



## **CITY COUNCIL AGENDA**

### **December 16, 2024**

### **City Hall Council Chamber**

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

#### **4:00 PM OPENING SESSION**

This is an in-person meeting with an option for the public to participate electronically by registering in advance for the Zoom webinar at [www.charlottesville.gov/zoom](http://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](mailto:ada@charlottesville.gov). The City of Charlottesville requests that you provide 48 hours' notice so that proper arrangements may be made.

#### **Call to Order/Roll Call**

#### **Agenda Approval**

#### **Reports**

1. Report: Budget Briefing: Public Safety and Transportation

#### **5:30 PM CLOSED MEETING**

#### **6:30 PM BUSINESS SESSION**

#### **Moment of Silence**

#### **Announcements**

#### **Recognitions/Proclamations**

- Proclamation: Honoring Rosalind Collins for her recognition by the Commissioners of the Revenue Association of Virginia as the Margaret Anderson Outstanding Deputy for 2024

#### **Community Matters**

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

#### **Consent Agenda\***

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

2. Minutes: December 2, 2024 regular meeting
3. Resolution: Resolution to appropriate funding from the Virginia Department of Housing and Community Development, Housing Opportunities for Persons with AIDS/HIV (HOPWA) grant 24-HOPWA-303 in the amount of \$389,312 (2nd reading)
4. Resolution: Resolution to appropriate BAMA Works Special Event Funding - \$38,700 (2nd reading)
5. Resolution: Resolution to appropriate grant funds from the Virginia Department of Conservation and Recreation in the amount of \$393,456.60 for the Pollocks Branch Pedestrian/Trail Bridge (1 of 2 readings)
6. Resolution: Resolution to allocate funds from the CIP Contingency Fund for emergency repairs to the Fontaine Fire Station Parking Lot - \$200,000 (1 reading)

#### **City Manager Report**

- Report: City Manager Report

- Report: Parks & Recreation Master Plan: Key Technical Findings, Preliminary Recommendations and Concept Plans

### **Action Items**

7. Public Hearing/Res.: Public hearing and resolution for supplemental appropriation of \$7,571,300 in Federal, State, and Local Capital Grant funding for Charlottesville Area Transit (1 of 2 readings)
8. Report: Report on Annual Financial Audit for Fiscal Year 2024 from the City's Auditors
9. Resolution: Resolution to reallocate remaining unspent/unobligated American Rescue Plan Act (ARPA) funds for eligible uses.
10. Resolution: Resolution to approve the City of Charlottesville's Initial Membership in the Charlottesville-Albemarle Regional Transit Authority
11. Ordinance: Ordinance amending City Code Section 15-144 (Parking of buses, trucks, etc. between midnight and 6:00 a.m.) (Introduced November 18; postponed from December 2)
12. Resolution: Resolution for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes (Introduced November 18; postponed from December 2)

### **General Business**

### **Community Matters (2)**

### **Adjournment**

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



Agenda Date:	December 16, 2024
Action Required:	None
Presenter:	Samuel Sanders, Jr., City Manager
Staff Contacts:	Samuel Sanders, Jr., City Manager
Title:	<b>Budget Briefing: Public Safety and Transportation</b>

**Background**

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

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

**Discussion**

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

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

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

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

### **Alignment with City Council's Vision and Strategic Plan**

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

### **Community Engagement**

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

### **Budgetary Impact**

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

### **Recommendation**

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

### **Alternatives**

N/A

### **Attachments**

1. Strategic Plan Framework ADA





City of Charlottesville

# Strategic Plan Framework

## Vision

To be a place where everyone thrives.

## Commitment to Justice, Equity, Diversity, Inclusion

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



## Strategic Outcome Areas



### Climate Action

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



### Housing

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



### Public Safety

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



### Economic Prosperity

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



### Organizational Excellence

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



### Recreation, Arts, Culture

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



### Education

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



### Partnerships

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



### Transportation

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

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



Agenda Date:	December 16, 2024
Action Required:	Award Proclamation
Presenter:	Todd Divers, Commissioner of the Revenue
Staff Contacts:	Todd Divers, Commissioner of the Revenue
Title:	<b>Honoring Rosalind Collins for her recognition by the Commissioners of the Revenue Association of Virginia as the Margaret Anderson Outstanding Deputy for 2024</b>

**Background**

Each year at its annual conference, the Commissioners of the Revenue Association of Virginia chooses one Deputy from across the Commonwealth to receive the Margaret Ann Anderson Outstanding Deputy Commissioner Award. This is the highest honor that our Association confers on a Deputy.

Margaret Anderson served with distinction as the Commissioner of the Revenue for the City of Waynesboro for twenty-two (22) years, beginning in 1969. In total, she served the City of Waynesboro for a total of fifty (50) years. Commissioner Anderson unfortunately passed away on April 19, 2001.

Commissioner Anderson was a highly respected and active participant in both regional and state Commissioners of the Revenue Associations, serving the former as secretary-treasurer for twenty (20) years.

Each year, the President of our Association solicits nominations from Commissioners statewide for the Margaret Anderson Award. The Executive Committee chooses from among those nominees a Deputy Commissioner of the Revenue who meets one or more of the following three requirements:

1. Has demonstrated an achievement or excellence during the current year that enhanced the operations of their local Commissioner's office.
2. Has unselfishly given their time by working on behalf of the Association.
3. Has contributed to the professionalism of their office and of the Association over a long period of time.

This year, our very own Rosalind Collins was selected.

In my nomination of Rosalind, I attempted to list the staggering number of her accomplishments and contributions to the Commonwealth, to the City, and to our office. There are too many to name here, so I have included a copy of my nomination letter with this agenda item in your packet. Suffice to

say, you will be gob-smacked to see all the things she has accomplished for our citizens.

But I WOULD like to highlight the following from that letter that exemplifies Roz's absolute dedication to our office and to the job:

...

*After thirty years on the job, Roz entered into a well-deserved retirement in September of 2021. Unfortunately, coinciding with Roz's retirement were a rash of simultaneous turnover and other retirements in our office - spawned by the Covid-induced "Great Resignation". Suddenly finding ourselves in a DIRE staffing situation, I quickly learned to appreciate just how much we depended on Roz. As I struggled to hire new people and place others into positions with which they had little familiarity, I took a chance and asked Roz if she would consider coming back to work as a "returning retiree" (something that I was delighted to learn was a thing).*

*Realizing the predicament we were in, and because of her profound dedication to the job and to our taxpayers, Roz said yes. Thank God! She does so many indispensable things for us that I absolutely dread the day when she decides to retire for real.*

...

So it is my great pleasure to introduce you to one of the smartest, most enthusiastic, dedicated people I ever met: Rosalind Collins, the Margaret Ann Anderson Deputy Commissioner of the Year for 2024.

### **Discussion**

NA

### **Alignment with City Council's Vision and Strategic Plan**

This resolution aligns with Council's Strategic Outcome Area of Organizational Excellence: Charlottesville's well-trained and dedicated staff deliver excellent services to the community.

### **Community Engagement**

NA

### **Budgetary Impact**

None

### **Recommendation**

Present Proclamation

### **Alternatives**

NA

### **Attachments**

1. Rosalind Collins Nomination - 2024 MAA Outstanding Deputy Award
2. Collins Proclamation FINAL



**Commissioner of the Revenue**  
**City of Charlottesville**  
605 E. Main Street, Room A130  
P O Box 2964  
Charlottesville, VA 22902-2964  
434-970-3160

July 22, 2024

Honorable Ann Burkholder  
President CRAV  
Creamery Building  
21 S Kent Street, #100  
Winchester, VA 22601

Dear President Burkholder,

Please accept this nomination of Rosalind Collins of Charlottesville for the 2024 Margaret Ann Anderson Outstanding Deputy Commissioner Award.

When I think of Rosalind Collins, I feel a deep sense of admiration, inspiration, and gratitude. Roz has served the people of Charlottesville for over thirty years, under three Commissioners of the Revenue. Her energy and enthusiasm for the job we do, and the service we provide, remains boundless. I do not exaggerate when I say that we would be lost without her.

In addition to her many accomplishments (which I will outline below), I appreciate her leadership, communication, and creativity. But what I appreciate the most about Roz is her dedication. And when I say dedication, I REALLY mean it.

After thirty years on the job, Roz entered into a well-deserved retirement in September of 2021. Unfortunately, coinciding with Roz's retirement were a rash of simultaneous turnover and other retirements in our office - spawned by the Covid-induced "Great Resignation". Suddenly finding ourselves in a DIRE staffing situation, I quickly learned to appreciate just how much we depended on Roz. As I struggled to hire new people and place others into positions with which they had little familiarity, I took a chance and asked Roz if she would consider coming back to work as a "returning retiree" (something that I was delighted to learn was a thing).

Realizing the predicament we were in, and because of her profound dedication to the job and to our taxpayers, Roz said yes. Thank God! She does so many indispensable things for us that I absolutely dread the day when she decides to retire for real.

To list her many accomplishments and contributions to the Commonwealth, to the City, and to our office takes some time. However, it is worth doing in order to convey the enormity of her impact:

Outside of Charlottesville:

- Roz has had two articles published in Virginia Government Magazine;
- She taught technology and internet classes for CORVA and LGOC in the 90's;
- She created the first user-led Laserfiche user group in the world – which has grown to over 200 groups internationally, with Virginia's group still being the largest. Many of our colleagues and their deputies around the State participate in this group.

For the City of Charlottesville, Roz has participated on and led a dizzying number of City technology teams through the years:

- In the early nineties, Roz was on a team of tech-savvy City employees who tested and ultimately selected the City's first PCs and software to be used on them (Lotus 1-2-3, AmiPro, Freelance, and MS Access 1.0);
- Roz helped install and manage the first LAN (local area network in the City – as a pilot for a Citywide LAN that came two years later);
- Under her leadership, the Commissioner of the Revenue's Office was among the first to have a web presence in the City. Roz helped create the City's internet use policy & the first website templates. She later participated on the team selecting the first content management system for the city web site;
- Roz spearheaded the implementation and administration of the City's first digital document management system, Laserfiche (which is still used in several departments). She has continually worked to improve efficiency and internal work processes using add-ons to that system and enhancements to its features;
- She was heavily involved with the team that brought an Enterprise GIS system to the City, helping to write the proposal that garnered the funds and a dedicated IT position;
- She was on the implementation team that stood up the City's current financial system of record – SAP;
- Roz routinely receives recognition for her service to the City, such as the City's "Doin' Good Awards" and several "Bridge Builder" bears for cross-departmental projects.

For our office, her contributions toward modernization are truly jaw-dropping:

- Roz created our office's state income tax management database that we used until 2017 when many of its functions were replaced by our current system. However, there are still functions of her system in use today that will be used well into the future;
- Roz's video "Tour of Commissioner of the Revenue's Office" ran for years on public access, and won our office and the City a national award;
- She implemented Laserfiche Rio and Forms in our office, which has no less than revolutionized many of our processes;
- Her leadership helped us win our first MCCi Excellence Award in November of 2019;
- Roz single-handedly provided conversion data for our tax management software upgrade, and has served as our liaison to that vendor ever since;
- She built and maintains systems and databases to run alongside that software, vastly expanding the usefulness of the off-the-shelf-system;
- Her systems are critical to our ability to produce tax books, to perform annual updates to our forms and taxpayer communications, to compile the strategic measures that help us evaluate our performance... I could go on and on.

In putting forward a nomination for the Margaret Ann Anderson Outstanding Deputy Commissioner Award, it is customary to cite the three criteria embodied by the nominee:

1. Roz Collins has certainly demonstrated an achievement or excellence during the current year that enhanced the operations of her local Commissioner's office;
2. Roz Collins has unselfishly given her time by working on behalf of the Association;
3. And Roz Collins has absolutely contributed to the professionalism of her office and of the Association over a LONG period of time.

