

Richmond 300: Code Refresh Advisory Council Meeting Notes

Date: May 14, 2025, 4 P.M.
Location: City Hall, 5th 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, Charles Menges, Jennifer Mullen, Casey Overton, Maritza Pechin, Damian Pitt, Ellen Robertson, Brian White, Charlie Wilson

Members Absent: Yanina James, Eric Mai, Kendra Norrell, Michelle Parrish

CALL TO ORDER

Roll Call

Chair Greenfield called the meeting to order at 4:04 P.M. She announced that Mr. Roger York resigned from the Advisory Council and that Mr. Charles Menges was appointed by the Board of Zoning Appeals to serve in his place. She welcomed Mr. Menges and then 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 April Meeting Notes

Motioned by Vice Chair Lloyd and seconded by Mr. White, the Council approved the April meeting notes.

PUBLIC COMMENT

Chair Greenfield opened the floor to public comment.

Ms. Gwynne Cunningham, a homeowner of the Henry Place neighborhood between Grove Avenue and Cary Street Road, provided insight on topics previously discussed by the Council. She described her neighborhood, built in the 1950s, as an affordable and diverse pedestrian paradise that is currently in transition. She described an existing medical office building directly behind her home, and reported that the current zoning of that office property (RO-1) limits heights to two stories, providing her backyard with ample sunlight for a beautiful garden. She took issue with claims that her neighborhood is "underbuilt," and opposed raising building height limits to 4 stories. She cited the impacts it would have on her home and neighborhood, including less sunlight access. While able to palate incremental growth (such as home additions), she opposed stark growth. She opined that upzoning RO-1 properties to the proposed RX-4 district would be "upzoning gone too far." Instead, she suggested the creation of RX-2, RX-3, MX-2, and MX-3 districts to limit heights. Alternatively, she suggested requiring further setbacks. She mentioned that Charlottesville's approach allows 40-foot heights, so long as the building is set back 20 feet from the property line. She urged the city not to rezone her neighborhood in ways that would compromise its existing development pattern.

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, which would feature a presentation summarizing the Open House survey results and a discussion about the draft use provisions. At the end of the meeting, the consultants planned to present information pertaining to the draft zoning maps (including methodology and assumptions), to aid Councilmembers in their review of the draft maps and help them prepare for the further discussion at the next Advisory Council meeting next month.

WORKING GROUPS UPDATE

Ms. Pitts provided an update on the working groups. Over the past two weeks, four of the five groups had met. The last group (Diverse Economy Working Group) was scheduled to meet next week. Staff said it would summarize the notes from each group by the end of the following week, in time for Council review prior to the June meeting. Due to the breadth of topics to discuss during Module 1, Ms. Pitts reported that the High Quality Place Working Group planned to convene for a second meeting. Some Councilmembers provide mini-reports on their working groups. Mr. Gates reported that the Inclusive Housing working group had robust discussion and ran short on time to discuss all of their material. Mr. Johannas reported on the racial, age, and neighborhood diversity of the working groups he attended.

SURVEY RESULTS SUMMARY

Ms. LaToya Thomas, of Brick & Story, presented a high-level summary of the responses to the February open house surveys and online surveys available through the month of March. The summary provided insight on public sentiment regarding the proposed zoning districts. Analysis by age group, tenancy (homeownership vs. rentership), and geography (neighborhood) highlighted general preferences expressed amongst different demographic groups. Overall, more than 1,100 survey responses were received, with representation from more than 75 neighborhoods across the city. The majority of respondents were of the White race, age 25-44, and homeowners.

Regarding the question of duplexes, public sentiment was split closely; however, more respondents supported allowing duplexes in all residential districts overall. Younger respondents were more likely to support duplexes than older age groups. Additionally, the survey data revealed insight into neighborhood sentiment regarding duplexes. For example, the Fan, Museum District and Bellevue neighborhoods showed more support for allowing duplexes, whereas the Westhampton and Mary Mumford neighborhoods were strongly opposed. Most respondents were comfortable with the breakdown of maximum residential unit limits (2, 6, and 12 units per building) within the RA districts. For respondents uncomfortable with the unit limits, many respondents indicated a preference for limiting RA districts to 6 units or even fewer. Regarding the 4-story height limit in the RA-C district, a large number of respondents indicated their preference for a lower height limit, with 3 stories dominating as the suggested height limit. Ms. Thomas continued presenting on the survey result, highlighting respondents' draft district preferences based on neighborhood, housing tenure and age.

Ms. Thomas also shared progress on the Community Ambassador program. A roundtable targeting youth (a hard-to-reach population) was scheduled to occur in Southside soon, and another roundtable was scheduled for June. Next efforts included organizing more roundtables and pop-ups.

