



CITY COUNCIL AGENDA
December 2, 2024
City Hall Council Chamber

Juandiego R. Wade, Mayor
Brian R. Pinkston, Vice Mayor
Natalie Oschrein
Michael K. Payne
J. Lloyd Snook, III
Kyna Thomas, Clerk

4:00 PM OPENING SESSION

This is an in-person meeting with an option for the public to participate electronically by registering in advance for the Zoom webinar at www.charlottesville.gov/zoom. The meeting may also be viewed on the City's streaming platforms and local government Channel 10. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

Call to Order/Roll Call

Agenda Approval

Reports

1. Report: Budget Briefing: Housing and Infrastructure

5:30 PM CLOSED MEETING (if called)

6:30 PM BUSINESS SESSION

Moment of Silence

Announcements

Recognitions/Proclamations

Community Matters

Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for first 8 spaces at <https://www.charlottesville.gov/692/Request-to-Speak>; speakers announced by Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting. Comments on Public Hearing items are heard during the public hearing only.

Consent Agenda*

The consent agenda consists of routine, non-controversial items whereby all items are passed with a single motion and vote. Individuals speaking during Community Matters may address items on the Consent Agenda.

2. Minutes: November 18, 2024 regular meeting
3. Resolution: Resolution to appropriate funds from the Supreme Court of Virginia, Recovery Court Docket Grant in the amount of \$240,000 for the Charlottesville/ Albemarle Recovery Court (2nd reading)
4. Resolution: Resolution to appropriate \$408,437 from the Opioid Abatement Authority Collaborative Partnership Grant (2nd reading)
5. Resolution: Resolution to reallocate funds for the Meadow Creek Trail and Bridges Project - \$253,697
6. Resolution: Resolution to reallocate and appropriate Parks and Recreation CIP funds to Rugby Avenue Trail CIP - \$155,000
7. Resolution: Resolution to appropriate funding from the Virginia Department of Housing and Community Development, Housing Opportunities for Persons with AIDS/HIV (HOPWA) grant 24-HOPWA-303 in the amount of \$389,312 (1 of 2 readings)
8. Resolution: Resolution to appropriate BAMA Works Special Event Funding - \$38,700 (1 of 2 readings)

City Manager Report

- Report: City Manager Report

Action Items

9. Ordinance: Ordinance amending City Code Section 15-144 (Parking of buses, trucks, etc. between midnight and 6:00 a.m.) (2nd reading)
10. Resolution: Resolution for VDOT Portfolio SmartScale re-allocation, cancelation, project development agreement termination, and revised projects scope
11. Resolution: Resolution for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes (Carried over from the November 18, 2024 meeting)

General Business

Community Matters (2)

Adjournment

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



Agenda Date:	December 2, 2024
Action Required:	None
Presenter:	Samuel Sanders, Jr., City Manager
Staff Contacts:	Samuel Sanders, Jr., City Manager
Title:	Budget Briefing: Housing and Infrastructure

Background

In August 2024, City Council adopted a Strategic Planning Framework to establish Strategic Outcome Areas to include: Climate Action, Economic Prosperity, Education, Housing, Organizational Excellence, Partnerships, Public Safety, Recreation, Arts & Culture, and Transportation. In addition, the Council added a Commitment to Justice, Equity, Diversity, and Inclusion. All of these form the foundation of Council's Vision: To be a place where everyone thrives.

As staff has been working to set strategies and actions, and develop key measures to test and frame the work, there has also been a focus on illuminating the financial health and vitality of the local government during its budget development periods. City Council recently formed a Finance Committee to consider more complicated financial matters affecting the local government. The addition of Budget Briefings in this budget cycle is meant to provide even more transparency into the various considerations and steps to developing the municipal budget.

Discussion

Budget Brief 1 is focused on the Council Strategic Outcome Areas: Organizational Excellence and Commitment to Justice, Equity Diversity, and Inclusion. The City Manager will brief the Council on specific considerations for items being considered for the proposed budget that fall within these two categories. Under Organizational Excellence, the key headings will be: Compensation & Benefits, Visioning, and Planning. Under the JEDI Commitment will be: homeless services, social equity, and ADA.

Budget Brief 2 (December 2) is focused on the Council Strategic Outcome Areas: Housing and Infrastructure. The City Manager will brief the Council on specific considerations for items being considered for the proposed budget that fall within these two categories. Under Housing, the key headings will be: Land Bank, Tax Abatement, and Affordable Housing Commitment. Under Infrastructure, the key headings will be: Public Service, Parks Master Plan, and internal systems management.

Budget Brief 3 (December 19) is focused on the Council Strategic Outcome Areas: Public Safety and Transportation. The City Manager will brief the Council on specific considerations for items being

considered for the proposed budget that fall within these two categories. Under Public Safety, the key headings will be: Fire Services, Alternative Response, and Emergency Management. Under Transportation, the key headings will be: staffing, network performance, climate action, and critical needs.

Alignment with City Council's Vision and Strategic Plan

This Budget Briefing Series will serve to engage the Council earlier in the process of crafting the fiscal budget. The presentations will frame the opportunities identified by staff to be responsive to the strategic priorities set by the Council.

Community Engagement

This presentation is part of a new 3-step process of budget formulation where key Strategic Outcome Areas are presented in an effort to prioritize them for inclusion in the budget and funded at what level. In December, the City Manager will host the Community Budget Forum, which is a direct opportunity for the public to weigh in on budget priorities.

Budgetary Impact

No budgetary impact at this time; however, decisions pertaining to the proposed FY26 budget could result from the discussion

Recommendation

Consideration of matters presented are intended to inform Council and the public on how the City Manager and staff are working through the priorities of developing the next fiscal budget. Where items can be prioritized over others will be helpful to the consideration of producing a balanced budget.

Alternatives

N/A

Attachments

1. Strategic Plan Framework ADA



City of Charlottesville

Strategic Plan Framework

Vision

To be a place where everyone thrives.

Commitment to Justice, Equity, Diversity, Inclusion

The City of Charlottesville is committed to implementing equitable practices and policies across all of its activities.



Strategic Outcome Areas



Climate Action

Charlottesville is a leader in improving the environment through implementation of its Climate Action Plan.



Housing

Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.



Public Safety

Charlottesville provides comprehensive, trusted public safety services and treats everyone with respect and dignity.



Economic Prosperity

Charlottesville develops strategies and economic development opportunities that drive economic prosperity for all.



Organizational Excellence

Charlottesville's well-trained and dedicated staff deliver excellent services to the community.



Recreation, Arts, Culture

Charlottesville provides, encourages, and supports a wide range of recreation, green space, arts, and cultural programs and opportunities.



Education

Charlottesville supports a broad and well-integrated set of educational opportunities that includes Charlottesville City Schools (CCS), other youth serving organizations, career technical education (CTE) providers, and Piedmont Virginia Community College (PVCC).



Partnerships

Charlottesville creates avenues for meaningful collaborations with partners and key stakeholders, such as the County, UVA, and nonprofits, to magnify positive community outcomes.



Transportation

Charlottesville provides a regional transportation system that increases mobility options and is reliable and affordable for all.



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES
November 18, 2024 at 4:00 PM
Council Chamber

The Charlottesville City Council met on Monday, November 18, 2024. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston and Councilors Natalie Oschrein and Michael Payne.

Having established a physical quorum, Council considered a request from Councilor Snook made earlier in the day to participate electronically because of a temporary medical condition preventing him from attending in person. Pursuant to Council's adopted procedures and in compliance with the Virginia Freedom of Information statute for meeting participation through electronic communication means, Mr. Snook stated that he was participating from his home in Charlottesville. On motion by Pinkston, seconded by Payne, Council voted 4-0 to approve electronic participation by Councilor Snook (Ayes: Oschrein, Payne, Pinkston, Wade; Noes: none).

On motion by Pinkston, seconded by Payne, Council unanimously approved the meeting agenda.

REPORTS

1. REPORT: Budget Briefing: Organizational Excellence & Equity

City Manager Sam Sanders presented the budget brief on City priorities of Organizational Excellence and Equity. The presentation reviewed a breakdown of the process, and two areas of focus for Organizational Excellence: 1) Collective bargaining, and 2) operational systems increases. Three areas of focus for the Equity priority were: 1) homeless services, 2) social equity, and 3) ADA (Americans with Disabilities Act).

CLOSED MEETING

On motion by Pinkston, seconded by Payne, Council voted 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none) to meet in closed session as authorized by the Virginia Freedom of Information Act, as follows:

- (1) Under Virginia Code Section 2.2-3711(A)(1) for discussion and consideration of the appointment, performance, and salary of a specific named appointee of the public body; and
- (2) Under Virginia Code Section 2.2-3711(A)(1) for discussion and consideration of prospective candidates to be appointed to the following boards and/or committees: Affordable Housing Fund Committee, Board of Architectural Review, Building Code Board of Appeals, Community Development Task Force, Convention & Visitors Bureau Board, Criminal Justice Board, Charlottesville-Albemarle Airport Commission, Housing Advisory Committee, Minority Business Commission, Retirement Commission, River Basin Commission, Sister Cities Commission, Social Services Board, Solid Waste Authority, Towing Advisory Board, Vendor Appeals Board, Water and Sewer Authority, YMCA Board, and Youth Council.

On motion by Pinkston, seconded by Payne, Council certified by the following vote: 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; 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.

On motion by Oschrein, seconded by Payne, Council by a vote of 5-0 appointed the following members to boards and commissions:

- Affordable Housing Fund Committee - Thomas King (At-large)
- Community Development Task Force - Thomas King (At-large) and Greg Self (Belmont Neighborhood representative)
- Convention & Visitors Bureau Board - Daniel Shea (city tourism representative)
- Jefferson Area Criminal Justice Board - Scott Wheeler
- Charlottesville-Albemarle Airport Commission - Benjamin Chambers (city representative)
- Minority Business Commission - Jamaala Hamilton and Marlena Reid
- Retirement Commission - Kai Pacheco (city resident/business owner)
- River Basin Commission - Jason Halbert (city representative)
- Social Services Board - Benjamin Dick and Omwira Nkere

BUSINESS SESSION

City Council observed a moment of silence.

ANNOUNCEMENTS

Councilor Oschrein announced her attendance at the Charlottesville High School 50th anniversary band concert on November 16 and she commended the city schools fine arts program. She announced the December 8 Lewis Mountain neighborhood walk.

Vice Mayor Pinkston announced his attendance at the firefighters graduation ceremony on November 15, and he announce Magic on the Mall beginning this week.

Mayor Wade announced his attendance at the National League of Cities conference.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Marta Keane, CEO of the Jefferson Area Board on Aging, shared JABA updates and client testimonials. She announced that a new CEO will begin in January.
2. Nathan Wilson, city resident, spoke about issues with amplified performers on the Downtown Mall.
3. Kate Fraleigh, city resident, spoke about City budget concerns in light of changes that could come with the incoming federal administration.
4. Greer Achenbach, Friends of the Downtown Mall, spoke about proposed revisions to the Downtown Mall cafe regulations, stating that the proposals are overly restrictive.
5. Downing Smith, city resident, spoke about an RFP for potential deer hunting in city parks. He opposed the use of guns and stated that killing deer is not necessary. Regarding rescuing the ...
6. Mo Van de Sompel, city resident, spoke in opposition to the proposed revisions to the Downtown Mall cafe regulations, as submitted by the Board of Architectural Review.
7. Cherry Stewart, member of the Sister Cities Commission, stated that the Sister Cities Commission hosting the state conference on November 16.

CONSENT AGENDA

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record. On motion by Payne, seconded by Oschrein, Council by a vote of 5-0 adopted the Consent Agenda, postponing items 6 & 9. (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none)

2. MINUTES: November 4 regular meeting

3. RESOLUTION: Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (T.A.N.F.) Grants – \$69,312.67 (2nd reading)

RESOLUTION

**Virginia Department of Social Services (V.D.S.S.) Temporary Aid to Needy Families (T.A.N.F.)
Appropriation of Grant Funds
\$69,312.67**

WHEREAS, the City of Charlottesville has received a Temporary Aid to Needy Families grant from the Virginia Department of Social Services in the amount of \$69,312.67; and

WHEREAS, the funds will be used to support workforce and business development training programs, supportive services, and staffing provided by the Office of Economic Development; and

WHEREAS, the grant award covers the period from July 1, 2024 and June 30, 2025;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$69,312.67 is hereby appropriated in the following manner:

Revenue – \$69,312.67

\$69,312.67 Fund: 209 IO: 1900573 G/L: 430120 State/Fed pass thru

Expenditures - \$69,312.67

\$69,312.67 Fund: 209 IO: 1900573 G/L: 599999 Lump Sum

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$69,312.67 from the Virginia Department of Social Services.

4. RESOLUTION: Resolution to appropriate Virginia Department of Criminal Justice Services Victims of Crime Act Grant Award FY24-\$123,000 (2nd reading)

RESOLUTION

**Appropriation of Charlottesville Student Victim Outreach Program Department of Criminal
Justice Services Victim of Crimes Act Grant
\$123,600**

WHEREAS, the City of Charlottesville has been awarded \$123,600 from the Department of Criminal Justice Services;

WHEREAS, this award requires a 20% match in the amount of \$30,900;

WHEREAS, the funds will be used to support Evergreen, a program operated by the Department of Human Services. The grant award covers the period from July 1, 2024 through June 30, 2025;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$123,600 is hereby appropriated in the following manner:

Revenue – \$154,500

\$123,600 Fund: 209 Cost Center: 3413018000 GL Account: 430120
\$ 30,900 Fund: 209 Cost Center: 3413018000 GL Account: 498010

Expenditures - \$154,500

\$148,140	Fund: 209	Cost Center: 3413018000	GL Account: 519999
\$ 6,360	Fund: 209	Cost Center: 3413018000	GL Account: 599999

Transfer From

\$30,900	Fund: 213	Cost Center: 3413003000	GL Account: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$123,600 from the Department of Criminal Justice Services.

5. RESOLUTION: Resolution to appropriate \$20,000 for the Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program (2nd reading)

RESOLUTION

Appropriation of Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program Reimbursement in the amount of \$20,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$20,000 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, 2024 through September 30, 2025;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$20,000, received from the Virginia Department of Education Special Nutrition Program is hereby appropriated in the following manner:

Revenue – \$ 20,000

Fund: 209	Internal Order: 1900575	G/L Account: 430120
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Expenditures - \$20,000

Fund: 209	Internal Order: 1900575	G/L Account: 530670
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$20,000 from the Virginia Department of Education Special Nutrition Program.

6. RESOLUTION: Resolution authorizing Charlottesville Redevelopment and Housing Authority (CRHA) to create a Corporation and/or Limited Liability Corporation (LLC) (2nd reading)

Consideration of this item was postponed to a meeting in December.

7. RESOLUTION: Resolution to appropriate funds from the Supreme Court of Virginia, Recovery Court Docket Grant in the amount of \$240,000 for the Charlottesville/ Albemarle Recovery Court (Carried)

8. RESOLUTION: Resolution to appropriate \$408,437 from the Opioid Abatement Authority Collaborative Partnership Grant (Carried)

9. RESOLUTION: Resolution for Charlottesville-Albemarle Health Department Carryover Request - \$74,625 (Carried)

Consideration of this item was postponed to a meeting in December at the request of staff.

CITY MANAGER REPORT

- **Report: Social Services Advisory Board Annual Report to City Council**

Cherry Stewart, Chair, presented the Social Services Advisory Board Annual Report, highlighting an increase in foster care cases within the past year, changes to the childcare subsidy program, and the reinstatement of interviews for SNAP program eligibility.

ACTION ITEMS

10. ORDINANCE amending City Code Section 2-453(b.3-4) for Police Civilian Oversight Board composition (deferred from October 21)

Eden Ratliff, Deputy City Manager for Administration, summarized the ordinance amendment as presented and reported that the PCOB is reviewing the full ordinance to bring forth recommendations for a comprehensive list of amendments. City Manager Sanders stated that staff will also compile recommendations for ordinance amendments and find areas of agreement with the PCOB to bring forth an agreed upon set of recommendations. In areas of differing opinions, City Council would deliberate.

Councilors discussed challenges facing the Board without having enough members to conduct the work of the Board.

