

A G E N D A
JAMES CITY COUNTY POLICY COMMITTEE
REGULAR MEETING
Building A Large Conference Room
101 Mounts Bay Road, Williamsburg, VA 23185
February 23, 2023
2:30 PM

A. CALL TO ORDER

B. ROLL CALL

C. MINUTES

D. OLD BUSINESS

1. ORD-22-0003. Amendments for Calculation of Residential Development Density

E. NEW BUSINESS

F. ADJOURNMENT

ITEM SUMMARY

DATE: 2/23/2023

TO: The Policy Committee

FROM: John Risinger, Senior Planner; Tom Leininger, Principal Planner

SUBJECT: ORD-22-0003. Amendments for Calculation of Residential Development Density

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	1. Draft Ordinance	Backup Material
☐	2. Initiating Resolution	Backup Material
☐	3. January 12, 2023, Memorandum to the Policy Committee	Backup Material
☐	4. Comparison of Density Calculation Methods	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Policy	Cook, Ellen	Approved	2/17/2023 - 9:47 AM
Policy	Holt, Paul	Approved	2/17/2023 - 10:17 AM
Publication Management	Daniel, Martha	Approved	2/17/2023 - 10:21 AM
Policy Secretary	Condon, Paxton	Approved	2/17/2023 - 10:58 AM

MEMORANDUM

DATE: February 23, 2023

TO: The Policy Committee

FROM: John Risinger, Senior Planner
Tom Leininger, Principal Planner

SUBJECT: ORD-22-0003. Amendments for Calculation of Residential Development Density

Introduction

At the March 8, 2022, Board of Supervisors (BOS) meeting, a request was made to bring forward an Initiating Resolution to consider amending how residential density is calculated with a direction to explore using net acreage. This Initiating Resolution was adopted by the BOS at its meeting on April 12, 2022, which has been included in the Agenda Packet as Attachment No. 2.

The Policy Committee discussed this item at its January 12, 2023, meeting and sought additional guidance from the BOS regarding the intent of the request and if there should be any offset for the reduction in development potential. At its January 24, 2023, Business Meeting, the BOS provided further guidance stating that the intent of the request included avoiding pockets of high-density residential development and reducing impacts to the environment and directed staff to prepare Ordinance language utilizing net acreage for density calculations for consideration.

Following these discussions, the County Attorney's Office confirmed that the Initiating Resolution is applicable to all zoning districts which permit residential development. As a result, to meet the direction from the BOS, staff has included the A-1, General Agricultural, District as part of these considerations.

Proposed Ordinance Revisions

Staff has drafted proposed revisions to the Zoning Ordinance that would result in the use of net acreage for all districts which permit residential development. Staff has drafted the following definition to be included in Section 24-2 so that it can be uniformly referenced in all districts which permit residential development.

Density, net. Net density shall be calculated as the number of dwelling units divided by the developable area.

This definition would require that density be based on developable area which is defined as "the total land area of the site minus resource protection area as defined in the Chesapeake Bay Preservation Ordinance, areas subject to flooding under the one percent annual chance (100-year) storm event (FEMA zones A, AE, AO, V, and VE), and areas of 1,000 square feet or greater containing steep slopes (Refer to definition of "non-developable area" and "steep slopes.>")."

Staff has categorized the involved districts below based on the extent of the revisions and policy considerations. The full text of the proposed revisions is available in Attachment No. 1 and the memorandum and comparison of density calculation methods presented at the January 12, 2023, Policy Committee meeting have been provided as Attachment Nos. 3 and 4 for additional context.

A-1, General Agricultural/R-8, Rural Residential

The A-1, General Agricultural and R-8, Rural Residential, Districts currently do not have density requirements except for cluster subdivisions in the A-1 District. Instead, these districts have historically regulated the number of units per acre through the minimum lot size provisions. To implement a net density approach in these districts, staff has drafted new sections that would apply a density maximum for major subdivisions similar to the language used in other districts. In addition, the cluster configuration section has been updated to reference net density within the existing density standard. In the 2045 Comprehensive Plan, the Rural Lands land use designation recommends a density of one unit per 20 acres but does not state that it should be calculated using net acreage. As part of previous Ordinance revisions, the minimum lot size in these districts was revised to become consistent with the recommended density. Excluding non-developable areas could result in average lot sizes that are considerably greater than 20 acres. Staff finds that the minimum lot size requirement adequately ensures that the character of adjacent developments are compatible without requiring density to be calculated using net acreage and does not recommend revising these districts. Should the Policy Committee recommend utilizing net density in the A-1 and R-8 Districts, staff has included draft language for the districts in Attachment No. 1.

R-6, Low-Density Residential

The R-6, Low-Density Residential, District, similar to the A-1 and R-8 Districts, does not currently have density requirements and instead requires lots be a minimum of one acre in size. Implementing net density in this district would require the addition of a new section to regulate the density of major subdivisions. All land zoned R-6 is part of existing platted subdivisions which are mostly built out, thus, implementing a density requirement would not reduce development in lands zoned R-6. Further, the district is not envisioned to be used for future development proposals. This district remains in place to govern the existing neighborhoods and staff finds that no substantial benefit would be received from implementing net density in this district and does not recommend revising the district. Should the Policy Committee recommend utilizing net density in the R-6 District, staff has included draft language for the district in Attachment No. 1.

