

## Certifications

### CITY COUNCIL AGENDA Monday, December 2, 2019



5:30 p.m. Closed session as provided by Sections 2.2-3711 and 2.2-3712 of the Virginia Code  
Second Floor Conference Room (Personnel; legal consultation; Boards and Commissions)

6:30 p.m. Regular Meeting - CALL TO ORDER  
Council Chamber

#### PLEDGE OF ALLEGIANCE ROLL CALL ANNOUNCEMENTS PROCLAMATIONS

Lighting of the Lawn Proclamation

1. **CONSENT AGENDA\*** (Items removed from consent agenda will be considered at the end of the regular agenda)  
**PASSED 4-1: HILL/BELLAMY (Signer against); Items n-p pulled for separate votes as noted below.**
- a. MINUTES: October 7, 2019 Regular meeting; October 21, 2019 Special meeting
  - b. APPROPRIATION: Re-appropriate funds from the Department of Human Services to the Department of Economic Development for the Home to Hope Program - \$321,103.35 (1<sup>st</sup> of 2 readings)
  - c. APPROPRIATION: Victim Witness Assistance Program Grant - \$265,024 (1<sup>st</sup> of 2 readings)
  - d. APPROPRIATION: Virginia Outdoors Foundation Grant – Land Acquisition - \$50,000 (2<sup>nd</sup> reading)
  - e. APPROPRIATION: Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$35,000 (2<sup>nd</sup> reading)
  - f. APPROPRIATION: Virginia Department of Social Services Employment Advancement for Temporary Aid to Needy Families Participants Grant - \$130,259.83 (2<sup>nd</sup> reading)
  - g. APPROPRIATION: Fire apparatus payment reimbursement \$642,609 (2<sup>nd</sup> reading)
  - h. RESOLUTION: Transfer of funds from Small Area Plan – Penn Park study (African-American cemetery) - \$9,319 (1 reading)
  - i. RESOLUTION: Request for Support of Refugee Resettlement (1 reading)
  - j. RESOLUTION: Acceptance of new public streets within the Burnet Commons 3 Development (1 reading)
  - k. RESOLUTION: Acceptance of 11th Street as a residential permit parking block (1 reading)
  - l. RESOLUTION: Ethnic Studies Course by African-American Heritage Center - \$15,000 (1 reading)
  - m. RESOLUTION: Capital Funding Transfer – Electronic Poll Books - \$24,618 (1 reading)
  - n. ORDINANCE: Adding Section 2-159 to Chapter 2 (Administration), Article III (City Manager) of the Charlottesville City Code (1990) (1<sup>st</sup> of 2 readings) **Item pulled by GALVIN for discussion after regular agenda. DENIED 3-2 (GALVIN/SIGNER; Bellamy and Walker against)**
  - o. ORDINANCE: Bicycle & E-Scooter Sharing System (aka "Dockless Mobility") Ordinance and Permit Program (2<sup>nd</sup> reading) **Pulled by WALKER for separate vote. PASSED 4-1 (HILL/BELLAMY; Walker against)**
  - p. ORDINANCE: 209 Maury Avenue rezoning request (2<sup>nd</sup> reading) **Pulled by WALKER for separate vote. PASSED 4-1 (HILL/GALVIN; Walker against)**

#### CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

- COMMUNITY MATTERS** Public comment is provided for up to 16 speakers at the beginning of the meeting (limit 3 minutes per speaker.) Pre-registration available for up to 8 spaces; pre-registered speakers announced by Noon the day of the meeting. The number of speakers is unlimited at the end of the meeting.
2. **PUBLIC HEARING/ORDINANCE\*:** Vacation and release of public utilities easements - Lochlyn Hill Subdivision (1<sup>st</sup> of 2 readings; consideration of waiving 2<sup>nd</sup> reading) **Item pulled from consideration at developer's request.**
3. **RESOLUTION\*:** City Manager's Recommendation to Address Organizational Equity - \$113,596 (1 reading) **PASSED 5-0 (GALVIN/SIGNER)**
4. **RESOLUTION\*:** General District Court and 7th Street Deck Project - \$1.28 Million (1 reading) **PASSED 5-0 (GALVIN/HILL)**
5. **RESOLUTION\*:** 218 West Market Street Special Use Permit (1 reading) **DEFERRED back to Planning Commission 3-2 (HILL/SIGNER; Bellamy and Walker against)**
6. **RESOLUTION\*:** 167 Chancellor Street Special Use Permit (1 reading) **PASSED 5-0 (HILL/GALVIN)**
7. **RESOLUTION\*:** Adopting an updated Standards and Design Manual (1 reading) **PASSED 5-0 (GALVIN/HILL)**
8. **RESOLUTION\*:** Board of Architectural Review appeal - 605 Preston Place (1 reading) **Appeal DENIED 5-0 (GALVIN/HILL)**

#### OTHER BUSINESS

#### MATTERS BY THE PUBLIC

\*ACTION NEEDED

**APPROPRIATION**  
**VOF Grant for Acquisition of Parkland for of 250 Bypass Trail**  
**\$50,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded \$50,000 from the Virginia Outdoors Foundation to purchase land adjacent to McIntire Park; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$50,000 is hereby appropriated in the following manner:

**Revenue**

\$50,000      Fund: 426                      WBS: PR-001                      G/L Account: 430120

**Expenditures**

\$50,000      Fund: 426                      WBS: PR-001                      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$50,000 from the Virginia Outdoors Foundation.

**APPROPRIATION**

**Virginia Department of Education Special Nutrition Program  
Child and Adult Care Food Program  
\$35,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$35,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

**WHEREAS**, the grant award covers the period from period October 1, 2019 through September 30, 2020;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$35,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

**Revenue – \$ 35,000**

Fund: 209                      Internal Order: 1900342                      G/L Account: 430120

**Expenditures - \$35,000**

Fund: 209                      Internal Order: 1900342                      G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$35,000 from the Virginia Department of Education Special Nutrition Program.

**APPROPRIATION**  
**Virginia Department of Social Services (V.D.S.S.) Employment Advancement for**  
**Temporary Aid to Needy Families (T.A.N.F.) Participants Grant**  
**\$130,259.83**

**WHEREAS**, the City of Charlottesville has received funds from the Virginia Department of Social Services in the amount of \$130,259.83; and

**WHEREAS**, the funds will be used to support workforce development training programs and business development programs provided by the Office of Economic Development; and

**WHEREAS**, the grant award covers the period from October 1, 2019 and June 30, 2020;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$130,259.83 is hereby appropriated in the following manner:

**Revenue – \$130,259.83**

\$130,259.83    Fund: 209    IO: 1900343    G/L: 430120 State/Fed pass thru

**Expenditures - \$130,259.83**

\$130,259.83    Fund: 209    IO: 1900343    G/L: 599999 Lump Sum

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$130,259.83 from the Virginia Department of Social Services.

