

**CHARLOTTESVILLE CITY COUNCIL MEETING**  
**November 15, 2021**  
**Virtual/electronic meeting via ZOOM**

**5:30 PM CLOSED MEETING**

The Charlottesville City Council met in an electronic meeting on Monday, November 15, 2021, in accordance with a local ordinance amended and re-enacted on October 4, 2021, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. At the conclusion of a 4:00 p.m. work session where all members of City Council were present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook, Council voted to meet in closed session at 5:44 p.m.

On motion by Councilor Hill, seconded by Councilor Snook, Council voted 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) to convene in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2- 3712, specifically:

- Section 2.2-3711(A)(7) and (A)(8), for the purpose of consultation with legal counsel pertaining to legal matters announced by the police chief at a press conference, and probable litigation related to such matters, because consultation in an open meeting would adversely affect the City's litigating or negotiation posture.

On motion by Councilor Hill, seconded by Councilor Snook, Council certified by the following vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting adjourned at 6:30 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

**6:30 PM REGULAR MEETING**

The Charlottesville City Council met in an electronic meeting on Monday, November 15, 2021, in accordance with a local ordinance amended and re-enacted on October 4, 2021, to ensure continuity of government and prevent the spread of disease during the coronavirus State of Emergency. Mayor Walker called the meeting to order at 6:31 p.m., and City Council observed a moment of silence.

Clerk of Council Kyna Thomas called the roll, noting all members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

## **AGENDA APPROVAL**

On motion by Vice Mayor Magill, seconded by Councilor Hill, Council unanimously approved the meeting agenda.

## **ANNOUNCEMENTS**

Councilor Hill announced holiday events being held on the Downtown Mall on December 4 and December 18.

## **CONSENT AGENDA\***

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record:

1. MINUTES: September 20 closed and regular meetings, September 28 work session, October 4 closed and regular meetings, October 12 special meeting, October 22 special meeting, October 26 joint meeting with PCRB
2. RESOLUTION: Appropriating funds for the Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$50,000 (2nd reading)

### **RESOLUTION APPROPRIATING FUNDS for Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$50,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$50,000 from the Virginia Department of Education Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

**WHEREAS**, the grant award covers the period from period October 1, 2021 through September 30, 2022;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$50,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

#### **Revenue – \$ 50,000**

Fund: 209                      Internal Order: 1900436                      G/L Account: 430120

#### **Expenditures - \$50,000**

Fund: 209                      Internal Order: 1900436                      G/L Account: 530670

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$50,000 from the Virginia Department of Education Special Nutrition Program.

3. RESOLUTION: Appropriating funds for Safe Routes to School Program (SRTS) Non-Infrastructure Grants - \$39,000 (2nd reading)

**RESOLUTION APPROPRIATING FUNDS for  
Safe Routes to School Program (SRTS) Non-Infrastructure Grants  
\$39,000**

**WHEREAS** the Safe Routes to School Program (SRTS) non-infrastructure grant, providing Federal payments for education, encouragement, evaluation and enforcement programs to promote safe walking and bicycling to school has been awarded the City of Charlottesville, in the amount of \$23,600;

**WHEREAS** the SRTS program is an 80% reimbursement program requiring a 20% match from the City, of which \$5,900 will come from in-kind contributions;

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

**REVENUE**

\$23,600	Fund: 209	Cost Center: 3901008000	G/L Account: 430120
\$15,400	Fund: 209	Cost Center: 3901008000	G/L Account: 498010

**EXPENDITURES**

\$39,000	Fund: 209	Cost Center: 3901008000	G/L Account: 519999
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**TRANSFER FROM**

\$15,400	Fund: 105	Cost Center: 2401003000	G/L Account: 561209
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**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$23,600 from the Virginia Department of Transportation.