On motion by Pinkston, seconded by Payne, Council by a vote of 5-0 adopted the ordinance to amend the membership composition criteria for the Police Civilian Oversight Board: (Ayes: Oschrin, Payne, Pinkston, Snook, Wade; Noes: none).

AN ORDINANCE TO AMEND AND REENACT CITY CODE SECTION 2-453 REGARDING THE RESIDENCY REQUIREMENTS FOR MEMBERS OF THE POLICE CIVILIAN OVERSIGHT BOARD

11. ORDINANCE amending City Code Section 15-144 (Parking of buses, trucks, etc. between midnight and 6:00 a.m.) (Carried)

Brennen Duncan, City Engineer, introduced the request for ordinance amendments, noting various ways in which people have abused parking.

Council discussed the benefits and challenges of the proposed amendments and agreed to carry the item forward to the Action Agenda for the next regular meeting.

12. RESOLUTION for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes

Jeff Werner, Preservation Design Planner, presented the Board of Architectural Review recommendations for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes.

Per City Code Chapter 28, Sec. 213, leased café spaces require an annual permit issued by the Zoning Administrator. For spaces within an ADC District, that permit requires a design review Certificate of Appropriateness (CoA) for the elements within the leased space, such as furniture, planters, and railings. As currently applied, for cafes with elements that meet the guidelines, the CoA can be issued administratively (a Minor Historic Review, per Chapter 34, Sec. 5.2.6.), with the option for a formal Board of Architectural Review (BAR) review, if warranted (a Major Historic Review, per Chapter 34, Sec. 5.2.7).

On September 17, 2024, and October 1, 2024, the BAR held advertised work sessions regarding the guidelines for Outdoor Cafés. To help evaluate revisions to specific elements, the BAR established a list of broad, guiding principles, which are incorporated into the proposed guidelines. The proposed updates aim

to address the evolution of outdoor cafés in Charlottesville by bringing the guidelines up to date in areas of lighting technology, current private use, public access, and to reaffirm the historic integrity of the districts in which these cafés are located.

James Zehmer, BAR Chair, reviewed the process leading to the recommendations based on existing guidelines, and processes available for appeals to BAR decisions. He stated that there was not much public input at BAR meetings discussing revisions to Architecture Design Control District Design Guidelines.

Following discussion of varying opinions about guidelines for use of the public Downtown Mall space, Councilor Snook expressed a desire to have more time to consider the proposal. Council by unanimous consent agreed to postpone the item to the December 2nd Council meeting.

Mr. Zehmer announced the next BAR meeting on November 19 at 5:30 p.m. at CitySpace.

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Mo Van de Sompel, city resident, requested that Council not make any regulatory changes related to the rumored closing of the Violet Crown on the Downtown Mall.

The meeting adjourned at 8:56 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



Agenda Date:	December 2, 2024
Action Required:	Appropriate \$240,000 from the Supreme Court of Virginia, Adult Recovery Grant
Presenter:	Christie Cash, Offender Aid and Restoration
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funds from the Supreme Court of Virginia, Recovery Court Docket Grant in the amount of \$240,000 for the Charlottesville/ Albemarle Recovery Court (2nd reading)

Background

The City of Charlottesville, on behalf of the Charlottesville/Albemarle Adult Recovery Court, has received a Supreme Court of Virginia Recovery Court Grant in the amount of \$240,000 for operations of the recovery court program, which is operated by Offender Aid and Restoration (OAR). The City of Charlottesville serves as fiscal agent for the Supreme Court of Virginia Recovery Court Docket Grant.

Discussion

In its twenty-seventh year of operation, the Charlottesville/Albemarle Adult Recovery Court is a supervised 12 month drug treatment program that serves as an alternative to incarceration for offenders. Recovery Court is a specialized docket within the existing structure of the court system given the responsibility to handle cases involving non-violent adult felony offenders with moderate to severe substance-use disorders. The program uses the power of the court to assist non-violent offenders to achieve recovery through a collaborative system of intensive supervision, drug testing, substance abuse treatment, and regular court appearances.

The total program budget is **\$388,691** and includes three funding sources:

- Supreme Court of VA - \$240,000
- City of Charlottesville: \$87,718, which has already been appropriated
- Albemarle County: \$60,973, which has already been appropriated

Alignment with City Council's Vision and Strategic Plan

The Supreme Court of Virginia, Recovery Court Docket Grant aligns with the City Council's Strategic Outcome Areas of Public Safety and Partnerships.

Public Safety: This relates to providing support for persons interacting with the legal or criminal justice system and the City of Charlottesville's priority Safety/Criminal Justice. Recovery Court directly affects the community by reducing recidivism among Recovery Court participants and graduates. Additionally, Recovery Court mitigates risk by reducing drug and alcohol use among program participants and graduates. Reduction of drug and alcohol use fosters participant rehabilitation, public safety, and participant accountability; all of which are factors in helping the community achieve its stated goals. Reduced recidivism results in reduced public costs associated with re-arrest and incarceration, a reduction in potential victims of crime, and an overall enhanced quality of life for community residents. As the writers of the Adult Drug Court Best Practice Standards state, "Drug Courts improve communities by successfully getting justice-involved individuals clean and sober, stopping drug-related crime, reuniting broken families, ... and preventing impaired driving" Not only is Recovery Court an effective agent of change, it is an extremely cost-effective approach. Numerous meta-analyses have concluded that Recovery Courts produce an average return on investment of \$2 to \$4 for every \$1 invested. Because of the above, ensuring that the 27-year-old Recovery Court program remains available to residents of the City of Charlottesville and Albemarle County will help the community achieve its goals.

Partnership: This grant continues an existing partnership between the City of Charlottesville and OAR as the City serves as the fiscal agent for these grant funds for OAR.

Community Engagement

The Recovery Court is a direct service provider and is engaged daily with non-violent criminal offenders with drug driven crimes who are at a high level of risk for reoffending due to active addictions and long standing patterns of criminal behavior. By collaborating with the Court system, Region Ten Community Services Board, Addiction Allies, and the Sheriff's department, the Recovery Court provides these offenders with a highly structured, rigorously supervised system of treatment and criminal case processing that results in a significant reduction in recidivism rates for program participants and graduates. Participants gain access to the Recovery Court through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending in the Circuit Court. If they successfully complete the program which takes a minimum of 12 months, participants may have their pending charges reduced or dismissed. If participants are unsuccessful and have to be terminated from the program, they return to court to face their original charges. Successful Recovery Court participants return the community's investment in them by maintaining full time, tax paying employment, providing for and taking care of their children and families including paying off back child support, behaving as good role models in the community, and supporting the recovery community in Charlottesville.

Budgetary Impact

No additional City funding is required as the City's match for this grant, \$87,718, was appropriated as part of the FY 2025 Council Approved Budget as part of the City's contribution to Offender Aid and Restoration

Recommendation

Staff recommends the appropriation of \$240,000 from the Supreme Court of Virginia, Recovery Docket Grant

Alternatives

City Council may elect to not appropriate the \$240,000 for the Adult Recovery Docket Grant Program which will negatively impact the services OAR is able to provide as an alternative to incarceration for offenders.

Attachments

1. RES_\$240,000_FY25 Appropriation - DC

RESOLUTION
Appropriating \$240,000 to be Received from the Supreme Court of Virginia
Recovery Court Docket Grant

WHEREAS, the Supreme Court of Virginia awarded the Supreme Court of Virginia Recovery Court Docket Grant in the amount of \$240,000 for the Charlottesville/Albemarle Recovery Court in order to fund salaries, benefits, and operating expenses; and

WHEREAS, the City of Charlottesville serves as the fiscal agent for this grant program; and

WHEREAS, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$148,691; and

WHEREAS, the grant award covers the period July 1, 2024 through June 30, 2025.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$240,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

Revenues

\$240,000 Fund: 209 Internal Order: 1900570 G/L Account: 430120

Expenditures

\$240,000 Fund: 209 Internal Order: 1900570 G/L Account: 530550

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$240,000 from the Supreme Court of Virginia.

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



Agenda Date:	December 2, 2024
Action Required:	Approve and appropriate \$408,437 from the Opioid Abatement Authority Cooperative Partnership Grant
Presenter:	Susan Morrow - Offender Aid & Restoration
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate \$408,437 from the Opioid Abatement Authority Collaborative Partnership Grant (2nd reading)

Background

The City of Charlottesville, on behalf of itself, Offender Aid and Restoration, Albemarle County, Fluvanna County, Orange County, Madison County, and Nelson County, has received an Opioid Abatement Authority Cooperative Partnership Grant in the amount of \$408,437 for the expansion of Peer Support and other services for the recovery court and specialty docket programs in the region. The expansion program will be operated by Offender Aid and Restoration (OAR). The City of Charlottesville serves as fiscal agent for the Opioid Abatement Authority Cooperative Partnership Grant.

Discussion

The 16th Judicial District of Virginia has a total of four Recovery Courts serving seven jurisdictions as well as one Therapeutic Docket serving two jurisdictions. The jurisdictions served included the City of Charlottesville, and the Counties of Albemarle, Fluvanna, Orange, Madison, and Nelson. Taken all together, the programs have the capacity to serve 160 individuals at any given time. All of the programs are operated and administered by OAR/Jefferson Area Community Corrections (OAR). Recovery Courts are supervised 12 to 14 month programs combining drug treatment and criminal case processing that serve as an alternative to incarceration for offenders. The Therapeutic Docket is similar to a Recovery Court but it is focused on mental health treatment. The programs use the power of the court to motivate offenders to achieve recovery through a collaborative system of intensive supervision, drug testing, substance abuse treatment and/or mental health treatment, and regular court appearances. The Expanded Specialty Docket Services grant will provide for better integration and coordination of all of the specialty dockets operated by OAR and will increase Peer Support services by embedding Peers in each of the programs.

The total program budget is **\$438,907** and includes six funding sources:

- Opioid Abatement Authority \$388,437
- Offender Aid and Restoration \$30,470 (as appropriated for Charlottesville Albemarle Recovery Court through Albemarle County Human Services Funding Process and the Vibrant Community Fund)
- Nelson County \$5,000
- Fluvanna County \$5,000
- Orange County \$5,000
- Madison County \$5,000

Alignment with City Council's Vision and Strategic Plan

This grant aligns with the City Council Strategic Plan Framework Outcome Area, Public Safety. This relates to providing support for persons interacting with the legal or criminal justice system and the City of Charlottesville's priority of Health and Safety. Specialty Dockets directly affect communities by reducing recidivism among participants and graduates. Reduced recidivism results in reduced public costs associated with re-arrest and incarceration, a reduction in potential victims of crime, and overall enhanced quality of life for community residents. Not only are Specialty Dockets effective agents of change, they are an extremely cost-effective approach. Numerous meta-analyses have concluded that Specialty Dockets produce an average return on investment of \$2 to \$4 for every \$1 invested. Because of the above, ensuring that local Specialty Docket programs provide adequate services to foster participant success will help the community achieve its goals.

Community Engagement

OAR is a direct service provider and is engaged daily with criminal offenders who are at a high level of risk for reoffending. By collaborating with the Court system, local treatment providers, local Sheriff's Departments, Police Departments, and other community providers our local Specialty Dockets provide these offenders with highly structured, rigorously supervised systems of treatment and criminal case processing that result in a significant reduction in recidivism rates for program participants and graduates. Participants gain access to the Specialty Dockets through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending while they are in Specialty Dockets. If they successfully complete the program, participants may have their pending charges reduced or dismissed. If participants are unsuccessful and have to be terminated or separated from a program, they return to court to face their original charges. Successful Specialty Docket participants return the community's investment in them by maintaining crime free, productive lives, and behaving as good role models in the community.

Budgetary Impact

No additional City funding is required as the City's match for this grant is in-kind with the City acting as fiscal agent for the grant.

Recommendation

Staff recommends approval and appropriation.

Alternatives

N/A

Attachments

1. RES_\$408,437_FY25 Appropriation - OAA

RESOLUTION
To Appropriate Opioid Abatement Authority Cooperative Partnership Grant
Award COOP540106-0A01, Expanded Specialty Docket Services
\$408,437

WHEREAS, the Opioid Abatement Authority of Virginia awarded a Cooperative Partnership Grant for the Expansion of Specialty Docket Services in the amount of \$388,437 to the City of Charlottesville to fund expanded Specialty Docket services in Charlottesville, Albemarle, Nelson, Fluvanna, Orange, and Madison counties.

WHEREAS, the City of Charlottesville serves as the fiscal agent for this grant program; and

WHEREAS, the counties of Nelson, Fluvanna, Orange, and Madison are providing local matches for the grant in the amount of \$5,000 each; and

WHEREAS, the grant award covers the period July 1, 2024 through June 30, 2025.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$408,437, received as a grant from the Opioid Abatement Authority of Virginia and as matching funds from Nelson, Fluvanna, Orange, and Madison, is hereby appropriated in the following manner:

Revenues: \$408,437

Amount	Fund	Order	GL Code	
\$388,437	214	1900574	440040	Legal Settlements
\$ 5,000	214	1900574	432050	Revenue-Nelson
\$ 5,000	214	1900574	432035	Revenue-Fluvanna
\$ 5,000	214	1900574	432055	Revenue-Orange
\$ 5,000	214	1900574	432065	Revenue-Madison

Expenditures: \$408,437

Amount	Fund	Order	GL Code	
\$408,437	214	1900574	540369	Grant Pass-Thru

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$388,437 from the Opioid Abatement Authority of Virginia and \$5,000 each from Nelson, Fluvanna, Orange, and Madison.

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



Agenda Date:	December 2, 2024
Action Required:	Approve Resolution
Presenter:	Chris Gensic, Park and Trail Planner
Staff Contacts:	Chris Gensic, Park and Trail Planner Riaan Anthony, Director of Parks & Recreation
Title:	Resolution to reallocate funds for the Meadow Creek Trail and Bridges Project - \$253,697

Background

The Meadow Creek Trail and Bridge Project will construct a major new ADA trail and bridge along Meadow Creek between Greenbrier Park and the Virginia Institute for Autism. This project is part of the development of the Meadow Creek Valley trail system. Recent construction estimates indicate that the costs to complete the project will exceed the amount originally allocated in the City's Capital Improvement Plan (CIP) for the project. This resolution requests that Council reallocate excess funds from two projects which have been completed and are ready to be closed out.

Discussion

City Council had previously appropriated funds for the basketball court at Washington Park and for drainage work at McIntire Park. Both projects are complete and total project expenses came in under the amount previously appropriated project budget. The Department of Parks and Recreation is requesting the remaining funds for these projects be reallocated to the Meadow Creek Trail and Bridges project.

Alignment with City Council's Vision and Strategic Plan

Charlottesville provides a regional transportation system that increases mobility options and is reliable and affordable for all.

Community Engagement

This trail is part of the City Bicycle, Pedestrian and Trails chapter of the Comprehensive Plan and also in the approved Meadow Creek Valley Master Plan.

Budgetary Impact

This resolution is requesting to reallocate previously appropriated funds from one project to another. No new funds are being requested as a result of this resolution.

Recommendation

Staff recommends approving the resolution to appropriate the funds.

Alternatives

Council could designate another source of funds necessary to complete the project.

Attachments

1. City Council Item Dec 2024 -CIP Transfer Appropriation - MeadowCreekTrailAndBridges

RESOLUTION
Funding Transfer for Meadow Creek Trail and Bridges
\$253,697

WHEREAS, the City of Charlottesville, through Parks and Recreation, has a CIP account for renovation of the Washington Park ball courts; and

WHEREAS, the City of Charlottesville, through Parks and Recreation, has a CIP account for stormwater related improvements at McIntire Park; and

WHEREAS, both projects are complete and have balances remaining in the CIP fund; and

WHEREAS, the City of Charlottesville Parks and Recreation Department requests additional funds for projects in the Meadow Creek Trail and Bridges CIP account;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$253,697.00 is hereby reallocated and appropriated in the following manner:

Transfer From:

\$3,697	Fund: 426	WBS: P-00982	G/L Account: 599999
250,000	Fund: 426	WBS: P-01079	G/L Account: 599999

Transfer to:

\$253,697	Fund: 426	WBS: P-00995	G/L Account: 599999
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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 2, 2024
Action Required:	Approve Resolution to appropriate funding from Existing Parks CIP to Rugby Avenue VDOT funded trail project
Presenter:	Chris Gensic, Park and Trail Planner
Staff Contacts:	Chris Gensic, Park and Trail Planner
Title:	Resolution to reallocate and appropriate Parks and Recreation CIP funds to Rugby Avenue Trail CIP - \$155,000

Background

The Rugby Avenue Trail project has been bid twice and the amount in the bids is higher than what the City has budgeted. VDOT has also advised that the City should plan to add additional funding to cover both the bid gap and to account for contingencies and construction management. These additional funds will allocate a budget for this project that will help to facilitate a successful bid award and ensure that this long standing project can be completed.

