



**CITY COUNCIL AGENDA**  
**Monday, March 20, 2017**

**6:30 p.m.** **Closed session as provided by Section 2.2-3712 of the Virginia Code**  
*Second Floor Conference Room (Appointments to Boards and Commissions - CEDA)*

**7:00 p.m.** **Regular Meeting - CALL TO ORDER**  
*Council Chambers*

**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**

**AWARDS/RECOGNITIONS ANNOUNCEMENTS** *Poison Prevention Week; WVPT/PBS Proclamation; C-SPAN tour of City*

**CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC**

**MATTERS BY THE PUBLIC** Public comment is provided for up to 15 speakers at the beginning of the meeting (limit 3 minutes per speaker.) Pre-registration is available for up to 10 of these spaces, and pre-registered speakers are announced by noon the day of the meeting. An unlimited number of spaces are available at the end of the meeting.

- 1. CONSENT AGENDA\*** (Items removed from consent agenda will be considered at the end of the regular agenda.)
- a. Minutes for March 6, 2017
  - b. APPROPRIATION: BAMA Works Fund Grant for Family Advocate Program - \$9,000 (2<sup>nd</sup> of 2 readings)
  - c. APPROPRIATION: Local Gov't Arts Challenge Grant to VA Discovery Museum - \$5,000 (2<sup>nd</sup> of 2 readings)
  - d. APPROPRIATION: Insurance Settlement for Damaged CDSS Vehicle - \$2,729.53 (2<sup>nd</sup> of 2 readings)
  - e. APPROPRIATION: Proffer Payment from The Inn at Vinegar Hill LLC - \$100,000 (1<sup>st</sup> of 2 readings)
  - f. APPROPRIATION: Market Street Parking Garage Revenue - \$146,200 (1<sup>st</sup> of 2 readings)
  - g. APPROPRIATION: Strategic Investment Account Contribution - \$1,000,000 (1<sup>st</sup> of 2 readings)
  - h. RESOLUTION: Contribution to Tom-Tom Festival - \$25,000 (1<sup>st</sup> of 1 reading)
  - i. RESOLUTION: Donation of 2 Surplus Fire Engines to Jasper Volunteer Fire Dept (1<sup>st</sup> of 1 reading)
  - j. RESOLUTION: Charlottesville High School Critical Slopes Waiver (1<sup>st</sup> of 1 reading)
  - k. ORDINANCE: Changes to Business License Fees and Technology Zone Credits (2<sup>nd</sup> of 2 readings)
  - l. ORDINANCE: Quitclaim of Gas Easement to VDOT on Georgetown Rd (1<sup>st</sup> of 2 readings)
- 2. REPORT PUBLIC HEARINGS**
- FY 2018 Budget – **10 minutes**
    - Public Hearing – FY 2018 Tax Rate
    - Public Hearing – City Manager's Proposed FY 2018 Budget
- 3. PUBLIC HEARING RESOLUTION\*** Rivanna Water and Sewer Authority – Amendment to Articles of Incorporation (1<sup>st</sup> of 1 reading) – **10 minutes**
- 4. RESOLUTION\*** Opposition to Increase in Federal Defense Budget Funding (1<sup>st</sup> of 1 reading) - **10 minutes**
- 5. REPORT** Charlottesville-Albemarle SPCA Update - **10 minutes**
- 6. REPORT** Region 10 Update – **10 minutes**
- 7. REPORT** Deer Management – **10 minutes**
- 8. REPORT** Community Engagement Strategy Component of Regulatory Framework and Alignment with 2018 Comprehensive Plan – **20 minutes**

**OTHER BUSINESS**  
**MATTERS BY THE PUBLIC**

*\*ACTION NEEDED*

# GUIDELINES FOR PUBLIC COMMENT

---

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

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

**Please follow these guidelines for public comment:**

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

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



<b>Agenda Date:</b>	March 6, 2017
<b>Action Required:</b>	Appropriation
<b>Presenter:</b>	Rory Carpenter, Human Services Department
<b>Staff Contacts:</b>	Rory Carpenter, Human Services Department Kaki Dimock, Director of Human Services
<b>Title:</b>	<b>Bama Works Fund Family Advocate Grant - \$9,000</b>

**Background:**

The Charlottesville Department of Human Services has received a \$9,000 grant from the Bama Works Fund to provide a Family Advocate Program, which will ensure that families from Charlottesville and Albemarle with children currently being served through the Children Services Act have supportive mentors to help them voice their opinions and navigate the service system. The grant period is from January 1, 2017 – December 31, 2017. The Region Ten Community Service Board will provide family advocate services for approximately 90 Children’s Service Act service and policy meetings from January 2017 - December 2017.

**Discussion:**

The Charlottesville and Albemarle Social Service Departments manage the collaborative, community process by which children with mental health needs access funding for services through the Virginia Children’s Services Act. The funds specifically will provide stipends for Family Advocates who are consumer family members accompanying parents/guardians of children with mental health needs to multidisciplinary, community service-planning and funding approval meetings being held for their children. Family Advocates will be recruited by the City and the County Social Service Departments to participate in weekly service planning meetings and paid for their participation by the City of Charlottesville using the Bama Works funds.

**Alignment with Council Vision Areas and Strategic Plan:**

The Bama Works Family Advocate grant aligns with the Council Vision Areas including America’s Healthiest Cities and a Community of Mutual Respect, and it aligns with Goal 2, Objective 2.1 as follows:

Goal 2: Be a safe, equitable, thriving and beautiful community

Objective 2.1: Provide an effective and equitable public safety system

**Community Engagement:**

The Bamaworks funds will engage the community by supporting Family Advocates who will help families voice their needs, values and goals as they navigate the multidisciplinary, community service-planning and funding approval meetings being held for their children.

**Budgetary Impact:**

There is no impact on the General Fund. The funds will be expensed and reimbursed to a Grants Fund. There is no local match required.

**Recommendation:**

Staff recommends approval and appropriation of grant funds.

**Alternatives:**

If the grant funds are not appropriated, the funds would have to be returned and the Family Advocate Program would not be funded.

**Attachments:**

Appropriation

**APPROPRIATION**  
**Bama Works Fund Family Advocate Grant**  
**\$9,000**

**WHEREAS**, the City of Charlottesville has been awarded \$9,000 from the Bama Works Fund for the Family Advocate Program; and

**WHEREAS**, the grant award covers the period from January 1, 2017 through December 31, 2017.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$9,000 is hereby appropriated in the following manner:

**Revenue**

\$ 9,000      Fund: 213      Cost Center: 1900277      G/L Account: 451020

**Expenditures**

\$ 9,000      Fund: 213      Cost Center: 1900277      G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$9,000 from the Bama Works Fund.

*This page intentionally left blank*

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



<b>Agenda Date:</b>	March 6, 2017
<b>Action Required:</b>	Approval and appropriation
<b>Presenter:</b>	Alexander Ikefuna, Neighborhood Development Services Leslie Beauregard, Assistant City Manager
<b>Staff Contacts:</b>	Alexander Ikefuna, Neighborhood Development Services
<b>Title:</b>	<b>Virginia Commission of the Arts Challenge Grant - \$5,000</b>

**Background/Discussion:**

The City received \$5,000 in grant funding from the Virginia Commission of the Arts in January to be used for an arts organization to which the City provides funding greater than or equal to the amount of grant funding. In past years the funds were divided evenly between the Piedmont Council of the Arts and the Virginia Discovery Museum. However, the Piedmont Council of the Arts did not receive City funding this year and is therefore ineligible for this grant funding. Therefore, all of these funds will be provided to the Virginia Discovery Museum this year per award application submitted March 2016.

**Discussion:**

The City has received a grant from the Virginia Commission of the Arts in the amount of \$5,000 to match City funding appropriated to arts organizations that receive funding from the City. These funds will be passed-through to the Virginia Discovery Museum.

**Future Direction:**

Recently, City staff were approached by another arts-related nonprofit about the Virginia Commission for the Arts matching grants. Upon investigation, staff learned that these funds may be allocated to any nongovernmental arts organization that receives funding from the City. The FY17 award cannot be changed, but in future applications to the Commission, the City will request that matching funds be allocated equally to all arts organizations receiving City funds.

**Alignment with City Council's Vision and Strategic Plan:**

Approval of this item aligns directly with the City Council Vision for "Charlottesville Arts and Culture" by providing direct support to arts organizations.

**Community Engagement:** N/A

**Budgetary Impact:**

Matching funds for these projects have already been approved and appropriated by City Council as part of the FY 2017 Budget.

**Recommendation:**

Staff recommends approval and appropriation.

**Alternatives:**

The alternative is to return this grant funding.

**Attachments:**

Appropriation

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

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

**WHEREAS**, the grant award will be the Virginia Discovery Museum for their activities during the FY 2017 Fiscal Year;

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

**Revenues**

\$5,000      Fund: 209      Internal Order: 1900271      G/L Account: 430080

**Expenditures**

\$5,000      Fund: 209      Internal Order: 1900271      G/L Account: 540100

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

*This page intentionally left blank*

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	March 20, 2017
Action Required:	Approve Appropriation - 2nd reading
Presenter:	Diane Kuknyo, Director, Department of Social Services
Staff Contacts:	Diane Kuknyo, Director, Department of Social Services Laura Morris, Chief of Administration, Department of Social Services
Title:	<b>Insurance Settlement for Damaged Vehicle - \$2,729.53</b>

**Background:**

This appropriation was initially considered on first reading on October 3, 2016. City Council agreed to carry it over to the next meeting for 2nd reading, but it was inadvertently left off the agenda, and never was approved.

**Discussion:**

Brethren Mutual Insurance provided a check in the amount of \$2,729.53 as payment on a claim for a totaled vehicle. A 1998 Chevrolet Lumina owned by the Department of Social Services was involved in an accident and deemed by the insurance company to be a total loss with an estimated value of \$2,729.53.

**Alignment with Council Vision Areas and Strategic Plan:**

Approval of this agenda item aligns with City Council's Vision to be a Smart, Citizen-Focused Government.

**Community Engagement:**

N/A

**Budgetary Impact:**

There is no impact on the General Fund. Funds appropriated into the Social Services cost center will be used to off-set the cost of a replacement vehicle. The vehicle replacement cost is \$17,089.00.

**Recommendation:**

Staff recommends approval on 2nd reading and appropriation of these funds.

**Alternatives:**

N/A

**Attachments:**

Appropriation

**APPROPRIATION**  
**Insurance Settlement for Damaged Vehicle**  
**\$2,729.53**

**WHEREAS**, the Charlottesville Department of Social Services has received payment in the amount of \$2,729.53 for a totaled vehicle;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$2,729.53 is hereby appropriated in the following manner:

**Revenue – \$2,729.53**

Fund: 212                      Cost Center: 3301008000                      G/L Account: 451110

**Expenditures - \$2,729.53**

Fund: 212                      Cost Center: 3301008000                      G/L Account: 541040

*This page intentionally left blank.*

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



<b>Agenda Date:</b>	March 20, 2017
<b>Action Required:</b>	Approval of Appropriations
<b>Staff Contacts:</b>	Stacy Pethia, Housing Program Coordinator
<b>Presenter:</b>	Stacy Pethia, Housing Program Coordinator
<b>Title:</b>	<b>Appropriation of Funds - \$100,000 to the Charlottesville Redevelopment &amp; Housing Authority Marriott Proffer/Inn at Vinegar Hill Fund (P-00904)</b>

**Background:**

The City has received funds that need to be appropriated.

The developer of The Inn at Vinegar Hill, LLC was subject to a proffer dated August 20, 2007, related to the rezoning of the property now associated with the Residence Inn Marriott Hotel at 315 West Main Street. This proffer required that \$300,000 be paid to the Charlottesville Redevelopment and Housing Authority (CRHA) to be used for the redevelopment of the Westhaven Housing Complex or other CRHA housing sites. The City received an initial payment of \$200,000 by check on March 3, 2016. In accordance with the Promissory Note dated March 1, 2016, the City received the remaining \$100,000 from The Inn at Vinegar Hill, LLC on February 28, 2017. Said proffer is subject to refund if it has not been expended after five (5) years from the date of receipt. Given that the proffer was made to the City, we will need to work with the CRHA to identify an eligible project(s) and expend funds for a redevelopment project(s), as stipulated by the proffer, within five years. For the purposes of tracking, the \$200,000 received on March 1, 2016, will need to be expended by March 1, 2021. The remaining \$100,000 will need to be expended by February 28, 2022.

**Discussion:**

The proffer payment received from The Inn at Vinegar Hill, LLC will need to be appropriated to the Charlottesville Redevelopment & Housing Authority Marriott Proffer/Inn at Vinegar Hill Fund designated for CRHA redevelopment purposes (i.e., P-00904).

### **Community Engagement:**

There has been no direct community engagement on this issue, as the payment received from The Inn at Vinegar Hill, LLC was made to satisfy the requirements of the August 20, 2007 proffer.

### **Alignment with City Council Vision and Strategic Plan:**

Approval of this item aligns with the City Council Vision of 'Quality Housing for All' and with the Strategic Plan Goal 1.3 to "Increase affordable housing options."

### **Budgetary Impact:**

The proffer payment from The Inn at Vinegar Hill, LLC for CRHA redevelopment will not directly impact the City's budget; however, given the need for redevelopment of public housing properties, these funds will potentially lessen the need for future public assistance from the City.

### **Recommendation**

Staff recommends approval of the appropriation as outlined herein. Staff further recommends that before allocation / disbursement of proffer funds received from The Inn at Vinegar Hill, LLC that any request for expenditure from CRHA come back to Council for review and approval.

### **Alternatives:**

The funds received from the The Inn at Vinegar Hill, LLC must be expensed for CRHA redevelopment; however, Council could authorize direct disbursement to CRHA, with the understanding that the City would still be obligated to repay these funds if not expensed for an eligible CRHA redevelopment project within five years. Accordingly, to facilitate due diligence and oversight related to this matter, staff believe it would be best for the City to hold the funds pending a request from CRHA for a valid expenditure(s). Upon approval of this appropriation by Council, staff will notify CRHA of the availability of funds and associated restrictions on the use of funds.

### **Attachments:**

Final Proffer Statement dated August 20, 2007

**APPROPRIATION**  
**Charlottesville Redevelopment & Housing Authority**  
**Marriott Proffer / Inn at Vinegar Hill Fund \$100,000**

**WHEREAS**, the City of Charlottesville has received payment from The Inn at Vinegar Hill, LLC on behalf of 315 West Main Street (\$100,000) as required by the for Rezoning (City Application No ZM-07-08-20) Statement of Final Proffer Conditions for the Ridge/McIntire/ West Main Street Rezoning; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$100,000 be received as payment from The Inn at Vinegar Hill, LLC, to be appropriated as follows:

**Revenues:**

\$100,000	Fund: 426	Project: P-00904	G/L Code: 434675
-----------	-----------	------------------	------------------

**Expenditures:**

\$100,000	Fund: 426	Project: P-00904	G/L Code: 599999
-----------	-----------	------------------	------------------

## PROMISSORY NOTE

\$100,000.00

Charlottesville, Virginia  
March 1, 2016

FOR VALUE RECEIVED, the undersigned, The Inn at Vinegar Hill, LLC, a Virginia limited liability company (the "Maker") promises to pay without offset to the order of the City of Charlottesville, Virginia, a political subdivision of the Commonwealth of Virginia (the "Holder") at 605 East Main Street, Charlottesville, VA 22902, or at such other place as the holder may from time to time designate in writing, in lawful money of the United States of America, the principal sum of ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00). If not sooner paid, the entire unpaid principal balance, together with all other costs and fees due in connection herewith, shall be due and payable in full on March 1, 2017.

The right is reserved to the Maker to prepay the indebtedness evidenced hereby, in whole or in part, at any time, without penalty.

After maturity, whether by the terms hereof, by acceleration or otherwise, this Note shall bear interest at an annual rate of eight and one-half percent (8.5%). The Holder may, at its option, apply any late payments (either full or partial) in the following manner: first to interest, then to principal and finally to any late charges.

The happening of any of the following events shall constitute an event of default: (i) the failure to make when due any installment or other payment described herein, and the continuance thereof for five (5) days; (ii) the termination of, or occurrence of any event affecting, the validity of this Note; (iii) the entry of an order of relief or the filing of a petition by or against any Maker, guarantor, endorsers or any other party to this Note or any other person otherwise liable hereon or for the payment hereof (herein called "Party" or collectively the "Parties") under the provisions of any bankruptcy or insolvency law, or any assignment for the benefit of creditors by or against any Party; and if such order or relief is entered or such petition is filed by anyone other than such Party, such order, relief or petition is not dismissed within sixty (60) days thereafter; (iv) the failure of any Party to do all things reasonably necessary to preserve and maintain the value and collectability of any property or collateral securing this Note, including, but not limited to, the payment of taxes and premiums on policies of insurance on the due date without benefit of any grace period; and (v) the failure of any Party to perform any obligation to the Holder hereunder.

Upon the happening of any event of default this Note shall, at the sole option of the Holder, become immediately due and payable without notice to or demand on any Party. Thereupon, the Holder shall have the right, immediately and without notice to any Party or further action by it, to set-off against this Note, all obligations for money or money's worth owed by the Holder in any capacity to any Party, whether or not due.

The Parties individually and collectively hereby: waive presentment, demand, protest and notice of dishonor, and agree that this Note may be renewed one or more times and any extension or extensions of the time of payment of this Note may be made before, at, or after maturity for periods in excess of the original term of this Note by agreement with any one or more of the Parties without notice to and without releasing the liability of any Party; agree that the Holder may adjust the interest rate payable on this Note or any renewal(s) or extension(s) hereof by agreement with the Makers without notice to and without

releasing the liability of any other Party; waive the benefit of all homestead and similar exemptions as to this Note; waive any right which they may have to require the Holder to proceed against any other Party or person or any property securing this Note and agree that their liability hereunder shall not be affected or impaired by the release or discharge of any other Party from liability hereunder, the release or discharge of any collateral securing this Note or by any failure, neglect or omission of the Holder to exercise any remedies of set-off or otherwise that it may have or by any determination that any security interest or lien taken by the Holder to secure this Note is invalid or unperfected; subordinate any and all rights against the Maker and any collateral for the payment of this Note, whether by subrogation, agreement or otherwise, until this Note is paid in full; agree to pay all costs and expenses incurred by the Holder in connection with the enforcement of this Note or any instrument securing this Note, and/or the collection of the indebtedness evidenced hereby or other sums required to be paid herein or by any instrument securing this Note, and/or the collection of any judgment rendered herein, and/or the preservation or disposition of any property, or the priority of any instrument, securing the payment hereof, and/or the defense of any claim arising out of, or in any way related to, this Note or any deed of trust or security agreement or other instrument securing this Note or related to the making of the loan evidenced hereby, including, without limitation, attorney's fees if this Note is placed in the hands of an attorney for collection, or if, after an event of default, the Holder finds it desirable to secure the services or advice of an attorney with regard to collection hereof or the preservation or disposition of any property securing this Note.

Any failure by the Holder to exercise any right hereunder shall not be construed as a waiver of the right to exercise the same or any other rights at any time.

The term "person" includes individuals, corporations, partnerships, and all other entities.

The term "Holder" used herein shall include any future holder of this Note. This Note shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia. Whenever possible each provision of this Note shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Note shall be prohibited by or invalid under such law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Note. This Note shall apply to and bind each Party's successors and assigns and shall inure to the benefit of the Holder, its successors and assigns.

MAKER (BY ITS EXECUTION HEREOF) AND HOLDER (BY ITS ACCEPTANCE OF THIS NOTE) AGREE THAT ANY SUIT, ACTION, OR PROCEEDING, WHETHER CLAIM OR COUNTERCLAIM, BROUGHT OR INSTITUTED BY MAKER, HOLDER OR ANY SUCCESSOR OR ASSIGN OF ANY MAKER OR HOLDER ON OR WITH RESPECT TO THIS NOTE OR ANY OTHER DOCUMENT EVIDENCING, SECURING OR OTHERWISE EXECUTED IN CONNECTION HERewith OR WHICH IN ANY WAY RELATES, DIRECTLY OR INDIRECTLY, TO THE OBLIGATIONS OF MAKER TO HOLDER PURSUANT TO THIS NOTE OR ANY OTHER SUCH DOCUMENT, OR THE DEALINGS OF MAKER AND HOLDER WITH RESPECT THERETO, SHALL BE TRIED ONLY BY A COURT AND NOT BY A JURY. MAKER AND HOLDER HEREBY EXPRESSLY WAIVE ANY RIGHT TO A TRIAL BY JURY IN ANY SUCH SUIT, ACTION, OR PROCEEDING.

PROMISSORY NOTE

[SIGNATURE PAGE]

IN WITNESS WHEREOF, and intending to be legally bound hereby, the undersigned execute this Note under seal, as Maker, as of the date first written above.

MAKER:

THE INN AT VINEGAR HILL, LLC,  
a Virginia limited liability company

By: F&S Management, LLC, its Manager

By: Charles H. Wendell (SEAL)  
Name: Charles H. Wendell  
Title: Manager

STATE OF SOUTH CAROLINA  
COMMONWEALTH OF VIRGINIA )  
CITY/COUNTY OF Charleston ) TO-WIT

The foregoing instrument was acknowledged before me, \_\_\_\_\_, Notary Public, this 1 day of March, 2016, by Charles H. Wendell, who is known to me or who has presented identification of State issued driver lic. (a United States Passport, a certificate of United States citizenship, a certificate of naturalization, an unexpired foreign passport, an alien registration card with photograph, a state issued driver's license or a state issued identification card or a United States military card), and voluntarily acknowledged this instrument as Manager of F&S Management, LLC, the Manager of The Inn at Vinegar Hill, LLC, a Virginia limited liability company, on its behalf.

Kathene F. B...  
Notary Public

Registration Number: \_\_\_\_\_  
My commission expires: 11-19-19

Notary Seal (sharp, legible, reproducible)

**BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE,  
 VIRGINIA  
 IN RE: PETITION FOR REZONING (City Application No. ZM-07-08-20)  
 STATEMENT OF FINAL PROFFER CONDITIONS  
 For the Ridge/McIntire/West Main Street Rezoning**

**Dated as of August 20, 2007**

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

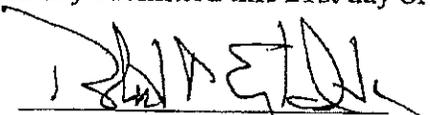
The undersigned individual is the owner of land subject to the above-referenced rezoning petition located on Tax Map 32 Parcels 197,198, 199 (Subject Property). The Owner/Applicant seeks to amend the current zoning of the property subject to certain voluntary development conditions set forth below. In connection with this rezoning application, the Owner/Applicant seeks approval of a Rezoning as set forth within a Development Plan Dated August 1, 2007.

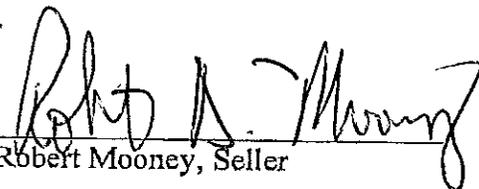
The Owner/Applicant hereby proffers and agrees that if the Subject Property is rezoned as requested, the rezoning will be subject to, and the Owner will abide by, the approved Development Plan as well as the following conditions:

1. All Streetscape and sidewalk improvements will be constructed in conformity with and include design criteria detailed in the "Open Space Concept & Streetscape Schematics" dated November, 2004 and adopted by City Council. All costs of said improvements will be borne by the Applicant. Said improvements shall be required to be completed prior to the issuance of the first Certificate of Occupancy.
2. Applicant will proffer \$300,000 to be paid to the Charlottesville Redevelopment and Housing Authority to be used for the redevelopment of the Westhaven Housing Complex or other CRHA housing sites. Said proffer will be funded on or before first Certificate of Occupancy for the development. Said proffer will be refunded to the offeror if, after 5 years, the proffer has not been expended.
3. During the course of the site plan approval process the applicant will include in its traffic study an analysis of the pedestrian needs at the Ridge/McIntire intersection. Special attention will be paid to pedestrian connection to the Downtown Mall.

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

Respectfully submitted this 21st day of August 2007.

By:   
 Robert P. Englander, Purchaser

  
 Robert Mooney, Seller

*This page intentionally left blank*

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



**Agenda Date:** March 20, 2017

**Action Required:** Approval of Appropriation

**Presenter:** Chris Engel, Director of Economic Development

**Staff Contacts:** Chris Engel, Director of Economic Development  
Leslie Beauregard, Assistant City Manager  
Krisy Hammill, Financial and Debt Manager

**Title:** **Appropriation of Market Street Parking Garage Revenue – \$146,200**

**Background:**

The City has used an outside contractor to provide parking management services at the Market Street Parking Garage for many years. In an effort to achieve greater efficiencies and bring the contract more in line with current parking industry best practices a request for proposals was issued in December 2016. Following a thorough review and negotiation a contract was issued to Lanier Parking Services to manage the facility beginning April 1, 2017.

**Discussion:**

This contract is structured so that all revenue is received on a daily basis by the City and a monthly reimbursement for allowable expenses and the management fee is processed for the contractor. As such an appropriation of this revenue needs to be made to allow the city to reimburse the allowable and approved expenses associated with operating the facility and the operator's management fee. The attached appropriation of funds will cover this obligation for the remaining three months of the FY 17.

Beginning in FY18 this and all other parking related items will be handled in the parking enterprise fund.

**Alignment with City Council's Vision and Strategic Plan:**

The item supports City Council's "A Connected Community" vision. It contributes to Goal 2 of the Strategic Plan, to be a safe, equitable, thriving and beautiful community, and objective 2.3 Provide reliable and high quality infrastructure.

**Community Engagement:**

No engagement specific to this application.

**Budgetary Impact:**

There is no impact to the general fund. This appropriation only affects the method and timing by which revenues and expenses for the facility are handled.

**Recommendation:**

Staff recommends appropriation of the funds.

**Alternatives:**

N/A

**Attachments:**

Appropriation

**APPROPRIATION**  
Market Street Parking Garage Revenue  
\$146,200

**WHEREAS**, the City of Charlottesville recently executed a contract for parking garage management services that requires a monthly reimbursement of expenses and management fee;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the following revenue is hereby appropriated in the following manner:

**Revenues**

\$146,200 Fund: 105                      Cost Center: 2412004000                      G/L: 434370

**Expenditure**

\$146,200 Fund: 105                      Cost Center: 2412004000                      G/L: 530670

*This page intentionally left blank*

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



**Agenda Date:** March 20, 2017

**Action Required:** Approval of Appropriation

**Presenter:** Chris Engel, Director of Economic Development

**Staff Contacts:** Chris Engel, Director of Economic Development  
Leslie Beauregard, Assistant City Manager  
Krisy Hammill, Financial and Debt Manager

**Title:** **Strategic Investment Account Contribution - \$1,000,000**

**Background:**

In 1987, the Economic Development Authority of the City of Charlottesville, with support from the City of Charlottesville, purchased a 17-acre site from CSX Transportation for \$1.6 million. The property has been sold or leased by the Economic Development Authority (EDA) in smaller pieces for a variety of uses over the intervening years. This first commercial project on the former railroad land was the \$10 million headquarters building for the Lexis Law Publishing Company constructed on 3.5 acres on this site. The property, located at 701 E. Water Street, has been under a ground lease from the Authority since 1991. The twenty-five year lease agreement included an option for the current lessee to purchase the property at the conclusion of the agreement. The current lessee, 701 E. Water St., LLC has exercised their right to purchase the land and closing occurred on November 15, 2016.

**Discussion:**

The ground lease included a provision for a security deposit in the form of a U.S. Treasury Bond in the amount of \$1,000,000. Now that the ground lease is complete, and title to the property has transferred to the new owner, the security deposit has been returned to the Authority per the provisions of the agreement. Since the original funds to purchase the property were provided to the Authority by the City, the Authority is now returning these funds to the City. Per the City's policy, proceeds from land sales are appropriated to the strategic investment account until they can be deployed.

The accompanying resolution appropriates these funds to the City's strategic investment account for future use.

**Alignment with City Council's Vision and Strategic Plan:**

The appropriation of these funds could impact many aspects of the City Council vision depending on their ultimate use but would more than likely align most closely with the Economic Sustainability element.

**Community Engagement:**

No engagement specific to this appropriation, however, all official City Council and Authority actions related to this item took place in duly noticed public meetings.

**Budgetary Impact:**

This will increase the funding available in the strategic investment account by the amount of this contribution.

**Recommendation:**

Staff recommends appropriation of the funds.

**Alternatives:**

City Council could elect not to appropriate the funds.

**Attachments:**

Resolution of the Economic Development Authority dated December 13, 2016  
Appropriation

**RESOLUTION**

**Transfer of Funds from CEDA Account to the City Strategic Investment Account - \$1,000,000**

**Whereas**, the authority, in 1987 purchased with funding provided by the City twelve parcels of land from the CSX Transportation Company; and

**Whereas**, a three acre site was ground leased in 1991 to the Michie Company for a twenty five year period with an option to purchase at the conclusion of that period; and

**Whereas**, the option to purchase has been exercised and the security deposit previously being held as a U.S. Strippable Treasury Bond has been returned to the authority;

**NOW, THEREFORE BE IT RESOLVED** by the Economic Development Authority of the City of Charlottesville, Virginia that the following is hereby transferred in the following manner:

**Transfer From CEDA - \$1,000,000**

Fund: 974

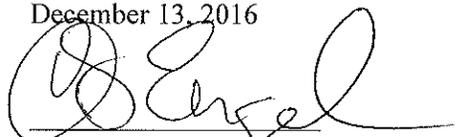
Cost Center: 7101001000

**Transfer To City's Strategic Investment Account - \$1,000,000**

Fund: 426

WBS Element: P-00167

Approved  
December 13, 2016



Secretary, Economic Development Authority  
of the City of Charlottesville, Virginia

APPROPRIATION  
Strategic Investment Account  
\$1,000,000

**WHEREAS**, the Economic Development Authority of the City of Charlottesville, has received funds in the amount of \$1,000,000 as a result of the completion of a ground lease agreement in which the City of Charlottesville provided the original capital;

**WHEREAS**, the City's policy and practice has been to appropriate all proceeds from land sales to the strategic investment account until they can be further deployed;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that these funds are hereby appropriated in the following manner:

**Transfer from:**

\$1,000,000 Fund: 974                      Cost Center: 7101001000                      G/L: 561426

**Transfer to:**

\$1,000,000 Fund:426                      WBS: P-00167                      G/L: 599999

*This page intentionally left blank*

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



Agenda Date:	March 20, 2017
Action Requested:	Approval of Resolution
Presenter:	Maurice Jones, City Manager
Staff Contacts:	Maurice Jones, City Manager
<b>Title:</b>	<b>Allocation of \$25,000 from Council Strategic Initiatives Fund to Support the Tom-Tom Founders Festival</b>

**Background:** Paul Beyer, director of the Tom-Tom Foundation, has submitted a request to Council to provide funding of \$25,000 for this year’s Founders Festival. In the last several years, the Festival has attracted significant numbers of people to events on the Downtown Mall, with an emphasis on technology and innovation in business, education and government. Details on this year’s Founders Festival can be found at <https://tomtomfest.com>.

