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**CONSERVATION PLAN FOR THE  
CHURCH HILL CENTRAL CONSERVATION AREA**

**Richmond Redevelopment and Housing Authority  
and the City of Richmond, VA**

**June, 2015**

**With Assistance Provided by  
Community Planning Partners, Inc.  
Richmond, VA**

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**A. INTRODUCTION**

The Church Hill Central Conservation Area has been designated a CONSERVATION AREA under Title 36, Chapter 1, Article 1, Sections 36-2 and 36-3 and Article 7, Sections 36-48.1, 36-49.1, 36-50.1, and 36-51.1, Code of Virginia (1950), as amended on the basis of need for concentrated public action for the elimination of blight and blighting influences in a community.

The problems identified in the Church Hill Central Conservation Area include: deteriorated, dilapidated, and vacant or abandoned structures; inadequate, deteriorating, or deteriorated alleys, curbs, gutters, and sidewalks in certain portions of the Conservation Area; conditions that violate minimum health and safety standards; and other conditions that endanger the public health, safety, or welfare. The target area has been designated as a Conservation Area, as described below, with the primary goal of removing blight and blighting influences and providing for the physical revitalization of the area.

**B. DESCRIPTION OF PROJECT AREA**

The boundaries of the Church Hill Central Conservation Area in the City of Richmond, Virginia, are shown on Boundary and Building Conditions Map, CP-1, dated April, 2015 and are further described as follows:

**BOUNDARY DESCRIPTION**

**CHURCH HILL CENTRAL CONSERVATION AREA**

BEGINNING AT A POINT at the western most corner of Parcel # E0000622014 adjoining the right-of-way of S Street between N 28<sup>th</sup> Street and N 27<sup>th</sup> Street in the City of Richmond, Virginia;

Thence, northeast along the northwestern edge of Parcel #'s E0000622014, E0000622032, E0000622011, E0000622010, E0000622008 approximately 198 feet to the northern most corner of Parcel # E0000622008;

Thence, southeast approximately 145 feet along the southwestern edge of Parcel # E0000622008 to the eastern most corner of said Parcel;

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Thence, northeast approximately 154 feet along the southeastern edge of Parcel #'s, E0000622007 E0000622006, E0000622004, E0000622002, E0000622001 to the eastern most corner of Parcel # E0000622001;

Thence, northwest approximately 139 feet along the northeastern edge of Parcel # E0000622001 to the northern most corner of said Parcel;

Thence, continuing northwest approximately 12 feet across the alleyway to the eastern most corner of Parcel # E0000622031;

Thence, continuing northwest approximately 139 feet along the northeastern edge of Parcel # E0000622031 to the northern most corner of said Parcel;

Thence, continuing northwest approximately 48 feet across the right-of-way of N 27<sup>th</sup> Street to the eastern most corner of Parcel # E0000621002;

Thence, northeast approximately 46 feet across the right-of-way of T Street to the southern most corner of Parcel # E0000714016;

Thence, northeast approximately 349 feet along the southeastern edge of Parcel #'s E0000714016, E0000714013, E0000714012, E0000714011, E0000714010, E0000714008, E0000714007, E0000714006, E0000714005, E0000714004, E0000714001 to the eastern most corner of Parcel # E0000714001;

Thence, southeast in a line that extends at a right angle from the eastern most corner of Parcel # E0000714001 approximately 52 feet across the right-of-way of N 27<sup>th</sup> Street to a point on Parcel # E0000715037/E0000715037B/E0000715001;

Thence, northeast approximately 64 feet along the northwestern edge of Parcel # E0000715037/E0000715037B/E0000715001 to the corner of said Parcel nearest the intersection of N 27<sup>th</sup> Street and Nine Mile Road;

Thence, east approximately 414 feet along the northern edge of Parcel # E0000715037/E0000715037B/E0000715001 to the eastern most corner of said Parcel;

Thence, southeast in a line that extends from the eastern most corner of Parcel # E0000715037/E0000715037B/E0000715001 approximately 52 feet across the right-of-way of N 28<sup>th</sup> Street to the western most corner of Parcel # E0000790053;

Thence, northeast approximately 46 feet along the northwestern edge of Parcel #'s E0000790053 and E0000790001 to the corner of Parcel # E0000790001 nearest the intersection of N 28<sup>th</sup> Street and Nine Mile Road;

Thence, east approximately 418 feet along the northern edge of Parcel #'s E0000790001, E0000790003, E0000790004, E0000790005, E0000790006, E0000790008, E0000790010, E0000790011 to the eastern most corner of Parcel # E0000790011;

Thence, southwest approximately 37 feet along the southeastern edge of Parcel # E0000790011 to a point on said Parcel;

Thence, southeast in a line that extends at a right angle from the southeastern edge of Parcel # E0000790011 approximately 48 feet across the right-of-way of N 29<sup>th</sup> Street to western most corner of Parcel # E000079013;

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Thence, northeast approximately 59 feet along the northwestern edge of Parcel # E0000793013 to the northern most corner of said Parcel;

Thence, southeast approximately 133 feet along the northeastern edge of Parcel # E0000793013 to the eastern most corner of said Parcel;

Thence, northeast approximately 142 feet along the southeastern edge of Parcel # E0000793018 and continuing northeast across the alley right-of-way to a point on the southwestern edge of Parcel # E0000793002;

Thence, southeast approximately 142 feet along the southwestern edge of Parcel # E0000793002 to the southern most point on said parcel;

Thence, northeast approximately 191 feet along the southeastern edge of Parcel #'s E0000793002 and E0000793001 to the eastern most corner of Parcel # E000079301;

Thence, southeast approximately 52 feet across the right-of-way of N 30<sup>th</sup> Street to the northern most corner of Parcel # E0000795034;

Thence, continuing southeast approximately 127 feet along the northeastern edge of Parcel # E0000795034 to the eastern most corner of said Parcel;

Thence, northeast approximately 127 feet along the southeastern edge of Parcel # E0000795001 to an internal corner of said Parcel;

Thence, southeast approximately 49 feet along the smaller of two southwestern edges of Parcel # E0000795001 to the eastern most corner of Parcel # E0000795001;

Thence, continuing southeast approximately 28 feet across the alleyway to the northern most corner of Parcel # E0000795049;

Thence, continuing southeast approximately 143 feet along the northeastern edge of Parcel # E0000795049, to the eastern most corner of said Parcel;

Thence, southwest approximately 610 feet along the southeastern edge of Parcels #'s E0000795049, E0000795048, E0000795047, E0000795046, E0000795045, E0000795044, E0000795043, E0000795042, E0000795041, E0000795040, E0000795039, E0000795038, E000079537 to the southern most corner of Parcel # E0000795037;

Thence, continuing southwest approximately 50 feet across the right-of-way of V Street to the eastern most corner of Parcel # E0000794001;

Thence, continuing southwest approximately 554 feet along the southeastern edge of Parcels #'s E0000794001, E0000794002, E0000794003, E0000794004, E0000794005, E0000794008, E0000794010, E0000794012, E0000794013, E0000794014, E0000794015, E0000794020 to the southern most corner of Parcel # E0000794020;

Thence, southeast in a line that extends 62 feet to the northern most corner of Parcel # E0000719001;

Thence, southeast along the northeastern edge of Parcel # E0000719001 approximately 264 feet to the eastern most corner of said Parcel;

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Thence, continuing southeast across the right-of-way of N 32<sup>nd</sup> Street approximately 65 feet to the northern most corner of Parcel # E0000800020;

Thence, continuing southeast along the northeastern edge of Parcel # E0000800020 approximately 124 feet to the eastern most corner of said Parcel;

Thence, continuing southeast across the alley right-of-way of N 32<sup>nd</sup> Street approximately 20 feet to the western most corner of Parcel # E0000800035;

Thence, continuing southeast along the northeastern edge of Parcel # E0000800035 approximately 124 feet to the eastern most corner of said Parcel;

