

**PLANNING COMMISSION REGULAR MEETING  
October 12, 2021 – 5:30 P.M.  
Virtual Meeting**

**I. COMMISSION PRE-MEETING (Agenda discussion(s))**

***Beginning:*** 5:00 PM

***Location:*** Virtual/Electronic

**Members Present:** Chairman Solla-Yates, Commissioner Russell, Commissioner Mitchell, Commissioner Habbab, Commissioner Lahendro, Commissioner Stolzenberg

**Members Absent:** Commissioner Dowell

**Staff Present:** Patrick Cory, Missy Creasy, Lisa Robertson, Joe Rice. Matt Alfele, Carrie Rainey, Alex Ikefuna, James Freas, Matt Alfele

Chair Solla-Yates called the meeting to order at 5:00pm and he asked staff to provide logistical information for this evening. Ms. Creasy provided background on the potential method for deliberation. Commissioner Mitchell asked that when the commission begins deliberation that a motion be provided first that the commission could add amendments. Commissioners then noted potential changes to the comp plan before them. Commissioner Ladendro noted that he would provide some additional language this evening and Commissioner Stolzenberg noted that he had a number of map changes that he would like to propose. Commissioner Russell expressed concern with a review of map amendments that were submitted late in the process. Chair Solla-Yates asked if there were other potential amendments. Commissioner Russell noted that she would like the group to be ready for a discussion concerning the Medium Intensity Residential category. Mr. Freas noted that he will be providing an overview on that topic in his discussion and it is included in the consultant presentation.

Commissioner Mitchell noted that he may want to talk about by-right affordable units in General Residential. Commissioner Russell asked how detailed/specific discussions should be in advance of the zoning ordinance. It was noted that during the first discussion period this evening that Commissioners are encouraged to make opening remarks, provide questions for the consultants and note any known discussion items.

**II. COMMISSION REGULAR MEETING – Meeting called to order by Chairman Solla-Yates at 5:30 PM.**

***Beginning:*** 5:30 PM

***Location:*** Virtual/Electronic

**A. COMMISSIONER'S REPORT**

**Commissioner Russell** – No Report

**Commissioner Stolzenberg** – We had a meeting of the MPO Technical Committee. We are getting ready for a stakeholder engagement on the Rivanna River crossing. There are a couple possible routes. There are

a number of potential stakeholder groups that will be brought on to an advisory committee. We have an update on the VDOT pipeline and the 29 north corridor study updates. We had a TJPDC meeting and approved the solid waste plan. We appointed a new permanent director, who is our interim director, Christine Jacobs.

**Commissioner Dowell** – We do have the CIP Committee meeting coming up on the 26<sup>th</sup> of this month. I plan to be in attendance for that meeting.

**Commissioner Mitchell** – No Report

**Commissioner Lahendro** – I attended the Tree Commission meeting on October 5<sup>th</sup>. There is a report by the Cville Relief Committee, which is an initiative created by the Tree Commission. This group will be planting about 17 trees at Venable School, specifically designed to shade the playgrounds. It was discovered that there is a 20 degree difference between the areas of the program that have trees and the blacktop areas that don't have trees. Cville Relief will be mostly focusing on educating children through the school presentations with the city and the school staff on the value of trees and nature in Charlottesville. There are presentations planned at City of Promise, Venable, and other city schools. The CIP funding from last year is allowing Parks and Recreation to plant about 150 trees this coming December and January. We are prioritizing playgrounds, parks, and right of ways. The Board of Architectural Review met September 21<sup>st</sup>. I wasn't able to attend because it conflicted with a Planning Commission meeting. Four Certificates of Appropriateness were approved. There was a preliminary discussion of the demolition of 745 Park Street.

**Commissioner Habbab** – The Citizens Transportation Advisory Committee met September 15<sup>th</sup>. We had updates on three items including a presentation about roundabouts, an update on the 29 north corridor study (which is in the county), and the Charlottesville-Albemarle MPO identified the Rivanna River bike and pedestrian crossing as a project that would benefit from additional engagement. A stakeholder advisory group is being put together for that project.

## **B. UNIVERSITY REPORT**

**Commissioner Palmer** – No Report

## **C. CHAIR'S REPORT**

**Chairman Solla-Yates** – No Report

## **D. DEPARTMENT OF NDS**

**Ms. Creasy** – We have our special meeting scheduled for October 21<sup>st</sup> which will be similar to our Regular Meeting. We have the agenda materials posted. I didn't want that to get lost in all of today's messages. We have one public hearing in that meeting and a couple of regular items as well as a preliminary discussion. It is a full meeting. We will be back on our regular schedule. We will have our next regular meeting on November 9<sup>th</sup>. That agenda is To Be Determined. I don't anticipate an October work session. You will have met quite a bit.

## **E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA**

**Elizabeth Marshall** – I live here in Preston Place. My mother and grandparents grew up in this house. I remember being here as a little kid and playing with other families. It was a family street on the border with the University. It is turning into a college party zone. It wasn't like this ten years ago. Changing these last few houses from single family to high density is not going to provide affordable housing for anybody. It is going to backfire and make the party zone larger. It will be a disaster. There are still a few houses on Preston Place that are still R-1 (Single family). The new zoning looks to change it to high density. It won't provide affordable housing to families. It is going to turn into a University student party zone. It used to be families. There are students coming in. A lot of them are disrespectful.

**Castano Lopes** – I wanted to mention that the Thomas Jefferson Planning District Commission is deliberating right now Charlottesville 30 for Charlottesville and the surrounding municipalities. As a result of this study, we're going to likely make the necessary investments. One of the things that was missing was planners with the city. We were talking about improving transit. It is important to have the people that are going to decide where sidewalks are going to be placed, where roads are going to be constructed, and where crosswalks are going to be placed. I want to invite/urge the city to bring planners or Planning Commission members to this meeting in the future.

#### **F. CONSENT AGENDA**

1. Minutes – April 13, 2021 – Regular Meeting

**Commissioner Russell moved to approve the Consent Agenda. (Commissioner Mitchell second).  
Consent Agenda passed 7-0.**

(Items removed from the consent agenda will be considered at the end of the regular agenda)

**The meeting was adjourned until 6:00 PM for a quorum with City Council and the beginning of the Public Hearing.**

**Councilor Hill called Council to order for the Public Hearings.**

### **III. JOINT MEETING OF COMMISSION AND COUNCIL**

*Beginning:* 6:00 PM

*Continuing:* Until all public hearings are complete

*Format:* (i) Staff Report, (ii) Applicant, (iii) Hearing, (iv) Discussion and Motion

1. **CP-21-00002: (Comprehensive Plan)** – The purpose of the Comprehensive Plan is to provide a guide, with long-range recommendations, for the coordinated and harmonious development of property within the City. Elements that are addressed in the proposed Plan include Land Use, Urban Form, and Historic & Cultural Preservation; Housing; Economic Prosperity & Opportunity; Transportation; Environment, Climate, & Food Equity; Community Facilities & Services; Community Engagement & Collaboration. This update provides for updated density ranges throughout the City. The Plan also identifies Guiding Principles and Vision Statements; Goals and Objectives; a Transportation Plan; updates to the Urban Develop Area designation and recommended actions for implementation. Materials may be viewed online at <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood->

development-services or <https://www.charlottesville.gov/1077/Agendas-Minutes> (available online five to six days prior to the Public Hearing) or obtained from the Department of Neighborhood Development Services, 2nd Floor of City Hall, 610 East Main Street. Persons interested in the Comprehensive Plan may contact Missy Creasy ([creasym@charlottesville.gov](mailto:creasym@charlottesville.gov)) or by telephone (434-970-3189)

## **i. Staff Report**

**James Freas, Director of NDS** – Tonight, we're here to speak about our draft Cville Plans Together Comprehensive Plan. I did want to acknowledge the hard work that has gotten us to this final draft of the Comprehensive Plan. Many hours of time have been spent on this plan amongst our city staff, consultant support team, Planning Commission members, City Councilors, and most importantly many community members who have taken the time to share their thoughts and concerns with all of us. The result of this process to date is the draft plan you have before you tonight, which is only a first step as we move onto the implementation actions and rulemaking through the zoning ordinance project. In the presentation tonight, there will be a brief description of the guiding principles and goals of the plan. It is there to remind all of us that as we move into implementation, we will be considering this entire plan. While there has been much discussion on the land use map, the strategies in this plan call for environmental protection, historic preservation, and recognition of neighborhood context, addressing climate change, and providing affordable housing among many other issues. All of these will go into our efforts to craft a new zoning ordinance. This work will involve a great deal of further analysis, which must be done within the rulemaking context of the zoning project. That work cannot start until this phase of the work is complete. As we craft rules that bring together all of these different goals of the plan, there will be places where the suggested density may not work. We will prepare a plan with adjustments and amendments accordingly. I am excited and looking forward to working and collaborating with members of the public, the community, Planning Commissioners, and the City Council as we move forward into the zoning amendment process for implementation of the plan.

## **ii. Applicant Presentation**

**Jenny Koch, Cville Plans Together** – The Cville Plans Together process has three parts. They are all focused on updating this future vision for the City of Charlottesville with a real focus on equity and affordability. The Comprehensive Plan is the middle of the three pieces. We are showing the Affordable Housing Plan with a checkmark. That was completed after a yearlong process with Council endorsing the document in March. We are currently in the phase of updating the Comprehensive Plan, which is the guide for the future of the city. After our work with you on this, we will work with you on the zoning ordinance.

## **Next Slide**

I am going to speak about equity and affordability. We have talked a lot about equity and affordability throughout this process. When we talk about equity, I just want to make sure we are all on the same page. We are talking about incorporating policies throughout this process that include the Affordable Housing Plan, the Comprehensive Plan, and the Zoning Ordinance in looking to mitigate any disproportionate harm that may happen or might be faced by certain communities. We know that this is not how land use planning policies have happened throughout history in most places. When we talk about affordability, there are many factors that relate to affordability: affordable transportation, access to healthy and

affordable food, etc. The thing we're talking about tonight is affordable housing. We're looking to support housing options that are affordable at all income levels. The federal government defines affordable housing as a household that can obtain that housing at 30 percent or less of their income. That is the general guide for affordability. We know that significant subsidy is needed at the lower end of the income spectrum and less so at the higher end of the income spectrum, which is more market rate. We know subsidy is needed to support those lower income levels. Land use policies can make a bigger dent on their own at higher income levels. The supply side of affordable housing is only one part of this. Income levels are also important. There are policies in the Comprehensive Plan that support that.

### **Next Slide**

The Cville Plans Together consultant team began our work in late 2019. The Comprehensive Plan process has been in motion since 2017. The Planning Commission began this required five year review of the Comprehensive Plan. There were three rounds of community engagement between May 2017 and May 2018. During this time, the city also commissioned a housing needs assessment, which identified that the housing market is very tight. Demand significantly exceeds supply. Recognizing the need for a focus strategy to address housing issues, the city sought a consultant team to help guide an affordable housing plan as well as complete the other activities that we are undergoing right now. Most work began in early 2020. Several pieces of our schedule have needed to be adjusted as we went due to COVID. We are glad that we have been able to have three rounds of engagement throughout the process, including both virtual and in-person engagement input opportunities. We have met nine times with our Cville Plans Together steering committee. We're very grateful for those people. We have also met with the Planning Commission and Council several times throughout this process; not to mention the countless meetings with city staff.

### **Next Slide**

We have heard from thousands of people in this process including city residents, county residents, and some residents who don't live in those areas at all. We're really grateful to those people who have participated. We want to give a snapshot of what we have been hearing. This is just an overview list of things we have heard in this process. I would encourage everyone to read through these booklets that we have put out to show what we have heard throughout this process from 2017 through 2021. What has been done to reach out to people? What have we heard? How have we responded to that?

The first section talks about what we have heard around housing affordability and allowing for potential increased intensity of uses: both for housing and otherwise. There were varying opinions on that. One thing we have heard is that there is support for improved housing affordability in the city, even if there are varying opinions on how to get there. We also know that housing is not the only concern on the community's mind when it comes to the future. We have heard a lot about climate change, multimodal transportation, economic development, job opportunities, community wealth building, food equity, community engagement, etc. All of these topics are covered in the Comprehensive Plan.

### **Next Slide**

We have mentioned the housing. A lot of us are familiar that there is a need for more housing and more affordable housing in the city. Regional studies have found that the city and county are expecting to see

around 15,000 additional households in the next 20+ years. Since the Charlottesville housing supply is constrained, much of this growth is expected to occur in the county. Within the city itself, though there is capacity for growth in terms of zoning. There is little capacity for growth and change within residential neighborhoods. Many allow only single family homes to be built. Unless you can afford a single family house, you're not able to afford to live in certain neighborhoods in the city. We know that many people in Charlottesville currently pay more than 50 percent of their income on housing. If you recall that benchmark for 30 percent being affordable, 50 percent is certainly not affordable for anyone. We know that housing is a regional need and regional issue to solve. There are regional solutions that are needed; not only working with the county but also with UVA, TJPDC, and all of these regional players. You have recognized the need to look inward to see what Charlottesville can do to reduce displacement in the city, to support aging in place, to support climate change mitigation goals, to reduce vehicle miles traveled, and to achieve all of these other goals we have been discussing.

### **Next Slide**

The Affordable Housing Plan really sets the stage for many of our housing focus strategies in the Comprehensive Plan. This document is robust and includes a lot of recommendations. Overall, it defines a vision for a local housing market that is healthy, high quality, affordable, and equitable. There were three guiding principles in this Affordable Housing Plan. Racial equity was identified as a priority, recognizing that historic, local, and national housing policies have led to segregation of many neighborhoods that persist today. There are also displacement issues driven by development pressures in certain communities. The second principle is regional collaboration. We have heard community input that supports this and recognizing that housing is a regional issue. The final guiding principle in the Affordable Housing Plan is taking a comprehensive approach, recognizing there is no silver bullet to address the housing needs. It needs a strategy that combines everything from land use, subsidy, tenant's rights, governance, and all of those different strategies that are included in this plan. Although there were a lot of recommendations, there were three major initiatives that are listed here. One is dedicating \$10 million annually to affordable housing. The second one is to build inclusive governance at all levels. The third one is to adopt progressive and inclusionary zoning reforms. We're not specifically talking about zoning tonight. We're talking about land use, which is providing a vision that we will be looking to implement through the zoning.

### **Next Slide**

The Comprehensive Plan might be best thought of as an umbrella plan. It provides an overall vision for the city. It is supported by and supports several functional plans; things like the Affordable Housing Plan, Bike and Pedestrian Master Plan, the forthcoming Climate Action Plan. The Comprehensive Plan is also supported by several small area plans, which identify a future vision for land use in greater detail for these defined spatial areas in the city. One example is the Cherry Avenue Small Area Plan. There are several that have been incorporated into the Comprehensive Plan.

The zoning ordinance is also a piece of this future of the land use in the city. That will be the next step in this process that we have shown.

