

ORDINANCE NO. 7246-16

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 DAY SERVICES CENTER; ARTICLE IV., SUMMARY OF USES BY DISTRICT, SECTION 45-402, SUMMARY OF USES BY DISTRICT, BY AMENDING USE "H" ENTITLED PERSONAL SERVICES; AND ARTICLE V., GENERAL REGULATIONS, BY ADDING THERETO A NEW SECTION, NAMELY: SECTION 45-534, DAY SERVICES CENTER.

I. 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 day services center; 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 day services center in Section 45-201.

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

a. 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 day service center, as follows:

Day services center. A facility where the principal function is providing on-site services and assistance to the homeless population by government agencies and/or non-profit organizations. Those services shall not include overnight accommodations or food service.

b. 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.

II. 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 to Section 45-402, Summary of Uses by District, which would add use "H.4.1. Day Services Center" to allow such use in the O1 Office, C1 Retail Commercial, C2 General Commercial, C3 Regional Business District and C4 Oyster Point Business, by conditional use permit; 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 "H.4.1. Day Services Center" to allow such uses in the O1 Office, C1 Retail Commercial, C2 General Commercial, C3 Regional Business District, C4 Oyster Point Business, by conditional use permit.

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

a. 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 "H.4.1. Day Services Center" to allow such use in O1 Office, C1 Retail Commercial, C2 General Commercial, C3 Regional Business District and C4 Oyster Point Business, by conditional use permit.

b. 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.

III. BE IT FURTHER 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., 45-534, Day services center, as follows:

CHAPTER 45

ZONING ORDINANCE

ARTICLE V. GENERAL REGULATIONS

Sec. 45-534. Day services center.

(a) The use shall be operated by a government agency and/or a non-profit organization.

(b) The hours of operation shall be limited to 6:00 a.m. to 6:00 p.m.

(c) The owner/operator shall submit to the Department of Codes Compliance a management plan for the facility to address services to be offered, staffing, client capacity, parking, security/loitering management, maintenance and litter control prior to occupancy.

(d) The facility shall be located within 0.25 mile of a bus stop/transportation facility.

(e) The facility shall be located a minimum of 1,000 feet from schools and parks and shall be located no closer than five thousand (5,000) feet to any other day services center. For the purposes of this subsection, distances shall be measured on a straight line (1) from the structure containing the day services center to the nearest point of the property containing a school or park and (2) measured on a straight line between the structure containing the day services center and the structure containing any other day service center.

(f) One (1) parking space per employee plus one off-street loading/unloading space, but not less than one space for every 500 square feet of floor area, shall be provided.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON JANUARY 26, 2016

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor

A true copy, teste:

City Clerk