

CITY OF CHARLOTTESVILLE
Department of Neighborhood Development Services

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Joint Work Session

Charlottesville City Council: Mayor Mike Signer, Vice-Mayor Wes Bellamy, Kristin Szakos, Bob Fenwick, Kathy Galvin; **Planning Commission:** Chairman Kurt Keesecker, Vice-Chair Lisa Green, Jody Lahendro, Gennie Keller, John Santoski, Corey Clayborne, Brian Hogg, **PLACE Design Task Force:** Fred Wolf, Kate Bennis, Chris Henry, Clarence Green, Paul Josey, Tim Mohr, Scott Paisley, Andres Pacheco
NDS: Martin Silman, Brennen Duncan, Amanda Poncy, Mary Joy Scala, Heather Newmyer, Matthew Alfele, Carrie Rainey, Facilitators Alison Linney and Marta Goldsmith (FBCI) (mgoldsmith@formbasedcodes.org)

November 30, 2016 at 5:00 p.m.
City Space

AGENDA

Mayor Mike Signer called City Council to order
Chairman Kurt Keesecker called Planning Commission to order
Vice-Chairman Fred Wolf called the PLACE Design Task Force to order

- Facilitator Alison Linney, This meeting is held in part to provide direction on what level of review should be conducted for the 2018 update of the city's Comprehensive Plan. She said she is co-facilitating with Marta Goldsmith who is the executive director of the Form-Based Code Institute. City Council provided a work plan in the form of a resolution in September 2016. These groups have been tasked with a series of highly technical questions regarding the projects such as "should an official map be prepared by the Planning Commission in accordance with Virginia Code to assist with implementation of the New Street Network? The group also was tasked with questions concerning the ongoing review of the zoning code. Ms. Robertson will provide some context prior to staff presenting each component for discussion.
- Lisa Robertson noted that we are grounded in a resolution helping to create answers for Review of Comp Plan, the City's 13 year old Zoning Ordinance, Standard and Design Manual, and implementation of the strategic investment plan. We're here tonight to talk about how we can all work together on several substantial projects. The zoning ordinance was last revised in 2003 and is in need of revision. In addition, the Comprehensive Plan is a utilitarian document that specifies the locations of features such as transportation infrastructure and parks, and also to indicate the location of where features you have might be expanded. To me a Comprehensive Plan is like a business plan in the business world. It's not a mandatory legal document and doesn't contain enforceable provisions like your zoning ordinance, but if you follow this guide and put those objectives into your zoning ordinance, it will make it more likely that your goals will be achieved. Ms. Robertson said the five year reviews are

intended to allow localities to adjust accordingly on a periodic basis. In this case, the idea is to have a clear vision of what the city's mixed-use districts should look like.

1. Component II. Current Comprehensive Plan status and recommendation for 2018 update

- Ms. Creasy provided an overview of the Comprehensive Plan noting the objectives which lead to the format of the 2013 plan. It was noted that the 2007 plan had lots of data and for 2013 the document was streamlined to make it more user friendly and includes links to background data. She noted that we updated the data base of all the goals and objectives that are part of the Comprehensive Plan. From that we found that we have a lot of activities which are ongoing. She said there are a lot of items where we are making good progress. Another part of providing status of the 2013 plan was to look at all of the items that were in the appendices to determine status and assure that they conform to the community vision. There is additional work which will take place as we move forward in the review. Ms. Creasy noted that chapter champions from the 2013 plan were asked to assist in evaluating each chapter to determine status. As you know, we have had some change in the staffing in different departments in the City. We found through this analysis that our community facilities chapter is in need of revision and new staff have vision for the direction of these revisions. There are other areas where staff noted that we are still on a path for implementation though there would be things needed they don't necessarily see a full overhaul of the chapter would have to occur. This leads us to our questions:

2. Is the scope of work proposed in line with what Commissioners and Councilors have in mind for the Comprehensive Plan review? (The scope is the details that came forth in that memo that noted the status of each chapter.)