**APPROPRIATION**

Fire Apparatus Payment Reimbursement  
\$642,609

**WHEREAS**, the Charlottesville Fire Department has received a payment reimbursement from a vendor for fire apparatus that they are unable to deliver on time;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a refund amount of \$642,609 be appropriated in the following manner:

**Revenues -**

\$642,609      Fund: 426      WBS Element: P-00976                      G/L Account: 451999

**Expenditures -**

\$642,609      Fund: 426      WBS Element: P-00976                      G/L Account: 541011

**RESOLUTION**

**Approval for usage of Small Area Plans funding for the examination of possible burials  
near the Gilmer/Craven/Hotopp Cemetery at Pen Park  
\$9,319**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville,  
Virginia that the sum of \$9,319 be allocated from previously appropriated funds in the Small  
Area Plans project for an examination of possible burials, believed to be of formerly enslaved  
persons, near the Gilmer/Craven/Hotopp Cemetery at Pen Park.

Fund: 426

Project: P-00819

G/L Account: 530670

Pen Park Cemetery Examination      \$9,319

**RESOLUTION AUTHORIZING MAYOR WALKER  
TO SIGN CORRESPONDENCE TO THE UNITED  
STATES DEPARTMENT OF STATE AUTHORIZING  
REFUGEE RESETTLEMENT IN CHARLOTTESVILLE**

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that Mayor Nikuyah Walker is hereby authorized to sign the attached correspondence to the United States Department of State.

CITY OF CHARLOTTESVILLE

City Council

P.O. Box 911 • Charlottesville, Virginia 22902

Telephone (434) 970-3113



December 2, 2019

Secretary Michael R. Pompeo  
U.S. Department of State  
2201 C Street NW  
Washington DC, 20520

Dear Secretary Pompeo:

This letter is in reference to Executive Order 13888, "*On Enhancing State and Local Involvement in Resettlement.*"

As Mayor of Charlottesville, Virginia, I consent to initial refugee resettlement in Charlottesville as per the terms of the Executive Order.

I would also like to have noted that it would be my preference to have individuals voluntarily settle in our community by ensuring that the U.S. does not act as a disruptive agent in the homeland of those who later seek refuge.

Sincerely,

Nikuyah Walker  
Mayor

Cc:  
Principal Deputy Assistant Secretary Carol T. O'Connell  
Bureau of Population, Refugees, and Migration  
U.S. Department of State



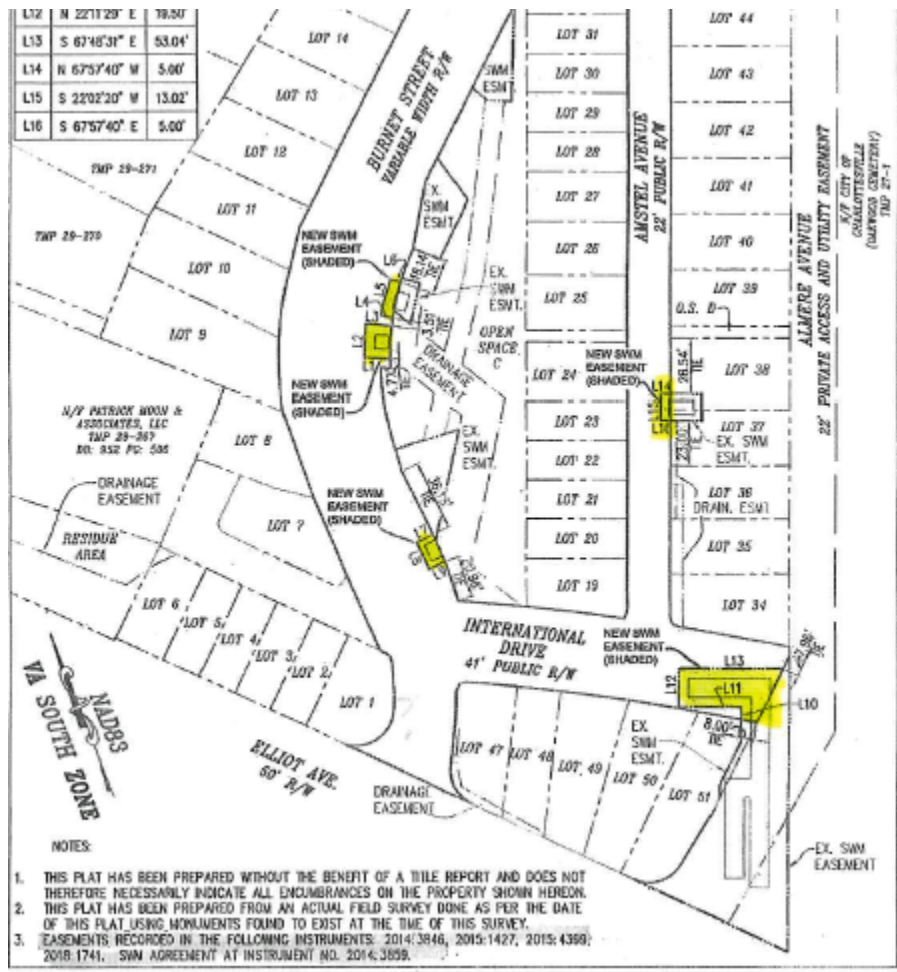
# RESOLUTION

## ACCEPTING BURNET STREET, INTERNATIONAL DRIVE AND AMSTEL AVENUE INTO THE CITY STREET SYSTEM FOR MAINTENANCE, EXCLUDING CERTAIN ENCROACHMENTS

**WHEREAS**, the Burnet Street, International Drive and Amstel Avenue rights-of-way have been constructed within Phase 3 of the Burnet Commons development and the developer has asked the City to accept these streets into the City's street system;

**WHEREAS**, certain stormwater management features have been constructed within the public rights-of-way, in the locations generally depicted within the following Exhibit and labeled "new SWM easement (shaded)":

### Exhibit:



**WHEREAS**, all of said stormwater management features have been installed for the benefit of the lots within Phase 3 of the Burnet Commons development, and said features are owned by, and are to be maintained by, said lot owners or an owners' association of which the owners are members; and

**WHEREAS**, all of said stormwater management features are encroachments into City-owned public rights-of-way and, notwithstanding the reference to "new easements" within the foregoing Exhibit, no easements have been granted by City Council in accordance with Va. Code §15.2-1800(B);

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Charlottesville, Virginia, Burnet Street, International Drive, and Amstel Avenue, as improved, are hereby accepted into the City's public street system for maintenance, excluding the existing stormwater management features in the locations depicted within the foregoing Exhibit; and

**BE IT FURTHER RESOLVED** that the stormwater management features are hereby authorized to remain within the public rights-of-way as encroachments, until those features are destroyed or removed, pursuant to the provisions of Va. Code §§ 15.2-2009 and 2011. The stormwater features shall owned and maintained by the owners of lots within Phase 3 of the Burnet Commons development or an owners' association of which the owners are members, who shall be liable for negligence on account of such encroachments. Pursuant to Va. Code §15.2-2009, authorization of these encroachments may be revoked by resolution of this City Council, and City Council hereby reserves the right, at its option, to institute and prosecute a suit or action in ejectment or other appropriate proceedings to recover possession of the public rights of way occupied by the stormwater management features.

