



**CITY COUNCIL AGENDA
December 21, 2015**

6:30 p.m.

Closed session as provided by Section 2.2-3712 of the Virginia Code

Second Floor Conference Room (Acquisition of a permanent utility easement along McIntire Road; consultation with legal counsel regarding the negotiation of terms and conditions of an agreement for co-located City-County General District Courts.)

7:00 p.m.

Regular Meeting

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

Council Chambers

**AWARDS/RECOGNITIONS
ANNOUNCEMENTS
MATTERS BY THE PUBLIC**

City Councilor Recognition

Public comment permitted for the first 12 speakers who sign up before the meeting (limit 3 minutes per speaker) and at the end of the meeting on any item, provided that a public hearing is not planned or has not previously been held on the matter. Speaker sign up opens at 6:30 p.m.

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

1. CONSENT AGENDA* (Items removed from consent agenda will be considered at the end of the regular agenda.)

- a. Minutes for December 7
- b. APPROPRIATION: Year End Adjustments – FY2015 and General Fund Balance Transfer (2nd of 2 readings)
- c. APPROPRIATION: Grand Illumination Sponsorship – \$3,500 (2nd of 2 readings)
- d. APPROPRIATION: Virginia Commission of the Arts Challenge Grant – \$5,000 (2nd of 2 readings)
- e. APPROPRIATION: Funds from CATEC (Charlottesville Albemarle Technical Education Center) to the CATEC-IT Networking Academy Project – \$10,000 (2nd of 2 readings)
- f. APPROPRIATION: Helen Williams Loan Payoff to the Charlottesville Affordable Housing Fund – \$13,528.80 (2nd of 2 readings)
- g. APPROPRIATION: Grant for Construction of 250 Bypass Trail – \$461,323 (2nd of 2 readings)
- h. APPROPRIATION: Donation from City Market to Toy Lift - \$460 (1st of 1 reading)
- i. ORDINANCE: Adding Veterans Day as a Legal City Holiday (2nd of 2 readings)
- j. ORDINANCE: Alcohol Beverage Production Zoning Amendments (2nd of 2 readings)

2. REPORT

State of the City

3. ORDINANCE*

West Main Street Mixed-Use Corridors Amendment (1st of 2 readings)

4. REPORT

Disproportionate Minority Contact (DMC) Update

**OTHER BUSINESS
MATTERS BY THE PUBLIC**

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

*ACTION NEEDED

Persons with disabilities may request reasonable accommodations by contacting ada@charlottesville.org or (434)970-3182.

GUIDELINES FOR PUBLIC COMMENT

**We welcome public comment;
it is an important part of our meeting.**

Time is reserved near the beginning and at the end of each regular City Council meeting for Matters by the Public.

Please follow these guidelines for public comment:

- If you are here to speak for a **Public Hearing**, please wait to speak on the matter until the report for that item has been presented and the Public Hearing has been opened.
- Each speaker has **3 minutes** to speak. Please give your name and address before beginning your remarks.
- Please **do not interrupt speakers**, whether or not you agree with them.
- Please **refrain from using obscenities**.
- If you cannot follow these guidelines, you will be escorted from City Council Chambers and not permitted to reenter.

CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: December 7, 2015.

Action Required: Council Appropriations.

Presenter: Christopher Cullinan, Director of Finance.

Staff Contacts: Christopher Cullinan, Director of Finance.
Leslie Beauregard, Assistant City Manager.

Title: Year End Adjustments- F.Y. 2015 and General Fund Balance Transfer.

Background:

Annually after the financial records are audited the administration makes recommendations for appropriations and transfers to other funds depending on the funds available for appropriation after closing the fiscal year.

Discussion:

The fiscal year 2015 actual revenues were \$1,962,858 over budget or 1.3% over the adopted budget. Significant revenue budget variances were as follows:

- **Meals Tax** was over budget by \$511,288. This revenue source continues to show strong growth and has averaged 6% growth since F.Y.10.
- **Real Estate Tax** was \$236,472 over budget due to assessed and/or new construction values that were higher than originally budgeted.
- **Personal Property Taxes** were \$397,684 over budget primarily due to overall growth being more than anticipated. There has been some increase in the total number of vehicles and new purchases.
- **Lodging Taxes** were \$247,069 over budget due to increasing occupancy rates.
- **Parking Garage Revenue** was over budget by \$270,153 budget primarily due high demand for monthly parking from a number of growing downtown businesses and continued growth in hourly parking.

The City of Charlottesville has a revenue forecasting team that consists of members from Budget, Finance, Treasurer, Commissioner of Revenue, and Economic Development. This team meets on a regular basis to review budget versus actual revenue during the year. The team also monitors and tracks trends to keep management informed as revenue forecasts change.

Expenditures.

Expenditures were under budget by \$2,353,748 or 1.56% of the adopted budget. Significant budget savings were as follows:

- **Community Service Act Local Match** was under budget by \$441,013. Like last year, this was the result of fewer children in foster care and fewer foster care children in congregate care. Foster care prevention cases (sometimes known as family preservation) continue to climb, but services for a foster care prevention case is generally less expensive than a foster care case.
- **The Charlottesville Albemarle Joint Security Complex** was \$489,865 under budget. The cost share agreement is based on population figures for both Charlottesville and Albemarle County. The county saw a significant increase in its population for FY15 which caused a drop in the City's cost share amount.
- **Commonwealth Attorney** was under budget by \$293,089 due to position vacancies.
- **Parks and Recreation** was under budget by \$358,478 due a variety of factors. Full-time salary and benefit savings were realized in the Aquatics and Parks Maintenance cost centers due to a number of position vacancies throughout the year. Temporary salary savings were realized in the Aquatics cost center due to improved scheduling control of staff at the aquatic facilities. There was also a significant savings in the utility costs in aquatics throughout the system throughout the fiscal year.
- **Departmental Budget Savings.** City departments continue to do a very good job of monitoring their budgets which resulted in expenditures less than budget. Savings resulted from vacancies, efficiencies and staff's constant due diligence with city tax dollars. We will be asking City Council to use some of these savings to fund items listed on the resolution and detailed in the attached memo.

Resolution/Carryover Request.

The resolution recommends that \$2,034,066 be approved and carried over in the Fiscal Year 2015 budget.

Attached is Exhibit I which provides a summary of appropriations requested. There is a balance of \$2,282,540 after the recommendations, which the City Manager recommends be placed in the Capital Improvement Program Fund for future programming.

Community Engagement.

A public hearing will be held to discuss these year-end results and accompanying appropriation of carryover funds.

Budgetary Impact.

Policy Recommendation for Fund Balance Excess

- The remaining \$2,282,540 is recommended to be transferred to the Capital Improvement Fund contingency for future capital needs.

This recommendation is in accordance with our financial policy and allows the City to contribute more towards a “pay as you go” (CASH) CIP versus issuing bonds. This is something the bond rating agencies track closely and consider a good financial management practice. Exhibit I also contains a summary of revenues and expenses to budget for F.Y. 10 to F.Y. 14.

Alignment with Council Vision Areas and Strategic Plan:

This resolution serves to close-out and summarize the financial results of fiscal year 2015 and as such aligns with Goal 4 of the Strategic Plan to Be a well-managed and successful organization.

Recommendation.

The staff recommends that Council approve the attached resolution.

Alternatives.

Amend the Recommendations.

Attachments.

1. Memo- End of Year Adjustments/Exhibit I.
2. FY 2015 Year End Appropriation.

**City of Charlottesville.
MEMO.**



To: Members of City Council.
From: Christopher Cullinan, Director of Finance.
Leslie Beauregard, Assistant City Manager.
Date: December 7, 2015.
Subject: **F.Y. 2015 End of Year Adjustments.**

In order to close the City's financial records for F.Y. 15 and to finalize the City's annual financial report, we would like to request that Council approve the attached resolution to adjust certain accounts. This is a normal procedure that takes place each year.

Provided below is a brief description of the items contained in the various sections of the appropriation:

- Section I - General Fund.
- Section II - Capital Projects Fund.
- Section III - Facilities Repair Fund.
- Section IV - Grants Funds.
- Section V - Social Services Fund.
- Section VI – School Gainsharing.

Included are names of the department or program, the amount of the adjustment and a brief discussion of the reason(s) for the appropriation.

I. General Fund.

(a) Departmental Appropriations – Section 1 (a).

The following appropriations are requests for carryovers of unspent funds and new requests not previously appropriated.

- Public Works – Refuse - \$15,000.
These funds will be used to continue funding a composting program for the City Market. For the 2015 City Market season, the City secured a one-time \$9,000 grant from the EPA for a pilot composting program. The program was a success and these funds will allow the program to continue for the 2016 season and expand to include a mid-week drop-off location for residents.

- City Attorney - \$5,000.
 These unspent funds will be used as a one-time expenditure to scan and archive City Attorney files from the 1980's.
- Juvenile and Domestic Relations Court - \$7,000.
 There are now four judges assigned to this District. The court building was recently renovated to add an office for the fourth judge. These funds will be used to fund the one-time and necessary furniture and office equipment which was not provided for in the renovations. The total cost for the furniture and equipment is \$14,000 and will be funded by 50/50 cost share agreement with Albemarle County.
- Neighborhood Development Services - \$21,000.
 These unspent funds will be used as a one-time expenditure to replace and upgrade the survey equipment used by the survey personnel. The equipment being requested will replace existing equipment that is no longer operable and needs to be replaced.
- Compensation Study - \$40,000.
 These unspent funds will be used to review the compensation plan and its alignment with the City's organizational goals and objectives. The funds were originally budgeted in FY15 but the study is being completed in FY16.
- Employee Benefits – Contribution to the Retirement Fund - \$1,000,000.
 These funds will be used to fund the 1% COLA (half of what was given to active employees) granted to retired employees on July 1, 2015 which created an additional liability of \$700,000. This contribution will increase the funded status of the retirement fund. \$300,000 will be used to as a one-time revenue to offset FY17 cost increases resulting from the adoption of new plan assumptions and funding strategies that were recommended as part of the plan's five year experience study.
- Charlottesville/Albemarle Society for the Prevention of Cruelty to Animals (SPCA) - \$980.
 The City has received State assistance in the amount of \$980 from the Department of Motor Vehicles for sales of license plates bought to support spay and neutering of pets. These

funds are appropriated to the local agency that performs the local spay and neutering program, which in this case is the Charlottesville/Albemarle Society for the Prevention of Cruelty to Animals (SPCA).

- Real Estate Assessor - \$5,000.
These funds will be used on a one-time basis by the new assessor to replace and update office furniture, computers and equipment.
- Parks and Recreation – City Market - \$18,500.
These funds were received as fees from City Market vendors. Previously Council passed a resolution to move any excess fees to a capital account that was to be used to help fund the market relocation. City Market uses the capital account to pay the current lease on the parking lot for the current market location and it is not in the current operational budget for FY16. Instead of moving these funds to the capital account, these funds will be kept in the operational fund and used to pay the lease.
- Circuit Court - \$12,500.
These funds will be used on a one-time basis to purchase a scanner that will allow for the scanning of large documents. They currently do not have a large document scanner. Customers are required to reduce their plats (the typical large document) to 8.5x14. At that reduction, details are lost.
- Circuit Court – Judge - \$1,975.
These funds will be used to replace computer equipment used by the court reporter. The existing equipment is outdated and will no longer operate as required.
- Public Works - Traffic - \$85,800.
There are seventy-four signalized intersections in the City forty-nine have already been equipped with battery backup systems. These funds will be used on a one-time basis to install battery backups for traffic signals at eleven intersections. These eleven intersections have been identified as a priority of the 25 remaining intersections that currently do not have battery backups.
- Thomas Jefferson Health Department - \$3,073.

The State has allocated additional funds to the Health Department and these funds represent the City's match for the additional allocation.

- The First Tee Closeout (TFT) - \$13,102.
These funds were received as donations for The First Tee program. In keeping with the wishes of the donors, these funds will be transferred to the new local First Tee Chapter.

(b) Additional Transfers and Appropriations – Section 1 (b).

The following appropriations are requests for transfers from the General Fund to other funds.

- Transfer to Social Services Fund – \$22,760.
These funds were transferred to the Social Services fund in F.Y. 15 due to the City contribution not being sufficient (\$1,975) and also to purchase locking file cabinets to replace file cabinets without locks that have been cited by the Virginia Department of Social Services as not being in compliance with IRS regulations. (\$20,800).
- Transfer to Grants - \$1,278.
These unspent funds will be used to provide the City's funding match for a Department of Criminal Justice grant received by the Police Department. The match was originally budgeted in FY15 but not all the expenses were incurred before the close of the fiscal year.
- Transfer to Transit - \$109,598.
\$29,598 of these funds were received as proceeds from a sale of buses originally purchased with Federal Transit Administration (FTA) funds. FTA instructs that if these funds are to be kept, they must be spent on similar items. Transit will use these funds to help supplement funding for future bus purchases. \$30,000 will be used to replace biofilters which were installed during the construction of the Avon Street Facility that were not installed properly in 2010. An environmental site visit brought these problems to CAT's attention with a directive to have them resolved in a timely manner. \$50,000 will be used to make

improvements to the pedestrian crossing on Water Street at the Downtown Station.

- Transfer to McIntire Softball Field Light Replacement Project - \$375,000
These funds will be used to replace the softball field lighting at McIntire Park.
- Transfer to Wayfinding Sign Replacement Project - \$77,000
These funds will be used to remove and replace eleven entrance corridor signs.
- Transfer to Police Mobile Data Computer Replacement Project - \$215,000
The Emergency Communications Center is currently upgrading the Computer Aided Dispatch system, and due to different technical requirements of the new system, 43 of the older in-car Police Mobile Data Computers will need to be replaced. These funds will cover the replacement of those units.
- Transfer to Golf Course - \$6,460
These funds will be used to help offset the negative fund balance in the City's Golf Fund.
- Transfer to Capital Projects Fund - \$2,282,540.
These funds will be transferred to the C.I.P. Contingency fund per the City's financial policy.

II. Capital Projects Fund - \$1,079,782.

- The sum of \$375,000 received as a transfer from the General Fund shall be appropriated into the McIntire Softball Field Lighting Replacement Project P-00892.
- The sum of \$77,000 received as a transfer from the General Fund shall be appropriated into the Wayfinding project account P-00130.
- The sum of \$100,000 received from the schools as F.Y.15 gainsharing funds be appropriated to the Schools Lump Sum project account (SH-016, P-00882)
- The sum of \$312,782 represents the amount received from the sale of land at Cherry Avenue and Ridge Street. In keeping with the Land Purchase and Sale Agreement for this property, these proceeds will be appropriated to the CIP Contingency account (CP-080) to be used later to either fund affordable housing in the Fifeville Neighborhood,

another affordable housing fund designated by the City or for improvements to Tonsler Park.

- The sum of \$215,000 received as a transfer from the General Fund shall be appropriated into the Police Mobile Data Computer Replacement Project account (P-00236).

III. Facilities Repair Fund - \$299,211.

- Courthouse Maintenance (P-00099) - \$258,183 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.
- Courthouse Construction (P-00783) - \$41,028 – These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

IV. Grants Fund - \$8,136

These funds were received from outside sources and are being appropriated to be spent by the respective grants:

- \$8,136 – these funds will be used for additional qualifying State Fire Grant expenditures.

V. Social Services Fund - \$21,117

The sum of \$317 represents unspent funds received as a donation from Martha Jefferson Hospital to fund the rental of ten Personal Emergency Response Systems (P.E.R.S.) for qualified residents of Public Housing in the Crescent Halls or Westhaven communities. Martha Jefferson Hospital has given permission for these remaining funds to be used to extend the program. Unless further altered by Council, this appropriation shall not expire. The sum of \$20,800 will be used to replace filing cabinets that have been cited by the Virginia Department of Social Services as not be compliant with IRS regulations.

VI. Schools Gainsharing - \$100,000

In 1998, the School Board and City Council entered into a gainsharing agreement. This agreement mandates that the first \$100,000 to go to facilities for School Capital Improvement Projects, the next \$100,000 is retained by the Schools in the General Fund and then any amount over \$200,000 will be shared equally (50/50) between the School Board and

the City. For the year ending June 30, 2015, the Schools had an operating surplus of \$170,552. According to the formula, the City School will retain \$70,552 and \$100,000 will be contributed to the City's School Lump Sum Project Fund.

Cc: Craig Brown, City Attorney.

FY 2015 Year End Appropriation

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the actions hereinafter set forth are herein authorized with respect to the accounts of the City listed herein, for the fiscal year ended June 30, 2015. The memo to Council dated December 7, 2015 is hereby made part of this appropriation.

I. General Fund (105).

(a) Departmental Appropriations.

The following amounts shall be permitted to be carried over and expended in the General Fund's respective cost centers or internal orders in the following fiscal year:

2461001000. Public Works - Refuse.	\$ 15,000.
1701001000. City Attorney.	\$ 5,000.
1301001000. Juvenile and Domestic Relations Court	\$ 7,000.
3901001000. Neighborhood Development Services.	\$ 21,000.
2213001000. Compensation Study.	\$ 40,000.
9713006000. Charlottesville-Albemarle SPCA.	\$ 980.
2041001000. Real Estate Assessor.	\$ 5,000.
2213001000. Employee Benefits.	\$ 1,000,000.
3691001000. Parks & Recreation - City Market.	\$ 18,500.
1101001000. Circuit Court	\$ 12,500.
1101001000. Circuit Court - Judge.	\$ 1,975
2471001000. Public Works – Traffic..	\$ 85,800.
9733001000. Thomas Jefferson Health Department.	\$ 3,073.
3711001000. The First Tee.	\$ 13,102.
Total Section 1 (a).	<u>\$ 1,226,955.</u>

(b) Additional Transfers and Appropriations.

9803030000. Transfer to Social Services.	\$ 22,760.
9803030000. Transfer to Grants.	\$ 1,278.
9803030000. Transfer to Transit.	\$ 109,598.
9803030000. Transfer to McIntire Softball Light Project.	\$ 375,000
9803030000. Transfer to Wayfinding Project	\$ 77,000
9803030000. Transfer to Police Mobile Data Computer Project	\$ 215,000
9803030000. Transfer to Golf Course	\$ 6,460.
9803030000. Transfer to Capital Projects Fund.	\$ 2,282,540.
Total Section 1 (b).	<u>\$ 3,089,636.</u>

II. Capital Projects Fund (426).

- The sum of \$375,000 received as a transfer from the General Fund shall be appropriated into the McIntire Softball Field Lighting Replacement Project P-00892.
- The sum of \$77,000 received as a transfer from the General Fund shall be appropriated into the Wayfinding project account P-00130.

