

## Agenda

### **PLANNING COMMISSION SPECIAL MEETING DOCKET THURSDAY, September 14, 2023 at 4:00 P.M. Hybrid Meeting**

#### **I. Commission Special Meeting**

*Beginning:* 4:00 p.m.

Location: (Council Chambers, 605 E. Main Street, Charlottesville, VA 22902 and Electronic/Virtual)

Public Hearing

**PURPOSE:** The purpose of the public hearing is to provide affected persons an opportunity to appear and present their views (2 minute limit) with respect to the proposed Zoning Ordinance and proposed Zoning Map updates. Upon request 48 hours prior to the meeting, reasonable accommodations will be provided for individuals with disabilities.

**REVIEW OF PROPOSED CHANGES:** Information pertaining to the proposed Zoning Ordinance and Zoning Map updates may be viewed online at <https://www.charlottesville.gov/1077/Agendas-Minutes> or <https://cvilleplanstogether.com/draft-zoning/> or obtained from the Department of Neighborhood Development Services, 2nd Floor of City Hall, 610 East Main Street, or copies will be available to review from the Circulation Desk at the Jefferson-Madison Regional Library (201 E Market Street) and Gordon Avenue Library (1500 Gordon Avenue). Persons interested in these proposed changes may also contact Missy Creasy by e-mail (creasym@charlottesville.gov) or by telephone (434-970-3189).

#### **DESCRIPTIVE SUMMARY**

**ZT23-08-02:** An ordinance to amend and reordain a new Chapter 34 of the Charlottesville City Code, Charlottesville Development Code. The Development Code would replace the current Zoning Ordinance Chapter 34 and current Subdivision Ordinance Chapter 29 in order to provide for reorganization of the ordinance into the following 7 Articles:

- Article 1.      Introductory Provisions
- Article 2.      Zoning Districts
- Article 3.      Use Regulations
- Article 4.      Development Standards
- Article 5.      Administration
- Article 6.      Subdivision
- Article 7.      General Standards and Definitions

The new Chapter 34 also includes: the addition of new zoning district classifications; affordable dwelling unit regulations; new and revised development standards; and various other new and revised standards/regulations which help to implement the principles and actions outlined in the Charlottesville Comprehensive Plan, adopted November 15, 2021.

2. **ZM23-0010:** An ordinance to ordain a new official zoning map for the City of Charlottesville, encompassing the entire City within the boundaries. The map may be viewed at this link: <https://cvilleplanstogether.com/draft-zoning/>. Proposed changes to zoning designations would affect all of the properties within the City. The new map would reflect the changes outlined in the proposed new Charlottesville Development Code, Chapter 34 of the Charlottesville City Code, including the creation of

new zoning districts to carry out the principles and actions of the Charlottesville Comprehensive Plan, adopted November 15, 2021, as well as new and/or revised classifications concerning the uses to which land, buildings and structures within such classifications may be put for development and use.

Any person may participate in the public hearing to express their views in favor of or against these changes. Speakers at the hearing will have two minutes to comment. Written and/or verbal comments may be provided to City staff in advance of the meeting at the contact information above. The Planning Commission will take action in the form of a recommendation to City Council. The Planning Commission has reserved the following dates if the Commission requires additional deliberation before making a recommendation:

September 19, 2023, at 5pm, at City Council Chambers, 605 E Main Street, Charlottesville, VA 22902

September 26, 2023, at 5pm, at CitySpace, 100 5th St. NE, Charlottesville, VA 22902

October 10, 2023, at 5:30pm, at CitySpace 100 5th St. NE, Charlottesville, VA 22902 (Regular Planning Commission meeting)

**PLEASE NOTE: THIS AGENDA IS SUBJECT TO CHANGE PRIOR TO THE MEETING.**

**PLEASE NOTE: We are including suggested time frames on Agenda items. These times are subject to change at any time during the meeting.**

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to [ada@charlottesville.gov](mailto:ada@charlottesville.gov). The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

Planning Commission meetings are held in person and by Zoom webinar. The webinar is broadcast on Comcast Channel 10 and on all the City's streaming platforms including: Facebook, Twitter, and [www.charlottesville.gov/streaming](http://www.charlottesville.gov/streaming). Public hearings will be heard via the Zoom webinar which requires advanced registration here: [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom). You may also participate via telephone and a number is provided with the Zoom registration or by contacting staff at 434-970-3182 to ask for the dial in number for each meeting.



CITY OF CHARLOTTESVILLE  
*"A Great Place to Live for All of Our Citizens"*

Department of Neighborhood Development Services

**Memorandum**

**To:** City Council  
Planning Commission

**From:** James Freas, Director, Neighborhood Development Services

**Date:** September 14, 2023

**Re:** Charlottesville Development Code Adoption

**CC:** Sam Sanders, City Manager

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The proposed Charlottesville Development Code is the culmination of the Cville Plans Together process, a multi-year effort to develop and adopt an Affordable Housing Plan (March 2021), a Comprehensive Plan (Nov. 2021), and a new zoning ordinance. While this effort has included consideration of a wide range of the critical issues facing the City, racial equity was an overarching priority that has shaped every aspect of this effort. The proposed code encompasses the zoning and subdivision ordinances. The following is an overview of the entire development code.

It is important to acknowledge that past planning and zoning actions by the City have had direct and indirect impacts on minority residents of the City, with ongoing repercussions today. Zoning, in particular, has been a tool of segregation, used in concert with other methods of limiting economic opportunity and hampering the accumulation of intergenerational wealth. Essentially, zoning and a range of other tools and practices have historically served to limit and remove value from minority households. The results are well documented in a variety of reports and analyses (see Zoning & Equity Memo) as well as in the lived experience of a number of the City's residents.

To address these issues of equity, the proposed development code takes the approach of increasing the opportunities for housing development and business establishment. Allowing more types of housing across the entire City. Allowing more locations for business start-ups. Making the development process more streamlined. Expanding choice so that individuals are more able to take part in building the homes and businesses that will serve their neighbors. In exchange for this expansion of rights, we are also expanding the responsibilities imposed on development with requirements related to design that supports community and walkability, environmental protections, and, significantly, requirements for affordable housing where a developer chooses to build a greater number of units.

Just as zoning alone did not create the issues we face today, zoning alone won't solve them. Zoning offers a platform for success. It is an essential pre-condition for positive development activity. Addressing the equity issues the City faces, especially the provision of affordable

housing, will require other actions by the City and our partners, in concert with this new development code. For example, the \$10 million each year towards affordable housing is essential towards funding deeply affordable housing opportunities in the City. The proposed zoning works in concert with this funding, opening more locations where this housing could be built and potentially reducing the permitting costs so that more of the public funds are directed towards building affordable units. Going forward, the City will need to continue to invest in existing, expanded, and new programs that reduce costs in low-income areas or for low-income persons (for example - tax abatement, rent relief) and expand access to opportunity through education and empowerment (for example – home improvement financing to support adding units or commercial space).

