

# Richmond 300: Code Refresh Advisory Council Meeting Notes

Date: April 9, 2025, 4 P.M.  
Location: City Hall, 5<sup>th</sup> Floor Conference Room  
900 E. Broad Street, Richmond, VA 23219  
Microsoft Teams (<https://bit.ly/CodeRefreshAC>)



## DEPARTMENT OF PLANNING AND DEVELOPMENT REVIEW

**Members Present:** Wayne Credle, Bennie Gates, Elizabeth Greenfield, Philip Hart, David Johannas, Preston Lloyd, Jennifer Mullen, Casey Overton, Maritza Pechin, Ellen Robertson, Brian White, Charlie Wilson

**Members Absent:** Yanina James, Eric Mai, Kendra Norrell, Michelle Parrish, Damian Pitt, Roger York

### CALL TO ORDER

#### Roll Call

Chair Greenfield called the meeting to order at 4:04 P.M. Chair Greenfield called the roll.

#### 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 of March Meeting Notes

Mr. Hart motioned to approve the March meeting notes, and the motion was seconded by Mr. Johannas. The Council voted to approve the minutes.

### PUBLIC COMMENT

Chair Greenfield opened the floor to public comment.

Mr. Bo Fairlamb, a 1<sup>st</sup> District resident of the Kingcrest neighborhood, expressed his support of the Richmond 300 vision and his appreciation for Council's and staff's work through this Code Refresh effort. He has been actively engaged throughout the process. Though supportive of increased density and duplexes, he stressed the importance of considering the context of existing places during the decision-making process. Proposed codes should be appropriate to the areas, neighborhoods, and nodes they will govern. He reminded Council that zoning can be a hard topic for most citizens to understand. He suggested that future outreach be more wide-reaching to bigger audiences, include more pop-up engagement opportunities, and that the information presented be made clearer and less complex for Richmonders.

Mr. Brock Hall, of the 6<sup>th</sup> District, noted that three-bedroom apartments are good for families and recommended that their construction near schools be encouraged. He also stated walkability offers convenience and is attractive to families.

Mr. Christopher Shepperd, a current VCU graduate student in the Social Work program, explained that he previously attended a community meeting offered by the Office of Sustainability regarding environmental

justice initiatives, where research and evidence-based research were presented. He asked Council if research and evidence is being incorporated into the Code Refresh process. Chair Greenfield invited staff to address Mr. Hall's question. Ms. Marianne Pitts explained that the working groups will look deeply into the city's adopted policies and priorities from many different lenses, and make sure they get incorporated into the Code Refresh process. She welcomed anyone interested in joining a working group to complete the Working Group Public Interest Form survey online.

Seeing no other members of the public wishing to speak, Chair Greenfield closed the public comment period.

## **COUNCIL RECAP AND MEETING INTRODUCTION**

Ms. Marianne Pitts provided a brief review of the previous meeting. She also provided an overview of the present meeting, noting a large group discussion about topics from the previous meeting and a brief presentation from the consultants about uses. She also provided information on the online survey which recently closed at the end of March. Over a thousand responses were received, and staff is working to synthesize the information. Ms. Pitts acknowledged that the survey was lengthy and difficult to complete in an online form, so the consultants have been asked to consider improvements to online survey engagement as the process moves forward.

## **WORKING GROUPS UPDATE**

Ms. Pitts provided an update on the formation of the working groups. She noted that 102 responses were received so far from the public expressing their interest in participating in the working groups. She invited anyone who is interested in participating to complete the interest form, which will remain open until April 13<sup>th</sup>. Staff has organized working group pre-meetings for working group co-leaders and city staff participants in order to plan for the upcoming official working group meetings. Ms. Pitts informed Council that an Advisory Council Co-Leader has not yet been solidified for the Equitable Transportation Working Group. Ms. Mullen volunteered to serve in that role for the Equitable Transportation Working Group, and Ms. Pitts thanked her for her willingness. Ms. Pitts reviewed all of the finalized Working Group Co-Leaders:

- Mr. Johannas, High Quality Places Working Group
- Ms. Mullen, Equitable Transportation Working Group
- Ms. Pechin, Diverse Economy Working Group
- Ms. Overton, Inclusive Housing Working Group
- Dr. Pitt, Thriving Environment Working Group

Chair Greenfield and Ms. Pitts invited Advisory Councilmembers to attend any working groups they are interested in.

