

CITY COUNCIL AGENDA July 19, 2010

6:00 - 7:00 p.m.

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

(Second Floor Conference Room)

TYPE OF ITEM

SUBJECT

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

AWARDS/RECOGNITIONS

State CFO Recognition, Army Birthday Celebration Recognition

ANNOUNCEMENTS

MATTERS BY THE PUBLIC

Public comment will be permitted until 7:35 p.m. (limit of 3 minutes per speaker) and at the end of the meeting on any item, including items on the agenda, provided that a public hearing is not planned or has not previously been held on the matter. Persons are asked to sign up in advance of the start of the meeting.

COUNCIL RESPONSES 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 of June 21

b. APPROPRIATION:

•\$40,727 - Piedmont Workforce Network American Recovery and Reinvestment Act

c. APPROPRIATION:

Youth Employment Program (2nd of 2 readings)
• \$10,000 – Metro Planners Conference (2nd of 2 readings)

d. APPROPRIATION:

\$5,000 – Virginia Commission of the Arts Challenge Grant (1st of 2 readings)

e. APPROPRIATION:

\$88,522 - FY2011 Friendship Court Sponsorship Agreement (1st of 2 readings)

APPROPRIATION:

\$15,000 - 2009 State Homeland Security Program Grant (Hazmat)

(1st of 2 readings)

g. APPROPRIATION:

\$30,000 - Contribution to Stormwater Management Improvements

(1st of 2 readings)

h. APPROPRIATION:

\$65,000 - CASASTART Truancy Prevention Program (1st of 2 readings)

APPROPRIATION:

RESOLUTION:

\$316,957 – FY 2011 Transit Grants (1st of 2 readings)

Acceptance of Riverbluff Circle in the Riverbluff Development (1st of 1 reading)

k. RESOLUTION:

• Clean Energy Source (1st of 1 reading)

*Appointment to the Blue Ridge Juvenile Detention Commission (1st of 1 reading) RESOLUTION:

m. RESOLUTION:

Appointment to the CACVB (1st of 1 reading)

n. RESOLUTION:

•Rails with Trails (1st of 1 reading)

o. ORDINANCE:

• Zoning Change for Neighborhood Commercial and Restaurants and Music Halls (2nd of 2 readings)

ORDINANCE: q. ORDINANCE: Grant of Utility Easement under Emmet St. to UVA (2nd of 2 readings)

Snow Removal Enforcement Ordinance (1st of 2 readings) Renewing CenturyLink Franchise Agreement (1st of 2 readings)

ORDINANCE: s. ORDINANCE:

Granting Fiber Roads Franchise Agreement (1st of 2 readings)

2. PUBLIC HEARING/ **ORDINANCE**

Conveyance of Jefferson School Property (1st of 2 readings)

3. REPORT

City Manager Search Update

4. REPORT/ ORDINANCE Noise Ordinance Amendment (1st of 2 readings)

5. REPORT

Dredging Update

6. REPORT/ APPROPRIATION \$1,270,000 – from Wastewater Fund Balance to the Wastewater Utility Expense Budget (1st of 2 readings)

7. REPORT/ RESOLUTION Local Government Support Agreement for Solid Waste (1st of 1 reading)

OTHER BUSINESS
MATTERS BY THE PUBLIC
ADJOURNMENT

*ACTION NEEDED (Appropriations require two readings; ordinances require two readings; resolutions require one reading.)

Reasonable accommodations will be provided for persons with disabilities if requested.

APPROPRIATION

Piedmont Workforce Network American Recovery and Reinvestment Act Youth Employment Program \$40,727

WHEREAS, Community Attention has been awarded \$40,727 from the Piedmont Workforce Network American Recovery and Reinvestment Act Youth Employment Program:

WHEREAS, the funds will be used to operate a six week internship program for youth ages 18 – 24, who are out of school and meet the eligibility requirements. The grant award covers the period from June 28, 2010 through August 6, 2010.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$40,727, is hereby appropriated in the following manner:

Revenue - \$40,727

\$40,727 Fund: 213

I/O: 1900141

G/L Account: 430125

Expenditures - \$40,727

\$11,330

Fund: 213

I/O: 1900141

G/L Account: 519999

\$29,397

Fund: 213

I/O: 1900141

G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$40,727 from the Piedmont Workforce Network.

Approved by Council July 19, 2010

Clerk of Cound

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Approved by Council July 19, 2010

APPROPRIATION
Metro Planners Conference Registration Fees
\$10,000

WHEREAS, the City of Charlottesville's Fire Department will host the Metro Planners Conference in Charlottesville;

WHEREAS, the City of Charlottesville's Fire Department will be receiving registration fees for those planning to attend the conference;

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

Revenues-\$10,000

Fund: 105

Internal Order: 2000090

G/L Account: 434410

Expenditures-\$10,000

Fund: 105

Internal Order: 2000090

G/L Account: 599999

BE IT FURTHER RESOLVED by the Council of the City of Charlottesville, Virginia, that this appropriation is conditioned upon the receipt of \$10,000 in registration fees. Any fees collected in access of \$10,000 will be hereby considered as a continuing appropriation and immediately available for the Fire Department to spend on conference costs.

Approved by Council July 19, 2010

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Approved by Council July 19, 2010

RESOLUTION ACCEPTING RIVERBLUFF CIRCLE INTO THE CITY STREET SYSTEM FOR MAINTENANCE

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer and City Manager, that Riverbluff Circle, which has been built to the specifications and standards required by City-approved plans, is hereby accepted into the City street system for maintenance. The street hereby accepted is shown on the plat dated March 9, 2005 titled – Subdivision Plat of Lots 1-22 Riverbluff Development, and shown on 2010 City Real Estate Tax Map 55A.

Approved by Council July 19, 2010

ACCEPTING RIVERBLUFF CIRCLE

INTO THE CITY STREET SYSTEM FOR MAINTENANCE

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Whereas, the Charlottesville City Council believes a transition to clean energy sources will create millions of jobs, reduce our dependence on oil both foreign and domestic and make our nation more secure, cut pollution, and increase opportunities for our communities; and

Whereas, the City of Charlottesville has already undertaken significant efforts to promote clean energy and energy efficiency, combat climate change, advance air quality and public health, reduced energy consumption and increase economic development; and

Whereas, the Deepwater Oil Disaster in the Gulf of Mexico has caused the greatest environmental disaster in our nation's history, and the American people can no longer tolerate the environmental, economic and human costs associated with continued dangerous dependence on dirty fossil fuels; and

Whereas, the Charlottesville City Council stands behind strong clean energy and climate legislation being passed this year; and

Whereas, a true lasting solution to our dependence on oil, climate change and energy security cannot be accomplished without strong national leadership and direction from the federal government; and

Now, Therefore Be It Resolved by the City Council of the City of Charlottesville as follows:

- 1. That the Council urge the United States Senate to enact meaningful comprehensive clean energy and climate legislation this Summer, 2010.
- 2. To adequately address the disaster on our hands, this legislation must accomplish these goals:
 - Respond directly to the Gulf oil disaster to begin to remedy the damage and hold BP accountable.
 - Reduce U. S. dependence on fossil fuels.
 - Set limits on carbon pollution
 - Improve energy efficiency and expand renewable energy production.
- 3. That a copy of this resolution be provided to our two Virginia Senators.