Residential Districts

The R-1, Limited Residential, R-2, General Residential, R-3, Residential Redevelopment, R-4, Residential Planned Community, R-5, Multifamily Residential, and PUD, Planned Unit Development, Districts utilize the stepped approach (described in Attachment Nos. 3 and 4). The Residential Cluster Development Overlay District also utilizes the stepped approach. Further, the Residential Cluster Development Overlay District is required by the Code of Virginia to utilize the same density standard as the base district. As the Residential Cluster Development Overlay District applies to the R-1 and R-2 Districts, it must utilize the same density calculation as those districts. Implementing net density in this category of districts would involve deleting the language and tables for the stepped approach and referencing the new net density definition throughout the districts. The Low-Density Residential and Moderate-Density Residential land use designations in the Comprehensive Plan recommend density ranges which are based on gross acreage and, thus, a gross density calculation would be most consistent with the land use designations. A net density approach could be more likely to result in adjacent developments within the same Comprehensive Plan designations having a more even intensity of development. Staff finds the current stepped approach serves as a compromise between these two considerations. Should the Policy Committee recommend utilizing net density in these districts, staff has included draft language for the districts in Attachment No. 1.

MU, Mixed Use/EO, Economic Opportunity

The MU, Mixed Use, District currently utilizes the stepped approach. Implementing net density in the MU District would involve deleting the language and tables for the stepped approach and referencing the new

net density definition. The EO, Economic Opportunity, District currently requires density to be based only on developable area and thus already uses a net density approach; however, updating the district to reference the net density definition would make this district consistent with other districts if net density is adopted. The MU and EO - Mooretown Road/Hill Pleasant Farm Area land use designations recommend density ranges using net acreage. The language in the MU designation was updated to net density as part of the 2045 Comprehensive Plan. Staff finds that these changes would be consistent with the Comprehensive Plan and recommends revising the districts. Should the Policy Committee recommend utilizing net density in the MU and EO Districts, staff has included draft language for the districts in Attachment No. 1.

Conclusion

Staff has provided recommendations for the district groupings above and looks forward to discussion and the Policy Committee's recommendations on these items. The next steps for this amendment of the Zoning Ordinance are anticipated to be public hearings at the Planning Commission's April 5, 2023, meeting and the Board of Supervisors' May 9, 2023, meeting. As these changes result in a reduction in permissible density, all property owners in these districts will be notified in accordance with the Code of Virginia prior to the public hearings.

JR/TL/md

ORD22-3AmdRDDCalc-mem

Attachments:

1. Draft Ordinance
2. Initiating Resolution
3. January 12, 2023, Memorandum to the Policy Committee
4. Comparison of Density Calculation Methods

Chapter 24. Zoning

Article I. In General

Sec. 24-2. Definitions.

Density, net. Net density shall be calculated as the number of dwelling units divided by the developable area.

Article V. Districts

Division 2. General Agricultural District, A-1

Sec. 24-213. Overall density within subdivisions.

Lots in a minor subdivision must adhere to the area requirements set forth in section 24-214. All other subdivisions shall have a maximum net density as specified below.

- (a) *Parcels subject to section 24-214(a)(2) shall have a maximum net density of one unit per twenty acres.*
- (b) *Parcels subject to section 24-214(a)(2)(i) shall have a maximum net density of one unit per three acres.*

Sec. 24-222. Cluster configuration.

Upon issuance of a special use permit, a cluster configuration subdivision may be approved provided that all of the following conditions are met:

- (1) The overall ~~gross~~ **net** density of the subdivision shall not exceed one dwelling unit per *twenty* acres.

Division 3. Limited Residential District, R-1

Sec. 24-232. Use list.

Residential Uses	Single-family detached dwellings with a maximum gross net density of one dwelling unit per acre in accordance with section 24-233(a)	P	
	Single-family detached dwellings with a maximum gross net density of more than one dwelling unit per acre in accordance with section 24-233(b)		SUP

Sec. 24-233. Overall density within subdivisions.

- (a) All subdivisions shall have a maximum ~~gross~~ **net** density of one unit per acre, except for minor subdivision as defined in the county's subdivision ordinance. In these instances, the lots in a minor subdivision must still adhere to the area requirements set forth in section 24-255.
- (b) Upon application, the board of supervisors may grant a special use permit for subdivisions to have a maximum ~~gross~~ **net** density of more than one unit per acre, but of no more than two units per acre upon finding the developer has made assurances in a master plan, proffers, or other document approved by the county attorney, for at least two points as specified in the density bonus item options table in section 24-549 of this chapter.

Sec. 24-234. Density.

The density of a proposed subdivision (other than minor subdivisions, as specified in section 24-233) shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable	Percent of gross acreage added to the developable land
0—20 percent	Use total parcel acreage
21—40 percent	20
41—70 percent	15
71—100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

Sec. 24-234. Reserved.

Division 4. General Residential District, R-2

Sec. 24-252. Use list.

