

ORDINANCE NO: 1223

APPROVED BY THE BOARD OF SUPERVISORS: June 28, 2016

ORDINANCE – To Amend and Reordain Article VIII of Chapter 24 of the Code of the County of Henrico Including Section 24-31.2 Titled “Submission requirements” and Section 24-34 Titled “Development standards” and to Add Section 24-92.4 Titled “Innsbrook Redevelopment overlay district,” All to Create the Innsbrook Redevelopment Overlay District and Revise the Urban Mixed Use District to Modify Submission Requirements and Reduce the Minimum Acreage for Mixed-Use and Pedestrian-Oriented Developments Within Areas Subject to the 2026 Comprehensive Plan Revisions Approved as Part of the Innsbrook Area Study

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-31.2 of the Code of the County of Henrico be amended and reordained, as follows:

Sec. 24-31.2. Submission requirements. The applicant shall submit any information required by the director of planning necessary to evaluate a rezoning application or plan of development within the UMU district. The director of planning shall determine the number of copies of the master plan and development impact statement to be submitted.

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(b) Development impact statement. Unless the proposed project is located in the Innsbrook Redevelopment overlay district as described in section 24-92.4, the application shall include a development impact statement. For projects within the Innsbrook Redevelopment overlay district, a development impact statement may be required if the director of planning determines the development warrants additional study because of the proposed residential, types of commercial uses, building height, or similar factors. Such determination shall be made at the time of the required preapplication conference. The development impact statement shall describe the probable effects of the proposed project upon the community and a detailed and thorough analysis of the impact of the project on the county. At a minimum, it shall address the following:

- (1) Adequacy of existing public facilities and services to serve the project. The analysis shall address sewer, water, schools, fire stations, and other public facilities and services.
- (2) Additional on-site and off-site public facilities or services which would be required as a result of the project.
- (3) A traffic impact study prepared by an individual or firm qualified to conduct traffic engineering studies in a manner and form acceptable to the county traffic engineer.
- (4) Fiscal impact of the proposed project, such as estimated tax revenues to be generated versus the cost of public improvements to be financed by the county or otherwise. Such study shall be prepared by an individual or firm qualified to conduct fiscal impact analysis in

a manner and form acceptable to the director of finance, director of public works, director of planning, or their designees.

(5) Impact of construction and permanent changes in land use upon surrounding property, such as aesthetics, vegetation, stormwater drainage, and noise, air or water pollution.

(6) Employment opportunities to be generated by the project.

(7) Impact of the project on cultural and historic sites.

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2. That Section 24-34 of the Code of the County of Henrico be amended and reordained, as follows:

Sec. 24-34. Development standards. The development standards set out below shall be in lieu of the standards required elsewhere in this chapter:

(a) Minimum area. A project must contain at least 20 acres unless the project is located within the Innsbrook Redevelopment overlay district as described in section 24-92.4 and contains at least four acres. In calculating the minimum acreage of the project, land zoned C-1 conservation district may be counted towards this requirement, but existing publicly dedicated streets and proposed public rights-of-way shall not. Once a UMU district is established, areas of less than 20 acres or less than four acres in the Innsbrook Redevelopment overlay district may be added to the UMU district through rezoning provided:

(1) The area to be added is directly adjacent to the district, or located across a public street with a right-of-way no wider than 90 feet.

(2) The design features proposed are consistent with the existing UMU project as determined at the time of rezoning.

(3) Required impact analyses are provided or existing impact analyses are updated to reflect additions to the approved UMU project.

(4) Pedestrian and vehicular access connects the area to be added to the approved UMU project. Where such connections are to private roads or property, access agreements shall be provided prior to rezoning to demonstrate such connections can be made.

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3. That the Code of the County of Henrico be amended by adding Section 24-92.4, as follows:

Sec. 24-92.4. Innsbrook Redevelopment overlay district.

(a) *Purpose.* The purpose of the Innsbrook Redevelopment overlay district is to enhance and provide flexibility for redevelopment projects within the overlay district by:

(1) Using different minimum area requirements for Urban Mixed Use projects in accordance with section 24-34(a),

(2) Encouraging use of development policies adopted with the Innsbrook Area Study contained in the 2026 Land Use Plan adopted by the board of supervisors on September 14, 2010,

(3) Protecting landowners from possible adverse impacts of adjoining development, and

(4) Encouraging the timing and location of development consistent with available public facilities.

(b) *Boundaries.* The boundaries of the district shall be those areas identified as Land Bays A, B and C of the “Innsbrook Study Area” in the 2026 Comprehensive Plan. This area shall be superimposed over the county’s zoning maps to delineate the district.

(c) *Building height.* Building heights shall be limited as follows:

(1) Buildings within 150 feet of a one-family dwelling existing on June 28, 2016, shall not exceed 45 feet in height except as provided in section 24-95(a)(1).

(2) Buildings more than 150 feet and up to 300 feet from a one-family dwelling existing on June 28, 2016, shall not exceed 80 feet in height except as provided in section 24-95(a)(1).

(d) *Internal circulation.* Properties within the overlay district shall provide vehicular and pedestrian circulation between adjacent properties unless otherwise approved by the director of planning due to design considerations such as utility conflicts, steep topography, or other factors. Copies of applicable cross access agreements shall be provided at the request of the director of planning.

(e) *Development standards.* Implementation of the development policies adopted with the Innsbrook Area Study is strongly encouraged.

4. That this ordinance shall be in full force and effect on and after its passage as provided by law.