**RESOLUTION  
APPROVING CERTAIN STREETS  
AS RESTRICTED PARKING BLOCKS**

**WHEREAS**, certain residents of 11<sup>th</sup> Street Northwest between Gordon Avenue and West Street, and/or the City Traffic Engineer have requested that City Council designate those streets or portions of streets as restricted parking areas; and

**WHEREAS**, in accordance with §15-203 of the Charlottesville City Code, 1990, as amended, the City Traffic Engineer has conducted on-street parking surveys and mailed notice to all residents of the affected areas that Council will consider this request; and

**WHEREAS**, the surveys have shown that at least 75% of the total number of on-street parking spaces in the proposed restricted parking blocks were occupied, and at least 50% of the total number of on-street parking spaces in those blocks were occupied by commuter vehicles; and

**WHEREAS**, Council has considered:

- (a) the purpose and intent of Chapter 15, Article 5, Division 3 of the Charlottesville City Code, 1990, as amended;
- (b) the alternate means of transportation, if any, to and from the restricted parking areas being established;
- (c) the impact, if any, that establishment of a restricted parking area may have on nearby neighborhoods or blocks that do not have permit parking; and
- (d) the impact, if any, that a restricted area may have on persons who do not reside within that area and their ability to find parking near their place of work; and
- (e) the hours, if any, during which the proposed restricted parking areas are affected by commuter vehicles.

**BE IT RESOLVED** by the Council of the City of Charlottesville that, pursuant to §15-203 of the City Code, the following areas are each hereby designated restricted parking areas: 11<sup>th</sup> Street Northwest between Gordon Avenue and West Street.

**RESOLUTION**  
**City Funding to Jefferson School African American Heritage Center for**  
**Ethnic Study Course**  
**\$15,000**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$15,000 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to Jefferson School African American Heritage Center in support of the Ethnic Studies Course work being undertaken.

\$15,000

Fund: 105

Cost Center: 1011001000

**RESOLUTION**

**Capital Funding Transfer for Purchase of Electronic Poll Books for the Office of Voter  
Registration and Elections  
\$24,617.60**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the funding for the purchase of Electronic Poll Books is hereby transferred in the following manner:

**Transfer From:**

\$13,550.50 Fund: 426

WBS: P-00664

G/L Account: 599999

\$11,062.10 Fund: 426

WBS: P-00666

G/L Account: 599999

**Transfer To**

\$24,617.60 Fund: 425

WBS: P-00566

G/L Account: 599999

**AN ORDINANCE AMENDING, REENACTING, AND RECODIFYING SECTIONS OF  
ARTICLE VI OF CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE  
OF THE CITY OF CHARLOTTESVILLE (1990) WITH RESPECT TO THE USE OF  
BICYCLES, ELECTRIC POWER-ASSISTED BICYCLES, AND MOTORIZED  
SKATEBOARDS OR SCOOTERS**

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Article VI of Chapter 15 (Motor Vehicles and Traffic) of the Code of the City of Charlottesville, 1990, as amended, is hereby amended and reordained as follows

**ARTICLE VI. BICYCLES, ELECTRIC POWER-ASSISTED BICYCLES, MOTORIZED  
SKATEBOARDS OR SCOOTERS, AND MOPEDS**

Sec. 15-240. - Riders subject to traffic laws, etc.

Every person riding a bicycle, electric power-assisted bicycle, motorized skateboard or scooter, or moped upon a street, roadway or other public vehicular area will be subject to the provisions of this Code and the provisions of Code of Virginia, Chapter 8 (Section 46.2-800 et seq.) of Title 46.2, applicable to drivers of motor vehicles, unless the context of any such provision clearly indicates otherwise.

Sec. 15-241. - Required equipment for bicycles, electric power-assisted bicycles, and motorized skateboards or scooters.

- (a) Every bicycle, electric power-assisted bicycle, and motorized skateboard or scooter, when in use between sunset and sunrise, must be equipped with a lamp on the front which must emit a white light visible in clear weather from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type approved for use on the highways of this state by the superintendent of state police, which must be visible in clear weather from all distances from six hundred (600) feet to the rear, when directly in front of lawful lower beams of headlights on a motor vehicle.
- (b) Every bicycle, electric power-assisted bicycle, and motorized skateboard or scooter, when in use between sunset and sunrise, must be equipped with a taillight on the rear emitting a red light plainly visible in clear weather from a distance of at least 500 feet to the rear. Any such taillight must be of a type approved by the superintendent of state police.
- (c) Every bicycle, electric power-assisted bicycle, and motorized skateboard or scooter, when operated upon a street or highway, must be equipped with a brake that will enable the operator to make the braked wheels skid on dry, level, clean pavement.

Sec. 15-243. - Riding on roadways generally.

- (a) Any person operating a bicycle, electric power-assisted bicycle, motorized skateboard or scooter, or moped on a roadway must ride as close as practicable to the right curb or edge of the roadway, except under any of the following circumstances:
  - (1) When overtaking and passing another vehicle proceeding in the same direction;
  - (2) When preparing for a left turn at an intersection or into a private road or driveway; and
  - (3) When reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right curb or edge.
- (b) For the purposes of this section, a "substandard width lane" is a lane too narrow for a bicycle, electric power-assisted bicycle, motorized skateboard or scooter, or moped and another vehicle to pass safely side by side within the lane.

Sec. 15-246. - Riding and skating on sidewalks and the downtown mall.

- (a) No person may ride a bicycle, an electric power-assisted bicycle, a motorized skateboard or scooter, or a moped on any sidewalk or other area designated exclusively for pedestrian traffic including, without limitation, the pedestrian mall area on Main Street between the Ninth Street bridge and Ridge-McIntire Road; provided however, that this prohibition does not apply to on-duty police officers and other uniformed emergency services personnel using the pedestrian mall.
- (c) Violations of this section will be subject to a civil penalty of not more than fifty dollars (\$50.00).

Sec. 15-246.1 – Parking for bicycles, electric-power assisted bicycles, and motorized skateboards or scooters.

- (a) No person may stand or park a bicycle, electric power-assisted bicycle, or motorized skateboard or scooter:
  - 1. upon the street, other than upon the roadway against the curb, or in a corral marked and designated for the purpose;
  - 2. upon the sidewalk, other than in a rack to support the vehicle, or attached to a street sign or light post, or at the curb or the back edge of the sidewalk;
  - 3. where they would obstruct curb ramps, pedestrian access within bus stops, or fire access;
  - 4. in, or upon, any public right-of-way, other than a street or sidewalk, except in a location specifically designated through signage or provision of racks.

(b) Bicycles, electric power-assisted bicycles, and motorized skateboards or scooters must be parked upright, in such a manner as to afford the least obstruction to pedestrian and vehicular traffic.