### **Matters to Be Considered in Adopting Zoning**

The Code of Virginia, section 15.2-2284, outlines the issues and topics that Council must consider in adopting zoning:

Existing use and character of property / suitability of property for various uses: Overall, the proposed ordinance is allowing for incremental change, with zoning districts based on the Comprehensive Plan Future Land Use Map and with a starting point of the existing characteristics of each area. As is reflective of the historical development of the City, where there is access to amenities like parks, schools, transit, and commercial areas, there is a greater allowance for development.

The Comprehensive Plan: Charlottesville's [Comprehensive Plan](#) offers a detailed set of strategies and objectives relative to the new zoning. The Planning Commission and Council should closely review the Future Land Use Map Overview beginning on page 25 as well as the numerous strategies presented under Goal #1 found beginning on page 32. The proposed Development Code directly addresses most of these recommendations.

The trends of growth and change (population and economic needs): The region is growing modestly, but more significant in the population trends is that higher income individuals are increasingly choosing to live within the City. This significant change, driven by changing values around sustainable lifestyles, desire for access to urban amenities, and the qualities of Charlottesville's neighborhoods, is the more important factor driving neighborhood change and requiring the City to act to increase housing choices and provide more affordable housing. The recent Economic Development Strategy (<https://www.charlottesville.gov/201/Economic-Development>) pointed to the need to expand support for entrepreneurial activity, particularly for minority and low-income residents. With the high cost of commercial space, this support requires expanding allowances of what can be done in an existing building, accompanied by rules that protect quality of life.

Transportation: Charlottesville's relatively compact nature and good street and path network provide a rich opportunity to make it a walkable City compared to much of the rest of the state and country. Continued investment in pedestrian and bicyclist infrastructure, transit, and a range of other programmatic and physical investments over time as new development happens

will serve to strengthen the City's transportation system. Above all, a strong system is one that offers the greatest degree of choice, which the proposed rules of this Development Code support and reinforce.

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Public facilities and services: The Comprehensive Plan states a commitment to high quality facilities and services and the City will need to proactively plan to meet that commitment.

Change will not happen all at once but will allow the time for assessing trends and needs and responding accordingly.

Natural resources: The proposed ordinance retains the provisions protecting natural resources in the current zoning ordinance. The emphasis on walkability and alternative transportation will allow for the reduction in greenhouse gas emissions and other environmental pollutants associated with over-reliance on automobiles.

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## **Charlottesville Development Code Overview**

### Article 1. Introductory Provisions

Article 1 establishes the legal basis for the development code under State law. Most important in this section is the purpose statement (established in State law), provisions on vesting and severability, the adoption of associated manuals that further define the governance and enforcement of the ordinance, and the establishment of the zoning districts.

One section to highlight in this article is the section establishing the effective date (Sec. 1.1.6). The ordinance is not proposed to go into effect immediately upon adoption but is instead effective as of the date noted in this section so as to allow staff time to prepare administrative materials and processes for the new ordinance. For example, the City's permitting software will need to be updated before the ordinance is in effect.

### Article 2. Zoning Districts

The rules and standards applicable to buildings and development in each of the different zoning districts are in Article 2. There are 17 base zoning districts and 5 overlay districts (all existing overlay districts are carried forward from the current zoning ordinance). At this time, there is not a sensitive communities district in the draft Code (see further discussion below).

For each zoning district there is a two-page summary that puts all of the standards of that district into a set of tables with illustrations at the top of the page that help to clarify what is being measured or regulated. For each district, the left page covers topics primarily relating to the lot while the right page covers those relating to the scale and design of the building(s). Most important, the order these standards are presented in on these pages (ie. Lot Size, then Density, then Coverage) mirrors the order in which the rules are described and clarified in the

last section of this Article, Division 2.10. Rules For Zoning Districts. This last section is the essential reference to understand how the standards presented on the district pages are applied. Referring between the district pages and Division 2.10 will best support clear understanding of what the rules allow.

All of the proposed base districts, with their rules and standards, are intended to implement the Comprehensive Plan by allowing for incrementally greater intensities of development from the existing conditions or allowed development of the current zoning ordinance. This strategy directly addresses the direction of the Comprehensive Plan to allow for more housing, for a diverse range of housing types, and for new housing opportunities to be available throughout the City, in every neighborhood.

A focus of much of the Comprehensive Plan and zoning ordinance discussions has been on the Residential Districts (R-A, R-B, R-C). In these districts, the objective has been to allow for small-scale, “missing middle” multi-unit housing types that would be house-scale and compatible with the predominantly single-unit homes of a given neighborhood. The standards applied to the buildings in these districts achieve those objectives. These rules are also balanced with creating a realistic opportunity for a builder to be able to achieve the desired residential units. The objectives are met by the standards relating to maximum height and massing (measured as building width) as well as transparency, entrances, fences, and parking location, which all promote homes consistent with the existing neighborhoods while allowing for a wide range of architectural expression. Since the last draft, a maximum building footprint has also been added to further constrain the scale of new homes. Setbacks are similar to those in the existing zoning ordinance.

Division 2.8 of Article 2 describes the rules for alternate forms. In essence, the standards in this section allow for other allowed uses that might require a different form of building or development than is otherwise typical for the district. For example, the Shopfront House standards allow for a small commercial building type where this use is allowed in Residential Districts (now only by special use permit). These rules provide for an option for which a property owner could use the base standards of the district or these alternate form standards tied to a particular use. Beyond the shopfront house, these standards govern civic uses like education or religious buildings, and parks.

All of the existing overlay districts from the current Zoning Ordinance can be found in division 2.9. These have been modified from the current ordinance only for formatting and consistency.

### Article 3. Use Regulations

How the new ordinance proposes to define and regulate uses is found in Article 3. A central element of this section is the idea of regulating based on use categories rather than individual uses. In broadening how the City identifies different uses, we will be better prepared for new uses as they arise. Along with this system of use categories are clear guidelines for determining what category to put a given use into.

Overall, the development code proposes that most uses be allowed by-right. Exceptions include the small commercial uses in residential districts, which would require a special use permit. This allowance for commercial uses opens a pathway for entrepreneurs and allows for neighborhood serving businesses to appear gradually over time. Like this use, a number of uses on the use table, whether by-right or by special use permit, require that the use meet conditions, which are identified later in the article.