### **Next Slide**

Coming into this process, we as a Cville Plans Together consultant team, were tasked with picking up on the previous updates that have been started when working with you, the community, and staff to continue and finalize revisions. Some key pieces of this are listed here. They include incorporating equity considerations throughout the plan, not only for housing, but also access to facilities and food. Another key update was updating the land use chapter and the housing chapter. The housing chapter was informed largely by the Affordable Housing Plan. With the land use chapter, we combined two in the previous plan to make sure that the ties between land uses were clear to urban design and historic preservation. Those two chapters were combined. The new community engagement chapter and the new implementation chapter have been added. We have worked with staff to identify changes throughout the plan.

### **Next Slide**

In terms of the structure of the plan, we mentioned guiding principles for the Affordable Housing Plan. The Comprehensive Plan has its own guiding principles. There are five of them. The purpose for these is to identify overarching priority areas driven by community input that we have received over this process. They really tie together the goals throughout the chapters of the plan. Each of these has an additional description in the plan itself. We have been discussing these with the community since November, 2020 when we had a draft version. The language has been adjusted. These five guiding principles have generally received support. They have been steady since that time.

### **Next Slide**

The guiding principles are applied throughout the plan. They are tied to goals throughout every chapter to make it clear how everything in the plan ties together. There are these separate chapters that seem separate from each other and we believe these guiding principles help tie it together. They apply to goals throughout the plan. The goals are contained in seven topic specific chapters. Those are shown here. Within each of the chapters, there is a vision statement for the future as well as goals related to that vision statement and strategies for working toward each goal. There has been a lot of focus on housing and land use, which are important topics for the future. We want to quickly go through each chapter to make sure everyone is aware of what is contained in the plan.

### **Next Slide – Land Use, Urban Form, and Cultural Preservation**

In the Land Use, Urban Form, and Cultural Preservation chapter, this tackles topics related to zoning. It includes an outline for what we will be considering in the zoning rewrite. This chapter also talks about processes and future potential small area plans. It has several goals related to historic and cultural preservation. It has a robust preservation appendix that has been updated from the 2013 version. The other thing contained in this chapter are ways to support a livable community through urban design. That is something we have heard a lot about.

### **Next Slide – Housing**

The housing chapter incorporates all of the recommendations from many of the Affordable Housing Plan goals specifically related to funding, governance, tenant's rights, subsidy, and regional collaboration. Those are all in this chapter. It really looks to support a diversity of housing options throughout the city. It identifies strategies, in addition to the things in the Affordable Housing Plan, to house the unhoused in the

city, as well as to address energy efficiency for housing, which is also an affordability concern and an environmental issue.

### **Next Slide – Transportation**

The transportation chapter supports improving transportation options, especially for walking, biking, and public transportation. It also identifies various mechanisms to seek funding for transportation projects and talks about prioritizing different types of projects. Like the Historic and Cultural Preservation piece, this chapter is also supported by a robust appendix, which describes the city's Transportation Master Plan, which is a collection of several planning efforts.

### **Next Slide – Environment, Climate, and Food Equity**

The Environment, Climate, and Food Equity chapter seeks to address ways that humans in the natural environment in the city interact. This includes considerations related to climate change, both in terms of mitigation and adjusting to future conditions. It supports the ongoing Climate Action Plan process, which is of great importance to the city. It includes recommendations or strategies around water quality and other factors that affect the natural environment in the city.

### **Next Slide – Economic Prosperity & Opportunity**

In this chapter, there are considerations for both community wealth building for individuals and families as well as the overall economic health of the city and partnerships in diversifying the economic framework of the city.

### **Next Slide – Community Facilities & Services**

The Community Facilities & Services chapter is quite broad. It covers topics ranging from schools to utilities and stormwater to parks and recreation. It also covers community safety including fire, EMS, and the police department.

### **Next Slide – Community Engagement & Collaboration**

This chapter is focused on community engagement and collaboration. It includes strategies related to public education, building more inclusive and effective engagement processes and building more transparency and communication into all efforts in the city.

### **Next Slide**

There are a lot of really important topics covered in this plan. Accordingly, there are a lot of goals and strategies in the plan. They are all important. They have been identified by staff in the community as areas of interest. In the interest of making sure that limited resources are focused in the short term, we have proposed six priority areas for implementation. Those are listed here. There's also 30 priority strategies that are tied to these priority areas. They don't negate other strategies. They are meant to serve and elevate those areas that we have heard repeatedly from people in the community.



## **Ron Sessoms, Cville Plans Together –**

### **Next Slide – Future Land Use Objectives**

Land use is an important component of the Comprehensive Plan. It is one of many important elements that we included in the plan. Over the past 7/8 months, we have been working hard to develop the Future Land Use Map. Before we put pen to paper in the beginning of future land use planning, we developed nine key planning objectives. These planning objectives were developed based upon what we heard from the community. We had a fairly robust community engagement process throughout this planning update/study. We were able to use that information and what we heard to develop these guiding objectives that really serve as a point of evaluation and a means to guide the recommendations of the Future Land Use Map. You can see the nine objectives in front of you. They are not organized in any particular order. They do recognize all of the different opportunities that we have at our disposal to develop the Future Land Use Map. They range from (a) being able to integrate the previous studies that have been completed throughout the city. The Comprehensive Plan is one of many studies that are on the way or have been completed in recent years, including small area plans, studies such as the Streets that Work program, and others that we used as a foundation of our work. Housing is very important. That's an issue we have heard quite a bit through the planning process. We have identified ways on the map that we can begin to provide for equitable housing opportunities throughout the city, recognizing the Future Land Use Map is only one tool of many tools that need to be combined with the map to really make sure that equitable opportunities come to fruition. We do see and have integrated opportunities in the Future Land Use Map to support equitable development. Another form of equity is providing access to community amenities such as shopping, employment centers, and transit. Charlottesville is the hub of Albemarle County. It is a regional hub beyond that. Providing opportunities for people/citizens of Charlottesville to live close to those amenities is very important. Taking advantage of vacant and underutilized properties (particularly commercial properties) can support more intense development that can support economic development goals as well as housing needs. Not thinking about Charlottesville in a bubble but how it fits into the region and relating the future land use opportunities with those of the county and incorporating that urban ring (area of growth around the city) into how we think about future land uses within the city. Thinking about access to transit, making this a very livable city, and a city where you don't have to rely on a car. Providing access to transit, more amenities for biking and walking, while preserving natural and cultural resources. Charlottesville is a very historic community. We have heard a lot from the community regarding preservation of historic resources, natural resources. The Rivanna River is a major natural resource. There are several streams and tributaries that meander off the Rivanna River corridor into the city. Natural resources are very important. Economic sustainability and how we support economic development as part of this future land use planning process.

### **Next Slide – Future Land Use Map**

We have been working closely with the community and Planning Commission to refine the Future Land Use Map. We went through several iterations of the map. We know there is a zoning process that is coming up after the Comprehensive Plan process. We recognize that with the zoning process, there may be further revisions to the map. We see this as not the final map but there might be updates that happen in the future to the map. This is a living document. We don't expect these elements to remain static. There are several core land use categories that we integrated into the Future Land Use Map. There are ten land use categories. They range (to the left) in intensity from the least intensive (General Residential) up to

Downtown Core, which is the center node of the city. These land uses are fairly distributed throughout the city. We first started the future land use planning process through the development of a land use framework where we identified how we see the city growing in the future. We built the process to identify nodes and corridors that will serve as a framework for the Future Land Use Map: nodes being central more densely developed places in the city (Downtown, areas around the Strategic Investment Area, US 29 corridor) that support more intensive development. In between these places/nodes, we have corridors (High Street, Preston Avenue, Cherry Avenue, Fifth Street) that become extensions between these nodes and how we felt of these places where opportunities can support particularly higher intensity residential development. Along many of these corridors are transit routes and community amenities. These are main conduits that connect employment centers not only in the city but to the region. That was an important element of the framework that we carried forth through all of the iterations of the Future Land Use Map.

For those land use categories, we have a series of residential land use categories, General Residential being the least intensive residential category up to higher intensity residential (larger scale apartment buildings). We also have a series of mixed use categories that range from neighborhood mixed use corridors and nodes, which are smaller scale mixed use developments that will allow for commercial development on the ground floor and residential development on the upper floors. We did hear from the community that they would like to see commercial, neighborhood scale commercial being offered in the General and Medium and High Intensity residential categories as well. We did integrate that into those categories. We have opportunities for places to develop throughout the city, even in residential neighborhoods that can support community serving retail.

### **Next Slide – Housing Affordability Framework**

We have heard a lot about equity. Ms. Koch talked about the need for affordable housing within the city. Housing costs are rising. It is not only unique to Charlottesville but it is a phenomenon that is happening throughout the country. We have thought of this Future Land Use Map as a means to perhaps accommodate more affordability throughout the city. For every land use category, we have included an affordability measure. We're going to talk more about General Residential and Medium Intensity Residential categories. With the higher intensity and mixed use areas, we are including an inclusionary housing mechanism to promote affordability within those mixed use districts and in the General Residential and Medium Intensity residential areas as well. We will talk more about that. This was very important. We heard that we needed to include affordability across the board. We have done that for all categories in the Future Land Use Map.

**Ms. Koch –**

### **Next Slide – Inclusionary Zoning & Bonus**

There is a forthcoming inclusionary zoning study that is part of the zoning rewrite that will look at a variety of ways to provide inclusion of affordable homes in market rate developments. This graphic is from the Affordable Housing Plan. It shows the various types of considerations that need to be taken into account with this: types of policy, administration considerations, looking at things like depth and length of affordability, incentives needed, and program management. All of these factors are listed. The goal would be to provide as deep affordability as can be supported. We note that inclusionary zoning is most effective when there are about ten or more housing units involved in a development. In that case, we have provided

a bonus program for smaller scale developments. It is important to note that a bonus program, in most cases, might require subsidy to provide affordable units. That subsidy commitment in the Affordable Housing Plan is important to make some of these changes happen.

### **Next Slide – General Residential**

We also want to provide some notes about the General Residential categories. There are two categories in General Residential shown on the Future Land Use Map. Within sensitive community areas, the draft plan proposal allows for up to three unit dwellings if the first new unit meets the affordability requirements to be established during the zoning update. It also allows a fourth unit if the existing structure is maintained. That is the current draft plan. Outside of sensitive community areas, the plan allows up to three dwelling units with up to four dwelling units if the existing structure is maintained. This is where we will be talking about a bonus program as we get into the zoning rewrite to look at allowing for additional units and some additional height under that bonus program.

We know that this is a big change. This is a significant change in the city. Along with the changes we have discussed in Medium Intensity Residential, we know there are a lot of thoughts on this. We also know that the status quo in the city is not working for many who cannot afford to purchase these types of homes that are being built. What we're trying to do here is to provide a future land use vision that is more supportive of a variety of types of housing, affordability levels for a variety of people. This vision is really aiming to provide these opportunities for housing as well as for commercial at a variety of scales, commercial uses including at a neighborhood scale, which we have heard a lot about during this process.

### **Next Slide**

We have heard in discussions with you and with community members is the question: Can we apply this idea of the first new unit being affordable within the General Residential areas outside of sensitive community areas in addition to within those sensitive community areas? The goal with the sensitive community areas is to protect these communities, which are (based on demographics) most at risk for displacement based on development pressures in these areas. If this idea of having the first new unit be affordable to a certain level is applied in all General Residential areas, it might lead to two things. One would be reducing the amount of housing that is built in areas that are currently dominated by single family homes. In those areas along with the base market rate of development, it will provide more incentive to build additional units at a variety types of units. The second thing we think might happen if we were to apply that requirement outside of sensitive areas is that it would increase or maintain this pressure we're trying to mitigate in those sensitive community areas. We're trying to make sure these are not such a focus for development while still allowing for and supporting this community wealth building for those who do own property, especially long time community owners.

We do include in the chapter that the zoning update should explore whether it would be feasible to include this requirement within some of the zones outside of sensitive areas. We do believe that additional analysis is needed.

### **Next Slide – Medium Intensity Residential**

The intent with Medium Intensity residential is to support a variety of housing types in scales to help build these housing options into all neighborhoods. It is particularly located near community hubs such as

parks, schools, employment and job centers, transit corridors, and shopping. These are the places that people need and want to go. This is building on what is called for in the Affordable Housing Plan, which calls for restructuring multifamily zoning and approval processes, which is a supporting element in the Comp Plan. In order to increase the production of new housing in the city, the Affordable Housing Plan notes that these changes should be made in tandem with an inclusionary zoning policy. This category allows for a range of housing up to 12 units. This 12 unit maximum for Medium Intensity came about because it is the upper limit for what would be considered the missing middle housing, which is what we're looking to support here. It is a general maximum of what can fit with a form that is compatible with single family homes. That includes having similar setbacks and building widths. These buildings and structures might be deeper and might be taller than some existing single family housing forms.

### **Next Slide**

These areas will be refined further in the zoning ordinance to make sure that the scale is compatible with site constraints and context. There will be several zoning classifications within all of these residential districts, including General Residential and Medium Intensity Residential that will lead to transitions between areas that will ensure that it reflects what is possible on a site. The inclusionary zoning study will define what is feasible in terms of level of affordability, incentives, and process prioritizing focusing on the deepest affordability as possible.

### **Next Slide – Recent Meetings & Refinements**

We have met with all of you a few times since August. We have met with the Steering Committee. You met yesterday to have discussion on these topics. As we have gone through these meetings, we have listed some areas of refinement. We have refined how we have talked about sensitive areas or made some clarifications about the intent around them. We have clarified the affordability framework, recognizing that we have heard ideas about overlays for affordability. We have provided a framework concept. We have set refinements to the Implementation chapter.

### **Next Slide – Future Land Use Map Refinements**

We have listed some of the most recent map refinements that we have made based on conversations we have had. It includes some adjustments to Medium Intensity and some adjustments of Mixed Use throughout the map. What we have been doing here is refining the map. We have been working with you and the community since the first version came out in May, building on previous versions the Planning Commission had already developed. We wanted to make it clear what has more recently been completed.

### **Next Slide**

The Comprehensive Plan document was posted last week. We have made 6/7 edits to the document. We have listed those edits here. Some of them are clarifications. We added a map that was missing environmentally sensitive areas.

### **Next Slide – Next Steps**

After we have the Comprehensive Plan updated and adopted, we will work to update with you the zoning ordinance. We will work with you, The Council, and the community throughout that process. There will be several community engagement points, which we will work to outline in early 2022.

**Commissioner Mitchell** – The document that we have in front of us is not perfect. It never will be perfect. It is a document that moves us to the next iteration. We embrace this document and move onto the zoning ordinance. We get more perfect. I am hoping that by the end of tonight, we are able to have a vote that supports the document that the consultants have presented with amendments that make this a more perfect document.