- The sum of \$100,000 received from the schools as F.Y.15 gainsharing funds be appropriated to the Schools Lump Sum project account (SH-016, P-00882)
- The sum of \$312,782 represents the amount received from the sale of land at Cherry Avenue and Ridge Street. In keeping with the Land Purchase and Sale Agreement for this property, these proceeds will be appropriated to the CIP Contingency account (CP-080) to be used later to either fund affordable housing in the Fifeville Neighborhood, another affordable housing fund designated by the City or for improvements to Tonsler Park.
- The sum of \$215,000 received as a transfer from the General Fund shall be appropriated into the Police Mobile Data Computer Replacement Project account (P-00236).

III. Facilities Repair Fund (107).

- Courthouse Maintenance (P-00099) - \$258,183 - These unspent restricted court fees will be used for future court repair work or records conversion. The amount will be carried over in the Facilities Repair Fund.
- Courthouse Construction (P-00783) - \$41,028 – These unspent restricted court fees will be used for future renovations or construction projects relating to the courts and will be carried over in the Facilities Repair Fund.

IV. Grants Fund (209).

The sum of \$8,136 shall be appropriated for the following grant programs in fund 209:

190010.	State Fire Grant	.	\$8,136.
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V. Social Services Fund (212).

The sum of \$317 represents unspent funds received as a donation from Martha Jefferson Hospital to fund the rental of ten Personal Emergency Response Systems (P.E.R.S.) for qualified residents of Public Housing in the Crescent Halls or Westhaven communities. Martha Jefferson Hospital has given permission for these remaining funds to be used to extend the program. Unless further altered by Council, this appropriation shall not expire. The sum of \$20,800 will be used to replace filing cabinets that have been cited by the Virginia Department of Social Services as not be compliant with IRS regulations.

VI. Schools Gainsharing –

In 1998, the School Board and City Council entered into a gainsharing agreement. This agreement mandates that the first \$100,000 to go to facilities for School Capital Improvement Projects, the next \$100,000 is retained by the Schools in the General Fund and then any amount over \$200,000 will be shared equally (50/50) between the School Board and the City. For the year ending June 30, 2015, the Schools had an operating surplus of \$170,552. According to the formula, the City School will retain \$70,552 and \$100,000 will be contributed to the City's School Lump Sum Project Fund.

Exhibit 1

Fiscal year End 2015

Revenue over Budget	1,962,858
Expenditures under Budget	<u>2,353,748</u>
Balance under Budget	4,316,606

RECOMMENDED APPROPRIATIONS

PW - City Market Composing Program	15,000
City Attorney - Scanning Services	5,000
JDR - Furniture and Equipment for new Judge	7,000
NDS - survey equipment	21,000
Compensation Study	40,000
Transfer to Grants - PD DCJS grant match	1,278
Retiree COLA	1,000,000
Transfer to Transit - proceeds from sale of federal assets	29,598
SPCA - friendly plates	980
Assessor - furniture	5,000
City Market - lot lease funds to operating budget	18,500
Transfer to Transit - Biofilter	30,000
Transfer to Transit - Pedestrian Crossing Water Street	50,000
Transfer to Golf Fund - TFT closeout	4,160
Transfer to Golf Fund - FY15 deficit coverage	2,300
Circuit Court - large document scanner	12,500
Transfer to CIP - McIntire Softball Field Light Replacement	375,000
Transfer to CIP - Wayfinding Sign Replacement	77,000
Transfer to CIP - signal battery backups	85,800
Health Department - local match to increased State allocation	3,073
TFT - account closeout, funds to transferred to new TFT chapter	13,102
Transfer to Social Services - file cabinet replacement	20,800
Circuit Court - Court Reporter Computer Upgrade	1,975
Transfer to CIP - Police Mobile Data Computers	215,000
	(2,034,066)

Surplus Fiscal Year End 2015 **\$ 2,282,540**

Transfer to CIP **\$ (2,282,540)**

Remaining Surplus 0.00

Summary of Prior Year Results

	<u>Revenue</u>	<u>Expenses</u>	<u>Balance Under Budget</u>
Year ended June 30, 2014 \$	1,566,171	\$ 1,419,986	\$ 2,986,157
Year ended June 30, 2013	691,027	2,506,046	3,197,073
Year ended June 30, 2012	891,240	2,903,832	3,795,072
Year ended June 30, 2011	1,155,727	4,038,399	5,194,126
Year ended June 30, 2010	(1,215,660)	4,829,993	3,614,333

**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.**



Agenda Date:	December 7, 2016
Action Required:	Appropriation of Funds
Presenter:	Miriam Dickler, Director, Communication
Staff Contacts:	Miriam Dickler, Director, Communication Leslie Beauregard, Assistant City Manager
Title:	Grand Illumination Sponsorship - \$3,500

Background:

Beginning in 2015, the City of Charlottesville, specifically the Office of Communications, has taken over full responsibility for Grand Illumination. The Office has been coordinating the performances and actual tree lighting for a number of years. We have had some offers of monetary sponsorships to help offset the costs of this event.

Discussion:

U.V.A. Community Credit Union has committed \$3,500 to Grand Illumination to pay for new, energy-efficient L.E.D. lights for the tree as well as assisting with payment of the contract to light the tree itself. The event relies largely on community generosity, but some items unavoidably have costs attached. This money will go into a newly formed account specifically earmarked for Grand Illumination, should any money be carried over, it will remain in this dedicated account for use in the next year's event.

Alignment with Council Vision Areas and Strategic Plan:

Appropriation of this item aligns with the following objectives in the strategic plan; 5.2. Build collaborative partnerships; 5.3. Promote community engagement

Community Engagement:

No community engagement occurred with these donations.

Budgetary Impact:

There is no fiscal impact.

Recommendation:

Staff recommends the appropriation of these funds.

Alternatives:

N/A

Attachments:

N/A

APPROPRIATION.
Grand Illumination Sponsorship
\$3,500.

WHEREAS, the City of Charlottesville, through the Office of Communications, has received donations to sponsor and offset costs for Grand Illumination.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville funding is hereby appropriated in the following manner:

Revenue

\$3,500 Fund: 105 Internal Order: 2000130 G/L Account: 451020

Expenditures

\$3,500 Fund: 105 Internal Order: 2000130 G/L Account: 599999

**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.**



Agenda Date:	December 7, 2015
Action Required:	Approval and appropriation
Staff Contacts:	Alexander Ikefuna, Neighborhood Development Services
Presenter:	Alexander Ikefuna, Neighborhood Development Services
Title:	Virginia Commission of the Arts Challenge Grant - \$5,000

Background/Discussion: The City has received a grant from the Virginia Commission of the Arts in the amount of \$5,000 to match City funding appropriated to arts organizations. These funds will be divided equally between the Piedmont Council of the Arts and the Virginia Discovery Museum.

Community Engagement: N/A

Alignment with City Council Vision and Strategic Plan: Approval of this item aligns directly with the City Council Vision for “Charlottesville Arts and Culture” by providing direct support to two arts organizations.

Budgetary Impact: Matching funds for these projects have already been approved and appropriated by City Council as part of the F.Y. 2016 Budget.

Recommendation Staff recommends approval and appropriation.

Alternatives: The alternative is to not accept this grant funding.

Attachments: N/A

Appropriation.
Virginia Commission of the Arts Challenge Grant
\$5,000.

WHEREAS, the Virginia Commission for the Arts has notified the City of Charlottesville of its grant award in the Local Government Challenge Grant category; and

WHEREAS, the grant award will be the Piedmont Council for the Arts for their activities during the F.Y. 2016 Fiscal Year;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$5,000 is hereby appropriated in the following manner:

Revenues

\$2,500 Fund: 209 Internal Order: 1900242 G/L Account: 430080

Expenditures

\$2,500 Fund: 209 Internal Order: 1900242 G/L Account: 540100

Revenues

\$2,500 Fund: 209 Internal Order: 1900243 G/L Account: 430080

Expenditures

\$2,500 Fund: 209 Internal Order: 1900243 G/L Account: 540100

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$5,000 in funds from the Virginia Commission of the Arts.

CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.



Agenda Date:	December 7, 2015
Action Required:	Approve Appropriation of Funds
Presenter:	Mike Mollica, Division Manager, Facilities Development
Staff Contacts:	Mike Mollica, Division Manager, Facilities Development Ryan Davidson, Senior Budget & Management Analyst, Budget and Performance Management
Title:	Appropriation of Funds from C.A.T.E.C. to the C.A.T.E.C. – I.T. Networking Academy Project - \$10,000

Background: The City of Charlottesville has received a check from the Charlottesville Albemarle Technical Education Center (C.A.T.E.C.) in the amount of \$10,000 to be used for design services associated with proposed facility renovations to accommodate the upcoming C.A.T.E.C. I.T. Networking Academy.

Discussion: The City of Charlottesville Facilities Development Division is overseeing the C.A.T.E.C. – I.T. Networking Academy Project. It is anticipated that V.M.D.O. Architects will be contracted to begin the design phase of the project very soon. Facilities Development is currently negotiating the scope and consultant fee.

Facilities Development staff and the V.M.D.O. project architect will be working with Catherine Lee, Strategic Planning & Workforce Development Officer for C.A.T.E.C., to further refine the project scope.

Initial funding for this project is from the City’s Government Lump Sum account and the \$10,000 check from C.A.T.E.C. will replenish these funds.

Alignment with Council Vision Areas and Strategic Plan: This project supports City Council’s “Smart, Citizen-Focus Government” vision.

It contributes to Goal 4 of the Strategic Plan, to “be a well-managed and successful organization,” and objective 4.1, to “align resources with City’s strategic plan”.

Community Engagement: N/A

Budgetary Impact: The funds will be appropriated into the C.A.T.E.C. – I.T. Networking Academy Project Account in the Capital Improvement Program Fund (P-00881-09).

Recommendation: Staff recommends approval and appropriation of the funds.

Alternatives: N/A

Attachments: N/A

APPROPRIATION.

**Appropriation of Funds from C.A.T.E.C. to the C.A.T.E.C. – I.T. Networking Academy
Project Account: \$10,000.**

WHEREAS, C.A.T.E.C. has made a contribution to the C.A.T.E.C. – I.T. Networking Academy Project in the amount of \$10,000 originating from C.A.T.E.C.'s Contingency Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$10,000 from C.A.T.E.C. is to be appropriated in the following manner:

Revenues - \$10,000

Fund: 426 Funded Program: CP-016 (P-00881-09) G/L Account: 432900

Expenditures - \$10,000

Fund: 426 Funded Program: CP-016 (P-00881-09) G/L Account: 599999

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**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA**



Agenda Date:	December 7, 2015
Action Required:	Approval of Appropriation
Staff Contacts:	Kathy McHugh, Housing Development Specialist
Presenter:	Kathy McHugh, Housing Development Specialist
Title:	Appropriation of Funds - \$13,528.80 (Helen Williams Loan Payoff) to the Charlottesville Affordable Housing Fund (CP-084)

Background:

The City has received funds that need to be appropriated into the Charlottesville Affordable Housing Fund. Specifically, Helen Williams, 758 Orangedale Avenue, received a substantial housing rehabilitation loan in 2008 through the Albemarle Housing Improvement Program (AHIP). Mrs. Williams died last year and her son sold the property; however, \$13,528.80 was still owed to the City under our deed of trust.

Discussion:

Funds from the Williams loan payoff need be appropriated to the Charlottesville Affordable Housing Fund (CP-084), effectively returning unused funds to their original source.

Community Engagement:

There has been no direct community engagement on this issue.

Alignment with City Council Vision and Strategic Plan:

Approval of this agenda item aligns indirectly with Council's vision for Charlottesville to provide *Quality Housing Opportunities for All* and Goal 1, Objective 1.3 of the Strategic Plan to *increase affordable housing options*.

Budgetary Impact:

The funds will be appropriated into the Charlottesville Affordable Housing Fund, which is a part of the City's Capital Improvement Program Fund.

Recommendation

Staff recommends approval of the appropriation.

Alternatives:

There is no viable alternative for appropriation of the funds received from the satisfaction of the Williams deed of trust, as these funds need to be returned to their original source (Charlottesville Affordable Housing Fund).

Attachments: N/A

APPROPRIATION
Charlottesville Affordable Housing Fund
Helen William Deed of Trust Payoff
\$13,528.80

WHEREAS, the City of Charlottesville has received funding from the payoff received for the Helen Williams Deed of Trust (\$13,528.80); and

WHEREAS, funds should be paid into the Charlottesville Affordable Housing Fund; and

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$13,528.80 is appropriated as follows:

Revenues

\$13,528.80 Fund: 426 Project: CP-084 G/L Code: 451160

Expenditures

\$13,528.80 Fund: 426 Project: CP-084 G/L Code: 599999

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 7, 2015
Action Required:	Appropriation
Presenter:	Chris Gensic, Parks and Recreation
Staff Contacts:	Chris Gensic, Parks and Recreation Brian Daly, Parks and Recreation Leslie Beauregard, Director, Budget and Performance Management
Title:	TAP Grant for Construction of 250 Bypass Trail – \$461,323

Background:

The City of Charlottesville, through Parks and Recreation, has received an award from the Virginia Department of Transportation in the amount of \$375,058 to assist with efforts to construct a bicycle and pedestrian bridge over the railroad tracks at McIntire Park. The City will match this project in the amount of \$93,765, with (\$48,765) from the Trail Fund and (\$45,000) from the Bicycle/Pedestrian Fund for a total appropriation of \$468,823.

Discussion:

The City of Charlottesville has completed a bicycle, pedestrian and trail master plan that includes a bike/pedestrian commuter trail along the north side of the 250 bypass from Route 29 and Hydraulic Road to McIntire Road. The portion in western McIntire Park is nearly complete, the bridge over the railroad tracks is being built this year, and the portion from the railroad to the new interchange will be built within a year. The City applied for and has been awarded the funding to complete the section of trail between Hydraulic Road and Meadowbrook Heights/Dairy Bridge with this grant.

Community Engagement:

The bicycle, pedestrian and trail master plan was developed with multiple public meetings and was approved by council to be an addendum to the City Comprehensive Plan.

Alignment with City Council's Vision and Priority Areas:

Construction of this trail will further council goals of being a Connected City and a Green City by providing a critical bicycle and pedestrian trail portion of the developing greenway system, which will reduce dependence on automotive travel and associated pollution.

Budgetary Impact:

Grant award is for \$375,058, with a local match of \$48,765 from P-00673 the Trail fund and \$45,000 from P-00671 the Bike/Pedestrian fund for a total local match of \$93,765 (20%), which makes the total appropriation \$468,823.

Recommendation:

Staff recommends appropriation of grant funds.

Alternatives:

If grants funds are not appropriated, the Parks Department will need to find another source for the money, or make a CIP request through the general fund, and the project will be delayed by at least one year. Without assistance from this grant program, more local dollars will have to be expended in order to construct the trail, leaving less money for other improvements to the park.

Attachments:

Grant award letter from VDOT

APPROPRIATION

MAP-21 Grant for Construction of McIntire Park Railroad Trail Bridge
\$468,823

WHEREAS, the City of Charlottesville, through Parks and Recreation, has been awarded \$367,558 from the Virginia Department of Transportation to construct a bicycle and pedestrian bridge over the railroad tracks at McIntire Park; and

WHEREAS, the City will match this grant in the amount of \$93,765 which will come from the Trail (PR-001) and Bike/Ped (P-00671) accounts.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$468,823 is hereby appropriated in the following manner:

Revenue

\$375,058 Fund: 426 WBS: P-00891 G/L Account: 430120

Expenditures

\$375,058 Fund: 426 WBS: P-00891 G/L Account: 599999

Transfer From

\$48,765 Fund: 426 WBS: P-00207 G/L Account: 599999

\$45,000 Fund: 426 WBS - P-00671 G/L Account: 599999

Transfer To

\$48,765 Fund: 426 WBS: P-00673 G/L Account: 599999

\$45,000 Fund: 426 WBS P-00671 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$375,058 from the Virginia Department of Transportation.

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**CITY OF CHARLOTTESVILLE, VIRGINIA.
CITY COUNCIL AGENDA.**



Agenda Date:	December 21, 2015
Action Required:	Appropriation of Funds
Presenter:	Miriam Dickler, Director, Communication
Staff Contacts:	Miriam Dickler, Director, Communication
Title:	Holiday Market – Toy Lift Donation - \$460

Background:

Beginning in 2015, the City of Charlottesville, specifically the Office of Communications, has taken over full responsibility for Grand Illumination. In addition to the actual Illumination event, the City also hosted a pop-up City Holiday Market and a downtown site for the Toy Lift Charities. In early conversation with both groups, it was agreed that the vendor fees for the Holiday Market would be donated to the Toy Lift Charities in the spirit of the holidays. City Market staff collected \$460 in vendor fees at the event.

Discussion:

This money is intended to be a charitable donation to the Toy Lift, a 501 c 3 organization.

Alignment with Council Vision Areas and Strategic Plan:

Appropriation of this item aligns with the following objectives in the strategic plan; 5.2. Build collaborative partnerships; 5.3. Promote community engagement

Community Engagement:

No community engagement occurred with these donations.

Budgetary Impact:

There is no fiscal impact. This is a pass through donation.

Recommendation:

Staff recommends the appropriation of these funds.

Alternatives:

N/A

Attachments:

N/A

APPROPRIATION.

Holiday Market – Toy Lift Donation - \$460.

WHEREAS, the City of Charlottesville, through the City Market, wished to make a donation to the Toy Lift using the vendor fees collected from the vendors that participated in the pop-up Holiday Market held as part of the Grand Illumination activities;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville funding is hereby appropriated in the following manner:

Revenue

\$460 Fund: 105 Cost Center: 1611001000 G/L Account: 451020

Expenditures

\$460 Fund: 105 Cost Center: 1611001000 G/L Account: 599999

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 7, 2015
Action Required:	Yes
Presenter:	Maurice Jones, City Manager
Staff Contacts:	Maurice Jones, City Manager
Title:	Adding Veterans Day as a Legal City Holiday

Background:

In March of this year, the City Council voted to end the City’s observance of the Lee-Jackson Day Holiday. At the time the Council expressed an interest in adding a holiday to replace Lee-Jackson Day. Veterans Day was discussed as a possibility.

Veterans Day, formerly known as Armistice Day, was originally established as a legal holiday to honor the end of World War I, which officially took place on November 11, 1918. In 1954, encouraged by veterans’ organizations, the 83rd U.S. Congress amended the Act of 1938 to replace “Armistice” with “Veterans”, thus acknowledging all veterans.

