



**CITY COUNCIL AGENDA**  
**February 3, 2014**

**5:30 p.m. – 7:00 p.m.**

**Closed session as provided by Section 2.2-3712 of the Virginia Code**  
*Second Floor Conference Room* (Appointments to Boards & Commissions; Rivanna Pump Station Cost Allocation Agreement; Discussion of City-owned property conveyance on Pen Park land in Albemarle County)

**CALL TO ORDER 7:00 p.m.**  
**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**  
**AWARDS/RECOGNITIONS**  
**ANNOUNCEMENTS**

*Council Chambers*

Senior Center National Accreditation

**MATTERS BY THE PUBLIC**

Public comment will be permitted for the first 12 speakers who sign up in advance of the meeting (limit of 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.

**COUNCIL RESPONSE TO MATTERS BY THE PUBLIC**

**1. CONSENT AGENDA\***

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

a. Minutes for January 22

b. **APPROPRIATION:** BAMA Works Fund Check and Connect Grant - \$10,000 (2<sup>nd</sup> of 2 readings) **passed**

c. **APPROPRIATION:** FY 2014 Aid & Localities Fire Disbursement Fund - \$122,138 (2<sup>nd</sup> of 2 readings) **passed**

d. **APPROPRIATION:** Appropriation of FY 2014 Transit Grants - \$213,693 (2<sup>nd</sup> of 2 readings) **passed**

e. **APPROPRIATION:** Safe Routes Grant for Clark Pedestrian Improvements - \$174,800 (2<sup>nd</sup> of 2 readings) **passed**

f. **APPROPRIATION:** HVAC Replacement at Gordon Avenue Library and Health Department - \$90,000 (1<sup>st</sup> of 2 readings) **carried**

g. **APPROPRIATION:** City of Promise Reimbursement from Children, Youth & Family Services, Inc. - \$10,000 (1<sup>st</sup> of 2 readings) **carried**

h. **APPROPRIATION:** Asset Forfeiture Funds for Regional Firearms Range – \$971,167 (1<sup>st</sup> of 2 readings) **carried**

i. **RESOLUTION:** Transfer of Funds for Stormwater Utility Fee Incentives - \$16,000 (1<sup>st</sup> of 1 reading) **passed**

j. **RESOLUTION:** Amendment to Lease Agreement with Visitors Center for Transit Center space (1<sup>st</sup> of 1 reading) **passed**

k. **RESOLUTION:** City Entry for Georgetown University Energy Prize Competition (1<sup>st</sup> of 1 reading) **passed**

l. **ORDINANCE:** Revise Neighborhood Development Services (NDS) Fee Schedule (2<sup>nd</sup> of 2 readings) **passed**

m. **ORDINANCE:** Amend Café and Vendor Fees and Regulations (2<sup>nd</sup> of 2 readings) **passed**

n. **ORDINANCE:** Easement to Dominion VA Power at Public Works Center on Avon Street (2<sup>nd</sup> of 2 readings) **passed**

~~**2. PUBLIC HEARING / RESOLUTION\***~~

~~Blight Determination/Correction for 201 East Water Street (1<sup>st</sup> of 1 reading) **deferred to 2/18**~~

**3. RESOLUTION\***

Comprehensive Plan Amendment - Strategic Investment Area Plan (1<sup>st</sup> of 1 reading) **passed 4-1 (Fenwick no)**

**4. RESOLUTION\***

Adoption of Policy and Transfer of Funds for Context Sensitive Street Design – \$50,000 (1<sup>st</sup> of 1 reading) **passed 4-1 (Fenwick no)**

**5. ORDINANCE\***

Water Street Planned Unit Development (PUD) Rezoning (1<sup>st</sup> of 2 readings) **carried**

**6. RESOLUTION\***

Financial Assistance Program – Stormwater Utility Fee (1<sup>st</sup> of 1 reading) **passed**

**7. RESOLUTION\***

Emmet Street/Route 29 Signal Synchronization (1<sup>st</sup> of 1 reading) **passed**

**APPROPRIATION.  
Bama Works Fund Check and Connect Grant.  
\$10,000.**

**WHEREAS**, the City of Charlottesville has been awarded \$10,000 from the Bama Works Fund;

**WHEREAS**, the funds will be used to fund Community Attention's Check and Connect Program. The grant award covers the period from January 1, 2014 through December 31, 2014;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$10,000 is hereby appropriated in the following manner:

**Revenue – \$10,000.**

\$10,000      Fund: 209      Cost Center: 3413008000      G/L Account: 451020

**Expenditures - \$10,000.**

\$10,000      Fund: 209      Cost Center: 3413008000      G/L Account: 519999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$10,000 from the Bama Works Fund.

**APPROPRIATION.**  
**FY 2014 Aid & Localities Disbursement Fund.**  
**\$122,138.**

**WHEREAS**, the Virginia Department of Fire Programs has awarded a grant to the Fire Department, through the City of Charlottesville, specifically for fire service applications;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$99,796 be appropriated in the following manner:

**Revenues - \$122,138**

Fund: 209                      I/O: 1900010                      G/L Account: 430110

**Expenditures - \$122,138**

Fund: 209	I/O: 1900010	G/L Account: 599999	\$102,138
Fund: 209	I/O: 1900010	G/L Account: 561302	\$ 20,000

**BE IT FURTHER RESOLVED** that \$20,000 will be transferred to the Debt Service Fund as an effort by the Fire Department to repay debt service on the volunteer company's fire brush truck:

**Revenues - \$20,000**

Fund: 302                      I/O: 2000059                      G/L Account: 498010

**APPROPRIATION.**  
**FY 2014 Transit Grants .**  
**\$213,693.**

**WHEREAS**, Federal Capital Grant funds of \$728,187 and State Capital Grant funds of \$142,599 have been awarded to the City of Charlottesville, and the combined amounts are \$106,197 greater than previously budgeted; and

**WHEREAS**, Federal Operating Grant Funds of \$1,574,196 and State Operating Grant Funds of \$953,079 have been awarded to the City of Charlottesville, and Job Access Reverse Commute Grant Funds of \$365,152, and the combined amounts are \$107,496 greater than previously budgeted; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the following is hereby appropriated in the following manner, contingent upon receipt of the grant funds:

**Revenue (Capital)**

\$106,190	Fund: 245	Cost Center: 2804001000	G/L: 430110 St Grant
\$ 7	Fund: 245	Cost Center: 2804001000	G/L: 431110 Fed Grant

**Expenditures (Operating)**

\$106,197	Fund: 245	Cost Center: 2804001000	G/L: 599999 Lump Sum
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**Revenue (Operating)**

\$49,243	Fund: 245	Cost Center: 2801003000	G/L: 430080 St Assist.
(\$306,899)	Fund: 245	Cost Center: 2801003000	G/L: 431110 Fed Grants
\$365,152	Fund: 245	Cost Center: 2801003000	G/L: 431505 JARC Grant

**Expenditures (Operating)**

\$107,496	Fund: 245	Cost Center: 2801003000	G/L: 599999 Lump Sum
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$1,095,678 from the Virginia Department of Rail and Public Transportation and \$2,667,535 from the Federal Transportation Authority.