Discussion

The project will convert the existing sidewalk from the Rose Hill neighborhood under the 250 bypass into a shared use path to facilitate improved bicycle and pedestrian access through the interchange. The trail will provide access to McIntire Park and the developing 250 bypass trail.

Alignment with City Council's Vision and Strategic Plan

The City provides a regional transportation system that increases mobility options and is relabel and affordable for all.

Community Engagement

This trail poroject is included in the City's Comprehensive Plan, specifically the Bicycle and Pedestrian Plan .

Budgetary Impact

This appropriation reallocates previously appropriated funds from the Parks and Recreation Department Trails project account and the Parks and Recreation Lump Sum account in the City's Capital Improvement Plan (CIP) to the Rugby Avenue Trail project. No additional funding is being requested.

Recommendation

Staff reommends approval of the resolution.

Alternatives

Find another way to build this project, or other sources of funding to add to the account

Attachments

1. City Council Resolution -CIP Transfer Appropriation - RugbyAvenueTrail

RESOLUTION
Funding Transfer for Rugby Avenue Trail
\$155,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has a CIP account for trail development; and

WHEREAS, the City of Charlottesville, through Parks and Recreation, has a Lump Sum CIP account for project contingencies; and

WHEREAS, the City of Charlottesville Parks and Recreation Department requests the reallocation of the funds for the Rugby Avenue Trail project;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$155,00.00 is hereby appropriated in the following manner:

Transfer From:

\$40,000	Fund: 426	WBS: P-00662	G/L Account: 599999
\$115,000	Fund: 426	WBS: PR-002	G/L Account: 599999

Transfer to:

\$155,000	Fund: 426	WBS: P-00977	G/L Account: 599999
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**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 2, 2024
Action Required:	Appropriation of \$389,318 from DHCD for HOPWA Program
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	Resolution to appropriate funding from the Virginia Department of Housing and Community Development, Housing Opportunities for Persons with AIDS/HIV (HOPWA) grant 24-HOPWA-303 in the amount of \$389,312 (1 of 2 readings)

Background

The Office of Community Solutions in coordination with the Blue Ridge Area Coalition on Homelessness (BRACH), applied for and received a grant from the Virginia Department of Housing and Community Development. The Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) award is \$389,312 for July 1, 2023 – March 31, 2025.

Discussion

The City of Charlottesville has staff from Human Services and the Office of Community Solutions serving on the BRACH Board. H.O.P.W.A., is an important resource in our community's efforts to end homelessness. The grant provides services in four key areas in addition to Administration:

1. Tenant-Based Rental Assistance (T.B.R.A.): The Thomas Jefferson Health District (T.J.H.D.) partners with The Haven to provide T.B.R.A. to eligible participants. The T.J.H.D. screens participants for eligibility and inspects the proposed property to ensure that it meets H.U.D. requirements. Upon successful screening, The Haven contacts the landlord to arrange monthly rent payment, similar to rapid re-housing.
2. Short-term Rental, Mortgage and Utility Assistance: T.J.H.D. screens eligible participants for short-term assistance including emergency utility payments to avoid shut off.
3. Supportive Services: T.J.H.D. provides supportive services including crisis intervention, case management and service referrals.
4. Homeless Management Information System(H.M.I.S.): The City of Charlottesville as the award recipient will ensure that H.M.I.S. data is complete through an agreement with B.R.A.C.H. to have the Executive Director ensure data quality. Our Continuum of Care (C.O.C.) has a well-populated database for individuals experiencing homelessness. HMIS collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of H.M.I.S. among T.J.A.C.H. C.o.C. Service Providers expedites communication and reduces the need to interface disparate documentation systems.

5. Administration: The City of Charlottesville as the award recipient is eligible for an administrative fee up to seven (7) percent of the total award. Staff proposes that we pass these dollars through to T.J.H.D. & The Haven to support the supervision of assigned staff.

Alignment with City Council's Vision and Strategic Plan

This grant advances the City of Charlottesville's 2023 City Council Strategic Plan Framework "to be a place where everyone thrives". More specifically, this grant advances the strategic outcome area, Housing, which indicates "Charlottesville defines access to liveable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through the implementation of the Affordable Housing Plan". The HOPWA funds provided by the Virginia Department of Housing and Community Development provides access to housing supports and services to assist individuals with HIV/AIDS with maintaining housing.

Community Engagement

This grant is the product of extensive engagement of the service provider community for persons experiencing homelessness. This partnership is reflective of the new governance model for B.R.A.C.H. and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (IMPACT).

Budgetary Impact

This grant will be entirely State, and Federal pass-through funds. No local match is required. There is no budget impact for the City of Charlottesville. All funds will be distributed to sub-recipients for service provision.

Recommendation

Staff recommends approval and appropriation of grant funds.

Alternatives

Council may elect to not accept the funds and the community will not have the capacity to administer the following services to persons experiencing a housing crisis while managing AIDS/H.I.V: short-term rental assistance, utility assistance, rapid rehousing, H.M.I.S., and administration.

Attachments

1. 24-HOPWA-303 Resolution

RESOLUTION APPROPRIATING FUNDS
Housing Opportunities for Persons with AIDS/HIV (HOPWA) Grant
\$389,312

WHEREAS, The City of Charlottesville, through the Office of Community Solutions, has received the H.O.P.W.A. Grant from the Virginia Department of Housing and Community Development in the amount of \$389,312;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$389,312 is hereby appropriated in the following manner:

Revenues

\$389,312 Fund: 209 IO: 1900576 G/L: 430120 Federal Pass-Thru State

Expenditures

\$389,312 Fund: 209 IO: 1900576 G/L: 530550 Contracted Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$389,312 in funds from the Virginia Department of Housing and Community Development.

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



Agenda Date:	December 2, 2024
Action Required:	Approval of Resolution
Presenter:	Riaan Anthony, Director of Parks & Recreation
Staff Contacts:	Riaan Anthony, Director of Parks & Recreation Anne Secreast
Title:	Resolution to appropriate BAMA Works Special Event Funding - \$38,700 (1 of 2 readings)

Background

The City of Charlottesville Parks and Recreation, through a partnership with the BAMA Works Fund, has received generous financial sponsorship to host several special events offered to community. This includes two Sunday Sundown events at Washington Park, two Sounds of Summer events, and the annual Downtown Safe Halloween festival on the downtown mall. The BAMA Works Fund provided over \$38,700 in financial support for these events.

Discussion

Sunday Sundown is a free community celebration that provides families and residents to enjoy food, swimming, games, and connection. Sounds of Summer is a free community celebration that offers a chance for families and residents to enjoy music, food, and family-friendly activities in the park. The Downtown Safe Halloween festival is held annually at the Ting Pavilion and includes an afternoon of games, music, Halloween costumes and trick-or-treating on the Downtown Mall.

For each event, Charlottesville Parks & Recreation provided the upfront funds for staff, entertainment and other supplies out of the general fund operating budget. Subsequently, BAMA Works provided a check in support of the events. This item requests appropriation of those funds into the cost center budgets that supported the up-front costs for the events.

The appropriation replacement of these funds is necessary because Parks & Recreation has already expended money from the general fund to produce these events.

Alignment with City Council's Vision and Strategic Plan

Approval of this agenda item aligns directly with Council's vision for Charlottesville Recreation, Arts and Culture which provides, encourages, and supports a wide range of recreation, green space, arts, and cultural programs and opportunities.

Community Engagement

Budgetary Impact

Donation of these funds will reimburse the Parks and Recreation department and the General Fund for the expenses related to holding these special events.

Recommendation

Staff recommends approval of this resolution.

Alternatives

The donation could be returned to the donor and expenses related to these events would be covered using City funds.

Attachments

1. Resolution To Appropriate a Financial Sponsorship from BAMA Works for Special Events

**Resolution To Appropriate a Financial Sponsorship
from BAMA Works for Special Events
\$38,700**

WHEREAS, the City of Charlottesville Parks and Recreation, through a partnership with the BAMA Works Fund, has received generous financial sponsorship to host two Sunday Sundown events at Washington Park, two Sounds of Summer events, and the annual Downtown Safe Halloween festival on the downtown mall;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$38,700 be appropriated in the following manner:

Revenues - \$38,700

Fund: 105	Internal Order: 2000121	G/L Account: 451020
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Expenditures - \$38,700

Fund: 105	Internal Order: 2000121	G/L Account: 599999
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of the donations.



City Manager's Report

*Offices of the City Manager
Elected & Appointed Officials*

12-2-2024

City Manager – Sam Sanders (he/him)

- 11/18 Met with leadership of The Haven to discuss the needs of the unhoused in our community
- 11/19 Participated in the Rivanna Board Meetings with these highlights from each:
 - Rivanna Solid Waste Authority
 - Rivanna has supplied the Blue Ridge Food Bank with a supply of insulated grocery bags for distribution to the public
 - Fiscal Year audit was presented with no finding; the board accepted the audit as presented
 - Presentation of landfill challenge forthcoming with limited alternatives;
 - 21 years of remaining landfill space in VA
 - We currently use a landfill site in Henrico with 17 years of remaining space
 - Looking at alternate resources that are needed and all ideas are on the table
 - Rivanna Water & Sewer Authority
 - Recognition of Dave Tungate for his appointment to serve as the 1st Deputy Director of Rivanna Authorities
 - 10th Annual Imagine a Day Without Water Art Contest
 - Fan Favorite Voting 11/18 – 12/04
 - Link to online voting can be found on the Rivanna [website](#)
 - Announcing winners December 11th
 - Continued a discussion on the regional planning effort, a newly required state effort to have regions discuss water needs collectively and assist one another in solving them
- 11/20 Met with Ben Allen and his team from The Equity Center to discuss community safety initiatives including the interruption of gun violence
- 11/20 Met with leadership of the Blue Ridge Area Coalition on Homelessness to discuss the needs of the unhoused in our community
- 11/21 Attended a joint meeting of the Airport Authority Board and Airport Commission where we celebrated the long tenured service of Stephen Hiss and Don Long
- 11/22 Participated in the Fall Board Meeting of the VA 1st Cities where we reviewed the legislative agenda of the group and heard from multiple speakers on the things we might expect from the General Assembly and Congress

Deputy City Manager for Administration – Eden Ratliff (he/him)

- Deputy Fire Chief Recruitment: Participated in interviews to identify the next leader for the Fire Department's deputy chief position.
- Courthouse Security Mediation: Attended a mediation between the City and County Sheriffs to address security protocols for the new courthouse.

- Election Day Emergency Operations Planning: Facilitated planning efforts to ensure robust emergency operations readiness for Election Day.
- Executive Recruitment: Collaborated with a recruiter to develop detailed recruitment profiles for the City Attorney and Human Resources Director positions.
- Strategic Planning Framework: Continued to support the development of the City's strategic planning framework, working with 112 City Strategists to align priorities with Council's strategic outcome areas.

Office of Communications and Public Engagement (CAPE) – Director Afton Schneider (she/her)

- The 27th annual Grand Illumination is coming up on Friday, December 6th at Ting Pavilion. Folks of all ages can visit the Holiday Market, play games, win prizes, collect cool giveaways at City Hall Plaza, and enjoy live music from local and regional artists during the Holiday Concert. And, we even used ranked choice voting to name the tree this year! Great practice for the City Council primary election next year.
- Our biweekly community newsletter, City Scoop, is now LIVE! You may sign up to receive the newsletter via email [here](#), you can find a link on our website and social media platforms, and you can also find copies in City Hall and at a few locations on the Downtown Mall.
- Reminder: The City's public affairs tv program, Inside Charlottesville, airs every Friday and Sunday at 7:00 PM and every Saturday and Monday at 9:00 AM on Charlottesville TV10 – Comcast Channel 10 in the City of Charlottesville and surrounding counties. We also have a free Roku app for TV10 which folks can find by searching for "Charlottesville TV10" on Roku.
 - December's episode includes "On the Spot" with City Manager Sanders, updates from the Charlottesville Fire and Police departments, Grand Illumination highlights, Parks and Recreation happenings, a recap of the fire department's most recent graduation, education on FOG (fats, oils, and grease) from the Utilities department, and a "Get to Know Your Government" segment with our new Neighborhood Development Services Director, Kellie Brown.

Downtown Job Center – Roy Fitch (he/him)

- Attended the UVA Pipelines & Pathways Career and Community Fair at John Paul Johns Arena on Thurs Nov 14th.
- Attended Race Forward: Facing Race National Conference in St. Louis, MO held Nov 19th – Nov 22nd.

Office of Sustainability – Director Kristel Riddervold (she/her)

- Office of Sustainability is looking forward to participating the upcoming December 6th Grand Illumination event!
- In the spirit of bringing together community members who are interested in sustainability and climate action, the Office of Sustainability and Community Climate Collaborative are hosting a series of Climate Cafés. Climate Cafés are open and inclusive space to share ideas, resources, information, and opportunities for local and regional action. December's café will spotlight Generation 180's advocacy tools and resources as our featured partner in our discussion on "all things EVs", focusing on increasing access to electric vehicles, expanding existing charging infrastructure, and improving transportation equity. Join the discussion on Friday, December 13th from 9:30 to 10:30 AM at The Bradbury! Register [HERE](#).
- Imagine a Day without Water Art Contest Fan Favorite Voting - The City Water Conservation Program, in collaboration with Albemarle County Service Authority and Rivanna Water & Sewer Authority, is asking the community to help select the fan favorite in the 10th annual Imagine a Day without Water Art Contest. The 2024 contest challenged youth to show us "What's Your Drop in the Bucket" in their artistic creations, and they got some inspiring submissions. Voting closes December 4th and winners will be announced December 11th. To learn more about the campaign and vote for your favorite entry, visit Charlottesville.gov/ArtContest.
- Two electric school buses, funded in part by federal Clean School Bus Program rebates, were purchased by CAT in November; anticipating delivery in summer/fall 2025.
- The Climate Program applied for and was awarded a federal Clean Bus Planning Award through the National Renewable Energy Lab. This award will provide free technical assistance in developing a Charlottesville school bus electrification plan. The project kicked off in November and is anticipated to be completed in six months.
- The Climate Program Manager participated in a presentation on the Importance of Local Climate Action to the Charlottesville Regional Chamber of Commerce's Leaders Lab participants. Other program participants were representatives from the Community Climate Collaborative and Albemarle County's Climate Program.
- The Resilient Together Project Team gave a project update to a joint session of the City of Charlottesville and Albemarle County Planning Commissions. Prior to the presentation, the RT Team released a [progress update report](#).
- The Climate Program provided a programmatic update as well as a Resilient Together update at the November meeting of the of the Land Use and Environmental Planning Committee (LUEPC).

Office of Human Rights – Director Todd Niemeier (he/him)

- The Office of Human Rights (OHR) continues to work with the federal department of Housing and Urban Development (HUD) toward interim certification as a Fair Housing Assistance Program (FHAP). In November, HUD requested that the OHR make additional changes to the Charlottesville Human Rights Ordinance prior to interim certification. OHR staff anticipates presenting the recommended changes to Council in January 2025, pending a prior informal review by HUD.
- The Human Rights Commission is finalizing its annual policy recommendations for City Council. In December 2024, Commissioners intend to present their recommendations, focusing specifically on housing, services for people experiencing homelessness, and eviction prevention.
- The OHR has opened eleven cases of discrimination in calendar year 2024, as of the date of submission of this report. Details regarding the casework of the office can be found in the monthly reports presented to the Human Rights Commission as part of the regular meeting agenda packets.