Sections on communications equipment/towers, accessory uses, and temporary uses are carried forward from the existing Zoning Ordinance. Staff is proposing to add the Homestay accessory use section back into the draft. This section will eventually need to be updated, but that will be addressed following adoption of the new Development Code and with discussion with stakeholders on this issue.

#### Article 4. Development Standards

Article 4 contains a wide range of requirements governing development in the City. There are a lot of rules in this section, covered below, but overall these rules seek to promote a walkable high quality living environment for the City as well as a more environmentally sustainable future. An upcoming project will review, update, and coordinate the City's environmental regulations, which will likely lead to further changes within this section of the Development Code.

##### Div 4.2. Development Bonuses

Section 4.2 contains two important sets of rules that are both intended to incentivize development that is supportive of the objectives of the Comprehensive Plan. The first set of rules offers a density bonus for retention of existing buildings while the second deals with the provision of affordable dwelling units as part of new development projects.

The “existing structure” preservation bonus incentivizes retention of an existing building in the R-A or R-B districts by offering additional units as defined on the R-A and R-B district pages. This section defines the standards that must be met in order to qualify for this bonus.

This section also contains the requirements for Affordable Dwelling Units. Authority for this section derives from a 2021 amendment to the State Code adding Charlottesville to the list of communities found in State Code section 15.2-2304 enabled to adopt Affordable Dwelling Unit Ordinances. At its base, this section requires any development choosing to include 10 or more units to provide 10% of those units at a price affordable to a household earning no more than 60% of AMI (area median income). A project that commits to prices targeting 50% of AMI can obtain a bonus of two additional stories in certain districts. Projects in the Residential Districts can add additional units beyond the base maximum if those units qualify as affordable at 60% of AMI.

Inclusion of this Affordable Dwelling Unit Ordinance was a critical strategy of the [Affordable Housing Plan](#). By this mechanism, as new residential units are added to the City, new affordable

units are also added, helping to make sure there are opportunities for a diverse array of people to be able to live in the City. There are two companion documents related to this section – the Affordable Dwelling Unit Monitoring and Procedures Manual and a report analyzing the financial feasibility of the program for development in the City (See attachment section). The City will need to analyze this program at least every two years, tracking its success and ensuring that it stays consistent with market conditions and does not become a financial barrier to residential development.

The more recent financial feasibility analysis (attached) demonstrates that the proposed requirement is financially feasible, based on a model of the City's development market generated through locally based data collection. The exception is for projects of greater than 5 stories because the cost of materials, which at that height must include concrete and steel, make projects at that scale infeasible regardless of the affordable housing requirement imposed by the City, according to the model. Individual projects may still work based on financial characteristics specific to that project.

#### Div. 4.3. Blocks and Connectivity

Walkability is a central objective of this development code; if a place supports and encourages walking, it is enabling all forms of alternative transportation and providing an environment supportive of all people in the community. This section addresses one of the greatest barriers to walkability by requiring smaller blocks and connecting pathways.

#### Div. 4.4. Streets

The streets section provides standards related to the development of new streets. The rules here largely come from existing City Ordinances and the [Streets that Work Plan](#). More detailed engineering standards are found in the [Standards and Design Manual](#).

An important addition to the City's ordinances found in this section is sec. 4.4.5. Streetscape Standards. This section mandates that new development provide new streetscape supportive of pedestrian activity accessing the new development. The provided streetscape must include both a pedestrian walk zone as well as a greenscape zone where street trees would be located. Shade and greenery are an essential component of the walkability of an environment and therefore an important part of this rule. Where there is insufficient space in the public ROW (right of way), the developer must accommodate the required facilities on their property, subject to a public access easement.

#### Div. 4.5. Access and Parking

Most zoning ordinances only deal with site access from the perspective of automobiles, specifying driveway requirements (sec. 4.5.3 of the draft code) and car parking rules (sec. 4.5.4). The proposed Charlottesville Development Code leads with standards for pedestrian access to a site (4.5.1) and bike parking rules (sec. 4.5.2). Again, the code is placing its emphasis on walkability as a baseline condition necessary to support all alternative transportation modes.

Of particular note in this section is the draft Development Code does not have a minimum parking requirement for cars. This approach is following what is increasingly being identified as a best practice nationwide for communities of all sizes. Fundamentally, this recommendation derives from a cost benefit analysis of the regulation. Minimum parking requirements lead to every property in a community being mandated to devote land area to vehicle storage, at considerable cost in terms of driving up the cost of housing, reducing space available for commercial development (and potential lost tax revenue), increased environmental impacts (especially water pollution and flooding), and the promotion of driving and concurrent loss of walkability. The benefit of the regulation is meant to reduce spill-over parking onto neighboring streets. On its face, it would appear that the costs of a minimum parking standard outweigh the benefits, particularly when simple street parking regulations can more directly address the issue. The question of how much parking to provide can then be determined by the property owner based on their assessment of the needs of their customers or tenants.

The proposed Development Code is not entirely silent on the issue of car parking. Section 4.5.4 does include a requirement that larger projects, over 50,000 square feet, provide a Transportation Demand Management Plan that demonstrates a calculation of the project's future transportation needs (the demand) and how those needs will be addressed so as to limit impacts on the surrounding transportation infrastructure and neighborhood (the management). Such plans would focus on promoting alternative transportation methods. In addition, NDS staff are preparing amendments to the City's parking permit program intended to facilitate development of neighborhood-based parking management programs as needed.

#### Div. 4.6. Utilities

This entire section comes from existing City Ordinance and inter-relates with Charlottesville City Code chapters 31, Utilities, and 10, Water Protection, as well as the Standards and Design Manual.

#### Div. 4.7. Transitions and Screening

This section provides requirements that manage the transition between higher intensity and lower intensity uses as well as the screening of visually obtrusive uses or infrastructure.

A table at the beginning of the section defines where a transition is required and a property owner has options as to different standards to follow. All of these transition options use some combination of distance, landscaping, fencing, or building stepbacks to manage these transitions. The latest draft has added transition requirements for different sides of a street where previous drafts had only focused on transitions between abutting properties.

#### Div. 4.8. Fences and Walls

Section 4.8 provides rules related to fences and walls. One of the more important changes in this section is limits on the height of retaining walls.

#### Div. 4.9. Landscaping

The landscaping section includes the rules specifically on trees and tree canopy. The standards for required percentage of tree cover are the same as from our existing ordinance and are the maximum allowed under State code. The remainder of Div. 4.9 is derived from the current zoning ordinance. The most important change is the addition of a required permit in order to remove a tree greater than 8 inches in diameter, which allows staff to review that removal against all of the tree related requirements pertaining to the site.

