

CITY OF CHARLOTTESVILLE

"To be one community filled with opportunity"

Human Rights Commission
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www.charlottesville.gov/665/Human-Rights



October 19, 2023

Dear Mayor Snook and City Councilors,

Pursuant to the Sec 2-433 (c) of the Charlottesville Human Rights Ordinance, it is the role fo the Human Rights Commission to “identify and review policies and practices of the City of Charlottesville and its boards, and commissions, and other public agencies within the City and advise those bodies on issues related to human rights;”

I am writing to you on behalf of the Charlottesville Human Rights Commission to express our strong support for the new zoning code currently under consideration. This re-write of our zoning code represents a significant step toward achieving our shared goals of greater racial and economic equity and more ADA accessibility. In particular, the Human Rights Commission supports the attached coalition letter that was sent to the City Council and the Planning Commission on July 12, 2023. We strongly urge the City Council to pass the zoning ordinance with the recommendations made in that letter. There is an urgent need for additional affordable housing and a need to prevent displacement in historically Black neighborhoods.

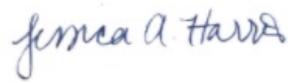
We ask that the final code address the issues listed below. Additional details can be found in the coalition letter, which is attached.

1. Prevent further displacement in historically Black neighborhoods through an Anti-Displacement Zoning Overlay and a toolkit of anti-displacement strategies.
2. Create affordable housing in every neighborhood by allowing for more density in historically exclusionary neighborhoods.
3. Expand affordability through tax abatements and housing vouchers.

Housing is a human right. The City Council has already taken the critical step of prioritizing racial equity as a guiding principle in the approved Affordable Housing Plan and Comprehensive Plan. We urge the City Council to prioritize zoning codes that aim to make housing more affordable for all while centering the concerns of Black residents who have historically borne the brunt of our housing crisis and discriminatory policies.

Thank you for your service to our community and for your attention to these issues.

Sincerely,

A handwritten signature in blue ink that reads "Jessica A. Harris". The signature is written in a cursive, slightly slanted style.

Jessica Harris
Chair
Human Rights Commission

Human Rights Commissioners:

- Jessica Harris (Chair)
- Ernest Chambers (Vice-Chair)
- Jeanette Abi-Nader
- Mary Bauer
- Wolfgang Keppley
- Kathryn Laughon
- Suzanne Lynn
- Andrew Orban

July 12, 2023

Dear City Council, Planning Commission, and Mr. Freas,

We are writing to support a zoning code that embodies the city's commitments to racial and economic equity, environmental justice, and a more accessible Charlottesville. The draft zoning code is a great improvement over our current code, which has historically played a major role in creating and perpetuating Charlottesville's affordable housing crisis. We have a number of recommendations that we think can further strengthen the draft zoning code and make progress toward important community goals. We call on you to incorporate these recommendations, and in a timely manner to finalize a zoning code centered on equity, opportunity, and environmental responsibility.

We begin by describing the context and our goals, and ask that you also consider the detailed recommendations included in the appendix. Please act quickly to address the urgent need for additional affordable housing and to slow the displacement happening in majority-Black neighborhoods.

Charlottesville's Affordable Housing Crisis

Charlottesville's affordable housing crisis has accelerated in recent years, disproportionately impacting Black and Brown community members. As housing prices have increased, displacement of low-income residents has become common. Black community members make up an outsized percentage of our area's rapidly growing homeless population. New housing voucher recipients often return their vouchers because they are unable to find a rental that meets HUD's affordability metrics even with government support. These longtime residents make Charlottesville vibrant, diverse, and welcoming. We strongly urge City Council to prioritize their well-being through aggressive and effective action on the zoning code, rather than prioritizing particular building and neighborhood aesthetics.

While the affordability crisis is most dire and acute for those residents earning less than 50% AMI, the high cost of housing also impacts a wider range of city residents, including public service employees essential to the well being of our community. Teachers, nurses, firefighters, city staff, and other community helpers commonly report having to move into Albemarle County and beyond to find housing that meets their budgets.

Turning Values into Policy

A challenge throughout this process is how to translate values such as racial justice, equity, and climate justice into specific zoning policies. Members of our coalition have spent countless hours listening to the community, researching, and discussing this challenge.