4. RESOLUTION: Transferring Capital Funds from completed Fuel Station Project, completed Fleet Shop Improvements Project and incomplete Avon Salt Barn Project to Avon Fuel Station Project - \$523,048.95

**RESOLUTION  
Capital Funding Transfer from  
completed Fuel Station Project and Fleet Shop Improvements Project and incomplete  
Avon Salt Barn Project to Avon Fuel Station Project - \$523,048.95**

**WHEREAS**, the City of Charlottesville, conducted a closure of the 4<sup>th</sup> Street Fuel Station and the entire amount of the previously appropriated funding was not required; and

**WHEREAS**, the City of Charlottesville completed Fleet facility and operation improvement projects and the entire amount of the previously appropriated funding was not required; and

WHEREAS, the City of Charlottesville has previously appropriated funding for the replacement of the Avon Street Salt Barn Project that is postponed;

**Transfer From**

\$137,900.85	Fund: 426	WBS: P-00940	G/L Account: 599999
\$133,853.89	Fund: 426	WBS: P-01001	G/L Account: 599999
\$251,294.21	Fund: CP-018	WBS: P-00948-09	G/L Account: 599999

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

**Transfer To**

\$523,048.95	Fund: 426	WBS: P-00980	G/L Account: 599999
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5. ORDINANCE: Closing, vacating and discontinuing a portion (0.038 acre) of the public street right-of-way for Seminole Court (2nd reading)

**AN ORDINANCE CLOSING, VACATING AND DISCONTINUING A PORTION (0.038 ACRE) OF THE PUBLIC STREET RIGHT OF WAY FOR SEMINOLE COURT**

6. RESOLUTION: Appropriating Department of Conservation and Recreation Recreational Trail Grant funds for Construction of Meadow Creek Bridges - \$222,511.21 (carried)
7. RESOLUTION: Appropriating reimbursement received in connection with the Charlottesville Circuit Court renovation and addition project - \$6,643.00 (carried)
8. RESOLUTION: Appropriating funds for Edward Byrne Memorial Justice Assistance Grant - \$23,284 (carried)
9. RESOLUTION: Appropriating contribution from Charlottesville City Schools to the School Small Cap funded program for School Security Projects - \$250,000 (carried)
10. RESOLUTION: Appropriating funds for Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (carried)
11. RESOLUTION: Approving conveyance of a 2003 Pierce Quantum fire engine to the Charlottesville-Winneba Foundation

**RESOLUTION  
APPROVING A CONVEYANCE OF A 2003 PIERCE QUANTUM FIRE ENGINE TO  
THE CHARLOTTESVILLE-WINNEBA FOUNDATION**

**WHEREAS**, the Charlottesville-Winneba Foundation has requested the City to donate to it certain property, specifically a 2003 Pierce Quantum Fire truck (the “Fire Engine”), vehicle identification number 4P1CT02S73A003437; and

**WHEREAS**, the Fire Engine is currently in storage, and the City has no plans to use the Fire Engine for the provision of firefighting services in the future, and staff estimates the value of the Fire Engine to be around (\$25,000).

**WHEREAS**, pursuant to Virginia Code Sec. 15.2-953 City Council desires to convey the Fire Engine to the Charlottesville Fire Company, for eventual transfer to the City of Winneba, Ghana, through cooperative efforts between CFC and the Sister Cities Commission; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE** that the Charlottesville City Manager is hereby authorized to convey all of the City’s rights, title and ownership interest in the Fire Engine to the Charlottesville Fire Company, in order that the Charlottesville Fire Company, in cooperation with the Sister Cities Commission, may arrange for the transfer and transportation of the Fire Engine to the City of Winneba, Ghana for its public use.

12. RESOLUTION: Appropriating American Rescue Plan (ARP) Funds from the Commonwealth for Utility Bill Assistance - \$359,879.30 (carried)

13. RESOLUTION: Appropriating BAMA Works funds for Skate Park lighting - \$100,000 (carried)

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPROVED the Consent Agenda: 4-0 (Ayes: Hill, Payne, Snook, Walker; Noes: none; Absent: Magill).

### **CITY MANAGER RESPONSE TO COMMUNITY MATTERS and to COUNCILORS**

Deputy City Manager Sam Sanders provided the following updates:

- Regarding a reference in the previous meeting to a prohibitive personnel policy, the incoming Director of Human Resources will be made aware to consider when developing the City of Charlottesville’s approach to human resources management.
- Regarding the Collective Bargaining ordinance, Council will have a preliminary discussion at the December 6 meeting. He advised that the incoming City Manager and Human Resources Director would be involved going forward.
- Regarding American Rescue Plan allocations and eligible uses, the Director of Finance continues to evaluate uses keeping in mind Council’s desire to prioritize staff.
- Regarding staffing:
  - Employment offers are actively being negotiated for Directors of Human Resources, Parks and Recreation and Public Works.
  - Riaan Anthony was promoted to Deputy Director in Parks and Recreation.

