

A Joint Work Session of the Charlottesville City Council,  
Planning Commission, Board of Architecture Review and the PLACE Task Force  
September 23, 2014 at 5:00 p.m.  
Water Street Center (407 East Water Street)

AGENDA

1. Code Audit Presentation and Discussion - Allison Linney, Facilitator

NDS

Jim Tolbert  
Missy Creasy  
Amanda Poncy  
Carrie Rainey  
Brian Haluska  
Mary Joy Scala

City Council

Dede Smith  
Satyendra Huja  
Kristin Szakos  
Kathy Galvin  
Bob Fenwick  
Lisa Robertson, Ass't City Attorney

Planning Commission

Kurt Keesecker  
Dan Rosensweig  
Gennie Keller  
Taneaia Dowell  
Lisa Green  
Jody Lahendro  
John Santoski

PLACE

Rachel Lloyd  
Paul Josey  
Mark Watson  
Claudette Grant

Scott Paisley  
Tim Mohr  
Galín Boyd

BAR

Melanie Miller  
Carl Schwarz  
Laura Knott  
Candace DeLoach

Tree Commission

Bitsy Waters

Public

Lena Seville  
Bill Emory  
Bill Niebel  
Amanda Barbage  
Rebecca Quinn  
Mark Rylander  
Julia Williams

Ms. Poncy said that staff found the vision was generally very good but there were some policy areas where minor corrections were needed and others that needed major adjustments. She presented the work of the staff group that had come up with a list of 40 general topic areas.

Ms. Rainey gave an overview on the Comprehensive Plan goals associated with codes, policies and design. She said we want spaces that are sustainable and beautiful, and a lot of the corresponding aspects of the Comprehensive Plan speak to those ideas.

Mr. Haluska discussed the implementation strategy commenting that city staffers are tracking the implementation as they go through all of the identified items in the code audit. He also said the priorities were determined by deficiencies and pressing needs, such as establishing block length standards.

Ms. Creasy highlighted the key recommendations staff provided as part of the report.

Following Ms. Creasy's report, Ms. Linney asked those in attendance to ask any questions for clarity prior to beginning the dialogue.

Rachel Lloyd (PLACE) asked about prioritization and whether they will be able to implement the update to the codes and the guideline documents piece by piece or will it be an ongoing process.

Missy Creasy (NDS) – said she's not sure if it will ever be complete but we are working through our development review policies now and anticipate something happening with it in the fall. We are now getting information from the West Main Street study and form base codes and soon as that is finish we will start working through code language to bring to the appropriate boards in the Spring.

Lisa Green (PC) – asked if parking lot items are included and asked if the noise ordinance could be looked at as well.

Missy Creasy (NDS) - said the noise ordinance will be looked at as an environmental concern and will be added to the list for review.

Kathy Galvin (CC) – asked how hard and fast are the recommendations and the discussion of code audit summary.

Kristin Szakos (CC) – said regarding the section on comprehensive plan goals and value, there were no housing values included.

Missy Creasy (NDS) – said that is just a summary and there is a long list which includes more of the comprehensive plan.

Kristin Szakos – commented on the language about housing as stated in the Comprehensive Plan, Housing Chapter, and that it should be included in the executive summary.

Gennie Keller (PC) – asked for information about the process of street width and street trees with conflicting objectives.

Missy Creasy (NDS) –said we will sit down and talk through the details. There is a limited amount of space in our Right of ways and we are hoping some street designs can work in certain areas.

Dan Rosensweig (PC) – said we have multiple conflicting values with the Comprehensive plan as a guiding document to flushing out these specific code changes and he is wondering if there is an opportunity to get a fresh set of eyes on the recommendations. We should look for someone who has done code audits and produced an outcome that we like. He said his sense is that this is a lot of work and he is worried – what we will end up with compromise rather than resolution.

Rachel Lloyd (PLACE) – said she has found that using case studys is a good solution, by just picking up the phone and call planners in other communities who

have faced the same problems as we have is very helpful.