**APPROPRIATION.**

**Safe Routes to School Grant for Clark Elementary School.  
\$174,800.**

**WHEREAS**, the City of Charlottesville has been awarded federal Safe Routes to School grant funding through the Virginia Department of Transportation; and

**WHEREAS**, the grant award will be used for pedestrian and bicycle improvements at and around Clark Elementary School.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$174,800, to be reimbursed from the Virginia Department of Transportation via the Safe Routes to School program, is hereby appropriated in the following manner:

**Revenue – \$174,800**

Fund: 426    WBS: P-00801                      G/L Account: 430120

**Expenditures - \$174,800**

Fund: 426    WBS: P-00801                      G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$174,800 from the Virginia Department of Transportation via the Safe Routes to School program; and

**BE IT FURTHER RESOLVED**, that up to an additional \$15,200 is conditioned upon the receipt of from the Virginia Department of Transportation via the Safe Routes to School program.

**RESOLUTION**  
**Stormwater Utility Water Quality Incentives Funding**  
**\$16,000**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$16,000 is hereby paid from currently appropriated funds in the Stormwater Utility Enterprise Fund to the Thomas Jefferson Soil and Water Conservation District:

\$16,000                      Fund: 641                      Cost Center: 6411001000                      G/L Code: 540170

## **RESOLUTION**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, in form approved by the City Attorney or his designee.

Amendment to Lease Agreement dated April 1, 2007, as amended, between the City of Charlottesville and the Charlottesville Albemarle Convention and Visitors Bureau (CACVB) for administrative office space in the Transit Center building at 610 East Main Street.

**RESOLUTION TO SUPPORT THE CITY ENTERING THE GEORGETOWN  
UNIVERSITY ENERGY PRIZE COMPETITION**

**WHEREAS**, a significant portion of household expenses are spent on energy annually, the residential sector saw the largest increase in energy use from 2000-2011 within our community profile, the cost of energy is expected to increase, and Dominion Virginia Power predicts a growing and substantial power gap that must be met by increasing supply or flattening demand increases; and

**WHEREAS**, addressing energy efficiency and climate change will promote a cleaner environment, a more prosperous economy, increased comfort and health in homes, and a higher quality of life; and

**WHEREAS**, the City of Charlottesville has committed to promoting energy efficiency, renewable energy, and climate change programs community-wide and within its own organization; and

**WHEREAS**, the City of Charlottesville supported the Local Climate Action Planning Process (LCAPP) and accepted the LCAPP Report's recommendations, Five-Part Framework, and Action Strategies; and

**WHEREAS**, goals in Chapter 7 of the 2013 Comprehensive Plan support effective and innovative energy management, increased energy performance of buildings and sites, and pursuit of cleaner sources of electrical energy in both the community and City buildings and operations; and

**WHEREAS**, a community energy plan serves as an implementation document of those Comprehensive Plan goals;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Charlottesville supports the City's entry to compete in the Georgetown University Energy Prize competition to produce a community energy plan and demonstrate measurable reductions in residential and municipal energy use; and

**BE IT FURTHER RESOLVED** that the Council will appoint a member of the City Council to be a City representative in such discussions and working groups.



**AN ORDINANCE  
APPROVING AND ADOPTING AMENDMENTS TO THE  
CITY'S FEE SCHEDULE FOR SERVICES, PERMITS AND APPROVALS  
ADMINISTERED BY THE CITY'S DEPARTMENT OF  
NEIGHBORHOOD DEVELOPMENT SERVICES,  
RELATIVE TO VENDOR STANDS AND OUTDOOR CAFÉ PERMITS**

**WHEREAS**, the Code of the City of Charlottesville (1990), as amended, provides in various places for City Council's approval from time to time of a schedule of the various rents, fees and charges associated with types of applications, petitions, inspections, permits and approvals administered by the City's Department of Neighborhood Development Services ("NDS Fee Schedule"); AND

**WHEREAS**, pursuant to City Code §§ 28-116, 28-121, 28-211 and 28-214 the City Council has reserved unto itself the right and authority to approve, from time to time, a schedule of rents, fees and charges associated with the reservation and operation of vendor stand spaces and outdoor café spaces, and City Council now desires to approve a new schedule of such rents, fees and charges;

**WHEREAS**, the proposed new schedule of rents, fees and charges associated with the reservation and operation of vendor stand spaces and outdoor café spaces has been advertised in accordance with the requirements of Virginia Code §15.2-107, and on January 21, 2014 City Council conducted a public hearing on the proposed new fee schedule, as required by law;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia, that the schedule of rents, fees and charges associated with the reservation and operation of vendor stand spaces and outdoor café spaces, as set forth within the chart attached to this ordinance, is hereby approved and adopted, and shall take effect upon the date of enactment. Upon adoption of this ordinance, staff shall revise the previously established NDS Fee Schedule to reflect the newly established fees set forth within the chart attached to this ordinance.

Type of Fee	Fee To Be Adopted February 2014	Additional Requirements/ Provisions
<b>STREETS &amp; SIDEWALKS (Chapter 28)</b>		
<b>Vendor Stands:</b>		
Assigned	\$250/quarter or \$1,000/year	
Additional fee, for assigned spaces: use of electrical outlet	\$100/ quarter	Limited to use for operation of cash registers and credit card processing equipment
Unassigned	\$200/quarter or \$800/year	
Unassigned, non-profit	\$25/ year	
<b>Outdoor Café Permits:</b>		
Basic Permit Fee	\$125/year	In the event a permit is denied, all but \$25 shall be refunded to the applicant; however, once a permit has been approved, the entire amount of the fee shall be non-refundable
Additional Fee: additional space rental	\$5/sq. foot per year	
Additional Fee: use of city electrical outlet	\$100/quarter for use of City electricity	Limited to use for operation of cash registers and credit card processing equipment
Winter operations fee	N/A—Fee Eliminated	
Street/Alley Closing	\$100 per application	No change

**AN ORDINANCE  
AMENDING SECTION 28-121 OF ARTICLE IV, AND  
SECTION 28-214 OF ARTICLE VI, OF CHAPTER 28 OF THE  
CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, RELATED TO  
CHANGES IN SIDEWALK CAFÉ AND VENDOR STAND REGULATIONS.**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Sections 28-121 and 28-214 of Chapter 28 (Streets and Sidewalks) of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained as follows:

**CHAPTER 28. STREETS AND SIDEWALKS**

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**ARTICLE IV. STREET VENDORS AND DISPLAYS**

**Sec. 28-121. Stands; operational restrictions.**

(a) No vendor's stand shall exceed: six (6) feet in height, and no vendor's stand shall exceed (i) the boundaries of the space to which it has been assigned pursuant to section 28-116(b) or (ii) for stands other than those subject to section 28-116(b), ten and one-half (10 1/2) feet in length and width (measured from the outermost edges of all display cases, display racks, and other display areas associated with the stand).