## COMMUNITY MATTERS

1. Kenneth Martin spoke about issues of massive resistance in Charlottesville and thanked Mayor Walker for her service on Council.
2. Katrina Turner spoke about the complaint filed by Dr. RaShall Brackney related to her employment termination.
3. Tanesha Hudson spoke of her request for an independent investigation into the treatment of Black leadership within the City of Charlottesville. She spoke about recent training for SWAT and restricted access for Chief Brackney, questioning the commitment to police reform. She spoke about the Lincoln Project response from Councilors and asked whether Council only responds to cries from White citizens.
4. Lucinda Shannon, Thomas Jefferson Planning District Commission staff person invited attendance to a virtual transit meeting on November 18 from 6:30 – 8:00PM. The project website URL is: [tinyurl.com/transitvision](http://tinyurl.com/transitvision)
5. Robin Hoffman said that she was awarded a Mildred Spicer hero award, and she spoke of unsung heroes such as the late Cal Tate, former member of the City Communications Department. She also mentioned the exit of Brian Wheeler, Communications Director and praised Charlottesville Public Access TV. She encouraged people to get their Covid-19 vaccine.
6. Kimber Hawkey shared concerns about the departures of Police Chief RaShall Brackney and Dr. Tarron Richardson.
7. Rebecca Quinn, city resident, spoke about Council procedures and practices as related to voting on an item the same night as its public hearing.
8. Vern Buchanan advised that Kudzu is taking over and will destroy other native vegetation on the John Warner Parkway.
9. Kevin Hildebrand expressed concern about the city's leaf collection system and urged bagged leaf collection to keep storm sewers clear.
10. John Hossack agreed with Rebecca Quinn and expressed concern about a 2-minute speaking time for the public hearing on tonight's agenda.
11. Andrew Shelton advised that the current Council procedures seem to work fine, and he encouraged Council to support the Jefferson School request for the Swords into Plowshares project.
12. Nancy Carpenter encouraged Council to vote and accept the proposal from the Jefferson School African American Heritage Center to dispose of the Lee statue.

Mayor Walker advised that the statue discussion would occur at the upcoming December 6 meeting.

## ACTION ITEMS

### **14. PUBLIC HEARING/RESOLUTION: Amending the Comprehensive Plan for the City of Charlottesville (including the Future Land Use Map)**

Mayor Walker introduced the item and advised of a two-minute speaker time limit based on the expected high volume of speakers.

James Freas, Director of Neighborhood Development Services, introduced Cville Plans Together Consultants.

Jenny Koch from Cville Plans Together and RHI Consultants informed the public of Council's discussion during the 4:00 p.m. work session and of Council's participation in prior meetings with the Planning Commission. She then began the presentation, which included:

- A Cville Plans Together Overview: Updating the future vision for the city, with a focus on equity and affordability
- Purpose of the Comprehensive Plan update:
  - Updating the future vision for the City
  - Supporting the Affordable Housing Plan and shaping a more equitable community
  - Preparing for community growth and change
- Housing and Affordability Needs
  - Charlottesville and Albemarle County are expected to add 15,000 households by 2040 and the University of Virginia is growing steadily.
  - Only 30% of the city's residential-zoned land can be used for higher-density development (above a single-family level).
    - Single-family zoning and other land use restrictions have historically been used to create and enforce racial segregation.
  - Over 2,700 renter households in Charlottesville currently pay more than 50% of their income on rent and utilities, with most of these households earning less than \$35,000 a year.
- Affordable Housing Plan Overview
  - Vision: The City of Charlottesville will achieve a local housing market that is healthy, high quality, affordable, and above all, equitable.
  - Guiding Principles: Racial Equity, Regional Collaboration, Comprehensive Approach
  - Major Initiatives:
    - Dedicate \$10M Annually to Affordable Housing
    - Build Inclusive Governance at All Levels
    - Adopt Progressive and Inclusionary Zoning Reforms
  - Recommendations Related To: Funding, Governance, Land Use, Tenants' Rights, and Subsidy
- Comprehensive Plan Update Process from 2017-2021
- Community Engagement Activities
- Topics of Interest to the Community

