spillover onto adjacent properties."

Ms. Austin stated we have approved gas stations and fast food restaurants specifying that there would not be outdoor speakers. She stated she would like to add that as another condition. Ms. Austin stated "The playing of music on any outdoor speakers shall be prohibited."

Mr. Carpenter opened the public hearing.

Mr. Joe S. Frank, 2 Madison Circle, representative for the applicant, spoke in favor of the application. He thanked Planning staff for their assistance. Mr. Frank gave a brief presentation of the application.

Mr. Frank stated he is concerned about the reference in detail from Ms. Austin's proposed condition about lighting. He asked for more general language to have the lighting not reflect on adjoining property, so staff could enforce it during site plan review. Ms. Austin stated "Lighting shall be directed inward and downward and not spillover onto adjacent properties." Mr. Frank thanked Ms. Austin.

Ms. Austin asked where will the employees park. Mr. Frank stated the overlay district allows street parking, but there will be parking spaces available on the side of the building, which should be adequate for both employees and customers.

Mr. Richard A. Tabb, Jr., 313 Pear Avenue, is an adjacent neighbor to the applicant. Mr. Tabb stated he is concerned about access in the right-of-way for the sewer lines and other utilities. He stated if the applicant installs a fence, there will not be another way to get behind the existing building to access the alley that contains the utilities. Mr. Tabb stated he upgraded his sewer lines, but sometimes he needs to call the city to come out and clean them because the adjacent sewer lines are old. Mr. Watson stated that physically, nothing is going to change. He stated that, as a new building, it will occupy the same space as the old one. Mr. Watson stated the fence that will be installed is designed to be portable, so it can be removed if someone needs to access the alley to do any major work. He stated any access required to address the utility lines will be no different than it is today because there is nothing being built back there, except for the fence, which is 5 feet from the utility pipes. Mr. Watson stated any minor repairs can be accessed just walking back there, and if there were major repairs that need to be addressed, the fence can be removed. Mr. Carpenter asked if this application needs to go back to site plan review. Mr. Watson stated the plan was reviewed as a pre-design by the Site Plan Committee. He stated the Department of

Engineering is satisfied with the resolution of using a portable fence. Mr. Carpenter stated Mr. Tabb may call the Engineering Department for further information.

Mr. Carpenter closed the public hearing.

Ms. Austin made a motion to recommend approval of special exception S.E. 2881 to the Board of Zoning Appeals, with additional conditions "Lighting shall be directed inward and downward and not spillover onto adjacent properties" and "The playing of music on any outdoor speakers shall be prohibited." The motion was seconded by Ms. Willis.

Vote on Roll Call

For: Fox, Jones, Mulvaney, Austin, Willis, Groce, Carpenter

Against: None

Abstention: None

The Planning Commission voted unanimously (7:0) to recommend approval of S.E. 2881 to the Board of Zoning Appeals, with conditions.

EXECUTIVE SECRETARY REPORT

Ms. McAllister stated that on January 12, 2016, City Council approved the conditional use permit for a gasoline supply station on Warwick Boulevard at the old Bowditch Ford site.

Ms. McAllister stated the Planning Commission's February 3, 2016 public hearing will include a special exception for a residential kennel at 707 Godfrey Road and a text amendment to add Police K9 training facility to the zoning ordinance.

Ms. McAllister welcomed Ms. Sharyn Fox and Pastor Willard Maxwell, Jr. to the Planning Commission.

COMMITTEE REPORTS

Ms. Britta Ayers, Manager of Comprehensive Planning, gave the Planning Commission an update on the comprehensive plan. She stated that the Comprehensive Plan Citizen Advisory Committee (CPCAC) met last Thursday, January 14, 2016, at Downing-Gross Cultural Arts Center to continue the discussion of the draft Existing Conditions Summary. Ms. Ayers stated the committee was able to complete two additional sections, specifically looking at cultural and natural resources, as well as historic preservation and public services. She stated that the next meeting is scheduled for Thursday, January 28, 2016 at Downing-Gross Cultural Arts Center from 4:00 to 6:00 P.M. to finish the last two sections. Ms. Ayers stated the committee will look at existing conditions related to housing and transportation and the final section which talks about neighborhoods. She stated if the group finishes the discussions, the committee will take a hiatus to allow Planning staff to continue writing the document and present a draft document that will include revisions provided by the CPCAC. Ms. Ayers stated if the

committee does not finish the last two sections, there will be another meeting on Thursday, February 11, 2016 at the Denbigh Community Center.

