

AN ORDINANCE NO. 12-14

To amend and reordain sections 286-300.06, 286-302.06, 286-304.06, 286-306.06, 286-308.04, 286-308.06, 286-310.04, 286-310.06, 286-326.46, 286-506, 286-512.12, 286-518.04, 286-518.18, and 286-530.20 of Chapter 286, Zoning, of the Colonial Heights City Code by adding new side-yard setback requirements for corner lots; exempting the conversion of single family homes and duplexes to other uses from the site plan approval process; making minor changes to landscaping, parking and fencing regulations; and changing when the site plan review process is required in the Chesapeake Bay Overlay District.

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

§ 286-300.06. Site development regulations – RL Low Density Residential District.

The following are general development standards for the RL Low Density Residential District. For additional, modified or more stringent standards see Article IV, Use and Design Standards.

A. Minimum lot requirements:

Area: 7,500 square feet

Frontage: 75 feet

Depth: 100 feet

D. Maximum lot coverage:

(1) Principal structures: 40% of lot area.

(2) Accessory structures; 20% of rear yard area; ***provided however, that if any accessory building is a swimming pool, at least 80% of which is below grade, coverage of up to 30% of the rear yard shall be permitted.***

§ 286-302.06. Site development regulations – RM Medium Density Residential District.

The following are general development standards for the RM Medium Density Residential District. For additional, modified or more stringent standards see Article IV, Use and Design Standards.

A. Minimum lot requirements:

Area: 7,500 square feet

Frontage: 75 feet

Depth: 100 feet

B. Minimum setback requirements:

(2) Accessory structures:

Front yard: behind front building line of principal structure

Side yard: 5 feet

Side yard, corner lot: 15 feet

Rear yard: 5 feet

D. Maximum lot coverage:

(1) Principal structure: 40% of lot area.

(2) Accessory structures; **provided however, that if any accessory building is a swimming pool at least 80% of which is below grade, coverage of up to 30% of the rear yard shall be permitted.**

§286-304.06. Site development regulations – RH High Density Residential District.

The following are general development standards for the RH High Density Residential District. For additional, modified or more stringent standards see Article IV, Use and Design Standards.

A. Minimum lot requirements:

Area: 8,000 square feet

Frontage: 60 feet

B. Minimum setback requirements:

(1) Principal structure:

Front yard: 25 feet

Side yard: 7.5 feet

Side yard, corner lot: 15 feet

Rear yard: 25 feet

(2) Accessory structures:

Front yard: behind front building line of principal structure:

Side yard: 5 feet

Side yard, corner lot: 15 feet

Rear yard: 5 feet

D. Maximum lot coverage:

(1) Principal structures: 50% of lot area.

(2) Accessory structures: 20% of the rear yard area; **provided however, that if any accessory building is a swimming pool, at least 80% if which is below grade, coverage of up to 30% of the rear yard shall be permitted.**

§ 286-306.06. Site development regulations – RO Residential Office District.

The following are general development standards for the RO Residential Office District. For additional, modified or more stringent standards see Article IV, Use and Design Standards.

A. Minimum requirements:

Area: 7,500 square feet

Frontage: 75 feet

B. Minimum setback requirements:

(1) Principal structure:

Front yard: 35 feet

Side yard: 7.5 feet

Side yard, corner lot: 15 feet

Rear yard: 25 feet

(2) Accessory structures:

Front yard: 5 feet

Side yard, corner lot: 15 feet

Rear yard: 5 feet

§ 286-308.04. Permitted uses.

A. The following uses are permitted by right or by special exception permit in the BB Boulevard Business District, subject to all other applicable requirements contained in this

chapter. An (S) indicates a special exception permit is required. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in Article IV, Use and Design Standards.

(5) Commercial use types:

Day care center*

Equipment sales and rental*

Extended Stay Lodging

Flea market (S)

Funeral service

§ 286-308.06. Site development regulations – BB Boulevard Business District.

The following are general development standards for the BB Boulevard Business District. For additional, modified and more stringent standards see Article IV, Use and Design Standards.

A. Minimum lot requirements:

Area: 15,000 square feet

Frontage: 80 feet

B. Minimum setback requirements:

(1) Principal structure:

Front yard: 25 feet

Side yard: 0.0 feet

Side yard, corner lot: 15 feet

Rear yard: 15 feet

(2) Accessory structures:

Front yard: behind front building line for principal structure

Side yard: 5 feet

Side yard, corner lot: 15 feet

Rear yard: 5 feet

§ 286-310.04. Permitted uses.