Ron Sessoms, Urban Planner/Urban Designer with RHI Consultants, shared an overview of the Comprehensive Plan as supported by functional plans such as:

- Affordable Housing Plan
- Bicycle and Pedestrian Master Plan
- Streets That Work
- Forthcoming Climate Action Plan, and

- Small Area Plans

He shared:

- Five Guiding Principles of the updated Plan:
  1. Equity and Opportunity
  2. Community Culture and Unity
  3. Local and Regional Collaboration
  4. Environmental Stewardship and Sustainability
  5. Connections & Access
- Seven Topic-specific Chapters of the Comprehensive Plan
  1. Land Use, Urban Form, and Historic & Cultural Preservation
  2. Housing
  3. Transportation
  4. Environment, Climate, and Food Equity
  5. Economic Prosperity and Opportunity
  6. Community Facilities and Services
  7. Community Engagement and Collaboration
- Six Priority Areas for Implementation:
  1. Support the development of more housing throughout the city, with a focus on creation of more housing that is affordable to more people, especially those with the greatest need.
  2. Make sure all people have access to shelter, food, job opportunities, and other resources they need to thrive and succeed.
  3. Work to both mitigate and prepare for the impacts of climate change.
  4. Make it safer, easier, and more desirable to walk, ride a bicycle, utilize public transportation, or use other non-single occupancy vehicle transportation options.
  5. Keep Charlottesville green, make it greener, and protect the natural environment and the many benefits it provides.
  6. Continue to evolve and improve communication and collaboration
- Future Land Use Planning Objectives
  - Build upon land use recommendations from other plans.
  - Ensure citywide, equitable opportunities for additional housing.
  - Increase opportunities for development near community hubs and amenities, to maximize access.
  - Explore the potential of vacant or underutilized properties.
  - Establish correlations between the City's land uses, UVA, and the County's Urban Ring.
  - Increase access to transit, as well as walking and biking infrastructure.
  - Protect, preserve, and enhance natural and cultural resources.
  - Ensure long term economic sustainability of the City by planning for a wide range of commercial land use types.
- Future Land Use Planning Process



- Future Land Use Map (FLUM)
- Affordability:
  - The Future Land Use Map is only one factor contributing to increasing housing affordability for all income levels.
  - The Future Land Use Map sets the stage for allowing a more diverse housing stock throughout the city, including both rental and homeownership options.
  - Housing Affordability Framework

Ms. Koch reviewed the Planning Commission recommendation and next steps. She shared information about the Comprehensive Plan and Zoning relationship.

Mr. Freas thanked all who participated throughout the process and he recommended adoption of the Comprehensive Plan.

Vice Mayor Magill asked about a Small Area Plan for the 10th & Page neighborhood.

The meeting recessed at 7:55 p.m. and reconvened at 8:11 p.m.

Mayor Walker opened the Public Hearing and gave a reminder of the two-minute speaking time. The following people spoke:

1. Maddy Green, CRHA Commissioner and city resident, spoke in favor.
2. Buzz Becker, city resident, spoke in favor.
3. Nancy Carpenter, city resident, spoke in favor.
4. Tracy Carlson, city resident, shared a scenario.
5. Angela Ciolfi, ED of Legal Aid Justice Center and city resident, spoke in favor.
6. Tim Giles, city resident, spoke in favor.
7. Gregory Weaver, city resident, spoke in favor.
8. Jennifer Sessions, city resident, spoke in favor.
9. Luis Oyola, city resident, spoke in favor.
10. Mark Whittle spoke in opposition to Medium Intensity Residential zoning.
11. Rebecca Deeds, city resident, on behalf of Preservation Piedmont spoke in favor.
12. Allison Gray, city resident, spoke in favor.
13. Gareth Gaston, city resident, spoke in favor.
14. Aileen Bartels, city resident, spoke in favor.
15. Brandon Collins, city resident, spoke in favor.
16. Elizabeth Stark, city resident, spoke in favor.
17. Mary Whittle, city resident, spoke in opposition.
18. Christine Bryant-Ryback, city resident, spoke in favor.