#### Div. 4.10. Environmental Sustainability

At this time, the environmental sustainability section only includes the critical slopes provisions. As noted above, we anticipate adding more to this section in the future. The Critical Slope section presented here has been simplified and clarified from the current ordinance, but includes essentially the same set of requirements.

#### Div. 4.11. Signs

This new sign section brings forward many existing rules, but overall presents those rules with greater clarity, particularly in the use of illustrations and tables to convey important requirements. An essential piece of this section is how the rules for signs have been tied to specific sign types, enabling a wide range of different signs while protecting against visual clutter and confusion. The sign section has been reviewed and updated for consistency with the latest Supreme Court rulings related to signs, particularly paying attention to removing references to sign content, which cannot be regulated.

#### Div. 4.12. Outdoor Lighting

The outdoor lighting section has been updated and clarified to advance City objectives around the concept of “dark sky” compliance while also supporting better enforcement capabilities.

### Article 5. Administration

The administration section describes the various components of managing the application and enforcement of the zoning portion of the development code. Each of the entities with responsibilities under the code are identified and defined, the approval processes are described, the rules for nonconformities are established, and the enforcement procedures are defined. Much of what is in this section is defined by State Code or is carried forward from the current zoning ordinance, so the following simply focuses on what is new or different.

One important new addition is not actually in the Development Code, but is an essential part of the administration section, which is the new [Development Review Administration Manual](#). This manual provides information on what must be submitted for various types of applications, clarifies the notice requirements, and describes the community engagement requirements related to various development proposals. Similar to other manuals used by the City, this

document will be adopted by Council but can be more readily updated without having to go through a formal amendment process.

Reviews conducted under the Architectural Design Control, the Conservation, and the Individually Protected Properties historic districts have been divided into major and minor reviews. Major reviews are decided by the Board of Architectural Review while minor reviews are decided by staff under the adopted guidelines for the respective district. Entrance Corridor reviews are assigned to staff for review. However, when an application is received, the Entrance Corridor Review Board will be notified and has the opportunity to request to bring the item before the Board for their decision. Staff can also decide that an item must come before the Board. This approach will allow the Board to identify those projects where their review is important.. Throughout all of these design review processes, staff work is directed by the guidelines adopted by City Council with recommendations from the respective review bodies and the Planning Commission.

The Development Review process described in section 5.2.9 represents a refinement of the City's current process. In short, it encourages a development project to first submit a development plan that can be reviewed for zoning compliance. Once approved, the project can submit the more detailed (and expensive) engineering plans. With those approved, a final site plan review is conducted to ensure all issues have been coordinated and addressed and the project can move on to the building permit process. As required by State code, the process also offers the option to skip straight to the final site plan review. We believe that the proposed three step process will actually allow a project to move forward more efficiently with fewer expensive revisions to engineered plans and a quicker path to confirming the right to develop a project under zoning.

Section 5.2.11 allows for administrative modifications of various physical/dimensional standards. This allows modifications of up to 15% for certain standards, and cannot apply to density, height, or use standards. The criteria is tied to a hardship standard. The intention is to allow a small degree of flexibility so as to allow for modifications that support public policy goals of the ordinance. For example, the ability to correctly preserve a tree might require being able to adjust the setback requirements (by no more than 15%) so that a building can shift over a couple feet.

The non-conformity provisions of the ordinance have been more carefully clarified to recognize that there are a wide range of aspects of a property that can be non-conforming and that there are differences in how those various features might be treated. In particular, the ability to expand a non-conformity is proposed to be regulated so as to continue to advance the public policy goals of the development code.

## Article 6. Subdivision

Article 6 is closely based on the State code and the current ordinance. There are no substantial changes in this section, with the exception of the addition of sublots.

Sublots are an important component of the proposed zoning approach intended to promote the opportunity for more affordable ownership developments. Sublots are only allowed in the Residential Districts. A subplot is a type of lot that can be created through the subdivision process that does not need to front on a street in the way that a typical lot does. Instead, it must have some form of permanent access easement that meets the requirements of the subdivision ordinance, most crucially, sign-off by the Fire Marshal as offering adequate fire safety access.

The number of sublots a given lot may contain is based on the total number of units allowed on a lot. For example, a vacant lot in the R-A district may only have up to 3 units (with no bonuses). Assuming one unit per subplot, that means there can be no more than 3 sublots as part of that lot.

Sublots are created through the subdivision process and may be sold individually. The standards of lot coverage, setbacks, etc. all apply to the lot as a whole. So if the allowed coverage of a lot is 4,000 square feet and there are four sublots proposed, each subplot can have no more than 1,000 square feet of coverage.

#### Article 7. General Standards and Definitions

Article 7 offers guidance on the interpretation and definition of terms in the Development Code. How to interpret a number of important terms found in the Code can be found in this section. Special detail is offered on such terms as 'encroachment', 'project activity', 'site, lot, and subplot' and 'walking distance'.

#### **Implementation of the Comprehensive Plan & Sensitive Community Areas**

The primary purpose of the Charlottesville Development Code is to implement the Comprehensive Plan, a document which begins with the following intent statement:

*This plan begins to address the injustice in distribution of housing opportunities and access to affordable housing options throughout the city as well as other critical community priorities related to land use, transportation, the environment and climate, economic development and wealth building, and more.*

The rules presented in this proposed code build on the intent of the Comprehensive Plan. The results will not be immediate; these are only regulations, but over time, the trajectory of development will bend towards a wider range of housing choices at various points of affordability, greater reliance on non-automobile forms of transportation, new opportunities for entrepreneurs, and a more environmentally friendly city with reduced contributions to the climate crisis. These outcomes will arrive as the City provides new housing supply that meets the needs of a growing population; a community that seeks to retain, not displace its existing low and moderate income residents; and a place that seeks to absorb more of the regional

growth, protecting the farms and forests of its hinterlands and retaining its position as the center of the regional economy.

A highlight of the Comprehensive Plan is the idea of the Sensitive Community Areas. This idea arose out of the Affordable Housing Plan and is one that recognizes that special attention needs to be given to those neighborhoods that have a heightened risk of displacement. Ultimately, staff made the decision not to include a specific zoning district for these sensitive community areas in this draft of the development code. Following research into the work of other communities and recommendations in the field and, most significantly, conversations with residents of these neighborhoods, staff became concerned with the tradeoff between protecting residents of these areas from displacement by reducing development potential and the potential reduction in value and opportunity for resident property owners in these areas. This concern was particularly troubling given that, under the already restrictive zoning of these neighborhoods today, displacement is happening at a steady clip suggesting that the proposed restrictions cannot absolutely stop displacement. Fundamentally, some of these neighborhoods are in desirable, high value locations, and the issue needs to consider whether residents of these areas will be able to benefit from that value, while a range of primarily non-zoning tools serve to reduce the displacement risk.