Approved by Council July 19, 2010

WHEREAS, the Concurrent Resolution for the Blue Ridge Juvenile Detention Commission (the "Commission") by the Boards of Supervisors for the Counties of Albemarle, Fluvanna and Greene, and the Council for the City of Charlottesville, states that the members of the Commission shall be the County Executive or City Manager for each participating jurisdiction, or their designated alternates as permitted by state law; and

WHEREAS, Va. Code Sec. 16.1-316, allows for alternate members to attend and participate in meetings of the Commission, and vote in the absence of the principal member for his or her jurisdiction, but may be appointed only after consultation with the chief judge of the juvenile and domestic relations district court; and

WHEREAS, the Acting City Manager for the City of Charlottesville has recommended that Mike Murphy, Director of the Charlottesville Department of Human Services, be appointed to represent the City as the alternate member on the Commission; and

WHEREAS, the chief judge (The Hon. Susan Whitlock) of the juvenile and domestic relations court for the 16th Judicial District has been consulted about this appointment, and has no objection to the appointment of Mr. Murphy as the alternate member of the Commission; now, therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that Mr. Mike Murphy, Director of the Charlottesville Department of Human Services, is hereby appointed the alternate member for the City on the Blue Ridge Juvenile Detention Commission. His appointment will continue until this Council takes action to appoint another person in his place.

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Charlottesville Albemarle Convention & Visitors Bureau

Board of Directors

April 14, 2010

REPORT OF THE BYLAWS & NOMINATING COMMITTEE

In accordance with, and pursuant to, the Charlottesville Albemarle Convention and Visitors Bureau operating agreement and bylaws, the Bylaws & Nominating Committee, duly constituted herein re-nominates to the Board of Directors of the Charlottesville Albemarle Convention and Visitors Bureau:

- > Mr. Ryan Hubbard, (CACVB Seat 8 City lodging industry representative); and ,
- Mr. Naresh Naran, (CACVB Seat 9 County lodging industry representative).

Mr. Hubbard and Mr. Naran each are herein duly re-nominated to continue to serve on the Board of Directors of the Charlottesville Albemarle Convention and Visitors Bureau, in said seats, for two-year terms commencing on July 1, 2010 and ending on June 30, 2012.

Respectfully, the Bylaws & Nominating Committee of the Board of Directors of the Charlottesville Albemarle Convention and Visitors Bureau nominates these individuals for service on the Board of Directors of the Charlottesville Albemarle Convention and Visitors Bureau.

Approved by Council July 19, 2010

Timothy Hulbert, Chairman Bryan Elliott, Chris Engel



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Whereas the Charlottesville area is blessed with an extraordinary natural setting, a unique geography surrounding the historic Rivanna River, a hospitable climate, excellent topography, and historic sites and venues that are the envy of many cities in the United States; and

Whereas the Charlottesville area has a strong history of supporting trails, bikeways and greenways, including the TransAmerica bike route; and

Whereas trails, bikeways, paths, rails-to-trails, rails-with-trails and greenways facilitate walking, running and bicycling and thus foster healthy lifestyles for our citizens, greater energy independence, and reduced carbon dioxide emissions; and

Whereas trails, bikeways, paths, rails-to-trails, rails-with-trails and greenways can help curb a national epidemic of chronic obesity and weight-related diseases by encouraging our adults & children to walk, run, and cycle; and

Whereas trails, bikeways, paths, rails-to-trails, rails-with-trails and greenways cultivate economic development and create jobs, attract visitors and tourists to our city, and encourage a better and more enjoyable quality of life for all of our citizens; and

Whereas the Virginia Department of Transportation adopted a policy in 2004 whereby all highway construction projects are initiated with the assumption that accommodations for bicyclists and pedestrians will be provided, citing many of the same positive societal impacts detailed in this resolution as support for the policy; and

Whereas the United States Department of Transportation Secretary Ray Lahood issued a policy statement in March encouraging communities to go beyond minimum standards to provide safe, attractive, and convenient facilities for bicycling and walking; and

Whereas rail-with-trails are common-place in European countries and it is both timely and appropriate to encourage the planning and implementation of trails when rails are built or improved with federal funds; and

Be it resolved that the Charlottesville City Council supports trails bikeways, paths, rails-to-trails, rails-with-trails and greenways and actively promotes a safe, viable, active transportation network for our citizens by making Charlottesville a more bike and pedestrian-friendly city; and

Be it further resolved that the Charlottesville City Council work with localities in the Thomas Jefferson Planning District Commission to connect these trails, bikeways, paths, rails-to-trails, rails-with-trails and greenways with neighboring localities and partner with national organizations to connect our trails, bikeways, paths, rails-to-trails, rails-with-trails and greenways with national trails and greenways, thus setting an example for other cities; and

Be it further resolved that Charlottesville work with our state and congressional representatives to support legislation promoting active, human powered transportation facilities, including trails, bikeways, paths, rails-to-trails, rails-with-trails and greenways, including but not limited to extending the assumption of multi-modal accommodation for VDOT highway projects to projects administered by VDRPT and setting aside a small percentage of federal funding for new rail corridors in order to provide such multi-modal accommodations.

Approved by Council July 19, 2010

Whereas the Charlottesville area is blessed with an extraordinary natural setting, a unique geography surrounding the historic Rivanna River, a hospitable climate, excellent topography, and historic sites and venues that are the envy of many cities in the United States; and

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Approved by Council July 19, 2010

AN ORDINANCE

AMENDING AND REORDAINING ARTICLE I (Administration),
ARTICLE XI (Mixed Use Corridor Districts),
ARTICLE IX (Generally Applicable Regulations)
AND ARTICLE X (Definitions) OF CHAPTER 34 (ZONING)
OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED,
RELATING TO MUSIC HALLS, INCREASED BUFFER
REQUIREMENTS IN LOW DENSITY RESIDENTIAL DISTRICTS, AND
CHANGES TO THE USE MATRIX FOR MIXED USE DISTRICTS.

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Sections 34-181, 34-699, 34-701, 34-796, 34-1174, and 34-1200 in Chapter 34 (Zoning) of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained, as follows:

CHAPTER 34. ZONING

ARTICLE I. Administration

Sec. 34-181. In general.

- (a) There are certain uses and structures, similar to those regulated by the city through special permits, that, by their nature, may have impacts which differ substantially from those uses permitted by right in a particular zoning district, and therefore should be reviewed prior to being established. However, unlike uses regulated through special permits, the impacts of provisional uses are of a nature that is generally recurring, quantifiable and subject to mitigation by imposition of specifically articulated standards. Such uses may be allowed to locate within designated zoning districts under the controls, limitations and regulations of this division.
- (b) The zoning administrator may approve a provisional use permit under the provisions of this division, after concluding that a proposed provisional use complies with the standards prescribed within this division and within Article IX, Division 9, including:
 - 1) Accessory apartments, section 34-1171;
 - 2) Home occupations, section 34-1172;
 - 3) Outdoor storage, section 34-1173;
 - 4) Dance Music halls; all-night restaurants, section 34-1174.
- (c) The zoning administrator shall have no authority to vary, modify, or waive any of the regulations or standards prescribed for any use for which a provisional use is required, except that the zoning administrator may waive some or all application submission requirements to the extent such requirements do not apply in a given situation.

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ARTICLE XI. Mixed Use Corridor Districts

Sec. 34-699. Buffer regulations.

. . .

Adjacent to any low density residential district, side and rear buffers (S-1 type) shall be required, five (5) ten (10) feet, minimum (refer to section 34-871).

Sec. 34-701. Additional regulations. Reserved.

No residential uses shall be allowed on the ground floor of any building.

Sec. 34-796. Use Matrix -- Mixed use corridor districts.

