



City Council Meeting Agenda
November 3, 2025
City Hall Council Chamber
605 E. Main St.
Charlottesville, VA 22902

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

4:00 PM Opening Session

I. Call to Order/Roll Call

II. Agenda Approval

III. Reports

1. Report: CAYIP Summer 2025 Presentation
2. Discussion: Zoning Regulations and Current Planning and Zoning Work Plan Priorities

5:30 PM Closed Meeting (if called)

6:30 PM Business Session

IV. Moment of Silence

V. Announcements

VI. Recognitions/Proclamations

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

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

3. Resolution: Resolution to appropriate funds from the Virginia Department of Criminal Justice Services Edward Byrne Memorial Justice Grant in the amount of \$150,000 (2nd reading)
4. Resolution: Resolution to allocate \$650,000 of Capital Improvement Program (CIP) Contingency Funds for an Infrastructure Study and Model (2nd reading)
5. Resolution: Resolution Accepting BAMA Works Special Event Funding of \$51,950
6. Resolution: Resolution to accept Pen Park Lane in the Lochlyn Hill Phase II & III Subdivision, into the city street system for maintenance

IX. City Manager Report

- Report: City Manager Report
 - a. Report: Public Art Program

X. Action Items

7. Public Hearing/Ord.: Public Hearing and Ordinance to vacate Clarke Court, a City-maintained street
8. By Motion: Endorsement of the 2026 TJPDC Regional Legislative Program
9. Ordinance: Ordinance creating Lumos Networks, Inc. d/b/a Segra Franchise Agreement
10. Ordinance: Ordinance to authorize the abandonment of a portion of the existing trail easement with the Locust Meadows Owners Association and allow recording of an updated easement and plat
11. Ordinance: Ordinance amending City Code Article XVI. - Police Civilian Oversight Board (1 of 2 readings)

XI. General Business

XII. Community Matters (2)

XIII. Adjournment

MEETING GUIDELINES

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

Policy Briefing Summary

City Council



Regarding:	CAYIP Summer 2025 Presentation
Staff Contact(s):	Misty Graves, Director of Human Services
Presenter:	Latara Ragland, Senior Family Services Specialist and CAYIP Coordinator
Date of Proposed Action:	November 3, 2025

Issue

The Community Attention Youth Internship Program (CAYIP) is an opportunity for youth ages 14–21 years old to learn workplace readiness skills, assist with career exploration, identify their skills and build resilience, and connect young people to positive adults and resources in the community. They earn a performance-based stipend during their experience.

Background / Rule

Community Attention Youth Internship Program (CAYIP) has been a part of program offerings for youth since 2007. CAYIP strives for a diverse group of youth in each session, starting recruitment in early February for the summer session targeting youth-serving organizations, agencies, and Charlottesville City Schools. This year 265 youths applied, and 150 young people were selected. Seventy-three youths received City Scholarships, which are funded by the City Council. Youth are selected based on their essay completed during the application process, interview performance, interests, and site options, as well as availability during the summer session. The interns are placed on sites that reflect their areas of interest, which include art, barbering, camp counseling, childcare and early education, clerical, college administration, cosmetology, culinary arts, customer service, environmental science, facility maintenance, gardening, graphic design, health and fitness, legal services, local government, marketing and outreach, music engineering, nursing, small business management, sports management, and technology. CAYIP staff cultivated 93 sites this summer and many of them include local government, non-profits, and small businesses.

In addition to the staff and site support, people receive training prior to beginning their onsite work experience. Participants work 20 hours a week for six weeks in the summer and may earn up to \$15.00 an hour stipend based on their program performance. This educational tool remains a motivational tool and financial enhancement to learn financial planning and banking techniques. Ninety-three percent of participants successfully completed CAYIP this summer.

The end of the summer was marked by a celebration which included guest speakers such as City Manager Sam Sanders and Councilmember Payne. The program continues to have longstanding support and success.

Analysis

City Council's support of the CAYIP program aligns with its strategic goals of education, partnerships, economic impact and community safety. When young people have connections to positive adults and safe outlets, they are more likely to thrive and pursue their goals. The CAYIP experience allows participants to achieve education through soft and hard skill development achieved in real world experiences. The program would not be possible without partnerships and collaboration across the community. Since the participants earn a performance-based stipend and financial literacy training, they are contributing to their individual and collective economic prosperity.

Financial Impact

Council financially supports the CAYIP program through their General Fund allocation to the Department of Human Services, which covers stipends, staff, and administrative oversight.

Recommendation

Receive the report as presented and written. Continued support for the Community Attention Youth Internship Program.

Recommended Motion (if Applicable)

N/A

Attachments

1. City Council Report _ Summer 2025
2. CAYIP - City Council Presentation Summer 2025_ADA



COMMUNITY ATTENTION YOUTH INTERNSHIP PROGRAM CAYIP

20
25

Empowered Youth - Engaged Community
City of Charlottesville: Department of Human Services



Workplace Readiness - Community Engagement - Career Exploration



Community Attention Youth Internship Program (CAYIP)

Summer 2025 Session Overview

Program Goals:

- To teach workplace readiness skills.
- To assist youth in career exploration.
- To help youth identify their strengths and build resiliency.
- To connect youth to positive adults and to resources in the community.

The **Community Attention Youth Internship Program (CAYIP)** has been empowering youth since 2007. Our focus is on supporting young people in recognizing their interests, abilities and growth, while also providing the community with the same unique opportunities to engage with and invest in their development. Through these experiences, we aim to create lasting impacts on both the youth and the community. We believe that this city initiative is in alignment with the City of Charlottesville's priority areas – *education, economic prosperity, partnerships, and organizational excellence*. We are deeply grateful for the City Council and the City of Charlottesville's ongoing commitment to supporting youth in our community and the lasting impact it will have for years to come.

Program Components:

1. Recruitment & Applications

CAYIP is dedicated to recruiting a diverse group of youth that reflects community needs. Summer recruitment begins in early February and focuses on outreach through youth-serving organizations, agencies, and Charlottesville City Schools. Efforts include hosting informational tables, attending career fairs, and maintaining strong partnerships—particularly with school administration staff, which helped tremendously to streamline communication and promotion. Word of mouth, school staff, past participants, and digital platforms such as email and social media also play key roles in spreading program information and updates. Marketing materials with links to the online application was also directly shared with youth-serving agencies such as Boys and Girls Club of Central Virginia, Music Inside Out, Computers4Kids, Abundant Life Ministries, Big Brothers Big Sisters of the Central Blue Ridge, Music Resource Center, Wartime Fitness, and many others. Agencies such as Region Ten Community Services Board, City of Charlottesville Department of Social Services and Albemarle County Department of Social Services are all given information at start of the session to encourage youth to apply and/or receive assistance in applying.

CAYIP staff continue to utilize the CivicPlus platform with the City of Charlottesville to provide updated program information, an updated application and questionnaire and to advertise the summer session of the program. The website also hosts the CAYIP promotional video with footage and interviews from youth participants, parents, and site hosts along with a CAYIP participant and host site slide show. Collectively, the IT Team- Applications Manager and Communications Team really helped CAYIP pull off an amazing summer. City of Charlottesville's Media and Communications staff were instrumental in widely sharing the informational materials department-wide inviting youth and site partners. CAYIP staff continued to send updates to several community partners and citizens throughout March-June.

The Center for Community Partnerships at UVA- Starr Hill Pathways Program is in its second year of a continued successful partnership in which Starr Hill financially supported 39 interns (rising sophomore students) for summer 2025. It should be noted that most of these students are Albemarle County residents or other locality; very few are City of Charlottesville residents. Additionally, all youth engage in the application, interview and acceptance process.

2. Intern Selection & Matching

Youth received points based on their essay completed during application process, interview performance, interests, and site options, as well as availability during the summer session. Some applicants were not offered an internship opportunity due to funding limitations (county residents), availability (would miss more than one week of the six-week session), or because they did not meet the minimum age requirement. Several youths withdrew their applications before the start of the session due to scheduling conflicts, summer school, travel plans, and/or the ability to secure other employment or other internship experiences. CAYIP faced a challenge when an intern without a Social Security number, despite having other verification, was unable to remain in the program. The situation highlights the growing difficulty of addressing such circumstances fairly while ensuring compliance with pay and employment requirements. We remained flexible and diligent and tried to fill these spaces. Few interns did not complete the program due to site / interest compatibility; and competing priorities.

Interns were matched to worksites based on their interest survey and discussion during their interviews. Staff considered location, transportation, intern skills, and interest during the match process as well as the preferences indicated by the site partner.

Once selected, interns (and parent/caregivers) are notified by email regarding their acceptance and site placement. Program overview including timing of program is offered to emphasize the commitment and allow interns to accept the internship with the understanding of the expectations to be successful. Interns have the option to opt out of the site placement but not request a different site. We ask all interns to embrace the opportunity with a growth mindset and with the understanding that they will leave with something.

3. Site Cultivation & Role of Site Supervisors

We were fortunate to be able to have 93 sites as options to match youth with for the summer session. Site cultivation is an ongoing, day to day adventure for CAYIP staff. We are fortunate that our community, our small businesses, nonprofits, agencies and the Charlottesville City schools are excited about such a thing as CAYIP. Additionally, most of these site supervisors are willing to host more than intern at a time and entertain the idea more so than an individual intern. There was an increase about 23 new partnerships; two of which shared they learned about of us through a free radio ad that was offered through Monticello Media as they wanted to do something to support since they could not host youth interns. Site recruitment and maintenance of sites is a goal area for this year.

CAYIP partnered with a wide range of sites reflecting interns' interests, including fields such as art, childcare, culinary arts, health and fitness, technology, and local government. To assess program effectiveness, site supervisors were surveyed, and 100% of respondents said they would recommend the program to another business, agency or organization.

4. CAYIP Counselor Role

CAYIP Counselors play a vital role in supporting and encouraging youth, fostering authentic relationships that prioritize intern success. Uniquely, our summer staff this year (11 counselors) included not only our

qualified and trained full-time team, but also returning and new college students, as well as staff who have been with us for multiple summers. We also had the privilege of welcoming individuals who work alongside youth during the school year as care or behavioral assistants, all seeking meaningful summer employment as they had a break from their school schedules. They reported CAYIP being a rewarding experience for them particularly to see their students in a different way. Now more than ever, it's essential to have individuals who are not only qualified, but who also have the heart and drive to work in youth-serving organizations. We are fortunate to have counselors who view CAYIP as more than just a job, recognizing their potential to make a lasting impact on the lives of young people even in a short amount of time.

5. CAYIP Coordinator Role

The CAYIP Coordinator provides overall leadership and direction for the program, ensuring smooth operations and high-quality experiences for youth and staff. Their role includes overseeing program implementation, engaging and supporting interns, supervising and collaborating with staff, managing administrative tasks, and fostering community partnerships and representation to strengthen the program's impact. The coordinator is also very directly involved with all aspects of the program and hands-on. Maintaining a high-quality program remains a top priority. This requires a collaborative and intentional approach—ensuring that proper training, supportive tools, and strong retention strategies are in place to foster both culture and success.

6. Family Engagement

We strive to include families in all our programming and services. This year we incorporated a Family Night In response to last year's feedback – parents desired more communication around what the program needed from them. This summer, we hosted a mandatory a **Family Night** pre CAYIP Academy for all accepted interns and their families. This dinner funded by donors and prepared by Royalty Eats

(local/small business owner and a site partner!) allowed for interns to meet their CAYIP Counselor, hear about academy week and get to know a little bit about their site placement. The college classrooms were utilized as breakout rooms for the interns and CAYIP Counselors adding a unique and professional experience.

Parents/Caregivers received an orientation to the program focusing on the importance of the partnership – support and encouragement; communication; accountability and expectations and transportation and logistics playing a vital role in the youth experience. Families were also provided with access to the program manual electronically if they had any questions along the way in addition to access to CAYIP staff. This new part of the process sped up time in getting paperwork completed, allowed families to meet key staff and to gain more knowledge of the program and how it intends to impact each participant yielding greater success in intern completion.

CAYIP Counselors serve as the main point of contact for families, maintaining communication from interviews through program completion. They share interns' SMART goals and provide progress updates, while the CAYIP Coordinator sends bi-weekly communications with general program information. Parents are invited to complete a feedback survey at the end of the program.

Internship Role & Experience:

1. Academy- Orientation and Curriculum

CAYIP Academy is a week-long mandatory training for accepted intern participants. This year, it was scheduled for June 23, 2025- June 27, 2025, at Carver Recreation Center. For several reasons, staffing, space and schedules, CAYIP Academy is offered in two sessions – morning and afternoon.

Orientation activities for the interns focused on providing interns with an overview of program goals and expectations. Academy is time spent on front loading interns with 21st Century workplace

readiness skills to ensure success for interns prior to working on site. Topics include - goal setting; diversity, equity, and inclusion; team building; introduction to program policies and procedures; banking and budgeting; communication skills; conflict resolution, interviewing and resume-building were discussed, and interns were given diverse opportunities to show their what they learned.

CAYIP Counselors facilitating core workplace readiness sessions, guest speakers are invited to help interns learn about community agencies and enhance learning of careers and materials. This year, we were grateful for the opening remarks were presented by City of Charlottesville's City Manager, Sam Sanders and Deputy City Manager, Ashley Marshall setting the tone for the Summer 2025 cohort. Our very own Director, Misty Graves also shared words of wisdom to the group. The following community partners, City of Charlottesville Department of Human Services staff contributed greatly to intern experience, knowledge, and overall success of the program.

- UVA Community Credit Union - Cassandra Rigglin - Topic: Budgeting for the Real World
- Brookes Sims – Virginia Career Works – Topic: Interview Tips and Strategies *
- Hunter Smith – Department of Human Svcs – Topic: Brain States & Emotional Regulation
- Carver Recreational Staff – Career in Parks and Rec and Community Space
- Yolanda Burgess – YB Cares Realty (Real Estate Careers)
- Malcolm “Waasi” – Career in Music – Rapper
- Juanika Howard – Youth Opportunity Coordinator, Human Services – Being Yourself – Finding Your Calm & Motivation through Music
- Michelle Smith – C&F Bank - Topic: Financial Education - Checking v. Savings
- Stefanie Sequeira - Understanding your Digital Footprint and impact on future.

On June 27, 2025, the interns and site supervisors enjoyed a meet-and-greet brunch to kick off the program and start their mentoring relationship. Interns met with site supervisors and CAYIP Counselors

to discuss their responsibilities, expectations, and set a schedule for the summer. To accommodate the growing number of interns and sites, meet and greet sessions were offered at three different times. Bodo's, generously donated bagels for the event offsetting the costs and Great Harvest Bakery donated goods as well. This was a tremendous help to the budget as the program continues to grow.

2. Intern Expectations & Evaluation Process

Interns are expected to work 20 hours per week for five weeks after completing CAYIP Academy. At Academy, interns set a SMART goal they would like to complete before the session is over. Interns met face-to-face on a weekly basis with their assigned CAYIP Counselor to check in about their progress towards this goal as well as process the strengths and challenges of their experience. SMART goals are shared with parents/caregivers, site supervisors and identified mentors and referring agents. Goals vary from each intern but are personal to them and can look like saving money, helping family, earning all their money, work on social skills and time management. Weekly performance evaluations are completed by the CAYIP Counselor assessing interns' performance on- attendance, work performance, communication, and professional. Deductions most frequently included inappropriate cell phone usage and arriving late for work. These evaluations serve as a fair equitable measure to communicate with interns, celebrate and identify any solutions regarding their strengths and areas of improvement throughout the session. Formal reviews are utilized to help negate any termination and to ensure there is a restorative process.

3. Earnings

Interns received a weekly performance evaluation that correlated to their stipend amount. The stipend amount increases to \$15 an hour was a great incentive for many interns as their SMART goal aligned with earning and saving their money. As a base, interns could earn up to \$300 per week for the six-week program (maximum of \$1800 for the session). Interns shared how they would be using their

stipends, with many reporting that they would be using to purchase back-to-school supplies and clothing, helping their family, buying an item they have been wanting for a long time, some saving for college, others are saving until they need to spend. The amount of money earned allowed many interns to do a combination of things understanding the full concept of financial literacy.

4. Financial Literacy – Banking & Budgeting

Community Attention continues to prioritize financial literacy for youth with emphasis on saving, banking, and budgeting skills for interns. This intentional effort is even more critical as interns earn more money. UVA Community Credit Union remains a key partner, helping reduce barriers for youth to open savings accounts by addressing issues like photo ID and parental involvement. Interns also had the opportunity to earn a banking bonus at \$30.00 as a participant through CAYIP. We have done this in the past (pre-COVID). It was another opportunity to reiterate the importance of saving and having a plan for one's money. The UVA Community Credit Union also offered an additional \$25.00 for any Teen Rise account opened with them. The credit union also offers a mock budgeting and financial management experience during the academy. C&F Bank contributed by educating interns about banking, including checking and savings accounts, budgeting, credit cards, and loans. Both institutions provided additional financial literacy resources, ensuring that interns had meaningful engagement with the material.

5. Celebration

Summer 2025 CAYIP concluded with a graduation ceremony on July 30, 2025, at The V. Earl Dickinson Building at Piedmont Virginia Community College. The celebration provided an opportunity to reflect on the participants' hard work and success during the internship session. were invited in addition to their parent/caregivers and mentors. City of Charlottesville Leadership, City Council, school administrators, site supervisors, community partners, referring agencies were all invited to the celebration. With about 500 in attendance, it was a great way to see the community come together for

the youth and the community. After remarks from the CAYIP Coordinator, Latara Ragland, The Keynote Speaker, Sarad Davenport, shared insight on “Four Principles for Navigating a Changing Reality” and challenged the youth on ensuring they receive a recommendation letter for the work they are doing this summer.

Both the City Manager Sam Sanders and City Councilman Michael Payne were able to share reflections and the impact the program has on the city as well. Deputy City Manager, Ashley Marshall was present at graduation as well as multiple Department of Human Services staff. This celebration underscores that the success of the program, both during the school year and in the summer, depends on the collective support of many individuals and partners. To close the ceremony, each intern had their names called and acknowledged during the ceremony for their achievements. The audience enjoyed a video created by City of Charlottesville’s Communications Department – David Dillehunt who did an amazing job compiling the pictures taken by the CAYIP Counselors. The video can be viewed from the Community Attention Youth Internship Website. Youth received a graduation certificate and a small graduation token. Interns and Site Supervisors received a commemorative t-shirt at completion after the ceremony and enjoyed light refreshments.

V. Outcome Summary



- 98% of youth successfully completed CAYIP.
- Increase in funding sources (6) to support those residing in other surrounding localities –

*Albemarle, Fluvanna, Louisa, Buckingham despite not actively recruiting.

Demographic Data for Accepted Interns

Age				
35% 14 YO	40% 15 YO	15% 16 YO	8% 17 YO	3.1% 18 +

Race							
8% Asian	10% Bi-racial	50% Black	5.3% Hispanic or Latino	1.5% Multi-racial	4% Other	3% Prefer not to answer	18% White

Gender			
45% Female	53% Male	1.3% Non-Binary & Gender Fluid	.6% Prefer Not to Answer





Free / Reduced Lunch

68% - YES

VII. Evaluation Surveys and Post Test

At the conclusion of the program, each intern, site supervisor, and parent are invited to complete an evaluation survey to provide feedback and share their overall experience. In addition, interns complete a post-test designed to assess their understanding of workplace readiness skills gained throughout the program. Participation in both the survey and the post-test is optional for all parties. While multiple reminders were shared through in-person communication, text messages, and email, we recognize that not everyone will choose to participate in the survey completions. This presents an ongoing opportunity to strengthen engagement and participation as the program continues to grow.

Below are a few highlights from the evaluations and post-tests

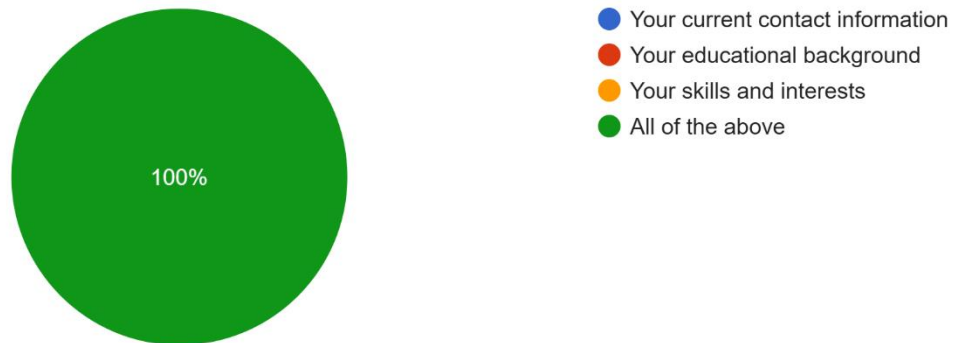
-  **40** interns completed the Post Test
-  **90** interns completed the Evaluation Survey
-  **35** Parents/Caregivers completed the Evaluation Survey
-  **26** Site Supervisors completed the Evaluation Survey

Intern Post Test Results

The post-test consists of a 19- questionnaire designed to assess an intern's understanding of workplace readiness skills, budgeting, and saving. Below is a sample of the responses. The questions are presented in a multiple-choice format using a drop-down menu. This information is presented heavily during the first week in Academy.

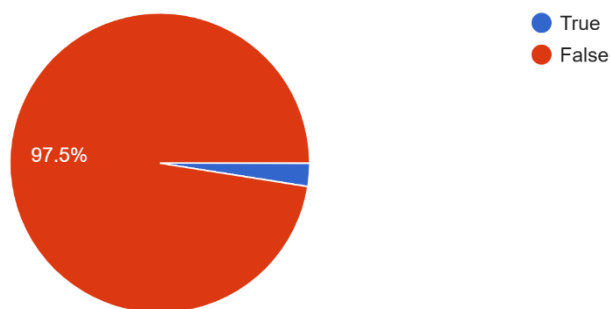
A good resume should include?

40 responses



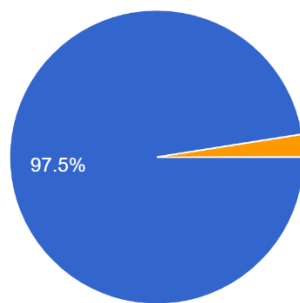
Credit Card and Debit Card is the same thing:

40 responses



To prepare for a phone call or in a Zoom meeting, you should

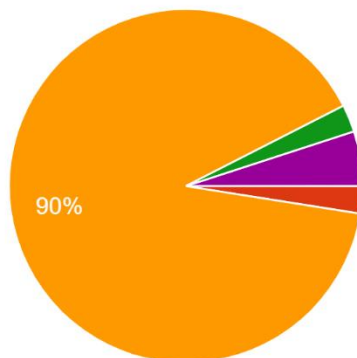
40 responses



- Minimize distractions
- Sleep in as late as you can. Then roll over and log in right before the meeting starts
- Fix yourself a snack. you might get hungry and need to eat throughout the meeting
- Not prepare. If you forget the name of the person you are talking to and/or forget your interview questions it is no...

Which of the following is an example of NEED?

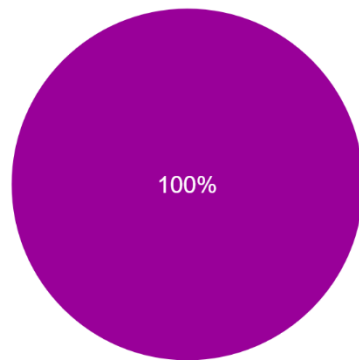
40 responses



- The new iphone
- A luxury car
- Shelter
- Tickets for Disney World
- None of the above

When in a job interview, you should:

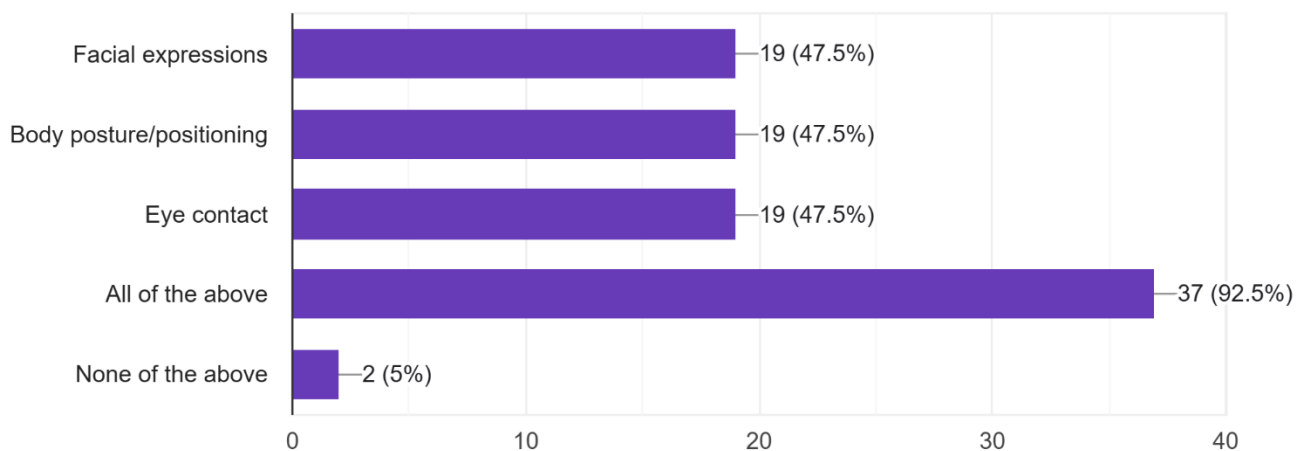
40 responses



- Share your extensive knowledge about Start Wars
- Share your opinion who are the top five influencers on social media right now and why
- Criticize your former employer
- Look at the ceiling and answer with only "yes" and "no" responses
- Be aware of your verbal and non - verbal and non - verbal cues

What are the examples of non - verbal communication? (check all that apply)

40 responses



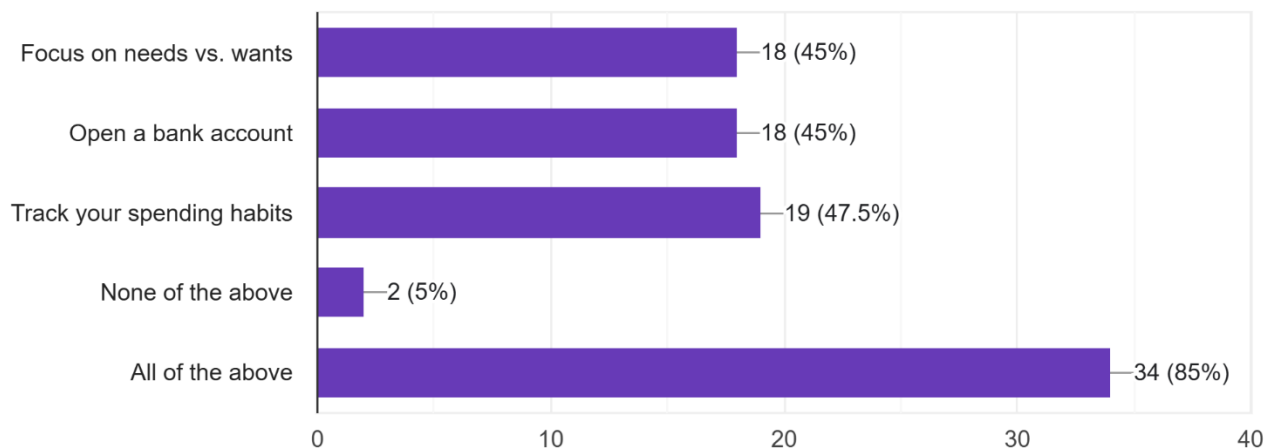
You supervisor gives you feedback in front of the group. What might be the best way to initially address the situation?

40 responses



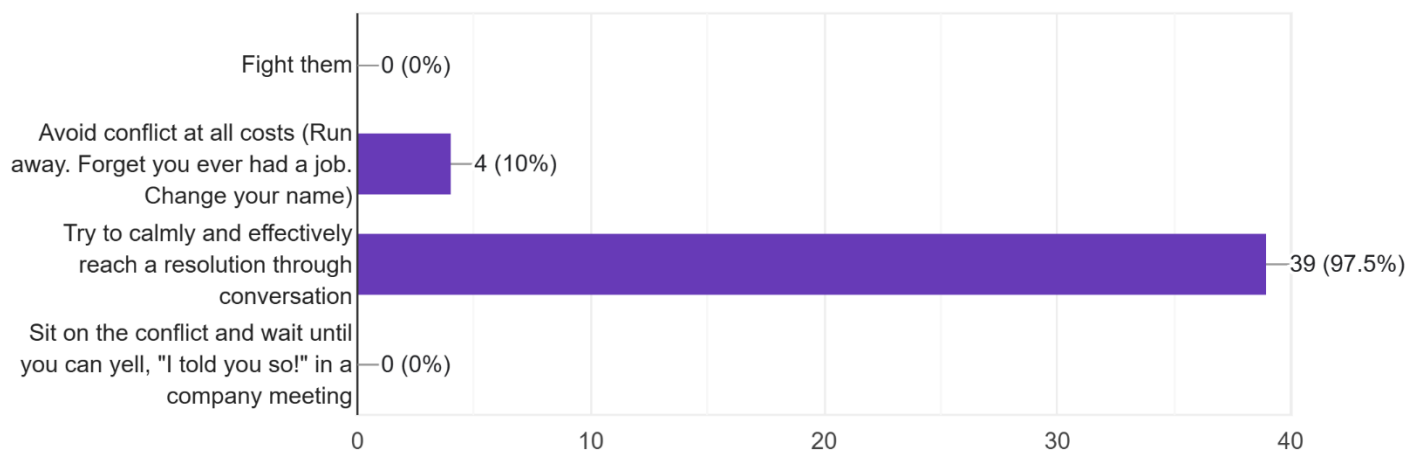
What are helpful strategies to consider when managing your money?

40 responses



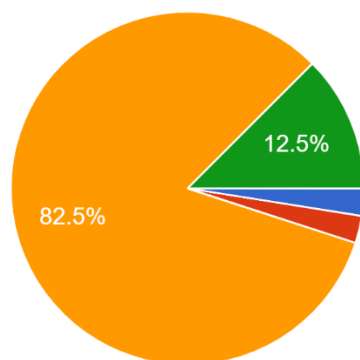
When you disagree with someone at work, the best way to deal with it is to:

40 responses



SMART Goals stand for:

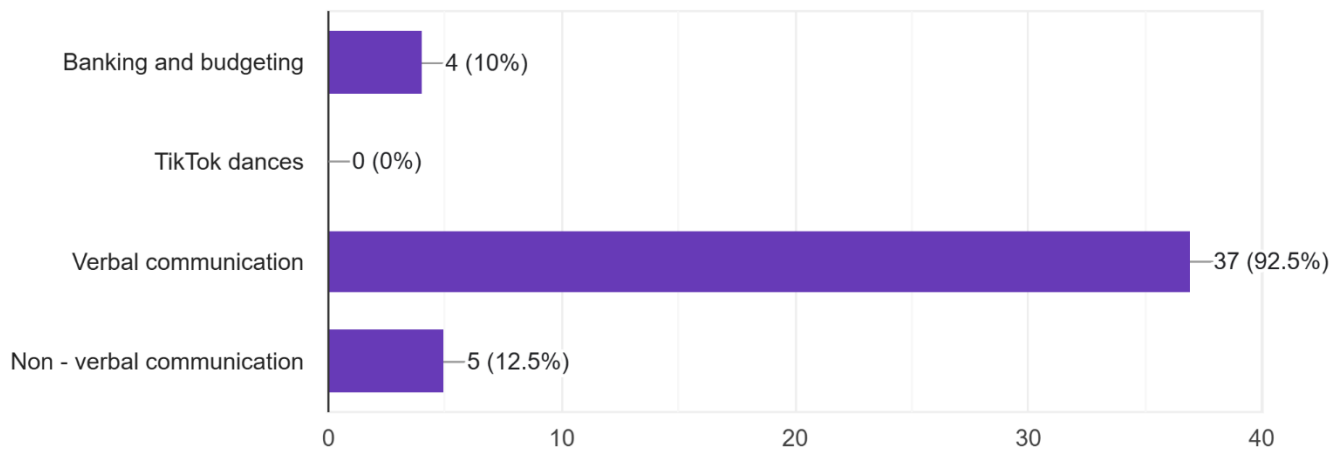
40 responses



- Short, Market-ready, Appliances, Retail, Today
- Specific, Marketable, Apples, Relevant, Toads
- Specific, Measurable, Achievable, Relevant, Timely
- Specific, Measurable, Achievable, Radioactive, Timetables

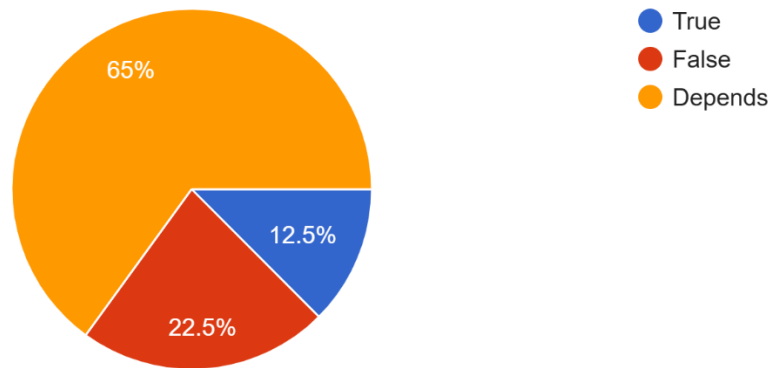
Word choice and tone are examples of:

40 responses



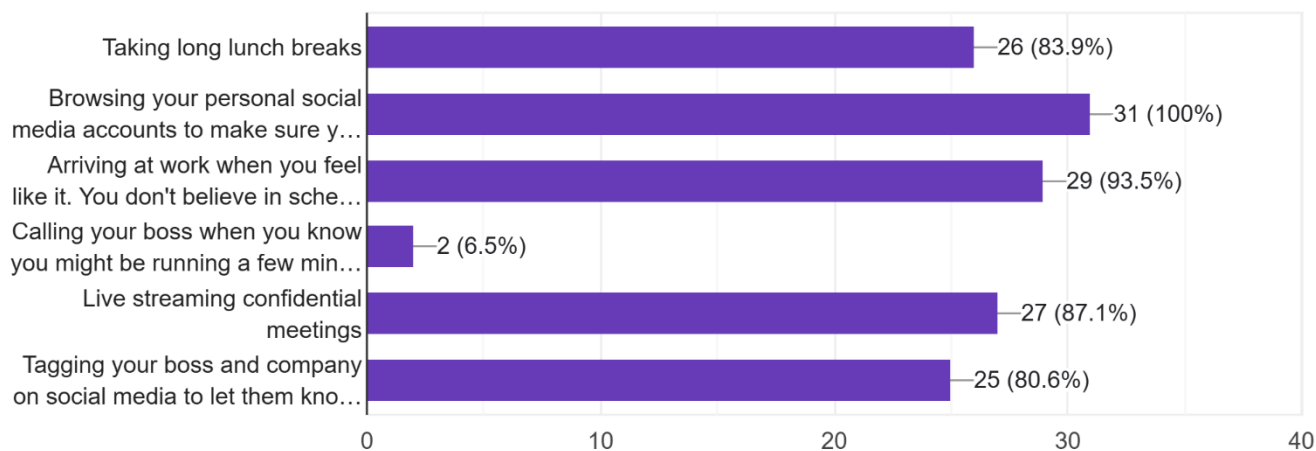
Using statements that start with "I" usually makes other people feel defensive and angry in conversation:

40 responses



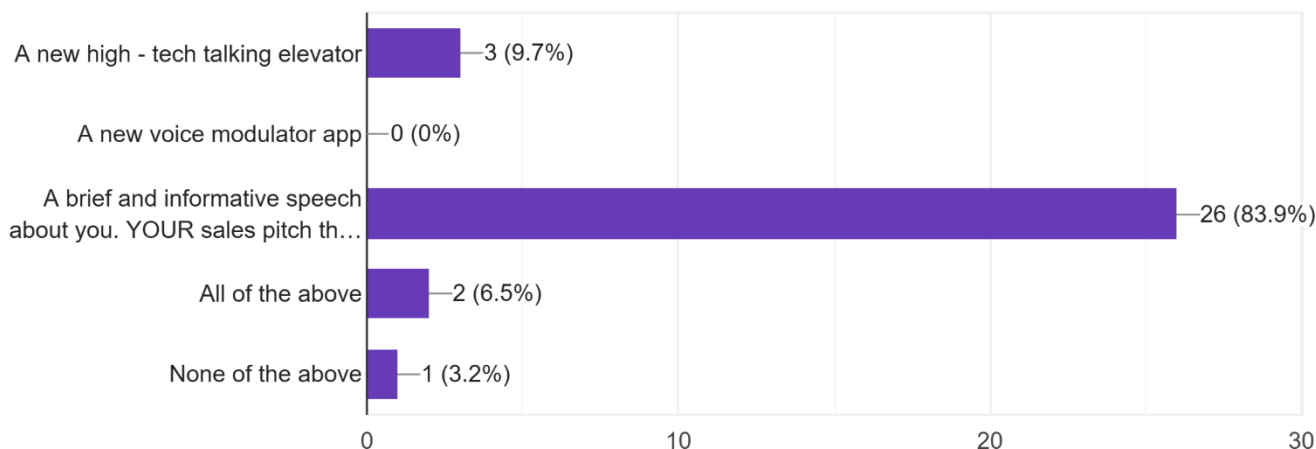
When at the workplace, you should AVOID the following behaviors/distractions (check all that apply):

31 responses



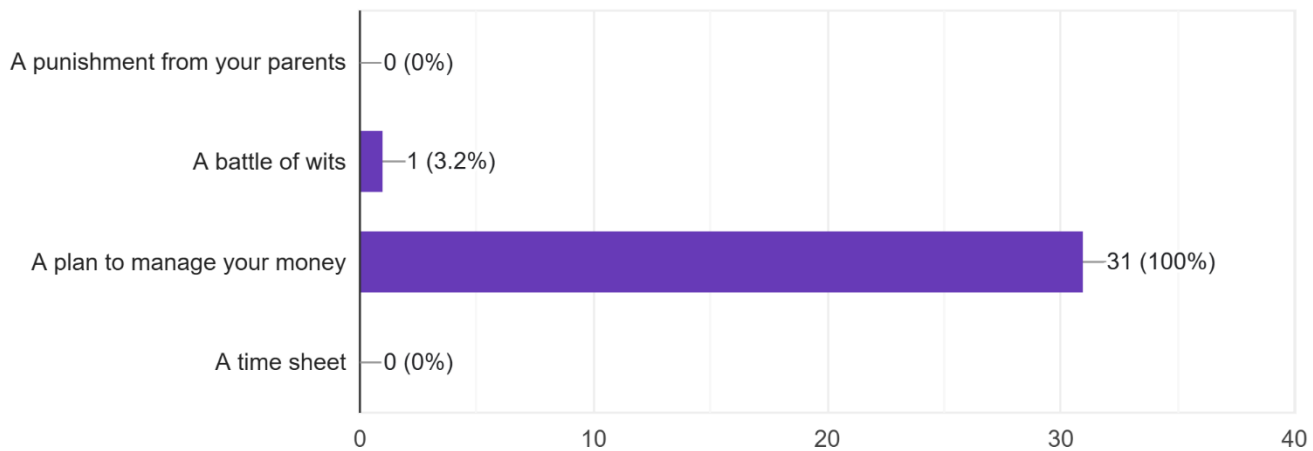
What is an elevator speech?

31 responses



A budget is:

31 responses



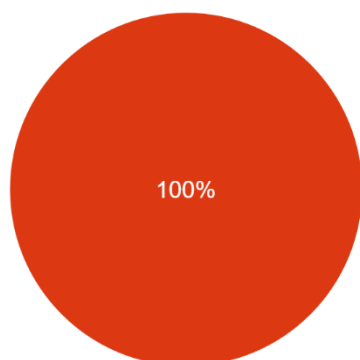
Your boss gives you an assignment and directions that you don't understand, what is the best way to handle this situation?

31 responses



You supervisor gives you feedback in front of the group. What might be the best way to initially address the situation?

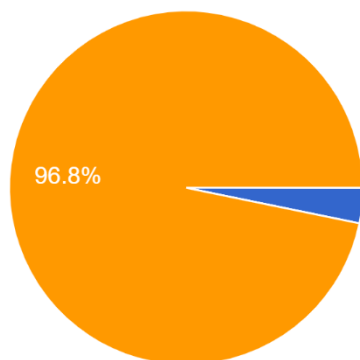
31 responses



- Yell at them REALLY LOUDLY
- Ask to have a follow up conversation to let them know how you are feeling and how you prefer they give you feedback...
- Immediately call the CEO of the company and demand your supervisor to be fired
- Immediately start a text chain with co-workers and start trash - talking your supervisor

Sometimes life happens and we might have to miss work. What are some legitimate excuses for calling out of work?

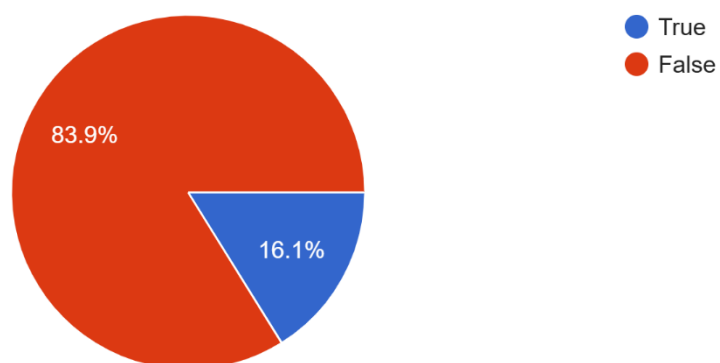
31 responses



- It's Tuesday. You just don't like the idea of working on Tuesdays
- Binge - watching your favorite show on Hulu
- You are ill or need to care - take someone who is ill
- It's free cone day

Being able to network is not important when you are looking for a new job, interested in learning new skills, or gaining a mentor:

31 responses



Intern Evaluation Survey Results

98.5% of the interns shared they gained workplace readiness skill while in CAYIP

98% indicated they would recommend CAYIP to other youth

98% enjoyed the internship program overall – few reported that it was harder than they expected

100% stated that their CAYIP Counselor was helpful during this session.

95 interns reported they had bank accounts- this is right on par with the **112** banking bonuses issued

42% opened their account during the summer session.

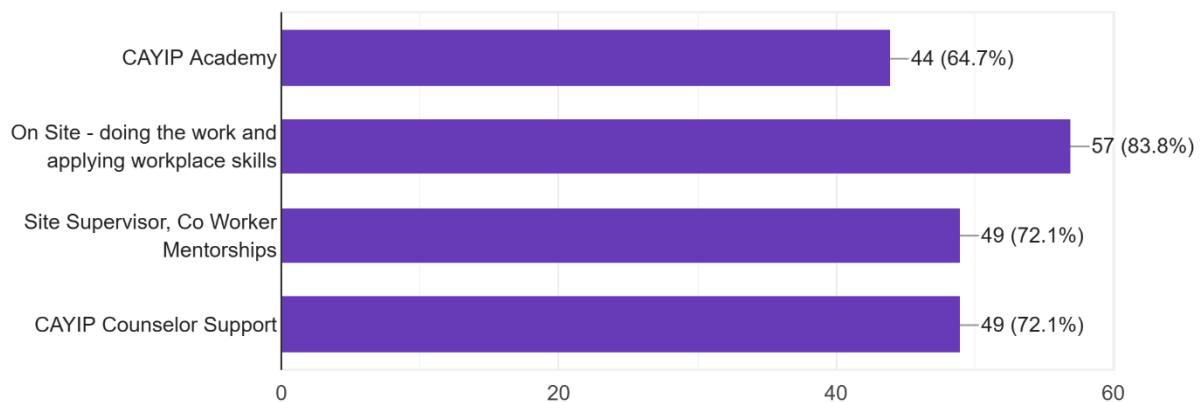
40% already had access to banking account option.

18% was not sure if they had an account or not (parents handle their finances for them)

92.6% thought academy speakers were engaging.

What part of CAYIP Academy did you find most helpful and engaging? (Check all that apply)

68 responses



Q1: What did you learn from your experience at CAYIP this session?

Communication & Social Skills: *Overall interns shared that they learned how to communicate effectively, collaborate, and engage confidently with others.*

Youth Voice:

- ✚ “Communicating is very important, be flexible and ready for the future.”
- ✚ “To be respectful and be able to communicate with kids.”
- ✚ “How to connect with my coworker and ask for help even if I’m shy or nervous.”
- ✚ “How to handle different customers and how customer service works.”
- ✚ “I learned how to manage children that aren’t family.”
- ✚ “How to build relationships.”

Work Ethic, Responsibility & Professionalism: *Overall interns shared this experience taught them the importance of being dependable, punctual, responsible, and maintaining a good attitude at work.*

Youth Voice:

- ✚ “Get to work on time. Find something to do.”
- ✚ “Be responsible.”
- ✚ “Come in with a good attitude and on time to work.”
- ✚ “Pay attention and be responsible.”
- ✚ “How to work in a professional manner not only with coworkers but also with the public.”
- ✚ “Some of the struggles of adults”

Patience, Adaptability & Personal Growth: *Learning to manage challenges, adjust to unexpected tasks and grow*

Youth Voice:

- ✚ “Most jobs have unexpected tasks.
- ✚ Patience is important.”
- ✚ “It’s best to organize and get out of your comfort zone.”
- ✚ “Be open-minded.”
- ✚ “Be flexible and ready for the future.”
- ✚ “How to be more efficient and more confident.”
- ✚ “That you gotta work hard for what you want”
- ✚ “Learned what I do and do not want for myself in a career.”

Job Skills & Career Readiness: *Developing specific job skills, technical job knowledge, and real-world workplace readiness.*

Youth Voice:

- ✚ “How to use Canva, how to help plan events.”
- ✚ “Time management, communication skills.”
- ✚ “Learn how to deal with money and manage my time – adult stuff.”
- ✚ “Multitasking and how expensive bills are.”
- ✚ “How to take care of the river and how to read water samples.”
- ✚ “I learned about the functionalities of a scanning electron microscope and optics.”
- ✚ “How to work in a food & retail store.”
- ✚ “I learned how to sweep, make cement molds, and clean windows.”

Q2: What part of the internship did you find challenging? Give specific examples.

Social Interaction: Challenges related to communication, building relationships, overcoming nervousness, or handling tough interactions politely and professionally continue to be a repeated theme for interns in Summer 2025.

Youth Voice:

- ✚ “Getting (camp) kids to like me.”
- ✚ “Maybe talking to the residents was challenging for me. I would be nervous to talk to them.”
- ✚ “Interacting with kids because they were almost the same age as me.”
- ✚ “Dealing with customers who were difficult on purpose...”
- ✚ “Talking to new people.”
- ✚ “Greeting clients and being at the door to welcome them, at first.”

Work Ethic, Responsibility: Adjusting to work routines, balancing schedules, staying accountable, and maintaining professionalism even during downtime.