Ultimately, staff believes the City should engage with residents in a focused dialogue about these issues. Residents need an opportunity to weigh the pro and cons of different approaches and be empowered to participate in decision-making. Staff is beginning work on an anti-displacement strategy that will examine the range of existing and potential tools available. Following completion of the Development Code project, staff will begin work on a small area plan for the 10<sup>th</sup> and Page neighborhood. The latest ‘rate of change analysis,’ (attached) which is only recently completed, breaks down the rate of change by area of the City and demonstrates that there is the potential for increased pressure to redevelop in the identified sensitive community areas. Staff anticipates continued discussion of this issue and is prepared to generate solutions as necessary.

## Attachments

City of Charlottesville, VA Inclusionary Zoning Feasibility Analysis & Zoning Rate of Change Analysis, Aug. 2023 by RKG Associates, Inc. <https://cvilleplanstogether.com/draft-zoning/> (under Related Reports)

Infrastructure Capacity Memo, July 7, 2023 (attached)

Zoning and Equity Memo, July 7, 2023 (attached)

Comprehensive Plan FLUM and Goal #1 pages (page 28 of document)

<https://www.charlottesville.gov/DocumentCenter/View/7073/Comprehensive-Plan-Document--2021-1115-Final?bidId=>

Draft Zoning Ordinance <https://cvilleplanstogether.com/draft-zoning/>

Draft Development Review Procedures Manual

<https://drive.google.com/file/d/1INGJvSrVm2T2DmF25OpolhRNlKqgUpWi/view>

Draft Affordable Dwelling Unit Monitoring and Procedures Manual

<https://drive.google.com/file/d/1UQU3eQLUgZ8yUNqbYiZD5MhlxyLmheb8/view>

**RESOLUTION**  
**OF THE CHARLOTTESVILLE PLANNING COMMISSION:**  
**RECOMMENDATION TO AMEND AND REORDAIN A NEW CHAPTER 34 OF THE**  
**CHARLOTTESVILLE CITY CODE, REMOVAL OF CHAPTER 29 OF THE CHARLOTTESVILLE CITY**  
**CODE AND ORDAIN A NEW OFFICIAL ZONING MAP FOR THE CITY OF CHARLOTTESVILLE**

WHEREAS, City staff began the Cville Plans Together process in January 2020, which resulted in a new Comprehensive Plan adopted in November 2021. The Comprehensive Plan recommended the adoption of a new zoning ordinance and map. Work on a new Zoning Ordinance and Map began in January 2022. The Development Code would replace the current Zoning Ordinance Chapter 34 and current Subdivision Ordinance Chapter 29 in order to provide for reorganization of the ordinance. The City Council directed Planning Commission on August 7, 2023, to conduct a public hearing and provide a recommendation to the City Council; and

WHEREAS, a public hearing on the Proposed City of Charlottesville Development Code and Map was held by the Planning Commission on September 14, 2023, after notice to the public as required by law, and following conclusion of the public hearing the Planning Commission voted to recommend approval of the City of Charlottesville Development Code and Zoning Map and removal of Chapter 29 of the Charlottesville City Code based on public necessity, convenience, general welfare and good zoning practice with the following changes:

1. On page 2-37 in section 2.5.6.B.1 add a row with “Base” in the first column and “10 / 142’ or BAR Review” in the second column and a row with “Bonus” in the first column and “12 / 170’ or BAR Review” in the second column. Remove “10 / 142’ or BAR Review” from the first row, second column.
2. On pages 3-4 through 3-7, in the last column of the use table found on those pages, the section references should be to section 3.4.x rather than 3.3.x.
3. On page 3.37 insert a new section E and renumber the following sections accordingly. The new section E is titled Homestay and contains the text shown in the “redline” version of the August 14, 2023 public review draft.

Upon adoption of this Resolution, the Planning Commission’s recommendation on September 14, 2023, are hereby communicated to the Charlottesville City Council. The Secretary of this Planning Commission shall transmit this Resolution to the Charlottesville City Council.

Adopted by this Planning Commission, this 14<sup>th</sup> day of September 2023.

Attest: \_\_\_\_\_  
Secretary, Charlottesville Planning Commission



CITY OF CHARLOTTESVILLE  
*"A Great Place to Live for All of Our Citizens"*

Department of Neighborhood Development Services

**Memorandum**

**To:** Mayor Llyod Snook and the Charlottesville City Council  
Chair Lyle Solla-Yates and the Charlottesville Planning Commission  
Michael Rogers, Interim City Manager

**From:** James Freas, Director, Neighborhood Development Services

**Date:** July 7, 2023

**Re:** Infrastructure Capacity

**CC:** Sam Sanders, Deputy City Manager for Operations  
Lauren Hildebrand, Director, Utilities  
Stacey Smalls, Director, Public Works

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In November 2021 the Charlottesville City Council adopted an ambitious new Comprehensive Plan with a wide range of strategies addressing the City's goals relative to land use, transportation, environmental protection, and other topics. Significantly, this plan, along with the adopted Affordable Housing Plan, focused on the inter-related issues of housing production and affordable housing. The strategies for these goals steer the City towards regulations that allow more housing production, so that the City's housing stock can absorb more of the demand for housing and towards that housing production being distributed throughout the City, so that all neighborhoods share in that growth. That potential for increased housing production also creates more opportunity for the development of subsidized affordable housing and that distribution of development opportunity throughout the City means that there is potential for economic integration in all neighborhoods. Overall, this aspect of the City's affordable housing strategy is inherently incremental, meaning that it is addressing long term regulatory constraints on the housing market's ability to respond to changing market conditions (demand) and is unlikely to produce rapid change in the existing housing market.

While change in Charlottesville's existing neighborhoods will be slow, the appearance of a regulatory change where greater intensity of land use is allowed all at once has generated concern for the City's infrastructure capacity, particularly in places where development to date has only allowed for single residential unit buildings. And for individuals who do find a larger development project than was previously allowed proposed for their street, they will want assurances that the City's infrastructure can handle the new growth.

The rate of change analysis in the August 2022 Inclusionary Zoning report anticipates a maximum of approximately 1,300 net new units over the next three years across the proposed Residential A, B, and C zoning districts, which comprise the majority of the City's land area. These units would be spread across a range of development types including accessory apartments, duplexes, and townhouses (likely the most common where sufficient land area permits). As noted above, this estimate represents a

theoretical upper maximum used for planning purposes rather than a likely outcome as other factors make a realistic housing production number both lower and more difficult to predict as outlined in detail in the report <https://drive.google.com/file/d/1ctsx38UFZU0xiDn0rucy6WHEKQrNnNA/view> beginning on page 32).