(c) Violations of this section will be subject to a civil penalty of not more than fifty dollars (\$50.00).

Sec. 15-248. - Rider not to attach vehicle or himself to another vehicle.

No person riding upon any bicycle, electric power-assisted bicycle, motorized skateboard or scooter, or moped may attach the same or himself to any other vehicle on the roadway.

Sec. 15-249. - Riding on handlebars.

No person riding a bicycle, electric power-assisted bicycle, motorized skateboard or scooter, or moped on a street, highway, or other public vehicular area may permit any person to ride on the handlebars.

Sec. 15-249.1 – Riding with more than one person on a motorized skateboard or scooter.

Motorized skateboards or scooters may not be used on a street, highway, or other public vehicular area by more than one person at a time.

Sec. 15-250. - Report of certain vehicle accidents.

It will be the responsibility of the rider to report any bicycle, electric power-assisted bicycle, and motorized skateboard or scooter accident involving bodily injury or damage of fifty dollars (\$50.00) or more to the chief of police within forty-eight (48) hours of such accident. The chief of police must keep complete and retrievable records of all such accidents involving these vehicles. Such records must include the location and nature of the accident.

Sec. 15-251. - Disposition of unclaimed bicycles, mopeds, etc.

Where any bicycle, electric personal assistive mobility device, electric power-assisted bicycle, motorized skateboard or scooter, or moped has been found or delivered to the police department, and has thereafter remained in the possession of the police department, unclaimed, for more than thirty (30) days, and the property is not owned by a Dockless Mobility Business operating under a permit issued pursuant to Article X of this Chapter, such property may be disposed of as follows:

- (a) In cases where a private person found and delivered the property to the police department, and requested to receive the property if it should remain unclaimed: if the location and a description of the property has been published at least once a week for two (2) successive weeks in a newspaper of general circulation within the city (and, in the case of an electric personal assistive mobility device, electric power-assisted bicycle, motorized skateboard or scooter, or moped for which a license plate, tag or decal has been issued pursuant to section 15-39 of the City Code, if the record owner has been notified by mail at the address provided in the license application) then the property may be released to the finder;



- (b) In all other cases the property must be sold pursuant to section 20-59 of the City Code, or, at the option of the city, donated to a charitable organization.

Sec. 15-253. Unlawful to ride motorized skateboard or scooter while using earphones.

No person may ride a motorized skateboard or scooter while using earphones on or in both ears. For the purposes of this section, “earphones” will have the meaning set forth in Va. Code § 46.2-1078.

## **ATTACHMENT B.**

### **AN ORDINANCE AMENDING AND REORDAINING CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF CHARLOTTESVILLE BY ADDING A NEW ARTICLE X ESTABLISHING A PERMIT PROGRAM FOR DOCKLESS MOBILITY DEVICES FOR HIRE**

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Chapter 15 (Motor Vehicles and Traffic) of the Code of the City of Charlottesville is hereby amended and reordained by adding a new Article X entitled “Permit Program for Dockless Mobility Devices for Hire,” which article will read as follows:

#### **ARTICLE X. PERMIT PROGRAM FOR DOCKLESS MOBILITY DEVICES FOR HIRE**

##### **Sec. 15-445. Purpose and Persons Covered.**

- (a) Purpose. The purpose of this section is to establish a permit program to regulate the operation of Dockless Mobility Services for-hire within the City of Charlottesville, as defined below. The aims of the permit program shall be:
- (1) to ensure that Dockless Mobility Services for-hire are carried on in a manner that is consistent with the health, safety, and welfare of the public, as well as consistent with the accessibility of public right-of-way for bicyclists, pedestrians, and people with disabilities;
  - (2) to reduce single occupancy vehicle use; and,
  - (3) to improve the overall mobility, safety, and equity of the City’s transportation network.
- (b) Persons Covered. Any person who provides, or applies to provide, Dockless Mobility Service for-hire, as defined below, within the City of Charlottesville will be governed by the provisions of this Article.

##### **Sec. 15-446. Definitions.**

The following words and terms, when used in this section, will have the following meaning, unless context clearly indicates otherwise:

“Dockless Mobility Device” means a bicycle, electric power-assisted bicycle, or motorized skateboard or scooter, as those terms are defined in the Code of Virginia.

“Dockless Mobility Business” means any person that offers, or applies to offer, Dockless Mobility Devices for-hire by relying on the public right-of-way to store the Dockless Mobility Devices for customer access and use. Dockless Mobility Business does not include any transportation service operated by the City or any other political subdivision or agency of the Commonwealth of Virginia.

“Dockless Mobility Service” means the service provided by a Dockless Mobility Business.

Sec. 15-447. Permit Requirement.

No person may provide Dockless Mobility Services for public hire within the City of Charlottesville without obtaining a permit from the City Manager pursuant to this Article.

Sec. 15-448. City Manager Authorized to Promulgate Regulations.

The City Manager, or the City Manager’s designee, will administer the permit program and will have the authority to promulgate regulations setting forth the requirements applicable to all persons applying for, or operating under, a permit issued pursuant to this Article. The City Manager, or the City Manager’s designee, may establish reasonable fees, charges, and penalties in connection with the permit program, including, but not limited to, requirements for insurance coverage, bond payment, and indemnification.

Sec. 15-449. Maximum Fleet Size.

The City Manager, or the City Manager’s designee, will have the authority to establish, modify, or eliminate a cap on the total number of Dockless Mobility Devices allowed to operate under this permit program.

Sec. 15-450. Review of Permit Applications.

- (a) The City Manager, or the City Manager’s designee, must evaluate each application for a permit under this program and notify the applicant in writing regarding the decision to approve or deny the application. In making such an approval or denial, the City Manager, or the City Manager’s designee, may consider any established cap on the total number of Dockless Mobility Devices, aggregate demand for services, and any goal articulated in the City’s Comprehensive Plan or Strategic Plan.
- (b) An applicant for a permit must request an initial allocation of Dockless Mobility Devices. The City Manager, or the City Manager’s designee, may determine the initial number of Dockless Mobility Devices approved under the permit. The City Manager, or the City Manager’s designee, may subsequently increase or decrease the number of approved devices under a permit for any of the reasons mentioned in Sec. 15-450(a) or in connection with the enforcement of any regulations promulgated pursuant to this Article.

15-451. Suspension or Revocation of Permits.

The City Manager, or the City Manager’s designee, may revoke or suspend a permit for any violation of this Article or regulations promulgated pursuant to this Article.

#### 15-452. Appeals.

The City Manager, or the City Manager's designee, must establish an administrative process for any Dockless Mobility Business to appeal the denial of a permit application, the suspension or revocation of a permit, or any change in the number of approved devices under a permit.