The Founders Festival runs from April 10-April 16, 2017, and features over 60 bands, 200 speakers and involves 400 community organizations. As noted on its website, “through a diversity of disciplines and engagement with forward thinking makers and doers, we build on the rich history of the city while charting a new path into the future.”

**Discussion:** This year’s Festival will also debut a new event, the “Hometown Summit.” The national conference, hosted by UVA’s Darden School of Business, will convene hundreds of city leaders, policy experts, foundations, and media to foster innovation in America’s small cities.

A bipartisan group of fifty invited mayors, city and county executives, and economic development directors from across the Commonwealth will convene for a Virginia Policy Entrepreneurship Retreat, a two day, bipartisan executive seminar designed to facilitate entrepreneurial thinking in government.

The Strategic Initiatives Fund was created to allow Council flexibility in funding requests for projects that benefit the City in a variety of ways.

**Community Engagement:** None.

**Budgetary Impact:** \$25,000 will be allocated from already appropriated funds in the Strategic Initiatives account in the General Fund.

**Recommendation:** Staff supports using Strategic Initiatives funding to grant this one time funding request.

**Attachment:** Resolution allocating \$25,000 from already appropriated funds.

**RESOLUTION**  
**Tom Tom Founders Festival Support**  
**\$25,000**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$25,000 is hereby paid from currently appropriated funds in the City Council Strategic Initiatives account in the General Fund to the Tom Tom Founders Festival:

\$25,000

Fund: 105

Cost Center: 10110010000

*This page intentionally left blank*

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



Agenda Date:	March 20, 2017
Action Required:	Approval Resolution Authorizing Donation
Presenter:	Larry Antonacci – Resources Captain, Charlottesville Fire Department
Staff Contacts:	Larry Antonacci – Resources Captain, Charlottesville Fire Department
<b>Title:</b>	<b>Donation of Two (2) Surplus Fire Engines to the Jasper Volunteer Fire Department</b>

**Background:**

In FY15 two (2) new fire engines were purchased using capital improvement funding. As a result of these purchases and once they were placed in service, two (2) 1998 Pierce Quantum fire engines were decommissioned and are now considered surplus. Surplus fire apparatus is typically put up for sale by the Procurement department, but occasionally it is donated to other fire departments in need as was the case with donations to Moss Point, Mississippi following Hurricane Katrina and most recently in 2013 a surplus fire engine was donated to the Piney River Volunteer Fire Department in Nelson County. The Charlottesville Fire Department would like to donate both of these fire engines to the Jasper Volunteer Fire Department in Lee County, Virginia.

**Discussion:**

The Charlottesville Fire Department removed both engines from service in March of 2016. Since that time, the City’s Procurement team has listed the engines with three different fire equipment brokerage firms for sale and has even reduced the pricing in order to get them sold. The engines are currently listed for \$15,000 each. To date we have had only one interested party, which did not result in a sale.

The Jasper Volunteer Fire Department, located in Lee County, Virginia, is a small all-volunteer department with limited resources. Jasper Fire Department has a primary response area of 45 square miles, with an additional 110 square miles where they provide mutual aid service. At this time the department operates a 1984 Ford/Grumman fire engine and a 1976 Ford tanker. Due to its advanced age, the 1984 Ford/Grumman fire engine is having mechanical problems which

directly impacts its reliability for emergency responses. The donation of these two fire engines will give the Jasper Fire Department the ability to respond to calls more effectively and also provide increased safety for their members and ultimately the community.

The Jasper Fire Department receives approximately \$10,000 a year from Lee County and the rest of their annual operating expenses are funded by donations. Operating expenses include vehicle maintenance, fuel and insurance for their members. At this time they receive no capital funds for major purchases such as new fire apparatus.

**Alignment with Council Vision Areas and Strategic Plan:**

This request does not directly align with the Council vision areas and/or strategic plan, however the ability to make this request is a direct result of City's commitment to Goal 4 of the strategic plan to be a well-managed and successful organization. The fire equipment replacement schedule directly reflects the City's strong fiscal policies and commitment to providing our first responders with the safest equipment possible.

**Community Engagement:**

This request has not been presented to the community.

**Budgetary Impact:**

This request has no impact on the General Fund of CIP.

**Recommendation:**

The Charlottesville Fire Department recommends approval of this donation to the Jasper Volunteer Fire Department.

**Alternatives:**

The Charlottesville Fire Department could continue to attempt to sell both fire engines however with each passing month the chance of a sale grows smaller. As we have limited truck bay space, the engines will remain parked outdoors until they are sold or donated which further depreciates their overall value.

**Attachments:**

Letter from Jasper Volunteer Fire Chief to Chief Baxter.



Fire Chief Leonard Bowen

25700 US Highway 23 N Duffield, VA. 24244

Station# (276)523-2910

Cell# (276)870-8856

Fax# (276)523-2908

Email: [l\\_bowen910@yahoo.com](mailto:l_bowen910@yahoo.com)

To: Chief Baxter

From: Jasper Volunteer Fire Department

Subject; Donation Request Of 1998 Pierce Quantum Engines

Chief Baxter, operating a fire department to offer the best protection for the community is a large undertaking. The Jasper Volunteer Fire Department prides itself in offering the best services possible to the community for the past 23 years. We now find ourselves in a unique position in trying to replace our first and second due engines. The first due engine that is currently in service is a 1986 E-One 750 GPM pumper and a 1989 Pierce Spartan are rapidly approaching a state of disrepair, consequently making it hard to provide the level of protection that the community deserves and expects. Our Service area has grown in a year and we now run fire and rescue in not only our area but also a neighboring community not to include multi county mutual aid

It has come to our attention that Charlottesville Fire Department has replaced its Unit 670- 1998 Pierce Quantum and its Unit 679-1998 Pierce Quantum Fire Engines. These apparatus, would greatly serve the needs of our community as well as other communities that we respond to, and better equip the firefighters in our duties to serve and protect the citizens of Jasper.

Should Charlottesville Fire Department be compelled to donate the 1998 Pierce Quantum's the department's information is as follows:

Jasper Volunteer Fire Department

25700 US Highway 23 N

Duffield Virginia, 24244

FDID: 10512

Federal Tax I.D. 54-1720636

We would like to thank you for your time and consideration in aiding Jasper Volunteer Fire Department to better serve our community and surrounding areas.

Sincerely,

Leonard Bowen Chief, Jasper Volunteer Fire Department

## RESOLUTION

### **Donation of Surplus Fire Engines to Jasper Volunteer Fire Department**

**BE IT RESOLVED**, by the City Council of the City of Charlottesville, Virginia that, at the request of the Jasper Volunteer Fire Department, the City of Charlottesville, through the Charlottesville Fire Department, is authorized to donate two (2) surplus fire engines to the Jasper Volunteer Fire Department.

*This page intentionally left blank*

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

Agenda Date: March 6, 2017

Action Required: Consideration of a Critical Slope Waiver

Presenter: Heather Newmyer, City Planner, Neighborhood Development Services

Staff Contact: Heather Newmyer, City Planner, Neighborhood Development Services

**Title: Charlottesville High School Track Critical Slope Waiver**

**Background:**

The City of Charlottesville School Board submitted a site plan on December 21, 2016 that proposes replacing the existing track. Charlottesville High School has road frontage on Melbourne Road. The site plan proposes replacing the existing 6 lane track with an 8 lane track and the addition of track and field features. Expanding from an existing 6 lane track to an 8 lane track will allow for the high school to host track meets as 8 lanes are required for official meets. A new building is proposed to house concessions and restrooms. Other proposed features include new sidewalk, curb, stairs and bleachers.

Improvements specific to areas where critical slopes would be impacted should the waiver be approved are shown on the Critical Slope Exhibit, included in Attachment 1, and include space for the expansion of the track and the addition of stairs, bleachers and sidewalk east of and directly adjacent to the track. Existing critical slopes areas located on this Property include 2.82 acres/ 7 percent of the site (42.40 acres), where less than an acre (0.34 acre) of critical slopes would be disturbed should the critical slope waiver be approved. The proposal preserves the large forested area west of the track that extends largely into West McIntire Park, where the critical slopes and the stream within that area are left undisturbed. The portion of slope proposed to be disturbed is man-made from where the track was originally constructed.

**Discussion:**

The Planning Commission considered this application at their regular meeting on February 14, 2017.

Staff recommended approval of the critical slope waiver based off of Finding 1 referenced in City Code Sec. 34-1120(b)(6)(d.i), *“the public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes).”*

The justification for Finding 1 includes:

- Installation of an infiltration BMP that will reduce flow and pollutants from the site below pre-developed levels and will recharge groundwater

- Proposed erosion and sediment control measures *with the addition of staff's recommended sediment traps and reinforced silt fence to lesson impacts*
- Minimal impacts to the critical slopes on-site/ leaving the large forested area west of the track that extends largely into West McIntire Park and contains critical slopes/stream undisturbed

Staff, in addition, recommended the proposed willow oaks lining the walkway to the track be replaced as they do not have adequate space and would run the risk of bringing up the adjacent track with their root system. Parks Department provided a list of example plantings that would succeed in those conditions given the space.

### **Citizen Engagement:**

Written notice was sent to the applicant, the owner, and the owner of each property located within five hundred (500) feet of the property per City Code 34-1120(b)(6)(b).

Sue Hart, resident of 1602 Grove Street, reached out in support of the track expansion but noted general traffic concerns along Grove Street. The information she brought up was forwarded along to Brennen Duncan, Traffic Engineer.

### **Alignment with City Council's Vision and Priority Areas:**

The City Council Vision of A Green City states that "We have clean air and water, we emphasize recycling and reuse, and we minimize storm-water runoff."

### **Budgetary Impact:**

N/A.

### **Recommendation:**

The Planning Commission considered this matter at their February 14, 2017 meeting.

The Commission took the following action:

Mr. Santoski moved to recommend approval of the critical slope waiver with conditions for Tax Map 43A, Parcel 1, 1400 Melbourne Rd (Charlottesville High School), based on a finding that the public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per City Code 34-1120(b)(6)(d.i).

Planning Commission recommended the following conditions as being necessary to mitigate the potential adverse impacts of approving the waiver in the location requested:

1. The developer include the additional E&S measures recommended by staff (sediment traps and reinforced silt fence), those measures to be detailed on the site plan prior to site plan approval.
2. The developer relocate the proposed Willow Oaks to a location on-site where the recommended spacing (30'-40') is available and the developer work with Neighborhood Development Services and Parks and Recreation Department staff to line the walkway with plantings that would achieve a successful growing environment given the space and given that there may be an additional restroom facility built on-site.

Ms. Green seconded the motion. The Commission voted 6-0 to recommend approval of the critical slope waiver.

**Alternatives:**

City Council has several alternatives:

- (1) by motion, take action to approve the attached resolution (granting a waiver of critical slope provisions as recommended by the Planning Commission);
- (2) by motion, request changes to the attached Resolution, and then approve a waiver of critical slope provisions
- (3) by motion, defer action on the waiver of critical slope provisions
- (4) by motion, deny the requested waiver of critical slope provisions.

**Attachment:**

- (1) Proposed Resolution approving a Critical Slope Waiver
- (2) Planning Commission Staff Report dated February 3, 2017 with Application Materials Attached

**RESOLUTION APPROVING A REQUEST FOR WAIVER  
OF CRITICAL SLOPES PROVISIONS  
PURSUANT TO CITY CODE SECTION 34-1120(B)(6)  
FOR A PORTION OF CHARLOTTESVILLE HIGH SCHOOL**

**WHEREAS**, the Charlottesville School Board, owner of property designated on City Tax Map 43A as Parcel 1, consisting of approximately 42.40 acres and known as Charlottesville High School (the “Property”), seeks a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6) in connection with a project described as the replacement of the existing 6-lane track with an 8-lane track, along with construction of a new building for concessions and restrooms (the “Project”); and

**WHEREAS**, the Planning Commission considered this request at their regular meeting on February 14, 2017, and recommended approval of the request, with conditions, to waive the critical slopes requirements, pursuant to City Code Sec. 34-1120(b)(6); and

**WHEREAS**, upon consideration of the information and materials provided by the applicant, and the recommendation of the Planning Commission, the City Council finds and determines pursuant to City Code Sec. 34-1120(b)(6)(d)(i) that the benefits of allowing disturbance of the critical slopes in connection with the Project outweigh the public benefits of the undisturbed slopes; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the request by the Charlottesville School Board for a waiver of the critical slopes requirements for the above-described Project to be developed on the Property, is hereby granted, conditioned upon the following:

1. The developer include the additional E&S measures recommended by staff (sediment traps and reinforced silt fence), those measures to be detailed on the site plan prior to site plan approval; and
2. The developer relocate the proposed Willow Oaks to a location on-site where the recommended spacing (30’-40’) is available and the developer work with Neighborhood Development Services and Parks and Recreation Department staff to line the walkway with plantings that would achieve a successful growing environment given the space and given that there may be an additional restroom facility built on-site.

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**REQUEST FOR A WAIVER:  
CRITICAL SLOPES**

**PLANNING COMMISSION REGULAR MEETING**  
**DATE OF PLANNING COMMISSION MEETING: February 14, 2017**

**Project Planner:** Heather Newmyer  
**Date of Staff Report:** February 3, 2017  
**Applicant:** City of Charlottesville School Board  
**Applicant's Representative:** Timmons Group  
**Current Property Owner:** City of Charlottesville School Board

**Application Information**

**Property Street Address:** 1400 Melbourne Rd  
**Tax Map/Parcel #:** Tax Map 43A, Parcel 1  
**Total Site Area:** 42.40 acres  
**Total Project Area (Limits of Disturbance):** 4.60 acres  
**Total Area of Critical Slopes on Parcel:** (2.82 acres) | (7% of total site area)  
**Area of Proposed Critical Slope Disturbance:** (0.34 acres/ 14,810 SF) | (0.8% of total site area)  
**Comprehensive Plan (Land Use Plan) Designation:** Public or Semi-Public  
**Current Zoning Classification:** R-1 (Residential)

**Background**

The City of Charlottesville School Board submitted a site plan on December 21, 2016 that proposes replacing the existing track. Charlottesville High School has road frontage on Melbourne Road. The site plan proposes replacing the existing 6 lane track with an 8 lane track and the addition of track and field features. A new building is proposed to house concessions and restrooms. Other proposed features include new sidewalk, curb, stairs and bleachers.

Proposed improvements associated with this project will impact critical slopes on-site and request of a critical slope waiver is required per Section 34-1120(b) prior to site plan approval. Details on the critical slope waiver request are provided below.

## **Application Details**

The City of Charlottesville School Board is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for construction of a new track and addition of track and field features. Expanding from an existing 6 lane track to an 8 lane track will allow for the high school to host track meets as 8 lanes are required for official meets.

Improvements specific to areas where critical slopes would be impacted should the waiver be approved are shown on the Critical Slope Exhibit (Attachment 2) and include space for the expansion of the track and the addition of stairs, bleachers and sidewalk east of and directly adjacent to the track.

Existing critical slopes areas located on this Property include 2.82 acres/ 7 percent of the site. The applicable definition of “critical slope” is as follows:

Any slope whose grade is 25% or greater, **and** (a) a portion of the slope has a horizontal run of greater than 20 feet, and its total area is 6,000 SF or greater, **and** (b) a portion of the slope is within 200 feet of a waterway. *See* City Code Sec. 34-1120(b)(2).

Based on the information presented within the application materials, Staff verifies that the area for which this waiver is sought meets all of the above-referenced components of the definition of “critical slope”.

The following information relevant to the evaluation of this request:

- Large stands of trees: **There is a large wooded area directly west of the track which contains critical slopes and has a stream running through it. The wooded area is connected to and a part of the larger forested area within West McIntire Park. The applicant has noted this area of critical slopes is being left untouched with no disturbance.**

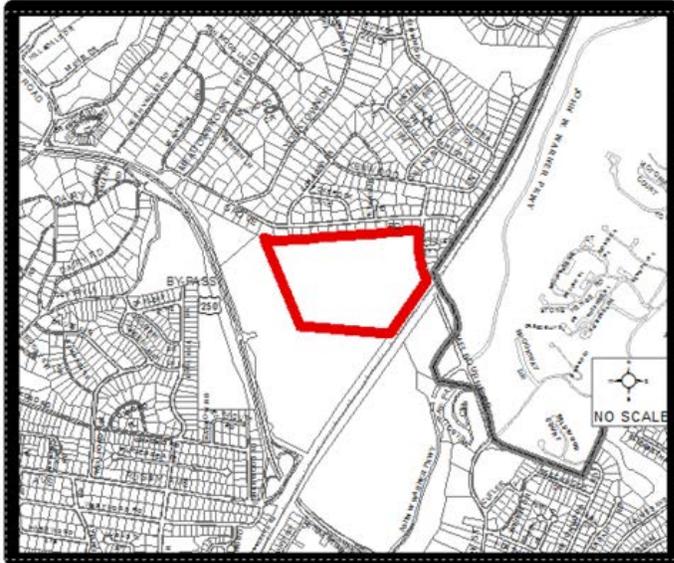
**East of the track is a man-made slope with a line of large trees at the top. Five (5) of the twenty-six (26) trees are called to be removed. The site plan calls for an addition of seven (7) willow oaks. See Attachment 5 for excerpts of the site plan. See Staff Analysis and Recommendation below for analysis on proposed tree plantings.**

- Rock outcroppings: **None.**
- Slopes greater than 60%: **7,240 SF (6%) of the total critical slopes on site are greater than 60%. See Attachment 2 for location of slopes greater than 60%. The majority of slopes greater than 60% are located on the west side of track and are outside of the critical slope disturbance area.**
- Waterway within 200 feet: **Series of smaller streams off of Schenk’s Branch and Meadow Creek are within 200 feet of the critical slope area.**
- Location of other areas of the Property, outside Critical Slopes areas, that fit the definition of a “building site” and could accommodate this proposed development: **In order to expand the existing track and keep it in its existing location, it is not possible to leave the critical slopes undisturbed. The applicant did minimize the**

impact by leaving the critical slopes west of the track that contain the stream running through it undisturbed and call to only disturb the man-made slope east of the track. The applicant did not provide a justification for Finding #2 in their application.

## Vicinity Map

### *Charlottesville High School*



## Standard of Review

**A copy of Sec. 34-1120(b) (Critical Slopes Regulations) is attached for your reference. The provisions of Sec. 34-1120(b) must guide your analysis and recommendations.**

It is the Planning Commission's ("PC") responsibility, when a waiver application has been filed, to review the application and make a recommendation to City Council as to whether or not the waiver should be granted based off the following:

- (i) The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes); or
- (ii) Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or

redevelopment of such property or would result in significant degradation of the site or adjacent properties.

If the recommendation is for City Council to grant the requested waiver, the PC may also make recommendations as to the following:

- Whether any specific features or areas within the proposed area of disturbance should remain undisturbed (for example: large stands of trees; rock outcroppings; slopes greater than 60%, etc.)?
- Whether there are any conditions that could be imposed by City Council that would mitigate any possible adverse impacts of the proposed disturbance?

### **Project Review / Analysis**

The applicant indicates the space for the expansion of the track and the addition of stairs, bleachers and sidewalk east of and directly adjacent to the track are the improvements that would affect critical slopes. The proposed critical slope disturbance accounts for 12% of the total critical slope area on-site and 0.8% of the total project site area (42.40 acres), where less than an acre (0.34 acre) of critical slopes would be disturbed.

Each applicant for a critical slopes waiver is required to articulate a justification for the waiver, and to address how the land disturbance, as proposed, will satisfy the purpose and intent of the Critical Slopes Regulations (as found within City Code Sec. 34-1120(b)(1), attached). If it wishes to grant a waiver, the City Council is required to make one of two specific findings: either (1) public [environmental] benefits of allowing disturbance of the critical slope outweigh the benefits afforded by the existing undisturbed slope, see City Code 34-1120(b)(6)(d.i), OR (2) due to unusual physical conditions or existing development of a site, the critical slopes restrictions would unreasonably limit the use or development of the property, see City Code 34-1120(b)(6)(d.ii.). The applicant has provided information in the attached critical slopes waiver application for Finding #1.

#### **Applicant's justification for Finding #1**

Statement: The applicant states the disturbance associated with this project is in order to provide stabilized track and field facilities that will allow the greatest number of people, both students and community members, to access and enjoy the area with the lowest impact where the critical slopes to be disturbed have been limited to the man-made portion.

The applicant states the proposed track and field area will drain to an infiltration BMP that will reduce flow and pollutants from the site area below pre-developed levels, helping to preserve the stream. The applicant states erosion and sediment control measures will be employed as necessary to protect undisturbed areas during construction.

Staff Analysis: Staff finds the current proposed erosion and sediment control measures are appropriate but the addition of sediment traps and silt fence reinforcement are needed to help lessen any possible impacts.

Staff finds that the addition of an infiltration BMP to the site will allow the project to comply with stormwater regulations, will reduce flow and pollutants from the site area below pre-developed levels, and will have a positive effect over current conditions by recharging groundwater. See the more detailed engineering analysis in Attachment 4.

### **Staff Recommendation**

Staff finds the proposed improvements will increase usability of the track, providing a benefit to the community. The applicant is preserving the large forested area that extends largely into West McIntire Park, where the critical slopes and the stream within that area are left undisturbed. A small portion of the man-made slope that was created originally for the existing track to be constructed will be disturbed, but staff believes the disturbance will be mitigated by the proposed E&S measures *with the addition of staff's E&S recommended measures* and installation of the infiltration BMP. Staff's does have concern regarding the applicant's proposed replacement of the five (5) existing trees to be removed:

Staff is concerned that while the applicant is proposing to replace the five (5) existing trees with seven (7) willow oaks, the four (4) Willow Oaks proposed to line the pathway to the track would struggle as they would be in a location with limited space and would run the risk of bringing up the adjacent track with their root system. Willow Oaks require at least 30'-40' spacing. Charlottesville Parks and NDS staff recommend planting the Willow Oaks in the area east of the path where there is more space available starting 30' off the concrete and spacing 30'-40' a part. Staff likes the idea of lining the walkway with plantings and recommends replacing the proposed Willow Oaks by choosing from the following to achieve a successful growing environment given the space:

- Service Berry
- Crape Myrtle (a larger variety; ex. High Cotton)
- Oklahoma Redbud

Staff **recommends approval** of the critical slope waiver with the following conditions:

- The developer include the additional E&S measures recommended by staff (sediment traps and reinforced silt fence), those measures to be detailed on the site plan prior to site plan approval.
- The developer relocate the proposed Willow Oaks to a location on-site where the recommended spacing (30'-40') is available and line the walkway with plantings that would achieve a successful growing environment given the space, where the relocation of Willow Oaks and any new proposed plantings will be shown on landscape plan prior to site plan approval.

### **Suggested Motions**

1. "I move to recommend approval of the critical slope waiver for Tax Map 43A, Parcel 1, Charlottesville High School, as requested, with no reservations or conditions, based on a finding that [*reference at least one*]:

- The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per City Code 34-1120(b)(6)(d.i)
  - Due to unusual physical conditions, or the existing development of the property, compliance with the City’s critical slopes regulations would prohibit or unreasonably restrict the use or development of the property.
2. “I move to recommend approval of the critical slope waiver for Tax Map 43A, Parcel 1, Charlottesville High School, based on a finding that [*reference at least one*]:
- The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per City Code 34-1120(b)(6)(d.i)
  - Due to unusual physical conditions, or the existing development of the property, compliance with the City’s critical slopes regulations would prohibit or unreasonably restrict the use or development of the property.
- And this motion for approval is subject to the following conditions:  
 \_\_\_\_\_the following features or areas should remain undisturbed [*specify*]
- \_\_\_\_\_the following conditions are recommended as being necessary to mitigate the potential adverse impacts of approving the waiver in the location requested:  
 [*specify*]
3. “I move to recommend denial of the steep slope waiver for Tax Map 43A, Parcel 1, Charlottesville High School.”

**Attachments**

- 1) Application and Narrative
- 2) Critical Slope Exhibit
- 3) Critical Slopes Ordinance
- 4) Engineering Department Review
- 5) Site Plan Excerpts, December 21, 2016

City of Charlottesville  
CRITICAL SLOPES WAIVER REQUEST SUPPLEMENT

Please review city zoning ordinance section 34-1120(b) "Critical Slopes" and submit a completed Waiver Application Form, Critical Slopes Waiver Request Supplement and a Critical Slope Exhibit\*.

**Applicant:** City of Charlottesville School Board /Timmons Group

**Property Owner:** City of Charlottesville School Board

**Project Description: What are you proposing to do on this site?**

This project includes the construction of a new track and the addition of track and field features. A building for restrooms and concession will be constructed. Other sitework includes, a proposed sidewalk, curb, parking and asphalt will be constructed.

**Existing Conditions:**

Area was previously a track and field area.

**Total Site Area:**

4.5 Acres disturbed area. Property is

**Zoning (if applying for rezoning-please note existing and intended change):**

Current Zoning is R-1

**Percentage of Area that is made up of critical slopes - meets criteria set forth in Sec. 34-1120(b)(2) *Definition of critical slope*: greater than or equal to 25% slopes and a) a portion of the slope has a horizontal run of greater than twenty (20) feet and its area is six thousand (6,000) square feet or greater; and b) a portion of the slope is within two hundred (200) feet of any waterway:**

**Total Critical Slope Area:**

**Critical slopes make up 2.82 acres of the site's 40.8 acres, or 7 % of the site area.**

**\*If critical slopes extend beyond property line, quantify total critical slope area as well as provide area of critical slope that falls within site area.**

**Critical Slope Area Disturbed:**

**0.34 acres of the total critical slope area identified above will be disturbed, or 12 % of the total critical slope area. Proposed critical slope area to be disturbed is 0.8 % of the site area.**

---

*\*Critical Slope Exhibit:* Survey indicating location and area of critical slopes and what portions of critical slopes are proposed to be disturbed. Survey should be prepared, sealed, signed and dated by a professional engineer or land surveyor licensed to practice within the Commonwealth of Virginia.

This application should be used to explain how the proposed project meets some or all of the requirements as described in Section 34-1120(6) "Modification or waiver." The applicant is expected to address finding #1 and/or finding #2 and justify the finding by utilizing the "critical slope provisions" as a guide. Completing this application will help staff make their recommendation to the Planning Commission and City Council.

*City Council may grant a modification or waiver, upon making one or more of the following findings:*

**Finding #1: The public benefits of allowing disturbance of critical slope outweigh the public benefits of the undisturbed slope( public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes)**

All disturbance associated with this project is in order to provide track and field facilities for Charlottesville High School. Providing stabilized track and field facilities will allow the greatest number of people, both students and community members to access and enjoy the area with the lowest impact. The critical slopes to be disturbed are man made slopes.

---

---

**Finding #2. Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.**

---

---

---

---

---

---

*Please address how Finding #1 and/or Finding #2 will be met utilizing the "critical slope provisions" noted below.*

**1. Erosion affecting the structural integrity of those features.**

Erosion and sediment control measures will be employed as necessary to protect undisturbed areas during construction. Down hill structural practices, silt fence, culvert inlet protection and inlet protection will capture sediment.

---

---

---

**2. Stormwater and erosion-related impacts on adjacent properties.**

The proposed track and field area will drain to and Infiltration BMP that will reduce flow and pollutants from the site area below pre-developed levels.

---

---

**3. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.**

The proposed track and field area will drain to and Infiltration BMP that will reduce flow and pollutants from the site area below pre-developed levels. This will help protect and preserve the stream.

---

---

**4. Increased stormwater velocity due to loss of vegetation.**

The slopes to be disturbed are mostly grass. Therefore there will not be an increase in stormwater velocity due to the loss of vegetation.

---

---

**5. Decreased groundwater recharge due to changes in site hydrology.**

The proposed track and field area will drain to and Infiltration BMP that will slow much of the track run off to infiltrate into the ground in small storm events.

---

---

**6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.**

The additional area to be disturbed and converted to impervious is currently grass turf area.

---

---

**Please list all attachments that should be viewed as support to the above explanations.**

Critical Slopes Exhibit

---

---

---

Please sign the following statement.

I certify that, to the best of my knowledge, the information I have provided above is based on sound engineering and surveying data and that this site has been carefully inspected and reviewed for the purposes of completing this application accurately. I certify that as the property owner/applicant I have not given false information that may affect the decisions made regarding this development.

Charlottesville City School Board

---

Property Owner

Juandiego Wade, Chair



1/12/17

---

Applicant

**Please do not write below this line. For office use only.**

**Planner's Comments/Recommendations:**

---

---

---

---

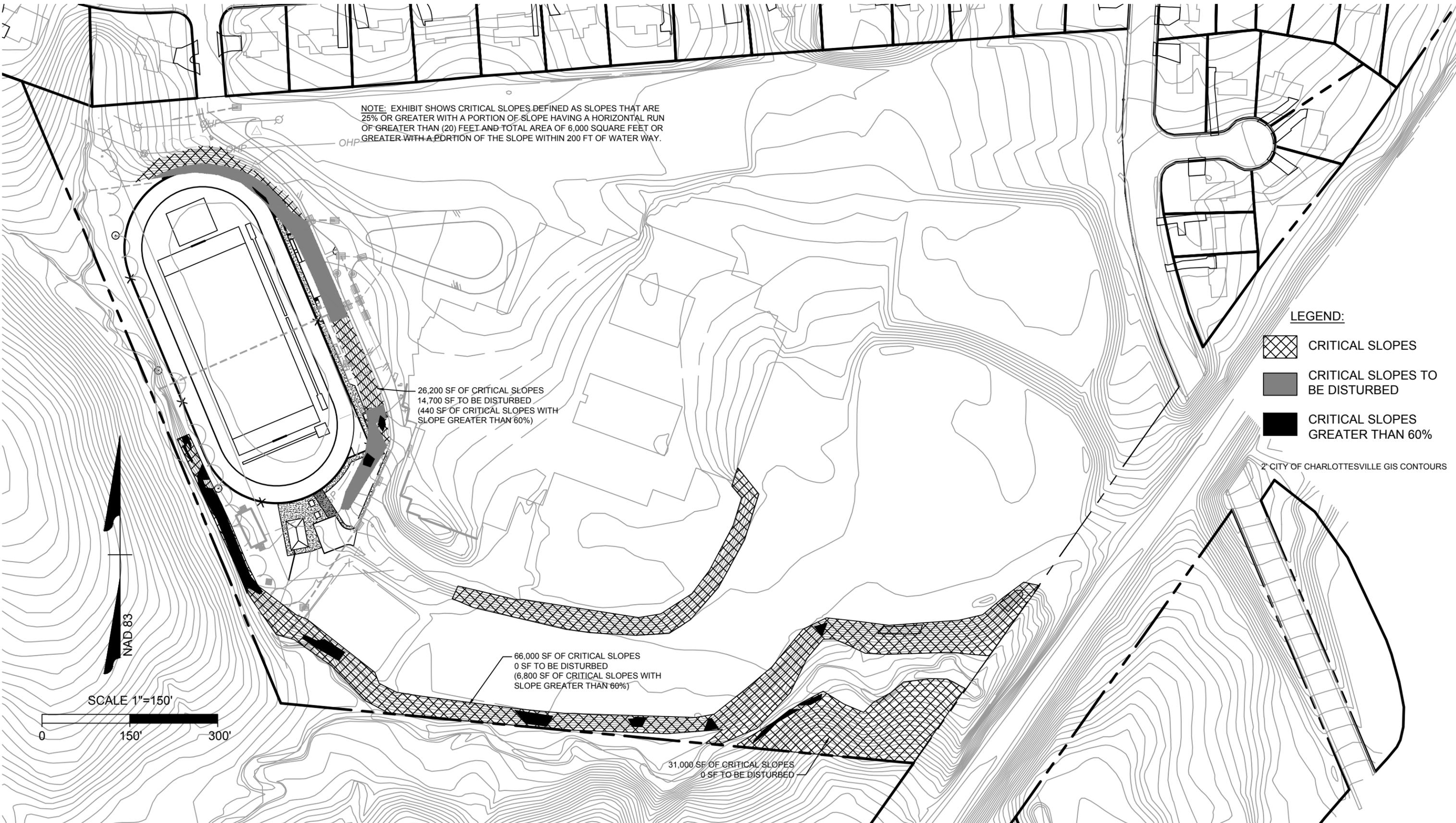
**Engineer's Comments/Recommendations:**

---

---

---

---



# CHS TRACK CRITICAL SLOPES EXHIBIT

CHS TRACK - JANUARY 27, 2017 REVISION

Sec. 34-1120. - Lot regulations, general.

