

TIMMONS GROUP

The Wonderful World of Zoning

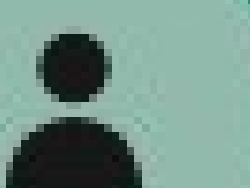
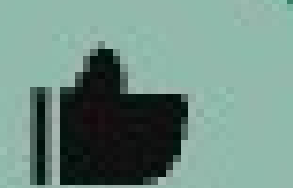
Virginia Municipal League

Virginia Local Elected Officials Conference

January 8, 2026

Matthew Ebinger, AICP CZA

Senior Planner – Timmons Group



The Wonderful World of Zoning

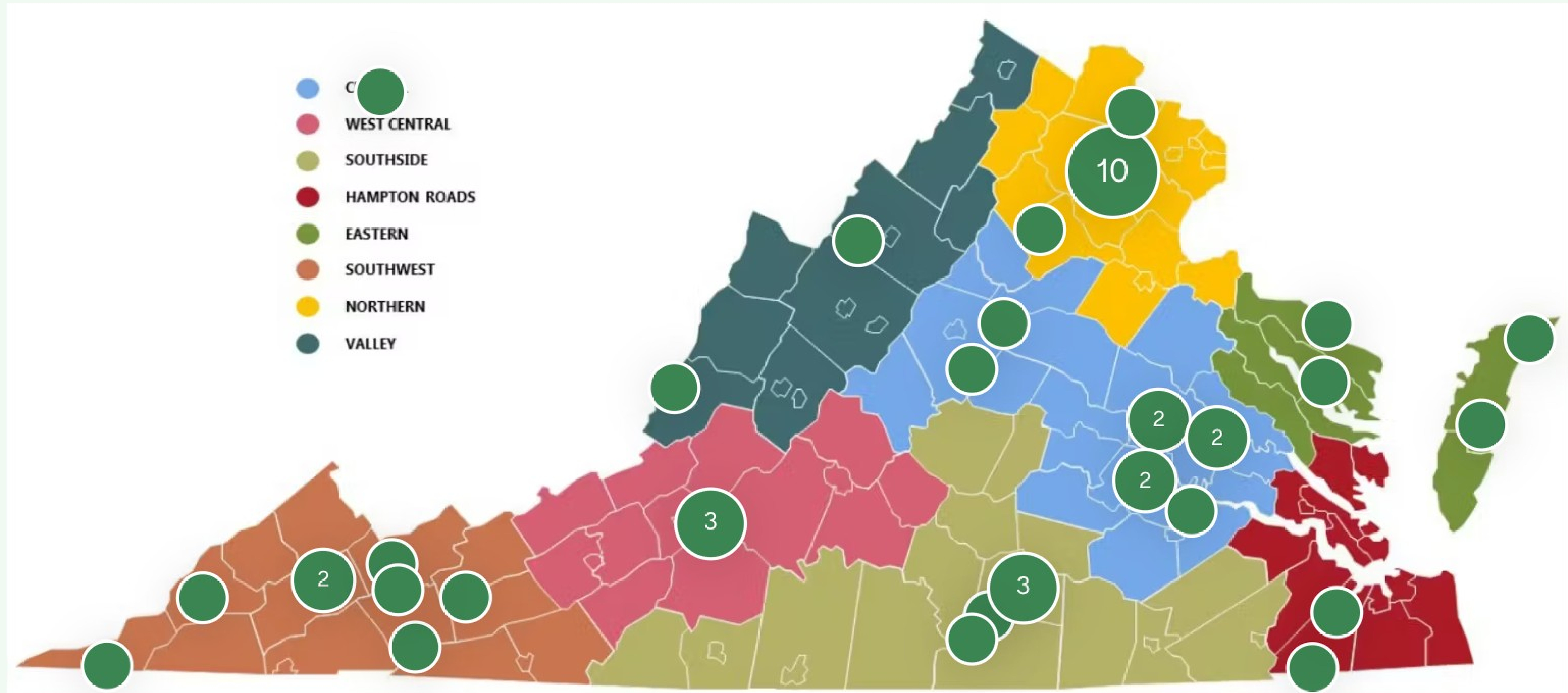
» Sources

- VA Code Chapter 22
- Zoning Law for the Virginia Zoning Official: Zoning Officials Certification Test Preparation Program
- 18 Years of Lived Experience

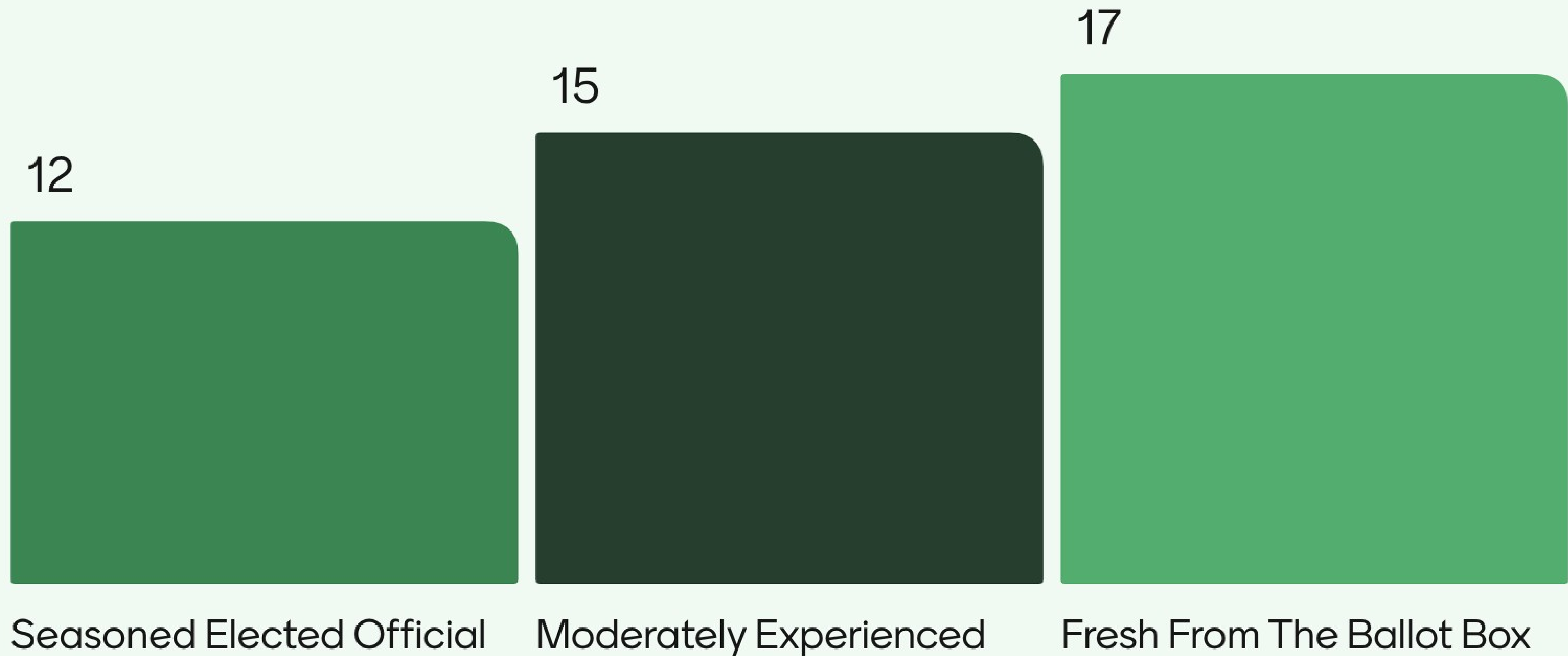
Go to **Menti.com**

Enter Code: 2551 8048

Mark the Virginia region in which you are located



How would you describe yourself?



What is your professional background?

Pharmacy

Educator

Cpa

Public Health

Contracts and
negotiations

Retired

Realtor

Registered Nurse

What is your professional background?

Library Director

Retired orthopaedic
surgeon

Education

Military

Higher education
administration

Municipal clerk

Real Estate Agent

Retired

What is your professional background?

