



Executive Summary

Module 1 of the Zoning Rewrite

February 2023 Draft

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Zoning Rewrite Overview

- **“Zoning” refers to the regulations that govern the development of buildings and use of land.**
 - It ensures that we construct buildings and use land in ways that promote positive outcomes for the community.
 - The adopted Comprehensive Plan, Affordable Housing Plan, and Small Area Plans lay out the long-term vision and policy goals for the city. Through regulation of development, the Zoning Ordinance is one of the primary tools to implement the visions and goals of these plans.
- **When we say we are “rewriting the zoning ordinance” we mean that we are examining all pieces of the zoning ordinance to ensure that:**
 - 1: The Zoning Ordinance supports the Comprehensive Plan (including the Future Land Use Map) and other adopted plans, such as Small Area Plans and the Affordable Housing Plan.
 - 2: We mitigate the flaws and barriers to development previously identified by City planning staff, elected and appointed officials, and community members.
 - 3: The new zoning will be easier to read and apply for everyone involved.
- **Some sections of the Zoning Ordinance will be completely re-written while other sections may adapt or utilize text from the current Zoning Ordinance.**

Learn More

- **View all Module 1 materials at cvilleplanstogether.com/draft-zoning/**
- **View “Zoning 101” resources to learn more about the purpose of zoning and this rewrite: [Cville Plans Together website](https://cvilleplanstogether.com/zoning-plan/) (cvilleplanstogether.com/zoning-plan/)**
- **View the Future Land Use Map:** See the Land Use, Urban Form, and Historic & Cultural Preservation Chapter in the [Comprehensive Plan](#) (found at the link, or charlottesville.gov/DocumentCenter/View/7073)
- **View the Affordable Housing Plan:** [Cville Plans Together website](https://cvilleplanstogether.com/affordable-housing-plan/) (cvilleplanstogether.com/affordable-housing-plan/)

Module Overview

- The new Zoning Ordinance is being drafted in three “Modules,” which are pieces of the draft zoning. The topics covered in each module are:
 - **Module 1:** Zoning Districts, Rules of Measurement, Land Use Table, Zoning Map
 - **Module 2:** Development Standards (landscaping, parking, signs, lighting, etc.) – *Plan to release during the week of March 13*
 - **Module 3:** Zoning Administration (review processes) – *Plan to release during the week of April 3*
- This document summarizes the purpose and proposed changes to the sections of the Ordinance covered in each module. This document provides a high-level overview. The full modules are also (or will also be) [available for review](#).
- For more information about the general approach to the zoning rewrite, you may wish to review two documents shared with the Charlottesville community in summer 2022:
 - [Zoning Diagnostic + Approach Report](#) (finalized in fall 2022)
 - [Draft Inclusionary Zoning Analysis & Recommendations](#)
- Please visit CvillePlansTogether.com for the latest information about the zoning rewrite, including responses to [frequently-asked questions \(FAQs\)](#).

Sections of the Current Zoning and Proposed Zoning

- Each module includes one or more sections (also called “Articles”) of the Zoning Ordinance.
- The table below shows the outline of the current zoning ordinance (Chapter 34 of the Charlottesville Code of Ordinances) on the left and the proposed format for the new zoning ordinance on the right.
- Once the new zoning is adopted, it will replace the current zoning in Chapter 34.

Current Zoning Outline	Draft Proposed Zoning Outline
Chapter 34 of the Charlottesville Code of Ordinances: Zoning (Existing Code)	Chapter 34 of the Charlottesville Code of Ordinances: Zoning (Update)
<ul style="list-style-type: none">• Article I. Administration• Article II. Overlay Districts• Article III. Residential Zoning Districts• Article IV. Commercial Districts• Article V. Planned Unit Development Districts• Article VI. Mixed Use Corridor Districts• Article VII. Site Plans• Article VIII. Improvements Required for Developments• Article IX. Generally Applicable Regulations• Article X. Definitions	<ul style="list-style-type: none">• Article 34-1. Introductory Provisions• Article 34-2. Zoning Districts• Article 34-3. Use Regulations• Article 34-4. Development Standards• Article 34-5. Administration• Article 34-6. Definitions

