

# Three Zoning Changes – Phase 3 Report – January 2023



Phase 3 of community engagement for the proposed zoning changes to short-term rentals, parking minimums, and accessory dwelling units focused on presenting and gathering public comment on draft concepts developed by the Department of Planning and Development Review (PDR) Staff. In Phases 1 and 2 of the three proposed zoning changes, PDR Staff held 3 public meetings, 2 telephone town halls, 6 focus groups, and an online survey. Approximately 740 people attended these meetings, and 562 survey responses were received and reviewed. Data from these efforts, both quantitative and qualitative, impacted the development of staff’s draft concepts.

## Timeframe

PDR Staff presented the draft concepts for the three proposed zoning changes to the public from November to December 2022. A public comment period that included public meetings and an online survey for general feedback on these draft concepts was open from December 6, 2022, until January 2, 2023.



## Promotion

The public meetings and online survey were promoted on the PDR Three Zoning Changes website, through City social media channels, and by Councilmembers. Information about these efforts was also shared to all local civic associations and via the Richmond 300 mailing list.

## Draft Concepts

### 1. Eliminate Parking Space Minimums

**Draft Recommendations:** Eliminate parking space minimum requirements from the City's Zoning Ordinance. Continue to implement the following initiatives:

- Expand transit system and bicycle and pedestrian infrastructure
- Promote shared parking
- Revise residential on-street parking permit programs
- Assess curbside time limits periodically

### 2. Permit Accessory Dwelling Units

**Draft Recommendations:** Permit one accessory dwelling unit (internal, attached or detached) by-right on the same property as a single-family dwelling in all zoning districts that permit single-family dwellings. ADU cannot exceed one-third (1/3) of the floor area of the single-family dwelling or 500 square feet, whichever is greater. ADU must follow the underlying zoning district requirements (setbacks, lot coverage, height, etc.)

### 3. Revise Short-Term Rental Regulations

**Draft Recommendations:**

	Primary Residence	Non-Primary Residence
Residential (R) Zoning District	Permitted Accessory Use	Permitted -Principal or Accessory Use -Distance requirement between another Non-Primary Residence STR
Non-Residential Zoning District	Permitted Accessory Use	Permitted Principal or Accessory Use

**Multifamily Recommendation:** For multifamily dwellings (three or more units), only one-third (1/3) of units or a maximum of 10 units, whichever is lesser, shall be permitted as STRs

#### **Operations Recommendations:**

May be entire dwelling unit or individual rooms (maximum 5 sleeping rooms) with no limitation on the number of nights\*

Short-term rental operator shall agree to no more than one booking transaction during the same period\*

#### **Administrative Recommendations:**

Short-Term Rental Permit (\$300) is to be obtained on a biennial basis\*

Additional staffing for STR permitting and enforcement

Add fine/penalty for noncompliance with a graduating increase for multiple violations

Collect transient occupancy tax

Require an inspection for STR

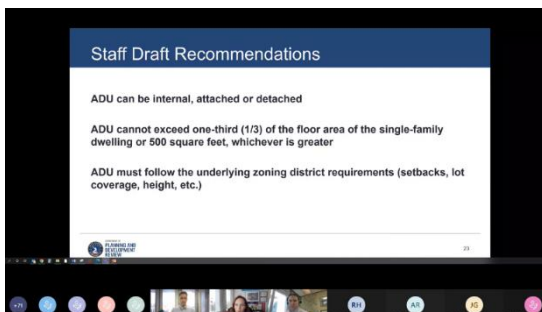
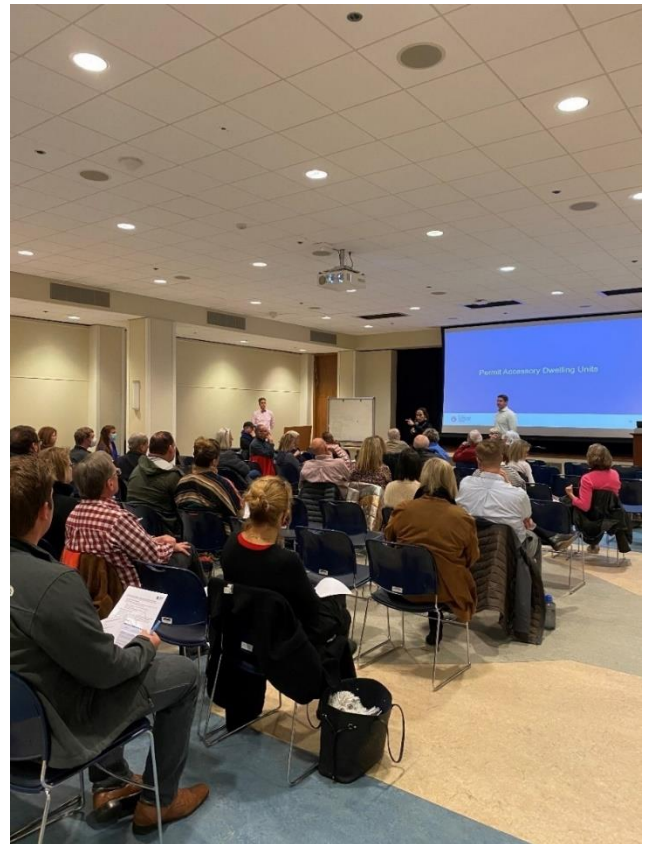
**\*Retain existing regulation**

