PUBLIC NOTICE
WILLIAMSBURG PLANNING COMMISSION

The Williamsburg Planning Commission will hold a public hearing on April 17, 2013, 3:30 P.M. in the Council Chambers of the Stryker Building, 412 North Boundary Street, to consider the following cases implementing recommendations of the 2013 Comprehensive Plan:

PCR #13-009: Amend the Zoning Ordinance by revising the B-2 Corridor Commercial District to: (1) allow up to 67% of the floor area on an individual lot to be used for apartments, condominiums and townhouses with a special use permit [Secs. 21-322, 21-324 and 21-330]; (2) allow newspaper printing and publishing facilities with a special use permit [Sec. 21-234]; (3) reduce the front yard requirement from 35 feet to 15 feet for lots fronting on Richmond Road between New Hope/Bypass Road and Ironbound Road [Sec. 21-327]; (4) reduce the front yard requirement from 15 feet to five feet and the transitional screening buffer requirements from 25 feet to 10 feet for lots fronting on Second Street between Page Street and Parkway Drive [Sec. 21-327]; and (5) allow a "micro-brewery, micro-distillery, micro-winery and/or micro-cidery" with a special use permit [Secs. 21-2 and 21-234].

PCR #13-010: Amend the Zoning Ordinance by revising the text of the LB-3 Limited Business Residential District to address future redevelopment of the *Mixed Use* land use areas in the Northeast Triangle Planning Area between Penniman Road and the CSX Railroad, and for The Beeches at 1030 Capitol Landing Road [Article III, Division 6.3]. Retail stores and restaurants are added as permitted uses, and senior housing, student dwellings, hotels/motels and time share units, and micro-breweries are added as special use permit uses. Residential density is increased from eight to 14 dwelling units/net acre.

PCR #13-011: Rezone approximately 20.2 acres on Richmond Road between New Hope Road/Bypass Road and Ironbound Road from B-3 General Commercial District to B-2 Corridor Commercial District (1402, 1408, 1412, 1413, 1420, 1425, 1433, 1437, 1452, 1508 and 1510 Richmond Road and 106, 110 and 130 Ironbound Road). This land is designated by the 2013 Comprehensive Plan as *Corridor Commercial* land use (a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre). The proposed B-2 Corridor Business District allows a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre.

PCR #13-012: Rezone 2.8 acres at 216 Ironbound Road (Virginia Gazette) from B-3 General Commercial District Conditional to B-2 Corridor Commercial District Conditional. This land is designated by the 2013 Comprehensive Plan as *Corridor Commercial* land use (a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre). The proposed B-2 Corridor Business District Conditional allows a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre. The property will remain subject to proffers accepted in 1978.

PCR #13-013: Rezone approximately 24.6 acres in the Capitol Heights/Pinecrest area (300, 301, 303 and 400-726 Capitol Landing Road, Capitol Court, Jefferson Street, Adams Street, Washington Street, 501-703 Page Street, Monumental Avenue, Hamilton Street, Tanyard Street and Grove Avenue) from RS-2 Single-Family Dwelling District to RS-3 Single-Family Dwelling District. This land is designated by the 2013 Comprehensive Plan as *Medium Density Single-Family Detached Residential* land use (single family detached dwellings with a density of 5 dwelling units/net acre). The proposed RS-3 Single-Family Dwelling District allows single-family detached dwellings with a density of 5 dwelling units/net acre and live/work space for artists and artisans with a special exception from the Board of Zoning Appeals.

PCR #13-014: Rezone 5.9 acres at 919 Capitol Landing Road from LB-4 Limited Business Corridor District to B-2 Corridor Business District. This property is designated by the 2013 Comprehensive Plan as *Corridor Commercial* land use (a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre). The proposed B-2 Corridor Business District allows a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre.

Additional information is available at www.williamsburgva.gov/publicnotice or at the Planning Department (757) 220-6130, 401 Lafayette Street. Interested citizens are invited to attend this hearing and present their comments to Planning Commission. If you are disabled and need accommodation in order to participate in the public hearing, please call the Planning Department at (757) 220-6130, (TTY) 220-6108, no later than 12:00 noon, Wednesday, April 10, 2013.

Reed T. Nester
Planning Director

CITY OF WILLIAMSBURG
MEMORANDUM

TO: **Planning Commission**

DATE: **March 14, 2013**

SUBJECT: **Northeast Triangle Planning Area and Commercial Corridors 2013 Comprehensive Plan Implementation**

The 2013 Comprehensive Plan was adopted by City Council on January 10, 2013. This memo addresses the implementation of the Plan's recommendations for the Northeast Triangle Planning Area and Commercial Corridors in six separate cases (PCR #13-009>PCR #13-014).

B-2 CORRIDOR BUSINESS DISTRICT CHANGES

The 2013 Comprehensive Plan recommends a package of changes to the text of the B-2 Corridor Business District to implement the recommendations of the Plan:

1. Change how residential uses in the B-2 District are regulated, both in the Northeast Triangle Planning Area and in the Commercial Corridors with B-2 zoning. The Plan notes that:

   > While residential uses can be an important part of commercial areas, steps should be taken to ensure that land in the *Corridor Commercial* areas remains available for commercial development and redevelopment. This is particularly important because only 6% of the City's land area is currently devoted to commercial use, and only 6% of the City's vacant land is available for new commercial or mixed use development. *Corridor Commercial* land developed for mixed use projects should have a limitation on the maximum amount of residential use allowed to preserve the availability of land for commercial uses.

   With this in mind, the Plan recommends that to allow more flexibility and to encourage well-planned mixed use projects, apartments, condominiums and townhouses should be allowed in the B-2 District (currently only condominiums are allowed) with a special use permit required to allow the review of projects on a case by case basis. The Plan recommends that the maximum residential floor area allowed remain at the present 67% of the total floor area on an individual lot (and at the existing residential density of 14 dwelling units/net acre), which allows either one floor of commercial use with residential use above, or commercial use on the front of the property with residential use on the rear.

2. Add "newspaper printing and publishing facilities" with a special use permit in the B-2 District. This use is currently allowed in the B-3 District, but will be eliminated when the B-3 District is updated to the "Urban Business" District. The

Virginia Gazette is presently located in a B-3 District, but is proposed to be rezoned to the B-2 District (PCR #13-012). This requires adding "newspaper printing and publishing facilities" to the B-2 District as a special use permit use.

3. Reduce the front yard requirement on Richmond Road between New Hope Road/Bypass Road and Ironbound Road. This is necessitated by the Plan's recommendation to change the zoning in this area from B-3 to B-2 (PCR #13-011). The B-3 District has a 15 foot front yard requirement, and the B-2 District has a 35 foot front yard requirement. To keep the same front yard requirement requires adding a provision for a 15 foot front yard for lots fronting on Richmond Road between New Hope Road/Bypass Road and Ironbound Road.

4. Reduce the setback and buffer requirements on Second Street between Page Street and Parkway Drive. The Plan notes that the existing setback and buffer requirements are inappropriate for the future redevelopment of this area.

   To address this issue, the regulations for lots fronting on Second Street between Page Street and Parkway Drive are proposed to be changed by reducing the front yard requirement from 15 feet to five feet, and by reducing the width of the transitional screening buffer from 35 feet to 10 feet. These changes will offer increased flexibility for redevelopment in this area.

5. Although not specifically recommended by the Comprehensive Plan, it is proposed to add "micro-brewery, micro-distillery, micro-winery and micro-cidery" as a special use permit use in the B-2 District while we are in the process of amending the text of the district. We have had numerous inquiries over the past year about these uses, and it makes sense to add this as a special use permit use. This is defined, by a new definition, as a "facility for the production and packaging of alcoholic beverages for distribution, retail or wholesale, on- or off-premises, and which meets all Virginia Alcoholic Beverage Control laws and regulations. This facility may include other uses such as retail sales, tasting rooms or restaurants."

<u>PCR #13-009: Revise the text of the B-2 Corridor Business District</u>

This case revises the B-2 Corridor Business District to: (1) allow up to 67% of the floor area on an individual lot to be used for apartments, condominiums and townhouses with a special use permit [Secs. 21-322, 21-324 and 21-330]; (2) allow "newspaper printing and publishing facilities" with a special use permit [Sec. 21-234]; (3) reduce the front yard requirement from 35 feet to 15 feet for lots fronting on Richmond Road between New Hope/Bypass Road and Ironbound Road [Sec. 21-327], (4) reduce the front yard requirement from 15 feet to five feet and the transitional screening buffer requirements from 25 feet to 10 feet for lots fronting on Second Street between Page Street and Parkway Drive [Sec. 21-327], and (5) allow a "micro-brewery, micro-distillery, micro-winery and/or micro-cidery" with a special use permit [Secs. 21-2 and 21-234].

LB-3 LIMITED BUSINESS RESIDENTIAL DISTRICT CHANGES

The 2013 Comprehensive Plan designates two areas in the Northeast Triangle Planning Area as *Mixed Use* land use – the area between Penniman Road and the CSX Railroad east of Page Street, and The Beeches at 1030 Capitol Landing Road.

For the Penniman Road *Mixed Use* area, the Plan states that:

> This area has potential for a high quality mixed-use development with a major residential component. Commercial and offices uses could be located along Penniman Road and Page Street adjacent to the Corridor Commercial area, with the interior of the property developed with residential uses. Time shares or hotel use could be part of a mixed use development. Senior housing could be one of the appropriate residential uses because of the proximity of this area to existing commercial uses, Colonial Williamsburg and downtown. Student housing could be another appropriate residential use because of the relative nearness of the College of William and Mary and the availability of bus transportation. This area has 17.8 net developable acres, which could allow up to 249 dwellings units at a density of 14 dwelling units/net acre. The existing B-2 zoning should remain in place until a satisfactory plan is submitted for a mixed use development. The *Mixed Use* land use designation would be implemented by a revised LB-3 Limited Business Residential District, but because of the strategic and sensitive location of this area, a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property.

For The Beeches at 1030 Capitol Landing Road, the Plan states that:

> This historic house, eligible for individual listing on the National Register of Historic Places, should be preserved and incorporated into a redevelopment of the property that preserves the house and utilizes the beautiful environmental character of the land surrounding the house. The *Mixed Use* land use designation is implemented by a revised LB-3 Limited Business Residential District, but because of the strategic and sensitive location of this property, a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property.

The LB-3 Limited Business Residential District has been extensively revised to implement the recommendations of the 2013 Comprehensive Plan, which are to allow high quality mixed-use developments in the Northeast Triangle Planning Area in areas designated as *Mixed Use* land use, and has been renamed the LB-3 Limited Business Mixed-Use District. As stated in the *Statement of Intent*, suitable mixed-use developments could include: residential uses (including senior and/or student housing), commercial and office uses, hotels and time shares and museums, art galleries and live/work space for artists and artisans. The Plan also recommends that a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property, and no property is proposed to be rezoned to the revised LB-3 District at this time.

The revised LB-3 District includes the following uses, and the complete list of uses in listed in the attached ordinance:

Permitted uses:

- Single-family detached dwellings
- Duplexes
- Day care centers
- Hotels/motels with 10 or less bedrooms
- Uses in buildings with a floor area not exceeding 15,000 square feet: bake shops, banks and financial institutions, convenience service establishments, offices, printing and photocopying shops, restaurants and retail sales establishments

Special exception uses:

- Shops or workshops for artists and artisans, either as a separate use or in conjunction with a residential use on the premises

Special use permit uses:

- Multifamily dwellings
- Townhouses
- Senior housing
- Student dwellings
- Hotels/motels and timeshare units, and associated meeting facilities
- Micro-brewery, micro-distillery, micro-winery and/or micro-cidery
- Uses in buildings with a gross floor area exceeding 15,000 square feet: bake shops, banks and financial institutions, convenience service establishments, offices, printing and photocopying shops, restaurants and retail sales establishments

PCR #13-010: Revise the text of the LB-3 Limited Business Residential District

This case revises the LB-3 Limited Business Residential District (and renames it "Limited Business Mixed-Use District") to address future redevelopment of the *Mixed Use* land use areas in the Northeast Triangle Planning Area between Penniman Road and the CSX Railroad, and for The Beeches at 1030 Capitol Landing Road [Article III, Division 6.3].

RICHMOND ROAD REZONING

The 2013 Comprehensive Plan designates Richmond Road between New Hope/Bypass Road and Ironbound Road as *Corridor Commercial* land use, to be implemented by the B-2 Corridor Business District. The Plan describes this area as a transition between the urban character of the Midtown Planning Area and the *Corridor Commercial* land use west of Ironbound Road. This area has four hotels and 13 restaurants, and one prime redevelopment parcel – the cleared and vacant former Governor Spotswood Motel property.

PCR #13-011: Rezone Richmond Road between New Hope Road/Bypass Road and Ironbound Road from B-3 to B-2

This case rezones approximately 20.2 acres on Richmond Road between New Hope Road/Bypass Road and Ironbound Road from B-3 General Business District to B-2 Corridor Business District. The addresses included in this proposed change are 1402, 1408, 1412, 1413, 1420, 1425, 1433, 1437, 1452, 1508 and 1510 Richmond Road and 106, 110 and 130 Ironbound Road.

This land is designated by the 2013 Comprehensive Plan as *Corridor Commercial* land use (a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre). The proposed B-2 Corridor Business District allows a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre.

IRONBOUND ROAD REZONING

The 2013 Comprehensive Plan designates the lot 216 Ironbound Road (Virginia Gazette) as *Corridor Commercial* land use, to be implemented by the B-2 Corridor Business District. This is now zoned B-3 General Business District Conditional, subject to proffers accepted in 1978. This rezoning is required because "newspaper printing and publishing facilities" will be deleted from the B-3 District when it is reconfigured as the B-3 Urban Business District when the recommended changes to the Midtown Planning District are implemented.

PCR #13-012: Rezone 216 Ironbound Rd. from B-3 Conditional to B-2 Conditional

This case rezones 2.8 acres at 216 Ironbound Road from B-3 General Business District Conditional to B-2 Corridor Business District Conditional. This land is designated by the 2013 Comprehensive Plan as *Corridor Commercial* land use (a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre). The proposed B-2 Corridor Business District Conditional allows a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre, and remains subject to proffers accepted in 1978.

CAPITOL HEIGHTS/PINECREST AREA REZONING

The 2013 Comprehensive Plan designates the Capitol Heights/Pinecrest area as *Medium Density Single Family Detached Residential* land use (5 dwelling units/net acre), to be implemented by the RS-3 Single-Family Dwelling District. The Comprehensive Plan states that this is consistent with the existing residential density for this area. The RS-3 District also allows live/work space for artists and artisans with a special exception from the Board of Zoning Appeals. The Capitol Landing Green subdivision will continue to be zoned PDR Planned Development Residential District.

PCR #13-013: Rezone the Capitol Heights/Pinecrest area from RS-2 to RS-3

This case rezones approximately 24.6 acres from RS-2 Single-Family Dwelling District to RS-3 Single-Family Dwelling District. This land is designated by the 2013

Comprehensive Plan as *Medium Density Single-Family Detached Residential* land use (single family detached dwellings with a density of 5 dwelling units/net acre). The proposed RS-3 Single-Family Dwelling District allows single-family detached dwellings with a density of 5 dwelling units/net acre and live/work space for artists and artisans with a special exception from the Board of Zoning Appeals.

CAPITOL LANDING ROAD REZONING

The 2013 Comprehensive Plan designates the land to the rear of the Alexander Commons offices at 921 and 925 Capitol Landing Road as *Corridor Commercial* land use, implemented by the B-2 Corridor Business District. The Plan states that the *Office* land use to the rear of the Alexander Commons offices at 921 and 925 Capitol Landing Road should be changed to *Corridor Commercial* land use to match the existing land use to the north and east, and notes that the required transitional screening buffer requirements and the existing topography will protect the Woods Drive residential area to the south.