Thence, southwest along the southeastern edge of Parcel #'s E0000800035, E0000800034, E0000800033, E0000800032, E0000800031, E0000800030, E0000800029, E0000800028, E0000800027, E0000800026, E0000800025, E0000800024, E0000800023, E0000800022 approximately 290 feet to the southern most corner of Parcel # E0000800022;

Thence southeast approximately 65 feet across the right-of-way of N 33<sup>rd</sup> Street to the northern most corner of Parcel #E0000875025;

Thence continuing southeast along the northeastern edge of Parcel # E0000875025 approximately 123 feet to the eastern most corner of said Parcel;

Thence, southwest along the southeastern edge of Parcel #'s E0000875025, E0000875024, E0000875023, E0000875021, E0000875019, E0000875018, E0000875017, E0000875016 approximately 316 feet to the southern most corner of Parcel # E0000875016;

Thence, northwest along the southwestern edge of Parcel # E0000875016 approximately 127 feet to the western most corner of said parcel;

Thence, continuing northwest approximately 65 feet across the right-of-way of N 33<sup>rd</sup> Street to the southern most corner of Parcel #E0000801001;

Thence, continuing northwest along the southwestern edge of Parcel # E0000801001 approximately 128 feet to the western most corner of said Parcel;

Thence, continuing northwest approximately 12 feet across the alley right-of-way to the southern most corner of Parcel #E0000801012;

Thence, continuing northwest along the southwestern edge of Parcel # E0000801012 approximately 127 feet to the western most corner of said Parcel;

Thence, continuing northwest approximately 70 feet across the right-of-way of N 32<sup>nd</sup> Street to the southern most corner of Parcel # E0000720013;

Thence, continuing northwest along the southwestern edge of Parcel # E0000720013 approximately 118 feet to the western most corner of said Parcel;

Thence, continuing northwest approximately 17 feet across the alley right-of-way to the southern most corner of Parcel # E0000720014;

Thence, continuing northwest along the southwestern edge of Parcel # E0000720014 approximately 128 feet to the western most corner of said Parcel;

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Thence, west approximately 60 feet across the right-of-way of N 31<sup>st</sup> Street to the southern most corner of Parcel # E0000625012;

Thence, west and northwest along the southern edge of Parcel #'s E0000625012, E0000625014, E0000625015 approximately 284 feet to the western most corner of Parcel # E0000625015;

Thence, continuing northwest approximately 50 feet across the right-of-way of 30<sup>th</sup> Street to the southern most corner of Parcel # E0000624014;

Thence, continuing northwest along the southwestern edge of Parcel # E0000624014 approximately 127 feet to the western most corner of said Parcel;

Thence, continuing northwest approximately 17 feet across the alley right-of-way to the southern most corner of Parcel # E0000624017;

Thence, continuing northwest along the southwestern edge of Parcel # E0000624017 approximately 136 feet to the western most corner of said Parcel;

Thence, continuing northwest approximately 50 feet across the right-of-way of 29<sup>th</sup> Street to the southern most corner of Parcel # E0000623012;

Thence, continuing northwest along the southwestern edge of Parcel # E0000623012 approximately 132 feet to the western most corner of said Parcel;

Thence, continuing northwest approximately 14 feet across the alley right-of-way to the southern most corner of Parcel # E0000623015;

Thence, continuing northwest along the southwestern edge of Parcel # E0000623015 approximately 132 feet to the western most corner of said Parcel;

Thence, continuing northwest approximately 50 feet across the right-of-way of 28<sup>th</sup> Street to the southern most corner of Parcel # E0000622014

Thence, continuing northwest approximately 132 feet along the southwestern edge of Parcel # E0000622014 to the POINT OF BEGINNING.





## C. CONDITIONS REQUIRING CONSERVATION

The Virginia General Assembly has determined that in the Commonwealth there exist many communities where deteriorating property conditions necessitate the creation of a conservation area to address blight and blighting conditions, to conserve such area, to prevent further deterioration, and to prevent such area from becoming blighted. Such areas are deemed proper subjects for the expenditure of public money for the rehabilitation or renovation of private property, the acquisition of private property either by negotiation or by use of the power of eminent domain, and the clearance of property determined to be infeasible of rehabilitation or renovation because of the substandard conditions and extent of dilapidation. Such areas are a growing danger to the public health, safety, and welfare and where fully blighted, a current danger to the public health, safety, and welfare.

The Church Hill Central Conservation Area has been determined to be such an area for the following reasons:

### 1. Building Conditions

There are two hundred thirty-nine (239) principal buildings in the Conservation Area. Of those buildings, eighteen (18) are vacant, a vacancy rate of 7.5%. For purposes of this Conservation Plan, a team of housing consultants inspected the exterior of the two hundred thirty-nine (239) buildings. It was determined that one hundred nine (107) or 44.8% of the buildings were in standard condition, eighty-four (84) or 35.1% had minor deficiencies, thirty-one (31) or 13.0% had intermediate deficiencies, and seventeen (17) or 7.1% had major deficiencies or were in dilapidated condition. The buildings with minor, intermediate, or major/dilapidated deficiencies total **one hundred thirty-two (132)** of a total of **two hundred thirty-nine (239)** primary buildings within the Conservation Area, a rate of **55.2%** of all principal buildings within the area.

### 2. Environmental & Infrastructure Deficiencies

The Conservation Area suffers from environmental and infrastructure deficiencies that contributed to deteriorating and deteriorated conditions in the area. There are deteriorated curbs, gutters, and sidewalks throughout the area. Except for parcel edges of properties owned by the Bon Secours Richmond Community Hospital, the lettered streets in the Conservation Area (T, U, and V Streets) entirely lack curb, gutter, and sidewalks with the only drainage system in place being open ditches that drain to storm drains at the intersecting numbered streets (28<sup>th</sup>, 29<sup>th</sup>, 30<sup>th</sup>, 31<sup>st</sup>, 32<sup>nd</sup>, 33<sup>rd</sup> Streets). The alleys throughout the Conservation Area are severely deficient and in need of significant upgrades.

These environmental and infrastructure deficiencies are not included in the calculation of blight for the Conservation Area, but do represent an ongoing blighting influence on the area.

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IN SUMMARY, **55.2%** of the principal buildings found in the Conservation Area are blighted or a blighting influence because of building deterioration and dilapidation and the presence of environmental and infrastructure deficiencies and these conditions are detrimental to public health, safety, and welfare. Additionally, all of the principal buildings in sound condition and vacant parcels are adversely affected by these conditions. The result is a growing disinvestment in a mainly residential district that serves as one of the more affordable neighborhoods in the City of Richmond.

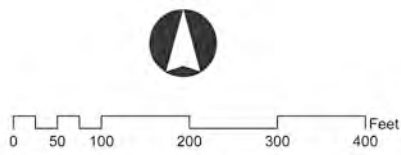
The building conditions within the Church Hill Central Conservation Area in the City of Richmond, Virginia, are shown on Building Conditions Map, CP-2, dated April, 2015.

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**Legend**

- Conservation Area Boundary
- Sound
- Minor
- Intermediate
- Major/Dilapidated



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RICHMOND, VIRGINIA

## STATEMENT OF GOALS AND OBJECTIVES

*Church Hill North Neighborhood Transformation* is a major effort by the City of Richmond and the Richmond Redevelopment and Housing Authority to transform the northern portion of Church Hill by redeveloping the Creighton Court Housing Complex owned and operated by the Authority and replacing it with mixed-income units on site, on the site of the former Armstrong High School once the facility is demolished, and on other sites scattered throughout the Church Hill North and Church Hill Central neighborhoods. The Church Hill Central neighborhood is directly adjacent to the Armstrong High School site and just south of Creighton Court and will be significantly impacted by the *Church Hill North Neighborhood Transformation*. The purpose of the Church Hill Central Conservation Plan is to complement the efforts of the *Church Hill North Neighborhood Transformation* by creating a more vital and sustainable Church Hill Central neighborhood as part of a greater transformation of Richmond's East End. (A map entitled Church Hill North Transformation Efforts follows page 10 for information purposes only in order to show the linkage between the Church Hill Central Conservation Plan and other revitalization efforts in the area. It is not an "official" part of this document.)

