



**CITY COUNCIL AGENDA
Monday, April 3, 2017**

6:00 p.m. **Closed session as provided by Section 2.2-3712 of the Virginia Code**
Second Floor Conference Room (Appointments to Boards and Commissions; Consultation with legal counsel regarding litigation – Lee Statue)

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

**PLEDGE OF ALLEGIANCE
ROLL CALL**

**AWARDS/RECOGNITIONS
ANNOUNCEMENTS**
Appointments to Boards

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 20, 2017
 - b. APPROPRIATION: Proffer Payment from The Inn at Vinegar Hill LLC - \$100,000 (2nd of 2 readings)
 - c. APPROPRIATION: Market Street Parking Garage Revenue - \$146,200 (2nd of 2 readings)
 - d. APPROPRIATION: Strategic Investment Account Contribution - \$1,000,000 (2nd of 2 readings)
 - e. APPROPRIATION: Supplemental Appropriation of FY 2017 Transit Grants -\$97,528 (1st of 2 readings)
 - f. RESOLUTION: Piedmont Workforce Network - Chief Local Elected Officials Agreement (1st of 1 reading)
 - g. RESOLUTION: Grant application for Safe Routes to School program (1st of 1 reading)
 - h. ORDINANCE: Quitclaim of Gas Easement to VDOT on Georgetown Rd (2nd of 2 readings)
- 2. PUBLIC HEARING ORDINANCE*** Historic Conservation District Zoning Text Amendments (1st of 2 readings) – 45 minutes
- 3. PUBLIC HEARING** City Council's Proposed FY 2018 Budget – 30 minutes total for all Budget agenda items
- 4. ORDINANCE*** Tax Levy for FY2018 (1st of 2 readings)
- 5. APPROPRIATION*** Budget Appropriation for FY2018 (1st of 2 readings)
- 6. REPORT** PLACE Design Task Force Annual Report – 20 minutes
- 7. RESOLUTION*** Critical Slope Waiver for 162 Baylor Lane (1st of 1 reading) – 10 minutes
- 8. REPORT** Ragged Mountain Trails Update – 30 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**



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

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
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Expenditures:

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

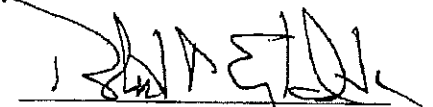
The undersigned individual is the owner of land subject to the above-referenced rezoning petition located on Tax Map 32 Parcels 197,198, 199 (Subject Property). The Owner/Applicant seeks to amend the current zoning of the property subject to certain voluntary development conditions set forth below. In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

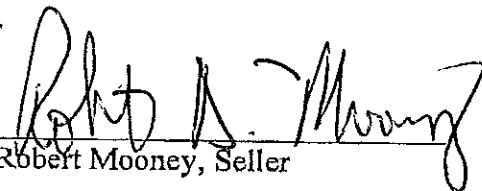
The Owner/Applicant hereby proffers and agrees that if the Subject Property is rezoned as requested, the rezoning will be subject to, and the Owner will abide by, the approved Development Plan as well as the following conditions:

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

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**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

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**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

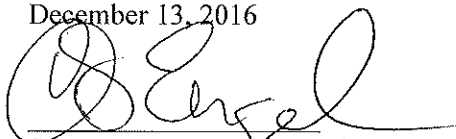
Cost Center: 7101001000

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

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



Agenda Date:	April 3, 2017
Action Required:	Supplemental Appropriation of Project Funding for Transit Division
Staff Contact:	John Jones, Transit Manager Ryan Davidson, Senior Budget & Management Analyst
Presenter:	John Jones, Transit Manager
Title:	Supplemental Appropriation of FY 2017 Transit Grants -\$97,528

Background and Discussion:

CAT is requesting that the City authorize a supplemental budget appropriation for FY17 federal capital grant funds in the amount of \$97,528. This amount will partially fund the federal portion of two FY17 projects; (1) support vehicles, and (2) bus shelters.

At the direction of the Department of Rail and Public Transportation (DRPT), CAT did not apply for FY17 federal capital assistance as there were enough unused funds remaining in previous grants to fund these projects in total. However, it was recently discovered that FTA's new grants system is unable to process budget amendments, which is the required mechanism for converting unused grant funds into new projects. \$97,528 of unused federal grant funds cannot be applied to these specific FY17 projects as expected, and will have to be used on other future projects. As a result the FTA and DRPT have instructed CAT to apply for the required funds as "new" federal capital assistance. CAT has completed the FY17 capital assistance grant.

Please note that the overall Federal, State and Local match commitments and apportionments to FY17 capital projects have not changed and the required state and local matches have already been appropriated. The only change is that the 80% federal funding share of two projects are now coming from new federal capital funds instead of *unused* (leftover) federal capital funds. All project totals and match commitments remain the same as listed on the FY17 Transportation Improvement Plan (TIP) and the Statewide Transportation Improvement Plan (STIP).

Community Engagement:

Charlottesville Area Transit utilizes the Metropolitan Planning Organization's Public Participation Plan to fulfill its public engagement requirements. The MPO's PPP includes an opportunity for members of the public to request a public hearing on CAT's Program of Projects. No public hearing was requested.

Alignment with City Council's Vision and Priority Areas:

Approval of this agenda item aligns directly with Council's vision for Charlottesville as a *Connected Community*, where the City is part of a comprehensive, transportation system that enables citizens of all ages and incomes to easily navigate our community.

Budget Impact:

There is no budget impact if approved. Any required matching dollars for this grant will come from previously appropriated funding. If not approved, this would result in having to fully fund these projects with local dollars, thereby reducing the amount of projects that could be accomplished with the previously appropriated funding.

Recommendation:

Approve appropriation.

Alternatives:

City Council may choose not to appropriate funds for these Transit Division projects. Without an appropriation these two projects will not be fully funded.

APPROPRIATION
Transit Division Project Funds
\$97,528

WHEREAS, a new Federal Capital Grant of \$97,528 has been awarded to Charlottesville Area Transit for FY17;

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

Revenue (Capital)

\$97,528 Fund: 245 Cost Center: 2804001000 G/L: 431110

Expenditures (Capital)

\$97,528 Fund: 245 Cost Center: 2804001000 G/L: 541040

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$97,528 from the Federal Transit Administration.

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



Agenda Date:	April 3, 2017
Action Requested:	Approval of Resolution
Presenter:	Phil Geer, Asst. Director of Piedmont Workforce Network
Staff Contacts:	Lisa Robertson, Chief Deputy City Attorney
Title:	Chief Local Elected Officials Agreement – Piedmont Workforce Network (PWN)

Background:

The Piedmont Workforce Network (PWN) is the local workforce development board serving the City of Charlottesville and the Counties of Albemarle, Culpeper, Fauquier, Fluvanna, Greene, Louisa, Madison, Nelson, Orange, and Rappahannock. Councilor Galvin is the City Council's representative on the Piedmont Workforce Network Council.

The Workforce Innovation and Opportunity Act (WIOA) legislation requires that Local Workforce Development Areas must re-designate their local area every two years to continue operations. Currently, the PWN Council consists of one Local Elected Official from each of the 11 jurisdictions within the Local Workforce Development Area. The PWN Council voted in December to remain a Local Workforce Development Area and requested re-designation from the Governor's office, and also requested that local government staff send the necessary documents to their respective Clerks to begin the approval process.

Discussion:

In order to accomplish this, the Piedmont Workforce Network must receive signatures from all 11 jurisdictions on the attached Chief Local Elected Officials (CLEO) Agreement. A similar version of this agreement was signed by all jurisdictions for the initial designation period of July 1, 2015 through June 30, 2017. We revised the document (with the assistance of the Albemarle County Attorney's Office) to reflect the new designation period, which is July 1, 2017 through June 30, 2019. Normally, the CLEO Agreement is placed on the consent agenda for the next City Council meeting and after approval, the document is signed and forwarded back to staff.

Alignment with City Council's Vision and Strategic Plan:

This item supports the Council's Vision Statement for Economic Sustainability by promoting an effective workforce development system, and aligns with Goal 3.1 of the Strategic Plan (development of a quality workforce).

Community Engagement: None.

Budgetary Impact:

The City of Charlottesville has been designated by the PWN Council as the grant recipient of funds allocated to our Local Workforce Development Area, but no local funds are expended to support the PWN.

Recommendation:

Staff recommends approval for an authorized official to sign the CLEO Agreement on behalf of the City.

Attachments:

Resolution
CLEO Agreement (effective July 1, 2017 through June 30, 2019)

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the Mayor hereby authorizes Council Kathy Galvin to sign the following document, in form approved by the City Attorney or his designee.

Agreement (effective July 1, 2017 through June 30, 2019) by Chief Local Elected Officials of the Piedmont Workforce Network (Local Workforce Development Area 6) for Continued Implementation of the Workforce Innovation and Opportunity Act.



A Partner of Elevate Virginia



Chief Local Elected Officials Agreement Amendment

Local Area Re-designation: PY17 – PY19

Piedmont Workforce Network

Local Workforce Development Area 6 (LWDA 6)

Effective Date: July 1, 2017

CHIEF LOCAL ELECTED OFFICIALS AGREEMENT

AMONG LOCAL GOVERNMENTS IN LWDA 6:

**ALBEMARLE COUNTY
CITY OF CHARLOTTESVILLE
CULPEPER COUNTY
FAUQUIER COUNTY
FLUVANNA COUNTY
GREENE COUNTY
LOUISA COUNTY
MADISON COUNTY
NELSON COUNTY
ORANGE COUNTY
RAPPAHANNOCK COUNTY**

Area Designation

The localities named above agree to re-designate as Local Workforce Development Area 6 (LWDA 6) in the Commonwealth of Virginia, also known as the Piedmont Workforce Network (PWN). Each of the localities named above is a party to this Agreement.

Purpose

The purpose of this agreement is to reaffirm the creation of the Consortium of Chief Local Elected Officials (CLEOs) of the above-named local governments, and to set forth the process, procedures, and responsibilities for continuing to implement the Workforce Innovation and Opportunity Act (WIOA) for Local Workforce Development Area 6 (LWDA 6). The WIOA requires Chief Local Elected Officials (CLEOs) to take certain responsibilities and actions which are enumerated in this document and to appoint and form a working relationship with a local Workforce Development Board.

Consortium of CLEOs formed

As stated in the original WIOA CLEO Agreement effective July 1, 2015, the consortium shall be known as the Piedmont Workforce Network Council (Council) for the purpose of implementing the tasks and performing the continuous oversight responsibilities set forth in the WIOA. Each party to this Agreement authorizes its representative to participate in the consortium and designates its representative as its authorized representative for purposes of this Agreement.

Grant Recipient

The City of Charlottesville has been designated by the Council as the Grant Recipient of WIOA funds allocated to LWDA 6.

Fiscal and Administrative Agent

The Council has designated the Central Virginia Partnership for Economic Development as the Fiscal and Administrative Agent (“Agent”) for WIOA funds allocated to LWDA 6. The Council shall require the Agent to make quarterly financial reports to the Council, in writing. An annual financial audit will be conducted in coordination with the Partnership’s audit, according to the requirements of all OMB and federal regulations. Further duties and responsibilities of the Agent will be outlined in the Piedmont Workforce Network Fiscal and Administrative Agent Agreement.

From time to time hereafter, the Council may designate a different agent, by affirmative majority vote of members of the Council. In the event a different agent is designated, the Council shall enter into a written Fiscal and Administrative Agent Agreement with the new agent. Once approved as set forth in this paragraph, the new designation and new Agreement shall supersede the designation referenced within this document, without the need for an amendment hereof.

Responsibility for use of funds and implementation of the Workforce Innovation and Opportunity Act:

Under the WIOA, the final responsibility for use of the federal funds and for carrying out the tasks set forth in the Workforce Innovation and Opportunity Act rests with the CLEOs. The CLEOs, through the Council, shall enter into a contract with the Agent designated herein above, to perform certain tasks on behalf of the Consortium. Liability insurance will be provided by the Agent, with costs of such insurance to be paid out of the WIOA Administrative funds. The Council shall require that, prior to distribution of any funds under the WIOA, the Agent will obtain liability insurance satisfactory to the Council, providing coverage for each of the local governments and CLEOs forming the Consortium as additional insureds. Coverage shall be no less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate.

Piedmont Workforce Network Council Organization

- The term “Chief Local Elected Official” means the mayor of a city or the chair of the Board of Supervisors of a county or another elected official, as designated by the Board of Supervisors or City Council. Documentation of the appointment to the PWN Council will be collected from each City Council or Board of Supervisors’ record clerk.
- The Council shall elect a Chair and Vice-Chair from its members. One officer shall be from each Planning District.
- The Chair shall serve on the PWN Board Executive Committee.
- The Council will meet as a body, at least quarterly during each fiscal year.
- A quorum of at least 30% of the Council’s members will be required for any action to be taken. No action shall be taken by the Council except at a meeting at which a quorum is present.
- Council members shall communicate the activities of the Council and Local Workforce Development Board (LWDB) to their respective governing bodies.

Piedmont Workforce Network Council Responsibilities

The duties performed solely by the Council include, but are not limited to the following:

- Designate the Grant Recipient for LWDA6;
- Designate the Fiscal/Administrative Agent, if applicable, for LWDA6;
- Accept fiscal liability for the use of WIOA funds;
- Appoint LWDB members and maintain local Board Membership Certification every 2 years;
- Accept annual A-133 audit ;
- Approve annual budget submitted by the LWDB and any subsequent modifications through the fiscal/program year;
- Approve the LWDB By-laws;
- Oversee funds contributed to LWDA6 by localities in this agreement for additional projects and services in the region; and
- Any other functions, responsibilities or actions referred to within this Agreement as requiring action by the Council.

In partnership with the LWDB, the Council's responsibilities include, but are not limited to the following:

- Developing a vision and goals for the local workforce development system that are aligned with both the economic development mission(s) for the local area and Virginia Board of Workforce Development's goals
- Development of the 4-year local strategic plan to include a workforce demand plan and a plan for business engagement;
- Selection of One-Stop Operator(s) and locations, including operators of career services if the one-stop operator does not provide career services as described in Section 134 (c)(2) of WIOA;
- Selection of training providers;
- Approval of the local One-Stop Operation(s) budget;
- Conduct oversight of the local programs of youth, adult and dislocated worker activities authorized under Title I of WIOA;
- Negotiate and reach agreement on local performance accountability measures with the VBWD on behalf of the Governor ;
- Any other activities as required by the Workforce Innovation and Opportunity Act, Section 107(d), or by the Governor;

Establishment of the Workforce Development Board

The Council hereby establishes the Local Workforce Development Board (LWDB) for LWDA 6, which will be known as the Piedmont Workforce Network Board (PWN Board). The duties, membership composition, and staff structure will be outlined in the CLEO-Board Agreement. The membership of the PWN Board shall be determined and appointed by the Council, in accordance with the requirements of WIOA Section 107(b)(2) and Virginia Board of Workforce Development Policy 200-02 in an effort to

ensure the most effective, regional participation in the WIOA implementation for LWDA 6 by all participating jurisdictions, partners, and businesses.

Composition of the Workforce Development Board

Mandatory Members

- The membership composition of the PWN Board will follow the requirements set forth in WIOA law and Virginia Board of Workforce Development Policy 200-02.
- The detailed composition of the PWN Board shall be listed in the PWN Policy titled *Workforce Development Board Composition*.

Membership Terms

- Members of the PWN Board must be individuals with optimum policy making authority within the organizations, agencies, or entities they represent.
- Members of the PWN Board should be appointed for staggered terms.
- Private sector representatives should be an appropriate mix of small, medium, and large employers that reflect the local labor market, i.e. the business representation should reflect the industry mix in the local labor market.
- Individuals serving on the PWN Board who subsequently retire or no longer hold the position that made them eligible Board members may continue to serve on the PWN Board; however, if their membership category changes as a result of their retirement or change in employment status, the PWN Board must account for that change when evaluating overall membership composition.
- Vacancies resulting from resignations or removal of mandatory members must be filled within 90 days.

Local Board Appointment Process

Nominations and Selection

- The PWN Council shall contact the appropriate entities in the local area for nominations to appoint members and/or to fill vacancies on the PWN Board from business, local educational entities, and labor representatives. The PWN Council may also design a process for nominations of individuals and other types of representation the officials would like to include on the PWN Board. Vacancies subsequent to the establishment of the PWN Board must be filled in the same manner as the original appointments.
- Private sector representatives are to be selected from individuals nominated by local business organizations (ex. Business trade associations, chambers of commerce, economic development agencies). Individuals businesses may also nominate themselves or provide nominations of other businesses to the PWN Council. Private sector representatives can include owners of businesses, chief executives or operating officers of businesses, and other business executives with optimum policy making or hiring authority (ex. Vice President of Human Resources).

- Non-mandatory educational entity representatives must be selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities including local school boards, entities providing vocational education, and postsecondary educational institutions. Labor representatives must be selected from among individuals nominated by local labor federations (or in a local area in which no employees are represented by such organizations, other representatives of employees, such as employee organizations and/or the state AFL-CIO).

For all other members, the PWN Council should consult with the appropriate groups in the local area for possible individuals to serve including:

- Representatives of community-based organizations, including organizations representing individuals with disabilities and veterans where such organizations exist in the area.
- Representatives of local economic development agencies, including private sector economic development entities.

Public Participation

The PWN Council must provide public notice of the intent to solicit nominations for PWN Board membership, including the process to be used for nominations and selection.

Sunshine Provisions

The PWN Council shall share information regarding its meetings and activities with the public subject to the provisions of the Virginia Freedom of Information Act (FOIA).

The PWN Council shall make available to the public, on a regular basis through open meetings, information regarding the activities of the PWN Council, including information regarding the Local Plan prior to submission, membership, the designation and certification of one-stop operator(s) consistent with the State Plan, and the award of grants or contracts to eligible providers of youth activities, and the minutes of formal meetings of the PWN Council.

In order to comply with (FOIA), the PWN Council shall do the following:

- Take official action and engage in deliberations only at meetings open to the public. "Official action" includes making recommendations, establishing policy, making decisions, and/or voting on matters of PWN Council business. "Deliberations" are discussions of PWN Council business necessary in order to reach decisions.
- Ensure that all meetings are held in locations accessible to individuals with disabilities and that all information is available in accessible and alternate formats.
- Give public notice of meetings in accordance with applicable state code provisions, including public notice in advance of any special meeting or rescheduled regular meeting. No public notice need be given of an emergency meeting called to deal with a real or potential emergency involving a clear and present danger to life or property.

- Ensure that votes of PWN Council members be publicly cast and, in the case of roll call votes, recorded.
- Keep written minutes of all public meetings, including date, time and place of the meeting, members present, the substance of all official actions, a record of roll call votes, and the names of any citizens who appeared and gave testimony.
- Closed executive sessions may be used according to the provisions of the Virginia Freedom of Information Act. Such sessions may be held during or after an open meeting, or may be announced for a future time. If closed session is not announced for a specific time, PWN Council members must be notified 24 hours in advance of the date, time, location and purpose of the session. The reason for holding an executive session must be announced at the open meeting either immediately prior or subsequent to the executive session.
- Official action on any matter discussed at an executive session must be taken at an open meeting.

Shared Responsibility among Members of LWDA 6

While the City of Charlottesville is the Grant Recipient for LWDA 6, all of the local governments named in this Agreement hereby agree to share any and all responsibility for administration and implementation of the WIOA. Nothing herein shall be construed as a waiver of sovereign immunity of or by any participating member locality.

Effective Dates of this Agreement

This agreement shall take effect on July 1, 2017 and shall remain in effect until June 30, 2019.

Amendment of the Agreement

This agreement may be modified by a written amendment approved by a majority vote of all members of the Council, following notice of (i) the specific language of the proposed amendment, and (ii) of the date, time and location of the meeting at which the amendment will be presented to Council for a vote. Notice shall be given in writing to the CLEO of each party to this Agreement.

SIGNATURES

County of Albemarle

City of Charlottesville

County of Culpeper

County of Fauquier

County of Fluvanna

County of Greene

County of Louisa

County of Madison

County of Nelson

County of Orange

County of Rappahannock

Fiscal and Administrative Agent
Central Virginia Partnership for Economic Development

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	April 3, 2017
Action Required:	Approve resolution supporting the Safe Routes to School Non-Infrastructure Grant Application
Presenter:	Amanda Poncy, Bicycle and Pedestrian Coordinator
Staff Contacts:	Identify the appropriate name, title and organization of the person(s) who will be responsible for providing additional responses to the City Council
Title:	Safe Routes to School Non-Infrastructure Grant Application - \$66,000

Background:

On February 21, 2017, the Virginia Department of Transportation (VDOT) announced another year of Safe Routes to School Non-Infrastructure (Activities and Programs) Grants, with applications due by **April 17, 2017**. These grants, for amounts between \$5,000 and \$100,000, can be used to fund **education, encouragement, evaluation** and **enforcement** programs related to Safe Routes to School. The Non-Infrastructure Grant can also be used to fund a SRTS coordinator. A SRTS Coordinator is a part- or full-time SRTS advocate who works within a school division to promote and facilitate Safe Routes to School activities at a minimum of three schools in the division.

Last year, the city received a non-infrastructure grant in the amount of \$56,000 to fund a part-time coordinator and associated program budget to manage, train, and expand Safe Routes to School programming city-wide. The grant provides a dedicated champion to working within schools to provide education, encouragement and evaluation activities needed to support active transportation for K-8 students.