## Public Meeting Summary

PDR Staff held three public meetings in December 2022 to present the draft concepts and answer questions. Attendees were invited to leave detailed feedback on the online survey. In total, **236 people** attended these meetings.

**Public Meeting Attendance**

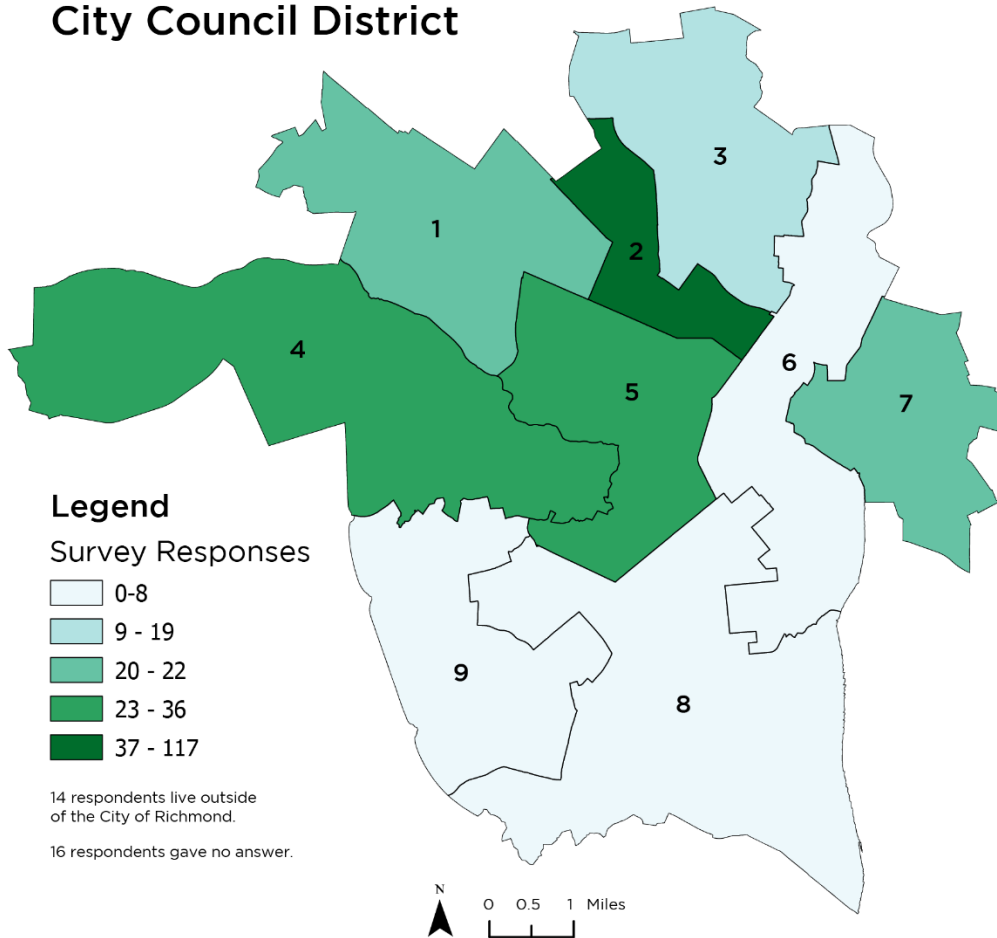
Date & Time	City Staff	Public	Location	Total
PDR Hosted Meeting Tuesday, December 6, 2022 12-1:30pm	17	89	Microsoft Teams	106
2 <sup>nd</sup> District Meeting Wednesday, December 7, 2022 6-7:30pm	2	30	Microsoft Teams	32
PDR Hosted Meeting Thursday, December 8, 2022 6-7:30pm	5	35	Microsoft Teams	40
PDR Hosted Meeting Tuesday, December 13, 2022 6-8pm	8	50	Main Library	58