The goals set forth below for the conservation of the Church Hill Central Conservation Area are general in nature and establish the parameters for the subsequent review of development and redevelopment proposals by the Richmond Redevelopment and Housing Authority for the private reuse of real property within the Conservation Area. The Authority in cooperation with the City has identified the Church Hill Central Conservation Area as a high priority area owing to the growing level of deterioration, blight, and blighting influences.

The primary goals for the conservation of the Church Hill Central Conservation Area are the conservation of the majority of the existing residential housing stock and the removal of blight and blighting influences through the clearance of blighted structures and the introduction of quality infill and replacement residential, office, and retail structures. The following conservation goals shall serve as a basis for the conservation regulations and controls placed on the land.

**1. Goal: Eliminate all blight and blighting influences in the Church Hill Central Area that impact the health, safety, and welfare of community residents, hinder the sustainability of the community, and prevent a proper development and redevelopment of the land.**

Objectives:

- a. By providing financial assistance and/or professional guidance to property owners who are able and willing to rehabilitate or renovate deteriorating residential structures.
- b. By acquiring deteriorating buildings that are capable of rehabilitation or renovation by the City of Richmond or the Richmond Redevelopment and Housing Authority or by qualified non-profit or for-profit community

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development corporations, private or public individuals, partnerships, or corporations capable of completing rehabilitation/renovation work and returning the property to lawful and productive use within the context of a safe, vital, and sustainable community.

- c. By implementing a Spot Blight Abatement Program for property owners who are unable or unwilling to rehabilitate deteriorating structures including the acquisition and rehabilitation or acquisition and clearance of properties as needed.
- d. By acquiring and removing buildings by the use of eminent domain where:
  - i. The property is for public use including public rights-of-way or use by a government or public service or utility corporation;
  - ii. The property is blighted and endangers the public health or safety in its condition at the time of the filing of the petition for condemnation and is a public nuisance or is beyond repair or unfit for human occupancy or use;
  - iii. The property is abandoned; or
  - iv. Acquisition is needed to clear title where one of the owners agrees to such acquisition or the acquisition is by agreement of all the owners.
- e. By redeveloping cleared or vacant parcels with new construction in accordance with the land use plan contained in this Plan and the Zoning Ordinance of the City of Richmond and as architecturally appropriate to the Church Hill Central community.
- f. By redeveloping the land through other capital improvements.

## **2. Goal: Improve the built environment in the Church Hill Central Conservation Area and conserve and protect the architectural amenities of the community.**

Objectives:

- a. By enforcing the City of Richmond Property Maintenance Code for all properties not rehabilitated, renovated, or acquired, cleared, and redeveloped through the execution of this Conservation Plan.
- b. By utilizing Housing Quality Standards as promulgated by the U.S. Department of Housing and Urban Development and appropriate energy standards where City of Richmond and/or Richmond Redevelopment and Housing Authority supported rehabilitation or renovation is affected.

## **3. Goal: Improve the safety and appearance of the Church Hill Central Conservation Area.**

Objective:

By providing public improvements to serve the area, including needed improvements to streets, alleys, sidewalks, curbs and gutters, and drainage system and improvements to the water, sanitary sewer, and gas utilities where needed.



-  WOODVILLE-CREIGHTON CONSERVATION AREA
-  NINE MILE ROAD REDEV & CONSERVATION AREA
-  CHURCH HILL CENTRAL CONSERVATION AREA



## **D. GENERAL LAND USE PLAN**

### **1. Proposed Land Use Map**

The Proposed Land Use Map, CP-2, Church Hill Central Conservation Area, dated April, 2015 sets forth the following:

- a. The proposed conservation of the Church Hill Central Conservation Area including the specific land uses for which land use provisions and development regulations are identified hereinafter.
- b. The location of all streets and public rights-of-way.
- c. The location of all lands proposed for private use and development.
- d. For purposes of the Conservation Plan, references to the word Authority and RRHA shall mean the Richmond Redevelopment and Housing Authority, to the word City shall mean the City of Richmond, and to the Plan or Conservation Plan shall mean the Church Hill Central Conservation Plan.

### **2. General Provisions and Regulations**

Section #2, General Provisions and Regulations, and Sections #3, #4, or #5, Land Use Provisions and Development Regulations, shall be incorporated as covenants in appropriate disposition documents. These covenants are to run with the land and shall be binding on all parties and persons claiming under them for the period of time this Conservation Plan is in effect.

A redeveloper shall devote all land only to those uses specified in this Conservation Plan. The permitted use of the disposal parcels shall be limited to uses as specified on the Proposed Land Use Map, CP-2, Church Hill Central Conservation Area, dated April, 2015 and comply with the permitted land uses specified for the land use area in which each parcel is located.

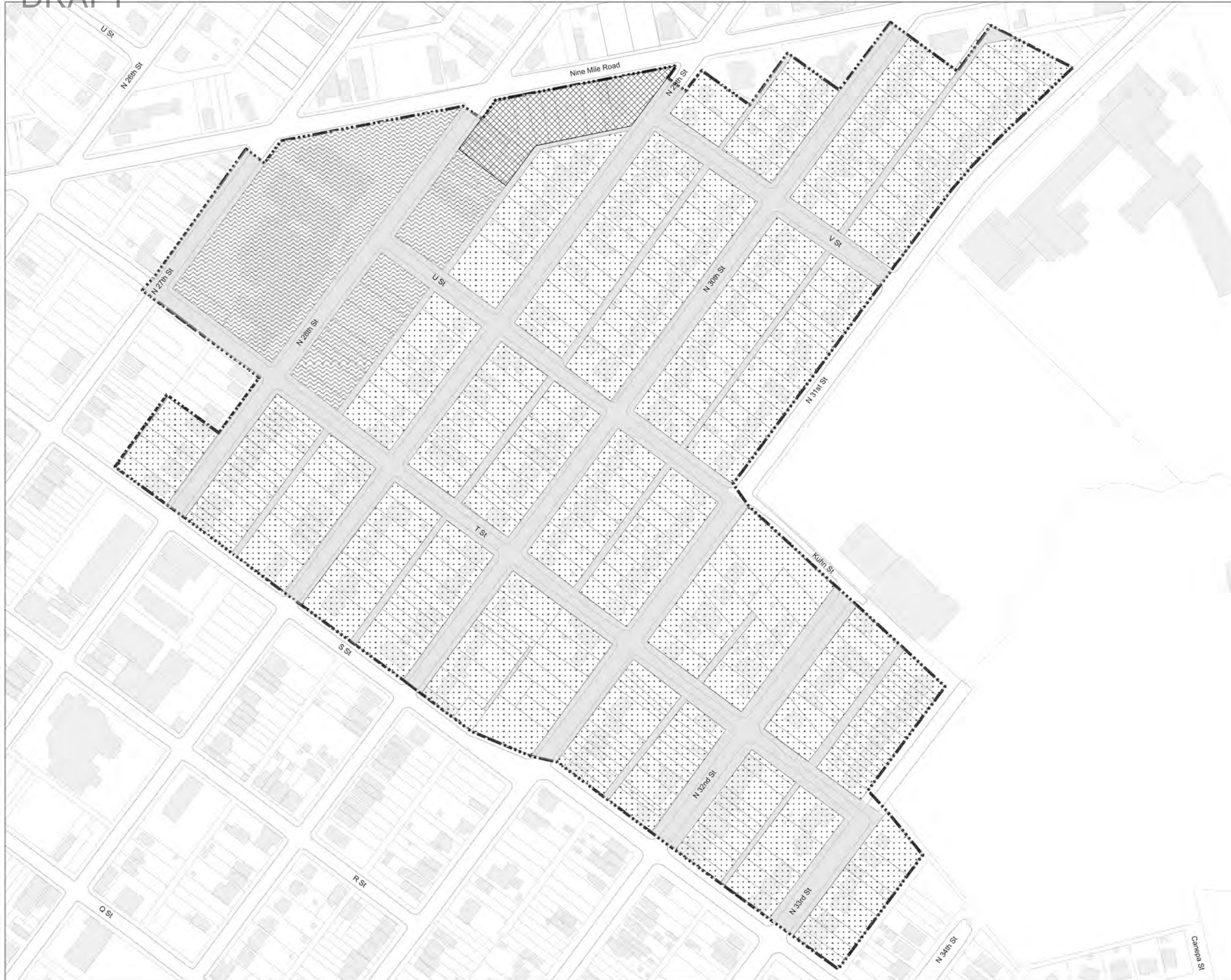
#### **a. Standards and Procedures for Evaluating Development Proposals**