Office of Finance – Director Chris Cullinan (he/him)

- Algreatus Batton, Centralized Safety Coordinator in Risk Management, successfully completed his Associate Safety Professional (ASP) credential from Board of Certified Safety Professionals (BCSP) that signifies a professional's foundational knowledge of safety, health, and environmental (SHE) principles. The ASP certification is a globally recognized credential for professionals dedicated to improving workplace safety. It validates expertise in critical areas such as risk assessment, hazard control, safety management systems, incident investigation, and regulatory compliance.
- For the second year in a row, the City has received the Award for Outstanding Achievement in Popular Annual Financial Reporting to the City of Charlottesville for its Popular Annual Financial Report (PAFR) for the fiscal year ended June 30, 2023 from the Government Finance Officers Association (GFOA). This award, in conjunction with awards for budgeting and financial reporting, places the City as one of only 300 “Triple Crown” winners of GFOA’s most prestigious awards from amongst 21,000 member jurisdictions. The PAFR can be found on the Finance Department’s website under “Financial Reports”. Special recognition goes to Philip Spence for his time and efforts to produce the PAFR in accordance with the award guidelines.

Circuit Court Clerk's Office – Llezelle Agustin Dugger (she/her)

- The Bureau of Justice Assistance of the Office of Justice Program of the U.S. Department of Justice selected the Charlottesville Circuit Court to receive training and technical assistance (TTA) through their Price of Justice: Rethinking the Consequences of Fines and Fees Program. This is a two-year commitment from DOJ, and only five cities are selected nationwide.

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



Agenda Date:	December 2, 2024
Action Required:	Approval of Ordinance
Presenter:	James Freas, Deputy City Manager
Staff Contacts:	Brennen Duncan, Traffic Engineer
Title:	Ordinance amending City Code Section 15-144 (Parking of buses, trucks, etc. between midnight and 6:00 a.m.) (2nd reading)

Background

Currently, City Code Sec. 15-144 prohibits the overnight parking of certain vehicles on City rights-of-way between the hours of 12:00 midnight and 6:00 am. Specifically, the Code Section prohibits the parking of buses or vans designed to carry more than twelve passengers, trucks, vans, trailers, semitrailers, or recreational vehicles with more than two wheels per axle.

The revised code section seeks to expand the list of prohibited vehicles by adding: semi trucks, vehicles with antique plates, vehicles with farm use plates, boats, and recreational vehicles.

The revised code section would also prohibit the covering or tarping of a vehicle or trailer in such a manner that restricts or impedes inspection of the vehicle's license plate and state inspection within the City limits at any time.

The revised code section also contains a provision which would prohibit a person, business, or corporation from performing service or repairs on a vehicle parked on a public street within the City, or to store or park any motor vehicle left in the custody of a business on City rights-of way.

Discussion

The Code revision addresses issues that arise due to larger vehicles being parked on City rights-of-way, particularly in neighborhoods with limited on-street parking. Current City Code provisions prohibit the parking of inoperable or abandoned vehicles upon City rights-of way. City residents complain that people circumvent this prohibition by covering the vehicle with a tarp or cover. Authorizing City staff or police to remove these tarps could raise Fourth Amendment concerns of an unconstitutional search. A blanket prohibition on tarps is narrowly-tailored to allow the City to monitor and enforce the City's existing prohibition on inoperable or abandoned cars without violating residents' Constitutional rights.

The Code revision also supports the goals of the recent zoning code changes that removed many of the City's parking requirements. In order to better utilize our city's inventory of on street parking, this code change seeks to eliminate those functions that are used for storage purposes rather than daily parking demands.

Alignment with City Council's Vision and Strategic Plan

Community Engagement

N/A

Budgetary Impact

N/A

Recommendation

Staff recommends approval of ordinance

Alternatives

N/A

Attachments

1. Parking Memo
2. ORD - Amend Chapter 15-144 overnight parking 10.16.24
3. ORD - Amend Chapter 15-144 overnight parking 11.27.24 (redline) 4930-5533-9521 v.3
4. ORD - Amend Chapter 15-144 overnight parking 11.27.24 (clean) 4930-5533-9521 v.4



TO: City Council

FROM: Brennen Duncan, City Engineer

DATE: November 22, 2024

SUBJECT: Parking Code Change

On Monday November 18th the first reading for a parking code change came before you. Upon completion of that city council meeting, I felt the need to further explain the purpose of the code change as well as lay out staff's priorities with regards to the changes being proposed.

As City Council, I would like to request that you consider three questions, "what is the purpose of on-street parking", "are we going to continue to act like a small town or begin to act like a denser city", and "should the city street be used as storage for personal property?" These are not a black and white questions, but I do think they frame the argument for what staff is requesting with this code change. Ultimately, City Council will be deciding what uses should be allowed and what will not.

In my nearly a decade of working with the city, staff has received numerous complaints surrounding this topic of parking. Most of these complaints come from areas of the city where parking is very tight. There are either more homes per block then there are parking spaces, or at times, residents have 5-6 vehicles per residence that reduces the available parking. Some residents feel that they literally own the parking spot directly in front of their house and no one should have the right to park there except them. Staff receives complaints about covered vehicles that they feel have been abandoned, but as has been laid out, there are constitutional questions surrounding determining whether that is the case. Staff receives regular complaints about repair shops using the street parking as their own parking lot, shuttling vehicles between their workshop and the road frequently. Boats, RVs and trailers are another frequent complaint as they take up valuable parking spaces in some of those tight neighborhoods, or in some cases, owners will go to park them on a different street then they live on as to not irritate their immediate neighbors while infuriating other residents in the city that the parking on their street is now being taken by a stagnant use. Historically, staff has had no recourse to address these citizen complaints. If a vehicle was either covered, or had current plate and inspection, it was legal to park on the street.

With this code change, staff is looking for a way to deal with complaints. We are not anticipating this will become a regular point of emphasis for CPD to go out looking for violations, but rather a mechanism in which staff can address these complaints when they arise. Council was correct to point out that many portions of the city do not have parking issues and a RV, trailer or tarped vehicle have little impact on the surrounding residents. There are, however, many streets in the city where even losing a single parking space on a street might mean that residents must park and walk many blocks. I've received countless stories from residents that they're reluctant to even go to the store because by the time they return, their parking space will have been taken and they'll have to carry groceries blocks to their house.

In my opening I asked you to consider the question of whether Charlottesville will continue to operate as a town or continue its transition toward being a city. This last year council passed the new zoning code which will begin pushing us

toward denser development. Staff has already begun to see applications for lots that will add anywhere from 3-8 units on a given parcel. There are a lot of streets that do not have parking issues today, but it will only take 1-2 of these lots on a block to develop to quickly create a localized parking problem. The zoning code removed the parking requirements for developments which makes those on-street parking spaces even more valuable for those residents who do still rely on their vehicle to get around town, go to work, go shopping, etc.

Staff recognizes that council may not adopt this ordinance as written, so I would like to lay out the priority items and the reasoning behind them:

1. Semi-trucks/bus/15 passenger vans/vehicles with more than 2 wheels per axle - All these uses were already prohibited by the existing code section. The only change that was made was to exempt School busses and school vans from this section.
2. Tarped vehicles - Tarped vehicles have been a longstanding problem within the city. We have ordinances around inoperable/unregistered/no license plate/etc... but our attorneys have said that police cannot lift a tarp off a car to determine if any of those conditions apply as an illegal search. We also have a limit to how many tarped vehicles you can have on your own property, but not in the street which allows some citizens to have 3 or more cars tarped on the street in front of their residence (or maybe not even in front of their residence but rather a neighbor).
3. Service repairs - staff receives regular complaints from citizens about a handful of car repair businesses filling up parking with vehicles that are waiting to be worked on. There may be a small outcry from those few businesses but should have widespread support from the public.
4. Farm Use - We are an urban environment and the state rules around Farm Use plates already would prohibit their use in the city. The code section doesn't go so far as to say they can't drive in the city, just that you cannot park them in the city overnight.
5. Antique plates - The addition of this item stems from two main issues. 1) Antique vehicles per state code § 46.2-730. *License plates for antique motor vehicles and antique trailers "...shall not be used for general transportation purposes, including, but not limited to, daily travel to and from the owner's place of employment..."* There are other restrictions explicitly laid out in the code section if council wishes to take a closer look. It is therefore staff's opinion that they are inherently a recreational vehicle or hobby and should therefore not be taking up public parking that we want to utilize for the active turnover of vehicles. 2) Antique vehicles do not have to go through an annualized registration or tagging process so determining if we have inoperable vehicles just being left in the roadway can be extremely difficult.

Subsequently, the state code requires that someone have a primary vehicle that does not have an antique license plate. If residents do prefer to drive their antique vehicles as their everyday driver, they can receive a regular license plate and go through inspections like all the other vehicles that drive on our streets.

There will likely be a public outcry for this item as many people currently abuse the system and regularly drive antique vehicles as their primary car. This code change will not outright restrict people from doing so but will at least say that if you're going to do it, you at least have to park the car on your own property which will eliminate the second case of abandoned/inoperable vehicles left on the street with the antique tag.

6. Boats/RVs - Boats and RVs are not a necessary transportation need within the city, so currently we are subsidizing hobbies at the expense of our overall parking needs.
7. Trailers - Staff anticipates comments regarding trailers and their use with small businesses. As an example, someone may have a landscaping business that they run and don't have a building they can store their equipment at, so it just stays on their trailer in front of their residence. We also have many residents that just store a trailer for personal use in-front of their home in case they need it.

If council wishes to keep this in the code while lessening the potential impact to small businesses, you could propose the language be changed to "trailers that are not attached to a vehicle". This would allow trailers that

are used daily for work purposes to remain attached to the main vehicle but would not allow the storage of a trailer by itself.

I hope that all of this background information assists council as they consider these parking changes set forth in the code change.

Respectfully,

A handwritten signature in black ink, appearing to read 'Brennen Duncan', written over a light blue rectangular background.

Brennen Duncan, City Engineer

cc: Steven Hicks, Public Works Director
Samuel Sanders, City Manager
James Freas, Deputy City Manager

AN ORDINANCE TO AMEND CITY CODE
CHAPTER 15, SECTION 1449, PERSONNEL
~~SECTIONS 19-96 and 19-150~~

WHEREAS, certain neighborhoods within the City of Charlottesville have limited on-street parking, which is further exasperated by the parking of large vehicles or inoperable vehicles on City rights-of-way; and

WHEREAS, currently Section 15-144 of the Code of the City of Charlottesville prohibits the parking of certain vehicles on City rights-of-way between the hours of midnight and 6:00 am, including buses or vans designed to carry more than twelve passengers, trucks, vans, trailers, semitrailers, or recreational vehicles with more than two wheels per axle; and~~current members of the Charlottesville Fire Department (“CFD”) classified as firefighters/emergency medical services (EMS) providers and enrolled in the Defined Benefit (pension) plan receive a public safety supplement if they retire with at least twenty (20) years of service; and~~

WHEREAS, the current version of City Code Section 15-144 does not include certain other large vehicles, and does not prohibit the practice of covering or tarping vehicles, such that City staff is unable to determine whether a vehicle is inoperable; and

WHEREAS, the revised version of City Code Section 15-144 seeks to prohibit the overnight parking of certain other large vehicles, including boats, vehicles with antique plates, and vehicles with farm use plates; and seeks to prohibit the practice of covering or tarping cars in a manner that restricts inspection of the vehicles license plate and state inspection.

WHEREAS ~~the CFD intends to hire EMS-only employees and would like to extend the same public safety pension supplement under the same provisions to those employees; and~~

WHEREAS, ~~several localities across the Commonwealth have begun hiring “single-role” or “EMS-only” personnel to meet service and staffing demands; and~~

~~WHEREAS, the CFD made a presentation to the Retirement Commission on May 22, 2024, and the Commission determined that providing the public safety pension supplement to EMS-only employees is consistent with the intent of the retirement benefit and necessary to maintain competitive recruitment and retention practices; and~~

~~WHEREAS, the CFD has faced challenges with recruiting due to a shortage of firefighters and EMS providers, and current standards that require all CFD employees to be trained as firefighters and EMS providers may deter potential applicants, and providing an EMS-only position may attract a broader pool of candidates focused on EMS roles;~~

THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Chapter 1~~59~~ Personnel, Section ~~144s 19-96 and 19-150~~ of the Code of the City of Charlottesville, 1990, as amended, ~~be and hereby~~ is hereby amended and reenacted as follows:

Sec. 15-144. Parking of busses, trucks, etc., between midnight and 6:00 a.m.

No bus or van designed to carry more than twelve (12) passengers and no truck, van, trailer, semitrailer or recreational vehicle with more than two (2) wheels per axle shall be parked on any of the streets of the city between the hours of 12:00 midnight and 6:00 a.m. following of any day.

(Code 1976, § 16-39)

Sec. 15-144(revised). Parking of restricted vehicles

(1) No vehicles listed shall be parked on any of the streets of the city of Charlottesville between the hours of midnight and 6:00 a.m.

a. Semi trucks

b. Bus or van designed to carry more than (12) twelve passengers (exception for City School Busses or Vans)

c. Vehicles with antique plates

d. Vehicles with farm use plates

e. Boats

f. Recreational Vehicles

g. Trailers

h. Any vehicle with more than two (2) wheels per axle

(2) No vehicles or trailers shall be covered with a tarp or cover that would restrict inspection of the vehicles license plate and state inspection within the city streets at any time.

(3) It shall be unlawful for any person, business or corporation to perform service or repairs on a vehicle parked on a public street within the City, or to store or park on any public street, any motor vehicle left in the custody of any business; provided however, that this section shall not apply to emergency service or repairs; vehicle owners performing minor service or repairs on their respective vehicles otherwise legally parked and operative; or the accommodation for the immediate transfer, exchange or removal of a vehicle to or from a garage, repair shop, service or parking facility.

Legend: Deleted language

_____ New language

Aye No
Payne
_____, 2024
Pinkston
Snook
Wade
Oschrin

Approved by Council
November~~September~~

Kyna Thomas, MMC
Clerk of Council

Suggested Motion: I move that Chapter 1~~59 Personnel~~, Sections 1~~449-96 and 19-150~~, of the Code of the City of Charlottesville be amended and reenacted.

~~Legend: Deleted language~~
~~_____ New language~~

**AN ORDINANCE TO AMEND CITY CODE
CHAPTER 15, SECTION 144**

WHEREAS, certain ~~neighborhoods~~areas within the City of Charlottesville have limited on-street parking, which is further exa~~c~~sperbated by the parking of large vehicles or inoperable vehicles on City ~~rights-of-way~~streets; and

WHEREAS, currently Section 15-144 of the Code of the City of Charlottesville prohibits the parking of certain vehicles on City ~~rights-of-way~~streets between the hours of midnight and 6:00 a.m., including ~~busses~~buses or vans designed to carry more than twelve passengers, trucks, vans, trailers, semitrailers, or recreational vehicles with more than two wheels per axle; and

WHEREAS, the current version of City Code Section 15-144 does not include certain other large vehicles, and does not prohibit the practice of covering or tarping vehicles, such that ~~C~~city staff is unable to determine whether a vehicle is inoperable; and

WHEREAS, the revised version of City Code Section 15-144 seeks to prohibit the overnight parking of certain other large vehicles, including boats, vehicles with antique plates, and vehicles ~~for~~with farm use~~-plates~~; and seeks to prohibit the practice of covering or tarping cars in a manner that restricts inspection of the ~~vehicles~~-license plate ~~and~~or state inspection decal.

THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Chapter 15 ~~Personnel~~Motor Vehicles and Traffic, Section 144 of the Code of the City of Charlottesville, 1990, as amended, is hereby amended and reenacted as follows:

Sec. 15-144. Parking of ~~busses~~buses, trucks, etc., between midnight and 6:00 a.m.