The uses and residential densities allowed within the city's mixed use corridor districts are those identified within the matrix following below. (For a list of each of the city's zoning districts and their abbreviations, see section 34-216.)

For the NCC zoning district, allow Convent/Monastery with a special use permit by removing the "B" and adding an "S" to the Use Matrix in the NCC column.

For the NCC zoning district, do not allow Amphitheater facilities by removing the "S" in the Use Matrix in the NCC column.

For the NCC zoning district, do not allow Surface Parking Lots by removing the "B" in the Use Matrix in the NCC column.

Under the heading "Non-Residential: General and Misc. Commercial", insert a new zoning use entitled "Music hall", and allow the use with a special use permit by adding an "S" to the Use Matrix in the D, DE, WMN, WMS, HW, WSD, URB, SS, CD and CC columns.

Under the heading "Non-Residential: General and Misc. Commercial", within the row entitled "Restaurants" remove the "B" from Use Matrix in the CH column – this row is simply a general heading for the types of restaurant uses so the entire row should be blank.

Delete one of the duplicate entries of the row "Taxi Stand" across all zoning districts in the Mixed Use Matrix.

Under the heading "Non-Residential: Industrial", subheading "Laboratory, pharmaceutical > 4,000 sq. ft.", delete the duplicated words "<4,000 sq. ft."

[See Attached Use Matrix with Amended Sections Highlighted in Yellow]

ARTICLE IX. Generally Applicable Regulations

Sec. 34-1174. Restaurants--Dance halls Music halls and all-night restaurants.

For restaurant/dance music halls and all-night restaurants the following requirements shall apply:

- (1) There shall be no audible noise, detectable vibration or odor beyond the confines of the building in which the restaurant is located, including transmittal through vertical or horizontal party walls, between the hours of 1:00 a.m. and 8:00 a.m.
- (1)(2) Any such restaurant or music hall that remains open after 2:00 a.m. on any day shall have a security guard on site between the hours of 2:00 a.m. and 6:00 a.m. or until one-half hour after the music hall closes, whichever is earlier.
- (2)(3) In the event more than four (4) incidents at the property require police service/response over any two (2) month period, the provisional <u>or special</u> use permit shall be revoked <u>suspended</u> by the zoning administrator, for 365 days the remainder of the then-current calendar year. Following any such revocation <u>suspension</u>, the restaurant may continue to operate, but only in the form of a restaurant that is permitted within the applicable zoning district without the requirement of a provisional or special use permit.

ARTICLE X. Definitions.

Music hall means any place or business open to the general public on a regular basis where music concerts are provided and/or dancing is permitted, for which an admission fee is charged or for which compensation is in any manner collected, directly or indirectly, by cover charge or otherwise. Foods or beverages may be purchased by or served to patrons on premises incidentally to the music hall's stated primary function as defined herein.

Restaurant means any place of business wherein foods or beverages are provided for human consumption. The term restaurant includes, without limitation: lunchrooms, cafeterias, coffee shops, cafes, taverns, delicatessens, hotel dining rooms, dinner theaters, soda fountains, and dining accommodations of public or private clubs. A fast food restaurant is one at which patrons order and receive food orders at a counter or window for consumption either on or off-premises. A full service restaurant is one at which patrons are seated at tables or booths, where food orders are taken at and delivered to such tables/booths by wait staff. This definition excludes: bakeries; bed-and-breakfast facilities; catering businesses (where food is prepared for consumption at another site); places that manufacture packaged or canned foods for distribution to grocery stores or other, similar food retailers for sale to the public; facilities licensed by the Department of Agriculture; snack bars and refreshment stands at public recreation facilities, operated for the

convenience of patrons of the facility; concession stands at youth athletic activities, if such stands are promoted or sponsored by either a youth athletic association or a charitable nonprofit organization; or any facility exempt from state licensure requirements pursuant to Code of Virginia § 35.1-25. Entertainment for restaurant patrons which is clearly incidental to the restaurant's primary function as defined herein, such as the playing of a piano or other non-amplified music, is permitted.

Restaurant, all-night means a restaurant that remains open between the hours of 2:00 a.m. and 6:00 a.m. on any day(s).

Restaurant/dance hall means a restaurant wherein more than one-eighth (1/8) of its gross floor area is or may be used for dancing, or which serves, or may serve, as standing room for patrons listening to live music (such as bands or dise-jockey performances). The following spaces may be excluded from gross floor area to determine the space attributable to dancing or standing room: kitchen facilities and storage areas.

Approved by Council

DIVISION 16. USE MATRIX

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

TABLE INSET:

IABLE INSET:														
Use Types	ZONING DISTRIC	DISTRI	CTS											
	او	30	NO	WMN	MMS	НЭ	HS	NCC	HW	MSD	IURB	SS	l go	ပ္ပ
RESIDENTIAL AND RELATED USES				*										
Accessory apartment, internal						Ь								
Accessory apartment, external						Д								
Accessory buildings, structures and uses	,	١	,	,	í						٥	٥	c	
(residential)	В	Я	9	n	æ	m	æ	n		ם	۵	n	n	מ
Adult assisted living														
13 residents						В								
4+ residents						В	S	S	S					
Adult day care						В								
Amateur radio antennas, to a height of 75 ft.						В								
Bed-and-breakfasts:														
Homestay	В	В	В	В	В	В	В	B	B	В	В	В	В	В
В&В	В	8	В	В	В	В	В	В	8	В	В	В	В	В
lun	B	B	В	В	В	В	В	В	В	В	В	В	В	В
Boarding: fraternity and sorority house														
Boarding house (rooming house)														
Convent/monastery	8	В	В	В	В	В	В	B S	В	В	В	В	В	В
Criminal justice facility	L					В								
Dwellings:														
Multifamily	M	В	В	M	M	В		M	В	M	В	M	M	В
Single-family attached		В	В	В	В	В	В	В					В	В
Single-family detached		В	В	В	В	В	В	В					В	В
Townhouse		S	S			В								
Two-family						В								
Family day home														
15 children						В								
6-12 children														
Home occupation	Ь	Ь	Ы	Ь	Ь	Ь	Ь	Ь	Д.	Д.	<u>a</u>	а.	а.	<u>م</u>
Manufactured home parks														
Night watchman's dwelling unit, accessory to industrial use														
Nursing homes						В	S	S	S					
Occupancy, residential														
3 unrelated persons														
4 unrelated persons	В	В	8	æ	В	9	В	2		n	n	n	n	n n
Residential density (developments)			1,5											