(b) No vendor stand shall operate in the city except between the hours of 7:00 a.m. and 10:00 p.m. Hours of operation may be extended with the prior written permission of the city manager. All stands, except those approved by the city pursuant to a lease, or pursuant to Article VI of this chapter as part of an outdoor café, must be removed from public property during non-operating hours.

(c) Each vendor stand shall be attended at all times during operational hours by at least one (1) person under the direction or control of the vendor to whom the stand belongs.

(d) No vendor stand located in the downtown business district, as defined within section 16-3 of the City Code, shall include any device or equipment that utilizes or generates any open fire or flame for the heating or cooking of food or beverages.

(e) No vendor stand shall use or incorporate any city equipment or facilities, such as public benches or chairs, planters, ~~electrical outlets~~, etc. Vendors may use city electrical outlets for point of sale with approval of the Zoning Administrator.

(f) No vendor shall operate or use a motor-propelled stand.

(g) All trash or debris accumulating within twenty (20) feet of any vendor stand shall be collected and disposed of by the vendor in an appropriate receptacle. Vendors of food and beverages must provide trash receptacles as part of their stands.

(h) A vendor shall comply immediately with the lawful request of any police officer, firefighter, rescue service person, emergency medical technician, or any city or public utility employee to move his stand for emergency reasons, or to permit maintenance of pavement, utilities or other public improvements or facilities.

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## ARTICLE VI. SIDEWALK CAFÉS

### DIVISION 2. PERMIT

#### Sec. 28-211. Required.

(a) No person shall operate an outdoor café on a city sidewalk or the downtown pedestrian mall referred to in section 28-212 without a permit issued pursuant to this division.

(b) The city manager shall, from time to time, approve a map identifying the locations along the downtown pedestrian mall which will be eligible for use as outdoor café areas. The locations identified on this map shall be the only areas for which any café permit(s) may be issued by the zoning administrator for space on the mall. This map shall be maintained available for public inspection within the city's department of neighborhood development services. The city reserves the right to re-define and re-designate spaces available for outdoor café use, on an annual basis. Written notice of such changes shall be provided by the city to operators at least thirty (30) days in advance of the commencement of the permit term in which the changes will take place. In the event of any such changes, an incumbent operator will be assigned a space that most closely corresponds to the location occupied during the prior permit year.

(c) For the purposes of this division a "permit term" shall refer to the period from March 2009 through the last day of February, 2010; then, commencing on March 1, 2010 for consecutive one-year periods thereafter.

(d) The city council will, from time to time, approve a schedule of the rents, fees and charges associated with reservation of outdoor café spaces. No space shall be reserved to any person until all applicable rents, fees and charges have been paid.

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#### Sec. 28-214. Contents and conditions generally.

(a) A permit granted by the zoning administrator under this division shall identify the permit term, or outstanding portion thereof, during which the operation of the café shall be authorized. ~~A permit shall also require that, on or before November 20 of each year, all furniture and equipment used in connection with the café shall be removed from the sidewalk or mall; however, upon payment of additional rent (as specified within the most recent fee schedule approved by city council) an outdoor café operator may leave furniture and equipment within his assigned outdoor~~

~~café area between November 20 and March 1 of the following year, subject to the following conditions: (i) the furniture and equipment must be utilized as an outdoor café at least five (5) days per month during this period, and (ii) if such furniture and equipment is not used by the operator during this period, then the furniture and equipment shall be removed within two (2) business days of a written notice issued by the zoning administrator. Such removal shall be at the expense of the café operator.~~

(b) Permits for cafés on the downtown pedestrian mall or city sidewalks may contain additional reasonable conditions and requirements as the zoning administrator may deem necessary. The purpose of any such conditions shall be to ensure that the operation or use of the proposed café will not present a hazard to the public health, safety or welfare.

(c) Effective for the permit term commencing in March 2009, and each permit term thereafter:

- (1) Each applicant for a café permit shall pay a permit fee upon submission of such application, in the amount specified on the most recent fee schedule approved by city council. For operators renewing an existing permit this fee shall be due and payable within thirty (30) days following the commencement of the current permit term.
- (2) Each operator shall pay rent in the amount specified on the most recent fee schedule approved by city council. Such rent shall be paid according to the payment schedule set by the Zoning Administrator. Such rent shall be paid on the commencement date of the permit term. Any café permit for which the holder has not paid rent hereunder within thirty (30) days of the due date shall expire and become null and void.

(d) No food preparation shall be performed in any area which is the subject of a café permit issued under this article. The operator of an outdoor café which is the subject of any such permit shall promptly remove all food dishes and utensils after each customer has left and shall thoroughly clean the entire café area and the sidewalk located within the café after the close of each business day. The zoning administrator shall have the authority to require any café operator, as an additional condition of a permit, to use only non-disposable dishes, utensils and napkins within the café area, upon a determination that the use of paper or plastic tableware or napkins is or has been contributing to litter problems in the area subject to the permit. Upon making such a determination, the zoning administrator shall issue thirty (30) days' advance written notice of the new requirement to each operator whose permit will be affected.

(e) An outdoor café subject to a permit required by this article shall be operated only within the area specifically assigned to an operator by a permit issued by the zoning administrator. The operator shall clearly delineate its area of operation through use of any one (1) or more of the following markers: trees, fences, planters and barriers. All items used for delineation of Café space shall be compliant with current ADA Guidelines and approved by City Staff prior to use. ~~Where required by the Uniform Statewide Building Code, such markers shall have a detectable bottom.~~ An outdoor café shall be in operation only during hours that the restaurant with which it is associated is open.

(f) Musical entertainment shall be allowed within any outdoor café area subject to a permit; however, such activity shall be limited to un-amplified vocal or instrumental performances and such activity shall not be conducted during the hours between 12:00 midnight and 11:00 a.m. of any day. Cafés located on the downtown pedestrian mall shall also be subject to the city's noise ordinance established for that area; however, in the event of a conflict between said noise ordinance and the requirements of this section, the stricter requirement shall govern the activities within such outdoor café.

(g) No tents or similar structures shall be erected or utilized over or within any outdoor café operating under a permit granted pursuant to this article; except that, not more than twice per year, the operator of an outdoor café, after receiving approval of the city's board of architectural review, may erect or utilize a tent over or within his outdoor café space. No such tent may be utilized or remain in place for longer than seventy-two (72) hours.