- Councilor Fenwick said he was happy the Comp Plan has been shrunk and he was happy about that.
- Councilor Galvin said this is a great review and certainly a lot of work has been put into it. What she doesn't see addressed in the scope is identifying in the city where we want to grow, where we want to preserve and conserve, and how do we make the transitions in between. The future land use plan is in our current Comp Plan today and how can we move from that to a city wide vision map about revitalization and conservation.
- Councilor Szakos said in looking at the updates to the strategic plan some language that Council has added to that process was putting equity at a really prominent point in everything we do. She would like to see some kind of overlay that looks at the impact on equity in the city.
- Commissioner Green said working with the County is a big huge deal. Are we doing that again? We definitely would want to coordinate with the county.
- Ms. Creasy said the County adopted their Comprehensive Plan much later than the City so they are not currently in that review. We will correspond with them during our process.
- Commissioner Lahendro said what happens to this very large spreadsheet now and are we looking to fill in answers now and how will that happen. Are you looking for responsible parties to come forward with that information now or is staff going to work with them individually.
- Ms. Creasy said most of the items in the Comp Plan relate to a work plan that is already ongoing. Almost everything has an assigned person to update annually and is a pretty big exercise to get it all together. For example, from the preservation side, the BAR has been working with a number

of things and you will see in that section that there are a number of things that we are getting ready to embark on including the historic guideline review.

- Commissioner Keller said the document we have now is very heavy with words and numbers and we need to have a physical plan that is based on geography, the environment, our existing neighborhoods, aspirational in addition to what is realistic. The plan is too divorced from reality; we often take an application on blind faith and don't have the data to back that up. She would like to see the CIP incorporated into the Comp Plan. She said the University needs to be at the table.
- Commissioner Keesecker said he agreed that place-based planning would be useful.
- Mayor Signer said I am a lay-person in this discussion and I am deferring to my colleagues, there's a little bit of discussion about a Smart City framework and there have been discussions about us becoming a smart city and this could have impacts on the comprehensive plan.... driverless cars and policy framework for when those are developed.
- Mr. Haluska said staff is struggling, what we're trying to determine from the group is does some of the 2013 work need to be scrapped.
- Commissioner Santoski said anytime we see development come forward there is always an argument for or against that can be made from the Comp Plan. As he went through the matrix, you're talking about the details and that's where the devil always is. He said what's really driven me as a Planning Commissioner is what is the vision that either previous Councilors or existing Councilors have articulated and is that where we should be going and then interpreting the Comprehensive Plan using that vision. If we don't know what the vision is then all we have is a bunch of details saying this is what our land use is. If we can tie the vision together and say that this is overall where the City should be going within the next five or ten years and give it the ability to formulate better decision making on equity, where places are, and that is not in the Comp Plan per se and we really need to have the scope of work and what is the vision we want to have for the city and do we all agree. Does Council have a vision for that but then PLACE, Planning Commission and the other groups that use this can say yes we want these trees, these bike lanes, yes we want the smart city, but let's make sure our Comp Plan supports those things. We want Placemaking to happen so when we are talking to the neighborhoods it is very clear to them where the transition zones are otherwise it is all about mixed use and all about height and density.
- Ms. Creasy said what I'm hearing from the crowd is what we thought we would be hearing; how we get there is going to be a whole different thing. What I'm hearing is that - from a visioning standpoint, we have a lot of good documentation that Council has put together as part of the strategic plan and the City's vision which is what we have been working off of. Those are the things that will need to be supported throughout the Comprehensive Plan because it is our back bone of this document. In regards to social issues, we will use the information put together by the experts in those areas and integrate it as possible.
- Council Szakos said just to clarify she was speaking about impact of building and impact of land use and the decisions we make and the impact we have on our communities.
- Commissioner Keller said she is in no way trying to say we have a duplication of all of that work but we need a translation or interpretation because we need to know what our special needs population and our at risk populations need. Where are the demographics on how we

grow the economy because we don't have that information at our finger tips when we are to make a decision about what kind of housing should be approved in this particular application or the need for a revenue generator for places of employment?

- Councilor Galvin said we need to have a physical map in the document showing growth preservation and revitalization because without it we fall into the trap that people use whatever latitude in the Comp Plan they want to justify what we are doing. It is related to integrating these things and reducing the 24 mixed use districts but that can't be done in her mind unless we have a good idea in the Comp Plan of what the mixed use districts are and, what their intentions are.

3. How will the Planning Commission meet the timeline for developing and readying the community engagement strategy for Council adoption in March 2017?

