

Planning Commission Work Session

August 27, 2024 5:00 PM to 7:00 PM

Hybrid Meeting – NDS Conference Room

Commissioners Present: Chairman Mitchell, Commissioner Schwarz, Commissioner Solla-Yates, Commissioner Roettger, Commissioner d’Oronzio, Commissioner Stolzenberg, Commissioner Joy

Staff Present: Patrick Cory, Missy Creasy, Kyle Ervin, James Freas

Chairman Mitchell called the Planning Commission Work Session to order at 5:00 PM.

1. State Legislative Items Discussion

Staff Presentation and Planning Commission Discussion and Questions

Chairman Mitchell – This is the main document that we are going to be talking about.

Missy Creasy, Deputy Director – Our committee created the statements that we have noted here. I added the code references and made sure you had those in your packet just in case you needed them. This is in a draft format. After you guys have the opportunity to work through it, we can polish it up.

Commissioner Solla-Yates – We started to develop what Council had done the previous year. Two of those from the previous years were about special aid that had not been acted on to our knowledge. It is about tenant’s rights. It is straight out of our housing plan. It was also about a sales tax increase for public schools. It is something we talked about a lot in the capital projects plan. I think we have pretty good consensus on those and Council’s support for those.

Commissioner Stolzenberg – With the school one, we know that is going in Council’s packet. It is not exactly our territory, except that we review the CIP. Do we need it in there if they are going to do it anyway? Shouldn’t we keep our memo focused on things that we want them to think about that they may not have already?

Commissioner d’Oronzio – Why not?

Commissioner Stolzenberg – They already have it in their packet.

Chairman Mitchell – Are there questions about the first one. With bullet one, are we talking about the affirmative defense to nonpayment of rent? That simply means that they can withhold their rent if things are not being fixed properly. Doesn’t it already exist?

Commissioner Roettger – In theory, it does. When Legal Aid still must be asked to reinforce. That is a good question.

Commissioner Solla-Yates – My understanding is that it is contractual.

Chairman Mitchell – What does it mean to waive their appeal bond? What does it mean waive your appeal bond?

Commissioner d’Oronzio – If there is a dispute and if you must bond over what is owed, if there is a decision that is made, you must bond over when you are appealing. You must bond the amount.

Chairman Mitchell – The tenant must bond over the amount.

Commissioner d’Oronzio – That is correct.

Chairman Mitchell – You want me to waive that until the dispute is resolved. The 4th bullet is rent control.

Commissioner d’Oronzio – We are aware that passage of this legislation through the current legislature is unlikely.

Chairman Mitchell – Are there any other localities in Virginia that have rent control? I know they have it in DC. Washington DC has a strong rental ordinance.

With the sales tax, do you guys have a revenue objective in there?

Commissioner Stolzenberg – I think we have that somewhere. It will have to be a referendum. If people don’t like it, they can vote against it.

Commissioner Solla-Yates – With number 2, it was some legislation from 2 years ago allowing just Charlottesville to change how we do taxation. The idea, 2 years ago, was for housing stock. With the transit partnership, transit becomes an interesting possibility as well so we can hit our transit goals and our housing goals.

Commissioner Schwarz – Can you explain what this is exactly?

Commissioner Stolzenberg – It is saying different tax rates for land and improvements. Five or six localities currently have it. None of them use it.

Commissioner Schwarz – How would we do that?

Commissioner Stolzenberg – Typically, you have a lower tax on improvements to incentivize not sitting on vacant land. The extreme version is the land value tax where you don’t tax improvements at all, only tax the value of the land.

Commissioner Joy – That is the carrot to fully develop your lot.

Commissioner Solla-Yates – We do have options. We have tax abatement to get at that.

Commissioner Roettger – This is just for undeveloped land.

Commissioner d’Oronzio – You can value the land and you can value the improvements separately.

Commissioner Stolzenberg – They are already assessed. If you look at GIS, there already is a value for improvements and a value for land. If you have land and improvements, the land would be taxed at one rate and the improvements at a different rate.