PCR #13-014: Rezone 919 Capitol Landing Road from LB-4 to B-2

This case rezones 5.9 acres at 919 Capitol Landing Road from LB-4 Limited Business Corridor District to B-2 Corridor Business District. This property is designated by the 2013 Comprehensive Plan as *Corridor Commercial* land use (a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre). The proposed B-2 Corridor Business District allows a variety of business uses, and multifamily dwellings and townhouses with a residential density of 14 dwelling units/net acre.

PLANNING COMMISSION PUBLIC HEARING

The Planning Commission public hearing on these cases is scheduled for the regular Planning Commission meeting on April 17.

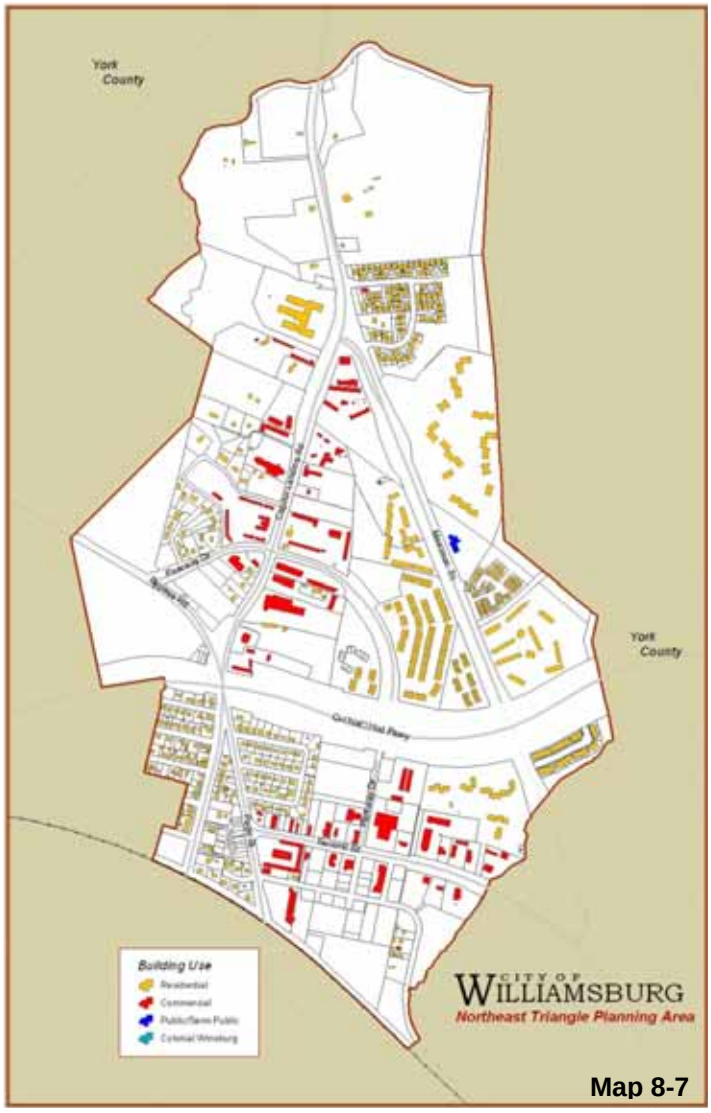
Reed T. Nester

Reed T. Nester, AICP
Planning Director

[PC\PCR\2013\13-009M01]

NORTHEAST TRIANGLE PLANNING AREA

The Northeast Triangle Planning Area is a diverse area with concentrations of single-family detached dwellings, condominiums, apartments, townhouses, and commercial uses. It has been developing for over 300 years, and is centered on Capitol Landing Road (the historic connection between the colonial port on Queen's Creek and Colonial Williamsburg), and on Page Street and Second Street. This Planning Area was subject to a comprehensive study in 2011 by the Northeast Triangle Focus Group, and is discussed in detail in *Chapter 10 - Commercial and Economic* Development, The exclusively residential sections of the Northeast Triangle Planning Area are described in this section.



Map 8-7

The Northeast Triangle includes three areas that are listed in the Comprehensive Plan as "Notable Features" of the Architectural Preservation District (*Capitol Landing/Capitol Landing Road, Capitol Heights* on the west side of Capitol Landing Road, and *Pine Crest* subdivision on the east side of Page Street). These neighborhoods, together with Minor's Park, help provide a transition between the commercial area of Capitol Landing Road north of the Colonial Parkway and the Colonial Williamsburg Historic Area.

A description and discussion of the major residential areas in the Northeast Triangle Planning Area follows:

- *Capitol Landing/Capitol Landing Road* was the second port and access road that served Williamsburg in the eighteenth century. Originally called Queen Mary's Port because of its location on Queen's Creek (a tributary of the York River), Capitol Landing served the same purpose for the City as College Landing to the south. Public wharves and tobacco inspection warehouses were located at the water's edge, and nearby were shops, houses, taverns and light manufacturing uses. There are no above-ground remains of these structures in existence, but archaeological remains provide important educational resources. As with College Landing, this port and its access roads were shown on the 1699 plat of the City. Capitol Landing is listed on the Virginia Landmarks Register.

  The majority of the Planning Area's single family residential areas are located along Capitol Landing Road: the Haynes/Forest Hills/Woods Drive area at the northwest corner of Capitol Landing Road and Parkway Drive, Brandywyne at the northeast corner of Capitol Landing Road and Merrimac Trail, and the recently approved (in 2010) but not yet built 41 lot Queen Mary's Port subdivision adjacent to Queen's Creek.

- *Capitol Heights*, on the west side of Capitol Landing Road south of the Colonial Parkway, was platted in 1916, and has a consistent scale with uniform setbacks. The modest houses vary in style and include bungalow, Colonial Revival, and simple builders' houses that date mainly from the 1920s through the 1950s. The east side of Capitol Landing Road is characterized by Colonial Revival houses in a variety of forms and two Vernacular Victorian houses, one of which was relocated to the area in the 1930s from the Colonial Williamsburg Historic Area.

- *Capitol Landing Green*, located between Capitol Landing Road and Page Street, is a planned residential development that was approved in 2008 as a PDR District. The project was designed to respect the scale, density and character of the neighborhood, and preserved two existing houses on the site while adding 12 additional dwellings.

- *Pine Crest* subdivision, located on the east side of Page Street, was platted in 1939 on a 12-acre parcel known as the "Tan Yard lot." Pine Crest complements the architectural character and scale of the nearby Capitol Heights subdivision, and contains a mixture of architectural styles having a consistent character. Pine Crest, together with Capitol Heights and Minor's Park, reinforces the small-scale residential character of this area of the City.

- The *Merrimac Trail and Parkway Drive* area contain all of the multifamily housing in the Planning Area, with 692 apartments (Colonial Pines, Colonial Towne, Parkway, Village of Woodshire), 160 condominiums (Wyndham East and West, Barclay Square) and 120 townhouses (Shellis Square and Priorslee), for a total of 972 dwelling units. This is the largest concentration of multifamily housing in the City, and compares with 648 multifamily dwelling units in the Mount Vernon Avenue/High Street area, and 318 multifamily dwelling units in the Patriot Lane area. This multifamily area also has a growing youth population, with children under 18 increasing from 240 (15.7%) in 1990 to 351 (19.2%). This is much greater than the citywide figure of 10%, and comprises 25% of the City's total population under 18.

Housing Analysis

The Northeast Triangle Planning Area's residential component is predominantly renter occupied. In 2012, the Planning Area had a total of 1,227 dwelling units, and 76% were renter-occupied: 255 dwelling units (including two Bed & Breakfast), 280 townhouses and condominiums, and 692 apartments in 37 buildings. There are 285 owner-occupied dwelling units (23%) and 964 renter-occupied dwelling units (77%) in the Planning Area, compared to the City's 2010 Census total of 44% owner-occupied and 56% renter-occupied. A dwelling unit is considered renter-occupied if the owner's address is different from the property address, or if it is a unit in a rental apartment complex.

The breakdowns for single-family neighborhoods are:

- Brandywyne - 79 dwelling units - (neighborhood #21): 67% owner-occupied; 33% renter occupied.
- Capitol Heights area - 89 dwelling units - (neighborhood #33): 39% owner-occupied; 61% renter-occupied.
- Forest Hills area - 33 dwelling units - (neighborhood #31): 58% owner-occupied; 42% renter-occupied.
- Pine Crest - 50 dwelling units - (neighborhood #32): 46% owner-occupied; 54% renter-occupied.
- Queen Mary's Port - 4 dwelling units - (neighborhood #20): 0% owner-occupied; 100% renter-occupied.

The breakdowns for townhouses and condominiums are:

- Barclay Square - 48 dwelling units - (neighborhood #28): 58% owner-occupied; 42% renter-occupied.
- Priorslee - 57 dwelling units - (neighborhood #25): 47% owner-occupied; 53% renter-occupied.
- Shellis Square - 63 dwelling units - (neighborhood #23): 43% owner-occupied; 57% renter-occupied.
- Wyndham - 112 dwelling units - (neighborhood #29): 64% owner-occupied; 36% renter-occupied.

The breakdowns for apartments are:

- Colonial Pines – 132 dwelling units – neighborhood #30 0% owner-occupied; 100% renter-occupied.
- Colonial Towne – 148 dwelling units – neighborhood #24 0% owner-occupied; 100% renter-occupied.
- Parkway – 160 dwelling units – neighborhood #27 0% owner-occupied; 100% renter-occupied.
- Woodshire – 252 dwelling units – neighborhood #22 0% owner-occupied; 100% renter-occupied.

Northeast Triangle Total – 1,227 dwelling units 24% owner-occupied; 76% renter-occupied.

Future Land Use Recommendations for Residential Areas

1. Capitol Landing Road Corridor.
   - The *Low Density Single Family Detached Residential* land use (3 dwelling units/net acre) should remain for the Haynes/Forest Hills/Woods Drivearea, implemented by the existing RS-2 Single Family Dwelling District; and for Capitol Landing Road north of Brandywyne, implemented by the existing RS-1 Single Family Dwelling District.
   - The existing *Low Density Single Family Detached Residential* land use (3 dwelling units/net acre) for the Capitol Heights area, Pine Crest, and Capitol Landing Green should be changed to *Medium Density Single Family Detached Residential* land use (5 dwelling units/net acre), which is consistent with the existing residential density for this area. This district also allows live/work space for artists and artisans with a special exception from the Board of Zoning Appeals. Capitol Landing Green should be implemented by the existing PDR Planned Development Residential District. The remainder of the area should be implemented by the RS-3 Single Family Dwelling District.
   - *Medium Density Single Family Detached Residential* land use (5 dwelling units/net acre) should remain for Brandywyne, implemented by the PDR Planned Development Residential District.

2. Merrimac Trail
   - The existing *High Density Multifamily Residential* land use (14 dwelling units/net acre) should be continued, implemented by the RM-2 Multifamily Dwelling District.

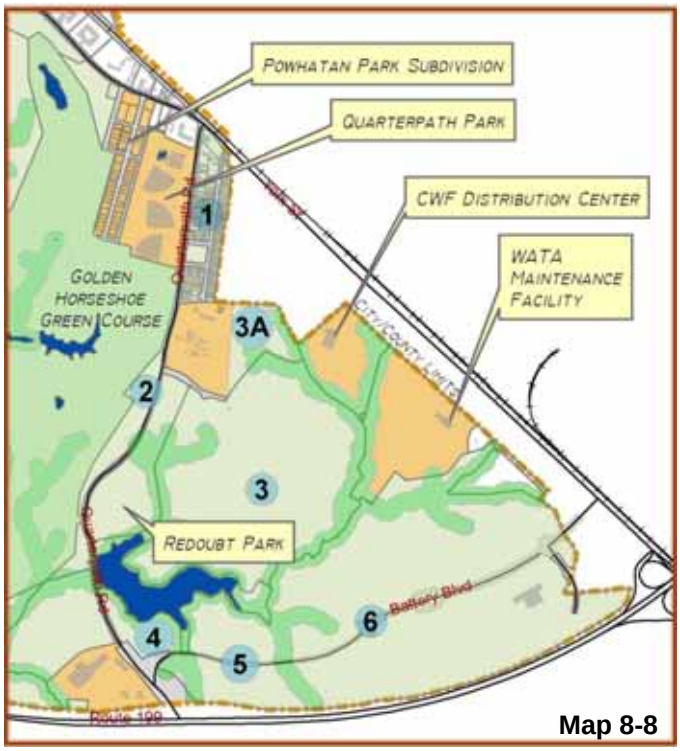
3. Parkway Drive
   - The existing *Medium Density Multifamily Residential* land use (8 dwelling units/net acre) north of the Colonial Parkway, and the existing *High Density Multifamily Residential* land use (14 dwelling units/net acre) south of the Colonial Parkway, should be continued, implemented by the RM-1 and RM-2 Multifamily Dwelling Districts.

QUARTERPATH ROAD AREA

The Village at Quarterpath (Area 1). The Village at Quarterpath is a 119 lot subdivision of 77 townhouses, 36 duplexes and six single family homes. It is located at the north end of Quarterpath Road across the street from Quarterpath Park and within walking and biking distance of the Colonial Williamsburg Historic Area and the Downtown area.

> *Recommendation.* The existing High Density Multifamily Residential land use (14 dwelling units/net acre) should be continue, implemented by the RM-2 Multifamily Dwelling District.

Redoubt Park Area (Area 2). This tract of vacant land is located across Quarterpath Road from Redoubt Park. Access to the property needs to be coordinated with access to Redoubt Park and the bicycle and pedestrian facilities planned along Quarterpath Road. This site has the potential



Map 8-8

NORTHEAST TRIANGLE PLANNING AREA

Vision Statement

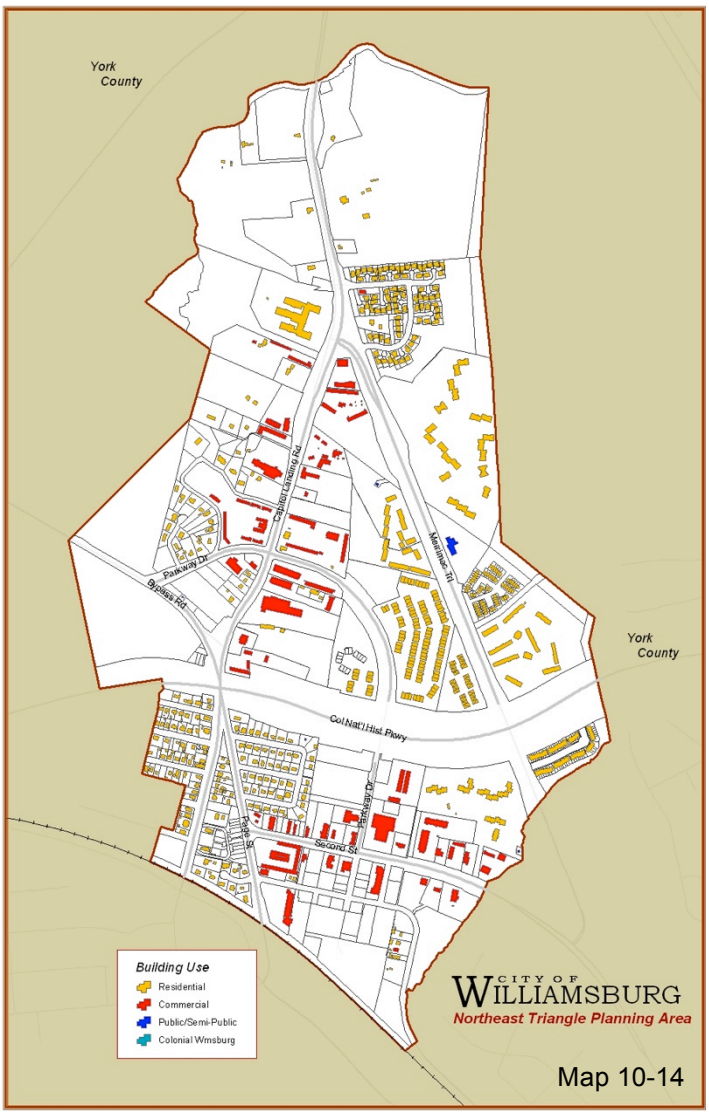
Our vision for the Northeast Triangle recognizes that this is a diverse section of the City of Williamsburg with both residential neighborhoods and commercial districts that offer opportunities for new development and redevelopment. We believe that thoughtful investments in infrastructure and landscaping will make the area a livelier and more desirable place to live, work, and visit.