- Commissioner Keesecker said there are 5 levels of community engagement: informing, consulting, involving and collaborating and empowering and the question is what are we going to ask the public to do, and how are we going to engage them. If we are going to empower them in decision making, that requires a completely different strategy. This goes back to that place based planning focus. We can pick out places that are strategic and begin to bring empowerment around those areas.
- Commissioner Keller said ditto to what Kurt just said. When she was chairperson during the last process and the decision was made early in the process to not have this Comp Plan be a Neighborhood Based Comp Plan. I would like to see us go back to a neighborhood-based process, because what I've seen in the last five years is a growing agitation in the neighborhoods that they've been left out of this. The decision not to have this be a neighborhood based process Comp Plan, was because the community engagement was topical and poor attendance, and two people showed up, growing distrust in the neighborhood and not having that as a component then a neighborhood gets frustrated.
- Councilor Szakos suggested on the night Council have their Town Hall meetings the Planning Commission come for an hour to have more detailed input.
- Commissioner Santoski said what we've been hearing is that the neighborhoods are concerned about those transition zones and that this would be a really good opportunity for people to talk about those places. I think it's also important when we're talking about communities it's all those other elements like developers and schools.
- Mr. Jones said it is a good idea to support them along with staff so we can incorporate that with them.
- Ms. Robertson said we are all having advanced conversations about developing the strategy itself and I think what staff is looking for is more concrete information about how we are going to do this. Do we need extra Planning Commission meetings? One of the essential duties of the Planning Commission is to develop and update the Comprehensive Plan periodically and developing this engagement strategy is part of the process. What we are looking for is what resources you need and how you are literally going to get together and develop the plan for community engagement so that plan and all of its aspects are ready to submit to Council for approval by March.
- Commissioner Green asked is this developing the strategy by then or having all of the community engagement by then?

- Ms. Robertson said yes to the strategy by then.
- Commissioner Green said well of course we will have to have extra meetings.
- Ms. Linney said she wants it noted that Planning Commission will have extra meetings in 2017.
- Councilor Galvin said don't forget PLACE, they can be used as a sounding board.

2. Component I.A Legal Review of Codes and Ordinances

(Includes Component III: Regulatory Framework Review and Revision)

Do Council and the Planning Commission want us to complete the Zoning Ordinance update all at once? Or bring various articles/ divisions forward in stages?

If the work is to be done in Stages: specifically what articles/ divisions will be due at what point.

- Ms. Robertson said the Zoning Ordinance is 13 years old now and she was asked to undertake the first step which was a comprehensive legal review. Issues include the way building heights are measured, appurtenances and an unclear definition of the term "mixed-use. What do you mean when you say you want mixed-use? She said at some point when we created PUD's we were going to promote an objective in the Comprehensive Plan. This really is an opportunity for us to talk about these things - the height is one thing because we get into technicalities. We now have to come up with an action plan.
- Councilor Szakos said the definition of land use provisions should be in the first phase, and she is all for phasing instead of stages.
- Ms. Robertson said tackling the 26 mixed use districts and get those definitions coordinated with the Comp Plan process is important, and since we are going to be outlining how the comp plan process is going to proceed, that needs to be coordinated. Even though it is a significant issue, we may need to push it out a little bit.
- Councilor Galvin said she would like to underline what you just said, because that really does need to be mapped and she has 12 bullets that she thinks could be done more near term but doesn't want to spend the time giving them to anybody tonight. She said there is something that is near and long term and simply cannot be answered until we do the community wide visioning.
- Councilor Fenwick said one thing that wasn't mentioned were penalties. What happens when these ordinances and design standards are not met? When you haven't been given the necessary documents. Is there a penalty for that, the legal part? Does the plan stop without the complicating violations?
- Ms. Robertson said there are fines for zoning violations depending on what the nature of the violation is, the ability to not issue building permits, or to seek injunction in court and we don't do this sort of thing often but there are complex ways to enforce the ordinance but the fines are restricted by state laws.
- Councilor Fenwick said he wanted this to be addressed in the process.
- Mayor Signer said we have the host of two particular issues, or feeling about big picture concepts as you just said we want to find mixed use that sounds like a good idea and other than that he would feel most comfortable with an omnibus of recommendations to vote on.
- Councilor Galvin said we need to address the Standards and Design manual which absolutely must be coordinated in all the land use discussions. The report is making a very clear recommendation to us to get to get assistance because staff does not have the resources and that is one piece. She would like for us to consider if there are any other pieces like that, such as

mixed use definition where we need assistance. We talk about it in the Comp Plan, as well as high density, but we don't have good definitions.