~~No bus or van designed to carry more than twelve (12) passengers and no truck, van, trailer, semitrailer or recreational vehicle with more than two (2) wheels per axle shall be parked on any of the streets of the city between the hours of 12:00 midnight and 6:00 a.m. following of any day.~~

~~(Code 1976, § 16-39)~~

Sec. 15-144 (revised). Parking and covering of restricted vehicles

- (1) No vehicles or trailer listed below shall be parked on any of the public streets of the city between the hours of midnight and 6:00 a.m.
 - a. Semi-~~truck~~ or semitrailer trucks
 - b. Bus or van designed to carry more than (12) twelve passengers (~~exception for city Sschool bBussesBuses andor Vvans excepted~~)
 - c. Vehicles with antique license plates
 - d. Vehicles with F-tag farm uselicense plates or Farm Use placard
 - e. Boats
 - f. Recreational yVehicles, as defined in Sec. 34-1200 of the City Code
 - g. Trailers
 - h. Any vehicle or trailer with more than two (2) wheels per axle
- (2) No vehicles ~~or trailers~~ parked on a public street of the city shall be covered with a tarp or cover that ~~would restrict~~ inspection of the vehicle's or trailer's license plate ~~andor~~ state inspection decal~~within the city streets at any time.~~
- (3) It shall be unlawful for any person, business or corporation to perform service or repairs on a vehicle parked on a public street within the ~~C~~city, or to store or park on any public street, any motor vehicle left in the custody of any business; provided however, that this section shall not apply to emergency service or repairs; vehicle owners performing minor service or repairs on their respective vehicles otherwise legally parked and operative; or the accommodation for the immediate transfer, exchange or removal of a vehicle to or from a garage, repair shop, service station or parking facility.

Legend: Deleted language
New language

	<u>Aye</u>	<u>No</u>
Payne		
Pinkston		
Snook		
Wade		
Oschrin		

Approved by Council
November ____, 2024

Kyna Thomas, MMC
Clerk of Council

Suggested Motion: I move that Chapter 15, Sections 144, of the Code of the City of Charlottesville be amended and reenacted.

**AN ORDINANCE TO AMEND CITY CODE
CHAPTER 15, SECTION 144**

WHEREAS, certain areas within the City of Charlottesville have limited on-street parking, which is further exacerbated by the parking of large vehicles or inoperable vehicles on City streets; and

WHEREAS, currently Section 15-144 of the Code of the City of Charlottesville prohibits the parking of certain vehicles on City streets between the hours of midnight and 6:00 a.m., including buses or vans designed to carry more than twelve passengers, trucks, vans, trailers, semitrailers, or recreational vehicles with more than two wheels per axle; and

WHEREAS, the current version of City Code Section 15-144 does not include certain other large vehicles, and does not prohibit the practice of covering or tarping vehicles, such that city staff is unable to determine whether a vehicle is inoperable; and

WHEREAS, the revised version of City Code Section 15-144 seeks to prohibit the overnight parking of certain other large vehicles, including boats, vehicles with antique plates, and vehicles for farm use; and seeks to prohibit the practice of covering or tarping cars in a manner that restricts inspection of the license plate or state inspection decal.

THEREFORE, BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Chapter 15 Motor Vehicles and Traffic, Section 144 of the Code of the City of Charlottesville, 1990, as amended, is hereby amended and reenacted as follows:

Sec. 15-144 (revised). Parking and covering of restricted vehicles

- (1) No vehicle or trailer listed below shall be parked on any of the public streets of the city between the hours of midnight and 6:00 a.m.
- a. Semi-truck or semitrailer truck
 - b. Bus or van designed to carry more than (12) twelve passengers (city school buses and vans excepted)
 - c. Vehicle with antique license plate
 - d. Vehicle with F-tag license plate or Farm Use placard
 - e. Boat
 - f. Recreational vehicle, as defined in Sec. 34-1200 of the City Code
 - g. Trailer
 - h. Any vehicle or trailer with more than two (2) wheels per axle
- (2) No vehicle or trailer parked on a public street of the city shall be covered with a tarp or cover that restricts inspection of the vehicle's or trailer's license plate or state inspection decal.
- (3) It shall be unlawful for any person, business or corporation to perform service or repairs on a vehicle parked on a public street within the city, or to store or park on any public street, any motor vehicle left in the custody of any business; provided however, that this section shall not apply to emergency service or repairs; vehicle owners performing minor service or repairs on their respective vehicles otherwise legally parked and operative; or the accommodation for the immediate transfer, exchange or removal of a vehicle to or from a garage, repair shop, service station or parking facility.

Aye No
Payne
Pinkston
Snook
Wade
Oschrin

Approved by Council
November ____, 2024

Kyna Thomas, MMC
Clerk of Council

Suggested Motion: I move that Chapter 15, Sections 144, of the Code of the City of Charlottesville be amended and reenacted.

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



Agenda Date:	December 2, 2024
Action Required:	Approve Resolution
Presenter:	James Freas, Deputy City Manager
Staff Contacts:	Steven Hicks, Director of Public Works
Title:	Resolution for VDOT Portfolio SmartScale re-allocation, cancelation, project development agreement termination, and revised projects scope

Background

On May 16, 2005, the City entered into an agreement with the Virginia Department of Transportation (VDOT) to participate in the Urban Construction Initiative (UCI) (also known as the First Cities Initiative). Through this program, the City is responsible for administering its urban system construction program, consisting of design, right-of-way acquisition, utility relocation, and construction. The roadway program is funded through local funding and a variety of state and federal grant programs (including Smart Scale, the VDOT Revenue Sharing Program, the State of Good Repair Program, and the Virginia Highway Safety Improvements Program). VDOT continues to be an important partner providing guidance, oversight in coordination with the Federal Highway Administration and other regulatory agencies, authorization to advance projects throughout the development process, and assistance with the aforementioned grant opportunities. The City may also request for VDOT to provide support activities such as surveying, environmental assessments, and consideration of cultural and historic resources. In some cases, VDOT administers a local project in its totality to allow the City to focus on the successful delivery of other, mutually-agreed upon projects in a timely manner. Consistent with these principles, City Council approved a resolution on July 15, 2024, to authorize the City Manager to sign and execute a Memorandum of Agreement (MOA) between the City and VDOT, allowing VDOT to lead in the administration of City transportation projects on a case-by-case basis.

Discussion

Since 2005, the City's transportation program has grown to 34 projects totaling approximately \$185 million. City staff actively evaluates the overall portfolio of projects in relation to key variables including current and future local funding obligations, schedule commitments and deadlines, staffing capacity, and the spectrum of current and forecasted bidding and pricing factors within the transportation industry. A work session with City Council and the Planning Commission was held on May 24, 2022, to identify steps forward to ensure priority transportation projects are allocated the necessary resources to steadily advance. As a result, on June 6, 2022, Council passed a resolution to allow VDOT to exercise project oversight of the Route 250/Hydraulic Road Turn Lane Extension Project. The resolution also authorized the City Manager to cancel the West Main Streetscape project (Phases 1, 2 & 3), Emmet Street Signal Coordination project, Pedestrian Improvements at Monticello

Avenue/Ridge Street project, and Preston Avenue/Grady Avenue Intersection Improvements project. Similarly, a work session with City Council was held on November 4, 2024, to provide an overview of the Transportation Project Portfolio, including project schedules and cost estimates. During the work session, staff provided an overview of all Smart Scale projects and identified projects, discussed below, that were over budget. This resulted in a recommendation to cancel the Emmet Street Phase II project and the 5th Street SW and Ridge project, in order to redistribute the funds to other active Smart Scale projects with funding deficits. In addition, staff recommended that the Fontaine Avenue project be managed by VDOT.

1) Fontaine Avenue Streetscape (UPC 109484) (Request VDOT Administer with revised scope)
The original project scope included a three-lane roadway with 10-12' wide median strips with trees where median width allows and two dedicated left turn lanes; a 5' sidewalk; 6' landscape and tree buffer; 6' curb and 5' bike lanes on both sides of the street; improvements regarding access for those with disabilities; rapid-flash beacons at one intersection; and significant pedestrian-scale lighting. The cost estimate for this original project scope has increased to \$32 million, which is \$18 million over budget.

Staff reviewed the project to identify opportunities to reduce the project's cost while maintaining the primary project objectives. Staff recommended staying within the existing right of way as much as possible by removing parking on one side of the street to facilitate a shared use path in lieu of creating new buffered bike lanes. With this and other recommended changes, the new cost estimate is \$24,940,000, with current funding of \$17,927,000. The remaining balance of \$7,013,000 will be met through the reallocation of current funding from the Emmet Street Phase II and/or 5th Street SW and Ridge projects.

2) Emmet Streetscape – Phase II Smart Scale project (UPC 118867) (Cancel)
The proposed project would provide bicycle and pedestrian accommodations along Emmet Street between Arlington Boulevard and Barracks Road to include a shared use path. Emmet Street Phase II is scheduled to begin preliminary engineering in 2026. The current funding is inadequate to deliver the proposed scope and any reductions in the project scope will not accomplish the project goals. The current funding allocation for the project is \$20,465,000. These funds will be considered for reallocation to other Smart Scale projects currently under design.

3) 5th Street SW and Ridge Smart Scale project (UPC 124409) (Cancel)
The proposed project would provide multi-modal improvements along the Ridge Street Corridor to include sidewalk and curb ramp upgrades, signal improvements on Monticello Road, curb extensions on Ridge, Dice, and Oak Streets. The 5th Street SW and Ridge project is scheduled to begin preliminary engineering in 2025. City staff met with VDOT staff to discuss potential reductions in the project scope that could allow the project to be accomplished with current funding, but it was determined that such design changes would not meet the original intent of the project while also remaining within the budget. The current funding allocated to the project is \$14,841,054. These funds will be considered for redistribution to other Smart Scale projects currently under design.

4) Barracks Road/Emmet Street SmartScale project (UPC 111796) (Revised scope)

The original project scope would create additional right turn lanes in the northbound Emmet Street (Route 29) corridor and westbound Barracks Road. A shared use path would also be constructed along Emmet Street south of Barracks Road and a shared use path, or climbing lane, would be constructed on the south side of Barracks Road toward Hilltop Road. In addition, pedestrian refuge islands were proposed at the south crossing of Emmet Street and the east crossing of Barracks Road. The cost of this project is estimated to be \$17 million.

Staff reviewed the project to reduce the project cost to be in line with the current budget. Staff recommended to revise the scope to widen the existing sidewalk along Barracks Road to 6 feet, rather than creating a shared use path, eliminating the need for retaining walls and tree removal. All proposed improvements to the intersection remain unchanged. With this reduced scope, the cost estimate of the project is \$7,854,358. Currently, \$9,136,000 is budgeted for the project; the remaining balance of \$1,281,642 would remain with this project to offset any expenses related to right-of-way acquisitions and construction contingencies.

5) Emmet Street Smart Scale (UPC 109551) (no changes to scope)

The project scope includes a multimodal streetscape with a shared use path between Ivy Road and Arlington Boulevard. The cost estimate is \$23,019,581, with current funding of \$17,735,226. The remaining balance of \$5,284,355 will be met through the reallocation of current funding from Emmet Street Phase II and/or 5th Street SW and Ridge projects.

6) East High Smart Scale (UPC 109480) (no changes to scope)

The project scope includes expanding pedestrian and bicycle accessibility associated with the Belmont Bridge along East High Street to Locust Avenue. The cost estimate is \$15,666,248, with current funding of \$10,260,916. The remaining balance of \$5,405,322 will be met through the redistribution of funds from Emmet Street Phase II and/or 5th Street SW and Ridge projects.

Alignment with City Council's Vision and Strategic Plan

The work of this proposal is closely aligned with City Council's vision of the City of Charlottesville as a community in which everyone can thrive, and specifically with the strategic plan to provide a regional transportation system that increases mobility options and is reliable and affordable for all

Community Engagement

Each of these projects and their design, construction, and costs have been the subject of public meetings. Staff plans to hold additional public meetings regarding Fontaine Avenue and Barracks Road/Emmet Street to share the revised scope of these projects.

Budgetary Impact

Staff is working with VDOT to reallocate approximately \$20 million from the current funding sources from Emmet Street Phase II and 5th Street SW and Ridge projects. These funds will be reallocated to Fontaine Avenue, Emmet Street, and East High Street. Some additional appropriations will be necessary in the future.

Recommendation

Staff recommends approval of the resolution.

Alternatives

Council could choose not to approve the resolution.

Attachments

1. RESOLUTION - VDOT projects 12.2.24

RESOLUTION

Authorizing changes to or cancellation of various state-funded transportation projects locally administered by the City of Charlottesville

WHEREAS, the Virginia Department of Transportation (VDOT) and the City of Charlottesville are committed to the delivery of transportation projects for the public's benefit and use;

WHEREAS, the City desires to reduce the number of projects for which local administration is required by contract or agreement with VDOT;

WHEREAS, the City desires to reallocate funding from canceled or revised projects to other high-priority transportation projects; now, therefore:

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

1) Council hereby authorizes termination of the City/VDOT Project Development Agreement dated September 22, 2016;

2) The City Manager is authorized to request that VDOT administer the Fontaine Avenue Streetscape project (UPC 109484) per the City/VDOT Memorandum of Agreement dated July 15, 2024, with a revised scope;

3) The City Manager is authorized to cancel the Emmet Streetscape – Phase II Smart Scale project (UPC 118867);

4) The City Manager is authorized to cancel the 5th Street SW and Ridge Smart Scale project (UPC 124409); and

5) The City Manager is hereby authorized to execute all documents and to take any and all other actions as may be necessary to cancel or terminate locally administered project agreements, to cancel or terminate grant agreements, revise a project's scope, and to take any other lawful actions necessary to implement the actions authorized by this Resolution.

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



Agenda Date:	December 2, 2024
Action Required:	Approve resolution adopting revisions to the Architectural Design Control (ADC) Districts Design Guidelines: Chapter 5, Section E. Outdoor Cafés
Presenter:	Jeffrey Werner, Historic Preservation and Design Planner
Staff Contacts:	Jeffrey Werner, Historic Preservation and Design Planner Kellie Brown, Director of NDS Kate Richardson, Assistant Historic Preservation & Design Planner
Title:	Resolution for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes (Carried over from the November 18, 2024 meeting)

Background

On the Downtown Mall and The [University] Corner, the City leases segments of the public right of way to businesses to use as café spaces. Both areas are within City-designated ADC Districts and therefore subject to BAR design review. [\[See maps in Attachment 2 or GIS Link: Charlottesville City Cafés Dashboard\]](#) The ADC District Design Guidelines (“Design Guidelines”) for Outdoor Cafés were adopted by City Council in 2012. [\[Link: Chapter 5 Signs, Awnings, Vending, and Cafes\]](#) Per City Code Chapter 34, Sec. 5.1.5.C.1.v., the BAR is required to periodically review the design guidelines and recommend to City Council, for formal adoption, any updates or revisions.

In order to better align the guidelines with how the café spaces have evolved and allow time for Council to adopt any proposed revisions ahead of March 1, 2025, when café leases will next be renewed, preservation and design staff requested the BAR review the Design Guidelines for Outdoor Cafés and make a subsequent recommendation to City Council.

Following two advertised work sessions, at its meeting on October 15, 2024 the BAR voted (8-0) to recommend Council approve the proposed revisions to the Design Guidelines for Outdoor Cafés. [\[Link: October 15, 2024 BAR Staff Report- Agenda item E, 5.\]](#)

City Council is being asked to formally adopt, by resolution (see Attachment 1), the proposed revisions.

Discussion

Per City Code Chapter 28, Sec. 213, leased café spaces require an annual permit issued by the Zoning Administrator. For spaces within an ADC District, that permit requires a design review CoA for the elements within the leased space, such as furniture, planters, and railings. As currently applied, for cafes with elements that meet the guidelines, the CoA can be issued administratively (a *Minor Historic Review*, per Chapter 34,

Sec. 5.2.6.), with the option for a formal BAR review, if warranted (a *Major Historic Review*, per Chapter 34, Sec. 5.2.7.). Additionally, while café permits and leases [issued by zoning] are reviewed and renewed annually, the design review CoA has been a one-time approval, with updates required only if elements change, a space has a new lease, or there is a change in ownership of the business operating the café. That practice will continue.

On September 17, 2024, and October 1, 2024, the BAR held advertised work sessions regarding the guidelines for Outdoor Cafés. To help evaluate revisions to specific elements, the BAR established a list of broad, guiding principles, which are incorporated into the proposed guidelines. The overarching principle that guided the BAR's discussions: **Elements within leased cafe spaces should be subordinate to the experience and treatment of the surrounding public space.** The specific list of guiding principles is available in full detail within the October BAR staff report.

The proposed updates aim to address the evolution of outdoor cafés in Charlottesville by bringing the guidelines up to date in areas of lighting technology, current private use, public access, and to reaffirm the historic integrity of the districts in which these cafés are located. The text of the proposed changes is provided in Attachment 1.

