



Planning Commission Meeting Agenda

September 9, 2026

610 East Main Street
City Council Chambers
Charlottesville, Virginia 22902

Carl Schwarz, Chair
Danny Yoder, Vice Chair
Ross Harness
Hosea Mitchell
Betsy Roettger
Lyle Solla-Yates
Josh Carp
Michael Joy

I. Commission Pre-Meeting (Agenda discussion(s))

Beginning: 5:00 p.m. Location: (Basement Conference Room, 610 East Market Street, Charlottesville, VA 22902)

II. Commission Regular Meeting

Beginning: 5:30 p.m. Location: (Council Chambers, 605 E. Main Street, Charlottesville, VA 22902 and Electronic/Virtual)

1. Commissioner's Reports

2. University of Virginia Report

3. Chair's Report

4. Department of NDS Report

5. Matters to be Presented by the Public not on the Formal Agenda

6. Consent Agenda

a Minutes - May 12, 2026 Regular Session

III. Planning Commission Public Hearing Items

Beginning: 6:00 p.m.

1. Comprehensive Plan Amendment - Chapter 9: Community Facilities & Services and Appendix

IV. Commission's Action Items

Beginning: following any public hearings

1. Planning Commission Bylaws Amendment - Public Hearing Times

V. Future Meeting Schedule/Adjournment

Tuesday, September 22 - 5:00 PM - Work Session; Tuesday October 13 - 5:30 PM - Regular Meeting

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3185 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.

Planning Commission pre-meeting and regular meetings are held in person and by Zoom webinar. The webinar is broadcast on Comcast Channel 10 and on all the City's streaming platforms including: Facebook, Twitter, and www.charlottesville.gov/streaming. Public hearings and other matters from the public will be heard via the Zoom webinar which requires advanced registration here: www.charlottesville.gov/zoom. You may also participate via telephone and a number is

provided with the Zoom registration or by contacting staff at 434-970-3182 to ask for the dial in number for each meeting. Written comments may be submitted via email to planningcommission@charlottesville.gov.

PLANNING COMMISSION REGULAR MEETING
May 12, 2026 – 5:30 P.M.
Hybrid Meeting

I. COMMISSION PRE-MEETING (Agenda discussion(s))

Beginning: 5:00 PM

Location: City Council Chambers

Members Present: Commissioner Harness, Commissioner Joy, Commissioner Mitchell, Chairman Schwarz, Commissioner Yoder, Commissioner Solla-Yates, Commissioner Roettger, Commissioner Carp

Staff Present: Patrick Cory, Remy Trail, Dannan O'Connell, Matt Alfele

II. COMMISSION REGULAR MEETING – Meeting called to order by Chairman Schwarz at 5:30 PM.

Beginning: 5:30 PM

Location: City Council Chambers

A. COMMISSIONERS' REPORTS

Commissioner Carp – There is nothing with CDBG. We are done. I was at BPAC last week. We heard updates from the city about projects on Rose Hill Drive. They are proposing an alternative, which is a 2-way cycle track on the east side of Rose Hill. There is information on Connect Cville. There is also a loading zone project at Summit Elementary where there are troubles with dropping off and picking up kids. They are going to experiment with a quick-build loading or drop-off zone on the road behind Monticello; possibly controversial.

Commissioner Mitchell – I had a couple meetings. The first meeting was with LUPEC. There were a couple of presentations. The presentations revolved around Rt. 29 north and what is happening with the Intelligence facility and what will be happening with AstraZeneca when AstraZeneca arrives. I copied you guys on the presentations. AstraZeneca is going to invest \$4.5 billion in that facility. The minimum salary for people that work for AstraZeneca at that facility is going to be \$125,000. They hope to break ground in the 3rd quarter of 2027. I am looking forward to seeing that happen. The other meeting was with the BZA. This was a revisit of the Fifeville issue that was in the news. If you remember, we ruled a couple months ago with the Zoning Administrator. The question before us was whether this development was within 0.5 miles of The Grounds of UVA. A couple of months ago, we ruled that it was. The vote was 2-to-2 tie. The appellant did get to appeal again. They came back last month and appealed again. We ruled again in favor of the Zoning Administrator that the development was in fact within 0.5 miles of UVA. This was an objective ruling. It was a technical ruling. It had nothing to do with whether this is good for the community or whether we like the aesthetics. I must say that I totally agree with the BAR ruling. The BAR voted to deny the application. I was a little disappointed that Council overruled the BAR, Mr. Schwarz.

Commissioner Solla-Yates – The Virginia Department of Housing Community Development Board met to discuss fire code and building code yesterday. They adopted a single stair at the 4th story in R2. They did not adopt it at the 5th and 6th story. They did not adopt smaller and more affordable elevators at 6 stories and below for the 2027 Virginia Building Code.

Commissioner Harness – No Report

Commissioner Roettger – I just had a Tree Commission meeting and a Parks & Recreation meeting. With the Tree Commission meeting, half the Commission turned over. We have a lot of new members. There is continued interest in working with NDS on stronger tree preservation measures for private property. We have done a lot on public property. How do you keep some of these old trees that offer a lot of shade? They had just done The State of the Forest. We went over what was in that report. With Parks & Recreation, we were looking at the fees for programs and some fees and policies that might be changing. We voted to potentially make the pools free for 17 and under this year. The summer camps cannot use these schools because all the schools are moving the 5th graders to elementary school. There is a lot up in the air. They cannot take as many kids in the summer camps. There was some discussion about maybe for this summer, we would ‘release the valve’ a little bit.

Commissioner Yoder – MPO Tech did not meet since our last meeting. The MPO Policy Board did meet. One of the things that they did was move along the smart-scale applications, which are due to the state on August 1st. There are 4 MPO projects, 4 Albemarle County projects, and 1 city project. The one project most relevant to us is the Ridge-McIntire-West Main Intersection. There have been some public meetings about this intersection. City Council is going to consider a resolution to support these applications at some point in July. The applications are submitted and we find out next year what is being funded through smart-scale.

B. UNIVERSITY REPORT

Commissioner Joy – I have a few updates regarding upcoming UVA capital work. These items will be shared at the Building & Grounds Committee meeting. That is scheduled for the first week in June. The first project is The School of Data Science Entrepreneurship Building. If you know where the existing School of Data Science is, this is the parcel that is immediately west of it. It is currently a service drive and some patches of grass. What is being proposed is a 60,000-gross-square-foot academic building across 5 stories. Some of the program highlights include classrooms, research & seminar spaces, faculty offices, and entrepreneurial engagement spaces. The design is primarily red brick. It draws from the architectural material pallet that is used by Hawkins and VMDO School of Data Science. It does incorporate some references to the recently opened Virginia Guest House and the future Center for the Arts. The next project is the main heat plant. This is at 1321 Lee Street. This is an infrastructure project. It has significant civic and environmental benefits. This plant is the primary source of steam and hot water for a large portion of Grounds, primarily UVA Medical Center. This project is an outline in a framework to help guide the transition from coal to natural gas. With this fuel conversion, the goal is to improve efficiency, increase resilience, and help ensure long-term continuity of operations for the hospital. Once the new gas plant is fully operational, the existing coal silos will be removed. Right now, you can see them prominently on University Avenue and 14th Street as you head south. That is coming in the future. Right now, you will see a significant number of trees being removed along Emmet Street between Ivy Road and Arlington Boulevard. This is not a project managed by UVA. This is a city-led enabling effort associated with the upcoming smart-scale shared use path. It is going to provide a safe pedestrian connection between the Barracks Road Shopping Center and Grounds.

C. CHAIR'S REPORT

Chairman Schwarz – At the BAR meeting last month, it was a simple agenda. There was nothing of interest. It was followed by a report from staff on updates to the Downtown Mall and preparation for the 50th Anniversary and an update on the vehicular crossings being repaired. The water fountains are now open.

D. DEPARTMENT OF NDS

Dannan O’Connell, City Planner – With the May 26th work session on the citywide mobility plan, the scoping for that has been postponed. There will be no May work session for the Planning Commission. The Planning Commission will be kicking off the 2026 Development Code Cleanup this month with a subcommittee meeting on May 19th. As part of this effort, there will be a work session on Tuesday, June 23rd. The work session will be a listening session with local builders and developers. It will follow the same format as last year. The builders and developers will have an opportunity to let the Planning Commission and city staff know what aspects of the development code are working well and what areas of the code can be improved. We are working on getting the word out regarding this meeting. Staff are in the process of setting up a technical working group for missing middle housing. This group will be a mix of staff from across the city along with local builders and developers that focus on building missing middle housing types. We are looking for 1 or 2 planning commissioners to be a part of that working group. Staff presented to Council the ADU Manual and Student Housing Study on their key findings and preliminary options for potential changes to the in-lieu fee expectations. Based on Council’s and public’s feedback, the team is refining the model to assess financial feasibility of potential policy changes to support housing production. The team will also ask for feedback on the feasibility of new development at a CADRE meeting scheduled for May 22nd. Staff will share updates on potential next steps for this study and the tax abatement study in the summer once new staff have joined the team to support this work moving forward.

Tori Kanellopoulos, Long Range Planner – I wanted to provide a brief overview of an item that will be coming to you all for a public hearing later this year. It is a Comprehensive Plan Amendment to update the Community Facilities and Services Chapter of the Comprehensive Plan. Next Monday, we have a request on the Consent Agenda for Council to formally initiate the amendment. Staff will draft the amendment and hold a public hearing with the Planning Commission and Council for adoption. The primary purpose of the amendment is to incorporate the most up-to-date information for public water, sanitary, sewer, and stormwater management facilities and utilities. The current chapter includes goals and strategies along with associated maps and plans, which are in the Comp Plan Appendix. The chapter and these maps were last updated in 2021. Updates are needed to several of the strategies and maps to reflect changes in the city from 2021 to today. Those include new and updated city and partner agency, public utility & facility planning maps and projects. The updated chapter will replace the 2021 water and sanitary sewer network maps with the current network maps and add a map for stormwater management facilities. Any relevant strategies will be updated to include known planned projects. The chapter will also incorporate references to relevant partner agency plans adopted by reference, such as the RWSA community water supply plan. The amendment is focused on incorporating these existing known projects and plans. It does not change the city’s overall goals or approach for this chapter. We plan to come back to the Planning Commission once it is drafted and scheduled for a public hearing. This is a notice that this is coming. It is on Council’s Consent Agenda for next Monday.

E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA

No Public Comments

F. CONSENT AGENDA

III. PLANNING COMMISSION PUBLIC HEARING ITEMS

Beginning: 6:00 PM

Format: (i) Staff Report (ii) Public Hearing (iii) Commission Discussion & Motion

1. Zoning Map Amendment and Zoning Text Amendment - 801 West Street [PL-26-0042 and PL-26-0043]

i. Staff Report

Kate Richardson, Preservation Planner – I will be presenting staff’s recommendation on 2 companion applications, a zoning map amendment and zoning text amendment for the property at 801 West Street.

Next Slide

On behalf of the owner, staff is requesting that the Planning Commission recommend to City Council both zoning amendments. Together these 2 actions will formally designate 801 West Street as an Individually Protected Property (IPP). This is the first public hearing on this matter with the community meeting having taken place earlier this year on March 11th. Here is the subject property at the corner of 8th Street Northeast and West Street with a view towards Preston Avenue in the background.

Next Slide

801 West Street is in the 10th & Page Neighborhood. In a 2021 survey submitted to the Department of Historic Resources, it was listed as eligible to be nominated as a National Register Historic District. The subject parcel is zoned RNA with adjacent parcels on the north zoned CX-3 along Grady and Preston Avenues, one of the city’s entrance corridors. Importantly, the IPP designation does not change the underlying zoning. RNA remains in place. It adds a layer of historic preservation protection or simply a design control overlay on top.

Next Slide

These pictures give you a sense of the property. The structure is a well-preserved example of early 20th century residential architecture. It is a 2-story dwelling clad in stucco. It is characterized by a hipped roof with pedimented gables, a wood-railed widow’s walk in the center, and an attached single story rear addition. It was built in 1905 by a local carpenter and purchased by James and Mudd Fleming during World War II. The home has remained in this family for over 80 years. Mr. Hunt, the property owner, is here this evening and will tell you more about the history and meaning of this home to his family and to our larger community.

Next Slide

The property is not a time capsule. A garage dependency was removed in the mid-20th century. Recently, the side porch of the addition was enclosed. Overall, the home exhibits good architectural integrity with many exterior and interior features being preserved by Mr. Hunt and family. As these pictures reflect, the home retains excellent integrity and its sense of place within the larger historic 10th & Page Neighborhood.

Next Slide

In summary, the physical and contextual conditions of the property are consistent with a structure worth preserving and protecting as a contributing resource through IPP designation.

Next Slide

Since IPP designations are infrequently established. I thought it was important to provide an overview. The IPP lists exist to safeguard culturally significant resources, buildings, and sites that are not within an architectural design or ADC district. It is one of the city’s tools for protecting community heritage. It is why in January of this year; the Board of Architectural Review recommended to City Council 801 West Street be added to the IPP list. In this map, you see several ADC districts to the southwest and the closest neighboring IPPs indicated so you are aware of their general locations.

Next Slide

For the Commission’s consideration, the following review criteria were assessed.

- Does the amendment conform to the Comprehensive Plan? The Comprehensive Plan expressly recognizes historic preservation as a core community value and identifies the protection of historic resources as essential to sustaining Charlottesville’s character, identity, and sense of place. The 10th &

Page Neighborhood is historically significant to the African American community. The subject property represents a tangible physical connection to that heritage.

