

Richmond 300: Code Refresh Advisory Council Meeting Notes

Date: August 14, 2024, 4 P.M.
Location: Plan RVA Board Room
424 Hull Street, Suite 300/
Microsoft Teams (<https://bit.ly/CodeRefreshAC>)



DEPARTMENT OF
**PLANNING AND
DEVELOPMENT
REVIEW**

Members Present: Wayne Credle, Bennie Gates, Elizabeth Greenfield, Philip Hart, Yanina James, David Johannas, Preston Lloyd, Eric Mai, Jennifer Mullen, Casey Overton, Michelle Parrish, Martiza Pechin, Ellen Robertson, Charlie Wilson, Roger York

Members Absent: Chenice Brown, Kendra Norrell, Burt Pinnock, Damien Pitts

CALL TO ORDER

Roll Call

Chair Greenfield called the meeting to order at 4:05 P.M. and called the roll. A quorum was present. An attempt was made to connect with Ms. Norrell virtually.

Chair's Comments

Chair Greenfield thanked everyone for attending. She reminded everyone of the purpose of the Council is to advise the Planning Commission, Department of Planning and Development Review, and the consultant team on the zoning ordinance revision process.

Approval July Meeting Notes

Mr. Johannas mentioned he would like the July Meeting Notes to include conversation around green space, particularly the discussion that zoning requirements should provide opportunities to create green space and forms of respite within the built environment. Chair Elizabeth recommended the meeting notes be amended to accurately reflect the discussion that was had regarding that topic at the last meeting. The board voted to approve the minutes.

PUBLIC COMMENT

Chair Greenfield opened the floor to public comment. Seeing no one requesting to comment, Chair Greenfield closed the public comment period.

CONSULTANT PRESENTATIONS AND COUNCIL DISCUSSION

Rene Biberstein, project manager from Code Studio, provided an overview of the work and engagement efforts completed thus far, and provided a projected timeline of the deliverables. He also explained the relationship between the Pattern Book and the Zoning Districts Framework, highlighting how they are different and how the Pattern Book will help to inform the crafting of the proposed zoning districts. Specifically, the Pattern Book (being developed by Utile) will show where the existing condition of the built environment misaligns with the current zoning code. The Pattern Book will be completed by November and will serve as a reference product for the Zoning Districts Framework. On the other hand, the Zoning

District Framework (being completed by Code Studio) will examine where the current zoning code misaligns with the vision and goals of Richmond 300. The District Framework will be completed by November.

Initial Draft Pattern Book (Utile)

Mr. Carlos Sainz Caccia (of Utile) presented on the draft Pattern Book which shows where the existing urban pattern does not conform to the current zoning code in terms of form and use. He reminded everyone that the analysis is being done across varying scales (the city, neighborhood, block, and building scales). With the completion of the city scale analysis, their data showed that 27% of properties are nonconforming in terms of parcel size (mostly in the R-5 and R-6 zoning districts), and less than 1% of properties are nonconforming in terms of exceeding maximum building height allowances (concentrated mostly around downtown).

Drawing from the Representative Neighborhoods List, Utile performed neighborhood-scale analyses of the Jackson Ward and Oak Grove neighborhoods. Mr. Sainz Caccia noted that both neighborhoods experienced a 69% property nonconformity rate. Form-related issues (parcel size, lot coverage, street frontage, etc.) represented the overwhelming majority of the nonconformities. Mr. Kevin Vonck, director of Planning and Development Review, remarked that this analysis helps to quantify the exact extent of nonconformity we see in these neighborhoods, which was already suspected to be high due to the large number of special use permit application being initiated. Ms. Pechin clarified that an existing parcel/structure's nonconformity does not necessarily mean it is bad quality; it simply means there is a mismatch with the underlying zoning.

Mr. Wilson mentioned that the analysis looks at older neighborhoods that are nonconforming, and remarks that we should not forget about the other parts of the city that are conforming (for example, properties that have been developed since the 1970s).