(a) *Frontage requirement.* Every lot shall have its principal frontage on a street or place (i) that has been accepted by the city for maintenance, or (ii) that a subdivider or developer has been contractually obligated to install as a condition of subdivision or site plan approval and for which an adequate financial guaranty has been furnished to the city. Except for flag lots, stem lots, and cul-de-sac lots, or other circumstances described within the city's subdivision ordinance, no lot shall be used, in whole or in part, for any residential purpose unless such lot abuts a street right-of-way for at least the minimum distance required by such subdivision ordinance for a residential lot.

(b) *Critical slopes.*

(1) *Purpose and intent.* The provisions of this subsection (hereinafter, "critical slopes provisions") are intended to protect topographical features that have a slope in excess of the grade established and other characteristics in the following ordinance for the following reasons and whose disturbance could cause one (1) or more of the following negative impacts:

- a. Erosion affecting the structural integrity of those features.
- b. Stormwater and erosion-related impacts on adjacent properties.
- c. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.
- d. Increased stormwater velocity due to loss of vegetation.
- e. Decreased groundwater recharge due to changes in site hydrology.
- f. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.

These provisions are intended to direct building locations to terrain more suitable to development and to discourage development on critical slopes for the reasons listed above, and to supplement other regulations and policies regarding encroachment of development into stream buffers and floodplains and protection of public water supplies.

(2) *Definition of critical slope.* A critical slope is any slope whose grade is 25% or greater and:

- a. A portion of the slope has a horizontal run of greater than twenty (20) feet and its total area is six thousand (6,000) square feet or greater; and
- b. A portion of the slope is within two hundred (200) feet of any waterway as identified on the most current city topographical maps maintained by the department of neighborhood development services.

Parcels containing critical slopes are shown on the map entitled "Properties Impacted by Critical Slopes" maintained by the department of neighborhood development services. These critical slopes provisions shall apply to all critical slopes as defined herein, notwithstanding any subdivision, lot line adjustment, or other action affecting parcel boundaries made subsequent to the date of enactment of this section.

(3) *Building site required.* Every newly created lot shall contain at least one (1) building site. For purposes of this section, the term building site refers to a contiguous area of land in slopes of less than 25%, as determined by reference to the most current city topographical maps maintained by the department of neighborhood development services or a source determined by the city engineer to be of superior accuracy, exclusive of such areas as may be located in the flood hazard overlay district or under water.

(4) *Building site area and dimensions.* Each building site in a residential development shall have adequate area for all dwelling unit(s) outside of all required yard areas for the applicable zoning district and all parking areas. Within all other developments subject to the requirement of a site

plan, each building site shall have adequate area for all buildings and structures, parking and loading areas, storage yards and other improvements, and all earth disturbing activity related to the improvements.

(5) *Location of structures and improvements.* The following shall apply to the location of any building or structure for which a permit is required under the Uniform Statewide Building Code and to any improvement shown on a site plan pursuant to Article VII of this chapter:

- a. No building, structure or improvement shall be located on any lot or parcel within any area other than a building site.
- b. No building, structure or improvement, nor any earth disturbing activity to establish such building, structure or improvement shall be located on a critical slope, except as may be permitted by a modification or waiver.

(6) *Modification or waiver.*

- a. Any person who is the owner, owner's agent, or contract purchaser (with the owner's written consent) of property may request a modification or waiver of the requirements of these critical slopes provisions. Any such request shall be presented in writing and shall address how the proposed modification or waiver will satisfy the purpose and intent of these provisions.
- b. The director of neighborhood development services shall post on the city website notice of the date, time and place that a request for a modification or waiver of the requirements of these critical slopes provisions will be reviewed and cause written notice to be sent to the applicant or his agent and the owner or agent for the owner of each property located within five hundred (500) feet of the property subject to the waiver. Notice sent by first class mail to the last known address of such owner or agent as shown on the current real estate tax assessment books, postmarked not less than five (5) days before the meeting, shall be deemed adequate. A representative of the department of neighborhood development services shall make affidavit that such mailing has been made and file the affidavit with the papers related to the site plan application.
- c. All modification or waiver requests shall be submitted to the department of neighborhood development services, to be reviewed by the planning commission. In considering a requested modification or waiver the planning commission shall consider the recommendation of the director of neighborhood development services or their designee. The director, in formulating his recommendation, shall consult with the city engineer, the city's environmental manager, and other appropriate officials. The director shall provide the planning commission with an evaluation of the proposed modification or waiver that considers the potential for soil erosion, sedimentation and water pollution in accordance with current provisions of the Commonwealth of Virginia Erosion and Sediment Control Handbook and the Virginia State Water Control Board best management practices, and, where applicable, the provisions of Chapter 10 of the City Code. The director may also consider other negative impacts of disturbance as defined in these critical slope provisions.
- d. The planning commission shall make a recommendation to city council in accordance with the criteria set forth in this section, and city council may thereafter grant a modification or waiver upon making a finding that:
  - (i) The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes); or
  - (ii) Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or

redevelopment of such property or would result in significant degradation of the site or adjacent properties.

No modification or waiver granted shall be detrimental to the public health, safety or welfare, detrimental to the orderly development of the area or adjacent properties, or contrary to sound engineering practices.

- e. In granting a modification or waiver, city council may allow the disturbance of a portion of the slope, but may determine that there are some features or areas that cannot be disturbed. These include, but are not limited to:
  - (i) Large stands of trees;
  - (ii) Rock outcroppings;
  - (iii) Slopes greater than 60%.

City council shall consider the potential negative impacts of the disturbance and regrading of critical slopes, and of resulting new slopes and/or retaining walls. City council may impose conditions as it deems necessary to protect the public health, safety or welfare and to insure that development will be consistent with the purpose and intent of these critical slopes provisions. Conditions shall clearly specify the negative impacts that they will mitigate. Conditions may include, but are not limited to:

- (i) Compliance with the "Low Impact Development Standards" found in the City Standards and Design Manual.
- (ii) A limitation on retaining wall height, length, or use;
- (iii) Replacement of trees removed at up to three-to-one ratio;
- (iv) Habitat redevelopment;
- (v) An increase in storm water detention of up to 10% greater than that required by city development standards;
- (vi) Detailed site engineering plans to achieve increased slope stability, ground water recharge, and/or decrease in stormwater surface flow velocity;
- (vii) Limitation of the period of construction disturbance to a specific number of consecutive days;
- (viii) Requirement that reseeded occur in less days than otherwise required by City Code.

(7) *Exemptions.* A lot, structure or improvement may be exempt from the requirements of these critical slopes provisions, as follows:

- a. Any structure which was lawfully in existence prior to the effective date of these critical slopes provisions, and which is nonconforming solely on the basis of the requirements of these provisions, may be expanded, enlarged, extended, modified and/or reconstructed as though such structure were a conforming structure. For the purposes of this section, the term "lawfully in existence" shall also apply to any structure for which a site plan was approved or a building permit was issued prior to the effective date of these provisions, provided such plan or permit has not expired.
- b. Any lot or parcel of record which was lawfully a lot of record on the effective date of this chapter shall be exempt from the requirements of these critical slopes provisions for the establishment of the first single-family dwelling unit on such lot or parcel; however, subparagraph (5)(b) above, shall apply to such lot or parcel if it contains adequate land area in slopes of less than 25% for the location of such structure.
- c. Driveways, public utility lines and appurtenances, stormwater management facilities and any other public facilities necessary to allow the use of the parcel shall not be required to be located within a building site and shall not be subject to the building site area and

dimension requirements set forth above within these critical slopes provisions, provided that the applicant demonstrates that no reasonable alternative location or alignment exists. The city engineer shall require that protective and restorative measures be installed and maintained as deemed necessary to insure that the development will be consistent with the purpose and intent of these critical slopes provisions.

(9-15-03(3); 11-21-05; 1-17-06(7); 1-17-12; 7-16-12)

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**ENGINEERING REVIEW OF APPLICATION FOR A WAIVER:  
CRITICAL SLOPES**

**Project Review / Analysis (CHS Track Expansion)**

The applicant has provided detailed information in the attached narrative for each item discussed below:

**Finding #1:**

The applicant's explanations are summarized below and the format parallels what was provided with the waiver application. *Comments from the Engineering Staff are indicated in italics.*

**1. Erosion affecting the structural integrity of those features:**

Erosion and sediment control measures will be employed as necessary to protect undisturbed areas during construction. Down hill structural practices, silt fence, culvert inlet protection and inlet protection will capture sediment. *All of the above have been proposed by the applicant, and as part of the site plan review, the City will also be asking for sediment traps and for the silt fence to be reinforced to help lessen any possible impacts.*

**2. Stormwater and erosion-related impacts on adjacent properties:**

The proposed track and field area will drain to an Infiltration BMP that will reduce flow and pollutants from the site area below pre-developed levels. *As stated, an infiltration practice will be used to treat the majority of the area. This will allow the project to comply with the 20% reduction required by the DEQ stormwater regulations.*

**3. Stormwater and erosion-related impacts to environmentally sensitive areas such as stream and wetlands:**

The proposed track and field area will drain to an infiltration BMP that will reduce flow and pollutants from the site area below pre-developed levels. This will help protect and preserve the stream. *Concur.*

**4. Increased stormwater velocity due to loss of vegetation:**

The sloped to be disturbed are mostly grass. Therefore there will not be an increase in stormwater velocity due to the loss of vegetation. *The current slopes and vegetation will be similar to existing conditions, just moved back toward the school slightly to allow for additional room for the track expansion. There should minimal to no impact on stormwater velocity, and ultimately, this will be reduced due to the BMP practices being utilized.*

**5. Decreased groundwater recharge due to changes in the site hydrology:**

The proposed track and field area will drain to an Infiltration BMP that will slow much of the track run off to infiltrate into the ground in small storm events. *Based on the BMP that is to be implemented, instead of decreasing the groundwater recharge, this project will have a positive effect over current conditions by recharging the groundwater.*

**6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat:**

The additional area to be disturbed and converted to impervious is currently grass turf area. *The critical slope in question is not “natural” or anything that would contribute to the natural beauty. This critical slope was created in conjunction with the original track construction and will look very similar to the current condition when finished.*

**Engineering Recommendation**

Engineering staff recommends approval of the critical slope waiver application as the technical issues regarding disturbance of these critical slopes will be mitigated with the proposed development and the proposed design will meet state and local minimum control requirements for stormwater runoff. The overall plan for the track will provide a benefit to the community and to the environmental/water quality aspects of the area.



THIS DRAWING PREPARED AT THE  
**CHARLOTTESVILLE OFFICE**  
 608 Preston Avenue, Suite 200 | Charlottesville, VA 22903  
 TEL: 434-293-5024 | FAX: 434-293-5317 | www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

REVISION DESCRIPTION	DATE

DATE  
 12/21/2016

DRAWN BY  
 J. SHOWALTER

DESIGNED BY  
 J. SHOWALTER

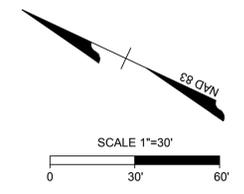
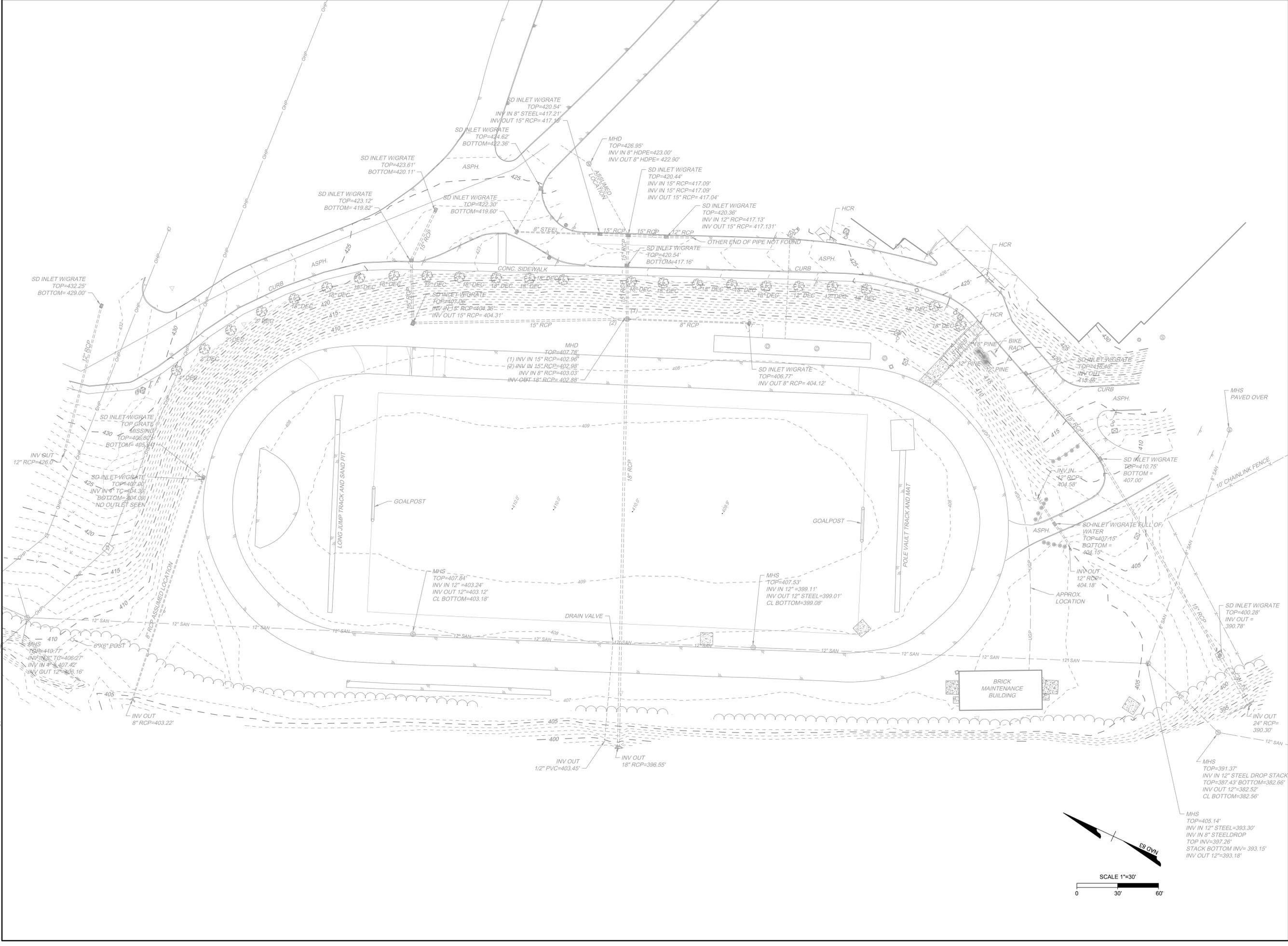
CHECKED BY  
 C. KOTARSKI

SCALE  
 1"=30'

JOB NO.  
 33988

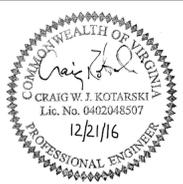
SHEET NO.  
 C2.0

**TIMMONS GROUP**  
 CHS TRACK REPLACEMENT  
 EXISTING CONDITIONS PLAN  
 CHARLOTTESVILLE, VA



R:\10330886.008\CHS\_Track\DWG\Sheet\C2.0\_EXISTING CONDITIONS & DEMOLITION PLAN.dwg | Printed on 12/20/2016 12:19 PM | By Richard Baier

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.



THIS DRAWING PREPARED AT THE  
**CHARLOTTEVILLE OFFICE**  
 608 Preston Avenue, Suite 200 | Charlottesville, VA 22903  
 TEL: 434-293-5024 | FAX: 434-293-5317 | www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

REVISION DESCRIPTION	DATE
	12/21/2016

DRAWN BY  
 J. SHOWALTER

DESIGNED BY  
 J. SHOWALTER

CHECKED BY  
 C. KOTARSKI

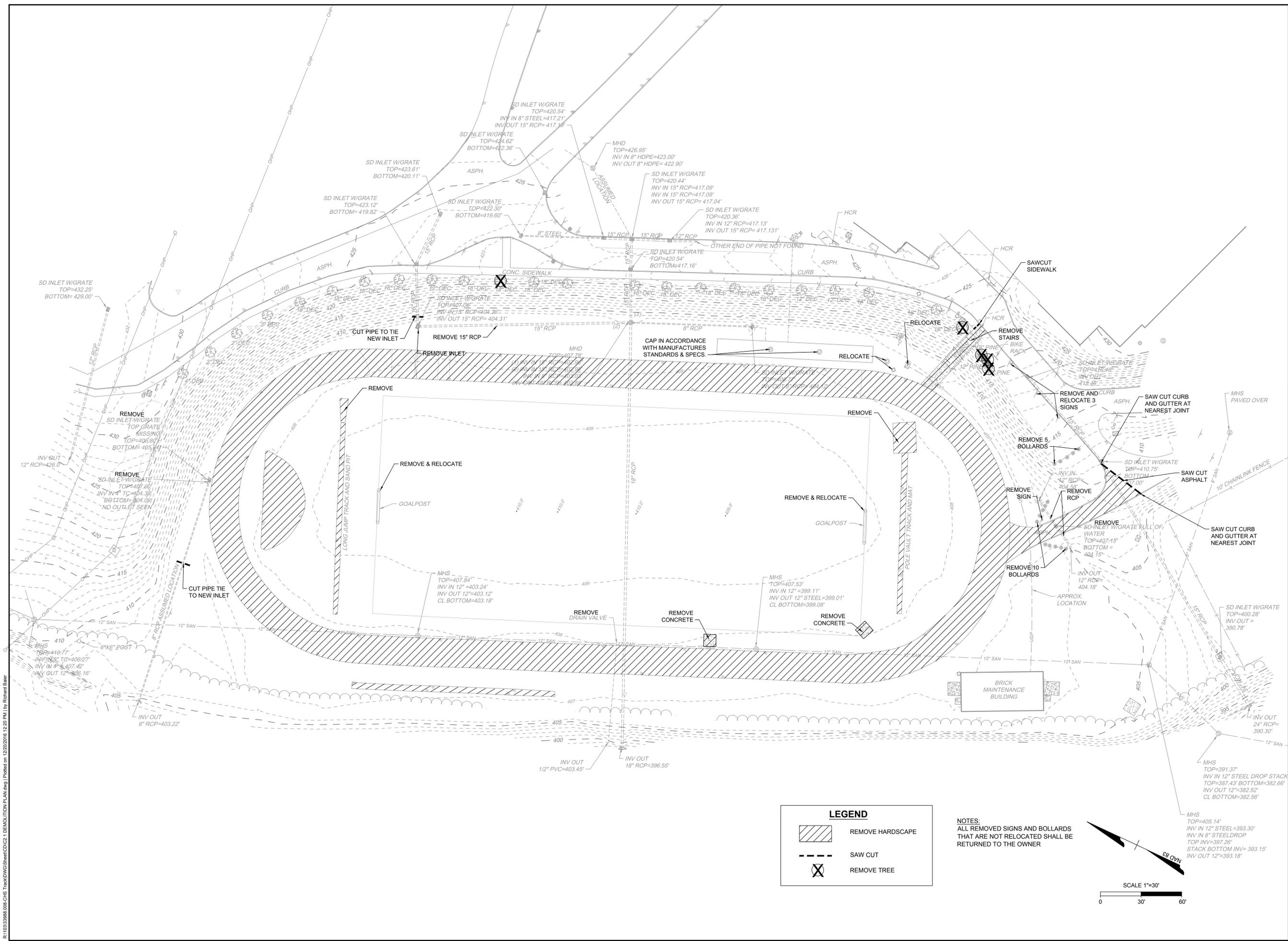
SCALE  
 1"=30'

# TIMMONS GROUP

**CHS TRACK REPLACEMENT**  
 CHARLOTTEVILLE, VA  
**DEMOLITION PLAN**

JOB NO.  
**33988**

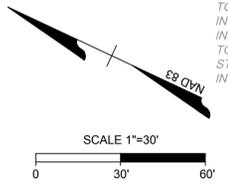
SHEET NO.  
**C2.1**



**LEGEND**

	REMOVE HARDSCAPE
	SAW CUT
	REMOVE TREE

**NOTES:**  
 ALL REMOVED SIGNS AND BOLLARDS  
 THAT ARE NOT RELOCATED SHALL BE  
 RETURNED TO THE OWNER



R:\11033988\008-CHS\_Track\DWG\Sheet\C2.1-DEMOLITION.PLAN.dwg [Printed on 12/20/2016 12:20 PM] by Richard Bauer

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inductive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.

**EROSION AND SEDIMENT CONTROL NARRATIVE:**

**PROJECT DESCRIPTION**

THIS PROJECT INCLUDES THE CONSTRUCTION OF A NEW TRACK AND THE ADDITION OF TRACK AND FIELD FEATURES. THESE FEATURES INCLUDE: HIGH JUMP AREAS, LONG JUMP AND POLE VAULT AREAS, BLEACHERS AND STAIRS WILL BE CONSTRUCTED WITH A CONTINUOUS GATE SURROUNDING THE PERIMETER. A BUILDING FOR RESTROOMS AND CONCESSION WILL BE CONSTRUCTED. OTHER SITEWORK INCLUDES, A PROPOSED SIDEWALK, CURB, AND ASPHALT. THE LIMITS OF DISTURBANCE IS 4.50 ACRES

**ADJACENT PROPERTY**

THE AREA TO THE NORTH IS BOUND BY GROVE ROAD, WITH RESIDENCES ACROSS IT. THE AREA TO THE SOUTH AND WEST IS BOUNDED BY MCINTIRE PARK. THE AREA TO THE EAST IS BOUNDED BY MELBOURNE RD WITH AN ATHLETIC FIELD ACROSS IT.

**EXISTING SITE CONDITIONS**

THE SITE IS CURRENTLY THE TRACK AND FIELD AREA, AND PRACTICE FOOTBALL FIELD FOR CHARLOTTESVILLE HIGH SCHOOL.

**OFF-SITE AREAS**

NO OFFSITE AREAS TO BE DISTURBED AS A PART OF THIS PROJECT.

**CRITICAL EROSION AREAS**

THERE ARE NO CRITICAL EROSION AREAS ON THIS SITE.

**EROSION AND SEDIMENT CONTROL MEASURES**

UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE CURRENT ADDITION OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. THE MINIMUM STANDARDS OF THE VESCH SHALL BE ADHERED TO UNLESS OTHERWISE WAIVED OR APPROVED BY A VARIANCE BY LOCAL AUTHORITIES HAVING JURISDICTION.

**STORMWATER RUNOFF CONSIDERATIONS**

STORMWATER WILL BE TREATED BY INFILTRATION.

**MAINTENANCE**

ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED IN ACCORDANCE WITH VESCH AND THE CONSTRUCTION SEQUENCE, INCLUDING THE INSPECTION OF ALL MEASURES AFTER ALL RAIN EVENTS.

**STRUCTURAL PRACTICES:**

- TEMPORARY CONSTRUCTION ENTRANCE - 3.02** A TEMPORARY CONSTRUCTION ENTRANCE SHALL BE PROVIDED AT THE LOCATION INDICATED ON THE PLANS. IT IS IMPERATIVE THAT THIS MEASURE BE MAINTAINED THROUGHOUT CONSTRUCTION. ITS PURPOSE IS TO REDUCE THE AMOUNT OF MUD TRANSPORTED ONTO PAVED PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF.
- SILT FENCE BARRIER - 3.05** SILT FENCE SEDIMENT BARRIERS SHALL BE INSTALLED DOWNSLOPE OF AREAS WITH MINIMAL GRADES TO FILTER SEDIMENT-LADEN RUNOFF FROM SHEET FLOW AS INDICATED. ITS PURPOSE IS TO INTERCEPT SMALL AMOUNTS OF SEDIMENT FROM DISTURBED AREAS AND PREVENT SEDIMENT FROM LEAVING THE SITE.
- STORM DRAIN INLET PROTECTION - 3.07** STONE FILTERS SHALL BE PLACED AT THE INLET OF ALL DRAINAGE STRUCTURES AS INDICATED ON PLANS. ITS PURPOSE IS TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAINAGE SYSTEM PRIOR TO PERMANENT STABILIZATION.
- CULVERT INLET PROTECTION - 3.08** A SEDIMENT FILTER LOCATED AT THE INLET TO A CULVERT TO PREVENT SEDIMENT FROM ENTERING THE SYSTEM PRIOR TO PERMANENT STABILIZATION.
- DUST CONTROL - 3.39** DUST CONTROL IS TO BE USED THROUGH THE SITE IN AREAS SUBJECT TO SURFACE AND AIR MOVEMENT.

**VEGETATIVE PRACTICES:**

- TOPSOIL (TEMPORARY STOCKPILE) - 3.30** TOPSOIL SHALL BE STRIPPED FROM AREAS TO BE GRADED AND STOCKPILED FOR LATER SPREADING. STOCKPILE LOCATIONS SHALL BE LOCATED ONSITE AND SHALL BE STABILIZED WITH TEMPORARY SILT FENCE AND VEGETATION.
- TEMPORARY SEEDING - 3.31** ALL DENUDED AREAS WHICH WILL BE LEFT DORMANT FOR MORE THAN 30 DAYS SHALL BE SEEDDED WITH FAST GERMINATING TEMPORARY VEGETATION IMMEDIATELY FOLLOWING GRADING OF THOSE AREAS. SELECTION OF THE SEED MIXTURE SHALL DEPEND ON THE TIME OF YEAR IT IS APPLIED.
- PERMANENT SEEDING - 3.32** FOLLOWING GRADING ACTIVITIES, ESTABLISH PERENNIAL VEGETATIVE COVER BY PLANTING SEED TO REDUCE EROSION, STABILIZE DISTURBED AREAS, AND ENHANCE NATURAL BEAUTY.

**MANAGEMENT STRATEGIES**

- PROVIDE SEDIMENT TRAPPING MEASURES AS A FIRST STEP IN GRADING, SEED AND MULCH IMMEDIATELY FOLLOWING INSTALLATION.
- PROVIDE TEMPORARY SEEDING OR OTHER STABILIZATION IMMEDIATELY AFTER GRADING.
- ISOLATE TRENCHING FOR UTILITIES AND DRAINAGE FROM DOWNSTREAM CONVEYANCES IN ORDER TO MINIMIZE PERIMETER CONTROLS.
- ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE MAINTAINED UNTIL THEY ARE NO LONGER REQUIRED TO COMPLY WITH THE CONTRACT DOCUMENTS OR STATE LAW.

**PERMANENT STABILIZATION**

ALL NON-PAVED AREAS DISTURBED BY CONSTRUCTION SHALL BE STABILIZED WITH PERMANENT SEEDING IMMEDIATELY FOLLOWING FINISHED GRADING. SEEDING SHALL BE IN ACCORDANCE WITH STD. & SPEC. 3.32, PERMANENT SEEDING. SEED TYPE SHALL BE AS SPECIFIED FOR "MINIMUM CARE LAWNS" AND "GENERAL SLOPES" IN THE HANDBOOK FOR SLOPES LESS THAN 3:1. FOR SLOPES GREATER THAN 3:1, SEED TYPE SHALL BE AS SPECIFIED FOR "LOW MAINTENANCE SLOPES" IN TABLE 3.32-D OF THE HANDBOOK. FOR MULCH (STRAW OR FIBER) SHALL BE USED ON ALL SEEDING SURFACES. IN ALL SEEDING OPERATIONS SEED, FERTILIZER AND LIME SHALL BE APPLIED PRIOR TO MULCHING.

**SEQUENCE OF INSTALLATION**

**PHASE I**

- A PRE-CONSTRUCTION MEETING IS REQUIRED WITH THE CITY OF CHARLOTTESVILLE E&S INSPECTOR, CONTRACTOR, OWNER, AND ENGINEER. THIS MEETING SHALL TAKE PLACE AT NEIGHBORHOOD DEVELOPMENT SERVICES OFFICE.
- PRIOR TO BEGINNING DEMOLITION AND SITE GRADING, THE CONTRACTOR SHALL INSTALL INLET PROTECTION, CONSTRUCTION ENTRANCE, AND SILT FENCE.
- AFTER ALL EROSION CONTROL MEASURES SHOWN ON THE PHASE I E&S PLAN ARE INSTALLED CONTRACTOR CAN BEGIN DEMOLITION AND GRADING. KEEP EX. CURB IN PLACE UNTIL SITE IS STABILIZED TO DIRECT DRAINAGE FROM ROAD AROUND SITE.
- TEMPORARILY SEED DENUDED AREAS PER VESCH STANDARDS.

**PHASE II**

- INSTALL ADDITIONAL INLET PROTECTION WHERE SHOWN ON THE PHASE II E&S PLAN, AS THE STORM SYSTEM IS CONSTRUCTED AND BECOMES OPERATIONAL.
- ALL STORMWATER PIPING AND STRUCTURES SHALL BE INSPECTED FOR SILT/SEDIMENT. IF PRESENT, SILT/SEDIMENT SHALL BE CLEANED OUT OF THE SYSTEM TO THE SATISFACTION OF THE E&S INSPECTOR.
- APPLY PERMANENT SOIL STABILIZATION TO THESE AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS ACHIEVED.
- ONCE CONSTRUCTION IS COMPLETE AND ALL CONTRIBUTING AREAS ARE STABILIZED, EROSION CONTROL MEASURES CAN BE REMOVED UPON APPROVAL FROM THE E&S INSPECTOR.