Residential Uses	Multifamily dwellings of between five and eight units, contained within a residential cluster development with a maximum gross <i>net</i> density of more than one unit per acre in accordance with article VI, division 1 of this chapter		SUP
	Multifamily dwellings, up to and including four units, with a maximum gross <i>net</i> density of one unit per acre, contained within residential cluster development in accordance with article VI, division 1 of this chapter	P	
	Multifamily dwellings, up to and including four units, with a maximum gross <i>net</i> density of more than one unit per acre, contained within residential cluster development in accordance with article VI, division 1 of this chapter		SUP

	Multifamily dwellings, up to and including two units, in accordance with section 24-260		SUP
	Single-family detached dwellings with a maximum gross net density of one dwelling unit per acre, either	P	
	• in accordance with section 24-253(a), or		
	• contained within residential cluster development in accordance with article VI, division 1 of this chapter		
	Single-family detached dwellings with a maximum gross net density of more than one dwelling unit per acre, either		SUP
	• in accordance with section 24-253(b), or		
	• contained within residential cluster development in accordance with article VI, division 1 of this chapter		

Sec. 24-253. Overall density within subdivisions.

(a) All subdivisions shall have a maximum ~~gross~~ **net** density of one unit per acre, except for minor subdivisions as defined in Chapter 19 of the county code. In these instances, the lots in a minor subdivision must still adhere to the area requirements set forth in section 24-255.

(b) Upon application, the board of supervisors may grant a special use permit for subdivisions to have a maximum ~~gross~~ **net** density of more than one unit per acre, but of no more than two units per acre upon finding the developer has made assurances in a master plan, proffers, or other document approved by the county attorney, for at least two points as specified in the density bonus item options table in section 24-549 of this chapter.

Sec. 24-254. Density.

The density of a proposed subdivision (other than minor subdivisions, as specified in section 24-253) shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable	Percent of gross acreage added to the developable land
0—20 percent	Use total parcel acreage
21—40 percent	20
41—70 percent	15
71—100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable

area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

Sec. 24-254. Reserved.

Division 4.1. Residential Redevelopment District, R-3

~~Sec. 24-273.6. Density.~~

The density of a proposed subdivision shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable	Percent of gross acreage added to the developable land
0—20 percent	Use total parcel acreage
21—40 percent	20
41—70 percent	15
71—100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

Sec. 24-273.6. Reserved.

Sec. 24-273.7. Overall density within subdivisions.

No project shall have a **net** density (including bonuses) of more than four units per acre. In order to achieve the densities listed below, the developer shall make assurances in a master plan, proffers, or other document approved by the county attorney, for the density bonus items.

Net Density	Required density bonus points from list below
Up to 2.5	None required
More than 2.5, but no more than 3	3

More than 3, but no more than 3.5	4
More than 3.5, but no more than 4	5

	Bonus Item Options	Bonus Points
A.	For every 15 percent of the total units that meet the definition of affordable and workforce housing (starting above the threshold set forth in the Residential Redevelopment Policy, as amended).	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of Better Site Design/Low Impact Development techniques, as approved by the engineering and resource protection division.	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5
D.	Meeting a majority of items (a)—(d) listed in section 24-551, open space development design elements, as determined by the planning director.	1.5
E.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units.	1
F.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
G.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
H.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements in set forth in section 24-35 of this chapter.	1
I.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director.	0.5
J.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the Comprehensive Plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5
K.	For projects with fewer than 50 residential units, providing a neighborhood park of 0.25 acre, with a minimum width of 60 feet. The parkland should be	1

	centrally located, relatively level land with a minimum of 70 percent groomed space. The balance may be left in natural tree cover.	
L.	Providing at least 25 percent of the total units which are offered at fair market rate. Such units shall be fully integrated into the development with regard to location, exterior materials, appearance from the street, and other attributes as determined by the planning director.	0.5
M.	Providing one playground with a minimum area of 2,500 square feet and a minimum of five activities.	0.5

Division 5. Residential Planned Community District, R-4

Sec. 24-278. Permitted density overall.

(a) The ~~gross~~ net density of the total area of the planned residential community shall not exceed two dwelling units per acre.

(b) ~~The density of a proposed development shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:~~

Percent non-developable land	Percent of gross acreage added to the developable land
0-20 percent	Use total parcel acreage
21-40 percent	20
41-70 percent	15
71-100 percent	10

Illustration of Gross Acreage Calculation

(a) ~~If a 400-acre parcel has 56 acres of non-developable land, then the non-developable area of the site is 14 percent. Since 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.~~

(b) ~~If the 400-acre parcel instead had 112 acres of non-developable land, then the non-developable area of the site is 28 percent. Since 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (288 acres) and 20 percent of the total parcel acreage (80 acres) are added together to obtain the gross acreage used to calculate allowed density (368 acres).~~

~~In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 800 units in (a) and 736 units in (b).~~

Sec. 24-279. Permitted density within residential areas.

The master plan shall designate the proposed dwelling unit densities within each residential area shown, according to the following categories:

<u>Area Designation</u>	<u>Dwelling Type</u>	<u>Maximum Gross Net Density as defined in section 24-278 (Dwelling Units Per Acre)</u>

A	Single-family	4
B	Multi-family dwellings containing up to and including four dwelling units	9.6
C	Multi-family dwellings containing more than four dwelling units	12
D	Apartments	18

Units for sale in condominium may be in any of the dwelling types listed above and the ~~number of dwelling units per acre~~ **maximum net density** shall be determined by the dwelling type.

Division 6. Multifamily Residential District, R-5

Sec. 24-307. Overall development density.