Satyendra Huja (CC, Mayor) – said “If not broke don’t fix it” – some things are useful in some areas that are not useful in others.

Lisa Green (PC) – said people have asked her what it means to change from zoning to form based codes and the public needs to know what they should expect.

Jim Tolbert (NDS) – said there is an assumption that we are doing this to form a form based code, but that cannot be done without a lot of public engagement, education and communication. This is a comprehension look at our codes and form based codes may be a solution that we come to in some areas but it may not.

Kathy Galvin (CC) – asked if there are any field observations of streets that exemplify our Comprehensive Plan.

Bitsy Waters (TC) – said the tree commission had several things that were not tree friendly, one is utilities, and zero lot lines where all street trees could be waived. She said the words in the Comp Plan treats trees as nuisances. Trees and green is so high on policies – why can’t we just plant smaller trees.

Jim Tolbert (NDS) – said not everybody likes or wants trees and we didn’t just have tree people looking at trees, we had everybody looking at trees. All the utility conflicts are in there.

Melanie Miller (BAR) – said her concerns are sidewalk widths and how they are calculated and is there any account of utility poles factored into their width?

Jim Tolbert (NDS) – said when the committee looked at sidewalk widths we were looking at clear width – look at 5 foot sidewalks in residential areas, put a mailbox on it and you still can’t pass. We know that is something we will have to deal with no answer to clear width.

Kristin Szakos (CC) - said that the 79 page document is very helpful because of the stream of consciousness and whatever the discussions are, we should keep this history so we will understand the issues.

Laura Knott (BAR) - said she was concerned about view sheds within the city limits along with street closures.

Gennie Keller (PC) – she said looking at pages 5 and 6, the executive summary should be reworked and made parallel so we all can have the same understanding.

Dan Rosensweig (PC) – said he feels there is too much detail at this point and needs to look at higher levels. He does not want to address details at this point and feels there are places we would like build but can’t build anymore in Charlottesville. He questioned how do we create these things?

Paul Josey (PLACE, TC) - asked about the next steps and how do we address our comments and to whom? He said utility work with a certain distance is a general city requirement and tree lines, combined soil lines, and soil lines because trees

like to be together. He asked to have more tree lines because there will be a lower volume of trees if we put them together.

Kurt Keesecker (PC) – stated it would be helpful to articulate a couple of different patterns and the standard and design manual could be altered by some methods that would be fast tracks for applicants so they didn't have a concurrent process in the standard and design manual in the future.

Jim Tolbert (NDS) – said one thing is the process of bringing in a new idea and it doesn't have to go through a lengthy amendment process to get it done. We want to simplify with fewer words as we can make them.

Mark Watson (PLACE) –asked if there was any code with interaction with the rail system, fencing, and crossing and issues associated with the color of rock.

Jim Tolbert (NDS) – said the Code of Virginia notes we have to leave them alone; we cannot clean it up or send someone in to clean it up and pay them to do it.

Kristin Szakos (CC) –said one thing she would like to see is congregate housing. She likes the idea of sidewalks staying level and driveways going over them rather than dipping down.

Kathy Galvin (PC) – said she was answering a question on what is being over looked. She said we are missing a city wide look at where we want high density and intensity development. And where we want a low density and how it transitions in between. She said once we establish those kinds of different creations in zones she wants to know we are using the idea of contact sensitive zones that in the ITE manual and in the Comp Plan that generates this whole process.

Bill Emory (Public) – said his concerns are site plans and thru truck restriction and it would be nice if there was a public parking lot where we could take all the comments.

Lena Seville (Public) – said her concerns are solar panels and how we need code protection for solar panel

Rebecca Quinn (Public) – asked if the staff generated ranks of high, medium and low? What about Priorities?

Kristin Szakos (CC) – commented on putting into policy or code ways to make up for stuff we do in other areas like blacktop or trees. Another comment was the river and that the river needs some attention as a unique eco-system.