(h) Access to and use of city electricity by outdoor café operators, including, without limitation, use of any outdoor electrical outlet(s), shall be permitted for cash registers and credit card machines only to those operators that pay a monthly fee to the city as established by city council.

(i) Space heaters (other than any heaters requiring use of city electricity or electrical outlets) may be utilized by a café operator so long as the use and operation of any such heater is in compliance with all applicable building and fire codes and does not present a threat to the health, safety or welfare of the public. Each heater must be approved by City staff.

(j) No café permit shall be shared by any restaurant with another restaurant without the prior written approval of the zoning administrator. In the case of such sharing arrangement, (i) the original operator shall remain fully responsible for compliance with this article unless otherwise agreed in writing by the zoning administrator; and (ii) if the space that is the subject of the permit exceeds eight hundred (800) square feet under circumstances permitted by section 28-212(e), approval of the sharing arrangement shall be conditioned upon a reduction of the area reserved by the permit to not more than eight hundred (800) square feet.

(k) All tables, chairs and equipment located within an outdoor café shall be maintained in good, clean condition by the operator.

**AN ORDINANCE  
AUTHORIZING THE CONVEYANCE OF AN EASEMENT  
TO DOMINION VIRGINIA POWER  
TO PERMIT UNDERGROUND ELECTRICAL LINES TO  
PUBLIC WORKS FACILITY ON AVON STREET**

**WHEREAS**, Dominion Virginia Power has requested this Council to grant an easement across property owned by the City of Charlottesville, Virginia (Public Works Facility) at 1545 Avon Street in the County of Albemarle, as shown on the attached Easement Plat, for the installation and maintenance of underground electric lines and above-ground electrical equipment; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Right of Way Agreement, in form approved by the City Attorney, granting the above-described easement to Dominion Virginia Power.

**RESOLUTION  
APPROVING AN AMENDMENT TO THE COMPREHENSIVE PLAN  
FOR THE CITY OF CHARLOTTESVILLE  
TO ADD A STRATEGIC INVESTMENT AREA PLAN  
AS AN APPENDIX**

**WHEREAS**, the City Council designated a steering committee, assisted by an architectural firm as well as the PLACE design task force, to develop a small area plan (“Plan”) for an area south of Downtown Charlottesville (“Strategic Investment Area” or “SIA”); and

**WHEREAS**, work on the SIA Plan has been completed, and is set forth within a document dated December 2013, and now, in order for the Plan to be more effectively utilized and referenced as a flexible guide for the development of the SIA, without being binding, it is proposed that the SIA Plan be adopted as an amendment, in the nature of an appendix, to the City’s Comprehensive Plan (2013); and

**WHEREAS**, following a joint public hearing before this Council and the Planning Commission, duly advertised and held on January 14, 2014, the Planning Commission considered the December 2013 SIA Plan and recommended that the SIA Plan be approved and that an amendment of the Comprehensive Plan (2013) be adopted to include the SIA Plan as an appendix; now therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville that the SIA Plan dated December 2013 is hereby approved, and the City’s Comprehensive Plan (2013) is amended to include the SIA Plan dated December 2013, including all of the goals and objectives set forth therein, an ongoing citizen steering committee, and also including the map delineating the boundaries of the area that is the subject of the SIA Plan as an appendix, while remaining flexible and open to opportunities unforeseen in the SIA Plan.



**A RESOLUTION ADOPTING “DESIGNING WALKABLE URBAN THOROUGHFARES: A CONTEXT SENSITIVE APPROACH” AS A RECOMMENDED “BEST PRACTICE” FOR NEW and EXISTING ROADWAYS WITHIN THE CITY OF CHARLOTTESVILLE.**

**WHEREAS**, “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach” was published by the Institute of Transportation Engineers (ITE) in 2010 to assist communities in improving mobility choices and community character through a commitment to creating and enhancing walkable communities and is the basis for the Virginia Department of Rail and Public Transportation’s (DRPT) “Multimodal System Design Guidelines” and was sponsored by the Federal Highway Administration, the Office of Sustainable Communities, and the U.S. Environmental Protection Agency; and,

**WHEREAS**, “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach” promotes a collaborative, multidisciplinary process that involves all stakeholders in planning and designing transportation facilities; and focuses on applying concepts and principles in the design of thoroughfares that emphasize walkable communities in order to facilitate the restoration of the multiple functions of urban streets; and

**WHEREAS**, “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach” acknowledges that challenges encountered on any given individual thoroughfare cannot be addressed in isolation of the city-wide network and that establishing a block network plan that enhances connectivity, anticipates impacts of development on traffic, seeks to minimize conflicts between pedestrians, cyclists and vehicles and distinguishes the function, development intensity, modal emphasis and other physical characteristics of individual segments of that network (based on the context) is essential to a well-functioning city-wide transportation system; and

**WHEREAS**, *The 2013 Comprehensive Plan of the City of Charlottesville* calls for the development of a comprehensive set of street design guidelines based on the City’s Compete Streets Resolution and ITE’s “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach”, as a way to ensure that transportation infrastructure investments support the making of an attractive, healthy, and safe, walkable and bike-able Charlottesville, and

**WHEREAS**, *The 2013 Comprehensive Plan of the City of Charlottesville* also calls for: streets that promote connectivity and best practices in storm water management; expanding the city’s overall tree canopy; a transportation system that facilitates greater transit use and promotes well-connected, safe, bicycle- pedestrian infrastructure; a built environment that attracts and supports the City’s existing business community and growing “innovation” industry; and a review and update of the City’s regulatory framework (inclusive of zoning, subdivision ordinance, Standards and Design Manual and district and entrance corridor guidelines) to ensure that it successfully and consistently implements the City’s Comprehensive Plan, and

**WHEREAS**, the Charlottesville City Council finds that the “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach” will further the goals of the Charlottesville Comprehensive Plan herein expressed and complement the City’s Stormwater Utility Ordinance

and Healthy Eating, Active Living and Complete Streets Resolutions (passed unanimously in 2013 and 2010 respectively);

**NOW THEREFORE, BE IT RESOLVED BY THE CHARLOTTESVILLE CITY COUNCIL:**

That, the ITE Manual, “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach” (herein referred to as the ITE-CSA Manual) is hereby adopted as a best practice by the City of Charlottesville to guide the development of new standards prepared specifically for the City of Charlottesville for all new and existing roadway improvement projects (inclusive of alleys, lanes, streets, and boulevards for both new and redeveloped roadways and block networks) and is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes.