## **COUNCIL DISCUSSION ON DRAFT DISTRICTS AND MAPPING TESTS**

Chair Greenfield invited Mr. Rene Biberstein (of Code Studio) to present the consultant presentation, which began with a follow-up conversation on topics discussed at the previous meeting. Mr. Hart opened the conversation with a hypothetical question regarding proposed upzoning in Residential areas. He explained that a lot zoned R-1 today (with 100' minimum lot width) could potentially be upzoned to the proposed RD-C district (where 25' minimum lot widths are proposed). Then, if split, the resulting subdivision could yield 4 lots, with each lot containing a duplex and ADU. Ultimately, in this hypothetical scenario, the R-1 lot (currently entitled to one house and ADU under today's zoning ordinance) could potentially yield a total of 12 units under the proposed zoning code (4 duplexes and 4 ADUs). Mr. Biberstein confirmed this hypothetical situation was correct, acknowledged that such an upzoning would be a big change to some neighborhoods, and noted that Council should discuss in great detail whether

this possibility should be allowed. Mr. Wilson stated he would ask a follow-up question later in the presentation.

Mr. Biberstein then began presenting on the implications of eliminating lot area requirements and opting instead to regulate lot width only. The intention for using lot width would be to maintain a similar rhythm down the street. He explained the diagrams depicting the possible subdivision and massing of a corner lots in the RD-A and RD-C districts. Mr. Wilson felt this made sense and was a non-intrusive way of introducing density, particularly at corners. Mr. Johannas felt it could be appropriate in some places and not appropriate in others, and wanted to know how the scale of new buildings would compare to existing homes (particularly as upzoned RD-C houses get built next to RD-A houses next door). He explained that neighborhoods already containing small-scale massing may be a great fit for the RD-C smaller corner lot transformations, but such a pattern of small 25' wide lots would not be appropriate in areas mostly zoned for larger lots like RD-A districts. Mr. Biberstein stated more discussion regarding upzoning from RD-A to RD-C would be reserved for later in the meeting. Mr. Johannas reiterated that he is supportive of the regulating for lot width only, so long as the resulting lots match those of the surrounding neighborhood.

Mr. Hart was also supportive of this proposal, noting it seemed to preserve the functionality and the feel of neighborhoods. He noted the major difference would be its tendency to shorten rear yards, which he didn't see as a problem since there could be adequate yard space elsewhere on the lot.

Dr. Credle expressed concerns about overcrowding and congestion, and contemplated how the development pattern might impact the comfort and livability for those occupying the units. He noted limited parking availability and limited backyard space under these scenarios. Mr. Biberstein stated that minimum parking requirements were eliminated from the city's current zoning ordinance and there is no plan to re-introduce it in the draft zoning code. He noted there would be plenty of space for vehicle parking on RD-A lots, and suggested that parking might be possible if small houses incorporate rear garages with alley access into their designs. Regarding backyard space, Mr. Biberstein noted that setback and lot coverage requirements would govern, and he asked if greater requirement for green space should be written into the code. Dr. Credle recommended giving greater balance to green space, noting that a resident's long-term quality of life depends not only on the building itself but also the environs that immediately surrounds it. Mr. Wilson was not as concerned about parking, noting previous parking studies he conducted in growing neighborhoods adopting this style of development. Generally, he has observed drivers parking mostly along the primary street in these neighborhoods, leaving many spaces open on secondary/side streets. Therefore, new homes fronting a secondary/side street under this scenario would utilize the available parking spaces on the secondary/side street without affecting high demand parking areas. Mr. White noted higher home sales prices in these neighborhoods, indicating their high desirability despite their limited parking availability and smaller yards. Chair Greenfield echoed these remarks. She noted that consumer preference varies widely by stating many people in her neighborhood have recently constructed additions, opting for larger homes as opposed to large backyards. Ms. Pechin reminded everyone that not all neighborhoods in the city would be zoned as RD-C. Mr. Johannas was hopeful to see these neighborhoods become denser, more walkable, more transit-friendly, and less auto-oriented.