I can think of no one more deserving to carry on the legacy of Margaret Ann Anderson. It is therefore with a mixture of gratitude, pride, and admiration that I nominate Rosalind Collins to be the recipient of the 2024 Margaret Ann Anderson Outstanding Deputy Commissioner Award.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd D. Divers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Todd D. Divers  
Charlottesville Commissioner of the Revenue

# CITY OF CHARLOTTESVILLE



## PROCLAMATION

**ROSALIND COLLINS**

**DECEMBER 16, 2024**

**WHEREAS** Rosalind Collins has served the City of Charlottesville with great dedication and distinction for over 34 years as a vital member of the Charlottesville Commissioner of the Revenue's Office, attaining the professional designation of Master Deputy Commissioner of the Revenue; and

**WHEREAS** Rosalind Collins has always displayed boundless energy and enthusiasm for her job, and for ensuring fair and equitable taxation for the citizens of Charlottesville; and

**WHEREAS** Rosalind Collins has been directly responsible for numerous innovations and initiatives in the Commissioner of the Revenue's Office; and

**WHEREAS** Rosalind Collins has participated in and led innumerable inter-departmental City teams, usually in the area of technology, resulting in modernization and efficiency improvements Citywide; and

**WHEREAS** Rosalind Collins, on September 25, 2024, was honored by the Commissioners of the Revenue Association of Virginia as its Margaret Ann Anderson Outstanding Deputy Commissioner for 2024;

**NOW, THEREFORE,** the Charlottesville City Council congratulates Rosalind Collins for this significant achievement, and further extends appreciation for her contributions to the City, and for her enthusiasm and dedication to serving the Citizens of Charlottesville.

Signed and sealed this 16th day of December 2024.



**CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES**  
**December 2, 2024 at 4:00 PM**  
**Council Chamber**

The Charlottesville City Council met on Monday, December 2, 2024. Mayor Juandiego Wade called the meeting to order at 4:03 p.m. and Clerk of Council Kyna Thomas called the roll, noting all councilors present: Mayor Juandiego Wade, Vice Mayor Brian Pinkston and Councilors Natalie Oschrein, Michael Payne, and Lloyd Snook.

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

## **REPORTS**

### **1. REPORT: Budget Briefing: Housing and Infrastructure**

City Manager Sam Sanders provided a briefing on the Fiscal Year 2026 City Budget, with specific attention to housing and infrastructure. The purpose of budget briefings is to share trends that impact the budget, to highlight fiscal demands, to identify this budget's fiscal drivers, and to confirm that priorities are captured. Two areas of focus identified for reaching housing goals were: 1) consideration of incentives, and 2) affordable housing investment. Three areas identified in achieving infrastructure goals were: 1) Parks Master Plan, 2) citywide improvements, and 3) internal operations.

## **CLOSED MEETING**

On motion by Pinkston, seconded by Payne, Council voted 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: none) to meet in closed session as authorized by Virginia Code Section 2.2-3711(A)(7) for consultation with legal counsel pertaining to actual litigation, where such consultation in open meeting would adversely affect the litigating posture of the public body.

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

## **BUSINESS SESSION**

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

## **ANNOUNCEMENTS**

Councilor Oschrein read a reminder from the City Treasurer's Office about the December 5<sup>th</sup> deadline to pay personal property taxes.

Vice Mayor Pinkston announced open registration for the Move Safely Blue Ridge Virtual Community Open House on December 11, as well as a survey.

Mayor Wade gave a reminder about the Grand Illumination event on December 6.

## **COMMUNITY MATTERS**

Mayor Wade opened the floor for comments from the public.

1. Susan Kruse, CEO of the Community Climate Collaborative (C3), spoke about the need to address climate change with zero emission transit and to apply for the Environmental Protection Agency



(EPA) Clean School Bus Program grant.

2. Sadhbh "Sive" O'Flynn, C3 Climate Justice Manager, spoke in support of city efforts to address climate justice, and she encouraged the city to pursue electric school bus EPA grant funding.
3. Sarah Delgado, C3 climate justice advocate, spoke in support of the city applying for the EPA Clean School Bus Program Rebates grant.
4. Donna Shaunesey, Chair of the local Sierra Club, spoke in support of the city applying for funding for electric school buses.
5. Everest Koester, high school student, spoke in support of the city applying for the EPA Clean School Bus Program Grant.
6. Lila Castleman, high school student, spoke in support of the city applying for the EPA grant to purchase electric school buses.
7. John Woodruff, city resident, spoke in opposition to the parking ordinance item on the agenda to amend City Code Section 15-144.
8. Dave Judd, city resident, spoke in support of electric vehicles.
9. Mo Van de Sompel, city resident, asked for consideration of more urbanized areas with higher pedestrian traffic when cancelling and re-prioritizing infrastructure projects. He expressed a desire for Council to be more liberal in consideration of café design standards proposed by the Board of Architectural Review.

#### **CONSENT AGENDA \***

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record, and on motion by Pinkston, seconded by Payne, Council voted 5-0 to adopt the Consent Agenda (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

2. MINUTES: November 18, 2024 regular meeting
3. RESOLUTION to appropriate funds from the Supreme Court of Virginia, Recovery Court Docket Grant in the amount of \$240,000 for the Charlottesville/ Albemarle Recovery Court (2nd reading)

#### **RESOLUTION**

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

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

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

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

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

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

Revenues

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

Expenditures

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

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

4. RESOLUTION to appropriate \$408,437 from the Opioid Abatement Authority Collaborative Partnership Grant (2nd reading)

**RESOLUTION**

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

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

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

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

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

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

**Revenues: \$408,437**

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

**Expenditures: \$408,437**

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

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

5. RESOLUTION to reallocate funds for the Meadow Creek Trail and Bridges Project - \$253,697

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

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

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

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

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

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

**Transfer From:**

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

**Transfer to:**

\$253,697	Fund: 426	WBS: P-00995	G/L Account: 599999
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6. RESOLUTION to reallocate and appropriate Parks and Recreation CIP funds to Rugby Avenue Trail CIP - \$155,000

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

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

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

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

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

**Transfer From:**

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

**Transfer to:**

\$155,000	Fund: 426	WBS: P-00977	G/L Account: 599999
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7. Resolution to appropriate funding from the Virginia Department of Housing and Community Development, Housing Opportunities for Persons with AIDS/HIV (HOPWA) grant 24-HOPWA-303 in the amount of \$389,312 (Carried)
8. Resolution to appropriate BAMA Works Special Event Funding - \$38,700 (Carried)

## **CITY MANAGER REPORT**

City Manager Sanders asked Ben Chambers, Transportation Planner, to provide an update on the dockless mobility vehicle system and the Veo permit for dockless mobility services. Mr. Chambers encouraged the public to report concerns and violations through the MyCville app. City Council members provided feedback and Mr. Chambers explained the Veo Access Program for low-income residents.

Mr. Sanders announced the December 6 Grand Illumination event and the December 12 City Manager Budget Forum.

## **ACTION ITEMS**

### **9. ORDINANCE amending City Code Section 15-144 (Parking of buses, trucks, etc. between Midnight and 6:00 a.m.) (2nd reading)**

This ordinance having been introduced at the November 18, 2024, City Council meeting, City Engineer Brennen Duncan answered questions for City Council. City Manager Sanders stated that the Police Chief and Commonwealth's Attorney would like time to review the proposal and give input. He suggested postponing consideration of action on the ordinance.

On motion by Payne, seconded by Oschrein, Council by a vote of 5-0 postponed further consideration of the ordinance amending City Code Section 15-144 (Parking of buses, trucks, etc. between Midnight and 6:00 a.m. to a future meeting (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

### **10. RESOLUTION for VDOT Portfolio SmartScale re-allocation, cancellation, project development agreement termination, and revised projects scope**

James Freas, Deputy City Manager for Operations, summarized the proposed resolution to authorize changes to or cancellation of various state-funded transportation projects locally administered by the City of Charlottesville, and he reviewed the proposed scope changes.

City Manager Sanders offered additional clarity about the difficult process leading to the recommendation for proposing project cancellations.

On motion by Pinkston, seconded by Snook, Council by the following vote approved the Resolution for VDOT Portfolio SmartScale re-allocation, cancellation, project development agreement termination, and revised projects scope: 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

## **RESOLUTION**

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

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

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

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

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

- 1) Council hereby authorizes termination of the City/VDOT Project Development Agreement dated September 22, 2016;
- 2) The City Manager is authorized to request that VDOT administer the Fontaine Avenue Streetscape project (UPC 109484) per the City/VDOT Memorandum of Agreement dated July 15, 2024, with a revised scope;
- 3) The City Manager is authorized to cancel the Emmet Streetscape – Phase II Smart Scale project (UPC 118867);
- 4) The City Manager is authorized to cancel the 5th Street SW and Ridge Smart Scale project (UPC 124409); and
- 5) The City Manager is hereby authorized to execute all documents and to take any and all other actions as may be necessary to cancel or terminate locally administered project agreements, to cancel or terminate grant agreements, revise a project's scope, and to take any other lawful actions necessary to implement the actions authorized by this Resolution.

**11. RESOLUTION for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes (Carried over from the November 18, 2024 meeting)**

James Freas, Deputy City Manager for Operations, stated that NDS staff are willing to meet with individual council members to answer further questions, and he suggested that Council defer consideration of action on the resolution until a future meeting.

On motion by Payne, seconded by Pinkston, Council by the following vote postponed further consideration of the Resolution Approving Revisions to the Architectural Design Control Overlay Districts Design Guidelines Chapter 5, Section E (Outdoor Cafés) until the December 16, 2024, meeting: 5-0 (Ayes: Oschrein, Payne, Pinkston, Snook, Wade; Noes: None).

**COMMUNITY MATTERS (2)**

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

**ADJOURNMENT**

On motion by Pinkston, seconded by Payne, Council by unanimous vote adjourned the meeting at 8:48 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

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



Agenda Date:	December 16, 2024
Action Required:	Appropriation of \$389,318 from DHCD for HOPWA Program
Presenter:	Taylor Harvey-Ryan, Grants Program Manager
Staff Contacts:	Taylor Harvey-Ryan, Grants Program Manager
Title:	<b>Resolution to appropriate funding from the Virginia Department of Housing and Community Development, Housing Opportunities for Persons with AIDS/HIV (HOPWA) grant 24-HOPWA-303 in the amount of \$389,312 (2nd reading)</b>

**Background**

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

**Discussion**

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

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

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

### **Alignment with City Council's Vision and Strategic Plan**

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

### **Community Engagement**

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

### **Budgetary Impact**

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

### **Recommendation**

Staff recommends approval and appropriation of grant funds.

### **Alternatives**

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

### **Attachments**

1. 24-HOPWA-303 Resolution

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

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

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

**Revenues**

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

**Expenditures**

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

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



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



Agenda Date:	December 16, 2024
Action Required:	Approval of Resolution
Presenter:	Riaan Anthony, Director of Parks & Recreation
Staff Contacts:	Riaan Anthony, Director of Parks & Recreation Anne Secreast
Title:	<b>Resolution to appropriate BAMA Works Special Event Funding - \$38,700 (2nd reading)</b>

**Background**

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

**Discussion**

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

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

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

**Alignment with City Council's Vision and Strategic Plan**

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

**Community Engagement**

**Budgetary Impact**

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

**Recommendation**

Staff recommends approval of this resolution.

**Alternatives**

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

**Attachments**

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

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

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

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

**Revenues - \$38,700**

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

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

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



Agenda Date:	December 16, 2024
Action Required:	Approve Resolution
Presenter:	Brenda Kelley, Redevelopment Manager, Chris Gensic, Park and Trail Planner
Staff Contacts:	Brenda Kelley, Redevelopment Manager Chris Gensic, Park and Trail Planner Taylor Harvey-Ryan, Grants Program Manager Riaan Anthony, Director of Parks & Recreation
Title:	<b>Resolution to appropriate grant funds from the Virginia Department of Conservation and Recreation in the amount of \$393,456.60 for the Pollocks Branch Pedestrian/Trail Bridge (1 of 2 readings)</b>

**Background**

The City of Charlottesville has received notification of award in the total amount of \$393,456.60 from the Virginia Department of Conservation and Recreation for the construction of the Pollocks Branch Pedestrian Bridge. Of this total amount, \$314,765.28 is funding from the Virginia Department of Conservation and Recreation's Recreational Trails Program (RTP) and \$78,691.32 is the City's match from previously approved project CIP funds.

This new Pollocks Branch Pedestrian Bridge will provide residents and visitors new safe, stable and accessible pedestrian connectivity to the creek and the emerging Rivanna Trails network, crossing the water at the end of Rockland Avenue and leading directly into CRHA's South First Street residential community. This new bridge also supports the city's walkable watershed concept with the ideas of clean water, healthy communities, and connected, vibrant neighborhood places in an effort to improve urban creeks, preserve community assets, and generate community pride. When completed, the Pollocks Branch Pedestrian Bridge will become part of the ever-expanding Pollocks Branch trail network and will provide an important link to the city's trails system. Building this bridge over the Pollocks Branch waterway will create a much needed, centrally located east-west bicycle and pedestrian link within the six-block long urban area separated by the waterway between Elliot Avenue and Rougemont Avenue.

