

ORDINANCE AMENDMENT

**To Amend Section 10-3-57.5 in order to
increase the allowable density within the
R-7, Medium Density Mixed Residential
Planned Community**



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT December 9, 2015

ZONING ORDINANCE AMENDMENT Section 10-3-57.5

Kin Group, LLC, property owners for Collicello North, is requesting a Zoning Ordinance (ZO) amendment to the R-7, Medium Density Mixed Residential Planned Community District. The proposed amendment is to Section 10-3-57.5 (b) which regulates density within the R-7 district, and would increase the allowable density from twelve (12) to fifteen (15) dwelling units per acre.

In 2013, the applicants received City Council approval to rezone and master plan the 127,195 +/- square feet of property known as Collicello North. The applicants took on the spirit and intent of the R-7 zoning by master planning an infill site that had been passed over by traditional development. They maximized the permitted density of 12 units per acre with a proposed 35 dwelling units – a mix of single family, duplex, and townhouse units.

After site development of the Collicello North project began, the applicants felt that there was increased cost associated with infill development and that an adjustment to the maximum density, by adding additional units, would help offset the expense. Therefore, they are proposing an increase in the allowable density from twelve to fifteen units per acre.

When reviewing the proposed amendment, staff created the following chart to compare the existing maximum allowable residential density per unit type per zoning district.

Existing Maximum Allowable Residential Density Per Unit Type Per Zoning District

	Single Family Detached Lot Area/Units Per Acre	Duplex Lot Area#/Units Per Acre	Townhouse Lot Area#/Units Per Acre	Multi-Family Lot Area#/Units Per Acre
R-1	10,000 / 4			
R-2	7,000 / 6	5,500 # / 7		
R-3s	6,000 / 7	4,000 # / 10	2,000 # / 21	3,000 # / 14 (SUP Req'd)
R-4	6,000 / 7	3,000 # / 14	2,000 # / 21	3,000 # / 14
R-5			2,000 # / 21	1,800 # / 24
R-6*	Per Master Plan / 6			
R-7*	Per Master Plan / 12	Per Master Plan / 12	Per Master Plan / 12	Per Master Plan / 12
MX-U^	Per Master Plan / 20	Per Master Plan / 20	Per Master Plan / 20	Per Master Plan / 20
U-R	7,000 / 6	7,000 # / 6		
B-1	No Min. / No Max.	No Min. / No Max.	No Min. / No Max.	No Min. / No Max.

* R-6 and R-7 developments require at least two types of residential housing types (i.e. lot size variations and configurations, single family attached, etc.) and no housing can exceed 70 percent of the master plan. In R-7, no more than 30 percent of the total dwellings may be multi-family units.

^ MX-U requires a specific mix of uses; residential uses shall make up no less than 50 percent nor more than 80 percent of the uses within the master plan.

Per unit

Utilizing the chart, one can determine, for instance, that a traditional R-1, Single Family Residential development would allow for four (4) single-family detached dwelling units per acre.

When one computes the possible density of an R-7 development today, utilizing the traditional lot area density, the minimum lot area per unit is 3,630 square feet per unit ($43,560/12 = 3,630$). The proposed density in the same approach equates to 2,904 square feet of lot area per unit ($43,560/15 = 2,904$). Thus, an increase in the R-7 density would be more within the range of R-3 and R-4 density for townhomes and multi-family units; which require lot area of 2,000 square feet per townhouse unit and 3,000 square feet per multi-family unit, respectively.

It should be understood that although the density is being proposed to increase by 3 units per acre, in actuality, the increase would be a minimum of 6 potential additional units because the R-7 master plan requires a minimum of 2 acres for such developments. Also remember that R-7 developments require at least two types of residential housing types (i.e. lot size variations and configurations, single family attached, etc.) and no one housing type can exceed 70 percent of the master plan. As well, no more than 30 percent of the total dwellings may be multi-family units.

Staff researched the records of when the R-7 district was being created and there is no documented reasoning for the maximum density of 12 units per acre within the R-7 district. The master plan process of an R-7 development requires much scrutiny from City staff, during the conception of the project, as well as review and approval from Planning Commission and City Council. Because of this, staff believes the request for the increase in density is within keeping with the intent of the R-7 district.

Staff has discussed that any new, or existing R-7 master plan development that would like to increase density, if this is approved, would need to go through the rezoning and master plan process. Therefore, staff is recommending approval of the requested ZO amendment.

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-57.5
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-57.5 Area, density and dimensional regulations is amended by modifying subsection b. as shown:

- (a) Minimum district size: Two (2) contiguous acres, which may include properties located directly across public or private street or alley right-of-ways from one another.
- (b) Maximum density: ~~Twelve (12)~~ Fifteen (15) dwelling units per acre.
- (c) Maximum building height: Forty (40) feet (three (3) stories) for all uses except multiple-family dwellings, fifty (50) feet (four (4) stories) for multiple-family dwellings.
- (d) Minimum common open space or park: Fifteen (15) percent.
- (e) Lot area, lot width, lot depth and yards for all uses: requirements as set by the approved master development plan.
- (f) Unless otherwise specified within the master development plan, the provisions of Article T, and the regulations in article CC for wireless telecommunications facilities, shall apply to the R-7 zoning district.
 - (1) Proposed building projects as permitted in this district, which rely on private refuse collection, shall provide a designated point of collection with appropriate facilities. Said facilities shall be screened and shall meet the requirements for accessory buildings per section 10-3-114.

The remainder of Section 10-3-57.5 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the ____ day of _____, 2015.
Adopted and approved this ____ day of _____, 2015.

MAYOR

ATTESTE:

CITY CLERK