With the overlay, Mr. Sessoms did a good job of making me more comfortable with the affordability overlay. Mr. Sessoms did a really good job of making me pretty comfortable with their articulation of how the overlay should work in the various districts. I will not object to not having the overlay there. The General Residential piece is still ‘up in the air’ for me. I would like to hear from other commissioners. With the natural gas piece, Mr. Freas is pulling me back ‘from the edge on that.’ Rory and I will be very intentional when it comes to approving new developments and what the natural gas component looks like. With Medium Intensity, Genevieve Keller (previous chair) sent a very eloquent email to us. She suggested that we should think about this a little more. My worry is that if we don’t include that in the map, it might not make it there. I am becoming pretty comfortable with that being included. I would like to invite Mr. Freas to walk us through what he walked us through last night in support of including that in our plan.

**Mr. Freas** – The next step in our process is that we’re going to move into writing the zoning. Our process there is that we’re going to look at this map and the strategies within the plan. We’re going to use that to develop a set of zoning districts and rules that incorporate all of these various goals (affordable housing, environmental protection, historic preservation, etc.). We’re going to develop a body of rules and a set of zoning districts that encompass the objectives of the plan. We’re then going to attempt to apply those into the creation of a zoning map, looking at the conditions on the ground and understanding the lots that are present. As we’re doing that/taking that body of rules we created and applying it in a specific location, does this work? Does applying this body of rules in this location still accomplish our goals given the lot sizes here, given the environmental constraints in this location, and given transportation and other infrastructures issues? If it doesn’t, we may step back. We might say “this is General Residential location rather than a Medium Intensity location.” We still might say “this is still Medium Intensity but in this location, this is one of those districts that allows up to six units; not up to twelve.” Each of these land use designations could very well have within it a set of districts representing different intensities of development. Having the Medium Intensity on the map right now allows us to have a document to work forward with. Which areas of the city are we supposed to be doing this analysis in terms of considering these Medium Intensity districts? If they don’t show up on the map, how are we guiding that work as we move forward? If we didn’t put it on the map, we would have to say “here is a set of principles and guidelines you should use to consider where to consider, test, and analyze for the application of these Medium Intensity zoning districts.” That set of guidance that would go into that is what is illustrated in that plan. We would be taking a picture that is illustrating for us where to consider the Medium Intensity use while working on the zoning. We’re removing that picture and replacing it with a set of words or we’re not doing Medium Intensity at all. As staff, we need something that is adopted by the city leadership that represents a policy that tells us ‘here is where you should consider application of these

zoning districts that represent Medium Intensity.’ It is how we get direction from our elected and appointed leadership that allows us to move forward into the next phase of this work.

**Commissioner Dowell** – I did have a chance to watch yesterday’s meeting today. It was very insightful. There are a couple of things that I take away from yesterday’s meeting and from the presentation today. I already touched base on saying ‘in the zoning we will make sure that every district has the wording to support affordable housing.’ I think it is important to be redundant at this point; to not only have it here, there, and everywhere. It is no question or no shadow of a doubt that we are including this affordable housing protection in every sensitive area and even in the General Residential. I look at our Future Land Use Map and was curious as to the delineation of the sensitive areas. With Ridge Street, I was wondering why the cutoff was where it was at, especially being a lifelong resident of Charlottesville. As you come down Ridge Street well past Lankford Avenue, there are people that have been in their homes since I was born. They are single family homes. I would hate for those families to not be included in those sensitive areas. I looked at that area and at the Tenth & Page area.

**Ms. Koch** – I will respond to the delineation of sensitive areas. We didn’t dive back into those details in this presentation. The last time you saw the sensitive community areas, they were outlined as census block groups that had come out as high percentage of communities that are non-white/non-hispanic as well as high percentage communities with income levels of \$30,000/year. We were looking to identify block groups that have high proportions of both of those communities. We originally showed the outline of each block group and noted that in the zoning update, we would potentially be refining these further. We also noted that they only applied to the General Residential land uses within those areas. What we heard last time we met with you and community members, was that it would be if we were only applying to General Residential; to show it around General Residential. We reduced the outline within each of those community census block groups General Residential within those areas. As we previously said, in the zoning rewrite, we will be looking to see other places that don’t make sense to include within those census block groups. The block groups are fairly large. Are there places that make sense to include? You mentioned Tenth & Page and Ridge Street; those would be areas we are looking to see. I am glad that you mentioned that to give me an opportunity to clarify. It is written into the plan that we will be looking at how these areas can be extended or reduced. That will be a conversation with the community as well in all of those areas.

**Commissioner Dowell** – I am wondering why we have to wait for a conversation with the community when I see it. It is something that we can work on now. We have had a lot of community input on those two specific neighborhoods and about that sensitive delineation.

**Ms. Koch** – Our goal, in using this census data, was to do the first cut. Then we wanted to pull out those communities we have heard a lot of concern in terms of demographics to provide this first cut of these areas. That’s why we took this data driven approach in the first piece, building on what was proposed by the HAC (Housing Advisory Committee) and CLIHC (Charlottesville Low Income Housing Coalition), which focused on neighborhoods in general. We wanted to leave flexibility when we get to the zoning. We have heard the desire to see more flexibility. As we’re talking about what each of these zones mean and what it means with implementation in the zoning, that is a different conversation potentially to have with people at that point in a clear vision of how these might be applied as opposed to looking at those revisions now.

**Commissioner Dowell** – If you look on Martinsville Road, they have subdivided a lot at the bottom of the street. They recently put in a new subdivision that is definitely not comparable to anything around it in the neighborhood. By not extending that sensitive zoning, I am afraid that what our traditional neighborhood looks like is going to turn into the new subdivision down the street, which is definitely not compatible with the salaries of the neighborhood and the families that have been involved in this neighborhood for 30+ years. It is definitely important to me that we preserve all of this neighborhood. There are a lot of single family homes there. We are close to downtown. I do not want that to go unnoticed. I would rather not wait.

**Commissioner Habbab** – This is a great deal of work. I appreciate all of the effort that was put into this. I believe there is enough language in the Comp Plan to basically cover everything in zoning. I am comfortable with that.

Do we want to consider that affordability bonus in the sensitive areas where it is not included? Would it be bad for concentrating affordable housing or maybe it has a high affordable housing threshold in those neighborhoods if someone wants to develop (most likely nonprofits)? For the General Residential, affordability (hearing what our consultants had to say), the language that is there proposes a question to explore. Adding that affordability in throughout the rezoning stage, I am comfortable with that. I would be hesitant to add something now that we don't know the repercussions or how it will play out. With the Medium Intensity, I would be afraid of taking it all out now as it will probably not make it back later. If we do, what Mr. Freas said makes sense. It is a guide for them to use. I would suggest keeping it. Something that came up in yesterday's meeting was revising the Future Land Use Map based on the zoning map throughout the zoning process. That could be a way to link it back and update it.

**Ms. Koch** – You noted the idea to potentially allow the affordability bonus that we will be looking at in the zoning rewrite for General Residential outside of sensitive community areas. We're talking about potentially allowing the affordability bonus within the sensitive community areas. I believe that is something that the team would be fine with adding in.

**Phillip Kash, HR&A** – I think what Ms. Koch said was accurate. The tension that was noted is the tension here. If you allow the bonus, that's great. You can get more affordable units. Most of the new development you're going to see there, in terms of soft density/smaller development, is going to be affordable. There is a potential for some concentration. It is something that you have to balance here. These are small parcels. There is not a huge amount of subsidy going on. You're not likely to see a lot of concentration. If you had to get control of several small parcels in one area, you're talking about enough subsidy for all the deals. You're going to see more of it. You shouldn't see an entire street becoming entirely affordable housing at the higher level of density. Generally, it should be helpful for the goal Charlottesville set forth.

**Commissioner Lahendro** – Myself and Commissioner Dowell are now approaching six years with working on the Comp Plan. I have worked with my colleagues through a lot of questions, a lot of issues, and a lot of potential options for solutions. I am now coming into this homestretch with one main concern. I want more housing in Charlottesville that is affordable. I also want to protect the physical features of Charlottesville that make us all want to live here. Striking a balance between those two is my primary concern. I have introduced an amendment that we will talk about later. I have been one to push back against the number of units and the size of what is allowed/would be allowed within the Medium Density

areas. I am now comfortable with knowing that these are only guidelines. These are the upper limits. I trust and expect that we're going to be doing during the zoning ordinance rewrite a fine grained examination of every neighborhood and aligning the allowable units and sizes with the physical characteristics of that particular neighborhood.

**Ms. Creasy** – The Planning Commission has dealt with complicated issues like this on numerous occasions. One of the yearly opportunities is review of the CIP Program. The Commission in years past has chosen to express issues that they would like to talk more in depth on. If they have concerns or want additions or deletions to that document, they have identified what those issues are. We then have dialogue concerning those and determine whether they have a consensus to add or delete or refine the proposal that has been brought before them. We anticipate that the conversation and the discussion this evening is going to be somewhat similar to that process. The Commissioners will outline areas that they would like additional consideration, whether that be additions or deletions or refinements of language. They will deliberate on those. We anticipate that there will be a motion. The potential motion could have amendments to the document that is before them this evening. In the example that Commissioner Lahendro has some language additions that he wants considered this evening, there will be the opportunity for the Commission to review that, refine that, and if there is consensus, that may end up being part of a recommendation.

**Commissioner Russell** – I am really proud to have my name on this document. I am honored to have worked alongside the consultants, my colleagues on the Planning Commission, and staff to develop it. The process is focused on affordability and equity. It has meant that we as a city have looked critically at the way land use decisions have been made, the impact those have had on traditionally marginalized and institutional members of our community, and the impacts those decisions continue to have today. We know that Charlottesville is a great place for those that can afford to live here. Many of our neighbors are severely cost burdened in trying to stay in this community or trying to find a new home here. We're making great strides in moving away from R-1, which I hope will increase the supply and affordability of housing and a variety of types of housing in our neighborhoods. Eliminating R-1 zoning is a sweeping change. We're one of the first communities to be doing that. There may be some additional tweaks to the land use category descriptions. We're trying to balance not restricting supply and not constraining the market forces to add infill development but ensuring that affordability is a requirement in these developments. Everyone on this panel shares that desire. Moving forward, there is a lot of work to do. It is my hope and I am starting to become better assured that as we move into the zoning ordinance rewrite, it will be sensitive to the actual conditions on the ground, context, environmental features, infrastructure, and existing structures. There is value in the existing housing form in our neighborhoods; both in the integrity of the built form and the materiality but also from a sustainability and economic standpoint. We know that deeply affordable housing requires subsidies. We all want affordability. Let's dedicate resources and money towards what we want. I want to see intentional, public investments towards affordability while still allowing for natural infill to occur within well-crafted guidelines.

**Commissioner Stolzenberg** – The plan, as drafted, provides a big step forward toward a more equitable community that welcomes every member of its community and stops the cycle of displacement at pushing people out of our city because of the limited room we have available. I would like to highlight Commissioner Dowell's point about sensitive areas. What she said really highlights the deficiencies in the block group approach. It is a good start. That block group, in particular, has a number of newer developments that skew the statistics in that block group in a way that makes it so what local knowledge



knows about parts of that block group is more valuable than the aggregated statistics. I don't know if there needs to be change tonight or we need to redraw the map tonight. I wouldn't be upset if you talked with Commissioner Dowell. It would be appropriate to fix it next year in the zoning rewrite process.

The big question for me tonight is the natural gas issue. I appreciate what you (Mr. Freas) said in your email. I am willing to give you guys a chance to make a plan and approach it on your own. I am concerned about the idea of really phasing out new natural gas hookups and the system as a whole was already being hedged against. Any new natural gas hookups we have in the coming years are very likely to last until the end of this decade; many decades after we have vowed to reach net neutral. Natural gas is not a thing that can be zero emission. I trust you guys to approach that process. We will be watching closely. What is the status of the climate action plan? Will we be reviewing it?

**Kristel Riddervold, City Staff** – The Climate Action Plan is forthcoming. It is a process that was launched in the fall of last year. I think many people in the audience and many people in the public are aware that there has been some competing priorities that the city has worked on. In some ways, we have given some deference to the Comp Plan process. There has been a lot of groundwork and climate protection related supporting work that has been going on for the past year. There is still a full commitment to develop a climate action plan since that is consistent with Council's commitment with the Compact of Mayors. It is not my understanding that the climate action plan is specifically to come before the Planning Commission for adoption. It would come to City Council and have the related public hearing process. There will be a number of engagement, outreach, and feedback opportunities. I would welcome the Planning Commission to take the opportunity to make the necessary connections with what is in the Comp Plan and the other tools/resources that you're working on.

**Commissioner Mitchell** – Why wouldn't we have a chance to provide input?

**Ms. Creasy** – You will have the opportunity to provide feedback as any other groups will in the community. That wouldn't be a plan that would come specifically to the Planning Commission for a recommendation necessarily. It would be something that would go straight to Council.

**Commissioner Mitchell** – What other public body provides Council input and advice before it goes to Council?

**Mr. Freas** – This would be a topic that I would love to open a conversation with Ms. Riddervold and others to talk about this potentially being adopted as an amendment to the Comprehensive Plan or appendices. We have done that on a number of other occasions for other plans. What I will commit to is having a conversation about that pathway.

**Commissioner Stolzenberg** – I think it is wise for it to be an amendment to the Comprehensive Plan because of its importance and how central addressing climate change is within the Comprehensive Plan and the city's goals. If those conversations do not end with that outcome, I would hope that we have a work session on it and bring it here to discuss how it relates to our goals and plans even if we're not making a recommendation.

Is the natural gas question going to be addressed in the Climate Action Plan? At some point, we really need to do it, especially we're anticipating many new stoves and heating elements that might be gas or electric.

**Ms. Riddervold** – As was presented yesterday, there is no direction and commitment that the city look at this. If we have the opportunity to embark on a number of those complex discussions, there is not a way you can do a community-wide action plan without consideration of all fuel sources. It is not going to prescribe the exact endpoint that we could arrive at in 2021. We're talking about climate commitments that are within a decade and out to 2050. There's a lot of phasing related discussions that we need to explore.

**Commissioner Stolzenberg** – That makes sense. It is really about determining exactly what that phasing is to getting to the end goals we need to in the time.

**Commissioner Palmer** – I am generally agreeing with the goals of the Comprehensive Plan and the acknowledgement of UVA's influence on many aspects of Charlottesville, both positive and negative. Continuing the collaboration and cooperation between the city and University is very important. It has been interesting to hear and ponder all of the comments that have come about through this process, especially those that pertain to UVA. UVA is not taking an official position on the Future Land Use Map. In terms of the Future Land Use Map, it does show growth patterns around UVA that are largely already there and are occurring, especially in mixed use zones, University High Density and Medium Density zones. I share a lot of the commissioners' desire for the environmental impacts (stormwater increases, tree canopy loss), impacts to historic heritage of neighborhoods, and traffic in those areas around UVA. According to the Future Land Use Map, those areas would see some increased potential for development. The 'nuts and bolts' of those kinds of things will be addressed in the zoning overhaul that is still to come. Hearing your comments (Commissioner Dowell) on the sensitive areas, I was picking up on that when I earlier looked at the map, especially around the Venable Elementary School area. That might be one of those block groups that needs to be looked at closer, especially if one of the goals is to have a buffer between General Residential versus Student Housing. That might be an area that is really stressed if it didn't have as much protection as you can give it.