Mr. Carpenter noted that we had the largest turnout of Planning Commissioners at the last CPCAC meeting. He thought it was because Ms. Ayers did a great job at the previous Planning Commission meeting explaining the importance of the comprehensive plan.

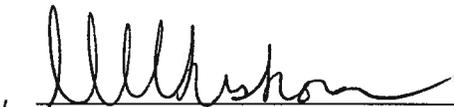
NEW BUSINESS

Ms. McAllister stated there is a new position in the Planning Department entitled Planning Coordinator. She stated Ms. Flora Chioros has been chosen for the position. Ms. McAllister stated in this position, Ms. Chioros will serve as a liaison between the city and businesses and developers who are looking to do business in Newport News. She stated Ms. Chioros will help them through the development review process.

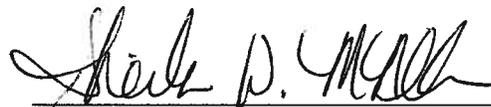
Mr. Carpenter welcomed Ms. Fox back to the Planning Commission. He stated Ms. Fox previously served two terms as a Planning Commissioner, with two years as Chairwoman. Ms. Fox stated she is thrilled to be back.

Mr. Carpenter welcomed Pastor Willard Maxwell, Jr. to the Planning Commission. Mr. Maxwell is expected to complete his appointment and begin serving at the next Planning Commission public hearing on February 3, 2016.

There being no further business, the meeting adjourned at 4:37 P.M.



