



City Council Meeting Agenda

November 2, 2026

City Hall Council Chamber
605 E. Main St.
Charlottesville, VA 22902

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

4:00 PM Opening Session

I. Call to Order/Roll Call

II. Agenda Approval

III. Reports

1. Report: Fleet and Equipment Replacement Program and Phased Electric Vehicle Transition
2. Presentation: City Development Code Clean-Up 2026 Cycle

5:30 PM Closed Meeting (if called)

6:30 PM Business Session

IV. Moment of Silence

V. Announcements

VI. Recognitions/Proclamations

- Recognition: Charlottesville Tree Week: November 1-7, 2026

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

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

3. Minutes: July 20, 2026 regular meeting; September 9, 2026 joint Council-CRHA Board work session; October 19, 2026 regular meeting
4. Resolution: Resolution to Appropriate the Victim Witness Grant - \$313,698 (2nd reading)
5. Resolution: Resolution for Blue Ridge Health District Carryover Request - \$18,000 (2nd reading)
6. Resolution: Resolution to appropriate funding from the Virginia Department of Housing and Community Development FY2027 Continuum of Care Capacity Building Funds - \$25,000 (2nd reading)
7. Resolution: Resolution to Appropriate Revenue from Participation in Energy Load Reduction Program in the Amount of \$12,375.53 (2nd reading)
8. Resolution: Resolution to Appropriate funds from the Sentara Foundation to the Department of Human Services for the Westhaven CARES Center - \$7,000 (1 of 2 readings)

- 9. Resolution: Resolution Considering a Special Exception Permit Application for 835 West Main Street, 843 West Main Street, and 847 West Main Street (PL-26-0126)
- 10. Resolution: Marijuana Marketplace Local Ordinance Zoning Text Amendment Initiation Resolution Adoption

IX. City Manager Report

- Report: City Manager Report
 - a. Report: City Manager's Quarterly Work Plan Update

X. Action Items

- 11. Ordinance: Ordinance Amending and Re-Ordaining Chapter 14 (Licenses), Section 14-24 (Tax Incentives for Technology Businesses) to Extend Eligibility Period for Five Years to December 31, 2031 (1 of 2 readings)
- 12. Resolution: Resolution to Appropriate \$67,667 from the City's low-barrier shelter operations fund to SupportWorks Housing for Vista 29 (1 of 2 readings)
- 13. Resolution: Resolution Authorizing a Performance Agreement Supporting Friendship Court Phase Three (3) Redevelopment Efforts
- 14. Resolution: Resolution Endorsing the 2027 Legislative Program for the Thomas Jefferson Planning District

XI. General Business

- 15. Report: Botanical Gardens of the Piedmont Construction Update

XII. Community Matters (2)

XIII. Adjournment

MEETING GUIDELINES

- This is an in-person meeting with an option for the public to participate electronically by registering in advance for the Zoom webinar at www.charlottesville.gov/zoom. The meeting may also be viewed on the City's streaming platforms and local government Channel 10. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 987-1267 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide 48 hours' notice so that proper arrangements may be made.
- The presiding officer shall ensure that individuals address their comments to City Council at appropriate times, in accordance with the meeting agenda and Council's Rules of Procedure.
- No person who is not a member of the city council shall orally address it until leave to do so has been granted by the city council or until invited to do so by the mayor. (City Code sec.2-71)
- Remarks and actions that disrupt the progress of the Council meeting, and remarks from persons other than councilors, the City Manager, the City Attorney, or a presenter for an Agenda Item are not permitted.
- The presiding officer shall call an individual to order, including a councilor, when that individual goes afoul of these rules. The following are examples of remarks and behavior that are not permitted:
 - i. Interrupting a speaker who is addressing Council at the speaker's microphone, or interrupting a speaker who has otherwise been invited to address Council during Community Matters or a Public Hearing
 - ii. Interrupting a councilor who is speaking
 - iii. Shouting, and talking (either individually or in concert with others) in a manner that prevents a speaker or a Councilor from being heard or that otherwise hinders the progress of the meeting
 - iv. Blocking paths for emergency exit from the meeting room; engaging in any conduct that prevents a member of the audience from seeing or hearing councilors during a meeting; standing on chairs or tables within the Council meeting room
 - v. Threats or incitement of violence toward councilors, City staff or members of the public
 - vi. Engaging in conduct that is a criminal offense under the City Code or the Virginia Code
 - vii. Campaigning for elected office
 - viii. Promotion of private business ventures
 - ix. Using profanity or vulgarity
 - x. Personal attacks against Councilors, City staff or members of the public
 - xi. Behavior which tends to intimidate others
- During a City Council meeting the presiding officer shall have control of the Council Chambers and the connecting halls and corridors within City Hall, and any other venue where a Council meeting is being held. In case of any conduct described above, the presiding officer may take measures deemed appropriate, including but not limited to suspending the meeting until order is restored, ordering areas to be cleared by the Sergeant at Arms, or requiring any individual to exit the meeting room and adjacent premises (connecting halls and corridors.)

Policy Briefing Summary

City Council



Regarding:	Fleet and Equipment Replacement Program and Phased Electric Vehicle Transition
Staff Contact(s):	Mike Crowley, Kristel Riddervold, Director of the Office of Sustainability
Presenter:	Steven Hicks, Director of Public Works
Date of Proposed Action:	November 2, 2026

Issue

The City of Charlottesville, Virginia's ("City"), Fleet and Equipment Replacement Program ("Program") takes a responsible, phased approach to maintaining dependable vehicles and equipment while advancing the City's climate goals. Replacement decisions are based on condition, safety, reliability, service needs, and cost, not age or mileage alone. Fleet has reviewed the FY26–FY31 replacement schedule to identify opportunities for electric vehicles (EVs) and the charging infrastructure needed to support them. Updated projections identify twenty-four (24) EV acquisitions for FY28–FY30. The schedule guides recommendations and investment over time, without committing the City to a full fleet conversion within a short period.

Background / Rule

Fleet Maintenance keeps the City's vehicles and equipment safe, reliable, and available for daily operations. The Division has twelve (12) full-time positions and maintains approximately 710 vehicles and pieces of equipment through preventive maintenance, inspections, repairs, and service scheduling.

The City's fleet currently includes fourteen (14) EVs: one (1) Capital Development vehicle, three (3) Facilities Maintenance vehicles, one (1) Fire vehicle, one (1) Neighborhood Development Services vehicle, one (1) Office of Sustainability vehicle, one (1) Parks & Recreation vehicle, two (2) Police vehicles, two (2) school buses, and two (2) Transit buses. This inventory includes the two (2) recently delivered Transit buses anticipated to enter service in fall 2026. A recent Cadmus Fleet Electrification Study ("Study") reviewed 588 vehicles within the broader inventory, including 341 light-duty vehicles and 247 medium and heavy-duty vehicles.

The proposed Fleet and Equipment Replacement Policy ("Policy") covers general service, public safety, emergency, commercial, and specialized vehicles and equipment. It establishes a consistent process for evaluating age, mileage, condition, repair history, safety, and operational requirements, with replacement criteria appropriate to each type of asset. For general light-duty vehicles, ten (10) years or 150,000 miles are review points, not automatic replacement deadlines. Vehicles may remain in service longer when safe, reliable, and cost-effective or be replaced sooner when condition or service needs warrant it. The Policy also supports selecting the appropriate vehicle for the work and reassigning underused assets before purchasing replacements.

The original FY26–FY31 Capital Plan Schedule identified forty-five (45) potential EV replacements, providing context for earlier purchases and planned replacements through FY31. Updated projections identify nine (9) EV acquisitions in FY28, ten (10) in FY29, and five (5) in FY30. Identifying a vehicle as a potential EV replacement does not mean it needs immediate replacement. Vehicles that remain

safe, reliable, and in good condition will continue in service, with EV options considered when replacement is warranted. These projections update the earlier schedule rather than add to it.

Alongside the planned EV purchases, the FY28 Program includes requests for public safety vehicles, school buses, work trucks, and heavy equipment. These requests reflect the broader responsibility to maintain dependable vehicles and equipment across City operations. Each request will be evaluated through the City's annual Budget process based on condition, utilization, and service needs.

These projections update the earlier schedule rather than add to it. The FY26–FY31 schedule also informed the proposed FY28 Capital Improvement Program ("CIP") request for charging infrastructure, including the number of chargers and priority locations needed to support existing and planned EVs. City Staff will continue coordinating replacement timing and charging needs as Departmental requirements and budgets are reviewed.

This year, the City placed three (3) take-home EVs into service for public safety use. These vehicles provide practical experience with range, charging, reliability, and performance under daily operating conditions.

Electrification progress extends beyond the light-duty fleet. Two (2) battery-electric school buses have been in service since January 2026. The City received \$409,968 through the U.S. Environmental Protection Agency's Clean School Bus Program to assist with the purchase, and Dominion Energy's Electric School Bus Infrastructure Program provided the charging equipment. Installation of the dedicated Transit charging equipment has been completed. In addition to the two (2) recently delivered buses, two (2) more battery-electric Transit buses are anticipated for delivery by April 2027.

Analysis

The City's climate goals are to reduce community-wide greenhouse gas emissions to forty-five percent (45%) below 2011 levels by 2030 and reach carbon neutrality by 2050. Fleet electrification contributes to those goals. A phased approach supports continued progress, while maintaining reliable services and addressing the needs of the entire fleet.

The City does not replace its entire fleet at one (1) time. Vehicles and equipment have different ages, conditions, workloads, and useful lives. Keeping serviceable assets in operation avoids unnecessary purchases and spreads replacement costs over time. When an asset is due for replacement, Fleet and the operating Department compare available options based on the work performed, mileage, operating schedule, reliability, charging needs, environmental benefits, and cost over its useful life.

The updated FY28–FY30 projections include sedans, SUVs, pickup trucks, and full-size work vans across multiple Departments. Vehicle purchases must be coordinated with charging infrastructure and funding, so each vehicle can be placed into dependable service when delivered. Planning considers where vehicles park, the time available for charging, and daily service demands. This work proceeds alongside replacement planning for the rest of the fleet. Refuse trucks, and other specialized equipment, must meet requirements for load capacity, operating hours, and service demands. Available EV models and charging arrangements may not yet meet every requirement. Where an EV is not practical, Fleet will recommend an appropriate hybrid or fuel-efficient conventional replacement, while continuing to evaluate electric alternatives.

The Study informs these decisions; it does not establish a limit on future EV adoption. Vehicles outside the near-term EV schedule remain part of the regular replacement Program and remain eligible for future EV consideration. Recommendations will be updated as technology, vehicle availability, pricing, charging capacity, and funding opportunities change.

Financial Impact

The projected purchase cost for the twenty-four (24) EVs identified for FY28–FY30 totals \$1,204,000:

FY28: Nine (9) vehicles totaling \$456,000, including sedans or small SUVs, two (2) full-size work vans, and three (3) pickup trucks;

FY29: Ten (10) vehicles totaling \$483,000, including sedans or SUVs and five (5) pickup trucks; and

FY30: Five (5) vehicles totaling \$265,000, including sedans or SUVs and two (2) full-size work vans.

Additional FY28 vehicle and equipment requests total \$2,438,000. These include two (2) Sheriff's vehicles, one (1) mini-excavator, one (1) tandem dump truck, one (1) E-450 van, one (1) wheel loader, eleven (11) marked Police vehicles, nine (9) unmarked Police vehicles, one (1) F-450 truck, and three (3) school buses. The total also includes \$180,000 for Fire Department vehicles and/or equipment.

Combined with the \$456,000 projected for nine (9) EVs, the identified FY28 vehicle and equipment requests total \$2,894,000. This total excludes charging infrastructure and represents acquisition requests rather than the Division's full Maintenance and Operating Budget.

These figures represent projected EV purchase costs, not the additional cost above comparable fuel-powered replacements. Final acquisitions and expenditures remain subject to Budget approval, vehicle availability, Departmental needs, and pricing at the time of purchase.

EV purchase costs vary by vehicle type. The Study estimated that an electric passenger car could cost approximately \$1,500 more than a comparable fuel-powered vehicle, while a large electric SUV could cost approximately \$18,000 more. These examples provide context for potential purchase premiums; they are not current quotes or a uniform premium across the projected acquisitions. Lower energy and maintenance expenses may offset part of the investment over time. The Study presented life-cycle cost analysis estimating that replacement with EVs would yield an average of \$2,800 in savings per vehicle over a ten (10)-year period. The extent of those savings depends on the vehicle, mileage, charging costs, and operating conditions. Financial savings are not a requirement for every EV purchase. Fleet will compare acquisition, operating, and charging costs alongside service needs and environmental benefits, so each recommendation identifies the investment needed to support the City's climate goals.

A separate FY28 CIP request includes approximately \$390,000 for charging infrastructure at additional City fleet locations: \$225,000 for approximately seventeen (17) Level Two (2) chargers and \$165,000 for one (1) fast charger. Design costs for the fast charger are excluded from this estimate and are expected to be covered through previously approved funding. The charging request will be evaluated separately through the CIP process and is not included in the \$2,894,000 vehicle and equipment total.

The vehicle projections and charging estimates do not represent the full cost of the City's EV transition. Purchases and infrastructure investments will be coordinated through the annual Budget process alongside other fleet and equipment replacement needs. The City will continue pursuing grants and other outside funding to reduce local costs.

Recommendation

None. This item is presented to City Council for information and discussion.

Recommended Motion (if Applicable)

Not applicable. No Motion required.

Attachments

1. Fleet EV Council Work Session 11 2 26

Fleet and equipment replacement program

Phased EV transition

Charlottesville Council Work Session 11.2.26



Fleet program and replacement policy

Fleet Maintenance has 12 full-time positions and maintains about 710 vehicles and pieces of equipment

Condition, safety, reliability, service needs, and cost guide replacement decisions

General light-duty vehicles receive review at 10 years or 150,000 miles

Retain serviceable assets, right-size vehicles, and reassign underused equipment



Current EV inventory

Department or service	EVs
Capital Development	1
Facilities Maintenance	3
Fire	1
Neighborhood Development Services	1
Office of Sustainability	1
Parks & Recreation	1
Police	2
School buses	2
Transit buses	2
Total	14

The EV replacement schedule

The original FY26–FY31 capital plan identified 45 potential EV replacements

Updated FY28–FY30 projections identify 24 EV acquisitions

Potential EV candidates remain in service while safe, reliable, and in good condition

Fleet considers EV options when replacement is warranted



Progress in public safety and buses

Three take-home public safety EVs entered service this year

Two electric school buses in service since January 2026

Two Transit buses delivered, with service anticipated in fall 2026

Transit chargers complete. Two more buses expected by April 2027



Climate goals and operational needs

Community-wide goals: 45% below 2011 emissions by 2030 and carbon neutrality by 2050

Replacement timing reflects each vehicle's condition, workload, and useful life

EVs must meet daily assignments and charging needs, including for specialized equipment

Hybrid or fuel-efficient conventional replacements remain options when needed



Projected EV purchases

Fiscal year	Vehicles	Purchase cost
FY28	9	\$456,000
FY29	10	\$483,000
FY30	5	\$265,000
Total	24	\$1,204,000

Projected EV vehicle purchase costs. Charging costs are separate.

FY28 vehicle and equipment funding

FY28 request	Projected cost
Nine EVs	\$456,000
Other vehicles and equipment	\$2,438,000
Total vehicle and equipment requests	\$2,894,000

Vehicle and equipment requests only. Charging CIP is separate.



Comparing vehicle costs

Passenger EV: approximately \$1,500 more than a comparable conventional vehicle

Large electric SUV: approximately \$18,000 more

Lower energy and maintenance costs may offset part of the investment

Savings are not a requirement for every EV purchase

Proposed FY28 charging investment

\$390,000 requested for additional fleet charging

Approximately \$225,000 for 17 Level 2 chargers

Approximately \$165,000 for one fast charger



Recommendation and Council discussion

Continue the phased fleet and equipment replacement program

Coordinate vehicle delivery with charging readiness and annual funding

Update schedules as operating experience grows and pursue outside funding



Policy Briefing Summary

City Council



Regarding:	City Development Code Clean-Up 2026 Cycle
Staff Contact(s):	Matthew Alfele, City Planner
Presenter:	Matthew Alfele, City Planner
Date of Proposed Action:	November 2, 2026

Issue

Neighborhood Development Services ("NDS") Staff is presenting the second annual City Development Code ("CDC") clean-up cycle. The proposed amendment package includes technical corrections, administrative clarifications, state-law conformity updates, and targeted refinements intended to improve implementation of the CDC, while maintaining its adopted policy framework.

Background / Rule

City Council adopted the CDC on December 18, 2023. The CDC implemented a more form-based zoning framework and increased development capacity consistent with the City's 2021 Comprehensive Plan. CDC amendments are intended to be an annual maintenance process to ensure that the Ordinance remains effective and current as City Staff, Applicants, and the community gain experience implementing its provisions. The 2026 CDC amendment package represents the second year of this annual review cycle.

Throughout 2026, NDS Staff worked with the Planning Commission ("PC") through Work Sessions, listening sessions, subcommittee meetings, and project-specific discussions to identify issues and refine potential amendments. Feedback from PC Members, Applicants, property owners, preservation stakeholders, development professionals, and City Staff informed the proposed amendment package.

The package includes approximately twenty-four (24) amendments addressing administrative procedures, zoning standards, subdivision regulations, historic preservation processes, mapping and graphic clarifications, and development review procedures. The amendments include technical corrections, administrative clarifications, state-law conformity updates, and targeted revisions intended to improve implementation of the CDC.

Analysis

The proposed amendment package combines technical corrections, administrative clarifications, state-law conformity updates, and targeted refinements identified through CDC implementation. Examples include updates to easement requirements, references to the Standards and Design Manual and Appendices, clarification of standards eligible for Special Exception Permits, and other corrections intended to improve consistency and usability throughout the CDC.

The package also includes amendments necessary to maintain conformity with recent changes in state law, including updates related to accessory dwelling units. Additional refinements address topics such as tree-removal review procedures, private streets, bicycle parking requirements for lodging uses, active-depth standards, and the treatment of nonconforming buildings.

Collectively, the amendments are intended to improve administration of the CDC, eliminate ambiguities, streamline review processes, and incorporate implementation lessons learned since adoption of the Ordinance. NDS Staff anticipates bringing selected amendments forward at the

December 8, 2026, Joint Public Hearing, with City Council consideration of adoption anticipated in early 2027.

Financial Impact

Not applicable.

Recommendation

Not applicable.

Recommended Motion (if Applicable)

Not applicable.

Attachments

1. Presentation Code Amendment
2. Draft One-Pagers



Department of Neighborhood Development Services

City Council Presentation Development Code Clean-Up Cycle 2

November 2, 2026

Development Code Amendments: Background

- **Development Code Adoption**
 - Adopted December 18, 2023
 - Implemented a more form-based zoning framework and increased development capacity consistent with the 2021 Comprehensive Plan.
- **Why Amend the Code?**
 - Staff has identified technical corrections, clarifications, and process improvements that warrant updates to the Development Code.
- **Ongoing Annual Review**
 - Development Code amendments are intended to be an annual maintenance process to ensure the ordinance remains effective and current.
 - 2026 represents the second year of this review cycle.
- **Next Steps:**
 - **Tonight:** Presentation to City Council on this year's amendment.
 - **December 8, 2026:** Joint Public Hearing on selected amendments.
 - **Early 2027:** City Council adoption consideration.
 - **March 2027:** Target effective date for adopted amendments.

Select Examples of Technical Improvements

Page	Section	Existing Language or Issue	Proposed Language
6-8	34-6.2.2	Platted easements and deeded easements must be provided in locations and dimensions required by the City in order to:	Platted easements and deeded easements must clearly identify easement type and ownership and be provided in locations and dimensions required by the City in order to:
Throughout the Code	Multiple	Standards and Design Manual	Standards and Design Manual and Appendices
4-21	34-4.4.5.D.9.c	In Residential (R-) zoning districts, when the project fronts on an existing street and...	In Residential (R-) and Residential Core Neighborhood (RN-) zoning districts , when the project fronts on an existing street and...
5-54	34-5.2.15.A	1. The City Council may grant a modification of any physical dimensional standard... 2. A Special Exception Permits may be granted for physical dimensional standards...	1.The City Council may grant a modification of any physical dimensional or numerical standard... 2. A Special Exception Permits may be granted for physical dimensional or numerical standards...

State Regulation Amendment



Bill	General Changes that need to be made
SB 531	Virginia Code § 15.2-2292.3 will require localities to allow an accessory dwelling unit by-right on lots with a single-family dwelling. Because RN-A currently permits only one dwelling unit by-right, this amendment increases the base density from one to two units and adjusts the Existing Structure Preservation bonus from two to three units. These changes ensure compliance with state law while maintaining the existing affordability incentive structure and avoiding conflicts with the Development Code's current use of the term "ADU" for Affordable Dwelling Unit. See Amendment A.8 for more detail.

Select Examples of Refinements

Tree Removal Permit Clarification

Proposed Changes

- Replaces "properties" with "lots and parcels".
- Clarifies that tree removal associated with Development Review is reviewed through that process.
- Eliminates the need for a separate Tree Removal Permit when tree removal is already being reviewed as part of a Development Plan or Final Site Plan.

Overview

This amendment is primarily a housekeeping and process-streamlining change. It updates terminology for consistency with the Development Code and removes a redundant permit requirement when tree removal is already reviewed through an existing development approval process.

Select Examples of Refinements

Private Streets

Proposed Changes

- Establish separate definitions for Public Streets and Private Streets.
- Require private streets to be located on a separate recorded lot or tract rather than being created solely through an easement.
- Clarify that private streets must meet the same City design and bonding standards as public streets.

Overview

This amendment clarifies how streets are defined and established within the Development Code. It ensures that private streets are created and maintained using standards similar to public streets, providing greater consistency in how development relates to street frontages throughout the city.

Select Examples of Refinements

Bicycle Parking Requirements for Lodging

Proposed Changes

- Create a separate bicycle parking standard for Lodging uses.
- Base short-term bicycle parking on non-lodging floor area rather than total building size.
- Base long-term bicycle parking on the number of guest rooms.

Overview

This amendment updates bicycle parking requirements for hotels and other lodging uses to better align parking requirements with actual demand. The revised standards are tailored to lodging uses rather than applying the general commercial square-footage formula.

Select Examples of Refinements

Active Depth and Active Space

Proposed Changes

- Limit active depth requirements on primary streets to the first two stories.
- Update the definition of active space to clearly include residential living areas.
- Remove a redundant exemption related to single-unit buildings.

Overview

This amendment refines the active depth standards based on implementation experience and Planning Commission feedback. The changes focus activation requirements where they have the greatest streetscape impact while providing clearer guidance on what qualifies as active space.

Select Examples of Refinements

Nonconforming Buildings and Build-to Requirements

Proposed Changes

- Allow new buildings and structures in the side and rear yards of lots containing nonconforming buildings.
- Remove size limitations on certain side and rear additions.
- Clarify how build-to width requirements apply before new front and side-street yard conditions are established.

Overview

This amendment provides greater flexibility for infill development on lots with existing nonconforming buildings. The changes simplify build-to regulations, remove unnecessary constraints on additions, and make it easier to add buildings and dwelling units while maintaining the intent of the City's frontage and urban design standards.

Select Examples of Refinements

Food Trucks (Mobile Food Units)

Proposed Changes

- Remove the limitation that only one temporary use permit may be active on a property at a time to allow multiple food truck to operate on the same property.
- Remove the allowance for a covered 10' x 10' condiment table
- Require applicants to identify where a mobile food unit will be located when not in operation.

Overview

This amendment is intended to address operational issues that have emerged since adoption of the Development Code's temporary use regulations. Current provisions allow multiple food truck permits to be issued for a property while simultaneously limiting a site to one active temporary use permit at a time, creating confusion for operators, property owners, and staff. The proposed changes remove that conflict and provide greater flexibility for commercial properties that may wish to host multiple mobile food vendors.

Thank You



Proposed Amendment Util.10 & 11 – Easements

Section 34-6.2.2

Page: 6-7 thru 6-8

Amendment Log Util.10 & 11

Existing Language:

6.2.2 Easements

- A. Platted easements and deeded easements must be provided in locations and dimensions required by the City in order to:
 - 1. Allow for adequate storm drainage facilities;
 - 2. Allow for proper installation of water and sewer lines, whether immediately proposed or necessary for adequate service in the future;
 - 3. Allow for cross-access between properties;
 - 4. Allow for adequate pedestrian and bicycle access;
 - 5. Allow for adequate right-of-way for street types;
 - 6. Allow for adequate public access; and
 - 7. Allow for adequate slope for roadway construction.
- B. Easement widths are specified by the Standards and Design Manual as necessary to accommodate existing and future needs as well as construction and repair of facilities. For drainage easements, the widths must be sufficient to accommodate areas anticipated to be inundated by stormwater.

Proposed Language:

6.2.2 Easements

- A. Platted easements and deeded easements must **clearly identify easement type and ownership and** be provided in locations and dimensions required by the City in order to:
 - ~~1. Allow for adequate storm drainage facilities;~~
 - 2. Allow for proper installation **and maintenance** of water, **sanitary sewer, stormwater and gas facilities and sewer lines**, whether **existing**, immediately proposed or necessary for adequate service in the future;
 - 3. Allow for cross-access between properties;
 - 4. Allow for adequate pedestrian and bicycle access;
 - 5. Allow for adequate right-of-way for street types;
 - 6. Allow for adequate public access; and
 - 7. Allow for adequate slope for roadway construction.
- B. Easement widths are specified by the Standards and Design Manual **and its** ~~a~~**Appendices** as necessary to accommodate existing and future needs as well as **access for maintenance**, construction and repair of facilities. For drainage easements, the widths must be sufficient to accommodate **and provide access to** areas anticipated to be inundated by stormwater.

Proposed Amendment Util.10 & 11 – Easements

Analysis:

The current Development Code lacks clarity and direction on the purpose, uses, ownership and responsibility related to easements on subdivision plats. The proposed changes to 6.2.2.A provides additional guidance.

6.2.2.A subsections 1 & 2 are proposed to be combined for clarity, and include gas utilities that were formerly missing so that water, sanitary sewer, stormwater and gas are mentioned together for consistency with other proposed cleanup of the code.

6.2.2.B proposed language adds reference to the SADM appendices for utilities, and clarifies the need for access and mentions maintenance along with construction/repair.

Proposed Amendment
Util.12, 13, 15 & 19 – Fees & Dedications

Section 34-6.6

Page: 6-10 thru 6-12

Amendment Log Util.12, 13, 15 & 19

Existing Language:

6.6.1 Dedication of Infrastructure for Public Use

- A. A project developer must dedicate to the City for public use every easement and right-of-way located within the project, which has constructed or proposed to be constructed any public street, curb, gutter, sidewalk, bicycle trail, drainage or sewerage system, waterline as part of a public system, or other improvement dedicated for public use and to be maintained by the City or another public agency, as follows:
 - 1. The City Council is not required to compensate the project developer for any dedicated land or improvements.
 - 2. The land and improvements to be dedicated must be set apart on the Final Plat and must be identified by a note on the plat stating that the land is dedicated for public use.
 - 3. When a project abuts one side of an existing or platted street, the project developer must dedicate at least 1/2 of the right-of-way necessary to make the street comply with the minimum width required for the street as designated in the Standards and Design Manual.
- B. A project developer must dedicate to the City for public use all water and sewerage facilities designed, constructed and approved to be dedicated as public water and sewerage systems, and will require each project developer to establish an easement on the land for such facilities, extending to any abutting property owned by the project developer, if the facilities are required by this Development Code, as follows:
 - 1. The City Council is not required to compensate the project developer for the dedicated facilities or the establishment of any easement.
 - 2. The facilities to be dedicated and any easement to be established must be specifically identified and set apart on the Final Plat and must be identified by a note on the plat stating that the facilities are dedicated to, and the easement is established for, the City of Charlottesville.
 - 3. All Final Plats containing proposed public easements must expressly reference a declaration of the terms and conditions of such public easements recorded with the subdivision plat in the City's land records.
- C. A project developer must establish easements for facilities for stormwater management and drainage control, as follows:

Proposed Amendment

Util.12, 13, 15 & 19 – Fees & Dedications

1. An easement for all stormwater management facilities and drainage control improvements located on the property must be established whenever the improvement is designed and constructed beyond a street right-of-way or access easement and must extend from all drainage outfalls to an adequate channel that satisfies minimum standards established by the Virginia Department of Environmental Quality or the State Water Control Board, to the boundary of the property.
2. An easement must be established along every natural stream, natural drainage area to be preserved, and every man-made waterway located on the property.
3. The area of each required easement must be sufficient, as determined by the Subdivision Administrator, to:
 - a. Accommodate the facilities and the drainage characteristics from each drainage outfall from a drainage control;
 - b. Allow access to a natural stream or man-made waterway to allow widening, deepening, relocating, improving, or protecting the natural stream or man-made waterway for drainage purposes; and
 - c. Meet applicable standards and requirements set forth within Water Protection, Chapter 10 of the Code of the City of Charlottesville and the Standards and Design Manual.
4. Each required easement must include a right of ingress and egress for installation, maintenance, operation, repair and reconstruction of any improvement within the easement. The Subdivision Administrator may require that an easement be provided through abutting land under the same ownership as the project.
5. The City Council is not required to compensate the project developer for any easement or any improvements within the easement.
6. All Final Plats containing proposed public easements must expressly reference a declaration of the terms and conditions of such public easements recorded with the subdivision plat in the City's land records.
7. No easement will be considered part of any required street width.

6.6.2 Dedication of Land for Public Use

A project developer may dedicate to the City any land within the project that is suitable for parks, open space, stormwater management facilities and other public facilities, utilities and other public or semipublic uses, as follows:

Proposed Amendment
Util.12, 13, 15 & 19 – Fees & Dedications

- A. The City Council is not required to compensate the project developer for the land dedicated if the dedication is a gift, required by a proffer as part of a conditional rezoning, required as a condition of a special use permit, variance or other approval, or if the need for the land is substantially generated by the project. The determination of whether the need for land is substantially generated by the project will be made in the manner prescribed by 6.6.1. Dedication of Infrastructure for Public Use.
- B. Land dedicated under this Section must be set apart on the Final Plat and identified by a note on the plat stating that the land is dedicated for public use. The proposed dedication will be subject to review as to consistency with the City's Comprehensive Plan, as required by *Code of Virginia § 15.2- 2232*.
- C. A project developer's proposed dedication of a stormwater management facility must be reviewed and governed by the provisions of Water Protection, Chapter 10 of the Code of the City of Charlottesville. No such dedication will be accepted unless and until the City receives a financial guarantee, in the form of a bond or like surety, in an amount sufficient for and conditioned upon the construction of such stormwater management facilities in accordance with the standards and requirements set forth within Chapter 10 and the Standards and Design Manual.

6.6.3 Reservation of Land

A project developer may reserve for future dedication to the City a part of the property suitable for parks, schools, open space and other public facilities, utilities and other public or semipublic uses, as follows:

- A. The City Council is not required to compensate the project developer for the reservation of land if the dedication is a gift, required by a proffer as part of a conditional Zoning Map Amendment, required as a condition of a Special Use Permit, Variance, or other approval, or if the need for the land is substantially generated by the project. The determination of whether the need for land is substantially generated by the project will be made in the manner prescribed by 6.6.1. Dedication of Infrastructure for Public Use.
- B. Land reserved under this Section must be set apart on the Final Plat and identified by a note on the plat stating that the land is reserved for future dedication for public use.
- C. The project developer may petition the City Council to release a reservation if the land is not used for a public purpose, using the procedure set forth within Div. 6.7. Administration.
- D. Nothing in this Section precludes land being reserved for a public use which is not included in the Comprehensive Plan, provided the land is acceptable to the City for reservation.

Proposed Amendment
Util.12, 13, 15 & 19 – Fees & Dedications

6.6.4 Transfer of Land Ownership

The recording of an approved Final Plat and deed of dedication will transfer dedicated land and establish certain easements, as follows:

- A. Recordation will operate to transfer, in fee simple, to the City that portion of the land set apart on the plat and dedicated for public use.
- B. Recordation will operate to transfer to the City any easement set apart on the plat and dedicated to public use to create a public right of passage over the property.
- C. Recordation will operate to transfer to the City, in fee simple, the water and sewer facilities, and related easements, set apart on the plat and dedicated for public use.
- D. Recordation will operate to terminate and extinguish all rights-of-way, easements or other interests of the City in the property not shown on the plat, except that an interest acquired by the City by eminent domain, by purchase for valuable consideration and evidenced by a separate instrument of record, or streets, alleys or easements for public passage subject to the provisions of the *Code of Virginia § 15.2-2271 or 2272*.
- E. Recordation will not constitute acceptance of any improvement by the City.

Proposed Amendment
Util.12, 13, 15 & 19 – Fees & Dedications

Proposed Language:

6.6.1 Dedication of Infrastructure for Public Use

- A. A project developer must dedicate to the City for public use every easement and right-of-way located within the project, which has constructed or proposed to be constructed any public street, curb, gutter, sidewalk, bicycle trail, ~~drainage or sewerage system, waterline as part of a public system,~~ or other improvement dedicated for public use and to be maintained by the City or another public agency, as follows:
1. The City Council is not required to compensate the project developer for any dedicated land or improvements.
 2. The land, ~~easements,~~ and improvements to be dedicated must be set apart on the Final Plat and must be identified by a note on the plat stating that the ~~land, easement and/or improvement~~ is dedicated for public use.
 3. When a project abuts one side of an existing or platted street, the project developer must dedicate at least 1/2 of the right-of-way necessary to make the street comply with the minimum width required for the street as designated in the Standards and Design Manual ~~and Appendices.~~
- B. A project developer must dedicate to the City for public use all ~~water and sewerage facilities water, sanitary sewer, stormwater and gas facilities~~ designed, constructed and approved to be dedicated ~~for public ownership as public water and sewerage systems,~~ and will require each project developer to establish an easement on the land for such facilities, extending to any abutting property owned by the project developer, if the facilities are required by this Development Code, as follows:
1. The City Council is not required to compensate the project developer for the dedicated facilities or the establishment of any easement.
 2. The facilities to be dedicated and any easement to be established must be specifically identified and set apart on the Final Plat and must be identified by a note on the plat stating that the facilities are dedicated to, and the easement is established for, the City of Charlottesville.
 3. ~~Each required easement must include a right of ingress and egress for installation, maintenance, operation, repair and reconstruction of public utility facilities within the easement.~~
 4. All Final Plats containing proposed public easements must expressly reference a declaration of the terms and conditions of such public easements recorded with the subdivision plat in the City's land records.
 5. ~~A project developer's proposed dedication of public utility facilities for public ownership must be reviewed and governed by the provisions of Utilities, Chapter 31 of the Code of the City of Charlottesville. No such dedication will be accepted unless and until the City receives a financial guarantee, in the~~

Proposed Amendment Util.12, 13, 15 & 19 – Fees & Dedications

form of a bond or like surety, in an amount sufficient for and conditioned upon the construction of such public utility facilities in accordance with the standards and requirements set forth within Chapter 31 and the Standards and Design Manual and its ~~a~~Appendices.

- C. A project developer must establish easements for facilities for stormwater management and drainage control, as follows:

(add the following after subsection 7)

8. A project developer's proposed dedication of a stormwater management facility for public ownership must be reviewed and governed by the provisions of Water Protection, Chapter 10 of the Code of the City of Charlottesville. No such dedication will be accepted unless and until the City receives a financial guarantee, in the form of a bond or like surety, in an amount sufficient for and conditioned upon the construction of such stormwater management facilities in accordance with the standards and requirements set forth within Chapter 10 and the Standards and Design Manual and Appendices.

6.6.2 Dedication of Land for Public Use

A project developer may dedicate to the City any land within the project that is suitable for parks, open space, ~~utilities~~, stormwater management facilities, ~~and~~ other public facilities, ~~utilities~~ and other public or semipublic uses in a manner consistent with 6.6.1. *Dedication of Infrastructure for Public Use*, as follows:

- A. The City Council is not required to compensate the project developer for the land dedicated if the dedication is a gift, required by a proffer as part of a conditional rezoning, required as a condition of a special use permit, variance or other approval, or if the need for the land is substantially generated by the project. The determination of whether the need for land is substantially generated by the project will be made in the manner prescribed by 6.6.1. *Dedication of Infrastructure for Public Use*.
- B. Land dedicated under this Section must be set apart on the Final Plat and identified by a note on the plat stating that the land is dedicated for public use. The proposed dedication will be subject to review as to consistency with the City's Comprehensive Plan, as required by *Code of Virginia § 15.2- 2232*.

~~C. A project developer's proposed dedication of a stormwater management facility must be reviewed and governed by the provisions of Water Protection, Chapter 10 of the Code of the City of Charlottesville. No such dedication will be accepted unless and until the City receives a financial guarantee, in the form of a bond or like surety, in an amount sufficient for and conditioned upon the construction of such stormwater management facilities in accordance with the standards and requirements set forth within Chapter 10 and the Standards and Design Manual.~~

Proposed Amendment Util.12, 13, 15 & 19 – Fees & Dedications

6.6.3 Reservation of Land

A project developer may reserve for future dedication to the City a part of the property suitable for parks, schools, open space, **utilities, and** other public facilities, **utilities** and other public or semipublic uses **in a manner consistent with 6.6.1. Dedication of Infrastructure for Public Use**, as follows:

- A. The City Council is not required to compensate the project developer for the reservation of land if the dedication is a gift, required by a proffer as part of a conditional Zoning Map Amendment, required as a condition of a Special Use Permit, Variance, or other approval, or if the need for the land is substantially generated by the project. The determination of whether the need for land is substantially generated by the project will be made in the manner prescribed by 6.6.1. Dedication of Infrastructure for Public Use.
- B. Land reserved under this Section must be set apart on the Final Plat and identified by a note on the plat stating that the land is reserved for future dedication for public use.
- C. The project developer may petition the City Council to release a reservation if the land is not used for a public purpose, using the procedure set forth within Div. 6.7. Administration.
- D. Nothing in this Section precludes land being reserved for a public use which is not included in the Comprehensive Plan, provided the land is acceptable to the City for reservation.

6.6.4 Transfer of Land Ownership

The recording of an approved Final Plat and deed of dedication will transfer dedicated land and establish certain easements, as follows:

- A. Recordation will operate to transfer, in fee simple, to the City that portion of the land set apart on the plat and dedicated for public use.
- B. Recordation will operate to transfer to the City any easement set apart on the plat and dedicated to public use to create a public right of passage over the property.
- C. Recordation will operate to transfer to the City **any easement set apart on the plat for water, sanitary sewer, stormwater and gas facilities that are dedicated for public ownership**.
- D. Recordation will operate to terminate and extinguish all rights-of-way, easements or other interests of the City in the property not shown on the plat, except that an interest acquired by the City by eminent domain, by purchase for valuable consideration and evidenced by a separate instrument of record, or streets, alleys or easements for public passage subject to the provisions of the *Code of Virginia § 15.2-2271 or 2272*.
- E. Recordation will not constitute acceptance of any improvement by the City.

Proposed Amendment Util.12, 13, 15 & 19 – Fees & Dedications

Analysis:

The current Development Code is inconsistent in its references & requirements regarding public utility infrastructure (and other public uses/improvements) throughout this section:

In 6.6.1.A, references to utilities are removed since they are already covered in 6.6.1.B. In the subsequent terms, references to land, easements and improvements are updated for consistency throughout.

In 6.6.1.B, the specific types of public utilities are clarified and expanded to include stormwater and gas. In the subsequent terms, additions are made for (#3) describing the requirements of the utility easements is added as item 3, which mirrors 6.6.1.C.4, and (#5) outlining provisions for the dedication of public utility facilities referencing City Code, the SADM and its appendices.

In 6.6.1.C, the provisions for the dedication of stormwater management facilities is moved from 6.6.2.C (which concerns dedication of land) into this section (#8) which is more applicable (dedication of improvements).

In 6.6.2 and 6.6.3, the list of public uses is revised for clarity. Also, reference is made back to 6.6.1.

In 6.6.4, the proposed language clarifies that only the easements associated with utilities to be owned & operated by the City (and not the facilities that will be contained within those easements) are to be transferred to the City along with recordation of a plat, and removes the “fee simple” reference. This removes any potential contradiction with subsection E, which states that recordation of a plat does not constitute acceptance of any improvement by the City. The types of public utilities are also clarified and expanded to include stormwater and gas.

Proposed Amendment
Util.1 through 7 – Language

Section 34-All applicable sections

Page: All applicable pages

Amendment Log Util.1, 2, 3, 4, 5, 7,

General language and references to existing standards:

General language in Chapter 34 references the “**Standards and Design Manual**” forty-seven (47) times throughout the document. The SADM also includes important appendices that provide additional and important details and requirements, but it is frequently mentioned to review staff that outside consultants were unaware of these Appendices.

Proposed language and references to existing standards:

Update all forty-seven references to the “**Standards and Design Manual and Appendices**”.

Existing Language:

1.1.3 Purpose and Intent

(E) Facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements;

Proposed Language:

1.1.3 E Purpose and Intent

(E) Facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, ~~sewerage system~~, **sanitary sewer, stormwater and gas facilities**, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements;

Existing Language:

4.6.3 Sanitary Sewer and Water Supply

(C) Public water and sanitary sewer service must be provided to each lot within a project, consistent with the requirements of Chapter 31, Utilities of the Charlottesville City Code and the Standards and Design Manual. Such systems must be constructed by the project developer to the point at which they will join public service lines. When a project does not abut a public water or sanitary sewer system or main, the project developer is responsible for extending the public water or sewer system or main from the existing location to the project site, and dedicate the extension of the public service line to the City.

Proposed Amendment
Util.1 through 7 – Language

Proposed Language:

4.6.3 Sanitary Sewer and Water Supply

(C) Public water and sanitary sewer service must be provided to each lot within a project, consistent with the requirements of Chapter 31, Utilities of the Charlottesville City Code and the Standards and Design Manual **and Appendices**. Such systems must be constructed by the project developer to the point at which they will join ~~public-service-lines~~ **the public portion of the utility system**. When a project does not abut a public water or sanitary sewer system or main, the project developer is responsible for extending the public water or sewer system or main from the existing location to the project site, and dedicate the extension of the ~~public-service-lines~~ **public portion of the utility extensions** to the City.