Regarding demographic data in the survey results, Mr. Menges sought clarification on whether respondents were able to select multiple choices in regarding to their connection/stakeholdership to Richmond (i.e., the ability to select Resident and also Business Owner). Ms. Thomas wanted to review the survey configurations to verify this. Rev. Dr. Credle asked if there were any issues engaging with the suggested organizations identified by the Advisory Council earlier in the process. Ms. Thomas noted

success in reaching some organizations and offered to go through the list with Rev. Dr. Credle to identify organizations that had been harder to reach. Dr. Rev Credle asked if another survey would be circulated targeted to the Community Ambassadors' roundtable groups. Ms. Thomas said questionnaires would be a big part of the input gathering at future open houses and popups. Chair Greenfield suggested that Ms. Thomas inform staff of any organizations that have been hard to reach, so that Councilmembers could help in establishing those connections and dialogues. Mr. Johannas wanted to confront the housing crisis issue through the survey directly. He suggested that a future survey prompt respondents to ponder over the issue and propose viable solutions to the crisis.

Mr. Wilson praised the in-person open house format, noting attendees' ability to interact with city staff and consultants and obtain clarity on certain concepts and topics they weren't familiar with. Knowing this interaction would be limited via the online survey format, Mr. Wilson was curious to know if there was a great disparity in responses based on in-person vs. online completion of the survey. He asked if those responses could be easily separated out and reanalyzed.

COUNCIL DISCUSSION ON DRAFT USE PROVISIONS

Mr. Colin Scarff (of Code Studio) presented on the draft use provisions. He explained that the draft zoning code would place greater emphasis on building form, but regulating use would still continue over in the new zoning code. He explained that a consolidated use table was developed, organized into use categories, to help the zoning code be more user-friendly. He explained how to read and interpret the use table, use definitions, and use standards. He then reviewed the questions he wished for Council to discuss and offer insight on.

Recognizing that most zoning applicants today opt for the Special Use Permit process instead of the Conditional Use Permit (CUP) process, Ms. Pechin asked if there were any plans to change the CUP process through this Code Refresh. Mr. Scarff noted that fewer uses would require CUP approval under the Code Refresh, and that he was unsure if the CUP process would differ from the current process now. Vice Chair Lloyd insisted that the CUP process would need to be more streamlined/ expedited in order to incentivize applicants into using it over the Special Use Permit process. Ms. Pechin recognized that consideration of the CUP process might be addressed in a later Module, but wanted to mention it at this early stage.

Vice Chair Lloyd agreed that the use categories generally made sense and he liked the attempt to condense them into broad categories. He had general qualms over the limited use allowances for the "Group Living" and "Special Needs Housing" use categories (feeling these uses should be allowed by right in all residential districts). Staff clarified that recent edits to the Use Table expanded Special Needs Housing uses allowance into more districts (including all residential and mixed-use districts) based on internal conversations with the zoning administration team at the City. Vice Chair Lloyd felt comfortable with the new edits to Special Needs Housing uses, but also stressed that the Group Living category of uses (including co-housing and senior care) should also be expanded into all residential districts as permitted uses.

Mr. Hart stressed that any use could still possibly appear in any of the districts, even in districts in which the use is not generally permitted, due to the city's unique power to approve Special Use Permit, as granted by under the city charter. He and Ms. Pechin considered how the requirements and approval processes of the CUP and Special Use Permit might differ from each other. Ms. Mullen shared insight that other localities generally provide specific criteria for each conditional use, so that it is streamlined and narrowly tailored to the specific use in question.

Dr. Pitt believed the "general day cares (13 or more people)" use should be permitted in the detached residential (RD-) districts, especially given that schools and places of worship would be permitted there. He noted benefits that it would help retain families with young children and help with day care affordability. Additionally, he asked the consultants to revisit the "Utility Service" uses. He provided insight

that energy storage use should be listed in the Draft Uses Table but is missing, and that the Thriving Environment working group discussions revealed overlaps in the tiered categories.

Mr. Johannas suggested re-examining the 15,000 square foot threshold for Public and Institutional Uses in residential districts. He felt it might overwhelm neighborhoods, recommended the threshold be reduced and asked that occupancy loads be considered when establishing a new threshold. He also supported permitting Group Living uses in more zoning districts, and also supported small commercial uses (for example, small greenhouses and nurseries) in RD- and RA- districts. He supported more controls over utility services. He supported having small automobile repair services in the neighborhood. He also wanted to expand allowance for farmers market and outdoor dining.

Mr. White recommended excluding nightclubs as a permitted use in residential and mixed-use districts and recommended that conditions be attached to this use.

