

ZONING TEXT AMENDMENT NO. ZT-2021-0002

CITY OF NEWPORT NEWS

BACKGROUND

The request is to amend Chapter 45, Zoning Ordinance, Article XXXI, Overlay Zoning Districts and Regulations to add Division 10. Marshall-Ridley Choice Neighborhood Overlay District. (See Appendix A-1.) The purpose of this overlay is to allow development to follow a master plan for a portion of the Marshall-Ridley Choice Neighborhood that is the Ridley Place neighborhood and the commercial areas within the immediate vicinity. (See Appendix A-2.)

On June 12, 2018, City Council approved the *Marshall-Ridley Choice Neighborhood Transformation Plan*. The *Transformation Plan* identified the Marshall-Ridley Choice Neighborhood as one with many assets, rich in culture and heritage and with a strong sense of place. The goals in the *Transformation Plan* seek to build upon the assets within this community and allow it to be enhanced into a “culturally rich, diverse and resilient community with excellent businesses, services and schools and safe streets for all modes of travel with connections to the waterfront and region”.

In order to accomplish these goals, it is necessary to create an overlay district that will allow for the redevelopment of the Ridley Place neighborhood using the principles of traditional neighborhood design to recreate a pedestrian oriented mixed use community that will further enhance the Marshall-Ridley Choice Neighborhood and Southeast Community.

The proposed overlay will require the development of a master plan based on the stated principles within the *Transformation Plan*. As such, the permitted uses within the district will be those uses permitted in the multiple family and commercial zoning districts in addition to single family, multiple family and mixed use buildings. The overlay would require that the master plan provide pedestrian access to the surrounding area, public spaces and utilities placed below ground. While the overlay will eliminate buffer areas, appropriate screening when needed and an overall landscape plan to further enhance the community would be required. Building design also will be provided with sustainable practices encouraged.

The proposed overlay will eliminate the requirements for minimum lot area, lot dimensions, height regulations and yard regulations for all but single-family lots. Single-family lots within the overlay will follow the pattern of development within the surrounding neighborhood and meet minimum lot size of 5,000 square feet with 50 feet of public street frontage. Parking requirements for residential uses will be met on-site with a minimum of one space per dwelling unit and parking for commercial and office uses will be accommodated on the street. The required parking will be located behind buildings or within structures.

On March 17, 2021, the City Planning Commission Regulations Committee reviewed and approved the referenced amendment.

**STAFF
RECOMMENDATION**

It is recommended that the City Planning Commission recommend to City Council adoption of Zoning Ordinance text amendment ZT-2021-0002.

APPENDIX

- A-1 CHAPTER 45, ZONING ORDINANCE, ARTICLE XXXI., OVERLAY ZONING DISTRICTS AND REGULATIONS, DIVISION 10., MARSHALL-RIDLEY CHOICE NEIGHBORHOOD OVERLAY DISTRICT.**
- A-2 MARSHALL-RIDLEY CHOICE NEIGHBORHOOD OVERLAY DISTRICT MAP**

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ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE XXXI., OVERLAY ZONING DISTRICTS AND REGULATIONS; BY ADDING THERETO A NEW DIVISION: NAMELY, DIVISION 10. MARSHALL-RIDLEY CHOICE NEIGHBORHOOD OVERLAY DISTRICT.

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 XXXI., Overlay Zoning Districts and Regulations, be, and the same hereby is, amended and reordained, by adding thereto a new division, namely: Division 10. Marshall-Ridley Choice Neighborhood Overlay District, as follows:

CHAPTER 45**ZONING ORDINANCE****ARTICLE XXXI. OVERLAY ZONING DISTRICTS AND REGULATIONS****DIVISION 10. MARSHALL-RIDLEY CHOICE NEIGHBORHOOD OVERLAY DISTRICT.****Sec. 45-3170. Purpose.**

Purpose and intent: The purpose of this division is to establish an overlay district known as the Marshall-Ridley Choice Neighborhood Overlay District. The intent of this division is to promote well-planned and designed mixed-use pedestrian oriented development of property within the Choice Neighborhood. This division prescribes standards for construction and reconstruction of buildings and sites within the Overlay District. Regulations for the Marshall-Ridley Choice Neighborhood Overlay District supplement and modify district regulations set forth in other articles.

Sec. 45-3171. Established boundaries.