Retired

Minister

Agriculture

Entertainment

Finance retired

Dental Hygienist

House Painter Small
business owner

Sales

What is your professional background?

Technology product
management

Construction Executive,
Lawyer

Events Manager. Life
Insurance Agent

Law Enforcement 25
Years experience

Systems Engineering

Education

Realtor

IT

What is your professional background?

Design

Budget Finance IT

State Fire Marshal
Competition Cook (BBQ,
Ribs, Brisket)

Town Manager Planner

I am a Navy veteran with
a background in health
care.

Education Business
Owner

Education

Higher Education

What is your professional background?

Business Owner,
Association Executive,
Entrepreneur

Currently retired from
sales and Economic
Development

Budget Analyst

Residential Construction
Human Services

AI chatbot

Urban planning,
community
development, housing

Video producer

Town council.
Accounting, accounting

What is your professional background?

Retired 42 years in criminal justice: primarily community corrections

Medical

Nothing

Finance

Real Estate Agent

Small business owner,
non profit director,
community advocate.

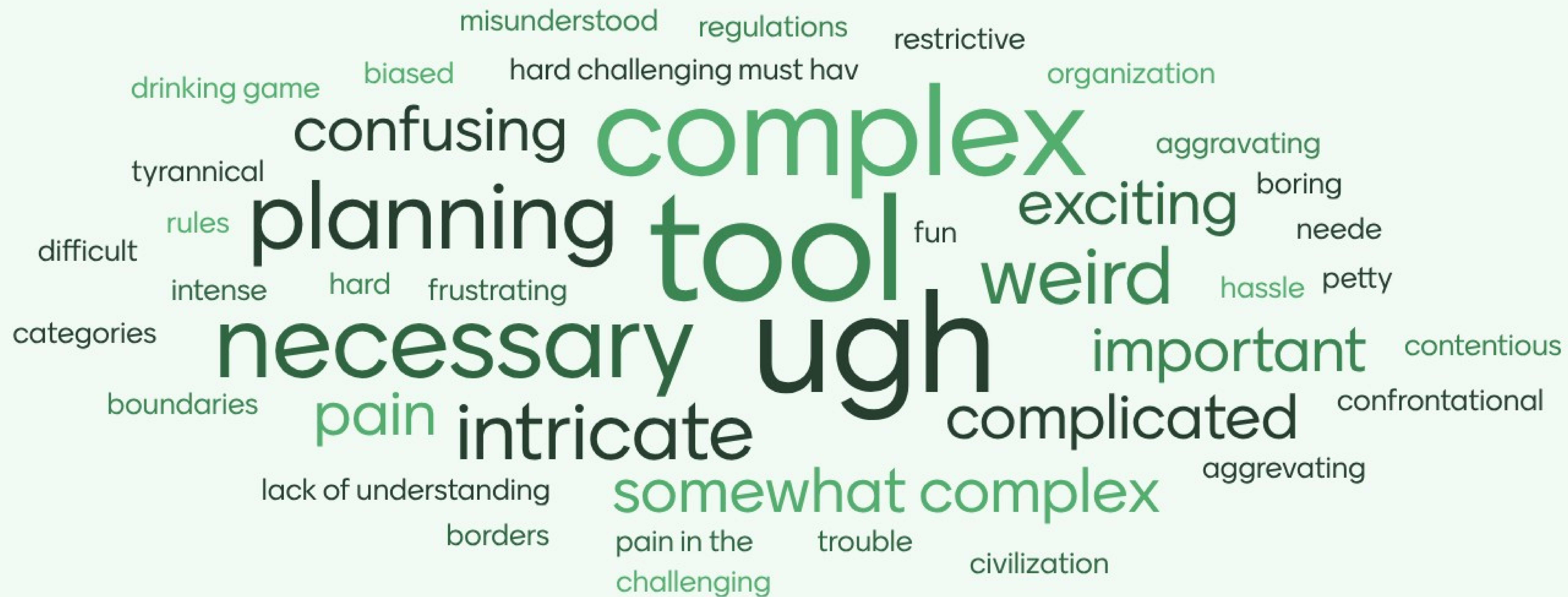
Lab technician, plant
nursery, childcare

Realtor, accountant,
advisor, translator,
builder, manager

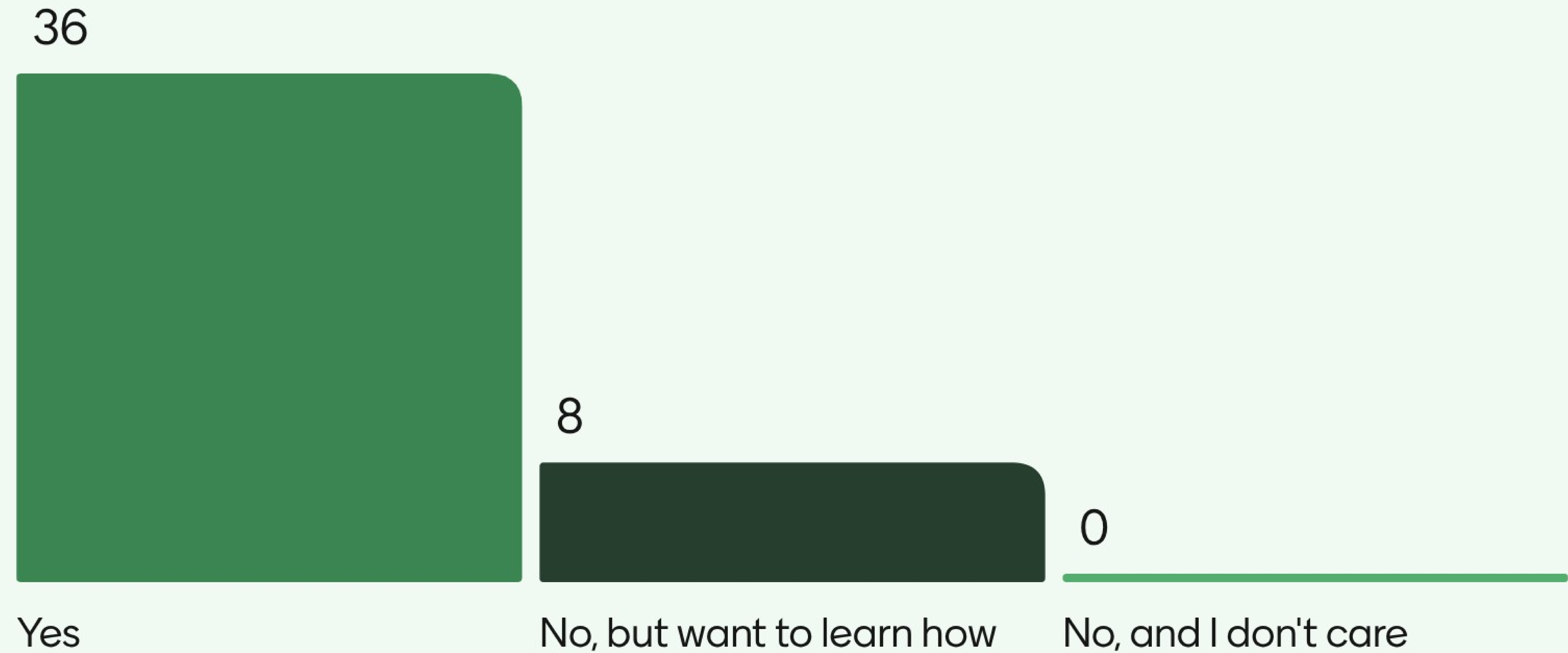
What is your professional background?