Discussion:

The City surveyed City employees to gather their thoughts on what holiday should be considered. 526 votes were cast, and Veterans Day was the top choice at 43%. In addition to the federal government, Veterans Day is observed as a holiday by the Commonwealth of Virginia, the counties of Fairfax, Buckingham, Greene, Louisa, Madison, Nelson and Orange; and the cities of Virginia Beach, Harrisonburg, Norfolk, Portsmouth, Chesapeake and Suffolk. The inclusion of Veterans Day as a legal holiday would continue to demonstrate the City’s commitment to honoring the men and women who have served our community and country in the armed forces.

Citizen Engagement:

During the discussion and public hearings on ending the observance of Lee-Jackson Day, a number of citizens encouraged the Council to consider Veterans Day as a replacement holiday. However, the City has not held a public hearing specifically on adding Veterans Day.

Recommendation:

Staff recommends adding November 11th, Veterans Day, to its list of City holidays.

Budgetary Impact:

The budgetary impact would be roughly \$12,000 to fund the holiday pay for regular part time and full time employees who are scheduled to work on Veterans Day. This would, in essence, replace the funding previously allocated for Lee-Jackson Day.

Alternatives:

The City Council could decide to add a different holiday to the calendar or not add a holiday at all.

**AN ORDINANCE
AMENDING AND REORDAINING SECTION 2-6 OF THE CODE
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
TO ADD VETERANS DAY AS A LEGAL HOLIDAY**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 2-6 of Article I (In General) of Chapter 2 (Administration) of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained as follows:

Sec. 2-6. - Legal holidays.

In each year, the first day of January (New Year's Day), the third Monday in January (Martin Luther King, Jr. Day), the third Monday in February (George Washington Day), the thirteenth day of April (Jefferson's Birthday), the last Monday in May (Memorial Day), the fourth day of July (Independence Day), the first Monday in September (Labor Day), **the eleventh day of November (Veterans Day)**, the fourth Thursday in November (Thanksgiving Day), the Friday after the fourth Thursday in November, the twenty-fifth day of December (Christmas Day) or, whenever any of such days shall fall on Saturday, the preceding Friday shall be a legal holiday, and whenever such days shall fall on Sunday, the Monday next following such day shall be a legal holiday.

(Code 1976, § 2-1; Ord. of 11-20-00; 3-2-15)

State Law reference— Legal holidays, Code of Virginia, § 2.1-21.

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**

Agenda Date: December 7, 2015

Action Required: Ordinance Adoption

Presenter: Brian Haluska, Principal Planner, Neighborhood Development Services

Staff Contacts: Brian Haluska, Principal Planner, Neighborhood Development Services

Title: Alcoholic Beverage Production Zoning Amendments

Background:

At their October 19, 2015 meeting, the City Council approved an initiation of a zoning text amendment related to the definition of microbreweries in the City of Charlottesville. The memo on the matter referred to a City-based brewery that raised concerns about the City’s limitation on the amount of beer a brewery can produce under the microbrewery definition. Currently, a brewery operation that exceeds 15,000 barrels of production a year is classified as a beverage bottling facility, and can only be located in industrial zones.

Additionally, staff raised a concern about the consistency with a microbrewery definition that permits the production of beer within several mixed-use zones, but does not permit small scale winery or distillery operations.

Discussion:

The Planning Commission held a joint public hearing at their November 10, 2015 meeting.

The topics of discussion that the Commission focused on at that meeting included:

- Whether small breweries should be permitted by special use or by-right in some of the mixed-use districts. The Commission ultimately chose to keep the use as requiring a special use permit in the four mixed-use zones recommended to allow small breweries.
- Whether or not the keep the 3,000 square foot limit in size for a micro-producer.

Alignment with City Council Vision Areas and Strategic Plan:

The City Council’s “Economic Sustainability” vision states that the City has “a business-friendly environment in which employers provide well-paying, career-ladder jobs and residents have access to small business opportunities.”

Goal 3 of the City Council’s Strategic Plan is to “Have a strong diversified economy” that contains the following goals: “Attract and cultivate a variety of new businesses” and “Grow and retain viable businesses”.

Citizen Engagement:

The Planning Commission held a joint public hearing on the Zoning Text Amendment at their November 10, 2015 meeting. Two persons spoke at the hearing. One speaker mentioned that brewery operations were industrial in nature, and thus the review of facilities by the Commission and Council through a special use permit process was warranted. The speaker also said they supported microbreweries in the City. The second speaker was the CEO of a local brewery, and expressed the desire to expand operations within the City and the ordinance would make that possible.

Budgetary Impact:

City staff does not anticipate any negative budgetary impact from the code change. If small breweries are established within the City, it would provide additional tax revenue from sales tax and the meals tax.

Recommendation:

The Commission took the following action:

Ms. Green moved to recommend to City Council that it should amend Sections 34-420, 34-480, 34-796 and 34-1200 of the zoning ordinance, to define micro-producers of alcoholic beverages and small breweries and designate which zones of the City those uses may be located, as presented in the draft ordinance provided by staff, because I find that this amendment is required by the public necessity, convenience, general welfare or good zoning practice.

Mr. Lahendro seconded the motion. The Commission voted 6-0 to recommend approval. Commissioner Rosensweig was not present.

Following the meeting, representatives of two current microbreweries in the City contacted the Director of Economic Development, and indicated that their existing operations would become non-conforming uses if the 3,000 square foot size limitation for micro-producers remains within the final adopted ordinance. Accordingly, staff recommends that the 3,000 SF size restriction be omitted, but that the text of the proposed ordinance otherwise remain as recommended by the Commission.

Alternatives:

City Council has several alternatives:

- (1) adopt the attached ordinance to amend the text of the City's zoning ordinance;
- (2) by motion, deny approval of the attached ordinance for a zoning text amendment; or
- (3) by motion, defer action on the attached ordinance for a zoning text amendment.

Attachment:

- Staff Report
- Proposed Ordinance

ORDINANCE
PROPOSING AMENDMENTS TO THE TEXT OF CHAPTER 34 OF THE CODE OF
THE CITY OF CHARLOTTESVILLE (ZONING) TO PERMIT CERTAIN SMALL-
SCALE PRODUCERS OF BEER, WINE AND DISTILLED SPIRITS OUTSIDE THE
CITY’S INDUSTRIAL ZONING DISTRICTS

WHEREAS, City Council initiated a zoning text amendment, proposing to amend existing zoning regulations to permit certain small-scale producers of beer, wine and distilled spirits outside the City’s Industrial zoning districts (“Proposed Amendments”); and

WHEREAS, a joint public hearing on the Proposed Amendments was held before the City Council and Planning Commission on November 10, 2015, following notice to the public and to adjacent property owners as required by law; and

WHEREAS, legal notice of the public hearing was advertised in accordance with Va. Code Sec. 15.2-2204; and

WHEREAS, on November 10, 2015, the Planning Commission voted to recommend that City Council should adopt the Proposed Amendments; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice requires the Proposed Amendments, and that the Proposed Amendments are consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

- Section 34-420 (Use Matrix—Residential zoning districts) is hereby amended as follows:**

Use Types	Zoning Districts										
	R-1	R-1U	R-1S	R-1SU	R-2	R-2U	R-3	R-UMD	R-UHD	MR	MHP
<u>Microbrewery</u>											
<u>Micro-producers</u>											
<u>Small Breweries</u>											

- Section 34-480 (Use Matrix—Commercial districts) is hereby amended as follows:**

Use Types	Zoning Districts					
	B-1	B-2	B-3	M-1	ES	IC
<u>Microbrewery</u>		B	B	B		B
<u>Micro-producers</u>						
<u>Small Breweries</u>		<u>S</u>	<u>S</u>	<u>B</u>		<u>B</u>

3. **Section 34-796 (Use Matrix—Mixed use corridor districts) is hereby amended as follows:**

Use Types	Zoning Districts													
	D	DE	DN	WMN	WMS	CH	HS	NCC	HW	WSD	URB	SS	CD	CC
<u>Microbrewery Micro-producers</u>	B	B	B	B	B		B		B	B	B	B	B	B
<u>Small Breweries</u>		<u>S</u>							<u>S</u>		<u>S</u>			<u>S</u>

4. **Section 34-1200 (Definitions) is hereby amended as follows:**

Beverage or food processing ~~packaging and bottling~~ plants—means a ~~business/ industrial~~ manufacturing facility where foods and/or beverages are processed and packaged for local, regional or national distribution. This definition does not include a facility engaged in the brewing ~~and~~ bottling of beverages (see brewery and bottling facilities).

Brewery—means a facility in which beer is manufactured by a person licensed by the Commonwealth of Virginia as a brewery.

Brewery (small)—means a brewery (i) that produces fewer than 30,000 barrels per year of beer, and (ii) the brewery sells directly to the consumer on-site within a retail shop, bar, tasting room, tap- room, restaurant, or other similar facility.

Brewery and bottling facility—means a ~~business/ industrial~~ manufacturing facility where beverages are brewed and bottled for local, regional or national distribution. Samples may be offered to individuals visiting the premises, for on-site consumption, but there are no retail or other sales directly to consumers within any tap-rooms, bars, restaurants, or other similar facility.

Micro-producers—means a microbrewery, microwinery, or microdistillery, in which 25% or more of the facility’s production is sold directly to the consumer on-site, within a retail shop, bar, tasting room, tap-room, restaurant, or other similar facility.

Microwinery—means a facility for the production and packaging of wine for distribution, retail or wholesale, on- or off-premise, with a capacity of not more than 5,000 gallons per year. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.

Microdistillery—means a facility for the production and packaging of distilled spirits for distribution, retail, or wholesale, on or off premise, with a capacity of not more than 5,000 gallons per year. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



REQUEST FOR A ZONING TEXT AMENDMENT

**ZT15-00008: ALCOHOLIC BEVERAGE PRODUCTION
ZONING AMENDMENTS**

JOINT PUBLIC HEARING

DATE OF PLANNING COMMISSION MEETING: November 10, 2015

Author of Staff Report: Brian Haluska

Date of Staff Report: October 28, 2015

Applicable City Code Provisions: Chapter 34 (Zoning Ordinance)

Executive Summary

An ordinance to revise and expand the existing definition of a microbrewery within the City, and to make provisions for small-scale brewery operations that exceed the current definition of a microbrewery in the code.

Background

At their October 19, 2015 meeting, the City Council approved an initiation of a zoning text amendment related to the definition of microbreweries in the City of Charlottesville. The memo on the matter referred to a City-based brewery that raised concerns about the City's limitation on the amount of beer a brewery can produce under the microbrewery definition. Currently, a brewery operation that exceeds 15,000 barrels of production a year is classified as a beverage bottling facility, and can only be located in industrial zones.

Additionally, staff raised a concern about the consistency with a microbrewery definition that permits the production of beer within several mixed-use zones, but does not permit small scale winery or distillery operations.

Standard of Review

As per state law and §34-42 of the City Code, the planning commission is required to review this proposed amendment to determine:

- (1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;
- (2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
- (3) Whether there is a need and justification for the change; and

(4) Whether the amendment is required by the public necessity, convenience, general welfare or good zoning practice.

Discussion of the Proposed Draft Ordinance

The full text of the proposed draft ordinance is attached to this report. The sections proposed for modification are section 34-1200 of the zoning ordinance, which would be updated to reflect new definitions of alcoholic beverage production facilities, and the three use matrices in the Zoning Ordinance. The specific changes to the ordinance are:

Section 34-1200

The section would be modified to add a new definition for “Micro-producers”. This will be an overarching category that will include those uses currently classified as microbreweries, as well as micro-wineries and micro-distilleries. The existing limit of 15,000 barrels per year will be retained for microbreweries, while production at micro-wineries and micro-distilleries will be limited to no more than 5,000 gallons per year. The 5,000 gallon limit is used by the Virginia Department of Alcoholic Beverage Control as a dividing line for licenses for wineries and distilleries. Micro-producers would also be required to have some form of commercial activity in addition to their production facility.

Additionally, a new definition will be added for “Small Breweries” that will limit production of beer at such facilities to no more than 30,000 barrels per year. City staff settled on the limit of 30,000 as a maximum for these types of facilities because a search of ABC licensees for breweries revealed that only 5 facilities in the state are licensed to produce over 10,000 barrels per year. Staff felt that any facility larger than 30,000 would be best located in the industrial zones of the City.

Lastly, the staff recommends a change to the existing definition of “Brewery and bottling facility” that clarifies that the use is limited to brewery operations without commercial components.

Section 34-420

The current land use category “Microbreweries” would be amended to read “Micro-producers”, and a new category for “Small Breweries” would be added to the matrix. Neither use would be permitted in any of the residential districts.

Section 34-480

The current land use category “Microbreweries” would be amended to read “Micro-producers”, and a new category for “Small Breweries” would be added to the matrix. “Microbreweries” are currently permitted by-right in the B-2, B-3, M-I and IC corridors. “Micro-producers” would be permitted by right in the same zones.

Staff proposes permitting “Small Breweries” by right in the M-I and IC districts, and by special use permit in the B-2 and B-3 districts.

Section 34-796

The current land use category “Microbreweries” would be amended to read “Micro-producers”, and a new category for “Small Breweries” would be added to the matrix. “Microbreweries” are currently permitted by-right in the Downtown, Downtown Extended, Downtown North, West Main North, West Main South, High Street, Highway Commercial, Water Street, Urban, South Street, Corner and Central City corridors. “Micro-producers” would be permitted by right in the same zones.

Staff proposes permitting “Small Breweries” by special use permit in the Downtown Extended, Highway, Urban, and Central City corridors.

Staff Analysis

1. Does the proposed amendment conform to the general guidelines and policies contained in the comprehensive plan?

The Land Use chapter of the Comprehensive Plan lists the following goals:

- “When considering changes to land use regulations, respect nearby residential areas.”
- “Encourage small businesses that enhance existing neighborhoods and employment centers.”
- “Increase opportunities for employment centers and diverse employment opportunities, particularly in targeted industries and businesses.”

The Economic Sustainability chapter of the Comprehensive Plan lists the following goals:

- “Work with partners to help entrepreneurs identify locations/sites where they can successfully start and grow their companies.”
- “Work strategically to continue to develop and implement land use policies and regulations that ensure the availability of sites for businesses to locate and expand.”

2. Does the proposed amendment further the purposes of the Zoning Ordinance (Chapter 34, City Code) and the general welfare of the entire community?

Section 34-3(3) of the City Code states that a purpose of the zoning ordinance is in part to “regulate and restrict the location of trades, industries and residences” and “Encourage economic activities that provide desirable employment and enlarge the tax base”.

3. Is there a need and justification for the change?

The justification for the change is two-fold. The first is to give local craft brewers some sites where they can potentially relocate to if their operations begin to increase beyond the size of the City’s definition of a microbrewery, but can still be accommodated within the City.

The second justification is to provide micro-winery and micro-distillery operations the same opportunities to locate in the City that microbreweries currently enjoy.

Public Comment

Staff has received no comment on this matter.

Recommendation

Staff recommends approval of the zoning text amendment.

Possible Motions

1. “I move to recommend to City Council that it should amend Sections 34-420, 34-480, 34-796 and 34-1200 of the zoning ordinance, to define micro-producers of alcoholic beverages and small breweries and designate which zones of the City those uses may be located, as presented in the draft ordinance provided by staff, because I find that this amendment is required by the public necessity, convenience, general welfare or good zoning practice.

2. I move to recommend to City Council that it should amend Sections 34-420, 34-480, 34-796 and 34-1200 of the zoning ordinance, to define micro-producers of alcoholic beverages and small breweries and designate which zones of the City those uses may be located, with the following changes:
 - a. _____
 - b. _____

I find that the draft ordinance presented by staff, with these changes, is required by the public necessity, convenience, general welfare or good zoning practice.

3. “I move to recommend to City Council that it should not amend Sections 34-420, 34-480, 34-796 and 34-1200 of the zoning ordinance, to define micro-producers of alcoholic beverages and small breweries and designate which zones of the City those uses may be located, because I find that the amendment is not required by the public necessity, convenience, general welfare or good zoning practice.

Attachments

Proposed amendment to Sections 34-420, 34-480, 34-796 and 34-1200

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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 21, 2015
Action Required:	Presentation
Presenter:	Satyendra Huja, Mayor
Staff Contacts:	Maurice Jones, City Manager
Title:	State of the City Presentation

Background:

Mayor Satyendra Huja will provide, through a PowerPoint presentation, a review of the City's activities from the past year. The Mayor will spend time highlighting achievements from each of the City Council's vision areas:

Economic Sustainability
A Center for Lifelong Learning
Quality Housing Opportunities for All
C'Ville Arts and Culture
A Green City
America's Healthiest City
A Connected Community
A Community of Mutual Respect
Smart, Citizen Focused Government

Alignment with Council Vision Areas and Strategic Plan:

The delivery of quality services is at the heart of Charlottesville's social compact with its citizens. Charlottesville's approach to customer service ensures that we have safe neighborhoods, strong schools, and a clean environment. We continually work to employ the optimal means of delivering services, and our decisions are informed at every stage by effective communication and active citizen involvement. Citizens feel listened to and are easily able to find an appropriate forum to respectfully express their concerns.

City of Charlottesville Strategic Plan:

- **VISION**
To be one community filled with opportunity
- **MISSION**
To provide services and facilities that promote an excellent quality of life for everyone in our community

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CITY OF CHARLOTTESVILLE, VIRGINIA

CITY COUNCIL AGENDA



Agenda Date:	December 21, 2015
Action Required:	Ordinance Adoption
Presenter:	Carrie Rainey, City Planner, Neighborhood Development Services
Staff Contacts:	Carrie Rainey, City Planner, Neighborhood Development Services
Title:	ZT-15-00007 West Main Street Mixed-Use Corridors Amendment

Background:

West Main Street is a dynamic corridor that is experiencing an influx of new development and redevelopment/revitalization of existing structures. Over the past few years, there have been a number of development projects both proposed and constructed along West Main Street, particularly west of the Bridge. Many of these developments have been designed to maximize height and bulk. Of the developments constructed along the corridor, many have been perceived by the public as too large, too tall, lacking in open spaces and character, and not compatible with adjacent streets and neighborhoods.