A. The following uses are permitted by right or by special exception permit in the GB General Business District, subject to all other applicable requirements contained in this chapter. An (S) indicates a special exception permit is required. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in Article IV, Use and Design Standards.

(5) Commercial use types:

Day Care Center*

Equipment sales and rental*

Extended Stay Lodging

Flea market (S)

§ 286-310.06. Site Development Regulations – GB General Business District.

B. Minimum setback requirements:

(1) Principal structure:

Front yard: 35 feet

Side yard: 0.0 feet

Side yard, corner lot: 15 feet

Rear yard: 15 feet

(2) Accessory structure:

Front yard: behind front building line of principal structure

Side yard: 5 feet

Side yard, corner lot: 15 feet

Rear yard: 5 feet

§ 286-326.46. When site plan process required.

A. ***Except for single family and duplex dwellings, whenever the addition or modification of a development or redevelopment results in a 2,500 square foot or greater increase in impervious surface area of the site, it*** shall be accomplished through a site plan process prior to any clearing or grading of the site or the issuance of any building permit, to assure compliance with all applicable requirements of this chapter.

§ 286-506. Site plan review.

A. The purpose of this section is to provide for the submission of appropriate site plans and to enable adequate opportunity for administrative review of such to ensure compliance with the provisions of this chapter.

B. A site plan shall be required and shall be submitted to the City for each of the following:

- (1) All new development in every zoning district except for single-family and duplex dwellings.
- ~~(2) The conversion of any single family or duplex dwelling to any other use or to a higher intensity residential use.~~
- ~~(2)(3)~~ Additions or modifications to buildings or sites, except single-family and duplex dwellings, if the addition or modification results in ~~twenty five hundred~~ **2,500** square foot or greater increase in impervious surface area of the site.
- ~~(3)(4)~~ The conversion of any property from fee simple ownership to a condominium form of ownership.

§ 286-512.12. Perimeter landscaping standards for parking areas.

A. When a new, expanded, or reconfigured parking area is require or proposed adjacent to a public street right-of-way, a landscaped planting strip shall be established between the parking area and the adjacent street right-of-way. This required landscaped planting strip shall have a minimum width of eight feet, if the depth of any portion of the parking area is 60 feet or less when measured at a right angle to the street right-of way. The width of the required landscaped planting strip shall be increased by one foot for each additional five-foot depth of parking area provided. No required landscaped planting strip shall be required to exceed a width of 50 feet. Landscape strips adjacent to other property lines shall be a minimum of ~~five~~ **eight** feet.

§ 286-518.04. General regulations.

D. All required off-street parking shall be located on the same lot as the use requiring the parking, except under the following conditions:

(1) Required parking spaces are on a contiguous lot under the same ownership or in a permanent parking easement on contiguous property. Contiguous lots providing parking for more than one use shall provide sufficient spaces to comply with the parking requirements for all uses.

(2) For use types other than residential, required parking spaces may be located up to 600 feet away from the use that requires the parking spaces.

(3) Off-site spaces must be subject to a written agreement between the parties involved in such use.

§ 286-518.18. Minimum parking required.

Commercial Use Types

Restaurant, family 1 space per 3 seats plus ~~2~~ 1 space per employee on shift.

Restaurant fast food or drive-in 1 space per 4 seats plus 1 space per employee on shift, plus required stacking spaces.

Restaurant, general 1 space per 2 seats plus ~~2~~ 1 space per employee on shift.

§ 286-530.20. Location and design of fences.

A. No fence shall be erected by any person without first obtaining, in writing, a permit from the Administrator.

B. Except as provided for in § 286-530.18, fences may be constructed in any location, on any lot. The maximum height of a fence shall not exceed seven feet in the side and rear yard.

C. On any lot, fences located in front of the building line shall not exceed 42 inches in height. No solid/privacy or chain link or other wire-type fence shall be permitted in the front yard.

D. Use of barbed wire or electrified fencing is prohibited.

2. That this Ordinance shall be in full force and effect when approved on second reading.

Approved:

Mayor

Attest:

City Clerk

I certify that the above ordinance was:

Adopted on its first reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

The Honorable W. Joe Green, Jr., Councilman: _____.

The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

Adopted on its second reading on _____.

Ayes: _____. Nays: _____. Absent: _____. Abstain: _____.

The Honorable Milton E. Freeland, Jr., Councilman: _____.

The Honorable Kenneth B. Frenier, Councilman: _____.

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The Honorable Elizabeth G. Luck, Vice Mayor: _____.

The Honorable John T. Wood, Councilman: _____.

The Honorable Diane H. Yates, Councilwoman: _____.

The Honorable C. Scott Davis, Mayor: _____.

City Clerk

Approved as to form:

City Attorney