

Agenda

PLANNING COMMISSION REGULAR DOCKET TUESDAY, December 13, 2022 at 5:30 P.M. Hybrid Meeting

I. Commission Pre-Meeting (Agenda discussion(s))

Beginning: 5:00 p.m.

Location: (CitySpace, 100 5th St NE, Charlottesville, VA 22902 and Electronic/Virtual)

II. Commission Regular Meeting

Beginning: 5:30 p.m.

Location: (CitySpace, 100 5th St NE, Charlottesville, VA 22902 and Electronic/Virtual)

A. COMMISSIONERS' REPORTS

B. UNIVERSITY REPORT

C. CHAIR'S REPORT

D. DEPARTMENT OF NDS

i. Zoning Ordinance Rewrite Update: Schedule & Draft Districts

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

F. CONSENT AGENDA

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

i. Minutes – Planning Commission/City Council Joint Work Session – September 27, 2022

III. JOINT MEETING OF COMMISSION/ COUNCIL

Beginning: 6:00 p.m.

Continuing: until all public hearings are completed

Format: (i) Staff Report, (ii) Applicant, (iii) Hearing

1. **Charlottesville Capital Improvement Program FY 2024-2028:** Consideration of the proposed 5-year Capital Improvement Program in the areas of Affordable Housing, Education, Economic Development, Public Safety & Justice, Facilities Management, Transportation & Access, Parks & Recreation, and Technology Infrastructure. A copy of the proposed CIP is available for review at: <https://www.charlottesville.gov/budget> **Report prepared by Krisy Hammill, Office of Budget and Performance Management.**

2. **Notice of Intent to Amend and Re-enact City Comprehensive Plan**

PUBLIC HEARING NOTICE: notice is hereby given by the Charlottesville City Council that, on **Tuesday, December 13, 2022, beginning at 6:00 p.m.**, the Charlottesville City Council and the Charlottesville Planning Commission will conduct a joint public hearing for consideration of a proposed action to amend and re-enact the Comprehensive Plan for the City of Charlottesville. Persons affected by the proposed action may appear virtually or in person at the meeting and present their views. On that same date, following the public hearing, it is the intention of the City that the Planning Commission will vote on the proposed action. (City Council's vote would take place at a later City Council meeting agenda, following receipt of the Commission's recommendation). The 2021 Comprehensive Plan, as amended, that is proposed to be amended and re-enacted is currently available for viewing on the City's website: <https://www.charlottesville.gov/DocumentCenter/View/7073/Comprehensive-Plan-Document---2021-1115-Final?bidId=> and the previous (2013) Comprehensive Plan, as amended, is also available: <https://www.charlottesville.gov/DocumentCenter/View/477/2013-Comprehensive-Plan-PDF?bidId=>

Proposed Action: the proposed action is as follows: amendment and re-enactment of the 2021 Comprehensive Plan (previously approved 11-15-2021 by City Council Resolution # R-21-162 and amended by Resolution #R-22-018)), including, without limitation, the enactment, or re-enactment, of the following provisions modifying the organization, content, goals and strategies of the prior Comprehensive Plan (2013), as amended:

2013 Comprehensive Plan	2021 Comprehensive Plan (11-15-2021), as proposed to be amended and re-enacted
<p><u>8 Land Use Categories:</u> low-density residential, high density residential, mixed use, neighborhood commercial, business & technology, public or semi-public, parks & open space, University of Virginia. A map (Future Land Use Map) was provided to allow citizens to see which categories apply within their neighborhoods.</p>	<p><u>10 Land Use Categories (defined on pp. 29-30):</u> general residential (GR); GR (Sensitive Community Areas); Medium-Intensity Residential; Higher-Intensity Residential; Neighborhood Mixed-Use Corridor; Neighborhood Mixed-Use Node; Business and Technology Mixed Use; Urban Mixed Use Corridor; Urban Mixed Use Node; Downtown Core. A map (Future Land Use Map) is provided to allow citizens to see which categories apply within their neighborhoods.</p>
<p>“Low-density residential” defined as an area for single- and two-family units; developed at 12 or less dwelling units per acre (DUA); building height not addressed. No density ranges specified.</p>	<p>Low-density residential land use category eliminated. New “General residential” (GR) category allows 3- and 4-unit dwellings and townhome developments, at building heights of up to 2.5 stories. Additional units and building height are allowable under an affordability bonus program. For certain sensitive areas planned for GR only one unit per lot would be allowed 3- and 4-unit dwellings would be allowed if affordable units are provided.</p>
<p>N/A</p>	<p>New “Medium Intensity residential” category contemplates buildings up to 4 stories, including 12-unit multifamily buildings as well as townhouse developments.</p>
<p>“High-density residential” defined as an area for multifamily units, to be developed at more than 12 dwelling units per acre. No density ranges specified.</p>	<p>High-density residential land use category eliminated. New “Higher-Intensity Residential” contemplates multifamily-focused development (up to 5 stories and 13+ units per lot), incentivized to meet affordable housing goals. Ground floor commercial uses will be encouraged.</p>
<p>N/A</p>	<p>Urban Rivanna River Corridor Plan (amendment approved by City Council Feb. 7, 2022)</p>
<p>N/A</p>	<p>Amendment to Ch. 4 (Land Use, Urban Form, and Historic & Cultural Preservation) and 5 (Housing), to add</p>

	provisions promoting manufactured housing as a source of affordable housing. https://www.charlottesville.gov/DocumentCenter/View/8764/202212_PC-Report-Manufactured-Housing-Comp-Plan-Update?bidId=
Climate Protection Chapter included a “Report on the Local Climate Action Planning Process” with a framework and action strategies.	Amendment to Ch. 7 (Environment, Climate and Food Equity) , to add the City’s final Climate Action Plan as a component of the Comprehensive Plan, expanding the city’s action strategies related to climate change mitigation, and providing guides for action that address equity, focus on co-benefits, and plan for community engagement and capacity building. https://charlottesville.gov/DocumentCenter/View/8776/Charlottesville-Climate-Action-Plan-PDF

IV. COMMISSION’S ACTION ITEMS

Continuing: until all action items are concluded.

1. Critical Slopes Waiver – Azalea Springs
2. Presentation - Entrance Corridor Design Review Overview

V. FUTURE MEETING SCHEDULE/ADJOURN

Tuesday January 10, 2023 – 5:00 PM	Pre-Meeting	
Tuesday January 10, 2023 – 5:30 PM	Regular Meeting	<u>Minutes</u> - October 11, 2021, October 12, 2021, October 21, 2021, November 9, 2021 <u>Special Use Permit</u> - Three Notch'd Brewery Expansion <u>Critical Slopes Waiver and SUP</u> –Fire Station on 250 Bypass

Anticipated Items on Future Agendas

Zoning Text Amendments –Off-street parking facilities requirements along streets designated as “framework streets” (initiated May 8, 2018), Site Plan Requirements, Accessory Dwelling Unit, Middle Density zoning and Affordable Dwelling Unit , 12th and Rosser/CH Brown Historic Conservation District (six properties)

Rezoning and SUP – 0 Carlton Road, 1120 Avon Street

Site Plan – Flint Hill PUD, 240 Stribling Ave, Belmont Heights (1000 Monticello), Hillsdale Place, 1613 Grove Street Extended

Future Entrance Corridor

- 1801 Hydraulic Road – revised Comp Sign Plan, revised design review (*Hillsdale Place, Riverbend*)
- 2005 JPA

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. The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

Planning Commission premeeting and regular meetings are held in person with limited seating and by Zoom webinar. Instructions for meeting attendance is located here: <https://www.charlottesville.gov/1552/Reserve-a-Seat-for-Planning-Commission-M>. The webinar is broadcast on Comcast Channel 10 and on all the City's streaming platforms including: Facebook, Twitter, and www.charlottesville.gov/streaming. Public hearings and other matters from the public will be heard via the Zoom webinar which requires advanced registration here: 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.

**LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY
11/1/2022 TO 11/30/2022**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
 - a. 612 West Main Street – October 28, 2022
- 3. Site Plan Amendments**
 - a. Harris Street Warehouse #1 - November 2, 2022
 - b. 818 East Jefferson Street #1 – November 16, 2022
- 4. Subdivision**
 - a. 626-630 Cabell Avenue – BLA – November 10, 2022



CITY OF CHARLOTTESVILLE

"A Great Place to Live for All of Our Citizens"

Department of Neighborhood Development Services

Memorandum

To: Charlottesville Planning Commission
From: James Freas, Director, Neighborhood Development Services
Date: December 13, 2022
Re: Zoning Ordinance Rewrite Update: Schedule & Draft Districts
CC: Charlottesville City Council

Work continues on the zoning ordinance rewrite, advancing implementation of the adopted Affordable Housing and Comprehensive Plans. The memo below describes our anticipated schedule for the release of the draft ordinance and associated activities as well as an outline of the zoning districts proposed for the draft ordinance.

Schedule

The draft ordinance will be released in three modules, each one representing a large piece of the ordinance document. The table below defines the content of each module and the anticipated timeline for release. Please note, a zoning ordinance is a large and complex body of law and each component requires significant staff review, both within Neighborhood Development Services and in the City Attorney's Office and other City Departments. It is our goal to adhere to the schedule outlined below, but we reserve the right to take more time as necessary to ensure appropriate review has been completed.

Module 1	Districts, Rules of Measurement, Land Use Table, Zoning Map	Jan 30 to Feb 3
Module 2	Development Standards (Landscaping, parking, signs, lighting, etc.)	Mar 13 to Mar 17
Module 3	Zoning Administration (Review Processes)	Apr 3 to Apr 7

The release of the above modules will be accompanied by a range of public engagement opportunities over several weeks, as we have done throughout the Cville Plans Together process. Engagement will include multiple community meetings, as well as steering committee meetings, associated with review of the modules.

Planning Commission work sessions (to which City Council will be invited) will be held as follows:

Jan. 24	Discussions on topics such as Critical Slopes, Floodplains, and Entrance Corridors.
Feb. 28	Module 1
Mar. 28	Module 2
Apr. 25	Module 3

Draft Zoning Districts

The current zoning map identifies 30 zoning districts, not including approved Planned Unit Development (PUD) projects and overlay districts. These zoning districts derive from Charlottesville’s original zoning map as well as a number of districts that have developed over time. The 17 proposed zoning districts described on the attached document are derived from the Future Land Use Map and intended to implement the goals and strategies of the Comprehensive Plan. The zoning map itself is still under development.

The five proposed residential districts implement the three residential land use categories on the Future Land Use Map. Each district allows a differing degree of residential density allowing these districts to be applied to the zoning map in a way that places greater density in those areas with greater accessibility and/or adjacency to the mixed-use districts. As called for in the Comprehensive Plan, bonus density is offered for preservation of existing structures and for affordable units. Also consistent with the Comprehensive Plan, most of these districts also allow some component of commercial use, which enhances walkability and economic opportunity.

The 10 mixed-use districts replace all of the commercial districts in the current zoning ordinance. These districts will essentially re-orient commercial areas in the city towards becoming walkable, mixed-use centers and corridors of varying scales and intensity as appropriate to their locations.

The final two districts will be a civic district for all public uses including parks and schools and a campus district that would encompass the University of Virginia (which has a state exclusion from local regulation) as well large property private uses like medical districts, private schools and churches.

The release of the first module early next year will include the zoning map as well as all the details that will fully flesh out these districts including the dimensional standards (lot size, setbacks, height, etc.) and the allowed uses.

ZONING DISTRICT FRAMEWORK

Updated: 12/01/22

LAND USE	NEW DISTRICT	NEW DISTRICT NAME	DISTRICT NOTES	MAPPING NOTES
RESIDENTIAL				
General Residential, Sensitive Areas	R-A	Residential A	All Residential A will have the same minimum lot frontage and area. Base: 3 units (4 with existing structure), 2.5 stories tall Bonus: 8 units, same height as base Allow corner store/shopfront house in some areas through alternative form	
Medium Intensity Residential	R-B	Residential B	Base: 8 units, 2.5 stories tall Bonus: 12 units, 3 stories tall Allow corner store/shopfront house in some areas through alternative form	
	R-C	Residential C	Base: 12 units, 3 stories tall Bonus: 16 units, 4 stories tall Allow corner store/shopfront house in some areas through alternative form	Generally located in close proximity to key intersections based on the Streets That Work plan.
Higher Intensity Residential	RX-3	Residential Mixed Use 3	3 stories tall Allows limited commercial	
	RX-5	Residential Mixed Use 5	5 stories tall Allows limited commercial	Generally located in close proximity to key intersections based on the Streets That Work plan
MIXED USE				
Neighborhood Mixed Use Corridor	CX-3	Corridor Mixed Use 3	3 stories tall Allows mix of uses	
	CX-5	Corridor Mixed Use 5	5 stories tall Allows mix of uses	Generally located in close proximity to key intersections based on the Streets That Work plan
Urban Mixed Use Corridor	CX-8	Corridor Mixed Use 8	8 stories tall Allows mix of uses	
Neighborhood Mixed Use Node	NX-3	Node Mixed Use 3	3 stories tall Tall ground floor requirement, more transparency on ground floor Allows mix of uses	
	NX-5	Node Mixed Use 5	5 stories tall Tall ground floor requirement, more transparency on ground floor Allows mix of uses	Generally located in close proximity to key intersections based on the Streets That Work plan
Urban Mixed Use Node	NX-8	Node Mixed Use 8	8 stories tall Tall ground floor requirement, more transparency on ground floor Allows mix of uses	
	NX-10	Node Mixed Use 10	10 stories tall Tall ground floor requirement, more transparency on ground floor Allows mix of uses	Generally located in close proximity to key intersections based on the Streets That Work plan
Downtown Core	DX	Downtown Mixed Use	(coordinate with Design Guidelines) Height map regulating height and setbacks block by block Tall ground floor and additional frontage requirements in some areas Allows mix of uses, potentially additional active use requirements	
Business and Technology Mixed Use	IX-5	Industrial Flex 5	5 stories tall Tall ground floor requirement Allows light industrial/maker spaces, other industrial uses by special exception	
	IX-8	Industrial Flex 8	8 stories tall Tall ground floor requirement Allows light industrial/maker spaces, other industrial uses by special exception	Generally located in close proximity to key intersections based on the Streets That Work plan
SPECIAL				
Open Spaces and Parks	CV	Civic	Civic includes public parks and permanent conservation areas	
Cemetery				
Civic				
Education	CM	Campus	Includes hospitals	
UVA				
OVERLAY				
	-SA	Sensitive Area Overlay	Explore new overlay for General Residential - Sensitive Areas instead of separate district	

	-FHP	Flood Hazard Protection Overlay District		
	-AD	Downtown Architectural Design Control District	Existing overlays to remain	
		North Downtown Architectural Design Control District		
		Ridge Street Architectural Design Control District		
		West Main Street Architectural Design Control District		
		Wertland Street Architectural Design Control District		
		Corner Architectural Design Control District		
		Oakhurst-Gildersleeve Neighborhood Architectural Design Control District		
		Rugby Road - University Circle - Venable Neighborhood Architectural Design Control District		
	-C	Martha Jefferson Historic Conservation District	Existing overlays to remain	
		Rugby Road Historic Conservation District		
		Woolen Mills Village Historic Conservation District		
	-EC	Entrance Corridor Overlay Districts	Continue to explore if this overlay is still needed based on Diagnostic discussions	
	-IPP	Individual Protected Properties	Existing overlays to remain	

September 27, 2022 Planning Commission Work Session
Minutes are included as the last documents in this packet.

**City of Charlottesville
City Manager's Office
MEMO**



TO: Planning Commission
FROM: Krisy Hammill, Director, Budget and Performance Management
CC: Michael C. Rogers, Interim City Manager
City Council
DATE: December 6, 2022
SUBJECT: **FY 2024 – 2028 Capital Improvement Program Draft Budget**

Presented for the Planning Commission's consideration is a draft of FY 2024-2028 Capital Improvement Program (CIP).

The current draft CIP budget contains revenues and expenses totaling \$99,853,381 in FY 2024. The five-year total CIP budget for FY 2024 - 2028 is currently shown as \$191,167,937, an increase of 17.75% from the five-year total projected in the FY 2023 - 2027 Adopted CIP

The General Fund contribution to the CIP in FY 2024 is proposed to be \$8,737,407 which is flat with the FY 23 cash contribution amount. The amount of revenue proposed to come from bond sales for FY 2024 is projected to be \$79.1 million, and the five-year total amount of revenue from bond sales in the FY 2024 – 2028 CIP is projected to increase by \$8.1 million from what was projected in the FY 2023 – 2027 Adopted CIP for a total of \$125.1 million. This budget also proposes to use \$8.6 million of CIP Contingency funds in FY 24 (\$9.5 million over the 5-year plan). The contingency fund is cash from prior year General Fund surpluses that has been transferred to the CIP fund as per the City's "pay-go" financial policy. Additionally, for FY 24 the Charlottesville School Board will be contributing \$2.5 million in gainsharing and school construction grant funds to help offset the inflationary increases for the School Reconfiguration project.

This draft budget attempts to balance the City's growing capital needs and the impacts of rising construction and borrowing costs due to inflation. As a result, little has been added in the way of new projects. However, departments were able to submit and prioritize new requests. A list of those requests sorted in priority order is also included in your packet.

This draft budget being presented to the Planning Commission reflects what is known at this time regarding the City's total revenue and expenditure needs for FY 2024. As work

continues to develop the FY 2024 budget, operational needs as well as capital needs will continue to be balanced with projected revenues and the five- year CIP will remain a work in progress until it is formally presented to City Council in March as part of the City Manager’s Proposed Budget.

Staff looks forward to the upcoming discussion with the Planning Commission on this draft five-year plan. If you have questions or need more information before the Planning Commission meeting, please don’t hesitate to contact me at hammillk@charlottesville.gov.

Materials for December 13th Planning Commission Public Hearing

In preparation for the December 13th Planning Commission Public Hearing the materials below are being provided. Staff will give a short Power Point presentation followed by a question/answer session.

- Attachment I** – FY 2024-2028 Draft Five-Year CIP Plan
- Attachment II** – FY 2024 CIP Projects: Alignment with Comprehensive Plan Chart
- Attachment III** - Comprehensive Plan Summary
- Attachment III** – FY 2024-2028 List of Departmental New Requests

Please refer to the new online [Budget Book](#) for project descriptions and additional information. The budget book and other budget materials can be found on the City’s Budget webpage at www.charlottesville.gov/budget.

Proposed Capital Improvement Program

FY 2024-2028

New Request for FY 24							
*green denotes an addition or a change from FY 23 plan	Adopted FY23	Proposed FY24	Projected FY25	Projected FY26	Projected FY27	Projected FY28	5 Year Total
Revenues							
Transfer from General Fund	8,737,407	8,737,407	8,970,029	9,369,514	9,647,601	9,934,028	46,658,579
Transfer from General Fund - Mall Vendor Fees	78,000	78,000	78,000	78,000	78,000	78,000	390,000
Transfer from General Fund - VCF Allocation		575,000	575,000	575,000	575,000	575,000	2,875,000
Contribution from Albemarle County (CATEC)	62,500	0	0	0	0	0	0
Contribution from Schools (Small Cap Program)	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000
Contribution from Schools - FY 22 Gainshare		1,042,414					1,042,414
Contribution from Schools - Construction Grant Funds		1,474,519					1,474,519
CIP Contingency (from prior year surplus)		8,632,134	895,316				9,527,450
PEG Fee Revenue	40,000	40,000	40,000	40,000	40,000	40,000	200,000
VDOT - Rev Share East High Signalization	0	0	0	0	0	0	0
Stribiling Avenue Funding Agreement			2,900,000				2,900,000
CY 2022 Bond Issue	0	0	0	0	0	0	0
CY 2023 Bond Issue	16,867,467	0	0	0	0	0	0
CY 2024 Bond Issue	0	55,823,907	0	0	0	0	55,823,907
CY 2025 Bond Issue	0	0	13,409,587	0	0	0	13,409,587
CY 2026 Bond Issue	0	0	0	13,095,174	0	0	13,095,174
CY 2027 Bond Issue	0	0	0	0	7,565,095	0	7,565,095
CY 2028 Bond Issue	0	0	0	0	0	10,639,212	10,639,212
Bond Previously Authorized - West Main Street	0	18,250,000	0	0	0	0	18,250,000
Bond Previously Authorized - Parking Structure	0	5,000,000	1,317,000	0	0	0	6,317,000
TOTAL AVAILABLE REVENUES	\$25,985,374	\$99,853,381	\$28,384,932	\$23,357,688	\$18,105,696	\$21,466,240	\$191,167,937
Expenditures							
BONDABLE PROJECTS							
EDUCATION							
Project	Adopted FY23	Proposed FY24	Projected FY25	Projected FY26	Projected FY27	Projected FY28	5 Year Total
Lump Sum to Schools (City Contribution)	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	6,000,000
City Schools HVAC Replacement	750,000	750,000	750,000	750,000	750,000	750,000	3,750,000
City Schools Priority Improvement Projects	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	6,250,000
Charlottesville High School Roof Replacement	1,200,000	541,060	1,937,504	2,357,489	0	0	4,836,053
Charlottesville City School Reconfiguration	2,500,000	72,839,612	0	0	0	0	72,839,612
Burnley-Moran Roof Replacement		0	0	0	1,500,000	0	1,500,000
Jackson-Via Roof Replacement		0	0	0	0	1,500,000	1,500,000
SUBTOTAL	\$6,900,000	\$76,580,672	\$5,137,504	\$5,557,489	\$4,700,000	\$4,700,000	\$96,675,665
FACILITIES CAPITAL PROJECTS							
Project	Adopted FY23	Proposed FY24	Projected FY25	Projected FY26	Projected FY27	Projected FY28	5 Year Total
Lump Sum to Facilities Capital Projects	1,045,491	1,045,491	1,082,083	1,119,956	1,159,155	1,193,929	5,600,614
City Facility HVAC Replacement	250,000	250,000	250,000	250,000	250,000	250,000	1,250,000
City and Schools Solar PV Program	75,000	75,000	75,000	75,000	0	0	225,000
IT Data Center AC Units		318,386	0	0	0	0	318,386
General District Court - FFE				201,838			201,838

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Proposed Capital Improvement Program

FY 2024-2028

New Request for FY 24							
*green denotes an addition or a change from FY 23 plan	Adopted FY23	Proposed FY24	Projected FY25	Projected FY26	Projected FY27	Projected FY28	5 Year Total
SUBTOTAL	1,370,491	1,688,877	1,407,083	1,646,794	1,409,155	1,443,929	7,595,838
PUBLIC SAFETY AND JUSTICE	Adopted	Proposed	Projected	Projected	Projected	Projected	5 Year
<u>Project</u>	<u>FY23</u>	<u>FY24</u>	<u>FY25</u>	<u>FY26</u>	<u>FY27</u>	<u>FY28</u>	<u>Total</u>
General District Court	0	0	0	0	0	0	0
Replacement Fire Apparatus	0	1,152,415	0	0	1,334,065	1,400,768	3,887,248
Replacement EMS Apparatus	0	0	0	458,918	0	0	458,918
Bypass Fire Station - Add'l Funding - FFE	1,206,976	0	150,000	0	0	0	150,000
Fontaine Alerting System	0	0	0	175,000	0	0	175,000
SUBTOTAL	\$1,206,976	\$1,152,415	\$150,000	\$633,918	\$1,334,065	\$1,400,768	\$4,671,166
TRANSPORTATION AND ACCESS	Adopted	Proposed	Projected	Projected	Projected	Projected	5 Year
<u>Project</u>	<u>FY23</u>	<u>FY24</u>	<u>FY25</u>	<u>FY26</u>	<u>FY27</u>	<u>FY28</u>	<u>Total</u>
New Sidewalks	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Sidewalk Repair	500,000	500,000	500,000	500,000	500,000	500,000	2,500,000
SIA Immediate Implementation	200,000	200,000	200,000	200,000	0	0	600,000
Small Area Plans	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Street Milling and Paving	1,250,000	1,000,000	1,250,000	1,500,000	1,500,000	1,500,000	6,750,000
Parking Structure	0	0	0	0	0	0	0
ADA Pedestrian Signal Upgrades	240,000	240,000	240,000	240,000	240,000	240,000	1,200,000
Minor Bridge Repairs	225,000	225,000	225,000	225,000	225,000	225,000	1,125,000
Citywide ADA Improvements - Sidewalks and Curbs	200,000	100,000	100,000	100,000	100,000	100,000	500,000
Traffic Signal Infrastructure Replacement	500,000	3,700,000	1,000,000	1,000,000	1,000,000	1,000,000	7,700,000
East High Street Signalization - VDOT Rev Share	0	0	0	0	0	0	0
Belmont Bridge - Local Match	0	0	0	0	0	0	0
Market Street Garage Concrete Structural Repairs	683,000	0	0	0	0	0	0
Stribling Avenue Sidewalk	0	0	4,217,000	0	0	0	4,217,000
SUBTOTAL	\$3,998,000	\$6,165,000	\$7,932,000	\$3,965,000	\$3,765,000	\$3,765,000	\$25,592,000
PARKS AND RECREATION	Adopted	Proposed	Projected	Projected	Projected	Projected	5 Year
<u>Project</u>	<u>FY23</u>	<u>FY24</u>	<u>FY25</u>	<u>FY26</u>	<u>FY27</u>	<u>FY28</u>	<u>Total</u>
McIntire Park Drainage Corrections	\$350,000	0	0	0	0	0	0
Key Recreation Slate Roof Replacement	\$42,000	\$575,000	0	0	0	0	575,000
SUBTOTAL	\$392,000	\$575,000	\$0	\$0	\$0	\$0	\$575,000
AFFORDABLE HOUSING	Adopted	Proposed	Projected	Projected	Projected	Projected	5 Year
<u>Project</u>	<u>FY23</u>	<u>FY24</u>	<u>FY25</u>	<u>FY26</u>	<u>FY27</u>	<u>FY28</u>	<u>Total</u>
Public Housing Redevelopment - (CRHA)	3,000,000	3,000,000	3,000,000	3,000,000	0	0	9,000,000
SUBTOTAL	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$0	\$0	\$9,000,000

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Proposed Capital Improvement Program

FY 2024-2028

New Request for FY 24							
*green denotes an addition or a change from FY 23 plan	<u>Adopted FY23</u>	<u>Proposed FY24</u>	<u>Projected FY25</u>	<u>Projected FY26</u>	<u>Projected FY27</u>	<u>Projected FY28</u>	<u>5 Year Total</u>
TOTAL BONDABLE PROJECTS	\$16,867,467	\$89,161,964	\$17,626,587	\$14,803,201	\$11,208,220	\$11,309,697	\$144,109,669
NONBONDABLE PROJECTS							
EDUCATION	<u>Adopted FY23</u>	<u>Proposed FY24</u>	<u>Projected FY25</u>	<u>Projected FY26</u>	<u>Projected FY27</u>	<u>Projected FY28</u>	<u>5 Year Total</u>
<u>Project</u>							<u>Total</u>
School Small Capital Improvements Program	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000
SUBTOTAL	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,000,000
ECONOMIC DEVELOPMENT	<u>Adopted FY23</u>	<u>Proposed FY24</u>	<u>Projected FY25</u>	<u>Projected FY26</u>	<u>Projected FY27</u>	<u>Projected FY28</u>	<u>5 Year Total</u>
<u>Project</u>							<u>Total</u>
Economic Development Strategic Initiatives	95,000	0	0	0	0	0	0
SUBTOTAL	\$95,000	\$0	\$0	\$0	\$0	\$0	\$0
FACILITIES CAPITAL PROJECTS							<u>5 Year Total</u>
<u>Project</u>							<u>Total</u>
HVAC Contingency Fund - City Facilities	25,000	25,000	25,000	25,000	25,000	25,000	125,000
HVAC Contingency Fund - School Facilities	25,000	25,000	25,000	25,000	25,000	25,000	125,000
SUBTOTAL	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$250,000
PUBLIC SAFETY AND JUSTICE	<u>Adopted FY23</u>	<u>Proposed FY24</u>	<u>Projected FY25</u>	<u>Projected FY26</u>	<u>Projected FY27</u>	<u>Projected FY28</u>	<u>5 Year Total</u>
<u>Project</u>							<u>Total</u>
Police Mobile Data Terminals	45,000	45,000	45,000	75,000	75,000	75,000	315,000
Police Portable Radio Replacement	45,000	45,000	45,000	75,000	75,000	75,000	315,000
Fire Portable Radio Replacement	45,000	45,000	45,000	75,000	0	0	165,000
Sheriff Portable Radio Replacement	18,800	18,800	18,800	40,000	0	0	77,600
SUBTOTAL	\$153,800	\$153,800	\$153,800	\$265,000	\$150,000	\$150,000	\$872,600
TRANSPORTATION & ACCESS	<u>Adopted FY23</u>	<u>Proposed FY24</u>	<u>Projected FY25</u>	<u>Projected FY26</u>	<u>Projected FY27</u>	<u>Projected FY28</u>	<u>5 Year Total</u>
<u>Project</u>							<u>Total</u>
State Bridge and Highway Inspections	60,000	80,000	100,000	100,000	100,000	100,000	480,000
CAT Transit Bus Replacement Match	139,510	239,936	119,545	74,487	132,476	150,293	716,737
Intelligent Transportation System	150,000	185,000	185,000	185,000	185,000	185,000	925,000
City Wide Traffic Engineering Improvements	100,000	150,000	150,000	150,000	150,000	150,000	750,000
Neighborhood Transportation Improvements	50,000	100,000	100,000	100,000	100,000	100,000	500,000
Citywide ADA Improvements - Sidewalks and Curbs	0	0	0	0	0	0	0
Bicycle Infrastructure	137,000	100,000	100,000	100,000	100,000	100,000	500,000
Right of Way Appurtenance	25,000	50,000	50,000	50,000	50,000	50,000	250,000
Traffic Sign Retro Reflective Compliance	75,000	100,000	75,000	0	0	0	175,000
ADA Ramp Corrections	134,930	0	0	0	0	0	0
Historic District and Entrance Corridor Design Guidelines	50,000	0	50,000	0	50,000	0	100,000

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Proposed Capital Improvement Program

FY 2024-2028

New Request for FY 24							
*green denotes an addition or a change from FY 23 plan	Adopted FY23	Proposed FY24	Projected FY25	Projected FY26	Projected FY27	Projected FY28	5 Year Total
SUBTOTAL	\$921,440	\$1,004,936	\$929,545	\$759,487	\$867,476	\$835,293	\$4,396,737
PARKS & RECREATION							
Project	Adopted FY23	Proposed FY24	Projected FY25	Projected FY26	Projected FY27	Projected FY28	5 Year Total
Parks and Recreation Lump Sum Account	300,000	400,000	400,000	400,000	400,000	400,000	2,000,000
Parks and Schools Playground Renovations	112,000	112,000	112,000	112,000	112,000	112,000	560,000
Urban Tree Planting	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Parkland and Trails Acquisition and Development	125,000	225,000	125,000	125,000	125,000	125,000	725,000
Refurbish Parks Restrooms	0	0	0	0	0	0	0
Downtown Mall Infrastructure Repairs	78,000	78,000	78,000	78,000	78,000	78,000	390,000
Parks and Recreation Comprehensive Master Plan	150,000	0	0	0	0	0	0
Oakwood Cemetery Drainage and Road Issues	45,700	175,000	0	0	0	0	175,000
Hazard and Liability Ash Tree Removal	105,000	100,000	100,000	100,000	100,000	100,000	500,000
City/County - Ivy Creek Preservation Study and Construction	66,000	82,681	0	0	0	0	82,681
City/County - Darden Towe Ash Trees	26,500	0	0	0	0	0	0
Downtown Mall Trees Active Lifecycle Management		100,000	100,000	100,000	100,000	100,000	500,000
SUBTOTAL	\$1,108,200	\$1,372,681	\$1,015,000	\$1,015,000	\$1,015,000	\$1,015,000	\$5,432,681
TECHNOLOGY INFRASTRUCTURE							
Project	Adopted FY23	Proposed FY24	Projected FY25	Projected FY26	Projected FY27	Projected FY28	5 Year Total
Communications Technology Account/Public Access	40,000	40,000	40,000	40,000	40,000	40,000	200,000
City Wide IT Strategic Infrastructure	250,000	250,000	250,000	250,000	250,000	250,000	1,250,000
SUBTOTAL	\$290,000	\$290,000	\$290,000	\$290,000	\$290,000	\$290,000	\$1,450,000
AFFORDABLE HOUSING							
Project	Adopted FY23	Proposed FY24	Projected FY25	Projected FY26	Projected FY27	Projected FY28	5 Year Total
Charlottesville Affordable Housing Fund (CAHF)	925,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000
Supplemental Rental Assistance (CSRAP)	900,000	900,000	900,000	900,000	900,000	900,000	4,500,000
Friendship Court Infrastructure Improvements	0	2,210,000	1,190,000	650,000	350,000	1,560,000	5,960,000
Friendship Court Redevelopment - Phase 1	0	0	0	0	0	0	0
Friendship Court Redevelopment - Phase 2	2,500,000	0	1,520,000	0	0	0	1,520,000
Friendship Court Redevelopment - Phase 3	0	0	0	2,925,000	1,575,000	0	4,500,000
Friendship Court Redevelopment - Phase 4	0	0	0	0	0	3,656,250	3,656,250
PHA - MACAA Project Apartments		1,885,000	1,885,000	0	0	0	3,770,000
PHA - Park Street Apartments		1,125,000	1,125,000	0	0	0	2,250,000
SUBTOTAL	\$4,325,000	\$7,620,000	\$8,120,000	\$5,975,000	\$4,325,000	\$7,616,250	\$33,656,250
OTHER GOVERNMENTAL PROJECTS							
Project	Adopted FY23	Proposed FY24	Projected FY25	Projected FY26	Projected FY27	Projected FY28	5 Year Total
Home Energy Conservation Grant Program	0	0	0	0	0	0	0

Proposed Capital Improvement Program

FY 2024-2028

New Request for FY 24								
<i>*green denotes an addition or a change from FY 23 plan</i>	<u>Adopted FY23</u>	<u>Proposed FY24</u>	<u>Projected FY25</u>	<u>Projected FY26</u>	<u>Projected FY27</u>	<u>Projected FY28</u>	<u>5 Year Total</u>	
SUBTOTAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL NONBONDABLE PROJECTS	\$7,143,440	\$10,691,417	\$10,758,345	\$8,554,487	\$6,897,476	\$10,156,543	\$47,058,268	
Nonbondable Contingency	1,974,467	\$0	\$0	\$0	\$0	\$0	0	
TOTAL NONBONDABLE EXPENDITURES	\$9,117,907	\$10,691,417	\$10,758,345	\$8,554,487	\$6,897,476	\$10,156,543	\$47,058,268	
TOTAL PROJECT EXPENDITURES	\$25,985,374	\$99,853,381	\$28,384,932	\$23,357,688	\$18,105,696	\$21,466,240	\$191,167,937	

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Comprehensive Plan Chapters

Chapter Number	Chapter Name	
Chapter 4:	Land Use, Urban Form, And Historic & Cultural Preservation	
Chapter 5:	Housing	
Chapter 6:	Transportation	
Chapter 7:	Environment, Climate, And Food Equity	
Chapter 8:	Economic Prosperity & Opportunity	
Chapter 9:	Community Facilities & Services	
Chapter 10:	Community Engagement & Collaboration	

FY2024 CIP Projects: Alignment with Comprehensive Plan

Department	Project	Comprehensive Plan Chapters						
		4	5	6	7	8	9	10
City Manager's Office	COMMUNICATION TECHNOLOGY FUND							
Police Department	POLICE DEPARTMENT MOBILE DATA COMPUTERS							
	POLICE DEPARTMENT PORTABLE RADIO							
City Sheriff	SHERIFF PORTABLE RADIO							
Fire Department	FIRE PORTABLE RADIO							
	FIRE/EMS APPARATUS REPLACEMENT							
	FONTAINE FIRE STATION ALERTING SYSTEM REPLACEMENT							
Information Technology	CITYWIDE INFORATION TECHNOLOGY (IT) INFRASTRUCTURE							
	DATA CENTER AIR CONDITIONING (AC) UNITS							
Neighborhood Development	CITYWIDE ADA: SIDEWALKS & CROSSINGS							
	SMALL AREA PLANS							
	NEIGHBORHOOD TRANSPORTATION IMPROVEMENTS							
	HISTORICAL DISTRICT ENTRANCE CORRIDOR							
Community Solutions	CHARLOTTESVILLE HOUSING FUND (CAHF)							
	STRATEGIC INVESTMENT AREA (SIA) PLAN IMPLEMENTATION							
	PUBLIC HOUSING REDEVELOPMENT							
	CHARLOTTESVILLE SUPPLEMENTAL RENTAL ASSISTANCE PROGRAM (CSRAP)							
	FRIENDSHIP COURT RE-DEVELOPMENT: INFRASTRUCTURE							
	FRIENDSHIP COURT RE-DEVELOPMENT: PHASE 2							
	FRIENDSHIP COURT RE-DEVELOPMENT: PHASE 3							
	FRIENDSHIP COURT RE-DEVELOPMENT: PHASE 4							
	PHA - PARK STREET APARTMENTS							
	PHA-MACAA PROJECT APARTMENTS							

FY2024 CIP Projects: Alignment with Comprehensive Plan

Department	Project	Comprehensive Plan Chapters							
		4	5	6	7	8	9	10	
Parks & Recreation	PARKS PLAYGROUNDS								
	URBAN TREE PLANTING								
	DOWNTOWN MALL INFRASTRUCTURE								
	KEY RECREATION CENTER ROOF REPLACEMENT								
	OAKWOOD CEMETERY DRAINAGE								
	HAZARD LIABILITY ASH TREES								
	TRAILS: PARKS & RECREATION								
	PARKS & RECREATION LUMP SUM								
	CITY/COUNTY JOINT PARKS								
	DOWNTOWN MALL TREES ACTIVE LIFECYCLE MANAGEMENT								
Public Works	FACILITIES DEVELOPMENT LUMP SUM								
	CITY FACILITY HVAC								
	BICYCLE INFRASTRUCTURE								
	MINOR BRIDGE REPAIRS								
	TRAFFIC SIGNAL COORDINATION								
	NEW SIDEWALKS								
	BRIDGE INSPECTIONS								
	ADA PEDESTRIAN SIGNAL UPGRADE								
	RIGHT-OF-WAY (ROW) APPURTENANCE								
	BYPASS FIRE STATION								
	CHARLOTTESVILLE CITY SCHOOLS RECONFIGURATION DESIGN								
	SIGN RETROACTIVE REFLECTIVE COMPLIANCE								
	TRAFFIC SIGNAL REPLACEMENT								
	CHARLOTTESVILLE HIGH SCHOOL ROOF REPLACEMENT								
	HVAC CITY FACILITIES - CONTINGENCY								
	HVAC SCHOOL FACILITIES - CONTINGENCY								
	CITY SOLAR PHOTOVOLTAIC PANEL PROGRAM								
	SCHOOL SMALL CAPITAL PROJECTS								
	SCHOOL PRIORITY PROJECTS								
	SCHOOL LUMP SUM ACCOUNT								
	SCHOOL HVAC REPAIR								
	STREETS AND SIDEWALKS								
	TRAFFIC IMPROVEMENTS								
	SIDEWALK REPAIR								
	STRIBLING AVENUE								
	BURNLEY-MORAN ELEMENTARY SCHOOL ROOF REPLACEMENT								
	JACKSON VIA ELEMENTARY SCHOOL ROOF REPLACEMENT								
	GENERAL DISTRICT COURT								
	Transit	BUS PURCHASES							

Comprehensive Plan Chapters and Goals

The City's Comprehensive Plan was adopted on November 15, 2021. Below is an abbreviated summary of the relevant plan chapters and goals. The full document can be viewed [here](#). Using the list below, please assign the applicable chapter and chapter goal to each project.

The chapters are as follows:

- Chapter 4: Land Use, Urban Form, And Historic & Cultural Preservation
- Chapter 5: Housing
- Chapter 6: Transportation
- Chapter 7: Environment, Climate, And Food Equity
- Chapter 8: Economic Prosperity & Opportunity
- Chapter 9: Community Facilities & Services
- Chapter 10: Community Engagement & Collaboration

Once you have assigned a chapter, please refer to the appropriate section below and assign the chapter goal that seems most appropriate.

Chapter 4 : Land Use, Urban Form, and Historic & Cultural Preservation

Goal 1. Zoning Ordinance

With the community, create a new zoning ordinance to reinforce and implement the vision for Charlottesville's future as articulated in the Comprehensive Plan, Affordable Housing Plan, Small Area Plans, Vision Plans, and the Standards and Design Manual.

Goal 2. Future Land Use Vision

Guide implementation of the Future Land Use vision contained in this Comprehensive Plan, including support for existing neighborhoods and preventing displacement.

Goal 3. Balance Conservation and Preservation with Change

Protect and enhance the existing distinct identities of the city's neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community.

Goal 4. Small Area Plan Development and

Implementation Utilize Small Area Plans to guide growth and development in more detail and establish design guidelines within areas likely to be developed or redeveloped.

Goal 5. Comprehensive, Regional Approach

Coordinate the actions of large institutions (such as UVA) and City and County governments to support regional land use, preservation, and urban form, as well as environmental and transportation goals.

Goal 6. Design Excellence

Continue Charlottesville's history of architectural and design excellence by maintaining traditional urban design features and valuing historic resources while encouraging creative, context sensitive, contemporary planning and design that supports the goals of the Comprehensive Plan.

Goal 7. Entrance Corridors

Ensure that the quality of development in Charlottesville's designated Entrance Corridor Overlay Districts is compatible with the City's requirements and standards, and with the adjacent neighborhood's historic, architectural, and cultural resources, while allowing for reuse of structures and evolution of uses in these areas.

Goal 8. Expand Understanding and

Recognition of Community History and Culture Identify ways to expand the understanding, presentation, and interpretation of the varied histories, cultures, and experiences of the city's residents and neighborhoods.

Goal 9. Resource Inventory

Systematically inventory and evaluate all historic, cultural, and natural resources, landscapes, and open spaces as critical elements that make Charlottesville special.

Goal 10. Communication about Historic Resources

Educate current and potential property owners of historic resources, as well as the community in general, about the significance of historic properties.

Goal 11. Historic Resource Protection

Provide effective protection of Charlottesville's historic resources, including through recognition and incentives.

Chapter 5 : Housing

Goal 1. Funding Commitments

Establish and sustain a funding commitment to address affordable housing needs, tied to requirements to address community goals.

Goal 2. Diverse Housing Throughout the City

Support a wide range of rental and homeownership housing choices that are

integrated and balanced across the city, and that meet multiple City goals including community sustainability, walkability, bike-ability, ADA accessibility, public transit use, increased support for families with children and low-income households, access to food, access to local jobs, thriving local businesses, and decreased vehicle use.

Goal 3. Unhoused Community Members

Address, prevent, and end homelessness.

Goal 4. Energy and Water Efficiency

Increase the energy performance, water efficiency, and environmental sustainability of housing throughout the city.

Goal 5. Equitable and Efficient

Governance Build governance structures that institutionalize an equitable and efficient implementation of the Affordable Housing Plan and implementation of other housing priorities.

Goal 6. Tenants' Rights

Change local policy and advocate at the state level to expand the City's ability to support tenants' rights.

Goal 7. Subsidy Programs

Focus and align subsidy programs with community-defined priorities and make changes to increase the impact of public spending.

Goal 8. Collaboration

Coordinate local and regional housing goals.

Chapter 6 : Transportation

Goal 1. Complete Streets

Create and maintain a connected network of safe, convenient, and pleasant accommodations for pedestrians, bicyclists, and transit riders, including people of all ages and abilities.

Goal 2. Coordination with Land Use &

Community Design Improve quality of life and promote active living by reducing automobile use and congestion and supporting multimodal options for safe and convenient travel in conjunction with implementation of the Future Land Use Vision.

Goal 3. Efficient Mobility and Access

Maintain a safe and efficient transportation system to provide mobility and access.

Goal 4. Parking Supply and Management Provide a balanced approach to parking that supports economic vitality, achieves urban form goals, minimizes environmental impacts, and accommodates pedestrians, bicycles, transit users, and disabled individuals.

Goal 5. Transit System

Support a robust and convenient transit system that increases local and regional mobility and provides a reliable and efficient travel option for Charlottesville's residents, workers, and visitors.

Goal 6. Regional Transportation

Continue to work with appropriate governing bodies to create a robust regional multimodal transportation network.

Goal 7. Sustainable Transportation

Infrastructure Manage City-owned transportation assets and equipment in equitable, efficient, innovative, and environmentally responsible ways.

Goal 8. Infrastructure Funding

Identify and seek new sources of sustainable funding mechanisms for the maintenance of existing multimodal infrastructure and facilities and future development of the transportation system

Chapter 7 : Environment, Climate, and Food Equity

Goal 1. Climate Change Mitigation,

Emissions, and Energy Reduce community greenhouse gas (GHG) emissions and the city's overall carbon footprint to meet goals established for 2030 (45% reduction in greenhouse gas emissions from 2011 levels) and 2050 (carbon neutrality).

Goal 2. Resilience and Adaptation

Prepare for and work to minimize the impacts of climate change.

Goal 3. Water Resources Protection

Protect, enhance, and restore the integrity of the city's water resources and riparian ecosystems.

Goal 4. Resilient and Equitable Local Food System

Increase resilience and equitability of the local food system and urban agriculture, including access to healthy foods for all neighborhoods.

Goal 5. Urban Ecosystems

Pursue healthy, interconnected urban ecosystems that deliver valuable ecosystem services, and support diverse native plant communities and wildlife habitats.

Goal 6. Tree Canopy

Contribute to the creation, protection, and expansion of robust urban forests.

Goal 7. Water Conservation

Improve citywide water efficiency.

Goal 8. Materials Recovery and Waste Management

Increase use of sustainable materials management to decrease environmental impacts.

Chapter 8 : Economic Prosperity & Opportunity

Goal 1. Build Community Opportunities, Workforce Development, and Wealth

Be an effective partner in helping the community prepare for economic success and the building of wealth.

Goal 2. Sustaining Business

Generate, recruit, and retain successful businesses and jobs.

Goal 3. Innovation and Growth

Create an entrepreneurial environment that fosters the creation and success of businesses.

Goal 4. Partnerships

Build partnerships with private sector groups in order to maximize strategic capital investment in targeted areas of Charlottesville, including higher-intensity nodes and corridors identified on the Future Land Use Map.

Goal 5. Tourism

Increase tourism to help expand the positive economic impact visitors have on the city.

Goal 6. Downtown Mall

Maintain the economic vitality of the Downtown Mall area and foster it as a diverse and welcoming focal point hub of the region, with a vibrant historic district, arts and entertainment, shopping, dining, and cultural events.

Chapter 9 : Community Facilities and Services

Goal 1. Efficient Planning for Facilities and Infrastructure

Prioritize efficient construction and maintenance of all community infrastructure and facilities, and ensure that infrastructure capacity is built and maintained in line with growth or declining demand, as appropriate.

Goal 2. City Schools

Improve and maintain public school facilities to continue providing an excellent education to students.

Goal 3. Government/Public Facilities

Improve and maintain City government facilities to continue to provide safe, accessible, modernized public facilities and places of employment.

Goal 4. Emergency Management

Reduce community, citizen, and employee vulnerability to hazards and improve community resilience in the face of natural and man-made disasters by employing an all-hazards, whole-of government approach to emergency preparedness, and integrating planning, preparedness, response, and recovery efforts.

Goal 5. Fire Protection Services

Provide superior fire and emergency services focused on prevention, preparedness, response, and recovery, and cultivation of a safe, resilient, and self-sufficient community.

Goal 6. Emergency Medical Services

Support a resilient, safe community through the provision of the highest quality Emergency Medical Services focused on service delivery, patient outcomes, and responder health and safety.

Goal 7. Public Safety Services

Provide safety and protection to all Charlottesville residents while building community capacity and strengthening relationships.

Goal 8. Water Infrastructure

Improve and maintain the water system infrastructure to provide reliable, healthy, and efficient water service to city residents with contingencies for drought conditions.

Goal 9. Wastewater Infrastructure Improve and maintain wastewater infrastructure to provide effective sanitary sewer services to residents and protect public health and water quality.

Goal 10. Stormwater Conveyance Infrastructure

Improve and maintain stormwater conveyance infrastructure to provide a safe and effective public drainage system while mitigating related impacts to water resources.

Goal 11. Gas Infrastructure

Improve and maintain the existing gas system within city and county limits and provide a safe and efficient service for the community.

Goal 12. Parks and Recreation (Upgrades)

Upgrade existing park and recreation infrastructure to current standards and address the value and uses of natural areas.

Goal 13. Parks and Recreation (Planning and Expansion)

Plan for the future and expand current inventory of public park and recreation facilities.

Goal 14. Parks and Recreation (Best Practices)

Adopt and maintain customized park and recreation facility standards that support a livable community and perform consistent maintenance on all parks and recreation facilities.

Goal 15. Parks and Recreation (Trails and Connectivity)

Connect the park system to the community through the development of context- and environmentally sensitive trails and through the effective and appropriate design of park and recreation facilities.

Goal 16. Parks and Recreation (Facilities and Programs)

Develop and implement cost recovery and program standards as they apply to core offerings, services, and facilities.

Chapter 10 : Community Engagement and Collaboration

Goal 1. Public Education and Awareness

Empower community members by providing and actively sharing the information they need to participate in a meaningful way.

Goal 2. Inclusive Processes

Seek out and facilitate the involvement of those potentially affected by or interested in a process or decision.

Goal 3. Transparent Procedures

Establish and maintain transparent planning processes.

Goal 4. Effective Engagement

Define and evolve a clear process and strategies for how the City gathers input and shares information with all residents.

New Request Summary for the CIP

Department	Priority	Proposal	FY24	FY25	FY26	FY27	FY28	Total
Jefferson-Madison Regional Library	1	JMRL - Central Library - Library Renovation	585,417	6,608,934	0	0	0	7,194,351
Parks and Recreation	1	P&R - Urban Forestry - Downtown Mall Trees Active Lifecycle Management	100,000	100,000	100,000	100,000	100,000	500,000
Public Works Department	1	PW - Environmental Sustainability - Facility Energy Improvement Projects - City Facilities	1,644,587	1,000,000	100,000	1,000,000	0	3,744,587
Parks and Recreation	2	P&R - Urban Forestry - Invasive Plant Control/Containment	75,000	75,000	75,000	75,000	75,000	375,000
Public Works Department	2	PW - Engineering - Project Cost Escalation Coverage/Grant Fund Match/"Betterments"	750,000	0	0	0	0	750,000
Fire Department	3	Fire - Fire Admin - Ridge Street Fire Station Parking Lot Paving/Additions	270,000	0	0	0	0	270,000
Parks and Recreation	3	P&R - Aquatics - Forest Hills Spray Ground Resurfacing	200,000	0	0	0	0	200,000
Public Works Department	3	PW - Environmental Sustainability - Facility Energy Improvements - School Facilities	2,411,691	3,600,000	3,600,000	3,600,000	3,600,000	16,811,691
Fire Department	4	Fire - Fire Admin - Fontaine Fire Station Alerting System Replacement	0	0	175,000	0	0	175,000
Parks and Recreation	4	P&R - Meadowcreek Golf - Facility / Infrastructure Repairs	25,000	50,000	50,000	50,000	0	175,000
Public Works Department	4	PW - Environmental Sustainability - LED Streetlight Conversion	50,000	275,000	275,000	0	0	600,000
City Manager's Office	5	OCS - Cherry Avenue Small Area Plan Implementation	200,000	200,000	200,000	0	0	600,000
Fire Department	5	Fire - Fire Admin - New Bypass Fire Station FFE Items	0	150,000	0	0	0	150,000
Public Works Department	5	PW - Facilities Maintenance - Facilities Remediation Projects	150,000	0	0	0	0	150,000
Fire Department	6	Fire - Fire Admin - Firefighter Protective Clothing/Turnout Gear Replacement	0	300,000	0	0	0	300,000
Public Works Department	6	PW- Facilities Development- Burnley Moran Roof Replacement	0	0	0	1,500,000	0	1,500,000
Fire Department	7	Fire - Fire Admin - Ridge Street Fire Station Security Upgrade and Remodel Completion	0	532,000	0	0	0	532,000
Information Technology Department	7	Information Technology - IT Operations - Data Center AC units	318,386	0	0	0	0	318,386
Public Works Department	7	PW- Facilities Development Jackson Via Roof Replacement	0	0	0	0	1,500,000	1,500,000
Fire Department	8	Fire - Fire Admin - Self Contained Breathing Apparatus Replacements	0	0	0	450,000	0	450,000
Public Works Department	8	PW - Facilities Development - City Office Space Master Planning	500,000	0	0	0	0	500,000
Fire Department	9	Fire - Fire Admin - Cardiac Monitor Replacements	0	0	0	200,000	200,000	400,000
Public Works Department	9	PW - Engineering - Rock Creek Watershed Improvement Plan	80,300	0	0	0	0	80,300
Transit Division	9	Transit - Maintenance - Equipment	986,500	10,000	5,000	5,000	0	1,006,500
Transit Division	9	Transit - Maintenance - Passenger Amenities	300,000	20,000	20,000	20,000	0	360,000
Transit Division	9	Transit - Maintenance - Support Vehicles	80,275	0	0	0	0	80,275
Fire Department	10	Fire - Fire Admin - Fire Department Training Facility Land Avon Site	0	0	0	0	0	0
Transit Division	10	Transit - Facilities Construction	2,244,000	0	16,299,508	13,700,492	5,377,985	37,621,985
Public Works Department		General District Court - Furniture, Fixtures and Equipment			201,838			
Public Works Department		CHS Roof Solar Installation		2,300,000	2,300,000	2,300,000		6,900,000
City Manager's Office	None	CMO - Property Acquisition	500,000	500,000	500,000	500,000	500,000	2,500,000
City Manager's Office	None	CMO - Property Maintenance and Repairs for City Leased Spaces	50,000	50,000	50,000	75,000	75,000	300,000
								0
Totals			\$ 11,521,156.00	\$ 15,770,934.00	\$ 23,951,346.00	\$ 23,575,492.00	\$ 11,427,985.00	\$ 86,246,913.00



CITY OF CHARLOTTESVILLE

“A Great Place to Live for All of Our Citizens”

Department of Neighborhood Development Services

Memorandum

To: Charlottesville City Council and Planning Commission

From: James Freas and Missy Creasy, Neighborhood Development Services

Lisa Robertson, City Attorney

Date: December 13, 2022

Re: 2021 City Comprehensive Plan

At the December 13, 2022 Planning Commission meeting, a joint public hearing will be held for consideration of a proposed action to amend and re-enact the Comprehensive Plan of the City of Charlottesville (2021).

On November 15, 2021, the City Council adopted an amended Comprehensive Plan (“Plan”). The Plan, as adopted, reorganized, reformatted and updated the 2013 Comprehensive Plan, which had been overdue for its required 5-year review. The proposed Plan had been advertised for a joint public hearing conducted by City Council and the Planning Commission on October 12, 2021, as required/ allowed by law. Following the public hearing, the Planning Commission voted within the time period required by state law, and then the Plan was presented to City Council for consideration. Although not required by law, City Council then advertised a second public hearing on the proposed Plan, which was conducted on November 15, 2021. On that same day, following the extra public hearing, City Council voted to approve the Plan, within the window of time allowed by state law. (Per Va. Code §15.2-2226 City Council may vote on a proposed Plan at any time, within 90 days of the planning commission’s recommending resolution).

On December 15, 2021, after City Council’s approval of the November 15, 2021 updated Comprehensive Plan, eleven city residents brought a legal action within the Charlottesville Circuit Court, asking the Court to declare the Plan as adopted on November 15, 2021 to be “void”. The plaintiffs are individuals who oppose the density increases within the City’s low-density residential neighborhoods. The plaintiffs challenged the Plan on various grounds, both procedural and substantive. Substantively, the plaintiffs presented arguments as to why they believe the Planning Commission and City Council were making poor decisions. Procedurally, the plaintiffs alleged that: (1) the November 15, 2021 Plan failed to include provisions to promote *manufactured housing* as a source of affordable housing, as required by Virginia Code §15.2-2223.5 (which took effect July 1, 2021); and (2) that the contents of the public hearing notice published in the *Daily Progress* to give notice of the November 15, 2021 public hearing didn’t have enough detail in it to give landowners sufficient notice of whether the updated Plan would affect them. Thus far, the City has successfully weeded out many of the legal arguments; the only legal issue that remains pending is the sufficiency of the newspaper notice for the November 15, 2021 City

Council hearing. No date for a court hearing on that remaining legal issue has been set at this time.

On **February 7, 2022**, the City Council approved its first amendment to the previously-enacted November 15, 2021 Plan (i.e., the inclusion of the Urban Rivanna River Corridor Plan). Within this memo, we are citing to the Plan that is before you tonight, as the “November 15, 2021 Plan, as amended”

Tonight (December 13, 2022) you are presented with:

- a proposed amendment that would reference **manufactured housing as one source of affordable housing** (which, if adopted by you, should address the legal deficiency pointed out in the lawsuit, relative to the requirement of Va. Code §15.2-2223.5), and
- a proposed amendment that will incorporate a **climate action plan** as a component of the Comprehensive Plan, and
- a proposed action: i.e., the amendment and **re-enactment** of the November 15, 2021 Plan, as amended, following the required public hearing. The public hearings will allow interested parties to speak, not only on the *manufactured housing and climate action plan*, but also on any of the matters previously set forth within the November 15, 2021 Plan, including the FLUM and the plan for increased density in many residential areas of the City.

CONCLUSION

Following the public hearing, the Planning Commission may approve, amend and approve, or disapprove the proposed Plan (November 15, 2021, as amended). The Planning Commission is required to act by means of a **Resolution**. A suggested resolution is attached. If changes to the wording of the Resolution are necessary following the public hearing, legal counsel can assist the Commission in making amendments using one or more motions (consistent with Robert’s Rules of Order).

It is recommended that the Planning Commission vote on the proposed amendment and re-enactment of the November 15, 2021 Plan, as amended, at its December 13, 2021 meeting.

Once the Planning Commission votes/ takes action, City Council will have **90 days** from the date of the Planning Commission’s recommending resolution. No additional public hearings are required to be held by City Council, following December 13, 2022.

The following outlines the process for moving forward with the discussion and public hearing on the proposed amendment and re-enactment of the November 15, 2021 Plan, as amended, this evening:

1. Staff Introduction and Overview
2. Manufactured Housing Report
3. Climate Action Plan Report
4. Questions from Planning Commission and City Council
5. **Public Hearing**—on any and all aspects of the November 15, 2021 Plan, as amended/ proposed to be amended (including manufactured housing and climate action report)
6. Additional question/comments
7. Recommendation from PC (Action on the Resolution)

Attachments:

- Proposed Resolution
- Public Hearing Advertisement Language (with links to Comprehensive Plan Documents)
- Manufactured Housing report
- Climate Action Plan report

ATTACHMENT: PUBLIC HEARING ADVERTISEMENT LANGUAGE

Notice of Intent to Amend and Re-enact City Comprehensive Plan

PUBLIC HEARING NOTICE: notice is hereby given by the Charlottesville City Council that, on **Tuesday, December 13, 2022, beginning at 6:00 p.m.**, the Charlottesville City Council and the Charlottesville Planning Commission will conduct a joint public hearing for consideration of a proposed action to amend and re-enact the Comprehensive Plan for the City of Charlottesville. Persons affected by the proposed action may appear virtually or in person at the meeting and present their views. On that same date, following the public hearing, it is the intention of the City that the Planning Commission will vote on the proposed action. (City Council’s vote would take place at a later City Council meeting agenda, following receipt of the Commission’s recommendation). The 2021 Comprehensive Plan, as amended, that is proposed to be amended and re-enacted is currently available for viewing on the City’s website:

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

and the previous (2013) Comprehensive Plan, as amended, is also available:

<https://www.charlottesville.gov/DocumentCenter/View/477/2013-Comprehensive-Plan-PDF?bidId=>

Proposed Action: the proposed action is as follows: amendment and re-enactment of the 2021 Comprehensive Plan (previously approved 11-15-2021 by City Council Resolution # R-21-162 and amended by Resolution #R-22-018)), including, without limitation, the enactment, or re-enactment, of the following provisions modifying the organization, content, goals and strategies of the prior Comprehensive Plan (2013), as amended:

2013 Comprehensive Plan	2021 Comprehensive Plan (11-15-2021), as proposed to be amended and re-enacted
<p><u>8 Land Use Categories:</u> low-density residential, high density residential, mixed use, neighborhood commercial, business & technology, public or semi-public, parks & open space, University of Virginia. A map (Future Land Use Map) was provided to allow citizens to see which categories apply within their neighborhoods.</p>	<p><u>10 Land Use Categories (defined on pp. 29-30):</u> general residential (GR); GR (Sensitive Community Areas); Medium-Intensity Residential; Higher-Intensity Residential; Neighborhood Mixed-Use Corridor; Neighborhood Mixed-Use Node; Business and Technology Mixed Use; Urban Mixed Use Corridor; Urban Mixed Use Node; Downtown Core. A map (Future Land Use Map) is provided to allow citizens to see which categories apply within their neighborhoods.</p>
<p>“Low-density residential” defined as an area for single- and two-family units; developed at 12 or less dwelling units per acre (DUA); building height not addressed. No density ranges specified.</p>	<p>Low-density residential land use category eliminated. New “General residential” (GR) category allows 3- and 4-unit dwellings and townhome developments, at building heights of up to 2.5 stories. Additional units and building height are allowable under an affordability bonus program. For certain sensitive areas planned for GR only one unit</p>

	per lot would be allowed 3- and 4-unit dwellings would be allowed if affordable units are provided.
N/A	New “Medium Intensity residential” category contemplates buildings up to 4 stories, including 12-unit multifamily buildings as well as townhouse developments.
“High-density residential” defined as an area for multifamily units, to be developed at more than 12 dwelling units per acre. No density ranges specified.	High-density residential land use category eliminated. New “Higher-Intensity Residential” contemplates multifamily-focused development (up to 5 stories and 13+ units per lot), incentivized to meet affordable housing goals. Ground floor commercial uses will be encouraged.
N/A	Urban Rivanna River Corridor Plan (amendment approved by City Council Feb. 7, 2022)
N/A	Amendment to Ch. 4 (Land Use, Urban Form, and Historic & Cultural Preservation) and 5 (Housing) , to add provisions promoting manufactured housing as a source of affordable housing. https://www.charlottesville.gov/DocumentCenter/View/8764/202212_PC-Report-Manufactured-Housing-Comp-Plan-Update?bidId=
Climate Protection Chapter included a “Report on the Local Climate Action Planning Process” with a framework and action strategies.	Amendment to Ch. 7 (Environment, Climate and Food Equity) , to add the City's Climate Action Plan as a component of the Comprehensive Plan, expanding the city's action strategies related to climate change mitigation through greenhouse gas emissions reductions, and providing guides for action that address equity, focus on co-benefits, and plan for community engagement and capacity building. https://charlottesville.gov/DocumentCenter/View/8776/Charlottesville-Climate-Action-Plan-PDF

**RESOLUTION
OF THE CHARLOTTESVILLE PLANNING COMMISSION**

**Recommending Amendment and Re-enactment of
the November 15, 2021 Comprehensive Plan, as amended**

WHEREAS on October 12, 2021 the City Council and the Planning Commission held a joint public hearing on proposed amendments (“updates”) of the 2013 Comprehensive Plan, after public notice as set forth within Virginia Code Sec. 15.2-2204, and following the public hearing, the Planning Commission, by resolution, recommended the amended plan to City Council for adoption; and

WHEREAS on November 15, 2021 the City Council conducted an additional public hearing on the amended plan recommended by the Planning Commission and, following this additional public hearing, the City Council approved and adopted the amended comprehensive plan; and

WHEREAS on February 7, 2022 City Council amended the November 15, 2021 Comprehensive Plan, to include the Urban Rivanna River Corridor Plan as a component (hereafter, the “November 15, 2021 Plan, as amended”); and

WHEREAS the future land use map (FLUM) included within the November 15, 2021 Plan, as amended, has been, and remains, a topic of public interest which has been challenged within litigation currently pending within the Charlottesville Circuit Court, and the City desires to offer an additional public hearing opportunity to members of the public who feel that they did not previously receive adequate notice of the public hearing(s) conducted regarding the residential density provisions of the FLUM, or other matters included within the updated November 15, 2021 Comprehensive Plan; and

WHEREAS the Planning Commission desires to consider further amending the November 15, 2021 Plan, as amended, to include provisions to promote manufactured housing as a source of affordable housing; and

WHEREAS the Planning Commission desires to consider further amending the November 15, 2021 Plan, as amended, to include the City’s Climate Action Plan as a component; and,

WHEREAS on December 13, 2022, the City Council and Planning Commission held a joint public hearing on the November 15, 2021 Plan, as amended, including proposed new amendments regarding manufactured housing and a climate action plan, and the Planning Commission has considered all of the staff analysis and public comments received thereon; now, therefore,

BE IT RESOLVED by the Planning Commission for the City of Charlottesville, Virginia that it recommends the November 15, 2021 Plan, as amended, should be further amended to include (i) provisions to promote manufactured housing as a source of affordable housing and (ii) to add the proposed climate action plan as a new component, and

BE IT FURTHER RESOLVED that the Planning Commission recommends that the November 15, 2021 Plan, as amended (including the new amendments recommended by the Commission on this date) should be adopted and re-enacted as the current adopted comprehensive plan for the City of Charlottesville. A copy of the amended plan recommended by the Planning Commission for adoption and re-enactment is attached to this Resolution and is hereby certified to City Council for its consideration in accordance with City Code Section 34-27(b).