- (a) ~~Gross density limitation.~~ No project shall have a ~~gross~~ **net** density (including bonuses) of more than 12 units per acre.
- (b) ~~Determination of number of dwelling units.~~ The number of units which may be constructed shall be determined by the ~~gross acreage at~~ **net density** of the site and the use proposed as follows:

BASE DWELLING UNITS PER ACRE NET DENSITY		
Number of units	Multifamily and apartments under three stories	Multifamily and apartments three stories or more
1-100	8	10
101-200	7	9
Over 200	6	8

- (c) *Density bonuses.* In order to encourage attractive architectural and site designs which are harmonious with adjoining property, to encourage the preservation of open space within and around higher density development, to encourage preservation and restoration of historic sites and to encourage developers to go beyond the minimum standards of the zoning ordinance, the board of supervisors may approve density bonuses as specified in the density bonus item options table in section 24-549 of this chapter. Density bonuses shall not exceed a maximum of an additional 20 percent above the ~~maximum dwelling units per acre~~ **net density** that would otherwise be permitted and in no case shall exceed 12 units per acre, in accordance with the following:

<i>Bonus increase from base net density</i>	<i>Required density bonus points from list</i>
Up to the base density	0

Greater than the base density, up to and including ten percent above the base density	1
Greater than ten percent above the base density, up to and including 20 percent above the base density	2

(d) *Subdivision in order to circumvent provisions prohibited.* Property shall not be subdivided to circumvent this section and project phases shall be considered one development.

Sec. 24-308. Density.

The density of a proposed subdivision shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable	Percent of gross acreage added to the developable land
0—20 percent	Use total parcel acreage
21—40 percent	20
41—70 percent	15
71—100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

Sec. 24-308. Reserved.

Division 7. Low-Density Residential District, R-6

Sec. 24-337. Overall density within subdivisions.

Lots in a minor subdivision must adhere to the area requirements set forth in section 24-330. All other subdivisions shall have a maximum net density of one unit per acre.

Division 8. Rural Residential District, R-8

Sec. 24-349. Overall density within subdivisions.

Lots in a minor subdivision must adhere to the area requirements set forth in section 24-350. All other subdivisions shall have a maximum net density as specified below.

- (c) *Parcels subject to section 24-350(a) shall have a maximum net density of one unit per twenty acres.*
- (d) *Parcels subject to section 24-350(b) shall have a maximum net density of one unit per three acres.*

Division 14. Planned Unit Development Districts, PUD

Sec. 24-487. Density.

(a) The ~~gross~~ **net** density of the planned unit development shall not exceed the maximum density suggested by the Comprehensive Plan and in no case shall exceed four dwelling units per acre. The maximum densities of dwelling units per acre which may be constructed in any area designation are:

Area Designation	Dwelling Type	Base net density (dwelling units per acre)	Maximum gross net density with density bonus (see table under section 24- 488(c) (b))
A	Single family	2	4
B	Multi-family dwellings containing up to and including four dwelling units	5	10
C	Multi-family dwellings containing more than four dwelling units	6	12
D	Apartments	9	18

(b) The density of a proposed development shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:

Percent non-developable land	Percent of gross acreage added to the developable land
0-20 percent	Use total parcel acreage
21-40 percent	20
41-70 percent	45
71-100 percent	40

Illustration of Gross Acreage Calculation

(a) ~~—— If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Since 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.~~

(b) ~~—— If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Since 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).~~

~~In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).~~

(e)(b) In addition to the base *net* density standards from section 24-487 (a), a density bonus can be achieved with the provision of options as detailed below. In order to achieve the densities listed below, the developer shall make assurances in a master plan, proffers, or other documents approved by the county attorney for the density bonus items.

<i>Bonus Increase from Base <i>Net</i> Density</i>	<i>Required Density Bonus Points from List Below</i>
Up to the base <i>net</i> density	0
Greater than the base <i>net</i> density, up to and including 33 percent above the base density	2
Greater than 33 percent above the base <i>net</i> density, up to and including 66 percent above the base density	4
Greater than 66 percent above the base <i>net</i> density, up to and including 100 percent above the base density	6

	<i>Bonus Item Options</i>	<i>Bonus Points</i>
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy)	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay preservation ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division.	1.5
D.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1

E.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
F.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
G.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size, within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present.	1
H.	Retaining a single area of agricultural land designated on the United States Department of Agriculture (USDA) maps to be of prime or statewide importance that is at least five acres in size.	1
I.	Preserving one of the following underlined environmentally-related conservation features. The underlined item must constitute at least five percent of the developable area of the site.	1
	1. 100 foot buffers around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer	
	2. Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer (retain at least 50 percent of these soils on site)	
	3. Conservation area as identified by an approved watershed management plan	
	4. Wildlife habitat corridors that:	
	• Protect a corridor at least 100 feet in width from one protected area (on or off the development property) to another protected area, and	
	• Consist of mature forestland	
J.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements in set forth in section 24-35 of this chapter.	1
K.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted	0.5

	concurrent with the master plan, and shall be reviewed and approved by the planning director.	
L.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site).	0.5
M.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5

Division 15. Mixed Use, MU

Sec. 24-519. Density.