Complicated

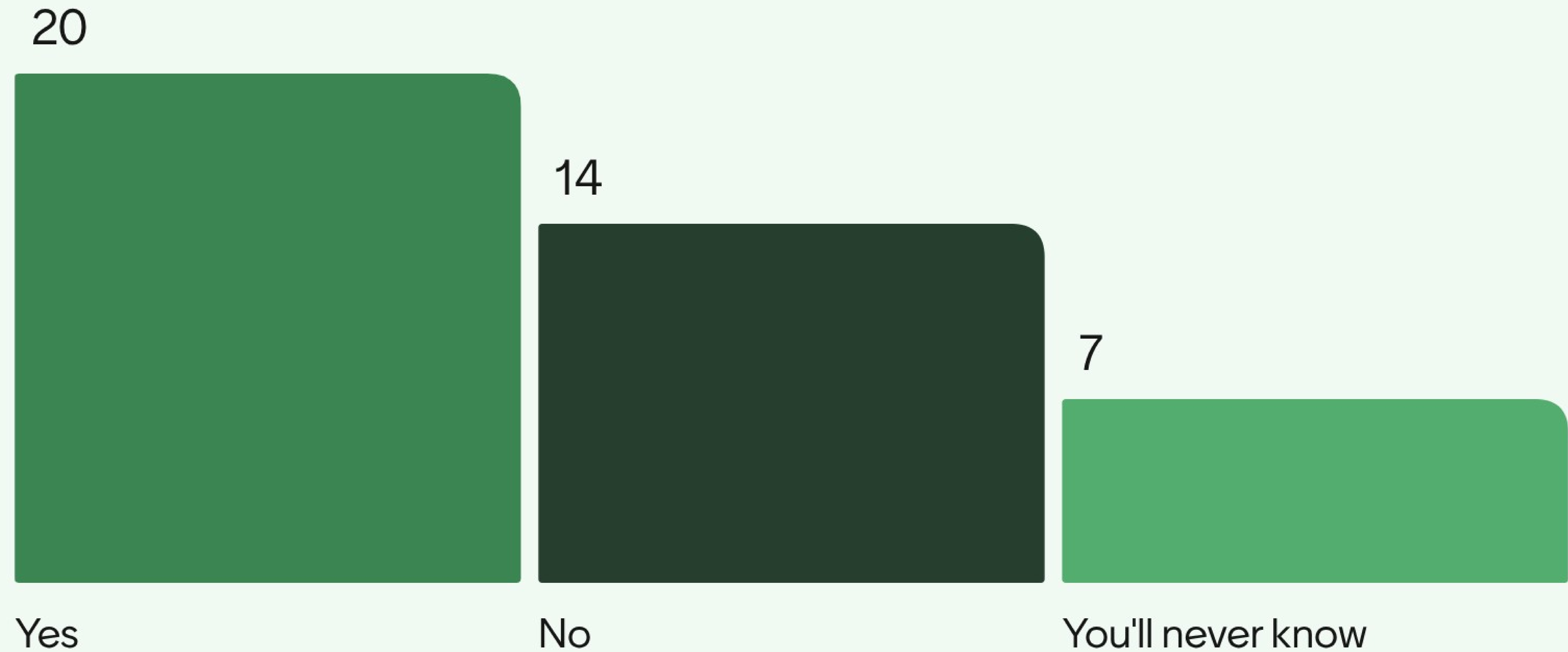
What word would you use to describe ZONING?



I can find my locality's zoning ordinance



I have read through my locality's zoning ordinance





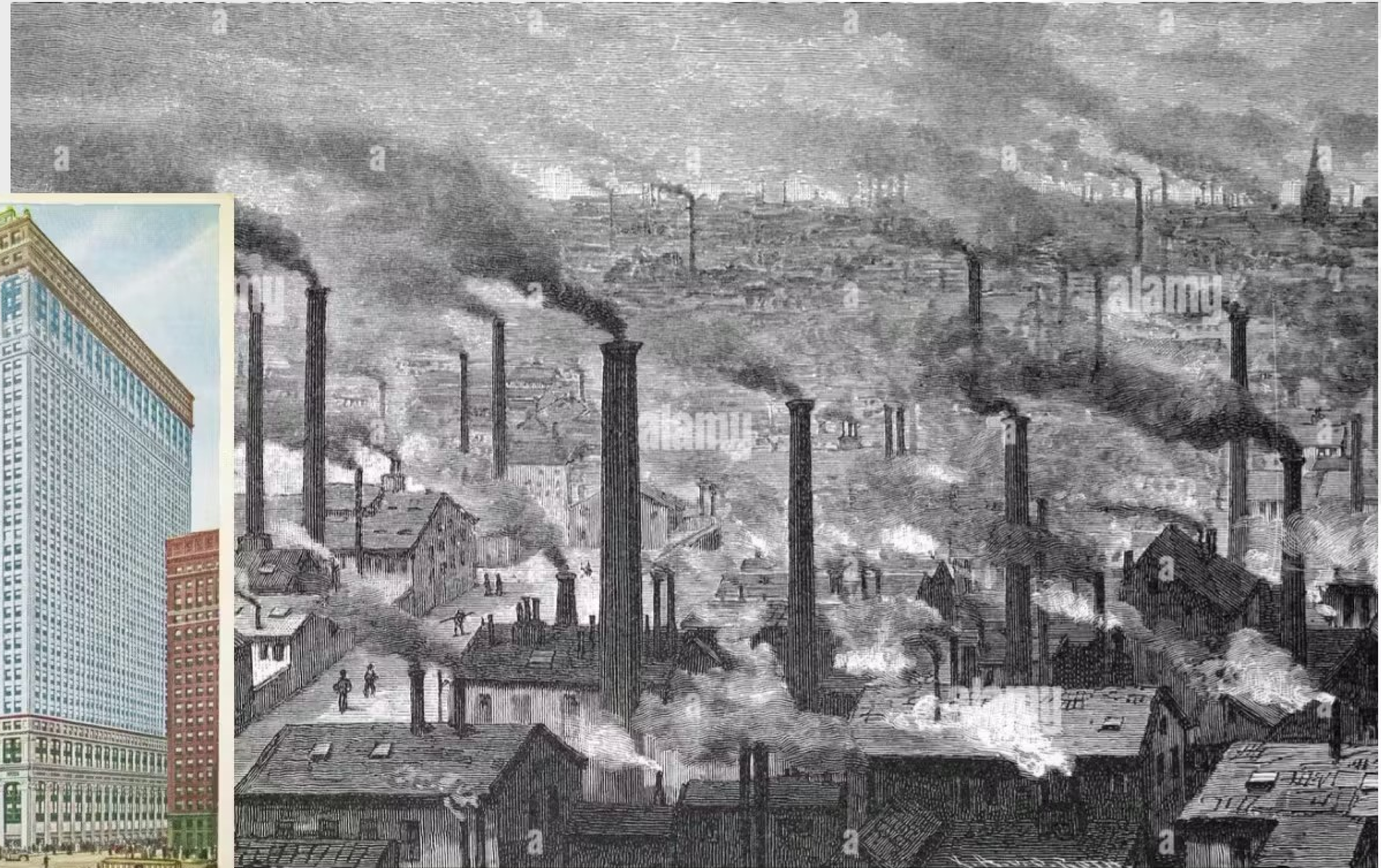
What is Zoning?

- » Code of Virginia: The process of classifying land within a locality into areas and districts, such areas and districts being generally referred to as "zones," by legislative action and the prescribing and application in each area and district of regulations concerning building and structure designs, building and structure placement and uses to which land, buildings and structures within such designated areas and districts may be put.
- » Optional (but don't go home and repeal it)

How'd we end up with zoning?

