



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

CPCR 2022-094: to amend the City of Richmond's Master Plan to change to the Future Land Use designations for Oregon Hill as described in the attachment to City Council Resolution 2022-R033

To: City Planning Commission
From: Office of Equitable Development
Date: August 15, 2022

PETITIONER

Richmond City Council

LOCATION

Oregon Hill

PURPOSE

To amend the City of Richmond's Master Plan to change to the Future Land Use designations for Oregon Hill as described in the attachment to City Council Resolution 2022-R033

REASON: A City Planning Commission resolution is necessary to amend the Master Plan.

SUMMARY & RECOMMENDATION

Section 17.06 of the City Charter authorizes the City Planning Commission to adopt a Master Plan, and then the Master Plan is approved by City Council.

This resolution calls for City Planning Commission to change the future land use designations for Oregon Hill on the Future Land Use Map (p. 53 of the Master Plan), as follows:

- change the color designation of the Oregon Hill neighborhood from Neighborhood Mixed-Use to Residential except for:
- retaining the current colors distinguishing the Institutional and Community Mixed-Use areas along and near Cary Street;
- coloring those areas which are zoned B-1 Neighborhood Business District along Idlewood Avenue, Albemarle Street, and Spring Street as Neighborhood Mixed-Use; and
- coloring the existing institutional use within the southern portion of the Oregon Hill neighborhood as Institutional

A revised page 53 is included as an attachment to this staff report.

Staff finds that this resolution does not correctly apply the future land use categories set forth in the Master Plan. Staff finds that the proposed changes undermine the integrity of the Master Plan overall. Staff finds that neighborhood mixed-use is the appropriate designation for Oregon Hill due to the current density, the size of the parcels, the scattering of commercial and institutional uses generally at corners and along corridors, and the highly-walkable built environment. Staff finds that the Master Plan was adopted after several years of extensive community engagement and the final Master Plan was adopted after making significant revisions in response to community

comments, including changes based on comments from Oregon Hill community members. Staff finds that making these changes after only 60 days of notice is poor public planning process, especially given that the Master Plan was adopted less than 2 years ago and that Oregon Hill comments were heard during the plan development process and responded to in the final Master Plan.

Therefore, staff recommends denial of this resolution.

FINDINGS OF FACT

Richmond 300: A Guide for Growth was developed with extensive community input.

The City Planning Commission appointed an Advisory Council by City Planning Commission Resolution 2017-79 to guide the development of the Master Plan. The Advisory Council met from January 2018 to September 2020. Over the course of three years, the staff of the Department of Planning and Development Review held and attended hundreds of meetings and collected thousands of comments and survey responses to create the new Master Plan. The Advisory Council recommended that the City Planning Commission adopt the new Master Plan at a meeting held on September 16, 2020.

The City Planning Commission conducted a public hearing on the draft Master Plan on June 1, 2020, and a public hearing on the pre-final Master Plan on September 21, 2020 for the purpose of receiving public comment relative to the Master Plan. City staff met with members of the Oregon Hill neighborhood on September 23, 2020 to review the changes from the draft to pre-final Master Plan based on input from the neighborhood.

The City Planning Commission reviewed the Master Plan, took into consideration comments received at its public hearings, and received a report responding to the comments from the Director of the Department of Planning and Development Review, which is contained in the record of this Commission's proceedings from June and October 2020.

The City Planning Commission adopted a Master Plan on October 5, 2020 by resolution 2020.050. At that meeting, staff gave a presentation the changes that were made between the draft Master Plan and the pre-final Master Plan in response to Oregon Hill's comments. The City Council approved said Master Plan by Ordinance 2020-236 on December 14, 2020.

The individuals who served on City Planning Commission, the Richmond 300 Advisory Council, and the Richmond 300 Land Use Working Group are listed below.