**BE IT FURTHER RESOLVED BY THE CHARLOTTESVILLE CITY COUNCIL:**

That the City Manager shall recommend to and inform the City Council of an advisory group to work with an interdepartmental team of City staff to develop the following with the assistance of an outside consultant as indicated in the implementation strategy (attached herein):

1. A Policy and Regulatory Audit (leading to code revisions that align with our Comprehensive Plan)
2. Comprehensive Multi-Modal Plan (inclusive of City-wide Context Sensitive Design Standards and City-wide Block Network plan) and
3. Green Infrastructure Plan

That the City-wide Comprehensive Multi-modal Plan shall in turn incorporate the findings and recommendations of the “policy and regulatory audit” and may be modified by the City’s small area plans, and

That the City-wide Comprehensive Multi-Modal Plan (herein meant to include City-wide street design standards, implementation strategies and an enhanced block network plan,) shall recommend a priority for projects and identify capital expenditures by project and be presented to the Planning Commission and Council for adoption after public hearings, and

That the advisory group shall present its recommendations for revisions resulting from the policy and regulatory audit to the City Council, Planning Commission, or Board or Architectural Review as appropriate, and in the absence of a board with established legal authority for implementation shall oversee the implementation as requested specifically by City Council, and

That the City-wide Comprehensive Multi-Modal Plan shall begin implementation in coordination with the implementation of City-wide regulatory framework changes and its Comprehensive Stormwater/Green Infrastructure Plan as it is completed and necessary funding provided, and

That each of the deliverables shall be completed within the general framework of the outline attached to this resolution, and that implementation will follow the City of Charlottesville Complete Streets Policy, 2014 attached hereto, and

That until such time as the City-wide Comprehensive Multi-modal Plan is complete and adopted by the Planning Commission and Council, this advisory group may be called upon from time to time to advise Council and Planning Commission on projects (inclusive of development submittals) and assist staff with providing guidance to applicants on matters concerning a project's impact on the safety, functioning, modal-orientation, attractiveness and comfort of city streets, prior to submittal.

**BE IT FURTHER RESOLVED** by the Council of the city of Charlottesville, Virginia that the following is hereby transferred in the following manner:

**Transfer From**

\$50,000                      Fund: 426    Funded Program: CP-080                      G/L Account: 59999

**Transfer to**

\$50,000                      Fund: 426    WBS: P-00800    G/L Account: 59999

**BE IT FURTHER RESOLVED** that the attached revised City of Charlottesville Complete Streets Policy is adopted.

Approved by Council  
February 3, 2014



Clerk of Council



## City of Charlottesville Complete Streets Policy, 2014

Complete Streets are roadways that enable safe and convenient access for all users including, bicyclists, pedestrians, transit riders, children, seniors, persons with disabilities, motorists, and movers of commercial goods. Designs for individual complete street projects will be context-sensitive, considering adjacent land uses and local needs and incorporating the most up-to-date, widely accepted design standards for the particular setting, traffic volume and speed and current and projected demand. Individual projects must be considered both separately and as part of a connected network to determine the level and type of treatment necessary for the street to be complete. Through this policy, the City of Charlottesville intends to ensure that all transportation agencies within the City shall routinely plan, fund, design, construct, operate, and maintain their streets according to the Complete Street principles of the City's "Street Design Guidelines" with the goal of creating an attractive connected multimodal network and great places that balance the needs of all users, except where there are demonstrated exceptional circumstances.

By adopting this policy, the City of Charlottesville:

- Affirms that *Improving Streetscapes* to create great streets, will improve both image and function by providing a safe and attractive environment for street users of all ages and abilities such as pedestrians, bicyclists, transit riders, and motorists;
- Recognizes that the development of pedestrian and bicycle infrastructure supports the Council Vision because it enhances recreational opportunities, active transportation, and well-designed streetscapes, thus promoting active lifestyles;
- Appreciates the positive role that good pedestrian and bicycle facilities play in attracting population growth and sustainable economic development;
- Values the long-term cost savings of developing pedestrian and bicycle infrastructure as they relate to improved public health, improved environmental stewardship, reduced fuel consumption, and the reduced demand for motor vehicle infrastructure.
- Recognizes that Complete Streets may be achieved through single projects or incrementally through a series of smaller improvements or maintenance activities over time, and that all sources of transportation-related funding be drawn upon to implement Complete Streets.
- Intends to maximize the number of transportation options available within the public right-of-way.
- Strives to work with other jurisdictions and transportation agencies within its planning area to incorporate a Complete Streets philosophy.



## City of Charlottesville Complete Streets Policy, 2014

Additionally, the Charlottesville City Council declares it is the City of Charlottesville policy to:

1. Use the Street Design Guidelines to guide the planning, funding, design, construction, operation, and maintenance of new and modified streets in Charlottesville while remaining flexible to the unique circumstances of different streets where sound engineering and planning judgment will produce context sensitive designs.
2. Incorporate the Street Design Guidelines' principles into all City plans, manuals, rules, regulations and programs as appropriate.
3. Keep automobile travel lanes to the minimum necessary.
4. Provide pedestrian accommodation in the form of sidewalks or shared-used pathways on all arterial and collector streets and on local streets in identified pedestrian corridors.
5. Provide bicycle accommodation along or parallel to all arterial and collector streets.
6. Plant trees along all streets be they newly constructed, reconstructed, or relocated, using a variety of strategies as necessitated by existing physical conditions and in accordance with guidelines from the Tree Commission.
7. It will be up to the Director of Parks and Recreation, the Director of Stormwater Utility, the City's Urban Designer (as operating funds are available) and the Director of Neighborhood Development Services to demonstrate in a written explanation to the City Manager for approval after all alternative strategies have been exhausted (with substantiating documentation) when policies 3-6 above are not feasible for reasons related to public safety, severe topographic constraints, environmental or social impacts, excessive cost of constructing and/or maintaining the accommodation, or public consensus against the policy as demonstrated by survey. The City Manager will inform City Council of any waivers.



## City of Charlottesville Complete Streets Policy, 2014

In support of this Complete Streets Policy, the City of Charlottesville will:

- Update all necessary and appropriate codes, standards and ordinances to ensure that design components for all new or modified streets follow the intent of the Street Design Guidelines.
- Update the process of evaluating requests for new curb and/or pedestrian accommodations.
- Identify all current and potential future sources of funding for street improvements.
- Continue inter-departmental project coordination among city departments with an interest in the activities that occur within the public right-of-way in order to better use fiscal resources.
- Train pertinent staff in the engineering, parks and recreation, public works, planning and transportation departments on the content of the Street Design Guidelines.
- Apprise the Office of Economic Development on street design relative to redevelopment.
- Use the following process when planning improvements within the public right-of-way
  - a. Identify and map the street type according to Charlottesville street hierarchy (to be reviewed).
  - b. Identify and map the current and future character district(s) that pertain to the project.
  - c. Identify and map the most appropriate street typical section according to the street type and character district.
  - d. Identify and map any general elements that may apply to the work.
- Measure the success of this complete streets policy using the following performance measures:
  - a. Total miles of on-street bicycle routes defined by streets with clearly marked or signed bicycle accommodation and increases in numbers of people cycling to work.
  - b. Linear feet of new pedestrian accommodation (by type of street) and increases in numbers of people walking to work.
  - c. Number of new curb ramps installed along City streets
  - d. Number of new street trees planted along City streets
  - e. Resident satisfaction as measured by surveys, correspondence, etc.
- Update the Street Design Guidelines as necessitated by each Comprehensive Plan update.

