

AN ORDINANCE TO AMEND CHAPTER 40.1 OF THE CODE OF THE CITY OF PORTSMOUTH, VIRGINIA (2006) PERTAINING TO ZONING FOR THE PURPOSE OF AMENDING LOT SIZE AND LOT WIDTH REQUIREMENTS FOR NEW SUBDIVISIONS OR RESUBDIVISIONS IN RESIDENTIAL DISTRICTS, INCLUDING BY AMENDING SECTIONS 40.1-3.3(A) AND (B), ADDING NEW TABLE 40.1-3.3(B), AND ADDING NEW REFERENCES IN SUBSECTIONS 40.1-3.3(D), (E) AND (F).

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That Chapter 40.1 of the Code of the City of Portsmouth, Virginia (2006) be amended by the adoption of the amendments shown on Exhibit A hereto and made a part hereof.
2. That this Ordinance shall take effect on the date of its adoption.

ADOPTED by the Council of the City of Portsmouth, Virginia at a meeting held on June 12, 2018.

Teste:

City Clerk

EXHIBIT A

INTERPRETATION: In the amendments listed below, instructions are provided in *underlined italics*. Where only a portion of a section or a table is to be modified, the language to be deleted is indicated with a ~~double-strikethrough~~ and the language to be added is indicated by double underlining.

AMENDMENT #: 1

SUBSECTIONS 40.1-3.3(A) & (B)

Subsections 40.1-3.3(A) and (B) are amended by merging existing Subsections 40.1-3.3(A) and (B) and adding a new Subsection 40.1-3.3(B) as shown below.

40.1-3.3 RESIDENTIAL BASE ZONING DISTRICTS

(A) General Purposes

The residential base zoning districts established in this section are intended to provide diverse housing options in a comfortable, healthy, safe, and pleasant environment in which to live, recreate, and shop at a neighborhood level. More specifically, they are intended to:

- (1) Provide appropriately located lands for residential development that are consistent with the comprehensive plan;
- (2) Ensure adequate light, air, privacy, and recreational and open space areas for each Dwelling Unit, and protect residents from the negative effects of noise, excessive population density, traffic congestion, flooding, and other significant adverse environmental impacts;
- (3) Protect residential areas from fires, explosions, toxic fumes and substances, and other public safety hazards;
- (4) Provide for a diverse range of residential housing choice, affordability, and diversity with varying housing densities, types, and designs, including accessory dwelling units;
- (5) Provide for safe and efficient vehicular access and circulation and promote bicycle-, pedestrian-, and transit-friendly neighborhoods;
- (6) Provide for public services and facilities needed to serve residential areas and accommodate public and semi-public land uses that complement residential development or require a residential environment while protecting residential areas from incompatible nonresidential development;
- (7) Create neighborhoods and preserve existing community character while accommodating new infill development and redevelopment consistent with the city's goals and objectives; and
- (8) Preserve the unique character and resources of the traditional neighborhoods and the community.
- (9) The Residential Mobile Home (RMH) district standards are included in Appendix C of this Ordinance.

(B) Residential Mobile Home (RMH) District – Lot Size and Lot Width Requirements for New Subdivisions or Resubdivisions in Residential Districts.

~~The RMH district standards are included in Appendix C of this Ordinance.~~

(1) Effective June 12, 2018 all new subdivisions of property or resubdivisions of existing lots in the General Residential (GR), Urban Residential (UR) and Urban Residential – High (UR-H) zoning districts shall adhere to the minimum lot size and lot width requirements in Table 40.1-3.3(B) below:

<u>TABLE 40.1-3.3(B)</u>			
<u>Zoning District</u>	<u>Minimum Lot Size (In Square Feet)</u>	<u>Minimum Lot Width</u>	<u>Notes</u>
<u>General Residential (GR)</u>	<u>12,500</u>	<u>75 ft.</u>	<u>The minimum lot width may be reduced to no less than the average lot width within the same entire block on the same side of the street.</u>
<u>Urban Residential (UR)</u>	<u>6,000</u>	<u>60 ft.</u>	
<u>Urban Residential – High (UR-H)</u>	<u>7,500</u>	<u>50 ft.</u>	

(2) Individual lots of record existing prior to the effective date of this subsection 40.1-3.3(B) shall not be deemed to be non-conforming lots due to these provisions.

(3) Multiple adjoining lots under the same ownership shall be subject to the provisions of Section 40.1-6.4(D), Lot Consolidation, and shall comply with the requirements of Table 40.1-3.3(B) above.

(4) Any application submitted to the City and deemed by the City to be complete as of June 12, 2018 shall be exempt from this Subsection 40.1-3.3(B) provided (a) the plat of subdivision or resubdivision is approved on or before September 10, 2018 or (b) if the applicant has been unable to obtain plat approval by September 10, 2018 despite continuous and diligent efforts, then plat approval is obtained as soon thereafter as reasonably practicable in the exercise of commercially reasonable diligence.

AMENDMENT #: 2

SUBSECTION 40.1-3.3(D)

Subsection 40.1-3.3(D) is amended by adding the following reference below the existing language in the Lot Size, Minimum and Lot Width, Minimum rows of the Residential Uses column:

SEE SUBSECTION 40.1-3.3(B) FOR SUBDIVISIONS.

AMENDMENT #: 3

SUBSECTION 40.1-3.3(E)

Subsection 40.1-3.3(E) is amended by adding the following reference below the existing language in the Lot Size, Minimum and Lot Width, Minimum rows of the Single-Family Detached Uses column:

SEE SUBSECTION 40.1-3.3(B) FOR SUBDIVISIONS.

AMENDMENT #: 4

SUBSECTION 40.1-3.3(F)

Subsection 40.1-3.3(F) is amended by adding the following reference below the existing language in the Lot Size, Minimum and Lot Width, Minimum rows of the Single-Family Detached Uses column:

SEE SUBSECTION 40.1-3.3(B) FOR SUBDIVISIONS.