Overview & Relationship to Current Zoning

- This Module includes the proposed Article 34-2, 34-3 for the new zoning ordinance and a first draft of the zoning map
- In the current Charlottesville Code of Ordinances, related topics are covered in [Chapter 34 \(Zoning\)](#), Articles II, III, IV, V, VI

Purpose

- **Article 34-2 (“Zoning Districts”)** describes the intent of each zoning district and the requirements for the form of development in each district.
- **Article 34-3 (“Use Regulations”)** describes the uses that are allowed in each district, and related standards.
- **The zoning map** identifies which zoning district is applied to each parcel in the city.

Major Proposed Changes

- **Changes to zoning districts and the zoning map:**
 - **Changes to implement the updated [Future Land Use Map](#)**, including more housing allowed in most residential and mixed-use areas
 - **Creation of an Inclusionary Zoning requirement** for developments over a certain size to provide affordable units
 - **Creation of a bonus** of additional height or units in exchange for the provision of affordable units
 - **Simplification** of mixed-use districts
 - **Allowance for small-scale commercial uses**, such as neighborhood retail and professional service offices, in additional areas
- **Use of building form to control intensity** rather than housing units per acre in higher intensity residential and mixed use districts
- **Clarifications to the way height is measured** and other rules for zoning districts that provide more predictable outcomes and more flexibility
- **Modifications to setback requirements**
- **Clarification of allowed uses**, including clearer definitions and better standards
- **Change in the format of the section** to use more graphics and tables to illustrate requirements

Related Topics not Covered in the Proposed Zoning Rewrite

- **Anti-displacement tools not related to land use**, including funding priorities
- **Revisions to Architectural Design Control and Historic Conservation overlay districts**

Please visit the website to view the map in more detail. Available resources include a high-resolution PDF, an interactive map, and a document displaying current and proposed zoning by Neighborhood Planning Area.

RESIDENTIAL

- Residential A (R-A)
- Residential B (R-B)
- Residential C (R-C)

RESIDENTIAL MIXED-USE

- Residential Mixed Use 3 (RX-3)
- Residential Mixed Use 5 (RX-5)

CORRIDOR MIXED-USE

- Corridor Mixed Use 3 (CX-3)
- Corridor Mixed Use 5 (CX-5)
- Corridor Mixed Use 8 (CX-8)