**Chairman Solla-Yates** – It is a remarkable effort. My big questions to the consultants, going back to the beginning, was adequacy. Can we deliver on all of our goals? Can we make measurable improvements? Can we achieve them in a reasonable amount of time? My sense is that we can make progress. There is a lot of good in here. I am very pleased to see that 'good.' It will be a benefit to the city.

**Councilor Hill** – Yesterday, I certainly shared many of my comments.

**Councilor Payne** – There are big questions around Medium and High Intensity Residential. I am definitely assured to know that through the zoning rewrite process that is going to be looked at neighborhood by neighborhood, parcel by parcel level. I think it is true that if you assumed everywhere there is Medium Intensity and High Intensity and if that was the highest buildout that was allowed by right, we might not be achieving our affordability goals in every area. To be clear, that is not what is going to happen. It is important for the community to hear as well. That's not what this document means. I am very curious to see, as this zoning rewrite process develops, what specifically it will actually look like in terms of bonuses and affordability requirements (number of units, AMI levels, and how that is

done throughout the city). I would be curious what assurances can be given that affordability is really going to be promoted and delivered in that process. It is a big question mark. The suggestion of revisiting it after the zoning rewrite (the land use map) is potentially an assurance that this is actually playing out to promote affordability as much as possible. The biggest and immediate questions that I have are around the General Residential. I know we have heard the idea of extending allowing 4 units citywide if there is a requirement of affordable units. We have heard that could produce more affordable units and end income segregation by getting affordable housing in General Residential throughout the city. We have heard the flipside that no affordable housing would be built if we did that in General Residential. It would push more displacement and gentrification into what we have defined as sensitive areas. I don't know enough to know what the actual impact would be. I would be very interested to discuss and think about that more. At a minimum, there are some neighborhoods and areas at immediate risk of gentrification and displacement that are not in what has been defined as sensitive areas. I am curious, if during the zoning rewrite process, there will be opportunities to look at more specificity in terms of neighborhoods, streets, parcels at a minimum where there is extending that affordability requirement could make sense to promote our affordable housing goal. We know that zoning is one tool. It is an important tool. We know that zoning on its own is not going to produce the 1200 new units of affordable housing that our housing needs assessment said that we needed. The market is not going to do that on its own. I reiterate the extreme importance of actually implementing our affordable housing strategy. Getting to \$10 million a year and having the staff capacity to implement these new programs. Right now, we haven't identified how we're going to fund it and we haven't identified how we're going to have the staff capacity to actually implement that huge number of new programs. It's going to be extremely important, difficult, and necessary how we're going to figure out how we're going to do that. If we change the zoning and don't follow through on our affordable housing plan, we will absolutely now have made a dent in actually achieving affordability. During the rezoning process, will there be opportunities to look more at General Residential in terms of whether areas aren't in sensitive areas that we may have missed? Are there opportunities to extend affordability requirements that allows us to get more affordable housing?

**Ms. Koch** – Yes.

**Councilor Hill** – I did want to raise my thoughts on the map itself. Since we're talking about changes to the sensitive areas happening and we're talking about the Medium Density where it does/doesn't belong, Commissioner Stolzenberg brought up several areas that he identified that we should be looking at differently. For all of those reasons, I am very hesitant about us saying that this is an adopted map at this stage. There is still too much work to be done. It creates this anxiety when it is unnecessary. We are still working through this. I understand the importance of showing some things that we have a base for which to go. I also see what the perception is if this is viewed as a final and adopted map, when it actually isn't that.

**Vice-Mayor Magill** – I want to voice the importance of the neighborhoods being truly identified is very important. The natural gas issue needs to be seriously looked at. We're looking at the combination of equity and our climate goals. We made a very big commitment. This plan is an important part of that and we're able to follow through with what we're putting down on paper.

**Councilor Snook** – My overall statement has a number of pieces to it. The first piece is that I want to try to re-emphasize something I said yesterday. This thought is originally from Genevieve Keller. Her recommendation is that we not designate areas that are Medium Intensity Residential at this time. We

leave that for when we figure out what the zoning ordinance is going to look like. Most of the conversations that I have had with people who have expressed to me their dismay is usually because their neighboring property would be in this higher intensity category. My answer has always been ‘wait, the zoning ordinance is going to fix it. We will have to see what the zoning ordinance says. They won’t be able to build a 12 unit apartment building next to you.’ That is a very unsatisfying answer to people. We need to acknowledge that the process we have used here is perhaps inflicting more anxiety on people than it needs to. In the long run, we need to have significant areas that are designated Medium Intensity Residential. The key is still any reasonable zoning ordinance. They don’t know and I don’t know. I assume we will pass a reasonable zoning ordinance. We won’t know this. We don’t even have a draft. I recognize that we are asking people to watch us make ‘sausage.’ We’re asking them to watch us do 3 or 4 things simultaneously or perhaps put them in a sequence that may not be the perfect sequence. Something did have to go first. We chose first to go with the Comp Plan and the Future Land Use Map largely because we acknowledged that we shouldn’t start with this zoning ordinance. We needed to change so many things about this zoning ordinance. It was better to start someplace else knowing we’re going to amend the zoning ordinance or rewrite it. I have no problem with the overall way in which we have done it. I have tried to tell people that, particularly the critics of this effort, if we waited for all of the answers, we would never move. We cannot wait for all of the answers. We have to take some steps. We have to acknowledge that this will be an iterative process. It may take a couple of years of going back and forth, tweaking the land use map, tweaking the zoning ordinance, and making sure they work together. I wish that I had a way to help reduce the anxiety of people, who are convinced that they’re going to get something ‘jammed down their throats.’ This is a reaction I am getting from Greenbrier and Cherry Avenue. It is not just one part of the city that is doing that. We have some real issues. I am very optimistic that we’re heading in the right direction. I tell people that I am optimistic we’re heading in the right direction. Sometimes it is an article of faith. We don’t actually know. We have to move in the direction that we’re moving on more affordability. I wish we had some better economic analysis. We have to move forward somehow and somewhere. This is a good step forward, even if you leave the Medium Intensity Residential designations in there. It would be wiser to not put them in there for right now but to acknowledge that is going to be part of the tweaking.

**Ms. Koch** – We talked yesterday. We have reiterated in the presentation today our goal is showing that Medium Intensity Residential. That and the other categories that define a number of units (for example), we are looking at a maximum number there. It will be further refined in the zoning ordinance. Looking at what Mr. Freas said earlier about either we go into zoning with a map that shows us the areas we will be looking at in terms of where those Medium Intensity zones may go or we have a defined series of statements for the areas that we will be looking at, which would produce that map. We’re happy to entertain further discussion from the Planning Commission about that tonight.

**Commissioner Dowell** – After watching the meeting yesterday, I wanted to go on record for myself. I am very concerned about affordability in our city. I am very concerned that the people who have built this city that their families will still be able to benefit from their hard work and labors and be able to stay in the city. I also want to make sure we are acknowledging our student population. We know that our students are part of our population and our community. We do hope that they migrate and integrate into the overall community. At the same time, we need to make sure we’re securing partnerships and encouraging our students to use that on campus housing to make sure that they’re not creating more of a problem and we’re not setting up a situation where we’re trying to provide affordable housing but only providing affordable student housing.

**Commissioner Stolzenberg** – I want to emphasize that the amendments that I will proposing later are really minor tweaks to a very small proportion of parcels in the city; mostly to reflect reality and in some cases to better utilize vacant land. They are not intended to say that this map is deficient or is not worth adopting. I believe that the map, as it is now, is a very good map and could be worth adopting.

My understanding is that good planning practice is to create a Comprehensive Plan and a Future Land Use Map and have that guiding plan serve as the basis for decisions you make in law, such as the zoning ordinance and zoning map. Doing them together is not good planning practice. Can you walk us through how this normally goes in other places? Is this the right process?

**Ms. Freas** – In terms of your most transparent and effective way to engage the community around this discussion is to map those policies that you’re intending to implement through zoning, adopt that map, and work on the zoning that implements that map. That’s a transparent process for moving forward that everyone can see. I understand the concerns. If we are moving forward with a map that shows a Medium Intensity Residential category on the key but it doesn’t show that mapped anywhere, does the direction to staff and the consultants to apply Medium Intensity at that point in time based on a set of principles? It strikes me as a potential, less transparent approach.

**Lee Einsweiler, Cville Plans Together** – You have to do the policy first and the generalized Future Land Use Map whether those are being closely aligned as they are in this process or not. It is infrequent that we get the opportunity to do what you’re doing here, which is to tightly code to a very specific plan. This is the best result. However, I will admit that once we have worked out the zoning categories and worked out a draft of the zoning map, we may see that we need changes in the Future Land Use Map.

**Ms. Koch** – It is not every day that you do a Comprehensive Plan and look at the full zoning ordinance. Often, you’re making tweaks to the Land Use Map based on existing zoning ordinance that you won’t be changing wholesale. You might be changing districts. There are already some parameters around which you are thinking about land use. This is a different process. I agree with everything that has been said.

**Meeting was recessed for five minutes.**

### **iii. Public Hearing**

**Julia Whiting** – I would like to read a quote from two years ago. This voice is from City Hall. “If we literally eliminated Single Family R-1/R-1s zoning, and allowed two units on each parcel, it would further increase the risk of gentrification in neighborhoods like Fifeville. It would become more profitable for investors to buy the homes and rent them to different groups of students. It was precisely that problem that led to the creation of the R-1s zone in the early 90s. We need to be careful about any change like this. Every time we change the zoning ordinance, we risk unintended consequences. Changing R-1 zoning doesn’t create new units. It allows current R-1 homeowners to do different things on their property. If we are looking to get 3000 new units in the next 5 years, changing R-1 zoning won’t do it.” This is the sentiment of homeowners who have been placed in zones of 4 to 12 unit developments. Lloyd Snook said this when running for Council in 2019. There are other paths to affordability including an expanded community land trust and retail development with inclusionary zoning. The process that got us here is an incredibly flawed and forced premature conclusion.

**Ted Pearson** – I live in an R-1 zoning area. This is my final house in the city. We feel this potential Planning Commission report will make our dream of living in this particular neighborhood change dramatically. We have severe criticism of this. We also make sure that planning will help us to keep this neighborhood as our own and not change it accordingly. We wish that the city makes a priority of planning and building affordable housing. This has not been done in the past. Developers have gotten away with penalties in not building affordable housing. The city should make sure their resources build affordable housing.

**Phillip Harway** – A Councilor asked a question yesterday of the consultants, specifically about the possible effect of UVA and the student population in the city. Have the consultants worked into their analysis this significant factor? The answer given was not an answer. The student body of UVA is significantly effecting housing in Charlottesville. Our government should not make radical changes in our land use without this factor being given more attention. The consultant study failed to account for the impact of the student body. Other studies have determined that a significant number of burdened households are actually students; close to 30 percent. The UVA Student Council tweeted to the students to sign the Livable Charlottesville letter to get more housing and cheaper rents for the students. Since UVA's endowment is around \$14 billion, it should not be the residents who should have their city turned upside down to provide inexpensive housing for the students. Adopt a General Residential category of 2/3 and up on R-1 and keep the ability to approve plans to special use permits for the rest of the city.

**Ellen Contini-Morava** – I am going to read a statement on behalf of Nina Barnes, President Jefferson Park Neighborhood Association. 'The JPA Neighborhood Association respectfully requests that the Planning Commission delays its vote on the Future Land Use Map to allow for a coordinated delivery of information to the neighborhoods and city leaders. With the distractions created by the pandemic and the turmoil in city leadership, it has been challenging to focus appropriate attention on the proposed plan. For neighborhoods like JPA, which are directly impacted by the suggestion of intensive density, there should be a presentation of the plan to our neighborhood association. We believe the enhanced communication and education up front will make for clearer understanding of what is being proposed.' I strongly support creating more affordable housing in Charlottesville. Increased density doesn't guarantee affordability. In some cities, the result has been the opposite. It looks like there is a 'disconnect' between the Affordable Housing Plan and how it would be implemented. Decisions about how affordable will be defined, how affordability of units will be maintained. Infrastructure and green space are being relegated to the zoning process instead of being specified up front.

**Bill Emory** – You are updating the Comp Plan and the Zoning Ordinance to guide where the city grows. The outcome of zoning depends on the intent and skill of those in charge of planning and implementing. Currently, it feels like we're driving drunk at night. Kind hearted developers will not address our shortage of affordable housing. I challenge you to produce a map where affordable housing currently exists. Create a second map of where you want to locate housing and other place making amenities in a smart, equitable, citywide distribution. Ensure your zoning approach is based on science and not on current political fashion. Zoning is a tool that can be used for good or ill. Use zoning for good. Start with the correcting of the injustice piece. Previous planners located all of the manufacturing dumpster zoning and disenfranchised neighborhoods across the city in East Belmont, Carlton, Fifeville, Locust Grove, Ridge Street, Rose Hill, Starr Hill, and Woolen Mills. Produce small area plans in concert with the

disenfranchised neighborhoods. Write the code and prove to city residents that together, we can build new places worth caring about.

**Anthony Artuso** – There is much more work to be done on this plan. The goals are admirable but the plan does not adequately address those goals or provide a way for achieving them or balancing them. There's not been adequate participatory community engagement at the neighborhood level. We have heard that repeatedly. I urge Commissioners and Councilors to look at page 55 of the materials prepared for the June 28<sup>th</sup> Planning Commission meeting. On that page, it shows community responses to this question. Do you support what the Future Land Use Map is proposing for future land uses in your neighborhood? Answers from all groups were uniformly and strongly negative. If you look at that slide, there's no way you can adopt the land use plan and map in front of you unless you want to override the opinions of the entire community. I strongly support the recommendations that have come from some of the Commissioners and Councilors. To the Planning Commission and Council, take the proposed land use map under advisement. Don't adopt anything.

**Chloe Estrada** – I am a third year student at the University of Virginia. I want to bring my perspective as a tenant of an off-grounds property. Earlier this year, we conducted a survey of students who have lived off grounds to learn more about their housing experiences specific to the treatment they have received from the landlords. Broadly, 43% of student renters were satisfied with their recent off-grounds housing experience and 40% felt their landlords were accountable and transparent. When we look at the reasons behind these negative experiences, it is largely due to a lack of landlord accountability that is prevalent with the landlords. It feels inescapable or unavoidable. Once locked into a 9 or 12 month lease, students feel worried that they will endure untimely maintenance support, unsafe/unsanitary living conditions, and other consequences of poor property management. We hope that we can bring a sense of urgency and necessity to improve tenant rights. We call on the city to follow through on its adoption of tenants' rights under the Affordable Housing Plan. We believe that power must be shifted from landlords to tenants in order to minimize exploitation.