(a) ~~The number of dwelling units which may be constructed in any residential or mixed use residential area designation as indicated on the master plan shall be determined by the number of gross acres at the site and the use proposed.~~ The maximum *net* densities of dwelling units per acre which may be constructed are:

<i>Area Designation</i>	<i>Dwelling Type</i>	<i>Base Gross Net Density (Dwelling Units Per Acre)</i>	<i>Maximum Gross Net Density with density bonus (see table under section 24-519 (e) (b))</i>
A	Single-family structures	3	6
B	Multi-family dwellings containing up to four dwelling units	5	10
C	Multi-family dwellings containing more than four dwelling units	6	12
D	Apartments	9	18

(b) ~~The density of a proposed development shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:~~

Percent non developable land	Percent of gross acreage added to the developable land
0-20 percent	Use total parcel acreage
21-40 percent	20

41-70 percent	15
71-100 percent	10

Illustration of Gross Acreage Calculation

(a) — If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Since 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.

(b) — If the 50-acre parcel instead had 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Since 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).

In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).

(e)(b) In addition to the base **net** density standards from section 24-519 (a), a density bonus can be achieved with the provision of options as detailed below. In order to achieve the densities listed below, the developer shall make assurances in a master plan or otherwise for the density bonus items.

Bonus increase from base net density	Required density bonus points from list below
Up to the base net density	0
Greater than the base net density, up to and including 33 percent above the base density	2
Greater than 33 percent above the base net density, up to and including 66 percent above the base density	4
Greater than 66 percent above the base net density, up to and including 100 percent above the base density	6

	Bonus Item Options	Bonus Points
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy).	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division.	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by	1.5

	an approved watershed management plan or by the engineering and resource protection division.	
D.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1
E.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee.	1
F.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved Greenway Master Plan, the Virginia Outdoors Plan, or such other useful and logical location as approved by the parks and recreation director or designee.	1
G.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size, within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present.	1
H.	Preserving one of the following underlined environmentally-related conservation features. The underlined item must constitute at least 5 percent of the developable area of the site.	1
	1. <u>100 foot buffers</u> around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer	
	2. <u>Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer</u> (retain at least 50 percent of these soils on site)	
	3. <u>Conservation area as identified by an approved watershed management plan</u>	
	4. <u>Wildlife habitat corridors</u> that:	
	<ul style="list-style-type: none"> • Protect a corridor at least 100 feet in width from one protected area (on or off the development property) to another protected area, and • Consist of mature forestland 	
I.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements set forth in section 24-35 of this chapter.	1
J.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted	0.5

	concurrent with the master plan, and shall be reviewed and approved by the planning director.	
K.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site).	0.5
L.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA.	0.5

~~(d)~~(c) To achieve the intent of a mixed use development, more than one land use category shall be used and no single use or use category shall exceed 80 percent of the developable land area within a mixed use area, as delineated on the master plan. Where the mixed use development contains one or more mixed use structures (vertical mixed use), the developable land area may be converted to square feet to demonstrate compliance with this requirement.

Illustration of vertical mixed use buildings calculation.

For a vertical mixed use building of 60,000 square feet in size, no one use could exceed 48,000 square feet.

~~(e)~~(d) For areas designated neighborhood commercial or community commercial on the comprehensive plan, all proposed structures should be mixed use structures (vertical mixed use) and residential floor area should not exceed 50 percent of the total floor area. Either of these criteria may be modified if specifically shown on a master plan approved by the board of supervisors that exceeds mixed use designation development standards in the comprehensive plan.

Division 17. Economic Opportunity, EO

Sec. 24-536.3. Density.

(a) *Balance of land uses.* Not more than 15 percent of the developable land area within an economic opportunity area, as delineated on the master plan, shall be dedicated to non-primary workplace uses. The remaining 85 percent of the developable land area shall be dedicated to primary uses. Non-primary workplace uses include, retail, convenience and service uses, restaurants, child care, residential development or other uses intended to support and complement primary workplace uses. For the purposes of this requirement primary workplace uses include office, research, light industrial, or other uses that will provide a significant fiscal benefit to the county.

Additionally, non-primary workplace uses should be grouped together in an effort to maximize the area for workplace uses. The location of the non-primary workplace uses should not prevent the availability of large contiguous sections of land for office, research, or light industrial development.

(b) *Residential.* Residential dwelling units are permitted in the urban/residential core area, as delineated on the master plan, which shall not exceed 10 percent of the total developable master planned economic opportunity area. ~~The number of dwelling units which may be constructed in any of the~~

~~urban/residential core as indicated on the master plan shall be determined by the number of acres of the economic opportunity master plan area and the use proposed. The maximum *net* densities of dwelling units per acre within the developable area of the urban/residential core area which may be constructed are:~~

Dwelling Type	Maximum <i>Net</i> Density
Multi-Family structures (attached housing)	7
Apartments	10

~~In the economic opportunity district, only developable area shall be used for the purposes of calculating density.~~

Article VI. Overlay Districts

Division 1. Residential Cluster Development

Sec. 24-548. Density.