Adopted by the Charlottesville Planning Commission, the ____ day of December 2022.

Attest: _____
Secretary, Charlottesville Planning Commission

Attachment:

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: December 13, 2022

RE: **Charlottesville Comprehensive Plan Amendment**
Project Planners: James Freas, NDS Director
Missy Creasy, NDS Deputy Director
Carrie Rainey, Senior Planner, NDS

Background

The Charlottesville Comprehensive Plan is an important component of the City's overall policy framework, serving to express a vision and set goals for the future development of the City. On November 15, 2021, City Council unanimously approved an update to the Comprehensive Plan created through the Cville Plans Together process. The approved plan was informed by a wide range of community engagement opportunities, as well as the experience and expertise of the Cville Plans Together team including the consultants at Rhodeside & Harwell (RHI) and City staff. The Planning Commission reviewed a detailed report on the engagement strategies and outcomes at their October 12, 2021 meeting. The full report is available at: <https://www.charlottesville.gov/1077/Agendas-Minutes>

In 2021, the Commonwealth of Virginia adopted § 15.2-2223.5 directing localities to incorporate into its comprehensive plan strategies to promote manufactured housing as a source of affordable housing: *During an amendment of a locality's comprehensive plan after July 1, 2021, the locality shall incorporate into its comprehensive plan strategies to promote manufactured housing as a source of affordable housing. Such strategies may include (i) the preservation of existing manufactured housing communities, (ii) the creation of new manufactured home communities, and (iii) the creation of new manufactured home subdivisions.*

Both the City code (Section 34-1200) and Virginia code (§36-85.16) define a manufactured home (summarized) as a structure constructed for use as a dwelling, meeting the requirements of the Manufactured Housing Construction and Safety Standards Law and built on a permanent chassis, transportable in one or more sections, with or without a permanent foundation, and connected to the required utilities. Manufactured homes shall comply to the National Manufactured Home Construction and Safety Standards and subject to the Federal Department of Housing and Urban Development (HUD) regulations. Structures commonly referred to as "modular homes" are *industrialized buildings* per Virginia code §36-71.1 which are (summarized) a combination of one or more sections or modules subject to

state regulations, including utility connection and manufactured off-site and transported to the point of use to comprise a finished building. Like traditionally built homes, industrialized buildings may be classified as single- or two-family homes in compliance with the applicable International Residential Code and regulated by the Virginia Department of Housing and Community Development (DHCD). Manufactured homes as defined by §36-85.16 are explicitly not considered industrial buildings within this code section.

To align the City's 2021 Comprehensive Plan with Virginia code § 15.2-2223.5, staff is proposing several additions to the approved comprehensive plan. The additions do not alter the goals and strategies created through the Cville Plans Together robust engagement process but expand the toolkit of sub-strategies established to achieve those community determined goals.

Proposed Changes to the Comprehensive Plan

The following text shows proposed additions to the City's 2021 Comprehensive Plan in Chapter 4: Land Use, Urban Form, and Historic & Cultural Preservation and Chapter 5: Housing. The proposed additions are shown in red. The entirety of each related goal and strategy is provided for context.

Chapter 4: Land Use, Urban Form, and Historic & Cultural Preservation

Goal 1: Zoning Ordinance: With the community, create a new zoning ordinance to reinforce and implement the vision for Charlottesville's future as articulated in the Comprehensive Plan, Affordable Housing Plan, Small Area Plans, Vision Plans, and the Standards and Design Manual.

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

Sub-strategies:

- In coordination with multifamily zoning changes, identify zoning changes needed to support "soft density" (house-scaled multi-unit housing) in areas currently zoned single-family throughout the city, to lower the cost of entry for residents to live in these areas while preserving existing market-affordable housing, limiting displacement of existing residents, and mitigating continued rise in housing costs.
 - » Using the revised Future Land Use Map, identify areas suitable for rezoning to allow "soft density." On the Future Land Use Map, "Soft density" corresponds to General Residential and Medium Intensity areas.
 - » Identify form and design requirements to support soft density (or "missing middle") housing, including walkability, use of a scale and form similar to surrounding development, allowing for smaller building footprints, supporting affordability through design, and allowing for reduced parking on-site.
 - » Identify incentives (property tax rebates, public funding, design flexibility) or requirements to support the development of affordable housing as part of new soft

density development, particularly for those projects seeking additional units in the General Residential category.

- » Increase the allowed intensity of housing, with required affordability at a base or bonus level, in all neighborhoods that are currently zoned for primarily single-family uses.
 - » Implement strategies that minimize displacement from low-income or other at-risk neighborhoods while supporting wealth-building opportunities related in these communities. Clarify how various “soft density” zones can connect to subsidy funds targeted at supporting existing homeowners and renters to prevent displacement, as well as funds for increased homeownership, particularly in neighborhoods with high numbers of low income households.
 - » Increase the number of lots on which ADUs can feasibly be built by adopting proposed changes to allow ADUs in University zoning districts, increasing the maximum height, and eliminating off-street parking requirements for ADUs.
 - » Weigh potential benefits and impacts of allowing development of soft density housing in historic neighborhoods, including consideration of ways to retain historic character, form, integrity, and naturally occurring affordable housing.
- In coordination with “soft density” zoning changes, identify changes needed to zoning and development processes to increase the production of medium- and higher- intensity multifamily housing at a variety of scales.
 - » Using the revised Future Land Use Map, identify areas suitable for rezoning to allow multifamily development in additional neighborhoods, particularly those that are or will be served by transit or are located within walking proximity to community facilities including schools and parks , and those that currently lack multifamily options.
 - » Prioritize strategies that protect existing affordable housing and create new affordable housing supply, and that reverse entrenched patterns of racial and economic segregation while protecting high-risk communities from displacement.
 - » Clarify how multifamily zones can connect to subsidy funds targeted at supporting existing homeowners and renters to prevent displacement.
 - Incorporate transition zones and restructure restrictions on height, density, setbacks, and parking to ensure that development activities compatible with the Future Land Use Map, site context, and goals of the Comprehensive Plan are feasible by-right without a special use permit, including for multifamily and mixed-use developments.
 - Identify changes needed to zoning and development processes to reduce barriers to the use of manufactured homes in appropriate locations to provide additional affordable housing options.
 - Consider locations on a site-by-site basis where they may allow for additional height beyond that described for each land use category, for high intensity and mixed use areas – e.g., if a site has a lower grade than the primary street, or has a particular reason to support higher-intensity development (e.g., existing student-housing dominated areas).

Goal 2: Future Land Use Vision: Guide implementation of the Future Land Use vision contained in this Comprehensive Plan, including support for existing neighborhoods and preventing displacement.

Strategy 2.1 Through City-led efforts and private development, expand community access to housing, as well as amenities and services that improve quality of life.

Sub-strategies:

- Through City-led projects, private and institutional development projects, and partnerships, address citywide and regional priorities. These include housing affordability and increased housing options; community equity and displacement protection for at-risk communities, including lower income households; tree canopy, environmental sustainability, and climate change mitigation and resilience; transit-oriented development; improved walkability and bikeability; enhanced access to parks, recreation, social interaction opportunities, schools, and other amenities and services; improved and equitable food access; and support for existing and new business opportunities, including for small and neighborhood-focused businesses.
- Support the use of manufactured housing and manufactured housing components to provide additional affordable housing.
- Support mixed use nodes and corridors that enhance access to amenities and services at a context-sensitive scale, with adequate transitions in height and massing to residential areas.
- Identify areas in the community that currently lack access to amenities and services via transit, walking, or biking, and find ways to support either providing these amenities and services in closer proximity or enhancing multimodal connections.
- Consider the potential of development on City owned property, particularly where it can support the addition of affordable housing units.
- Look to expand the network of vibrant public parks and other spaces, at both large and small scales, particularly in areas that are identified on the Future Land Use Map for higher intensity uses and/or areas currently lacking these amenities.
- Encourage the incorporation of meaningful and equitable public gathering spaces into urban design plans, particularly along corridors and at development nodes, including Downtown.
- Identify assets, priorities, and targets for long term permanent land access and infrastructure for both food production and food access points including existing city parks and city-owned land.
- Pair development along the River and stream corridors with park space and environmental protection features. Balance the competing priorities for properties adjacent to the River and other stream corridors to allow for an appropriate number of different types of uses without impacting the environmental quality of the waterways and riparian buffers, or devaluing the most important natural attributes that attract people to the area.
- In the event that development is planned for properties not currently designated on the Future Land Use Map (e.g., UVA properties, parcels adjacent to the railroad), this development should respond to the surrounding land uses shown on the Future Land Use Map as well as those included in any relevant existing Small Area Plans or similar adopted plans.
- Where possible, encourage increasing intensity of uses and addition of affordable housing through the reuse or reconfiguration of existing buildings or sites, including historic structures, large parking areas, and underutilized commercial or industrial areas. When considering which areas may be “underutilized,” consider land not developed to its full potential in ways that

further the city's goals for equity, sustainability, and enhancing Charlottesville's quality of life and sense of place.

Strategy 2.3 Evaluate existing and potential new programs for protecting communities at risk of displacement, as well as protecting existing affordable housing, historic buildings, community-based urban agriculture sites, and other resources.

Sub-strategies:

- Where possible, prioritize the preservation of existing structures while encouraging a greater intensity of use. Encourage infill development and reuse of or additions to structures, rather than demolition of existing buildings, to address gaps in established or planned development patterns. This may include strategies that can help preserve existing structures, including the use of Accessory Dwelling Units (ADUs), building additions, transitioning larger single-family houses to apartments, etc.
- If demolition is necessary, incentivize or require development of affordable housing, particularly in historically low income and/or majority-Black neighborhoods, which have historically been targets for redevelopment and displacement.
- Continue financial support for owner-occupied rehabilitation of housing, property tax rebates, and other existing programs. (See related Strategy in the Housing Chapter.)
- Consider use of ordinances, financial support, incentives, and other strategies to encourage the preservation of existing housing stock and expansion of housing options, especially deeply affordable housing options **such as manufactured housing**.
- Evaluate the effectiveness of the Historic Conservation District as an alternative, more flexible type of local historic district, to promote conservation of structures and district character while also allowing increased intensity of uses when new districts are being considered. Examine possibility for conserving individual properties as well as neighborhood areas.
- Consider programs to encourage conversion of large single-family houses into multiple units, while conserving their form and key historic features, including both locally- or nationally-designated historic properties as well as non-designated properties.
- Utilize strategies specific to preventing displacement within Sensitive Areas and look for ways to support targeted programs for communities, families, and individuals at risk of displacement throughout the City.

Chapter 5: Housing

Goal 1: Establish and sustain a funding commitment to address affordable housing needs, tied to requirements to address community goals.

Strategy 1.2 Prioritize City funding for those with the greatest need and attach funding awards to requirements for community representation in processes, duration of affordability, and leverage of non-public funds.

Sub-strategies:

- Focus funding on meeting funding allocation goals outlined in the Affordable Housing Plan, including 50% of funding to serve households with incomes up to 30% of Area Median Income (AMI), 30% of funding for households earning up to 60% AMI, and 20% of funding for households earning up to 80% AMI.
- Projects that receive public funding should be administered and governed by organizations that directly represent the beneficiaries of housing assistance. Funding awards should also incentivize permanent affordability of both renter- and owner-occupied housing. Public dollars should incentivize maximum leverage of federal, state, and private funding.
- Encourage the use of City affordable housing funds to support purchase of manufactured home parks to preserve or redevelop as affordable housing while retaining residents.
- Encourage the use of affordable housing funds to support relocation assistance to residents.

Goal 2: Diverse Housing Throughout the City: Support a wide range of rental and homeownership housing choices that are integrated and balanced across the city, and that meet multiple City goals including community sustainability, walkability, bikeability, ADA accessibility, public transit use, increased support for families with children and low-income households, access to food, access to local jobs, thriving local businesses, and decreased vehicle use.

Strategy 2.1 Encourage mixed-use and mixed-income neighborhoods and housing developments throughout the city and support zoning changes to allow them by-right.

Sub-strategies:

- Ensure that the forthcoming zoning rewrite supports a wide range of housing typologies **to include manufactured housing where appropriate**, including both rental and homeownership opportunities at a variety of scales, including for families, aging in place, and multigenerational living.
- Through Small Area Plans and zoning amendments, work with the community to determine appropriate levels of density/intensity in neighborhoods and nodes and along corridors identified on the Future Land Use Map.

Standard of Review

All amendments to the Comprehensive Plan shall be recommended, approved and adopted, respectively, in accordance with the requirements set forth within Title 15.2, Chapter 22, Article 3 of the Code of Virginia as amended.

Consistency with the Comprehensive Plan

The proposed amendments comply with the City's 2021 Comprehensive Plan in the following areas:

Guiding Principles

Equity & Opportunity: All people will be able to thrive in Charlottesville

The City will support development and initiatives that take into consideration the full range of needs of Charlottesville's diverse community, including residents, visitors, people who work in Charlottesville, business owners, and property owners.

All Charlottesville residents, regardless of race, ethnicity, age, income, neighborhood, religious affiliation, gender expression, sexual orientation, country of origin, immigration status, and other personal characteristics, will have equitable and expanded access to safe and affordable housing options, desirable jobs and wealth building opportunities, healthy and local foods, robust parks and natural resources, high-quality education and training, and other infrastructure and services that support a high quality of life.

Community Culture & Unity: Charlottesville's rich and diverse culture, history, and form will be celebrated, and the entire community will feel welcomed, valued, and respected

The City will protect, celebrate, and enhance the people and places that have added to the uniqueness and cultural diversity of the community.

Chapter 4: Land Use, Urban Form, and Historic & Cultural Preservation

Goal 1: Zoning Ordinance: With the community, create a new zoning ordinance to reinforce and implement the vision for Charlottesville's future as articulated in the Comprehensive Plan, Affordable Housing Plan, Small Area Plans, Vision Plans, and the Standards and Design Manual.

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

Goal 2: Future Land Use Vision: Guide implementation of the Future Land Use vision contained in this Comprehensive Plan, including support for existing neighborhoods and preventing displacement.

- **Strategy 2.1** Through City-led efforts and private development, expand community access to housing, as well as amenities and services that improve quality of life.
- **Strategy 2.3** Evaluate existing and potential new programs for protecting communities at risk of displacement, as well as protecting existing affordable housing, historic buildings, community-based urban agriculture sites, and other resources.

Chapter 5: Housing

Goal 1: Establish and sustain a funding commitment to address affordable housing needs, tied to requirements to address community goals.

- **Strategy 1.2** Prioritize City funding for those with the greatest need and attach funding awards to requirements for community representation in processes, duration of affordability, and leverage of non-public funds.

Goal 2: Diverse Housing Throughout the City: Support a wide range of rental and homeownership housing choices that are integrated and balanced across the city, and that meet multiple City goals including community sustainability, walkability, bikeability, ADA accessibility, public transit use, increased support for families with children and low-income households, access to food, access to local jobs, thriving local businesses, and decreased vehicle use.

- Strategy 2.1 Encourage mixed-use and mixed-income neighborhoods and housing developments throughout the city and support zoning changes to allow them by-right.

Chapter 11: Implementation

Priority Area: Support the development of more housing throughout the city, with a focus on creation of more housing that is affordable to more people, especially those with the greatest need

Priority Area: Make sure all people have access to job opportunities, shelter, healthy food, and other resources they need to thrive and have a high quality of life.

Public Input

As noted in the Background section of this report, the City's 2021 Comprehensive Plan was developed through a robust community engagement process through Cville Plans Together. The proposed additions are additional sub-strategies that further support the goals and strategies for each relevant chapter, which were established through the Cville Plans Together process.

**City of Charlottesville
Department of Public Works
Staff Report**



**CITY COUNCIL AND PLANNING COMMISSION
JOINT PUBLIC HEARING**

RE: Charlottesville Climate Action Plan

Project Leads: City of Charlottesville
Stacey Smalls, Department of Public Works Director
Kristel Riddervold, Environmental Sustainability Division Manager
Susan Elliott, Climate Program Manager
Emily Irvine, Climate Program Specialist

Date of Staff Report: December 13, 2022

Background

The City of Charlottesville has a long history of taking action and making commitments related to environmental stewardship and climate change, extending back to the late 1990s. More recently, in 2017, Charlottesville joined the Global Covenant of Mayors for Climate & Energy, which includes within it the requirement to adopt new greenhouse gas (GHG) emission reduction goals and develop a Climate Action Plan (hereafter referred to as the “CAP”) to meet those reduction goals. The City’s [Comprehensive Plan, adopted in 2021](#), identifies the forthcoming CAP as a connected “functional plan”.

Timeline:

The City adopted updated GHG emissions reduction goals of 45% by 2030 and carbon neutrality by 2050 in 2019 and began developing the CAP in 2020. The timeline for development of the CAP was impacted by the COVID-19 global pandemic and significant staffing changes within the City. Planning activities with community engagement occurred in 2020-2021, were paused, and then resumed in 2022. Planning activities with City staff and regional institutional partners continued through 2020-2022. The Charlottesville CAP document was published in September 2022 and presented to City Council at their October 3, 2022 work session. Further engagement on the CAP and future implementation efforts occurred with City boards and commissions, City and institutional partner staff, and the community during October and November 2022.

Content Inputs:

The CAP has been informed by a variety of sources including community engagement, consultation with other City departments, commitments by the City, direction from City Council,

staff expertise, policy guidance, and plans from peer localities. Extensive opportunity for community engagement was conducted, including community workshops, targeted stakeholder sessions, listening sessions, an online community survey, and an open online comment form.

Plan Focus and Structure:

Aimed at achieving Charlottesville’s GHG emissions reduction goals, the CAP discusses the sources of GHG emissions measured in Charlottesville’s GHG Emissions Inventory (data available at charlottesville.gov/emissions) and identifies reduction strategies and next step Key Actions for the community and local government to undertake. It is a strategic framework designed to help Charlottesville meet its 2030 goal and be well positioned to achieve its 2050 goal. The Strategies for reducing emissions laid out in this CAP are meant to be enduring, while the Key Actions are designed to be dynamic action items that will be updated with each version of the document.

Efforts related to climate adaptation (e.g., responding and preparing for the effects of a changing climate) will be the focus of a separate Climate Adaptation Plan, which is also required by Charlottesville’s Global Covenant of Mayors commitment and is in the early stages of development.

Next Steps:

Following adoption of the CAP will be the implementation stage. Implementation of the CAP will inform ongoing efforts of the City’s Climate Program as well as integrate CAP strategies and key actions into workplans and processes of the City and community partners.

Standard of Review

All amendments to the Comprehensive Plan shall be recommended, approved and adopted, respectively, in accordance with the requirements set forth within Title 15.2, Chapter 22, Article 3 of the Code of Virginia as amended.

Consistency with the Comprehensive Plan

There is extensive overlap between the goals set forth in Charlottesville’s Comprehensive Plan and the strategies and actions laid out in the CAP. The Charlottesville Climate Action Plan complies with the City’s 2021 Comprehensive Plan update in the following areas:

Land Use

- Goal 1 – Zoning Ordinance
 - See Chapter 10 for a table summarizing opportunities for the Zoning Code and Climate Action Plan to align
- Goal 5 – Comprehensive, Regional Approach
 - See Chapter 7 for discussion of regional and state-level coordination efforts

- Goal 11 – Historic Resource Protection
 - See Chapter 5 for discussion of preserving existing structures as a climate strategy and the importance of weatherization of historic and existing buildings.

Housing

- Goal 4 – Energy and Water Efficiency
 - See Chapter 5, section 1 on Buildings and Energy
- Goal 7 – Subsidy Programs
 - See Chapters 2, 4, 5 and 6 for discussion on funding and financing for climate action

Transportation

- The Climate Action Plan’s discussion of transportation in both the Community and Municipal sections touch and support all of the Comprehensive Plan’s Transportation related goals.

Environment, Climate, and Food Equity

- The Climate Action Plan touches and supports all of the Comprehensive Plan’s Environmental goals.

Economic Prosperity & Opportunity

- Goal 1 – Build Community Opportunities, Workforce Development, and Wealth
 - One of the guiding principles of the Plan is “Prioritize actions that increase financial stability of Charlottesville households and businesses.” Additionally, it is widely accepted that the transition to clean energy will create many new jobs and economic opportunities, and the Plan’s intent is to leverage that to the fullest extent possible in our community
- Goal 4 – Partnerships
 - Achieving the strategies and actions laid out in the Climate Action Plan will take creative partnerships between and within the City of Charlottesville and our wider Community

Community Facilities & Services

- Goal 3 – Government/Public Facilities
 - See Chapter 6, section 1 for discussion of municipal buildings and energy
- Goal 11 – Gas Infrastructure
 - See Chapter 7 for discussion of Charlottesville’s Gas Utility
- Goal 13 – Parks and Recreation – Planning and Expansion
 - See Chapter 5, section 4 for discussion of expanding parks and greenspaces
- Goal 14 – Parks and Recreation – Best Practices
 - See Chapter 6, section 3 for discussion of reducing emissions through operations and maintenance practices
- Goal 15 – Parks and Recreation – Trails and Connectivity

- See Chapter 5, section 2 for discussion on improving walkability, bikeability, and accessibility

Community Engagement & Collaboration

- Nearly every chapter of the CAP includes actions about community engagement and partnerships. Community involvement and collaboration is imperative for achieving our climate action goals.

Vision Statement and Guiding Principles:

The guiding principles outlined in the Comprehensive Plan are similar to and complimentary of those used in the Climate Action Plan:

- Ensure that the transition to a low carbon future is effective, affordable, equitable and inclusive
- Prioritize actions that increase financial stability of Charlottesville households and businesses
- Prioritize actions that have intersectional benefits with other climate and City priorities, for example actions that reduce GHG emissions *and* increase climate resilience and adaptation, or actions that reduce GHG emissions, improve quality of life, and include economic gains, social benefits, and other environmental improvements.
- Develop pathways of meaningful (impactful & attainable) action in both owner-occupied properties and rental properties
- Prioritize financial incentives and assistance to support low-income and mid-income households
- Take actions that front-load reductions to accelerate reaching adopted climate goals
- Direct resources and programs to address racial and community inequities

Public Input and Other Comments Received

Public input opportunities for the Charlottesville CAP were offered over an extended timeline during 2020-2022 due to disruptions from the COVID-19 global pandemic and significant staffing changes within the City. Public participation was extensive, with 10 unique public engagement opportunities offered prior to the CAP release in September 2022 (participation rates ranged from approximately 20-30 individuals in virtual live events to over 300 responses to the online survey with an average of 28 minutes per response). In addition to these hosted and marketed opportunities, an online contact form was available on the charlottesville.gov/climateplan webpage with information about the planning process. Process updates as well as update about other Climate Program activities were promoted through the City's News Flash system to

subscribers of both the City News and Climate Action topics. A number of the New Flash announcements were further promoted by local news outlets.

City staff and regional institutional partners were also engaged, specifically through a Climate Liaison Committee ([CAP pg. 81](#)). While these discussions were not direct engagement with the public, they provided the opportunity for the public's engagement in other planning processes on climate-related topics, such as efforts by the MPO and Albemarle County, to be heard as part of the CAP development and to identify opportunities for strategy and key action alignment.

Following the City Council work session discussion of the CAP on Oct. 3, 2022 City Climate Program staff have presented and discussed the plan with several City boards and commissions, community organizations, City departments, and regional partners. To prepare for this public hearing, community members were requested to offer feedback and ask questions during a four-week public comment period, and City Staff held both virtual and in-person office hours open for community members to drop-in and meet with staff.

Below is a full listing of the public input opportunities that informed Charlottesville's CAP (for more information, see page 13):

- Community Workshops (offered at two different times)
- Facilitated Community Stakeholder Discussions
 - Cville100 (climate-focused community organizations)
 - Environmental and Climate Community Stakeholders
 - Energy Efficiency & Renewable Energy Service Providers + Property Managers
 - Equity in Climate Action
- Community Survey
- Community Listening Sessions (offered at two different times)
These sessions provided an intentional space for voices not traditionally involved in climate conversations, with invitation for all individuals to attend as well as representatives of organizations whose work prioritizes marginalized communities
- Community Town Hall workshop
- Open Drop-In Office Hours (offered 4 different times)
- Tree Commission presentation
- Bicycle and Pedestrian Advisory Committee presentation
- Planning Commission presentation
- Conversations with representatives from Blue Ridge PRISM, Preservation Piedmont, Cultivate Charlottesville, and the Community Climate Collaborative

We received a wide variety of feedback from the community and incorporated changes to the CAP where appropriate. Much of the feedback staff received since September 2022 was related to either implementation of the CAP or to climate adaptation and will be very useful as we move forward to next steps. [Written comments and staff's summary of the open drop-in hour discussions are available here](#). A summary of the feedback received is provided below:

Feedback and Questions from Individual Community Members

- Concerns about the City's ability to provide resources, staff, and direction to integrate the CAP into City processes, policies, and procedures and to lead implementation within the community
- Interest in greater data and metrics tracking
- Support for City-provided curbside composting collection – yard waste and household compostables
- Questions about how to most effectively reach scale for renewable energy and energy efficiency – a complementary balance of property-by-property and centralized approaches
- Questions about effective outreach to renters, landlords, and property managers
- Reducing natural gas consumption
 - Questions about existing upgrades to natural gas furnaces, timelines for investment return and how that aligns with decarbonization of the gas utility
 - Reviewing the Gas Main Extension Policy sooner than later to remove City funding of new hookups and new connections to the gas distribution system
 - Develop an actionable plan to sunset natural gas distribution
- Concerns about protecting and maintaining greenspace and tree canopy with densification of land use in Charlottesville, as well as preservation of existing trees through management of invasive species and increasing natural habitats that do not require mowing
- Questions about regional coordination with Albemarle County and UVA
- Greater investment in and incorporation of safe bicycle transportation facilities
- Need to fill connectivity gaps and connect transit with denser nodes of development
- Concerns about impact to increasing onsite solar energy systems if solar access rights are not included with zoning height regulations
- Concerns about climate adaptation, specifically building in floodplains and urban heat islands
- Comments on items beyond the CAP and the GHG emissions inventory, specifically gas-powered leaf blowers used in the community and recycling
- Compliments on the CAP's thoroughness, leadership, and thoughtfulness on complex topics

Feedback and Questions from City Boards, Commissions, and Committees

- Tree Commission
 - Strengthen language around preservation of existing trees and clarify that difference from maintenance of trees
 - Additional emphasis on co-benefits of trees
 - Interest in working together to develop an additional Climate Action Fact

Sheet on the benefits of Nature Based Solutions

- Interest in working together to develop metrics and outcome indicators
- Acknowledged the CAP as a well-researched, comprehensive plan, informed by tremendous research
- Bicycle and Pedestrian Advisory Committee
 - Questions/concerns about actionability and City's ability to implement and integrate the CAP items into processes and outcomes
 - Questions about comparisons to peer communities with climate action plans
 - Interest in working together on metrics, outcome indicators, and implementation
 - Support for working regionally with Albemarle County and the MPO/TJPDC
 - Confirmation that inclusivity includes "all ages and abilities"
 - Support for maintaining access and conditions of separated facilities year-round, not just during/after inclement weather conditions
 - Overall support and agreement with the plan content
- Planning Commission
 - Questions about obstacles to restricting natural gas hookups, particularly residential hookups in connection with increased housing density
 - Statements about new gas hookups being inconsistent with City's climate objectives
 - Questions about ending City funding support for new natural gas system extensions and hookups sooner than later
 - Questions about increasing local code standards and/or conditions for energy performance
 - Statements about the embodied carbon in building materials and support for reducing construction waste from demolition
 - Observation that older historic buildings were built to operate without modern heating/cooling systems
 - Consideration of competing community values, with examples of adding solar panels to a slate roof on a historic building (where the panels would damage the slate building material) and of trees shading rooftops (limiting solar power generation potential)
 - Acknowledgement that for climate resilience/adaptation and reduction of the urban heat island effect, more options are available beyond nature based solutions
 - Questions around the scale of action needed locally, feasibility to accomplish these efforts, and funding sources
 - Confirmation of the importance of emissions reductions from transportation as well as through energy efficiency and renewable energy
 - Acknowledgement of transportation as a very regional item

- Heartened to have three strong CAPs in the region (UVA, County, City) working towards similar goals
- Desire for more metrics, outcome indicators, progress tracking and timeline goals, and understanding GHG emissions outcomes from investments

Feedback and Questions from Community Organizations

- Blue Ridge PRISM
 - Strengthen language around preservation of existing tree canopy and management of invasive species
 - Identification that more resources are needed - a small, trained team to proactively manage invasive species and engage/assist private property owners

- Cultivate Charlottesville
 - Acknowledged CAP's emphasis on the importance of Urban Agriculture, increased tree canopy, and centering equity when evaluating the implications of climate actions.
 - Recommended inclusion of specific urban agriculture action items that will enhance climate justice
 - Support for increased composting across Charlottesville, with a specific focus on gleaning/diverting food waste from institutional sources
 - Importance of transportation planning focusing specifically on food pathways for neighborhoods experiencing food apartheid
 - Prioritizing living pathways (permeable and semipermeable surfaces) and passive water collection in new construction

- Preservation Piedmont
 - Emphasized embodied energy costs and associated emissions in the resourcing, manufacture, delivery, and assembly of construction materials (upstream emissions)
 - Emphasized retaining embodied emissions in building materials through material continued or reuse (rather than becoming landfill waste)
 - Recognition of value of weatherization and retrofit/rehabilitation of existing structures
 - Recognition of difference between full demolition and rebuild compared to building extensions and expansions while retaining and improving existing structure
 - Acknowledged the CAP as a researched, carefully written, excellent draft

- Community Climate Collaborative – letters signed on to by Charlottesville area individuals (“Community Letter”) and businesses/organizations (“Corporate Letter”) included recommendations related to:

- Education and engagement
- Adding specificity to goals and strategies
- Identifying tangible engagement strategies
- Prioritizing high-impact actions
- Energy data access
- Community-wide electrification of vehicles
- Community-wide electric vehicle charging network
- Improving tax credits and incentives, and adding new green financing mechanisms such as C-PACE
- Removing design guideline oversight for solar energy systems on designated historic buildings and sites and for entrance corridor properties
- Permitting processes and zoning to incentivize solar energy systems
- More substantial and relevant recommendations
- Commitments to equitable and inclusive community engagement
- Energy incentives reaching lower-income households
- Combining home rehabilitation with energy improvements
- Pausing new gas hookups and projects until the Decarbonization of the Gas Utility Study is complete
- Redirecting Charlottesville Gas' investments in carbon offsets and rebates to local greenhouse gas emission reductions
- Doubling transit ridership between 2019 – 2024
- Increasing accessibility to bus stops and bus stop enhancements
- Improved working conditions and compensation for bus drivers
- Increased transportation access to healthy food and community garden destinations (a.k.a. developing food pathways)
- Diverting organics from the landfill through expanded organics collection and food gleaning/donation
- Integrating shade in heat-island areas
- An Urban Agriculture Management Plan with dedicated lands
- Analyzing land trust potentials for land preservation and urban agriculture
- Increased housing density and mixed use
- Improvements to walkability & bikeability
- Aligning City Code and zoning with climate goals
- Transit-oriented development
- Solar energy systems on low-income housing

Within the received comments, there were a significant number of specific items/recommendations that relate to implementation of the CAP and are supported by the CAP Strategies and Key Actions. This input is extremely valuable as we move from strategic planning to implementation and confirms that the CAP reflects the interests of our community and actionable ways forward. This input is already being shared with internal and external partners

who will be leading some of the related efforts (e.g., Charlottesville Gas, Charlottesville Area Transit, Neighborhood Development Services, and others).

Some comments address items that either do not fit within the directed scope of the CAP or do not relate to CAP implementation (as they are not directly related to GHG emission reductions). For example, we received quite a few comments related to climate adaptation that we can reference when working on adaptation planning next year. We will continue to track these, and other climate- and sustainability-related items. These comments also can inform activities of the City's Climate Program – beyond the GHG inventory and CAP – and other related environmental sustainability activities.

Based on the above referenced feedback and discussions, the following substantive adjustments were made to the CAP document prior to this public hearing:

Metrics, Outcome Indicators, and Reporting Accountability

- Additional text was added to reflect statements in the *Furthering Indicators and Metrics* section (CAP, pg. 89) and confirm that developing additional outcome indicators and metrics will be part of implementation of the plan, beginning in the first year, to be included as part of the annual updates, and to be meaningful, specific, measurable, and time-bound. (CAP pgs. 15 and 94)
- Clarification was made in the text that the annual updates are to reflect progress made, including updating and replacing any completed Key Actions and incorporating newly identified progress metrics. (CAP pg. 15)

Equity, Inclusivity, and Community Engagement

- Incorporated recommendation to include “ability” to the statement that this plan “aims to engage and serve all residents, regardless of race, age, gender, ability, income, sexual identity and expression, country of origin, neighborhood, religious affiliation, or other personal characteristics, including both rental and ownership opportunities.” (CAP pg. 29)
- Additional language was added to text about *Community Engagement and Capacity Building*, acknowledging that success will require bold action, creative leadership, innovation, partnerships, trust building, and willingness to collaborate from both the City and community members, and that while this is a huge challenge, it is also an opportunity for our community to make Charlottesville a safer, healthier, and more equitable place to live. (CAP pgs. 30-31)

Housing/Building Preservation

- The following language was added to the *Buildings and Energy* section of Chapter 5 (CAP pg. 51):

“It is important to reiterate that new construction in the context of Charlottesville’s densification is not expected to solely look like greenfield development or whole-cloth demolition and redevelopment of properties. There is a range of building types and approaches that can achieve increased density, improved walkability, and greater housing availability, which concepts such as *Missing Middle Housing* describe. Preservation and retrofits of existing buildings can be paired with densification through expansion of the existing structures through additions (building up and/or building out). Though beyond Charlottesville’s GHG Inventory, it is important to consider the carbon embodied in the previously built environment. Rehabilitating or renovating existing buildings has the co-benefit of avoiding the GHG emissions and environmental impacts of new construction materials, which can account for the majority of emissions throughout the entire lifecycle of a building. In regard to reducing the greenhouse gas emissions related to powering our buildings, considerations and policies need to consider entirely new buildings, extensions and expansions within and attached to existing buildings, retrofits, rehabilitation, and weatherization of existing buildings.”

- “Retain the embodied carbon of existing buildings and structures by preserving and rehabilitating them on site” was added to *Chapter 9 – Beyond the GHG Inventory* (CAP pg. 91)

Nature Based Solutions

- Several additional co-benefits of trees and tree canopy were added to the example on CAP pg. 30
- Language was added to strengthen references to (CAP pg. 59)
 - preserving trees and tree canopy in addition to actively maintaining healthy trees
 - managing invasive species
 - protecting land-based carbon sinks
 - reviewing and pursuing updated code standards and potential incentives/penalties related to trees and tree canopy

New Key Actions

- “Advocate for a commercial building energy benchmarking program” (CAP pg. 46)
This item was identified by public comment and aligns with text in the *Regional and State Coordination* section as an item the City should support (CAP pg. 81). Addition of this item mirrors the Key Action for energy benchmarking of City municipal and school buildings (CAP pg. 66).
- “Ensure the zoning code is supportive of renewable energy systems” (CAP pg. 49)
This item reflects public comment and expands a previous Key Action to maintain

solar energy systems as a by-right secondary use in the City’s zoning code.

- “Establish specific targets for increasing travel mode share of walking, biking, and transit ridership” (CAP pg. 51)

This item was added in response to various comments about the need for more specific goals and targets; it reflects commitments on establishing metrics and outcome indicators that are included elsewhere in the CAP.

Table/Chart Realignments

Tables in the *Identified Projects and Needed Resources* section (CAP pg. 90) and *Alignment with the City’s Zoning Code Update* (CAP pg. 92) were updated to include the adjustments described in this memo (above) as well as corrected and updated funding information.

Project Website

charlottesville.gov/climateplan

Plan Document

<https://charlottesville.gov/DocumentCenter/View/8776>

Attachments

Resolution

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



PLANNING COMMISSION REGULAR MEETING
APPLICATION FOR A CRITICAL SLOPE WAIVER
APPLICATION NUMBER: P20-00008
DATE OF MEETING: December 13, 2022

Project Planner: Matt Alfele, AICP
Date of Staff Report: December 5, 2022

Applicant: Collins Engineering
Applicant's Representative(s): Scott Collins
Current Property Owner: Stanley Martin Companies, LLC

Application Information

Property Street Address: 0, 208-210, 228 Monte Vista Avenue, and 0 Belleview Street
Tax Map & Parcel/Tax Status: 200142000, 200126000, 200147000, 200131200, 200125000, 200146000, 200130001, 200122000, 200145000, 200129000, 200121000, 200144000, 200127001, 200148000, and 200143000 (real estate taxes paid current – Sec. 34-12)
Total Project Area (Limits of Disturbance): 9 acres
Total Area of Critical Slopes on Parcels: 0.89 acres | 9.8%
Area of Proposed Critical Slope Disturbance: 0.83 acres | 93.1% of total critical slopes area
Comprehensive Plan (General Land Use Plan): General Residential
Current Zoning Classification: R-1S (Single-family Small Lots)
Overlay District: None

Applicant's Request (Summary)

Stanley Martin Companies, LLC is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for a development that would include up to forty-five (45) single-family detached dwellings, point six (0.6) acres of community open space and supporting infrastructure. The proposed development is referred to as Azalea Springs. The applicant is proposing to replat the existing eight-eight (88) plus lots along with additional dedication of right-of-way to accommodate a City standard road and to bring the existing lots closer to current regulations in regard to square footage and road frontage requirements. Through this process the applicant is proposing to disturb critical slopes (as defined in section 34-1120(b)).

This request is due to the existing paper streets impacting the layout of the lots and the need for increased elevation to accommodate a gravity sewer system. Improvements specific to areas where critical slopes would be impacted should the waiver be approved are shown on the Critical Slope Exhibit (**Attachment B**) and include portions of lots 4 through 18. Due to construction activities, such as grading, lot 33 could also be impacted by critical slopes.

Existing critical slopes areas located on this Property include 0.89 acres or 9.9 percent of the site. The applicable definition of “critical slope” is as follows:

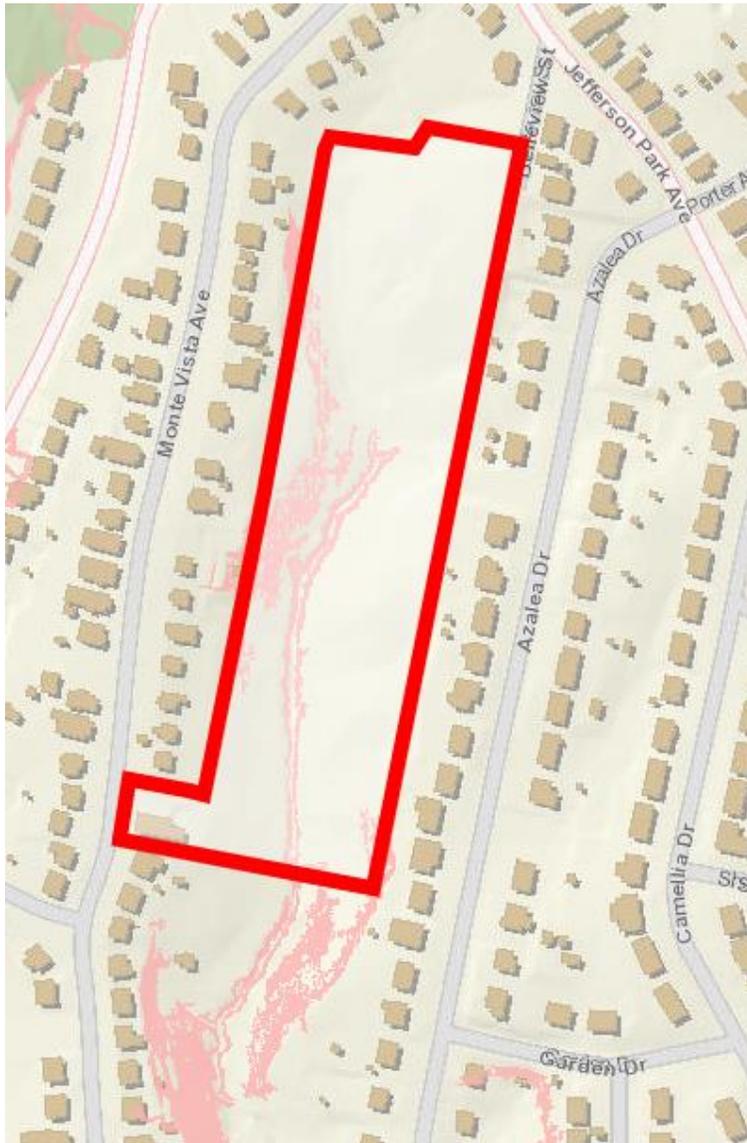
Any slope whose grade is 25% or greater, **and** (a) a portion of the slope has a horizontal run of greater than 20 feet, and its total area is 6,000 SF or greater, **and** (b) a portion of the slope is within 200 feet of a waterway. See City Code Sec. 34-1120(b)(2).

Based on the information presented within the application materials, Staff verifies that the area for which this waiver is sought meets all the above-referenced components of the definition of “critical slope”.

Vicinity Map



Critical Slopes per the Zoning Ordinance



Standard of Review

Per Sec. 34-1120(6)(d): The planning commission shall make a recommendation to city council in accordance with the criteria set forth in this section, and city council may thereafter grant a modification or waiver upon making a finding that:

- (i) The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced

stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes); or

(ii) Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.

If the recommendation is for City Council to grant the requested waiver, the Planning Commission may also make recommendations as to the following: In granting a modification or waiver, city council may allow the disturbance of a portion of the slope, but may determine that there are some features or areas that cannot be disturbed. These include, but are not limited to:

- (i) Large stands of trees;
- (ii) Rock outcroppings;
- (iii) Slopes greater than 60%.

City council shall consider the potential negative impacts of the disturbance and regrading of critical slopes, and of resulting new slopes and/or retaining walls. City council may impose conditions as it deems necessary to protect the public health, safety or welfare and to insure that development will be consistent with the purpose and intent of these critical slopes provisions. Conditions shall clearly specify the negative impacts that they will mitigate. Conditions may include, but are not limited to:

- (i) Compliance with the "Low Impact Development Standards" found in the City Standards and Design Manual.
- (ii) A limitation on retaining wall height, length, or use;
- (iii) Replacement of trees removed at up to three-to-one ratio;
- (iv) Habitat redevelopment;
- (v) An increase in storm water detention of up to 10% greater than that required by city development standards;
- (vi) Detailed site engineering plans to achieve increased slope stability, ground water recharge, and/or decrease in stormwater surface flow velocity;
- (vii) Limitation of the period of construction disturbance to a specific number of consecutive days;
- (viii) Requirement that reseeded occur in less days than otherwise required by City Code.

Project Review and Analysis

Each applicant for a critical slopes waiver is required to articulate a justification for the waiver, and to address how the land disturbance, as proposed, will satisfy the purpose and intent of the

Critical Slopes Regulations, as found within City Code Sec. 34-1120(b)(1). The applicant has provided information in the attached critical slopes waiver narrative (**Attachment A**) for Application Finding #1 and Finding #2.

Staff Analysis 34-1120(b)(d)(i) Application Finding #1 and #2:

The General Land Use Plan of the Comprehensive Plan calls for the subject properties to be General Residential with no density range, but does offer the following:

Description: Allow for additional housing choice within existing residential neighborhood throughout the City.

Form: Compatible with existing context, including house-sized structures with similar ground floor footprint area and setbacks as surrounding residential structures. Zoning tools will define contextual building form and neighborhood compatibility criteria for development.

Height: 2.5 stories.

Use and Affordability: Up to 3-unit dwellings including existing single-family splits, accessory dwelling units (ADUs), and new housing infill. Zoning ordinances will consider ways to support townhomes in this category on a site-specific basis. Allow up to 4-unit dwellings if the existing structure is maintained. Allow additional units and height under an affordability bonus program or other zoning mechanism.

Contents of the applicant materials suggest the proposed development would conform to the City Future Land Use Map and to the Land Use, Urban Form, and Historic & Cultural Preservation chapter of the Comprehensive Plan.

Finding #1 (The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes.)

Staff finds that nothing in the application materials suggest development of the site would not meet the minimum requirements for stormwater and erosion & sediment controls, but final determination can not be made until a final site plan is submitted and reviewed. It should be noted that regardless of any information submitted for a Critical Slope Waiver, all development plans over 6,000 square feet must meet VSMP minimum requirements. The application materials do state that phosphorous removal will occur onsite through construction of a BMP and account for 116.5% of the required treatment. Staff suggests a condition should be placed on the Critical Slope Waiver that requires 110% of the phosphorous treatment occurs onsite. The 6.5% difference in what is shown in the application materials and staff's recommended

conditions is to allow for some deviation during site plan development, but still provide significant phosphorous treatment onsite.

Finding#2 (Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.)

Staff cannot determine if finding #2 is applicable as some level of by-right development could proceed from a zoning perspective without impacting the 9.9% of Critical Slopes on site. Staff cannot speculate on hypothetical development scenarios for the site that would not impact Critical Slopes, but only provide an analysis on the application that was submitted and the existing conditions. Of the existing eighty-eight (88) plus legal nonconforming lots of record (each lot is approximately 25 feet by 150 feet), the applicant is proposing to develop forty-five (45) of them. This means approximately 49% of the lots are being consolidated or preserved for open space.

Without consolidating or altering the layout of the existing eighty-eight (88) plus lots of record, staffs finds that approximately twenty-two (22) lots could not provide a buildable area per section 34-1120(3) and could need a Critical Slope Waiver for development. These twenty-two (22) lots may be exempt from the Critical Slope regulations per section 34-1120(b)(7)(b) (*any lot or parcel of record which was lawfully a lot of record on the effective date of this chapter shall be exempt ...*), but this scenario is unlikely due to the inadequate right-of-way(s) that were platted and the requirement found in section 34-1120(a) that every lot have principal frontage on a street or place that has been accepted by the City for maintenance. The other sixty-six (66) plus lots could be developed by-right and would not need a Critical Slope Waiver but would still need to conform to section 34-1120(a). Should additional right-of-way be dedicated, and a City Street built to meet section 34-1120(a), the existing lots of record lose their exemption status under section 34-1120(b)(7)(b). To illustrate this point, the existing unnamed alley in the center of the development is only twenty (20) feet wide and would not accommodate current standards for a City Street. Additional right-of-way could be dedicated to make up for the lack of width without altering the number of lots.

In theory and only from a platting standpoint, a City standard Street could be proposed that would allow access to the eighty-eight (88) plus nonconforming lots of record where approximately sixty-six (66) of them could be development without disturbing Critical Slopes. Under section 34-1145(b)(1) changes to a nonconforming lot are permitted so long as the lots become less nonconforming than the originally platted lots. By dedicating right-of-way and

building a City standard Street, the lots would become less nonconforming as it relates to frontage under section 34-1120(a). It should also be noted that any unimproved nonconforming lot of record and/or modified lots which remain nonconforming may be used for any purpose allowed by the zoning district provided all other standards are met. In other words, the lots do not need to meet frontage requirements of section 29-161 (50 feet) in relation to width or coverage requirements as stated in section 34-1123 (6,000 square feet) to be developed. They only need to have some level of frontage on a City standard Street and not become more nonconforming.

Under the configuration proposed by the applicant, approximately seventeen (17) of the lots cannot meet the buildable area definition under section 34-1120(b)(3) and require a Critical Slope Waiver. This information is only considering Critical Slopes and buildable area as it relates to lots and is not taking into consideration sanitary sewer connections, or sections 34-1120(a) and section 29-161 which requires lots to front on a public Street. As platted the development area could accommodate approximately sixty-six (66) very small lots (approximately +/- 3,000sqft) for by-right development without impacting Critical Slopes. The alternative being proposed by the applicant is to consolidate the lots into approximately forty-seven (47) lots where each lot is approximately +/- 5,600sqft. Of the forty-seven (47) lots, seventeen (17) will impact Critical Slopes.

Within the application materials it is stated that the impact to Critical Slopes is mainly due to filling the site to tie into the City's sanitary sewer system. A previously iteration for this site (under different ownership) proposed providing a private sanitary pump station that would have required approval of a Special Use Permit (SUP). Under that proposal, impacts to Critical Slopes may have been reduced, but no final site plan was developed that would have shown buildable areas in relation to Critical Slopes. In April 2019 the Planning Commission voted to recommend denial of the SUP, but the applicant withdrew their request prior to City Council taking final action. By filling the site to meet the City's sanitary sewer system requirements, the applicant is claiming unusual topography restraints under finding #2.

As part of the application, the developer is proposing to preserve approximately seventy-seven (77) trees, screen the northeastern and western edges of the property, and provide an open space amenity on the northern edge of the development for public use. The applicant is also proposing to work with Habitat for Humanity on the construction of two (2) single family detached units within the development. Staff recommends that should the Critical Slope Waiver be approved; conditions should be placed on insuring preservation of the trees and open space shown in **Attachment B sheet 2 and sheet 6**.

Staff Recommendation

Staff recommends the Planning Commission consider the following when making a recommendation to City Council:

Purpose and Intent of the Critical Slope Provisions

The purpose and intent of the critical slope provisions in Section 34-1120(b)(1) are to protect topographic features whose disturbance may cause negative impacts including:

Loss of tree canopy and wildlife habitat that contribute to the natural beauty and visual quality of the community. Development of the site, regardless of the Critical Slopes, will result in major loss to the existing mature tree canopy. The loss of tree canopy will be offset by new plantings that are required under section 34-869 (20% for this zoning district), but they will take many years to develop into a mature canopy. Under section 34-1120(b)(7)(c) driveways, public utility lines and appurtenances, stormwater management facilities and any other public facilities necessary to allow the use of the parcel shall not be required to be located within a building site and shall not be subject to the building site area and dimension requirements set forth above within the Critical Slopes provisions. Should the Critical Slope Waiver be granted the applicant will preserve approximately seventy-seven (77) trees and add an additional 20% to the tree canopy. Should the lots be developed without a waiver staff believes approximately forty (40) trees would be preserved and could be counted towards the 20% tree canopy requirement. This would result in less trees for the development than what is being proposed with the waiver. For this reason, staff recommend approvals of the Critical Slope Waiver with conditions.

Suggested Motions

1. "I move to recommend approval of the critical slope waiver for Tax Map and Parcels 200142000, 200126000, 200147000, 200131200, 200125000, 200146000, 200130001, 200122000, 200145000, 200129000, 200121000, 200144000, 200127001, 200148000, and 200143000 as requested, with no reservations or conditions, based on a finding that [*reference at least one finding*]:
 - Finding #1: The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per Section 34-1120(b)(6)(d)(i)
 - Finding #2: Due to unusual physical conditions, or the existing development of the property, compliance with the City's critical slopes regulations would prohibit or unreasonably restrict the use or development of the property, per Section 34-1120(b)(6)(d)(ii)

2. "I move to recommend approval of the critical slope waiver for Tax Map and Parcels 200142000, 200126000, 200147000, 200131200, 200125000, 200146000, 200130001, 200122000, 200145000, 200129000, 200121000, 200144000, 200127001, 200148000, and 200143000 as requested, with conditions, based on a finding that [reference at least one finding]:
- Finding #1: The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per Section 34-1120(b)(6)(d)(i)
 - Finding #2: Due to unusual physical conditions, or the existing development of the property, compliance with the City's critical slopes regulations would prohibit or unreasonably restrict the use or development of the property, per Section 34-1120(b)(6)(d)(ii)

Recommended Conditions:

1. The applicant shall work with the City's Urban Forester during site plan review to create a tree protection/preservation plan for approximately seventy-seven (77) trees as presented in the application materials. The applicant shall perform all protection/preservation measures as identified in this plan. The tree preservation/protection plan will include a monitoring program to ensure compliance throughout the construction period. The plan shall also include provisions, such as easements, deed restrictions, or other legally binding measures to ensure preservation of trees in perpetuity.
2. The applicant shall, through easement, deed restriction, or other legally binding document, ensure no development or tree removal within the 0.6 acres "Public Amenity Area" as presented in the application materials. This documentation shall be enacted prior to approval of a Final Site Plan.
3. The applicant shall memorialize the "landscape screening" as presented in the application materials prior to approval of a final site plan. Planting within the screening area shall be a mixture of deciduous and evergreen trees, and the remaining trees will be large and medium deciduous trees as stated in the application materials.
4. In addition to providing the minimum tree cover requirements as required by code, the applicant shall preserve approximately seventy-seven (77) trees as shown in the application materials. The preserved trees shall not count towards the minimum tree cover requirement.
5. Site Plans (VESCP Plans) should include, at a minimum, 4 stages/phases of ESC controls. The first phase shall include "Initial/Preliminary Controls". Outfalls from any proposed traps shall be established with rigorous independent ESC controls,

early in the sequence, prior to the establishment of a sediment trap and associated conveyances.

6. Any channels/diversions that convey 'clear' water shall be stabilized with sod on the 'clear water' side immediately after installation.
 7. "Super Silt Fence" (chain linked backing) shall be installed where perimeter silt fence is specified.
 8. Any disturbance occurring outside of conveyances to the trap, in either sequence or space, planned or unforeseen, shall be immediately stabilized with sod (for pervious areas, utilities should have other "same day stabilization").
 9. At no time shall concentrated water be directed toward the critical slopes without adequate conveyance down and beyond the slopes to an acceptable outfall.
 10. The Final Plan should include a Virginia Stormwater Management Plan that includes a design for onsite water quality provided by a facility, or facilities, designed in accordance with the BMP Clearinghouse "2013 Draft Design Specifications for Practices 1-15", or a proprietary Manufactured Treatment Device acceptable to DEQ at the time the Final Plan is submitted. The facility or facilities should provide 110 percent of the onsite Phosphorus removal required as determined with an accurately completed VRRM spreadsheet for the project.
3. "I move to recommend denial of the critical slope waiver for Tax Map and Parcels 200142000, 200126000, 200147000, 200131200, 200125000, 200146000, 200130001, 200122000, 200145000, 200129000, 200121000, 200144000, 200127001, 200148000, and 200143000.

Attachments

- A. Application and Narrative
- B. Critical Slope Exhibit
- C. Overall Impact Map to Waters of the U.S.
- D. Wetland Delineation Report
- E. Jurisdictional Determination Letter

City of Charlottesville
CRITICAL SLOPES WAIVER REQUEST SUPPLEMENT

Please review city zoning ordinance section 34-1120(b) "Critical Slopes" and submit a completed Waiver Application Form, Critical Slopes Waiver Request Supplement and a Critical Slope Exhibit*.

Applicant: Collins Engineering
200 Garrett Street, Suite K
Charlottesville, VA 22902

Property Owner: Stanley Martin Companies, LLC
11710 Plaza America Drive, Suite 1100
Reston, VA 20190

Project Description: What are you proposing to do on this site?

The applicant is looking to replat the existing 88 SFD lots within the Azalea Springs Neighborhood as 45 SFD lots and a 0.60 acre public amenity area on the property. The site includes existing city Right of way that will be improved for a city street to access the 45 Single Family Detached lots and amenity space. The developer is also working with Habitat of Humanity to build (2) of the SFD lots as signal family detached affordable housing units.

Existing Conditions: The existing conditions of the site is a wooded area surrounded by existing single family homes. The site has an existing platted City street along with 88 platted lots that currently do not conform to the existing zoning ordinance. The City right of way has not been improved at this time and the existing 88 lots have not been developed.

Total Site Area: 7.538 acres + 0.925 acres(TMP200141000) + 0.362 acres (TMP200133000) + 0.146 acres (existing city row – access to property) = 8.971 acres

Zoning (if applying for rezoning-please note existing and intended change):

The current zoning on the property is R-1S; however, these are existing platted single family lots. The applicant is creating 45 proposed single family lots from the existing 88 platted non-conforming lots, bringing the development closer into conformance with the proposed application for the lot areas. All other requirements of the R-1S, including setbacks, heights, and other regulations are being met with the proposed design.

Percentage of Area that is made up of critical slopes - meets criteria set forth in Sec. 34-1120(b)(2) *Definition of critical slope:* greater than or equal to 25% slopes and a) a portion of the slope has a horizontal run of greater than twenty (20) feet and its area is six thousand (6,000) square feet or greater; and b) a portion of the slope is within two hundred (200) feet of any waterway:

29,285 SF(0.672 ac) onsite Critical slopes and 9,750 SF offsite critical slopes

Total Critical slopes within Site Area = 39,035 SF (0.896 acres) - 9.99% of the property

Total Critical Slope Area:

Critical slopes make up 0.896 acres of the site's 8.971 acres, or 9.99 % of the site area.

*If critical slopes extend beyond property line, quantify total critical slope area as well as provide area of critical slope that falls within site area.

Critical Slope Area Disturbed:

0.833 acres of the total critical slope area identified above will be disturbed, or 93.1% of the total critical slope area. Proposed critical slope area to be disturbed is 9.29 % of the site area.

Note: of the 0.833 acres of critical slopes being disturbed, 0.30 acres are exempt impacts for streets and driveways. Therefore, the total critical slope impacts to the project (which are not exempt) are 0.533 acres, which is 63.7% of the critical slope area that is not exempt that is being impacted with this project and 5.94% disturbance of non-exempt critical slopes of the total site area.

*Critical Slope Exhibit: Survey indicating location and area of critical slopes and what portions of critical slopes are proposed to be disturbed. Survey should be prepared, sealed, signed and dated by a professional engineer or land surveyor licensed to practice within the Commonwealth of Virginia.

Attachment A

This application should be used to explain how the proposed project meets some or all of the requirements as described in Section 34-1120(6) “Modification or waiver.” The applicant is expected to address finding #1 and/or finding #2 and justify the finding by utilizing the “critical slope provisions” as a guide. Completing this application will help staff make their recommendation to the Planning Commission and City Council.

City Council may grant a modification or waiver, upon making one or more of the following findings:

Finding #1: The public benefits of allowing disturbance of critical slope outweigh the public benefits of the undisturbed slope(public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes)

This development project provides (2) benefits in the proposed design that help to outweigh the disturbance of the critical slopes on the property. The first benefit is that the project will provide onsite stormwater management for water quality and water quantity control for the proposed development. The project is proposing a wet pond and constructed wetlands combination or a level II wet pond to treat the drainage area to the facility. The total site area is 8.971 acres, but the drainage area through the site to the facility is 22.4 acres. The proposed facility will capture this run-off and route it through the facility. Initial development calculations indicate that a water quality removal rate for the project is approximately 7.19 lbs/yr. The design of the proposed facility would treat about 8.38 lbs/yr, providing additional water quality for this drainage area that currently drains through the property from the adjacent city streets and neighborhoods. The second public benefit is that a proposed upland natural pocket park is proposed within the development with access from the City Right of way. The 0.6 acre pocket park would remain undisturbed, maintaining the existing trees within the area. The developer would clean out any underbrush within this area, making it an attractive open space area for the project and surrounding neighborhoods. The public amenity area is approximately 300' x 100' in size.

Finding #2. Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.

This property lies below the existing city streets and adjacent properties. In order to provide city sanitary sewer service to the existing platted lots on the property, the site needs to be raised (filled) to create gravity sewer flow to the existing sanitary sewer system. In order to achieve the required grade elevations on the site to provide gravity sewer flow to the existing city utilities, the lower half of the site requires extensive filling, which impacts most of the critical slopes on the property. Without filling most of the site, city sanitary sewer service can not be provided to the site and the site would not be able to be developed.

Please address how Finding #1 and/or Finding #2 will be met utilizing the “critical slope provisions” noted below.

Attachment A

1. Erosion affecting the structural integrity of those features.

Most of the critical slopes on the site are located along the swales and stream located on the property. Many of these areas are showing signs of erosion from the run-off from the adjacent development and outfall pipe from the existing city street. With the proposed development, the run-off from the adjacent property and existing city right of way will be captured and detained within the onsite SWM facility and the run-off will be released back into the stream below the site at a controlled rate to help prevent downstream erosion of the stream.

2. Stormwater and erosion-related impacts on adjacent properties.

The Azalea Springs development is proposing to capture the run-off from the proposed development and runoff from adjacent properties and city right of way. Approximately 22.4 acres of drainage will flow through the proposed SWM facility. The SWM facility will provide water quality for the proposed development and will provide an additional 1.19 lbs of treatment for the offsite drainage to the site. The run-off from the adjacent properties & right of way and the onsite drainage will be released into the stream below the property at a controlled rate to help prevent downstream erosion of the stream from the proposed development and existing run-off from the adjacent properties.

3. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.

The impacts to the stream on the property are associated with the development of the roadway within the existing City right of way and filling of the site for gravity sanitary sewer access. Erosion and stormwater management facilities are proposed to protect the downstream property and streams from impacts with the build-out of the development, by capturing the run-off, detaining it, and releasing it at a controlled rate.