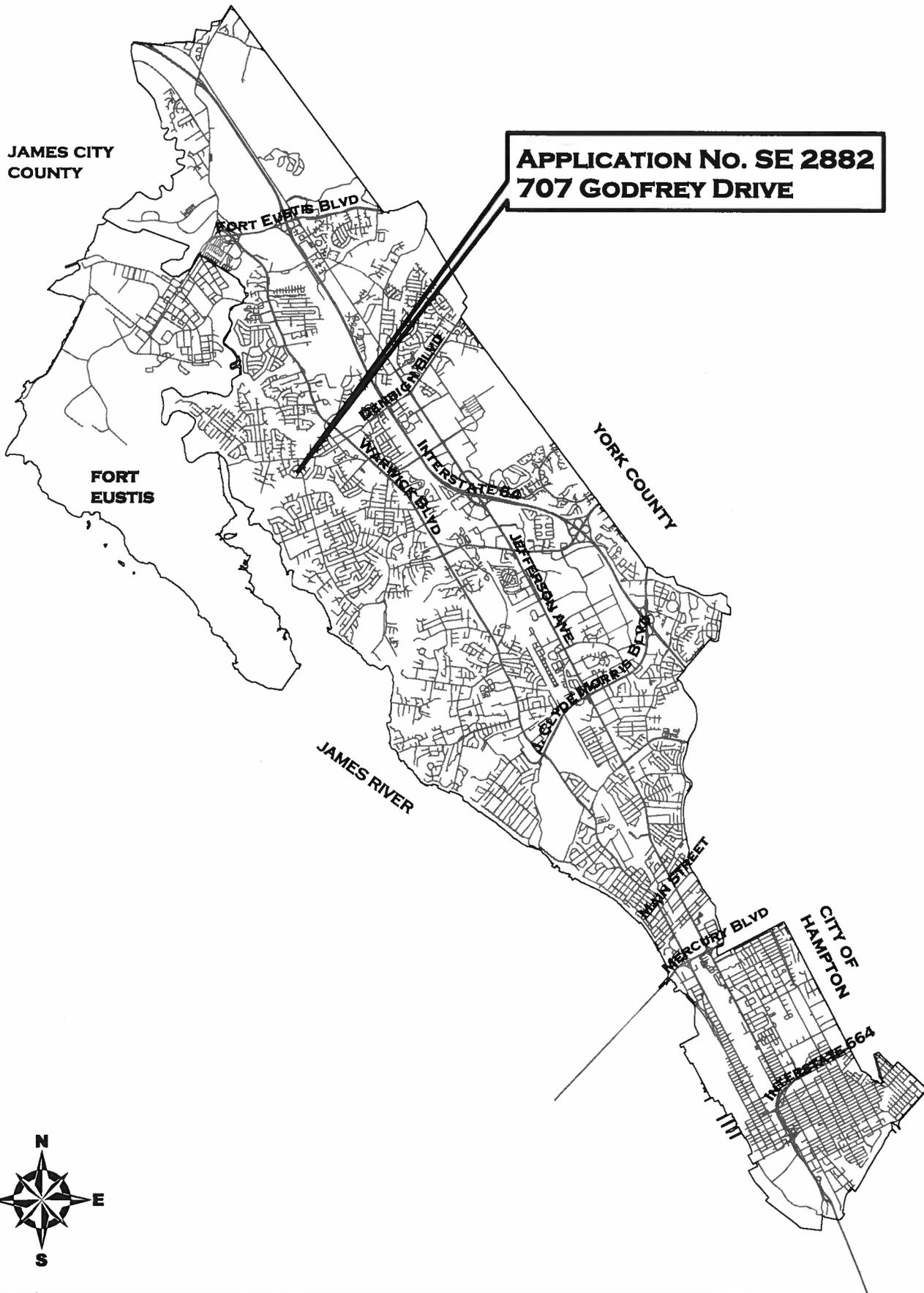
Recording Secretary



Executive Secretary

**CITY OF NEWPORT NEWS
PLANNING COMMISSION
FEBRUARY 3, 2016**

**SPECIAL EXCEPTION
APPLICATION NO. SE 2882
HOWARD L. JONES**



SPECIAL EXCEPTION NO. SE 2882

HOWARD L. JONES

OWNER /APPLICANT Howard L. Jones/Ruby Morse **ZONING** R3 Single-Family Dwelling (Appendix 1)

LOCATION 707 Godfrey Drive

PRESENT USE Single-family home **ACREAGE** 0.2 acres

REQUEST Operation of a kennel in a residential area for no more than six (6) domesticated animals



FACTS

Surrounding properties All adjacent properties contain single-family homes on properties zoned R3 single-family dwelling.

Zoning History R3 Single-Family Dwelling since the citywide comprehensive rezoning became effective August 1, 1997

Regulatory Review Up to four (4) domesticated animals may be kept in a residential district as a

matter of right. Section 45-3204(9) allows the Board of Zoning Appeals to grant a special exception for a kennel to be located in any residential district for no more than six (6) domesticated animals; provided;

- a. *All animals shall be maintained in a healthy condition or, if ill, shall be given appropriate treatment immediately.*
- b. *Animal pens shall be large enough (within recognized standards) to provide freedom of movement for each animal contained therein.*
- c. *Any animal pen must be located in the rear yard and at least ten (10) feet away from any property line.*
- d. *Litter and bedding material shall be changed to prevent odor that could adversely affect or impact neighboring properties.*
- e. *No person shall utilize any space for the keeping of animals in any manner that is detrimental to the use of adjacent property or that, because of odor, noise or attraction of flies or other pests, reduces or otherwise unreasonably restrict the rights of adjacent property owners to enjoy the use of their property.*
- f. *No person shall permit the drainage from any space devoted to animals to contaminate or pollute any stream, watercourse or drainage way, natural or manmade.*
- g. *No person shall store, stockpile or permit any accumulation of animal waste in any manner whatsoever that, due to odor, attraction of flies or other pests or for any other reason, diminishes the rights of adjacent property owners to enjoy reasonable use of their property.*
- h. *Such kennel will not adversely affect or impact neighboring properties.*

The departments of Codes Compliance, Engineering, Public Works, Public Utilities, Fire, Police, Parks, Recreation and Tourism and Development have no objection to the request.

ANALYSIS

The applicant has kept three (3) dogs and three (3) cats for the last ten years. All animals reside primarily indoors with access to a fenced rear yard. When renewing the licenses, the applicant was informed that a special exception would be required for keeping more than four (4) animals. A representative from Animal Services inspected the property and stated that all six (6) animals were found in a healthy condition. All were current with their vaccinations and had appropriate accommodations. Animal Services has no record of complaints related to the property. It was also noted in their investigation that the house was immaculate. (See Appendix A-4.) The conditions for a special exception to operate a kennel within a residential district have been met.

CONCLUSION

The proposed kennel in a residential area meets the requirements stipulated in the zoning ordinance. There are adequate facilities on site for all animals. Neighboring properties will not be adversely impacted.