Proposals for the rehabilitation/renovation or redevelopment of specific parcels or properties for any use shall be evaluated by the Authority based on the following criteria:

- i. The degree to which the proposed development or rehabilitation meets Conservation Plan goals and objectives, including conformity with Design Guidelines which suggest the type, quality, and character of the proposed development or rehabilitation.
- ii. The quality of the specific site, building design or rehabilitation plans, and overall harmony of design within the Conservation Area shall be adjudged by such factors as urban scale and character, Crime Prevention through Environmental Design (CPTED), building mass and height, Green Building strategies, integrated use of space, compatibility of building materials, pedestrian space and circulation, landscaping and open space, parking requirements, and traffic impact.

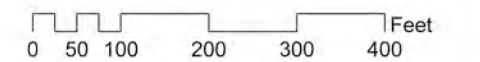


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**Legend**

-  Conservation Area Boundary
-  Single-Family (Medium Density)
-  Community Commercial
-  Institutional
-  Rights-of-Way



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- iii. Financial capability and responsibility of the developer or contractor.
- iv. Time schedule for completion of the development or rehabilitation.

## **b. Reservation of the Right of Review**

- i. The RRHA specifically reserves the right to review and approve all detailed plans and specifications with respect to their conformance with the provisions of the Conservation Plan and such design controls as may be promulgated and made a part of disposition procedures by said Authority. Preliminary sketch drawings of site plans, access, parking, landscape treatment, building or rehabilitation plans, elevations, and other improvements shall be submitted to the aforementioned Authority for review and its approval gained before final plans are made. Final schematic drawings shall be submitted to the aforementioned Authority for review and its approval gained prior to conveyance of the parcel to the developer.
- ii. In the exercise of its right of review of proposals, the RRHA may retain the services of the City of Richmond or other professionals experienced in land planning, architecture, landscape architecture, and urban development or redevelopment. The City or other professionals will review proposals and set forth their comments and opinions for use by the Authority in the selection and approval of a specific proposal.
- iii. The permitted uses of disposition parcels shall be limited to the uses specified herein. All disposition instruments shall contain a provision requiring the property in the Church Hill Central Conservation Area be developed and used in conformance with the regulations of the Conservation Plan.

## **3. Land Use Provisions and Development Regulations/Design Guidelines on Land Set Aside for Single-Family (Medium Density) Use in Proposed Land Use Map, CP-2, Church Hill Central Conservation Area, dated April, 2015.**

### **a. General Description**

The land uses within this area are those generally allowed under the R-6 Single-Family Residential zoning classification in the City of Richmond Zoning Ordinance.

### **Density and Lot Coverage**

The allowable density within this area is ten (10) units per acre as established by the City of Richmond for medium density, single-family land use in the *Richmond Master Plan (2000-2010)*. Lot coverage shall not exceed 55% of the area of the lot.

### **b. Permitted Uses**

- i. Single-family detached dwellings.
- ii. Single-family attached dwellings
- iii. Two-family detached dwellings

## c. Permitted Accessory Uses

Accessory uses and structures, including the following, which are customarily incidental and clearly subordinate to permitted principal uses shall be permitted:

- i. Private garages; garden, tool, and storage buildings.
- ii. Home occupations.
- iii. Parking areas.
- iv. Temporary structures, trailers, and storage of equipment and materials incidental to construction activities taking place on the premises, provided that such shall be removed upon completion or abandonment of construction.

## d. Lot Area and Lot Width

- i. Single-family detached dwellings: Single-family detached dwellings shall be located on lots of not less than 5,000 square feet in area with a width of not less than 50 feet.
- ii. Single-family attached dwellings:
  - Single-family attached dwellings shall be located on lots of not less than 2,200 square feet.
  - No individual unit shall be less than 16 feet, provided that the average width of all attached units in a series shall be less than 20 feet.
- iii. Two-family detached dwellings: Two-family detached dwellings shall be located on lots of not less than 6,000 square feet in area with a width of not less than 50 feet.

## e. Yards

- i. Front yard: There shall be a front yard with a depth of not less than fifteen (15) feet and in keeping with the front yard depth or average depth of any remaining buildings on adjoining lots.
- ii. Side yards:
  - Single-family detached and Two-family detached dwellings: There shall be side yards of not less than five (5) feet in width
  - Single-family attached dwellings: There shall be side yards of not less than three (3) feet in width except where buildings are attached and a side yard of not less than ten (10) feet in width at each end of a series of attached units.
- iii. Rear yard: There shall be a rear yard with a depth of not less than five (5) feet.
- iv. Location of accessory buildings: Accessory buildings shall be located only in a rear yard, but not within five (5) feet of the rear lot line.
- v. Landscaping: All common open space areas, public and private, including those for pedestrians and parking, shall be landscaped with plantings, paved walks, lighting, grass, or similar features. Landscaping shall include a variety of trees and shrubs of varying

degrees of maturity to provide a variety of seasonal interest. A plan for landscaped areas shall be submitted for review and approval by the RRHA and through the City of Richmond's site plan review and permitting process.

## **f. Orientation**

- i. Orientation to the street: The architectural front of a building shall be oriented to the street and, in the case of a rectilinear street frontage, shall be parallel or nearly parallel to the street. In the case of a corner lot, such orientation shall be to the principal street frontage.
- ii. First floor elevation: The finished elevation of the first floor of a dwelling shall be not less than two (2) feet above the mean grade level at the building facade along the street frontage of the lot or, in the case of a corner lot, along the principal street frontage of the lot.

## **g. Driveways and Parking**

- i. With alley access: No driveway intersecting a street shall be permitted on a lot devoted to dwelling use when alley access is available to serve such lot. Areas devoted to the parking or circulation of vehicles shall be located to the rear of buildings so as not to be visible from the street frontage of the lot. On a lot having more than one street frontage, this provision applies only along the principal street frontage of the lot.
- ii. Without alley access: Permitted driveways within front yards of single-family and two-family dwellings shall not exceed nine (9) feet in width. In the case of a corner lot, no such driveway shall be permitted to intersect a street which constitutes the principal street frontage of a lot when other street frontage or alley access is available to serve the lot.

## **h. Height**

No new residential dwelling shall exceed thirty-five (35) feet in height.

## **i. Building Materials**

In general, buildings shall be compatible with surrounding architecture in construction materials, architectural features, bulk, massing, height, and roof lines. Building materials shall provide for energy efficiency and building sustainability. Large unbroken expanses of windowless exterior walls are prohibited.

## **j. Property Maintenance**

All real property and improvements shall be maintained so as to ensure a state of good repair in compliance with the City of Richmond Property Maintenance Code. All facades and exterior finished surfaces of both the primary and any accessory structures shall be maintained to prevent flaking, peeling, blistering, and excessive weathering. No abandoned vehicles (inoperative or unlicensed), accumulated rubbish, or debris shall be permitted to remain on any real property, public or private. Yards and

other landscaped areas shall be maintained according to Maintenance Code provisions.