**AN ORDINANCE  
APPROVING REZONING APPLICATION ZM19-00002  
A REQUEST TO REZONE LAND FRONTING ON MAURY AVENUE AND STADIUM  
ROAD FROM R-2U (TWO-FAMILY RESIDENTIAL, UNIVERSITY)  
TO R-3 (MULTIFAMILY RESIDENTIAL) SUBJECT TO PROFFERED  
DEVELOPMENT CONDITIONS**

**WHEREAS**, in order to facilitate a specific development project, Southern Property, LLC (“Landowner”), by its member Charlie Armstrong, has submitted rezoning application ZM19-00002, proposing a change in the zoning classification (“rezoning”) of certain land fronting on Maury Avenue and Stadium Road, designated on 2019 City Tax Map 17 as Parcels 180, 180.1, 180.2, 184, 185, and 186 (collectively, the “Subject Property”), from “R-2U” to “R-3”, with said rezoning to be subject to several development conditions proffered by Landowner; and

**WHEREAS**, the purpose of the rezoning application is to allow a specific development project identified within the proffered development conditions (“Project”) which will provide multifamily residential dwellings within the Subject Property and will preserve an existing structure of historic significance located within the Subject Property; and

**WHEREAS**, a joint public hearing on the proposed rezoning was conducted by the Planning Commission and City Council on October 8, 2019, following notice to the public and to adjacent property owners, as required by law, and following the joint public hearing, the Planning Commission voted on October 8, 2019 to recommend that City Council should approve the Proposed Rezoning for the Project; and

**WHEREAS**, this City Council has considered the details of the specific Project represented within the Landowner’s application materials for ZM19-00002; has reviewed the NDS Staff Report, public comments, the Planning Commission’s recommendation, and the Comprehensive Plan; and

**WHEREAS**, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the proposed rezoning; that both the existing zoning classification and the proposed zoning

classification are reasonable; and that the proposed rezoning is consistent with the Comprehensive Plan; now, therefore,

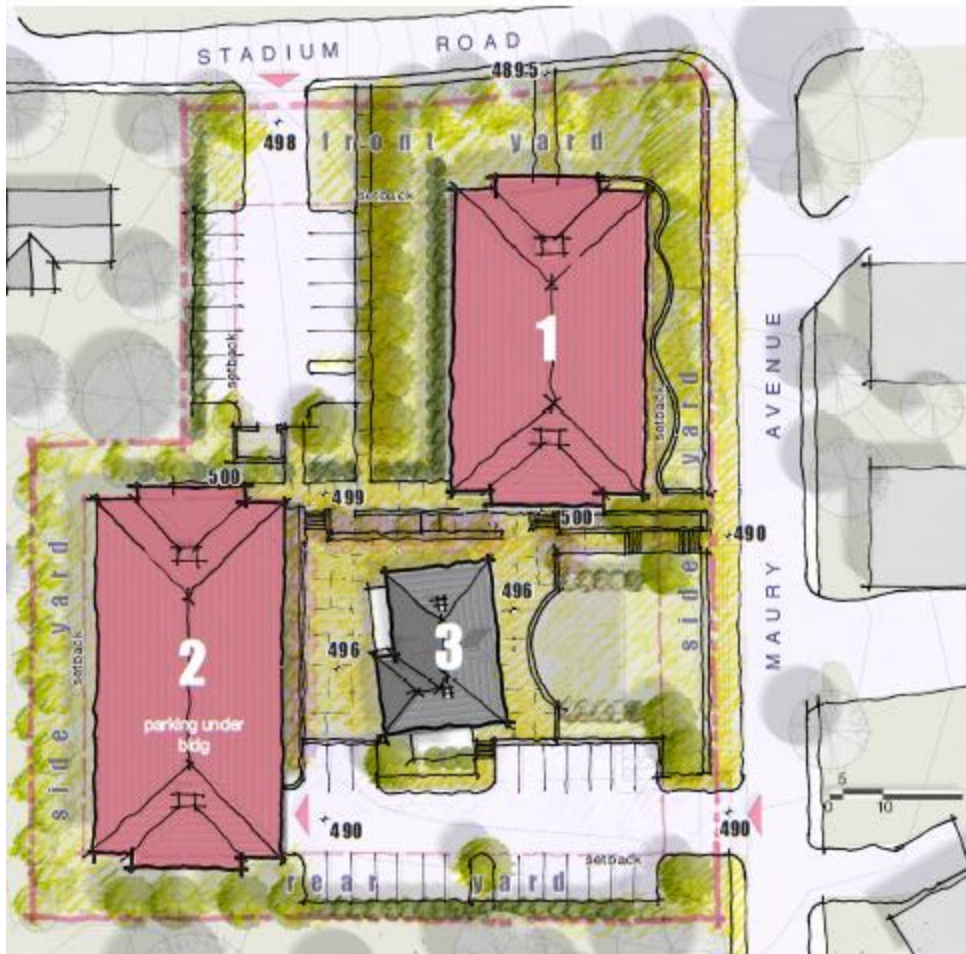
**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

*Section 34-1. Zoning District Map.* Rezoning all of the land designated on 2019 City Tax Map 17 as Parcels 180, 180.1, 180.2, 184, 185, and 186 (“Subject Property”), containing, in the aggregate approximately 1.6 acres (approximately 69,696 square feet), from R-2U (Two Family Residential, University) to R-3 (Multifamily Residential), subject to the following proffered development conditions (“Proffers”), which were tendered by the Landowner in accordance with law and are hereby accepted by this City Council:

#### **Approved Proffers**

The use and development of the Subject Property shall be subject to the following development conditions voluntarily proffered by the Landowner, which conditions shall apply in addition to the regulations otherwise provided within the City’s zoning ordinance:

1. The number and location of buildings and structures relative to Maury Avenue and Stadium Road, and points of ingress and egress to the Subject Property, may not be varied from the general or approximate location(s) depicted within the following drawing, titled “209 Maury Avenue Application Plan” by Mitchell Matthews Architects (the “Application Plan”):



| ZONING DATA |                |             |
|-------------|----------------|-------------|
| Site        | Site Area      | 1.611 Acres |
|             | Current Zoning | R - 2U      |
|             | Prop. Zoning   | R - 3       |

Document referenced in proffer 1  
 "209 Maury Avenue Application  
 Plan"

