

TA-Z-15-08

AN ORDINANCE AMENDING APPENDIX “A” OF THE CITY CODE, ENTITLED “ZONING”, ARTICLE 12, SECTIONS 12-709, 12-721, 12-722, AND 12-723 THEREOF, AND THE SOUTH NORFOLK HISTORIC AND CULTURAL PRESERVATION OVERLAY DISTRICT (“HC DISTRICT”) DESIGN GUIDELINES, TO REVISE THE BOUNDARIES OF THE HC DISTRICT AS MAY BE DEEMED IN THE BEST INTEREST OF THE GOALS AND OBJECTIVES OF HISTORIC AND CULTURAL PRESERVATION; TO IDENTIFY STANDARDS FOR MAINTENANCE AND REPAIR OF BUILDINGS AND STRUCTURES WITHIN THE HC DISTRICT; TO IDENTIFY PERMITTED CONDITIONAL USES WITHIN THE HC DISTRICT; AND TO AMEND THE HC DISTRICT DESIGN GUIDELINES PERTAINING TO ARCHITECTURAL AND OTHER DESIGN STANDARDS FOR THE CONSTRUCTION, RENOVATION, ALTERATION, REPAIR, DEMOLITION, AND RELOCATION OF SUCH BUILDINGS, STRUCTURES, LANDMARKS, GROUND SURFACES, HARDSCAPING, AND OTHER FEATURES WITHIN THE HC DISTRICT; AND TO AMEND THE HC DISTRICT ORDINANCE AND HC DISTRICT DESIGN GUIDELINES CONSISTENT WITH THE ABOVE.

WHEREAS the Council of the City of Chesapeake finds the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED by the Council of the City of Chesapeake, Virginia that Appendix “A” of the Chesapeake City Code, entitled “Zoning” Article 12, Sections 12-709, 12-722, and 12-723 be amended and reenacted as follows:

§ 12-709. - Maintenance and repair required.

(a) General provisions. All buildings, structures, landmarks, areas, and premises within the HC district shall be maintained in good repair and shall be structurally sound and reasonably protected against decay and deterioration as required by applicable provisions of the Ceity Code and the Virginia Uniform Statewide Building Code. Such provisions shall be enforced by the city's building code official with special care taken to ensure the maintenance and protection of significant architectural features and to guard against deterioration or decay that may have a detrimental effect on public health or safety, on the character of the HC district as a whole, or on the life and character of a particular building,

structure, or landmark within the HC district. To this end, attention shall be given to such appurtenances and features including, but not limited to, the following:

- (1) The deterioration of exterior walls or other vertical supports;
- (2) The deterioration of roofs or other horizontal members;
- (3) The deterioration of exterior chimneys;
- (4) The deterioration or crumbling of exterior plaster or mortar;
- (5) The ineffective waterproofing of exterior walls, roofs and foundations, including broken windows or doors;
- (6) The peeling of exterior paint;
- (7) Exterior rotting holes and other forms of decay;
- (8) The lack of maintenance of the surrounding environment, including fences, gates, sidewalks, steps, signs, and accessory structures; and
- (9) The deterioration of any exterior feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.

The requirements for maintenance set forth in this subsection and in the Virginia Uniform Statewide Building Code shall apply to all buildings and structures in the HC district, including public housing.

(b) Specific application to vacant buildings and structures. Maintenance provisions in the city Code and the Virginia Uniform Statewide Building Code shall be administered and interpreted by the building code official. Any vacant building or structure which is not maintained in accordance with the minimum criteria required by the city Code and the Virginia Uniform Statewide Building Code, shall be conclusively presumed to be unsafe and to constitute a public nuisance. It shall be the responsibility of the owner, as defined in

§ 36-97 of the Code of Virginia, to maintain such vacant building or structure notwithstanding that such building or structure shall have been secured against public entry.

§ 12-721. - Boundaries.