» History of Zoning

- Equitable Building (1915), incompatible uses
- New York City Zoning Resolution (1916)



Purpose of Zoning

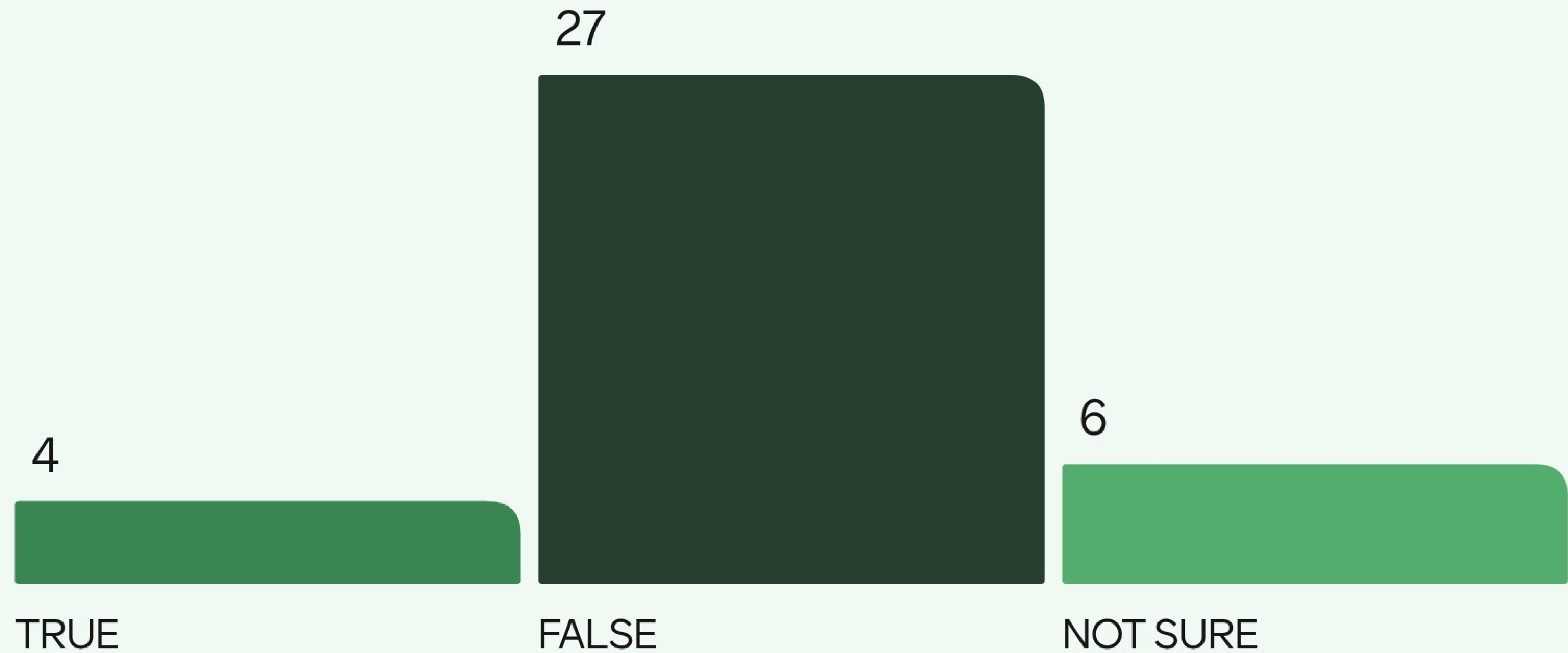
» VA Code § 15.2-2283

- Reduce or prevent congestion in transportation
- Facilitate creating a convenient, attractive, and harmonious community
- Protect historic areas
- Encourage economic development
- Protect against overcrowding of land
- Provide for preserving agricultural and forestal lands and other significant lands

Zoning Things

- » Zoning Districts (by-right zoning, zoning map)
 - Residential, Commercial, Industrial, Mixed Use, etc.
- » Rezoning
- » Conditional Rezoning (proffers)
- » Special Use Permits/Conditional Use Permits
- » Land Use?

Zoning and land use are the same thing



So what's the difference between zoning and land use?

Politics

Land use is more specific.

Zoning includes things like building size

Zoning is enforced by law

Development types

How used within zone

Zoning is area.

Depending on what specifics of use

So what's the difference between zoning and land use?

Zoning gives overview of what is permitted.

Permitted uses

Comprehensive plan

Zoning is code. Land Use is policy

Zoning is mandated

Zoning is a classification system

Taxes

No idea

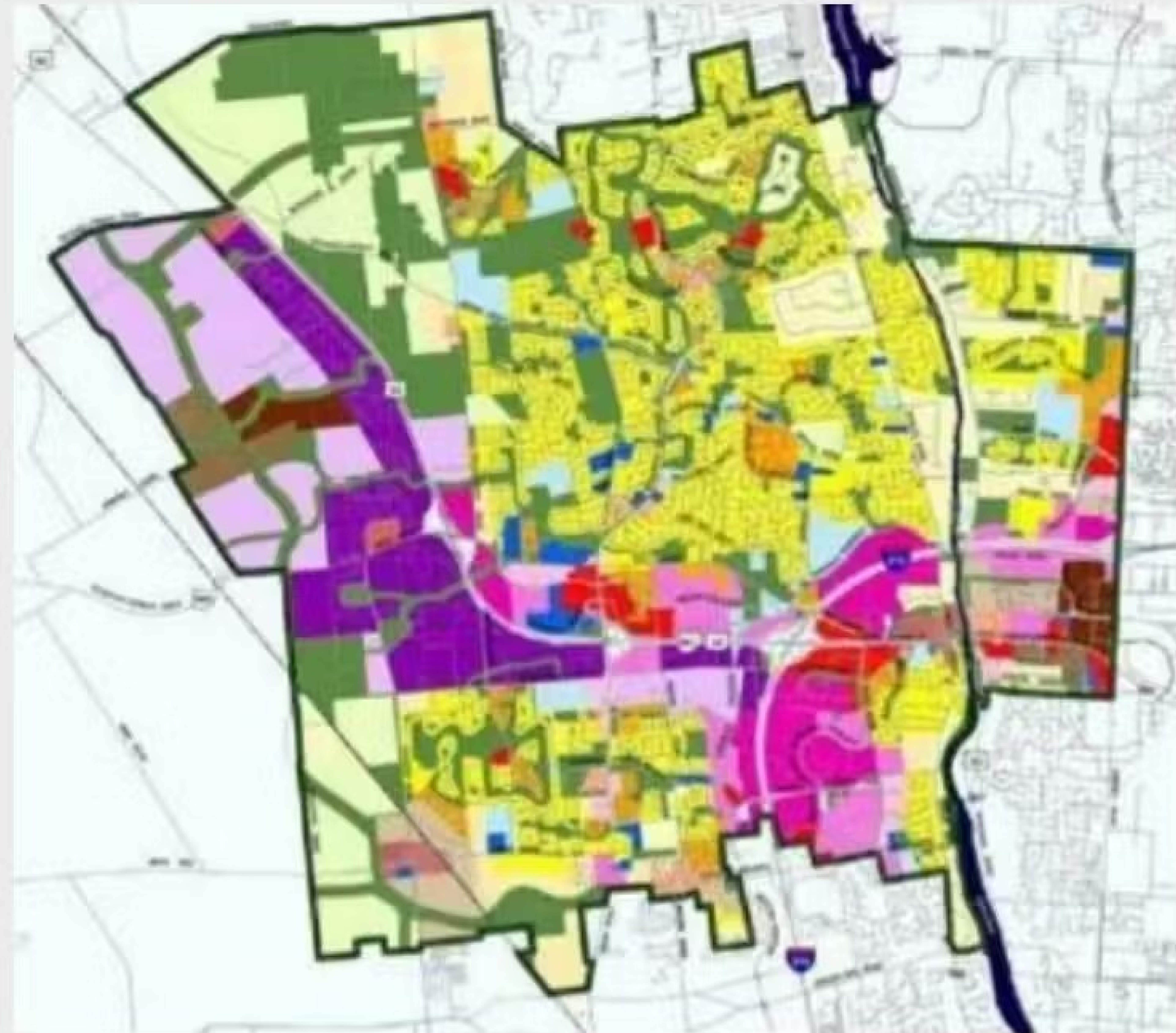
So what's the difference between zoning and land use?

Use can only use land use for certain things.