- Ms. Robertson said that might be a question for the Commission because they are going to need to help me and staff work through issues that require coordination between an updated land use section of the comp plan and things such as mixed use zones, categories and uses. Another example is high density residential development and nowhere in the Comp Plan do we have density ranges.
- Mr. Mohr PLACE member asked are we going to talk about the form based code component.
- Commissioner Santoski said he read through each one of these things and a lot of this is just housekeeping. We can clean up a lot of these things that are in here. We should have that discussion about mixed use and once and for all decide what we are going to do with PUD's and how SUPs fit into all of this.
- Ms. Robertson said we need to come up with an action plan now.
- Councilor Galvin said for those of us who lose sleep over this, we have the written bullets. Are you the one to composite all of our comments and to answer our questions in the legal review and then the Planning Commission sort through them?
- Ms. Robertson said somebody has to be the clearing house so we need direction from Council and we need to come up with an action plan and engage PLACE in areas where there is a desire to bring design elements into the code
- Mayor Signor asked is that for staff to do? Will the Planning Commission do the same thing with the mixed use question?
- Ms. Robertson said the mixed use questions may come in two places: recommended updates to the Comp Plan land use section and a proposed zoning ordinance section.
- Mayor Signor said those of us with strong informed opinions can provide those to the Planning Commission.
- Commissioner Keesecker said we could use speed date planning. We could fit it in January and February to be a Planning Commission and City Council event.
- Commissioner Santoski said we need to have one with PLACE and Planning Commission and include the BAR and feed that information back to Council. They could comment on it and feed it back to us and we see if we are on the right track.
- Councilor Bellamy said it is hard to detangle the verbiage, the words and discussion; is there a way to put it into layman terms.
- Ms. Robertson said she will be giving you legal updates and housekeeping items by March and also by March we will have a plan by the end date that is specified in the resolution.
- Commissioner Keller said Ms. Robertson has done an excellent job. The 3D modeling is supposed to be done in January, and it may be useful for the things with a physical component to be illustrated on the 3D Model. She requests that the Planning Commission have a work session before the PUD, SUP and other recommendations are carried out.

4. Component I.C. Standards and Design scope and resources needs

- Marty Silman, City Engineer provided an overview of this report which included a brief history of the establishment of the SADM, different methods for update of the materials and the staff recommendation to fund an update with the assistance of a consultant.

- Commissioner Keesecker wanted to make sure there was a way for new ideas to become part of the manual. Will PLACE review a RFP?
- Councilor Szakos asked that the HEAL resolution be reviewed and integrated as applicable.
- Mr. Jones notes that at the year-end funding discussion on Monday night, Council could discuss the funding for this project.
- Commissioner Santoski asked that the update work to address any interdepartmental conflicts.

4. Component I. B. Framework for SIA Phase I code revisions (updated Downtown Extended)

- Mr. Haluska provided a brief report and the group moved to discussion. Mr. Haluska said the main concerns were the building heights and how this might impact on thoughts of how properties are developed and parking. We have a number of documents which are going to influence the actual regulatory package that comes in front of you for approval. It will need to include all of the amendments that we have in the Comprehensive Plan, Streets that Work, Bike-Ped Plan, and the SIA making sure all of the pieces come together and they are reflected in the zoning ordinance.
- Councilor Galvin said the form based code as it is presented in the SIA plan is based on character zones or transition zones. At every community meeting, focus group and workshop over the course of a year, residents of every race, gender, age and income advocated for transition zones between areas of low and high intensities of development. Existing downtown extended zoning today in contrast, allows a 101' tall, 8-story, mixed use building on Sixth Street across from 1 - 2 story detached houses. Existing zoning also violates the "historic preservation and urban design" comprehensive plan goal 5, to "protect and enhance the existing character and scale of the City's older neighborhoods." That is why this character zoning is put in place so you will see in the vision plan slivers of a T4 which is a transition between an existing neighborhood and the more intensive developed areas. The other reason to go with a character zone as opposed to a frontage zone is because of the super block in this landscape, there are not many streets. There is a 12 acre block at Friendship Court. There is a 17 - 18 acre block at IX. The average city block downtown is 2 acre building and Belmont is 3 acres. We need to have a strategy to create blocks. When you have a character zone, you can create maximum block perimeter size that create the block framework that you need and you can add a maximum number of curb cuts per block. That drives the notion of alleys. What that does is create walkable scale blocks and creates buildings of a pedestrian scale. You could go from an areas with two gigantic blocks and turn it into an area where it has about 12-16 blocks and already the Friendship Court master plan is doing that. It is following the SIA plan that is why it's got 5 blocks within the Friendship Court 12 acre block. The beauty of doing it that way is the SIA plan is because the existing streets were ones who had detailed street sections. Forest Street might have been the only new street. All of the other new streets can follow the streets that work, and there shouldn't be conflict because we have detailed street sections for existing streets that are paying attention to existing conditions. She is not sure why one for one ratio were brought in especially because there were heights already establish by transition zone in the SIA plan and they were already grouped with the kind of streets that could fit into those plan.