	Ě	2					m	2	В	В	В	В	В	м
2243 DUA	В	M/S	₽	M/S	M	M/S		S	S	8	S	<u>m</u>	Σ	M/S
44-64 DUA	S	M	S		M					В	S	S	S	S
6587 DUA	S	Σ	S		S	S				В		S	S	S
88120 DUA	S	S	S	S	S					S		S	S	S
121-200 DUA	S	S			S					S		S		
201240 DUA	S	S			S					S		S		
Residential treatment facility														
1-8 residents	B	В	В	В	В	В	В	В	В	В	В	В	B	В
8+ residents	S	S	S	S	S		S	S	S	S	S	S	S	S
Shelter care facility	S	S	S	S	S		S	S	S	S	S	S	S	S
Single room occupancy facility	S	S	S	S	S	S	S			S	S	S	S	S
NON-RESIDENTIAL: GENERAL and MISC. COMMERCIAL														
Access to adjacent multifamily, commercial, industrial or mixed-use development or use														
Accessory buildings, structures and uses	В	В	В	В	В	8	B	В	В	В	В	В	В	В
Amusement center	S	S	S	S	S				В	S	S	S	S	
Amusement enterprises (circuses, carnivals, etc.)														
Amusement park (putt-putt golf; skateboard parks, etc.)														
Animal boarding/grooming/kennels:														
With outside runs or pens														
Without outside runs or pens		В				S			S					
Animal shelter														
Art gallery:														
GFA 4,000 SF or less	B	В	В	В	В	В	В	В	B	В	В	8	B	a e
GFA up to 10,000 SF	B	В	S	В	В		S			В	S	<u>B</u>	В	S
Art studio, GFA 4,000 SF or less	B	В	В	В	В	В	В	В	В	В	В	В	В	В
Art workshop	B	В	В	В	В		В	В	В	В	В	В	<u>B</u>	B
Assembly (indoor)														
Arena, stadium (enclosed)														
Auditoriums, theaters														
Maximum capacity less than 300 persons	В	В	S	В	В	S	S		В	В			S	S
Maximum capacity greater than or equal to 300 persons	S	S		S	S					S				
Houses of worship	В	В	В	В	В		В	В	В	В	B	В	В	В
Assembly (outdoor)														
Amphitheater	В	S	S	S	S		S	ch.	S	В	S	В	S	S
Arena, stadium (open)														
Temporary (outdoor church services, etc.)	L	_	_	L			_	-	_					_
Assembly plant, handcraft		S												
Assembly plant														

-

Automobile uses:														
Gas station		S				S			8		S			
Parts and equipment sales		8			В				8		S			В
Rental/leasing									В		S			
Repair/servicing business		S					S		В		S			
Sales						S			В					S
Tire sales and recapping						В			В		В			
Bakery, wholesale														
GFA 4,000 SF or less	8	B	В	В	В	В	В	В	В	В	В	В	В	В
GFA up to 10,000 SF														
Banks/ financial institutions	В	8	В	В	В	1 8	В	8	В	В	В	8	В	В
Bowling alleys								S	S					
Car wash	-													
Catering business	8	<u>B</u>	m	8	В	8	8	В	В	8	8	В	8	В
Cemetery						8								
Clinics:														
Health clinic (no GFA limit)									S					
Health clinic (up to 10,000 SF, GFA)	S	В	S	<u>m</u>	В				В	S	В	S	В	В
Health clinic (up to 4,000 SF, GFA)	8	m	В	8	В	B	В	В	В	8	В	В	В	В
Public health clinic	В	В	В	В	8			В	В	8	8	В	В	8
Veterinary (with outside pens/runs)									S					
Veterinary (without outside pens/runs)						S			S					S
Clubs, private	S	S	S	S	S	S			8	S	В	S	,	n
Communications facilities and towers:														
Antennae or microcells mounted on existing towers established prior to 02/20/01	В	മ	മ	മ	മ	8	<u> </u>	В	В	<u> </u>	മ	മ	മ	<u> </u>
Attached facilities utilizing utility poles or other														
electric transmission facilities as the attachment	п	α	α	α	α	ď	a	ď	œ	α	<u>~</u>	ū	ω	
Attached facilities not visible from any adjacent			1							1				
street or property	8	ω	മ	Ф	В	В	В	В	В	В	В	В	В	B
Attached facilities visible from an adjacent street			ļ						Č	Ü	((ć
or property	S	S	ഗ	S	S		S	S	S	S	n	n	n	n
Alternative tower support structures														
Monopole tower support structures														
Guyed tower support structures													İ	
Lattice tower support structures														
Self-supporting tower support structures														
Contractor or tradesman's shop, general														
Crematorium (independent of funeral home)														
Data center >4,000	В	В	S		S		S		В	В	В	a		S
<4,000	В	В	В	В	8	В	В	В	В	8	В	B	ω	В
Daycare facility	В	В	В	В	В		8	В	В	В	В	В	8	В
Dry cleaning establishments	8	В		В	8				В	8	В	В	В	В

Hemmerlany, B B B B B B B B B B B B B B B B B B B	Educational facilities (non-residential)					-									
The state of the control of the cont	Elementary	B	В	ω_	В	В	8		В	В	В	В	B	В	В
Search Control Contr	High schools	В	В	B	B	В	В		8	8	В	В	8	В	В
Intervince, up to 1000 SF, GFA Colleges and universities						В									
Intervision, but boods F, GFA Intervision but boods F, GFA Inter	Artistic instruction, up to 4,000 SF, GFA	В	<u>m</u>	8	В	9	8	<u></u>	S	S	В	ш	<u>B</u>	m	m
In the or Attool SF, CFA And any or Attool SF, CFA And and any or Attool SF, CFA And and any or Attool SF, CFA And And And And And And And And And An	Artistic instruction, up to 10,000 SF, GFA	S	В	L		В	<u>B</u>				S		S		S
The britton of SF, GFA by the britten of SF,	Vocational, up to 4,000 SF, GFA						8								
DOUGNEY or the contactory) DOUGNEY or treasment of the contactory) DOUGNEY or treasment of the contactory of the contactor of the contac	Vocational, up to 10,000 SF, GFA						8								
OWO SEY E B </td <td>Funeral home (without crematory)</td> <td></td>	Funeral home (without crematory)														
The TOTOLOG SFF TO	GFA 4,000 SF or less		В	8	<u>B</u>	В	8	<u>_</u>		8		В			В
The contraction of the cere and	GFA up to 10,000 SF		8	S	S	S		S				S			L
1000 SF of less B C C C C C C C C C	Funeral homes (with crematory)					•									
Registry	GFA 4,000 SF or less		В				В								
resertions: resertions resert	GFA up to 10,000 SF		<u>в</u>												
Ingrange	Golf course		L										L		
Orders: S S S S B </td <td>Golf driving range</td> <td></td> <td>S</td> <td></td> <td></td> <td></td>	Golf driving range											S			
orders: Ord	Helipad						В								
	Hospital		S	S	S	S	В							S	
	Hotels/motels:														
R	Up to 100 guest rooms	В	9		В	В	В	8		B	В	В	В	В	В
	100+ guest rooms	В	В		S	В		8		В	В	В	В	S	S
	Laundromats		В				В			В					
R	Libraries	В	В	В	В	В	В	В	В	В	В	В	В	В	
No.	Manufactured home sales										10				
S S	Microbrewery	В	В	В	В	В		В		В	В	В	В	В	B
B B	Movie theaters, cineplexes	S	S	S	S	S	В	S		В	S	S	S	S	S
S: Othor SF, GFA B	Municipal/governmental offices, buildings, courts	В	В	В	В	В	В	В	В	В	В	В	В	В	В
Mono SF, GFA B <t< td=""><td>Museums:</td><td></td><td>L</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>	Museums:		L												
Ill S	Up to 4,000 SF, GFA	В	В	В	В	В	В	В	S	S	В	В	В	B	В
List and professional standard professional	Up to 10,000 SF, GFA	S	В	S	S	В	В	В			S	В	S	S	В
ss and professional B	<u>Music hall</u>	SI	SI		SI	SI				SI	SI	SI	S)	S)	S)
is and professional B	Offices:						В								
rropic institutions/agencies B	Business and professional	В	В	В	В	В	В		В	В	В	В	B	В	В
v management (ancillary to MFD) A <t< td=""><td>Medical</td><td>В</td><td>B</td><td>В</td><td>В</td><td>В</td><td>В</td><td></td><td>В</td><td>В</td><td>В</td><td>В</td><td>B</td><td>В</td><td>В</td></t<>	Medical	В	B	В	В	В	В		В	В	В	В	B	В	В
y management (ancillary to MFD) A <t< td=""><td>Philanthropic institutions/agencies</td><td>В</td><td>В</td><td>В</td><td>В</td><td>В</td><td>В</td><td></td><td>В</td><td>В</td><td>В</td><td>В</td><td>В</td><td>В</td><td>В</td></t<>	Philanthropic institutions/agencies	В	В	В	В	В	В		В	В	В	В	В	В	В
filtroes (non-specified) B <td>Property management (ancillary to MFD)</td> <td>А</td> <td>Α</td> <td>А</td> <td>Y Y</td> <td>А</td> <td>A</td> <td></td> <td>A</td> <td>A</td> <td>A</td> <td>А</td> <td>Ψ.</td> <td>A</td> <td>A</td>	Property management (ancillary to MFD)	А	Α	А	Y Y	А	A		A	A	A	А	Ψ.	A	A
storage, accessory S B A/S B	Other offices (non-specified)	В	В	В	В	В	В		В	В	В	В	В	В	B
garage B A/S A/S A/S A/S A/S A/S A/S A/S B	Outdoor storage, accessory		S				S			В		S			
B A/S A/S A/S A/S A/S A/S A/S A/S B B B B B B B B B	Parking:														
B B	Parking garage	В	В	A/S	A/S	A/S	A/S	A/S			œ	A/S	В	A/S	A/S
A A A A A A A A A A A A A A A A A A A	Surface parking lot	В	В	В	В	В	В	В	8	В	В	В	В	В	A
Temporary parking facilities	Surface parking lot (more than 20 spaces)	А	A	А	А	A	А	A	A	A	A	А	A	A	A
	Temporary parking facilities														