West Main Street is an Architectural Design Control District (ADC) due to its unique architectural and historic value. All properties are subject to review by the Board of Architectural Review (BAR) for any exterior construction, reconstruction, alteration, or restoration (see Section 34-275- *Certificates of appropriateness; construction and alterations* of the City Code of Ordinances for more information). In addition, no contributing structure may be demolished without BAR approval (see West Main Street Zoning Map). The ADC Guidelines, last amended on December 2, 2013, assist applicants with creating designs compatible with the character of the corridor. The BAR utilizes the guidelines and has the discretion to determine if proposed projects are architecturally compatible in context and detail. Under the proposed zoning amendments, review by the BAR will remain as it is today. **Please note, however, that the Planning Commission strongly encourages that Council direct the BAR to review the Design Guidelines (in consultation with the City’s Tree Commission), to determine whether any updates or changes are necessary or desirable, in order to assure that the guidelines and**

the zoning ordinance can be applied in a complementary fashion. The Commission is particularly concerned that historically significant patterns of development be respected (such as existing areas in which buildings have been built-to the street right-of-way line) but that site design guidelines should also promote street trees, public and semi-public spaces, and amenities in locations where they would enhance the compatibility of proposed new development with architectural characteristics intended to be protected along the West Main Street corridor.

In addition to BAR guidance, zoning is a tool often used by communities to help guide and manage development. The proposed zoning amendments seek to alleviate the concerns revolving around development in the West Main corridor by establishing clear building envelopes, reducing allowable heights, and encouraging adaptive reuse of existing buildings with reductions in parking requirements.

The proposed zoning amendments are recommendations from a code consultant, CodeStudio, a firm that participated in the West Main Street project. The consultant team proposed a form based code, many elements of which subsequent staff review determined to be inappropriate for the West Main Street corridor. In May 2015 staff presented sections of the proposed amendments from the consultant's work which staff felt would be appropriate to incorporate into the West Main Street corridor districts. Council provided amendments to the original staff proposal, which was discussed by the Planning Commission on August 11, 2015 and October 13, 2015.

The report presented to the Commission on August 11, 2015 can be viewed at:

<http://www.charlottesville.org/home/showdocument?id=34065>

The full report and presentation previously presented to the Commission and City Council for the joint public hearing on October 13, 2015 can be viewed at:

<http://www.charlottesville.org/home/showdocument?id=34167>

At the November 2nd, 2015 meeting, City Council directed staff to present the proposed zoning amendments back to the Planning Commission, with direction set forth in the resolution adopted by Council on November 2nd, 2015. A new public hearing was advertised, and the Commission and the public were given an opportunity to review what was previously presented, and also to review several additional issues/ details.

The full report and presentation previously presented to the Commission and Council for the December 8, 2015 public hearing can be viewed at:

<http://www.charlottesville.org/home/showdocument?id=36293>

A memorandum from the Office of Economic Development regarding the proposed West Main Street zoning amendments can be found in Attachment 8 of this report. Attachment 8 was

provided to Neighborhood Development Services for the first time on December 9, 2015 and we were requested to include it with these agenda materials. This correspondence was not previously made available to staff or the Planning Commission for consideration.

Discussion: On December 8, 2015, the Commission and Council conducted a joint public hearing on ZT15-00007, including modifications and additions advertised to allow for additional discussion of alternative zoning map and text provisions. The Commission's recommendation to City Council is as set forth within the attached ordinance, and can be summarized as follows:

1. **Midway Manor.** The Commission discussed whether 100 Ridge Street (known as Midway Manor) should be placed in the new West Main Street East (WME) zoning district, or, alternatively: the Downtown (D) district, the Downtown Extended (DE) district, or the Water Street (WSD) district. After considering information within the staff report, indicating the factors that make it reasonable to apply the WME classification to the property, and after discussing the context in which the zoning of the West Main Corridor has come forward for review, **the Commission's recommendation to Council is that Midway Manor should be placed into the "WME" zoning district.**
2. **Amtrak Site.** The Commission discussed which new zoning district, West Main Street West (WMW) or West Main Street East (WME) should be assigned to the various parcels of land known as the Amtrak Site (808-820 West Main Street). In particular, the Commission was concerned with ensuring building heights along the Amtrak Site's West Main Street frontage, appropriate in character with surrounding properties, while allowing additional flexibility in the rear of the site. **The Commission's recommendation to Council is that: Tax Map Parcels 2.B and 2.C remain in the "WME" zoning district, Tax Map 30 Parcel 2 be moved to the "WMW" district, and Tax Map 30 Parcel 2.A shall be classified partially as the "WMW" zoning district and partially as the "WME" zoning district. The line dividing the two districts on Parcel 2.A. shall be established as follows: if the centerline of the Cream Street right-of-way north of West Main Street were extended so that it bisects parcel 2.A. at a right angle, the location at which that bisecting line would cross Parcel 2.A. shall serve as the zoning district boundary between WMW and WME, with the area west of such line being zoned "WMW" and the area east of such line zoned "WME"**
3. **Setbacks.** The Commission discussed whether the proposed setback minimum (0-20 feet proposed for both new zoning districts) was appropriate and would be likely to result in new development that could both respect existing characteristics of the design control district, such as segments of WMS that have historic patterns of buildings built to the right-of-way line) and allow for the street trees and other amenities desired by many citizens. The discussion focused on the allowance for street plantings and semi-public spaces such as plazas, and the need to maximize buildable site area and provide a closer streetwall to

maintain a comfortable experience. *The Commission's recommendation to Council is that the 0-20 foot range for setbacks should be adopted. The BAR's review of specific proposed developments as they come forward, in the context of historic patterns of development on some segments, and the desirable character of the district in other segments not yet developed (or likely to be redeveloped), is likely to achieve the best results for specific locations.* However, the Commission's recommendation is that the BAR should review and make recommendations to Council for any necessary updates to the Design Guidelines, as necessary to ensure that the Guidelines can be applied appropriately within the parameters established by these zoning text amendments, and that the BAR should consult with the Tree Commission in updating the Guidelines.

4. **Building Height.** The Commission discussed the staff recommended changes to the calculation and definition of building height, in accordance with current city-wide definitions of "building height" referenced within Sec. 34-1200. After considering the proposed text amendments, along with the illustration attached as Attachment 6 to this Agenda Memo, the Commission indicated it was not ready to recommend a new standard for measuring building heights that would be applied City-wide, but that in order to assure that the building heights being recommended in WMW and WME will actually be adhered to, *the Commission recommended the inclusion of provisions specifying how building height will be calculated within those districts (by measuring from the average level of the curb along a property's primary street frontage, to the highest point of the building roof).*
5. **Bicycle Parking.** The Commission discussed the staff recommended changes to the proposed bicycle parking requirements presented to the Commission, which provide clearer guidance for designers and developers. *The Commission recommended that Council adopt the staff's recommended bicycle parking provisions.*
6. **Use Matrix.** The Commission discussed staff recommended changes to the proposed use matrix for the proposed West Main Street West (WMW) and West Main Street East (WME) districts, focused on uses currently allowed in the West Main Street South (WMS) district but not West Main Street North (WMN) district. The discussion included consideration of whether all uses in West Main Street South (WMS) are appropriate on the eastern portion of the corridor. *The Commission recommended that Council adopt a Use Matrix that would allow uses currently allowed in WMS as the permitted uses for both WME and WMW, as shown in the attached proposed Use Matrix.*
7. **Appurtenances.** The Commission discussed the appurtenance section of the zoning ordinance (Sec. 34-1101), focused on whether or not useable open-air (rooftop garden and plaza) space and habitable (residential units, a/k/a "penthouses") should be allowed as appurtenances. *The Commission recommended that Council clarify that appurtenances*

may not contain habitable space, BUT that it is the intention that open-air rooftop space can be used in a manner that is accessory to the primary use of a building (for example, as a rooftop garden, outdoor café, plaza, etc.).

Alignment with City Council Vision Areas and Strategic Plan:

The project supports City Council’s “Economic Sustainability” vision by encouraging mixed use and infill development, City Council’s “Green City” vision by providing additional opportunities for street trees and landscaping, and City Council’s “Smart Citizen-Focused Government” by providing ordinance amendments in response to community concerns regarding development on West Main Street. It contributes to Goal 2 of the Strategic Plan, Be a safe, equitable, thriving, and beautiful community, and objective 2.6, Engage in robust and context sensitive urban planning.

Community Engagement:

The Planning Commission held a joint public hearing with City Council on this matter at their meeting on October 13, 2015. The Planning Commission and Council held a second joint public hearing, after additional public notice, on December 8, 2015.

At the October 13, 2015 meeting:

Several members of the public expressed support for the proposed zoning amendments:

- One speaker noted the strong community consensus for lower building heights and personally supports the proposed amendments.
- One speaker noted support of the proposed amendments and urged a careful balance between complementing the historic structure rather than overshadowing it.
- One speaker noted support of the proposed amendments but suggested the addition of a diagram to help with understanding bicycle parking requirement.

Several members of the public expressed concern regarding the proposed zoning amendments:

- Several speakers representing Midway Manor noted concerns with redevelopment of the parcel under the proposed zoning amendments and indicated a preference to rezone Midway Manor to a different zoning district.
- Several speakers noted concern with public advertisement procedures, indicating they or their clients owning property on the West Main Street corridor but not residing in the City were not aware of the West Main Street project before notices for the public hearing were received.
- One speaker outlined a potential building configuration study undertaken for a client interested in several parcels along West Main Street. The speaker noted the client was not able to achieve the desired number of units under the proposed amendments.

At the December 8, 2015 meeting:

Several members of the public expressed support for the proposed zoning amendments:

- One speaker expressed support of the reduced heights, no penthouses allowed in the appurtenance, and a ten (10) feet minimum setback.
- One speaker expressed support of any reduction in building height.
- One speaker expressed support of the reduction in building height and the removal of the Special Use Permit for additional building height.
- One speaker expressed support of the reduced building heights to protect the historic buildings on the corridor.
- One speaker expressed support of a ten (10) feet minimum setback to provide a comfortable pedestrian experience and space amenities.
- One speaker expressed support of the proposed zoning amendments and noted concern with applying a zoning district other than the proposed West Main Street East (WME) district to 100 Ridge Street (Midway Manor).

Several members of the public expressed concern regarding the proposed zoning amendments:

- Several speakers representing the owner of 100 Ridge Street (Midway Manor) noted concerns with redevelopment of the parcel under the proposed West Main Street East (WME) district, citing historic trends for the parcel and its location across Ridge Street from the West Main Street corridor.
- A speaker representing the owner of 808-840 West Main Street (Amtrak site) noted concern with the application of the proposed West Main Street East (WME) district to the property. The speaker noted the difference in grade in the vicinity of the bridge.
- Some speakers expressed concern with the proposed amendment to the appurtenance section, citing the need for habitable space on the rooftops of buildings.
- Some speakers expressed concern with the proposed amendment to the definition of grade in relation to building height calculation, citing properties citywide in which the proposed changes may have an adverse effect.
- One speaker noted the reduction in building height limited the development of lots with existing historic structures, due to the limited density achievable as a result of the preservation of the historic structures.
- One speaker noted that he believes buildings taller than fifty two (52) feet would be appropriate on the eastern portion of the corridor. The speaker noted more time is needed to review the proposed amendments.

Budgetary Impact:

No direct budgetary impact is anticipated as a direct result of amending the West Main Street Mixed Use Corridor districts.

Recommendation:

The Commission voted to recommend that ZT15-0007 as proposed and publicly advertised for the December 8, 2015 public hearing, specifically incorporating the Commission's recommendations on the seven (7) discussion items referenced above in the "Discussion" section should be adopted by Council. The Ordinance attached to this Agenda Memo reflects the Planning Commission's recommendation.

Alternatives:

City Council has several alternatives:

- (1) by motion, take action to approve the attached ordinance for rezoning (as recommended by the Planning Commission);
- (2) by motion, take action to approve the attached ordinance for rezoning with modifications, as deemed necessary or desirable by Council;
- (3) by motion, take action to deny the attached ordinance for rezoning; or
- (4) by motion, defer action on the attached ordinance for rezoning.

Attachments:

1. **PROPOSED ORDINANCE, recommended by the Planning Commission on December 8, 2015**
2. **PROPOSED ZONING MAP, amendment proposed on July 28, 2015**
3. **Synopsis of Actions Taken by the Planning Commission on December 8, 2015**
4. **Chart: Midway Manor Potential Zoning District Classifications**
5. **Illustrations: Measurement of Building Height at Union Station**
6. **Illustrations: Building Height Calculation Examples, per Staff Recommendation**
7. **Chart: Examples of Other Localities' Height Regulations**
8. **Memorandum: Proposed West Main Street Zoning Changes, from Office of Economic Development**

NOTES FOR REVIEWING PROPOSED ORDINANCE:

Black text: represents proposed new zoning district regulations (“text amendments”) recommended by staff. **Blue text: indicates current zoning text incorporated into the proposed new district regulations**

Red text: represents the Planning Commission’s recommended changes (additions or deletions) for consideration by City Council

ORDINANCE

TO REPEAL THE PROVISIONS OF CITY CODE CHAPTER 34
ARTICLE VI (MIXED USE CORRIDOR DISTRICTS)
DIVISION 1 (GENERAL), SECTIONS 34-541(4) (West Main North Corridor) AND 34-
541(5)(West Main South Corridor), and corresponding changes to DIVISION 16 (USE
MATRIX), Section 34-796
AND ALSO TO REPEAL THE PROVISIONS OF CHAPTER 34, ARTICLE VI, DIVISION 5
(Regulations—West Main Street North Corridor (“WMN”)) and
DIVISION 6 (Regulations—West Main Street South Corridor (“WMS”))
AND TO AMEND AND RE-ENACT SUCH PROVISIONS TO ESTABLISH
ZONING REGULATIONS FOR TWO NEW ZONING DISTRICTS, TO BE KNOWN AS THE
WEST MAIN WEST (“WMW”) AND WEST MAIN EAST (“WME”)
CORRIDOR DISTRICTS, AND ALSO TO AMEND THE ZONING MAP REFERENCED IN
34-1(1) AND TO AMEND THE PROVISIONS OF SEC. 34-SEC. 34-796 (Use Matrix—Mixed
use corridor districts), SEC. 34-1100(a) (Height—application of district regulations); SEC. 34-
1101 (Appurtenances) and SEC. 34-1200 (Definitions) AND TO ADD
A NEW SEC. 34-881 (Bicycle Parking for WME and WMW zoning districts)

WHEREAS, by motion, the Charlottesville City Planning Commission initiated ZT15-00007, proposing consideration certain zoning text amendments, and amendment of the City’s zoning map, to repeal the mixed use zoning district classifications referred to as “West Main North Corridor” (WMN) and “West Main South Corridor” (WMS), and the zoning text regulations for those districts, and to establish in their place two new zoning district classifications, “West Main West Corridor” (WMW) and “West Main East Corridor” (WME) along with zoning text regulations for the new districts and a zoning map amendment reclassifying certain parcels of land from the WMN and WMS districts to the new WMW and WME districts, as shown on a map dated July 28, 2015, (or, alternatively, for 100 Ridge Street, to another zoning district classification), collectively, the “Proposed Rezoning”; and

WHEREAS the Planning Commission’s motion stated that the Proposed Rezoning is required by the public necessity, convenience, general welfare or good zoning practice; and,

WHEREAS, legal notice of a public hearing of the Proposed Rezoning to be conducted on December 8, 2015 was advertised in accordance with Va. Code Sec. 15.2-2204, notice of the Proposed Rezoning was given to property owners as required by law, and a joint public hearing on the Proposed Rezoning was held before the Planning Commission and City Council on December 8, 2015; and

WHEREAS, on December 8, 2015 the Planning Commission voted to recommend to City Council that the Proposed Rezoning should be approved; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare or good zoning practice requires the Proposed Rezoning; that the Proposed Rezoning is reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville that Chapter 34 (Zoning) is hereby amended and re-ordained, as follows:

1. Article I (Administration), Section 34-1(1) is amended as follows:

Effective as of the date of adoption of this ordinance, the zoning district map referenced in Sec. 34-1(1) is hereby amended and readopted, to reflect amendments changing the zoning district classifications of property along West Main Street from “WMN” and “WMS” to new classifications of “WMW” and “WME”, as follows:

- i. The property having an address of 100 Ridge Street, identified on City Tax Map 28 as Parcel 93, shall be classified as “WME”;
- ii. The property addressed as 810-820 West Main Street, identified on City Tax Map 30 as Parcel 2, shall be classified as “WMW”;
- iii. The property identified on City Tax Map 30 as Parcel 2.A shall be classified partially as “WMW” and partially as “WME”. The line dividing the two districts on Parcel 2.A. shall be established as follows: if the centerline of the Cream Street right-of-way north of West Main Street were extended so that it bisects parcel 2.A. at a right angle, the location at which that bisecting line would cross Parcel 2.A. shall serve as the zoning district boundary between WMW and WME, with the area west of such line being zoned “WMW” and the area east of such line zoned “WME”;
- iv. All other parcels currently zoned “WMN” or “WMS” (identified within the list of affected parcels prepared by staff in connection with ZT15-00007, and on the Zoning

Map referenced within City Code Sec. 34-1(1)) shall be classified as “WMW” or “WME” in accordance with the proposed amended Zoning Map dated July 28, 2015.

Staff is directed to prepare a revised zoning map, incorporating the above-referenced changes.

2. Article VI (Mixed Use Districts), Sections 34-541(4) and 34-541(5) are hereby repealed, and the following provisions are enacted in their place:

Sec. 34-541. - Mixed use districts—Intent and description.

.... (4) *West Main Street West Corridor*. The land use and lots on West Main Street west of the railroad bridge are generally larger in size than those east of the bridge. The West Main West district (“WMW”) is established to provide the opportunity for large-scale redevelopment with respect to established patterns of commercial and residential development along West Main Street and neighborhoods in close proximity. Within this district, one of the primary goals is to provide a walkable, mixed use “main street” setting that encourages vibrant pedestrian activity. The following streets shall have the designations indicated:

- (a) Where only one street abuts a lot, that street is considered the primary street.
- (b) Where more than one street abuts a lot, the following are considered primary streets:
 - (1) West Main Street
 - (2) Roosevelt Brown Boulevard
 - (3) Jefferson Park Avenue
 - (4) Wertland Street
 - (5) 10th Street NW
- (c) Where a lot with multiple street frontages on the primary streets listed in section (b) exists, each frontage is considered a primary street.
- (d) Where a lot has multiple street frontages, streets not listed in section (b) above will be considered a linking street.