City Planning Commission

Rodney M. Poole, Chair
Melvin Law, Vice Chair
Max Hepp-Buchanan
Elizabeth Greenfield
David Johannas

Vik Murthy
Lenora G. Reid
Ellen F. Robertson
John Thompson

Advisory Council Members

Rodney Poole
Chair and Economic Development Working Group Member
Max Hepp-Buchanan
Vice Chair and Transportation Working Group Co-Chair
Burt Pinnock
Vice-Chair and Housing Working Group Co-Chair
Jonathan Bibbs
Economic Development Working Group Member
Mayda Colón – joined August 2019
Environment Working Group Member
Cyane Crump
Land Use Working Group Member
Louise Lockett Gordon
Transportation Working Group Member
LaToya Gray
Housing Working Group Member
Bernard Harkless
Economic Development Working Group Co-Chair
Ashley Hawkins
Housing Working Group Member

Joyce Knight
Housing Working Group Member
Elyana Javaheri – resigned July 2019
Environment Working Group Member
Preston Lloyd
Land Use Working Group Member
Monica Lozano
Environment Working Group Member
Jer'Mykeal McCoy
Economic Development Working Group Member
Jennifer Mullen
Transportation Working Group Member
Kendra Norrell
Environment Working Group Member
Gray O'Dwyer
Land Use Working Group Member
Damian Pitt
Environment Working Group Co-Chair
Ted Ukrop
Land Use Working Group Co-Chair
Meredith Weiss
Economic Development Working Group Member
Olivya Wilson
Housing Working Group Member

Land Use Working Group At-Large Members

Andrea Almond
Shawn Balon
Eldon Burton
Jeff Eastman
Stacey Farinholt
Tim Feehan
Bruce Gould
Timothy Hayes
Dave Johannas
David Lambert
Charles Macfarlane
Andrew Moore

LaJuan Neal
Clare Novak
Cristy O'Keefe
Jerry Peters
Michael Phillips
Andrea Quilici
Brooke Saba McDowell
Genni Sasnett
John Sydnor
Sarah Weisiger
Alexander Winston

Future land use designations are both visionary and strategic.

Many people commonly conflate zoning with future land use. Future land use is not zoning. The Master Plan provides a description of future land use:

Future land use designations are both visionary and strategic, and include language about how the area should look and feel in the future, but do not specify what an owner can or cannot legally do with their property. Future land use is an important tool in helping communities envision the future of a place without getting into the implementation of how, specifically, the buildings, streets, public spaces, and parks will be designed and built.

Once a future land use map is adopted, the City and others, utilize various tools (zoning, streetscape projects, park and open space projects, transportation improvements, and economic development programs) to achieve its vision.

Each Future Land Use Category is realized with a variety of zoning districts. Each Future Land Use Category does not align with only one zoning district, but rather, several zoning districts.

– Richmond 300: A Guide for Growth, p. 52

The future land use designation may prescribe a built environment that is similar to current conditions, marginally different, or in complete contrast to what exists today. For the vast majority of the City, the future land use designation is similar to current conditions.

The Future Land Use Map was created through an iterative and interactive process that resulted in staff making revisions to the Map and the descriptions of the designations in response to community input.

City staff analyzed parcel size, existing land use, density, existing built form, historic development patterns, street layouts, walkscore, and planned transportation improvements (identified in the Future Connections Maps) to develop the Future Land Use Map. City staff also utilized the findings of the Urban Design Typology Analysis to help develop the future land use categories (this analysis is a supporting document of the Richmond 300: A Guide for Growth Master Plan and found on the Master Plan website). The process to create the Future Land Use Map was iterative and included coordinating with the transportation, economic development, housing, and environment components of the Master Plan.

The Advisory Council established a Land Use Working Group that met 6 times from March to July 2019 to develop a draft Future Land Use Map. The 4 other Working Groups (transportation, economic development, housing, and environment) also reviewed the draft Future Land Use Map and provided input during a Working Group Summit in July 2019. In September and October 2019 the City collected comments on the draft Future Land Use Map during Community Consultation #2. After reviewing the comments, City staff made several changes to the Future Land Use Map to respond to community input. In June 2020 the City shared the draft Master Plan with the community and received more comments on the Future Land Use Map during Community Consultation #3. Once again, City staff adjusted the Future Land Use Map to respond to community input and included the adjusted Map in the pre-final and final Master Plan documents.

While the process to develop the Master Plan was stewarded by the Department of Planning and Development Review, the document was not created solely by staff but rather is document

authored and accepted by thousands of Richmonders who offered thousands of comments through over one hundred (100) sponsored meetings, two hundred thirty (230) civic association meetings, dozens of formal public hearings at City Planning Commission and City Council. Although the final document may not satisfy every individual, it does reflect a consensual, shared vision towards our preferred future built environment. It balances the needs of existing residents with future ones, as well as particular neighborhoods with the City as a whole. The changes to Oregon Hill's land use designation have been previously considered. While the community and governing bodies made adjustments to the plan, they elected not to make the wholesale future land use change.