Commissioner Solla-Yates – There was an assessment done of this. There was a census block a few years ago that found a 10 percent discount for residences on average. Businesses would pay a lot more.

James Freas, NDS Director – We are talking about being able to differentiate the tax rate applied to each of those. We can value them separately, which we do. We then combine that value and provide one tax rate against that value.

Commissioner Solla-Yates – It gives a tax break to residences, which is, in my view, a fundamental that is great.

Chairman Mitchell – If we had a land bank and you have land that is taxed and the tax is paid by Habitat, the house on the land would be paid for by the owner.

Commissioner d’Oronzio – There are lots of ways and schemes that you can bring into play about it. You can encourage the development. If you have high density, you are going to have these lots with tiny pieces of land.

Commissioner Solla-Yates – With #3, two similar bills went to the Governor’s desk last session. We are again asking for it and adding more. Our language is a 20-percent tree canopy, which is the current maximum level to request, and giving us additional powers in floodplains.

Chairman Mitchell – How does this differ from what Bill Emory wants to do?

Commissioner Solla-Yates – This is part of what he is talking about.

Commissioner Stolzenberg – Bill wants to provide more of an incentive by letting you plant trees.

Imagine a downtown lot and we have the trees in the right-of-way. Are you saying that we would now have to reserve 20 percent of the land on a downtown lot to not be built on?

Commissioner Schwarz – It allows up to 20 percent. That would be us making that requirement.

Ms. Creasy – I think that would be a complicated conversation. Ten percent is a struggle for some of our applicants. I am sure that they would have some things to say as part of that discussion.

Commissioner d’Oronzio – There are alternatives if you are not actually providing it, this tree bank option. That is nice for the state. It doesn’t help the city that much because this banking of trees that you are allowed to do, and it goes to nutrient credits agricultural conservation fund for the state. It is the underlying law about coverage in the present statute.

Mr. Freas – All that I am aware of is that the state has enabling legislation that says a municipality can mandate up to 10 percent tree canopy coverage on commercial lots and up to 20 percent on residential lots.

Commissioner d’Oronzio – In the present statute, Section E, the replacement of trees during the development process, has reasonable exceptions. What I am saying is that we are trying to create an incentivized way. We have the state apparatus that handles the payment in lieu option here. It is in the state statute now. Section 1529-61.3 that was passed out with Section E.

Mr. Freas – One could amend the request in terms of changes to the legislation. Do we have the reasonable exceptions? I don’t recall having the tree canopy bank option.

Commissioner d’Oronzio – We don’t. There is this offset that is essentially credit that is equal to what the cost would have been to do it. That goes to this natural resources commitment fund

Commissioner Stolzenberg – This does say that the bank should be within the locality closely as feasible to where the development is located. If no bank, the locality on that portion may submit a payment to the state treasurer.

Commissioner d’Oronzio – What gives me pause there is that this is a state apparatus that we are asked to change. If we were to change it, if we were to say unmet, you can make a payment in lieu to the city, you can’t. It could get sticky. Who knows what second order interests are involved in that whole process there.

Commissioner Stolzenberg – I get that we are not creating the ordinance now. It is only authorization. To throw out a random number like 20 percent without looking at site plans and saying: Where is the site plan wrong? Where would I put extra tree canopy?

Chairman Mitchell – How would you like it to read? I won’t take it out. I am willing to compromise. There is something between what you guys are trying to accomplish. What is the approach that you would like to take? What is the approach that Bill Emory wants to take?

Ms. Creasy – I talked with Donald Shrager, our utility and stormwater manager. I showed him Bill’s email. We talked yesterday. He was not aware of any data at that point in time. He got back with me this morning and said that there potentially was some work being done to try and come up with a way to quantify tree canopy as a BMP under the stormwater code. Apparently, there is some stuff out there being worked on. It is not ‘fully baked.’ If it is categorized as the BMP, then it already fits. The general point is that once it gets to the point where the math and the standards are there, it already has a box to go in. His team seemed excited about it. It just needs to come to fruition in a way that they can quantify it, so they meet all the regulations.