Discussion:

As part of the grant application, the City was required to update the Safe Routes to School (SRTS) Activities and Programs Plan (APP), a written document that outlines a community's intentions for enabling and encouraging students to engage in active transportation (i.e. walking or bicycling) as they travel to and from school. The plan details the number of students living within ¼ to 2 miles of their school and demonstrates the potential benefits that can be accrued from a coordinate SRTS program (nearly 30% of students live within ½ mile of school and nearly 70% live within 1 mile of school). The SRTS APP was originally created through a team-based approach that involved key community stakeholders and members of the public in both identifying key behavior-related to barriers to active transportation and, using the four non-infrastructure related E's (education, encouragement, enforcement and evaluation) to address them.

The City of Charlottesville Safe Routes to School Initiative aims to:

1. Increase the number of students using active transportation to get to & from school, especially among those living within one mile of their school.
2. Reduce the number of injuries suffered by school-aged students walking & biking.
3. Raise awareness of the benefits of active transportation to students, parents, & the community at large.
4. Reduce traffic congestion & greenhouse gas emissions.
5. Promote lifelong healthy habits.

The APP update reflects minimal changes from last year's plan, but emphasizes lessons learned since our Coordinator was hired in October 2016. As such, the following short-term recommendations were developed:

- Institute bike riding, repair, and safety curriculum (Education)
- Develop a division-wide SRTS website and newsletter (Education)
- Facilitate biking and walking trains (Encouragement)
- Regularly host walk- and bike-to-school days (Encouragement)
- Consistently host annual Bicycle Rodeos (Encouragement)
- Conduct bike safety checks (Enforcement)
- Expand the bike helmet give-away program (Enforcement)
- Administer student travel tallies (Evaluation)
- Keep records of participation in workshops, biking and walking trains, bike rodeos, afterschool clubs, and other events (Evaluation)

The SRTS Activities and Programs Plan will continue to serve as a guiding document to assist in promoting, encouraging, and enabling walking and bicycling to school. The \$66,000 grant request will fund a part-time Safe Routes to School Coordinator and the supplies needed to implement the recommendations included in the APP. As a reimbursable grant, costs will be incurred by Neighborhood Development Services and reimbursed by VDOT.

Alignment with City Council's Vision and Strategic Plan:

This initiative supports Council's Vision to be a "Connected Community" ("the City of Charlottesville is part of a comprehensive, regional transportation system that enables citizens of all ages and incomes to easily navigate our community") and "America's Healthiest City" ("we have a community-wide commitment to personal fitness and wellness, and all residents enjoy our outstanding recreational facilities, walking trails, and safe routes to schools").

In addition, the project contributes to Goals 2 and 5 of the Strategic Plan, to be a safe, equitable, thriving and beautiful community and to foster strong connections – namely 2.2 Consider health in all policies and programs; 2.3 Provide reliable and high quality infrastructure; 5.2. Build collaborative partnerships.

The initiative further implements recommendations within the Comprehensive Plan (2013) and supports the City's Healthy Eating Active Living (HEAL) Resolution

Community Engagement:

This grant application implements one of the programming recommendations included in the Bicycle and Pedestrian Master Plan (adopted 2015), which included significant public involvement. Further, city staff from Neighborhood Development Services worked with staff from the Thomas Jefferson Health District and Charlottesville City Schools (Physical Education and Pupil Transportation) to create a Safe Routes to School Task Force that was responsible for outlining elements of a city-wide Safe Routes to School Activities and Programs Plan (APP). The task force included representatives from city schools, community organizations, multiple city departments (NDS, PW, Parks), as well as health and enforcement disciplines. The APP was developed by the task force with input from parents (via Parent Survey) and further discussed/refined at public meeting in February 2016.

Budgetary Impact:

The grant application will provide funding (100% reimbursable) for both a part-time Safe Routes to School Coordinator and the supporting activities included in the Activities and Programs plan. The grant will fund a position for 12 months with an opportunity to reapply for funding for one additional year. While funding will be provided at 100%, it is recommended that the applicant provide some match (cash or in-kind donations are acceptable) to demonstrate program sustainability. This past year the program received \$4,885 in local in-kind donations and we anticipate being able to secure that level of match again. Future grants would require a 20% match (cash or in-kind donations are acceptable).

Recommendation:

Staff recommends support for the Safe Routes to School Non-Infrastructure grant application.

Alternatives:

If grants funds are not appropriated, Safe Routes to School programming will continue in an ad-hoc fashion with assistance from community partners and parent volunteers.

Attachments:

Safe Routes to School Activities and Programs Plan

<http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/transportation/bicycle-and-pedestrian/safe-routes-to-school>

A Resolution Supporting Safe Routes to School Projects

RESOLUTION
Supporting Safe Routes to School (“SRTS”) Projects

WHEREAS, obesity is one of the most serious threats to American public health, ranking third among preventable causes of death in the United States;

WHEREAS, motor vehicle crashes are also a leading cause of death and injury to children;

WHEREAS, between 1969 and 2009 the percentage of children walking and biking to school dramatically declined from 48 percent to 13 percent;

WHEREAS, the Safe Routes to School program, created by Congress in 2005, aimed to increase the number of children engaged in active transportation when traveling to school by funding (1) infrastructure projects, located within two miles of a public school, that directly increase safety and convenience for public school children walking and/or biking to school, and (2) non-infrastructure projects designed to encourage public school children to walk and bicycle to school;

WHEREAS, Safe Routes to School projects are a proven, effective approach to increasing the number of children actively traveling to school by foot or bike;

WHEREAS, Safe Routes to School projects provide important health, safety, and environmental benefits for children, including reducing risk of obesity/chronic disease and pedestrian/bicycle injuries as well as improving air quality;

WHEREAS, the need for Safe Routes to School projects is especially strong in low-income areas, which suffer from a disproportionately high incidence of both childhood obesity/chronic disease and pedestrian and bicycle injuries and often have inferior pedestrian and bicycle infrastructure;

WHEREAS, Safe Routes to School projects make it safer and more convenient for all residents to walk and bike to destinations, further promoting public health;

WHEREAS, a goal of the City of Charlottesville’s current Comprehensive Plan, Bicycle and Pedestrian Master Plan, Complete Streets Resolution and Healthy Eating Active Living Resolution supports active transportation options, which can be met in part by implementation of Safe Routes to School projects;

NOW, THEREFORE, BE IT RESOLVED that the City of Charlottesville affirms its commitment to active transportation and supporting Safe Routes to School infrastructure and non-infrastructure projects.

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CITY OF CHARLOTTESVILLE
CITY COUNCIL AGENDA



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

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'

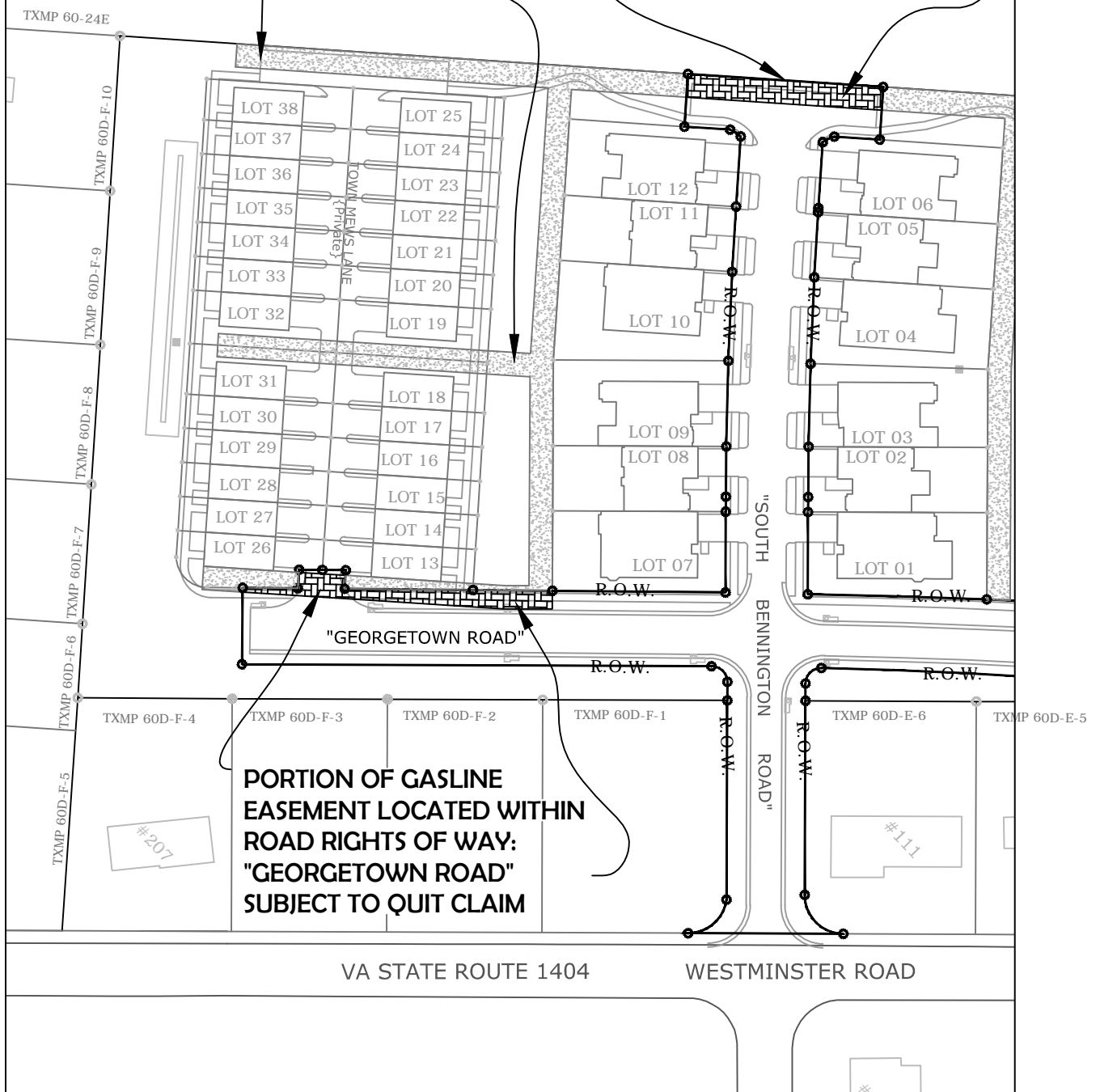


The M.A.O.P. of 2" P.E. pipe
 is 60 P.S.I., which is <20% S.M.Y.S.
 When installed the minimum depth
 was: 42" below paved travelways
 and 36" deep in grassy areas.

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



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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	April 3, 2017
Action Required:	Approve ordinance (1 st of 2 readings)
Presenter:	Mary Joy Scala, Preservation & Design Planner, Department of Neighborhood Development Services (NDS)
Staff Contacts:	Alex Ikefuna, Director, Department of Neighborhood Development Services (NDS)
Title:	ZT-17-01-01 Zoning Text Amendments to Historic Conservation District Ordinance

Background:

The Charlottesville Board of Architectural Review (BAR) is recommending certain revisions to the Historic Conservation District ordinance regulations to clarify what actions would require BAR review, to add a section allowing administrative review, and other adjustments based on the BAR's experience with the ordinance that has been in place since 2009.

City Council is being asked to approve the zoning text amendments, which were recommended unanimously by the Board of Architectural Review (BAR) on January 17, 2017, and unanimously by the Planning Commission (with minor edits) on March 14, 2017 (Attachment 1).

Discussion:

The Historic Conservation District ordinance was created as a second, less stringent type of local historic district to supplement the existing Architectural Design Control (ADC) District. A Historic Conservation District is intended to protect the character and scale of a historic neighborhood through required review of proposed demolitions and new construction, without imposing excessive requirements on the current residents who may want to remodel their homes.

There are currently two Historic Conservation Districts in place: in the Martha Jefferson Neighborhood and along Rugby Road in Venable Neighborhood. A potential third district, Woolen Mills Village, went to public hearing on November 9, 2016, when the Planning Commission unanimously recommended approval to Council. The City Council has not yet considered the designation, since the neighborhood association requested deferral until proposed ordinance and guidelines changes are adopted.

Even before the currently proposed Woolen Mills District was initiated, the Board of Architectural Review (BAR) had been discussing needed changes to the ordinance language, and

related changes to the Guidelines. The pending Woolen Mills designation has made more pressing the need for clarity in the ordinance.

The Planning Commission initiated this zoning text amendment on January 10, 2017. The BAR held a work session on January 5, 2017, and made a recommendation to Council on January 17, 2017 regarding text amendments and design guidelines changes. The City Attorney's office added non-substantive changes to the text amendments, then a public hearing was held on March 14, 2017. (Attachment 2 discusses the proposed ordinance changes by section number, including changes made by the City Attorney's office, and changes recommended by the Planning Commission.)

Following City Council's approval of the text amendments, BAR-recommended changes to the design guidelines (not contained in the zoning ordinance, so therefore not a part of these amendments) will come to City Council for approval.

Alignment with City Council's Vision and Strategic Plan:

The project supports City Council's Vision, specifically "Charlottesville Arts and Culture."

It contributes to Goal 2 of the Strategic Plan, "Be a safe, equitable, thriving and beautiful community," specifically Objective 2.5, "Provide natural and historic resources stewardship;" and Objective 2.6 "Engage in robust and context-sensitive urban planning."

Community Engagement:

Several members of the public spoke at the public hearing, including the president of Woolen Mills Neighborhood Association, and several residents of Woolen Mills neighborhood. Some comments were made specifically regarding the proposed Woolen Mills district designation, rather than the ordinance text amendments being considered.

There were several comments regarding the decision to cease review of paint colors, and comments about larger issues, such as lack of coordination between historic districts and zoning ordinance allowances.

Budgetary Impact:

The proposed amendments have no budgetary impact.

Recommendation:

Staff recommends the Historic Conservation District zoning text amendments as submitted.

Alternatives:

City Council may approve the zoning text amendments as submitted, or may approve them with edits, or may deny the proposed changes.

Potential consequences of not acting on the proposed amendments are that the Woolen Mills historic designation may not move forward, and the continued ambiguity of the ordinance may discourage the proposal of any future historic conservation districts.

Attachments:

1. Proposed Historic Conservation District Ordinance Amendments – marked-up copy with ~~language to be removed~~ and language to be added
2. Discussion of the proposed ordinance amendments by section number

**AN ORDINANCE
AMENDING ARTICLE II (OVERLAY DISTRICTS) OF CHAPTER 34 (ZONING) OF
THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,
RELATING TO HISTORIC CONSERVATION OVERLAY DISTRICTS.**

WHEREAS, City Council has determined that certain amendments to the text of the City's Zoning Ordinance, as set forth within this ordinance ("Zoning Text Amendments") are required by public necessity, convenience, general welfare or good zoning practice; and

WHEREAS, on March 14, 2017 a joint public hearing was held by the City's Planning Commission and City Council for the Zoning Text Amendments, pursuant to public notice as required by Virginia Code Sec. 15.2-2204 and applicable provisions of the City's Zoning Ordinance; and

WHEREAS, following the joint public hearing, the Planning Commission, by motion duly adopted on March 14, 2017, voted to recommend that City Council should adopt the Zoning Text Amendments because they are required by the public necessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Sections 34-336, 34-340, 34-341, and 34-343 through 34-349 of Chapter 34, Article II, Division 5 of the Charlottesville City Code, 1990, as amended, are hereby amended and reordained, as follows:

CHAPTER 34. ZONING

ARTICLE II. OVERLAY DISTRICTS

Division 5. Historic Conservation Overlay Districts

Sec. 34-335. Purposes.

The City of Charlottesville seeks, through establishment of its historic conservation overlay ("CV" or "conservation") districts, to protect community health and safety, and to promote the education, prosperity and general welfare of the public through the identification and conservation of buildings, structures, and areas with special historical, cultural, architectural and archaeological significance. To achieve these general purposes, the City of Charlottesville seeks to pursue the following specific purposes:

- (1) To identify and preserve buildings, structures and areas with special historical, cultural, architectural and archaeological significance, or with a collective character and quality, which serve as important visible reminders of the heritage of this city, the Commonwealth of Virginia, or this nation;
- (2) To assure that new structures, additions, and related elements will be in harmony with the scale and character of the existing buildings, structures and areas;

- (3) To document and promote an understanding of the social history of city neighborhoods, and to protect their cultural institutions.

Sec. 34-336. Establishment of, and additions to or deletions from, conservation districts.

(a) City council may, by ordinance, from time to time, designate properties and areas for inclusion or removal within a conservation district. Any such action shall be undertaken following the rules and procedures applicable to the adoption of amendments to the city's zoning ordinance and zoning map.

(b) Prior to the adoption of any such ordinance, the board of architectural review ("BAR") shall define, taking into consideration information that may be provided by neighborhood residents, the architectural character-defining features of the proposed conservation district. Those features would be referenced and reinforced when applying the conservation district design guidelines.

(c) Prior to the adoption of any such ordinance, the city council shall consider the recommendations of the planning commission and the BAR as to the proposed addition, removal or designation. The commission and BAR shall address the following criteria in making their recommendations:

- (1) The age of buildings and structures;
- (2) Whether the buildings, structures and areas are listed on the Virginia Landmarks Register or the National Register of Historic places, or are eligible to be listed on such registers;
- (3) Whether the buildings, structures or areas are of locally important historic, cultural, architectural or archaeological interest;
- (3) Whether the buildings, structures or areas are associated with an historic person or event or with a ~~renowned~~ significant architect or master craftsman, or have special public value because of notable features relating to the cultural or artistic heritage of the Charlottesville community;
- (4) Whether the buildings, structures or areas are part of a geographically definable area within which there exists a significant concentration or continuity of buildings or structures that are linked by past events or, aesthetically, by plan or physical development, or within which there exists a number of buildings or structures separated geographically but linked by association or history; and
- (6) Whether the buildings, structures or areas, when viewed together, possess a distinctive character and quality or historic significance.

Sec. 34-337. Conservation districts.

The following areas have been determined by city council to meet the criteria for designation as a conservation district, the limits of which are shown on the city's zoning map:

- (1) The Martha Jefferson Historic Conservation District; and
- (2) The Rugby Road Historic Conservation District.

Within each district designated above, city council has determined that only certain buildings are considered "contributing structures." Those contributing structures are identified on a map of each district included within the city's conservation district design guidelines, copies of which are available within the department of neighborhood development services.

Sec. 34-338. Relationship to individually protected properties.

(a) Within a conservation district all individually protected properties listed in section 34-273 shall retain that designation, and shall be reviewed under the Code provisions applicable to those properties.

(b) Before an area is designated as a historic conservation district, each of the structures that may qualify for designation as an individually protected property under section 34-273 within that area shall be identified.

Sec. 34-339. Contributing structures.

Before an area is designated as a conservation district, each structure shall be determined to be either "contributing" or "non-contributing." Thereafter, at least once every fifteen (15) years, this determination shall be reconfirmed.

Sec. 34-340. Actions requiring certificate of appropriateness; exemptions; penalties.

~~(a) Within a conservation district no building, structure or addition shall be constructed, and no contributing structure should be demolished, razed, or moved, in whole or in part, unless and until an application for a certificate of appropriateness has been approved by the board of architectural review (BAR), or by city council on appeal.~~

(a) A certificate of appropriateness (COA) must be approved in accordance with this division, prior to the commencement of construction, erection, alteration, or demolition of certain buildings, structures or improvements, as follows:

- ~~(1) (b) All proposed new construction buildings and structures requires approval of a COA by the BAR if they require a building permit, and unless they are concealed by the principal structure from all abutting streets.~~
- (2) All new fences and walls that abut a street, or which are located in a side yard between a street and the front of the principal structure on a lot, require a COA.

~~(e)(b)~~ The following proposed additions to existing buildings or structures require approval of a COA:

- ~~(1) — Additions located on a corner lot.~~
- ~~(2) (1) Additions located wholly or partially to the side or front of an existing building, the principal structure on a lot, or~~
- (2) Additions located on a lot that abuts a street on the side or rear, or

- (3) Additions that are equal to or greater than fifty (50) percent of the total gross floor area of the existing building; or
- (4) Additions located to the rear that exceed the height or width of the existing building or structure.

~~(d)~~(c) The proposed demolition, razing or moving of any building or structure requires ~~approval of~~ a COA only when:

- (1) The building is a contributing structure; and,
- (2) The proposed demolition is located in whole or in part to the front or side of the contributing structure, or
- (3) The proposed demolition is located on a lot that abuts a street on the side or rear, or
- ~~(3)~~ (4) The proposed demolition is equal to or greater than thirty-three (33) percent of the total gross floor area of the existing building.

However, the removal or replacement of windows or doors shall not constitute a demolition under this conservation district ordinance, provided the size of the opening is not altered.

(d) The proposed painting of previously unpainted brick or other masonry requires a COA.

(e) The following shall be exempt from the requirement of a COA certificate of appropriateness:

- (1) Interior features, details, alterations and improvements;
- (2) Ordinary maintenance or repair of exterior elements or features;
- (3) Painting or repainting a material other than unpainted brick or other masonry;
- ~~(3)~~ (4) Construction, reconstruction or other improvements to a building or structure made pursuant to an order of correction issued by the city's building code official, upon a determination by the city's building code official that a building or structure is an "unsafe structure," as that term is defined by the state's building code and regulations. In the event any such order or determination is issued with respect to a building or structure subject to BAR review pursuant to this division, the director of neighborhood development services shall notify the BAR of any alterations or repairs ordered by the building code official; and
- ~~(4)~~ (5) The demolition, razing or removing, in whole or in part, of any contributing structure allowed pursuant to an order of the city's building code official, upon a determination by the city's building code official that a building or structure is in such dangerous, hazardous or unsafe condition that it could reasonably be expected to cause death or serious injury before review under the provisions of this division. Upon such a determination, the building code official shall deliver a copy of the order to the director of neighborhood development services and to the chairperson of the BAR.