In addition, this neighborhood is expected to experience a significant growth in population with the redevelopment of the Charlottesville Redevelopment and Housing Authority's (CRHA) nearby South First Street residential complex.

The proposed bridge will also provide new and safe access to the developing Pollocks Branch greenway to Jordan Park. This greenway is planned to connect the downtown area with Moores Creek and the Rivanna Trails system. The bridge will traverse the Pollocks Branch waterway at the

end of Rockland Avenue connecting to the Pollocks Branch Trail that traverses the eastern boundary of the CRHA South First Street community.

### **Discussion**

At its November 4, 2024 meeting, the City Council approved Community Development Block Grant (CDBG) funds to fill a shortfall of estimated funding for the construction of the Pollocks Branch Pedestrian Bridge. Through that agenda item and during that presentation it was reported that the City was awarded \$307,639.69 in funding from the Commonwealth of Virginia Department of Conservation and Recreation following submittal of a competitive application through the Recreational Trails Program (RTP). Staff also reported that they had just been notified of an additional award of funds under the RTP program in the amount of \$7,125.59.

Approval of this request will appropriate the full amount of funding from the Virginia Department of Conservation and Recreation totaling \$314,765.28, to facilitate construction of the new bridge.

### **Alignment with City Council's Vision and Strategic Plan**

This request is closely aligned to City Council's vision of the City of Charlottesville as a community in which everyone can thrive, stemming in part from its contributions to enhancing public access to Recreation and the city's abundant greenspaces.

### **Community Engagement**

This proposal benefits from a high degree of community engagement in that numerous community groups and organizations have been involved in the planning of the Walkable Watershed concept since as early as 2015. The Redevelopment Committee of the Charlottesville Redevelopment and Housing Authority (CRHA) and the Charlottesville Public Housing Association of Residents (PHAR) envisioned this bridge as part of the redevelopment of South First Street, and were the primary planning group for this overall project.

### **Budgetary Impact**

There is no impact to the General Fund as the project will be funded using a combination of grant funds and funds previously appropriated for SIA Immediate Implementation in the City's Capital Improvement Fund.

### **Recommendation**

Staff recommends approval of the attached Resolution to appropriate the grant funds awarded by the Virginia Department of Conservation and Recreation.

### **Alternatives**

If grant funds are not appropriated, the grant funds awarded will have to be forfeited and returned to the Virginia Department of Conservation and Recreation. If this were to happen, there would not be enough funding available to proceed with the project.

### **Attachments**

1. RESOLUTION appropriate grant funds RTP 121624

**RESOLUTION**  
**Appropriation of Virginia Department of Conservation and Recreation grant funds in the amount of \$393,456.60 for the Pollocks Branch Pedestrian/Trail Bridge**

**WHEREAS**, the City of Charlottesville seeks to expand access to the city’s network of parks and trails, support recreational enjoyment, and promote forest and stream preservation and restoration purposes; and

**WHEREAS**, following a competitive application process, the Virginia Department of Conservation and Recreation notified the City of Charlottesville of award of grant funding in the total amount of \$393,456.60 to assist with the construction of the Pollocks Branch Pedestrian/Trail Bridge; and

**WHEREAS**, the grant award covers the period August 21, 2024 through August 31, 2027; and

**WHEREAS**, the City Manager, or their designee, is hereby authorized to sign the necessary documents to effectuate acceptance of the grants; now, therefore,

**BE IT RESOLVED**, by the Council of the City of Charlottesville, that the sum of \$393,456.60, received as a grant from the Virginia Department of Conservation and Recreation, is hereby appropriated in the following manner:

<b><u>Revenues</u></b>			
\$314,765.28	Fund: 209	Order: 2600050	G/L: 430120 State/Fed Pass-thru
\$ 78,691.32	Fund: 209	Order: 2600050	G/L: 498010 Transfer from Other
<b><u>Expenditures</u></b>			
\$314,765.28	Fund: 209	Order: 2600050	G/L: 541080 Acq Bridge
<b><u>Transfer From</u></b>			
\$ 78,691.32	Fund: 426	WBS: P-00818	G/L: 561209 Transfer to Grants

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$314,765.28 from the Virginia Department of Conservation and Recreation.

Approved by Council  
December 16, 2024

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Kyna Thomas, CMC  
Clerk of Council

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



Agenda Date:	December 16, 2024
Action Required:	Approval of Resolution
Presenter:	Michael Goddard, Facilities Development Manager
Staff Contacts:	Michael Goddard, Facilities Development Manager Krisy Hammill, Director of Budget
Title:	<b>Resolution to allocate funds from the CIP Contingency Fund for emergency repairs to the Fontaine Fire Station Parking Lot - \$200,000 (1 reading)</b>

**Background**

Charlottesville Public Works and Charlottesville Utilities are collaborating to make an emergency repair to stabilize the drive apron at the Fontaine Fire Station, which was found to be undermined after a recent storm event. Charlottesville Utilities intends to utilize their on-call contract to make the repair. An appropriation of \$200,000 from the City's CIP contingency fund is required to complete the required work.

**Discussion**

Recent rain events have uncovered an underground cavity that threatens to undermine the structural stability of the drive apron at the Fontaine Fire Station. This apron is the approach to the parking bays for the fire apparatus which operate at Fontaine, and a structural failure while under load could be catastrophic. The cavity was caused by a utility vault that was not properly and permanently sealed when the original utility work was done in conjunction with the construction of the fire station ten years ago. Over time the improperly sealed vault has allowed water to exit the vault, entraining the surrounding earth and removing it into the storm drain. At the present time. The apron has been put out of service until the repairs can be made, which is a significant inconvenience and an operational disruption to fire department (CFD). Repair will involve removal of a section of the concrete apron, stabilization of below ground utilities, backfill and replacement of the concrete apron. While Charlottesville Public Works/ Facilities Development staff will act as fiscal agent and is offering project management support, Charlottesville Utilities will work to schedule the repair contractor based on their on- call contract for utility repair work.

The total project budget is \$200,000, which includes a 15% construction contingency, which is required due to the likelihood of unforeseen conditions when the full cavity is exposed.

**Alignment with City Council's Vision and Strategic Plan**

**Community Engagement**

N/A

**Budgetary Impact**

No new funds are being requested. The balance in the CIP contingency account were previously appropriated and are intended to used to help with unplanned and unforeseen expenses such as this one.

**Recommendation**

Staff recommends approval of the resolution.

**Alternatives**

Council could find a different source of funding to pay for the work that needs to be performed.

**Attachments**

1. RES\_\$200,000 Fontaine Fire Station Drive Apron Repair



**RESOLUTION**  
**Allocating \$200,000 from the Capital Improvement Program Contingency Account**  
**for the Fontaine Fire Station Drive Apron Repair**

**WHEREAS**, the City of Charlottesville needs to make an emergency repair to stabilize the drive apron at the Fontaine Fire Station, which was found to be undermined after a recent storm event;

**WHEREAS**, the City of Charlottesville requires appropriation of \$200,000 for the emergency repair of City property such that the City can continue governmental operations; and

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that funds needed for the drive apron repairs will be paid from the Capital Improvement Program Contingency Account:

**Transfer From:**

\$200,000	Fund: 426	WBS: CP-080	G/L Account: 599999
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**Transfer To:**

\$200,000	Fund: 426	Funded Program: P-01118	G/L Account: 599999
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# **City Manager's Report**

*City Departments*

12-16-2024

### **City Manager – Sam Sanders (he/him)**

- 12/3 – Joined Jeff Richardson for a preview of the UVA Buildings and Grounds Committee Meeting. The meeting featured three new projects:
  - 1,023-space Copeley @ Massie parking garage
  - 760-unit housing development On Grounds at Ivy & Copeley
  - 1200-seat Performing Arts Center at Emmet & Ivy
- 12/3 Feature speaker at the Rose Hill Neighborhood Association meeting. It was a great exchange of information. Thank you for a great evening and dinner.
- 12/4 Monthly check in with Dr. Gurley - preparing for the upcoming joint session between Council and School Board on 12/19.
- An Offer has been extended and accepted for the vacant Director of Social Services position - I will soon formally announce and introduce our new leader and team member
- We have engaged the professional firm Raftelis to lead a recruitment for a City Attorney and Director of Human Resources. We look forward to filling these important seats in the new year.

### **Deputy City Manager for Social Equity – Ashley Reynolds Marshall (she/her)**

- Served as the Keynote Speaker for Live2Lead Charlottesville – hosted by Andrea Johnson (The Intentional Optimist) on October 18, 2024.
- Attended Region 10's Legislative Forum along with DCM Ratliff, focused on mental health concerns in the upcoming General Assembly on October 24, 2024.
- Attended the City's Department of Social Services Advisory Board Meeting along with Director Misty Graves – Human Services to discuss the direct human services work of the City outside of the Social Services team on October 28, 2024.
- In October 2024, the City of Charlottesville was invited to join the CFE Fund Bank On Academy, a six-month program focused on building the leadership necessary to run a Bank On program and the work to launch and lead the program. Bank On is a national program run by municipalities that support unbanked and underbanked community members to learn more about their finances and secure mainstream checking/savings accounts. The City has had a Bank On program in the past, and this effort will allow our team to determine if it could be helpful for our community again under the Council's Economic Prosperity Strategic Outcome Area. City staff learning this effort, in addition to DCM Marshall, Director Chris Engel (Office of Economic Development), and Director Todd Niemeier (Office of Human Rights) are Roy Fitch Jr. (Employment and Financial Opportunity Manager – Office of Social Equity); Kianna Vaughan Randolph (Job Center Engagement Representative – Office of Social Equity), and Stacey Washington (Home to Hope Peer Navigator – Office of Social Equity).
- Participated in the Community Policy and Management Team (CPMT) Annual Retreat, where LAJC presented on issues and laws impacting immigrant youth in Charlottesville on November 7, 2024.
- Attended the Chamber's Minority Business Alliance (MBA) Gala celebrating the winners of the John F. Bell Sr. Vanguard Award (Ms. Khalilah Jones with Chic & Classy Image Consulting) and the winners of the 2024 Minority Enterprise Grant program hosted by United Way of Greater Charlottesville and the MBA on November 2, 2024.
- Attended the National League of Cities CitySummit Annual Conference in Tampa, FL as a part of their Race, Equity, and Leadership (REAL) Equity Practitioner Convening that

Gateshead a select group of racial equity practitioners to discuss the future of equity work in local government and nationally from November 13-16, 2024.

- In November 2024, the Office of Social Equity launched the City's first Organization-Wide Language Access Services program, which will provide professional interpretation and translation services by PGLS, a Virginia Minority-led company. Staff training has begun and will continue through the beginning of the new year.

#### **Deputy City Manager for Operations – James Freas (he/him)**

- On December 6 Public Works hosted a training entitled “ADA and the Public Right-of-Way.” Participants in this full day training included staff from DPW, Parks, NDS, and the City Manager's Office. The training reviewed the legal requirements for ADA compliance and provided numerous examples of the dos and don'ts where it comes to providing accessible pathways for all people in the City.
- Spoke on a webinar panel hosted by APA Maryland, the Maryland Department of Planning, and the Smart Growth Network on Zoning for More Equitable Housing Options.

#### **Neighborhood Development Services – Director Kellie Brown (she/her)**

- The Zoning Division is happy to announce that they will have an intern during the spring semester. Ms. Nicole Brager, a UVA Urban and Environmental Planning Major, will be assisting in revamping the Zoning Division webpage and researching homestay trends and regulations to determine if the City should amend its current ordinance.