- Ms. Goldsmith said her concept for form based code is frontages. This is one aspect of transition or character and when you are developing a regulating plan it is a major player to implement it. What you do in these sections is identify districts and each of those districts have frontage characteristics including thoroughfare streets, alleys, or paths. They frequently have block characteristics. There are lists of things that include frontages but it does have other building type and uses which is contrary to what some people think. Uses are very much a part of formed based code. They also address the public realm and are focused on physical aspects and design aspects and the experience that people have by living, working and walking in those areas. You use these categories and talk about the urban frontage and urban plaza frontage, the neighborhood or the green space.
- Ms. Robertson said we need something to get people to pull something out of the SIA and how do we organization it and put it together. Nothing you are saying is contrary to what our plan is to do. She said there is talk of an urban plaza, a T6 transect is an area that we need to specify how the buildings are going to relate to the plaza and the plaza needs to be framed by building walls. What we intend to do by asking PLACE to have input into that by going through the SIA document to see what information is recommended in there and what the building form ought to be. What should be put in the ordinance to describe what the building envelope standards have to be around the plaza? When we say urban plaza frontage it solely refers to what the building envelope standards will be for the plaza, the T6 transect that you know. The general urban frontage was intended to be what the building envelope standards would be in T5 which is the primary color on the map we have. Neighborhood frontage are the areas where you don't want the height because you are on the color of the map T4 zone which you are relating to existing neighborhoods so you need the transition to a difference set of building forms and building standards. We need PLACE to help with framing up to what those standards are going to be pulling out things that are already in the SIA (for example the chart with the building envelope standards already contains some specifications on height, transparency, build to lines, but the picture needs to be completed). So what do you do with the 20% of the property line that is not occupied by buildings?
- Ms. Goldsmith responded saying there are multiple avenues that need to be defined for each of these transect groups that you are asking PLACE to take the lead on defining those. Form based standards for each character zone in the SIA however, could establish maximum building heights (from the top of the sidewalk,) and build to lines for instance, that vary depending upon the context. The SIA plan's T4 zone has a lower maximum building height than T5 or T6 for instance, because that is the zone that transitions between existing older neighborhoods and new more intense development.
- Councilor Galvin said none of them have ever written a formed based code.
- Fred Wolfe said from the committee's standpoint reviewing and giving feedback on qualitative aspects about the code makes sense but if it becomes prescriptive and starts to get specific in terms of defining envelope in ways that would be under the purview of somebody who is normally writing a zoning ordinance, which we have a lot of design individuals and creative individuals on the committee, but no means a zoning ordinance experts in terms of what an ordinance in that defining as to what the envelope would be so far there ought to be able to be some flexibility in how the envelope develops because there can be brilliant solutions that

maximize one end or extreme or the other of any spectrum of design. We would want to be careful not to be too prescriptive about the building envelope standards.