4. Increased stormwater velocity due to loss of vegetation.

The increase of stormwater velocity on the site due to loss of vegetation will be mitigated with the onsite stormwater management facility. In addition, the facility will capture the existing run-off from the adjacent properties and city streets, and will provide some additional water quality to this offsite runoff. The SWM facility will help control the downstream velocity by controlling the release of the run-off from the site and the adjacent properties.

5. Decreased groundwater recharge due to changes in site hydrology.

The proposed water quality BMP facility for the development will help offset the loss of groundwater recharge by detaining the run-off and allowing it to release at rates that will help manage the increase in impervious area. The facility is providing onsite water quality and water quantity treatment for the run-off, but most SWM facilities do not provide the ability for much groundwater recharge, due to the soil types typically found in Charlottesville.

6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.

There are approximately 566 trees on the property, 21 of which are dead, leaving a total of 545 trees on the property. The proposed public amenity space and the buffers around the site will preserve approximately 77 trees, most of which are located in the public amenity area. This area will be available and accessible for the residents in all the surrounding neighborhoods.

Attachment A

The anticipated tree canopy loss from the development of the property is between 50,000 SF and 60,000 SF. The development will provide a minimum of 60,000 SF of tree canopy with new trees planted on the site. This will include, but not be limited to, street trees, buffer planting areas between the development and the neighboring properties, and additional trees planted within the development lots. The trees within the buffer areas will be a mixture of deciduous and evergreen trees, and the remaining trees will be large and medium deciduous trees. This proposed tree canopy will be in addition to the 77 preserved trees on the property.

Please list all attachments that should be viewed as support to the above explanations.

Azalea Springs Narrative & Critical slopes wavier request plan set (6 sheets total)

Please sign the following statement.

I certify that, to the best of my knowledge, the information I have provided above is based on sound engineering and surveying data and that this site has been carefully inspected and reviewed for the purposes of completing this application accurately. I certify that as the property owner/applicant I have not given false information that may affect the decisions made regarding this development.

go

Property Owner

Scott Collins

Applicant

Please do not write below this line. For office use only.

Planner's Comments/Recommendations:

Engineer's Comments/Recommendations:

Attachment A

Azalea Springs – Critical Slopes Waiver Request Narrative and Additional information

The Azalea Springs development plan consists of 88 platted SFD lots with existing platted City ROW. The existing lots and platted Right of way are shown on Sheet 2 of the attached Critical Slopes Waiver Request Plan set. The area is currently forested with a drainage swale/stream created from the run-off the of adjacent properties and from the storm pipe outfall from the existing City streets and ROW. There are City defined critical slopes upland of this ditch and along the banks of the ditch, as shown on sheet 2. Under normal Engineering practices, the site planning and design would include avoidance of critical slopes, where possible. This project is unique in that the City Right of way and development lots already exist. The existing platted right of way runs through the existing stream and a large portion of the critical slope areas. A change in the alignment of the City right of way would require portions of the existing ROW to be vacated. With the vacating of the right of way, the zoning of the property would be different from the current existing R-1S zoning. In addition, City ROW must remain for the existing lots to maintain frontage. Another important factor for the development of the property is access to public utilities, mainly the existing City sanitary sewer system. With the existing elevations of the property, a large portion of the site is currently lower than the City sanitary sewer. A previous application was submitted for this project to allow a pump station, but that was denied by City Council. Therefore, to develop the property, much of the site needs to be filled to create a gravity sanitary sewer system on the property. These (2) factors above contribute to the proposed impacts of the critical slopes on the property.

The overall development for the property, as shown on Sheet 3 of the Critical Slopes Waiver Request Plan set, includes 45 signal family detached lots ((2) of which will be signal family detached affordable housing lots) and a 0.60 acre amenity area. The developer will be working with Habitat for Humanity to develop these (2) affordable lots for the Charlottesville area, meeting the City affordability requirements. The remaining 43 lots will be developed by Stanley Martin Homes, providing additional housing in this section of Charlottesville. The public amenity area will be accessible from City Right of way, and will be available to all residents of the development and surrounding neighborhoods. The existing trees within this open space area will be preserved, as shown on the Application plan. This wooded area will be cleaned up and maintained by the Homeowners association for the development. Residents and neighbors will have permanent access to this amenity area and can continue to enjoy a preserved and maintained wooded area on the property.

To mitigate the impacts with the development, an onsite stormwater management BMP retention facility is proposed. This facility will capture and treat the run-off from the proposed development, providing water quality and water quantity for the site development. In addition to meeting the SWM regulations for the proposed development, the onsite facility will provide some additional water quality treatment to the offsite drainage that flows through the property from the adjacent neighborhoods and from the city right of way. The proposed location and design of the stormwater management facility is shown on Sheet 4 of the Critical Slopes Waiver Request Plan set.

The proposed development includes planting large & medium shade trees and landscaping buffer areas as shown on the Landscaping plan sheet 6 of the Critical Slopes Waiver Request Plan set. This landscaping, in conjunction with the existing trees to be preserved within the amenity area, will provide landscaping and tree coverage for over 20% of the site area. This proposed landscaping of the site will help offset and mitigate the loss of tree canopy with the development.

Sheet 5 of the Critical Slopes Waiver Request Plan set illustrates the Erosion and Sediment controls during construction to ensure protection of the stream and environmentally sensitive areas below the site. The existing drainage channel is being diverted into the sediment basin for the E&S controls. All the offsite and onsite drainage will flow the basin for E&S control and treatment, prior to be released to the existing stream. The site will then be developed systematically, maintaining these downstream controls.

AZALEA SPRINGS SUBDIVISION

CRITICAL SLOPES WAIVER REQUEST

CITY OF CHARLOTTESVILLE, VIRGINIA

GENERAL NOTES:

OWNER & DEVELOPER: STANLEY MARTIN COMPANIES, LLC
 11710 PLAZA AMERICA DRIVE, SUITE 1100
 RESTON, VA 20190
 PHONE NUMBER: 434-975-7445

ENGINEER: COLLINS ENGINEERING
 200 GARRETT STREET, SUITE K
 CHARLOTTESVILLE, VA 22902
 (434) 293-3719

* TAX MAP PARCEL NUMBERS: 200142000 200131200 200130001 200129000 200127001
 200126000 200125000 200122000 200121000 200148000
 200147000 200146000 200145000 200144000 200143000

- NOTE:
- TMP 200141000: A WRITTEN AGREEMENT IS IN PLACE WITH THE PROPERTY OWNER OF TMP 200141000 ALLOWING THIS PARCEL TO BE USED FOR OFFSITE CONSTRUCTION THAT INCLUDES, BUT IS NOT LIMITED TO, GRADING, UTILITY & DRAINAGE IMPROVEMENTS AND THE INSTALLATION OF AN EMERGENCY ACCESS. AN OFFSITE EASEMENT PLAT IS INCLUDED WITH THE DEVELOPMENT PLANS FOR THE RECORDATION OF THE OFFSITE EASEMENTS ON THE PROPERTY. OWNER NAME: STANLEY & AMY STEPANIC (246 MONTE VISTA AVENUE). PHONE NUMBER NOT AVAILABLE TO PUBLIC. (0.952 ACRES) DB/PG: 2019,1981
 - TMP 200140000: AN OFFSITE PUBLIC UTILITY EASEMENT HAS BEEN RECORDED ACROSS THIS PROPERTY FOR THE INSTALLATION OF THE PUBLIC SANITARY SEWER. OWNER NAME: PAULA S OUGLEY (242 MONTE VISTA AVENUE). PHONE NUMBER NOT AVAILABLE TO PUBLIC. (0.165 ACRES) DB/PG: 2020,5668
 - TMP 200133000: AN OFFSITE GRADING EASEMENT HAS BEEN OBTAINED ON A PORTION OF THIS PROPERTY FOR THE GRADING OPERATIONS OF THE PROPOSED DEVELOPMENT. OWNER NAME: CHRISTOPHER & JENIFER DONALSON. (228 MONTE VISTA AVENUE). PHONE NUMBER NOT AVAILABLE TO PUBLIC. (0.362 ACRES) DB/PG: 2019,2218
 - THE OWNERS OF TMP 200141000, 200140000, AND 200133000 ARE ALL PART OF THE APPLICATION FOR THE FINAL SITE PLAN FOR THIS PROJECT. THE OWNERS HAVE SIGNED THE APPLICATION AND ARE PART OF THE APPLICATION SUBMITTAL.

LOCATION OF PROJECT: LOCATED BETWEEN MONTE VISTA AVENUE & AZALEA DRIVE IN CHARLOTTESVILLE, VA 22903
 TOPOGRAPHY: TOPOGRAPHY AND BOUNDARY OF THE SITE WERE PROVIDED BY ROUDABUSH, GALE & ASSOCIATES IN JANUARY, 2020.
 DATUM: USGS DATUM FOR THE PROJECT IS NAD 83.

ZONING: R-1S (RESIDENTIAL)
 TOTAL ACREAGE OF SITE: 7.538 ACRES
 EXISTING USE: VACANT (EXISTING PLATTED LOTS)
 PROPOSED USE: 45 DETACHED SINGLE FAMILY LOTS (INCLUDING (2) SFD AFFORDABLE HOUSES)
 DENSITY: EXISTING DENSITY - 88 EXISTING LOTS / 7.538 AC = 11.67 LOTS PER ACRE
 PROPOSED DENSITY - 45 PROPOSED LOTS / 7.538 AC = 5.97 LOTS PER ACRE
 SITE PHASING: SUBDIVISION TO BE DEVELOPED IN ONE PHASE
 INGRESS AND EGRESS: ACCESS TO THE PROJECT SITE WILL BE FROM THE EXISTING AZALEA DRIVE. EMERGENCY ACCESS WILL BE FROM MONTE VISTA AVENUE.
 EXISTING VEGETATION: A COMBINATION OF WOODS WITH LIGHT UNDERBRUSH, AND GRASSY AREAS
 FLOODPLAIN: THERE ARE NO FLOODPLAIN LIMITS WITHIN THE SUBJECT PROPERTY PER FEMA MAP#51003C0269D, PANEL #0269D DATED FEBRUARY 4, 2005.
 STREAM BUFFER: THE DEVELOPMENT OF THIS PROPERTY DOES NOT IMPACT A STREAM BUFFER, OR FLOODPLAIN ON THE PROPERTY.
 WATERSHED: THIS SITE DRAINS TO THE EXISTING MOORES CREEK.
 CRITICAL SLOPES: SEE SHEET 4 FOR A FULL CRITICAL SLOPE ANALYSIS
 TOTAL ON-SITE CRITICAL SLOPE AREA = 29,285 SF (0.672 AC)
 TOTAL OFF-SITE CRITICAL SLOPE AREA = 9,750 SF (0.223 AC)
 TOTAL PROPOSED CRITICAL SLOPE IMPACT AREA = 36,285 SF (0.833 ACRES) (93.1% IMPACTED)

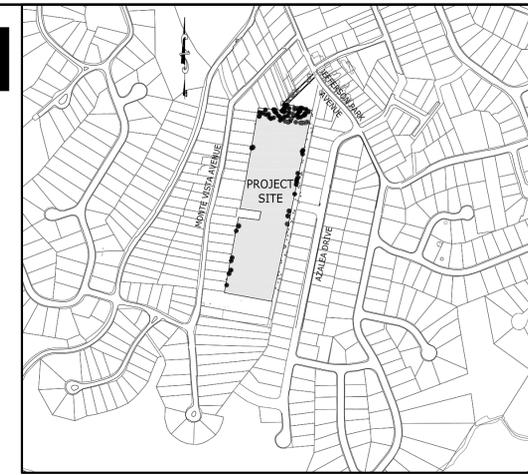
NOTES:
 1. OF THE PROPOSED CRITICAL SLOPE IMPACT AREA, 36% ARE EXEMPT FOR DRIVEWAYS & ROADWAY CONNECTIONS (0.30 ACRES).

UTILITIES: THE SITE WILL BE SERVED BY PUBLIC WATER AND SEWER.
 STREAM BUFFER: MITIGATION PLAN NOT APPLICABLE
 CONSERVATION PLAN: NOT APPLICABLE
 SIGNAGE: SITE SIGNAGE WILL BE PROPOSED IN A SEPARATE APPLICATION.
 BUILDING HEIGHTS: 35' MAXIMUM
 SETBACKS: FRONT - 25' MINIMUM
 SIDE - 5' MINIMUM
 REAR - 25' MAXIMUM
 OPEN SPACE: NONE (0.0 AC)
 RECREATION AREA: NOT APPLICABLE
 LANDSCAPING PLAN: PROPOSED LANDSCAPING SHALL CONFORM TO THE REQUIREMENTS OF CHAPTER 34, ARTICLE VIII, DIVISION 2 OF THE CITY OF CHARLOTTESVILLE CODE OF DEVELOPMENT. SEE LANDSCAPING PLAN FOR DETAILS.
 LIGHTING PLAN: ALL LIGHT FIXTURES SHALL BE FULL CUT-OFF LIGHT FIXTURE WITH NO SPILLOVER AT THE PROPERTY LINES.
 PARKING: REQUIRED - 1 PARKING SPACE PER DWELLING UNIT
 PROVIDED - 2 OFF STREET PARKING SPACES PER DWELLING UNIT
 SITE TRIP GENERATION AND LAND USE ITE 10TH EDITION CODE 210: 45 SFD LOTS
 AVERAGE DAILY TRIPS: 432 VPD (216 ENTER/216 EXIT)
 AM PEAK RATE: 23 VPH (7 VPH ENTER/16 VPH EXIT)
 PM PEAK RATE: 30 VPH (20 VPH ENTER/10 VPH EXIT)
 STORMWATER MANAGEMENT: THE PROPOSED PLAN COMPLIES WITH PART IIB REQUIREMENTS. THE STORMWATER QUALITY REQUIREMENTS ARE MET ONSITE WITH A STORMWATER MANAGEMENT FACILITY DESIGNED TO PROVIDE WATER QUALITY AND WATER QUANTITY FOR THE PROPOSED DEVELOPMENT. THE PROPOSED DESIGN MINIMIZES THE AMOUNT OF RUNOFF LEAVING THE SITE UNDETAINED.
 TOTAL LAND DISTURBANCE: 9.0 +/- ACRES
 WATER DEMANDS/FIRE FLOW: AN EXISTING FIRE HYDRANT LOCATED AT 110 AZALEA DRIVE, APPROXIMATELY 150' FROM THE PROPOSED DEVELOPMENT, WILL PROVIDE FIRE PROTECTION. AN ADDITIONAL FOUR (4) FIRE HYDRANTS ARE PROPOSED ALONG PROPOSED ENGLEWOOD DRIVE WILL ALSO PROVIDE FIRE PROTECTION FOR THE PROPOSED LOTS.
 LAND AREAS: LOTS - 6.15 AC (81.6% OF SITE)
 ROW - 1.39 AC (18.4% OF SITE)

COLLINS ENGINEERING SHALL NOT HAVE AUTHORITY OVER CONTRACTOR'S WORK, SAFETY PRECAUTIONS, SCHEDULES, OR COMPLIANCE WITH LAWS AND REGULATIONS. WE SHALL NOT ASSUME RESPONSIBILITY FOR ANY CONSTRUCTION BEGUN PRIOR TO PLAN APPROVAL.



SHEET LAYOUT
 SCALE: 1" = 100'



GRAPHIC SCALE
 (IN FEET)
 1 inch = 500 ft.

SHEET INDEX

TITLE	SHEET
COVER SHEET	1
EXISTING CRITICAL SLOPES PLAN	2
OVERALL DEVELOPMENT PLAN	3
PROPOSED LAYOUT & CRITICAL SLOPES (GENERAL LOT REGULATIONS) IMPACTS PLAN	4
OVERALL PERIMETER EROSION & SEDIMENT CONTROL PLAN	5
LANDSCAPING PLAN	6
PRE-DEVELOPMENT STORMWATER MANAGEMENT PLAN	7
POST-DEVELOPMENT STORMWATER MANAGEMENT PLAN	8
TOTAL SHEETS	8

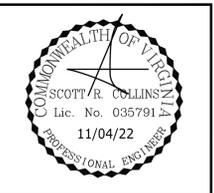
REVISIONS

REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	8/13/2021
REVISIONS AND UPDATES TO THE CRITICAL SLOPE REQUEST	5/03/2022
REVISIONS AND UPDATES TO THE CRITICAL SLOPE REQUEST	11/04/2022

COLLINS ENGINEERING
 200 GARRETT STREET, SUITE K. - CHARLOTTESVILLE, VA 22902 - 434.293.3719



AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER
 COVER



SIGNATURE PANEL
 DIRECTOR, NEIGHBORHOOD DEVELOPMENT _____

JOB NO. 202180
 SCALE AS SHOWN
 SHEET NO. 1

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CRITICAL SLOPES LEGEND
 CRITICAL SLOPES FOR
 GENERAL LOT REGULATIONS

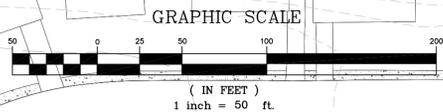
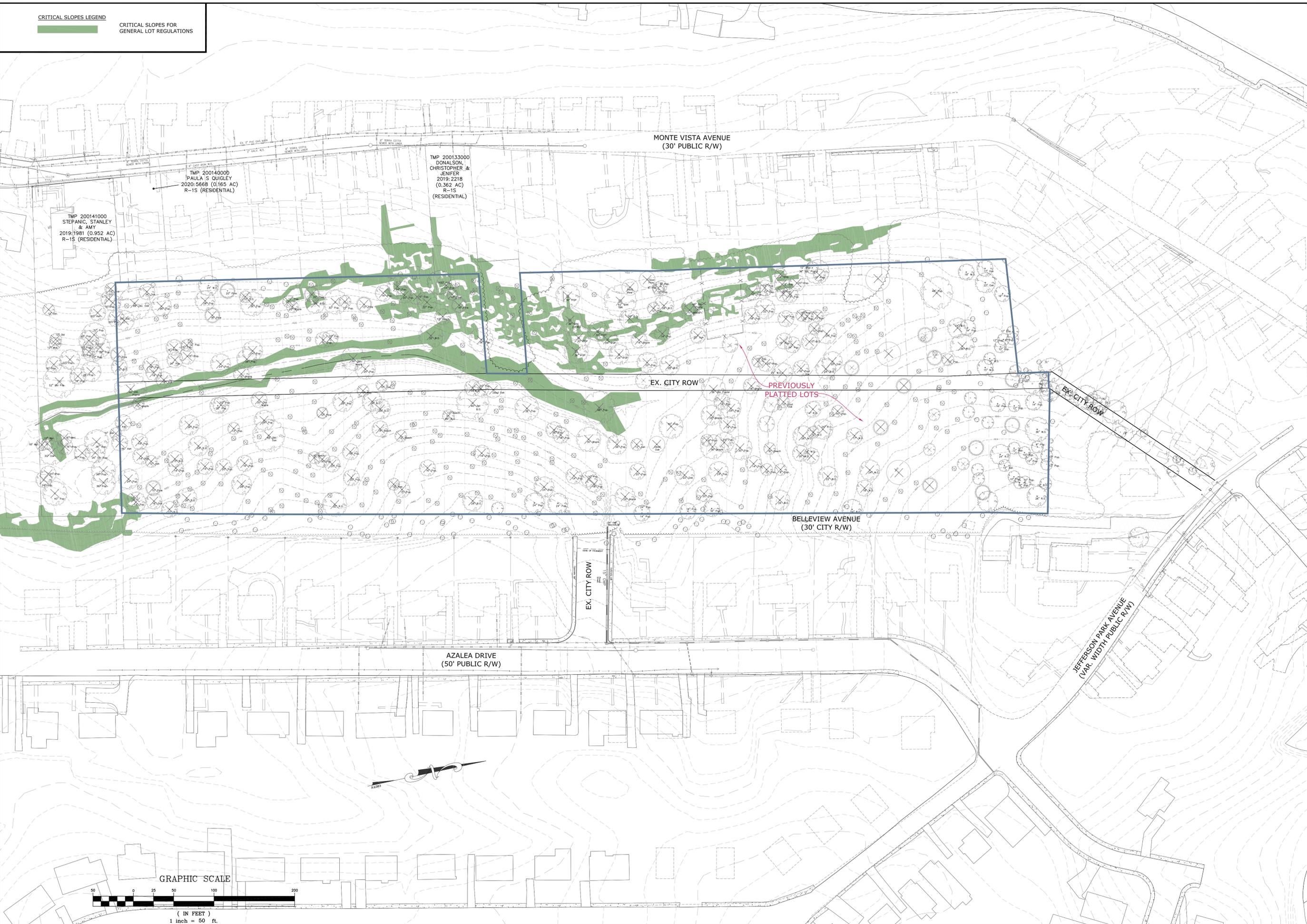


REVISIONS	
DATE	REVISION DESCRIPTION
8/13/2021	INITIAL SUBMITTAL
5/03/2022	REVISIONS AND UPDATES TO THE CRITICAL SLOPE REQUEST
11/04/2022	REVISIONS AND UPDATES TO THE CRITICAL SLOPE REQUEST

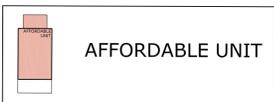
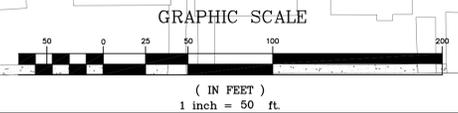
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 200 GARRETT STREET, SUITE K. - CHARLOTTESVILLE, VA 22902 - 434.293.3719

PROJECT: **AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER**
 SHEET TITLE: **EXISTING CRITICAL SLOPES PLAN**

JOB NO. 202180
 SCALE 1"=50'
 SHEET NO. 2



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REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	8/13/2021
REVISIONS AND UPDATES TO THE CRITICAL SLOPE REQUEST	5/03/2022
REVISIONS AND UPDATES TO THE CRITICAL SLOPE REQUEST	11/04/2022

REVISIONS

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AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER

OVERALL DEVELOPMENT PLAN

PROJECT	JOB NO.
AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER	202180
SHEET TITLE	SCALE
OVERALL DEVELOPMENT PLAN	1" = 50'
	SHEET NO.
	3

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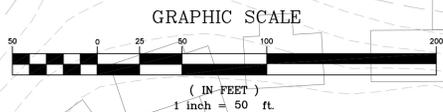
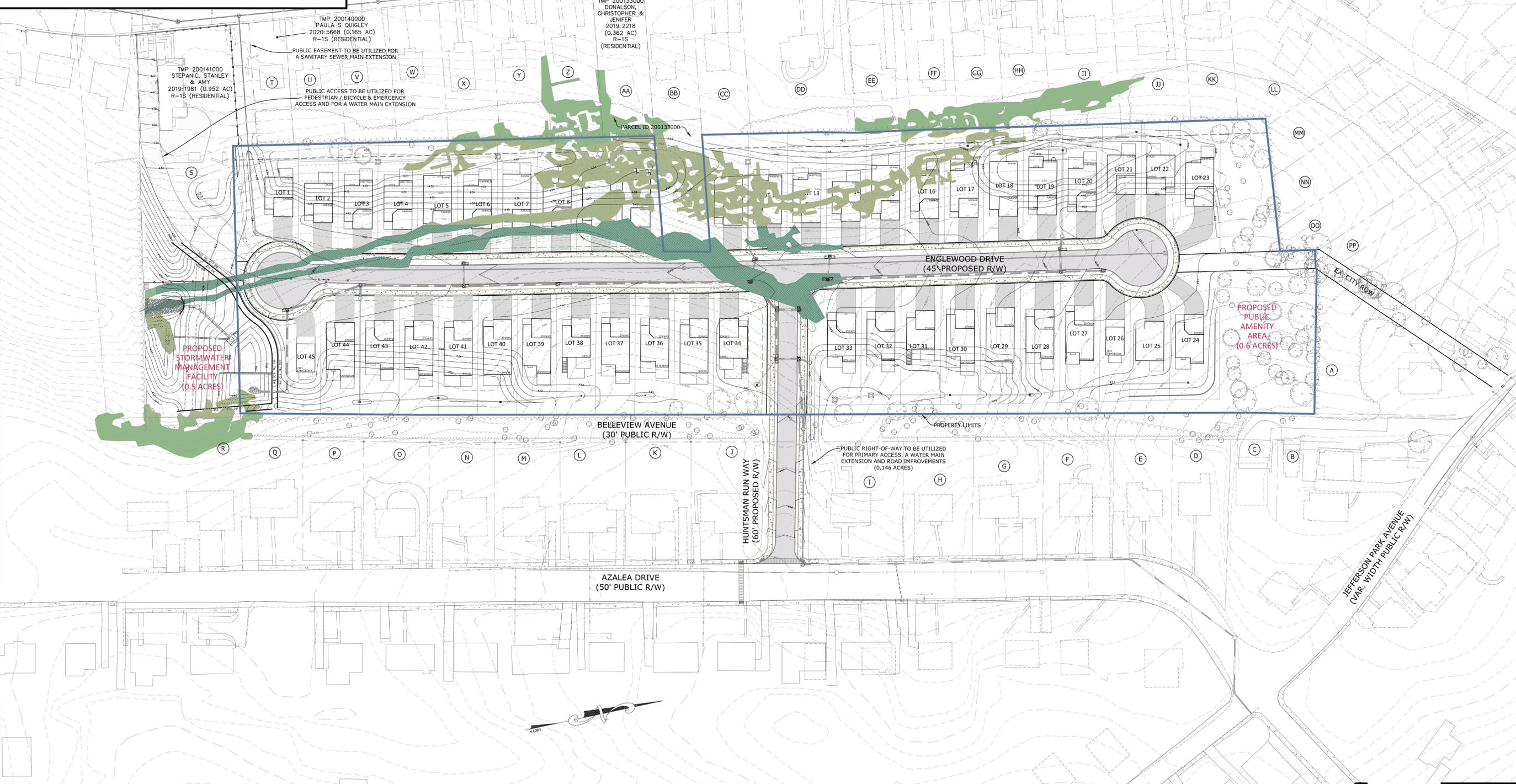


- CRITICAL SLOPES LEGEND**
- EXISTING CRITICAL SLOPES FOR GENERAL LOT REGULATIONS (29,285 SF TOTAL)
 - IMPACT AREAS TO CRITICAL SLOPES FROM LOTS & SWM FACILITY (15,145 SF)
 - EXEMPT IMPACT AREAS TO CRITICAL SLOPES FOR ROADWAY CONNECTIONS (13,155 SF)
 - PROPOSED LANDSCAPING EASEMENT

NOTE: USE THE LEGEND ON THIS SHEET FOR THE CRITICAL SLOPES. THIS PLAN IS DESIGNED TO PLOT IN COLOR AND THE LEGEND ON SHEET 1A IN THE FINAL SITE PLAN IS DIFFERENT FROM THIS SHEET FOR THE CRITICAL SLOPES.

CRITICAL SLOPES ANALYSIS
 SUBDIVISION AREA = 7,538 ac.
 IMPROVED PUBLIC R/W, PARCEL TMP 200133000, & PARCEL TMP 200141000 = 1,433 ac.
 TOTAL PROJECT AREA = 8,971 ac.
 TOTAL CRITICAL SLOPES (FOR GENERAL LOT REGULATIONS) AREA = 39,035 sf (0.896 ac.)
 TOTAL PROPOSED CRITICAL SLOPES (FOR GENERAL LOT REGULATIONS) IMPACT AREA = 36,285 (0.833 ac.)
 TOTAL CRITICAL SLOPE PERCENT IMPACTED: 93.1%

- NOTES:**
1. OF THE PROPOSED CRITICAL SLOPES (FOR GENERAL LOT REGULATIONS) IMPACT AREA, 36.3% ARE EXEMPT FOR DRIVEWAYS & ROADWAY CONNECTIONS (13,155 sf).
 2. A 5' WIDE (STREET SIDE) LANDSCAPING EASEMENT ON ALL LOTS, AND A 15' WIDE (REAR LOT SIDE) LANDSCAPING EASEMENT ON LOTS 1-23 ARE PROPOSED TOTALING 28,331 SF (OR 0.650 AC). THE 15' WIDE LANDSCAPING EASEMENT LOCATED AT THE REAR OF THE PROPOSED LOTS 1-23 WILL BE LANDSCAPED TO PROVIDE A BUFFER. THE 5' WIDE LANDSCAPING EASEMENT WILL ALLOW FOR THE PLANTING OF STREET TREES. IN ADDITION, A 0.60 ACRE NATURAL PUBLIC AMENITY AREA WILL REMAIN UNDISTURBED, AS SHOWN. STORMWATER MANAGEMENT WATER QUALITY AND WATER QUANTITY WILL BE PROVIDED ONSITE.
 3. THE CONSTRUCTION ASSOCIATED WITH THE OFFSITE PROPERTY, TMP 200141000, GENERATES AN ADDITIONAL 4,485 SF OF CRITICAL SLOPE IMPACTS FROM THE 4,725 SF OF CRITICAL SLOPES LOCATED ON THE PROPERTY.
 4. THE CONSTRUCTION ASSOCIATED WITH THE OFFSITE PROPERTY, TMP 200133000, GENERATES AN ADDITIONAL 3,500 SF OF CRITICAL SLOPE IMPACTS FROM THE 5,025 SF OF CRITICAL SLOPES LOCATED ON THE PROPERTY.



PROPOSED LANDSCAPING EASEMENT NOTES:

1. SEE THE LANDSCAPING PLAN SHEETS FOR THE PROPOSED TREES LOCATED WITHIN THE 5' WIDE LANDSCAPING EASEMENT ADJACENT TO THE PROPOSED ROADWAYS.
2. THE 15' WIDE PROPOSED LANDSCAPING EASEMENT SHALL CONSIST OF EITHER EXISTING TREES TO REMAIN UNDISTURBED, OR NEWLY PLANTED EVERGREENS STAGGERED HORIZONTALLY EVERY 20'.

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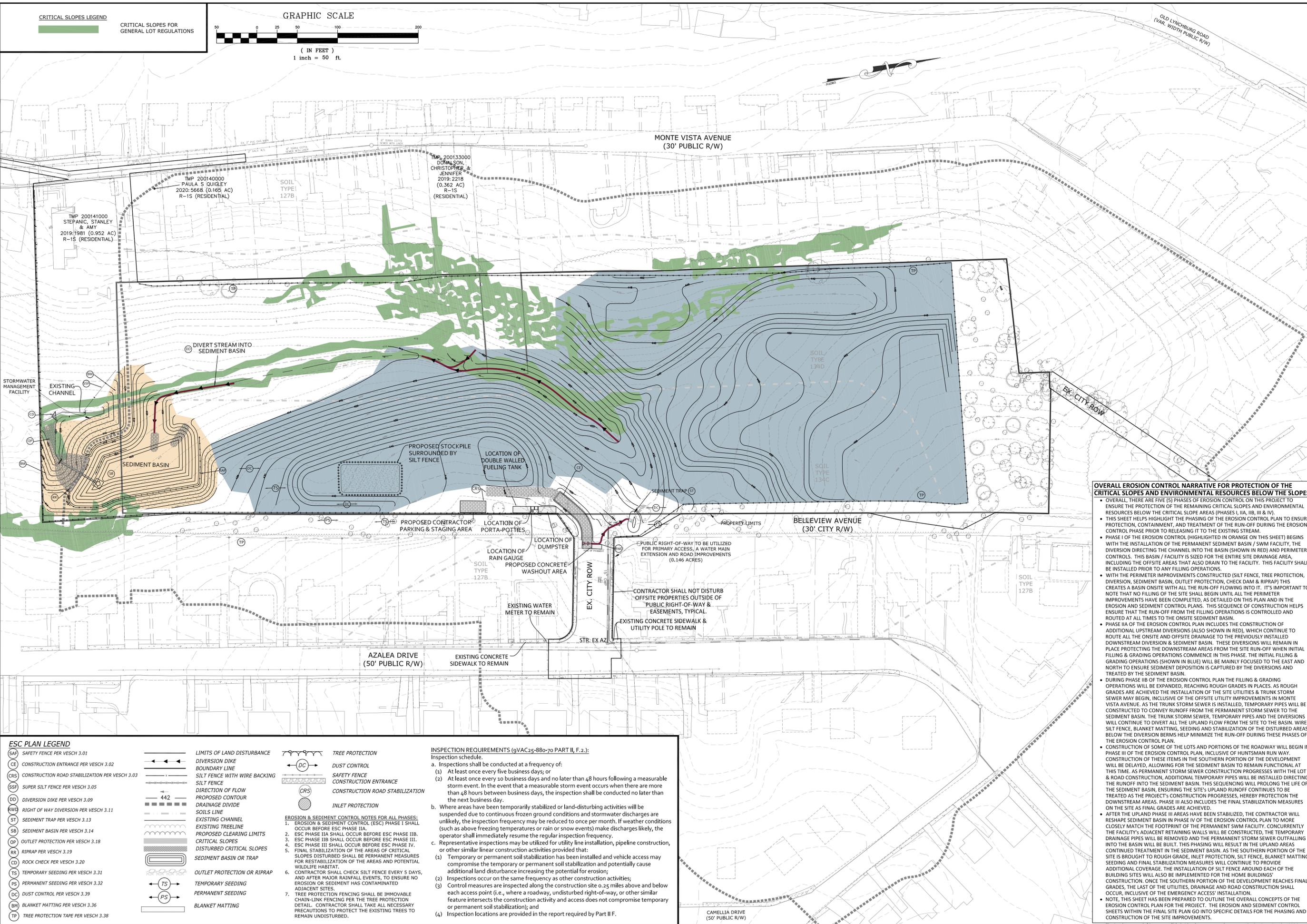
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AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER
 SHEET TITLE: PROPOSED LAYOUT & CRITICAL SLOPES (GENERAL LOT REGULATIONS) IMPACTS PLAN

JOB NO.	202180
SCALE	1" = 50'
SHEET NO.	4

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AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER

OVERALL PERIMETER EROSION & SEDIMENT CONTROL PLAN

PROJECT	202180
JOB NO.	202180
SCALE	1" = 50'
SHEET NO.	5

OVERALL EROSION CONTROL NARRATIVE FOR PROTECTION OF THE CRITICAL SLOPES AND ENVIRONMENTAL RESOURCES BELOW THE SLOPES

OVERALL, THERE ARE FIVE (5) PHASES OF EROSION CONTROL ON THIS PROJECT TO ENSURE THE PROTECTION OF THE REMAINING CRITICAL SLOPES AND ENVIRONMENTAL RESOURCES BELOW THE CRITICAL SLOPE AREAS (PHASES I, IIA, IIB, III & IV).

THIS SHEET HELPS HIGHLIGHT THE PHASING OF THE EROSION CONTROL PLAN TO ENSURE PROTECTION, CONTAINMENT, AND TREATMENT OF THE RUN-OFF DURING THE EROSION CONTROL PHASE PRIOR TO RELEASING IT TO THE EXISTING STREAM.

PHASE I OF THE EROSION CONTROL (HIGHLIGHTED IN ORANGE ON THIS SHEET) BEGINS WITH THE INSTALLATION OF THE PERMANENT SEDIMENT BASIN / SWM FACILITY. THE DIVERSION DIRECTING THE CHANNEL INTO THE BASIN (SHOWN IN RED) AND PERIMETER CONTROLS. THIS BASIN / FACILITY IS SIZED FOR THE ENTIRE SITE DRAINAGE AREA, INCLUDING THE OFFSITE AREAS THAT ALSO DRAIN TO THE FACILITY. THIS FACILITY SHALL BE INSTALLED PRIOR TO ANY FILLING OPERATIONS.

WITH THE PERIMETER IMPROVEMENTS CONSTRUCTED (SILT FENCE, TREE PROTECTION, DIVERSION, SEDIMENT BASIN, OUTLET PROTECTION, CHECK DAM & RIPRAP) THIS CREATES A BASIN ONSITE WITH ALL THE RUN-OFF FLOWING INTO IT. IT'S IMPORTANT TO NOTE THAT NO FILLING OF THE SITE SHALL BEGIN UNTIL ALL THE PERIMETER IMPROVEMENTS HAVE BEEN COMPLETED, AS DETAILED ON THIS PLAN AND IN THE EROSION AND SEDIMENT CONTROL PLANS. THIS SEQUENCE OF CONSTRUCTION HELPS ENSURE THAT THE RUN-OFF FROM THE FILLING OPERATIONS IS CONTROLLED AND ROUTED AT ALL TIMES TO THE ONSITE SEDIMENT BASIN.

PHASE IIA OF THE EROSION CONTROL PLAN INCLUDES THE CONSTRUCTION OF ADDITIONAL UPSTREAM DIVERSIONS (ALSO SHOWN IN RED), WHICH CONTINUE TO ROUTE ALL THE ONSITE AND OFFSITE DRAINAGE TO THE PREVIOUSLY INSTALLED DOWNSTREAM DIVERSION & SEDIMENT BASIN. THESE DIVERSIONS WILL REMAIN IN PLACE PROTECTING THE DOWNSTREAM AREAS FROM THE SITE RUN-OFF WHEN INITIAL FILLING & GRADING OPERATIONS COMMENCE IN THIS PHASE. THE INITIAL FILLING & GRADING OPERATIONS (SHOWN IN BLUE) WILL BE MAINLY FOCUSED TO THE EAST AND NORTH TO ENSURE SEDIMENT DEPOSITION IS CAPTURED BY THE DIVERSIONS AND TREATED BY THE SEDIMENT BASIN.

DURING PHASE IIB OF THE EROSION CONTROL PLAN THE FILLING & GRADING OPERATIONS WILL BE EXPANDED, REACHING ROUGH GRADES IN PLACES. AS ROUGH GRADES ARE ACHIEVED THE INSTALLATION OF THE SITE UTILITIES & TRUNK STORM SEWER MAY BEGIN, INCLUSIVE OF THE OFFSITE UTILITY IMPROVEMENTS IN MONTE VISTA AVENUE. AS THE TRUNK STORM SEWER IS INSTALLED, TEMPORARY PIPES WILL BE CONSTRUCTED TO CONVEY RUNOFF FROM THE PERMANENT STORM SEWER TO THE SEDIMENT BASIN. THE TRUNK STORM SEWER, TEMPORARY PIPES AND THE DIVERSIONS WILL CONTINUE TO DIVERT ALL THE UPLAND FLOW FROM THE SITE TO THE BASIN. WIRE SILT FENCE, BLANKET MATTING, SEEDING AND STABILIZATION OF THE DISTURBED AREAS BELOW THE DIVERSION BERMS HELP MINIMIZE THE RUN-OFF DURING THESE PHASES OF THE EROSION CONTROL PLAN.

CONSTRUCTION OF SOME OF THE LOTS AND PORTIONS OF THE ROADWAY WILL BEGIN IN PHASE III OF THE EROSION CONTROL PLAN, INCLUSIVE OF HUNTSMAN RUN WAY. CONSTRUCTION OF THESE ITEMS IN THE SOUTHERN PORTION OF THE DEVELOPMENT WILL BE DELAYED, ALLOWING FOR THE SEDIMENT BASIN TO REMAIN FUNCTIONAL AT THIS TIME. AS PERMANENT STORM SEWER CONSTRUCTION PROGRESSES WITH THE LOT & ROAD CONSTRUCTION, ADDITIONAL TEMPORARY PIPES WILL BE INSTALLED DIRECTING THE RUNOFF INTO THE SEDIMENT BASIN. THIS SEQUENCING WILL PROLONG THE LIFE OF THE SEDIMENT BASIN, ENSURING THE SITE'S UPLAND RUNOFF CONTINUES TO BE TREATED AS THE PROJECT'S CONSTRUCTION PROGRESSES, HEREBY PROTECTING THE DOWNSTREAM AREAS. PHASE III ALSO INCLUDES THE FINAL STABILIZATION MEASURES ON THE SITE AS FINAL GRADES ARE ACHIEVED.

AFTER THE UPLAND PHASE III AREAS HAVE BEEN STABILIZED, THE CONTRACTOR WILL RESHAPE SEDIMENT BASIN IN PHASE IV OF THE EROSION CONTROL PLAN TO MORE CLOSELY MATCH THE FOOTPRINT OF THE PERMANENT SWM FACILITY. CONCURRENTLY THE FACILITY'S ADJACENT RETAINING WALLS WILL BE CONSTRUCTED. THE TEMPORARY DRAINAGE PIPES WILL BE REMOVED AND THE PERMANENT STORM SEWER OUTFALLING INTO THE BASIN WILL BE BUILT. THIS PHASING WILL RESULT IN THE UPLAND AREAS CONTINUED TREATMENT IN THE SEDIMENT BASIN. AS THE SOUTHERN PORTION OF THE SITE IS BROUGHT TO ROUGH GRADE, INLET PROTECTION, SILT FENCE, BLANKET MATTING, SEEDING AND FINAL STABILIZATION MEASURES WILL CONTINUE TO PROVIDE ADDITIONAL COVERAGE. THE INSTALLATION OF SILT FENCE AROUND EACH OF THE BUILDING SITES WILL ALSO BE IMPLEMENTED FOR THE HOME BUILDINGS' CONSTRUCTION. ONCE THE SOUTHERN PORTION OF THE DEVELOPMENT REACHES FINAL GRADES, THE LAST OF THE UTILITIES, DRAINAGE AND ROAD CONSTRUCTION SHALL OCCUR, INCLUSIVE OF THE EMERGENCY ACCESS INSTALLATION.

NOTE: THIS SHEET HAS BEEN PREPARED TO OUTLINE THE OVERALL CONCEPTS OF THE EROSION CONTROL PLAN FOR THE PROJECT. THE EROSION AND SEDIMENT CONTROL SHEETS WITHIN THE FINAL SITE PLAN GO INTO SPECIFIC DETAILS FOR THE PHASING AND CONSTRUCTION OF THE SITE IMPROVEMENTS.

ESC PLAN LEGEND

(SAF)	SAFETY FENCE PER VESCH 3.01
(CE)	CONSTRUCTION ENTRANCE PER VESCH 3.02
(CRS)	CONSTRUCTION ROAD STABILIZATION PER VESCH 3.03
(SDF)	SUPER SILT FENCE PER VESCH 3.05
(DD)	DIVERSION DIKE PER VESCH 3.09
(RWD)	RIGHT OF WAY DIVERSION PER VESCH 3.11
(ST)	SEDIMENT TRAP PER VESCH 3.13
(SB)	SEDIMENT BASIN PER VESCH 3.14
(OP)	OUTLET PROTECTION PER VESCH 3.18
(RR)	RIPRAP PER VESCH 3.19
(CD)	ROCK CHECK PER VESCH 3.20
(TS)	TEMPORARY SEEDING PER VESCH 3.31
(PS)	PERMANENT SEEDING PER VESCH 3.32
(DC)	DUST CONTROL PER VESCH 3.39
(BM)	BLANKET MATTING PER VESCH 3.36
(TP)	TREE PROTECTION TAPE PER VESCH 3.38

---	LIMITS OF LAND DISTURBANCE
---	DIVERSION DIKE
---	BOUNDARY LINE
---	SILT FENCE WITH WIRE BACKING
---	SILT FENCE
---	DIRECTION OF FLOW
---	PROPOSED CONTOUR
---	DRAINAGE DIVIDE
---	SOILS LINE
---	EXISTING CHANNEL
---	EXISTING TREELINE
---	PROPOSED CLEARING LIMITS
---	CRITICAL SLOPES
---	DISTURBED CRITICAL SLOPES
---	SEDIMENT BASIN OR TRAP
---	OUTLET PROTECTION OR RIPRAP
---	TEMPORARY SEEDING
---	PERMANENT SEEDING
---	BLANKET MATTING

TREE PROTECTION

(DC) DUST CONTROL

(SAF) SAFETY FENCE

(CRS) CONSTRUCTION ROAD STABILIZATION

(CRS) CONSTRUCTION ROAD STABILIZATION

(CRS) INLET PROTECTION

EROSION & SEDIMENT CONTROL NOTES FOR ALL PHASES:

- EROSION & SEDIMENT CONTROL (ESC) PHASE I SHALL OCCUR BEFORE ESC PHASE IIA.
- ESC PHASE IIA SHALL OCCUR BEFORE ESC PHASE IIB.
- ESC PHASE IIB SHALL OCCUR BEFORE ESC PHASE III.
- ESC PHASE III SHALL OCCUR BEFORE ESC PHASE IV.
- FINAL STABILIZATION OF THE AREAS OF CRITICAL SLOPES DISTURBED SHALL BE PERMANENT MEASURES FOR RESTABILIZATION OF THE AREAS AND POTENTIAL WILDLIFE HABITAT.
- CONTRACTOR SHALL CHECK SILT FENCE EVERY 5 DAYS, AND AFTER MAJOR RAINFALL EVENTS, TO ENSURE NO EROSION OR SEDIMENT HAS CONTAMINATED ADJACENT SITES.
- TREE PROTECTION FENCING SHALL BE IMMOVABLE CHAIN-LINK FENCING PER THE TREE PROTECTION DETAIL. CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT THE EXISTING TREES TO REMAIN UNDISTURBED.

INSPECTION REQUIREMENTS (qVAC25-880-70 PART II, F.2):

Inspection schedule:

- Inspections shall be conducted at a frequency of:
 - At least once every five business days; and
 - no later than 48 hours following a measurable storm event. In the event that a measurable storm event occurs when there are more than 48 hours between business days, the inspection shall be conducted no later than the next business day.
- Where areas have been temporarily stabilized or land-disturbing activities will be suspended due to continuous frozen ground conditions and stormwater discharges are unlikely, the inspection frequency may be reduced to once per month. If weather conditions (such as above freezing temperatures or rain or snow events) make discharges likely, the operator shall immediately resume the regular inspection frequency.
- Representative inspections may be utilized for utility line installation, pipeline construction, or other similar linear construction activities provided that:
 - Temporary or permanent soil stabilization has been installed and vehicle access may compromise the temporary or permanent soil stabilization and potentially cause additional land disturbance increasing the potential for erosion;
 - Inspections occur on the same frequency as other construction activities;
 - Control measures are inspected along the construction site 0.25 miles above and below each access point (i.e., where a roadway, undisturbed right-of-way, or other similar feature intersects the construction activity and access does not compromise temporary or permanent soil stabilization); and
 - Inspection locations are provided in the report required by Part II.F.

TREE CANOPY LEGEND

- AS - SUGAR MAPLE
- LS - SWEETGUM
- AR - RED MAPLE
- LT - TULIP POPLAR
- QC - SCARLET OAK
- QP - WILLOW OAK
- JV - EASTERN RED CEDAR
- MG - LITTLE GEM MAGNOLIA
- IS - NELLIE STEVENS HOLLY
- EA - EASTERN ARBORVITAE



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PROJECT
 AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER

SHEET TITLE
 LANDSCAPING PLAN

JOB NO.
 202180

SCALE
 1"=40'

SHEET NO.
 6

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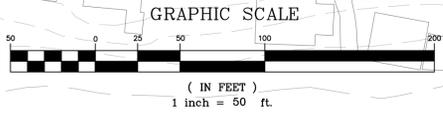
**WATERSHED SUMMARY AT THE POINT OF ANALYSIS
(FOR THE CHANNEL & FLOOD PROTECTION ANALYSES)**

Pre-Development

Pre-Dev. DA 1	CN	Area, ac.	1-year Flow, cfs	10-year Flow, cfs
	64	22.43	9.97	50.06

Watershed Area Summary At Point of Analysis

	Pre-Development (acres)	Post-Development (acres)
DA 1A	22.43	22.03
DA 1B		0.40
Total =	22.43	22.43

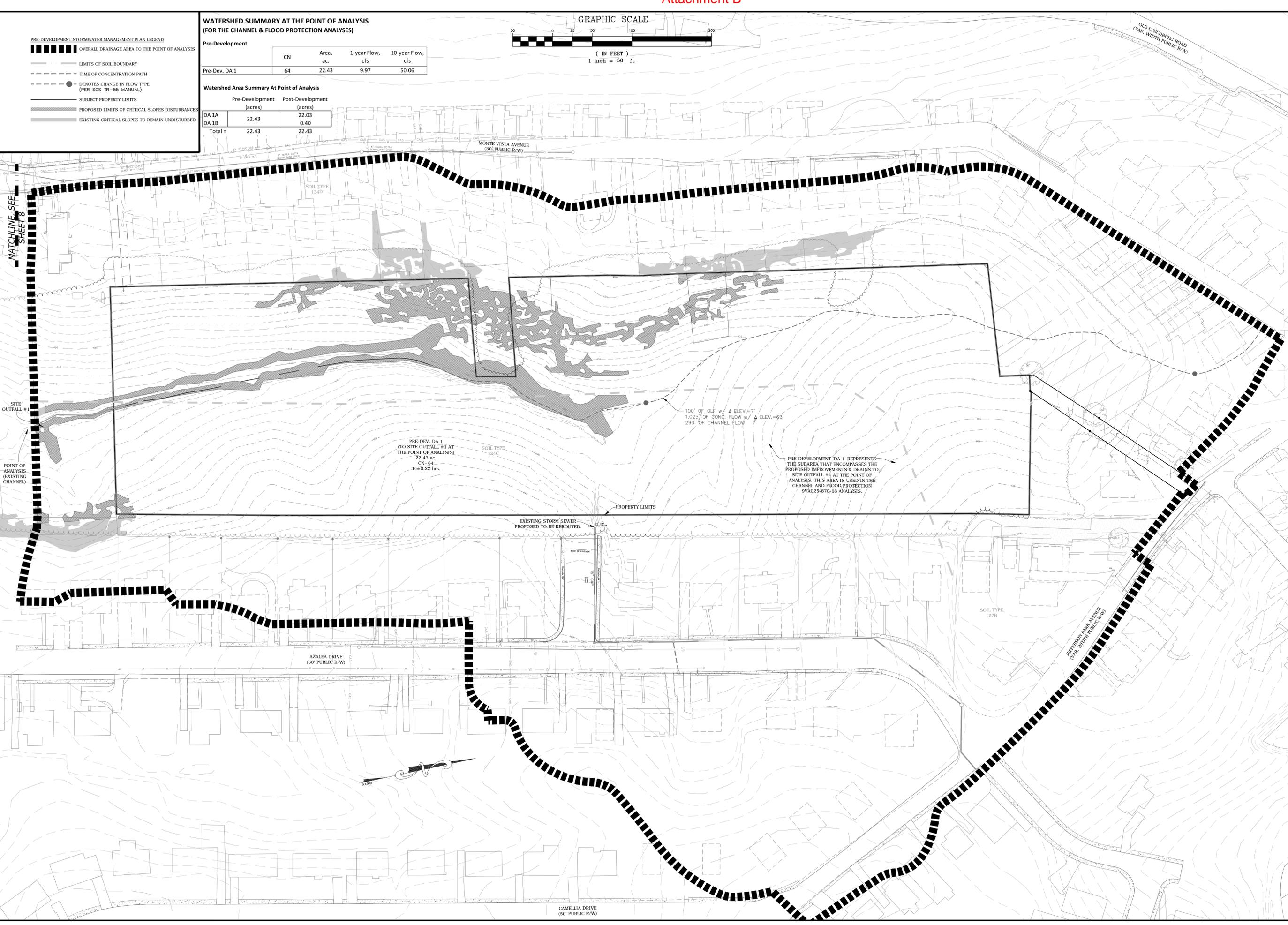


- PRE-DEVELOPMENT STORMWATER MANAGEMENT PLAN LEGEND**
- ▬ OVERALL DRAINAGE AREA TO THE POINT OF ANALYSIS
 - ▬ LIMITS OF SOIL BOUNDARY
 - - - TIME OF CONCENTRATION PATH
 - DENOTES CHANGE IN FLOW TYPE (PER SCS TR-55 MANUAL)
 - ▬ SUBJECT PROPERTY LIMITS
 - ▨ PROPOSED LIMITS OF CRITICAL SLOPES DISTURBANCES
 - ▩ EXISTING CRITICAL SLOPES TO REMAIN UNDISTURBED



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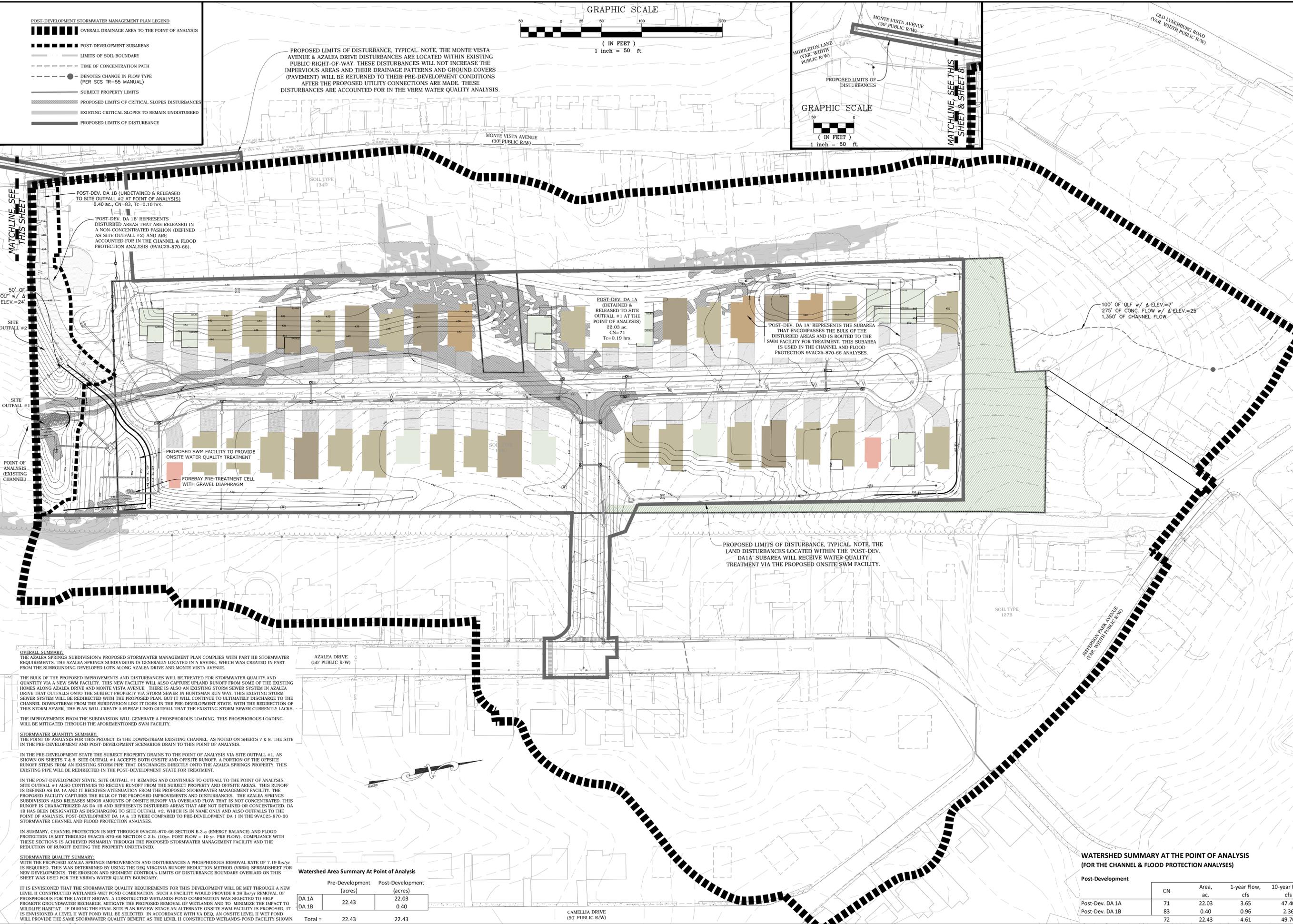
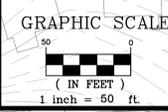
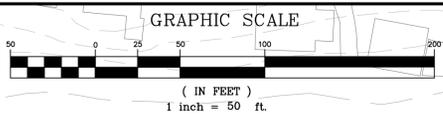
AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER
PRE-DEVELOPMENT STORMWATER MANAGEMENT PLAN

PROJECT: AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER
JOB NO.: 202180
SCALE: 1"=50'
SHEET NO.: 7

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- POST-DEVELOPMENT STORMWATER MANAGEMENT PLAN LEGEND**
- ██████████ OVERALL DRAINAGE AREA TO THE POINT OF ANALYSIS
 - POST-DEVELOPMENT SUBAREAS
 - LIMITS OF SOIL BOUNDARY
 - TIME OF CONCENTRATION PATH
 - DENOTES CHANGE IN FLOW TYPE (PER SCS TR-55 MANUAL)
 - SUBJECT PROPERTY LIMITS
 - PROPOSED LIMITS OF CRITICAL SLOPES DISTURBANCES
 - EXISTING CRITICAL SLOPES TO REMAIN UNDISTURBED
 - PROPOSED LIMITS OF DISTURBANCE



OVERALL SUMMARY:
THE AZALEA SPRINGS SUBDIVISION'S PROPOSED STORMWATER MANAGEMENT PLAN COMPLIES WITH PART IIB STORMWATER REQUIREMENTS. THE AZALEA SPRINGS SUBDIVISION IS GENERALLY LOCATED IN A Ravine, WHICH WAS CREATED IN PART FROM THE SURROUNDING DEVELOPED LOTS ALONG AZALEA DRIVE AND MONTE VISTA AVENUE.

THE BULK OF THE PROPOSED IMPROVEMENTS AND DISTURBANCES WILL BE TREATED FOR STORMWATER QUALITY AND QUANTITY VIA A NEW SWM FACILITY. THIS NEW FACILITY WILL ALSO CAPTURE UPLAND RUNOFF FROM SOME OF THE EXISTING HOMES ALONG AZALEA DRIVE AND MONTE VISTA AVENUE. THERE IS ALSO AN EXISTING STORM SEWER SYSTEM IN AZALEA DRIVE THAT OUTFALLS ONTO THE SUBJECT PROPERTY VIA STORM SEWER IN HUNTSMAN RUN WAY. THIS EXISTING STORM SEWER SYSTEM WILL BE REDIRECTED WITH THE PROPOSED PLAN, BUT IT WILL CONTINUE TO ULTIMATELY DISCHARGE TO THE CHANNEL DOWNSTREAM FROM THE SUBDIVISION LIKE IT DOES IN THE PRE-DEVELOPMENT STATE. WITH THE REDIRECTION OF THIS STORM SEWER, THE PLAN WILL CREATE A RIPRAP LINED OUTFALL THAT THE EXISTING STORM SEWER CURRENTLY LACKS.

THE IMPROVEMENTS FROM THE SUBDIVISION WILL GENERATE A PHOSPHOROUS LOADING. THIS PHOSPHOROUS LOADING WILL BE MITIGATED THROUGH THE AFOREMENTIONED SWM FACILITY.

STORMWATER QUANTITY SUMMARY:
THE POINT OF ANALYSIS FOR THIS PROJECT IS THE DOWNSTREAM EXISTING CHANNEL, AS NOTED ON SHEETS 7 & 8. THE SITE IN THE PRE-DEVELOPMENT AND POST-DEVELOPMENT SCENARIOS DRAIN TO THIS POINT OF ANALYSIS.

IN THE PRE-DEVELOPMENT STATE THE SUBJECT PROPERTY DRAINS TO THE POINT OF ANALYSIS VIA SITE OUTFALL #1. AS SHOWN ON SHEETS 7 & 8, SITE OUTFALL #1 ACCEPTS BOTH ONSITE AND OFFSITE RUNOFF. A PORTION OF THE OFFSITE RUNOFF STEMS FROM AN EXISTING STORM PIPE THAT DISCHARGES DIRECTLY ONTO THE AZALEA SPRINGS PROPERTY. THIS EXISTING PIPE WILL BE REDIRECTED IN THE POST-DEVELOPMENT STATE FOR TREATMENT.

IN THE POST-DEVELOPMENT STATE, SITE OUTFALL #1 REMAINS AND CONTINUES TO OUTFALL TO THE POINT OF ANALYSIS. SITE OUTFALL #1 ALSO CONTINUES TO RECEIVE RUNOFF FROM THE SUBJECT PROPERTY AND OFFSITE AREAS. THIS RUNOFF IS DEFINED AS DA 1A AND IT RECEIVES ATTENUATION FROM THE PROPOSED STORMWATER MANAGEMENT FACILITY. THE PROPOSED FACILITY CAPTURES THE BULK OF THE PROPOSED IMPROVEMENTS AND DISTURBANCES. THE AZALEA SPRINGS SUBDIVISION ALSO RELEASES MINOR AMOUNTS OF ONSITE RUNOFF VIA OVERLAND FLOW THAT IS NOT CONCENTRATED. THIS RUNOFF IS CHARACTERIZED AS DA 1B AND REPRESENTS DISTURBED AREAS THAT ARE NOT DETAINED OR CONCENTRATED. DA 1B HAS BEEN DESIGNATED AS DISCHARGING TO SITE OUTFALL #2, WHICH IS IN NAME ONLY AND ALSO OUTFALLS TO THE POINT OF ANALYSIS. POST-DEVELOPMENT DA 1A & 1B WERE COMPARED TO PRE-DEVELOPMENT DA 1 IN THE 9VAC25-870-66 STORMWATER CHANNEL AND FLOOD PROTECTION ANALYSES.

IN SUMMARY, CHANNEL PROTECTION IS MET THROUGH 9VAC25-870-66 SECTION B.3.a (ENERGY BALANCE) AND FLOOD PROTECTION IS MET THROUGH 9VAC25-870-66 SECTION C.2.b (10yr. POST FLOW = 10 yr. PRE FLOW), COMPLIANCE WITH THESE SECTIONS IS ACHIEVED PRIMARILY THROUGH THE PROPOSED STORMWATER MANAGEMENT FACILITY AND THE REDUCTION OF RUNOFF EXITING THE PROPERTY UNDETAINED.

STORMWATER QUALITY SUMMARY:
WITH THE PROPOSED AZALEA SPRINGS IMPROVEMENTS AND DISTURBANCES A PHOSPHOROUS REMOVAL RATE OF 7.19 lbs/yr IS REQUIRED. THIS WAS DETERMINED BY USING THE DEQ VIRGINIA RUNOFF REDUCTION METHOD (VRRM) SPREADSHEET FOR NEW DEVELOPMENTS. THE EROSION AND SEDIMENT CONTROL'S LIMITS OF DISTURBANCE BOUNDARY OVERLAP ON THIS SHEET WAS USED FOR THE VRRM'S WATER QUALITY BOUNDARY.

IT IS ENVISIONED THAT THE STORMWATER QUALITY REQUIREMENTS FOR THIS DEVELOPMENT WILL BE MET THROUGH A NEW LEVEL II CONSTRUCTED WETLANDS-WET POND COMBINATION. SUCH A FACILITY WOULD PROVIDE 8.38 lbs/yr REMOVAL OF PHOSPHOROUS FOR THE LAYOUT SHOWN. A CONSTRUCTED WETLANDS-POND COMBINATION WAS SELECTED TO HELP PROMOTE GROUNDWATER RECHARGE, MITIGATE THE PROPOSED REMOVAL OF WETLANDS AND TO MINIMIZE THE IMPACT TO WILDLIFE HABITAT. IF DURING THE FINAL SITE PLAN REVIEW STAGE AN ALTERNATE ONSITE SWM FACILITY IS PROPOSED, IT IS ENVISIONED A LEVEL II WET POND WILL BE SELECTED. IN ACCORDANCE WITH VA DEQ, AN ONSITE LEVEL II WET POND WILL PROVIDE THE SAME STORMWATER QUALITY BENEFIT AS THE LEVEL II CONSTRUCTED WETLANDS-POND FACILITY SHOWN.