(f) Failure to obtain a COA as required by this section for the demolition, razing or moving of any contributing structure shall be subject to the civil penalty described within section 34-86(b) (i.e., not to exceed twice the fair market value of the building or structure).

Sec. 34-341. Criteria for approval.

(a) In considering a particular application the BAR shall approve the application unless it finds:

- (1) That the proposal does not meet specific standards set forth within this division or applicable provisions of the conservation district design guidelines; and
- (2) The proposal is incompatible with the historic, cultural or architectural character of the conservation district in which the property is located.

(b) ~~The BAR's Review of the proposed new construction or addition to a building or structure shall be limited to factors specified in section 34-342. The BAR, or council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition would be compatible with the scale and character of the historic conservation district. Prior to attaching conditions to an approval, due consideration shall be given to the cost of compliance with the proposed conditions.~~ The BAR's review of the proposed demolition, razing or moving of any contributing structure shall be limited to the factors specified in section 34-343.

~~(c) Review of the proposed demolition, razing or moving of any contributing structure shall be limited to the factors specified in section 34-343. The BAR, or city council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition would be compatible with the scale and character of the historic conservation district. Prior to attaching conditions to an approval, due consideration shall be given to the cost of compliance with the proposed conditions.~~

Sec. 34-342. Standards for review of new construction and additions.

The following features and factors shall be considered in determining the appropriateness of proposed new construction and additions to buildings or structures:

- (1) Whether the form, height, scale, mass and placement of the proposed construction are visually and architecturally compatible with the site and the applicable conservation district;
- (2) The harmony of the proposed changes in terms of overall proportion and the size and placement of entrances and windows;
- (3) The impact of the proposed change on the essential architectural form and integrity of the existing building;
- (4) The effect, with respect to architectural considerations, of the proposed change on the conservation district neighborhood;
- (5) Any applicable provisions of the city's conservation district design guidelines.

Sec. 34-343. Standards for review of demolition, razing or moving of a contributing structure.

The following factors shall be considered in determining whether or not to permit the demolition, razing or moving, in whole or in part, of a contributing structure:

- (1) The historic, architectural or cultural significance, if any, of the specific building or structure, including, without limitation:
 - a. The age of the building or structure;
 - b. Whether it has been listed on the National Register of Historic Places, or listed on the Virginia Landmarks Register;
 - c. Whether, and to what extent, the building or structure is associated with an historic person, architect or master craftsman, or with an historic event;
 - d. Whether the building or structure, or any of its features, represent an infrequent or the first or last remaining example within the city of a particular architectural style or feature;
 - e. The degree to which distinguishing characteristics, qualities, features or materials remain;
- (2) Whether, and to what extent, a contributing structure is linked, historically or aesthetically, to other buildings or structures within the conservation district, and whether the proposed demolition would affect adversely or positively the historic or aesthetic character of the district;
- (3) The overall condition and structural integrity of the building or structure, as indicated by studies prepared by a qualified professional engineer and provided by the applicant, or other information provided ~~to the BAR~~;
- (4) Whether, and to what extent, the applicant proposes to preserve portions, features or materials that are significant to the property's historic, architectural or cultural value; and
- (5) Any applicable provisions of the city's conservation district design guidelines.

Sec. 34-344. Validity of certificates of appropriateness.

~~The same requirements and procedures specified in~~ An approved certificate of appropriateness shall be and remain valid for the same time period(s) and under the same circumstances as set forth within section 34-280. shall apply.

Sec. 34-345. Application procedures.

(a) Applications shall be submitted to the director by a property owner, contract purchaser, or lessee of the property, or by the authorized agent of any such person. Each application shall be accompanied by the required application fee, as set forth within the most recent zoning fee schedule approved by city council.

The director shall require the applicant to submit sufficient information for the a preliminary review to make a determination whether further review and a certificate of appropriateness is required. If the director determines that review and approval by the BAR is required, then the applicant shall submit a complete application that includes the following information:

- (1) A written description of proposed exterior changes;
- (2) A general sketch plan of the property including: the location of existing structures; property and setback lines; and any proposed new construction, additions or deletions, parking areas, and fences;
- (3) The total gross floor area of the existing building and of any proposed additions;
- (4) Elevation drawings depicting existing conditions and proposed exterior changes;
- (5) Photographs of the subject property in context of the buildings on contiguous properties;
- (6) In the case of a demolition request where structural integrity is at issue, the applicant shall provide a structural evaluation and cost estimates (unless the building is the applicant's primary residence) for rehabilitation, prepared by a professional engineer.

(b) Applications shall be submitted to the director by a property owner, contract purchaser, or lessee of the property, or by the authorized agent of any such person. Each application shall be accompanied by the required application fee, as set forth within the most recent zoning fee schedule approved by city council.

~~The director shall require the applicant to submit sufficient information for the a preliminary review to make a determination whether further review and a certificate of appropriateness is required.~~

~~If the director determines that review and approval by the BAR is required, then the applicant shall submit a complete application that includes the following information:~~

- ~~(1) A written description of proposed exterior changes;~~
- ~~(2) A general sketch plan of the property including: the location of existing structures; property and setback lines; and any proposed new construction, additions or deletions, parking areas, and fences;~~
- ~~(3) The total gross floor area of the existing building and of any proposed additions;~~
- ~~(4) Elevation drawings depicting existing conditions and proposed exterior changes;~~
- ~~(5) Photographs of the subject property in context of the buildings on contiguous properties;~~
- ~~(6) In the case of a demolition request where structural integrity is at issue, the applicant shall provide a structural evaluation and cost estimates (unless the building is the applicant's primary residence) for rehabilitation, prepared by a professional engineer.~~

Sec. 34-346. Administrative review.

(a) The director of neighborhood development services may review, and may approve or deny, or may refer to the full BAR for review and approval, the following types of applications for certificates of appropriateness:

(1) Fences;

(2) Applications that have previously been reviewed by the BAR, if the BAR has authorized final review by the director;

(3) Applications for minor accessory buildings or additions, after consultation with the Chair of the BAR.

(b) In reviewing an application for a certificate of appropriateness, the director of neighborhood development services shall be deemed the agent of the BAR and shall apply the same criteria and design guidelines that the BAR must use in its review process.

(c) Within ten (10) working days after the date an application is submitted, the director of neighborhood development services shall take one of the following actions: approve, deny, or refer the COA to the BAR for action.

(d) Upon approval of an application by the director of neighborhood development services, the director shall issue the approved certificate. If the application is denied, the director shall convey written notice of this decision to the applicant, which notice shall set forth the specific reasons for the denial, with reference to specific provisions of this ordinance or applicable design guidelines. The director shall inform the BAR of his administrative decisions at the next regular meeting following the date of such decisions.

(e) Following a decision of the director of neighborhood development services upon an application, the applicant, or any other aggrieved party, may appeal that decision to the BAR within ten (10) working days from the date of the director's decision.

(f) In considering an appeal from a decision of the director of neighborhood development services, the BAR shall review the application as if the application had come before it in the first instance. In an appeal the BAR may consider any information or opinions relevant to the application, including, but not limited to, those provided by the director.

Sec. ~~34-346~~ 34-347. Approval or denial of applications by BAR.

(a) The BAR shall afford each applicant, and any other interested party, an opportunity to be heard, prior to rendering its decision on any application. The director of neighborhood development services shall send written notice of the time, date, place and subject of a meeting to the applicant, or his agent, and to each property owner, or his agent, abutting or immediately across a street or road from the property that is the subject of the application, and to all properties having frontage along the same city street block. Notice sent by first class mail to the last known address of such owner or agent, as shown on the city's current real estate assessment books, postmarked not less than fourteen (14) days before the meeting, shall be deemed adequate. Additionally, a sign shall be posted at the property which is the subject of the application, at least ten (10) days prior to the BAR's meeting, and

identifying the time, date, place and nature of the application which has been scheduled for a hearing.

(b) Failure of the BAR to act on an application determined to be subject to BAR review within sixty (60) days after receipt thereof shall be deemed approval.

(c) Upon BAR approval of an application, the director shall issue the approved certificate. Upon denial of an application (approval of an application with conditions over the objections of the applicant shall be deemed a denial), the applicant shall be provided written notice of the decision, including a statement of the reasons for the denial or for the conditions to which the applicant objects.

Sec. ~~34-347~~ 34-348. Appeals.

(a) A decision of the BAR may be appealed to city council by the applicant, or any other aggrieved person, by filing a written notice of appeal within ten (10) days from the date of decision. An appellant shall set forth, in writing, the grounds for an appeal, including the procedure(s) or standard(s) alleged to have been violated or misapplied by the BAR, and/or any additional information, factors or opinions he or she deems relevant to the application. The applicant, or his agent, and any aggrieved person, shall be given an opportunity to be heard on the appeal.

(b) In any appeal the city council shall consult with the BAR and consider the written appeal, the criteria set forth within section 34-276 or 34-278, as applicable, and any other information, factors, or opinions it deems relevant to the application.

(c) A final decision of the city council may be appealed to the Charlottesville Circuit Court by the owner of the land for which the certificate of appropriateness is sought, subject property to the Circuit Court for the City of Charlottesville, by filing with the court a petition setting forth the alleged illegality of the action taken. Such petition must be filed with the Circuit Court within thirty (30) days after council's final decision. The filing of the petition shall stay the council's decision pending the outcome of the appeal; except that the filing of the petition shall not stay a decision of city council denying permission to demolish a building or structure.

(d) Any appeal which may be taken to the Circuit Court from a decision of the city council to deny a permit for the demolition of a building or structure shall not affect the right of the property owner to make the bona fide offer to sell as described in section 34-286(d) and section 34-286(e).

Sec. ~~34-348~~ 34-349. Responsibilities of BAR.

With respect to conservation districts, the city's BAR shall oversee the administration of this division. In addition to any other responsibilities assigned to the BAR within this division, or in section 34-288, the BAR shall:

- (1) Recommend surveys of potential conservation districts, and recommend properties for inclusion in, or deletion from, conservation districts.
- (2) Develop and recommend to the city council for council's approval design guidelines for the city's conservation districts ("conservation district design

guidelines"), consistent with the purposes and standards set forth within this division. Conservation district design guidelines shall have the status of interpretive regulations. The BAR shall undertake a comprehensive review and shall update the conservation district guidelines at least once every five (5) years.

Sec. ~~34-349~~ 34-350. Reserved.

Attachment 2.

Discussion of the Proposed Ordinance Amendments by Section Number

Sec. 34-336

Under (c)(4) the Planning Commission recommended changing the word “renowned” to “significant.”

Sec. 34-340

Proposed changes to this section clarify what specific actions require BAR review and approval of a certificate of appropriateness (COA). Woolen Mills residents expressed concern that a change in staff could result in a change in interpretation, and wanted more certainty.

The first paragraph was replaced with new wording by the City Attorney’s office. The BAR recommended the following changes to sections (a)-(f):

- (a) The term “buildings and structures” clarifies that it would include an accessory structure, provided it is large enough to require a building permit (currently defined as minimum 256 square feet in area) and is visible from any street that abuts the lot. This establishes clear criteria that excludes small sheds, and structures such as bird feeders, doghouses, and playsets, which do not require a building permit.
- (b) Fences and walls are currently addressed in the Design Guidelines, but not in the ordinance language, except generally as “new construction.” This new section clarifies when a fence or wall requires review.
- (c) It has always been the intent to review a rear addition if visible from an abutting front or side street. This clarifies that a rear addition located on a double frontage lot would also require review.
- (d) Additional language added to this demolition section clarifies two points: (1) that a demolition (like an addition) would require review if visible from any abutting street, not just the frontage street; and (2) while the current ordinance allows a property owner to replace doors or windows without a COA, stating that it does not constitute a demolition, the additional language clarifies that altering the window or door *opening size* would constitute a demolition, which could trigger review.
- (e) This is a *new* provision that requires approval before a property owner may paint unpainted brick. The BAR is concerned that painting brick is irreversible and may cause moisture problems. The Planning Commission recommended adding “or other masonry.”
- (f) This is also a new provision that *no longer requires* review of paint colors. Painting would only be reviewed if a property owner proposes to paint unpainted brick. The Planning Commission recommended adding “or other masonry.”

Sec. 34-341

Changes in this section were recommended by the City Attorney’s office. The language is substantially the same, but it has been re-ordered.

Sec. 34-343

The deletion under bullet (3) was recommended by the City Attorney’s office.

Sec. 34-344

The clarification in this section was recommended by the City Attorney’s office.

Sec. 34-345

The language is identical to existing, but the BAR recommended reversing the order of the two existing sections (a) and (b) to make the process more intuitive.

Sec. 34-346

The BAR recommended this *new* section, similar to Sec. 34-283 for ADC districts, which allows, but does not require, administrative review for certain limited and specific types of applications. There is currently no allowance in the ordinance for administrative review, which could result in a longer approval process than is warranted.

Sec. 34-348

The clarification in this section was recommended by the City Attorney's office.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date: April 3, 2017

Action Required: Approval and Appropriation (1st Reading)

Staff Contacts: Leslie Beauregard, Assistant City Manager

Presented By: Maurice Jones, City Manager
Leslie Beauregard, Assistant City Manager

Title: Public Hearing on Budget/First Reading of Tax Levy Ordinance and F.Y. 2018 Budget Appropriation

Background: The F.Y. 2018 Budget Appropriation reflects amendments made to the F.Y. 2018 City Manager’s Proposed Budget. This is also the first reading for the annual Tax Levy Ordinance.

Discussion: The attached amendments have been made to the F.Y. 2018 City Manager’s Proposed Budget and reflect changes Council has made to date. Once Council completes their budget, all amendments will be fully incorporated and Council will amend the budget on second reading on April 11th.

Community Engagement: Tonight’s meeting includes a public hearing on the budget and continues a series of public engagement opportunities around the budget. There is also a final Budget Worksession on April 6th from 5PM – 7PM that includes a public comment period at the end of the meeting.

Alignment with City Council’s Vision and Strategic Plan:

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

Budgetary Impact: This is the first of two readings that adopts the final budget for Fiscal Year 2018.

Recommendation: Approval and Appropriation (1st reading)

Alternatives: N/A

Attachments:

1. Amendments to the F.Y. 2018 City Manager's Proposed Budget
2. Tax Levy Ordinance
3. F.Y. 2018 Budget Appropriation

**City Council Amendments to the
FY 2018 Proposed General Fund Budget**

Manager's Recommended FY 18 Revenue Estimates	\$	171,619,374
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Amendments to FY 18 Revenue Estimates

Decrease Revenues

Taxes

Virginia Communications Sales and Use Tax	(60,000)
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Miscellaneous Revenue

Rent	(18,000)
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Designated Revenues

Contractual Services: Pupil Transportation	(30,634)
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(reduced fuel cost and health care savings)

Contractual Services: School Building Maintenance	(13,386)
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(reduced fuel cost and health care savings)

Increase Revenues

Taxes

Recordation Tax Receipts	3,191
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Tax on Wills and Deeds	30,000
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Charges for Services

Business and Professional Licenses	90,465
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Intergovernmental Revenue

Compensation Board Reimbursement for Constitutional Offi	29,117
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Fire Department Operations (UVA)	4,000
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UVA Service Charge	3,000
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Total Revenue Amendments	\$	37,753
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Total Amended FY 18 General Fund Revenue Estimates	\$	171,657,127
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Manager's Recommended FY 18 Expenditures	\$	171,619,374
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Amendments to FY 18 Expenditures

Decrease Expenditures

City Departments

Health Care Savings and Reduced Fuel Cost (combined)

Mayor and City Council	(3,484)
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City Circuit Court	(4,824)
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Circuit Court Judge	(536)
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J&DR Court	(596)
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Commonwealth Attorney	(4,824)
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City Sheriff	(8,561)
City Manager's Office	(2,847)
Communication Office	(2,144)
Economic Development	(3,484)
Human Rights Commission	(804)
City Attorney	(3,216)
Commissioner of Revenue	(7,504)
City Treasurer	(7,236)
Finance	(12,543)
Human Resources	(4,824)
General Registrar	(1,608)
Public Works	(64,977)
Police Department	(75,198)
Fire Department	(48,776)
Parks and Recreation	(17,500)
Golf (General Fund transfer)	(1,306)
Neighborhood Development Services	(12,338)
Charlottesville Area Transit (General Fund transfer)	(128,634)
Outside and Nonprofit Agencies	
Albemarle Charlottesville Regional Jail	(48,069)
Jefferson-Madison Regional Library (health care savings)	(15,151)
Transfers	
CIP Contingency	(285,136)
Designated Expenditures	
Contractual Services: Pupil Transportation (health care savings and reduced fuel cost)	(30,634)
Contractual Services: School Building Maintenance (health care savings and reduced fuel cost)	(13,386)
Increase Expenditures	
Employee Compensation & Benefits	
Public Safety Salary Equity Adjustments	341,822
Health Care Savings (distributed among departments)	250,000
City Departments	
NDS - Placemaking/Design Position	110,699
Outside and Nonprofit Agencies	
Virginia Municipal League	968
Region Ten - Permanent Supportive Housing Program	83,227
New City Arts	18,000
Public Defender's Office	4,439
Bridge Ministry	34,800
African American Teaching Fellows	3,938
Total Expenditure Amendments	\$ 37,753
Total Amended FY 18 General Fund Expenditures	\$ 171,657,127

**City Council Amendments to the
FY 2018 Proposed Transit Fund Budget**

Manager's Recommended FY 18 Revenue Estimates	\$ 8,675,647
------------------------------------------------------	---------------------

Amendments to FY 18 Revenue Estimates

Decrease Revenues

Revenue - Albemarle County	(9,958)
Transfer from General Fund	(128,634)

Total Revenue Amendments	\$ (138,592)
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Total Amended FY 18 Transit Fund Revenue Estimates	\$ 8,537,055
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Manager's Recommended FY 18 Expenditures	\$ 8,675,647
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Amendments to FY 18 Expenditures

Decrease Expenditures

Health Care Savings	(38,592)
Vehicle Fuel Savings	(100,000)

Total Expenditure Amendments	\$ (138,592)
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Total Amended FY 18 Transit Fund Expenditures	\$ 8,537,055
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**City Council Amendments to the
FY 2018 Proposed Golf Fund Budget**

Manager's Recommended FY 18 Revenue Estimates	\$ 875,752
Amendments to FY 18 Revenue Estimates	
<i>Decrease Revenues</i>	
Transfer from General Fund	(1,306)
Total Revenue Amendments	\$ (1,306)
Total Amended FY 18 Golf Fund Revenue Estimates	\$ 874,446
Manager's Recommended FY 18 Expenditures	\$ 875,752
Amendments to FY 18 Expenditures	
<i>Decrease Expenditures</i>	
Health Care Savings	(1,064)
Vehicle Fuel Savings	(242)
Total Expenditure Amendments	\$ (1,306)
Total Amended FY 18 Golf Fund Expenditures	\$ 874,446

**City Council Amendments to the
FY 2018 Proposed Water Fund Budget**

Manager's Recommended FY 18 Revenue Estimates	\$ 11,908,010
Amendments to FY 18 Revenue Estimates	
<i>Decrease Revenues</i>	
Water Sale Revenue	(18,649)
<i>Increase Revenues</i>	
Water Bond Sales	1,250,000
Total Revenue Amendments	\$ 1,231,351
<hr/> <hr/>	
Total Amended FY 18 Water Fund Revenue Estimates	\$ 13,139,361
<hr/> <hr/>	
Manager's Recommended FY 18 Expenditures	\$ 11,624,568
Amendments to FY 18 Expenditures	
<i>Decrease Expenditures</i>	
Health Care Savings	(9,380)
Vehicle Fuel Savings	(4,846)
<i>Increase Expenditures</i>	
Water Capital Projects	1,250,000
Total Expenditure Amendments	\$ 1,235,774
<hr/> <hr/>	
Total Amended FY 18 Water Fund Expenditures	\$ 12,860,342

**City Council Amendments to the
FY 2018 Proposed Wastewater Fund Budget**

Manager's Recommended FY 18 Revenue Estimates	\$ 16,306,459
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Amendments to FY 18 Revenue Estimates

Decrease Revenues

Sewer Sale Revenue	(16,563)
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Total Revenue Amendments	\$ (16,563)
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Total Amended FY 18 Wastewater Fund Revenue Estimates	\$ 16,289,896
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Manager's Recommended FY 18 Expenditures	\$ 16,023,017
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Amendments to FY 18 Expenditures

Decrease Expenditures

Health Care Savings	(8,506)
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Vehicle Fuel Savings	(3,634)
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Total Expenditure Amendments	\$ (12,140)
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Total Amended FY 18 Wastewater Fund Expenditures	\$ 16,010,877
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**City Council Amendments to the
FY 2018 Proposed Gas Fund Budget**

Manager's Recommended FY 18 Revenue Estimates	\$ 22,461,551
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Amendments to FY 18 Revenue Estimates

Decrease Revenues

Gas Sales Revenue	(60,329)
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Increase Revenues

Transfer from Gas Fund Balance	1,500,000
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Total Revenue Amendments	\$ 1,439,671
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Total Amended FY 18 Gas Fund Revenue Estimates	\$ 23,901,222
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Manager's Recommended FY 18 Expenditures	\$ 23,028,435
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Amendments to FY 18 Expenditures

Decrease Expenditures

Health Care Savings	(38,592)
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Vehicle Fuel Savings	(11,733)
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Operational Reductions (Professional Services, Dues, & Equipm	(18,850)
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Increase Expenditures

Gas Capital Projects	1,500,000
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Total Expenditure Amendments	\$ 1,430,825
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Total Amended FY 18 Gas Fund Expenditures	\$ 24,459,260
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**City Council Amendments to the
FY 2018 Proposed Stormwater Utility Fund Budget**