- Does it further the purposes of the zoning chapter and serve public necessity, convenience, and general welfare? The IPP designation mechanism under Chapter 34 exists precisely to achieve these goals on a property-specific basis providing targeted protection for structures whose loss would constitute an irreversible harm to the community's heritage.
- Is there a need or justification for the change? The subject property is historically and architecturally significant. Designation provides a local level of regulatory safety.

Given the context for both community and neighborhood, there is certainly both need and justification for the change. In response to the 4th criteria, the IPP designation does not alter the underlying zoning district classification in any way. It does not adversely affect surrounding properties. It has no impact on public services or infrastructure.

Designation is appropriate for this property in 2 primary ways.

- Advancing an important equity goal by establishing IPP protection to a property within 10th & Page.
- Continued and enthusiastic support of the property owner and family for the protection of their home.

Next Slide

Staff believe this designation is well-supported, appropriately justified, and protects something irreplaceable in our community. Based on all the criteria reviewed, we seek your recommendation of approval to City Council for both rezoning applications, PL-26-0042 (the zoning map amendment) and PL-26-0043 (the zoning text amendment).

Commissioner Solla-Yates – I am a resident of the area. It is near and dear to me. Status questions on the national and state district.

Ms. Richardson – The 10th & Page Neighborhood is not currently designated to the National Register of Historic Places. It was listed as being eligible to be a historic district. With the state, that would be the same. The Virginia Landmarks Register would be the first step. The DHR sends it to the Secretary of the Interior for consideration. VLR is first followed by the NHRP.

Commissioner Solla-Yates – What is the concern? Why not submit it?

Ms. Richardson – It is the community who is charged with bringing a nomination forward. It is not staff's prerogative to just list and nominate it. It has been surveyed and has been found as eligible, which is significant here.

Commissioner Solla-Yates – I know there has been some work on a small area plan for the area for many years now. Is there a connection between this IPP, that district, and the small area plan?

Jeff Werner, Preservation Planner – No. This is a request from the property owner.

Commissioner Harness – I read in the report that it is believed that there are structures that had been built previously to this one in the area. Do we have any idea of the quantity of structures that are before 1905?

Ms. Richardson – There are several structures. Staff can do a deep dive into that and provide a list. It is good research to do overall given the nature of this potential listing and for the community. It is a good thing that you can do the research.

Commissioner Harness – Are the structures that are older that we know about in a similar condition?

Ms. Richardson – I would want to do more investigating before commenting. I don't know the breadth of how many and the number.

Commissioner Harness – You made a comment about how the underlying zoning remains the same. As we saw with the discussion around The Mark, there are a lot of unknowns or gray areas. While the structure may be protected through this process, does that prevent anything from happening on the property as it stands today outside of the structure? If the current owner or future owner subdivides the property, does it prevent something from being done from that parcel that is no longer containing the protected property?

Ms. Richardson – The great thing about working with someone like Mr. Hunt is that he is willing and has said that this property is going to stay in his family. The reason for that IPP designation is that he wants to maintain that parcel, that lot, and that structure as is. It was important to his family in the past and it is important to Charlottesville as a community and 10th & Page. As far as the future of any property owner's desires, that would be totally up to them. I cannot speculate on whether they would subdivide.

Commissioner Harness – I am not asking you to speculate. I am asking for possibilities. Does it prevent a future owner or a future sub-parcel from being developed?

Mr. Werner – The only thing it does is that it results in this parcel being subject to new construction, demolition, or alteration to the existing structure. It is subject to be reviewed by the Board of Architectural Review. All actions by the BAR are appealable to City Council. The underlying zoning remains. The IPP is an overlay on top of that. Whatever is allowed goes through the BAR. If they want to do something later, subdivision is not precluded. Construction is not precluded. As we have seen, demolition has been allowed of designated structures. What is unique about this situation is that Mr. Hunt approached us about putting this overlay onto his property into his family's home. While we came forward and asked you to sponsor it as a city-initiated change, this is coming entirely from the property owner.

Commissioner Harness – The IPP goes with the building even through it is contained within the parcel. If you break up the property, you have 2 properties.

Ms. Richardson – Both would retain the IPP status as an overlay that sticks with the parcel unless you do a zoning text and zoning map amendment.

Mr. Werner – The IPPs are identified in the code. The ADC districts are simply defined. Individual IPPs are listed in the ordinance by parcel number. To change that parcel number through subdivision, if somebody wanted to reduce the IPP overlay, they would have to go through that zoning text amendment process. There is a step. The overlay is over this parcel. We are identifying the contributing structure as the building on it. There are no other secondary things there.

Chairman Schwarz – If somebody wanted to put a building in the backyard of this, the BAR would review it. It is not precluded. It would be under review. Even if they subdivided the lot, the BAR would still review it.

Mr. Werner – My house is an Individually Protected Property. I knew it when I bought it. If you have any questions outside of this about IPPs, I can speak with a certain level of expertise on those.

Commissioner Harness – My question is around how this overlay potentially impacts the further development of housing in an area of town that needs housing.

Mr. Werner – It does. There is a process for that. That is why the city established historic districts, the design guidelines, which are adopted by Council, and appointed the Board of Architectural Review to implement that plan with those things appealable to Council. There is a process for that. It is less than 10 percent of the entire city that is within an ADC district or an IPP. It is not as if this is shutting down growth and development throughout the city.

Commissioner Carp – There was a church on Park Street wanting to put solar panels on the roof. The BAR reviewed it and rejected it.

Mr. Werner – Council decided on that. This is what the Board of Architectural Review did. The BAR also looks at the historic character of the building. They also look at sustainability and things like that. You had an 80-year-old building with a Buckingham slate roof on it. Buckingham slate will last a long time. The idea of removing that slate to put solar panels on was questioned by the BAR. They said that there are other opportunities to install panels. You leave intact the sustainable material and a character defining architectural feature. That was the question before the BAR. The BAR said that does not make sense. Everybody made it about the BAR against solar panels. In my time, we have maybe looked at 20. We just review them now and approve them. The BAR has never denied something like that.

Commissioner Carp – In this case, would the designation preclude any owner now or in the future from putting on rooftop solar panels?

Mr. Werner – As it currently stands, this is an informal decision of the BAR and informal decision of staff, given the path we took at First United Methodist Church, unless somebody is significantly altering the roof plane, unless there is something unusual happening, we will approve it administratively.

ii. Applicant Presentation

Richard Hunt, Applicant – I was born at the University in June 1956. When I hear Mr. Hunt, I turn around and look for my dad. Thank you for letting me chat with you. You probably want to know why I did this. I did not know anything about this until my property manager, Kevin Blair, was doing some work with Mr. Werner about a year ago. The subject came up. I learned about IPPs. When I read about IPPs, it sounded like it was defining our house and our neighborhood, given that 10th & Page had already been identified as being a possible place for such designation. This sounds good. This will honor my grandparents who bought the place. This will honor the community and my ancestors. My connection with the University goes back. My great grandfather was Henry Martin, the bell ringer. Some of the people in this community still remember my grandmother who taught at Jefferson for 40 years. She went to become the librarian at Venable for a few years. There is a plaque outside of Venable and outside of Jefferson, the Charlottesville Twelve. My family has deep roots. I am a son of Charlottesville. This designation is appropriate for the house, for the life they built. It is appropriate to honor the community, which has been such a foundation for the city. If you saw the house today, you would recognize that it fits the description. We have done enough work to make sure that this house exists past the time that I am here. One of the first things I did when my mother deeded it to me was to bring in a structural engineer. One of the first things that I did after I read the report was call Kevin Blair. We now have a new foundation. He can describe it if you want. We then took to the back. We replaced all the plumbing. Did a few things in the kitchen. We kept everything as it was or as my grandmother would have wanted it.

iii. Public Hearing

Brian Shott – This is going to sound naïve. I support the comments of the previous speaker with regards to the significance of the house and the significance of the heritage that goes along with it. Based on the pictures that we saw, it is in good shape. My own knowledge and understanding are the 10th & Page Neighborhood. I would put the question forward or raise it as an issue. It has been done before by one of the previous speakers, to the

extent to which it represents the status and nature of the 10th & Page Neighborhood. Giving it this IPP designation, it becomes a living symbol of the neighborhood. I need to go out and do a bit more groundwork. In lieu of doing that this evening, I will put that issue forward. That is the extent to which this lovely structure and the heritage that goes along with it is representative of the neighborhood as it currently stands.

iv. Commission Discussion and Motion

Commissioner Mitchell – I move that the Planning Commission recommend that City Council approve the application for rezoning applications PL-26-0042 (ZMA) and PL-26-0043 (ZTA). Second by Commissioner Solla-Yates. Motion passes 6-0 with one abstention (Commissioner Carp).

IV. PLANNING COMMISSION ACTION ITEMS

Beginning: Following any public hearings

1. Critical Slope Special Exception - 2010 Meadowbrook Road [PL-26-0037]

i. Staff Report

Dannan O’Connell, City Planner – The first critical slope and special exception is for 2010 Meadowbrook Road. It is a developed property in the RA District. The applicant is seeking to add a rear addition onto it which adds patio and landscaping.

Next Slide

You will see the property and the existing conditions and critical slope. There is an existing house there and critical slopes basically surrounding the property on all sides.

Next Slide

The next slide was from the applicant’s presentation. I thought it was instructive. It basically shows the number of constraints on the existing property. The red-shaded area is a sanitary sewer line and a sanitary sewer easement that cuts off the entire front of the parcel. The front of the yard precludes development in that area. The property is also non-conforming regarding several new standards in our zoning code, particularly building width. That yellow area on the side, even though there are no critical slopes in that area, the applicant would not be able to build any additions in that area by right because it would make the house too wide. The proposed addition is in the rear. The critical slopes that would be impacted are shown there in green.

Next Slide

The next slide shows the standards for critical slope special exceptions. The staff report cited that finding #1 would apply because of the topography and the restrictions that were mentioned in the previous slide that would prevent the redevelopment of the property and restrict its use. Finding B would not be applicable because it is not public property.

Next Slide

We did recommend approval of this critical slope special exception and would not recommend any conditions. Based on what we talked about in the pre-meeting, if there is any concern that maybe the recommendation would be denial, we would suggest that the Planning Commission defer this application based on that section so we can check with the City Attorney.

ii. Commission Discussion and Motion

Chairman Schwarz – If I am understanding this correctly, the current critical slopes in the site were probably created by the construction of this house in the first place. It looks like they are not really making anything steeper. There is cutting into what is the existing critical slope.

Mr. O’Connell – It seems accurate. The applicant can comment on the design.

Scott Williams, Applicant – That is right. We are cutting. We have retaining walls to deal with the cut.

Commissioner Solla-Yates – I had a question about Parks. This drains into a public park. Did Parks have any comment on that?

Mr. O’Connell – They did not. Parks staff are included in the review chain for this critical slope, special exception. We did not have any comments from them during this review

Commissioner Yoder – I have a comment about the zoning code. In my opinion, this is a classic case of looking at the constraints. You see why the critical slope is an issue here. If I am reading the zoning code correctly, the build-to width is 50 percent, which is why you cannot add on the side of the house. For RA, the maximum width of a structure for the primary street facing side is 60 feet. Since the lot is 175 feet wide, that would make the build-to width and the maximum width disagree with each other. This highlights an issue with the zoning code. I don’t know what we do about it. That is the thing that caught my eye with this application. I think some of our dimensional requirements don’t seem to work for lots of this size. That has no impact on what we should do with this waiver request. I just wanted to raise that. It is something we should consider as a Commission and staff.

Motion – Commissioner Harness – **I move to recommend approval of the critical slope special exception for Tax Map and Parcel 400006100 as requested, with no reservations or conditions, based on a finding that due to the unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, the requirements of Section 34-4.10.1 would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties. Second by Commissioner Mitchell. Motion passes 7-0.**

2. Critical Slope Special Exception - Botanical Gardens of the Piedmont [PL-26-0044]

i. Staff Report

Mr. O’Connell – This is for The Botanical Gardens of the Piedmont. Technically, it spans 3 different parcels, all part of McIntire Park and a part of Albemarle County.

Next Slide

You can see the existing conditions. There are critical slopes along Melbourne Road and along the waterway that cut through this property and the back part of McIntire Park.

Next Slide

The next slide shows an excerpt from the site plan showing the critical slope impacts. The impacts are those hatched areas that are part of the limits within the limits of disturbance, those dashed lines along the roadway and to the west and south of the creek. There is a little bit of critical slopes in the bottom right corner of the screen that is within Albemarle County. It is not technically included in this request.

Next Slide

On the next slide are the criteria for judging a critical slope special exception. In this case, we found that Finding A and Finding B would apply because the location of the critical slopes would need to be disturbed to allow the path connections to join the Botanical Gardens with the existing trails in McIntire Park. It is a public botanical garden as part of a city park. The benefit of that would outweigh the benefit of keeping it undisturbed.

Next Slide

With the last slide, we would recommend approval of this critical slope special exception. We do not recommend any conditions be placed on it.

ii. Applicant Presentation

Chairman Schwarz – I have some questions about the plan. Could you explain some of the areas that you are impacting on and what the plan is? Are you putting it back how it was? I can see what clearly looks like you are burying a utility line. I am assuming that you are going to put it back how it was. There is so much happening here.