Youth voice:

- ✚ “Getting into the habit of going.”
- ✚ “Getting up early and working with challenging kids.”
- ✚ “Timesheets.”
- ✚ “Finding rides with MicroCat that arrived on time to work.”
- ✚ “Transportation.”
- ✚ “Being alone on the job with no other interns; communication was boring, and it was hard to not just spend time on my phone.”
- ✚ “Being accountable with showing up on time each day”
- ✚ “Adapting to a new routine. I had to wake up earlier every day and go to bed earlier. That's normal though, as I did it with school. Filling out and submitting my timesheet on time was also a little challenging, as I don't always have all the signatures I need right after I fill out the times.”

Patience, Adaptability & Personal Growth: Building resilience, patience, and adaptability when faced with new or uncomfortable situations.

Youth voice:

- ✚ “It was difficult adapting to the different area of where I worked.”
- ✚ “The change in my routine.”
- ✚ “Getting up early and working with challenging kids.”
- ✚ “When kids are crying, and they don’t want to listen.”
- ✚ “The (academy) presentations.”

- ✚ “The one part of my internship that I found challenging was trying to adjust to a new setting especially one that I had no other fellow interns at.”
- ✚ “Working outside every day.”
- ✚ “Easing into the program, getting used to things like being at the first week at the recreation center. It was challenging easing into a new thing”
- ✚ “Working with many people and interacting with them everyday”

Job Skills & Career Readiness: Interns shared that there were challenges related to technical, physical, or task-related challenges tied to the actual work performed.

Q3: What is something you are proud of about your time in CAYIP this session?

Youth Voice:

- ✚ I'm proud of how much I've grown."
- ✚ "I learned to be respectful even in difficult situations."
- ✚ "I didn't waste my summer—I made it count."
- ✚ "I proved to myself that I'm responsible and mature."
- ✚ "I showed up every day with a positive attitude."
- ✚ "I became better at communicating with others."
- ✚ "I met amazing people and built strong connections."
- ✚ "I learned how to adapt to new things."
- ✚ "Meeting my SMART Goal!"
- ✚ "I can leave knowing I did something good."
- ✚ "This job helped me figure out what I want to do with my career."
- ✚ "I'm proud that I stepped out of my comfort zone."
- ✚ "I grew personally, professionally, and socially."
- ✚ "I learned how to stay professional at all times."
- ✚ "I'm proud that I stuck with it and finished strong."
- ✚ "My growth is my greatest achievement."
- ✚ "Having a Growth mindset!"



Q4: Please share ways in which your CAYIP Counselor was helpful or not helpful to you during this CAYIP session

- 1. Communication and Check-Ins:** Counselors consistently stayed in touch with interns through regular check-ins, messages, and visits. Their communication helped interns stay organized, aware of their hours, and connected to upcoming opportunities.
- 2. Support and Problem-Solving** Interns appreciated how counselors provided practical help—offering advice, answering questions quickly, and helping resolve workplace issues with care and professionalism. other specific needs.
- 3. Encouragement and Care:** Interns expressed deep gratitude toward their counselors, noting that their encouragement, understanding, and positivity made the CAYIP experience more meaningful and enjoyable. around new experiences. Many interns shared that counselors made them feel seen, supported, and valued. They described counselors as kind, patient, and genuinely invested in their success and well-being
- 4. Professional Growth & Learning:** Through conversations and consistent feedback, counselors helped interns better understand workplace expectations, professional communication, and goal setting—building confidence and readiness for future jobs

Opportunities for Growth: *While many interns highlighted strong support and positive experiences, the feedback also revealed opportunities to strengthen the program’s impact. Some interns would benefit from more structured communication about scheduling, clearer expectations around timesheets, and earlier guidance on workplace challenges.*

- 1. Increase visits at worksites: offering additional one- on- one time for reflection and goal setting especially when there are multiple interns at a site.*
- 2. Desire to have mentorship and strong support around communication, problem-solving and professionalism further enhancing their readiness for future employment*

Youth Voice:

- ✚ “Overall, I think my Cayip counselor was very helpful and will be happy to have her next year”
- ✚ “I think my counselor was really great and she answered all my questions”
- ✚ “I think it would be better to come twice a week. Once for check in but also to see the work and to build a closer bond with us”
- ✚ “My counselor was great. There’s nothing he should improve on.”
- ✚ “My counselor was great, helpful, and just helped the time go faster.”
- ✚ “My CAYIP counselor was super helpful, but I feel she would be even more helpful if she answered texts faster compared to the 2 days I usually had to wait.”
- ✚ “I believe that my counselor was great. When he came to check ins, it seemed like he really cared for me as a person, rather than just one of his students.”

Q5: Program Expectations

<p>What are the areas where the CAYIP program exceeded your expectations?</p>	<p>Supportive Environment: Participants appreciated the understanding and patience of the staff, who created a friendly atmosphere that encouraged personal growth and responsibility without pressure.</p> <p>Engaging and Enjoyable Experience: Many found the program more fun and engaging than anticipated, enjoying the interactions with coworkers and counselors, and appreciating the enjoyable work environment.</p> <p>Skill Development and Learning Opportunities: The program exceeded expectations in providing valuable learning experiences, such as budgeting skills and hands-on tasks, which contributed to personal readiness and job skills.</p> <p>Financial Benefits: Participants were pleasantly surprised by the pay structure, recognizing it as a significant benefit that added value to their experience in the program.</p>			
<p>What are the areas where the CAYIP program could grow or improve?</p>	<p>Site Selection and Schedule: Interns shared they would like to choose their site placements, make their schedules and have a wide variety of options to include more STEM, Medical and the like opportunities.</p>	<p>Engagement and Challenge: Suggestions included making the e orientation and training content more engaging and active – most enjoyed presentations just needed more opportunity to do hands-on activities.</p>	<p>Expansion to Other Localities: Many noted desire to expand further into the county to support more county youth</p>	<p>Program Duration and Structure: Some participants suggested extending the program to provide more opportunities for hands-on experience, such as having a summer session or allowing for more flexible scheduling, longer hours to work.</p>

Youth Voice:

- ✚ “The money i got/What I’m taking away to bring more experience for the workforce”
- ✚ “Just how supportive everyone was”
- ✚ “Making having a job more enjoyable and picking one that suits me best.”
- ✚ “I think that CAYIP does a great job at choosing sites for its participants.”
- ✚ “Getting paid really well”
- ✚ “Really helpful counselors”
- ✚ “The organized pay days!”
- ✚ “I think of how many different jobs the interns got into based on their interests. It's truly amazing how many there are”

- ✚ “During academy week, I was really not expecting that many guest speakers to come in and share their thoughts and experiences but loved it.”
- ✚ “Going into CAYIP, I expected it to help expand my professional skills. But, throughout the program, I experienced significant personal growth as well”
- ✚ “Encouragement”
- ✚ “It was very fun”
- ✚ The opportunity was just amazing!”
- ✚ “I think CAYIP could grow by offering more internship sites.”
- ✚ “For the camp that I worked for had an extended camp I didn’t know of and had to switch locations I didn’t find out about this until one of my coworkers told me and I had to ask my confused about it and he didn’t know that I was switching locations”
- ✚ “With the Academy and make the rest of academy days more engaging even with the guest speakers”
- ✚ “It could improve more on welcoming other interns for and encourage them to keep going on the program”
- ✚ “I think it’s very good right now”
- ✚ “I think academy week could be more engaging with more hand off activities learning communication skills through others or group assignments”
- ✚ “I can't think of anything they need to grow on. they should just continue with what they’re doing.”

How do you plan to use your CAYIP stipend?	Education and School Supplies: Many participants indicated plans to allocate their stipend towards back-to-school shopping, including school supplies, clothing, and college-related expenses.	Savings and Financial Security: A significant number of respondents expressed intentions to save a portion or most of their stipend, often citing future needs like college, emergencies, or major purchases like vehicles.	Investments in Future Opportunities: Some participants mentioned investing their stipend, whether in personal savings accounts, retirement funds, or future business endeavors, highlighting a focus on long-term financial planning.	Personal Expenses and Lifestyle: A variety of responses included plans to use the stipend for personal items, experiences - cars, hanging out with clothes, cell phone, video game systems
	✚ “If I sign up next year, is it possible to get the same job site again or something similar.”			

<p>Do you have questions, comments, suggestions, or concerns?</p>	<ul style="list-style-type: none"> ✚ “Appreciation expressed to everyone and especially (counselor named) for putting up with me all summer.” ✚ “This program really meant a lot to me this summer.” ✚ “Keep up the good work” ✚ “Thank y’all for letting me do this.” ✚ “I hope the youth of the future learns as much as I did” ✚ “The program taught me a lot” ✚ “None at all this was another phenomenal year for CAYIP and me” ✚ “Nope. Just thinks for every person work in this program to help students and for the works the give work to teach us how we can work in this country, and You taught us how to solve our problems, what is happening in the country, how work is done, and what we should do. Thank you very much for teaching me these things” ✚ “Thank you for your hard work running CAYIP” Thank you for having me.
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Site Supervisor Evaluation Survey:

Many site supervisors indicated that they heard about CAYIP through word of mouth, often citing personal connections or community discussions as key sources of information. Several individuals have been aware of or involved with CAYIP for many years, reflecting a longstanding relationship with the program. Additionally, some supervisors learned about the program through past experiences, either by participating themselves or having past children involved. A few also noted receiving information via email or potentially through social media platforms.

Site Supervisors who participated in the survey noted that certain questions were difficult to answer due to the program's complexity and variability. As a result, they felt that selecting "other" was the most appropriate option to ensure a fair assessment for interns.

It should be noted that **11** interns were hired on from this summer and many supervisors have asked about having interns return to their sites next summer.

Do you feel your Site Supervisor Training helped prepare you host CAYIP interns?	Yes: 24/26 = 92.3%	No: 0/25	N/A=2/26= 7.7% *Site Supervisor may not have attended this or may have sent someone that did not answer the survey	*Site Supervisor Training was conducted via Zoom where all site supervisors – new and returning received information on how to work with youth as well as hear from each other about their direct experiences with the program in addition to program overview – goals and expectation. Electronic manual was shared.
Do you feel the meet-and-greet with your intern(s) helped prepare you for this session?	Yes: 25/26 = 96.2%	No: 1/26 = 3.8%		

Do you feel that your intern(s) was helpful to your agency/ business/ program?	Yes: 21/26 = 80.8%	No: 0	Other: 5/26= 19.2%	
Do you feel that your intern(s) benefited from participating in CAYIP?	Yes: 24/26 = 100%	No: 1/26 = 3.8%		
Which part of the internship do you feel was most challenging for you?	Start-Up and Onboarding: Many supervisors found the initial start-up phase challenging, as they aimed to ensure everything was set up correctly for the interns.	Communication and Engagement: Some respondents noted difficulties with communication, particularly with interns who were less outgoing or required more guidance. This impacted the ability to engage them effectively in the workplace.	Time Management and Task Allocation: Limited time in assignments made it hard to work closely with interns. Having to be creative with scheduling in non-traditional business setups.	Environmental and Personal Challenges: Protecting interns from heat, humidity, or allergens. Sensory overload in noisy or high-stress environments. Remote schedules having to transition requiring to be on site and providing supervision – was a personal shift
Which part of the internship do you feel was most rewarding for you?	Personal Growth and Development: Supervisors expressed satisfaction in witnessing interns come out of their shells, build confidence, and develop skills over the course of the internship.	Mentorship and Guidance: Many found joy in mentoring interns, enjoying the opportunity to guide them toward success and help them navigate their interests and career aspirations.	Positive Work Ethic and Engagement: Supervisors highlighted the interns' dedication, noting their readiness to work, eagerness to learn, and proactive approach in seeking out tasks.	Building Relationships: The opportunity to form meaningful connections with interns and foster relationships was noted as a rewarding aspect, enhancing both the supervisors' and interns' experiences.
Was the communication and support from your assigned CAYIP Youth Counselor adequate?	Yes: 25/26 = 96.2%	No: 1/26: 3.8%		

<p>Would you be willing to participate in CAYIP again?</p>	<p>CAYIP offers 4 school year sessions in addition to summer. Would you be willing to participate in CAYIP again?</p> <p>26 responses</p>  <ul style="list-style-type: none"> Yes - would consider ALL sessions Yes - Summer sessions only Yes but Would need to consider session by session No - will reach out to coordinator when desire to participate again not sure - will reach out to coordinator for more conversation 			
<p>Would you recommend CAYIP to another agency, program and/or business?</p>	<p>Would you recommend CAYIP to another agency, program and/or business?</p> <p>26 responses</p>  <p>Yes — 26 (100%)</p> <p>No — 0 (0%)</p>			
<p>What are the areas where the CAYIP exceeded your expectations?</p>	<p>Exceptional Intern Quality: Many supervisors highlighted the high caliber of interns, noting their maturity, commitment, and willingness to learn. Several mentioned successful matches between interns and organizations.</p>	<p>Effective Communication and Support: Supervisors praised the open communication and support from CAYIP staff, including regular check-ins and thoughtful guidance throughout the internship process.</p>	<p>Positive Program Structure: Supervisors appreciated the program's organization, including the flexibility of intern schedules and the smooth orientation process, which facilitated a positive experience for both interns and supervisors.</p>	<p>Impact on Opportunities and Growth: The program's ability to provide valuable work opportunities for youth who might not otherwise have them was frequently mentioned, along with the personal growth and development observed in the interns during their time in the program.</p>

<p>What are the areas where the CAYIP could grow or improve?</p>	<p>Communication Enhancements: Many respondents emphasized the need for better communication, both between CAYIP counselors and site supervisors, as well as among interns. Suggestions included clearer roles for site supervisors and more frequent updates on intern attendance and performance.</p>	<p>Matching and Support: Some feedback focused on improving the matching process between interns and sites, particularly for those with specific needs. There was also a call for better understanding of these individual needs to enhance support.</p>	<p>Logistical Improvements: Concerns were raised about the timing of the program, such as earlier start dates to align with summer programs. Additionally, issues with paper time sheets were noted as a consistent pain point that requires better solutions.</p>	<p>Merchandise for Visibility: Provide CAYIP-branded merchandise, like T-shirts for site supervisors, that can serve as conversation starters in the community.</p>
<p>Do you have any suggestions about how to share news about CAYIP with youth, families, and the larger Charlottesville community?</p>	<ul style="list-style-type: none"> ✚ You should show that graduation program video to anyone who will watch it-- especially the parents who struggle with their teens. I hope it was shown in full on local TV stations and on whatever community streaming service exists. Put it on Next Door, and distribute it to churches, synagogues, and mosques, Boys & Girls Club, gang violence prevention programs, local detention and jail centers, and get it fully reported in Cville and through Sean Tubb's work at informing residents about local news. ✚ I don't currently. I feel like your department does a great job in getting the word out. ✚ Church youth groups, guidance counselor, Open House at a location ✚ Hire some of your interns to be counselors. ✚ We are always happy to share information with our Starr Hill Pathways families and school of local public, private, and homeschool networks. ✚ Provide some flyers I can share with other businesses ✚ I believe the program is well promoted and gaining awareness year-to-year 			
<p>Do you have questions, comments, suggestions, or concerns?</p>	<ul style="list-style-type: none"> ✚ "Thank you to all the CAYIP staff, counselors and everyone involved for your kindness, commitment and dedication to our youth!" ✚ "This is the third CAYIP cycle I've been involved with, and it was by far the best organized one." ✚ "Can't wait to participate in the next cycle of the program!" ✚ "Thanks! CAYIP is wonderful!" ✚ "This was our first experience, and it was great." ✚ "I enjoyed my intern I learn a lot from him." 			

Parent/Guardian Evaluation Survey

54 parents completed the Parent Evaluation Survey for Summer 2025.

100% indicated that their child enjoyed the program.

98% believed that CAYIP was a beneficial experience for their child.

96.3% indicated their child felt supported during the internship experience

100% believed that their child enjoyed their internship placement

88.9% expressed a helpful – just the right amount of communication between them and the CAYIP staff

8.8% indicated that there was not enough communication.

100% of parents responding stating they would recommend CAYIP to others.

<p>Which part of the internship do you feel was most challenging for your child?</p>	<p>Emotional Well-Being: A few responses noted health-related challenges, including illnesses that affected attendance and feelings of anxiety in certain environments.</p> <p>Flexibility and Stress Management: Learning to be flexible and cope with unexpected changes (like equipment issues or schedule alterations) was highlighted as a significant challenge for some interns.</p>	<p>Communication and Social Interaction: Challenges in communication with supervisors and customers were common, including adjusting to workplace jargon and being more social in customer-facing situations.</p> <p>Workplace Organization and Environment: Some interns experienced issues related to their employer's organization, such as unclear instructions and inadequate supervision, which impacted their ability to perform effectively.</p>	<p>Adaptation to Work Life: Adjusting to the demands of a work schedule, including waking up early and managing time effectively, posed challenges for several interns.</p>	<p>Logistical Challenges: Many interns faced difficulties related to transportation, including getting rides to work and managing schedules that conflicted with parental work hours.</p>
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Which part of the internship do you feel was most rewarding for your child?	Personal Growth and Responsibility: Many parents expressed how their child valued the sense of responsibility that came with their roles, learning the importance of showing up on time and understanding the value of hard work.	Work Experience and Skills Development: Interns appreciated the opportunity to gain practical work experience, learn new skills, and understand workplace dynamics, often in environments that were new to them.	Social Interactions and Relationships: Positive interactions with peers, supervisors, and the community were highlighted, including making friends and building relationships in the workplace.	Financial Rewards: Earning their first paycheck and the financial independence it brought were significant milestones for many interns, adding to their overall sense of achievement. Enjoyment and Fun: Several responses noted the enjoyment of the work environment for their child, including fun tasks and the excitement of daily responsibilities, especially when working with children or in engaging settings.
5. In what ways was the program beneficial?	<p>She got to experience something she was interested in doing in life</p> <p>Giving the youth opportunities and lessons for their futures</p> <p>“It increased her self-confidence, helped her learn more about what she enjoys and doesn’t like, kept her busy and not bored over the summer, expanded her social network and gave her money to buy things she wanted & save for future events. It also helped her learn how to budget for things & appreciate money (I need to work x hours to afford y”</p>	<p>“It showed her that even if you have your own business you have to work on being organized.”</p> <p>“This was (intern name) first job. It gave him social interaction skills with all different types of people, mannerism on the job and outside, a sense of having your own money and not having to ask anyone for anything.”</p>	<p>This was the perfect introduction to working a part-time job. I especially appreciated the CAYIP staff support.</p> <p>Taught him responsibility and respect.</p> <p>Helped her start communicating more; She expresses herself more and like, she</p>	<p>“Participants become more connected to their community and understand the value of contributing to local initiatives. Interns gain practical skills that are valuable for future employment, including communication, teamwork, problem-solving, and specific job-related skills. The program serves as</p>

			works hard on learning new things.	<p>a bridge between education and employment, providing young people with the tools they need to succeed while simultaneously enriching the community with their contributions.”</p> <p>My son ended up getting offered a job during the school year at the business where he worked. He is a hard worker and has been asking to work for a while because of his age this was difficult.</p>
What are things that were positive/not positive regarding your child's experience with their CAYIP counselor?	<p>Positive Support and Communication: Many parents highlighted the supportive nature of the counselors, emphasizing their helpfulness, approachability, and ability to maintain regular communication. This created a comfortable environment for the interns to discuss their experiences.</p>	<p>Encouragement and Understanding: Counselors were praised for fostering a supportive atmosphere that encouraged children to express their thoughts and feelings, helping them navigate challenges during the internship.</p>	<p>Skill Development: Parents appreciated that counselors were proactive in teaching valuable skills, such as resume writing, which contributed to the interns’ professional growth and preparedness for future opportunities.</p>	<p>Responsiveness and Availability: While several parents noted positive interactions, some expressed concerns about poor communication, such as delays in responses or lack of follow-up from counselors, which impacted their ability to stay informed.</p> <p>Overall Satisfaction: Most feedback reflected a high level of satisfaction with</p>

				the counselors, with many parents describing the experience as overwhelmingly positive, highlighting effective guidance and mentorship.
10. What are things they enjoyed/did not enjoy about their internship placement?	<p>Enjoyment of Working with Children:</p> <p>Many interns expressed a strong preference for engaging with kids, finding joy in activities related to child interaction and development.</p> <p>Overall Satisfaction:</p> <p>Despite some challenges, most interns expressed a positive overall experience and regret about the internship ending.</p>	<p>Work Environment and Team Dynamics:</p> <p>Positive comments about coworkers and supervisors highlighted a supportive and cheerful atmosphere, fostering camaraderie and mentorship.</p> <p>Several interns appreciated the professional relationships and guidance they received.</p>	<p>Desire for More Structure and Engagement:</p> <p>Some interns felt that a lack of organization limited their experiences, wishing for more structured activities and responsibilities.</p> <p>A few noted that they were sometimes underutilized or overwhelmed during busy periods.</p> <p>Location and Timing of Placement:</p> <p>The placement's location was generally well-received, though some interns suggested scheduling changes to better accommodate busy periods.</p>	<p>Personal Growth and Skill Development:</p> <p>Interns reported improvements in confidence, communication skills, and self-esteem because of their experiences.</p> <p>The internships provided valuable insights into potential career paths.</p>

What are the areas where CAYIP exceeded your expectations?



Structure and Support

- How well the program flows. There are good partnerships that make the process easy.
- I feel like everything was great well organized and well put together.
- Communication
- How supportive it was and the communication



Workplace Readiness

- Programming for the 1st week
- I did not know there would be a weeklong plan of instruction. CAYIP exceeded my expectations by hosting the Academy. Great job!



Compensation and Benefits

- It paid well!
- The pay. I was shocked it was that much.



Mentorship – Counselor / Site Supervisor Involvement

- Social support network in program



Recognition and Celebration



Youth Impact

- My son's growth and the professionalism that he gained
- I am just glad that my child felt comfortable and got to gain new experience while having fun doing it.
- She enjoyed which I didn't think she would so motivated
- (intern) learned how to be self-sufficient and proactive and independent as well as how to communicate with others

<p>What are the areas where the CAYIP could grow or improve?</p>	<ul style="list-style-type: none"> ✚ Maybe there should be an earlier introduction to the work site and that there should be an inclusion of a job description or duties, like you would see on a job announcement. ✚ I think providing this opportunity for more kids in the community would be amazing. And partnering with other organizations (maybe across disciplines) for a collaborative project would be fun. But also, you all do amazing work for the youth community and should be recognized for all that you do - so market yourselves more! ✚ According to (intern) Orientation week there was a lot of speakers (lecturing) and a lot of sitting. I can't confirm or deny his position since I was not there – but maybe have a more interactive process. ✚ See if the program could start a little earlier then this year ✚ Nothing everything was great ✚ Try to help with transportation that was our biggest concern paying for uber and lift was an add expense and there was no bus line for where job site was. Our jobs hours did not let us leave work or come in late ✚ Finding business where extremely valuable skills can be taught like plumbing, electric, mechanics. Also, explaining as they go into any of the positions, the top 3 skills you want them to focus on in their growth for that industry. ✚ Transportation was tricky for us because my child was 14 and not driving and he was not able to take a safe biking route so we had to arrange our work to drive him, but we could do that with our jobs. I suspect that would be harder for families who have less flexibility in their jobs or for single parent families. ✚ All CAYIP's current areas are good to me ✚ Ensuring parents had contact with the community partners ✚ More timely response in notification of acceptance in the program. Notification of program to kids in the counties. Or partnership with Alb County to start there on program. ✚ Maybe by facilitating a carpool for times when the work was far away or outside of town; not a big deal but could be very helpful for parents/caregivers with less flexible schedules than I. ✚ none- other than continue to offer a competitive wage 			
<p>Do you have any suggestions about how to share news about CAYIP with youth, families, and the larger Charlottesville Community?</p>	<p>School Outreach:</p> <p>Distribute information through local schools, including flyers, newsletters, and emails. Engage with teachers and guidance counselors to promote the program.</p> <p>Utilize school events such as parent nights and sporting events to share details directly with families.</p>	<p>Social Media Campaign:</p> <p>Leverage popular social media platforms (Facebook, Instagram, Twitter, TikTok) to share engaging content like success stories and testimonials.</p> <p>Create a unique hashtag (e.g., #CAYIPCharlottesville) to promote the program and track</p>	<p>Current Participant Involvement:</p> <p>Encourage current participants to create videos sharing their experiences, which can be shared across various platforms to attract new applicants.</p>	<p>Collaborate with Local Organizations:</p> <p>Partner with local businesses and community organizations to co-host events or initiatives that promote CAYIP and its benefits.</p>

		community engagement.		
Do you have questions, comments, suggestions, or concerns? *	<p>Family/Parent Voice:</p> <ul style="list-style-type: none"> ✚ “Thank you! Thank you! Thank you!” ✚ “Just keep this program going. This will help many needy families and keep some kids out of trouble. There is not much for our kids to do in the community that's why most get into trouble. Thank you for all you do.” ✚ “Thank you for such a wonderful opportunity for our son. We can only hope even more children get the same experience in the summers ahead!” ✚ “None- The CAYIP experience was great for our son. As a younger student in his grade- he's still 15 and a rising junior these past 2 summers in CAYIP have helped him realize the potential he has while giving him an opportunity to save for college, invest, and spend some money on personal goals. The best thing is he has real job experience and references that can take him into full summer work when he's 16 next summer.” ✚ “Thank you SO much for all the time, effort, love, probably stress/tears, you put in each session for this wonderful program! I am so impressed.” ✚ “Thank you giving my girl a chance to get some skills.” ✚ “We are truly so grateful to CAYIP for giving my child this opportunity. As a parent, it has been wonderful to see him grow in confidence, responsibility, and independence through this experience. I can honestly say this program has had such a positive impact not only on my child, but also on our whole family, because we’ve seen him come home inspired and motivated. Thank you for believing in our youth and for opening these doors that help them see their own potential. We would be honored for my child to continue being part of CAYIP in the future.” ✚ “I just want to say thank you again for choosing my daughter this summer. It really has helped her grow and get out her comfort zone. It also has helped her learn how to save her money.” ✚ “Transportation and give parents an idea beforehand about what jobs there maybe so that clothes can be purchased beforehand if it’s an outside job.” ✚ “Thank you for allowing my child to have this opportunity. The explicit training on how to be an effective employee and what that looks like was great. My son took the position seriously and I think that was in part because of the seriousness of the training. I really appreciated the check ins also just to know he was doing what he was supposed to be doing.” 			

Looking Ahead/ Reflections:

One of the major goals that we set for CAYIP was to get back to pre-COVID numbers. With an applicant pool of 265 applicants for Summer 2025, we did not imagine that the time would be soon. Yet, the overwhelming response from youth, families, and community partners reaffirmed the value and impact of this program. It signaled not only a return to pre-pandemic engagement but also a renewed enthusiasm for workforce development opportunities among our local youth. The onboarding of 93 sites signifies meaningful community and employer engagement, reflecting a shared commitment to empowering youth through workforce development while strengthening and sustaining diverse career pipelines and pathways. This level of partnership enhances the program's capacity to provide high-quality, real-world learning experiences for participants, ultimately contributing to a more skilled, connected, and career-ready local workforce.

We are excited as we look toward the future of CAYIP, guided by the City of Charlottesville's priorities of education, economic prosperity, partnership, and organizational excellence. Our commitment remains focused on ensuring that all youth who wish to participate can engage in this valuable community initiative. The following areas have been identified as essential priorities for continued program growth and for maintaining the high quality and impact of CAYIP.

Increasing Interest: One of the great reasons we believe interns find CAYIP is due to the competitive salary; continuing to offer the rate at \$15.00; we are often one of the higher paying options allowing interns to save, many helping to support themselves or their families and spend. We continue to prioritize educating around financial literacy using our partners at UVA Community Credit Union and C&F Bank so there are multiple voices. **Request to Increase Number of Stipends:** As the interest in the program grows, we understand that as a staff, as a community we will need to meet the demand/ interest- serving a total of 165 total youth in the program across four school year sessions (about 20 youth per session) and one - summer session (85).

Non-City Resident Interest: Due to the increasing number of applications received from non-city youth, CAYIP continues to pursue and secure funding from additional sources, including the Albemarle County Department of Human Services, the Anne and Gene Worrell Foundation, the Batten Family Fund, the Center for Community Partnerships: Starr Hill Pathways. These partnerships enable the program to expand access and support as many youth participants as possible. While there is still a need to turn some applicants away, the enthusiastic pool and efforts represent an important and promising starting

point. We remain committed to ongoing collaboration with community partners, schools, and agencies to strengthen and sustain these opportunities for local youth.

Intern Experience: From start to finish—application, interview, site work, potential hiring, and even payday—we value youth voices and their feedback on the experience. Majority of the interns really enjoyed the experience and appreciative of the level of support and structure of the program. They appreciate the opportunity to have counselors that express care and concern; that take the time to ask specific questions about how they are doing and check in with them about their SMART Goal. Interns also made suggestions for how they would like to see CAYIP improve with the following areas:

CAYIP Academy: Participants had a split experience: some felt the training was perfect, with a well-balanced mix of speakers and engaging activities, while others wanted fewer speakers and more interactive opportunities. We are always revamping and looking for ways to make this as vibrant as possible. Youth voice and youth led is what we are essentially after and hoping to bring about some of these changes for Summer 2026.

Site Selection: A recurring theme has been interns wanting to choose their specific site placements rather than having staff make the assignments. While this is a common discussion among staff and not dismissed, logistical challenges make full choice difficult, and it also limits opportunities for youth to apply a growth mindset—one of the program’s key goals. To address this, we have revised our interview questions to better match interns with sites that are a good fit, while encouraging them to explore new experiences rather than relying on familiar locations.

Certificates, Jobs & Apprenticeships: An aspect that has not always been highlighted in the past is the opportunity for interns to earn professional certificates in addition to completing the CAYIP program while in session. Some of the most popular certifications include the *ServSafe Food Handler Certificate*, *CPR/First Aid*, and *Python-Coding*. Several interns have also been hired on following their placements and have expressed interest in pursuing deeper apprenticeship opportunities. This summer there were a total of 16 interns who either received an additional certificate, hired on: or looking to pursue apprenticeship in the specific career field.

Site cultivation and overall community partner collaboration will always be a fundamental part of CAYIP success. CAYIP staff will continue to collaborate with community partners to expand these pathways, exploring additional certifications and workforce readiness credentials such as *entrepreneurship training*

and the *Virginia Ready to Work Certificate*. CAYIP will continue to find ways to enrich the program in other collaborative ways to ensure it is reaching youth interests.

Family & Parent Engagement:

For Summer 2026, we look forward to continuing to host Family nights. With expansion in mind, we will need to offer this a few times leading up to academy especially with limited space and schedule capacities, but it is an important tool to have, and we were able to see the results throughout the summer session as parents and interns were readily equipped with the information they needed.

CAYIP Counselor Role:

Navigating the complexities of job coaching with youth is challenging but supporting those impacted by gun violence (one of our interns was directly impacted by the July 4th shootings); requires a different level of expertise and care—one that underscores the importance of well-trained, resilient CAYIP Counselors. I can wholeheartedly say that this team rose to the occasion, navigating it all with resilience and purpose. Looking ahead to Summer 2026, the focus will be on building counselor capacity, ensuring and appreciating staff continuity, and enhancing organizational culture to consistent, high-impact outcomes for youth and staff.

We are noticing that interns are desiring to return multiple sessions and as they are getting older and navigating their own journeys into adulthood, we know that we can give them the same opportunity in a Youth Counselor role here in their own communities to provide mentorship and job coaching to a younger person. Last summer we heard this a lot, “can I Come back as a counselor and that same question remains. It would be a powerful impact on the program for what it is supposed to be.

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CAYIP SITE PARTNERS 2025

2nd Act Books
4Z Digital
Abundant Life Ministries
Alakazam Toys
APEX Performance Center
Barbers Den
Barrett Early Learning Center
BEACON Kitchen
Blue Ridge Area Coalition for the Homeless (BRACH)
Botanical Garden of the Piedmont
Bread and Roses @ Trinity Church
Brooks Family YMCA
Cake Bloom
Camp Holiday Trails
Cedars Healthcare
Center for Community at UVA Partnerships – Starr Hill Pathways
Charlottesville Ballet @ lx Art Park
Charlottesville City Schools*
Charlottesville Redevelopment & Housing Authority (CRHA)
Clifton Inn
Community Healing Coalition (CHC)
Cultivate Charlottesville
Davenport Strategic Innovation & Design (DSID)
Decades Arcade
DMR Adventures
Firefly Restaurant and Game Room
FLORA Design LLC
Foster Art
Fringe Collective
Frys Spring Beach Club (FSBC)
Great Harvest Bakery & Co
Greenberry's Coffee
Grit Coffee
Habitat for Humanity
House of Cuts Barber Studio
Ivy Creek Natural Area & Historic River View Farm (ICNA & HRVF)
Jefferson School African American Heritage Center
Jefferson School Foundation – City Center
Jenuine Jeans Nails LLC
Living Earth School
Meals on Wheels of Charlottesville/Albemarle
Music Resource Center (MRC)
New Perspective Fitness

Order Up Cville
Our Neighborhood Child Development Center
Panorama Natural Burial
Pawprints Boutique
Penny's Imperfect Pizza
Piedmont Family YMCA Early Learning Center
Pikasso Swig
PVCC Student Accessibility and Accommodations Office
Rita's Bright Beginnings
Rivanna Conservation Alliance
Royalty Eats
Sentara Martha Jefferson Hospital
Shenandoah National Park Trust
Shenandoah Trailblazers
Sir Speedy of Central VA
SPCA Rummage Store
Splendora's Gelato Cafe
Studio 517 – Wedding Salon and Stylist
The Art Bar
The End Games
The Scrappy Elephant
Three Notched Kitchen
Twice is Nice
UVA Dept. of Materials Science and Engineering
UVA Facilities Management
Virginia Career Works
Virginia Discovery Museum
Virginia Literacy Partnerships
Wartime Fitness
Wild Rock
York Property

City of Charlottesville Sites:

Jefferson-Madison Regional (Central) Library
Charlottesville Parks and Recreation & Carver Recreation Center
City of Charlottesville – Clerk of Council Office
City of Charlottesville – Commissioner of the Revenue
City of Charlottesville – Dept. of Social Services
City of Charlottesville – Downtown Job Center
City of Charlottesville – Office of Sustainability & Office of Community Solutions

SPECIAL THANKS TO:

Albemarle County Department of Human Services (ABRT)

Anne & Gene Worrell Foundation

Batten Family Foundation

Bodo's Bagels

C&F Bank

Charlottesville City Council

Charlottesville Department of Finance & Payroll

Charlottesville Department of Human Services

Charlottesville Parks and Recreation

City Manager's Office

Downtown Job Center

Great Harvest Bakery

James Frye of Frye Business Solutions

Royalty Eats

Piedmont Virginia Community College

Starr Hill Pathways

Sticks Kebob Shop

UVA Community Credit Union

Virginia Career Works

Waasi

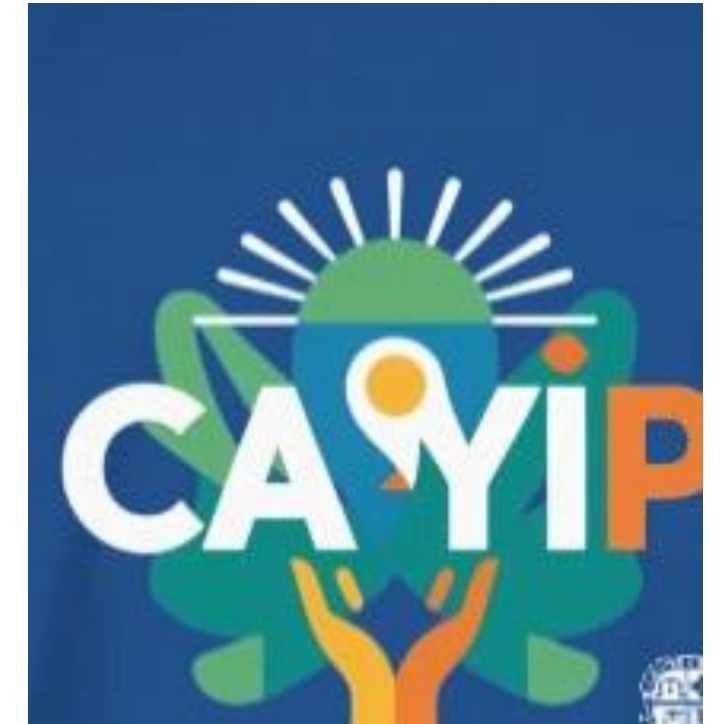
YB Realty Cares

Youth-Nex

We are incredibly thankful for the generous support that CAYIP receives—whether through financial contributions, volunteered time, donated space, or expertise. It is through the dedication of these organizations and individuals that CAYIP can continue to offer meaningful opportunities for all youth in our community.



CAYIP



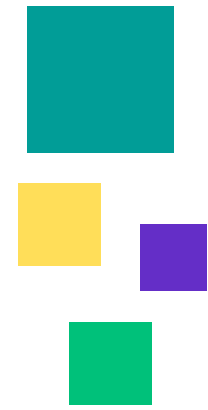
**COMMUNITY ATTENTION YOUTH
INTERNSHIP PROGRAM**

CITY COUNCIL PRESENTATION SUMMER 2025

November 3, 2025

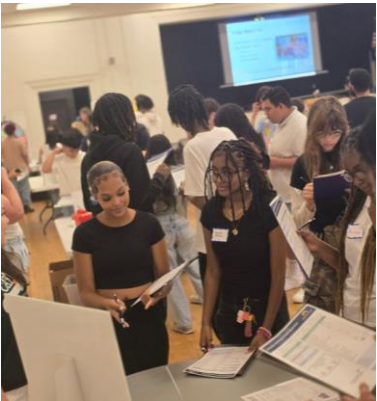
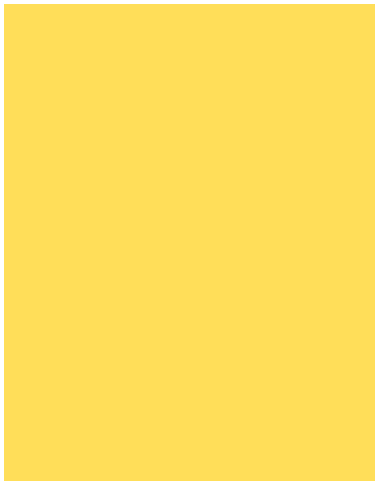
Latara S. Ragland, M.ED.

Senior Family Services Specialist, CAYIP Coordinator



COMMUNITY ATTENTION YOUTH INTERNSHIP PROGRAM CAYIP

Empowered Youth - Engaged Community
City of Charlottesville: Department of Human Services



Workplace Readiness - Community Engagement - Career Exploration



Goals of the CAYIP Program

GOAL #1

Workplace Readiness

To explore career paths and develop workplace readiness skills through an hands-on-the job approach.

GOAL #2

Resiliency

Interns receive an opportunity to help identify and magnify the skills they already have, set goals and celebrate their resiliency!

GOAL #3

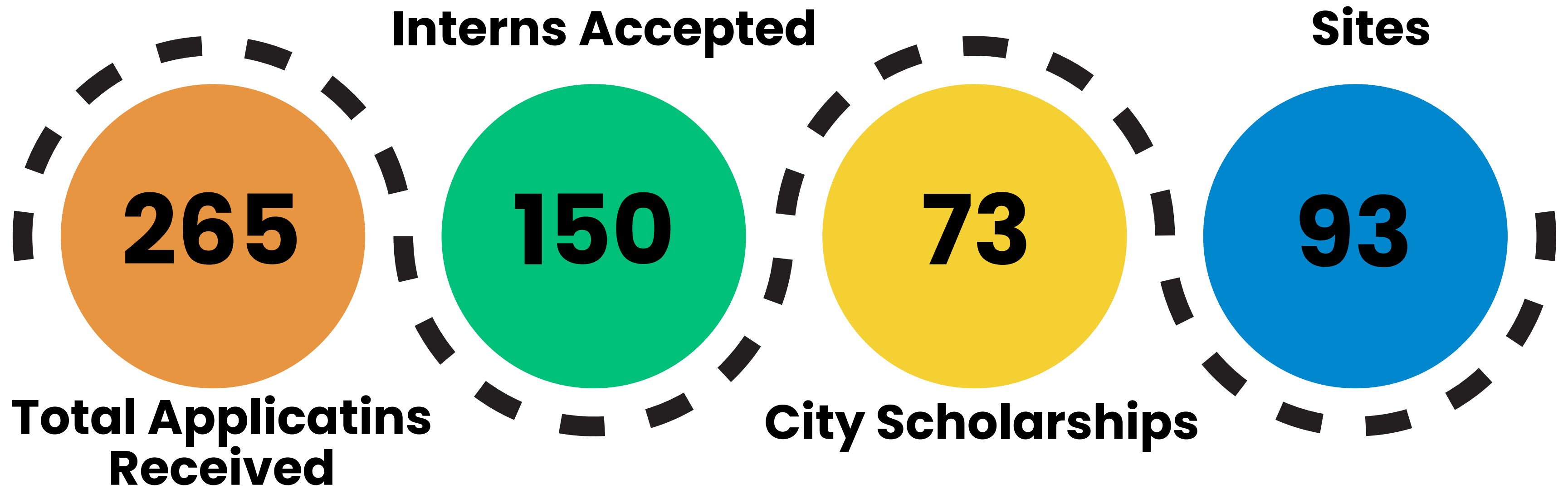
Networking & Mentorship

CAYIP Connects youth to positive adults and resources in the community.

GOAL #4

Community Engagement

CAYIP gives youth an opportunity to learn, connect and engage with the community in ways they may not otherwise.



98% SUCCESS RATE!
11 – OFFERED EMPLOYMENT

DEMOGRAPHIC DATA

Age				
35%	40%	15%	8%	3.1%
14 YO	15 YO	16 YO	17 YO	18 +

Race							
8%	10%	50%	5.3%	1.5%	4%	3%	18%
Asian	Bi-racial	Black	Hispanic or Latino	Multi-racial	Other	Prefer not to answer	White

Gender			
45%	53%	1.3%	.6%
Female	Male	Non-Binary & Gender Fluid	Prefer Not to Answer

Free / Reduced Lunch

68% - YES

CAYIP SITE PARTNERS 2025

2nd Act Books
 4Z Digital
 Abundant Life Ministries
 Alakazam Toys
 APEX Performance Center
 Barbers Den
 Barrett Early Learning Center
 BEACON Kitchen
 Blue Ridge Area Coalition for the Homeless (BRACH)
 Botanical Garden of the Piedmont
 Bread and Roses @ Trinity Church
 Brooks Family YMCA
 Cake Bloom
 Camp Holiday Trails
 Cedars Healthcare
 Center for Community at UVA
 Partnerships – Starr Hill Pathways
 Charlottesville Ballet @ Ix Art Park
 Charlottesville City Schools*
 Charlottesville Redevelopment & Housing Authority (CRHA)
 Clifton Inn
 Community Healing Coalition (CHC)
 Cultivate Charlottesville
 Davenport Strategic Innovation & Design (DSID)
 Decades Arcade
 DMR Adventures
 Firefly Restaurant and Game Room
 FLORA Design LLC
 Foster Art
 Fringe Collective

Frys Spring Beach Club (FSBC)
 Great Harvest Bakery & Co
 Greenberry’s Coffee
 Grit Coffee
 Habitat for Humanity
 House of Cuts Barber Studio
 Ivy Creek Natural Area & Historic River View Farm (ICNA & HRVF)
 Jefferson School African American Heritage Center
 Jefferson School Foundation – City Center
 Jenuine Jeans Nails LLC
 Living Earth School
 Meals on Wheels of
 Charlottesville/Albemarle
 Music Resource Center (MRC)
 New Perspective Fitness
 Order Up Cville
 Our Neighborhood Child Development Center
 Panorama Natural Burial
 Pawprints Boutique
 Penny’s Imperfect Pizza
 Piedmont Family YMCA Early Learning Center
 Pikasso Swig
 PVCC Student Accessibility and Accommodations Office
 Rita’s Bright Beginnings
 Rivanna Conservation Alliance
 Royalty Eats
 Sentara Martha Jefferson Hospital
 Shenandoah National Park Trust
 Shenandoah Trailblazers
 Sir Speedy of Central VA
 SPCA Rummage Store
 Splendor’s Gelato Cafe
 Studio 517 – Wedding Salon and Stylist
 The Art Bar
 The End Games
 The Scrappy Elephant
 Three Notched Kitchen
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 Virginia Discovery Museum
 Virginia Literacy Partnerships
 Wartime Fitness
 Wild Rock
 York Property

City of Charlottesville Sites:

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- City of Charlottesville – Commissioner of the Revenue
- City of Charlottesville – Dept. of Social Services
- City of Charlottesville – Downtown Job Center
- City of Charlottesville – Office of Sustainability & Office of Community Solutions



**Application &
Acceptance
Process**

**Family Night
(First Ever!)**

**CAYIP
Counselor
Role**

**Site
Supervisor
Role**

**CAYIP
Coordinator
Role**

**Orientation &
Academy**

Meet & Greet

**CAYIP
Intern**

Paychecks!

Graduation

The CAYIP Experience

WHY DOES CAYIP MATTER NOW MORE THAN EVER?





CALL TO ACTION

THANK YOU

QUESTIONS?

Policy Briefing Summary

City Council



Regarding:	Zoning Regulations and Current Planning and Zoning Work Plan Priorities
Staff Contact(s):	Kellie Brown, Director of NDS
Presenter:	Matthew Alfele, City Planner, Kellie Brown, Director of NDS
Date of Proposed Action:	November 3, 2025

Issue

Presentation on Residential and Mixed-Use Development Zoning Regulations and Current Planning and Zoning Work Plan Priorities

Background / Rule

Residential and mixed-use development is governed by the 2024 Development Code, including provisions specific to each residential and mixed-use zoning district, overlay districts, affordable and housing requirements. Staff reviews applications for compliance with the provisions of the Development Code. Staff is also conducting several planning and zoning studies to continue to work toward achieving Comprehensive Plan goals, as outlined in the FY2026 Neighborhood Development Services (NDS) Work Plan.