Manager's Recommended FY 18 Expenditures	\$ 1,869,689
Amendments to FY 18 Expenditures	
<i>Decrease Expenditures</i>	
Vehicle Fuel Savings	(85)
Health Care Savings	(2,144)
Total Expenditure Amendments	\$ (2,229)
Total Amended FY 18 Stormwater Utility Fund Expenditures	\$ 1,867,460

**City Council Amendments to the
FY 2018 Proposed Fleet Fund Budget**

Manager's Recommended FY 18 Expenditures	\$ 1,044,710
Amendments to FY 18 Expenditures	
<i>Decrease Expenditures</i>	
Health Care Savings	(5,896)
Vehicle Fuel Savings	(1,817)
Total Expenditure Amendments	\$ (7,713)
Total Amended FY 18 Fleet Fund Expenditures	\$ 1,036,997

**City Council Amendments to the
FY 2018 Proposed Warehouse Fund Budget**

Manager's Recommended FY 18 Expenditures	\$ 159,411
Amendments to FY 18 Expenditures	
<i>Decrease Expenditures</i>	
Health Care Savings	(804)
Total Expenditure Amendments	\$ (804)
Total Amended FY 18 Warehouse Fund Expenditures	\$ 158,607

**City Council Amendments to the
FY 2018 Proposed Risk Management Fund Budget**

Manager's Recommended FY 18 Expenditures	\$ 3,349,798
Amendments to FY 18 Expenditures	
<i>Decrease Expenditures</i>	
Health Care Savings	(1,125)
Total Expenditure Amendments	\$ (1,125)
Total Amended FY 18 Risk Management Fund Expenditures	\$ 3,348,673

COUNCIL meeting 3/20/17-Budget FY 18= New Position re: Community Engagement, Place-making, Visioning and Codes (Councilor Galvin proposal)

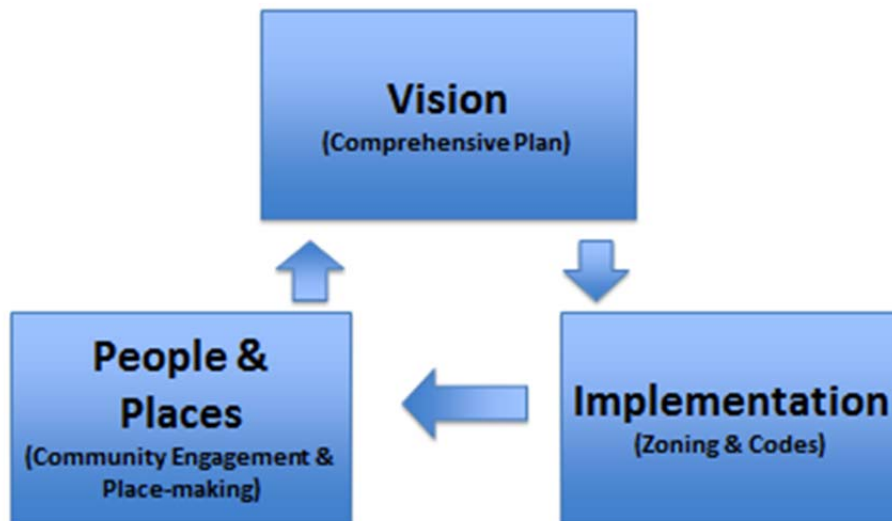
After talking with Maurice Jones and Alex Ikefuna on March 16, a looming set of interrelated challenges in the near future was identified. The specific tasks associated with those challenges include: a.) updating our city-wide comprehensive plan and undertaking new small area plans on Cherry Avenue and Hydraulic/Hillsdale Drive; b.) writing and administering new zoning codes in the SIA and city-wide; c.) engaging a diverse and committed community in a new, exciting process crafted by the Planning Commission; and d.) improving efficiencies within NDS with regards to the development application review process and other processes as identified in the organizational efficiency study. In light of these tasks, the need for added staff capacity with new capabilities and the authority to problem-solve and make decisions became clear. Those broad new skills, knowledge and responsibilities would include the following.

1. Community engagement (of both residents and developers, city-wide) in a variety of circumstances from comprehensive and small area planning to individual development projects with an array of communication and public participation techniques, from newsletters and websites to hands-on workshops.
2. Creative place-making (for public spaces, special districts and community-based planning projects as well as private developer submittals) using a variety of design, drawing and graphic techniques, including but not limited to 3D visualizations.
3. Comprehensive and small area plan visioning, implementation and management in concert with our neighborhoods, development community and multiple internal governmental departments, offices and managers.
4. Zoning and code review, writing, and administration (including but not limited to form-based codes) as required to implement the community's vision.

With the support of our City Manager and our Director of Neighborhood Development Services, I am therefore requesting City Council's endorsement of a new position at this time, that would embody the above broad skill sets, for budgeting purposes. Staff will further define this new position and determine where it resides by the end of calendar year 2017, as the scope of this new and important work becomes clear.

The attached diagram is an illustration of the relationship between Visioning, Implementation, People & Places (VIPP.) In planner speak, that's the relationship between Comprehensive Planning, Zoning Codes, Community Engagement and Place-making.

Comprehensive Plans, Zoning, & Form Based Codes



It's also important to note that there have been six reports, plans, statements and letters over the past four years, calling for better alignment between community engagement, place-making, comprehensive planning, and our zoning codes.

Those include the:

- 2013 PLACE Annual Report;
- 2013 Create Cultural Plan;
- 2014 Neighborhood Leaders Statement;
- 2016 PHAR Resident directed positive vision for Redevelopment;
- 2016 Organizational Efficiency Study: and
- 2017 Letter re: Neighborhood Leaders concern over Development.

**AN ORDINANCE
TO ESTABLISH THE ANNUAL TAX LEVY
ON VARIOUS CLASSES OF PROPERTY FOR THE
PAYMENT OF INTEREST AND RETIREMENT OF THE CITY DEBT,
FOR THE SUPPORT OF THE CITY GOVERNMENT AND
CITY SCHOOLS, AND FOR OTHER PUBLIC PURPOSES.**

BE IT ORDAINED by the Council of the City of Charlottesville that for the year beginning on the first day of January, 2017 and ending the thirty-first day of December, 2017, and each year thereafter which this ordinance is in force, the taxes on property in the City of Charlottesville shall be as follow:

Section 1. Real Property and Mobile Homes

On tracts of land, lots or improvements thereon and on mobile homes the tax shall be \$.95 on every \$100 of the assessed value thereof, to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.

Section 2. Personal Property

On all automobiles, trucks, motorcycles and other motor vehicles; boats and aircraft; and on all tangible personal property used or held in connection with any mining, manufacturing or other business, trade, occupation or profession, excluding furnishings, furniture and appliances in rental units, the tax shall be \$4.20 on every \$100 of the assessed value thereof, to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.

Section 3. Public Service Corporation Property

(a) On that portion of the real estate and tangible personal property of public service corporations which has been equalized as provided in section 58.1-2604 of the Code of Virginia, as amended, the tax shall be \$.95 on every \$100 of the assessed value thereof determined by the State Corporation Commission.

(b) The foregoing subsections to the contrary notwithstanding, on automobiles and trucks belonging to such public service corporations the tax shall be \$4.20 on every \$100 of assessed value thereof.

(c) Such taxes are levied to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.

Section 4. Machinery and Tools

On machinery and tools used in a manufacturing or mining business the tax shall be \$4.20 on every \$100 assessed value thereof, to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.

Section 5. Energy Efficient Buildings

- (a) On energy efficient buildings the tax shall be \$.475 on every \$100 of the assessed value thereof, to pay the general operating expenses of the City and to pay the interest and retirement on the City debt.
- (b) This tax rate is subject to the limitations in Chapter 30, Article V, Division 4 of the Charlottesville City Code, 1990, as amended, and applies only to buildings and not the real estate or land on which they are located.

BE IT FURTHER ORDAINED that the ordinance imposing the tax levy adopted April 12, 2016 be and the same is hereby repealed.

RESOLUTION ADOPTING THE BUDGET FOR THE
CITY OF CHARLOTTESVILLE FOR THE FISCAL YEAR
BEGINNING JULY 1, 2017, AND ENDING JUNE 30, 2018
AND PROVIDING FOR THE ANNUAL APPROPRIATION OF FUNDS
FOR SUCH FISCAL YEAR.

I. ADOPTION OF BUDGET

WHEREAS, pursuant to Section 19 of the City Charter and Section 15.2-2503 of the Code of Virginia, the City Manager has caused to be prepared and presented to City Council a proposed budget for the fiscal year beginning July 1, 2017, and ending June 30, 2018; and

WHEREAS, a synopsis of such proposed budget has been published in the Daily Progress, a newspaper of general circulation in the City, and notice duly given in such newspaper and public hearings held thereon on March 20, 2017 and April 3, 2017, and the estimates of revenues and expenditures therein debated and adjusted by City Council in open public meetings, all as required by the City Charter and Section 15.2-2506 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that such document, the statements of fiscal policy set forth therein, and the estimates of revenues and expenditures therein proposed by the City Manager and debated and adjusted by the City Council, are hereby adopted as the annual budget of the City of Charlottesville, for informative and fiscal planning purposes only, for the fiscal year beginning July 1, 2017, and ending June 30, 2018; and that a true and correct copy of the same, as adopted, shall be kept on file in the records of the Clerk of the Council.

II. GENERAL FUND APPROPRIATIONS

BE IT RESOLVED by the Council of the City of Charlottesville that:

A. The sums hereinafter set forth are estimated as General Fund revenues for the fiscal year beginning July 1, 2017.

Local Taxes

Real Estate Taxes	\$64,526,658
Personal Property Tax	8,460,000
Public Service Corporation Tax	1,350,000
Penalty/Interest on Delinquent Taxes	350,000
Utility Services Consumer Tax (Gas, Water, Electric)	4,699,842
Virginia Communications Sales and Use Tax	3,030,000
Tax on Bank Stock	975,000
Tax on Wills and Deeds	550,000
Sales and Use Tax	11,900,000

Rolling Stock Tax	21,000
Transient Occupancy (Lodging) Tax	4,970,000
Meals Tax	9,615,000
Short-Term Rental Tax	32,000
Cigarette Tax	800,000
Recordation Tax Receipts	203,191
Vehicle Daily Rental Tax	100,000
Total Local Taxes	\$111,582,691

Licenses and Permits	
Business and Professional Licenses	\$7,297,465
Vehicle Licenses	915,000
Dog Licenses	15,000
Electrical and Mechanical Permits	250,000
Building and Plumbing Permits	400,000
Temporary Parking Permits (N.D.S.)	75,000
Site Plans	75,000
Mall Vending Permits	100,000
Other Permits	110,500
Total Licenses and Permits	\$9,237,965

Intergovernmental Revenue

Revenue from State Agencies

PPTRA Revenue (State Personal Property Tax)	\$3,498,256
State Highway Assistance	4,003,606
Reimbursement/Constitutional Offices	1,634,635
State Aid for Police Protection	2,012,664
Trailer Title	1,200
Other State Assistance: Misc. Rev	50,000

Revenue from Other Intergovernmental Sources

Jefferson Area Drug Enforcement (JADE)	96,000
School Resource Officers (City Schools)	288,484
Regional Library Administrative Fee	104,300
Fire Department Ops (Albemarle County)	190,000
Fire Department Ops (U.V.A.)	305,416
Fire Department Ops (CARS)	130,000
Juvenile & Domestic Relations Court (Albemarle County)	56,156
Juvenile & Domestic Relations Court Building Maint. (Albemarle County)	66,000
Magistrate's Office (Albemarle County)	4,150
Payments In Lieu of Taxes (Housing Authority)	33,828
Service Charge (U.V.A.)	38,000
Property Maintenance (U.V.A.)	55,000
Total Intergovernmental Revenue	\$12,567,695

Charges for Services

Property Transfer Fees	\$1,000
Zoning Appeals Fees	1,100
Court Revenue (Circuit/General District Courts)	450,000
Circuit Court - Online Land Records Subscription Revenue	30,000
Internal City Services	1,075,728
Utility Cut Permits	185,000
Recreation Income	1,854,528
Reimbursable Overtime/Public Safety	265,000
Payment in Lieu of Taxes: Utilities	5,397,765
Indirect Cost Recovery	125,000
Waste Disposal Fees	950,000
Other Charges for Services	125,000
Total Charges for Services	\$10,460,121

Miscellaneous Revenue

Interest Earned	\$405,000
Rent	182,000
Hedgerow Properties - Parking Revenue	60,000
Refund of Prior Years' Expenditures	30,000
Other Miscellaneous Revenue	213,000
Total Misc. Revenue	\$890,000

Transfers from Other Funds

Risk Management Fund	\$350,000
Parking Enterprise Fund	1,723,475
Total Transfers from Other Funds	\$2,073,475

City/County Revenue Sharing: Operating Budget **\$10,290,321**

Total Operating Revenue **\$157,102,268**

Designated Revenue

City/School Contracts: Pupil Transportation	\$2,902,777
City/School Contracts: School Building Maintenance	3,683,168
City/County Revenue Sharing: Transfer to Capital Improvement Fund	5,165,164
City/County Revenue Sharing: Transfer to Facilities Repair Fund	400,000
Transfer to Debt Service Fund: Meals Tax Revenue	2,403,750
Total Designated Revenue	\$14,554,859

Total General Fund Revenue **\$171,657,127**

B. The sums hereinafter set forth are hereby appropriated from the General Fund of the City for the annual operation of the City departments, other agencies and non-departmental accounts so set forth, beginning July 1, 2017.

Operating Expenditures

Management

Mayor and City Council	\$304,927
Council Strategic Initiatives Funding (Unallocated)	155,000
G.E.D. Program	20,000
Jefferson School Heritage Center	450,000
Office of the City Manager/Administration and Redevelopment Manager	1,273,598
Office of the City Manager/Communications	451,514
Office of the City Manager/Economic Development	692,488
Office of the City Attorney	908,388
Office of General Registrar	584,410

Contributions to Organizational Memberships and Workforce Development Programs

Virginia Municipal League	16,820
Chamber of Commerce	1,575
Thomas Jefferson Planning District Commission	60,351
Piedmont Workforce Network	7,232
Virginia Institute of Government	2,500
Alliance for Innovation	2,550
Virginia First Cities Coalition	18,000
Central Virginia Partnership for Economic Development	24,105
Thomas Jefferson Soil and Water Conservation District	12,669
Central Virginia Small Business Development Center	12,000
Rivanna Conservation Alliance	15,000
National League of Cities	5,000
Community Investment Collaborative	25,500
Center for Nonprofit Excellence	600

Non Departmental Activities

Sister City Committee	15,000
City Strategic Plan/P3: Plan, Perform, Perfect	85,000
Virginia Juvenile Community Crime Control Act (Local Match)	108,415
Citizen Engagement Opportunities	15,000
Innovation Fund	20,000
Performance Agreement Payments to Waterhouse and C.F.A.	400,000

Transfer to Debt Service Fund	7,968,000
Transfer to Fund Balance Target Adjustment Fund	413,148
Transfer to C.I.P. Contingency	214,864
Employee Compensation and Training	2,826,822

Internal and Financial Services

Finance Department - Administration/Purchasing/Assessor	2,623,855
Human Resources	1,147,400
Commissioner of Revenue	1,316,033
Treasurer	1,328,936

Healthy Families and Community

Transfer to Children's Services Act Fund	1,917,024
Transfer to Social Services Fund	3,502,777
Transfer to Human Services/Community Attention Fund	572,398
Neighborhood Development Services	3,873,475
Office of Human Rights/Human Rights Commission	215,789
Parks and Recreation	10,252,807
Transfer to Golf Course Fund	133,006
Transfer to Convention and Visitors' Bureau	916,039

Community Events and Festivals

Virginia Film Festival	15,200
Virginia Festival of the Book	16,068
Charlottesville Festival of Cultures	3,750
Art in Place	27,500
City Supported Events (Other)	10,000

Contributions to Children, Youth, and Family Oriented Programs

Virginia Cooperative Extension Program	48,749
Thomas Jefferson Health District	544,994
Computers 4 Kids	18,877
M.A.C.A.A.	96,560
Sexual Assault Resources Agency (SARA)	22,440
Shelter for Help in Emergency (SHE)	113,410
Region Ten Community Services Board	1,160,092
Jefferson Area Board for Aging (JABA)	319,192
United Way - Thomas Jefferson Area	202,778
ReadyKids	80,201
Free Clinic	114,940
Home Visiting Collaborative	68,341
Abundant Life Ministries	32,853
Boys and Girls Club	55,687
Jefferson Area CHIP	325,558
Foothills Child Advocacy Center	27,578
Big Brothers/Big Sisters	20,000
The BridgeLine	27,870
Thomas Jefferson Area Coalition for the Homeless	90,306
Women's Initiative	21,012
On Our Own	14,560
PHAR	44,800

Emergency Assistance Program Support	84,516
City Schoolyard Garden	19,200
Bridge Ministries	34,800

Contributions to Education and the Arts

Jefferson Madison Regional Library	1,817,875
City Center for Contemporary Arts	40,898
Piedmont Virginia Community College	11,097
McGuffey Art Center	25,231
Arts Coordination and Planning	57,000
Virginia Discovery Museum	5,625
Literacy Volunteers	39,768
Ash Lawn Opera	3,242
Historic Preservation Task Force	5,000
The Paramount Theater/Arts Education Program	19,874
Jefferson School Foundation	30,000
African American Teaching Fellows	3,938
Lighthouse Studio	8,321
W.N.R.N.	2,250
New City Arts	18,000

Contributions to Housing Programs

Rent Relief for Elderly, a sum sufficient estimated at	18,000
Rent Relief for Disabled, a sum sufficient estimated at	180,000
Tax Relief for Elderly, a sum sufficient estimated at	405,000
Tax Relief for Disabled, a sum sufficient estimated at	105,000
Homeowners Tax Relief Program	390,000
Stormwater Fee Assistance Program	15,000
Albemarle Housing Improvement Program (A.H.I.P.)	96,165
Piedmont Housing Alliance (P.H.A.)	92,197

Infrastructure and Transportation

Public Works: Administration, Facilities Development, Facilities Maintenance	2,761,837
Public Works: Hedgerow Properties	51,500
Public Works: Public Service	7,671,570
Transfer to Charlottesville Area Transit Fund	2,717,468
JAUNT Paratransit Services	1,112,774

Public Safety and Justice

City Sheriff	1,170,908
Commonwealth's Attorney	1,177,668
Clerk of Circuit Court	748,733
Circuit Court Judge	81,252
General District Court	24,421

Juvenile and Domestic Relations Court/Court Services Unit	333,380
Magistrate	8,300
Fire Department	11,043,501
Police Department	16,626,058

Contributions to Programs Supporting Public Safety and Justice

Piedmont Court Appointed Special Advocates	10,000
Legal Aid Justice Center	70,630
Regional Jail	4,985,696
Blue Ridge Juvenile Detention Center	1,083,863
Emergency Communications Center	1,586,942
Offenders Aid and Restoration	235,343
Society for the Prevention of Cruelty to Animals	256,782
Public Defender's Office	51,710

Local Contribution to Public Schools

Operational Support	51,330,604
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Total Operating Expenditures \$157,102,268

Designated Expenditures

City/School Contracts: Pupil Transportation	\$2,902,777
City/School Contracts: School Building Maintenance	3,683,168
Transfer to Capital Projects Fund	5,165,164
Transfer to Facilities Repair Fund	400,000
Transfer to Debt Service Fund - Meals Tax Revenue	2,403,750
Total Designated Expenditures	\$14,554,859

Total General Fund Expenditures \$171,657,127

C. Of the sum of \$15,855,485 to be received in the General Fund from the County of Albemarle under the revenue sharing agreement of May 24, 1982, \$5,165,164 shall be transferred to the Capital Projects Fund and \$400,000 shall be transferred to the Facilities Repair Fund.

D. The amounts hereinabove appropriated for salary accruals, education, training and employee benefits, or portions thereof, may on authorization from the City Manager, or his designee, be transferred by the Director of Finance or the Assistant City Manager to any departmental account, and notwithstanding any other provision of this resolution to the contrary, be expended for salaries or employee benefits in such account in the manner as sums originally appropriated thereto.

E. The portions of the foregoing appropriations to individual departments or agencies intended for motor vehicles and related equipment shall be transferred to the Equipment Replacement Fund for expenditure as hereinafter provided.

F. The amount above appropriated for Debt Payment shall be transferred to the Debt Service Fund. In addition, one cent of the five-cent meals tax will be deposited into the Debt Service Fund.

G. The amount above appropriated as Council Strategic Initiatives shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

H. The amount above appropriated as Ivy Landfill Remediation shall not be deemed to expire at the end of the fiscal year, and any unspent funds are hereby transferred to the Landfill Reserve account in the ensuing fiscal year unless altered by further action of City Council. Further, any amount in the Landfill Reserve may be immediately appropriated for use to cover costs associated with landfill remediation budget in the current fiscal year.

I. The amount above appropriated as Hedgerow Properties shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

J. The proceeds of the sale of any real property to be used for parking shall be appropriated to the Strategic Investment Fund.

K. The amount received for \$4-For-Life revenue shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year and will be appropriated into the Fire Department budget, unless altered by further action of City Council.

L. The amount above appropriated as Historic Resources Task Force shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

M. The amount received as drug forfeitures and seizures revenue collected by the Police Department and Commonwealth Attorney's Office shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

N. The amount received as Courthouse Security Revenue is hereby appropriated in the ensuing fiscal year and appropriated into the Sheriff Office budget to be used for court security related expenses (personnel and equipment) per State Code. Further, any unspent funds in the Court House Security account shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless further altered by Council.