# Context Sensitive Street Design Implementation Process

This outline is provided to enable a better understanding of the work effort required to complete the items identified in the Context Sensitive Streets Resolution (herein referred to as the Resolution). It is the staff expectation that one of the first steps of each staff team and advisory committee will be to review the work programs outlined herein.

Staff believes that there will be some need for consulting services such as design assistance, citizen engagement, and traffic engineering. The initial public engagement is in negotiation. Additional services should not exceed \$50,000 and that is the amount requested in and authorized by the Context Sensitive Streets Resolution.

## **DEFINITIONS**

The following are definitions of the work projects or products contained in the Context Sensitive Streets Resolution

**Policy and Regulatory Audit** – A review of City policies and codes that influence the creation of pedestrian, bike friendly places including Standards and Design Manual, Subdivision Ordinance, Zoning Ordinance, (inclusive of Planned Unit Development and Special Use Permits), and Water Protection Ordinance

**Green Infrastructure Plan** – Green infrastructure is comprised of many components from natural resources to elements of the built environment that support ecosystem health and integrity and livable communities.

Green infrastructure planning encompasses identifying, evaluating, and prioritizing natural and cultural resources. This can include but is not limited to, analyzing habitat and connectivity of natural areas and open space, identification of opportunities for natural area and open space preservation, enhancement, and restoration, and a coordinated strategy to focus integrate development, redevelopment, and retrofitting activities into the existing green infrastructure network.

Green stormwater infrastructure means any low impact development and/or storm water management planning and design strategies employed with the primary goal of preserving, restoring, or replicating natural hydrologic function. Green stormwater infrastructure maintains, augments, and increases stormwater infiltration, attenuation, filtration, and evapotranspiration and is spatially arranged in an integrated and distributed manner throughout the overall site footprint. Green stormwater infrastructure techniques include, but are not limited to, methods that use soil and vegetation to address natural hydrologic function. Green stormwater infrastructure also includes the preservation and restoration of natural landscape features such as streams, floodplains, and wetlands.

**City-Wide Comprehensive Plan Multi-Modal Plan** – A comprehensive review of the city street network down to the finer grain street network will include 1) city wide street design guidelines that vary with the context, 2) a block network plan, and 3) implementation strategies

- a. Block Network Plan – The Block Network Plan looks at the circulation network of the City (all kinds of streets, alleys, multi-use trails); future traffic flows (i.e. traffic modeling); trouble areas related to future growth; and opportunities for mode shift.
- b. Context Sensitive Streets Guidelines – New street section guidelines that determine how streets will be constructed and modified in the future based on the character of the street and neighborhood.
- c. An implementation strategy.

**Virginia Department of Rail and Public Transportation (VDRPT), Multimodal System Guidelines** – These guidelines and this methodology are patterned after the ITE Designing Walkable Thoroughfares: A Context Sensitive Approach, and are endorsed by the Virginia DRPT.

## **IMPLEMENTATION STEPS**

### **Public Engagement**

We recommend a strong public engagement process for each of these studies. A coordinated public process will be critical to the success of the development and implementation of the code audit, green infrastructure plan and the multi modal plan.

Staff recently engaged the firm of Toole Design to prepare an update of the bike/pedestrian plan. That effort is very closely aligned with the Multi-Modal Plan and Policy Audit. It is staff's intent to coordinate the initial public engagement process of this effort with the bike/pedestrian planning effort and use Toole to lead that initial engagement effort. Additional public engagement will follow as an important part of each process. The scope of work for this engagement effort is as below:

The TDG Team consists of the following consultants:

- **Toole Design Group, LLC (TDG)**- Project management, civil design, and landscape design
- **Twaddell Associates (TA)** – Stakeholder outreach support.

The following tasks describe the TDG Team's scope of work for this project.

### **Task 1 – Kickoff and Project Management**

The Team will prepare for, participate in, and document a kickoff meeting with the City and other appropriate agency officials to review the scope and schedule for the project as well as clearly identify the project expectations. The Team will prepare a draft project schedule for review and discussion at the kick-off meeting. The Team will also conduct ongoing coordination with the City and other agencies as needed, and will prepare monthly invoices and progress reports. Each report will include task accomplishments, status of deliverables and expected upcoming activities.

#### **Deliverables:**

- Project Schedule
- Kickoff meeting minutes



## **Task 2 – Existing Document Review/ Field Assessment**

The Team will first gather and review available data such as GIS and existing planning documents and policies. A desktop assessment will be conducted to determine preliminary street types. This assessment will pay particular attention to street function, quantity of travel lanes, bicycle and pedestrian facilities, buffers, adjacent land-uses and parking conditions. Additional street components, such as bus routes, and right-of way widths, will be reviewed as well.

The Team will compare the existing street types to the Virginia Department of Rail and Public Transportation (VDRPT), Multimodal System Guidelines to determine applicable standards/guidelines to Charlottesville. The Team will complete a limited field reconnaissance of typical street types, and to gain a more thorough understanding of the context, and to determine areas which may require additional verification. The field review will be conducted using topography mapping, and aerial photography provided by the City of Charlottesville to record findings. The Team will draft a summary memorandum of existing conditions observed in the field reconnaissance.

## **Task 3 – Stakeholder Involvement Meeting/Workshop**

The Team will facilitate a stakeholder meeting/ workshop to gather input on the results of the field review/ reconnaissance completed in Task 2, and to learn about specific concerns and observations, and to identify the potential elements of streets for consideration. The Team has extensive experience employing a host of stakeholder engagement strategies, and will work with the City to determine which will be most effective. The Team will meet with City staff to determine what opportunities should be further refined and elevated.

### **Deliverables:**

- Summary of workshop outcomes

### **Meetings:**

- Stakeholder Meeting/Workshop
- Review Meeting with the City of Charlottesville

## **Task 4 – Draft Outline and Technical Memorandum**

Based on prior tasks, the Team will develop an annotated outline of the proposed guidelines. The Team will also develop an accompanying memorandum that will include:

- Overview of the document review, field analysis and discuss the potential use of VDRPT guidelines.
- Documentation of the client and stakeholder input.
- Analysis of other relevant issues, costs and trade-offs of adopting context sensitive guidelines.
- Action plan for moving the process forward to develop finalized guidelines (potential future Phase).