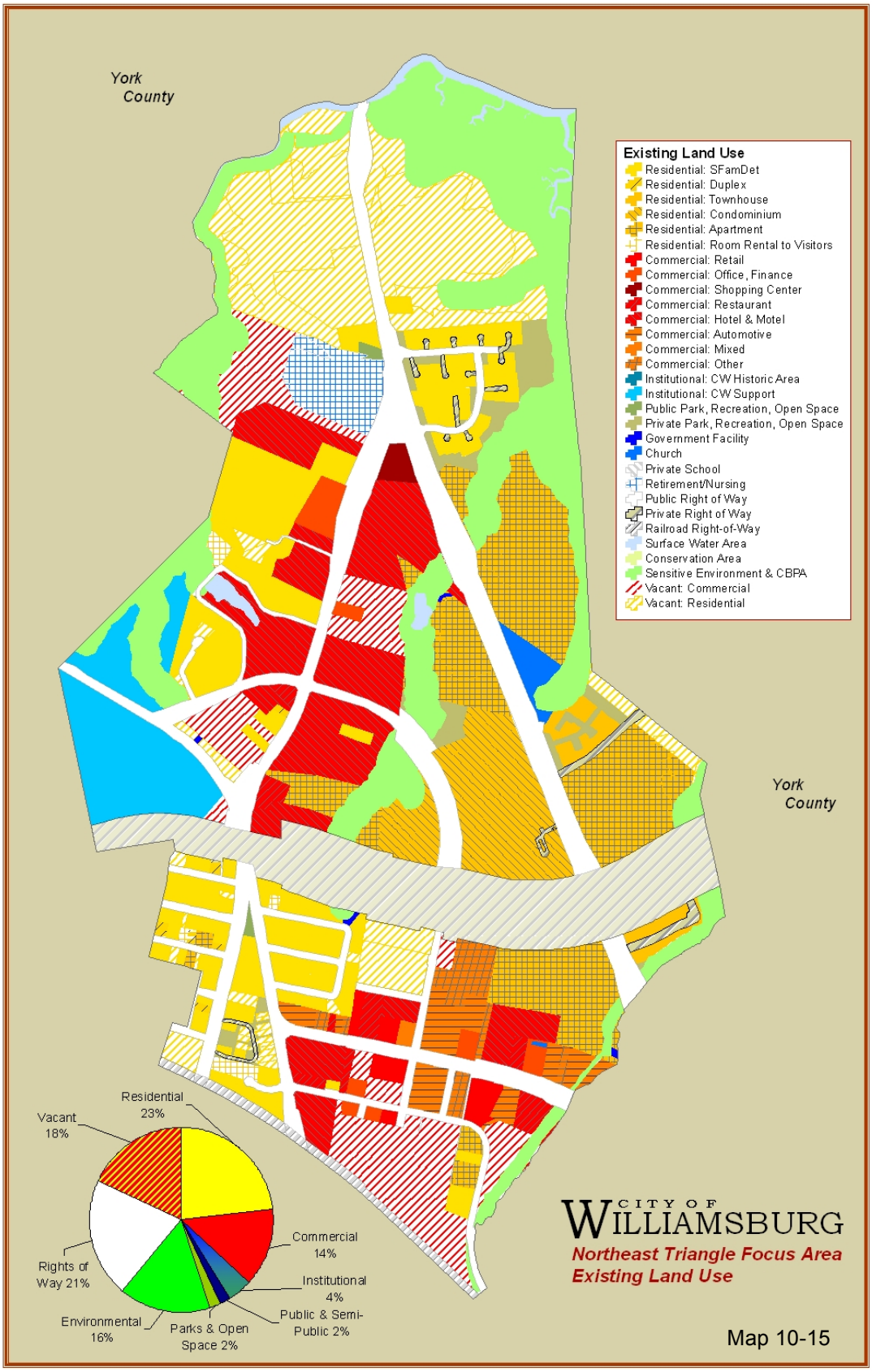
Accessibility for drivers, pedestrians, and cyclists should be improved to ensure that the area can attract and retain a wide range of community-oriented businesses that meet the increasing needs of residents and provide enticements for visitors. Guidelines need to be developed to create a streetscape that is more inviting and safe. As this area evolves the City needs to continue to be respectful of the natural assets of the area as well as the area's role in history, preserving and developing them where appropriate to share them with the wider community.

- Northeast Triangle Focus Group, November 2011

The Northeast Triangle Planning Area is a diverse area with concentrations of single-family detached dwellings, condominiums, apartments, townhouses, and commercial uses. It has been developing for over 300 years, and is centered on Capitol Landing Road (the historic connection between the colonial port on Queen's Creek and Colonial Williamsburg), and on Page Street and Second Street, all of which are designated by the Comprehensive Plan as Entrance Corridors. Other major streets are Penniman Road and Merrimac Trail. This area abuts York County to the north and east, the CSX Railroad to the south, and land owned by the Colonial Williamsburg Foundation on the west. The size of the Northeast Triangle Planning Area is 566 acres of which is 14% is commercial, 16% environmental and sensitive areas, 4% institutional, 2% public and semi-public, 2% parks and open space, 23% residential, 21% rights-of-ways and 18% vacant.

Non-residential uses located throughout the Northeast Triangle Focus Area include 15 hotels with 1,009 rooms, nine restaurants, nine automotive businesses, six retail establishments, one shopping center, one bank, one medical office, seven office buildings, two multi-use buildings, two storage/warehouse buildings, and two churches.




York County
Existing Land Use
Residential: SFamDet
Residential: Duplex
Residential: Townhouse
Residential: Condominium
Residential: Apartment
Residential: Room Rental to Visitors
Commercial: Retail
Commercial: Office, Finance
Commercial: Shopping Center
Commercial: Restaurant
Commercial: Hotel & Motel
Commercial: Automotive
Commercial: Mixed
Commercial: Other
Institutional: CW Historic Area
Institutional: CW Support
Public Park, Recreation, Open Space
Private Park, Recreation, Open Space
Government Facility
Church
Private School
Retirement/Nursing
Public Right of Way
Private Right of Way
Railroad Right-of-Way
Surface Water Area
Conservation Area
Sensitive Environment & CBPA
Vacant: Commercial
Vacant: Residential
York County
Residential 23%
Vacant 18%
Commercial 14%
Rights of Way 21%
Institutional 4%
Public & Semi-Public 2%
Environmental 16%
Parks & Open Space 2%
CITY OF WILLIAMSBURG
Northeast Triangle Focus Area
Existing Land Use
Map 10-15

This area was subject to a comprehensive study in 2011 by the Northeast Triangle Focus Group, seven citizens appointed by City Council. Much of the analysis and recommendations in this section are based on the report of the Focus Group. In addition, the Northeast Triangle and Surrounding Area was one of the four geographic areas that were selected for Community Forums as a part of the 2012 Coordinated Comprehensive Plan Update organized by Williamsburg, James City County and York County. This Community Forum was held on February 27, 2012, and a joint Planning Commission work session to discuss the comments made at all of the Community Forums was held on April 30, 2012.

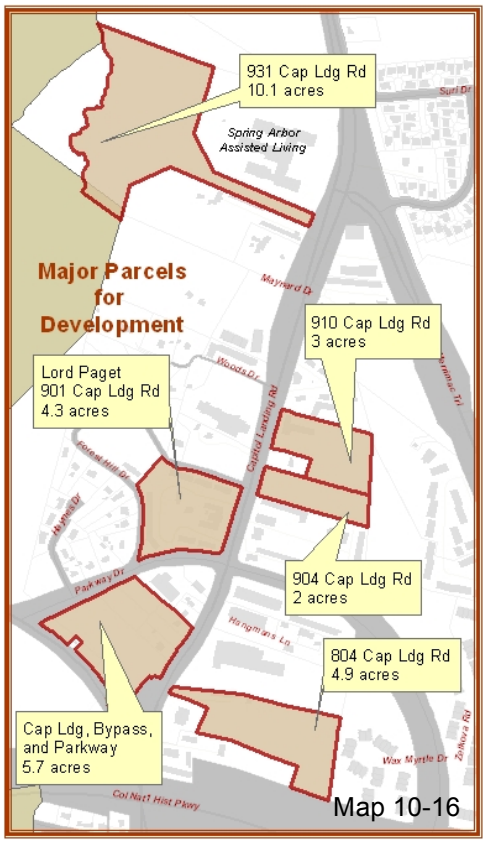
The Northeast Triangle includes three areas that are listed in the Comprehensive Plan as "Notable Features" of the Architectural Preservation District (*Capitol Landing/Capitol Landing Road, Capitol Heights* on the west side of Capitol Landing Road, and *Pine Crest* subdivision on the east side of Page Street). These neighborhoods, together with Minor's Park, help provide a transition between the commercial area of Capitol Landing Road north of the Colonial Parkway and the Colonial Williamsburg Historic Area.

A discussion of the major commercial, office and mixed use areas in the Northeast Triangle Planning Area follows:

- *Capitol Landing/Capitol Landing Road* was the second port and access road that served Williamsburg in the eighteenth century. Originally called Queen Mary's Port because of its location on Queen's Creek (a tributary of the York River), Capitol Landing served the same purpose for the City as College Landing to the south. Public wharves and tobacco inspection warehouses were located at the water's edge, and nearby were shops, houses, taverns and light manufacturing uses. There are no above-ground remains of these structures in existence, but archaeological remains provide important educational resources. As with College Landing, this port and its access roads were shown on the 1699 plat of the City. Capitol Landing is listed on the Virginia Landmarks Register. The 1992 Historic Buildings Survey report identifies The Beeches, 1030 Capitol Landing Road, as eligible for individual listing on the National Register of Historic Places.

  As tourism developed with the restoration of Colonial Williamsburg, Capitol Landing Road became one of the City's tourist entrance corridors, and has the largest concentration of hotels in the Northeast Triangle. Capitol Landing Road was deemphasized as an entrance corridor in 1957 when Route 132 was built to provide access to the Colonial Williamsburg Visitor Center.

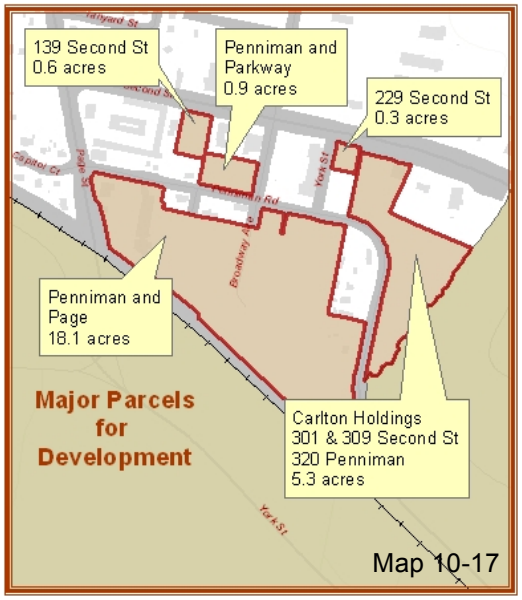
  There are six major parcels along Capitol Landing Road that have potential for development. One of these, the Lord Paget motor court at 901 Capitol Landing Road, was purchased by the City in October 2011 for the primary purpose of allowing time for the best possible outcome on the development or redevelopment of this important parcel.



Map 10-16

  The majority of the Planning Area's single family residential areas are located along Capitol Landing Road, and are discussed in *Chapter 8 - Neighborhoods and Housing*, pages 8-19 and 8-20.

- *Second Street* served for many years as the City's automobile oriented commercial area, and many automobile-related businesses remain along Second Street. This area also hosts seven of the nine restaurant uses in the Focus Area, as well as a variety of retail uses. A new development proposed by Carlton Holdings LLC next to the Velvet Shoestring at 301 Second Street was approved in September 2011, and will have over 20,000 square feet of commercial floor area and 29 townhouse-style condominiums on Penniman Road. In addition to this parcel, there are three other vacant parcels that have potential for development.



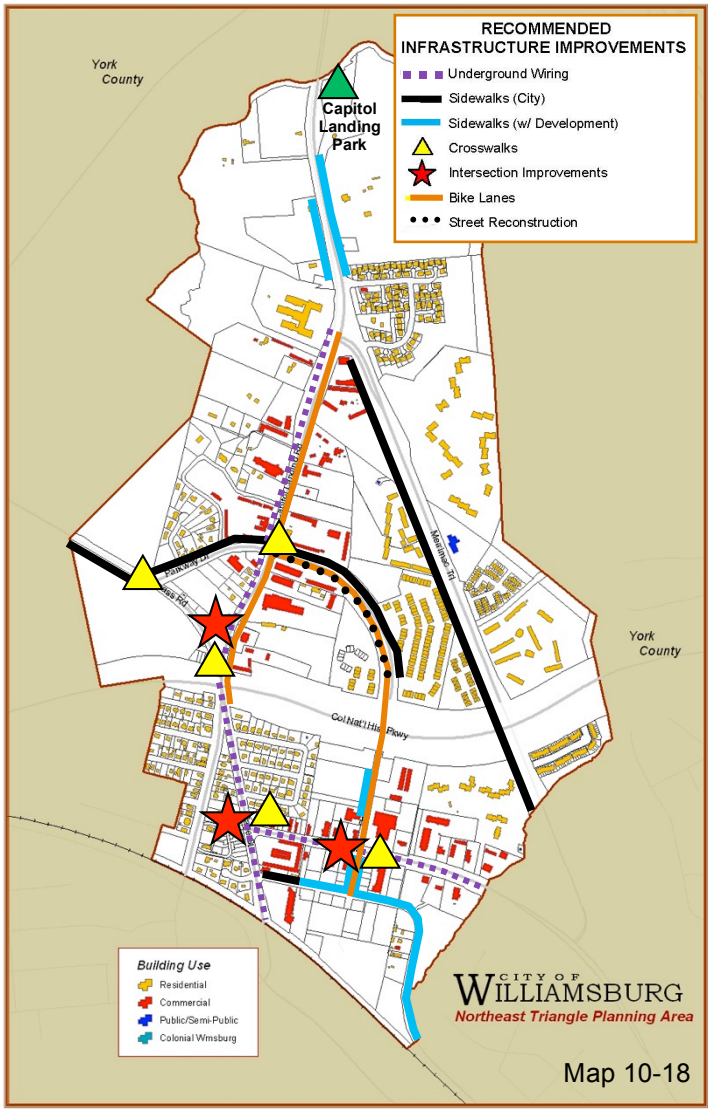
- *Penniman Road* is oriented primarily toward the Second Street corridor on the north side. The largely vacant area on the south side east of Page Street and adjacent to the CSX Railroad tracks has been planned for commercial land use since 1968, but has never developed as a viable commercial area because of lack of visibility and access from both Page Street and Second Street. This area is largely vacant, and adjoins the recommended Corridor Commercial area on Second Street while being within easy walking distance of downtown and the Colonial Williamsburg Historic Area. An 18.1 acre parcel was approved for a 400-unit timeshare development in 2006, but the project was not built. A small mixed-use area is located on Penniman Road at the City line.