Mr. Biberstein asked Council whether regulations should exist to control the form and arrangements of two dwelling units on a single lot (for example, should zoning control whether the two units are attached vs. detached, etc.). Mr. Biberstein presented diagrams to illustrate different possible configurations. Aesthetically, Chair Greenfield preferred attached (horizontal and vertical) duplexes in residential areas, as opposed to two separate detached structures on a lot. Ms. Pechin asked for clarification on how accessory dwelling units (ADUs) would be defined in these scenarios, and if one building could potentially contain three units (two principal dwelling units and one ADU). Mr. Biberstein confirmed that three units could be present within one building, and elaborated that the draft code would allow ADUs up to 1,000 square feet in size. Mr. Colin Scarff, of Code Studio, suggested that an existing house would be more likely to remain if the code allowed for detached principal dwelling units, as landowners may be more inclined to build an additional structure in the rear yard as opposed to demolishing the main structure and starting anew. Mr. Wilson recommended adding supplemental regulations that permit the additional rear unit only if the existing main dwelling is preserved, in an effort to discourage demolition. Mr. Biberstein

stated the Charlottesville zoning code included a similar provision. Mr. Johannas was agreeable to the illustrations on page 5, but had concerns about the left scenario on page 6 showing dwellings facing the street in the RD-A district. Mr. Biberstein stated the current zoning ordinance limits where an ADU can be placed on the lot, so it may be important to retain some of those limitations by including them in the draft code. Chair Greenfield asked if the consultants were assuming alley access would be present in the illustration on the righthand side of page 6 (RD-A district), given that alleys are not generally present in parts of the city that may be designated RD-A. Mr. Biberstein clarified that vehicular access would be achieved at the street in this proposed district, generally.

Mr. Hart reiterated that duplexes should only be allowed in residential areas along major streets, which follows the Richmond 300 master plan. He agreed that the side-by-side configuration was the least preferable, as it might encourage demolition and does not match the surrounding pattern of development. Most preferable was the front-and-back configuration, with the other options falling in the middle. Again, he stressed that these duplexes should be found only along major streets.

Mr. Biberstein then began explaining the illustrations for the RD-C districts. Mr. Johannas was open to these scenarios and felt they could lead to the development of court-style communities. Prompted by a question from Ms. Pechin, Mr. Biberstein stated that lot size in the RD-C district is only regulated by the 25-foot minimum lot width requirement. Mr. Scarff suggested that the width would have to be larger in order to realistically accommodate vehicular access into the lot. Ms. Mullen asked for clarification regarding vehicular access to the middle buildings which do not have immediate street or alley access. She asked if the draft code would require access to be provided. Mr. Biberstein stated the setback requirements would allow enough space for someone to walk to the middle building. There was brief discussion about these RD-C lots being under single ownership and that it would be possible to institute a condominium arrangement. Chair Greenfield continued that discussion, and Vice Chair Lloyd elaborated on the legal considerations for the allowing a transfer of ownership through condominium arrangement.

### **March Discussion Topic 1: Upzoning Major Streets in Residential Areas**

Mr. Biberstein revisited the discussion questions from the previous Advisory Council meeting, beginning with upzoning major streets in residential areas. He presented a table to explain their “first-pass” methodology for upzoning along major streets. Noting very few R-1 property along major streets, Mr. Wilson was doubtful that such homes would be demolished to make way for denser development. Feeling it unnecessary to upzone all major streets, Ms. Pechin recommended the consultants focus on major mixed-use streets and applying the two-step rule there. She felt residential major streets required a more fine-grained examination, and thought it might be more appropriate to upzone them with a one-step approach (if they were to be upzoned at all). Mr. Biberstein explained his desire to apply a rule consistently across the city and asked Council what that rule should be. Mr. Hart disagreed that a uniform rule be applied city-wide, noting that different parts of the city were developed at different times. Mr. Biberstein clarified that it does not have to be one rule, but there should be a set of rules to guide decisions to upzone. Referring to the table in the presentation, Mr. Hart stated that a two-step approach would be such a dramatic change, especially given there are only three detached residential districts within the RD- scale. Mr. Biberstein brainstormed a rule where R-1 gets different upzoning rules applied to it than R-2. Ms. Pechin was in favor of that suggestion.