Analysis

n/a

Financial Impact

n/a

Recommendation

n/a

Recommended Motion (if Applicable)

n/a

Attachments

1. Council Work Session_NDS Work Plan Update_110325_ada



Neighborhood Development Services Department

**Residential and Mixed-Use Development
Zoning Regulations**

and Current Planning and Zoning

Work Plan Priorities

November 2025

Development Code Framework



Zoning Categories and Overlay Districts

Residential Districts:

- R-A, RN-A, R-B, R-C

Mixed Use Districts:

- *Corridor*: NX-3, NX-5, NX-8, NX-10, DX
- *Node*: RX-3, RX-5
- *Residential Mixed Use*: CX-3, CX-5, CX-8

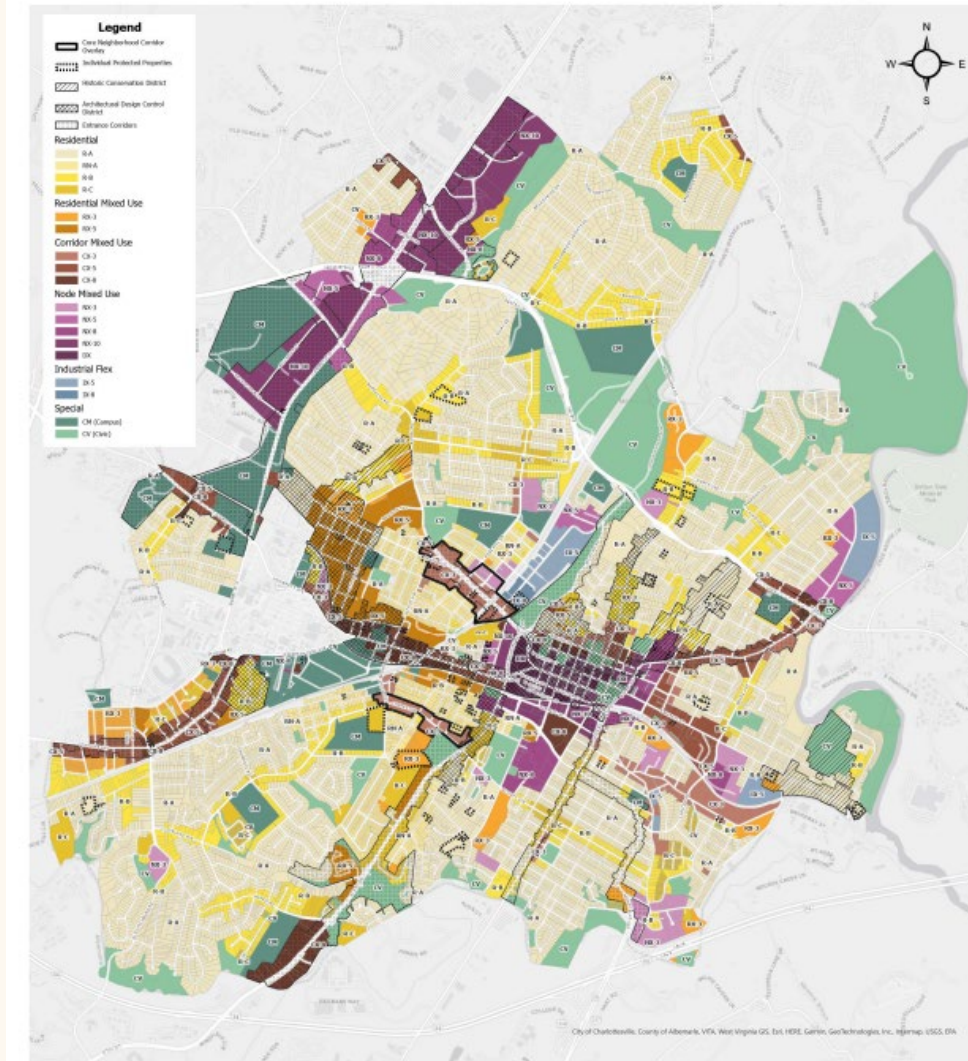
Other Zoning Districts:

- Industrial Flex: IX-5, IX-8
- Special: CM, CV, Alternate Forms

Overlay Districts (* Design review required):

- Core Neighborhood Corridors
- Entrance Corridors *
- Architectural Design Control Districts *
- Historic Conservation Districts *
- Individually Protected Properties *
- Floodways and Floodplains

City of Charlottesville Zoning Map



Approved December 18, 2023

Affordable Housing Requirements

Residential Development:

- Projects ≥ 10 units provide 10% at $\leq 60\%$ AMI or pay in-lieu fee
- Bonus height for units at $\leq 50\%$ AMI or same fee
 - In-lieu fee = average total cost per unit of developing a residential unit in the Charlottesville market, based on bedroom count up to 3 bedrooms

Student Housing (within ½ mile of Campus Grounds):

- No on-site affordable units are required, given large-scale student housing design requirements
- Bonus height may also be realized
- In-lieu fee is required
 - In-lieu fee = difference between the value of a market rate unit and that of an affordable unit (i.e. value gap), based on bedroom count up to 3 bedrooms

Non-Student Housing

Figure 1: Construction Cost Per Unit and Average Total Cost Per Unit In-lieu Fee

Number of Bedrooms	Cost Per Rental Unit	Cost Per Ownership Condominium Unit
Studio	\$184,152	\$324,510
1	\$250,797	\$362,120
2	\$368,303	\$413,709
3	\$547,339	\$483,138
Average Total Cost Per Unit In-lieu Fee	\$337,648	\$395,869

Student Housing

Figure 2: Value Gap Cost Per Unit and Average Total Cost Per Unit In-lieu Fee

Number of Bedrooms	Cost Per Rental Unit	Cost Per Ownership Condominium Unit
Studio	\$41,380	\$269,727
1	\$107,472	\$342,937
2	\$186,038	\$284,653
3	\$261,209	\$403,741
Average Total Cost Per Unit In-lieu Fee	\$149,025	\$325,265



Certificate of Appropriateness

Required For:

- New construction in:
 - Architectural Design Control Districts
 - Individually Protected Properties
 - Historic Conservation Districts
 - Entrance Corridor Districts (Entrance Review Board = ERB)

Review Types:

- Minor Historic Review
- Major Historic Review
- Corridor Review

BAR Certificate of Appropriateness

BAR May Require:

- Upper story stepbacks (up to 25')
- *Along the Downtown Mall*: height reduction to within 2 stories of block average
- In all other districts: max height reduction of up to 2 stories below permitted height

Considerations:

- Compatibility with district character
- Cost of compliance
- Comprehensive Plan goals

Appealing BAR and ERB Decisions (§5.2.7.E.1.a):

- Administrator or aggrieved party may appeal to City Council (Approval, approval with conditions, or denial)
- Must file written notice within **10 business days**
- If no appeal, CoA is issued after 10-day period

Core Neighborhood Overlay District

Application:

- May apply for **Special Exception Permit** to exceed base height
- Max height: **7 stories**
- Must include:
 - Community meeting
 - Additional features or amenities

Locations:

- Preston Avenue and Cherry Avenue which are **Zoned CX-3**

Current Work Plan Priorities



Current Planning and Zoning Workplan Priorities

Other Priorities	Status and Anticipated Completion	Strategic Outcome Areas
<u>Short Term Rentals:</u> improve enforcement by investing in software with CoR that enables better tracking of homestays and conducting zoning study to refine existing regulations to make enforcement easier	Proposed amendments winter 2026	Economic Prosperity Housing
<u>Environmental Policy Review and Ordinance Revisions:</u> Develop a new policy framework, implementation recommendations, and regulatory revisions to align the City's regulations for natural resources with the Comprehensive Plan	Nov '25 Council Work Session on proposed priorities	Climate and Sustainability Housing Economic Prosperity
<u>Charlottesville Design Guideline Review:</u> Develop scope of work to study local districts and Development Code requirements, identify key policy issues and recommendations, and amend design guidelines and the Development Code to balance Comp Plan goals for housing and historic resources	Complete scoping in FY26	Historic Preservation Housing Economic Prosperity JEDI
<u>Opportunities for Historic and Cultural Resource Recognition:</u> Document accomplishments, areas of additional need and opportunities, potential prioritization of future efforts and resource needs	Complete review in FY26	Historic Preservation Housing Economic Prosperity JEDI
<u>5-Year Comp Plan Review:</u> Initiate review of Comp Plan required by 2026, along with discussion around indicators that can track the City's success towards the objectives of the plan, as required	Develop scope and complete by end 2026	All Strategic Outcome Areas

Current Planning and Zoning Workplan Priorities

Housing	Status and Anticipated Completion	Other Strategic Outcome Areas
10th and Page and Rose Hill Plan: Identified as prioritized during adoption of 2024 Development Code, the plan will serve the needs of the 10th and Page and Rose Hill neighborhoods by building on adopted land use vision and zoning regulations by identifying investment priorities for the next 5 years.	Kick Off Anticipated in Winter 2026	JEDI Economic Prosperity Transportation
Development Code Training and Education: Illustrate development parameters commonly referenced in the development review process, with a focus on making the materials easy to understand and accessible and create materials to help standardize submissions for Zoning compliance.	Ongoing/Spring 2026	JEDI Economic Prosperity
Development Code Monitoring, Evaluation, and Amendments: Initiate annual program of proposing amendments for Council consideration and adoption: 1) technical corrections 2) clarifications to support the intent of regulations as adopted 3) policy-based amendments.	Nov '25 PC Work Session; CC in Feb '26	Organizational Excellence Economic Prosperity
Stabilizing Property Task Force: Convene task force to develop customized plans to address limited number of most neglected/deteriorating properties and return them to stabilized housing opportunities.	Ongoing Initiated in spring 2025	Economic Prosperity
Aff Housing In-Lieu Fee Study and ADU Manual Updates: Evaluate in-lieu fee structure for student housing, non-student housing, and bonus height for greater alignment with the Comp Plan goals including both affordable housing production and expanded housing options	NEW! Kick Off anticipated winter 2026 with recommendations in Spring 2026	Economic Prosperity JEDI

Questions?



Policy Briefing Summary

City Council



Regarding:	Resolution to appropriate funds from the Virginia Department of Criminal Justice Services Edward Byrne Memorial Justice Grant in the amount of \$150,000 (2nd reading)
Staff Contact(s):	Taylor Harvey-Ryan, Grants Program Manager
Presenter:	Susan Morrow
Date of Proposed Action:	November 3, 2025

Issue

The Office of Budget and Grants Management was notified of a grant award received from the Virginia Department of Criminal Justice Services in the amount of \$150,000 from the Edward Byrne Memorial Justice Assistance Grant to support the Albemarle- Charlottesville Therapeutic Docket program run by Offender Aid and Restoration (O.A.R.) from September 1, 2025 through June 2027.

Background / Rule

The City of Charlottesville, on behalf of the Albemarle- Charlottesville Therapeutic Docket program, has received a Department of Criminal Justice Services grant under the federal Edward Byrne Memorial Justice Assistance Grant program in the amount of \$150,000 for operation of the Therapeutic Docket program, which is run by Offender Aid and Restoration (O.A.R.). The City of Charlottesville serves as fiscal agent for the Department of Criminal Justice Services grant.

Analysis

The Albemarle-Charlottesville Therapeutic Docket program is a supervised 9 to 12 month treatment program that serves as an alternative to incarceration for offenders. The Therapeutic Docket is a specialized docket within the existing structure of the court system given the responsibility to handle cases involving adult misdemeanor offenders who suffer from serious mental illness. The program uses the power of the court to assist offenders to achieve wellness and recovery through a combined system of intensive supervision, medication management, mental health treatment, and regular court appearances.

Other funding for the program includes three funding sources:

Supreme Court of VA:	\$78,150 (pending appropriation)
City of Charlottesville:	\$127,050, (previously appropriated)
Albemarle County:	\$59,488, (previously appropriated)

Total Funding for Program: \$414,688

This relates to the City of Charlottesville's priority area of safety/criminal justice. The Therapeutic Docket is a valuable, less expensive alternative to incarceration for certain criminal offenders with serious mental illness which utilizes a blend of court-ordered supervision, mental health treatment services, court appearances, and behavioral sanctions and incentives to reduce recidivism and enhance personal accountability and mental health and wellness among participants.

The Therapeutic Docket is a direct service provider and is engaged daily with non-violent criminal offenders with serious mental illness who are at a high level of risk for re-offending and have a high

level of need due to mental illness. By collaborating with the Court system, Region Ten Community Services Board and Partner for Mental Health, the Therapeutic Docket provides these offenders with a highly structured, rigorously supervised system of treatment and criminal case processing that results in a significant reduction in recidivism rates for program participants and graduates. Participants gain access to the Therapeutic Docket through referrals from police, probation, magistrates, defense attorneys and other local stakeholders. Participants have active criminal cases pending in the General District Court. If they successfully complete the program, which takes a minimum of 9 months, participants may have their pending charges dismissed or receive an all-suspended sentence. If participants are unsuccessful and have to be terminated from the program, they return to court to face their original charges. Successful Therapeutic Docket participants return the community's investment in them by improving their mental health status, maintaining compliance with treatment regimens, including medications, and reducing their criminal behaviors in the community.

Financial Impact

No financial impact to the City of Charlottesville as City funding has been previously appropriated.

Recommendation

Staff recommend the appropriation of the grant funds and the execution of the grant agreement.

Recommended Motion (if Applicable)

I move to approve the resolution as presented to appropriate the DCJS Edward Bryne Memorial Justice Assistance Grant in the amount of \$150,000.

I move to approve the City Manager to execute the Statement of Grant Award and any subsequent amendments as applicable for the administration of the DCJS Edward Bryne Memorial Justice Assistance Grant.

Attachments

1. Resolution DCJS SCIP Edward Bryne Memorial Justice Assistance Grant \$150,000
2. DCJS SCIP SOGA Charlottesville

APPROPRIATION

Virginia Department of Criminal Justice Services Edward Byrne Memorial Justice Assistance Grant in the amount of \$150,000

WHEREAS, the Virginia Department of Criminal Justice Services Court of Virginia awarded an Edward Byrne Memorial Justice Assistance Grant in the amount of \$150,000 for the Albemarle-Charlottesville Therapeutic Docket 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 \$186,539; and

WHEREAS, the grant award covers the period October 1, 2025 through June 30, 2027.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$150,000, received as a grant from the Virginia Department of Criminal Justice Services, is hereby appropriated in the following manner:

Revenues

\$150,000 Fund: 211 Internal Order: #1900616 G/L Account: 430110

Expenditures

\$150,000 Fund: 200 Internal Order: #1900616 G/L Account: 430110

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$150,000 from the Virginia Department of Criminal Justice Services.



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

August 26, 2025

Sam Sanders
City Manager
P.O. Box 911
Charlottesville, Virginia 22902

RE: 549972-2025 Byrne SCIP

Dear Sam Sanders:

Congratulations on being a recipient of the above-mentioned grant program. Your DCJS grant award number is **553566** and was approved for a total award of **\$150,000**, funded through Award Number **15PBJA-23-GG-00037-BSCI**. The project period is **9/1/2025** through **6/30/2027**.

Included with this letter is your Statement of Grant Award/Acceptance (SOGA), Special Conditions, Reporting Requirements, and Projected Due Dates. In addition, there may be "Action Item" Special Conditions related to your grant award called *Encumbrances* that require your immediate attention. If there are any, please submit those documents via the On-line Grants Management System (OGMS) at <https://ogms.dcjs.virginia.gov>.

We will be happy to assist you in any way we can to assure your project's success. To indicate your acceptance of the award and conditions, please sign the included SOGA and return it electronically within the next 60 days to grantsmgmt@dcjs.virginia.gov. If you have questions, contact your DCJS Grant Monitor **Patricia Shaw** at **(804) 908-1749** or via email at Patricia.Shaw@dcjs.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson H. Miller".

Jackson Miller
Director

STATEMENT OF GRANT AWARD (SOGA)

Virginia Department of Criminal Justice Services
1100 Bank Street, 12th Floor
Richmond, VA 23219

549972-2025 Byrne SCIP**DCJS Grant Information**

Subgrantee:	Charlottesville, City	DCJS Grant Number:	553566
UEI Number:	C6VFXLAFKEY1	Indirect Cost Rate*:	%
Grant Start Date:	9/1/2025	Grant End Date:	6/30/2027

Federal Grant Information

Federal Award Number:	15PBJA-23-GG-00037-BSCI	Federal Award Amount:	\$5,081,671
Assistance Listing Title:	Edward Byrne Memorial Justice Assistance Grant Program		
Federal Awarding Agency:	BJA	Assistance Listing Number:	16.738
		Federal Start Date:	10/1/2022
Project Description	To strengthen Crime Control.		

Award Amounts

Federal Funds:	\$150,000
State General Funds:	\$ 0
State Special Funds:	\$ 0
Local Match:	\$ 0
TOTAL BUDGET:	\$150,000

Authorized Officials

Project Director	Project Administrator	Finance Officer
Taylor Harvey-Ryan Grants Program Manager P.O. Box 911 Charlottesville, Virginia 22902 434-970-3418 harveyryant@charlottesville.gov	Sam Sanders City Manager P.O. Box 911 Charlottesville, Virginia 22902 434-970-3106 sanderss@charlottesville.gov	Nakysa Critzer Senior Accountant for Grants and Special Revenues P.O. Box 911 Charlottesville, Virginia 22902 434-970-3174 critzern@charlottesville.gov

*Please indicate your ICR in the space provided, if applicable.

As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and reviewing the Special Conditions, hereby accepts this grant and agrees to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award. If there has been a change in an authorized official, cross out the information on the document and write the new contact information. Do not electronically alter this document.

Signature: _____
Authorized Official (Project Administrator)

Title: _____

Date: _____

Policy Briefing Summary

City Council



Regarding:	Resolution to allocate \$650,000 of Capital Improvement Program (CIP) Contingency Funds for an Infrastructure Study and Model (2nd reading)
Staff Contact(s):	James Freas, Deputy City Manager
Presenter:	James Freas, Deputy City Manager
Date of Proposed Action:	November 3, 2025

Issue

To prepare for the impacts of growth and development in Charlottesville, city staff is proposing a consultant supported infrastructure study and model. This project will provide detailed population growth and development projections and modeling to allow the assessment of projected growth on city infrastructure systems.

Background / Rule

As the Charlottesville population grows, it is incumbent upon city government to both consider and assess the impacts that this projected growth is likely to have on critical city infrastructure systems such as transportation, stormwater management, sanitary sewers, water, school facilities, parks, etc.

Towards that goal, city staff has engaged with on-call contractor/consultant, 3TP Ventures, to assemble a project team of experts to assist city staff in conducting a thorough analysis of the likely growth scenarios over the next decades and to then create a model that will allow staff to assess the likely impacts of those growth scenarios on city infrastructure systems. The model that this project will build is to be dynamic and interactive so that this tool will be an important new component in assessing and preparing for the impacts of growth and development well into the future.

This project will consider and assess both the impacts of Charlottesville Development Code together with projected population growth and this project is inclusive of the transportation study necessary to meet the terms of the settlement agreement relative to the *White v. Charlottesville* case.

Analysis

This project supports and aligns with the imperatives of effective city operations, specifically the management of city infrastructure, and the project aligns with the city's strategic initiatives in particular in transportation, climate action, recreation, and education.

Financial Impact

The budgetary impact of this Resolution will be an appropriation of \$650,000 of expenditures from the CIP Contingency Funds.

Recommendation

Staff recommends approval of this resolution that will fund this scope of work and the proposed project.

Recommended Motion (if Applicable)

I move to approve the Resolution as presented to appropriate \$650,000 from the CIP Contingency Fund to fund the infrastructure studies and modeling project.

Attachments

1. CIP Contingency Allocation - October 2025



RESOLUTION #R-__ - __
Resolution to Allocate \$650,000 from the Capital Improvement Program
Contingency Fund

WHEREAS per the City of Charlottesville's financial policy, year-end surpluses from the City's General Fund are transferred to the CIP contingency Fund where they accumulate until appropriated by the City Council for expenditure; and

WHEREAS the City Manager has made a recommendation and request to allocate a portion of the contingency funds for a one-time expenditure not previously appropriated; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$650,000 is hereby allocated from currently appropriated funds in the CIP Contingency Fund for the commissioning of a study of infrastructure and public service capacity relative to growth projections under the Charlottesville Development Code, including a transportation study to be submitted to the Virginia Department of Transportation:

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution Accepting BAMA Works Special Event Funding of \$51,950
Staff Contact(s):	Annie Sechrist, Management Specialist II
Presenter:	Annie Sechrist, Management Specialist II
Date of Proposed Action:	November 3, 2025

Issue

Background / Rule

The City of Charlottesville, Virginia's, Parks and Recreation Department, through a partnership with the BAMA Works Fund, has received generous financial sponsorship to host several special events in the community. These special events include two (2) Sunday Sundown events at Washington Park, two (2) Sounds of Summer, and the annual Downtown Safe Halloween festival on the Downtown Mall. The BAMA Works Fund has provided over \$50,000 in financial support for these events.

Analysis

Sunday Sundown is a free community celebration that provides families and residents with the opportunity to enjoy food, swimming, games and inflatables, 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. This year, the Sounds of Summer event at Forest Hills Park even included a silent disco option.

The Downtown Safe Halloween festival is held annually at the Ting Pavilion and includes an afternoon of games, music, dancing, Halloween costumes, and trick-or-treating on the Downtown Mall.

For each event, the City's Parks and Recreation Department provided the upfront funds for staff, entertainment, and other supplies out of the Department's General Fund Operating Budget. Subsequently, BAMA Works provided a check in support of the events. This item requests appropriation of those funds into the Department's Cost Center Budgets that supported the up-front costs for the events.

The appropriation replacement of these funds is necessary, because the City's Parks and Recreation Department has already expended money from the Department's General Fund to produce these events.

Financial Impact

There is no fiscal impact, as these funds are a sponsorship reimbursement of funds to support community recreation, arts, and cultural events.

Recommendation

City Parks and Recreation Staff recommends adoption of the attached Resolution approving the appropriation of the above-described BAM Works Special Event funds.

Recommended Motion (if Applicable)

"I make a Motion to adopt the attached Resolution approving the appropriation of the BAM Works Special Event funds."

Attachments

1. Resolution - BAMA Special Event Sponsorship \$51,950



RESOLUTION #R- 25-__
Special Events Sponsorships
\$51,950

WHEREAS, the City of Charlottesville, Virginia's, Parks and Recreation Department, through a partnership with the BAMA Works Fund, has received generous financial sponsorship to host two (2) Sunday Sundown events at Washington Park, two (2) 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 funding is hereby appropriated in the following manner:

Revenues (\$51,950)

Fund: 105

Internal Order: 2000121

G/L Account: 451020

Expenditures (\$51,950)

Fund: 105

Internal Order: 2000121

G/L Account: 599999; and

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of the donations.

Date Introduced:

Date Adopted:

Certified: _____
Clerk of Council

Policy Briefing Summary

City Council



Regarding:	Resolution Accepting Pen Park Lane (Lochlyn Hill Phase II & III Subdivision) into City Street System for Maintenance Purposes
Staff Contact(s):	Brennen Duncan, City Engineer
Presenter:	Brennen Duncan, City Engineer
Date of Proposed Action:	November 3, 2025

Issue

Meadowcreek Development, LLC, has requested that the City accept Pen Park Lane, located in the Lochlyn Hill Phase II & III Subdivision, into the City Street System for maintenance purposes.

Background / Rule

To help provide for public safety and ensure the integrity of its roads and streets and the appropriate use of public rights-of-way, the City adopts Resolutions accepting streets that have been built to specifications and standards required by City approved subdivision plans into the City Street System for maintenance purposes.

Analysis

The approval of street acceptance aligns with City Council's vision to ensure a Connected Community by maintaining the integrity of City roads and streets.

Financial Impact

Accepting the streets will minimally increase the City's operational expenses as it relates to leaf removal, street sweeping, snow removal, and other maintenance activities.

Recommendation

City Staff recommends City Council adopt the attached Resolution accepting Pen Park Lane into the City Street System for maintenance purposes.

Recommended Motion (if Applicable)

"I move to adopt the attached Resolution accepting Pen Park Lane, located in Lochlyn Hill Phase II & III Subdivision, into the City Street System for maintenance purposes."

Attachments

1. RES Lochlyn Hill Ph. II & III street accept. FINAL

RESOLUTION
ACCEPTING PEN PARK LANE IN THE LOCHLYN HILL PHASE II & III SUBDIVISION,
INTO THE CITY STREET SYSTEM FOR MAINTENANCE

WHEREAS, Meadowcreek Development, LLC submitted to the City of Charlottesville (the “City”), Department of Public Works (the “Department”) a subdivision plan (“Lochlyn Hill – Phase II & III”) for approval;

WHEREAS, the subdivision plan was originally approved by the Department on June 27, 2016 and;

WHEREAS, the subdivision plan located on Pen Park Lane (the “Street ”), has now been completed by the developer, and;

WHEREAS, the Public Services Manager for the City requested the City accept the Street into the City’s street system for maintenance, and;

WHEREAS, City staff has inspected the Street of the subdivision plan and recommends the acceptance into the City’s street system for maintenance;

WHEREAS, The Street has been built to the specifications and standards required by the city approved plan.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, on recommendation of the Department that the Street of Lochlyn Hill – Phase II & III Subdivision, namely, Pen Park Lane as shown on the attached drawing, is hereby accepted into the City Street system for maintenance.

(locality seal)

PROJECT DATA:

OWNER: MEADOWCREEK DEVELOPMENT, LLC
240 CHESTNUT OAK LN
CHARLOTTESVILLE, VA 22903-9610

ENGINEER: COLLINS ENGINEERING
200 GARRETT STREET, SUITE K
CHARLOTTESVILLE, VA 22902
434-293-3719

DEVELOPER: MILESTONE PARTNERS
300 2ND STREET NE
CHARLOTTESVILLE, VA 22902

TAX MAP PARCELS: TWP 48A030000 D.B. 773, Pg. 503 22.29 ACRES
TWP 48A040000 D.B. 773, Pg. 503 3.31 ACRES

TOTAL ACREAGE: 25.6 ACRES

ZONING: PUD - APPROVED

LOCATION/ACCESS OF PROJECT: LOCATED AT THE END OF PEN PARK LANE ADJACENT TO MEADOWCREEK GOLF COURSE.

USE: RESIDENTIAL DWELLING UNITS TOTAL: SINGLE FAMILY DETACHED UNITS, TOWNHOMES, APARTMENTS, AND ATTACHED COTTAGE UNITS PER TABLE A OF THE APPROVED PUD. SINGLE FAMILY AND TOWNHOUSE LOTS WILL BE OFFERED BOTH FOR SALE AND FOR RENT, AND FUTURE MULTIFAMILY UNITS WILL BE OFFERED FOR RENT WITH AN OPTION FOR SALE.

DENSITY: PER ZONING DOCUMENTS: 135 UNITS TO 175 UNITS ALLOWED (4.7 TO 5.9 DU/ACRE)
PROPOSED: 141 UNITS
NOTE: THE ACCESSORY DWELLING UNITS ARE NOT PROVIDED FOR IN THE PRIMARY DWELLING UNIT COUNTS. THEY ARE ADDITIVE PER THE PUD CODE OF DEVELOPMENT.

RESIDENTIAL DENSITY

	PRIMARY DWELLING UNITS				ACCESSORY DWELLING UNIT	
	MINIMUM	DEVELOPMENT	MAXIMUM	MINIMUM	MAXIMUM	
City of Charlottesville	135	140	175	15	50	
County of Albemarle	40	50	60	-	-	
TOTAL	175	200	235	15	50	

OPEN SPACE: SEE SETBACK NOTES BELOW

SETBACKS: 35' ALLOWABLE HEIGHT. IF THE HEIGHT OF THE STRUCTURES EXCEED 35', ADDITIONAL SETBACKS MAY BE REQUIRED.

TOTAL ACREAGE: 25.6 AC. (PHASE II & III)

STREETS: CURB, PUBLIC STREETS. ROAD GRADES ARE CONSISTENT WITH THE APPROVED PUD GRADING PLAN AND STREET GRADES SHALL NOT EXCEED 10%.

EXISTING CONDITIONS: SITE IS PARTIALLY CLEARED AND REMAINDER IS PARTIALLY WOODED. SOME SITEWORK WAS COMPLETED AS PART OF PHASE I. THERE ARE NO EXISTING HOUSES OR OTHER STRUCTURES ON THE CITY PORTION.

UTILITIES: CITY PUBLIC WATER, SEWER, GAS, DOMINION POWER, CENTURY LINK, COMCAST.

PHASING: THE OVERALL LOCHLYN HILL PROJECT WILL BE DEVELOPED IN FOUR PHASES. THIS IS THE SECOND AND THIRD OF FOUR PHASES. TWO PHASES LOCATED IN ALBEMARLE COUNTY & TWO PHASES ARE LOCATED IN THE CITY OF CHARLOTTESVILLE. THERE MAY ALSO BE DEVELOPMENT IN SUB-PHASES BY BLOCKS WITHIN THE PROPOSED PHASES BASED ON DEVELOPMENT AND MARKET CONDITIONS.

FLOODPLAIN: FLOODPLAIN FLOODWAY AREAS EXIST ON THE SUBJECT PROPERTY, PER FEMA MAP #51003C0287D, PANEL 287D. NO DEVELOPMENT OR PLACEMENT OF FILL IS PROPOSED WITHIN THE FLOODWAY. THIS PROJECT DOES PROPOSE THE FILLING OF A PORTION OF THE FLOODPLAIN IN ACCORDANCE WITH SECTION 34.251 OF THE ZONING ORDINANCE. ALL BASEMENTS AND LOWEST FLOORS SHALL BE AT LEAST (1) FOOT HIGHER THAN THE BASE FLOOD ELEVATION.

STREAM BUFFERS: STREAM BUFFERS EXIST WITHIN THE LIMITS OF THE PROJECT AREA.

LOT COVERAGE: SINGLE FAMILY UNITS = 75%, TOWNHOUSE UNITS = 90%, MULTI-FAMILY UNITS = 90%

SOURCE OF INFORMATION: THE BOUNDARY OF THE SITE WAS PROVIDED BY KIRK HUGHES & ASSOCIATES. AERIAL TOPO WAS PROVIDED BY VIRGINIA RESOURCE MAPPING, MARCH, 2013. FIELD VERIFIED IN JUNE, 2013.

DATUM: NAD83

RIGHT-OF-WAY: 5.52 ACRES (21.56% OF CURRENT PHASE AREA)

LOTS: 11.11 ACRES (43.40% OF CURRENT PHASE AREA)

CRITICAL SLOPES: NO CRITICAL SLOPES ON THE SUBJECT PROPERTY SHALL BE IMPACTED WITH THIS DEVELOPMENT.

PARKING: EACH LOT WILL HAVE TWO OFF-STREET PARKING SPACES. PARKING WILL ALSO BE PROVIDED ON ONE SIDE OF THE PUBLIC ROADS, WHICH WILL BE MARKED WITH SIGNS IN THE DEVELOPMENT. ADDITIONALLY, 25 DESIGNATED PARALLEL PARKING SPACES ARE PROPOSED.

LIGHTING: NO STREET LIGHTING IS PROPOSED. EXTERIOR LIGHTING SHALL BE REQUIRED ON THE FRONT OF THE PROPOSED HOUSES. THE SETBACKS OF THE HOMES WILL BE CLOSE ENOUGH TO THE SIDEWALK THE SUFFICIENT LIGHT SPILL WILL ILLUMINATE THE SIDEWALKS.

LANDSCAPING: STREET TREE REQUIREMENTS ARE MET WITH THIS FINAL SITE PLAN.

RETAINING WALLS: RETAINING WALLS ARE SHOWN ON THE LAYOUT AND GRADING PLAN AND WILL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE APPROVED PUD.

SIGNAGE: NO SIGNAGE IS CURRENTLY PROPOSED. ANY SIGNAGE WILL BE INCLUDED UNDER SEPARATE APPLICATION.

WATERHEAD: MEADOW CREEK

STORMWATER MANAGEMENT: A STORMWATER RETENTION BASIN IS PROPOSED WITHIN THE DEVELOPMENT TO HANDLE WATER QUALITY AND DETENTION. DIRT SWALES ARE PROVIDED FOR ADDITIONAL WATER QUALITY.

STREET TREES: STREET TREES SHALL BE PROVIDED ALONG ALL PUBLIC ROADS IN ACCORDANCE WITH CITY REQUIREMENTS AND THE APPROVED PUD.

TRASH COLLECTION: TRASH RECEPTACLES SHALL BE MAINTAINED ON EACH INDIVIDUAL LOT.

IMPERVIOUS AREAS:

	ROADS	SIDEWALKS	LOTS	TOTAL
ACRES	3.02 AC.	0.97 AC.	11.81 AC.	15.80 AC.

TRAFFIC GENERATION: SEE ROAD DESIGN SHEET.

FIRE PLAN: THE DEVELOPMENT SHALL PROVIDE FIRE HYDRANTS IN ACCORDANCE WITH CITY REGULATIONS TO PROTECT THE DEVELOPMENT (EVERY 500'-600' MAX.)

LIMITS OF DISTURBANCE: 23.08 AC

WATER FLOW CALCS: MAX HR Q=11.456 CFS @ 344'-357' GPM
MAX 15 MIN Q=2.564+1.138 GPM (CHOOSE HIGHER VALUE)
PEAK HR Q=3.564+1.692 GPM
564 X 100 GPD = 56,400 GPD

SEWER FLOW CALCS:

	ROADS	SIDEWALKS	LOTS	TOTAL
ACRES	3.02 AC.	0.97 AC.	11.81 AC.	15.80 AC.

LOCHLYN HILL - PHASE II & III

FINAL SITE PLAN

CITY OF CHARLOTTESVILLE, VIRGINIA



SHEET LAYOUT

SCALE: 1" = 150'

- SETBACK NOTES:**
- The following structures: porches (182 story), porch stairs, decks, balconies, bay windows, raised dormers, entrance stoops, planters, entry steps and other similar structures are permitted to extend in an unobstructed zone (i.e., the area in front of the building to be no more than 100 feet). Under no circumstances may these structures extend into either the right-of-way or within one (1) foot of the sidewalk (whichever is more restrictive).
 - For single family detached units that are front loaded, the garage door shall be recessed more than three (3) feet from the established building line.
 - Under no circumstances shall the garage door be any closer than eighteen (18) feet to the sidewalk.
 - For Corner Lots, front build to line shall apply to both segments of the lot facing either street. The side yard setback and may not project more than two (2) feet into any rear yard setback. HVAC units are allowed only in the side yard and rear yards and cannot be within (2) feet of any property line.
 - Townhouses and multi-family unit types may be built along the side yard property line if connection methods are used that allow for a common wall. For townhouse and multi-family structures built on the property line, the structure's footing may cross into the adjacent lot a maximum of eight (8) inches.
 - In front and corner yards, accessory structure setbacks shall be the same as the established build-to line for that Building Block. In side yards, accessory structure setbacks shall be three (3) feet.
 - Corner porches, balconies, chimneys, waves, and flat architectural features may not project into the side yard setback and may not project more than two (2) feet into any rear yard setback. HVAC units are allowed only in the side yard and rear yards and cannot be within (2) feet of any property line.
 - The regulations of accessory structures are as follows: In front and corner yards, accessory structure setbacks shall be the same as the established build-to line. In side yards, accessory structure setbacks shall be three (3) feet, except with garages and carports, where the side setback shall be zero (0) feet. In rear yards, accessory structure setbacks shall be five (5) feet.
 - Garages and Carriage Houses may be connected to the main structure under the following conditions: If connected with unconditioned space (e.g. screened porch, covered driveway, etc.) the modified accessory structure setbacks established in item eight (8) above shall be followed. If connected with conditioned space then the minimum setbacks established in Table C Lot Regulations shall be followed.
 - No structure shall encroach into any utility, drainage or other easement.
 - The minimum setback requirement for lots shall be three (3) feet at the public right of way or private easement.

BMP DATA FOR THIS PROJECT:
BMP OWNERSHIP INFORMATION: MEADOWCREEK DEVELOPMENT, LLC
240 CHESTNUT OAK LANE
CHARLOTTESVILLE, VA 22903

TYPE OF BMP TO BE INSTALLED: LEVEL II RETENTION BASIN, DRY SWALES

GEOGRAPHIC LOCATION (HYDROLOGIC UNIT CODE): LOCATED 3100' SOUTH OF LOCHLYN HILL DRIVE ADJACENT TO RIVANNA RIVER
HUC02080204

WATERBODY THE BMP IS ULTIMATELY DISCHARGING INTO: RIVANNA RIVER

OF ACRES TREATED BY BMP: 26.03ac: TOTAL TO RETENTION BASIN, 1.35 ac. TO DRY SWALES

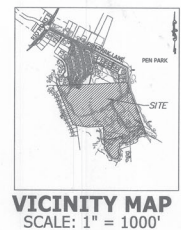
DESCRIPTION OF REQUIRED MAINTENANCE: THE MAINTENANCE PROGRAM FOR THE RETENTION BASIN SHALL INCLUDE CLEANING OF THE RISER STRUCTURE AND TRASH BACK ON AN ANNUAL BASIS, OR AS NECESSARY, ENSURING HEALTHY, VEGETATIVE GROWTH OF THE PLANTINGS WITHIN THE AQUATIC BENCH; AND REMOVAL OF THE SEDIMENT ON AN ANNUAL BASIS IN THE FOREBAY. THE MAINTENANCE PROGRAM FOR THE DRY SWALES SHALL INCLUDE CLEANING OF THE RISER STRUCTURE ON AN ANNUAL BASIS, OR AS NECESSARY, ENSURING HEALTHY VEGETATIVE GROWTH OF THE GRASSES AND CLEANING OF THE TRASH FROM THE FACILITY.

OWNER'S SIGNATURE AGREEING TO MAINTAIN FACILITY:

- NOTES:**
- ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE CONSISTENT WITH THE MUTCD.
 - IF 505-BUILDING STREET NUMBER TO BE PLAINLY VISIBLE FROM THE STREET FOR EMERGENCY RESPONDERS.
 - FIRE HYDRANTS, FIRE PUMP TEST HEADER, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES SHALL REMAIN CLEAR AND UNOBTSTRUCTED BY LANDSCAPING, PARKING OR OTHER OBJECTS. THE FIRE MARSHAL'S OFFICE NO LONGER ALLOWS ANY TYPE OF LANDSCAPING TO BE PLACED IN FRONT OF AND WITHIN 5 FEET OF FIRE HYDRANTS, FIRE PUMP TEST HEADERS, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES.
 - AN APPROVED WATER SUPPLY FOR FIRE PROTECTION SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE.
 - ALL PAVEMENT SHALL BE CAPABLE OF SUPPORTING FIRE APPARATUS MOUNTING 85,000 LBS. REQUIRED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.
 - OVERHEAD WIRING OR OTHER OBSTRUCTIONS SHALL BE HIGHER THAN 13 FEET 6 INCHES.
 - ALL SIGNS SHALL BE IN ACCORDANCE WITH ARTICLE IX, SECTION 34-100 CITY CODE.
 - REQUIRED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.
 - THE PROPOSED WALLS ARE CONCEPTUAL IN NATURE AND INTENDED TO SHOW THE APPROXIMATE HEIGHT AND LOCATION OF THESE WALLS ONLY. FINAL WALL DESIGN SHALL BE COMPLETED BY A STRUCTURAL ENGINEER AND SUBMITTED WITH THE FINAL BUILDING PERMITS.
- ADDITIONAL NOTES:**
CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES SHOWN ON PLANS IN AREAS OF CONSTRUCTION PRIOR TO STARTING WORK. CONTACT ENGINEER IMMEDIATELY IF LOCATION OR ELEVATION IS DIFFERENT FROM THAT SHOWN ON THE PLANS. IF THERE APPEARS TO BE A CONFLICT, AND UPON DISCOVERY OF ANY UTILITY NOT SHOWN ON THE PLANS.
CITY OF CHARLOTTESVILLE OR DATA WAS NOT USED IN THE PREPARATIONS OF THESE PLANS. THE CONTRACTOR SHALL LOCATE ALL SURFACE AND SUB-SURFACE UTILITIES PRIOR TO ANY WORK ON-SITE.
ANY SIDEWALK AND/OR CURB DAMAGE IDENTIFIED IN THE SITE VISUITY DUE TO PROJECT CONSTRUCTION ACTIVITIES AS DETERMINED BY THE CITY INSPECTOR SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
ALL SIGNING AND PAVEMENT MARKINGS SHALL BE CONSISTENT WITH THE MUTCD.
A TEMPORARY STREET CLOSURE PERMIT IS REQUIRED FOR CLOSURE OF SIDEWALKS, PARKING SPACES AND ROADWAYS AND IS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER.
SITE AND BUILDING CONSTRUCTION SHALL MEET 2008 IRC SECTION 3409 FOR ACCESSIBILITY AND VA USC 103.3 FOR CHWAVE OF CYPICITY.

SIGNATURE PANEL

DIRECTOR, NEIGHBORHOOD DEVELOPMENT *Brian J. Roberts for* 6/28/13



REVISIONS		REVISION DESCRIPTION	INITIAL SUBMISSION
		REVISED PER CITY COMMENTS	
		REVISED PER CITY COMMENTS DATED 10/20/15 & REVIEWER EMAILS	
5/13/15			
8/10/15			
12/1/15			

COLLINS ENGINEERING
200 GARRETT STREET SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719
LOCHLYN HILL PHASE II & III FINAL SITE PLAN
COVER SHEET

PROJECT: 112062
SCALE: AS NOTED
SHEET: 1



City Manager's Report

*Offices of the City Manager
Elected & Appointed Officials
11-3-2025*

City Manager – Sam Sanders (he/him)

- Received a presentation from the Fire Department regarding our use of drones in public safety. We are working to develop a full program that covers all usage of drones by the local government.
- Served as a guest speaker to Eric Scorsone's public policy class. I was joined by Ann Wall, Deputy County Executive for Albemarle County.
- Participated in a VA250/DTM50 planning meeting for events to celebrate the 250th anniversary of the Declaration of Independence and the 50th anniversary of the Downtown Mall, both to occur during the 4th of July weekend next year.
- October 12-13: Attended the Virginia Municipal League (VML) Annual Conference in Roanoke. The VML is an association focused on helping strengthen communities by supporting good local governments.
 - One key takeaway from the conference: healthcare and education are expected to be the top two issues for the upcoming session in Richmond; SOL score changes are likely to cause a high number of students losing eligibility for graduation, but it's a priority to increase rigor and competitiveness (e.g. 400 passing score cutoff increase to 465).

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

- CAPE has launched a weekly On-the-Spot segment with City Manager Sanders featuring highlights from different departments throughout the City and from local leaders. These updates are meant to provide in-time updates for the community and allow opportunities for everyone to be more engaged. Catch it every Tuesday on the City's [Facebook](#), [Instagram](#), and recently launched [TikTok](#). Do you have a TikTok account? Give us a follow!
- Recent filming and editing include Downtown Safe Halloween, the Minority Business Association Gala, and E-bike Demo Day. We highlight all events on our monthly local public affairs tv program, Inside Charlottesville. Catch new episodes on-air on the first Friday of every month on Charlottesville TV10 and previous episodes every Friday and Sunday at 7:00 PM and Saturday and Monday at 9:00 AM, or stream online on [YouTube](#), [Facebook](#), [Vimeo](#), or CAPE's [webpage](#).
- Planning is underway for Charlottesville's Grand Illumination this year on Friday, December 5, from 5:00 - 8:00 PM at Ting Pavilion. The Planning Committee is looking forward to putting on another great event for the community!

Budget & Grants Management – Director Krisy Hammill (she/her)

- The FY 2027 [Budget Development Calendar](#) of public meetings has been posted on the budget webpage. More information regarding several City Manager Budget forums is coming soon!

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

- Charlottesville Area Technical Education Center (CATEC) and the City were recognized at the Community Climate Collaborative's recent Party for the Planet with the 2025 Carbon Crackdown Award for the recently installed 260kW solar array that will offset the power usage of the by building by over 60%.
- The City of Charlottesville has officially been accepted into the [Biophilic Cities Network](#), a global community of cities whose leaders and residents recognize the importance of the connection between humans and the natural world.
- Two energy improvement projects hit notable milestones over the past month. The solar system at CATEC was completed and activated, producing clean energy for the facility. LED lighting and efficient plumbing installations began in early September at City Hall Annex and will continue to include City Hall and Herman Key Jr. Recreation Center over the next few months.
- The Office of Sustainability co-hosted the last Climate Cafe of 2025, focused on energy burden and helping community members access energy-savings programs. The featured partner for October was the Energy Resource Hub.
- In coordination with neighborhood leaders from Kellytown, the Charlottesville Invasive Plant Partnership (CHIPP) shared the results of the neighborhood's tree survey and recruited neighborhood volunteers for upcoming trainings and vine removal efforts.
- Little High and CHIPP volunteers co-hosted a second workday in which specific residential properties were serviced for invasive vine removal. The total number of residential trees liberated from harmful vines in Little High is now up to 120.
- The Office of Sustainability Director and Climate Program Manager attended the Urban Sustainability Director's Network Eastern Regional meeting in Philadelphia, PA. They both delivered presentations sharing Charlottesville's sustainability work with other practitioners from across the region.
- The Office of Sustainability supported the internal Fire Prevention Week lunch and learn.
- All Imagine a Day without Water Art Contest entries have been received and now you can help select the Fan Favorite Winner! The art contest challenged youth to show how "Water Works" through artistic creations. Fan Favorite voting is open now through December 3. All art contest winners will be announced on December 10. To vote for your favorite art entry, visit Charlottesville.gov/ArtContest.

- The City's LED Streetlight Upgrade project is underway with the initial work requests to Dominion focused on upgrading the streetlights along the 250 Bypass from Barracks Road to River Road. The next area of focus will be along Route 29 to JPA.
- City sustainability staff supported Albemarle County colleagues at their first Youth Climate Summit where participating high school students could ask questions and receive guidance from local sustainability advocates and professionals as they work through their assigned environmental challenge.

Office of Economic Development – Director Chris Engel (he/him)

- More than 300 attendees participated in the first-ever NextGen Skilled Trades Day, celebrating hands-on learning and the many rewarding career opportunities in the trades. Over 30 exhibitor stations came together to showcase in-demand professions—from construction and automotive to renewable energy and welding. Students, parents, and career seekers engaged in live demonstrations, tried tools of the trade, and connected directly with employers, educators, and training providers.
- One parent shared, "Thank you for doing this! It was really great to be able to speak with people and get a feel for the different trades. Anne from Alloy impressed me because she found a way to connect with my son who doesn't necessarily fit the tradesman stereotype. She immediately zeroed in on his strengths!" A local career counselor added, "Students and parents need to be educated about alternative paths to college. I appreciate you highlighting this awesome career path."
- The enthusiasm extended to schools and employers alike. Piedmont Virginia Community College's (PVCC) Skilled Trades Program Manager Scott Ishler noted, "We were busy the whole time and that means a lot of people know about our programs that didn't before." Exhibitor Beth Lucchesi from Carter Myers Automotive shared, "What a great event! I participate in so many events during the school year, but this was exceptionally well done! We are already looking forward to next year!"
- NextGen Skilled Trades Day was truly a team effort and the City's Office of Economic Development was pleased to partner with a number of local organizations and businesses for the event including PVCC, Martin Horn, Charlottesville Regional Chamber of Commerce, Blue Ridge Home Builders Association, Dominion Custom Homes, Charlottesville Remodeling Company, Arrowhead Excavating, and CATEC. Together we are already laying the groundwork for the 2026 edition of NextGen Skilled Trades Day!