Watershed Area Summary At Point of Analysis

	Pre-Development (acres)	Post-Development (acres)
DA 1A	22.43	22.03
DA 1B		0.40
Total =	22.43	22.43

WATERSHED SUMMARY AT THE POINT OF ANALYSIS (FOR THE CHANNEL & FLOOD PROTECTION ANALYSES)

Post-Development	CN	Area, ac.	1-year Flow, cfs	10-year Flow, cfs
Post-Dev. DA 1A	71	22.03	3.65	47.40
Post-Dev. DA 1B	83	0.40	0.96	2.36
	72	22.43	4.61	49.76

REVISIONS

DATE	REVISION DESCRIPTION
8/13/2021	INITIAL SUBMITTAL
5/03/2022	REVISIONS AND UPDATES TO THE CRITICAL SLOPE REQUEST
11/04/2022	REVISIONS AND UPDATES TO THE CRITICAL SLOPE REQUEST

COLLINS ENGINEERING
200 GARRETT STREET, SUITE K. - CHARLOTTESVILLE, VA 22902 - 434.293.3719

PROJECT
AZALEA SPRINGS SUBDIVISION - CRITICAL SLOPES WAIVER
SHEET TITLE
POST-DEVELOPMENT STORMWATER MANAGEMENT PLAN

JOB NO.
202180

SCALE
1"=50'

SHEET NO.
8

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**WETLAND DELINEATION REPORT
AZALEA SPRINGS
CITY OF CHARLOTTSVILLE, VIRGINIA**

TNT PROJECT NO.: 1548-B

FOR

STANLEY MARTIN HOMES

AUGUST 5, 2022



August 5, 2022

Mr. Gregg O'Donnell
Stanley Martin Homes
Via Email: odonnellgp@stanleymartin.com

TNT Project Number: 1548-B

Reference: Wetland Delineation Report, Azalea Springs, City of Charlottesville, Virginia
Latitude: 38° 00' 47" N, Longitude: 78° 30' 49" W

Dear Mr. O'Donnell:

TNT Environmental, Inc. (TNT) is pleased to present this wetland delineation report for the above-referenced project in general accordance with TNT Proposal Number 4085 dated June 8, 2022. The wetlands and Waters of the U.S. identified during this investigation for the above-referenced project site were delineated by TNT based on the *Corps of Engineers' Wetlands Delineation Manual (1987)* and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains & Piedmont Region*. Specifically, this report was prepared to provide baseline data concerning the type and extent of resources that are most likely considered jurisdictional by the U.S. Army Corps of Engineers (USACE) and Virginia Department of Environmental Quality (VDEQ). The delineation entails the gathering of appropriate field data according to the applicable USACE Manuals, field flagging and mapping of approximate wetland and stream boundaries located onsite, preparation of this final report, and a request to the USACE for boundary confirmation and jurisdictional determination of U. S. Waters, including wetlands, identified onsite. Based on the field investigation conducted in July 2022, there are potentially jurisdictional Waters of the U.S., including wetlands, located within the study area.

PROJECT SITE DESCRIPTION

The project site is approximately one (1) acre situated east of Monte Vista Avenue in the City of Charlottesville, Virginia (*Appendix I: Figure 1- Project Location Map*). The project site is further identified by physical address 246 Monte Vista Avenue and City of Charlottesville Parcel ID Number: 200141000. The terrain of the project site consists of gently to moderately sloping lands and is within the James River drainage basin (*Appendix I: Figure 2- USGS Topographic Map*). The project site is partially improved along the western third of the property with an existing single-family residence. The remaining eastern portion of the site consists of wooded areas.

SECONDARY INFORMATION REVIEW

Secondary information entails the background research and review of recorded data and/or mapping associated with the project site. Resources reviewed include but are not limited to the following:

- U.S. Geological Survey's (USGS) National Geospatial Program, *The National Map Viewer* <https://apps.nationalmap.gov/viewer>
- U. S. Fish and Wildlife Service (USFWS), National Wetlands Inventory (NWI) Online Mapper, <https://www.fws.gov/wetlands/data/mapper.html>
- Natural Resources Conservation Service (NRCS), National Cooperative Soil Survey (NCSS) Web Soil Survey, <https://websoilsurvey.nrcs.usda.gov/>
- Available aerial photography and GIS data

The USGS Charlottesville West quadrangle map shows elevations of approximately 402 to 446 feet above mean sea level (MSL). As shown on the USGS Map, the project site drains generally south to an unnamed tributary of Biscuit Run, located within the Riviana watershed and identified as Hydrologic Unit Code (HUC) 02080204. The NWI map does not depict wetland or riverine features within the project site boundaries.

The soil survey indicates that the site is underlain primarily by Elioak (127B) and Glenelg (134C, 134D) soils, neither of which area classified by the NRCS as hydric.

FIELD INVESTIGATION & METHODOLOGY

The analysis contained in this report uses the results of a field survey conducted by TNT in July 2022. Florescent pink demarcation flags were placed in the field and sequentially numbered to provide an onsite record of the location of wetlands and other Waters subject to the jurisdiction of state and federal agencies. The data sheets used in this investigation are enclosed (see *Appendix III*), along with a photographic log documenting site conditions (*Appendix IV*), and the delineation map showing approximate data point locations and boundaries of potentially jurisdictional wetlands and other Waters (*Appendix V*).

The delineation of wetlands was conducted using the *Corps of Engineers' Wetlands Delineation Manual* (1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains & Piedmont Region*. The USACE Manual and associated Regional Supplement follow three parameters for the identification of wetlands: dominance of hydrophytic vegetation, presence of hydric soils, and hydrologic indicators. All three parameters must be present under normal conditions for an area to be considered a jurisdictional wetland in accordance with Section 404 of the Clean Water Act. Streams were delineated based on the limits of the ordinary high-water mark (OHWM), which can be determined by several factors. Physical characteristics include, but are not limited to, clear, natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation/scouring; the presence of litter and debris, wrack lines; and other appropriate means such as gauge data, historical records, flood predictions, and statistical analysis.

Attachment D

Stanley Martin Homes
 TNT Project #: 1548-B
 August 5, 2022
 Page 3

For the purpose of this report and future permitting needs, wetlands and other Waters are then further classified according to the Cowardin System as described in *Classification of Wetlands and Deepwater Habitats of the United States* (1979).

FINDINGS

Based on our field reconnaissance, TNT has identified and located perennial and ephemeral waters onsite. No wetlands were observed. A summary of the attached data sheet(s) prepared during the study is included below in Table 1. Dominant upland riparian vegetation is listed below in Table 2.

Table 1 – Data Points Summary

Data Point	Hydrophytic Vegetation	Hydric Soils	Hydrology	Classification
DP-1	No	No	No	Non-Wetland

*Refer to the enclosed data sheets for more information.

Table 2 – Dominant Uplands and Riparian Buffer

Scientific Name	Common Name	Wetland Indicator*
Trees		
<i>Acer rubrum</i>	Red Maple	FAC
<i>Carya glabra</i>	Pignut Hickory	UPL
<i>Carya tomentosa</i>	Mockernut Hickory	NI
<i>Cercis canadensis</i>	Eastern Redbud	FACU
<i>Cornus florida</i>	Flowering Dogwood	FACU
<i>Fagus grandifolia</i>	American Beech	FACU
<i>Ilex opaca</i>	American Holly	FACU
<i>Liriodendron tulipifera</i>	Tulip Poplar	FACU
Shrubs and Woody Vines		
<i>Ligustrum sinense</i>	Chinese Privet	FACU
<i>Lonicera tatarica</i>	Tatarian honeysuckle	FACU
<i>Rosa multiflora</i>	Multiflora Rose	FACU
<i>Rubus phoenicolasius</i>	Wine Raspberry	FACU
<i>Toxicodendron radicans</i>	Eastern Poison Ivy	FAC
Herbaceous		
<i>Allium canadense</i>	Meadow Garlic	FACU
<i>Lonicera japonica</i>	Japanese Honeysuckle	FACU
<i>Polystichum acrostichoides</i>	Christmas Fern	FACU
<i>Microstegium vimineum</i>	Japanese Stilt Grass	FAC

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** The indicator status of a species indicates the probability that the species will occur in a wetland, as follows: Obligate Upland (UPL, <1%), Facultative Upland (FACU, 1-33%), Facultative (FAC, 34-66%), Facultative Wetland (FACW, 67-99%), and Obligate Wetland (OBL, >99%) in accordance with the National List of Plant Species that Occur in Wetlands: National Summary (2012). NI means no wetland indicator is available.*

REGULATORY DISCUSSION

The USACE - Norfolk District and the Virginia Department of Environmental Quality (DEQ) have implemented the State Programmatic General Permit (SPGP) program to streamline the permit process and avoid duplication of agency review. For those projects impacting less than 0.1-acres of non-tidal wetlands and less than 300 linear feet of stream bed a Nationwide permit from the USACE can be obtained for most projects. For those projects impacting greater than 0.1-acres of wetlands and 300-1,500 linear feet of stream bed, a General Permit can be obtained from DEQ. All SPGP permit applications are reviewed by the USACE but the permit authorization comes solely from DEQ. Notification of potential impacts should be filed with DEQ by completing the Joint Permit Application (JPA) form which is submitted to the Virginia Marine Resources Agency (VMRC) and DEQ. Upon receipt the VMRC distributes the JPA to the other resource agencies (USACE, VDEQ, etc.) for review and comment. Compensatory mitigation for unavoidable impacts to non-tidal Waters and wetlands will generally be provided at a ratio of 2:1 for forested wetlands, 1.5:1 for scrub/shrub wetlands, 1:1 for emergent wetlands, and a site-specific ratio based on the Unified Stream Methodology assessment for streams. Mitigation can include: the purchase or use of mitigation bank credits; wetland preservation; preservation of upland buffers; and in-lieu-fee contribution to the Virginia Aquatic Resources Trust Fund.

PROCEEDINGS

With your authorization, we will contact the USACE to schedule a field meeting to conduct a wetlands and Waters boundary confirmation and jurisdictional determination. This process takes an average of six to eight weeks depending on the availability of USACE personnel. Once we have determined potential impacts we can assist you with permitting options and support to complete the process. In the interim, we recommend further review of state and federal agency records pertaining to Section 7 (Federal Endangered Species Act) and Section 106 (National Historic Preservation Act). These reviews will generally be required to verify compliance for either the Nationwide Permit (NWP) or General Permit conditions.

Attachment D

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August 5, 2022
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TNT would like to thank you for the opportunity to provide you with this wetland delineation. We look forward to assisting you further with this project and other environmental concerns you may have. If you have any questions, please feel free to contact us at any time at (703) 466-5123.

Sincerely,

TNT ENVIRONMENTAL, INC.



Jillian S. Moore, PWD, PWS, ISA-CA
Senior Wetland Scientist
Jillian@TNTenv.com



Avi M. Sareen, PWD, ISA-CA
Principal/President
Avi@TNTenv.com

Appendices:

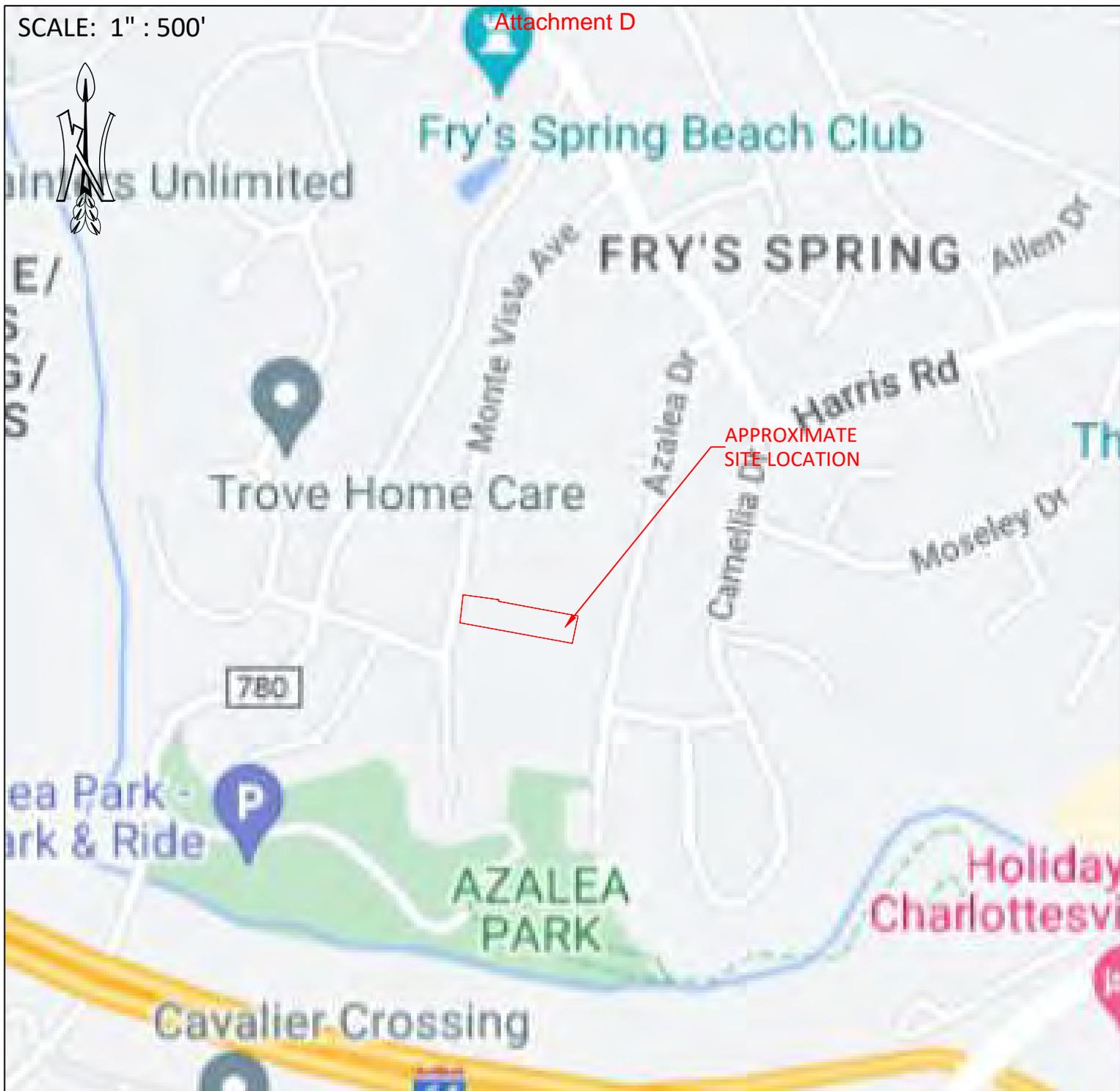
- Appendix I: Vicinity Map & USGS Topographic Map
- Appendix II: National Wetland Inventory Map & NRCS Soil Map
- Appendix III: Wetland Data Sheets
- Appendix IV: Photographs
- Appendix V: Wetlands and Waters of the U.S. Delineation Map

APPENDIX I

**VICINITY MAP &
USGS TOPOGRAPHIC MAP**

SCALE: 1" : 500'

Attachment D



WETLAND DELINEATION
REPORT

AZALEA SPRINGS

CITY OF CHARLOTTESVILLE,
VIRGINIA

AUGUST 2022

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**4455 BROOKFIELD
CORPORATE DRIVE,
SUITE 100
CHANTILLY, VIRGINIA 20151**

FIGURE 1

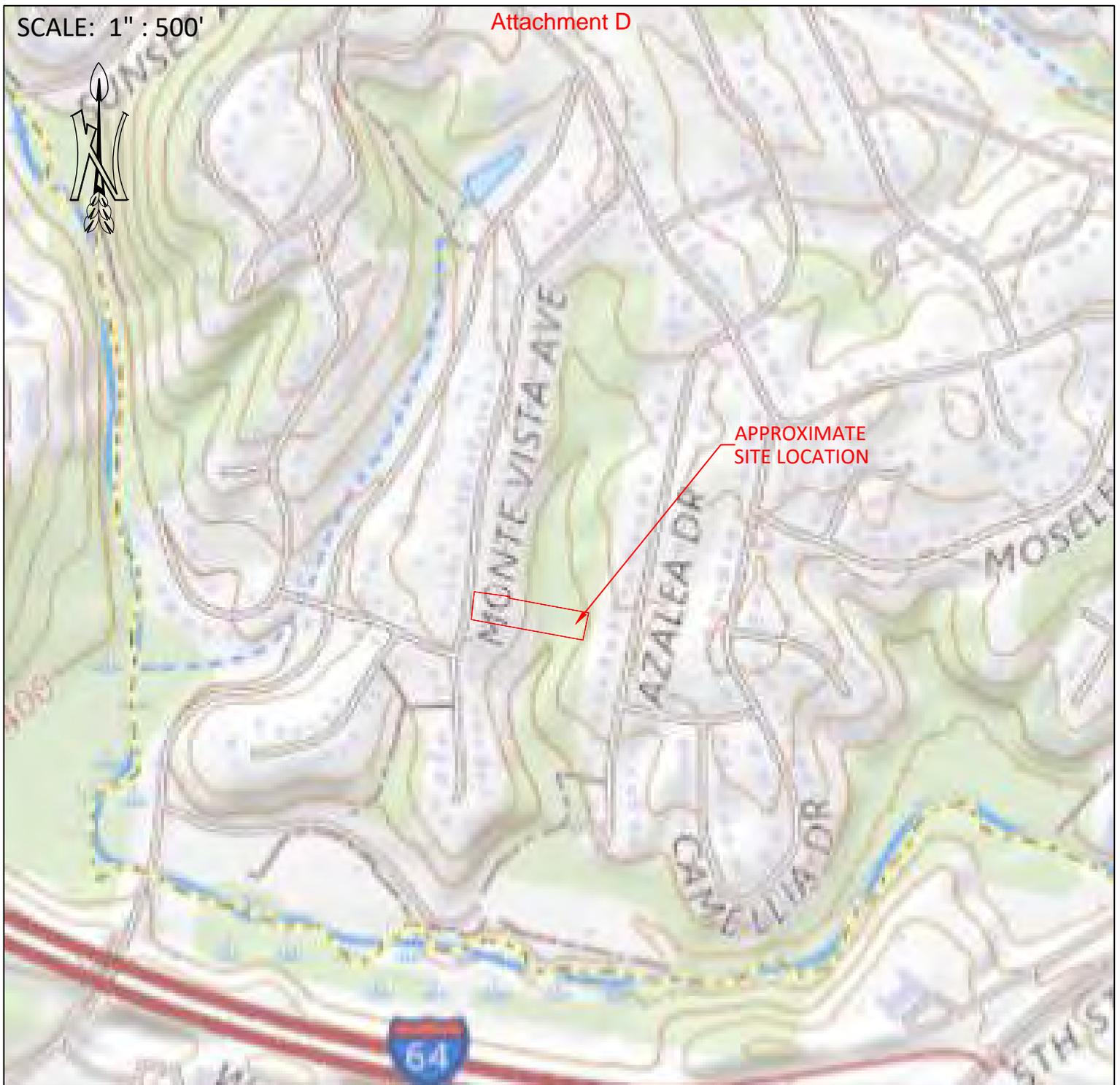
SITE LOCATION MAP

SOURCE: GOOGLE MAPS

TNT PROJECT NO: 1548-B

SCALE: 1" : 500'

Attachment D



APPROXIMATE
SITE LOCATION

**WETLAND DELINEATION
REPORT**

AZALEA SPRINGS

**CITY OF CHARLOTTSVILLE,
VIRGINIA**

AUGUST 2022

N:\Templates\TNT LOGO.jpg

**4455 BROOKFIELD
CORPORATE DRIVE,
SUITE 100
CHANTILLY, VIRGINIA 20151**

FIGURE 2

**CHARLOTTSVILLE WEST, VA
USGS TOPOGRAPHIC MAP**

**SOURCE: USGS *THE
NATIONAL MAP* (2021)**

TNT PROJECT NO: 1548-B

APPENDIX II

**NATIONAL WETLAND INVENTORY MAP &
NRCS SOILS MAP**

National Wetland Inventory

Attachment D

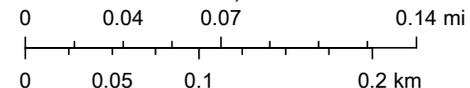


August 4, 2022

National Wetlands Inventory

- | | | | |
|-------------------------------------------------------------------------------------|-----------------------------------|---------------------------------------------------------------------------------------|----------|
|  | Freshwater Emergent Wetland |  | Lake |
|  | Freshwater Forested/Shrub Wetland |  | Other |
|  | Estuarine and Marine Wetland |  | Riverine |
|  | Freshwater Pond | | |

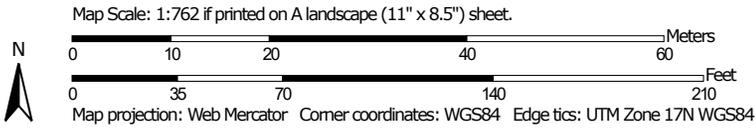
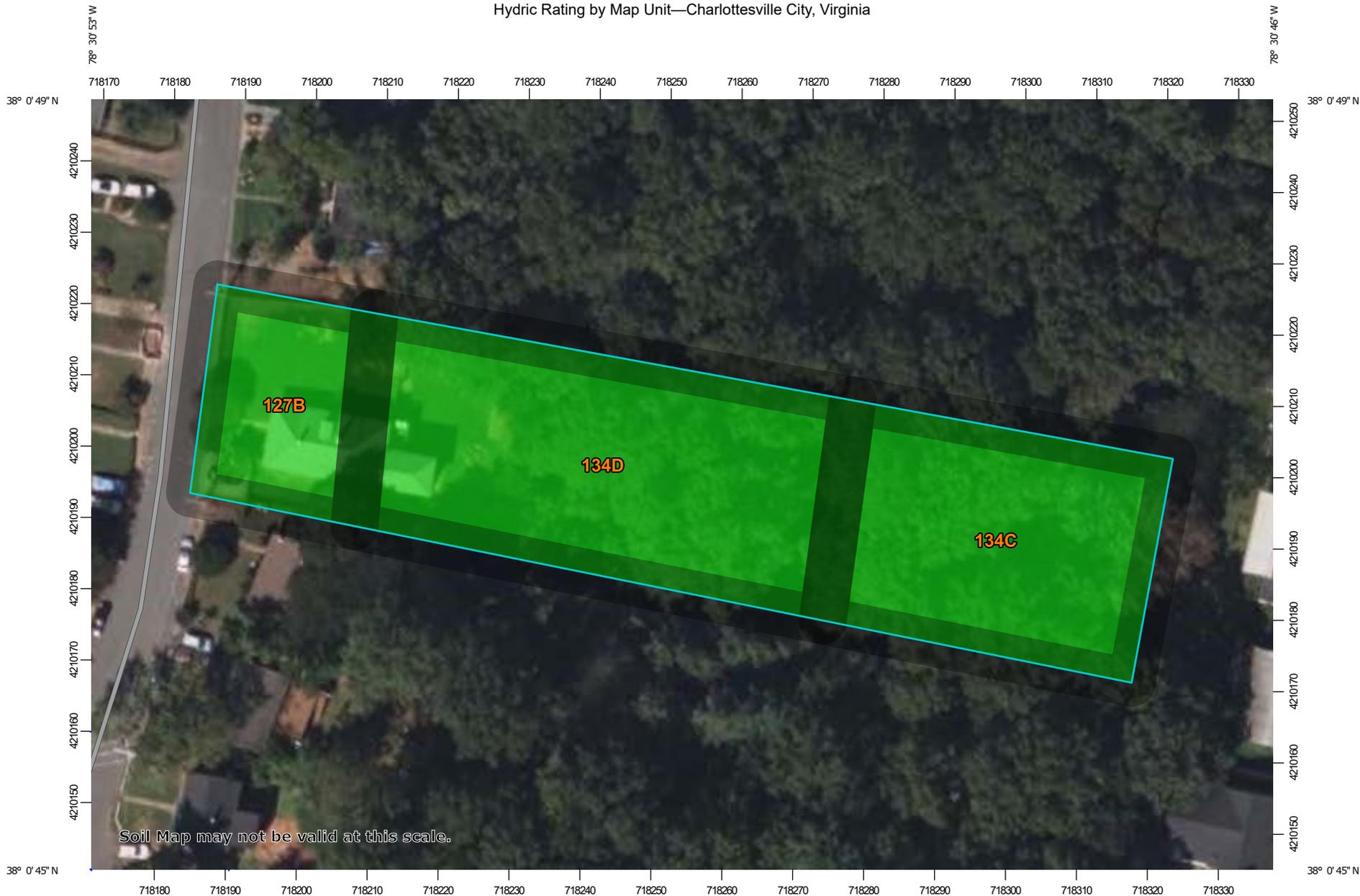
1:5,492



Esri Community Maps Contributors, WVU Facilities, City of Charlottesville, County of Albemarle, VGIN, West Virginia GIS, © OpenStreetMap, Microsoft

Attachment D

Hydric Rating by Map Unit—Charlottesville City, Virginia



Attachment D

Hydric Rating by Map Unit—Charlottesville City, Virginia

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

Soil Rating Polygons

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available

Soil Rating Lines

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available

Soil Rating Points

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Charlottesville City, Virginia
Survey Area Data: Version 8, Sep 1, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 8, 2020—Sep 23, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
127B	Elioak - Urban land complex, 2 to 7 percent slopes	0	0.2	16.4%
134C	Glenelg - Urban land complex, 7 to 15 percent slopes	0	0.4	34.1%
134D	Glenelg - Urban land complex, 15 to 25 percent slopes	0	0.5	49.6%
Totals for Area of Interest			1.0	100.0%

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

APPENDIX III

WETLAND DATA SHEETS

Attachment D

WETLAND DETERMINATION DATA FORM – Eastern Mountains and Piedmont Region

Project/Site: Azalea Springs City/County: Charlottesville/Albemarle Sampling Date: 2022-07-15
 Applicant/Owner: Stanley Martin Homes State: Virginia Sampling Point: DP-1
 Investigator(s): TNT Environmental, Inc. - M. Sellers and K. Simpson Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Stream Terrace Local relief (concave, convex, none): None Slope (%): 2
 Subregion (LRR or MLRA): S 148 Lat: 38.0131913 Long: -78.5138734 Datum: WGS 84
 Soil Map Unit Name: Glengel - Urban land complex (134D) NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <input checked="" type="checkbox"/> Hydric Soil Present? Yes _____ No <input checked="" type="checkbox"/> Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland? Yes _____ No <input checked="" type="checkbox"/>
Remarks: <p style="font-size: 1.2em; margin-top: 10px;">DP-1 is located in an upland forest in the eastern portion of the site.</p>	

HYDROLOGY

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one is required; check all that apply)</u> ___ Surface Water (A1) ___ True Aquatic Plants (B14) ___ High Water Table (A2) ___ Hydrogen Sulfide Odor (C1) ___ Saturation (A3) ___ Oxidized Rhizospheres on Living Roots (C3) ___ Water Marks (B1) ___ Presence of Reduced Iron (C4) ___ Sediment Deposits (B2) ___ Recent Iron Reduction in Tilled Soils (C6) ___ Drift Deposits (B3) ___ Thin Muck Surface (C7) ___ Algal Mat or Crust (B4) ___ Other (Explain in Remarks) ___ Iron Deposits (B5) ___ Inundation Visible on Aerial Imagery (B7) ___ Water-Stained Leaves (B9) ___ Aquatic Fauna (B13)	<u>Secondary Indicators (minimum of two required)</u> ___ Surface Soil Cracks (B6) ___ Sparsely Vegetated Concave Surface (B8) ___ Drainage Patterns (B10) ___ Moss Trim Lines (B16) ___ Dry-Season Water Table (C2) ___ Crayfish Burrows (C8) ___ Saturation Visible on Aerial Imagery (C9) ___ Stunted or Stressed Plants (D1) ___ Geomorphic Position (D2) ___ Shallow Aquitard (D3) ___ Microtopographic Relief (D4) ___ FAC-Neutral Test (D5)
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Field Observations: Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No indicators of hydrology were observed at DP-1

Attachment D

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: DP-1

	Absolute % Cover	Dominant Species?	Indicator Status		
Tree Stratum (Plot size: <u>30 ft r</u>)					
1. <u>Liriodendron tulipifera</u>	<u>60</u>	<input checked="" type="checkbox"/>	<u>FACU</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>7</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>28.6</u> (A/B)	
2. <u>Acer rubrum</u>	<u>20</u>	<input checked="" type="checkbox"/>	<u>FAC</u>		
3. <u>Fagus grandifolia</u>	<u>20</u>	<input checked="" type="checkbox"/>	<u>FACU</u>		
4. _____					
5. _____					
6. _____					
7. _____					

100% = Total Cover 50% of total cover: <u>50.0</u> 20% of total cover: <u>20.0</u>				Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>105</u> x 3 = <u>315</u> FACU species <u>112</u> x 4 = <u>448</u> UPL species <u>15</u> x 5 = <u>75</u> Column Totals: <u>232</u> (A) <u>838</u> (B) Prevalence Index = B/A = <u>3.61</u>	
Sapling/Shrub Stratum (Plot size: <u>15 ft r</u>)					
1. <u>Ilex crenata</u>	<u>15</u>	<input checked="" type="checkbox"/>	<u>UPL</u>		
2. <u>Ligustrum sinense</u>	<u>15</u>	<input checked="" type="checkbox"/>	<u>FACU</u>		
3. <u>Lonicera tatarica</u>	<u>10</u>	<input checked="" type="checkbox"/>	<u>FACU</u>		
4. _____					
5. _____					
6. _____					
7. _____					
8. _____					
9. _____					
40% = Total Cover 50% of total cover: <u>20.0</u> 20% of total cover: <u>8.0</u>				Hydrophytic Vegetation Indicators: <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain)	
Herb Stratum (Plot size: <u>5 ft r</u>)					
1. <u>Microstegium vimineum</u>	<u>80</u>	<input checked="" type="checkbox"/>	<u>FAC</u>		
2. <u>Asimina triloba</u>	<u>5</u>		<u>FAC</u>		
3. <u>Polystichum acrostichoides</u>	<u>5</u>		<u>FACU</u>		
4. <u>Ilex crenata</u>	<u>2</u>		<u>FACU</u>		
5. _____					
6. _____					
7. _____					
8. _____					
9. _____					
10. _____					
11. _____					
92% = Total Cover 50% of total cover: <u>46.0</u> 20% of total cover: <u>18.4</u>				Definitions of Four Vegetation Strata: Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vine – All woody vines greater than 3.28 ft in height.	
Woody Vine Stratum (Plot size: <u>30 ft r</u>)					
1. _____					
2. _____					
3. _____					
4. _____					
5. _____					
_____ = Total Cover 50% of total cover: _____ 20% of total cover: _____					Hydrophytic Vegetation Present? Yes _____ No <input checked="" type="checkbox"/>
Remarks: (Include photo numbers here or on a separate sheet.)					

Hydrophytic vegetation is not dominant at DP-1.

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0 - 7	10YR 4/6	100					Silt Loam	
7 - 12	7.5YR 4/6	100					Silt Loam	
12 - 16	7.5YR 3/2	100					Silt Loam	
-								
-								
-								
-								
-								
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-								
-								
-								
-								
-								
-								
-								
¹ Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.					² Location: PL=Pore Lining, M=Matrix.			
Hydric Soil Indicators:			Indicators for Problematic Hydric Soils³:					
<input type="checkbox"/> Histosol (A1)			<input type="checkbox"/> Dark Surface (S7)			<input type="checkbox"/> 2 cm Muck (A10) (MLRA 147)		
<input type="checkbox"/> Histic Epipedon (A2)			<input type="checkbox"/> Polyvalue Below Surface (S8) (MLRA 147, 148)			<input type="checkbox"/> Coast Prairie Redox (A16)		
<input type="checkbox"/> Black Histic (A3)			<input type="checkbox"/> Thin Dark Surface (S9) (MLRA 147, 148)			<input type="checkbox"/> (MLRA 147, 148)		
<input type="checkbox"/> Hydrogen Sulfide (A4)			<input type="checkbox"/> Loamy Gleyed Matrix (F2)			<input type="checkbox"/> Piedmont Floodplain Soils (F19)		
<input type="checkbox"/> Stratified Layers (A5)			<input type="checkbox"/> Depleted Matrix (F3)			<input type="checkbox"/> (MLRA 136, 147)		
<input type="checkbox"/> 2 cm Muck (A10) (LRR N)			<input type="checkbox"/> Redox Dark Surface (F6)			<input type="checkbox"/> Very Shallow Dark Surface (TF12)		
<input type="checkbox"/> Depleted Below Dark Surface (A11)			<input type="checkbox"/> Depleted Dark Surface (F7)			<input type="checkbox"/> Other (Explain in Remarks)		
<input type="checkbox"/> Thick Dark Surface (A12)			<input type="checkbox"/> Redox Depressions (F8)					
<input type="checkbox"/> Sandy Mucky Mineral (S1) (LRR N, MLRA 147, 148)			<input type="checkbox"/> Iron-Manganese Masses (F12) (LRR N, MLRA 136)					
<input type="checkbox"/> Sandy Gleyed Matrix (S4)			<input type="checkbox"/> Umbric Surface (F13) (MLRA 136, 122)					
<input type="checkbox"/> Sandy Redox (S5)			<input type="checkbox"/> Piedmont Floodplain Soils (F19) (MLRA 148)					
<input type="checkbox"/> Stripped Matrix (S6)			<input type="checkbox"/> Red Parent Material (F21) (MLRA 127, 147)					
Restrictive Layer (if observed):								
Type: _____								
Depth (inches): _____								
						Hydric Soil Present? Yes _____ No <input checked="" type="checkbox"/>		
Remarks: Indicators of hydric soil were not observed at DP-1.								

APPENDIX IV
PHOTOGRAPHS



Photograph 1: View of DP-1 taken within the forested uplands, taken west of the perennial stream.



Photograph 2: Upstream view of the perennial stream on site.



Photograph 3: Downstream view of the perennial stream on site.



Photograph 4: View of the existing residence in the western third of the property.



Photograph 5: View to the upland forest in the undeveloped central and eastern portion of the property.

APPENDIX V

**WETLANDS AND WATERS OF THE U.S.
DELINEATION MAP**

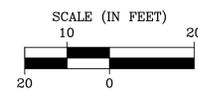
- NOTES:
1. THE WETLAND DELINEATION WAS CONDUCTED BY TNT ENVIRONMENTAL, INC. (TNT) IN JULY 2022. EXISTING CONDITION, TOPOGRAPHY AND WETLAND FLAGS WERE SURVEYED BY ROUDABUSH, GALE & ASSOCIATES, INC.
 2. THE WETLAND AND OTHER WATERS BOUNDARIES DEPICTED HEREON ARE PRELIMINARY UNTIL CONFIRMED DURING A JURISDICTIONAL DETERMINATION WITH THE US ARMY CORPS OF ENGINEERS (USACE).
 3. THE STREAM ASSESSMENTS CONDUCTED ARE BASED ON THE NORTH CAROLINA DIVISION OF WATER QUALITY "METHODOLOGY FOR IDENTIFICATION OF INTERMITTENT AND PERENNIAL STREAMS AND THEIR ORIGINS" VERSION 4.11, DATED SEPTEMBER 1, 2010.
 4. THIS DELINEATION WAS PERFORMED PER THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, TECHNICAL REPORT Y-87-1 (1987 MANUAL) AND SUBSEQUENT GUIDANCE AND MODIFICATION BY THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: EASTERN MOUNTAINS AND PIEDMONT REGION (VERSION 2.0) DATED APRIL 2012. THE STUDY AREA IS APPROXIMATELY 1 ACRE; AS SUCH THE ROUTINE ON-SITE WETLAND DETERMINATION METHOD FOR SITES LESS THAN 5 ACRES WAS USED.

SUMMARY OF FEDERALLY JURISDICTIONAL WATERS (INCLUDING WETLANDS)				
AR ID	R6 (LF)	R6 (AC)	R3 (LF)	R3 (AC)
1	-	-	103	0.01
2	136	0.01	-	-
Total	136	0.01	103	0.01

AR- Aquatic Resource; R6 - Ephemeral Stream; R3 - Upper Perennial Stream

LEGEND

- PERENNIAL WATERS (R3)
- EPHEMERAL WATERS (R6)
- APPROX. DATAPPOINT LOCATION
- STUDY AREA
- *SITE-SPECIFIC STREAM BUFFER / RESOURCE PROTECTION AREA (RPA)



REVISIONS	
DATE	COMMENTS

Attachment E



Western Virginia Regulatory Section

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

March 5, 2018

NAO 2018-00379

Rick Beyer
Azalea Cottages, LLC
660 Hunters Place, Suite 101
Charlottesville, Virginia 22911

Dear Ms. Junco:

This letter is in regard to your request for a preliminary jurisdictional determination for waters of the U.S. (including wetlands) located near Azalea Drive, Charlottesville, Virginia.

The map (attached) shows the location of waters of the U.S. on the property listed above. The basis for this delineation includes application of the Corps' 1987 Wetland Delineation Manual and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region and the positive indicators of wetland hydrology, hydric soils, and hydrophytic vegetation and the presence of an ordinary high water mark.

Discharges of dredged or fill material, including those associated with mechanized landclearing, into waters and/or wetlands on this site may require a Department of the Army permit and authorization by state and local authorities including a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ), a permit from the Virginia Marine Resources Commission (VMRC) and/or a permit from your local wetlands board. This letter is a confirmation of the Corps preliminary jurisdiction for the waters and/or wetlands on the subject property and does not authorize any work in these areas. Please obtain all required permits before starting work in the delineated waters/wetland areas.

This is a preliminary jurisdictional determination and is therefore not a legally binding determination regarding whether Corps jurisdiction applies to the waters or wetlands in question. Accordingly, you may either consent to jurisdiction as set out in this preliminary jurisdictional determination and the attachments hereto if you agree with the determination, or you may request and obtain an approved jurisdictional determination. This preliminary jurisdictional determination and associated wetland delineation map may be submitted with a permit application.

The property in the attached drawings do not require Department of the Army (DA) authorization pursuant to Section 404 of the Clean Water Act (CWA) as the proposed activities (trail/path) will not involve a discharge of dredged or fill material into Waters of the United States, including wetlands.

Please note that we are relying on the information and data provided by the applicant as well as a site visit with the applicant. If such information and data subsequently prove to be materially false or materially incomplete, this no permit required determination may be suspended or revoked and/or the Government may institute appropriate legal proceedings. Please obtain all required State and local approvals prior to commencing with any work on the subject property.

Attachment E

Enclosed is a copy of the "Preliminary Jurisdictional Determination Form". Please review the document, sign it and return one copy to the Corps, within 30 days of receipt and keep one for your records. This delineation of waters and/or wetlands is valid for a period of five years from the date of this letter unless new information warrants revision prior to the expiration date.

If you have any questions, please contact me at 434.973.0568 or Vincent.d.pero@usace.army.mil.

Sincerely,

**PERO.VINCENT.D.12707
78255**

Digitally signed by PERO.VINCENT.D.1270778255
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,
ou=USA, cn=PERO.VINCENT.D.1270778255
Date: 2018.03.06 06:52:44 -05'00'

Vincent D. Pero
Western Virginia Regulatory Section

Enclosures:
Wetland/Waters Delineation Map
Preliminary Jurisdictional Determination Form

Attachment E

BELLEVUE AVE STREAM DETERMINATION VICINITY MAP SHOWING PROPERTY 03-05-2016

VICINITY MAP SCALE: 1"=1,500'

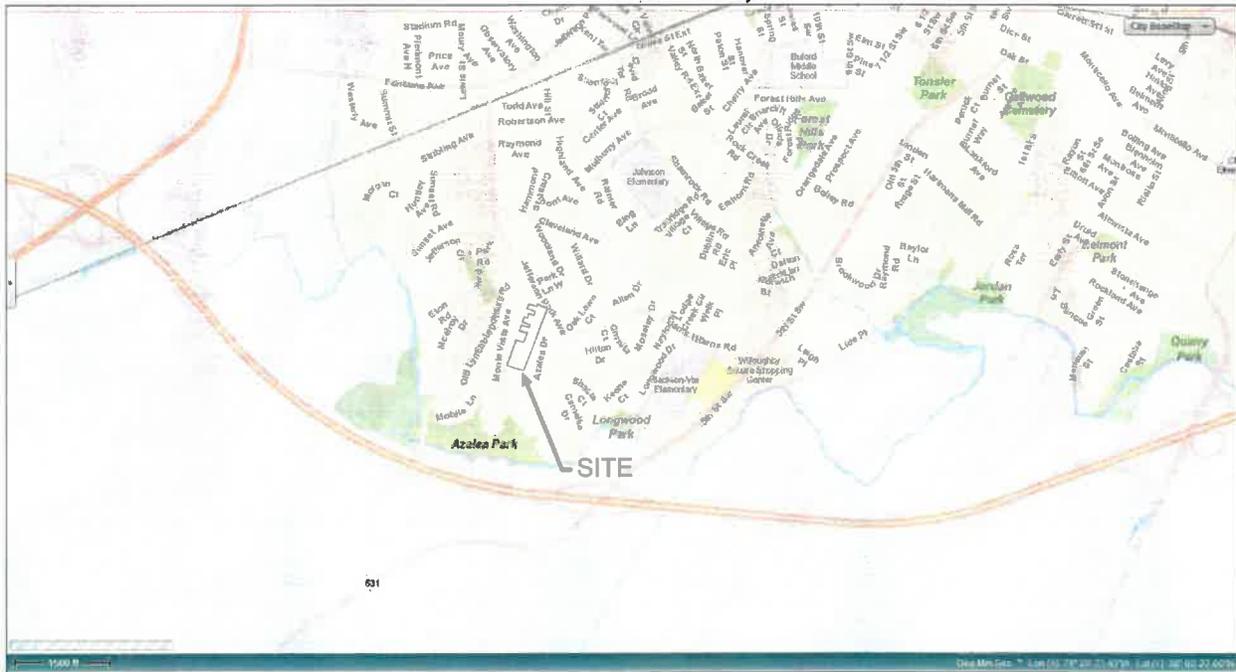
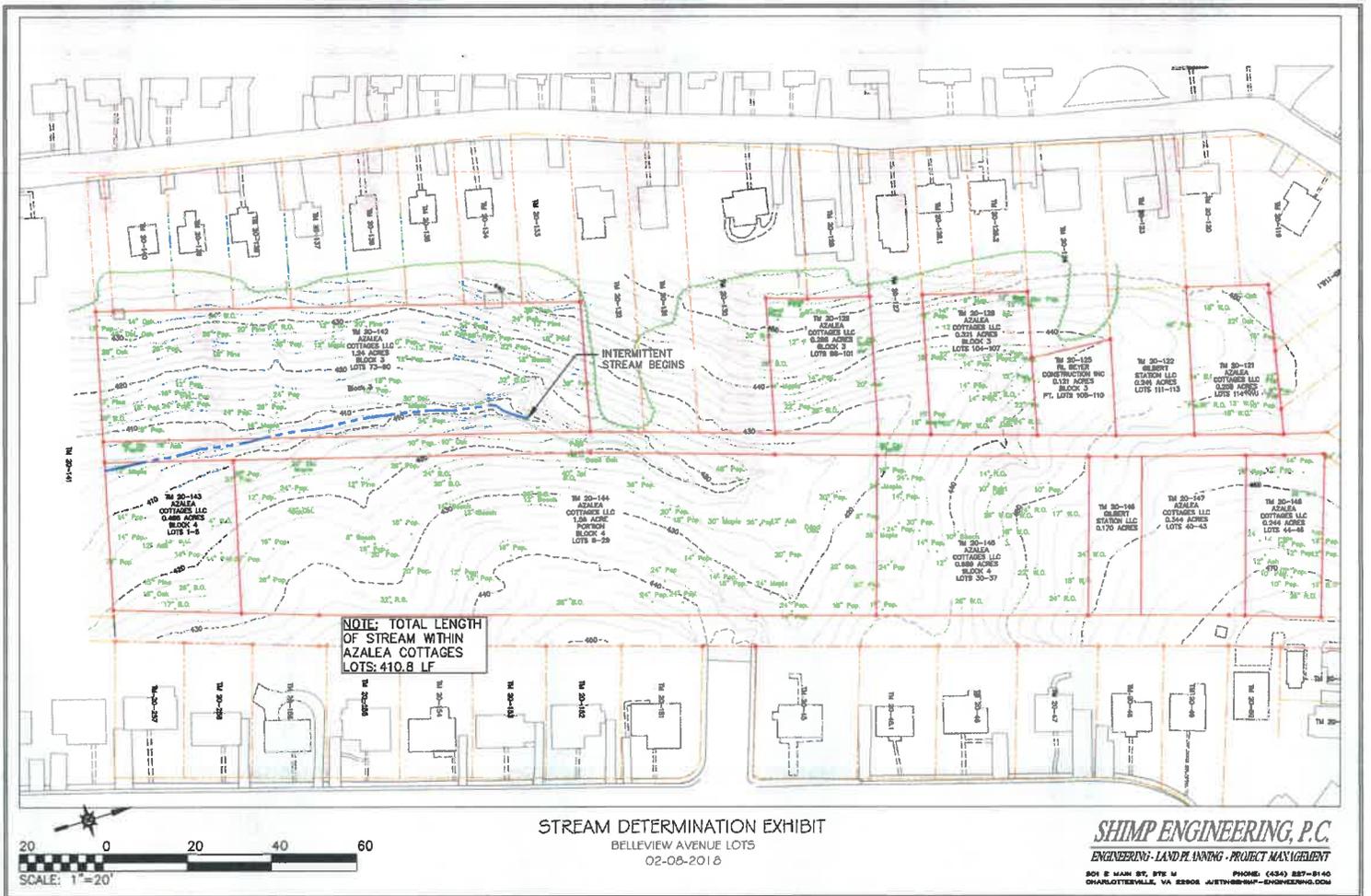


IMAGE PROVIDED BY CITY OF CHARLOTTESVILLE GIS

SHIMP ENGINEERING, P.C.
ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
207 E MAIN ST. STE 14 CHARLOTTEVILLE, VA 22902
PHONE: (634) 237-8140
JUSTIN@SHIMP-ENGINEERING.COM

Attachment E



City of Charlottesville
Department of Neighborhood Development Services
Staff Report



**Summary and Discussion of the Entrance Corridor Review Board's
Role and Responsibilities**

Planning Commission Regular Meeting
Date of Planning Commission Meeting: December 13, 2022

Note: This is an informal discussion only. No action will be taken.

ERB Staff report prepared by: Jeff Werner, AICP, Preservation and Design Planner

Relevant Code Section

Per Chapter 34 (Zoning), Article II (Overlay Districts), Division 3 (Entrance Corridor Overlay Districts), the Planning Commission serves as the Entrance Corridor Review Board (ERB) responsible for administering the design review process in Entrance Corridor (EC) Overlay Districts. The ERB reviews design Certificate of Appropriateness (CoA) requests associated with the exterior design of new buildings, applying the adopted design guidelines (links below). [Note: There is no review for interior work or alterations/construction that is not visible from the EC. Exterior alterations to existing buildings are typically reviewed administratively.] The ERB is also responsible for recommendations to Council regarding proposed changes to the ECs [including zoning text and map amendments], requests for Special Use Permits (SUP), and Comprehensive Signage Plans (CSP) within an EC, and recommending to Council updates and revisions to the EC Design Guidelines. Additionally, on behalf of the ERB, design staff reviews EC CoA requests [administratively, as allowed by code], site plans, [exterior] building permits, and signage permit applications.

Sec. 34-306. - Purpose.

The entrance corridor overlay district is intended to implement the comprehensive plan goal of protecting the city's historic, architectural and cultural resources, by ensuring a quality of development compatible with those resources through design control measures. The purposes of this article are to stabilize and improve property values; to protect and enhance the city's attractiveness to tourists and other visitors; to sustain and enhance the economic benefits accruing to the city from tourism; to support and stimulate development complimentary to the prominence afforded properties and districts having historic, architectural or cultural significance; all of the foregoing being deemed to advance and promote the health, safety and welfare of the general public.

Links to EC Code Sections

- EC Overlay Districts: [City Code EC Overlay Districts](#)
- Signs: [City Code Sign Regulations](#)

Links to EC Design Guidelines

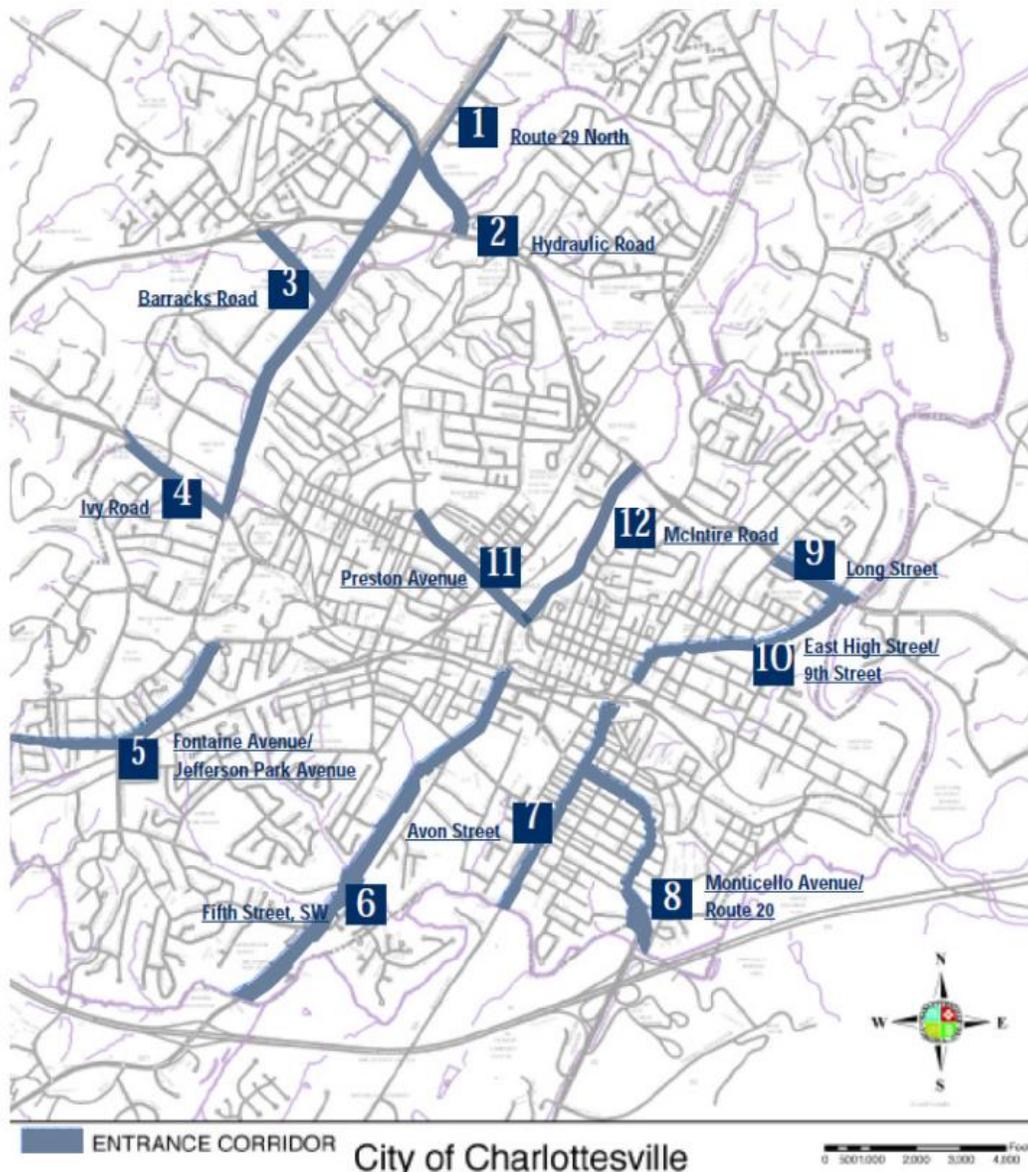
- [EC Design Guidelines Chap 1 Introduction](#)

- [EC Design Guidelines Chap 2 Streetscape](#)
- [EC Design Guidelines Chap 3 Site](#)
- [EC Design Guidelines Chap 4 Buildings](#)
- [EC Design Guidelines Chap 5 Corridor Plans](#)

Background

The City has designated twelve significant routes of tourist access as Entrance Corridors to ensure design review a quality of development compatible with the City’s historic, architectural and cultural resources. In 2003, by ordinance, the Planning Commission was designated as the ERB. The Entrance Corridor Design Guidelines were adopted by Council in 2005 and most recently updated in 2011.

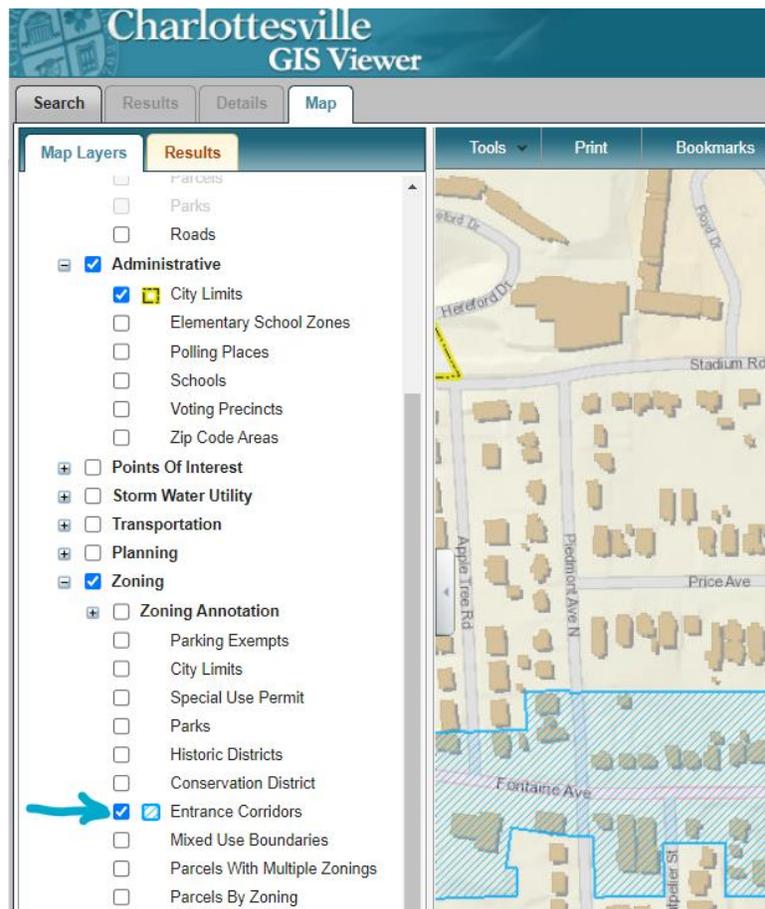
A. DESIGNATED ENTRANCE CORRIDORS IN CHARLOTTESVILLE



When established, only parcels with frontage on the primary street were designated as being within the EC Overlay District. (Map below is a section of the Fontaine Ave/JPA EC.)



EC parcels can be identified using the City’s GIS Viewer. On the Map page, using the Map Layers tab, under Zoning toggle on the Entrance Corridors layer.



Relevant chronology

- 1988: City develops an Urban Design Plan, focused on the entrance corridors, downtown, West Main Street, and the University Corner.
- 1989: Historic preservation chapter added to Comprehensive Plan
- 1991: Amended Zoning Ordinance establishes Entrance Corridor Historic Overlay Districts for twelve corridors leading to the City’s historic areas. (Renamed *Entrance Corridor Overlay Districts* in 2003).
- 1993: City adopts the Historic Preservation Plan, intended to protect historic resources and guide preservation activities. Plan summarizes the current conditions, recommends strategies for increasing preservation awareness and activity.
- 2003: Zoning Ordinance amended to incorporate historic preservation and EC provisions. Planning Commission designated as the Entrance Corridor Review Board (ERB).
- 2005: Entrance Corridor (EC) Design Guidelines adopted.
- 2011: Entrance Corridor Design Guidelines updated. (Links above)
- 2013: Comprehensive Plan updated. In the Historic Preservation & Urban Design chapter, Goal #8 states: *Ensure quality of development in the City’s designated entrance corridor overlay districts compatible with the city’s historic, architectural, and cultural resources.* (Link: [2013 Comprehensive Plan](#))
- 2021: Comprehensive Plan updated. In the Land Use, Urban Form, and Historic & Cultural Preservation chapter, Goal #7 states: *Ensure that the quality of development in Charlottesville’s designated Entrance Corridor Overlay Districts is compatible with the City’s requirements and standards, and with the adjacent neighborhood’s historic, architectural, and cultural resources, while allowing for reuse of structures and evolution of uses in these areas.* (Link: [2021 Comprehensive Plan](#))

Review Activity

Requests for design CoAs, Special Use Permits, and Comprehensive Signage Plans within the Entrance Corridors are infrequent, with most of the design reviews approved administratively. In fact, many EC-related questions are resolved during the review of the site plan or building permit, without requiring a separate EC submittal or application.

Over the last decade, in an average year the ERB will formally review only five requests (CoAs, SUPs, and CSPs) with eight requests (CoAs) addressed administratively. (In contrast, in an average year, design staff will present over 80 requests to the BAR.)

Entrance Corridor Review Board (2012-2022)

EC Reviews	ERB	Admin	Total
Annual Average	5	8	13

Board of Architectural Review (2012-2022)

Historic District Reviews	BAR	Admin	Total
Annual Average	84	19	103

Examples of EC reviews

Special Use Permit (ERB)

Chick-Fil-A BRSC, 1000 Emmet Street North

Fast food restaurant. SUP for drive-through window

December 10, 2019: ERB recommended no adverse impact.

See page 4 of: [Chick-Fil-A BRSC SUP Dec 10 2019](#)

2005 JPA

Apartment building. SUP for additional height.

May 10, 2022: ERB recommended the increased height will result in an adverse impact, but the impact can be mitigated during design review process.

See page 6 of: [2005 JPA SUP May 10 2022](#)

Design Review (ERB)

Wawa 5th Street

Retail store and gas service

May 10, 2022: CoA approved

See page 6 of: [Wawa 5th Street May 10 2022](#)

Dairy Central Phase 2, 946 Grady Avenue.

Apartment building.

November 13, 2018: CoA approved

See page 124 of: [Dairy Central Phase 2 Nov 13 2018](#)

Comprehensive Signage Plan (ERB)

Hillsdale Place, 1800 Hydraulic Road

September 10, 2019: ERB recommended Council approve CSP with modifications.

See page 90 of: [Hillsdale Place CSP Sept 10 2019](#)

Sentara, 920 East High Street

July 12, 2022: ERB recommended Council approve the CSP.

See page 6 of: [Sentara CSP July 12 2022](#)

Administrative Design Review (Staff)

KFC, 1705 North Emmet Street

Fast food restaurant. Exterior alterations (See attached)

February 10, 2020: CoA approved

Warby-Parker, 1039 North Emmet Street

Store in Barracks Road Shopping Center. Storefront Alterations. (See attached)

January 14, 2022: CoA Approved

Looking Forward

- Design review CoA for 2005 JPA.
- Anticipated update of the CSP for Barracks Road Shopping Center.

- Revise/update the design guidelines following the updates to zoning ordinance. [Note: Regardless of the ordinance revisions, updates to the design guidelines, adopted in 2011, are overdue. Per Sec. 34-308(b): “The ERB shall undertake a comprehensive review and update its design guidelines at least once every five (5) years.”]

Attachments

- City Code re: Entrance Corridors
- Examples of Administrative Reviews

- CODE
Chapter 34 - ZONING
ARTICLE II. - OVERLAY DISTRICTS
DIVISION 3. ENTRANCE CORRIDOR OVERLAY DISTRICTS

DIVISION 3. ENTRANCE CORRIDOR OVERLAY DISTRICTS

Sec. 34-306. Purpose.

The entrance corridor overlay district is intended to implement the comprehensive plan goal of protecting the city's historic, architectural and cultural resources, by ensuring a quality of development compatible with those resources through design control measures. The purposes of this article are to stabilize and improve property values; to protect and enhance the city's attractiveness to tourists and other visitors; to sustain and enhance the economic benefits accruing to the city from tourism; to support and stimulate development complimentary to the prominence afforded properties and districts having historic, architectural or cultural significance; all of the foregoing being deemed to advance and promote the health, safety and welfare of the general public.

(9-15-03(3))

Sec. 34-307. Applicability.

- (a) Subject to subsection (b), below, entrance corridor overlay districts are hereby established upon and along the following arterial streets or highways, which are deemed by the city council to be significant routes of tourist access to the city, or to designated historic landmarks, buildings, structures or districts within the city ("EC streets"):
- (1) Route 29 North from the corporate limits to Ivy Road;
 - (2) Hydraulic Road from the corporate limits to the 250 Bypass;
 - (3) Barracks Road from the corporate limits to Meadowbrook Road;
 - (4) Ivy Road from the corporate limits to Emmet Street;
 - (5) Fontaine Avenue/Jefferson Park Avenue from the corporate limits to Emmet Street;
 - (6) Fifth Street, SW from the corporate limits to the beginning of the Ridge Street Architectural Design Control District;
 - (7) Avon Street from the corporate limits to the CSX Railroad tracks;
 - (8) Monticello Avenue/Route 20 from the corporate limits to Avon Street;
 - (9) Long Street from the corporate limits to St. Clair Avenue;
 - (10) East High Street/9th Street from Long Street to East Market Street;
 - (11) Preston Avenue from McIntire Road to Rosser Avenue; and
 - (12) McIntire Road, from Preston Avenue to Route 250.

-
- (b) Entrance corridor overlay districts are hereby established upon the lots and parcels of land contiguous to the streets and highways enumerated within subsection (a), above, from the edge of the right-of-way to the full depth of the lot or parcel, as the lot or parcel existed on the date the adjacent EC street was designated.
 - (c) The entrance corridor overlay districts are hereby established over the existing zoning district classifications of the land contiguous to the streets and highways enumerated within subsection (a), above. The regulations set forth within this article shall apply to all such land, in addition to the regulations of the underlying zoning district and in addition to other generally applicable zoning ordinance provisions (e.g., generally applicable standards governing parking, lighting, landscaping, signs, etc.). In the event of a conflict between the regulations set forth within this article and those set forth within the regulations of the underlying zoning district classification, or elsewhere within this zoning ordinance, the more restrictive regulation shall govern.

(9-15-03(3))

Sec. 34-308. Review board.