Mr. Freas – We don’t need state action to do this. If it is incorporated as an accepted best management practice BMP under the stormwater regulations, it goes on.

Ms. Creasy – We don’t need to ask the state for anything. Once the industry gets to the point where they have what they can to quantify, we can move forward with that. They are excited for that opportunity.

Commissioner Solla-Yates – We could remove the first section about 20 percent and ask for additional powers in floodplains.

Mr. Freas – We have the authority to create floodplain buffers. I would say that there has been some dispute around the nature of that authority. Both county and city have that. It is 3 water bodies: Moores Creek, Meadow Creek, and Rivanna River. That is about specifically establishing their plain buffer or maintaining it.

Commissioner Stolzenberg – Not requiring them canopy within them, you can’t disturb them.

Mr. Freas – I hesitate to say what you can do, or you cannot do. You can preserve them. I am not sure what it says about proactively restoring them. If we took the amendment that Bill suggested, we would be able to essentially restore or repair area. On a redevelopment, you would be requiring tree canopy.

Commissioner Joy – Twenty percent goes from the first half. You need to add language saying greater than 20 percent.

Commissioner Solla-Yates – I have a language suggestion on that. Strike “the requirement of 20 percent tree canopy for all uses.” With that change, it flows properly. It needs to be a greater percent of tree canopy than 20.

Mr. Freas – The authority to create buffers comes from the Chesapeake Preservation Act, which is mandated east of 95 in the Tidewater and permissive in other parts of the state. What is a grey area is whether localities west of 95 can establish any kind of buffer program or whether they must join in the entire Chesapeake Bay program.

Commissioner d’Oronzio – This does make me nervous. There are development interests that we get push back against this. If we go down to Richmond and get the pushback against this, we could muddy our own floodplain buffer authority and have people look at that and have that be the focus of something. I don’t know what the number is correct for the number of lawsuits we should be fielding. This might have unattended consequences if we start blundering around with this without having our back straight. I can see someone trying to drive a wedge into that. If we go down to Richmond and it crashes and burns, the argument is going to be that we don’t have the authority to do this.

Ms. Creasy – This would go forward to the legislative committee, which has a lawyer.

Mr. Freas – Typically the City Attorney offers legal advice to the legislative committee.

Commissioner Joy – If you change the language to say, ‘replacement of trees during the development process.’ You are just referencing the existing law. Could you say to permit a greater than 20 percent tree canopy and floodplains? It seems like you are trying to restore natural landscape that already exists. You are not trying to make right there.

Commissioner d’Oronzio – My point is that we are opening a political can of worms. If you go to Richmond, you advocate for this, you are going to have pushback from that on the developer side. If you are in that and it fails, we have a conversation in the legislature about it. The state has spoken. We are now relying on our ‘fuzzy’ and permissive Chesapeake Bay Act authority, which nobody has been paying attention to. I would like a lawyer to give advice.

Commissioner Solla-Yates – I have some updated language. “To permit the requirement of a greater than 20 percent tree canopy in floodplains and riparian areas.”

The next 2 are based on current legislation that the state Housing Commission is looking at. Both were considered last session and were punted to the committee for review. Both are probably going to be watered down when they come out. They will be something along these lines.

Commissioner Schwarz – We can already do accessory dwelling units.

Commissioner Stolzenberg – If we are talking about the faith and housing bill, expanded state resources sounds like funding rather than permitting religious organizations to provide housing.

Commissioner Solla-Yates – I welcome a conversation on this.

Commissioner Stolzenberg – I would say that we support the faith & housing bill. We have had success with religious organizations in Charlottesville providing housing on their excess property. It has expanded rights for religious organizations.

Mr. Freas – Does it exempt them from zoning?

Commissioner Stolzenberg – It ‘sort of’ exempts them but not blanket exemptions. As previously written, it specifies a minimum density cap that is higher.

Commissioner Solla-Yates – There is a different version that I wrote. The subcommittee is talking about it. It is looking bad. Both VACO and VML are going hard against it. The counties and cities are leveraging against allowing Virginia.

Mr. Freas – It is the Virginia Association of Counties and the Virginia Municipal League.