Office of Emergency Management (OEM) – Emergency Management Coordinator John Oprandy (he/him)

- OEM continues to strengthen the City's preparedness, response, and continuity capabilities through interagency coordination, planning, and public safety initiatives.
- Continuity and Emergency Planning:
 - OEM finalized updates to the City's Continuity Plan (COOP), including departmental worksheets and succession planning. These updates ensure that essential functions can be maintained during disruptions and reflect coordination with departments citywide.
- Public Safety and Event Readiness:
 - OEM supported planning and preparedness for the No Kings demonstrations held along the City/County boarder at Stonefield and is currently supporting planning efforts for the upcoming 2025 Grand Illumination event, including coordination with public safety services.
- Training and Engagement:
 - Staff participated in multiple training and coordination meetings, including the National Weather Service's hazardous weather briefings. OEM also conducted a ride-along with Charlottesville Police to strengthen interagency understanding and response coordination.
 - Last week, OEM joined Department of Social Services staff in Farmville to attend a two-day Mass Care Course to enhance the City's readiness to open and staff an emergency shelter.
- Regional Collaboration:
 - OEM participated in two key Virginia Department of Emergency Management (VDEM) regional events:
 - Region 3 Integrated Preparedness Planning Workshop (IPPW): This workshop brought together regional partners to align training and exercise priorities for the upcoming year.
 - VDEM Fall Forum: This in-person session in Lynchburg focused on regional coordination, resource sharing, and lessons learned from recent emergency responses.

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

- The City's auditors recently completed their on-site field work for the FY25 audit. The audit is on-track to be completed by December with the auditors making their presentation to City Council on December 15.

City Treasurer – Jason Vandever (he/him)

- The Treasurer's Office has been focused on the production and distribution of second half 2025 real estate and personal property tax bills, which are due

December 5. Electronic notices were sent on October 24, and mailed notices should be in the mail by November 3. The Treasurer's Office can be reached by phone at 434-970-3146 or by email at citytreas@charlottesville.gov with any questions.

ADA Coordinator – Paul Rudacille (he/him)

- The City continues to make progress in implementing the Americans with Disabilities Act (ADA) Transition Plan. This plan outlines how the City will remove accessibility barriers in public spaces and facilities over time. Major progress this period includes preparation for construction contracts, allocation of funds for barrier removal, and enhanced staff training to ensure all City programs, facilities, and communications are accessible to everyone.
- Repairs to correct vertical height displacements (uneven sidewalk surfaces) will take place in the same areas as the curb ramp work. Funding for this project includes both ADA Transition Plan funds and Public Works funds, totaling approximately \$350,000 from the ADA program.
- City Council approved the movement of funds on October 21, allowing Public Works to proceed with contract signing. Work began according to schedule November 1.
- City staff training has begun to improve accessibility for digital content such as PDFs, Excel spreadsheets, and PowerPoint presentations. The City is tracking completion of this course to ensure compliance.
- Nathan Newell in the Information Technology (IT) department continues to coordinate efforts with the City's website developer to ensure that the City's online content meets accessibility standards.

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

- In their next meeting on November 6, Human Rights Commissioners will discuss City policy recommendations for presentation to City Council. As with the legislative agenda recommendations, the Commission will focus its City policy recommendations on housing access and stability across protected classes and economic status. Following adoption of recommendations by vote on November 6, the Commission will present their written recommendations to Council on or before November 30.
- Office of Human Rights staff attended the International Association of Official Human Rights Agencies (IAOHRA) annual conference during the week of October 6. At this conference, staff met with representatives from human rights agencies from across the United States, Canada, and Europe. Staff learned about current trends in human rights protection and will be considering how to apply this knowledge to our local work.

- The Office of Human Rights currently has 21 open discrimination complaint cases; one is awaiting response to offers of alternative dispute resolution, 10 are in the process of alternative dispute resolution, six are under investigation, and two are under review for determination after investigation.

Policy Briefing Summary

City Council



Regarding:	Public Hearing and Ordinance to vacate Clarke Court, a City-maintained street
Staff Contact(s):	Matthew Alfele, City Planner, Caleb Smith, Traffic Engineer
Presenter:	Matthew Alfele, City Planner, Caleb Smith, Traffic Engineer
Date of Proposed Action:	November 3, 2025

Issue

The Jefferson Scholars Foundation ("Applicant") is requesting the vacation of Clarke Court (a City-maintained street). The request is part of the Applicant's long-range Strategic Plan. This Strategic Plan includes evaluating what facilities are needed to support the current and future Programs. In general, the Applicant is looking for flexibility by vacating Clarke Court in anticipation of future needs.

Although no final detailed plans related to the site have been provided to the City, the Applicant did submit a Preliminary Site Plan ("Plan") on July 27, 2023. The proposed Plan shows the vacation of Clarke Court, the consolidation of the three (3) parcels, and a realigned private vehicular travel-way connecting to the existing apartment building at 108 Maury Avenue. No new buildings are being proposed as part of the Plan NDS Staff reviewed. The Plan and NDS Staff comments can be found under the attachments. After NDS Staff reviewed the Plan and provided comments on September 25, 2023, the Applicant combined two (2) of the existing three (3) lots. This was done in part to prevent a land-locked parcel with any future vacation of Clarke Court.

NDS Staff has conducted an evaluation of the request and communicated to the Applicant that it does not meet the criteria for a NDS Staff Recommendation to vacate the street. However, the Application may still move forward for final determination by City Council, which the Applicant has requested. The Clarke Court Rubric Score can be found as an attachment as part of the Application.

Background / Rule

Previously, it was the City's policy to permit the vacation of City right-of-way ("ROW") through simple agreement between all abutting property owners. In the fall of 2019, this Policy was updated to ensure due consideration by City Council and/or compensation is provided; and to ensure City ROW is fully unutilized for access management where appropriate.

Per the adopted Vacation Ordinance and Policy, City Council should consider the following:

Rubric Score:

As part of the Application, the Office of Community Solutions (now with elements incorporated into NDS), the City Traffic Engineer, the City's Bicycle Pedestrian Coordinator, the Director of Parks and Recreation, and the Director of Utilities scored the proposed vacation based off criteria within an established matrix. The vacation of Clarke Court received a score of 0.4. For context, any score of 1.75 or higher would result in denial of a vacation without consideration by City Council. Any score under 1.75 is not an endorsement of the vacation request, but does permit the Application to move forward for final determination by City Council. The Clarke Court Rubric Score can be found as an attachment as part of the Application.

Will vacating the street or alley impede a person's access to the property, or otherwise cause

irreparable damage to the owner of any lot shown on the original subdivision plat?

NDS Staff's review finds that, per the proposed plat submitted as part of the vacation request, access will still be provided to the existing apartment. The access would shift from the existing layout where access is off the northern end of Clarke Court to a private access point directly off Maury Avenue.

Are there any public utilities currently located in the area proposed to be vacated? If so, is the Applicant offering to allow the City to reserve a public utility easement?

The City's Utilities Department has reviewed the vacation request and determined there are existing water, gas, and sewer mains located in Clarke Court, along with related appurtenances that branch from the mains toward and onto the adjacent parcels. Furthermore, NDS Staff finds that any proposed expansion by the Applicant may have a significant impact on utility configurations, the extent of which cannot be determined until the Applicant provides a more detailed plan for future development on the site. Should City Council vacate the street, the Applicant would either need to provide easements for the City to retain ownership and maintenance access for utility infrastructure to remain, or present a plan to reconfigure the existing utility service to the site (in accordance with applicable engineering standards) such that easements are not required. NDS Staff's desire is to avoid retaining easements over utility infrastructure that may be removed/abandoned/reconfigured with future development, since this would require City Council to undergo another process to vacate those easements later on.

Will vacation of the street or alley result in an adverse impact on traffic on nearby public streets, or result in undesirable circulation conditions for vehicular movement in and through the subdivision?

The City Traffic Engineer finds the level of development proposed in the July 27, 2023 Preliminary Site Plan is not consistent with the long-term plans for the site based off the information in the Applicant's narrative. Vacating Clarke Court and providing a new private travel-way to the back of the property appears to be a short-term goal that may change once the street is vacated. NDS Staff would like the City to maintain control of Clarke Court, until the Applicant provides a more detailed plan for future development of the site. NDS Staff is also concerned that, by vacating Clarke Court, five (5) non-permitted parking spots would be lost. These spots help support access to businesses in the area that have limited or no parking and are within walking distance of Clarke Court.

If the street or alley is currently owned by the City, and if the purpose of the proposed closing/vacation is to accommodate expansion or development of an existing or proposed business, does City Council wish to condition the vacation upon commencement of the expansion or development within a specified period of time?

Outside of what was provided on the July 27, 2023, Preliminary Site Plan, no expansion on the site is being proposed at this time. The Applicant's narrative states that no expansion is being considered currently, but future needs may include different programming of the site that will need to be studied. NDS Staff would recommend that, should City Council vacate Clarke Court, a reasonable period of time should be conditioned. This would allow the applicant an opportunity to explore long-range expansion and feasibility, but keep the street and parking in the City's network, until more details are finalized.

If the street or alley is currently owned by the City, does City Council desire staff to negotiate a purchase price with the Applicant and other adjoining property owners?

NDS Staff recommends that, should City Council vacate Clarke Court, it should direct the City Attorney's Office to contact the Applicant and negotiate a sales price prior to any second reading of the Vacation Ordinance.

Analysis

The Applicant has submitted a request to vacate Clarke Court as part of its long-term strategic planning, aiming to consolidate parcels and create a private travel-way to support future programming. While the proposal received a rubric score of 0.4—allowing it to proceed to City Council—NDS Staff recommends denial at this time due to the absence of a detailed Development Plan and concerns over the loss of informal parking that supports nearby businesses. Clarke Court currently hosts critical utility infrastructure and provides access to adjacent properties and vacating it prematurely could complicate future service configurations and traffic circulation. However, should City Council wish to consider the request, NDS Staff advises conditioning any approval on a defined timeline for expansion, allowing the City to retain control of the street and parking until the Applicant presents a more formalized site plan. This approach balances flexibility for the Applicant with the City's responsibility to preserve public assets and access.

Financial Impact

The budgetary impact to maintain Clarke Court is minimal due to the size of the ROW (approximately 150 feet in total length).

Recommendation

NDS Staff recommends City Council not vacate Clarke Court.

Recommended Motion (if Applicable)

City Council has several alternatives:

- (1) by Motion, take action to approve the attached Ordinance vacating Clarke Court;
- (2) by Motion, request changes to the attached Ordinance, and then approve the vacation;
- (3) by Motion, take action to deny the vacation; or
- (4) by Motion, defer action on the vacation.

Attachments

- 1. Ordinance - Clarke Court
- 2. Draft Deed
- 3. Deed Plat
- 4. Application
- 5. Review Comments Response
- 6. Preliminary Site Plan_07-24-2023
- 7. Comment Letter_9_25_23

**ORDINANCE CLOSING, VACATING, AND DISCONTINUING THE PUBLIC ROAD
KNOWN AS CLARKE COURT ON CITY REAL ESTATE TAX MAP 17**

WHEREAS, the Jefferson Scholars Foundation, the owners of the property at 100 and 112 Clarke Court, Charlottesville, Virginia 22903, have petitioned the City of Charlottesville, Virginia (“City”), to close the aforesaid Clarke Court, adjoining Parcels 170091100 and 170092000 (“Subject Street”); and

WHEREAS, the portion of Clarke Court that is the subject of this Petition was created circa 1961, by a subdivision plat recorded in the Albemarle County, Virginia, land records at Deed Book 228 Page 431, and subsequently annexed into the City; however, there is no known record of the Council of the City of Charlottesville, Virginia (“City Council”) of ever having formally accepted the area within the twenty (20)-foot Oak Street platted right-of-way; and

WHEREAS, the owners of property adjoining the Subject Street have submitted this Petition, and notice has been given to the public pursuant to Virginia Code §§ 15.2-2204 and 15.2-2272, and a legally advertised Public Hearing by City Council was held and conducted on October 6, 2025; and

WHEREAS, after due consideration of the Petition, this City Council finds and determines that the Petitioners’ request should be granted; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that the Subject Street is hereby closed, vacated, and abandoned, and the said area of the Subject Street being more particularly described as follows: a 148.14 foot platted street, designated as Clarke Court, running from Maury Avenue, and adjoining the lots identified on 2025 City Real Estate Tax Map 17 Parcels 91 and 92.

BE IT FURTHER ORDAINED that this Ordinance shall take effect (i) sixty (60) days after the date of City Council’s vote to approve this Ordinance, if no appeal from City Council’s enactment of this Ordinance is filed of record within the Charlottesville Circuit Court, or (ii) if an appeal is filed, upon the entry of a Final Order by the Circuit Court disposing of the appeal (“Effective Date”). The City Attorney and City Manager, or their designees, are authorized to take all actions necessary to carry out the actions authorized by this Ordinance, and, on or after the Effective Date, to record an attested copy of this Ordinance within the Street Closing Book within the land records of the Charlottesville Circuit Court. Upon the recordation of this Ordinance within the said Street Closing Book, the owner(s) of the lots currently addressed as 100 and 112 Clarke Court, respectfully, shall acquire title to the centerline of the Subject Street adjoining their lot.

Approved by Council _____

Clerk of Council

Prepared by:
J. Vaden Hunt, Esq. (VSB # 65574)
Deputy City Attorney
Charlottesville City Attorney's Office
P.O. Box 911
Charlottesville, Virginia 22902

Tax Map Parcel Number: 170092000 & 170091100
Prepared without benefit of title examination
Consideration: \$10.00

*This Deed is exempt from state recordation taxes pursuant to
Virginia Code §§ 58.1-811(A)(3) and 58.1-811(C)(4), and is exempt from the fees
imposed by Virginia Code § 17-275, pursuant to Virginia Code § 17-266*

DEED OF VACATION

THIS DEED OF VACATION ("Deed") is made as of this _____ day of _____, 2025, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia ("City" or "Grantor"), whose address is P.O. Box 911, Charlottesville, Virginia 22902 (Index as Grantor), and **JEFFERSON SCHOLARS FOUNDATION**, a Virginia non-stock corporation, ("Grantee"), whose address is 122 Clarke Court, Charlottesville, Virginia 22903

WITNESSETH:

WHEREAS, Grantee, *inter alia*, owns certain real property, having Tax Map Parcel Numbers 170091100 and 170092000, located at Clarke Court, Charlottesville, Virginia ("Property"); and

WHEREAS, Grantor owns the Public Street known as Clarke Court on the Property, more particularly described/shown on a Plat attached hereto as **Exhibit "A,"** and made a part hereof, entitled "PLAT SHOWING BOUNDARY LINE ADJUSTMENT AND CLARKE COURT STREET CLOSURE ADJUSTED BETWEEN THE LANDS OF JEFFERSON SCHOLARS FOUNDATION CITY TMPS 17-91 & 17-92 JEFFERSON PARK AVENUE AREA CITY OF CHARLOTTESVILLE, VIRGINIA," dated May 30, 2025, prepared/created by Joseph C. Medley, LS, License Number 3385, of Timmons Group ("Plat"); and

WHEREAS, to promote development of the Property, Grantor desires to vacate the entirety of the public road known as Clarke Court ("Public Road"), as identified/shown on the attached Plat on Sheet 3; and

WHEREAS, the City Council of the City of Charlottesville, Virginia ("City Council"), has authority to vacate such Public Road pursuant to Virginia Code § 15.2-2270, by way of adoption of an Ordinance; and

WHEREAS, by Ordinance adopted October 6, 2025 (#_____), by the City Council, the City vacated the above-described Public Road.

NOW, THEREFORE, for and in consideration of TEN DOLLARS (\$10.00), cash in hand paid, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City does hereby CLOSE and VACATE the Public Street known as Clarke Court, as shown on the attached Plat, and the City hereby RELEASES and QUITCLAIMS to Grantee any specified interest that it has in the area within the said Public Street, which area shall be added to and made a part of lands adjoining such area as shown and depicted on the Plat.

IN WITNESS WHEREOF, on behalf of the Grantor, the City's Mayor has signed this Deed pursuant to Section 2-7 of the Code of the City of Charlottesville, Virginia (1990), as amended, and the Grantee has signed this Deed evincing its acceptance of the interests conveyed hereby.

GRANTOR:

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____ (SEAL)
Juandiego Wade, Mayor

COMMONWEALTH OF VIRGINIA
City of Charlottesville, Virginia, to wit:

The foregoing instrument was acknowledged before me, a Notary Public in and for the jurisdiction aforesaid, on this _____ day of _____, 2025, by Juandiego Wade, Mayor of the City, on its behalf.

Notary Public
My commission expires:
My registration number:
[Affix Seal]

Approved as to Form:

John Maddux. Esq.
Charlottesville City Attorney

GRANTEE:

JEFFERSON SCHOLARS FOUNDATION

By: _____(SEAL)
James H. Wright, President

COMMONWEALTH OF VIRGINIA

City/County of _____, to wit:

The foregoing instrument was acknowledged before me, a Notary Public in and for the jurisdiction aforesaid, on this ____ day of _____, 2025, by James H. Wright, President, of Jefferson Scholars Foundation, on its behalf.

Notary Public
My commission expires:
My registration number:
[Affix Seal]

EXHIBIT “A”

(Plat; *see attached*)

SURVEY NOTES:

1. PROPERTY & ZONING INFORMATION:

TMP 17-91.1

OWNER: JEFFERSON SCHOLARS FOUNDATION
REFERENCE: INST. NO. 201700002224
CITY PARCEL ID NUMBER: 170091100
PROPERTY ADDRESS: 100 CLARKE COURT
(ORIGINAL) AREA: 0.645 AC. (SURVEYED)
ZONED: RX-5

TMP 17-92

OWNER: JEFFERSON SCHOLARS FOUNDATION
REFERENCE: INST. NO. 202500001088; INST. NO. 200800004980; DB. 1127, PG. 734
CITY PARCEL ID NUMBER: 170092000
PROPERTY ADDRESS: 112 CLARKE COURT
(ORIGINAL) AREA: 2.614 AC. (RECORD)
ZONED: RX-5

DIMENSIONAL REGULATIONS (FROM CHARLOTTESVILLE CITY CODE, CHAPTER 34, ARTICLE III, DIVISION 2):

2.2.5.A.1 LOT SIZE:

AREA - 2,500 SQUARE FEET MINIMUM WIDTH
FRONT ACCESS - 40 FEET MINIMUM
SIDE / REAR ACCESS - 25 FEET MINIMUM

2.2.5.A.4 BUILDING SETBACKS:

FRONT YARD (PRIMARY STREET) - 10 FEET MIN. / 20 FEET MAX.
[OR EXISTING RANGE]
FRONT YARD (SIDE STREET) - 5 FEET MIN. / 20 FEET MAX.
SIDE YARD - 4 FEET MINIMUM
REAR YARD - 4 FEET MINIMUM

2.2.5.B.1 BUILDING HEIGHT:

BASE - 3.5 STORIES MAXIMUM; 40 FEET MAXIMUM
BONUS: AFFORD. DWELL. UNIT - 4 STORIES MAX; 52 FEET MAX.

2. THE BOUNDARY SURVEY SHOWN HEREON IS BASED ON A FIELD SURVEY BY TIMMONS GROUP, INITIALLY COMPLETED JULY 11, 2016 AND SUBSEQUENTLY UPDATED ON MAY 3, 2023 AND DECEMBER 12, 2024, AND COMPILATION FROM DEEDS AND PLATS OF RECORD IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF CHARLOTTESVILLE, VIRGINIA.

3. HORIZONTAL DATUM IS BASED ON NAD83 (NA2011), VIRGINIA STATE GRID, SOUTH ZONE. DATUM ESTABLISHED THROUGH LEICA SmartNET NETWORK GPS OBSERVATIONS.

4. BASED ON FEMA FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 51003C0269D, PANEL 269 OF 575 EFFECTIVE DATE FEBRUARY 4, 2005, THE PROPERTY SHOWN LIES IN UNSHADED ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

5. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT; EASEMENTS MAY EXIST WHICH ARE NOT SHOWN HEREON.

6. IT IS THE INTENT OF THIS PLAT TO CLOSE CLARKE COURT STREET RIGHT OF WAY. THE 0.107 ACRES SHOWN HEREON AS PARCEL 'A' SHALL BE ADJUSTED INTO TMP 17-92. FURTHER THE 0.080 ACRES SHOWN HEREON AS PARCEL 'B' SHALL BE ADJUSTED INTO TMP 17-91.1. THE RESULTANT ADJUSTMENTS ARE TO BE TREATED AS ONE PARCEL RESPECTIVELY.

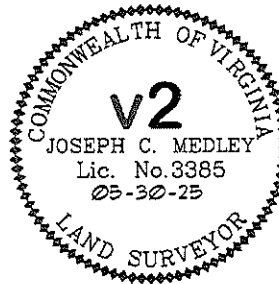
AREA TABULATION:

ORIGINAL TAX MAP PARCEL 17-91.1 (170091100) 0.645 AC.
AREA FROM CLARK COURT CLOSURE + 0.080 AC.
ADJUSTED TAX MAP PARCEL 17-91.1 (170091100) = 0.725 AC.

ORIGINAL TAX MAP PARCEL 17-92 (170092000) 2.614 AC.
AREA FROM CLARK COURT CLOSURE + 0.107 AC.
ADJUSTED TAX MAP PARCEL 17-92 (170092000) = 2.721 AC.

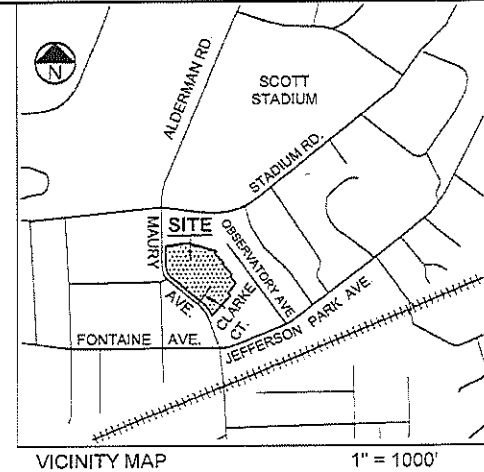
SHEET INDEX

SHEET 1: COVER, NOTES
SHEET 2: APPROVAL(S), CURVE, & LINE TABLES
SHEET 3: PLAT
SHEET 4: PLAT



SURVEYOR'S CERTIFICATE:

I CERTIFY THAT THIS PLAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS.



VICINITY MAP

1" = 1000'

LEGEND

⊙ (F) CORNER FOUND, AS NOTED
● (S)* CORNER SET, 2023 SURVEY
● (S) CORNER SET, AS NOTED
△ COMPUTED POINT
DH DRILL HOLE

PLAT SHOWING

BOUNDARY LINE ADJUSTMENT AND CLARKE COURT STREET CLOSURE

ADJUSTED BETWEEN THE LANDS OF
JEFFERSON SCHOLARS FOUNDATION

CITY TMPs 17-91.1 & 17-92
JEFFERSON PARK AVENUE AREA
CITY OF CHARLOTTESVILLE, VIRGINIA

Date: May 20, 2025	Scale: As Shown
Sheet: 1 of 4	J.N.: 58925
Drawn by: ATE	Checked by: JCM
Last Revised: May 30, 2025	

THIS DRAWING PREPARED AT THE
STAUNTON OFFICE

28 Imperial Drive | Staunton, VA 24401
TEL 540.695.0520 FAX 540.885.0786 www.timmons.com

TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH CURS.

\\s01-cv3a-00000\5029\34\34915-1\JF_Civils_Civils\02\04\34915\1\PLAT_STREET_CLOSURE_v2.dwg [Picked on 6/20/2025 2:30 PM] by: ALZ-Exas

B'

OF PROPERTY DESCRIBED HEREIN IS WITH THE
E WITH THE DESIRE OF THE UNDERSIGNED
STEEES. ANY REFERENCE TO FUTURE POTENTIAL
THEORETICAL ONLY. ALL STATEMENTS AFFIXED
ECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ON

DATE

GED BEFORE ME ON
, 2025,
T OF JEFFERSON
A NON-STOCK
CORPORATION.

EL OWNERSHIP INFORMATION:

C
IA

TE HOLDINGS LLC

(D) TMP 17-97
N/F JOHN ASHWORTH
INST. NO. 202400001457

(E) TMP 17-98
N/F THE MEISTER, LLC
INST. NO. 2021000739

(F) TMP 17-100
N/F NELSON E. BICKERS, TRUSTEE
DB. 1037, PG. 559

ED:

N INCIDENTAL TO BOUNDARY LINE ADJUSTMENT AND CONSOLIDATION OF LAND
202500001088). THIS PLAT SHALL NOT IMPLY RE-ZONING OF ANY LANDS, THEREFORE THE
ION FOR THOSE RELEVANT PARTS / AREAS (OF TMP 17-92).

VACATED PROPERTY LINE

LINE TABLE		
LINE	BEARING	LENGTH
VL1	N5°06'21"W	9.69'

NEW PROPERTY LINE

LINE TABLE		
LINE	BEARING	LENGTH
L1	N60°22'38"E	10.58'

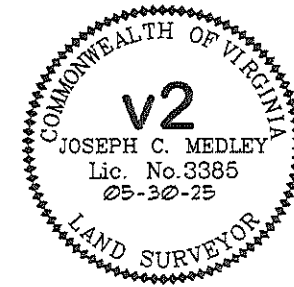
VACATED PROPERTY LINE

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CH. BEARING	CHORD
VC1	10.69'	16.14'	86°31'44"	S0°29'23"E	14.65'
VC2	22.42'	7.99'	20°24'31"	N32°34'15"E	7.94'
VC3	22.42'	10.75'	27°28'20"	N8°37'49"E	10.65'
VC4	15.11'	7.01'	26°33'47"	N18°23'11"W	6.94'
VC5	15.11'	7.91'	29°58'32"	N46°39'20"W	7.82'
VC6	26.45'	21.44'	46°26'08"	N22°59'27"E	20.85'
VC7	10.51'	15.99'	87°09'23"	N86°21'29"E	14.49'

CITY APPROVALS:

SECRETARY OF THE PLANNING COMMISSION DATE

CHAIRMAN OF THE PLANNING COMMISSION DATE



PLAT SHOWING

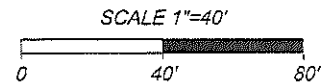
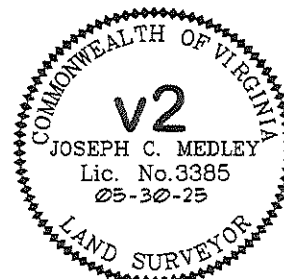
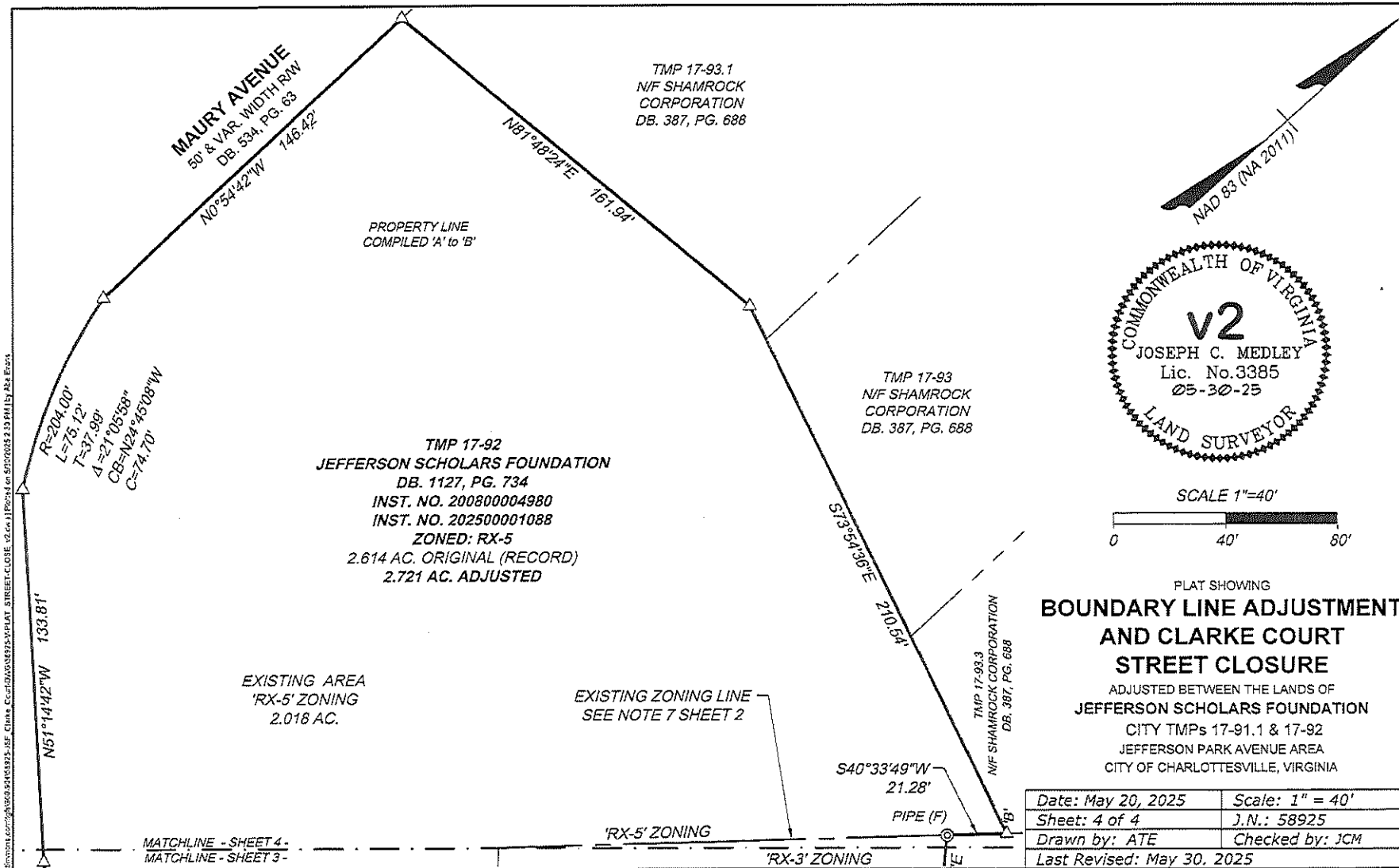
**BOUNDARY LINE ADJUSTMENT
AND CLARKE COURT
STREET CLOSURE**

ADJUSTED BETWEEN THE LANDS OF
JEFFERSON SCHOLARS FOUNDATION
CITY TMPs 17-91.1 & 17-92
JEFFERSON PARK AVENUE AREA
CITY OF CHARLOTTESVILLE, VIRGINIA

Date: May 20, 2025	Scale: N / A
Sheet: 2 of 4	J.N.: 58925
Drawn by: ATE	Checked by: JCM
Last Revised: May 30, 2025	

THIS DRAWING PREPARED AT THE
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TIMMONS GROUP
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AMENDED PETITION TO VACATE A STREET OR ALLEY

Note: The Original Petition and \$100 filing fee were previously submitted on October 20, 2023.



PETITION TO VACATE A STREET OR ALLEY

Please Return To: Department of Neighborhood Development Services
PO Box 911, City Hall, Charlottesville, Virginia 22902
Telephone (434) 970-3182 Fax (434) 970-3359

FEE: A filing fee of \$100.00 made payable to the City of Charlottesville.

A. PETITIONER INFORMATION

Petitioner(S) Name(s):

Jefferson Scholars Foundation

Petitioner Mailing Address(es):

See attached Lot List

Do/Does Petitioner(s) currently own property adjacent to the area requested to be closed? Yes

If no, please explain

Petitioner Phone Number(s):

Work: 434-962-9351

Fax 434-234-9081

Fax

Home: 434-962-9351

Email jimmy.wright@jeffersonscholars.org

B. ADDRESSES OF PROPERTY OWNERS ADJACENT TO THE STREET/ALLEY (use back of page if necessary)

Property Owner Name

Mailing Address

City Tax Map and Parcel #

See attached Lot List -- all adjacent parcels are owned by Jefferson Scholars Foundation.

C. PETITIONER'S REQUEST

1. That the said Petitioner(s) apply for the vacation, closing or discontinuance of a certain street or alley, situated in the City of Charlottesville, Virginia, as described below (Provide name, right-of-way width and length of streets or alleys proposed to be closed, and reason for the proposed closing):

Clarke Court. This is a cul-de-sac, with variable width and variable length.


See attached narrative regarding the reasons for proposed closure and consolidation with surrounding lots.

2. Attach all information and documentation required by the City's current policy.
- *** 3. Attach a copy of the City real estate/GIS map showing the portion of the street or alley to be vacated with the square footage clearly indicated.
4. Applicant must review the attached dosing policy prior to submission of this form and attach a narrative which addresses the objectives outlined in that policy to include specific information as to why an alley dosing is being requested.

***The GIS map has not yet been updated to reflect the recent boundary line adjustment and consolidation of TMP Nos. 170091000 and 170092000. See attached Certificate of Plat, together with the plat attached thereto, recorded in the Clerk's Office of the Circuit Court of the City of Charlottesville, Virginia, as Instrument No. 2025-00001088.

Respectfully Submitted,

JEFFERSON SCHOLARS FOUNDATION
a Virginia non-stock corporation

By: 
James H. Wright, President

Signature of Petitioner(s)

If a score on the Rubric allows an application to proceed for consideration, valid applications will be forwarded to a joint Planning Commission and City Council Public Hearing and then to City Council for two readings.

Narrative in Support of Amended Petition to Vacate Clarke Court
Jefferson Scholars Foundation and Clarke Court Apartments LLC
June 12, 2025

Jefferson Scholars Foundation (“JSF”) is pleased to submit this narrative in connection with its application to vacate Clarke Court, which is a cul-de-sac that is completely surrounded by two parcels of real estate – both of which are owned by JSF (collectively, the “Parcels”). If this application is approved, JSF intends to consolidate half of the cul-de-sac with each of the Parcels as contemplated by Va. Code § 15.2-2272.

Background on JSF’s Mission & Recent Highlights:

Through the support of undergraduate and graduate students, and faculty, at the University of Virginia, JSF is building a community of leaders, scholars, and citizens. JSF helps attract outstanding undergraduate and graduate students to the University providing scholarships and financial aid that cover the entire cost of attendance, including the cost of supplemental enrichment experiences. Its newest scholarship program focuses on recruiting first-generation college bound students to the University. JSF also works with the University to recruit and retain faculty who are passionate about being part of the University and Charlottesville community.

JSF’s recent highlights include:

- JSF awarded \$12 million in academic scholarships in 2024-2025. Over 200 undergraduate Scholars will be in residence at the University of Virginia in 2025-2026.
- JSF awarded \$3.2 million in fellowships in 2024-2025. Over 50 graduate Fellows will be supported by JSF in 2025-2026.
- JSF funds 11 Distinguished Professorship chairs on the University Faculty and six active searches for JSF Distinguished Professors are underway. JSF awarded \$35,000 to six University of Virginia faculty members in 2025. Since 2005 JSF has provided \$693,000 in faculty recognition grants, and 86 professors have been recognized.

Rationale for Application:

JSF has been updating its long-range strategic plan, including evaluating what facilities it will need to support its current and future programs. As part of this process, JSF has determined that acquiring Clarke Court and consolidating it with the Parcels (thereby vacating the public rights-of-way) would have several benefits – including, for example:

- Increasing flexibility in connection with JSF’s development and execution of a campus master plan.
- Modifying or eliminating internal building setback lines and thereby increasing JSF’s options in connection with its master plan. Note: Eliminating internal building setback lines could be accomplished via consolidation of the Parcels and the cul-de-sac, to create one contiguous parcel of land.
- Enabling JSF to control access and increase the safety and security of JSF’s campus for the benefit of the students and faculty members it serves.

- Closing a public street that is internal to, and entirely surrounded by, property owned and controlled by JSF.

In addition to the various benefits that would accrue to JSF, the closure of Clarke Court would also benefit the City in various respects, including that:

- The City could use the proceeds from the sale of the land and invest in other community needs.
- The City's real estate tax revenue would increase annually, because the land currently occupied by the Clarke Court right-of-way, and any improvements constructed on that land, would become subject to local real estate taxes and stormwater assessments.
- The City would no longer be responsible for the performance and cost of maintenance of Clarke Court, and the public utilities within the right-of-way.

JSF has paused its strategic planning process until it knows the outcome of its application since how it decides to use its land to support future needs will look very different depending on whether the City is willing to close Clarke Court and sell it to JSF.

City of Charlottesville - Alley, Paper Street, and ROW Scoring Rubric						
Clarke Court (2024):						
Criteria	3	2	1	Raw Score	Weight	Weighted Score
Increase rear access for potential ADU	[(Number of ADU* Possible or Existing) / (Number of Parcels) x 100] greater than 66%	[(Number of ADU* Possible or Existing) / (Number of Parcels) x 100] Greater than 33% but less than 66%	[(Number of ADU* Possible or Existing) / (Number of Parcels) x 100] less than 33%	3	x 0.25 =	0.75
Reduction of driveways from primary street	Street that alley will act as an alternate route to has sidewalks and 30+% of properties have driveways	Has driveways and sidewalks on street that alley will act as an alternative route	No sidewalks or driveways on street that alley will act as an alternative route	1	x 0.2 =	0.2
Bicycle and Pedestrian Circulation	Provides alternative route to existing route on street with AADT** > 1000	Alley acts as parallel route to existing route on street	Walkable	1	x 0.15 =	0.15
Vehicular access to rear of lot	Through type alley	Dead end but drivable	Not drivable	2	x 0.1 =	0.2
Reduction of on-street parking demand	Reduce 2 or more cars per block	Reduce 1 car per block	No reduction	2	x 0.1 =	0.2
Greenway Connectivity	Alley connects to pedestrian route within 350' of recreation areas, parks, and trails	Alley connects to pedestrian route within 700' of recreation areas, parks, and trails	Alley does not connect with or route is greater than 700' of recreation areas, parks, and trails	1	x 0.1 =	0.1
Utility route	Existing utilities	Through type alley without existing utilities or has overhead utilities crossing alley	Dead end alley without existing utilities	3	x 0.1 =	0.3
Closure is part of a proposed development or replatting	If an alley, paper street, ROW, or street, is to be closed as part of proposed development requiring a site plan; and/or replatted in a different configuration (-1.5 points)			-1.5		-1.5
Final Score (Sum of all weighted scores)						0.4

ADU* Accessory

Dwelling Unit

AADT** Average Annual

Daily Traffic

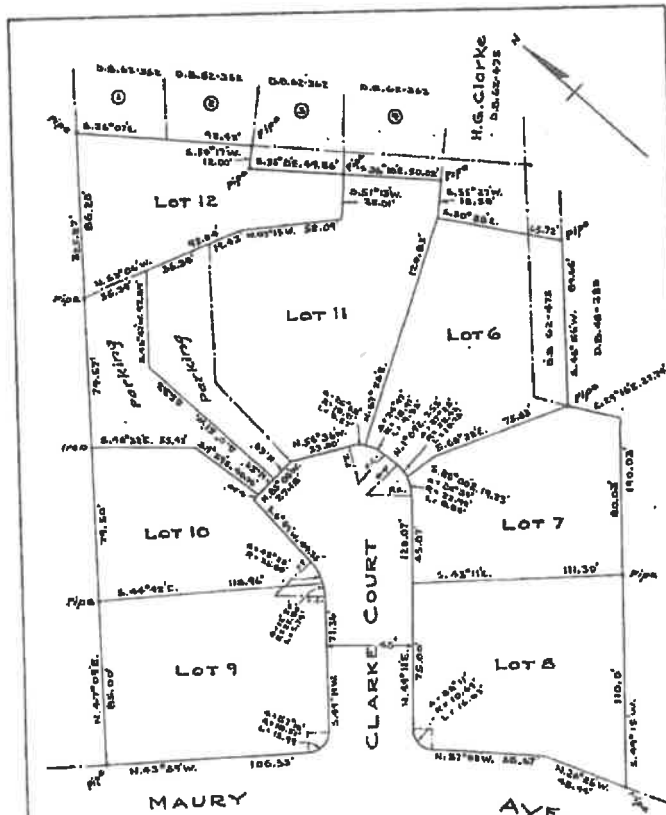
Exh.

PLAT

OF)

CLARKE COURT

Fee \$1.00
Paid



CLARKE COURT, 1/4 SECTION 12, T. 1 N., R. 1 E., S. 10. N. 1/4

H. G. Clarke

NOTED AND FILED THE DIVISION OF THIS PROPERTY IS WITH MY FULL KNOWLEDGE AND CONSENT

H. G. Clarke

NOTED AND FILED THE DIVISION OF THIS PROPERTY IS WITH MY FULL KNOWLEDGE AND CONSENT

H. G. Clarke

PLAT OF 'CLARK COURT'
LYING ON EAST SIDE OF MAURY AVE.
CHARLOTTESVILLE, VA.

FOR
H. G. CLARKE

Scale 1"=50' O. R. RANDOLPH Date 4-12-61
ENGINEER Rev.....

CHARLOTTESVILLE, VA.
DWG. No. 2336

STATE OF VIRGINIA,

COUNTY OF ALBEMARLE, to-wit:

I, Estelle V. Bishop, a Notary Public for the County of Albemarle,
State of Virginia, do hereby certify that H. G. Clarke, whose name is signed



Amended Lot List

The following is a list of all lots adjoining Clarke Court, together with the information required by Part B of the Petition to Vacate a Street or Alley.

Parcel ID 170091100

Street address: 100 Clarke Court, Charlottesville, VA 22903

Owner name: Jefferson Scholars Foundation

Mailing address: 112 Clarke Court, Charlottesville, VA 22903

Parcel ID 170092000

Street address: 108 and 112 Clarke Court, Charlottesville, VA 22903

Owner name: Jefferson Scholars Foundation

Mailing address: 112 Clarke Court, Charlottesville, VA 22903

The undersigned, being the Petitioner and the owner of all of the lots listed above, hereby approves of and submits this list of lots in connection with its request for the City to vacate Clarke Court.

JEFFERSON SCHOLARS FOUNDATION
a Virginia non-stock corporation

By: 
James H. Wright, President

Note: The foregoing list hereby amends and replaces the list of lots that was attached to and submitted with the Petitioner's original Petition to Vacate a Street or Alley, previously submitted on October 20, 2023. For clarity, please see the attached Certificate of Plat, Plat, together with the plat attached thereto, recorded in the Clerk's Office of the Circuit Court of the City of Charlottesville, Virginia, as Instrument No. 2025-00001088, as well as the note in bold font at the bottom of page 1 of Petitioner's Amended Petition to Vacate a Street or Alley.

CITY OF CHARLOTTESVILLE
Llezele Agustin Dugger
CLERK OF COURT
Charlottesville, VA 22902



60 2025 00001088

Instrument Number: 2025- 00001088

Recorded On: May 07, 2025
As
Plat/Map

Parties: JEFFERSON SCHOLARS FOUNDATION
To
JEFFERSON SCHOLARS FOUNDATION

Recorded By: FLORA PETTIT PC
Comment: 170091000 170092000
Num Of Pages:

** Examined and Charged as Follows: **

Plat/Map	8.50	10 or Fewer Pages	14.50
Recording Charge:	23.00		

** THIS PAGE IS PART OF THE INSTRUMENT **


I hereby certify that the within and foregoing was recorded in the Register of Deeds Office For: CITY OF CHARLOTTESVILLE, VA
File Information:

Record and Return To:

Document Number: 2025- 00001088
Receipt Number: 64637
Recorded Date/Time: May 07, 2025 11:05:03A
Book-Vol/Pg:
Cashier / Station: E Rapi / Cash2 (close to door)

THE COMMONWEALTH OF VIRGINIA - CITY OF CHARLOTTESVILLE

I certify that the document to which this authentication is affixed is a true copy of a record in the Clerk's Office of the Circuit Court for the City of Charlottesville, Virginia and that I am the custodian of that record.


Llezele Agustin Dugger - Clerk of Court

CLERK OF COURT - CIRCUIT COURT - CITY OF CHARLOTTESVILLE, VA



Prepared by and return to:
Scott M. Raney (VSB #91004)
Flora Pettit PC
530 East Main St.
Charlottesville, VA 22902

2025 00001088

Tax Map Nos. 170091000 and 170092000

Note: This Certificate of Plat is being re-recorded to correct a typographical error in Paragraph 1 below.

CERTIFICATE OF PLAT

THIS CERTIFICATE OF PLAT (this "Certificate"), dated April 23, 2025, is made by **JEFFERSON SCHOLARS FOUNDATION**, a Virginia non-stock corporation (the "Owner"). The Owner is to be indexed as the Grantor and as the Grantee.

WITNESSETH:

1. The Owner shall and hereby does confirm that it is the owner of those certain parcels of real property shown on current tax maps of the City of Charlottesville, Virginia, as Tax Map Parcel No. 170091000 ("Parcel 91") and Tax Map Parcel No. 170092000 (individually, "Parcel 92" and collectively with Parcel 91, the "Parcels").
2. The attached plat and the courses, distances, notes and descriptions shown thereon, made by Timmons Group, dated January 30, 2025, last revised March 26, 2025, and entitled "Plat Showing Boundary Line Adjustment & Consolidation Across the Lands of Jefferson Scholars Foundation, City TMPs 17-91 & 17-92, Jefferson Park Avenue Area, City of Charlottesville, Virginia" (the "Plat"), shall be and hereby are confirmed and submitted for recordation by the Owner. Pursuant to this Certificate and the Plat, the Owner hereby (a) vacates the boundary line between the Parcels, which boundary line is shown and designated as "P/L HEREBY VACATED (TYP)" on the Plat; and (b) consolidates Parcel 91 and Parcel 92, as more fully shown on the Plat.
3. This Certificate, the property described above, and the boundary line adjustment effectuated herein are subject to the easements, reservations, restrictions, covenants and conditions

contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the above-referenced property, which have not expired by a time limitation contained therein or have not otherwise become ineffective.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE OF CERTIFICATE OF PLAT]

WITNESS the following duly authorized signature and seal:

JEFFERSON SCHOLARS FOUNDATION
a Virginia non-stock corporation

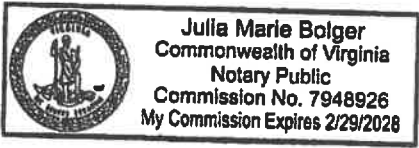
By: James H. Wright (SEAL)
James H. Wright, President

COMMONWEALTH OF VIRGINIA

CITY COUNTY OF CHARLOTTESVILLE, to-wit:

The foregoing instrument was acknowledged before me this 30th day of APRIL, 2025,
by James H. Wright, President of Jefferson Scholars Foundation, a Virginia non-stock corporation, on
behalf of the entity.