The following memo describes how the City addresses the issues of infrastructure capacity through planning and the review of development proposals. The memo looks at water, sewer, stormwater, and transportation systems.

### **Water System**

The City of Charlottesville Department of Utilities maintains the water distribution system (179 miles) and Rivanna Water and Sewer Authority (RWSA) maintains the water transmission lines and treatment plants. The City of Charlottesville and RWSA has been investing in a robust program of system modernization and redundancy for approximately 15 years that will position the City for growth. The following factors ensure the City's and RWSA's water system can handle capacity needs in the future:

- The Department of Utilities is implementing a Capital Improvement Program (CIP) that addresses aging infrastructure and improves the reliability of the water system. As part of the water line replacement program, a comprehensive analysis of the system is completed and a list of priority projects is created and updated on a regular basis. Approximately two miles of water line is replaced yearly based on a condition and to date, 21.2 miles or 11.8 % of the water lines have been replaced
- During the implementation of the water CIP, system modeling is utilized to confirm system capacity. With each replacement project, the sizing of the replacement pipe is considered, generally replacing 6-inch lines with 8-inch lines. The primary driver of capacity need in this case is fire suppression services, which require the potential for a high rate flow should a fire occur. A secondary benefit of this need though is an ample supply of water capacity available, thus, serve new growth. In addition, by installing new water lines, the City has been creating loops within the system which improves the overall reliability and capacity of the system.
- Water Facility Fees were developed and established for the City in 2008. Facility fees are one-time charges levied to offset existing or planned future capital costs necessary to meet the service needs of City water customers. These fees are assessed when new water service is requested where none has previously been provided, or an increase in capacity where service already exists, water facility fees are charged for this new increased demand for system capacity.
- RWSA updates a long-range plan focusing on regional water supply and transmission every ten years with a 50 year time horizon. One of the key findings of this plan is that, despite robust population growth over the last 20 years, actual water usage has remained essentially the same, reflecting dramatic drops in per capita water usage over this time period. Thus, there is substantial capacity for continued growth and, with the

long time horizon and frequency of planning work, the authority will readily stay ahead of any increase in demand. <https://www.rivanna.org/community-water-supply-plan/>

- As part of implementing the RWSA's long range plan, the authority has a number of significant infrastructure projects at various stages of development. Most important to the City is the Central Water Line project, which will interconnect the overall regional water system, allowing water from all sources to reinforce demand, building greater system redundancy. Also important are plans to construct the South Rivanna Reservoir Water Line to Ragged Mountain Reservoir Water Line Project which improves system reliability and operational flexibility and to increase the height of the dam at the Ragged Mountain Reservoir, thereby increasing available supply.

### **Sewer System**

The Charlottesville Department of Utilities maintains 169 sanitary sewer lines. RWSA maintains larger sewer lines and operates the wastewater treatment plant. Similar to the water system, the sewer system benefits from upgrade planning by both the City and the RWSA. There are currently no capacity concerns based on system conditions – the greater issue is the age of the system and the need for continuous rehabilitation or replacement to protect the local environment. The Charlottesville Department of Utilities has been very successful in this regard, to date having replaced 35% of the system, with ongoing rehabilitation or replacement plans going forward.

The City's sewer system is composed of 8-inch to 30-inch sewer lines, and has capacity for growth. The City's sewer system flows into RWSA's larger sewer lines and these lines take wastewater flows to the Moores Creek Advanced Water Resource Recovery Facility. As with new or expanded hook-ups to the water system, a Sewer Facility Fee is levied on new and expanded sewer service to contribute towards sewer system capital costs.

The City and RWSA install permanent and temporary flow meters within their respective sewer systems to monitor capacity within the pipe, changes in wastewater flows, and extraneous water that may enter the pipes during a rain event. This extraneous water is known as inflow and infiltration, and an excess amount of inflow and infiltration is an indication the sewer lines need to be assessed for system deficiencies. In addition, like the water system, RWSA updates a long-range plan every ten years that focuses on capacity within their sewer system and treatment plants.

### **Stormwater System**

The stormwater system is composed of piped and open channels that convey stormwater runoff to outfalls into the City's streams and the Rivanna River. The primary objective of the City's stormwater system planning efforts is to address existing locations where the system fails to handle current levels of stormwater based on historical development and system design. The goal of these projects is to address localized flooding or drainage issues as well as reducing environmental impacts of erosion and pollution. Unlike water and sewer systems, where future growth might necessitate capacity expansion, in the case of the stormwater system, the focus is

on regulatory solutions that require on-site treatment rather than piped systems that allow conveyance. In other words, the best place to manage stormwater is where it originates.

The City's stormwater ordinance requires that onsite facilities be designed to manage stormwater generated up to a 10-year storm. A 10-year storm is a storm with a 10% chance of occurring in any given year. Thus, done correctly and in accordance with the law, there should be no substantial increase in stormwater runoff from new development, where the development impact is greater than 6000 square feet, thus having a minimal effect on the capacity of the stormwater system.

### **Transportation System**

Planning for the City's transportation system is very different than the water utilities described above. While relatively simple models, coupled with basic physics, can be used to predict the need for upgrades, transportation involves a greater degree of choices both political and individual, influenced by a range of economic, psychological, and sociological factors, that make the system complex, and therefore less predictable. The solution then is to rely less on attempting to make predictions and more on the simple idea that complex systems thrive with diversity; the idea that we must maximize system choice so that people are able to make the optimal decisions for their transportation needs.

The City's transportation planning efforts over the last decade have emphasized the need for multi-modal transportation improvements – particularly transit, bikes, and walkability. This emphasis is essential for these modes to be viable choices as each must be made to be more reliable, comfortable, and, most importantly, safe. Past focus on automobiles as the primary transportation mode has weakened the overall system and compromised the safety of the other modes of transportation. An emphasis on supporting transit, bikes, and walkability also aligns with the community's goals for addressing climate change.

Staff across the planning and engineering divisions of NDS and DPW respectively, as well as CAT, are now working towards a pipeline of projects to enhance the overall transportation system. This pipeline now includes a project prioritization process, building our capacity to do planning studies (strategically deciding what to do), creating quick-build programs that will allow us to act faster to address safety issues (as we did with safe routes to school in the last year) and building greater capacity to implement projects more efficiently and effectively once they are designed and funded (added project managers). In the next few years there will be new local and regional transit plans designed to improve that service as well as new planning for street users through the federally funded Safe Streets and Roads for All planning and expanded federal funding program.