#### **Parks & Recreation – Director Riaan Anthony (he/him)**

- All Master Plan presentations have been posted on the project website for patrons to review and leave feedback. Charlottesville Parks and Recreation Master Plan | EngagePros.
- Registration for Winter/Spring programs is open! Customers can view classes and register online at: Parks and Recreation – Splash.
- A new inclusive play structure was installed at Northeast Park. (Based on the line of cars parked on Sheridan/Calhoun, it was very well-received by the public.).
- Youth Basketball Clinic:
  - In collaboration with HER Sports, Charlottesville Parks and Recreation hosted a free youth basketball clinic on December 1, 2024.
    - The event was a huge success, featuring big smiles and newly attained basketball skills (see attached pictures).
- Holiday Market:
  - Open now through December 21, 2024, at the Water Street location.
    - Enjoy great food, handmade gifts, and a holiday give-back opportunity with Wildrock.
- Northeast Park Update:

- A new inclusive play structure was installed, receiving positive feedback from the community based on the number of cars parked on Sheridan/Calhoun.
- Downtown Mall Updates:
  - Seasonal decorations (winter banners and garland) were installed to align with the Grand Illumination.
  - Fountains were drained, cleaned, and pumps removed for winterization.
  - Crews conducted leaf cleanups.

#### **Utilities – Director Lauren Hildebrand (she/her)**

- The Department of Utilities takes its responsibilities seriously to inform the public of natural gas safety procedures and Flicker the Flame's annual Natural Gas Safety Quiz is a great way to help ensure everyone in the area is aware of these procedures and understands how to properly follow them. Take the quiz by going to [www.charlottesville.gov/gas](http://www.charlottesville.gov/gas), and enter for a chance to win a \$100 gift card. By working together, we can make our community a safer place to call home.
- Utilities has several energy efficiency tips for homes and encourages customers to make small improvements to their home's energy efficiency to see big differences in energy consumption. Small changes, in combination with the wise use of energy, can help increase a home's comfort and reduce energy costs. For the full list of energy efficiency tips for your home, visit [www.charlottesville.gov/gas](http://www.charlottesville.gov/gas).
- Utilities offers customers resources to help ease the stress of paying their utility bill, including the Charlottesville Gas Assistance Program (GAP). GAP is designed to help those individuals heating with natural gas who, although in financial need, do not qualify for State Fuel Assistance or whose State Assistance allocation has been exhausted. More information on GAP, including program eligibility requirements, can be found at [www.charlottesville.gov/utilities](http://www.charlottesville.gov/utilities). If you would like to donate to GAP, donations can be mailed to Utility Billing at P.O. Box 591 Charlottesville, VA 22902. Please make checks payable to "City of Charlottesville" with "GAP" in the memo section. You can also make donations in-person at the City Treasurer's Office inside City Hall located at 605 E Main Street during regular business hours, Monday-Friday. Your contribution is greatly appreciated and helps ensure the program can assist the greatest number of people possible.

#### **Fire Department – Chief Michael Thomas (he/him)**

- CFD responded to a structure fire involving a Fraternity House housing 13 UVA students. Due to the fire damage the students were relocated with the assistance of UVA Staff. The fire is currently under investigation by CFD Fire Marshal.

- CFD responded to a fire involving four vehicles on City property. Cause has been determined by CFD Fire Marshal and a press release presented.
- Deputy Chief William Broschious assumes his role with CFD 12/09/2024.

#### Key Operations Metrics

CFD Incident Comparison: FY23 to FY25 YTD July- November			
	FY 2023	FY 2024	FY 2025
EMS/Rescue	2,450	2,202	2,142
Fire	57	67	78
Other Type	1,096	981	1,238
Grand Total	3,603	3,250	3,457

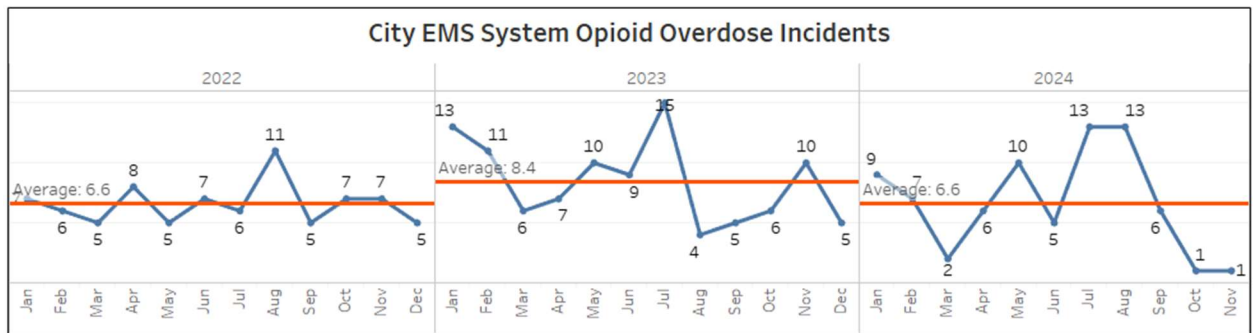
- Comparing the first five months of FY25 to the same period in FY24, CFD incidents are up by 6% across all categories.
- Fire incidents increased by 16%, EMS incidents decreased by 3%, and all other types of incidents increased by 26%.

#### Monthly Incident Averages and Trends

Avg. Monthly EMS Incidents Last 12 Months	Avg. Monthly Fire Incidents Last 12 Months	Avg. Monthly Other Type Incidents Last 12 Months
390	13	185
Change in Avg. Monthly EMS Incidents in Last Year vs. Previous Year	Change in Avg. Monthly Fire Incidents in Last Year vs. Previous Year	Change in Avg. Monthly Other Type Incidents in Last Year vs. Previous Year
-3.1%	-9.5%	9.5%

On average, CFD has run about 390 EMS incidents, 13 fire incidents, and 185 other type incidents each month in the last year. Comparing those monthly averages to the year before, fire and EMS incidents are decreasing, and all other incident types are increasing.

## Opioid Overdoses



Opioid overdoses in the City declined significantly in October and November. CFD and CARS have run an average of about seven overdoses monthly in 2024, a decrease from 2023.

## Unhoused EMS Patients

- CFD & CARS added a new field to patient care reports to track emergency medical responses to unhoused patients in June 2024. Our records show that over the last six months, CFD & CARS have responded to 38 unhoused patients monthly on average.
- The top three findings of attendants in charge on these incidents were non-traumatic pain (17.6% of calls), alcohol abuse (16.4% of calls), and bodily injuries (11.7% of calls).
- The field that tracks unhoused patients was only implemented in June 2024 when we switched to NEMSIS 3.5 so that dataset is still fairly small. Graphics are still in development and should be ready in the next few months. There are other response types to unhoused patients that need to be added as well—smoke scares from outside fires, service calls that didn't lead to medical assessments, etc. so the EMS data is only a partial picture of our responses to that group.

### **Department of Human Services – Misty Graves (she/her)**

- The Department of Human Services supports the Council Appointed initiative - Youth Council. The members jumped in and completed four meetings thus far. This year, they are working University of Virginia Youth Nex to study participatory research. They will be taking a closer look at mental health and school safety and work towards presenting their findings at City Council in May.
- The Emergency Hotel Stay program has served 20 families this calendar year and additionally 12 individuals who were unable to be served at local shelter options. Our Community Resource Hotline and Pathways program continues to have funding to support eligible households with past-due rent/mortgage/utilities. City residents may call 833-524-2904 and is available 9-5, Monday-Friday.
- Recently, the Westhaven CARES Center celebrated Thanksgiving by providing free catered meals to City residents. They served about 75 meals and enjoyed connecting with one another. DHS looks forward to supporting a similar event later this month in December.





# City Council Update

Charlottesville Parks and Recreation

December 16, 2024





# AGENDA

- Trail Connectivity Analysis Update
- Framework Plan Update
- Cost Estimating for Capital Improvements
- Next Steps



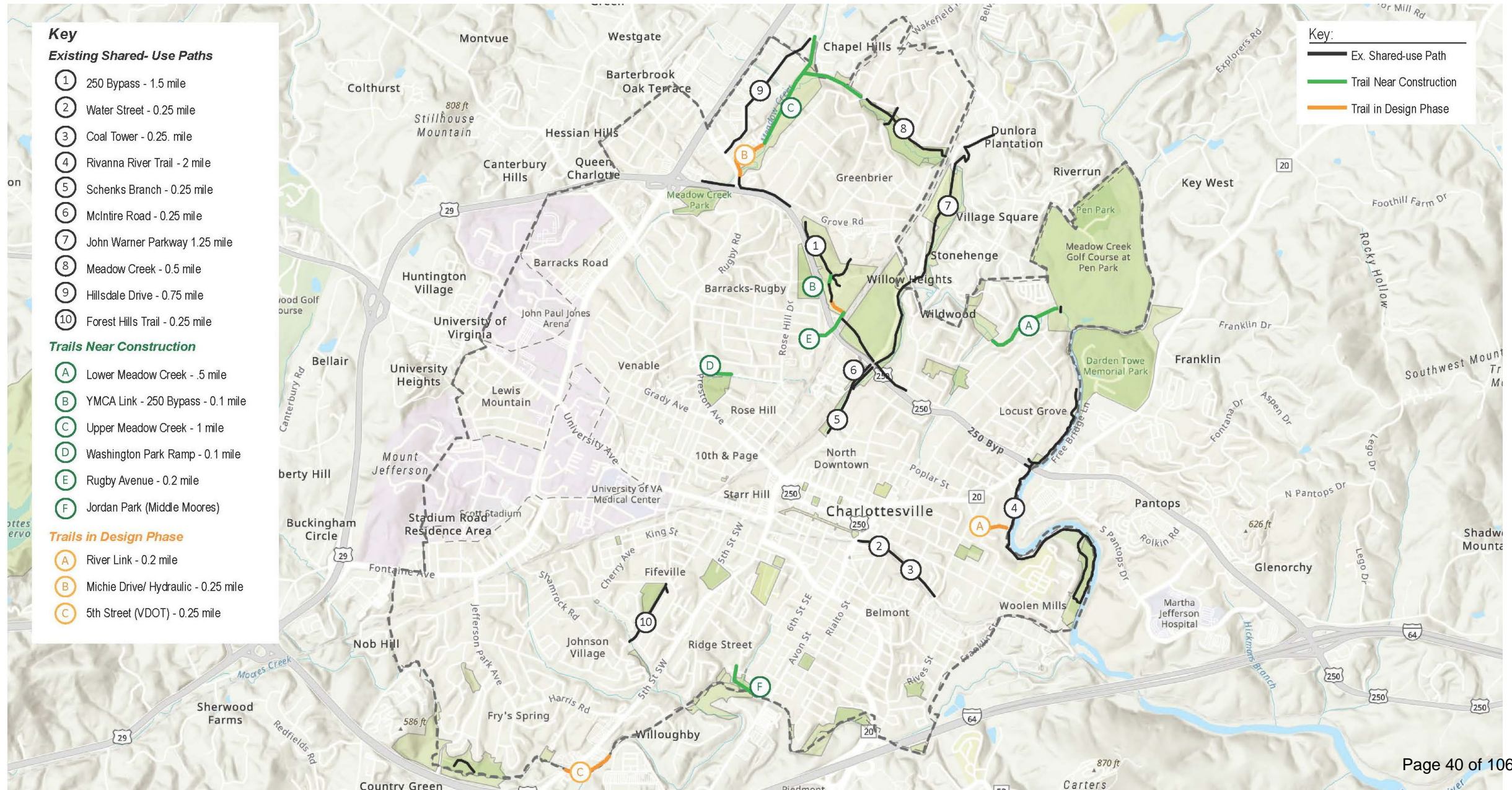
# Connectivity Analysis Goals

- Identify missing paved trail segments.
- Identify possible opportunities to generally expand the paved trail system.
- Prioritize the opportunities to better connect and expand the paved trail system.