**Kathryn Laughon** – I support increasing density as it is shown on the Future Land Use Map. I would recommend that you not slow down the process and that you adopt this map as a guide for creating zoning. We know that changes in the status quo are going to create a lot of backlash. We have seen some of the data that the loudest voices do not represent Charlottesville more broadly. Groups like Livable Charlottesville do come closer to reflecting the demographics of the city. Please take this moment and be courageous. We can be a leader in Virginia in abolishing R-1 zoning and moving our city to a more equitable future.

**Josh Krahn** – I am speaking on behalf of Livable Charlottesville. I want to thank the Commissioners for their hard work through this process. Livable Charlottesville is encouraged by the progress made in the current plan. We ask the city to continue this encouraging work by creating and passing a zoning ordinance and map that addresses past exclusionary housing practices and meet its stated goals of providing diverse housing types, accessible across income levels, one that will allow housing near jobs and amenities so the city might meet its pledge to cut greenhouse gas emissions in half by 2030. We remain committed to increasing density, building capacity for equitable and affordable housing, and making our community more sustainable as the city moves from the Comprehensive Plan to the zoning rewrite. We recommend the following aspects of the map remain/be added. Allow greater building heights in General Residential, improve accessibility by allowing 4 unit dwellings by right, encourage a broader

range of housing types, allow higher intensity residential in historic affluent, white, and exclusionary neighborhoods, end the JPA student corridor, and encourage small commercial institutional uses throughout the city.

**Deborah Murray** – I am deeply concerned and opposed to the proposed designation of Lexington Avenue as Medium Intensity on the land use map. I appreciate and support the city's overall vision to increase the supply and affordability of housing. Classifying Lexington Avenue as Medium Intensity would be contrary to the existing residential fabric of the neighborhood. The neighborhood currently consists of single family residences and includes mostly older homes and some newer homes that have been built as infill. The Medium Intensity category would be completely out of scale with the neighborhood. I learned that Evergreen Avenue has been removed from that classification on the Future Land Use Map. The reason is that Evergreen is constrained by the right of way. It doesn't make any sense. I would question the fairness of removing Evergreen but continuing to include Lexington Avenue in Medium Intensity.

**Kevin Hildebrand** – I was encouraged after listening to the meeting yesterday that up to 12 units is not a by right development in Medium Intensity and the allowable density will be based on lot size. I am encouraged by that. It has caused an unusual and unfair amount of heartache to not have been clearer about that from the beginning. I don't like the corridor approach. I am going to ask that you consider the potential downside of how you're treating sensitive community areas. Are you artificially lowering the land values in those areas? When a time does come for those families to sell, they don't have the same economic opportunity to get investment from their property because of the inclusionary zoning only being attributed to their property. In doing so, are you falsely depressing the land values in those areas because developers won't be interested in purchasing? There is a negative side.

**Elaine Poon** – This has been such a long haul. I want to congratulate you on making history tonight. I have been focused on the pernicious history of land use and zoning laws in Charlottesville. The fact that we're actually working on the land use map that was created by the known racist Harland Bartholomew who tried to fossilize segregation through single family zoning as well as massive cultural loss because of these land use laws. I look forward to a time in this city where everyone will be proud to live in the city that chose to shed its discriminatory scheme and become a better city. The adoption of this land use plan in combination with the housing strategy, robust investment, and a very strong inclusionary zoning ordinance that we will pass. We are saying 'yes' to allowing families to attend the schools they want to. We are saying 'yes' to economic opportunity for households who have been commuting over 40 minutes to Charlottesville. We are going to be a welcoming city for people who have lived here for generations and the residents who want to add to the richness of the city.

**Rachel Lloyd** – I am speaking on behalf of Preservation Piedmont. Our members and supporters come from the entire region. They include young/old, people of different backgrounds, people of different races, homeowner/renter. We all show love and concern for the piedmont region and for the city of Charlottesville. We care deeply how the city changes and grows. We ask that you complete this planning process while remaining attentive to all considerations. We believe our Future Land Use Map should encompass the narrative goals of the Comprehensive Plan including the protection of historic and natural resources, neighborhood preservation, and efforts to decrease the impacts of climate change. Preservation is about managing change, not about freezing our city in one condition. We respectfully request that change management and regular valuations, as clear implementation goals of the Comprehensive Plan.



Second, an invitation to the Board of Architectural Review for inclusion in the planning process to assist the anticipated outcomes of this plan on the city's historic resources and design control districts. Third, no rollbacks of environmental protections in the city for critical slopes, flood plains, specimen trees, concentrated tree canopy, and other environmental resources. Fourth, the addition of at least one voice for preservation to the Cville Plans Together Steering Committee.

**Katherine Brooks** – I am concerned that this is a plan in which residents of modest incomes will bear the cost of development. The benefits will go to the richest institution in our town, namely UVA. Before you open up the city to developers, you need to tell us what your plan is for making sure that whatever development happens, it will house real residents of this city at a reasonable cost. Please don't tell us to wait for the zoning. We need assurance that the city has the legal tools to restrict short terms rentals in newly added units. We also need assurance that the city has buy-in from UVA, such that the University, not the city, will provide housing for any incremental increases in enrollment that it plans. This entire plan will be an egregious failure if it provides more 'stealth hotel rooms' for UVA's wealthiest customers.

**Ann Woolhandler** – I have a sense listening to some of the Commissioners that they have some reservations about the map, that they would like to push this map 'out the door' and that they are reassured that the zoning process will help take care of this. I have heard from Councilors that they have concerns about the map, particularly about Medium Density. The fact that this has been a long time coming doesn't mean that it should go through. There are too many problems with the current map. We shouldn't feel so rest assured that this can be taken care of in the zoning. This is not that large of a city. If there are problems with Medium Density, why is it being put in Medium Density? We should be able to have a map that makes sense now and not rely on the zoners later to use their discretion.

**Peter Krebs** – One of the earlier commenters said that this is historic. It truly is historic. We're getting out of climate change, chronic diseases, and people spending less time in their cars. Most people are here to talk about the Future Land Use Map. I have been paying close attention to the chapters. Many of my comments are reflected in there. There is a new chapter on implementation. It has a lot to say about walking and biking. It is a great list of projects. The bad thing is that it was developed in 2015 and it is not yet largely implemented. The average cost is around \$200,000. The 2022 and 2023 budgets for sidewalks is 0. The 2024 budget is \$100,000, not enough for even one of the 20 projects listed. The Comp Plan is not a fiscal document. We're going to get through this Comp Plan. On the horizon is the CIP budget. Planning Commission and Council have a lot to say about that. In order to realize the great principles embodied in this plan, we also need the commitment to fund the necessary infrastructure. I am excited about this Comp Plan.

**Don Morin** – I have been to all of these meetings since the spring. One thing I heard is that everybody is in support of affordable housing. Why are more than half the people against this plan? I am for affordable housing and against this plan. What is it that bothers me about this plan? There was never an identification of what the city's need was for affordable housing. Tonight, I heard for the first time that we need 1200 units. I don't know when we need those units. This plan was developed without any indication of what the real need was for the city for affordable housing. The plan was based on increasing density and eliminating R-1 zoning. This has never been done before. We don't know if it is going to work. I have heard in several meetings that we know that increased density will not create affordable housing. We need to provide subsidies, additional fees, and additional funding. A density increase will not result in affordable housing. The next problem is the cost of the plan. There has been nothing suggested about that

possible cost. How are we going to pay for it? How are we going to make this a truly affordable housing plan that is affordable for the city? This is the first this type of plan has been put in place.

**Claire Griffin** – I moved here in 2019 and heard shortly afterwards about this process. I really appreciate the time and effort that you have put into making a plan to make Charlottesville a more welcoming and equitable place. I am going to speak in support of the statements made by Livable Cville. I currently live in a 12-plex building that is convenient to my work at UVA and affordable for my income. I consider myself very lucky. Many of my colleagues have not been as fortunate. I hope that this Future Land Use Map will start to help make my situation more of the norm rather than the exception. People deserve to live near where they work, study, and socialize. A greater range of housing types and greater density in the city will help improve the quality of life, reduce car dependence, fossil fuel usage, and make neighborhoods safer and more community oriented. Allowing development won't change things overnight. It is a step in the right direction. It is a step that needs to happen sooner rather than later. While there are improvements that I would like to see made, I want to voice my strong support for the direction the land use map is taking.

**James Chang** – There is some concern that would be alleviated if you had some wording to the effect of that 'this land use plan will carry no weight with respect to the zoning.' That might be a little harsh. Another possibility would be to say something to the effect 'the land use plan and its guiding principles are subject to change based on findings, research, and community conversations that come to light in the zoning process.' That might make people feel a little more at ease. I second the person that spoke about sensitive neighborhoods and the possible adverse impact. I am concerned about a 'double-edged sword.' When you designated us a sensitive area and subject us to restrictions from market rate development, you are automatically going to be lowering our prices in comparison to the rest of the neighborhood. What I fear is that you will be concentrating/driving wealthier people out and driving poorer people into our neighborhood. I just want diversity. I am concerned about unintended consequences.

**Martha Smythe** – I am speaking in support of affordable housing now, not at the end of the Comprehensive Plan. I noticed on the map that the Affordable Housing Plan is complete. It was completed a few months ago. My thought is: let's move ahead with that. It is a serious problem. We all know it is. If we would uncouple the affordable housing from the rest of the work that needs to be done with the plan and the map, we could move ahead. This evening, I have heard doubts from the Commissioners, Councilors, and from many in the community. It seems like there is a lot of work to sort out in the plan and in the map. Press ahead with the Affordable Housing Plan. Creating more density does not ensure more affordability. These all appear to be rentals that are coming online.

**Tim Giles** – I am a renter. It is important to hear from people that don't have a house that they own. I want to second the letter from Livable Cville. I would like to see increased building height in General Residential. We only have so much land. Let's build up, not necessarily out to better utilize the land and we can have a more affordable, equitable, walkable Charlottesville that is welcoming to older and newer residents.

**Benjamin Heller** – What has been frustrating for me is that when people point out problems with this plan, we get a retort of the evils of R-1 zoning. Many of us don't care for R-1 zoning. I have lived in duplexes and dense neighborhoods and I have enjoyed it. This plan is beyond getting rid of R-1. I want to focus the pain point that is Medium Intensity Residential. It is so far beyond what any other city has done.

Medium Intensity Residential is discontinuous change. I want to emphasize how Medium Intensity makes much more risk than the other changes that you're proposing. It has the capacity to completely transform neighborhoods in ways that can't be undone. Having a duplex next door does not pressure somebody to move or to develop. If a 12-plex shows up, a little house next door is not attainable. It can destabilize a whole neighborhood. The economics of this development trends towards luxury development. Let's focus on the change that is well accepted and less risky. Let's scale back and rethink Medium Intensity Residential.

**Adrienne Dent** – The Future Land Use Map conversation has illustrated the degree to which ignorance and privilege shape the white supremacists patriarchal lens. The extent to words like equity and rights and too fast/too soon can mean different things to different people. If you Google, 'single family housing history,' I imagine each of you can imagine what comes up. Article after article will come up outlining the segregationist roots of single family housing. I encourage you to take this step of eliminating single family housing and privilege the voices that have been historically silenced, ignored, and unattended. I echo the Charlottesville Low Income Housing Coalition statements. Continue in your commitment to protect sensitive neighborhoods from negative gentrification, while safeguarding upward mobility for our neighbors. Adopt the affordable housing overlay.

**Michael Pruitt** – I am a new resident of Charlottesville. I have to say that I am immensely proud of what I have read (Comprehensive Plan, Affordable Housing Plan) and I am proud of my new community. I also want to echo what we have heard from Livable Charlottesville. I want to urge members of the Commission and Council to not cave into urgings to slow it down. Supporting affordable housing and opposing things like by right multifamily zoning are contradictory ideas and can't always be held at the same time. Supporting affordable housing and decrying the plan and map are also contradictory ideas. There was discussion on the future of the inclusionary zoning plan. I have not seen that in any of the materials discussed tonight.

**Brandon Collins** – I am a lifelong resident of Charlottesville. I care deeply about this city and what treating people fairly means in this community. I want to congratulate this Planning Commission for working to have something that I believe you should pass without delay with some minor tweaks. This is a historic moment for the city. You all should be very proud to endorse this Comprehensive Plan. Send it to Council, who should take your recommendation, and move swiftly to implement the zoning rewrite, the affordable housing strategy, and fund affordable housing in this community. This has been a very long process. It's been an open process that has been going on for 4 years. I really encourage you to move this forward. Delaying it further makes no sense.

**James Groves** – I want to comment tonight on climate change. I am extremely disappointed with the city's professional staff, City Council, and Planning Commission. In five years, this city has produced no data to tell us what progress it is making towards reducing greenhouse gas emissions. In nearly 2.5 years, since the City Council asked for a climate action plan, no such plan has been produced. As part of comprehensive planning, the absence of a city climate plans, multiple interested and capable citizens have recommended a ramp down of city gas service. Those inputs have been ignored. The city website says "We believe that it is not only the right but the responsibility of interested and capable citizens to become engaged in local government policy by advising the mayor and City Council on important community related issues." Why should we engage and advise when we are ignored? Charlottesville is unwilling to say that new homes will not receive gas hookups. Our city continues to install gas lines for free and

provide rebates to homeowners who change to gas water heaters. Charlottesville is fossil fuel friendly. How morally bankrupt is that?

**Miss Simpson** – I live on Rugby Avenue. There are some small homes on Rugby Avenue. How will a 12 unit, 4 story building conform in look and character to the existing homes in the neighborhood? I have a problem with my neighborhood having 12 unit apartment buildings when the block behind me is only going to be upzoned to 4 units. That is unfair. If you're going to upzone, you should make it the same across the board for every neighborhood. I am confused as to how this is supposed to help black people or any people. Black people like myself don't want live next door to a 12 unit apartment building. This argument that single family homes in neighborhoods are racist could not be more ridiculous. Provide low income and minority families with subsidies so they can purchase single family homes. Putting them in a box is not the answer. There is unintended consequences of upzoning that you haven't considered. By allowing developers to construct these buildings, you're simply adding onto the existing shortage of single family homes.

**Saletha Carr** – I am a native of Charlottesville. It saddens me to see my people of color struggling to keep a roof over their heads because of the displacement issue during this 'grand makeover.' Since the 1960s, people in Charlottesville have been displaced. It is the 21<sup>st</sup> century and we're still being displaced. I have 8 siblings and we grew up in the Belmont and Tenth & Page neighborhoods. Because of the new development and the increase in prices, my family and friends have been forced to relocate to other areas, making it harder for them to commute back and forth from Charlottesville. Some of my family and friends don't even have transportation to make these big changes. That makes their struggle even harder. The African American poverty level is increasing. It is visible to all of us. Almost every busy area in Charlottesville has one or two people begging for help. The black community is being bullied. It is clear if you look in Greenbrier, Belmont, and North Downtown. They could be used for integrating. Charlottesville has a history with black people. Black lives do matter.