Our recommendations for the zoning code fall into five categories:

1. Maintain Medium Intensity zoning.
2. Improve Inclusionary Zoning regulations.

3. Provide flexibility to ensure a wide range of housing types are built.
4. Expand opportunities to reduce energy consumption and increase renewable energy production.
5. Proceed with the original plan for Sensitive Areas.

We provide significant additional detail in the appendix below.

A better zoning code is necessary but not sufficient on its own to address the city's affordable housing crisis. The city must also include the following in its affordable housing strategies:

1. Continue dedicating significant funding (at least \$10 million per year) for affordable housing, with particular attention to ensure the funding focuses on very low-income (<50% AMI) community members.
2. Invest in public transit, paratransit, and bike/pedestrian infrastructure that prioritizes low-income resident needs.
3. Ensure that resources are directed towards preventing displacement and that related programs are effectively communicated to those most vulnerable to displacement.
4. Fund adequate staffing to ensure compliance with zoning regulations and Comprehensive Plan recommendations.
5. Fund a program to support low-income homeowners in the so-called Sensitive Areas to encourage reinvestment/development for wealth-building and displacement prevention.

Affordable Housing in Every Neighborhood

Currently the burden of providing affordable housing in our area falls primarily on a few neighborhoods and their residents. But for Charlottesville to be a city welcoming to all, we believe every neighborhood should have the opportunity to incorporate its "fair share" of growth, strengthening affordability across all income levels. Doing so will add crucial diversity to our schools and other public resources – a key contributor to excellence.

Some of the draft zoning code adjustments currently being discussed – such as reducing heights in mixed-use districts and further scaling back medium intensity residential zoning – would make it more difficult for the city to meet its housing, racial equity, and environmental goals. We are concerned that the goals of equity and opportunity stated in the city's Affordable Housing Plan have been pushed to the side, which risks repeating the past mistakes that privilege the preservation of affluent neighborhoods over vulnerable neighborhoods and low-income residents. Change is a constant. We need your courage to guide the kind of change that prioritizes the majority of Charlottesville's residents and the evolution of a vibrant city with all kinds of housing for all kinds of people in all kinds of places.

Zoning for Equity and Opportunity

Zoning is a key to addressing our housing crisis. Strengthening the draft zoning code will reduce displacement, improve opportunity, and ensure the Comprehensive Plan's goals are met. The city must improve opportunities and reduce risk of displacement of historically marginalized groups by ensuring that all parts of the new zoning code work to improve racial equity.

The city's Affordable Housing Plan calls for a "ladder of housing opportunity." This means that we need a zoning code that allows a wide range of housing types and robust investment in designated affordable housing.

Climate-Smart Zoning

A climate-smart zoning code is key for the city to meet its environmental goals. Allowing energy-efficient homes and diversifying the housing options available will have significant benefits. Charlottesville should encourage development of missing-middle housing that optimizes space usage, emphasizes shared amenities, and preserves public green spaces. These measures reduce housing costs, decrease residential energy consumption and expense, and foster a more sustainable community.

Additionally, situating new housing near workplaces, essential services, and a wide variety of transportation modes helps reduce transportation expenses, lower greenhouse gas emissions, and reduce dependence on private vehicles. This will promote shorter commutes and encourage greater utilization of public transit and paratransit services, resulting in a healthier and more accessible, enjoyable, and environmentally friendly city.

Thank you for your consideration and service to our community.

Co-signed by:

Charlottesville Low-Income
Housing Coalition

Public Housing Association of
Residents

Charlottesville Albemarle
Affordable Housing Coalition

Piedmont Housing Alliance

Fifeville Neighborhood
Association

Cultivate Charlottesville

The Tonsler League

Legal Aid Justice Center

Human Rights Commission of
Charlottesville

The Equity Center at UVA

Community Climate
Collaborative

Piedmont Environmental
Council

Divest UVA

Environmental Justice
Collective at UVA

Livable Cville

Charlottesville Democratic
Socialists of America

Indivisible Charlottesville

Showing Up for Racial Justice
(SURJ) - Charlottesville

Officers of the Charlottesville
Clergy Collective

International Rescue
Committee - Charlottesville

Virginia Organizing

Charlottesville Education
Association

Charlottesville United for
Public Education

UVA Student Council Executive
Board

University Democrats at UVA

UVA Survivors

Young Democratic Socialists of
America at UVA

Appendix - Detailed Zoning Recommendations

We believe the following should be part of the zoning code:

1. Maintain medium intensity zoning.

- a. Allow more housing in medium intensity areas, particularly historically exclusionary areas, to expand the stock of affordable housing and improve opportunities for integration and children's educational success, reduce the housing stock's carbon footprint, and cut emissions from longer commutes.
- b. Better align the draft zoning map with the Future Land Use Map (FLUM) unanimously adopted by the City Council. Module 1 proposes lower intensity R-A and R-B districts for some areas designated as Medium Intensity Residential by the FLUM. Allowing more multifamily buildings, cottage courts, and townhouses in more areas is a way to reduce displacement in sensitive communities and expand opportunities for integration of historically exclusionary neighborhoods.
- c. Quality streets, sidewalks, public transit, utilities, and schools are vital to our community, but the need for infrastructure improvements is not a valid excuse to reduce opportunities for medium intensity housing. Good land use planning should inform the development of infrastructure. Otherwise, past mistakes and historically biased planning decisions will be repeated. Smarter land use and better infrastructure should complement each other, not be pitched against each other.

2. Modify the Inclusionary Zoning regulations to improve financial feasibility and achieve deeper affordability.

- a. Set affordability requirements at <50% AMI, rather than the current <60% AMI
- b. Provide automatic tax reductions/abatements/reimbursements for designated affordable homes.
- c. Include infrastructure cost-sharing, process-based strategies such as expedited reviews, and other tools that will improve feasibility of designated affordable housing development.
- d. Make explicit in the zoning code that the city will actively review each project to potentially contribute funding to achieve deeper affordability (or some similar mechanism).
- e. Consider allowing increased density and/or change in the ratio of affordable units if deeper levels of affordability (e.g. <30%) are provided.
- f. Identify ways to pair vouchers with development to create additional housing opportunities at all income levels.

3. Provide flexibility to ensure new housing can be built.

- a. Increase height restrictions in R-A, R-B, and mixed-use zones for multi-unit buildings to provide more opportunities for affordable housing.
- b. Ensure setbacks and lot coverage regulations allow for new housing to be built.
- c. Eliminate minimum lot size requirements. Minimum lot size rules will exclude smaller, more affordable housing.

- d. Allow stacked townhouses, which provide excellent opportunities for affordable housing ownership and rentals that can accommodate larger families. They feature prominently in the Kindlewood (formerly Friendship Court) redevelopment and should be allowed citywide.
- e. Increase the amount of housing allowed in student housing corridors while ensuring that displacement does not occur in sensitive communities.

4. Expand opportunities for incentivizing reduced energy consumption and increased renewable energy production.

- a. Exempt net zero enabling technologies, including but not limited to solar panels, insulation, and front door vestibules, from height and setback requirements.
- b. Allow solar panels to be visible in all districts.
- c. Allow solar canopy coverage to substitute tree canopy coverage in parking lots.
- d. Incentivize low emission buildings through expedited permitting, reduced permitting fees, and density bonuses.
- e. Provide incentives to add solar panels to existing buildings.
- f. Maintain elimination of parking minimums proposed in Module 2.
 - i. Parking minimums prevent quality infill housing development, make housing more expensive, have significant negative environmental and climate impacts, and lock the City into a car-oriented future.
 - ii. Elimination of parking mandates should be paired with commitments to further investment in transit, re-evaluation of on-street parking management, a thorough Transportation Management Plan, and prioritization of low-income resident transit needs.
- g. Allow more neighborhood-scale commercial uses by-right in all residential areas.
 - i. Reduce car-dependency and carbon emissions by providing more goods and services people can access by walking, biking, and transit.
 - ii. Promote neighborhood community and encourage small business development. These types of neighborhood businesses were once legal throughout much of Charlottesville and should be legalized again.

5. Proceed with the original plan for Sensitive Areas.

- a. Additional density if and only if the first extra unit is affordable
- b. New development in Sensitive Areas should preserve original home
- c. Ensure there is a policy provision outside the zoning code that provides a dedicated source of funding to help low-income homeowners in those districts reinvest in their properties and improved property tax relief and rent relief programs to assist very low-income residents (under 50% AMI) to avoid displacement.
- d. Stop using the designation "Sensitive Areas" and identify an alternative name for these areas based on feedback from residents of these neighborhoods