Photographic processing; blueprinting					٥	٥	٥	מ	<u>n</u>	מ	<u> </u>		<u> </u>	В
The state of the s	В	В								<u>B</u>	Γ	9		
Radio/television broadcast stations	В	В	В	8	В	B	В			В	<u> </u>		В	В
Recreational facilities:												П		
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on City-owned, City School Board-owned, or other public property)	B	В	В	В	В	В	В	В	В	а	ш	а	В	Ф
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on private property)												ä		
GFA 4,000 SF or less	В	В	В			B	В	В	В	В				8
GFA up to 10,000 SF	В	В	S	S	В	S	В			В	В	9 9	S	S
GFA more than 10,000 SF	В	В	S		В		S			В				S
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (cityowned), and related concession stands	В	В	В	B	В	В	В	В	В	В	B	В	В	В
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (private)	ဟ	S	S	S	S	В	S	S	S	S	S	S	S	S
Restaurants:						8								
Dance hall/All night	S	S		S	S		S			S		S	S	S
Drive-through windows						S	S				S			S
Fast food	В	В	B	B	B	8	B	В	В	В		B	B	8
Full service	В	В	В			В	В	В	В	В				В
24-hour														
Taxi stand		В		S	S	В	S		В		В	,	S	8
Towing service, automobile														
Technology-based businesses	В	В	В			В	В	8	В	В		8		e e
Taxi Stand—		8		(A)	S	B	4		B		-		S	B
Transit facility	В	В	В			В	В	B	В	В				В
Utility facilities	S	S	S			В	S	S	S	S		s		S
Utility Lines	В	В	B			s	В	В	В	В				В
NON-RESIDENTIAL USES: RETAIL														
Accessory buildings, structures and uses	В	В	B	В	В	В	В	В	В	В	В	B	В	В
Consumer service businesses:													П	
Up to 4,000 SF, GFA	В	B	В			В	В	В	В	В		В		В
Up to 10,000 SF, GFA	В	B	B			S	S	S	S	В				S
10,001+ GFA		B	S	S	S			В	S				S	
Farmer's market	S	S	S		S		S	S	S	S	S	S	, ()	
Greenhouses/nurseries		S							<u>_</u>		S			
Grocery stores:														

Convenience	<u>e</u>	<u>m</u>	В				8		g	В				
General, up to 10,000 SF, GFA	S	В	S	s	8	S	В	S	В	S	<u></u>	S	S	_
General, 10,001+ SF, GFA	S	В	S	1,2			S		В	S				
Home improvement center		S				S			В					
Pharmacies:														
11,700 SF, GFA	В	В	В				В	В	В	В				
1,701-4,000 SF, GFA	B	В	S				S		В	В				~
4,001+ SF, GFA	B	В	S	В	8	S	S		В	В		B E	S S	
Shopping centers	S	S	S				S		В	S				
Shopping malls	S	S	S				S		S	S	S			(0
Temporary sales, outdoor (flea markets, craft fairs, promotional sales, etc.)		F							L		⊢		_ =	1 1200
Other retail stores (non-specified):														
Up to 3,000 SF GFA	В	œ	m			В	B	<u>В</u>	В	<u>а</u>	В	B	3 B	
Up to 4,000 SF, GFA	В	В	В	В	<u></u>	В	8	В	В	<u>в</u>			B	_
Up to 20,000 SF GFA	S	B	S			S	S		В	S				
20,000+ SF, GFA	S				S				В	S		S	0)	
NON-RESIDENTIAL: INDUSTRIAL														
Accessory buildings, structures and uses														
Assembly, industrial														
Beverage or food processing, packaging and bottling plants														
Brewery and bottling facility														
Compounding of cosmetics, toiletries, drugs and pharmaceutical products														
Construction storage yard														
Contractor or tradesman shop (HAZMAT)														
Frozen food lockers														
Greenhouse/nursery (wholesale)														
Industrial equipment: service and repair														
Janitorial service company														
Kennels														
Laboratory, medical >4,000 sq. ft.	S	В		В	В	В				S		S	S B	.
<4,000 sq. ft.	В	В	В		В	В	В	В	В	В	В		8	
Laboratory, pharmaceutical >4,000 sq. ft. <4,000.	ر د	Ø			S	S				Ŋ			S	
<4,000 sq. ft.	В	В	B	8	В	В	8	B	В	В	В	8	<u>.</u> В	
Landscape service company														
Laundries														
Manufactured home sales														
Manufacturing, light														
Moving companies														
Printing/publishing facility	S	<u>8</u>	S	S	S				SO I	20	'n	n	<u>ν</u>	
Open storage yard														

Outdoor storage, accessory to industrial use											
Research and testing laboratories	æ		~	3	B					8	S
Self-storage companies											
Warehouses											
Welding or machine shop											
Wholesale establishments						_					
	ı	1,000	000	000 11 (0)	(0) (0) (0) (0) (0) (0) (0) (0) (1) (0) (0) (0) (0) (1) (1) (1) (1) (1) (1) (1) (1) (1) (1	0,00	707				

(6-6-05(2); 6-19-06; 5-19-08(4); 9-2-08(2); Ord. of 9-15-08(1); 11-17-08(1); 11-17-08(2); 3-16-09(3); 7-20-09(2); 11-16-09; 2-16-10) Secs. 34-797--34-799. Reserved.

AN ORDINANCE

AMENDING AND REORDAINING ARTICLE I (Administration),
ARTICLE XI (Mixed Use Corridor Districts),
ARTICLE IX (Generally Applicable Regulations)
AND ARTICLE X (Definitions) OF CHAPTER 34 (ZONING)
OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED,
RELATING TO MUSIC HALLS, INCREASED BUFFER
REQUIREMENTS IN LOW DENSITY RESIDENTIAL DISTRICTS, AND
CHANGES TO THE USE MATRIX FOR MIXED USE DISTRICTS.