**MINIMUM STANDARDS:**

AN EROSION AND SEDIMENT CONTROL PROGRAM ADOPTED BY A DISTRICT OR LOCALITY MUST BE CONSISTENT WITH THE FOLLOWING CRITERIA, TECHNIQUES AND METHODS:

- MS-1. PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT FOR LONGER THAN 30 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR.
- MS-2. DURING CONSTRUCTION OF THE PROJECT, SOIL STOCKPILES AND BORROW AREAS SHALL BE STABILIZED OR PROTECTED WITH SEDIMENT TRAPPING MEASURES. THE APPLICANT IS RESPONSIBLE FOR THE TEMPORARY PROTECTION AND PERMANENT STABILIZATION OF ALL SOIL STOCKPILES ON SITE AS WELL AS BORROW AREAS AND SOIL INTENTIONALLY TRANSPORTED FROM THE PROJECT SITE.
- MS-3. A PERMANENT VEGETATIVE COVER SHALL BE ESTABLISHED ON DENUDED AREAS NOT OTHERWISE PERMANENTLY STABILIZED. PERMANENT VEGETATION SHALL NOT BE CONSIDERED ESTABLISHED UNTIL A GROUND COVER IS ACHIEVED THAT IS UNIFORM, MATURE ENOUGH TO SURVIVE AND WILL INHIBIT EROSION.
- MS-4. SEDIMENT BASINS AND TRAPS, PERIMETER DIKES, SEDIMENT BARRIERS AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND-DISTURBING ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE.
- MS-5. STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS, DIKES AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.
- MS-6. SEDIMENT TRAPS AND SEDIMENT BASINS SHALL BE DESIGNED AND CONSTRUCTED BASED UPON THE TOTAL DRAINAGE AREA TO BE SERVED BY THE TRAP OR BASIN.
  - A. THE MINIMUM STORAGE CAPACITY OF A SEDIMENT TRAP SHALL BE 134 CUBIC YARDS PER ACRE OF DRAINAGE AREA AND THE TRAP SHALL ONLY CONTROL DRAINAGE AREAS LESS THAN THREE ACRES.
  - B. SURFACE RUNOFF FROM DISTURBED AREAS THAT IS COMPRISED OF FLOW FROM DRAINAGE AREAS GREATER THAN OR EQUAL TO THREE ACRES SHALL BE CONTROLLED BY A SEDIMENT BASIN. THE MINIMUM STORAGE CAPACITY OF A SEDIMENT BASIN SHALL BE 134 CUBIC YARDS PER ACRE OF DRAINAGE AREA. THE OUTFALL SYSTEM SHALL, AT A MINIMUM, MAINTAIN THE STRUCTURAL INTEGRITY OF THE BASIN DURING A 25-YEAR STORM OF 24-HOUR DURATION. RUNOFF COEFFICIENTS USED IN RUNOFF CALCULATIONS SHALL CORRESPOND TO A BARE EARTH CONDITION OR THOSE CONDITIONS EXPECTED TO EXIST WHILE THE SEDIMENT BASIN IS UTILIZED.
- MS-7. CUT AND FILL SLOPES SHALL BE DESIGNED AND CONSTRUCTED IN A MANNER THAT WILL MINIMIZE EROSION. SLOPES THAT ARE FOUND TO BE ERODING EXCESSIVELY WITHIN ONE YEAR OF PERMANENT STABILIZATION SHALL BE PROVIDED WITH ADDITIONAL SLOPE STABILIZING MEASURES UNTIL THE PROBLEM IS CORRECTED.
- MS-8. CONCENTRATED RUNOFF SHALL NOT FLOW DOWN CUT OR FILL SLOPES UNLESS CONTAINED WITHIN AN ADEQUATE TEMPORARY OR PERMANENT CHANNEL, FLUME OR SLOPE DRAIN STRUCTURE.
- MS-9. WHENEVER WATER SEEPS FROM A SLOPE FACE, ADEQUATE DRAINAGE OR OTHER PROTECTION SHALL BE PROVIDED.
- MS-10. ALL STORM SEWER INLETS THAT ARE MADE OPERABLE DURING CONSTRUCTION SHALL BE PROTECTED SO THAT SEDIMENT-LADEN WATER CANNOT ENTER THE CONVEYANCE SYSTEM WITHOUT FIRST BEING FILTERED OR OTHERWISE TREATED TO REMOVE SEDIMENT.
- MS-11. BEFORE NEWLY CONSTRUCTED STORMWATER CONVEYANCE CHANNELS OR PIPES ARE MADE OPERATIONAL, ADEQUATE OUTLET PROTECTION AND ANY REQUIRED TEMPORARY OR PERMANENT CHANNEL LINING SHALL BE INSTALLED IN BOTH THE CONVEYANCE CHANNEL AND RECEIVING CHANNEL.
- MS-12. WHEN WORK IN A LIVE WATERCOURSE IS PERFORMED, PRECAUTIONS SHALL BE TAKEN TO MINIMIZE ENCROACHMENT, CONTROL SEDIMENT TRANSPORT AND STABILIZE THE WORK AREA TO THE GREATEST EXTENT POSSIBLE DURING CONSTRUCTION. NONERODIBLE MATERIAL SHALL BE USED FOR THE CONSTRUCTION OF CAUSEWAYS AND COFFERDAMS. EARTHEN FILL MAY BE USED FOR THESE STRUCTURES IF ARMORED BY NONERODIBLE COVER MATERIALS.
- MS-13. WHEN A LIVE WATERCOURSE MUST BE CROSSED BY CONSTRUCTION VEHICLES MORE THAN TWICE IN ANY SIX-MONTH PERIOD, A TEMPORARY VEHICULAR STREAM CROSSING CONSTRUCTED OF NONERODIBLE MATERIAL SHALL BE PROVIDED.
- MS-14. ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS PERTAINING TO WORKING IN OR CROSSING LIVE WATERCOURSES SHALL BE MET.
- MS-15. THE BED AND BANKS OF A WATERCOURSE SHALL BE STABILIZED IMMEDIATELY AFTER WORK IN THE WATERCOURSE IS COMPLETED.
- MS-16. UNDERGROUND UTILITY LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING STANDARDS IN ADDITION TO OTHER APPLICABLE CRITERIA:
  - A. NO MORE THAN 500 LINEAR FEET OF TRENCH MAY BE OPENED AT ONE TIME.
  - B. EXCAVATED MATERIAL SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES.
  - C. EFFLUENT FROM DEWATERING OPERATIONS SHALL BE FILTERED OR PASSED THROUGH AN APPROVED SEDIMENT TRAPPING DEVICE, OR BOTH, AND DISCHARGED IN A MANNER THAT DOES NOT ADVERSELY AFFECT FLOWING STREAMS OR OFF-SITE PROPERTY.
  - D. MATERIAL USED FOR BACKFILLING TRENCHES SHALL BE PROPERLY COMPACTED IN ORDER TO MINIMIZE EROSION AND PROMOTE STABILIZATION.
  - E. RESTABILIZATION SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THESE REGULATIONS.
  - F. APPLICABLE SAFETY REGULATIONS SHALL BE COMPLIED WITH.
- MS-17. WHERE CONSTRUCTION VEHICLE ACCESS ROUTES INTERSECT PAVED OR PUBLIC ROADS, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY VEHICULAR TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED ONTO A PAVED OR PUBLIC ROAD SURFACE, THE ROAD SURFACE SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTED TO A SEDIMENT CONTROL DISPOSAL AREA. STREET WASHING SHALL BE ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER. THIS PROVISION SHALL APPLY TO INDIVIDUAL DEVELOPMENT LOTS AS WELL AS TO LARGER LAND-DISTURBING ACTIVITIES.
- MS-18. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE AUTHORIZED BY THE LOCAL PROGRAM AUTHORITY. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED TO PREVENT FURTHER EROSION AND SEDIMENTATION.
- MS-19. PROPERTIES AND WATERWAYS DOWNSTREAM FROM DEVELOPMENT SITES SHALL BE PROTECTED FROM SEDIMENT DEPOSITION, EROSION AND DAMAGE DUE TO INCREASES IN VOLUME, VELOCITY AND PEAK FLOW RATE OF STORMWATER RUNOFF FOR THE STATED FREQUENCY STORM OF 24-HOUR DURATION IN ACCORDANCE WITH THE STANDARDS AND CRITERIA LISTED IN SECTION 19 OF VIRGINIA ADMINISTRATIVE CODE 9VAC25-840-40 MINIMUM STANDARDS.

**GENERAL EROSION AND SEDIMENT CONTROL NOTES:**

- ES-1: UNLESS OTHERWISE INDICATED, CONSTRUCT AND MAINTAIN ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE LATEST EDITION OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATIONS VR 625-02-00 EROSION AND SEDIMENT CONTROL REGULATIONS.
- ES-2: THE CONTROLLING EROSION AND SEDIMENT CONTROL AUTHORITY WILL MAKE A CONTINUING REVIEW AND EVALUATION OF THE METHODS AND EFFECTIVENESS OF THE EROSION CONTROL PLAN.
- ES-3: PLACE ALL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO OR AS THE FIRST STEP IN CLEARING, GRADING, OR LAND DISTURBANCE.
- ES-4: MAINTAIN A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN ON THE SITE AT ALL TIMES.
- ES-5: PRIOR TO COMMENCING LAND-DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING, BUT NOT LIMITED TO, OFFSITE BORROW OR WASTE AREA), SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE ARCHITECT/ENGINEER AND THE CONTROLLING EROSION AND SEDIMENT CONTROL AUTHORITY FOR REVIEW AND ACCEPTANCE.
- ES-6: PROVIDE ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS DETERMINED BY THE RESPONSIBLE LAND DISTURBER. (MODIFIED NOTE)
- ES-7: ALL DISTURBED AREAS SHALL DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND-DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT.
- ES-8: DURING DEWATERING OPERATIONS, PUMP WATER INTO AN APPROVED FILTERING DEVICE.
- ES-9: INSPECT ALL EROSION CONTROL MEASURES DAILY AND AFTER EACH RUNOFF-PRODUCING RAINFALL EVENT. MAKE ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES IMMEDIATELY.

TABLE 3.32-D  
SITE SPECIFIC SEEDING MIXTURES FOR PIEDMONT AREA

MINIMUM CARE LAWN COMMERCIAL OR RESIDENTIAL	TOTAL LBS. PER ACRE
KENTUCKY 31 OR TURF-TYPE TALL FESCUE	175-200 LBS.
IMPROVED PERENNIAL RYEGRASS	90-100%
KENTUCKY BLUEGRASS	0-5%

GENERAL SLOPE (3:1 OR LESS)

KENTUCKY 31 FESCUE	128 LBS.
RED TOP GRASS	2 LBS.
SEASONAL NURSE CROP *	20 LBS.
150 LBS.	

LOW-MAINTENANCE SLOPE (STEEPER THAN 3:1)

KENTUCKY 31 FESCUE	108 LBS.
RED TOP GRASS	2 LBS.
SEASONAL NURSE CROP *	20 LBS.
CROWNVEATCH **	20 LBS.
150 LBS.	

\* USE SEASONAL NURSE CROP IN ACCORDANCE WITH SEEDING DATES AS STATED BELOW:  
 FEBRUARY 16TH THROUGH APRIL..... ANNUAL RYE  
 MAY 1ST THROUGH AUGUST 15TH..... FOXTAIL MILLET  
 AUGUST 16TH THROUGH OCTOBER..... ANNUAL RYE  
 NOVEMBER THROUGH FEBRUARY 15TH..... WINTER RYE

\*\* SUBSTITUTE SERICEA LESPEDEZA FOR CROWNVEATCH EAST OF FARMVILLE, VA (MAY THROUGH SEPTEMBER USE HULLED SERICEA. ALL OTHER PERIODS, USE UNHULLED SERICEA). IF FLATPEA IS USED IN LIEU OF CROWNVEATCH, INCREASE RATE TO 30 LBS./ACRE. ALL LEGUME SEED MUST BE PROPERLY INOCULATED. WEEPING LOVEGRASS MAY BE ADDED TO ANY SLOPE OR LOW-MAINTENANCE MIX DURING WARMER SEEDING PERIODS; ADD 10-20 LBS./ACRE IN MIXES.

TABLE 3.31-B  
ACCEPTABLE TEMPORARY SEEDING PLANT MATERIALS  
"QUICK REFERENCE FOR ALL REGIONS"

PLANTING DATES	SPECIES	RATE (LBS./ACRE)
SEPT. 1 - FEB. 15	50/50 MIX OF ANNUAL RYEGRASS (LOLIUM MULTI-FLORUM) & CEREAL (WINTER) RYE (SECALE CEREALE)	50-100
FEB. 16 - APR. 30	ANNUAL RYEGRASS (LOLIUM MULTI-FLORUM)	60-100
MAY 1 - AUG. 31	GERMAN MILLET (SETARIA ITALICA)	50

(TS) (3.31)

**TEMPORARY SEEDING PLANT MATERIALS**  
No Scale

(DD) (CWD) (3.09)

**PERMANENT SEEDING MIX FOR PIEDMONT AREA**  
No Scale

(CE) (3.02)

**TEMPORARY DIVERSION DIKE**  
No Scale

(SF) (3.05-2)

**STONE CONSTRUCTION ENTRANCE**

(IP) (3.07-1)

**SILT FENCE (W/O WIRE SUPPORT)**  
No Scale

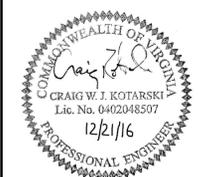
(SSF) (3.05-1)

**STORM DRAIN INLET PROTECTION**

(IP) (3.07-1)

**SILT FENCE (WITH WIRE SUPPORT)**

(SSF) (3.05-1)



THIS DRAWING PREPARED AT THE  
**CHARLOTTEVILLE OFFICE**  
608 Preston Avenue, Suite 201 | Charlottesville, VA 22903  
TEL: 534.293.5624 | FAX: 534.293.8317 | www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE: 12/21/2016  
DRAWN BY: J. SHOWALTER  
DESIGNED BY: J. SHOWALTER  
CHECKED BY: C. KOTARSKI  
SCALE: NA

**TIMMONS GROUP**

CHS TRACK REPLACEMENT  
CHARLOTTEVILLE, VA

EROSION & SEDIMENT CONTROL NOTES & DETAILS

JOB NO. 33988  
SHEET NO. C3.0

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, including, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.



THIS DRAWING PREPARED AT THE  
**CHARLOTTESVILLE OFFICE**  
 608 Preston Avenue, Suite 200 | Charlottesville, VA 22903  
 TEL: 434-253-5024 | FAX: 434-253-5317 | www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE	REVISION DESCRIPTION
12/21/2016 <td></td>	

**TIMMONS GROUP**

**CHS TRACK REPLACEMENT  
 EROSION & SEDIMENT CONTROL PHASE I PLAN**  
 CHARLOTTESVILLE, VA

DESIGNED BY: J. SHOWALTER  
 CHECKED BY: C. KOTARSKI  
 SCALE: 1"=30'

JOB NO.: 33988  
 SHEET NO.: C3.1

**SOILS INFORMATION:**

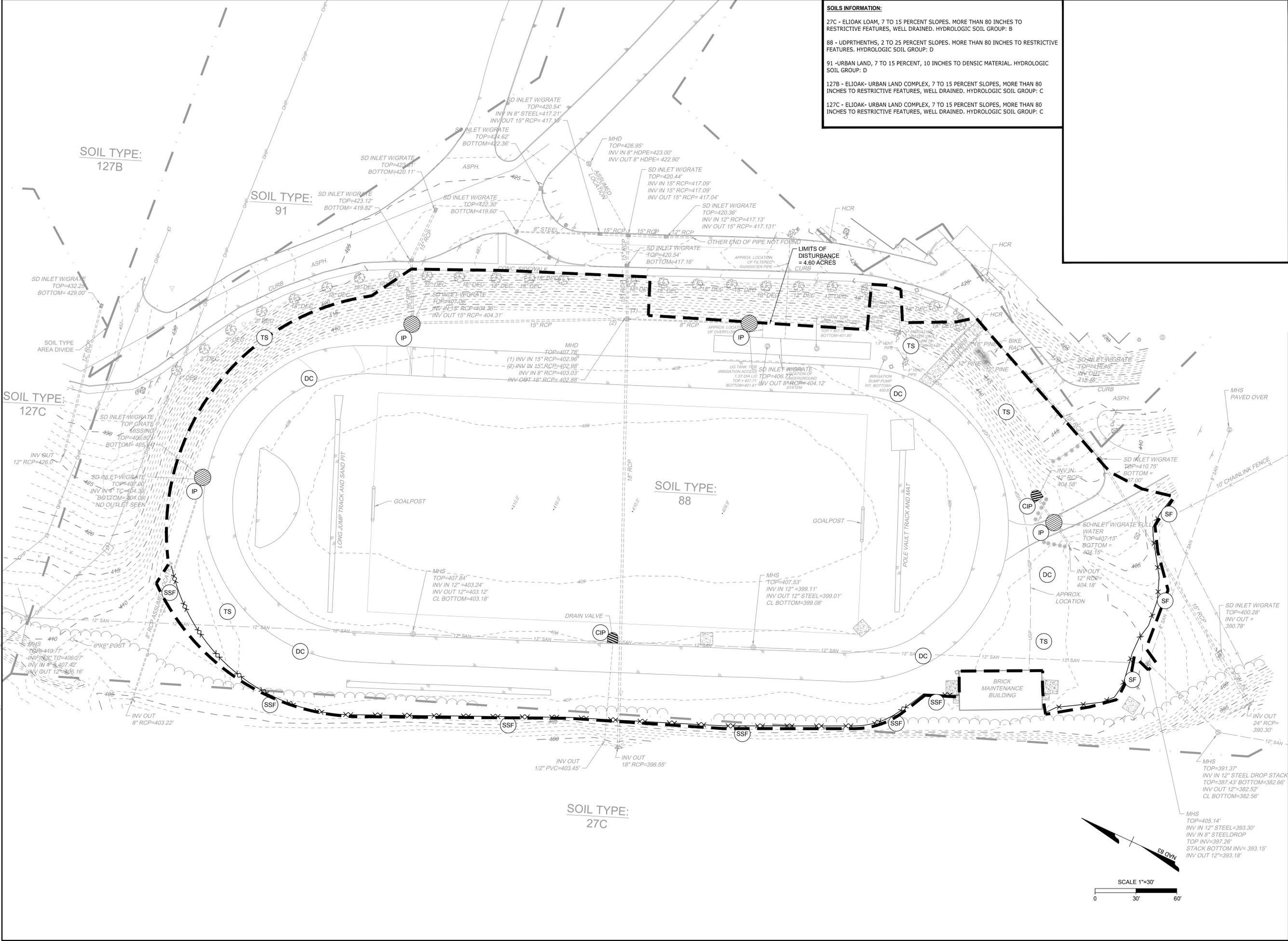
27C - ELIOAK LOAM, 7 TO 15 PERCENT SLOPES, MORE THAN 80 INCHES TO RESTRICTIVE FEATURES, WELL DRAINED. HYDROLOGIC SOIL GROUP: B

88 - UDRPHTHENTHS, 2 TO 25 PERCENT SLOPES, MORE THAN 80 INCHES TO RESTRICTIVE FEATURES. HYDROLOGIC SOIL GROUP: D

91 - URBAN LAND, 7 TO 15 PERCENT, 10 INCHES TO DENSIC MATERIAL. HYDROLOGIC SOIL GROUP: D

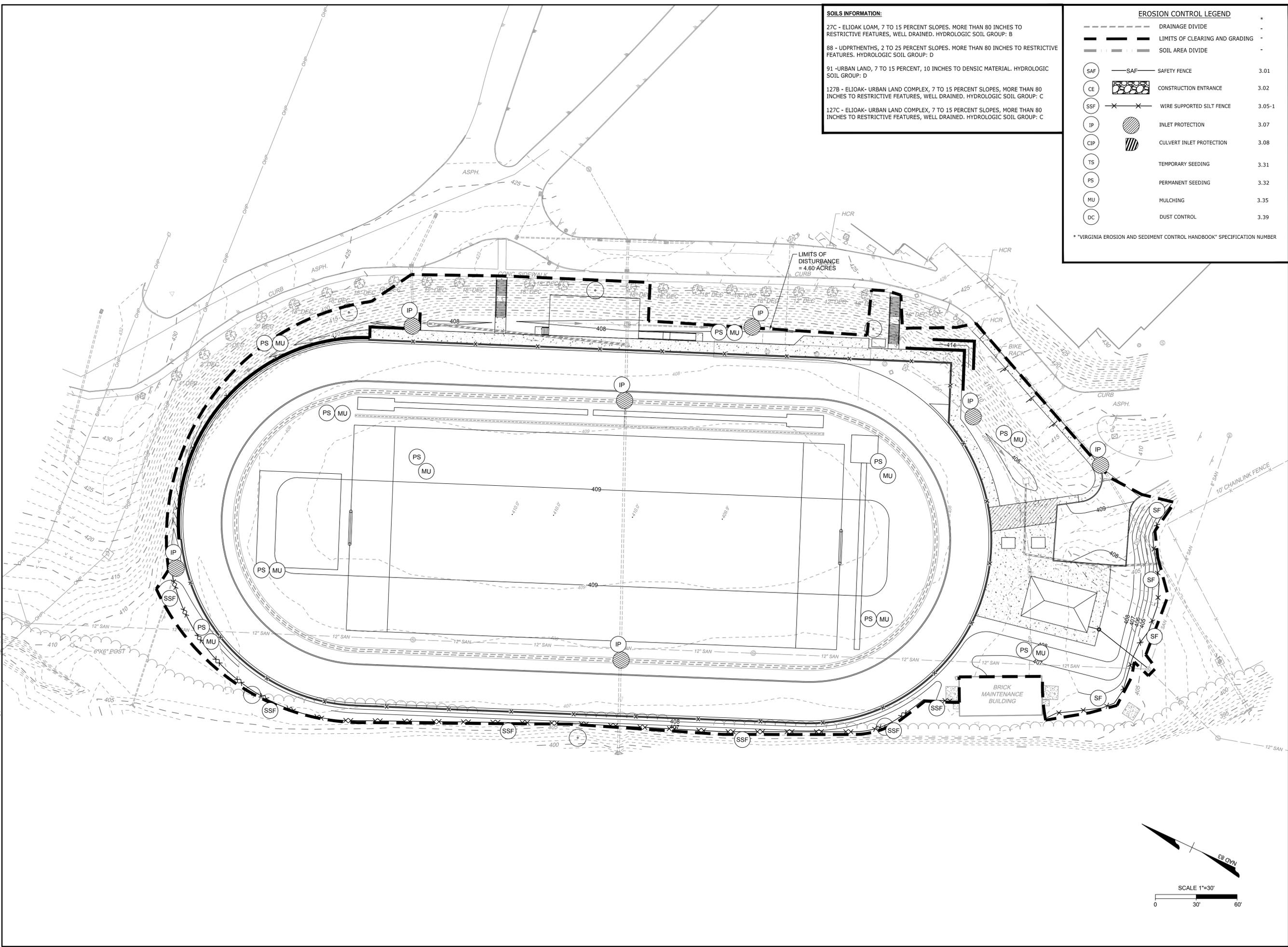
127B - ELIOAK- URBAN LAND COMPLEX, 7 TO 15 PERCENT SLOPES, MORE THAN 80 INCHES TO RESTRICTIVE FEATURES, WELL DRAINED. HYDROLOGIC SOIL GROUP: C

127C - ELIOAK- URBAN LAND COMPLEX, 7 TO 15 PERCENT SLOPES, MORE THAN 80 INCHES TO RESTRICTIVE FEATURES, WELL DRAINED. HYDROLOGIC SOIL GROUP: C



R:\10303868.008-CHS\_Track\DWG\Sheet\C3.1 EROSION AND SEDIMENT CONTROL PHASE I PLAN.dwg | Printed on 12/20/2016 12:38 PM | by Richard Baier

R:\10339888.008\CHS Track\DWG\Sheet\CD\3.2 EROSION AND SEDIMENT CONTROL PHASE 2 PLAN.dwg | Printed on 12/20/2016 12:22 PM | by Richard Baier



**SOILS INFORMATION:**

27C - ELOAK LOAM, 7 TO 15 PERCENT SLOPES, MORE THAN 80 INCHES TO RESTRICTIVE FEATURES, WELL DRAINED. HYDROLOGIC SOIL GROUP: B

88 - UDPRTHENTHS, 2 TO 25 PERCENT SLOPES, MORE THAN 80 INCHES TO RESTRICTIVE FEATURES. HYDROLOGIC SOIL GROUP: D

91 -URBAN LAND, 7 TO 15 PERCENT, 10 INCHES TO DENSIC MATERIAL. HYDROLOGIC SOIL GROUP: D

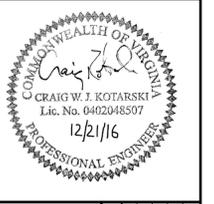
127B - ELOAK- URBAN LAND COMPLEX, 7 TO 15 PERCENT SLOPES, MORE THAN 80 INCHES TO RESTRICTIVE FEATURES, WELL DRAINED. HYDROLOGIC SOIL GROUP: C

127C - ELOAK- URBAN LAND COMPLEX, 7 TO 15 PERCENT SLOPES, MORE THAN 80 INCHES TO RESTRICTIVE FEATURES, WELL DRAINED. HYDROLOGIC SOIL GROUP: C

**EROSION CONTROL LEGEND**

---	DRAINAGE DIVIDE	*
---	LIMITS OF CLEARING AND GRADING	-
---	SOIL AREA DIVIDE	-
SAF	SAF SAFETY FENCE	3.01
CE	CONSTRUCTION ENTRANCE	3.02
SSF	WIRE SUPPORTED SILT FENCE	3.05-1
IP	INLET PROTECTION	3.07
CIP	CULVERT INLET PROTECTION	3.08
TS	TEMPORARY SEEDING	3.31
PS	PERMANENT SEEDING	3.32
MU	MULCHING	3.35
DC	DUST CONTROL	3.39

\* "VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK" SPECIFICATION NUMBER



THIS DRAWING PREPARED AT THE  
**CHARLOTTEVILLE OFFICE**  
 608 Preston Avenue, Suite 200 | Charlottesville, VA 22903  
 TEL: 434-293-5024 | FAX: 434-293-5317 | www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE	REVISION DESCRIPTION

DATE: 12/21/2016  
 DRAWN BY: J. SHOWALTER  
 DESIGNED BY: J. SHOWALTER  
 CHECKED BY: C. KOTARSKI  
 SCALE: 1"=30'

**TIMMONS GROUP**

CHS TRACK REPLACEMENT  
 CHARLOTTEVILLE, VA

EROSION & SEDIMENT CONTROL PHASE II PLAN

JOB NO. 33988  
 SHEET NO. C3.2

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction staking without the express written consent of TIMMONS GROUP.



*This page intentionally left blank*

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



Agenda Date:	March 6, 2017
Action Required:	Approve Amended Ordinance
Presenter:	Todd Divers, Charlottesville Commissioner of the Revenue Jason Vandever, Charlottesville Treasurer
Staff Contacts:	Betty Graham, Business License Inspector Levingston Plumb, Business Personal Property Inspector
Title:	<b>Proposed Change to Business License Fee Amount and Associated Change to Technology Zone Credit</b>

**Background:**

Currently any business operating in the City of Charlottesville is required to pay a business license tax based on its gross receipts, known as the Business Professional Occupational License (BPOL). In fiscal year 2016, BPOL generated \$6,925,402 in revenue for the City, accounting for about 4.4% of all City revenue. BPOL plays a vital role in diversifying the City's revenue sources and permits commercial enterprises within City limits. BPOL tax has been authorized in City Code since at least 1932, and has existed in its current form across Virginia since 1964. All 38 cities in Virginia charge a BPOL tax as authorized by State Code.

Charlottesville businesses grossing \$50,000 or less per year pay a flat fee of \$35 and businesses grossing more than \$50,000 pay based on a rate (established in State Code and as determined by the particular type of business) multiplied by annual gross receipts.

As an example, a veterinarian grossing \$49,000 per year pays \$35 for an annual business license. A veterinarian grossing \$51,000 per year pays according to the standard rate for veterinarians and other similar professions (\$0.58/\$100), and would pay a rate-based fee of \$295.80.

A graphic designer grossing \$49,000 per year pays \$35 for an annual business license. A graphic designer grossing \$51,000 per year pays according to the standard rate for graphic designers and other similar professions (\$0.36/\$100), and would pay a rate-based fee of \$183.60. The effect is that similar small businesses with very similar gross receipts end up paying very different fee amounts.

In Albemarle County, businesses earning up to \$100,000 pay a flat rate of \$50.

The practical effect of these structures is that in the City, businesses grossing below \$50,000 pay a slightly lower fee than their counterparts in the County (\$35 instead of \$50). However, those grossing between \$50,000 and \$100,000 can sometimes pay significantly more than their counterparts in the County.

### **Discussion:**

In an effort to attract, retain, and encourage small businesses in the City of Charlottesville, the Commissioner of the Revenue and City Treasurer are proposing a modest change to the fee structure used to assess BPOL:

- Businesses grossing \$50,000 and below continue to pay a \$35 license fee
- Businesses grossing \$50,001 to \$100,000 pay a \$50 license fee
- Businesses grossing over \$100,000 pay the license tax based on the applicable BPOL rate

This proposed change would benefit small businesses within the City of Charlottesville by reducing the license fee paid by businesses earning between \$50,000 and \$100,000. Staff estimates that approximately 450 businesses would benefit from this structural change. There would also be a comparable change in the technology business incentive as well. We are recommending that these changes take place for the upcoming assessment year of 2018.

The Commissioner and Treasurer would note that this is a relatively modest proposal that seeks to provide meaningful relief to small businesses in our community within limited statutory, system, and budget constraints.

### **Community Engagement:**

The Commissioner of the Revenue's office hears continuing concern from taxpayers about what can be a dramatic jump in the effective tax rate for a small business once it crosses the \$50,000/year threshold, especially compared to Albemarle County where businesses pay the \$50 minimum fee up to \$100,000 in annual gross receipts. Additionally, recent efforts by City Council to attract Tech businesses through a broadened and enhanced Tech Zone Credit led to discussion about the relative benefits of providing similar encouragement to non-tech small businesses.

Given an uptick in recent assessments and collections for business-related taxes, the Commissioner and Treasurer thought it an opportune moment to present a new business fee/tax structure that attempts to provide some parity with the County for businesses grossing above \$50,000 up to \$100,000.