[Signature]
Notary Public
Reg # 7948926
My commission expires: 02/29/2028



SURVEY NOTES:

1. PROPERTY & ZONING INFORMATION:

TMP 17-91
OWNER: JEFFERSON SCHOLARS FOUNDATION
REFERENCE: INST. NO. 202400002921
CITY PARCEL ID NUMBER: 170091000
PROPERTY ADDRESS: 108 CLARKE COURT
(ORIGINAL) AREA: 0.597 AC. (25,962 SF) SURVEYED
ZONED: RX-3

TMP 17-92
OWNER: JEFFERSON SCHOLARS FOUNDATION
REFERENCE: INST. NO. 200800004980; DB. 1127, PG. 734
CITY PARCEL ID NUMBER: 170092000
PROPERTY ADDRESS: 112 CLARKE COURT
(ORIGINAL) AREA: 2.018 AC. (87,900 SF) RECORD
ZONED: RX-5

DIMENSIONAL REGULATIONS (FROM CHARLOTTESVILLE CITY CODE, CHAPTER 34, ARTICLE III, DIVISION 2):

2.2.5.A.1 LOT SIZE:
AREA - 2,500 SQUARE FEET MINIMUM WIDTH
FRONT ACCESS - 40 FEET MINIMUM
SIDE / REAR ACCESS - 25 FEET MINIMUM

2.2.5.A.4 BUILDING SETBACKS:
FRONT YARD (PRIMARY STREET) - 10 FEET MIN. / 20 FEET MAX.
(OR EXISTING RANGE)
FRONT YARD (SIDE STREET) - 5 FEET MIN. / 20 FEET MAX.
SIDE YARD - 4 FEET MINIMUM
REAR YARD - 4 FEET MINIMUM

2.2.5.B.1 BUILDING HEIGHT:
BASE - 3.5 STORIES MAXIMUM; 40 FEET MAXIMUM
BONUS: AFFORD. DWELL. UNIT - 4 STORIES MAX; 52 FEET MAX.

2. THE BOUNDARY SURVEY SHOWN HEREON IS BASED ON A FIELD SURVEY BY TIMMONS GROUP, INITIALLY COMPLETED JULY 11, 2016 AND SUBSEQUENTLY UPDATED ON MAY 3, 2023 AND DECEMBER 12, 2024, AND FROM DEEDS AND PLATS OF RECORD IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF CHARLOTTESVILLE, VIRGINIA.

3. HORIZONTAL DATUM IS BASED ON NAD83 (NA2011), VIRGINIA STATE GRID, SOUTH ZONE. DATUM ESTABLISHED THROUGH LEICA SmartNET NETWORK GPS OBSERVATIONS.

4. BASED ON FEMA FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 51003C0269D, PANEL 269 OF 575 EFFECTIVE DATE FEBRUARY 4, 2005, THE PROPERTY SHOWN LIES IN UNSHADED ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

5. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT; EASEMENTS MAY EXIST WHICH ARE NOT SHOWN HEREON.

6. IT IS THE INTENT OF THIS PLAT TO ADJUST THE 0.596 ACRES SHOWN HEREON AS TMP 17-91, IN ITS ENTIRETY, INTO TMP 17-92. THE RESULTANT IS TO BE TREATED AS ONE PARCEL WITH COMMON PROPERTY LINE VACATED AS SHOWN.

AREA TABULATION:

ORIGINAL TAX MAP PARCEL 17-92 (170092000) + 2.018 AC.
AREA FROM TAX MAP PARCEL 17-91 (170091000) + 0.596 AC.
ADJUSTED TAX MAP PARCEL 17-92 (170092000) = 2.614 AC.

SHEET INDEX

SHEET 1 : COVER, NOTES
SHEET 2 : APPROVAL(S), CURVE, & LINE TABLES
SHEET 3 : PLAT



SURVEYOR'S CERTIFICATE:

I CERTIFY THAT THIS BOUNDARY LINE ADJUSTMENT PLAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS.



LEGEND

- ⊙ (F) CORNER FOUND, AS NOTED
- ▲ COMPUTED POINT
- DH DRILL HOLE

PLAT SHOWING
**BOUNDARY LINE ADJUSTMENT
& CONSOLIDATION**
ACROSS THE LANDS OF
JEFFERSON SCHOLARS FOUNDATION
CITY TMPs 17-91 & 17-92
JEFFERSON PARK AVENUE AREA
CITY OF CHARLOTTESVILLE, VIRGINIA

Date: January 30, 2025	Scale: As Shown
Sheet: 1 of 3	J.N.: 46372
Drawn by: ATE, JCM	Checked by: JCM
LAST REVISED: March 26, 2025	

THIS DRAWING PREPARED AT THE
STAUNTON OFFICE
28 Imperial Drive | Staunton, VA 24401
TEL 540.885.0920 FAX 540.885.0786 www.timmons.com

TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS.

OWNER'S APPROVAL:

THE BOUNDARY LINE ADJUSTMENT OF PROPERTY DESCRIBED HEREIN IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES. ANY REFERENCE TO FUTURE POTENTIAL DEVELOPMENT IS TO BE DEEMED AS THEORETICAL ONLY. ALL STATEMENTS AFFIXED TO THIS PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JEFFERSON SCHOLARS FOUNDATION

BY: James H. Wright 4/14/25
JAMES H. WRIGHT, PRESIDENT DATE

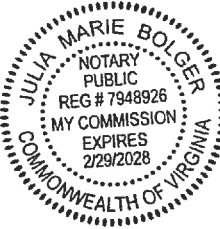
STATE OF VIRGINIA
CITY OF CHARLOTTESVILLE

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME ON THIS 14th DAY OF APRIL, 2025, BY JAMES H. WRIGHT AS PRESIDENT OF JEFFERSON SCHOLARS FOUNDATION, A VIRGINIA NON-STOCK CORPORATION, ON BEHALF OF THE CORPORATION.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 02/29/2028

LINE TABLE		
LINE	BEARING	LENGTH
L1	S40°33'49"W	21.28'
L2	S48°55'32"W	12.21'
L3	S48°43'24"W	18.35'
L4	N61°38'36"W	33.72'
L5	S87°49'24"W	23.20'
L6	S87°49'24"W	4.00'
L7	S0°13'36"E	41.46'



CITY APPROVALS:

Matthew Ryan 4/21/25
SECRETARY OF THE PLANNING COMMISSION DATE
James J. Medley 04/21/2025
CHAIRMAN OF THE PLANNING COMMISSION DATE

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	10.51'	15.99'	10.00'	87°09'23"	S86°21'29"W	14.49'
C2	204.00'	75.12'	37.99'	21°05'58"	N24°45'08"W	74.70'
C3	15.11'	7.91'	4.05'	29°58'32"	N46°39'20"W	7.82'
C4	26.45'	21.44'	11.35'	46°26'08"	S22°59'27"W	20.85'

ADJOINING OWNERSHIP INFORMATION:

- (A) TMP 17-94
N/F MILLENNIUM TRUST CO., LLC
CUST. FBO BRIAN T. O'REILLY IRA
INST. NO. 201900000580
- (B) TMP 17-95
N/F CLARKE COURT REAL ESTATE HOLDINGS LLC
INST. NO. 202500000311
- (C) TMP 17-96
N/F JOHN ASHWORTH
INST. NO. 201800003387
- (D) TMP 17-97
N/F JOHN ASHWORTH
INST. NO. 202400001457

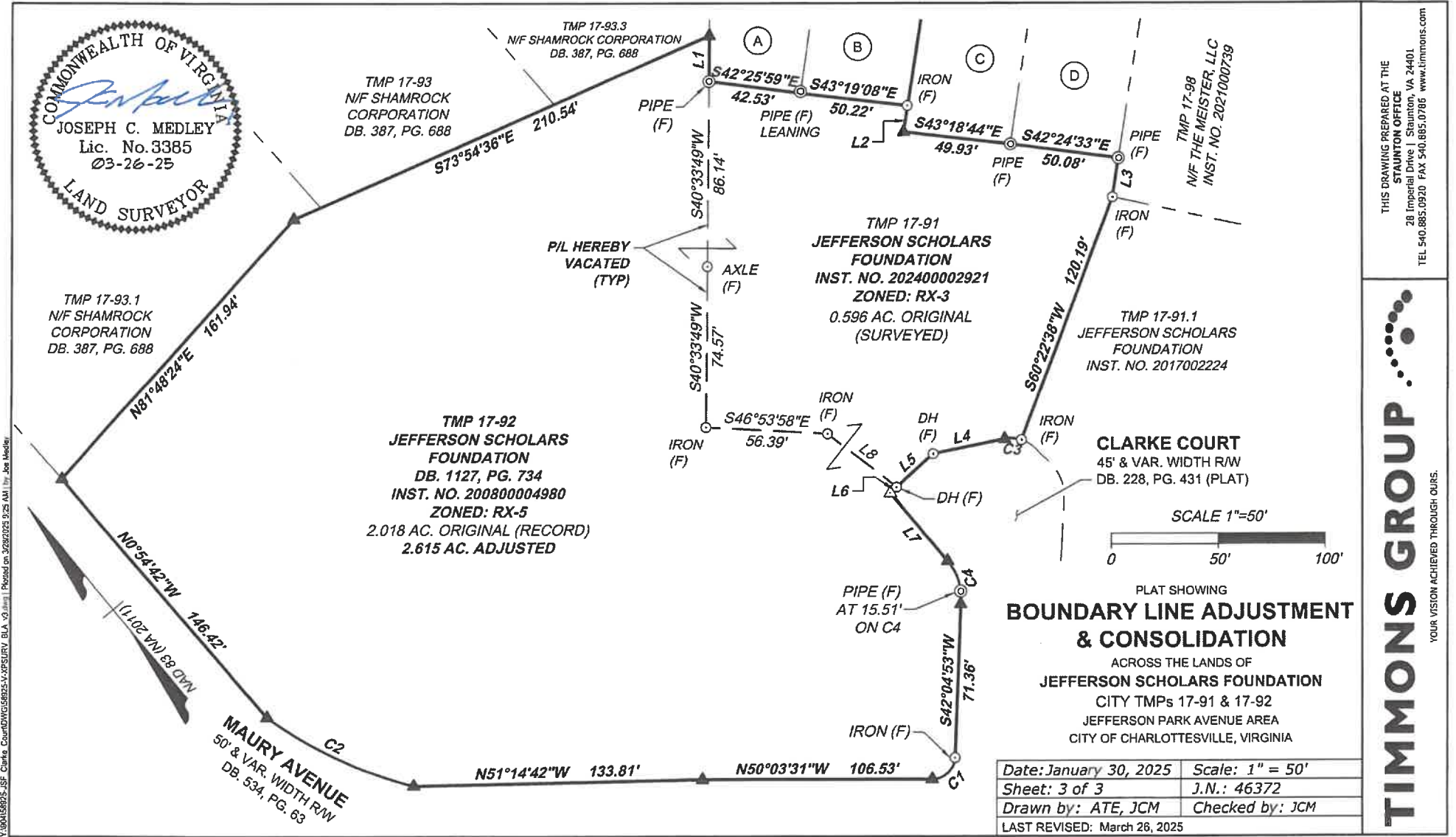


PLAT SHOWING
**BOUNDARY LINE ADJUSTMENT
& CONSOLIDATION**
ACROSS THE LANDS OF
JEFFERSON SCHOLARS FOUNDATION
CITY TMPs 17-91 & 17-92
JEFFERSON PARK AVENUE AREA
CITY OF CHARLOTTESVILLE, VIRGINIA

Date: January 30, 2025	Scale: N / A
Sheet: 2 of 3	J.N.: 46372
Drawn by: ATE, JCM	Checked by: JCM
LAST REVISED: March 26, 2025	

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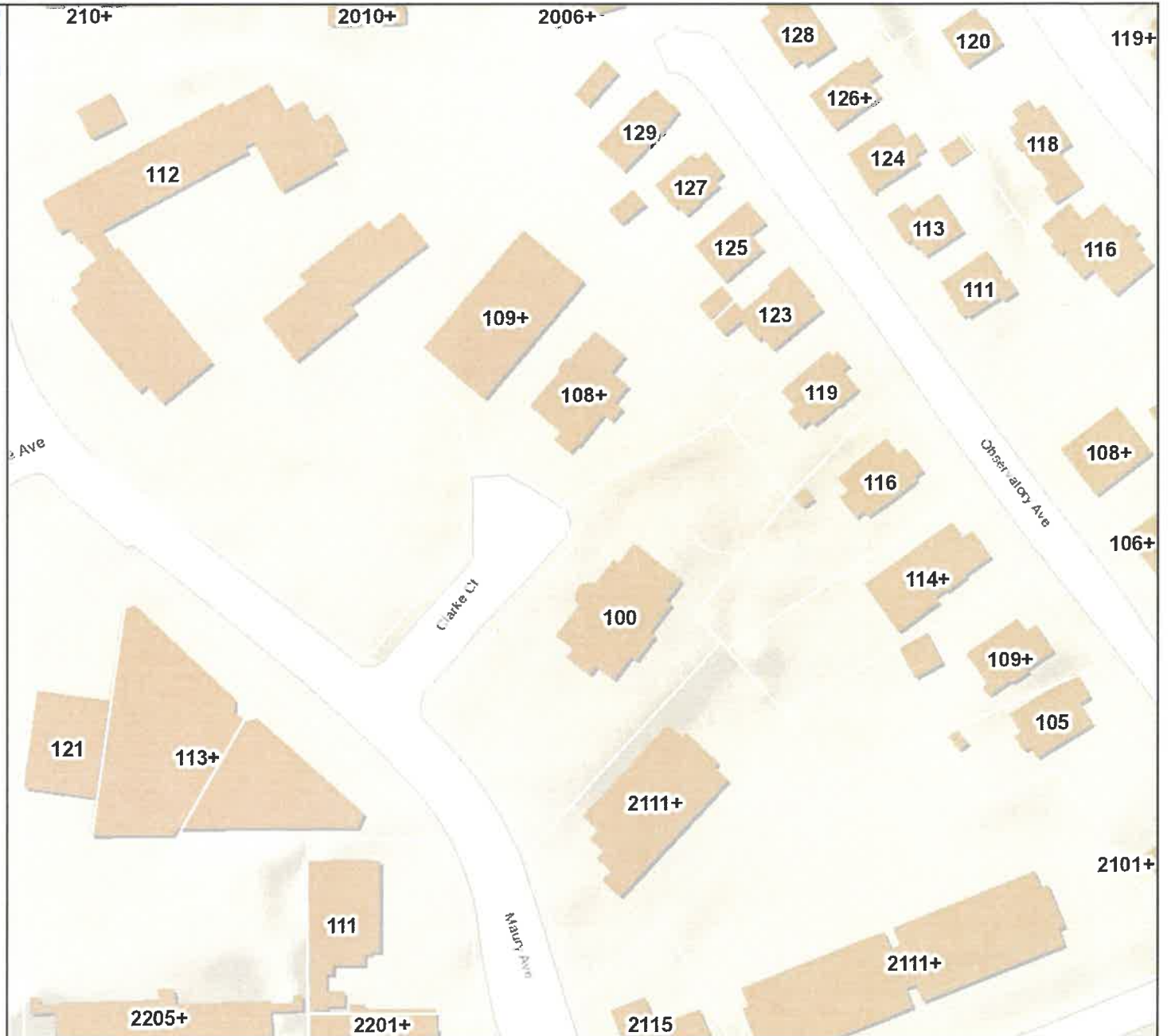
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Legend

- Parcels
- Addresses
-  City Limits



Feet
0 25 50 75 100
1:1,128 / 1"=94 Feet



Title:

Date: 10/20/2023

DISCLAIMER: The City makes no warranties, expressed or implied, concerning the accuracy, completeness or suitability of this data, and it should not be construed or used as a legal description. The information displayed is a compilation of records, information, and data obtained from various sources, and the City is not responsible for its accuracy or how current it may be. Every reasonable effort is made to ensure the accuracy and completeness of the data. Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification or construction of improvements to real property or for flood plain determination.



\\timmons.com\gis\9001\904158925-1\SF Clarke Court\DWG\58925-V-PLAT STREET-CLOSE v2.dwg [Plotted on 5/30/2025 2:30 PM] by Abe Evans

SURVEY NOTES:

1. PROPERTY & ZONING INFORMATION:

TMP 17-91.1

OWNER: JEFFERSON SCHOLARS FOUNDATION
REFERENCE: INST. NO. 201700002224
CITY PARCEL ID NUMBER: 170091100
PROPERTY ADDRESS: 100 CLARKE COURT
(ORIGINAL) AREA: 0.645 AC. (SURVEYED)
ZONED: RX-5

TMP 17-92

OWNER: JEFFERSON SCHOLARS FOUNDATION
REFERENCE: INST. NO. 202500001088; INST. NO. 200800004980; DB. 1127, PG. 734
CITY PARCEL ID NUMBER: 170092000
PROPERTY ADDRESS: 112 CLARKE COURT
(ORIGINAL) AREA: 2.614 AC. (RECORD)
ZONED: RX-5

DIMENSIONAL REGULATIONS (FROM CHARLOTTESVILLE CITY CODE, CHAPTER 34, ARTICLE III, DIVISION 2):

2.2.5.A.1 LOT SIZE:

AREA - 2,500 SQUARE FEET MINIMUM WIDTH
FRONT ACCESS - 40 FEET MINIMUM
SIDE / REAR ACCESS - 25 FEET MINIMUM

2.2.5.A.4 BUILDING SETBACKS:

FRONT YARD (PRIMARY STREET) - 10 FEET MIN. / 20 FEET MAX.
[OR EXISTING RANGE]
FRONT YARD (SIDE STREET) - 5 FEET MIN. / 20 FEET MAX.
SIDE YARD - 4 FEET MINIMUM
REAR YARD - 4 FEET MINIMUM

2.2.5.B.1 BUIDLING HEIGHT:

BASE - 3.5 STORIES MAXIMUM; 40 FEET MAXIMUM
BONUS: AFFORD. DWELL. UNIT - 4 STORIES MAX; 52 FEET MAX.

2. THE BOUNDARY SURVEY SHOWN HEREON IS BASED ON A FIELD SURVEY BY TIMMONS GROUP, INITIALLY COMPLETED JULY 11, 2016 AND SUBSEQUENTLY UPDATED ON MAY 3, 2023 AND DECEMBER 12, 2024, AND COMPILATION FROM DEEDS AND PLATS OF RECORD IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF CHARLOTTESVILLE, VIRGINIA.

3. HORIZONTAL DATUM IS BASED ON NAD83 (NA2011), VIRGINIA STATE GRID, SOUTH ZONE. DATUM ESTABLISHED THROUGH LEICA SmartNET NETWORK GPS OBSERVATIONS.

4. BASED ON FEMA FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 51003C0269D, PANEL 269 OF 575 EFFECTIVE DATE FEBRUARY 4, 2005, THE PROPERTY SHOWN LIES IN UNSHADED ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

5. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT; EASEMENTS MAY EXIST WHICH ARE NOT SHOWN HEREON.

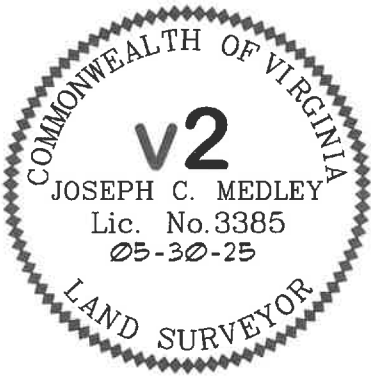
6. IT IS THE INTENT OF THIS PLAT TO CLOSE CLARKE COURT STREET RIGHT OF WAY. THE 0.107 ACRES SHOWN HEREON AS PARCEL 'A' SHALL BE ADJUSTED INTO TMP 17-92. FURTHER THE 0.080 ACRES SHOWN HEREON AS PARCEL 'B' SHALL BE ADJUSTED INTO TMP 17-91.1. THE RESULTANT ADJUSTMENTS ARE TO BE TREATED AS ONE PARCEL RESPECTIVELY.

AREA TABULATION:

ORIGINAL TAX MAP PARCEL 17-91.1 (170091100)	0.645 AC.
AREA FROM CLARK COURT CLOSURE	+ 0.080 AC.
ADJUSTED TAX MAP PARCEL 17-91.1 (170091100)	= 0.725 AC.
ORIGINAL TAX MAP PARCEL 17-92 (170092000)	2.614 AC.
AREA FROM CLARK COURT CLOSURE	+ 0.107 AC.
ADJUSTED TAX MAP PARCEL 17-92 (170092000)	= 2.721 AC.

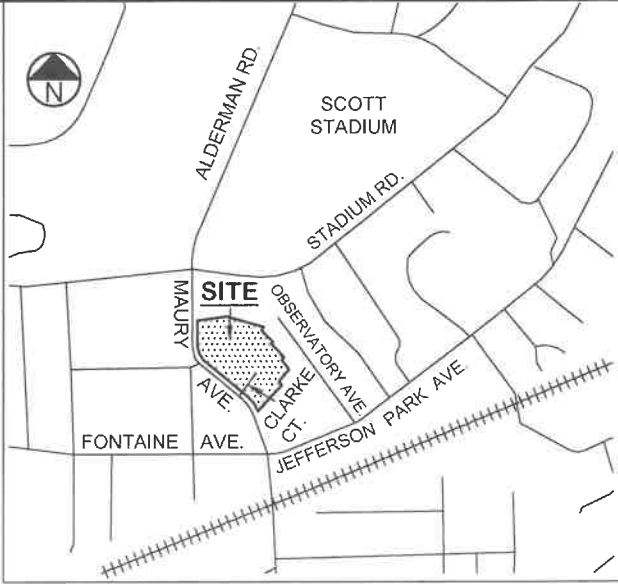
SHEET INDEX

SHEET 1 : COVER, NOTES
SHEET 2 : APPROVAL(S), CURVE, & LINE TABLES
SHEET 3 : PLAT
SHEET 4 : PLAT



SURVEYOR'S CERTIFICATE:

I CERTIFY THAT THIS PLAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS.



VICINITY MAP

1" = 1000'

LEGEND

⊙ (F)	CORNER FOUND, AS NOTED
● (S)*	CORNER SET, 2023 SURVEY
● (S)	CORNER SET, AS NOTED
△	COMPUTED POINT
DH	DRILL HOLE

PLAT SHOWING

**BOUNDARY LINE ADJUSTMENT
AND CLARKE COURT
STREET CLOSURE**

ADJUSTED BETWEEN THE LANDS OF
JEFFERSON SCHOLARS FOUNDATION
CITY TMPs 17-91.1 & 17-92
JEFFERSON PARK AVENUE AREA
CITY OF CHARLOTTESVILLE, VIRGINIA

Date: May 20, 2025	Scale: As Shown
Sheet: 1 of 4	J.N.: 58925
Drawn by: ATE	Checked by: JCM
Last Revised: May 30, 2025	

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W:\timmons\gis\900\900458925-1SF Clarke Court\DWG\58925-V-PLAT STREET-CLOSE v2.dwg | Plotted on 5/30/2025 2:30 PM | by Abe Evans

B'

OF PROPERTY DESCRIBED HEREIN IS WITH THE
E WITH THE DESIRE OF THE UNDERSIGNED
STEEES. ANY REFERENCE TO FUTURE POTENTIAL
S THEORETICAL ONLY. ALL STATEMENTS AFFIXED
ECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ON

DATE

IGNED BEFORE ME ON
, 2025,
T OF JEFFERSON
A NON-STOCK
CORPORATION.

EL OWNERSHIP INFORMATION:

C
RA

TE HOLDINGS LLC

(D) TMP 17-97
N/F JOHN ASHWORTH
INST. NO. 202400001457

(E) TMP 17-98
N/F THE MEISTER, LLC
INST. NO. 2021000739

(F) TMP 17-100
N/F NELSON E. BICKERS, TRUSTEE
DB. 1037, PG. 559

ED:

N INCIDENTAL TO BOUNDARY LINE ADJUSTMENT AND CONSOLIDATION OF LAND
202500001088). THIS PLAT SHALL NOT IMPLY RE-ZONING OF ANY LANDS, THEREFORE THE
ION FOR THOSE RELEVANT PARTS / AREAS (OF TMP 17-92).

VACATED PROPERTY LINE

LINE TABLE		
LINE	BEARING	LENGTH
VL1	N5°06'21"W	9.69'

NEW PROPERTY LINE

LINE TABLE		
LINE	BEARING	LENGTH
L1	N60°22'38"E	10.58'

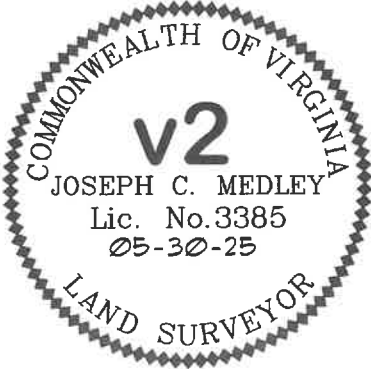
VACATED PROPERTY LINE

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CH. BEARING	CHORD
VC1	10.69'	16.14'	86°31'44"	S0°29'23"E	14.65'
VC2	22.42'	7.99'	20°24'31"	N32°34'15"E	7.94'
VC3	22.42'	10.75'	27°28'20"	N8°37'49"E	10.65'
VC4	15.11'	7.01'	26°33'47"	N18°23'11"W	6.94'
VC5	15.11'	7.91'	29°58'32"	N46°39'20"W	7.82'
VC6	26.45'	21.44'	46°26'08"	N22°59'27"E	20.85'
VC7	10.51'	15.99'	87°09'23"	N86°21'29"E	14.49'

CITY APPROVALS:

SECRETARY OF THE PLANNING COMMISSION DATE

CHAIRMAN OF THE PLANNING COMMISSION DATE



PLAT SHOWING
BOUNDARY LINE ADJUSTMENT
AND CLARKE COURT
STREET CLOSURE

ADJUSTED BETWEEN THE LANDS OF
JEFFERSON SCHOLARS FOUNDATION
CITY TMPs 17-91.1 & 17-92
JEFFERSON PARK AVENUE AREA
CITY OF CHARLOTTESVILLE, VIRGINIA

Date: May 20, 2025	Scale: N / A
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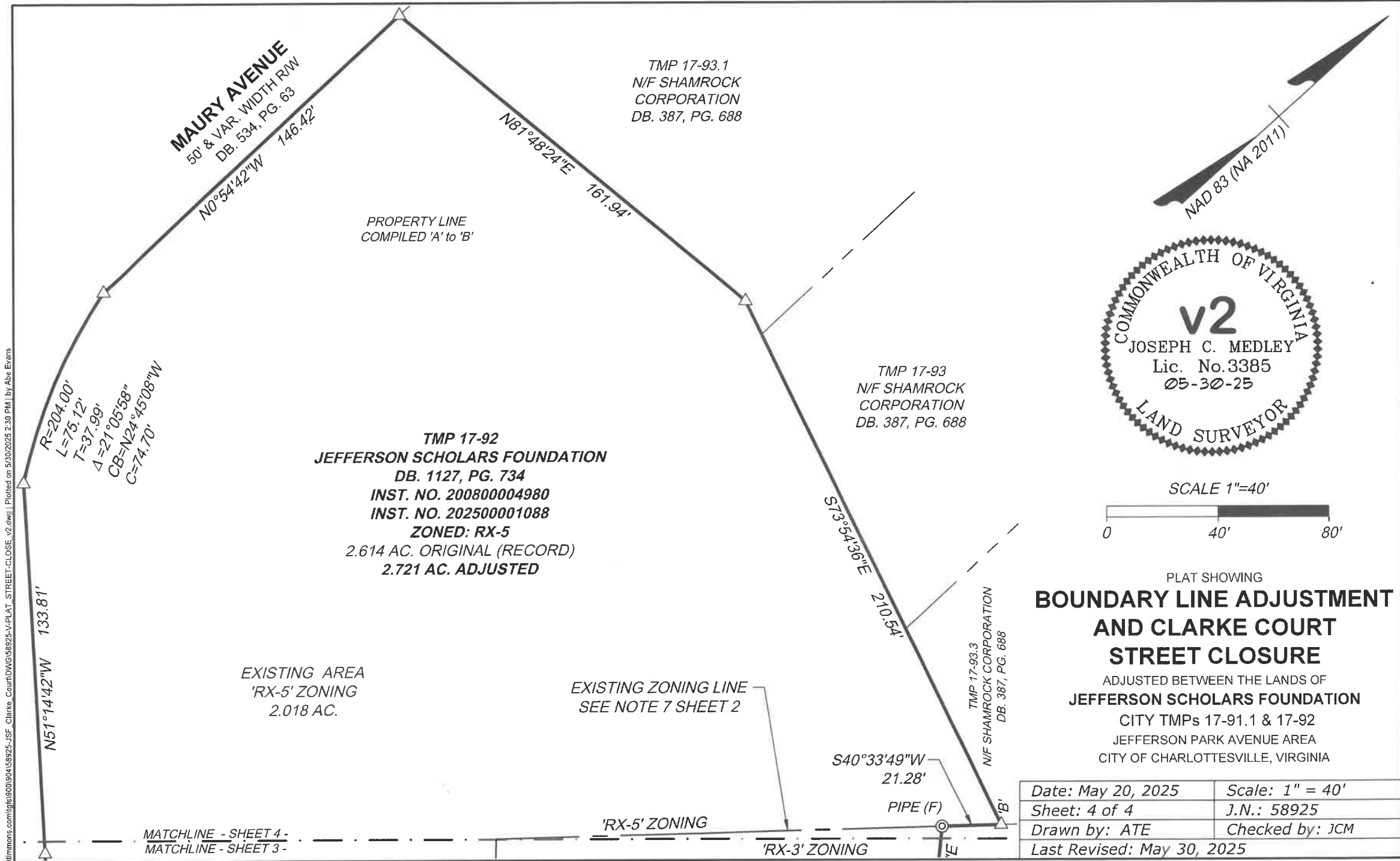


Date: May 20, 2025	Scale: 1" = 40'
Sheet: 3 of 4	J.N.: 58925
Drawn by: ATE	Checked by: JCM
Last Revised: May 30, 2025	

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\\timmons.com\gis\9001904\58925-JSF-Clarke Court\DWG\58925-V-PLAT-STREET-CLOSE_v2.dwg | Plotted on 5/30/2025 2:30 PM | by Abe Evans





August 7, 2025

Matthew Alfele
Development Planning Manager
Neighborhood Development Services
City of Charlottesville
P. O. Box 911
Charlottesville, VA 22901

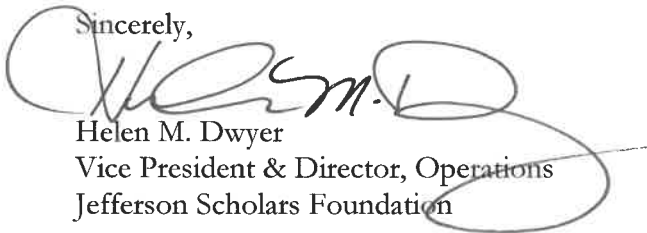
RE: Petition to Vacate Street or Alley - Clarke Court
Acknowledgment of City Review Comments

Dear Matt:

Thank you for sharing the July 24th comments by the Fire Marshall on our application to vacate Clarke Court. We met with Timmons last week to review the new comments as well as the city's Preliminary Site Plan 1st Submittal Comments dated September 25, 2023. We don't believe any of the review comments will impact Jefferson Scholars planned use of the property if our application is approved and we acquire the Clarke Court property. All comments shared to date will be addressed and resolved through the normal Final Site Plan submission and review process, assuming we can move forward.

We appreciate your assistance throughout this process. We look forward to our application being presented to the City Council for their review and consideration.

Sincerely,



Helen M. Dwyer
Vice President & Director, Operations
Jefferson Scholars Foundation

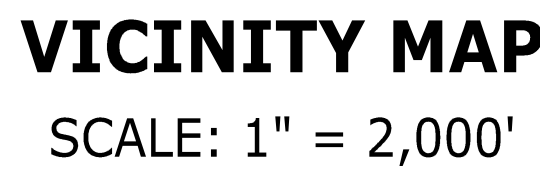
cc: Scott Raney
Jay Kessler

LEADERS | SCHOLARS | CITIZENS

PRELIMINARY SITE PLAN
108 CLARKE COURT
CITY OF CHARLOTTESVILLE, VIRGINIA
07/24/2023

PUBLIC UTILITY NOTES:

- A. PER THE VIRGINIA DEPARTMENT OF HEALTH WATERWORKS REGULATIONS (PART II, ARTICLE 3, SECTION 12 VAC 5-590 THROUGH 630), ALL BUILDINGS THAT HAVE THE POSSIBILITY OF CONTAMINATING THE POTABLE WATER DISTRIBUTION SYSTEM (HOSPITALS, INDUSTRIAL SITES, BREWERIES, ETC.) SHALL HAVE A BACKFLOW PREVENTION DEVICE INSTALLED WITHIN THE FACILITY. THIS DEVICE SHALL MEET SPECIFICATIONS OF THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE, SHALL BE TESTED IN REGULAR INTERVALS AS REQUIRED, AND TEST RESULTS SHALL BE SUBMITTED TO THE REGULATORY COMPLIANCE ADMINISTRATOR IN THE DEPARTMENT OF UTILITIES.
- B. ALL BUILDINGS THAT MAY PRODUCE WASTES CONTAINING MORE THAN ONE HUNDRED (100) PARTS PER MILLION OF FATS, OIL, OR GREASE SHALL INSTALL A GREASE TRAP. THE GREASE TRAP SHALL MEET SPECIFICATIONS OF THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE, MAINTAIN RECORDS OF CLEANING AND MAINTENANCE, AND BE INSPECTED ON REGULAR INTERVALS BY THE REGULATORY COMPLIANCE ADMINISTRATOR IN THE DEPARTMENT OF UTILITIES.
- C. PLEASE CONTACT THE REGULATORY COMPLIANCE ADMINISTRATOR AT 970-3032 WITH ANY QUESTIONS REGARDING THE GREASE TRAP OR BACKFLOW PREVENTION DEVICES.
- D. THIS SITE PLAN APPROVAL SHOULD NOT BE CONSTRUCTED OR INTERPRETED AS THE CITY'S VERIFICATION THAT THE SITE PLAN COMPLIES WITH ALL REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT.



ENGINEER OF RECORD:
TIMMONS GROUP
608 PRESTON AVENUE SUITE 200
CHARLOTTESVILLE, VA 22903
CONTACT: JONATHAN SHOWALTER, P.E.
TELEPHONE: (434) 327-1681

A circular professional engineer seal for the Commonwealth of Virginia. The outer ring contains the text "COMMONWEALTH OF VIRGINIA" at the top and "PROFESSIONAL ENGINEER" at the bottom. Inside the ring, the name "Jonathan Showalter" is written in a cursive script. Below the name, the text "JONATHAN M. SHOWALTER" is printed in a sans-serif font, followed by "Lic. No. 0402057151" and the expiration date "7/24/23". A diagonal watermark reading "NOT FOR CONSTRUCTION" is overlaid across the seal.

THIS DRAWING PREPARED AT THE
CHARLOTTESVILLE OFFICE
608 Preston Avenue, Suite 200 | Charlottesville, VA 22903
TEL 434.295.5624 FAX 434.295.8317 www.timmons.com

DATE	REVISION DESCRIPTION

SITE	DATE
	07/24/2023

M.AKMAL

DESIGNED BY

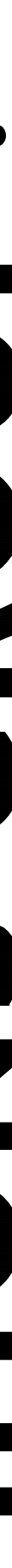
SHOWALTER

CHECKED BY

SHOWALTER

SCALE

N/A

The logo for the Timmons Group, featuring the company name in a bold, sans-serif font, followed by a graphic of a series of dots of varying sizes arranged in a curved, upward-pointing arc.

CLARKE COURT PRELIMINARY SITE PLAN
CITY OF CHARLOTTESVILLE - VIRGINIA
COVER

JOB NO.
58925

SHEET NO.
C0.0

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GENERAL NOTES:

UTILITIES

- ANY DAMAGE TO EXISTING UTILITIES CAUSED BY CONTRACTOR OR ITS SUBCONTRACTORS SHALL BE CONTRACTOR'S SOLE RESPONSIBILITY AND REPAIRED AT CONTRACTOR'S EXPENSE.
- THE CONTRACT DOCUMENTS DO NOT GUARANTEE THE EXISTENCE, NON-EXISTENCE OR LOCATION OF UTILITIES. CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OR THE NON-EXISTENCE OF UTILITIES. AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION OR CONSTRUCTION, CONTRACTOR SHALL NOTIFY MISS UTILITY (1-800-552-7001) AND/OR THE RESPECTIVE UTILITY COMPANIES FOR GAS, WATER, SEWER, POWER, PHONE AND CABLE. CONTRACTOR SHALL TIMELY ARRANGE TO HAVE THE VARIOUS UTILITIES LOCATED, AND TO HAVE THEM REMOVED OR RELOCATED, OR TO DETERMINE THE METHOD OF PROTECTION ACCEPTABLE TO THE RESPECTIVE OWNER, IF THE METHOD OF PROTECTION IS NOT OTHERWISE SPECIFIED. CONTRACTOR SHALL CONDUCT ITS WORK IN THE VICINITY OF EXISTING UTILITIES IN ACCORDANCE WITH THE RESPECTIVE UTILITY'S RULES AND REGULATIONS. ANY COST INCURRED FOR REMOVING, RELOCATING OR PROTECTING UTILITIES SHALL BE BORNE BY CONTRACTOR UNLESS INDICATED OTHERWISE. CONTRACTOR SHALL EXCAVATE TO LOCATE BURIED UTILITIES FAR ENOUGH IN ADVANCE OF ITS WORK TO ALLOW FOR HORIZONTAL AND /OR VERTICAL ADJUSTMENTS TO ITS WORK AND/OR THE UTILITIES. NO ADJUSTMENT IN COMPENSATION OR SCHEDULE WILL BE ALLOWED FOR DELAYS RESULTING FROM CONTRACTOR'S FAILURE TO CONTACT AND COORDINATE WITH UTILITIES.
- WHEN THE WORK CROSSES EXISTING UTILITIES, THE EXISTING UTILITIES SHALL BE ADEQUATELY SUPPORTED AND PROTECTED FROM DAMAGE DUE TO THE WORK. ALL METHODS FOR SUPPORTING AND MAINTAINING THE EXISTING UTILITIES SHALL BE APPROVED BY THE RESPECTIVE UTILITY COMPANY AND/OR THE ENGINEER. CONTRACTOR SHALL EXERCISE CARE TO INSURE THAT THE GRADE AND ALIGNMENT OF EXISTING UTILITIES ARE MAINTAINED AND THAT NO JOINTS OR CONNECTIONS ARE DISPLACED. BACKFILL SHALL BE CAREFULLY PLACED AND COMPACTED TO PREVENT FUTURE DAMAGE OR SETTLEMENT TO EXISTING UTILITIES. ANY UTILITIES REMOVED AS PART OF THE WORK, AND NOT IDENTIFIED TO BE REMOVED OR ABANDONED, SHALL BE RESTORED USING MATERIALS AND INSTALLATION EQUAL TO THE UTILITY'S STANDARDS.
- CONTRACTOR SHALL NOTIFY LANDOWNERS, TENANTS AND THE ENGINEER PRIOR TO THE INTERRUPTION OF ANY SERVICES. SERVICE INTERRUPTIONS SHALL BE KEPT TO A MINIMUM.
- ALL RECTANGULAR WATER METER BOXES LOCATED IN SIDEWALKS SHALL BE REPLACED WITH ROUND ONES. THE ADJUSTMENT OF ALL MANHOLE TOPS, WATER VALVE BOXES, GAS VALVE BOXES AND WATER METER BOXES SHALL BE THE RESPONSIBILITY OF CONTRACTOR.
- THE CONTRACTOR SHALL NOTIFY THE CITY UTILITIES DIVISION AT LEAST TWO FULL WORKING DAYS IN ADVANCE TO ARRANGE GAS SERVICE LINE ADJUSTMENTS TO BE PERFORMED BY THE CITY.
- ALL WATER METER, VALVES AND FIRE HYDRANT ADJUSTMENTS/RELOCATIONS SHALL BE COORDINATED OR PERFORMED BY THE CONTRACTOR IN ACCORDANCE WITH THE CITY OF CHARLOTTESVILLE DEPARTMENT OF UTILITIES REQUIREMENTS.

EROSION CONTROL & WORK AREA PROTECTION AND MAINTENANCE

- ALL FENCES REQUIRED TO BE REMOVED OR DISTURBED BY CONSTRUCTION SHALL BE SALVAGED, STORED, PROTECTED AND RE-INSTALLED BY CONTRACTOR. IF SUCH FENCE MATERIAL CANNOT BE REUSED DUE TO DAMAGE CAUSED BY CONTRACTOR, CONTRACTOR SHALL INSTALL NEW FENCE OF THE SAME TYPE OF MATERIAL. TEMPORARY FENCING REQUIRED BY PRIVATE PROPERTY OWNERS SHALL BE PROVIDED BY CONTRACTOR. CONTRACTOR IS ADVISED TO CONTACT PROPERTY OWNERS AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF REMOVING ANY FENCE IN ORDER TO COORDINATE RELOCATION AND TO ESTABLISH AND CONFIRM WITH THE OWNER THE PRE-CONSTRUCTION CONDITION OF ANY FENCE TO BE REMOVED, DISTURBED OR REPLACED.
- CONTRACTOR IS PERMITTED TO WORK IN THE PUBLIC RIGHT-OF-WAY AND ANY TEMPORARY OR PERMANENT EASEMENT SHOWN ON THE PLANS. HOWEVER, CONTRACTOR SHALL NOTIFY PROPERTY OWNER(S) FORTY-EIGHT (48) HOURS PRIOR TO WORKING ON ANY PRIVATE PROPERTY TO COORDINATE ACCESS AND TO DETERMINE A STORAGE AREA FOR MATERIALS IF NEEDED. COORDINATION OF ACCESS TO PUBLIC RIGHT-OF-WAY AND STORAGE OF MATERIALS THEREON SHALL BE COORDINATED WITH THE ENGINEER. CONTRACTOR'S FAILURE TO SO NOTIFY AND COORDINATE WITH PROPERTY OWNERS AND/OR THE ENGINEER MAY RESULT IN DELAYS. NO ADDITIONAL COMPENSATION OR TIME FOR PERFORMANCE WILL BE GIVEN FOR ANY SUCH DELAYS.
- CONTRACTOR SHALL, AT HIS EXPENSE, MAINTAIN THE WORK SITE IN A CLEAN AND ORDERLY APPEARANCE AT ALL TIMES. ALL DEBRIS AND SURPLUS MATERIAL COLLECTED SHALL BE DISPOSED OF OFF THE WORK SITE BY CONTRACTOR, AT HIS EXPENSE.
- EXISTING LAWNS, TREES, SHRUBS, FENCES, UTILITIES, CULVERTS, WALLS, WALKS, DRIVEWAYS, POLES, SIGNS, RIGHT-OF-WAY MONUMENTS, MAILBOXES AND THE LIKE SHALL BE PROTECTED FROM DAMAGE DURING THE WORK. ANY DAMAGE CAUSED TO SUCH ITEMS SHALL BE REPAIRED OR REPLACED BY CONTRACTOR AT NO ADDITIONAL COST. PROPERTY PINS DISTURBED BY CONTRACTOR THAT ARE NOT SHOWN ON THE PLANS TO BE DISTURBED SHALL BE RESTORED BY A LICENSED SURVEYOR AT CONTRACTOR'S EXPENSE.
- CONTRACTOR SHALL EMPLOY EROSION CONTROL DEVICES AND METHODS AS REQUIRED TO MEET THE REQUIREMENTS AND INTENT OF THE CITY EROSION CONTROL ORDINANCE. CONTRACTOR SHALL PROVIDE THE NECESSARY DIVERSION DITCHES, DIKES OR TEMPORARY CULVERTS REQUIRED TO PREVENT MUD AND DEBRIS FROM BEING WASHED ONTO THE STREETS OR PROPERTY. CONTRACTOR'S VEHICLES SHALL BE KEPT CLEAN TO PREVENT MUD OR DUST FROM BEING DEPOSITED ON STREETS. NO AREA SHALL BE LEFT DENUDEO FOR MORE THAN SEVEN (7) CALENDAR DAYS.
- CONTRACTOR SHALL CLEAN UP, RESTORE, PERMANENTLY SEED AND MAINTAIN ALL DISTURBED AREAS IMMEDIATELY UPON COMPLETION OF WORK ON EACH SITE. TOPSOIL, SEED, FERTILIZER AND MULCH SHALL BE PLACED IN ACCORDANCE WITH CITY STANDARDS ON ALL DISTURBED AREAS. A PERMANENT STAND OF GRASS ADEQUATE TO PREVENT EROSION SHALL BE ESTABLISHED PRIOR TO FINAL ACCEPTANCE.
- AS DETERMINED BY THE ENGINEER, ANY DEFECTIVE, FAULTY, CRACKED, BROKEN OR GRAFFITIED SIDEWALKS, DRIVEWAYS, HANDICAP RAMPS OR CURB & GUTTER SHALL BE REMOVED AND REPLACED PRIOR TO FINAL ACCEPTANCE. NO ADDITIONAL PAYMENT WILL BE MADE FOR SUCH WORK.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ADHERE TO REQUESTS FROM THE CITY'S E&S INSPECTOR TO ADD OR MODIFY E&S MEASURES DURING CONSTRUCTION.

EARTHWORK AND SITE CONDITIONS

- EXCEPT AS OTHERWISE SHOWN ON THE PLANS, ALL CUTS AND FILLS SHALL MATCH EXISTING SLOPES OR BE NO GREATER THAN 2:1.
- NO NEW SIDEWALK SHALL EXCEED 2.0% CROSS-SLOPE (PERPENDICULAR TO THE DIRECTION OF PEDESTRIAN TRAFFIC).
- ALL GRADING AND IMPROVEMENTS TO BE CONFINED TO THE PROJECT AREA UNLESS OTHERWISE INDICATED.
- ALL MATERIALS AND INSTALLATION DETAILS SHALL CONFORM TO THE CITY OF CHARLOTTESVILLE ENGINEERING DIVISION STANDARDS AND ALL OTHER APPLICABLE CITY ORDINANCES.
- ANY UNUSUAL OR UNANTICIPATED SUBSURFACE CONDITIONS SHALL BE IMMEDIATELY REPORTED TO THE ENGINEER.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS AND LOCATIONS PRIOR TO BEGINNING WORK, AND IMMEDIATELY NOTIFY THE ENGINEER IN THE EVENT THERE ARE ANY DISCREPANCIES BETWEEN SUCH CONDITIONS AND THOSE SHOWN ON THE PLANS AND SPECIFICATIONS.