The South Norfolk historic and cultural preservation overlay district ("South Norfolk historic district") shall include all of those properties located within the area identified on the map entitled "South Norfolk local historic district," dated ~~October 3, 2000~~ February 28, 2001, which is hereby incorporated into and made a part of this ordinance. Such area is generally described as follows: Those properties located on each side of Hull Street from Holly Street to just south of Poindexter Street; those properties just south of Poindexter Street from just west of Hull Street to just south of ~~Liberty~~ Phillips Street; those properties on each side of Seaboard Avenue from just south of ~~Liberty~~ Phillips Street to ~~Holly~~ just north of Richmond Street; those properties just north of ~~Holly~~ Richmond Street from Seaboard Avenue to just ~~west~~ east of ~~Hull~~ Rodgers Street; Properties just north of Byrd Street including Lakeside Park and Truitt Intermediate School. In addition, all properties located within the above-referenced boundaries are included within the South Norfolk historic district.

§ 12-722. Architectural guidelines.

Architectural guidelines entitled, "South Norfolk Historic and Cultural Preservation Overlay District Design and Procedural Guidelines, ~~2015~~ 2016 edition" shall apply in the areas described above.

§ 12-723. - Professional offices.

A. The following uses may be permitted with the approval of a conditional use

permit in accordance with Article 17 subject to the development standards set out in subparagraph B.

1. Insurance (SIC 63)
2. Real Estate Agents (SIC 6531)
3. Dressmakers and tailors (SIC 7219)
4. Photographic Studios, Portrait (SIC 7221)
5. Beauty Shop (SIC 723)
6. Barber Shop (SIC 724)
7. Shoe Repair (SIC 725)
8. Tax Return Preparation (SIC 7291)
9. Miscellaneous Personal Services, Offices Only, except tattoo and massage parlors (SIC 7299)
10. Advertising Agencies (SIC 7311)
11. Secretarial and Court Reporting Agencies (SIC 7338)
12. Computer Programming, data processing and computer-related services (SIC 737)
13. Interior Decorating Consulting Service, except painters and paper hangers (SIC 7389)
14. Watch, Clock and Jewelry Repair (SIC 7631)
15. Picture Framing (SIC 7699)
16. Offices and Clinics of Doctors and Dentists (SIC 801-804)
17. Museums and Art Galleries (SIC 841)
18. Engineering and Architecture, Offices only, except surveying (SIC 871)

19. Accounting, Auditing and Bookkeeping (SIC 872)
 20. Management and Public Relations, Offices Only (SIC 874)
- B. Application requirements and development standards:
1. An application for a conditional use permit shall not be accepted by the Planning Department unless the proposed lot is entirely located with one of the following blocks determined to have sufficient on-street parking, except that nothing shall restrict City Council from considering the impacts of an individual application:
 - a. Chesapeake Avenue: 1022-1447 block range
 - b. Holly Avenue: 808-1330 block range
 - c. Jefferson Street: 800-1309 block range
 - d. Ohio Street: 803-1310 block range
 - e. Stewart Street: 1400-1440 block range
 2. No exterior alteration to any building or structure, signage, lighting or parking area shall occur ~~unless approved by the South Norfolk Architectural Review Board~~ without issuance of a certificate of appropriateness in accordance with §12-708. Required approvals must be obtained The completed application for a certificate of appropriateness, if required by §12-708, must be *submitted* before consideration of an application by the Planning Commission.
 3. Signage shall be limited to one sign with a maximum size of four (4) square feet and shall be a wall sign or free-standing and subject to the requirements of an approved conditional use permit and approval by the South

~~Norfolk Architectural Review Board~~ a certificate of appropriateness properly issued under § 12-708. No internal illumination shall be permitted.

4. Off-street parking is not required but may be provided in a side or rear yard only and shall be subject to the ~~approval of the South Norfolk Architectural Review Board~~ certificate of appropriateness requirements of § 12-708.

5. Hours of operation may be established with the approval of a conditional use permit.

6. An approved conditional use permit under this section shall not be administratively approved for an expansion under section 17-111 of the zoning ordinance.

AND BE IT FURTHER ORDAINED by the Council of the City of Chesapeake, Virginia that the City Council hereby adopts the amendments to the procedural and architectural guidelines of the Chesapeake Board of Historic and Architectural Review as set forth in the attached document entitled, "South Norfolk Historic and Cultural Preservation Overlay District Design and Procedural Guidelines, 2016 edition."

ADOPTED by the Council of the City of Chesapeake, Virginia, this _____ day of _____, 2016.

APPROVED:

Mayor

ATTEST:

Acting Clerk of the Council