Infrastructure Recommendations

The Northeast Triangle Focus Group considered possible infrastructure improvements throughout the Northeast Triangle area, and supported the development of a master plan for streetscape and related improvements to enhance the community character of the area. Based on the Focus Group report and additional analysis of the area, the following infrastructure improvements are recommended, and are shown on Map 10-18.

- *Underground Wiring* on Page Street, Second Street and Capitol Landing Road (focused on removing cross street service lines). Page Street underground wiring is in the CIP for FY13.
- *Streetscape improvements* that include improved street lighting, clearer and more attractive directional signage (including coordination with VDOT and York County for signage outside of the City limits), and improved landscaping on public and private property.
- *Sidewalk improvements* to provide better connectivity within the Northeast Triangle, between the Northeast Triangle and downtown, and between the Northeast Triangle and neighborhoods in York and James City Counties. Sidewalks on the south side of Bypass Road between Rt. 132 and Parkway Drive, on Parkway Drive between Bypass Road and Capitol Landing Road, and on York Street between Lafayette Street and the end of the existing sidewalk are in the CIP for FY13.
- *Crosswalk improvements* to improve pedestrian safety.
- *Bike lane improvements* to improve safety and connectivity within the Northeast Triangle and neighborhoods in York and James City County. Installing bike lanes on Capitol Landing Road between Merrimac Trail and Page Street requires reducing travel lanes from four to three. Installing bike lanes on Parkway Drive between Penniman Road and Capitol Landing Road requires reconstructing Parkway Drive between Wyndham Plantation and Capitol Landing Road and eliminating some on-street parking between the Colonial Parkway and Penniman Road.
- *Intersection improvements.* Three intersections are recommended for further study for improvements that will facilitate and calm traffic movements and improve pedestrian safety.

- *Parks.* Capitol Landing Park at Queen's Creek, has been recommended in every Comprehensive Plan since 1953. The value of creating a park at this site should be better understood and a long term strategy developed for its realization.



Future Land Use Recommendations Commercial, Office and Mixed Use Areas

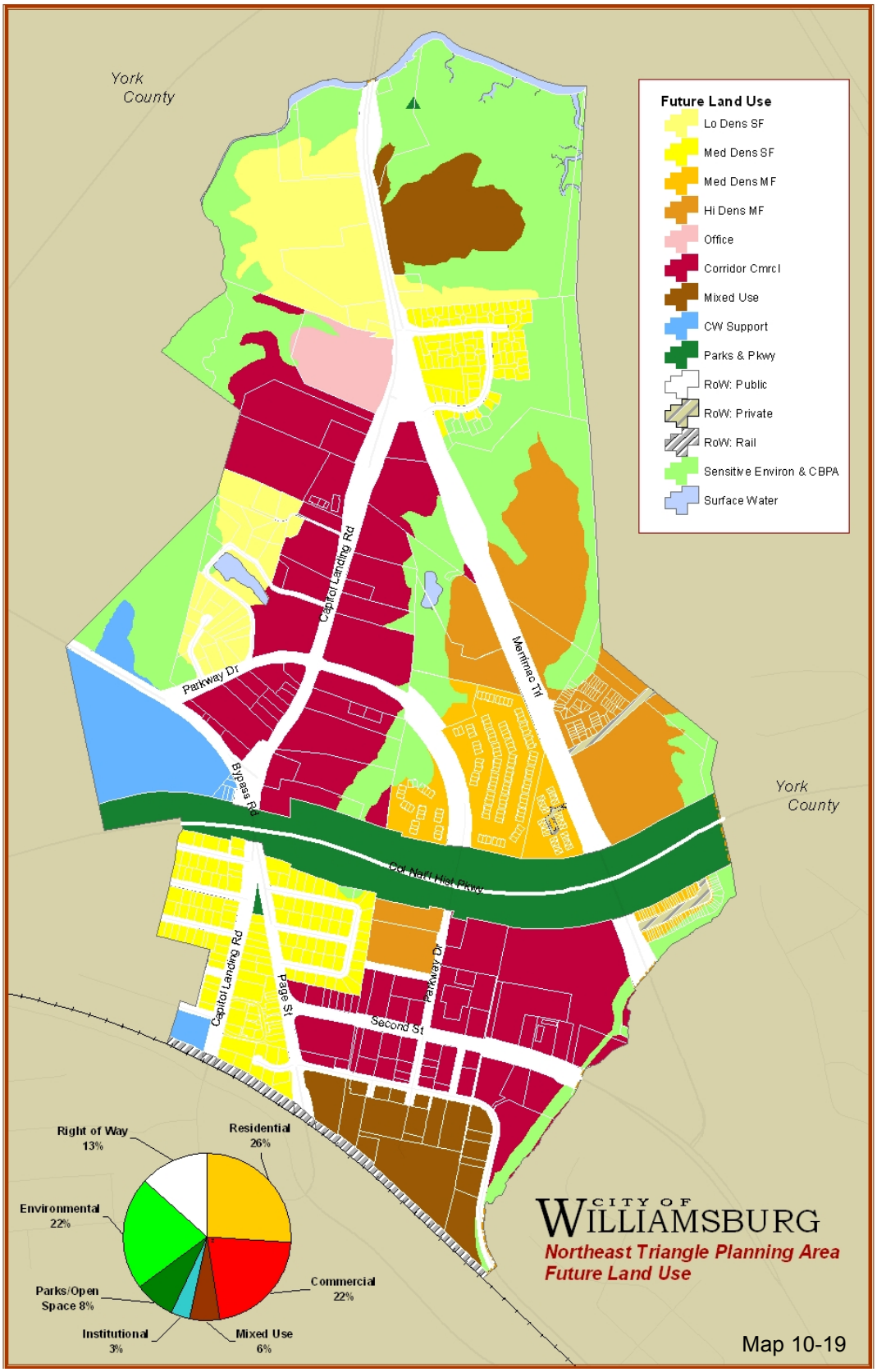
1. <u>Capitol Landing Road Corridor</u>.
   - The existing *Corridor Commercial* land use designation between Merrimac Trail and the Colonial Parkway should be continued, with residential density remaining at 14 dwelling units/net acre. For mixed use development in this corridor, multifamily dwellings (apartments and condominiums) and townhouses should be allowed with a special use permit so that impacts to the commercial corridor can be considered during the approval process. The commercial floor area requirement for a mixed use project should be continued at the present requirement of 33%, and the commercial floor area must be constructed simultaneously with the construction of the residential floor area. This should be implemented by the B-2 Corridor Business District.

- The *Office* land use designation at the intersection of Capitol Landing Road and Merrimac Trail should be continued, providing a transition between the *Low Density Single Family Detached Residential* land use to the north and the *Corridor Commercial* land use to the south. This should be implemented by the LB-4 Limited Business Corridor District. However, the *Office* land used to the rear of the Alexander Commons offices at 921 and 925 Capitol Landing Road should be changed to *Corridor Commercial* land use to match the existing land use to the north and east, and implemented by the B-2 Corridor Business District. The required transitional screening buffer requirements and the existing topography will protect the Woods Drive residential area to the south.
- The land used designation for The Beeches, 1030 Capitol Landing Road, should be changed from *Low Density Single Family Detached Residential* to *Mixed Use* land use. This historic house, eligible for individual listing on the National Register of Historic Places, should be preserved and incorporated into a redevelopment of the property that preserves the house and utilizes the beautiful environmental character of the land surrounding the house. The *Mixed Use* land use designation is implemented by a revised LB-3 Limited Business Residential District, but because of the strategic and sensitive location of this property, a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property.

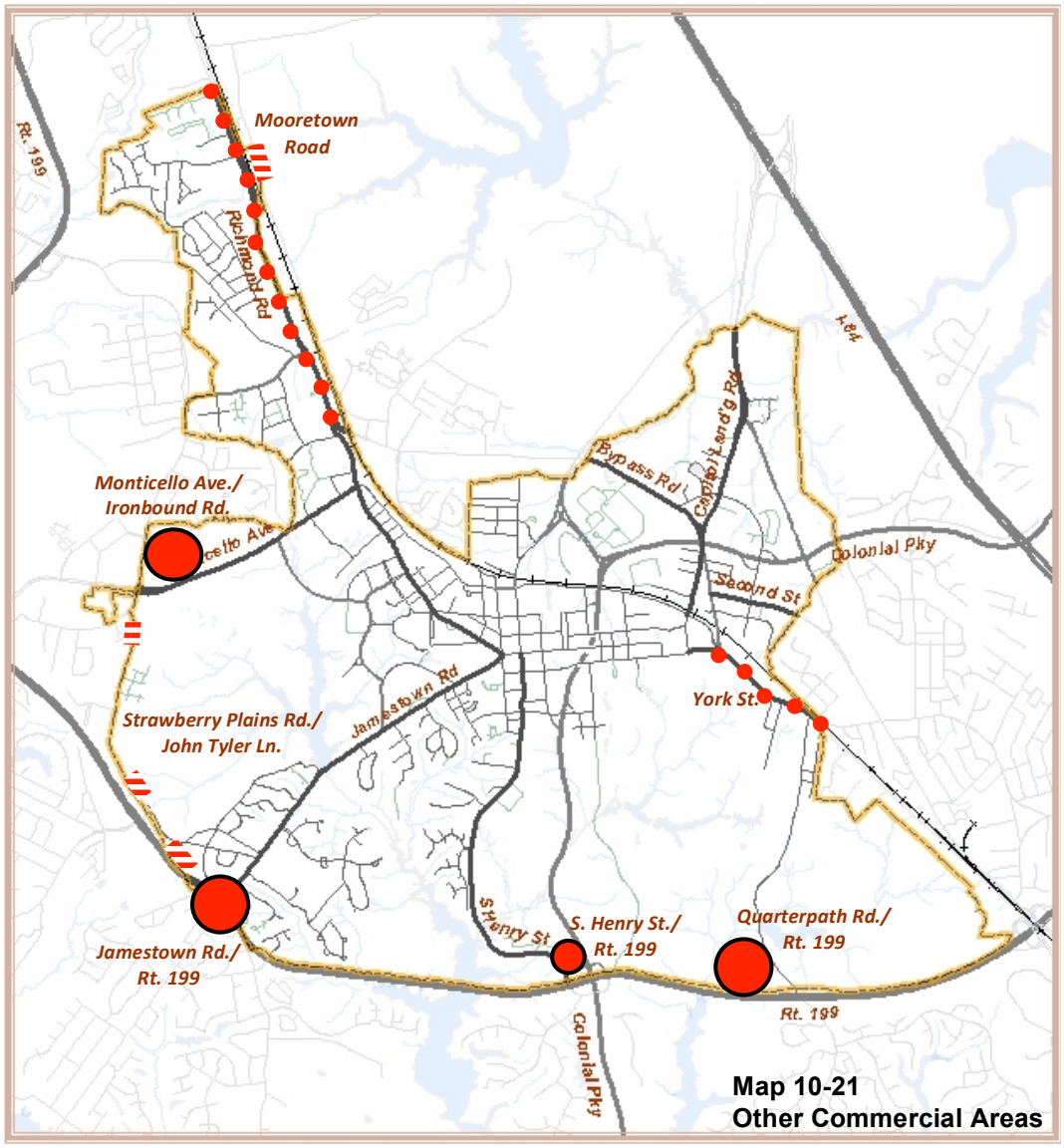
2. Second Street.
   - The existing *Corridor Commercial* land use designation should be continued for the Second Street corridor, with residential density remaining at 14 dwelling units/net acre. For mixed use development in this corridor, multifamily dwellings (apartments and condominiums) and townhouses should be allowed with a special use permit so that impacts to the commercial corridor can be considered during the approval process. The commercial floor area requirement for a mixed use project should be continued at the present requirement of 33%, and the commercial floor area must be constructed simultaneously with the construction of the residential floor area. This should be implemented by the B-2 Corridor Business District.
   - Revisions to the zoning regulations are needed to address the setback and buffer requirements for the north side of Second Street between Page Street and Parkway Drive, and particularly the area adjacent to Pine Crest Subdivision. The existing setback and buffer requirements are inappropriate for redevelopment of this area.

3. Penniman Road
   - The south side of Penniman Road should be changed from *Corridor Commercial* land use to *Mixed Use* land use. This area has potential for a high quality mixed-use development with a major residential component. Commercial and offices uses could be located along Penniman Road and Page Street adjacent to the Corridor Commercial area, with the interior of the property developed with residential uses. Time shares or hotel use could be part of a mixed use development. Senior housing could be one of the appropriate residential uses because of the proximity of this area to existing commercial uses, Colonial Williamsburg and downtown. Student housing could be another appropriate residential use because of the relative nearness of the College of William and Mary and the availability of bus transportation. This area has 17.8 net developable acres, which could allow up to 249 dwellings units at a density of 14 dwelling units/net acre. The existing B-2 zoning should remain in place until a satisfactory plan is submitted for a mixed use development. The *Mixed Use* land use designation would be implemented by a revised LB-3 Limited Business Residential District, but because of the strategic and sensitive location of this area, a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property.

The Northeast Triangle Planning Area Future Land Use Map on the following page (Map 10-19) illustrates these recommendations.


York County
Future Land Use
Lo Dens SF
Med Dens SF
Med Dens MF
Hi Dens MF
Office
Corridor Cmrcl
Mixed Use
CW Support
Parks & Pkwy
RoW: Public
RoW: Private
RoW: Rail
Sensitive Environ & CBPA
Surface Water
Capitol Landing Rd
Merrimac Trl
Parkway Dr
Bypass Rd
Col Nat'l Hist Pkwy
York County
Page St
Second St
Right of Way 13%
Residential 26%
Environmental 22%
Commercial 22%
Parks/Open Space 8%
Institutional 3%
Mixed Use 6%
CITY OF WILLIAMSBURG
Northeast Triangle Planning Area
Future Land Use
Map 10-19

OTHER COMMERCIAL AREAS



Map 10-21
Other Commercial Areas

Residential Uses in Corridor Commercial Areas

While residential uses can be an important part of commercial areas, steps should be taken to ensure that land in the *Corridor Commercial* areas remains available for commercial development and redevelopment. This is particularly important because only 6% of the City's land area is currently devoted to commercial use, and only 6% of the City's vacant land is available for new commercial or mixed use development. *Corridor Commercial* land developed for mixed use projects should have a limitation on the maximum amount of residential use allowed to preserve the availability of land for commercial uses.

> *Recommendation.* To allow more flexibility and to encourage well-planned mixed use projects, apartments, condominiums and townhouses should be allowed in the B-2 District, but with a special use permit to allow the review of projects on a case by case basis. The residential threshold should remain at 67% of the total floor area on an individual lot, which would allow either one floor of commercial use with residential use above, or commercial use on the front of the property with residential use on the rear.

Richmond Road (Bypass Road to Ironbound Road)
This section of the Richmond Road corridor is a transition between the urban character of the Midtown Planning Area and the *Corridor Commercial* area west of Ironbound Road. When entering Williamsburg, a noticeably more urban character begins at Ironbound Road – buildings are closer together and closer to the street, and the predominant character defining feature of the street is buildings and sidewalks rather than parking lots. This urban character is enhanced by the High Street development, which locates major buildings at the 15 foot setback line with parking lots located beside and behind.