STAFF RECOMMENDATION

Recommend approval of conditional use permit SE 2882 to allow for the operation of a kennel in a residential area for no more than six (6) domesticated animals with the following conditions:

1. The applicant, as well as successors, assigns, and agents, if any, shall comply with all of the conditions stated herein, as well as all codes, ordinances and regulations of federal, state and local governments.
2. The applicant, as well as his successors, assigns, and agents, if any, shall obtain all necessary licenses, approvals, or conditional approvals, and permits prior to commencing any use which is authorized by this special exception. Furthermore, the applicant, as well as successors, assigns, and agents shall maintain all necessary licenses, approvals, and permits for the entire period of time during which the real property, whether improved or otherwise, is put to a use which is authorized by this special exception and shall further comply with all conditions contained herein.
3. Violation of any of the above conditions and safeguards attached thereto shall be deemed a violation of the Zoning Ordinance.
4. Notwithstanding any other provision of law, this special exception is being approved due, in part, to the mitigating effects of each and every condition attached hereto; therefore, the conditions contained in this special exception are not severable; in the event that any condition contained herein, or part thereof, is found by a court of competent jurisdiction to be invalid, unconstitutional or otherwise unenforceable, then this special exception shall be void and the use permitted by this special exception shall be invalid. If this special exception becomes void as a result of a condition or a part thereof or conditions there in being ruled invalid, unconstitutional or otherwise unenforceable, the property owner shall be afforded the right to reapply for a special exception.