.... (5) *West Main Street East Corridor*. The land use and lots on West Main Street east of the railroad bridge are smaller than those west of the bridge, containing existing buildings (including historic buildings) that have been renovated to accommodate modern commercial uses. Established buildings are located in close proximity to the street on which they front, and one of the primary goals of this district is to provide a walkable, mixed use “main street” setting that encourages vibrant pedestrian activity. Within the West Main Street East district (“WME”), the following streets shall have the designations indicated:

- (a) Where only one street abuts a lot, that street is considered the primary street.
- (b) Where more than one street abuts a lot, the following are considered primary streets:
 - (1) West Main Street
 - (2) Commerce Street
 - (3) South Street
 - (4) Ridge Street
 - (5) 7th Street SW
 - (6) 4th Street NW
- (c) Where a lot with multiple street frontages on the primary streets listed in section (b) exists, each frontage is considered a primary street.
- (d) Where a lot has multiple street frontages, streets not listed in section (b) above will be considered a linking street.

3. Article VI (Mixed Use Districts), Division 5, Sections 34-616 through 34-622 are hereby repealed, and the following provisions are enacted in their place:

DIVISION 5. – REGULATIONS – WEST MAIN STREET WEST (“WMW”)

Sec. 34-617. – Height regulations.

- (a) The height regulations shall apply to buildings within the West Main Street West (“WMW”) Corridor district:
 - (1) Minimum height: 35 feet
 - (2) Maximum height: 75 feet
- (b) Notwithstanding the provisions of Sec. 34-1100(a) or Sec. 34-1200 (definitions of “building height” or “grade”), the height of a building within the WMW district shall mean the vertical distance measured from grade level to the level of the highest point of the roof of the building.
 - (1) For the purposes of this provision, the term “grade level” shall refer to the average level of the curb at the primary street frontage. If a lot has more than one primary street frontage, including frontage on West Main Street, the average level of the curb along the West Main Street frontage shall be used to determine building height.

- (2) For the purposes of this provision, reference to the “highest point of the roof” shall mean: the level of a flat roof; the deck line of a mansard or parapet roof; or, for buildings with gable, hip or gambrel roofs, the level of the average height between the eaves and ridge.
- (c) **The first floor of every building shall have a minimum height, measured floor to floor, of fifteen (15) feet.** ~~height minimums shall apply to buildings within the West Main Street West Corridor district:~~
- (1) ~~Minimum first floor height: 15 feet, measured from floor surface to ceiling~~
 - (2) ~~Minimum height for all other floors: 9 feet, measured from floor surface to ceiling~~

Sec. 34-618. – Streetwall regulations.

(a) Setbacks shall be required, as follows:

- (1) *Primary street frontage:* ~~Ten (10)~~ **Zero (0)** feet minimum; twenty (20) feet maximum. At least eighty (80) percent of the building façade width of a building must be in the build-to zone adjacent to a primary street.
- (2) *Linking street frontage:* **Five (5) feet minimum; twelve (12) feet maximum.** At least forty (40) percent of the building façade width of a building must be in the build-to zone adjacent to a linking street.
- (3) *Side and rear setback, adjacent to any low density residential district:* **Twenty (20) feet, minimum.**
- (4) *Side and rear setback, adjacent to any other zoning district:* **None required.**

(b) Stepback requirement.

The maximum height of the streetwall of any building or structure shall be forty (40) feet. At the top of the streetwall height, there shall be a minimum stepback of ten (10) feet.

(c) Building width requirement.

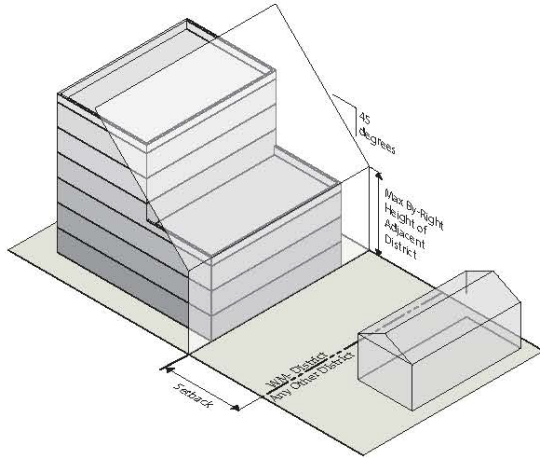
The apparent mass and scale of each building over ~~two hundred (200)~~ **one-hundred (100)** feet wide shall be reduced through the use of ~~façade building and material~~ modulation and articulation to provide a pedestrian scale and architectural interest, and to ensure the building is compatible with the character of the district. This determination shall be made by the Board of Architectural Review through the Certificate of Appropriateness process.

Sec. 34-619. – Bulk plane and buffer.

(a) Bulk plane.

(1) To promote building massing compatible with adjacent districts, a bulk plane shall apply where **the rear of a lot in the West Main Street West district abuts any other zoning district, and where any side of a lot in the West Main Street West district abuts a low density residential zoning district.** No building may extend into a 45 degree angular plane projecting above the lot measured at the interior edge of any required setback, starting at a height equal to the maximum allowed height in the adjacent zoning district.

(2) The bulk plane ends at each lot line adjacent to a street right-of-way.



(b) Buffer.

Along the frontage with any low density residential district, side and rear buffers shall be required, ten (10) feet, minimum, consisting of an S-1 type buffer (refer to section 34-871).

Sec. 34-620. - Mixed-use developments—Additional regulations.

~~No ground floor residential uses or parking garage, other than ingress and egress to the garage, may front on a primary street, unless a building fronts on more than one (1) primary street, in which case ground floor residential uses may front on one (1) primary street. Under no circumstances, however, shall any~~ No ground floor residential uses shall front on West Main Street.

Sec. 34-621. - Density.

Residential density shall not exceed forty-three (43) DUA; however, up to two hundred (200) DUA may be allowed by special use permit.

Sec. 34-622. - Additional regulations.

(a) Developments that occupy an entire city block shall provide courtyards and plazas accessible from adjacent public rights-of-way.

(b) No ground floor residential uses shall front on West Main Street.

(c) For uses requiring more than twenty (20) off-street parking spaces, no more than fifty percent (50%) of such required spaces shall consist of surface parking open to the sky.

(d) No off-street loading areas may face any public right-of-way.

Sec. 34-623. – Parking requirements adjustment.

Article VIII, Division 3, Off-Street Parking and Loading, applies to development in this district, except that:

- (1) Parking lot buffers are required only along the edge(s) of a low density district.
- (2) No parking is required for any retail use having less than 5,000 square feet in floor area.

Secs. 34-624—34-635. - Reserved.

4. Article VI (Mixed Use Districts), Division 6, sections 34-636 through 34-642 are hereby repealed, and the following provisions are hereby enacted in their place:

DIVISION 6. – REGULATIONS – WEST MAIN STREET EAST (“WME”)

Sec. 34-637. – Height regulations.

- (a) The height regulations shall apply to buildings within the West Main Street East (WME) Corridor district:
 - (1) Minimum height: 35 feet
 - (2) Maximum height: 52 feet

(b) Notwithstanding the provisions of Sec. 34-1100(a) or of Sec. 34-1200 (definitions of “building height” or “grade”), the height of a building within the WME district shall mean the vertical distance measured from grade level to the level of the highest point of the roof of the building.

(1) For the purposes of this provision, the term “grade level” shall refer to the average level of the curb at the primary street frontage. If a lot has more than one primary street frontage, including frontage on West Main Street, the average level of the curb along the West Main Street frontage shall be used to determine building height.

(2) For the purposes of this provision, reference to the “highest point of the roof” shall mean: the level of a flat roof; the deck line of a mansard or parapet roof; or, for buildings with gable, hip or gambrel roofs, the level of the average height between the eaves and ridge.

(c) The first floor of every building shall have a minimum height, measured floor to floor, of fifteen (15) feet. ~~height minimums shall apply to buildings within the West Main Street West Corridor district:~~

(1) ~~Minimum first floor height: 15 feet, measured from floor surface to ceiling~~

(2) ~~Minimum height for all other floors: 9 feet, measured from floor surface to ceiling~~

Sec. 34-638. – Streetwall regulations.

(a) Setbacks shall be required, as follows:

(1) *Primary street frontage:* ~~Ten (10) feet~~ **Zero (0)** minimum; twenty (20) feet maximum. At least eighty (80) percent of the building façade width of a building must be in the build-to zone adjacent to a primary street.

(2) *Linking street frontage:* **Five (5) feet minimum; twelve (12) feet maximum.** At least forty (40) percent of the building façade width of a building must be in the build-to zone adjacent to a linking street.

(3) *Side and rear setback, adjacent to any low density residential district:* **Twenty (20) feet, minimum.**

(4) *Side and rear setback, adjacent to any other zoning district:* **None required.**

(b) Stepback requirement.

The maximum height of the streetwall of any building or structure shall be forty (40) feet. At the top of the streetwall height, there shall be a minimum stepback of ten (10) feet.

(c) Building width requirement.

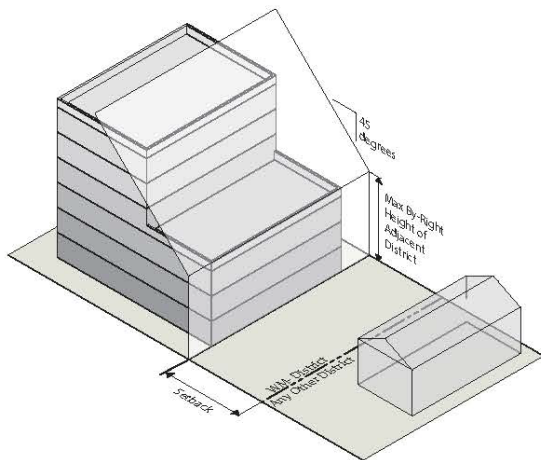
The apparent mass and scale of each building over ~~two hundred (200)~~ one hundred (100) feet wide shall be reduced through the use of ~~façade building and material~~ modulation and articulation to provide a pedestrian scale and architectural interest, and to ensure the building is compatible with the character of the district. This determination shall be made by the Board of Architectural Review through the Certificate of Appropriateness process.

Sec. 34-639. – Bulk plane and buffer.

(a) Bulk plane.

(1) To promote building massing compatible with adjacent districts, a bulk plane shall apply where ~~the rear of~~ a lot in the West Main Street East district abuts any other zoning district, ~~and where any side of a lot in the West Main Street East district abuts a low density residential zoning district~~. No building may extend into a 45 degree angular plane projecting above the lot measured at the interior edge of any required setback, starting at a height equal to the maximum allowed height in the adjacent zoning district.

(2) The bulk plane ends at each lot line adjacent to a street right-of-way.



(b) Buffer.

Along the frontage with any low density residential district, side and rear buffers shall be required, ten (10) feet, minimum, consisting of an S-1 type buffer (refer to section 34-871).

Sec. 34-640. - Mixed-use developments—Additional regulations.

~~No ground floor residential uses or parking garage, other than ingress and egress to the garage, may front on a primary street, unless a building fronts on more than one (1) primary street, in which case ground floor residential uses may front on one (1) primary street. Under no circumstances, however, shall any~~ No ground floor residential uses shall front on West Main Street.

Sec. 34-641. - Density.

Residential density shall not exceed forty-three (43) DUA; however, up to two hundred (200) DUA may be allowed by special use permit.

Sec. 34-642. - Additional regulations.

(a) Developments that occupy an entire city block shall provide courtyards and plazas accessible from adjacent public rights-of-way.

(b) No ground floor residential uses shall front on West Main Street.

(c) For uses requiring more than twenty (20) off-street parking spaces, no more than fifty percent (50%) of such required spaces shall consist of surface parking open to the sky.

(d) No off-street loading areas may face any public right-of-way.

Sec. 34-643. – Parking requirements adjustment.

Article VIII, Division 3, Off-Street Parking and Loading, applies, except that:

- (1) Parking lot buffers are required only along the edge(s) of a low density district.

(2) No parking is required for any retail use having less than 5,000 square feet in floor area.

Secs. 34-644—34-655. - Reserved.

5. Article VI (Mixed Use Districts), Division 16 (Use Matrix), Sec. 34-796 (Use matrix—mixed use corridor districts), is hereby amended as follows:

Sec. 34-796. Use matrix—Mixed use corridor districts.

Amend the headings identifying the Zoning Districts, to substitute “WMW” in place of “WMS” and to substitute “WME” in place of “WMN”

And then,

*In the column specifying uses allowed in the **WME zoning district**, make the following changes:*

<i>Use Types</i>	<i>Zoning District WME</i>	<i>Zoning District WMW</i>
Auto parts and equipment sales	<u>B</u>	B
Data center > 4,000	<u>S</u>	S
Artistic instruction, up to 10,000 SF	<u>B</u>	B
Hotels/ motels 100+ guest rooms	S <u>B</u>	B
Museums, up to 10,000 GFA	S <u>B</u>	B
Indoor health/sports clubs 4,001-10,000 GFA	S <u>B</u>	B
Indoor health/ sports clubs, more than 10,000 GFA	S <u>B</u>	B
General Retail, up to 10,000 GFS	S <u>B</u>	B
General Retail, more than 10,000 GFA	S <u>B</u>	B
Other Retail, 4,001 to 20,000	S <u>B</u>	B
Other Retail, more than 20,000	<u>S</u>	S

6. Article VIII (Required Improvements), Division 3 (Off-street Parking and Loading) is hereby amended, to add a new Sec. 34-881, as follows:

Sec. 34-881. – Bicycle parking requirements for WME and WMW zoning districts.

In the West Main Street East (WME) and West Main Street West (WMW) zoning districts, bicycle parking spaces shall be required for new buildings and developments, the addition of new enclosed floor area to an existing building, and for any change in use of any building.

(a) Required bicycle spaces.

(1) Bicycle space requirements by use.

Use	Long Term Spaces Required	Short Term Spaces Required
General retail	1 space per 10,000 square feet of floor area, 2 minimum	1 space per 5,000 square feet of floor area, 2 minimum
Office	1.5 spaces per 10,000 square feet of floor area, 2 minimum	1 space per 20,000 square feet of floor area, 2 minimum
Off-street parking lots and garages available to the general public either without charge or on a fee basis	1 space per 20 auto spaces, minimum requirement is 2 spaces. Unattended lots excepted	1 space per 10 auto spaces or minimum requirement is 6 spaces. Unattended lots excepted
Single family dwelling	No spaces required	No spaces required
Multi-family dwelling with private garage for each unit	No spaces required	0.1 space per bedroom, 2 minimum
Multifamily dwelling without private garage	0.5 spaces per bedroom, 2 minimum	0.1 space per bedroom, 2 minimum
Senior housing	0.5 spaces per bedroom, 2 minimum	0.1 space per bedroom, 2 minimum
Lodging (hotel, motel)	1 space for every 10 spaces of required automobile parking, 2 minimum	No spaces required
General food sales and groceries	1 space per 10,000 square feet of floor area, 2 minimum	1 space per 2,000 square feet of floor area, 2 minimum
Non-assembly cultural (library, government buildings, courts, etc.)	1.5 spaces for each 10 employees, 2 minimum	1 space per 8,000 square feet of floor area, 2

WEST MAIN STREET ZONING DISTRICT REGULATIONS
 PROPOSED ZONING TEXT AMENDMENTS
 Recommended by Planning Commission on December 8, 2015
 Page 13 of 18

		minimum
Assembly (houses of worship, theater, auditorium, outdoor assembly, etc.)	1.5 spaces for each 20 employees, 2 minimum	Spaces for 5% of maximum expected daily attendance
Health clinic/hospitals	1.5 spaces for each 20 employees or 1 space per 50,000 square feet of floor area, whichever is greater, 2 minimum	1 space per 20,000 square feet of floor area, 2 minimum
Public, parochial, and private day care centers for 15 or more children	1.5 spaces for each 20 employees, 2 minimum	1 space for each 20 students of planned capacity, 2 minimum
Public, parochial, and private nursery schools, kindergartens, and elementary schools (1-3)	1.5 spaces for each 10 employees, 2 minimum	1.5 space for each 20 students of planned capacity, 2 minimum
Public, parochial, and private elementary schools (4-6), junior high, and high schools	1.5 spaces for each 10 employees plus 1.5 spaces per each 20 students of planned capacity, 2 minimum	1 space for each 10 students of planned capacity, 2 minimum
Transit facility	Spaces for 7% of projected a.m. peak period daily ridership	Spaces for 2% of a.m. peak period daily ridership
Use	Spaces Required	Short-Term/Long-Term
Residential	0.5 per unit	80%/20%
Public/Institutional	1 per 5,000 SF, 2 min	90%/10%
Food and drink service	1 per 2,500 SF, 2 min	80%/20%
Lodging	0.5 per guest room	80%/20%
All other commercial and industrial uses	1 per 2,500 SF, 2 min	80%/20%

~~(2) In developments wherein the requirements listed in Section 34-644(a)(1) result in less than one full bicycle parking space being required for long term parking, the director of neighborhood development services may determine the appropriate percentages of short-term and long-term spaces to be applied to the development.~~

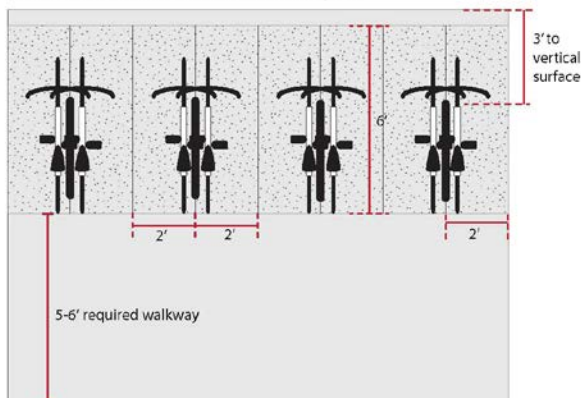
(b) Location of bicycle parking.

(1) Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than three percent (3%). Surfaces cannot be gravel, landscape stone or wood chips.