- Councilor Galvin said regarding West Main Street, the earlier planner director wanted PLACE to be the designer and also to write the code and PLACE said no we can write the RFP for you and get the right person to do that. This is a part-time group that meets once a month, it is quite a lot for this group to be writing the code for you.
- Fred Wolfe said PLACE would be being a sounding board and see what is proposed and give feedback on it.
- Ms. Goldsmith asked Lisa Robertson after hearing their response what do you need from PLACE in terms of guidance and resources.
- Ms. Robertson said we need exactly what you are offering. We are not looking for you all to write the ordinance. What we are trying to deliver by June is a set of recommendations and figure out how to polish off an exactly proposed ordinance at a later date. What we are trying to do now; if you are able to work with staff and what we would like to do is to pull out of the SIA documentation all of the information that is already there about what we want these building envelope standards to be. What we want to do is give you what is already in the SIA document for each of these areas and say this is where the SIA is proposing to take us. This is what the SIA is setting up as to building forms based on your advisory role or based on your charge to City Council. Is this consistent to where we should be going in the SIA. We are not looking for you to write the ordinance at all. Your input is needed on how we can put together a set of recommendations to propose to City Council to develop the ordinance.
- Fred Wolfe said it sounds consistent and if Council asked PLACE to be involved in that manner then that becomes one of our guidance.
- Councilor Galvin said there needs to be a regulating plan for PLACE and it has to be clearer because the last thing we talked about in May 2016, we were looking at what the actual boundary lines of the transect zones and there was a concern that T6 was too small to expand that. That discussion needs to be advanced because that is a primary piece to knowing what those building envelope standards and what street types would be included.
- Ms. Goldsmith said to PLACE do you understand your role and are you comfortable with what staff has asked you to do.
- Councilor Fenwick said what we are doing tonight is a huge undertaking, and it is because the City is not happy with what is happening and he doesn't want them to lose focus of that. Maybe part of this process is saying what we don't like, the bad architecture, the process that allows developers to dump documents the day before a hearing so the neighbors can't have an opportunity to look at it that is why he mentioned the penalty. The bottom line of designing we have one of the best cities in the Country and the architecture is not giving us that. I don't think the community would care what happens as long as what results from it is what we all have a feeling for. Maintaining what we have and refreshing the city.
- Commissioner Green said we have some good conversation here but she thinks some of us are lost with some of the terminology. She said if you don't work zoning all day or planning or design she feels it is really important for us to make sure the Mayor and Vice Mayor understand what we are doing. She said we talk about transect a lot but I don't know if everybody understands what that terminology is.

- Commissioner Keller said she is a little confused because she thought that our goal was to implement a form based code and SIA because that would be predictable, and would not need to rely on the specialty processes and have to facilitate development so she is confused about bonus provisions and the sense of zoning fitting into this because it seems we are going back to the SUP if we have bonus provisions.
- Mayor Signer said he has two big picture items. 1) How does this get translated with good advice by extra bodies and by staff? Bitsy Waters, former mayor said last year, a simple criterion of beauty in our building space. Mayor Signor said he doesn't know the language of this and he doesn't know how to translate but he has heard a lot about this. He doesn't know how the criterion of beauty translates into the administrative or the commission's approval of the city. He said if it is possible to insert this as a goal whatever that means in this community, he thinks we should. It's simple and it's true and something we all want. 2) A draft letter that is circulating to the neighborhood associations of a lot of concerns and advocacy about big buildings and balance of growth. This is the right time to update the comp plan and the conceptual thing is the balance of growth and to start to be fairly honest about that. Whether it is moderate or within the sustainable framework, this is the right time.
- Commissioner Santoski said some of the issues with the PUD is the language that talks about studying value and beauty and that is what it is getting to. He has heard time and time again developers just hate anything that they can't pin down. If you can't measure it, can't see it, you can't see what color it is then don't give us something that is so vague that we don't know what to bring to you to do. He also saw the form based code as being able to address that more specifically for developers but somehow we have to accommodate, attract the aesthetic value, the beauty or whatever you want to call it.
- Mayor Signer said we need someone, an architect, to address the aesthetics of the community administratively.
- Ms. Goldsmith said go back to the old saying that beauty is in the eyes of the beholder and that really is a challenge when you come to design and architecture.
- Ms. Robertson said everything is working from the Comprehensive Plan. The Strategic Investment Plan is part of our Comprehensive Plan. It has been a long time since that was approved, 3 years. Part of this process is to re-educate ourselves about what is in there but a lot of these issues have been addressed in that plan. The desire to establish building forms that will relate to specific street type policies, specific areas of the SIA. A lot of this is in there and we are forgetting about it. A lot of the framework for these standards is in there, we need to pull them out and put them together in a meaningful way. A lot of the issues and concerns are in the SIA document and we are going to be working through that to develop it as an ordinance.
- Ms. Goldsmith said it is a matter of taking that and codifying it, putting it in the matrixes and as you begin to do that you can get examples in pictures to what different matrixes look like. There are many ways a 5 story building can look and you want to decide which one you are comfortable with and which one you are not so you codify it that way. The width of the street and sidewalks, landscaping you can put all of that in the form based code which the zoning code is not an architectural guideline. An award was given to small town in Florida for their work. The architectural guidelines have a lot of pictures. These are not just pictures of Florida, but it tells the public and the regulators what they want the community to look like. These guidelines