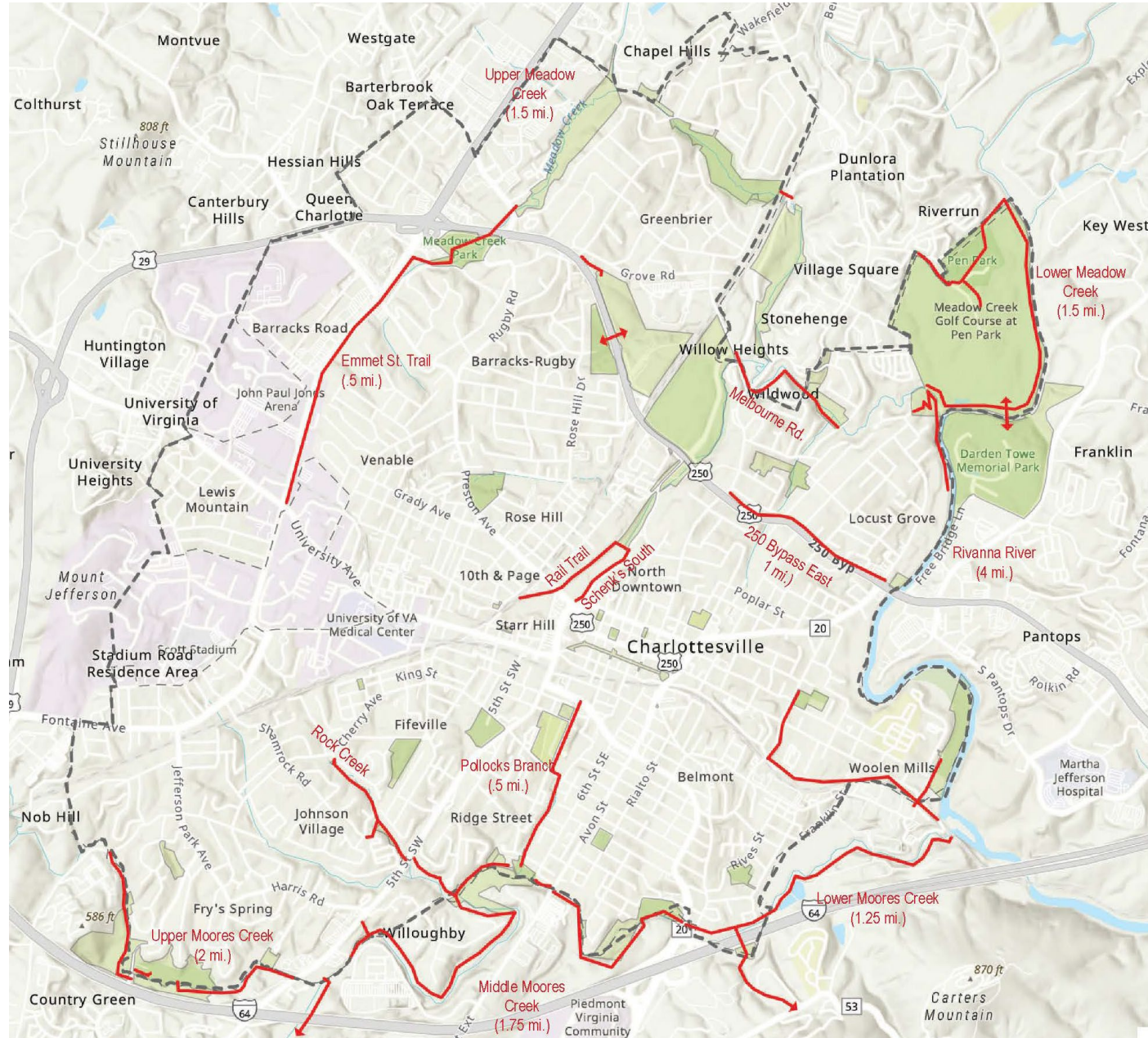
# CURRENT AND PLANNED PAVED TRAILS





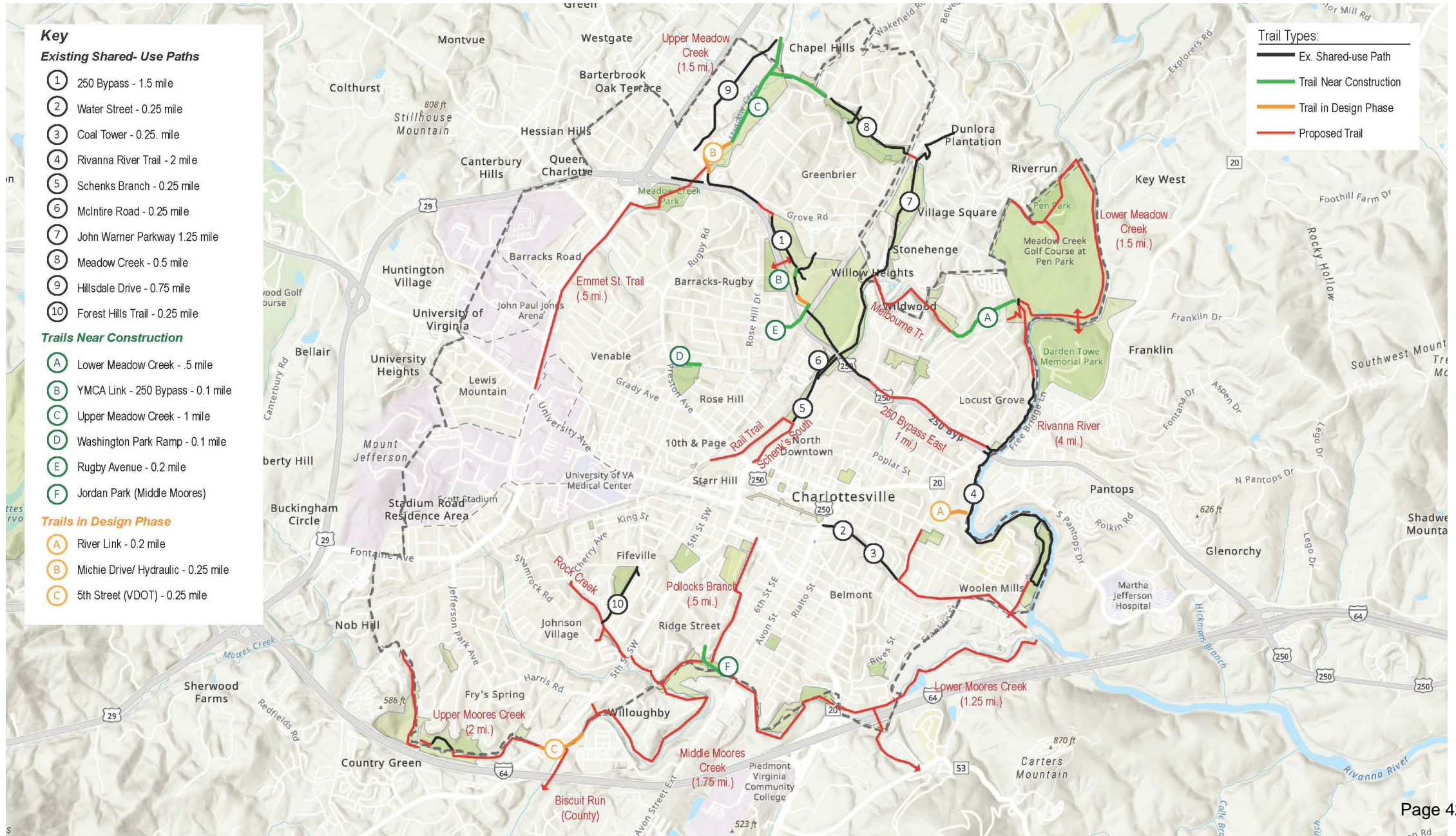
# PROPOSED PAVED TRAILS

- 25 segments
- 12+ miles





# FUTURE PAVED TRAILS SYSTEM



# PRIORITIZATION FOR PROPOSED PAVED TRAILS

- Quantitative analysis, each assessment factor is scored
- Factors include:
  - Commitment to JEDI/EPA Equity Model
  - Geographic Distribution
  - Land Acquisition
  - Purpose of the trail (Recreation and/or Transportation)
  - Destination types (parks, schools, shopping, employment)
  - Special considerations (impediments, construction plans started, etc.)
- Scores will be weighted





# Framework Plans

- Tonsler Park
- Washington Park
- Court Square
- Market Street Park
- Kindlewood Park

Tonsler Park: Concept Plan Mtg - 12

Washington Park: Concept Plan Mtg - 50

Court Square/Market St. : Concept Plan Mtg - 14

Site Specific Plan Focus Group Mtgs - 36

Project Website - Washington Park Survey - 180

Project Website - Market Street Park Survey - 128

Project Website - Tonsler Park Survey - 121

Project Website - Court Square Survey - 86



# TONSLER PARK

## IMPROVEMENTS

1. Shade
2. Add picnic shelter and additional picnic tables and grills in tree grove
3. Improve ADA accessibility to playground
4. New outdoor fitness area
5. Refurbish concession stand
6. Improve ball diamond for play and add cricket pitch
7. Repurpose tennis/pickleball court for more sports
8. Expand upper parking lot
9. Address invasive plants on hillside
10. Add landscape buffer at property line near basketball court

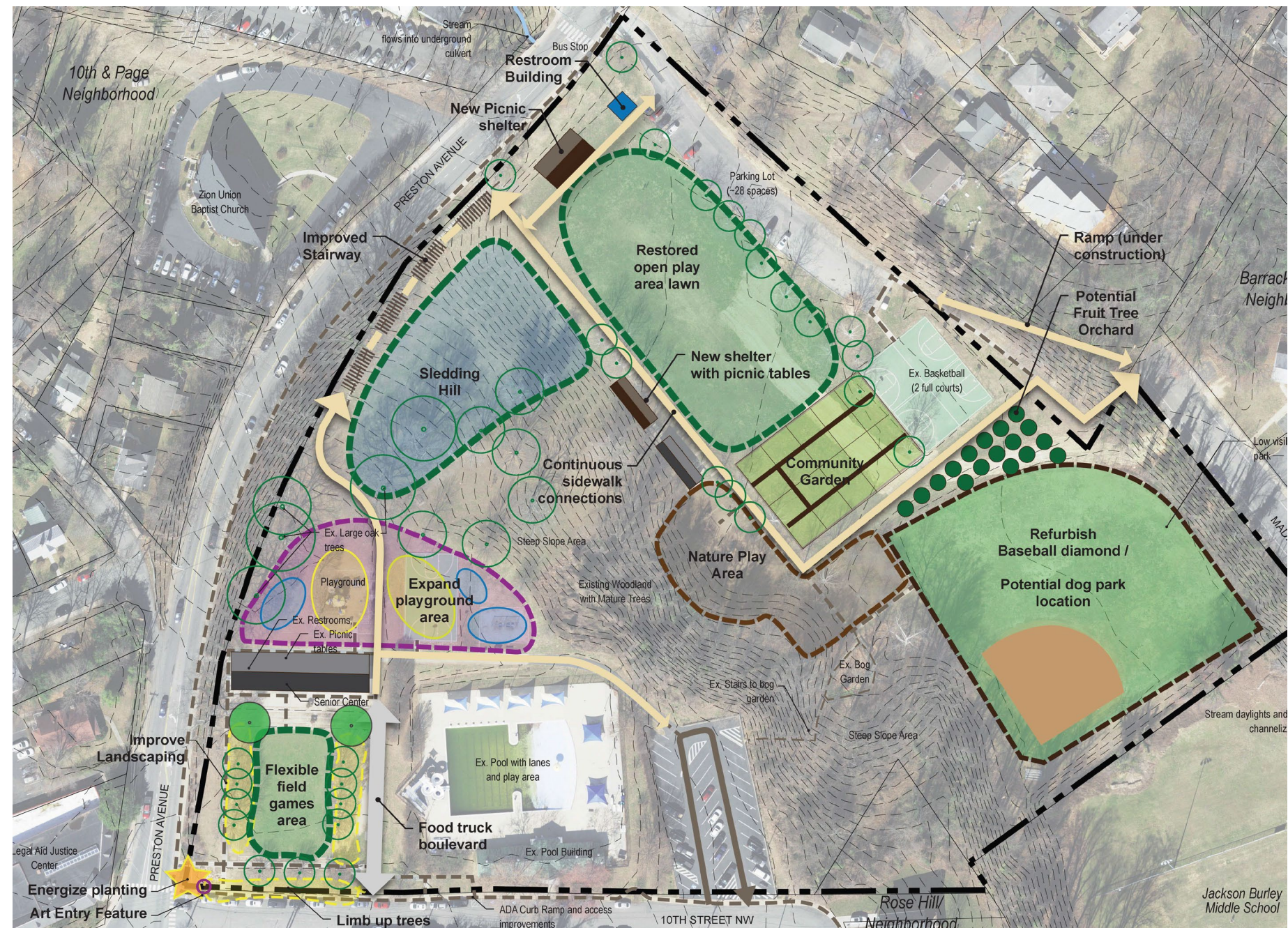




# WASHINGTON PARK

## IMPROVEMENTS

1. Expand existing upper playground; add new play equipment along entry path.
2. Field game equipment/goals set up in event lawn
3. Limb up trees around event lawn and improve landscaping
4. Improve entry landscaping, potentially add art
5. Replace existing path along Preston Ave. with improved stairs.
6. Add 2 picnic shelters and a restroom to lower park.
7. Add community garden to lower
8. Replace tot lot playground with nature play area
9. Refurbish the ball diamond, with potential future conversion to dog park.