~~The density of a proposed subdivision shall be calculated as the number of units divided by the gross acreage. For the purposes of this section, the gross acreage shall be calculated as follows:~~

Percent non-developable	Percent of gross acreage added to the developable land
0—20 percent	Use total parcel acreage
21—40 percent	20
41—70 percent	15
71—100 percent	10

Illustration of Gross Acreage Calculation

(a) ~~—— If a 50-acre parcel has seven acres of non-developable land, then the non-developable area of the site is 14 percent. Because 14 percent is less than 20 percent, the total area of the parcel is used to calculate allowed density.~~

(b) ~~—— If a 50-acre parcel has 14 acres of non-developable land, then the non-developable area of the site is 28 percent. Because 28 percent is between 21 percent and 40 percent, the total developable area of the parcel (36 acres) and 20 percent of the total parcel acreage (ten acres) are added together to obtain the total acreage used to calculate allowed density (46 acres).~~

~~In this example, if an applicant sought a density of two dwelling units per acre, they would yield a maximum of 100 units in (a) and 92 units in (b).~~

Sec. 24-548. Reserved.

Sec. 24-549. Density standards.

No project shall have a **net** density (including bonuses) of more than four units per acre. In order to achieve the **net** densities listed below, the developer shall provide at least the minimum amount of open space, and shall make assurances in a master plan, proffers, or other document approved by the county attorney, for the density bonus items. The approval process for cluster development shall be as stated in section 24-556.

Net Density	Percent of developable acreage as open space	Required density bonus points from list below
Up to 1	25 percent	None
More than 1, but no more than 2	25 percent	2
More than 2, but no more than 3	30 percent	4
More than 3, but no more than 4	35 percent	6

	Bonus Item Options	Bonus Points
A.	For every 10 percent of the units committed to provision of affordable and workforce housing (starting above the threshold set in the county's housing opportunities policy, as amended)	2, up to a max of 4
B.	Designing a stormwater management plan that meets Chesapeake Bay Preservation Ordinance standards and requirements through extensive use of better site design/low impact development techniques, as approved by the engineering and resource protection division	1.5
C.	Undertaking or funding a stream restoration project or stormwater management facility retrofit within the same sub-watershed, as identified by an approved watershed management plan or by the engineering and resource protection division	1.5
D.	Meeting a majority of items (a) - (d) listed in section 24-551, Open space development design elements, as determined by the planning director	1.5
E.	Achieving green building certification using EarthCraft, LEED or equivalent program for all units	1
F.	Dedicating to the county a public use site, the developable portion of which is suitable for a public facility, as determined by the county administrator or designee	1
G.	Constructing a greenway trail and dedicating a public use easement in a location indicated by the approved greenway master plan, the Virginia outdoors plan, or such other useful and logical location as approved by the parks and recreation director or designee	1

H.	Preserving a single area of healthy, mature, mixed hardwood forestland at least two acres in size within the developable portion of the site. The planning director may request that the developer provide confirmation, prepared by a certified horticulturalist, that these qualities are present	1
I.	Retaining a single area of agricultural land designated on the United States Department of Agriculture (USDA) maps to be of prime or statewide importance that is at least five acres in size	1
J.	Preserving one of the following underlined environmentally-related conservation features. The underlined item must constitute at least five percent of the developable area of the site.	1
	1. <u>100 foot buffers</u> around non-RPA wetland features (isolated wetlands), intermittent streams, or from floodplain zones A or AE (where not already part of the RPA), or from the edge of the RPA buffer;	
	2. <u>Soils in hydrologic groups A and B, as defined by the USDA, and as verified on-site by a licensed geotechnical engineer</u> (retain at least 50 percent of these soils on site);	
	3. <u>Conservation area as identified by an approved watershed management plan</u> ; or	
	4. <u>Wildlife habitat corridors</u> that:	
	a. Protect a corridor at least 100 feet in width from one protected area (on or off the cluster property) to another protected area, and	
	b. Consist of mature forestland	
K.	Providing pedestrian accommodations on one side of all internal roadways, where this would exceed the requirements set forth in section 24-35 of this chapter	1
L.	Developing binding design guidelines for the development that include superior architectural and design standards. Elements that the guidelines shall address include, but need not be limited to, provision of rear or side loading garages; use of universal design concepts; and attention to the quality of, and variation in, elements of the units such as facade materials and colors; windows, roof pitches, porches and entryways; and heights and setbacks from the right-of-way. Design guidelines shall be submitted concurrent with the master plan, and shall be reviewed and approved by the planning director	0.5
M.	Providing a 100-foot buffer from the internal edge of a right-of-way buffer and/or perimeter buffer (must constitute at least five percent of the developable area of the site)	0.5
N.	Preserving and rehabilitating an on-site structure identified in the document entitled Historical Structures Survey, prepared by Virginia Department of Historic Resources, and dated May 2008. The structure may be re-used as a community clubhouse or private residence with appropriate deed	0.5

	restrictions. If the proposed cluster is within a community character area (CCA) designated by the comprehensive plan, this bonus would also be available for rehabilitation and legal preservation of a structure elsewhere within that CCA	
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RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE

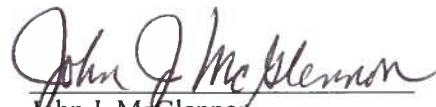
TO CONSIDER POSSIBLE AMENDMENTS REGARDING HOW DENSITY IS

CALCULATED FOR RESIDENTIAL DEVELOPMENTS


WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the "Virginia Code"), and County Code Section 24-13 authorize the Board of Supervisors of James City County, Virginia (the "Board"), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent and required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and good zoning practice warrant the consideration of amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate amendment of the James City County Code, Chapter 24, Zoning, in order to consider possible amendments regarding how density is calculated for residential developments. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.