Regarding the continued use of elements *inconsistent with the guidelines*: The BAR instructed staff to develop guidelines that can immediately mitigate obvious visual clutter (for example, tall elements that obstruct pedestrian views), while accommodating incremental adaptation such that businesses with currently leased spaces can continue to use existing furniture and enclosure railings. The proposed guidelines revisions strike that balance.

Elements inconsistent with the guidelines and currently in place within a leased space that can remain are as noted below:

- Railings/enclosures (provided they are ADA compliant).
- Tables and chairs, including dining counters, bars, and barstools.
- Service furniture and cabinets.
- Umbrellas, provided that open umbrellas are entirely within the leased space/enclosure. (Note: Height of umbrellas and location within the space are requirements of the zoning ordinance. This includes a requirement that the umbrella--frame and fabric, when opened or closed--is entirely within the leased space/enclosure.)
- Planters that meet the guidelines, provided they are located entirely within the leased space/enclosure. (Note: Location entirely within the space is a requirement of the zoning ordinance.)
- Wood, full/entire casks or barrels.
- Bizou (119 W Main Street): The existing tan and chrome chairs, such that any new or replacement chairs should be similar; not require the new be black or silvertone. *
- The Fitzroy (120 E Main Street): The existing black, composite material furniture such that any new or replacement should be of a similar material and color; not require the new be metal. *

*In the event of a change in ownership, a new lease will require a new CoA, and use of existing furniture may require a *Major Historic Review* by the BAR.

Elements inconsistent with the guidelines and currently in place within a leased space that must be removed:

- Overhead lighting that does not comply with the catenary lighting guidelines.
- Accent lighting and/or luminaries installed on railings or under counters. (Includes but is not limited to lanterns, LED strips, string lights)
- Half-barrel wood planters.
- Feed-trough (stock tank) planters.
- Pressure treated pine such as unfinished wood furniture, structures, or planters.
- Artificial plants on railings or in planters.
- Planters on railings, unless entirely within the leased space/enclosure.
- Visible storage of loose materials such as potting soil, sandbags, or coolers.
- Temporary decorations, unless for current holiday or special event.
- Space heaters. (Per City Code Chapter 28, Sec. 214.i., heaters must be approved by City staff.)
- Any non-confirming elements not specifically noted above.

CoA process for 2025: Prior to March 1, 2025, staff will prepare for each leased café space a summary and inventory of the existing elements, noting what is permitted or not permitted, including any elements that, while inconsistent with the guidelines, can remain, under the provisions stated. This summary and inventory will constitute a formal CoA and be recorded in NDS records and BAR archive. There will be no fee for this initial [administrative] Minor Historic Review; however, fees will be required for administrative CoA requests after this initial review and CoA, including requests to revise an approved CoA, and/or requests for a formal BAR review, under a Major Historic Review. Additionally, approved CoAs for existing spaces will be reevaluated annually without additional fees, provided no significant changes in the elements and/or no change in business ownership. Requests to continue after March 1, 2025 the continued use of an existing but inconsistent element prohibited by the guidelines will require a formal CoA application to the BAR. (Major Historical Review, per Chapter 34, Sec. 5.2.72.)

Alignment with City Council's Vision and Strategic Plan

This supports the City's Strategic Plan in recreation, arts, and culture as the proposed guidelines revision will provide, encourage, and support recreation, greenspace, art, and cultural programs and opportunities. Additionally, this supports the City's Strategic Plan in the area of Climate Action, as the proposed guidelines revision facilitates improving the environment through the selection of sustainable, quality materials for café space elements, and by recognizing the importance of maintaining the integrity of public landscapes and native species. [See Attachment 8.]

Community Engagement

On September 17 and October 1, 2024, the BAR held advertised work sessions re: the guidelines for Outdoor Cafes. A letter was delivered to each operator of a leased café space on the Downtown Mall and at The Corner notifying them of the October 15, 2024 BAR meeting (see attachment 3). During this October BAR meeting, two members of the public offered comments and stated their support of the proposed revisions. [Video excerpt of October 15, 2024 BAR discussion re: café guidelines: [Oct 15 2024 BAR re Cafe Guidelines.](#)]

Budgetary Impact

No budgetary impact.

Recommendation

On October 15, 2024, the Charlottesville Board of Architectural Review (BAR) at its advertised monthly meeting, voted (8-0) to recommend Council approve the proposed revisions to the ADC District Design Guidelines for Outdoor Cafés.

Mr. Gastinger moved to recommend City Council approve the proposed changes and updates to the Architectural Design Control District Design Guidelines regarding Outdoor Cafes, including the guidelines for Catenary Lights and the Guiding Principles for Outdoor Cafes. He further moved to recommend that Council concur with the BAR's recommendations regarding grandfathered and/or nonconforming* elements of existing cafes, with the following changes to the chart: [Note: The changes below are reflected in the draft text.]

1. That the tablecloths and seat cushions revision remove "cloth is preferred" and "compatible with other elements of the café". [Note: Reference to *Tablecloths and seat cushions* removed from guidelines.]
2. Under the *Planters* section we will keep them as a maximum of 30" wide and 36" in height, and that oversized planters are not grandfathered.

Seconded by Mr. Birle. Motion is Approved 8-0.

* Note: The BAR referred to *non-conforming* and *grandfathered* elements, which in the formal recommendations are referred to as existing but inconsistent elements that are or are not allowed under the revised guidelines.

Alternatives

City Council has several alternatives:

- (1) by motion, take action to approve the attached ordinance (formally adopting the revisions to the ADC District Design Guidelines, Chapter 5, Section E. *Outdoor Cafés*);
- (2) by motion, request changes to the attached Resolution, and then approve the ADC District Guidelines revisions in accordance with the amended Resolution;
- (3) by motion, deny the requested ADC District Guidelines revisions, by which the current guidelines [adopted in 2012] would remain in effect.

Attachments

1. Attachment 00 Guide_CC Nov. 18 2024
2. Attachment 1 - Draft CC Resolution and proposed changes re Outdoor Cafes (10-31)
3. Attachment 2 - City outdoor cafes map
4. Attachment 3 - Letter to Cafe Space Operators 10-7-2024
5. Attachment 4 - Table of Design Elements (10-31)
6. Attachment 5 - Cville Zoning Code_2024 - ADC Districts 2.9.2
7. Attachment 6 - Cville Zoning Code_2024 - BAR
8. Attachment 7 - Comp Plan excerpts
9. Attachment 8 - Mall NRHP listing excerpts
10. Attachment 9 - U.S. Dept. of Interior - Secretary's Standards

Attachments Guide

Revision to Architectural Design Control (ADC) District Design Guidelines, Ch. 5 Sect. E: Outdoor Cafés

00- Cover Page

01- Draft City Council Resolution Approving Revisions to The Architectural Design Control Overlay Districts Design Guidelines Chapter 5, Section E (*Outdoor Cafés*) with text for current and proposed guidelines.

02- Maps of City Outdoor Cafés

03- Letter to café operators on the Mall and Corner

04- *Table of Design Elements*, noting *Current (2012) Guidelines* (in green) alongside the recommended revisions.

05- City Code Chapter 34. Sec. 2.9.2. Architectural Design Control District

06- City Code Chapter 34. Sec. 5.1.5. Board of Architectural Review

07- Charlottesville Comprehensive Plan – Excerpts re: Downtown Mall

08- Charlottesville Downtown Mall Historic District: Excerpts from the NRHP listing, 2023

09- The Secretary of the Interior's Standards for the Treatment of Historic Properties – Excerpts re: rehabilitations within a district.

Links:

- September 17, 2024 BAR staff report and minutes [Link: [September 2024 BAR](#)]
- October 1, 2024 BAR staff report and minutes [Link: [Work Session October 2024](#)]
- October 15, 2024 BAR staff report and minutes [Link: [October 2024 BAR](#)]
- City Code Chapter 28 - Streets and Sidewalks, Article VI. Sidewalk Cafés. [Link: [City Code Chapter 28 - Streets And Sidewalks](#)]

Attachment 1.

RESOLUTION APPROVING REVISIONS TO THE ARCHITECTURAL DESIGN CONTROL OVERLAY DISTRICTS DESIGN GUIDELINES CHAPTER 5, SECTION E (*OUTDOOR CAFÉS*)

WHEREAS, City Code Chapter 34, Section 2.9.2. establishes Architectural Design Control (“ADC”) Districts and City Code Chapter 34, Section 5.1.5.C. requires the City’s Board of Architectural Review (“BAR”) develop and recommend to City Council for its approval design guidelines for the City’s ADC Districts (“Design Guidelines”); and

WHEREAS, on September 17, 2024 and October 1, 2024, the BAR held advertised work sessions to review the Design Guidelines for Outdoor Cafés (Chapter 5, Section E., adopted by City Council on September 17, 2012); and

Whereas, on October 15, 2024 the BAR at its advertised monthly meeting voted (8-0) to recommend Council approve the proposed revisions to the Design Guidelines for Outdoor Cafés, and;

WHEREAS, this City Council finds and determines that:

(1) The proposed revisions to the Design Guidelines for Outdoor Cafés recommended by the BAR are consistent with the purposes and standards set forth within City Code Chapter 34, Division 2.9 (Overlay Districts) of the City’s Zoning Ordinance;

and

(2) The Design Guidelines for Outdoor Cafés have been developed in consultation with the City’s Director of Neighborhood Development Services, as required by City Code Chapter 34, Chapter 34, Section 5.1.5.C.;

NOW, THEREFORE, BE IT RESOLVED that the Architectural Design Control Districts Design Guidelines for Café Spaces (Chapter 5, Section E.) are hereby approved, as shown in the following, with new language being underlined and deleted language shown with strikeout.

Current (adopted 2012)

ADC District Design Guidelines Chapter 5 - Signs, Awnings, Vending and Cafés.

Section E. Outdoor Cafés

~~All elements, including chains, bollards, tables, chairs, planters, and trash containers, should be the same color, materials, and design character. Black, being the dominant color of mall elements, or silvertone metal are preferred. The use of treated lumber or unfinished wood anywhere on the mall is not allowed.~~

~~1. Fences, Chains, and Bollards~~

- ~~a) Should be wrought iron or black painted metal.~~
- ~~b) Should be kept well maintained.~~
- ~~c) Chain links shall be two inches in length or larger.~~
- ~~d) Bollards shall be at least 3 inches in diameter.~~

~~2. Tables and Chairs~~

- ~~a) Should be wrought iron, black painted or silvertone metal. Other materials or colors require BAR approval.~~
- ~~b) Cloth tablecloths and removable seat cushions are permitted. Materials other than cloth, and color are subject to BAR approval.~~

~~3. Planters~~

- ~~a) Should be compatible in terms of design, scale, and color with other elements of the café. The planter material shall be terra cotta or concrete. Other materials require BAR approval.~~

~~4. Umbrellas~~

- ~~a) If used, may contain a maximum of one dark or neutral solid color that is compatible with the furniture.~~
- ~~b) The size of the umbrella should be in scale with the table. Oversize umbrellas may be permitted, but all parts must be contained within the café space.~~
- ~~c) No text is permitted on an outdoor café umbrella.~~

~~5. Trash Containers~~

- ~~a) Black metal is preferred.~~
- ~~b) Should be located within the café enclosure.~~

Proposed revisions

ADC District Design Guidelines Chapter 5 - Signs, Awnings, Vending and Cafés.

Section E. Outdoor Cafés

(Note: In the published ADC District Design Guidelines, the formatting may change, and appropriate images added, but the text will not be revised.)

Guiding Principles for Outdoor Cafés

- The Downtown Mall NRHP District is individually listed on the Virginia Landmarks Register (VLR) and the National Register of Historic Places (NRHP).
- The Corner is within the VLR/NRHP-listed Rugby Road-University Corner Historic District.
- The brick-paved Mall and the sidewalks at The Corner are City-owned and important public spaces.
- Leased café spaces are not permanent: All elements—including but not limited to furniture, railings, or planters-- should be portable and easily moved manually.
- Within a café space the furniture, elements and materials should be compatible.
- Materials must be durable, high-quality. (Preference for metal; no plastic.)

- Prioritize pedestrian experience: Size and placement of railings, furniture, planters, plantings, and other elements should not create visual barriers.
- For unleased café spaces or when leased but not used for prolonged periods, all elements—including but not limited to furniture, railings, planters-- should be removed from the public right of way.
- Specific to the Mall:
 - Elements of the café spaces must respect the design intent of the Mall. (The Mall is Charlottesville's *living room*.)
 - Maintain sight lines on the Mall by minimizing visual obstructions within café spaces.
 - The fountains should be accessible, with clear space on all sides.
 - Placement of café elements should avoid, and not cause damage to, the Mall trees.

Guidelines for Design Elements

Café enclosures: Railings, bollards, chains, and planters.

- Materials and color: Wrought iron or metal. (See *Planters*.) Black.
- Dimensions: Maximum 36" height. Meet ADA and ABC requirements. Chains: 2" minimum link length. Bollard/Post (width): No minimum; 6" maximum.
- Design: No solid panels between top and bottom rails, including where dining counters are located at the railing. Enclosures must avoid contact with trees.

Dining Furniture: Tables and chairs; dining counters; bar-height counters and chairs.

- Materials and color: Wrought iron or metal, only. Other material requires BAR approval. Black or silver tone. Other colors require BAR approval.
- Dimensions: Furniture should be standard heights: Tables and dining counters (28" to 30"); chairs (16" to 18"); bar counters (41" to 43"); and bar chairs/stools (30"). Maximum table or counter length: 8-ft.
- Design: Shapes, colors, and designs should be generally compatible. No solid panels below dining furniture. Bar-height counters should not be located at the railings so as to create a visual barrier.

Service Furniture and Equipment: Shelves; cabinets; serving counters; host stands.

- Materials and color: Metal frame and shelves. Other material requires BAR approval. Black or silver tone. Other colors require BAR approval. Serving counters: muted colors.
- Dimensions: Max height: Shelves 6-ft; cabinets and serving counters 3-ft. Max length: 4-ft.
- Design: Shelves are open (framed; no solid sides or back). No permanent, enclosed storage cabinets. Rolling carts permitted, but not higher than 36", color is black, must be removed when café is closed.

Planters: On railing or free standing, including use as café enclosure.

- Materials and color: Avoid bright colors. Quality, durable material. Wood, if painted or with opaque stain. No plastic. No feed troughs/bunks. No wood barrels.
- Dimensions: Maximum 36" height, 30" width or diameter. If elevated, top of planter cannot exceed 36" above Mall floor.

- Design: Compatible with other elements of the café. If mounted on railings, top of planter cannot extend above railing. Empty planters may be permitted for decorative purpose, with approval. No lighting in planters.

Plants: In planters.

- Live only. No artificial plants. Recommend non-invasives.
- Preferably not taller than 5-ft above Mall floor; however, plants cannot be used to create a hedge.

Umbrellas:

- Materials and color: Umbrellas: Cloth. Stands: metal. Poles: wood or metal. Prefer solid colors. Variation requires BAR approval. Stands and weights must be black.
- Dimensions: Contained entirely within the café space.
- Design: No designs, signage, or text allowed on umbrella. Weights must be appropriate for the use. Shade cloths are not permitted.

Trash Containers:

- Materials and color: Metal. Black.

All elements, generally:

- Furniture will be of same material and design character.
- Black is preferred, but additional colors must be compatible. No bare galvanized metal.
- Well-made, quality material. Kept well-maintained; easily removed, will not stain or damage Mall floor. No elements may be anchored--permanently or temporarily--to the Mall floor or City property.
- Entirely within leased café enclosure/space (per City Code). No logos, text, or branding, except as allowed by Sign Ordinance.
- Coverings on the Mall floor— including rugs, mats, faux turf--are not permitted. No electrical wires or cords on the Mall floor.

Wood elements, generally:

- Materials and color: Painted or opaque stain. No unfinished wood. No wood barrels.

Temporary decorations, non-tabletop: Items such as flags, banners and pennants (Where permitted by City Code.)

- Not permanent, temporary only for holidays and special events. (See All Elements.)

Heaters: (Where permitted by City Code.)