# COURT SQUARE

## IMPROVEMENTS

1. Formal plaza with fountain
2. Café table seating area
3. Additional benches
4. Art installation
5. Interpretive signage
6. Improved landscaping, including native planting on steep slope
7. Existing trees preserved
8. Consistent benches, trash cans, lighting, brand





# MARKET STREET PARK

## IMPROVEMENTS

1. Amphitheater steps to 2<sup>nd</sup> Street
2. Benches and picnic tables in wooded grove on north end of park
3. Multi-purpose plaza with decorative surface in central area
4. Open event lawn on south half of park.
5. Benches on meandering path around edge of park
6. Existing mature healthy trees preserved
7. Improved landscaping

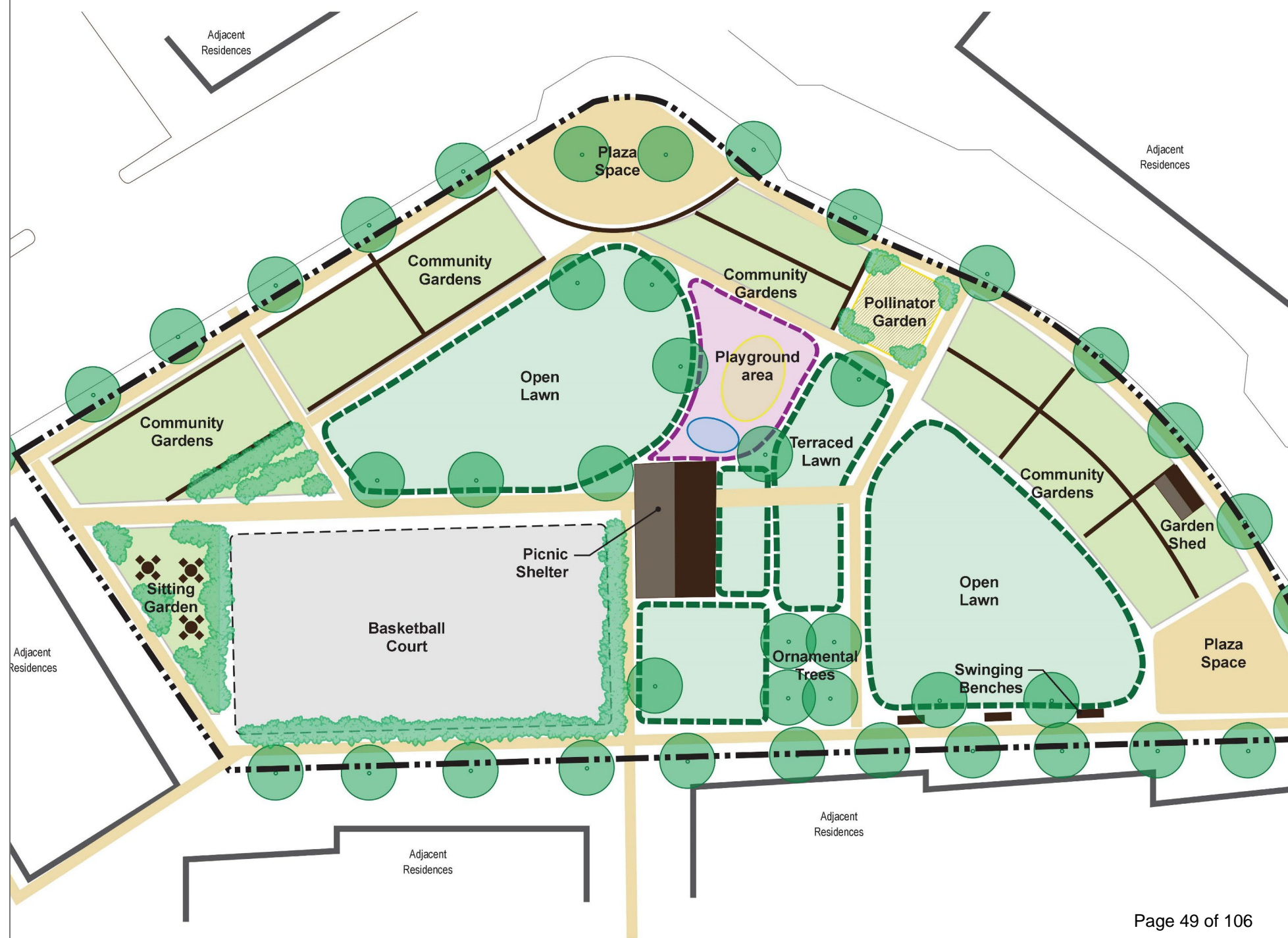




# KINDLEWOOD PARK

## IMPROVEMENTS

1. Picnic shelter
2. Playground
3. Pollinator gardens
4. Community gardens
5. Multi-sport hard court
6. Open plaza
7. Open play lawn
8. Bench swings
9. Amphitheater step seating
10. Shade trees



# Cost Estimating for Capital Improvements

## *Understanding Cost “Buckets”*

### Bucket 1

#### **Critical**

\$ For critical maintenance projects (lifecycle replacement & repair of existing facilities)

### Bucket 2

#### **Sustainable**

\$ For sustainable projects (strategic changes to park system)

### Bucket 3

#### **Visionary**

\$ For complete park renovation, acquisition, & new parks

# Cost Estimating for Capital Improvements By Tier

Tier	Estimated Total Project Cost	Percentage
Sustainable Projects	\$16,468,750	22%
Expanded Service Projects	\$15,041,750	20%
Visionary Projects	\$44,219,172	58%
<b>TOTAL</b>	<b>\$75,729,672</b>	<b>100%</b>

# Cost Estimating for Capital Improvements By Project Type

Project Type	Totals	Percentage
Existing Developed Parks/Facilities/Trails	\$40,667,000	54%
Framework Park Plans	\$4,247,500	6%
New Parks	\$600,000	1%
New Paved Trails	\$25,174,172	33%
Nature Parks	\$4,291,000	6%
Administrative/Planning	\$750,000	1%
<b>TOTAL</b>	<b>\$75,729,672</b>	<b>100%</b>



# Cost Estimating for Capital Improvements By Timeline

Project Type	Estimated Project Cost FY 27-31	Estimated Project Cost FY 32-36	Totals
Existing Developed Parks/Facilities/Trails	\$12,550,000	\$28,117,000	\$40,667,000
Framework Park Plans	\$2,000,000	\$2,247,500	\$4,247,500
New Parks	\$600,000	\$0	\$600,000
New Paved Trails	\$0	\$25,174,172	\$25,174,172
Nature Parks	\$656,250	\$3,634,750	\$4,291,000
Administrative/Planning	\$250,000	\$500,000	\$750,000
<b>TOTAL</b>	<b>\$16,056,250</b>	<b>\$59,673,422</b>	<b>\$75,729,672</b>
<b>PERCENTAGE</b>	<b>21%</b>	<b>79%</b>	<b>100%</b>

# Next Steps

## December

- Tuesday December 17<sup>th</sup> 6pm - Concept Plan/Connectivity Analysis Open House @ Carver Recreation Center

## 2025

- February 6<sup>th</sup> - Parks and Recreation Advisory Board
- February 11<sup>th</sup> - Planning Commission
- March 17<sup>th</sup> - City Council (1<sup>st</sup> Reading)
- April 7<sup>th</sup> - City Council (2<sup>nd</sup> Reading)

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



Agenda Date: December 2, 2024

Action Required: Approve the appropriation through a resolution

Presenter: Garland Williams, Director of Transit

Staff Contacts: Garland Williams, Director of Transit

**Title: Resolution for supplemental appropriation of \$7,571,300 in Federal, State, and Local Capital Grant funding (1 of 2 readings)**

**Background**

The Federal Transit Administration (FTA) and the Virginia Department of Rail and Public Transportation (VDRPT) have awarded the Transit Division of the City of Charlottesville federal and state assistance to support capital projects in the operations of public transit services. The FY24 Grant Award of \$2.1 million will support the purchase of battery electric vehicles and the FY23 Grant Award of \$5.1 million will support the purchase of diesel buses, equipment, support vehicles, and software.

FTA FY23 and FY24 approved capital projects include the purchase of automated vehicle locating (AVL) software, four (4) replacement engines, vehicle support equipment, three (3) support vehicles, and ten (10) buses: Two 35-foot battery-electric buses (Expansion for Pilot Program), four 35-foot diesel buses (Replacement Vehicles), and four 29-foot diesel buses (Replacement Vehicles).

The Transit Division has sufficient funds in the budget for the required match of these procurements due to an unallocated balance held in the Capital Improvements Program (CIP).

**Discussion**

**Appropriation of Funds: Capital - \$7,571,300:** The FTA has awarded \$2,119,964; VDRPT has awarded \$5,148,484, with a local match of \$302,852.

Transit Grants by Type	FY2025 Budget	Grants Awarded	Change to Appropriation
State Capital Award	\$ -	\$ 5,148,484	\$ 5,148,484
Federal Capital Award	\$ -	\$ 2,119,964	\$ 2,119,964
Local CIP Match	\$ -	\$ 302,852	\$ 302,852

<b>Local County Match</b>	\$ -	\$	\$
<b>Total Capital Change</b>	\$ -	\$ 7,571,300	\$ 7,571,300
<b>Total Appropriation Request</b>			\$ 7,571,300

### **Alignment with City Council's Vision and Strategic Plan**

Approval of this agenda item aligns directly with City Council's vision for Charlottesville as a Connected Community, where the City is part of a comprehensive transportation system that enables citizens of all ages and incomes to easily navigate our community. It also aligns with Strategic Plan Goal 3: A Beautiful and Sustainable Natural and Built Environment, Objective 3.3: Provide a variety of transportation and mobility options.

### **Community Engagement**

Charlottesville Area Transit utilizes the Metropolitan Planning Organization's Public Participation Plan to fulfill its public engagement requirements. This includes an opportunity for members of the public to request a public hearing on Charlottesville Area Transit's Program of Projects. No public hearing was requested through those means. However, due to the amount of change to the Charlottesville Area Transit budget, a public hearing is required prior to appropriation.

### **Budgetary Impact**

There is no impact to the General Fund. Local match requirements for the Capital Assistance are covered through the previously appropriated City contribution from the General Fund. Local capital contributions are required in the amount of \$302,852. Matching requirements for these funds are 4% percent. The Transit division has sufficient funds in the unallocated CIP budget to accommodate the 4% match requirement without additional City funding.

### **Recommendation**

Staff recommends approval and appropriation of funds.

### **Alternatives**

City Council may choose not to appropriate the match funds. Without this appropriation, CAT will not be able accept the federal capital funding as the local match is required for this Federal funding award.

### **Attachments**

Resolution Approving Supplemental Appropriation of Federal and State Grant Funds for Charlottesville Transit Projects

**RESOLUTION APPROVING SUPPLEMENTAL APPROPRIATION OF FEDERAL  
AND STATE GRANT FUNDS FOR TRANSIT PROJECTS  
\$7,571,300**

**WHEREAS**, the FY23 and FY24 Federal Capital Grant in the amount of **\$2,119,964**, and the State Capital Grant in the amount of **\$5,148,484**, have been awarded to the City of Charlottesville with a local match of **\$302,852**, for a total of **\$7,571,300**; and

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

**Revenue (Capital)**

\$2,119,964	Fund: 245	Cost Center: 2804001000	GIL: 431010 Federal Grants
\$5,148,484	Fund: 245	Cost Center: 2804001000	GIL: 430110 State Grants
\$ 302,852	Fund: 245	Cost Center: 2804001000	GIL: 498010 Local Match

**Expenditures (Operating)**

\$6,473,420	Fund: 245	Cost Center: 2804001000	GIL: 541040 Vehicles
\$1,097,880	Fund: 245	Cost Center: 2804001000	GIL: 541090 Equipment

**BE IT FURTHER RESOLVED**, that this appropriation is conditional upon the receipt of \$2,119,964 from the Federal Transit Administration, \$5,148,484 from the Virginia Department of Rail and Public Transportation, and \$302,852 from local sources.