Dr. Pitt supported vehicle sales and service uses being in close proximity to neighborhoods, citing the ease and convenience of being able to drop off your car for repair in the neighborhood. However, he stressed such uses should be within a designated neighborhood-scale commercial district. Such a commercial zoning district such be distinct and separate from the residential district but still close by and easy to walk to. He felt residential properties should keep to residential uses, and small commercial properties should only be established within neighborhood commercial districts nearby.

Ms. Pechin questioned if educational uses above an acre in size should be limited to the Institutional (INS) district. She stated the impacts this may have on quality of life, noting people's preferences for walking to their neighborhood schools. She also noted that if a small church/school wanted to expand, such a rigid imposition would restrict their ability. Thus, she supported expanding the allowance or larger educational uses in residential districts, noting the benefits that come with greater flexibility.

Vice Chair Lloyd asked about the process for non-conforming uses, and implored Council to consider this. Chair Greenfield considered the size of parks and where they would be allowed.

Vice Chair Lloyd believed residential uses should be allowed in the INS district. However, he recognized the political implications it would bring, namely in neighborhoods that would oppose such an allowance. Given the current housing crisis, Mr. Wilson suggested that churches may possibly decide to move into the sphere of providing affordable housing as they shift the focus of their missions, downsize, or sell off property in institutional districts. On the other hand, Dr. Pitt recommended that institutions should apply for rezoning if they wished to change their way of business. Other Councilmembers noted rezonings were expensive, time consuming, and speculative.

Regarding the mixing of uses, Mr. Hart believed the mixing of uses should be kept along the corridors. While he supported live/work scenarios where people could conduct their businesses from their homes, he was shocked to retail and restaurant uses permitted by-right in residential districts and suggested these allowances be dialed back. Ms. Pechin agreed that the mixture of uses be kept along the corridors.

Mr. Johannas believed more commercial should be allowed in the RD-C district, noting the RD-C district as a transition zone where small commercial should be introduced. Ms. Mullen stated the 1,500 square foot size limit was small, and suggested that a middle-sized option be considered.

Ms. Overton supported allowing small commercial uses in residential districts by right, noting that the form requirements in the draft code will only allow for limited activity. She noted it would allow for more economic opportunity for Richmonders, especially as job insecurity increases and gig-economy work grows. Mr. Scarff was interested in exploring increased allowances for home occupations and home-based businesses. Ms. Pechin supported small general office and personal service in residential districts, but was concerned about alley/garage bakeries establishing in residential neighborhoods (given the impacts to trash). Mr. Wilson considered food prep businesses that produce food to be delivered to other businesses and do not serve the general public. Mr. Scarff reminded the Council that the health department would have additional health standard requirements for operating food businesses.

Dr. Pitt spoke on concerns of permitting the live/work use in some residential districts and not others, as it might suggest “class-coding”. He noted that many white-collar professionals already work from home in areas that might become RD districts, and supposed this activity would continue without the granting of Conditional Use approvals. Whereas white-collar work might go unnoticed and be difficult to enforce, he explained the inequities in requiring Conditional Use approval for those with more public-facing jobs. He suggested the live/work use be treated uniformly across the residential districts as a permitted use.

Mr. Johannas supported uses fronting alleys, noting the availability of space in alleys and their low impact on the city. Chair Greenfield asked if alley infrastructure could accommodate increased activity, and Ms. Pechin expressed concerns of how a new alley café/customer traffic could impact access to her home as a daily alley user. Vice Chair Lloyd wished there was district that allowed for cluster development.

Ms. Mullen noted that entertainment and recreation uses were scarcely permitted by the draft use provisions. She recommended that indoor recreation be permitted in industrial areas (noting existing uses like SCOR and The Park RVA). She questioned why outdoor recreation was proposed to be permitted in CG only. Regarding indoor and outdoor entertainment uses, she recommended it be allowed in more districts, noting economic development benefits. All in all, Ms. Mullen recommended the entertainment and recreation uses be revisited. Vice Chair Lloyd suggested an examination of outdoor music, which is very restricted under the current zoning ordinance. He also mentioned the currently-existing downtown civic and cultural/riverfront districts, which allow for a specific geographic region that accommodates entertainment uses that would be out-of-place in residential areas. He noted that the new amphitheater currently under construction on Gambles Hill would not be allowed as a by-right use under the draft code.

Mr. Hart suggested the creation of a RX-3 or RX-2 district to act as a buffer and reduce impacts on neighborhoods. Mr. Wilson suggested that a reversed inclined plane abutting residential districts, an idea discussed by the High Quality Places working group, could be a possible solution to this impact concerns. Mr. Johannas recounted a conversation with a resident who might have concerns about this solution, as the resident opposed a new 3-story commercial building backing up to her property, stepping back and increasing in height from there. Ms. Mullen noted a 3-story home would be allowed in its place and asked if the use as a commercial building was the primary concern. Mr. Wilson also recounted a similar sentiment he heard from the High Quality Places working group and felt the inclined plane helped to alleviate their concerns.