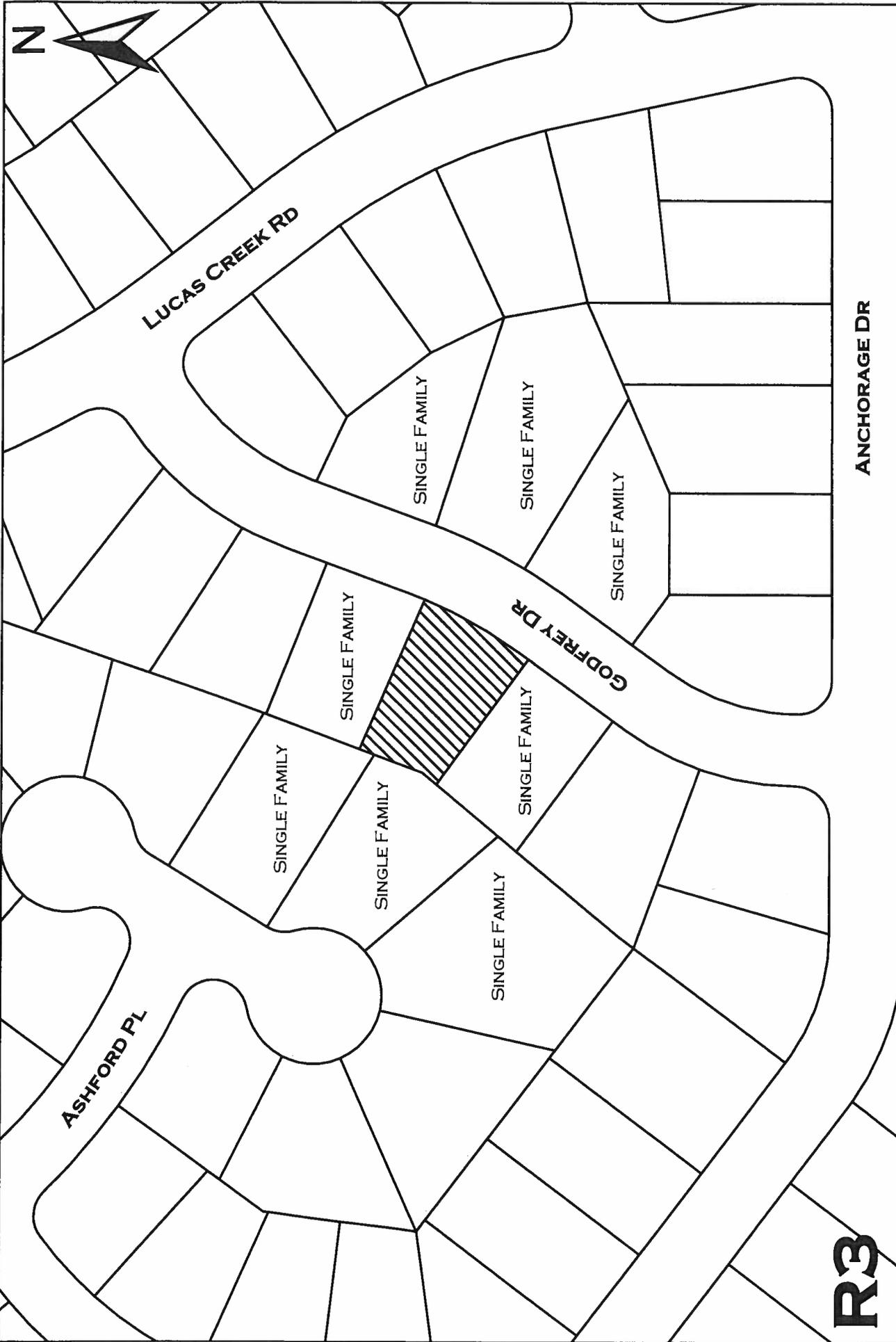
APPENDIX

A-1 VICINITY/ZONING MAP

A-2 SURVEY PLAT

A-3 AERIAL MAP

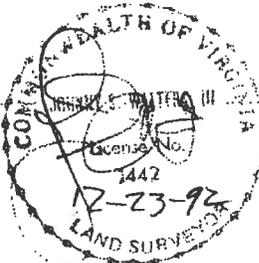
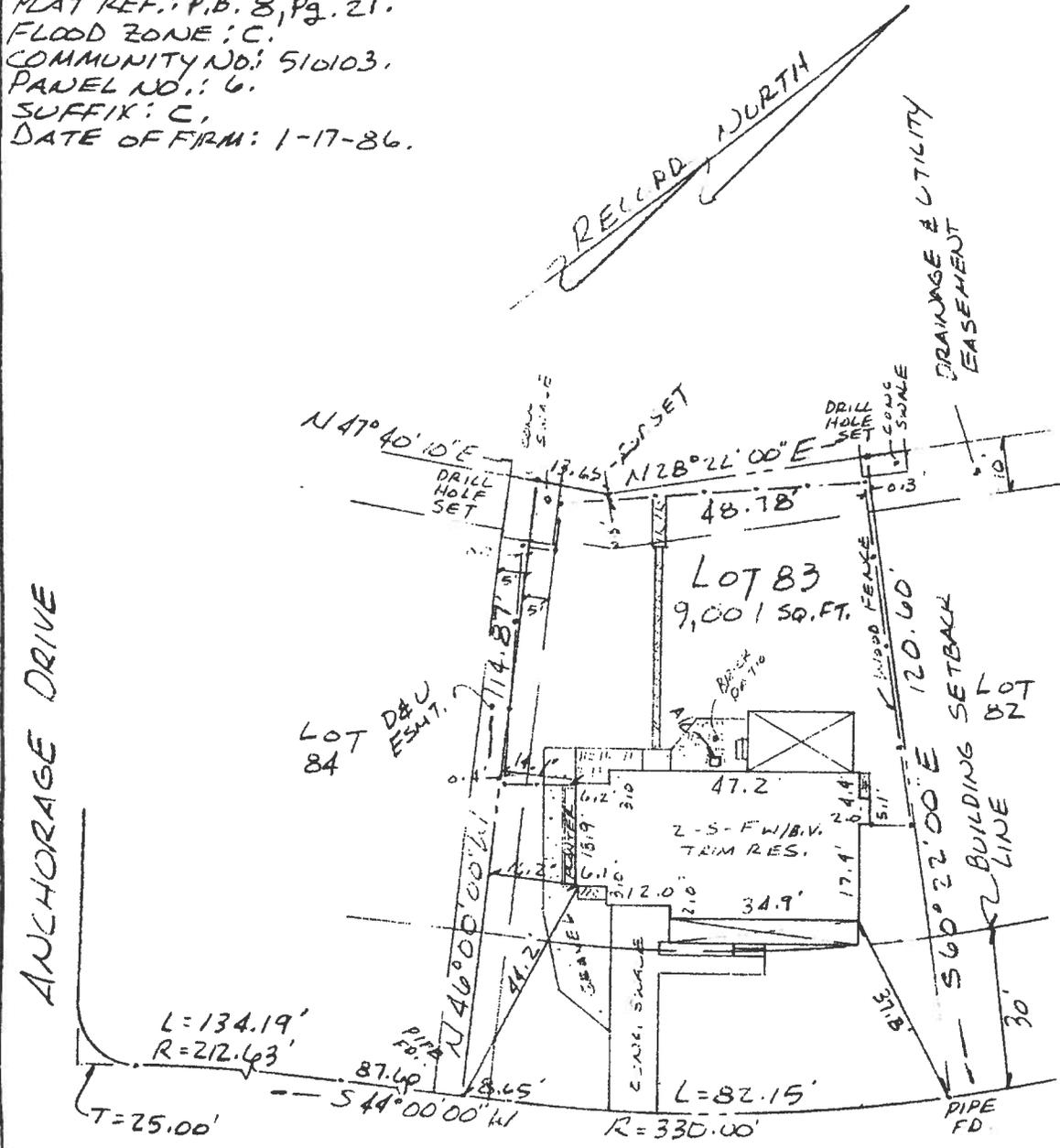
A-4 COMMENTS – DEPARTMENT OF PARKS, RECREATION, AND TOURISM