Existing Language:

4.6.7 Underground Utilities

All utilities, including but not limited to wires, cables, pipes, conduits and appurtenant equipment for electricity, natural gas, water, sewer, telephone or similar service, must be located within a project as follows:

Proposed Language:

4.6.7 Underground Utilities

All utilities, including but not limited to wires, cables, pipes, conduits and appurtenant equipment for electricity, natural gas, water, **sanitary** sewer, **stormwater**, telephone or similar service, must be located within a project as follows:

Existing Language:

4.6.7 Underground Utilities

(C) No utility easements or facilities, other than those of City-owned and operated utilities, may be located within the right-of-way for any public street, except upon the approval by City Council of a franchise ordinance or public right-of-way use permit or encroachment agreement. If the project developer desires to construct in, on, under, or adjacent to any public streets located in the project any natural gas, water, sewer or electric light or power works, pipes, wires, fixtures or systems, they must present plans or specifications to the City for approval.

Proposed Language:

4.6.7 Underground Utilities

(C) No utility easements or facilities, other than those of City-owned and operated utilities, may be located within the right-of-way for any public street, except upon the approval by City Council of a franchise ordinance or public right-of-way use permit or encroachment

Proposed Amendment Util.1 through 7 – Language

agreement. If the project developer desires to construct in, on, under, or adjacent to any public streets located in the project any natural gas, water, **sanitary sewer, stormwater,** electric light or power works, pipes, wires, fixtures or systems, they must present plans or specifications to the City for approval.

Existing Language:

6.1.5 Construction Surety

(B) In either case, prior to issuance of any building permit, and prior to issuance of any permit authorizing any land disturbing activity within the project, the project developer must provide a financial performance guarantee for completion of the site-related improvements. Site-related improvements include any of the following: public street, curb, gutter sidewalk, bicycle trail, drainage or sewerage system, waterline as part of a public system, or other improvement dedicated for public use and proposed to be maintained by the City or another public agency; and other improvements required by this Development Code, and to be financed by private funds, for: vehicular ingress and egress, including traffic signalization and control, for public access streets, for structures necessary to ensure stability of critical slopes, and for stormwater management facilities.

Proposed Language:

6.1.5 Construction Surety

(B) In either case, prior to issuance of any building permit, and prior to issuance of any permit authorizing any land disturbing activity within the project, the project developer must provide a financial performance guarantee for completion of the site-related improvements. Site-related improvements include any of the following: ~~public:~~ street, curb, gutter sidewalk, bicycle trail, **water, sanitary sewer, stormwater,** ~~drainage or sewerage system, waterline as part of a public system,~~ or other improvement dedicated for public use and proposed to be maintained by the City or another public agency; and other improvements required by this Development Code, and to be financed by private funds, for: vehicular ingress and egress, including traffic signalization and control, for public access streets, for structures necessary to ensure stability of critical slopes, and for stormwater management facilities.

Proposed Amendment Util.1 through 7 – Language

Analysis:

The current Development Code lacks clarity and consistency with the language referring to certain utilities and applicable standards. These amendments assure more consistency and clear references to existing standards and requirements that are often overlooked due to lack of reference.

Proposed Amendment Tree Removal Permit

Section 34-5.2.10.A.1

Page: 5-41

Amendment Log A.1

Section 34-5.2.10.A.1

Existing Language:

Tree Removal Permit. Applies to all properties and is required prior to the removal of any tree with a diameter breast height (DBH) of 8 inches or more in accordance with 4.9.1. Tree Preservation and Replacement

- a. Trees of any size determined to be dead, dying, or hazardous by the Administrator do not require a permit for removal.

Proposed Language:

Tree Removal Permit. Applies to all **lots and parcels and** is required prior to the removal of any tree with a diameter breast height (DBH) of 8 inches or more in accordance with 4.9.1. Tree Preservation and Replacement

- a. Trees of any size determined to be dead, dying, or hazardous by the Administrator do not require a permit for removal.
- b. If a project is subject to Development Review, tree removal is reviewed within that process, and no Tree Removal Permit is required.**

Analysis:

The proposed amendment to Section 34-5.2.10.A.1 clarifies two important aspects of how tree removal is regulated within the Development Code. First, the update replaces the term “properties” with “lots and parcels,” which improves consistency with the terminology already used throughout the Development Code. The Code relies heavily on “lots,” “parcels,” and other defined land-unit terms when establishing applicability for development standards, review procedures, and submittal requirements. By making this change, the Tree Removal Permit section now aligns with the established language patterns of Chapter 34, reducing ambiguity and bringing the terminology into harmony with the rest of the Code.

The second change addresses situations where an applicant is already undergoing Development Review through a Development Plan or Final Site Plan. In current practice, planners review all proposed tree removals associated with those applications to ensure they comply with the applicable standards in Section 4.9.1, as well as any other relevant portions of the Development Code. Because those removals are already being evaluated within the Development Review process, requiring a separate Tree Removal Permit creates an unnecessary second application for the same action. The proposed amendment formally recognizes this by stating that when a project is subject to Development Review,

Proposed Amendment Tree Removal Permit

tree removal will be reviewed within that existing process, and no Tree Removal Permit is required. This change does not alter the substantive standards for tree removal; it only eliminates the redundant permit for projects that already undergo a comprehensive, code-based review.

All other projects that are not subject to Development Review will continue to be required to obtain a Tree Removal Permit before removing any tree eight inches DBH or greater. Those applicants must still provide the information necessary to demonstrate that the proposed removal complies with the applicable standards and exemptions described in the Development Code. This maintains the existing protections and review requirements for standalone tree removal while streamlining the process for projects already undergoing a more extensive review. Overall, the amendment improves clarity, reduces duplicative applications, and reinforces consistency in how land units and review processes are referenced throughout the Code.

Proposed Amendment Private Streets

Section 34-7.2

Page: 7-21

Amendment Log A.2

Section 34-7.2

Existing Language:

Street. A public or private way that is publicly accessible and affords a principal means of access to abutting property. Streets generally consist of roadways and streetscapes.

Proposed Language:

Street. A public or private way that ~~is publicly accessible and affords~~ provides a principal means of access to abutting property ~~and includes the roadway and associated streetscape elements. Streets generally consist of roadways and streetscapes.~~ Streets shall meet the following criteria:

Public Street: A street located entirely within a publicly dedicated and accepted right-of-way, under the ownership and maintenance of a governmental entity and design per the City's Standards and Design Manual.

Private Street: A street located on a separate, recorded lot or tract that is not part of any abutting property. Private streets shall not be established solely by easement across private property and must comply with the City's Standards and Design Manual and be bonded to the same standards as a Public Street during construction. Ownership and maintenance shall be the responsibility of a private entity such as a homeowners' association or other legally binding documents.

Analysis:

The proposed amendment to Section 34-7.2 ensures both private and public streets are established under the same standards. When private streets are permitted under easements without separation from other property, the establishment of street lot lines per Section 34-2.10.1.C is not clearly defined. Amending the definition of streets to ensure all streets are separated from private land ensures development adjacent to all streets is consistent and aligned with the purposes and intents of code sections regulating the form of development along street frontages.

Proposed Amendment
Administrator Review Authority

Section 34-5.1.6.B.2

Page: 5-9

Amendment Log A.5

Section 34-5.1.6.B.2

Existing Language:

2. Review Authority

The Administrator is responsible for review and recommendation regarding:

- a. Comprehensive Plan adoption and amendments;
- b. Review of Public Facilities;
- c. Text amendments to this Development Code;
- d. Map amendments to the official zoning map (rezoning);
- e. Certificates of Appropriateness under Major Historic Review;
- f. Variances;
- g. Floodplain Variances;
- h. Special Use Permits; and
- i. Critical Slope Special Exceptions.

Proposed Language:

2. Review Authority

The Administrator is responsible for review and recommendation regarding:

- a. Comprehensive Plan adoption and amendments;
- b. Review of Public Facilities;
- c. Text amendments to this Development Code;
- d. Map amendments to the official zoning map (rezoning);
- e. Certificates of Appropriateness under Major Historic Review;
- f. Variances;
- g. Floodplain Variances;
- h. Special Use Permits; ~~and~~
- i. **Special Exception Permits; and**
- ij. Critical Slope Special Exceptions.

Analysis:

Per the Summary of Review Authority in Section 34-5.1.1.1, the Administrator is responsible for review and recommendation of Special Exception Permits. However, this responsibility is not included in Section 34-5.1.6.B.2. Adding text to align Section 34-5.1.6.B.2 with Section 34-5.1.1. ensures consistency and clarity in the review process for Special Exception Permits.

Proposed Amendment
RN-A Reference in Streetscape Standards

Section 34-4.4.5.D.9.c

Page: 4-21

Amendment Log A.6

Section 34-5.1.6.B.2

Existing Language:

In Residential (R-) zoning districts, when the project fronts on an existing street and adjacent property on either side of the project does not have an existing streetscape, the Administrator may allow the project developer to contribute to the streetscape fund, maintained and administered by the City, an amount equivalent to the cost of the dedication of land for and the construction of the streetscape on the property.

Proposed Language:

In Residential (R-) **and Residential Core Neighborhood (RN-)** zoning districts, when the project fronts on an existing street and adjacent property on either side of the project does not have an existing streetscape, the Administrator may allow the **project-developer** ~~developer~~ to contribute to the streetscape fund, maintained and administered by the City, an amount equivalent to the cost of the dedication of land for and the construction of the streetscape on the property.

Analysis:

While the RN-A Residential Core Neighborhood zoning district is categorized as a residential district under Article 34-2.2 along with R-A Residential A, R-B Residential B, and R-C Residential C, the district is not included in the exception criteria for existing streetscapes which are eligible for contribution to the streetscape fund in lieu of construction.

Proposed Amendment
State Changes to Planning Commission Authority

Section 34-6.7.1.A.2.a.iv

Page: 6-13

Amendment Log A.7

Section 34-5.1.6.B.2

Existing Language:

2. Authority

a. General

The functions and duties of the Subdivision Administrator under this Development Code include:

- i. Administration of provisions of this Development Code pertaining to the subdivision of land;
- ii. Delegation of any act authorized by this Development Code to be carried out by the Subdivision Administrator to an appropriate designee;
- iii. Enforcement of the provisions of this Development Code pertaining to the subdivision of land; and
- iv. Provision of expertise and technical assistance to the Planning Commission.

Proposed Language:

2. Authority

a. General

The functions and duties of the Subdivision Administrator under this Development Code include:

- i. Administration of provisions of this Development Code pertaining to the subdivision of land;
- ii. Delegation of any act authorized by this Development Code to be carried out by the Subdivision Administrator to an appropriate designee; **and**
- iii. Enforcement of the provisions of this Development Code pertaining to the subdivision of land; ~~and.~~
- ~~iv. Provision of expertise and technical assistance to the Planning Commission.~~

Analysis:

Virginia SB974 previously removed planning commission approval authority for the administrative review process for subdivision review and assigned such authority solely to a designated agent. The code amendment ensures the Development Code aligns with state requirements.

Proposed Amendment
State Regulations and RN-A Zoning

Section 34-2.2.1 and 34-2.2.3.A.2

Pages: 2-7 and 2-10

Amendment Log A.8

Section 34-2.2.1

Existing Language:

RN-A

25' or 40' lot width (min)

1 dwelling unit (max)

35' height (max)

40' building width (max)

Proposed Language:

RN-A

25' or 40' lot width (min)

2 dwelling unit (max)

35' height (max)

40' building width (max)

Section 34-2.2.3.A.2

Existing Language:

DENSITY	
Base	1
With bonus: Existing Structure Preservation	2
With bonus: Affordable Dwelling Unit	6

Proposed Language:

DENSITY	
Base	2
With bonus: Existing Structure Preservation	3
With bonus: Affordable Dwelling Unit	6

Analysis:

With Code of Virginia § 15.2-2292.3 now requiring all localities to permit an accessory dwelling unit by-right on any single-family residential lot, Charlottesville must ensure that every residential district—including RN-A—allows a principal dwelling and an additional

Proposed Amendment State Regulations and RN-A Zoning

unit without relying on discretionary bonuses. This new statewide mandate establishes a clear baseline expectation: every lot must be able to host one accessory unit in addition to the primary residence, and that allowance must be achievable by-right.

Under our current Development Code, the RN-A district provides only one dwelling unit by-right, and any additional unit must come through a bonus mechanism. The most common path is the existing structure preservation bonus, but that incentive applies only when a building was constructed and occupied before December 18, 2023 and retains its primary façade and envelope depth. On undeveloped RN-A lots, new subdivisions, or lots where new construction replaces older structures, no qualifying building exists, so the preservation bonus cannot be accessed. In those cases, the maximum by-right dwelling count remains one, and a property owner cannot add a second unit unless it qualifies for the Affordable Dwelling Unit bonus. Because the state law requires that every single-family lot accommodate an accessory unit without depending on bonuses, RN-A's one-unit base becomes incompatible with § 15.2-2292.3 once the requirement takes effect.

At the same time, our Development Code already uses the term “ADU” exclusively to mean “Affordable Dwelling Unit,” and introducing a second meaning for “Accessory Dwelling Unit” would create confusion, conflict with multiple code chapters, and complicate the administration of affordability programs. Rather than redefining terminology or restructuring the code's use framework, the most straightforward and least disruptive solution is to increase the RN-A base density from one unit to two. Doing so ensures that every lot—regardless of development history—can support a principal dwelling and an accessory unit as required by state law, while preserving the clarity of our existing vocabulary and avoiding unnecessary revisions elsewhere in the code.

To maintain the purpose and value of the preservation bonus, it must be adjusted as well. Increasing the preservation bonus from two units to three keeps it meaningful and continues to reward projects that retain eligible existing structures. Keeping the Affordable Dwelling Unit bonus at six units maintains the current affordability incentive structure without interfering with the new state requirement. Together, these changes preserve RN-A's intent, keep the bonus hierarchy coherent, avoid introducing a new definition for “ADU,” and ensure that all RN-A lots comply with § 15.2-2292.3 by allowing an accessory unit by-right.

Proposed Amendment
Existing Structure Preservation Bonus Clarification

Section 34-2.10.6.A.2.e

Page: 2-117

Amendment Log A.9

Section 34-2.10.6.A.2.e

Existing Language:

e. When permitted by the Zoning District, a project utilizing the Existing Structure Preservation Bonus for density will be deemed to comply with the Build-To requirements.

Proposed Language:

e. When permitted by the Zoning District, a project **utilizing eligible for** the Existing Structure Preservation Bonus for density will be deemed to comply with the Build-To requirements.

Analysis:

The current wording of this section creates confusion regarding the applicability of Build-To requirements for developments with existing structures in a residential zoning district (R-A, RN-A, R-B, and R-C). The amendment clarifies that existing structures meeting the requirements of Section 34-4.2.1.C are deemed to comply with Build-to requirements regardless of the application of bonus allowances per Section 34-4.2.1.B.

Proposed Amendment Alignment of Approval Processes

Section 34-5.2.16.C.2

Page: 5-57

Amendment Log A.11

Section 34-5.2.16.C.2

Existing Language:

C. Review and Decision Process

1. Administrative Review

The Administrator will review the application for a Critical Slopes Special Exception and will provide a staff report and recommendation to Planning Commission in advance of the public meeting. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

2. Notice

Notice of the public meeting must be given in accordance with Code of Virginia § 15.2-2204.

3. Planning Commission Review

The Planning Commission will review the application and report its findings and recommendations to the City Council.

4. City Council Decision

- a. The City Council will conduct a public meeting on the application. The City Council may hold a joint public meeting with the Planning Commission.
- b. If the City Council grants a Critical Slopes Special Exception, the Council can set forth any reasonable conditions which apply to the approval granted.

Proposed Language:

C. Review and Decision Process

1. Administrative Review

The Administrator will review the application for a Critical Slopes Special Exception and will provide a staff report and recommendation to Planning Commission in advance of the public meeting. Prior to the preparation of the staff report, City staff may make recommendations to the Administrator to include in the staff report.

~~2. Notice~~

~~Notice of the public meeting must be given in accordance with Code of Virginia § 15.2-2204.~~

~~23. Planning Commission Review~~

The Planning Commission will review the application and report its findings and recommendations to the City Council.

~~34. City Council Decision~~

- a. The City Council will conduct a public meeting on the application. The City Council may hold a joint public meeting with the Planning Commission.

Proposed Amendment
Alignment of Approval Processes

b. If the City Council grants a Critical Slopes Special Exception, the Council can set forth any reasonable conditions which apply to the approval granted.

Analysis:

The current wording of this section aligns with approval processes such as Special Use Permits which require a public hearing and appropriate notice of public hearing(s). However, Critical Slopes Special Exception Permits require a public meeting but not a public hearing per Section 34-5.1.1. The code section recommended for removal creates confusion as the referenced public hearing requirements do not apply to the Critical Slopes Special Exception Permit. This removal aligns the Critical Slopes Special Exception Permit section with the Special Exception Permit section in Section 34-5.2.15, which also requires a public meeting but no public hearing.

Proposed Amendment Split Zoned Lots and Development Standards

Section 34-2.1.2.C

Page: 2-4

Amendment Log A.13

Section 34-2.1.2.C

Existing Language:

Where a Section is listed as applying, and the zoning district includes standards for that requirement, all applicable standards must be met. The applicable standards may be further modified by the applicability provisions for each set of standards in *Div. 2.10. Rules for Zoning Districts*. Applicability may also be modified by *Div. 5.3. Nonconformities*.

Proposed Language:

Where a Section is listed as applying, and the zoning district includes standards for that requirement, all applicable standards must be met. **For split-zoned parcels (lots containing multiple base zoning districts, excluding overlay districts), the more restrictive district standards shall apply to the lot as a whole.** The applicable standards may be further modified by the applicability provisions for each set of standards in *Div. 2.10. Rules for Zoning Districts*. Applicability may also be modified by *Div. 5.3. Nonconformities*.

Proposed Language to be removed:

Section 34-2.10.10.A.3.a.i

If a single building spans multiple zoning districts, the more restrictive Building Width applies to the entirety of the building.

Analysis:

The Development Code does not currently provide clear direction on how district standards apply to parcels that contain more than one base zoning district. While Section 34-2.10.10.A.3.a.i addresses Building Width for structures spanning multiple zoning districts, other critical standards—such as maximum building footprint, build-to requirements, height, and massing—remain unaddressed. This creates ambiguity for applicants and staff when interpreting which standards govern development on split-zoned parcels.

Because dimensional and form standards vary significantly between zoning districts, consistent application is essential to maintaining predictable outcomes and ensuring equitable administration of the Code. Establishing that the more restrictive district standard applies across the entirety of a split-zoned lot provides necessary clarity and avoids selective application of standards based solely on internal parcel boundaries. This approach also encourages applicants to resolve underlying split-zoning conditions through appropriate zoning actions rather than relying on fragmented standards during development review.

Proposed Amendment

Split Zoned Lots and Development Standards

This amendment applies only to district *standards* and does not alter how *uses* are regulated under Section 34-3.1. Each portion of a split-zoned lot may continue to accommodate uses permitted within its respective zoning district. By placing this general rule within Section 34-2.1.2.C, staff recommends removing Section 34-2.10.10.A.3.a.i, as its narrow language becomes redundant once a broader governing principle for split-zoned parcels is established.

Proposed Amendment

Revisions to an Approved Development Plan or Final Site Plan

Sections 34-5.2.9.E.2.c

Page: 5-40

Amendment Log A.16

Existing Language:

- c. Revisions to an Approved Development Plan or Final Site Plan
 - i. Minor revisions to an approved Development Plan or Final Site Plan may be approved by the Administrator. The following revisions are considered minor:
 - a) Up to 10% increase in the gross floor area of a single building;
 - b) Any decrease in gross floor area of a single building;
 - c) Up to 10% reduction in the approved setbacks from street or common lot lines; and
 - d) Relocation of parking areas, internal driveways or structures where relocation occurs more than 100 feet from street or common lot lines.
 - ii. All other changes to an approved Development Plan or Final Site Plan must be resubmitted as a new application.

Proposed Language:

- c. Revisions to an Approved Development Plan or Final Site Plan
 - i. Minor revisions to an approved Development Plan or Final Site Plan **during the period of validity** may be **granted** by the Administrator **after completion of the appropriate review. Minor revisions per this section do not constitute a waiver nor extend the period of validity of the plan.** The following revisions are considered minor:
 - a) Up to 10% increase in the gross floor area of a single building;
 - b) Any decrease in gross floor area of a single building;
 - c) Up to 10% reduction in the approved setbacks from street or common lot lines;
 - d) Relocation of parking areas, internal driveways or structures where relocation occurs more than 100 feet from street or common lot lines; **and**
 - e) **additional unlisted minor revisions that do not substantially alter the vested plans as determined by the Administrator.**
 - ii. All other changes to an approved Development Plan or Final Site Plan must be resubmitted as a new application.

Analysis:

This amendment is intended to align the City's Development Code with Virginia Code § 15.2-2261(D), which governs the validity of approved plats and site plans and clarifies that minor modifications made during that validity period do not extend or waive any rights associated with the approved plan. Updating our local language to mirror these

Proposed Amendment

Revisions to an Approved Development Plan or Final Site Plan

requirements ensures legal consistency, reduces ambiguity for applicants, and strengthens our administrative practices.

The amendment also addresses a practical limitation in the current Code. While several specific thresholds define “minor revisions,” they do not encompass the broader range of small, non-material adjustments routinely needed as projects move from approval toward construction. Without a clear mechanism for approving these unlisted but truly minor changes, applicants can be forced into unnecessary resubmittals, creating delays and administrative inefficiencies. Granting the Administrator limited discretion to approve additional minor revisions—when they do not materially alter the approved plan—provides the flexibility needed to keep projects on track while maintaining appropriate safeguards.

This update is also forward-looking. The Development Code is still new, and staff are only beginning to see how applicants will navigate revisions once projects receive initial approvals. At this moment, we are receiving very few revision requests simply because most plans are still early in the development pipeline. However, as projects advance over the next one to two years, we anticipate a growing need for a predictable and streamlined path for minor adjustments prior to or during construction. Establishing this framework now positions the City to manage those future revisions efficiently and consistently.

Overall, the amendment strengthens legal compliance, improves administrative clarity, and prepares the City for the expected increase in minor modifications as newly approved projects progress toward construction.

Proposed Amendment

Sign Permits & Certificate of Appropriateness (CoA) Applications

Section 34-4.11.3.a.2

Page 4-82

Amendment Log ADC.3

Section 34-4.11.3.a.2

Existing Language:

For signs within an ADC District, HC District, Entrance Corridor, or an IPP, a Certificate of Appropriateness will be issued in lieu of a Sign Permit according to 5.2.6 Minor Historic Review, 5.2.7 Major Historic Review, and 5.2.8 Corridor Review.

Proposed Language:

For signs **located** within an ADC District, HC District, Entrance Corridor, or an IPP, **required design review shall be conducted as part of the sign permit process. In these overlay districts, the approved sign permit serves in lieu of a Certificate of Appropriateness for sign-related work.**

Analysis:

The current code language incorrectly states that a Certificate of Appropriateness (CoA) will be issued *in lieu of* a sign permit for signs within the ADC, HC, Entrance Corridor, or IPP overlay districts. In practice, this does not reflect how sign applications are reviewed or approved. Several problems arise from this mismatch between code language and real-world procedures, making revision necessary.

First, design review for signs is conducted within the sign permit workflow, not as a separate CoA process. Zoning staff determines whether a proposed sign meets the applicable sign regulations before design review staff evaluate its design. Only after zoning confirms compliance does design review occur, and its approval allows the sign permit to be issued. The existing language reverses this order by implying the CoA is the primary approval mechanism.

Second, issuing a CoA for a sign creates the false impression that the CoA itself confers zoning compliance, even though it does not. In all other contexts, a CoA addresses only

Proposed Amendment

Sign Permits & Certificate of Appropriateness (CoA) Applications

design considerations and never substitutes for zoning approval. Maintaining an exception for signs inadvertently elevates the CoA beyond its intended purpose and could mislead applicants or reviewers into believing that historic or corridor approval overrides the underlying zoning rules.

Third, the current code language does not acknowledge how integrated and interdependent zoning and design review are for sign approvals. Signs must meet both zoning regulations and design standards, and the existing wording disrupts that relationship by suggesting an alternate approval path that does not align with actual regulatory requirements or workflow sequencing.

Finally, revising the language restores consistency with both staff practice and regulatory intent. By clarifying that design review approval must occur before issuance of a sign permit, and that the sign permit serves in lieu of a CoA, the code better reflects established procedures. This helps eliminate confusion for applicants, ensures internal alignment between zoning and design review staff, and prevents misinterpretation that could lead to procedural errors or improper approvals.

In short, the revision is necessary to ensure the ordinance accurately describes the real approval pathway, maintains clear distinctions between zoning and design authority, and supports a coherent and predictable permitting process.

Proposed Amendment

Review and Approval Authority Table

Section 34-5.1.1

Page 5-3; 5-4

Amendment Log ADC.7

Section 34-5.1.1

Existing Language:

The following table summarizes the review and approval authority of various review bodies and officials that implement and administer this Development Code.

		REVIEW AND APPROVAL AUTHORITY				
		Administrator	Board of Architectural Review	Board of Zoning Appeals	Planning Commission	City Council
APPROVAL PROCESSES						
Comprehensive Plan Review						
Comprehensive Plan Adoption	Sec. 5.2.2	R			R-PH	D-PH
Comprehensive Plan Amendment	Sec. 5.2.3	R			R-PH	D-PH
Review of Public Facilities	Sec. 5.2.4	R			D	A
Zoning Amendment						
Zoning Text Amendment	Sec. 5.2.5	R			R-PH	D-PH
Zoning Map Amendment (Rezoning)						
1 to 25 parcels		R			R-PH	D-PH
More than 25 parcels		R			R-PH	D-PH
Historic Preservation and Design Review						
Minor Historic Review	Sec. 5.2.6	D	A			
Major Historic Review	Sec. 5.2.7	R	D			A
Corridor Review	Sec. 5.2.8	D			A	A
Development and Subdivision Review						
Development Review	Sec. 5.2.9	D			A	
Subdivision Review	see Sec. 6.7.3					
Permit Review						
Tree Removal Permit	Sec. 5.2.10	D		A-PH		
Floodplain Permit		D		A-PH		
Sign Permit		D		A-PH		
Temporary Use Permit		D		A-PH		

KEY: R = Review / Recommend D = Final Decision A = Appeal
-PH = Public Hearing -PM = Public Meeting

		REVIEW AND APPROVAL AUTHORITY				
		Administrator	Board of Architectural Review	Board of Zoning Appeals	Planning Commission	City Council
APPROVAL PROCESSES						
Relief						
Administrative Modification	Sec. 5.2.11	D		A-PH		
Variance	Sec. 5.2.12	R		D-PH		
Floodplain Variance	Sec. 5.2.13	R		D-PH		
Special Use Permit	Sec. 5.2.14	R			R-PH	D-PH
Special Exception Permit	Sec. 5.2.15	R			R-PM	D-PM
Critical Slopes Special Exception	Sec. 5.2.16	R			R-PM	D-PM

KEY: R = Review / Recommend D = Final Decision A = Appeal
-PH = Public Hearing -PM = Public Meeting

Proposed Amendment Review and Approval Authority Table

Proposed Language:

The following table summarizes the review and approval authority of various review bodies and officials that implement and administer this Development Code.

APPROVAL PROCESSES		REVIEW AND APPROVAL AUTHORITY				
		Administrator	Board of Architectural Review	Board of Zoning Appeals	Planning Commission	City Council
Comprehensive Plan Review						
Comprehensive Plan Adoption	Sec. 5.2.2.	R			R-PH	D-PH
Comprehensive Plan Amendment	Sec. 5.2.3.	R			R-PH	D-PH
Review of Public Facilities	Sec. 5.2.4.	R			D	A
Zoning Amendment						
Zoning Text Amendment	Sec. 5.2.5.	R	R		R-PH	D-PH
Zoning Map Amendment (Rezoning)			R			
1 to 25 parcels		R			R-PH	D-PH
More than 25 parcels		R			R-PH	D-PH
Historic Preservation and Design Review						
Minor Historic Review	Sec. 5.2.6.	D	A			
Major Historic Review	Sec. 5.2.7.	R	D			A
Corridor Review	Sec. 5.2.8.	D			A	A
Development and Subdivision Review						
Development Review	Sec. 5.2.9.	D			A	
Subdivision Review	see Sec. 6.7.3.					
Permit Review						
Tree Removal Permit	Sec. 5.2.10.	D		A-PH		
Floodplain Permit		D		A-PH		
Sign Permit		D	A	A-PH		
Temporary Use Permit		D		A-PH		

KEY: R = Review / Recommend D = Final Decision A = Appeal
-PH = Public Hearing -PM = Public Meeting

APPROVAL PROCESSES		REVIEW AND APPROVAL AUTHORITY				
		Administrator	Board of Architectural Review	Board of Zoning Appeals	Planning Commission	City Council
Relief						
Administrative Modification	Sec. 5.2.11.	D		A-PH		
Variance	Sec. 5.2.12.	R		D-PH		
Floodplain Variance	Sec. 5.2.13.	R		D-PH		
Special Use Permit	Sec. 5.2.14.	R	R		R-PH	D-PH
Special Exception Permit	Sec. 5.2.15.	R	R		R-PM	D-PM
Critical Slopes Special Exception	Sec. 5.2.16.	R			R-PM	D-PM

KEY: R = Review / Recommend D = Final Decision A = Appeal
-PH = Public Hearing -PM = Public Meeting

Proposed Amendment Review and Approval Authority Table

Analysis:

These corrections to the *Review and Approval Authority* table accurately reflect authorities of the Board of Architectural Review as provided within the text of the Development Code. Included below are the corresponding code sections for each proposed revision to the table.

Zoning Text Amendment and Zoning Map Amendment review authority, see 34-5.2.5.C.1.b:
When the property is within an ADC District, HC District, or an Individually Protected Property, the Administrator will refer the application to the BAR for review as to whether the proposed application will have an adverse impact on the district, and for recommendation as to reasonable conditions which, if imposed, would mitigate any such impacts. The BAR may submit a written report of its findings in support of its recommendation to the Planning Commission and City Council.

Sign Permit review authority, see 34-5.2.10.A.3.a:
Signs in an Architectural Design Control District, Historic Conservation District, or an Individual Protected Property are required to apply for a Certificate of Appropriateness according to 5.2.7. Major Historic Review or 5.2.7. Major Historic Review instead of review under this Section.

Special Use Permit review authority, see 34-5.2.14.C.1.b:
When the property is within an ADC District, HC District, or an Individually Protected Property, the Administrator will refer the application to the BAR for review as to whether the proposed application will have an adverse impact on the district, and for recommendation as to reasonable conditions which, if imposed, would mitigate any such impacts. The BAR must submit a written report of its findings in support of its recommendation City Council.

Special Exception Permit review authority, see 34-5.2.15.C.1.c:
When the property is within an ADC district, HC district, or an IPP, the Administrator will refer the application to the BAR for review as to whether the proposed exception will have an adverse impact on the district, and for recommendation as ~~the~~ (sic.) to reasonable conditions which, if imposed, would mitigate any such impacts. The BAR must submit a written report of its findings in support of its recommendation to City Council.

Proposed Amendment

Established Individually Protected Properties

Section 34-2.9.3.B

Page 2-85

Amendment Log ADC.14

Section 34-2.9.3.B

Existing Language:

Following is a list of landmarks, buildings and structures outside the City's ADC Districts, which are deemed by City Council to be of special historic, cultural, or architectural value.

Street Number	Street Name	Tax Map Number	Parcel Number
759	Belmont Avenue	Tax Map 58	Parcel 172
123	Bollingwood Road	Tax Map 7	Parcel 22
1102	Carlton Avenue	Tax Map 56	Parcel 86, Lots 1, 2, 3
133—155	Carlton Road	Tax Map 57	Parcel 157 (portion)
907	Cottage Lane	Tax Map 2	Parcel 54.3
908	Cottage Lane	Tax Map 2	Parcel 25
909	Cottage Lane	Tax Map 2	Parcel 54.4
513	Dice Street	Tax Map 29	Parcel 63.1
402	Dice Street	Tax Map 29	Parcel 124
406	Dice Street	Tax Map 29	Parcel 122
410	Dice Street	Tax Map 29	Parcel 119
412	Dice Street	Tax Map 29	Parcel 118
210	Eighth Street, NE	Tax Map 53	Parcel 173.23

Street Number	Street Name	Tax Map Number	Parcel Number
901	Emmet Street	Tax Map 1	Parcel 1 (portion)
200	Fifteenth Street, N.W.	Tax Map 9	Parcel 71
205	Fifth Street, S.W.	Tax Map 29	Parcel 69
217	Fifth Street, S.W.	Tax Map 29	Parcel 66
301	Fifth Street, S.W.	Tax Map 29	Parcel 104
418	Fifth Street, S.W.	Tax Map 29	Parcel 161
201	Fourteenth Street, N.W.	Tax Map 9	Parcel 73
233	Fourth Street, N.W.	Tax Map 32	Parcel 89
223	Fourth Street, SW	Tax Map 29	Parcel 42
1602	Gordon Avenue	Tax Map 9	Parcel 13
946	Grady Avenue	Tax Map 31	Parcel 60 (portion)
1022	Grove Street (formerly 1212)	Tax Map 23	Parcel 38
700	Harris Street	Tax Map 35	Parcel 132
204	Hartman's Mill Road	Tax Map 26	Parcel 38
208	Hartman's Mill Road	Tax Map 36	Parcel 36
801	High Street, East	Tax Map 53	Parcel 194
1404	Jefferson Park Avenue	Tax Map 11	Parcel 112
2115	Jefferson Park Avenue	Tax Map 17	Parcel 88
1201	Jefferson Street, East	Tax Map 54	Parcel 212
800	Jefferson Street, East	Tax Map 53	Parcel 173.22
901	Jefferson Street, East	Tax Map 53	Parcel 261
1615	Keith Valley Road	Tax Map 41A	Parcel 46
114	Lankford Avenue	Tax Map 26	Parcel 10
214	Lankford Avenue	Tax Map 26	Parcel 1
459	Locust Avenue	Tax Map 53	Parcel 234 (portion)
810	Locust Avenue	Tax Map 51	Parcel 74

Proposed Amendment Established Individually Protected Properties

700	Lyons Avenue	Tax Map 52	Parcel 26
610	Lyons Court	Tax Map 52	Parcel 78
706	Lyons Court Lane	Tax Map 52	Parcel 77
1118	Market Street, East	Tax Map 54	Parcel 150
1512	Market Street, East	Tax Map 56	Parcel 40.4
1819	Market Street East	Tax Map 55A	Parcel 146
1901	Market Street, East	Tax Map 55A	Parcel 149
224	Ninth Street, SW	Tax Map 30	Parcel 65
501	Ninth Street, SW	Tax Map 30	Parcel 169
1105	Park Street	Tax Map 47	Parcel 7
1108	Park Street	Tax Map 47	Parcel 49
1112	Park Street	Tax Map 47	Parcel 50
608	Preston Avenue	Tax Map 32	Parcel 14
722	Preston Avenue	Tax Map 31	Parcel 38 (portion)

Street Number	Street Name	Tax Map Number	Parcel Number
1010	Preston Avenue	Tax Map 4	Parcel 41
605	Preston Place	Tax Map 5	Parcel 111
611	Preston Place	Tax Map 5	Parcel 112
620	Prospect Avenue (formerly 620 7½ Street)	Tax Map 25	Parcel 2
752	Ridge Street	Tax Map 25	Parcel 79
212	Rosser Avenue	Tax Map 3	Parcel 107
818	Ridge Street	Tax Map 25	Parcel 102
1328	Riverdale Drive	Tax Map 50	Parcel 5
202	Riverside Avenue	Tax Map 55A	Parcel 148
1204	Rugby Road	Tax Map 38	Parcel 134
1314	Rugby Road	Tax Map 38	Parcel 92
204	Seventh Street, SW	Tax Map 29	Parcel 73
208	Seventh Street, SW	Tax Map 29	Parcel 74
201	Sixth Street, NW	Tax Map 32	Parcel 124
327	Sixth Street, SW	Tax Map 29	Parcel 188
209—211	Sprigg Lane	Tax Map 8	Parcel 28
104	Stadium Road	Tax Map 16	Parcel 2
214	Stribling Avenue	Tax Map 18A	Parcel 33
134	Tenth Street, N.W.	Tax Map 31	Parcel 56
414 and 415-B	Tenth Street, N.W.	Tax Map 4	Parcel 46
309	Twelfth Street, NE	Tax Map 54	Parcel 211
1	University Court	Tax Map 9	Parcel 44
603	Watson Avenue	Tax Map 47	Parcel 43
212	Wine Street	Tax Map 33	Parcel 32

Proposed Language: (Revisions to the list of established Individually Protected Properties are shown in red.)

Street Number	Street Name	Tax Map Number	Parcel Number
901	Emmet Street N.	Tax Map 1	Parcel 1 (portion)

Street Number	Street Name	Tax Map Number	Parcel Number
209 and 211	Sprigg Lane	Tax Map 8	Parcel 28

Proposed Amendment
Established Individually Protected Properties

Street Number	Street Name	Tax Map Number	Parcel Number
~~1328~~	~~Riverdale Drive~~	~~Tax Map 50~~	~~Parcel 5~~

Street Number	Street Name	Tax Map Number	Parcel Number
~~104~~	~~Stadium Road~~	~~Tax Map 16~~	~~Parcel 2~~

Street Number	Street Name	Tax Map Number	Parcel Number
~~801~~	~~West Street~~	~~Tax Map 31~~	~~Parcel 42~~

Analysis:

The proposed corrections to the list of established Individually Protected Properties (IPPs) are necessary to improve address clarity, to remove demolished IPPs which were left on the list by error during adoption in December 2023, and to amend the table by adding the most recently designated property.

Proposed Amendment B.08 Bicycle Parking and Lodging

Section 34-4.5.2.C.1

Page: 4-27

Amendment Log B.08

Section 34-4.5.2.C.1

Existing Language:

Required Bicycle Parking

Bicycle parking must be provided in accordance with the following table:

Uses	Spaces Required (min)	
	Short-Term Spaces	Long-Term Spaces
Residential		
Household living	1 / 10 units, 2 min	1 / units
Group Living	1 / 6 beds, 2 min	1 / 3 beds
Public, Civic, and Institutional		
All uses	1 / 5,000 SF of gross floor area, 2 min	1 / 10,000 SF of gross floor area, 2 min
Commercial		
All uses	1 / 2,500 SF of gross floor area, 2 min	1 / 5,000 SF of gross floor area, 2 min
Industrial		
All uses	1 / 10,000 SF of gross floor area, 2 min	1 / 5,000 SF of gross floor area, 2 min

Proposed Language:

Update Commercial by adding a subcategory for “Lodging”

Uses	Spaces Required (min)	
	Short-Term Spaces	Long-Term Spaces
Commercial		
All uses	1 / 2,500 SF of gross floor area, 2 min	1 / 5,500 SF of gross floor area, 2 min
Lodging	1 / 2,500 SF of gross floor area not intended for lodging, 2 min	1 Space per 40 rooms, 2 min

Analysis:

The current Development Code requires all Commercial uses to provide bicycle parking according to a gross-floor-area formula. While this approach works for most commercial activity, lodging uses (such as hotels) are unique: they typically have very large building footprints but generate bicycle parking demand based on guests, employees, and the size of publicly accessible non-lodging spaces rather than the overall square footage. Applying the generic Commercial GFA ratios to lodging has resulted in bicycle parking requirements

Proposed Amendment

B.08 Bicycle Parking and Lodging

far exceeding real-world demand, creating outcomes that are disproportionate and inconsistent with multimodal best practices.

The proposed amendment uses two simple ratios: short-term spaces tied to non-lodging areas of the building, and long-term spaces tied to the number of guest rooms. This approach follows national guidance from the Association of Pedestrian and Bicycle Professionals (APBP), which emphasizes that bicycle parking should be assigned based on the nature of the users rather than total building size. APBP also distinguishes short-term and long-term demand, noting that visitor trips tend to cluster around publicly accessible spaces, while employees and overnight guests generate predictable long-term storage needs. Similarly, the NACTO Urban Bikeway Design Guide encourages cities to adopt context-sensitive ratios that respond to expected bicycle activity rather than applying uniform formulas across all uses.

Peer practice further reinforces this direction. Cities with modern multimodal standards, including Raleigh, use room-based ratios for hotel bicycle parking because room count strongly correlates with employee and guest demand, while short-term visitor demand aligns with the building's active public spaces. Industry-specific guidance for hotel design also supports this distinction, noting that secure long-term storage has become an essential amenity for employees and cycling travelers, but that demand remains modest and consistent across room counts rather than varying with building square footage.

The specific numbers selected for this amendment reflect these established patterns. The short-term standard applies the existing Commercial ratio only to the portion of the building that generates visitor trips, while the long-term standard uses a room-based ratio common in other cities and consistent with national guidance on lodging-use behavior. The minimum of two spaces for each type ensures that even small lodging uses provide basic bicycle access and maintains consistency with the minimums applied across other Commercial uses.

Proposed Amendment Food Trucks

Section 34-3.6.1 and 34-3.6.2.D

Page: 3-40 to 3-43

Amendment Log B.9

Section 34-3.6.1.B.7

Existing Language:

7. Only One Temporary use permit will be active on any lot or parcel at any time.

Proposed Language:

Remove line 7.

~~7. Only one temporary use permit will be active on any lot or parcel at any time.~~

8 7. All temporary uses and any appurtenant structures, signs, goods and other features must be set back from an adjacent right-of-way by at least 20 feet.

9 8. All activities to be conducted pursuant to a temporary use permit must be in compliance with:

- a.** The standards set forth in this Division, as applicable; and
- b.** All applicable city ordinances, permits and approvals, including, without limitation: Occupancy permits, peddler's licenses, sign permits, BAR certificates of appropriateness, etc.

10 9. Use of all buildings and structures must be in compliance with all applicable building code regulations.

11 10. A temporary use permit may be revoked by the Administrator at any time, due to the failure of the permit holder to comply with all requirements of this Chapter. Notice of revocation must be made in writing to the permit holder. Any person aggrieved by such notice may appeal the revocation to the Board of Zoning Appeals.

Section 34-3.6.2.D

Existing Language:

Mobile Food Unit

A mobile food unit located on private property authorized by a temporary use permit is subject to the following regulations:

1. No mobile food unit may be operated on private property without the mobile food unit owner or their designee having first been issued a temporary use permit pursuant to this section.

2. A temporary use permit allows the permittee to operate at up to 10 different properties. An applicant may apply for more than one temporary use permit.