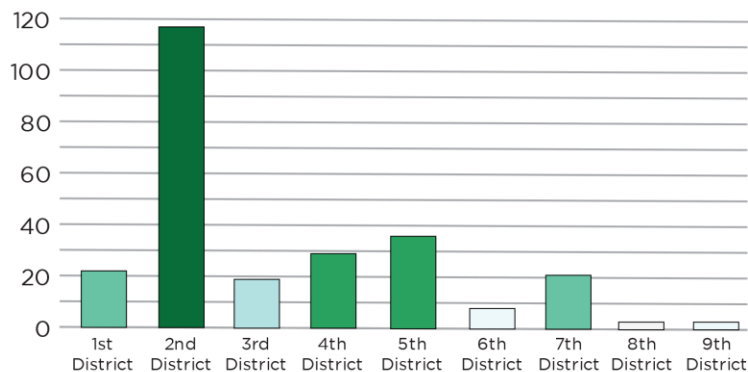
## Online Survey

An online survey was available on the PDR website from December 6, 2022, until January 2, 2023. The survey prompted respondents to leave feedback on the draft concepts through open-ended responses. **288** total responses to the survey were recorded.

### Survey Responses by City Council District



Survey Responses by City Council District



## What we heard | Parking Minimums

### Benefits:

- Boosts small business growth
- Potential for more multi-modal development
- More walkable, bike-friendly neighborhoods
- Will allow for more affordable housing developments
- Reduces city dependency on fossil fuel infrastructure

### Concerns:

- Potential congestion issues for residents
- Developers will choose not to add parking
- Public transit is not efficient enough to be a feasible alternative
- Visitors will be deterred from visiting businesses downtown
- Disproportionately affects elderly residents with mobility issues

### Ideas:

- Should be done on a case-by-case basis depending on the neighborhood
- Construct mixed-use parking garages
- Eliminate parking minimums only for businesses
- Multifamily developments over X number of units should require parking
- Focus on transit improvements first

*"If parking is not required the need will spill into adjacent areas and increase parking pressure...additional mass transit infrastructure must be built before changes are made."*

*"Eliminating parking minimums will be a great incentive to use public or alternative transportation systems."*

*"Parking is already a disaster in the Fan District, and failure to require parking plans for new development can only make it worse."*

*"I am for the elimination of parking minimums. It puts greater emphasis on greenways and sustainable living."*

*"We often have difficulty parking now. The thought of allowing multi-family residences to be built in nearby infill sites with no resident parking is very distressing."*

*"Parking minimums add burdens to development and result in wasted space that could be used more productively."*

*"The City of Richmond declared a state of climate emergency, so I don't think it makes sense to require citizens to build fossil fuels infrastructure. I hope you stay strong on eliminating parking requirements, it's good city planning."*

*"I notice on the weekends, when non-residents can park without a permit, there is an increase in disturbances and littering, and of course, a decrease in available convenient parking already."*

*"I am not of an age where I feel comfortable riding a bike to a doctor's appointment or bringing groceries from my car that might be parked several blocks away from my house."*



*"I do not support the elimination of parking space minimums but do support denser development (with less surface parking lots!)"*

*"Eliminating parking minimums is excellent for the health and continued positive urban development of the city."*

*"I fully support removing parking minimums. Will create a more diverse, equitable, denser, transit/pedestrian city"*

*"We are working on having a great public transit system, and people are less reliant on cars than they used to be."*

*"Removing parking requirements shouldn't be applied same across retail/commercial/residential. Residential developers in TOD-1 already provide substantially less parking. That parking burden is then shifted from developers to the surrounding communities."*

*"Eliminating parking minimums would vastly increase the available housing stock while also helping businesses build for density -- for people -- rather than the cars that transport them. There is an opportunity to take back that dead space for more transit-oriented development."*

*"Elimination of parking requirements is frightening for people living in old neighborhoods with infill opportunities for developers within or nearby their neighborhood."*

*"Please eliminate a requirement that sends businesses out of the City of Richmond to the counties."*

*"I appreciate the proposed changes to STRs/ADUs and lifting parking requirements. These changes will benefit the city, align with more progressive planning movements nationwide, and put force behind ideals listed in Richmond 300."*

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## **What we heard | Accessory Dwelling Units (ADUs)**

### **Benefits:**

- Potential for aging in place
- Multigenerational living on one property
- Can add to affordable housing stock
- Will support a growing population
- Increased tax base

### **Concerns:**

- Could affect neighborhood character and design
- Privacy concerns
- Issues with stormwater runoff due to less green space
- Property values may increase
- May place burden on city utility infrastructure
- Older trees may be removed