John J. McGlennon
Chairman, Board of Supervisors

ATTEST:


Teresa J. Saeed
Deputy Clerk to the Board

ICENHOUR
HIPPLE
LARSON
SADLER
MCGLENNON

VOTES

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of April, 2022.

InitConsGrossDensRD-res

MEMORANDUM

DATE: January 12, 2023

TO: The Policy Committee

FROM: John Risinger, Senior Planner
Tom Leininger, Principal Planner

SUBJECT: ORD-22-0003. Amendments for Calculation of Residential Development Density

Introduction

At the March 8, 2022, Board of Supervisors (BOS) meeting, a request was made to bring forward an Initiating Resolution to consider amending how residential density is calculated with a direction to explore using net acreage. This Initiating Resolution was adopted by the BOS at its meeting on April 12, 2022, which has been included in the Agenda Packet as Attachment No. 1.

Density for a development is calculated based on the proposed number of residential units divided by the acreage of the property. The acreage used in the calculation can either be gross, net, or an alternative approach. Gross acreage encompasses the entirety of a property. Net acreage is when certain specified areas are not included. Other alternative approaches may follow a path somewhere in the middle and allow for the inclusion of some of the specified areas that might otherwise be excluded in a net calculation.

In terms of what might not be included in net acreage, it is common in a zoning context to consider the areas that are not suitable, or are less suitable, for development. In James City County, non-developable areas are currently defined as “all resource protection area as defined in the Chesapeake Bay Preservation Ordinance, areas subject to flooding under the one percent annual change (100-year) storm event (FEMA zones A, AE, AO, V, VE, and Coastal A), and areas of 1,000 square feet or greater containing steep slopes.” Note that the non-developable definition was updated in 2012, with the changed definition encompassing more area than under the previous definition. The non-developable land, as defined, is used in calculating net density and has been used in several other approaches to alternative calculations over the years.

Zoning History

In James City County, a variety of density calculations using gross acreage, net acreage, or other alternative approaches, have been used over time. There is also some variation by particular zoning district. The following table summarizes the current calculation approach and the previous approach. Additional discussion about the alternative approaches (“stepped” and “single number”) that are noted in the table is included below.

Zoning District	Current Density Calculation Method	Previous Density Calculation Method	Notes
A-1, General Agricultural	Gross (density is not specified, just minimum lot size)	No change	
R-1, Limited Residential	Alternative approach - stepped	Gross	Updated in 2012

Zoning District	Current Density Calculation Method	Previous Density Calculation Method	Notes
R-2, General Residential	Alternative approach - stepped	Gross	Updated in 2012
R-3, Residential Redevelopment	Alternative approach - stepped	No change	District created in 2012 with stepped approach density
R-4, Residential Planned Community	Alternative approach - stepped	Alternative approach - single number (35%)	Updated in 2012
R-5, Multi-family Residential	Alternative approach - stepped	Alternative approach - single number (35%)	Updated in 2012
R-6, Low-Density Residential	Gross (density is not specified, just minimum lot size)	No change	
R-8, Rural Residential	Gross (density is not specified, just minimum lot size)	No change	
PUD, Planned Unit Development	Alternative approach - stepped	Net	Updated in 2012
MU, Mixed Use	Alternative approach - stepped	Alternative approach - single number (35%)	Updated in 2012
EO, Economic Opportunity	Net	No change	District created in 2011 with net density
Cluster Overlay District	Alternative approach - stepped	Alternative approach - single number (35%)	Updated in 2012

Prior to amendments to the Zoning Ordinance in 2012, many of the residential districts utilized an alternative approach which used a single number to calculate permitted density. With this approach, the permitted density for parcels with less than 35% non-developable area was calculated using the gross acreage of the parcel. The permitted density for parcels with 35% or greater non-developable area was the sum of the developable area and 35% of the gross acreage of the parcel.

The 2012 Zoning Ordinance amendments included updating many of the districts to use a stepped approach. This approach continues to allow parcels with a lower amount of non-developable area to use their gross acreage but utilizes a stepped system for parcels with more non-developable area. As the percentage of non-developable area increases, less of the gross acreage of the parcel may be added to the developable area. The following table shows the stepped approach as it is currently used in the R-1, R-2, R-3, R-4, R-5, PUD, MU, and Cluster Overlay Districts. These Districts are primarily found inside the Primary Service Area (PSA).

Percent non-developable	Percent of gross acreage added to the developable land
0-20%	Use total parcel acreage
21-40%	20
41-70%	15
70-100%	10

A comparison showing the implications that each calculation has on the number of units, and the resulting densities on the developable area and total areas of the parcel has been included in Attachment No. 2. The alternative methods are a middle ground between gross acreage which results in the highest intensity of development and net acreage which results in the lowest intensity. It is important to consider that while the alternative methods do allow parcels with non-developable land to add a percentage of the total parcel acreage to the developable acreage to arrive at the acreage that can be used in the density calculation, the resulting densities are lower both across the total parcel and within the developable land. Additionally, development and design standards within the Zoning Ordinance, Subdivision Ordinance, Chesapeake Bay Preservation Ordinance, and other applicable regulations would continue to restrict the use of non-

developable areas for proposed developments.