Commissioner Stolzenberg – They don't want to give up any authority.

Commissioner d'Oronzio – I am weary of making any noise about pushing any money towards religious and tax dollars towards any sort of religious outfit. I agree with the VML on that ground. Why would we give up zoning and control when we have this new permissive code that allows them to do a lot?

Commissioner Stolzenberg – They want other localities to let them build affordable housing.

Commissioner d'Oronzio – We are saying state resources, which is money.

Commissioner Stolzenberg – I think state resources is odd here. They can comply through the normal LI HTC process if they want funding. I don't know that we should specifically direct resources towards this versus other proposals.

Mr. Freas – Maybe it is expanded resources towards the permitting authority.

Commissioner Joy – Does this create a development loophole where you could be a private developer who forms a nonprofit and acquires land?

Commissioner Stolzenberg – It still must be affordable housing.

Mr. Freas – That means that we would be creating a pathway where an organization like the PHA could create some form of exemption or greater development capacity that would apply to an organization like the PHA. They could acquire land, would apply to religious organizations and nonprofit educational organizations. St. Anne's Belfield could build teacher housing.

Ms. Creasy – It could be a positive. It could create issues with the tax system if you have huge volumes of that occurring.

Commissioner Joy – A nonprofit could develop their land. They would just have to go through the regular zoning process, which we feel is a great product of output that there are not many limitations to redeveloping. I acknowledge that the zoning is not that good if you can find a loophole around it.

Mr. Freas – Most churches are in single-family areas and are zoned single-family.

Commissioner d'Oronzio – I am not sure what we would be permitting and exempting. We were talking about money.

Commissioner Stolzenberg – The meat of the bill from the last session is if residential uses are not permitted on that church's land (40 units per acre and a height of 1-story or 15 feet above the otherwise maximum height) it would apply. If the locality allows for greater residential density or building heights on that parcel or an adjoining parcel, the greater is allowed. If you have zoned your churches for no residential, they can build 40 units an acre and get that height/1-story height bonus. Someone said the more general phrasing there was that we support it.

Commissioner d’Oronzio – Some of this is the discussion with the Council subcommittee, the legislative committee, and our legislators on what is within the realm of the possible, the probable, and the fantastical.

Commissioner Schwarz – It feels weird to be telling other municipalities what they should do. It is like asking for the state to create a rule for the whole state, which could then negatively impact our own zoning. It feels weird to be telling the rest of the state that you need to do something because we do it.

Commissioner d’Oronzio – I think it is laying down a marker. How did the ADUs everywhere die last year?

Commissioner Stolzenberg – It was referred to the Housing Commission. It did not totally die. From what I hear, it is going to come back this year in the form of encouraging localities to adopt the policy. The ADU bill is going to come back from the Housing Commission as ‘every locality should adopt some sort of policy on ADUs.’

Chairman Mitchell – Where did we land on #5?

Commissioner Stolzenberg – We support statewide policies to facilitate landholding nonprofit organizations in creating affordable housing.

Mr. Freas – Do we combine or broaden this and say that we broadly support changes to state policy or laws that encourage the development of additional affordable housing and dwelling use broadly, such as ADU laws?

Commissioner Roettger – Some of these have specific bills attached. The rest are recommendations. Do we just say affordable housing? I don’t know if there is a prioritization. We are not tying it to any particular bill that might have come before. It seems like it is vague in terms of not tying to past bills.

Commissioner d’Oronzio – That is part of the next step with the legislative subcommittee to figure out what one puts weight behind, what one is wishful thinking, and ones that you put in anyway and hope it happens.

Commissioner Joy – Mr. Freas’ suggestion that a condensation of one makes sense. It is more about a collective support for different strategies to tackle it again.

Commissioner Solla-Yates – The next items are things that have recently come up. The first one is mobile home parks. ‘We support an expanded timeline and resources to purchase mobile home parks, so it is not such a struggle. Supporting purchase documentation should be required to be shared with the tenants as they become available. We recommend increasing compensation for tenants at purchase.’