You can do land use planning without zoning

Zoning is wjats allowed

Zoning vs. Current Land Use Vs. Future Land Use

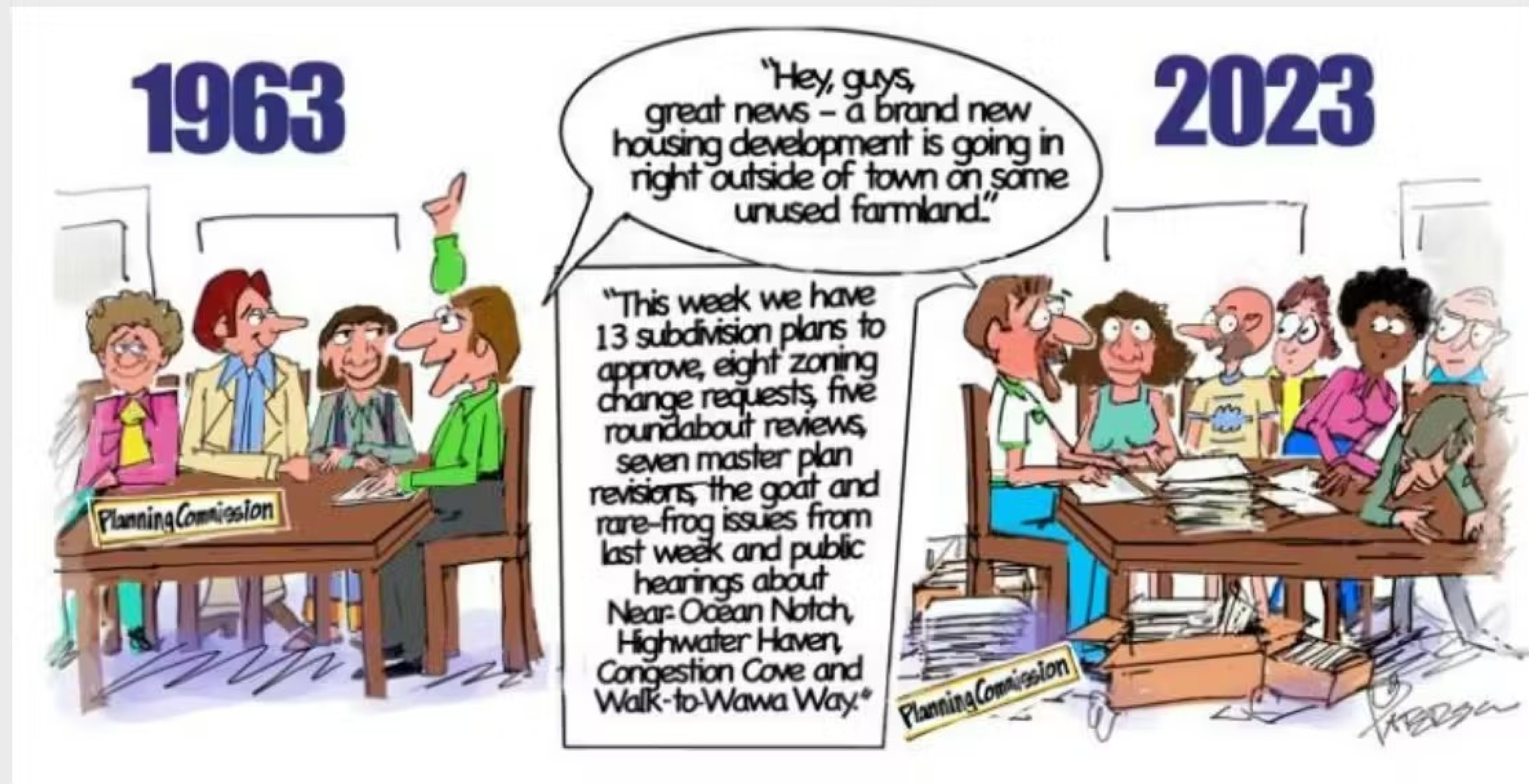


The Decisionmakers

- » **Governing Body (all of you)**
- » **Planning Commission**
- » Architectural Review Board
- » Board of Zoning Appeals
- » Zoning Administrator
- » Site Plan and Subdivision Agent

Planning Commission (VA Code § 15.2-2210)

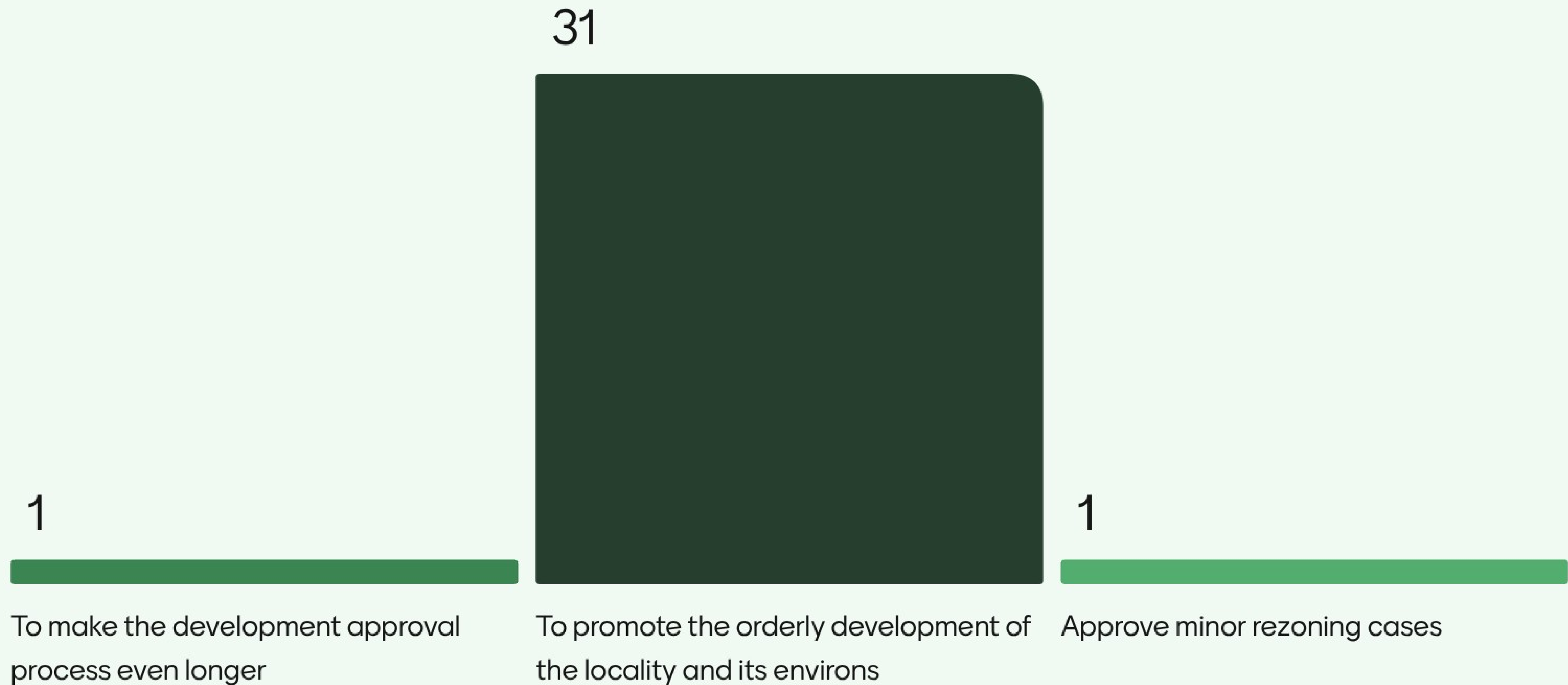
- » Every locality shall by resolution or ordinance create a local planning commission



Planning Commission (VA Code § 15.2-2212)

- » Appointed by the governing body
 - 5-15 residents of the locality
 - Knowledgeable regarding issues of community development
 - At least half of the members shall be owners of real property
 - May be compensated