**Jeanette Abi-Nadler** – I am the director for Cultivate Charlottesville. On behalf of Cultivate Charlottesville, we would like to express our gratitude and appreciation for the 65 food equity policy wins that have been included in the updated Comprehensive Plan. The breadth of community food driven justice priorities will win throughout. The principles, chapters, and implementation plan is significant and builds a foundation for future planning that addresses the 1 in 6 residents facing food insecurity, including the majority of students at Charlottesville City Schools who are eligible for the federal meals program. The food justice partners are committed to working in collaboration with the city for implementation of these goals to bring long-term community based system change solutions that recognizes the interconnectedness of housing, land use, transportation, and food. We wanted to share a few additional recommendations. We imbed an urban agricultural and future land use analysis in the mapping and zoning efforts. Recognizing the Urban Agricultural Collective faces continued land loss for growing spaces because of redevelopment. By the end of the year, we will lose all 3 sites that brought in 18,000 pounds of fresh food. The city list of resources needs to be updated. We can provide specifics around that land loss. We would like to include additional data in the environmental equity statistics section to more accurately represent the context of food inequity in Charlottesville. We want to support the Charlottesville Low Income Housing Coalition recommendations to undo racist planning and zoning policies. We also support the Livable Cville recommendations.

**Mark Whittle** – I would like to recall Miss Simpson’s moving statements in an earlier meeting. “Nobody wants an apartment complex next to them.” The Council and planners lack of concern over this real concern becomes clear when you inspect the current zoning map. Following recent micro gerrymandering, they finally all live outside the neighborhoods slated for Medium Intensity. They can all sleep through the night without a sickening worry that their home is about to be flanked by luxury apartments. I want to turn the title name chosen for this plan: Cville Plans Together. In truth, this plan has been a very divisive, destructive, and exclusionary process. A more accurate title would be Cville Torn Apart. You have taken one of the most left leaning city populations in the country and poured poison into our community, enraging many, pitting groups against each other. Having watched in horror how Trump poisoned our country, I never dreamed that I would experience the same approach coming from my own left leaning local government. Most stunning of all is that you have adopted a right wing approach to affordable housing. Everyone has been telling you that this is a terrible approach. It will likely leave lasting damage to our city. Councilors, I urge you to reconsider this plan in your vote in November.

**Mary Whittle** – I just wanted to point out earlier this year Councilor Payne wrote a despondent editorial. (Ms. Whittle was reminded by the chair regarding the policy about personal attacks). This is what he said about the government. “The city government was so broken that until stability is restored, our policy goals can remain only empty promises.” Week after week, we have witnessed this government’s abject failure to restore stability. I see that City Manager Chip Broyles resigned again citing your toxic culture. This is the 5<sup>th</sup> city manager to leave in 4 years. We can assume that you got what you all are talking about tonight is empty promises thank to your unstable and toxic government. You have said that equity was the top policy goal of your new Comprehensive Plan. If you really wanted equity, you would do something like what Ms. Simpson mentioned earlier. I suggest you come up with a plan to give subsidies to black homeowners or return the land the city stole from them years ago. I see a plan to implement luxury apartments throughout the city. Your plan to protect historically black neighborhoods is a joke. They are already gutted and 90 percent owned by LLCs. What you are now doing is protecting the fat cat landlords who already own those neighborhoods. Some of you own homes in those neighborhoods.

**Jennifer Horn** – As somebody who has been in Charlottesville about 20 years, I feel that the Comprehensive Plan is ‘so Charlottesville.’ One of the reasons I listened in on these meetings is to hear my fellow Charlottesville residents who are so thoughtful. Many of them are so knowledgeable. I appreciate hearing their voices. Affordable housing and environmental concerns should be paramount. My concern is that the Future Land Use Map doesn’t feel that way. It feels like there is a ‘disconnect.’ It could be naivety. It feels that those two big priorities are not the priorities. I hear what everyone is saying. A previous commenter was quoting from previous meetings. I am really concerned that we went an outside consulting firm. It would be great if we could look in Charlottesville. If we had a more Charlottesville centered plan, how we are coming about affordable housing might feel more Charlottesville.

**Vern Buchanan** – I was very impressed by the young, single mom talking about her house that she seems to be very proud of. With the possibility of it being flanked by tall buildings; I am glad that she stood up. There was a gentleman who was very to the point. I don’t feel that Cville Plans Together has actually been listening to anything but what they want to hear. That bothers me. This is a city full of people with good ideas. We’re not using all of them. This plan has some problems that it is not addressing: racial equality. This is just creating the divide and getting worse.

**Mark Kavit** – In the New York Times Business section on Sunday, there was an article titled Where the Suburbs End. It should be required reading of everyone on City Council and Planning Commission. It tells the story of a subdivision of San Diego after upzoning; a plan much like what RHI is recommending. I was also told that the Richmond Times Dispatch and Washington Post had articles on the subject. It seems like it is becoming a hot topic. Let me plug the report from The Citizens for Responsible Planning developed. In a nutshell, it shows an alternative plan utilizing land trusts to achieve more housing and true affordable housing. I saw a tweet that UVA students are circulating a petition. It seems that they think the city should provide them with more housing and affordable housing.

**Jeff Roberts** – Let me second what Martha Smyth said about pursuing deeply affordable housing. Chairman Yates has asked that comments be addressed to ideas rather than persons. We have members of the Planning Commission active on social media demeaning and attempting to diminish the input of tax paying citizens who care enough to speak to the process. I would ask that the Planning Commission who serves in an advisory scope adhere to the same ethos of personal conduct.

**Tim Wallace** – I want to thank you for the years of work and the intensity of that work. I want to lift up the Livable Charlottesville letter. I wanted to lift up what I said in the last meeting, particularly in The Meadows. The sensitive communities like the block of Cedar Hill and Swanson that are closest to Hydraulic really misses the people you're trying to protect with that designation. Those two blocks are predominantly multifamily homes. These are houses that were built in the 1950s. They are remarkably affordable rental units that already exist. If the FLUM is passed as is, I hope there will be conversations around extending those sensitive communities to those particular blocks. Those are the people we don't want to displace.

**Gregory Weaver** – I want to voice my support for the Livable Cville letter. I want to remind the Commission that in order to mitigate the worst effects of climate change, we need to act now. This process has been going on for years. We can't afford to wait any longer. The 50 percent reduction by 2030 goal that City Council made is not aggressive enough. Transportation accounts for 28 percent of the greenhouse gas emissions in the city. In order to eliminate this emission, we need to cut the reliance on the single family vehicles. To accomplish this, we need to be as dense as possible. We need to have a reliable comprehensive transit system and an infrastructure centered on walkability and bikeability. These changes won't be instant. They will take years to put into place. The emission reductions won't be instant either. For those asking to take more time, where are we supposed to find the time to make the changes that the FLUM will allow? Not taking the limited timeline into account, I understand the necessity of increased density climate denialism. I urge everyone to reckon with the consequences of that denialism.

**Kimber Hawkey** – I would like to second what Bill Emory said as well as the other speakers who are concerned about this faulty FLUM. Tonight, this panel continues to admit that the areas and citizens need to be protected from this plan thereby admitting that it is a harmful plan, which will do harm to neighborhoods and citizens. In 2011, city employee Haluska published a study citing a maximum of 8000 possible additional units under the current land use/zoning structure. That's a maximum number that doesn't take into considerations the necessary changes or issues in each pot. Tonight, 12,000 units was cited. RHI's own documents cite 4000 units by 2040. Seeing that the city is only required by law to review and not change the Comp Plan, there is no need for this radical upzoning. It will only continue to benefit the money interests, already the primary beneficiaries of development. The city has certainly not produced the necessary amount of truly affordable housing units over the past 20 years, nor does it follow

a European model of 40 percent low income, 40 percent workforce, and 20 percent free market units. What we need to do is maximize the numerous plots that are already vacant, underutilized, or in need of redevelopment. There are 700 R-2 plots that are being used as R-1, offer tax breaks to the luxury apartment developers, use our current ADU allowance, and look at community land trusts.

**Peter Nance** – I want to endorse the Livable Cville letter. The current Future Land Use Map certainly goes a long way in addressing many of the affordability and density issues that Charlottesville has. I would like it to go further with encouraging greater density. It is concerning to hear many of the residents of Charlottesville’s wealthiest neighborhoods say they endorse affordability without endorsing density. I believe it speaks to a presumption of Charlottesville that they want it stay exactly as it was when they moved here. Many of the people that staff jobs in Charlottesville are at or well below the Area Median Income and cannot afford to live in a city where the median house cost is \$350,000 and constantly moving up. Some people have spoken about providing subsidies for single family houses. I am not clear how that helps. You’re not increasing the housing stock.

**Kaki Pearson** – Thank you for all the work you have been doing. Thank you to Don Morin for your well expressed questions. I agree with Kimber Hawkey. The presentation tonight sounds wonderful. We need to know how all of these individual implementations are going to be accounted for; to work together as is being said that it will. What will be the new and accountable requirements for builders to mandatorily accept to add affordable housing to their plans? No one time penalty payment accepted anymore? Will these be long term requirements or adjustable? If I was in need of affordable housing, I would certainly want to be involved in an area that had a long term non-adjustable. I want my kids to grow up there. I want to have connections. Since there is accountability with short term rentals in the city, there could be a person assigned to oversee the builders and they have signed to deliver. I have been working here with my husband, often with 2 jobs, since we were teenagers. We still have to rent out a portion of our house to make ends meet. We need not to put labels on everybody.

**Joy Johnson** – I would like to thank the Planning Commission for your hard work. I support the idea of supporting this document going forward so you can have something to work on with the land use map. I heard some comments from the NIMBYs (Not In My Back Yard) earlier. It always bothers me. I am a part of every statistic: black, big, woman, live in a low income community. Building high density in low income neighborhood seems to be OK. Building high density in upper middle class communities is not OK. I will use Rose Hill Drive as an example. When that big ugly building, which is still standing, was being built, the Rugby Avenue neighborhood said Not In My Neighborhood. It is still standing there. Please approve this plan so we can move on. We should have more conversations about displacement and gentrifying our black neighborhoods.

**Annie Alston** – I have lived in Charlottesville for almost 6 years as a renter. It is presumptuous that people have emphatically said that nobody wants to live next to an apartment complex. I have lived in apartment complexes, near apartment complexes, and I personally would be happy to own a home near a 12-plex in the future. There are people who work in Charlottesville but can’t afford to live here currently. They might be in the surrounding counties and have to commute in. I do suspect that a lot of them would love the opportunity to live in town.

**John Hossack** – The last time I complained how the Future Land Use Map changes every month. This time, it has changed again. However, it is much more interesting this time. I believe there are 2 councilors

and 2 councilor candidates. Since the April draft and the current time, the four streets that these four individuals live on have shifted from Medium Density to Residential Density. I am inclined to believe these four individuals did not aggressively put pressure on the Planning Commission or RHI to shift the colors on the FLUM. The appearance of this is absolutely appalling. To my knowledge, not a single PC member is negatively affected by the FLUM design. I still believe that 50 percent of impacted households are not aware of the FLUM process. Why haven't you mailed this proposal to every impacted household? You are talking about converting R-1 medium density housing to 4 stories, 4 to 12 units, reduced setbacks, reduced off street parking by right, and no notification. You have the power to destroy but not the power to fix. I have a sense that some members of Council see how bad the FLUM is, especially Medium Density. Suppose your vote for this and you realize you made a mistake, can you fix it? Not a chance. By that time developers will have made their investments. Other progressive cities have looked at eliminating single family housing.

**Kitter Bishop** – I am broadly supportive of the plan. I feel that the process has been responsive to the comments I have put in when I participated in the process. I can envision a vibrant Charlottesville full of interesting infill development as a result of this kind of vision. There might be better ways to do that as the zoning process comes about. One of those ways could be limiting the combining of lots. For clarity and simplicity when the time comes to write the zoning ordinance, please make sure that the zoning is clear and simple about what is by right. I prefer that most decisions are not left that some people have suggested. I am excited about the possibility that this offers and that things be really clear from the beginning.

**Molly Conger** – I want to push back against the callers who don't want to live near an apartment building. I am baffled by that. I live across the street from an apartment building. I walk my dogs past the row houses. There are all kinds of housing in this neighborhood. It doesn't appear to be harming the people who do live in single family homes. I am really confused about the kind of harm these people believe will come if they have to look at an apartment building. Is it the kind of people who will live in these buildings? Is it the building itself? I don't understand what these people will think will happen.

**Anne Tilney** – My concern about the affordable housing piece is that the people who are actually going to do this development are going to be people who do not necessarily live in our neighborhoods. They are probably going to be shareholders of a real estate investment trust. They're the ones who are going to own these properties. They're not going to care about the community that they're actually buying these properties in. That's another piece we need to think about. I would like to understand much more detail if you change these neighborhoods higher density. How is it going to effect the traffic? How is it going effect parking? How is it going to effect the infrastructure? If you take Rugby Avenue Extended or Preston Avenue and turn it into a multi-dimensional area, where you're going to have shops and multi-unit housing, where are you going to park? How are you going to do the utilities? There needs to be more thoughts to the details.

**Patricia Humphries** – I wanted to chime in about the statements doing something along these lines will make the city more walkable, hospitable to people without cars. I would argue the opposite is true. If anyone thinks that building apartment buildings and additional units throughout crowded neighborhoods is going to result in less cars, that is delusional. That is climate change denialism. I think you will find the reality to be very different. I have driven around some neighborhoods within the city looking for neighborhoods that I consider walkable. They do exist. There are plenty of neighborhoods in the city that



are not walkable. These are all things that people need to think about. The other thing is infrastructure. How are all these additional units going to tie into the existing infrastructure?

**Nancy Summers** – The one thing everyone seems to agree on is that the land use policy should be approving affordability. Neighborhood upzoning is the weakest and most indirect tool we have. I encourage the Council to read a recent report by New York’s agency for neighborhood housing development. The agency finds that agency re-zonings has proved very effective in generating affordable units. Neighborhood up-zoning have proven to be least effective. Up-zoning generates luxury units. There is no trickledown effect from market rate housing yielding affordability. I believe this applies to the most intense up-zoning intensity of Medium Intensity. Bernie Sanders has advocated community land trusts to create affordable housing. This has been very successful in Vermont. The city owns over 800 properties. Why not expand the community land trust program? This is a program that promotes homeownership, which is the best root to building intergenerational wealth and improving equity. Building market rate housing won’t create affordable housing. Why not help those in need of affordable housing?