Commissioner d’Oronzio – What we will clarify a lot is citing the current statute. Essentially with a mobile home park of a certain size, the tenants must be informed. They have a 60-day clock to buy the place, which is what happened at Carlton. Senior management in the city and in the major nonprofits managed to scrap together the money in 59 days.

Chairman Mitchell – What does recommend increasing compensation mean?

Commissioner Stolzenberg – You get \$5,000. It has doubled from last year to relocate your mobile home if they sell the place and remove you.

Commissioner d’Oronzio – We say to find a real number and link it to some sort of inflation.

Commissioner Stolzenberg – It is also 180 days after they remove you. Even the 60 days is just to make an offer/counteroffer.

Commissioner d’Oronzio – It is a ‘black hole.’ Other than the top line number, you don’t know anything. Where is the purchase contract? If you want to redact the names on it, that is fine. There are offers. The top line price is not always the driver.

Commissioner Solla-Yates – Number 7 is school streets. This is big in Europe and Canada. There is no national program in this country about school streets. It is a street next to a school that is closed during drop-off and pick-up. We could do it just in Charlottesville, but it would be a whole lot easier.

Mr. Freas – In Virginia, it is something of a state issue. In the counties, the streets are all state roads. It is less of an issue for us. We might be in a better footing arguing for this if we had done it here first.

Commissioner Solla-Yates – ‘We recommend the creation of a committee to study deed restrictions and covenants to ensure compliance with law, equity, and affordable housing goals. We recommend studying regularization of terms for consistency.’ This came out of the Comp Plan and Zoning conversations when we discovered so many racial covenants in Charlottesville. A lot of property owners don’t know about them. The terms are unclear. A lot of the demands are increasingly unreasonable.

Number 9 is that ‘we recommend adjusting the state building code to treat 6 units and below as residential code, the same as single-family and duplex. Continue to treat buildings with 7 units and above as commercial like the Memphis, TN example.

Commissioner Schwarz – From the residential code that we are trying to get around, sprinklers and requiring a design professional to do drawings.

Mr. Freas – All 3 of those were in the Tennessee example that you shared.

Commissioner Schwarz – The thing about the Tennessee example is that I went on the city’s website. I found the ordinance that they passed in 2021. You go on their planning website. It specifically says ‘the construction of new one- and two-family buildings or townhouses is a new single-family home. This does not include accessory structures for multi-family structures. Please apply for a commercial permit.’ I don’t know if they undid that at some point. They have a zoning definition for a large house, which is up to their 6 units.

Commissioner d’Oronzio – Maybe that isn’t what multifamily is using. There are different definitions of multifamily depending on where you are.

Commissioner Schwarz – I don’t think it is in the building code that says whether something is permitted under residential code or the commercial code. I think it is under the state code.

Commissioner Stolzenberg – The state adopts the state building code out of the IRC and IBC.

Mr. Freas – In Virginia, our building code official is enforcing the state building code because we have no local building code. Virginia does not allow us to do so. We are enforcing a state code when we issue a building permit. Tennessee is different in that it sounds like the building code is adopted at the city level. They could make these kinds of changes.

Commissioner d’Oronzio – We don’t know that. We can check. Even if it is, I imagine that Memphis and Shelby County have the heft to get what they want.

Commissioner Stolzenberg – The legislature is not going to change the code. They are going to instruct the DCD to form a board to study it like they did with the single stair. North Carolina passed a similar bill. I understand that they are still talking about what to do. I don't know that we need to legislate how exactly to make the IRC apply as much as saying that we support studying.

Commissioner Schwarz – I support studying parts of it. There are parts of it that I think are still important. There are some accessibility requirements. They are not full accessibility like fair housing type requirements.

Commissioner Stolzenberg – That is federal law. FHA will apply after 4 units.

Commissioner Schwarz – I believe that FHA starts applying after 6 units, but our building code calls for 4 units or above. It must deal with height B units, which is the FHA.

Commissioner d'Oronzio – Some of this needs to be uniform. In the financing world, 2 to 4 units is a Fanny May/Freddy Mac residential loan with some overlays on it. Three units or less or four units or less is confusing the issue. I think that 5 units and up needs to be something different than the one before we are going to make a distinction.