19. Josh Krahn, city resident, spoke in favor.
20. Susan Kruse, city resident and Executive Director of the Community Climate Collaborative (C3), spoke in favor.
21. Danny Yoder, city resident, spoke in favor.
22. Leonard Schoppa, Jr., city resident, spoke in favor of the Comprehensive Plan and delay of the FLUM.
23. Elizabeth Emrey, local pastor and representative of IMPACT, spoke in favor.
24. John Hossack, city resident, spoke in opposition.
25. Crystal Passmore, city resident, spoke in favor.
26. Josh Carp, city resident, spoke in favor.
27. Peter Krebs, city resident and member of the Piedmont Environmental Council, spoke in favor.
28. Miranda Elliott Rader, city resident, spoke in favor.
29. Charlotte Meadows, city resident, spoke in opposition pending further review.
30. James (David) Aller, city resident, spoke in opposition pending further review.
31. Noah Healy, city resident, asked for further access to information.
32. Benjamin Heller, city resident, spoke in opposition.
33. Diane Dale, city resident, spoke in opposition.
34. Martha Donnelly, landscape architect, advised that Chapter 7 should include information about transforming lawns into healthy ecosystems that provide food, shelter and cover for many species.
35. Matthew Gillikin, speaking on behalf of Livable Cville, spoke in favor.
36. Natalie Oschrin, city resident, spoke in favor.
37. Bill Emory, city resident, spoke in favor of a delayed vote, pending additional work.
38. Kaki Pearson, city resident, spoke favor of a delayed vote, pending additional work.
39. Andrea Massey, city resident, spoke in favor.
40. Kimber Hawkey, city resident, spoke in opposition.
41. Michael Lyster, city resident, spoke in opposition.
42. Sarah Malpass, city resident, spoke in favor.
43. Mark Kavitt, city resident, spoke in opposition.
44. Nancy Summers, city resident, spoke in opposition.
45. Kevin Hildebrand, city resident, shared input and said that he was unsure of his position after hearing other speakers.

46. John Pfaltz, city resident, spoke in opposition.
  47. Will Imbrie-Moore, Albemarle County resident, spoke in opposition.
  48. Carmelita Wood, President of the Fifeville Neighborhood Association, spoke in favor.
  49. Jake Mooney, city resident, spoke in favor.
  50. Tanesha Hudson, spoke about privilege and about housing affordability efforts in the city.
  51. Emily Yen, city resident, spoke in favor of the FLUM.
  52. Ang Conn, city resident, spoke in favor.
  53. Dave Norris, city resident, spoke in favor.
  54. Christian Anderson, city resident, spoke in opposition.
  55. Gary Eppard, city resident, spoke in opposition.
  56. Robin Hoffman, city resident, spoke about holding developers accountable.
  57. Ashton Gilmore, city resident, spoke in favor.
  58. Vern Buchanan, city resident, spoke in opposition.
  59. Jonathan Rice spoke about the need for better sidewalks.
  60. Julia Whiting, city resident, spoke in opposition.
  61. Jamelle Bouie, city resident, spoke in favor.
  62. Ja'Mir Smith, city resident, spoke in favor.
  63. Miss Simpson, city resident, spoke in opposition.
  64. Greg Self, city resident, spoke in favor.
  65. Andrew Shelton, city resident, spoke in favor.
  66. James Groves explained reasons why he is skeptical of the plan.
  67. Patricia Johnson, city resident, spoke in opposition pending further review.
  68. Chris Schopper, former city resident, spoke in favor.
  69. Don Gathers, city resident, spoke in favor.
  70. Joy Johnson, city resident, spoke in favor.
  71. John Sales, Executive Director of the Charlottesville Redevelopment and Housing Authority, spoke in favor.
  72. Courtney Heyward, city resident, spoke in opposition pending further review.
  73. Kathy Freer voiced a concern about holding developers accountable.
- Mayor Walker Closed the Public Hearing.

Councilor Snook expressed a desire to postpone voting based on several factors including the need for clarity around the Medium Intensity Residential (MIR) designation and implementation.