O. Funds from the Citywide Reserve account may be transferred to other funds at the discretion of the City Manager for the purpose of addressing unforeseen expenditures in those funds. Any amount remaining in the Citywide Reserve account shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

P. The amount above appropriated as Corporate Training Fund, within the Employee Compensation and Training funds, shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

Q. The amounts received unspent for donations and grants in the General Fund received for specific purposes shall not be deemed to expire at the end of the fiscal year hereby be appropriated in the ensuing fiscal year.

R. The amounts above appropriated as Sister City Commission shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

S. Sums appropriated for the Stormwater Assistance Program shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

T. The amounts above appropriated as Innovation Funds and funds for the City Strategic Plan - P3: Plan, Perform, Perfect shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

U. Funds that were received and not spent in the General Fund that were designated for the Parking Fund during F.Y.17, are hereby appropriated to be transferred to the newly created Parking Fund to be used for on-going parking operations.

V. Sums appropriated in the General Fund which have not been encumbered or expended as of June 30, 2018, shall be deemed to revert to the unassigned balance of the General Fund, unless Council by resolution provides that any such sum shall be a continuing appropriation.

W. Sums appropriated in the General Fund which have not been encumbered or expended as of June 30, 2018 and are in excess of 17% of General Fund expenditures for the next fiscal year shall be deemed to revert to the Capital Fund contingency account for future one-time investments in the City's infrastructure as part of the year-end appropriation, unless further altered by Council with year-end adjustments.

III. SCHOOL OPERATIONS APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

The sums hereinafter set forth are hereby appropriated for the annual operation of the school operations, effective July 1, 2017; the City contribution to the School operations having hereinabove been appropriated from the General Fund.

School Budget (All Funds)	
Local Contribution	\$51,330,604
State Funds	21,598,270
Federal Funds	4,984,402
Misc. Funds	3,646,921
Total School Operations Budget	\$81,560,197

A net increase in the School Operations general fund balance at June 30, 2018 shall be deemed to be allocated as follows: 50% to revert to City General Fund, 50% retained by School Operations General Fund. Up to \$100,000 of the City's reversion shall be transferred to the Facilities Management for School Building Small Capital Projects.

IV. HEALTH BENEFITS FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

There is hereby appropriated from the Health Benefits Fund sums received by said Fund from individual departments and agencies for the payment of health and medical benefit program costs, and for insurance covering such costs, and in addition, for the accumulation of a reserve for future expenditures to pay for such health and medical benefit program costs. This appropriation shall be effective during the fiscal year ending June 30, 2018, but shall not be deemed to expire at the end of that year. Instead, it shall continue in effect unless altered by further action of City Council.

V. RETIREMENT BENEFITS FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

There is hereby appropriated from the Retirement Benefits Fund sums received by said Fund from individual departments and agencies for the payment of retirement benefit program costs, and for insurance covering such costs, and in addition, for the accumulation of a reserve for future expenditures to pay for such retirement benefit program costs. This appropriation shall be effective during the fiscal year ending June 30, 2018, but shall not be deemed to expire at the end of that year. Instead, it shall continue in effect unless altered by further action of City Council.

VI. TRANSIT FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Transit Fund, for the operation of the transit bus system during the fiscal year beginning July 1, 2017 and ending June 30, 2016, the sum of \$8,000,005 or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2017.

Except as is otherwise expressly provided herein, the balance of any General Fund contribution to such funds not expended or encumbered as of June 30, 2018 shall be deemed to revert to the unassigned balance of the General Fund, unless the Council by resolution provides that any such sum shall be deemed a continuing appropriation.

BE IT FURTHER RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Transit Fund, for the replacement of transit buses during the fiscal year beginning July 1, 2017 and ending June 30, 2018, the sum of \$537,050 or the amount of revenue actually received for such purpose. However, such appropriation shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council. Such appropriation shall be effective July 1, 2017.

VII. RISK MANAGEMENT APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that all sums previously appropriated to the Risk Management Fund, and all sums received by such fund as payment from other City funds, are hereby appropriated for the uses prescribed for such fund, pursuant to the terms of, and subject to the limitations imposed by Article V of Chapter 11 of the Code of the City of Charlottesville, 1990, as amended.

VIII. EQUIPMENT REPLACEMENT FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

There is hereby appropriated from the Equipment Replacement Fund other sums received by such fund as payment from the General Fund and vehicle sales, and proceeds from vehicle loss insurance settlements for the lease, financing or purchase of motor vehicles and related equipment and for accumulation of a reserve for future equipment purchases during the fiscal year beginning July 1, 2017 and ending June 30, 2018. Such appropriation shall be effective July 1, 2017; provided that such appropriations shall not be deemed to expire at the end of such fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council. Of the sums received by the Equipment Replacement Fund, a sum sufficient to service the debt on any pieces of general governmental equipment obtained under a master lease, credit line, or an installment purchase agreement shall be transferred to the Debt Service Fund.

IX. FACILITIES REPAIR FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

The sum of \$400,000 transferred to the Facilities Repair Fund from the General Fund, and such sums as may be transferred to the Facilities Repair Fund from other funds during the fiscal year beginning July 1, 2017 are appropriated for carrying out the purposes of this fund during that fiscal year. However, such appropriation shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

The amount received as Health Department Building Account revenue is hereby appropriated in the ensuing fiscal year to a designated account in the Facilities Repair Fund to be used for general improvements, maintenance and small capital projects related to the Thomas Jefferson Health District building. Further, any unspent funds in the Health Department Building account shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless further altered by Council.

X. DEBT SERVICE FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville:

A. The Debt Service Fund shall serve as a permanent reserve for the payment of principal and interest of bonds, notes and other evidences of indebtedness and the cost of issuance thereof issued by the City pursuant to its charter and/or the Virginia Public Finance Act.

B. The sum of \$7,968,000 transferred to such fund by Part II of this resolution, as well as the designated Meals Tax transfer (estimated at \$2,403,750), or as much thereof as may be necessary, is hereby appropriated to pay such debt service expenses during the fiscal year beginning July 1, 2017 and ending June 30, 2018.

C. Appropriations in the Debt Service Fund shall be deemed continuing appropriations, and balances remaining in such fund at the end of each fiscal year shall be carried forward to pay principal and interest due on City obligations and costs associated with the issuance of those obligations in future years.

XI. SPECIAL REVENUE FUND APPROPRIATIONS

BE IT RESOLVED by the Council of the City of Charlottesville, that the following appropriations are hereby approved for agency expenditures accounted for as separate funds on the books of the City, for their respective programs during the fiscal year beginning July 1, 2017 and ending June 30, 2018; the City contribution to each such fund having hereinabove been appropriated from the General Fund:

A. There is hereby appropriated from the Charlottesville/Albemarle Convention and Visitors Bureau Fund, for the operation of the Charlottesville/Albemarle Convention

and Visitors Bureau during such fiscal year, the sum of \$1,759,985 or the amount of revenue actually received by such fund, whichever shall be the lesser amount.

B. There is hereby appropriated from the Human Services/Community Attention Fund, for the operation of the Community Attention Homes and related programs during such fiscal year, the sum of \$5,530,945, or the amount of revenue actually received by such fund, whichever shall be the lesser amount.

C. There is hereby appropriated from the Social Services Fund, for the operation of the Department of Social Services during such fiscal year, the sum of \$14,136,098, or the amount of revenue actually received by such fund, whichever shall be the lesser amount.

D. There is hereby appropriated from the Children's Services Act Fund, for the operation of the Children's Services Act entitlement program, the sum of \$8,239,456, or the amount of revenue actually received by such fund, whichever shall be the greater amount.

Each such special revenue fund appropriation shall be deemed effective July 1, 2017. Except as is otherwise expressly provided herein, the balance of any General Fund contribution to such funds not expended or encumbered as of June 30, 2018 shall be deemed to revert to the unassigned balance of the General Fund, unless the Council by resolution provides that any such sum shall be deemed a continuing appropriation.

XII. INTERNAL SERVICES FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville that the following appropriations are hereby approved for internal services accounted for as separate funds on the books of the City, for their respective programs during the fiscal year beginning July 1, 2017 and ending June 30, 2018; the payments of individual departments and agencies to each such fund having hereinabove been appropriated in the General Fund and other applicable funds:

A. There is hereby appropriated from the Information Technology Fund, for the operation of the various functions within this fund during the fiscal year beginning July 1, 2017, or the amount of revenue actually credited to such fund from other City departments and agencies, whichever shall be the greater amount:

1. For the operation of the Department of Information Technology, the sum of \$2,805,575.

2. For the operation and infrastructure of City Link, the sum of \$1,200,000. However, such appropriation shall not be deemed to expire at the end of the fiscal year, but is hereby appropriated in the ensuing fiscal year into the City Link Infrastructure cost center unless altered by further action of this Council.

3. For Technology Infrastructure Replacement, the sum of \$267,500. However, such appropriation shall not be deemed to expire at the end of the fiscal year,

but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

4. For GIS operations, the sum of \$64,155. However, such appropriation shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

B. There is hereby appropriated from the Warehouse Fund, for the operation of the Warehouse during such fiscal year, the sum of \$158,607, or the amount of revenue actually credited to such fund from other City departments and agencies, whichever shall be the greater amount.

C. There is hereby appropriated from the Fleet Maintenance Fund, for the operation of the Central Garage, Vehicle Wash and Fuel System during such fiscal year, the sum of \$1,036,997 or the amount of revenue actually credited to such fund from other City departments and agencies, whichever shall be the greater amount.

D. There is hereby appropriated from the Communications System Fund, for the operation of the citywide phone system and mailroom operations during such fiscal year, the sum of \$298,537, or the amount of revenue actually credited to such fund from other City departments and agencies, whichever shall be the greater amount.

E. There is hereby appropriated from the Parking Fund, for parking operations the sum of \$3,953,781, or the amount of revenue actually received by such fund, whichever is the greater amount. Revenue received for parking development contributions shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

XIII. CAPITAL PROJECTS FUND APPROPRIATIONS

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

A. The following are hereby designated as revenue of the Capital Projects Fund:

1. The sum of \$5,165,164 in Albemarle County revenue sharing payments transferred from the General Fund pursuant to Section II-C of this resolution.

2. The proceeds of the sale of any real property, as prescribed by resolution of this Council adopted November 3, 1986.

3. The proceeds of the sale of any real property to be used for housing shall be appropriated to the "Charlottesville Affordable Housing Fund" account in the Capital Fund.

4. Funds received as donations and/or contributions for sidewalks shall hereby be appropriated into Sidewalks account (P-00335) to be used for the replacement, construction or repair of sidewalks. These funds shall not be deemed to expire at the end

of the fiscal year and shall be hereby appropriated in the ensuing fiscal year unless altered by further action of City Council

B. The sums hereinafter set forth are hereby appropriated from the Capital Projects Fund of the City for the respective capital purchases or projects so set forth, effective for the fiscal year beginning July 1, 2017; provided that such appropriations shall not be deemed to expire at the end of such fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of City Council.

C. The Capital Projects Fund Fiscal Year 2018-2022 will reflect the budget delineations set forth below for Fiscal Year 2017-2018.

The Capital Projects Fund grouped by area:

<u>Revenue</u>	
Transfer from General Fund	\$5,165,164
Transfer from CIP Contingency	\$1,050,000
Contribution from Albemarle County	75,000
Contribution from City Schools	200,000
PEG Fee Revenue	47,500
CY 2018 Bond Issue	22,610,129
TOTAL REVENUE	\$29,147,793
<u>Expenditures</u>	
Education	\$4,432,306
Economic Development	150,000
Public Safety and Justice	4,342,621
Facilities Capital Projects	1,726,991
Transportation and Access	13,194,131
Parks and Recreation	2,190,318
Stormwater Initiatives	125,000
Technology Infrastructure	47,500
Charlottesville Affordable Housing Fund	2,499,602
Other Governmental Commitments	439,324
TOTAL EXPENDITURES	\$29,147,793

XIV. GAS FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Gas Fund, for the operation of the gas utility during the fiscal year beginning July 1, 2017 and ending June 30, 2016, the sum of \$24,459,260 or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2017. However, the appropriations for the Vehicle Replacement Program, the Thermostat Program and Gas Assistance Program shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

XV. WATER FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Water Fund, for the operation of the water utility during the

fiscal year beginning July 1, 2017 and ending June 30, 2016, the sum of \$12,860,342, or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2017. However, the appropriations for the Vehicle Replacement Program, Water Conservation Program, Water Assistance Program, Rain Barrel Program and the Toilet Rebate Program shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

XVI. WASTEWATER FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Wastewater Fund, for the operation of the wastewater utility during the fiscal year beginning July 1, 2017 and ending June 30, 2018, the sum of \$16,010,877 or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2017. However, the appropriations for the Vehicle Replacement Program and the Wastewater Assistance Program shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

XVII. STORMWATER FUND APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Stormwater Fund, for the operation of the stormwater utility during the fiscal year beginning July 1, 2017 and ending June 30, 2018, the sum of \$3,617,460 or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2017.

XVIII. UTILITIES FUNDS DEBT SERVICE APPROPRIATION

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Utilities Funds (Gas, Water, Wastewater and Stormwater) for the payment of principal and interest of bonds, notes and other evidences of indebtedness and the cost of issuance thereof issued by the City pursuant to its charter and/or the Virginia Public Finance Act., during the fiscal year beginning July 1, 2017 and ending June 30, 2018, the following sums in each fund or the amount of revenue actually received by such fund, whichever is the greater amount. Such appropriation shall be effective July 1, 2017. However, such appropriation shall not be deemed to expire at the end of the fiscal year, but are hereby appropriated in the ensuing fiscal year unless altered by further action of this Council.

A. There is hereby appropriated from the Gas Debt Service Fund, the sum of \$300,000 as revenue (transfer from Gas Fund) and \$380,384 in principal and interest payments.

B. There is hereby appropriated from the Wastewater Debt Service Fund the sum of \$3,000,000 in revenue (transfer from the Wastewater Fund) and \$2,667,505 in principal and interest payments.

C. There is hereby appropriated from the Water Debt Service Fund the sum of \$1,800,000 in revenue (transfer from the Water Fund) and \$1,563,479 in principal and interest payments.

D. There is hereby appropriated from the Stormwater Debt Service Fund the sum of \$129,683 in revenue (transfer from the Stormwater Fund) and \$55,819 in principal and interest payments.

XIX. PAY PLAN APPROVAL

BE IT RESOLVED by the Council of the City of Charlottesville that the Employee Classification and Pay Plan for the City of Charlottesville dated July 1, 2017 and effective on that same date, which assigns salary ranges to each class or position in the City service is hereby approved pursuant to Section 19-3 and 19-4 of the City Code, 1990, as amended and a copy of the same shall be kept on file with the records of the meeting at which this resolution is approved.

XX. PAY ADJUSTMENT FOR RETIREES

BE IT RESOLVED by the Council of the City of Charlottesville, that the Retirement Plan Commission is authorized and directed to provide for the payment from the Retirement Fund of a post-retirement supplement of 1% of the current retirement pay of each eligible retired employee effective July 1, 2017.

XXI. GOLF FUND

BE IT RESOLVED by the Council of the City of Charlottesville, that there is hereby appropriated from the Golf Fund, for the operation of the golf courses during the fiscal year beginning July 1, 2017 the sum of \$874,446, or the amount of revenue actually received by such fund, whichever is the greater amount.

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



Agenda Date:	April 3, 2017
Action Required:	None Required
Presenter:	Mike Stoneking, Chair, PLACE Design Task Force
Staff Contacts:	Carrie Rainey, City Planner, Neighborhood Development Services
Title:	2016 PLACE Annual Report

Background:

On March 5th, 2012, City Council created the Placemaking, Livability, and Community Engagement (PLACE) Design Task Force to act as an advisory body to the Planning Commission and City Council charged with the following:

1. Advising on the urban design aspects of development projects on publicly owned or financed land and developing design criteria for such projects.
2. Reviewing the design of city capital projects and changes to existing public facilities.
3. Reviewing the proposals for public art.
4. Reviewing the status of landscape improvements and policies including tree cutting, maintenance and planting.
5. To develop best practices for urban design guidelines and their implementation.
6. Review of special projects as requested by City Council or the Planning Commission.
7. Identify the obstacles and recommend incentives for the redevelopment of our growth corridors.
8. Identify best practices for community engagement in planning and design and recommend processes.

The Task Force provides periodic memorandum to City Council to provide information on recent work of the Task Force as well as recommendations related to various City efforts. The Task Force provides an annual report summarizing the efforts of the Task Force as well as recommendations for City Council to consider.

Budgetary Impact:

Undetermined.

Attachment:

(1) 2016 PLACE Annual Report

CITY OF CHARLOTTESVILLE PLACE DESIGN TASK FORCE

Annual Report to City Council
Winter 2017

Place, Livability, and Community Engagement



PLACE Executive Summary

2016 Actions and Accomplishments

(see details in the Annual Report)

8 Charges → 2016 Work ↓	#1 Urban design aspects of dev. projects	#2 Reviewing the design of capital projects	#3 Reviewing proposals for public art	#4 Reviewing landscape improvement	#5 Develop best practices for urban design	#6 Review of special projects	#7 Incentives for the redevelopment of corridors	#8 Best practices for comm. engagement
W. Main St.	X	X		X			X	X
Value Analysis	X							
Belmont Bridge		X						X
Downtown Mall		X		X				
Lighting Study		X						
Local arts			X					
BRC			X			X		
Green Infrastructure plan				X				
STW/ Code Audit				X	X			
Urban Design Metrics					X			
3D Modeling					X			X
SIA	X			X	X			X

PLACE requests for City Council action:

1. Endorse the use of 3D modeling as an information-sharing tool throughout the development of form-based code in the SIA and other city areas.
2. Endorse and provide funding for the development of a Cultural Landscape Report for the Downtown Mall.
3. Endorse the creation of and provide funding for a City Designer/Architect position.
4. Add new ex officio members to PLACE from the Charlottesville Housing and Redevelopment Authority and the Human Rights Commission.

Task Force Members 2016-2017

Mike Stoneking (Architecture), Chair
Fred Wolf (Architecture), Vice Chair
Rachel Lloyd (Preservation), Secretary
Kate Bennis (Arts)
Clarence Green (Citizen at large)
Andrew Mondschein (Transportation)
Andres Pacheco (Architecture)
Chris Henry (Development)
Tim Mohr (Board of Architectural Review)
Kathy Galvin (City Council)
Scott Paisley (Bike/Ped Committee)
Paul Josey (Tree Commission)
Genevieve Keller (Planning Commission)
Claudette Grant (completed term in 2016)
Mark Watson (completed term in 2016)

Purpose and Charge

In the summer of 2012, City Council formed the PLACE Design Task Force to:

- Guide the community in making decisions about place making, livability, and community engagement.
- Act as an advisory body to the Planning Commission and City Council in areas pertaining to urban design and place making.

PLACE's research and review activities focus on the following charges:

1. Advising on the urban design aspects of development projects on publicly owned or financed land and developing design criteria for such projects.
2. Reviewing the design of city capital projects and changes to existing public facilities.
3. Reviewing the proposals for public art.
4. Reviewing the status of landscape improvements and policies including tree cutting, maintenance and planting.

5. To develop best practices for urban design guidelines and their implementation.
6. Review of special projects as requested by City Council or the Planning Commission.
7. Identify the obstacles and recommend incentives for the redevelopment of our growth corridors.
8. Identify best practices for community engagement in planning and design and recommend processes.

PLACE understands design to be a holistic method of problem-solving and believes that good urban design contributes to safe, welcoming, diverse, functional, attractive, environmentally sustainable, and economically vibrant spaces and systems that reflect the rich natural and historic context of our community.

Actions and Accomplishments

After the 2014-2015 program of study and engagement with a variety of urban design projects, PLACE recommended in its last annual report that the City consider the following options to achieve the charges listed above:

- Undertake a debrief of the City's typical design project processes through case studies of current local public infrastructure projects. The debrief would examine the City's current practices in community engagement, design sequencing, communication with consultants, and communication with the City's decision-making bodies such as Council in order to identify which processes conform to best management practices and which need improvement. *Result: PLACE has continued to review a variety of public projects and provides feedback to staff on potential improvements to the design process for public projects. PLACE members provided information on the Friendship Court Resident Engagement process, suggested new*

management opportunities for the Downtown Mall, suggested new coordination opportunities for the CIP process, recommended improved standards for the city Lighting Study, and recommended new design review sequencing for the Hillsdale Drive project and other small area plans.

- Identify a range of appropriate design assessment processes for public projects so that City Council has the tools it needs to evaluate which plans provide the greatest design value to Charlottesville for every dollar spent. An appropriate assessment tool may help the city identify the advantages of a specific design, how important the advantages of the design are, and if those advantages are worth their associated cost. The design assessment processes could be coordinated with the city's CIP process. *Result: PLACE presented new summary information to the city about specific tools for value management. Information about the tools is listed below.*
- Provide support for scoping and project definition for selected public infrastructure projects through generating or reviewing RFPs. PLACE would rely on City Council or staff to identify appropriate projects requiring assistance.
- Investigate policies for the city that create more opportunities for active neighborhood involvement in the design and planning process for their areas, coordinating through CIP, small-area planning, or other city programs. *Result: PLACE recommended that the city explore new techniques for communicating and measuring urban design changes in the city. This exploration resulted in a policy recommendation for 3D modeling and urban design metrics for new public infrastructure and redevelopment projects in the city. PLACE recommended that the city implement its "City Engine" software capabilities to support data collection and visualization for new urban changes throughout the city. PLACE believes the City*

Engine system will be an important dynamic tool for communicating design information to the public.