### **Alignment with City Council's Vision and Priority Areas:**

Approval of this agenda item aligns directly with Goal 3 of the City's Strategic Plan: Have a Strong, diversified economy. Specifically, this proposal would advance initiative 3.2: Attract and cultivate a variety of new businesses, and initiative 3.3: Grow and retain viable businesses.

### **Budgetary Impact:**

Adoption of this change would potentially reduce BPOL revenue by an estimated \$90,000. Adoption of this change would potentially reduce BPOL revenue due to Technology Zone incentives by an additional estimated \$3,000 for a total estimated reduction of \$93,000.

**Recommendation:**

Staff recommends approval of these Code changes.

**Alternatives:**

Council could elect to leave the BPOL rate structure unchanged at this time.

**Attachments:**

Ordinance

**AN ORDINANCE AMENDING CHAPTER 14 (LICENSES) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED RELATING TO CHANGES IN THE LICENSE FEE FOR BUSINESSES WITH GROSS RECEIPTS NOT EXCEEDING ONE HUNDRED THOUSAND DOLLARS (\$100,000) AND TAX INCENTIVES FOR TECHNOLOGY BUSINESSES**

WHEREAS, after consideration of a recommendation from the Commissioner of the Revenue and City Treasurer, this Council is of the opinion that a modification to the fee structure used in the assessment of license fees for businesses with gross receipts not exceeding one hundred thousand dollars (\$100,000) is an appropriate means to attract, retain, and encourage small business activity and growth within the City of Charlottesville; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that:

- 1. Sections 14-15 and 14-24 of Chapter 14 of the Code of the City of Charlottesville (1990), as amended, are hereby amended and reenacted as follows:**

**CHAPTER 14. LICENSES**

**Sec. 14-15. Taxes, categories and rates.**

(a) Except as otherwise provided herein, there shall be assessed and collected by the commissioner a license tax, at the rates and/or in the amounts specified herein following, with respect to each business for which a license is required by this chapter, except that no license tax shall be assessed and collected from any person whose gross receipts from a business subject to licensure are ~~fifty thousand dollars (\$50,000.00)~~ one hundred thousand dollars (\$100,000.00) or less.

(b) There shall be assessed and collected by the commissioner, with respect to each business for which a license is required, a thirty-five dollar (\$35.00) issuance fee for businesses with gross receipts not exceeding fifty thousand dollars (\$50,000.00), or a fifty dollar (\$50.00) issuance fee for businesses with gross receipts of more than fifty thousand dollars (\$50,000.00) but not exceeding one hundred thousand dollars (\$100,000.00), except that:

- (1) No license issuance fee shall be assessed and collected from any person whose gross receipts from a business subject to licensure are more than ~~fifty thousand dollars (\$50,000.00)~~ one hundred thousand dollars (\$100,000.00), and
- (2) No license issuance fee shall be assessed and collected with respect to a business activity subject to a flat license tax (one not based upon gross receipts) pursuant to this chapter, and
- (3) No license issuance fee shall be assessed and collected from any person whose business is not assessable with such license fee pursuant to the provisions of § 58.1-

3703(c) of the Virginia Code.

**Sec. 14-24. Tax incentives for technology businesses.**

(a) . . .

(b) The following incentives, in the form of reduction of taxes owed, shall be available to qualified technology businesses:

- (1) For a qualified technology business whose gross receipts from a technology business subject to licensure are ~~fifty thousand dollars (\$50,000.00)~~ one hundred thousand dollars (\$100,000.00) or less, any license fee which would otherwise be required by this chapter shall be reduced by one hundred (100) percent for no more than seven (7) years.
- (2) A qualified technology business whose gross receipts from a technology business subject to licensure are more than ~~fifty thousand dollars (\$50,000.00)~~ one hundred thousand dollars (\$100,000.00) shall receive a fifty (50) percent reduction of any taxes owed pursuant to this chapter for no more than seven (7) years.

**2. This ordinance shall take effect on January 1, 2018.**

*This page intentionally left blank.*

**CITY OF CHARLOTTESVILLE  
CITY COUNCIL AGENDA**



<b>Agenda Date:</b>	March 20, 2017
<b>Action Required:</b>	Yes (First Reading of Ordinance)
<b>Staff Contacts:</b>	Craig Brown, City Attorney Ben Hershock, Chief Gas Engineer
<b>Title:</b>	<b>Quitclaim Gas Easement to VDOT (Georgetown Road and South Bennington Road)</b>

**Background:** In January 2015, the City acquired a natural gas line easement in portions of Georgetown Road and South Bennington Road in Albemarle County. The Virginia Department of Transportation is prepared to accept those portions of these roads that are located in the Out of Bounds Subdivision into the state highway system. At the request of the Gas Division, we have drafted an ordinance and deed quitclaiming to VDOT those portions of the City's natural gas easement crossing these roadways.

**Discussion:** The quitclaim deed requires the gas lines to remain in their present location, and if the streets cease to be part of the state's highway system, the easement will automatically revert back to the City. The natural gas lines and facilities continue to be owned and maintained by the City even after the easement is quitclaimed to the state.

**Alignment with Council Vision Areas and Strategic Plan:** Not applicable.

**Community Engagement:** Not applicable.

**Alternatives:** If the ordinance is not approved, VDOT will not accept the roadways into its road maintenance system.

**Budgetary Impact:** None.

**Recommendation:** Approval of the attached ordinance and quitclaim deed.

**Attachments:** Ordinance and Deed of Quitclaim (with plats attached).

**AN ORDINANCE  
TO QUITCLAIM PORTIONS OF A NATURAL GAS LINE EASEMENT  
WITHIN GEORGETOWN ROAD AND SOUTH BENNINGTON ROAD  
LOCATED IN ALBEMARLE COUNTY  
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadways known as Georgetown Road and South Bennington Road located in the Out of Bounds Subdivision in Albemarle County; and

**WHEREAS**, the City owns natural gas lines located within these roadways, and also owns an easement for such lines, and VDOT has asked that the portion of the foregoing easement crossing Georgetown Road and South Bennington Road be released upon VDOT's acceptance of the roadways; 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 quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of portions of the above-described gas line easement crossing the said roadways to the Virginia Department of Transportation conditioned upon receipt by the City of a VDOT permit allowing said lines to continue to be located in said roadways.

*Prepared by S. Craig Brown, City Attorney (VSB #19286)  
Charlottesville City Attorney's Office  
P.O. Box 911, Charlottesville, VA 22902*

*Albemarle County Tax Map 60, Parcel 65 (Georgetown Road)*

**This deed is exempt from recordation taxes pursuant to  
Virginia Code Secs. 58.1-811(A)(3) and 58.1-811(C)(4).**

**DEED OF QUITCLAIM**

**THIS DEED OF QUITCLAIM**, made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2017, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation, **GRANTOR**, and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, GRANTEE**, whose address is P. O. Box 671, Culpeper, Virginia 22701.

**WITNESSETH:**

That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid, receipt of which is hereby acknowledged, the GRANTOR does hereby QUITCLAIM and RELEASE to the GRANTEE, subject to the reservations hereinafter set forth, an easement and right of way, as shown on the attached plat made by the City of Charlottesville Gas Division dated February 28, 2017, to construct, maintain, operate, alter, repair, inspect, protect, remove, and replace certain improvements in Georgetown Road and South Bennington Road in the Out of Bounds Subdivision in the County of Albemarle, namely: Natural gas lines and related gas facilities upon and across Georgetown Road and South Bennington Road, insofar as the land embraced within said easement falls within the boundaries of a public street or highway to be maintained by the Virginia Department of Transportation. Said gas line easement was conveyed to the City by deed from Barracks Heights, LLC, dated December 24, 2014, recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia, in Deed Book 4572 at page 467.

The Grantor reserves unto itself, its successors and assigns, all of the rights and privileges under the aforesaid Deed of Easement until such time as the Virginia Department of Transportation has issued a permit to the GRANTOR subject to the following two conditions which shall also be covenants running with the land:

1. That the above described improvements of the GRANTOR may continue to occupy such streets or highways in the existing condition and location.

2. The GRANTOR shall at all times indemnify and save harmless the Commonwealth of Virginia, Department of Transportation, its employees, agents, and officers from any claim whatsoever arising from GRANTOR'S exercise of rights or privileges stated herein.

The GRANTEE is to have and hold the above-described property for so long as said property is used as part of its public street or highway maintained by the GRANTEE or its successors or assigns charged with the responsibility and obligation to maintain public streets and highways, but upon abandonment of said property's use for such purposes, all rights, privileges, interests and easements in the property herein described under aforesaid Right of Way Easement shall revert to the GRANTOR, its successors and assigns.

Notwithstanding other language contained herein which might appear to the contrary, the parties agree that GRANTOR shall continue to own in fee simple the gas line improvements located within the above described public roadway.

**IN WITNESS WHEREOF**, the **GRANTOR** has caused its name to be assigned hereto and its seal to be affixed and attested by its appropriate officers, all after due authorization, on the day and year first above written.

**CITY OF CHARLOTTESVILLE, VIRGINIA**

BY: \_\_\_\_\_  
A. Michael Signer, Mayor

ATTEST:

\_\_\_\_\_  
Acting Clerk of Council

STATE OF VIRGINIA  
CITY OF CHARLOTTESVILLE

I, \_\_\_\_\_, a Notary Public in and for the City of Charlottesville within the State aforesaid, do hereby certify that A. Michael Signer, Mayor of the City of Charlottesville, Virginia, and Sarah Brazelton, its Acting Clerk of Council, whose names are signed to the foregoing writing, bearing date of \_\_\_\_\_, 2017, have each duly acknowledged the same before me within my City and State aforesaid.

My Commission Expires: \_\_\_\_\_

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public  
Registration # \_\_\_\_\_

**CITY OF CHARLOTTESVILLE PUBLIC UTILITIES: GAS**  
**PLAT SHOWING**  
**A PORTION OF AN EXISTING FIFTEEN-FOOT WIDE EASEMENT**  
**FOR A 2" P.E. GAS LINE**  
**RECORDED AT ALBEMARLE COUNTY DEED BOOK 4572 PAGE 467**  
**LOCATED WITH THE ROAD RIGHTS OF WAY OF**  
**"GEORGETOWN ROAD" AND "SOUTH BENNINGTON ROAD"**  
**TO BE QUIT CLAIMED TO**  
**THE COMMONWEALTH OF VIRGINIA**  
**DEPARTMENT OF TRANSPORTATION**  
**DATE: FEBRUARY 27, 2017 SCALE: 1" = 100'**

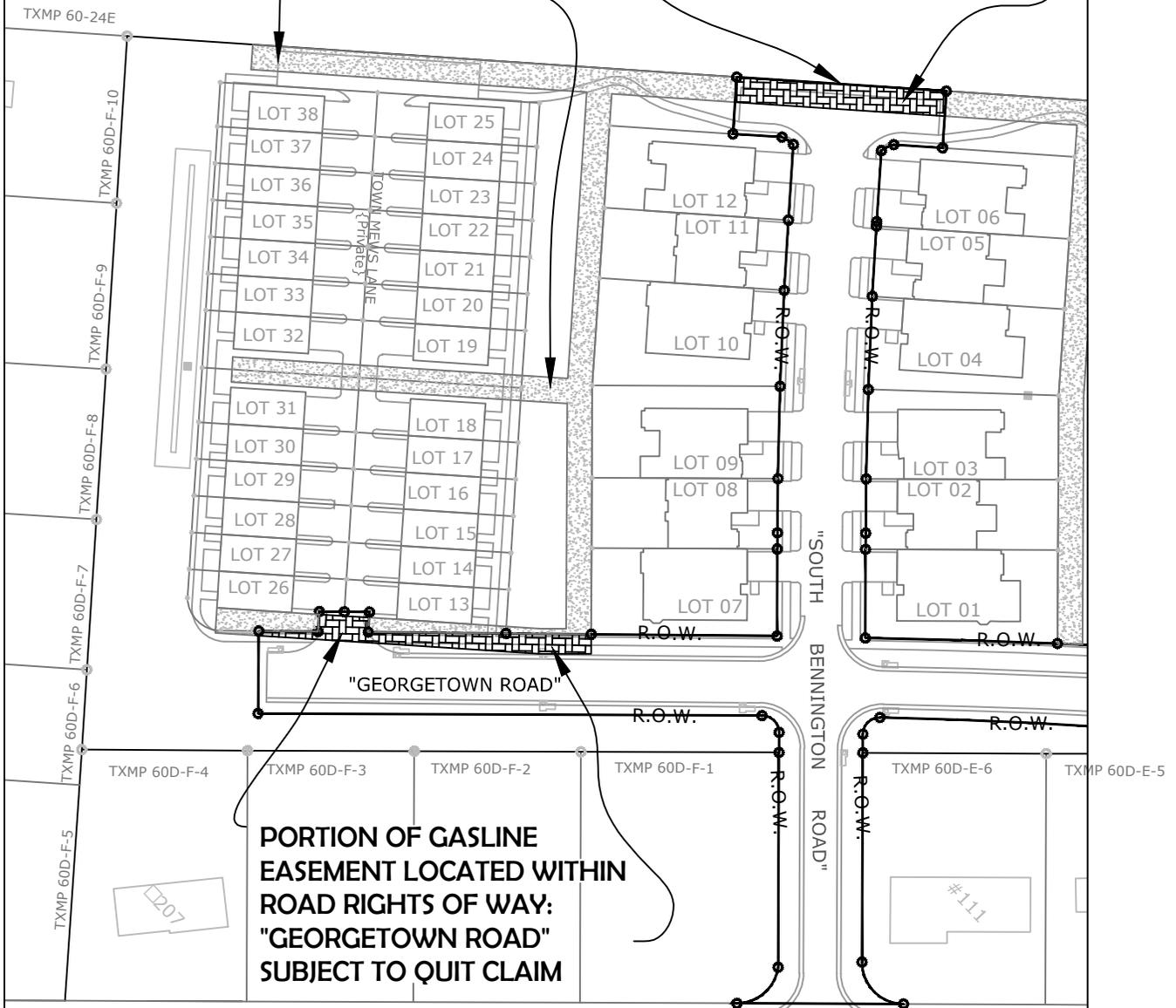


The M.A.O.P. of 2" P.E. pipe  
 is 60 P.S.I., which is <20% S.M.Y.S.  
 When installed the minimum depth  
 was: 42" below paved travelways  
 and 36" deep in grassy areas.

**GASLINE EASEMENT**  
**D.B. 4572 P. 467**  
**NOT SUBJECT TO**  
**QUIT CLAIM**

**PORTION OF GASLINE**  
**EASEMENT LOCATED WITHIN**  
**ROAD RIGHTS OF WAY:**  
**"SOUTH BENNINGTON ROAD"**  
**SUBJECT TO QUIT CLAIM**

**PORTION OF GASLINE**  
**EASEMENT LOCATED WITHIN**  
**ROAD RIGHTS OF WAY:**  
**"GEORGETOWN ROAD"**  
**SUBJECT TO QUIT CLAIM**



VA STATE ROUTE 1404

WESTMINSTER ROAD

*This page intentionally left blank*

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



Agenda Date: March 20, 2017

Action Required: None

Presenter: Maurice Jones, City Manager

Staff Contacts: Leslie Beauregard, Assistant City Manager  
Ryan Davidson, Sr. Budget and Management Analyst  
Maya Kumazawa, Budget and Management Analyst

**Title:**  
**Public Hearings**  
**1. FY 2018 Real Estate Tax Rate**  
**2. City Manager's Proposed FY 2018 Budget**

**Background:**

The Council meeting on March 20<sup>th</sup> marks the first two public hearings of the FY 2018 budget process. The first public hearing is held for the proposed real estate tax rate and the second on this same night is for the FY 2018 City Manager's Proposed Budget. The City Manager will give a very quick overview of the budget prior to the public hearings.

Legal ads were published, as required, in the Daily Progress on February 17, 2017 (real estate tax levy) and on February 28, 2017 (proposed budget).

**Discussion:**

The proposed Real Estate Tax Rate for FY 2018 is **\$.95/\$100 assessed value**, no change from FY 2017.

The total General Fund Budget for FY 2018 is proposed to be **\$171,619,374**, a **5.93%** increase over FY 2017. The proposed budget also includes a **\$29.1M** Capital Improvement Program budget in FY 2018.

**Community Engagement:**

There are several remaining opportunities for the community to provide input into the budget. In addition, a few minutes are reserved at the end of each Budget Worksession for public comment and input:

Council Budget Worksession	March 30, 2017 – 5:00PM City Space Meeting Room
Public Hearing on Council Proposed Budget and First Reading	April 3, 2017 – 7:00PM Council Chambers
Council Budget Worksession	April 6, 2017 – 5:00PM City Space Meeting Room
Second Reading and Budget Adoption	April 11, 2017 – 5:30PM City Hall - Second Floor Conference Room

**Alignment with City Council’s Vision and Strategic Plan:**

This proposed budget aligns with Council’s Vision and Strategic Plan and is detailed in the budget document.

**Budgetary Impact:**

N/A

**Recommendation:**

N/A

**Alternatives:**

N/A

**Attachments:**

The proposed budget document and materials for the budget worksessions are posted at [www.charlottesville.org/budget](http://www.charlottesville.org/budget). Hardcopies of these documents can be found in the City Manager’s Office, City Hall, Monday-Friday between 8am – 5pm, and the budget document at Central and Gordon Ave. libraries.

*This page intentionally left blank*

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



<b>Agenda Date:</b>	March 20, 2017
<b>Actions Required:</b>	Yes (Approval of Concurrent Resolution – One Reading)
<b>Staff Presenter:</b>	Craig Brown, City Attorney
<b>Staff Contacts:</b>	Maurice Jones, City Manager Craig Brown, City Attorney
<b>Re:</b>	<b>Amendment of the RWSA Articles of Incorporation to replace the Director of Public Works with the Director of Utilities on the RWSA Board of Directors</b>

**Background:**

The Rivanna Water and Sewer Authority (“RWSA”) was formed by a concurrent resolution of the Charlottesville City Council and the Albemarle County Board of Supervisors in 1972. As required by Virginia law, the Articles of Incorporation for RWSA establish the membership of its Board of Directors, the governing body for the Authority. Currently, the City representatives on the seven-member Board are a City Councilor, the City Manager and the Director of Public Works.

**Discussion:**

The City Manager recently reorganized the Department of Public Works, following the retirement of the former Director. The Department has now been divided into three separate City Departments: Public Works, Utilities and Transit. Since RWSA provides the City and the Albemarle County Service Authority with potable water and wastewater treatment services, and those services in the City are within the jurisdiction of the City Director of Utilities, the Director of Utilities is the most appropriate staff person to represent the City on the RWSA Board of Directors. The attached Concurrent Resolution will therefore amend the RWSA Articles of Incorporation to replace the City Director of Public Works with the City Director of Utilities on the RWSA Board. The Amended Articles will also give the City Council the ability to replace the Director of Utilities with any other City department head, which is an option that the Albemarle County Board of Supervisors already has with respect to the Board seat currently held by the Executive Director of the Albemarle County Service Authority.

To be effective the Concurrent Resolution must be passed by both the City Council and the Albemarle County Board of Supervisors. It is currently scheduled to be considered by the Board of Supervisors on April 5. No change is being proposed in the membership of the Rivanna Solid

Waste Authority. The City will continue to be represented on that Board by a City Councilor, the City Manager and the City Director of Public Works.

**Community Engagement:**

There has been no community engagement regarding the amendment of the RWSA Articles of Incorporation, but there is a scheduled public hearing that has been advertised as required by law.

**Budget Impact:**

The adoption of the Concurrent Resolution has no impact on the City budget.

**Recommendation:**

City staff recommends adoption of the attached Concurrent Resolution, replacing the City Director of Public Works with the City Director of Utilities on the RWSA Board of Directors.

**Attachments:**

Concurrent Resolution, which includes the Fourth Restated Articles of Incorporation of the Rivanna Water and Sewer Authority.

**CONCURRENT RESOLUTION OF  
THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA AND  
THE BOARD OF SUPERVISORS OF THE COUNTY OF ALBEMARLE, VIRGINIA  
TO AMEND AND RESTATE THE ARTICLES OF INCORPORATION OF THE  
RIVANNA WATER AND SEWER AUTHORITY**

**WHEREAS**, by concurrent resolution of the City Council of the City of Charlottesville, Virginia (the City) and the Board of Supervisors of the County of Albemarle, Virginia (the County) and a certificate of incorporation issued by the State Corporation Commission pursuant to the Virginia Water and Sewer Authorities Act (currently enacted as the Virginia Water and Waste Authorities Act, Virginia Code Section 15.2-5100 *et seq.*), the Rivanna Water and Sewer Authority (the Authority) was incorporated as a public body politic and corporate in 1972; and,

**WHEREAS**, the City and the County amended and restated the Articles of Incorporation of the Authority in December 1985 to limit its powers regarding the treatment and transmission of potable water and the treatment and disposal of sewage; and,

**WHEREAS**, the City and the County further amended and restated the Articles of Incorporation of the Authority in August 1986 to place the Executive Director of the Albemarle County Service Authority, or such Albemarle County Department head as the Board of Supervisors of Albemarle County may appoint, on the Board of the Rivanna Water and Sewer Authority in lieu of the County Engineer of Albemarle County; and,

**WHEREAS**, the City and the County further amended and restated the Articles of Incorporation of the Authority in April 2009 to increase the number of members of the Board of the Authority from five (5) to seven (7) through the addition of one (1) member of the Charlottesville City Council, to be appointed by the City Council and to serve as an *ex*

*officio* member of the Board, and one (1) member of the Albemarle County Board of Supervisors, to be appointed by the Board of Supervisors and to serve as an *ex officio* member of the Board; and,

**WHEREAS**, the City and the County desire to further amend and restate the Articles of Incorporation of the Authority to place the Director of Utilities of the City of Charlottesville, or such City of Charlottesville Department head as the Charlottesville City Council may appoint, on the Board of the Rivanna Water and Sewer Authority in lieu of the Director of Public Works of the City of Charlottesville; and,

**WHEREAS**, pursuant to Virginia Code Section 15.2-5104 the City and the County caused to be advertised in a newspaper of general circulation in the City and the County a descriptive summary of this Concurrent Resolution and the proposed change to the Authority's Articles of Incorporation with a reference to the location in the City and the County where a copy of the Resolution could be obtained, and giving notice of the date on which public hearings would be held on the proposed Concurrent Resolution; and,

**WHEREAS**, public hearings on the proposed Concurrent Resolution were held by the Charlottesville City Council on March 20, 2017 and by the Albemarle County Board of Supervisors on April 5, 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia and the Board of Supervisors of Albemarle County, Virginia that:

(1) The proposed amendment to the Articles of Incorporation for the Rivanna Water and Sewer Authority which places the Director of Utilities of the City of Charlottesville, or such City of Charlottesville Department head as the Charlottesville City Council may appoint, on the Board of the Rivanna Water and Sewer Authority in lieu of the Director of Public Works of the

City of Charlottesville, is hereby approved.

(2) Pursuant to Virginia Code Section 15.2-5107, the City Council and the Board of Supervisors shall cause a certified copy of this Concurrent Resolution to be filed with the State Corporation Commission.

(3) The Articles of Incorporation of the Rivanna Water and Sewer Authority as amended and restated shall be as follows:

**FOURTH RESTATED ARTICLES OF INCORPORATION OF  
RIVANNA WATER AND SEWER AUTHORITY**

The Council of the City of Charlottesville and the Board of Supervisors of the County of Albemarle having created an Authority pursuant to the Virginia Water and Sewer Authorities Act (Chapter 28, Title 15.1, Code of Virginia of 1950, as amended) as a public body politic and corporate, and having signified their intention to amend and restate its Articles of Incorporation pursuant to the Virginia Water and Waste Authorities Act (Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended), hereby certify:

(a) The name of the Authority is "Rivanna Water and Sewer Authority" and the address of its principal office shall be Charlottesville, Virginia.

(b) The names of the incorporating political subdivisions are the City of Charlottesville and the County of Albemarle.

(c) The powers of the Authority shall be exercised by a Board of Directors of seven members consisting of the four persons holding the offices, from time to time, of City Manager and Director of Utilities of the City of Charlottesville, or such City of Charlottesville Department head as the City Council may appoint in the Director of Utilities' place, County Executive of the County of Albemarle and Executive Director of the Albemarle County

Service Authority, or such Albemarle County Department head as the Board of Supervisors of Albemarle County may appoint in the Executive Director's place; one member of the Charlottesville City Council to be appointed by the City Council; one member of the Albemarle County Board of Supervisors to be appointed by the Board of Supervisors; and a seventh person appointed by the concurrent action of the Charlottesville City Council and the Albemarle County Board of Supervisors. The names and addresses of the current members of the Authority Board are as follows:

Name	Address
Lizabeth A. Palmer (Albemarle County Board of Supervisors)	401 McIntire Road Charlottesville, VA 22902
Doug Walker (Albemarle County Interim Executive)	401 McIntire Road Charlottesville, VA 22902
Gary B. O'Connell (Executive Director, Albemarle County Service Authority)	168 Spotnap Road Charlottesville, VA 22911
Kathleen M. Galvin (Charlottesville City Council_	605 East Main Street Charlottesville, VA 22902
Maurice Jones (Charlottesville City Manager)	605 East Main Street Charlottesville, VA 22902
Paul Oberdorfer (Charlottesville Director of Public Works)	305 4th Street, N.W. Charlottesville, VA 22903
Michael A. Gaffney (Concurrent City/County Appointee)	112 Reynard Drive Charlottesville, VA 22901

The terms of the members of the Board serving as such by virtue of their appointed offices with the City, the County and the Albemarle County Service Authority shall expire

upon the earlier of their ceasing to hold such appointed offices, or after four years from the recordation of these Restated Articles of Incorporation by the State Corporation Commission; provided that such members shall be eligible for reappointment for terms not in excess of four years for so long as they hold their appointed offices. The terms of the City Councilor appointed by the City Council and the Supervisor appointed by the Albemarle County Board of Supervisors shall expire upon the earlier of their ceasing to hold such offices or expiration of their term of office as a Councilor or Supervisor; however, if they are re-elected to those offices they may be reappointed to the Board. Any person hereafter holding the office of Albemarle County Executive or Charlottesville City Manager shall automatically succeed to the membership of his predecessor in such office on the Board of the Authority. The term of the member of the Board serving as such by virtue of his office with the Albemarle County Service Authority shall also expire upon the decision of the Albemarle County Board of Supervisors that a County Department head shall serve on the Board in the Executive Director's place. Any person hereafter holding the office of Director of Utilities of the City of Charlottesville (or, if a City Department head has been appointed by the Charlottesville City Council to serve in the place of the Director of Utilities of the City of Charlottesville, any person holding the office of such Department head) shall automatically succeed to the membership of his predecessor in such office on the Board of the Authority. Any person hereafter holding the office of Executive Director of the Albemarle County Service Authority (or, if a County Department head has been appointed by the Albemarle County Board of Supervisors to serve in the place of the Executive Director of the Albemarle County Service Authority, any person holding the office of such Department head) shall automatically succeed to the membership of his predecessor in such office on the Board of the Authority.

The current term of the member of the Board appointed by the concurrent action of the Charlottesville City Council and the Albemarle County Board of Supervisors shall expire on December 31, 2018, and his successor shall be appointed for a term of two years, except that a vacancy shall be filled only for the unexpired term. The appointed member shall hold office until his successor has been appointed and qualifies and he shall be eligible for reappointment to succeed himself. The appointed member shall receive such compensation not to exceed \$1,800.00 per year as the Board of the Authority may determine, but those members who are employees or officials of the City or the County or the Albemarle County Service Authority shall serve without compensation. Each member shall be reimbursed the amount of his actual expenses necessarily incurred in the performance of his duties.

(d) The purpose for which the Authority is formed is to acquire, finance, construct, operate and maintain facilities for developing a supply of potable water for the City of Charlottesville and Albemarle Comity and for the abatement of pollution resulting from sewage in the Rivanna River Basin, by the impoundment, treatment and transmission of potable water and the interception, treatment and discharge of wastewater, together with all appurtenant equipment and appliances necessary or suitable therefore and all properties, rights, easements or franchises relating thereto and deemed necessary or convenient by the Authority for their operation. Except to the extent of providing incidental services and the sale of excess products, the Authority's powers are limited to providing wholesale services to the City and the County.

The Authority may contract with the City, the County, any sanitary district thereof or any authority therein created pursuant to the Virginia Water and Waste Authorities Act (or its predecessor, the Virginia Water and Sewer Authorities Act) to furnish water and to treat

sewage delivered to its facilities upon such terms as the Authority shall determine; provided, however, that any such contract shall include as parties thereto the City and the County (or any agency of the County designated for that purpose by its Board of Supervisors). The Authority is expressly prohibited from contracting with any other party desiring service in the City or the County, except upon the written consent of the City or County (or any agency of the County designated for that purpose by the Board of Supervisors), respectively.

(e) The Authority shall cause an annual audit of its books and records to be made by the State Auditor of Public Accounts or an independent certified public accountant at the end of each fiscal year and a certified copy therefore to be filed promptly with the City Council of the City of Charlottesville and the Board of Supervisors of the County of Albemarle.

**IN WITNESS WHEREOF**, the City Council of the City of Charlottesville and the Board of Supervisors of the County of Albemarle have caused these Fourth Restated Articles of Incorporation to be executed in the name of the City of Charlottesville and the County of Albemarle, respectively, by their presiding officers and attested by their Clerks this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF CHARLOTTESVILLE, VIRGINIA

By: \_\_\_\_\_  
Michael Signer, Mayor

Attest:

\_\_\_\_\_  
Clerk of Council

COUNTY OF ALBEMARLE, VIRGINIA

By: \_\_\_\_\_  
Diantha McKeel, Chair, Board of Supervisors

Attest:

\_\_\_\_\_  
Clerk, County Board of Supervisors

86509741\_3

*This page intentionally left blank*

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



<b>Agenda Date:</b>	March 20, 2017
<b>Action Requested:</b>	Approval of Resolution
<b>Presenter:</b>	Kristin Szakos, City Councilor
<b>Staff Contacts:</b>	Maurice Jones, City Manager
<b>Title:</b>	<b>Opposition to Increase in Federal Defense Budget Funding</b>

**Background:**

Two weeks ago, several residents of our community encouraged City Council to support a resolution opposing President Trump’s proposed budget which calls for a significant increase of \$54 billion in military spending while also dramatically reducing discretionary funding for important programs and agencies such as Community Development Block Grants (CDBG), the HOME Investment Partnership Programs (HOME), and the Environmental Protection Agency.

On March 6<sup>th</sup>, the Council agreed to consider a resolution at its next meeting. City Councilor Kristin Szakos drafted the attached resolution for Council’s review and action this evening.

**Community Engagement:**

None.