CONCRETE AND ASPHALT

- ALL FORMS SHALL BE INSPECTED BY THE ENGINEERING INSPECTOR BEFORE ANY CONCRETE IS PLACED. THE ENGINEER INSPECTOR MAY REQUIRE CONTRACTOR, AT NO ADDITIONAL COST, TO REMOVE AND REPLACE CONCRETE PLACED PRIOR TO OR WITHOUT SUCH INSPECTION.
- ALL MATERIAL INSIDE FORMS SHALL BE CLEAN AND FREE OF ALL ROCKS AND OTHER LOOSE DEBRIS. SUB-BASE MATERIAL SHALL BE COMPACTED BY MECHANICAL MEANS.
- CONCRETE SHALL NOT BE PLACED UNLESS THE AIR TEMPERATURE IS AT LEAST 40 DEGREES FAHRENHEIT (F) IN THE SHADE AND RISING.
- CONCRETE SHALL NOT BE PLACED UNTIL STEEL DOWELS HAVE BEEN INSTALLED IN EXISTING CONCRETE IN ACCORDANCE WITH CITY STANDARDS.
- 1/2" PREMOLDED EXPANSION JOINT MATERIAL SHALL BE PLACED AT A MAXIMUM OF 30' INTERVALS ON NEW SIDEWALK, CURB, CURB & GUTTER, AT EACH END OF DRIVEWAY ENTRANCES, AT EACH END OF HANDICAP RAMPS, SOME POINT ON ENTRANCE WALKS AND STEPS ADJUSTMENTS, AND ALONG BUILDINGS AND WALLS WHERE NEW CONCRETE SIDEWALKS ARE PLACED AGAINST THEM.
- ALL EXISTING CURBS, CURB & GUTTER, SIDEWALK AND STEPS TO BE REMOVED SHALL BE TAKEN OUT TO THE NEAREST JOINT. DEMOLITION AND DISPOSAL COST TO BE INCLUDED IN OTHER UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE FOR THIS WORK.
- DRIVEWAY ADJUSTMENTS ARE TO BE DONE IN GENTLE TRANSITIONS RATHER THAN ABRUPT BREAKS AT THE BACK OF WALKS. GRAVEL DRIVEWAYS ABOVE STREET GRADE SHALL BE PAVED FOR A MINIMUM DISTANCE OF 20' BEYOND THE BACK OF THE SIDEWALK OR CURB & GUTTER APRON WHERE APPLICABLE.
- EXISTING ASPHALT PAVEMENT SHALL BE SAW CUT AND REMOVED AS PER THE SPECIFICATIONS. REMOVAL SHALL BE DONE IN SUCH A MANNER AS TO NOT TEAR, BULGE OR DISPLACE ADJACENT PAVEMENT. EDGES SHALL BE CLEAN AND VERTICAL, ALL CUTS SHALL BE PARALLEL OR PERPENDICULAR TO THE DIRECTION OF TRAFFIC.
- DISPOSAL OF ALL EXCESS MATERIAL IS THE RESPONSIBILITY OF CONTRACTOR.

DRAINAGE

- CONTRACTOR SHALL EXERCISE CARE, ESPECIALLY AT INTERSECTIONS AND GUTTER LINES, TO PROVIDE POSITIVE DRAINAGE. ANY AREAS WHERE WATER IS IMPOUNDED SHALL BE CORRECTED BY CONTRACTOR AT NO ADDITIONAL COST. POSITIVE DRAINAGE OF ALL ROADWAY AREAS TO THE STORM DRAIN INLETS OR OTHER ACCEPTABLE DRAINAGE CHANNELS AS NOTED ON THE PLANS IS REQUIRED.
- CONTRACTOR SHALL MAINTAIN EXISTING STREAMS, DITCHES, DRAINAGE STRUCTURES, CULVERTS AND FLOWS AT ALL TIMES DURING THE WORK. CONTRACTOR SHALL PAY FOR ALL PERSONAL INJURY AND PROPERTY DAMAGE WHICH MAY OCCUR AS A RESULT OF FAILING TO MAINTAIN ADEQUATE DRAINAGE.
- ALL PIPES, DITS AND OTHER STRUCTURES SHALL BE INSPECTED BY THE ENGINEERING INSPECTOR BEFORE BEING BACKFILLED OR BURIED. THE ENGINEERING INSPECTOR MAY REQUIRE CONTRACTOR, AT NO ADDITIONAL COST, TO UNCOVER AND RE-COVER SUCH STRUCTURES IF THEY HAVE BEEN BACKFILLED OR BURIED WITHOUT SUCH INSPECTION.
- REMOVED PIPE SHALL BE THE PROPERTY OF CONTRACTOR AND IF NOT SALVAGED FOR RE-USE, SHALL BE DISPOSED OF LAWFULLY.
- ALL STORM SEWER PIPE AND DROP INLETS SHALL BE CLEARED OF DEBRIS AND ERODED MATERIAL PRIOR TO FINAL ACCEPTANCE.
- ALL STORM SEWER PIPE JOINTS SHALL BE SEATED AND SEALED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.
- ALL EXISTING ROOF DRAINS AND OTHER DRAINAGE CONDUIT TIED INTO EXISTING PIPE SHALL BE TIED INTO NEW PIPE. ALL EXISTING ROOF DRAINS AND OTHER DRAINAGE CONDUIT BLOCKED OR DISRUPTED FROM THEIR PRE-CONSTRUCTION DRAINAGE PATTERNS SHALL BE SHORTENED, EXTENDED OR OTHERWISE CONNECTED TO THE NEW WORK USING MATERIALS APPROVED BY THE ENGINEERING INSPECTOR, AND IN SUCH A WAY THAT THE NEW DRAINAGE PATTERNS ARE ACCEPTABLE TO ENGINEER.

VEGETATION

- PRIOR TO REMOVING ANY VEGETATION, CONTRACTOR SHALL MEET WITH THE PROPERTY OWNERS AND THE ENGINEER TO REVIEW THE LIMITS OF CONSTRUCTION AND OBTAIN PERMISSION TO REMOVE VEGETATION REQUIRED TO DO THE WORK.
- TREE AND PLANT ROOTS OR BRANCHES THAT MAY INTERFERE WITH THE WORK SHALL BE TRIMMED OR CUT ONLY WITH THE APPROVAL OF THE OWNER AND ENGINEER. ANY TREES OR PLANTS WHICH ARE SHOWN TO REMAIN THAT DO NOT INTERFERE WITH THE WORK, BUT ARE DAMAGED BY CONTRACTOR OR HIS SUBCONTRACTORS, SHALL BE REPAIRED OR REPLACED BY CONTRACTOR AT NO ADDITIONAL COST.

TRAFFIC AND SIGNAGE

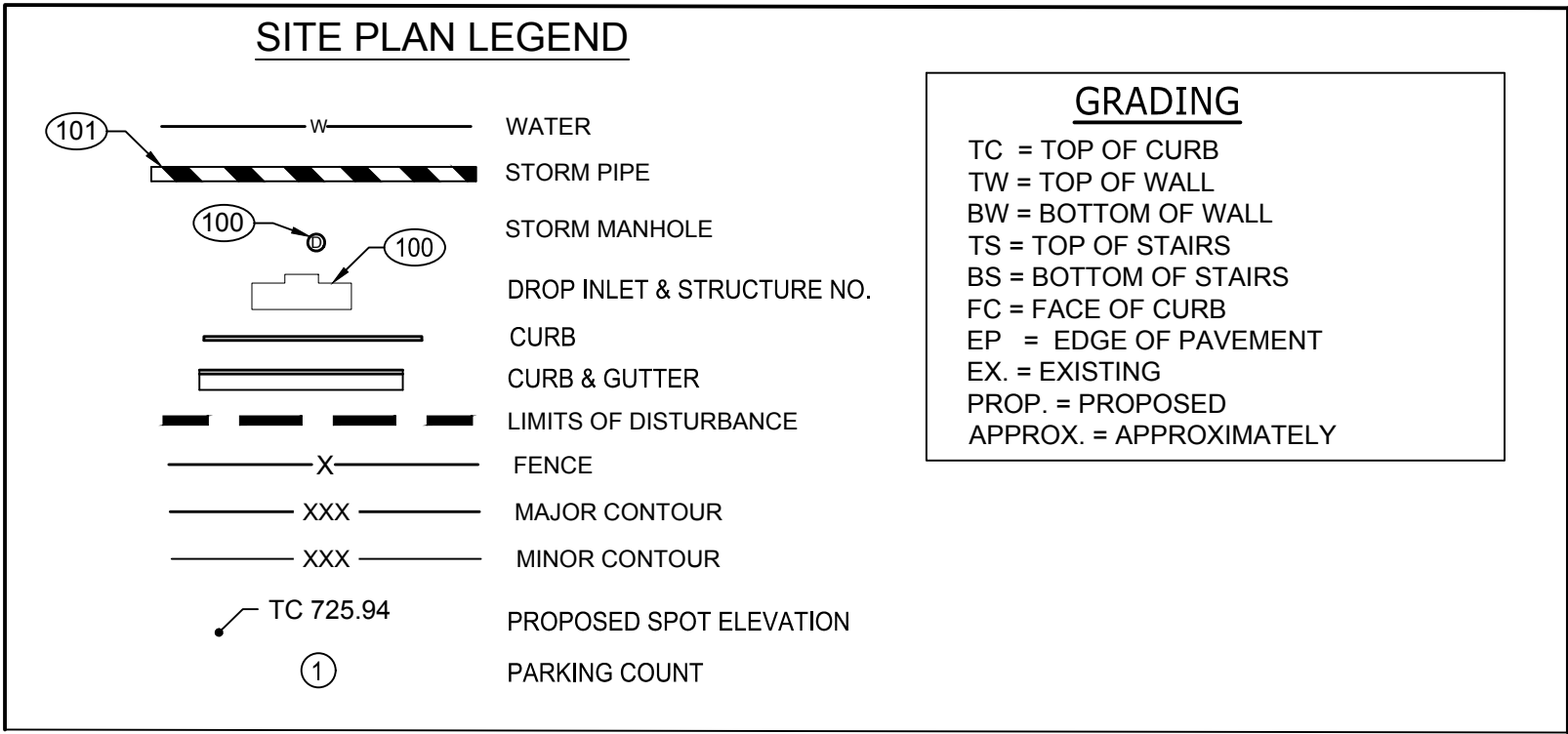
- ALL TEMPORARY NO PARKING REQUIREMENTS SHALL BE PROVIDED BY CONTRACTOR WITH APPROVAL OF THE TRAFFIC ENGINEER.
- CONTRACTOR SHALL PROVIDE NECESSARY REFLECTORS, BARRICADES, TRAFFIC CONTROL DEVICES AND/OR FLAG PERSONS TO INSURE THE SAFETY OF ITS WORKERS AND THE PUBLIC.
- CONTRACTOR SHALL MAINTAIN SAFE AND PASSABLE PUBLIC ACCESS TO PROPERTIES AND THE PUBLIC RIGHT-OF-WAY DURING CONSTRUCTION. EXCEPT AS APPROVED IN ADVANCE IN WRITING BY THE ENGINEER, TWO WAY TRAFFIC SHALL BE MAINTAINED AT ALL TIMES THROUGH WORK AREAS WITHIN THE PUBLIC RIGHT-OF-WAY. THESE TRAFFIC CONTROLS SHALL BE IN ACCORDANCE WITH THE MOST CURRENT MUTCD MANUAL. ACCESS FOR EMERGENCY VEHICLES SHALL BE MAINTAINED AT ALL TIMES. ADDITIONALLY CONTRACTOR SHALL PROVIDE ADEQUATE PEDESTRIAN BARRIERS AND MAINTAIN PEDESTRIAN CIRCULATION DURING CONSTRUCTION.
- EXCEPT AS OTHERWISE AUTHORIZED IN WRITING BY THE ENGINEER, THE WORK SHALL BE COORDINATED AND PERFORMED IN A MANNER SO THAT ALL EXISTING FIRE HYDRANTS SHALL BE ACCESSIBLE AT ALL TIMES DURING THE WORK.
- CONTRACTOR SHALL NOTIFY PROPERTY OWNER(S) TWELVE (12) HOURS IN ADVANCE OF BLOCKING ANY ENTRANCE. NO ENTRANCE SHALL BE BLOCKED FOR MORE THAN TWELVE (12) HOURS IN ANY 24 HOUR PERIOD WITHOUT APPROVAL OF THE PROPERTY OWNER, EXCEPT WHERE NEW ENTRANCES ARE CONSTRUCTED.
- WITHIN 24 HOURS OF THEIR REMOVAL, CONTRACTOR SHALL REPLACE MAILBOXES, STREET SIGNS, TRAFFIC SIGNS, AND THE LIKE THAT ARE REMOVED FOR CONSTRUCTION. PERMANENT OR SUITABLE TEMPORARY ITEMS WILL BE USED AS THE STATUS OF WORK PERMITS. PERMANENT OR TEMPORARY STOP SIGNS MUST BE IN PLACE AT ALL TIMES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE CITY TRAFFIC DIVISION ONE FULL WORKING DAY PRIOR TO ANY CONCRETE POUR WHERE TRAFFIC AND STREET SIGNS ARE TO BE REPLACED. UPON SUCH NOTIFICATION, THE CITY WILL PROVIDE SIGN POST SLEEVES, WHEN NEEDED, AND IDENTIFY THE LOCATION WHERE SIGNS ARE TO BE PLACED.
- ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE SHOWN ON PLANS AND SHALL BE CONSISTENT WITH THE MUTCD.
- A TEMPORARY STREET CLOSURE PERMIT IS REQUIRED FOR CLOSURE OF SIDEWALKS, PARKING PACES, AND ROADWAYS AND IS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER.

MISCELLANEOUS

- CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS, INSPECTIONS, BONDS, AND OTHER APPROVAL RELATED ITEMS IN ACCORDANCE WITH THE CONTRACT DOCUMENTS, LOCAL, STATE, AND FEDERAL POLICIES. CONTACT FOR CITY STREET/SIDEWALK CUT PERMITS, PLEASE CALL (434) 970-3361.
- THE CONTRACTOR WILL BE REQUIRED TO PLACE "DEAR NEIGHBOR" DOOR HANGER NOTIFICATIONS ON THE FRONT DOOR OF ALL RESIDENCES AFFECTED BY THE CONSTRUCTION AND "SIDEWALK" SAFETY SIGNS AT EACH LOCATION WITH WORKING CREWS. THIS SHALL BE DONE PRIOR TO ANY WORK STARTING.
- WATER METERS THAT ARE TO BE MOVED SHALL BE MOVED COMPLETELY IN THE SIDEWALK OR COMPLETELY OUT OF THE SIDEWALK. WATER METERS MOVED IN THE SIDEWALK SHALL BE LOCATED WITHIN 18" OF THE EDGE.
- RETAINING WALLS WITH A MAX HEIGHT OF 12" OR LESS SHALL BE POURED IN CONTINUITY WITH THE SIDEWALK. WALLS WITH A MAX HEIGHT GREATER THAN 12" SHALL BE SEGMENTAL BLOCK WALLS.
- ALL SIGNS TO BE RELOCATED SHALL BE LOCATED WITHIN 6 INCHES BEHIND THE BACK EDGE OF THE SIDEWALK.
- MAILBOXES SHALL BE RELOCATED TO THE FRONT OF THE SIDEWALK BUT SHALL ALSO PROVIDE A MINIMUM OF 3 FEET OF CLEARANCE BEHIND THE MAILBOX TO MEET ADA REQUIREMENTS.
- EXISTING ROOF DRAINS SHALL BE ROUTED THROUGH SIDEWALK. ROOF DRAINS LARGER THAN 4" WILL REQUIRE A TROUGH DRAIN.

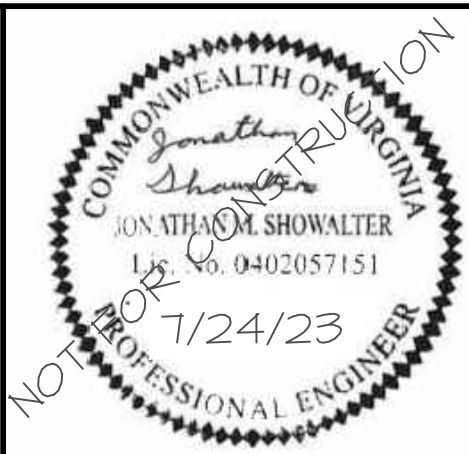
FIRE DEPARTMENT

- SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES. "NO SMOKING" SIGNS SHALL BE POSTED AT EACH BUILDING SITE AND WITHIN EACH BUILDING DURING CONSTRUCTION.
- FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE BEEN ACCUMULATED.
- REQUIRED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED WITHIN 100' OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE. ALL PAVEMENT SHALL BE CAPABLE OF SUPPORTING FIRE APPARATUS WEIGHING 85,000LBS.



GENERAL NOTES

- CONTRACTOR SHALL COORDINATE ALL REQUIREMENTS FOR AS BUILT DOCUMENTATION, AS REQUIRED BY THE LOCALITY. THIS INCLUDES, BUT IS NOT LIMITED TO, TESTING, INSTALLATION DOCUMENTATION, SURVEY, ETC. ALL REQUIREMENTS SHALL BE DISCUSSED WITH THE LOCALITY PRIOR TO BEGINNING CONSTRUCTION.
- ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH CURRENT VIRGINIA DEPARTMENT OF TRANSPORTATION'S SPECIFICATIONS AND STANDARDS.
- PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL CONSULT THE ENGINEER AND VERIFY THE APPROVAL OF THE PLANS BY ALL FEDERAL, STATE AND LOCAL AGENCIES.
- THE CONTRACTOR SHALL VERIFY THE ELEVATIONS OF ALL POINTS OF CONNECTION OR PROPOSED WORK TO EXISTING CURBS, EXISTING ASPHALT, SANITARY LINES, WATERLINES, ETC, PRIOR TO CONSTRUCTION. UPON DISCOVERY OF SOILS THAT ARE UNSUITABLE FOR FOUNDATIONS, SUBGRADES, OR OTHER ROADWAY CONSTRUCTION PURPOSES, THE CONTRACTOR SHALL IMMEDIATELY CONTACT THE OWNER. THESE AREAS SHALL BE EXCAVATED BELOW PLAN GRADE AS DIRECTED BY THE OWNER, BACKFILLED WITH SUITABLE MATERIAL AND COMPACTED IN ACCORDANCE WITH CURRENT.
- ALL STORM SEWER DESIGN AND CONSTRUCTION TO BE IN ACCORDANCE WITH VDOT I AND I LD-94 (D) 121.13.
- ALL RCP STORM SEWER PIPE SHALL BE REINFORCED TONGUE AND GROVE CONCRETE PIPE IN ACCORDANCE WITH ASTM-C-76. PIPE SHALL BE MINIMUM CLASS III OR GREATER IN ACCORDANCE WITH CURRENT VDOT STANDARDS AND SPECIFICATIONS.
- IF PRE-CAST UNITS ARE TO BE USED CERTIFICATION AND VDOT STAMP WILL BE REQUIRED ON ALL UNITS.
- ALL CONCRETE SHALL BE A3-AE (AIR ENTRAINED 3,000 PSI), UNLESS OTHERWISE NOTED.
- DESIGN CHANGES, SPECIFIED MATERIALS CHANGES AND/OR FIELD CHANGES FROM THE APPROVED PLANS NEED TO BE RESUBMITTED TO THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK. A LETTER OF EXPLANATION SHALL ACCOMPANY THE REVISED PLANS AND/OR THE DRAINAGE CALCULATIONS, WHICH MUST BE SUBMITTED AND APPROVED BY THE ENGINEER.
- CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES SHOWN ON PLANS IN AREAS OF CONSTRUCTION PRIOR TO STARTING WORK. CONTACT ENGINEER IMMEDIATELY IF LOCATION OR ELEVATION IS DIFFERENT FROM THAT SHOWN ON PLAN. IF THERE APPEARS TO BE A CONFLICT, AND/OR UPON DISCOVERY OF ANY UTILITY NOT SHOWN ON THIS PLAN, CALL MISS UTILITY OF CENTRAL VIRGINIA AT 1-800-552-7001.
- THE INSTALLATION OF SEWER, WATER, AND GAS MAINS (INCLUDING SERVICE LATERALS AND SLEEVES) SHALL BE COMPLETED PRIOR TO THE PLACEMENT OF AGGREGATE BASE COURSE.
- A PRIME COAT SEAL BETWEEN THE AGGREGATE BASE AND BITUMINOUS CONCRETE WILL BE REQUIRED AT THE RATE OF 0.30 GALLONS PER SQUARE YARD (REC-250 PRIME COAT) PER VDOT STANDARDS AND SPECIFICATIONS.
- THE SCHEDULING OF AGGREGATE BASE INSTALLATION AND SUBSEQUENT PAVING ACTIVITIES SHALL ACCOMMODATE FORECAST WEATHER CONDITIONS PER SECTION 315 OF THE ROAD AND BRIDGE SPECIFICATIONS.
- THE OWNERS REPRESENTATIVE SHALL HAVE APPROVED THE AGGREGATE BASE COURSE(S) FOR DEPTH, TEMPLATE AND PERFORMED THE REQUIRED FIELD INSPECTION (PROOF ROLL) PRIOR TO PLACEMENT OF ANY SURFACE COURSE(S), CONTACT THE OWNER FOR INSPECTION FOR THE AGGREGATE BASE COURSE(S) 48 HOURS PRIOR TO APPLICATION OF THE SURFACE COURSE(S).
- ALL VEGETATION AND ORGANIC MATERIAL MATERIAL IS TO BE REMOVED FROM THE PROPOSED PAVEMENT LIMITS PRIOR TO CONDITIONING OF THE SUBGRADE.
- CERTIFICATION AND SOURCE OF MATERIALS ARE TO BE SUBMITTED TO THE OWNER FOR ALL MATERIALS AND BE IN ACCORDANCE WITH THE ROAD AND BRIDGE SPECIFICATIONS, AND ROAD AND BRIDGE STANDARDS.
- CONTRACTOR SHALL PROVIDE A SEQUENCE OF CONSTRUCTION/MAINTENANCE OF TRAFFIC PLAN IN ACCORDANCE WITH THE STANDARDS AND GUIDELINES CONTAINED IN THE 2011 EDITION OF THE VIRGINIA WORK AREA PROTECTION MANUAL FOR REVIEW BY THE ENGINEER, OWNER AND CITY OF CHARLOTTESVILLE PRIOR TO STARTING WORK THAT IMPACTS TRAFFIC ON PUBLIC ROADS.
- ALL NEW HANDICAP ACCESSIBLE REQUIREMENTS ON-SITE AND WITHIN ALL NEW STRUCTURES SHALL COMPLY WITH THE MOST CURRENT UNIFORM STATEWIDE BUILDING CODE, VIRGINIA CONSTRUCTION CODE, ICC/ANSI A117.1-03 AND 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN.
- HORIZONTAL AND VERTICAL SIGHT DISTANCES SHALL BE FREE OF PARKED VEHICLES.



THIS DRAWING PREPARED AT THE
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REVISION DESCRIPTION			
DATE			
07/24/2023			
DRAWN BY	M.AKMAL		
DESIGNED BY	J.SHOWALTER		
CHECKED BY	J.SHOWALTER		
SCALE	N/A		

TIMMONS GROUP

CLARKE COURT PRELIMINARY SITE PLAN
CITY OF CHARLOTTESVILLE - VIRGINIA
NOTES AND DETAILS

JOB NO.
58925

SHEET NO.
C1.0

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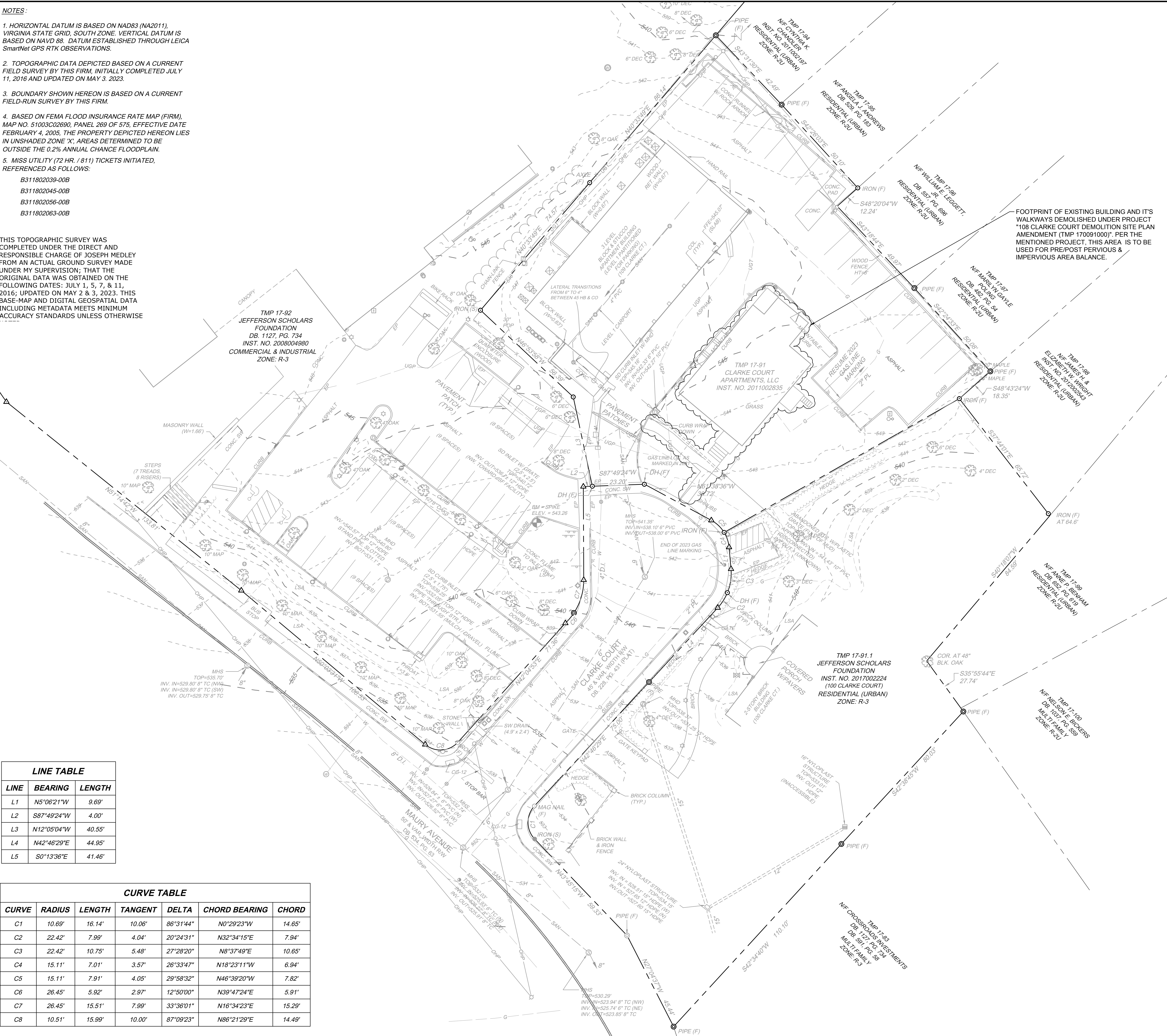
NOTES:

1. HORIZONTAL DATUM IS BASED ON NAD83 (NA2011), VIRGINIA STATE GRID, SOUTH ZONE. VERTICAL DATUM IS BASED ON NAVD 88. DATUM ESTABLISHED THROUGH LEICA SmartNet GPS RTK OBSERVATIONS.
2. TOPOGRAPHIC DATA DEPICTED BASED ON A CURRENT FIELD SURVEY BY THIS FIRM, INITIALLY COMPLETED JULY 11, 2016 AND UPDATED ON MAY 3, 2023.
3. BOUNDARY SHOWN HEREON IS BASED ON A CURRENT FIELD-RUN SURVEY BY THIS FIRM.

4. BASED ON FEMA FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 51003C02690, PANEL 269 OF 575, EFFECTIVE DATE FEBRUARY 4, 2005, THE PROPERTY DEPICTED HEREON LIES IN UNSHADED ZONE 'X'. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
5. MISS UTILITY (72 HR. / 811) TICKETS INITIATED, REFERENCED AS FOLLOWS:

B311802039-008
B311802045-008
B311802056-008
B311802063-008

THIS TOPOGRAPHIC SURVEY WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF JOSEPH MEDLEY FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION; THAT THE ORIGINAL DATA WAS OBTAINED ON THE FOLLOWING DATES: JULY 1, 5, 7, & 11, 2016; UPDATED ON MAY 2 & 3, 2023. THIS BASE-MAP AND DIGITAL GEOSPATIAL DATA INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE



LINE TABLE		
LINE	BEARING	LENGTH
L1	N5°06'21"W	9.69'
L2	S87°49'24"W	4.00'
L3	N12°05'04"W	40.55'
L4	N42°46'29"E	44.95'
L5	S0°13'36"E	41.46'

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	10.69'	16.14'	10.06'	86°31'44"	N0°29'23"W	14.65'
C2	22.42'	7.99'	4.04'	20°24'31"	N32°34'15"E	7.94'
C3	22.42'	10.75'	5.48'	27°28'20"	N8°37'49"E	10.65'
C4	15.11'	7.01'	3.57'	26°33'47"	N18°23'11"W	6.94'
C5	15.11'	7.91'	4.05'	29°58'32"	N46°39'20"W	7.82'
C6	26.45'	5.92'	2.97'	12°50'00"	N39°47'24"E	5.91'
C7	26.45'	15.51'	7.99'	33°36'01"	N16°34'23"E	15.29'
C8	10.51'	15.99'	10.00'	87°09'23"	N86°21'29"E	14.49'

LEGEND

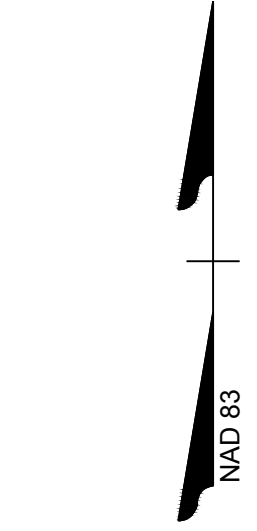
- YARD LIGHT
- SPRINKLER VALVE
- ROOF DRAIN DOWNSPOUT
- SPIGOT
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- FIRE CONNECTION
- WATER VAULT
- STORM DRAINAGE (SD) MANHOLE
- REINFORCED CONCRETE PIPE
- POLY-VINYL CHLORIDE PIPE
- POLY-ETHYLENE PIPE
- CLEAN-OUT
- TELECOM PEDESTAL
- ELECTRIC VAULT
- UTILITY POLE
- LIGHT POLE
- ELECTRIC MANHOLE
- ELECTRIC BOX
- ELECTRIC METER
- GAS METER
- TELCOM PEDESTAL

- SAN ——— SANITARY PIPE
- W ——— WATER-LINE
- UFO ——— UNDERGROUND TELECOM UTILITY
- UGP ——— UNDERGROUND POWER/ELEC UTILITY
- OHP ——— OVERHEAD POWER UTILITY
- X ——— FENCE-LINE
- Centerline Swale/Ditch
- EDGE OF PAVEMENT (EP)

- CONIFEROUS TREE (CNFR)
- DECIDUOUS TREE (DEC)
- LSA ——— LANDSCAPED AREA
- SW ——— SIDEWALK
- SIGN ——— SIGN
- BOLLARD ——— BOLLARD
- HANDICAP (HC) PARKING

- (F) CORNER FOUND, AS NOTED
- (S) CORNER SET, AS NOTED
- DH DRILL HOLE
- COMPUTED POINT

CONTOUR INTERVAL = 1'



SCALE 1"=20'



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SITE PLAN AMENDMENT #1

REVISION DESCRIPTION	DATE

DATE
07/24/2023

DRAWN BY
M.AKMAL

DESIGNED BY
J.SHOWALTER

CHECKED BY
J.SHOWALTER

SCALE
1"=20'

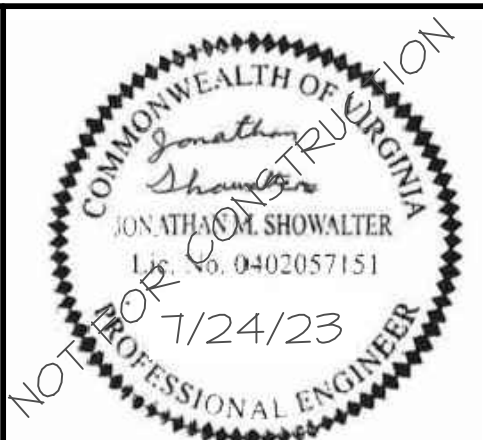
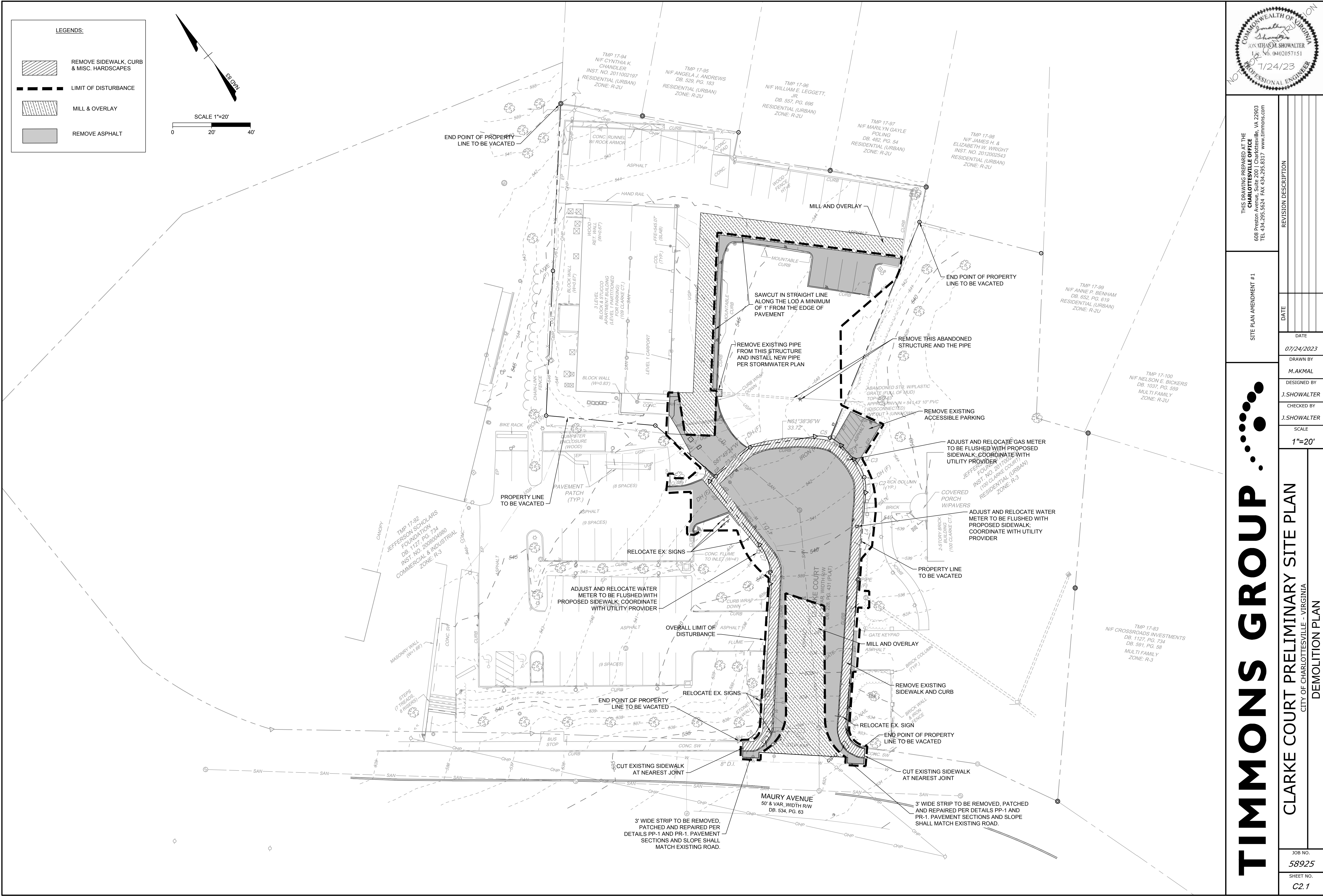
TIMMONS GROUP

CLARKE COURT PRELIMINARY SITE PLAN CITY OF CHARLOTTEVILLE - VIRGINIA

EXISTING CONDITIONS

JOB NO.
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SITE PLAN AMENDMENT #1	
DATE	REVISION DESCRIPTION

DATE	DRAWN BY
07/24/2023	M.AKMAL
CHECKED BY	J.SHOWALTER
SCALE	1"=20'



TIMMONS GROUP

CLARKE COURT PRELIMINARY SITE PLAN

CITY OF CHARLOTTESVILLE - VIRGINIA

DEMOLITION PLAN

JOB NO.	58925
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EROSION AND SEDIMENT CONTROL NARRATIVE:

PROJECT DESCRIPTION
THIS PROJECT INCLUDES THE CONSTRUCTION OF 7 NEW PARKING SPACES, EXTENSION OF EXISTING DRIVE, AND ADDITION OF NEW SIDEWALK ALONG BOTH SIDES OF THIS DRIVE. LIMITS OF DISTURBANCE IS 0.37 ACRES.

ADJACENT PROPERTY
THE PROJECT IS BOUNDED BY JEFFERSON SCHOLARS FOUNDATION TO THE WEST AND EAST. TO THE NORTH ARE RESIDENTIAL PROPERTIES AND MAURY AVENUE IS TO THE SOUTH OF PROJECT.

EXISTING SITE CONDITIONS
CURRENTLY THE SITE HAS RESIDENTIAL HOUSING, SIDEWALK, PARKING, SOME PLANTING & TREES AND A VACANT GRASS PASTURE.

PERMITTING
THE OWNER SHALL OBTAIN ALL REQUIRED STATE AND FEDERAL PERMITS INCLUDING VDEQ INDIVIDUAL PERMIT, VRMC GENERAL PERMIT, OR US ACE NATIONWIDE PERMIT (WETLAND IMPACTS) ETC.

OFF-SITE AREAS
NO OFFSITE AREAS WILL BE DISTURBED AS PART OF CONSTRUCTION.

CRITICAL EROSION AREAS
CONTRACTOR TO PAY SPECIAL ATTENTION TO ENSURING SEDIMENT TRAPPING MEASURES IN THE SOUTHERN CORNER OF THE SITE REMAIN EFFECTIVE THROUGH CONSTRUCTION BOTH PHASE 1 AND PHASE 2.

EROSION AND SEDIMENT CONTROL MEASURES
UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE CURRENT ADDITION OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. THE MINIMUM STANDARDS OF THE VESCH SHALL BE ADHERED TO UNLESS OTHERWISE WAIVED OR APPROVED BY A VARIANCE BY LOCAL AUTHORITIES HAVING JURISDICTION.

STORMWATER RUNOFF CONSIDERATIONS
ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED IN ACCORDANCE WITH VESCH AND THE CONSTRUCTION SEQUENCE, INCLUDING THE INSPECTION OF ALL MEASURES AFTER ALL RAIN EVENTS.

- STRUCTURAL PRACTICES:
- TEMPORARY CONSTRUCTION ENTRANCE - 3.02 A TEMPORARY CONSTRUCTION ENTRANCE SHALL BE PROVIDED AT THE LOCATION INDICATED ON THE PLANS. IT IS IMPERATIVE THAT THIS MEASURE BE MAINTAINED THROUGHOUT CONSTRUCTION. ITS PURPOSE IS TO REDUCE THE AMOUNT OF MUD TRANSPORTED ONTO PAVED PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF.
 - SILT FENCE BARRIER - 3.05 SILT FENCE SEDIMENT BARRIERS SHAL L BE INSTALLED DOWNSLOPE OF AREAS WITH MINIMAL GRADES TO FILTER SEDIMENT-LADEN RUNOFF FROM SHEET FLOW AS INDICATED. ITS PURPOSE IS TO INTERCEPT SMALL AMOUNTS OF SEDIMENT FROM DISTURBED AREAS AND PREVENT SEDIMENT FROM LEAVING THE SITE.
 - STORM DRAIN INLET PROTECTION - 3.07 STONE FILTERS SHALL BE PLACED AT THE INLET OF ALL DRAINAGE STRUCTURES AS INDICATED ON PLANS. ITS PURPOSE IS TO PREVENT SEDIMENT FROM ENTERING THE STORM DRAINAGE SYSTEM PRIOR TO PERMANENT STABILIZATION.
 - ROCK CHECK DAM - 3.20 SMALL TEMPORARY STONE DAM CONSTRUCTED ACROSS A SWALE OR DRAINAGE DITCH.
 - TREE PROTECTION - 3.38 PROTECTION OF DESIRABLE TREES FROM MECHANICAL AND OTHER INJURY DURING LAND DISTURBING AND CONSTRUCTION ACTIVITY.
 - DUST CONTROL - 3.39 DUST CONTROL IS TO BE USED THROUGH THE SITE IN AREAS SUBJECT TO SURFACE AND AIR MOVEMENT.

- VEGETATIVE PRACTICES:
- TOPSOIL (TEMPORARY STOCKPILE) - 3.30 TOPSOIL SHALL BE STRIPPED FROM AREAS TO BE GRADED AND STOCKPILED FOR LATER SPREADING. STOCKPILE LOCATIONS SHALL BE LOCATED ONSITE AND SHALL BE STABILIZED WITH TEMPORARY SILT FENCE AND VEGETATION.
 - TEMPORARY SEEDING - 3.31 ALL DENUDED AREAS WHICH WILL BE LEFT DORMANT FOR MORE THAN 30 DAYS SHALL BE SEEDED WITH FAST GERMINATING TEMPORARY VEGETATION IMMEDIATELY FOLLOWING GRADING OF THOSE AREAS. SELECTION OF THE SEED MIXTURE SHALL DEPEND ON THE TIME OF YEAR IT IS APPLIED.
 - PERMANENT SEEDING - 3.32 FOLLOWING GRADING ACTIVITIES, ESTABLISH PERENNIAL VEGETATIVE COVER BY PLANTING SEED TO REDUCE EROSION, STABILIZE DISTURBED AREAS, AND ENHANCE NATURAL BEAUTY.

- MANAGEMENT STRATEGIES
- PROVIDE SEDIMENT TRAPPING MEASURES AS A FIRST STEP IN GRADING, SEED AND MULCH IMMEDIATELY FOLLOWING INSTALLATION.
 - PROVIDE TEMPORARY SEEDING OR OTHER STABILIZATION IMMEDIATELY AFTER GRADING.
 - ISOLATE TRENCHING FOR UTILITIES AND DRAINAGE FROM DOWNSTREAM CONVEYANCES IN ORDER TO MINIMIZE PERIMETER CONTROLS.
 - ALL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE MAINTAINED UNTIL THEY ARE NO LONGER REQUIRED TO COMPLY WITH THE CONTRACT DOCUMENTS OR STATE LAW.

PERMANENT STABILIZATION
ALL NON-PAVED AREAS DISTURBED BY CONSTRUCTION SHALL BE STABILIZED WITH PERMANENT SEEDING IMMEDIATELY FOLLOWING FINISHED GRADING. SEEDING SHALL BE IN ACCORDANCE WITH STD. & SPEC. 3.32, PERMANENT SEEDING. SEED TYPE SHALL BE AS SPECIFIED FOR "MINIMUM CARE LAWNS" AND "GENERAL SLOPES" IN THE HANDBOOK FOR SLOPES LESS THAN 3:1. FOR SLOPES GREATER THAN 3:1, SEED TYPE SHALL BE AS SPECIFIED FOR "LOW MAINTENANCE SLOPES" IN TABLE 3.32-D OF THE HANDBOOK. FOR MULCH (STRAW OR FIBER) SHALL BE USED ON ALL SEEDED SURFACES. IN ALL SEEDING OPERATIONS SEED, FERTILIZER AND LIME SHALL BE APPLIED PRIOR TO MULCHING.

- SEQUENCE OF INSTALLATION
PHASE 1
- A PRE-CONSTRUCTION MEETING IS REQUIRED WITH THE CITY OF CHARLOTTESVILLE E&S INSPECTOR, CONTRACTOR, OWNER, AND ENGINEER. THIS MEETING SHALL TAKE PLACE AT THE NEIGHBORHOOD DEVELOPMENT SERVICES DEPARTMENT. CLEARING LIMITS MUST BE FLAGGED PRIOR TO THE MEETING WITH ONE (1) WEEK OF NOTICE.
 - INSTALL CONSTRUCTION ENTRANCE. SHOULD THE TEMPORARY CONSTRUCTION ENTRANCE NOT BE MAINTAINED PROPERLY OR AN EXCESSIVE AMOUNT OF SOIL BE TRACKED ONTO THE PUBLIC ROADWAY, THEN A PAVED CONSTRUCTION ENTRANCE, WATER TANKER TRUCK WITH PRESSURE WASHERS, AND SETTING AREA MAY BE REQUIRED BY THE EROSION CONTROL INSPECTOR.
 - INSTALL PERIMETER SILT FENCE AND TREE PROTECTION ALONG LIMITS OF DISTURBANCE.
 - AFTER ALL EROSION CONTROL MEASURES SHOWN IN PHASE 1 E&S PLAN ARE INSTALLED AND APPROVED BY INSPECTOR, THE CONTRACTOR CAN BEGIN CLEARING, DEMOLITION AND GRADING.
 - SEED ALL DENUDED AREAS PER VESCH STANDARDS.

- PHASE 2
- INSTALL ADDITIONAL INLET PROTECTION WHERE SHOWN ON THE PHASE 2 E&S PLAN, AS THE STORM SYSTEM IS CONSTRUCTED AND BECOMES OPERATIONAL.
 - ALL STORMWATER PIPING AND STRUCTURES SHALL BE INSPECTED FOR SILT/SEDIMENT. IF PRESENT SILT/SEDIMENT SHALL BE CLEANED OUT FOR THE SYSTEM TO THE SATISFACTION OF THE E&S INSPECTOR.
 - FINE GRADE REMAINING PROJECT AREA. APPLY PERMANENT SOIL STABILIZATION WITHIN SEVEN DAYS AFTER FINAL GRADE IS ACHIEVED.
 - ONCE CONSTRUCTION IS COMPLETE AND ALL CONTRIBUTING AREAS ARE STABILIZED, EROSION CONTROL MEASURES CAN BE REMOVED UPON APPROVAL FROM THE E&S INSPECTOR.