Mr. York asked if applying the current R-8 zoning district to some of these nonconforming areas would erase the bulk of the nonconformities we are witnessing in these neighborhoods. Mr. Colin Scarff (of Code Studio) said the consultant team could examine this.

Initial Draft Zoning Code Framework (Code Studio)

Mr. Biberstein presented on the draft Zoning Code Framework. He explained that it will mainly focus on how to best implement the vision, future land use, and goals of Richmond 300. To inform their analysis, they are working to understand how the current zoning code is not achieving this vision. He explained that each future land use designation will likely have multiple zoning districts, which Code Studio hopes to have an early draft ready to share in September.

Mr. Biberstein noted the predominate zoning districts currently found in each of the ten future land use designations, and summarized some key observations and defining characteristics that distinguish certain areas and designations from others in the city. In many designations, Richmond 300 provides the city great flexibility as we consider the requirements for new zoning districts, and there is opportunity for nuance amongst the zoning districts. There was discussion around how the presentation addressed building height for certain future land use designations. Ms. Pechin recommended the word "typically" be preserved (just as it is found in Richmond 300) when presenting height considerations, especially in higher density land use designations like Destination Mixed Use. Additionally, Mr. Lloyd appreciated the consistency in metrics (for example, consistency in describing density in terms of units per acre versus lot size). The current zoning ordinance mixes metrics throughout the document, presenting challenges in administering the code. Mr. Hart mentioned the importance of primary uses and secondarily uses as

outlined in Richmond 300, and urged Code Studio to include those considerations within the code framework. Some questions that Code Studio seeks to answer in their analysis include:

- Should there be a specific zoning district correlating to the Public Open Space designation?
- Should there be an Institutional zoning district for the Institutional designation?
- Could the current M-1 and M-2 districts be combined into one industrial zoning district?
- Should there be a smaller number of single-family residential zoning districts corresponding to the Residential designation?
- Should major streets in the Residential designation be targeted for higher intensity?

Mr. Biberstein shared next steps, including the need for economic and feasibility analysis, more engagement events, integration of the pattern book analysis and district framework analysis, and modeling of the proposed districts.

The presentations will be posted to the website for public access. Mr. Hart recommended that time be reserved on the agenda for the next Council meeting for further questions and discussion regarding today's presentations.

COUNCIL DISCUSSION

Council discussion included:

- Open space zoning is not considered a taking in instances when it is city-owned property. There may also be opportunities to rezone privately owned open space in certain circumstances.
- Is there a need for an interim fix to bring nonconforming properties into conformity by amending the current zoning districts? Could the R-8 zoning district be a solution?
- How might changing a property's zoning impact that property's current conformity to the code, and is such an action appropriate/inappropriate?
- Should the City consider rezoning areas proactively, similar to the Monroe Ward/TOD-1 initiative?
- Regulating uses will be a component of the future districts, and careful thought will be given to ensure the use categories are broad, so that the future zoning code can adapt to new and emerging use trends that are currently unforeseen.
- The format of the Code Refresh Open Houses, scheduled for Thursday and Saturday, will include interactive information boards and the public will be asked to provide their ideas on appropriate heights and uses they wish to see in the future zoning districts.
- There is a need for asking the public what they would like to see in their area (especially Southside) to ensure that the development pattern matches their vision for the neighborhoods.
- The need to balance green space with built development.
- The recommendation to add a basic Key Terms/Definitions resource document upon release to the public.

ADJOURNMENT

The next meeting of the Advisory Council is September 11, 2024, at 4 P.M. at PlanRVA Boardroom (424 Hull St Suite 300, Richmond, VA 23224). Ms. Greenfield invited councilmembers and the general public to attend the Code Refresh Open Houses scheduled this Thursday at 4-7pm at the Richmond Main Library, and this Saturday at 10am-1pm at Studio Two Three. Chair Greenfield also noted that the panel discussion is scheduled for September 11, 2024.

Chair Greenfield adjourned the meeting at 5:56 P.M.