- Materials and color: Metal. Black or silver tone.
- Dimensions: Pole mounted only. Maximum height 80". Maximum width 24".
- Other: Removed from café space when not in use, including propane tanks. Comply with Charlottesville Fire Department (CFD) and City requirements re: spacing from trees and umbrellas. No open flames permitted. Firepits and fire tables are not permitted.

Attachments to railings (café enclosures) and poles: Includes but is not limited to straps or wires that can be used to attach items to poles and rails.

- Preferably metal, black. Zip-ties, if black. No tape, string, or rope.
- Neatly installed - no sharp edges, such as that the ends of zip-ties are trimmed.
- No hanging planters.

Art pieces, statuary, and other similarly designed objects: (Where permitted by City Code.)

- May be permitted for decorative purpose, with BAR approval.
- No columns or posts. No inflatable objects.

Small decorative items: (Where permitted by City Code.)

- On table tops only. Removed when café is closed.
- Not permitted: Decorations suspended from poles, umbrellas, or railings.

Trees in Bosques

- No tables or service furnishings permitted within 2-ft of a tree trunk. Nothing may be attached to or wrapped around [contacting] the trees.

Lighting, generally:

- Table-top: Free standing, removable. Solar or battery. Candles, if allowed by CFD. Removed when café is closed.
- Lighting/luminaries not permitted: On railings/café enclosures, under counters, up-lighting.

Catenary lights: Overhead, on poles.

- Poles will be straight, round, painted black, and installed within the café enclosure; preferably attached to the café railing.
- Poles will have either shepherd's hooks or rings to support the lights.
- Pole heights will be at a sufficient height* such that suspended light cables will not be lower than 7'-0" at mid-span. (* Preferably not exceeding 9-ft.)
- Light cables will have black wire and sockets with bare bulbs (clear globes, either round or elongated); no holiday mini-lights, no LED tapes.
- Lights will have lamping that is dimmable, have a Color Temperature not exceeding 3,000K, and a Color Rendering Index not less than 80, preferable not less than 90. Colored [not white] and/or blinking lights are not permitted.
- Light cables will be connected only to the poles indicated on the CoA and generally follow a diagonal pattern (see below).
- Light cables will not contact or be connected to the trees, café umbrellas, or City lamp posts.
- Installed lengths (light sets connected in series) will not exceed manufacturer's specifications.
- Power sources (for ex., batteries) for the lights will be provided by café space licensee and located within the leased space. Power source will be screened, secure from tampering,

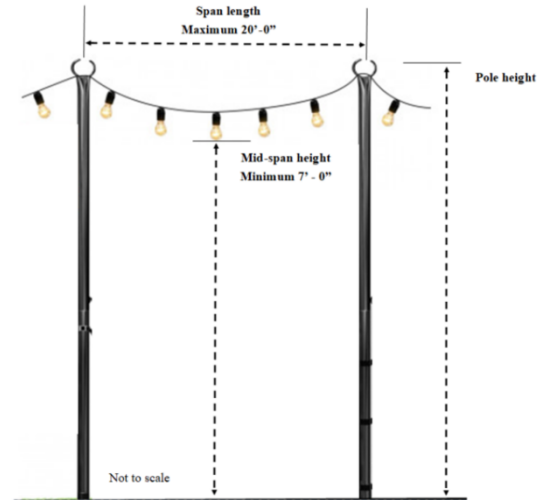
silent, meet applicable code requirements, and will be removed from café space when not in use or when being charged. Connection to City lamp posts/outlets and/or extension cords crossing the Mall from outside the café space are not permitted.

- Anchors, support cables, wires, cords, railing connectors, and other similar attachments not addressed above are not permitted without approval.

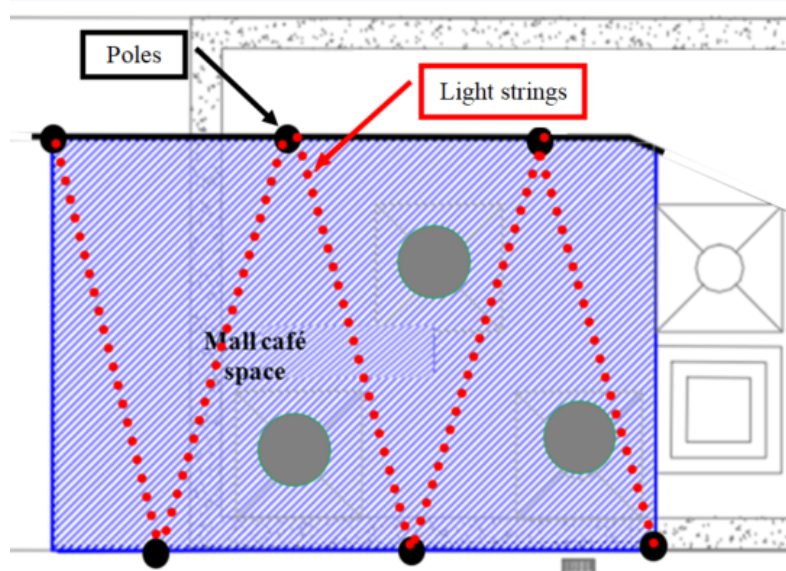
Appropriate pole types:



Dimensions:



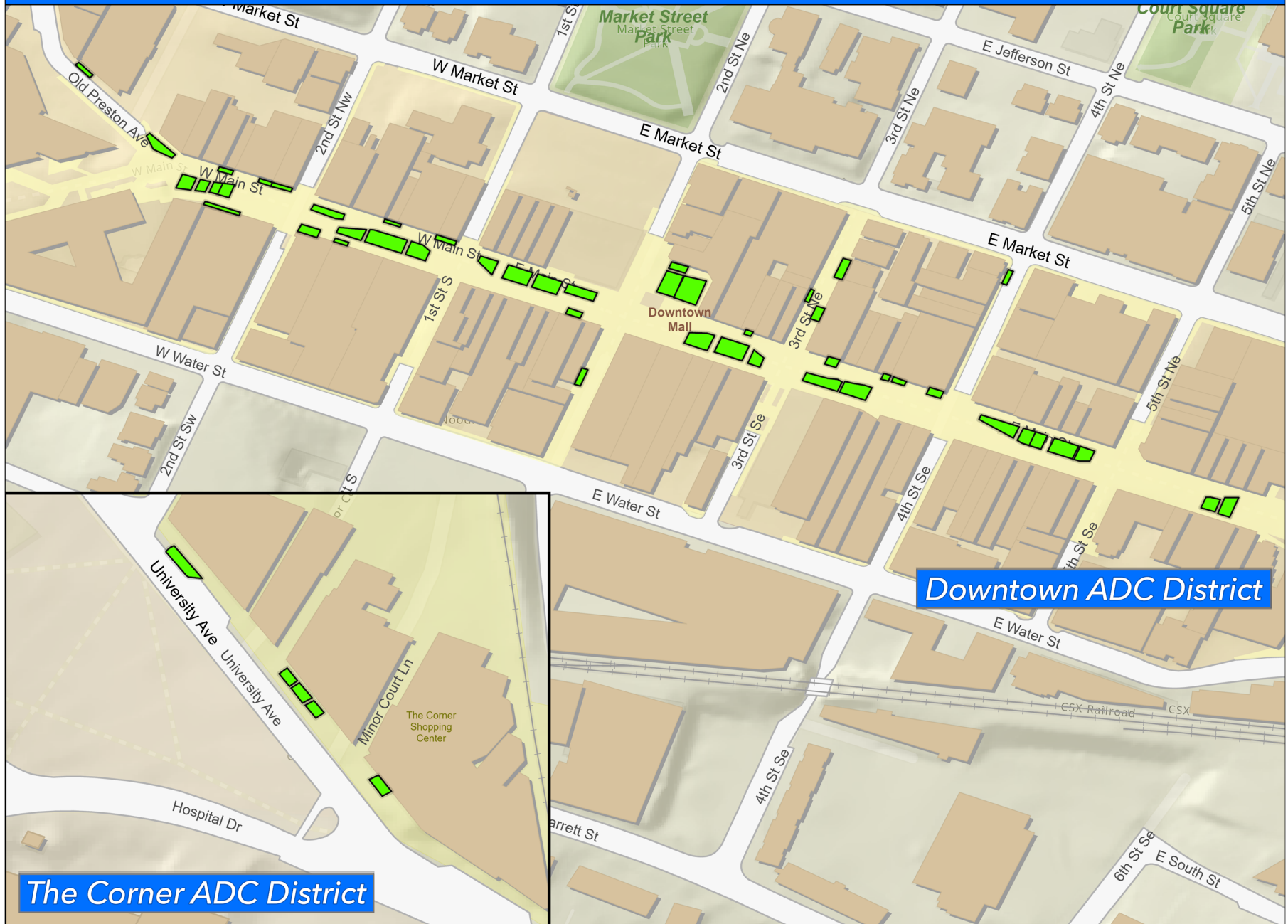
Preferred Light String Alignment:



Elements not permitted:

- Screening: Trellis, Lattice.
- Outdoor, upholstered or oversized furniture.

City of Charlottesville Outdoor Cafés



City of Charlottesville
Department of Neighborhood Development Services

City Hall, Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182 - www.charlottesville.gov



October 7, 2024

Dear operator of a leased, City-owned café space:

At its meeting on **Tuesday, October 15, 5:30 pm at CitySpace, the City's Board of Architectural Review (BAR) will review proposed revisions to the ADC District Design Guidelines for outdoor cafes.** (Note: These guidelines apply only to cafés operated within the leased, City-owned spaces on the Downtown Mall and The Corner.)

Per the City Code, the BAR is required to periodically review the design guidelines and recommend to City Council any updates or revisions. The goal by mid-January, well ahead of March 1, 2025, when cafe leases are renewed, is to have Council's review and approval of the revised guidelines for cafés. (Note: Council's review will be during a regular, monthly public meeting.)

Attached are the current guidelines for outdoor cafes, adopted in 2012. The draft revisions will be posted on-line, ahead of the Oct. 15 meeting, at: www.charlottesville.gov/1077/Agendas-Minutes.

The BAR meeting on Oct. 15 will be a Hybrid Public Meeting. People can attend in-person at CitySpace (100 5th Street NE, Charlottesville, VA 22902) or participate on-line by Zoom Webinar. (Link will be posted on the City Calendar--www.charlottesville.gov--under the October 15 BAR meeting.) You are welcome to comment or ask questions during the meeting. You can also e-mail me prior to the meeting: wernerjb@charlottesville.gov.

The intent of this review is to better align the design guidelines with how the café spaces have evolved over time, including elements that are inadequately addressed (for ex, the 2012 guidelines do not address catenary lights) or, in some places, have been too rigid (for ex, the 2012 guidelines require planters be either terracotta or concrete). The revisions, as drafted, will *grandfather* existing, ADA-compliant metal railings and the overwhelming majority of the existing tables, chairs, and furniture. For new operators seeking to lease a café space or for proposed changes to existing cafés, the updated guidelines will fully apply.

Sincerely,

Jeff Werner, AICP
Historic Preservation and Design Planner

Current guidelines for café spaces, adopted 2012.

ADC District Design Guidelines, Chapter V: Signs, Awnings, Vending & Cafes

E. OUTDOOR CAFES

All elements, including chains, bollards, tables, chairs, planters, and trash containers, should be the same color, materials, and design character. Black, being the dominant color of mall elements, or silvertone metal are preferred. The use of treated lumber or unfinished wood anywhere on the mall is not allowed.

1. Fences, Chains, and Bollards

- a. Should be wrought iron or black painted metal.
- b. Should be kept well-maintained.
- c. Chain-links shall be two inches in length or larger.
- d. Bollards shall be at least 3 inches in diameter.

2. Tables and Chairs

- a. Should be wrought iron, black painted or silvertone metal. Other materials or colors require BAR approval.
- b. Cloth tablecloths and removable seat cushions are permitted. Materials other than cloth, and color are subject to BAR approval.

3. Planters

- a. Should be compatible in terms of design, scale, and color with other elements of the café. The planter material shall be terra cotta or concrete. Other materials require BAR approval.

4. Umbrellas

- a. If used, may contain a maximum of one dark or neutral solid color that is compatible with the furniture.
- b. The size of the umbrella should be in scale with the table. Oversize umbrellas may be permitted, but all parts must be contained within the café space.
- c. No text is permitted on an outdoor café umbrella.

5. Trash Containers

- a. Black metal is preferred.
- b. Should be located within the café enclosure.



Dark painted metal is preferred for outdoor cafe furniture.



Silver tone metal furniture is an alternative to dark colors.



Planter boxes soften the simple design and subdued color of this fence.

Cafe Spaces: Discussion Design Guidelines (draft 10/15/2024)								
Design Review: Cafe space elements subject to administrative CoA (Minor Historic Review). Appeals or special approvals require BAR review.								
Element	Current (2012) guidelines	Draft Revisions (10-15-2024) [Green indicates text from current guidelines.]						
		Allow	Material	Color	Dimensions	Design	Note	If existing in a leased cafe space in 2024 (See clarification in BAR staff report and Council memo.)
ABC enclosures: railings, bollards, chains, and planters	Wrought iron or black painted metal. Kept well-maintained. Chain-links min 2”. Bollard diameter min 3”.	Y	Wrought iron or metal. (See Planters.)	Black	Height: 36" maximum. Meet ADA and ABC requirements. Chains: 2" minimum link length. Bollard/Post (width): No minimum; 6" maximum.	No solid panels between top and bottom rails, including where dining counters are located at the railing.	Enclosures must avoid contact with trees.	Inconsistent, but allowed: All existing metal railings, provided they meet ADA requirements.
Dining Furniture (tables and chairs; dining counters; bar-height counters and chairs)	Wrought iron or black painted metal or silver tone metal. BAR approval for other materials or colors.	Y	Wrought iron or metal, only. Other material requires BAR approval.	Black or silver tone. Other colors require BAR approval.	Furniture should be standard heights: Tables and dining counters (28" to 30"); chairs (16" to 18"); bar counters (41" to 43"); and bar chairs/stools (30"). Maximum table or counter length: 8-ft.	Shapes, colors, and designs should be generally compatible.	No solid panels below dining furniture. Bar-height counters should not be located at the railings so as to create a visual barrier.	Inconsistent, but allowed: All. (Requires documentation by staff.)
Service Furniture and Equipment (shelves; cabinets; serving counters; host stands)		Y	Metal frame and shelves. Other material requires BAR approval.	Black or silver tone. Other colors require BAR approval. Serving counters: muted colors	Max height: Shelves 6-ft; cabinets and serving counters 3-ft. Max length: 4-ft.	Shelves are open (framed; no solid sides or back). Cabinets: No doors or closed storage;	No permanent, enclosed storage cabinets. Rolling carts permitted, but not higher than 36", color is black, must be removed when cafe is closed.	Inconsistent, but allowed: Existing metal and painted wood service stands. Inconsistent, not allowed: Unfinished wood, anywhere.
Tablecloths, seat cushions [see meeting 10.15.24]	Cloth tablecloths and seat cushions permitted. BAR approval for color, and other material.	Y	Cloth is preferred.			Compatible with other elements of the café.		
Planters (on railing or free standing, including use as ABC enclosure)	Compatible in design, scale, and color with other elements. Shall be terra cotta or concrete. BAR approval for other materials.	Y	Quality, durable material. Wood, if painted or with opaque stain. No plastic. No feed troughs/bunks. No wood barrels.	Avoid bright colors.	Maximum dimensions: 36" height; 30" width or diameter (Question: Should this be 24"?). If elevated, top of planter cannot exceed 36" above Mall floor.	Compatible with other elements of the café.	If mounted on railings, top of planter cannot extend above railing. Empty planters may be permitted for decorative purpose, with approval. No lighting in planters.	Inconsistent, not allowed: Metal feed troughs used as planters.
Plants (in planters)		Y	Live only. Recommend non-invasives.		Preferably not taller than 5-ft above Mall floor; however, plants cannot be used to create a hedge. [use images to illustrate]		No artificial plants.	Inconsistent elements must be removed.
Umbrellas (shade cloths are not permitted)	One color: dark or neutral solid, compatible with the furniture. Size in scale with the table. Oversize umbrellas permitted, must be entirely within café space. No text or signage.	Y	Umbrellas: Cloth. Stands: metal. Poles: wood or metal.	Prefer solid colors. Variation requires BAR approval. Stands and weights must be black.		Contained entirely within the café space. No designs, signage, or text allowed on umbrella. Weights must be appropriate for the use.		Inconsistent elements must be removed.
Trash Containers	Black metal preferred. Located in the café space.	Y	Metal	Black				
All elements, generally.	Same color, materials, and design character. Black or silver tone metal preferred.		Furniture will be of same material and design character.	Black is preferred, but additional colors must be compatible. No bare galvanized metal.		Well made, quality material. Kept well-maintained; easily removed, will not stain or damage Mall floor. No elements may be anchored--permanently or temporarily--to the Mall floor or City property.	Entirely within leased cafe enclosure/space (per City Code). No logos, text, or branding, except as allowed by Sign Ordinance. Coverings on the Mall floor--rugs, mats, faux turf, etc.--are not permitted. No electrical wires or cords on the Mall floor.	Inconsistent elements must be removed, except as noted.