#### **4. Land Use Provisions and Development Regulations/Design Guidelines on Land Set Aside for Community Commercial Use in Proposed Land Use Map, CP-2, Church Hill Central Conservation Area, dated April, 2015.**

##### **a. General Description**

The land uses allowed within this area is based on the land uses allowed in the B-2 Community Business zoning classification in the City of Richmond Zoning Ordinance with certain higher impact uses excluded because of the gateway location and traffic volume associated with that portion of the Conservation Area set aside for community commercial use.

##### **b. Plan of Development**

A plan of development shall be required for all new construction within that portion of the Conservation Area set aside for community commercial in order to enhance the general character and overall quality of development by encouraging efficient and functional relationships among the various elements of site plans, encouraging safe pedestrian movement by reducing vehicular conflicts with pedestrians, promoting compatible arrangement of abutting sites, and minimizing potential adverse influence on and ensuring compatibility with nearby uses.

##### **c. Permitted Uses**

- i. Adult day care facilities.
- ii. Art galleries.
- iii. Auto service centers and motor fuels dispensing provided that no such use shall be located on a transitional site; that where facilities for dispensing motor fuels are free-standing or part of a service center, the area of the lot devoted to such use shall be not less than 10,000 square feet; no property line coincidental with a street line shall be less than one hundred (100) feet in length; pump islands for dispensing motor shall not be located within twenty (20) feet of any street or property line; and marquees, cantilevers and similar roofs over pump islands shall not extend within ten (10) feet of any street line.
- iv. Banks, savings and loan offices, and similar financial services.
- v. Catering businesses, provided that not more than five persons are employed on the premises in the conduct of any such business;
- vi. Churches and other places of worship, which may include the serving of food for charitable or fellowship purposes, and as an accessory use, the temporary housing of not more than thirty (30) homeless individuals for up to a total of seven (7) days and only within the time period beginning on October 1 of any year and ending on April 1 of the following year.

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- vii. Custom printing and engraving shops not involving the printing of periodicals, books, catalogs, or similar items requiring frequent shipment or delivery of large quantities of materials.
- viii. Day nurseries licensed by and subject to the requirements of the State of Virginia Department of Social Services.
- ix. Dry cleaning and laundering establishments, provided that the total capacity of all dry cleaning machines shall not exceed one hundred (100) pounds dry weight and the total capacity of all laundry machines shall not exceed one hundred fifty (150) pounds dry weight.
- x. Dwelling units contained within the same building as other permitted principal uses, provided that such dwelling units shall be located above the ground floor of the building or to the rear of other permitted principal uses so as to not interrupt commercial frontage and that the total floor area devoted to dwelling use shall not exceed three (3) times the area of that portion of the ground floor of the building devoted to other permitted principal uses.
- xi. Funeral homes;
- xii. Grocery stores, convenience stores and specialty food and beverage stores, including bakeries where products are sold principally at retail on the premises.
- xiii. Janitorial and custodial service and supply establishments occupying not more than 2,000 square feet of floor area and not involving the use of delivery or service vehicles having an empty weight exceeding 6,500 pounds;
- xiv. Laundromats and laundry and dry cleaning pick-up stations.
- xv. Libraries, museums, schools, parks and noncommercial recreational facilities, when such uses are owned or operated by a nonprofit organization and other uses required for the performance of a governmental function and primarily intended to serve residents of adjoining neighborhoods.
- xvi. Office supply, business and office service, photocopy and custom printing establishments.
- xvii. Offices, including business, professional and administrative offices, medical and dental offices and clinics, and studios of writers, designers, and artists engaged in the arts.
- xviii. Parking areas subject to the provisions of this section and all other parking provisions of the City of Richmond Zoning Ordinance.
- xix. Personal service businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops and similar establishments.
- xx. Pet shops, veterinary clinics, and animal hospitals, including boarding kennels operated in conjunction therewith, provided that all facilities

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shall be located within completely enclosed and air conditioned buildings which are soundproof to the extent that sounds produced by animals kept or treated therein are not audible outside the building.

- xxi. Postal and package mailing services, but not including distribution centers.
- xxii. Private elementary and secondary schools having curricula substantially the same as that offered in public schools;
- xxiii. Professional, business and vocational schools, provided that no heavy machinery, welding equipment or internal combustion engine shall be used in conjunction therewith.
- xxiv. Recreation and entertainment uses, including theaters, museums, amusement centers, lodges and clubs, meeting facilities, auditoriums and assembly halls; when such uses are located within completely enclosed buildings and provided that no such use shall be located on a transitional site.
- xxv. Restaurants, tea rooms, cafes, delicatessens, ice cream parlors and similar food and beverage service establishments, including entertainment in conjunction therewith. Such establishments may include areas outside completely enclosed buildings and intended for service to or consumption of food and beverages by patrons, provided that the following conditions shall be met:
  - No deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodation of patrons shall be situated within one hundred (100) feet of a residential dwelling.
  - Covered trash containers shall be provided in service areas, and fences, walls or vegetative screening shall be provided around service areas, except at entrances and exits, to prevent refuse from blowing onto adjacent properties or streets.
  - No music or public address system shall be operated in such a manner that sound produced there from is audible beyond the boundaries of the premises.
- xxvi. Retail stores and shops, provided that not more than 50 percent of the floor area may be devoted to storage of merchandise to be sold at retail on the premises.
- xxvii. Sales lots for Christmas trees, vegetable stands and other seasonal uses, but not including flea markets, and provided no such use shall be located on a transitional site;
- xxviii. Self-service auto washing facilities in conjunction with a auto service center or motor fuels dispensing facility provided that no such use shall be located on a transitional site; the area of the lot devoted to such use shall be not less than 10,000 square feet; no property line coincidental with a street line shall be less than one hundred (100) feet in length; doors, curtains or screens shall be installed as necessary

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to prevent water spray from blowing onto adjacent properties; and such use shall not be operated between the hours of 11:00 p.m. and 7:00 a.m.

xxix. Service businesses that service, repair, or rent audio or video equipment, home appliances, furniture, personal recreational equipment, home yard and garden equipment, tools, bicycles, locks, computers, office machines, and similar household or business items; provided that no products shall be serviced, repaired, stored, or displayed outside a completely enclosed building and no internal combustion engine shall be repaired or serviced.

xxx. Shopping centers containing uses permitted in that portion of the Conservation Area set aside for community commercial use.

xxxi. Tourist homes.

## **d. Permitted Accessory Uses**

Accessory uses and structures customarily incidental clearly subordinate to uses permitted in this area, provided that outdoor accessory uses such as temporary sales and display areas, play equipment, pay phones, vending machines, and similar uses shall not be located within any required parking spaces, within fifteen (15) feet of any street line, or within a side yard adjacent to a residential dwelling unit.

## **e. Yards**

i. Front yard: There shall be a front yard with a depth of not less than twenty-five (25) feet.

ii. Side yards: No side yards shall be required, except that where a side lot line abuts property containing residential dwelling unit(s) there shall be a side yard of not less than ten (10) feet in width.

iii. Rear yard: No rear yard shall be required, except that where a rear lot line abuts or is situated across an alley from property containing residential dwelling unit(s) there shall be a rear yard of not less than twenty (20) feet in depth.

iv. Landscaping: All common open space areas, public and private, including those for pedestrians and parking, shall be landscaped with plantings, paved walks, lighting, grass, or similar features. Landscaping shall include a variety of trees and shrubs of varying degrees of maturity to provide a variety of seasonal interest. A plan for landscaped areas shall be submitted for review and approval by the RRHA and through the City of Richmond's site plan review and permitting process.