HOWARD L. JONES

S.E. 2882

PLAT REF.; P.B. 8, pg. 21.
FLOOD ZONE; C.
COMMUNITY NO.; 510103.
PANEL NO.; 6.
SUFFIX; C.
DATE OF FIRM; 1-17-86.



This is to certify that on DEC. 23, 1992 I surveyed the property shown on this plat and found the property lines to be correct as shown hereon.
There are no visible encroachments either way across the lines except as shown.
This property is subject to easements, servitudes and covenants of record.

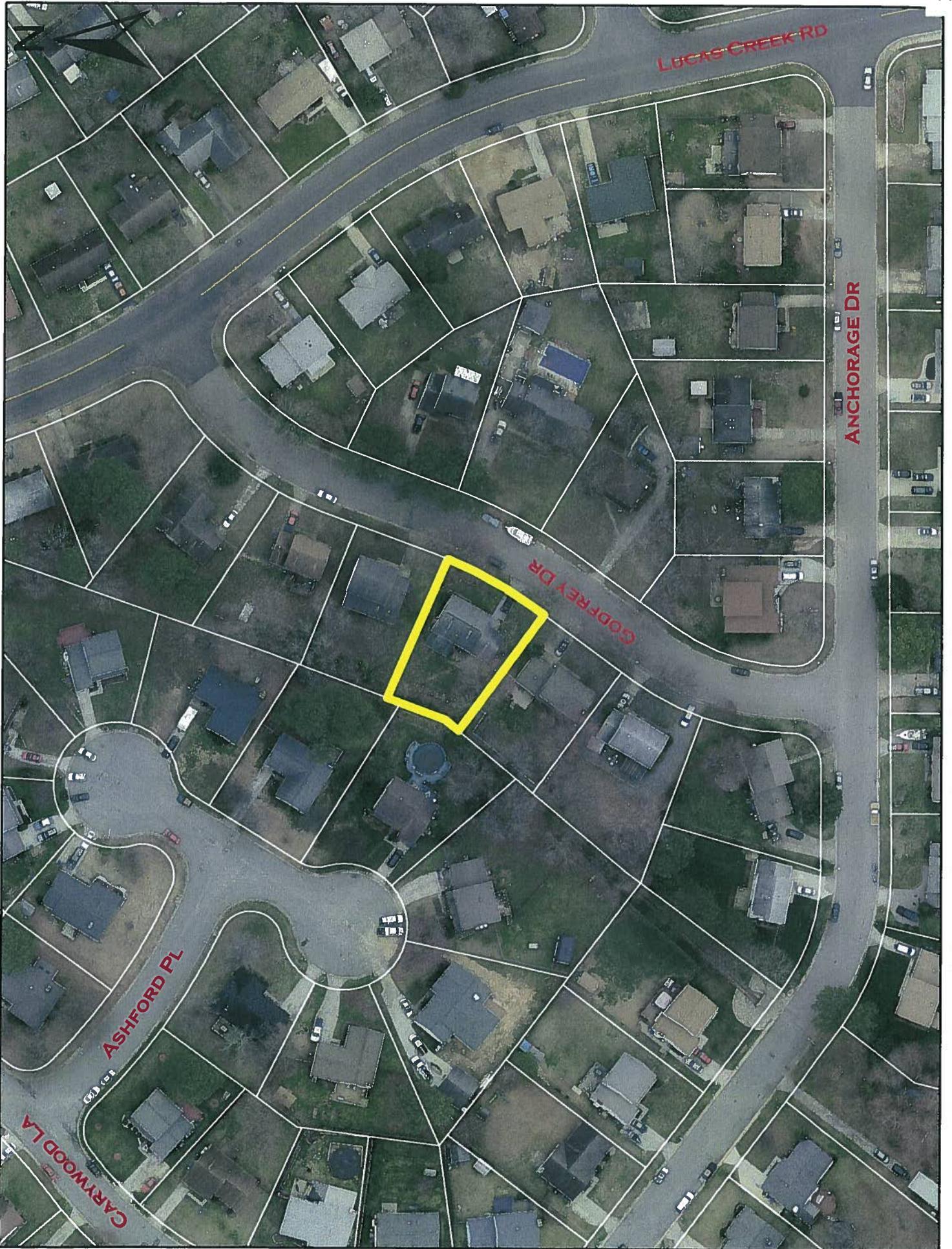
[Signature]
JOHNNY S. WALTERS II C.L.S.