The Master Plan's future land use categories are intended to be applied to several contiguous blocks.

The resolution requests for future land use categories to be applied at a parcel-by-parcel level, which is an incorrect application of the future land use categories. The "Neighborhood Mixed-Use" description already accounts for the occasional occurrence of commercial uses as secondary uses within the predominantly residential neighborhoods. The description of the "Residential" and "Neighborhood Mixed-Use" already include "Institutional" uses as secondary uses. None of the future land use categories were envisioned to be applied to singular parcels surrounded by other future land use categories. The future land use categories should be applied to several contiguous blocks. The resolution seems to be conflating future land use with zoning.

Areas designated as "Residential" in the Future Land Use Map are neighborhoods consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.

The description of "Residential" in the Master Plan is as follows:

Development Style: Houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings.

Ground Floor: Not applicable.

Mobility: Bicycle and pedestrian access are prioritized and accommodated. Low residential density means that it is not possible to provide frequent transit within these areas; however, frequent transit may be found at the edges of these areas within more intense future land use designations. Many homes have driveways and/or garages, which are located off an alley behind the home if an alley is present.

Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre.

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets (see Street Typologies Map).

– Richmond 300: A Guide for Growth, p. 54

Oregon Hill has stated that the development pattern of Oregon Hill is the same as that of the Randolph neighborhood. However, that is not the case. In the 1970s, Richmond Redevelopment and Housing Authority razed and redeveloped large portions of the Randolph neighborhood into larger lot single family home style. While there are some smaller sized lots, the parcels in Randolph are on average medium-sized lots of a similar scale of other areas of the city that have the “Residential” designation. Furthermore, Randolph does not have commercial uses within its neighborhood.

Oregon Hill’s development pattern is not the same as the “Residential” areas. Oregon Hill has commercial uses within it, whereas the “Residential” areas are predominately residential with no other uses, except maybe institutions. Parts of the city with the “Residential” future land use designation include Westover Hills, Forest Hill, Huguenot, Windsor Farms, Ginter Park, Brookbury, Woodhaven, Davee Gardens, Battery Park, Randolph, and Highland Park. In the urban design typology map, the areas with “Residential” future land use designations are generally either the Streetcar Neighborhood, the Post-war Suburb, or the Estate Neighborhood typologies. Oregon Hill’s urban design typology is Historic Urban Neighborhood.

Areas designated as “Institutional” in the Future Land Use Map are campus-like institutional settings.

The description of “Institutional” in the Master Plan is as follows:

Public and quasi-public entities, such as local, state, and federal government, hospitals, universities, schools, and religious institutions.

Development Style: Several buildings owned by an institution are often connected by an engaging character that creates a campus-like environment.

Ground Floor: Active commercial ground floor uses are required on street-oriented commercial frontages. Residential uses may be permitted on the ground floor in certain sections of the area. Regardless, ground floor residential units should still have street-oriented façades with setbacks, front yards, and balconies where appropriate.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. New driveway entrances are prohibited on priority and principal street frontages and minimal driveway entrances are allowed on secondary streets. Ground floor parking is prohibited on principal street frontages.

Intensity: Varies.

Primary Uses: Institutional, cultural, government, and open space.

Secondary Uses: Retail/office/personal service and multi-family.

– Richmond 300: A Guide for Growth, p. 69

While there are many institutions located throughout Richmond’s neighborhoods, the Future Land Use Map does not individually identify every single institution use at a parcel level. The Future Land Use Map identifies the larger campus-like institutions (such as the universities) and Richmond Public Schools as “Institutional.” Most of the future land use categories include “Institutional” as a secondary use to account for the fact that there many institutions existing within neighborhoods (such as religious buildings, private schools, and libraries) and that new institutions are added to communities overtime.

Areas designated as “Neighborhood Mixed-Use” in the Future Land Use Map are existing or new highly-walkable urban neighborhoods.

The description of “Neighborhood Mixed-Use” in the Master Plan is as follows:

Existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.