3. Applicants for a temporary use permit authorizing a mobile food unit to operate on private property must provide:

Proposed Amendment Food Trucks

- a. A City business license (or a statement from the commissioner of revenue that no City business license is required).
 - b. A valid health permit from the Virginia Health Department stating that the mobile food unit meets all applicable standards. A valid health permit must be maintained for the duration of the temporary use permit.
 - c. Written permission from the owner of the private properties upon which the permittee will operate.
 - d. A site diagram to be approved by the Administrator for each property, illustrating access to the site, all parking areas, routes for ingress and egress, placement of the mobile food unit, distance from property lines, garbage receptacles and any other feature associated with the mobile food unit.
4. A mobile food unit temporary use permit is valid for one year from the date of issuance.
5. A mobile food unit operator cannot:
- a. Sell anything other than food and non-alcoholic beverages and items incidental to the product and its consumption;
 - b. Set up more than one covered 10 × 10 table to provide condiments to patrons;
 - c. Play any music that is audible outside of the vehicle;
 - d. Place or utilize any sign that is not permanently affixed to the mobile food unit;
 - e. Fail to provide receptacles and properly dispose of all trash, refuse, compost and garbage that is generated by the use; and
 - f. Cause any liquid wastes to be discharged from the mobile food unit.

Proposed Language:

Mobile Food Unit

A mobile food unit located on private property authorized by a temporary use permit is subject to the following regulations:

- 1. No mobile food unit may be operated on private property without the mobile food unit owner or their designee having first been issued a temporary use permit pursuant to this section.
- 2. A temporary use permit allows the permittee to operate at up to 10 different properties. An applicant may apply for more than one temporary use permit.
- 3. Applicants for a temporary use permit authorizing a mobile food unit to operate on private property must provide:
 - a. A City business license (or a statement from the commissioner of revenue that no City business license is required).
 - b. A valid health permit from the Virginia Health Department stating that the mobile food unit meets all applicable standards. A valid health permit must be maintained for the duration of the temporary use permit.

Proposed Amendment Food Trucks

c. Written permission from the owner of the private properties upon which the permittee will operate.

d. A site diagram to be approved by the Administrator for each property, illustrating access to the site, all parking areas, routes for ingress and egress, placement of the mobile food unit, distance from property lines, garbage receptacles and any other feature associated with the mobile food unit.

e. Location of Mobile Food Unit when not in use

4. A mobile food unit temporary use permit is valid for one year from the date of issuance.

5. A mobile food unit operator cannot:

a. Sell anything other than food and non-alcoholic beverages and items incidental to the product and its consumption;

~~b. Set up more than one covered 10 × 10 table to provide condiments to patrons;~~

~~c. b.~~ Play any music that is audible outside of the vehicle;

~~d. c.~~ Place or utilize any sign that is not permanently affixed to the mobile food unit;

~~e. d.~~ Fail to provide receptacles and properly dispose of all trash, refuse, compost and garbage that is generated by the use; and

~~f. e.~~ Cause any liquid wastes to be discharged from the mobile food unit.

Analysis:

Mobile food units were previously regulated through a provisional use permit process that allowed operators to obtain annual authorization to operate from multiple private properties throughout the City. When the Development Code was adopted, mobile food units were incorporated into the Temporary Uses section with many of the same operational requirements. In doing so, a conflict was created between Section 34-3.6.1.B.6, which allows multiple temporary use permits to be issued for the same lot, and Section 34-3.6.1.B.7, which limits a property to only one active temporary use permit at a time. As a result, multiple food truck operators may obtain permits to operate from the same property, but only one may legally operate at any given time. This provision has created administrative challenges for staff, confusion for applicants, and limitations on commercial properties seeking to accommodate multiple food vendors as a temporary use.

During discussions regarding food truck regulations, staff, Planning Commissioners, and other City departments identified several provisions that warrant clarification or modification. The proposed amendment removes the restriction allowing only one active temporary use permit on a property at a time and eliminates the provision authorizing a covered 10-by-10-foot table for condiment service. Removal of the table provision reinforces the temporary nature of mobile food unit operations by eliminating an accessory feature that is not necessary for food truck operations and is inconsistent with the intent of

Proposed Amendment

Food Trucks

a temporary use. These changes provide additional flexibility for food truck operators while maintaining existing requirements related to licensing, health permits, site plans, signage, waste management, and other operational standards. The amendment does not establish regulations for food truck courts or permanent food truck facilities and does not alter the requirement that mobile food units operate pursuant to a temporary use permit.

The amendment also adds a requirement for applicants to identify the location of a mobile food unit when it is not in operation. This information will assist staff in administering permits and monitoring compliance with temporary use regulations by providing a clearer understanding of where mobile food units are stored between operating periods. Together, these revisions remove unnecessary regulatory conflicts, improve permit administration, and preserve the distinction between temporary mobile food unit operations and more permanent food service establishments while maintaining the City's ability to regulate these uses as temporary activities.

Proposed Amendment
Nonresidential Height in the R-A and R-B Districts

Sections 34-2.2.2.A.B.1 and 2.2.4.B.1

Page: 2-9 and 2-13

Amendment Log B.12

Sections 34-2.2.2.A.B.1 and 2.2.4.B.1

Existing Language:

No existing language for maximum height for nonresidential structures in the R-A and R-B, Zoning Districts.

Proposed Language:

34-2.2.2.A.B.1 and 2.2.4.B.1

A. Building height (feet)

1 unit **and nonresidential** 35'

B. Side wall height (max)

1 unit **and nonresidential** 28'

Analysis:

In the R-A and R-B Zoning Districts, the maximum allowable height is currently specified only for residential structures. However, these districts permit several nonresidential uses, such as religious assembly and day care facilities. While Section 34-2.8 (Alternate Forms) provides additional height and form options, it does not presently apply to the nonresidential uses allowed under Section 34-3.1. Should the Alternate Forms provisions be expanded in the future, further analysis will be needed to determine appropriate height and form standards for those uses.

To address the current gap in the code, staff recommends establishing maximum height and side wall height standards for nonresidential uses that match those of one-unit residential structures. This approach provides clarity, maintains consistency within the districts, and ensures reasonable development standards until a more comprehensive review can be conducted.

Proposed Amendment Special Exception Permits

Sections 34-5.2.15.A

Page: 5-54

Amendment Log B.14

Sections 34-5.2.15.A

Existing Language:

1. The City Council may grant a modification of any physical dimensional standard of this Development Code by Special Exception Permit.
2. A Special Exception Permits may be granted for physical dimensional standards described in the following Divisions:

Proposed Language:

34-2.2.2.A.B.1 and 2.2.4.B.1

1. The City Council may grant a modification of any physical dimensional **or numerical** standard of this Development Code by Special Exception Permit.
2. A Special Exception Permits may be granted for physical dimensional **or numerical** standards described in the following Divisions:

Analysis:

The current language in Section 34-5.2.15.A limits Special Exception Permits (SEPs) to modifications of physical dimensional standards. While this is appropriate for many provisions within the Development Code, it creates a gap for circumstances where relief from numerical standards is warranted to support feasibility, innovation, or site-specific constraints. For example, under the existing language, City Council could modify the physical dimensional requirements for short- or long-term bicycle storage but would not have the ability to adjust the number of required bicycle parking spaces.

Expanding SEP eligibility to include numerical standards provides a more complete and functional tool for addressing practical challenges encountered in development proposals. Allowing City Council to consider modifications to both physical dimensional and numerical standards ensure a more flexible, context-sensitive approach to evaluating unique project conditions, while still maintaining alignment with the broader objectives of the Development Code and the Comprehensive Plan. This change enhances the City's ability to support well-designed projects that meet community needs without imposing unnecessary barriers when strict application of numerical requirements may not be appropriate.

Proposed Amendment Sublot Access Clarification

Section 34-7.1.2.E.3.b

Page: 7-10

Amendment Log B.15

Section 34-7.1.2.E.3.b

Existing Language:

b. A sublot is not required to abut a primary street, side street, or alley but must abut a permanent access easement that meets the requirements of Article 6. Subdivision.

Proposed Language:

b. A sublot is not required to abut a primary street, side street, or alley but must abut a permanent access easement that meets the requirements of Article 6. Subdivision. **A permanent access easement through abutting zoning lots is permitted when the easement meets the requirements of Article 6. Subdivision.**

Analysis:

The current wording of this section does not clearly articulate access easements for sublots may be provided on adjacent zoning lots. The proposed amendment provides clarity for property owners and developers regarding the allowances for sublot creation.

Proposed Amendment

Active Depth

Section 34-2.10.10.B.2.b, 34-2.10.10.B.2.d, and 34-7.2

Page: 2-133 and 7-11

Amendment Log B.16

Section 34-2.10.10.B.2.b

Existing Language:

On primary streets, the active depth applies to all stories.

Proposed Language:

On primary streets, the active depth applies to **the first two stories**.

Section 34-2.10.10.B.2.d

Existing Language:

A Primary Building on a lot or subplot consisting of a maximum of only 1 dwelling unit and no additional primary/principal uses does not have to meet the active depth requirements.

Proposed Language:

Remove existing language.

~~A Primary Building on a lot or subplot consisting of a maximum of only 1 dwelling unit and no additional primary/principal uses does not have to meet the active depth requirements.~~

Section 34-7.2

Existing Language:

Active space. Any occupiable space designed and intended for human activity such as living, working, commerce, sleeping, eating, or cooking as determined by the Administrator. Restrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered active space.

Proposed Language:

Active space. Any occupiable space designed and intended for human activity such as, working, commerce, sleeping, eating, or cooking as determined by the Administrator. Examples of active space include Residential Uses including Householding Living and Group Living. Vehicle uses related to Residential Uses are not considered active space. Other examples of nonactive space include nonresidential restrooms, closets, storage spaces, utility spaces, and similar spaces not intended for human activity.

Analysis:

These amendments refine how the Development Code regulates active depth and active space by addressing implementation challenges repeatedly encountered during site plan review, applicant consultations, and Planning Commission work sessions. The updates bring greater clarity and

Proposed Amendment

Active Depth

flexibility while aligning Code language with the Planning Commission’s stated priorities for the 2026 amendment cycle.

First, the revision to Section 34-2.10.10.B.2.b, limiting active depth applicability on Primary Streets to the first two stories, responds to concerns raised by both applicants and commissioners that requiring active depth on every story creates upper-story floorplates that are difficult or impractical to design—particularly in DX districts where the active depth requirement can reach 30 feet. During the July 9th Code Clean-up Subcommittee meeting and July 28th Work Session, commissioners emphasized that upper-story active depth does little to contribute to street activation and often results in unusable or excessively constrained interior spaces. This amendment preserves the pedestrian-oriented purpose of active depth at the street level while reducing unnecessary constraints on higher floors.

Second, with the update to the Active Space definition to clearly include residential units, section 34-2.10.10.B.2.d is redundant and can be removed. By removing this code section, the code will remain consistent and less prone to future consistence issues.

Finally, the amendment to Section 34-7.2 (Active Space definition) makes the most substantive change in this set by:

1. Removing “halls” from the list of excluded non-active spaces, consistent with PC feedback that hallways can serve important transitional or human-use functions and should not be categorically excluded.
2. Adding explicit examples of active space, including “Residential Uses including Householding Living and Group Living,” which clarifies that standard residential interior living areas meet the definition of active space.
3. Clarifying that vehicle-related areas associated with Residential Uses are not active space, ensuring garages and similar areas remain outside the definition without relying on a separate exception section.

These refinements directly respond to concerns raised in multiple subcommittee meetings that the previous phrasing of “hall” and other excluded spaces was creating confusion when applying active depth to multifamily layouts, especially where circulation spaces could qualify as active space depending on context. Incorporating examples strengthens administrative clarity and helps applicants more easily understand how their interior programming interacts with active depth requirements.

Together, these amendments improve predictability for applicants, clarify ambiguities uncovered during real-world code application, and refine the active depth and active space standards to better match the Planning Commission’s policy direction. By focusing active depth on the building’s street-facing lower stories, refining the single-unit exemption, and updating the definition of active space, these changes produce a more functional and context-appropriate regulatory framework—one that supports the city’s goals for activated streetscapes while ensuring practical feasibility for residential and mixed-use development.

Proposed Amendment Nonconforming Buildings and Structures

Section 34-5.3.3.

Page: 5-62 to 5-66

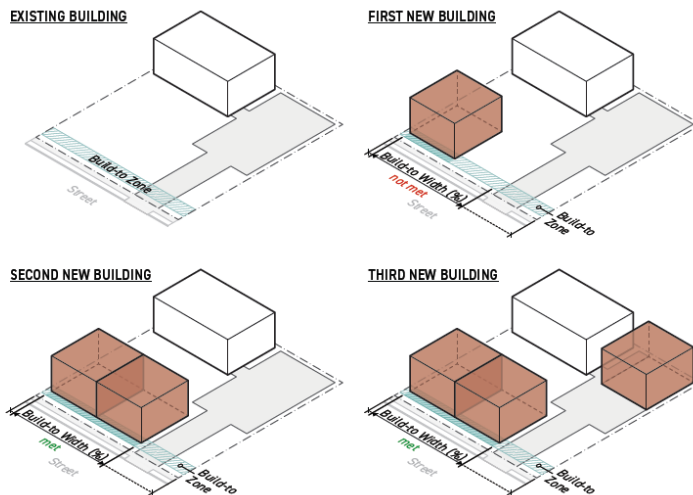
Amendment Log B.17

Section 34-5.3.3.C.1

Existing Language:

New Primary Buildings on an Interior Lot

All new primary buildings must occupy the build-to zone until the build-to width requirement has been met. Until all build-to width standards have been met, all new primary buildings must occupy the build-to zone for their entire building width.



Proposed Language:

New Primary Buildings on an Interior Lot

New primary buildings and structures on interior lots are permitted as follows:

- Rear Yard:** New primary buildings and structures are permitted in the rear yard of the existing nonconforming primary building. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.
- Side Yard:** New primary buildings and structures are permitted in the side yard of the existing nonconforming primary building. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.
- Side Street Yard:** See New Primary Building on a Corner Lot.
- Front Yard:** All new front yard primary buildings must occupy the build-to zone until the build-to width requirement has been met. Once the build-to requirements have been met, a new front yard will be established based on the additional buildings. Prior to the build-to width requirements being satisfied, the front yard will remain all portions of the lot between the primary street lot line and the initial existing nonconforming building. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.

Proposed Amendment Nonconforming Buildings and Structures

Graphics to be removed.

Section 34-5.3.3.C.2.b

Additions on an Interior Lot

Existing Language:

- b. Side additions having a floor area less than 20% of the existing building footprint are allowed. Once the build-to width standard has been met, side additions of any size are allowed.

Proposed Language:

- b. Side additions of any size allowed. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.

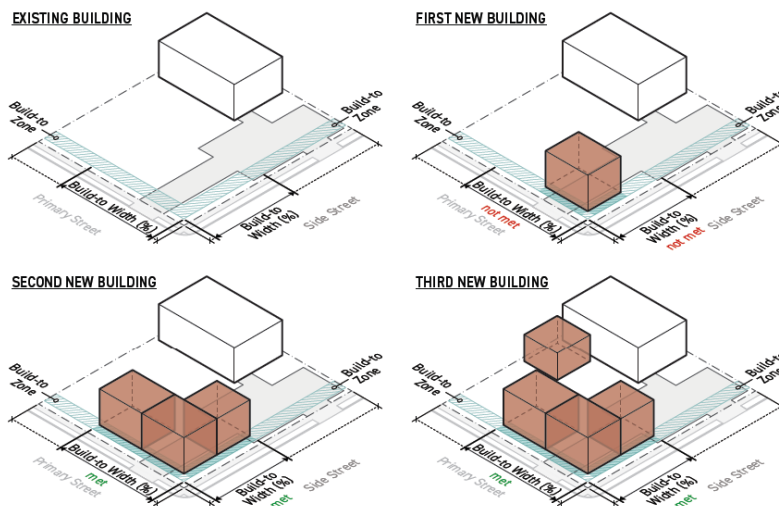
Graphics to be removed.

Section 34-5.3.3.C.3

New Primary Buildings on a Corner Lot

Existing Language:

- a. All new primary buildings must occupy the build-to zone until the build-to width requirement for both streets have been met.
- b. Once the build-to width requirement has been met for both streets, new primary buildings may be placed behind the build-to zone.



Proposed Language:

New Primary Buildings on a Corner Lot

New primary buildings and structures on a corner lots are permitted as follows:

Proposed Amendment

Nonconforming Buildings and Structures

- a. Rear Yard: New primary buildings and structures are permitted in the rear yard of the existing nonconforming primary building. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.
- b. Side Yard: New primary buildings and structures are permitted in the side yard of the existing nonconforming primary building. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.
- c. Side Street Yard: All new side street yard primary buildings must occupy the build-to zone until the build-to width requirement has been met. Once the build-to requirements have been met, a new side street yard will be established based on the additional buildings. Prior to the build-to width requirements being satisfied, the side street yard will remain all portions of the lot between the side street lot line and the initial existing nonconforming building. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.
- d. Front Yard: All new front yard primary buildings must occupy the build-to zone until the build-to width requirement has been met. Once the build-to requirements have been met, a new front yard will be established based on the additional buildings. Prior to the build-to width requirements being satisfied, the front yard will remain all portions of the lot between the primary street lot line and the initial existing nonconforming building. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.

Graphics to be removed.

Section 34-5.3.3.C.4.b

Additions to Primary Buildings on a Corner Lot

Existing Language:

- b. Side additions with floor area no greater than 20% of the existing primary building footprint are allowed. Once the build-to width standard has been met for both streets, side additions of any size are allowed.

Proposed Language:

- b. Side additions of any size allowed. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.

Graphics to be removed.

Section 34-5.3.3.C.4.c

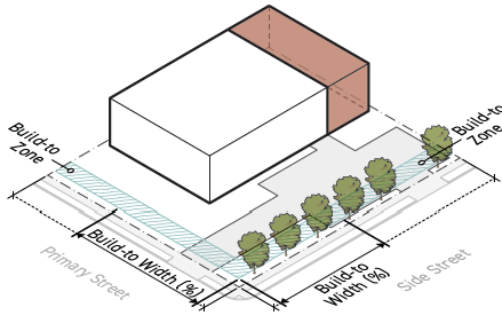
Additions to Primary Buildings on a Corner Lot

Existing Language:

- c. Rear additions of any size, located behind the build-to zone, are allowed provided:

Proposed Amendment Nonconforming Buildings and Structures

- i. A landscape area at least 6 feet wide adjacent to the side street lot line is installed across the entire length of the side street frontage. Breaks for pedestrian, bicycle, and vehicular access of the minimum practical width are allowed.
- ii. The landscape area must include medium or large trees planted an average of 30 feet on-center along the entire landscape area.



- iii. Trees should be planted offset from street trees to maximize space for canopy growth.
- iv. All landscaping must meet the applicable standards of Div. 4.9. Landscaping.

Proposed Language:

- c. Rear additions of any size allowed. Transition setbacks may apply, see Div. 4.7 Transitions and Screening.

Graphics to be removed.

Analysis:

The proposed amendments to Section 34-5.3.3 of the Development Code respond to specific concerns raised by the Planning Commission regarding how the existing build-to requirements affect infill development, density goals, and the clarity of the nonconforming building provisions. Under current language, new primary buildings on interior and corner lots must first satisfy build-to width requirements before they may be constructed outside the build-to zone. While this requirement is intended to reinforce street-related urban form, the Planning Commission views it as unintentionally restrictive—particularly on lots containing nonconforming primary buildings where the City seeks to encourage additional units and site efficiency.

A significant source of confusion has been the distinction between rear additions to an existing nonconforming primary building—which are allowed without meeting build-to width—and new primary buildings placed behind the existing structure, which are treated

Proposed Amendment

Nonconforming Buildings and Structures

differently. Several Commissioners have expressed that the Code creates a counterproductive incentive: an applicant may construct a large rear addition by-right, but if they instead choose a more flexible site layout that separates that volume into an additional building, the Code forces them to meet build-to requirements before doing so. This distinction, while technically consistent with the structure of the Code, is not intuitive and has been interpreted as contradictory to overall density and housing production objectives.

These amendments clarify and expand where new primary buildings and structures may be located on both interior and corner lots. By explicitly permitting new buildings in rear, side, and (for corner lots) side-street yards of an existing nonconforming building—subject only to transition setback requirements—the revisions provide a more intuitive and permissive framework for infill development. This supports the City’s goals by allowing additional units or structures without forcing every project to front-load density at the street edge before any other development can occur.

A key improvement in the proposed language is the clarification of yard establishment. Under the amendments, the front yard and street-facing yard remain unchanged until the build-to width requirement is fully met. No new front or side-street yard is established until compliance occurs. This prevents partial build-to situations—such as only half the frontage being built out—from inadvertently creating a new yard condition that could enable undesirable site layouts, including the possibility of placing parking or vehicular areas in locations the City intends to reserve for building frontage and pedestrian-oriented form. Maintaining the original yard definitions until full build-to compliance ensures consistency and protects the integrity of the street environment.

The amendments also remove percentage-based limits on side additions and eliminate graphics that attempted to illustrate placement and build-to rules. With clearer, more direct text, these graphics are no longer necessary and often caused interpretive confusion. Their removal streamlines the code and improves usability for applicants, staff, and the Planning Commission.

Overall, these revisions make Section 5.3.3 more permissive, clearer, and better aligned with the City’s density, housing production, and urban design objectives. By resolving ambiguities, supporting more flexible infill options, and ensuring yard conditions remain appropriately regulated until build-to requirements are met, the amendments strengthen the Development Code and reflect the Planning Commission’s policy direction.

Tier 2 Amendment

Section 34-4.12.3.D

Page: 4-105

Working Document reference: B.19

Existing language:

D. Flood Lights and Flood Lamps

All flood lighting must be activated only by motion-sensors, and must be on a timer limiting the illumination to a maximum of 15 minutes at a time.

Proposed language:

All flood lighting, **except athletic field lighting in the Civic (CV) and Campus (CM) districts,** must be activated only by motion-sensors, and must be on a timer limiting the illumination to a maximum of 15 minutes at a time.

Analysis:

Current timer provisions for flood lights do not in practice allow for athletic field lighting. Adding an exemption to field lighting in the CV and CM districts would permit athletic field lights within City parks, school grounds and the University of Virginia. These lights would still have to comply with mounting and shielding requirements, as well as color temperature and light trespass requirements which apply to all outdoor light fixtures.

Proposed Amendment Average Grade Clarification

Section 34-2.10.1.G

Page: 2-102

Amendment Log B.20

Section 34-2.10.1.G

Existing Language:

2. Full Building Method

For the full building method, a average grade is calculated by averaging the highest and lowest elevation of existing grade within 5 feet of the building perimeter.

3. Building Module Method

For the building module method, average grade is calculated independent for each building module by averaging the highest and lowest elevation of existing grade within 5 feet of the perimeter of each building module.

Proposed Language:

2. Full Building Method

For the full building method, ~~a~~ average grade is calculated by averaging the highest and lowest elevation of ~~existing~~ finished grade within 5 feet of the building perimeter.

3. Building Module Method

For the building module method, average grade is calculated independent for each building module by averaging the highest and lowest elevation of ~~existing~~ finished grade within 5 feet of the perimeter of each building module.

Analysis:

Per Section 34-7.2, the existing grade is the grade prior to any site modification.

Requirements such as building height per Section 34-2.10.9.A.4.b are measured from the average grade. Basing the average grade on existing grade requires a building's height to be measured from a grade which no longer exists due to site modification as a part of the project and creates an inconsistent pattern of development.



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES
July 20, 2026 at 4:00 PM
Council Chamber

The Charlottesville City Council met on Monday, July 20, 2026. Mayor Juandiego Wade called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Natalie Oschrein and Councilors Jen Fleisher and Michael Payne.

*Councilor Snook requested approval to participate electronically, and there were technical difficulties while trying to establish an audible connection.

On motion by Payne, seconded by Fleisher, Council by a 4-0 vote approved the meeting agenda as amended to approve Item #17 by motion instead of resolution (Ayes: Fleisher, Oschrein, Payne, Wade; Absent: Snook).

REPORTS

1. REPORT: Transportation Planning Annual Update

Ben Chambers, Transportation Planning Manager, presented the annual Transportation Planning Update to highlight the accomplishments of the previous year and look ahead to upcoming work, including the Citywide Mobility Plan.

Zoe Macomber, Senior Transportation Planner, described the process for planning, prioritizing and implementing traffic-calming design elements on Rose Hill Drive with goals to:

- reduce the design speed to 25 mph,
- improve bicycle safety with protected facilities,
- improve pedestrian crossing safety,
- reduce conflicts between transit vehicles and bicycles at bus stops,
- provide space for bus stop amenities and bike parking, and
- provide safe pick-up/drop-off patterns in front of Burley Middle School.

Mr. Chambers provided an overview of Citywide Mobility Plan scope, and key findings from the review of existing plans. The purposes of the Citywide Mobility Plan are to:

- Create a consistent approach to identifying and designing projects
- Ensure approach promotes equity and is consistent with the City's adopted plans and policies, and
- Develop a long-term vision and an implementation strategy with a program of projects, policies, and actions that will achieve that vision.

City Council engaged in discussion.

*A voice connection was confirmed at 5:24 p.m. for Councilor Lloyd Snook and he confirmed that he was participating from Basye, Virginia, because of personal travel. On motion by Fleisher, seconded by Oschrein Council voted 4-0 to approve electronic participation by Councilor Snook (Ayes: Fleisher, Oschrein, Payne, Wade; Noes: none).

CLOSED MEETING

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

1. Pursuant to Virginia Code Section 2.2-3711(A)(1) for:
 - a. discussion and consideration of the performance of a City Council appointee, specifically, to conduct the City Manager's annual performance evaluation, and
 - b. discussion and consideration of prospective candidates to be appointed to the Retirement Commission

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

BUSINESS SESSION

City Council began the business meeting by observing a moment of silence.

ANNOUNCEMENTS

Councilor Payne acknowledged ICE raids in Greene County involving individuals in their work vehicles. He also announced open seats on Council-appointed boards and commissions.

Vice Mayor Oschrin announced the open application process for eBike vouchers at www.connect.charlottesville.gov, and she announced the MyCville public engagement platform.

COMMUNITY MATTERS

Mayor Wade had City Attorney Maddux make remarks to address requests for City Council to rescind or take another vote regarding its decision to approve a Certificate of Appropriateness for The Mark project on 7th Street. Mr. Maddux summarized legalities as outlined in the following statement released to the public:

"CHARLOTTESVILLE, VA - The Charlottesville City Council recognizes that its decision regarding the historic review Certificate of Appropriateness for The Mark has generated significant concern and disagreement within the community. Council respects the right of residents to continue expressing their views about the project and understands that some residents remain deeply disappointed by the decision.

In recent days, members of the community have asked Council to rescind its prior action or vote again on the Certificate of Appropriateness. Council is providing the following clarification regarding the legal process applicable to that decision.

Council's general procedural rules include a process for reconsidering certain votes. Those rules may apply, for example, when Council adopts a resolution establishing or changing a City policy on a matter that remains within its continuing authority.

The decision regarding The Mark is different. It was made under the specific historic review process established by Virginia law and the City's Development Code. That process provides for a decision by the Board of Architectural Review and an appeal to Council. Council's decision on the appeal is the final decision in this case.

Council's general reconsideration procedures do not override or add to that specific process. Because the historic-review process does not authorize Council to reopen, rescind, or re-vote on its decision, another vote is not legally available."

Councilor Payne requested that Council initiate a Zoning Text Amendment process to expand the core neighborhood overlay and allow student housing by Special Exception Permit versus by-right and amend the 0.5-mile radius framework so that student housing does not pay lower affordable housing fees than non-student housing.

Mayor Wade opened the floor for comments from the public.

1. Mary Gulland, city resident, spoke in support of the City proposal to end the Rivanna encampment.
2. Claude Convisser, city resident, encouraged Council not to open the proposed homeless facility. He spoke of a personal situation involving his stays at The Haven and PACEM.
3. Jeffrey Lisciandrello, city resident, spoke in support of clearing the Free Bridge encampment. He also spoke in opposition to building a low-barrier shelter.
4. Donnas Chambers, Free Bridge encampment resident, spoke about the September 1st deadline to clear the Free Bridge encampment, and expressed concerns and challenges with the available shelters and programs perpetuating homelessness conditions.
5. Jennifer Grant, Free Bridge encampment resident, spoke about the September 1st deadline to clear the Free Bridge encampment, and expressed concerns about pets being allowed at the homeless shelter, and about various entities such as jail officials being sent to the encampment. She stated that many people in the encampment need mental health resources and to be helped by Region Ten.
6. Rosia Parker, city resident, spoke about housing and the history of dismantling and displacing Black and Brown residents. She suggested that funds for jail renovations should have been used instead to help the homeless population.
7. Anna Malinowski ceded her time to Christopher Kenneth Scott Hall, who stated that he is a drifter and has been homeless for some time. city resident, and that certain nonprofit organizations who provide services to homeless individuals need to hear directly from the City. Ms. Malinowski used the remaining time to speak against the September 1 deadline for disbanding the Rivanna encampment.
8. Frank Bechter, city resident, spoke about the need to value, protect, respect, and celebrate neighbors by receiving community input for development projects - particularly affordable housing at 7th and Delevan Streets.
9. Rev. Dr. R. S. Long, Jr., spoke in defense of building public trust related to public housing decisions by including community members in the decision-making process and creating stronger zoning practices.
10. Laura Goldblatt, city resident, reviewed the effects of luxury student housing on surrounding neighborhoods, and how student housing contributes to rising costs, displacement and "studentification."
11. Brandon Tyson, First Baptist Church, spoke about the need for City Council to include Fifeville

residents in student housing discussions that impact their neighborhood, and to build housing that makes sense.

12. Roscoe, city resident, stated that he started "tent city" as a protest. He stated that he wants to start another movement.
13. Don Gathers, city resident, referenced a statement from the June 24 meeting by developers about renting to people who can afford the units. He requested that Council demand more from the developers, and to know what the plans are for the \$7M allotted by the State budget to address homelessness...
14. Drew, city resident and public health worker, opposed the city's decision to disband the Free Bridge encampment.
15. Zyanha Bryant, city resident, spoke in opposition to the luxury student housing development approved for building in Fifeville.
16. Jessica Jackson, city resident, spoke about the need for more affordable housing in Charlottesville, and she opposed the idea that the city needs more student housing in general. She spoke in opposition to The Mark development approved by City Council.

Sam Roman, Assistant City Manager, gave an update on the proposed transition plan for relocating people staying in the encampment(s) near Free Bridge, and to align needs with available resources and connection to services.

CONSENT AGENDA

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record, and on motion by Fleisher, seconded by Oschrein, Council by the following vote adopted the Consent Agenda: 5-0 (Ayes: Fleisher, Oschrein, Payne, Snook, Wade; Noes: none).

2. MINUTES: March 16 regular meeting, April 6 regular meeting, April 20 regular meeting, July 8 work session
3. Resolution Allocating \$575,000 in Housing Operations and Support FY27 Grant Funding (2nd reading)

RESOLUTION

Allocating FY27 Housing Operations and Program Support Grant Program Funding for Housing and Homelessness Prevention Programs in the Amount of \$575,000

WHEREAS, City of Charlottesville, Virginia ("City"), having established the Housing Operations and Program Support ("HOPS7.") Grant Program to provide financial support for operational needs of nonprofit organizations that provide essential housing-related services, hereby allocates \$575,000 from the Charlottesville Affordable Housing Fund ("CAHF") under Fund 426 Project: CP-084, as per the City's FY27 Capital Improvement Program Budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia ("City Council"), that upon consideration of the CAHF Committee's recommendations for the HOPS Grant Program, City Council hereby allocates funds to the following HOPS Applicants:

Fund	Project	G/L Account	Applicant	Funded Project/Initiative	Award
426	CP-084	530670	Albemarle Housing Improvement Program	AHIP System of Care	\$42,905.00
426	CP-084	530670	Community Services Housing	Community Services Housing	\$44,700.00
426	CP-084	530670	Georgia's Friends	Georgia's Friends Recovery Residence & Support Program	\$1,900.00
426	CP-084	530670	Habitat For Humanity of Greater Charlottesville	Habitat Homeownership Program	\$33,525.00
426	CP-084	530670	International Rescue Committee	IRC Housing Navigation Support	\$20,115.00
426	CP-084	530670	Legal Aid Justice Center	Legal Services to Prevent Evictions and Ensure Housing Stability	\$22,350.00
426	CP-084	530670	Monticello Area Community Action Agency	Hope House	\$13,410.00
426	CP-084	530670	People and Congregations Engaged in Ministry	PACEM Case Management	\$53,640.00
426	CP-084	530670	Piedmont Housing Alliance	Charlottesville Affordable Housing Program	\$89,400.00
426	CP-084	530670	SupportWorks Housing	The Crossings PSH Program	\$29,055.00
426	CP-084	530670	The Haven at First & Market	Day Shelter Program	\$77,000.00
426	CP-084	530670	The Haven at First & Market	Homeless Information Line at The Haven	\$35,000.00
426	CP-084	530670	The Haven at First & Market	Vital Housing Services	\$112,000.00

BE IT FURTHER RESOLVED that all funding awards within this Resolution shall be provided as grants to the entities listed under the "Applicant" column above to be used solely for the purposes outlined in their respective Grant Applications, and any subsequent Grant Agreement. The City Manager is authorized to negotiate and execute Funding Grant Agreements with each recipient to ensure proper utilization of funds.

4. Resolution for Approval of Addendum to Lease with Botanical Garden of the Piedmont (2nd reading)

RESOLUTION

Authorizing Approval of an Addendum to the City's Ground Lease with the Botanical Garden of the Piedmont, Inc.

WHEREAS, the City of Charlottesville, Virginia (the City) is the owner of certain land currently leased to the Botanical Garden of the Piedmont, Inc. (the Botanical Garden) pursuant to a forty-year ground lease dated November 8, 2021; and

WHEREAS, the Botanical Garden is preparing its first phase of construction of a botanical garden that will be open and free of charge to City residents; and

WHEREAS, the Botanical Garden has been awarded a federal grant from the National Fish and Wildlife Foundation to assist with implementation of a nature-based stormwater management system intended to improve water quality and protect native habitat; and

WHEREAS, the Botanical Garden has requested the City's approval to enter into the grant agreement and the City's acknowledgment of a limited federal reversionary interest solely in certain grant-funded improvements constructed with grant funds during their useful life, and only to the extent provided in the grant agreement; and

WHEREAS, the proposed lease addendum clarifies that the City is not granting any interest in its fee simple ownership of the land, is not creating any lien or encumbrance on City property, is not pledging the City's credit or assets, is not guaranteeing the obligations of the Botanical Garden and is not assuming any repayment or performance obligations under the grant agreement; and

WHEREAS, the proposed lease addendum further provides that any default by the Botanical Garden under the grant agreement during the lease term, including any extensions, shall constitute a default under the lease; and

WHEREAS, City Council finds that approval of the proposed lease addendum is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville:

1. The City Manager is hereby authorized to execute an addendum to the November 8, 2021 ground lease with the Botanical Garden in substantially the form presented to City Council, together with such minor or technical revisions as the City Manager and City Attorney deem necessary or appropriate, provided that such revisions do not materially alter the substance of the addendum.
2. The City's approval and acknowledgment shall be limited to the terms set forth in the lease addendum and shall not be construed to grant any interest in the City's fee simple ownership of the land, create any lien or encumbrance on City property, pledge the City's credit or assets, make the City a guarantor of any obligation, or cause the City to assume any repayment or performance obligation arising under the Botanical Garden's grant agreement.
5. RESOLUTION appropriating funds for the Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$40,000 (layover)
6. RESOLUTION Considering A Special Exception Permit for 1138 Rose Hill Drive

RESOLUTION

Approving a Request for a Special Exception Permit ("SEP") for Property Located at 1138 Rose Hill Drive

WHEREAS, the City of Charlottesville, Virginia ("Landowner"), is the current owner of a lot identified on 2025 City Tax Map 44 as Parcel 302 (City Parcel Identification No. 440030200), having an area of approximately 2.54 acres (110,642 square feet); ("Subject Property"); and

WHEREAS, Landowner wishes to expand a ground mechanical equipment area on the Subject Property ("Project"); and

WHEREAS, the Project is described in more detail within the Landowner's Application materials submitted in connection with Application PL-26-0063 ("Application"), as required by City Development Code Section 34-5.2.15.B.2 (collectively, "Application Materials"); and

WHEREAS, the Planning Commission of the City of Charlottesville, Virginia ("PC"), made a recommendation of approval of the SEP at its June 9, 2026, Public Meeting, per City Development Code Section 34-5.2.15.C.2.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the City Council of the City of Charlottesville, Virginia ("City Council"), upon consideration of the PC's recommendation and the City Staff Report discussing the Application, as well as the factors set forth within City Development Code Section 34-5.2.15.D, that it finds and determines that granting the proposed SEP would serve the public necessity, convenience, general welfare, or good zoning practice; and

BE IT FURTHER RESOLVED, by City Council, pursuant to City Development Code Section 34-5.2.15, a SEP is hereby approved and granted to authorize the Project and permit ground mechanical equipment consistent with the Application Materials for the Subject Property, with the following condition:

1. Trex composite material shall be used for all required equipment screening.
7. ORDINANCE amending and reenacting Chapter 2, Article XV of the Code of the City of Charlottesville, the Charlottesville Human Rights Ordinance (layover)
8. Adoption of Amending Ordinance Correcting Two (2) Scrivener's Errors in the Original Ordinance Vacating and Quitclaiming Clarke Court to the Jefferson Scholars Foundation

ORDINANCE AMENDING THE DECEMBER 15, 2025 ORDINANCE CLOSING, VACATING, AND DISCONTINUING CLARKE COURT TO CORRECT SCRIVENER'S ERRORS

9. RESOLUTION Allocating Charlottesville Affordable Housing Fund Grant Program Funding for Charlottesville Redevelopment and Housing Authority South First Street Phase Two in the Amount of \$425,000 (layover)

CITY MANAGER REPORT

City Manager Sam Sanders thanked Assistant City Manager Roman for the report regarding the Free Bridge encampment approach, and he said that compassion will be important moving forward. He reinforced the drought declaration for the region and encouraged voluntary conservation.

ACTION ITEMS

10. **PUBLIC HEARING and RESOLUTION to Authorize the Issuance and Sale of General Obligation Public Improvement Bonds of The City of Charlottesville, Virginia, in an Aggregate Principal Amount Not to Exceed \$29,000,000, to Finance the Costs of Certain Public Improvement Projects, Providing for the Issuance and Sale of General Obligation Refunding Bonds Of The City Of Charlottesville, Virginia, in an Aggregate Principal Amount Not to Exceed \$25,000,000, Providing for the Form, Details and Payment of Such Bonds, and Providing for the Refunding of Certain Outstanding General Obligation Bonds of the City**

Krisy Hammill, Director of Budget and Grants Management, presented the request for authorization, followed by the public hearing where one person came forward:

- James Rogers asked for clarification of the city's bond rating.

Mayor Wade closed the public hearing.

On motion by Snook, seconded by Payne, Council by a vote of 5-0 (Ayes: Fleisher, Oschrein, Payne, Snook, Wade; Noes: None) approved the following resolution:

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$29,000,000, TO FINANCE THE COSTS OF CERTAIN PUBLIC IMPROVEMENT PROJECTS, PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000, PROVIDING FOR THE FORM, DETAILS AND PAYMENT OF SUCH BONDS, AND PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY

11. PUBLIC HEARING and ORDINANCE Adoption: 801 West Street; Zoning Text Amendment (PI-26-0043), Designation of Individually Protected Property (layover)

Jeff Werner, Historic Preservation and Design Planner, provided an overview of the request to designate the property at 801 West Street, as an Individually Protected Property (IPP).

On December 9, 2025, the Planning Commission (PC) recommended approval of a Zoning Text Amendment (ZTA) to City Code Section 34-2.9.3.B. to designate the Subject Property as an IPP, and, per City Code Section 34-5.2.5, amend the City Zoning Map to identify the Subject Property as having an IPP overlay. On the Subject Property, the proposed contributing structure is a two (2)-story, framed dwelling, clad in stucco. The dwelling is characterized by a hipped roof with pedimented gables, a wood-railed widow's walk in the center, with an attached single-story, rear addition. In 1905, James Patterson constructed the dwelling for his family. The Patterson family sold the property in 1944, during WWII, to James Fleming, a fireman with the railroad, and his wife Maude Fleming, a prominent local teacher at the Jefferson School for forty (40) years. The Subject Property remains in the family to this day. (The NE corner of the 10th and Page neighborhood was initially segregated. Between 1930 and 1950, it transitioned to predominantly Black residents, including the Flemings.) Richard Hunt, the current owner, is the grandson of Maude and James Fleming, and a descendant of Henry Martin (1826-1915), the bell ringer at the University of Virginia from c.1868 until 1909.

In June 2020, on behalf of the City, the 106 Group completed a Reconnaissance Architectural History Survey of 438 properties within the 10th and Page neighborhood. As a result, the Virginia Department of Historic Resources State Review Board recommended the approximately fifty (50)-acre Tenth and Page Historic District be eligible for listing on the Virginia Landmarks Register and the National Register of Historic Places ("NRHP"). Within that review, the Subject Property was assessed as retaining excellent integrity of both location and setting. In the areas of design, materials, and workmanship, the dwelling was assessed as retaining good integrity and therefore recommended as potentially individually eligible for listing in the NRHP under criterion "A," as one (1) of the oldest extent houses within the (also eligible) 10th and Page neighborhood. After consideration of the Standards of Review for IPP Designations (City Code Section 34-2.9.3.C), the City's Board of Architectural Review (BAR) approved a Motion recommending the ZTA to City Council on January 21, 2026. The PC held a Public Hearing on May 12,

2026, during which the Subject Property owner provided context for seeking IPP designation status for the Subject Property. Following discussion, the PC voted to recommend approval.

Mr. Richard Hunt, homeowner, provided some background on his request, and described the lineage of his family and the way this designation honors the neighborhood and people who have been part of the fabric of Charlottesville.

Following clarifying questions from Council, Mayor Wade opened the public hearing.

- Frank Bechter, city resident, stated that Mr. Hunt has kept up the property.

Mayor Wade closed the public hearing.

Council agreed to carry the item to the August 3, 2026, meeting for second reading and vote.

12. PUBLIC HEARING and ORDINANCE: 801 West Street: Zoning Map Amendment (PI-26-0042), Designation of Individually Protected Property (layover)

A Zoning Map Amendment (ZMA) was proposed for property located at 801 West Street, Charlottesville, Virginia, TMP # 310042000 (Subject Property), pursuant to Charlottesville City Code Section 34-5.2.5.