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Sections 34-181, 34-699, 34-701, 34-796, 34-1174, and 34-1200 in Chapter 34 (Zoning) of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained, as follows:

CHAPTER 34. ZONING

ARTICLE I. Administration

Sec. 34-181. In general.

- (a) There are certain uses and structures, similar to those regulated by the city through special permits, that, by their nature, may have impacts which differ substantially from those uses permitted by right in a particular zoning district, and therefore should be reviewed prior to being established. However, unlike uses regulated through special permits, the impacts of provisional uses are of a nature that is generally recurring, quantifiable and subject to mitigation by imposition of specifically articulated standards. Such uses may be allowed to locate within designated zoning districts under the controls, limitations and regulations of this division.
- (b) The zoning administrator may approve a provisional use permit under the provisions of this division, after concluding that a proposed provisional use complies with the standards prescribed within this division and within Article IX, Division 9, including:
 - 1) Accessory apartments, section 34-1171;
 - 2) Home occupations, section 34-1172;
 - 3) Outdoor storage, section 34-1173;
 - 4) Dance Music halls; all-night restaurants, section 34-1174.
- (c) The zoning administrator shall have no authority to vary, modify, or waive any of the regulations or standards prescribed for any use for which a provisional use is required, except that the zoning administrator may waive some or all application submission requirements to the extent such requirements do not apply in a given situation.

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ARTICLE XI. Mixed Use Corridor Districts

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Sec. 34-699. Buffer regulations.

Adjacent to any low density residential district, side and rear buffers (S-1 type) shall be required, five (5) ten (10) feet, minimum (refer to section 34-871).

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Sec. 34-701. Additional regulations. Reserved.

No residential uses shall be allowed on the ground floor of any building.

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Sec. 34-796. Use Matrix -- Mixed use corridor districts.

The uses and residential densities allowed within the city's mixed use corridor districts are those identified within the matrix following below. (For a list of each of the city's zoning districts and their abbreviations, see section 34-216.)

. .

For the NCC zoning district, allow Convent/Monastery with a special use permit by removing the "B" and adding an "S" to the Use Matrix in the NCC column.

For the NCC zoning district, do not allow Amphitheater facilities by removing the "S" in the Use Matrix in the NCC column.

For the NCC zoning district, do not allow Surface Parking Lots by removing the "B" in the Use Matrix in the NCC column.

Under the heading "Non-Residential: General and Misc. Commercial", insert a new zoning use entitled "Music hall", and allow the use with a special use permit by adding an "S" to the Use Matrix in the D, DE, WMN, WMS, HW, WSD, URB, SS, CD and CC columns.

Under the heading "Non-Residential: General and Misc. Commercial", within the row entitled "Restaurants" remove the "B" from Use Matrix in the CH column – this row is simply a general heading for the types of restaurant uses so the entire row should be blank.

Delete one of the duplicate entries of the row "Taxi Stand" across all zoning districts in the Mixed Use Matrix.

Under the heading "Non-Residential: Industrial", subheading "Laboratory, pharmaceutical > 4,000 sq. ft.", delete the duplicated words "<4,000 sq. ft."

[See Attached Use Matrix with Amended Sections Highlighted in Yellow]

ARTICLE IX. Generally Applicable Regulations

Sec. 34-1174. Restaurants—Dance halls Music halls and all-night restaurants.

For restaurant/dance music halls and all-night restaurants the following requirements shall apply:

- (1) There shall be no audible noise, detectable vibration or odor beyond the confines of the building in which the restaurant is located, including transmittal through vertical or horizontal party walls, between the hours of 1:00 a.m. and 8:00 a.m.
- (1)(2) Any such restaurant <u>or music hall</u> that remains open after 2:00 a.m. on any day shall have a security guard on site between the hours of 2:00 a.m. and 6:00 a.m. <u>or until one-half hour after</u> the music hall closes, whichever is earlier.
- (2)(3) In the event more than four (4) incidents at the property require police service/response over any two (2) month period, the provisional <u>or special</u> use permit shall be revoked <u>suspended</u> by the zoning administrator, for <u>365 days</u> the remainder of the then-current calendar year. Following any such revocation <u>suspension</u>, the restaurant may continue to operate, but only in the form of a restaurant that is permitted within the applicable zoning district without the requirement of a provisional <u>or special</u> use permit.

ARTICLE X. Definitions.

Music hall means any place or business open to the general public on a regular basis where music concerts are provided and/or dancing is permitted, for which an admission fee is charged or for which compensation is in any manner collected, directly or indirectly, by cover charge or otherwise. Foods or beverages may be purchased by or served to patrons on premises incidentally to the music hall's stated primary function as defined herein.

Restaurant means any place of business wherein foods or beverages are provided for human consumption. The term restaurant includes, without limitation: lunchrooms, cafeterias, coffee shops, cafes, taverns, delicatessens, hotel dining rooms, dinner theaters, soda fountains, and dining accommodations of public or private clubs. A fast food restaurant is one at which patrons order and receive food orders at a counter or window for consumption either on or off-premises. A full service restaurant is one at which patrons are seated at tables or booths, where food orders are taken at and delivered to such tables/booths by wait staff. This definition excludes: bakeries; bed-and-breakfast facilities; catering businesses (where food is prepared for consumption at another site); places that manufacture packaged or canned foods for distribution to grocery stores or other, similar food retailers for sale to the public; facilities licensed by the Department of Agriculture; snack bars and refreshment stands at public recreation facilities, operated for the

convenience of patrons of the facility; concession stands at youth athletic activities, if such stands are promoted or sponsored by either a youth athletic association or a charitable nonprofit organization; or any facility exempt from state licensure requirements pursuant to Code of Virginia § 35.1-25. Entertainment for restaurant patrons which is clearly incidental to the restaurant's primary function as defined herein, such as the playing of a piano or other non-amplified music, is permitted.

Restaurant, all-night means a restaurant that remains open between the hours of 2:00 a.m. and 6:00 a.m. on any day(s).

Restaurant/dance hall means a restaurant wherein more than one-eighth (1/8) of its gross floor area is or may be used for dancing, or which serves, or may serve, as standing room for patrons listening to live music (such as bands or disc-jockey performances). The following spaces may be excluded from gross floor area to determine the space attributable to dancing or standing room: kitchen facilities and storage areas.

Approved by Council

DIVISION 16. USE MATRIX

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

TABLE INSET:

Use Types	ZONING DISTRICTS	DISTRI	CTS											
	۵	DE	DN	WMN	WMS	CH	HS	NCC	HW	MSD	URB	SS	cD	၁၁
RESIDENTIAL AND RELATED USES														
Accessory apartment, internal						Ь								
Accessory apartment, external						Д								
Accessory buildings, structures and uses (residential)	B	ш	В	В	В	В	8	В	В	В	В	В	В	В
Adult assisted living						ć								
13 residents			,			B								
4+ residents						В	S	S	S					
Adult day care						<u>В</u>								
Amateur radio antennas, to a height of 75 ft.						<u></u>								
Bed-and-breakfasts:														
Homestay	В	В	В	8	В	В			В	В	В	В	В	В
В&В	В	В	В	В	В	В	В	8	В	В	В	В	В	В
lnn	В	В	В	В	В	В			В	В	В	В	В	В
Boarding: fraternity and sorority house														
Boarding house (rooming house)														
Convent/monastery	В	В	В	В	В	В	В	B S	В	В	В	В	В	В
Criminal justice facility						В								
Dwellings:														
Multifamily	∑	В	B	M	M	В			В	M	В	IM	IN	В
Single-family attached		В	В	В	В	В		В					В	В
Single-family detached		В	В	В	В	В	В	В					В	В
Townhouse		S	S			В								
Two-family						В								
Family day home														
15 children						В								
6-12 children														
Home occupation	Ы	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Д.	Ъ
Manufactured home parks														
Night watchman's dwelling unit, accessory to industrial use														
Nursing homes						В	S	S	S					
Occupancy, residential														
3 unrelated persons														
4 unrelated persons	В	В	В	В	В	В	В	В		В	В	В	œ	В
Residential density (developments)														