## **f. Screening**

Where a parking area, service area, or refuse area abuts or is situated across an alley from property containing residential dwelling unit(s) there shall be a continuous evergreen vegetative screen not less than three and one-half (3 ½) feet in height at the time of installation or opaque structural fence or wall not less than four (4) feet in height erected along

such lot line, but not within fifteen (15) feet of any street line. Evergreen vegetative material intended to satisfy this provision shall be planted at such intervals that will result in a continuous visual screen within one year of planting.

**g. Height**

No building or structure shall exceed thirty-five (35) feet in height.

**h. Building Materials**

In general, buildings shall be compatible with surrounding architecture in construction materials, architectural features, bulk, massing, height, and roof lines. Building materials shall provide for energy efficiency and building sustainability. Large unbroken expanses of windowless exterior walls are prohibited.

**i. Property Maintenance**

All real property and improvements shall be maintained so as to ensure a state of good repair in compliance with the City of Richmond Property Maintenance Code. All facades and exterior finished surfaces of both the primary and any accessory structures shall be maintained to prevent flaking, peeling, blistering, and excessive weathering. No abandoned vehicles (inoperative or unlicensed), accumulated rubbish, or debris shall be permitted to remain on any real property, public or private. Yards and other landscaped areas shall be maintained according to Maintenance Code provisions.

**5. Land Use Provisions and Development Regulations/Design Guidelines on Land Set Aside for Institutional Use in Proposed Land Use Map, CP-2, Church Hill Central Conservation Area, dated April, 2015.**

**a. General Description**

The land uses within this area are those generally allowed under the RO-2 zoning classification in the City of Richmond Zoning Ordinance with a focus on hospitals and related uses, including multifamily residential, but excluding single-family and two-family dwellings.

**Density and Lot Coverage**

The allowable density within this area is thirty-six (36) units per acre for multifamily dwellings. Lot coverage shall not exceed 60% of the area of the lot for all uses and shall not exceed 40% of the area of the lot for multifamily dwellings, nursing homes, adult care residences, group homes and lodging houses.

**b. Plan of Development**

A plan of development shall be required for all new construction within that portion of the Conservation Area set aside for community commercial in order to enhance the general character and overall quality of development by encouraging efficient and functional relationships among the various elements of site plans, encouraging safe pedestrian movement by reducing vehicular conflicts with pedestrians,



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promoting compatible arrangement of abutting sites, and minimizing potential adverse influence on and ensuring compatibility with nearby uses.

## **c. Permitted Uses**

- i. Multifamily dwellings.
- ii. Nursing homes.
- iii. Day nurseries
- iv. Parking areas serving permitted uses.
- v. Parking decks serving permitted uses.
- vi. Offices, including business, professional and administrative offices, medical and dental offices, and clinics.
- vii. Private schools offering instruction in skills practiced in connection with the operation of permitted uses.
- viii. Hospitals, but not psychiatric hospitals.
- ix. Adult day care facilities.
- x. Adult care residences, with conditional use permit.
- xi. Group homes, with conditional use permit.
- xii. Lodginghouses, with conditional use permit.

## **d. Permitted Accessory Uses**

Accessory uses and structures, including the following, which are customarily incidental and clearly subordinate to permitted principal uses shall be permitted:

- i. Temporary structures, trailers, and storage of equipment and materials incidental to construction activities taking place on the premises, provided that such shall be removed upon completion or abandonment of construction.
- ii. Guest units in multifamily developments available for short term occupancy by guests of regular tenants of such developments.
- iii. Restaurant facilities, automated teller machines and shops for the sale of gifts, flowers, drugs and similar items for the convenience of patients and visitors may be located within hospital buildings.

## **e. Lot Area and Lot Width**

Multifamily dwellings shall be located on lots of not less than 5,000 square feet in total area and less than 1,250 square feet in area for each dwelling unit.

## **g. Yards**

- i. Front yard: There shall be a front yard with a depth of not less than twenty-five (25) feet.

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- ii. Side yards:
  - *Multifamily dwellings and buildings accessory thereto.* There shall be side yards of not less than fifteen (15) feet in depth except where buildings are attached.
  - *Side yards for uses and buildings other than multifamily dwellings and buildings accessory thereto.* There shall be side yards of not less than ten (10) feet in depth.
- iii. Rear yard:
  - *Multifamily Dwellings and building accessory thereto.* There shall be rear yards of not less than fifteen (15) feet in depth except where buildings are attached.
  - *Buildings other multifamily dwellings and buildings accessory thereto.* There shall be rear yards of not less than ten (10) feet in depth.
- iv. Spaces Between Buildings on same lot:
  - *Where two or more buildings, at least one of which contains a dwelling use, are erected on the same lot.* The distance between any two such buildings shall be not less than fifteen (15) feet.
  - *Where two or more buildings, neither of which contains a dwelling use, are erected on the same lot.* The distance between any two such buildings shall be not less than ten (10) feet.
- v. Landscaping: All common open space areas, public and private, including those for pedestrians and parking, shall be landscaped with plantings, paved walks, lighting, grass, or similar features. Landscaping shall include a variety of trees and shrubs of varying degrees of maturity to provide a variety of seasonal interest. A plan for landscaped areas shall be submitted for review and approval by the RRHA and through the City of Richmond's site plan review and permitting process.

## **h. Height**

No new residential dwelling shall exceed thirty-five (35) feet in height, except that additional height shall be permitted on lots of two acres or more in area, provided that:

- i. No portion of any building shall penetrate inclined planes originating at interior side and rear lot lines or at the centerline of a public alley adjoining any such lot line and extending over the lot at an inclination of one (1) foot horizontal for each one (1) foot vertical.
- ii. No portion of any building shall penetrate an inclined plane originating at the centerline of an abutting street and extending over the lot at an inclination of one (1) foot horizontal for each one (1) foot vertical along any street frontage where a front yard is required and one (1)

foot horizontal for each one and one-half (1½) feet vertical along other street frontages.

iii. No building shall exceed sixty (60) feet in height.

**i. Building Materials**

In general, buildings shall be compatible with surrounding architecture in construction materials, architectural features, bulk, massing, height, and roof lines. Building materials shall provide for energy efficiency and building sustainability. Large unbroken expanses of windowless exterior walls are prohibited.

**j. Property Maintenance**

All real property and improvements shall be maintained so as to ensure a state of good repair in compliance with the City of Richmond Property Maintenance Code. All facades and exterior finished surfaces of both the primary and any accessory structures shall be maintained to prevent flaking, peeling, blistering, and excessive weathering. No abandoned vehicles (inoperative or unlicensed), accumulated rubbish, or debris shall be permitted to remain on any real property, public or private. Yards and other landscaped areas shall be maintained according to Maintenance Code provisions.

## F. CONSERVATION TECHNIQUES TO BE USED TO ACHIEVE PLAN OBJECTIVES

Because of the extent of blight and blighting conditions that exist in the area, and the limitation of normal corrective measures to provide for the sustainable use and proper development and/or redevelopment of the land, the Church Hill Central Conservation Area will require the rehabilitation/renovation, acquisition, and clearance of real property in the Area.

### 1. Rehabilitation and Conservation of Real Property

In order to remove substandard conditions and blighting influences, property within the Conservation shall be rehabilitated or renovated where financially and physically feasible. Within the Church Hill Central Conservation Area **55.2% of the buildings** are deteriorating, deteriorated, blighted, or a blighting influence. The City of Richmond or the Richmond Redevelopment and Housing Authority may provide assistance within the Conservation Area for the rehabilitation and/or renovation of occupied or abandoned structures in order to maintain their place in the community. Rehabilitation will be accomplished utilizing qualified non-profit or for-profit community development corporations, private or public individuals, partnerships, or corporations through existing City or Authority rehabilitation programs or a rehabilitation program specifically created to implement the Church Hill Central Conservation Plan if the property can be brought up to the City Property Maintenance Code. All rehabilitation or renovation undertaken as a part of this Conservation Plan will be required to meet design and construction standards to insure the improved properties are livable, healthful, safe, physically sound, affordable, and reflect the architectural character of the community. Property owners will be encouraged to voluntarily participate in rehabilitation and maintenance programs. Financial assistance, technical assistance, and professional guidance will be made available to property owners who desire to rehabilitate their properties in order to assist them in achieving their objective within their financial ability.