On July 25, 2025, the Subject Property owner requested City Staff initiate the ZMA process to designate the Subject Property (an existing house at 801 West Street) as an Individually Protected Property (“IPP”). The proposed IPP designation will overlay an approximately 0.3-acre parcel, located at the NW corner of West Street and 8th Street, NW, within the 10th and Page neighborhood.

Following clarifying questions from Council, Mayor Wade opened the public hearing, and with no speakers coming forward the public hearing was closed.

Council agreed to carry the item to the August 3, 2026, meeting for second reading and vote.

13. PUBLIC HEARING and ORDINANCE to Update the Citizen Participation Plan, a Component of the City’s Community Development Block (CDBG) Grants and HOME Investment Partnerships Programs (HOME), and Associated Municipal Code

Anthony Warn, Grants Analyst, presented the request, which involves a resolution and ordinance. Following clarifying questions from Council, Mayor Wade opened the public hearing on both the resolution and ordinance. With no speakers coming forward, Mayor Wade closed the public hearing.

a. RESOLUTION Amending the Citizen Participation Plan, a Component of the City’s Community Development Block Grants and HOME Investment Partnerships Programs

On motion by Payne, seconded by Oschrein, Council by a vote of 5-0 (Ayes: Fleisher, Oschrein, Payne, Snook, Wade; Noes: None) approved the following resolution:

A Resolution to Approve Amending the Citizen Participation Plan, a Component of the City’s Community Development Block Grants and HOME Investment Partnerships Programs

WHEREAS the City of Charlottesville engages as a ‘participating jurisdiction’ (“PJ”) in the Community Development Block Grant (“CDBG”) & HOME Investment Partnerships (“HOME”) programs offered by the U.S. Department of Housing and Urban Development (“HUD”) and in that

role is the periodic recipient of federal funds to support eligible community development, affordable housing and planning activities; and

WHEREAS the city's is called on by HUD to adopt a Citizen Participation Plan ("CPP") that sets forth the jurisdiction's policies and procedures that encourage broad and representative citizen participation in certain aspects of the development of HUD-funded programs, including CDBG and HOME; and

WHEREAS updates to the CPP and associated municipal code, at Chapter 2, Article XIII, can strengthen the City's work to address important community needs through meaningful citizen engagement with the CDBG and HOME programs;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlottesville, Virginia, hereby approves the amended Citizen Participation Plan as presented here before us today.

b. PUBLIC HEARING and ORDINANCE to Amend and Reordain Article XIII of Chapter 2 of the Charlottesville City Code, 1990, as Amended, Relating to Community Planning and Development Grant Programs

On motion by Payne, seconded by Oschrin, Council by a vote of 5-0 (Ayes: Fleisher, Oschrin, Payne, Snook, Wade; Noes: None) approved the following ordinance:

AN ORDINANCE TO AMEND AND REORDAIN ARTICLE XIII OF CHAPTER 2 (ADMINISTRATION) OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, RELATING TO COMMUNITY PLANNING AND DEVELOPMENT GRANT PROGRAMS

**14. PUBLIC HEARING and RESOLUTION for City Right-of-Way Agreement Execution
Dedicating an Easement to Dominion Energy**

Glenn Lee Cooper, Transportation Project Manager, presented the request for City Council to approve the execution of a Right-of-Way Agreement ("Agreement") resolution authorizing the dedication of an easement on City-owned property to Virginia Electric and Power Company, doing business in Virginia as Dominion Energy Virginia ("Dominion Energy") for the purpose of charging Battery Electric Buses ("BEB's") for City use in the Charlottesville Area Transit ("CAT") transit parking lot at 1545 Avon St Ext.

Mayor Wade opened the public hearing and with no speakers coming forward, the public hearing was closed.

On motion by Oschrin, seconded by Payne, Council by a vote of 5-0 (Ayes: Fleisher, Oschrin, Payne, Snook, Wade; Noes: None) approved the following resolution:

**RESOLUTION
Granting an Easement to Dominion Power to Enable Electrical Power Service to
Electric Charging Infrastructure**

WHEREAS, the City has the need to install Charlottesville Area Transit (CAT) transit bus chargers; and

WHEREAS, CAT buses will require access to electric charging infrastructure; and

WHEREAS, Dominion Energy offers a program to support the City's fleet electrification initiatives by delivering and operating utility-owned charging infrastructure; and

WHEREAS, the installation of electric charging infrastructure required the establishment of an easement to enable the provision of electrical service to the charging system; and

WHEREAS, City staff has worked with Dominion Power to verify the location, effectiveness, and practicality of the proposed easement and has concluded that these modifications are legitimate and necessary additions to the easement to enable Dominion to provide electrical service to the charging system; and

WHEREAS, the proposed easement is depicted in instrument 81-26-00300, which is enclosed for reference; and

WHEREAS, the electrical charging system will support the climate action initiative of electrifying the school bus fleet.

NOW, THEREFORE, BE IT RESOLVED, that the City of Charlottesville approves the existing easement provided to Dominion Power for the provision of electrical power service to the electrical charging system, located at 1545 Avon Street Ext.

15. RESOLUTION to appropriate \$320,000 in School Zone Photo Enforcement Revenue for FY2027

Sam Roman, Assistant City Manager, presented the request. In February 2023, City Council passed a resolution (#R-23-020) which approved the use of speed cameras on Monticello Avenue for the school zone near Summit Elementary and on Cherry Avenue for the school zones near Charlottesville Middle School and Tall Oaks Elementary. In August 2024, the City entered into a Photo Enforcement Services Agreement with American Traffic Solutions, Inc, doing business as Verra Mobility. The agreement provided several payment options for the services. It was the understanding of staff that the cost of the services would be budget-neutral in the sense that the revenues generated from enforcement would be equal to or exceed the cost of the equipment and service fees.

Krisy Hammill, Budget Director, provided financial information related to the appropriation request. Six cameras (two at each approved school zone) were installed and placed in service in October 2025. In November 2025, the City received an invoice for the month of October for \$25,504. The fees break down to \$4,250 a month for each camera and include some miscellaneous fees for the mailing of the notices. The original agreement provided multiple payment options but was silent as to which one had been selected. Upon receiving the invoice, staff reached out to the vendor to discuss the different options and requirements of each option. One of the options provided allows for the City to pay either the amount of the monthly invoice or the amount of enforcement revenue received, whichever is less.

From October 2025 through April 2026, \$177,125 in enforcement revenue was collected. After many attempts to discuss and reach agreement on the payment options with the vendor, a payment in the amount of \$177,125 was wired to the vendor on May 22, 2026. The photo enforcement revenue was not appropriated as part of the FY 2026 budget. Funds previously appropriated funds to the Citywide reserve account were used to pay the invoices. This resolution seeks to appropriate the enforcement revenue which will be used to pay the invoices anticipated for FY 2027.

The term of the Photo Enforcement Services Agreement with American Traffic Solutions, Inc, doing business as Verra Mobility is for 5 (five) years. The enforcement fees should cover a majority of the

equipment costs. However, as staff continues to work through the administrative requirements of the program, it is likely that funds in excess of the enforcement revenue will be needed.

On motion by Payne, seconded by Oschrin, Council by a vote of 5-0 (Ayes: Fleisher, Oschrin, Payne, Snook, Wade; Noes: None) approved the following resolution, waiving the second reading:

RESOLUTION

To Appropriate \$320,000 of School Zone Photo Enforcement Revenue for FY 2027

WHEREAS, the City Council of the City of Charlottesville passed a resolution (#R-23-020) on February 6, 2023 which approved the use of speed cameras on Monticello Avenue for the school zone near Summit Elementary and on Cherry Avenue for the school zones near Charlottesville Middle School and Tall Oaks Elementary; and

WHEREAS, the City of Charlottesville has entered into a Photo Enforcement Services Agreement with American Traffic Solutions, Inc, doing business as Verra Mobility;

WHEREAS, the City Council intends to use the revenue received from the enforcement services to help offset the cost of the equipment and other administrative costs;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$306,000 or the amount of revenue actually collected, whichever is more, during FY 2027 is hereby appropriated as follows:

<u>Revenue</u>	<u>Fund</u>	<u>Cost Center</u>	<u>G/L Account</u>
\$320,000	105	TBD	440050
<u>Expenditures</u>	<u>Fund</u>	<u>Cost Center</u>	<u>G/L Account</u>
\$320,000	105	TBD	530550

16. RESOLUTION Initiating a Referendum to Authorize Imposition of a Local General Retail Sales Tax Not to Exceed One Percent, the Proceeds of Which Would Be Used Solely for Capital Projects for the Construction or Renovation of Public Schools Serving the City of Charlottesville

City Attorney John Maddux summarized the resolution for consideration of whether City Council should adopt a resolution initiating a referendum on the question of whether the City should be authorized to impose a local general retail sales tax of up to one percent, with the revenues used solely for capital projects involving the construction or renovation of public schools serving the City.

On motion by Payne, seconded by Fleisher, Council by a vote of 5-0 (Ayes: Fleisher, Oschrin, Payne, Snook, Wade; Noes: none) approved the following resolution:

RESOLUTION INITIATING A REFERENDUM PURSUANT TO SECTION 58.1-605.1 OF THE CODE OF VIRGINIA TO AUTHORIZE IMPOSITION OF A LOCAL GENERAL RETAIL SALES TAX NOT TO EXCEED ONE PERCENT, THE PROCEEDS OF WHICH WOULD BE USED SOLELY FOR CAPITAL PROJECTS FOR THE CONSTRUCTION OR RENOVATION OF PUBLIC SCHOOLS SERVING THE CITY OF CHARLOTTESVILLE

WHEREAS, Section 58.1-605.1 of the Code of Virginia authorizes qualifying localities to levy a general retail sales tax at a rate not to exceed one percent to provide revenue solely for capital projects for the construction or renovation of schools; and

WHEREAS, revenues from any such tax may be used solely for capital projects for new construction or major renovation of schools, including bond and loan financing costs related to such construction or renovation; and

WHEREAS, such tax may be levied only if approved by referendum within the City, held in accordance with Virginia Code § 24.2-684 and initiated by resolution of the Charlottesville City Council; and

WHEREAS, the Charlottesville City Council desires to initiate such a referendum for the purposes set forth herein; and

WHEREAS, if approved by referendum and subsequently imposed by ordinance, any such tax shall expire on June 30, 2046; and

WHEREAS, the City Council desires to preserve the City's ability to use revenues from such tax to pay directly for eligible school construction or renovation projects, to pay bond or loan financing costs related to such projects, or to use any lawful combination of financing methods, provided that the tax shall expire on June 30, 2046.

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

1. The Charlottesville City Council hereby requests that the Circuit Court of the City of Charlottesville order and fix a referendum to be held in the City of Charlottesville on November 3, 2026, the date of the November 2026 general election, pursuant to Virginia Code §§ 24.2-684 and 58.1-605.1 on the issue of whether the City may levy a local general retail sales tax at a rate not to exceed one percent, the revenues of which shall be used solely for capital projects for the construction or renovation of public schools serving the City of Charlottesville.
2. Any tax approved by referendum and subsequently imposed by ordinance pursuant to Virginia Code § 58.1-605.1 shall expire on June 30, 2046.
3. Revenues from any such tax may be used solely for capital projects for the construction or renovation of schools serving the City of Charlottesville, including bond or loan financing costs related to such construction or renovation. To the extent revenues from such tax are used for bond or loan financing costs, the date by which such bonds or loans are to be repaid from revenues of the tax shall be June 30, 2046.
4. Nothing in this Resolution shall prohibit the City from using other legally available revenues or financing sources for school capital projects, provided that revenues from any tax approved by referendum and imposed pursuant to Virginia Code § 58.1-605.1 shall be used only as authorized by that section and shall not be collected after June 30, 2046.
5. The language to appear on the ballot on the referendum is proposed by the Charlottesville City Council to be as follows:

Shall the City of Charlottesville, Virginia be authorized to levy a local general retail sales tax at a rate not to exceed one percent (1%), the revenues of which shall be used solely for capital projects for the construction or renovation of public schools serving the City of Charlottesville, and which shall expire on June 30, 2046?
6. The City Attorney, City Manager, Clerk of Council, and such other appropriate officers and staff

of the City are authorized and directed to execute, deliver, and file all documents, pleadings, petitions, certificates, and instruments, and to take all further actions as may be necessary or appropriate to carry out the purposes of this Resolution. The City Attorney, City Manager, and Clerk of Council are further authorized to make non-substantive, conforming modifications to the proposed ballot question and related court filings as may be necessary to conform to the requirements of the Circuit Court, the State Board of Elections, the City Electoral Board, or the General Registrar, provided that the ballot question shall continue to state that the revenues from the tax shall be used solely for capital projects for the construction or renovation of schools and that the tax shall expire on June 30, 2046.

7. A copy of this Resolution shall be forwarded by the Clerk of Council to the Clerk of the Circuit Court for consideration and approval by the Court, if deemed to be in order, and for processing and publication in accordance with state law.
8. An attested copy of this Resolution shall be forwarded by the Clerk of Council to the Registrar and the Electoral Board of the City of Charlottesville.
9. The recitals to this Resolution are incorporated by reference and are declared to be findings of the Council in connection with its adoption of this Resolution.
10. This Resolution shall take effect immediately.

17. BY MOTION: Appointment of Director of the Office of Police Civilian Oversight

Steve King, Assistant to the City Manager, requested appointment of James Walker as Director of the Office of Police Civilian Oversight. Mr. Sanders spoke in support of the work that Mr. Walker has achieved and helped to administer since the departure of the previous director. Mr. Walker made a few remarks.

On motion by Payne, seconded by Fleisher, Council by the following vote Appointed James Walker as Director of the Office of Police Civilian Oversight: 5-0 (Ayes: Fleisher, Oschrein, Payne, Snook, Wade; Noes: none).

GENERAL BUSINESS

18. WRITTEN REPORT: Rivanna Authorities Quarterly Update

Mayor Wade acknowledged receipt of the quarterly update from the Rivanna Authorities (Rivanna Solid Waste Authority and Rivanna Water and Sewer Authority).

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public.

- Gloria Beard, resident of the 10th & Page neighborhood, spoke about her experience living in Charlottesville. She expressed concerns about historically Black neighborhoods being negatively impacted by encroaching housing developments. She asked about respect for First Baptist Church and the neighborhood, with the recent decision to allow the building of a 7-story luxury student housing building.
- Carmelita Wood, city resident, spoke on behalf of the Fifeville Neighborhood Association about the approved high-rise luxury student housing building on 7th Street, and the negative impacts of student-focused and UVA-focused developments on existing neighborhoods.
- Amber Guskin, city resident, spoke in opposition to luxury student housing approved for the Fifeville neighborhood. She expressed concern that First Baptist Church and a broader spectrum of community members were not consulted for input about The Mark project.

- Deanna McDonald, city resident, spoke about an announcement today that the proposed food co-op cannot operate at 501 Cherry Avenue because of financial reasons related to the building design. She related the issue to systemic racism and the lack of programs and policies in place to dismantle systemic racism and hold developers accountable for helping.
- James Rogers, city resident, expressed concern about stories in local media, and he asked about the intended use of the emergency shelter at 2000 Holiday Drive and what a low or no barrier shelter means for the community, including whether such shelter would permit access to convicted sex offenders. He asked Council to keep in mind educating the broader community beyond those who attend public meetings.

City Manager Sanders provided additional context for the definition of an emergency shelter, and the scope of the capacity needed to address issues and provide resources to those in need.

- Sam Gulland, city resident, spoke in support of the city's decision to transition the Rivanna encampment, to help provide resources to people in need, and to restore the riverfront. He encouraged the city to protect public spaces and to reconsider passing an anti-camping ordinance.
- Lizzie suggested using \$24 Million to give housing to the unhoused community, using the police budget. She stated that the encampment residents have already been surveyed and need action.
- Io Long, city resident, asked Council not to remove the Free Bridge encampment until all individuals have a home to go to.
- Kagle McDonald, city resident, spoke about her observations of the impacts of the Rivanna encampment, and she spoke in support of the city's plans to relocate individuals in the encampment and provide services. She suggested the city provide guidance or a list of ways other residents can help.
- Wren Walker, city resident, spoke about people she knows who have become homeless. She requested the city take care of its residents, including individuals at the Free Bridge encampment, many of whom have fallen on hard times living in Charlottesville.
- Sarah Tansey, city resident, expressed concerns about Council's leadership and decisions that push people out of sight and traumatize Black and Brown neighborhoods.
- Jenny Ragsdale, city resident, spoke about the proposed Mark luxury student housing development and the lack of appropriate infrastructure to address the traffic. She expressed other concerns about the need to stop the project, including the church, the neighborhood and the history of Vinegar Hill, hoping Council would reconsider its decision to approve the project.
- Jim Snyder, city resident, spoke about the Virginia Liberty Bell at the Ridge Street Fire Station. He provided a handout of a letter that he sent to the Fire Marshal regarding access across 5th Street and 7th Street, particularly when blocked by a train. He expressed concerns about infrastructure needed to serve Fifeville and the Mark project and stated that the new zoning will limit the ability to enhance service at the train station.

ADJOURNMENT

On motion by Fleisher, seconded by Oschrein, Council by acclamation adjourned the meeting at 9:41 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council



**CHARLOTTESVILLE CITY COUNCIL
SPECIAL MEETING MINUTES
City Council / Charlottesville Redevelopment and Housing Authority Board
Joint Work Session
September 9, 2026, at 4:00 p.m.
CitySpace, 100 Fifth St NE, Charlottesville, VA**

The Charlottesville City Council and Charlottesville Redevelopment and Housing Authority (CRHA) Board convened for a joint work session to discuss updates on CRHA projects and existing collaborative projects between the City of Charlottesville and CRHA.

CALL TO ORDER

The Charlottesville City Council special meeting was called to order at 4:03 p.m., with all members present: Mayor Juandiego Wade, Vice Mayor Natalie Oschrin, and Councilors Jen Fleisher, Michael Payne and Lloyd Snook.

The Charlottesville Redevelopment and Housing Authority Board special meeting was called to order.

The Charlottesville City Council approved the meeting agenda after which City Council acted on a business item.

BY MOTION

On motion by Oschrin, seconded by Fleisher, Council voted 5-0 in favor of appointing Carl Schwarz and Ross Harness to the Planning Commission.

JOINT MEETING

Update on CRHA projects and existing collaborative projects between the City of Charlottesville and CRHA

The CRHA Board Chair, Brigid O'Rourke, began the report with a status update on the CRHA Executive Director search. The current Director John Sales has resigned from the position, effective December 4, 2026.

Ms. O'Rourke presented the projected timeline for the executive director replacement process:

- Week of August 31: Issue a request for proposals (RFP), allowing recruitment firms 30 days to respond.
- Week of September 30: Contract with a recruitment firm and post the executive director position.
- November: Interview prospective candidates.

The CRHA Hiring Committee is engaging key stakeholders to develop a job description for the Executive Director position. The committee is consulting with City leadership, the U.S. Department of Housing and Urban Development (HUD), and local community groups to gather input. Although a compensation study was not included in the RFP, Board representatives expressed the need for one. City Manager Sanders indicated that the City's Human Resources Office may be able to assist with the study.

The committee continues to hold regular check-ins with Mr. Sales and key staff during the transition period. It has also considered the possibility of appointing an interim executive director and is planning for scenarios that may require a temporary appointment.

The CRHA Board presented three requests to City Council: (1) financial assistance with the cost of contracting a recruitment firm to support the Executive Director search; (2) extending Board members' terms in consideration of the current Board's tenure; and (3) amending the Board's membership requirements to include at least one public housing resident commissioner and one Housing Choice Voucher (HCV) recipient, as prescribed by Housing and Urban Development (HUD) code regulations.

The CRHA Board also reported ongoing efforts to establish a nonprofit entity to build internal fundraising capacity, with establishment anticipated by the end of 2026.

City Council directed City Manager Sanders and City Attorney John Maddux to review the Board's requests and present recommendations for Council's consideration.

The CRHA Deputy Executive Director, Kathleen Glenn-Matthews presented an update on Charlottesville Redevelopment and Housing Authority (CRHA) redevelopment projects, housing renovations, and efforts to preserve the city's affordable housing through housing preservation initiatives.

CRHA, in partnership with the City of Charlottesville, has helped preserve approximately 80 Naturally Occurring Affordable Housing (NOAH) units by acquiring and managing existing rental properties to maintain affordability and prevent displacement. Preserving existing units is generally faster and less costly than new construction. CRHA identifies potential properties through referrals and other sources or when landlords contact the agency directly about selling their properties.

CRHA requested \$3 million from the City to acquire 11 properties containing 13 deeply affordable units as part of the Silk Purse acquisition. The initiative aims at affordability fortification opportunities. Public investment is needed because current rental income cannot support conventional financing without significant rent increases. Minor rehabilitation may be required. Vice Mayor Oschrein requested clarification on how the properties were selected by the property owner from the larger portfolio of approximately 70 parcels.

CRHA presented Rivanna Terrace Apartments, a 48-unit complex, as an affordable housing preservation opportunity. The property is listed for \$9.6 million, and CRHA requested \$5 million in City funding to support the acquisition.

CRHA's City Housing Portfolio includes approximately 80 units. CRHA plans to sell one property back to Woodward under a first-right-to-purchase agreement and is engaged in the disposition of 801 Harris Street which will be converted back to commercial usage. The two dispositions would reduce the Dogwood portfolio by 4 units. Councilor Snook requested clarification about the amount of city funding that could be repaid and potentially reinvested in other affordable housing initiatives.

The CRHA Board and staff offered recommendations for how City Council can continue supporting CRHA's work, including providing funding assistance, supporting the incoming executive director, ensuring that public housing redevelopment projects proceed as planned through completion, and maintaining meaningful resident participation throughout the redevelopment process.

Joy Johnson, community advocate and Chair of the Public Housing Association of Residents, requested that City Council recognize the 12 women who contributed to the design of various phases of public

housing redevelopment.

Ms. O'Rourke noted that staffing capacity and compensation remain ongoing challenges, especially as additional housing units come online. She also recommended reviewing CRHA's organizational structure to better align with industry standards and improve operational efficiency.

Mayor Wade left the meeting at 5:30 p.m.

Councilor Snook requested a three- to five-year financial forecast to support long-term financial planning in light of proposed funding requests, redevelopment projects, and opportunities to preserve affordable housing. CRHA Director of Finance TC Nichols will follow up with additional information.

City and CRHA staff emphasized continued communication and coordination on redevelopment projects, including monthly leadership meetings and collaboration throughout the executive director transition. The CRHA Board recommended reconvening with City staff in December to coordinate planning with the incoming executive director.

ADJOURNMENT

On motion by Fleisher, seconded by Snook, Council by acclamation adjourned the meeting at 5:49 p.m.

BY Order of City Council

BY Maxicelia Robinson, Deputy Clerk of Council



CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES
October 19, 2026 at 4:00 PM
Council Chamber

The Charlottesville City Council met on Monday, October 19, 2026, Mayor Juandiego presiding. The meeting was called to order and Clerk of Council Kyna Thomas called the roll, noting the following councilors present: Mayor Juandiego Wade, Vice Mayor Natalie Oschrein and Councilors Jen Fleisher and Lloyd Snook. Councilor Michael Payne arrived during agenda approval.

On motion by Snook, seconded by Oschrein, Council by acclamation adopted the meeting agenda.

REPORTS

1. REPORT: Charlottesville Albemarle Regional Transit Authority Update

Ben Chambers, Transportation Planning Coordinator, presented an update on the Charlottesville Albemarle Regional Transit Authority.

In December 2024, the City of Charlottesville, Virginia ("City"), along with Albemarle County, Virginia ("County"), created the Charlottesville Albemarle Regional Transit Authority ("CARTA"). CARTA, enabled by 2009 state legislation, is able to coordinate regional transit expansion priorities and determine a future dedicated revenue source for regional transit services. Over the past year, CARTA, supported by staff from the Thomas Jefferson Planning District Commission ("TJPDC"), the City, and the County, has been reviewing existing transit services and plans to assess the scale of the region's transit needs and determine which priorities would benefit from additional regional funding. As CARTA concludes this study of potential future services, it is looking to clarify the role of CARTA in governing the implementation of those services and recommend changes to its enabling legislation to create a regional source of revenue.

CARTA's current Study of Regional Planning Priorities ("Study") reviewed plans from TJPDC, the former Regional Transit Partnership, CAT, Jaunt, the City, and the County, and documented a comprehensive range of options for transit service expansion. The Study identified opportunities for improvements in frequency and span of service for high-ridership fixed service routes, investments in commuter routes, stronger links to major regional destinations and employers like the University of Virginia, the Charlottesville-Albemarle Airport, and the Downtown Mall, and better connectivity across our urban, suburban, and rural communities. In addition to the existing plans for improvement to CAT services that should come online prior to 2030, this Study has identified approximately \$12 million worth of additional annual transit services that would be feasible to implement starting in 2031. The Study also identified additional aspirational investments beyond this initial set of transit expansions.

Before the City and the County can request changes to state legislation that could enable CARTA to serve as the vehicle for the kinds of investments identified in the prioritization study, CARTA will be working to answer what the role of CARTA will be in terms of governing regional transit decisions and identifying what opportunities could be available to set dedicated revenue for implementing them. The Study identified approximately \$12 million in regional transit priorities that could potentially be implemented beginning in 2031. The direct financial impact of these proposed transit service expansions on the City has not been determined yet, as revenue sources and the roles and responsibilities of regional partners, including CARTA itself, are still in the process of being identified.

CLOSED MEETING

On motion by Oschrein, seconded by Snook, Council voted 5-0 (Ayes: Fleisher, Oschrein, Payne,

Snook, Wade; Noes: none) to meet in closed session as authorized by the Virginia Freedom of Information Act:

1. Pursuant to Virginia Code Section 2.2-3711(A)(1) for discussion and consideration of the performance of specific appointees and pursuant to Section 2.2-3711(A)(8) for consultation with legal counsel employed by the City Council regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, CRHA governing board appointees and Council authority with respect to same; and
2. Pursuant to Virginia Code Section 2.2-3711(A)(7) for consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. The specific matter to be discussed is SCC Case PUR-2026-00112; and
3. Pursuant to Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, procedural requirements for certain matters on the City Council's agenda.

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

BUSINESS SESSION

City Council began the business meeting by observing a moment of silence.

ANNOUNCEMENTS

Councilor Fleisher announced a VDOT meeting on October 22 at Monticello High School to receive public input on multimodal improvements to Avon Street, with a public comment period open until November 2. She also announced an October 26 public meeting at Henley Middle School in Crozet, where Albemarle County will be sharing the preferred route for the Three Notch'd Trail.

Vice Mayor Oschrin announced: 1) VDOT STARS Studies surveys for roadway solutions; 2) the October eBike subsidy voucher application period open on the City's ConnectCharlottesville website; and 3) early voting options.

RECOGNITIONS/PROCLAMATIONS

- **PROCLAMATION:** Mayor Wade read the **Support Your Local Chamber of Commerce Day** proclamation.

COMMUNITY MATTERS

Mayor Wade opened the floor for comments from the public.

1. Elizabeth Smiley, Sister Cities Commission, provided a Besançon Delegation Trip Report.
2. Tom Oakley, city resident and Vietnam veteran, spoke about city parks development, particularly the difficulty of accessing the Dogwood Vietnam Memorial.
3. Mike Henrietta, city resident, requested that Council approve reinstallation of the Court Square enslavement auction block memorial marker.

4. Alicia Lenahan, Albemarle County resident, spoke about preserving core neighborhoods, and about forced economic displacement of working class and poor people in the face of urban renewal.
5. Heidi Dhivya Berthoud, city resident, spoke in favor of reinstallation of the Court Square enslavement auction block memorial plaque.
6. Richard H. “Freeman” Allan, Albemarle County resident, spoke in favor of reinstallation of the Court Square enslavement auction block memorial marker.
7. Bellamy Brown, city resident, asked Council to consider establishing a regular, predictable and transparent process for reviewing changes to the Charlottesville Development Code.
8. Casey Joeli, city resident, thanked Council for listening to resident comments regarding Stanley Martin Homes and issues with the development project at Azalea Springs. She expressed a need to figure out a solution for paper streets to meet the needs of landowners and will meet city environmental goals.
9. Frank Bechter, city resident, shared a story about two recent housing development meetings concerning which were spontaneously taken over by residents, and sparked a sense of pride in a long-time resident who expressed the importance of residents speaking up for change.

CONSENT AGENDA

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record, and on motion by Oschrein, seconded by Snook, Council by the following vote Adopted the Consent Agenda, waiving the second reading for Item #6 resolutions: 5-0 (Ayes: Fleisher, Oschrein, Payne, Snook, Wade; Noes: none).

2. ORDINANCE to renew Franchise Agreement for FiberLight, LLC

AN ORDINANCE GRANTING A FRANCHISE TO FIBERLIGHT, LLC, ITS SUCCESSORS AND ASSIGNS TO USE THE STREETS AND OTHER PUBLIC PLACES OF THE CITY OF CHARLOTTESVILLE, VIRGINIA FOR ITS POLE, WIRES, CONDUITS, CABLES AND FIXTURES, FOR A PERIOD OF FIVE (5) YEARS

3. RESOLUTION to Appropriate the Victim Witness Grant - \$313,698 (layover)
4. RESOLUTION for Blue Ridge Health District Carryover Request - \$18,000 (layover)
5. RESOLUTION to appropriate funding from the Virginia Department of Housing and Community Development FY2027 Continuum of Care Capacity Building Funds - \$25,000 (layover)
6. Tonsler Fitness Court
 - a. RESOLUTION appropriating \$40,000 from National Fitness Campaign for Installation of an Outdoor Gym at Tonsler Park

RESOLUTION

Allocating Funds from National Fitness Campaign for Installation of an Outdoor Gym at Tonsler Park

WHEREAS, pursuant to Va. Code § 15.2-1806, the City of Charlottesville (the “City”), through the Department of Parks & Recreation, plans to build such a free outdoor gym at Tonsler Park with partial funding help through a \$40,000.00 grant awarded by National Fitness Campaign (“NFC”), a private-

public wellness initiative that builds and funds its trademarked outdoor Fitness Court® in the United States; and

WHEREAS, while the City has a fitness trail at Pen Park, it is not readily available to downtown residents. An outdoor gym at Tonsler would have equipment similar to an indoor gym, such as stationary bicycles and other workout apparatus; and

WHEREAS, NFC's grant requires (1) a Resolution of Adoption endorsed by the local governing body; (2) authorization to proceed documented by formal funding confirmation (commonly a purchase order); and (3) confirmation of a scheduled shipping date for NFC's outdoor gym and storage plans; and

WHEREAS, NFC's Grant Program Requirements ("GPR") milestones must be met to maintain funding eligibility, which includes confirmation of a remaining funding requirement of \$164,050.00. The City understands the scope of this project includes the installation of a concrete pad, as well as the assembly of NFC's outdoor gym, both to be completed by separate vendors external to NFC.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that a total of \$40,000.00 be appropriated in the following manner:

Revenues \$40,000.00

Fund: 209 Order: 1900742 G/L: 430110

Expenditures \$40,000.00

Fund: 209 Order: 1900742 G/L: 530550

- b. RESOLUTION Appropriating \$149,500 Land and Water Conservation Grant from the Virginia Department of Conservation Grant for Installation of Outdoor Gym at Tonsler Park

RESOLUTION

Allocating \$149,500 from Land and Water Conservation Grant from the Virginia Department of Conservation for Installation of Outdoor Gym at Tonsler Park

WHEREAS, pursuant to Va. Code § 15.2-1806, the City of Charlottesville (the "City"), through the Department of Parks & Recreation, plans to build such a free outdoor gym at Tonsler Park with partial funding help through a \$149,500.00 Land and Water Conservation Fund ("LWCF") grant through the Virginia Department of Conservation and Recreation; and

WHEREAS, the LWCF grant requires placing a permanent deed restriction on Tonsler Park to ensure the park remains open space for public recreation, and matching funds of \$149,500.00.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville that a total of \$149,500.00 from the LWCF grant be appropriated in the following manner:

Revenues \$149,500.00

Fund: 209 Order: 1900742 G/L: 430110

Expenditures \$149,500.00

Fund: 209 Order: 1900742 G/L: 530550

Transfer From

Grant Match Amount: \$149,500

Fund: 426 WBS Element: P-00777 G/L: 599999

CITY MANAGER REPORT

Mayor Wade acknowledged the City Manager Report in the agenda packet.

ACTION ITEMS

7. PUBLIC HEARING and RESOLUTION to Adopt Amendments to City Charter

City Attorney John Maddox presented the requested City Charter amendments.

Following clarifying questions from Council, the public hearing was opened. There being no speakers, the public hearing was closed and Council engaged in discussion.

On motion by Payne, seconded by Oschrein, Council by the following vote Approved the Resolution to Adopt Amendments to the City Charter: 5-0 (Ayes: Fleisher, Oschrein, Payne, Snook, Wade; Noes: none).

RESOLUTION

Requesting General Assembly Enactment of Amendments to the City Charter

WHEREAS, the City Council wishes to update and clarify provisions of the Charter of the City of Charlottesville, as set forth in the proposed amendments attached to this resolution as Attachment A; and

WHEREAS, Virginia Code §§ 15.2-201 and 15.2-202 provide for a locality to request that the General Assembly amend its charter following an advertised public hearing; and

WHEREAS, City Council held an advertised public hearing on October 19, 2026 to receive public comment on the proposed amendments and has considered the comments received;

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

- Council approves the proposed Charter amendments set forth in Attachment A, which is incorporated into this resolution, and requests that the Virginia General Assembly enact the amendments during its 2027 regular session.
- The Clerk of Council is directed to transmit this resolution and the proposed amendments, together with the publisher's affidavit documenting the public hearing advertisement and certified copies of the minutes showing Council's action at the hearing, to the City's General Assembly delegation for introduction of the necessary legislation.
- The City Attorney is authorized to coordinate with the City's legislative delegation and the Division of Legislative Services in preparing legislation consistent with this resolution.

8. RESOLUTION to Initiate the Five (5)-Year Review to City's Comprehensive Plan and Report on Project Scope

Per Virginia State Code § 15.2-2230, each locality must review its Comprehensive Plan (“Comp Plan”) at least every five (5) years to determine whether it is advisable to amend the Comp Plan. While there have been several amendments to the City’s Comp Plan to date, it is best practice to complete a review of the Comp Plan every five (5) years and determine if additional changes are needed. Virginia Code § 15.2-2229 authorizes City Council to initiate Comp Plan Amendments by majority vote and to refer the same to the Planning Commission (“PC”) for review/recommendation.

Victoria Kanellopoulos, City Planner, provided an overview of the City’s draft process and approach for reviewing the City’s Comp Plan and Project objectives. The Comp Plan review is an opportunity to evaluate and respond to challenges, opportunities, and emerging issues that have been identified since the City adopted the updated Comp Plan in 2021. The Comp Plan review will be informed by feedback and expertise from City Staff, community members, the PC, and City Council, along with qualitative and quantitative data, State Code requirements, and best practices. This will include:

- Updating existing conditions data and trends;
- Incorporating any new State Code requirements;
- Alignment with City plans that have been completed since November 2021 and coordinating with in-progress plans that are moving in parallel;
- Evaluating strategies and priorities and where changes are needed; and
- Opportunities for community input and information-sharing throughout the process.

The community, PC, and City Council will be informed throughout the Project, and will be engaged at key points to ask for input and feedback. City Staff will provide regular Project status updates and share upcoming opportunities for engagement, including through a future Connect Charlottesville webpage. City Staff will also hold work sessions with both the PC and City Council and will share the PC's recommendations and feedback with City Council.

Councilors expressed a desire to have a robust public engagement and input process.

On motion by Fleisher, seconded by Oschrin, Council by the following vote Approved the Resolution to Initiate the Five (5)-Year Review to City's Comprehensive Plan and Report on Project Scope: 5-0 (Ayes: Fleisher, Oschrin, Payne, Snook, Wade; Noes: none).

RESOLUTION Initiating the Five (5)-Year Review to City’s Comprehensive Plan

WHEREAS, Virginia Code § 15.2-2230 requires that each locality review its Comprehensive Plan (“Comp Plan”) at least once every five (5) years to determine whether it is advisable to amend the Comp Plan; and

WHEREAS, In November 2021, City Council formally adopted the City’s Comp Plan, and since then, there have been several Amendments thereto, including adopting the Climate Action Plan and the Parks & Recreation Master Plan; and

WHEREAS, it is best practice to periodically review the Comp Plan informed by qualitative and quantitative data, Virginia Code requirements, best practices, City Staff expertise, community input, City Planning Commission (“PC”) feedback, and City Council direction; and

WHEREAS, it is desirable to have recommendations, goals, strategies, and policies that reflect the City's current priorities, policies, plans, and values, and that reflect current conditions and projected future growth and change; and

WHEREAS, Virginia Code § 15.2-2229 authorizes City Council to initiate Comp Plan Reviews and Amendments by majority vote and to refer the same to the PC for review/recommendation.

NOW, THEREFORE, BE IT RESOLVED, by City Council as authorized by Virginia Code §§ 15.2-2229 and 15.2-2230, that City Council hereby initiates a review of the City's Comp Plan, and refers the same to the City's PC for review/recommendation.

9. RESOLUTION allowing the installation of a sign recognizing the sale of enslaved persons in Court Square

Michael Goddard, Interim Director of Neighborhood Development Services, summarized the request. A group of local residents identified as the Court Square Enslavement Memorial (CSEM) group requested that Council place a marker on a light post near to the building known as "0 Court Square" and that this marker should read, "Auction Block of Enslaved Persons; Early 1800s - 1865; Removed 1920s." The Historic Resources Committee ("HRC") submitted the following statement:

"Position On CSEM Plaque Proposal:

HRC concurs with the view that the brutal reality of sales of enslaved people in Charlottesville and Albemarle County must be kept alive in the collective memory. HRC is committed to fully, accurately, and formally disseminating the terrible legacy of Charlottesville's slave trade. We note, however, that the current CSEM proposal is not an historically accurate means to this end and may serve to limit the broader story of enslavement at Court Square. While HRC commends the wider intentions advocated by CSEM, we feel that the current proposal placed before Council would put forth inaccurate historical information.

Position On Accuracy:

No credible evidence has been identified or provided to support the concept that a dedicated slave auction block existed within the Courthouse Square vicinity. The apparent theory that an auction block ever existed began with circumstantial second-hand accounts compiled by Mary Rawlings in her 1942 book. No first-hand primary resource accounts have been identified that mention the presence of a slave auction block. Refer to Appendix B. Extensive research shows that enslaved individuals were sold in several locations including the Courthouse door and steps, neighborhood taverns, and private homes. No contemporaneous firsthand accounts have been found of enslaved individuals being sold on a platform or block of any kind specifically dedicated to this purpose. This finding led to the 2025 installation of a State historical marker noting that auctions occurred in several locations throughout Court Square.

Basis for Position:

This position is based on research undertaken by several professional and volunteer historians over the last quarter of a century. Prior to creating this statement, the HRC reviewed auction block commemoration efforts dating from the 1940s to the present day. HRC also reviewed original source material including newspaper articles and advertisements, oral histories, books, reports, and other primary and secondary source materials."

Staff concurred with findings and recommendations from the HRC.

Council engaged in discussion, and Vice Mayor Oschrein read the wording from existing historic marker

#Q-49, located in Court Square. In response to a question from Ms. Oschrein, Deputy City Manager James Freas stated that the process to stand up the Arts and Memorials Commission is expected to take until early 2027.

On motion by Snook, seconded by Oschrein, Council by the following vote Approved a substitute to the published resolution allowing the installation of a sign recognizing the sale of enslaved persons in Court Square: 5-0 (Ayes: Fleisher, Oschrein, Payne, Snook, Wade; Noes: none). The substitute motion became the main motion.

On motion by Snook, seconded by Fleisher, Council by the following vote Approved the following resolution to DENY the request for installation of a sign recognizing the sale of enslaved persons in Court Square: 5-0 (Ayes: Fleisher, Oschrein, Payne, Snook, Wade; Noes: none).

RESOLUTION
Denying Sign Request and Providing Direction Regarding Court Square
Historical Markers and Memorials

WHEREAS the Court Square Enslavement Memorial group (CSEM) has requested that the Charlottesville City Council authorize the installation of a sign near the building known as Number Nothing Court Square that would state “Auction Block of Enslaved Persons; Early 1800s – 1865; Removed 1920’s”; and

WHEREAS City Council has reviewed a report by the Historic Resources Committee, with its Appendices, materials submitted by the CSEM group, and the public comments made on the subject; and

WHEREAS City Council agrees with the conclusion of the Historic Resources Committee that the available historical evidence does not substantiate the claim that a dedicated auction block for the sale of enslaved people existed at the proposed marker location;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville:

1. CSEM’s request that the City Council authorize the installation of the above-described marker is denied.
2. Consideration of any further historical markers or memorials in the Court Square area should be undertaken as part of a plan that will accurately reflect the square’s complete history, including the sale of enslaved people in and around the same.

10. ORDINANCE to Approve Construction Management at Risk Procedures (CMAR)

Bruce White, Capital Development Manager in Public Works, presented a recommendation for City Council to approve the City of Charlottesville, Virginia, Construction Management at Risk (CMAR) Procedures. CMAR is a construction delivery model alternative to the traditional public procurement model known as Design, Bid, and Build (“DBB”). When utilized on appropriate projects, CMAR provides better cost control, reduces the risk of change orders, and reduces unanticipated impacts during construction when compared to traditional DBB projects. CMAR is particularly well-suited to complex projects, because it integrates the experience and construction perspective of a contractor into the design development process.

The Virginia Public Procurement Act (“VPPA”) permits the use of CMAR by a public body in certain

instances and with certain prerequisites, including the adoption of written procedures for the selection, evaluation, and award of CMAR contracts. CMAR contracts have several features which increase the potential for project success. First, is the utilization of a rigorous competitive negotiation process for selection of the contractor. This allows the City of Charlottesville to select a contractor based upon a measured evaluation of the contractor's qualifications, in addition to anticipated cost. The second key factor is that the contractor is integrated into the project team during the schematic design phase of the project.

The contractor imparts a crucial constructability perspective during the development phase and becomes a critical partner in the project team - fostering accountability and ownership of the resultant project. Through contractor engagement at an early stage in the design process, ambiguities, errors, or omissions in the plans and specifications are resolved before the price for construction is established. Potential impact on timely completion and project cost is thereby minimized. The contractor can negotiate subcontracts during the pre-construction phase, thus allowing the contractor to present a Guaranteed Maximum Price based in part on agreed subcontract pricing, rather than estimated costs. Moreover, a more cooperative spirit is developed for the construction phase as the contractor gains a sense of ownership in the design by having actively contributed to it and by sharing responsibility for any errors or omissions. Achieving timely completion with reduced potential for change orders is therefore much more likely than under the traditional Competitive Sealed Bidding approach.