121 DUA	8	<u>B</u>	<u>B</u>	2		8	8	Μ	В	<u>B</u>	B	В	8	B
22-43 DUA	В	S/W	Σ.	M/S	M	M/S		S	S	В	S	В	M	S/IV
44-64 DUA	S	M	S		M					В	S	S	S	S
65-87 DUA	S	M	S	0	S	S				В		S	S	S
88-120 DUA	S	S	S	S	S					S		S	S	S
121200 DUA	S	S		S	S					S		S		
201240 DUA	S	S			S					S		S		
Residential treatment facility														
1–8 residents	8	В	В	В	В	В	В	В	В	В	В	В	В	В
8+ residents	S	S	S	S	S		S	S	S	S	S	S	S	S
Shelter care facility	S	S	S	S	S		S	S	S	S	S	S	S	S
Single room occupancy facility	S	S	S	S	S	S	S			S	S	S	S	S
NON-RESIDENTIAL: GENERAL and MISC. COMMERCIAL														*
Access to adjacent multifamily, commercial, industrial or mixed-use development or use														
Accessory buildings, structures and uses	В	В	В	В	М	m	B	В	В	В	В	В	В	В
Amusement center	S	S	S	S	S				В	S	S	S	S	
Amusement enterprises (circuses, carnivals, etc.)														
Amusement park (putt-putt golf; skateboard parks, etc.)														
Animal boarding/grooming/kennels:														
With outside runs or pens														
Without outside runs or pens		В				S			S					
Animal shelter														
Art gallery:														
GFA 4,000 SF or less	В	В	В	В	В	В	В	В	В	8	В	9	9 8	9 6
GFA up to 10,000 SF	В	В	S	В	В		S			a	S	В	8	S
Art studio, GFA 4,000 SF or less	В	В	В	В	В	В	В	В	В	В	В	В	В	В
Art workshop	В	В	В	В	В	В	B	В	В	8	8	m	<u>_</u>	20
Assembly (indoor)														
Arena, stadium (enclosed)														
Auditoriums, theaters														
Maximum capacity less than 300 persons	В	В	S	В	В	S	S		8	8			S	S)
Maximum capacity greater than or equal to 300 persons	S	S		S	S					S				
Houses of worship	В	В	В	В	В		В	В	В	В	В	В	В	В
Assembly (outdoor)														
Amphitheater	В	S	S	S	S		S	ch.	S	В	S	B	S	S
Arena, stadium (open)														
Temporary (outdoor church services, etc.)	L		L	ь	ь		_	Ė.	<u> </u>	_	_	_		
Assembly plant, handcraft		S												
Assembly plant														

Automobile uses:														
Gas station		S				S			М		S			
Parts and equipment sales		B			В				В		S			8
Rental/leasing									В		S			
Repair/servicing business		S					S		В		ટ			
Sales						S			В					S
Tire sales and recapping						В			В		В			
Bakery, wholesale														
GFA 4,000 SF or less	8	m	В	В	8	В	В	В	В	В	В	В	В	В
GFA up to 10,000 SF														
Banks/ financial institutions	m	æ	മ	62	<u>B</u>	В	В	8	8	В	В	В	В	B
Bowling alleys								S	S					
Car wash														
Catering business	<u>B</u>	В	8	В	B	8	В	В	В	В	В	В	В	В
Сетету						9								
Clinics:														
Health clinic (no GFA limit)									S					
Health clinic (up to 10,000 SF, GFA)	S	<u>B</u>	S	<u>a</u>	В		8		В	S	8	S	В	8
Health clinic (up to 4,000 SF, GFA)	<u>6</u>	9	8	9	В	В	В	В	В	В	В	В	В	В
Public health clinic	<u>B</u>	<u>n</u>	В	В	В		В	В	В	В	В	В	В	В
Veterinary (with outside pens/runs)									S					
Veterinary (without outside pens/runs)						S			S					S
Clubs, private	S	S	S	S	S	S			В	S	В	S	S	В
Communications facilities and towers:														
Antennae or microcells mounted on existing towers established prior to 02/20/01	В	8	8	В	8	В	В	В	В	В	В	В	B	8
Attached facilities utilizing utility poles or other electric transmission facilities as the attachment										1	4		ſ	(
structure	В	В	В	Э	В	В	В	В	В	В	<u>a</u>	B		<u></u>
Attached facilities not visible from any adjacent	α	8	8	00	Ф	ω	ω	æ	ω	В	ω	В	<u> </u>	ш
Attached facilities visible from an adjacent street			1											
or property	S	Ø	S	ഗ	S		S	S	S	S	S	S	S	S
Alternative tower support structures														
Monopole tower support structures														
Guyed tower support structures														
Lattice tower support structures														
Self-supporting tower support structures														
Contractor or tradesman's shop, general														
Crematorium (independent of funeral home)														
Data center >4,000	В	8	s		S	8	S		В	В	8	В		S
<4,000	В	В	В	В	В	83	В	В	В	8	B	œ	8	9
Daycare facility	В	В	В	В	В	8	В	В	В	В	В	8	В	B
Dry cleaning establishments	В	В		œ	В				В	В	8	В	В	В

Educational facilities (non-residential)						-								
	В	m	В	В	8			В	В	В	В	В	В	В
High schools	В	В	В				8		В			9	В	В
						В								
	В	<u>m</u>	В	В	B		B	S	S	В	В	В	В	8
A	S	8				В				S		S		S
Vocational, up to 4,000 SF, GFA						В								
Vocational, up to 10,000 SF, GFA						В								
Funeral home (without crematory)														
GFA 4,000 SF or less		В	В	В		B 8	В				В			B
GFA up to 10,000 SF		8	ഗ	S	S		S				S			
Funeral homes (with crematory)														
GFA 4,000 SF or less		В				В								
GFA up to 10,000 SF		В												
Golf course			L											
Golf driving range											S			
Helipad						В								
Hospital		S	S	S	S	В							S	
Hotels/motels:														
Up to 100 guest rooms	В	<u>B</u>		В	В	В	В		В	В	В	B	9	n
100+ guest rooms	В	В		S			В		В	В	В	В	S	S
Laundromats		В				В			В					
Libraries	В	В	В	В	В		В	В	8	<u>B</u>	9	20	n	
Manufactured home sales														
Microbrewery	В	В	В	В	8		B		2	n	œ.	20	ם מ	ממ
Movie theaters, cineplexes	S	S	S	S		В	S		n	n	n	n	n	0
Municipal/governmental offices, buildings, courts	В	В	В	В	В	В	В	В	В	В	В	В	В	В
Museums:														
Up to 4,000 SF, GFA	В	В	В	В	В	В	В	S	S	8	8	8	9 8	20 0
Up to 10,000 SF, GFA	S	В	S	S			В			S	8	S	SO (n c
<u>Music hall</u>	S	SI		S)					ر اری	SI	SOI!	ol lo	ol.	ol.
Offices:						В							_	
Business and professional	В	В	В	В	В	8	m l	2	9 0	20	n c	2 2	n c	
Medical	В	œ	В	В		2			ם מ	2	ממ		ء ہ	
Philanthropic institutions/agencies	8	В	В	В		B		<u>8</u>	Я	n	20	n	n ·	ם א
Property management (ancillary to MFD)	A	A	¥	Ā		∀		4	∢	4 €	∢ (. ₹	∢ (τ (
Other offices (non-specified)	В	В	В	В		8		<u>B</u>	B	n l	20 00	n	n	ם
Outdoor storage, accessory		S				S			<u>B</u>		S			
Parking:											<u></u>	9	Ų	ν, (v
Parking garage	B	<u>ш</u>	A/S	A/S	A/S	A/S	NO.			ם מ	A.O	0 0	20	2 <
Surface parking lot	В	В	8	В		B	8	4	n	n	n	n •	א מ	1 <
Surface parking lot (more than 20 spaces)	A	A	A	A		Ą	⋖	∢.	∢	∢	∢	∡	∢	<
Temporary parking facilities														