Understanding the density concern, Mr. Wilson reminded Council of the current housing crisis and explained that Richmond 300 was created before the harsh realities of the housing crisis. He urged Council to look at Richmond 300 as an elastic document. Mr. Hart recommended that densification should happen in areas adjacent to density.

Mr. Johannas expressed his thoughts, which were informed by his discussions with residents at the past public meetings. He explained there may be public support for growth and upzoning along Patterson Avenue (a transit route) and Grove Avenue (a street that has been experiencing a great deal of growth and redevelopment already).

Vice Chair Lloyd noted the amount of land zoned INS (Institutional) on the draft zoning maps. Recognizing that these properties (especial places of worship) present the best opportunity for the

development of more housing on their surplus land, he urged the consultants to retain the ease of redeveloping these lands for more housing. He asked that those properties not have to go through the rezoning process in order to building housing under the draft code. Director Vonck explained that, traditionally, zoning has allowed for civic uses (like places of worship) in residential areas. He explained that they can impact neighborhoods negatively, because of traffic, health and safety concerns associated with these uses are out of sync with quieter neighborhoods. He suggested separating these uses out into their own Institutional zoning district, which could also possibly include residential as a permitted use. Mr. Biberstein recommended pausing this discussion for the next Council meeting in May, where they expect to talk in more detail about uses. However, to ease the minds of Councilmembers, he explained that smaller institutions would still be allowed in residential areas, and that only larger institutions of a certain size would be separated out into the INS (Institutional) zoning district.

Mr. Biberstein asked if it was better to allow small apartment buildings on Cary Street Road instead of multiple small houses. Mr. Hart recommended that the development should follow the existing context; if multifamily development currently exists there, then it makes sense for the pattern to continue there. Vice Chair Lloyd described the area close to VUU on Chamberlayne, where property on a major street was developed as multifamily. He explained that this was consistent with Richmond 300 and the area is highly walkable, but the same multifamily development could not be built just one block away because the Future Land Use map gives a different designation. Vice Chair Lloyd felt that this limitation was a flaw of Richmond 300. Mr. Hart agreed with Vice Chair Lloyd's Chamberlayne example where there is already existing density, but did not agree with allowing densification along Cary Street Road where there currently is no density. Mr. Hart expressed that the proposed upzoning along Cary Street Road goes too far. Mr. Biberstein noted factors to consider when applying the upzoning rules, which included existing context, current zoning, proximity to transit, and proximity to major institutions.

The discussion switched to the Oak Grove neighborhood. Ms. Pechin talked through lot sizes, neighborhood development pattern, and possible densification if current R-5 properties were rezoned to the proposed RA-B district. Recognizing that the draft maps showed properties along Dinwiddie Avenue getting upzoned two steps, she asked if Dinwiddie Ave should get upzoned at all. Mr. Biberstein offered the ability to scale back the upzoning to just one step above, which would allow attached units but not go as far as allowing multifamily. Mr. Johannas felt Blackwell and Oak Grove would be great areas to upzone, in order to bring in more population and investment into such an underserved area. The area's proximity to transit and the central city lends to this being a great candidate for more density. Councilperson Robertson, who represents portions of these areas, explained that it is a residential community with some multifamily along the main roads. While she felt greater density was appropriate along Richmond Highway, she stated that a one-step upzoning would be most appropriated for the residential core of this community (perhaps with the possibility of two-step upzoning at designated intersections). While she recognized the need for investment in these areas, she was concerned about changing the character of the neighborhoods. Mr. Wilson felt that the construction of residential units in backyards would calm concerns about the look and feel for those walking down the street. He also stated that more density would be good in this area since the necessary services are already in place there.