Applicant Engineer – That cross shape there is a utility and I believe a fence line that will be put around the site. That wraps the entire parcel to keep the deer out and protect the botanical garden itself? That is probably the line you are seeing on the perimeter. Some of the other areas, like the bottom right corner, are being impacted slightly by the parking lot and mostly by the Parks & Recreation trail that is going to go through there. It ties into the intersection of John Warner Parkway and Melbourne. To put the trail in, the city will be flattening a 10-foot-wide paved trail that will connect. There is a bridge that it will cross. It will go off the page to the left. That will be a city bridge. It keeps going all the way up to the skatepark. We are interfacing with that project. We are showing it on our plan because it is in our property line. There are pedestrian trails that get you accessibility to left side of the page, which is the Woodland Garden. There are some amenities. To get an accessible path up from the stream area, it rises and there are some switchbacks that get you up to the top there. We are trying to minimize it. As you can see, there are holes in the limits of disturbance that we are trying to preserve as many trees as we can. We have done an extensive tree survey. It is a younger woodland. It was a farm field not too long ago. We have preserved a lot of the existing trees of good quality and in good condition. It is also a phased plan. Part of the garden will be down the road. What is happening now will be the right side of the page with Phase 1, Phase 2, and Phase 3 on the left side.

Chairman Schwarz – Is that a culvert at the top and middle of the page?

Applicant Engineer – That will be another bridge. The city will eventually be building its own bridge. We will have another bridge that is more for just pedestrians internal to the garden within the deer fence. That is that little line you are seeing there. We are just trying to minimize abutments on either side and keep it out of the flood plain. To get an ADA path through there, we would be putting a retaining wall to hold up the grade at that point where at the curve is in that line. There are a lot of challenges on this site in terms of underground utilities.

Commissioner Harness – I appreciate what the Botanical Garden is trying to do here. I am lightly familiar with long-term visions. When I look at this plan, all the limits of disturbance, dash line pulls my eye to the left. I believe that the physical infrastructure of buildings and things is on the right side of the screen. Is this a one-time request for the special exception on critical slopes for all phases of the project? Is this limited to what they are trying to do today?

Mr. O'Connell – The request is limited to the areas that are shown on that exhibit on the screen, except for that portion on the bottom right, which is in Albemarle County.

Commissioner Yoder – It is the darkest hash within the dashed line.

Mr. O’Connell – Yes. These are the areas that are part of our critical slope map, which the applicant is requesting to disturb as part of this Botanical Garden’s project in all phases.

Jill Trischman-Marks, Executive Director – I wanted to further answer the question that you just asked. The design that you are looking at is for the full buildout and design of the site. It will be constructed in phases. We do not foresee coming back and asking for additional critical slope variances. We are doing it all at one time. Our site plans are in their 4th submission at this point for both the city and the county.

iii. Commission Discussion and Motion

Motion – Commissioner Solla-Yates – I move to recommend approval of the critical slope special exception for Tax Map and Parcel 460002000, 460001200, and 450001000 as requested, with no reservations or conditions, based on a finding that:

- Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, the requirements of Section 34-4.10.1 would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.
- The public benefit of the proposed encroachment outweighs the public benefit of protecting the area of slope proposed to be impacted.

V. PRESENTATIONS

Commissioner Roettger left the meeting.

1. Environmental Regulations and Policy Update

Staff Presentation and Commission Discussion/Feedback

Tori Kanellopoulos, Long Range Planner – I am here to present an update on the Environmental Regulations and Policy Review Project.

Next Slide - Agenda

I will do a brief review of the project objectives and potential outcomes. As a reminder, those were previously shared at the Planning Commission work session on October 28th and with City Council on January 5th. I know there might be some new people here and online. We will try to go through some of what we shared at those meetings and focus mainly on the project progress. I will also highlight the overlap with the city’s climate program and talk about the immediate next steps.

Next Slide – Project Objectives

This is a quick overview of the project objectives. They include balancing community and Comprehensive Plan priorities of housing and by right density with protecting the natural and built environments, increasing community resilience, including potentially increasing flooding and extreme heat risks, ensuring alignment between regulations across topics, and using an equitable framework for prioritization and implementation. Potential project outcomes include city code updates, updated policies for the 5-year Comp Plan Review, updates to city programs and policies, and coordination on related projects and plans.

Next Slide – Summary of Potential Project Outcomes

This is a reminder of potential project outcomes, which will ultimately depend on the resulting recommendations that come from the various standalone projects that are associated with each topic, which I will talk about in more detail on the following slides. They include potential updates to code, potential updates

to the Comp Plan, best practices to share with the development community, and other potential projects. These have pretty much stayed the same since they were first presented.

Next Slide – Project Roadmap

This is a project roadmap, which was to show the topics that already have identified projects, how those are related to each other, other approximate timelines, and where additional scoping is needed. As staff identifies additional projects by topic, we are anticipating transitioning the environmental review into these individual projects with continued collaboration across project teams. When this project started, it started as one large project with these 6 topics, partly coming out of the need for additional scoping and refinement to investigate some of these topics further, especially ones that were an interest from previous studies and planning efforts. Several of them now have specific standalone identified projects that have been identified. Some of them have made a lot of progress. Some of them are still more in the scoping phase. Many of the project teams and project themselves overlap. As we transition to more individual projects, there will still be significant collaboration across the project teams and different departments. The roadmap is also meant to reflect previous Planning Commission comments to align topics and their timing with relevant parallel projects and initiatives. At the previous Planning Commission work session, the Commission had mentioned additional topics to incorporate including drought mitigation planning, wildfire risks, and resilient infrastructure. Those topics are addressed in Resilient Together and will be incorporated into other projects as applicable.

Next Slide – City Project Partners

As we go through these projects, I also wanted to highlight that they are led and supported by staff across the city including departments, such as Neighborhood Development Services, the Office of Sustainability, Public Works, Utilities, and Parks & Recreation. There will be other departments involved at key points. I just wanted to highlight the main project leads. I also note that the Commission has identified other departments to make sure that they are involved as applicable, such as Fire & Rescue and the Rivanna Water Sewer Authority. Just noting those other departments that will be involved along the way as well.

Next Slide – Charlottesville’s Community Climate Action Plan

Before going through the project progress to date, I wanted to spend some time talking about the city’s climate program, the climate action plan, and Resilient Together and highlighting these plans as they came up during the previous Planning Commission and Council work session. The environmental projects will be implementing strategies from both their key considerations for those projects. The Climate Action Plan was adopted as part of the Comprehensive Plan in 2023. It includes key actions as shown on the right side across the different sectors to move toward emissions reduction goals. Those are a 45-percent reduction by 2030 and carbon neutrality by 2050 using 2011 as the baseline year. The Climate Action Plan is informing the environmental review project recommendations. We are ensuring consistency across those. One example would be that there are strategies in the nature-based solution section of the Climate Action Plan that include updating the urban forest management plan and integrating tree canopy and transportation planning such as cool corridors.

Next Slide – Implementing the Climate Action Plan

Each fiscal year, the climate program team develops a cross-departmental work plan to support implementation of the Climate Action Plan. That includes initiatives led by the Office of Sustainability and other departments. It is organized by outcome area as shown on this slide. They also present an annual report on the work plan and plan implementation progress also organized by those outcome areas.

Next Slide – Reducing Emissions & Adapting to Impacts

The Climate Action Plan is focused on mitigation and Resilient Together is focused on adaptation and resilience. When talking about mitigation, we are talking about reducing greenhouse gas emissions. When talking about adaptation resilience, we are talking about planning for and adjusting to changes and impacts that are already going to happen due to climate change, even as we keep working to reduce emissions. Adaptation is

changing how we operate to account for specific effects of climate change. Resilience is strengthening community systems to withstand shocks and stressors. As you can see from the graphic, there is significant overlap between the two. They also have separate implementation activities, which is why we have 2 plans. The environmental review will be implementing both.

Next Slide – Resilient Together: Developing a Climate Adaptation & Resilience Plan

Resilient Together is a joint planning and community engagement process between the city, the University of Virginia, and Albemarle County that have been working in parallel to develop their climate adaptation and resilience plans. The city is currently doing the first round of internal review for Resilience Together. The strategies will point to the environmental review projects. We have been collaborating with teams to ensure consistency. The primary overlapping areas are shown in orange on the right side. That includes energy efficiency in buildings, stream buffers, flood management, tree canopy to address urban heat islands, urban stormwater, and wildfire preparedness.

Next Slide – Resilient Together: Example of Project Overlap

This is an example of project overlap from Resilient Together. In the urban stormwater section, the plan talks about facilities and infrastructure that can withstand projections for severe precipitation and projected population growth, prioritizing nature-based solutions. One of the actions in that section refers to the environmental review project and the stormwater management project.

Next Slide – Project Progress

The first update is that we have released an RFP for the stormwater management regulations update. That was released last week. It will be open through mid-June. Our city review committee will review the RFPs and select a consultant this summer. The project will hopefully kick off this summer or early fall. The primary purpose is to look at increasing the feasibility of smaller infill developments that have landfill disturbance under 10,000 square feet, balancing the Comprehensive Plan goals of housing choice with a protected and restored natural environment. The scope includes updating the stormwater management requirements, developing associated technical reports and toolkits and noting previous Commission feedback on the need for clear engagement materials and the use of visuals and graphics. It will be an important part of this project for engagement and information sharing. This project is also looking to hopefully increase the use of on-site facilities and green infrastructure. We are looking for the best ways to do that on these smaller sites.

Commissioner Harness – I am appreciative that the RFP just went out for this plan. I gathered from the roadmap that you provided earlier that the recommendations from that study that comes out of the RFP are not programmed until late 2028. Is that correct?

Ms. Kanellopoulos – Yes. It will take some time to evaluate existing conditions and regulations, come up with recommendations, do community engagement, but also Commission and Council feedback. We will need to make a justification to the state Water Resources Board since they must approve any changes to our stormwater management regulations. It is anticipated to be around a 2-year timeframe, considering all the engagement and steps that we would need to do to formally update the regulations and develop any associated technical resources that we could share with the development community.

Commissioner Harness – I can appreciate how long this would take. I can appreciate the amount of work that staff will have to work with the consultant to get that done. I am worried about the protracted timeline. There are items today about the city's 6,000-square-foot land disturbance limit that we have heard is limiting projects or stopping projects from being built today. I wonder if there is anything that we could do sooner than 2029 to mitigate some of these things that we know about here today that are making an impact on the city. That probably parlays with the working group that Mr. Alfele mentioned to us earlier. It might be something you hear about from the developers trying to do the missing middle housing here in the city. I understand trying to

be comprehensive about it and to understand the full picture. I question whether there are items that we know today are creating real hindrances to the creation of housing in the city and if there is anything we can do sooner. Is that part of this process of trying to figure out if there are some things that we know about today that we can maybe act on sooner than 2029?

Ms. Kanellopoulos – I don't know if I have a specific answer yet. It is a good point to collaborate with our teams and working groups to see if we can identify some potential earlier solutions. I don't have any specific ones in mind. We will consider that.

Commissioner Mitchell – You alluded to my concern about a paucity of water, the drought mitigating planning. At what point do we get a 'little more meat' on that problem? I appreciate that Public Works has mentioned that they have something in the file that talks about it. Except for the words that you used, it is not spoken to in this document. You did suggest that we will get there. When will we get there? What will it look like when get there?

Ms. Kanellopoulos – This is maybe a 2-part answer. I know there is regular coordination between the city and RWSA for drought mitigation planning and monitoring. There are some specific recommendations in Resilient Together related to drought mitigation as well. There will be some specific strategies there even if they don't appear in those other 6 topic areas.

Commissioner Mitchell – You talk about UVA, the city, and the county being partners. Rivanna Sewer & Water should be a partner as well. We should intentionally list them as a partner we will be working with.

Commissioner Carp – One thing I like to ask about any presentation like this is what problems are we solving that we have? We have heard from Commissioner Harness that there are problems with restrictions on development. Density is a climate solution. We are limited in pursuing that. That is a problem to be solved. Other things you mentioned imply problems now or in the future. I don't know what the status is. We are talking about stormwater management. How are we doing that now? Is there a problem urgently? Is there a problem in 30 years? What caused you to undertake this study? What is deficient right now?

Ms. Kanellopoulos – With this study specifically, it is more focused on the Development Code/Comprehensive Plan implementation side of things and trying to encourage more onsite water quality treatment. Developers often choose to buy nutrient credits for off-site. It is more feasible and less expensive to do so. Trying to address those types of issues with this project but looking at things like the state of the infrastructure for stormwater management is beyond the scope of this study. It is being considered with other parallel projects.

Commissioner Carp – I understand the thing that you are going to study. I am still not sure why now. Is there a problem? You mentioned developers using off-site nutrient credits. What is the extent of that? Is it a problem?

Ms. Kanellopoulos – The bigger driver of this study was the new Development Code and the kind of threshold for land disturbance for stormwater management and trying to fit the allowable density on a site while also fitting required infrastructure for stormwater management.

Commissioner Carp – That makes sense. Something that struck me about the presentation overall is that I think I saw that our emissions since COVID have been flat as a city. I remember a presentation from Emily Smith (Civil Engineer) that one of the drivers of that flat trajectory is transportation. I am a little surprised not to see more about density and transportation as climate solutions in these materials. I know the scope of this work is about how to have more infill without causing problems with stormwater management. In general, talking about the city's mitigation and adaptation plans. I am surprised not to see more discussion about how people get around the city, about transit, about whether people can live closer to places that they are going to. It is probably out of scope for what you are presenting. Seeing all the climate graphics, there are some holes that I expect to hear more about. There is a word phrase that says waste diversion. In terms of drivers of continued high

emissions in the city, it is probably a lot less compost and a lot more people driving alone in their cars. It is something that I would like to hear more about on the climate topic.

Commissioner Solla-Yates – Some of the most questions I get from the public are about the fires in Los Angeles and the flooding in Ashville and what we are doing about that. What are we doing about that?

Ms. Kanellopoulos – For both of those topics, there are multiple strategies in Resilient Together. The city has a flood resilience plan now. The city received a community flood preparedness fund grant to take a comprehensive look at our flood management program and make updates where needed to have it be more future looking, more robust planning for these anticipated impacts of climate change.