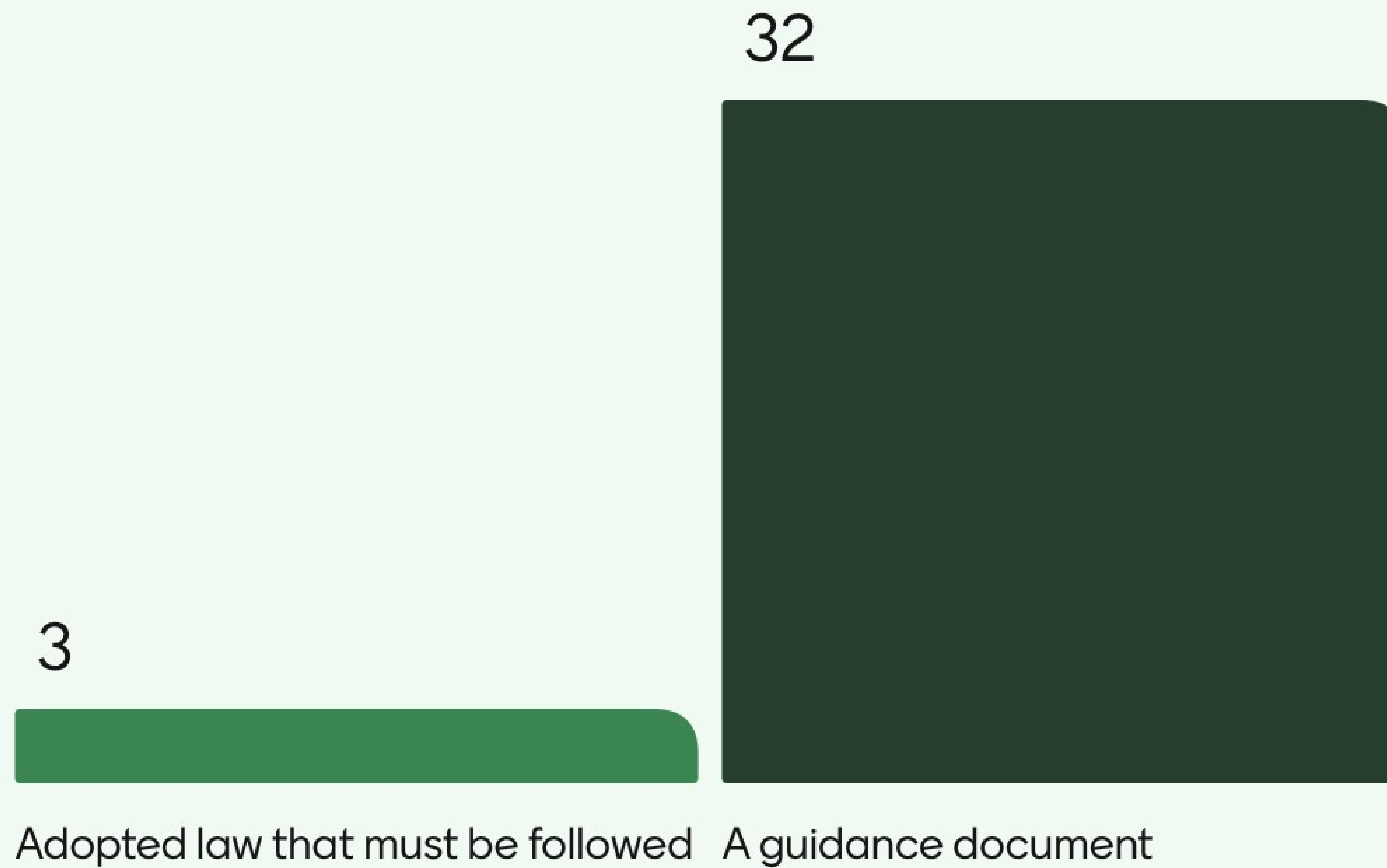
What is the role of the Planning Commission?



Planning Commission Roles

- » Keepers of the Comprehensive Plan
- » Annually prepare and revise the capital improvement plan based on the comprehensive plan every five years
- » Prepare and recommend amendments to the subdivision ordinance
- » Prepare and recommend amendments to the zoning ordinance, including maps
- » **Makes recommendations to the governing body on all zoning matters**

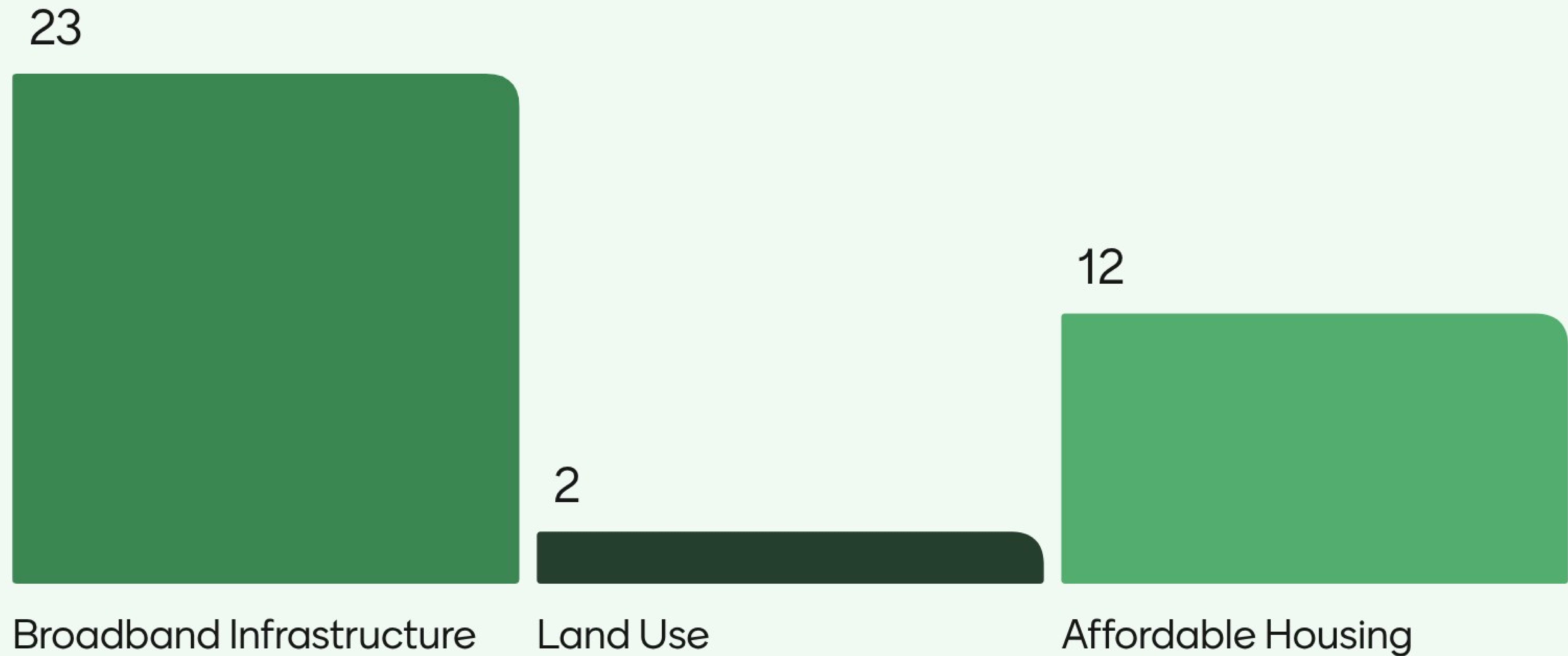
A comprehensive plan is:



Comprehensive Plan

- » A guideline for future development and systematic change
- » A policy document that is advisory only
- » Facilitates reasonable and well-informed zoning decisions and reduces the potential for discrimination in the decision-making process
- » Required by VA Code § 15.2-2223 to be prepared by Planning Commission for adoption by governing body and updated every five years

Which of the following is not required by Virginia law to be included in a comprehensive plan?