**Abel Liu** – I am a fourth year at UVA and the student body president. As a representative of the entire student body, I want to make our hopes for the Comprehensive Plan clear to the Commission, Council, and residents of Charlottesville. During our time as students, we are guests for the city of Charlottesville and lucky to call Charlottesville home for a short while. The vast majority of students are tenants and have common interests with other renters in Charlottesville. Students do not want to displace Charlottesville residents nor do we want to overburden new affordable housing developments. We do not want to continue to spread into your neighborhoods nor do we want to create better housing conditions for students alone. We want to do exactly what the Comprehensive Plan draft suggests: increase on grounds housing and the percentage of students living in Charlottesville neighborhoods that are traditionally student areas. Zoning cannot solve for all of those issues that UVA students have historically caused. Students believe denser and more concentrated student housing in student dominated areas can help address tenant’s rights issues, affordable housing supply, and preserving the character of Charlottesville. Students endorse CLIHC’s goals. We endorse the letter from Livable Cville. We especially endorse suggestion #4. We understand the University is a powerful and wealthy anchor institution in Charlottesville. As UVA owns \$1 billion of land in Charlottesville but does not pay taxes on that land, we endorse establishing or expanding a payment in lieu of taxes program. Students believe UVA can and should help create affordable housing programs.

**Robert Ramsey** – When debating policy with his advisers, President Kennedy would quote a British philosopher. “Do not remove a fence until you know why it was put up in the first place.” Modern day reformers often notice something, such as a fence and fail to see the reason for its existence. Before these reformers decided to remove the fence, they really ought to figure out why it was put up in the first place. If they do not do this, they are likely to do more harm than good with its removal. R-1 zoning is the fence. The city implemented R-1 in 1991 because we saw that there was a problem with UVA student housing spilling out into residential neighborhoods. It seems that lesson has been forgotten in this current discussion. The economics of renting to wealthy UVA students can be attractive. Students rent by the bedroom. Students will pay \$750 a month and \$3000 a month for a 4 bedroom apartment. That is hardly affordable housing for working families. That is going to attract a lot of out of town developers. I can see reasons to put up a different kind of fence to refine R-1 with something more flexible.

**Kathleen Galvin** – I am still concerned. The Future Land Use Map needs work. It must do some things unequivocally. Address land value inflation on affordability as it equates taller buildings with greater density and sets no conditions that we have seen on affordable housing. Do not underestimate the danger of not investing in multimodal infrastructure ahead of increased density. The current consultant did the zoning changes for West Main Street five years ago. Don't ignore the public disdain for oversize hulking buildings that overshadow entire neighborhoods. Please articulate a rationale for measurable goals backed up by factual analysis that is consistently applied. The narrow streets without sidewalks are all over the map and are targeted for more density while wider streets are not targeted. Don't short trip the work of residents from previous planning efforts. In 2017, the SIA code called for transitions between high and low development areas. This FLUM calls for 5 to 10 stories across most of the SIA.

#### iv. Motion and Discussion

**Councilor Snook** – I wanted to comment on something that two of the commenters referred to. My house got moved from Medium Intensity to General Residential. I actually got somebody on my neighborhood listserv accusing me of corruptly getting this to happen. If I was really corrupt about it, I would not have done it this way. What has happened here, if this plan goes through, is that I am surrounded by places that could have 12 unit apartments. That makes no sense. I don't know how it is that it happened that I was changed in that way. I can assure you that it was not anything underhanded. I didn't even know that it had happened. I certainly didn't ask for it. There are a lot of suggestions floating around. Somebody else said that all councilors are in that situation. That is not factually true. There are a lot of accusations that are floating around here. Aside from the fact that they are directed at me, I can deal with that. They are also directed at a lot of other people and have gotten very personal on both sides in many instances in ways that are not factually accurate. What you are saying about me isn't true. What you are saying about city councilors isn't true. It sure doesn't help the debate.

**Commissioner Habbab** – I was addressing the comments from Councilor Snook and Councilor Hill in our previous session.

Councilor Snook, your comments on the Medium Intensity as a suggestion perhaps removing that and coming back to it later. I just wanted to reiterate what the NDS Director said about how they would analyze the Future Land Use Map and where that should go if it doesn't exist somewhere as a starting point. We need that to provide the missing middle along with General Residential. There are setbacks, stepbacks, and neighborhood scale language that will help mesh those into the context of the neighborhoods that are there now. I understand that we're asking people to have faith and that it will work out in the zoning rewrite. We're also asking everybody to have faith in the affordable housing portion too since we just have the high scale language. We don't have the feasibility study yet. We don't know exactly what will be there. We're asking that on all sides. I just trust that will resolve itself in the zoning rewrite. The Future Land Use Map is just a high level 'paintbrush' to planning.

**Councilor Hill** – I understand the value in showing it somewhere as a starting point. I do see value in acknowledging that this is not final in a formal way. It is creating a lot of divisiveness.

**Commissioner Habbab** – I completely agree. What I was going to say to your point is acknowledging that this is a living document. If it is adopted, it is not adopted as a final plan. It is something that will be revised during the zoning rewrite process.

**Commissioner Russell** – I have been compiling what I have heard that are some revisions. We can go through them. I don't know if Mr. Mitchell wants to add something general.

**Commissioner Mitchell** – I would like to go back to my original recommendation. I do not want us to go down a 'rabbit hole.' We're at the point in our meeting where we're starting to deliberate and work on a recommendation to Council. So that we can structure our conversation, the recommendation that Chairman Solla-Yates recommended that you (Commissioner Russell) make the motion now so we can begin to structure our conversation around the motion you make.

**Commissioner Russell** – I am not sure I exactly understand. I understand what you're getting at. Should we bring up the revisions and circle back to the motion that rolls them in.

**Commissioner Mitchell** – The motion that I recommend you make was that we recommend approval of the Comprehensive Plan with the deliberated amendments. Once the motion is made, we can deliberate the amendments. If we don't do that, we're going to be going circular all night.

**Motion – Commissioner Mitchell** – I move to **APPROVE** the resolution recommending approval of an updated, amended Comprehensive Plan, as presented, with the following changes:

1. In the LAND USE chapter, add the following sub-strategy to Strategy 1.2 following bullet two (“...preserve and enhance natural resources...”): “Require that zoning changes preserve and enhance historic cultural resources. In particular, require that development of historic properties within Historic Preservation Architectural Design Control (ADC) Districts, Historic Conservation (CV) Districts, or Individually Protected Property (IPP) maintain the National Register’s “contributing resource” designation.”
2. In the LAND USE CATEGORY DESCRIPTION: SENSITIVE AREA: Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.
3. Revise LAND USE CATEGORY DESCRIPTIONS Table 2 "Residential" header to add "Zoning tools will regulate affordability and maximum allowable development for all categories and consider demolition disincentives as feasible".
4. Recommend that SENSITIVE AREA delineation should continue to be defined and additional means and metrics beyond Census Block Data need to be considered. (This will also require revisions to the description of Sensitive areas on page 25 in addition to the FLUM. This is additional text to the document for now.)

**Commissioner Mitchell made the Motion, Commissioner Stolzenberg (Second)**  
**Motion passes 7-0.**

**The following was the discussion regarding the revisions to the motion.**

**Commissioner Russell** – The first revision I would propose would be to the Land Use chapter. That is to add the following sub-strategy to Strategy 1.2 following bullet 2. That is to require that zoning changes preserve and enhance historic and cultural resources. In particular, require that development of historic properties within Historic Preservation Architectural Design Control Districts, Historic Conservation

Districts, or Individually Protected Properties maintain the National Register's contributing resource designation. (Amendment seconded by Commissioner Mitchell).

**Commissioner Habbab** – To what degree can we make changes before it is not a contributing resource. My only concern would be if we overlay that with the Future Land Use Map, how are we limiting the buildout of our Future Land Use Map as we have conceived it if we have to maintain the historic designation on these historic buildings? We do have the BAR who reviews all of these applications to these areas for context and scale to these neighborhoods.

**Commissioner Lahendro** – In any historic district, any architecturally controlled historic district, conservation district, there are contributing members to the district and there non-contributing. These are listed in the National Register nomination forms as well as in surveys backing them up that indicate what the physical characteristics are that make them contributing. With any of the contributing members to a historic district, you're still allowed to do additions, adaptive reuse, accessory dwelling units. You can still add affordable housing to any of those contributing members if it is done in such a way that it does not destroy the contributing portions of that building. There are also, within any historic district, 10 to 40 percent that are non-contributing. On those sites, the buildings can be replaced with other buildings that provide affordable housing. I am not suggesting that the Future Land Use Map that recommends upzoning in some of the historic districts be changed. I am just suggesting a way for preserving the contributing members to that historic district so they don't get destroyed. Upzoning these areas puts a lot of pressure on those buildings. It is still allowing housing to be constructed in appropriate ways while still preserving our historic resources.

**Commissioner Stolzenberg** – That's really helpful. It is a good idea overall. It makes a lot of sense. It especially belays my fears that it would prohibit change. I have seen a lot of weird additions on historic buildings. A word of caution with the word "require." It is the very strongest word that we use in this plan. It effectively means (to me) that there is never an exception. If I am hearing that some of the historic districts are 90 percent contributing with the caveat that you can add to those buildings, are there scenarios where you would have a contributing resource that might be in bad shape or may need to be modified in a way that makes it noncontributing? Should we change it to "strongly discourage?"

**Commissioner Lahendro** – In my opinion, it needs to be "required." I am suggesting it in this location because it follows right behind the bullet point that says "require that zoning changes preserve and enhance natural resources and sensitive environmental areas." I do not think that preserving and enhancing our cultural resources are any less important than our natural resources. I feel that it is an appropriate place and an appropriate designation.

**Commissioner Mitchell** – I want to back up a bit. I may have gotten us off track. Staff has asked me to revise the original motion so staff can keep track of it.

**Ms. Koch** – As I previously stated, we would support this. This is the intent. Going into it, it makes sense to do that. As Commissioner Lahendro noted within these districts, there are still plenty of ways we can support greater intensity of uses. That goes for other properties that aren't in historic districts. There are a wide variety of ways we can look to support this neighborhood form that we're talking about and provide greater intensity of uses.

**Lisa Robertson, City Attorney** – I just wanted to point out that for the public and considering Commissioner Russell’s request, people sometimes get confused about whether being on the National Register or being designated at that level actually results in local restrictions on your property, It does not. As Commissioner Lahendro explained, when the city wants to undertake protection of those resources within a national registered district, it conducts surveys and decides for itself what resources or structures are contributing structures. It designates those within the BAR Guidelines document. Unless those are designated, those contributing structures are the ones that are the most strongly protected under the Zoning Ordinance. I wanted to make clear to the public that when we’re saying that we want to require that development of historic properties maintain the National Register’s contributing resource designation, I want to point to everybody to understand that actually is referring to a designation that we translated into a local protection through our BAR districts.

**Commissioner Habbab** – Isn’t the BAR doing this now?

**Commissioner Lahendro** – Yes, the BAR is doing this now. Having a contributing member of a historic district destroyed is simply a matter of time. The BAR can turn it down. It is then appealed to City Council. City Council can turn it down. The property owner has to put it out for offering to sell for the price that they bought it for. A developer who has bought a historic property within an ADC district is buying it for the potential of putting in additional units. They’re paying a lot for the property. Whoever buys it, has to agree to just preserve it and restore the property. That makes it a very high bar for someone else to purchase this property within the allotted time, which is three months to a year depending upon the cost of the property. It is very unlikely that someone will purchase it for that higher amount and agree to restore it and preserve it. That’s what I am worried about. By adding the additional pressure on properties within historic districts, we do not have (state legislated requirement) the controls to keep that property and to make sure that property is not destroyed.

**Commissioner Mitchell** – How do we want to manage the amendments? (Chairman Solla-Yates) Do you want to vote on every amendment?

**Chairman Solla-Yates** – If an amendment passes the straw poll, I don’t think a vote on that amendment is necessary.

**The Planning Commission voted to add the first amendment proposed by Commissioner Russell to the motion above.**

**Commissioner Russell** – I have a second amendment. This was introduced by Commissioner Habbab. This amendment is a revision to the Land Use Category description of sensitive area as stated in the table on page 2 of the Comprehensive Plan. That concept is generally to add a provision to consider allowing additional units and height under an affordability bonus program or other zoning mechanism. In short, allow the flexibility considering an affordability bonus.

**Commissioner Dowell** – Can you elaborate on that? Is this referring to the affordability bonus if you have the additional units? Does the first unit need to be the affordable unit?

**Commissioner Russell** – In that table in the General Residential category, we specifically reference a bonus program above and beyond the 4 unit base. That is absent in the description for sensitive areas,

which has a more constrained base zoning: One per lot and allow up to three units if the first unit's affordability requirement allow a 4<sup>th</sup> unit if the existing structure is maintained and at least one affordable unit is provided. That's there. On top of that, just adding the text to consider an affordability bonus on top of what we have just already described. That's the flexibility.

**Commissioner Dowell** – I am just trying to make sure that we're completely on the same page. What would that affordability bonus be? What does that look like? I was thinking that the additional unit is where that affordability bonus came in. Is that something on top of that?

**Commissioner Habbab** – All of the designations that we have right on the Future Land Use Map have the affordability bonus to be explored in the zoning rewrite process on how affordable, how many units, and when that kicks in, except the sensitive areas. With the General Residential sensitive communities, the maximum anybody can build on these lots is four units with the first one being affordable. It lacks that language. It allows somebody to build more than four units if we say a certain percentage of them have to be affordable. If a nonprofit buys a property in the sensitive communities or owns one and they want to develop more than four units, they can't do it right now with the language that we have. It gives that ability to do that affordability bonus.

**Commissioner Stolzenberg** – I think this is coming from the original overlay concept where you could get up to 12. The difference between Sensitive and General, besides the base zoning in Sensitive being one and up to 4 from that, was that the 5 to 12 step, it is a much stricter affordability requirement than in General. We're preserving that in this suggestion, only implicitly. I am wondering if we want to add some wording saying that we're talking about strict affordability requirements or potentially all of the incremental units being affordable. I am thinking of an affordable housing provider wanting to build an 8-plex. We have heard that in the Cherry Avenue outreach from CLIHC. People would be amenable to that as long as it is affordable.

**Commissioner Habbab** – It would be a completely different track than the General Residential affordability bonus. It would be geared towards affordability.

**Commissioner Dowell** – My request would be that while we are wording it, that we use "strict affordability." If we're talking about sensitive areas, we are also going back into that increased density in the areas that we're trying to protect. I think the strict affordability is definitely the wording that needs to be in the language.

**Commissioner Stolzenberg** – "Consider allowing additional units and height with the strict affordability under a bonus program or other zoning mechanism." I would say stricter affordability than non-sensitive areas.

**Commissioner Dowell** – When we're talking about strict affordability, can you define what strict affordability is? Is it 80 percent AMI? Are we going to put a number on that? Are we saying strict affordability and letting the details come out in the rezoning?

**Commissioner Stolzenberg** – I am thinking details later. When I was thinking strict, I meant high proportion of units. I assumed we were talking about at least 60 percent AMI and lower.

