

Redistricting Guidelines

Purpose: These redistricting guidelines will guide staff and inform the public of the applicable criteria to be considered for redistricting as staff prepares to develop the 2021 redistricting ordinance, which will amend [Article I, Elections, of Chapter 2, Administration, of the County Code](#).

Introduction: These guidelines are divided into three sections – those that pertain to establishing the boundaries for the County’s magisterial districts, those that pertain to the criteria for precincts and those that pertain to the criteria for polling places. Some of these guidelines are requirements of State or Federal law. Other guidelines are based on local considerations (e.g., maintain six magisterial districts) applied by the Board in prior redistricting years.

Part A - Magisterial District Guidelines

Federal Law

A-1. Establish population equality among the magisterial districts as nearly as practicable, with a goal of having a deviation in population not to exceed +/-5%, in order to assure representation in proportion to the population of the district. (*White v. Regester*, 412 U.S. 755 (1973) (allowing some minor variation from population equality; also, [United States Constitution, Article I, § 2](#), [Virginia Constitution, Article VII, § 5](#), and [Virginia Code § 24.2-304.1\(B\)](#))

State Law and State-Level Redistricting Criteria

- A-2. Assure that any change in a magisterial district boundary does not have the purpose or effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. ([Voting Rights Act of Virginia, Virginia Code § 24.2-129](#)). This, as well as the next criterion, used to be the product of the federal Voting Rights Act of 1965, until those requirements were removed from Virginia by *Shelby County v. Holder* in 2013. The Voting Rights Act of Virginia essentially re-applied them.
- A-3. Assure that no protected class identified in Guideline 2 loses voting strength under the new redistricting plan. ([Voting Rights Act of Virginia, Virginia Code § 24.2-129](#))
- A-4. Maintain geographical compactness in each magisterial district. ([Virginia Code § 24.2-304.1\(B\)](#); [Virginia Code § 24.2-305\(A\)](#); also, [Virginia Constitution, Article VII, § 5](#))
- A-5. Maintain geographical contiguity in each magisterial district. ([Virginia Code § 24.2-304.1\(B\)](#); [Virginia Code § 24.2-305\(A\)](#); also, [Virginia Constitution, Article VII, § 5](#))
- A-6. Assure magisterial districts have clearly observable boundaries, which include: (i) any named road or street; (ii) road or highway which is part of the federal, state primary or state secondary road system; (iii) any river, stream or drainage feature shown as a polygon boundary on the TIGER/line files of the Census Bureau; or (iv) any other natural or constructed or erected permanent physical feature which is shown on an official map issued by VDOT, on a USGS topographical map, or as a polygon boundary on the TIGER/line files of the Census Bureau. ([Virginia Code § 24.2-305\(A\) and \(B\)](#))
- A-7. Use only 2020 census data for the County. ([Virginia Code § 24.2-304.1\(C\)](#))
- A-8. Factors to consider include, but are not limited to, economic, social and cultural factors, geographical features, and service delivery areas. (Based on Virginia [Senate](#) and [House](#) 2011 Redistricting Criteria)

- A-9. If there is a conflict between any of Guidelines A-1 through A-6 and Guideline A-8 or any of Guidelines A-10 through A-16, priority will be given to Guidelines A-1 through A-6 because they are based on Federal and State law requirements. (Based on Virginia [Senate](#) and [House](#) 2011 Redistricting Criteria) If there is a conflict within Guidelines A-1 through A-6, priority will be given to population equality, compliance with the United States and Virginia Constitutions, and compliance with the Voting Rights Act.

County Considerations

- A-10. Maintain six magisterial districts.
- A-11. Have each magisterial district contain both urban and rural areas of the County.
- A-12. Minimize changes to existing magisterial district boundaries.
- A-13. Preserve communities of interest, including neighborhoods, within the same magisterial district.
- A-14. Avoid the pairing of incumbent members of the Board of Supervisors or the School Board in the same magisterial district.¹
- A-15. Avoid splitting census blocks to assure the accuracy of the census data.
- A-16. Preserve the historic core of existing magisterial districts.

Part B - Precinct Guidelines

State Guidelines and State-Level Redistricting Criteria

- B-1. Each precinct shall have between 100 and 5,000 registered voters. ([Virginia Code § 24.2-307](#))

Each precinct shall be wholly contained within a single congressional district, state Senate district, House of Delegates district, and magisterial district. ([Virginia Code § 24.2-307](#))

- B-2. Each precinct shall maintain geographical compactness. ([Virginia Code § 24.2-305\(A\)](#))

- B-3. Each precinct shall maintain geographical contiguity. ([Virginia Code § 24.2-305\(A\)](#))

Each precinct shall have clearly observable boundaries, which include: (i) any named road or street; (ii) road or highway which is part of the federal, state primary or state secondary road system; (iii) any river, stream or drainage feature shown as a polygon boundary on the TIGER/line files of the Census Bureau; or (iv) any other natural or constructed or erected permanent physical feature which is shown on an official map issued by VDOT, on a USGS topographical map, or as a polygon boundary on the TIGER/line files of the Census Bureau. ([Virginia Code § 24.2-305\(A\) and \(B\)](#))

- B-4. If there is a conflict between any of Guidelines B-1 through B-5 and Guidelines B-7 or B-8, priority will be given to Guidelines B-1 through B-5 because they are based on State law requirements. (Based on Virginia [Senate](#) and [House](#) 2011 Redistricting Criteria)

¹ Preserving incumbency is one of several “traditional redistricting principles” recognized by the United States Supreme Court. It serves to protect the voters from being removed from a representative that they have elected and with whom they have a constituent relationship. Therefore, staff recommends that the guideline not be deleted.

County Consideration

B-5. The target size of each precinct should be no more than 2,500 registered voters.

Part C - Polling Place Guidelines

State Guidelines and State-Level Redistricting Criteria

- C-1. Each precinct shall have one polling place. ([Virginia Code § 24.2-307](#))
- C-2. If a polling place cannot be located within the precinct, it shall be located within one mile (as measured in a straight line) from the precinct boundary. ([Virginia Code § 24.2-310\(A\)](#))
- C-3. Each polling place should be located in a public building whenever practicable. ([Virginia Code § 24.2-310\(B\)](#))
- C-4. No polling place shall be located in a building which serves primarily as the headquarters, office, or assembly building for any private organization, other than an organization of a civic, educational, religious, charitable, historical, patriotic, cultural or similar nature unless the State Board of Elections has approved the use of the building because no other building meeting the accessibility requirements set forth in Guideline C-5 is available. ([Virginia Code § 24.2-310.1](#))
- C-5. Each polling place shall be accessible to qualified voters as required by the provisions of the Virginians with Disabilities Act ([Virginia Code § 51.5-1 et seq.](#)), the Voting Accessibility for the Elderly and Handicapped Act ([52 U.S.C. § 20101 et seq.](#)), and the Americans with Disabilities Act relating to public services ([42 U.S.C. § 12131 et seq.](#)). ([Virginia Code § 24.2-310\(C\)](#))
- C-6. If there is a conflict between any of Guidelines C-2 through C-5 and any of Guidelines C-7 through C-9, priority will be given to Guidelines C-2 through C-5 because they are based on State law requirements. (Based on Virginia [Senate](#) and [House](#) 2011 Redistricting Criteria)

County Considerations

- C-7. Each polling place should be centrally located within the precinct so that the maximum travel time for a voter does not exceed 20 minutes.
- C-8. Existing polling places should be maintained, provided that they satisfy Guidelines C-2 through C-5.
- C-9. Polling places should be located where public transportation is available, where appropriate.