Dede Smith (CC) – said she had some concerns under page 6 and 7, to achieve a more walkable community and historic preservation is not listed.

Dan Rosensweig (PC) – said things not listed are setbacks, front setbacks, street redo.

Lisa Green (PC) – commented on page 6 regarding “protect the pedestrian.” She

would it to say “convenience pedestrian experience”.

Gennie Keller (PC) – stated that she would like attention paid to specialty pavement in historic areas and the policy on how to deal

Tim Mohr - spoke on off street parking and he would like clarity on livestock rules.

Satyendra Huja (CC, Mayor) – said he would like consideration of public art.

Bill Emory – said he would like to see a policy stating we will deal with land use issues via the small area plans. He wants to know the order of how these issues will be addressed, and how they will be prioritized.

Melanie Miller (BAR) – asked are we looking at the policies on alleys and looking at the code to discourage alley closings, utilities- can we do anything about pole location and crossings?

Jim Tolbert (NDS) – This is not a code issue but a policy issue. Do we have anything regarding trimming trees crisscrossing poles across the street is a Dominion Power issue, and yes we need to take a look at outages and other problems we have.

Paul Josey (PLACE) –asked if we could put a priority on underground utilities in main corridors?

Amanda Barbage (Public)–she said she wanted to see more strategies on the transit system.

Kristin Szakos (CC) – regarding the HEAL Resolution, she would like to see language about Public health within the code, such as stairs more visual than the elevator. We also need a policy to address the cleaning of alley ways for those who are unable to care for themselves because these people don’t have the resources to clean them up.

Dan Rosensweig (PC) – commented on how to write codes with flexibility and context (Jim to look at performance standards)

Jim Tolbert (NDS) – said we are trying to get to a performance standard that we are trying to meet these performance standards and if you can meet the performance stands then the options are out there for you. Street design will be a range of options to get there and then there is one that is completely different and we will have to come up with a better way to do it, and be much more flexible to what the bottom lines are.

Rachel Lloyd (PLACE) – said there is a gap between the comprehensive plan and the goals ordinance and there are no other policies besides complete streets and HEAL. Are there policies to address urban design?

Jim Tolbert (NDS) – said embedded in this is so much of this not necessary to a policy

Kathy Galvin (CC) – commented on the implementation strategy and asked if zoning categories are appropriate and how much will we look at LU charges. The LU map meets goals and looking at mixed use ratios maybe different from one corridor to another.

Jim Tolbert (NDS) – The Comprehensive plan has some land use, to make some assumption while looking at mixed use ratios vertical or horizontal; we have to identify that as something to talk about.

Mark Rylander (Public) – spoke on clarity, to make sure the policies are clearly organized policies to address character, dimensions, space environment and stay on task.

John Santoski (PC) – said for him the most frustrating part for him on the Planning Commission regarding codes. It seems like our hands are tied either by the State or our own codes. When we're decided on zoning, housing, cross walks it's always so complicated. The question is why it can't be clear and practical. Why can't it be clear, simple and creative?

Jim Tolbert (NDS) – When we rewrote the comprehensive plan, people wanted mix use developed in 2001 and the idea then was to mix it vertically and put percentages in, then we rewrote the code in 2003. We said to enforce this you would have 25%, a lot of reasons we didn't see a lot of that because financing was difficult in a vertical building to get commercial and residential and during the time the prevailing thought started to change and realized the 25% is not working. Zoning is the worse common denominator because there is always somebody that is going to do something you don't want.

Kathy Galvin (CC) – asked if we can replace SADM with a new document that ties to something that shows how streets elements relate within the context of the streetscape.

Lisa Green (PC) --stated she would like to have enforcement as a key issue.

Dan Rosensweig (PC) –asked how do performance standards affect the dialogue that incorporates the kind of context sensitive place base design that we want and we don't end up with everyone saying how we get there. How do we affect that dialogue?