**Budgetary Impact:**

None

**Attachment:**

Resolution: “Fund Human and Environmental Needs, Not Military Expansion”

## **Fund Human and Environmental Needs, Not Military Expansion**

**Whereas** President Donald J. Trump has proposed to divert \$54 billion from human and environmental spending at home and abroad in order to increase the military budget, bringing military spending to well over 60% of federal discretionary spending; and

**Whereas** the citizens of Charlottesville already pay \$112.62 million in federal taxes for military expenditures, an amount that each year could fund locally:

- 210 elementary school teacher salaries;
- 127 new clean energy jobs; 169 infrastructure jobs;
- 94 supported employment opportunities for returning citizens;
- 1,073 preschool seats for children in Head Start;
- medical care for 953 military veterans;
- 231 college scholarships for CHS graduates;
- 409 Pell Grants for Charlottesville students;
- healthcare for 3,468 low-income children;
- enough wind power to power 8,312 households;
- healthcare for 1,998 low-income adults;
- AND solar panels to provide electricity for 5,134 households.

**Whereas** economists at the University of Massachusetts have documented that military spending is an economic drain rather than a jobs program<sup>1</sup>; and

**Whereas** our community's human and environmental needs are critical, and our ability to respond to those needs depends on federal funding for education, welfare, public safety, and infrastructure maintenance, transit and environmental protection; and

**Whereas** the President's proposal would reduce foreign aid and diplomacy, which help to prevent wars and the victimization of people who become refugees in our community, and 121 retired U.S. generals have written a letter opposing these cuts;

**Be it therefore resolved** that the City Council of Charlottesville, Virginia, urges the United States Congress, and our representative in particular, to reject the proposal to cut funding for human and environmental needs in favor of military budget increases, and in fact to begin moving in the opposite direction, to increase funding for human and environmental needs and reduce the military budget.

---

<sup>1</sup> "The U.S. Employment Effects of Military and Domestic Spending Priorities: 2011 Update," Political Economy Research Institute, <https://www.peri.umass.edu/publication/item/449-the-u-s-employment-effects-of-military-and-domestic-spending-priorities-2011-update>

*This page intentionally left blank*

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



<b>Agenda Date:</b>	March 20, 2017
<b>Action Required:</b>	None – Report Only
<b>Presenter:</b>	Jackie Bright, Executive Director, C.A.S.P.C.A.
<b>Staff Contacts:</b>	Leslie Beauregard, Assistant City Manager
<b>Title:</b>	Annual Report – Charlottesville/Albemarle Society for the Prevention of Cruelty to Animals

**Background:**

Per our contract to provide pound services for the City of Charlottesville, the Charlottesville-Albemarle S.P.C.A. is requesting time to share our report on pound programming over the last fiscal year.

**Discussion:**

This report will outline the need that C.A.S.P.C.A. fulfills for the City, key statistics from the previous year, and will allow councilors to ask questions.

**Alignment with City Council's Vision and Strategic Plan:**

Our contract with our local governing bodies fulfills the Virginia State Code 3.2-6546 that requires each county/city to maintain a public animal shelter or contract with a private shelter to offer those services.

**Community Engagement:**

N/A

**Budgetary Impact:**

N/A

**Recommendation:**

N/A

**Alternatives:**

N/A

**Attachments:**

N/A



CHARLOTTESVILLE ALBEMARLE S.P.C.A.  
CITY/COUNTY REPORT

# NEED ADDRESSED

The Charlottesville-Albemarle S.P.C.A. (C.A.S.P.C.A.) is a proud provider of pound services to the City of Charlottesville and Albemarle County. Our contract with our local governing bodies fulfills the Virginia State Code 3.2-6546 that requires each county/city to maintain a public animal shelter or contract with a private shelter to offer those services.

Per our contract, the C.A.S.P.C.A. provides impoundment and care for all companion animals delivered to our facility either by Animal Control Officers or City/County residents.

The C.A.S.P.C.A. provides every animal entering our facility with:

- Health screening and basic veterinary care
- Rabies and distemper vaccinations
- Treatment for fleas and worms
- Spay/Neuter and microchipping services prior to adoption

In addition, the C.A.S.P.C.A. provides:

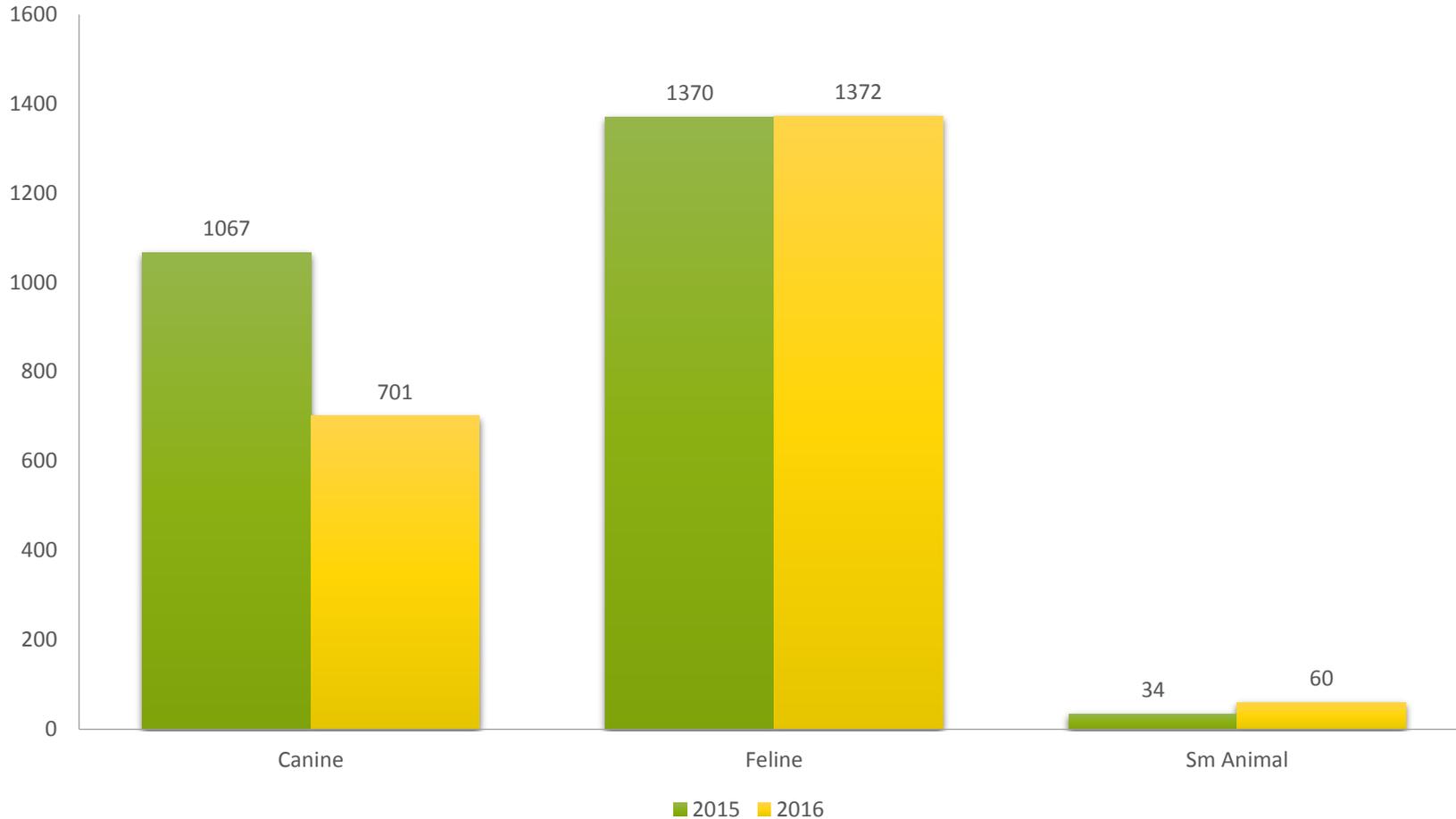
- Housing for companion animals under bite quarantine
- Housing for companion animals as directed by the courts
- Veterinary services used by Animal Control to aid in preparation of evidence for court cases
- Transportation of small animal wildlife to the Wildlife Center of Virginia
- Licenses for sale on behalf of the City and County
- Lost and found services
- No and low cost spay/neuter and other veterinary care services to community residents based on need

---

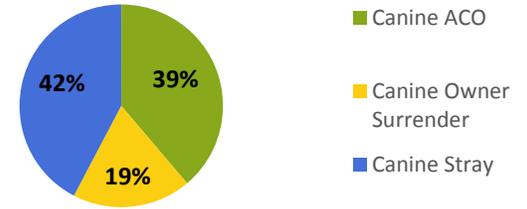
***Average Length of Stay:*** *Animals brought to the shelter without identification are held for six days, 11 days with identification. After this period, strays become the property of the City/County. Currently, City/County animals become the property of the S.P.C.A. after the hold. Animals are kept until they are adopted or transferred out or are euthanized due to medical reasons or aggression. Court holds are generally 1-3 months, although some rare cases have been ongoing for 1+ years.*

# ALBEMARLE POUND SERVICES 2015/2016

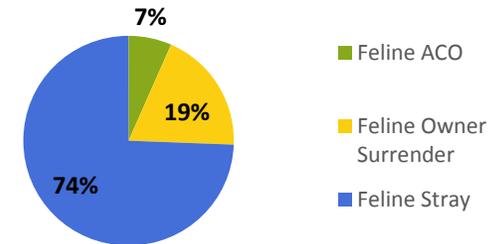
## Albemarle County Intake from Animal Control and Citizens



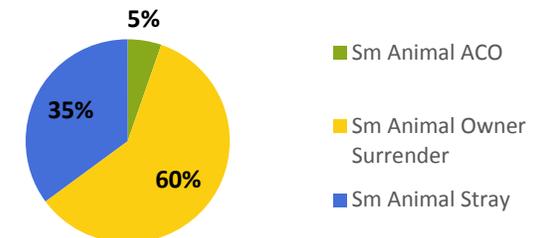
### Canine Intake by Source



### Feline Intake by Source

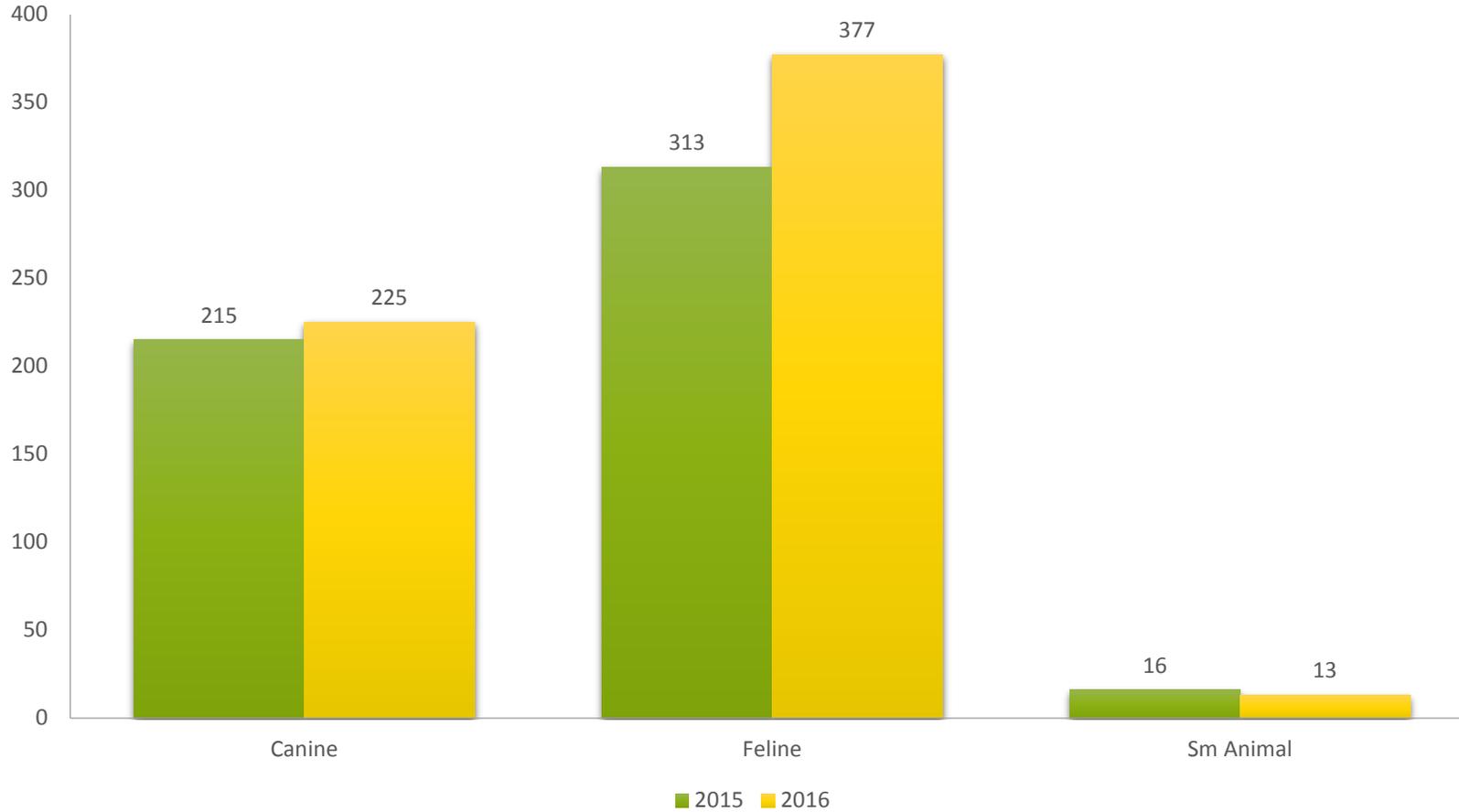


### Sm Animal Intake by Source

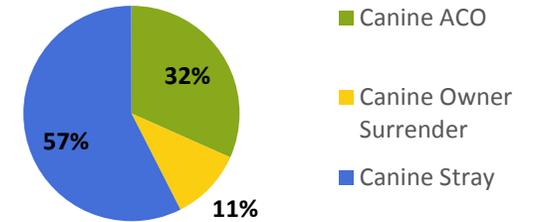


# CITY POUND SERVICES 2015/2016

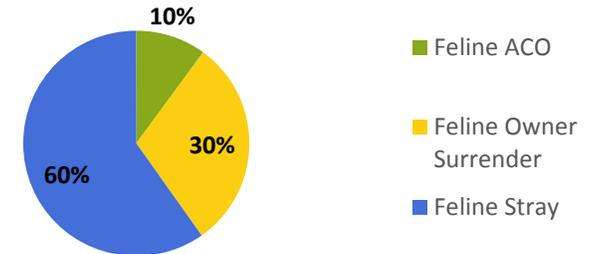
## City of Charlottesville Intake from Animal Control and Citizens



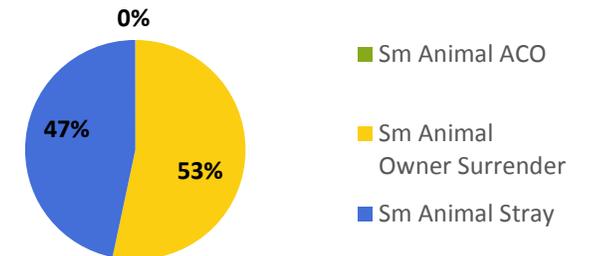
### Canine Intake by Source



### Feline Intake by Source



### Sm Animal Intake by Source



# 2015 STATISTICS

## *Live Release Rate - 95%*

### *Incoming Animals - 3385*

- **13.9% were brought in by City and County Animal Control agencies**
- 23.2% were owner surrendered by City and County residents
- 1.5% were animals born in the shelter from animals originating from the City and County
- 54.3% were strays from the City and County brought in by residents

### *Outgoing Animals - 3298*

- 75.9% were adopted
- 4.7% were euthanized due to aggression or medical issues
- 16.4% were returned to their owners
- 1.3 % were transferred out to rescue groups or other animal shelters
- 1.6% were unassisted deaths
- 0.1% escaped from the shelter or foster care

### *Spay/Neuter Surgeries - 4913*

- 36.5% were shelter pets
- 30.9% were performed for City and County residents
- 32.6% were performed for residents living outside of our service area

- **541 Lost pets were reunited with their owners**
- **204 Pet Therapy visits were made**
- **767 Volunteers gave 32,000+ hours of service**

### *Microchipped Animals*

3053

### *Lifesaving Surgical Procedures*

511

### *Meals Served to Companion Animals via Pet Pantry*

153,667



# 2016 STATISTICS

## *Live Release Rate - 94%*

### *Incoming Animals - 2959*

- **15.8% were brought in by City and County Animal Control agencies**
- 22.3% were owner surrendered by City and County residents
- 2.2% were animals born in the shelter from animals originating from the City and County
- 57.3% were strays from the City and County brought in by residents

### *Outgoing Animals - 3283*

- 73.8% were adopted
- 5.3% were euthanized due to aggression or medical issues
- 16.3% were returned to their owners
- 2.1% were transferred out to rescue groups or other animal shelters
- 2.4% were unassisted deaths
- 0.1% escaped/lost in care

### *Spay/Neuter Surgeries - 4597*

- 37.2% were shelter pets
- 22.7% were performed for City and County residents
- 40.1% were performed for residents living outside of our service area

- **447 volunteers gave over 21,000 hours of service**
- **540 lost pets were reunited with their owners**
- **310 pet therapy visits were logged**



### ***Microchipped Animals***

2799

### ***Lifesaving Surgical Procedures***

115

### ***Meals Served to Felines and Canines via our Pet Pantry Program***

218,126

## Budget

<b>Funding Uses/Expenses</b>	Prior Year FY15/16	Current Year FY16/17	Projected Amount FY17-18
Personnel (Salary/Fringe)	\$ 1,891,233.77	\$ 2,096,308.00	\$ 2,206,769.00
Occupancy			
Development/Fundraising	\$ 470,612.71	\$ 439,121.00	\$ 444,200.00
Other Operational Expenses	\$ 944,927.95	\$ 913,409.00	\$ 898,419.00
Other			
<b>Total</b>	<b>\$ 3,306,774.43</b>	<b>\$ 3,448,838.00</b>	<b>\$ 3,549,388.00</b>

<b>Revenues</b>	Prior Year FY15/16	Current Year FY16/17	Requested/Projected FY17/18
Albemarle County	\$ 553,406.50	\$ 559,867.00	\$ 591,936.80
City of Charlottesville	\$ 238,093.00	\$ 241,063.00	\$ 260,943.20
Other Local Governments			
United Way- Thomas Jefferson Area			
Albemarle County- other			
City of Charlottesville-other			
State of Virginia, including grants			
Federal Funding, including grants			
Other Grants	\$ 61,750.00	\$ 198,000.00	\$ 55,000.00
Fee for Service	\$ 487,830.15	\$ 528,000.00	\$ 597,452.00
Fundraising/Gifts and Bequests	\$ 3,014,061.47	\$ 1,025,000.00	\$ 1,468,108.31
Investment Income	\$ 90,922.40	\$ 130,000.00	\$ 80,000.00
Miscellaneous Income	\$ 515,036.47	\$ 575,000.00	\$ 496,947.69
<b>Total</b>	<b>\$ 4,961,099.99</b>	<b>\$ 3,256,930.00</b>	<b>\$ 3,550,388.00</b>



*This page intentionally left blank*

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	March 20, 2017
Action Required:	No action required
Presenter:	Robert Johnson, Executive Director, Region Ten
Staff Contacts:	Mike Murphy, Assistant City Manager
Title:	Region Ten Services Update

**Background:**

Region Ten provides mental health, substance abuse and intellectual disabilities services to citizens of Charlottesville. This report will provide an update of services provided to the community in FY16 and status of the agency's capital campaign.

**Discussion:**

Region Ten reports that 2,375 citizens in Charlottesville were served by the agency in FY16 with the majority (71%) receiving mental health services. Of the 21% receiving services for a substance use disorder, the majority were for use of alcohol or marijuana.

**Alignment with City Council's Vision and Strategic Plan:**

Region Ten's services help the city meet Goal #2 of the Strategic Plan – a healthy and safe city.

**Community Engagement:** N/A

**Budgetary Impact:**

This item has no specific budgetary impact.

**Recommendation:** N/A

**Alternatives:** N/A

**Attachments:**

Powerpoint presentation attached.

**regionten**

innovative services for mental health, developmental  
disabilities and substance use disorders

---

a better life, a better community

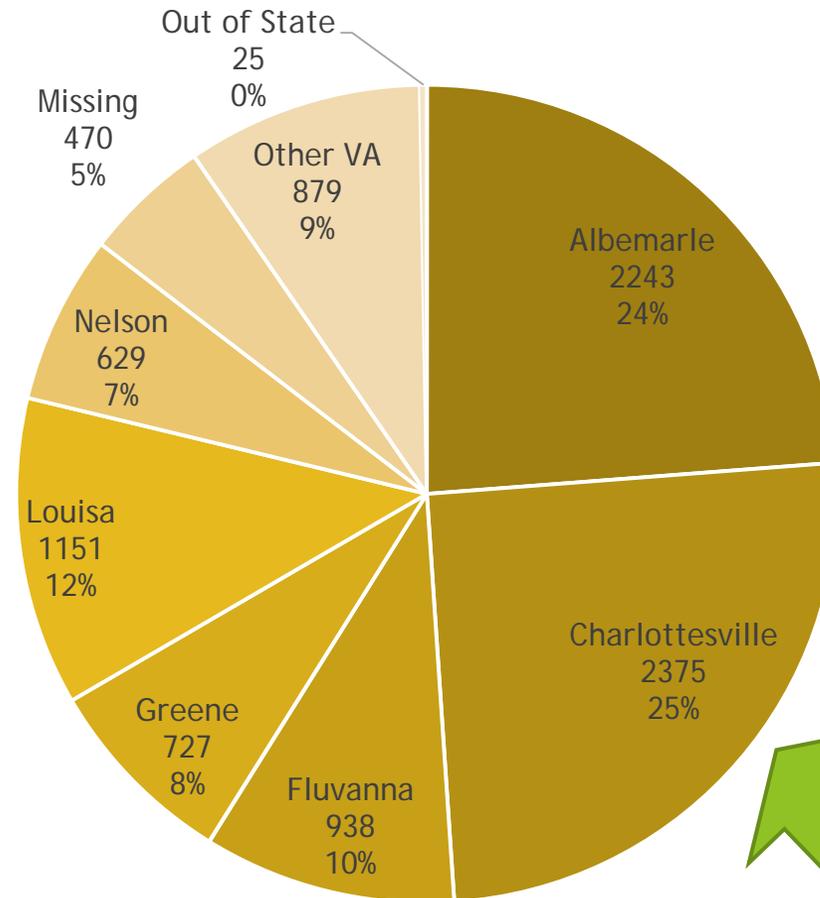


# Charlottesville City Council

Region Ten Community Services Board

# Region Ten Consumers Served in Fiscal Year 2016: Breakout by Locality

2375  
Charlottesville  
residents were  
served by  
Region Ten in  
Fiscal Year 2016.

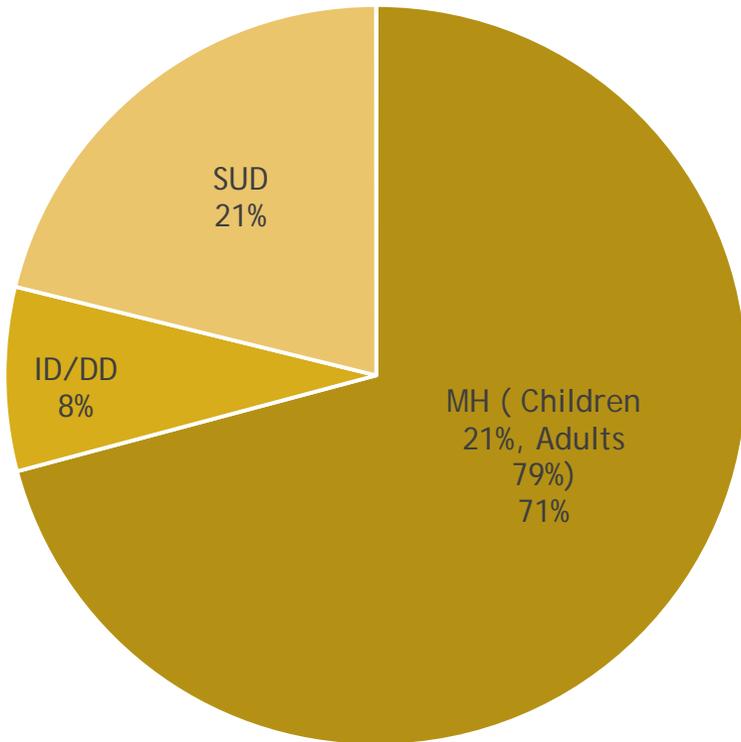


\* Missing data is primarily made up of emergency contacts/phone contacts and other brief interactions where the full data set is not collected.

# Charlottesville Treatment Needs

## Breakdown by Disability:

- 21 % with Substance Use Disorders
- 8% with Intellectual and Developmental Disabilities
- 71% with Mental Health needs



## Adult's Top Three Axis 1 Diagnoses:

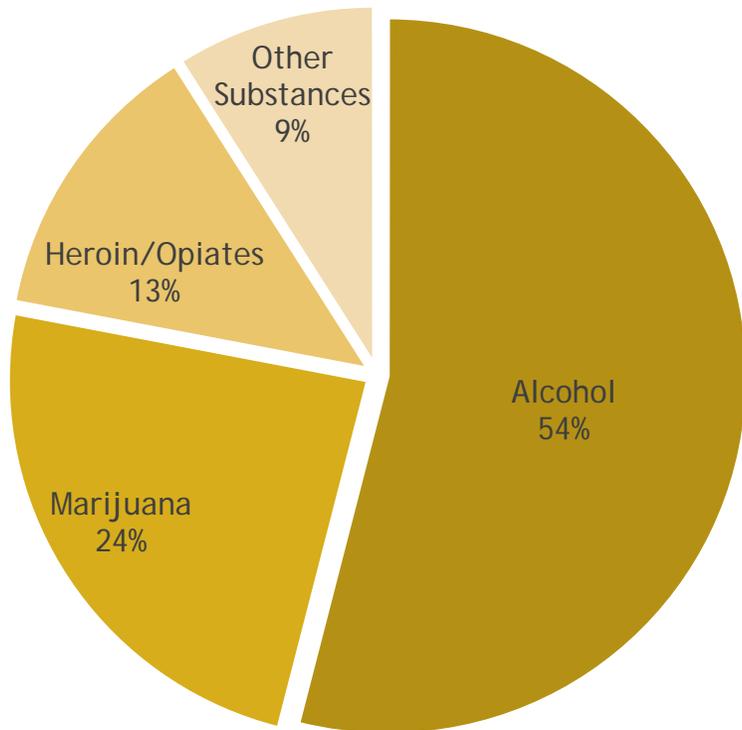
- Depressive Disorders
- Schizophrenia/Psychotic Disorders
- Trauma/Stress Related Disorder

## Children's Top Three Axis 1 Diagnoses:

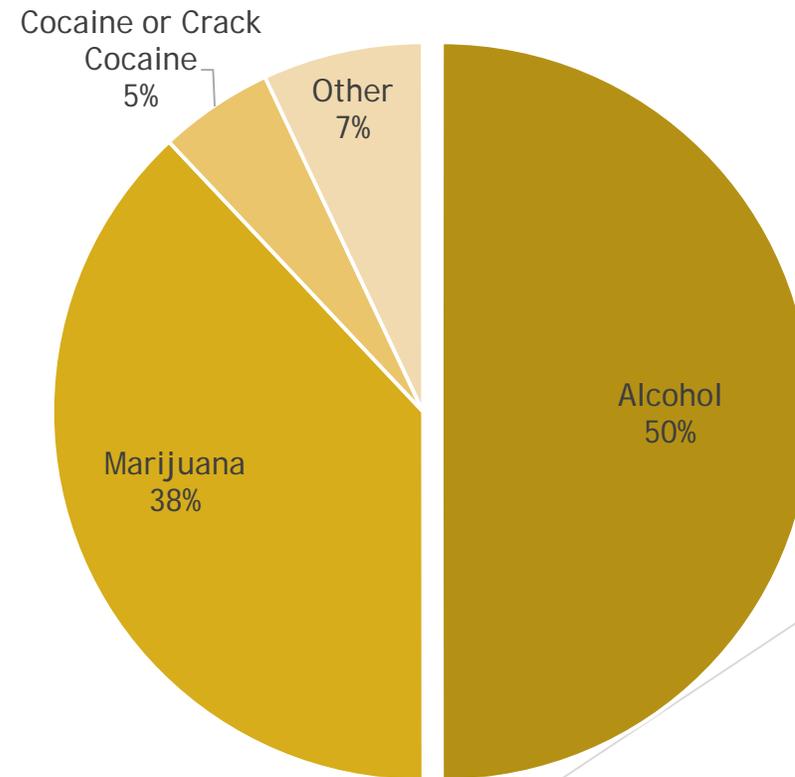
- Attention Deficit Hyperactivity Disorders
- Trauma/Stress related Disorders
- Impulse Control/Conduct Disorders

# Primary Substances of Use for Charlottesville Children and Adults

Adults



Children



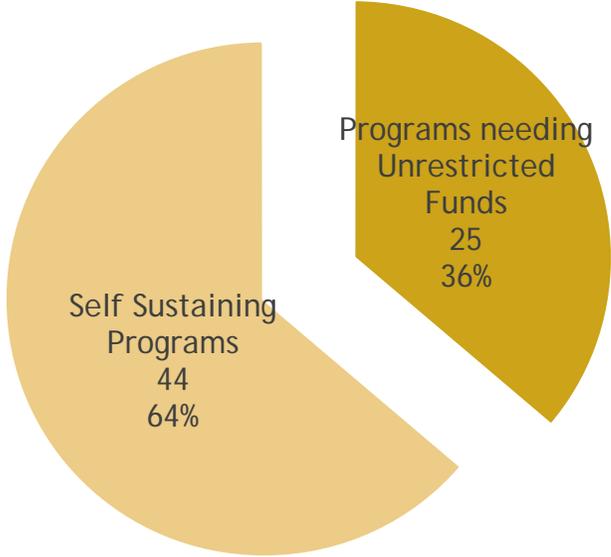
# Fatal Overdoses 2014

- ▶ Fatal Drug/Poison Overdoses 4
- ▶ Fatal Prescription Opioid Overdoses 2
- ▶ Fatal Heroin Overdoses 0
- ▶ Fatal Cocaine and/or Heroin Combination Overdoses 0

\*Office of the Chief Medical Examiner (OCME) Death Cases, 2014: Community Health Solutions analysis of Virginia Department of Health "Office of the Chief Medical Examiner Report, 2014" published in February 2016.