F.B. 48 PG. 74

GODFREY DRIVE 50' R/W

707 GODFREY DRIVE

PLAT OF THE PROPERTY OF RICHARD N. CHILDERS & MARY E. CHILDERS
LOT 83 DENBIGH SHORES SECTION TWO CITY OF NEWPORT NEWS, VIRGINIA
WALTERS LAND SURVEYING, LTD. P.O. BOX 1594 YORKTOWN, VIRGINIA 23692 (804) 898-1057
SCALE: 1" = 25' DATE: DEC. 23, 1992



REC'D
CITY OF NEWPORT
2016 JAN -8 AM 10:54
PLANNING DEPARTMENT

City of Newport News

Department of Parks, Recreation & Tourism

January 6, 2016

TO: Director - Planning *Sheila*

FROM: Director - Parks, Recreation & Tourism

SUBJECT: Review of Planning Commission Cases for February 3, 2016 Public Hearing

Per your request, Parks and Recreation has reviewed the following:

- Application No. CU-16-361, DED LLC
- Application No. S. E. 2882, Howard L. Jones

In regards to Application No. S.E. 2882, Animal Services confirms that there are three dogs and three cats at this location and are in good condition (vaccinated/licensed). The house was immaculate and there were no concerns from neighbors.

This is to advise that this Department has no objections to these requests.



Michael D. Poplawski

MDP:nag

Watson, David F.

From: Davis, Alan C.
Sent: Wednesday, January 13, 2016 4:03 PM
To: Watson, David F.
Subject: 707 Godfrey Drive Newport News, VA.

Concerning 707 Godfrey Drive Newport News, VA. Animal Control officers visited the property at this address and found the following: all dogs and cats were cared for properly, all dogs and cats were found in excellent condition. In addition on this site visit animal control officers, found the home very clean, all animals were current on rabies vaccination and had current city license tags.

Alan C. Davis
Superintendent
The City of Newport News Animal Services
5843 Jefferson Avenue
Newport News, VA 23605
Phone (757) 933-8951
Fax (757) 933-8959
Email: acdavis@nnva.gov

ZONING TEXT AMENDMENT NO. ZT-16-376, 377 & 378

CITY OF NEWPORT NEWS

BACKGROUND

The request is to amend Article II. Definitions, Section 45-201; Article IV. Summary of Uses by District, Section 45-402 and Article V. General Regulations by adding Section 45-535, Police K9 Training Facility.

The purpose of the change is to add a new use, Police K9 Training Facility, to the zoning ordinance, allow it in specific districts and provide regulations for its use.

The Newport News Police Department's K9 Training Facility is currently housed in obsolete facilities at the City Farm. Due to the closure of City Farm, the facilities must be relocated. However, the current ordinance does not address the use.

The first step in relocating the facility is to allow the use in the city by amending the zoning ordinance. Therefore, the amendment defines the use (ZT-16-376) and recommends that it be allowed in the P1 Park, M1 Light Industrial and M2 Heavy Industrial districts (ZT-16-377). Because P1 districts are typically located adjacent to residential areas, the amendment also provides regulations that address setbacks and buffers to minimize any negative impact on adjoining residential uses (ZT-16-378).

On December 16, 2015, the Regulations Committee reviewed and recommends approval of the above referenced amendments.

STAFF RECOMMENDATION

It is recommended that the City Planning Commission recommend to City Council adoption of the Zoning Ordinance text amendments ZT-16-376 - Article II. Definitions, Section 45-201; ZT-16-377 - Article IV. Summary of Uses by District, Section 45-402; and, ZT-16-378 - Article V. General Regulations, Section 45-535, Police K9 Training Facility.