Jim Tolbert (NDS) – said we are going to have to have all of the players to sit down in a conversation and somebody is going to have to make the decision that this is what we want our communities to be and this is the standard that is going to be in place. Everybody might not like it but that's government and it is what it is.

Rachel Lloyd (PLACE) – said that is what the Comprehensive Plan does, gives certain priorities

Julia Williams – commented that she feels the interpretation of codes are important and she is concerned about mixed use

Rebecca Quinn (Public) –stated regarding enforcement and compliance, she needs to understand what is required.

Satyendra Huja (CC, Mayor) - He noted that consideration for multimodal transportation is important but cars should not be forgotten.

Kathy Galvin (CC) – commented on Design guidelines.

Jim Tolbert (NDS) – said there are some things we can incorporate in design guide line into the code.

Bitsy Waters (TC) – said trees are a high priority, and looking at the plans and goals, she wonders where are these things going to help and she is very comfortable with where are we and feels we need to step back and take a look at it.

Jim Tolbert (NDS) –said we would love to put everything as a high priority because everything is a pressing issue to somebody, obviously we can't do everything at once. They all are inter-relative and it is so hard to pull any one piece out to be highest priority. We are going to have to do some work collectively on how we are going to address them and work through the individual details and have a bigger picture of understanding. It is going to be difficult to say what is high or low priorities.

Kurt Keesecker (PC) – gave advice on how he analyzed the 79 page memo by using 4 boxes (categories).

Kristin Szakos (CC) – stated one of the items that should be high priority should be the work load of the day to day positions that are frustrated to the Planning Commission and City Council to have the policies and ordinance to help make those things driven by where things are being developed now.

Kathy Galvin (CC) –stated we need a big picture discussion exercise about where do we want to grow and where do we want to preserve, how to get from high density to low density.

Jim Tolbert (NDS) said we think that our comp plan, zoning code tells us that we know where corridors allow intensity- density corridors and mix use or where we want that to happen. It may be that we need to step back and have some conversations around the fact of do we agree with those; we need to be careful how we approach it but by having that conversation might be the next step that we take. He said let's validate or change where we see those things that we have now. We assume that the community (because we had a lot of community involvement) feels we are in the right place. The issue of transition is huge and we have a lot of existing zoning districts where you have industrial right up against residential, how do we transition that given previous rights that have been there and making and seeing that change happen.

Dede Smith (CC) – asked Mr. Tolbert to clarify where the discussion of zones intersect with the code audit.



Jim Tolbert (NDS) – said it was not anticipated that they were going to do a major overhaul of zoning. He said to put together a discussion on a higher level of zoning is where we want low intensity, medium, and high intensity; and if different from what we have now, then that’s the first thing we need to address now to start filling in the details.

Kathy Galvin (CC) - West Main Street is a great example of how our values conflict with each other and can be used as a way to investigate where our codes need to be sensitive to our values.

Jim Tolbert (NDS) – said he should get some recommendations on West Main street- a long process we are going to have to go through to take it from their recommendations to a good understanding to getting it adopted to making sure that we as a community are good with it, and that’s the unfortunate thing is West Main street was fine until everybody said “do we want that”? He said there was a lag time and things were approved before we had a time to massage things to make them better.

Dan Rosensweig (PC) – said he is not sure the comprehensive plan validates the existing zoning which can be noted by the inclusion of the establishment of additional small area plans (small area plans to look at other areas, other big picture items)

Jim Tolbert (NDS) said all comments are due by October 3<sup>rd</sup> from groups to Missy Creasy.

Kristin Szakos (CC) – Thanking the entire citizen’s volunteer on behalf of the mayor - thank you.

Claudette Grant (PLACE) – asked what is next after this meeting?

Jim Tolbert (NDS) - said this has raise questions and we will figure out the details. He said when we come back we will have a proposed outline of how we will do the process. It will be a proposed, because we want to hear your thoughts on it. He also said we have to figure out how to involve the community in this.