Allowing for the opportunity to develop more housing choices in the City is an important part of the City's transportation planning program. Put simply, greater residential density provides greater transportation choice to more people. As the regional population grows, if more and more people are required to live further and further from the job centers of Charlottesville, those people lose transportation choice. Generally, the only option becomes a private vehicle and with a sprawling development pattern, those cars can only be served with larger roads that

necessarily and predictably increase congestion and reduce safety for those walking or biking (including walking to transit).

The critical component of transportation system planning is taking action to enhance transportation choice. For every trip an individual makes, they have a choice in terms of the time at which to make that trip, the mode by which to make that trip, and the route to take. That choice is influenced by the relative safety of the options available, economic/financial concerns, and social/psychological considerations. The objective of our system planning must be to maximize the choices available. Significantly, the pandemic has accelerated use of a new “transportation mode” that is now a major component of the system – the ability for certain job types to work virtually, which is now requiring new perspectives and models for transportation planning.

The 2002 drought spurred a new and proactive water system planning effort with regional and local efforts that place Charlottesville at the forefront for the industry. Similarly, concern for climate change and equitable housing policies must now spur a proactive transportation system planning program focused on enhancing choice for all residents.

### **How Does the Review of Development Projects Fit Into Infrastructure Planning?**

The availability of infrastructure is a basic component of a given location’s site conditions. Just like steep slopes, waterways, and soil types, the availability of infrastructure is part of the unique site conditions that a developer must consider as part of their costs of development. Where the necessary capacity does not exist, a developer must either pay for the provision of that capacity or consider changes to their project that otherwise bring it within the available capacity limits.

For water and sewer infrastructure, the potential water and sewer demand of a development project are assessed against the available capacity. Where the capacity does not exist, the developer must solve the issue. The City will work with a developer to determine if the water and sewer lines are already identified for replacement. If so, the City will share the cost such that the developer is only paying for the additional capacity necessary for the project while the City is covering the replacement cost it would otherwise still have had to pay. The water and sewer line capacity in the City is sufficient, but in some cases a water or sewer lines do not exist to accommodate a developer’s plans and the developer will have to add the necessary infrastructure. As noted above, stormwater is expected to be handled on the development project site according to stormwater management regulations and the on-site infrastructure is sized accordingly. As has been noted previously, staff is proposing a comprehensive review, coordination, and update of City regulations governing stormwater management for development.

The potential impacts of a development project on transportation infrastructure are inherently more difficult to assess. As with other infrastructure, transportation impact models are used. Based on national standards, these models tend to assume heavy reliance on automobiles and that there will be an increase in automobile use that must also be accounted for. Even so, street

capacity is so much greater than people anticipate and even with the inherent biases of the models, the outcomes frequently show minimal impacts on the transportation system, except for the largest projects. Under Virginia law, in order to require that a developer cover the cost of an infrastructure improvement, it must demonstrate that the infrastructure is necessary as a result of the development project, and it is very rare transportation improvements will be required in Charlottesville.

Given that optimizing the City's transportation system requires a focus on promoting greater transportation choice, the new zoning ordinance will include a number of measures. Most important of these is removing the minimum automobile parking requirement, which by design promotes the use of automobiles over other modes, contrary to the objectives of the City. By contrast, the draft ordinance has robust minimum bike parking standards to promote the use of this transportation mode. Finally, large projects will be required to provide a transportation demand management (TDM) plan demonstrating the infrastructure and programmatic steps that will be taken to manage the transportation needs of the development project, with the goal of maximizing transportation choice for the residents, tenants, or customers of the project. Such a TDM plan would include any of the following: parking for a range of transportation modes (cars, scooters, bikes, etc), shared transportation, facilitation of transit access, shuttles, showers, and any number of other approaches. This approach is designed to promote multi-modal transportation choices in every large project.

## **Conclusion**

Charlottesville's infrastructure systems have sufficient existing capacity to handle the likely development that could occur under the new zoning ordinance, in support of the City's adopted Affordable Housing and Comprehensive Plans. The rate of change analysis in the August 2022 Inclusionary Zoning report anticipates a maximum of approximately 1,300 new units over the next three years across the proposed Residential A, B, and C zoning districts (currently being updated), which comprise the majority of the City's land area. As noted above, this estimate represents a theoretical upper maximum used for planning purposes rather than a likely outcome as other factors make a realistic production number lower. Further, the robust infrastructure planning program, both in the City and in conjunction with regional agencies, are well structured to prepare for the City and the region's needs going forward.



CITY OF CHARLOTTESVILLE  
*“A Great Place to Live for All of Our Citizens”*

Department of Neighborhood Development Services

## **Memorandum**

**To:** Mayor Llyod Snook and the Charlottesville City Council  
Chair Lyle Solla-Yates and the Charlottesville Planning Commission  
Michael Rogers, Interim City Manager

**From:** James Freas, Director, Neighborhood Development Services

**Date:** July 7, 2023

**Re:** Zoning and Equity

**CC:** Sam Sanders, Deputy City Manager for Operations  
Ashley Marshall, Deputy City Manager for Diversity, Equity, and Inclusion

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As we approach a complete draft of the proposed new zoning ordinance, I believe it would be helpful to pause and reflect on one of the City’s primary objectives for the new zoning ordinance, as stated in our Affordable Housing Plan and Comprehensive Plan.

It has been said that the purpose of this work is to create affordable housing, yet the adopted Affordable Housing Plan and Comprehensive Plan clearly identify racial equity as a primary purpose of the proposed land use and zoning proposals. Affordable housing is one high priority strategy that impacts racial equity but is not the only objective (Excerpts of these plans in Appendix 1). The following review will highlight the racial equity issues presented by Charlottesville’s existing zoning ordinance and how the proposed ordinance addresses these issues.

First, it is important to note that in addressing racial equity in zoning the City is attempting to create opportunities for members of our community who have been subjected to discrimination – it is an attempt to correct past wrongs and fix systemic inequality. In doing so, we are also creating opportunities for all. The experience of communities that have adopted an equity framework shows that when we make the system work for those most disadvantaged, we ultimately improve the system for all<sup>1</sup>.

Second, we must remember that while equity is one of the core driving objectives of the entire Cville Plans Together project, it is not the only objective. These plans, policies, and rules are also intended to address the City’s climate goals, economic development, historic preservation, and other important City objectives. Equity, however, is purposefully interwoven throughout.