Commissioner Schwarz – I think the big thing is sprinklers. There are exceptions but it is only if there is not enough water supply. We need to figure out exactly what we are trying to accomplish out of it. I am weary of the idea. I feel the people who would most benefit from this would also be the people most likely to get hurt from it if it was bad.

Commissioner d'Oronzio – I think we need to drill down on this, or somebody needs to drill down on this.

Commissioner Stolzenberg – That is why we should say that they study it.

Commissioner d'Oronzio – We recommend examining and adjusting it.

Commissioner Schwarz – There are things built into the residential code that says anything that refers to 4 or more units. Somebody has already baked some things into the residential code that links back to the commercial code if you get more than so many units.

Commissioner d'Oronzio – We are doing a wholesale adjustment on a lot of things looking at each segment. We need to relook at this thing in the same way of deeds and covenants. We have been making a whole series of assumptions that are baked in to do. Are all these assumptions still valid today? Do we want to adjust at the 3-, 4-, 5-, 6-, and 7-unit level? That makes sense to do that. Let's get organized and do it. I guess that is what we are trying to tell the state.

Commissioner Stolzenberg – I think we should tell the state to study it.

Commissioner Solla-Yates – 'We recommend the creation of a study committee to review issues of safe and efficient street designs as they may conflict with fire apparatus access.'

Commissioner Joy – We could use similar language for the one above it. You could say, 'we recommend the creation of a study committee to review issues around 6 units and below.' It feels less triggering. They can adjust the threshold and adjust the code too, so they can get to a place that makes it not crazy.

Commissioner Stolzenberg – The first additional item is funding support for the Commonwealth Corridor Train to Richmond and Hampton Roads. There is currently an ongoing federally funded study for that.

If there is any item that came out of the lawsuits against our comprehensive rezoning that could be good to have fixed in state code, because nobody has done comprehensive rezonings for a long time. Certain laws have been passed that make it weird if they apply, which is being disputed in court. The one in particular is Section 15.2.2222.1. If there is a substantial impact on a state-controlled road, then you must do a traffic impact analysis assuming the highest possible use permitted. For a specific rezoning, that makes sense. To say that we are going to rezone 800 parcels and must assume that each of them will become a convenience store that is 60,000 square feet, it ends up with a nonsensical outcome. It is not that bad for us. As a city, our roads are not state maintained. If in the county, all their roads are state maintained. You will most certainly have a substantial impact. For us, we deemed that it does not apply to us. Our position in court that it does not apply is the legal standard and therefore does not apply for our rezoning.

Commissioner d’Oronzio – Is this a little, considering that we have all these moving targets in northern Virginia and here in Charlottesville? Are we a little forward in our skis in asking for this now?

Commissioner Stolzenberg – Wait until it is overthrown? I don’t think so. It does not make sense. Even if we win on the basis of we said that it does not apply to us and our roads are not state maintained, so it applies to only roads in the county. We are not going to generate that many trips out there. It still does not make sense because the law is clearly written to apply to an individual rezoning.

Commissioner d’Oronzio – This only applies if you have a specific rezoning request, not by the local authorities in mass rezoning.

Commissioner Stolzenberg – You could do it by parcel. You could say who initiates it. You could say that VDOT shall create regulations for comprehensive rezoning that are separate and don’t require a TIA. My hope was that we could tell Rob to draft us a language on how to fix this. The Planning Commission would say, ‘please ask the city attorney’s office to ask if we have any changes we would like to make in state law based on what we have learned from our consultations with Sands Anderson.’

Ms. Creasy – You are trying to communicate clarity that this means a specific rezoning, which could have parameters such as X number of parcels, X acreage, not a full locality comprehensive review.

Mr. Freas – One thing about that is you are noting is that it requires a traffic study. The traffic study must use the highest use. That last bit is not in the state code. That is in the VDOT regulations. VDOT does not anticipate anybody ever doing a comprehensive rezone that is more like a concept to them. The problem that you are trying to solve is VDOT’s regulations, not the state code.