Development Style: These areas feature a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. New developments on larger parcels continue or introduce a gridded street pattern to increase connectivity within the neighborhood and to adjacent neighborhoods. In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish. In new neighborhoods, small scale commercial buildings should be introduced.

Ground Floor: Regardless of use, buildings should engage the street with features such as street-oriented façades with windows and door openings along street frontages. Appropriate setbacks, open space, front porches, elevated ground floors, and other features that provide a sense of privacy should be provided for residential uses.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. New driveways are prohibited on Priority and Principal Street frontages. Vehicular access to parcels should use alleys wherever possible. Parking areas should be located to the rear of street-facing buildings.

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets (see Street Typologies Map). Parcels are generally between 1,500 and 5,000 sq. ft.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multi-family buildings (10+units), retail/office/personal service, institutional, cultural, and government.

– Richmond 300: A Guide for Growth, p. 56

Oregon Hill as a similar lot size, architecture, and development history as the other established “Neighborhood Mixed-Use” areas, which include Carver, the Fan, the Museum District, Jackson Ward, Church Hill, and Union Hill.

One element of existing “Neighborhood Mixed-Use” areas is that within the predominantly residential neighborhood, these areas of the city contain a small, but critical amount of commercial uses. While Oregon Hill does not have a lot of commercial uses, approximately 4% of its acreage is commercial. Approximately 5.8% of Union Hill is commercial, approximately 3% of the Fan/Museum District is commercial,ⁱ and approximately 8% of Jackson Ward is commercial. These corner commercial establishments exist and thrive because they are located within a walkable, dense, connected urban fabric. Comparatively, Randolph and other areas with the “Residential” future land use designation have virtually no commercial land uses.

Today, Oregon Hill is a mixed-use residential neighborhood and historically, it was a mixed-use residential neighborhood.

Similar to other “Neighborhood Mixed-Use” areas of the City, the predominant land use category in Oregon Hill is residential. The commercial and institutional uses, typically found at corners and along major streets, make Oregon Hill a walkable, urban community where residents can easily walk to local serving retail. Staff analysis of the neighborhood shows that this is what currently exists, and the “Neighborhood Mixed-Use” future land use designation prescribes preserving it. As the City rewrites the zoning ordinance, and rezone the City, staff will recommend rules that generally preserve the form, style, and density of this neighborhood. Like other Neighborhood Mixed-Use areas, Oregon Hill generally looks the same as it did a century ago, and will likely look the same a century from now, if not more certainly in twenty years, which is the scope of Richmond 300. Oregon Hill’s future land use designation should continue to be Neighborhood Mixed-Use.

The resolution seeks to change much of the future land use designation in Oregon Hill to “Residential,” which means a more homogeneous neighborhood consisting primarily of single-family houses on large-to-medium-sized parcels. This is significantly different than what exists today. While actualizing “Residential” future land use would lead to the adoption of zoning rules that limit the height and density of structures, it would also support zoning rules (and special use permits) that allow for the demolition of historic buildings and consolidation of parcels to build larger, detached homes, as well as the reduction, if not prohibition, of non-residential uses in the neighborhood. Staff does not believe this is what is desired.

Today, property owners can only build what is allowed by zoning in Oregon Hill

While the Master Plan is a policy document that sets a vision for the harmonious growth of the city, the zoning ordinance is the only document that legally sets the parameters for what property owners can build on their parcels. Today, Oregon Hill is zoned B-1, R-7, and R-63. Any

property owner must comply with their zoning when building on their property. If a property wants to build something that is different from what is allowed by zoning, then they may apply for a rezoning or a special use permit – both of these special approvals would require legislative approval by City Council.

The City has funding to initiate a comprehensive Zoning Ordinance rewrite.

The rewrite of the Zoning Ordinance has not yet begun and will likely start in 2023. The rewrite may include items such as a design and form requirements to ensure new development follows a development pattern that compliments historic building patterns and encourages the creation of walkable urban neighborhoods.

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ⁱ Note that the calculation of the commercial area in the Fan/Museum District “Neighborhood Mixed-Use” areas does not include the commercial corridors in those neighborhoods. Main Street and Cary Street are designated as “Community Mixed-Use” in the Future Land Use Map.