NODE MIXED-USE

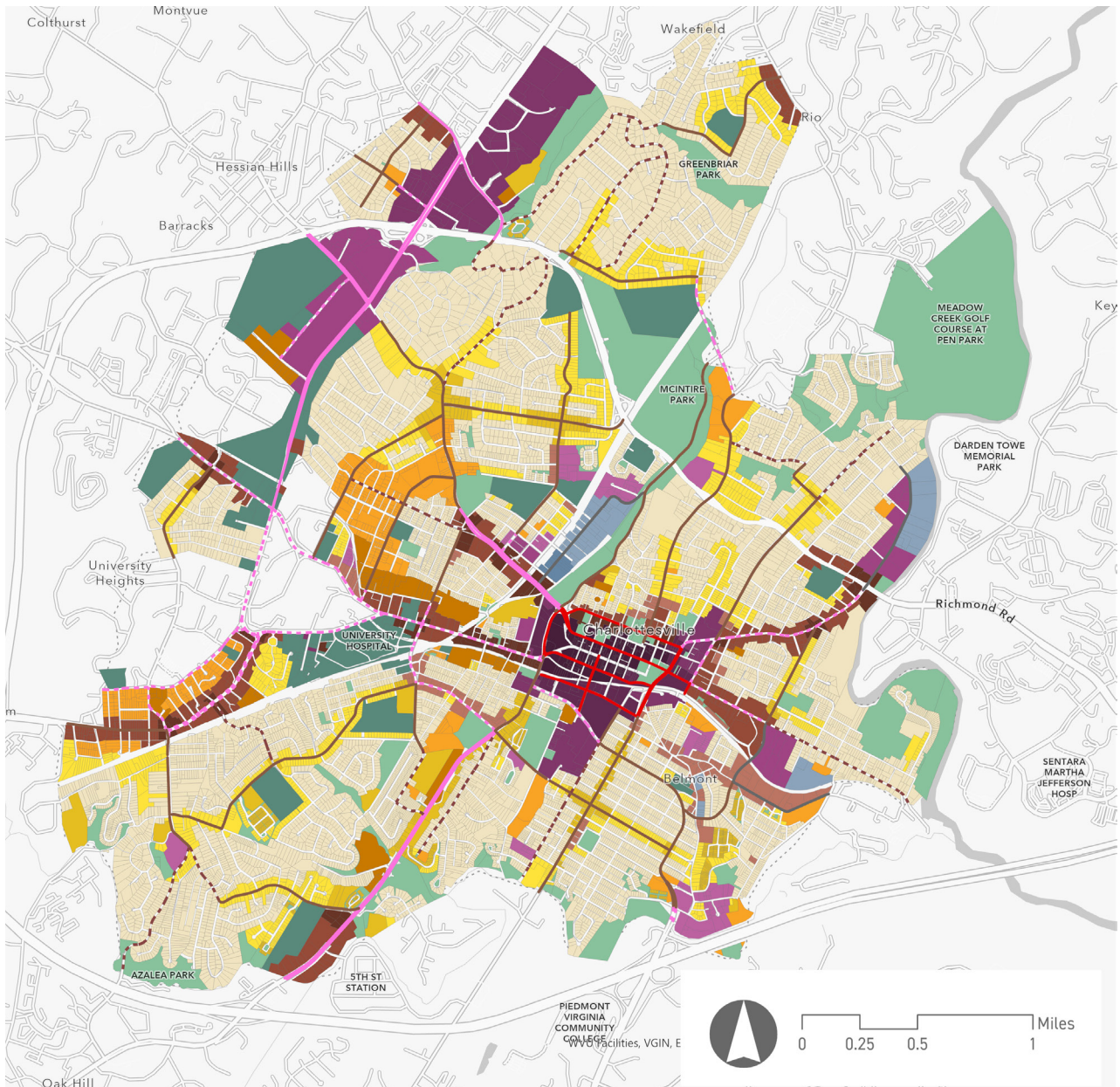
- Node Mixed Use 3 (NX-3)
- Node Mixed Use 5 (NX-5)
- Node Mixed Use 8 (NX-8)
- Node Mixed Use 10 (NX-10)
- Downtown Mixed Use (DX)

INDUSTRIAL FLEX

- Industrial Flex 5 (IX-5)
- Industrial Flex 8 (IX-8)

SPECIAL

- Civic (CV)
- Campus (CM)