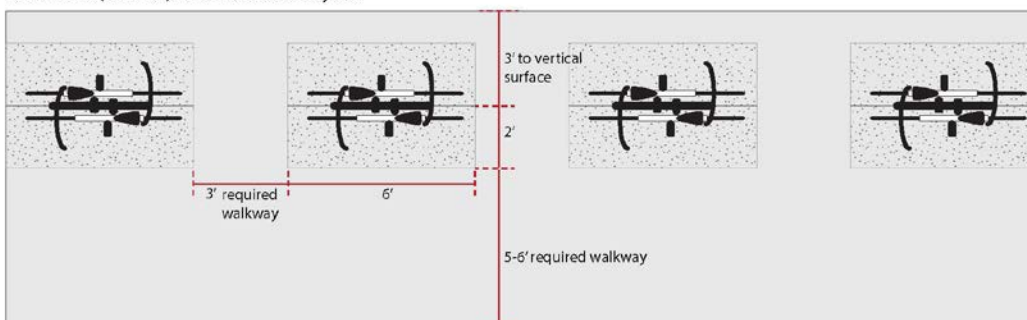
- (2) Bicycle parking spaces must be a minimum of two (2) feet by six (6) feet. ~~There must be an access aisle a minimum of 3 feet in width.~~
- (3) Bicycle parking spaces must be placed at least three (3) feet from all vertical surfaces such as walls, fences, curbs, etc.
- (4) Bicycle racks must be provided to accommodate each bicycle parking space. Racks shall be placed such that **each required bicycle parking space must be accessible without moving another bicycle, and its placement must not result in a bicycle obstructing a required walkway or drive aisle.**
- (5) Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is an adequate access aisle.
- (6) All racks must accommodate cable locks and "U" locks, must permit the locking of the bicycle frame and one wheel to the rack, and must support a bicycle in a stable position.

(c) Example of bicycle parking layout.

EXAMPLE 1 (16' x 12') accommodates 8 bicycles



EXAMPLE 2 (33' x 10') accommodates 8 bicycles



(d) Short-term bicycle parking.

Required short term bicycle parking shall be visible from nearby bikeways and conveniently located to the main building entrance, no further than 50 feet. Short-term bicycle parking must meet all other applicable design standards of the City.

(e) Long-term bicycle parking.

(1) Required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather, and must be accessible to intended users.

(2) Required long-term bicycle parking for residential uses may be located within dwelling units or within deck, patio areas or private storage areas accessory to dwelling units if documented and approved by the director of neighborhood development services.

(3) Long-term bicycle parking spaces for nonresidential uses may be located off-site, within 300 feet of the site, upon a determination by the director of neighborhood development services that this arrangement would better serve the . The off-site parking distance is measured in walking distance from the nearest point of the remote parking area to the closest primary entrance of the use served.

7. ARTICLE IX, Sec. 34-1101 is hereby amended and re-ordained, as follows:

Sec. 34-1101. - Appurtenances.

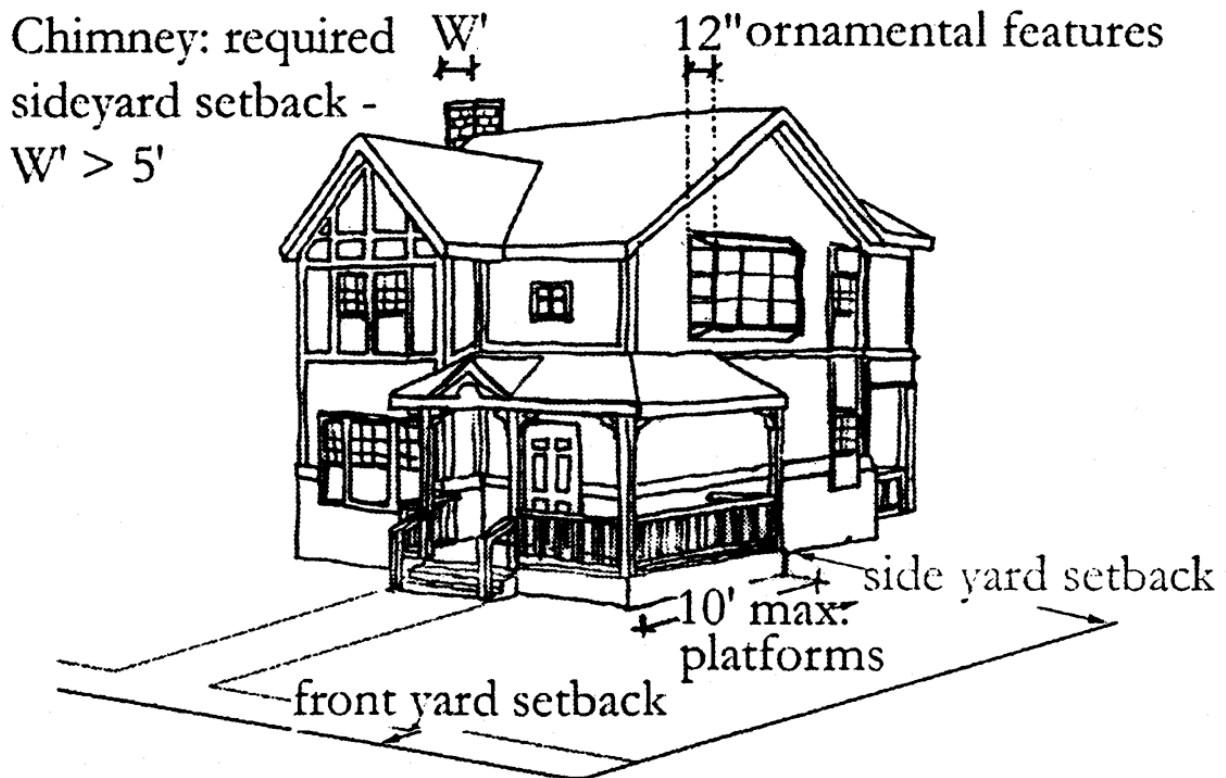
(a) An appurtenance to a building or structure shall not be counted in measuring the height of a building or structure.

(b) The director of neighborhood development services or planning commission may approve additions of appurtenances to buildings or structures, in excess of the maximum permitted height of the structure or roof coverage specified in paragraph (c) below, upon finding that there is a functional need for the appurtenance that cannot be met with an appurtenance having a lesser height or roof coverage, and that visible materials and colors are compatible with the building or structure to which the appurtenance is attached.

(c) No rooftop appurtenance shall: (i) itself measure more than sixteen (16) feet in height above the building, or (ii) cover more than twenty-five (25) percent of the roof area of a building.

~~(c) A roof top appurtenance may contain useable floor area, but such area may only be used for or as an accessory to a residential or commercial use allowed within the applicable zoning district. Within a rooftop appurtenance, no enclosed space shall be designed or used as habitable space that, for purposes of the Virginia Uniform Statewide Building Code, would receive a Residential Group R use and occupancy classification. The provisions of this section 34-1101 shall not preclude open-air space on a building rooftop from being used accessory to the primary use of the building, in accordance with applicable zoning district regulations.~~

~~(d)~~ **(e) The following appurtenances may encroach into minimum required yards as specified:**



Appurtenances

- (1) Window sills, roof overhangs, belt courses, cornices and ornamental features may encroach into a required yard by no more than twelve (12) inches,
- (2) Open lattice-enclosed fire escapes, fireproof outside stairways, and the ordinary projections of chimneys and flues may encroach into a required rear yard by no more than five (5) feet.

(3) Chimneys or flues being added to an existing building may encroach into a required side yard, but not closer than five (5) feet to the side lot line.

(4) Elevator shafts and mechanical equipment which are screened in accordance with the requirements of Sec. 34-872.

~~(4)~~ **(5) Handicapped ramps meeting ADA standards may encroach into a required yard.**

~~(5)~~ **(6) Except as otherwise provided above:**

a. Uncovered appurtenances which have a maximum floor height of three (3) feet above the finished grade may encroach into any required yard, but not closer than five (5) feet to any lot line and no more than ten (10) feet into a required front yard; however, no such appurtenance shall occupy more than thirty (30) percent of a rear yard.

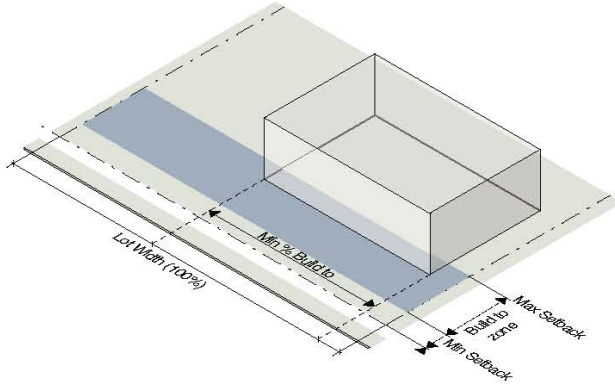
b. Any appurtenance to a single- or two-family dwelling, having a height greater than three (3) feet above finished grade may encroach into a required front yard by up to ten (10) feet, but no closer than five (5) feet to a front lot line; however, such appurtenance shall be in compliance with the applicable side yard setback;

c. No enclosed appurtenance, regardless of height (including but not limited to a screened-in porch) shall encroach into any required yard.

8. ARTICLE X is amended and re-ordained, to modify the definition of “building height” and to add a new definition (“build-to-zone”):

Building height means the vertical distance measured from the level of the grade of the building footprint to the level of the highest point of the structure's roof surface. This distance is calculated by measuring separately the average height of each building wall, then averaging them together. The height is measured to the level of a flat roof; to the deck line of a mansard or parapet roof; and to the average height level between the eaves and ridge for gable, hip, or gambrel roofs.

Build-to-zone is the area between the minimum and maximum allowable setbacks along a street frontage. A building façade may be required to maintain a minimum percentage in the build-to-zone, measured based on the width of the building divided by the width of the lot. Minor deviations such as recessed entries, recessed balconies, and architectural features are considered to be at the same setback as the building façade immediately adjacent to those features.

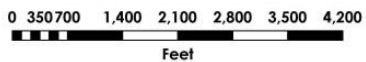
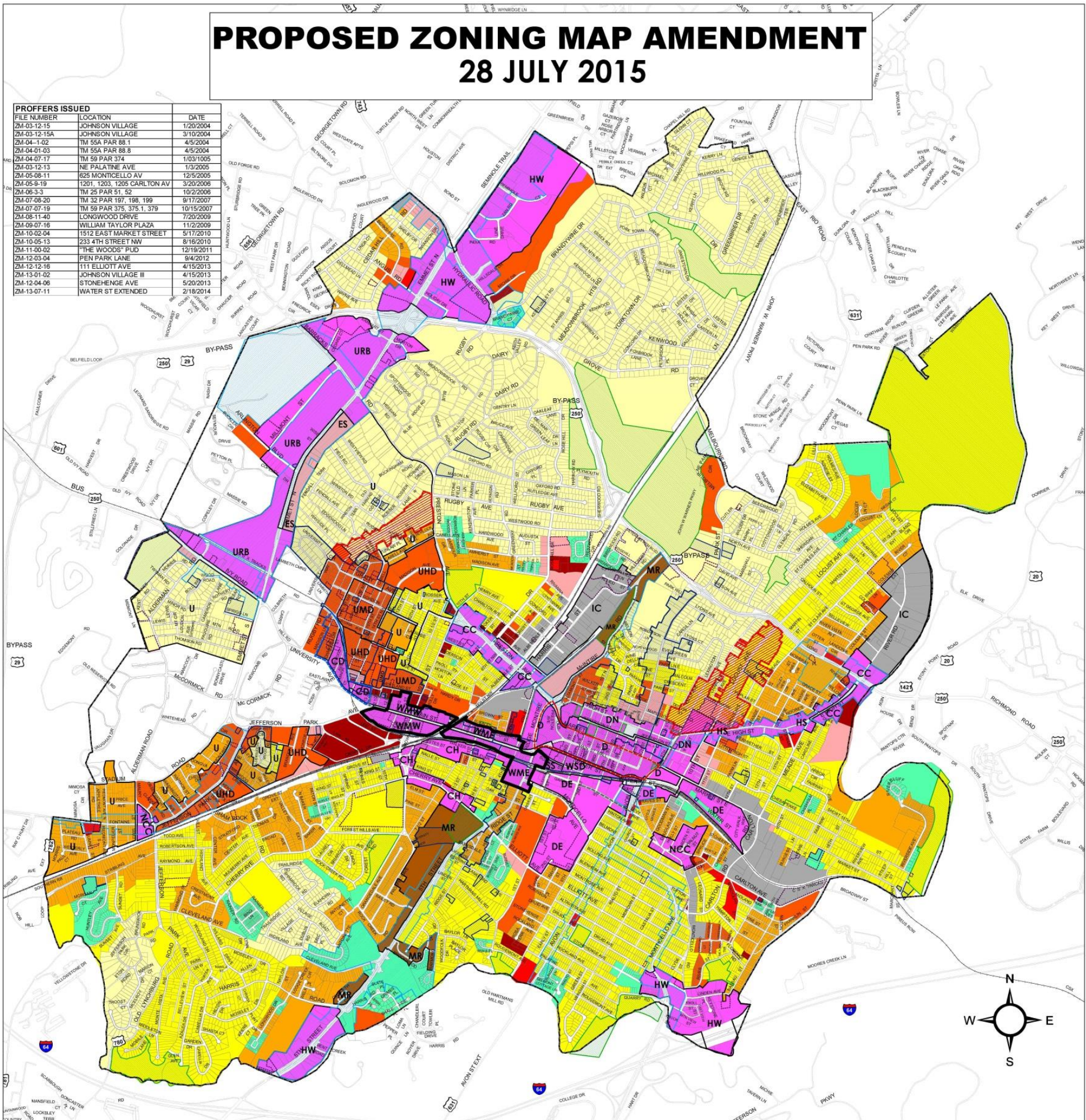


AND BE IT FURTHER ORDAINED that, effective on adoption of this Ordinance, the City's Board of Architectural Review is directed to review the City's Design Guidelines, in consultation with the City's Tree Commission, and to report back to City Council within 100 days with any proposed revisions or updates that may be necessary or desirable as a result of the zoning text and zoning map amendments that have been approved herein.

CITY OF CHARLOTTESVILLE ZONING DISTRICT MAP

PROPOSED ZONING MAP AMENDMENT 28 JULY 2015

FILE NUMBER	LOCATION	DATE
ZM-03-12-15	JOHNSON VILLAGE	1/20/2004
ZM-03-12-15A	JOHNSON VILLAGE	3/10/2004
ZM-04-1-02	TM 55A PAR 88.1	4/5/2004
ZM-04-01-03	TM 55A PAR 88.8	4/5/2004
ZM-04-07-17	TM 59 PAR 374	1/03/2005
ZM-03-12-13	NE PALATINE AVE	1/3/2005
ZM-05-08-11	625 MONTICELLO AV	12/5/2005
ZM-05-9-19	1201, 1203, 1205 CARLTON AV	3/20/2006
ZM-06-3-3	TM 25 PAR 51, 52	10/2/2006
ZM-07-08-20	TM 32 PAR 197, 198, 199	9/17/2007
ZM-07-07-19	TM 59 PAR 375, 375.1, 379	10/15/2007
ZM-08-11-40	LONGWOOD DRIVE	7/20/2009
ZM-09-07-16	WILLIAM TAYLOR PLAZA	11/2/2009
ZM-10-02-04	1512 EAST MARKET STREET	5/17/2010
ZM-10-05-13	233 4TH STREET NW	8/16/2010
ZM-11-00-02	THE WOODS' PUD	12/19/2011
ZM-12-03-04	PEN PARK LANE	9/4/2012
ZM-12-12-16	111 ELLIOTT AVE	4/15/2013
ZM-13-01-02	JOHNSON VILLAGE III	4/15/2013
ZM-12-04-06	STONEHENGE AVE	5/20/2013
ZM-13-07-11	WATER ST EXTENDED	2/18/2014



Special Use Permits are identified on the map for general reference only. Refer to the original SUP file for further information.

Neighborhood Development Services
Readopted April 6, 2009

RESIDENTIAL

- R-1
- R-1U
- R-1S
- U
- R-1SU
- R-2
- R-2U
- R-3
- UMD
- UHD
- MR
- Planned Unit Development

COMMERCIAL

- B-1
- B-2
- B-3
- ES

OVERLAY DISTRICTS

- Public Park Protection
- Architectural Design Control Districts and Individually Protected Properties
- Historic Conservation District
- Entrance Corridors
- Corner Parking Zone
- Parking Modified Zone
- Urban Corridor Parking Zone
- Special Use Permits

MIXED USE

- D
- DE
- DN
- WME
- WMW
- CC
- URB
- HS
- HW
- NCC
- CH

INDUSTRIAL

- M-1
- IC

AMENDMENT DATES

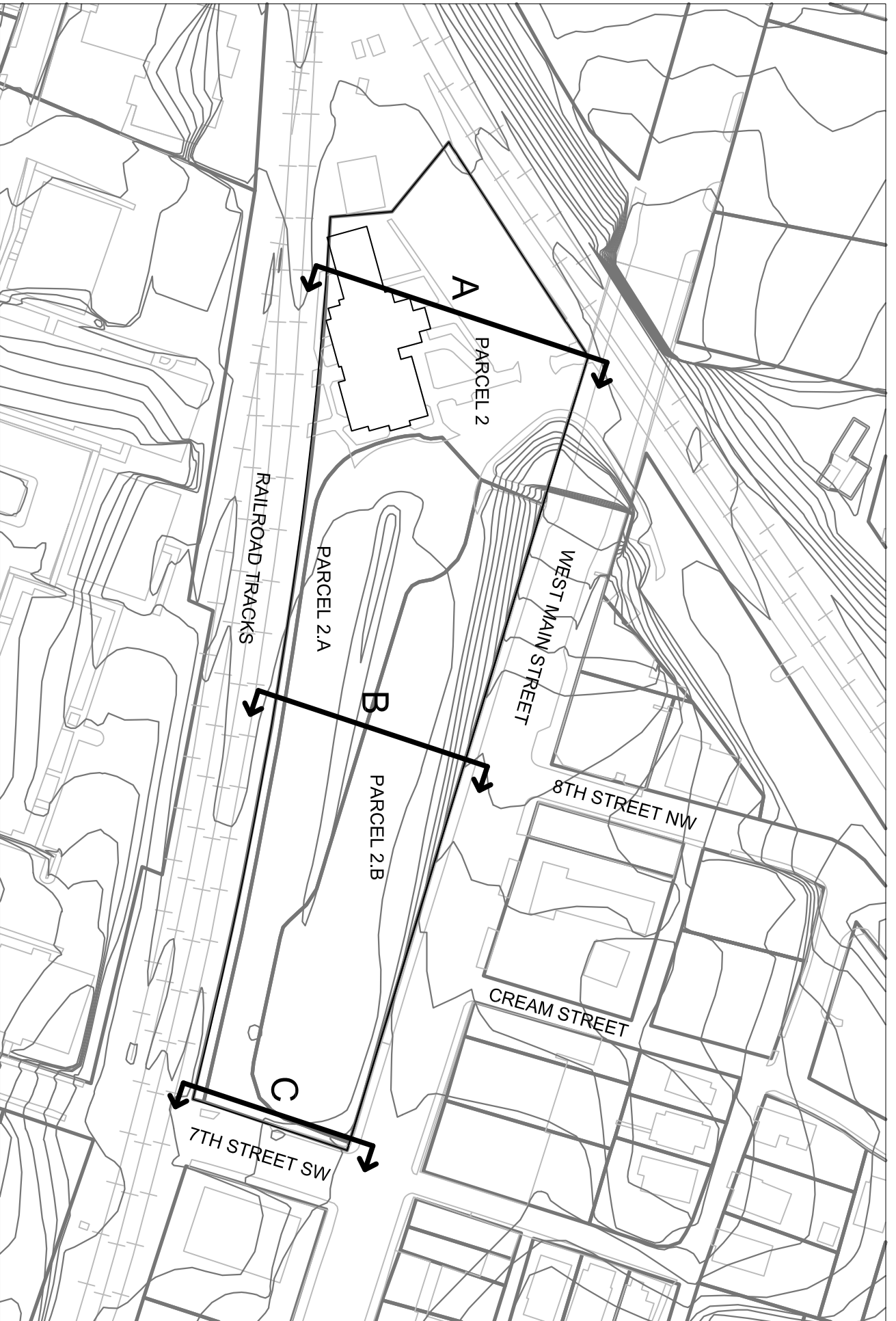
July 22, 2009	January 22, 2014
October 1, 2009	February 18, 2014
November 10, 2009	September 2, 2014
November 19, 2009	December 1, 2014
October 29, 2010	June 1, 2015
November 15, 2010	July 20, 2015
June 22, 2011	October 5, 2015
September 21, 2011	
December 5, 2011	
December 19, 2011	
January 3, 2012	
February 6, 2012	
March 5, 2012	
June 11, 2012	
December 7, 2012	
April 15, 2013	
May 6, 2013	
May 20, 2013	
September 16, 2013	
November 4, 2013	
December 2, 2013	
December 16, 2013	