The proposed zoning ordinance takes significant, and critical, steps towards racial equity in Charlottesville and is in line with national best practices and the recommendations of thought

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<sup>1</sup> Government Alliance on Race and Equity (GARE) – [www.racialequityalliance.org](http://www.racialequityalliance.org)

leaders on this topic (see resource list below). However, there is room for debate on the specifics and opposition to this draft zoning ordinance does not inherently make a person a racist. We hope, however, that providing information to increase everyone's understanding of the equity issues in zoning, which derive from the beliefs of people during the time period most zoning was adopted, will lead to greater appreciation of the purpose of the proposed changes in this zoning ordinance and a deeper consideration of the ongoing harms of the current system.

### **The Equity Issues of Zoning**

The widespread adoption of zoning throughout the United States from the 1920s into the 1960s represented a radical change to how families and individuals gained access to property-ownership and the associated wealth building opportunities. In short, this new system reserved those opportunities for middle class and wealthier families by limiting how property could be used such that generally only those with access to wealth could afford to purchase property. Other mechanisms were then used to limit or prevent Black, Indigenous, and People of Color (henceforth "BIPOC"<sup>2</sup>) families from accessing or retaining wealth. We will review some of those mechanisms below.

#### Single Family Zoning

Single Family zoning is one of the more effective zoning tools for racial exclusion. The effectiveness of single-family zoning to this end lies in the fact that it restricts home financing to loans based on wealth and job-income. Traditionally, in American cities, residents who were low-income, immigrants, or African Americans could secure a property or home through property-based income like accessory rental units, boarders, or a range of commercial uses. Single-family zoning stripped out these other uses, eliminating potential income streams through ownership of property. So essentially, one had to be able to afford the luxury of a non-productive asset to own a home. Further, in its earliest iterations, the Federal government actively subsidized the ability of people to afford non-productive housing but denied those subsidies to African Americans, as well as other residents of color through redlining and similar tools.

Later, when overt discrimination in lending was outlawed, those subsidies were reduced, and zoning relied on other mechanisms to make it more difficult for residents with low incomes to secure a home in these single-family neighborhoods. Most effective of these are large minimum lot sizes and other mechanisms reducing the efficient use of land in order to drive up the per housing unit costs. In addition, zoning was used to impact the allowances for home-based businesses; they were generally restricted to professional jobs like lawyers, accountants, etc. Significantly, the land area set aside for these restrictions represented the largest land area in

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<sup>2</sup> For more information on the acronym BIPOC: <https://www.cbsnews.com/news/bipoc-meaning-where-does-it-come-from-2020-04-02/>

each community, frequently between 50 and 70% of a given community, as it is in Charlottesville.

### **Multi-Family and Commercial Zoning**

The inequitable zoning strategies in multi-family and commercial zoning districts are similar to those above, relying primarily on mechanisms to make the land and construction cost more expensive and out of reach of anyone without access to substantial capital. Again, minimum lot sizes were a methodology utilized, but also lot area per unit, open space, and parking requirements were used to make land development more inefficient. Finally, long and difficult permitting procedures added to the costs and introduced politics into the development process.

Through these zoning rules, cities like Charlottesville effectively eliminated small-scale, local, neighborhood-based, or entrepreneurial development. Where once, developing a piece of property might have been a one-time means for an individual to, for example, secure a storefront with a home above or in the back, now development is almost exclusively executed by professional developers with access to high amounts of capital doing large-scale, high-impact development projects.

### **How Charlottesville's Proposed Zoning Addresses Equity**

Charlottesville's proposed zoning addresses racial equity most directly by reducing or eliminating the regulatory mechanisms with demonstrated inequitable outcomes. In each instance, the team working on this ordinance has attempted to balance the community benefits that might be associated with these regulations while striving to improve the equitable outcomes of enforcement of the zoning ordinance. The primary result has been to eliminate or reduce those requirements that have an exclusionary effect through increases in the cost of housing and the reduction in opportunity. The list below highlights many key changes:

- Reduce (but not always eliminate) minimum lot size requirements
- Allow commercial uses in all districts (with limitations/constraints)
- Allow multi-family and accessory units in all residential districts (within limits on the scale to address compatibility)
- Eliminate minimum parking requirements (understanding that this will require new regulation/management of on-street parking).
- Eliminate the use of the word "family" as a regulatory tool.

Yet, it is important to note that there are a number of requirements that might continue to have impacts on equity due to increased compliance costs that were kept because of associated community benefits for all:

- On-site open space requirements
- Tree canopy requirements
- Entrance Corridor design review
- Transportation Demand Management (TDM) requirements

## Resources

There are a number of resources that dig deeper into the issues presented above. A short list is presented below:

- The Color of Law: A Forgotten History of How Our Government Segregated America;  
Richard Rothstein; 2018
- Equity in Zoning Policy Guide; American Planning Association; 2022
- Zoning and Segregation in Virginia: Parts 1 and 2; McGuire Woods Zoning and Segregation Working Group.
- Arbitrary Lines: How Zoning Broke the American City and How to Fix It; M. Nolan Gray; 2022.
- The Sum of Us: What Racism Costs Everyone and How We Can Prosper Together;  
Heather McGhee; 2021.

## Appendix 1

### Affordable Housing Plan, 2021

#### **Vision**

The City of Charlottesville will achieve a local housing market that is healthy, high quality, affordable, and above all, **equitable**.

#### **Introduction**

The Affordable Housing Plan is a framework to guide affordable housing policy and investments to increase the impacts of the City's policies and programs, remove barriers to access, and **advance racial equity** in housing in Charlottesville.

Single-family zoning, which is prevalent in Charlottesville, has historically been a tool to create and reinforce racial segregation in Charlottesville and nationwide and has restricted the development of housing, contributing to rising housing costs. The Land Use chapter of the Charlottesville Affordable Housing Plan outlines recommendations to address the legacy of exclusionary zoning and constrained housing supply in Charlottesville. The Comprehensive Plan Update and Zoning Code Rewrite will build on these recommendations.

#### **Guiding Principle**

**racial equity** – defined as: Housing policies and programs and decision-making processes must be intentionally designed to overcome the City's history of **racial segregation and its ongoing inequities**.

### Comprehensive Plan, 2021

#### **Land Use Vision**

Through the City's plans, policies, and regulations, including zoning, Charlottesville will increase the supply and affordability of housing, will work to address **inequities** related to the distribution of land uses and impacts of development.

#### **Strategies**

*Strategy 1.3: Implement zoning changes needed to support the creation of more housing, including affordable housing opportunities, throughout the city.*

*Strategy 1.4: Define parameters for inclusionary zoning policies, which require that certain residential developments include some affordable homes. Set targets for the number and affordability levels of homes as well as other parameters.*