SK-115

**209 MAURY AVENUE**  
**APPLICATION PLAN**

2. The majority of the area between Maury Avenue and the façade of the historic Manor House located on the Subject Property, currently having an address of 209 Maury Avenue, shall be maintained as open green space (grass lawn), landscaping with plantings, or a combination thereof, as generally depicted within the Application Plan. Stormwater management practices or treatments may be located within this area only if the appearance of this area is that of a grass yard with trees and shrubbery, as generally depicted within the Application Plan.
3. Prior to seeking a building permit for construction of any new building, structure or addition to the Manor House, the Landowner shall submit and obtain final approval of a site development plan covering the entire area of the Subject Property. The Landowner shall, as part of the final site development plan, include a landscape plan for the entire Subject Property which shall be prepared by a landscape architect. The landscape plan shall provide green space (grass lawn), trees and shrubbery in an amount, and in locations, generally consistent with the Application Plan.
4. The historic Manor House building located on the Subject Property, currently having an address of 209 Maury Avenue, shall, in perpetuity, (but excluding destruction by natural disasters, fires, or other unforeseen calamities) be maintained in good repair. Nothing herein shall restrict the owner of the Subject Property and/or its assigns from making reasonable and architecturally consistent additions or modification to the historic Manor House building located on the Subject Property.
5. Prior to issuance of a building permit for construction of any new buildings within the Subject Property, the Landowner will demonstrate that it has provided for construction of affordable dwelling units (“ADUs”), by one of the following means:
  - a. For-rent ADUs will be constructed by Landowner on the Subject Property, as part of the Landowner’s development of the Subject Property. The gross square footage of the affordable units, in the aggregate, shall be at least fifteen percent (15%) of the aggregate habitable floor area of the buildings on the Subject Property. For-rent ADUs shall meet the definition of “affordable dwelling unit” in City Code 34-12(c), and the period of affordability shall be administered in accordance with the provisions of City Code 34-12(g); or



b. For-sale ADUs are under construction by Landowner at a site outside the Subject Property, at a location within the City of Charlottesville. If the Landowner constructs the ADUs, then the for-sale ADUs shall meet the definition of “affordable dwelling unit” in City Code 34-12(c), and the period of affordability shall be administered in accordance with the provisions of City Code 34-12(g). The number of off-site ADUs shall be fifteen percent (15%) of the total number of dwelling units within the Subject Property. At the Landowner’s option, if the Landowner conveys to Habitat for Humanity, by recorded deed, any off-site lot(s) for construction of the off-site ADUs pursuant to this proffer, then if any ADU lot(s) are so conveyed to Habitat then:

1. The ADUs on such off-site location(s) shall be deemed to be “under construction” as of the date of recordation of the deed of conveyance from Landowner to Habitat, containing the required ADU restriction; and
2. The Landowner shall provide the City with a binding commitment from Habitat for Humanity promising that, if any of the initial owners of the ADUs on the off-site location(s) sells or otherwise transfers ownership of the affordable dwelling unit to a person other than the Habitat for Humanity organization or a qualifying heir, within the first twenty (20) years following issuance of a certificate of occupancy for the unit sold or transferred, then Habitat will use any profit-sharing proceeds from the sale or transfer for construction of a replacement affordable dwelling unit within the City of Charlottesville;

Or,

c. Landowner shall make a cash contribution to the City’s affordable housing fund, which contribution shall be calculated as follows: (i) two dollars (\$2.00) per square foot of the habitable residential floor area within the Subject Property.

6. The following land uses, currently generally allowed within the R-3 zoning district, shall be prohibited on the lot(s) within the Subject Property: Bed and Breakfasts (including both “Homestay” and “Bed-and-breakfast”);

Health clinic (up to 4,000 SF, GFA); Public health clinic; and Educational Facilities (elementary, high schools, and colleges and universities).

**BE IT FURTHER ORDAINED THAT** the City's Zoning Administrator shall update the Zoning District Map to reflect this rezoning of the Subject Property subject to the proffered development conditions.

## Attachment A

BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA  
IN RE: PETITION FOR REZONING (City Application No. ZM-19-00002)  
STATEMENT OF FINAL PROFFER CONDITIONS FOR  
TAX MAP 17, PARCELS 180, 180.1, 180.2, 184, 185, & 186.  
Dated as of October 25, 2019

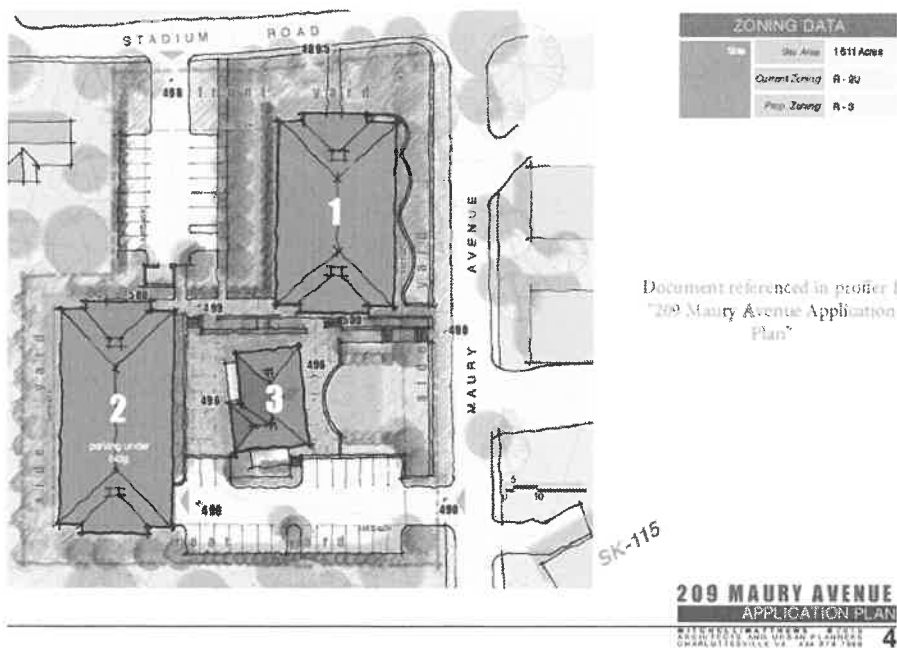
TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF CHARLOTTESVILLE:

The undersigned limited liability company (“Landowner”) is the owner of land subject to the above-referenced rezoning petition (“Subject Property”). Through this rezoning request the Landowner seeks approval of a specific use described within an Application Plan accompanying the rezoning petition.

Pursuant to City Code §34-61 et seq., the Landowner seeks to amend the current zoning of the property subject to certain proffered development conditions set forth below. The Landowner proffers these conditions as part of the requested rezoning, and Landowner agrees that (i) the rezoning itself gives rise to the conditions, and (ii) the conditions have a reasonable relationship to the rezoning request. The Landowner agrees that if the Subject Property is rezoned as requested, the use and development of the Subject Property will be subject to the following voluntarily proffered development conditions:

The use and development of the Subject Property shall be subject to the following development conditions voluntarily proffered by the Landowner, which conditions shall apply in addition to the regulations otherwise provided within the City’s zoning ordinance:

1. The number and location of buildings and structures relative to Maury Avenue and Stadium Road, and points of ingress and egress to the Subject Property, may not be varied from the general or approximate location(s) depicted within the following drawing, titled “209 Maury Avenue Application Plan” by Mitchell Matthews Architects (the “Application Plan”):