Synopsis of Actions Taken by Planning Commission for West Main Street on December 8, 2015

1. MIDWAY MANOR--Ms. Keller moved to recommend 100 Ridge Street, known as Midway Manor, remain in the proposed West Main Street East (WME) district. Mr. Keesecker seconded the motion. The Commission voted 4-2 to pass the motion.
2. AMTRAK SITE--Mr. Keesecker moved to recommend the Amtrak site, including parcel 2.C north of West Main Street, be placed in the following districts. Mr. Lahendro seconded. The Commission voted 6-0 to pass the motion.
 - a. Tax Map 30, Parcel 2 to be placed in West Main Street West (WMW) district,
 - b. Tax Map 30, Parcel 2.A to be placed in the West Main Street West (WMW) district west of a line parallel with the centerline of the Cream Street right-of-way and placed in the West Main Street East (WME) district east of the line,
 - c. Tax Map 30 Parcel 2.B to be placed in the West Main Street East (WME) district,
 - d. Tax Map 30 Parcel 2.C to be placed in the West Main Street East (WME) district.
3. BUILDING SETBACKS--Mr. Rosensweig moved to recommend a setback requirement of zero (0) feet minimum to twenty (20) feet maximum for both the West Main Street East (WME) district and the West Main Street West (WMW) district. Ms. Green seconded. The Commission voted 5-1 to pass the motion. The Commission's discussion prior to the motion reflected consensus that Council should direct the Board of Architectural Review and the Tree Commission to work in consultation to develop updated guidelines for the West Main Street Architectural Design Control District, to assure appropriate review of proposed building setbacks and site design for proposed developments)
4. MEASUREMENT OF BUILDING HEIGHT--Ms. Green moved to recommend that the following be added to the West Main Street East (WME) district and the West Main Street West (WMW) district regulations. Mr. Keesecker seconded the motion. The Commission voted 4-2 to pass the motion.
 - a. The term "height," when applied to a building, shall refer to the distance measured from the grade to the highest point of the building. The highest point of any building shall be: the level of a flat roof; the deck line of a mansard roof; the deck line of the roof on a building with a parapet; or, for buildings with gable, hip or gambrel roofs, the level of the average height between the eaves and ridge.
 - b. The grade shall be the average level of the curb, at the primary street frontage.
5. BICYCLE PARKING --Mr. Rosensweig moved to recommend the approval of the staff proposed modifications for the bicycle parking requirements. Mr. Keesecker seconded the motion. The Commission voted 6-0 to pass the motion.
6. CLARIFICATION OF USE OF ROOFTOP OPEN AREAS v. USE OF APPURTENANCES--Ms. Keller moved to recommend the further modification of the appurtenance section of the ordinance to clarify that open air rooftop uses, incidental to the primary use of the building is permitted (*in addition to roof-top appurtenances*, such as well-screened utilitarian equipment), while the PC's recommendation is to prohibit residential uses within appurtenances. Mr. Keesecker seconded. The Commission voted 4-2 to pass the motion.
7. USES OF PROPERTY WITHIN WEST MAIN STREET CORRIDOR--Ms. Keller moved to recommend the approval of the staff proposed modifications for the use matrix in Section 34-796, to allow in the West Main Street East (WME) district and the West Main Street West (WMW) district all uses currently allowed in the West Main Street South (WMS) district. Mr. Keesecker seconded. The Commission voted 6-0 to pass the motion.

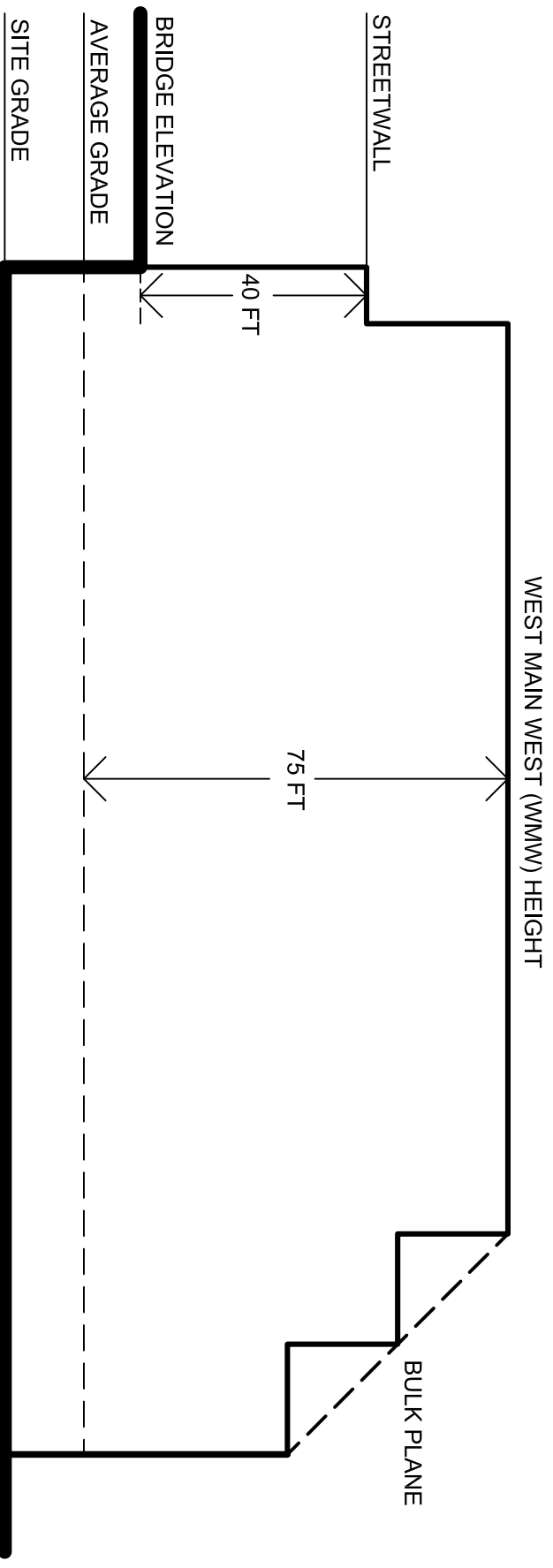
Buildable Envelope Comparison for Midway Manor

	WMS (current)	WME (proposed)	WSD	D	DE
Height	40 ft. min 70 ft. max 101 ft. w/SUP	35 ft. min 52 ft. max	40 ft. min 70 ft. max 101 ft. w/SUP	45 ft. min 70 ft. max 101 w/SUP	35 ft. min 50 ft. max, 101 ft. max, MU (by right)
Density	43 DUA 240 w/SUP	43 DUA 200 w/SUP	43 DUA 21 min, for MFD 240 w/SUP	43 DUA 21 min, for MFD 240 w/SUP	43 DUA 21 min, for MFD 240 w/SUP
Stepback (Streetwall)	25 ft. min 60 ft. max	40 ft. max	None required for this property	40 ft. min 45 ft. max	50 ft. max
Primary Street Setback	15 ft. min 20 ft. max	20 ft. max (Currently no min proposed)	5 ft. max, 75% of streetwall at property line	20 ft. max, 75% of streetwall at property line	15 ft. max
Linking Street Setback	10 ft. min 20 ft. max	5 ft. min 12 ft. max	None (all streets are primary)	None (all streets are primary)	10 ft. min 20 ft. max
Side and Rear Setback	None required for this property	None required for this property	None designated	None required for this property	None required for this property



UNION STATION (AMTRAK SITE) LOCATION MAP

SECTION A

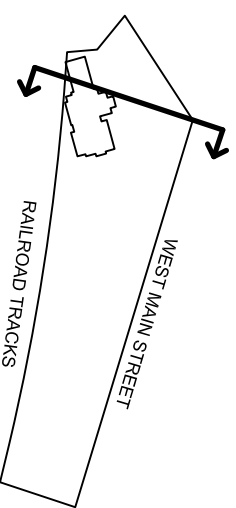


GENERAL INFORMATION

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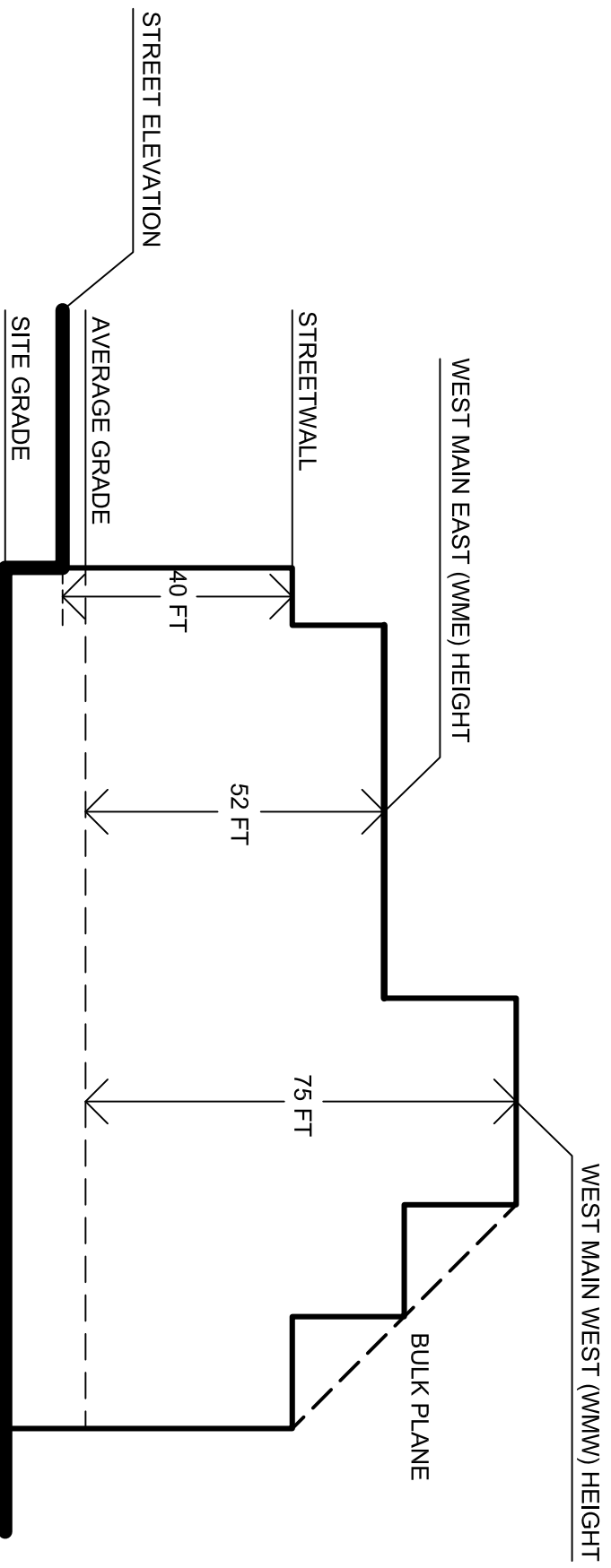
BUILDING CONDITIONS AND AVERAGE GRADE CALCULATIONS SHOWN ARE FORMULATED BASED UPON THE DECEMBER 8 2015 PLANNING COMMISSION MODIFICATIONS TO THE PROPOSED ZONING AMENDMENTS TO THE WEST MAIN STREET CORRIDOR.

CONDITIONS SHOWN USE MINIMUM ALLOWED SETBACKS AND MAXIMUM ALLOWED HEIGHTS.



SEE LOCATION MAP FOR
MORE INFORMATION

SECTION B

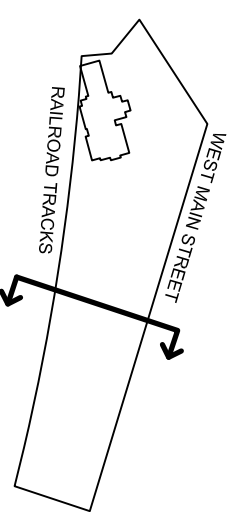


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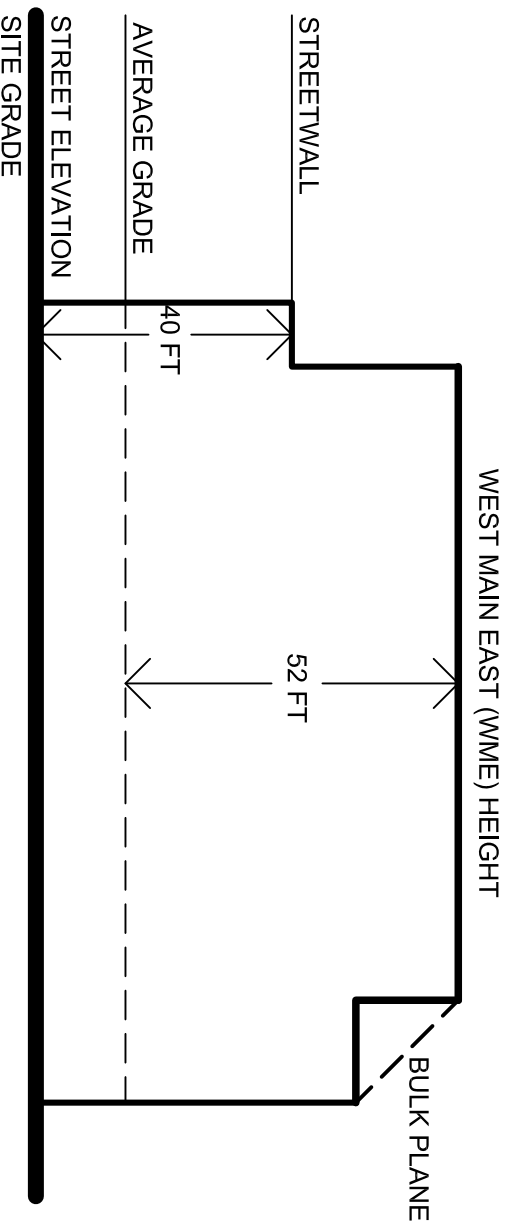
BUILDING CONDITIONS AND AVERAGE GRADE CALCULATIONS SHOWN ARE FORMULATED BASED UPON THE DECEMBER 8, 2015 PLANNING COMMISSION MODIFICATIONS TO THE PROPOSED ZONING AMENDMENTS TO THE WEST MAIN STREET CORRIDOR.

CONDITIONS SHOWN USE MINIMUM ALLOWED SETBACKS AND MAXIMUM ALLOWED HEIGHTS.



SEE LOCATION MAP FOR MORE INFORMATION

SECTION C

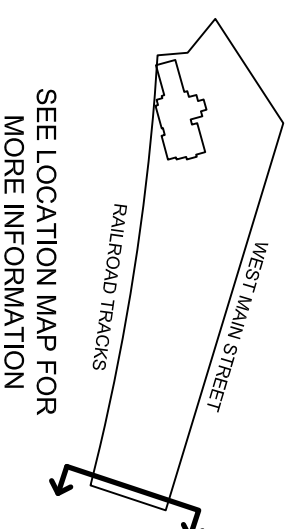


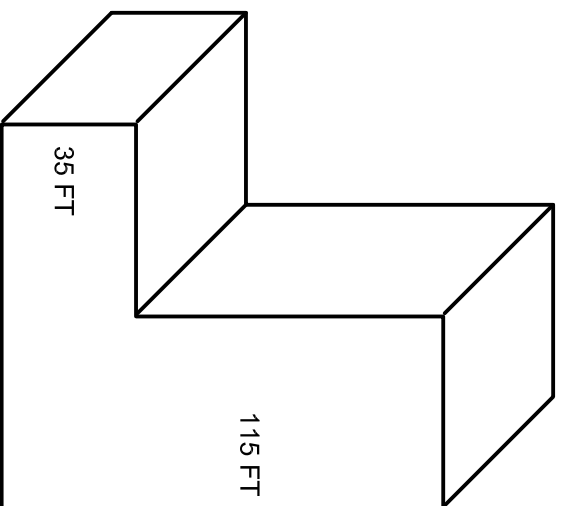
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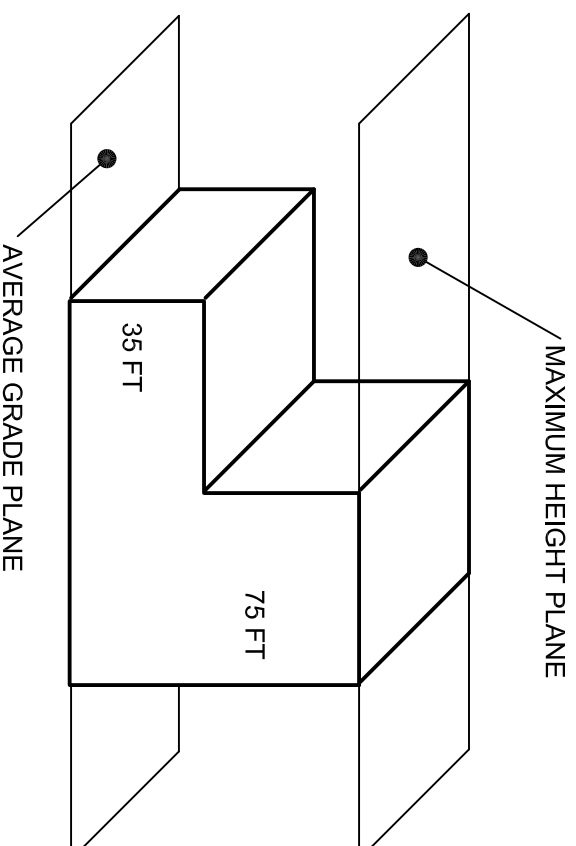
BUILDING CONDITIONS AND AVERAGE GRADE CALCULATIONS SHOWN ARE FORMULATED BASED UPON THE DECEMBER 8 2015 PLANNING COMMISSION MODIFICATIONS TO THE PROPOSED ZONING AMENDMENTS TO THE WEST MAIN STREET CORRIDOR.