Commissioner Solla-Yates – There have been some changes at the federal level around emergency management. How are we thinking about that?

Emily Irvin, Climate Program Manager – I am leading the development of our climate adaptation and resilience plan, which we will bring forward for public comment later this year. To answer Commissioner Carp's question, I will be giving an annual update about the climate program, which is currently focused on our climate action plan, which is all mitigation-focused coming up next month. I will be giving our annual update with our annually updated inventory and all the things that we have been working on to mitigate our carbon emissions. We have worked closely with our emergency management team in the city. They have been a key partner in the development of our adaptation and resilience plans. Ms. Kanellopoulos showed the slide where she talked about the development of the adaptation resilience plan with the graph where we invest in preparedness. That is the thing that helps us strengthen our systems should we experience an extreme event here in our community in the development of that plan that is forthcoming. I want to help you all understand that we view that adaptation and resilience plan as the 'sister' plan to the climate action plan. The climate action plan is focused on reducing our emissions. The resilience plan is focused on how we will adapt to these changes that are baked in with emissions we have already put into the atmosphere. It is at that high strategic level that the climate action plan is. We developed strategies and the same key actions. We call them implementation projects in the framework of the adaptation plan. That is pointing out a lot of these projects that Ms. Kanellopoulos is talking about this evening. Those are the implementation instruments of bringing that plan to life in our community. I want to help you guys understand that connection between that resilience plan that is in development. It is well-timed with this work that we are talking about. We are already working on implementation of some of those strategies that are in the forthcoming adaptation resilience plan.

Commissioner Solla-Yates – What about federal changes?

Ms. Irvin – That has been difficult. I just returned from a conference with sustainability professionals doing this type of work from across the southeast. I talked to colleagues from Ashville. It is disheartening to hear the impacts that communities who have experienced extreme weather events are having difficulty with FEMA. They are cutting. It is difficult to access funds. They are approving funds based on how you vote. It is hard. I can say that here in the city we recently hired a new emergency manager. They have been closely involved with the development of this plan. I feel that city leadership is taking this seriously. We are working as staff to improve our emergency preparedness 'game.' I can say that we have been working closely together. It is something that we are thinking about. It is hard to control what is happening at the federal level. We should hope that we don't experience too much extreme weather in our region in the near term.

Commissioner Solla-Yates – How can schools be resilient? How can they be part of our response to disasters?

Ms. Irvin – That is something that is being talked about. How can we utilize the buildings that we have access to? What can we do to think about opportunities to build resilience within all city facilities including schools? I think CHS is designated in some of our emergency plans as a potential shelter location. We will continue to

look for opportunities to build resilience within our city building portfolio. There are a lot of implementation projects pointed to in the resilience plan that speak to that very thing.

Chairman Schwarz – We talked about collaborating with UVA and the county. We had that work session when we met with the Albemarle County Planning Commission. What does that collaboration look like? Is there day-to-day collaboration?

Ms. Irvin – Resilient Together is our collaborative planning process. We worked closely with the county and with UVA on staff engagement, other stakeholder engagement, and other agencies to do the engagement and gather the input. We always said throughout this planning process that we were reliant on our colleagues from across the organization and working this space in other supporting agencies. We were reliant on their expertise to help us shape the plan and understand what they are doing. We are trying to build connections between the work that is already happening to invest in that community resilience that we talked about. It was always a part of this project. We knew from the outset that it would be difficult to adopt a plan across the organization. We had always planned for each entity to adopt their own plan. We are at the part of the project where we have broken off. The 3 entities are working on the final touches on their plans. We have been working closely with UVA to align our timelines on the various strategies, projects, and the prioritization levels of the various projects so that we will be as aligned as possible. The county felt that they needed to do more socialization with their leadership. They have stepped back a little. They tell us that they are still committed to the project. They are still committed to the collaboration. The adoption of their plan has gone off the planned path a little bit. They have shared with us that they are hoping to be on a similar timeline for adoption. We are continuing to work together across those entities. Since emergency management has come up, we have had close collaboration amongst the emergency managers from the 3 entities. They were instrumental in helping us with the plan development.

Commissioner Joy – I know that Resilient Together is the county, city, university, and water authority working together. Has Resilient Together looked at other national similar trends, best practices, or even global best practices to help pick up lessons learned so we can make these connections between these various efforts?

Ms. Irvin – Yes. Our regional collaboration and having a university partner are unique. We are not trying to start from scratch. We have done a lot of learning from other jurisdictions. I always cite Fairfax County. I have a close relationship with the Resilience staff in Fairfax. We have modeled our plan layout after them and have done a lot of learning from them. I have talked to many other jurisdictions about this, done some learning from our friends in Asheville. The federal government had some resilience planning tools available to localities that we also relied on at the beginning of our planning process.

Ms. Kanellopoulos –

Next Slide – Project Progress

Looking at tree canopy and tree preservation, the primary project there is the urban forest management plan update. Community engagement is now in progress. There is a Connect Charlottesville page for the project. It is on Connect Charlottesville. If you go to the main page, you can find it there. We have done some tabling including at EcoFare, the Rivanna Riverfest. We also handed out some flyers at last Sunday's neighborhood walk in Rose Hill. On the website, the survey and the activity, which is to share your favorite tree, are both open through May 24th. We have received pretty good responses total number-wise on the survey. We would like to see more. After this round of engagement, the team will review community input and develop the draft plan, which will then be shared for additional feedback prior to finalizing it. The Tree Commission and Parks & Recreation shared the 2025 state of the forest report at the April 20th Council meeting. There is a lot of great information in there. It highlights a lot of the great exiting work and programs that are going on including city and partnerships with local organizations and community members including the Charlottesville Invasive Plant Partnership. It is building neighborhood-based teams that are trained to identify and safely liberate

neighborhood trees from invasive vines. A big piece that will come out of the urban forest management plan is the need for all community members to be involved since we cannot achieve our canopy goals just on public property alone. There are some good partnership opportunities there. NDS and Parks have also been collaborating on improving tree preservation review and enforcement for site plans. There will also be upcoming guidance that the Tree Commission and Parks & Recreation are working on for best practices for the development community including for tree planting and preservation.

Commissioner Harness – I like what the city is doing here with the urban forest management plan. There are a lot of benefits that come from having a good strong tree canopy. I have a question about our favorite time of the year in the fall when all those trees that make up our forest shed their leaves. What happens to the leaf litter that is collected by the city?

Kristal Riddervold, Office of Sustainability – I am going to speak on behalf of Public Works. They collect loose leaves that are brought to the curb. Those are taken to Panorama Farm and turned into compost. They are not going to the landfill.

Commissioner Solla-Yates – The city of Charlottesville requested expanded tree canopy protections for Richmond. We got them. What do we do? How are you thinking about that?

Ms. Kanellopoulos – Could you share more about the update from Richmond? My understanding was that we were still constrained by the state code.

Commissioner Solla-Yates – I don't remember. I think it starts July 1st. We wrote our code to what was legally permissible at that time. I think it allows us to do twice as much. I would recommend that we not do it everywhere. There are some places where it probably makes sense.

Ms. Kanellopoulos – We can take a look. One thing that we have been finding at a high level is that sometimes depending on the site, it can be challenged to fit an increased canopy where the trees will thrive and survive. Sometimes it might be important to also focus on quality.

Next Slide – Project Progress

A quick update on flood management. There is the community flood preparedness fund project that I mentioned earlier to build a more robust and future forward flood management program. The update there is that the procurement process has started. We are looking forward to collaborating on that project with the stormwater management project.

Commissioner Harness – I have a bigger question about flood preparedness outside of this grant project. As we densify following our Comprehensive Plan in the city, flooding as we see in some of our larger cities could become an issue. It wouldn't be if we are getting the amount of rain we are getting this spring. That will not always be the case. I am curious about the water that falls on Charlottesville not just going to stay in the city. It goes places if that is part of Resilient Together or if preparing for future impacts is part of this grant project.

Ms. Kanellopoulos – Both this project and Resilient Together take a regional and watershed approach. It is acknowledging that the impacts don't just come from or stay in one community.

Ms. Riddervold – This is a good example of a project in the Resilience Plan pointing to this as being an implementation step. Some of the datasets that we are looking at are giving us 100-year flood projections. In 2100, what are flood plain projections looking like and trying to establish not only river flooding but flooding that we will see in the interior parts of the city disconnected from streams because of low-lying areas, stormwater infrastructure? We increasingly know that between mitigation and adaptation, there is a Venn Diagram between stormwater management and flood management. This project is intended to do a baseline study of what our program consists of now? What are some best practices? What are some gaps? What is the

opportunity or the barrier to evolving the program that exists now. When we say future forward, it is thinking about this specific topic with that climate lens.

Commissioner Solla-Yates – The city of Charlottesville is 10 square miles. In terms of the control over the landscape, we are limited, especially around things like flooding. How are we thinking about the overall flood plain especially upstream?

Ms. Riddervold – When you say upstream, are you meaning upriver? We won't have any control over land use upstream of us. The flood plain maps consider the regional nature. Those flood plain maps are not designed or created within jurisdictional boundaries. What we will see as projections will consider the watershed, the drainage areas.

Commissioner Solla-Yates – Some other localities have started buying up the properties upstream of them to protect them and protect themselves.

Ms. Riddervold – Most of our upstream is outside of the city. A lot of communities are similarly thinking about their river line areas as natural resources that serve multiple functions, not just recreation, but that natural area and connection. The flood plain does some controlling of severe flooding upstream and downstream. Our neighbors in Albemarle County have smart water resources professionals. They are investing. The city and county are working on a stream restoration or have done in Biscuit Run. There is recognition that there are joint water resources projects that benefit both jurisdictions.

Ms. Kanellopoulos – With combining the water protection ordinance stream buffers and critical slopes, both topics for next steps, staff needs to determine what the overall staff capacity would be. Ideally, have results and data from the buildout analysis and infrastructure study that is going on in parallel to these projects. Looking at the results from that and evaluating potential priority areas to protect. Looking at what is the feasibility of updating regulations and what impact would it have? Is it worth going through that type of process if there are only a few parcels that are undeveloped or have the potential to redevelop that would be impacted. There is a lot more background study and further analysis that staff feels is needed before diving into these topics. Once we have a consultant for the stormwater RFP, there was funding that was allocated at the beginning of this environmental review project for these parallel projects. How much will be left over? Could it support potentially stream buffers or critical slopes topics?

The last update is on the energy efficiency topics. I wanted to note that for both the high-performance buildings and electric vehicle charging that the Office of Sustainability has been leading these. Going forward, other staff capacity and support are likely needed. Supporting roles still need to be determined. Council approved the high-performance buildings resolution on April 6th. Staff have updated the high-performance building standards for city buildings. Those define specific requirements by project type including energy and water usage intensity targets. There are standards for project planning and design, building envelope, materials and systems, basic site design, and monitoring & maintenance. In the private sector, the city cannot require energy efficiency standards that are stricter than the building code but can provide incentives and best practices. Staff are working on some of those resources now. Those could be shared along with other best practices such as the work that the Tree Commission and Parks are working on to share best practices for tree planting and preservation. For electric vehicle charging, the EV charging study is completed. Staff are working to determine the next steps. Recommendations include a residential curbside charging ordinance as a lot of people don't have driveways. Garages must pull cables across the right-of-way. Figuring out potential options for that to make sure that it is done safely and options for city fleet vehicle charging.

Commissioner Yoder – Curbside EV charging has been a challenge for a lot of cities. We have streetscape requirements in the zoning code. Whatever recommendations you are developing, keep that in mind if we need to adjust those requirements. You are trying to avoid the electric cable going over the sidewalk for ADA

reasons. You must put something in there if there is a planting strip. If we need to change the streetscape to accommodate that, we should make sure we do that.

Commissioner Harness – I am a little disappointed to see that CAT or transit is not mentioned in here. I am using the electric EV charging section as the only transportation item to bring it up. In the E plan, it is saying something like 3 percent of vehicles registered in the city in 2024 were EVs. I question the balance of the potential impacts of EVs in a real pragmatic world versus the magnitude of the transportation related to greenhouse gas emissions. I believe in the city's climate plan. 33 percent of our communitywide the highest bucket is related to transportation. I am not saying that the focus on EV is a bad thing. It is a good thing. Our transportation related sustainability actions are focused on a smaller impact area than what we would be able to achieve if we instead spent that energy working on a transit system that works for more people from a frequency and reliability standpoint. I am curious to know how much the Office of Sustainability is working with CAT to implement their strategic plan.

Ms. Riddervold – CAT is doing several things on the electrification journey. It is not captured or connected to the environmental policy and regulations review project. CAT runs pupil transportation. They have just taken ownership of the first 2 electric school buses that are now out on the road. There are 2 more that have been ordered. On the CAT side, there are 2 transit buses that are expected for delivery this summer. They are actively putting the charging infrastructure in. They have 2 more buses ordered. That was part of the pilot that was approved by Council for a zero-emissions bus transition. I know that there have been a lot of conversations about the reliability and frequency of service regardless of the technology that is being used. Our position is that public transportation is a climate action. Technology is another climate action on top of that. We don't think that EVs are the silver bullet. There are all kinds of transportation related issues. It just happens that these align with some of the policy and regulation challenges or gaps that were identified for this project.

Commissioner Harness – I can appreciate the work that CAT is doing with the battery electric vehicles. The point that I am asking about is that I would much rather have diesel buses carrying people around with fewer single occupancy vehicles on the road than a bunch of battery buses that are not carrying people.

Ms. Riddervold – We have said that empty buses are not a solution.

Commissioner Harness – From that comment, the Office of Sustainability is having those conversations with CAT?