- (a) The provisions of this article shall be administered by an entrance corridor review board ("review board" or "ERB") hereby created by the city council. The city's planning commission shall serve as the review board.
 - (1) The meetings of the ERB shall be held at the call of its chair or at such times as a quorum of the board may determine.
 - (2) The ERB shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact.
 - (3) All records of official actions shall become part of the permanent records of the ERB.
 - (4) The ERB shall choose annually its own chair and vice-chair, who shall act in the absence of the chair.
 - (5) The ERB may, from time to time, adopt and amend bylaws for the regulation of its affairs and the conduct of its business.
 - (6) The ERB may, from time to time, recommend areas for designation as entrance corridor overlay districts and may also recommend removal of any such designation.
 - (7) The ERB shall serve in an advisory capacity to city council and the board of zoning appeals in rezonings, special use permits, site plans, subdivisions, variances and other matters within entrance corridor overlay districts.
 - (8) The ERB shall be responsible for issuance of certificates of appropriateness required by this article.
- (b) The ERB shall develop and recommend to the city council for its approval design guidelines for the entrance corridor overlay districts ("Entrance Corridor Design Guidelines"), consistent with the purposes and standards set forth within this article. The ERB shall develop such guidelines in consultation with the city's director of neighborhood

development services and after seeking input from business and property owners in the various overlay districts. Guidelines developed by the ERB shall become effective upon approval by city council and thereafter shall have the status of interpretive regulations. The ERB shall undertake a comprehensive review and update its design guidelines at least once every five (5) years. Until the initial guidelines have been completed and approved, the ERB shall apply the design guidelines developed by the city's BAR for the entrance corridor districts.

(9-15-03(3); 9-7-21(1) , § 2)

Sec. 34-309. Certificates of appropriateness.

- (a) The following shall require a certificate of appropriateness issued in accordance with this division:
- (1) All improvements requiring a building permit (but for which no site plan is required), other than single- or two-family dwellings where the work requiring the building permit (i) is new construction, or (ii) represents an addition or modification of 25% or more of the gross area of an existing building or structure.
 - (2) Regardless of whether a building permit is required: (i) signs; and (ii) installations or replacements of roof coverings, windows, doors or siding on any building or structure, any part of which, once installed, will be visible from an EC street referenced in section 34-307(a) above, other than those installed on a single- or two-family dwelling.
 - (3) All development requiring a site plan.
- (b) All applications for the certificates required by subparagraphs (a)(1) or (a)(2) above, shall be reviewed and approved administratively by the director. If administrative approval is granted the applicant shall post a notice of such approval on the subject property. If the application is denied the director shall mail or hand-deliver notice of their decision to the applicant. In either case, the applicant or any other aggrieved party shall have ten (10) working days from the date of the director's decision to appeal the decision to the ERB; no certificate shall be issued prior to expiration of the ten-day period.
- (c) All applications for the certificates required by subparagraph (a)(3) above shall be reviewed and approved by the ERB following the process set forth within sections 34-310 through 34-313.
- (1) The ERB shall approve or disapprove an application and, if approved, shall issue a certificate of appropriateness with any reasonable conditions as it may deem necessary to ensure compliance with this division. Failure of the ERB to act upon an application within sixty (60) days from the date of its original submission shall be deemed to constitute approval of the application.
 - (2) Nothing contained in this subsection shall be deemed to compromise, limit, or otherwise impair the planning commission in its exercise of preliminary or final site plan review as set forth within Article VII, section 34-800, et seq. of this zoning ordinance.

-
- (3) It is the express intent of the city council in enacting the provisions of this subsection that matters related to public health and safety, as may be defined by the planning commission, shall prevail over issues within the purview of the ERB.
- (d) Notwithstanding the foregoing provisions of this section, no certificate of appropriateness shall be required for the following activities:
- (1) Interior alterations to a building or structure.
 - (2) Construction of ramps and other modifications to serve the handicapped.
 - (3) Repair and maintenance of buildings or structures which are non-conforming for failure to comply with the provisions of this article.
 - (4) General maintenance of buildings or structures, where no substantial change in design or materials is proposed.
 - (5) Additions or modifications to a building or structure, where no substantial change in design or materials is proposed, as determined by the director of neighborhood development services or their designee.
- (e) Once issued, a certificate of appropriateness shall be binding upon the proposed development, as to any conditions of issuance specified therein. The certificate shall certify that the proposed development (subject to any conditions stated within the certificate) is consistent with the design guidelines applicable to the specific EC street. Signature by the zoning administrator upon a final site plan or building permit, as the case may be, shall constitute such certification.
- (f) The validity period of a certificate of appropriateness shall be as follows:
- (1) A certificate of appropriateness associated with a project for which a valid site plan is not required shall expire and become void eighteen (18) months from the date of approval by the entrance corridor review board, unless a building permit to construct the authorized improvements or activities has been issued; or, if no building permit is required, unless construction of the authorized improvements or activities has substantially commenced.
 - (2) The validity period of a certificate of appropriateness associated with a project for which a valid site plan is required shall be consistent with that of the approved preliminary and final site plan pursuant to sections 34-822 and 34-825, except a certificate of appropriateness shall expire and become void eighteen (18) months from the date of approval by the entrance corridor review board if preliminary site plan approval has not been granted, or upon revocation of an approved preliminary site plan or expiration of an approved final site plan.
 - (3) Prior to the expiration of a certificate of appropriateness, upon written request and for reasonable cause, the director of neighborhood development services or the entrance corridor review board may extend the validity of any such certificate for a period not to exceed one (1) year.

(9-15-03(3); 6-6-05(2); 7-18-11; 7-16-12; 9-7-21(1) , § 2)

Sec. 34-310. Standards for considering certificates of appropriateness.

The review board, the city council on review of an application, and the director in conducting an administrative review, shall consider the following features and factors in determining the appropriateness of proposed construction, reconstruction, alteration or restoration of buildings or structures pursuant to this article:

- (1) Overall architectural design, form, and style of the subject building or structure, including, but not limited to: the height, mass and scale;
- (2) Exterior architectural details and features of the subject building or structure;
- (3) Texture, materials and color of materials proposed for use on the subject building or structure;
- (4) Design and arrangement of buildings and structures on the subject site;
- (5) The extent to which the features and characteristics described within paragraphs (1)—(4), above, are architecturally compatible (or incompatible) with similar features and characteristics of other buildings and structures having frontage on the same EC street(s) as the subject property.
- (6) Provisions of the Entrance Corridor Design Guidelines.

(9-15-03(3))

Sec. 34-311. Sign standards.

Signs within any entrance corridor overlay district shall comply with the standards set forth within Article IX, section 34-1020, et seq.

(9-15-03(3))

Sec. 34-312. Application requirements.

- (a) Application for a certificate of appropriateness pursuant to this division shall be filed with the director of neighborhood development services by the owner, contract purchaser, or lessee of the property, or by the authorized agent of any such person, of the subject property.
 - (1) A complete application shall include all plans, maps, studies, reports, photographs, drawings, building elevations, and other informational materials which may be reasonably required in order to make the determinations called for in a particular case.
 - (2) [*Reserved.*]
 - (3) Each application for a certificate of appropriateness shall be accompanied by the required application fee, as set forth within the most recent zoning fee schedule approved by city council.

-
- (b) The director shall establish submission deadlines for applications. For purposes of this division a complete application shall be deemed to be "officially submitted" on the date of the next submission deadline following the date on which the application was received by the director.
- (c) Each application shall include a landscaping plan, for the uses described following below.
- (1) For development subject to site plan review, such plan shall meet the requirements set forth below as well as those required within Article VII, section 34-867.
 - (2) For other applications, the landscaping plan shall consist of drawings, documents and information sufficient to allow the director to determine whether the following requirements are satisfied:
 - a. *Uses to be screened:* Parking lots, loading areas, refuse areas, storage areas, detention ponds and mechanical equipment shall be screened from view from the adjacent EC street.
 - b. *Standards for screening:* When required, screening shall consist of the following:
 - (i) A planting strip of vegetation or trees, an opaque wall, an opaque fence or a combination of these.
 - (ii) Where only vegetative screening is provided, such screening strip shall not be less than twenty (20) feet in depth and shall consist of a double staggered row of evergreen trees on fifteen-foot centers, a minimum of five (5) feet in height when planted, or a double staggered row of evergreen shrubs on five-foot centers, a minimum of twenty-four (24) inches in height when planted. Alternative methods of vegetative screening may be approved by the ERB or the director in connection with approval of a certificate of appropriateness.
 - (iii) Where a fence or wall is provided for screening, it shall be a minimum of six (6) feet in height with planting required at ten-foot intervals along such structure.
 - (3) *Landscaping.* All nonresidential uses, including parking lots and vehicular display areas, shall have all of the street frontage, exclusive of driveways and walkway connections, landscaped with trees and other varieties of plant material at least eighteen (18) inches in height at maturity. The tree varieties shall conform to those recommended in the city's list of approved plantings. All uses shall have the side and rear property edges defined with a fence, wall or curbed planting strip of trees and other plantings a minimum of twenty-four (24) inches in height at maturity.
- (d) Each application shall include information about proposed lighting. Lighting fixtures shall be harmonious with the character of existing and proposed structures fronting along the EC street, and shall not exceed the height of any buildings on the site. Further, lighting shall comply with the provisions of Article IX, Division 3, section 34-100, et seq.

(9-15-03(3); 6-6-05(2); 7-16-12)

Sec. 34-313. ERB review process.

Following receipt of a complete application requiring review by the ERB, the director shall forward the application, together with all accompanying informational materials, to the ERB. Upon receipt of an application, the review board shall schedule a hearing on the application.

- (1) Notice of the hearing shall be provided to the applicant and to other persons in the same manner as set forth within section 34-284(a).
- (2) Written notice of the hearing shall also be provided to each member of the city council, at least (10) days in advance of the hearing. Such notice may be hand-delivered, mailed or transmitted via electronic communication.
- (3) The notices required by this subsection shall state the type of use or development proposed, the specific location of such use or development, and a general description of the appearance and materials proposed for the development which is the subject of the application.

(9-15-03(3))

Sec. 34-314. Appeals.

- (a) Following approval of an application by the ERB, the director of neighborhood development services, or any aggrieved person, may note an appeal of that decision to the city council, by filing a written notice of appeal with the clerk of city council within ten (10) working days of the date of the decision. If no such appeal is noted, then upon the expiration of the ten-day appeal period the director of neighborhood development services shall issue the approved certificate of appropriateness.
- (b) Upon denial of an application (approval of an application with conditions, over the objections of the applicant, shall be deemed a denial) the applicant shall be provided written notice of the decision, including a statement of the reasons for the denial or for the conditions to which the applicant objects. Following a denial, the applicant, the director of neighborhood development services, or any aggrieved person may appeal the decision to the city council, by filing a written notice of appeal with the clerk of city council within ten (10) working days of the date of the decision.
- (c) In any review of an ERB decision the city council shall review the application as if the application had come before it in the first instance. Any aggrieved person, shall be given an opportunity to be heard on the appeal. City council may consider any information or opinions relevant to the application which is the subject of such decision, including, but not limited to, those provided by the ERB.

(9-15-03(3); 6-6-05(2))

Secs. 34-315—34-325. Reserved.

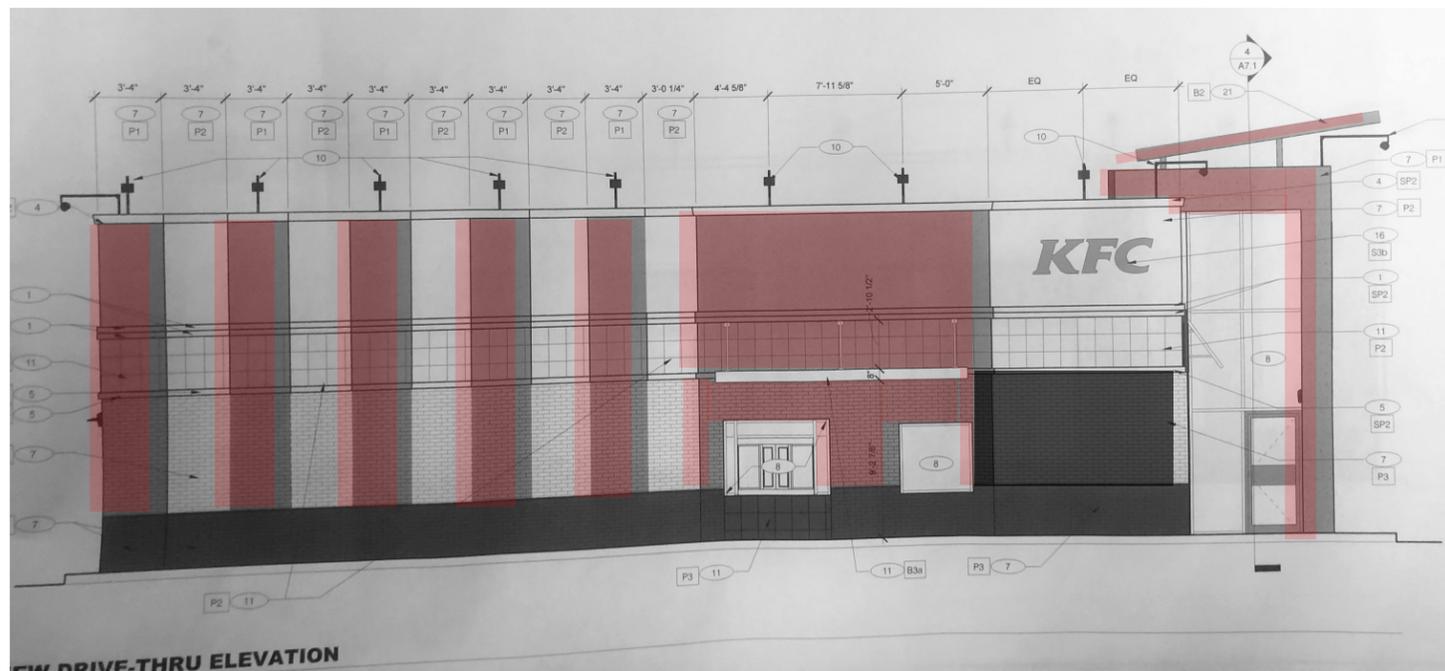
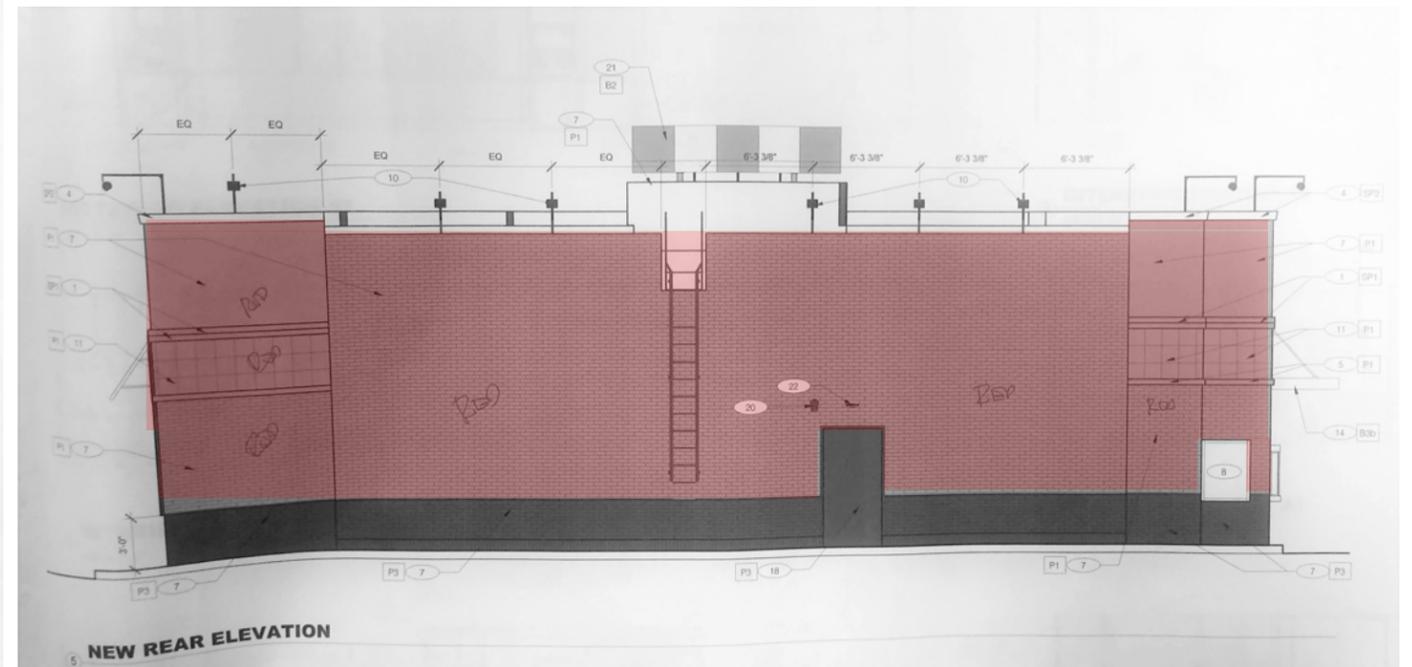
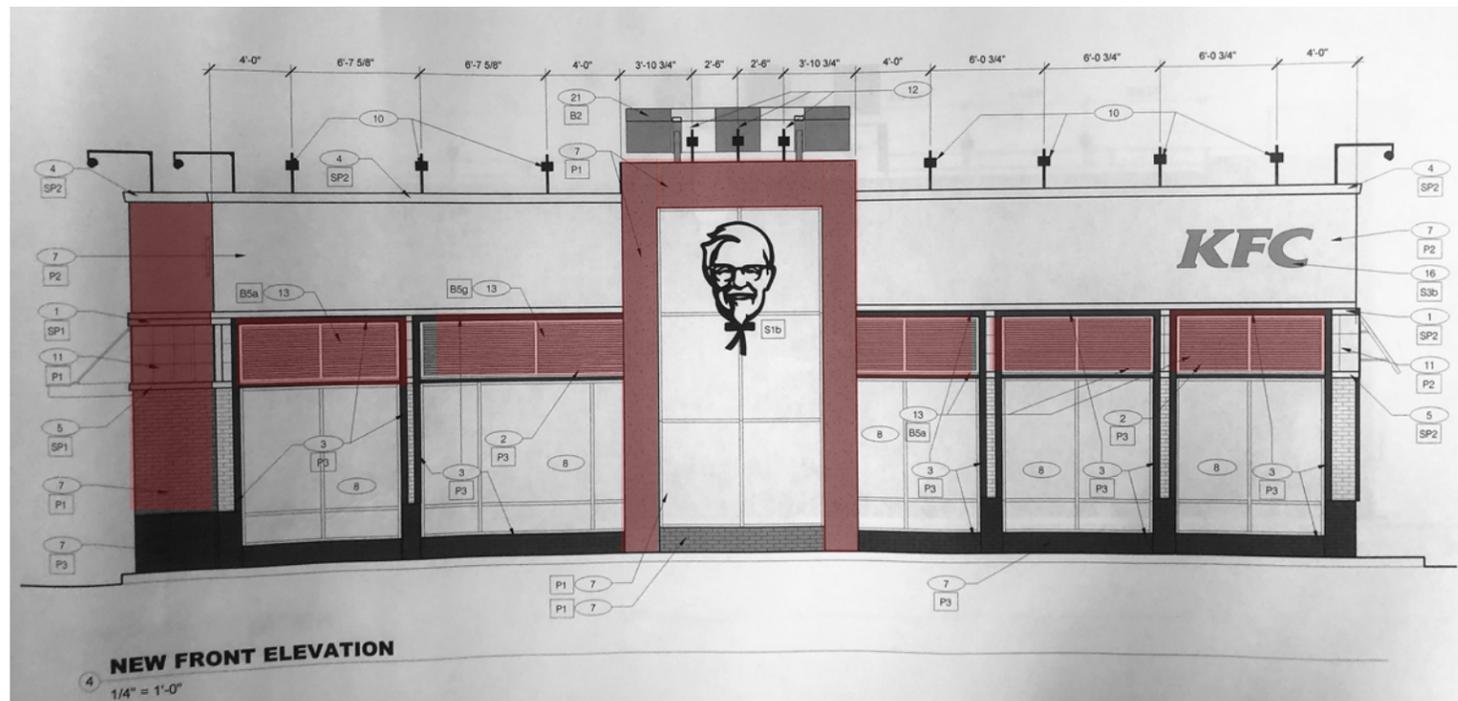
Administrative review:

KFC N. Emmet Street - Exterior alterations

1705 North Emmet St

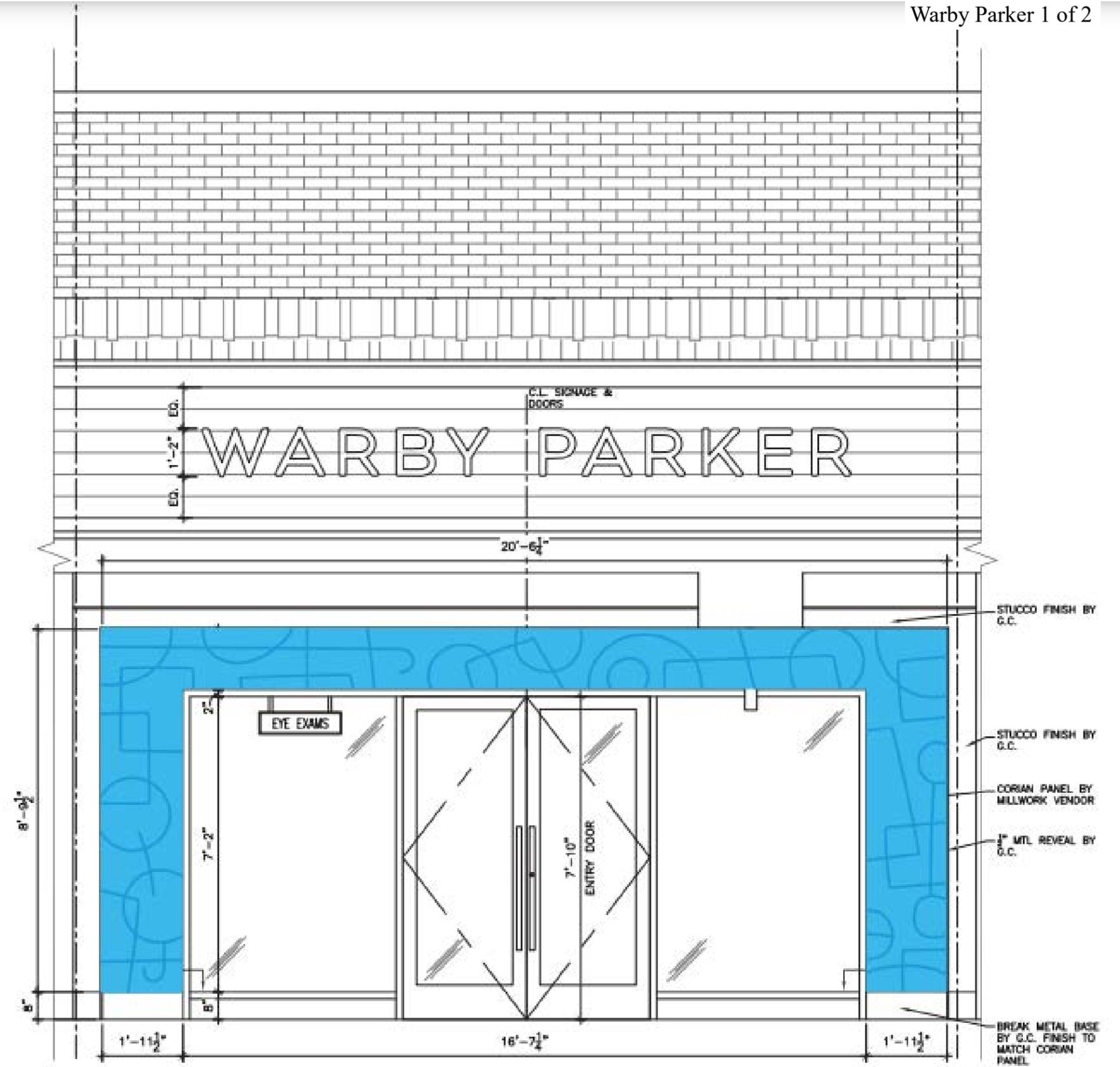
CoA approved February 10, 2020

Initial Color Palette (approximate) - January 8, 2020



Administrative Review:

Warby Parker - Barracks Road - Storefront Alterations
1039 Emmet St N (BRSC South (formerly Lou Lou's))
CoA approved January 14, 2022



Planning Commission/ City Council Work Session

September 27, 2022 5:30 PM to 7:30 PM

Hybrid Meeting – City Space

Members/Councilors Present: Chairman Solla-Yates, Councilor Pinkston, Commissioner Russell, Commissioner Schwarz, Councilor Magill (Zoom), Mayor Snook, Vice-Mayor Wade, Commissioner Stolzenberg, Commissioner Habbab, Commissioner Palmer, Commissioner Mitchell, Councilor Payne

Staff Present: Patrick Cory, Missy Creasy, James Freas, Remy Trail, Lisa Robertson, Alex Ikefuna (Zoom), Carrie Rainey, Michael Rogers (Zoom), Sam Sanders (Zoom)

The Chairman called the work session to order at 5:30 PM.

1. Presentation – Zoning Diagnostic and Approach Report and Inclusionary Zoning Analysis

James Freas, NDS Director – This is a big milestone for this project. This marks the end of a first phase of a zoning rewrite project and the beginning of the next phase. This is the third part of our Cville Plans Together Program, which began with our Affordable Housing Plan, which was adopted in March, 2021. The Comprehensive Plan was adopted last November.

Next Slide – Meeting Purpose

Our goal for tonight is to answer your questions, get your feedback on these documents we have been working on and been talking about over this summer, and most importantly to get your ‘go ahead’ to move onto the drafting of the ordinance and map. We are not adopting zoning tonight. We don’t need to resolve any details. What we do need to do is to get the overview question from you. Are we generally on the right track as far as adopting zoning that will advance us in the implementation of the Comprehensive Plan and Affordable Housing Plan?

Next Slide – Zoning Diagnostic + Approach Report

In June, we released the Zoning Diagnostic and Approach Report. This provided an overview of the different ideas, strategies, and approaches that we’re proposing to bring our zoning into consistency with our adopted Comprehensive Plan.

Next Slide – Draft Inclusionary Zoning Analysis

In August, we released the Draft Inclusionary Zoning Analysis. This analysis looked at the creation of the exclusionary zoning recommendations, basically to include affordable housing in development as it happens. It also included a “Rate of Change” analysis, which is looking at how the housing market might respond to this new zoning within the General Residential Medium Intensity Residential Districts. It builds on the zone for more affordable housing chapter of the Zoning Approach and Diagnostic Report.

Next Slide – Outreach & Engagement

Over the summer, we have been involved in a lot of different activities. I want to thank everybody who was involved in this process over the course of the summer. We had a little over 200 people come to our open house event at The Pavilion in June. We have done a whole range of events. There is a lot of information here about the education materials we’ve done, the various communications methods, the

in-person activities, door to door work in different neighborhoods, and popup tables at a number of events. We got feedback in a lot of different ways, both online and in person. In particular, we did a number of neighborhood and group meetings. For those, I want to thank the organizers of those for inviting us into their communities to give us their feedback and ideas.

Next Slide – Community Feedback Themes

Across the board and no matter what one’s perspective on the details of this work, there was widespread support for the idea that we need more affordable housing and more housing options in the city. We also had questions about the need for clarity around what we mean when we say house-scaled, concerns and interest in seeing more around tree preservation, historic preservation, stormwater management, parking, a significant emphasis on the connection between zoning and climate change, desire to see more focus on multimodal transportation options, and how we can promote and support those with the zoning ordinance and a lot of conversation around the particular inclusionary zoning proposals that we made. There will be more conversations about that.

Next Slide – Residential District Testing

The residential district testing was our method for testing potential zoning tools for infill residential development looking at the General Residential and Medium Intensity Residential areas in particular. The scenarios that were developed for that were meant to illustrate the maximum development potential understanding that is not necessarily the likely development of any given lot. We know that there are always going to be physical and financial considerations that will limit the development of any individual lot in the real world. There is some information here about some of the things we learned in that analysis including the idea of dividing up zoning districts into house-scaled districts, medium-scaled districts, creating variable requirements, or separate districts for what we have identified as the sensitive areas within the Comprehensive Plan.

Next Slide – Updates

Relative to what we updated, we added new scenarios allowing curvilinear and cul de sac streets. It is something we heard clearly from the Planning Commission. We hope those were useful. We provided some clarification on what it means for a building to be house-scaled.

Next Slide – Better Zoning Standards

This covers a wide range of topics from how we measure height to setbacks and how the ordinance would be administered are included in this section. Overall, what is very clear is that our existing ordinance is built on a greenfield development model. It is geared towards that type of development and responds well to that. Most of the development we see in the city is infill and redevelopment activity. We really need a zoning ordinance that is geared towards that type of development and responds to the types of issues that arise when you’re doing infill developments/development on tight urban lots or redevelopment of existing properties. One of the things I want to highlight here is the importance of the ease of use of our new zoning ordinance. We want a zoning ordinance that is readily accessible to the average resident of the city so that people can pick this up and understand what they can do or what can happen in their neighborhood.

Next Slide – Updates

There are a number of updates related to this section. We clarified that the existing tree policies in the zoning ordinance would largely stay in place. We clarified what it means for zoning standards to be flexible in order to support more housing development. We want to make a clear statement that our historic preservation rules within the zoning ordinance (the historic districts and conservation districts) are remaining untouched. We're not proposing any changes to those as they exist.

Next Slide – Key Questions

This is where two of the three key questions we have identified for discussion tonight can be found. The first of these have to do with parking minimums. Looking at the issue of parking minimums or eliminating parking minimums and looking at the issue of subdivision. In particular, what are the minimum lot sizes required in association with the subdivision of property in the city?

Next Slide – Zoning for More Housing Affordability

The most significant part of the report on inclusionary zoning was this issue of zoning for housing affordability. The diagnostic and approach report took a high level look at this. The inclusionary zoning really digs deeper because it proposes the actual inclusionary zoning program as we have proposed it today.

Next Slide – Zoning Tools for Affordability

Coming out of the Affordable Housing Plan and the Comprehensive Plan, we're really looking at the five zoning tools on the right.

1. Allowing more units on every lot that is zoned for a single unit today.
2. Allowing more rental and ownership options.
3. Identifying and creating more zoning incentives to increase affordability
4. Inclusionary zoning ordinance.
5. A tool kit to avoid displacement in at-risk communities

Next Slide – Inclusionary Zoning Recommendations

The inclusionary zoning recommendation that is included in the report calls for a mandatory inclusionary zoning component. This is a requirement for projects that are ten or more units in size. Ten percent of those units must be affordable at 60% of Area Median Income level for a term of 99 years or effectively into perpetuity. Those units must be effectively indistinguishable from the other units within the project. We're proposing this for the entirety of the city, not excluding any districts and not varying in relation to districts. That is all of the residential districts and the mixed use districts. It is for ten units or more where there is nine or fewer units, it would be voluntary. The incentives attached to this are a 25% density bonus for projects that are ten units or greater. Nine or less is a two unit bonus in the General Residential Medium Density and a parking reduction of up to 50%. What is important is whether or not you can accommodate that density bonus or those parking reductions on your site. Whether you choose to use the parking reduction or you can accommodate the additional density on your site, the building requirement is mandatory as we are proposing in this.

Next Slide – Examples

These are examples that show how that would look. You see the 5 unit project on the right. You see a 3 unit project at its base: an additional unit plus an additional affordable unit. Nine units have the same basic concept. The 60 unit development on the far right.

Next Slide – Updates

We aren't proposing any updates at this time.

Next Slide – Key Questions

In terms of key questions, there's a really important question here around this idea that has come in through the community comments and was included with a petition proposing the idea that in the General Residential area up to medium intensity densities be allowed across all the General Residential area where all the additional units are affordable at some level.

Next Slide – Timeline

This is the culmination of this first phase. We now move into the drafting of the ordinance. We're anticipating in the January timeframe to be releasing a draft zoning document and map and entering a review and comment phase for that work with a goal ultimately of a final draft of the zoning ordinance and zoning map in front of the Planning Commission and City Council in the spring of 2023.

Commissioner Stolzenberg – You previously talked about having three different drafts. Is this a change to that?

Mr. Freas – No. This is not a change to that. I am hedging to a certain degree. What we're looking at is likely releasing the zoning ordinance in three chunks within a short timeframe, January into early February. We still have some work to do on solidifying that schedule and how we're going to structure that.

Commissioner Mitchell – Can you talk about yield on cost? It looks like for a project to be feasible, we need 6.7 to 7 percent yield cost. How exactly is that calculated? Over what number of years do you need to achieve the 6.7 to 7 percent?

Phillip Kash, HR&A Consultant – When we looked at yield and cost, we were really looking at a For Sale property. That is pretty straightforward. For a rental property, we applied a capitalization rate. Basically, the valuing of the net operating income on the property, how much revenue it generates. If you were the property owner and you were going to sell it, what would you make at that sale? Yield and cost is more applicable to the For Sale property. We also looked at the internal rate of return and cap rates when looking at rental properties.

Commissioner Mitchell – That is event driven as opposed to the month-to-month operating yield; the event being the actual sale of the property.

Commissioner D'Oronzio – The way to look at that is the price to return rate. If you're satisfied with a 5 percent cap rate, you're willing to invest twenty times that amount to get that property.

Commissioner Mitchell – At what point in the operation of the property do you realize that you're going to get there?

Mr. Kash – When it is stabilized.

Mr. D'ronzio – An investor looks to get a seven percent return once they have themselves sorted out the cost and what they have actually put in.

Councilor Magill – We keep running into this affordable housing issue of definition. We keep talking about AMI. For many people, that's very hard to translate into cost of an apartment. At 60 percent AMI, one person's income is \$39,360. One third of that income is what they should be spending on housing including utilities. The total amount they should be spending on a property for one person at 60 percent AMI should be no more than \$1,181.40. Questions around that are: What utilities are we including? How are we going to enforce that if these are rental properties in particular? It is easier to enforce that when it comes to sellable properties. That's a one-time set amount. If we're looking at rental properties, we're going to have to have people in place to make sure that is being enforced for the next 99 years.

Mr. Kash – If you have affordable rental properties, you're going to have to monitor the affordability requirements. That's true for all affordable housing. Someone has to monitor the requirements. Any time the city is investing money in affordable housing, somebody needs to be monitoring that. A lot of times, there's somebody else investing in the property. You can have agreements and share the monitoring costs. For exclusionary zoning, you won't be able to monitor costs because these costs are private transactions. In terms of the calculation on affordable rent, for a one bedroom, we don't necessarily map it to a single person. Those rents aren't going to exactly match up. With utilities, your housing authority has to put out utility numbers. You can use that as the backup. As you write policies and procedures, you can establish how you want to consider utilities. You will update the rents for all of your affordable units every year and how rents can go up for all your affordable units every year. You can peg it to low-income tax credit or federal standards so you don't have to do those calculations yourself. We'll probably end up recommending as an administrative policy. Rents do change with affordable properties annually.

Callahan Seltzer, Cville Plans Together – When referring to the administrative costs, our biggest recommendations when we did some work on the CAHF, in a similar way, some additional monitoring is going to be needed for affordability covenants particularly along into perpetuity covenants. That falls on such a small number of staff right now. What we see in other cities is a larger number of staff monitoring that over time so that it does have enforcement. If it doesn't have enforcement, it won't have 'teeth.'

Councilor Magill – I wanted to make sure that I was going around the right way. We talk about AMI. That is really hard for many people to understand and translate over to the actual dollars and cents of renting and utility costs. We are also recommending that we are following this with the HDA Guidelines that one-third of the AMI is given towards rent and utility costs and that additional caveat is put in there so it can be translatable to how much someone is spending out of pocket.

Councilor Pinkston – With the IZ presentation, all of the analysis that was cleverly and thoughtfully done with about 10,000 parcels with a general residential approach. Basically, we're looking at less than two percent of lots or parcels per year being infill developed with a general residential framework. Is that what it says?

Mr. Freas – That's correct. That's the general expectation

Mr. Kash – That's the top end of where we think the number will be. When we did our analysis, we looked at the suitability of the site, the market strengths, and whether it was financially feasible. There are all kinds of reasons why you won't see that happen as much. When you look at other places that have allowed for middle density, you don't see the volume that you might expect. That's one homeowner not making financial rational choices and still choosing to do single-family even if there's a way to make more money doing a multifamily development and development capacity to actually do it. I am sure that it feels like a lot of developers in Charlottesville, this would be many projects, hundreds

of projects. The development capacity in many markets take on these smaller projects lags. There are numerous other aspects about the site. We couldn't look at topography issues, slope, or easements related to water or non-suitable building sites that are also potentially going to take some parcels. The two percent is actually on the higher end. The other thing that goes on is that it is tied to the rate homeowners, occupants, and investors are selling their homes right now. When you up-zone like this, there's not a huge shift in homeowner behavior for the earlier reasons I stated. Homeowners are not economically rational. They are making decisions based on multiple factors. Even when there is massive appreciation in property, it doesn't tend to shift the rate people sell their house.

Councilor Pinkston – One takeaway that I took from that was the concern that many residents have in that the whole city is going to be infill developed. I don't think it is going to happen. If we want to get more, we have to get more aggressive with the proposals.

Mr. Freas – A lot of our objectives broadly within the Comprehensive Plan are going to be met, not just with zoning, but with other activities that might be more important than zoning. Zoning is a critical first step. It creates the opportunity that doesn't exist today. In terms of increasing production numbers, you guys already know that regarding city investment that is something you are already wrestling with and dealing with. It is going to require other moves as well as we go forward.

Councilor Pinkston – My takeaway was the fear that people have that the neighborhood is going to quickly change. That doesn't seem likely to happen.

Mr. Kash – That is correct. That is what our analysis shows. That has been how this has played out in other places. The pace of change is real. This is real change. It is not the radical change in their neighborhood that people are afraid of. It doesn't play out along those lines.

Commissioner Habbab – I saw that we probably still have to do cash in lieu option. Is that a state requirement? We still use those funds.

Mr. Freas – It is generally best practices inclusionary zoning that you do that.

Mr. Kash – I am not sure that state law requires it. It is a good thing to have. You can set the fee high if you want to encourage people to build on site. You can set the fee lower if you want to generate revenue to put into other projects. It can change over time. There might be a point in time when you really want to generate the revenue so you can pay for additional vouchers for other housing priorities. Where you set the fee really drives the behavior. If it is significantly more expensive to pay the fee, developers are pretty economically rational.

Commissioner Habbab – The other question I had was regarding the Floor Area Ratio calculation. How does that tie into our current FAR? How does that tie into what we're proposing?

Mr. Freas – It doesn't have to be Floor Area Ratio calculation. There are a number of different formulas out there.

Mr. Kash – You can do it as an FAR. You don't have to. You can tie it to bedrooms or units. In a lot of places we have done it, we have tied it to number of bedrooms so we don't create perverse incentives about building small units or building certain types of units. You can set the fee up. There is a wide range of ways to set the fee. You really do want to talk it through with your developers. You can incentivize bad behavior or have unintended consequences.

Commissioner Mitchell – The recommendations still suggest that we need to move critical slopes out of the zoning and to the water protection chapter. If we do that, what will be the role of the Planning Commission and what will be the role of Council? The reason I worry about that is that I still believe that we should still make recommendations and Council should still make the determination of whether the community benefits more from allowing the steep slope to be disturbed. The example that comes to mind is the Housing Authority on South First Street. Where are we on that? I am not willing to cede that.

Mr. Freas – My immediate response is that I look forward to hearing from your colleagues. Our perspective is that it depends on your objective with regards to critical slopes. As we have proposed at this point in time, looking at the critical slope policy, both as it is written and as it is implemented, our inclination is to shift that to a staff responsibility and make it part of the site plan review and stormwater review process. It is operating today effectively as a Special Use Permit in nature. It goes to the Planning Commission and City Council. If there are elements of what is accomplished in critical slopes that we want to roll into the zoning ordinance, we can consider that as well. That's where we are. We look forward to a discussion on that.

Commissioner Mitchell – The worry is that most of the development we're going to do is going to be infill development. Most of the infill development is going to be in difficult places to develop. I would rather leave it to elected officials to make the final decision about what we do in such critical areas of our community as opposed to a staff signoff.

Councilor Magill – I want to go back to affordable housing especially with the acceptance of Housing Choice vouchers. I know that legally everyone in the state has to accept Housing Choice vouchers. We all know there are ways of getting around that. One of the biggest ways is through background checks and credit checks as well as making renters pay first and last and one month's security deposit. Is there a way that we can legally put in there that if somebody has a Housing Choice voucher that they don't have to require a credit check especially since the voucher (the government) is going to be paying for a significant portion of the rent?

Mr. Kash – I don't know what is legal in Virginia. There are examples of inclusionary zoning policies where there are significant rules about how you screen and select tenants. That is generally addressed on the administrative side. You can set up all kinds of standards for both not having and not allowing for credit checks but also not having the normal property manager be the ones screening the tenants for these particular properties. Any changes you make in that space, you want to make sure that you have a good administrative system to make it work. When it's not well designed, you end up having units sit empty, which is a financial harm to the developer and doesn't advance our goal of affordable housing. There are examples of that working well and not well. When we get to the administrative side, we will be happy to share those things. In other places, there are plenty of examples of signing over to housing authorities, nonprofits, or specific entities who manage the screening and selection of those tenants. When it is done well, that's good for the developer. This is a different segment of the population that they're marketing their units to. They have to have a different marketing plan, outreach, and screening process. That's a real administrative cost. If you can fill their units and give them tenants they are comfortable with, that can be a win for everybody if it is well run.

Councilor Magill – This is an opportunity we can look at some of that we normally don't consider because it's fair market. The state says that it is pretty lenient when it comes to saying that you can find loopholes to deny somebody. Unless it is PHDA or LI HTC property, you can still be a full-time student and qualify. I can see this loophole happening where it ends up being student housing.

Commissioner D’Oronzio – There are tools in the toolbox that aren’t used because they’re awkward. If you start combining a couple of them, you can address some of what you are dealing with. For example, it is an equal credit violation to consider the source of the money. If you’re using credit checks as a work around, which a lot of people do, you can ‘smack’ them pretty hard under that. Unfortunately, that requires following federal law. They’re stingy about what they will allow states to enforce or not and what circumstances. It seems to me there are ways that you can stack two or three of these things to make it much more difficult to walk away from a voucher as a landlord.

Councilor Payne – On the issue of vouchers and as part of the inclusionary zoning program, I would definitely want us to explore a pilot program in Connecticut where they pair vouchers with their inclusionary zoning program. I believe that New Haven was similar to us. They had 10% of units required to be affordable. On top of that, 5 percent had to go to voucher holders. Their housing authority had a first right of refusal of who the tenant would be. That would have a huge benefit of getting the AMI level of who is benefitting from this down to 0 to 30 percent, help us get through our existing waitlist for vouchers. Overall, it would improve it.

Ms. Seltzer – We both have policies. If that is interesting all of you, we fully support that approach.

Commissioner Stolzenberg – I want to jump on what Mr. Kash said about bringing that verification of income and marketing to get a full benefits in-house. There are a lot of advantages to that. I see something similar in the county where they’re starting to create a wait list because 50 percent of their affordable units were timing out because they couldn’t find a buyer. They reverted to market rate. At what point in this process do we create those rules and that in-house office and expertise to make something like that happen?

Ms. Seltzer – We need to consider the administration part now. We have made previous recommendations in the Affordable Housing Plan about staffing up for the affordable goals that you have set. There is a staffing need for sure for monitoring. Our analysis includes the governance and administration recommendations. You actually haven’t yet seen all of those. You have only seen the analysis. When we draft the policy, we would be including all of that with the language on the voucher piece. We would want to be specific about how vouchers are utilized; a policy in no way hinders or makes it more difficult for voucher holders to access these units. That’s in the public policy goal. On the backside is the administration of that goal. We would be giving you recommendations on both of those. One through the policy and one on the other side/what that means in real terms for staff on the ground.

2. Discussion of Key Questions and Other Planning Commission & City Council Input

Parking Minimums and Administration Question

Lee Einsweiler, Cville Plans Together – Out of this set of questions (the first two), I am going to help manage that conversation. CODE Studio will be dealing with the question of what goes in the zoning ordinance and HR&A will be working on the affordable housing.

The first question is about parking. I know that all of you have read the literature about parking. We’re hearing about parking all the time. It is a bit of pseudoscience. One of the things that truly happens with parking is that as it gets tighter, people make alternate choices. At what rate, at what pace, and what kinds of ways, I am not quite certain what would happen here. I really don’t have solid answers. This is not a definitive science. That’s the biggest challenge. I don’t have just an answer. The question is: Would you be willing to support the idea of reducing parking whether for affordability, only in certain

portions of the community, and however you might want to support it? Are you willing to support changing the thinking in Charlottesville about how parking is handled? I am going to suggest that no matter what we decide about this issue, the management of parking from the public front needs to be increased. We are going to have housing in places where we currently don't have housing. We're perhaps going to have more housing than what we expected in certain portions of the community. We need to think about parking management. It really is a management challenge. If you count the overall spaces, we probably have enough spaces. It is just at certain times of day or when certain activities happen and we have challenges that are associated with it. Some of the ideas that would be embedded in that would be time of day management. There might be management associated with residency if this is regarding neighborhoods. They might be associated with commuting. We have seen parking examples where permit parking is allowed to be bought for the purpose of commuting. There is likely going to have to be a fee component associated with this. We can't make this work on the free parking model. The free parking model doesn't allow us any dials to turn to create more and less demand. We're not talking about managing in the real time. We are talking about managing it in some fashion, whether over the course of a day, over the course of a month, or over the course of a year. The question to you: In trade for enhanced affordability and enhanced walkability, are we seriously willing to consider reducing parking either in some bracket related to affordability or in some portion of the community?

Commissioner Mitchell – I like the way you framed this parking piece. I am very willing to support a significant reduction in the parking requirements for new residential development. We need to be very strategic when we think about the overall parking configuration. I would like to keep Charlottesville as a destination as opposed to a place people drive around or pass through. We need to think about the needs of the businesses in Charlottesville and their parking needs and support those needs.

Commissioner D'Oronzio – It seems to me philosophically that we don't have a science here. You have inferences that you can draw and trend lines that you can make. It is not reproducible experiments. It seems to me that one of the larger concerns of the public is parking vehicles, traffic, and the impact of any development. In reviewing this with the comments and emails, we need to be much more aggressive about parking. The impetus that brings people to the table is to start yelling about parking and traffic might be a development. It is really a constant problem. We all know that it is not going to get better unless we change our behavior significantly. We're not going to move that needle at all. That needle has to move. We can't be held hostage in all of this to parking. How we take care of and house people is going to be driven by how we take care of a 4000 piece of Chinese steel that is burning hydrocarbons. To make Charlottesville a destination, we're going to have to get aggressive with that to move that needle. That means tram-like stuff from larger lots to move people into the downtown.

Commissioner Habbab – I am in support of reducing parking. One thing that does bring me concern is that it can't work with the free parking model. It makes sense that it doesn't. It has to tie in with another program that can afford the paid parking model. It feels like it would unintentionally burden our lower-income residents disproportionately.

Mr. Einsweiler – One of the keys there is to spend your revenue in ways that support that segment more heavily than the other segments. That might mean focusing on bike lanes and helping support the adoption of e-bikes and whatever else you can do that provides alternatives in a different price range and begin to make sense for a certain category of people. I can definitely see that. There is also roadway design as you move forward and consider how your roadways are built. There are some pieces there that if you brought that equity component to bear, you would probably get some different solutions than what you have today.

Commissioner Russell – A concern I have is if we wave parking requirements in areas where the sidewalk infrastructure isn't adequate and you pushed cars/people into conflict and burdened the existing neighborhood in that regard, I can see being very close to General Residential or Medium Intensity. I would want to understand how we would manage that parking in an applicable way. Your parking management strategies sound really interesting. I would be interested in hearing more. We should consider the cost implications of some of these management strategies.

Commissioner Schwarz – I think that parking should be market driven. I am not too worried about the larger developments. A larger developer is going to be smart enough to know that if they need a certain amount of parking, they're going to put it on their site. It is more of a concern with people who live in the neighborhoods that might lose their parking spot that is currently out in front of their house. Are we going to do a citywide permit parking in all residential neighborhoods? If we do that, who is going to enforce it? Is the city going to put money into making sure that permit parking is actually going to be enforced? I would be fully supportive of letting it be market driven.

Commissioner Stolzenberg – I am fully in support of market driven parking requirements. I am not under any illusion that people are going to stop putting as much parking into their buildings. I think everyone agrees that we want to move to a city where more people get around without a car. Some people think that is a great goal that is laughable in practice. The answer to that is that we really don't know if things are going to change over time. I don't have any confidence in our ability to keep updating these continually as practices change from factors like e-bikes becoming popular and the \$150 million in infrastructure improvements that we're planning around the city and have currently funded. We are looking at 2 percent of the parcels changing every year. It is not going to be a rapid change even if none of them were to include parking. It makes a lot more sense for people to make their own choices for themselves. You have to divide it into commercial requirements and residential requirements. Commercial are even more of a nonsensical pseudoscience than the residential. Everything from bowling alleys, that has to have a certain number of parking spots per lane, to bakeries. All the parts of the city where people like to go probably don't comply with those. The amounts are made up. Business owners can decide for themselves how much they think their patrons need to have a successful business. Those, in particular, need to be eliminated. Even if we were to ban all building across the city, people are already mad about the on street parking situation. For residential, we have a better idea of how much parking for how many cars each household has available right now. We know that over a tenth of renters in the city don't have any cars available in their household. Many others have a parking spot separate from their home that they park in and do just fine without an onsite parking spot. There are many options available and so many different factors that affect a personal parking decision. It doesn't make sense to set any blanket standards for the city.

Commissioner Palmer – I generally agree with everything that has just been said. At UVA, we manage parking every day. There is a lot you can do with technology that wasn't there five years ago. To take a close look at that it would be a lot different than what people have in their minds. It is interesting to think about how many parking spots we do have in the city. Where are they? I haven't seen that analysis. That could go a long way for formulating these plans. What Commissioner Habbab said about tying this to your goals if the goal for reducing parking minimums is to support more affordability in the city. You have to look at those unintended consequences but also formulate your plan for that to support those goals.

Chairman Solla-Yates – I like the way Hartford rolled it out. That seems reasonable to me. I am very concerned about making this a net win for accessibility. We are not the most accessible place in the world. We can do a lot better.

Councilor Magill – It’s a difficult situation. We are not the most accessible community. Being an older city, we’re taking what we already have and trying to make it work. I am not big on parking minimums. A lot of that is a pseudoscience that is made up. I do see people working to get rid of vehicles more. It is going to take time. We also have to address the fact that we have significant infrastructure issues to support non-motor transit. We also have to face the fact we are the urban center for a large rural area. Things like Park & Ride lots can assist with that to a certain extent. The Park & Ride lots near the 64 exits and 29 exits are where the majority of people come in and go to key centers. All of that is going to mean we have to have a good robust transit system, which we are trying to work on. I have a lot of hope for the micro-transit coming forward. The micro-transit is being piloted right now. That could potentially help with some of the issues that people are worried about, especially in areas that don’t have sidewalks on either side of the road. A phased approach is a good idea. The market is not going to start putting in new parking spaces because they are looking to sell it. I am more towards letting the market dictate and not having parking minimums. I do hope in our zoning that we are anticipating electrification. In the zoning itself, we are putting in that new construction needs to have the ability to handle electric vehicles and electric charging.

Councilor Payne – When it comes to building 100 percent affordable developments, I would absolutely support reducing or eliminating parking requirements to get deeper affordability and more affordable units across the city. It makes sense to explore seeing where there are areas in our ordinance where the parking requirements are overly excessive or don’t make sense. There is plenty of room to reduce it. The only thing that gives me a little hesitancy about the final question is completely eliminating parking requirements citywide. In making that decision, I feel that I would be flying a little bit blind in terms of not understanding what we should expect the practical impacts of that to be. It gives me some hesitancy around that final piece of eliminating it completely citywide. We have to acknowledge that our public transportation system and bike/pedestrian infrastructure is not very usable for a lot of people, particularly if they need to get to work on time. We are ten to fifteen years out until we implement a regional transit plan and until we have bike/pedestrian infrastructure connected. I was talking with several people about parking. We could expand parking requirements and people would still have the same if not more complaints about parking. There are some real tensions. Neighborhoods like Tenth and Page and Fifeville residents are very concerned about parking and parking that is taken up by UVA students, staff members. There are a lot of people working and the bus system is not adequate for them. Their transportation options are going to need to be relying on a car. They feel that they don’t have the option or desire to follow the transportation decisions of wealthier, young professionals. That’s a class tension I am thinking about a lot. If we’re going to go all the way, I want to understand what the implications are and understand what actual level of bus service we do need to make that not have a negative impact on working families. Reducing or eliminating for 100 percent affordable housing absolutely makes sense as does generally reducing it.

Mr. Einsweiler – There is some recent experience that has been reviewed. Buffalo is one of the earliest places. There are a variety of places. The key finding from that work is that people are producing parking, perhaps at different rates. In Buffalo, for example, they have not had to resort to residential permit parking programs. They are constantly talking about one for their most active development portion of the community. There is not a residential program that has been put in place. It is interesting to watch it play out. I do think that you would be an early adopter on these issues. We can do a whole lot of good on the way there if that’s all the farther we get.

Councilor Payne – I absolutely think it is necessary for the city to look at citywide parking management strategy analysis. That’s another piece of it that needs to happen.

Councilor Pinkston – On so many things that we’re dealing with, we’re trying to resolve legacy issues. Because of that, we can’t figure out a way forward. I think we’re going to have to take a ‘leap.’ Having a robust parking group within Mr. Freas’ portfolio or someone’s portfolio and maybe doing that with a contractor. I am for us thinking long and hard throughout the entire city about what parking is really necessary and having the market decide that. There should be a price involved. If you’re living in the city to have a car, there should be some sort of price. We should be thoughtful about equity concerns, particularly for these sensitive areas. We should focus on parking throughout the city. I would like us to be more proactive, thoughtful, and engaged. As far as parking minimums, I would error on the side of not having them. If we’re only looking at a couple percent here and if we’re talking with developers (going to include parking anyway), it seems like it is a red herring to think that’s going to be some major issue and cause problems throughout the whole community. I am for being more aggressive about this.

Mayor Snook – When we think about parking minimums, we talked about it or thought about it primarily in terms of the commercial areas (downtown areas) where the premise is that parking lots and garages satisfy the demand. That’s not really very likely in a residential situation. The premise of eliminating parking minimums for residential property has to be that a significant number of the occupants can make do without access to a car either because there is transit available or because it is close enough walk to where they would need to get to or because of e-bikes. One of the letters that we got made a good point about this. If we eliminate residential parking minimums in areas that have good transit access, that makes sense. If we were to eliminate parking minimums and then have a significant development of some sort built in the middle of Greenbrier, where there is no transit for at least a half mile, that is simply not very reasonable. It is an area that is not very walkable to downtown. There are some places where it makes some sense, some places where it doesn’t. We need to think about that critically and to look at how we tie transit and transit availability and increase density that furthers that transit availability in places where we think we are going to get the kind of density necessary or where we think we’re going to be able to make sure that there is adequate transit, it might make more sense.

I have been struggling with this since I was on the Planning Commission 40 years ago. Whatever we are doing, people don’t like. We have every 5 to 8 years come out (there has been enough built up frustration) with a new parking plan. I suspect that we still have in a warehouse all the parking meters that were erected in 2017, which we took out in the wake of August, 2017 and concerns that downtown was going to be seen as inhospitable. We have all kinds of these solutions in our history. None of them have turned out to be terribly satisfactory. Or maybe we haven’t had the patience to stick with any of them long enough.

One of the bits of management that is going to be essential, in addition to all the nice theories has to be enforcement. We have to be willing to know that we’re going to get stuck with parking tickets. That’s part of having parking management. A lot of people don’t like that.

Vice-Mayor Wade – I will be in support of looking at reducing the parking and the parking requirements. After doing this type of thing (doing transportation for the county for many years), we love our cars. We can do all of the incentives that we can. I love walking the Tenth and Page neighborhood. I recall walking on the street just outside the permit parking area. I was talking to a resident. She had gotten some produce and some things. She was trying to take it to her house. She couldn’t get the space in front of her yard. There was a car parked there. The person worked at UVA. She had talked to the person. It is a good distance to the university. The university had an incentive that if you walk so many steps, you get an incentive. It was a win-win situation for that person but not for the resident. We went to Burke a few weeks ago. I think they have a parking minimum there. There are cars lined up along the major adjacent streets outside of the development. If we don’t do this right, we’re going to get that type of scenario. We have to be collaborative with the adjacent neighborhoods and the

adjacent localities. They're likely going to be the ones coming in. We want to incentivize businesses and things to come to Charlottesville to build. They have to know that these are going to be the parking requirements. This is where we are at this point. We mentioned different localities. We have to remember that Charlottesville is ten square miles. We don't have a lot of options to do different things. Most of the property is already used. We have to keep that in mind when we use different examples other than Charlottesville. I now do employment. One of the first things I ask them: What is your transportation like? If they're in the city and on the bus line, that works. That's what I try to work with. If they have transportation, it can really open up some options. A lot of people rely on public transit. Once this is done, it is really not done. It's not set in stone. Whatever we decide, people are not going to like it. We're going to have to be willing to go back and change it and not take a 3 to 5 year process to do that. I am for it. I would like to see the impact on affordability. It is definitely worth reviewing.

Minimum Lots Sizes Question

Mr. Einsweiler – The second question is about lot splits. As proposed, we are suggesting that the various lot size in residential neighborhoods get their original lot sizes as the minimum size of the lot to subdivide to. If you had a larger lot in that neighborhood, you could split it into two lots only if you had whatever the previous/current number is. Actual lot splits, meaning true subdivisions, would only happen at the same rate that they do today. All of those people that have that option today will continue to have that option. That's about allocation of rights and leaving those underlying allocation of rights the same even though we're increasing the rights/the number of lots that people would be allocated would remain the same. That's what we have proposed to do. There are lots of reasons to consider other options. People have brought those up. I would like to have a conversation about that. I want to remind everybody of an idea that is also embedded with this concept. There is this sense that the additional units that we are proposing to allow on existing single-family lots would most likely be rentals and that we're pushing a rental model. I want to remind everybody that we have proposed an idea in there that is called a sub-lot. It says there is a zoning lot that is allocated rights and has obligations as a whole. There could be a lot for sale, which is a smaller piece of that. If you had the main house and three new units, you could actually have four sub-lots. There would still only be one lot. All this does is allow more people the opportunity to buy less land. The alternative to sub-lots and the management of density that model implies is that you could have no definite lot size to subdivide to. We still have challenges associated with subdivision. Subdivision right now requires street frontage and it requires a certain width. Those are there for a very real set of reasons, which is about access and fire safety. Those would remain true in the sub-lot model because the full lot would have that access. The sub-lots would not individually necessarily have that same access. They would have to meet the building code and the fire code. They are passing those tests. There is an option to have no minimum lot size at all. As each subdivision come forward, those decisions about access, life safety, etc. would have to be made on the basis of the subdivision itself. It would mean that the subdivision process and discussion might be more complicated. There would have to be heavy involvement of the fire department to determine whether the lots were appropriate and met the fire code. There are options all along the spectrum. One of the options proposed is to use a single lot size citywide. We can certainly do that. One of the intents of what we have done in the diagnostic and in the modeling is to show you the implications of a variety of lot sizes, which would generate different mixes of unit types, different availability of various unit types, in different parts of the community. If we were to use a single lot size and a single allocation of rights citywide or an allocation of rights that was based perhaps on the form and bulk of the building, there would be options for even more flexibility. There are many places you could land on this spectrum. We chose one to present to you in the diagnostic and in the modeling. We would love an opportunity to talk about that and make certain of where we stand. It is the difference in terms of the drafting between drafting fundamentally multiple sub-districts that are associated with today's district in our one large

general residential district that we have proposed. Those multiple sub-districts would have different variables. The metrics would be turned up and down. Or whether we use a uniform set of standards across all of that land. We would have to draft one district. The challenge of talking to the community would be harder. We can select something in the middle or anywhere along that spectrum.

Mr. Freas – I don't know if I have a concern. There would be more subdivisions if you go with no minimum lot size scenario. There is a larger process there than what we might see in the sub-lots. We're also untested in the sub-lot territory. I don't know exactly how that would play out from an administrative perspective as well. I can't give you a definitive answer.

Christy Dodson, Cville Plans Together – This conceptually shows that you may have a site. That site can consist of lots. Those lots are based on the minimum lot width and lot area. Wherever we land on those, the concept remains consistent. The sites will be divided into lots. It is the lot that all of the zoning requirements would apply. Your setbacks would apply to the lot. Even if you divide a lot into sub-lots, your front and side setbacks, whether it one lot or divided into four sub-lots, the number of dwellings, the affordability requirements associated with that, the setbacks, building coverage requirements, height, and massing is all going to apply to the zoning lot. In the individual sub-lots, they are essentially there for property ownership. There are maybe some easements that would be required. We want to make sure that there would be access through the front lot to provide access to the rear units, whether that is vehicular access or pedestrian access. The idea is that whether this is a fully rental model or whether it's four separate owners, we're still controlling things based on the lot rather than the sub-lots. We want the configuration of those to look the same. The model, whether it is four owners for rent, it doesn't have different outcomes from a form perspective.

Commissioner Mitchell – I do believe that a more aggressive reduction in lot sizes is good. I am quite 'peaked' by the sub-lot concept. There are places where the elimination of lot sizes makes sense.

Commissioner D'Oronzio – I am generally in favor of disposing minimum lot sizes for a variety of reasons. The sub-lot idea here, particularly if we can deal with these side lot requirements and elimination of those, that unlocks an enormous amount of potential in a couple of things. One is housing under 4-plex models and how those are financed. We can offload some city money into private hands. For 3.5% down, you can do a 4 unit property. Secondly, you configure them on a sub-lot that way. You have four units to generate four rentals. They are all connected. It unlocks other tools in how we finance affordable housing. You can condonize that. That can be a very powerful tool to subsidize affordability. You now have a condo association. What that pays for and who funds that condo association are wide open. You can say that utilities are covered by the condo association. The condo association is subsidized. In terms of building up flexibility, that's just one direction. These access issues are evolving all the time. It seems to me that a lot of their modeling going for access is based on fire trucks from the 1960s. Firetrucks from the third decade of the 21st century operate more like Abrams tanks when it comes to getting access to something. I am generally in favor of it. I think it opens up a lot of flexibility on how we finance on rent versus homeownership. I think it is a must-have.

Commissioner Habbab – I am also supportive of reducing lot sizes. I am really interested in the sub-lot idea. How do you track the affordability requirements?

Mr. Einsweiler – In the model that we proposed, it is not an issue. I am not certain that we have completely thought that through. Those additional sub-lots are principally sub-lots for tax purposes and title purposes. They exist in terms of the zoning. We don't have a zoning problem if we use them. We potentially have some of these affordability and other management problems. If we head down this road, Code Studio and HR&A will have to talk about that. I am not worried about tracking initial sub-lots

because we have some clients who have successfully done it. I am worried about tracking sub-lots of sub-lots of sub-lots if those begin to happen.

Commissioner Russell – Describe a scenario where we would have millions of sub-lots. If it is governed by the underlying zoning, you're only getting so many.

Mr. Einsweiler – One of the arguments is to have no lot size minimum. Theoretically, a sub-lot could become a lot through the subdivision process if there is no subdivide to size. That is one of the questions and one of the things that leaving at least one size in place would help us with. You could only do one set of sub-lots.