Peer Locality Research

Staff has reviewed Ordinances from peer localities to determine if there are any similarities in how residential density is calculated. The findings show that each of the localities has an individualized process for calculating density as follows. The City of Williamsburg utilizes an alternative approach which uses net acreage but allows portions of certain environmental features to be credited towards the acreage. York County utilizes net acreage in their calculations; however, their Ordinance does not exclude Resource Protection Area acreage. The City of Suffolk utilizes the gross density approach for conventional developments and the net acreage approach for cluster configurations. Fauquier County utilizes a stepped approach that uses gross acreage but has reductions in density for certain environmental features. Finally, Albemarle County utilizes gross acreage when calculating density.

Policy Considerations

For the recommended densities within the Land Use Designation Descriptions and Development Standards, the Comprehensive Plan Low Density Residential (LDR) and Moderate Density Residential (MDR) designations have recommended densities that are expressed in density ranges based on gross acreage, and the Mixed Use (MU) and Economic Opportunity (EO) - Mooretown Road/Hill Pleasant Farm Area designations have recommended densities that are expressed in density ranges based on net acreage. As the Zoning Ordinance districts are mechanisms to implement the Comprehensive Plan, a gross calculation would be most consistent for the Residential Zoning Districts.

In addition, the Land Use Chapter states that residential growth is intended to occur inside the PSA, promotes infill development and redevelopment to occur inside the PSA, and recognizes that directing development inside the PSA results in a more efficient delivery of public facilities and services. One consideration is that a reduction in the permitted densities of residential districts will reduce the residential capacity inside the PSA. With less capacity inside the PSA, market demands could result in increased growth pressure outside the PSA. While the recent amendments to lot sizes in the A-1 and R-8 Districts reduce what development could be achieved outside the PSA, the rate at which lots are developed could increase. Furthermore, a reduction of development inside the PSA and any increase in growth outside of the PSA would result in less efficient public facilities and services when compared to maintaining the density calculation.

Another consideration is that reducing densities could impact opportunities for workforce housing, whereas creating opportunities for workforce housing is consistent with the goals of the Workforce Housing Task Force and the Comprehensive Plan Housing Chapter and Housing Goals, Strategies, and Actions. With fewer units in a development, it could affect the ability of developers to offer affordable units while still meeting their financial goals for the project. Additionally, ongoing costs shared among owners such as association dues could be higher than they would otherwise have been if split among more units, potentially further reducing affordability for owners.

While efficient development and housing affordability are important goals of the Comprehensive Plan, another important consideration in the Comprehensive Plan is the character of the community and compatibility of new development with adjacent neighborhoods. As shown in Attachment No. 2, if using the gross acreage calculation or alternative approaches, there could be a much higher intensity of development within the developable areas for parcels that have higher amounts of non-developable areas compared to properties with less non-developable area. This could cause nearby developments to have considerably different characters in terms of unit types and lot sizes. With the net density calculation, the character of adjacent developments would be more consistent if they have the same zoning. Staff finds that the stepped approach addresses this consideration more than a gross calculation, but less than the net calculation.

Conclusion

As noted above, for the recommended densities within the Land Use Designation Descriptions and Development Standards of the adopted 2045 Comprehensive Plan, the LDR, and MDR designations have recommended densities that are expressed in density ranges based on gross acreage, while the MU and EO - Mooretown Road/Hill Pleasant Farm Area designations have recommended densities that are expressed in density ranges based on net acreage. As the Zoning Ordinance is one of the primary mechanisms put into place to implement the Comprehensive Plan, a gross density calculation may be most consistent with the land use designations of the adopted Plan. While, a net density calculation may be more consistent with ensuring the compatibility of adjacent developments, staff finds the current stepped approach serves as a compromise between these two considerations.

Staff looks forward to the Policy Committee's discussion of this topic and its feedback and input on next steps.

JR/TL/ap

Ord22-3AmdCaResDD-mem

Attachments:

1. Initiating Resolution
2. Comparison of Density Calculation Methods

Comparison of Density Calculation Methods

Parcel Size: 10 acres

Proposed Density: 2 units per acre

	Gross			Alternative Method – Single Number (35%)			Alternative Method – Stepped			Net		
Percent Non-Developable	# of Units	Resulting Density on Developable Land	Resulting Density on Total Parcel Area	# of Units	Resulting Density on Developable Land	Resulting Density on Total Parcel Area	# of Units	Resulting Density on Developable Land	Resulting Density on Total Parcel Area	# of Units	Resulting Density on Developable Land	Resulting Density on Total Parcel Area
0%	20	2	2	20	2	2	20	2	2	20	2	2
10%	20	2.2	2	20	2.2	2	20	2	2	18	2	1.8
20%	20	2.5	2	20	2.5	2	20	2	2	16	2	1.6
30%	20	2.9	2	20	2.9	2	18	2.6	1.8	14	2	1.4
40%	20	3.3	2	19	3.2	1.9	16	2.7	1.6	12	2	1.2
50%	20	4	2	17	3.4	1.7	13	2.6	1.3	10	2	1
60%	20	5	2	15	3.8	1.5	11	2.8	1.1	8	2	0.8
70%	20	6.7	2	13	4.3	1.3	9	3	0.9	6	2	0.6
80%	20	10	2	11	5.5	1.1	6	3	0.6	4	2	0.4
90%	20	20	2	9	9	0.9	4	4	0.4	2	2	0.2