Vice Mayor Magill suggested keeping the MIR overlay in the FLUM.

Councilor Hill shared concerns about the MIR use and the approval of a draft map.

Mayor Walker spoke about intentionality in the plan and whose voices are being considered.

Council discussion continued and Councilor Payne asked about implementation, including throughout the Zoning re-write process.

Ms. Koch and Mr. Freas answered a question about how Marketing Analyses would be used.

Vice Mayor Magill moved to place the resolution on the December 6 agenda, and later withdrew the motion.

On motion by Vice Mayor Magill, seconded by Councilor Payne, Council by the following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

**RESOLUTION  
TO APPROVE AMENDMENTS TO THE COMPREHENSIVE PLAN  
FOR THE CITY OF CHARLOTTESVILLE**

**WHEREAS**, in 2013 City Council adopted a Comprehensive Plan for the City of Charlottesville, and it has been amended from time to time thereafter (“2013 Comprehensive Plan”);

**WHEREAS**, the Code of Virginia §15.2-2230 requires such plan be reviewed every five years, and commencing in May 2017 the Charlottesville Planning Commission ("Planning Commission") with the assistance of the City's Department of Neighborhood Development Services, and has undertaken a review of the City's 2013 Comprehensive Plan, and has determined that it would be advisable to update and amend such plan;

**WHEREAS**, the Planning Commission made careful and comprehensive surveys and studies of existing conditions and trends of growth within the City, and of the probable future requirements of the City's territory and inhabitants, including surveys and studies, such as those contemplated within Code of Virginia §15.2-2224;

**WHEREAS**, on October 12, 2021, following notice given in accordance with Code of Virginia §15.2-2204, a joint public hearing was conducted by the Planning Commission and the City Council on the proposed amendments to the 2013 Comprehensive Plan;

**WHEREAS**, on October 12, 2021, the Planning Commission unanimously recommended approval of the 2021 Comprehensive Plan and directed that the 2021

Comprehensive Plan be transmitted to City Council for consideration (“2021 Certified Comprehensive Plan”); and

**WHEREAS**, as required by Code of Virginia §15.2-2225 a link to the proposed 2021 Certified Comprehensive Plan has/have been posted on the City’s website on which the Planning Commission generally posts information, and that is available to the public;

**WHEREAS**, the 2021 Certified Comprehensive Plan transportation element was submitted to the Virginia Department of Transportation (“VDOT”) for review and comment in accordance with Code of Virginia §15.2-2223(B)(4), and VDOT has approved the proposed transportation element;

**WHEREAS**, City Council desires that certain amendments to the 2021 Comprehensive Plan certified by the Planning Commission be made, to-wit:

1. In the LAND USE chapter, add the following sub-strategy to Strategy 1.2 following bullet two (“...preserve and enhance natural resources...”): “Require that zoning changes preserve and enhance historic cultural resources. In particular, require that development of historic properties within Historic Preservation Architectural Design Control (ADC) Districts, Historic Conservation (CV) Districts, or Individually Protected Property (IPP) maintain the National Register’s “contributing resource” designation.”
2. In the LAND USE CATEGORY DESCRIPTION: SENSITIVE AREA: Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.
3. Revise LAND USE CATEGORY DESCRIPTIONS Table 2 "Residential" header to add "Zoning tools will regulate affordability and maximum allowable development for all categories and consider demolition disincentives as feasible".
4. Recommend that SENSITIVE AREA delineation should continue to be defined and additional means and metrics beyond Census Block Data need to be considered. (This will also require revisions to the description of Sensitive areas on page 25 in addition to the FLUM. This is additional text to the document for now.)

**WHEREAS**, this Council finds and determines that, with the amendments desired by City Council, the 2021 Certified Plan has been made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory within the City which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the city's inhabitants;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, that the aforesaid 2021 Comprehensive Plan certified by the City Planning Commission, amended to include the four (4) amendments made by City Council as noted above within this Resolution, is hereby approved and adopted as the official Comprehensive Plan of the City pursuant to Code of Virginia §15.2-2226, and shall hereafter be known as the City’s “Comprehensive Plan (2021)”.