Commissioner Russell – That is speaking to the intent of the unknown zoning but allowing for that homeownership, which I find very intriguing. If it is true that one of the primary justifications behind minimum lot size historically was to maintain minimum property value threshold for a city and that is something we're saying that we want neighborhoods to have a variety of property values that seems to be a good avenue to explore. From an urban form, good design, streetscape, I would be curious to understand how those are implemented in a way that doesn't result in "hodge-podge" carve-outs. It sounds like there are a lot of other things that govern subdivision. I am sure that there are those tools. I am very interested in the idea of opening up more homeownership options.

Commissioner Schwarz – I came into this meeting supporting eliminating minimum lot sizes. I did not pick up on this sub-lot concept. It is very intriguing. What would be important is to make sure it isn't as simple as subdividing a lot. In my neighborhood, people might want to take advantage of having an accessory dwelling unit on their property but they can't afford to build it. It would be much easier for them to sell a chunk of their parcel and have someone else build on it. If it's that simple and that easy, that makes a lot of sense. That does promote more homeownership versus the way that I was understanding it; if you want to maximize your lot, have 4 or 5 dwelling units on it. Nobody can do that unless they are developer. A homeowner is not going to afford that. If this sub-lot thing could work, that does solve a lot of problems. It does make things simpler. I am still thinking reducing lot sizes is a good idea. We need to have a serious conversation with the fire department and to make sure that this will work. If the sub-lot thing doesn't work with the fire department, I would definitely recommend eliminating minimum lot sizes. If they don't allow you to have a little sub-parcel behind your house, you're sunk. Most properties in the city have large backyards.

Commissioner Stolzenberg – The subdivisions we're talking about are for zoning lots. You could have simple ownership of a sub-lot. I don't understand the idea of eliminating lot sizes for zoning lots. The whole point of a zoning lot is that is the unit. If you can infinitely subdivide, then subdivide it to a square and that gets three units. If you want to talk about getting rid of density restrictions entirely, I am happy to have that conversation.

Mr. Einsweiler – You would have to switch to a density restriction. It could be a high one. The only real remaining question, based on what you have written to date, is whether you want multiple lot sizes across the community to remain intact or not.

Commissioner Stolzenberg – That is the real question since you can't allow infinite lot subdivisions. The question is if we assume some lot sizes per zoning lots, what should those be? We really don't have minimum lot sizes in Charlottesville. If I am building a bakery, there is no limit on how I can subdivide. You are saying that you are keeping the existing the minimum lot size for a single-family detached house?

Mr. Einsweiler – For what we are calling the smallest zoning lot in the general residential districts, yes.

Commissioner Stolzenberg – It would be the equivalent of the current zoning single detached house prescription. For that we have these two standards, the 8125 square feet in an R-1 large lot and the 6000 square feet everywhere else in the city.

Mr. Einsweiler – That's correct.

Commissioner Stolzenberg – The reasoning for that doesn't make any sense to me. It really is a historical artifact where it is not associated with what your current distribution of lot sizes are. It is just based on what was R-1 in the beginning back when there was R-1 (two family) and everybody else with unlimited density. They both became two family but still slightly different. They became one family, two family, and converted again in 1991. The only thing left is that artifact of minimum lot size, rear setbacks, and side setbacks.

Mr. Einsweiler – The only argument is the allocation of rights today. It is easiest to keep that allocation of rights tomorrow because it takes one argument out of these changes.

Commissioner Stolzenberg – It is a little bit less of a change. It means having twice as many standards. I am for making your job easier at the expense of making our job a little bit harder.

I think sub-lots are great. I am a little confused about how they would also be the subjects of the fire problems even in a single lot. If I have an acre lot, I can't just build a house in the back with no driveway.

Mr. Einsweiler – No. You have to follow the fire code. How you get your access is much easier. We are no longer talking about a formal access for the lot. We are only talking about access for your house. The 150 foot hose haul is the most important element, not the width of the street. That will be the game changer: how close can you get a fire truck and can you get it within 150 feet of the building? That will be one of the key factors in the fire code.

Commissioner Stolzenberg – It is great for making homeownership more obtainable. There are no restrictions on the size of sub-lots. I can split my lot into four?

Mr. Einsweiler – Maybe. We will have to meet building code standards and fire code standards for that thing as if it was being subdivided in spite of the fact we're setting aside subdivision requirements. That will still have to be buildable. No one is going to allow you to create a sub-lot that would not be buildable.

Commissioner Stolzenberg – That is reasonable. I do have some concerns about how setbacks work around your zoning lot. The difference between R-1s and R-1 is your side setbacks. In urban form, we want to be careful about front setbacks, side setbacks, and rear setbacks. The way you set those is going to determine the form the buildings take, the way they face, and a variety of other things. We do need to work out exactly what that looks like.

I suggested we standardize our lot size. The obvious thing to do is what R-1s is. In R-1s right now, a third of R-1s lots are already too small to be conforming. What you standardize that to is still an open question. I don't know if it is 6000 square feet. Set to 5000 square feet you get a lot less non-conforming lots.

Mr. Einsweiler – If you asked us to change the allocation of rights to a single allocation of rights, we will likely do an analysis of the existing lot sizes similar to what you have done and make a recommendation.

Commissioner Palmer – When I hear square feet, it is a little bit harder to understand than acreage. In reality in our city, maybe hearing a little bit about acreage in addition to the square footage talk will make the public understand better.

Mr. Einsweiler – At 6000 square feet, it would be less than seven units per acre.

Chairman Solla-Yates – For me, smaller is better. Consistent is better. My home is about 2000 square feet. I think it is fantastic. I would suggest looking at that kind of analysis.

Councilor Magill – We have cleared up that there wouldn't be a way to utilize this to subvert, by sub-lotting, the SUP process to stop the need to bypass the affordable housing overlay. I just want to be clear that is not possible in this.

Mr. Einsweiler – I don't believe there is any subversion possible here. There is the ability to create sub-lots that are as large as or larger than the existing requirements. Don't think of these as always being the smallest possible thing you could create. You could see a future re-subdivision of that site. That would be the opposite of what you're concerned about, which is someone under-utilizing the property in order to create perhaps larger homes.

Councilor Magill – To bypass density issues by sub-lotting it down?

Mr. Einsweiler – Density would fundamentally not exist. There would be a practical density at some point. Density would be a very specific factor in lot by lot based on what people produce there. There would be a maximum density set for new lots. We are also enabling the same number of units on any existing lot, not as nonconforming, but rather we're saying all of them are conforming and allocating them the same rights. The tightest lot today would still be able to do 3 new units and save the main house if that was possible or maybe tear down the main house and do three new units even if they are very small. The allocations of rights is to the lot and it is to all lots that exist today in the General Residential district.

Councilor Magill – How do PUDs fit into this?

Mr. Einsweiler – They don't. They will no longer be in your ordinance after this. The Planned Unit Development is a model for flexibility. The level of flexibility is higher than most Planned Unit Developments you're getting. That tool is challenging. It is always one-off and someone gets these particular rules. Someone else gets these particular rules. It's very hard to do enforcement for those areas. It's very hard to manage those over time. We don't like to recommend the Planned Development as a tool.

Councilor Magill – My gut reaction when I heard lot splitting to meet the location of that particular area's minimum lot size. It gave me a gut check on redlining. If we do that and don't make a minimum lot size across the entire city, we're not taking this opportunity to rectify that; but enforcing old lot sizes that were propagated during redlining. I would be against having various, different lot sizes throughout the city. I feel that is continuing something that we have a chance to begin to fix to some extent. It would do more than the minimum lot size be the same throughout the city if a minimum lot size is kept. I do agree with previous speakers that a lot of our lot sizes are more about old equipment and old

standards versus what our current capabilities are and what our current building materials provide. A lot of our technology is what actually reduces our house fires now versus the 1930s and 1940s. Guiding that kind of safety, more towards lot sizes and accessibility, is where I go.

Councilor Payne – I am generally open to eliminating the minimum lot size requirement. If not eliminating, the smaller, the better. The big picture goal would seem to be allowing more of the type of development of small starter homes and more affordable homeownership and rental opportunities that exist in a lot of the nonconforming lots that we can't build today that I think a lot of people like in terms of the built form. There could be more affordable. The overarching goal would be how to get/incentivize that more. It would seem our current standards are one barrier to that. I would also second what Commissioner D'Oronzio said about some of the issues beyond minimum lot sizes that also contribute to making it harder to build that kind of development, including subdivisions and other things.

Councilor Pinkston – I am in favor of smaller lot sizes. The notion that you make providing a recommendation sounds like looking at existing lot sizes as they have been built over the years (many are nonconforming) you can make a recommendation of what you thought was appropriate. The notion of completely disbanding no minimum lot sizes sounds good in theory. It seems, in practice that would run into some barriers. If you're able to provide a recommendation, I would support that approach. The notion of sub-lots makes a lot of sense. I might say 'let's pick four;' you could divide this four ways as opposed to ten ways. Trying to make it infinitely divisible seems very cumbersome. Being able to divide it into four sub-lots would give a lot of flexibility.

Mayor Snook – My first comment would basically be to agree primarily with Mr. Solla-Yates and with others that smaller is good. More consistent is good. I will also add that a year ago I was doing a lot of research into the question of whether single-family covenants were going to turn out to be a problem. One of the things I discovered in my research was that most places in the city, a single-family designation had a sunset provision 25 to 35 years down the road. A restriction that did not have a sunset provision was no subdivisions. I will be curious to know more about how, from a legal landscape, we are going to connect some of that.

Mr. Einsweiler – We have not yet asked whether sub-lots would be considered formally a subdivision. That might have to be litigated before we knew the answer. We will ask the attorney.

Vice-Mayor Wade – I am supportive of the sub-lot notion. In certain parcels, we can look at eliminating the setbacks. In certain parcels, it has probably already been done. It is probably few enough that we can do that.

Commissioner Stolzenberg – I feel we could improve our terminology here. We have been using lot to refer to a zoning lot and sub-lots as a buildable or saleable lot. I feel that is causing a lot of confusion. Maybe it is a matter of always saying zoning lot.

Mr. Einsweiler – That is the best because that is its function. We do use site and lot. A site might be a zoning lot. A zoning lot might also be divisible into a smaller set pair or three. We will be very careful in the language of the ordinance. We should work among ourselves to try to use the set of them correctly. I believe that we have started a glossary on the website. We will try to make sure that each of those is clearly defined the way that we think they ought to be used. We will see if those glossary terms help.

Affordable Housing Overlay Question

Mr. Kash – The third question is really looking at middle density and allowing middle density in single-family neighborhoods through an affordable overlay. When we looked at this in our analysis, we looked at it first through an incentive approach. If you were to allow a high level of density, how much affordable housing would it create through an inclusionary standpoint? You can do that. It's going to give you a relatively modest amount of affordable housing; about ten percent. People that are advocating for that talk about the example of the affordable housing overlay. Cambridge, MA has done this. They're not necessarily thinking along those lines. They're thinking about along the lines that if you were to allow this, it lowers the total cost for housing (on the land side) and makes them more competitive for purchasing the site and opens up more sites for development. It allows for more housing. Those are all valid points. This approach of allowing moderate density is not going to be a particularly effective approach from an inclusionary standpoint. It can be a way to open the door to create affordable housing in General Residential neighborhoods and make the subsidy necessary to build out housing that is significantly less. You still are going to need subsidy to build the housing. It is going to be particularly less if targeting 60 percent AMI.

We (HR&A) are a real estate, economic development, and policy consulting firm; not a land use or architectural design firm. You are talking about potentially allowing middle density into General Residential. That is a significantly larger and denser property. I have opinions on that topic but I am not an expert on that topic. There is a real benefit here. There are examples of middle density being done. We have talked about Cambridge. Cambridge has a different building style. It has worked in Cambridge largely in coordination with subsidy from the local government. It can be a useful strategy. It is very different than the inclusionary zoning. It is a very different thing and it should be done separately from the inclusionary zoning. The inclusionary zoning analysis that we have done and the analysis we did about general density for single-family neighborhoods general residential allows for up to five units. For those kinds of developments, the real benefit is that you might get some affordable housing. You're just creating density at a lower price point. Affordability as opposed to affordable, those are lower price point houses closer to households that are more entry level homeownership. It is not the same thing as getting deeper levels of affordability. That's why we have a recommendation focusing on that affordability piece and allowing some with up to five units on sites with a two unit bonus. You could take it farther. You could go to Middle Density, which is 12 units. It is a tradeoff here. Whether you want to allow that level of density is primarily going to be for subsidized projects. With the cheaper land prices, you're going to need other funding to come in.

Ms. Seltzer – As a reminder on your CAHF, which is the primary vehicle of subsidy right now. It is about \$45,000 per unit on average. Those are multifamily projects. Given the land cost of your General Residential areas, it would represent an uptick in subsidy that would need to be committed for those areas. You all have committed to increasing the overall level of the CAHF. It's a density question and a subsidy question. In particular, if the concern is improving opportunities, reducing displacement, and how we encourage historically marginalized groups to have entry points into neighborhoods that have been historically exclusionary, it is a deeper level of affordability that calls for a deeper level of subsidy that is needed.

Mr. Schwarz – When we're talking about everything above the base density would be affordable, what is the base density? Is that 3 or 4 market rate units and everything above that is affordable? Is that what they're asking?

Jenny Koch, Cville Plans Together – In the General Residential areas, the Comprehensive Plan calls for three units or up to four units if you keep the existing house in either divided into multiple units or

you add units to the property. The question Commissioner Schwarz is asking about is to gauge how you feel about the idea to allow that same base density up to 3 or 4 and everything above that up to 12 would be allowed in General residential if it was affordable at a level to be determined. That would be determined later.

Commissioner Habbab –When we first talked about using an overlay that had some repercussions in the zoning in the way that it was going to be written that we worded that into some kind of affordability bonus type of description. Would it make sense to keep that and have a tiered bonus for the purposes of keeping with the same language that we set up? Or would we have that as an overlay?

Mr. Freas – Broadly, our objective is to stay away from overlays to the extent possible. Leaving aside the subject matter of the conversation. The term ‘overlay’ has been used a lot. Whatever kind of decision we come to, we would aim to build it into the zoning itself. An overlay is a separate level of zoning that overlays on top of the base zoning. We would just build it into the base zoning and not create the challenges of an overlay. You only do an overlay if there is a geographic component. If you say that you’re only going to allow this in this area, then it makes sense to use an overlay as a vehicle to get to that objective. I don’t think that is what is being proposed. This is being proposed across all residential districts. There is no reason to stick it in a separate section.

Commissioner Russell – In that regard, it really is what Commissioner Habbab is describing. It would be a ramped up version of the inclusionary zoning?

Mr. Freas – It would be a different set of standards. This is not part of the inclusionary zoning. Inclusionary zoning is a bonus system. It would just be another section within the base district. This is another option available for property owner or developer. It would be as Commissioner Habbab described.

Commissioner Mitchell – This is a little confusing for me. You helped me with the yield question. The answer to the question that I would ask about this is that this is not feasible based on yield. The other point I would make is that it is feasible based on the equity multiple. Based on yield, this would not be feasible. The only way we can do this is through subsidies. Do we know how much money we have available for subsidies? How many developments like this would the subsidies generate?

Mr. Freas – The short answer is no. We don’t know how much subsidy we have. What you are hitting on is exactly right. The level of subsidy available would be the limiting factor on this type of project going forward. Generally, production of affordable housing is limited by the amount of subsidy available, the money available from public sources, and land availability, which limits all development to a certain degree. In some respects, what is being proposed is a way to loosen up that land availability issue.

Commissioner Mitchell – The only value this has in the moment is freeing up land to be developed? Frankly, we can’t make any decisions. We can’t begin writing any ordinances until we know what sort of money Council is going to be able to allocate.

Councilor Payne – The adopted Affordable Housing Plan is ten million a year. That would be the expected amount if we live up to that commitment.

Commissioner Mitchell – A lot of that money is legally spoken for.

Commissioner Stolzenberg – Not necessarily just limited to the city subsidy. Mackenzie Scott just gave a whole bunch of money to our local Habitat. Habitat is really thinking about building units here. We often subsidize Habitat. They can often find other donations too sometimes to build homes. It would still apply to those as long as they are affordable.

Commissioner D'oronzio – It would seem to me if we were privileging affordability by starting with the base of General Residential. My understanding of this is that we're allowing a sliding scale all the way up to the full maximum density if it is workable. If we're trying to generate affordable units, it would seem to me that the idea of an overlay or a privileging for affordable units needs to be set at a level that produces affordable units under General Residential density in a more privileged way. The bonus that we're giving in General Residential is "you get your extra unit." Does the math add up if you say that you can build three or go up to five if it is affordable. Does it make sense if we're going to start privileging in General Residential to structure General Residential to be more heavily weighted to privilege the upper level of what we're calling General Residential? I don't know if the math adds up for that. Anything that privileges affordable housing and pushes that is something that I generally support.

Mr. Einsweiler – It is getting out of math territory and into urban form territory. What we have seen, based on market affordability would mean a high number of units would be needed. We then get subsidized affordability. The decisions you have to make is if you choose to go there in General Residential is what is the urban form that you would allow? Is it the same as what you would build under the standard market affordability? Or are you actually adding bulk, mass, an additional story, additional lot coverage, less parking, and less trees? Are we willing to go to those extents to get that affordability in those settings? We can get affordability. We have proved out that we can get affordability under the ten and above units, under our IZ program. What we're talking about now is taking that up to ten unit piece and trying to find a way to make it work. The way that you make it work is that you give them more height, give more lot coverage. You give them something so you can get those extra units at reasonable size on that land. You can choose to do that. It will generate some results that we will struggle to write the right form rules to try to truly make it match. It's not going to be a perfect match for the existing neighborhoods. We're already pushing that envelope with what we're doing. Perhaps this is an acceptable thing. I just want to have a real clear answer to that before we go marching down that road and try to make of that more intense form fit in successfully in those settings.

Commissioner Habbab – I like the concept. We will have our regular bonus that gets us, from what I read, up to five units in the General Residential if you provide an affordable unit. Even if it's not feasible for our regular developers, it's really opening up the land for the nonprofits to develop up to medium intensity anywhere in General Residential. I think that's a good goal. Those questions about scale are harder to tackle. To answer the main question, I do support it. We will figure out the scale afterwards.

Commissioner Russell – I understand what the strategy is attempting to do and to allow for more affordable units in historically more segregated and wealthier neighborhoods. At the same time, it is contrary to what we have said density in form and height perhaps should be in those neighborhoods. What is housing size? If it is smaller units, denser fits in? Is that good? I am struggling with this one. I am little more reluctant than with the other strategies.

Commissioner Schwarz – I think that I support this. For one, it is not likely to happen unless there are going to be grants and subsidies come in. It's not like we're going to see 12 unit buildings popping up throughout the city. At the same time, the goals of the Comp Plan are to provide more affordable housing. We're saying that if you can make it work, you can get the funding, and you can do it, and it's all going to be 3 or 4 market rate units and everything about that is affordable, go for it. The forms that

you are describing for the medium intensity residential districts are not that crazy. They're not huge. There is stuff we probably would have seen in Charlottesville had we not instituted a new zoning code. If you look at the Venable neighborhood, there are apartment buildings fitting in very nicely next some of the large, expensive houses. I think it could work. I am in support of this.

Commissioner Stolzenberg – Speaking to form and bulk, what I hear over and over from skeptics of the plan, aside from a small minority who say no affordable housing/no change in the city, the vast majority of people in the city say that we care deeply about affordable housing. They are skeptical of this plan because you're going to allow this bulk especially medium intensity. You don't even know if it's going to be affordable. Our IZ rules and our bonuses will help us get some affordability in those new market rate projects. It is important to have new market rate housing. Practically everybody agrees that if something is 100% affordable or everything is affordable above base density or just extremely affordable, you're getting affordable units, we're willing to make those sacrifices of seeing an extra story on the building down the block. To me, it's a no brainer to allow additional bulk and allow those bonuses for 100 percent affordable over base density units. There probably does need to be some leeway even within the normal bonus amount. There is language in the Comprehensive Plan that supports both of those. Even going to three stories if that five unit within your normal density bonus is very reasonable, especially considering the current R-1 height limit is 3.5 stories. I am still skeptical of how we're going to do that. I know we talked about 35 feet and putting 2 stories and 35 feet. You're getting high ceilings. It seems to be a weird incentive. At the very least, we need to be maxing out the current envelope that a building can be built to. If it's affordable, it is a no brainer to give those rights for additional bulk. Aside from bulk, how that is implemented as a bonus, in general residential, three units is your base. Your bonus is you get one market rate unit if you get one affordable unit. It makes sense to carry that pattern forward. If you do one more affordable unit and one more market rate unit that approaches 50 percent affordable, which is good if you're building it without subsidy. On most sites, that's not going to pencil anyway. There might be some sites where that does work. If we recognize that's a good thing, I don't know why you wouldn't allow it. On subsidized projects, the penciling doesn't matter as much and it will work there. That's what I would recommend.

Chairman Solla-Yates – A core principle that I have been bringing into this since the beginning is how we give people access to opportunity, how we deliver on these equity goals. I haven't seen it clearly in the code yet. I think that I am seeing it here. This could mean some visual changes in some areas. We're talking about a small number of players who are out to do some good. I want to help them.

Councilor Magill – What we currently have in the inclusionary zoning is that it stays with the current density that area is designated. Over the allowable by right, it is 60 percent AMI affordability. How many is that?

Mr. Kash – For General Residential, if you build one affordable unit, you get two bonus units. We have set up a mandatory inclusionary zoning policy for ten and above. We think there's enough market rate units to actually support the affordable units. We also set up a voluntary inclusionary zoning for less because there may be situations where it works or people are paying subsidy. We want to give them some bonus support to support that.

Councilor Magill – At ten and above in what zoning area?

Mr. Kash – Ten and above anywhere you are allowed to build ten and above.

Councilor Magill – That is not General Residential?

Mr. Kash – It is not General Residential.

Councilor Magill – The current inclusionary zoning says that you can build ten and above. If you go above that, they have to be at 60 percent affordable?

Mr. Kash – If you build ten units, one of them would have to be 60 percent affordable. A middle density site can only build six units, you don't have any requirement there. You could get a bonus and build affordable. For General Residential, it is two. What we're talking about is just cranking up that bonus and maybe having multiple tiers to it for General Residential for a deeper level of affordability or allowing more bonus units. There was a comment made about allowing that one-for-one match. Not requiring every additional unit be affordable; you could do that in the rezoning. It still wouldn't pencil. It would reduce the amount of subsidy you would need to do a development. It might be helpful to a developer.

Councilor Magill – We keep going tangential on this. This is not my 'wheelhouse.' The overlay idea wouldn't be an overlay. I am using the language that is being presented.

Mr. Kash – It is additional units in exchange for affordability. You have a great deal of flexibility on the level of affordability. The main thing we're talking about right now is how far you would let people take that in General Residential areas. We don't have a great economic and financial analysis for you on that because the economics on the deal don't work. It's going to have subsidy. By allowing more density, it does reduce the amount of subsidy that is needed. It does benefit affordable housing. It's not a 2 to 1 ratio or 3 to 1 ratio.

Councilor Magill – What is being asked/posed is that all of them are 50 percent. If all of the units are 50 percent AMI or below, that can go up an entire level of density.

Mr. Kash – That is my understanding.

Mr. Einsweiler – The base in General Residential is 3 new units. You can have 4 units on the site if you retain the existing home. That's the base. When people are talking about going above the base in General Residential up to medium intensity, it's just raising the total number of units. There would be open conversation about whether you would get the 3 market units or not or whether all of them would have to be affordable. All of those are ideas you guys could talk about. The fundamental challenge that I feel we're really up against is how you feel about allocating rights that change the urban form in that district in trade for affordability.

Councilor Magill – As long as it is all affordable, it is affordable for the 99 years plus. Can that happen with LI HTC property? A LI HTC credit is a 30 year credit. How can we guarantee that beyond 30 years?

Mr. Kash – The LI HTC credit is a 15 year credit. There are 30 year affordability periods, 40 year affordability periods, and 50 year affordability periods. There are places in the country where you can go to 99 years. The major challenge that goes with that is whether there is going to be sufficient capital to maintain and repair the property. By eliminating the rental income on property, you create a challenge of not raising the rent to pay for new things on the house.

Councilor Magill – I am all for this in a lot of ways. When I work out the rents again, it is 902 difference down in rents that could be also utilized for student level housing. Students meet the classification of being below 50, 60, 30, 40 percent AMI. The students are usually living on loans. Not

that many of our students don't deserve good, fair, and affordable housing so that they can move forward in life. That's a separate area of our need. I just want to make sure that as we are putting things in that are meant to be for affordable housing for our population that is here after four years and that we are making sure that it doesn't get abused.

Mr. Kash – Affordable housing programs can absolutely reach students separately with tax credits developments. Tax credit development don't treat them the same income-wise. The same rules can apply for the inclusionary zoning. We haven't written all of the administrative rules. We could use tax rules for these properties. While you value students, the primary population we're serving are long-term residents.

Councilor Magill – I also don't limit our population to those who want to end up going and bettering themselves and have to choose between their housing. We also have to look at something in that too that allows for people to grow. It is people coming in, using the resources for four years, and leaving.

Mr. Kash – This is more of a case when we get into the administrative side about how we're defining students and what the different definitions allow. Going back to school part-time while you're working wouldn't necessarily qualify you as a student. We can write these rules and try to get them as inclusive or we can write these rules and exclude students. The challenge of including students is there is not an easy way to differentiate students who have low incomes because they're currently students and students who are coming from a low-income background. There are rules and methods you can start to look at related to the families they are coming from. That gets much more complicated to administer. There are some fair housing limitations. You have a great deal of flexibility when it comes to students. Drawing the line is not a case by case situation line that applies to everybody. You're either to include some people you didn't want to include or exclude some people you wanted to include.

Commissioner D'Oronzio – We have been wanting to avoid using the word 'overlay.' This is the time to call it an overlay. When we look back at the 1991 downzone, that student area is out. It's the rest of the city that gets the overlay. It doesn't make it perfect. It will segregate that large student population area and unprivilege it for that General Residential swing up to 12 if you want to avoid having the students be the inadvertent over-benefited persons.

Mr. Freas – A lot of these are issues that are going to be addressed in the administrative section. The key question we're trying to get answered is that tradeoff around density for affordable housing and see where the feedback is on that.

Councilor Magill – Fundamentally, I agree with others that spoke. I don't think this is going to be a massive problem throughout the city. As far as increased density all over that was zoned otherwise, this is going to be very particular areas that still have some ability to increase some density. As long as we're making it that all of them are affordable or that we're working to make sure that the longevity ability to maintain the property is somehow addressed and we're thinking forward on some of this.

Councilor Payne – I strongly support the approach of the additional bonus. Philosophically thinking about the approach to it and other things going forward are our Comprehensive Plan update and Affordable Housing Strategy. The most important components are deeply affordable housing at 0 to 30 percent AMI as the most critical point and 30 to 50 percent AMI above that. It is important for us to acknowledge that inclusionary zoning is one tool. All things considered, it is a pretty weak and limited tool. It is better than nothing. If we're expecting to rely on that, we're going to be massively short of our expectations. Supply and density are necessary but not sufficient. It is critical to acknowledge that supply on its own will primarily benefit people the first 30 years or so until that new housing ages. It

will primarily benefit people making \$80,000 to \$90,000 a year; not a family or a single parent making \$15 an hour working full time. The free market won't provide that deeply affordable housing. That's going to have to come from subsidy, our housing authority, and nonprofit developers. Anything that supports and promotes that is absolutely necessary and critical. This is something the market will not respond to but it will help the housing authority if they have purchased land through a land bank. It would have the ability to provide more housing under this framework. That is why I think it is a positive thing that I support. When it comes to development, deeply affordable housing of 0 to 30 percent AMI, all bets are off in terms of what helps produce that. Whatever it takes to get there, I am in support of.

Councilor Pinkston – I think this is a great idea. I support it. I understand the point that you're making about the tradeoff being how you get this to fit with the form of adjacent areas. The whole piece about how much is affordable, what those levels are going to be will really depend on the case itself and Habitat or PHA and the case they can build and the funding. It will be decided on a case by case basis in terms of what that particular developer can figure out. If I was a person in the public who was unhappy with all of this, you said that the Comp Plan said that this is General Residential; this is residential with a sensitive overlay and medium intensity residential. There was all of this furor about areas that are medium intensity residential. It feels like this is an 'end around' those conversations and we will just allow this to happen. I think it is a great idea. The actual number of developments that would happen will be very small. I wonder, from a credibility perspective from people who were here before, what their opinions might be on that.

Mayor Snook – We told people last year that the difference between General Residential and medium intensity level would be related to things like the carrying capacity of the streets and other issues like that. We were going to have houses and buildings that would essentially look like the other houses in the area and various other reasons we were giving particularly for those spots where we took a parcel out of the medium intensity residential and put it back into General Residential. There was a reason for that. The reason for that had nothing to do with affordability. It had everything to do with the conditions on the ground, on the street, and what it was going to look like. This proposal basically says that we're abandoning that logic and that discussion we had last year.

The second point is that we have to acknowledge that this proposal cannot work without significant subsidies for each one of the units. Let us acknowledge that one of the purposes of the rezoning request and the Future Land Use Map was that we would be able to incentivize non-subsidized market based solutions, not more excuses to spend whatever the current figure is per unit. Let's acknowledge that this is a very different philosophy from what we have previously been discussing.

The third point is that the present value of 10 years' income stream of the difference between a 50 percent AMI and 100 percent AMI (for a two bedroom apartment) would work out to around \$1000 a month/ten years/6 percent is about \$92,000, not \$45,000. If we want to look at a 99 year period, it goes to a little more than double that; about \$200,000 difference in the income stream. What we would be doing is hoping that a contractor or developer would take a \$92,000 hit on potentially 8 more units for what reason. It is great if it's nonprofit. Only a nonprofit is going to look at that. Let's not be under any illusions that somehow or another, you're not going to get very many people other than nonprofits. If it is a nonprofit, we're in the business of \$45,000 per unit subsidy from the city.

My first objection to it overall is that this is fundamentally different and a betrayal of what we told people last year. If you're in General Residential, we are distinguishing between you and the medium intensity residential for reasons that are true planning reasons and not just political reasons. I would be fine with the idea of maybe an additional unit or two, an additional unit if one is affordable, that's a little bit of a change. It's not going from 4 to 12 or something of that seriousness.

Vice-Mayor Wade – From what has been said, I agree with what Councilor Payne said. I would like to specifically have the Housing Authority be listening in. The plan has a strong component of affordable housing. They are the nonprofit that can do it. Part of their title is development or redevelopment. They can serve that role. They're willing to step up in that role. When I was in school at Norfolk State, the Housing Authority played a major role in addressing the affordable housing. It's not just one thing. They can do it. We're looking at the housing fund, Habitat, PHA, bonus units, and things. We need to have the Housing Authority. They know the population. They know what they're doing. They know how to tap into those funds. We can get a lot more units done if they play a bigger role.

Commissioner Russell – Is this a situation in which our discretionary process actually would be helpful to have these cases come to the Planning Commission and Council and talk about the merits of what it is as part of the public process?

Mr. Einsweiler – In general, any discretionary process is a deterrent to asking for more. As planned at the moment, the only bonuses we're proposing are within the code. You can access them without saying "mother may I." I don't disagree that a public conversation can yield a better project. Very often a public conversation yields consternation, maybe on both sides. There will likely be people who believe very strongly that the project needs to go through regardless of the issues associated with its urban form. There will be others who think that is a terrible thing you have done to them and their neighborhood. There will be no choice in that conversation but to set up that dichotomy. We don't have a good way to have that conversation other than a battle in a win or lose vote. I'm not certain that we shouldn't just do it once; meaning bodies like yours should make the decision twice. You will have to make a recommendation to us. We will have to draft the language and come back. You will then have to adopt it. Fundamentally, that brings us to more of a policy decision. While making that policy decision, you will be hashing out the best answer. It will be a more generic answer across the wide variety of neighborhoods. Doing that once is much more beneficial to all the players in the system than having to do it continually. My guess is that it would simply be avoided by all but the most stalwart entities who have a great track record and really know how to do it.

Commissioner Stolzenberg – Even if it is a by-right bonus, they're probably coming to the CAHF Committee for the local funding. At that point, the CAHF Committee will decide whether it is an appropriate use of funds. I am sure there will be a variety of projects asking for funds depending on the nature of the site and the project. There might be one in General Residential that comes in at \$30,000 and seems worth it per unit. I feel you end up getting that public process regardless because these would be nonprofits and almost certainly require local subsidy.

Mayor Snook – The decision is being made by CAHF. It is not being made by City Council and the Planning Commission. It is coming down to, regardless of the conditions on the street, we're saying 'sure, we'll give you \$30,000 per unit' or 'no we won't give you \$45,000 per unit.' That's the only criteria for the decision.

Councilor Payne – My concern is also the part of the Comp Plan is that we would be prioritizing deeply affordable housing. We just be up front. Without this under our current zoning rewrite framework, let's make it concrete. Let's say a single parent working full time making \$15 an hour, there is absolutely nothing in our zoning rewrite process will benefit that parent at least for 30 years when that housing ages and becomes affordable. I don't think there's been any analysis to suggest otherwise. There are still other benefits that may make it worth doing for other reasons. The only way we're going to get to that deeper level is public subsidy. The free market is just never going to provide housing at 0 to 30 percent AMI, probably 30 to 50 percent AMI. We should be upfront. We have other aspects like land banking

housing strategies and subsidy. When it comes to anything in our zoning, if we don't do this, we should be up front about it. A lot of people would consider that a betrayal of the goals of the Comp Plan. Everything is a tradeoff. The points that have been raised are legitimate.

A final point, let's take a look at the affordable housing on Park Street that the PHA is doing. My concern is: Do we have an approach, if we removed discretionary decision-making on the City Council's end, make that project less feasible or not feasible in terms of getting to the level of density we decided was worth it because it was 100 percent/significantly deeply affordable?

Councilor Pinkston – One of the major points of the Comp Plan (Councilor Payne) was to get to the lower ranges of AMI that you listed. Another part of it was to increase density in housing for missing middle and everything else. That's part of what we're doing here. It is not as if this is not doing any good for the city, this overall approach. It is not meeting (by your analysis) one of the key things we said that we wanted to do, which was the lower ranges for the AMI. I can appreciate that. Is that the case even if with the MIR in the high intensity that we're not getting to those lower ranges?

Councilor Payne – I would think not really. The inclusionary zoning may include a few units particularly if we're pairing them with vouchers in some way. The absolute number of units isn't going to be that much. There are people who make significantly less; a single mom working full time making \$15 an hour. I don't see it opening up housing options for them even in medium and high intensity residential at least for 30 or 40 years until that new housing ages.

Councilor Pinkston – Can somebody from the team help me understand with the (Medium Intensity Residential) MIR and high intensity? Are we getting some of that with the bonuses?

Mr. Kash – The 60 percent AMI units are not households making \$30,000 a year. The statement made earlier is something we worked through with the housing planning process. Land use doesn't get you the deepest levels of affordability. You have to have subsidy in play to reach those prices. The market cannot build the price point and maintain the property that the incomes can support.

Councilor Pinkston – Zoning was just one piece of the Affordable Housing Plan that was adopted. We're committed to doing at least \$8 million a year in direct subsidies.

Councilor Payne – With the zoning piece, there would be some symbiotic benefit of combining our subsidy if you have 100 percent affordability, they're able to build more units because we are landlocked at 10.5 square miles. That's just going to help get more of that deeply affordable housing realistically out into the community.

Some people would say that it is still a fight to get a wage to \$15 an hour. People would consider that a win. Sixty percent AMI isn't even meeting that. There are plenty of people who make less than \$15 an hour. My concern throughout this whole process has been that we said we were going to focus on both: focus on that person making \$90 to \$100 thousand a year who still does need housing and deep affordability. My concern has always been and continues to be that it is way easier meet that higher end. We will fulfill that commitment for young professionals, middle class, or upper middle class families who need housing. We will never actually fulfill our commitment at 0 to 30 percent AMI. There's a lot of inertia that makes that the default outcome. That's my concern. I see an opportunity to advance that end through this.

Councilor Pinkston – I would go along with that if a commitment had not been made to the public a year ago that we're not going to push that out into the General Residential.

Mayor Snook – We are already saying that we want hundreds of lots to now become medium intensity. If we get to the point, where we have filled up those hundred lots without doing any of this. There's no reason why those hundreds of lots can't have \$45,000 worth of subsidies on them if the CRHA finds the correct opportunity. We don't need to be going into the General Residential at this point in order to use/soak up whatever market may be for this kind of project for the next 20 years probably.

Councilor Magill – We need to have a process. If there is a chunk of land that a nonprofit can move forward with; I am going to use our local churches who have recently been coming forward with property and wanting to do something else as part of their social mission to be part of the solution for affordable housing. If that is in a place that is General Residential and we don't have something like this in place and we don't have an SUP process, how do we provide that? The current SUP process is prohibitively expensive, especially for small nonprofits, who are trying to make that affordable housing. By having something in place, they can use with these more extensive, deeper levels of affordability already in place, gives an ability to have more deeply affordable housing. Sixty percent AMI is approximately \$19 an hour.

Commissioner Habbab – When we were looking at the Comp Plan, we did look at the overlay. We pushed that into the affordability bonus with an undefined number bonus or affordability to figure out. I still think it is in line with what we previously talked about. Most of the public speakers, from my recollection, were in support of that move and if it truly provided affordable housing. That was the biggest concern.

Commissioner Stolzenberg – In the plan, there's a sub strategy for land use 1.4 that says "consider deployment of an affordable housing overlay or similar designation to incentivize long-term affordability for a variety of housing types, prioritize methods that support deep affordability, and affordable housing overlays." It is exactly the thing we discussed last year at length that the HAC (Housing Advisory Committee) proposed even in the General Residential chart. It says allowing additional units and height in an affordability bonus program. I think we intentionally kept it on the table precisely to allow a program like this that would allow nonprofits to provide more deeply affordable units in conjunction with and supported by our commitment to funding our affordable housing plan. If I could also address the idea of it being a betrayal of the planning; some of it doesn't pencil. It will need an explicit benevolent nonprofit or CRHA partner to do. You're looking at low single digits, probably no more than two of these in the entire city feasibly. Because it is so few, from a planning perspective and capacity perspective, anyone would agree that any single street in the city could handle a 12-plex on it. The areas we designated for medium intensity (it will take many years to get there) could conceivably all be 12-plexes. It's very difficult for me to see an argument where a street in the city could not see a single parcel go to more than 5 units without hitting capacity. When I think about the Rugby House (the 12-plex the whole Rugby neighborhood was subdivided from), it is on Cottage Lane. That is a small street. It is a very typical neighborhood street in terms of being capacity constrained.

Mayor Snook – It is also the only house where many blocks around meet those criteria. There's nothing in this suggestion that would say you couldn't have two or three of them on a street. We would maybe have to write that in. It is being written as though it is a by right at that point if you come in with the right set of numbers.

Commissioner Stolzenberg – I think that is true because it is such a rare thing for it happen; because it is so financially infeasible that you're only going to get one or two a year across the city. Is it possible that a nonprofit could do the same street year after year and go one by one?

Mayor Snook – That just happened with the people on Park Street. They have two proposals within three blocks that are going to drastically increase their traffic and their population density. They feel that they're exactly in that situation.

Councilor Payne – That's an important example. One of my concerns is that if we're changing our fundamental land use decision-making process, without this are we setting up a situation where we say 'think the projects on Park Street are a bad idea or shouldn't be able to happen.' There were tradeoffs with those projects. Ultimately, we decided to support them because we thought the tradeoffs were worth it. I don't want us to box ourselves into a situation where that doesn't become possible going forward or it becomes harder for it to become possible. Everything is tradeoffs. We all agree that they were worth it in that case and necessary.

Commissioner Stolzenberg – They're not in General Residential. They're many times larger than even the most we're talking about under the overlay.

Councilor Pinkston – This brings me back to Commissioner Russell's point about whether invoking this might call it SUP Lite, some sort of mechanism where there was a level of review with Council.

Commissioner Habbab – We heard it from the public. It is the concept of having that affordability requirement for homeownership that might have a negative impact on some of our nonprofits. I just want to raise that concern in terms of length of time. If there's a possibility of splitting the requirements if there is homeownership, what could we do to make that work for them?

Commissioner Mitchell – We do need a commitment from Mr. Freas that two unanswered questions will be addressed. One was the 99 year and the other was the critical slope. We need a commitment that you're not going to move forward until we have a debate/discussion about that.

Mr. Freas – I think we already noted on the 99 year. In the presentation, we already included a note in there that is easily addressed in the administrative rules. For us, that's easy.

Mr. Kash – The 99 years on the homeownership is a big ask and locking it in at 60 percent AMI really does limit the buyer pool. It is a valid point that is being raised. There are a numbers of places where we can set it. We can keep it 99 years at 60 percent AMI. There is a whole spectrum of options. On one end is deep affordability for 99 years at 60 percent AMI. The other end is after the initial homebuyer owns the house and they choose to sell it, there is no long term affordability restriction. In between those two are several different options which we laid out in the original housing plan. What we're going to do in the administrative policy is lay out a couple of those in-between options for the city.

Ms. Seltzer – One addition is that we would recommend that policy also matches whatever the requirements are for your down payment assistance programs, the types of programs that Habitat is using and a critical part of production. We would look closely at how those mortgages get made and sold on the backend through programs and make sure it lines up.

Mr. Einsweiler – I was going to suggest that things we are thinking of as simple is not because the policy question is simple but amending the documents that go with this is simple. What we are talking about here are that we have a limited amount of money to draft as does HR&A. We're trying to mostly do it once. Elements that require us to generate additional districts require us to generate variations on things. We just want to know and go draft those and hopefully come back. If you want to take something out later, that's fine. We should not be trying after the first draft to add to the set at this stage. It will be pretty challenging to do that in terms of having had these conversations where we're hoping to reach

some closure, not limiting you in what you can change. A simple thing like a change to the AMI is a number in a code. It has enormous implications. In terms of drafting, it's very simple to work through the policy implications of that. Questions about generating different urban forms that we now need to speak with the public about and have some fairly difficult conversations, those are more important to us. If you want unlimited form in a trade for affordability, we need to be able to work through that issue with the public and help them understand what you're talking about both financially and physically on the ground. We were looking to reach some closure on these issues so that we can get closer to drafting just once. I am not sure we have reached closure on this last one. I don't know if I want you to do a straw poll. If we are to keep this idea alive of all affordable or only the new affordable, that's easy. If we're keeping this idea alive, that's what we need to hear tonight. We will have to draft a district that does that. Whether we allow that district only through a discretionary process or not, that's easy. Whether we draft it in the first place is the fundamental question that we're asking.

Commissioner Mitchell – I do want a commitment that we're going to talk about the critical slopes at some point. I do not think Council should delegate its authority away to an engineering department.

Mr. Einsweiler – With critical slopes, one part would be the standards that are in it, the requirements for review, the documents that are needed, are all related to engineering. We would like to move it to engineering for that reason. If you want to retain the review process, I think we can do that. The one implication is no variance. A variance goes to the BZA. There would have to be another model for how you achieve the equivalent of a variance in a Planning Commission and Council review of critical slopes. If the expressed language of the code says the flexibility only applies up to 30 percent slopes and somebody has a 32 percent slope, normally he would have to go to the BZA to break a rule like that. It would be similar to that. We would need to add a piece of flexibility. That issue would have to be worked on. You would not be in the zoning world if we move these. It is part of the intent. It doesn't mean you can't have the flexibility to think the kinds of settings it might be OK to modify the basic standards of critical slopes. We think it is an engineering discussion. The planners and others should fundamentally not be the key and the keepers.

3. Public Comments

The Public provided comments via email and cards. The follow pages contain the emails and cards that were submitted by members of the public.

The meeting was adjourned at 8:49 PM.

Rezoning R2-U District in Jefferson Park Avenue neighborhood:

The FLUM emphasizes **compatibility of new building with existing forms**. On p. 7 of the *Draft Diagnostic Approach*, (Table 2, Land Use Category Descriptions, Residential, column "Form"), each land use category description begins with the words, "Compatible with existing." This is an excellent, sensible idea. However, the quantifications that follow in the columns "Height" and "Use and Affordability" are not always compatible with what exists. There is a disconnect between the guiding principles put forward by the FLUM and its actual proposals.

For example, the area between JPA and Stadium Road is currently characterized by one and two-story houses. The maximum allowable by-right height in this area, which is zoned R-2U, is 35 feet. The FLUM proposes to rezone this area "higher- intensity residential." The "Form" description for "higher-intensity residential" begins: "Compatible with existing residential and historic neighborhood context. Highest building heights according to context." This sounds reasonable. However, the "Height" column says, "up to 5 stories," and the "Use and Affordability" column specifies "multi-unit housing (13+ units per lot)." Five stories and 13+ units per lot are not compatible with what exists. Nothing approaching that height and density exists in the R-2U neighborhood currently. It seems unlikely that the people who wrote the FLUM took the trouble to personally walk through the streets of that neighborhood and look at what exists. But this now needs to be done, and appropriate revisions need to be made to the neighborhood's rezoning category.

In the *Doe v. Charlottesville* case, the attorney for the City (Robertson) argued successfully that the Comprehensive Plan is not a definitive blueprint for zoning: "The Comprehensive Plan is a planning document and does not require the city to do anything." "The Comprehensive Plan is ...a living document that can be amended from time to time." It follows that FLUM-proposed zoning is not set in stone. It can be changed in the rezoning process.

Note also that p. 56 of the *Draft Diagnostic Approach* states: "Today's Zoning Ordinance includes a variety of single-unit residential districts applied across the city, including the R-1, R-1U, R-1(S), R-1U(S), R-2 and R-2U Districts. These districts all fall mainly within the boundaries of the General Residential land use category in the Comprehensive Plan (although some portions of these districts are in the Medium Intensity Residential land use category). **A simplification of these 6 districts is possible; a single zoning district should be applied across all areas designated as General Residential in the Plan.**"

Please visit the streets between JPA and Stadium Road in person, look carefully at the existing houses, decide what a story means in terms of feet, and consider rezoning the R2-U district to General Residential instead of Higher Intensity Residential.

Nina Barnes and Dennis Barnes, 12 Gildersleeve Wood
Anne Benham, 116 Observatory Ave.
Megan Buschi and Paul Buschi, 125 Observatory Ave.
Ellen Contini-Morava and Jack Morava, 225 Montebello Circle
Jennifer King, 221 Montebello Circle
Lorna Martens, 128 Observatory Ave
Bobbie Williams and Peyton Williams, 108 Oakhurst Circle

From Ellen Contini-Morava, 225 Montebello Circle:

City Council recently approved a 5-7 story high-rise aimed at students on Jefferson Park Avenue that will include no affordable units, under the theory that packing students into this neighborhood near U.Va. would free up affordable housing elsewhere in the city. This theory has also motivated the proposed rezoning of most of the JPA neighborhood to Higher Intensity Residential, as shown on the FLUM.

But not all students can afford a luxury apartment--the recently approved building will include a swimming pool, for example. Students who are not wealthy will still compete for affordable housing wherever they can find it.

There are other problems with packing students into a single neighborhood. Currently the JPA neighborhood still has some long-term residents, who advocate for compliance with city laws (noise, safety, trash, etc.), provide a sense of continuity and community, and improve the neighborhood (for example, the trees along the JPA median were funded by the JPA Neighborhood Association).

Rezoning the district currently designated R2-U to Higher Intensity Residential will give free rein to developers to buy out the remaining residents, demolish their houses, and replace them with high-rise apartment buildings. A neighborhood of rental high rises owned by absentee landlords and inhabited by student transients lacks the character and strength of one that includes homeowners of diverse ages, family status and occupations. Also, replacing the one- and two-story houses in this neighborhood with high-rises will destroy the existing tree canopy and increase the heat island effect. Is this what the city wants?

Please consider rezoning this R2-U district to General Residential rather than Higher Intensity Residential.

From Ellen Contini-Morava, 225 Montebello Circle:

I write to object to the "streamlining" of the SUP process proposed in the Draft Zoning Diagnostic Approach.

The State of Virginia Code (§ 15.2-2286, section 4) states that a Special Use Permit is justified if "...(iii) the authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the granting of the modification. Prior to the granting of a modification, the zoning administrator shall give, or require the applicant to give, all adjoining property owners written notice of the request for modification, and an opportunity to respond to the request within 21 days of the date of the notice."

The Draft Diagnostic Approach (pp. 10-11) proposes to reduce the city's reliance on SUPs, either by rezoning neighborhoods so that development becomes by-right rather than requiring a SUP, or by restricting the scope of SUPs only to "uses", not including increases in mass and bulk. In the Appendix (p. 95) it is claimed that by-right development will "support neighborhoods" and "allow for improved public information and engagement". In fact it would have exactly the opposite effect.

These proposed changes will have the following negative effects:

- (a) favoring the interests of developers to the detriment of adjacent property owners, who would be faced with multi-story high-rises adjacent to single-family homes, but who already have less time and fewer resources to influence proposed development;
- (b) relocating decision-making to city staff (see p. 72), who are already overworked due to staffing shortages, rather than to elected officials who are directly responsible to the public.

What recourse will residents have to contest a development project that is "of substantial detriment to adjacent property" and that would "change the character of the zoning district", as described by the State Code, if the SUP is virtually eliminated?

From Lorna Martens, 128 Observatory Ave.: On density, traffic, and transit

Increased density will bring more traffic. **Before** zoning for increased density, Charlottesville needs a traffic analysis and a transportation plan. The transportation plan should include a plan for significantly expanded public transit.

I recently spent time in Paris, France. Paris is ranked as the densest city in Europe and one of the densest cities in the world. In recent years the mayor, Anne Hidalgo, has successfully implemented a variety of creative measures to cut down on vehicular traffic in the city. Her main objective has been to slash emissions and improve air quality. The measures she has implemented, which are considered radical, have been very widely publicized, including in the US press.

For example, sidewalks have been widened and streets have been narrowed. Half of the width of each street, unless it is very narrow, is restricted to buses and taxis. The lights at intersections have been re-timed to allow more time for pedestrian crossing and less time for motor vehicles to proceed. Bike lanes are provided in both directions even on one-way streets. Certain streets are converted on weekends to pedestrian-only malls.

Naturally, all of this, especially the narrowing of the lanes in which passenger cars are permitted to drive, is a huge disincentive to driving in the city and has greatly cut down on traffic in Paris. As a result, Paris today is a wonderful place to walk or ride a bike. Driving a car there, however, has been described as hellish. Not only is it extremely hard to find a parking spot; it is hard to make any headway at all. You can get where you want to go much faster on public transit. Tourism has not suffered; Paris ranks as the second most touristically visited city in the world.

My point is, however, that Paris had a robust public transit system in place **before** Mayor Hidalgo implemented her traffic-reducing plans. Paris has 16 metro lines, with trains running every 2-13 minutes (the Paris metro dates to 1900); 13 tram lines; a dense network of bus routes, with stops every 500 meters; and 5 rapid rail lines connecting central Paris to the suburbs. This transit system was in place and heavily used by residents and tourists alike **before** any traffic-discouraging measures were introduced.

Mayor Hidalgo has kept public transit inexpensive. A pass that gives you access to all public transit costs approximately 75 euros a month. Therefore, residents think it's insane to own a car.

Charlottesville's Draft Diagnostic Approach mentions a traffic-discouraging measure: cutting down on required parking spots. But this measure alone is hardly enough to resolve the traffic problems that increased density will create. In Charlottesville today, people need cars to get to work. It's hard to buy groceries without a car. The City of Charlottesville should make it easier for people to do what they need to do without a car—not just by bike, because not everyone can ride a bike, but by convenient and frequently running public transit—**before, not after** it makes it harder for people to own cars. Before we increase density, we need a vastly better public transit system than what exists at present.

From Lorna Martens, 128 Observatory Ave.: Aging in place

I listened to the August 9 Planning Commission meeting at which James Freas, when asked about aging in place, said the current plan solves the issue by allowing the elderly to move to smaller houses in their own neighborhood. From all I've heard from a great many elderly people, what they care about is not so much staying in their neighborhood as remaining in their own homes, which they chose once upon a time for the sake of the school district or proximity to work. If they (reluctantly) move out of their own homes, they move to where they can get better care, such as to be near adult children, even if the adult children live out of state. Staying in one's neighborhood is irrelevant. "Aging in place" should be defined as "staying in one's own home."

From Lorna Martens, 128 Observatory Ave.: Narrow little streets

I was struck by Steering Committee member Diane Dale's comment in the Cville Plans Together Steering Committee Meeting on August 29, 2022 that we have some narrow streets in Charlottesville and that reducing required parking externalizes the problem onto the streets. I live on one of those narrow streets! Although it's a short dead end, it's close to the university and it sees a lot of traffic and parking. We have zone permit parking here, of course. But twice, my car has been struck and damaged while parked on the street. Gradually, it's getting a new coat of paint that way...but despite this silver lining, these days I only park it in my short driveway, imagining that it's safer there. In July, though, while I was out of town, my car was rear-ended by a moving truck while parked in my driveway! Photo attached. This street (Observatory Ave) has no turnaround, so incautious drivers try to turn around by using people's driveways. This includes moving trucks, UPS trucks, Amazon trucks, whatever. It's just something to think about when trying to increase density on little streets that were built long ago (my street dates to 1925).

From Lorna Martens, 128 Observatory Avenue: High-intensity designation of JPA neighborhood

I live on Observatory Ave., an area marked "high-intensity" on the FLUM. I bought a home here because I work at the University and because the area is within walking distance to the University. Proximity to the University--and UVA Hospital--makes this neighborhood very attractive to anyone who is affiliated with the University or Hospital. Nearly everyone who lives in this neighborhood between Stadium Road and JPA is in fact affiliated with the University or Hospital. Faculty, staff, and nurses have bought houses here which they occupy. These people want single family houses with yards that are close to the university. They have no interest in living in (or near) multistory apartment buildings. We also have some families here with children that want the Johnson school district. A great many houses in the neighborhood have also been bought by landlords for the purpose of renting them out to UVA students.

If you allow apartment buildings throughout this neighborhood, what you will attract is student renters. You will spoil the neighborhood for the faculty, staff, nurses, and families who live here. They don't want large apartment buildings towering next to their houses.

Do AMI renters have to move out if they get a better job/more income?
Does an income statement (tax return) need to be provided at every lease renewal?

Should affordable housing be considered a bridge for people so they are encouraged to succeed to regular full pay housing and ownership?
Sense of community is a value worth pursuing
Parking will always be needed. Keep mind open
+ straight + realistic about this

what about adding
affordable housing through
public-private partnering

Syleethia Carr
w/ Not Me, I Believe Anti-Bullying
(NMIB)

Sept, 27, 2022
5:30pm

I would first like to start by saying I support
CJH's statements and that I would like my
note included w/ the packets for tonight.

I want to know how are you going to address
the lack of affordable housing right now?



Public comment on Work Session with City Council and Planning Commission

1 message

Steve Myers <steve@writetosteve.com>
To: engage@cvilleplanstogether.com

Sun, Sep 25, 2022 at 3:27 PM

Dear Council and Commission,

I am writing to share some thoughts as a homeowner regarding on the "Key Questions" under discussion at the Work Session.

This whole exercise is completely unnecessary and I would suggest it is being done for the benefit of the organizers rather than the community. The organizers want to feel good about themselves. If individual residents need financial assistance, then that is what should be provided. You will recall that "Obamacare" destroyed the healthcare of 92 percent of the US population in order to help a tiny minority who could not afford it, and incidentally still don't have it. Likewise, this plan would destroy nice neighborhoods in the city, containing homes that people have worked hard to afford, in order to help a tiny minority who are having financial difficulties.

If the city government feels it needs to become involved, why not offer housing subsidies to the less well-off or even help them to put down a deposit, so they can lift themselves out of poverty?

Consequently, I oppose the reduction or elimination of parking minimums. The city could also improve public transit to reduce the need for car ownership before reducing parking minimums. This is poorly considered and should be abandoned.

Lot subdivisions should only be allowed according to current minimum size and street frontage rules. To remove these restrictions would create a free-for-all and before you know it, Charlottesville will become another Baltimore, Detroit or any number of other Democrat-controlled cities which have deteriorated into crime scenes worse than many found in African and Latin American cities.

Finally, I also object to any further overlays that would allow excess intensity maximums in any of the FLUM categories. It seems to me that this whole proposal is based on emotions, not facts, and is merely an attempt to be seen to be doing something rather than actually doing it.

Sincerely,

Steve Myers

From: [Bishop, Kitter \(klb4f\)](#)
To: engage@cvilleplanstogether.com
Subject: A more nuanced look at the JPA Neighborhood
Date: Tuesday, September 27, 2022 7:17:51 PM

Dear Neighbors on City Council, Planning Commission and NDS,

I urge you to take a second look at the side street neighborhoods in the Jefferson Park Avenue Neighborhood—the JPA corridor between Stadium Road and the railroad tracks, up to the medical center and out to Fontaine Exit. I have two suggestions.

Suggestion one: Reconsider the streets bordering Stadium Road which are currently recommended as “Higher Intensity Residential.” My view is that the current FLUM recommendation is ham-handed here, and this area specifically deserves another look. Large swathes and multi-block pockets of this area consist of single-family houses and small duplexes (for example, on Observatory Ave and Montebello Circle). This area is well suited to be a house-scaled Medium Intensity Residential area, in my view.

Suggestion two: Model how Medium Intensity Residential zoning plays out in an Architectural Design Control district such as the Oakhurst-Gildersleeve ADC zone. Please show examples or a vision for how house-scaled higher density can be built out around a small historic structure, such as exists on Valley Road, Maywood Ave and Gildersleeve Wood.

In conclusion, please take a nuanced look at the side streets of the JPA neighborhood. There is more to our neighborhood than student highrises whose model of development does not accommodate affordable units for working singles, young couples and retirees who desire a different set of amenities.

Thank you,

Kitter Bishop, 8 Gildersleeve Wood

From: [Penny Keiter](#)
To: engage@cvilleplanstogether.com
Subject: Affordable and sustainable neighborhoods
Date: Tuesday, September 27, 2022 7:22:29 PM
Attachments: [Response to the Inclusionary Zoning Analysis and the the Zoning Diagnositc Report.pages](#)

The voluminous and highly graphic design-configured Inclusionary Zoning Analysis and the Zoning Diagnostic Report needed, (in addition having made hard copies available to the public,) was all well and good from the mass-marketing for building construction's standpoint, however important HUMAN components were missing.! Specifically, these professionally-consulted and City funded zoning expositions, they did not meaningfully provide for affordable housing or an uplift to the individual household's social, economic and environmental well-being, in Cville Proper.

Projection of infrastructure exigencies: roads, (including accurate present and future, (non-granular,) traffic patterns,) and utilities, eg., plans for underground electric, aging waste water system renovations—including the ones presently scheduled, were left out! (Also, nothing has been integrated with Albemarle's planning.)

An analysis of deep environmental impact regarding new construction for the surrounding areas, moreover accurate data on present and FUTURE population, business, driver and social service numbers are not included.

I did not see prohibition of new gas hook-ups. Commensurately, I did not see architectural design for healthy buildings as MASS' (Model of Architecture Serving Society) have, eliminating traditional HVAC. In many MASS' new construction or renovate structures, increasing window placement and size, using solar energy or geothermal cooling, (including mechanical—creating natural air flow—, convection,) other passive solar and for cooling and heating needs to implemented. ^{1, 2}

—Prohibition of new gas hook-ups for new construction nowhere to be found!

¹ Modern refrigerant. . . the gas in fridges, freezers, air conditioner and anything else that cools mechanically. . . arrived in the 1930's, with the development of CFC/s. . . HCFC's were not as stable or lucrative. . .CFC's continued to dominate the market until the 1980's, when . . . their presence in the upper atmosphere . . . was causing the chemical breakdown of the ozone layer. . . [A] ban invited a second wave of refrigerants. . .HFC's. . . [which] have an ozone-depleting potential of zero. . . are highly potent greenhouse gasses. . . like carbon dioxide, methane, nitrous oxide and water vapor absorb infrared radiation from the sun and the earth and block heat from escaping into out space. . . Refrigerants have global warming potentials as high as 12,400 and 13,900 times that of CO2. . . So while the number of refrigerant molecules in the atmosphere is far fewer than those of other greenhouse gases, their destructive force, molecule for molecule, is far greater. (Wilson, Eric Dean. After Cooling: On Freon, Global Warming, and the Terrible Cost of Comfort. New York: Simon & Schuster, 2022, pp. 3-4.)

² . . . Some studies have found that repeated exposure to consistent air temperatures, (ie., air conditioning,) weakens tolerance for other air temperatures. Ibid, (pp. 96.)

Where was a complete listing of all LLC's or other corporate entities that own rental properties for housing, in the City. (Also, ones that hire and pay the local development companies.)

—A comprehensive description of all the federal and state subsidies that construction companies can receive for building affordable, durable, aesthetic and sustainable housing.)

-An adequate statement about UVA's student impact on the City neighborhoods congruent with the school's present housing provisions and “ non-profit”business plans.

RHA and Cville Plans Together may believe that density as it pertains to social and economic design dynamics were addressed, but they were not. Their plans speak to the mass-privatization of space rather new innovations for use of space and building design to promote privacy and personal space. For example, when too numerous a number of fortress-style buildings and their entrances are too close to each other and the street or. . . lo and behold, windows are open, safety and privacy are compromised, if not forfeited. Further, crossing busy streets, in the newly envisioned roundabouts at intersections that have been addressed with our sister county, wasn't addressed. All the aforementioned affect, with a some exceptions, everyones' feelings of safety, comfort and well-being!

It may be that we, not only, find ourselves in a slow but sure tsunami of social, technological and economic change, environmental degradation, no longer slow, withstanding, but I'm not sure many know or care to know about all the profuse undercurrents—many profoundly personal—regarding the character and change of this City and those in the world around us. We don't need to be marketed and solicited on the road to Hell, replete with good but ineffectual intensions³

From: Barolsky Ruth L.
To: engage@cvilleplanstogether.com
Subject: changed zoning proposals
Date: Tuesday, September 27, 2022 6:09:13 PM

Members of the Planning Commission:

The updated zoning proposals are even worse than the previously proposals.

In the meeting we attended with Mr. Freas, 9/7/22, there were many voices asking for improved tree canopy, especially in new building in which trees have had to be removed for construction purposes, with some means of enforcing the planting of trees.

The new plans state that " the existing tree protection standards should be retained in the new zoning, with minor improvements."

In a city that aspires to be "green" this is a disgraceful statement. It is vague. It leaves much too much to the discretion of the builders. It provides no standards for increasing the tree canopy. There are no means of making builders and residents maintain and increase the numbers new trees and replace those trees which which have died or needed to be removed.

During that same meeting, and in older plans, it was said that new building in MIR districts should be house sized.

In the new plans and illustrations, bigger buildings that are not house-sized are to be allowed in MIR districts, as long as they "look house-scale" from the street. Does it not matter what they look like to the neighbors, both behind and at the sides? Charlottesville is a city with many steep slopes, and such rules permit houses 2 or 3 stories larger than "house-size" to loom over the neighboring houses. Please go to Augusta Street, and take a look at Greenleaf Terrace (corner of Rose Hill Drive and Amherst Street) from behind, down a hill, where the four story behemoth looms over the existing 1 and 2 story residences. Remember that what a building looks like from the street, is not necessarily what it looks like to it neighbors, and unlike passers-by on the street, the neighbors will to live with these new buildings. Existing neighbors, not "street level view" should be more important.