PROJECT SOIL INFORMATION:

121C - CULPEPER URBAN LAND COMPLEX, 7 TO 15 PERCENT SLOPES. HYDROLOGIC SOIL GROUP: B

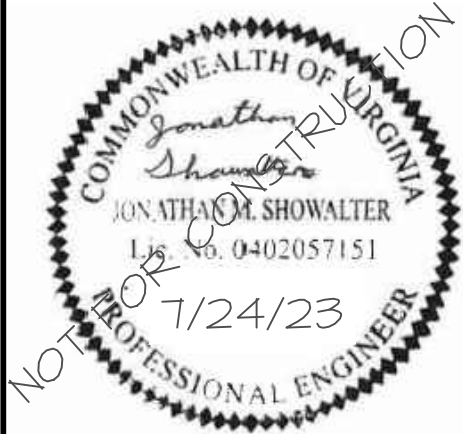
MINIMUM STANDARDS:

- AN EROSION AND SEDIMENT CONTROL PROGRAM ADOPTED BY A DISTRICT OR LOCALITY MUST BE CONSISTENT WITH THE FOLLOWING CRITERIA, TECHNIQUES AND METHODS:
- MS-1. PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT FOR LONGER THAN 14 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR.
- MS-2. DURING CONSTRUCTION OF THE PROJECT, SOIL STOCKPILES AND BORROW AREAS SHALL BE STABILIZED OR PROTECTED WITH SEDIMENT TRAPPING MEASURES. THE APPLICANT IS RESPONSIBLE FOR THE TEMPORARY PROTECTION AND PERMANENT STABILIZATION OF ALL SOIL STOCKPILES ON SITE AS WELL AS BORROW AREAS AND SOIL INTENTIONALLY TRANSPORTED FROM THE PROJECT SITE.
- MS-3. A PERMANENT VEGETATIVE COVER SHALL BE ESTABLISHED ON DENUDED AREAS NOT OTHERWISE PERMANENTLY STABILIZED. PERMANENT VEGETATION SHALL NOT BE CONSIDERED ESTABLISHED UNTIL A GROUND COVER IS ACHIEVED THAT IS UNIFORM, MATURE ENOUGH TO SURVIVE AND WILL INHIBIT EROSION.
- MS-4. SEDIMENT TRAPS, PERIMETER DIKES, SEDIMENT BARRIERS AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND-DISTURBING ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE.
- MS-5. STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS, DIKES AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.
- MS-6. SEDIMENT TRAPS SHALL BE DESIGNED AND CONSTRUCTED BASED UPON THE TOTAL DRAINAGE AREA TO BE SERVED BY THE TRAP.
A. THE MINIMUM STORAGE CAPACITY OF A SEDIMENT TRAP SHALL BE 134 CUBIC YARDS PER ACRE OF DRAINAGE AREA AND THE TRAP SHALL ONLY CONTROL DRAINAGE AREAS LESS THAN THREE ACRES.
- MS-7. CUT AND FILL SLOPES SHALL BE DESIGNED AND CONSTRUCTED IN A MANNER THAT WILL MINIMIZE EROSION. SLOPES THAT ARE FOUND TO BE ERODING EXCESSIVELY WITHIN ONE YEAR OF PERMANENT STABILIZATION SHALL BE PROVIDED WITH ADDITIONAL SLOPE STABILIZING MEASURES UNTIL THE PROBLEM IS CORRECTED.
- MS-8. CONCENTRATED RUNOFF SHALL NOT FLOW DOWN CUT OR FILL SLOPES UNLESS CONTAINED WITHIN AN ADEQUATE TEMPORARY OR PERMANENT CHANNEL, FLUME OR SLOPE DRAIN STRUCTURE.
- MS-9. WHENEVER WATER SEEPS FROM A SLOPE FACE, ADEQUATE DRAINAGE OR OTHER PROTECTION SHALL BE PROVIDED.
- MS-10. ALL STORM SEWER INLETS THAT ARE MADE OPERABLE DURING CONSTRUCTION SHALL BE PROTECTED SO THAT SEDIMENT-LADEN WATER CANNOT ENTER THE CONVEYANCE SYSTEM WITHOUT FIRST BEING FILTERED OR OTHERWISE TREATED TO REMOVE SEDIMENT.
- MS-11. BEFORE NEWLY CONSTRUCTED STORMWATER CONVEYANCE CHANNELS OR PIPES ARE MADE OPERATIONAL, ADEQUATE OUTLET PROTECTION AND ANY REQUIRED TEMPORARY OR PERMANENT CHANNEL LINING SHALL BE INSTALLED IN BOTH THE CONVEYANCE CHANNEL AND RECEIVING CHANNEL.
- MS-12. WHEN WORK IN A LIVE WATERCOURSE IS PERFORMED, PRECAUTIONS SHALL BE TAKEN TO MINIMIZE ENCROACHMENT, CONTROL SEDIMENT TRANSPORT AND STABILIZE THE WORK AREA TO THE GREATEST EXTENT POSSIBLE DURING CONSTRUCTION. NONERODIBLE MATERIAL SHALL BE USED FOR THE CONSTRUCTION OF CAUSEWAYS AND COFFERDAMS. EARTHEN FILL MAY BE USED FOR THESE STRUCTURES IF ARMORED BY NONERODIBLE COVER MATERIALS.
- MS-13. WHEN A LIVE WATERCOURSE MUST BE CROSSED BY CONSTRUCTION VEHICLES MORE THAN TWICE IN ANY SIX-MONTH PERIOD, A TEMPORARY VEHICULAR STREAM CROSSING CONSTRUCTED OF NONERODIBLE MATERIAL SHALL BE PROVIDED.
- MS-14. ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS PERTAINING TO WORKING IN OR CROSSING LIVE WATERCOURSES SHALL BE MET.
- MS-15. THE BED AND BANKS OF A WATERCOURSE SHALL BE STABILIZED IMMEDIATELY AFTER WORK IN THE WATERCOURSE IS COMPLETED.
- MS-16. UNDERGROUND UTILITY LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING STANDARDS IN ADDITION TO OTHER APPLICABLE CRITERIA:
A. NO MORE THAN 500 LINEAR FEET OF TRENCH MAY BE OPENED AT ONE TIME.
B. EXCAVATED MATERIAL SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES.
C. EFFLUENT FROM DEWATERING OPERATIONS SHALL BE FILTERED OR PASSED THROUGH AN APPROVED SEDIMENT TRAPPING DEVICE, OR BOTH, AND DISCHARGED IN A MANNER THAT DOES NOT ADVERSELY AFFECT FLOWING STREAMS OR OFF-SITE PROPERTY.
D. MATERIAL USED FOR BACKFILLING TRENCHES SHALL BE PROPERLY COMPACTED IN ORDER TO MINIMIZE EROSION AND PROMOTE STABILIZATION.
E. RESTABILIZATION SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THESE REGULATIONS.
F. APPLICABLE SAFETY REGULATIONS SHALL BE COMPLIED WITH.
- MS-17. WHERE CONSTRUCTION VEHICLE ACCESS ROUTES INTERSECT PAVED OR PUBLIC ROADS, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY VEHICULAR TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED ONTO A PAVED OR PUBLIC ROAD SURFACE, THE ROAD SURFACE SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTED TO A SEDIMENT CONTROL DISPOSAL AREA. STREET WASHING SHALL BE ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER. THIS PROVISION SHALL APPLY TO INDIVIDUAL DEVELOPMENT LOTS AS WELL AS TO LARGER LAND-DISTURBING ACTIVITIES.
- MS-18. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE AUTHORIZED BY THE LOCAL PROGRAM AUTHORITY. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED TO PREVENT FURTHER EROSION AND SEDIMENTATION.
- MS-19. PROPERTIES AND WATERWAYS DOWNSTREAM FROM DEVELOPMENT SITES SHALL BE PROTECTED FROM SEDIMENT DEPOSITION, EROSION AND DAMAGE DUE TO INCREASES IN VOLUME, VELOCITY AND PEAK FLOW RATE OF STORMWATER RUNOFF FOR THE STATED FREQUENCY STORM OF 24-HOUR DURATION IN ACCORDANCE WITH THE STANDARDS AND CRITERIA LISTED IN SECTION 19 OF VIRGINIA ADMINISTRATIVE CODE 9VAC25-840-40 MINIMUM STANDARDS.

GENERAL EROSION AND SEDIMENT CONTROL NOTES:

- ES-1: UNLESS OTHERWISE INDICATED, CONSTRUCT AND MAINTAIN ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE LATEST EDITION OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATIONS VR 625-02-00 EROSION AND SEDIMENT CONTROL REGULATIONS.
- ES-2: THE CONTROLLING EROSION AND SEDIMENT CONTROL AUTHORITY WILL MAKE A CONTINUING REVIEW AND EVALUATION OF THE METHODS AND EFFECTIVENESS OF THE EROSION CONTROL PLAN.
- ES-3: PLACE ALL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO OR AS THE FIRST STEP IN CLEARING, GRADING, OR LAND DISTURBANCE.
- ES-4: MAINTAIN A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN ON THE SITE AT ALL TIMES.
- ES-5: PRIOR TO COMMENCING LAND-DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING, BUT NOT LIMITED TO, OFFSITE BORROW OR WASTE AREA), SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE ARCHITECT/ENGINEER AND THE CONTROLLING EROSION AND SEDIMENT CONTROL AUTHORITY FOR REVIEW AND ACCEPTANCE.
- ES-6: PROVIDE ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS DETERMINED BY THE RESPONSIBLE LAND DISTURBER. (MODIFIED NOTE)
- ES-7: ALL DISTURBED AREAS SHALL DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND-DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT.
- ES-8: DURING DEWATERING OPERATIONS, PUMP WATER INTO AN APPROVED FILTERING DEVICE.
- ES-9: INSPECT ALL EROSION CONTROL MEASURES DAILY AND AFTER EACH RUNOFF- PRODUCING RAINFALL EVENT. MAKE ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES IMMEDIATELY.

TABLE 3.31-B ACCEPTABLE TEMPORARY SEEDING PLANT MATERIALS "QUICK REFERENCE FOR ALL REGIONS"		
PLANTING DATES	SPECIES	RATE (LBS./ACRE)
SEPT. 1 - FEB. 15	50/50 MIX OF ANNUAL RYEGRASS (LOLIUM MULTI-FLORUM) & CEREAL (WINTER) RYE (SECALE CEREALE)	75
FEB. 16 - APR. 30	ANNUAL RYEGRASS (LOLIUM MULTI-FLORUM)	75
MAY 1 - AUG. 31	GERMAN MILLET (SETARIA ITALICA)	50
TS		3.31
TEMPORARY SEEDING PLANT MATERIALS		
No Scale		
TABLE 3.32-D SITE SPECIFIC SEEDING MIXTURES FOR PIEDMONT AREA		
		TOTAL LBS. PER ACRE
MINIMUM CARE LAWN		
COMMERCIAL OR RESIDENTIAL		180 LBS.
KENTUCKY 31 OR TURF-TYPE TALL FESCUE		95%
IMPROVED PERENNIAL RYEGRASS		0-5%
KENTUCKY BLUEGRASS		0-5%
GENERAL SLOPE (3:1 OR LESS)		
KENTUCKY 31 FESCUE		128 LBS.
RED TOP GRASS		2 LBS.
SEASONAL NURSE CROP *		20 LBS.
LOW-MAINTENANCE SLOPE (STEEPER THAN 3:1)		150 LBS.
* SEE SLOPE STABILIZATION SEED MIX		
* USE SEASONAL NURSE CROP IN ACCORDANCE WITH SEEDING DATES AS STATED BELOW: FEBRUARY 16TH THROUGH APRIL..... ANNUAL RYE MAY 1ST THROUGH AUGUST 15TH..... FOXTAIL MILLET AUGUST 16TH THROUGH OCTOBER..... ANNUAL RYE NOVEMBER THROUGH FEBRUARY 15TH..... WINTER RYE		
** SUBSTITUTE SERICEA LESPEDEZA FOR CROWNVELTCH EAST OF FARMVILLE, VA (MAY THROUGH SEPTEMBER USE HULLED SERICEA, ALL OTHER PERIODS, USE UNHULLED SERICEA). IF FLATPEA IS USED IN LIEU OF CROWNVELTCH, INCREASE RATE TO 30 LBS./ACRE. ALL LEGUME SEED MUST BE PROPERLY INOCULATED. WEEPING LOVEGRASS MAY BE ADDED TO ANY SLOPE OR LOW-MAINTENANCE MIX DURING WARMER SEEDING PERIODS; ADD 10-20 LBS./ACRE IN MIXES.		
PS		3.32
PERMANENT SEEDING MIX FOR PIEDMONT AREA		
No Scale		



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SITE PLAN AMENDMENT #1

REVISION DESCRIPTION

DATE

DATE
07/24/2023

DRAWN BY
M.AKMAL

DESIGNED BY
J.SHOWALTER

CHECKED BY
J.SHOWALTER

SCALE
N.A.

TIMMONS GROUP

CLARKE COURT PRELIMINARY SITE PLAN
CITY OF CHARLOTTESVILLE - VIRGINIA

EROSION & SEDIMENT CONTROL NOTES & DETAILS

JOB NO.
58925

SHEET NO.
C3.0

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No Scale

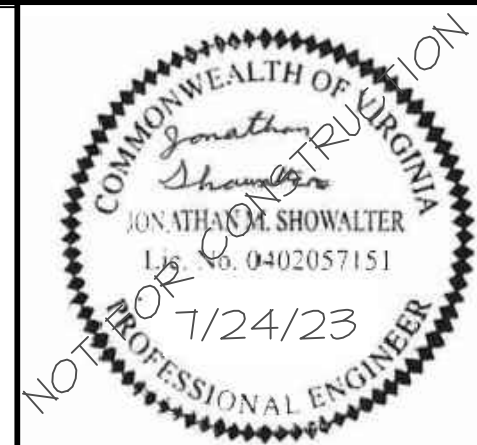
No Scale

No Scale

PERSPECTIVE VIEW

PERSPECTIVE VIEW
PLASTIC FENCE

PERSPECTIVE VIEW
METAL FENCE



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DATE _____

DATE
7/24/202

DRAWN BY
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DESIGNED BY
SHOWALTE

CHECKED BY
SHOWAI TR

SCALE
N.A.

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CLARKE COURT PRELIMINARY SITE PLAN

CITY OF CHARLOTTEVILLE - VIRGINIA

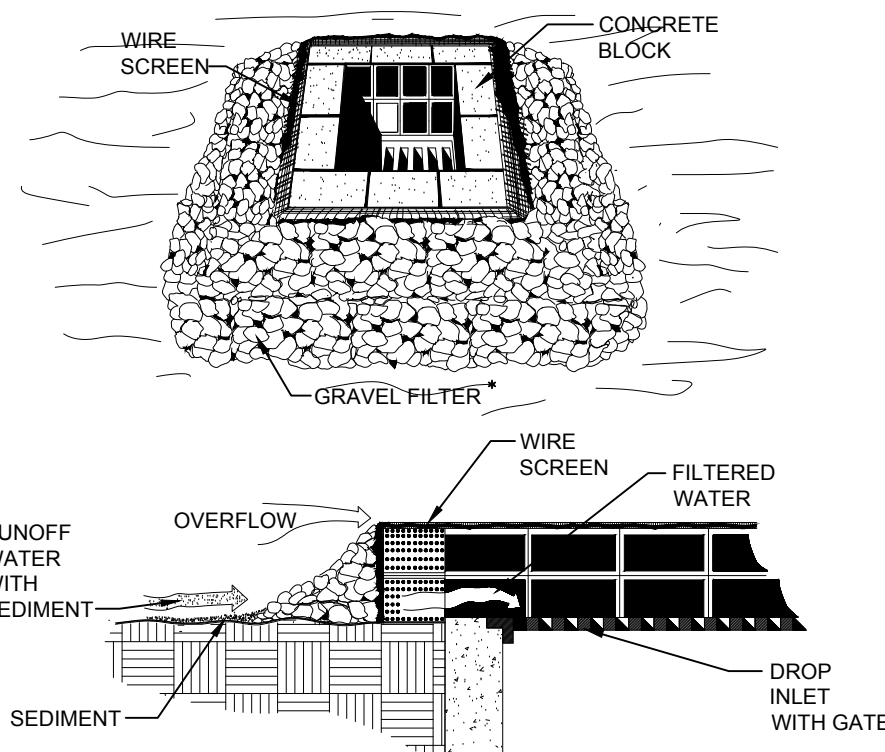
EROSION & SEDIMENT CONTROL NOTES & DETAILS

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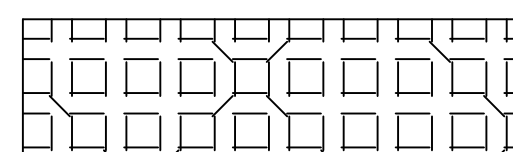
BLOCK AND GRAVEL DROP INLET SEDIMENT FILTER



SPECIFIC APPLICATION: THIS METHOD OF INLET PROTECTION IS APPLICABLE WHERE HEAVY FLOWS ARE EXPECTED AND WHERE AN OVERFLOW CAPACITY IS NECESSARY TO PREVENT EXCESSIVE PONDING AROUND THE STRUCTURE.

* GRAVEL SHALL BE VDOT #3, #357 OR #5 COARSE AGGREGATE

IP



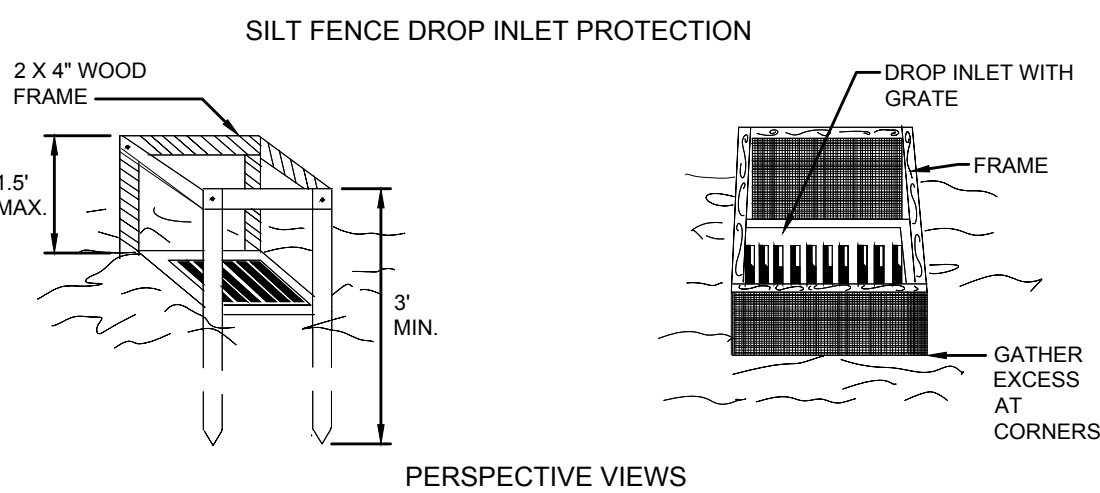
STANDARD ORANGE VINYL OR PLASTIC CONSTRUCTION FENCE ATTACHED TO POSTS (PRE-WEATHERED WOOD, GALVANIZED STEEL, IRON OR THICK PVC PLASTIC), AT LEAST 40" ABOVE FINISH GRADE WITH SPAN BETWEEN POSTS NO GREATER THAN 6' ON CENTER. EVERY NINTH POST SHALL CONTAIN A WARNING SIGN THAT CLEARLY IDENTIFIES THE FENCE AS A TREE PROTECTION FENCE.

NO SCALE

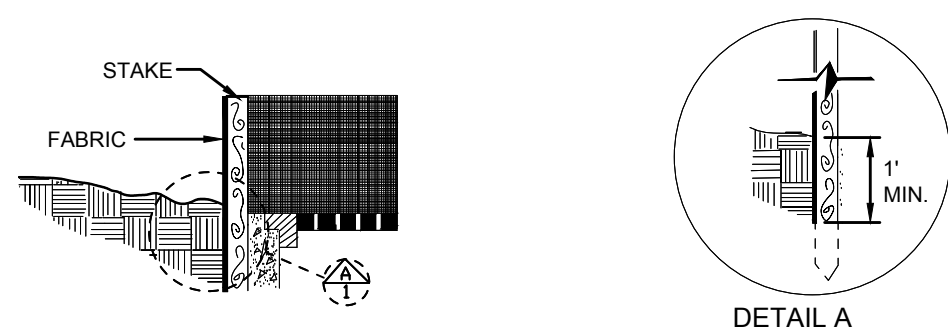
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STORM DRAIN INLET PROTECTION

No Scale

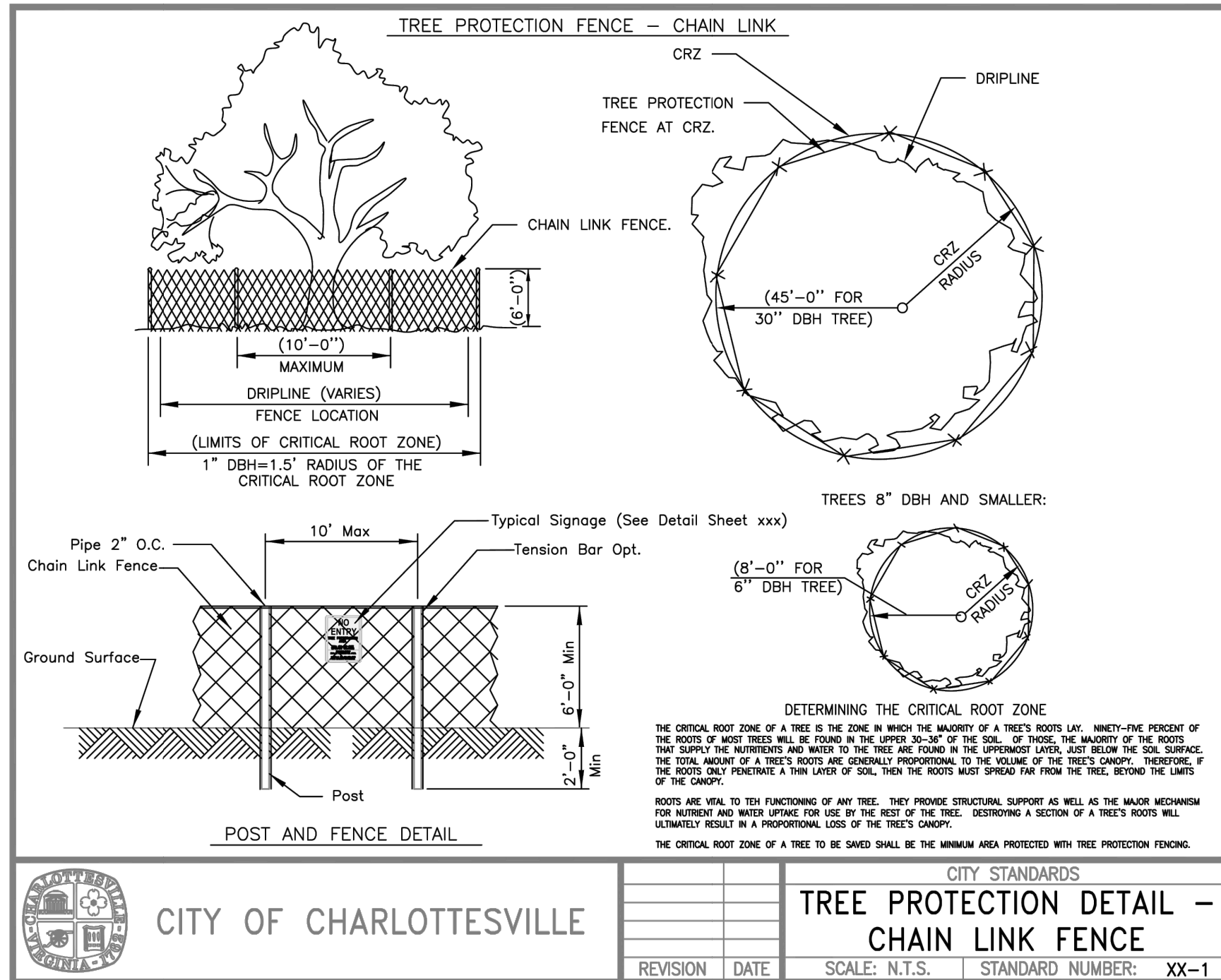


PERSPECTIVE VIEWS



DETAIL

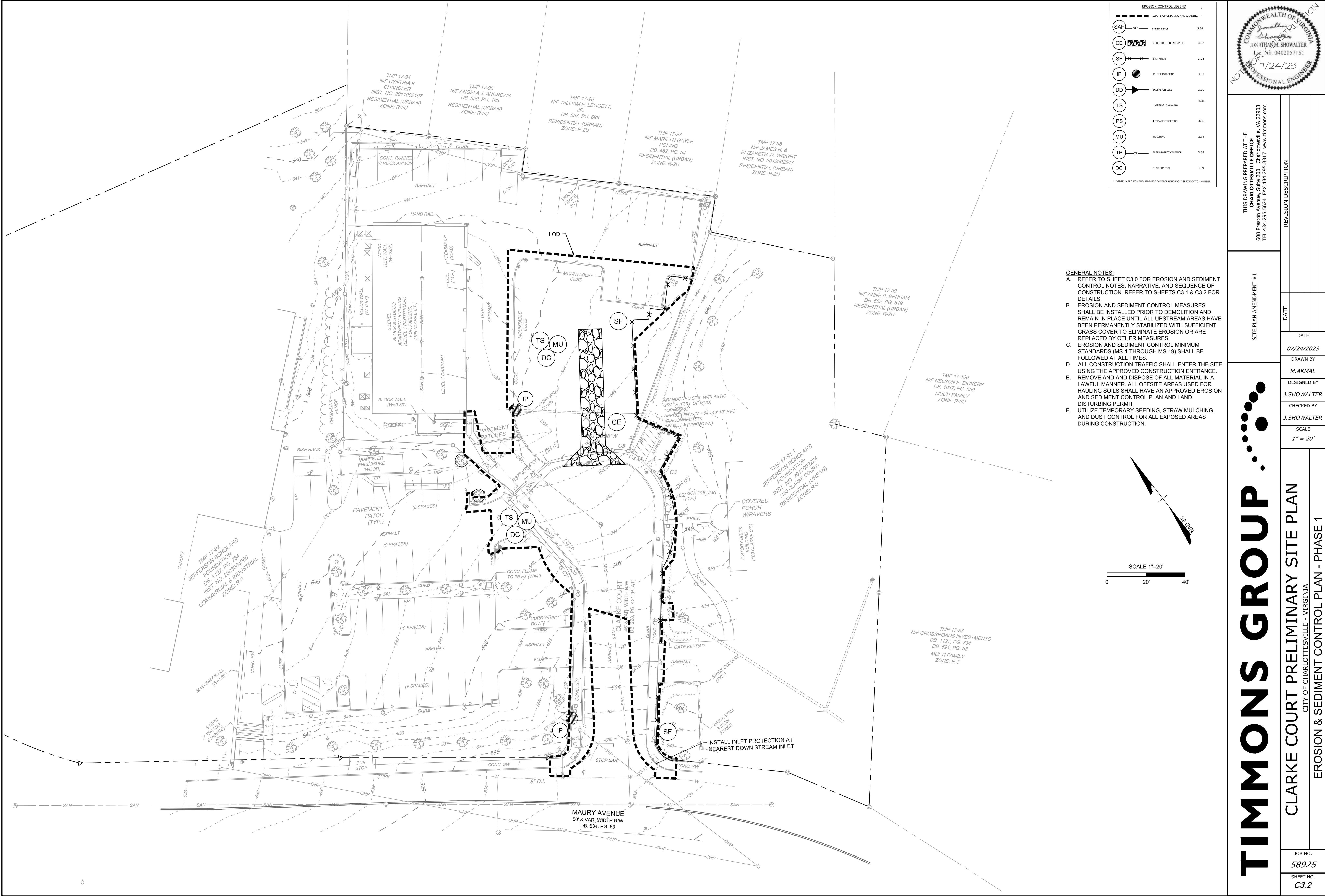
SPECIFIC APPLICATION
THIS METHOD OF INLET PROTECTION IS APPLICABLE WHERE THE INLET DRAINS A RELATIVELY FLAT AREA (SLOPE NO GREATER THAN 5%) WHERE THE INLET SHEET OR OVERLAND FLOWS (NOT EXCEEDING 1 C.F.S.) ARE TYPICAL. THE METHOD SHALL NOT APPLY TO INLETS RECEIVING CONCENTRATED FLOWS, SUCH AS IN STREET OR HIGHWAY MEDIANS.



IP

STORM DRAIN INLET PROTECTION

No Scale



- GENERAL NOTES:
- REFER TO SHEET C3.0 FOR EROSION AND SEDIMENT CONTROL NOTES, NARRATIVE, AND SEQUENCE OF CONSTRUCTION. REFER TO SHEETS C3.1 & C3.2 FOR DETAILS.
 - EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO DEMOLITION AND REMAIN IN PLACE UNTIL ALL UPSTREAM AREAS HAVE BEEN PERMANENTLY STABILIZED WITH SUFFICIENT GRASS COVER TO ELIMINATE EROSION OR ARE REPLACED BY OTHER MEASURES.
 - EROSION AND SEDIMENT CONTROL MINIMUM STANDARDS (MS-1 THROUGH MS-19) SHALL BE FOLLOWED AT ALL TIMES.
 - ALL CONSTRUCTION TRAFFIC SHALL ENTER THE SITE USING THE APPROVED CONSTRUCTION ENTRANCE.
 - REMOVE AND AND DISPOSE OF ALL MATERIAL IN A LAWFUL MANNER. ALL OFFSITE AREAS USED FOR HAULING SOILS SHALL HAVE AN APPROVED EROSION AND SEDIMENT CONTROL PLAN AND LAND DISTURBING PERMIT.
 - UTILIZE TEMPORARY SEEDING, STRAW MULCHING, AND DUST CONTROL FOR ALL EXPOSED AREAS DURING CONSTRUCTION.

COMMONWEALTH OF VIRGINIA
Shawalter
JAMES H. SHOWALTER
J.S. 0402057151
NOTARY
7/24/23
PROFESSIONAL ENGINEER

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SITE PLAN AMENDMENT #1

REVISION DESCRIPTION

DATE	
07/24/2023	DRAWN BY M.AKMAL
	DESIGNED BY J.SHOWALTER
	CHECKED BY J.SHOWALTER
	SCALE 1" = 20'

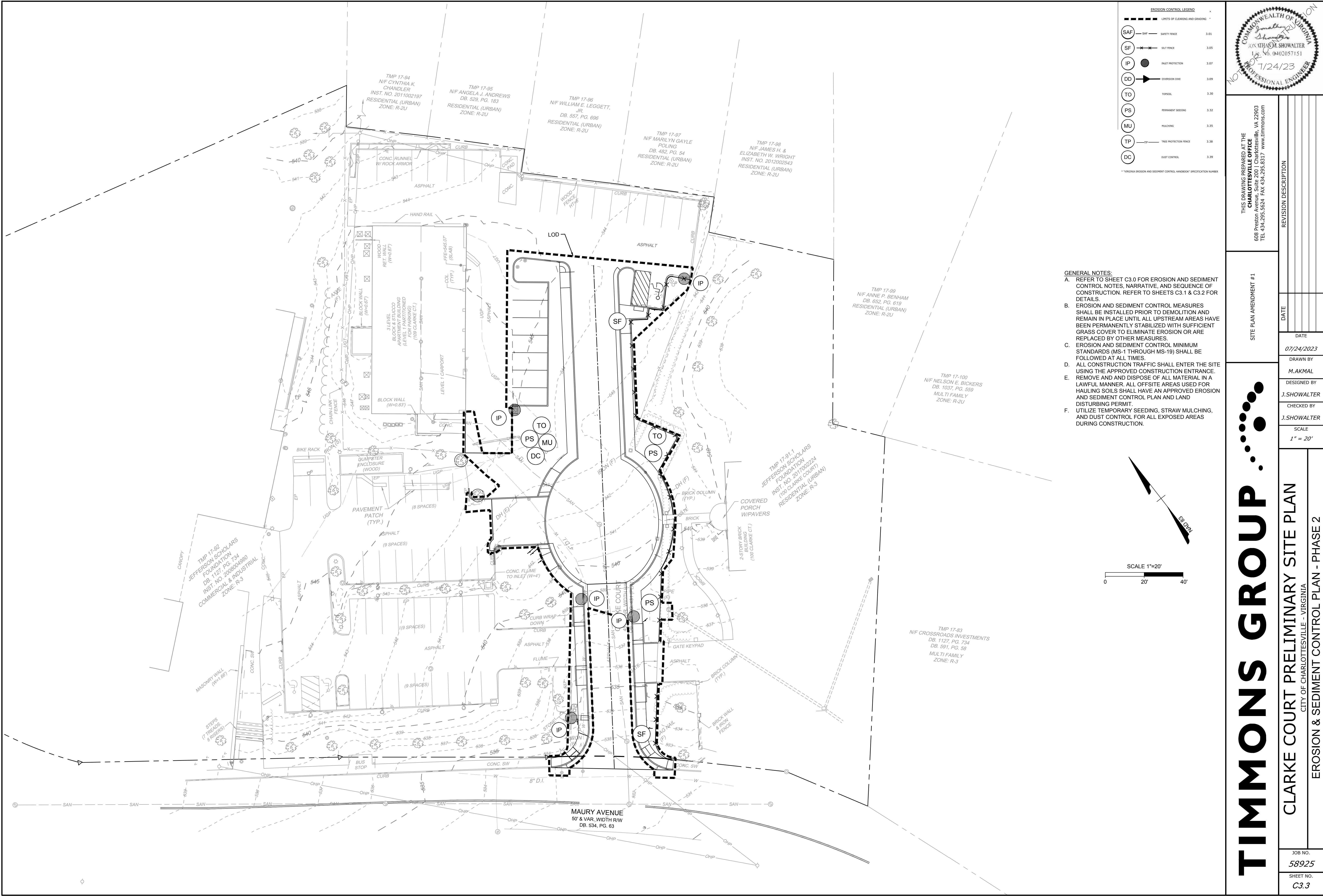
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CLARKE COURT PRELIMINARY SITE PLAN
CITY OF CHARLOTTESVILLE - VIRGINIA
EROSION & SEDIMENT CONTROL PLAN - PHASE 1

JOB NO.
58925

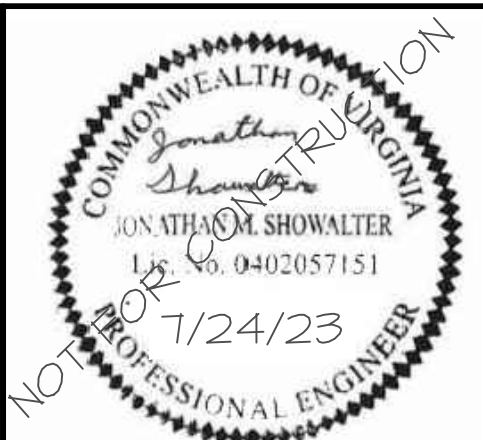
SHEET NO.
C3.2

Page 132 of 221



EROSION CONTROL LEGEND		
LIMITS OF CLEARING AND GRADING		
SAF	SAF	SAFETY FENCE 3.01
SF	SF	SILT FENCE 3.05
IP	IP	INLET PROTECTION 3.07
DD	DD	DIVERSION DIKE 3.09
TO	TO	TOPSOIL 3.30
PS	PS	PERMANENT SEEDING 3.32
MU	MU	MULCHING 3.35
TP	TP	TREE PROTECTION FENCE 3.38
DC	DC	DUST CONTROL 3.39
* VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK SPECIFICATION NUMBER		

- GENERAL NOTES:
- REFER TO SHEET C3.0 FOR EROSION AND SEDIMENT CONTROL NOTES, NARRATIVE, AND SEQUENCE OF CONSTRUCTION. REFER TO SHEETS C3.1 & C3.2 FOR DETAILS.
 - EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO DEMOLITION AND REMAIN IN PLACE UNTIL ALL UPSTREAM AREAS HAVE BEEN PERMANENTLY STABILIZED WITH SUFFICIENT GRASS COVER TO ELIMINATE EROSION OR ARE REPLACED BY OTHER MEASURES.
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 - UTILIZE TEMPORARY SEEDING, STRAW MULCHING, AND DUST CONTROL FOR ALL EXPOSED AREAS DURING CONSTRUCTION.



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	J.SHOWALTER	
SCALE		1" = 20'



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CLARKE COURT PRELIMINARY SITE PLAN

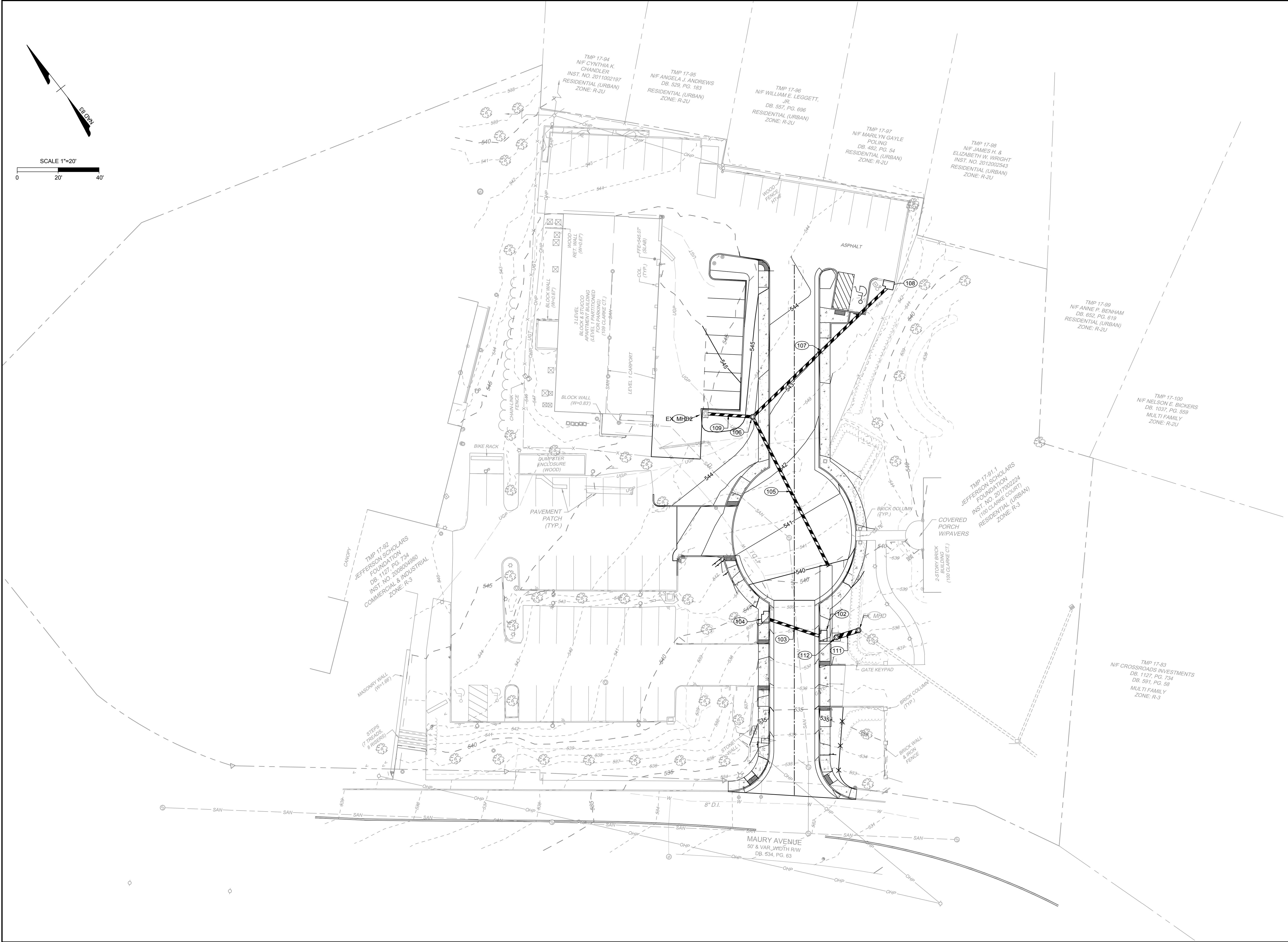
CITY OF CHARLOTTESVILLE - VIRGINIA

EROSION & SEDIMENT CONTROL PLAN - PHASE 2

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CLARKE COURT PRELIMINARY SITE PLAN

CITY OF CHARLOTTESVILLE - VIRGINIA

GRADING AND DRAINAGE PLAN

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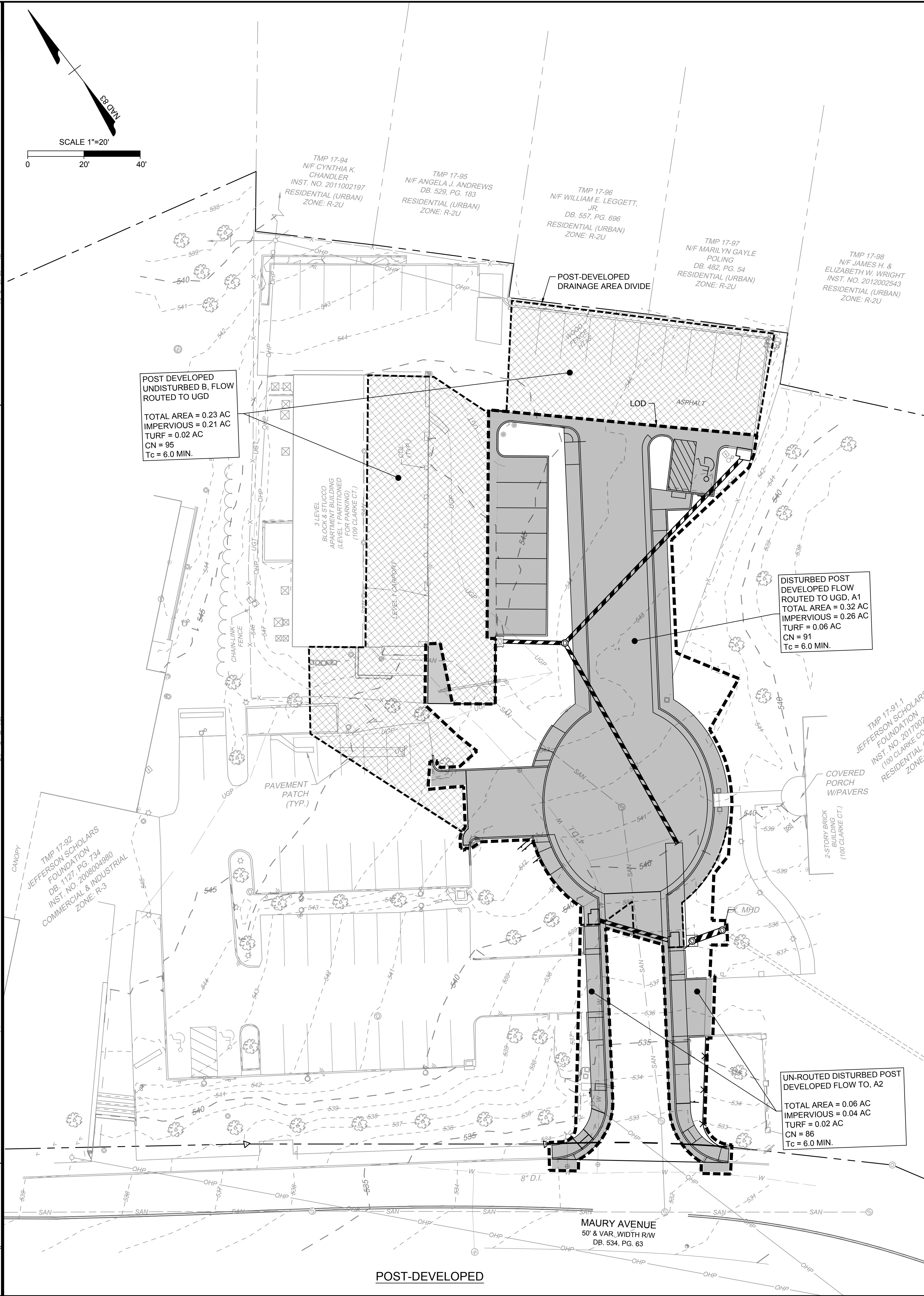
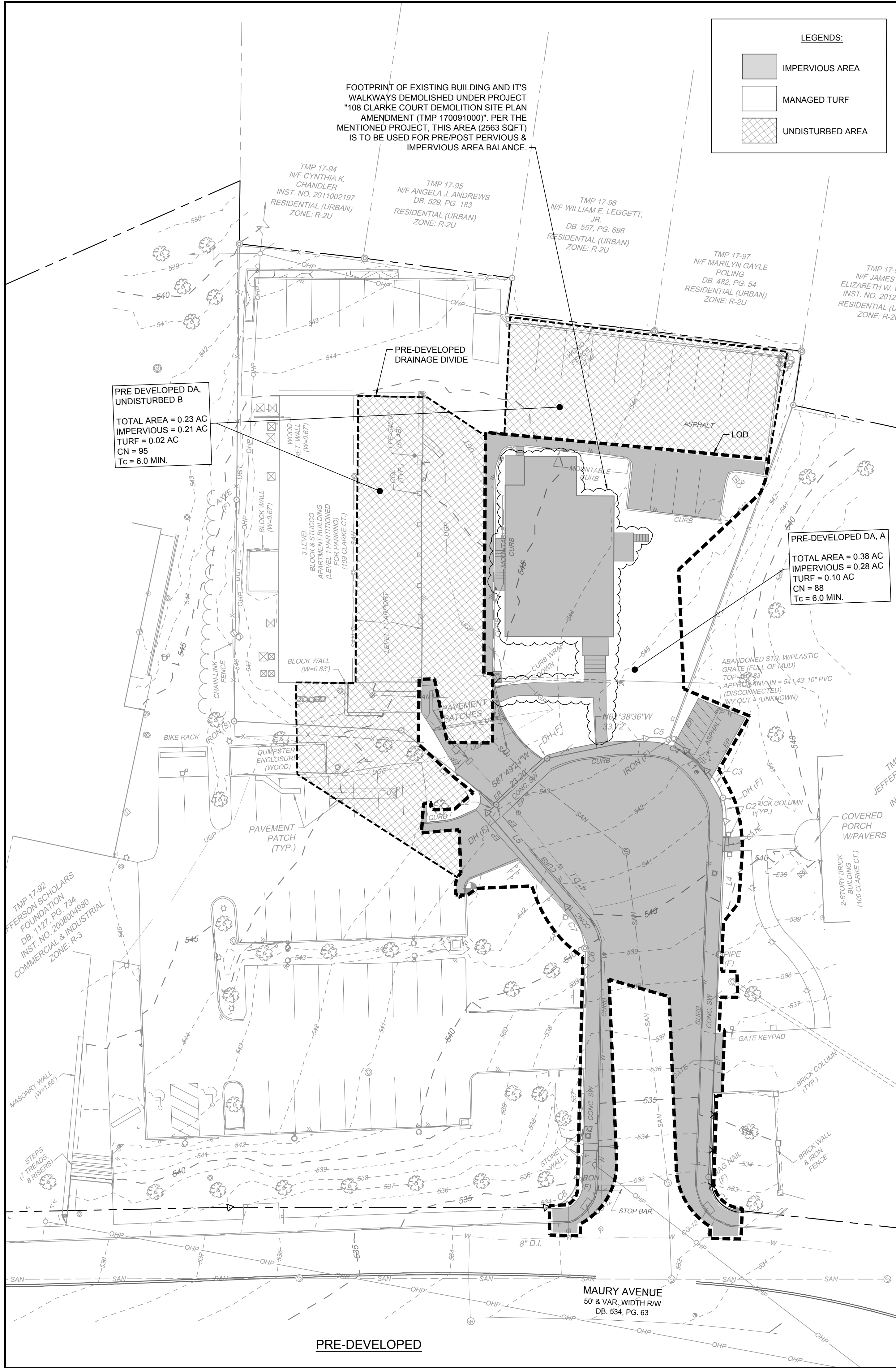
DESIGNED BY: J.SHOWALTER