## Attachment A

2. The majority of the area between Maury Avenue and the façade of the historic Manor House located on the Subject Property, currently having an address of 209 Maury Avenue, shall be maintained as open green space (grass lawn), landscaping with plantings, or a combination thereof, as generally depicted within the Application Plan. Stormwater management practices or treatments may be located within this area only if the appearance of this area is that of a grass yard with trees and shrubbery, as generally depicted within the Application Plan.
3. Prior to seeking a building permit for construction of any new building, structure or addition to the Manor House, the Landowner shall submit and obtain final approval of a site development plan covering the entire area of the Subject Property. The Landowner shall, as part of the final site development plan, include a landscape plan for the entire Subject Property which shall be prepared by a landscape architect. The landscape plan shall provide green space (grass lawn), trees and shrubbery in an amount, and in locations, generally consistent with the Application Plan.
4. The historic Manor House building located on the Subject Property, currently having an address of 209 Maury Avenue, shall, in perpetuity, (but excluding destruction by natural disasters, fires, or other unforeseen calamities) be maintained in good repair. Nothing herein shall restrict the owner of the Subject Property and/or its assigns from making reasonable and architecturally consistent additions or modification to the historic Manor House building located on the Subject Property.
5. Prior to issuance of a building permit for construction of any new buildings within the Subject Property, the Landowner will demonstrate that it has provided for construction of affordable dwelling units (“ADUs”), by one of the following means:
  - a. For-rent ADUs will be constructed by Landowner on the Subject Property, as part of the Landowner’s development of the Subject Property. The gross square footage of the affordable units, in the aggregate, shall be at least fifteen percent (15%) of the aggregate habitable floor area of the buildings on the Subject Property. For-rent ADUs shall meet the definition of “affordable dwelling unit” in City Code 34-12(c), and the period of affordability shall be administered in accordance with the provisions of City Code 34-12(g); or
  - b. For-sale ADUs are under construction by Landowner at a site outside the Subject Property, at a location within the City of Charlottesville. If the Landowner constructs the ADUs, then the for-sale ADUs shall meet the definition of “affordable dwelling unit” in City Code 34-12(c), and the period of affordability shall be administered in accordance with the provisions of City Code 34-12(g). The number of off-site ADUs shall be fifteen percent (15%) of the total number of dwelling units within the Subject Property. At the Landowner’s option, if the Landowner conveys to Habitat for Humanity, by recorded deed, any off-site lot(s) for construction of the off-site ADUs pursuant to this proffer, then if any ADU lot(s) are so conveyed to Habitat then:

Attachment A

1. The ADUs on such off-site location(s) shall be deemed to be “under construction” as of the date of recordation of the deed of conveyance from Landowner to Habitat, containing the required ADU restriction; and
2. The Landowner shall provide the City with a binding commitment from Habitat for Humanity promising that, if any of the initial owners of the ADUs on the off-site location(s) sells or otherwise transfers ownership of the affordable dwelling unit to a person other than the Habitat for Humanity organization or a qualifying heir, within the first twenty (20) years following issuance of a certificate of occupancy for the unit sold or transferred, then Habitat will use any profit-sharing proceeds from the sale or transfer for construction of a replacement affordable dwelling unit within the City of Charlottesville;

Or,

- c. Landowner shall make a cash contribution to the City’s affordable housing fund, which contribution shall be calculated as follows: (i) two dollars (\$2.00) per square foot of the habitable residential floor area within the Subject Property.

6. The following land uses, currently generally allowed within the R-3 zoning district, shall be prohibited on the lot(s) within the Subject Property: Bed and Breakfasts (including both “Homestay” and “Bed-and-breakfast”); Health clinic (up to 4,000 SF, GFA); Public health clinic; and Educational Facilities (elementary, high schools, and colleges and universities).

WHEREFORE, the undersigned Owner(s) stipulate and agree that the use and development of the Subject Property shall be in conformity with the conditions hereinabove stated, and requests that the Subject Property be rezoned as requested, in accordance with the Zoning Ordinance of the City of Charlottesville.

Respectfully submitted this 25th day of October 2019.

Owner:  
FMC, INVESTMENTS LLC

Owner's Address:  
142 S Pantops Dr  
Charlottesville, VA 22911

By:   
Charles Armstrong, Member

**RESOLUTION**  
**Implementing Recommendations from the City Manager to Address Organizational Equity \$197,181**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$197,181 is hereby allocated from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to implement the recommendations from the City Manager on Organizational Equity.

\$197,181

Fund: 105

Cost Center: 1011001000

**RESOLUTION**

**Transfer CIP Contingency Account for Acquisition of Land at 701 East Market Street  
\$1,280,000**

**WHEREAS**, on December 17, 2018, Albemarle County and the City of Charlottesville signed a memorandum of agreement to develop a joint court complex located at 350 Park Street in downtown Charlottesville; and

**WHEREAS**, the agreement is premised on the City's stated intention to construct a parking structure on property owned jointly by the City and the County and adjacent property owned solely by the City, both on East Market Street; and

**WHEREAS**, the agreement stipulates that the City will purchase the County's one-half interest of the jointly owned property following the completion of a professional appraisal; and

**WHEREAS**, the appraisal indicates the value of the County's one-half ownership to be \$1,280,000;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that funding for purposes of acquiring parcel #530159000 located at 701 East Market is hereby transferred in the following manner:

**Transfer From:**

\$1,280,000    Fund: 426                      WBS: CP-080                      G/L Account: 599999

**Transfer To**

\$1,280,000    Fund: 426                      WBS: P-01008                      G/L Account: 599999

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to execute, on behalf of the City of Charlottesville, all necessary documents required in conjunction with the aforementioned purchase of property; and

**BE IT FURTHER RESOLVED** that City staff is directed to proceed immediately with development of a parking structure as presented at this meeting, consisting of approximately 300 spaces and 12,000 square feet of street front commercial space, such that the timelines prescribed in the memorandum of agreement can be met.

**RESOLUTION  
AUTHORIZING A FRATERNITY HOUSE  
AT 167 CHANCELLOR STREET FOR UP TO 16 OCCUPANTS**

**WHEREAS**, pursuant to City Code §34-420, landowner Alpha Omicron of Chi Psi Corporation has submitted an application seeking to modify a special use permit previously approved in 1985, for the purposes of authorizing a “*boarding, fraternity and sorority house*”, as defined within City Code §34-1200, at 165 and 167 Chancellor Street (the proposed “Special Use Permit”); and

**WHEREAS**, the proposed Special Use Permit will apply to the land, buildings and structures located at 165 and 167 Chancellor Street (the “Subject Property”), which is further identified on 2019 City Tax Map 9 as Parcels 126 and 127 (City Parcel ID Nos. 090126000 and 090127000, respectively) and both lots are located within the City’s R-3 zoning district, subject to an historic district overlay (the Corner major design control district, per §34-272(6); and

**WHEREAS**, previously, on July 15, 1985 City Council granted a special use permit to authorize a “sorority complex” to be established at 165 and 167 Chancellor Street, consisting of two buildings: one, at 165 Chancellor, another at 167 Chancellor, together, having thirty-three (33) residents, total. The current owner of the land, buildings and structures located at 165 Chancellor Street (WADS Holdings, LLC) has confirmed in writing that it does not object to this application, which will update and modify the previously-granted special use permit as to both 165 and 167 Chancellor Street; and