- Continue to provide design review for public projects selected by City Council or City staff. *Result: PLACE provided in-depth support for a variety of public projects through participation in steering committees and other commissions. Information about the specific projects is listed below.*

We meet as a group at City Hall on the second Thursday of the month from 12-2pm. PLACE members, NDS staff, other departmental staff, and members of the public and press usually attend the monthly meetings.

The narrative below documents the work undertaken by the task force in 2016. A concise description of our activities and accomplishments is organized according to the eight topics in our Purpose and Charge.

Advising on the urban design aspects of development projects on publicly owned or financed land and developing design criteria for such projects.

- *West Main Street.* PLACE identified the need for a new comprehensive streetscape and urban design for the West Main Street corridor in the Fall of 2013. West Main Street went through a robust and inclusive design process starting in March of 2014 with a West Main Steering Committee that met on 7 occasions over two years through early 2016 and included several PLACE representatives as well as West Main Street neighbors, business owners and other key stakeholders. In addition, PLACE reviewed the consultant's design progress and provided integral feedback at several benchmarks throughout the process. The preferred urban design concept was reviewed by the city attorney and approved by Council in March 2016.
- *Value Analysis Assessment.* PLACE made a presentation that identified opportunities

for enhancing the value of public projects using a system of management techniques that increase operational efficiency, performance, cultural values, environmental sustainability, as well as cost effectiveness (construction and long-term). The value analysis processes examined included value engineering, life-cycle costing, Choosing by Advantages, risk management models and sustainability indices.

Reviewing the design of city capital projects and changes to existing public facilities.

- *West Main Street.* PLACE members served on the West Main steering committee. The West Main corridor is a complex collection of utilities, vehicular traffic, bike-ped concerns, landscape, parking, business storefronts, and historic structures bordering the Fifeville and Star Hill neighborhoods. It spurred an independent Pilot Project Proposal with the intention of testing the design recommendations made as part of the West Main Streetscape via temporary installations or changes to bike lanes, road stripping, parking management, etc. to gauge their effectiveness. Engagement and participation of stakeholders in community meetings also led them to draft memos expressing both concern and support of the project. In the end, a preferred concept was identified and approved by Council in March 2016 that is now undergoing schematic design and more detailed development by the city's urban design consultant, Rhodeside & Harwell. The selected scheme not only successfully addressed utility upgrades, street trees and landscape, on-street parking revisions (with an understanding we need a comprehensive parking management strategy by the city) and improved access for bicycle and pedestrians as well as vehicular traffic - but it represents a well design solution that through creativity and

some compromise, addresses equitably of all of the various requirements and concerns expressed by the diverse stakeholder groups involved. The preferred urban design concept was reviewed by the city attorney and approved by Council in March 2016.

- *Belmont Bridge.* PLACE members serve on the steering committee for the Belmont Bridge project and participated in the consultant interview process early in 2016. PLACE members will continue to serve on the steering committee through the design process.
- *Downtown Mall.* PLACE has made recommendations for long-term management strategies for the downtown mall's historic designed landscape in concert with BAR and city staff. The recommendation is presented below.
- *Lighting Study.* PLACE members advocated for new design standards to meet national lighting guidelines within the downtown and university neighborhoods.

Reviewing the proposals for public art.

- PLACE continues to coordinate with local arts groups and provides feedback on specific initiatives such as the *Play The City*.
- PLACE, through its representation on the Blue Ribbon Commission on Race, Memorials, and Public Spaces, provided guidance on the disposition of the Lee and Jackson memorials and other public artwork throughout the city.

Reviewing the status of landscape improvements and policies including tree cutting, maintenance and planting.

- PLACE recommended that the city undertake a green infrastructure plan in its first annual report and later participated in a green infrastructure workshop with the Tree Commission, Streets That Work advisory committee, City Council, and

Planning Commission. The workshop evaluated analytical tools for measuring ecological features and systems in the city.

To develop best practices for urban design guidelines and their implementation.

- *Streets That Work/Code Audit.* PLACE identified the need for a revision to the street design guidelines in concert with a code audit in the 2014 annual report. PLACE members served on the Streets That Work advisory committee and reviewed project documents and report findings. PLACE also attended a joint work session with City Council and Planning Commission in November 2016 to review the comprehensive plan status, codes and ordinances for the SIA, design standards, and the framework for a code audit.
- *Urban Design Metrics.* PLACE developed an Urban Design Metrics worksheet that calculates the improvements in public realm design, based on the City's comprehensive planning goals.
- *3D Modeling.* PLACE members formed a subcommittee that investigated options for "smart" 3D modeling of Charlottesville's urban form. After consultation with faculty at the University of Virginia and city staff, PLACE recommended that the city pursue further modeling of selected areas of the city using "City Engine," a GIS-based modeling platform. The modeling is underway through a contract with the University.
- *SIA.* PLACE identified a set of form-based code design principles to support the implementation of the SIA urban design.

Review of special projects as requested by City Council or the Planning Commission.

- PLACE had one representative on the Blue Ribbon Commission on Race, Memorials, and Public Spaces, which met over several months in 2016. The commission hosted public meetings, gathered data on a variety

of strategies for memorializing multiple facets of Charlottesville's history, and produced a report, which is under review by city council.

Identify the obstacles and recommend incentives for the redevelopment of our growth corridors.

- PLACE supported design initiatives that foster smart, mixed use growth of the West Main corridor.
- *Smart growth.* PLACE members reviewed the Smart Growth America Report and suggested opportunities for implementing the recommendations.

Identify best practices for community engagement in planning and design and recommend processes.

PLACE has provided a forum for citizens interested in public realm design within their neighborhoods.

Suggestions for 2017

PLACE suggests that we pursue our stated charges through the following tasks:

- *Design Review for public projects.* PLACE will remain involved with efforts launched in the previous year with the intent to observe, record and offer evaluation of the implementation. PLACE will advise NDS, the Planning Commission and City Council on the progress of these projects and include recommendations for improvement as necessary. These may include: West Main Street, Street Design Manual, Lexington/High Design, Friendship Court, Emmet/Ivy design, and other Small Area Plans. PLACE welcomes additional design review for new projects in 2017.
- *Support the implementation of the 3D Modeling/Metrics.* PLACE can support the implementation of 3D modeling and

metrics as applied to the SIA and form-based code initiatives.

- *Cultural Landscape Report for the Downtown Mall.* A cultural landscape report documents and evaluates the character-defining features, materials, and qualities of a historically significant landscape, and provides recommendations for the preservation of the property that are consistent with the landscape's context, integrity, condition, and planned use. A CLR would result in a "treatment plan" for the Downtown Mall that is consistent with the design and planning goals outlined by PLACE, NDS, Parks and Rec, and the BAR, and that meet national standards for historic preservation. The intent of the CLR is to provide clear and consistent direction for the management and maintenance of this cultural landscape. The city may procure the services for a CLR through an agreement with a UVA program such as the Center for Cultural Landscapes.
- *Contribute to the Code Audit and development of a Form-Based Code.* As directed by City Council PLACE will work with NDS in their efforts to complete a code audit. PLACE will offer insight and evaluation to help identify both successful and unsuccessful aspects of the Zoning Ordinance and other codes related to the built environment, including lighting.
- *Place-making.* PLACE will develop stronger, more meaningful communications and engagement with NDS and other city departments managing public space within Charlottesville. PLACE will provide actionable place-making recommendations to the Planning Commission and City Council. PLACE will also review City RFPs for public space improvements as appropriate. PLACE will continue to develop its role as an advisory body to NDS, the Planning Commission and City Council including supporting place-making initiatives and guidelines throughout the Comprehensive Planning process.

- *Support the development of a City Architect role.* PLACE can help define the job description for a City designer/architect, as appropriate.
- *New members.* PLACE recommends that council consider adding two new members to the task force in order to support improvements in public engagement and redevelopment: a member from Charlottesville Housing and Redevelopment Authority and the Human Rights Commission.

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CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	April 3, 2017
Action Required:	Consideration of a Critical Slope Waiver
Presenter:	Carrie Rainey, City Planner, Neighborhood Development Services
Staff Contacts:	Carrie Rainey, City Planner, Neighborhood Development Services Chris Gensic, Parks & Recreation Trails Planner
Title:	162 Baylor Lane Critical Slope Waiver

Background:

Charlottesville’s Parks and Recreation Department has requested an allowance for critical slope disturbance on a City-owned vacant parcel, at 162 Baylor Lane in the Carter’s View subdivision. The Carter’s View subdivision received preliminary approval in September 2005, prior to the establishment of the critical slope provisions effective January 2006. The City recently divided the 1.306 acre parcel to create two parcels, as seen in Attachment 2. The covenants of the Carter’s View subdivision require a minimum of 1,750 square feet of floor space for any home within the subdivision. Critical slopes make up over half of the parcel, and combined with an existing stormwater easement on the parcel, preclude the construction of a home that meets the minimum requirements set forth in the covenant.

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 2, and include a building site for a single family residence. Existing critical slopes areas located on this Property include 0.7 acres or 50.3% of the project site. The waiver request specifies 0.01 acres will be disturbed, which is 7.1% of the site area.

Discussion:

The Planning Commission considered this application at their regular meeting on March 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)” as well as Finding 2 referenced in the City Code Sec. 34-1120(b)(6)(d.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.”

The justification for Finding 1 includes:

- Sale of the Property will reduce the obligation of the City to maintain the vacant lot, and provide funding to purchase other undeveloped forested and wetland areas in the vicinity.
- The City owns the large 1.306 acre tract of land at the rear of the Property, which is a wetland open space, specifically purchased to preserve natural beauty and viewsheds, and to prevent the loss of tree canopy and wildlife habitat.

The justification for Finding 2 includes:

- The Carter’s View Subdivision covenants require a minimum of 1,750 square feet in floor space for any home built in the subdivision. This requirement, in addition to an existing stormwater easement on the lot, prevents the construction of a single family residence on the Property without a critical slope waiver.

Staff, in addition, recommended three (3) conditions for approval:

1. The builder obtains an Agreement in Lieu of an Erosion and Sediment Control Plan even if the site does not exceed 6,000 square feet of land disturbance.
2. Roof drains are piped into the existing stormwater system unless otherwise directed by the engineering department.
3. Land disturbing activities shall be limited to the front 2/3 of the site and only disturb the minimal critical slopes necessary to build the single family residence.

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).

Kendall Young, 2512 Woodland Drive, spoke in support of the critical slope waiver, noting the other homes in Carter’s View did not fall under the critical slope provision and there is an approximate difference of 400 square feet required to construct a residence on the Property. Ms. Young stated she and her brother own land on Hartman’s Mill Road adjacent to the Property that they plan to donate to the City for expansion of the Jordan Park.

Alignment with City Council’s Vision and Priority Areas:

The City Council Vision of A Green City states that “We have an extensive natural trail system, along with healthy rivers and streams. 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 March 14, 2017 meeting.

The Commission took the following action:Ms. Green moved to recommend approval of the critical slope waiver with conditions for Tax Map 26, Parcel 45.001 (162 Baylor Lane), 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 builder obtains an Agreement in Lieu of an Erosion and Sediment Control Plan even if the site does not exceed 6,000 square feet of land disturbance.
2. Roof drains are piped into the existing stormwater system unless otherwise directed by the engineering department.
3. Land disturbing activities shall be limited to the front 2/3 of the site and only disturb the minimal critical slopes necessary to build the single family residence.
4. A pedestrian access easement shall be preserved in the same location as the platted public drainage easement on the 10-ft portion of the easement on the Property.

Mr. Clayborne 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 March 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 162 BAYLOR LANE**

WHEREAS, the Parks and Recreation Department, on behalf of the City of Charlottesville, owner of property designated on City Tax Map 26 as Parcel 45.001, consisting of approximately 0.139 acres, and addressed as 162 Baylor Lane in Carter's View Subdivision (the "Property"), seeks a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6) in order to allow the Property to be sold as a buildable lot (the "Project"); and

WHEREAS, the Planning Commission considered this request at their regular meeting on March 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 Parks and Recreation Department of the City of Charlottesville 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 builder obtains an Agreement in Lieu of an Erosion and Sediment Control Plan even if the site does not exceed 6,000 square feet of land disturbance.
2. Roof drains are piped into the existing stormwater system unless otherwise directed by the engineering department.
3. Land disturbing activities shall be limited to the front 2/3 of the site and only disturb the minimal critical slopes necessary to build the single family residence.
4. A pedestrian access easement shall be preserved in the same location as the platted public drainage easement that crosses the southwesterly side of the Property.



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: March 14, 2017

Project Planner: Carrie Rainey

Date of Staff Report: March 3, 2017

Applicant: City of Charlottesville, Parks and Recreation Department

Applicant's Representative: Chris Gensic, Parks and Recreation Department

Current Property Owner: City of Charlottesville

Application Information

Property Street Address: 162 Baylor Lane

Tax Map/Parcel #: Tax Map 26, Parcel 45.001

Total Project Area: 0.139 acres

Total Area of Critical Slopes on Parcel: (0.07 acres) | (50.3% of project area)

Area of Proposed Critical Slope Disturbance: (0.01 acres) | (7.1% of project area)

Comprehensive Plan (Land Use Plan) Designation: Low Density Residential

Current Zoning Classification: R-1S (Small Lot Residential)

Tax Status: Tax-exempt City-owned property

Background

Charlottesville's Parks and Recreation Department has requested an allowance for critical slope disturbance on a City-owned vacant parcel, at 162 Baylor Lane in the Carter's View subdivision. The Carter's View subdivision received preliminary approval in September 2005, prior to the establishment of the critical slope provisions, effective January, 2006. The City recently divided the 1.306 acre parcel to create two parcels, as seen in Attachment A. The covenants of the Carter's View subdivision require a minimum of 1,750 square feet of floor space for any home within the subdivision. Critical slopes make up over half of the parcel, and combined with an existing stormwater easement on the parcel, preclude the construction of a home that meets the minimum requirements set forth in the covenant.

Details on the critical slope waiver request are provided below.

Application Details

The City of Charlottesville Parks and Recreation Department is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for the establishment of a buildable lot for a single family residence in compliance with the covenants of the Carter's View Subdivision. Improvement areas where critical slopes would be impacted should the waiver be approved are shown on the Critical Slope Exhibit (Attachment B) and include a single family residence.

Existing critical slopes areas located on this Property include 0.7 acres or 50.3% of the project site. The waiver requests specifies 0.01 acres will be disturbed, which is 7.1% of the site area. The applicable definition of "critical slope" is as follows:

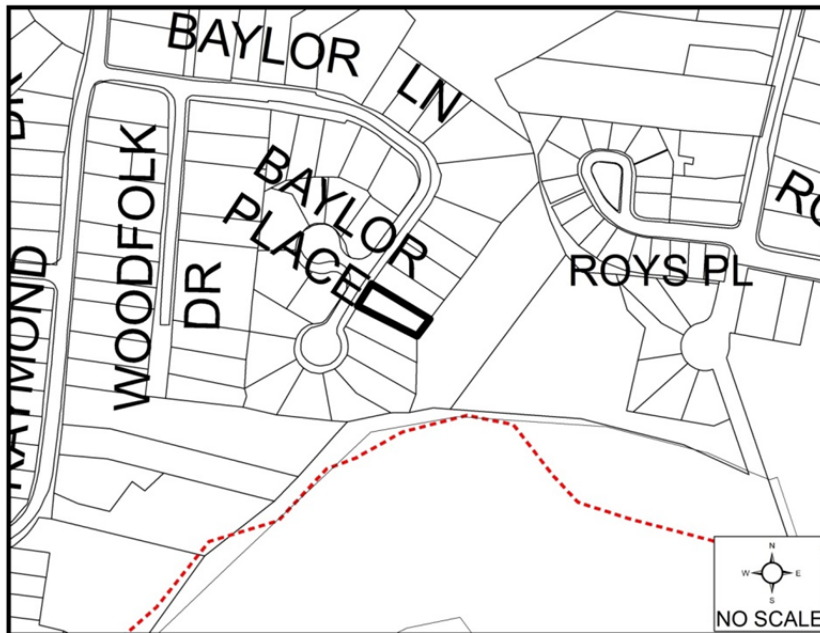
Any slope whose grade is 25% or greater, **and** (a) a portion of the slope has a horizontal run of greater than 20 feet, and its total area is 6,000 SF or greater, **and** (b) a portion of the slope is within 200 feet of a waterway. See City Code Sec. 34-1120(b)(2).

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 application materials also provide the following information relevant to your evaluation of this request:

- Large stands of trees: **The applicant has noted the majority of the site was previously cleared and there will be no significant loss of trees or vegetation.**
- Rock outcroppings: **None.**
- Slopes greater than 60%: **No critical slopes on the Property are greater than 60% (see Critical Slope Exhibit, Attachment B).**
- Waterway within 200 feet: **Moore's Creek is 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: **The applicant provided a justification for Finding #2 in their application, stating that the covenants of the Carter's View subdivision require a minimum floor space of 1,750 square feet for any home constructed in the subdivision. Without a critical slope waiver, the lot is not buildable under the covenant.**

Vicinity Map



Standard of Review

A copy of Sec. 34-1120(b) (Critical Slopes Regulations) is provided in Attachment C 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%)?
- 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

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 and Finding #2.

Applicant's justification for Finding #1

Statement: The applicant states sale of the Property will reduce the obligation of the City to maintain the vacant lot, and provide funding to purchase other undeveloped forested and wetland areas in the vicinity. The applicant also indicated in the application that the City owns the large 1.306 acre tract of land at the rear of the Property, which is a wetland open space, specifically purchased to preserve natural beauty and viewsheds, and to prevent the loss of tree canopy and wildlife habitat.

Staff Analysis: Staff finds that the proposed sale of the Property will provide a public benefit by providing additional financial resources for the purchase and protection of environmentally sensitive areas in the City.

Applicant's justification for Finding #2

Statement: The applicant states the Carter's View Subdivision covenants require a minimum of 1,750 square feet in floor space for any home built in the subdivision. This requirement, in addition to an existing stormwater easement on the lot, prevents the construction of a single family residence without a critical slope waiver. The applicant noted the creation of the Carters' View Subdivision precludes the enactment of the critical slopes ordinance. The applicant noted erosion control measures will be required by the City, as construction of a single family residence is likely to exceed 6,000 square feet.

Staff Analysis: Staff finds the critical slope provisions would effectively prohibit development of the Property for the reasons stated by the applicant.

Staff Recommendation

Staff finds that the impacts to the critical slope will be minimal given the pre-existing clearing of vegetation, minimal increase in stormwater runoff, and lack of impact on groundwater discharge due to previous grading. In addition, potential impact will be further mitigated through a required Erosion and Sediment Control agreement, in which the City can ensure erosion does not impact the structural integrity of the slopes by requiring additional measures as necessary.

Staff believes the minimal impacts to the critical slopes to allow for the sale of the Property and potential construction of a single family residence in line with the surrounding parcels will provide a benefit to the community that outweighs the benefit of leaving the slope undisturbed, and unusual physical conditions of the Property would unreasonably prohibit use of the Property.

Staff recommends the following conditions for approval:

1. The builder obtains an Agreement in Lieu of an Erosion and Sediment Control Plan even if the site does not exceed 6,000 square feet of land disturbance.
2. Roof drains are piped into the existing stormwater system unless otherwise directed by the engineering department.
3. Land disturbing activities shall be limited to the front 2/3 of the site and only disturb the minimal critical slopes necessary to build the single family residence.

Suggested Motions

1. "I move to recommend approval of the critical slope waiver for Tax Map 26, Parcel 45.001 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 26, Parcel 45.001 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:

_____ 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 26, Parcel 45.001.”

Attachments

- A. Application
- B. Critical Slope Exhibit
- C. Critical Slopes Ordinance
- D. Engineering Department Review



WAIVER REQUEST FORM

Please Return To: City of Charlottesville
Department of Neighborhood Development Services
PO Box 911, City Hall
Charlottesville, Virginia 22902
Telephone (434) 970-3182 Fax (434) 970-3359

For a Critical Slopes Waiver Request, please include one of the following application fees: \$75 for single-family or two-family projects; \$500 for all other project types. **additional application form required*
For all other Waiver Requests, please include one of the following application fees: \$50 for single-family or two-family projects; \$250 for all other project types.

Project Name/Description 162BaylorLane (Lot 10 Carters View) Parcel Number 260045001
Address/Location 162 Baylor Lane (Carters View Subdivision)
Owner Name City of Charlottesville Applicant Name City of Charlottesville

Applicant Address: P.O. Box 911, Charlottesville VA 22902
Phone (H) n/a (W) 970-3656 (F) _____
Email: gensic@charlottesville.org

Waiver Requested (review Zoning Ordinance for items required with waiver submissions):

- Sidewalk
- Drainage/Storm Water Management
- *Contact Staff for Supplemental Requirements
- Off-street Parking
- Site Plan Review
- Lighting
- Landscape
- Signs
- Setbacks
- Critical Slopes **additional application form required*
- Communication Facilities
- Other
- Stream Buffer Mitigation Plan

Description of Waiver Requested: Waiver or modification of the requirements of City Code Sec. 34-1120(b) with respect to critical slopes

Reason for Waiver Request: A single family house cannot be built on Lot 10 because of steep slopes and the minimum sq footage space required by subdivision rules

[Signature] 3.2.17
Applicant Signature Date

Property Owner Signature (if not applicant) Date

For Office Use Only: Date Received: _____
Review Required: Administrative _____ Planning Commission _____ City Council _____
Approved: _____ Denied: _____

Comments: _____

Director of NDS

**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, VA

Property Owner: City of Charlottesville, VA

Project Description: What are you proposing to do on this site? Sell it as a buildable lot for a single family house of at least 1,750 square feet of floor space

Existing Conditions: More than 50% of the lot has steep slopes that are defined as critical slopes at the rear of the lot and within 200' of Moore's Creek

Total Site Area: 0.139 acre

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

R-1S (no intent to re-zone)

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 .07 acres of the site's .139 acres, or 50.3% 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:

.01 acres of the total critical slope area identified above will be disturbed, or 14.3% of the total critical slope area. Proposed critical slope area to be disturbed is 7.1 % 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)

The sale of this lot reduces the obligation to the City to maintain the vacant lot, and also provides funding to purchase other undeveloped forested and wetland areas in the vicinity.