Ms. Riddervold – Yes. We often work with them. We are meeting with them to establish how we are going to judge and track the school bus pilot. What is it that informs future decision-making? We need to understand how this works. Even if we did not think of EVs as climate action, EVs are coming. Many of our peer communities are tackling charging infrastructure questions more as an economic development issue, as a tourism issue, as people are not going to come to our community if we don't have the infrastructure. There are multiple benefits of trying to get ahead of understanding of what this future transportation looks like.

Commissioner Harness – Agree to an extent. Ford just made an announcement that they are converting their battery electric plant that they were using for EVs into grid scale batteries. There are a lot of things happening. The federal incentives are gone. I am curious to see how much that impact makes. While the market might take care of some of the electric vehicle stuff, I would like to see some of that energy. I am going to have this conversation with CAT as well. They are the ones that are going to drive it using transit as environmentally friendly climate plan.

With hydrogen buses, what is the status of the hydrogen buses for the pilot?

Ms. Riddervold – We were just in a conversation this morning acknowledging that the supply of hydrogen is more questionable today than it was when this zero-emissions bus plan was presented. We owe it to the process

to revisit what is realistic and practical. I have also suggested that just because the current administration has stepped away from significant financial, once-in-a-lifetime, generational infusion of support for this type of clean energy transition, we should not stop planning.

Commissioner Harness – I appreciate hearing the city is reconsidering about hydrogen buses. I know that was a pilot that came from Council to do. Maybe it is a conversation to be had with them.

Ms. Riddervold – We still have seen that hydrogen theoretically and in some business cases is a good fit. I don't think that there is a strong recommendation to cancel that direction. It is more about understanding what the infrastructure would look like, what the logistics would look like, what the costs look like, what the local costs would look like.

Commissioner Harness – The supply of hydrogen that is not just split off from a methane particle that carbon dioxide then is leaked into the air, which gets rid of the top level. Environmental benefits from having a hydrogen bus are the number one way that we get hydrogen and the ways that the industry was trying. The federal government was trying to incentivize via green hydrogen or pink hydrogen from nuclear or turquoise hydrogen which is carbon capture. Those things from the supply side are dwindling or have quickly dwindled. If the city was to go the hydrogen route, the most logical path forward on that is to use methane from the city's gas utility to create hydrogen. At that point, you might as well have a natural gas bus and skip the interim step. I want to encourage the city to have these conversations about the practical realities of having hydrogen buses. I appreciate you trying to do the pilot. I appreciate the goal of the pilot.

Ms. Riddervold – There are a lot of industries that are trying to decarbonize. That is what this is.

Commissioner Carp – I think we should be seeing mode share goals as part of the climate plan. I do not care what fuels the buses. I care if people are riding the buses. I do not think we can make single occupancy vehicles, whatever fuels them sustainable. You are doing great work. I would like to see more in your headline materials about mode share goals for 5 years out or 10 years out and the plan to get there. I am not saying it is not happening. It is helpful to hear as an explicitly described goal.

With EV charging, we cannot be obstructing sidewalks for legal reasons and because we want to be able to walk and not fall. I reported earlier tonight on a proposal by the city to put a bikeway in on Rose Hill, which would be parking protected. Sometimes the charging cables might cross the bike lane and sidewalk. That also should not be obstructed by charging infrastructure.

With building efficiency, how are we doing with plans to wind that down?

Jason McIlwee, Utilities – As you know, we have a decarbonization study that we completed about 2 years ago. C3 is currently working on a decarbonization study as well. They are looking at a timeframe for December to have a report back to us. That will come to Council. We will go from there. At this point, that is what we are looking at with decarbonization. How we get there? We are still studying that and looking at our options.

Commissioner Carp – Is C3 a vendor in this process? Are they doing their own assessment?

Mr. McIlwee – They are doing their own assessment separate from what we completed.

Ms. Riddervold – C3 got a grant from a private funder. They reached out to the city starting with leadership. They have engaged both leadership and the Office of Sustainability. We are on their technical advisory committee and working with their consultants to take the next steps from the utility study.

Commissioner Solla-Yates – Why trolley buses? I understand there are problems with methane. I understand there are problems with CNG. I understand there are problems with batteries. How are we on copper wires?

Ms. Riddervold – We should have our transportation colleagues here. It is not part of the scope of this regulation and policy study. We can take it back to them that there is interest.

Ms. Kanellopoulos – We will relay back to the transportation planning team the overall interest and better connecting these projects the way that we present them. We will try to coordinate that as well. We have been talking a lot across the different planning efforts. We will work to better integrate those as well.

Commissioner Joy – I know that data centers and AI are a flash point politically right now. As we develop resiliency plans and as we evaluate stormwater management and tree canopy, what is the city's stance on leveraging AI tools to help expand the scope these studies can look at datasets?

Ms. Kanellopoulos – It is still something we are exploring. We also work with the consultants on these different projects making sure that we establish with them when they are using AI and being clear if we have used it. It is not something that we have used extensively in any of these projects to date. We want to be clear about that going forward. We are open to it but with caveats and making sure that we understand how it is being used and what data it is using and that it is accurate.

Next Slide – Next Steps

Hope the QR code will work. There is the link at the bottom. That is connect.charlottesville.gov/urbanforest-managementplan. That survey is open through May 24th. Other short-term next steps along with the urban forest management plan engagement include reviewing the RFPs and selecting the consultants for the stormwater management regulations project, selecting the consultant for the flood management program updates, and wrapping up high-performance buildings best practices to share with the private sector. Additional next steps include identifying project leads and funding resources to scope the remaining topic areas and transitioning this project into multiple standalone projects. Both are on Connect Charlottesville and likely in future work sessions you will start to see more presentations that are more focused on 1 or 2 projects, especially as we dive deeper into them as they get established. We will also work to note the overlap with some of the other topics mentioned, especially transportation.

Commissioner Harness – On one of the first introduction slides, you have a rain garden or bioswale. I know there have been conversations on this dais before my tenure about implementing them and how there is just the one in the Fifeville Neighborhood near the 501 Cherry Project. Are you having comments in the city? Are you involved in discussions about increasing rain gardens bioswales in the public right-of-way?

Ms. Kanellopoulos – It is something that we would like to look at encouraging with the stormwater RFP study. One of the challenges that I have heard before from Public Works and Engineering team is that it is difficult to fit them into the public right-of-way. It is constrained. They would need to be maintained. There must be considerations for that. It is something that we would look at. There are a lot of challenges when those are in the public right-of-way versus being used within a property.

Commissioner Harness – I understand the difficulties around it. I want to make sure those conversations continue. The city put out a press release about growth season and making sure properties have their grass and weeds cut to under 18 inches. The way that I read the ordinance, I worry about how you balance that ordinance and policy with the idea of having prairies, rain gardens, and bioswales on private property. My neighbor got a citation for having a native prairie in their front yard that was provided by a grant.

Commission Discussion and Questions

2. Downtown Mall Action Plan Implementation

Staff Presentation

Brenda Kelley, Downtown Strategy Manager – I have been asked to come to you tonight to speak about the Downtown Mall and give you an update on the Downtown Mall Action Plan. We made a similar presentation to City Council earlier this year. We have expanded it to talk more about implementing the action plan as you requested.

Next Slide – Downtown Mall Report

A couple of years ago, the City Manager commissioned a report on the Downtown Mall. It is also known as the Action Plan. It was involved with some community engagement. There were recommendations made. We will give you some update on those recommendations at the end of this presentation.

Next Slide – Downtown Mall Statistics

Here is some general information about the Downtown Mall. Many of you are aware of it. Some of you use it on a regular basis. This gives you some background on The Mall itself.

Next Slide – Downtown Mall 50th Update

The Downtown Mall Action Plan was put together in advance of knowing the 50th anniversary of the Downtown Mall was coming up this year. It is July 3, 2026. This presentation tonight gives you an overview of what is going on and what we are doing in advance of the big celebration for the Downtown Mall 50th anniversary.

Next Slide

As of July 2025, we put a Downtown Mall team in place. That is a multi-departmental group of people that are focusing on the Downtown Mall. One of the things the committee that was looking at the Action Plan putting it together identified as a problem was that there did not seem to be a specific city focus on the Downtown Mall. There was no department or responsible party for anything that was happening in the Downtown Mall. There were no specific resources that were regularly allocated to improvements for the Downtown Mall as an important asset of the city. Since that time, Parks & Recreation has done a spectacular assessment of all the assets and the inventory on the Downtown Mall and the maintenance needs. You have seen work happening recently in preparation for the July 3rd event. We have also begun working as a group to identify where funding was allocated to the Downtown Mall and identifying additional needs, such as implementation of the tree management plan. It is a good example of the city not looking at what funding was needed to put that in place. We have holistically looked for it in this current budget cycle. We did meet in advance and talk about what needs are upcoming. We are now specifically including that in the city's budget. The budget that was recently approved does look at outgoing years and what is needed to maintain and improve the Downtown Mall for the first time. We have contracted Block-by-Block. That is the company that provides downtown ambassador services. That has been complete. We are currently planning for the big Downtown Mall 50th celebration. That is in progress. We have some big plans.

Next Slides – Maintenance & Repairs

With maintenance and repairs, Parks & Recreation has been working on improving all the assets. These are some of the things they have been accomplishing. They have now put together a maintenance plan for ongoing maintenance. A lot of this was specifically addressed for the Downtown Mall 50th anniversary. There is now dedicated focus and a team that specifically looks at the Downtown Mall.

Lights are an integral part of this. We need to take a better look at safety and aesthetics. There are some projects happening now to look at lighting

The annual tree trimming is complete. That is done in the early part of the year. Implementing the tree management plan has started. One of the first phases is what we call 'free the fountains.' That is in progress. The next phase will look at starting to do some replacement or some planting of the tree canopy.

Next Slides – Downtown Mall Ambassador Program

Our Downtown Mall Ambassador Program is in place. They started February 1st. As of last week, they are fully staffed. They have a manager and 4 personnel people. One of them is seasonal.

They have what is called a smart system where they can input calls for service and what they see and what they do on the Downtown Mall on a regular basis. We are still working on getting reports in a format that we feel the information will be useful. The city has provided Block-By-Block with items and elements that we would like to capture in the information. As we work around what they are doing and how they are reporting, we still have a lot of work to do on this. Eventually, we will be getting regular monthly reports, quarterly reports, and year-to-year comparisons on the work they are doing. With the Ambassador services, Parks & Recreation pretty much takes maintenance from 5 AM to 1 PM. Our Downtown Mall Ambassadors come at 1 PM and work until 8 or 9 PM. They are off on Monday and Tuesday. They work Wednesday through Sunday. We have maintenance happening on the Downtown Mall at almost all times between the city departments and the Ambassadors.

Next Slide – Maintenance & Repairs

As you might have seen, one of the improvement programs we have going on right now is the Cross Streets construction repair of 4th Street and 2nd Street. This is a project that was in the planning stages for many years. It is now under construction. This is supposed to be done in the middle of June.

Next Slides – Celebrating 50 years of The Mall

We work closely with some other people that help with the Downtown Mall. In this case, Friends of Charlottesville Downtown. We provide them with some funding to provide services to the city that overall benefits the Downtown Mall. They have developed logos and brandings for the Downtown Mall that you might start seeing being used regularly. There are some new banners on The Mall that are part of their new branding promotion. They are working on written narratives about The Downtown Mall. They are the ones that are working on our July 3rd anniversary event.

Here is what is proposed so far for July 3rd anniversary event. Any additional information can be found on the Friends Downtown Cville.com. That is the proposal right now. There may also be a kickoff event Thursday night that you may start hearing more about at The Bradberry.

On the previous slide, you saw the lantern parade. This is an example of a lantern parade that was done in North Carolina. That is one of the big focuses of the July 3rd event. There are some classes happening right now that the community is invited to attend to learn how to make a lantern and have a lantern that they can carry down The Mall during the lantern parade.

Friends also developed a commercial that is being shown on Violet Crown and the Airport. You might have seen it on local tv. The banners are on the light poles with a new banner on the Market Street Parking Garage elevator shaft. Not only is it a July 3rd event, but it is also a full year of events since 2026 is the anniversary year. There will be continued events happening for the Downtown Mall.

Next Slide

We also work closely with the Historic Resources Committee and The Historical Society. They are doing a recollections program right now. I think you can still sign up if you want to do some type of story. When all the stories about memories of the Downtown Mall and thoughts about the Downtown Mall are put together for the July 3rd event, the results will be achieved with The Historical Society.

Next Slide

Charlottesville Albemarle County Convention and Visitors Bureau have been a big part of celebrating the Virginia 250 at the same time as we are celebrating the Downtown Mall 50th anniversary. They have some events happening that they are coordinating with. Monticello is doing some events. You might recall that we recently had the Mobile Museum on the Downtown Mall. The Albemarle Charlottesville Historical Society has started their spring tours. They are ongoing. You can go to their website to find information about that.

Next Slide

Here are some more things that the Convention Visitors Bureau is working on associated with the Virginia 250.

Next Slide – Update-Downtown Mall Report

I think you requested an update on the Downtown Mall Action Plan. There were 21 action items identified in the plan. They were broken down into 3 groups of elements.