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



Agenda Date:	December 16, 2024
Action Required:	None.
Presenter:	Chris Cullinan, Director of Finance, Auditors - Robinson, Farmer, Cox, and Associates
Staff Contacts:	Chris Cullinan, Director of Finance Charles Clemmer
Title:	<b>Report on Annual Financial Audit for Fiscal Year 2024 from the City's Auditors</b>

**Background**

The Code of Virginia requires that localities have their accounts and records audited annually as of June 30 by an independent certified public accountant in accordance with the specifications furnished by the Auditor of Public Accounts (APA).

**Discussion**

State Code requires the City's auditor to report to the governing body at a public session. Matthew McLearen, CPA, CFE and Michael Lupton, CPA, MBA from Robinson, Farmer, Cox, and Associates will present their report to City Council for Fiscal Year 2024 (July 1, 2023 - June 30, 2024).

**Alignment with City Council's Vision and Strategic Plan**

This agenda item aligns with the City's Strategic Outcome Area of Organizational Excellence.

**Community Engagement**

The Annual Comprehensive Financial Report (ACFR) will be available on the City's website. Hard copies will be available upon request.

**Budgetary Impact**

N/A

**Recommendation**

N/A

**Alternatives**

N/A

## **Attachments**

None

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



Agenda Date:	December 16, 2024
Action Required:	Council vote (1 reading).
Presenter:	Chris Cullinan, Director of Finance
Staff Contacts:	Chris Cullinan, Director of Finance Samuel Sanders, Jr., City Manager
Title:	<b>Resolution to reallocate remaining unspent/unobligated American Rescue Plan Act (ARPA) funds for eligible uses.</b>

**Background**

This agenda item serves to obligate the City's remaining American Rescue Plan Act (ARPA) funds by the December 31, 2024 deadline from the US Treasury Department (UST).

ARPA was signed into law in the Spring of 2021 to provide funding for state, local, and tribal governments in assisting individuals and businesses affected by the coronavirus pandemic. The City of Charlottesville received a total of \$19,609,708 from UST in two equal tranches in May 2021 and June 2022. City Council made a series of appropriations between 2021 and 2023 allocating the full amount of the ARPA award to 50+ projects supporting a number of eligible uses.

ARPA contained two deadlines for using the funds: 1.) December 31, 2024 to obligate funds for eligible uses; 2.) December 31, 2026 to fully expend all funds. For purposes of the December 31, 2024 deadline, "obligate" means funds have been reserved on a formal obligation to pay such as a purchase order, contract, credit card, or memorandum of understanding (MOU). An appropriation of funds does not satisfy the UST definition of obligation. Funds not obligated by the December 31, 2024 deadline must be returned to UST.

As of the date of this agenda item, the City has spent approximately \$13.5M in ARPA funds (approximately 69% of the total). Of the remaining funds, \$2.4M has already been obligated per UST guidelines. This leaves approximately \$3.7M of ARPA funds that need to be obligated before the end of December.

This agenda item focuses on the \$3.7M of ARPA funds which need to be reallocated and obligated.

**Discussion**

As noted above, City Council appropriated ARPA funds to 50+ projects between 2021 and 2023 to address the multi-faceted impacts and responses to the coronavirus pandemic on the community and the City organization. The appropriations reflect the best practices and financial estimates at the time of the City Council action.



As time progressed, the pandemic and the responses to the pandemic evolved. The scope and completion of ARPA projects also evolved over time. There are unspent/unobligated ARPA project funds for several reasons:

- Projects have been completed and have leftover balances.
- Projects were not undertaken as the response to the pandemic changed.
- Funds were reserved for projects that were not able to be fully utilized within the ARPA deadline.
- Funds were reserved for possible, unforeseen contingencies resulting from the pandemic.

The total funds available for reallocation totals \$3,759,774.43 A detailed listing of the unspent/unobligated project funds can be found in the attached resolution.

Note: the final numbers for unspent/obligated funds and the projected balance are subject to change as there are still several days remaining during which projects are being completed and paid for. However, the figures above are not expected to change significantly and are reasonable projections.

#### **Alignment with City Council's Vision and Strategic Plan**

This resolution aligns with the City's Strategic Outcome Areas of Housing, Partnerships, and Public Safety.

#### **Community Engagement**

N/A.

#### **Budgetary Impact**

The City has considered ARPA funds as one-time revenues and has endeavored to use these funds for one-time uses in accordance with its financial management policies. The investment in the Salvation Army is a one-time use intended to leverage additional funds and partners. The use of ARPA funds to reimburse the General Fund for previously incurred public safety payroll expenses will result in the reclassification of these expenses from the General Fund to the ARPA Fund. This will result in additional budgetary capacity in the General Fund in the current fiscal year.

#### **Recommendation**

Staff is recommending the remaining unspent/unobligated ARPA funds be reallocated for two uses:

1. \$3,000,000.00 for expansion of the Salvation Army's Center of Hope on Ridge Street to increase capacity for unhoused persons.
2. \$759,774.43 (or the actual unspent/unobligated balance of ARPA funds remaining on December 31, 2024) to reimburse the City for eligible public safety personnel expenses incurred to date during the current fiscal year.

The Salvation Army plans to construct a new 47,000 square foot Center of Hope on their current location on Ridge Street. The new facility will double the current year-round emergency shelter

capacity. In addition, there will be space for hunger relief through a community dining room, collaboration space with local social service agencies, and more case management space to prevent homelessness and meet other basic human needs. The City's contribution will be used leverage additional funds.

The second recommendation is to use the balance of unspent/unobligated ARPA funds to partially reimburse the City for a portion of previous public safety payroll costs since July 1, 2024 (the current Fiscal Year 2025). This is an eligible use under UST guidelines and is similar to the strategy used by the City at the end of 2020 to incur unspent CARES funds as that program ended.

These recommendations:

1. Ensures the City will fully obligate all of the APRA funds by the December 31, 2024 UST deadline
2. Makes a significant investment in addressing major gaps in services and a need for more a more collaborative ecosystem to address the unmet needs of a growing unhoused community.
3. Provides the General Fund budgetary relief and capacity in the current fiscal year.

### **Alternatives**

Amend the Resolution while maintaining compliance with ARPA uses and the December 31, 2024 obligation deadline or return unspent/unobligated funds to UST.

### **Attachments**

1. Resolution to Reallocate Unspent Unobligated ARPA Funds December 2024

## RESOLUTION

### American Rescue Plan Act (ARPA) Funds –Reallocation of Unspent/Unobligated Funds

WHEREAS, the Charlottesville City Council previously appropriated \$19,609,708 of American Rescue Plan Act (ARPA) funds to be spent on a number of eligible projects to mitigate the impacts of the coronavirus pandemic on individuals, businesses, and the City organization; and

WHEREAS, ARPA funds are required to be obligated (not just appropriated) by December 31, 2024 or be returned to the US Treasury Department; and

WHEREAS, the City will have unobligated ARPA funds it desires to fully obligate by the December 31, 2024 deadline; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the balance of unspent/unobligated ARPA funds as of December 31, 2024 be allocated to the Salvation Army Center of Hope expansion and for public safety payroll expenses incurred by the City since July 1, 2024.

#### **From Fund 207:**

<b>Internal Order</b>	<b>Project Description</b>	<b>Unspent/Unobligated Balance</b>
1900421	ARPA 1 OED Economic Recovery Roadmap	\$29,338.74
1900437	ARPA 1 City Technology Improvements	\$673.43
1900439	ARPA 1 DSS Sheltering for COVID Positive Individuals	\$9,743.04
1900440	ARPA 1 COVID Testing for Employees	\$203,757.75
1900450	ARPA 1 Take Home COVID Tests	\$20,000.00
1900452	ARPA 1 Café Fee Waiver	\$169,745.95
1900457	ARPA 1 CFD Uses 1	\$534.78
1900458	ARPA 1 CM Office Improvements	\$73.55
1900459	ARPA 1 City Council Chamber Improvements	\$9,782.17
1900460	ARPA 1 City Hall Lobby Improvements	\$2,652.29
1900480	ARPA 1 Unallocated Contingency	\$1,449,565.00
1900481	ARPA 1 Contingency (Revenue Recovery)	\$195,146.00
1900482	ARPA 2 CFD Accreditation (Revenue Recovery)	\$50.00
1900484	ARPA 2 Sheriff Bonus (Revenue Recovery)	\$34.00
1900492	ARPA 2 Arts Festival (Revenue Recovery)	\$1,000.00
1900506	ARPA 1 Automated External Defibrillators	\$38.51
1900507	ARPA 1 City Badge/Access Project	\$15,000.00
1900545	ARPA 2 Avon/Levy Lot Purchase (Revenue Recovery)	\$159,831.06
1900488	ARPA 2 Shelter Generator (Revenue Recovery)	\$40,000.00
1900523	ARPA 1 CFD Uses 2	\$1,551.53

1900485	ARPA 2 Downtown Mall Improvements	\$18,697.10
1900486	ARPA 2 Wayfinding Improvements	\$43,341.47
1900491	ARPA 2 Strategic Initiatives (Revenue Recovery)	\$400,000.00
1900494	ARPA 2 Strategic Planning (Revenue Recovery)	\$107,000.00
1900522	ARPA 2 Success Factors HRMIS System (Revenue Recovery)	\$379,518.06
1900524	ARPA 1 ADA Transition Plan	\$2,700.00
1900479	Meadowcreek Trail Project	\$500,000.00
<b>TOTAL</b>		<b>\$3,759,774.43</b>

**To Fund 207:**

<b>Internal Order</b>	<b>Project Description</b>	<b>Amount</b>
TBD	Salvation Army Center of Hope	\$3,000,000.00
TBD	Reimbursement for Public Safety Payroll Expenses	\$759,774.43
<b>TOTAL</b>		<b>\$3,759,774.43</b>

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



Agenda Date:	December 16, 2024
Action Required:	Approval of Resolution
Presenter:	Ben Chambers, Transportation Planning Manager
Staff Contacts:	Ben Chambers, Transportation Planning Manager Robinson Hubbard, Deputy City Attorney James Freas, Deputy City Manager
Title:	<b>Resolution to approve the City of Charlottesville's Initial Membership in the Charlottesville-Albemarle Regional Transit Authority</b>

**Background**

In 2009, the General Assembly provided the ability to the City of Charlottesville, Albemarle County, and the surrounding counties to form a regional transit authority, called the Charlottesville-Albemarle Regional Transit Authority (CARTA). CARTA's enabling legislation identifies the City and Albemarle County as initial members and identifies its purpose as a regional forum to conduct transit planning.

**Discussion**

In 2022, the Thomas Jefferson Planning District Commission, working collaboratively with its members, developed a Transit Vision Plan that identifies a clear long-term vision to efficient, equitable, and effective transit services for the region. Building on the Transit Vision Plan, the Transit Governance Study, completed in 2024, recommended the activation of CARTA, both to function as a collaborative multi-jurisdictional entity identify and to solve regional transit issues. Other work of CARTA would include preparing a regional transit implementation plan, considering service expansions and alternatives, advocating for transit needs at both state and federal levels, and serving as grant applicants.

By focusing on regional efforts, CARTA would work to improve efficiency of transit operations by reducing duplication of services, improving connectivity and coordination of transit services; expanding transit coverage; reducing congestion to improve air quality; and promoting a more sustainable environment.

On August 22, 2024, the Regional Transit Partnership received a presentation on the formation of a regional transit authority and unanimously endorsed its formation. On September 17, 2024, the Charlottesville City Council and the Albemarle County Board of Supervisors met jointly, received a presentation, and indicated support for the formation of a regional transit authority. On December 11, 2024, the Albemarle County Board of Supervisors approved their initial membership in CARTA through resolution that mirrors the recommended resolution before Council.

### **Alignment with City Council's Vision and Strategic Plan**

Creating CARTA as one of its initial members would support the goals for transit system development and regional transportation collaboration outlined in the Transportation portion of the City's Comprehensive Plan. More specifically, it builds on the identified strategy of participation in the development of the Regional Transit Vision Plan and Regional Transit Partnership, as well as an infrastructure funding strategy of coordinating transportation system development with regional planning efforts.

### **Community Engagement**

Community engagement has been ongoing through the development of the recommendation for the City Council and Albemarle County Board of Supervisors, under multiple planning efforts, including the 2022 Regional Transit Vision Plan and the 2024 Regional Transit Governance Plan.