List of Common Zoning Terms

- **Accessory Dwelling Unit:** An apartment or cottage on a lot where there is already a house. May also be called an in-law suite or granny flat.
- **Active depth:** The horizontal depth of a building that must contain active uses. Requirements aim to help minimize the impact of inactive spaces on the public realm and to promote a comfortable, safe, engaging, and attractive build environment.
- **Amenity space:** An area on a zoning lot designated to be used for active or passive recreation, calculated as a percentage of total zoning lot area. Certain amenity spaces may be reserved for use by building tenants.
- **Buffer:** A required landscape or fencing treatment along the sides or back of a lot that separates different land uses (for example, separating commercial and residential areas).
- **Build-to Zone:** The area on a lot between a minimum and maximum setback where a building's exterior walls must be built.
- **By-right:** A by-right project must meet all the requirements of the zoning ordinance but does not need approval from the City Council.
- **Canopy:** Tree cover.
- **Commercial Uses:** A category of land uses that includes stores, offices, restaurants, and similar uses.
- **Density:** The number of residential units allowed on a lot, with measurement based on the lot size.
- **Development or Site Plan:** The plans showing what someone wants to build. These are reviewed by City staff to make sure the proposed development will meet the requirements of the zoning ordinance.
- **Dwelling:** A single unit of residence for one or more persons.
- **Easement:** A right given to a person or entity to use land owned by another.
- **Encroachment:** Common building elements allowed to have a specified amount of relief from height and setback requirements.
- **Entry feature/entry space:** Improved design requirements applied to entrances along public areas.
- **Floor Area Ratio (FAR):** A formula that tells you how big a building can be based on the size of a lot.
- **Floor Area, Gross:** The total floor area within a building.
- **Impervious Surface:** A surface through which water cannot pass through, like most roofs, roads, sidewalks, or paved parking lots.
- **Inclusionary Zoning:** A requirement that a specific percentage of housing units in a project or development remain affordable for a specified period to households with incomes that are defined as moderate, low, or very low.
- **Infill:** Development of vacant or underutilized land within areas that are already largely developed.
- **Intensity:** A measure of the size of the building and scale of uses allowed on a lot.
- **Massing:** Includes building width along the primary street and the horizontal depth of a building along a side street.

- **Nonconforming:** A lot, structure, or use that conformed to the zoning regulations at the time it was established, but does not conform to current requirements of the zoning code.
- **Open Space:** An area on a lot reserved for active or passive recreation. Active recreation required the use of special facilities, such as sports fields, whereas passive recreation does not.
- **Overlay:** A designation on a zoning map that modifies the basic underlying designation in some specific manner. For example, overlay zones are often used to address the special needs of flood zones or historic areas.
- **Proffer:** In Virginia law, a voluntary commitment from a landowner or developer to reduce or eliminate the impact of new development on neighboring properties or the city.
- **Scale:** The size of buildings, streets, or other development elements.
- **Setback:** The distance that a building or structure must be located on the lot away from the property line.
- **Side wall:** The vertical dimension of the wall of a building or structure, supporting the roof structure.
- **Slope:** The angle of land that is not flat (for example, a 3% slope).
- **Special Use Permit (SUP):** A project that requires a special use permit must be reviewed by the Planning Commission and City Council. This review includes a public hearing during which members of the public can share their opinion about the project.
- **Stormwater Management:** Required actions or infrastructure that limit or reduce the amount of stormwater that flows off a property.
- **Street, Framework:** identified as the following street typologies in the Streets That Work plan: Downtown, Industrial, Mixed Use A, Mixed Use B, Neighborhood A, Neighborhood B
- **Street, Primary:** The street or streets abutting a zoning lot with the highest classification according to the Streets That Work plan.
- **Street, Side:** Any street abutting a zoning lot that is not designated as a primary street or alley.
- **Subdivision:** The division of land into defined lots that may be separately sold or leased. The process of subdivision often includes setting aside land for streets, sidewalks, parks, public areas, and other infrastructure needs.
- **Sublot:** A sublot is a parcel of land, existing with other sublots on a single zoning lot, intended for the purpose of the transfer of ownership or possession or for development.
- **Transition:** Required setbacks and buffers along common lot lines between zoning lots with different zoning designations.
- **Transparency:** The amount of transparent area (able to be seen through clearly) on a building facade.
- **Yard:** All portions of a lot between exterior walls of a building and a property line.
- **Zoning:** The division of the city into areas, or zones, that specify allowed uses and building placement and size restrictions. Zoning must implement the Comprehensive Plan.
- **Zoning lot:** A zoning lot is a parcel, tract, or area of land established by a plat or other means as permitted by law, which is to be used, developed, or built upon. Requirements of the zoning district (such as lot size, building coverage, and allowed number of units) and the subdivision ordinance apply to the zoning lot.