Wood elements, generally.	No treated lumber or unfinished wood.	Y	No unfinished wood.	Painted or opaque stain.			No wood barrels.	Inconsistent, but allowed: Full barrels. Inconsistent, <u>not</u> allowed: Half [whiskey or wine] wood barrel planters. PTP work tables.
Lighting								
Catenary lights (overhead, on poles)		Y	Per draft policy		Max height 9-ft. (Review pole height re: available products)			Inconsistent elements must be removed.
Table-top		Y	Free standing, removable. Solar or battery. Candles, if allowed by CFD.				Removed when cafe is closed	
In planters		N						
On railings		N						Inconsistent elements must be removed.
Uplighting		N						Inconsistent elements must be removed.
Under counter (accent)		N						Inconsistent elements must be removed.
Temporary decorations (non-tabletop). Seasonal, special events. (Incl. flags, banners, pennants, etc.) *		Y				(See <i>All Elements</i> .)	Not permanent, temporary for holidays and special events.	Inconsistent elements must be removed.
Heaters *		Y	Metal	Black or silver tone	Pole mounted only. Maximum height 80". Maximum width 24".	Removed from cafe space when not in use, including propane tanks. Comply with CFD and City requirements re: spacing from trees and umbrellas.	No open flames permitted. Firepits and fire tables are not permitted.	
Attachments to railings (straps, wires, etc. used to attach items to poles and rails, etc.)		Y	Preferably metal. Zip-ties, if black. No tape, string, or rope	Black		Neatly installed, no sharp edges, zip-ties trimmed, etc.	No hanging planters.	Inconsistent elements must be removed.
Art pieces, statuary, etc. *		Y					May be permitted for decorative purpose, with approval. No columns or posts. No inflatable objects.	
Small decorative items.		Y	On table tops only. Not permitted: suspended from poles, umbrellas, or railing.				Removed when cafe is closed	
Signs		Only as permitted by sign ordinance						Inconsistent elements must be removed.
Trees in Bosques		No tables or service furnishings permitted within 2-ft of a tree trunk. Nothing may be attached to or wrapped around [contacting] the trees.						
Screening: Trellis, Lattice		N						
Outdoor, upholstered or oversized furniture		N						

* If permitted by City Code.

2.9.2. Architectural Design Control District (-ADC)

A. Intent

The City of Charlottesville seeks, through the establishment of historic districts and through the designation of individually significant properties, to protect community health and safety, to promote the education, prosperity and general welfare of the public through the identification, preservation and enhancement of buildings, structures, landscapes, settings, neighborhoods, places and features with special historical, cultural and architectural significance. To achieve these general purposes, the City seeks to pursue the following specific purposes:

1. To preserve and protect buildings, structures and properties which serve as important visible reminders of the historic, cultural, and architectural or archaeological heritage of the City, the Commonwealth of Virginia, or this nation;
2. To ensure that, within the City's historic districts, new structures, additions, landscaping and related elements will be in harmony with their setting and environs;
3. To promote local historic preservation efforts through the identification and protection of historic resources throughout the City;
4. To document and promote an understanding of the social history of City neighborhoods, and to protect their cultural institutions;
5. To maintain and improve property values by providing incentives for the upkeep, rehabilitation and restoration of older structures in a safe and healthful manner, and by encouraging desirable uses and forms of development that will lead to the continuance, conservation and improvement of the City's historic, cultural and architectural resources and institutions within their settings; and
6. To promote tourism and enhance business and industry, and to promote an enhanced quality of life within the City, through protection of historic, cultural and archaeological resources.

B. Established Architectural Design Control Districts

The following areas have been determined by City Council to be of unique architectural or historic value, and are hereby designated as Architectural Design Control (ADC) Districts, the limits of which are shown on the City's zoning map. City Council has designated only certain buildings within these districts as "contributing structures." Those contributing structures are identified on a map included within the design guidelines for each district.

1. Downtown Architectural Design Control District
2. North Downtown Architectural Design Control District
3. Ridge Street Architectural Design Control District
4. West Main Street Architectural Design Control District
5. Wertland Street Architectural Design Control District
6. Corner Architectural Design Control District

7. Oakhurst-Gildersleeve Neighborhood Architectural Design Control District
8. Rugby Road, University Circle, Venable Neighborhood Architectural Design Control District

C. Additions to and Deletions from Architectural Design Control Districts

1. City Council may, by ordinance, from time to time, designate additional properties and areas for inclusion within an ADC District or remove properties from a ADC District. Any such action will be undertaken following the rules and procedures applicable to the adoption of amendments to the City's Development Code and official zoning map.
2. Prior to the adoption of any such ordinance, the City Council will consider the recommendations of the Planning Commission and the Board of Architectural Review (BAR) as to the proposed addition, removal or designation. The Planning Commission and BAR will address the following criteria in making their recommendations:
 - a. The historic, architectural or cultural significance, if any, of a building, structure or site and whether it has been listed on the National Register of Historic Places or the Virginia Landmarks Register, or are eligible to be listed on such registers;
 - b. The association of the building, structure or site with an historic person or event or with a renowned architect or master craftsman;
 - c. The overall aesthetic quality of the building, structure or site and whether it is or would be an integral part of an existing ADC district;
 - d. The age and condition of a building or structure;
 - e. Whether a building or structure is of old or distinctive design, texture and material;
 - f. The degree to which the distinguishing character, qualities or materials of a building, structure or site have been retained;
 - g. Whether a building or structure, or any of its features, represents an infrequent or the first or last remaining example of a particular detail or type of architecture in the City;
 - h. Whether a building or structure is 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 exist a number of buildings or structures separated geographically but linked by association or history.
3. Before an area is designated as an ADC District, each structure will be determined to be either "contributing" or "non-contributing." This determination will be reconfirmed at least once every 15 years.

D. Certificate of Appropriateness

A Certificate of Appropriateness is required for certain projects in ADC Districts in accordance with [5.2.6. Minor Historic Review](#) and [5.2.7. Major Historic Review](#).

Attachment 6

1. Variances;
2. Floodplain Variances;
3. Appeals regarding Tree Removal Permits, Floodplain Permits, Sign Permits, Temporary Use Permits and Administrative Modifications.

5.1.5. Board of Architectural Review

A. General

The Board of Architectural Review has the following powers and duties under this Development Code.

B. Composition

1. The Board of Architectural Review (BAR) must be composed of 9 members.
2. Appointments to the BAR will be made by City Council, in the Council's discretion, for terms of 4 years, except that appointments to fill vacancies is for the unexpired remainder of the vacant term.
3. A member cannot serve for more than 2 consecutive 4-year terms, except for the members initially appointed to fill vacancies, who may serve for 2 full terms in addition to the vacant term to which they were originally appointed.
4. All appointees must be residents of the City; except that a person who resides outside the City, but who owns a business, or who owns commercial or residential property in an ADC District, HC District, or an IPP may be appointed to serve on the BAR.
5. The BAR must at least consist of the following members:
 - a. 2 licensed architects;
 - b. 1 member of the Planning Commission;
 - c. 2 owners of a business or commercial property in an ADC District, HC District, or an IPP;
 - d. 1 owner of residential property or a resident in an ADC District, HC District, or an IPP;
 - e. 1 landscape architect;
 - f. 1 historian or persons with substantial background in history or historic preservation; and
 - g. 1 licensed professional contractor or 1 historian or person with substantial background in history or historic preservation.

C. Authority

1. General

- a. In order to administer the provisions of the Architectural Design Control Districts and Individually Protected Properties the Board of Architecture Review (BAR) must:

- i. Recommend additional surveys of potential districts or properties, and recommend properties for inclusion in or deletion from ADC Districts or the City's list of Individually Protected Properties.
 - ii. Act in an advisory role to City Council and City Departments, Boards and Commissions.
 - iii. Disseminate information within the City on historic preservation issues and concerns.
 - iv. Develop a Preservation Plan with goals and recommendations for consideration by the Planning Commission, and from time to time the Board will update such plan.
 - v. Develop and recommend to the City Council for its approval design guidelines for the City's ADC Districts, consistent with the purposes and standards set forth in *Div. 2.9. Overlay Districts*. The BAR must develop the design guidelines after seeking input from business and property owners in the various districts. Guidelines developed by the BAR will become effective upon approval by City Council and thereafter will have the status of interpretive regulations. The BAR must undertake a comprehensive review and update the design guidelines at least once every 5 years.
- b. In order to administer the provisions of the Historic Conservation Districts the BAR must:
- i. Recommend surveys of potential HC Districts, and recommend properties for inclusion in, or deletion from, Historic Conservation Districts.
 - ii. Develop and recommend to the City Council for Council's approval design guidelines for the City's HC Districts, consistent with the purposes and standards set forth within *Div. 2.9. Overlay Districts*. The BAR must develop design guidelines after seeking input from business and property owners in the district. Design guidelines developed by the BAR will become effective upon approval by the City Council and thereafter will have the status of interpretive regulations. The BAR must undertake a comprehensive review and update the design guidelines at least once every 5 years.

2. **Approval Authority**

The Board of Architectural Review is responsible for final action regarding:

- a. Certificates of Appropriateness under Major Historic Review; and
- b. Appeals regarding Certificates of Appropriateness under Minor Historic Review.

5.1.6. **Administrator**

A. **General**

The Administrator is established as authorized in *Code of Virginia* § 15.2-2286 and has the following powers and duties under this Development Code:

- 1. The Administrator serves as the administrator of this Development Code unless otherwise stated.
- 2. The Director of Neighborhood Development Services is designated as the Administrator.

Attachment 7

Revisions to the Architectural Design Control (ADC) Districts Design Guidelines: Chapter 5, Section E. Outdoor Cafés

Charlottesville Comprehensive Plan

References to the Downtown Mall

- Goal 6. Maintain the economic vitality of the Downtown Mall area and foster it as a diverse and welcoming focal point hub of the region, with a vibrant historic district, arts and entertainment, shopping, dining, and cultural events.
 - Strategy 6.1 Study how the Downtown Mall can be more welcoming and inclusive for people of all social, cultural, racial, ethnic, and economic backgrounds, and take action on findings.
 - Sub-strategy: Continue to support and maintain the Downtown Mall, as not only the economic and cultural hub of the city, but as a historic, central place that encourages diversity through activities, residences, goods, and services.
- Goal 9. Systematically inventory and evaluate all historic, cultural, and natural resources, landscapes, and open spaces as critical elements that make Charlottesville special.
 - Strategy 9.4 Generate a Cultural Landscape Study and Management Plan for the Lawrence Halprin-designed Downtown Mall, to identify character-defining historic features, and prepare a treatment and maintenance plan to protect the Mall's historic character and features while supporting its current use.
- Goal 10. Educate current and potential property owners of historic resources, as well as the community in general, about the significance of historic properties.
 - Strategy 10.4 Promote the history of the Downtown Mall as well as other key sites of local significance through the use of art, technology, public events, and marketing promotion.

Attachment 9

Revisions to the Architectural Design Control (ADC) Districts Design Guidelines: Chapter 5, Section E. Outdoor Cafés

National Register of Historic Places

Charlottesville Downtown Mall Historic District:

Excerpts from the NRHP nomination, 2023.

Link: [The Downtown Mall NRHP District](#)

The Mall reached its current expanse in four additional building campaigns that did not precisely follow the details of the original design but reflect its key concepts. Built and planted features include brick and granite paving, bosques of deciduous trees, fountains, streetlights, planters, seating, bollards, bike racks, signage, and public artworks. These built elements were designed and arranged to present specific opportunities for visitors.

- The fountains were designed to tempt visitors to pause in their movement along the Mall, giving the opportunity for social interaction. The gathering space around the three Main Street fountains is currently restricted, however, by dining area enclosures serving restaurants facing the Mall. The tree bosques are shifted north or south of the center line of the Mall, creating open space that draws visitors from one side to the other to create a meandering pathway. Central Place, a large open square with a fountain at East 2nd Street, as well as three additional smaller fountains and groups of benches within the tree bosques, were designed to allow visitors to withdraw from the flow of traffic to socialize or rest.
- Commercial establishments along the Mall have added impermanent elements such as sandwich board-type signs, small planters, and newspaper boxes, as well as tables, chairs, and post-and-chain or pipe-rail enclosures for permitted outdoor dining areas and vendor tables within the public space. These elements affect both the open character of the original design and the space available for the activities that the design encouraged, while also fostering the primary goal of pedestrianizing this portion of Main Street – bringing people back to downtown Charlottesville. While some details of its design have changed, the primary elements remain.
- In addition to the two-dimensional patterned ground, LHA employed three-dimensional features to add a vertical element to the Mall, to organize space, and to influence pedestrian movement.
- The trees provide shade in the summertime and create distinct outdoor “rooms,” bordered by gray granite, within the Mall’s length. Like other features of the LHA design, the bosques are located along the Mall’s center line, but weighted to one side or the other to encourage lateral movement.
- **Statement of Integrity:** The Downtown Mall Historic District was evaluated under the seven aspects of integrity as defined by the National Register of Historic Places (location, setting, design, materials, workmanship, feeling, association). The landscape continues to fulfill much of its original purpose – offering an attractive public space to bring residents

and visitors to the downtown area, providing housing for twenty-four-hour use, and spurring the local economy – and does so in its original location and setting along Main Street two blocks south of the Albemarle County Courthouse. [...] The spatial organization that the LHA design devised to influence movement along the Mall also remains, although the current use of public space for private dining areas hinders its original effect. The dining areas and the permanent locations of the chairs also detract from one of the Mall's intended functions – as a public gathering space for rest and social interaction. These alterations negatively affect materials and workmanship, as well as the design of the Downtown Mall, without obscuring the design intent. (It should be noted that the alterations that affect movement and public use are impermanent and reversible.) The feeling and association of the Mall as a pedestrian-centered location for public gathering, entertainment, and recreation, as intended by the LHA design, therefore remains strong, and the Charlottesville Downtown Mall retains integrity to its period of significance (1975 - 1981).

- **Statement of Significance:** The Mall manifests Halprin's utilization of a simple palette of materials and features based in part on local precedents to create a series of interconnected spaces that act as a stage for public life. [The Mall is] one of the few successful pedestrianized downtown streets still performing its original function. It is the only extant pedestrianized Main Street in Virginia that remains faithful to its original design. The Mall is also an outstanding example of Lawrence Halprin & Associates' urban landscapes and the only extant work by the firm in Virginia.

Attachment 8

Revisions to the Architectural Design Control (ADC) Districts Design Guidelines: Chapter 5, Section E. Outdoor Cafés

The Secretary of the Interior's Standards for the Treatment of Historic Properties

Recommendations for rehabilitation within a district. (Excerpts)

- Identifying, retaining, and preserving building and landscape features that are important in defining the overall historic character of the setting. Such features can include circulation systems, such as roads and streets; furnishings and fixtures, such as light posts or benches; vegetation, gardens, and yards; adjacent open space, such as fields, parks, commons, or woodlands; and important views or visual relationships.
- Retaining the historic relationship between buildings and landscape features in the setting. For example, preserving the streets, changing landscape relationship between a town common or urban plaza and the adjacent houses, municipal buildings, roads, and landscape and streetscape features.
- Installing protective fencing, bollards, and stanchions in the setting, when necessary for security, that are as unobtrusive as possible.
- Designing new features (such as parking areas, access ramps, or lighting), when required by a new use, so that they are as unobtrusive as possible, retain the historic relationships between buildings and the landscape in the setting, and are compatible with the historic character of the setting.