This area was designated by the 2006 Comprehensive Plan as *General Commercial* land use from Bypass Road to Ironbound Road, and is zoned a combination of B-2 Corridor Business District and B-3 General Business District. The High Street development, which abuts Richmond Road, is designated *Economic Development* land use and is zoned ED-2 Economic Development District. This section of Richmond Road contains four hotels and 13 restaurants. There is one prime redevelopment parcel in this area – the cleared and vacant former Governor Spotswood Motel property between the Holiday Inn Express and the Sunoco Station at the corner of Ironbound Road. This property ideally situated for new commercial uses that will add to the vitality of the corridor.

> *Recommendation.* The *General Commercial* land use for this corridor should be changed to *Corridor Commercial* land use, implemented by the B-2 Corridor Business District but with a 15 foot building setback to recognize the special more urban character of the corridor.

Richmond Road (west of Ironbound Road to the City Limits)
The western end of the Richmond Road commercial corridor, from Ironbound Road to the City Limits, has always been a tourist-orient business area. This section of Richmond Road contains eight hotels, 26 restaurants, one shopping center (Patriot Plaza) and various other commercial uses. There are two out-parcels in front of Yankee Candle that are available for new development (1.15 and 1.38 acres), as well as a 6.9 acre parcel fronting on Waltz Farm Drive behind Outback Steak House.

This portion of the Richmond Road corridor is ideally situated between the Williamsburg Premium Outlets in James City County and the City's High Street project, and future redevelopment should take advantage of this location. The large concentration of restaurants makes this the premier dining corridor in the area. The Comprehensive Plans for the City, James City County and York County are consistent in recognizing this area as a major commercial corridor.

> *Recommendation.* The existing *Corridor Commercial* land use should be continued, implemented by the B-2 Corridor Business District.

Mooretown Road
The Mooretown Road commercial area is separated from the rest of the City by the CSX Railroad, and is adjacent to property in James City County and York County. The main use in this area is a four-story self-storage facility. The residential uses in this area (two single-family and two multifamily rental dwellings) are nonconforming, and this property is suitable for redevelopment.

> *Recommendation.* The existing *Corridor Commercial* land use should be continued for this area, implemented by the B-2 Corridor Business District.

York Street
York Street is primarily a tourist-oriented commercial area, including five hotels, one time-share and two restaurants. This will be an important connecting route between the downtown area and the Quarterpath at Williamsburg development in the future.

> *Recommendation.* The existing *Corridor Commercial* land use should be continued for this area, implemented by the B-2 Corridor Business District.

Quarterpath Road/Route 199 Intersection
The west side of this intersection is the location of Quarterpath Crossing, a 95,000 square foot shopping center built in 2008, and anchored by a Harris Teeter supermarket. The east side serves as an entrance to the Quarterpath at Williamsburg development, and there is a nine developable parcel located at the northeast corner of Quarterpath Road and Battery Boulevard.

> Recommendation. The existing *Economic Development* land use should be continued, implemented by the ED Economic Development District.

South Henry Street/Route 199 Intersection
A small office area is located just north of the South Henry Street and Route 199.

> Recommendation. The existing *Office* land use designation should be continued, implemented by the LB-4 Limited Business Corridor District.

Jamestown Road/Route 199 Intersection
A small commercial area is located at the corner of Jamestown Road and Route 199, primarily serving neighborhood shopping needs with businesses including a drug store, two banks and a convenience store.

> Recommendation. The existing *Corridor Commercial* land use on the northwest, southwest, and northeast should be continued, implemented by the B-2 Corridor Business District. The existing *Office* land use designation on the southeast corner should be continued. The three acres of existing *Office* land use that fronts on Mill Neck Road should be continued, implemented by the LB-4 Limited Business Corridor District.

John Tyler Lane/Strawberry Plains Road
Three office areas are located along the John Tyler Lane and Strawberry Plains Road corridor: Governor Berkeley Professional Center, Mount Pleasant Professional Center, and offices south of Berkeley Middle School. These areas are located close to both the Route 5 and Route 199 corridors, and near the office area at Monticello Avenue and Ironbound Road.

> Recommendation. The existing *Office* land use should be continued for the Mount Pleasant and the Governor Berkeley Professional Centers. The existing *Mixed Use* land use south of Berkeley School should continued, to be implemented by the LB-2 Limited Business Neighborhood District.

Monticello Avenue/Ironbound Road Intersection
The northeast corner of Monticello Avenue and Ironbound Road is planned as one of the three economic development areas in the City. Because of environmental constraints, future development is proposed only for the western part of the property adjacent to Ironbound Road – the remainder of the property is defined by steep slopes, a tributary to College Creek, and an area defined by the 1994 Natural Areas Study prepared by the Virginia Department of Conservation and Recreation as an exemplary occurrence of a southern mixed hardwood forest, reported to be one of the best examples of such a natural community in all the Commonwealth. In addition to maintaining the existing vegetation on the sensitive environmental areas to the east, a 75-foot greenbelt buffer should be maintained along Monticello Avenue, and only a single vehicular access point should be allowed from each street. This 24 acre parcel is owned primarily by the College of William & Mary, and is located in College's North College Woods. This property is directly across Ironbound Road from the Williamsburg-James City County Courthouse and James City County's New Town mixed use development, which makes this an ideal location for office or research and development uses. The City should work with the College to market and develop the property into appropriate economic development uses that are compatible with New Town and will provide increased employment opportunities in the region. At a floor area ratio of 0.25, this site could support up to 260,000 square feet of new gross leasable space.

> Recommendation. The existing *Economic Development* land use should be continued for this area, to be implemented by the ED Economic Development zoning district.

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE I. IN GENERAL. SEC. 21-2 DEFINITIONS, AND ARTICLE III. DISTRICT REGULATIONS, DIVISION 9. B-2 DISTRICT, PERTAINING TO PERMITTED AND SPECIAL USE PERMIT USES (PCR #13-009)

These revisions to Chapter 21, Zoning, are recommended by the 2013 Williamsburg Comprehensive Plan, and 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 I, In General, Sec. 21-2 Definitions and Article III, Division 9, Corridor Commercial District B-2, Secs. 21-322, 21-324 and 21-330, shall be amended to read as follows:

ARTICLE I. IN GENERAL.

Sec. 21-2. Definitions.

Micro-brewery, micro-distillery, micro-winery and/or micro-cidery means a facility for the production and packaging of alcoholic beverages for distribution, retail or wholesale, on- or off-premises and which meets all Virginia Alcoholic Beverage Control laws and regulations. The facility may include other uses such as retail sales, tasting rooms and restaurants.

ARTICLE III. DISTRICT REGULATIONS

DIVISION 9. CORRIDOR BUSINESS DISTRICT B-2

Sec. 21-322. Permitted uses.

The uses permitted in the corridor business district B-2 are as follows:

~~(1) Multifamily dwellings, provided that not more than 50 percent of the gross floor area of any building may be devoted to multifamily use. All dwelling units and common elements in the multifamily development must be created and at all times maintained and operated as a condominium in accordance with Title 55, Chapter 4.2 of the Code of Virginia, as amended. All required condominium instruments must be recorded prior to the issuance of any certificate of occupancy.~~

(1) ~~(2)~~ Automobile rental agencies with no storage of vehicles on the premises.

(2) ~~(3)~~ Bake shops.

(3) ~~(4)~~ Banks and financial institutions.

(4) ~~(5)~~ Churches and other permanent buildings used for religious worship.

5) ~~(6)~~ Convenience service establishments such as, but not limited to, barbershops, beauty parlors, tailors, shoe repair shops, self-service laundromats, and laundry and dry cleaning establishments.

(6) ~~(7)~~ Convenience stores.

(7) ~~(8)~~ Day care centers.

(8) ~~(9)~~ Freestanding automatic teller machines.

(9) ~~(10)~~ Funeral homes.

(10) ~~(11)~~ Hotels/motels and timeshare units, and associated meeting facilities.

(11) ~~(12)~~ Museums and art galleries.

(12) ~~(13)~~ Offices in buildings with a gross floor area not exceeding 50,000 square feet.

(13) ~~(14)~~ Parking lots as a principal use.

(14) ~~(15)~~ Playgrounds, parks and unlighted athletic fields owned and/or operated by the City of Williamsburg.

(15) ~~(16)~~ Printing and photocopying shops.

(16)~~(16.1)~~ Public buildings owned and/or operated by the City of Williamsburg.

(17) Public or private elementary, middle and 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.

(18) Repair services and businesses, including repair of bicycles, guns, radios, television sets, electrical appliances, locks, other home appliances, toys, typewriters, watches and the like.

(19) Restaurants.

(20) Retail sales establishments in buildings with a gross floor area not exceeding 50,000 square feet.

(21) Service stations, provided that repair of vehicles and components thereof takes place in a fully enclosed building.

(22) Storage of materials and supplies incidental to the conduct of a permitted use, provided that such storage is screened from view by a six-foot-high wall or fence with the finished side facing the exterior of the property. The planning commission may, through the site plan review process, require or approve an alternate means of screening, provided that it is equivalent to the required fence or wall.

(23) Theaters and assembly halls, but excluding drive-in theaters.

(24) Off-street parking and loading areas for permitted uses in accordance with article V.

(25) Signs in accordance with article VI.

(26) Accessory uses in accordance with section 21-603.

(27) Home occupations in accordance with section 21-606.

Sec. 21-323. Uses permitted as special exceptions.

Uses permitted in the corridor business district B-2 with a special exception approved by the board of zoning appeals in accordance with section 21-97(f) are as follows:

No special exception uses are listed for this district.

Sec. 21-324. Uses permitted with special use permit.

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

~~(0.1)~~ ~~Multifamily dwellings, provided that not more than 67 percent of the gross floor area on any lot may be devoted to multifamily use. Non-residential floor area shall be constructed simultaneously with the construction of the multifamily floor area. All dwelling units and common elements in the multifamily development must be created and at all times maintained and operated as a condominium in accordance with Title 55, Chapter 4.2 of the Code of Virginia, as amended. All required condominium instruments must be recorded prior to the issuance of any certificate of occupancy.~~

~~(1)~~ ~~Motor vehicle, boat and watercraft, sales and service establishments, provided that vehicle lifts and pits and all service and repair of motor vehicles, boats and watercraft shall be within a building enclosed on all sides. Storage of inoperable motor vehicles, boats and watercraft awaiting repair on the premises shall be permitted, but shall be screened from view by a six foot high wall or fence with the finished side facing the exterior of the property. The planning commission may, through the site plan review process, require or approve an alternate means of screening, provided that it is equivalent to the required fence or wall.~~

(1) Multifamily dwellings, provided that not more than 67 percent of the gross floor area on any lot may be devoted to multifamily use. Non-residential floor area shall be constructed simultaneously with the construction of the multifamily floor area.

(2) Townhouses in accordance with section 21-330, provided that not more than 67 percent of the gross floor area on any lot may be devoted to multifamily use. Non-residential floor area shall be constructed simultaneously with the construction of the townhouse floor area.

(3) ~~(2)~~ Automobile rental agencies with storage of vehicles on the premises.

(4) ~~(3)~~ Carwashes as a principal use.

(5) ~~(4)~~ Contractor's establishments, offices and display rooms where business is conducted entirely within a completely enclosed building.

(6) ~~(4.1)~~ Lighted athletic fields owned and/or operated by the City of Williamsburg.

(7) Micro-brewery, micro-distillery, micro-winery and/or micro-cidery, with a capacity of not more than 15,000 barrels per year.

(8) ~~(5)~~ Miniature golf courses.

(9) ~~(6)~~ Ministorage warehouses, provided that there is no exterior storage.

(10) Motor vehicle, boat and watercraft, sales and service establishments, provided that vehicle lifts and pits and all service and repair of motor vehicles, boats and watercraft shall be within a building enclosed on all sides. Storage of inoperable motor vehicles, boats and watercraft awaiting repair on the premises shall be permitted, but shall be screened from view by a six-foot high wall or fence with the finished side facing the exterior of the property. The planning commission may, through the site plan review process, require or approve an alternate means of screening, provided that it is equivalent to the required fence or wall.

(11) Newspaper printing and publishing facilities.

(12) ~~(7)~~ Offices in buildings with a gross floor area exceeding 50,000 square feet.

(13) ~~(8)~~ Parking garages.

~~(9)~~ ~~[Reserved.]~~

(14) ~~(10)~~ Retail sales establishments in buildings with a gross floor area exceeding 50,000 square feet.

(15) ~~(11)~~ Rooming facilities for exchange visitors in accordance with section 21-618.

(16) ~~(12)~~ Tourist or visitor information centers.

(17) ~~(13)~~ Use of land as parking for and/or access to a use in an adjoining jurisdiction.

(18) ~~(14)~~ Warehouses.

(19) ~~(15)~~ Wholesale businesses.

Sec. 21-327. Yards.

The yard requirements in the corridor business district B-2 are as follows:

(1) *Front.* There shall be a front yard of not less than 35 feet, except that for lots fronting on Richmond Road between ~~High Street~~ New Hope/Bypass Road and Ironbound Road, Parkway Drive, Penniman Road and Second Street, there shall be a front yard of not less than 15 feet; and except that for lots fronting on Second Street between Page Street and Parkway Drive there shall be a front yard of not less than five feet.

a. Where 40 percent or more of the frontage on one side of the street within the same block is improved with buildings, no building on that side of the street within the same block shall be required to have a front yard greater than the average front yard of the existing buildings. However, when there are buildings on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of the front yards of the buildings on the adjacent lots. The side line of a building on a corner lot shall not be a factor in these calculations.

b. When a lot has a double frontage, front yards shall be provided on both streets, subject to such reductions as may be allowed under subsection 21-327(1)a.

c. Gasoline pump islands, pump island canopies and outdoor dining areas shall be required to have a front yard of not less than 15 feet.

d. No accessory building shall be located in a front yard.

(2) *Side.*

a. There shall be side yards of not less than ten feet.

b. Corner lots: On a corner lot, the owner shall choose which yard is the front yard unless the front yard is designated on the recorded subdivision plat. The rear yard shall be opposite the chosen front yard. The other yard abutting the street shall be a side yard and shall not be less than 17½ feet for both main and accessory buildings (not less than 15 feet for both main and accessory buildings adjacent to Parkway Drive, Penniman Road and Second Street), unless a greater side yard is designated on a recorded subdivision plat. Gasoline pump islands, pump island canopies and outdoor dining areas shall be required to have a side yard of not less than 15 feet.

c. Side yards for accessory buildings, except for those on corner lots, shall not be less than three feet.

d. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-327(4).

(3) *Rear.*

a. Multifamily dwellings: For buildings containing multifamily dwellings, there shall be a rear yard of not less than 25 feet.

b. Other uses: There shall be a rear yard of not less than 15 feet.

c. Rear yards for accessory buildings shall not be less than five feet.

d. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-327(4).

(4) *Transitional screening.*

a. A landscaped open space area for transitional screening at least 35 feet in width shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district or to the Colonial Parkway, except that:

1. A landscaped open space area for transitional screening at least 10 feet in width shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district for lots fronting on Second Street between Page Street and Parkway Drive.
2. No transitional screening open space shall be required when multifamily dwellings adjoin multifamily zoning districts.

b. Landscaping of transitional screening open space areas shall be in accordance with landscaping standards contained in section 21-784(e).

c. Transitional screening open space shall not contain accessory buildings or be used for storage purposes. No more than 25 percent of a transitional screening open space area shall be used for stormwater management facilities.

d. Transitional screening open space shall be in addition to the required side and rear yards.

e. The planning commission may reduce the required width of transitional open space. A reduction shall not be approved unless it is found that:
   1. The provision of the required transitional screening open space would unreasonably restrict the use of the property due to exceptional narrowness, shallowness, size or shape of the lot, or by reason of exceptional topographic conditions or other extraordinary situation or condition of the property; and
   2. Additional landscaping and/or screening is proposed that will provide screening equivalent to that required by this section.