Comprehensive Plan Contents (VA Code §§ 15.2-2223 to 2223.3)

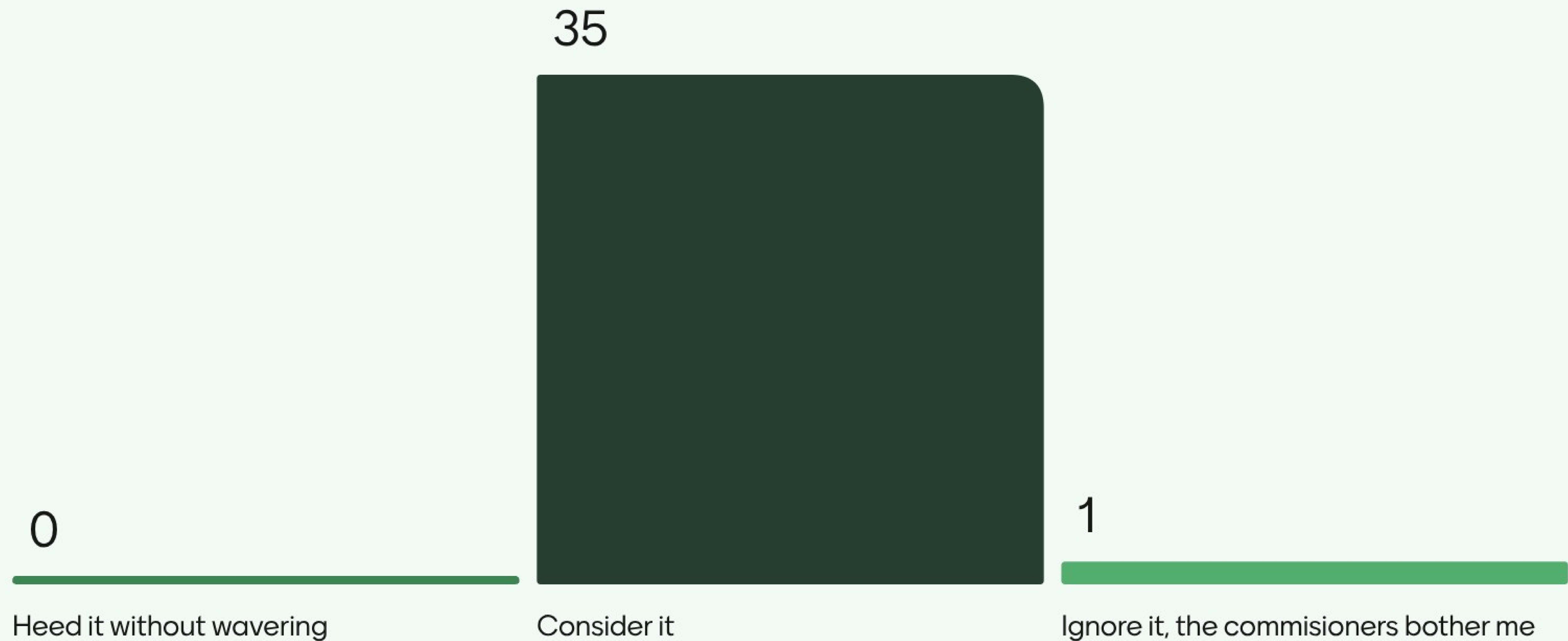
» Shall contain:

- Long-range recommendations
- Transportation plan (roadways, bicycle accommodations, pedestrian accommodations, railways, bridges, waterways, airports, ports, freight corridors, and public transportation facilities).
- Road and transportation map
- Affordable housing provisions
- Road impact fee service areas
- Principles of traditional neighborhood design
- Coastal resource management (Tidewater)
- Strategies to combat projected sea level rise (Hampton Roads Planning District)
- Strategies to provide broadband infrastructure
- Transit oriented development (cities of 20,000 or more; counties of 100,000 or more)

» May contain:

- Land use
- Community service facilities
- Historical areas and renewal
- Groundwater protection
- CIP
- Maps of mineral resources and AF districts
- Recycling centers
- Military bases
- Urban development areas

What should I do with a recommendation from the Planning Commission?



Zoning Decisions by the Governing Body

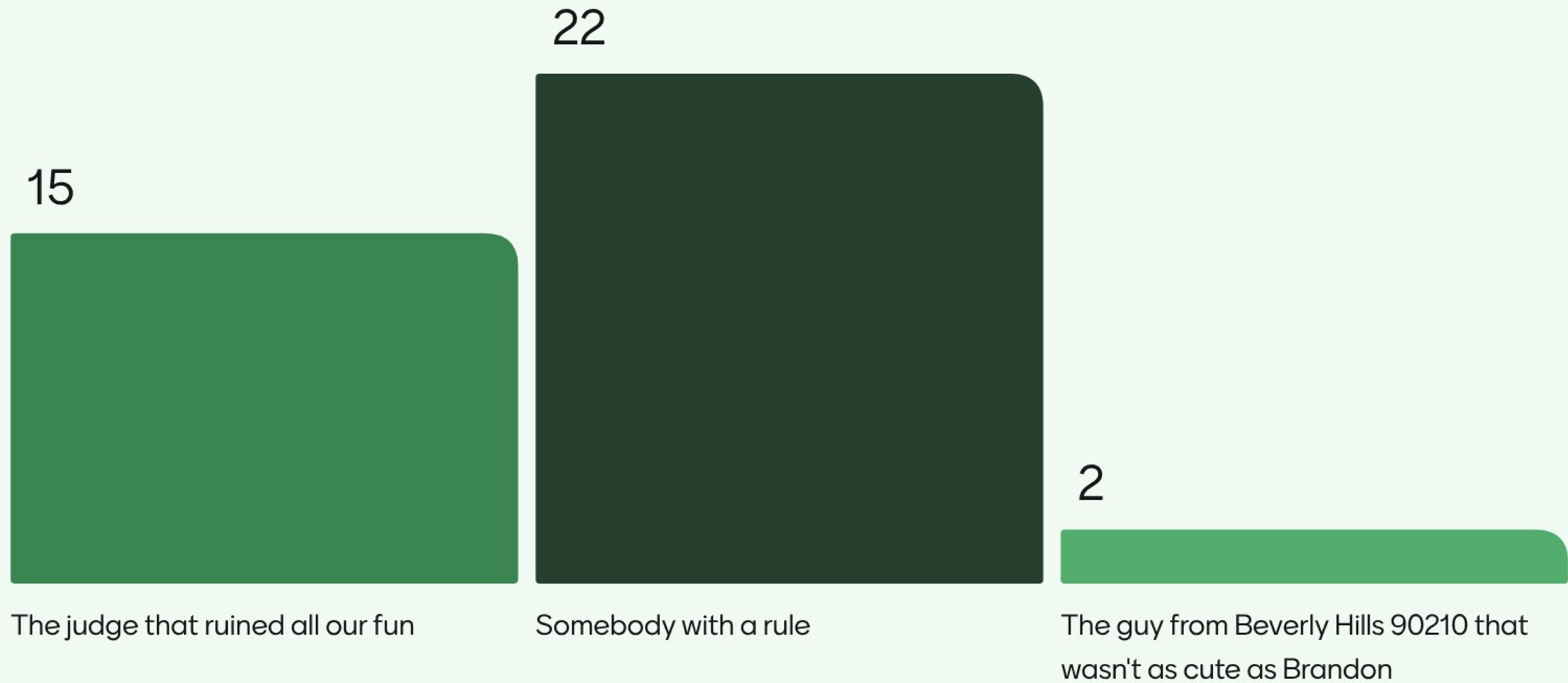
- » Guided by staff and Planning Commission recommendations
- » Informed by public input
- » VA Code
 - Adequate light, air, convenience of access
 - Safety from fire, flood, crime and other dangers
 - Reduce or prevent congestion in the public streets
 - Facilitate the creation of a convenient, attractive and harmonious community
 - Facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements
 - Protect against destruction of or encroachment upon historic areas