are logged and that is not typical but is possible. As far as architecture vs. zoning they are not the same thing. As far as having density bonuses and other type of bonuses they are still predictable in her mind because they are quid pro quo defined in the fine print clearly and it is getting exchange for things you want, more public space for example and it is not open ended if they are administered accurately.

- Commissioner Keller said she is not necessary agreeing or disagreeing with her but we have adopted the SIA Plan into our Comp Plan if her memory serves her correctly and we do not have incentivized bonuses as an approved part of our plan. It is something new and everyone needs to be aware of it and there should be some discussion.
- Ms. Robertson said in the SIA plan there are specific desires to get a greenway, trails, plazas and what we are hearing from property owners is there may be locations where this is economic but we are going to need some additional height. It is entirely possible should there be a collective will, to do bonuses for one thing or another. Virginia law very specifically allows you to do bonuses for environmentally features, affordable housing, for a wide range of things. There is an example of a specific place with a widely known form based code that uses bonus provisions: Nashville. As we get into this she will show those provisions. They are by right so the ordinance says if you do this, you get a bonus; there is no going in front of City Council, no getting special permission. All you have to do as part of your site plan is show you are giving this and you get your bonus.
- Commissioner Keller said she is still saying that this is a new concept for the SIA and it has been inserted by staff. We still have not had a chance to discuss it and there are people from the public working through this who haven't been through the process. She is not objecting to it, it might be a good idea but it was kind of creped in on us like things are sometimes in ordinance review and she is objecting to that. She said we live in odd troubled times and the only thing we can hold onto is process and procedure and she thinks this is an aberration.
- Councilor Galvin said 7 months ago we were on board with the form based code. Two years before that the SIA was adopted with the recommendation of the form based code embedded within the SIA plan. We are not anywhere near getting a form based code right now and she is very concerned about having nine people plus another nine people doing the work to create a very complicated, technically challenging document that is supposed to come out user friendly. She is having a lot of trouble understanding the logistics by this being done by so many people part time, not paid and we are already two years in.
- Councilor Bellamy said it is extremely discouraging to hear Councilor Galvin say this started two 1/2 years ago and we didn't get progress until 7 months ago and we now have two committees to figure out how to get through the red tape. What can we do to streamline this process? We want to still maintain the integrity of the project.
 - Mayor Signer said we will get the form based code done. What is the simplest way to get one of these things done?

5. Public Comment

Susan Kristel said she is representing the IX property. They are part of phase one of the form based code. The staff said where do you weigh in on this and we can consider your thoughts and

in order to do that we are asking the same questions that you have been asking in this room. She said she doesn't really know what form based code is so we made the internal decision to ask a firm to come down to Charlottesville to give us their expertise. After looking at many firms we chose DPZ, they are one of the originators of form based code. The IX property has paid for one of the partners to come down here. One thing they told her is it really doesn't make sense for a private developer to take on something like this without interaction with the city. They are coming down on the 6th of December. We have asked for a representative from PLACE, the Planning Commission, Council and staff to be at this meeting and to be a part of this meeting because it is important for you to understand where we are. Hopefully this person can address some of the questions you have been asking and we have been asking.

Joy Johnson, a public housing resident; said the residents who live in these neighborhoods don't understand your jargon and if you are going to put money into anything, be absolutely sure that the residents understand what you are doing. Form based code is something we don't understand. We have a positive vision, you all have money to hire a consultant we don't. She wanted to echo that piece of it. The vision is good but the residents really do not understand what form based code is and all of that. She said we have 6 sites in your SIA plan.

7:31 Adjourned by Mayor Signer.