# Agency Ongoing Needs

- ▶ Case Management continues to have a growing list of demands imposed by regulatory requirements
- ▶ Medical Services (Psychiatry): This service continues to operate at a deficit of \$836,453 annually. This represents an increased deficit of \$200,314 from FY 15.
- ▶ Emergency Services: This service operates at an annual deficit of \$1,023,937. This represents an increased deficit of \$273,859 from FY 15.
- ▶ 25 out of 69 programs operated by Region Ten require additional support from unrestricted funds.



# Some of Our Services

- ▶ **BOOST** This is a new wellness service for Region Ten consumers interested in improving health, managing stress, increasing movement, learning about healthy eating, and working on eliminating bad habits such as smoking. Interested consumers will be screened for this service which is available during normal work-week hours.
- ▶ **VIRGINIA VETERANS AND FAMILY SUPPORT (FORMERLY VIRGINIA WOUNDED WARRIOR PROGRAM)** This is a partnership between the Virginia Department of Veteran's Services and Community Services Boards throughout Virginia
- ▶ **CHILD AND ADULT CASE MANAGEMENT –(SERIOUS MENTAL ILLNESS, INTELLECTUAL AND DEVELOPMENTAL DISABILITIES)** This service coordinates, monitors and links individuals to services.
- ▶ **EMERGENCY SERVICES** Crisis services are available 24 hours a day, 7 days a week for all individuals, of any age, ethnicity or disability, who are in crisis due to mental illness or substance abuse. The services include counseling and phone consultations with or for people in crisis, as well as admission screenings for Region Ten's crisis stabilization center, psychiatric hospitalizations, and/or substance abuse inpatient treatment.
- ▶ **SUPPORTED EMPLOYMENT SERVICES** This is a job placement, training and supports service offered to individuals with mental illness and developmental disabilities.
- ▶ **MEDICAL SERVICES** An array of center-based medical and associated nursing services that focus upon pharmacological evaluation, treatment, management, and monitoring of DSM IV disorders. This service is provided in conjunction with case management/care coordination and is not a stand-alone service.

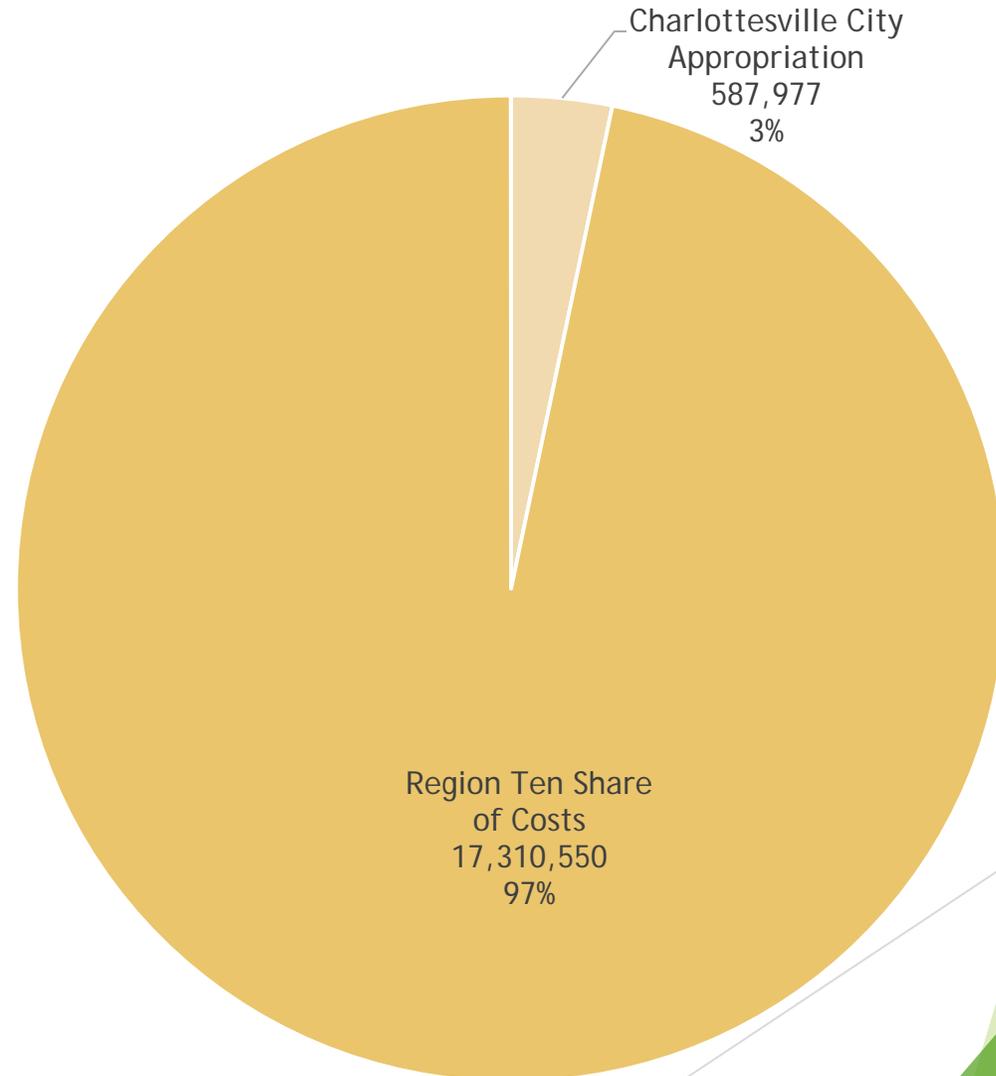
# Some of Our Services

- ▶ **OUTPATIENT MENTAL HEALTH AND SUBSTANCE ABUSE COUNSELING** Adult Clinical Services embraces integrated substance use and mental health person centered treatment to help individuals develop skills and confidence to meet daily living needs as they experience incremental successes through stages of personal change. We provide both individual and group therapy. (Bilingual services are available).
- ▶ **PACT:** The Program for Assertive Community Treatment (PACT) Team offers daily community-based treatment for consumers in recovery from a serious mental illness. PACT is a multidisciplinary team, including psychiatry, nursing, case management and mental health therapy.
- ▶ **MEADOWCREEK:** The Meadowcreek Center is a center-based and community integration day activity program for adults with intellectual and developmental disabilities. This is a Medicaid Waiver program that offers training, support and supervision. The program aims to help participants acquire, retain and/or improve their self-help, social and adaptive skills through person-centered planning, behavioral support and assistive technologies.
- ▶ **MOHR:** The Mohr Center provides a 10 bed intensive residential treatment program for men recovering from addiction. The program provides supervised drug free housing while participating in treatment and living skills training. The goals of the program are: teach residents how to live free of mood altering chemicals, enhance emotional, physical, and financial well being, and help residents find and maintain employment.
- ▶ **CHILDREN'S CRISIS STABILIZATION:** This service provides an all-day program for adolescents who have a mental health crisis that puts them at risk for hospitalization but with therapeutic structure can be maintained in their homes and communities. This program is open seven days per week for both admissions and programming.
- ▶ **ASAP:** A 10 session program for individuals with pending DWI (driving while intoxicated) court cases.

# City of Charlottesville Return on Investment

- ▶ 2375 Charlottesville City residents were served at a total annual cost of \$17,310,550.
- ▶ The FY 2017 Charlottesville appropriation is \$587,977.

*This is an Excellent Return on your Investment!*



# Region Ten's Charlottesville consumers experienced the following in FY 16:

- ▶ Total number of individuals served: 2375
- ▶ Total number individuals utilizing Mental Health Services: 1166
- ▶ Total individuals utilizing Intellectual and Developmental Disability services: 132
- ▶ Increase in individuals utilizing Substance Use Disorder services: 30 percent

# Region Ten's FY 16 Capital Campaign and Grant Achievements

Conducted \$1,000,000 Capital Campaign for Women's Treatment Center - reached goal January 2017

## Grants:

- ▶ Applied for a total of \$2,589,829 in FY16 grants
- ▶ Received \$1,728,029
- ▶ Applied for a total of \$3,376,550 to date in FY17

# Questions?

*Region Ten Community Services Board gratefully acknowledges the support of the Charlottesville City Council in the provision of mental health, intellectual and developmental disability, and substance use disorder services to our community.*

*This page intentionally left blank*

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



Agenda Date:	March 20, 2017
Action Required:	Direction from Council
Presenter:	Mike Murphy, Assistant City Manager
Staff Contacts:	Maurice Jones, City Manager Mike Murphy, Assistant City Manager
Title:	Deer Management

**Background:**

On July 18, 2016 Council heard a presentation from Mr. David Kocka with the Virginia Department of Game and Inland Fisheries (DGIF) on urban deer management. On September 19, 2016 City staff reported on a number of deer management strategies, actions taken by a sample of peer localities, discussed their potential application in Charlottesville, and requested guidance from Council. Council expressed a clear desire to manage the local deer population and instructed staff to investigate the strategies of additional localities and return with alternatives to recommend to Council. Staff has focused on five key interventions to manage the local deer population: Education of the Public, Sterilization, Employee Led Culling, Urban Archery, and Professional Sharpshooting Services. On December 19, 2016 Council asked for additional information on managed hunts and the use of law enforcement for culling.

**Discussion:**

Council has expressed during previous discussions a clear will to manage the deer population via lethal means. Staff believes the method of population management depends greatly on the community and Council perception of safety. Council has received significant information on Urban Archery in past meetings. It did not appear in the December discussion that this was a priority for further exploration. If Council would like to allow Urban Archery in 2017, then staff will need to inform DGIF in writing by April 1<sup>st</sup>. Staff would work closely with State officials on an ordinance between now and September. Police Department staff feel that we could implement a wildlife management program for under \$10,000 annually in equipment costs. We need some additional time to determine where to dress the animals and dispose of the entrails. The greater cost would be in personnel time, assumed at the overtime rate, because we cannot afford to make this the primary assignment for officers. In addition, staff recommends that any officer approved for this duty would need to demonstrate their marksmanship through a qualification process and receive safety training on shooting wildlife in sensitive areas. We have inquired about whether there will be increased insurance costs for the City if this method is pursued and will report back to Council if this is significant. Sharpshooters remain an option that may be the most affordable and easy to manage. Professional firms could be hired to shoot the deer with suppressed rifles but Council has previously expressed reluctance to allow individuals other than sworn officers to discharge weapons in the City of Charlottesville. Staff would need to issue an RFP or look for a cooperative contract if Council endorses this course of action. Staff believes this strategy may be more cost effective than the use of law enforcement and keeps officers focused on public safety. Staff will need to work with DGIF to have kill permits issued whether we use Charlottesville Police Officers or professional hunters. In both cases, means that are not permitted in traditional hunting may be implemented. All meat must be processed and donated to charitable organizations. Council has requested additional information on

managed hunts. Staff has consulted with Fairfax and has made outreach to other organizations. This strategy is not implemented in isolation and cannot be expected to significantly decrease the population. Managed hunts are conducted in more remote locations in Fairfax County where they can close parkland and allow volunteers to use guns. This strategy is used only during the regular hunting season. Fairfax uses archery, sharpshooting and managed hunts. The City would need to devote staff time to organize and orchestrate any events. Managed hunts will require a hunting ordinance be passed by Council in coordination with DGIF.

**Alignment with City Council's Vision and Strategic Plan:**

This item aligns with Council's vision of a **Smart, Citizen Focused Government** and Strategic Plan Goal #2 to **Be a Safe, Equitable, Beautiful and Thriving Community**.

**Community Engagement:**

This is a frequent topic among some neighborhood associations and at Our Town meetings. A public hearing was held on September 19<sup>th</sup> to solicit resident input.

**Budgetary Impact:**

Budgetary impact would be determined based on any future action taken by the Council and varies based on the intervention.

**Recommendation:**

DGIF has presented evidence that the urban archery program and bow hunting can be implemented safely in settings throughout the State of Virginia. If Council endorses this option staff will need to send a letter to DGIF prior to April 1. Managing wildlife would be a new endeavor for the Charlottesville Police Department. The equipment costs are more modest than anticipated. Personnel costs could be managed with an additional appropriation from Council. Liability and training are concerns, but they have been managed by a number of jurisdictions. There is both a practical and philosophical question that Council must address as to whether you believe law enforcement time should be devoted to this activity in addition to their public safety responsibilities. Staff believes that a professional sharpshooting firm merits serious consideration as a reasonable entry into the wildlife management arena. Managed hunts have limited yield and are intended for larger, more rural parcels. With these considerations in mind, staff requests Council confirm:

- Whether Urban Archery is a consideration for 2017-2018
- Whether additional information is requested on any other method of population control
- Whether staff should pursue an RFP for sharpshooting services
- Whether Council is endorsing law enforcement as the primary agent of deer management

Based on Council's decisions staff can determine a schedule of future presentations. Regardless, this issue should return to Council at the first March meeting in 2018 to consider whether urban archery or other methods should be implemented in the upcoming year.

**Alternatives:**

Council may elect to instruct staff to pursue additional information on particular interventions or take no further action at this time.

**Attachments:**

Urban Archery Appendix

## **Appendix Deer Management**

### Urban Archery Season

**September 3 -30, 2016 and January 8 through March 26, 2017**, within the incorporated limits of the cities of Chesapeake (except on Department-owned lands), Colonial Heights, Danville, Emporia, Franklin, Fredericksburg, Galax, Hopewell, Lexington, Lynchburg, Martinsville, Poquoson, Radford, Richmond, Staunton, Suffolk, and Winchester; and, in the towns of Altavista, Amherst, Bedford, Blacksburg, Blackstone, Chatham, Christiansburg, Farmville, Front Royal, Halifax, Hurt, Independence, Irvington, Kenbridge, Pearisburg, Pulaski, Richlands, Rocky Mount, Saltville, Smithfield, Stuart, Tazewell, West Point, and Wytheville; and, in the counties of Chesterfield, Fairfax, James City, Roanoke (except on National Forest and Department-owned lands), and York. **Front Royal** is a new participant for the 2016-2017 season. **NOTE:** Arlington, Loudoun and Prince William counties have antlerless deer hunting seasons during the same dates as the urban archery season (see [Deer Seasons](#)).

**This page is organized into the following sections below:**

1. [General restrictions for all participating localities](#),
2. [Restrictions and other information specific to each participating locality](#),
3. [Background information about the urban archery season](#).

#### **General Information (for all localities)**

- In addition to the Urban Archery Deer Season, archery deer hunting is also allowed during the Early Archery Deer Season, the Firearms Deer Season, and the Late Archery Deer Season (where applicable). In other words, from the first Saturday in October through the first Saturday in January. See “[Seasons and Bag Limits](#)”.
- An archery license is required to hunt with archery tackle during the Urban Archery Deer Seasons, the Early Archery Deer Season, or the Late Archery Deer Season. See “[License Requirements](#)”.
- Crossbows are defined by law as a type of bow and are therefore legal during all archery deer seasons.
- All other normal deer regulations, including bag limits and tagging/checking requirements, apply during the Urban Archery Deer Seasons, including Earn-A-Buck and antler point restrictions, where applicable. See “[Seasons and Bag Limits](#)”.

- The season bag limit for deer cannot be exceeded unless bonus deer permits are purchased. See “[Bonus Deer Permits](#)“.
- Deer must be checked by calling 1-866-GOT-GAME, [online](#), or at a big game check station.
- Only **antlerless deer** may be taken during the Urban Archery Deer Seasons (see dates above). Antlerless deer include does, button bucks, and bucks that have shed their antlers.
- Antlerless deer may also be taken on any day during the Early Archery Deer Season and the Late Archery Deer Season.
- Antlerless deer may also be taken on any day during the Firearms Deer Season except in the City of Chesapeake, Chesterfield County, and Suffolk (east of the Dismal Swamp line), where antlerless deer can be taken only on the prescribed firearms deer season either-sex hunting days.
- **Antlered deer** (bucks with antlers visible above the hairline) may not be taken during the Urban Archery Season but may be taken on any day during the Early Archery Deer Season, the Late Archery Deer Season, and during the Firearms Deer Season (i.e., during the “normal” deer seasons, from October through early January).
- Deer hunting is permitted on Sundays in Virginia under the following circumstances (Code of Virginia §[29.1-521](#)):
  - During designated deer seasons.
  - On private property with written permission from the landowner. The written permission should state that Sunday hunting privileges are included.
  - Sunday deer hunting is not allowed on public property.
  - It is illegal to hunt within 200 yards of a house of worship or other building physically associated with a house of worship on Sunday.
- Lists of properties available for hunting **are not** maintained by the Virginia Department of Game and Inland Fisheries or local governments. To find available properties, visit with or contact local landowners, deer hunters, [archery clubs](#), or check stations. Hunters in Fairfax County may wish to contact [Suburban Whitetail Management of Northern Virginia, Inc.](#) or visit the [Fairfax County Archery Program web page](#).
- Hunters must obtain permission from the landowner and must also obtain permission to pursue or retrieve deer from neighboring landowners. Due to the small size of parcels and proximity of residences, the hunter or the owner of the hunted property is encouraged to notify adjacent property owners or tenants in advance.
- Hunters must abide by all applicable sections of the Virginia State Code, Virginia Hunting Regulations, and local ordinances. See local restrictions in the next section below.

### **Local Urban Archery Restrictions**

**Please also see “General Information (for all localities)” above**

## **Altavista**

- Except for target shooting, discharge of archery equipment is prohibited within 100 yards of an occupied dwelling.
- No hunting on private property without written permission from the landowner which must be carried on the person at all times when hunting.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, or public land or public place within Town limits or toward any building or dwelling in such a manner that an arrow may strike it.
- Except for target shooting, archery equipment can only be discharged from elevated stands.
- Hunters must register and sign a release at Town Hall, with the Town Manager or designee, to hunt on Town-owned property.
- Hunters, while hunting on Town owned property, are required to have a safety harness on at all times while in a tree stand.

## **Amherst**

- No special restrictions.

## **Town of Bedford**

- Hunting with bow and arrow is permitted on any parcel which consists of three (3) acres or more, or parcels with concurrent boundaries which in combination equals three acres or more.
- The property owner must obtain an annual Urban Archery permit from the Bedford Police Department.
- It is unlawful to hunt except from a stand elevated a minimum of twelve (12) feet above the ground.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, or public place, or towards any building or dwelling in such a manner that the arrow may strike it.
- A hunter discharging a bow shall use reasonable care to ensure the arrow does not cross any property line and enter any property on which the hunter does not have permission to hunt. The discharge of an arrow across or over the boundaries of a property for which no permission has been given by the property owner shall create a rebuttable presumption that the use of the bow and arrow was not conducted with reasonable care.
- Discharge of an arrow is permitted only in order to take a deer. No discharge of an arrow shall be made toward any animal other than a deer.
- The hunter is responsible for the disposition of the deer carcass.

- The hunter must obtain written permission from the landowner before hunting and shall carry a copy of the written permission at all times while hunting.
- If a deer which has been shot with an arrow leaves the property on which the hunter has permission to hunt, the hunter shall obtain permission from any property owner over which he/she must travel to retrieve the deer.
- It shall be unlawful to carry firearms while hunting with bow and arrow during the special archery seasons, except as allowed under state law.
- No person shall hunt deer in the City by use of dog or dogs.
- [Earn A Buck](#) rules are in effect. Antlerless deer killed during urban archery season count toward Earn A Buck.

## **Blacksburg**

- Archery equipment can only be used for hunting.
- During seasons declared by the Virginia Department of Game and Inland Fisheries, archery hunting is permitted in the Agricultural and Forestal District, and the Rural Residential I zoning district on any lot of three (3) acres or more. Archery hunting is prohibited in all other zoning districts at all times.
- Archery equipment can only be discharged from a stand elevated at least ten (10) feet from the ground.
- No person shall discharge a bow within one hundred (100) yards of a dwelling, sidewalk, street, or roadway.
- Hunters must get permission to hunt from individual property owners.
- Please consult Blacksburg Town Code § 14-110.5 for complete details on Blacksburg's hunting ordinance. A link to the Blacksburg Town Code is available at [www.blacksburg.gov](http://www.blacksburg.gov).

## **Blackstone**

- The discharge of archery equipment for the taking of deer is restricted to private property of three (3) acres or more, with written permission from the property owners.
- Persons engaged in the taking of deer with archery equipment shall carry written permission from the property owner with him/her at all times.
- Deer hunting and the discharge of archery equipment for the taking of deer are prohibited on town property.
- The discharge of archery equipment for the taking of deer shall only be from stands elevated 10 feet or more above the level of surrounding land. The discharge of archery equipment by property owners in the Residential-Suburban District may be from elevated locations and elevated heights that are approved by the Town Manager.
- No person shall discharge a bow within 100 yards of any dwelling, building, street, sidewalk, alley or roadway.

- No person shall discharge a bow from, over or across any street, sidewalk, alley roadway, public land or public place, or above or toward any structure or dwelling in such a manner that an arrow may strike it.
- The hunter shall obtain permission to pursue a wounded deer upon the land of neighboring landowners.
- No person shall hunt deer within the Town limits by use of a dog or dogs.
- Deer carcasses must be disposed of promptly.

### **Chatham**

- No person shall discharge a bow from over or across any street, sidewalk, alley, near primary or secondary highways, roadway, near a school and town parks within the Town limits or toward any building or dwelling in such a manner that an arrow may strike it.
- Except for target shooting, no person shall discharge a bow within one hundred (100) yards of an occupied dwelling, sidewalk, street, or roadway.
- Except for target shooting, archery equipment can only be discharged from a stand elevated at least ten (10) feet off the ground.
- The hunter must obtain written permission from the landowner before hunting and shall carry a copy of the written permission at all times while hunting.
- No person shall hunt deer in the Town by use of dog or dogs.
- Deer carcasses shall be disposed of promptly; this disposal is the sole responsibility of the hunter.
- Hunters must register with the Chatham Town Police to hunt on Town property.
- Hunters, while hunting on Town property, are required to have a safety harness on at all times while in a tree stand.

### **Chesapeake**

- No person shall shoot an arrow from a bow in a manner that can be reasonably expected to result in the arrow impacting or crossing property of another without permission from the owner or tenant of such property.
- The urban archery season is not open on Department-owned lands.
- During the Firearms Deer Season, antlerless deer can only be taken on either-sex days. See [“Seasons and Bag Limits”](#).

### **Chesterfield County**

- Except for target shooting, no person shall shoot an arrow from any bow within the county within 150 feet of a (i) business establishment; (ii) public building; (iii) public gathering; (iv) public meeting place; or (v) dwelling of another, except that the 150-foot limitation shall not apply if the dwelling owner or occupant has given permission. This limitation also shall not apply to shooting an arrow from a bow for the killing of deer on a

kill permit (Code of Virginia § 29.1-529) on land of at least two acres that is zoned for agricultural use.

- No person shall shoot a bow at or upon the property of another without the permission of the owner of the property.
- For purposes of this section, “bow” includes all compound bows, crossbows, longbows and recurve bows having a peak draw weight of ten pounds or more.
- During the Firearms Deer Season, antlerless deer can only be taken on either-sex days. See “[Seasons and Bag Limits](#)”.

### **Christiansburg**

- Except for target shooting, discharge of archery equipment is restricted to land consisting of three (3) acres or more.
- Hunters must register with the Christiansburg Police Department to hunt on town property.
- Hunters must carry written permission from individual property owners to hunt.
- Agreement must be made between the participant and landowner in reference to field dress.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, or public land or public place within Town limits or toward any building or dwelling in such a manner that an arrow may strike it.
- Except for target shooting or by a property owner on their own property, archery equipment can only be discharged from an elevated stand with a minimum height of 12 (twelve) feet.
- Hunters must dispose of deer carcasses appropriately. Carcasses should be double bagged and will be taken by the local landfills.
- No person shall hunt deer within the Town by use of dog or dogs.
- Urban Archery Season is restricted to hunting antlerless deer only.

### **Colonial Heights**

- No hunting is permitted on City property.
- Hunters must gain permission to hunt from property owners.
- In addition to the urban archery season, archery deer hunting is also allowed during the early archery season and the general firearms deer season (i.e., from the first Saturday in October through the first Saturday in January).

### **Danville**

- Any person discharging a bow must carry written permission from the property owner(s).

- No person shall discharge a bow from, over, or across any street, sidewalk, alley, roadway, or public land or public place or toward any building or dwelling in such a manner that an arrow may strike it.
- No person shall discharge a bow unless from an elevated position of at least ten (10) feet above the ground.

### **Emporia**

- No special restrictions.

### **Fairfax County**

- In addition to the urban archery season, archery deer hunting is also allowed during the early archery season and the general firearms deer season (i.e., from the first Saturday in October through the first Saturday in January), and the late special antlerless archery season (i.e., from the Monday following the last Sunday in March through the last Sunday in April).
- Hunters must gain written permission for posted property and verbal for un-posted property.
- It shall be unlawful to discharge an arrow in a manner that can be reasonably expected to result in the impact of the arrow upon the property of another without permission from the owner, fee holder, or tenant.
- [Earn A Buck](#) rules are in effect. Antlerless deer killed during urban archery season count toward Earn A Buck.

### **Farmville**

- Hunters must gain written permission for posted property and verbal for un-posted property.
- It shall be unlawful to discharge an arrow in a manner that can be reasonably expected to result in the impact of the arrow upon the property of another without permission from the owner, fee holder, or tenant.

### **City of Franklin**

- No special restrictions.

### **Fredericksburg**

- No hunting is permitted on city property within the city limits.

### **Front Royal**

- Approval from landowner(s) of a total aggregate, contiguous area of one-half (1/2) acres at minimum is required to conduct archery hunting.
- Any person discharging archery equipment shall, at all times while engaged in such activity, have in their possession written permission from the landowner(s) to discharge such weapon on the private property.
- No person shall discharge archery equipment from, over, or across any street, sidewalk, alley, roadway, or public place within the Town limits or toward any building or dwelling in such a manner that an arrow may strike it.
- No person shall discharge archery equipment unless from an elevated position of at least ten (10) feet above the surrounding terrain. Any disabled hunter unable to hunt from such platform must comply with all regulations established by the Virginia Department of Game and Inland Fisheries.
- Except for target shooting, discharge of archery equipment is not permitted within one hundred (100) feet of any dwelling except with written consent of the owner of said structure.
- Discharge of archery equipment is not permitted within one hundred (100) feet of any school property line. Use of archery equipment on school property for school sanctioned activities shall be excluded from this restriction.
- Any person discharging archery equipment shall use reasonable care to ensure the arrow does not cross any property line and enter any property on which the hunter does not have permission to hunt.
- The hunter is responsible for the disposition of the animal carcass to the local/regional landfill. Carcasses shall be double bagged. Field dressing of the animal shall be by agreement between the landowner and the hunter. No field dressing of the animal shall occur on Town owned property without express written permission from the Town Manager or designee.
- No person shall hunt within the Town limits by use of dog or dogs.
- [Earn A Buck](#) rules are in effect. Antlerless deer killed during urban archery season count toward Earn A Buck.

## **Galax**

- Deer hunting and/or the discharge of archery equipment on City property are prohibited.
- Except for target shooting, discharge of archery equipment is prohibited within 100 yards of an occupied dwelling.
- Hunting with bow and arrow is permitted on any residentially zoned parcel which consists of three (3) acres or more, or parcels with concurrent boundaries which in combination equals three acres or more. Archery hunting is prohibited in all other zoning districts at all times. A zoning map can be found at [www.galaxva.com](http://www.galaxva.com) by selecting the

“Galax Map” link at the top of the webpage and then selecting “Layers” at the top of the map. Check the “Zoning” box and the map will show all zoning districts.

- It is unlawful to hunt except from a stand elevated a minimum of twelve (12) feet above the ground. Any disabled hunter unable to hunt from such platform must comply with all regulations established by the Virginia Department of Game and Inland Fisheries.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, or public place, or towards any building or dwelling in such a manner that the arrow may strike it.
- A hunter discharging a bow shall use reasonable care to ensure the arrow does not cross any property line and enter any property on which the hunter does not have permission to hunt. The discharge of an arrow across or over the boundaries of a property for which no permission has been given by the property owner shall create a rebuttable presumption that the use of the bow and arrow was not conducted with reasonable care.
- Discharge of an arrow is permitted only in order to take a deer. No discharge of an arrow shall be made toward any animal other than a deer.
- The hunter is responsible for the disposition of the deer carcass to the local regional landfill. Carcasses shall be double bagged. Field dressing of deer shall be by agreement between the landowner and hunter.
- The hunter must obtain written permission from the landowner before hunting and shall carry a copy of the written permission at all times while hunting.
- If a deer which has been shot with an arrow leaves the property on which the hunter has permission to hunt, the hunter shall obtain permission from any property owner over which he/she must travel to retrieve the deer.
- It shall be unlawful to carry firearms while hunting with bow and arrow during the special archery seasons, except as allowed under state law.
- No person shall hunt deer in the City by use of dog or dogs.

### **Town of Halifax**

- The landowner is required to obtain an annual permit from the Halifax Police Department in order to discharge archery equipment for this purpose.
- Persons discharging a bow must have written permission from the landowner.
- Discharge of a bow shall be from an elevated position at least 12 feet above the ground.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, or public land or public place within the town limits or toward any building or dwelling in such a manner that an arrow may strike it, nor shall a person discharge a bow over or across private property of another without permission.
- No person shall hunt deer in the town by use of dog or dogs.
- Hunters must dispose of deer carcasses appropriately.

### **Hopewell**

- Discharge of a bow is permitted only on a) city property designated by the city manager as an “archery area” and /or b) any private property containing at least ¾ of an acre of land.
- Private property on which archery hunting occurs must be registered with the Hopewell Police Department.
- Written permission from the property owner must be carried while hunting.
- Discharge of a bow is permitted only from a stand elevated at least 10 feet above the ground.
- It is unlawful to hunt within 30 yards of a dwelling, sidewalk, street or roadway.
- No person shall hunt or traverse an area with bow and arrow that is within 100 yards of the property line of a public school or a city park except in those areas specifically designated as archery areas.
- No person shall hunt deer within the city limits by use of a dog or dogs.

### **Hurt**

- Except for target shooting, discharge of archery equipment is prohibited within 100 yards of an occupied dwelling.
- No hunting on private property without written permission from the landowner which must be carried on the person at all times when hunting.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, or public land or public place within Town limits or toward any building or dwelling in such a manner that an arrow may strike it.
- Except for target shooting, archery equipment can only be discharged from elevated stands.
- Hunters must register and sign a release at Town Hall, with the Town Manager or designee, to hunt on Town-owned property.
- Hunters, while hunting on Town owned property, are required to have a safety harness on at all times while in a tree stand.

### **Independence**

- No special restrictions.

### **Irvington**

- No special restrictions.

### **James City County**

- No special restrictions.
- To locate public land available for hunting, please [click here](#).