Commissioner Stolzenberg – We request clarification in state law about how Chapter 22, restrictions on rezonings, apply to comprehensive rezonings, including 15.2222.1.

Mr. Freas – I am sensitive about bringing this up. While this is the only issue, we followed this exactly. We followed what is in the state code.

Commissioner Stolzenberg – It is easy for us to follow. It is hard for counties to follow.

Commissioner d’Oronzio – There may be an interest in, depending on how that case comes out, what the argument is.

Commissioner Joy – If there was a lesson learned that came after the cases, this lack of clarity could create a chilling effect that other areas might be reluctant to pass a rezoning. With some clarity, maybe they won’t have

the same legal obstructions that Alexandria, Arlington, and Charleston went through. Waiting until you have an outcome is reasonable.

Charlottesville Planning Commission Chair asked Commissioners Solla-Yates and d’Oronzio to draft a memo of potential legislative items for discussion at their August 27, 2024 work session. The Commission reviewed and updated and would like to provide the following for consideration of the City Legislative Committee:

- 1. We believe that these earlier legislative priorities continue to be important:**
 - a. “We support legislation which would increase affordable housing accessibility by enhancing the rights of tenants, including:**
 - **Amending the Virginia Residential Landlord and Tenant Act to allow tenants to raise unsafe or unsanitary conditions as an affirmative defense to non-payment of rent;**
 - **Allowing indigent tenants to waive their appeal bond in landlord-tenant disputes;**
 - **Requiring landlords to disclose a complete list of additional fees in a separate document prior to the signing of a lease; and**
 - **Authorize localities to pass rent stabilization ordinances for residential rent in mobile home lots and multi-family dwellings.”**
 - b. “...allow all localities the option of enacting a one-cent sales tax increase to provide local revenue for the construction or renovation of public-school facilities. Currently, only a few localities have been designated as “qualifying localities” under the provisions of Va. Code §§58.1-602, 58.1-605.1, and 58.1-606.1 to raise revenue in this manner, yet the need for this additional revenue source extends beyond those few localities that have it.”**
<https://law.lis.virginia.gov/vacode/title58.1/chapter6/>
- 2. We additionally recommend that House Bill number 2012 offered January 11, 2023 by Delegate Sally Hudson amending “58.1-3221.1. Classification of land and improvements for tax purposes.” be considered again, and add all other localities participating in the Thomas Jefferson Planning District Commission. This speaks to current housing and transportation plans.**
<https://lis.virginia.gov/cgi-bin/legp604.exe?231+ful+HB2112>
- 3. We recommend expanding tree requirement powers granted in “15.2-961.3. Replacement of trees during development process in localities.” to permit the requirement for greater than a twenty percent tree canopy in flood plains and riparian areas.**
<https://law.lis.virginia.gov/vacode/title15.2/chapter9/section15.2-961.3/> (The Commission wanted to flag this for legal review)
- 4. We support changes to statewide policies which facilitate the creation of affordable housing such as ADU policies and resources for land housing nonprofit organizations.**
- 5. We support an expanded timeline and resources to purchase mobile home parks. Supporting purchase documentation should be required to be shared with tenants as they become available. We likewise recommend increasing compensation for tenants at purchase and linking that rate to inflation.**
- 6. We support the creation of a state School Streets program and funding for design and implementation similar to Canadian and European examples.**
- 7. We recommend the creation of a committee to study deed restrictions and covenants to ensure compliance with law, equity and affordable housing goals. We recommend studying regularization of terms for consistency.**
- 8. We recommend examining the state building code to consider treating six units and below under the residential code, the same as single family and duplex and continue to treat buildings with seven units and above as commercial, similar to the Memphis, Tennessee example.**
- 9. We recommend creation of a study committee to review issues of safe and efficient street design as they may conflict with fire apparatus access.**

10. We recommend funding the Commonwealth Corridor train from Roanoke to Hampton Roads via Cville and Richmond.

Adjournment

The meeting was adjourned at 6:07 PM

Public Comments

There were no public comments during this Planning Commission Work Session.