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.

The Carter's View Subdivision covenants require a minimum of 1,750 SF of floor space in any home built in this subdivision. The building site is reduced significantly by the critical slopes restrictions, which were enacted after the other homes in this subdivision were built. Without a waiver, the lot is not buildable. An existing stormwater easement on the lot further reduces the building site on this lot.

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.

Construction of a single family home on this lot will likely exceed 6,000 SF of land disturbance, which will bind it to the City's Erosion & Sediment Control

requirements. Therefore, erosion control measures will be required by the City to ensure erosion does not affect the structural integrity of the slopes.

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

Stormwater from the roof can be piped into the adjacent, existing storm drain system which outfalls at the bottom of the steep slopes so it will not create erosion to the adjacent properties.

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

There is an existing stormwater system that directs water to the bottom of the slopes to a defined outfall. The minimal increase in runoff as a result of a single family home is not anticipated to have any negative impacts. Stormwater mitigation for single family residences is not required until land disturbance exceeds 1 acre, which this site will not.

4. Increased stormwater velocity due to loss of vegetation.

The majority of the site has been previously cleared so there will be no significant loss of trees or vegetation. The impervious areas created by construction of a single family residence can be piped into the existing storm system.

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

Given that the site was previously graded, there is likely very little infiltration due to the nature of construction sites and associated compacted fill material.

Construction of a single family residence will have little to no impact on groundwater recharge.

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 site has been previously cleared so no trees or vegetation are affected.

The City owns the large 1.306 acre tract of land at the rear of the subject property, which is wetland and open space specifically purchased to preserve natural beauty and viewsheds and prevent loss of tree canopy and wildlife habitat.

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

Plat by Draper Aden; Photos of Property; Excerpt of Carter's View Subdivision Covenants;

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.

City of Charlottesville, Virginia
Property Owner

Brian Daly, Director, Parks & Recreation  2.21.2017
Applicant


Please do not write below this line. For office use only.
Planner's Comments/Recommendations:

Engineer's Comments/Recommendations:


NOTES:

- 1.) Source of meridian for bearings is based upon NAD 83 based on GPS observations performed by Draper Aden Associates.
- 2.) The property shown hereon is located in Flood Zone X as shown on FIRM panel FM51003C0288D effective date February 4, 2005.
- 3.) This is a compiled plat. Boundary information is based on the plat of record.
- 4.) This survey was prepared without the benefit of a Title Report and may not show all the encumbrances on the property.
- 5.) Physical improvements, contours, sanitary, storm lines, and water lines are shown per GIS.
- 6.) Contour Interval = 2'
- 7.) Topographic Information was provided by others and is shown for informational purposes only.
- 8.) This Survey was prepared for the City of Charlottesville and Draper Aden Associates assumes no liability for reuse or modification of this document.
- 9.) Section 29-161(b)(1) allows City-owned property to have no street frontage. No building permit shall be issued for Parcel "B" unless it is combined with another parcel so that it gains frontage and satisfies minimum lot requirements.
- 10.) The proposed Parcels meet criteria for critical slopes, per Section 34-1120(b).





 Chair of Planning Commission 2-14-17
Date



 Secretary of Planning Commission 14 FEB 2017
Date

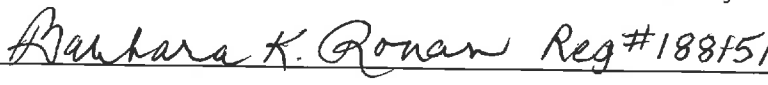
The platting or dedication of the following described land Tax Map 26 Parcel 45 is with free consent and in accordance with the desire of the undersigned owners, proprietors and trustees of the City of Charlottesville, Virginia.



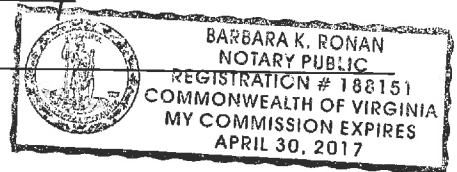
 Maurice Jones, City Manager 2-13-17
 City of Charlottesville, Virginia Date

ACKNOWLEDGEMENT OF SIGNATURE:

Signed before me, in my presence, this 13th day of February, 2017.



 Barbara K. Ronan Reg #188151
 Notary Public for the County/City of Charlottesville
 My commission expires 4/30/2017
Date



COMPILED PLAT SHOWING
MINOR DIVISION TAX MAP 26, PARCEL 45
 CHARLOTTESVILLE, VIRGINIA

SHEET 1 of 4



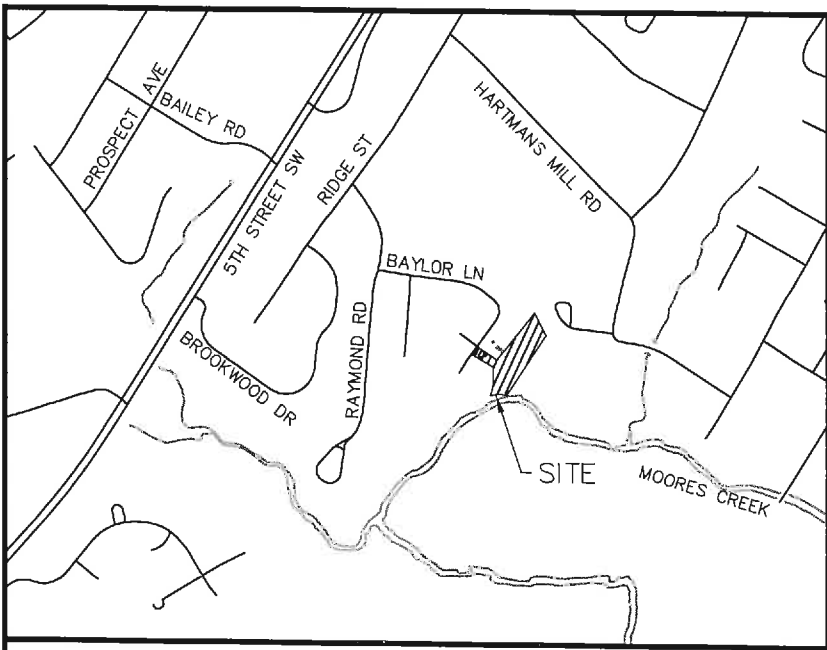
Draper Aden Associates

Engineering + Surveying + Environmental Services

700 Harris Street, Suite E Blacksburg, VA
 Charlottesville, VA Richmond, VA
 434-295-0700 Fax: 434-295-2105 Hampton Roads, VA

DRAWN: CAS	SCALE: AS SHOWN
CHECKED:	DATE: 01/02/2015
	REV: 10/19/2016

PLAN NO. C14160C-01S



LEGEND

- Floodplain
- - - - - Floodway
- Storm Structure
- Stream Buffer
- Fire Hydrant
- ⊖ Water Meter
- ⊗ Water Valve
- SS — (○) — SS — San. Manhole w/ San. Line

VICINITY MAP

Scale: 1=1000'

ADJOINING OWNERS

- TM 26-45.5
DAVID H & CHRISTINA S WEISS
DB 2011-2060
- TM 26-45.6
WILLIAM F & ASHLEY B JOHNSTON
DB 2009-4851
- TM 26-45.7
KURT & SUSAN J JORDAN
DB 2009-5498
- TM 26-45.8
AHMAD FASHANDI & ANNA ZIMMERMAN
DB 2014-1548
- TM 26-45.9
CLINT C & ANDREA L WILDER
DB 2014-891
- TM 26-45.11
CHANTAL ELIZABETH JENNINGS
DB 2014-3302
- TM 26-45.12
DAVID KOEHN & ASHLEY MATTHEWS
DB 2008-5547
- TM 26-45.13
MICHELLE KISLIUK
DB 2009-433
- ALB. TM 77-7
CITY OF CHARLOTTESVILLE
DB 4462-562, PG. 567-573 PLAT
- TM 26-67
CHARLES A III & KENDALL YOUNG
WB 30-351
- TM 26-43B
ROY'S PLACE LLC
DB 1022-755



CURRENT ZONING:

TM 26-45:
Zone R-1S

- 1.) Required Front Yard –
25', min.* On any lot where 40% or more of the lots located within 500' in either direction, fronting on the same side of the street, have front yards greater or less than the minimum front yard, the required front yard shall be the average depth of the existing front yards within 500'.
- 2.) Required Side Yard –
SFD: 5' minimum
Non-Res.: 50' minimum
Corner, street side: 20' minimum.
- 3.) Required Rear Yard –
Res.: 25' minimum
Non-Res.: 50' minimum

TITLE REFERENCE:

TM 26-45
Owner: CITY OF CHARLOTTESVILLE
DB 2014-2729
DB 1117-239-248 PLAT

COMPILED PLAT SHOWING
MINOR DIVISION TAX MAP 26, PARCEL 45
CHARLOTTESVILLE, VIRGINIA

SHEET 2 of 4



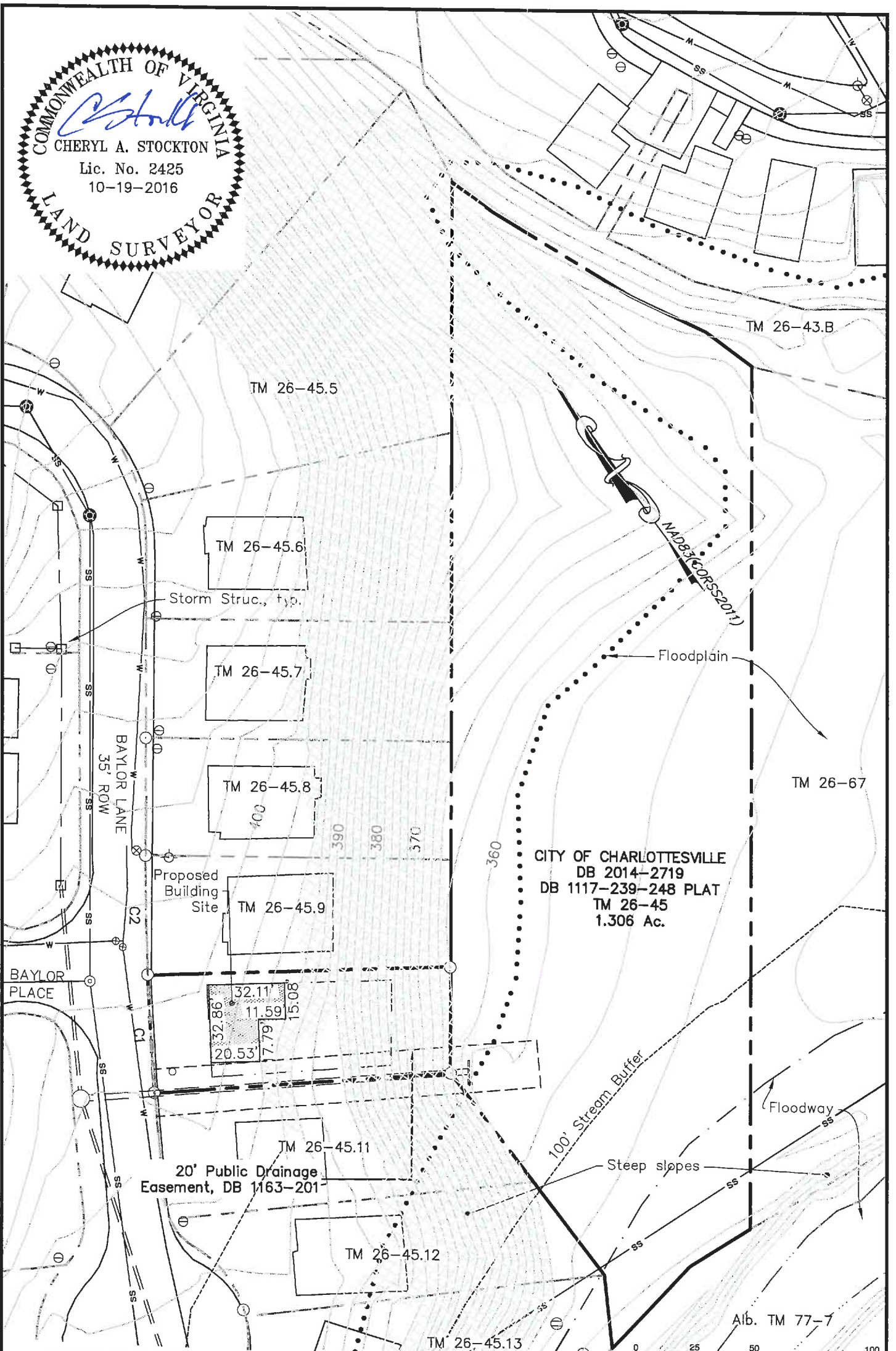
Draper Aden Associates

Engineering + Surveying + Environmental Services

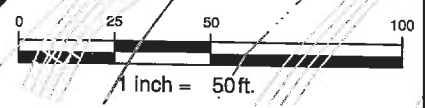
700 Harris Street, Suite E
Charlottesville, VA Blacksburg, VA
Richmond, VA
Hampton Roads, VA
434-295-0700 Fax: 434-295-2105

DRAWN: CAS	SCALE: AS SHOWN
CHECKED:	DATE: 01/02/2015
	REV: 10/19/2016

PLAN NO. C14160C-01S



CITY OF CHARLOTTESVILLE
 DB 2014-2719
 DB 1117-239-248 PLAT
 TM 26-45
 1.306 Ac.



COMPILED PLAT SHOWING
MINOR DIVISION TAX MAP 26, PARCEL 45
 CHARLOTTESVILLE, VIRGINIA

SHEET 3 of 4

Draper Aden Associates
 Engineering • Surveying • Environmental Services
 700 Harris Street, Suite E
 Charlottesville, VA
 434-295-0700 Fax: 434-295-2105

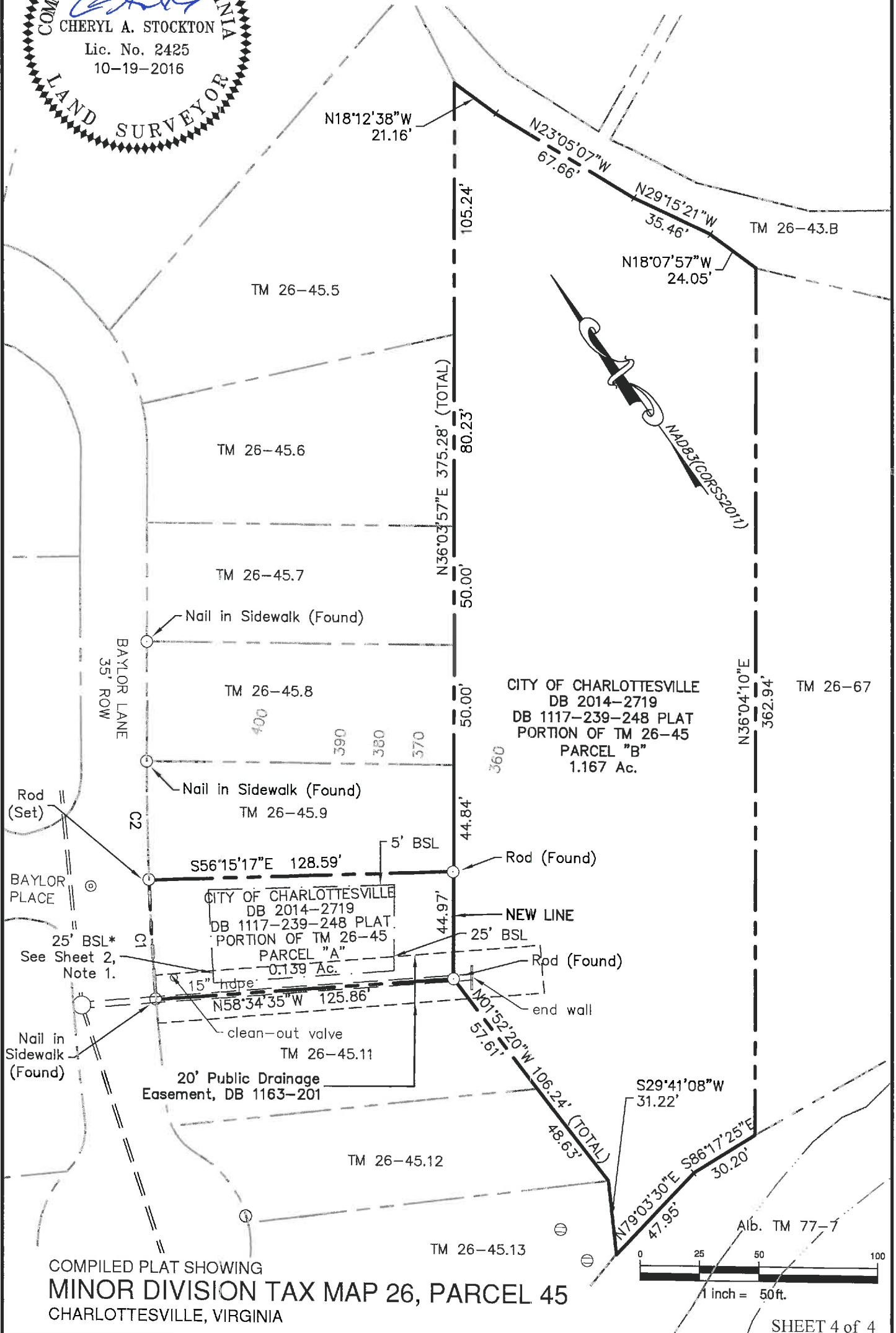
Blacksburg, VA
 Richmond, VA
 Hampton Roads, VA

DRAWN: CAS	SCALE: 1" = 50'
CHECKED:	DATE: 01/02/2015
	REV: 10/19/2016
PLAN NO. C14160C-01S	

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CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	1235.00'	50.05'	2°19'18"	50.04'	S32°35'04"W
C2	1235.00'	50.07'	2°19'22"	50.06'	S34°54'24"W



COMPILED PLAT SHOWING
MINOR DIVISION TAX MAP 26, PARCEL 45
 CHARLOTTESVILLE, VIRGINIA

SHEET 4 of 4



Draper Aden Associates
 Engineering • Surveying • Environmental Services
 700 Harris Street, Suite E
 Charlottesville, VA
 434-295-0700 Fax: 434-295-2105

DRAWN: CAS	SCALE: 1" = 50'
CHECKED:	DATE: 01/02/2015 REV: 10/19/2016
PLAN NO. C14160C-01S	

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Photographs of Property, Critical Slope Waiver Request for 162 Baylor Lane



From Baylor Lane



From Baylor Lane



Critical slope area



From back of property



From Baylor Lane

Excerpt from Carter's View Subdivision
Declaration of Restrictions/Covenants/Conditions
dated 2/16/2007

1126
0922

BOOK 1126 PAGE 922

transferred by an Owner other than the Declarant; provided, however, that this shall not prohibit deeds of correction, deeds to resolve boundary line disputes and similar corrective instruments, and that all such changes are subject to Charlottesville approval, as applicable under City Ordinances. No Lot shall be used as a roadway for access to any property lying outside of the boundaries of Carter's View Subdivision, without the written consent of the Declarant, its successors and assigns.

Section 6.02. **Single Family Dwellings.** No building of any kind shall be erected or maintained upon any Lot except one private detached single-family dwelling and buildings accessory thereto, e.g., garages, gazebos, domestic animal shelters, tool sheds, etc., which have been approved by the ARB.

Section 6.03. **No Temporary Structures.** No structure of a temporary character, partially completed dwelling, tent, or trailer shall be used on any Lot at any time as a residence, either permanently or temporarily for a time greater than three days.

Section 6.04. **Design.** Each dwelling constructed on any Lot will have a minimum of 1,750 square feet of floor space within the exterior walls exclusive of basement, garage, and porches, whether open or closed.

Section 6.05. **Roofing Material.** Each dwelling constructed on any Lot shall have a roof made of cedar shakes, metal, slate, or thirty (30) year architectural grade dimensional roofing shingles, or other roofing material of similar appearance approved by the ARB.

Section 6.06. **Siding Material.** Each dwelling constructed on any Lot shall have siding made of brick, wood, hardi-plank, or other siding material of similar appearance approved by the ARB.

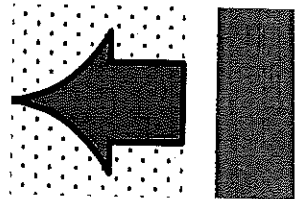
Section 6.07. **Fences.** No fence may be erected upon any Lots except behind a line describing the front margin of the dwelling unit, unless this restriction is waived by the ARB. The "front" shall be that side of a dwelling facing, or most nearly facing, a platted street or road. Fencing styles and location drawings must be submitted to the ARB for approval.

Section 6.08. **Driveways and Garages.** Driveways shall be paved asphalt, with appropriate slope and drainage, as required for acceptance in the City Road System. When reasonable, garages shall be side loaded.

Section 6.09. **No Signs.** No billboards or signs of any kind shall be erected or maintained or displayed, except "For Sale" or "For Rent" signs not greater than four square feet which may be placed upon any Lot for sale or for rent, except by the developer during the initial sale.

Section 6.10. **No Offensive Activities.** No noxious or offensive activities shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.