The annotated outline and memorandum will be desktop published in In-Design, and will include photographs, and graphics as needed to convey concepts in an easy-to-understand manner. The draft annotated outline and memorandum will be reviewed by the City staff and revisions will be made based on their input.

**Deliverables:**

- Draft and revised Draft Annotated Outline and Technical Memorandum

**Meetings:**

- Review Meeting with the City of Charlottesville

**Task 5 – Stakeholder Review Meetings (3)**

The Team will present the annotated outline and memorandum to up to three stakeholder meetings to receive input and recommendations. The stakeholder group may consist of the following groups:

- PLACE Design Task Force
- Tree Commission
- CAT Advisory Group
- Bicycle & Pedestrian Committee
- ADA Committee
- Water Resources Protection Group
- City Residents
- UVA

Following the stakeholder meetings, the Team will meet with City staff to present the findings from the stakeholder meetings and determine the final revisions to the annotated outline and memorandum.

**Deliverables:**

- The Team will prepare meeting materials for up to three meetings
- Finalized Annotated Outline and Technical Memorandum

**Meetings:**

- Stakeholder Meetings (3)
- Review Meeting with the City of Charlottesville

**Plan Process**

Below are outlines of how each of the three studies can proceed. It is anticipated that they will proceed concurrently with the policy and regulatory audit being completed first and informing the other two.

**A. Policy and Regulatory Audit**

Staff has begun the process of this audit and is developing a step by step process designed for Charlottesville. An NDS staff member who has conducted these type projects in the past will lead the staff team. She will be assisted by an interdepartmental staff team and a newly appointed advisory committee. Work performed by the consultants for both the Strategic Investment Area Plan and the West Main Street Study will be used as a resource for this effort. This process will begin with three goals:

- Align the codes with the vision of the Charlottesville Comprehensive Plan, Small Area Plans and Council Vision.
- Incorporate standards to address changes in technological advances and best practices.
- Simplify the organization of the codes and clarify the various approval processes.

A preliminary work plan has been identified and is outlined below:

**Project Phases**

- Phase 1: Analysis and Problem Definition
- Phase 2: Alternative Approaches
- Phase 3: Drafting New Code
- Phase 4: Code Adoption and Implementation

Phase 1      Analysis and Problem Definition

- Analysis and Problem Definition
- Plan-driven approach
- Key players
  - City Staff
  - Advisory Committee
  - Consultant Team
- Stakeholder interviews (consultants, staff, code users, organizations, City Council)
- Public listening sessions throughout City
  - What type of development do you like/not like in your neighborhood?
  - What type of development would you like to see?
  - What type of streetscapes?

Phase 2      Alternative Approaches

- Analysis, problem definition and identification of next steps
- Additional general analysis of “character” and forces of change
  - Neighborhood typologies
  - Typical building types
  - Demolition and rebuilt patterns/trends
- Next steps: further definition of neighborhood “character” or “context” for zoning purposes
- Additional general analysis of disconnect from adopted plan objectives
  - Comparison of current code vs. plan:
    - Capacity
    - Land use mix
    - Return on investment (selected situations)

Phase 3      Drafting New Code

- Led by staff with support by PLACE, Planning Commission or BAR as appropriate.
- Derived from Diagnostic Report
- Written statement of Top 3 problems to fix, example
  - Vision and code alignment
  - Complexity and consistency of code procedures
  - Code format and usability

Phase 4      Code Adoptions and Implementation

**B. City-Wide Comprehensive Multi-Modal Plan**

A Comprehensive Multi-Modal Plan will include both the Block Network Plan and the Context Sensitive Design Plan. This is a fairly complex process that is integral to addressing both local traffic issues and the design of our streets. The planning process will be led by a staff team

possibly supplemented by consulting design professionals. There is a considerable amount of existing data that can inform this project. The MPO is wrapping up their model development for the newest Long Range Transportation Plan for the urban area. That work provides an excellent analysis of current and projected traffic for many of the arterial and collector streets in the City. Combined with traffic counts done on a regular basis by VDOT and the City, there is only a small need for supplemental data gathering.

It is anticipated that staff team participants will represent many departments to include the following:

- NDS
- Public Services
- Utilities
- Parks and Recreation
- Police
- Fire
- Environmental Sustainability
- Water Resources Protection Program/Stormwater Utility
- Office of Economic Development

Relationship to the Bike/Pedestrian Plan Update – Staff and the Bike/Pedestrian Committee are working on an update to the 2004 Bike/Pedestrian Plan. That plan will review routes and networks for the bike network and the recommendations will inform the efforts of the multi-modal plan. New street sections will be used to implement the plan.

A Multimodal System Plan needs the following three basic sets maps to ensure a proper review:

- A. Map of Land Use Density/Intensity
- B. Map of Multimodal Districts and Centers
- C. Map of Multimodal Corridors with Modal Emphasis

- Phase 1      Mapping Land Use Density/Intensity  
Develop a map of existing and future population and employment density in terms of Activity Density. Activity Density is a measure of population and employment density and is expressed in terms of jobs plus population per acre.
- Phase 2      Mapping Multimodal Districts and Centers  
  1. Develop a map of the potential Multimodal Districts that are planned for the region.
  2. Develop a map of potential Multimodal Centers that are planned for the region.
  3. Designate the Multimodal Center Types on the map of the potential Multimodal Centers.
- Phase 3      Mapping Multimodal Corridors with Modal Emphasis  
  1. Develop a map of the potential Multimodal Corridors that are planned for the region.

2. Show the Transect Zones for each Multimodal Corridor on the Multimodal System Plan.
3. Show the proposed Modal Emphasis for each Multimodal Corridors on the Multimodal System Plan.
4. Show all of the above data on a single Multimodal System Plan.

Phase 4      Develop Context Sensitive Street Sections

1. Modify context by neighborhood input.
2. Develop typical sections.
3. Put into Standards and Design Manual with construction detail sheets.

### **C. Green Infrastructure Plan**

Green infrastructure planning includes an existing green assets inventory. The inventory may include, but is not limited to, analyzing habitat and community level connectivity of natural areas and open spaces, identification of opportunities for natural area and open space preservation, enhancement, and restoration, and a coordinated strategy to focus integrate development, and redevelopment activities into the existing green infrastructure network.

It should be noted that as a near term priority of the Stormwater Utility, a city wide Water Resources Protection Program master plan will be completed that includes a significant green stormwater infrastructure component that identifies and prioritizes capital projects aimed at pollutant reduction requirements and watershed improvements.

Below is a rough outline of a planning process that is based on guidance from the Virginia Green Infrastructure Center. As this process evolves we will be looking for additional guidance on a scope of work. It is anticipated that this work will be led by a staff team including staff from the Stormwater Utility, Environmental, Parks and Recreation, NDS and others as needed.

Phase 1: Set Goals – What does the community value?