On motion by Natalie Oschrein, seconded by Jen Fleisher, Council by the following vote Approved the Resolution to Approve Construction Management at Risk Procedures (CMAR): 5-0 (Ayes: Fleisher, Oschrein, Payne, Snook, Wade; Noes: none). *Following consultation with the City Attorney's Office, Clerk Thomas confirmed a scrivener's error, wherein the item should have been labeled as an Ordinance. The corrected ordinance title is:*

ORDINANCE APPROVING CONSTRUCTION MANAGEMENT AT RISK PROCEDURES

11. RESOLUTION to Appropriate Revenue from Participation in Energy Load Reduction Program in the Amount of \$12,375.53 (layover)

Kirk Vizzier, Energy Management Coordinator, presented the appropriation request. In March 2025, the City of Charlottesville enrolled in the Emergency Load Response Program (ELRP) with PJM Interconnection, LLC (electric grid operator) as part of their demand response offerings. Through this program, the City of Charlottesville can earn revenue by temporarily reducing energy usage at participating sites/facilities to reduce the energy load on the PJM electric grid.

Krisy Hammill, Director of Budget and Grants Management, explained the financial procedures for accepting additional revenue funds from this program.

Council agreed to carry the item to the November 2, 2026, meeting for a second reading and vote.

12. RESOLUTION to Adopt the City Council 2027 Legislative Agenda

Steve King, Assistant to the City Manager, presented the City Council Legislative Priorities for 2027.

Councilor Snook stated that he was not in favor of Single Transferable Voting which will come with Ranked Choice voting listed in Tier 1.

Councilor Payne asked Council to consider attaching the Human Rights Commission recommendations regarding renter rights in Tier 2. Vice Mayor Oschrein explained why the recommendations were not included.

On motion by Oschrin, seconded by Fleisher, Council by the following vote Approved the Resolution to Adopt the City Council 2027 Legislative Agenda: 5-0 (Ayes: Fleisher, Oschrin, Payne, Snook, Wade; Noes: none).

RESOLUTION

Adopting the City of Charlottesville's 2027 Legislative Agenda

WHEREAS, City Council wishes to establish legislative priorities to guide the City's advocacy during the 2027 session of the Virginia General Assembly; and

WHEREAS, City Council's Legislative Committee has developed a tiered legislative agenda informed by recommendations from City departments, boards and commissions, and community partners;

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

1. City Council adopts the six-page document entitled "Proposed Legislative Priorities," attached as Exhibit A and incorporated into this resolution, including its Tier 1, Tier 2, and Tier 3 designations, as the City's 2027 Legislative Agenda.
2. The City Manager, or designee, in consultation with the City Attorney and in coordination with the Thomas Jefferson Planning District Commission's legislative liaison, is authorized to communicate and advocate for positions consistent with the adopted agenda, including through testimony, correspondence, and coordination with legislators, state agencies, and regional partners.
3. The City Manager shall transmit this resolution and the adopted agenda to the City's General Assembly delegation and the Thomas Jefferson Planning District Commission and provide City Council with updates on significant legislative developments.

Proposed Legislative Priorities

TIER 1

- *Planning & Zoning*
 - Delegate Special Exceptions Approval by amending § 15.2-2286 to allow governing bodies to delegate the authority to grant special exceptions to their Planning Commissions, rather than reserving that function exclusively to themselves.
 - Clarify Local Hardship Standards by modifying § 15.2-2286 to permit local jurisdictions to define through ordinance the conditions under which a "hardship" exists for zoning relief applications.
 - Modifying state law by broadening and clarifying the definition of "blighted property" for eminent domain purposes; Removing overly burdensome elements from the definition of "derelict" in the code; Increasing the tax penalties a locality can place on a blighted or derelict property; and expanding the penalties and fines authorized under the finding of a nuisance by a citizen-initiated special grand jury.
- *Transportation*
 - Advocate that the Virginia Department of Rail and Transportation's (DRPT) 'Commonwealth Corridor' plan to create an east-west passenger rail connection between

Charlottesville, Richmond, and Hampton Roads is included DPRT's 2026 Statewide Rail Plan. Advocate for state funding to implement DRPT's 'Commonwealth Corridor' plan.

- *Development/ADA*

- Enable ADA compliance by streamlining pole transfers and establishing a One Touch Make Ready process by amending Title 56 of the Code of Virginia to:
 - Require attaching entities to transfer facilities within 30 days after notice that a replacement pole is ready.
 - Establish expedited procedures when double poles affect ADA access, pedestrian safety, traffic operations, emergency response, or active infrastructure projects.
 - Direct the SCC to establish a coordinated One Touch Make Ready process allowing qualified contractors to perform eligible transfers for multiple entities.
 - Require pole owners to remove obsolete poles within 15 days after all attachments have been transferred, unless documented safety or engineering conditions prevent removal.
 - Require pole owners and attaching entities to maintain current contact information and use electronic notices for replacement-pole activity and outstanding transfers.
 - Authorize SCC enforcement for repeated or unreasonable failures to meet required timelines.
 - Allow localities to formally identify double poles affecting public safety or accessibility and request expedited resolution.
 - Clarify the process for correcting ADA or pedestrian accessibility conflicts by amending Title 56 of the Code of Virginia to:
 - Allow localities, after engineering or accessibility review, to formally designate utility facilities creating a documented ADA or pedestrian obstruction.
 - Require utilities to evaluate the obstruction and develop relocation or mitigation plans within defined timeframes.
 - Establish clear timelines for completing relocation when feasible.
 - Provide expedited procedures for priority locations such as intersections, curb ramps, accessible routes, transit stops, schools, government buildings, and documented pedestrian safety concerns.
 - Create an SCC coordination and escalation process when a locality and utility cannot agree on need, feasibility, schedule, or responsibility.
 - Establish reasonable standards for assigning financial responsibility, accounting for cases where facilities predate sidewalks and situations where utilities impede ADA compliance.
 - Allow relocation work to align with utility upgrades or capital projects when it reduces cost or disruption.
 - Require consideration of alternative relocation, consolidation, undergrounding where appropriate, or 2 facility modification before concluding a conflict cannot be resolved.

- *Taxes*
 - Amend § 58.1-3703.1(A)(4)(b) to clearly distinguish good-faith jurisdictional errors from fraud or failure to obtain a license. Under this amendment, when a taxpayer shows that they in good faith obtained a business license and paid the business license tax to the wrong Virginia locality, that mistake will not be treated as fraud or non-licensure. In such cases, the correct locality may assess and collect only:
 - The tax due for the current license year, and
 - The tax for the three preceding license years.
- *Elections*
 - Amend the Virginia State Code to specify that ranked-choice voting applies to all local offices, including school board elections

TIER 2

- *Planning & Zoning*
 - Enable “Housing Near Jobs” Zoning Reform by adding § 15.2-2286.2 to permit by-right multi-unit development in commercial zones statewide (as proposed in HB 816/SB 454).
 - Direct DHCD to study potential regulatory modifications to allow cost-effective elevators in residential midrise buildings that meet safety standards but are less costly than full commercial elevators, improving affordability in multi-unit construction.
 - Commission a General Assembly study on how state-level daycare licensure standards affect the viability of urban childcare centers, with the aim of identifying scalable, cost-effective licensing for facilities under 12 children in dense neighborhoods.
- *Transportation*
 - Extend the delegation of building-code enforcement for state-funded bus shelters by local officials until 2032.
- *Emergency Management*
 - Any legislation establishing a state grant fund for local emergency management planning, preparedness, and mitigation, consistent with VEMA’s 2027 platform.
 - Any measure that shifts VDEM core programmatic functions to the general fund or otherwise increases the agency’s pass-through of federal grant funding to cities and counties.
 - The funding mechanism recommended by the Emergency Management Needs Evaluation once it reaches the General Assembly.
- *Human Rights/Economic Security*
 - Increase and sustain funding for the State Rental Assistance Program, providing adults with intellectual and developmental disabilities the financial means to lease private market rental housing and the opportunity to choose where and with whom they live.

- Renew legislation protecting access to courthouses, schools, health care facilities, polling places, and other essential public institutions from civil immigration enforcement absent a valid judicial warrant.
- Increase and sustain state funding for deeply affordable housing, with particular attention to households with incomes below 30% of Area Median Income and those at greatest risk of housing instability and homelessness.
- Increase and sustain investment in the Virginia Housing Trust Fund, providing predictable and sustained resources for the creation, preservation, rehabilitation, and support of affordable housing.
- *Tax*
 - Preserving local administration of the Transient Occupancy Tax (TOT) and oppose any legislation that would transfer authority over TOT collection, enforcement, or revenue distribution from local governments to the Virginia Department of Taxation.
- *Health*
 - Request that the Virginia Department of Medical Assistance Services (DMAS) pursue an 1115 waiver amendment under the federal Health-Related Social Needs (HRSN) authority to add medical respite care as a reimbursable Medicaid service
 - Request that the Virginia Department of Housing and Community Development (DHCD) explicitly include “medical respite” as an eligible use under both the Virginia Homeless Solutions Program (VHSP) and the Housing Trust Fund’s Homeless Reduction Grant (HTF-HRG).
- *Sustainability*
 - Allocate \$600,000 to support the operations of the Energy Resource Hub initiative for 3 years. This Charlottesville/Albemarle partnership aims to help community members improve the energy and water performance of their homes and businesses by assisting them in navigating and accessing local, state, federal, and utility program incentives.

TIER 3

- *Planning & Zoning*
 - Authorize a one-time appropriation for planning and initial construction of the World Heritage Trail connecting UVA and Monticello. This cultural infrastructure project would enhance pedestrian and heritage tourism, aligning with regional goals.
 - Clarify that if a demolition permit for a historic property is not granted and the owner elects to offer the property for sale for 12 months, after which they can proceed with the demolition, they must publicly advertise that the property is for sale.
 - Adjust Notice Requirements in Areas Without Daily Newspapers by amending § 15.2-2204 to allow alternate notice methods (e.g., digital publication or public posting) for jurisdictions where no daily-print newspaper exists.
- *Emergency Management*
 - Support for VEMA’s 2027 legislative platform, and for any legislation establishing a state grant fund for local emergency management planning, preparedness, and mitigation.

- Support for the funding mechanism recommended by the Emergency Management Needs Evaluation once that report is delivered to the General Assembly.
- *Human Rights/Economic Security*
 - Strengthen state support for preservation of existing affordable housing. State housing policy should prioritize preservation and rehabilitation of existing affordable properties, including subsidized properties at risk of conversion to market-rate housing, alongside the production of new affordable housing.
 - Amend and reenact Code of Virginia §§ 55.1-1258 and 55.1-1314 to prohibit retaliatory nonrenewal against all tenants who engage in legally protected activity.
 - Improve language accessibility to state agencies and public-facing state information. Establish and adequately fund consistent statewide standards for interpretation, translation of vital documents, and meaningful language access in state agencies, courts, schools, and other public programs and services.
- *Health*
 - Fund a full-time Tick Surveillance Coordinator position within the Virginia Department of Health, ensuring dedicated leadership and oversight of vector surveillance efforts statewide.
 - Allocate resources to modernize tick surveillance data systems
 - Provide recurring research funding
- *Sustainability*
 - Support data center reform legislation to minimize environmental impacts and reduce financial burden on ratepayers (e.g., building data disclosure, cost-share reform, transmission cost allocation).
 - Maintain the intent of the Virginia Clean Economy Act (VCEA), in particular in light of the Dominion/Next Era acquisition negotiations.
 - Support review of the methodology for allocating funding from the Regional Greenhouse Gas Initiative (RGGI) to expand access beyond current eligible recipients.

GENERAL BUSINESS

13. PRESENTATION of the Social Services Advisory Board Annual Report

Cherry Stewart, Chair, presented the Social Services Advisory Board Annual Report. With changes at the Federal and State levels, the Board recommended additional personnel to support the work of Social Services. Councilors highlighted the negative local impacts from Federal changes.

Leon Henry, Director of Social Services, outlined the specific request for appropriate staffing and technology to implement the work requirements of the Department of Social Services.

14. WRITTEN REPORT: Land Use and Environmental Planning Committee Semi-Annual Report

The Land Use and Environmental Planning Committee Semi-Annual Report was received as a written-only report.

15. WRITTEN REPORT: Rivanna Authorities Quarterly Update

The Rivanna Authorities quarterly report was received as written-only.

COMMUNITY MATTERS (2)

Mayor Wade opened the floor for comments from the public. There were no speakers.

ADJOURNMENT

On motion by Fleisher, seconded by Oschrein, Council by acclamation adjourned the meeting at 9:24 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution to Appropriate the Victim Witness Grant - \$313,698 (2nd reading)
Staff Contact(s):	Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Pat O'Donnell, Director Victim and Witness Assistance Program
Date of Proposed Action:	November 2, 2026

Issue

The City of Charlottesville, through the Commonwealth's Attorney's Office, has received the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$188,916.00 in Federal Funds; \$47,230.00 in State General Funds; and a supplemental \$77,552.00 from the Commonwealth Attorney's operating budget for a total award of \$313,698.00.

Background / Rule

The victim's rights movement began in the 1970's as a result of victims being re-victimized by the criminal justice process. Victims had difficulty navigating the complexities of the criminal justice system and no voice or recourse when their cases were continued or pled out without their knowledge or consent. Prosecutors did not have the time or skills to respond to victims traumatized by this process. To proceed with their case, prosecutors recognized that many victims would need more services than the prosecutor's office could provide. In response to this need, the federal Victims of Crime Act was passed in 1984, and funds became available through the Virginia Department of Criminal Justice to respond to the needs of victims.

Analysis

The Charlottesville Victim/Witness Assistance Program was established in 1989 to meet the needs of victims of crimes in Charlottesville. This program is one of more than 115 such programs in the state that provides crisis intervention and advocacy; information and support during and after criminal justice proceedings; access to compensation and restitution; referrals to local community agencies; and ensures victims are afforded their rights as outlined in Virginia's Crime Victim and Witness Rights Act. The program also provides training to law enforcement and allied agencies on victim issues. It regularly serves more than 1,100 victims and witnesses each year.

Financial Impact

The grant requires a City match of \$77,552.00 and will be covered using funds previously appropriated as part of the Commonwealth Attorney's Office Fiscal Year 2027 Adopted Budget. The Victim Witness Assistance Program Grant is renewed annually, and the funds will be received and expensed in the grants fund.

Recommendation

Staff recommend approval and appropriation of grant funds.

Recommended Motion (if Applicable)

Attachments

1. RES_Victim Witness - 2026



RESOLUTION #R-__-__
RESOLUTION APPROPRIATING FUNDS FOR
THE CHARLOTTESVILLE VICTIM WITNESS ASSISTANCE PROGRAM IN THE
AMOUNT OF \$313,698.00

WHEREAS, the City of Charlottesville (“City”), through the Commonwealth Attorney’s Office, has received the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$188,916.00 in federal funds and \$47,230.00 in state general funds for a combined \$236,146.00; and

WHEREAS the City is providing a supplement in the amount of \$77,552.00, the source of which is the Commonwealth’s Attorney’s operating budget.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$313,698.00 is hereby appropriated in the following manner:

Revenues \$313,698

\$ 47,230	Fund: 209	Cost Center: 1414001000	G/L Account: 430110
\$188,916	Fund: 209	Cost Center: 1414001000	G/L Account: 430120
\$ 77,552	Fund: 209	Cost Center: 1414001000	G/L Account: 498105

Expenditures \$313,698

\$295,507	Fund: 209	Cost Center: 1414001000	G/L Account: 519999
\$ 18,191	Fund: 209	Cost Center: 1414001000	G/L Account: 599999

Transfer

\$77,552	Fund: 105	Cost Center: 1401001000	G/L Account: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$236,146.00 from the Virginia Department of Criminal Justice Services.

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution for Blue Ridge Health District Carryover Request - \$18,000 (2nd reading)
Staff Contact(s):	Krisy Hammill, Director of Budget, Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Ryan McKay, Health Director
Date of Proposed Action:	November 2, 2026

Issue

The FY 2026 year-end settlement process for the Blue Ridge Health Department resulted in a \$36,553.20 surplus to be potentially returned to the City. This resulted from higher than projected revenue and vacancy savings. Ryan McKay, Health Department Director, is requesting the City's permission to carry over \$18,000 of those surplus funds into the current year's Health Department budget.

Background / Rule

In accordance with the funding agreement, any excess funds at the end of the fiscal year are to be returned to agencies funding partners. If the health department wishes to keep any of the excess, approval from City Council is required.

Analysis

Carryover funds in the amount of \$18,000 are being requested to purchase rapid HIV/STI and syphilis test kits (\$3,000) and to remove and install two new sheds - one for storage and the other for the rabies prevention program (\$15,000).

Financial Impact

No new funds are being requested in the current fiscal year. This request is to allow the health department to keep excess funds appropriated to them in a prior fiscal year (FY 26). The total excess fund balance was \$36,553.20 of which \$18,000 is being requested and the remaining \$18,553.20 will be returned to the City.

Recommendation

Staff recommends approval of the resolution.

Recommended Motion (if Applicable)

Attachments

1. BRHD FY 2026 Carryover



RESOLUTION #R-__ - __
Authorization of Carryover for Blue Ridge Health Department
\$18,000

WHEREAS, the Charlottesville-Albemarle Health Department ended the 2026 fiscal year with a surplus of \$36,553.20; and that this surplus is due to vacancy savings and higher than projected revenue; and

WHEREAS, the Health Department intends to use these surplus funds to cover the costs of Sexually Transmitted Infection (“STI”) testing kits; and

WHEREAS, the Health Department also seeks to use a portion of the surplus funds to remove and replace two storage sheds;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the Charlottesville-Albemarle Health Department is authorized to carry over the sum of \$18,000 from Fiscal Year 2026 for the above-stated purposes.

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution to appropriate funding from the Virginia Department of Housing and Community Development FY2027 Continuum of Care Capacity Building Funds - \$25,000 (2nd reading)
Staff Contact(s):	Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Date of Proposed Action:	November 2, 2026

Issue

City of Charlottesville has received a grant in the amount of \$25,000 from the Virginia Department of Housing and Community Development for capacity building for the Continuum of Care.

Background / Rule

The Office of Budget and Grants Management in coordination with the Blue Ridge Area Coalition for the Homeless (B.R.A.C.H.) received a grant from the Virginia Department of Housing and Community Development. The Virginia Housing Solutions Program (V.H.S.P.) Continuum of Care Balance of State Local Planning Group Capacity Building (C.B.) Program award is \$25,000 and funds to be expended between July 1, 2026 and June 30, 2027.

Analysis

The City of Charlottesville has staff from the Office of Budget and Grants Management and the Department of Human Services serving on the B.R.A.C.H. Board of Directors. Virginia Homeless Solutions Program (V.H.S.P.) Continuum of Care Balance of State Local Planning Group Capacity Building Program has been granted by DHCD to lead agencies or their designees of the Continuum of Care to support the organizational capacity and administrative needs of the Continuum of Care lead agencies in Virginia. Funds may be used for the following:

1. The development and management of homeless crisis response systems
2. Grant administration and reporting of DHCD administered homeless services programs
3. Staff training
4. Essential operational tasks

Financial Impact

There is no budgetary impact to the City of Charlottesville as this grant is entirely state funds and no local match is required. All funds will be distributed to sub-recipients.

Recommendation

Staff recommends the acceptance and appropriation of the FY26 VHSP CB grant funds and the approval for the City Manager to execute the grant agreement and any subsequent amendments as applicable.

Recommended Motion (if Applicable)

I move to approve the resolution as presented to appropriate the FY27 VHSP CB grant funds in the amount of \$25,000.

I move to approve the City Manager to execute the FY27 VHSP CB grant agreement and any subsequent amendments as applicable for the administration of the FY26 VHSP CB grant award.

Attachments

1. FY27 VHSP CB Resolution
2. FY27 VHSP CB Grant Agreement

RESOLUTION

Appropriating Funding in the Amount of \$25,000 To Be Received from the Virginia Department of Housing and Community Development's Virginia Homeless Solutions Program, Continuum of Care Capacity Building Fund Program Year 2026- 2027

WHEREAS, The City of Charlottesville, through the Office of Budget and Grants Management has been notified that it will be awarded a grant from the Virginia Homeless Solutions Program (V.H.S.P.) Continuum of Care and Virginia balance of State Local Planning Group Capacity Building (C.B.) Funds of the Virginia Department of Housing and Community Development in the amount of \$25,000.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that upon receipt of the V.H.S.P. C.B. funding the Commonwealth of Virginia, said funding, anticipated in the sum of \$25,000, is hereby appropriated in the following manner:

Revenues

\$25,000	Fund 209	Order 1900758	G/L 430110 State Grant
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Expenditures

\$25,000	Fund 209	Order 1900758	G/L 530550 Contractual Services
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BE IT FUTHER RESOLVED that this appropriation is conditioned upon receipt of \$25,000 in funds from the Virginia Department of Housing and Community Development.



VIRGINIA HOMELESS SOLUTIONS PROGRAM
Grant Agreement
Continuum of Care and Virginia Balance of State Local Planning
Group Capacity Building Funds
Program Year 2026–2027

Grant Number: 27-VHSP CB-025

AGREEMENT

This Agreement, entered into on September 21, 2026, by and between the **Virginia Department of Housing and Community Development (hereinafter referred to as “DHCD”)** and **City of Charlottesville (hereinafter referred to as “Grantee”)**, establishes the terms and conditions governing the **Virginia Homeless Solutions Program (VHSP) grant for the 2026–2027 program year.**

Grant Period: July 1, 2026 – June 30, 2027

Total Award Amount: \$25,000

Funds may be used for the development and management of homeless crisis response systems, grant administration and reporting of DHCD-administered homeless services programs, staff training, and essential operational tasks.

I. Scope of Services

The VHSP goals are to assist households experiencing homelessness to quickly regain stability in permanent housing and to prevent households from becoming homeless. This funding will support coordinated community-based activities that are designed to reduce the overall length of homelessness in the community, the number of households becoming homeless, and the overall rate of formerly homeless households returning to homelessness.

VHSP funds may be used for one or more of the following activities as detailed in the HSNH guidelines and must coincide with the year one request submitted by the CoC/LPG lead agency and approved by DHCD:

- The development and management of homeless crisis response systems
- Grant administration and reporting of DHCD-administered homeless services programs
- Staff training
- Essential operational tasks

II. Conditions

A. Reimbursement

Funds are disbursed on a reimbursement basis. Grantees must submit remittances in DHCD's CAMS and be able to provide documentation that the work, services, or costs occurred within the grant period and the expenses were paid appropriately by the Grantee.

Grantees may elect to submit remittances on a monthly or bi-monthly basis. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested.

Remittance Submission Schedule

Payment Period	Remittance Submission Timeframe
July 1-31, 2026	August 1-31, 2026
August 1-31, 2026	September 1-30, 2026
September 1-30, 2026	October 1-31, 2026
October 1-31, 2026	November 1-30, 2026
November 1-30, 2026	December 1-31, 2026
December 1-31, 2026	January 1-31, 2027
January 1-31, 2027	February 1-28, 2027
February 1-28, 2027	March 1-31, 2027
March 1-31, 2027	April 1-30, 2027
April 1-30, 2027	May 1-31, 2027
May 1-31, 2027	By June 5, 2027
June 1-30, 2027 (projection)	By June 5, 2027

B. Reporting

Grantees must submit reports as required by DHCD. Such reports may include, but are not limited to, outcomes and performance reports. Any required reports and their due dates will be announced by DHCD along with any relevant instructions. Submission of reports implies approval from the executive director and is considered final. DHCD reserves the right to withhold reimbursement payments if the Grantee fails to submit the reports.

C. Continuum of Care Participation

Grantees must actively participate in the Homeless Management Information System (HMIS) and regional Continuum of Care or Balance of State Local Planning Groups. In addition, Grantees must ensure full participation in annual point-in-time and housing inventory counts.

D. Accounting Requirements

The Grantee must adhere to Generally Accepted Accounting Principles (GAAP). The Grantee shall establish and maintain separate accounts within its existing accounting system or set up accounts independently. The Grantee shall record in its accounting system all grant payments received pursuant to the grant and all other match funds provided for, accruing to, or otherwise received on account of the grant.

All costs charged to the grant shall be supported by properly executed payrolls, timesheets, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, contracts, vouchers, or other accounting documents pertaining in whole or in part to the grant shall be clearly identified, readily accessible, and separate and distinct from all other such documents. Such documents shall reside at the offices of the grantee.

E. DHCD Notification

Grantee must notify DHCD of any potentially illegal act, such as misuse of grant funds or fair housing violations, immediately upon knowledge of such act. In addition, Grantee must notify DHCD should any other local, federal, or state agency uncover evidence of any potentially illegal act.

Grantee must notify DHCD if there is a change in agency management and/or fiscal personnel. Failure to do so will constitute a finding and may result in repayment of funds by the Grantee, the de-obligation of current funding and the preclusion of future funding.

F. Audit Requirements

All grantees, sub-grantees, CHDOs, localities, developers, or any other organizations that receive funding during a program year and/or have projects in progress are required to submit financial statements to DHCD. For further detail, please refer to DHCD Audit Policy, available through the following web address: <https://www.dhcd.virginia.gov/sites/default/files/Docx/audit-policy/dhcd-audit-policy.pdf>.

G. Suspension and Debarment

Grantees must comply with 2 CFR Part 180 regarding debarment and suspension.

H. Compliance

Grantees with outstanding audit findings, IRS findings, DHCD monitoring findings or other compliance issues are not eligible to receive allocations. DHCD will work with all interested parties toward the resolution of unresolved matters, where appropriate.

I. Record Maintenance

Records shall be readily accessible to DHCD, appropriate state and federal agencies, and the general public during the course of the grant agreement and shall remain intact and accessible for five years thereafter. The exception is that, in the event that any litigation claim or audit is started before expiration of the five year period, the records shall be retained until such action is resolved.

J. Costs Incurred Prior To Grant Agreement Execution

No costs incurred prior to the start of the contract period shall be eligible for reimbursement with grant funds, unless incurred costs are authorized in writing by DHCD

K. Expenditure Review

DHCD will monitor expenditure rates to ensure state resources are maximized. Failure to expend funds proportionately throughout the contract period may result in the de-obligation of funds. DHCD reserves the right to de-obligate funds at any time during the contract period and reallocate as deemed appropriate within the CoC/LPG or statewide based on compliance, performance, need, and available funding.

L. Termination or Suspension

If, through any cause, the Grantee fails to comply with the terms, conditions, or requirements of the contract documents, DHCD may terminate or suspend this Agreement by giving written notice of the same and specifying the effective date of termination or suspension at least five (5) days prior to such action.

In the case of contract violation by the Grantee, DHCD may request that all or some of the grant funds be returned, even if the Grantee has already expended the funds. The Grantee agrees to return such funds as requested by DHCD within 30 days of the written request.

M. Subsequent Contracts

The Grantee shall remain fully obligated under the provisions of the Grant Agreement notwithstanding its designation of any subsequent or third parties for the undertaking of all or part of the activities for which the Grant assistance is being provided to the Grantee.

The Grantee agrees to ensure that any contractor or subcontractor who is not the Grantee shall comply with all the lawful requirements of the Grantee necessary to ensure that the project for which this assistance is being provided under this Agreement is carried out in accordance with the Grantee's Assurances and Certifications

N. Default

A default is any unapproved use of grant funds. Upon due notice to the Grantee of the occurrence of any such default and the provision of a reasonable opportunity to respond, DHCD may take one or more of the following actions:

- (1) direct the Grantee to submit progress schedules for completing approved activities;
- (2) issue a letter of warning advising the Grantee of the default, establishing a date by which corrective actions must be completed and putting the Grantee on notice that more serious actions will be taken if the default is not corrected or is repeated;
- (3) direct the Grantee to suspend, discontinue or not incur costs for the affected activity;
- (4) require the Grantee to reimburse DHCD for costs inappropriately charged to the program;
- (5) other appropriate action including, but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omissions by DHCD in exercising any right or remedy available to it under the Agreement shall impair any such right to remedy or constitute a waiver or acquiescence in any Grantee default.

O. Conflict of Interest

Grantees and partners must maintain written conflict of interest policies that clearly prohibit personal gain or benefit and must comply with 2 CFR 200.112 regarding conflicts of interest. Grantees shall ensure that the provision of any type or amount of assistance may not be conditional on an individual's or family's acceptance or occupancy of housing owned by the grantee, the sub-grantee, a parent organization, or subsidiary. Grantees/sub-grantees, parent organizations, or subsidiaries may not administer rapid re-housing or prevention assistance and use the assistance for households residing in units owned by the grantee/sub-grantee, parent organization, or subsidiary.

Individuals (employees, agents, consultants, officers, or elected or appointed officials of the grantee or sub-grantee) may not both participate in decision-making related to determining eligibility and receive any financial benefit. This financial benefit may not be received by the specific individual, any member of his/her immediate family, or a business interest. The restriction applies throughout tenure in the position and for a one-year period following tenure.

P. Religious Influence

The Grantee may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under VHSP. If an organization conducts these activities, then they must be offered separately, in time or location, from the programs or services funded under VHSP, and participation must be voluntary for program participants.

III. Additional Assurances

- A.** Grantee will give the DHCD, the Virginia State Comptroller, HUD, and any other authorized state or federal representatives access to and the right to examine all records, books, papers, or documents related to the Grant.
- B.** In accordance with federal law, the Grantee will provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin, in any phase of employment or in any phase of service delivery.

IV. Additional Certifications

The Grantee certifies compliance with:

- i. Freedom of Information Act (5 U.S.C 552) and Virginia Freedom of Information Act;
- ii. Virginia Fair Employment Contracting Act;
- iii. Virginia Fair Housing Law (Va. Code Ann. § 36-96.1) to provide fair housing throughout the Commonwealth, to all its citizens, regardless of race, color, religion, national origin, sex, elderliness, familial status, source of funds, sexual orientation, gender identity, military status, or disability.
- iv. Fair Housing Act (42 U.S.C. 3601-20), and implementing measures under:
 - a. 24 CFR 100 (discriminatory conduct under Fair Housing Act);
 - b. Executive Order 11063 and regulations at 24 CFR 107 (preventing discrimination on the basis of race, color, creed, or national origin);
 - c. 24 CFR Part 8 (prohibiting discrimination against handicapped individuals);
 - d. Title VIII of the Civil Rights Act of 1968, as amended, also known as the Fair Housing Act, prohibits discrimination in housing based on race, color, religion, sex, disability, familial status, or national origin.
- v. The Violence Against Women Act (VAWA), Title IV of the Violent Crime Control and Law Enforcement Act of 1994, and implementing regulations at:
 - a. 28 CFR 90 Violence Against Women
- vi. Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at:
 - a. 24 CFR 146 (nondiscrimination on the basis of age in HUD programs);
 - b. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
- vii. 24 CFR 574.320 (Federal rent standards for rental assistance, requiring rents to be charged no greater than appropriate Fair Market Rent levels);
- viii. 24 CFR Part 35 (Federal lead-based paint provisions, requiring visual inspections and stabilization of paint before commencement of occupancy);
- ix. Encourage participation of locally-owned enterprises in connection with funded activities;
 - a. McKinney-Vento Homeless Assistance Program Regulations;
 - b. Anti-lobbying Certification;
 - c. Drug-Free Workplace

If requested:

- A Grantee that is a unit of local government agrees to assume the status of a responsible Federal official under the National Environmental Policy Act (NEPA) of 1969 and other provisions of Federal law as specified at 24 CFR 58 and 58.5 and agrees to comply with these NEPA regulations.

All Grantees that are not units of local government agree to assist DHCD in carrying out 24 CFR 58 and 58.5.

Signatures and Date

The Agreement is hereby executed by the parties on the date set forth below their respective signatures as follows:

**Virginia Department of Housing and
Community Development**

City of Charlottesville

Signature: _____

Signature: _____

Printed Name/Title:

Printed Name/Title:

Sandra Powell, Sr. Deputy Director

Date: _____

Date: _____

Policy Briefing Summary

City Council



Regarding:	Resolution to Appropriate Revenue from Participation in Energy Load Reduction Program in the Amount of \$12,375.53 (2nd reading)
Staff Contact(s):	Kirk Vizzier, Kristel Riddervold, Director of the Office of Sustainability
Presenter:	Kirk Vizzier, City Energy Management Coordinator
Date of Proposed Action:	November 2, 2026

Issue

In March 2025, the City of Charlottesville enrolled in the Emergency Load Response Program (ELRP) with PJM Interconnection, LLC (electric grid operator) as part of their demand response offerings. Through this program, the City of Charlottesville can earn revenue by temporarily reducing energy usage at participating sites/facilities to reduce the energy load on the PJM electric grid.

Background / Rule

An Energy and Water Management Program (EWMP) was created in June 2020 for the appropriation of revenue generated from energy management and water management projects/programs. The City participates in other PJM energy management programs including the Energy Efficiency Program where past revenue earned has been appropriated to the EWMP Fund. The Emergency Load Response Program offers another source of revenue from energy management practices that is to be paid out on an annual (sometimes quarterly) basis.

- From October 2019 – November 2025, the City earned \$3,770 from the PJM Energy Efficiency Program, which was appropriated to the Energy and Water Management Fund.
- In August 2026, the City received payment in the amount of \$12,375.53 in the PJM Emergency Load Response Program for reducing energy usage at participating sites during the May 2025 – April 2026 year.

It is recommended that revenue generated from the PJM Emergency Load Response Program and all other PJM energy management programs be appropriated to the EWMP Fund.

Analysis

Participation in PJM energy management programs supports the goals of Climate Action, which is a strategic outcome area of the City's Strategic Plan and the Climate Action Plan is part of the City's Comprehensive Plan. Climate Action includes efforts related to climate adaptation and resilience planning. PJM programs provide a mechanism for the City to support the stability of the electricity grid, improving electricity resilience throughout the Charlottesville area. In addition, reduced energy usage at City facilities will achieve greenhouse gas reductions bringing the City closer to meeting its Climate Action goals.

Financial Impact

These funds, received through the City's participation in the PJM energy management programs, will support energy and water efficiency measures.

Recommendation

Staff recommends City Council adoption of the attached Resolution.

Recommended Motion (if Applicable)

"I move to adopt the attached Resolution appropriating PJM Energy Management Programs Revenue to the Energy and Water Management Program Fund."

Attachments

1. RESOLUTION ELRP Revenue Appropriation



RESOLUTION #R-__-__
APPROPRIATING PJM ENERGY MANAGEMENT PROGRAM REVENUE TO THE
ENERGY AND WATER MANAGEMENT PROGRAM FUND

WHEREAS, PJM is the regional transmission organization that coordinates the movement of wholesale electricity; and

WHEREAS, the City of Charlottesville has been participating in PJM energy management programs, including the Emergency Load Response Program and the Energy Efficiency Program, that provide a mechanism for the City to support the stability of the electricity grid, improving electricity resilience throughout the Charlottesville area.

WHEREAS, participation in these PJM energy management programs results in payment to the City by PJM; and

WHEREAS, the City of Charlottesville has recently received a payment of \$12,375.53 from PJM Interconnection, LLC from participation in PJM energy management programs; and

WHEREAS, this revenue is intended to be used for further energy and water management projects that support City Climate Action goals;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that the recently earned revenue from PJM Interconnection, LLC., in the sum of \$12,375.53, and any additional revenue received from PJM energy management programs during the fiscal year is hereby automatically appropriated as follows:

Revenues:

\$12,375.53 Fund: 105 Internal Order: 2000157 G/L Account: 451020

Expense:

\$12,375.53 Fund: 105 Internal Order: 2000157 G/L Account: 599999

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution to Appropriate funds from the Sentara Foundation to the Department of Human Services for the Westhaven CARES Center - \$7,000 (1 of 2 readings)
Staff Contact(s):	Reginald Allen, Human Services Planner, Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Reginald Allen, Human Services Planner
Date of Proposed Action:	November 2, 2026

Issue

The City of Charlottesville's Department of Human Services has been awarded a \$7,000 Sentara Cares grant to support the Westhaven Food Pantry that needs to be appropriated.

Background / Rule

The City of Charlottesville's Department of Human Services has been awarded a \$7,000 Sentara Cares grant to support the Westhaven Food Pantry. Sentara Cares provides competitive grant funding to eligible organizations for programs that advance community health and well-being.

The award aligns with Sentara's food access funding priority, which promotes equitable access to nutritious and culturally relevant food through food pantries, community partnerships, and initiatives that reduce barriers to food access. Grant funds will support the Westhaven Food Pantry in addressing food insecurity and improving food access for residents.

Analysis

Demand for services at the Westhaven CARES Center continues to grow. Based on anticipated operating expenses and community needs, the Center identified a projected funding shortfall of approximately \$7,000. This shortfall was the primary basis for seeking Sentara Cares funding. The \$7,000 grant will help sustain pantry operations, maintain food inventory, and ensure consistent food assistance for residents.

The Center's monthly food pantry provides nutritious food and household essentials to at least 20 households, reaching an estimated 40 residents, including children. The Center also administers the monthly First Wednesday Gift Card Program with assistance from the Emergency Food Network, distributing approximately 30 gift cards valued at \$50 each to households experiencing financial hardship.

Over the past year, the Center has expanded its capacity through the acquisition of a deep freezer and the creation of a walk-in pantry space. These improvements have increased food storage capacity, expanded the variety of available foods, and improved distribution efficiency.

The program supports priorities identified in the regional MAP to Health Community Health Assessment by addressing food access and the social drivers of health. Grant funding will help ensure the continued availability of these services and strengthen the Center's role as a community resource supporting families and improving quality of life in Westhaven and surrounding neighborhoods.

Financial Impact

The \$7,000 Sentara Cares grant will address the projected funding shortfall for the Westhaven Food Pantry, support pantry operations, and maintain food inventory.

The funding will support community health by maintaining access to nutritious food for residents experiencing food insecurity. Food and household assistance will also help reduce household expenses, allowing residents to allocate limited financial resources toward housing, utilities, transportation, medication, and other essential needs.

Recommendation

Staff recommends that City Council approve the appropriation of \$7,000 in Sentara Cares grant funds to support the Westhaven Food Pantry's operations and continued provision of food assistance to residents.

Recommended Motion (if Applicable)

Motion to approve the resolution to appropriate \$7,000 in Sentara Cares grant funds to support the Westhaven Food Pantry.

Attachments

1. West Haven Memo12

RESOLUTION
TO APPROPRIATE \$7000.00 IN GRANT FUNDING FROM SENTARA HEALTH FOR
WESTHAVEN'S FOOD PANTRY

WHEREAS, the City of Charlottesville, through the Department of Human Services, has received funding to support Westhaven's food pantry from Sentara Health

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville that the sum of \$7000.00 is hereby appropriated in the following manner:

Revenue - \$7000.00

\$7000.00 Fund: 210 Order: 1900757 G/L Account: 451022

Expenditures - \$7000.00

\$7000.00 Fund: 210 Order: 1900757 G/L Account: 599999

Be it further resolved that this appropriation is subject to the receipt of \$7000.00 from Sentara Health. All funds hereby appropriated shall be accounted for and expended in accordance with the requirements of the Sentara Health Grant.

Policy Briefing Summary

City Council



Regarding:	Resolution Considering a Special Exception Permit Application for 835 West Main Street, 843 West Main Street, and 847 West Main Street (PL-26-0126)
Staff Contact(s):	Carrie Rainey, Urban Designer/City Planner
Presenter:	Carrie Rainey, Urban Designer/City Planner
Date of Proposed Action:	November 2, 2026

Issue

Consideration of an Application for a Special Exception Permit

Background / Rule

Andree Sahakian of LV Collective ("Applicant") has requested a Special Exception Permit ("SEP") to modify Active Depth, Ground Story Height, Finished Floor Elevation, and Street-Facing Entry Spacing, and Bicycle Parking at 835 West Main Street, 843 West Main Street, and 847 West Main Street ("Subject Properties"), pursuant to City Development Code ("CDC") Sections 34-2.10.10.B, 34-2.10.11.A, 34-2.10.11.B, 34-2.10.13, 34-4.5.2, and 34-5.2.15. Applicant proposes to redevelop the Subject Properties with 182 multifamily residential units and a café. A public plaza is proposed between the building and West Main Street and public pedestrian access to the adjacent Westhaven property owned by the Charlottesville Redevelopment and Housing Authority.

The Applicant requests to reduce the Ground Story Height within a portion of the proposed building due to existing site grades and access to upper level amenity space, to reduce the Active Depth requirement within a portion of the proposed building where stair access is proposed, to modify the Finished Floor Elevation for a portion of the proposed building to accommodate site grading and accessible space, to modify the Street-Facing Entry Spacing requirement due to site grading and accessible entrance requirements, and to modify the Bicycle Parking Space dimensional requirements to permit the use of a two-tiered space-saving rack system.

Analysis

The Board of Architectural Review ("BAR") considered this SEP application at its September 15, 2026, Meeting and found no adverse impact to the West Main Street Architectural Design Control District ("ADC") by the proposed modifications which impact the exterior building design germane to BAR's review. The full Application for this Project can be found at the following link. Materials start on page 3.

[Link to Staff Report and Application Materials](#)

The Planning Commission ("PC") considered this SEP application at its October 13, 2026, meeting. The PC discussed aspects of the Application, including the interaction between the public plaza and interior building spaces and the usability of the proposed space-saving bicycle parking racks before recommending approval of the Application with no recommended conditions.

A recording of the Meeting can be found at the following link. Discussion starts at the 1:00:07 mark.

[Link to Recording of Regular Meeting](#)

The full Application for this Project can be found at the following link. Materials start on page 25.

[Link to Staff Report and Application Materials](#)

Financial Impact

None.

Recommendation

BAR found no adverse impact on the West Main Street ADC by the proposed modifications, which impact the exterior building design germane to BAR review via a 8-0 affirmative vote. The PC recommended approval of the SEP with no recommended conditions via a 7-0 affirmative vote. Accordingly, NDS Staff recommends City Council adopt the attached Resolution approving the SEP Application for the Subject Properties as presented.

Recommended Motion (if Applicable)

"I move to adopt the attached Resolution approving the SEP Application for the Subject Properties as presented."