Sec. 21-330. Regulations for townhouses.

The regulations for townhouses in the corridor business district B-2 are as follows:

(1) *Density.*

a. The density of a townhouse development shall not exceed 14 townhouses per net acre. Net acreage shall be calculated based on existing land conditions, as specified in the following chart:

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

b. There shall be no minimum lot area required for an individual townhouse lot.

(2) *Lot width.* The minimum lot width for each townhouse shall be 20 feet.

(3) *Yard regulations.*

a. *Front.* No front yard shall be required for an individual townhouse lot. However, all buildings in the townhouse development shall be located at least 35 feet from any street or highway right-of-way, except that for lots fronting on Parkway Drive, Penniman Road and Second Street, all buildings in the townhouse development shall be located at least 15 feet from any street or highway right-of-way.

b. *Side.* Each townhouse located at the end of a group of townhouses shall have a side yard of at least seven and one-half feet. However, no side yard shall be required when the lot is adjacent to common open space or recreation areas, provided that easements or covenants establish the rights of the townhouse owner to gain access to the structure for purposes of performing essential maintenance and service.

c. *Rear.* Each townhouse shall have a rear yard of not less than 15 feet.

d. *Transitional screening.* A landscaped open space area for transitional screening at least 35 feet in width shall be provided along side and rear property lines when adjacent to a lot in the RS-1, RS-2 and RS-3 zoning districts except that a landscaped open space area for transitional screening at least 10 feet in width shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district for lots fronting on Second Street between Page Street and Parkway Drive.

1. Landscaping of transitional screening open space areas shall be in accordance with landscaping standards contained in section 21-784(e).
2. Transitional screening open space shall not be used for storage purposes. No more than 25 percent of a transitional screening open space shall be used for stormwater management facilities.
3. Transitional screening open space shall be in addition to the required side and rear yards.
4. The planning commission may, reduce the required width of transitional open space. A reduction shall not be approved unless it is found that:
   i. The provision of the required transitional screening open space would unreasonably restrict the use of the property due to exceptional narrowness, shallowness, size or shape of the lot, or by reason of exceptional topographic conditions or other extraordinary situation or condition of the property; and
   ii. Additional landscaping and/or screening is proposed that will provide screening equivalent to that required by this section.

e. *Greenbelts.* Along streets designated by the comprehensive plan as greenbelts, a greenbelt of at least 50 feet shall be provided along the street line; except that at least 75 feet shall be required along Route 199. Excluded from this requirement shall be public streets and entrances located in the greenbelt areas that are approved during review of a minor site plan, site plan or subdivision. When the greenbelt is an existing wooded area, it shall be left in an undisturbed natural state, unless modifications are approved or required during review of a minor site plan, site plan or subdivision. Any modifications to an existing wooded greenbelt shall be for the purpose of maintaining its visual character as viewed from the adjacent public street. When a wooded greenbelt is part of a residential development, it may be required during review of a minor site plan, site plan or subdivision to be supplemented with evergreen trees and shrubs in order to provide an effective year-round visual screen between the proposed residential development and the street. When a greenbelt is in a

non-wooded area, it shall be improved as an extensively landscaped open space between the street and the developed portion of the property. For a non-wooded greenbelt, at least one tree for each ten feet of frontage shall be planted or maintained, and the primary landscaping material shall be deciduous shade trees, supplemented by evergreen trees, shrubs and other planting material. All landscape materials shall conform to the minimum size and height standards of section 21-784(c)(5). When a non-wooded greenbelt area borders a residential development, it may be required during review of a minor site plan, site plan or subdivision that the primary landscaping material used shall be evergreen trees and shrubs in order to provide an effective year-round visual screen between the proposed residential development and the street. The landscape plans for the greenbelt area shall be prepared and certified by a certified landscape architect licensed to practice in the State of Virginia. The landscape plans shall be subject to approval by planning commission in the case of a minor site plan, site plan or subdivision of less than 25 lots; and by city council, on recommendation of the planning commission, in the case of a subdivision of 25 or more lots. Trees planted in a greenbelt shall be consistent with the standards contained in section 21-614(g), Tree Planting, Replacement and Pruning Standards.

(4) *Street frontage.* Each townhouse shall front on a dedicated public street or shall have access to a 22-foot minimum pavement width private street. If access is to be provided by means of a private street, the private street shall be constructed in accordance with section 21-783(4).

(5) *Sidewalks.* Sidewalks of at least five feet in width, constructed of concrete, brick or other material of reasonable durability and approved by the planning commission, shall be constructed to provide a pedestrian circulation system for the townhouse project. Wherever reasonably possible, a four-foot grass strip shall be provided between the sidewalk and the curb or edge of pavement. These sidewalks shall be connected to the sidewalks along the public streets contiguous to the project. If no sidewalks exist along the contiguous public streets, the developer shall build the on-site sidewalks in a manner that will allow future connection to the city sidewalk system.

(6) *Accessory buildings.* No accessory buildings shall be permitted, except for detached garages.

(7) *Recreation areas.*

a. A minimum of 200 square feet of active or passive recreation area shall be provided for each dwelling unit in a townhouse development having 25 or more dwelling units. Any

playground equipment or other improvements specified on the approved site plan shall be installed prior to the issuance of certificates of occupancy, and shall be maintained in accordance with the approved site plan.

b. If the proposed townhouse development is designed and approved for development in two or more phases, the playground equipment or other improvements may be installed in phases, provided that such phasing plans are approved with the approval of the site plan. In the cases of phased development, the playground equipment and other improvements for each phase shall be installed prior to the issuance of certificates of occupancy for the units in each phase.

c. The planning commission may allow the developer to delay the installation of the playground equipment or other improvements until the townhouse development is completed, provided that an irrevocable bond or other surety acceptable to the city attorney, assuring full, timely and satisfactory completion, is posted prior to the issuance of any certificates of occupancy, and provided that the amount the bond or surety is of an amount equal to the estimated costs of purchasing, constructing and/or installing the playground equipment or other improvements in accordance with the approved site plan. The playground equipment or other improvements shall be installed and/or constructed within 60 days following the issuance of the final certificate of occupancy for the townhouse development, unless modified plans for the playground equipment or other improvements are approved by the planning commission in accordance with subsection d. below during the 60-day period, in which case the installation shall be completed within 60 days from the date of the planning commission approval.

d. The developer may modify the playground equipment or other improvements approved in the final site plan if such modification is approved by the planning commission, provided that the modified playground equipment and other improvements provide active recreational opportunities for the residents of the townhouse development.

e. Recreation areas need not be concentrated in one central location but may be interspersed throughout the townhouse development, provided that the areas are to be reasonably accessible by pedestrians residing in all units. The minimum width for a recreation area shall be 25 feet. Recreation areas may be counted as a portion of the required landscaped open space. Recreation areas may be dedicated to the city (subject to acceptance by the city).

(9) *Management of common open space, recreation areas and private streets.*

a. All common open space, recreation areas and private streets shall be preserved for their intended purpose as expressed in the final site plan approved by the planning commission and filed with the planning department.

b. When common open space, recreation areas and private streets are to be administered by a nonprofit organization the organization shall conform to the following requirements:

1. The developer must establish the organization prior to the recordation of the subdivision plat for the townhouse development.

2. Membership in the organization shall be mandatory for all residential property owners, present or future, within the townhouse development.

3. The organization shall own all common open space, recreation and cultural facilities and/or private streets; and shall provide for the maintenance, administration and operation of said land and improvements and any other common land within the townhouse development.

c. Recreation areas may be dedicated to the city (subject to acceptance by the city).

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

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

[PC\PCR\2013\13-009OD1]

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE AMENDING CHAPTER 21, ZONING, ARTICLE III. DISTRICT REGULATIONS, DIVISION 6.3. LB-3 DISTRICT, PERTAINING TO MIXED USE AREAS IN THE NORTHEAST TRIANGLE PLANNING AREA (PCR #13-010)

These revisions to Chapter 21, Zoning, are recommended by the 2013 Williamsburg Comprehensive Plan, and 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 6.3. Limited Business Residential District LB-3, shall be amended to read as follows:

DIVISION 6.3 LIMITED BUSINESS ~~RESIDENTIAL~~ MIXED-USE DISTRICT LB-3

Sec. 21-256.1 Statement of intent.

~~This district is established to allow the location of offices and related uses as a transitional land use between residential neighborhoods and higher-intensity uses in areas that are designated by the Comprehensive Plan as Office land use in the Center City and Midtown Planning Areas. Residential yard requirements are imposed to help maintain the residential scale and character of these areas. Higher intensity uses such as banks and offices in buildings exceeding 10,000 square feet in area and small commercial uses supporting the permitted uses in the district may be allowed with a special use permit. Multifamily dwellings are not permitted in this district.~~

This district is established to allow high quality mixed-use development in the Northeast Triangle Planning Area in areas designated as *Mixed Use* land use by the Comprehensive Plan. Suitable mixed-use developments could include the following components: residential uses (including senior and/or student housing); commercial and office uses; hotels and time shares; museums, art galleries and live/work space for artists and artisans. Because of the strategic and sensitive location of the Historic Triangle Planning Area, a rezoning to LB-3 should not be approved until an acceptable master plan has been submitted for the property.

Sec. 21-256.1.1 Permitted dwelling unit occupancy.

The permitted dwelling unit occupancy in the limited business ~~residential~~ mixed-use district LB-3 is as follows:

(1) A family;

(2) No more than three unrelated persons; or

(3) Four unrelated persons in a single-family detached dwelling if the provisions of section 21-619 et seq. are met.

(4) For student dwellings in accordance with section 21-256.4(4), no more than two unrelated persons in an efficiency or one bedroom dwelling unit; or no more than four unrelated persons in a two or more bedroom dwelling unit.

Sec. 21-256.2 Permitted uses.

The uses permitted in the limited business ~~neighborhood~~ mixed-use district LB-3 are as follows:

(1) Single-family detached dwellings. There shall be only one single-family dwelling on an individual lot.

(2) Duplexes.

(3) Day care centers.

(4) Hotels/motels with ten or less bedrooms.

(5)~~(3)~~ Playgrounds, parks and unlighted athletic fields owned and/or operated by the City of Williamsburg.

(6)~~(3.1)~~ Public buildings owned and/or operated by the City of Williamsburg.

(7) ~~(4)~~ Uses in buildings with a gross floor area not exceeding ~~10,000~~ 15,000 square feet per building:

a. Bake shops

b. ~~a.~~ Banks and financial institutions.

c. Convenience service establishments, limited to, barbershops, beauty parlors, tailors, shoe repair shops and self-service Laundromats.

d. Museums and art galleries.

e. ~~b.~~ Offices. ~~provided that no building shall be constructed or altered to produce a storefront, show window or display window of commercial character, and provided that there shall be no display of merchandise from windows or doors and no storage of~~ merchandise ~~or commercial vehicles in the building or on the premises.~~

f. Printing and photocopying shops.

g. Restaurants.

h. Retail sales establishments.

(8) ~~(5)~~ Off-street parking and loading areas for permitted uses in accordance with Article V.

(9) ~~(6)~~ Signs in accordance with Article VI.

(10)~~(7)~~ Accessory uses in accordance with section 21-603.

(11)~~(8)~~ Home occupations in accordance with section 21-606.

Sec. 21-256.3 Uses permitted as special exceptions.

Uses permitted in the limited business ~~residential~~ mixed-use district LB-3 with a special exception approved by the board of zoning appeals in accordance with section 21-97(f) are as follows:

(1) Rental of bedrooms in a single-family detached dwelling to roomers and visitors in accordance with section 21-605.

(2) Studios or workshops for artists and artisans, either as a separate use or in conjunction with a residential use on the premises, as follows:

a. Artists may include, but are not limited to, woodworkers, potters/ceramicists, candle makers, stained-glass makers, glass artists, textile artists, jewelers, painters, printmakers, photographers, musical instrument makers, papermakers, sculptors, and other arts and crafts uses of a similar nature.

b. Use of the premises may include the showing and sale of art, made either on- or off-premises.

c. An electric or gas-fired kiln with an interior volume of up to 50 cubic feet may be used for pottery and/or ceramics.

d. Materials and supplies shall not be stored outdoors.

Sec. 21-256.4 Uses permitted with special use permit.

Uses permitted in the limited business ~~residential~~ mixed-use district LB-3 with a special use permit approved by the city council in accordance with article II, division 2, are as follows:

(1) ~~(0.1)~~ Multifamily dwellings. Private streets and driveways shall be constructed in accordance with section 21-783(4).

(2) ~~(1)~~ Townhouses in accordance with section 21-256.10.

(3) Senior housing, as defined.

(4) Student dwellings, subject to the following:

a. Management shall be provided by either: (1) the College of William and Mary; or (2) in accordance with a management plan that is approved as a part of the rezoning and which provides for prompt and adequate performance of regular and emergency upkeep and maintenance on the complex and all dwelling units therein. The specific plan for the management of the student dwellings shall be approved as a part of the special use permit and shall remain in effect unless the approved special use permit is amended in accordance with article II, division 2.

(5) ~~(2)~~ Churches and other permanent buildings used for religious worship.

(6) Hotels/motels and timeshare units, and associated meeting facilities.

(7) Lighted athletic fields owned and/or operated by the City of Williamsburg.

(8) Micro-brewery, micro-distillery, micro-winery and/or micro-cidery, with a capacity of not more than 15,000 barrels per year.

(9) 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)~~(3)~~ Uses in buildings with a gross floor area exceeding ~~10,000~~ 15,000 square feet per building:

a. Bake shops

b. ~~a.~~ Banks and financial institutions.

c. Convenience service establishments, limited to, barbershops, beauty parlors, tailors, shoe repair shops and self-service Laundromats.

d. Museums and art galleries.

e. ~~b.~~ Offices. ~~provided that no building shall be constructed or altered to produce a storefront, show window or display window of commercial character, and provided that there shall be no display of merchandise from windows or doors and no storage of~~ merchandise ~~or commercial vehicles in the building or on the premises.~~

f. Printing and photocopying shops.

g. Restaurants.

h. Retail sales establishments.

~~(4) Business uses with a gross floor area not exceeding 2,000 square feet, and limited to the following uses:~~

~~a. Office supply shops.~~

~~b. Pharmacies.~~

~~c. Printing and photocopying shops.~~

~~For these uses, no building shall be constructed or altered to produce a storefront, show window or display window of commercial character, and there shall be no display of merchandise from windows or doors, and no storage of commercial vehicles in the building or on the premises.~~

~~(4.1) Lighted athletic fields owned and/or operated by the City of Williamsburg.~~

~~(5) 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.~~

~~(6) [Reserved.]~~

Sec. 21-256.5 Lot area/density.

The lot area and density requirements in the limited business ~~residential~~ mixed-use district LB-3 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 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 calculated based on existing land conditions, as specified in the following chart:

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

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

(3) Lot area for townhouses shall be regulated by section 21-256.10

Sec. 21-256.6 Lot width.

The lot width requirements in the limited business ~~residential~~ mixed-use district LB-3 are as follows:

(1) The minimum lot width at the building line shall be 50 feet and shall not be less than twenty-five 25 feet at the street line.

(2) Duplex dwellings—the minimum lot width at the building line for duplex dwellings shall be 50 feet; however, when each dwelling unit is located on a separate lot the minimum lot width at the building line shall be 25 feet for each lot. The lot width shall not be less than 25 feet at the street line.