### 2. Acquisition of Real Property

During the execution of this Conservation Plan, property may be acquired by purchase, donation, the power of eminent domain, or otherwise by the City of Richmond or Richmond Redevelopment and Housing Authority to be rehabilitated, renovated, or cleared by the City or Authority and to be disposed of by sale, lease, or dedication by the City or Authority to its end user or to qualified non-profit or for-profit community development corporations, private or public individuals, partnerships, or corporations for rehabilitation, renovation, or new construction in accordance with the land use regulations of this Conservation Plan, and:

- a. The owner of a property that contains intermediate or major/dilapidated deficiencies at the time of acquisition is unable or unwilling to rehabilitate the property, but is willing to sell the property to the City or Authority; or

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- b. A period of one year, plus an additional thirty (30) days notice, has elapsed since receipt of an initial notice from the City by the owner of a property with major/dilapidated deficiencies, said notice requiring that such property be brought into compliance with the Housing Quality Standards of the U.S. Department of Housing and Urban Development as required by the City and Authority for the Conservation Area or with the provisions of any ordinance or code of the City of Richmond and the requirements set forth in said notice remain unmet at the time of acquisition; or
- c. The property is determined to be infeasible of rehabilitation or renovation because the substandard conditions and extent of dilapidation at the time of acquisition is such that the property is blighted; is a blighting influence on adjacent properties; endangers the public health and safety; constitutes a public nuisance; and is unfit for human occupancy.
- d. The property is abandoned or acquisition is needed to clear title where one of the owners agrees to such acquisition or the acquisition is by agreement of all the owners.

Relocation counseling, assistance, and payments will be initiated to occupants of property acquired by the City or Authority immediately following property acquisition as a result of conservation activities per Item G, 5, c, vi of this Conservation Plan.

### **3. Public Facilities and Improvements**

Street, drainage, and utility improvements may be constructed by the City in conjunction with the implementation of the Conservation Plan. These improvements include the reconstruction of deteriorating streets, alleys, and storm drainage; new sidewalks, curbs and gutters; improvements to public water, sanitary sewer, and gas utilities where needed; and the provision of landscaping, lighting, and general aesthetic improvements in the area.

### **4. Redeveloper's Obligations**

The redeveloper of any property acquired from the City of Richmond or Richmond Redevelopment and Housing Authority during the execution of this Conservation Plan will be subject to the following conditions which shall be implemented by appropriate covenants running with the land or other provisions in disposition instruments:

- a. The redeveloper shall begin and complete the development or rehabilitation of the Conservation Area property within the time specified in the disposition instruments and/or rehabilitation program guidelines.
- b. The redeveloper shall retain all interest acquired in the property until the completion of construction of the improvements to a property so acquired or a property to be rehabilitated, pursuant to the Conservation Plan and shall not sell, lease or transfer the interest acquired or any part thereof prior to such completion of improvements, construction and development without consent from the City or Authority.

## G. OTHER PROVISIONS NECESSARY TO MEET STATE AND LOCAL LAW

This Conservation Plan is based on the following conditions pursuant to provisions of the Code of Virginia and the regulations of the City of Richmond, Virginia.

1. The Church Hill Central Conservation Area is substandard because of the presence of deteriorating, deteriorated, or dilapidated structures; inadequate or failing public infrastructure in certain portions of the Conservation Area; and other conditions detrimental to the health, safety, and welfare of the citizens of Richmond, Virginia.
2. The Church Hill Central Conservation Area is appropriate for rehabilitation, renovation, and conservation because of the presence of deteriorating or deteriorated properties and for acquisition, clearance, and redevelopment because of the presence of severely deteriorated properties as a necessity to removing, preventing, and reducing existing blight and blighting influences.
3. Proposed land uses within the Conservation Area have a definite relationship with local objectives as to the appropriate land uses as set forth in the *Richmond Master Plan (2000-2010)*, the City of Richmond Zoning Ordinance, and City transportation, public utilities, and other maintenance and capital improvement plans.
4. The Conservation Plan clearly indicates the proposed land uses and construction and building and rehabilitation requirements in the Conservation Area.
5. An area is eligible for conservation under Title 36, Section 36-49.1, Code of Virginia (1950), as amended, when the area as a whole (interpreted to mean at least 51 percent of the principal buildings in the area) is deteriorating, deteriorated, or blighted and the remaining property suffers from factors causing blight.

The Church Hill Central Conservation Plan provides for the realization of local objectives with respect to health, safety, and welfare of the City, including:

### a. To remove, reduce, or prevent blight or blighting factors.

The area meets the Code of Virginia eligibility requirements in that **55.2%** of the principal buildings found in the area are blighted or a blighting influence by reason of deterioration, dilapidation, and significant environmental deficiencies including deteriorated, dilapidated, and vacant or abandoned structures; and in some portions of the Conservation Area inadequate, deteriorating, or deteriorated streets, alleys, curbs and gutters, and sidewalks; conditions that violate minimum health and safety standards; and other conditions that endanger the public health, safety, or welfare. There are two hundred thirty-nine (239) principal buildings in the Conservation Area. Of those buildings, eighteen (18) are vacant, a vacancy rate of 7.5%. For purposes of this Conservation Plan, a team of housing consultants inspected the exterior of the two hundred forty-one (241) buildings. It was determined that one hundred seven (107) or 44.8%

of the buildings were in standard condition, eighty-four (84) or 35.1% had minor deficiencies, thirty-one (31) or 13.0% had intermediate deficiencies, and seventeen (17) or 7.1% had major deficiencies or were in dilapidated condition. The buildings with minor, intermediate, or major/dilapidated deficiencies total **one hundred thirty-two (132)** of a total of **two hundred thirty-nine (239)** primary buildings within the Conservation Area, yielding the **55.2%** calculation.

**b. To improve the public infrastructure.**

Improvements in the condition of deteriorated, substandard, or inadequate streets, alleys, sidewalks, curbs and gutters, and drainage systems will improve the safety of pedestrian and vehicular circulation and improvements to the water, sanitary sewer, and gas utilities where needed will comprehensively impact the living conditions of community residents. In addition, the provision of these improvements shall both directly and indirectly create a public incentive for private reinvestment in the Conservation Area and will promote economic growth, protect economic values, and enhance tax revenues for the City of Richmond and for the overall benefit of the community.

**c. To make land available for sound wholesome development by private and non-profit enterprise and public agency in accordance with the Conservation Plan and consistent with the following:**

i. Definite Local Objectives as to:

- Appropriate Land Uses: The Conservation Plan has a definite relationship with local objectives as to appropriate land uses and the City's transportation, public utility, and other maintenance and capital improvement plans.
- Improved Streets and Improved Traffic: Improved roads and alleys throughout the Conservation Area will eliminate street and alley deficiencies and improve circulation and property access and connectivity to adjoining neighborhoods. Improved connectivity will be enhanced with sidewalk improvements, curbs and gutters, landscaping, and lighting.
- Public Utilities: Improved utilities will ensure that the area will be provided with adequate water and sanitary sewer service, storm drainage to eliminate flooding and erosion, and advanced technology systems.

ii. Assistance to Encourage Reconstruction of the Area :

Title 36, Chapter 1, Article 7, Section 36-49.1, Code of Virginia, (1950), as amended, empowers housing authorities to carry out any work or undertaking in the conservation area, including any or all of the following:

- Provide loans or grants of funds received from any public or private source, for the purpose of facilitating the construction, reconstruction, rehabilitation or sale of housing or other

improvements constructed or to be constructed on land situated within the boundaries of the Conservation Area.