### **Kenbridge**

- No person shall discharge a bow unless from an elevated treestand position of at least ten (10) feet above the ground. Any disabled hunter unable to hunt from such a platform must comply with all regulations established by the Virginia Department of Game and Inland Fisheries. All treestands utilized for hunting deer must be removed from the subject property from April 1 until September 1 of each year.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, or public land within the town limits or toward any building or dwelling in such a manner that an arrow may strike it.
- Hunters must dispose of deer carcasses appropriately.
- Hunters must carry written permission from the landowner to hunt.
- No person shall hunt deer in the town by use of dog or dogs.
- Any person violating these provisions shall be guilty of a Class 4 misdemeanor.

### **Lexington**

- The landowner(s) must apply for a free annual permit from the Lexington Police Department Special Enforcement Officer to have their property included in this program.
- Hunting is restricted to land that is one or more acres which is either owned or leased with permission from the landlord. Properties may be aggregated to meet the acreage requirement.
- Hunting shall be from an elevated tree stand only with a minimum height of 12 feet.
- There shall be no hunting within 100 yards of a dwelling, street, sidewalk, alley, public land or public place.
- No hunter shall discharge a bow over any street, sidewalk, alley, public land or public place.
- Hunters shall be responsible for disposing of deer carcasses appropriately.
- The hunter shall obtain permission to track or retrieve a deer from the land of neighboring landowners.
- When hunting, all hunters must have in their possession written permission from the landowner.
- No person shall hunt deer within the city limits by use of a dog or dogs.

### **Lynchburg**

- A city ordinance prohibits discharge of a bow or other weapons except on properties where the owners have been issued a kill permit, shotgun discharge permit, or bow discharge permit. The landowner – not the hunter – must annually apply for the appropriate permit.
- A permit may be issued to the landowner if the Chief Animal Warden deems the property safe for the discharge of archery equipment or shotguns. No acreage minimums are

required for issuance of bow permits. A shotgun discharge permit requires 25 acres or more.

- When hunting, all hunters must have in their possession written permission from the landowner and a copy of the hunting permit issued to the landowner by the city.
- There shall be no hunting on any city owned property.
- Archery equipment can only be discharged from an elevated tree stand located at least twelve (12) feet above the ground on approved properties.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, or public land or public place within the city limits or toward any building or dwelling in such a manner that an arrow may strike it.
- No person shall hunt deer in the city by use of dog or dogs.

### **Martinsville**

- Hunters must obtain written permission from the property owner.
- No firearms other than a bow and arrow may be in the hunter's possession.
- Discharge of an arrow is permitted only in order to take a deer. No discharge of an arrow shall be made toward any person, any animal other than a deer, any structure or any vehicle in such a manner as the arrow may strike such person, animal, structure or vehicle, nor shall a discharge be made in such a manner that the arrow may strike in any roadway.
- Archery equipment can only be discharged from temporary platforms elevated at least seven feet above the ground. Any disabled hunter unable to hunt from such a platform must comply with all regulations established by the Virginia Department of Game and Inland Fisheries.
- No pursuit of an injured or wounded deer shall be permitted upon the land of neighboring landowners unless the hunter has first obtained permission from that landowner. No field dressing of deer shall be permitted without the permission of the landowner.

### **Pearisburg**

- No person shall discharge a bow within 100 yards of a dwelling, over or across a sidewalk, street, or roadway within the Town limits.
- Hunters must get and carry written permission to hunt from individual property owners.
- Hunters must dispose of deer carcasses appropriately. No field dressing of deer shall be permitted without the permission of the landowner.
- Archery equipment can only be discharged from an elevated tree stand located at least 10 feet above the ground.
- Discharge of archery equipment is restricted to land consisting of 2 acres or more that is approved by the Town Manager and the Chief of Police.
- No hunting is permitted on Town property.

## **Poquoson**

- No special restrictions.

## **Town of Pulaski**

- No hunting on Town property.
- Hunters must carry written permission from individual property owners to hunt.
- Agreement must be made between the participant and the landowner in reference to field dress.
- No person may discharge a bow within 100 yards of any dwelling, building, street, sidewalk, alley, roadway, public land or public place within Town limits. Bows may be discharged within 100 yards of any dwelling only with the written permission of the landowner to be carried by the hunter as noted above.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, or public land or public place within Town limits or toward any building or dwelling in such a manner that an arrow may strike it.
- Except for target shooting, archery equipment can only be discharged from an elevated stand with a minimum height of twelve (12) feet.
- Hunters must dispose of deer carcasses appropriately. Carcasses should be double bagged and will be taken by the local landfills.
- No person shall hunt deer within the Town by use of dog or dogs.

## **Radford**

- Discharge of archery equipment within city limits is only permitted for hunting.
- On private property, discharge of archery equipment is restricted to parcels at least six (6) acres in size where permission has been obtained from the landowner.
- On city property, hunting is restricted to lands specifically identified on a map available from the Assistant City Manager, subject to written permission from the city.
- Archery equipment can only be discharged from an elevated tree stand located at least ten (10) feet above the ground.
- Discharge of archery equipment is not permitted within 100 feet of any highway, alley, roadway, sidewalk, or designated foot trail.
- Discharge of archery equipment is not permitted within 300 feet of any residence.
- Arrows may not be shot in the direction of an occupied dwelling, highway, alley, roadway, sidewalk, or designated foot trail.

## **Richlands**

- Only antlerless deer may be taken during the Urban Archery Season.

- Hunters must obtain and carry written permission from individual property owners to hunt.
- Except for target shooting, discharge of archery equipment is restricted to land consisting of five (5) acres or more that is approved by the Chief of Police.
- Agreement must be made between the participant and landowner in reference to field dress.
- Except for target shooting, no person shall discharge a bow within 100 yards of dwellings.
- Except for target shooting, archery equipment can only be discharged from an elevated stand with a minimum height of 10 (ten) feet.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, or public land or public place or toward any building or dwelling in such a manner that an arrow may strike it.

### **City of Richmond**

- No hunting is permitted on City property.
- Hunters must gain permission to hunt from property owners.
- This season does not authorize the use of firearms for hunting deer within the City.
- It shall be unlawful for any person to discharge arrows from a bow or crossbow in any street or public alley of the City.
- It shall be unlawful for any person to discharge an arrow at or upon the property of another without permission.

### **Roanoke County**

- Written permission from individual property owners must be in possession when discharging a bow.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, near primary or secondary highways, roadway, or public land or public place or near a school and county/town/regional parks within the County limits or toward any building or dwelling in such a manner that an arrow may strike it.
- No person may discharge a bow unless from an elevated position of at least 10 feet above the ground.
- It shall be unlawful for any person to engage in hunting with a bow or to discharge arrows from bows within 100 yards of a dwelling house or occupied building not his or her own.
- The urban archery season **is not** open on National Forests or Department-owned lands.
- [Earn A Buck](#) rules are in effect. Antlerless deer killed during urban archery season count toward Earn A Buck.

### **Rocky Mount**

- Hunting is restricted to parcels of private property where written permission has been obtained from the landowner.
- Hunting is prohibited on school or church property.
- Discharge of archery equipment is permitted only for the taking of deer.
- Archery equipment can only be discharged from an elevated tree stand located at least ten (10) feet above the ground.
- Discharge of archery equipment is not permitted within 100 feet of any highway, street, alley, roadway, sidewalk, or designated foot trail.
- Discharge of archery equipment is not permitted within 300 feet of any residence.
- Arrows may not be shot in the direction of any residence, highway, street, alley, roadway, sidewalk, or designated foot trail.
- Firearms cannot be used or carried while deer hunting.

### **Saltville**

- To hunt on town property, a hunter must sign a waiver obtainable at the town manager's office.

### **Smithfield**

- Hunting can only occur in certain zones, so please check with the town GIS office or the Police Department.
- Hunting is restricted to parcels of private property where written permission has been obtained from the landowner.
- Hunting is prohibited on school or church property and within 100 feet thereof.
- Discharge of archery equipment is permitted only for the taking of deer.
- Archery equipment can only be discharged from an elevated tree stand located at least ten (10) feet above the ground.
- Discharge of archery equipment is not permitted within 100 feet of any highway, street, alley, roadway, sidewalk, or designated foot trail.
- Discharge of archery equipment is not permitted within 100 feet of any residence except with written consent of the owner of said residence.
- Arrows may not be shot in a manner that would cause them to strike an unintended target.
- Firearms cannot be used or carried while deer hunting.

### **Staunton**

- When hunting, all hunters must have in their possession valid written permission from the landowner.
- Agreement must be made in writing between the hunter and landowner in reference to field dress.
- Deer carcasses shall be disposed of immediately.

- No hunting is allowed on city property.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, or public land or public place within the City limits or toward any building or dwelling in such a manner that an arrow may strike it or endanger life or property nor shall a person discharge a bow over or across the private property of another without prior permission.
- No person shall hunt deer within the city by use of dog or dogs.

### **Stuart**

- No special restrictions.

### **Suffolk**

- No special restrictions.
- During the Firearms Deer Season, antlerless deer can only be taken on either-sex days, which may differ east and west of the Dismal Swamp line. See "[Seasons and Bag Limits](#)".

### **Town of Tazewell**

- The owner of the property to be hunted, which must be at least 5 acres, shall apply for a permit from the Chief of Police.
- Hunters shall keep a copy of the permit on their person when hunting an approved property.
- It is unlawful to hunt except from a stand elevated a minimum of twelve (12) feet above the ground.
- It is unlawful to hunt within one hundred (100) yards of any school or residence property.

### **West Point**

- No special restrictions.

### **Winchester**

- Discharge of a bow is permitted only on land that is five (5) acres or more of continuous area, approved by the City Manager and the Chief of Police.
- The landowner(s) must apply for an annual permit from the City Manager to use their property for purpose of discharging archery equipment and have identified their properties as such by signage approved by the Chief of Police.
- Any person discharging a bow shall, at all times, while engaged in such activity, have in his possession written permission from the landowner(s) to discharge such a weapon on his premises.

- Discharge of a bow must be done from an elevated stand with a minimum height of ten (10) feet.
- No person shall discharge a bow within one hundred (100) yards of any dwelling, building, street, sidewalk, alley, roadway, public land or public place within City limits.
- No person shall discharge a bow from, over, or across any street, sidewalk, alley, roadway, or public land or public place within City limits or toward any building or dwelling in such a manner that an arrow may strike it.
- No person shall hunt deer within the City limits by use of a dog or dogs.
- Deer carcasses must be disposed of appropriately.
- The hunter and the landowner(s) shall agree in reference to field dress.
- [Earn A Buck](#) rules are in effect. Antlerless deer killed during urban archery season count toward Earn A Buck.

### **Wytheville**

- Hunters must carry written permission from individual property owners to hunt.
- No person shall discharge a bow from, over or across any street, sidewalk, alley, roadway, public land or public place within Town limits or toward any building or dwelling in such a manner that an arrow may strike it.
- Hunters must dispose of deer carcasses immediately and appropriately.

### **York County**

- No special restrictions.

### **Background Information**

Human-deer conflicts are increasing in urban areas throughout the Commonwealth. Numerous cities, towns, and urbanized counties have requested assistance regarding damage caused by deer to vehicles and personal property. Residential, commercial, and industrial development has altered the landscape of Virginia. In many cases, more favorable habitat conditions for white-tailed deer populations have resulted, and deer populations have flourished. Additionally, many jurisdictions have enacted local ordinances to prohibit the discharge of firearms. This creates large tracts of land that act as refuges (sanctuaries) for unregulated growth of deer populations.

The objective of the urban archery season is to reduce human/deer conflicts in urban areas by concentrating archery-hunting pressure in urban/suburban areas. Archery deer hunting is an effective, quiet method for harvesting deer in urban settings. The concept is modeled after a successful urban archery season initiated several years ago in West Virginia. Additionally, urban

archery seasons have been used as an effective deer management option for numerous years in several Midwestern states.

The Virginia Department of Game and Inland Fisheries established an urban archery season during 2002 to assist towns and cities across the Commonwealth with urban deer management issues. The urban archery season gives localities a means to reduce deer populations within their limits while at the same time providing hunting recreation. The regulation that establishes this season is permissive, and the season is available to every incorporated city and town in Virginia and to every county with a human population density of 300 persons per square mile or more. Therefore, the season is only “open” in those towns, cities, and counties that requested to participate in writing.

Any locality participating in the urban archery season will remain in the program until it notifies the Department otherwise. Any city, town, or county no longer participating in this season shall submit by certified letter to the department prior to April 1 notice of its intent **not to** participate in the special urban archery season. On the other hand, a locality that is not currently participating, but wishes to do so, shall submit by certified letter to the department prior to April 1 notice of its intent to participate in the urban archery season.

To make this season a success, urban archery deer hunters are asked to be extra careful regarding safety, to respect the property rights of all landowners, and to report any questionable behavior or violations they may witness. Because many urban archers may be hunting on small acreages and/or near dwellings, they are reminded to pay close attention to property lines and to notify adjacent landowners or tenants as a courtesy before they hunt. State law does not allow a hunter to follow a wounded animal on to another person’s property without the landowners’ permission.

We as an agency are very pleased with this season that provides a permissive proactive approach for urban deer management to local governments. Hunters or citizens who have questions or comments about the urban archery season are asked to call Nelson Lafon, Deer Project Coordinator, at [nelson.lafon@dgif.virginia.gov](mailto:nelson.lafon@dgif.virginia.gov) or (540) 569-0023.

*This page intentionally left blank*

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



Agenda Date:	March 20, 2017
Action Required:	Quarterly Report and Motion to Approve
Presenter:	Kurt Keesecker, Planning Commission Chair Genevieve Keller, Planning Commissioner
Staff Contacts:	Missy Creasy, Assistant NDS Director
<b>Title:</b>	<b>Community Engagement Strategy Component of Regulatory Framework Review and Alignment with 2018 Comprehensive Plan</b>

**Background:**

On September 6, 2016 Council approved a resolution with accompanying work plan outlining projects and timelines for the regulatory framework review and alignment with the 2018 Comprehensive Plan review. The work plan outlined a number of plan components with associated guidance and timelines for reporting. The Community Engagement Strategy component is ready to be reviewed by Council to provide feedback and potential approval to move forward.

**Discussion:**

The Commission began development of the Community Engagement Strategy at a January 3, 2017 work session and continued their work for multiple sessions in January and February 2017 (summaries of “project activities” are attached). The Commission was tasked with creating the strategy and identifying resources needed to implement. The strategy document is attached and the resources needing funding are as follows: facilitator for developing questions and assisting with meetings, RFP funding for survey development, website management/development and graphic/mapping professional services, materials/supplies and meeting refreshments.

**Alignment with City Council’s Vision and Strategic Plan:**

As this project is associated with the Comprehensive Plan, all aspects of the Council Vision are addressed in one way or another. It also contributes to Goal 5 of the Strategic Plan, to foster strong connections, and objective 5.3, to promote community engagement.

**Community Engagement:**

All Commission work sessions have been open to the public. In addition, staff attended a meeting with representatives of the CADRe group on January 13<sup>th</sup> (meeting summary attached). Mr. Keesecker and Ms. Keller also met with a Community Engagement class at UVA to talk about this project. Students were given an option to participate in a project which would support

this effort and two groups focusing on youth engagement and affordable housing respectively plan to assist.

**Budgetary Impact:**

The September 6, 2016 Council resolution requests that additional resources for implementation be identified and requested. The Commission has outlined resources which need financial support and staff will be working to outline estimates.

**Recommendation:**

The Commission requests that Council provide guidance on the major components the community engagement strategy was developed based on to assure that the foundation is sound moving forward.

These components are

1. Using “places” as an organizing factor for the Land Use element
2. Structure proposed for the strategy (4 kick off meetings, mini-meetings, presentation of scenario(s) based on received public input)

If Council is satisfied with those components, it is recommended that approval to proceed be provided along with designation of funds to address needed resources.

**Alternatives:**

Council could chose to change the proposed Community Engagement Strategy providing guidance to the Commission and an altered timeframe to allow for update and reporting back.

**Attachments:**

1. Community Engagement Strategy
2. Regulatory Framework Review and Revision – Quarterly report #2 (includes project activity descriptions)

## COMMUNITY ENGAGEMENT STRATEGY—CITY COUNCIL AND PLANNING COMMISSION

DRAFT February 21, 2017 – updated March 1, 2017

For: 5-Year Comprehensive Plan Review and Zoning Ordinance Update. The values of the City, as expressed in the City Council Vision, Strategic Plan and the Comprehensive Plan will guide the Planning Commission and City Council throughout the 5-year review process and in making their ultimate decisions. During this update process, the Planning Commission will focus, in particular, on the Future Land Use Map and related provisions of the Comprehensive Plan, will review development and related trends observed over the past 5 years, will update growth projections, and will review strategies for managing guiding and directing anticipated growth in accordance with the City Council vision. Based on staff recommendations, the Commission will also review the advisability of updates to the Community Facilities, Economic Sustainability, Environment, Housing, Transportation, Historic Preservation and Urban Design chapters.

### I. GUIDING PRINCIPLES

- *This process will facilitate a community wide conversation on how the community will change based on choices made for the future*
- *Assuming recent trends continue, the City will change and grow. The community must have the opportunity to be heard as to how that growth would occur and can be managed*
- *The places where we live, work and play are important in defining our community and they will be central to the discussion—comprehensive plan updates, including implementation strategies and measures, must be designed to promote and/or preserve the places important to the community. (“place-making”)*
- *The values of the City, as expressed in the City Council Vision, Strategic Plan and the Comprehensive Plan will be considered in relation to specific places in the community.*
- *Information and data should be gathered, analyzed and shared in a manner that is understandable to residents.*
- *The best ideas for our City’s future will be identified by listening.*

### II. Work Plan

\***Attachment 1** to this document contains a Chart, explaining how levels of Community Engagement will progress through this process, in accordance with the various stages of development of comprehensive plan updates.

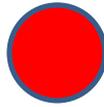
#### A. Step-One: Kick-Off; Inform the Community of the Process

What: The Planning Commission will present information about the nature and purpose of the Comprehensive Plan; will present recent development trends and projected growth data; will explain how “place-making” will be the lens through which updates will be envisioned; and will provide a map identifying key “places” within the City, to engage the community in an initial conversation about the relationship between Places and the various needs of the community for diversity, housing, economic prosperity, preservation, and equity.

Who: It is the intention of the Planning Commission to engage City residents initially as a community.

The Planning Commission will conduct a series of four (4) kick-off meetings to be held in different geographical regions of the city. The structure of those meetings will be as described in Attachment 1 to this document.

How—Engagement Level



Resources Needed

Facilitation professional to assist with meetings and asking questions which identify community needs.

Funding for food, materials/supplies for meetings

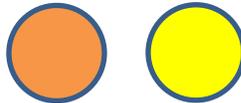
Website manager/designer resources

**B. Consultation with the Community at large, City Staff, neighborhood and other groups, Key Stakeholders, Weldon Cooper Center—anyone who may have information, ideas, data, concerns, objectives, etc. to contribute**

What: Gather trend data; gather information about places and land uses the community enjoys, wants to protect and expand; gather information about successful/ unsuccessful projects; information about best-practices the community would like to see implemented; where would the community like to see future growth (office, commercial & residential)

Who: As many people and groups (self-identified), including: individual residents; neighborhood representatives; social justice advocates; the development community; the professional and academic design community; etc.

How--Engagement Levels:



Resources Needed

Facilitation professional to assist with meetings and asking questions which identify community needs.

Funding for food, materials/supplies for meetings

**C. Propose Scenario (present the take away from the last meeting (likely to be a map) for verification and have a baseline scenario of what would happen without change. Address and identity changes needed, consider discussion-draft textual changes to help realize the updated Future Land Use Plan )**

What: Collate data, information, input received from previous stages; identify areas and topics of agreement; areas and topics to be further researched and investigated; investigate scenarios to be incorporated, and solutions to be considered; begin developing a “menu” of possible updates and strategies

Who: General public; key stakeholders

How—engagement levels:



Resources Needed

Facilitation professional to assist with meetings and asking questions which identify community needs.

Graphic Designer for creation of visuals

**D. Proposed Plan for Recommendation to Council (the outcome of previous stages)**

What: Planning Commission completes its review of the Comprehensive Plan and formulates updates to be presented and discussed through a public hearing process; Planning Commission makes its final recommendations to City Council

Who: General public; planning commission

How--Engagement Levels



Resources Needed

Facilitation professional to assist with meetings and asking questions which identify community needs.

## **Summary of Resources needed:**

Facilitation professional to assist with meetings and asking questions which identify community needs.

Funding for meeting refreshments and materials and supplies

Funding for RFP for a survey

Website manager/designer

Graphic artist with mapping skill set.

“Meeting in a Box” development (Preferably by professional who has created and implemented a similar product)

Internship opportunities

# Attachment 1:

Levels of Community Engagement				
Increasing level of engagement 				
				
Informing	Consulting	Involving	Collaborating	Decision Making
Providing information and data to community, offer a Place Map, to illustrate existing conditions, patterns of development	Obtain feedback from community on Place Map, in order to inform the decision-making process	Work directly with the community to ensure that issues, concerns, and aspirations are clarified, understood and considered	Working in partnership with the community, to develop options and to identify preferred solutions	Conduct an advertised public hearing(s) on proposed update(s) and short-term implementation measures
<b>The intention is to....</b>				
Provide community with relevant information, education about the Comp Plan and the purpose of the 5-year review process	Listen to views of community members and provide feedback on their input  Begin identifying opportunities and solutions	Frame problems to be resolved, best practices to be implemented	Look to community advocates and stakeholder representatives for advice as to innovation, solutions to identified problems	Take responsibility for developing and recommending plans and ordinances in the best interests of the public welfare and safety, and reflective of good zoning practices
<b>Means, methods, techniques....</b>				
Website  Public Notifications & Announcements (posters, channel 10, neighborhood associations, farmers' market, schools, etc.)  (4) Kick-off Meetings conducted in central locations within the City (school auditoriums, etc.)	Website  Surveys Comment "Box" (a/k/a Meeting in a Box)(individuals and groups/ stakeholders provide information, data and feedback in formats that can easily be collated and sorted)  Public demos (3-D modeling; activity days, etc.)	Website  Public meetings with public comment components;  Informational panel discussions/ forums; public planning com'n meetings  Sort and collate public input received to-date; identify themes of concern; scenarios for testing; compare/ contrast solutions	Website  Focus/working groups  Service user workshops or forums; televised planning com'n meetings  Discussion draft updates, solutions— post publicly for a period of public comment Review/ incorporate comments and suggestions	Adoption of comprehensive plan provisions reflecting updated needs and policies; enactment of updated ordinances implementing zoning practices; implementation of policies and procedures necessary for service delivery

## **Attachment 2: Structure for Comp Plan Review Kick-Off Workshops**

Posters: Trends on population, residential unit #s, average housing price, income, racial composition by census block, chapter review status and chapter champion contact (for chapters other than land use)

Agenda of Workshops (Same Presentations 1 through 4 for all Workshops):

1. Comprehensive Plan overview
  - a. What is it?
  - b. What's in it?
  - c. What is it used for?
2. The Guiding Principles (GP) for the updated Comprehensive Plan (CP)
  - a. Data that supports the GP (recent development trends, projected growth)
  - b. Review main points in the 2013 CP (include graphic examples of by-right development allowed by current zoning)
  - c. Explanation of how the various chapters are being updated.
3. Explain "Vision" public input process
  - a. What is it?
  - b. Why focus on "Places"?
  - c. Present PC places – explain how they were chosen
  - d. Plan for getting public input
4. Explain "Community Values" public input process
  - a. What are they?
  - b. Make suggestion(s) for what a "value/principle" might mean in a city plan
5. Each Workshop: Divide attendees into smaller groups for input on visioning and value/principles in relation to "Places" Maps
  - a. At least one commissioner per group with large copies of "places" map & easel pads

**CITY OF CHARLOTTESVILLE  
NEIGHBORHOOD DEVELOPMENT SERVICES**



**MEMO**

To: Charlottesville City Council  
From: Kurt Keesecker, Planning Commission Chair  
Date: March 1, 2017  
Re: Regulatory Framework Review and Revision - Quarterly Report #2 (Due March 20, 2017)

---

On September 6, 2016 Council approved a resolution with accompanying work plan outlining projects and timelines for the regulatory framework review and alignment with the 2018 Comprehensive Plan review. The work plan outlined a number of plan components with associated guidance and timelines for reporting. The Planning Commission has been working diligently on the assigned items and is using this opportunity to provide the quarterly update:

- Item 1 (Citizen Engagement Strategy): Deadline March 7, 2017. The Citizen Engagement Strategy is scheduled on the March 20, 2017 City Council meeting for review. The Commission has worked diligently to provide this document (the attached “Project Activities” provides more details on the development of this document.
- Other Items:
  - Comp Plan/ Land Use Plan and Zoning Ordinance Review/ Update: deadline December 18, 2017.
    - Progress: Jan 3, 2017 we met to begin discussion of Mixed Use Corridor Districts  
Jan 13, 2017 we met to continue review of Land Use Plan and begin on the citizen engagement work.  
Feb 7, 2017, Feb 14, 2017 and Feb 28, 2017 – Work on Community Engagement strategy
    - Legal Review: Staff provided the Commission with copies on February 28, 2017. The Commission will await guidance on next steps from Council.

Staff has attached further details on project status.

Attachments:  
Staff Appendix  
Project Activities

## Regulatory Framework Review Staff Appendix

Staff has been working diligently on the components of the Regulatory Framework Review work plan. Below are status notes concerning these projects:

### Component I.A. Legal Review of Codes and Ordinances

Status: Drafting is underway and will meet the March 20, 2017 deadline. Planning Commission received a draft at their February 28, 2017 work session and Council received on March 2, 2017. Staff will request that Council provide feedback on the draft and refer it back to the Planning Commission for review and recommendation

### Component I. B. Framework for SIA Phase I code revisions (updated Downtown Extended)

Status: Council provided approval for funds for an RFP for a Form-Based Code for the SIA Phase I in January 2017. The RFP for work was posted in February with a closing date of March 2, 2017. Proposals were received and will be reviewed in the coming month.

Activities: Staff has been meeting with Brenda Kelly, the new Redevelopment Director to provide background on the SIA including the code aspects.

### Component I.C. Standards and Design scope and resources needs

Status: In December 2016, Council approved funding for an RFP to update the standards and design manual. Staff drafted the RFP and the PLACE Design Task Force is providing comments. Once comments are addressed, the RFP will be posted.

### Component II. Current Comprehensive Plan status and recommendation for 2018 update

Status: Work has been done to update status of objectives and review appendixes in the current plan for continued relevance. The Planning Commission discussed the Land Use Plan at work sessions on January 3 and 17, 2017. They also confirmed the scoping of other Chapters to follow the model presented at the November 30<sup>th</sup> Joint Work session. The Citizen Engagement Strategy for this project will be presented to Council on March 20, 2017.

### Component III. Regulatory Revisions

Status: The Commission has met to talk about Comp Plan items which will inform Regulatory Revisions. It is anticipated that work on this will commence following the legal review update and in tandem with the Comprehensive Plan review.

## Project Activities:

January 3, 2017 – The Planning Commission held a work session to begin work on the community engagement assignment. The Commission used a base map and identified areas which are current “places” for the community and “places” that could be coming in the future. That was followed by an exercise where commissioners put markers in areas where more residential and more commercial development could occur. Discussion followed on Land Use aspects of the Comprehensive Plan.

January 13, 2017 – Staff (Alex Ikefuna, Missy Creasy, Brian Haluska, Marty Silman and Lisa Robertson) and CADRe members (Dan Rosensweig, Ashley Davies and LJ Lopez ) met to discuss code aspects of the project. Topic areas included creating a more utilitarian comp plan, less discretionary zoning, PUD allowances, citizen engagement, SADM, zoning bonuses and the Legal review. CADRe offered to draft proposed language. Staff felt that having members of CADRe weigh in on drafts would be the best way to use that resource. The groups will continue to work together through these processes.

The Commission held a work session during the late afternoon at the Rotunda to continue discussions on the Land Use Plan. This session included a continuation of the map exercise from the January 3, 2017 work session to further discuss similarities between the types of “places” in the City. In addition, Chris Engel spoke to Commissioners about jobs, economics and growth to provide background to assist in moving forward.

January 26, 2017 – Staff met with Kurt to recap the January 13 session and plan a work session for Feb 7<sup>th</sup>. The Commission will be asked to work on the following:

1. Review the ½ mile/ ¼ mile (kurt’s) map and provide input.
2. Determine what demographic information should be provided in each area (likely to include development patterns since 2003 (increase in # of units etc)). Staff would then need to evaluate to determine what information is available and can be calculated for the areas.
3. Identify what community feedback is needed for each area.
  - What has happened over the last decade?
  - What do you like?
  - What happened that bothered you?
  - What will happen going forward?
4. Consider the 5 levels of engagement as well as near term and longer term engagement needs. Consider the format used for the RCLCO report format.

February 7, 2017 - The Commission held a work session to continue work on the Community Engagement Strategy. Ms. Barbara Brown-Wilson, a Professor at UVA who teaches community engagement attended to provide tools for consideration and held dialogue to assist with the assignments the Commission is working on (Kurt and Gennie as well as staff had advance meetings with Ms. Brown Wilson to provide context and gather additional details.) Following the presentation, the Commission discussed the presentation as well as next steps to organize the plan. Commissioners decided to use the 4 step meeting process as a starting point and identify communication strategies in that context. They agreed that principles for how the plan came together should be included in the beginning and noted that inclusion of community change, reflective of values and understandable to the community should be included. The meeting topics are as follows:

- A. Visioning as a City (provide the map of “places” for community feedback )
- B. Values and Principles (present understanding/outcome from the first meeting for verification, note how different interest/values/principles change or support decision making. Ex Though X and Y are both good, one may limit the ability of the other to thrive)
- C. Propose Scenarios (present the take away from the last meeting for verification, have a scenario of what would happen without change, talk about intention change to address changes needed, consider discussion-draft textual changes)
- D. Proposed Plan for Recommendation to Council (the outcome of previous meetings for review)

These will be done with a community wide focus with invitations to all interested groups. The Commission asked staff to compile notes and provide to the Commission so they could individually brainstorm the “what, where and how” for each of the topics noted above.

February 14, 2017 - Following the February regular meeting, the Commission met in a work session to continue work on the community engagement strategy. It was noted that UVA students expressed interest in assisting and we are waiting to hear back from them. Kurt and Jody had both done the work the commission assigned themselves and discussion revolved around that information. Guiding principles were further refined and it was noted that engagement activities must have useful outcomes for the process. It was reiterated that the current comp plan has a lot of value, there are areas that need work to assure implementation. The Commission asked staff to put together the discussion provided this evening and appointed Kurt and Jody to refine prior to Feb 21, 2017 and then forward to the full commission to work on prior to the next work session.

February 28, 2017 - The Commission finalized the strategy. The discussion focused on part “C” of the strategy to assure that Commissioners in attendance were on the same page with how this step fell into the overall process. Staff was tasked with updating the document for the Commission to review prior to submitting on March 7, 2017. In addition, Commissioners received copies of the draft legal review and were provided instruction as to what was updated. Next steps were noted and Commissioners were asked to share comments.