

HENRICO COUNTY
PLANNING COMMISSION AGENDA
FOR
REZONINGS AND PROVISIONAL USE PERMITS

March 14, 2019

7:00 P.M.



PLANNING COMMISSION

Gregory R. Baka, Chair (Tuckahoe)
C. W. Archer, C.P.C. Vice Chair (Fairfield)
William M. Mackey, Jr. (Varina)
Melissa L. Thornton (Three Chopt)
Robert H. Witte, Jr. (Brookland)
Frank J. Thornton (Fairfield)
Board of Supervisors Representative
R. Joseph Emerson, Jr., AICP,
Director of Planning, Secretary

**COMPREHENSIVE DIVISION – DEPARTMENT
OF PLANNING**

Jean M. Moore, Assistant Director of Planning
Jim Strauss, PLA, Senior Principal Planner
Rosemary D. Deemer, AICP, County Planner
Seth Humphreys, County Planner
Ben Sehl, County Planner
Livingston Lewis, County Planner
Lisa Blankinship, County Planner
Michael Morris, County Planner
Kristin Smith, County Planner
Luanda Fiscella, County Planner
Paul Stewart, GIS Technician
Sylvia Ray, Office Assistant/Recording Secretary

**PLANNING COMMISSION
REZONING MEETING
FINAL AGENDA
MARCH 14, 2019**

BEGINNING AT 6:00 P.M.

DINNER AND WORK SESSION: The Planning Commission will have dinner and a work session in the County Manager's Conference Room to discuss the proposed ordinance regarding Penalties for Violations of the Zoning Ordinance in Conformance with State Law. **CANCELLED**

BEGINNING AT 7:00 P.M.

WELCOME:

PLEDGE OF ALLEGIANCE:

RECOGNITION OF NEWS MEDIA:

CALL TO ORDER:

REQUESTS FOR WITHDRAWALS AND DEFERRALS: (2); (3)

REQUESTS FOR EXPEDITED ITEMS: (2)

CASES TO BE HEARD: (0)

ORDINANCE – To Amend and Reordain Section 24-110 of the Code of the County of Henrico Titled “Violations and penalties” to Set the Penalties for Violations of the Zoning Ordinance in Conformance with State Law

This ordinance would eliminate the minimum penalty for violations of the zoning ordinance and set the maximum penalty at \$1,000. If the violation is uncorrected at the time of conviction, this ordinance would set the maximum penalty for failing to abate or remove the violation within a time period established by the court at \$1,000. This ordinance would set the maximum penalty for failing to abate or remove the violation within a succeeding 10-day period at \$1,500 and any subsequent 10-day period at \$2,000. **Staff – Andrew Newby**
[Recommended for Approval](#)

March 15, 2019

ORDINANCE – To Amend and Reordain Section 24-3 Titled “Definitions,” Section 24-12 Titled “Conditional uses permitted by special exception,” Section 24-13 Titled “Accessory uses permitted,” Section 24-13.01 Titled “Development standards and conditions for permitted uses,” Section 24-28 Titled “Principal uses permitted,” Section 24-94 Titled “Table of regulations,” Section 24-96 titled “Off-street parking requirements,” and Section 24-121 Titled “Conditional zoning or zone approval” of the Code of the County of Henrico. This ordinance allows for short-term rentals of real estate for periods of fewer than 30 consecutive days. Specifically, this ordinance allows hosted short-term rentals by right in the R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, and R-3A residential districts up to 30 days in a calendar year. For all other short-term rentals in those districts, this ordinance requires the operator of the rental to obtain a conditional use permit. All short-term rentals would be subject to regulations limiting rentals to the operator’s primary residence owned by him and limiting the use of guesthouses, the number of short-term renters and pets, and the length of rentals. The ordinance would also prohibit rentals to minors and double-booking, and require: provision of life-safety equipment consistent with the building code, posting of certain information within the rental, designation of responsible persons to respond to complaints, keeping of records of short-term rentals, and provision of off-street parking. Finally, the ordinance adds and revises definitions related to the rental of real estate. **FOR DECISION ONLY Staff – Miguel Madrigal (Deferral Requested to the June 13, 2019 Meeting.**
[Deferred to the June 13, 2019 Meeting](#)

TUCKAHOE:

None.