Section 6.11. **Setback Lines.** No building or any part thereof shall be erected hereafter within twenty-five feet (25') of the boundary of any street or road, or within ten feet (5') of any side Lot line, or twenty-five feet (25') any rear Lot line. Accessory structures shall not be located within the building set backs, set forth above. On a corner lot, the front shall be deemed to be the shorter of the two sides fronting the streets. The Declarant reserves the right to waive these setback lines in individual cases; however, setbacks shall never be less than the regulations set forth by the City of Charlottesville, at the time of application for a building permit, but may be greater than the City of Charlottesville setback regulations.

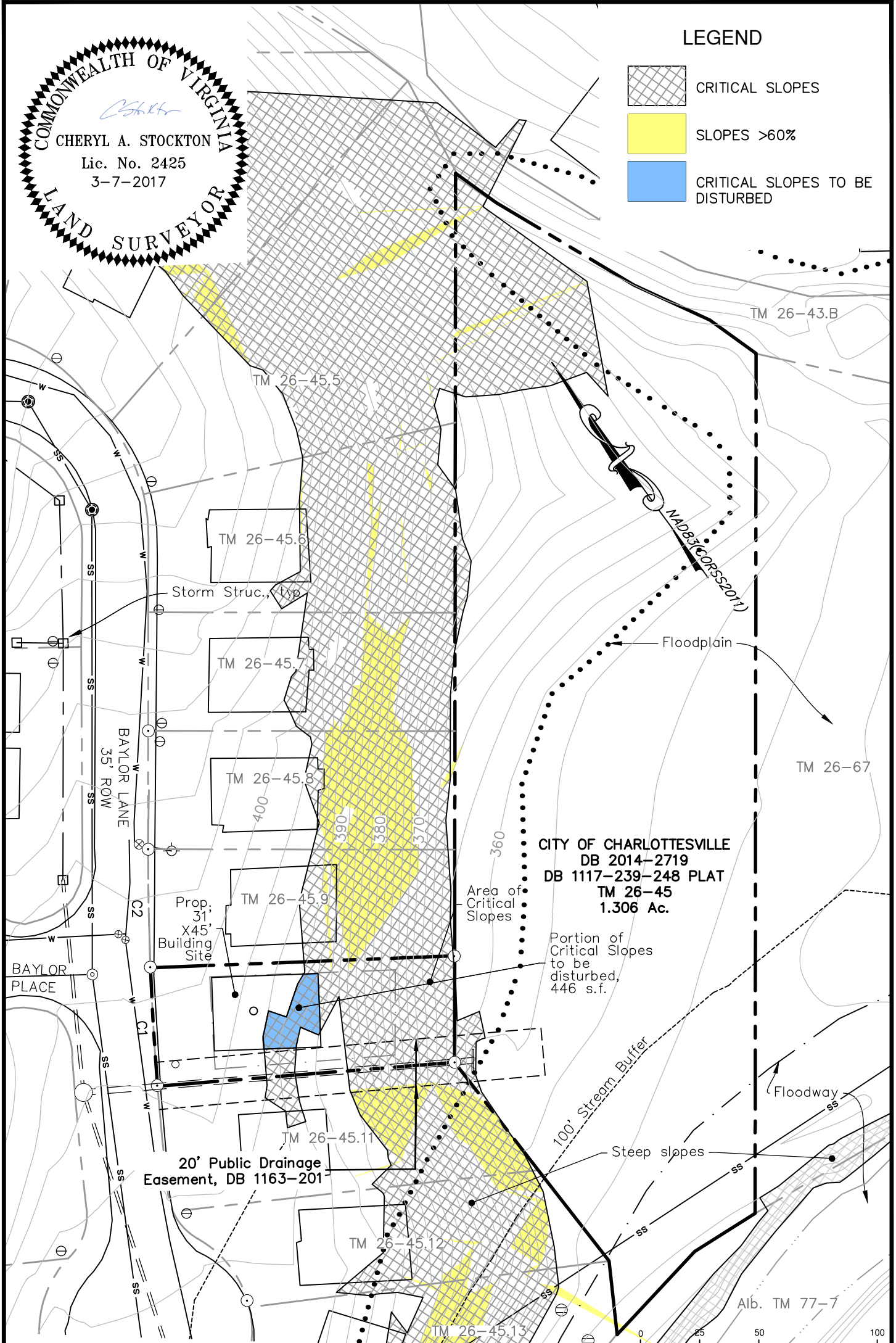


CRITICAL SLOPE EXHIBIT



LEGEND

-  CRITICAL SLOPES
-  SLOPES >60%
-  CRITICAL SLOPES TO BE DISTURBED



CITY OF CHARLOTTESVILLE
 DB 2014-2719
 DB 1117-239-248 PLAT
TM 26-45
 1.306 Ac.

Portion of Critical Slopes to be disturbed, 446 s.f.

STEEP SLOPE EXHIBIT
TAX MAP 26, PARCEL 45
 CHARLOTTESVILLE, VIRGINIA

SHEET 1 of 1



Draper Aden Associates

Engineering ♦ Surveying ♦ Environmental Services

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Blacksburg, VA
 Richmond, VA
 Hampton Roads, VA

DRAWN: CAS

CHECKED:

SCALE: 1" = 50'

DATE: 03/07/2017

REV:

PLAN NO. C14160C-01S

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 reseeding 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



Project Review / Analysis (126 Baylor Lane)

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

Existing Conditions:

- The applicant states that more than 50% of the lot has steep slopes that are defined as critical slopes. **Engineering Staff has no comments regarding this statement.**

Project Description

- The applicant states that the intent is to sell the lot as a buildable lot. **Engineering Staff has no comments regarding this statement.**

Finding #1:

- **Engineering Staff has no comments regarding this statement.**

Finding #2:

- **Engineering Staff has no comments regarding this statement.**

Erosion affecting the structural integrity of those features:

- The applicant states that the construction of a single family residence will require adherence to the City's Erosion and Sediment Control requirements. **Engineering Staff agrees that this lot is likely to exceed 6,000 SF of land disturbance, which will require the builder to sign an agreement that he/she will adhere to the City's Erosion and Sediment Control requirements. This will also allow the city to require additional measures as necessary.**

Stormwater and erosion-related impacts on adjacent properties:

- The applicant states that the roof drains can be piped directly into the adjacent, existing storm drain system. **Engineering Staff has no comments regarding this statement.**

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

- The applicant states that there is an existing storm drain system that directs to a defined outfall and that stormwater mitigation for single family residences is not required until land disturbance exceeds 1 acre. **Engineer Staff confirms that the code does not require permanent stormwater facilities for single family residences that disturb less than 1 acre of land. This lot will not exceed 1 acre of land disturbance, so it will remain in compliance with the local and state requirements.**

Increased stormwater velocity due to loss of vegetation:

- The applicant states that the site has been previously cleared. **Engineering Staff has no comments regarding this statement.**

Decreased groundwater recharge due to changes in the site hydrology:

- The applicant states that construction of a single family residence will have little to no impact on groundwater recharge because the site has previously been graded and consists of compacted fill material. **Engineering Staff has no comments regarding this statement.**

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 applicant states that the site has been previously cleared. **Engineering Staff has no comments regarding this statement.**

Engineering Recommendation

Engineering staff recommends approval of the critical slope waiver application with the following conditions:

- **The builder obtains an Agreement in Lieu of an E&S Plan even if the site does not exceed 6,000 SF of land disturbance.**
- **Roof drains are piped into the existing stormwater system unless otherwise directed by the engineering department.**
- **Land disturbing activities shall be limited to the front 2/3 of the site and only disturb the minimal critical slopes necessary to build the single family residence.**

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



Agenda Date:	April 3, 2017
Action Required:	Approval of Ragged Mountain Trail Use Plan
Presenter:	Brian Daly, Director, Parks and Recreation
Staff Contacts:	Brian Daly, Director, Parks and Recreation Doug Ehman, Manager, Parks Division Vic Garber, Manager, Recreation Division Chris Gensic, Parks and Trail Planner
Title:	Ragged Mountain Trail Use Plan

Background:

City Council approved a resolution regarding the proposed Trail Use Plan for the Ragged Mountain Natural Area in December of 2016 and directed staff to develop a trail plan map that is consistent with the terms of the resolution and return to Council within six (6) months with a plan.

Discussion:

Staff has toured the property on boat and on foot and flagged proposed trail corridor alignments. A Draft Trail Alignment and Use Map reflecting that direction is provided as Attachment 2. The plan includes trails that remain hiker only as per previous rules at the property as well as shared use trails that allow hiking, jogging, and bicycling. The trails avoid environmentally sensitive areas and steep slopes wherever possible. There are a few limited areas where shared use is the only available trail in order to avoid unnecessary trail construction in sensitive areas, but the vast majority of the trail system allows for hikers to circumnavigate the property without having to use shared trails. All trails will be built to sustainable trail standards, following contours and with proper drainage and sight-lines for user safety. Trails near the shoreline are generally at least twenty (20) feet from the reservoir to allow a vegetative buffer to protect the water supply. The plan allows for casual bicycle riding, and is not intended for high-speed, technical style riding, which is available in more suitable parks in the region. The proposal also includes restriction on organized events such as bicycle races or 5K-10K style jogging events.

Community Engagement:

After flagging the proposed corridors on the ground and creating an accompanying draft trail plan map, staff informed the public of the proposed plan and invited them to tour the property on their own or join a staff led public tour held on March 4, 2017 to show the proposed trail routes.

Due to the voluminous amount of documents, maps and other information generated throughout this process; all information related to the planning process as well as all public comment

received to date can be viewed on the City's website at www.charlottesville.org/raggedmountain.

Alignment with City Council's Vision and Strategic Plan:

This plan supports City Council's "Green City" vision and contributes to Goal 2 of the Strategic Plan: Be a safe, equitable, thriving and beautiful community, and objective 2.5, to provide natural and historic resources stewardship.

Budgetary Impact:

Fiscal Impact of this action is minimal. The remaining trails can be constructed using existing staff time, equipment and volunteer labor. Future maintenance will be accomplished in the same manner.

Recommendation:

Staff recommends Council taking action on this proposed plan at the April 3, 2017 meeting.

Alternatives:

Council may choose to modify the draft trail use plan.

Attachments:

Attachment 1 – Resolution

Attachment 2 - Trail Use Map – Ragged Mountain Natural Area – March 10, 2017

RAGGED MOUNTAIN RESOLUTION (approved December 2016)

WHEREAS, a majority of Council indicated their support for shared use of the Ragged Mountain Natural Area that would permit bicycling as well as walking and jogging, and

WHEREAS, Council heard clearly the importance to the public of having some pedestrian-only trails where users do not have to share right-of-way with bicycles or runners;

THEREFORE BE IT RESOLVED that the Charlottesville City Council hereby directs staff to amend the Ragged Mountain Draft Trail Use Plan (dated 12/6/16), to be in keeping with good trail planning practice that disperses faster moving visitors away from the trailhead as quickly as possible, according to the following principles:

- 1) Separate trails shall be designated and constructed where needed to ensure that both pedestrian-only and multi-use (bicycling, jogging and walking) trails may circumnavigate the reservoir separately, except in rare circumstances (such as on the floating bridge and dam, and where challenging topography or sensitive environmental areas require co-location).
- 2) Multi-use trails will become available as they are constructed where they do not already exist. Existing trails marked as "pedestrian only" on the map dated 11/1/16 shall continue to be so until separate trails for the separate uses can be constructed. Construction of these trails shall be conducted using best practices to ensure environmental protection and safety.
- 3) A new planning map of use shall be developed within six months of this Resolution and presented to Council, along with timeframes and benchmarks for implementation.

Staff shall determine which type of trail is most appropriate for jogging, and shall institute appropriate signage and direction as to whether runners may use pedestrian only trails.

BE IT FURTHER RESOLVED that user satisfaction and trail quality will be measured yearly through on-site user surveys and inspections, and that upon the opening of the county park currently known as the Hedgerow Property, which will include mixed-use trails, the City will re-evaluate the distribution ratio of shared uses in the Ragged Mountain Natural Area to determine if they are still appropriate.

Staff would be directed to come up with a trail plan in accordance with this resolution.

Ms. Szakos moved to adopt the proposed resolution as amended; Ms. Galvin seconded.

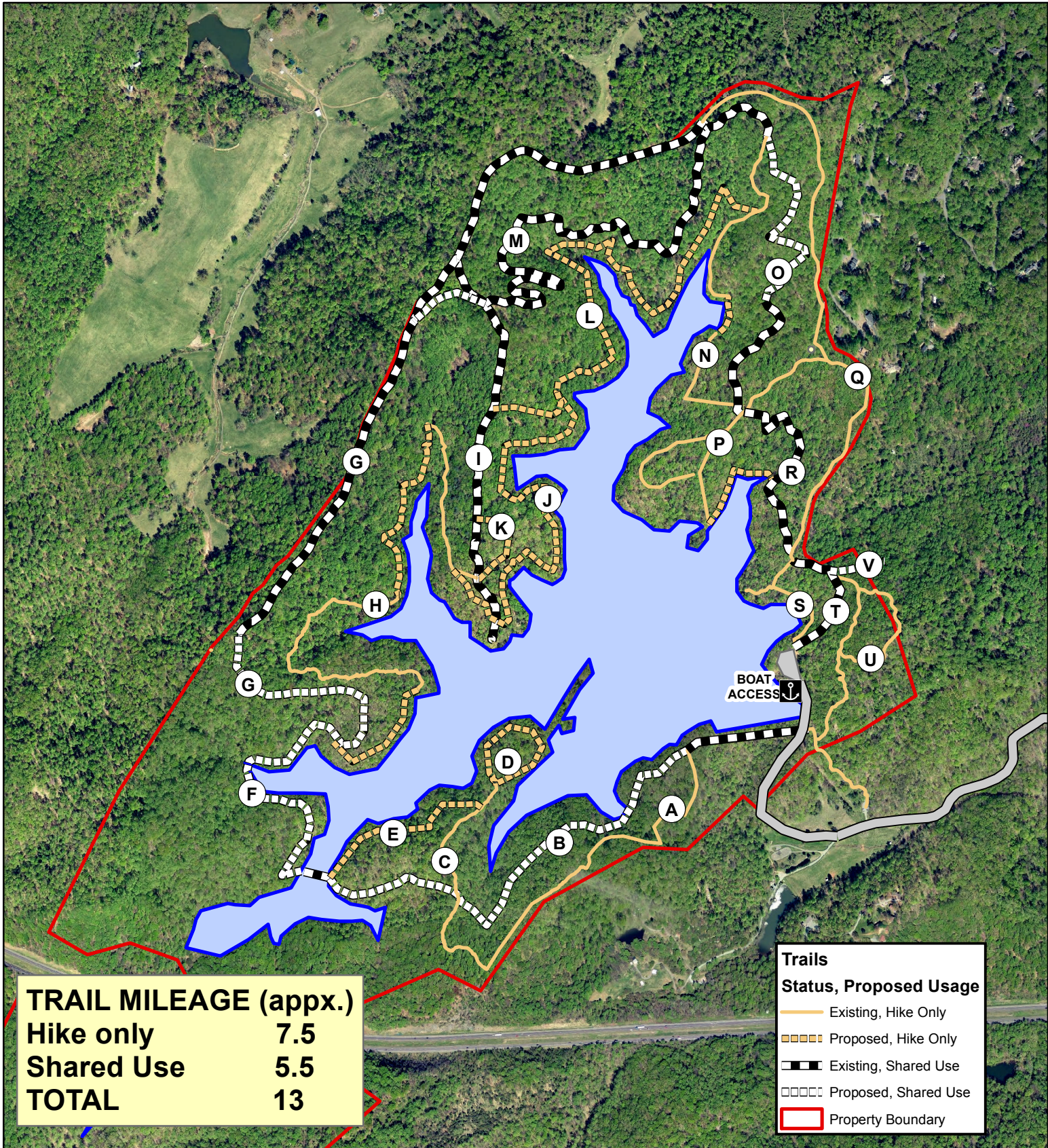
The vote passed. (Ayes: Mr. Signer, Ms. Galvin, Ms. Szakos; Noes: Mr. Bellamy, Mr. Fenwick.)



RAGGED MOUNTAIN DRAFT TRAIL USE PLAN

Hiking permitted on all trails and exclusivley on brown trails
Biking/Jogging permitted only on checkered trails

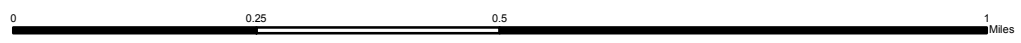
March 10, 2017



TRAIL MILEAGE (appx.)	
Hike only	7.5
Shared Use	5.5
TOTAL	13

Trails
Status, Proposed Usage

- Existing, Hike Only
- Proposed, Hike Only
- Existing, Shared Use
- Proposed, Shared Use
- Property Boundary



Trail locations are field located during construction with approximate routing shown in plan. Final locations will depend on site specific conditions and field verification.

Ragged Mountain Draft Trail Use Plan Proposed Trail Alignment Descriptions

Sections are labeled A-V starting from the parking lot and going clockwise around the reservoir.

March 10, 2017

This document describes the rationale behind the locations for proposed trails and permitted uses on the accompanying map. Staff was directed by City Council to create a draft trail use plan that accommodates hiking, jogging, and biking around the reservoir, provide for a separated pedestrian only trail as much as possible, and takes into account environmental and topographical limitations. This plan provides for nearly 90% of the trail to be separated with the exception of the environmentally sensitive area in the southwest corner of the property. This is near the floating bridge where staff believes one shared trail close to the reservoir shoreline is the most appropriate means of protecting the sensitive area from human encroachments. The corridors noted on the map are somewhat broadly defined as final exact trail placement will be determined by staff and informed by comments from users on the proposed alignments.

- A. The existing trail from the dam to the peninsula is designated hiking/jogging only.
- B. On the west side of the spillway a new shared use trail can be built closer to the reservoir, roughly 50 feet in from shore. The terrain is somewhat steep and passes through a mountain laurel area for a portion, then can cross over the existing trail/roadbed towards the bridge.
- C. Portions of trail in this area are along old roadbeds. The roadbed is wide, but may be steeper than desired in some areas. Options for rerouting it are limited and use of the old roadbed may be the best option to reduce further ground disturbance. Where possible, rerouting or modification should be done to create a more sustainable trail.
- D. The peninsula is designated hiking only (no jogging) to allow for quiet enjoyment of nature.
- E. A new hiking only trail will be built near the shore to the floating bridge.
- F. On the west side of the bridge, only one shared use trail is proposed near the lake shore. This area is already somewhat disturbed, and keeping the trail below the sensitive area will limit the threat of spread of invasives in accordance with the Ecological study recommendation. DEQ recommended using the upper roadbed since it already exists, but that portion is not on City property and the road going uphill from the bridge is not sustainable due to steep grades. A small footbridge where the tributary meets the reservoir will prevent the need to have any trail intrude up the hollows into the sensitive areas. The existing unplanned trail leading uphill from the bridge will need to be properly routed on contours to be sustainable and safe.
- G. An old driveway/roadbed leads from the reservoir up to the maintenance road on the property boundary. This driveway lends itself well to shared use, and is already disturbed. The upper maintenance road from the top of this old driveway to a point just before Ednam Forest is proposed for shared use.
- H. The hiking/jogging only trail can follow the reservoir shore, connect to the existing trail built by Ivy Creek Foundation in the next hollow, and will require construction of another section near the shore to connect to existing trails that lead to the old upper dam access road bed.
- I. The old upper dam access road bed is wide and flat and well suited for shared use.

- J. Terrain between the old upper dam access road bed and the next two hollows leading towards the tunnel is quite steep. This trail may not be needed if users can agree to share the old upper dam road bed for about 300 yards.
- K. The old waterworks pump valves and sluice offer a good hike only side trail and interpretive opportunity.
- L. There are a number of ravines running down the next hill towards the lake, so the new hiking only trail should either be located above these ravines, or along the reservoir shore, and may require some small footbridges over the ravines. There is an old driveway/roadbed that might be more suitable for trail use, and intersects with the upper dam road at a good location to diverge a hiking and jogging only trail towards the tunnel. From the tunnel to the eagle bridge, a new trail is proposed near the reservoir shore.
- M. The existing trail that has switchbacks leading down to the tunnel is proposed for shared use and may require limited improvement for such use. This trail connects to the upper roadbed.
- N. The existing trail along the reservoir shore is proposed for hiking and jogging only and connects to the Bear Statue. The last portion will need some rerouting since it follows an old roadbed used by ICF as a trail that is too steep in some areas.
- O. A new shared use alignment has been flagged to avoid use of the upper roadbed behind Ednam Forest in accordance with neighborhood request. This trail includes new portion to be built that is just out of sight of the Ednam residences, then connects to and uses the existing trail to the bear statue. The alignment of this trail will need to be field verifies and might shift somewhat based on ground conditions. It is intended to avoid entering the pine forest stand.
- P. The roadbed leading from the water tower to the lake, including a loop trail on the peninsula, is proposed for hiking only.
- Q. The upper roadbed along the back of Ednam Forest is proposed for hiking only all the way to the mountain man statue.
- R. The existing trail from the bear to the mountain man is proposed for shared use and may require some improvements.
- S. The existing lower trail from the mountain man to the parking lot is proposed for hiking only.
- T. The upper roadbed from the mountain man to the parking lot is proposed for shared use.
- U. Roundtop Mountain trails and the link trail from the lower parking lot are proposed for hiking only (no jogging). There is an existing trail going up to Roundtop that is too steep and may require re-routing
- V. If the connection is desired to the Ragged Mountain trails from adjacent property and biking is permitted on that property, a new shared use link would need to be constructed to avoid existing Roundtop trails.

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