Attachments

1. RESOLUTION - Special Exception - 835 843 847 W Main Street

**RESOLUTION APPROVING A REQUEST FOR A SPECIAL EXCEPTION PERMIT
("SEP") FOR PROPERTY LOCATED AT 835 W MAIN STREET, 843 W MAIN
STREET, AND 847 W MAIN STREET**

WHEREAS, Fluvanna Holdings, LLC, Kim Tran Dabney, Kim T., and Chris T. Dabney ("Landowners") are the current owners of lots identified on 2026 City Tax Map 31 as Parcels 183, 175, and 174 (City Parcel Identification Numbers 310183000, 310175000, and 310174000), having an area of approximately 1.61 acres (70,100 square feet); ("Subject Properties"); and

WHEREAS, the Landowners wish to develop residential units with modified active depth, ground story height, finished floor elevation, street-facing entry spacing, and bicycle parking space dimensions on the Subject Properties ("Project"); and

WHEREAS, the Project is described in more detail within the Landowners' application materials submitted in connection with Application PL-26-0126 ("Application"), as required by City Development Code ("CDC") § 34-5.2.15.B.2 (collectively, "Application Materials"); and

WHEREAS, the City of Charlottesville Board of Architectural Review ("BAR") recommended that the proposed exceptions will not have an adverse impact on the West Main Street Architectural Design Control District at its September 15, 2026, Public Meeting, per CDC § 34-5.2.15.C.1.c; and

WHEREAS, the City of Charlottesville Planning Commission ("PC") made a recommendation of approval at its October 13, 2026, Public Meeting, per CDC § 34-5.2.15.C.2.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Council of the City of Charlottesville, Virginia ("City Council"), upon consideration of BAR's and PC's recommendations and the City Staff Report discussing the Application, as well as the factors set forth within CDC § 34-5.2.15.D, that it finds and determines that granting the proposed SEP would serve the public necessity, convenience, general welfare, or good zoning practice; and

BE IT FURTHER RESOLVED, by City Council, pursuant to CDC § 34-5.2.15, a SEP is hereby approved and granted to authorize the Project and permit modified active depth, ground story height, finished floor elevation, street-facing entry spacing, and bicycle parking space dimensions consistent with the Application Materials for the Subject Properties.

Approved by Council
 , 2026

Kyna Thomas
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Marijuana Marketplace Local Ordinance Zoning Text Amendment Initiation Resolution Adoption
Staff Contact(s):	April Wimberley, Assistant City Attorney, Todd Divers, Commissioner of the Revenue, Missy Creasy, Deputy Director of NDS, Elaine McCafferty, Deputy City Attorney
Presenter:	John Maddux, City Attorney, Missy Creasy, Deputy Director of NDS
Date of Proposed Action:	November 2, 2026

Issue

Zoning Text Initiation

Background / Rule

In 2026, the Virginia General Assembly enacted legislation establishing a regulated adult-use cannabis marketplace in the Commonwealth. Said legislation amends Title 4.1 of the Virginia Code and establishes a comprehensive regulatory framework administered by the Virginia Cannabis Control Authority ("VCCA"). This new framework has significant implications for localities, including impacts on zoning, business licensing, taxation, and other local powers.

The VCCA's Board of Directors must promulgate regulations by February 1, 2027, and the first licensing period will commence on that date. Retail sales commence July 1, 2027. Localities must address any necessary local Ordinance amendments, establish internal processes for responding to license application notifications, and adopt a local marijuana tax Ordinance. Local zoning and other ordinances concerning the marijuana marketplace should be effective by February 1, 2027, so that the locality can review VCCA preliminary approval of applications based on noncompliance with local ordinances.

As there are zoning-related regulations to be considered, initiation of the review of this Ordinance needs to occur. Whenever and wherever the public necessity, convenience, general welfare, or good zoning practice requires, the Council of the City of Charlottesville, Virginia ("City Council"), may, by Ordinance, amend, supplement, or change the City of Charlottesville, Virginia's ("City"), Zoning District regulations, District boundaries, or Zoning District classifications of property.

A Zoning Text Amendment ("ZTA") may be initiated by: (1) City Council Resolution; or (2) Planning Commission ("PC") Motion (See City Development Code ("CDC") Section 34-5.2.5.B.1.a, which is based on Virginia Code § 15.2-2286(A)(7)).

Analysis

City Staff has been researching this issue and working towards a local regulation proposal for consideration by City Council. As the State regulations are in draft form and the City needs to have its regulations in place by the same time as the State's regulations become final, City Staff is planning to provide a recommendation based on what information is available to meet all the statutory requirements to have local regulations in place at the appropriate time. It is anticipated, once this system is in place, that additional review of regulations will take place to refine the same.

City Staff anticipates the creation of a standalone CDC/City Code Chapter to house the local regulations related to the marijuana marketplace to meet the prescribed timeframes and ease of review for all regulations pertaining to the topic.

Financial Impact

None

Recommendation

City Staff recommends City Council adopt the attached Resolution initiating PC review, consideration, and recommendation relating to the proposed ZTA for local marijuana marketplace regulations to City Council.

Recommended Motion (if Applicable)

"I move to adopt the attached Resolution initiating PC review, consideration, and recommendation relating to the proposed ZTA for local marijuana marketplace regulations to City Council."

Attachments

1. RESOLUTION - ZTA Initiation Marijuana Marketplace
2. LGA - 7.15.26 Model Ordinance

RESOLUTION #R-26-

**RESOLUTION INITIATING PLANNING COMMISSION (“PC”) REVIEW,
CONSIDERATION, AND RECOMMENDATION OF CITY CODE ZONING TEXT
AMENDMENT (“ZTA”) REGARDING LOCAL REGULATION OF THE MARIJUANA
MARKETPLACE**

WHEREAS, upon consideration of matters set forth within a report received from the Director of Neighborhood Development Services, initiation of a ZTA is desirable to commence debate and consideration within the context of a Public Hearing process of an amendment of the Code of the City of Charlottesville, Virginia (“City Code”), to provide for local marijuana marketplace regulations; and

WHEREAS, the Council of the City of Charlottesville, Virginia (“City Council”), finds that consideration of a proposed ZTA is required by the public necessity, convenience, general welfare; or good zoning practice.

NOW THEREFORE, BE IT RESOLVED by City Council that a ZTA process is hereby initiated pursuant to and in accordance with Virginia Code § 15.2-2285(A) and City Code Section 34-5.2.5.B.1.a, to provide for regulation of the local marijuana marketplace; and

BE IT FURTHER RESOLVED THAT the proposed ZTA is hereby referred to the Charlottesville PC for its recommendations, and to be scheduled for a Joint Public Hearing with City Council. Based on the PC’s deliberations and input received during the Public Hearing process the PC shall report its findings and recommendations back to City Council within one hundred (100) days after its first regular Meeting following the adoption of this initiation Resolution.

Date Adopted:

Certified: _____
Clerk of Council

LGA MODEL MARIJUANA ORDINANCE

Welcome to the LGA Model Marijuana Ordinance. This document is inspired by the Virginia General Assembly 2026 Special Session I's marijuana legislation available here: <https://budget.lis.virginia.gov/item/2026/2/HB30/Chapter/4/4-14.00/>. The codified version of the Cannabis Control Act (Virginia Code Title 4.1, Subtitle II) is available here: <https://law.lis.virginia.gov/vacodefull/title4.1/subtitleII/>.

This document:

- (a) Is intended to (1) introduce localities to their regulatory options and requirements under relevant marijuana legislation and (2) provide template language.
- (b) Was written as if a locality were to adopt a chapter dedicated to marijuana regulation, regardless of the type of regulation. For example, this document contains language related to personal conduct, taxation, and zoning in the same model ordinance. The drafters understand that localities are not likely to include zoning regulations outside of their dedicated zoning ordinance. Nevertheless, zoning regulations are included alongside other items herein to avoid multiplying documents. LGA members may consider inserting provisions of this document in appropriate areas of their locality's code or noncodified ordinances.
- (c) Includes explanatory footnotes and comments directing the reader to relevant authorities.
- (d) Was written as if the adopting locality applied zoning regulations by marijuana establishment type. LGA member localities may organize their zoning ordinances differently. However, the zoning section includes a footnote about zoning authority over marijuana establishments that may be useful.

This document may be updated from time to time. If you have any questions regarding this document, please feel free to contact Marijuana Committee Chair Donnie Autry at dautry@arlingtonva.us. The model ordinance begins on the following page.

ORDINANCE TO AMEND THE [INSERT LOCALITY NAME HERE] CODE TO ADD A NEW CHAPTER [] TO REGULATE CERTAIN LOCAL ASPECTS OF ADULT-USE CANNABIS BUSINESSES

BE IT ORDAINED by the [INSERT NAME OF THE LOCALITY'S GOVERNING BODY HERE] of [INSERT NAME OF LOCALITY HERE], Virginia:

1. That the [INSERT LOCALITY NAME HERE] Code is amended by adding a new Chapter [] as follows:

[INSERT LOCALITY NAME HERE] Code

Chapter []

CANNABIS

Sec. 1 – Title.

This chapter shall be known as the “Cannabis Ordinance of [INSERT LOCALITY NAME HERE].”

Sec. 2 – Definitions (Effective until August 15, 2026).

This section is effective upon adoption and expires at 12:00 am on August 15, 2026. As used in this chapter, unless the context requires a different meaning:

“Cannabis dispensing facility” means the same as that term is defined in Virginia Code § 4.1-1600.

“Cultivation” means the planting, propagation, growing, harvesting, drying, curing, grading, trimming, packaging, or other similar manufacturing of marijuana for use or sale. “Cultivation” does not include processing or testing.

“Hemp product” means a product, including any raw materials from industrial hemp that are used for or added to a food or beverage, that (i) contains industrial hemp and has completed all stages of processing needed for the product and (ii) when offered for retail sale (a) contains a total tetrahydrocannabinol concentration of no greater than 0.3 percent and (b) contains no more than two milligrams of total tetrahydrocannabinol per package or an amount of cannabidiol that is no less than 25 times greater than the amount of total tetrahydrocannabinol per package.

“Industrial hemp” means the same as that term is defined in Virginia Code § 3.2-4112.

“Industrial hemp extract” means the same as that term is defined in Virginia Code § 3.2-5145.1.

“Licensed” means the holding of a valid license or permit granted by the Virginia Cannabis Control Authority.

Commented [A1]: If your locality's zoning ordinance is not codified, this obviously will not change.

Commented [A2]: Consider how your locality would like to frame the object of this ordinance in its caption. *See* Virginia Code § 15.2-1426.

Commented [A3]: Authority: Virginia Code section 4.1-600. Please note that this Virginia Code section has two different versions with differing effective dates. The seventh and ninth enactments of the 2026 Special Session I language clarify that a new version of Virginia Code section 4.1-600 takes effect on August 15, 2026. [Link](#). Consequently, this Model Ordinance has two definition sections reflecting the variable dates.

It is not likely that localities will be in a position to update their codes with this language before August 15, 2026. Thus, the pre-August 15, 2026, language is presented here mostly for informational purposes. **Takeaway: Your locality will most likely need to use the definitions found in section 2.1 of this model ordinance and not in section 2.**

Additionally, please note that the defined terms listed in sections 2 and 2.1 in this model ordinance are only those that appear elsewhere in the model ordinance. Your locality's ordinance may use more than the terms listed here.

Furthermore, the terms “cannabis dispensing facility” and “pharmaceutical processor” are not defined by either version of Virginia Code section 4.1-600. However, both are considered “marijuana establishments” and discussed in section 7 of this model ordinance. Their definitions in this model ordinance are derived from Virginia Code 4.1-1600.

“Marijuana” means any part of a plant of the genus *Cannabis*, whether growing or not, its seeds or resin; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, its resin, or any extract containing one or more cannabinoids. “Marijuana” does not include (i) the mature stalks of such plant, fiber produced from such stalk, or oil or cake made from the seed of such plant, unless such stalks, fiber, oil, or cake is combined with other parts of plants of the genus *Cannabis*; (ii) industrial hemp that is possessed by a person registered pursuant to subsection A of Virginia Code § 3.2-4115 or his agent; (iii) industrial hemp that is possessed by a person who holds a hemp producer license issued by the U.S. Department of Agriculture pursuant to 7 C.F.R. Part 990; (iv) a hemp product; (v) an industrial hemp extract; or (vi) any substance containing a tetrahydrocannabinol isomer, ester, ether, salt, or salts of such isomer, ester, or ether that has been placed by the Virginia Board of Pharmacy into one of the schedules set forth in the Drug Control Act (Virginia Code § 54.1-3400 et seq.) pursuant to Virginia Code § 54.1-3443.

“Marijuana concentrate” means marijuana that has undergone a process to concentrate one or more active cannabinoids, thereby increasing the product's potency. Resin from granular trichomes from a marijuana plant is a concentrate for purposes of this subtitle.

“Marijuana cultivation facility” means a facility licensed under Virginia Code § 4.1-800.

“Marijuana delivery operator” means an entity licensed under Virginia Code § 4.1-805.

“Marijuana establishment” means a marijuana cultivation facility, marijuana microbusiness, marijuana deliver operator, marijuana testing facility, marijuana processing facility, marijuana transporter, retail marijuana store, or pharmaceutical processor or cannabis dispensing facility authorized to exercise dual-use privileges pursuant to Virginia Code § 4.1-1602.1.

“Marijuana processing facility” means a facility licensed under Virginia Code § 4.1-801.

“Marijuana products” means (i) products that are composed of marijuana and other ingredients and are intended for use or consumption, ointments, and tinctures or (ii) marijuana concentrate.

“Marijuana testing facility” means a facility licensed under Virginia Code § 4.1-806.

“Marijuana transporter” means a facility licensed under Virginia Code § 4.1-804.

“Microbusiness” means a facility licensed under Virginia Code § 4.1-803.

“Pharmaceutical processor” means the same as that term is defined in Virginia Code § 4.1-1600.

“Processing” or “process” means that production of marijuana products or the blending, infusing, compounding, or other preparation of marijuana or marijuana products, including marijuana extraction or preparation by means of chemical synthesis. “Processing” or “process” does not include cultivation or testing.

“Retail marijuana store” means a facility licensed under Virginia Code § 4.1-802.

“Sale” includes soliciting or receiving an order; keeping, offering, or exposing for sale; peddling, exchanging, or bartering; or delivering other than gratuitously, by any means.

“Testing” means the research and analysis of marijuana, marijuana products, or other substances for contaminants, safety, or potency. “Testing” does not include cultivation or processing.

“Tetrahydrocannabinol” means any naturally occurring or synthetic tetrahydrocannabinol, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation and any preparation, mixture, or substance containing, or mixed or infused with, any detectable amount of tetrahydrocannabinol. For the purposes of this definition, “isomer” means the optical, position, and geometric isomers.

“Total tetrahydrocannabinol” means the sum, after the application of any necessary conversion factor, of the percentage by weight of tetrahydrocannabinol and the percentage by weight of tetrahydrocannabinolic acid.

Sec 2.1 – Definitions (Effective August 15, 2026).

This section is effective at 12:00 am on August 15, 2026. As used in this chapter, unless the context requires a different meaning:

“Cultivation” or “cultivate” means the planting, propagation, growing, harvesting, drying, curing, grading, trimming, packaging, or other similar manufacturing of marijuana for use or sale. “Cultivation” or “cultivate” does not include processing or testing.

“Hemp product” means a product, including any raw materials from industrial hemp that are used for or added to a food or beverage, that (i) contains industrial hemp and has completed all stages of processing needed for the product and (ii) when offered for retail sale (a) contains a total tetrahydrocannabinol concentration of no greater than 0.3 percent and (b) contains no more than two milligrams of total tetrahydrocannabinol per package.

“Immature plant” means a nonflowering marijuana plant that is no taller than eight inches and no wider than eight inches, is produced from a cutting, clipping, or seedling, and is growing in a container.

“Industrial hemp” means the same as that term is defined in Virginia Code § 3.2-4112.

“Industrial hemp extract” means the same as that term is defined in Virginia Code § 3.2-5145.1.

“Licensed” means the holding of a valid license or permit granted by the Virginia Cannabis Control Authority.

Commented [A4]: See comment regarding section 2 above. Takeaway: This language is likely to be more helpful for your locality than the language in section 2.

“Marijuana” means any part of a plant of the genus *Cannabis*, whether growing or not, its seeds or resin; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, its resin, or any extract containing one or more cannabinoids. “Marijuana” does not include (i) the mature stalks of such plant, fiber produced from such stalk, or oil or cake made from the seed of such plant, unless such stalks, fiber, oil, or cake is combined with other parts of plants of the genus *Cannabis*; (ii) industrial hemp that is possessed by a person registered pursuant to subsection A of Virginia Code § 3.2-4115 or his agent; (iii) industrial hemp that is possessed by a person who holds a hemp producer license issued by the U.S. Department of Agriculture pursuant to 7 C.F.R. Part 990; (iv) a hemp product; (v) an industrial hemp extract; or (vi) any substance containing a tetrahydrocannabinol isomer, ester, ether, salt, or salts of such isomer, ester, or ether that has been placed by the Virginia Board of Pharmacy into one of the schedules set forth in the Drug Control Act (Virginia Code § 54.1-3400 et seq.) pursuant to Virginia Code § 54.1-3443.

“Marijuana concentrate” means marijuana that has undergone a process to concentrate one or more active cannabinoids, thereby increasing the product's potency. Resin from granular trichomes from a marijuana plant is a concentrate for purposes of this subtitle.

“Marijuana cultivation facility” means a facility licensed by the Board of Directors of the Virginia Cannabis Control Authority to cultivate, label, and package marijuana; to purchase or take possession of marijuana plants and seeds from other marijuana cultivation facilities; to transfer possession of and sell marijuana, immature marijuana plants, and marijuana seeds to retail marijuana stores; to transfer possession of marijuana, immature marijuana plants, and marijuana seeds to marijuana transporters; to transfer possession of and sell marijuana, marijuana plants, and marijuana seeds to other marijuana cultivation facilities; to transfer possession of and sell marijuana to marijuana processing facilities; and to transport marijuana, immature marijuana plants, and marijuana seeds from the marijuana cultivation facility's licensed premises to another licensed marijuana establishment.

“Marijuana delivery operator” means an entity licensed by the Board of Directors of the Virginia Cannabis Control Authority to take possession of marijuana or marijuana products from a retail marijuana store, microbusiness, pharmaceutical processor, or cannabis dispensing facility and deliver such marijuana or marijuana products only in person to patients or consumers at their residence or business.

“Marijuana establishment” means a marijuana cultivation facility, marijuana microbusiness, marijuana delivery operator, marijuana testing facility, marijuana processing facility, marijuana transporter, retail marijuana store, or pharmaceutical processor or cannabis dispensing facility authorized to exercise dual-use privileges.

“Marijuana paraphernalia” means all equipment, products, and materials of any kind that are either designed for use or are intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, strength testing, analyzing, packaging, repackaging, storing, containing, concealing, ingesting, inhaling, or otherwise introducing into the human body marijuana.

“Marijuana processing facility” means a facility licensed by the Board of Directors of the Virginia Cannabis Control Authority to process, label, and package marijuana and marijuana products; to purchase or take possession of marijuana from a marijuana cultivation facility or another marijuana processing facility; to transfer possession of and sell marijuana and marijuana products to retail marijuana stores or other marijuana processing facilities; to transfer possession of marijuana and marijuana products to marijuana transporters; and to transport marijuana and marijuana products from the marijuana processing facility's licensed premises to another licensed marijuana establishment.

“Marijuana products” means (i) products that are composed of marijuana and other ingredients and are intended for use or consumption, ointments, and tinctures or (ii) marijuana concentrate.

“Marijuana testing facility” means a facility licensed by the Board of Directors of the Virginia Cannabis Control Authority to develop, research, transport, or test marijuana, marijuana products, or other substances.

“Marijuana transporter” means a facility licensed by the Board of Directors of the Virginia Cannabis Control Authority to take possession of marijuana, marijuana products, immature marijuana plants, and marijuana seeds from a marijuana cultivation facility, a marijuana processing facility, a retail marijuana store, a microbusiness, or another marijuana transporter; to transfer possession of marijuana, marijuana products, immature marijuana plants, and marijuana seeds to a marijuana cultivation facility, marijuana processing facility, retail marijuana store, microbusiness, or another marijuana transporter; and to transport marijuana, marijuana products, immature marijuana plants, and marijuana seeds from one licensed establishment to another.

“Microbusiness” means a facility licensed by the Board of Directors of the Virginia Cannabis Control Authority to conduct any activities authorized for marijuana cultivation facilities, marijuana processing facilities, and retail marijuana stores, as determined by the Board of Directors of the Virginia Cannabis Control Authority.

“Processing” or “process” means the production of marijuana products or the blending, infusing, compounding, or other preparation of marijuana or marijuana products, including marijuana extraction or preparation by means of chemical synthesis. “Processing” or “process” does not include cultivation or testing.

“Residence” means any building or part of a building or structure where a person resides, but does not include any part of a building that is not actually and exclusively used as a private residence, nor any part of a hotel or club other than a private guest room thereof.

“Retail marijuana store” means a facility licensed by the Board of Directors of the Virginia Cannabis Control Authority to purchase or take possession of marijuana, marijuana products, immature marijuana plants, or marijuana seeds from a marijuana cultivation facility or marijuana processing facility; to take possession of marijuana, marijuana products, immature marijuana plants, or marijuana seeds from a marijuana transporter; to sell marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds to consumers on premises approved by the Board of Directors of the Virginia Cannabis Control Authority; to

deliver marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds only in person to consumers; to transfer possession of marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds to marijuana delivery operators; and to transport marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, and marijuana seeds from the retail marijuana store's licensed premises to another retail marijuana store.

“Sale” and “sell” includes soliciting or receiving an order; keeping, offering, or exposing for sale; peddling, exchanging, or bartering; or delivering other than gratuitously, by any means.

“Testing” or “test” means the research and analysis of marijuana, marijuana products, or other substances for contaminants, safety, or potency. “Testing” or “test” does not include cultivation or processing.

“Tetrahydrocannabinol” means any naturally occurring or synthetic tetrahydrocannabinol, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation and any preparation, mixture, or substance containing, or mixed or infused with, any detectable amount of tetrahydrocannabinol. For the purpose of this definition, “isomer” means the optical, position, and geometric isomers.

“Total tetrahydrocannabinol” means the sum, after the application of any necessary conversion factor, of the percentage by weight of tetrahydrocannabinol and the percentage by weight of tetrahydrocannabinolic acid.

Sec. 3 – Prohibited acts in certain areas; penalties.

(a) *Prohibited acts.* The following acts are prohibited:

- (1) In local public parks, playgrounds, public streets, or any sidewalk adjoining any public street:
 - (i) Consuming marijuana or a marijuana product.
 - (ii) Offering marijuana or a marijuana product to another, whether accepted or not.
- (2) Possessing, consuming, or serving any marijuana or marijuana products in or upon the grounds of any public elementary or secondary school during school hours or student activities.

(b) *Penalties.*

- (1) Effective upon adoption and expiring at 12:00 am on July 1, 2027:

Commented [A5]: Authority: Virginia Code § 4.1-629(B)(1). Virginia Code section 4.1-629(B)(1) allows localities to prohibit the acts described in Virginia Code sections 4.1-1108 or 4.1-1109 in local public parks, playgrounds, public streets, or any sidewalk adjoining any public street. Please note the awkward wording of Virginia Code 4.1-629(B)(1) with respect to Virginia Code section 4.1-1109, which concerns marijuana activities at schools. The language presented here presumes that it was not the General Assembly’s intent to disallow localities from ordaining the school-related language here.

Any person who violates section 3(a)(1) is subject to a civil penalty of no more than \$25 for a first offense. A person who is convicted under section 3(a)(1) of a second offense is subject to a \$25 civil penalty and shall be ordered to enter a substance abuse treatment or education program or both, if available, that in the opinion of the court best suits the needs of the accused. A person convicted under section 3(a)(1) of a third or subsequent offense is guilty of a Class 4 misdemeanor.

(2) Effective at 12:00 am on July 1, 2027:

Any person who violates section 3(a)(1) is subject to a civil penalty of no more than \$250 for a first offense. A person who is convicted under section 3(a)(1) of a second offense is subject to a \$250 civil penalty and shall be ordered to enter a substance abuse treatment or education program or both, if available, that in the opinion of the court best suits the needs of the accused. A person convicted under section 3(a)(1) of a third or subsequent offense is guilty of a Class 4 misdemeanor.

(3) Effective upon adoption:

Any person convicted of a violation of section 3(a)(2) is guilty of a Class 2 misdemeanor.

Sec. 4 – Time of sale of marijuana and marijuana products.

(a) *Prohibited times.* No marijuana or marijuana products shall be sold between [INSERT START TIME HERE] and [INSERT END TIME HERE] on [INSERT ANY DAYS OF THE WEEK HERE].

(b) *Enforcement.* Any violation of this section shall be enforced as if the violation were a Class 1 misdemeanor with a right of appeal pursuant to Virginia Code section 16.1-106.

Sec. 5 – Taxation.¹

¹ Virginia Code section 4.1-1004 is the authority for this section, which has a few notable points. First, Virginia Code section 4.1-1004(A) states that taxes levied thereunder “shall be in addition to any tax imposed under the Virginia Retail Sales and Use Tax Act (§ 58.1-600 et seq.) or any other provision of . . . local law.” Contrastingly, as is stated in this model ordinance section, Virginia Code section 4.1-1004(B)(2) states “Other than the tax authorized and identified in this subsection, a locality shall not impose any other tax on a sale taxable under subsection A.” Virginia Code section 4.1-1004(B)(2) further contrasts the language in subsections A and (B)(1) by expressly stating that Virginia Code section 4.1-1004(B)(2) does not (a) prohibit localities from imposing taxes “authorized by law on a person or property regulated under [Virginia Code Title 4.1, Subtitle II]” and (b) limit local authority to impose certain license or privilege taxes or fees. Given this information, the scope of the quoted language from Virginia Code section 4.1-1004(A) is uncertain. Localities should use discretion before imposing taxes beyond what is expressly authorized in Virginia Code section 4.1-1004.

Commented [A6]: Explanation regarding the differences between subdivisions (1) and (2) herein:

The authority for this subsection and subsection (a) is Virginia Code section 4.1-629(B)(1). This Virginia Code section allows localities to “may adopt an ordinance that prohibits the acts described in § 4.1-1108 or the acts described in § 4.1-1109 in its local public parks, playgrounds, public streets, or any sidewalk adjoining any public street. **A penalty may be prescribed by the locality for a violation of such ordinance.**” (emphasis added) Virginia Code section 4.1-629(B)(1) never specifies the amount for the “penalty” allowed therein. However, Virginia Code section 15.2-1429 allows “[a]ny locality [to] prescribe fines and other punishments for violations of ordinances, which shall be enforced by proceedings as if such violations were misdemeanors. However, no fine or term of confinement for the violation of ordinances shall exceed the penalties provided by general law for the violation of a Class 1 misdemeanor, **and such penalties shall not exceed those penalties prescribed by general law for like offenses.**” (emphasis added)

Commented [A7]: Authority: Virginia Code section 4.1-630. Regulating time of sale is not required. For counties and towns, note that this section would only be “effective in that portion of such county not embraced within the corporate limits of any incorporated town . . .” *Id.*

Commented [A8]: Please note that the authority for this language, Virginia Code section 4.1-630, states that a “right of appeal pursuant to [Virginia Code section] 16.1-106” is applicable here.

The General Assembly’s inclusion of the above in the underlying bill requires discernment from the local ordinance drafter. Virginia Code section 16.1-106 already provides for what happens when cases are heard in district court. Interestingly, this section

Commented [A9]: Note: Virginia Code section 4.1-1004(B) requires that “Each locality shall, within 30 days, notify the Authority and any retail marijuana store and microbusiness in such locality of the ordinance enacted pursuant to this subsection.”

Commented [A10]: Authority: Virginia Code § 4.1-1004.

There shall be a local sales tax at a rate of of [CHOOSE NOT LESS THAN ONE BUT NOT GREATER THAN THREE AND ONE-HALF] percent on any sale taxable under subsection A of Virginia Code § 4.1-1004. Other than the tax authorized and identified in this section, the [COUNTY, CITY, OR TOWN] shall not impose any other tax on a sale taxable under subsection A of Virginia Code § 4.1-1004. Such tax shall be collected, remitted, and disposed of in the manner provided by Virginia Code Title 4.1 Chapter 10.

Nothing in this section shall be construed to (i) prohibit the [COUNTY, CITY, OR TOWN] from imposing any tax authorized by law on a person or property regulated under Virginia Code Title 4.1, Subtitle II or (ii) limit the authority of the [COUNTY, CITY, OR TOWN] to impose a license or privilege tax or fee on a business engaged in whole or in part in sales taxable under subsection A of Virginia Code § 4.1-1004 if such tax or fee is (a) based on an annual or per-event flat fee authorized by law or (b) an annual license or privilege tax authorized by law and such tax includes sales or receipts taxable under subsection A of Virginia Code § 4.1-1004 in its taxable measure.

* * *

Commented [A11]: For towns and counties with towns: Please note that Virginia Code 4.1-1004(B)(1) states "The tax imposed by a surrounding county under this subsection shall not apply within the limits of any town."

For towns: Please note that Virginia Code section 1427(G) requires that "no tax shall be imposed except by a two-thirds vote of the council members."

Commented [A12]: Please note the following language from Virginia Code section 58.1-3007, which means that your notice must include the "proposed increase:"

Before any local tax levy shall be increased in any county, city, town, or district, such proposed increase shall be published in a newspaper having general circulation in the locality affected at least seven days before the increased levy is made and the citizens of the locality shall be given an opportunity to appear before, and be heard by, the local governing body on the subject of such increase.

Sec. 6 – Zoning.²

Commented [A13]: Authority: Virginia Code § 4.1-629.

(a) *Legislative findings.* The [GOVERNING BODY] hereby finds and declares that:

(1) General findings.

The public necessity, convenience, general welfare, and good zoning practice require that the [COUNTY, CITY, OR TOWN] amend, supplement, or change its regulations, district boundaries, or classifications of property with respect to marijuana establishments. Location and siting standards for marijuana

² Virginia Code section 4.1-629 (“Local Section”) is the authority for this section except as otherwise specified in comments. The relationship between subsections A and C of the Local Section is a matter of ongoing debate. Some reconcile the tension between subsections A and C by arguing as follows: (1) A locality can only exercise its zoning or business licensing authority through its implementation of subsection B of the Local Section or other express authority grants like section 4.1-630; and (2) With respect to any regulatory powers other than zoning or business licensing, the locality can only use its powers insofar as it does not do something forbidden by subsection A (which expansively includes regulating the “sale” of marijuana or marijuana products). Essentially, this interpretation narrowly construes subsection C of the Local Section. Those adopting this interpretation would either not enact this section of the Model Ordinance or would exercise significant caution in doing so.

Others reconcile the tension between subsections A and C of the Local Section as follows: (1) Subsection C broadly preserves localities’ zoning, business licensing, or other regulatory powers insofar as localities do not completely prohibit the actions described in subsection A; (2) The language in subsection A about “regulating” the items therein refers to a locality directly regulating those items in a manner already occupied by the Cannabis Control Authority (e.g., a locality banning marijuana gummies shaped in a certain way or products at a certain THC level); and (3) The language in subsection C of the Local Section stating “**Except as provided in this section**, nothing in this subtitle shall be construed to supersede or limit . . .” is solely referencing subdivision B(2) of the Local Section without limiting the rest of the locality’s zoning powers (i.e., the quoted language is just saying that localities cannot increase but can decrease distance requirements). Virginia Code section 4.1-1000(H)(3) lends credence to this interpretation because it indicates the possibility of marijuana establishments that do “not meet local zoning and land use laws.” See also Virginia Code §§ 4.1-803(B), 4.1-810(B)(3)(a), 4.1-810(B)(3)(b), 4.1-810(B)(5), 4.1-900(A)(2)(a), 4.1-1402(G) (discusses sign ordinances and advertisement requirements). Essentially, this interpretation broadly construes subsection C of the Local Section. Those adopting this interpretation would have less hesitancy to enact this section of the Model Ordinance than those adopting the other interpretation. Virginia Supreme Court cases interpreting language like subsection A of the Local Section in the ABC context may provide support for this interpretation. See e.g., *County of Chesterfield v. Windy Hill*, 263 Va. 197 (2002); *Norfolk v. Tiny House, Inc.*, 222 Va. 414 (1981).

In light of the above, please consider your locality’s risk profile before enacting restrictions on marijuana establishments beyond what is expressly authorized (whether through zoning, business licensing, or other powers). Ultimately, regardless of which interpretation you find more persuasive, it is not possible to entirely ban marijuana establishments within the boundaries of your locality.

establishments are necessary to secure and promote the safety, health, peace, good order, comfort, convenience, morals, trade, commerce and industry of the [COUNTY, CITY, OR TOWN] and the inhabitants thereof.

(2) Public Safety Considerations.

Marijuana establishments can attract increased vehicular traffic and require enhanced security measures.

(3) Community Impacts.

Without appropriate location standards and operational controls, marijuana-related uses may adversely affect nearby residential neighborhoods, schools, parks, childcare facilities, and other sensitive land uses, and may contribute to incompatible land use patterns.

(4) Public Health Considerations.

Reasonable zoning controls on the location and concentration of marijuana establishments help reduce unintended access by minors, mitigate exposure to secondhand emissions and odors, and support responsible, regulated access consistent with state law.

(5) Land Use Compatibility.

Proper zoning treatment of marijuana establishments promotes compatibility with surrounding uses, preserves neighborhood character, supports orderly development, and advances long-range planning goals set forth in the [COUNTY, CITY, OR TOWN'S] Comprehensive Plan.

(6) Economic and Regulatory Balance.

The regulation of marijuana establishments through zoning is not intended to prohibit lawful marijuana activity but rather to ensure that such activity occurs in appropriate locations and under conditions that minimize potential adverse impacts on the community.

(b) *Purpose and intent.* The purpose and intent of this section is to:

- (1) Promote the health, safety, and general welfare of the public by establishing clear, reasonable, and enforceable zoning standards for marijuana-related uses.
- (2) Ensure that marijuana establishments are located only in zoning districts where such uses are compatible with surrounding land uses and infrastructure capacity.

- (3) Protect residential neighborhoods and sensitive land uses from potential adverse secondary effects associated with marijuana establishments.
- (4) Provide objective standards for siting, spacing, and operation to guide applicants, staff, and decision-makers and to reduce uncertainty in land use decision-making.
- (5) Support the responsible implementation of state marijuana laws while preserving local land use authority.
- (6) Advance the goals and policies of the [COUNTY, CITY, OR TOWN'S] Comprehensive Plan and zoning ordinance as a whole.
- (7) Provide for adequate light, air, convenience of access, and safety from fire, flood, impounding structure failure, crime, and other dangers.
- (8) Reduce or prevent congestion in the public streets.
- (9) Facilitate the creation of a convenient, attractive, and harmonious community.
- (10) Encourage economic development activities that provide desirable employment and enlarge the tax base.

(c) Cannabis dispensing facility.

- (1) Except as otherwise provided in this chapter, cannabis dispensing facilities are allowed as of right in the following districts:
 - a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]
- (2) Except as otherwise provided in this chapter, cannabis dispensing facilities may be allowed subject to approval of a use permit as provided in [INSERT SECTION OF ZONING ORDINANCE THAT TALKS ABOUT USE PERMITS HERE] in the following districts:
 - a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

(d) Marijuana cultivation facility.

- (1) Except as otherwise provided in this chapter, marijuana cultivation facilities are allowed as of right in the following districts:
 - a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

Commented [A14]: Please note that the types of facilities referenced in this and subsequent subsections of this section are based on the facilities included in the definition of "Marijuana Establishment" in sections 2 and 2.1. The authority for this section (Virginia Code section 4.1-629(C)) clarifies that localities have the ability to "regulate businesses licensed pursuant to [Virginia Code Title 4.1, Subtitle II]." Applicable definition sections never define "marijuana business," but the closest term is "marijuana establishment." Thus, the types of facilities listed herein are the types included in the definition of "marijuana establishment."

Commented [A15]: Please note that subsections (c) and (j) of this section are regarding medical marijuana facilities. Please consult the Virginia Cannabis Control Authority's regulations regarding these types of facilities. [Link](#).

Commented [A16]: For this reference to use permits and every subsequent reference in this document, please see footnote 2.

- (2) Except as otherwise provided in this chapter, marijuana cultivation facilities may be allowed subject to approval of a use permit as provided in [INSERT SECTION OF ZONING ORDINANCE THAT TALKS ABOUT USE PERMITS HERE] in the following districts:

a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

(e) *Marijuana microbusiness.*

- (1) Except as otherwise provided in this chapter, marijuana microbusinesses are allowed as of right in the following districts:

a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

- (2) Except as otherwise provided in this chapter, marijuana microbusinesses may be allowed subject to approval of a use permit as provided in [INSERT SECTION OF ZONING ORDINANCE THAT TALKS ABOUT USE PERMITS HERE] in the following districts:

a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

(f) *Marijuana delivery operator.*

- (1) Except as otherwise provided in this chapter, marijuana delivery operator facilities are allowed as of right in the following districts:

a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

- (2) Except as otherwise provided in this chapter, marijuana delivery operator facilities may be allowed subject to approval of a use permit as provided in [INSERT SECTION OF ZONING ORDINANCE THAT TALKS ABOUT USE PERMITS HERE] in the following districts:

a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

(g) *Marijuana testing facility.*

- (1) Except as otherwise provided in this chapter, marijuana testing facilities are allowed as of right in the following districts:

Commented [A17]: The defined term is “marijuana delivery operator,” but that applies to the entity, so I added “facility” at the end.

- a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

- (2) Except as otherwise provided in this chapter, marijuana testing facilities may be allowed subject to approval of a use permit as provided in [INSERT SECTION OF ZONING ORDINANCE THAT TALKS ABOUT USE PERMITS HERE] in the following districts:

- a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

(h) *Marijuana processing facility.*

- (1) Except as otherwise provided in this chapter, marijuana processing facilities are allowed as of right in the following districts:

- a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

- (2) Except as otherwise provided in this chapter, marijuana processing facilities may be allowed subject to approval of a use permit as provided in [INSERT SECTION OF ZONING ORDINANCE THAT TALKS ABOUT USE PERMITS HERE] in the following districts:

- a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

(i) *Marijuana transporter.*

- (1) Except as otherwise provided in this chapter, marijuana transporters are allowed as of right in the following districts:

- a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

- (2) Except as otherwise provided in this chapter, marijuana transporters may be allowed subject to approval of a use permit as provided in [INSERT SECTION OF ZONING ORDINANCE THAT TALKS ABOUT USE PERMITS HERE] in the following districts:

- a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

(j) *Pharmaceutical processor.*

- (1) Except as otherwise provided in this chapter, pharmaceutical processors are allowed as of right in the following districts:
 - a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]
- (2) Except as otherwise provided in this chapter, pharmaceutical processors may be allowed subject to approval of a use permit as provided in [INSERT SECTION OF ZONING ORDINANCE THAT TALKS ABOUT USE PERMITS HERE] in the following districts:
 - a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

(k) *Retail marijuana store.*

- (1) Except as otherwise provided in this chapter, retail marijuana stores are allowed as of right in the following districts:
 - a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]
- (2) Except as otherwise provided in this chapter, retail marijuana stores may be allowed subject to approval of a use permit as provided in [INSERT SECTION OF ZONING ORDINANCE THAT TALKS ABOUT USE PERMITS HERE] in the following districts:
 - a. [LIST DISTRICTS HERE AND IN SUBSEQUENT SUBDIVISIONS b, c, etc.]

(l) *Minimum distance – Between retail marijuana stores and microbusinesses.* No retail marijuana store or microbusiness shall be located within [INSERT NUMBER LESS THAN DISTANCE REQUIREMENT PROMULGATED BY THE BOARD OF DIRECTORS OF THE CANNABIS CONTROL AUTHORITY] feet of any other retail marijuana store or microbusiness.

(m) *Minimum distance – Between retail marijuana stores and microbusinesses and various other facilities.* No retail marijuana store or microbusiness shall be located within [INSERT NUMBER LESS THAN DISTANCE REQUIREMENT PROMULGATED BY THE BOARD OF DIRECTORS OF THE CANNABIS CONTROL AUTHORITY] feet of any hospital; public, private, or parochial school or institution of higher education; or child day program.

(n) *Street frontage required.* Every marijuana establishment building hereafter erected shall be located on a lot with frontage on a public street having a minimum width of 30 feet as defined in this chapter.

Commented [A18]: Authority: Virginia Code section 4.1-629(B)(2). Please note that the regulations for distances are not available yet.

(o) *Use of buildings and land.* No marijuana establishment building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, and no marijuana establishment land or building shall be used or designed to be used for any purpose other than as may be herein permitted.

(p) *Minimum requirements.* The provisions of this section shall be held to be the minimum requirements adopted for the promotion of health, safety, convenience, morals, comfort, prosperity and general welfare of the public. It is not intended by this section to repeal, abrogate, annul or in any way to impair or interfere with any existing provisions of law or ordinance, any easement, covenant or private agreement, or any rules, regulations, or permits other than zoning regulations.

Sec. 7 – General provisions.

(a) *Severability.* Should any section or provision of this chapter be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the chapter as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

(b) *Headings and illustrations.* Headings are provided for convenience and reference only and do not define or limit the scope of any provision of this chapter. In case of any difference of meaning or implication between the text of this chapter and any heading, the text controls.

(c) *Construction.* This chapter shall be construed and applied in a manner consistent with state law and shall not be interpreted to permit any use prohibited by statute or to conflict with applicable licensing requirements.

Sec. 8 – Relation to various other ordinances.

(a) *Relation to [INSERT NAME OF LOCALITY'S ZONING ORDINANCE HERE].* This chapter supplements the [INSERT NAME OF LOCALITY'S ZONING ORDINANCE HERE]. All marijuana establishments are subject to this chapter's requirements in addition to the [INSERT NAME OF LOCALITY'S ZONING ORDINANCE HERE], including [CITE PROVISIONS RELATED TO VIOLATIONS, ENFORCEMENT, AND PENALTIES HERE].

(b) *Relation to [INSERT NAME OF LOCALITY'S BUSINESS LICENSE REQUIREMENTS ORDINANCE.]* This chapter supplements the [INSERT NAME OF LOCALITY'S BUSINESS LICENSE REQUIREMENTS ORDINANCE]. All marijuana establishments are subject to this chapter's requirements in addition to the [INSERT NAME OF LOCALITY'S BUSINESS LICENSE REQUIREMENTS ORDINANCE], including [CITE PROVISIONS RELATED TO VIOLATIONS, ENFORCEMENT, AND PENALTIES HERE].

(c) *Relation to other requirements.* In addition to the requirements of this chapter, marijuana establishments are subject to all other applicable [COUNTY, CITY, OR TOWN] requirements.

Commented [A19]: Authority: Virginia Code § 4.1-629(C). The thought behind this section was to add some commonplace language from zoning ordinances to make this truly look like a zoning ordinance.