- Provide Encouragement and assistance to property owners or occupants within the Conservation Area to improve their respective holdings, by suggesting improved standards for design, construction, maintenance and use of such properties and offering encouragement or assistance in other ways including the power to lend money and make grants to owners or occupants, directed toward prevention and elimination of blight.
- Acquire, construct, or rehabilitate residential housing developments for occupancy by persons of low, moderate and middle income to be owned, operated, managed, leased, conveyed, mortgaged, encumbered or assigned by the Authority.

iii. Conditions and Limitations on Property Acquisition:

Where voluntary acquisition of property can not be effected, eminent domain shall be exercised under with Title 1, Chapter 2.1, Section 1-219.1 and Title 36, Chapter 1, Article 7, Sections 36-48.1, 36-49.1, 36-50.1, and 36-51.1, Code of Virginia (1950), as amended. The power of eminent domain shall only be exercised to acquire:

- property for public use including public rights-of-way or use by a government or public service or utility corporation;
- property that is blighted and endangers the public health or safety in its condition at the time of the filing of the petition for condemnation and is a public nuisance or is beyond repair or unfit for human occupancy or use;
- property that is abandoned; or
- property where acquisition is needed to clear title where one of the owners agrees to such acquisition or the acquisition is by agreement of all the owners.

iv. Administrative Review of the Determination that a Property Is Sufficiently Blighted to Be Acquired by the Use of Eminent Domain:

Where property is determined to be blighted in keeping with Title 1, Chapter 2.1, Section 1-219.1 and Title 36, Chapter 1, Article 7, Sections 36-48.1, 36-49.1, 36-50.1, and 36-51.1, Code of Virginia (1950), as amended and is to be acquired by the use of eminent domain, such determination must be reviewed and affirmed by the Building Official for the City of Richmond and a qualified third party independent of the City of Richmond and the Richmond Redevelopment and Housing Authority, said party procured and contracted for this specific purpose or procured and contracted for work of a more general nature, but with a specific assigned work task or tasks related to the evaluation of building conditions per the Code of Virginia provisions cited above.

v. Proposed Land Uses for Acquired Property:

Land uses proposed for property to be acquired are set forth in **E. GENERAL LAND USE PLAN** of this Conservation Plan and shown on



the Proposed Land Use Map CP-2, Church Hill Central Conservation Area, dated April, 2015.

vi. Conditions and Limitation Including Time, Under Which Property Shall be Made Available:

At the time property is made available for rehabilitation/renovation or development by public or private enterprise the Authority shall stipulate in disposition instruments that such treatment shall be completed within a reasonable time. Reasonable time under normal circumstances is construed to mean not more than one (1) year from the date of conveyance of property.

vii. Standards of Design, Construction, Maintenance, Use and Other Measures to Eliminate and Prevent Blight:

Such standards are embodied in **E. GENERAL LAND USE PLAN** of this Conservation Plan.

viii. Relocation Assistance Plan for Displaced Persons, Businesses, and Nonprofits:

The Richmond Redevelopment and Housing Authority will provide for the temporary and/or permanent relocation of any person or persons living in the Conservation Area or any business or nonprofit in the Conservation Area as required under the Uniform Relocation Assistance and Real Property Acquisition Act of 1972, as amended. The Authority will seek to provide decent, safe, and sanitary dwellings, shelters, or group housing within the financial means of those persons displaced from the Conservation Area and to provide viable business locations to businesses displaced from the Conservation Area as follows:

- As soon as practical, each affected site occupant, business, or nonprofit will be informed of the availability of relocation payments, assistance and eligibility requirements, as well as, the procedures for obtaining such payments and assistance.
- Each affected site occupant, business owner, or nonprofit executive will be personally interviewed to determine the degree to which that person, business, or nonprofit requires relocation assistance.
- Current listings of available private residential rental units and private commercial rental units will be secured from local real estate brokers and realtors, rental agencies, and public housing officials and will be maintained by the Authority.
- The Authority will consider a dwelling and/or shelter to be decent, safe, and sanitary when evaluated by the standards set forth below:
  - Structural Condition: Structures must be in a good repair and weather tight with no leakage or excessive dampness. To ensure fire safety, every dwelling unit must have two separate

means of egress; except that a non-housekeeping unit for a relocated individual may have but one means of egress.

- Sanitary, Heating, Cooking, and Lighting Facilities: All units shall be free from rats and other vermin, accumulation of refuse, garbage and debris. Every housing unit or group facility must contain properly functioning plumbing connected to an adequate sewage disposal system; a central heating plant or safe individual flue-connected heating facilities; an adequate and safe wiring system for lighting and other electrical services; a window opening directly to the outdoors in each habitable room; an adequately ventilated toilet or bathroom and kitchen. Every such unit must contain, for the exclusive use of a family, an inside lavatory and bathtub or shower connected to a hot and cold running water supply, and an inside flush toilet, all in good working condition; a sink with hot and cold running water and a cook stove or utility connection for such stove. All of these conditions shall apply to displacees, except those individuals who relocated to a non-housekeeping unit in which case such unit shall not be required to have a private bath or cooking facilities for the exclusive use of the individual.
- Occupancy: The dwelling unit must be of sufficient size and have enough rooms, in proportion to the size of the family, to provide privacy and avoid overcrowding.
- Temporary Relocation: Site occupants will be assisted with temporary relocation only when it is in the interest of the site occupant and/or program execution. Temporary relocation shall only be until permanent standard housing can be made available and shall be in a safe and habitable condition free from violation of local codes and ordinances applicable to the existing dwelling units.
- The Authority will consider a business or nonprofit location to be viable when evaluated by the standards set forth below:
  - Structural Condition: Structures must be in a good repair and weather tight with no leakage or excessive dampness. To ensure fire safety, every commercial unit must have two separate means of egress.
  - Sanitary, Heating, and Lighting Facilities: Structures shall be free from rats and other vermin, accumulation of refuse, garbage and debris. Every commercial unit must contain properly functioning plumbing connected to an adequate sewage disposal system; a central heating plant or safe individual flue-connected heating facilities; an adequate and safe wiring system for lighting and other electrical services.
  - Occupancy: The commercial unit must be of sufficient size to enable the business or nonprofit to continue the purpose and activities conducted in its previous location.

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- Temporary Relocation: Businesses or nonprofits will be assisted with temporary relocation only when it is in the interest of the business or nonprofit and/or program execution. Temporary relocation shall only be until a replacement or rehabilitated commercial unit can be made available and shall be in a safe condition free from violation of local codes and ordinances.

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## **H. TERM OF PLAN**

Project activities as described in this Conservation Plan can be undertaken for a period of ten (10) years from the date of approval thereof by the Council of the City of Richmond, Virginia.

## **I. TIME REGULATION TO BE IN EFFECT**

The above regulations and land use provisions, including any amendments thereto, shall be in full forces and effect for a period of thirty (30) calendar years from the date of approval thereof by the Council of the City of Richmond, Virginia.

## **J. APPLICABILITY OF REGULATIONS**

The provisions and requirements set forth herein are to apply to all real property within the Church Hill Central Conservation Area boundaries acquired by the City of Richmond or the Richmond Redevelopment and Housing Authority. Such regulations and land use provisions shall be made applicable to other real property not acquired whenever the owner thereof acquires any Conservation Area land; provided, such not acquired property is not developed so as to preclude compliance with such regulations and controls.

## **K. PROCEDURES FOR CHANGES IN APPROVED PLAN**

The Conservation Plan may be amended from time to time upon compliance with the requirements of law and outstanding covenant rights, provided that prior to the passage of any resolution amending the Conservation Plan the owner of any land in the Conservation Area previously disposed of by the Richmond Redevelopment and Housing Authority for use in accordance with the Conservation Plan shall receive, at least thirty (30) days prior to the consideration of any such resolution by City Council, written notice of the time and place of such Council meeting, where a copy of the proposed amendment, and a precise description of the proposed changes, may be inspected.