The Marshall-Ridley Choice Neighborhood Overlay District (MRCN): The district boundaries of the Marshall-Ridley Choice Neighborhood Overlay District (MRCN) are established on the Zoning District Map, as amended. (See attached GIS map.)

Sec. 45-3172. Permitted uses.

(a) *Permitted uses.* In the district, buildings or premises may be used for any use normally permitted in the underlying zoning district regulations set forth in Article IV, section 45-402. In addition, the following uses shall be permitted as a matter of right (section 45-402 matrix listing shown in parenthesis):

Single-family (B1.1)

Single-family attached (B.2.1)

Housing for older persons-Single-family attached (B.2.2)

Multiple-family (B.3)

Housing for older persons-Multiple family (B.3.1)

Mixed-use building with any combination of residential, commercial and/or office uses.

(b) *Accessory uses.* Any use customarily incidental or accessory to any permitted use is permitted in this district when clearly established as an accessory to a permitted use. However, certain accessory uses may have special requirements or require a special exception. Refer to Article V and Article XXXII to determine what special requirements may apply.

Sec. 45-3173. Area and dimensional regulations.

There shall be no minimum lot area, lot dimensions, yard regulations, height regulations, or transitional buffer areas. Notwithstanding the aforementioned allowances, single-family lots shall be no less than 5,000 square feet with a minimum of 50 feet of public street frontage and minimum of 10 foot front and rear setbacks for the main structure.

Sec. 45-3174. Off-street parking.

- (a) On-site parking shall not be required for office and commercial uses.
- (b) Residential units require a minimum of one (1) parking space per dwelling unit located on-site. However, parking for housing for older persons may be reduced in accordance with Article XXX, section 45-3004.4.
- (c) Parking for community facilities shall be located off-street.
- (d) Any public parking lot, no more than four hundred (400) feet from the use it serves, may be counted towards the parking requirement for community facility uses.
- (e) All off-street parking shall be located behind buildings or within structures.

Sec. 45-3175. Requirements.

The development of any site within the Overlay District shall be in accordance with the Transformation Plan, as adopted by city council on September 8, 2018, and an approved master plan and/or site plan.

(a) Development or redevelopment of a block or part thereof shall require the submittal of a master plan approved by the director of planning.

- (1) The master plan shall be drawn to a readable scale and show the location of all buildings, streets, light fixtures, parking, landscaping, sidewalks or pedestrian ways or other public spaces and other physical improvements, including but not limited to, location and screening of dumpsters, building elevations, floor area of non-residential space, sign design and materials.
- (2) The master plan shall include a landscape plan drawn to scale, which shall show the location of all landscaping materials. Landscaping materials shall be used from an approved list compiled by the director of planning.
- (3) The master plan shall include a development program indicating the sequence in which all structures, vehicular and pedestrian circulation systems are to be developed, and a schedule of construction dates indicating the anticipated date of commencement and completion of the project and any phasing of the project, to include a plan for stormwater management on the site.
- (4) For any residential or mixed use development that includes residential, the master plan shall indicate the use and number of dwelling units proposed. The master plan shall indicate the use and square footage of any non-residential use.
- (5) The master plan submittal shall include all building elevations, to include materials, color, and style.
- (6) Mechanical equipment shall not be visible from city rights-of-way.
- (7) All utilities, including but not limited to, all wires, cables, pipes, conduits and appurtenant equipment, carrying or used in connection with the furnishing of electric power, telephone, telegraph, cable televisions, petroleum, gas, steam, water, or sewer systems, shall be installed underground notwithstanding any provisions of City Code section [Chapter] 40.1 to the contrary.
- (8) Sustainable building practices shall be encouraged.
- (9) Curb-cuts shall not be permitted on Jefferson Avenue.

Sec. 45-3176 Signs.

(a) Prior to review and the issuance of a sign permit by the director of codes compliance, all signs shall be submitted to and approved by the director of planning. The submission shall include: Sign design, location, dimensions of the proposed signs, a drawing to a readable scale, colors, and a description of the sign materials and method of illumination.

(b) Signs permitted in the district shall be those set forth in chapter 33.01, Newport News City Code, except those specifically prohibited by this article.

(c) Freestanding signs are prohibited.

Secs. 45-3177 – 45-3200. Reserved.

Marshall-Ridley Choice Neighborhood Overlay Boundary - Draft