Commented [A20]: See page 1 of this model ordinance regarding the Committee's decision to include zoning-related provisions in the same ordinance as other marijuana-related regulations. Again, the drafters realize that localities are not likely to include zoning provisions outside of their preexisting zoning ordinances. Notwithstanding, this subsection is included as if a locality were to do so.

Commented [A21]: The same logic described in the comment on subsection a applies here.

2. That provisions of section 5 (Taxation) of this Ordinance shall take effect on the first day of the second month following this Ordinance's enactment. All other provisions of this Ordinance shall take effect upon adoption.

Commented [A22]: Please note that this and the subsequent numbered items in this list are the second through sixth enactments of this model ordinance.

3. That the rate imposed pursuant to section 5 (Taxation) of this Ordinance shall be effective for [INSERT TIME PERIOD EQUAL TO OR GREATER THAN THREE YEARS HERE].

4. That the Clerk is hereby directed to, within thirty days of enactment of this Ordinance, certify and provide a copy of this Ordinance to the Board of Directors of the Virginia Cannabis Control Authority, the Virginia Cannabis Control Authority, and any retail marijuana store and microbusiness in the [COUNTY, CITY, OR TOWN].

Commented [A23]: Authority: Virginia Code § 4.1-1004(B).

5. That the [TOWN MANAGER, CITY MANAGER, COUNTY ADMINISTRATOR, OR OTHER DESIGNEE OF THE LOCALITY] is designated to receive notices under Virginia Code section 4.1-1000(G).

Commented [A24]: Authority: Virginia Code § 4.1-630, at least with respect to providing a copy to the Cannabis Control Authority Board.

6. That everything herein is effective upon adoption unless specified otherwise.

Commented [A25]: Authority: Virginia Code § 4.1-1000(G) only have thirty days to submit objections. Your locality may want to consider setting up a process to fast-track objections.



City Manager's Report

City Departments

11-2-2026

City Manager – Sam Sanders (he/him)

- Attended the International City/County Management Association Annual Conference. This is our professional organization to support the council-manager form of government as it exists around the world. I served as a panelist for two sessions:
 - No Press, No Problem: How Local Governments are Going Viral for Good. I joined Afton Schneider, Director of Communications and Public Engagement, in a review of ways local governments of all sizes can be creative in how they engage with the public using social media and all it requires is a phone and a few minutes. The session featured our weekly On the Spot segment, which has become a great opportunity for me to prioritize bringing information, team members, and opportunities to the public's attention. While I initially did not want to do them, I have enjoyed the reactions, the requests to participate, and the encouragement to keep doing these weekly segments as a way to connect with the public.
 - Inherited Cultures: Leadership When the Problem Isn't You...It's the History. I joined Ben Estell, Executive Director, Centre Region Council of Governments, State College, Pennsylvania, and Ryan Jeroski, Township Manager, Hampton Township, Pennsylvania. We shared our experiences as local government leaders who walked into our roles with deep division, confusion, and chaos and how we each tackled the work and not the people; it was a standing-room-only presentation that could have gone on for hours – well received.
- October 22:
 - Attended the team retreat for our Human Resources Department. Their day-long engagement focused on a host of City priorities including collective bargaining, professional development, technology integration, and budget planning. The lunch session provided me an opportunity to connect with the team and roll out our quality and consistency framework which is built on organizational excellence being the focus of how we do our work.
 - Participated in neighborhood meetings focused on working through challenges resulting in development activities
- I want to extend a hearty congratulations to Jody Kielbasa and the team at UVA behind the Virginia Film Festival. I attended the showing of The Cashier and 14th and appreciated the enriching opportunity to hear from the filmmakers and stars of the features. What a great opportunity this festival is for the greater Charlottesville area, and we get to claim it right here on the Downtown Mall.

Utilities – Director Jason McIlwee (he/him)

- Stormwater – Only Rain Down the Drain:
 - With the arrival of autumn comes an increase in leaves falling from trees, and the Department of Utilities wants to remind residents of the importance of keeping storm drains clear of debris. Proactive maintenance of keeping storm drains clear of leaves, twigs, branches, and other debris is key to the efficient flow of stormwater and helps prevent sediment from entering our community's waterways. Utilities encourages residents to remain aware of the condition of their neighborhood storm drains, and to remember only rain down the drain! For more information on stormwater in Charlottesville, please visit www.charlottesville.gov/stormwater.
- 2026 Storm Drain Art Contest:
 - The Department of Utilities is excited to announce the return of the Charlottesville Utilities Storm Drain Art Contest! Last year's inaugural contest was a great success, with 27 entries and over 1,300 Fan Favorite votes. The three winning designs creatively communicated the importance of stormwater pollution prevention and can be seen painted on storm drain inlets in McIntire Park. This year's contest will kick off on November 16 to coincide with National Stormwater Day and will once again select three winning designs (youth, open, and fan favorite) to be painted on storm drain inlets. Each winner will also receive a \$500 Visa gift card prize. More information about this year's contest will be available in the coming weeks, so stay tuned! For last year's contest winners, please visit www.charlottesville.gov/stormwater.
- FOGbuster Program:
 - The holiday season is right around the corner, bringing more food preparation and an increased risk of plumbing problems in the form of clogs from fats, oils, and grease (FOG). The Department of Utilities' FOGbuster program is a fun spin on preventing the buildup of FOG, also known as the FOG Monster, which can cause clogs and backups in household plumbing and wastewater infrastructure. These backups can lead to messy, costly, and potentially hazardous overflows. To help with the proper disposal of FOG, Utilities provides free FOG kits to the community, which are available in the lobby at City Hall. For more information on FOG and the FOGbuster program, please visit www.charlottesville.gov/fog.

Parks & Recreation – Director Riaan Anthony (he/him)

- Winter Registration:
 - Winter program registration opens November 16 for City residents and November 17 for non-residents. This new staggered registration schedule is intended to improve access, prioritize the community we serve, and ensure Charlottesville residents have a fair opportunity to participate in Parks & Recreation programs.
- New Instructors and Programs:
 - We've hired an additional Gymnastics Instructor and a Children's Group Fitness Instructor. Together, they will offer 13 new youth programs during the upcoming session.
- Open Positions:
 - We are currently recruiting for the following positions: Gymnastics Instructor, Dance Instructor, Outdoor Programs Instructor, Children's Group Fitness Instructor, and Group Exercise Instructor. Apply at <https://www.governmentjobs.com/careers/charlottesville/transferjobs?department%5b0%5d=Parks%20and%20Recreation&sort=PositionTitle%7CAscending>
- City Market Ranking:
 - Charlottesville City Market ranked fourth in the nation in American Farmland Trust's Farmers Market Celebration, receiving more than 6,000 votes!
- Garden Plots:
 - Garden Plot renewal notices and applications will be distributed in November.
- Youth Pickleball:
 - Charlottesville Parks and Rec Athletics has partnered with Cville Smash, an indoor pickleball facility, to host youth clinics and leagues. The first clinic was held in October, and additional clinics are planned for winter.
- Adaptive Recreation:
 - Adaptive Recreation successfully facilitated a three-day, two-night trip to Graves Mountain. Participants picked apples, practiced cooking skills, and completed a five-mile hike.
 - The annual Adaptive Recreation Picnic at Pen Park was well attended. Participants and their families enjoyed a variety of activities, including a live musical performance by one of the participants.
- Senior Exercise Education:
 - In response to participant requests, staff developed and implemented a new exercise education program for older adults. The program included instruction on the proper use of exercise equipment and emphasized safety, injury prevention, and the importance of regular physical activity.
- Senior Day Trip:

- Senior program participants took a day trip to Shenandoah National Park and the Blue Ridge Parkway, where they enjoyed the fall foliage while engaging in community exploration and socialization.
- Aquatics Registration:
 - The second session of fall aquatics registration went off without a hitch. We registered 89 participants for Red Cross classes and 96 participants for the Prep/Swim Team program. Limited spaces remain. Sign up at <https://vacharlottesvilleweb.myvscloud.com/webtrac/web/splash.html>
- Monster Mash:
 - Monster Mash, held October 24, featured an afternoon of free activities, including pumpkin painting, inflatables, games, performances, and a costume contest.
- Grand Illumination Volunteers:
 - Volunteer recruitment is underway for Grand Illumination, which will take place December 5. Those interested in helping with this festive, all-day event may contact Ellen Joy at joye@charlottesville.gov.

Human Services – Director Misty Graves (she/her)

- Applications for the Vibrant Community Fund are now open and will close on November 13. Information for non-profits who are interested in applying is provided on the website: <https://www.charlottesville.gov/2043/Vibrant-Community-Fund>.
- The We LIT(erature) reading program was featured in a story by Virginia Public Media (VPM): <https://www.vpm.org/news/2026-10-16/we-lit-book-club-cville-summit-elementary-school-howard-davis/>.
- The Department of Human Services is actively recruiting members to fill 10 vacancies on the Youth Council. We're looking for eighth-grade students, homeschooled students, students attending private schools within the City, and City residents who attend schools in other localities. Students from Lugo MaGuiness Academy are also encouraged to apply. Youth who want to make their voices heard by policymakers in local government are welcome! For more information and to apply: <https://boards.charlottesville.gov/board/6728>
- Applications are now open for the Community Attention Youth Internship Program (CAYIP) Winter I session, which runs from November 23 to January 17. We are also actively looking for partner sites to host interns and provide a meaningful internship experience. Interested youth and interested businesses and organizations should visit the CAYIP website: <https://www.charlottesville.gov/256/Community-Attention-Youth-Internship>
- Community Attention Foster Families (CAFF) will partner with Cville Shine to host a virtual evening training on November 17. This session will provide information about the LGBTQ+ community and connect participants with local resources for

youth, parents, and caregivers. Stay tuned on <https://www.shinecville.com/events> for details.

- The ANCHOR Team has responded to 231 unique individuals this calendar year so far. These included 496 encounters with individuals experiencing a mental health or substance use crisis with de-escalation, resource navigation, and connection to longer-term supports.

Information Technology – Director Steve Hawkes (he/him)

- Helpdesk & Support Services:
 - The IT team closed 290 Helpdesk support tickets so far in October, with 95% of customer survey responses rating service as “very good” or “outstanding.” The Helpdesk team also deployed 12 new PCs to employees in October as part of our ongoing device refresh program.
- Teams/WebEx Telephony Project:
 - The final phase of the IT Department’s project to migrate from Cisco desk phones to Microsoft Teams/WebEx for telephony is underway. So far, 23 of 44 departments and divisions have been migrated to the new platform. Benefits of the project include a more modern communications infrastructure, cost savings, and better user experience.
- Applications & Systems Enhancements:
 - The Applications Team completed a number of projects in October, including:
 - Expanded the City Policy Chatbot to all City Departments.
 - Implemented DSS Umbrella updates to fully replace Kinship program.
- Professional Development:
 - The City’s IT Director was a speaker at the October SAP Public Sector Summit in Washington, D.C. He was on a panel discussing modernization and mission impact.

Policy Briefing Summary

City Council



Regarding:	Ordinance Amending and Re-Ordaining Chapter 14 (Licenses), Section 14-24 (Tax Incentives for Technology Businesses) to Extend Eligibility Period for Five Years to December 31, 2031 (1 of 2 readings)
Staff Contact(s):	Chris Engel, Director of Economic Development, Todd Divers, Commissioner of the Revenue, Matt Johnson, Assistant Director of Economic Development
Presenter:	Chris Engel, Director of Economic Development
Date of Proposed Action:	November 2, 2026

Issue

The Charlottesville Technology Zone Program ("Program") allows qualifying businesses a reduction in their Business Professional and Occupational License ("BPOL") tax. The reduction is based on the amount of annual gross receipts and is set to a sliding scale. The Program's purpose is to help advance early-stage technology businesses through their initial years and scale their growth, while creating local job opportunities.

Background / Rule

The City of Charlottesville, Virginia ("City"), was the first city in Virginia to offer the incentive and has done so since first enabled in 2001. City Council previously reauthorized the Program's Ordinance in 2006, 2011, 2016, and 2021. The current Ordinance expires December 31, 2026, unless reauthorized.

Analysis

From 2022 through 2026, a total of 154 applications have received benefits from the Program. This Agenda item aligns with City Council's vision for Economic Prosperity by promoting small business growth and diversification in the City.

Financial Impact

This Program impacts the City's General Fund. Over the past five (5) years, the credits issued under this Program have resulted in an average annual reduction of \$109,124 in BPOL revenue. BPOL revenue for FY 2021 through FY 2025 ranged from \$7.6 - \$10.7 million annually.

Recommendation

City Staff recommends City Council adopt the attached, amended Ordinance reauthorizing the Program for another five (5) years as presented.

Recommended Motion (if Applicable)

"I Move to adopt the attached, amended Ordinance reauthorizing the Charlottesville Technology Zone Program for another five (5) years."

Attachments

1. techzonecitycodeamendmentsordinance

**AN ORDINANCE AMENDING AND RE-ORDAINING CHAPTER 14 (LICENSES),
SECTION 14-24 (TAX INCENTIVES FOR TECHNOLOGY BUSINESSES) TO EXTEND
ELIGIBILITY PERIOD FOR FIVE YEARS TO DECEMBER 31, 2031**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Section 14-24 of Chapter 14 of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:

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

- (a) A "qualified technology business" is a business which meets each of the following criteria:
- (1) The business must constitute a "technology business," as that term is defined within chapter 2, article XIV of this Code;
 - (2) The business must not be operating under a certificate of public convenience issued by the Virginia State Corporation Commission;
 - (3) The business must not be engaged in the provision of a "utility service" as that term is defined within section 30-221 of this Code;
 - (4) The business must certify that it expects to be engaged in a technology business throughout the tax year for which a reduction is sought (or, for new technology businesses which had not commenced doing business as of January 1 of the tax year for which application is made, for the balance of the tax year); and
 - (5) The business must have submitted an application for qualification to the commissioner of revenue, on or before March 1st of the tax year for which a reduction of taxes is sought under this section. A separate application shall be required for each tax year. A business seeking to obtain a reduction of taxes under this section shall have the burden of demonstrating, to the satisfaction of the commissioner, that it meets the definition of a technology business and that it meets all applicable criteria for a reduction.
- (b) The following incentives, in the form of reduction of taxes owed, shall be available to qualified technology businesses:
- (1) For a qualified technology business whose gross receipts from a technology business subject to licensure are fifty thousand dollars (\$50,000.00) or less, any license fee which would otherwise be required by this chapter shall be reduced by one hundred percent (100%) for no more than seven (7) tax years.
 - (2) A qualified technology business whose gross receipts from a technology business subject to licensure are more than one hundred thousand dollars (\$100,000.00) shall

receive a fifty percent (50%) reduction of any taxes owed pursuant to this chapter for no more than seven (7) tax years.

- (c) Where a qualified technology business' license tax is determined pursuant to subsection 14-13(c) of this chapter, the commissioner shall determine the appropriate reduction based on the actual tax owed by the business for a tax year, as may be corrected by the commissioner.
- (d) Except as otherwise specifically provided, nothing set forth within this section shall affect a technology business' status or classification for tax purposes, its obligation to report gross receipts and to file tax returns, or to pay any license issuance fees or local taxes under this chapter. Nothing contained in this section shall relieve any technology business from its obligation to comply with the requirements of section 14-11, or any other section, of this chapter.
- (e) The tax incentives provided by this section shall be available to qualified technology businesses through the tax year ending on December 31, 2031. A qualified technology business shall receive the applicable tax reduction for no more than seven (7) tax years.

Approved by Council
_____, 2026

Kyna Thomas, MMC
Clerk of Council

	<u>Aye</u>	<u>No</u>
Fleisher	_____	_____
Oschrin	_____	_____
Payne	_____	_____
Snook	_____	_____
Wade	_____	_____

Policy Briefing Summary

City Council



Regarding:	Resolution to Appropriate \$67,667 from the City's low-barrier shelter operations fund to SupportWorks Housing for Vista 29 (1 of 2 readings)
Staff Contact(s):	Steven King, Assistant to the City Manager
Presenter:	Allison Bogdanovic
Date of Proposed Action:	November 2, 2026

Issue

Support Works Housing is seeking \$67,667 in connection with Vista 29's first year of supportive services for tenants.

Background / Rule

Vista 29 will deliver 80 deeply affordable, supportive living spaces in a transit-accessible location. By combining secure housing with robust on-site services, SupportWorks aims to help formerly homeless residents transition into stable, long-term housing.

Analysis

SupportWorks Housing is requesting a one-time contribution of \$67,667 from the City of Charlottesville to support first-year onsite supportive services at Vista 29, the region's newest permanent supportive housing community.

The total cost to launch first-year services is \$200,000, with SupportWorks seeking an equal three-way partnership among the City, Albemarle County, and the Charlottesville Area Community Foundation. The requested funding would support two new full-time roles: a Senior Case Manager/Clinical Lead and a Housing Specialist/Case Manager, as well as administrative support and benefits/payroll costs. These positions are intended to provide clinical oversight, crisis intervention, housing stabilization, landlord engagement, and resident support services essential to long-term housing retention.

SupportWorks views this as a bridge-year request. The organization indicates it will apply for Virginia Housing Trust Fund supportive services funding once Vista 29 is operational, with anticipated state award notifications in spring 2027.

Financial Impact

Funds previously appropriated in the City's General Fund for low barrier shelter operations will be used to fund this request.

Recommendation

Staff recommends approval of the resolution.

Recommended Motion (if Applicable)

Attachments

1. Vista 29 Presentation October 2026 packet

2. FY27 SupportWorks Resolution

Vista 29

80 supportive homes

Thank you to our Partners

Charlottesville	\$936,722
Albemarle	\$3,477,970
CACF	\$500,000
TJPDC	\$500,000
Foundations	\$962,947
HUD CPF/CDI	\$500,000
Virginia DHCD	\$6,400,000
VH Perm Loan	\$1,646,500
Equity	<u>\$12,861,598</u>
	\$27,785,737



Opening December 2026



Outdoor gathering space



Thank you to our
development and
service partners



Model Apartment



Our Residents

Meet Mrs. Powell & her case manager Monica

Our Homeless Service Programs in Charlottesville



Six dedicated outreach & support services specialists

RESOLUTION

Resolution to Reallocate \$67,667 Originally Appropriated for Low Barrier Shelter Operations to Support Works Housing Vista29 project as One-Time Investment

WHEREAS the City Council of the City of Charlottesville, VA adopted an ordinance on April 14, 2026 (“the Budget Ordinance”), setting a budget in the amount of \$500,000 to be used in FY 2027 for Low Barrier Shelter Operations; and

WHEREAS, the City of Charlottesville is committed to supporting transitional and permanent housing solutions for individuals and families emerging from homelessness; and

WHEREAS, Vista 29 is intended to provide 80 deeply affordable units with 66 units reserved to serve as transitional housing for formerly homeless individuals, providing a stable residential environment as they work toward long-term housing stability; and

WHEREAS, Support Works Housing has identified a need for additional staffing capacity in order to adequately support tenants residing at Vista 29 and to ensure the success of the transitional housing program; and

WHEREAS, the City recognizes that supportive services are essential to helping formerly homeless individuals maintain housing, improve health and well-being, and progress toward self-sufficiency;

THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, that \$67,667 of the \$500,000 previously appropriated as part of the FY 2027 Budget Ordinance to be used for low barrier shelter operations is hereby approved to use for a one-time investment in the Vista29 project.

Expenditure:

\$67,667 Fund: 105 Cost Center: 9773006000 GL Code: 540100

Policy Briefing Summary

City Council



Regarding:	Resolution Authorizing a Performance Agreement Supporting Friendship Court Phase Three (3) Redevelopment Efforts
Staff Contact(s):	Chris Engel, Director of Economic Development, Madelyn Metzler, Housing Compliance Coordinator
Presenter:	Chris Engel, Director of Economic Development
Date of Proposed Action:	November 2, 2026

Issue

City Council is asked to commit to a Performance Agreement ("PA") to share a portion of the incremental real estate tax increase generated by the proposed improvements to Phase Three (3) of the Friendship Court Redevelopment. This commitment would support seventy-nine (79) newly constructed affordable housing units by Piedmont Housing Alliance ("PHA").

Background / Rule

PHA is continuing to redevelop the 11.75-acre Friendship Court property in four (4) phases over the next five (5) years (the "Project"). This \$100 million+ Project includes the creation of approximately 400 affordable units with multiple tiers of affordability. Additionally, the Project will include commercial and community space, as well as associated infrastructure and parking. To help facilitate Project financing, PHA has again requested that the City consider an agreement that will share the incremental increase in real estate tax revenue generated by the investment. With a commitment from the City to contribute the future revenue stream (as a Grant), PHA will leverage this to create a portion of the funds needed to fund Phase Three (3) of the Project.

This request does not ask for additional current revenue, it only requests future revenue that comes with an increased tax base. (As a point of clarification, the City has allocated a contribution to this Project as part of its annual Capital Improvement Plan. The proposed Performance Agreement ("PA") discussed herein is separate and distinct from that contribution.)

The City, in conjunction with the Charlottesville Economic Development Authority, has used the PA concept in the past to incentivize significant capital investment and job creation. In this case, the same process is proposed, but with the creation and retention of affordable housing units as the performance criteria. There is no risk to the City, as the Grant occurs only after the investment has been made and once the additional tax increment materializes. The City does forego a portion of the real estate tax generated by the Project until the PA terminates.

Similar PAs were approved in 2020 and 2024 in support of Phase One (1) and Phase 2 (Two) at Friendship Court (now Kindlewood), and both remain in effect today.

Analysis

The PA serves as a long-term, predictable funding source to help PHA complete the Project's capital stack and meet affordability requirements. By sharing seventy percent (70%) of the incremental tax revenue generated by the Project, the City can help support affordability, without an immediate City Budget allocation, and without reducing current tax revenue.

PHA has funding commitments and is in the process of finalizing the remaining necessary financing

with plans to begin construction on Phase Three (3) in 2027. The PA is a key piece of the remaining financing.

This PA applies only to Phase Three (3) of the Project.

Financial Impact

There is no immediate City Budgetary impact. The PA forgoes seventy percent (70%) of the incremental real estate tax generated by the improvements on the parcels included in this Phase. The PA's term is thirty (30) years.

Recommendation

City Staff recommends City Council adopt the attached Resolution authorizing execution of the attached PA for Phase Three (3) of the Project.

Recommended Motion (if Applicable)

"I make a Motion to adopt the attached Resolution supporting Friendship Court Phase Three (3) and authorize the City Manager to acknowledge the Performance Agreement described herein."

Attachments

1. City Council Resolution In Support of Friendship Court Phase 3 09.29.26
2. Friendship Court Phase 3 Performance Agreement Final - 9.29.26

RESOLUTION #R—

APPROVING RESOLUTION OF THE
CITY COUNCIL
OF THE CITY OF CHARLOTTESVILLE, VIRGINIA

WHEREAS, the Economic Development Authority of the City of Charlottesville, Virginia (the “**Authority**”), a political subdivision of the Commonwealth of Virginia (the “**Commonwealth**”), was established to promote the safety, health, welfare, convenience, or prosperity of the inhabitants of the City of Charlottesville, Virginia, a municipal corporation and body politic and a political subdivision of the Commonwealth of Virginia (the “**City**”) by improving and rehabilitating a distressed area of the City which will enhance the tax base in the City and create opportunities for commercial and other economic development in the City; and

WHEREAS, the City Council of the City (“**City Council**”) is empowered pursuant to Section 15.2-953 of the *Code of Virginia*, 1950, as amended (the “**Code**”), to make appropriations of public funds to the Authority for the purpose of promoting economic development in the City; and

WHEREAS, the Authority is empowered, pursuant to Section 15.2-4901, *et seq.*, of the Code to, *inter alia*, accept contributions, grants, and other financial assistance from the City and make grants to any person, partnership, association, corporation, business, or governmental entity for the purposes of promoting economic development in the City; and

WHEREAS, the Authority, pursuant to that certain proposed Performance Agreement (the “**Agreement**”) by and among the Authority and Piedmont Housing Alliance, a non-profit 501(c)(3) organization under the Internal Revenue Code of 1986, as amended, including its permitted successors and assigns (the “**Developer**”), attached hereto as **Exhibit 1**, is proposing to provide a certain financial incentive grant (the “**Grant**”) to the Developer to encourage and induce the Developer to invest a significant amount of money into real estate improvements, described as 400 Garrett Street planned development consisting of seventy-nine (79) units (the “**Investment**”) located in the City consisting of two (2) separate buildings known as 3A Property and 3B Property on a parcel of approximately 2.78 acres depicted on Exhibit A of the Agreement (the “**Property**”), along with the other requirements included in such Investment as set forth in Exhibit B to the Agreement; and

WHEREAS, the Authority, while recognizing that City Council is not empowered under Virginia law to make any binding commitment beyond the current fiscal year of the City, has requested that City Council annually appropriate monies to the Authority for the purpose of promoting economic development in the City by funding certain financial obligations of the Authority pursuant to and during the term of the Agreement; and

WHEREAS, there has been presented to this meeting a draft of the Agreement which sets forth the understanding and agreement between the Authority and the Developer.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA:

1. City Council finds and determines that the terms and conditions of the Agreement, including the provisions for the Grant, is consistent with the mission, goals, and purposes of the Authority.

2. It is the current intention of City Council to make sufficient annual appropriation of monies to the Authority for the purpose of promoting economic development in the City by funding certain financial obligations of the Authority pursuant to and during the term of the Agreement.

3. The City Manager, or any other officer charged with the responsibility of preparing the City Budget, is hereby authorized and directed to include in the City Budget for each Fiscal Year of the City during the term of the Agreement a request that City Council appropriate sufficient monies to the Authority for the purpose of promoting economic development in the City and funding certain financial obligations of the Authority pursuant to the terms of the Agreement during such Fiscal Year.

4. The City Manager is hereby authorized to acknowledge the City's understanding of the Agreement and to execute such documents as he deems appropriate in relation to such Agreement.

5. All other acts of the City Manager, the Director of Economic Development or any other officer of the City relating to the purposes and intent of this Resolution, are hereby approved and ratified.

6. This Resolution shall take effect immediately.

ADOPTED: _____, 2026

CERTIFICATION OF ADOPTION OF RESOLUTION

I, the undersigned Clerk of the City Council of the City of Charlottesville, Virginia, hereby certify that the foregoing is a true, correct, and complete copy of a Resolution duly adopted by a majority of the members of the City Council at an open meeting duly called and held on _____, 2026, and that such Resolution has not been repealed, revoked, rescinded, or amended, but is in full force and effect on the date hereof. The following represent the votes taken at such meeting:

Member	Ayes	Nays	Abstentions
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WITNESS my hand and the seal of the City, this ____ day of _____, 2026.

Clerk of the City Council of the
City of Charlottesville, Virginia

[SEAL]

Exhibit 1

(Performance Agreement)

PERFORMANCE AGREEMENT

This **PERFORMANCE AGREEMENT** (the “**Agreement**”) is made and entered this ____ day of _____, 2026 (the “**Effective Date**”), by and among **PIEDMONT HOUSING ALLIANCE**, a non-profit 501(c)(3) organization under the Internal Revenue Code of 1986, as amended (the “**Recipient**”) and the **ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF CHARLOTTESVILLE, VIRGINIA**, a political subdivision of the Commonwealth of Virginia (the “**Authority**”) and acknowledged by the City of Charlottesville, Virginia, a political subdivision of the Commonwealth of Virginia (the “**City**”); (collectively, “**Parties**,” individually, “**Party**”).

WHEREAS, the Recipient, or a subsidiary, plans to invest a significant amount of money to develop the Project, as defined below, on the Site, as defined below; and

WHEREAS, the City and the Authority have determined that the Project will result in significant investment and economic development on the Site, will promote safe and affordable housing in the City, will result in substantial benefits to the welfare of the City and its inhabitants, is in the public interest, and serves governmental interests; and

WHEREAS, the City plans to provide monies to the Authority to enable the Authority to enter into a performance agreement providing grant funding (the “**Funding**”) by the Authority to the Recipient for the purpose of inducing the Recipient to construct and operate the Project in the City and to assist the Recipient in obtaining the capital necessary for construction of the Project; and

WHEREAS, payment of the Funding will be conditioned upon Recipient’s completion of construction and continued maintenance of the Project and the funds comprising payments of the Funding will be solely limited to an amount equal to a portion of the Incremental Real Estate Tax Revenues (as hereinafter defined) for the Site generated by the Project and the increase in assessed value of the Site by the City above the Base Year Tax Revenue, as defined herein (*i.e.*, including both the fee interest and leasehold interest, if applicable in the land and all improvements), all as set forth herein; and

WHEREAS, the City is authorized by Section 15.2-953 of the Code of Virginia of 1950, as amended, (the “**Code of Virginia**”) and other laws, and the Authority is authorized by the Industrial Development and Revenue Bond Act, contained in Chapter 49, Title 15.2 of the Code of Virginia, (the “**Act**”) and other laws to perform the activities contemplated in this Agreement. The Authority is authorized by the Act to make grants and provide funding to non-profit organizations and other organizations, such as the Recipient or any person, partnership, association, corporation, business, or governmental entity, as provided herein, to enable them to accomplish such purposes for the benefit of inhabitants of the Commonwealth of Virginia and for the promotion of their health, welfare, convenience or prosperity specifically under Sections 15.2-4905(12) and (13) of the Act to accept monies from the City and to make grants and provide funding to any entity in furtherance of the purposes for which the Authority was created; and

WHEREAS, this Agreement sets forth the understanding of the Parties concerning the Recipient’s obligations, the Authority’s obligations, and any appropriations made by the City Council of the City (the “**City Council**”), subject to the initial approval of the Authority’s Board and the City Council and subject to annual appropriations by the City Council and any conditions to

funding herein.

NOW, THEREFORE, in consideration of the foregoing, the mutual benefits, promises and undertakings of the Parties to this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties covenant and agree as follows.

Section 1. Preliminary Provisions.

1.1 Incorporation of Recitals. The foregoing recitals are incorporated herein by reference.

1.2 Definitions. For the purposes of this Agreement, the following terms shall have the following definitions:

“AMI” means area median gross income for the Charlottesville Metropolitan Statistical Area for each applicable year of the Funding Period.

“Approved Lender” means any institutional lender reasonably approved by the Authority in writing upon the request by the Recipient after providing reasonable documents and information requested by the Authority.

“Base Real Estate Tax Revenue” means \$40,530 per year, being the amount equal to the real estate taxes levied on the land value on the Site for the current tax year as of the Effective Date. The Base Real Estate Tax Revenue is allocated \$24,975 for the 3A Property and \$15,555 for the 3B Property.

“Funding” means a grant funding to be paid to the Recipient, or its successors or assigns, by the Authority pursuant to this Agreement.

“Funding Payment” means, for each real estate tax year during the Funding Period, an amount equal to seventy percent (70%) of the Incremental Real Estate Tax Revenue for such corresponding tax year. The Parties hereto acknowledge that the annual real estate tax levy is and may in the future be billed and due in installments (currently twice a year); therefore, as used herein “Funding Payment” shall include payments of seventy percent (70%) of the Incremental Real Estate Tax Revenue for each installment payment corresponding to the applicable Real Estate Tax Levy as prorated for the applicable installment period.

“Funding Period” means that certain period commencing upon Recipient’s completion of Project construction, as shall be evidenced by receipt of a temporary Certificate of Occupancy (“Funding Commencement Date”) and ending thirty (30) years following the Funding Commencement Date (“Funding Expiration Date”). The parties acknowledge that the “Real Estate Tax Levy” for the last year of the Funding Period may not be received by the City until after the Funding Expiration Date, and that a Funding Payment shall be paid to Recipient corresponding to such Real Estate Tax Levy.

“Incremental Real Estate Tax Revenue” means, for each applicable real estate tax year during the Funding Period, the amount by which the Real Estate Tax Levy exceeds the Base Real Estate Tax Revenue, provided Recipient pays the Real Estate Tax Levy to the City in full and on time

(except as provided in Section 3.3 below). In no event shall the Incremental Real Estate Tax Revenue (or the Funding Payment) include penalties, interest, or any other charges resulting from any delinquent payment. The Parties acknowledge that the Real Estate Tax Levy is and may in the future be billed and due in installments (currently twice a year); therefore, as used herein. “Incremental Real Estate Tax Revenue” shall be determined based on the applicable payment (or installment) of the Real Estate Tax Levy for each applicable real estate tax year.

“*Investment*” means the Recipient’s plans to fund the construction and related costs of the Project with significant equity and loan funds of approximately forty-five million dollars (\$45,000,000)..

“*Investor Member*” means that certain low-income housing tax credit investor designated by the Recipient. The Recipient shall provide the name and notice address of such designated Investor Member to the Authority.

“*Maintain*” means the Recipient’s continued maintenance in accordance with the applicable Virginia Statewide and City building codes and operation of the Project following completion of Project construction as affordable housing, as set forth by Section 2.2.2 of this Agreement.

“*Project*” means a development on the Site containing not less than seventy-nine (79) residential units, subject to income and rent restrictions as set forth in Section 2.4 and as shown on Exhibit B and monitored by the State Housing Finance Agency. The Project shall consist of two (2) separate buildings expected to be owned by affiliates of the Recipient; the buildings are known as “3A Property” and “3B Property” as shown on Exhibit A.

“*Real Estate Tax Levy*” means the amount of real estate taxes levied by the City on the Site (including both the fee interest (and leasehold interest, if applicable)) and Project (i.e., including land and all improvements) for a given real estate tax year, pursuant to Chapter 30 of the Code for the City (“City Code”). The Real Estate Tax Levy shall be allocated between the 3A Property and the 3B Property (as such terms are defined under the term “Project”) in the same proportion as described in the term “Base Real Estate Tax Value” unless and until those properties are subdivided and separately assessed by the City or as otherwise agreed by both the parties hereto in writing.

“*Recipient*” means Piedmont Housing Alliance, a nonprofit 501(c)(3) organization, and its successors and assigns, to the extent permitted by this Agreement.

“*Site*” means that certain 2.78-acre parcel currently owned by NHTE Piedmont Garrett Square Limited Partnership, located at 400 Garrett Street and currently referred to in the records of the City Assessor as Parcel No. 280112000 and as further described in Exhibit A.

“*State Housing Finance Agency*” means Virginia Housing (formerly known as Virginia Housing Development Authority), a political subdivision of the Commonwealth of Virginia, or its successor.

Section 2. Recipient's Obligations.

2.1 Completion of Project Construction; Timeline.

2.1.1 Plan of Development. Recipient shall submit a Plan of Development, or similar submission for the Project, to the City's Director of Neighborhood Development Services ("NDS") (no later than approximately nine (9) months after the Effective Date, which Plan of Development, or similar submission, shall comply with the relevant provisions of the City Code and shall contain all elements of the Project as defined herein.

2.1.2 Commencement of the Project Construction. Recipient shall commence construction of the Project within approximately eighteen (18) months of the Effective Date, (the "**Construction Commencement Date**"), which shall be subject to force majeure extensions upon notice from Recipient to the City that shall not exceed nine (9) months, and shall be evidenced by the issuance of all permits necessary for commencement of construction of the Project.

2.1.3 Completion of Project Construction. Recipient shall complete the Project within three (3) years of the Construction Commencement Date, which shall be subject to force majeure extensions upon notice from Recipient to the City or extensions required by an Approved Lender, either of which shall not exceed nine (9) months, and shall be evidenced by the issuance of a temporary certificate of occupancy for the Project.

2.1.4 Failure to Comply. If Recipient fails to timely comply with any of the provisions of this Section 2.1 then the Authority's Executive Director, in his/her sole discretion, may either extend the time by which Recipient must comply with the corresponding requirement, or provide written notice of the Authority's intent to terminate this Agreement (which shall be delivered to the Recipient and the State Housing Finance Agency or Approved Lender). The Investor Member of the Recipient may provide its notice address, in which event, the Authority will use commercially reasonable efforts to include the Investor Member on any such written notices and permit the Investor Member to effect a cure. If Recipient or its Investor Member fails to cure its failure to comply within thirty (30) days of such written notice then this Agreement (however, if such cure cannot reasonably be effected within such thirty (30)-day period, then such reasonable period of time as is necessary not to exceed 120 days provided the Recipient (or its Investor Member on its behalf) has promptly commenced and is diligently pursuing such cure, including all rights and obligations herein, shall, upon the Authority's election and subject to the rights of Approved Lender under Section 6.3 hereof, terminate and neither the City nor the Authority shall have any further obligation to the Recipient and Recipient shall no longer be eligible for any Funding Payments hereunder.

2.2 Continued Maintenance and Operation of Project.

2.2.1 Continued Control of the Project by Recipient. Recipient shall continue to own, lease, or otherwise control the Site until completion of the Project construction pursuant to Section 2.1.3 of this Agreement and thereafter shall continue to own, lease, or otherwise control the Project until expiration of the Funding Period. Notwithstanding the foregoing, Recipient may transfer the ownership in the Project to third parties ("**Permitted**

Transferee”), but only if the Authority has provided prior written permission, in its sole discretion, for the transfer to the Permitted Transferee following review by the Authority of the Permitted Transferee’s organization and information relating to such Permitted Transferee’s financial condition, and following such approval, Recipient may (1) assign this Agreement, including the rights and obligations herein to such party or parties at the time it transfers ownership in the Project (including any leasehold interests), and (2) if the Agreement is assigned, Recipient shall provide the Authority thirty (30) days’ prior written notice of its intent to transfer ownership in the Project, which notice shall include the contemplated date of transfer, the name of the party or parties to which it intends to transfer, and a written statement from such party that it is aware that this Agreement, including the rights and obligations herein, will be assigned to such party and such Permitted Transferee shall be bound by all terms of this Agreement. Following the transfer of ownership in the Project to the Permitted Transferee as provided above, the term “Recipient” as used herein shall mean the Permitted Transferee. Any transfers by or related to a foreclosure or deed in lieu thereof by an Approved Lender are deemed approved. Notwithstanding anything to the contrary herein, the Recipient intends to assign the Agreement to FC Phase 3A LLC and FC Phase 3B LLC (both of which are intended to be affiliates of the Recipient and each a Permitted Transferee) to complete the Project and such assignment is approved by the Authority. Such assignment shall not relieve the Recipient of any of its obligations under this Agreement.

2.2.2 Continued Maintenance and Operation of the Project. Following Recipient’s completion of Project construction as set forth in Section 2.1.3 of this Agreement, the Recipient, or its permitted successors or assigns, shall continue to Maintain the Project until the expiration of the Funding Period. For avoidance of doubt, Recipient’s obligation to Maintain the Project includes Recipient’s ongoing compliance with the provisions set forth in Section 2.4 (Affordable Housing) of this Agreement.

2.3 MBE Participation.

2.3.1 Goal. The Recipient agrees to diligently work towards the following goal: Where capacity, capability, and competitive pricing among minority business enterprises and emerging small businesses exists, thirty percent (30%) of all expenditures for construction costs of the Project that will be paid to third party subcontractors unaffiliated with the Recipient will be spent with minority business enterprises and emerging small businesses that perform commercially useful functions with regard to the prosecution and completion of the Project. The Recipient shall include this goal in its contracts with all assignees, contractors, and subcontractors who will be providing any portion of the Project. The Recipient further agrees to encourage contractors and sub-contractors during the construction phase of the Project to provide employment opportunities for City residents, and to that end, to work closely with the City of Charlottesville Office of Economic Development and the Central Virginia Partnership for Economic Development and the Virginia Workforce Center, if recruitment, screening, and training of residents is required.

2.3.2 Reporting. To enable the City to measure the achievements of the Recipient and its assignees, contractors, and subcontractors with regard to the participation goals set forth above, during the period prior to completion of Project construction, the Recipient shall submit a report, upon request, detailing all expenditures with minority business

enterprises and emerging small businesses, showing, at a minimum, (i) the name of the business, (ii) an itemization of what the business provided, (iii) the amount paid for each item, (iv) the total amount of spending to date with minority business enterprises and emerging small businesses, and (v) the percentage of total expenditures for the quarter spent with minority business enterprises and emerging small businesses. If the City chooses, the Recipient shall submit these reports on forms reasonably prescribed by the City.

2.4 Affordable Housing.

The Recipient shall restrict occupancy and rents of the Project according to the schedule shown on Exhibit B, according to standards promulgated by the State Housing Finance Agency, or as otherwise approved in writing by the Authority at the written request of the Recipient. Ongoing compliance monitoring and approvals by the State Housing Finance Agency, as provided to the City upon the City's request, shall serve as evidence of the Recipient's compliance with this Section.

Section 3. Disbursement of Funding.

3.1 Funding. Subject to the provisions of this Section 3, during the Funding Period, the Authority shall pay to Recipient (subject to annual appropriation by the City Council) the Funding Payments for such real estate tax year (e.g. the amount equal to seventy percent (70%) of the Incremental Real Estate Tax Revenue for such corresponding tax year), beginning fifteen (15) months following the annual valuation of the Project by the City Assessor, which can be done as early as the Completion Date, which is defined as any time after a certificate of occupancy has been issued by the City for at least fifty percent (50%) of the residential units in the Project (i.e. forty (40) units); (the "**Completion Date**") and annually thereafter, within ninety (90) days following receipt by the City of the annual assessed real property taxes paid by the Recipient (or subsequent owners of the Project) related to the Project. The Funding shall be paid by the Authority to the Recipient (or its Permitted Transferees or assigns), annually during the term of this Agreement, which is thirty (30) years from the Completion Date, subject to annual appropriations by City Council.

3.2 Intentionally Deleted.

3.3 Disbursement of Funding Payment. Subject to any necessary City Council action, including any necessary budget amendment or whether the City Council has determined to appropriate funds to the Authority for such purpose, the Authority agrees to pay the Funding Payment to Recipient (or its Permitted Transferees, or to such party to which Recipient has assigned Funding Payments pursuant to Section 9.1 of this Agreement), within fifteen (15) business days of receipt of the funds from the City. Disbursement of the Funding Payment to the Recipient is contingent upon the following:

- a) the Recipient certifies that it has made the Investment in the Project no later than the Completion Date and providing the City and the Authority, at either of their request, with reasonable evidence of the amount of such investment, and certifies its continued Maintenance of the Project, including, if requested by the City or Authority, any reasonable evidence of such Maintenance, including inspections during normal business hours upon advanced written notice;
- b) the Recipient and any subsequent owner or owners of all or any portion of the Project

agreeing not to contest any increase in assessed value for the Project for any year on which a Funding is based;

- c) to the extent that the assessed value of the Project is decreased for any reason during the term of this Agreement, the amount of Funding shall be reduced by the tax decrease based on the decrease in Incremental Increased Value; and
- d) no Funding shall be paid so long as any taxes of any kind due and owing to the City by the Recipient or subsequent owner or owners of all or any portion of the Project remain unpaid, or if the assessed value for the Project is being contested. Recipient agrees to pay all taxes due to the City in a timely manner.