**Commissioner Dowell** – We have the assumption of what we think we’re talking about. At this day and age and the state of our city, we cannot assume anything. We cannot assume that people are going to say that this is what they implied and meant if it is not in writing. We cannot assume it is going to be held. If somebody can come up with the verbage, it should definitely have something pertaining or relating to that. We can’t go off assumptions.

**Commissioner Stolzenberg** – I do have new wording. “Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.”

**Commissioner Dowell** – Is it “considered” or is it “allowing?” Considered means maybe you can or you cannot. Allowing sounds like something that can’t happen.

**Commissioner Russell** – I don’t think that we know yet whether it should be “considered.” That’s the point. It is not even there at all in the sensitive areas. At this point, maybe it is that we are considering it.

**Commissioner Stolzenberg** – It doesn’t say considered in the equivalent one in non-sensitive.

**Commissioner Habbab** – We can change it to allow. We can figure out the number in that bonus program since it is running on a different track than the General Residential. We can say that it can go up to two more and they all have to be affordable.

**Mr. Freas** – When we say consider, we mean that the Planning Commission and City Council will be the ones doing the considering at the time you’re moving forward with the adoption of the zoning. I want to be clear on who was doing what. I would encourage you to keep the word “consider” at this stage and time. The next step we are going into, this inclusionary zoning analysis step, is where we’re really going to dig into what it costs to build right now in Charlottesville. We’re going to dig into the market condition so we can understand the level of affordability that actually results in units being built rather than inclusionary zoning being used as a tool to show the housing market. One conclusion that may come out of that analysis is that we don’t do additional affordability here beyond what has already been proposed. That would lead to nothing happening. I am just encouraging, in this context, that you keep the word “consider.” Allow the analysis to happen. Make a decision based on what the conclusions are with that work.

**Commissioner Stolzenberg** – The intent here, whereas in other areas is that we want the bonus to pencil and work and make things happen, the largest intent here is to allow effectively 100 percent affordable or very high percentage affordable to be done by nonprofits with other funding mechanisms. Otherwise, it is prohibited entirely to build an affordable 8-plex as distinct as we consider the zoning mechanism elsewhere. This maybe really covered by the talk of an affordable housing overlay elsewhere. That was my impression of it. It is intended to enable nonprofit work or more than market rate with bonus work.

**Commissioner Habbab** – I want to ask where we are leaning as a group to consider or allow straight out.

**Commissioner Lahendro** – I am uncomfortable with this. It feels like we are doing what should be done during the zoning ordinance rewrite. I am fine with consider.

**Commissioner Stolzenberg** – This still leaves almost all of the details in the zoning rewrite. The level of affordability for the entirely affordable housing ones and whether there is a bonus program and the level and percentage of affordability in those bonus programs. It is pretty big.

**Ms. Creasy** – Putting in the 100 percent affordable housing could be defined in different ways by different people and it usually is. That could get tricky.

**Commissioner Habbab** – Would it be more comfortable with the earlier definition of the greater and deeper affordability than non-sensitive areas? We can do that. That could allow for more room to figure out later in the zoning rewrite.

**Commissioner Russell** – “Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.”

**The Planning Commission** voted to add the second amendment proposed by Commissioner Habbab to the motion above.

**Commissioner Russell** – I want to stick to the land use category page. This is a slight addition to the land use category description of General Residential. This is the concept I think we’re trying to ensure here. “Zoning ordinances will consider affordability requirements and demolition disincentives as feasible.” That will be tacked onto the existing use and affordability box. This is to drive home the point moving forward. We can have more discussion in the future.

**Commissioner Stolzenberg** – How does this differ from sub-strategy under 1.4 that says “Investigate the feasibility of requiring affordable units for smaller multifamily development or redevelopment such as through the first or second new unit.” There is a bunch of demolition disincentives elsewhere.

**Commissioner Russell** – It is just putting more detail into that particular land use category and not letting it get embedded into a sub-strategy.

**Commissioner Stolzenberg** – This would only be in General non-sensitive?

**Commissioner Russell** – Yes. I think it could be something that transcends all categories. Where this evolved from was the conversation yesterday around whether we should stipulate affordability and drill in on that inclusionary zoning at this point in time. The answer was ‘no, we’re not there yet. I hope the intent of this is that there is a future inclusionary zoning that is going to deepen affordability requirements.

**Mr. Freas** – We don’t have any concerns with this. The point is to reiterate the comment. It appears in a couple of other locations. It reiterates it in a prominent location graphically in the plan.

**Ms. Koch** – I agree with Mr. Freas on that. We’re fine with this language. I want to make sure if this specific language is just inserted into one category where we have the more general statements. I appreciate what you’re trying to do (Commissioner Russell). It might be better to apply it more broadly. We’re not only saying General Residential.

**Commissioner Russell** – Does it apply in the Medium Intensity Residential?



**Ms. Koch** – The goal is look at that more broadly in the zoning ordinance and see what is feasible. The statement that you have proposed would be supported.

**Commissioner Stolzenberg** – What if we put it in that second bar that goes all the way across in the sub-header for residential. It already says zoning rules will regulate affordability and maximum allowed development. We could provide demolition disincentives as feasible.

**Commissioner Russell** – **Revise LAND USE CATEGORY DESCRIPTIONS Table 2 "Residential" header to add "Zoning tools will regulate affordability and maximum allowable development for all categories and consider demolition disincentives as feasible."**

**The Planning Commission voted to add the above amendment by Commissioner Russell to the motion to the approved Comprehensive Plan motion.**

**The meeting was recessed for five minutes.**

**Commissioner Russell** – I am happy to introduce a recommended change that came from Commissioner Dowell. I am on page 25 of the Comprehensive Plan that overlays the rationale and the methodology behind the sensitive areas. The change would be to continue to define and revise the sensitive areas beyond census block data and evaluate other metrics to be considered. I am noting that this would also require revisions to the description of sensitive areas on page 25. It will result in changes to the delineated areas on the Future Land Use Map.

**Recommend that SENSITIVE AREA delineation should continue to be defined and additional means and metrics beyond Census Block Data need to be considered. (This will also require revisions to the description of Sensitive areas on page 25 in addition to the FLUM. This is additional text to the document for now.)**

**Commissioner Stolzenberg** – I wonder if we should specify finer grained. ‘Metrics’ is giving me some pause. We don’t have a lot of great, objective data. It might be the sort of thing where local knowledge might come into play. Maybe we have some city data that would be useful.

**Commissioner Dowell** – This is one of those examples why we’re figuring out the proper language. In general with this city, if we were more in tune with actual residents of the city, we wouldn’t have to worry about whether we’re using means and metrics. We would have already known that those areas should have been included in the sensitive delineation.

**The Planning Commission voted to add the above amendment to the motion approving the Comprehensive Plan motion.**

**Commissioner Russell** – The final change are amendments to the Future Land Use Map as described in Future Land Use Map Amendments a through k, given by Commissioner Stolzenberg.

**Commissioner Stolzenberg** – I have been going through the Comprehensive Plan/Future Land Use Map at a finer granular level, keeping an eye towards maximizing the use of vacant properties. As many public commenters have suggested, nobody has disagreed with the idea of maximally utilizing their vacant

properties in order to reduce the pressure on existing built-out areas and more effectively build quickly. In my opinion, the best approach is where we maximize our housing all over the city. For a variety of those where the built reality doesn't match what is in the Future Land Use Map, places that are inconsistent with current zoning, don't have a clear justification for change.

The first one is the Wright Scrap Yard just past City Walk. This is a very large grey field site that might require some remediation. It is significantly below grade. It is quite large. I am suggesting to best use the site; at least the areas far from the residential be increased from the 4 story mixed use node. I would like to go to urban mixed use node in that area.

**Commissioner Mitchell** – Are we getting down into the weeds? Are we doing the job of the staff and consultants? This is pretty weedy.

**Mr. Freas** – How deeply you all want to get into making changes to the Future Land Use Map at this point is up to you. What I can say for each of these is that there are comments that have been generated by the consultant team and staff that we would be happy to share as you go through deliberations. It is up to you how deeply you guys want to go into making amendments at this point in time. We're happy to provide comments.

**Commissioner Habbab** – I would like to hear staff's opinion.

**Commissioner Mitchell** – I would rather not even make a motion until we get some feedback from staff and the consultants.

**Commissioner Dowell** – I think Commissioner Stolzenberg did come up with some great ideas. Didn't we say earlier that these are zoning issues? We weren't rewriting and going into details tonight.

**Commissioner Stolzenberg** – The zoning is going to have to conform to what we have in the Future Land Use Map. I guess we can change it later. From what I have seen, what is on the Future Land Use Map is the upper limit of what we're going to do in the zoning. If we have sites that are underutilized at the future land use level, they will continue to be underutilized at the zoning level.

**Commissioner Lahendro** – Is there a way that we can vote on this block of Commissioner Stolzenberg's recommendations and ask the consultants to study them and provide us with a response?

**Commissioner Mitchell** – I would be happy to ask to make these recommendations and get the feedback from the consultants and staff as opposed to make this part of the FLUM.

**Commissioner Dowell** – I second that. That is a second to Commissioner Lahendro's motion.

**Commissioner Lahendro** – My motion is that we ask the consultants and staff to study these specific recommendations and provide us with responses as to whether or not they are appropriate to be included in the FLUM.

**Commissioner Stolzenberg** – I would remind you all that we are recommending the Comprehensive Plan and Future Land Use Map to Council tonight. I believe that staff has already taken a look at these. They

already have thoughts. If we're going to make any changes, my understanding is that those happen tonight or potentially after the zoning process. Council could make changes or amendments to what we recommend to them.

**Mr. Freas** – If we were responding at a later date to the Planning Commission, there is a motion on the table to vote on tonight. Would it not make sense to provide our feedback tonight?

**Chairman Solla-Yates** – Can we hear, item by item, concisely from the consultants and staff?

**Mr. Sessoms** – We did take a look at this area. We think there is some potential. There is a significant grade change from Market Street down towards the railroad. We can't touch some of that height closer to the railroad. Our recommendation would be, if we were to include this mixed use node, to only include the two parcels immediately adjacent to the railroad such that we have continuity of the housing height along East Market Street. The Neighborhood Mixed Use Node will step down to the residential uses on the north side of East Market Street. If we were to go this route to add the Urban Mixed Use Node, we had some concerns about making such a drastic change in the increase of intensity at this location. We haven't shown this concept for public review. That's something that should also be taken into consideration.

**Ms. Koch** – We would also note the grade difference. It is quite low. The scale could be similar to what the Neighborhood Mixed Use Node might feel like it was at street level.

**Mr. Sessoms** – I would agree with that for the two parcels immediately adjacent to the railroad. I would be hesitant to show the corner parcel as high intensity.

**Commissioner Stolzenberg** – That works for me. It would be appropriate. We have heard extensive feedback from the public on this particular parcel and generally on vacant land across the city. I think we have received 150 comments talking about vacant land. I would be happy to make a motion that is just for these two parcels adjacent to the railroad.

**Chairman Solla-Yates** – We have a motion on the floor to commission a study.

**Commissioner Mitchell** – We can ask Commissioner Lahendro to withdraw his motion. We can ask Commissioner Stolzenberg to make a new motion.

**Chairman Solla-Yates** – Would you be willing to withdraw your motion? (Commissioner Lahendro)

**Commissioner Lahendro** – No. I see this going on and on. I have not had time to study these individual recommendations. I would like to have that time. I am sure the consultants and staff would like to have that time as well. Have these things been presented to the public? I feel that this is being hurried.

**Commissioner Stolzenberg** – We're recommending adoption of this Future Land Use Map tonight. Council is going to approve it. We have heard extremely extensive comments from all segments of the public that state the general desire to make changes like the ones I am recommending tonight.

**Commissioner Lahendro** – They did not specifically talk about these parcels. I worry about the unintended consequences of running through this at the end at 11:00 PM. We can vote on my motion, turn it down, and move ahead doing it parcel by parcel.

**Commissioner Habbab** – I would like to hear what Commissioner Stolzenberg has for each of his items and the consultants' opinions. If we theoretically pass this motion, we just won't get to it. We also don't have a chance to implement it later. I feel that we would be missing something.

**Commissioner Russell** – We would have a chance to implement later on if we asked the consultants and staff to study it.

**Commissioner Stolzenberg** – The consultants and staff have already studied it and are prepared to provide their responses tonight.

**Commissioner Mitchell** – I have to agree with Commissioner Lahendro. I would like a couple of weeks to think about this and get public feedback on this. If we had to vote on this tonight, I would probably vote as Commissioner Lahendro has recommended. It just popped up. I need time to think about it. The public needs time to think about it.

**Chairman Solla-Yates** – Would it be possible to, instead of initiate all of these changes on the map tonight, suggest these be studied for the rezoning and possible revisions to the map in the future?

**Commissioner Mitchell** – That is what Commissioner Lahendro is recommending.

**Commissioner Lahendro** – That is exactly what I am recommending.

**Commissioner Russell** – “Ask the consultants and staff to study and provide responses to the Future Land Use Map amendments a through k by Commissioner Stolzenberg as to whether or not they are appropriate to be included in the Future Land Use Map.”

**Commissioner Stolzenberg** – At what time?

**Commissioner Dowell** – We have not had a chance to look at this tonight. I know that I mentioned something earlier re-delineating that line for sensitive zones. You told me that was something we would have to come back to later. If we're not going to do one parcel, I don't feel that we should do another parcel. I do feel that it is appropriate that Commissioner Stolzenberg has great recommendations and that we let the people who we are paying look at it and make those recommendations. That's fair to us, Commissioner Stolzenberg, and to the public. The public hasn't had a chance to review it. We're already in the hot seat about not being transparent.

**Commissioner Lahendro** – I would suggest that this would need to be announced and put into our next meeting. I am fine with that. It needs to be made available to the public. It is announced and it is known that we're going to be doing this at our next meeting if that gives adequate time to staff and consultants.

**Commissioner Mitchell** – My only suggestion is that we don't let this piece stop us from approving the document tonight.

**Chairman Solla-Yates** – How would this process work?

**Ms. Creasy** – You would like this studied and looked at. We don't have parameters on what that is. Maybe you want to talk about what that parameter looks like. There could be a future discussion. If you move this forward for recommendation, it continues forward on that path.

**Commissioner Mitchell** – I definitely want to move this forward to Council. Council, staff, consultants, and Planning Commission should continue to visit the Future Land Use Map as has been suggested by Commissioner Stolzenberg in January/whatever the timeframe. Just don't stop the process for this item.

**Commissioner Stolzenberg** – My changes here are intended to make the map palatable for people who have problems with some of the map and would like changes. I think the map is a very strong map. I am prepared to pass it tonight without these amendments. I am willing to table them and come back to them at some indefinite time.

#### **IV. COMMISSION'S ACTION ITEMS**

*Continuing* until all action items are concluded.

The meeting was adjourned at 11:22 PM