Mr. Hart felt there was little difference between the RD-C and the RA- districts. With RD-C being so dense, he thought it would feel like the residential townhouse/attached environments. Councilperson Robertson stated there was limited infrastructure in these areas (especially those that were annexed from the county), and that Council should take that into consideration when proposing upzoning. Otherwise, the city will be presented with major challenges when it comes to sewer, water, drainage, lighting, and sidewalk infrastructure. Vice Chair Lloyd stated it is often in these annexed areas of the county with limited infrastructure where large tracts of undeveloped land are found. He recommended that the Code Refresh allow the housing and development to occur in those areas and let other bodies at the city determine the best strategies to bring the investments to these areas. Mr. Wilson suggested using utility tap fees and stormwater discharge fees to fund improvements to infrastructure-limited areas.

### **March Discussion Topic 2: Rear Transitions**

Mr. Biberstein moved the conversation forward to rear transitions. Mr. White explained that the city assessor's office determines the value of land based on what can be built on it. As property gets

upzoned, these lots will be taxed in such a way that the houses must be torn down in order to be profitable, which concerned him. Director Vonck recognized that a separate discussion was needed regarding this, taxation policy, and old and historic districts.

Councilperson Robertson wanted to consider the population growth rate that the city was looking to achieve, and how zoning could help the city achieve it. Director Vonck stated that the region's current growth rate was being considered, but that there is no target growth rate that the City is officially striving to achieve. Councilperson Robertson asked if the city infrastructure could support a city population of 400,000 people. Mr. Johannas mentioned the city used to have a population of 250,000 in 1950 before the annexation of county land.

Mr. Hart agreed that a height restriction was appropriate. He provided an example where 2,000 square foot houses were dominated by a 4-story apartment building with huge massing and a mansard roof, which he felt was out of context and jarring to the neighborhood. Regarding whether a district is needed below MX-4, Mr. Hart felt an MX-3 district was certainly needed. He recalled language in Richmond 300 that recommended 1 to 3 stories and noted that such a district could be applied to several small commercial areas within the city. Mr. Johannas was not as concerned, noting there is not much difference between three and four stories. He was supportive of an inclined plane being imposed on taller districts abutting shorter homes and historic neighborhoods.

In the interest of time, Chair Greenfield asked staff to follow up on the following topics at future meetings: highest and best use for tax assessments, population projections and growth rates, and public facilities.

Mr. Biberstein finished the presentation by reviewing the Uses section of the draft code. He explained that the draft code eliminated pyramidal/cascading zoning. He also explained the difference between permitted by-right, permitted with use restrictions, conditional use permit required, and where to find those use restrictions. At the end of the presentation, he previewed some questions related to uses that would be discussed at the next Advisory Council meeting in May.

Chair Greenfield encouraged Council to send additional discussion questions to staff so they could be incorporated into the next meeting as well. Mr. Hart asked the consultants to summarize the changes between the current ordinance and the draft code so Councilmembers could easily discern which new districts are going into the districts. Vice Chair Lloyd stressed the draft code presents a complete overhaul of the current ordinance. Mr. Biberstein said it would be difficult to translate those differences, but they could try to highlight the major changes.

Chair Greenfield asked that staff send out a poll to see if Councilmembers would be okay with extending the meeting runtime by an additional 30 minutes. She felt this needed to allow for more discussion time, especially as topics get more complex, discussions become more in-depth, and staff is asked to report back on additional topics that aren't anticipated.

## **ADJOURNMENT**

Chair Greenfield announced the next meeting is scheduled on May 14, 2025, at 4 P.M. in the 5<sup>th</sup> Floor Conference Room at City Hall (900 E. Broad St, Richmond, VA 23219). She announced that the Working Group Public Interest Form survey would be available online through April 13<sup>th</sup> for those interested in expressing their interest to join a working group.

Chair Greenfield adjourned the meeting at 6:01 P.M.