3.4 Recipient's Relief. Should Recipient believe the Authority failed to comply with Section 3.3 of this Agreement, Recipient may seek relief in accordance with Section 9.2 of this Agreement. Provided, however, Recipient's sole remedy shall be to receive payment for a Funding Payment to which it was entitled (subject to the restrictions set forth in this Agreement, including, but not limited to, Sections 3.3 and 9.5) and for which it did not receive payment.

Section 4. General Administration of Funding.

4.1 The City has agreed to transfer to the Authority, subject to appropriation by the City Council, the funds necessary for the Authority to meet its obligations under this Agreement relating to the Funding. No administrative fees or expenses shall be paid by the City.

4.2 The Authority's obligation to undertake the activities herein is specially conditioned upon the City providing funding on a timely basis; provided, however, the City's obligation is subject to annual appropriation by the City Council.

4.3 The Authority agrees to provide the City Manager, or the designee thereof, with copies of all documents related to this Agreement and will keep the City Manager fully and timely informed of all matters related to this Agreement.

4.4 The Authority agrees that all funds transferred by the City to the Authority for the Funding shall be deposited by the Authority within a Project Fund, to be used only to satisfy the obligations contained in this Agreement related to the Funding.

4.5 It is the intent of the Parties not to impose upon the Authority any responsibility, duty, or obligation other than what may be required to implement the Funding. Accordingly, the Authority does not assume any responsibility or liability whatsoever except as specifically stated herein. If litigation involving the Funding is initiated or expected to be filed against the Authority, the Authority shall immediately notify the City Attorney and the City Manager.

4.6 The Authority shall keep records of its financial transactions, if any, related to the Agreement in accordance with generally accepted accounting principles. The City Auditor, or his designee, may at any time audit the financial transactions undertaken under this Agreement. The Authority shall cooperate to ensure that the City Auditor is granted reasonable access on a timely basis to all books and records of the Authority necessary to complete such audits.

4.7 Intentionally Deleted.

4.8 The Recipient shall pay a non-refundable application fee of \$1,500 to proceed with the Agreement.

4.9 The Recipient shall pay an annual administrative fee of \$1,500 upon the anniversary of the Effective Date. Such annual administrative fee shall be due regardless of whether grant disbursement is underway or not.

Section 5. Representations of the Recipient.

5.1 The Recipient is empowered to enter into this Agreement, to be bound hereby, and to perform according to the terms hereof.

5.2 Any and all actions necessary to enable the Recipient to enter into this Agreement, and to be bound hereby, have been duly taken.

5.3 The person or persons executing or attesting the execution of this Agreement on behalf of the Recipient has or have been duly authorized and empowered to so execute or attest.

5.4 The execution of this Agreement on behalf of the Recipient will bind and obligate the Recipient to the extent provided by the terms hereof.

5.5 There exists no litigation pending against the Recipient or to the Recipient's knowledge threatened, which if determined adversely, would materially and adversely affect the ability of the Recipient to carry out its obligations under this Agreement or the transactions contemplated hereunder.

5.6 The Recipient will comply with all applicable federal, state, and local laws and secure all plans, approvals, bonds, and permits as may be necessary or appropriate for the construction of the Project and the occupancy thereof.

Section 6. Default.

6.1 Events of Default. Each of the following events (hereinafter called an "Event of Default") shall be a default hereunder by the Recipient as described:

6.1.1 Failure by the Recipient to maintain its corporate existence or the declaration of bankruptcy by the Recipient;

6.1.2 The failure of Recipient to comply with Section 2 and Section 3.3 of this Agreement; and

6.1.3 The failure of Recipient to pay annual Real Estate Tax Levy.

6.2 Effect of Event of Default. Subject to Section 6.3 below, in the case of an occurrence of an Event of Default, the Funding provisions of Section 3 of this Agreement shall, at the Authority's option, terminate ninety (90) days after the Authority's notice to Recipient and the State Housing

Finance Agency or, the Approved Lender and, as provided herein, the Investor Member, unless Recipient (or at their option and without any obligation to do so, the Approved Lender or Investor Member) cures the Event of Default to the Authority's satisfaction within such ninety (90) days, and neither the City nor the Authority shall have any further obligation relating thereto and the Recipient shall no longer be eligible for any Funding Payments hereunder. Notwithstanding the foregoing, provided the Authority adheres to the Funding provisions of Section 3 of this Agreement, Recipient's obligations hereunder will remain in force and effect throughout the Funding Period and the Authority shall be entitled to any remedies available at law and equity, including, but not limited to, specific performance. Notwithstanding anything to the contrary contained herein, upon transfer of a portion of the Site to either FC Phase 3A LLC or FC Phase 3B LLC as provided herein, an Event of Default on one building on the Site shall not cause an Event of Default on the other. In other words, non-performance under the terms of this Agreement by FC Phase 3A LLC in connection with the 3A Property will not affect FC Phase 3B LLC's obligations, rights, and privileges under the terms of this Agreement, and non-performance under the terms of this Agreement by FC Phase 3B LLC in connection with the 3B Property will not affect FC Phase 3A LLC's obligations, rights, and privileges under the terms of this Agreement; provided, however, that the Authority shall have all of its rights upon such default under this Agreement as to such defaulting Recipient and the related property only.

6.3 Notice and Right to Cure. The Authority will use commercially reasonable efforts to provide written notice of any default by Recipient under this Agreement to any Approved Lender and Investor Member. Each Approved Lender and the Investor Member shall be permitted to cure any default by Recipient under this Agreement. Such Approved Lender and Investor Member shall have the same period for remedying any default or causing the same to be remedied, as is given Recipient after the giving of such notice to Recipient. However, if such cure cannot reasonably be effected within such period, then such reasonable period of time as is necessary not to exceed 120 days provided any Approved Lender and Investor Member has promptly commenced and is diligently pursuing such cure. The Authority agrees to accept payment or performance by any Approved Lender or Investor Member as though the same had been done by Recipient.

Section 7. Recipient Reporting.

The Recipient shall provide, at Recipient's expense, detailed updates and verification reasonably satisfactory to the Authority of Recipient's progress regarding completion of Project construction and, following Project construction, of Recipient's continued compliance with this Agreement.

Section 8. Notices.

Any notices required or permitted under this Agreement shall be given in writing, and shall be deemed to be received five (5) business days after being mailed by first class mail, postage prepaid, return receipt requested, or one (1) business day after being placed for next day delivery with a nationally recognized overnight courier service, or upon receipt when delivered by hand, addressed as follows:

if to the Recipient, to:

Piedmont Housing Alliance
682 Berkmar Circle

with a copy to:

Doruk Onvural
Klein Hornig LLP.

Charlottesville, VA 22901

1325 G Street NW. Ste 770
Washington, D.C. 20005

With copies to the State Housing Finance Agency or Approved Lender at the addresses provided by written notice to the Authority.

if to the City, to:

Office of Economic Development
City of Charlottesville, Virginia
610 E. Market Street
Charlottesville, VA 22902

if to the Authority, to:

Economic Development Authority
of Charlottesville VA – Attn: Exec. Dir.
610 E. Market Street
Charlottesville, VA 22901

with a copy to:

Daniel M. Siegel, Esquire
Sands Anderson PC
P.O. Box 1998
919 E. Main Street, Suite 2300
Richmond, VA 23218-1998

Section 9. General Terms and Conditions.

9.1 Entire Agreement; Amendments; Assignments. This Agreement constitutes the entire agreement among the Parties hereto and may not be amended or modified, except in writing, signed by each of the Parties hereto. Except as specifically provided herein, the Authority reserves the right in its sole discretion to approve any assignment of this Agreement by the Recipient to any individual or entity and, the ownership interests of any such entity must be disclosed to the Authority, and for any Investor Member, must disclose the name of the individual, Managing Member, or general partner of the Investor Member, who maintains control of such entity or owns more than a twenty-five percent (25%) interest in the Investor Member. The Authority will have the notice and consent rights with respect to any change of the Managing Member of the Recipient stipulated in Paragraph (c) below.

- a) Recipient shall have the right to assign its interest in the Site and Project to any future owner, provided the Recipient first shall have complied with the requirements set forth in Section 2.2.1 of this Agreement and shall have submitted to the Authority the form of all instruments by which it purports to make such assignment and shall have obtained the Authority's prior written approval thereof, which approval shall not be unreasonably withheld, in which event the assignor shall be released from all obligations and liabilities under this Agreement and any such assignee shall be bound by all the terms and conditions of this Agreement, including but not limited to, the Investment amounts and other requirements set forth in this Agreement.
- b) Recipient shall have the right to grant to the State Housing Finance Agency, or an Approved Lender, a security interest in, and assignment of, Recipient's rights hereunder as collateral for the loan to be provided by a lender providing funds for the

development, acquisition, refinancing, or rehabilitation of the Project, and any action taken by such lender to realize on such security interest or assignment and performance thereafter shall be deemed permitted under this Agreement, provided the Recipient first shall have submitted to the Authority the form of all instruments by which it purports to grant such security interest and assignment and shall have obtained the Authority's prior written approval thereof, in its sole discretion (a "**Collateral Assignment**"), but no such consent shall be required to the exercise by an Approved Lender or any assignee of an Approved Lender of its right to perform Recipient's obligations hereunder after a default by Recipient under the applicable loan documents.

The Authority agrees that the State Housing Finance Agency (or an Approved Lender) shall not have any liability for any act or omission of Recipient hereunder and shall only be liable hereunder for obligations arising during such time as it is the owner of Recipient's interests in the Site and the Project pursuant to foreclosure, deed in lieu of foreclosure or otherwise.

- c) The Recipient will provide advanced written notice, along with any reasonable documentation requested by the Authority, regarding the proposed replacement member manager or managers, and consent rights to the Authority for any change in its corporate structure. Pursuant to the operating agreement of any affiliate of the Recipient, the Investor Member is expected to have certain default rights and remedies with respect to the Recipient. The Authority consents to any such rights of the Investor Member; however, the Investor Member will provide notice of such removal and documentation of any affiliate of the Investor Member that has taken over the roles and responsibilities of the Recipient. The Investor Member will provide advanced written notice of any transfer of such interests to an unrelated party ("**Proposed MM Transferee**"), which notice will include the corporate resume of such Proposed MM Transferee, including biographies of the principals of such organization, affordable housing experience, and three (3) references, including one reference from a state allocating agency. The Authority will have the right to reasonably consent to such Proposed MM Transferee; however, such consent must be provided within thirty (30) days of receipt of the written notice, and any denial of consent shall include specific reasons therefor. The Authority review should be to confirm the Proposed MM Transferee owns at least five (5) affordable housing properties and has no outstanding IRS 8823 violations, no outstanding HUD REAC violations resulting in HUD "red flags," and is in good standing in the Commonwealth of Virginia and the City on corporate and tax filings. Failure to timely respond as provided above to a request for such consent shall be deemed the consent of the Authority.

9.2 Governing Law; Venue. All issues and questions concerning the construction, enforcement, interpretation, and validity of this Agreement, or the rights and obligations of the Parties shall be governed by, and construed and interpreted in accordance with, the laws of the Commonwealth of Virginia, without giving effect to any choice of law or conflict of laws rules or provisions, whether of the Commonwealth of Virginia or any other jurisdiction, that would cause the application of the laws of any jurisdiction other than those of the Commonwealth of Virginia. Any and all disputes, claims, and causes of action arising out of or in connection with this Agreement, or

any performances made hereunder, shall be brought, and any judicial proceeding shall take place, only in the Circuit Court of the City of Charlottesville, Virginia. Each Party shall be responsible for its own attorneys' fees in the event of any litigation or other proceeding arising from this Agreement.

9.3 Counterparts. This Agreement may be executed in one (1) or more counterparts, each of which shall be an original, and all of which together shall be one (1) and the same instrument.

9.4 Severability. If any provision of this Agreement is determined to be unenforceable, invalid, or illegal, then the enforceability, validity, and legality of the remaining provisions will not in any way be affected or impaired, and such provision will be deemed to be restated to reflect the original intentions of the Parties as nearly as possible in accordance with applicable law.

9.5 Subject-to-Appropriations. All payments and other performances by the Authority under this Agreement are subject to City Council's initial approval of acknowledgement and Authority Board's initial approval of this Agreement (both evidenced by their execution of this Agreement) and subject to the annual appropriations by the City Council. It is understood and agreed among the Parties that the Authority shall be bound hereunder only to the extent of the funds available or which may hereafter become available for the purpose of this Agreement. The Parties to this Agreement acknowledge that under no circumstances shall the City's or the Authority's total liability under this Agreement exceed the total amount of funds appropriated by the City Council for the payments hereunder for the performance of this Agreement.

9.6 Public Disclosure.

961 Applicable Law. The Parties to this Agreement acknowledge that records maintained by or in the custody of the Authority are subject to the provisions of the Virginia Public Records Act, Va. Code §§ 42.1-76 through 42.1-90.1, and the Virginia Freedom of Information Act, Va. Code §§ 2.2-3700 through 2.2-3714, and thus are subject to the records retention and public disclosure requirements set forth in those statutes.

962 Challenges to Nondisclosure. If a Party submitting records to the Authority requests that those records not be disclosed under applicable law and the Authority consequently denies a request for disclosure of such records based on the submitting Party's request, and the Authority's denial of a request for disclosure of records is challenged in court, the submitting Party shall indemnify, hold harmless, and defend the Authority, its respective officers, directors, agents, and employees from any and all costs, damages, fees, and penalties (including attorney's fees and other costs related to litigation) relating thereto.

9.7 No Waiver. Neither failure on the part of the Authority to enforce any covenant or provision contained in this Agreement, nor any waiver of any right under this Agreement shall discharge or invalidate such covenant or provision or affect the right of the Authority to enforce the same right in the event of any subsequent default.

9.8 Effective Date of the Agreement. The effective date of this Agreement shall be the date upon which it has been fully executed by the Parties following approval by City Council and by the Authority's Board.

9.9 No Partnership or Joint Venture. It is mutually understood and agreed that nothing

contained in this Agreement is intended or shall be construed in any manner or under any circumstance whatsoever as creating and establishing the relationship of copartners or creating or establishing a joint venture between or among any of the Parties or as designating any Party to the Agreement as the agent or representative of any other Party to the Agreement for any purpose.

9.10 No Third Party Beneficiaries. Except as specified in any Collateral Assignment and as specified herein, the Parties agree that (i) no individual or entity shall be considered, deemed, or otherwise recognized to be a third-party beneficiary of this Agreement; (ii) the provisions of this Agreement are not intended to be for the benefit of any individual or entity other than the City, the Authority, an Approved Lender, and the Recipient; (iii) no other individual or entity shall obtain any right to make any claim against the City, the Authority, or the Recipient under the provisions of this Agreement, unless pursuant to a Collateral Assignment; and (iv) no provision of this Agreement shall be construed or interpreted to confer third-party beneficiary status on any individual or entity.

9.11 Signature Authority. Except as specifically otherwise set forth in this Agreement, the Authority Chair, or the designee thereof, may provide any authorization, estoppels, approvals, and notices contemplated herein on behalf of the Authority and the City.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the Parties hereto have executed this Performance Agreement as of the date first written above.

PIEDMONT HOUSING ALLIANCE, a Virginia
non-profit corporation

By: _____
Sunshine Mathon, Executive Director
Date: _____

**ECONOMIC DEVELOPMENT
AUTHORITY OF THE CITY OF
CHARLOTTESVILLE,
VIRGINIA**,
a political subdivision of the
Commonwealth of Virginia

By: _____
Chairman Date

**ACKNOWLEDGED BY
THE CITY OF CHARLOTTESVILLE, VIRGINIA**

By: _____
City Manager

Approved as to Form:

By: _____
City Attorney's Office

EXHIBIT A

Description of Property

As delineated and described below Parcel G, H, I, & J, consisting of 2.78 acres in the City of Charlottesville, Virginia

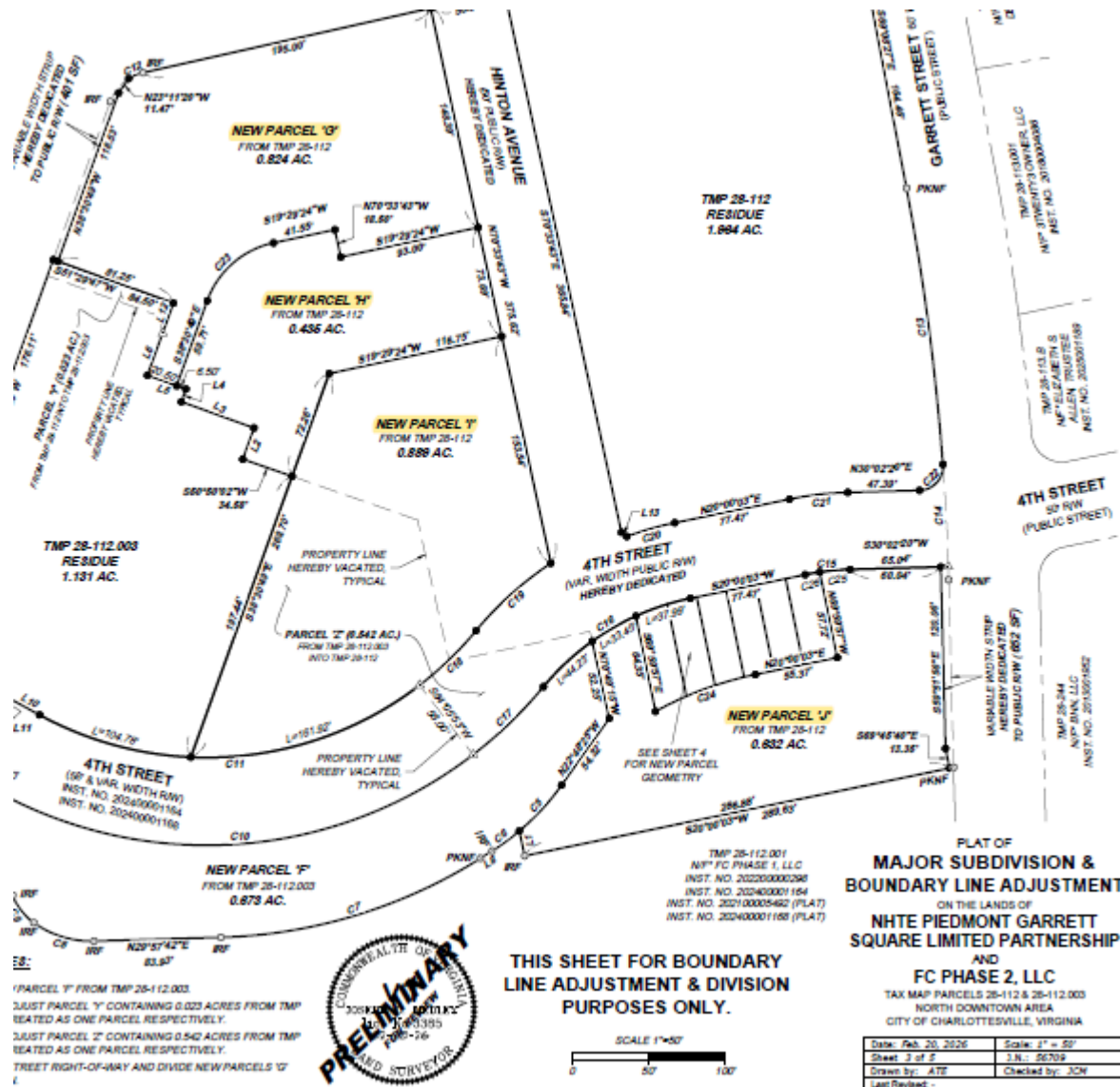


EXHIBIT B
Affordable Housing Schedule

Phase 3A of the Project consists of 55 units and shall restrict occupancy and rents to: (i) six (6) units for households with incomes at or below thirty percent (30%) of the Charlottesville Area Median Income (AMI), (ii) twenty-eight (28) units for households with incomes at or below fifty percent (50%) AMI, (iii) twelve (12) units for households with incomes at or below sixty percent (60%) AMI, and (iv) nine (9) units for households with incomes at or below eighty percent (80%) of AMI according to standards promulgated by the State Housing Finance Agency, and subject to the conditions in the form Extended Use Agreement required by the State Housing Finance Agency for tax credit financing.

Phase 3B of the Project consists of twenty-four (24) units and shall restrict occupancy and rents to units for households with incomes at or below sixty percent (60%) AMI according to standards promulgated by the State Housing Finance Agency, and subject to the conditions in the form Extended Use Agreement required by the State Housing Finance Agency for tax credit financing.

Policy Briefing Summary

City Council



Regarding:	Resolution Endorsing the 2027 Legislative Program for the Thomas Jefferson Planning District
Staff Contact(s):	Steven King, Assistant to the City Manager
Presenter:	David Blount - TJPDC
Date of Proposed Action:	November 2, 2026

Issue

The 2027 Regular Session of the Virginia General Assembly begins on Wednesday, January 13, 2027.

Background / Rule

The Thomas Jefferson Planning District Commission (TJPDC) prepares and recommends the annual Legislative Program to serve as the basis of legislative positions and priorities of the member localities of the TJPDC for the 2027 Session of the Virginia General Assembly. In addition to the City of Charlottesville, member localities include: Albemarle County, Fluvanna County, Greene County, Louisa County, and Nelson County.

Analysis

N/A

Financial Impact

N/A

Recommendation

Approve the draft 2027 TJPDC Legislative Program

Recommended Motion (if Applicable)

I move to approve the Thomas Jefferson Planning District Commission's 2027 Legislative Program as presented to City Council and discussed on November 2, 2026

Attachments

1. Resolution Endorsing TJPDC Legislative Priorities
2. TJPDC LEG PROGRAM. CVILLE 11.2.26



RESOLUTION

Endorsing the Thomas Jefferson Planning District Commission 2027 Legislative Agenda

WHEREAS the Thomas Jefferson Planning District Commission (TJPDC) prepares and recommends an annual Legislative Program to serve as the basis of legislative positions and priorities of the member localities of the TJPDC for the 2027 Session of the Virginia General Assembly; and

WHEREAS the proposed 2027 Legislative Program has been reviewed and discussed during the November 2, 2026, regular meeting of the Charlottesville City Council;

NOW, THEREFORE, BE IT RESOLVED THAT the Council of the City of Charlottesville hereby endorses the 2027 TJPDC Legislative Program.

October 23, 2026

TO: Members, Charlottesville City Council
Charlottesville City Manager

FROM: David C. Blount, Director of Legislative Services

RE: 2027 TJPDC Legislative Program Approval

Attached for your review and consideration is the draft 2027 TJPDC Legislative Program. It will be on the agenda for approval at your November 2 Council meeting. The draft program continues three top legislative priorities for 2027 as follows:

- 1) Public Education Funding
- 2) Budgets and Funding
- 3) Land Use and Growth Management

The accompanying “Legislative Positions” section focuses on the most critical recommendations and positions in other areas of current interest and concern in the region.

Items in the draft program that have been substantively amended from last year’s approved program are noted following this memo.

A summary of the priority positions will be produced and distributed later for you to use in continuing to communicate with your state legislators.

Thank you for your consideration.

Recommended Action: Approve the draft 2027 TJPDC Legislative Program

Substantive Changes to Legislative Priorities and Positions

Budgets and Funding (p. 2; first two lines at top of page): Adds language to reference new program and funding requirements for VASAP.

Land Use and Growth Management (p. 2; sixth bullet): Adds to existing language concerning open space, a request for funding and incentives for acquiring, preserving, and maintaining agricultural and forestal land.

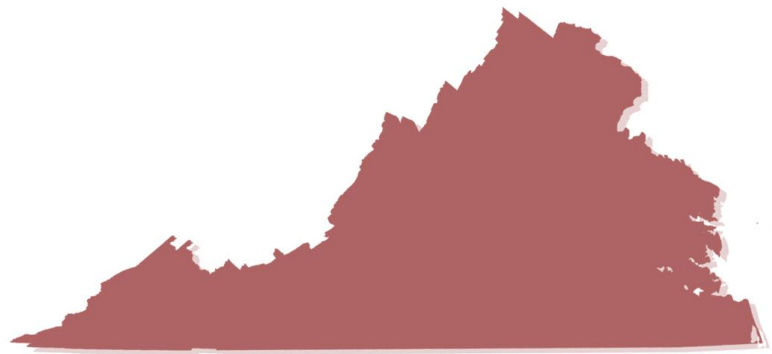
Education (p. 4; second bullet/number 2): Adds support for state hold harmless funding for school divisions receiving less state money due to changes in the local composite index.

General Government (pp. 5 - 6; various): New language is included as follows:

- 1) A new bullet is added to express that collective bargaining continue to be a local option for localities (p. 5, new first bullet);
- 2) language is added to emphasize state funding for administrative functions that are driven by new requirements from the state (p. 5, seventh bullet);
- 3) language is added to support state enforcement of new laws regulating liquid nicotine vapor products (p. 6, second bullet); and
- 4) a new bullet is added that urges ongoing programs and financial incentives for completing projects to deploy universal, affordable access to broadband technology; this consolidates the previous free-standing broadband position into a shorter, updated statement in this section (p. 6, new fourth bullet).

Housing (p. 7; first bullet/number 2): New language is included to endorse support for public infrastructure that facilitates construction of affordable housing.

Transportation (p. 8; first paragraph): A new sentence expresses support for policies that establish a forward-looking transportation funding framework to support Virginia's transportation needs for the coming decades.



Thomas Jefferson Planning District

2027 LEGISLATIVE PROGRAM

Representing the Local Governments of:

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County

October 2026

DRAFT

TOP LEGISLATIVE PRIORITIES

Public Education Funding

PRIORITY: The Planning District’s member localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) and reverse policy changes that previously reduced funding or shifted funding responsibility to localities.

The State will spend more than \$23 billion dollars on direct, state assistance to public education in the current biennium. Additional state funding for teacher salaries, at-risk students, special education services, and childcare subsidies in the current biennium are appreciated. However, we continue to believe that the State should increase its commitment to public education in a manner that reflects the true costs of K-12 education. The 2023 Joint Legislative Audit and Review Commission (JLARC) report on K-12 education funding confirmed this, finding that public education in Virginia is underfunded, while noting that local school divisions receive less K-12 funding per student than divisions in other states and several key funding benchmarks.

Local governments consistently go “above and beyond” their responsibilities by appropriating twice as much K-12 funding as required by the state. We believe localities need an adequately defined SOQ that more equitably shares the costs of public education between the state and local governments, in order to ensure the overall success of students across the Commonwealth.

Further, we urge state efforts to support 1) flexibility in the use of state funds provided for school employee compensation; 2) adequate pipeline programs for teachers, especially in critical shortage areas; and 3) funding and policies that assist localities in addressing challenges with hiring school bus drivers and mental health professionals.

Budgets and Funding

PRIORITY: The Planning District’s member localities urge the governor and legislature to preserve and enhance state aid to localities, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State addresses spending priorities for the current biennium, we encourage support for K-12 education, health services, public safety, economic development and other public goals. Localities continue to be the state’s “go-to” service provider and we believe state investment in local service delivery must be enhanced. The State should not expect local governments to pay for new funding requirements or to expand existing ones on locally delivered services, without a commensurate increase in state financial assistance.

As the State confronts declines in financial support and additional spending requirements from the federal government, we urge the state to avoid shifting costs for programs previously supported by federal funds to localities. Generally, we oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents. Rather, the State should collaborate with local governments to implement required changes to

programs with shared state/local responsibility; this would include new program administration and funding requirements for Virginia Alcohol Safety Action Programs.

The State should not eliminate, phase out, or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes any state-mandated exemptions to local revenue sources, Communications Sales and Use Tax Trust Fund dollars, and the local share of recordation taxes, unless a viable revenue replacement to local governments is established.

We support the Legislature making additional revenue options available to localities in order to diversify the local revenue stream. Any tax reform efforts should examine the financing and delivery of state services at the local level and how revenue is generated relevant to our economic competitiveness.

Land Use and Growth Management

PRIORITY: The Planning District's member localities urge the State to resist preempting or circumventing existing land use authorities, but rather support local authority to plan and regulate land use.

In the past, the General Assembly has enacted both mandated and optional land use provisions. Some have been helpful, while others more recently have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local control of decisions to plan and regulate land use and oppose legislation that weakens these key local responsibilities.

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support local authority to address siting and other impacts associated with utility-scale installation of energy resources and facilities. We support state funding and technical assistance that address the planning, production, transmission, and deployment of new energy resources.
- We support broader impact fee authority for facilities other than roads, and changes to the current proffer law that limit the scope of impacts that can be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure; 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations; and 3) exempt additional facilities serving as event spaces from building, fire code and other health and safety regulations.
- We believe accessory dwelling units should not be mandated, and that local governments should have the authority to regulate them.
- We request 1) state funding and incentives for localities, at their option, to acquire, preserve and maintain agricultural, forestal, and open space; and 2) enhanced ability for localities to balance growth and development as it pertains to farm and forestland within their jurisdiction.
- We support greater flexibility for localities in the preservation and management of trees.

LEGISLATIVE POSITIONS

Children's Services Act

The Planning District's member localities urge the State to be partners in containing Children's Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- The costs of CSA should be fully funded in the state's base budget, with allocations based on realistic, anticipated levels of need. We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools.
- We support the State maintaining cost shares on a sum sufficient basis by both the state and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children. We do not support caps on state reimbursement which limit the state's exposure to increasing costs.
- We support the State being proactive in making residential facilities, services, and service providers available, especially in rural areas, and in supporting local efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the State's efforts to streamline and integrate workforce activities and revenue sources are crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants targeted to businesses that pay higher wages.
- State support for the Virginia Business Ready Sites Program and for an economic development project adjacent to the existing Rivanna Station.
- Increased state funding for regional planning district commissions.

Education

The Planning District's member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- Concerning school facilities:
 - >We support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities.
 - >The State should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
 - >We appreciate and support the school construction assistance programs enacted in 2022 and request that they be consistently funded.
- We support 1) amending the local composite index (LCI) formula to recognize the land use taxation value, rather than the true value, of real property; 2) state funding to hold harmless school divisions that have experienced increases in the LCI; and 3) preserving current *Code* provisions stipulating that local school funds unexpended at the end of the year be retained by the local governing body.
- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.

Environmental and Water Quality

The Planning District's member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change, and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the State to provide legal, financial, and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels. We support state assistance for cyanobacteria monitoring, mitigation, and remediation efforts, as well as hydrilla treatment and buoy maintenance at Lake Anna.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund (SLAF) to assist localities with much-needed stormwater projects and in response to any new regulatory requirements.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.

- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include providing funding for development and implementation of state-required regional plans and investing in regional projects.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility, and tools to fulfill their responsibilities. Accordingly, we take the following positions:

- Collective bargaining should continue to be a local option and not a mandate on localities from the State.
- State policies should protect local governments' current ability to regulate businesses, to include collection and auditing of taxes, licensing, and regulation (whether they are traditional, electronic, internet-based, virtual, or otherwise), while encouraging a level playing field for competing services in the marketplace.
- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries, and working conditions for local employees; matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.
- The State should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.
- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant local dollars and additional personnel beyond those funded by the State.
- We request state funding to address shortfalls in elections administration dollars, as administration has become more complex and federal and state financial support for elections continues to lag the need. We request adequate funding for costs associated with voting equipment, mail in ballots, registrar offices, early voting requirements, and election security standards.
- We urge state funding necessary for agencies to carry out critical administrative functions necessitated by state policy or requirements, items that often receive no consideration for state funding.
- We support expanding the allowable use of electronic meetings for all local public bodies, with flexibility for them to determine public comment, participation, and other procedures. Also, any changes to FOIA should preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; 3) provisions concerning the creation of customized records; and 4) provisions allowing public bodies to charge for providing requested records.
- We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
- We support federal and state funding for localities to acquire and maintain advanced cybersecurity to protect critical systems and sensitive data.

- We support enhanced state funding for local and regional libraries.
- We support 1) expanding local authority to regulate smoking in public places; and 2) state enforcement of new laws regulating liquid nicotine vapor products.
- The State should not inhibit the ability of localities to determine how best to use artificial intelligence (AI) or require any related reporting requirements that are unreasonable.
- We support ongoing state and federal programs and financial incentives that assist public and private sector efforts to complete projects that are part of the Virginia Telecommunications Initiative (VATI) to deploy universal, affordable access to broadband technology in unserved areas of our communities. Further, we support ongoing work to link broadband efforts for education and public safety to private sector efforts to serve businesses and residences.

Health and Human Services

The Planning District's member localities recognize that special attention must be given to helping disabled people, poor people, and young and elderly people achieve their full potential. Funding for at-risk individuals and families to access appropriate services remains critical. Recently enacted changes to the Supplemental Nutrition Assistance Program (SNAP) and to Medicaid also will require significant state support and coordination between state agencies and localities. Accordingly, we take the following positions:

- We support full state funding for any local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- We support investment in staff training and other tools to enable local social services staff to administer revised SNAP and Medicaid programs effectively and efficiently.
- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care for people with behavioral health and developmental disability service needs that helps divert them from needing state hospital care, as well as having services such as outpatient and permanent supportive housing available.
- We support improvements in state hospital capacity to accept individuals under a TDO, and encourage support for rural hospitals facing reductions in overall Medicaid funding.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).
- We support additional funding to local communities to assist low-income working families with childcare costs.

Housing

The Planning District's member localities believe every citizen should have an opportunity to afford decent, safe, and sanitary housing. The State, regions and localities should work to promote a balanced mix of affordable and mixed-use housing, and to expand and preserve the supply and improve the quality of housing that is affordable for the elderly, disabled, and low- and moderate-income households. Accordingly, we take the following positions:

- We support the following specific items:
 - 1) local authority to promote, and flexibility in the operation of, housing affordability programs and establishment of affordable dwelling unit ordinances;
 - 2) increased federal and state funding, as well as appropriate authority and incentives, to assist communities in fostering an increased supply of housing that is affordable, to include support for public infrastructure that facilitates construction of affordable housing;
 - 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings;
 - 4) funding for rental assistance to low-income families with school-aged children; and
 - 5) policies and direct state investments to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities, and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the use of state funds for compensation for these offices.
- We encourage state support and incentives for paid and volunteer fire/EMS/first responders and related equipment needs, given the critical importance they play in local communities. We oppose regulatory action that hinders the provision of emergency services by increasing costs of operations or deterring recruitment and retention of emergency services employees.
- We support state efforts to assist localities in recruiting and retaining law enforcement personnel.
- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
- We encourage needed funding for successful implementation of policies and programs that 1) supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment; 2) provide alternative transportation options for such individuals; and 3) reduce the amount of time police officers must spend handling mental health detention orders.
- In an effort to fairly share future cost increases, we support indexing jail per diem costs as a fixed percentage of the actual, statewide daily expense average, as set forth in the annual Jail Cost Report.
- We support the ability of local governments to 1) adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities, and 2) utilize photo speed camera devices to address safety concerns, including on locally designated highway segments.

Transportation

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges; for attracting and retaining businesses, residents, and tourism; and for keeping pace with growing public needs and expectations. We support state and regional policies and legislation that establish a comprehensive, sustainable, transparent, and forward-looking transportation funding framework capable of supporting Virginia's transportation needs for the coming decades. We encourage the State to provide adequate and predictable funding to meet increasing demands for new construction and maintenance for existing transportation infrastructure; to prioritize funding for local and regional transportation needs; and to provide financial support to localities for increased workloads for performing administrative functions. Accordingly, we take the following positions:

- As the State continues to adjust the "Smart Scale" prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit and non-transit projects in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to conduct local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance, or operation of current or new secondary roads.
- We support ongoing state and local efforts to coordinate land use and transportation planning and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

Policy Briefing Summary

City Council



Regarding:	Botanical Gardens of the Piedmont Construction Update
Staff Contact(s):	Steven King, Assistant to the City Manager
Presenter:	Jill Trischman-Marks
Date of Proposed Action:	November 2, 2026

Issue

N/A

Background / Rule

The Botanical Garden of the Piedmont is a community-driven project designed to create an accessible, environmentally rich public space that celebrates the region's natural landscape. Since its inception, the garden has aimed to provide educational, recreational, and cultural opportunities for residents and visitors alike. The current construction phase marks a major milestone in bringing key features of the master plan to life, enhancing both ecological stewardship and community engagement. Today's update highlights recent progress and outlines the next steps toward completing this long-envisioned civic asset.

Analysis

N/A

Financial Impact

N/A

Recommendation

N/A

Recommended Motion (if Applicable)

N/A

Attachments

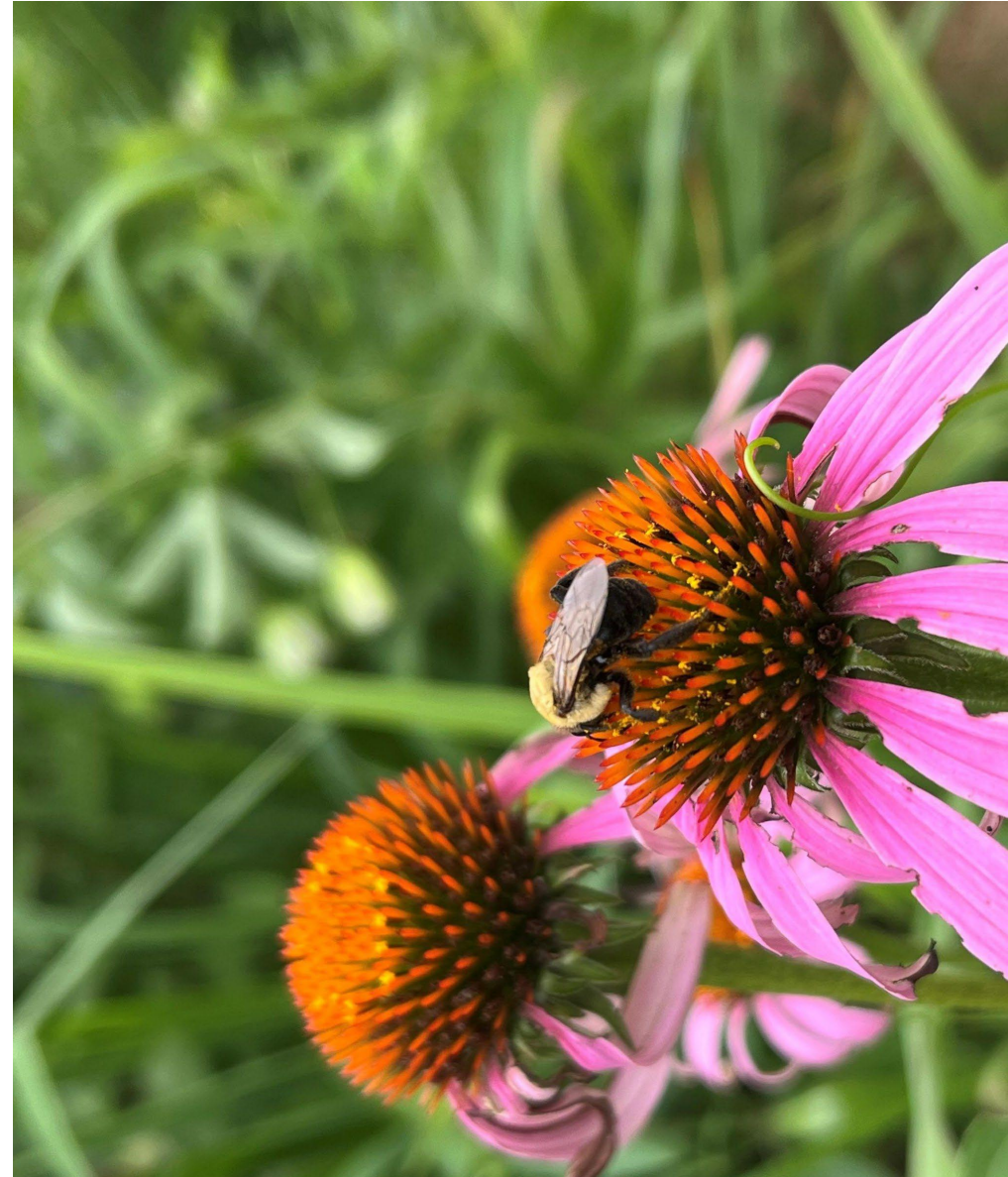
1. 2026-11-2 Botanical Garden of the Piedmont City Council Presentation



Botanical Garden
of the **Piedmont**

Construction Update for the Charlottesville City Council

November 2, 2026





Garden Groundbreaking, June 4, 2026

From left: Margaret Murray Bloom, Dean Malo Hutson, Monica Angle, Pam Edmonds, Mayor Juandiego Wade, Jill Trischman-Marks

Construction is underway

K+L began work on the pedestrian bridge the week of October 19, 2026.

Lease construction-start requirement met.



PHASE 1 | FIRST ELEMENT

Pedestrian Bridge

The bridge will link the gardens on both sides of the stream and connect the Garden to the rest of McIntire Park and the neighborhoods to the south.



Funded

the bridge is fully funded

6 months

to build, through the winter

Spring 2027

expected completion



Mikyoung Kim: Landscape Architecture Design Lead / Waterstreet Studio: Landscape Architect of Record

AS OF OCTOBER 2026

Capital project fundraising

\$12.95M

raised toward our \$27.5M goal

47%

funded



\$14.55M remaining

WHERE THE \$12.95M HAS COME FROM

Individuals

\$11.23M / 87%



Foundations

\$1.57M / 12%



Corporations

\$150K / 1%





THE GARDEN TODAY

The Garden is already working

12,000+

visitors last year

250+

events with 8,000+ participants

43,000+

volunteer hours since 2017

365

days a year, free and open

Every Kindergartener in the Garden: 400+ students last spring
Garden Anywhere: traveling education program, launched this fall



OCTOBER 16 – DECEMBER 2, 2026

Garden Exhibition at UVA

UVA School of Architecture, Campbell Hall



Mikyong Kim: Landscape Architecture Design Lead / Waterstreet Studio: Landscape Architect of Record

GARDEN *EXHIBITION*

Experience the future of the Garden through an immersive exhibition co-presented by the Botanical Garden of the Piedmont and the University of Virginia School of Architecture.

OCTOBER 16 THROUGH DECEMBER 2

UVA School of Architecture | Campbell Hall
Learn more at piedmontgarden.org/exhibition

Botanical Garden of the Piedmont

 **SCHOOL OF ARCHITECTURE**

*Inspiring connection,
learning and joy through
nature.*

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