1. **Create a Downtown Mall Division within the existing city of Charlottesville departmental structure**-While the plan talked about a separate department, it is not a department. It is a cross departmental team. That has been done. We have clearly assigned who is doing what from which departments and working closely together to make sure we are focused on the Downtown Mall.
2. **Identify the existing maintenance plan for the multiple elements of The Mall**-Parks & Recreation has done that. They have worked on a maintenance schedule to continue regular maintenance of all those elements.
3. **Create a budget and funding sources to implement the plan**-We talked about how that has already been done and will continue to be addressed as we work through future budget cycles.
4. **Establish short, medium, and long-range objectives**-This is looking back at the Action Plan and the intent of the committee and what needs to be done. As you can imagine, that is in progress and ongoing. What have we accomplished? What still needs to be done? Maybe addressing changes to the plans or funding sources needed. That will be an ongoing item.
5. **Falls under social elements and action items. Create a framework for ongoing engagement and dialogue with businesses, property owners, the public, and other stakeholders**-That is in progress and ongoing. I identified some of our partners outside agencies right now. We are developing additional relationships to access. For example, Friends of Charlottesville Downtown have the best outreach to the businesses themselves. We don't want to overwhelm the businesses with messages from the city. We are coordinating those types of things.
6. **Foster robust relationship amongst Downtown Mall Stakeholders**-That is the same venue as number 5 working all together. We need to work with the stakeholders and how best to reach them and engage them in dialogue and discussions about the Downtown Mall and improvements.
7. **Create a consistent presence of staff on The Mall to enhance cleanliness and safety for all users**-I identified the cross now between what Parks & Recreation is doing and what the Downtown Mall Ambassadors are doing and how those services provide visibility on The Downtown Mall.
8. **Diversify the types and numbers of events and other uses of open spaces**-This one is a little bit of an anomaly. Right now, it is pretty much outside agencies that apply for special events and do events on The Mall. The Parks & Recreation Department might be looking at doing additional events at The Mall as we discuss the use and how we engage all ages and people across the city and communities that all have access to The Mall.
9. **Expand bicycle infrastructure for the Downtown Mall and surrounding areas**-We have a lively bike and pedestrian community. Our NDS bike and pedestrian staff are very good at all of this. We will be engaging with them and continuing to look at the bicycle infrastructure. Some of the things in the action plan talk about whether there are other than just putting bike racks out. Maybe we will look at lockers. The bike and pedestrian staff are doing that right now. It is more than just the infrastructure and routes you are seeing. There are probably more thoughts about more infrastructure that can help make the Downtown Mall a better area.

10. **Improve pedestrian infrastructure on adjacent streets providing access to The Mall**-One of the things that the action plan talked about is the Downtown Mall might look good and be great and be used. What happens to get there? How does it look to get there? We will probably be doing a lot more to address how that works, what that looks like. It might involve more funding. That is one of the things in the plan. We have marked that as in progress, ongoing, and TBD. That is a much bigger issue about all those connections to neighborhoods.
11. **Utilize demonstrations and pilot projects to explore side street access solutions and aesthetic options with opportunities for community feedback**-This might be a bigger project to look at. A bigger overall plan of whether we want a consultant to look at the overall access. Do we think about pocket parks? Do we think about wider sidewalks? It is a bigger infrastructure question and dialogue that might need to happen about what those connections look like. That is why I have identified that with TBD. That could be a big project. Maybe we will start with a pilot project if we come up with a good idea.
12. **Create and implement a new parking and loading strategy for the downtown area**-This is a continual dialogue in the city. We hear about ride share now. We should have pickup sites and dropoff sites that are specific to ride share, food delivery services, and loading zones. Are there enough handicap spaces close to the Downtown Mall. We have garages. We have continual discussions about meters, paying cost, and access around. That will always be an ongoing discussion. There needs to be a more comprehensive look at everything that is going on and a continual reassessment of that.
13. **Increase the frequency and consistency of public transportation to and around the Downtown Mall**-You just discussed that with CAT and how that looks. The Downtown Mall action plan talks about one of the biggest connections, the UVA-Downtown Mall connection. How does that work? That is in that bigger discussion of CAT services and public transit.
14. **Explore the addition of a permanent restroom facility centrally located and convenient for all visitors**-I don't know if you are aware. The city does pay rent for the public restrooms at York Place. I have not been instructed to start looking at this specifically for another location. That is a bigger discussion. Right now, we have a resource on the Downtown Mall.
15. **Implement the tree management plan**-You heard about that tonight. That is in progress and ongoing.
16. **Create a pilot or test program for alternative shade structures to help manage any necessary and temporary loss in tree canopy**-You talked about that with your Resilient Program. There is more discussion about when we start replacing under the tree management plan those huge canopies of the trees on the Downtown Mall. Is there another remedy for short-term replacing canopy with shade structures? I don't know if we have investigated that yet. That is why I have a TBD in the status. That might be something we talk more about internally. Right now, I am not aware of any definite answers, suggestions, or solutions to if and when that needs to happen.
17. **Include attention to the repair and maintenance of the crosswalks and sidewalks around The Mall**-That is in progress. I know Public Works has a lot of work going on right now. We have identified crosswalks that could use some painting and some things like that. That will be in progress and ongoing. There might be a little focus at some point about specifically looking at those as we talk again interdepartmentally about how and when that happens.
18. **Create a plan for safety and aesthetic lighting of the Downtown Mall**-The Downtown Mall action plan recommendation was hiring a consultant and looking at The Downtown Mall and side streets globally as to the aesthetics and safety of the lighting. I would recommend that is something we need to do. Staff may not be experts. We may need to go outside and hire someone to do that. That is on our radar now. I know that is one of the city manager's big things. He would like to see more lighting on the Downtown Mall. That might be something that rises to the front sooner rather than later.

- 19. Retain the café spaces**-I put no action required. I have inherited the permitting of outdoor cafes. We have ongoing dialogue with that. There is some work to do. It is part of the life of the Downtown Mall right now.
- 20. Consider a plan to incorporate the central fountain back into the interactive landscape of The Mall**-That is in progress right now. The 3 smaller fountains have been integrated back into The Mall. There is work happening right now to integrate the central fountain back into The Mall. This is all part of the tree management plan.
- 21. Repair and add seating**-This has been an issue for years. There is dialogue going on and some work going on talking about what that may look like and how that may move forward. That is in progress right now.

Commission Discussion and Questions

Commissioner Carp – You talked about bike lockers possibly. I assume that it is NDS working on that. I have been hearing about it on-and-off for a while. Is that an active project or something to be worked on one day?

Ms. Kelley – I think it is both. Funding is an issue. It is a big cost. Are there grants available? We had discussions tonight about federal grants, which may siphon off to the state. I know that is on Tommy Safranek's radar to be working on that.

Commissioner Carp – I have been hearing for about 9 years that there should not be car crossings on The Mall. What is the city's 'appetite' for closing the crossings?

Ms. Kelley – There has been discussion for many years about that. If I recall correctly, the Downtown Mall action plan committee suggested those not be closed, not necessarily that would be left up to the committee. That is a higher-level discussion. I am not aware that anybody has been given any instructions to proceed on looking at that at this point.

Commissioner Harness – Since we have a natural experiment going on right now with the closure of the vehicular crossings, is there data being tracked about the impacts to businesses or downtown visitations or vehicular traffic management around The Mall? This is a perfect opportunity to test out some of these theories. I am curious to know if the city is tracking that.

Ms. Kelley – Not specifically. We were not instructed to specifically track it. We do look at visits to the Downtown Mall data regularly and compare it to last year. A lot of that is going on. We hear personal stories from businesses about the effect that is having. A little bit more about the sidewalk closures getting to The Mall and the impact of foot traffic going in front of the spaces. We are not specifically looking at tracking data on the impact.

Commissioner Harness – I know that it is probably not an easy endeavor. I would hope that we could find a way to empirically study our natural experiment we have going on right now. Councilor Payne has mentioned the idea before about expanding the pedestrian-only zone into the side streets that are 'sub streets' right now. You earlier mentioned potentially pocket parks. I imagine that those could potentially go there. What is the level of discussion within the city about that concept?

Ms. Kelley – None that I am aware of at this point.

Commissioner Harness – There are a lot of 'To be Determines.' What are we doing about prioritization? I think about benches and bathrooms on The Mall.

Ms. Kelley – In the Downtown Mall action plan, the item that I read those off to you, that was the committee identified those as the priority items in that order. Some things were easy to address like preserving the outdoor cafes. There is nothing to address on that. Some of those are bigger items that will be harder to address. At some

point the team gets together once we have everything going for the Downtown Mall 50th Party and we have some time to take a breath after July, maybe the team sits down and goes again through these items and identifies what we think are the priorities, put a recommendation together to the City Manager's Office.

Commissioner Solla-Yates – South Street was on the map included in the Ambassador Program. That is so interesting. Why did you do that?

Ms. Kelley – I don't know. I was not involved in that RFP process. It only goes to the south side of Market Street. I think it is more because the ambassadors also need access to the city properties south of Water Street for storage and maintenance of their equipment. It was more natural to address how properties and stuff look south of Water Street.

Commissioner Solla-Yates – Is there anything the Planning Commission can do to move forward a study on considering closing the crossings of the Downtown Mall?

Ms. Kelley – I can take your comments from tonight and put forward a suggestion that you have requested that.

Commissioner Solla-Yates – With the Landmark Hotel, what do we do?

Ms. Kelley – That is a very good question. I know there are other departments in the city looking at that. I am not aware of it. I don't think anybody here is involved in that. I can try to get you an update by reaching out to other departments and seeing if there is anything if you are interested in me providing you with something.

Commissioner Solla-Yates – That would be helpful. It is one of the biggest questions I get from the public. My answer is always 'I have no idea.'

Ms. Kelley – I agree with you. I will put something together and provide it for Matt Alfele. He can forward it to you if I can get an answer

Commissioner Solla-Yates – The funding is mostly coming from the General Fund. I don't think we have a lot of other pools of funds. There are the café fees.

Ms. Kelley – We have a couple of different sources or line items. The staff and everything would be in Parks & Recreation General Fund Budget for the department. Generally, the outdoor café fees go into some line items in the CIP that fall under the Parks & Recreation projects, such as Downtown Mall infrastructure, Downtown Mall Trees Active Life Cycle Management, Downtown Mall Tree Management Plan. It is both General Fund and CIP.

Commissioner Solla-Yates – We have recently received permission from Richmond to change the way we think about property taxes. We don't know what to do about that. We now have the power to tax land more than buildings. I am not clear that we have the power to do that district by district. Is this a potential solution to our funding problems downtown?

Ms. Kelley – Probably not. The Downtown Mall is buildings. There is basically no vacant land. We have had discussions and will continue to have discussions as there have been over many years. Do we create a business improvement district or other funding sources like that? Those kinds of things are always up in the air. That may even come into discussions about a dedicated funding source to support the Downtown Mall.

Commissioner Solla-Yates – The challenge for doing this has been people saying that we will eventually fund that and we didn't.

Physical and signage connections for bicycles, pedestrian, and transit to the university, the train station, the airport, Monticello. Do we have anything about that?

Ms. Kelley – We do not have anything about that. That is probably a discussion point for CAT with those connections and how to get around. I know they get a lot of feedback. The Downtown Mall action plan specifically addressed one of those most important or used connections was UVA to the Downtown Mall. Is there a way that can be improved?

Chairman Schwarz – Walking down West Main Street you get tourists asking where the Downtown Mall is located. It is hard to explain.

Ms. Kelley – As I was doing an inventory in my new role, I looked at those green directional signs, ‘Welcome to Charlottesville.’ I found out there is not really a department in the city that owns that. That is something I am looking at right now. How do we address those? Is there a need for updating? Hopefully we will be looking into that.

Commissioner Solla-Yates – That was Jim Tolbert at NDS. He did one-off project and nobody owned it after that.

With most places in the city, we don’t have the right-of-way or the people on site to do proper stormwater management. The Downtown Mall is special. We could do more interesting things downtown. Can we think of stormwater differently on the Downtown Mall?

Ms. Kelley – I have not heard that as a discussion. I know there have been discussions about where all the sand goes between brick pavers. Where is that falling into the stormwater system? That is a bigger discussion item. I will add that to my list of things. Is there a need to discuss that especially with the Office of Sustainability and Utilities? I will bring that up following your previous discussions, agenda item.

Commissioner Solla-Yates – I was recently in Blacksburg. Their downtown is not as nice as ours. They have some lovely shades that they put up on a temporary basis. It is an interesting example that we might consider.

Commissioner Joy – I was on the task force for a year. It was a good experience. I was there under a capacity as a citizen, not as a representative of the university. I was going to give a couple updates on the closure of the street. One of the arguments that came up that was compelling had to do with accessibility, dropoff, and pickup. None of the side streets meet ADA. Sidewalks are limited. There was a lot of helpful and moving testimony from people who rely on those cross streets to either pick up someone who is a loved one or drop them off or they had their own mobility disability. Part of the challenge is everyone sees the benefit of closing it. I don’t think they did that. The challenge comes up with something that works. It is imperfect in its current way. I know 4th Street/Heather Heyer Way is not a great location to have it. The challenge is when the transportation center was built, they closed the previous crossing and slid it over to 4th Street. It is a complicated issue. It really was a point of consternation by the task force. I don’t think it was one that they said, ‘keep them open.’ They know it is a challenge. The trolley access had benefits because it allows for easy on and off. It was one of those ones we acknowledged it was hard to figure out how to come up with something better. If you close them, the loop you must go on the east side is onerous. You must go past the bridge and go into an area that is not designed or has the infrastructure to accept that kind of loop. It would be great to continue to look at it. There was the pedestrian only side streets that came in. The challenge is that there are a lot of businesses. It is the access of deliveries, people who rely on this for either products, goods, food, or supplies. It is already a difficult delivery situation for the retail component. We were thinking of ways to streamline and standardize the delivery, so each side street was not different. The shade structures were to be introduced in between the tree boxes. As the trees become small and wispy, you could find some comfort in the areas in between. Once the trees establish themselves, they could come down. It is great that the City Manager is interested in the lighting. I know one of the things that Halprin’s original design for the lights were full cut-off. They lit the surface. They did not put glare in your eyes. At some point, they were redone. They keep making them more intense. It creates contrasting issues. Even though it is well-lit, it does not feel like it is well lit. I am for revisiting the lighting. The tree action plan that you mentioned, was that derived from Wolf Josey’s Tree Framework Plan? With the

time horizon, do we have an idea when we are going to do the first boxes of trees like the willow oaks? I don't know if you guys know. You cannot replace them one at a time.