Photography studio	В	<u>B</u>	В	В	В	В	В	В	B	В	B E	8 8		В
Photographic processing; blueprinting	B	В								9		B		
Radio/television broadcast stations	В	В	В	В	m m	В	В			8	8		В	8
Recreational facilities:												П		
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on City-owned, City School Board-owned, or other public property)	В	В	В	а	В	В	В	В	В	В	В	В	В	В
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on private property)						×								
GFA 4,000 SF or less	В	8	8	В	В	В	B	B	В	В				8
GFA up to 10,000 SF	В	В	S	S	В	S	В			В	В	B	S	S
GFA more than 10,000 SF	В	В	S	S	В		S			В				S
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (cityowned), and related concession stands	В	В	В	В	В	В	В	В	В	В	B B	8	В	В
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (private)	S	S	S	S	S	В	S	S	S	S	S	S	s	S
Restaurants:						B								
Dance hall/All night	S	S		S	S		S			S		S	S	S
Drive-through windows						S	S				S			S
Fast food	В	ш	B	В	В	В	В	В	В	В			В	В
Full service	В	В	В	В	8	В	В	В	В	В		B		В
24-hour														
Taxi stand		В		S	S	В	S		В		В		S	<u>м</u>
Towing service, automobile														
Technology-based businesses	В	В	В	8	В	മ	œ	8	В	В		9		m
Taxi Stand—		B		S	S	ф	ch.		аф					В
Transit facility	8	В	В	В	В	В	В		В	В				9
Utility facilities	S	S	S	S	S	В	S	S	S	S	S	S	S	S
Utility Lines	В	B	<u>B</u>	В	В	S	8		В	8				В
NON-RESIDENTIAL USES: RETAIL														
Accessory buildings, structures and uses	В	В	В	В	В	В	В	В	В	В	B	В	В	В
Consumer service businesses:														
Up to 4,000 SF, GFA	В	В	В	8	В	В	В	В	В	В		В		В
Up to 10,000 SF, GFA	В	В	В	В	В	S	S	S	S	В			В	S
10,001+ GFA		В	S	S	S			В	S				(0	
Farmer's market	S	S	S	S	S		S	S	S	S	S	S	S	
Greenhouses/nurseries		S				В			В		S			
Grocery stores:														

			9			Ī	Ī							
	ם מ		a (1						3 0		1 0	0	
General, up to 10,000 SF, GFA	n	n	n	n			5	,		0	ه ۵	0		
General, 10,001+ SF, GFA	S	В	S	S			S		В	S	В	S		S
Home improvement center		S	L			S			8					
Pharmacies:														
1-1,700 SF, GFA	B	<u>m</u>	8	<u></u>			<u></u>	B	8	В	В	В		В
1,7014,000 SF, GFA	В	В	ဟ	В			S		m	В	В	B		В
4,001+ SF, GFA	В	В	တ	В	В	S	S		В	В	В	В	В	S
Shopping centers	S	S	S	S			S		В	S	S	S		S
Shopping malls	S	S	S	S	S		S		S	S	S	S		ွ
Temporary sales, outdoor (flea markets, craft fairs,														
promotional sales, etc.)		H							Н		_			
Other retail stores (non-specified):			L											
Up to 3,000 SF GFA	В	<u>В</u>	В	В	В	В	В	В	В	В	В	В		m
Up to 4,000 SF, GFA	В	В	<u>m</u>	В	В	m m	8	В	В	В	В	В	В	В
Up to 20,000 SF GFA	S	В	ဟ		В	S	S		B	S	В	S		S
20,000+ SF, GFA	S				S				B	S	В	S		S
NON-RESIDENTIAL: INDUSTRIAL							Q.							
Accessory buildings, structures and uses		L												
Assembly, industrial		L	L											
Beverage or food processing, packaging and														
Dottillig plants														
Brewery and bottling facility														
Compounding of cosmetics, toiletries, drugs and pharmaceutical products														
Construction storage yard														
Contractor or tradesman shop (HAZMAT)														
Frozen food lockers														
Greenhouse/nursery (wholesale)														
Industrial equipment: service and repair														
Janitorial service company														
Kennels														
Laboratory, medical >4,000 sq. ft.	S	В		В	В	В				S		S	B	S
<4,000 sq. ft.	В	В	В	В	В	В	В	В	В	a a	Ш	В	_B	
Laboratory, pharmaceutical >4,000 sq. ft. <4,000 sq. ft. <4,000	S	S		Ø	S	S				v		v	S	
<4,000 sq. ft.	а В	В	о В	В	л В	В		В	. 8	В	В	В	В	
Landscape service company														
Laundries														
Manufactured home sales									5					
Manufacturing, light														
Moving companies														
Printing/publishing facility	S	В	S	S	S				S	S	S	S	S	S
Open storage yard														

Outdoor storage, accessory to industrial use								
Research and testing laboratories	В	В	В	В			В	S
Self-storage companies								
Warehouses								
Welding or machine shop								
Wholesale establishments								

(6-6-05(2); 6-19-06; 5-19-08(4); 9-2-08(2); Ord. of 9-15-08(1); 11-17-08(1); 11-17-08(2); 3-16-09(3); 7-20-09(2); 11-16-09; 2-16-10) Secs. 34-797--34-799. Reserved.

AN ORDINANCE AUTHORIZING THE GRANT OF A UTILITY EASEMENT UNDER EMMET STREET TO THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA

WHEREAS, the Rector and Visitors of the University of Virginia desire an easement for repair and maintenance of underground utility facilities which will be located partially within the Emmet Street right-of-way in the City; and

WHEREAS, the Public Utilities Engineer has reviewed and approved the request for the variable width easement pursuant to the terms contained in the attached Deed of Easement; and,

WHEREAS, in accordance with <u>Virginia Code</u> section 15.2-1800, a public hearing was held before City Council to give the public an opportunity to comment on the grant of said easement; now, therefore

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a Deed of Easement, in a form approved by the City Attorney, to grant the Rector and Visitors of the University of Virginia the easement shown on the attached plat made by Dewberry & Davis, LLC, dated December 16, 2009.

Approved by Council July 19, 2010

Clerk of Council

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Approved by Council

Clerk of Council

July 19, 2010

RESOLUTION

BE IT RESOLVED BY THE Council for the City of Charlottesville, Virginia that the Acting City Manager is hereby authorized to execute, on behalf of the City, the "First Amendment to Local Government Support Agreement Among the City of Charlottesville, the County of Albemarle and the Rivanna Solid Waste Authority", in form approved by the City Attorney.

Approved by Council

July 19, 2010

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