Zoning Decisions by the Governing Body

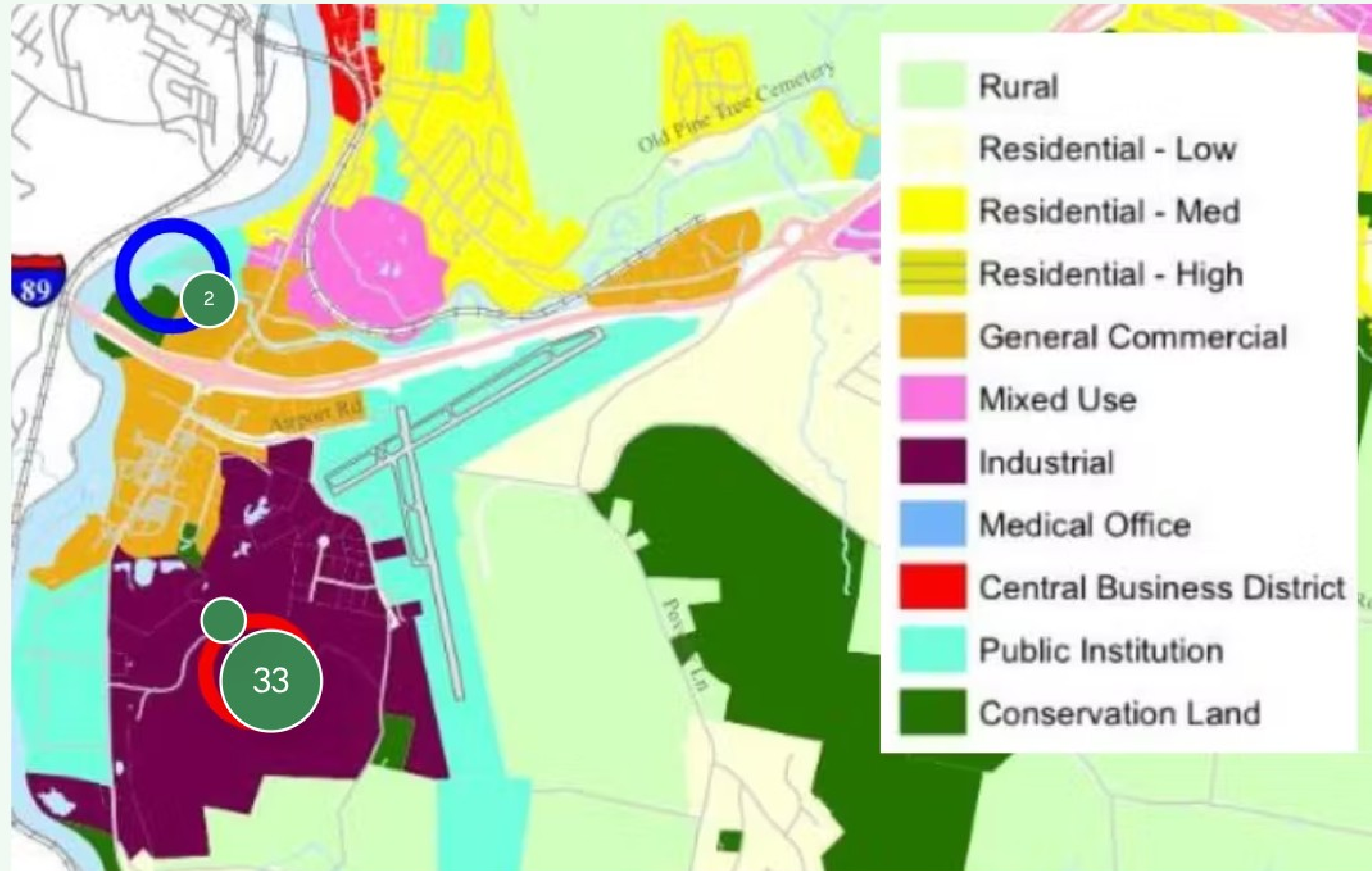
» VA Code (continued)

- Protect against: overcrowding of land, undue density of population in relation to community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, loss of life, health, or property from fire, flood, panic or other dangers
- Encourage economic development activities that provide desirable employment and enlarge the tax base
- Provide for the preservation of agricultural and forestal lands and other lands of significance for the protection of the natural environment
- Protect approach slopes and other safety areas of licensed airports, including United States government and military air facilities
- Promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the locality
- Provide reasonable protection against encroachment upon military bases, military installations, and military airports and their adjacent safety areas
- Reasonable provisions, not inconsistent with applicable state water quality standards, to protect surface water and ground water

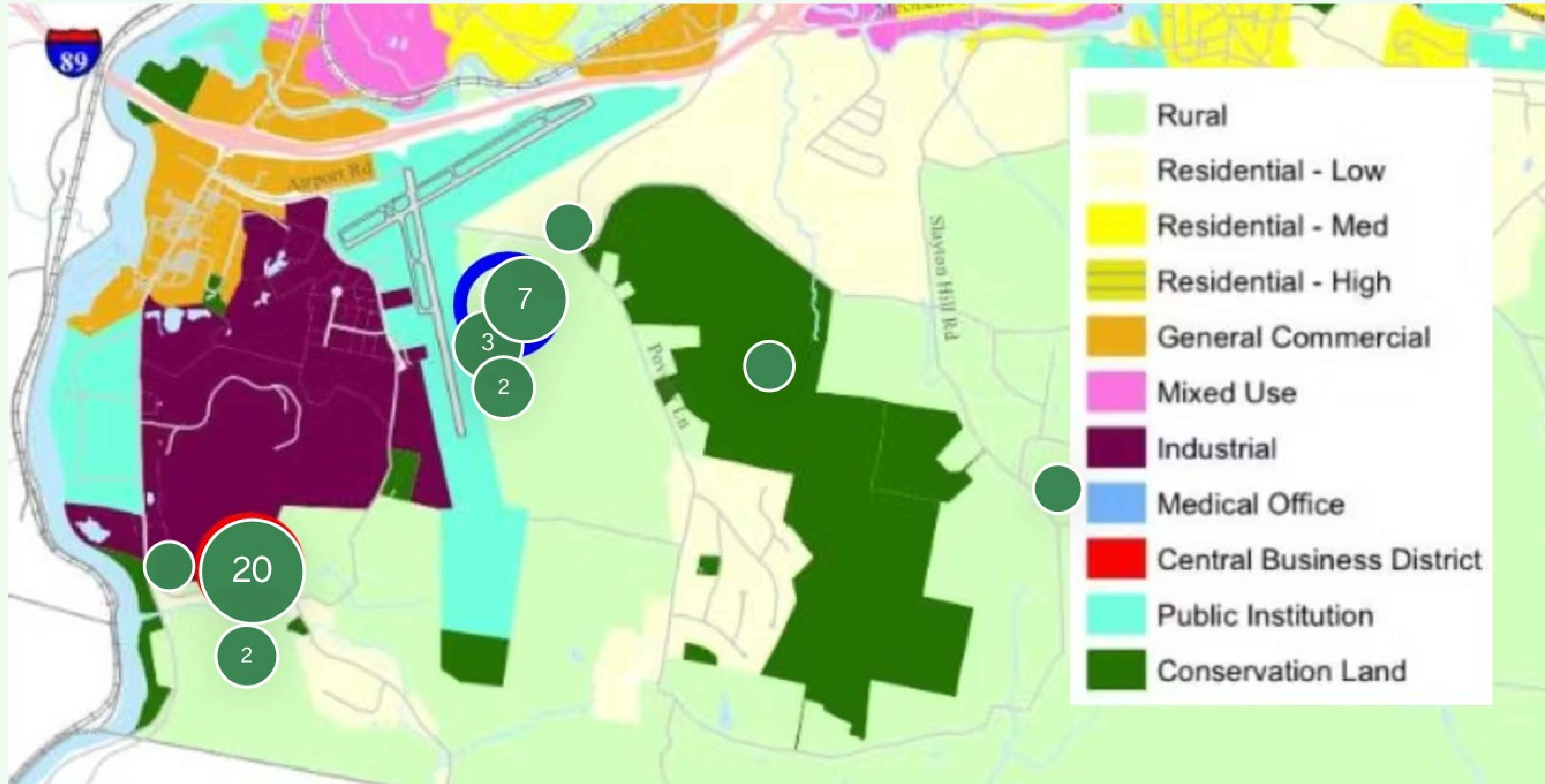
Who was Dillon?



Where should the factory go? (easy decision)



Where should the factory go? (not so easy decision)



Some Thoughts from the Planning Department



Thank You

Questions & Answers

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