

# City of Alexandria, Virginia

---

## MEMORANDUM

**DATE:** JANUARY 29, 2016

**TO:** CHAIRWOMAN LYMAN AND MEMBERS OF THE PLANNING COMMISSION

**FROM:** KARL MORITZ, PLANNING DIRECTOR

**RE:** DISCUSSION OF SUBDIVISION AND NEIGHBORHOOD CHARACTER

---

In its Long Range Planning Work Program, Staff is proposing to evaluate and consider the City's regulations for subdivisions and their relationship to neighborhood character. Subdivision reviews have become one of the more difficult and contentious application types in recent years often with extensive debate and disagreement on how the issue of lot character should be evaluated. Most recently, a subdivision to convert two adjacent lots into three ("Vassar Road") generated considerable controversy involving a full-year's work and multiple approaches to measuring lot character.

Other recent and relevant cases include Braddock Road, Lloyd's Lane and Commonwealth Avenue. Staff would be happy to provide copies of the staff reports for these cases to you. On Tuesday night, staff will give a very short overview of recent subdivision cases (a few slides per case) to set the stage for the discussion.

Alexandria is unusual, and possibly unique, in its administration of subdivisions in that the City requires not only that proposed lots in subdivisions comply with lot size restrictions established for each zone but also that the proposed lots be of substantially the same character as the surrounding lots as stated in Section 11-1710 (B) of the Zoning Ordinance:

Section 11-1710 (B). No lot shall be resubdivided in such a manner as to detract from the value of adjacent property. **Lots covered by a resubdivision shall be of substantially the same character as to suitability for residential use and structures, lot areas, orientation, street frontage, alignment to streets and restrictions as other land within the subdivision, particularly with respect to similarly situated lots within the adjoining portions of the original subdivision. In determining whether a proposed lot is of substantially the same character for purposes of complying with this provision, the commission shall consider the established neighborhood created by the original subdivision, evidence of which may be shown by:**

- (1) **Subdivision plat documents, including amendments to the subdivision over time, as well as the development that has occurred within the subdivision; and**
- (2) **Land in the same general location and zone as the original subdivision with the same features so as to be essentially similar to the original subdivision area.**
- (3) No resubdivision shall be approved which results in the creation or the continuation of a lot, building or structure which does not comply with the provisions of this ordinance, unless the commission expressly authorizes a variation pursuant to [section 11-1713](#) of this ordinance.

The standard above lists six criteria specifically for evaluating character:

1. suitability for residential use and structures,
2. lot areas,
3. orientation,
4. street frontage,
5. alignment to streets, and
6. restrictions as other land within the subdivision

The lot character requirement of Section 11-1710 (B) has long been a part of Alexandria's subdivision regulations, and it is intended to maintain neighborhood integrity by proscribing lots that would be so large, oddly shaped, or positioned, that they would detract from a neighborhood's character. The regulation was amended in 2006 as part of the Infill Regulations to add allowance for consideration of lots outside the original subdivision but in the same general location and zone in order to provide for a more general neighborhood consideration, where the boundaries of the original subdivision cut off pertinent but similar character-defining land areas. That amendment also added 'orientation' as a character-evaluating criterion.

Each subdivision is therefore evaluated on both quantitative and qualitative criteria which resists standardization. This can create concern on the part of applicants as well as neighbors who, sometimes for different reasons, would prefer an easier-to-understand evaluation process and more predictable outcomes. Some members of City Council and the Planning Commission have indicated that Section 11-1710 (B) needs to be revisited. Prior to beginning a study or review of this section, staff suggested that the Planning Commission offer early thoughts and guidance about this provision, the goals it was intended to achieve, recent experience in applying the provision, and other guidance or observations.

To facilitate discussion, staff has prepared a set of potential questions that Commissioners may wish to address:

1. What was the goal behind including this provision in the zoning ordinance? Is that goal still relevant?

2. Does the Planning Commission believe that the current criteria have the intended result; that is, that the resulting lots are of substantially the same character to their neighborhood? Can a lot that is clearly of the same neighborhood character actually “flunk” one of more of the criteria, or can a lot that is clearly not in character pass all of the criteria?
3. Does the Planning Commission believe there is value in making this provision more predictable? Or do you wish to retain the ability to make the neighborhood character judgment based on the existing criteria?
4. Should there be hard thresholds for acceptable levels of deviation for the quantifiable elements of the lot character evaluation, such as lot areas and street frontage, so that the determination of the phrase “substantially similar” is more formulaic?
5. Are you satisfied with how mitigating factors such as topography, roadway geography, etc. are handled in the evaluation of lot character? Should a lot’s location on a unique street curve or on a major through street as opposed to a side street be factored in to a lot character evaluation? Should other lot features such as a location in an environmentally sensitive area, existing easements, or historical features affect the lot character evaluation?
6. Is the ‘original subdivision’ the correct criteria for determining comparable lots?
7. Is similarity of lot character mandated by this Code Section always a desirable goal in all neighborhoods?

Staff looks forward to the discussion on Tuesday.