Katie Lockhart, Deputy Director – We met this morning with somebody from Capital Development to talk about maybe taking this project next year because we have funding for it. It is a 20-year-plan. It is broken into 4 phases. Each of those phases is 5 years to come up with 20. This first one focuses mostly on Central Place. It is the removal of some of these trees that have reached the end of their life. Our urban forester can speak more about that. We are going in and updating that infrastructure so it can support larger caliber trees. Right now, they are not in an ideal setting for growth. This would address that as well for long-term sustainability

Commissioner Joy – The first phase will be in the next 5 years.

Ms. Lockhart – We will get started July 1st. We are not yet sure what it is going to look like. We will have to phase the phase. We are ready to get in there and start planting some trees.

Commissioner Joy – Is the goal to stick with the willow oaks? Is it going to be a new strategy?

Ms. Lockhart – It is a new strategy. There are a couple of options. A lot of it is based on color. There are a few different species that have been recommended.

Steve Gaines, Urban Forester – There are a few different species being considered. Halprin did have a scheme in mind. We have a couple of different ideas. Most of the ideas are built around trees that are going to be able to tolerate heat and the stress of this urban situation. Swamp White Oak is one that we are considering. We are also considering Tulip Poplar as well. We also have acorns and leaf sizes. These kinds of things we are also considering.

Commissioner Joy – Is the plan to keep them uniform? Would you create some diversity for resiliency?

Mr. Gaines – There is some discussion there. I am not a fan of monoculture. There is a lot of discussion there too. Diversity is going to be helpful here.

Commissioner Joy – I was worried if there would be some pest to come out of nowhere and it would wipe them out. In 2021 ABC in Virginia has these designated outdoor refreshment areas. I remember that there was a mixed camp where people wanted the Downtown Mall to be one of those designated areas where you could have open container. Is that still being discussed? Is it part of this action plan? Where do things stand with that?

Ms. Kelley – That was not addressed in the action plan. I don't know enough about that to address your comment. I do hear that discussion randomly and occasionally. Regarding your comments about the committee talking about the road closures, the committee was meeting at the time the Belmont Bridge was under construction. That might have influenced your conversations. Water Street had some one-way traffic going. There were some other impacts during your meetings.

Chairman Schwarz – As a BAR member, I feel like there have been a lot of things that appear on The Mall without knowing who made what decision or how that decision was made. Recently, we looked at trash cans. The city is bringing stuff to the BAR about the Downtown Mall. There are other things that seem like it would be good if the shade structures or any of these other improvements came to the BAR. I know it is public right-of-way. We cannot issue a CoA. It would be good to have us as a stakeholder to give some feedback. For example, the up-lights are cool and fun. They are up lights, which is against our zoning code. They are a weird purple-blue color, which is against our zoning code. They look great when they are all pointing at the trees. At some point, they start moving or rotating down and shine in your face. There are a couple that are not at trees. They are at tree stumps. It would be good to know that there is some oversight when the city puts things in The Mall. Are they continuing to look at them to make sure that they stay in place and they are maintained. The Christmas lights are another example. They are great when they go up. They start failing during the season.

Does the city want to take care of them and make sure that they replace them throughout the season so they stay lit? Can we please include the BAR as a stakeholder? Is the city looking at ways to make sure that what they put on The Mall is maintained and continues to look nice and continues to do what it is supposed to do?

Is there any use for the transit center? We talk about needing bathrooms, space for ambassadors. It has been empty for so long. I don't go to the Transit Center. Are the bathrooms downstairs still available?

Ms. Kelley – The restrooms at the Transit Center are controlled under The Ting Pavillion lease. The Transit Center is still open downstairs. I can forward those comments.

Commissioner Joy – It did come up with the Task Force. There was a concern at the time that it was a federally funded project. Any type of adaptive reuse may run afoul of its money that came for a transit hub. I don't know if that was what I recall hearing. Repurposing it might be complicated.

Chairman Schwarz – It would be nice if somebody would go inside it and clean up the garbage that is still there. There are boxes and posters from 2 years ago that are contests that happened 2 years ago on the glass and are starting to peel off. It would be nice if somebody tidied that up a little bit.

Commissioner Harness – I am glad that attention is being paid to the Downtown Mall. It is a major attraction for the city. It is a major asset to the city. I am thrilled to hear that there is thought and intention going into it. I am excited to see how we can maintain it in the future, how we can grow it into the future, expand it into the future, and keep it around for many years to come.

VI. ADJOURNMENT

The Meeting was adjourned at 8:33 PM.



**City of Charlottesville
Neighborhood Development Services Department
Staff Report**

PLANNING COMMISSION PUBLIC HEARING

Subject: Comprehensive Plan Amendment to Chapter 9 Community Facilities & Services and the Comprehensive Plan Appendix

Staff Contacts: Matt Alfele, NDS Development Planning Manager; Tori Kanellopoulos, NDS Long-Range Principal Planner; Jason McIlwee, Director of Utilities; Anthony Allard, Utilities Regulatory Compliance and Operations Administrator

Date: September 9, 2026

Background

In November 2021, City Council formally adopted the City's Comprehensive Plan. Since then, there have been several amendments thereto, including adopting both the Climate Action Plan and the Parks & Recreation Master Plan.

Chapter 9 (Community Facilities & Services) of the City's Comprehensive Plan, and associated public utility maps in the Appendix, have not been updated since the 2021 Comprehensive Plan adoption. Since then, there have been updates to City and partner agency public utility and facility planning, maps, and projects. It is best practice to periodically update public utility and facility maps and plans included in the City's Comprehensive Plan.

Staff Analysis

Per Virginia Code Section § 15.2-2223, each locality's Comprehensive Plan must include the general or approximate location, character, and extent of public facilities, and the designation of a system of community service facilities. Further, per State Code § 15.2-2232, most public utilities and facilities must either be a "feature shown" in the Comprehensive Plan (*i.e.*, shown on a map or specified in text), or be reviewed by the Planning Commission to find that the "general or approximate location, character and extent" of public facilities are in substantial accord with the Comprehensive Plan. Some

facilities and utilities are exempt, such as railroads, normal service extensions of public utilities, and paving, repair, reconstruction, improvement, drainage, or similar work.

This Comprehensive Plan Amendment is focused on incorporating existing and known planned public facility and utility projects and does not change the City's overall goals or approach. Updates were needed to incorporate the most up-to-date information for public water, sewer, and stormwater management facilities and utilities.

The updated Chapter and maps are available on the City's website at the following link (<https://www.charlottesville.gov/2009/Community-Facilities-Services-Comp-Plan->) and include the following revisions:

- [Updated Community Facilities & Services Chapter \(Comp Plan Chapter 9\)](#)
 - Revisions: Added new Strategies 8.7 and 9.4
- [Charlottesville Water System Map](#) (to replace 2021 map in Comp Plan Appendix)
- [Charlottesville Sanitary System Map](#) (to replace 2021 map in Comp Plan Appendix)
- [Charlottesville Storm System Map](#) (new map to be added to Comp Plan Appendix)
- [Rivanna Water and Sewer Authority Central Water Line Map](#) (new map to be added to Comp Plan Appendix)

Staff Recommendation

Staff recommends approval of the Comprehensive Plan Amendment.

Suggested Motions

1. "I make a Motion to adopt Resolution #R-CP-26-0001, recommending City Council approve the updates to Chapter 9 of the Comprehensive Plan ("CP") and updates to the CP Appendix documents as an amendment to the City's CP."

OR,

2. "I move to recommend denial of the Comprehensive Plan Amendment. [state reasons for denial]"

Attachments

- A. Resolution for the Comprehensive Plan Amendment
- B. Public Hearing Presentation for September 9, 2026
- C. Copy of the Public Notice Ad

#R-CP-26-0001

RESOLUTION RECOMMENDING AMENDMENT OF THE CITY’S NOVEMBER 15, 2021, COMPREHENSIVE PLAN, AS AMENDED, TO UPDATE CHAPTER 9, COMMUNITY FACILITIES & SERVICES, AND THE APPENDIX

WHEREAS, on September 9, 2026, the Planning Commission of the City of Charlottesville, Virginia (“PC”), held a Public Hearing on a proposed amendment to the City of Charlottesville, Virginia’s (“City”), November 15, 2021, Comprehensive Plan (“CP”), as amended, after Public Notice was provided as legally required by Virginia Code § 15.2-2204, to do the following:

- (1) Update Chapter 9, Community Facilities & Services;
- (2) Update the CP Appendix to replace the 2021 Water and Sanitary Sewer Network Maps in the CP Appendix with current network maps;
- (3) Add a map of the Rivanna Water and Sewer Authority (“RWSA”) Central Waterline Project to the CP Appendix;
- (4) Add a map of the current Storm System Facility Map to the CP Appendix;
- (5) Add a strategy to adopt relevant RWSA and Albemarle County Service Authority plans by reference, including the Urban Finished Water Master Plan; and
- (6) Add a strategy for the future Schenks Branch Sewer Interceptor Upgrade Project.

NOW THEREFORE, BE IT RESOLVED that the PC recommends the Council of the City of Charlottesville, Virginia (“City Council”), approve the updated CP Chapter 9 and CP Appendix documents as an amendment to the City’s CP; and

BE IT FURTHER RESOLVED, a copy of the updated CP Chapter 9 and CP Appendix documents, as recommended by PC, are attached to this Resolution, and said Resolution is hereby certified to City Council for its review and consideration in accordance with City Code Sec. 34-5.2.3.

Adopted: September ____, 2026

Attest: _____
PC Secretary

Attachments:

- [Updated Community Facilities & Services Chapter \(Comp Plan Chapter 9\)](#)
- [Charlottesville Water System Map](#)
- [Charlottesville Sanitary System Map](#)
- [Charlottesville Storm System Map](#)
- [Rivanna Water and Sewer Authority Central Water Line Map](#)



Public Hearing

Comprehensive Plan Amendment: Chapter 9 Community Facilities & Services

September 9, 2026



Agenda

- Scope of the Comprehensive Plan Amendment
- Purpose of the Comprehensive Plan Amendment
- Suggested Motions for Planning Commission

Scope of Comprehensive Plan Amendment

- **Chapter 9 Community Facilities & Services**
 - Two new strategies:
 - Added a strategy to adopt relevant Rivanna Water and Sewer Authority and Albemarle County Service Authority plans by reference, e.g. Urban Finished Water Master Plan (Strategy 8.7)
 - Added a strategy for the future Schenks Branch Sewer Interceptor Upgrade Project (Strategy 9.4)
- **Appendix**
 - Two updated maps:
 - Charlottesville Water System Map and Sanitary System Map (replaces 2021 system maps in the Appendix)
 - Two new maps:
 - Charlottesville Storm System Map
 - Rivanna Water and Sewer Authority Central Water Line Map

Scope of Comprehensive Plan Amendment

New Strategies:

STRATEGY 8.7 *Collaborate with the Albemarle County Service Authority and Rivanna Water and Sewer Authority on public water and sewer master planning and implementation, including but not limited to, those efforts identified in the following plans:*

- The Urban Finished Water Master Plan
- The Community Water Supply Plan
- The Rivanna Water and Sewer Authority Capital Improvement Plan
- The Rivanna Water and Sewer Authority Comprehensive Sanitary Sewer Model Report

STRATEGY 9.4 *In coordination with the Rivanna Water and Sewer Authority, design and implement the Schenks Branch sewer interceptor upgrade project to address current and future wet-weather demands and enhance the system's capacity and long-term reliability.*

Purpose of the Comprehensive Plan Amendment

- Virginia State Code requires each locality to have a Comp Plan that includes, among other things, the general or approximate location, character, and extent of public facilities, and the designation of a system of community service facilities
- To be considered part of the City's Comp Plan, public facility and utility maps and plans can be included in the main Comp Plan document (including as referenced plans or studies within the text of the Comp Plan), or as part of the Comp Plan Appendix as separate attachments
- Current Comp Plan includes several specific projects and studies within Chapter 9 along with water and sanitary sewer system maps in the Appendix
- Most public utilities and facilities must either be a “feature shown” in the Comprehensive Plan (i.e., shown on a map or specified in text), or be reviewed by the Planning Commission to find that the “general or approximate location, character and extent” of public facilities are in substantial accord with the Comprehensive Plan
- Some facilities and utilities are exempt, such as railroads, normal service extensions of public utilities, and paving, repair, reconstruction, improvement, drainage, or similar work

Purpose of the Comprehensive Plan Amendment

- Chapter 9 Community Facilities & Services and associated public utility maps in the Appendix have not been updated since the 2021 Plan adoption. Since then, there have been updates to City and partner agency public utility and facility planning, maps, and projects
- Updates were needed to incorporate the most up-to-date information for public water, sewer, and stormwater management facilities and utilities
- Does not change the City's overall goals or approach

Suggested Motions

1. "I make a Motion to adopt Resolution #R-CP-26-0001, recommending City Council approve the updates to Chapter 9 of the Comprehensive Plan ("CP") and updates to the CP Appendix documents as an amendment to the City's CP."

OR,

2. I move to recommend denial of the Comprehensive Plan Amendment. [state reasons for denial]

Thank You!



NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Charlottesville, Virginia (“PC”), will hold a Public Hearing on Wednesday, September 9, 2026, beginning at 6:00 P.M. EST, at the Charlottesville City Council Chambers, 610 East Main Street, Charlottesville, Virginia 22902, and by Zoom Webinar (“Zoom”) to consider the Application outlined below.