Did we simply waste our time attending the Walker meeting with Mr. Freas. Everything the participants asked about has been made even worse in the updated plans.

Yours truly, Ruth Barolsky

From: [Louise Bibb](#)
To: engage@cvilleplanstogether.com
Cc: [Louise Bibb](#); [charlotte meadows](#); [Olivet Charlotte and Vern Buchanan](#); [Vern Buchanan](#)
Subject: Changes you are considering...
Date: Tuesday, September 27, 2022 7:28:32 PM

I have watched with amazement the plans to alter irrevocably the atmosphere and ambience of a historic town - one which, ironically, has often appeared on, even topping, lists of best places to live in America. Your goal seems to be to eliminate the homes people save up to buy. Of course those homes should be available to people of all races and ethnic backgrounds. Of course they always should have been. But we cannot change the past. And destroying the neighborhoods many aspired to live in is not the answer.

A few decades ago, well-meaning people thought public housing would solve the very real housing needs of minority people. And we lost Vinegar Hill. I was horrified at the time and have experienced grim satisfaction in the final realization by the powers that be what a tragedy its destruction was.

If you go ahead with your plans for denser and denser housing, smaller and smaller yards, if any yard at all continues to exist, higher and higher buildings dwarfing the normal houses, obliterating the sunlight, and the houses vanishing, one by one, as residents die or realize that the town has become unlivable, there will be no question of the Charlottesville of the future appearing on "best place to live" lists. It will become a city of starter homes, a few of which may be affordable for at most ten years. As time passes, the undesirability of the city to live in may increase its affordability. Perhaps that will look to some like success.

It is within your power to save or destroy Charlottesville. I implore you to carefully consider your course of action.

Louise Bibb, 1545 Dairy Road, Charlottesville, VA 22903

From: [Robert Ramsey](#)
To: [Cville Plans Together](#)
Subject: Comment for minutes
Date: Tuesday, September 27, 2022 10:07:10 PM

"There are no solutions, there are only trade-offs." - Thomas Sowell

I have several objections to the Future Land Use Map and resulting upzoning proposal. The proposed upzoning is certainly no "solution" for meaningful affordable housing. And an objective review shows the trade-offs here are ones not worth making in most instances.

To highlight just one specific example: there has been a complete failure of city officials to acknowledge the valid concerns of residents in neighborhoods near UVA now contemplated for upzoning to Medium-Intensity Residential designation (e.g., Rugby Rd, Rugby Ave, Alderman Rd). Any development in these areas will not result in increased housing stock for working families, but rather off-campus housing for wealthy UVA undergraduates. Student sprawl would transform longstanding, peacefully settled family neighborhoods.

This is a poor policy proposal, and simply not a trade-off worth making.

I urge city officials to remove the Medium-Intensity Residential designation along Rugby Rd, Rugby Ave and Alderman Rd, among other areas.

Sincerely,
Robert Ramsey
Hilltop Road

From: [Josh Krahn](#)
To: [Cville Plans Together](#)
Subject: Comment for September 27 Work Session
Date: Tuesday, September 27, 2022 5:32:57 PM

Hello,

In lieu of a verbal comment at tonight's joint work session, I am writing to urge the City to:

1. Move forward as quickly as possible with the rezoning process and implementing the Comprehensive Plan.
2. Eliminate Parking minimums. Mandatory vehicle storage makes our neighborhoods less walkable, less desirable, and less safe. It is a huge cost burden on new housing construction and takes up valuable space that could become infill. It raises the cost of renting or buying a home and is an environmental nightmare. We will never reach our climate goals with parking minimums in place.
3. Reduce or eliminate design restrictions that inhibit infill housing and mixed-use buildings in existing neighborhoods. Current requirements for setbacks, parking, slopes, and building heights make much of the City unbuildable without teardowns (and barely buildable even with teardowns). We need to encourage the creation of as much new housing and density as possible. We are decades behind on housing supply and need to act fast and take brave, bold steps to avoid becoming even more of a sprawling car-dependent metro area where only the rich or very lucky can afford to live.

Thank you,
Josh Krahn
630 North Ave. Charlottesville

From: [Emily C. Dreyfus](#)
To: [Cville Plans Together](#)
Subject: Comment from CLIHC
Date: Tuesday, September 27, 2022 9:05:02 PM

Thank you for your assistance this evening. I appreciated all that your team brought to the meeting, as well as the thoughtful questions and commitment shown by many City Councilors and Commissioners.

I am writing to ask that the comment the email below be included in the packet.

Thanks again,
Emily

From: Emily C. Dreyfus
Sent: Monday, September 26, 2022 10:51 AM
To: Council <Council@charlottesville.gov>; planningcommission@charlottesville.gov
Cc: Freas, James <freasj@charlottesville.gov>; engage@cvilleplanstogether.com
Subject: Behind the scenes - public comments for the work session tomorrow
Importance: High

Good morning,

I am writing to provide information about public input re: the draft zoning analysis and potential Inclusionary Zoning (IZ) scope. The information for tomorrow evening's meeting does not show how many people supported particular changes, with the exception of the section detailing the 71 responses to the "feedback form," which were predominantly from white people with moderate-upper incomes. Unlike the details given for those respondents, the vast majority of comments received over the past several months were portrayed in a laundry list of concerns, with no explanations of the magnitude of respondents backing specific issues, and no coverage of the particular concepts which received support from hundreds of local residents.

Earlier this month CLIHC, CHAAHC and Livable C'ville authored a sign-on letter which received endorsements from 14 organizations. We also shared a **change.org petition which received more than 200 signatures.** The letter and petition were released on Friday 9/2 and closed on Tuesday 9/6, due to the end of the comment period.

The large responses over a holiday weekend show **very strong agreement that the consultants have "missed the mark" and that we need more pro-active and meaningful solutions.** I have included the full text of our documents at the end of this note.

The consultants included these widely supported positions in the following items from their overview of engagement, and I wanted to ensure that you are aware **over 200 individuals and 14 organizations supported these issues within a four-day turn-around:**

- Need for improved opportunities and reduced displacement... (#5 under Affordability)
- Support for pairing vouchers.... (#4)

- Need for additional incentives... (#3)
- Desire to see more support for affordable ownership... (#8)
- Need for flexibility in long-term affordability... (#11)
- Support for eliminating minimum lot size... (#3 under Design & Form)

The presentation of engagement items in the report obfuscates the breadth of the support for the above items, as well as the magnitude of agreement that the consultants' recent work is not going to fulfill the Comprehensive Plan, but instead will continue Charlottesville's pattern of racial and economic segregation. Equity is at the very core of this matter. As is widely acknowledged, the voices of lower-resourced residents are under-counted because engagement takes time and expertise, especially due to widespread feelings of futility toward government involvement. The report mentions that 700 households received a survey but is silent about whether any input was received. From my own experience, I can share that flyering is unlikely to result in input. Peer engagers were supposed to be hired to provide one-to-one conversations that were focused on sharing information *and gathering* input, but this does not appear to have happened.

The consultants' presentation provides a few questions you will be asked tomorrow evening, and I ask that you respond with your eyes on the goal of improving racial and economic equity. The third question acknowledges the need for an **affordable housing overlay** where medium intensity level development is allowed in general residential areas where all units above the base density are affordable (potentially including units below 50% AMI, especially if the city and CRHA collaborate to pair vouchers). **We strongly urge you to approve this, and to encourage the consultants to provide more progressive approaches than they currently propose.**

I would welcome the opportunity to talk with you about these issues, as would other members of the supporting organizations. Please feel free to contact me if you would like to meet.

Best wishes,

Emily

Emily Dreyfus | Senior Supervising Organizer, Economic Justice Program | Legal Aid Justice Center | 1000 Preston Avenue | Charlottesville, Virginia 22903 | 434-882-3796 (c) | emily@justice4all.org

Sign-on letter:

The draft Inclusionary Zoning (IZ) analysis badly misses the mark established by the Affordable Housing Plan and Comprehensive Plan. The approach in the IZ analysis does not go far enough to create a more equitable and inclusive city. We need prompt and meaningful action to address our community's housing needs!

We ask that the following priorities and recommendations be incorporated into the proposed Inclusionary Zoning policy and the zoning rewrite:

1. **Fulfill the Comprehensive Plan and stop promoting exclusionary neighborhoods!**
Meaningful affordability needs better incentives than currently proposed. The draft bonus density incentives will not result in enough affordable housing in general residential and medium intensity districts. The city should support development of affordable housing by allowing more incentives for Inclusionary Zoning, such as 1) allowing an affordable housing overlay where medium intensity density is allowed in general residential areas

where all units above the base density are affordable (potentially including units below 50% AMI), 2) tax abatements, 3) infrastructure cost-sharing, and 4) process-based tools such as expedited reviews.

2. **Pair vouchers with development** to create additional opportunities at all income levels.
3. **Eliminate minimum lot size requirements altogether.** Minimum lot size rules will exclude smaller, more affordable housing. Additionally, any public safety benefit is addressed in the building code.
4. **Increase flexibility in long-term affordability provisions** to balance the goal of long-term preservation with a variety of housing models. The proposed 99-year affordability period potentially limits affordable homeownership and wealth-building.
5. **Improve opportunities and reduce displacement** of people from historically marginalized groups by ensuring that all parts of the new zoning code work to improve racial equity.

Thank you for your consideration.

Sincerely,

Charlottesville Low-Income Housing Coalition
Charlottesville Albemarle Affordable Housing Coalition
Livable Cville

Co-Signed by:

International Rescue Committee - Charlottesville

Cultivate Charlottesville Food Justice Network

Casa Alma Catholic Worker

AHIP

Bread and Roses

Serenity Solidarity

SURJ - Charlottesville

UVa Student Council Executive Board

Indivisible Charlottesville

On Reserve

Young Democratic Socialists of America at UVA

From: [Jane Larew](#)
To: engage@cvilleplanstogether.com
Subject: Comment
Date: Tuesday, September 27, 2022 5:54:38 PM

I thought for sure that such an important meeting would be live cast on our Community TV station. But it's not! That is surprising and disappointing. It limits community awareness and participation.
Jane Larew

From: [Kathryn Laughon](#)
To: [Cville Plans Together](#)
Subject: Comments for work session
Date: Tuesday, September 27, 2022 8:56:05 PM

I am writing to urge you to keep moving forward with the Cville Plans process. We have an affordable housing crisis and need to address it without further delay. Please include reductions or even elimination of parking minimums.

Kathryn Laughon

From: [Sarah Malpass](#)
To: engage@cvilleplanstogether.com
Cc: [Carmelita Wood](#); [matthew gillikin](#)
Subject: comments on affordable housing for today's PC worksession
Date: Tuesday, September 27, 2022 5:56:48 PM

Dear Planning Commission, City Council and Cville Plans Together Team:

I am writing to support the following:

- Move the Cville Plans process forward without delay - there have been many pauses in this process already and LOTS of community engagement. We are in an affordable housing crisis that needs to be addressed and cannot afford to delay this process further.
- Expand Inclusionary Zoning incentives to maximize effectiveness
- Eliminate parking minimums and encourage additional infrastructure and financial support for multimodal transit throughout the city
- Put a LOT of effort into forthcoming work to protect vulnerable neighborhoods and the affordable housing toolkit - please specifically have the Cville Plans Together planning team collaborate with the Fifeville Neighborhood Association (FNA) to review zoning changes in our community and the development of the toolkit.
- Be engaged with forthcoming efforts in the Fifeville Neighborhood to drive development of deeply affordable housing and other neighborhood amenities in alignment with the Cherry Ave SAP and ensure that final zoning updates and toolkit resources are all in alignment with these neighborhood priorities --- specifically investing in and incentivizing deeply affordable housing units in our neighborhood and preventing displacement of current residents.

Thanks for all your time and efforts,

Sarah Malpass

(VP and member of the FNA but writing in a personal capacity as a Fifeville resident today)

--

Sarah Malpass

sarah.e.malpass@gmail.com

434.409.6340

From: artusoa@proton.me
To: engage@cvilleplanstogether.com
Cc: anthony.artuso@comcast.net
Subject: Comments on Inclusionary Zoning Analysis
Date: Tuesday, September 27, 2022 11:59:23 PM

Comments and Recommendations relating to the draft Zoning Diagnostic and Inclusionary Zoning Analysis
Anthony Artuso
September 27, 2022

General Comments

-
- The inclusionary zoning analysis clearly indicates that market-based redevelopment of General and Medium Density Residential areas will not contribute substantial numbers of new affordable housing units even with substantial inclusionary zoning incentives are provided.
- A similar financial feasibility analysis is urgently needed for areas designated as High Intensity Residential and Mixed Use areas in the FLUM --- Inclusionary zoning requirements/incentives cannot properly be evaluated by the public or Planning Commission without these projections.
- The City's Comprehensive Plan states

"It is imperative that we recognize that growth in the County and UVA student and employee populations puts additional pressure on the Charlottesville housing market, particularly for those most in need of more affordable housing options."

This "imperative" continues to be ignored. The planning team has not explored how other "college towns" are addressing affordable housing issues, has not conducted any analysis of the student housing market and, beyond a few general recommendations in the Affordable Housing Plan, there is little evidence that the City has engaged UVA in a full partnership to relieve the pressure UVA's expansion has placed on the City's housing market.

Recommendations

- The Planning Commission should direct the planning team to conduct the following analyses before further resources are expended on the rezoning process.
 - A quantitative projection of affordable housing production from market led development/redevelopment of parcels currently proposed for High-Density Residential land uses given alternative inclusionary zoning requirements and incentives
 - An inclusionary zoning feasibility and potential production analysis for the mixed use and downtown core land use categories
 - Analysis of the student housing market including on- and off-campus supply, demand, locational preferences, and rental rates.
 - Analysis of affordable housing supply and demand over the past decade that separates student from non-student supply and demand.
 - A review of UVA land purchases and land development trends over the past decade and UVA's announced development/expansion plans.
 - Analysis of housing market dynamics, zoning developments, and innovative town-gown affordable housing initiatives in "college" towns/small cities of comparable size to Charlottesville such as Bloomington IN, Ithaca NY, Champaign-Urbana IL, Ann Arbor MI, Burlington VT, Athens GA, Bozeman and Missoula MT, and Davis CA.
- Shift resources to rapidly develop a final version of the affordable housing plan (AHP) that includes fully defined policies and programs as well as quantitative goals and objectives.
- The final AHP should give greater emphasis to public and non-profit funding and organizations to develop/convert additional units of permanently available affordable housing. These

organizations are better positioned than for-profit developers to ensure that additional affordable housing units remain permanently available for truly low-income households

- Set a deadline for submission of the final AHP to the City Council for approval and funding authorization.
- Quantitatively evaluate options for placing further restrictions on development that does not include low-income housing in combination with a package of inclusionary zoning incentives and public funding/subsidies designed to ensure development of additional affordable housing units generates equal return to market rate housing development.
- Immediately initiate a high-level dialogue and affordable housing planning process with UVA. Objectives should include
 - Development (on and off Grounds) of sufficient incremental housing units (i.e that would not have been developed without UVA/public funding and incentives) to ensure a reduction in the number of UVA students (undergraduate and graduate) competing for housing in the general housing market of the city.
 - Jointly agree to a set of affordable housing objectives that includes a numerical target for the percentage of housing in Charlottesville that meets affordability guidelines (e.g. affordable for households earnings 60% of median household income).
 - Develop and obtain City Council/Board of Visitors approval for City and UVA supported programs and initiatives that can reasonably be expected to achieve these housing supply and affordability goals.

Anthony Artuso
313 Kent Road
Charlottesville, VA

From: [Danny Yoder](#)
To: engage@cvilleplanstogether.com
Subject: Comments on Parking Minimums and Lot Sizes
Date: Tuesday, September 27, 2022 5:02:10 PM

Hello,

Eliminate Parking Minimums

I am writing to express my support for eliminating minimum parking requirements in the new zoning ordinance. Eliminating parking requirements increases flexibility for developing smaller, more affordable infill housing in the city. It will also facilitate a shift toward less driving as the city develops better infrastructure for walking, biking, and transit, and the city becomes more dense.

Eliminate Minimum Lot Sizes

I would also like to encourage the city to do away with minimum lot sizes. Charlottesville has a lot of great houses on very small lots. This enhances walkability, makes the built environment interesting, and allows cheaper forms of housing. The city should not take an overly-prescriptive approach to zoning. We can't perfectly predict the outcomes produced by our zoning code, therefore we should simplify it and allow people greater flexibility to split their lots and build houses on small lots.

The zoning code will affect decades of city growth and we do not know what the correct requirements will be for off-street parking and lot sizes 20 years from now. Let's allow for maximum flexibility and do away with parking and lot size requirements.

Danny Yoder

From: [Ruth Bell](#)
To: [Cville Plans Together](#)
Cc: [Bell Ruth](#)
Subject: Comments on today's work session
Date: Tuesday, September 27, 2022 11:51:29 PM

The meeting was interesting and enlightening. Thank you for taking comments from the public who attended, even via Zoom, as I did.

1. Regarding waivers for encroaching on critical slopes, I think it is an excellent proposal to give that prerogative to the engineers. One could then hope that more serious attention would be paid to protecting steep slopes and the environment, and that developers would have to follow the relevant rules. The Planning Commission seems routinely to have granted a waiver when one has been requested. I am skeptical of the argument made by Commissioner Mitchell that those decisions were, and would be in the future, entirely consistent with the analysis and recommendation of environmental engineers. If that is, indeed, the case, the rules governing critical slopes and other sensitive and vulnerable environmental areas should be stricter.
2. When looking for solutions to the parking problem, can the city consider levying a tax on the inefficient land-use of flat lots given over to cars? There would be room for more residential structures if there were fewer empty lots just for parking. A few more, dispersed multi-story parking garages would help make this change feasible.
3. Cheers for the push to improve and increase infrastructure for pedestrians and bicycles, and for improved public transportation. Where you require re-charging stations for electric cars, there should also be adequate, covered parking places for bicycles.
4. I strongly urge you to keep discretionary power over the decisions on scale, height, density, and aesthetic impact. Developers, should not have so much by-right freedom (to, potentially, ruin our visual and physical environment).

Ruth Bell

433 First St. N

From: [Mary Summers Whittle](mailto:Mary_Summers_Whittle)
To: engage@cvilleplanstogether.com
Subject: comments on tonight's session and the IZ plan
Date: Tuesday, September 27, 2022 11:50:01 PM

Dear Engage,

I've copied below a list of questions about the inclusionary zoning presentation to which I never received answers. First, though, I've written a few more comments and questions based on my recent interactions with Engage and Mr. Freas.

1. I read the public comments on the proposed zoning. The comments were overwhelmingly and deeply negative. Folks all over the city wrote to you with concerns about crowding, taxes, affordability, traffic, sidewalks, bike lanes, water, runoff, storm drains, trees, lack of infrastructure, lack of parking, public services, schools, the plan's economic rationale, failure to coordinate with the county and with UVA, and destruction of homes and neighborhoods. Why don't you care?

2. Mr. Freas, you and I had a funny conversation at the MHRNA meeting on 9/22. You told me that "a lot of people" were writing to you in support of reduced parking minimums. I said that that sounded like a lie. You told me I was being unfair. In fact, though, when I read the comments, I found that indeed you do seem to have been lying: virtually nobody wrote to you in support of reduced parking minimums! People were concerned about traffic, overcrowded roads, lack of sidewalks, and lack of public transportation, bike lanes, and parking...but pretty much nobody wrote to you in favor of reduced parking minimums. BTW, you were also wrong about "concentrated" zoning in the city.

3. Did you all notice that the only group (albeit very small) that liked the new zoning plan was developers? Weird. Also, I didn't realize how interested the city is in housing UVA students. Double-weird. It kind of looks like your plan is to let developers build a lot of super-profitable student housing and hope that maybe some affordable units emerge somewhere, somehow.

4. I did notice that your friends at LAJC were pretty happy with the plan. Did you work to coordinate a petition with them? Why were they updating you on the number of petition signatures and telling you to check your spam folder for updates? Do you regularly coordinate with them for PR purposes?

5. I was disheartened to see that local student housing magnate Woodard had a private meeting with Jenny Koch. What other major property owners have had private meetings with RHI? Why did RHI have time to meet with developers, but not with neighborhood groups? I thought they were going to be doing arduous, block-by-block zoning work.

Below are the questions I sent some weeks ago, which nobody ever answered.

I read with interest your recently released inclusionary zoning presentation. Can you please answer the questions below?

1. The slide on p. 50, titled "key recommendations," states that allowing upzoning will have the effect of "creating affordable homeownership opportunities that are more affordable." The slide shows a single \$600,000 home replaced by two townhomes, each costing between

\$375,000 and \$450,000. Even if we accept the dubious mathematics of this illustration, (which appear to assume that a developer or homeowner would accept a large financial loss on this project), the duplexes labeled affordable are not at all affordable--they're just small market-rate homes, priced right at Charlottesville's current existing typical home value (\$447,000). Moreover, one would surmise that such townhouses have limited square footage and acreage, rendering them small, expensive dwellings. Why are these labeled "affordable" homes? The average price of a townhouse in Charlottesville is \$330,000, so these townhouses are actually really expensive.

2. The caption beneath the aforementioned townhomes notes that a family in the 80-90% AMI range could afford the monthly mortgage payment of \$2400-\$2700/month. But the chart on p. 52 shows that such a mortgage is only barely affordable to a family at 100% AMI. Again, why are the townhomes labeled "affordable"? Moreover, are additional \$450,000 townhomes the solution to the affordable housing crisis about which you've professed to care so deeply? Why does this presentation contain such a major and misleading error?

3. P. 33 contains a statement that "a single-family home sees an increase in land use value as the development potential of the lot increases." The statement is made in relation to a \$460,000 home, which the illustration shows increasing to market value of \$1.1 million. Given that you consider \$460,000 to be an "affordable" home value, it seems clear that the upzoning plan will lead to the displacement of many low- and middle-income citizens. Is this a goal of the new housing plan? In addition, if the price of buildable land increases, the price of homes will likewise increase, leading to a situation in which affordability becomes impossible. How do you plan to mitigate this economic reality? Moreover, why are so few areas deemed "sensitive" to displacement? Many--if not most--homeowners will have trouble paying doubled or tripled property taxes. Are you okay with the prospect of forcing out citizens in the non-sensitive zoning areas?

4. P. 45 shows a maximum buildout, within 5 years, of 619 new housing units. The report notes that some 10% of these units *might*, under the most optimal circumstances, be affordable (undefined). At this rate, it appears that the city might see, at best, the construction of 60 affordable homes over the next 5 years--and that construction of the approximately 2500 affordable housing units identified in the 2018 housing needs assessment will take decades, if not centuries. How does this timeframe comport with the urgency of the affordable housing crisis, and the stated guiding principles, (equity and affordability), of the comprehensive plan?

5. The FLUM contained in the comprehensive plan allows for the construction of more than 62,000 new homes within Charlottesville. My understanding is that a comprehensive plan is supposed to guide a city's development, but the IZ plan appears to show a comp plan implementation rate of less than 1% in the coming five years. I can't help but ask...why have you designed a comprehensive plan that--as outlined in the IZ plan--will prove to be a 99% failure for the foreseeable future? Is there any possibility that you're publicly stating the new zoning will produce negligible results so that you can avoid thinking about (or state oversight of) the massive transportation and infrastructural plans that would be entailed by the successful implementation of the pan-city upzoning and population quadrupling outlined in the new comprehensive plan?

6. These two questions are somewhat tangential, but I'd like answers to them. First, can you give some clear, understandable, specific examples of the sort of "dismantling of dynamics and structures that perpetuate continued inequity" called for in the comp plan RFP, as well as

of how you're achieving such dismantling with the current zoning plans? Second, just out of curiosity, why was there no competitive bidding process for the comprehensive plan contract? My understanding is that a competitive bidding process is called for by state law.

Thank you for your work on behalf of the city. Mr. Freas, I hope you'll choose to move into Charlottesville so that you, too, can enjoy the benefits of increased density and rising tax values.

From: [bill emory](#)
To: [Cville Plans Together](#); [Council](#); [James Freas](#)
Cc: [Robin Hanes](#)
Subject: community engagement
Date: Tuesday, September 27, 2022 6:56:04 PM

Dear Folk,

This email is written in haste, I have previous commitments that limit my time to correspond in the 5:30 to 8:00pm window. I'd rather have the benefit of hearing your discussion this evening. Possibly you'll address many of my concerns. Alas, can't do that.

The community engagement foundation of the comp plan and now the zoning rewrite has seemed woefully inadequate to me. There have been "opportunities" to engage but messages from our hearts and mouths don't seem to be reaching your ears and brains.

Speaking just about the neighborhood where I live, Woolen Mills. You propose radical (MIR) upzoning to a number of [affordable houses here](#) but, to my knowledge, you have not contacted the owners or the residents of these houses. How is this different than the targeting of city neighborhoods in the past based on race or socioeconomic status?

Additionally, the proposed zoning and land use of MI land in the Woolen Mills is made possible by zoning decisions made in the 1950-'s by City Councilors who housing activists and your steering committee have not been shy to label as racist (and presumably classist). There was no community engagement in 1958 for a large portion of the M1 land. Additionally, like the Medium Intensity Residential designated properties, to my knowledge you have not spoken to the owners of the 28+/- MI acres of "industrial" land, adjacent to Woolen Mills residential property. There are two ownership entities. Two letters, two phone calls, is that an overwhelming burden?

I am an [RHI fanboy](#). a huge supporter of their West Main work. Please don't take this letter as criticism of the consultants. Rather, look within, ours is a City that is planning challenged.

One example, the recently introduced 0 High Street Project. The City paid for advice from Torti-Gallas in 2000 (+/-) about the corridor. There have been multiple studies, beginning with the State of the Basin report in 1998. The Planning Commission got on the subject in 2008. Brian Haluska has written up some preliminary thoughts. There has been begging and pleading from the community to establish Rivanna Corridor zoning, or, at the very least, to pattern your floodplain proscriptions on Albemarle County's rather than the City's current

stay out of the floodway, fill to a foot above BFE (base flood elevation) and build.

The planning is disconnected from the people who live here and love their neighborhoods. Earlier tonight, one of your presenters said that developers are economically rational and that homeowners are economically irrational.

So, economic rationality is building 245 residential units in the floodplain next to a massive parking lot?

No. Economic rationality is building a place worth caring about.

Best regards. Please do better.

Bill Emory
1604 E Market St
22902
804-462-9968

From: [Becca Jones— Charlottesville Piano Teacher](mailto:Becca.Jones@charlottesvillepiano.com)
To: engage@cvilleplanstogether.com
Subject: Concerns
Date: Tuesday, September 27, 2022 9:35:29 PM

I am concerned about the plans to eliminate required parking minimums while also increasing population density in previously small peaceful neighborhoods. People who purchased homes and land with the understanding that there would be ample parking and space for their children to play safely are now facing a completely different reality, with no say or warning. It's disheartening to feel as though our government cares more about bringing in more people from out of town than it does about people who have been decades-long contributors to the community. Please consider the impact of what you are doing to the citizens who are struggling in our current recession. We need to band together to survive, not make things even more difficult.--

Rebecca Jones

(434) 981-6055

rebeccadesbrisay@gmail.com

charlottesvillepianoteacher@gmail.com

www.charlottesvillepianoteacher.com

From: [Chris Schopper](#)
To: [Cville Plans Together](#)
Subject: Cville Plans 9/27/2022 Work Session Comments
Date: Tuesday, September 27, 2022 8:03:34 PM

To whom it may concern,

I would like to advocate for several policies as the city looks to amend existing Zoning Code through the Cville plans process:

- Removal of mandatory parking minimums wherever possible, to ensure new housing (and commercial development) does not needlessly contribute to stormwater management issues and exacerbate the cost of development
 - This is particularly pertinent near UVA, but also near the downtown mall where proximity to offices/classes, restaurants/stores, and other amenities makes it much easier to maintain a car free to car-lite lifestyle
- Reduction of minimum lot sizes, to provide more parcels for development
- Only use limited building lot coverage and setback requirements in extremely limited instances--there is a potential for misuse here which will conflict with affordability goals
- This is more building code focused, but explore effective construction/building methods that are leveraged in other parts of the world, like point access blocks for medium intensity apartments
- Lastly, I would like the Board of Architectural Review to be less involved in any new development, as their recommendations often end up delaying projects or leading to trivial changes at substantial cost to the developers involved, further increasing costs when units or new development comes to the market.

I continue to think that the changes being discussed in the Cville Plans process are neither as bold or impactful as is needed. I think many ideas have been watered down considerably as loud voices, particularly homeowners, have spoken against them in fire and brimstone terms. I saw in the engagement slide that 81% of commenters were homeowners and 69% were residents of 10+ years, which I'm almost certain is not truly indicative of Charlottesville's demographics.

To conclude, even before these past couple of crazy years, affordability in Charlottesville was increasingly an issue for many. As interest rates have climbed over the past few months and supply chain shortages continue to make the cost of building a house more expensive, we should take stronger actions to address supply side shortages and make it easier for first-time homebuyers and renters.

Thanks,
Chris

From: [Annie Alston](#)
To: engage@cvilleplanstogether.com
Subject: Cville Plans Feedback
Date: Tuesday, September 27, 2022 8:30:49 PM

Hello,

I'm writing to express my support for moving forward with the Cville Plans Together process. I know there are voices in the community asking for a delay, but from my perspective there has been ample opportunity for feedback to date, and there will be additional opportunities before the zoning rewrite is complete. This process is long overdue and should not pause.

I also want to encourage you to expand the inclusionary zoning incentives to ensure they are effective.

Thank you,
Annie Alston
Charlottesville City Resident

From: [kate F](#)
To: engage@cvilleplanstogether.com
Subject: Development planned for 245 apartments along the river
Date: Tuesday, September 27, 2022 7:04:15 PM

I am very opposed to the plan to build 245 apartment units along the Rivanna River and in a known flood zone. That area periodically floods and suffered a major flooding event in 2018. In addition, the nearby road, High Street, already is insufficient for the existing traffic and not could not handle the increase due to the proposed new development.

The city should be preserving the existing riverfront and not contributing to any future degradation.

Kate Fincham

From: [Fox, Cliff](#)
To: [Council; Planning Commission](#)
Subject: The minimum lot size in a R-1S district is 6,000 sf. How does an .88 acre lot take advantage of this? The by right capacity would be substantial, the street frontage requirement are not achievable
Date: Tuesday, September 27, 2022 6:53:46 PM

** WARNING: This email has originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

NO Minimum lot size; 225 Douglas Ave as an example.

From: [Katie Darden](#)
To: engage@cvilleplanstogether.com
Subject: Email for tonight's meeting
Date: Tuesday, September 27, 2022 6:32:28 PM

Hello,
I'm a Charlottesville homeowner, and I'm writing to express my support for more inclusive zoning and housing density and against parking minimums.
Thank you.
Katie Darden

To: [REDACTED] engage@cvilleplanstogether.com
Cc: [council](#)
Subject: Feedback for 27th Sept meeting
Date: Tuesday, September 27, 2022 5:41:33 PM

(I prefer my comment to be anonymous – thanks. I live in Locust Grove.)

Comments on plan

I do not believe that the summary of received public input is properly balanced. There are a lot of very unhappy responses that raise a number of substantial - not trivial and not NIMBY - issues. The PC and CC have created a vast trust deficit. Instead of trying to bring the public along with them, they have foisted a plan on them. There are winners and many losers. The losers are not happy.

Inconsistencies in the FLUM noted - in North Downtown and on Locust Ave. Lack of coordination with county. Even developer input notes the flaws - such as the lack of transition zones. Evidently, the consultant (J Koch) had time to speak directly to a developer (Woodard) - in relation to specific refinement of the FLUM. Too bad that neighborhood engagement was limited and mainly one way - driven by the opinions of the steering committee. This committee is packed with activists intent on a specific output no matter the costs on long term current residents. You could have developed a scaled and appropriate plan (e.g. city wide GR with up to 3 or perhaps 4 units in exceptional cases) and you would have had 10% of the opposition you now have.

No coordination

Over recent decades, populations growth has primarily been in the county. Why, therefore, does this plan continue practically zero coordination with the county? - despite stating clearly that such coordination is necessary.

Misguided basis

The plan involves dismantling allegedly exclusive neighborhoods - doing away with R-1. You would think that the logical place to start is to stop building exclusive neighborhoods. But no, the county continues to build places like North Pointe and Old Trail Village with typical exclusive mansion / cul-de-sac design. Meanwhile, this growth puts stress on city residential streets because the county cannot be bothered to build the infrastructure to support this type of irresponsible development. Meanwhile, the plan is being led by a man who was recruited to city staff and is one of the few who could afford live on practically any street in the city or county. He chose to live in an exclusive neighborhood on a county cul-de-sac. Very unfortunate appearance.

"Targeted"

The chair of the PC in a NYT article last August was quoted as telling us that some neighbors

are being "targeted" - getting up zoned. It sure feels that way living on an MIR street. Let's take a look at these MIR streets - some align with arterials (Elliott, Cherry, Avon etc.) but further north what is this about Park St and Locust being GR inside of 250 and MIR outside of 250? Where is the rationalization for that? There isn't any. Studies have been made to show correlation with amenity (e.g. "walkscore") and there is none. What we have left over is a patchwork of "targeted" streets - that has unfortunate appearance of being unaligned with the personal interests of PC and CC members - except in a few instance(s).

Non car transit etc.

The plan assumes residents can take public transport or bike or walk to work. Unfortunately, most new job centers are outside of the city core. Jobs are widely scattered across the city/county. The built density will not allow for a viable bus system as much as one might like to think it might work. Bicycle infrastructure is missing in action. W Main St is a core bicycle corridor with the accident record to match (including fatalities). What has the city done about bicycling on streets like W Main in the past few decades? Next to nothing.

Scrap MIR

MIR is creating significant pain - probably out of proportion to whatever its value could ever be. It would be wise to drop it. Replacing R-1 with GR with up to three units per lot would be a much more realistic and equitable solution. We are not going to buy into the happy talk about 4-12 units might not happen - it is in the text in black and white. The building costs in the plan are also unrealistic. Massive unresolved appearance of conflicted interests / hypocrisy in that PC and CC largely, but not entirely, personally detached from MIR. Dishing out pain on other people.

People in MIR feared anonymous LLCs buying up lots, lot consolidation, tall buildings - and tear downs. We have seen all this recently in Locust Grove - in the context of the Mtn View Bapt Ch. We live the nightmare today. Who will sell out and send a street into a downward spiral?

R-1 already dead

Several controversial developments have moved forward with next to no analysis or systematic accurate assessment of traffic / parking etc. This includes Park St MACAA and Park St Chr. Ch. redevelopments. The traffic studies were fundamentally flawed - middle of COVID distortions etc. These rezonings went through with scarcely a speed bump - single public meetings etc. This tells us that R-1 is basically dead already. Rezoning to higher density is moving forward quickly - at least in some neighborhoods. Why then does the plan make a big deal out of the need to rezone and extend "by right" to eliminate public process? These recent rezoning undermine entirely the overall argument for the new ordinance - it isn't necessary because seemingly the tools are in place to do what you like wherever and whenever.

Unused public property

The plan appears to take no account of several places in the city where underused public space exists - such as the city utilities space near W 4th.

“By right”

Today, the controversy over the 245 apartment proposed for flood zone near Free Bridge shines a light on why “by right” might not be a good idea. Especially, this means that ugly developments that technically meet the letter of the code will just go through. Especially, for MIR impacted residents, this is very troublesome. You better get this right because fixing it may be expensive, slow or impossible.

From: [Navarre Bartz](#)
To: engage@cvilleplanstogether.com
Subject: Feedback
Date: Tuesday, September 27, 2022 12:00:15 AM

Hello,

I'm writing to say that I'd support the removal of parking minimums in the new zoning ordinance. Every place in town is a little different, and as the city densifies we need to be reducing the number of car miles traveled and converting unused spaces like parking lots into more housing and green space. Let residents and developers decide what's right for each situation instead of managing it from above.

Coupled to this, we need to actually invest in good pedestrian, bike, and transit networks so people don't need to take a car for every trip. It's better for people's health and for the environment.

Good bike/ped infrastructure is also a great opportunity to increase the ecological density of the city. Greenways like the one along the John Warner Parkway provide opportunities for pollinator habitat as well as more ways for wildlife to move around without getting hit by cars which is good for animals and will reduce car wrecks.

Thanks for all the work you've been doing on what I know is a big project!

Navarre Bartz

From: paulwright@comcast.net
To: engage@cvilleplanstogether.com
Subject: FLUM, historical districts and trees
Date: Tuesday, September 27, 2022 6:49:58 PM

I live in Venable, a historic district with a massive tree canopy, that parts of are proposed to go from residential to high density. Given that today the speaker said historical and trees rules are not being changed, how do official reconcile those two statements. The FLUM and today's presentation are in direct contradiction. I have asked for the logic of the proposed zoning change to my street and have not gotten a response other than "That what the non-elected consultants recommended."

My 2nd question will the city be looking at individually changed properties to determine if proposed zoning changes will be consistent with deed restrictions already recorded by the City. Without that examination certain properties will be in a kind of limbo, where what can be done with a lot with be in direct conflict with proposed zoning changes.

Paul Wright
Preston Place

From: [John Hossack](#)
To: engage@cvilleplanstogether.com; council
Subject: Followup to earlier comment / Pinkston
Date: Tuesday, September 27, 2022 9:05:36 PM

The comment was made that in observed practice real turnover is much slower than allowed – so do not panic.

A few comments on that.

1. It is easier to say this when living in a GR street
2. It is also easier if living on a cul-de-sac further from the core and bus, pedestrian and bicycle infrastructure.
3. The comment assumes that the Charlottesville plan is similar to current experience nationally. Actually, per an earlier email from last September, I contend that the Charlottesville plan is an outlier. Thus, when for example, a 12 plex appears across the road, neighbors are more likely run for the exit because the prior cases cited (or implied) are not for 12 plexes but something more modest – such as a few incrementally added units. An incremental unit does not destabilize. An 8 plex or a 12 plex will. I have spoken to my neighbors about this. It is the kind of conversation we have in MIR. Would you know?
4. The city staff recommended against the Mtn View Bapt Ch. Nevertheless, the PC and CC seemed very enthusiastic about going ahead following minor changes. This was over the objections of staff on compatibility and many strongly expressed resident concerns about parking and traffic. Neighbors do not really buy the conflicted traffic analysis of the developer or have much time for the traffic engineer who insists he will only do another traffic study if a petition is produced (where did this come from?) The MVBC development involved anonymous LLC purchases, lot consolidation, two house tear down, 35' tall, 60 units on 2 acres and grossly inadequate consideration of road access, serious drainage problems, slope compatibility (roads too steep to meet national code) etc. Given all this, the PC and CC want to plough ahead. Why on Earth would people in MIR not be scared about what the future has? (As an aside, in case anyone reading this, the developer also insisted that his density was compatible with GR – using one of his mathematical contortions for which he is well known in town.)

From earlier email:

They could have adopted recruitment to their vision as a challenge. Instead, there appears to be an exercise in ramming through an unpopular policy. Little regard for the warnings or the cautions – most specifically the warnings that irreversible changes will result and that the data produced do not support their contentions because the scale of the changes are NOT matched in so called peer examples. The proposal to impose “up to 12 units” on SFH plots is simply not consistent with other progressive city policies (look them up – I did – see below) It is a radical experiment – so no wonder the depth of anger and concern. (I am sorry if I over generalized the PC – but as someone watching the proceedings, it sure looks like it has one mind.)

I would also like to point out the obvious fact that there are large 2-3 story houses in Cambridge, Berkeley etc. These houses can be logically divided into 2-4 units. In fact, there are already a few such divided houses near downtown Charlottesville (I am aware of a few on 2nd St NE). However, with a

typical Charlottesville ranch house, you can logically divide it into two levels (if it has a basement) plus an ADU in the back – that’s the limit. Proposing something compatible with existing neighborhoods wouldn’t generate the storm of opposition.

<https://www.berkeleyside.org/2021/02/24/berkeley-denounces-racist-history-of-single-family-zoning-begins-2-year-process-to-change-general-plan>

The Berkeley City Council unanimously denounced the racist history of single-family zoning in the city on Tuesday night, beginning a two-year process to change the city’s general plan and introduce more multi-unit housing in every part of the city. (Feb 2021)

https://cambridgema.iqm2.com/Citizens/Detail_LegiFile.aspx?Frame=&MeetingID=2757&MediaPosition=&ID=13192&CssClass=%3C

ORDERED: That the NLTP Committee and Housing Committee **convene a joint meeting to discuss the question of whether limiting parts of the city to single or two family only zoning should continue** to have a place in our zoning ordinances; and be it further (in December 2020)

<https://minneapolis2040.com/policies/access-to-housing/>

In neighborhood interiors that contain a mix of housing types from single-family homes to apartments, increase housing choice and supply by allowing new housing within that existing range.

In neighborhood interiors farthest from downtown that **today contain primarily single-family homes, increase housing choice and supply by allowing up to three dwelling units on an individual lot.**

<https://oaklandside.org/2021/03/17/oakland-takes-a-step-toward-banning-single-family-zoning/>

The City Council voted unanimously **to look into allowing fourplexes** citywide and removing long-standing laws that officials called “exclusionary.” (March 2021)

From: [Jennifer Koch](#)
To: [Cville Plans Together](#)
Subject: FW: Online Form Submittal: Email Contact Form for Planning Commission
Date: Tuesday, September 27, 2022 1:40:33 PM

Sending to Engage

From: Freas, James <freasj@charlottesville.gov>
Sent: Tuesday, September 27, 2022 1:01 PM
To: Jennifer Koch
Subject: FW: Online Form Submittal: Email Contact Form for Planning Commission

Sending these to you as they come in.

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, September 27, 2022 12:59 PM
To: Planning Commission <PlanningCommission@charlottesville.gov>
Subject: Online Form Submittal: Email Contact Form for Planning Commission

Email Contact Form for Planning Commission

Please complete the online form below to submit your message.

Contact Information

First Name	Jonathan
Last Name	Rice
Contact Phone Number:	4342493585
Email Address:	cvillejon@gmail.com

Enter your message here

Hello Planning Commission people, I have a quick question: what is the average lot size for Charlottesville's single family residential houses? I am surprised when people who are opposed to increasing housing density claim in public meetings -- often without being challenged -- that Charlottesville is already "maxed out". I am almost always astounded whenever I see my neighbors' backyards. My own house (1144 Meriwether Street) is on what is probably the smallest in the neighborhood because it was initially an accessory dwelling that was awkwardly and ungenerously separated from the original single family residential unit to which it belonged. Even so, our modest backyard could easily accommodate an additional smallish housing unit (there would be an issue of driveway access but this could probably be

managed). Many of our neighbors backyards are enormous by comparison, so it seems to me that some hard figures on average lot size for the city's single family residential homes would keep the discussion of density better grounded in the reality of the space that is potentially available for housing growth.

A second statistic that might help put the arguments about density in perspective is the average height of Charlottesville's multi-housing unit buildings (i.e. apartments and condos). I may have lost track, but there's 1800 JPA and the former hotel in Court Square as pretty much the only tall residential buildings in the city. How does the height of Charlottesville's multi-unit housing buildings compare with those in comparable cities? I suspect buildings in Charlottesville are much shorter on average but I don't have any data. Where the topography is favorable and where there is a gradual transition in height (or a large enough distance between the two types of buildings) to one and two story residential houses, there is space to build much taller buildings than we have at present without there being any negative impact on single family homeowners. Could detailed drawings or models be made to show how taller residential buildings could fit quite well into Charlottesville as it is today?

Email not displaying correctly? [View it in your browser.](#)

From: [Mary Summers Whittle](mailto:Mary_Summers_Whittle)
To: engage@cvilleplanstogether.com
Subject: Fwd: comments on tonight's work session
Date: Tuesday, September 27, 2022 11:47:39 PM

Dear Engage,

I've copied below a list of questions about the inclusionary zoning presentation to which I never received answers. First, though, I've written a few more comments and questions based on my recent interactions with Engage and Mr. Freas.

1. I read the public comments on the proposed zoning. The comments were overwhelmingly and deeply negative. Folks all over the city wrote to you with concerns about crowding, taxes, affordability, traffic, sidewalks, bike lanes, water, runoff, storm drains, trees, lack of infrastructure, lack of parking, public services, schools, the plan's economic rationale, failure to coordinate with the county and with UVA, and destruction of homes and neighborhoods. Why don't you care?

2. Mr. Freas, you and I had a funny conversation at the MHRNA meeting on 9/22. You told me that "a lot of people" were writing to you in support of reduced parking minimums. I said that that sounded like a lie. You told me I was being unfair. In fact, though, when I read the comments, I found that indeed you do seem to have been lying: virtually nobody wrote to you in support of reduced parking minimums! People were concerned about traffic, overcrowded roads, lack of sidewalks, and lack of public transportation, bike lanes, and parking...but pretty much nobody wrote to you in favor of reduced parking minimums. BTW, you were also wrong about "concentrated" zoning in the city.

3. Did you all notice that the only group (albeit very small) that liked the new zoning plan was developers? Weird. Also, I didn't realize how interested the city is in housing UVA students. Double-weird. It kind of looks like your plan is to let developers build a lot of super-profitable student housing and hope that maybe some affordable units emerge somewhere, somehow.

4. I did notice that your friends at LAJC were pretty happy with the plan. Did you work to coordinate a petition with them? Why were they updating you on the number of petition signatures and telling you to check your spam folder for updates? Do you regularly coordinate with them for PR purposes?

5. I was disheartened to see that local student housing magnate Woodard had a private meeting with Jenny Koch. What other major property owners have had private meetings with RHI? Why did RHI have time to meet with developers, but not with neighborhood groups? I thought they were going to be doing arduous, block-by-block zoning work.

Below are the questions I sent some weeks ago, which nobody ever answered.

I read with interest your recently released inclusionary zoning presentation. Can you please answer the questions below?

1. The slide on p. 50, titled "key recommendations," states that allowing upzoning will have

the effect of "creating affordable homeownership opportunities that are more affordable." The slide shows a single \$600,000 home replaced by two townhomes, each costing between \$375,000 and \$450,000. Even if we accept the dubious mathematics of this illustration, (which appear to assume that a developer or homeowner would accept a large financial loss on this project), the duplexes labeled affordable are not at all affordable--they're just small market-rate homes, priced right at Charlottesville's current existing typical home value (\$447,000). Moreover, one would surmise that such townhouses have limited square footage and acreage, rendering them small, expensive dwellings. Why are these labeled "affordable" homes? The average price of a townhouse in Charlottesville is \$330,000, so these townhouses are actually really expensive.

2. The caption beneath the aforementioned townhomes notes that a family in the 80-90% AMI range could afford the monthly mortgage payment of \$2400-\$2700/month. But the chart on p. 52 shows that such a mortgage is only barely affordable to a family at 100% AMI. Again, why are the townhomes labeled "affordable"? Moreover, are additional \$450,000 townhomes the solution to the affordable housing crisis about which you've professed to care so deeply? Why does this presentation contain such a major and misleading error?

3. P. 33 contains a statement that "a single-family home sees an increase in land use value as the development potential of the lot increases." The statement is made in relation to a \$460,000 home, which the illustration shows increasing to market value of \$1.1 million. Given that you consider \$460,000 to be an "affordable" home value, it seems clear that the upzoning plan will lead to the displacement of many low- and middle-income citizens. Is this a goal of the new housing plan? In addition, if the price of buildable land increases, the price of homes will likewise increase, leading to a situation in which affordability becomes impossible. How do you plan to mitigate this economic reality? Moreover, why are so few areas deemed "sensitive" to displacement? Many--if not most--homeowners will have trouble paying doubled or tripled property taxes. Are you okay with the prospect of forcing out citizens in the non-sensitive zoning areas?

4. P. 45 shows a maximum buildout, within 5 years, of 619 new housing units. The report notes that some 10% of these units *might*, under the most optimal circumstances, be affordable (undefined). At this rate, it appears that the city might see, at best, the construction of 60 affordable homes over the next 5 years--and that construction of the approximately 2500 affordable housing units identified in the 2018 housing needs assessment will take decades, if not centuries. How does this timeframe comport with the urgency of the affordable housing crisis, and the stated guiding principles, (equity and affordability), of the comprehensive plan?

5. The FLUM contained in the comprehensive plan allows for the construction of more than 62,000 new homes within Charlottesville. My understanding is that a comprehensive plan is supposed to guide a city's development, but the IZ plan appears to show a comp plan implementation rate of less than 1% in the coming five years. I can't help but ask...why have you designed a comprehensive plan that--as outlined in the IZ plan--will prove to be a 99% failure for the foreseeable future? Is there any possibility that you're publicly stating the new zoning will produce negligible results so that you can avoid thinking about (or state oversight of) the massive transportation and infrastructural plans that would be entailed by the successful implementation of the pan-city upzoning and population quadrupling outlined in the new comprehensive plan?

6. These two questions are somewhat tangential, but I'd like answers to them. First, can you

give some clear, understandable, specific examples of the sort of "dismantling of dynamics and structures that perpetuate continued inequity" called for in the comp plan RFP, as well as of how you're achieving such dismantling with the current zoning plans? Second, just out of curiosity, why was there no competitive bidding process for the comprehensive plan contract? My understanding is that a competitive bidding process is called for by state law.

Thank you for your work on behalf of the city. Mr. Freas, I hope you'll choose to move into Charlottesville so that you, too, can enjoy the benefits of increased density and rising tax values.

From: [Jonathan Rice](mailto:Jonathan.Rice@engage.cvilleplanstogether.com)
To: [Cville Plans Together](mailto:engage@cvilleplanstogether.com)
Subject: Fwd: comments
Date: Tuesday, September 27, 2022 6:20:27 PM

Note: I'm not sure this makes sense but I gather I submitted my comments on the zoning rewrite plan prematurely so I am re-submitting now. Sorry for the confusion.

----- Forwarded message -----

From: Jonathan Rice <jon@jon-rice.com>
Date: Tue, Sep 27, 2022 at 4:37 PM
Subject: comments
To: Cville Plans Together <engage@cvilleplanstogether.com>

I favor increased housing density and significant increases in affordable housing. I applaud you for being clear about the definition of the level of affordability the plan is seeking (60% AMI) and the term for which housing should remain affordable (in perpetuity) and I urge you to stick to those specific features of the plan.

I do, however, have serious concerns about the plan:

(1) **Sidewalks:** Charlottesville has long ignored this basic feature of proper city planning and it's no longer tolerable. EVERYONE in my neighborhood (Little High) is obliged to walk in the street to go more than a block or two in any direction. This was only tolerable because Charlottesville's population and flow of traffic were modest.

But now so many of your goals clearly *assume* the existence of decent sidewalks which we simply do NOT have: people can't continue to walk in the roads as population density increases; we cannot reduce dependence on automobiles if people can't safely walk around the city; we can't reduce parking requirements for housing development projects if people can't get by without a car (if you cut back parking requirements without building sidewalks the effect will be to put greater hardships on low income residents who can't get to work safely on foot and who won't be able to afford taxis, Ubers, Lyfts, or the private parking garage fees that wealthier residents can pay); we cannot reduce our greenhouse gas emissions if people can't safely walk around the city; we can't have a city with any claim to equity when our older residents and our residents with disabilities can't walk safely on decent, ADA compliant sidewalks.

I'm attaching a photo I took recently of just one of my elderly neighbors who uses a walker to get around. You will notice that he is walking in the street on 12th Street NE because there is NO sidewalk between Meriwether Street and Little High Street. This is shameful. You have the opportunity to address this, so please put sidewalks at the top of city infrastructure improvements required by the zoning rewrite.

(2) Do whatever you can to **attract the kind of businesses that people use frequently to our neighborhoods**. In other words, we need grocery stores we can walk to. This would cut down enormously on the amount of driving in the city. You can successfully cut down on parking requirements if people can manage without cars and a huge factor is the ability to walk to a grocery store. Incidentally, you can only fit so many groceries on an e-bike and no one is going to use an e-bike in the rain or in the cold. But people can bundle up and walk in the rain or the cold.

(3) **Gradual transitions between building heights:** This is a long established principle of urban planning which city residents have been assured would be an integral part of the zoning rewrite. As far as I can tell, the number one concern Charlottesville homeowners have about the zoning plan is the (totally reasonable) fear that a huge building will be built next door or very close to their homes and this will cause a huge increase in traffic and noise and cause their houses to lose value. You can allay these fears by reiterating and adhering to (thereby rebuilding public trust) your own commitment that transitions between building heights must be gradual. I urge you to make absolutely sure to adhere to this guideline. Incidentally, I support taller residential buildings in Charlottesville -- I think taller buildings are essential to managing density. There are many places in Charlottesville where much taller buildings could be built: just follow the topography -- and don't make exceptions.

(4) A note on **process and interaction with the public**: It would be helpful if city planners would back off on the tired narrative that the only city residents who could be opposed to your plan are wealthy white elitist racists. I'm sure *some* people who have criticized the rezoning plans in part or in whole fit this description but I'm also absolutely certain that this is a caricature when applied to city homeowners as a whole. Most of the city's homeowners live in houses that they could not afford to buy at current market rates. There are a lot of people who live in very valuable houses who are definitely not close to being wealthy. I would wager that there are many "wealthy white elitist" local homeowners who don't have adequate retirement savings (it's well-known that only a small fraction of Americans have any substantial savings so I wouldn't expect Charlottesville residents to differ very much) and who are hoping they will be able to sell their houses for enough to buy into an assisted living facility. People in this situation are legitimately concerned about *anything* that might cause their house to be worth less when it comes time to sell. So it would be helpful if you didn't paint all critics of the plan with the same brush and that includes informally on social media.

My own neighborhood, Little High, was distinctly working class until the cost of real estate began to explode about 20 years ago. The great majority of the houses in the Little High are modest ranch-style houses that were regarded as starter homes but which are now only accessible to wealthy people. Yet when I and some of my neighbors took part in a public meeting with Cville Plans Together, we were obliged to identify ourselves by neighborhood -- but our actual neighborhood was NOT among the options we were given. So we had to falsely identify ourselves as North Downtown residents. Most of Little High's residents could not afford a house in North Downtown, even years ago. After the meeting, someone released the phony demographic information and the case was being made on social media that all the criticism (and no attempt was made to distinguish between residents who support the general plan as I do but have specific concerns vs. residents who were completely opposed to the plan) was coming from wealthy white elitists in North Downtown. That was a cheap trick and this sort of thing is helpful to no one.

(5) Having just defended Charlottesville homeowners, I am hoping city officials generally can distinguish between two general types of homeowners who actually reside in their Charlottesville homes as their exclusive or at least primary residence and businesses and homeowners who own more than one house. People who are trying to buy a house have to compete with businesses who buy houses as investments which they rent or sell at the highest possible market rates. This is a key factor driving up the price of real estate in Charlottesville. I frequently meet people here in town who have more than one house -- it's surprising how common this is. I strongly recommend that these two different types of home buyers/owners be treated differently. Houses purchased as investments should, at a minimum, be taxed at a higher rate. People who already own more than one house should be taxed heavily on any house they own that is not their primary residence -- unless it is available as affordable housing. If you can include something to level the playing field between the two types of home buyers/owners, please do so.

From: [Livable Cville](#)
To: engage@cvilleplanstogether.com
Subject: Fwd: Letter Recommending Elimination of Parking Minimums
Date: Tuesday, September 27, 2022 5:35:50 PM
Attachments: [Livable_Cville-Parking-Minimums.pdf](#)

Dear Cville Plans,

Attached is public comment from Livable Cville in regards to parking minimums.

Thank you.

Matthew Gillikin
Co-Chair, Livable Cville

Dear City Council, Planning Commission, and Mr. Freas,

We are writing to recommend that the city eliminate parking minimums in the zoning code. We believe this is an essential step towards addressing the city's housing, climate, and equity goals. [Hundreds of cities](#) in the U.S. [of all sizes](#) have come to a similar conclusion and reduced or eliminated parking requirements.

Parking minimums require an [often arbitrary](#) number of parking spots as part of any new development. It is important to recognize that eliminating parking minimums does not mean that parking will no longer be allowed or that suddenly a large amount of parking will disappear. Eliminating parking minimums gives developers flexibility as to how much parking is provided in new construction.

Charlottesville [currently requires parking](#) as part of nearly all new development, with a few exceptions on the Corner and on the Downtown Mall, regardless of whether the developers or occupants want off-street parking. The drawbacks of parking minimums are significant and will limit the success of the Cville Plans process.

I. ISSUES CAUSED BY PARKING MINIMUM POLICIES

First, parking minimums are a major barrier to affordability. Mandated parking is an expensive amenity that drives up the cost of residential and commercial construction. The city's own inclusionary zoning analysis demonstrated that reducing parking requirements significantly improves housing affordability.

Surface parking can [easily cost \\$10,000](#) per space, and structured parking spaces can cost upwards of \$50,000 each. [Numerous studies have shown](#) that for both affordable and market rate housing, parking requirements drive up rent by hundreds of dollars a month and the cost of homeownership by tens of thousands of dollars. One national study found that the cost of garage parking [raises the average tenant's rent by 17%](#) and [another found](#) that parking can raise the cost of low-income housing by 25%. Mandated parking also increases commercial construction expenses and consequently rent for businesses, which is then passed on to consumers in the form of increased costs.

Second, parking minimums are not equitable. Because car ownership can easily cost \$8,000 to \$10,000 a year, lower-income households are less likely to own a vehicle and to drive to work than higher-income households. Requiring every home and every store to provide an overabundance of parking undercuts public transit and makes Charlottesville less walkable; thus reinforcing the need for car ownership. By forcing all housing to include parking regardless of vehicle ownership, parking minimums burden lower-income households disproportionately.

Third, parking has significant negative environmental impacts. Parking spots are impermeable surfaces that increase storm water run-off and pollution into waterways. Parking garages are made out of concrete, the production of which emits large amounts of greenhouse gasses. Mandating [parking increases driving](#), which increases carbon emissions. Transportation emissions account for [28.5% of the total carbon footprint](#) in Charlottesville and more than half in Albemarle County. Additionally, requiring on-site parking will limit the feasibility of building smaller attached homes, which use [significantly less energy](#) than detached single family homes.

Fourth, parking minimums prevent quality infill development, the dominant form of development in Charlottesville. Parking spots [take up a lot of space](#) on valuable land and mandated parking can make urban infill projects geometrically and financially infeasible. This makes it difficult to repurpose and preserve old buildings and to build on the smaller, irregularly shaped lots common to many parts of Charlottesville.

Fifth, parking minimums hinder the best use of scarce land. Decades of policies prioritizing cars over people have resulted in [more than 20%](#) of land in Charlottesville being parking. That much parking spreads out our community, making it harder to access daily activities by walking or biking. Instead of housing, green space, and easily accessible neighborhood amenities, these policies have resulted in a shrinking tree canopy and expanses of ugly asphalt. Moreover, dedicating so much land to parking [negatively impacts the economic viability](#) of our city.

II. CONCERNS ABOUT ELIMINATING PARKING MINIMUMS

Several concerns come up in discussions about eliminating parking minimums. One is that doing so will result in a significant short-term impact to parking availability. Evidence suggests, however, that this is unlikely to occur. The Draft Inclusionary Zoning Analysis indicates that the rate of redevelopment in General and Medium Intensity Residential areas will be gradual. And other cities found that after removing parking requirements about [half of higher density developments](#) included as much parking as before, though shared parking arrangements and adaptive reuse became more common.

A second concern is that local transit systems and bike/ped infrastructure are not adequate to serve people without cars or allow more people to opt out of driving. Getting around Charlottesville without driving will become much more feasible over time as the Bicycle and Pedestrian Master Plan and the Regional Transit Vision are implemented. As this occurs, more developers will opt to provide fewer spaces than are required today.

A third concern is that increased development will result in more commuter parking in residential areas. This is already an issue, and the city can and should reexamine on-street parking management citywide.

III. ADDITIONAL POLICY RECOMMENDATIONS

Parking is one part of Charlottesville's housing and transportation ecosystem. Elimination of parking minimums should be paired with the following commitments by the city:

1. Make significant investments to improve transit and paratransit service and bike/ped infrastructure.
2. Reevaluate on-street parking management, especially in neighborhoods most impacted by non-resident parking.
3. Prioritize low-income resident needs in bus route planning and transit infrastructure improvements.

In the long run, eliminating parking minimums will create a virtuous cycle in which more affordable housing is available in the center of the region rather than on its fringes, daily trips are shorter whether in or out of a car, and traffic is far lower than it would otherwise be.

We appreciate the tremendous amount of time and energy each of you have dedicated to addressing our city's affordable housing crisis. We look forward to continuing to work together to come up with real solutions.

**Sincerely,
Livable Cville**

Co-signed by Community Climate Collaborative

From: [Fox, Cliff](#)
To: [Council; Planning Commission](#)
Subject: Have UVA remove student vehicles from the community
Date: Tuesday, September 27, 2022 6:44:14 PM

** WARNING: This email has originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

It's sound environmental policy.

From: [Charles](#)
To: engage@cvilleplanstogether.com
Subject: I support the elimination of parking minimums
Date: Tuesday, September 27, 2022 7:41:34 PM

cities are built for people, not cars. Downtown charlottesville mall is a great example of the awesome business and livability that removing cars provides. Requiring tenants and homeowners to own a car or subsidize the cost of a parking spot is absurd, especially in a dense, college city like Charlottesville.

Sincerely,
Charles

From: [James G.](#)
To: engage@cvilleplanstogether.com
Subject: Input regarding Charlottesville's rezoning process
Date: Tuesday, September 27, 2022 8:18:42 PM

Find

How will Charlottesville's population change by 2040 if its new Affordable Housing Plan is successful?

Given

1. Charlottesville proposes to require one (1) affordable unit for every ten (10) new housing units built in the City. [2022, Inclusionary Zoning Analysis]
2. Charlottesville estimates that without action its affordable housing gap will reach 2,700 units by 2040 (i.e., 2,700 units priced appropriately for those earning 60% of area media income or less) [2018, Housing Needs Assessment]
3. Charlottesville's current population = ~45,000 [2021, U.S. Census Bureau]

Assume

1. General residential, medium intensity residential, and high intensity residential will deliver **60%** of the 2,700 units needed by 2040 or 2050 (i.e., **1,620** units)
2. On average, **2.6** people will occupy each new housing unit built. [2019, Pew Research Center]
3. The City Affordable Housing Plan will completely close the affordable housing gap by 2040.

Calculation

1,620 affordable units = 10% of the total number of the new units to be built in rezoned residential districts

16,200 units = 100% of the new units to be built

16,200 units * 2.6 people / new unit = 42,100 new residents

Conclusion

The City's proposed Affordable Housing Plan will essentially double Charlottesville's population in the next 20 years, from about 45,000 to 87,000. For perspective, in the past 25 years, the City's population has grown from about 40,000 to 45,000.