(3) Other uses: The minimum lot width at the building line shall be 50 feet and the lot width shall not be less than 25 feet at the street line.

(4) Lot width for townhouses shall be regulated by section 21-256.10

Sec. 21-256.7 Yards.

The yard requirements in the limited business ~~residential~~ mixed-use district LB-3 are as follows:

(1) *Front.* There shall be a front yard of not less than ~~25~~ 35 feet, except that for lots fronting on Penniman Road there shall be a front yard of not less than 15 feet:

a. Where 40 percent or more of the frontage on one side of the street within the same block is improved with buildings, no building on that side of the street within the same block shall be required to have a front yard greater than the average front yard of the existing buildings. However, when there are buildings on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of

the front yards of the buildings on the adjacent lots. The side line of a building on a corner lot shall not be a factor in these calculations.

b. When a lot has a double frontage, front yards shall be provided on both streets, subject to such reductions as may be allowed under subsection 21-256.7(1)a.

c. No accessory building shall be located in a front yard.

d. Parking shall be prohibited in a front yard.

(2) *Side.*

a. Single-family detached and duplex dwellings: There shall be side yards of not less than seven and one-half feet.

b. Duplex dwellings with each dwelling unit on a separate lot: There shall be side yards of not less than seven and one-half feet, except that no side yard shall be required for the common property line between units.

c. Other uses: ~~No side yard shall be required. However, if a building is not built on the property line,~~ There shall be a side yard of at least ten feet.

d. Corner lots: On a corner lot, the owner shall choose which yard is the front yard unless the front yard is designated on the recorded subdivision plat. The rear yard shall be opposite the chosen front yard. The other yard abutting the street shall be a side yard and shall not be less than 15 feet for both main and accessory buildings, unless a greater side yard is designated on a recorded subdivision plat. Parking shall be prohibited in the side yard abutting the street.

e. Side yards for accessory buildings, except for those on corner lots, shall not be less than three feet.

f. Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-256.7(5).

g. Side yards for townhouses shall be regulated by section 21-256.10

(3) *Rear.*

~~a. There shall be a rear yard of not less than 25 feet.~~

a. Residential uses: For single-family, duplex and multifamily uses, there shall be a rear yard of not less than 25 feet.

b. Other uses: There shall be a rear yard of not less that 15 feet.

c. ~~b.~~ Rear yards for accessory buildings shall not be less than five feet.

d. ~~c.~~ Transitional screening shall be required when a lot is adjacent to a residential zoning district, in accordance with section 21-256.7(5).

e. ~~d.~~ Rear yards for townhouses shall be regulated by section 21-256.10.

(4) *Reduction of front, side and rear yard requirements.*

a. Required front, side and rear yards may be reduced with a special use permit approved by city council in accordance with article II, division 2, if it is found that:

1. The reduction will allow an innovative or creative layout of buildings on the property that is superior to that which could be achieved under the standard regulations; and

2. The reduction will allow the buildings to relate better to the streetscape and to other buildings in the immediate vicinity; and
3. The reduction will not unreasonably impair an adequate supply of light and air to adjacent properties.

b. Side and rear yards may be reduced to zero provided that easements or covenants establish the rights of the two abutting properties where main structures are to be constructed on or within five feet of a property line. Such easements or covenants shall establish the rights of each affected owner to gain access to each owner's structure for purposes of performing essential maintenance and service.

c. Yards on the perimeter of the property may be required to meet or exceed the normal requirements of the LB-3 District.

(5) *Transitional screening.*

a. A landscaped open space for transitional screening at least 25 feet in width shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district, except that no transitional screening open space shall be required when adjoining multifamily residential zoning districts. The transitional screening open space shall be in addition to the required side and rear yards.

b. Landscaping of transitional screening open space areas shall be in accordance with landscaping standards contained in section 21-784(e).

c. Transitional screening open space shall not contain driveways, parking spaces, accessory buildings or be used for storage purposes. No more than 25 percent of a transitional screening open space shall be used for stormwater management facilities.

d. Transitional screening open space shall be in addition to the required side and rear yards.

e. In conjunction with site plan review, planning commission may, in accordance with section 21-784(f), reduce the required width of transitional screening open space. A reduction shall not be approved unless it is found that:

1. The provision of the required transitional screening open space would unreasonably restrict the use of the property due to exceptional narrowness, shallowness, size or shape of the lot, or by reason of exceptional topographic conditions or other extraordinary situation or condition of the property; and
2. Additional landscaping and/or screening is proposed that will provide screening equivalent to that required by this section.

Sec. 21-256.8 Height.

The height requirements in the limited business ~~residential neighborhood~~ mixed-use district LB-3 are as follows:

(1) Buildings may be erected up to 35 feet from grade except that:

a. Stair towers, equipment penthouses, mechanical equipment and screening walls are exempt from the height limitations, provided that they shall not cover more than 30 percent of the total roof area and shall not exceed the building height by more than ten feet. Equipment penthouses, mechanical equipment and screening walls shall be set back from the front wall of the building one foot for each foot of height above the roof level.

b. Parapet walls shall not exceed the building height by more than four feet.

c. Cupolas, spires and steeples may be erected to a height of 90 feet above grade, and may extend higher if a special exception is approved by the board of zoning appeals in accordance with section 21-97(f). The board shall not approve the special exception unless it finds that the cupola, spire or steeple is in proper proportion to the building.

Sec. 21-256.9 Landscaped open space and recreation area.

(a) The landscaped open space requirements in the limited business ~~residential~~ mixed-use district LB-3 are as follows:

(1) *Single-family and duplex dwellings:* No landscaped open space requirements.

(2) *Other uses:* At least 20 percent of the gross lot area shall be landscaped open space. Transitional screening buffer areas as specified by section 21-242(5), and Resource Protection Area (RPA) buffer areas as specified by section 21-821(d), shall be deducted from the gross lot area when calculating the percentage of landscaped open space.

(b) The recreation area requirements in the limited business ~~residential~~ mixed-use district LB-3 are as follows:

(1) *Single-family detached and duplex dwellings:* No recreation area required.

(2) *Multifamily dwellings:*

a. A minimum of 200 square feet of recreation area shall be provided for each dwelling unit in a multifamily development having 25 or more dwelling units. Such areas shall be improved to provide active or passive recreational opportunities for the residents of the development. Any playground equipment or other improvements specified on the approved site plan shall be installed prior to the issuance of certificates of occupancy, and shall be maintained in accordance with the approved site plan.

b. If the proposed development is designed and approved for development in two or more phases, the playground equipment or other improvements may be installed in phases, provided that such phasing plans are approved with the approval of the site plan. In the cases of phased development, the playground equipment or other

improvements for each phase shall be installed prior to the issuance of certificates of occupancy for the units in each phase.

c. The planning commission may allow the developer to delay the installation of the playground equipment or other improvements until the development is completed, provided that prior to the issuance of any certificates of occupancy, a bond shall be posted with corporate surety, irrevocable letter of credit or other surety acceptable to the city attorney, in an amount equal to the estimated costs of purchasing, constructing and/or installing the playground equipment or other improvements in accordance with the approved site plan. Such bond or other performance guarantee shall assure full, timely and satisfactory completion of the installation of the playground equipment and other improvements. The playground equipment or other improvements shall be installed and/or constructed within 60 days following the issuance of the final certificate of occupancy for the project, unless modified plans for the playground equipment or other improvements are approved by the planning commission in accordance with subsection d. below during the 60 day period, in which case the installation shall be completed within 60 days from the date of the planning commission approval.

d. The developer may modify the playground equipment or other improvements approved in the final site plan if such modification is approved by the planning commission, provided that the modified playground equipment or other improvements provide active recreational opportunities for the residents of the development.

e. Recreation areas need not be concentrated in one central location but may be interspersed throughout the development, provided that the areas are to be reasonably accessible by pedestrians residing in all units. The minimum width for a recreation area shall be 25 feet. Recreation areas may be counted as a portion of the required landscaped open space. Recreation areas may be dedicated to the city (subject to acceptance by the city).

(2) Townhouses: In accordance with section 21-256.10.

(3) Other uses: No recreation area required.

Sec. 21-256.10 Regulations for townhouses.

The regulations for townhouses in the limited business ~~residential~~ mixed-use district LB-3 are as follows:

(1) *Density.*

a. The density of a townhouse development shall not exceed ~~eight townhouses per net acre, except that the maximum density may be increased up to~~ 14 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 calculated based on existing land conditions, as specified in the following chart:

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

b. There shall be no minimum lot area required for an individual townhouse lot.

(2) *Lot width.* The minimum lot width for each townhouse shall be 20 feet.

(3) *Yard regulations.*

a. *Front.* No front yard shall be required for an individual townhouse lot. However, all buildings in the townhouse development shall be located at least ~~25~~ 35 feet from any street or highway right-of-way, except that buildings in the townhouse development shall be located at least 15 feet Penniman Road right-of-way.

b. *Side.* Each townhouse located at the end of a group of townhouses shall have a side yard of at least seven and one-half feet.

c. *Rear.* Each townhouse shall have a rear yard of not less than ~~25~~ 15 feet.

d. *Transitional screening.* A landscaped open space for transitional screening at least 25 feet in width shall be provided along side and rear property lines when adjacent to a lot in a residential zoning district, except that no transitional screening open space shall be required when adjoining multifamily residential zoning districts. The transitional screening open space shall be in addition to the required side and rear yards.

1. Landscaping of transitional screening open space areas shall be in accordance with landscaping standards contained in section 21-784(e).
2. Transitional screening open space shall not contain driveways, parking spaces, accessory buildings or be used for storage purposes. No more than 25 percent of a transitional screening open space shall be used for stormwater management facilities.

3. In conjunction with site plan review, planning commission may, in accordance with section 21-784(f), reduce the required width of transitional screening open space. A reduction shall not be approved unless it is found that:
   i. The provision of the required transitional screening open space would unreasonably restrict the use of the property due to exceptional narrowness, shallowness, size or shape of the lot, or by reason of exceptional topographic conditions or other extraordinary situation or condition of the property; and
   ii. Additional landscaping and/or screening is proposed that will provide screening equivalent to that required by this section.

(4) *Street frontage.* Each townhouse shall front on a dedicated public street or shall have access to a ~~24~~ 22-foot minimum pavement width private street. If access is to be provided by means of a private street, the private street shall be constructed in accordance with section 21-783(4).

(5) *Sidewalks.* Sidewalks of at least five feet in width, constructed of concrete, brick or other material of reasonable durability and approved by the planning commission, shall be constructed to provide a pedestrian circulation system for the townhouse project. Wherever reasonably possible, a four foot grass strip shall be provided between the sidewalk and the curb or edge of pavement. These sidewalks shall be connected to the sidewalks along the public streets contiguous to the project. If no sidewalks exist along the contiguous public streets, the developer shall build the on-site sidewalks in a manner that will allow future connection to the city sidewalk system.

~~(6) *Architectural treatment.* The façades of townhouses in a group shall be varied by changed setbacks or variations in materials or design so that no more than three abutting townhouses will have the same or essentially the same architectural treatment of façades and roof lines.~~

(6)~~(7)~~ *Accessory buildings.* No accessory buildings shall be permitted, except for detached garages.

~~(7)~~(8) *Recreation areas.*

a. A minimum of 200 square feet of recreation area shall be provided for each dwelling unit in a townhouse development having 25 or more dwelling units. Such areas shall be improved to provide active or passive recreational opportunities for the residents of the development. Any playground equipment ~~and~~ or other improvements specified on the approved site plan shall be installed prior to the issuance of certificates of occupancy, and shall be maintained in accordance with the approved site plan.

b. If the proposed townhouse development is designed and approved for development in two or more phases, the playground equipment ~~and~~ or other improvements may be installed in phases, provided that such

phasing plans are approved with the approval of the site plan. In the cases of phased development, the playground equipment ~~and~~ or other improvements for each phase shall be installed prior to the issuance of certificates of occupancy for the units in each phase.

c. The planning commission may allow the developer to delay the installation of the playground equipment ~~and~~ or other improvements until the townhouse development is completed, provided that prior to the issuance of any certificates of occupancy, a bond shall be posted with corporate surety, irrevocable letter of credit or other surety acceptable to the city attorney, in an amount equal to the estimated costs of purchasing, constructing and/or installing the playground equipment or other improvements in accordance with the approved site plan. Such bond or other performance guarantee shall assure full, timely and satisfactory completion of the installation of the playground equipment and other improvements. The playground equipment ~~and~~ or other improvements shall be installed and/or constructed within 60 days following the issuance of the final certificate of occupancy for the townhouse development, unless modified plans for the playground equipment ~~and~~ or other improvements are approved by the planning commission in accordance with subsection d. below during the 60 day period, in which case the installation shall be completed within 60 days from the date of the planning commission approval.

d. The developer may modify the playground equipment ~~and~~ or other improvements approved in the final site plan if such modification is approved by the planning commission, provided that the modified playground equipment ~~and~~ or other improvements provide active recreational opportunities for the residents of the townhouse development.

e. Recreation areas need not be concentrated in one central location but may be interspersed throughout the townhouse development, provided that the areas are to be reasonably accessible by pedestrians residing in all units. The minimum width for a recreation area shall be 25 feet. Recreation areas may be counted as a portion of the required landscaped open space. Recreation areas may be dedicated to the city (subject to acceptance by the city).

(9) *Management of common open space, recreational facilities and private streets*.

a. All common open space and private streets shall be preserved for their intended purpose as expressed in the final site plan approved by the planning commission and filed with the planning department.

b. When common open space, recreational facilities and private streets are to be administered by a nonprofit organization shall confirm to the following requirements:

1. The developer must establish the organization prior to the recordation of the subdivision plat for the townhouse development.

2. Membership in the organization shall be mandatory for all residential property owners, present or future, within the townhouse development.

3. The organization shall own all common open space, recreational and cultural facilities and/or private streets; shall provide for the maintenance, administration and operation of said land and improvements and any other common land within the townhouse development.

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

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

[PC\PCR\2013\13-010OD1]

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE TO REZONE APPROXIMATELY 20.2 ACRES ON RICHMOND ROAD BETWEEN NEW HOPE/BYPASS ROAD AND IRONBOUND ROAD FROM B-3 GENERAL BUSINESS DISTRICT TO B-2 CORRIDOR BUSINESS DISTRICT (PCR #13-011)

WHEREAS, this rezoning is recommended by the 2013 Williamsburg Comprehensive Plan and carries out the purpose and intent of Chapter 21, Zoning, as stated in Sec. 21-1, Purpose and Intent; and

WHEREAS, it has been determined by City Council that the general welfare of the City of Williamsburg would be served by rezoning approximately 20.2 acres located along Richmond Road between New Hope/Bypass Road and Ironbound Road from B-3 General Business District to B-2 Corridor Business District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Williamsburg that the Official Zoning Map of the City of Williamsburg, Virginia be amended by rezoning approximately 20.2 acres located along Richmond Road between New Hope/Bypass Road and Ironbound Road from B-3 General Business District to B-2 Corridor Business District (1402, 1408, 1412, 1413, 1420, 1425, 1433, 1437, 1452, 1508 and 1510 Richmond Road and 106, 110 and 130 Ironbound Road). These properties are identified as Williamsburg Tax Map Nos. 373-0A-00-001>002, 373-03-00-015A>017, 373-04-02-013>019, 373-04-03-012A>014, 373-05-00-004, 373-11-00-002, 373-12-00-A, 373-13-00-A, 373-15-00-B and 403-01-00-002>003B, and are further described on Exhibit A (attached hereto).