### **Budgetary Impact**

There is no budget impact associated with the adoption of the proposed resolution.

### **Recommendation**

Staff recommends that the Board adopt the proposed resolution to approve the City of Charlottesville's initial membership in the Charlottesville-Albemarle Regional Transit Authority.

### **Alternatives**

### **Attachments**

1. City CARTA Resolution

**RESOLUTION TO APPROVE THE  
CITY OF CHARLOTTESVILLE’S INITIAL MEMBERSHIP  
IN THE CHARLOTTESVILLE-ALBEMARLE  
REGIONAL TRANSIT AUTHORITY**

**WHEREAS,** *Virginia Code* § 33.2-2800 establishes the political subdivision of the Commonwealth known as the Charlottesville-Albemarle Regional Transit Authority (“the Authority”);

**WHEREAS,** the City of Charlottesville (“City”) is committed to enhancing transportation services within the community and recognizes the benefits in collaborating with the Authority to provide efficient and effective transit solutions; and

**WHEREAS,** *Virginia Code* § 33.2-2802 provides that City shall be an initial member of the Authority upon adoption of an approving ordinance or resolution by the governing body;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Charlottesville, Virginia hereby adopts this resolution to approve the City’s initial membership in the Authority, pursuant to *Virginia Code* § 33.2-2802; and

**BE IT FURTHER RESOLVED** that the City Manager is authorized to take any other necessary actions to complete or confirm the City’s initial membership in the Authority.

I, Kyna Thomas, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Charlottesville City Council by a vote of \_\_\_\_\_ to \_\_\_\_\_, as recorded below, at a meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Kyna Thomas, Clerk of Council

	Aye	Nay
Mr. Wade	___	___
Mr. Snook	___	___
Mr. Pinkston	___	___
Mr. Paine	___	___
Ms. Oschrein	___	___

Suggested Motion: I move to approve this resolution to create the Charlottesville-Albemarle Regional Transit Authority in partnership with Albemarle County.

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



Agenda Date:	December 16, 2024
Action Required:	Approval of Ordinance
Presenter:	James Freas, Deputy City Manager
Staff Contacts:	Brennen Duncan, Traffic Engineer
Title:	<b>Ordinance amending City Code Section 15-144 (Parking of buses, trucks, etc. between midnight and 6:00 a.m.) (Introduced November 18; postponed from December 2)</b>

**Background**

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

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

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

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

**Discussion**

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

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



## **Alignment with City Council's Vision and Strategic Plan**

### **Community Engagement**

N/A

### **Budgetary Impact**

N/A

### **Recommendation**

Staff recommends approval of ordinance

### **Alternatives**

N/A

### **Attachments**

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



**TO: City Council**

**FROM: Brennen Duncan, City Engineer**

**DATE: November 22, 2024**

**SUBJECT: Parking Code Change**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully,

A handwritten signature in black ink, appearing to read 'Brennen Duncan', with a stylized, cursive script.

Brennen Duncan, City Engineer

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

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

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

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

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

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

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

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

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

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

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

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

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

(Code 1976, § 16-39)

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

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

a. Semi trucks

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

c. Vehicles with antique plates

d. Vehicles with farm use plates

e. Boats

f. Recreational Vehicles

g. Trailers

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

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

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

Legend: Deleted language

\_\_\_\_\_ New language

Aye    No  
Payne  
\_\_\_\_\_, 2024  
Pinkston  
Snook  
Wade  
Oschrin

Approved by Council  
November~~September~~

\_\_\_\_\_  
Kyna Thomas, MMC  
Clerk of Council

Suggested Motion: I move that Chapter 1~~59~~Personnel, Sections 1~~44~~9-96 and 19~~150~~, of the Code of the City of Charlottesville be amended and reenacted.

~~Legend: Deleted language~~  
~~\_\_\_\_\_ New language~~



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

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

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

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

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

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

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

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

~~(Code 1976, § 16-39)~~

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

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

- a. Semi-~~truck~~ or semitrailer trucks
- b. Bus or van designed to carry more than (12) twelve passengers (~~exception for city Sschool bBussesBuses andor Vvans excepted~~)
- c. Vehicles with antique license plates
- d. Vehicles with F-tag farm-use~~license~~ plates or Farm Use placard
- e. Boats
- f. Recreational ~~yVehicles~~, as defined in Sec. 34-1200 of the City Code
- g. Trailers
- h. Any vehicle or trailer with more than two (2) wheels per axle

(2) No vehicles ~~or trailers~~ parked on a public street of the city shall be covered with a tarp or cover that ~~would restrict~~ inspection of the vehicle's or trailer's license plate ~~andor~~ state inspection decal~~within the city streets at any time~~.

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

Legend: Deleted language  
New language

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

Approved by Council  
November \_\_\_\_, 2024

---

Kyna Thomas, MMC  
Clerk of Council

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

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

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

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

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

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

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

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

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

Aye    No  
Payne  
Pinkston  
Snook  
Wade  
Oschrin

Approved by Council  
November \_\_\_\_, 2024

\_\_\_\_\_  
Kyna Thomas, MMC  
Clerk of Council

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

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



Agenda Date:	December 16, 2024
Action Required:	Approve resolution adopting revisions to the Architectural Design Control (ADC) Districts Design Guidelines: Chapter 5, Section E. Outdoor Cafés
Presenter:	Jeffrey Werner, Historic Preservation and Design Planner
Staff Contacts:	Jeffrey Werner, Historic Preservation and Design Planner Kellie Brown, Director of NDS Kate Richardson, Assistant Historic Preservation & Design Planner
Title:	<b>Resolution for revisions to Architecture Design Control District Design Guidelines: Chapter 5, Section E. Outdoor Cafes (Introduced November 18; postponed from December 2)</b>

### **Background**

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

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

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

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

### **Discussion**

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

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

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

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

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

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

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

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



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

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

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

### **Alignment with City Council's Vision and Strategic Plan**

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

### **Community Engagement**

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

### **Budgetary Impact**

No budgetary impact.

### **Recommendation**

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

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

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

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

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

### **Alternatives**

City Council has several alternatives:

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

### **Attachments**

1. Attachment 00 Guide\_CC Nov. 18 2024
2. Attachment 1 - Draft CC Resolution and proposed changes re Outdoor Cafes (10-31)
3. Attachment 2 - City outdoor cafes map
4. Attachment 3 - Letter to Cafe Space Operators 10-7-2024
5. Attachment 4 - Table of Design Elements (10-31)
6. Attachment 5 - Cville Zoning Code\_2024 - ADC Districts 2.9.2
7. Attachment 6 - Cville Zoning Code\_2024 - BAR
8. Attachment 7 - Comp Plan excerpts
9. Attachment 8 - Mall NRHP listing excerpts
10. Attachment 9 - U.S. Dept. of Interior - Secretary's Standards

## Attachments Guide

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

00- Cover Page

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

02- Maps of City Outdoor Cafés

03- Letter to café operators on the Mall and Corner

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

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

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

07- Charlottesville Comprehensive Plan – Excerpts re: Downtown Mall

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

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

### Links:

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

## Attachment 1.

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

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

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

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

WHEREAS, this City Council finds and determines that:

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

and

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

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

#### **Current (adopted 2012)**

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

#### Section E. Outdoor Cafés

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

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

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

## ~~2. Tables and Chairs~~

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

## ~~3. Planters~~

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

## ~~4. Umbrellas~~

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

## ~~5. Trash Containers~~

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

## **Proposed revisions**

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

### Section E. Outdoor Cafés

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

## **Guiding Principles for Outdoor Cafés**

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

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

### **Guidelines for Design Elements**

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

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

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

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

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

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

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

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

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

#### Plants: In planters.

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

#### Umbrellas:

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

#### Trash Containers:

- Materials and color: Metal. Black.

#### All elements, generally:

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

#### Wood elements, generally:

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

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

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

#### Heaters: (Where permitted by City Code.)

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

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

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

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

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

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

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

Trees in Bosques

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

Lighting, generally:

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

Catenary lights: Overhead, on poles.

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



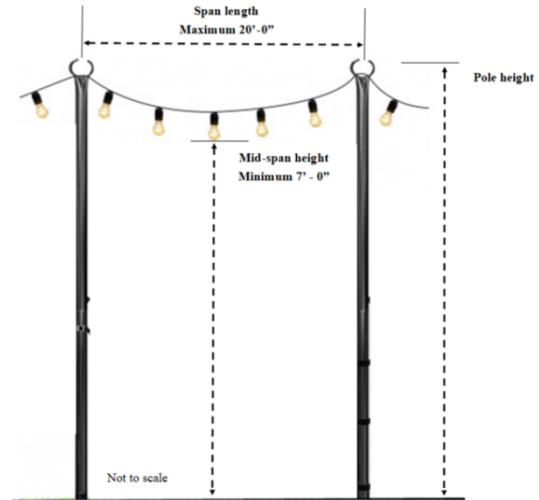
silent, meet applicable code requirements, and will be removed from café space when not in use or when being charged. Connection to City lamp posts/outlets and/or extension cords crossing the Mall from outside the café space are not permitted.

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

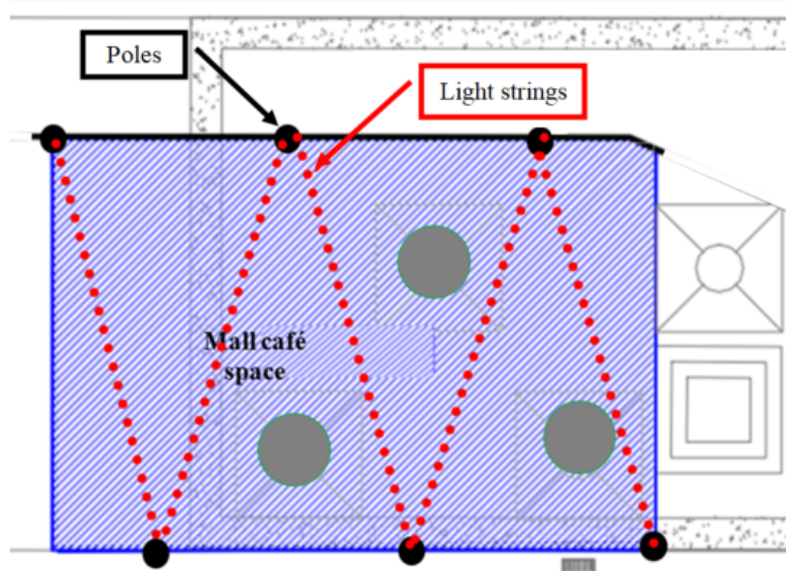
#### Appropriate pole types:



#### Dimensions:



#### Preferred Light String Alignment:



#### Elements not permitted:

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

# City of Charlottesville Outdoor Cafés



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

City Hall, Post Office Box 911  
Charlottesville, Virginia 22902  
Telephone 434-970-3182 - [www.charlottesville.gov](http://www.charlottesville.gov)



October 7, 2024

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

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

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

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

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

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

Sincerely,

Jeff Werner, AICP  
Historic Preservation and Design Planner



**Current guidelines for café spaces**, adopted 2012.

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

## E. OUTDOOR CAFES

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

### 1. Fences, Chains, and Bollards

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

### 2. Tables and Chairs

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

### 3. Planters

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

### 4. Umbrellas

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

### 5. Trash Containers

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



Dark painted metal is preferred for outdoor cafe furniture.



Silver tone metal furniture is an alternative to dark colors.



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

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

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

\* If permitted by City Code.



## 2.9.2. Architectural Design Control District (-ADC)

### A. Intent

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

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

### B. Established Architectural Design Control Districts

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

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

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

### **C. Additions to and Deletions from Architectural Design Control Districts**

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

### **D. Certificate of Appropriateness**

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

## Attachment 6

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

### 5.1.5. Board of Architectural Review

#### A. General

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

#### B. Composition

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

#### C. Authority

##### 1. General

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

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

## 2. **Approval Authority**

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

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

### 5.1.6. **Administrator**

#### A. **General**

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

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

## Attachment 7

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

### **Charlottesville Comprehensive Plan**

#### References to the Downtown Mall

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

## Attachment 9

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

### **National Register of Historic Places**

#### **Charlottesville Downtown Mall Historic District:**

Excerpts from the NRHP nomination, 2023.

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

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

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



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

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

## Attachment 8

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

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

Recommendations for rehabilitation within a district. (Excerpts)

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