**WHEREAS**, the proposed Special Use is generally described within written materials submitted in connection with SP19-00007, including: the application materials dated September 17, 2019, and related narrative; and a proposed preliminary site plan *dated* September 17, 2019 as required by City Code §34-158 (collectively, the “Application Materials”); and

**WHEREAS**, the Planning Commission reviewed the Application Materials, and the City’s Staff Report pertaining thereto, and then, following a joint public hearing duly advertised and conducted by the Planning Commission and City Council on November 12, 2019, the Planning Commission voted to recommend that City Council should approve this proposed Special Use, subject to certain conditions; and

**WHEREAS**, upon consideration of the comments received during the joint public hearing, the Planning Commission’s recommendation, and the Staff Report, as well as the factors set forth within Sec. 34-157 of the City’s Zoning Ordinance, this Council finds and determines that granting the proposed Special Use subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, pursuant to City Code Sec. 34-420, the proposed Special Use is granted, subject to the following conditions:



1. The fraternity house located at 167 Chancellor Street shall have a maximum of sixteen (16) residents. Any expansion of the fraternity house beyond sixteen (16) residents will require an amendment to this Special Use Permit.
2. 165 Chancellor Street: Special Use Permit approval for the land, buildings and structures located at 165 Chancellor Street to be used for a “boarding, fraternity and sorority house”, as that term is defined in City Code §34-1200 is expired and no longer valid. However, yard regulations for this lot will remain modified as follows:
  - a. Building setback (front), adjacent to Madison Lane: the required building setback along Madison Lane shall remain modified as shown on the site plan for 165 and 167 Chancellor Street approved on November 4, 1985.
3. 167 Chancellor Street: The land, buildings and structures located at 167 Chancellor Street may be used for a “boarding, fraternity and sorority house”, as that term is defined in City Code §34-1200. The number of residents shall not exceed 16 at 167 Chancellor Street.
  - a. Building setback (front), adjacent to Madison Lane: the required building setback along Madison Lane shall be 8 feet.
  - b. Building setback (corner side), adjacent to Chancellor Street: the required building setback along Chancellor Street shall be 4 feet.
  - c. Building setback (side), adjacent to 165 Chancellor Street: the required building setback along the property line shared with 165 Chancellor Street shall be 4 feet.
  - d. Building setback (rear), property corner adjacent to Chancellor Street and 165 Chancellor Street: the required building setback from property corner adjacent to Chancellor Street and 165 Chancellor Street shall be 25 feet.
4. The “boarding, fraternity or sorority house” use approved by this special use permit, and (except as specifically modified within condition (2) and condition (3), above), all buildings and structures located on the Subject Property, shall comply with the provisions of City Code Sec. 34-353 and all other applicable provisions of Chapter 34 (Zoning) of the Code of the City of Charlottesville.
5. Bicycle storage facilities shall be provided at 167 Chancellor Street at a rate of one (1) bicycle storage facility per resident, and all such facilities shall be a type permitted by the zoning ordinance.

6. Sidewalk shall be extended along the frontage of Madison Lane as shown on the proposed preliminary site plan for 167 Chancellor Street dated September 17, 2019.
7. Curb ramps shall be installed at the end of any proposed sidewalk on Madison Lane to align with the existing curb ramp on the east side of Chancellor Street.
8. The elevated sidewalk to the south on Chancellor Street must be repaired and vegetation cleared to remove obstructions. If this work is not done prior to requesting an updated Certificate of Occupancy for 167 Chancellor Street then the landowner shall provide a development agreement specifying the timing for completion of sidewalk work.
9. An accessible route from the public sidewalk to 167 Chancellor Street shall be required.

**BE IT FURTHER RESOLVED THAT** the Special Use Permit approved by this Resolution amends and supersedes the special use permit previously approved by resolution dated July 15, 1985 for the buildings and structures located at 165 and 167 Chancellor Street.

**RESOLUTION**  
**APPROVING AN UPDATED STANDARDS AND DESIGN MANUAL**

**WHEREAS**, this City Council has provided for a set of design and construction specifications for public improvements and infrastructure, referred to within the City's Subdivision Ordinance at City Code §29-140(6) and §29-141, and in various provisions of Chapter 10 (Water Protection), Chapter 28 (Streets and Sidewalks) and Chapter 34 (Zoning Ordinance) as the City's "Standards and Design Manual" (SADM); and

**WHEREAS**, in 2017 the City commenced a process to review and update the contents of the SADM, which was originally approved by City Council in 2008 and had not received a comprehensive update since that time; and

**WHEREAS**, the text of the proposed updated SADM has been developed by the City Engineer in consultation with the departments and public officials referenced in City Code §29-61, and was made available for public review and comment, and many public comments have been incorporated into the SADM presented to this Council for approval;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville that the proposed updated Standards and Design Manual (2019), together with existing Appendices A through H, are hereby approved by City Council as the City's official "Standards and Design Manual", effective December 2, 2019 (collectively, the SADM approved by this resolution). In the event of any conflicts between the updated SADM text approved by this resolution and the contents of any existing Appendices, the updated text of the SADM shall be the controlling provision; and

**BE IT FURTHER RESOLVED THAT**, consistent with the provisions of City Code §2-154, the City Engineer, with the approval of the City Manager and the concurrence of the City Attorney's Office, may amend and update the SADM, or any appendices thereto. Any proposed amendment to the SADM or its appendices shall contain a specific revision date, and shall be posted on the City's website for public information for at least ten (10) business days prior to being approved by the City Engineer and City Manager.

**BE IT FURTHER RESOLVED THAT** the City Engineer shall have the authority to administer and interpret the provisions of the SADM, including, without limitation, the authority to issue technical bulletins or written interpretations of the contents of the SADM. This administrative authority shall be carried out subject to oversight by the City Manager or his or her designee, and subject further to the requirement that the Engineer's findings and conclusions shall be official only with the concurrence of the City Attorney's Office. Upon issuance of a technical bulletin or written interpretation containing the concurrence of the City Attorney's office, the content of that document shall have the same weight of authority as the text within the SADM; and

**BE IT FURTHER RESOLVED THAT**, notwithstanding the effective Date of December 2, 2019, the following may proceed using the SADM provisions in effect prior to December 2, 2019:

1. Development depicted within a final site plan approved prior to December 2, 2019;
2. Charlottesville Redevelopment and Housing Authority (CRHA), South First Street Project (Phase 2);
3. Piedmont Housing Alliance, Friendship Court Redevelopment (Phase 1); and
4. Any common plan of development or sale, or an individual phase within such common plan, for which (i) a proposed final site plan was officially submitted on or after November 1, 2019 and (ii) that officially submitted plan satisfies all requirements necessary to be deemed final, per Va. Code §15.2-2261(A), on or before March 31, 2020.