BROOKLAND:

(Deferred from the December 6, 2018 Meeting)

REZ2017-00032 Arthur McGurn for The McGurn Company: Request to conditionally rezone from R-2 One-Family Residence District and [R-6C] General Residence District (Conditional) to R-3C One-Family Residence District (Conditional) Parcels 767-760-8701 and 768-760-1507 containing 4.305 acres located at the northeast intersection of Hungary and Hungary Spring Roads. The applicant proposes a single-family development. The R-3 District allows a maximum overall density of 3.96 units per acre. The use will be controlled by proffered conditions and zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. **Staff – Rosemary Deemer (Deferral Requested to the May 9, 2019 Meeting)**

[Deferred to the May 9, 2019 Meeting](#)

(Deferred from the February 14, 2019 Meeting)

REZ2018-00045 T. Preston Lloyd for Hunt Club LLC: Request to conditionally rezone from R-5 General Residence District to R-6C General Residence District (Conditional) Parcel 770-749-9008 and part of Parcel 770-750-4811 containing 19.13 acres located on the south line of Bremner Boulevard, approximately 170’ east of Beth Road. The applicant proposes a continuing care retirement community. The R-6 District allows a max density of 19.8 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends

March 15, 2019

Multifamily Residential. **Staff – Ben Sehl (Deferral Requested to the April 11, 2019 Meeting)**

Deferred to the April 11, 2019 Meeting

REZ2019-00008 Rick Melchor for Hungary Road Investments, LLC: Request to conditionally rezone from R-5AC General Residence District (Conditional) to C-1C Conservation District (Conditional) part of Parcel 756-761-2574 containing 2.443 acres located along the north line of Hungary Road, approximately 340' west of Fairlake Lane. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Environmental Protection Area and Suburban Residential. **Staff – Ben Sehl (Expedited Agenda Requested)**

Recommended for Approval

VARINA:

(Deferred from the December 6, 2018 Meeting)

REZ2018-00019 Mark Remppe for Liberty Homes: Request to rezone from B-3 Business District to R-3 One-Family Residence District Parcel 825-720-6242 containing .24 acres located on the west line of E. Nine Mile Road (State Route 33) approximately 150' north of its intersection with Elsing Green Way. The applicant proposes a single-family residence. The R-3 District allows a minimum lot area of 11,000 square feet and a maximum gross density of 3.96 units per acre. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 2, density should not exceed 3.4 units per acre. The site is in the Enterprise Zone and the Airport Safety Overlay District. **Staff – Lisa Blankinship (Withdrawn by Applicant)**

Withdrawn by Applicant

(Deferred from the February 14, 2019 Meeting)

REZ2019-00001 RVA Land for Liberty Homes: Request to rezone from A-1 Agricultural District to R-2 One-Family Residence District Parcel 821-679-0872 containing 5.381 acres located on the west line of Buffin Road, approximately 2,700' north of Kingsland Road. The applicant proposes two single family dwellings. The R-2 District allows a minimum lot area of 18,000 square feet and a maximum gross density of 2.42 units per acre. The use will be controlled by zoning ordinance regulations. The 2026 Comprehensive Plan recommends Suburban Residential 1, density should not exceed 2.4 units per acre and Environmental Protection Area. The site is in the Airport Safety Overlay District. **Staff – Lisa Blankinship (Deferral Requested to the May 9, 2019 Meeting)**

Deferred to the May 9, 2019 Meeting

FAIRFIELD:

REZ2019-00004 Timmons Group for HHHunt River Mill LLC: Request to conditionally rezone from R-3C One-Family Residence District (Conditional) to C-1C Conservation District (Conditional) part of Parcels 780-774-2957 and 781-773-2686 containing 4.452 acres located along the Hanover County, line approximately 2,000' northeast of the terminus of Winfrey Road. The applicant proposes a conservation district. The use will be controlled by zoning ordinance regulations and proffered conditions. The

March 15, 2019

2026 Comprehensive Plan recommends Environmental Protection Area and Suburban Residential. **Staff – Luanda Fiscella (Expedited Agenda Requested)**
Recommended for Approval

THREE CHOPT:

(Deferred from the February 14, 2019 Meeting)

REZ2019-00007 Brian Duke for Belfast Road, LLC: Request to amend proffers accepted with Rezoning case C-18C-06 on Parcel 744-763-5359 located on the east line of Belfast Road at its intersection with Stanford Mill Road. The applicant proposes to amend proffers regarding exterior materials. The existing zoning is R-3C One-Family Residence District (Conditional). The R-3 District allows a minimum lot area of 11,000 square feet and a maximum gross density of 3.96 units per acre. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. **Staff – Lisa Blankinship (Withdrawn by Applicant)**
Withdrawn by Applicant

APPROVAL OF MINUTES: Planning Commission on January 10, 2019
Approved

Acting on a motion by Mr. Witte seconded by Mrs. Thornton, the Planning Commission adjourned its meeting at 7:19 p.m. on March 14, 2019.

View the Planning Commission agendas at
<http://henrico.us/pdfs/planning/meetnext.pdf>