APPENDIX

- A-1 ZT-16-376 - ARTICLE II. DEFINITIONS, SECTION 45-201**
- A-2 ZT-16-377 - ARTICLE IV. SUMMARY OF USES BY DISTRICT, SECTION 45-402**
- A-3 ZT-16-378 - ARTICLE V. GENERAL REGULATIONS, SECTION 45-535, POLICE K9 TRAINING FACILITY**

DRAFT

dm13872

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., DEFINITIONS, SECTION 45-201, DEFINITION OF CERTAIN WORDS AND TERMS, BY ADDING THERETO THE DEFINITION OF POLICE K9 TRAINING FACILITY.

WHEREAS, Section 45-201 of the Code of the City of Newport News, Virginia, contains the definition of certain words and terms used in the Zoning Ordinance of the City of Newport News, Virginia; and

WHEREAS, the Newport News Planning Commission, in accordance with applicable law, has recommended an amendment to Section 45-201 which would add the definition of police K9 training facility; and

WHEREAS, the Council of the City of Newport News, after public notice and hearing as required by law, desires to approve the addition of the term police K9 training facility in Section 45-201.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

1. That Chapter 45, Zoning Ordinance, of the Code of the City of Newport News, Virginia, Article II., Definitions, Section 45-201, Definition of certain words and terms, be, and the same hereby is, amended and reordained by adding the definition of the term police K9 training facility, as follows:

Police K9 training facility. A facility where working dogs will be trained, and may be housed, to assist police and other law enforcement officers in the performance of their duties.

2. That the rest and remainder of Section 45-201 shall not be affected by this amendment, shall remain effective as adopted, shall be deemed incorporated into this ordinance by reference as if fully set forth herein, and shall be deemed reordained hereby.

lm13871

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, ARTICLE IV., SUMMARY OF USES BY DISTRICT, SECTION 45-402, SUMMARY OF USES BY DISTRICT, BY AMENDING USE "F" ENTITLED COMMUNITY FACILITIES.

WHEREAS, Section 45-402 of the Code of the City of Newport News, Virginia, contains a comprehensive listing of uses permitted by the Zoning Ordinance of the City of Newport News, Virginia, in a "matrix" format; and

WHEREAS, the Newport News Planning Commission, in accordance with applicable law, has recommended an amendment, identified as ZT-16-_____, to Section 45-402, Summary of Uses by District, which would add use "F.10.1. Police K9 Training Facility" to allow such use in the P1 Park District, M1 Light Industrial District and M2 Heavy Industrial District by right; and

WHEREAS, the Council of the City of Newport News, after public notice and hearing as required by law, desires to approve the use by amending Section 45-402, by adding use "F.10.1. Police K9 Training Facility" to allow such use in the P1 Park District, M1 Light Industrial District and M2 Heavy Industrial District by right.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

1. That Chapter 45, Zoning Ordinance, of the Code of the City of Newport News, Virginia, Article IV., Summary of Uses by District, Section 45-402, Summary of Uses by District, be, and the same hereby is, amended and reordained by adding use "F.10.1 Police K9 Training Facility" to allow such use in the P1 Park District, M1 Light Industrial District and M2 Heavy Industrial District by right.

2. The rest and remainder of Section 45-402 shall not be affected by this amendment, shall remain effective as adopted, shall be deemed incorporated into this ordinance by reference as if fully set forth herein and shall be deemed reordained hereby.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE V., GENERAL REGULATIONS, BY ADDING THERETO A NEW SECTION, NAMELY: SECTION 45-535, POLICE K9 TRAINING FACILITY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

That Chapter 45, Zoning Ordinance, of the Code of the City of Newport News, Virginia, Article V., General Regulations, be, and the same hereby is, amended and reordained, by adding thereto a new section, namely: Sec. 45-535 , Police K9 training facility, as follows:

CHAPTER 45

ZONING ORDINANCE

ARTICLE V. GENERAL REGULATIONS

Sec. 45-535. Police K9 training facility.

The purpose of this section is to set out minimum standards for a police K9 training facility in order to minimize adverse effects on adjacent residential properties.

(a) Any facility located on property zoned P1 Park district shall provide a minimum 30-foot transitional buffer along all property lines abutting a residential zoning district. Such transitional buffer shall be planted in accordance with the requirements found in Section 45-2802(e).

(b) Any structures, including but not limited to, kennels, runs and other training facilities, located on property zoned P1 Park district shall provide a minimum 30-foot setback from property lines abutting a residential zoning district.