Mr. White asked if “adult entertainment establishment” was defined within the draft code, and opposed allowing this type of business in mixed-use areas. Mr. Wilson suggested that that the draft code require Conditional Use approval for adult businesses. Mr. Scarff explained that the allowances in the draft code were carried over directly from the city’s current ordinance, and that there are also legal implications on attempting to over-regulate adult businesses.

Councilperson Robertson explained the importance of providing residents, young people especially, with entertainment zones that allow them to enjoy themselves—else, they may move out of the city in seek of these opportunities elsewhere. Noting the generational divide for zoning preferences (as showed through the survey result presented earlier in the meeting), Chair Greenfield noted the need for balance and agreed that the city should look forward and begin creating the attractive environments that young people crave. Mr. White felt that property owners of older generations should acknowledge the realities facing younger generations in regards to affordable living and affordable homeownership, and suggested a greater tolerance for density could help. While Mr. Menges believed in a need for more housing, he asserted that upzoning and densification does not always produce more housing, as demonstrated by other cities that have unsuccessfully used such an approach. Mr. Wilson was hopeful for the draft zoning code to expand opportunities to building more housing units, by providing a new set of rules that open up possibilities and meet the goals of Richmond 300.

Councilperson Robertson wanted to know the benchmarks and timeline for this process. Ms. Pitts reviewed the timeline of the Modules 1-3 roll out, as well as the schedule for public meetings and open

houses. She further explained that the goal was to present the Code Refresh process and materials to the Planning Commission at the start of 2026.

CONSULTANT PRESENTATION OF DRAFT ZONING MAP

Mr. Scarff presented the consultant presentation, beginning with an overview of changes made to the draft districts since the last meeting. He noted the decision to change MX-4 to MX-3 in order to reduce the maximum height allowance. He also noted a reduction of the maximum height limit of RA-A down to 35 feet, and of RA-C down to 50 feet. Given these reductions in height, he noted that setback requirements and other height limit considerations were to be drafted soon.

Next, Mr. Scarff and Mr. Jonathan Cook (of Code Studio) unveiled the full draft zoning map and explained the general approach to making zoning decisions while creating the map. Essentially, current zoning districts were converted into their corresponding Code Refresh proposed zoning districts, cross-checked against the Richmond 300 Future Land Use map and node descriptions to ensure alignment, and adjusted based on specific site characteristics. Upzoning was only applied to major residential and mixed-use streets if they were also designated as enhanced transit routes. Additionally, the CG zoning district was applied to parcels on major corridors, so long as the parcel was not located within a node or nearby a transit stop. Mr. Cook then walked through an example of how the proposed zoning was applied using aerial maps, the current zoning, and the Richmond 300 Future Land Use map, using the Swansboro and Hull Street area as an example. Next, Mr. Scarff overviewed the questions that the Advisory Council would be discussing at the next meeting in June.

With the new change to MX-3, Ms. Mullen expressed concerns about the decision to not upzone the current B-3 properties along the Hull Street corridor (thus recommending MX-3 on the draft map) while upzoning the residential properties behind it to RX-4. Ms. Pitts mentioned that the recent change to MX-3 caused properties previously proposed for MX-4 to be shifted down, and that additional review of the maps will be needed to determine whether MX-3 is appropriate.

Mr. Hart sought clarification on how major streets were being upzoned one and two steps. Mr. Cook explained that the approach to upzoning all major streets was abandoned and changed so that upzoning only occurs along the major streets identified as Enhanced Transit routes. He further explained that Enhanced Transit routes designated as a Major Residential Street were upzoned one step, whereas Enhanced Transit routes designated as a Major Mixed-Use Street were upzoned two steps.

Mr. Johannas expressed concerns about the change from MX-4 district to the new MX-3 district, because he felt reduced density and height would lead to poorer quality of architecture, design, and transit support. Dr. Pitt agreed and wasn't sure why this change was made. Instead, if any changes were needed, he favored reducing the RX-4 district rather than the MX-4, explaining that the density of the MX districts should be greater than the RX districts. He also expressed concerns regarding the new approach to limit upzoning to Enhanced Transit routes, highlighting that the new approach precludes upzoning in places that make sense (such as at the intersection of two major streets).

Chair Greenfield prompted councilmembers to review the maps and ponder the questions prior to the June meeting. She explained that the staff will send out the maps and a reminder of the Code Refresh process timeline. Mr. Scarff thanked the Council for the great conversation and feedback.

ADJOURNMENT

Chair Greenfield announced the next meeting is scheduled on June 11, 2025, at 4 P.M. in the 5th Floor Conference Room at City Hall (900 E. Broad St, Richmond, VA 23219).

Chair Greenfield adjourned the meeting at 6:03 P.M.