*"ADUs should be subordinate to historic neighborhood guidelines and approvals."*

*"ADUs will provide opportunities for additional income and for additional density within the city."*

*"I wish there were a contest for preferred fast tracked ADU designs that would maintain some standard of architecture in Richmond."*

*“I urge council to approve by-right ADUs for city residents. As someone with aging parents, being able to add an ADU on my property to house them down the road would be a huge benefit.”*

*“I support allowing ADUs in residential zones with form-based requirements but would be against a design review requirement that makes permitting more difficult for people with fewer means. I also think that existing rear yard setback requirements may not be appropriate for ADUs that take the traditional form of a carriage house or garage with ADU above.”*

*“ADUs are great for adding small, affordable dwelling units that have flexibility. Allow them everywhere by right.”*

*“I am in favor of by-right ADUs. They will provide additional senior housing, better urban land use and increased tax base.”*

*“I believe ADUs are a potentially important tool for Richmond residents, especially with the cost of living, and cost of housing, continuing to rise.”*

*“I request that the city make it incredibly easy to get a permit - not something you have to hire a permit expeditor or other professional for. Any property owner should be able to easily figure out how to get an ADU permit, to make this form of housing easy for private individuals to build.”*

*“I am 100% in favor of allowing ADUs, especially if they can be used as long-term rentals or STRs to provide affordable housing and/or generate income for primary resident property owners.”*

*“500sq ft is a needlessly small minimum ADU size. Many SF houses throughout the city are under 1,500sq ft. Notching the minimum up to at least 600 sq ft makes for a more livable unit.”*

*“ADUs need to have multiple standards/regulations. Parking, infrastructures, number, setbacks, height, square footage, etc.”*

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## **What we heard | Short-Term Rentals (STRs)**

### **Benefits:**

- Provide more unique experiences for visitors
- Provides supplemental income to hosts
- Potential for additional city tax revenue
- Will increase citywide population density

### **Concerns:**

- Noise, parties, and other disturbances
- LLCs or out-of-town owners buying up properties
- Can take away from long-term housing stock
- Can exacerbate the lack of affordable housing

### **Residency Requirement:**

- The residency requirement should remain
- Lack of a requirement can lead to absentee landlords
- The requirement is difficult for staff to enforce

**Ideas:**

- Limit number of STRs per person
- STRs should not be allowed in single-family zoning districts
- STRs should undergo the same safety inspections and regulations as hotels
- There should be robust penalties for noncompliance

*“The additional income [from running an STR] for a homeowner does two things. It gives them the financing and incentive to improve their property which will in turn improve the real-estate value. It gives owners financial opportunity which may be critical to them being able to maintain the mortgage and expenses.”*

*“The residency requirement works to ensure owners will maintain close contact with their rental activities and thus promotes oversight, accountability and responsible operation of the rental property.”*

*“I strongly oppose removing the residency requirement from the short-term rental regulations. Doing so will predictably lead to increased costs for the city, such as more calls to police to address noise complaints, and more trash and damage to public property from irresponsible short-term tenants.”*

*“If we are going to have strong communities, we cannot allow homes to be left vacant for just a few rental nights a year.”*

*“I fear that the zoning change will promote out-of-town investment in properties that have traditionally been single family homes and convert them into short term rentals for non-Richmonders.”*

*“I strongly support the further staffing needed to properly implement STR regulations and permitting. Enforcement is the key to any STR regulations working.”*

*“We will lose our sense of neighborhood and have no way of getting owners to answer to the mayhem that occurs.”*

*“Would be awesome to put a portion of permit fees or transient occupancy tax toward affordable housing initiatives, like Nashville, Chicago, etc.”*

*“We need to do everything possible to direct tourists and visitors to hotels over repurposed homes.”*

*“I am fully opposed to removing the local owner requirements for short term rentals. Our housing market is currently too tight, and it has been shown that STRs are popular with investors who have the capital to outbid homeowners.”*

*“I do not support any short-term rental policy. Homes are meant to be lived in and this city has no shortage of hotels.”*

*“The distance requirement seems even more confusing, and staff seem to agree it will cause a mad rush of purchases by non-owner-occupied landlords/businesses to beat out the distance requirements.”*

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**Next Steps**

PDR Staff will compile all feedback from Phase 3 and amend the draft concepts for the three zoning changes as necessary. Once the separate ordinances are finalized, they will be independently submitted to Planning Commission and City Council for review. Please monitor the website below for progress updates on the three zoning changes and for future initiatives related to zoning ordinance changes.

<https://www.rva.gov/planning-development-review/zoning-changes>