Phase 2: Data Review – What do we know and what do we need to know?

Phase 3: Asset Mapping – Map the community’s ecological, cultural and economic assets. What is mapped is based on goals established in Step 1.

Phase 4: Risk Assessment – Find out what’s at risk and what could be lost

Phase 5: Opportunities – Based on assets and risks, assess what can or should be saved? What could be restored? What will be developed? Engage the community in ranking key areas of importance. Map these opportunities and draft strategies to conserve them.

Phase 6: Include strategies in local plans for parks, zoning, comprehensive planning, stormwater.

### **Conclusion**

The effort to develop each of these work products will be a complex process that can only be successful if all work is coordinated. While the actual work is not complex, the coordination and the public engagement add intricate layers to the process that are the key to successful completion.

Below is a projected timeline for the process that shows how they are moving to completion.

	March, 2014	July, 2014	August, 2014	Dec., 2014	March, 2015	June, 2015
<b>Public Engagement</b>						
Task 1	X					
Task 2		X				
Task 3		X				
Task 4			X			
Task 5			X			
<b>Policy/Regulatory Audit</b>						
Phase 1			X			
Phase 2				X		
Phase 3					X	
Phase 4						X
Public Engagement						X
<b>Multi-Modal Plan</b>						
Phase 1		X				
Phase 2			X			
Phase 3				X		
Phase 4					X	
Public Engagement						X
<b>Green Infrastructure Plan</b>						
Phase 1		X				
Phase 2			X			
Phase 3				X		
Phase 4				X		
Phase 5				X		
Phase 5						X
Public Engagement						X

\*Dates shown are Projected Completion Dates

Note that the public engagement shown is only for the first phase. There will be engagement throughout the process.

**RESOLUTION**  
**AUTHORIZING THE ESTABLISHMENT OF A**  
**FINANCIAL RELIEF PROGRAM FOR CERTAIN HOMEOWNERS**  
**TO ASSIST WITH PAYMENT OF THE CITY'S STORMWATER UTILITY FEE**

**WHEREAS**, in February 2013 City Council adopted an ordinance authorizing the imposition of a stormwater utility fee, in order to provide a source of revenue to support the City's Water Resources Protection Program; and

**WHEREAS**, in order to fairly distribute responsibility for protection of water resources among properties that contribute to stormwater runoff, the stormwater utility fee is to be calculated based on the amount of impervious area present on a developed property, including residential property; nevertheless, City Council recognizes that for certain residential homeowners, payment of the utility fee may present a special financial hardship; and

**WHEREAS**, pursuant to Virginia Code §63.2-314 City Council is authorized to make public grants to the City's local board of social services, for the purpose of aiding needy persons, and for Fiscal Year 2013-2014 City Council has appropriated the amount of \$25,000 for the purpose of aiding persons in need of assistance with payment of the stormwater utility fee (Stormwater Utility Relief); and

**WHEREAS**, City Council desires for staff to proceed with disbursement of the Stormwater Utility Relief funding, in accordance with criteria intended to offer assistance to homeowners who Council believes may be particularly vulnerable to additional fees and costs related to home ownership; Now, therefore

**BE IT RESOLVED** by the Charlottesville City Council THAT:

1. The Stormwater Utility Relief funding appropriated by City Council for Fiscal Year 2013-2014, and any succeeding fiscal year, shall be deposited in the City's treasury to the credit of the City's local board of social services, and shall be dispensed as grant funding offered for the purpose of aiding needy persons who own a home within the City with payment of their stormwater utility fee, as authorized by this Resolution; and
2. Individuals (i) certified by the Office of the Commissioner of the Revenue pursuant to City Code § 30-100 as qualifying for a real estate tax exemption or deferral for elderly and disabled persons, and (ii) who qualify for exemption or deferral of sixty percent (60%) or more of the assessed real estate tax, shall be approved for a Stormwater Utility Relief grant in an equivalent percentage (for example: an individual who qualifies for 60% real estate tax exemption will be granted Stormwater Utility Relief in the amount of 60% of the individual's stormwater utility fee); and
3. Individuals (i) who have a federal adjusted gross income no greater than \$25,000 and (ii) who are certified by the Office of the Commissioner of Revenue pursuant to the Charlottesville Housing Affordability Program (CHAP) as being qualified for a CHAP grant,

shall be granted Stormwater Utility Relief, in an amount equal to twenty-five percent (25%) of the individuals' stormwater utility fee; and

4. The Offices of the Commissioner of the Revenue and of the Treasurer shall be responsible for administration of the Stormwater Utility Relief Program within the parameters established by this Resolution; in doing so, the Commissioner and Treasurer shall be deemed to be performing activities directly connected with the administration of a public assistance grant program, on behalf of and in conjunction with the City's local board of social services; and
5. The Director of Social Services, acting pursuant to Virginia Code §63.2-304 as the City's local board, shall not be required to participate in the day to day administration of the Stormwater Utility Relief Program, but shall have the right and authority to inspect records pertaining to the administration and disbursement of grant funds under the Program, and to receive such information and records as the Director deems necessary to verify that the Program funds have been and are being administered and disbursed in accordance with the parameters established by this Resolution; and
6. The Commissioner of the Revenue, the Treasurer and the Director of Social Services shall have the authority to establish policies, procedures, protocols and record-keeping requirements as they collectively deem necessary for the administration and accounting of the Stormwater Utility Relief Program, consistent with the confidentiality requirements applicable to the performance of their respective duties.



## PROJECT PROGRAMMING RESOLUTION

**WHEREAS**, in accordance with Virginia Department of Transportation construction allocations procedures, it is necessary that a request by council resolution be made in order that the Department program an urban highway project in the City of Charlottesville;

**NOW THEREFORE BE IT RESOLVED**, that the Council of the City of Charlottesville, Virginia, requests the Virginia Department of Transportation to establish an urban system highway project for the coordination of signals using the InSync Technology on Emmet Street/US 29 to coordinate with the project in Albemarle County on US 29 at the following locations:

- US 29 at Angus
- Emmet Street at Morton
- Emmet Street at Barracks
- Emmet Street at Wise
- Emmet Street at Arlington
- Emmet Street at Massie
- Emmet Street at Ivy
- Hydraulic at Hillsdale
- Hydraulic at Route 250
- Barracks at Millmont
- Arlington at Millmont
- Other intersections as deemed necessary

**BE IT FURTHER RESOLVED**, that the Council of the City of Charlottesville hereby agrees to pay its share of the total cost for preliminary engineering, right-of-way and construction of this project in accordance with Section 33.1-44 of the Code of Virginia, and that, if the City of Charlottesville subsequently elects to cancel this project, the City of Charlottesville hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

Approved by Council  
February 3, 2014

A handwritten signature in cursive script, reading "Yaiqe Rice", is written over a horizontal line.

Clerk of Council