1. Notice of Intent to Amend the City’s Comprehensive Plan (“CP”):

The proposed action is as follows: Amendment to Chapter 9 (Community Facilities and Services) and the CP Appendix, to: replace the 2021 Water and Sanitary Sewer Network Maps in the CP Appendix with current network maps; add a map of the Rivanna Water and Sewer Authority Central Waterline Project to the CP Appendix; add a map of the current Storm System Facility Map to the CP Appendix; add a strategy to adopt relevant Rivanna Water and Sewer Authority and Albemarle County Service Authority plans by reference, including the Urban Finished Water Master Plan; and add a strategy for the future Schenks Branch Sewer Interceptor Upgrade Project. The draft updated Chapter can be reviewed here:

<https://www.charlottesville.gov/2009/Community-Facilities-Services-Comp-Plan->.

This Public Hearing will also be heard via Zoom, for which advanced registration can be found here: <https://www.charlottesville.gov/zoom>. The Public Hearing is broadcast on Comcast Channel 10 and on all of the City’s streaming platforms including Facebook, Twitter, and <https://www.charlottesville.gov/196/Streaming>. Interested persons may also participate via telephone, using a number provided with the Zoom registration, or by contacting City Staff at (434) 970-3182 to ask for the dial-in number for the Meeting. Written comments may be submitted via email to planningcommission@charlottesville.gov.

The PC will conduct the Public Hearing to receive public comments on the above-referenced Application. Following the Public Hearing, the PC will consider a recommendation, which will then be forwarded to City Council. The Application and related materials are available online (at least five (5) days before the Meeting) at www.charlottesville.gov/agenda and a copy is on file in the Department of Neighborhood Services (“NDS”), 610 East Main Street, Charlottesville, Virginia 22902, for inspection between the hours of 8:30 AM to 5:00 PM EST, Monday to Friday. Please contact NDS at (434) 970-3182 with any questions.

CITY OF CHARLOTTESVILLE

Department of Neighborhood Development Services

City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359



TO: Charlottesville Planning Commission
FROM: Dannan O'Connell, City Planner
DATE: September 9, 2026
SUBJECT: **Planning Commission Bylaws Amendment – Public Hearing Times**

At their August 11, 2026 Regular Meeting, the Planning Commission expressed an interest in considering Public Hearing items immediately following the NDS Report and Consent Agenda. The Commission's current bylaws specify that Public Hearings begin at 6:00 PM, requiring the Commission and staff to wait until that time to begin Public Hearings, even if all previous agenda items are concluded.

Attached is a draft amendment to the Planning Commission bylaws stating that all actionable items, including Public Hearings, begin at 5:30 PM. If the Commission votes to adopt these amended bylaws, then future agendas and meeting notices will specify that Public Hearings begin at 5:30 PM following all previous agenda items.

Adopted: 5/11/93
Revised: 9/14/99
12/10/02
12/13/06
2/13/07
8/14/07
11/10/09
2/14/17
9/9/26

**BYLAWS OF THE
CITY PLANNING COMMISSION
CHARLOTTESVILLE, VIRGINIA**

The City Planning Commission (established pursuant to Sections 2-236 through 2-244 of the Charlottesville City Code and Sections 15.2-2212 through 15.2-2222 of the Code of Virginia) hereby adopts the following rules for the transaction of its business:

1. Officers and Duties

1.1 Officers. The officers of the Planning Commission shall be a Chair, a Vice Chair and a Secretary, who shall have the duties set forth below.

1.2 Duties of Officers.

(1) Chair. In addition to the other duties set forth in these bylaws, it shall be the duty of the Chair to execute all documents on behalf of the Commission, to act as liaison between the Commission and the Department of Neighborhood Development Services and the Director of Neighborhood Development Services, to cause all resolutions, approvals and other actions of the Commission to be executed or carried out, to determine that all matters delegated to the Commission by state statute, city ordinance, or at the instance of the City Council are properly brought before the Commission, and to make appointments of members of the Commission to other boards, commissions or task forces on a regular or ad hoc basis as required. Appointments by the Chair shall under no circumstances be considered a delegation of the authority of the Commission with respect to any member's service on another board, commission or task force. Any views expressed or actions taken by a member of the

Commission in any other forum, or as a member of another board, commission or task force shall be for all purposes considered the views or action of such member as an individual, and should be identified as such by that member. With respect to the Planning Commission, the purpose of the appointment of any of its members to another board, commission or task force shall be only to provide information to the Commission through the reports of such member.

It shall also be the duty of the Chair to appoint, prior to the annual meeting, two members of the Commission to serve as a nominating committee for the offices of Chair and Vice Chair. Any member with at least one year of service on the Commission shall be eligible for appointment to the nominating committee.

(2) Vice Chair. The Vice Chair shall exercise the powers and perform the duties of the Chair during the absence, disability or disqualification of the Chair.

(3) Secretary. It shall be the duty of the Secretary to keep minutes of the Commission's proceedings, to give notices required by law or these bylaws, to prepare, in consultation with the Chair, the agenda for all meetings of the Commission, to be custodian of the Commission's records, to inform the Commission of correspondence relating to the business of the Commission and to respond to such correspondence unless responsibility is otherwise assigned by the Chair, to handle any funds allocated to the Commission, to act as liaison with the City Manager, City departments and agencies, and to execute on behalf of the Commission any documents requiring the signature of the Secretary. The Director of Neighborhood Development Services, appointed by the City Manager under the City Charter, shall be the Secretary of the Commission. In the event the Secretary shall be absent from any meeting, the officer presiding shall designate an acting Secretary. The Secretary shall not be a member of the Commission and shall have no vote.

1.3 Terms and Vacancies. The term of office for the Chair and the Vice Chair shall be one year. The Chair shall be eligible for reappointment to no more than one additional one year term. Should any vacancy occur among the offices described above, the Commission shall fill such vacancy as promptly as practicable and the

individual elected to such office shall serve for the unexpired term of the office in which such vacancy has occurred.

1.4 Required Training. Each member shall be required to attend the Virginia Planning Commissioners Institute or other similar program to receive instruction to assist with performance of duties. Attendance at this program should begin no later than one year into first term.

2. Meetings

2.1 Annual Meetings. The annual meeting shall be the first regular meeting in the month of September of each year. At such meeting the members of the Commission shall receive the report of the nominating committee and elect officers for the ensuing year, shall submit its annual report to City Council, and conduct such other business as shall be placed on the agenda in accordance with the provisions of these bylaws.

2.2 Regular Meetings. Regular meetings shall be held in the City Council's Chamber in City Hall, or such other location as the Commission may from time to time designate, at 4:30 p.m. on the second Tuesday of each month. If the second Tuesday falls on Election Day, the Commission may choose to move the meeting to the next available day. The meeting format will consist of a work session from 4:30pm to 5:30pm for discussion of upcoming agendas. The regular meeting with actionable items including Public Hearings will begin at 5:30pm. ~~Public Hearings will begin at 6:00.~~

2.3 Special Meetings. Special meetings may be called by the Chair, the Vice Chair in the absence of the Chair, or by any two members, upon written request to the Secretary.

2.4 Work Sessions. Work sessions may be held at the request of the Chair, or the Vice Chair in the absence of the Chair. Work sessions shall be held for the purpose of inquiry and discussion and no official action shall be taken at such meetings. Annually, the Commission shall strive to meet with the City Council at a joint work session for the purpose of discussing future goals and priorities and other matters of mutual concern.

2.5 Closed Sessions. The Commission may hold closed sessions in accordance with Va. Code Section

2.6 Notice of Meetings. The Secretary shall give written notice of all meetings (annual, regular, special and work session) to all members of the Commission at least five days prior to such meeting. Such notice shall state the time and place of such meetings. With respect to regular meetings and the annual meeting, such notice shall be accompanied by an agenda prepared in accordance with the provisions of these bylaws and accompanied by such documentation as may be reasonable to permit the members of the Commission to consider the business which they are called upon to act. With respect to work sessions and special meetings, the notice shall state the purpose of the meeting or the nature of the discussion or inquiry to be undertaken and shall be accompanied by such documentation as may be available and practicable to provide to enable the members of the Commission to thoughtfully consider the business to come before the meeting.

3. Conduct of Meetings.

3.1 Quorum. At any meeting of the Planning Commission a quorum shall consist of four members of the Commission.

3.2 Procedure - Presiding Officer. All meetings of the Commission shall be conducted in accordance with Roberts' Rules of Order. The Chair of the Commission, or in his or her absence, the Vice Chair, or in the absence of both, the senior member of the Commission present shall preside at meetings of the Commission.

3.3 Voting. At all meetings of the Commission, each member present shall be entitled to cast one vote. No action of the Commission shall be valid unless authorized by a majority of Commissioners present and voting.

All members of the Planning Commission are subject to the Virginia State and Local Government Conflict of Interests Act (Va. Code 2.2-3100 et seq.) (“COIA”). In the event that any member shall have a “personal interest in a transaction” as defined by Va. Code Section 2.2-3112 in a matter before the Commission, regardless of whether such matter has come before the Commission for a vote, and aside from an interest in common with any other taxpayer or resident of the City, such member shall disclose that interest and may disqualify himself or

herself, or shall disqualify himself or herself if required by law, from voting on or participating in discussion upon that matter. In the event any other member of the Commission or any other person present at the meeting believes that a Commissioner has a personal interest as defined by COIA which disqualifies the Commissioner from considering or voting on a matter, such Commissioner or other person may bring such question to the attention of the Commission. After disclosure by a Commissioner of an interest in a matter before the Commission, any member of the Commission may request a ruling from the Commonwealth's Attorney, or in the event of his or her unavailability, the City Attorney or his or her representative present at the meeting with respect to whether such interest disqualifies such Commissioner from participating in the consideration of and voting on such matter. The ruling of the Commonwealth's Attorney or the City Attorney or his or her representative shall be conclusive.

A member of the Planning Commission is entitled to have the Commission consider and decide matters in which that member has a financial or personal interest. If the matter is one, under COIA, in which the member has a "personal interest", and the member is required or elects to refrain from any participation in the discussion or consideration of the matter by the Planning Commission, the member shall be prohibited (a) from attending any authorized closed meeting when the matter in which he or she has a personal interest is discussed; and (b) from discussing the matter with any other governmental officers or employees at any time. The member shall not participate in any presentation before the Commission, nor shall questions from the Commission be directed to that member. A member who has a matter before the Commission may have a co-owner, architect, engineer, attorney or other representative appear before the Commission on his or her behalf.

Former members of the Planning Commission shall not represent themselves or others before the Planning Commission for a period of one year following the conclusion of their term of office.

3.4 Proceedings. At any regular or special meeting of the Planning Commission, the order of business to come before the meeting shall be as expressed on the agenda sent out with the notice of the meeting provided, however, the presiding officer, with the consent of a majority of the Commissioners, may change the order of

business on the agenda for any reason. No matter not on the agenda for the meeting shall be brought before the Commission for consideration except with the agreement of a majority of the Commissioners present.

3.5 Procedures for Consideration of Planning Items

(1) The Planning Commission, at its regular scheduled meeting, will discuss major planning items to be considered at future meetings.

(2) Routine Planning Items - Routine zoning, special permits, site plans, subdivisions, Entrance Corridor Reviews when sitting as the Entrance Review Board, and waivers of steep slope requirements shall be reviewed as outlined in the City Code.

(3) Non-Routine Major Planning Items - Planning matters which will involve study or research over a period of time and consultation with organizations or groups of individuals outside of the Department of Neighborhood Development Services or the City administration and planning matters which will affect neighborhood or Citywide services or planning may be brought to the Commission's attention at any convenient time (and will be particularly encouraged during the Commission's annual retreat) by staff members or individual members of the Commission, by other branches of the City administration, by City Council members or local citizens. Other planning items may be brought to the Planning Commission by the general public, which may be put on the agenda after discussion by the Planning Commission. After preliminary consideration by the Commission, if such a matter is deemed by a majority of the Commission to be worthy of further consideration and study, the Commission may proceed with such a study utilizing resources available to it; or the Commission may instruct the Director of Neighborhood Development Services and the Chair of the Commission to direct a memorandum to City Council which shall describe the nature of the matter to be studied, the purpose of the study, the manner in which the study is to be conducted and such further information as may be germane, and may request such financial and staffing assistance as may be required.

(4) Annual Cyclical Planning Items - These items will be considered by the Planning

Commission based on individual program cycle. These include, but are not limited to: Capital Improvement Program, Community Development Block Grant Programs, Neighborhood Studies and Improvement Programs, Drainage, Sidewalks, and Highways. The Secretary will coordinate these agenda items with the Chair and the appropriate City Departments, City Manager and appropriate boards or task forces.

(5) Review of Public Facilities - The Planning Commission shall review and comment on all public facilities as specified in the state legislation and implemented by the public bodies, e.g. City Administration, Parks, Schools and Highways.

(6) Comprehensive Plan - The Planning Commission will review and update the Comprehensive Plan every five years as required by the state law.

4. Community Participation

4.1 Advertising. All meetings of the Planning Commission will be advertised as required by Section 15.2-2204 of the Code of Virginia and with such additional advertising as the Commission may from time to time direct.

4.2 Citizen Advice and Participation. The Commission will make efforts to encourage participation of citizens of the community on matters affecting neighborhoods or with Citywide implications, and in pursuance thereof may appoint special task forces or committees to study and resolve specific issues, may order special notices or public hearings on particular matters and utilize similar devices to effect the purposes herein stated.

5. Amendments.

These bylaws may be amended by vote of a majority of the Commission at any meeting provided, however, notice of such proposed amendment shall be given to each member of the Commission in writing at least five days prior to such meeting.