**15. ORDINANCE: Amending and reordaining Charlottesville City Code Chapter 14 (Licenses), Section 14-24 (Tax Incentives for Technology Businesses) to extend the eligibility period for five years to December 31, 2026 (carried)**

Chris Engel, Director of Economic Development, summarized the reauthorization request, recommending extension of the eligibility period. Commissioner of the Revenue Todd Divers and Mr. Engel provided clarification in response to questions from Council. Council agreed to move the item to the December 6 Consent Agenda.

**16. RESOLUTION\*: Approving the request to waive the Critical Slope requirements of City Code Section 34-1120(b) for the development project identified as "Lyman Street Residences"**

Brian Haluska, City Planner, summarized the resolution request, which came to Council on recommendation from the Planning Commission.

On motion by Councilor Hill, seconded by Councilor Snook, Council by the following vote APPROVED the resolution: 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker).

**RESOLUTION APPROVING THE REQUEST TO WAIVE  
THE CRITICAL SLOPE REQUIREMENTS  
OF CITY CODE SECTION 34-1120(b) FOR THE DEVELOPMENT PROJECT  
IDENTIFIED AS "LYMAN STREET RESIDENCES"**

**WHEREAS** BKKW, LLC, as the owner of City Real Estate Tax Map 59, Parcels 289.2 and 358E (the "Property") requested a Waiver of the Critical Slopes requirements of City Code Sec. 34-1120(b)(6)(b) in connection with construction of a development of three single-family dwelling units and public street improvements on Lyman Street (the "Lyman Street Residences Project"); and

**WHEREAS** the Planning Commission considered and unanimously approved this application at their October 21, 2021 meeting, subject to conditions set forth within the staff report;

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, hereby approves a Waiver of the Critical Slopes requirements for the Lyman Street Residences Project, subject to the following two (2) conditions:

- (1) the Site Plan for the Lyman Street Residences Project (VESCP Plan component) shall include, at a minimum, four (4) stages/phases of erosion and sediment control, the first of which shall be "Initial/Preliminary Controls" and outfall construction and the second of which (if required) shall include the establishment of a sediment trap and associated conveyances; and
- (2) "Super Silt Fence" (chain linked backing) shall be installed where perimeter silt fence is specified within the Site Plan (VESCP component).

**17. ORDINANCE: Amending the Charlottesville Albemarle Convention and Visitors Bureau Agreement (carried)**

Chris Engel, Director of Economic Development, summarized the ordinance changes. The amendment was endorsed by the Charlottesville Albemarle Convention and Visitors Bureau Agreement (CACVB).

Councilor Payne asked for clarification around the goals for the change.

Mayor Walker advised of the need to review why changes were made to add city and county representatives several years ago. She agreed that industry representation and diversity on the board are essential components.

Councilor Hill added information about reasons for suggested changes and encouraged councilors to speak with the CACVB Executive Director.

Council agreed to move the item to the December 6 Consent Agenda.

**GENERAL BUSINESS**

**18. REPORT: Community Attention Youth Internship Program (CAYIP) Summer 2021 update**

Misty Graves, Interim Director for the Department of Human Services, introduced the report for the Community Attention Youth Internship Program. She introduced Annie Sechrist, who made the presentation.

Councilor Hill applauded CAYIP for transforming the program to a virtual model.

Mayor Walker encouraged paying a higher wage to interns.

**19. REPORT: Land Use and Environmental Planning Committee (LUEPC) 2021 Semiannual Report (written only)**

Mayor Walker commented that the report should be a presentation. She provided background information about the formation of LUEPC and the desire to have more public meetings. Councilor Hill agreed.

**OTHER BUSINESS**

Mayor Walker advised that she and Councilor Hill should be part of the process to determine changes to the Housing Advisory Committee (HAC) before the December 20 City Council meeting.

## **MATTERS BY THE PUBLIC**

- Bill Emory thanked Brian Wheeler for his time with the City. He spoke about his own involvement with neighborhood preservation, particularly in the Woollen Mills neighborhood. He thanked Mayor Walker and Councilor Hill for their service on City Council.

The meeting adjourned 12:10 p.m.

Councilors Snook and Hill thanked Brian Wheeler for his service with the City of Charlottesville.

BY Order of City Council

BY Kyna Thomas, Clerk of Council