From: [James G.](#)
To: engage@cvilleplanstogether.com
Subject: Input regarding zoning rewrite plans
Date: Tuesday, September 27, 2022 8:17:04 PM

The City continues to push forward with its three step process: 1) Complete an Affordable Housing Plan (March 2021), 2) Complete a Comprehensive Plan (November 2021), and 3) Complete a Zoning Rewrite (In progress). The Affordable Housing Plan points to the 2018 Housing Needs Assessment for data regarding the magnitude of the affordable housing deficit. Table 10 of that 2018 report suggests that without action the City will have a deficit of about 2,500 units by 2040 for household incomes below 60% of area median income. Presumably the City should be advancing a plan to eliminate that deficit by 2040, but is that what we see emerging?

This summer, the City's project consultants completed an Inclusionary Zoning Analysis document and estimated how many affordable units could be produced by zoning rewrite. They conclude that, in the early years, the general residential and medium intensity rezoning action that they recommend will produce at most 43 affordable units per year (p. 43). They do not provide a mid-level estimate of affordable unit production rate. They do not provide a low-end estimate either.

There are other strategies in the Affordable Housing Plan for meeting the 2,500 unit deficit, besides rezoning. However, let's assume for the moment that the rezoning alone should deliver 50% of the needed units by 2040. That means that rezoning needs to produce 1,250 affordable units in the next 18 years. The initial production rate will be at most 43 units per year. If that rate is achieved but doesn't increase, 1,250 units of affordable housing will not be delivered before 2052 or 2055.

Now, to deliver at most 43 units per year, the City's plan proposes the construction of 9 other units of housing for every 1 unit of affordable housing. Thus, under the advancing plan, the City will need to construct 12,500 total units to yield 1,250 affordable units. Pew Research indicates that the average U.S. household size today is a little above 2.5 people per household. So, if we construct 12,500 new housing units in the next 18 or 30 years, with 2.5 people per household, that would suggest that we will add 31,250 residents to the City – just from the zoning rewrite portion of the plan.

John Pfaltz's recent Daily Progress editorial indicates that 31 years ago our City population was 41,267. Today our population is 45,672. In 30 years, we've added 4,405 residents. Now, if (and that's a big if) the City's plan actually could solve our affordable housing crisis in the next 18 - 30 years, it proposes to do so by adding 31,250 new residents, bringing our City population to perhaps 77,000.

So, in sum, if the City's plan actually is capable of eliminating our affordable housing deficit by 2040 or 2050, are we as a community prepared (in a host of ways) for such an influx of new residents? If the City's plan is not going to eliminate the affordable housing deficit by 2040 or 2050 then why are we pursuing it? Shouldn't we be working together to find a realistic way to maintain the character of a City distinctly different than northern Virginia while simultaneously providing housing for all those in our community?

From: [James Graves](#)
To: engage@cvilleplanstogether.com
Subject: Medium and High Density Zoning Increase
Date: Tuesday, September 27, 2022 7:56:20 AM

I live in Johnson Village across the street proposed for medium density zoning around Johnson Elementary School. This zoning change will destroy a pleasant, single family home neighborhood and do nothing to alter the affordable housing shortage in Charlottesville. If the City Council hasn't been paying attention to who buys neighborhoods and trailer parks in the post pandemic world I can catch you up. After the demise of indoor shopping malls and decline in demand for office building leases, limited liability corporations (LLCs) and real estate investment trusts (REITS) are refocusing on residential housing. Rezoning the city like this will be akin to ringing the dinner bell for these institutional investors to swoop in and buy up blocks at a time, offering more money than the homes are worth, razing them, and building large apartment buildings for UVa students and other well heeled tenants. If the city wants to increase its tax base, it should get UVa to pay \$15 or \$20 million annually rather than wrecking Charlottesville while enriching the pockets of out of state institutional investors. There are much better ways to increase the supply of affordable housing than this sledgehammer approach which will miss the mark completely.

From: [Clifford Fox](#)
To: [Charlottesville City Council](#); [Charlottesville Planning Commission](#)
Cc: [Cville Plans Together](#)
Subject: Minimum lot sizes and SRO"s
Date: Tuesday, September 27, 2022 7:25:54 PM

Why would one not allow an SRO to exist as a lot, legal parcel; it could be a 525 square foot structure or condominium? Flexibility is essential to increase supply.

Cliff Fox

From: [Eric Holmgren](#)
To: engage@cvilleplanstogether.com
Subject: Planning Meeting
Date: Tuesday, September 27, 2022 6:11:21 PM

Hello,

Charlottesville is facing a housing shortage that is worsening. I hope that the city can move forward quickly on this plan. Expanded Inclusionary Zoning incentives will maximize new homes that are urgently needed. Elimination of parking minimums will help this process save space, reduce carbon emissions, and protect pedestrians including the children who walk to school.

Thank you for your consideration,
Eric Holmgren

From: [Judy Sandridge](#)
To: engage@cvilleplanstogether.com
Subject: Planning Meeting
Date: Tuesday, September 27, 2022 8:46:09 PM

I watched this meeting tonight and I want you to know I support CLINC's priorities. Thank you for letting me join tonight

[Sent from Yahoo Mail on Android](#)

From: [Elliott Casey](#)
To: engage@cvilleplanstogether.com
Subject: Public Comment from today's meeting, 9.27.22
Date: Tuesday, September 27, 2022 8:49:57 PM

Dear Members of the Charlottesville City Council and Planning Commission:

I am writing today regarding the proposal to eliminate parking minimums and permit 12-unit structures anywhere in Residential districts.

I am stunned to learn that, after last year's lengthy and careful conversation about setting a four-unit per lot Residential limit in some areas, and a twelve-unit per lot limit in other areas, the City has decided to undo that decision less than a year later, ignoring all the community feedback and input regarding that map.

Last year, the City made a clear ruling about what density should be based on enormous public input and extensive debate. Everyone gave up something, but the process included everyone. Now, with almost no input and essentially through a back door, the City is undoing that and proposing to put 12 unit dwellings anywhere. The City made a commitment after a public process - why should we ever trust the City's commitments in the future?

Honestly, I feel stabbed in the back after participating fully in the process last year. We were told that the comprehensive plan was related to honest planning reasons, such as the character and needs of each neighborhood. Now, we see that is being thrown away. I heard the witness testify today that he thought that seeking public feedback would simply result in inconvenient opposition to the plan. His rejection of democracy was a little jarring, and the opposite of the City's stated goal of

“Charlottesville Planning Together.”

Parking is a perfect example of why this proposal does not work, but it is only a small issue in the larger impossibility of building 12-unit lots in a tiny neighborhood like ours.

Alongside this proposal is the proposal to eliminate parking minimums, that is, pretend that new units do not require parking. It is true that requiring that new construction actually be able to accommodate new residents means that some houses will not be built. But the reason they will not be built is because the City cannot accommodate the residents - there is no parking for them. The proposed plan would say to existing residents that they can no longer park in their own neighborhood.

It's important to be honest - this proposal eliminates the parking requirement because it recognizes that parking does not exist and new construction cannot accommodate the people who move in. In other words, once residents move in, they will park in spots currently occupied by existing residents. Thus, this proposal would literally squeeze current residents out of our neighborhood and potentially make our daily travel impossible.

It does not matter that the changes will come slowly. I live in a neighborhood where most streets are one-way (either officially or in practice). There are often no sidewalks and, if there is a parked car on the street, there is just enough space on some streets for either a pedestrian or a car, but not both. Mr. Stolzenberg indicated that he did not know of a street in the City that could not sustain a 12-unit structure. I invite him to visit my neighborhood.

The city is talking about redeveloping 2% of its property per year. That means that in 5 years, 1 in 10 properties will be

redeveloped; In 10 years, 1 in 5 houses will be redeveloped. Under the City's proposal, the simple addition of only 2 four-unit structures to our neighborhood, with no minimum parking requirement, would essentially drive us out of our neighborhood.

Our neighborhood has slowly become dominated by multi-unit, student housing.

Each time new housing is built, it quickly becomes student housing as UVA adds more students to take advantage of the additional housing capacity. Landlords tempt students with low rents for 12-month periods, and do not care that they do not have parking. They do not expect their tenants to return.

Our street has about 8 on-street parking spaces, total, for all of the residences on this street; the street connecting to ours has a few more. Beyond that, during the school year, there is almost no available parking within a half-mile radius. Students who cannot park at their residence park farther away each year, and our surrounding streets have gradually filled with student and UVA commuter vehicles. This neighborhood has no paid parking, either, as UVA owns most of the lots in the area.

The City's plan, with just 2 new 4-unit structures, would push 16 more cars into our neighborhood (32 at peak hours) with no existing place for those cars to go, except for our street. We have no transit options in our neighborhood, much less options that take us to our jobs, etc. This proposed solution would simply choke the streets of our neighborhoods with cars that have no place to go.

Offering strict enforcement is no solution either. The City police department is already down to 60 officers from full staffing of 120. The City has moved away from law enforcement in the last

decade and pretending that it will suddenly start enforcing rules is a false promise. The City does not appear to be on a road to enforcing laws strictly.

The City is focused, rightly, on bringing in residents who cannot afford to live here, but if the decision is to bring them in by driving out existing residents, that is a terrible choice. The proposals discussed tonight will simply turn my neighborhood into 100% student housing and drive the existing residents out. Please do not make that choice.

Thank you for your time and consideration.

**Elliott Casey
905 Tunlaw Place
Charlottesville, Virginia 22903**

From: [Benjamin Heller](#)
To: engage@cvilleplanstogether.com
Subject: Public comment on joint work session
Date: Tuesday, September 27, 2022 5:47:03 PM

Dear Council and Commission,

I am writing to make a public comment on the materials under discussion at the 9/27 joint work session. Let me preface my comments, which address the specific discussion points referred to in the meeting materials, by registering my continued disagreement with the land use chapter of the CP and the entire rezoning process. I reiterate that no one involved in the process has attempted to make a case, let alone made a convincing case, that the basic premise behind the exercise is true: namely, that current zoning has meaningfully restrained the quantity of housing supply or distorted its composition in a way that is responsible for a crisis of affordability or an unusual level of separation of housing types within the city. In fact, there is abundant evidence that Charlottesville has neither a high level nor high rate of increase in housing prices relative to the US average, that Charlottesville has a better-than-average ratio of wages to housing cost and better-than-average decadal change in that ratio, that Charlottesville has high elasticity of housing supply and a high overall rate of housing supply, that Charlottesville has a relatively low degree of spatial separation between uses and housing types, and that Charlottesville has relatively loose zoning *de facto* and *de jure*. All this would have been apparent had the city undertaken an honest process with the guidance of a consultant selected under functionally competitive bidding, rather than beginning with the conclusion and picking a gormless and pusillanimous consultant from a list of bidders that amounted *only* to that consultant to serve as a rubber stamp to the scheme of a narrow group of activists.

With respect to the specific issues under discussion tonight, I have the following comments:

1) Parking minimums. Reducing parking minimums can be a useful tool to reduce the cost of housing production. Given that other aspects of zoning are not driving cost here, we are a "marginal cost" market and reducing construction costs can reduce housing prices. That said, Donald Shoup, the dean of the "parking scholars", puts it best when he says that a jurisdiction must not tinker with off-street parking minimums until it addresses on-street parking policies. To simply reduce parking minimums without doing anything about on-street parking allocation and pricing is to invite developers to externalize the cost of parking to neighbors. This has adverse consequences for livability and for the environment. Shoup describes convincingly that underpriced on-street parking leads to tremendous excess energy use by allocating through "cruising time" rather than a more efficient pricing scheme. The city should not reduce parking minimums until it has developed a scheme for on-street parking permits for affected neighborhoods, one that prices on-street parking properly, and which, if it does allocate any permits for free, does so on a per-parcel or per-unit-of-street-frontage basis. Finally, the city should recognize the difference between reduced vehicle miles and reduced car ownership. The bar, in terms of public transit convenience and bike/pedestrian infrastructure, for people to fully forego car ownership, is extremely high. Charlottesville is nowhere near meeting it. If Charlottesville does *not* meet it, then reduced parking minimums will *not* reduce the amount of parking developers provide. If car ownership is inevitable, then a development will not be viable without a certain level of parking, regardless of minimums.

2) Minimum lot size. Not surprisingly, the description of this issue lacks detail and context. If

the idea is that any lot should be subdivisible into infinitesimally sized lots that have the same zoning entitlement as any GR or MIR lot, then reduced or eliminated minimum lot sizes completely gut any limit on the number of units in town. I don't believe that even RHI, the Commission, or their puppetmasters in the activist community are stupid enough to think that is a viable idea. Therefore, I am going to work under the assumption that the idea here is to allow separate ownership of structures that would belong to one lot (with a normal GR or MIR unit entitlement) rather than to insist on a single lot that observes minimum lot sizes with a condominium or cooperative ownership structure. If this assumption is correct, then the idea is not entirely without merit, but the city and consultants would need to do more analysis to show that this is a good idea. The purpose of condominium and cooperative ownership structures is not merely to "circumvent" minimum lot sizes, but to provide security to property owners in situations where the value of their home, both financially and hedonically, is inseparable from the behavior and choices of their near neighbors. As such, in those situations, there need to be tight legal arrangements for the relationship between these near neighbors. To simply allow subdivision into tiny "lotlets" would leave property-owners vulnerable to harsh externalities, with no recourse.

3) The criterion of "harmoniousness". I am not a fan of the enforcement of narrow aesthetic principles via zoning, except in cases of truly compelling historic preservation. I think, however, a "harmoniousness" of building size, setback, height, and massing is indispensable for a liveable streetscape. Therefore, while I think it would be appropriate to make clear that outside of historic districts there is no requirement of "aesthetic harmony" (i.e. everything is brick, or Georgian), this should not extend to removing the requirement of harmonious form in the broader sense.

4) Overlays. The purpose of zoning for density in nodes and corridors is to make sure the infrastructural predicates of density are available or at least attainable at reasonable cost. This requires the city to be able to predict where density is going to happen and focus it in a way to avoid duplicative infrastructure. An overlay completely traduces that goal. As such, it is not just a bad idea, but patently ridiculous. PHA and Habitat already dominate affordable housing development here. They have done a TERRIBLE job, producing housing slowly and at an exorbitant cost. This idea is their baby, and they keep bringing it back no matter how many times sane and competent people point out its absurdity. I believe Ms. Dale, on the Steering Committee, has made this point about the importance of predicting where density will go rather than having it pop up randomly, multiple times. Enough already. The city should not abandon sound principles just because they are inconvenient for developers, even if those developers are mission-oriented rather than profit-oriented.

Thank you for your consideration,

Ben Heller

From: [Lee Scott](#)
To: engage@cvilleplanstogether.com
Subject: Public comment on Work Session with City Council and Planning Commission
Date: Tuesday, September 27, 2022 5:47:51 PM

Dear Council and Commission,

I am writing to express my opinion on the "Key Questions" under discussion at the Work Session. I oppose the reduction or elimination of parking minimums, unless and until the city fulfills important predicates for such a policy choice. The city must devise and analytically test a scheme for on-street parking management, so that developers do not simply externalize parking costs to the street. On-street parking permits should be issued on a per-parcel or per-unit-street-frontage basis. The city must improve transit and pedestrian infrastructure to reduce the need for car ownership before reducing parking minimums.

Lot subdivisions should only be allowed according to current minimum size and street frontage rules. To remove these restrictions would be to gut the already-feeble protections the zoning approach currently offers against uncontrolled and extreme densification.

Finally, I oppose any further overlays that would allow developers to exceed use and form intensity maximums in any of the FLUM categories. The density/intensity entitlements are already too unfocused as it is.

I attended the open house at the Ting Pavilion and was absolutely horrified by the out of scale infill proposed for established neighborhoods. This plan is nothing more than a communist government land grab, using nice sounding words like equity. One size shoe DOES NOT fit all.

Don't ever be fooled that "equity" means fair and equal treatment. It means nothing of the sort. It means state-enforced equality of outcomes, and bureaucratically driven discrimination.

The booming diversity, equity, and inclusion industry is divisive and destructive, and it cannot help but be. It is an outgrowth of Marxist ideology.

The process thus far has been marked by a surprising and disappointing lack of analytical rigor. The "key questions" being raised at this meeting will not be answered by activist pontification, but rather by solid analysis. Please do your homework this time.

Please note, my engagement with the "Key Questions" in this presentation should not be taken as an endorsement of the plan more broadly. I oppose the housing strategy of the CP and believe that the Zoning Ordinance rewrite should wait until a properly grounded housing strategy and land use map can be devised.

Sincerely,

Lee Scott

1711 King Mountain Rd.

From: [Kimber Hawkey](#)
To: [Cville Plans Together](#)
Subject: Public comment on Work Session with City Council and Planning Commission
Date: Tuesday, September 27, 2022 5:45:48 PM

Dear Council and Commission,

Please forgive our use of some of the form arguments in the mail below; however, after 20 years of fighting for appropriate development and true affordable housing in this city while the City consistently bows down to the money interests in this town, our anger and disgust over the incompetence and apparent greed has risen to such an extent that I no longer have the energy to write civil emails. Feel free to add expletives throughout this text below which only begins to enumerate the many problems, errors, and lunacy of what the Cville Plans "Together" has proposed. So little of what is being done is appropriate or "harmonious". It certainly does not and will not give us truly Affordable Housing. Your recent JPA decision only proves that once again for all to see.

We are writing to express our opinion on the "Key Questions" under discussion at the Work Session. We oppose the reduction or elimination of parking minimums, unless and until the city fulfills important predicates for such a policy choice. The city must devise and analytically test a scheme for on-street parking management, so that developers do not simply externalize parking costs to the street. On-street parking permits should be issued on a per-parcel or per-unit-street-frontage basis. The city must improve transit and pedestrian infrastructure to reduce the need for car ownership before reducing parking minimums. The parking and traffic in the city are already highly problematic - stop making the problem worse.

Lot subdivisions should only be allowed according to current minimum size and street frontage rules. To remove these restrictions would be to gut the already-feeble protections the zoning approach currently offers against uncontrolled and extreme densification. Start acting ethically and honor your promises of appropriate development that is "harmonious" and "house-sized"; maybe then you will start to recoup the trust in city government.

Regarding overlays: we oppose any further overlays that would allow developers to exceed use and form intensity maximums in any of the FLUM categories. The density/intensity entitlements are already too unfocused as it is. The only overlay should be that the entire city be accorded the "sensitive area" designation. We realize that the City will probably still allow developers to skirt around that protective designation (as in the Shimp/Nassau St. development decision this past year, i.e. where was the affordability?); however, at least it would show equal respect for protecting neighborhoods in the entire city from the free-for-all

that you have set up for speculative investment and profit-driven developers..

The process thus far has been marked by a surprising and disappointing lack of analytical rigor. The "key questions" being raised at this meeting will not be answered by activist pontification, but rather by solid analysis. Please do your homework this time.

Please note, our engagement with the "Key Questions" in this presentation should not be taken as an endorsement of the plan more broadly. We oppose the housing strategy of the CP and believe that the Zoning Ordinance rewrite should wait until a properly grounded housing strategy and land use map can be devised.

Finally, please confirm receipt of this email so that we know that it has been read and put into the public record.

Sincerely,
Kimber Hawkey and Charles Gendrot
Charlottesville City Residents

From: [Steve Myers](#)
To: engage@cvilleplanstogether.com
Subject: Public comment on Work Session with City Council and Planning Commission
Date: Tuesday, September 27, 2022 5:45:24 PM

Dear Council and Commission,

I am writing to share some thoughts as a homeowner regarding the "Key Questions" under discussion at the Work Session.

This whole exercise seems completely unnecessary. I would suggest that the whole rezoning project is being done for the benefit of those organizing it rather than the community. The organizers want to feel good about themselves - at the cost of permanent damage to our community.

If individual residents need financial assistance, and if the city feels that such assistance is a suitable and appropriate use of taxpayers' money, then that is what should be provided for a limited time. By way of comparison, you will recall that "Obamacare" destroyed the healthcare of 92 percent of the US population in order to help a tiny minority who could not afford it, and who, incidentally still don't have it.

Likewise, this plan would destroy many settled neighborhoods in the city, containing homes that people have worked hard to afford, in order to help a tiny minority who are having financial difficulties - and would do nothing to relieve their financial difficulties, as might job training, entrepreneurship, counseling and other options. If the city government feels it needs to become involved, why not offer housing subsidies to the less well-off or even help them to put down a deposit, so they can lift themselves out of poverty?

Consequently, I also oppose the reduction or elimination of parking minimums. The city could also improve public transit to reduce the need for car ownership before reducing parking minimums. This is poorly considered and should be abandoned.

Lot subdivisions should only be allowed according to current minimum size and street frontage rules. To remove these restrictions would create a free-for-all and before you know it, Charlottesville will become another Baltimore, Detroit or any number of other Democrat-controlled cities which have deteriorated into crime scenes worse than many found in African and Latin American cities.

Finally, I also object to any further overlays that would allow excess intensity maximums in any of the FLUM categories. It seems to me that this whole proposal is based on emotions, not facts, and is - like many well-intentioned proposals - an attempt to be seen to be doing something constructive rather than actually doing it.

Sincerely,

Steve Myers
Lewis Mountain Road
Charlottesville VA 22903

From: [Joseph Davis](#)
To: engage@cvilleplanstogether.com
Subject: Public comment on Work Session with City Council and Planning Commission
Date: Tuesday, September 27, 2022 5:45:16 PM

Dear Council and Commission,

Granted, this is a form email, but it expresses better than I the concerns I share with others about zoning rewrite.

I am writing to express my opinion on the "Key Questions" under discussion at the Work Session. I oppose the reduction or elimination of parking minimums, unless and until the city fulfills important predicates for such a policy choice. The city must devise and analytically test a scheme for on-street parking management, so that developers do not simply externalize parking costs to the street. On-street parking permits should be issued on a per-parcel or per-unit-street-frontage basis. The city must improve transit and pedestrian infrastructure to reduce the need for car ownership before reducing parking minimums.

Lot subdivisions should only be allowed according to current minimum size and street frontage rules. To remove these restrictions would be to gut the already-feeble protections the zoning approach currently offers against uncontrolled and extreme densification.

Finally, I oppose any further overlays that would allow developers to exceed use and form intensity maximums in any of the FLUM categories. The density/intensity entitlements are already too unfocused as it is.

The process thus far has been marked by a surprising and disappointing lack of analytical rigor. The "key questions" being raised at this meeting will not be answered by activist pontification, but rather by solid analysis.

Sincerely,

From: [Donald Morin](#)
To: engage@cvilleplanstogether.com
Subject: Public comment on Work Session with City Council and Planning Commission
Date: Tuesday, September 27, 2022 10:24:34 AM

Dear Council and Commission,

The comments below have probably been submitted by many others. I am submitting this email to you to join in those comments. But in addition, the City should first state what the affordable housing goal is. How many units are to be built, over what time period to be built, and by defining affordability. Without these metrics, the City cannot determine what the impact of the new zoning plan will have on existing housing and neighborhoods and on the environment. I am particularly concerned about any consideration of eliminating minimum lot sizes. Is it the intention of the planners to return to building large apartment blocks that have the impact of imprisoning their inhabitants. Please consider the impact of that type of development such as the Pruitt-Igoe buildings in the City of St. Louis. First define the problem: how many affordable housing units does the city need in the next 10 years; what is an affordable housing unit. Then you can begin to solve the problem by promoting the development of sustainable affordable housing.

I join in the following comments: I am writing to express my opinion on the "Key Questions" under discussion at the Work Session. I oppose the reduction or elimination of parking minimums, unless and until the city fulfills important predicates for such a policy choice. The city must devise and analytically test a scheme for on-street parking management, so that developers do not simply externalize parking costs to the street. On-street parking permits should be issued on a per-parcel or per-unit-street-frontage basis. The city must improve transit and pedestrian infrastructure to reduce the need for car ownership before reducing parking minimums.

Lot subdivisions should only be allowed according to current minimum size and street frontage rules. To remove these restrictions would be to gut the already-feeble protections the zoning approach currently offers against uncontrolled and extreme densification.

Finally, I oppose any further overlays that would allow developers to exceed use and form intensity maximums in any of the FLUM categories. The density/intensity entitlements are already too unfocused as it is.

The process thus far has been marked by a surprising and disappointing lack of analytical rigor. The "key questions" being raised at this meeting will not be answered by activist pontification, but rather by solid analysis. Please do your homework this time.

Please note, my engagement with the "Key Questions" in this presentation should not be taken as an endorsement of the plan more broadly. I oppose the housing strategy of the CP and believe that the Zoning Ordinance rewrite should wait until a properly grounded housing strategy and land use map can be devised.

Sincerely,

Donald R. Morin
2571 Palmer Drive
Keswick, VA 22947
434-906-4596

drmorin1310@gmail.com

Formerly a City of Charlottesville resident for 31 years and still deeply concerned about this wonderful City.

From: [Lise Stoessel](mailto:Lise.Stoessel@engage@cvilleplanstogether.com)
To: engage@cvilleplanstogether.com
Subject: Public comment on Work Session with City Council and Planning Commission
Date: Tuesday, September 27, 2022 7:34:33 PM

Dear Council and Commission,

I am writing to express my opinion on the "Key Questions" under discussion at the Work Session. I oppose the reduction or elimination of parking minimums, unless and until the city fulfills important predicates for such a policy choice. The city must devise and analytically test a scheme for on-street parking management, so that developers do not simply externalize parking costs to the street. On-street parking permits should be issued on a per-parcel or per-unit-street-frontage basis. The city must improve transit and pedestrian infrastructure to reduce the need for car ownership before reducing parking minimums.

Lot subdivisions should only be allowed according to current minimum size and street frontage rules. To remove these restrictions would be to gut the already-feeble protections the zoning approach currently offers against uncontrolled and extreme densification.

Finally, I oppose any further overlays that would allow developers to exceed use and form intensity maximums in any of the FLUM categories. The density/intensity entitlements are already too unfocused as it is.

The process thus far has been marked by a surprising and disappointing lack of analytical rigor. The "key questions" being raised at this meeting will not be answered by activist pontification, but rather by solid analysis. Please do your homework this time.

Sincerely,

Lise Stoessel
Arbor circle
Charlottesville 22902

From: [Pete Marshall](#)
To: [Cville Plans Together](#)
Subject: Public comment on Zoning Work Session
Date: Tuesday, September 27, 2022 5:38:38 PM

Sent at 5:38pm

My wife and I own our house on Gentry Lane in Charlottesville...we bought in 1999 with the idea that we would be able to age in place, not so that our house would be a stepping stone to somewhere else. Our 0.17 acre lot slopes away from the road with the result that a driveway/off-street parking was never designed into the property, and we park on the street outside our home. I am therefore particularly concerned about street parking in relation to proposed upzoning...with increased housing density, what are the chances we will be able, or allowed even, to park anywhere near our house? It seems you all have already decided to relax off-street parking requirements for new builds, even for multi-family units, so you can cram even more residents into Charlottesville. Will I eventually be forced to spend a considerable amount of money that I don't have to put in a driveway which will destroy the integrity of my front yard, all so that I can park close to my house?

It doesn't appear that any thought has been given to the idea that increased residency will result in increased traffic...there is no apparent provision to require developers to even contribute to the building of more sidewalks, or am I wrong? Where are the plans for infrastructure upgrades, and who will pay for them? You can wish all you want that residents will walk more, but without adequate sidewalks and with increased traffic, people who are brave enough to be pedestrians will have accidents and we will all suffer poorer air quality, as new residents will most likely bring vehicles with them. (Even now, with no changes to zoning in place, air quality is already a problem...I invite you to come stand in my yard on Gentry Lane and watch the stationary traffic, all with their engines idling, lined up to pick up children at Walker School *every* schoolday.)

Re affordable housing, I know about the Dillon rule, but has *any* effort been made to lobby the state legislature to enable rent control to be enacted in Charlottesville? I suspect you haven't even tried. Rent control should have been priority #1 in addressing affordable housing.

The Future Land Use Map and the proposed zoning changes are a gift to developers and absentee landlords, who are undoubtedly licking their chops at the prospect of the windfalls they see coming.

For all of the above reasons, and more, I remain firmly opposed to this plan.

Pete Marshall

From: [vern buchanan](#)
To: [Cville Plans Together](#)
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 10:06:55 PM

Thank you for asking for public comment

Please, Please, Please reconsider the plan that you are embarking on. I believe It will completely alter the character of the city & the lives of its inhabitants in ways that were unintended.

I believe the logic of the plan is faulty.

Since this plan has emerged prices of housing has gone thru the roof.

How does that make housing affordable? Or even buildable?

Our infrastructure cannot handle what is being proposed; roads and schools are already too crowded. There aren't enough bus drivers to safely take our children to school, thus increasing traffic immensely.

How does that make Charlottesville livable?

Logical actions & plans usually produce Livable results.

Charlottesville has not Planned Together leaving many residents feeling ignored & discounted

If you are going to call yourself Charlottesville Plans Together please do it .

Sincerely

Charlottesville resident

Greenbrier Subdivision

From: [David Aller](#)
To: engage@cvilleplanstogether.com; [David Aller](#)
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 9:45:05 PM

I have read the comments submitted to Charlottesville Plans Together on the proposed Zoning changes.

The vast majority of very thoughtful commentators have severe misgivings about the direction the leadership of the city is taking us.

Please read these comments and give them your careful consideration.

James D Aller

From: [David Aller](#)
To: engage@cvilleplanstogether.com; [David Aller](#)
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 9:40:30 PM

I was able to view some of the presentation and discussion by Zoom tonight

My comments:

The parking consultant stated that parking approaches were based on "pseudoscience" and things just had to be tried. Very disconcerting. The city must improve available transit such as is now being done in Wilson, NC, otherwise reduced parking requirements will just put cars into existing neighborhoods, and the developer benefits and no one else!

If all the proposed up zoning increases the value of property as is projected, is city council going to reduce the property tax rate to allow for the increased value? Residents living on fixed incomes who do not want to move want to know!

James D Aller
Locust Grove

From: [Pfaltz, John Virginia \(jlp\)](#)
To: [Cville Plans Together](#)
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 6:31:51 PM

How much is too much? This question is key in the discussion of the proposed 72 new apartments adjacent to St. Clair and River Vista Avenues near the US 250 Bypass. [Daily Progress, Sept. 15]. Several residents have complained of the increased traffic on their narrow streets which the developer said “might double”. Unfortunately, it is difficult to know if these fears are justified or not. In its quest for more housing density our city has said little about its gradually deteriorating streets.

The op-ed in Sunday’s Daily Progress [Sept. 25] argues that eliminating/reducing the need for developers to provide off-street parking will reduce the cost of development (true), encourage more affordable housing (possibly), and make our city less dependent on the automobile (dubious). When I was commuting to U.Va. by bicycle, passing parked cars always forced me into the travel lane. It was more dangerous and I tried to avoid such streets. On-street parking is more likely to deter bicycle usage.

I often drive along Preston Ave. and Barracks Road to Emmet Street. In the FLUM this is all designated for Medium Density Housing (up to 15 units per lot). Will the requirement for off-street parking in this area be relaxed. Limited on-street parking is already allowed on portions of Preston; will it be permitted its entire length? Will on-street parking be permitted between the steep banks of Barracks Road? Tell us.

As the desire for more affordable housing through higher density development has been unfolding, various unexpected consequences have appeared. In the rush to achieve this goal, we must not sweep these issues under the rug. Mr. Freas, in various neighborhood meetings, has repeatedly pointed out that “nothing will happen overnight, it will take a long time for these policies to take effect”. Good. Then we surely can take time to provide the residents with a more detailed plan of just what to expect.

Together with the FLUM and proposed Inclusive Rezoning proposal the city should provide us with a detailed analysis of our road network. What is the current vehicle load (especially at rush hour) of each segment? and how much more would overload it? The road by our house had steady traffic and seems capable of a bit more. But Preston Avenue and Long Street at rush hours (and much of the day) are slow moving disasters. So are other streets. What is their VDOT rating, A, B, C, D or F? Give us a that map.

The city should also provide a detailed map of which streets it considers appropriate for on-street parking. If the off-street parking requirement is reduced/eliminated as an incentive for denser development some streets could be noticeably worse. Neither of these should take more than 6 months. As Mr. Freas has pointed out, we have time.

John Pfaltz

From: [Lee Scott](#)
To: engage@cvilleplanstogether.com
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 6:14:44 PM

Members of City Council and Planning Commission,

I am listening to this discussion on affordable housing and the city's entire tax policy suppresses this.

You are promoting a new FLUM and zoning that will increase taxes, forcing people to sell their properties. Who buys them? Usually developers who then promise to include "affordable housing" in their developments.

The folks who were already living in the house probably wanted to stay in their house that was "affordable" when they bought it.

This is such a racket. Increase property taxes, making housing "unaffordable", then developers purchase the property and promise "affordable" housing. This is deliberate destruction of neighborhoods and family housing for government ideas about equity. This is COMMUNISM.

It's criminal.

Sincerely,

Lee Scott

1711 King Mountain Rd.

From: [Carolyn Talley](#)
To: engage@cvilleplanstogether.com
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 5:56:59 PM

I wish to express my concern about the lack of required parking spots for upcoming development in the city of Charlottesville. There needs to be 2 spaces for each unit and there should be a charging station for each unit based on Charlottesville's commitment to green energy. Developers do not need to be allowed to cut corners on providing these services to the citizens of Charlottesville. And the lack of green space in the proposed new housing density is incredibly wrong.

Carolyn Cason Talley

From: [Nancy Summers](#)
To: engage@cvilleplanstogether.com
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 5:51:27 PM

1. Feasibility studies. Before you undertake a plan for eliminating parking requirements, I suggest you do a feasibility study first. (I have noticed that you make plans first, and then study their feasibility. . This seems backwards. You did not do a feasibility plan before you did the CP and FLUM and you promised the public more affordable housing. It turns out this is not feasible.
2. Please base decisions you make about what should be done in Charlottesville by analyses of conditions in Charlottesville, not studies done in other utterly dissimilar cities, or merely theoretical studies. For example, Mayor Snook has said repeatedly that he thinks that the CP and FLUM will protect Charlottesville from becoming like Palo Alto. Obviously, Palo Alto, the birthplace of Silicon Valley, the global center of the high tech industry is not Cville. A cursory glance at the economy of Palo Alto and the Silicon Valley will make it clear that these two college town are in no way similar. There are many reason why home prices are almost ten times as high in Palo Alto than they are Charlottesville. Zoning is hardly among them. Charlottesville has unique issues. Mr. Frees did not realize how little anticipated growth in Charlottesville is predicted by the official demographers of Virginia. In the next 30 years only 3,000 people are expected to move to the city.! Even this number were doubled, the housing needs could be easily handled. And it is practically meaningless to imagine that 10% of the increased housing units for 3,000 or 6,000 people would in anyway address the need for affordable housing.
3. One issue that is not sufficiently addressed is the relation of UVA student renters to the city as a whole. The city population is small, 48,000 and student renters – there are 20,000 students looking for a place to live every year – comprise a large portion of the city’s populations- perhaps 20% and a large percentage of renters – perhaps 50%. . The city needs to know exactly how many students are renting in the city. The UVA is placing an enormous burden on housing in the city. The UVA is a rich, non-tax paying entity, and the city should not be redesigning itself to

accommodate this transient body of student residents/renters. The only obvious market where developers can profitably build in the city is student housing. The UVA is not doing its share, and the city should not be caving to its needs.

4. Lee Einsweiler, the man hired by the city to rezone the city, understands full well that he cannot zone the city in such a way to make housing more affordable. He has expressed himself clearly on this issue. He stated that he was hired by the city to make more, smaller housing units, but that these units would not be any less expensive than the larger housing units that presently exist. To make his point clear, he compared what he was doing for housing to “repackaging” in grocery stores, when the store charges the same price for a smaller amount of the product. Indeed, when he was asked if he meant that a person would go to the grocers and pay the same amount for one-half pound of hamburger that they formerly did for a pound, he agreed that this was what he meant. There would be more half pound packages, but they wouldn’t cost any less than the pound packages. So many organizations were so supportive of the CP and the FLUM because they thought it would create affordable housing. These people need to be told that affordability has nothing whatsoever to do with the rezoning of the city. Lee was being realistic and honest about what he could achieve by zoning in Charlottesville. He should not be forced to walk back these statements.
5. A harmonious city: Since rezoning the city has nothing whatsoever to do with affordability, and everything to do with student housing, I would like to point out that the “charm”, the famous “beauty” of Charlottesville is not only a good in itself, but contributes to the great allure of our region as a tourist destination. Tourism is an important part of the economy. Getting rid of restrictions on lots size, on height of buildings, on the amount of a lot that a building can cover could create a very unattractive city. Being an attractive city in a beautiful region is an economic asset, a source of jobs, an important tax base for the city..
6. I would like to emphasize that Charlottesville has an obligation to directly address the needs of the most disadvantaged citizens. My heart sank

when I read that Seminole Square was being developed for market rate housing. It was an ideal spot for affordable housing,

From: [Scott Ruffner](#)
To: [Cville Plans Together](#)
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 5:45:54 PM

I want to provide two pieces of feedback for the Zoning rewrite. I do not generally support the proposed upzoning at all, as it seems - at best - mostly ideologically driven - and at worst - specifically designed to "break" what are currently SFR neighborhoods by targeting them for higher density development. At a practical level, there are two major considerations which the proposed plan more or less ignores:

- First, MIR - as originally sold - doesn't actually accomplish the stated goals because it "doesn't pencil", as even the report admits. To accomplish affordability, MIR now has to contemplate much higher unit counts and eliminate lot minimums. So much for "house like" properties interspersed among existing single-family homes. The city presently has lovely examples of this kind of housing - the Fontaine/JPA neighborhood - well sited for the student population pressure driving this demand - abounds with them, and they are incompatible with the existing SFR and have displaced it. It's not surprising - it's predictable.

- Second - the elimination of parking minimums. While a car-free city is clearly one of the upzoner's other ideological goals, it's a clear denial of reality to expect that simply eliminating parking will eliminate cars and the desire - really need - of people to have them. Eliminating parking minimums will not result in fewer cars; it will simply push these "externalities" elsewhere.

Since the FLUM and first planning steps were taken, Great Eastern Management has started to redevelop a shopping center to provide another 352 apartment units, and even with this "density" emergency, the planning commission saw fit to refuse a rezoning for a high-density development in North Downtown - a cynic would suggest they see the "crisis" slipping away. Throw in the bait-and-switch on MIR, and it gets difficult to take any of the arguments at face value. What the upzoning does consistently do is attempt to bust up traditionally wealthier low density neighborhoods.

From: [terri dicintio](mailto:terri_dicintio)
To: engage@cvilleplanstogether.com
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 5:42:57 PM

Councilors and Planning Commissioners:

I write this evening to express my concern over the proposed Zoning Rewrite. I have lived in Charlottesville since 1989. Lack of affordable housing was being discussed then, and I assume, for many years prior. No real progress has been made since then, and I wonder if it will be now. Let me be clear - I support the concept of affordable housing. I believe that clean and safe housing should be within economic reach for every resident of our community. But I have serious doubts about your proposed ideas for making that happen.

First of all, the idea that upzoning and creating more density will somehow lead to affordable housing is naive and ridiculous. Please show me a place where that has been successful because I cannot find even one.

Second, increased density and unchecked development over the 33 years I lived here, have created many problems. This city simply does not have the infrastructure to handle its current population and density, so adding to it will only exacerbate the problems that already exist. The plan does not address today's needs, let alone the needs that will be created by future growth.

While I have many, many, many concerns, I would like to highlight two:

1) Reducing or eliminating parking minimums without first creating a plan to control on-street parking would merely lead to externalizing developers' parking-provision obligations to the streets, to the detriment of current residents; and that reduction of parking minimums will only work to the extent the city makes major infrastructural improvements that would induce a reduction in car ownership - which is a tall order and unlikely to occur in the recent future. The lack of reliable and frequent public transportation **MUST** come first.

2) Reducing, and potentially, eliminating minimum lot sizes would gut the already-minimal protections the current draft offers against uncontrolled density increases. Destroying homes and neighborhoods that currently exist will not solve the problem, and will create additional issues. Creating affordable housing and preserving existing neighborhoods are not mutually exclusive.

If City leaders really want to deal with the lack of affordable housing, City land, real estate, and funds are required. The City government will need to be responsible for the creation of the housing. Allowing, and/or leaving it up to for-profit developers to create affordable housing is

laughable. Real estate developers are in the business of making a profit. They are not interested in creating a vibrant, inclusive community. They are not interested in solving societal or economic problems. They are not interested in righting past wrongs. They will do the very least for the highest cost. If you do not believe that, just look around you at what they have built thus far. You should not be looking to developers or consultants to solve our problems, you should be looking to the community and listening to what residents want - all residents. If you alienate those who have built their lives, raised their families, paid their taxes and your salaries for many years, you will find yourselves with even bigger problems in the future.

Thank you for you time and attention.

Terri Di Cintio

From: [Clay, Jenny S \(jsc2t\)](mailto:Clay_Jenny_S@cs.cmu.edu)
To: engage@cvilleplanstogether.com
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 5:40:49 PM
Attachments: [Outlook-e0dipncu.png](#)

You have asked for public comment; here's mine:

I quote from FLUM's statement:

IMPLEMENT THE AFFORDABLE HOUSING PLAN

“The recommendations within the Charlottesville Affordable Housing Plan are built with three guiding principles in mind: racial equity, regional collaboration, and a focus on a comprehensive approach. These guiding principles inform the design and implementation of recommended strategies and will enable the City to track the impacts of its affordable housing activities. Aligning the City’s affordable housing policies, programs, and investments with these guiding principles will help the City to more effectively address the affordable housing needs of its residents and workers.”

- › Allow more units on every lot zoned for only a single unit today
- › Allow more rental and ownership options
- › Create zoning incentives (see next section)
- › Adopt an inclusionary zoning policy (see next section)
- › Create a toolkit to avoid displacing at-risk communities

It seems to me that if the main goal is more affordable housing in Charlottesville, that, rather than re-zoning and increasing density, should be front and center. I can nowhere see a straightforward statement showing where and what affordable housing is actually planned. Under the plans I have seen (which seem to change every day to create more, rather than fewer problems), I do not see how many affordable housing units are needed. Saying that developers can build x number of units and then set aside one or two "affordable" units seems rather backwards to me. Do we know how many developers will

be involved? And hence how many units will be built? No. No we don't.

Can you give me a straightforward answer as to how many affordable units and where will be available with the new plan? Why don't we start over with a plan to figure out how many such units we need and go from there.

I want facts and numbers; not vague aspirations.

JSC

Jenny Strauss Clay
William R. Kenan Jr. Professor of Classics Emerita
1511 Rugby Avenue
Charlottesville VA 22903
434-979-3599 (H)



πάντη δ' ἀθανάτων ἀφανῆς νόος ἀνθρώποισιν
γηράσκω δ' αἰεὶ πολλὰ διδασκόμενος.



From: [Tracy Carlson](#)
To: engage@cvilleplanstogether.com
Subject: Public comment to CC/PC Joint Work Session
Date: Tuesday, September 27, 2022 10:11:02 PM

To the CC/PC:

While some modest relaxation in parking minimums may merit consideration, this only makes sense if there is a plan in place to control on-street parking first. Developers who get a free pass on parking minimums will simply dump their problems on current residents. On-street parking permits should be granted on a per-unit basis, so it doesn't become an ugly and contentious battle on the streets. It's wishful thinking at best to imagine that somehow things will simply "work out" with no planning and no major investment in infrastructure to reduce the need to own a car.

In addition, I'm very concerned about the potential elimination of minimum lot sizes. The plan is already an unconscionable boondoggle for developers, who will be granted permission by-right to exponentially increase density in neighborhoods that can't sustain such an increase. The result will be ever more high-end condos, with little to no affordable units that actually allow lower-income residents to build wealth.

As you might imagine, I oppose the plan. I support the intent to increase affordable housing, but I believe the plan is an unforgivable giveaway to developers that will potentially destroy the character of neighborhoods while not producing any meaningful amount of affordable housing.

Respectfully,

Tracy Carlson
704 Evergreen Avenue
Charlottesville, VA 22902

From: charlotte.meadows
To: engage@cvilleplanstogether.com
Subject: Public comments on work Station with CC and PC
Date: Tuesday, September 27, 2022 11:12:54 PM

Dear Council and Commision,

This is to record my opinion for 'key questions' in the discussion at your work session. It's appalling that you're suggesting eliminating parking minimums. The city needs to take more responsibilities in setting the trends and limitations on current minimum size and street frontage rules rather than letting the developer take charge. It would also appear that the current proposals shoves parking as well as excess traffic into the neighborhood already struggling with lack of parking.

There has been a consistent history of using emotions and haranging residents of different opinions rather than valid analytical studies of what's worked in cities of Charlottesville's size vs places like Chicago. Lot subdivisions need to be formulated to current size and street frontage rules. I oppose any future overlays that allow developers that exceed intensity maximums of the FLUM categories. Please conduct valid analytical studies to fully study the effects of such high intensity development in such a limited space.

Another major concern is the road infrastructure that's been ignored in a practical manner of how to handle traffic as well as parking. In our current shortage of bus drivers as well as other city employees; residents can't drive their children to school without having adequate transportation.

Then, there's the issue of our 100 year floodplain history as well as rising sea levels due to climate change. How is higher density/intensity going to help with flooding and probable subsequent loss of lives and properties all along the Rivanna? Of course we need affordability. What about liveability and some desire to enhance our historic nature? The subsequent housing very often doesn't provide affordability nor is the developer held responsible for not meeting our affordability standards.

Please consider all ramifications of your actions to either make or break Charlottesville.

Sincerely,

Charlotte Meadows, Greenbrier Subdivision

From: [Holland McBryde Mason](#)
To: engage@cvilleplanstogether.com
Subject: Public Comments
Date: Tuesday, September 27, 2022 7:37:21 PM

Thank you for the information provided in the webinar.

As a long term resident of our city and as someone who fully supports affordable housing, I remain concerned that our goal of increased densification does not include a true evaluation of the infrastructure to support this growth. Specifically:

(1) **Emergency services/police/fire/EMS.** We must ensure that we do not violate principles of safety with increased densification. Our zoning rewrite must have safeguards to keep our community safe.

(2) **School systems.** While recognizing that zoning does not appropriate funding, we need to ensure that our schools and our teachers have the necessary funding to accommodate more growth. I believe we should study this issue when developers submit plans in our neighborhoods.

(3) **Parking/traffic.** While I encourage walkability and lessening our dependence on personal vehicles, as one of the Commissioners pointed out, Charlottesville is a 10 square mile urban center for a large rural area (the surrounding counties). As such, there will continue to be significant use of personal vehicles on our roads. We will not eliminate that situation. Therefore, parking cannot and should not be ignored. Additionally, while we value the work of developers to create and build sufficient parking, I have seen more than one proposal that makes erroneous assumptions about the need for parking. For example, assumptions that a three bedroom unit will only generate one additional vehicle are inaccurate. Many of the individuals with whom I work have three to four people in one apartment, all owning vehicles. We must have requirements for a sufficient number of parking places for units being built.

Thank you for your work on this important subject.

Respectfully,

Holland McBryde Mason

From: [Lise Stoessel](#)
To: [bill emory](#)
Cc: [Cville Plans Together](#); [Council](#); [James Freas](#); [Robin Hanes](#)
Subject: Re: community engagement
Date: Tuesday, September 27, 2022 7:29:40 PM

Well said! Thank you, Bill, for your long-view and your dedication to quality of life in Charlottesville.

Lise Stoessel
Arbor circle

On Tue, Sep 27, 2022, 6:56 PM bill emory <billemory@gmail.com> wrote:

Dear Folk,

This email is written in haste, I have previous commitments that limit my time to correspond in the 5:30 to 8:00pm window. I'd rather have the benefit of hearing your discussion this evening. Possibly you'll address many of my concerns. Alas, can't do that.

The community engagement foundation of the comp plan and now the zoning rewrite has seemed woefully inadequate to me. There have been "opportunities" to engage but messages from our hearts and mouths don't seem to be reaching your ears and brains.

Speaking just about the neighborhood where I live, Woolen Mills. You propose radical (MIR) upzoning to a number of [affordable houses here](#) but, to my knowledge, you have not contacted the owners or the residents of these houses. How is this different than the targeting of city neighborhoods in the past based on race or socioeconomic status?

Additionally, the proposed zoning and land use of MI land in the Woolen Mills is made possible by zoning decisions made in the 1950-'s by City Councilors who housing activists and your steering committee have not been shy to label as racist (and presumably classist). There was no community engagement in 1958 for a large portion of the M1 land. Additionally, like the Medium Intensity Residential designated properties, to my knowledge you have not spoken to the owners of the 28+/- MI acres of "industrial" land, adjacent to Woolen Mills residential property. There are two ownership entities. Two letters, two phone calls, is that an overwhelming burden?

I am an [RHI fanboy](#). a huge supporter of their West Main work. Please don't take this letter as criticism of the consultants. Rather, look within, ours is a City that is planning challenged.

One example, the recently introduced 0 High Street Project. The City paid for advice from Torti-Gallas in 2000 (+/-) about the corridor. There have been multiple studies, beginning with the State of the Basin report in 1998. The Planning Commission got on the subject in 2008. Brian Haluska has written up some preliminary thoughts. There has been begging and pleading from the community to establish Rivanna Corridor zoning, or, at the very least, to pattern your floodplain proscriptions on Albemarle County's rather than the City's current

stay out of the floodway, fill to a foot above BFE (base flood elevation) and build.

The planning is disconnected from the people who live here and love their neighborhoods. Earlier tonight, one of your presenters said that developers are economically rational and that homeowners are economically irrational.

So, economic rationality is building 245 residential units in the floodplain next to a massive parking lot?

No. Economic rationality is building a place worth caring about.

Best regards. Please do better.

Bill Emory
1604 E Market St
22902
804-462-9968

From: [Bertram, Edward H \(ehb2z\)](#)
To: [Cville Plans Together](#)
Subject: RE: Work Session Tomorrow
Date: Tuesday, September 27, 2022 4:15:49 PM

I am very concerned that this notice arrived less than 24 hours before the scheduled meeting. Few will have much or any time to review the massive amount of information to evaluate the community reaction. It is not appropriate to have a discussion about how to move forward unless there has been a reasonable period of time for the obviously many concerned residents to review the comments (many of which appear to raise a number of valid concerns over this draft.

Edward Bertram

From: Cville Plans Together <engage@cvilleplanstogether.com>
Sent: Monday, September 26, 2022 7:28 PM
To: Bertram, Edward H (ehb2z) <ehb2z@virginia.edu>
Subject: Work Session Tomorrow

[View this email in your browser](#)

In this newsletter:

- Upcoming work session: link to agenda and materials, including the draft summer 2022 community engagement summary

**Reminder: Work Session with Planning
Commission and City Council**

Work Session with Planning Commission and City Council
Tuesday, September 27, 2022, 5:30pm

Tomorrow, the Cville Plans Together team will meet with the Planning Commission and City Council to discuss the proposed approach to the zoning rewrite. The team will provide an overview of the various elements of the proposed approach, share a summary of community input from summer 2022, and discuss Planning Commission and City Council comments and questions.

- **Meeting materials are available [here](#).** This includes:
 - Agenda
 - Meeting slides
 - Draft Zoning Diagnostic + Approach Report updates (material packet only contains pages with proposed updates)
 - Draft summer 2022 community engagement summary, with links to appendices containing written comments from the open house, feedback form, and emails
- **This will be a hybrid meeting** (Zoom and in-person).
 - Register here to attend online via Zoom: [link](#)
 - More information about how to attend in person here (limited seating available): [link](#)
- **Community members are invited to share written comments to be included in the meeting minutes.** Submit comments on paper at the meeting, or via email (engage@cvilleplanstogether.com). Written comments received between 5:30pm and the end of the day (midnight) on September 27 will be included in the meeting minutes, which will be shared with the City Council and Planning Commission.

If you know anyone who may wish to receive these project update emails, please forward this email to them and let them know that they can sign up for the list [here](#).

Thank you!

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From: [Jonathan Rice](#)
To: [Cville Plans Together](#)
Subject: Second round of comments on Planning Commission / City Council meeting
Date: Tuesday, September 27, 2022 10:31:24 PM

Dear Cville Plans Together,

Here are a second round of comments and questions about various points raised in tonight's meeting.

(1) I agree with most Planning Commission members and city councilors that **reducing lot size** is a good idea. As I've mentioned before, many single family houses in Charlottesville have enormous lots and could easily be divided into additional housing units. Sena Magill made a good point that lot sizes should be uniform throughout the city because of the history of red lining. I don't know what the minimum lot size should be but I agree with Chairman Yates that smaller is better.

But there's a huge distinction between reducing lot size and having *no* lot size minimums which could easily become a bit crazy. It's hard to believe eliminating minimum lot size requirements could even be discussed as a serious option.

(2) Likewise with **parking requirements**. By all means, reduce parking requirements. Sprawling parking lots are environmentally disastrous in terms of eliminating green space, runoff, and creating heat island effects. But sidewalks will have to be built to make a significant reduction in parking requirements feasible.

Getting rid of minimum parking requirements entirely, however, is thoroughly bad public policy. I suspect those who speculated that developers would provide parking entirely on their own to enhance the appeal of their property have never actually lived in a large city and don't even have friends who live in large cities. Developers can make plenty of money without providing parking. It may be true that parking requirements are not solidly grounded and based on empirical data but that's not an excuse to wash your hands of any responsibility for establishing reasonable parking requirements.

(3) The proposed dramatic **increase in density in General Residential areas** for the goal of affordable housing was the surprise of the evening: I actually think this idea has a lot of merit and I'm not personally opposed to it (I grew up in a very dense housing environment and I'm comfortable with it) BUT the time to have proposed this was last June at the latest when the public could weigh in. Charlottesville residents have been told for more than a year now that the density limit in the General Residential zoning areas was 4 units (just raised to 5 last month, I believe) total. Now that the public input period is over it's not fair to change terms to allow 12 housing units to be built. This is a dramatic change and it is going to take city homeowners by surprise. One person said that city residents shouldn't be too concerned because there are probably very very few situations in which this would happen. This doesn't make sense -- if it's not likely to happen in more than a few instances, why do it at all? There's a lot of distrust throughout the city of our local government. City governance is not a popularity contest and sometimes government officials should make tough and unpopular decisions for the public good. But telling the public one thing for a year and then changing it dramatically after the public comment period has ended will raise serious and legitimate questions about the integrity of Charlottesville's planning processes.

(4) Finally, I have a question about inclusionary zoning and the stipulation that 10% of a project of 10 or more housing units must be affordable. I don't understand, and no explanation was offered in tonight's meeting, about what happens with, for example, the 11th through 19th housing units of an individual project? Housing units are not, of course, divisible into fractions when it comes to market vs affordable rates so which way do you round and at what point do you round? If a developer builds a building with 15 housing units will it be required to still have just one affordable housing unit? Or do you plan to round up and require 2 affordable housing units when 15 total units are built? If a developer can build 18 market rate units with just one affordable unit, this is a serious weakness in this part of the affordable housing plan.

From: [Maureen McKenna](mailto:Maureen.McKenna)
To: engage@cvilleplanstogether.com
Cc: council@charlottesville.org
Subject: Strongly opposed to MIR rezoning
Date: Tuesday, September 27, 2022 8:47:18 PM

Dear City Council,

I've previously voiced my concerns regarding the proposed zoning change for Locust Grove residents (at least for those of us not on city council) and would like to reiterate my opposition to the plan. The reasons, to name a couple, are as follows;

- Increased congestion resulting in parking issues, traffic, and less opportunity for children to play freely. Charlottesville City does not have the infrastructure to handle a significant increase in population, which will result in traffic congestion that will adversely affect everyone's experience living here.
- Neighborhood dynamic changes (I purchased my home on the pretext that it was zoned for general residential)
 - Most people, like myself, that move into single family neighborhoods have moved from what you define as medium intensity, and have moved out of medium intensity housing for good reason. **Medium intensity housing is associated with more noise, more congestion, more crime, less families, and less open space for children to play. The argument is circular, but this is why people move from less expensive medium intensity housing into more costly general residential. It's also the reason, I presume, our city counselors have had their streets exempted from the zoning changes.**

It's very clear that the areas subject to the new zoning have been "targeted", which is inequitable. Locust being GR inside of 250 and MIR outside of 250 doesn't make any sense.

MIR zones are subject to anonymous LLCs buying up and consolidating lots and building tall buildings. This changes the nature of the city, encouraging speculative development charging high rents. That does nothing to solve the affordable housing issue in Charlottesville and only encourages a situation where those who own the properties aren't the ones actually living there.

Reconsider the plan, the majority do not want the rezoning.

Maureen McKenna
540.421.6189
m.maureen.h.mckenna@gmail.com

From: [Contini-Morava, Ellen L \(elc9j\)](#)
To: engage@cvilleplanstogether.com
Subject: Student cars and overlay issue
Date: Tuesday, September 27, 2022 10:17:40 PM

Student cars account for a large proportion of parking problems, especially in the UVa area. Why not lean on UVa to prohibit students from having cars? Other universities do this.

With regard to the overlay issue, I think it's reasonable for the city to retain some discretionary control over size/form, as suggested by Liz Russell, and to consider proposals for extra-large projects on a case-by-case basis.

Ellen Contini-Morava
225 Montebello Circle

From: [Allison Gray](#)
To: engage@cvilleplanstogether.com
Subject: Supporting Inclusionary Zoning
Date: Tuesday, September 27, 2022 5:45:38 PM

Good morning Planning Commission,

I'm writing ahead of this evening's working session to express my support for moving the Cville Plans process forward without any delay. We are in the midst of a housing crisis, and we must act quickly to allow new, dense infill to be built. I urge you to expand inclusionary zoning incentives to maximize effectiveness. Lastly, please eliminate parking minimums. We need housing for people rather than more real estate for cars.

I understand that folks in our community call these radical measures. However, we know that these policies (like eliminating parking minimums) create healthy, dense, walkable urban areas that can support the population growth that Charlottesville has been experiencing.

Thank you for all your work on this project and listening to countless opinions on all sides.

Thanks again,
Allison Gray

From: [Clifford Fox](#)
To: [Charlottesville City Council](#); [Charlottesville Planning Commission](#)
Cc: [Cville Plans Together](#)
Subject: There are other ways to address the minimum lot size
Date: Tuesday, September 27, 2022 7:16:28 PM

One can allow additional unrelated people within a single dwelling. Like twelve (12) unrelated people per lot as an example. And/or people could have a .45 acre lot in a R-1S district that would allow 3, 6,000 lots by right without the access and provide for up to 12 unrelated persons on the property. Fire code will be an issue with existing structures. Its also a financing challenge.

There is no need to maintain a minimum lot size; how it works in the market place is complicated.

Cliff Fox

From: [Melissa Spitzer](#)
To: engage@cvilleplanstogether.com
Subject: Tonight's meeting
Date: Tuesday, September 27, 2022 8:53:02 PM

Yes! Use the housing authority to help. He was exactly right when he said they know how to work it and would be glad to help make this work.

While this may not benefit right now. In ten years it will definitely be. Blessing to some.

Sent from my iPhone

From: [Paul Barolsky](#)
To: engage@cvilleplanstogether.com
Subject: Trees and Houses
Date: Tuesday, September 27, 2022 8:27:34 PM

City Planning Commission:

I think it is an utter disgrace that in a city that considers itself “green,” it allows developers to get away with murder by not holding them accountable when they say they are going to replace trees and then do nothing.

I am appalled that the city has allowed the canopy to shrink and still offers no incentives to its residents to plant trees that would increase the canopy.

What do residents of Charlottesville do to get the city’s attention to the crisis of a shrinking canopy?

We attend meetings but to no avail. As one resident said at the 9/27 meeting, the city has no plan.

What is also appalling is the city’s lack of attention to scale. It offered no resistance when a developer decided to build at the corner of Rose Hill and Amherst a structure that is 4 stories high when seen from Amherst.

Are we watching the city commit architectural suicide by allowing for buildings that look house size?

What is so deeply depressing is the city’s lack of standards.

Paul Barolsky

From: [Clifford Fox](#)
To: [Charlottesville City Council](#); [Charlottesville Planning Commission](#)
Cc: [Cville Plans Together](#)
Subject: Um and Uh seem to be big words in the public process tonight! Um Um Um. Very meaningful.
Date: Tuesday, September 27, 2022 6:40:56 PM

From: [Phil Varner](#)
To: engage@cvilleplanstogether.com
Subject: Zoning Comments
Date: Tuesday, September 27, 2022 10:34:39 PM

Charlottesville is a city, not an HOA. As such, zoning should be used to facilitate the next level of development everywhere in the city, instead of attempting to preserve (usually wealthy) neighborhoods in amber. We made a huge mistake with the 1991 upzoning, and many people have been harmed by being forced to leave the City because they could no longer afford to live here. We have a chance here, if not to repair those wrongs, to at least prevent more harm.

As such, we must expediently move this process forward, even if it's not perfect, as it never can be. Our risk here is that we do too little rather than too much, as the analysis even shows what a minuscule effect most of these policies will have on increasing natural or explicitly affordable housing. But, we have to do all we can with policy, and hope for better outcomes.

Phil

From: [Fincham](#)
To: engage@cvilleplanstogether.com
Subject: Zoning issues
Date: Tuesday, September 27, 2022 6:44:58 PM

Please don't reduce much less eliminate parking minimums in proposed rezoning areas.

And don't reduce minimum lot sizes. We don't need higher density.

And thumbs down on the upcoming consideration of three apartment buildings along the Rivanna!

Joanne Fincham
1410 Chesapeake St.

From: [Sandra Stagers](#)
To: engage@cvilleplanstogether.com
Subject: zoning rewrite in progress
Date: Tuesday, September 27, 2022 5:49:39 PM

hello

it is my understanding that in order to comment , emails must be sent in during the mtg of 9/27 between 5:30 & midnight. I have 5:41 pm.

I would like to add my voice to those many citizens who would be opposed to reduce/eliminate parking minimums for multi unit building projects. The building project alone with drastically increase traffic & parking (for visitors, for ex) & it is not feasible to add to the parking on the streets. Current residents should not have to compete for parking with new buildings.

Also, reducing the minimum lot size will similarly increase traffic, increase parking problems, further decrease the tree canopy, & decrease the poor protection against massive density increases that the current plan provides. The entire increase in density in established neighborhoods shows no concern for current residents, and there is no current single family home neighborhood that should become medium density. Council this week voted to turn the old KMart into more shopping?? Really?? How could we need more shopping? Why not build a few hundred affordable units on that site? There are already many available sites that units could be built.

I am absolutely in favor of affordable housing. Why does it have to destroy current neighborhoods for the few units that are in the current plan?

thank you
sandy stagers
1604 Rose Hill Dr

From: [Jeff Roberts](#)
To: engage@cvilleplanstogether.com
Subject: Zoning
Date: Tuesday, September 27, 2022 6:18:39 PM

To the Team:

If the crisis is Affordable Housing and the quantity of housing stock generally, why would you take areas that are currently zoned residential and convert them to mixed use?

The FLUM depicts this happening on St Clair Ave and down Mowbray Place in a neighborhood that's been there over 60 years. It's in the walking path to Burnley Moran School and adjacent to the school.

This section of land is also on Long St facing 250, ie, the entrance corridor.

If you want housing then zone for housing please. Put multi-unit housing in; put unconventional housing in; put subsidized affordable housing in, but don't create space for more vape shops and oil change vendors in a residential neighborhood.

Thanks,

Jeff Roberts
826 St Clair Ave