CONDITIONS SHOWN USE MINIMUM ALLOWED SETBACKS AND MAXIMUM ALLOWED HEIGHTS.





CURRENT BUILDING CALCULATION
 HEIGHT=THE AVERAGE OF ALL BUILDING SIDE
 AVERAGE HEIGHTS
 $HEIGHT=(35+115+2((35+115)/2))/4$
 OFFICIAL BUILDING HEIGHT=75 FT
 THIS BUILDING IS IN COMPLIANCE WITH WMMW
 PROPOSED ZONING



PROPOSED BUILDING CALCULATION
 HEIGHT=HEIGHT ALLOWED ABOVE THE
 AVERAGE GRADE HEIGHT (SHOWN AS A PLANE)
 THIS BUILDING IS IN COMPLIANCE WITH WMMW
 PROPOSED ZONING

BUILDING HEIGHT CALCULATION EXAMPLE

Localities' Building Height Measurement Procedures

Ordinances that Use “Grade” of Development Site As the low-point of the vertical measurement	Ordinances that Use Grade of Adjacent Public ROW As the low-point of the vertical measurement
(ALL use the level of the highest roof surface as the top point of the vertical measurement)	
<p>Arlington (districts <i>other than</i> “R” districts): <i>Grade: a “calculated average elevation” of the existing or “officially approved” grade of the site, with elevation points taken at the perimeter of the site.</i></p>	<p>City of Lynchburg: Level of the approved street grade opposite the middle of the front of the building. <u>Corner lots</u>: either adjoining curb grade may be used. <u>Lots extending through from street to street</u>: either curb grade may be used (front or back), provided that the maximum height permitted on the lower street extends back from such street no less than 150 feet.</p>
<p>Arlington (“R” districts): measure from “<i>average existing grade</i>”, with elevation points taken at the perimeter of the building (two points each, on front and rear of the building); data points taken at perimeter of site (closest to side lot lines).</p>	<p>Albemarle County (combination ordinance): <u>No setback</u>: Level of the curb, OR the established curb grade opposite the middle of the front of the building. (measurement from point within public ROW)</p> <p><u>Buildings set back from the street line</u>: measured from the average elevation of the ground surface along the front of the building. (on-site measurement)</p>
<p>Alexandria:</p> <ol style="list-style-type: none"> a. <u>Generally</u>: “average finished grade” b. <u>Setback < 10 feet from ROW?</u> “average finished grade” or the “curb grade”, whichever is LESS; c. <u>Certain “R” districts</u>: “average pre-construction grade” or “average finished grade”, whichever is less. 	<p style="text-align: center;">City of Charlottesville: Proposed by Staff v. Existing</p> <p>City staff Proposed, as a city-wide standard: average grade of the site, with elevation points taken at the perimeter of the site (i.e., one point from each property corner)—<i>see, e.g., Arlington, for example using measurement from perimeter of the site.</i></p> <p>City of Charlottesville (existing): 34-1100(a) (text, general regs): “building height” refers to the distance measured from grade level to the highest point of the building.</p> <p>34-1200 (definition of “building height”): vertical distance from the “building footprint” to the highest roof surface, calculated by “<i>measuring separately the average height of each building wall, then averaging them together.</i>”</p>
<p>Leesburg: “average grade” around the [perimeter] of the entire building. High point: highest point of the building’s roof surface.</p>	
<p>Williamsburg: the “average of the finished surface” of the ground” adjoining the exterior of the FRONT building wall. <u>Corner lots</u>: average of the finished surface of the ground adjoining the exterior building walls along the front and street sides of the building.</p>	



Memo

To: Maurice Jones, City Manager
From: Chris Engel, CEcD, Director of Economic Development
Date: 10/30/15
Re: Proposed West Main Street Zoning Changes

In 2003, the City undertook a significant effort to overhaul its zoning ordinance which had last been updated in the 1970s. The new zoning ordinance was guided by the 2001 Comprehensive Plan update which clearly recognized the limited opportunity the City has within its ten square miles for further development. The new code created fourteen mixed-use districts along key corridors that allow and encourage high density mixed-use buildings. The City's proactive approach sent a strong signal to the development community that the City welcomed greater density and would help to facilitate it in the built environment. In the decade since the private sector has responded and the City has seen record levels of investment primarily focused on the mixed-use districts. From 2005 – 2014 the City saw unprecedented levels of investment totaling over \$1 billion dollars.

As the council considers changes to the zoning along West Main Street (WMS), I feel compelled to offer some concerns from an economic development perspective.

1. The proposed West Main East Corridor District (WME) zoning shrinks the permissible building envelope resulting in a reduction in the buildable square footage along the corridor. As part of the analysis the consultant team determined the buildable square footage of three potential development sites on West Main Street under the current and the proposed zoning. The results indicate an average 40% reduction in total buildable square footage from the current zoning to the proposed form based code. This is due to the lower height limit and the removal of the special use permit option.

As job creation is a key component of economic development, anytime buildable square footage is reduced the opportunity to place that space in employment generating uses is reduced. For instance, Site 2 of the analysis, in the 600 block of West Main Street, has a reduction of 42,000 SF in total buildable area. Using a proxy of 250 SF per employee the capacity of a new building constructed under the proposed WME zoning to house employees would be reduced by 29%.

2. An extensive fiscal impact analysis was performed by RCLCO as part of the overall WMS project. The rigorous analysis indicated no significant difference in net fiscal impact between the current and proposed zoning conditions. While it is useful to know the net revenue the City can expect under each scenario over a twenty year period the study does not address the actual feasibility of a project from a developer perspective. The feasibility of a project reflects a series of key inputs that ultimately result in a return on investment analysis that must meet investor expectations. If a project is not financially feasible under the proposed zoning it fails to be viable and will in all likelihood not be build. Land values along the corridor are reflective of the current zoning and if the reduction in height, particularly on the proposed WME, translates into projects that are not financially feasible the corridor may stagnate with inactivity.
3. The pre-2003, B-5 zoning for WMS had a height limit of 50'. The WME proposed zoning has a height limit of 52' with no opportunity to achieve additional height from a special use permit.
4. The current proposal suggests a one to one swap of the current West Main South/West Main North districts for the West Main East/West Main West. From a planning standpoint, this may be the most effective method to implement this change. However, there are several parcels fronting on Ridge Street and one on West Main Street (current Amtrak station site) that may benefit from further consideration for inclusion in an adjacent existing district.

Just as the 2003 zoning overhaul resulted in a strong signal to the development community that the City was interested in mixed-use and greater density along the commercial corridors, it is quite possible that the proposed changes, particularly to the WME district, may send the opposite signal causing limited investment for a considerable period of time and ultimately reducing the holding capacity of the land.

It is my belief that effective economic development programs work within the confines of the community's values and do not try and proscribe those values. As such, I am not suggesting that the concerns outlined above outweigh the work of the consultants and staff or the significant amount of public sentiment on this topic. I simply want to be sure that the council is fully aware of the potential impacts of this zoning change prior to making a decision.

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 21, 2015
Action Required:	Staff Update Report with Request for Direction from Council
Presenter:	Mike Murphy, Assistant City Manager
Staff Contacts:	Mike Murphy, Assistant City Manager Gretchen Ellis, Human Services Planner Rory Carpenter, Juvenile Justice Coordinator Charlene Green, Manager, Office of Human Rights
Title:	Report on Disproportionate Minority Contact (DMC) and Racial Disparities in the Juvenile Justice System

Background:

In February 2015 Council received a report from the DMC Task Force which provided an update on the progress that had been made on implementing recommendations from the June 2014 report. The report was the culmination of nearly two years of work engaging a variety of stakeholders. There was unanimous approval by the DMC Task Force of the recommendations in the report shown in the table below:

Summary of Recommendations	
Recommendation 1:	<i>Training</i> for police, youth, and juvenile justice professionals on disproportionate minority contact, and ways to reduce it.
Recommendation 2:	Provide greater <i>delinquency prevention and system support</i> to families and youth in the community
Recommendation 3:	<i>Continue the DMC Task Force</i> with the charge to monitor, report and make recommendations to continue reducing DMC in the juvenile justice system in Charlottesville on an ongoing basis.
Recommendation 4:	<i>Evaluate</i> formal and informal <i>policies</i> that contribute to DMC
Recommendation 5:	<i>Support the School Board</i> in continuing to implement policies and programs to reduce the occurrence of disproportionately in suspensions, school-based arrests, and referrals

There are five sub-committees organized around the work outlined in the report recommendations. Human Services staff members serve as the conveners of the larger group and sub-committee meetings. Recently, the Manager of the Office of Human Rights has provided meeting facilitation. The progress on each of the recommendations is detailed in the attachment to this memo.

Discussion:

The DMC Task Force on Juvenile Justice has substantially completed many of the recommendations that were outlined in the June 2014 report. There is still work to be accomplished and the task force will continue in its current form for at least three to six months. At that time, Council will be advised of progress and receive a recommendation on the possible future role of a group focused on DMC in the Juvenile Justice system. Numbers of arrests are very low and disproportionality may be shifting in this current year to be more representative of our juvenile population. We will need to monitor outcomes periodically going forward to be certain that our recommendations yield results and are institutionalized as systemic change. The task force believes that continued investment in and expansion of prevention services is critical to ensure positive long term outcomes.

Community members continue to be interested in investigating matters of race and equity in a variety of arenas outside the focus of this task force on the juvenile justice system. Those areas include the adult criminal justice system, child welfare, mental health outcomes, school discipline and academic achievement.

Grant funds have been sought twice for the study of the adult criminal justice system (which will be costly), but funds have not been awarded as of yet. The community continues to seek resources to fund this work.

The Human Rights Commission has established a work group to examine the child welfare system. This effort will require additional resources if further study is recommended by the HRC.

We are not aware of current strategies to address DMC with regard to mental health in our community. However, there are community coalitions focused on promoting access to mental health services and reducing stigma.

The Charlottesville City Schools have instituted many policy and program changes to positively impact school discipline and student achievement. The Alliance for Black Male Achievement considers the work of CCS on school discipline to be a model for other communities. Any further discussion of work in this area seems most appropriately directed to the CCS School Administration and School Board.

Community Engagement:

The DMC task force demonstrates community engagement regularly in its membership and open meeting structure.

Alignment with City Council's Vision and Strategic Plan:

This item aligns closely with Council's vision of a Community of Mutual Respect. The importance of an effective and fair public safety and justice system and citizen involvement are also reflected in Council's vision of Smart, Citizen-Focused Government and America's Healthiest City.

Strategic plan goals addressed include Goal 1: Enhance the self-sufficiency of our residents, Goal 2: Be a safe, equitable, thriving and beautiful community, and Goal 5: Foster Strong Connections.

Budgetary Impact:

The first printing of the guide to juvenile court has just been completed. Additional juvenile court guides may be printed within existing resources. It is possible that assistance will be needed with translation services and additional printing in the future. The Police Department currently has the capacity to implement Strategies for Youth training within the Department and for community partners, but may require additional resources over time for training. The Task Force and the Department of Human Services' upcoming Needs Assessment may provide guidance in future years about where Council could provide resources for increased prevention services but there is no budget request at this time.

Recommendation:

The task force should continue to work on the recommendations identified in the report and return to Council with a report in the late spring of 2016. Council may determine then that they would like more information, or initiate further study of other areas where the community has voiced concerns about disproportionality or disparity. It should be noted that such further study would require convening interest groups with different knowledge, skills and experiences from the DMC task force and possibly require additional resources.

Alternatives:

This item is an update but the Council may elect to request additional information or provide guidance on the charge of this body.

Attachments:

Summary of Proposed Recommendations and Accomplishments

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Charlottesville Task Force on Disproportionate Minority		
Recommendations	Accomplishments	Date Completed
<p><u>Recommendation 1:</u> Training to Reduce DMC</p> <p><i>Training</i> for police, youth, and juvenile justice professionals on disproportionate minority contact, and ways to reduce it.</p> <p><i>Adoption of a Protocol</i> for police interactions with youth</p> <p><i>Youth Education</i> and training for youth on interacting with the police</p> <p><i>Juvenile Justice Practitioners' Training</i></p>	<ul style="list-style-type: none"> • Strategies for Youth (SFY) provided the <i>Policing the Teen Brain Training</i> for City Police officers and 1 CSU staff person • Strategies for Youth and officers trained as “coached trainers” provided the <i>Policing the Teen Brain Coached Training</i> for City Police officers. Additional officers to be trained in January. • DMC Policy Subcommittee reviewed and submitted changes to the police department’s policy on police interactions with youth. The policy changes were accepted by police dept. • JustChildren developed a curriculum and has provided two sessions at Westhaven and Friendship Court reaching over 20 children. Sessions at South 1st Street and 6th Street held in August/September • The Charlottesville Youth Council is working with the Human Rights Commission to develop a series of audio and video PSAs along with “mini-trainings” to be presented at Buford and CHS. • One CSU staff member was trained to be a trainer at the May SFY Training. 	<p>May 18 -22, 2015</p> <p>July 21 – 24, 2015</p> <p>Jan 6 – 7, 2016</p> <p>May 2015</p> <p>June - September 2015</p> <p>December, 2015-January 2016</p> <p>May 18 -22, 2015</p>

<p><u>Recommendation 2:</u> Delinquency Prevention & System Support for Youth and Families</p> <p><i>Delinquency Prevention</i> through increased access and utilization of parental education and support</p> <p><i>Support for Navigating the System</i> by updating and reprinting the Juvenile Court Guide;</p> <p>By the development of a peer-to-peer network with peer support providers to assist families navigating the system</p>	<ul style="list-style-type: none"> • Inventory of parent support programs completed and disseminated • Redesign of Juvenile Court Guide complete and gone to press • Recruitment efforts have not been successful; additionally feedback from community members indicates limited interest in support. Discussion with the Community Engagement Committee will develop options for next steps to meet this need. 	<p>November, 2014</p> <p>September 2015</p> <p>September 2015</p>
<p><u>Recommendation 3:</u> <i>Continue the DMC Task Force</i> with the charge to monitor, report and make recommendations to continue reducing DMC in the juvenile justice system in Charlottesville on an ongoing basis.</p> <p><i>Ongoing Community Dialogue About DMC Issues</i></p> <p><i>Additional Collection and Analysis of DMC Data</i></p>	<ul style="list-style-type: none"> • Four additional community meetings held in Spring 2015 • Data received from CPD and DJJ; preliminary analysis completed and reviewed by data subcommittee; data reports to be shared at December meeting. Case file data analysis underway. 	<p>March 2015</p> <p>August 15, 2015</p> <p>November 30, 2015</p>

<p><i>Review Gaps Analysis Of Unmet Needs of Youth in the areas of mentoring, mental health, and substance abuse</i></p>	<ul style="list-style-type: none"> • Review completed by CPMT <ol style="list-style-type: none"> 1. Medication Follow-up/Psychiatric Review 2. Crisis Intervention and Stabilization 3. Multicultural Services 4. After School Recreational/Social Services 5. Parenting/Family Skills Training 	<p>December 2014</p>
<p>Recommendation 4: <i>Evaluate formal and informal policies that contribute to DMC</i></p> <p><i>Review Current Policies and Procedures (City Police)</i></p> <p><i>Review Current Policies and Procedures (Court Service Unit)</i></p> <p><i>Encourage Transparency</i></p>	<ul style="list-style-type: none"> • The Policy Subcommittee reviewed City Police Department’s policies as they relate to interactions with juveniles and made recommendations for changes that have been submitted to the Police Department. • Strategies for Youth completed a review of the City Police Department’s policies regarding police and youth interactions and submitted a report. • Hornby Zeller Associates is conducting an analysis of Intake data; an analysis of CSU policies that may contribute to DMC; an analysis of Probation Violations and Diversion Decisions; and an analysis of Detention Overrides as they relate to DMC • The 16th District CSU has developed a Diversion Decision Tree 	<p>May 2015</p> <p>May 2015</p> <p>Pending</p> <p>August 2015</p>
<p>Recommendation 5: <i>Support the School Board in continuing to implement policies/programs to reduce disproportionately in suspensions, school-based arrests, and referrals.</i></p> <p><i>Behavioral Interventions</i></p>	<ul style="list-style-type: none"> • PBIS has been implemented to some degree at all City schools. The schools receive training 	<p>November 2014</p>

<p><i>Professional Development</i></p>	<p>and technical assistance as part of The Virginia Department of Education's Training/ Technical Assistance Centers (T/TAC) through James Madison University. Responsive Classrooms was implemented in all elementary schools during the Safe Schools/Healthy Students project, but newer staff members have not been trained. Many school counselors use Restorative Practices. The schools do not request additional resources.</p>	<p>November 2015</p>
<p><i>Educational Programming</i></p>	<ul style="list-style-type: none"> • The School Subcommittee is working with the Commonwealth Attorney and CSU to look at policy regarding probation violations related to truancy. Staff met with CCS staff and CSU director to discuss further strategies. • The Human Services Department has written and received a grant to implement a Check and Connect Truancy Prevention Program for elementary and upper elementary schools students in the City of Promise footprint. 	<p>July 2015 - ongoing</p> <p>December 2015</p>
<p><i>Joint Memorandum of Agreement</i></p>	<ul style="list-style-type: none"> • Revised Memorandum of Agreement has been drafted and is under review by CPD and CCS 	<p>December, 2015</p>