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

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

[PC\PCR\2013\13-011OD1]

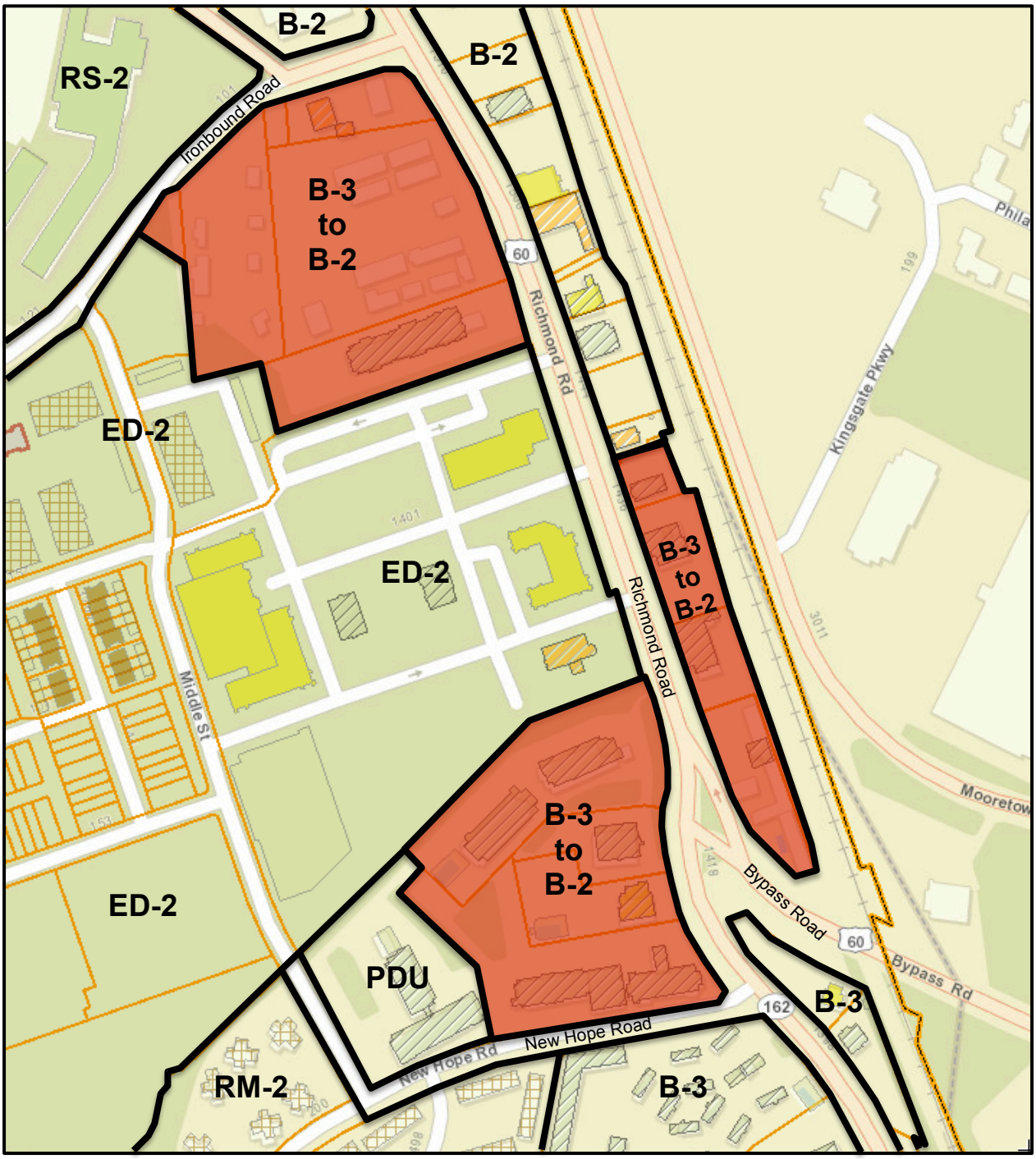

B-2
B-2
RS-2
Ironbound Road
B-3
to
B-2
60
Richmond Rd
Kingsgate Pkwy
ED-2
ED-2
B-3
to
B-2
Richmond Road
Middle St
B-3
to
B-2
ED-2
Bypass Road
60
Bypass Rd
PDU
162
B-3
New Hope Road
New Hope Rd
RM-2
B-3

Exhibit A

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE TO REZONE 2.8 ACRES AT 216 IRONBOUND ROAD FROM B-3 GENERAL BUSINESS DISTRICT CONDITIONAL TO B-2 CORRIDOR BUSINESS DISTRICT CONDITIONAL
(PCR #13-012)

WHEREAS, this rezoning is recommended by the 2013 Williamsburg Comprehensive Plan and carries out the purpose and intent of Chapter 21, Zoning, as stated in Sec. 21-1, Purpose and Intent; and

WHEREAS, it has been determined by City Council that the general welfare of the City of Williamsburg would be served by rezoning 2.8 acres located along Richmond Road between New Hope/Bypass Road and Ironbound Road from B-3 General Business District Conditional to B-2 Corridor Business District Conditional.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Williamsburg that the Official Zoning Map of the City of Williamsburg, Virginia be amended by rezoning 2.8 acres located along Richmond Road between New Hope/Bypass Road and Ironbound Road from B-3 General Business District Conditional to B-2 Corridor Business District Conditional. This property is identified as Williamsburg Tax Map No. 372-05-00-001, and is further described on Exhibit A below. This property shall remain subject to the zoning proffers accepted on February 22, 1979 (PCR #78-13).

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

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

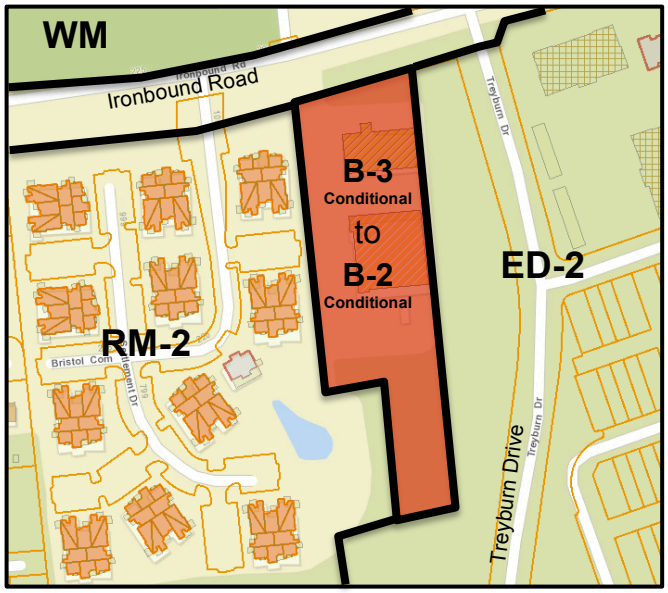


Exhibit A

[PC\PCR\2013\13-012OD1]

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE TO REZONE APPROXIMATELY 24.6 ACRES IN THE CAPITOL HEIGHTS/PINECREST AREA FROM RS-2 SINGLE-FAMILY DWELLING DISTRICT TO RS-3 SINGLE-FAMILY DWELLING DISTRICT (PCR #13-013)

WHEREAS, this rezoning is recommended by the 2013 Williamsburg Comprehensive Plan and carries out the purpose and intent of Chapter 21, Zoning, as stated in Sec. 21-1, Purpose and Intent; and

WHEREAS, it has been determined by City Council that the general welfare of the City of Williamsburg would be served by rezoning approximately 24.6 acres in the Capitol Heights/Pinecrest area from RS-2 Single-Family Dwelling District to RS-3 Single-Family Dwelling District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Williamsburg that the Official Zoning Map of the City of Williamsburg, Virginia be amended by rezoning approximately 24.6 acres located in the Capitol Heights/Pinecrest area from RS-2 Single-Family Dwelling District to RS-3 Single-Family Dwelling District (300, 301, 303 and 400-726 Capitol Landing Road, Capitol Court, Jefferson Street, Adams Street, Washington Street, 501-703 Page Street, Monumental Avenue, Hamilton Street, Tanyard Street and Grove Avenue). These properties are further described on Exhibit A (attached hereto).

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

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

[PC\PCR\2013\13-013OD1]

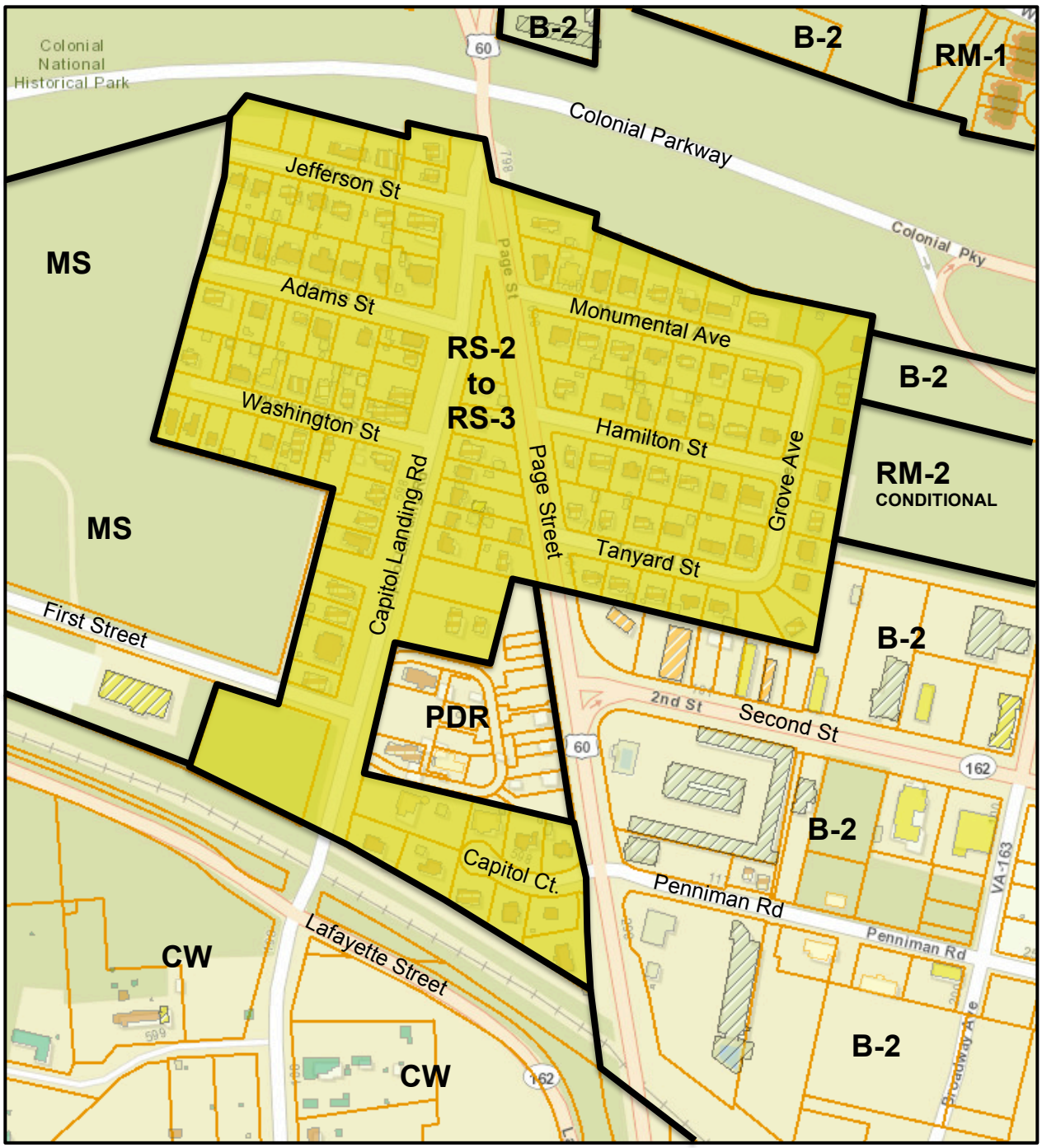

Colonial National Historical Park
B-2
B-2
RM-1
Colonial Parkway
Colonial Pky
Jefferson St
Adams St
Washington St
Monumental Ave
Hamilton St
Tanyard St
Grove Ave
Page St
Page Street
Capitol Landing Rd
RS-2 to RS-3
MS
MS
B-2
RM-2
CONDITIONAL
First Street
PDR
B-2
2nd St
Second St
B-2
Capitol Ct.
Penniman Rd
Penniman Rd
VA-163
Lafayette Street
CW
CW
B-2
Broadway Ave

Exhibit A

ORDINANCE #13-__
PROPOSED ORDINANCE #13-__

AN ORDINANCE TO REZONE 5.9 ACRES AT 919 CAPITOL LANDING ROAD FROM LB-4 LIMITED BUSINESS CORRIDOR DISTRICT TO B-2 CORRIDOR BUSINESS DISTRICT (PCR #13-014)

WHEREAS, this rezoning is recommended by the 2013 Williamsburg Comprehensive Plan and carries out the purpose and intent of Chapter 21, Zoning, as stated in Sec. 21-1, Purpose and Intent; and

WHEREAS, it has been determined by City Council that the general welfare of the City of Williamsburg would be served by rezoning 5.9 acres located at 919 Capitol Landing Road from LB-4 Limited Business Corridor District to B-2 Corridor Business District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Williamsburg that the Official Zoning Map of the City of Williamsburg, Virginia be amended by rezoning 5.9 acres located at 919 Capitol Landing Road from LB-4 Limited Business Corridor District to B-2 Corridor Business District. This property is identified as Williamsburg Tax Map No. 408-11-00-001, and is further described on Exhibit A below.

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

Adopted: _____

_____
Clyde A. Haulman, Mayor

Attest: _____
Donna Scott, City Council Clerk

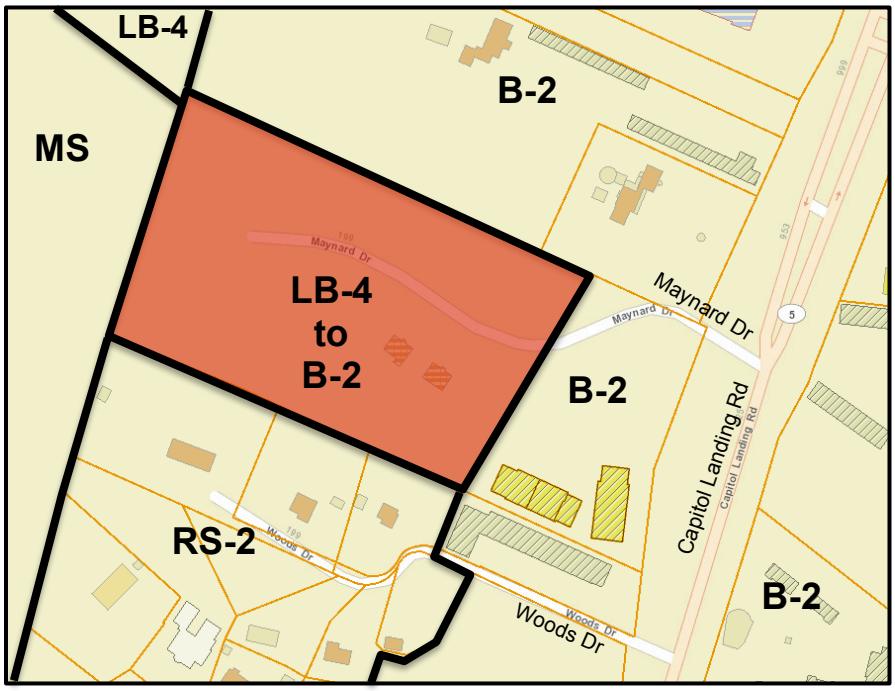


Exhibit A

[PC\PCR\2013\13-014OD1]