CHECKED BY: J.SHOWALTER

SCALE: 1"=20'

JOB NO. 58925

SHEET NO. C5.0



COMMONWEALTH OF VIRGINIA
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608 Peach Avenue, Suite 200 | Charlottesville, VA 22903
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SITE PLAN AMENDMENT #1

REVISION DESCRIPTION

DATE	DATE	DRAWN BY	DESIGNED BY	CHECKED BY	SCALE
07/24/2023		M.AKMAL	J.SHOWALTER	J.SHOWALTER	1" = 20'

TIMMONS GROUP

CLARKE COURT PRELIMINARY SITE PLAN
CITY OF CHARLOTTEVILLE - VIRGINIA

STORMWATER MANAGEMENT PLAN

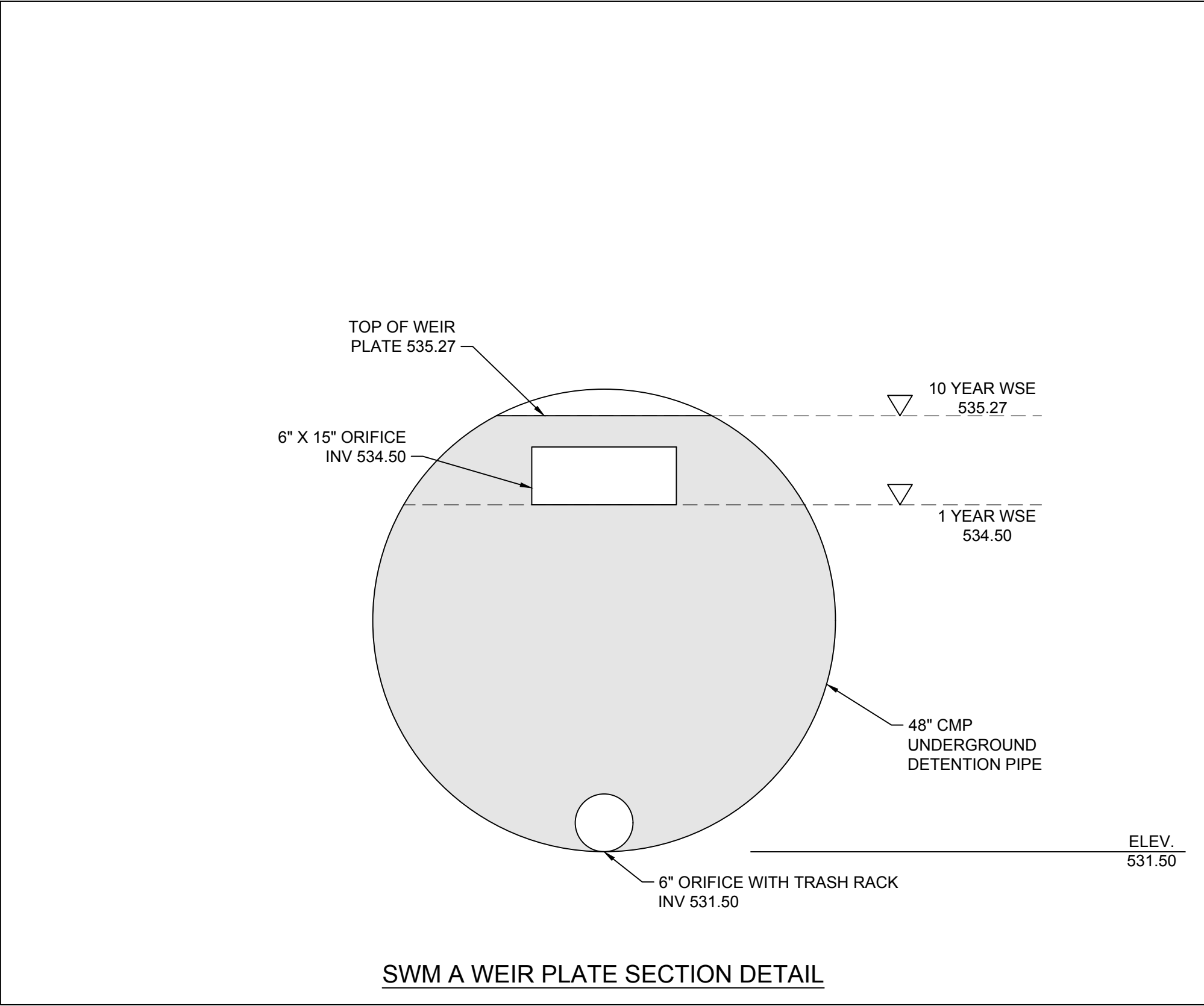
JOB NO.
58925

SHEET NO.
C6.0

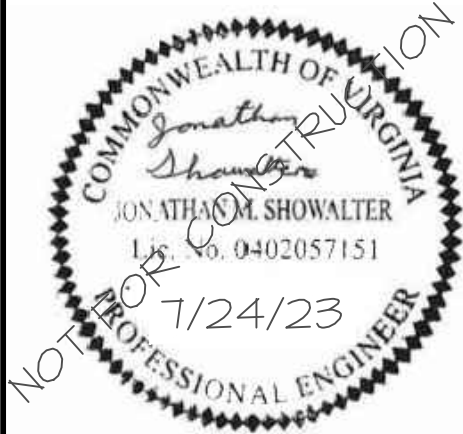
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SUMMARY FROM RUNOFF REDUCTION SPREAD SHEET:	
DISTURBED AREA:	0.38 ACRES
PRE-DEVELOPMENT LAND COVER:	
"B" SOILS:	0.15 AC TURF (B SOILS) 0.23 AC IMPERVIOUS 0.0 AC FOREST
POST-DEVELOPMENT LAND COVER:	
"B" SOILS:	0.09 AC TURF (B SOILS) 0.29 AC IMPERVIOUS 0.0 AC FOREST
REQUIRED REMOVAL:	0.16 LB/YR

WATER QUANTITY CALCULATIONS:	
CHANNEL PROTECTION (ENERGY BALANCE):	
$Q_{DEVELOPED} \leq 0.9(Q_{PRE-DEVELOPED} * RV_{PRE-DEVELOPED}) / RV_{DEVELOPED} + Q_{UNDISTURBED\ B}$	
	1.72 CFS \leq 0.9*(1.2 CFS*0.059 AC-FT)/(0.009 + 0.056) AC-FT + 0.91 CFS
OK	1.72 CFS \leq 1.89 CFS
FLOOD PROTECTION:	
POST-DEVELOPED $Q_{10} \leq$ PRE-DEVELOPED Q_{10}	
OK	4.34 CFS (POST-DEVELOPED Q_{10}) \leq 4.34 CFS (PRE-DEVELOPED Q_{10})

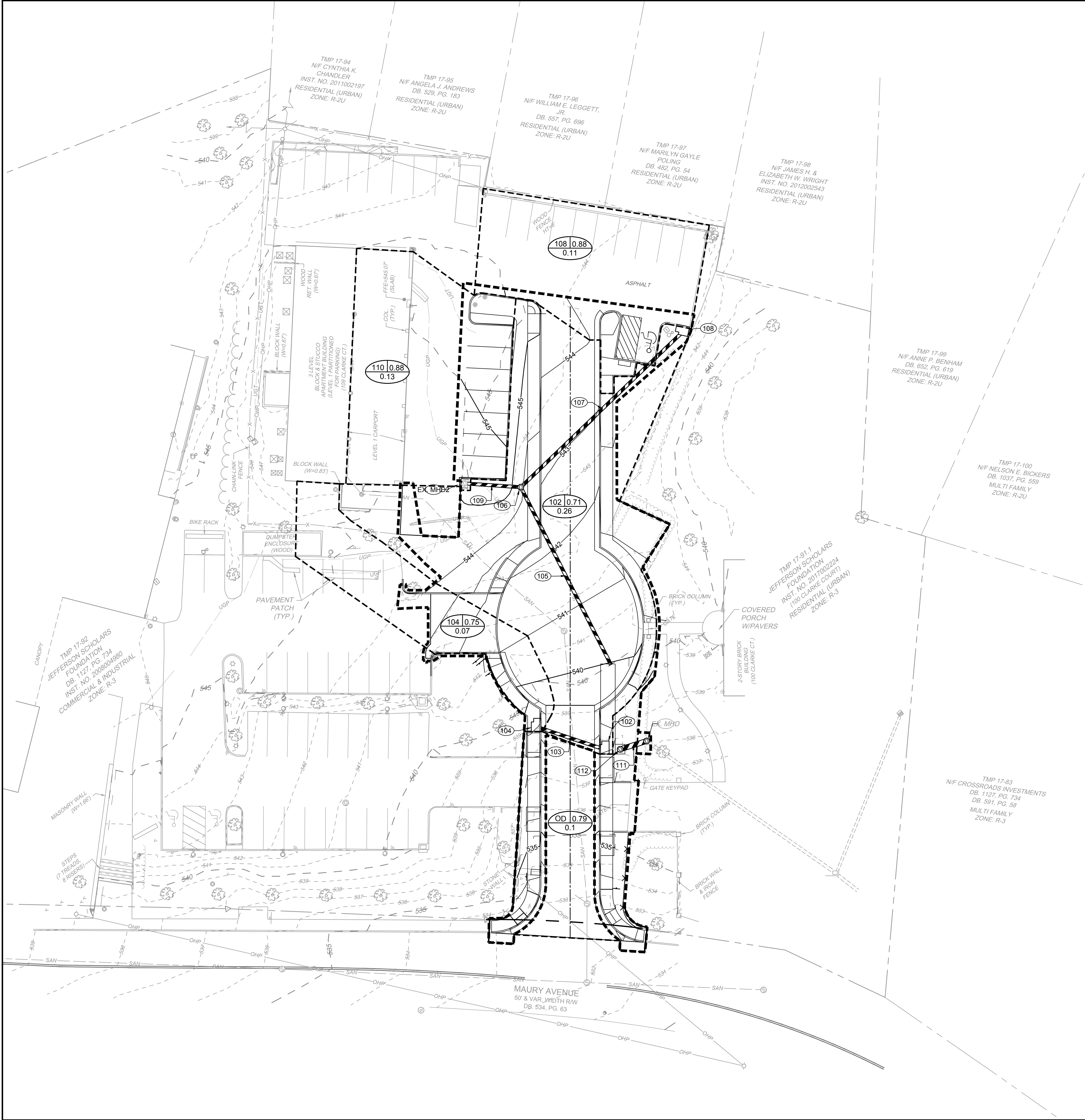


- DETENTION SYSTEM INSPECTION/MAINTENANCE SCHEDULE:
1. INSPECT PIPE SYSTEM BOTH UPSTREAM AND DOWNSTREAM OF WEIR PLATE CONTROL STRUCTURE FOR SEDIMENT BUILDUP ON A YEARLY BASIS.
 2. INSPECT WEIR PLATE CONTROL STRUCTURE FOR CLOGGED ORIFICES ON A YEARLY BASIS. IF ANY CONTROL ORIFICES ARE CLOGGED, REMOVE DEBRIS.
 3. EACH DETENTION PIPE SHALL BE CLEANED OUT ANNUALLY, OR MORE FREQUENTLY IF ANNUAL INSPECTION/CLEANING SHOWS MORE SEDIMENT THAN ANTICIPATED.



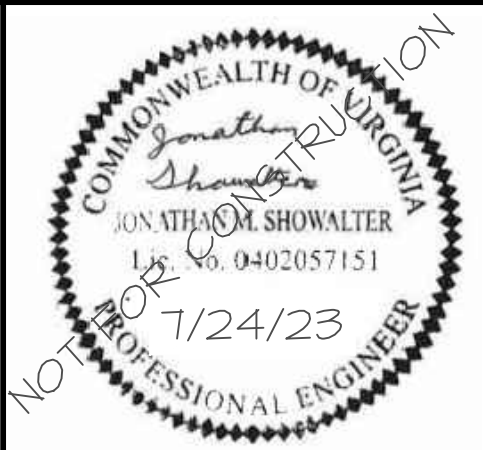
<div>TIMMONS GROUP</div> <div>CLARKE COURT PRELIMINARY SITE PLAN</div> <div>CITY OF CHARLOTTESVILLE - VIRGINIA</div> <div>STORMWATER NARRATIVES</div>	THIS DRAWING PREPARED AT THE CHARLOTTESVILLE OFFICE 608 Preston Avenue, Suite 200 Charlottesville, VA 22903 TEL 434.295.5624 FAX 434.295.8317 www.timmons.com		SITE PLAN AMENDMENT #1
	REVISION DESCRIPTION		
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J.SHOWALTER			
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J.SHOWALTER			
SCALE			
1" = 20'			
JOB NO.			
58925			
SHEET NO.			
C6.1			

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STORM PIPE TABLE			
PIPE #	DIA	LENGTH	DESCRIPTION
103	15"	29.51 LF	15" HDPE
105	15"	81.75 LF	15" HDPE
107	15"	92.92 LF	15" HDPE
109	15"	23.85 LF	15" HDPE
111	24"	11.37 LF	24" HDPE

STORM STRUCTURE TABLE	
STRUCTURE #	DESCRIPTION
102	DI-3B 4 ft Throat
104	DI-3B 4 ft Throat
106	48" Basic Manhole
108	DI-3B 4 ft Throat
112	48" Basic Manhole
EX. MHD	48" Basic Manhole
EX. MHD2	DI-3A



THIS DRAWING PREPARED AT THE
CHARLOTTEVILLE OFFICE
608 Peachtree Avenue, Suite 200 | Charlottesville, VA 22903
TEL: 534.425.5824 FAX: 434.295.8317 www.timmons.com

SITE PLAN AMENDMENT # 1	
DATE	
DATE	
07/24/2023	
DRAWN BY	

DRAWN BY	M.AKMAL
DESIGNED BY	J.SHOWALTER
CHECKED BY	J.SHOWALTER
SCALE	

CLARKE COURT PRELIMINARY SITE PLAN
CITY OF CHARLOTTEVILLE - VIRGINIA
INLET DRAINAGE AREA MAP

JOB NO.	58925
SHEET NO.	C6.2

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CITY OF CHARLOTTESVILLE

Department of Neighborhood Development Services

City Hall Post Office Box 911

Charlottesville, Virginia 22902

Telephone 434-970-3182

Fax 434-970-3359

www.charlottesville.gov



September 25, 2023

Jefferson Scholars Foundation

Attn: Jay Kessler

112 Clarke Court

Charlottesville, VA 22903

RE: 108 Clarke Court Preliminary Site Plan 1st Submittal Comments

Dear Applicant:

Thank you for presenting the site plan for the above referenced development initially on July 27, 2023. For the reasons set forth below, the plan is hereby denied. Please address these deficiencies and re-submit your plan within ninety (90) days per Section 34-820(a), or by December 27, 2023. If you are unable to re-submit by this date, you can request an extension per Section 34-823(e).

City Staff have made a good faith effort to identify all deficiencies within this submission; however, in the event that there remains any other deficiency which, if left uncorrected, would violate local, state or federal law, regulations, or mandatory engineering and safety requirements, such other deficiency shall not be considered, treated or deemed as having been approved. These comments are based on the current submission; future submissions may generate additional comments. Comments designated with a (P) must be completed prior to preliminary site plan approval. Comments designated with a (F) must be completed prior to final site plan approval.

Please revise the plan and resubmit ten (10) paper copies and one (1) electronic copy (PDF) for review. If you have questions, please feel free to contact me at 434-970-3636 or alfelem@charlottesville.gov and I will be happy to assist you.

Sincerely,

Matt Alfele, AICP

City Planner

C: Timmons Group: Attn: Jonathan Showalter, P.E. Jonathan.Showalter@timmons.com

Neighborhood Development Services

Planning – Matt Alfele

General

- A. (P) Please note the following items must be completed prior to preliminary site plan approval:
 - a. Per the City Resolution passed September 16, 2019 and titled “Approving Update Procedures for the Alteration of Streets, Alleys, Public Rights-of-Way and Public Easements” (attached); City Council must hold a Public Hearing and approve the requested street vacation prior to the approval of the Preliminary Site Plan (Part One, #4, b.). See additional information below under “Street Vacation”.
2. (F) The City’s Agent will not sign the final site plan until:
 - a. Bonds for public improvements, erosion & sediment control, and stormwater management facilities, as applicable, in the amounts approved by the Engineering Division must be submitted and accepted by the City Attorney’s Office prior to final site plan approval.
 - b. The subdivision plat must be submitted, approved, and recorded in the City’s land records. Per Section 29-76(a), the Planning Commission must approve the preliminary plat for all major subdivisions.
3. Please note: pursuant to state law, whether or not specific improvements depicted on this site plan will satisfy requirements of the Americans With Disabilities Act, or other standards set forth within the Virginia Uniform Statewide Building Code (USBC), is subject to review and determination by the Building Code Official. The Site Plan Agent’s approval of this site plan does not constitute any determination that off-street parking, improved surfaces, vertical or horizontal sidewalk clearances, parking space dimensions and slopes, or ingress/egress from parking to building entrances, or any other improvements, comply with ADA requirements or other requirements set forth within the USBC. Relative to requirements of the ADA/ USBC, any deficiencies—even if apparent on this site plan—shall not be considered, treated or deemed as having been approved by the Site Plan Agent. (See, e.g., Sections 34-980, 34-982, 34-896, 34-897, 34-977, et al.).
4. Reminder: per Section 29-260(a), relevant to this development per Section 34-803(d), all site-related improvements shall be completed prior to the first certificate of occupancy for any building, unless a written agreement with the City is completed to lay out specific phasing of site-related improvements. Such agreement shall be signed by all relevant parties and recorded by the applicant.
5. Reminder: Per Section 10-56(a), the Stormwater Maintenance Agreement must be submitted, reviewed, signed, and recorded in the City’s land records. Per Section 29-231(c) applicable per Sections 34-827(d)(9) and 34-914, a maintenance easement plat must be prepared to provide access for maintenance and inspection purposes. Per Section 10-56(a)(1), the agreement must be approved and signed prior to approval of the final site plan. Proof of recordation must be submitted prior to the issuance of a land disturbance permit.

Development

6. (For Final Site Plan): If City Council approves the street vacation, 108 Clarke Court will be nonconforming due to not have frontage on a City maintain street (Section 29-161). This nonconforming issue will need to be addressed prior to Final Site Plan approval.

Street Vacation

7. If the applicant wishes to pursue a Public Hearing with City Council to vacate Clarke Court, in conjunction with this proposed development, please refer to the attached resolution and the steps below: Please note this is a separate packet than the Preliminary Site Plan. Elements required in the Street Vacation may be in the Preliminary Site Plan, but they must be submitted within the Street Vacation application and not just referred to as external materials.

According to Part One of the Resolution (Category A), staff will need the following:

- A. Part One (1)(a). An application and fee. Currently there is not an application and fee for vacating a City Street. No fee is required, but staff will require a narrative from the applicant outlining all the materials required in the resolution are being provided, along with justification for the Street Vacation.
- B. Part One (1)(b). Copy of the Subdivision Plat or other recorded instrument by which the street was originally created, including Deed Book/Page Reference and date of recordation along with the resolution where the Street was accepted for maintenance by the City.
- C. Part One (1)(c) A narrative description of why the application is being proposed, and what benefits the applicant is seeking to obtain.
- D. Part One (1)(d). List of all lots adjoining the Street Vacation. As it is the same owner for all three lots, this should not be an issue.
- E. Part Two (2): Staff will provide the Scoring Rubric internally and it does not need to be filed out by the applicant.
- F. Part Two (3)(b)(ii): If the applicant scores is less than 1.75 on the Rubric, and; If the area proposed to be vacated is within the area of a development project that requires the City's Site Plan or Subdivision Agent to approve a site plan or subdivision plat (preliminary or final) than the application submitted under this policy shall be referred to the Clerk of Council for scheduling of a Public Hearing date and to the City Attorney's Office for completion of final Council Agenda packet materials.

Neighborhood Development Services

Building Official – Chuck Miller

8. The Preliminary Site Plan submitted July 27, 2023 was reviewed by the NDS Building Official and did not generate any comments. When the completed Street Vacation applications and materials are submitted, they will be reviewed and may generate comments.

City Manager's Office ADA Coordinator

Paul Rudacille

No comments received but may be sent under separate cover.

Public Works Engineering

Chris Sibold

General Comments

9. Provide relevant City Details for work in the right of way on the plans.

Drawing C2.1 Demolition Plan

10. All demolition in the Right of way (ROW) shall be sawcut. Show sawcut lines and label accordingly.
11. The asphalt strip in the ROW shall be 2' wide not 3'. Provide newly modified PP-1 detail showing the 2' wide strip and asphalt replacement section. Detail shall be emailed under separate cover.

Drawing C3.0 E&S Notes & Details

12. Regarding the Sequence of Construction (SOC) please address the following:
 - A. Paved construction entrances are not permitted.
 - B. Add a note requesting E&S Inspector's permission prior to moving to E&S Phase 2.
 - C. Add installation of silt fence break at low point to Phase 1 SOC. Add the Silt Fence Break detail to plans, the detail shall be emailed under separate cover. Show breaks preventing sediment laden runoff from leaving the LOD on E&S plan.
 - D. Add Chain Link Safety Fence to Phase 1 SOC and show on E&S Plan.

Drawing C3.2 E&S Plan Phase 1

13. Locate the construction entrance at the entrance to the site at Maury Avenue, adjust limits of disturbance accordingly.
14. Provide E&S measures sediment laden runoff from leaving the LOD along the low side of the site on the east and at the Maury Street entrance.

Stormwater Management

The proposed underground detention system is labeled a 72" CMP in Section 2 of the calculations book but a 48" CMP on C6.1, please clarify.

15. There is an existing grass stormwater detention system at the end of Clarke Court. Refer to the project 108 Clarke Court Demolition, Site Plan Amendment #1 approved in 2021. Please include that in the SWM plan for this project.

Public Works Traffic Engineering

Brennen Duncan and Patrick Sampson

16. We need to know trip generation details in order to determine entrance requirements.
17. It is recommended that No Parking signs be placed along the proposed drive.
18. Do they plan to ask for a monument sign in the future?

Utilities Department

Roy Nester, Hunter Tyler, and Phil Garber (P is for Preliminary approval and F is required for Final Site Plan approval)

General:

19. (P) Thank you for providing the VA811 ticket number. Please identify on the plan the date that the ticket was submitted.

20. (P) On all applicable sheets, please show all existing and proposed utility infrastructure to scale. This includes MH, meter boxes, drainage inlets, etc.
21. (P) On all applicable sheets, please label the size and material for all existing utilities in this area. This information is provided (marked on the ground in paint) when the line is located using the 811 process.
22. (P) Please provided a plat for the project. This should address:
 - A. utilities that will no longer be in ROW.
 - B. affected parcels.
23. (P) Please provide a utility plan sheet showing all utility infrastructure in the area, this includes mains, MH, meter boxes, drainage inlets, etc.
24. (P) Please ensure all sheet numbers are accurate when compared to the Sheet Index on the cover.
25. (F) Please ensure adequate utility-to-utility spacing is provided everywhere. We require 5-feet of horizontal separation between City utilities (water, sewer, storm and gas) and all other utility infrastructure (lines, boxes, poles, etc.).

Natural Gas:

26. (P) The existing gas lines are shown on the Existing Conditions sheet, but not on other sheets. Show gas lines on all sheets.
27. (P) Check for all conflicts with the existing gas lines and resolve any conflicts.

Fire Department

Stephen Walton

28. Direct access for fire apparatus to the 3-story apartment building located at 109 Clarke Court has been eliminated resulting in restricted access from the parking lot north of the apartment building (one way in and one way out).
29. No fire hydrant has been added at the north end of the reconfigured street.
30. If fire apparatus were to lay hose lines from Maury Avenue to the 3-story apartment building, they would have to make two left turns to position properly for fire fighting operations. This could create a situation where in-coming fire apparatus are blocked by the hose line(s). Therefore, the fire department is not in favor of this street design.
31. No Parking signs have not been added beyond (north) the circle area.

Office of Community Solutions

Brenda Kelley

General Comments Related to the Vacation of Clarke Court

32. There was no narrative description included with the application to determine the intent of the application other than the abandonment of City right-of-way; the reconfiguration of drive aisles and the removal and creation of parking spaces. The existing conditions plan demonstrates that apartments have been demolished on the property.

From City Housing Manager, As to Affordable Housing Development (see attached ROW Scoring Rubric):

33. As this application affects (3) parcels (i.e., 112, 108, and 100 Clarke Court) and is an R3 residential zoning the highest possible ADU* is (1).

Currently, there are (0) AD Us on either of the three parcels in question.

That said the results I have reached are as follows:

$33.33\% = \text{raw score of } 2$

$2 \times 0.25 = .5$ (i.e., weighted score)

(Note this is only taking OCS portion of the Scoring Rubric and does not reflect a fully completed Rubric by all departments.)

From Redevelopment Manager, As to City-Owned Property:

34. Preliminary Site Plan approval is being requested to abandon City right-of-way, reconfigure drive aisles and remove/create parking spaces. There is no narrative description of the application included, as required, so staff cannot determine if there is a public benefit that may be created to support the abandonment of City public right-of-way.
35. Pursuant to City Council procedures for alteration of streets and public rights-of-way, the city Council may desire to negotiate a purchase price with the applicant, if there is support to approve the application.
36. Based on the above comments, the Office of Community Solutions does not support approval of this application for Preliminary Site Plan approval.

Policy Briefing Summary

City Council



Regarding:	Endorsement of the 2026 TJPDC Regional Legislative Program
Staff Contact(s):	Samuel Sanders, Jr., City Manager
Presenter:	David Blount
Date of Proposed Action:	November 3, 2025

Issue

Background / Rule

Analysis

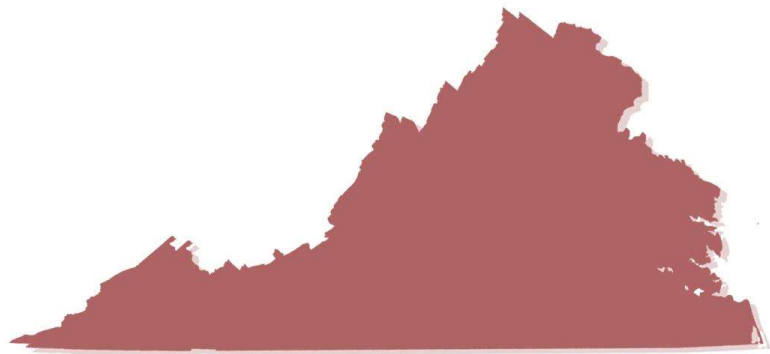
Financial Impact

Recommendation

Recommended Motion (if Applicable)

Attachments

1. TJPDC Leg Priorities Cville City Council 11.3.25



Thomas Jefferson Planning District

2026 LEGISLATIVE PROGRAM

Thomas Jefferson Planning District

Albemarle County | City of Charlottesville
Fluvanna County | Greene County
Louisa County | Nelson County

October 2025
DRAFT

Keith Smith, Chair
Christine Jacobs, Executive Director
David Blount, Director of Legislative Services

TOP LEGISLATIVE PRIORITIES

Public Education Funding

PRIORITY: The Planning District’s member localities urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) and reverse policy changes that previously reduced funding or shifted funding responsibility to localities.

With the federal government fundamentally changing its funding relationship with states, policymakers in Virginia are pledging to exercise caution in development of the next state biennial budget. Also added to the mix is more than \$1.5 billion needed to meet increasing state K-12 education rebenchmarking costs and for Medicaid.

The State will spend more than \$21 billion dollars on direct aid to public education in the current biennium. Additional state funding for teacher salaries, at-risk students and childcare subsidies in the current biennium are appreciated. However, we continue to believe that the State should increase its commitment to public education in a manner that reflects the true costs of K-12 education. The 2023 Joint Legislative Audit and Review Commission (JLARC) report on K-12 education funding confirmed this, finding that public education in Virginia is underfunded, while noting that local school divisions receive less K–12 funding per student than divisions in other states and several key funding benchmarks.

Local governments consistently go “above and beyond” their responsibilities by appropriating twice as much K-12 funding as required by the state. We believe localities need an adequately defined SOQ that more equitably shares the costs of public education between the state and local governments, in order to ensure the overall success of students across the Commonwealth.

Further, we urge state efforts to support 1) flexibility in the use of state funds provided for school employee compensation; 2) adequate pipeline programs for teachers, especially in critical shortage areas; and 3) funding and policies that assist localities in addressing challenges with hiring school bus drivers and mental health professionals.

Budgets and Funding

PRIORITY: The Planning District’s member localities urge the governor and legislature to preserve and enhance state aid to localities, to not impose unfunded mandates on or shift costs to localities, and to enhance local revenue options.

As the State addresses spending priorities for the current biennium, we encourage support for K-12 education, health services, public safety, economic development and other public goals. Localities continue to be the state’s “go-to” service provider and we believe state investment in local service delivery must be enhanced. The State should not expect local governments to pay for new funding requirements or to expand existing ones on locally delivered services, without a commensurate increase in state financial assistance.

As the state confronts declines in financial support and additional spending requirements from the federal government, we urge the state to avoid shifting costs for programs previously supported by federal funds to localities, and to collaborate with local governments to implement required changes to programs with shared state/local responsibility. Generally, we oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs. Doing so strains local ability to craft effective and efficient budgets to deliver required services or those demanded by residents.

We support the legislature making additional revenue options available to localities in order to diversify the local revenue stream. Any tax reform efforts should examine the financing and delivery of state services at the local level and how revenue is generated relevant to our economic competitiveness. The State should not eliminate, phase out or restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury. This includes any state-mandated exemptions to local revenue sources, Communications Sales and Use Tax Trust Fund dollars, and the local share of recordation taxes, unless a viable revenue replacement to local governments is established.

Land Use and Growth Management

PRIORITY: The Planning District's member localities urge the State to resist preempting or circumventing existing land use authorities, but rather support local authority to plan and regulate land use.

In the past, the General Assembly has enacted both mandated and optional land use provisions. Some have been helpful, while others more recently have prescribed one-size-fits-all rules that hamper different local approaches to land use planning. Accordingly, we support local control of decisions to plan and regulate land use and oppose legislation that weakens these key local responsibilities.

- We support the State providing additional tools to plan and manage growth, as current land use authority often is inadequate to allow local governments to provide for balanced growth in ways that protect and improve quality of life.
- We support local authority to address siting and other impacts associated with utility-scale installation of clean energy resources and facilities. We support state funding and technical assistance that address the planning, production, transmission, and deployment of new energy resources.
- We support broader impact fee authority for facilities other than roads, and changes to the current proffer law that limit the scope of impacts that can be addressed by proffers.
- We oppose legislation that would 1) restrict local oversight of the placement of various telecommunications infrastructure; 2) single out specific land uses for special treatment without regard to the impact of such uses in particular locations; and 3) exempt additional facilities serving as event spaces from building, fire code and other health and safety regulations.
- We believe accessory dwelling units should not be mandated, and that local governments should retain the authority to regulate them.
- We request 1) state funding and incentives for localities, at their option, to acquire, preserve and maintain open space, and 2) enhanced ability for localities to balance growth and development as it pertains to farm and forestland within their jurisdiction.
- We support greater flexibility for localities in the preservation and management of trees.

LEGISLATIVE POSITIONS

Broadband

The Planning District's member localities urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas. While we appreciate federal and state actions that have substantially increased funding for the Virginia Telecommunication Initiative (VATI), we believe state and federal support for broadband expansion that utilizes both fiber and wireless technologies, public/private partnerships and regulated markets should include the following:

- Support for cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives to ensure access to service at an affordable cost.
- Support for linking broadband efforts for education and public safety to private sector efforts to serve businesses and residences.
- Maintaining local land use, permitting, fee and other local authorities.
- The ability of localities to establish, operate and maintain sustainable broadband authorities to provide essential broadband to communities.
- Provisions and incentives that would provide a sales tax exemption for materials used to construct broadband infrastructure.

Children's Services Act

The Planning District's member localities urge the State to be partners in containing Children's Services Act (CSA) costs and to better balance CSA responsibilities between the State and local governments. Accordingly, we take the following positions:

- The costs of CSA should be fully funded in the state's base budget, with allocations based on realistic anticipated levels of need. We support local ability to use state funds to pay for mandated services provided directly by the locality, specifically for private day placements, where the same services could be offered in schools.
- We support the state maintaining cost shares on a sum sufficient basis by both the state and local governments; changing the funding mechanism to a per-pupil basis of state funding would shift the sum sufficient portion fully to localities, which we would oppose.
- We support enhanced state funding for local CSA administrative costs.
- We support a cap on local expenditures (with the State making up any gaps) in order to combat higher costs for serving mandated children. We do not support caps on state reimbursement which limit the state's exposure to increasing costs.
- We support the state being proactive in making residential facilities, services, and service providers available, especially in rural areas, and in supporting local efforts to provide facilities and services on a regional level.
- We oppose state efforts to increase local match levels and to make the program more uniform by attempting to control how localities run their programs.

Economic and Workforce Development

The Planning District's member localities recognize economic development and workforce training as essential to the continued viability of the Commonwealth. Policies and additional state funding that closely link the goals of economic and workforce development and the state's efforts to streamline and integrate workforce activities and revenue sources are crucial. Accordingly, we support the following:

- Enhanced coordination with the K-12 education community to equip the workforce with in-demand skill sets, so as to align workforce supply with anticipated employer demands.
- Continuing emphasis on regional cooperation in economic, workforce and tourism development.
- Continuation of the *GO Virginia* initiative to grow and diversify the private sector in each region.
- State job investment and small business grants being targeted to businesses that pay higher wages.
- State support for the Virginia Business Ready Sites Program and for an economic development project adjacent to the existing Rivanna Station.
- Increased state funding for regional planning district commissions.

Education

The Planning District's member localities believe that, in addition to funding the Standards of Quality (as previously noted), the State should be a reliable funding partner with localities by recognizing other resources necessary for a high-quality public education system. Accordingly, we take the following positions:

- Concerning school facilities:
 - >We support allowing all localities the option of levying a one-cent sales tax to be used for construction or renovation of school facilities.
 - >The State should discontinue seizing dollars from the Literary Fund to help pay for teacher retirement.
 - >We appreciate and support the school construction assistance programs enacted in 2022 and request that they be consistently funded.
- We support 1) amending the LCI formula to recognize the land use taxation value, rather than the true value, of real property; and 2) preserving current *Code* provisions stipulating that local school funds unexpended at the end of the year be retained by the local governing body.
- We believe that unfunded liability associated with the teacher retirement plan should be a shared responsibility of state and local government.

Environmental and Water Quality

The Planning District's member localities believe that environmental and water quality should be funded and promoted through a comprehensive approach, and address air and water quality, solid waste management, land conservation, climate change, and land use policies. Such an approach requires regional cooperation due to the inter-jurisdictional nature of environmental resources, and adequate state funding to support local and regional efforts. Accordingly, we take the following positions:

- We oppose legislation mandating expansion of the Chesapeake Bay Preservation Act's coverage area. Instead, we urge the State to provide legal, financial, and technical support to localities that wish to improve water quality and use other strategies that address point and non-point source pollution. We also support aggressive state investment in meeting required milestones for reducing Chesapeake Bay pollution to acceptable levels. We support state assistance for cyanobacteria monitoring, mitigation, and remediation efforts, as well as hydrilla treatment and buoy maintenance at Lake Anna.
- We support state investment targeted to permitted dischargers to upgrade treatment plants, to aid farmers with best management practices, and to retrofit developed areas.
- We support continued investment in the Stormwater Local Assistance Fund (SLAF) to assist localities with much-needed stormwater projects and in response to any new regulatory requirements.
- We support the option for localities, as a part of their zoning ordinances, to designate and/or reasonably restrict the land application of biosolids to specific areas within the locality.
- We support legislative and regulatory action to ensure effective operation and maintenance of alternative on-site sewage systems and to increase options for localities to secure owner abatement or correction of system deficiencies.
- We support dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards.
- The State should be a partner with localities in water supply development and should work with and assist localities in addressing water supply issues, to include providing funding for development and implementation of state-required regional plans and investing in regional projects.

General Government

The Planning District's member localities believe that since so many governmental actions take place at the local level, a strong local government system is essential. Local governments must have the freedom, flexibility, and tools to fulfill their responsibilities. Accordingly, we take the following positions:

- State policies should protect local governments' current ability to regulate businesses, to include collection and auditing of taxes, licensing, and regulation (whether they are traditional, electronic, internet-based, virtual, or otherwise), while encouraging a level playing field for competing services in the marketplace.
- We oppose intrusive legislation involving purchasing procedures; local government authority to establish hours of work, salaries and working conditions for local employees; matters that can be adopted by resolution or ordinance; and procedures for adopting ordinances.
- The state should maintain the principles of sovereign immunity for local governments and their employees, to include regional jail officers.

- Localities should have maximum flexibility in providing compensation increases for state-supported local employees (including school personnel), as local governments provide significant local dollars and additional personnel beyond those funded by the State. We also support the use of a notarized waiver to allow volunteer workers to state they are willing to provide volunteer services and waive any associated compensation.
- We urge state funding to address shortfalls in elections administration dollars, as administration has become more complex and federal and state financial support for elections continues to lag the need. We request adequate funding for costs associated with voting equipment, mail in ballots, registrar offices, early voting requirements, and election security standards.
- We urge state funding necessary for agencies to carry out tasks such as processing applications, reviewing permits and other critical administrative functions.
- We support expanding the allowable use of electronic meetings for all local public bodies, with flexibility for them to determine public comment, participation, and other procedures. Also, any changes to FOIA should preserve 1) a local governing body's ability to meet in closed session; 2) the list of records currently exempt from disclosure; 3) provisions concerning the creation of customized records; and 4) provisions allowing public bodies to charge for providing requested records.
- We support the use of alternatives to newspapers for publishing various legal advertisements and public notices.
- We support federal and state funding for localities to acquire and maintain advanced cybersecurity to protect critical systems and sensitive data.
- We support enhanced state funding for local and regional libraries.
- We support expanding local authority to regulate smoking in public places.
- The State should not inhibit the ability of localities to determine how best to use artificial intelligence (AI) or require any related reporting requirements that are unreasonable.

Health and Human Services

The Planning District's member localities recognize that special attention must be given to helping disabled people, poor people, and young and elderly people achieve their full potential. Funding for at-risk individuals and families to access appropriate services remains critical. Recently enacted changes to the Supplemental Nutrition Assistance Program (SNAP) and to Medicaid also will require significant state support and coordination between state agencies and localities. Accordingly, we take the following positions:

- We support full state funding for any local costs associated with Medicaid expansion, including local eligibility workers and case managers, but oppose any shifting of Medicaid matching requirements from the State to localities.
- We support investment in staff training and other tools to enable local social services staff to administer revised SNAP and Medicaid programs effectively and efficiently.
- We support the provision of sufficient state funding to match federal dollars for the administration of mandated services within the Department of Social Services, and to meet the staffing standards for local departments to provide services as stipulated in state law.
- The State should provide sufficient funding to allow Community Services Boards to meet the challenges of providing a community-based system of care for people with behavioral health and developmental disability service needs that helps divert them from needing state hospital care, as well as having services such as outpatient and permanent supportive housing available.

- We support improvements in state hospital capacity to accept individuals under a TDO, and encourage support for rural hospitals facing reductions in overall Medicaid funding.
- We support continued operation and enhancement of early intervention and prevention programs, including the Virginia Preschool Initiative and Part C of the Individuals with Disabilities Education Act (infants and toddlers).
- We support additional funding to local communities to assist low-income working families with childcare costs.

Housing

The Planning District's member localities believe every citizen should have an opportunity to afford decent, safe, and sanitary housing. The State, regions and localities should work to promote a balanced mix of affordable and mixed-use housing, and to expand and preserve the supply and improve the quality of housing that is affordable for the elderly, disabled, and low- and moderate-income households. Accordingly, we take the following positions:

- We support the following specific items: 1) local authority to promote and flexibility in the operation of housing affordability programs and establishment of affordable dwelling unit ordinances; 2) increased federal and state funding, as well as appropriate authority and incentives, to assist communities in fostering an increased supply of housing that is affordable; 3) grants and loans to low- or moderate-income persons to aid in purchasing dwellings; 4) funding for rental assistance to low-income families with school-aged children; and 5) policies and direct state investments to prevent homelessness and to assist the chronic homeless.
- We support incentives that encourage rehabilitation and preservation of historic structures.

Public Safety

The Planning District's member localities encourage state financial support, cooperation and assistance for law enforcement, emergency medical care, criminal justice activities, and fire services responsibilities carried out locally. Accordingly, we take the following positions:

- The Compensation Board should fully fund local positions that fall under its purview, to include supporting realistic levels of staffing to enable constitutional offices to meet their responsibilities and limit the need for localities to provide additional locally funded positions. The Compensation Board should not increase the local share of funding for Constitutional offices or divert money away from them, and localities should be afforded flexibility in the state use of state funds for compensation for these offices.
- We encourage state support and incentives for paid and volunteer fire/EMS/first responders and related equipment needs, given the ever-increasing importance they play in local communities. We oppose regulatory action that hinders the provision of emergency services by increasing costs of operations or deterring recruitment and retention of emergency services employees.
- We support state efforts to assist localities in recruiting and retaining law enforcement personnel.
- We support changes to the Line of Duty Act (LODA) to afford officers employed by private police departments the benefits available under LODA.

- We urge state funding of the HB 599 law enforcement program in accordance with *Code of Virginia* provisions.
- We support adequate and necessary funding for mental health and substance abuse services at juvenile and adult detention facilities and jails.
- We encourage needed funding for successful implementation of policies and programs that 1) supplement law enforcement responses to help individuals in crisis to get evaluation services and treatment; 2) provide alternative transportation options for such individuals; and 3) reduce the amount of time police officers must spend handling mental health detention orders.
- In an effort to fairly share future cost increases, we support indexing jail per diem costs as a fixed percentage of the actual, statewide daily expense average, as set forth in the annual Jail Cost Report.
- We support the ability of local governments to 1) adopt policies regarding law enforcement body worn cameras that account for local needs and fiscal realities, and 2) utilize photo speed camera devices to address safety concerns, including on locally designated highway segments.

Transportation

The Planning District's member localities recognize that revenues for expanding and maintaining all modes of infrastructure are critical for meeting Virginia's well-documented transportation challenges; for attracting and retaining businesses, residents, and tourism; and for keeping pace with growing public needs and expectations. We encourage the State to seek to grow revenue over time to meet increasing demands for new construction and maintenance for existing transportation infrastructure; to prioritize funding for local and regional transportation needs; and to provide financial support to localities for increased workloads for performing administrative functions. Accordingly, we take the following positions:

- As the State continues to adjust the "Smart Scale" prioritization and the funds distribution process, there should be state adequate funding and local authority to generate transportation dollars for important local and regional projects across modes.
- We support additional authority to establish mechanisms for funding transit and non-transit projects in our region.
- We support the Virginia Department of Transportation utilizing Metropolitan Planning Organizations and regional rural transportation staff to conduct local transportation studies.
- We oppose attempts to transfer responsibility to counties for construction, maintenance, or operation of current or new secondary roads.
- We support ongoing state and local efforts to coordinate land use and transportation planning and urge state and local officials to be mindful of various local and regional plans when conducting corridor or transportation planning within a locality or region.

Policy Briefing Summary

City Council



Regarding:	Ordinance creating Lumos Networks, Inc. d/b/a Segra Franchise Agreement
Staff Contact(s):	Brennen Duncan, City Engineer
Presenter:	Brennen Duncan, City Engineer
Date of Proposed Action:	November 3, 2025

Issue

Lumos Networks, Inc. d/b/a Segra, has requested approval of an ordinance granting a renewed franchise agreement with the City of Charlottesville. The company's prior agreement has expired, and renewal is required to maintain authorization for Lumos' telecommunications facilities located within the City's Public Right-of-Way (PROW). This renewal also highlights ongoing challenges related to "double poles" and delayed transfer of telecommunication lines, which continue to affect ADA compliance and pedestrian safety throughout the City.

Background / Rule

To protect the integrity and safety of its streets and public rights-of-way, the City establishes franchise agreements with telecommunication providers under Article VII §9 of the Virginia Constitution. These agreements grant limited rights to install and maintain facilities within the PROW while ensuring the City retains authority to regulate use of the public space.

Coordination among multiple utility providers—primarily Dominion Energy and various telecommunications companies—has created recurring operational challenges. When Dominion or Brightspeed replaces an aging pole, telecommunication providers must transfer their attachments to the new pole before the old one can be removed. Delays in this transfer process result in "double poles," which often obstruct sidewalks, restrict ADA-compliant clearances, and create safety concerns.

City staff, in coordination with Dominion and providers such as Lumos Networks, continue to address these issues. While Dominion and Brightspeed have made progress removing obsolete poles, the majority of remaining obstructions are due to pending transfers by third-party telecommunications companies.

Councilors and community members continue to raise questions about the City's authority to require pole transfer work and ensure timely removals. In response, the City amended franchise agreement language to strengthen its enforcement authority under Section 206 ("Obstruction of the PROW"), establishing clear penalties and City removal authority when facilities obstruct the right-of-way or fail to comply with approved plans.

Analysis

The renewed Lumos Networks Franchise Agreement incorporates the amended Section 206 provisions, which improve the City's ability to manage and enforce compliance in the PROW. Specifically, the agreement:

- Prohibits obstruction of the PROW unless explicitly authorized in an approved plan;
- Requires removal of any obstruction within forty-five (45) days after City notification;

- Establishes daily penalties (\$500/day) for failure to remove unauthorized facilities after the deadline; and
- Authorizes the City to remove the obstruction and recover reasonable costs when the company fails to act.

These provisions directly support the City's ADA Transition Plan and reinforce its legal obligation to maintain accessible pedestrian routes. The strengthened language also provides a clear, enforceable framework to address delayed pole transfers and other obstructions in the right-of-way.

Standardizing these updated provisions across all franchise agreements ensures consistency and accountability among providers. This approach allows the City to better coordinate with Dominion and telecommunications partners to remove non-compliant infrastructure, uphold accessibility, and improve overall public safety.

This action aligns with the City Council's vision of Organizational Excellence by ensuring consistent, accountable management of the public right-of-way through updated franchise standards. The agreement strengthens coordination with utility providers, improves operational efficiency, and enhances the City's ability to maintain safe, accessible, and well-managed infrastructure for the community.

Financial Impact

There is no budgetary impact except for the prescribed measures granted by this agreement for the City to recover costs as appropriate for use of the Public-Rights-of-Way.

Recommendation

Staff recommends that City Council approve the attached ordinance granting a franchise agreement to Lumos Networks, Inc., consistent with the City's updated franchise agreement framework.

Approval will:

- Maintain continuity of telecommunications services within the City;
- Ensure Lumos complies with updated right-of-way management and enforcement standards; and
- Support the City's broader initiative to eliminate double poles, achieve ADA compliance, and preserve the integrity of public infrastructure.

Recommended Motion (if Applicable)

Move to approve the first reading of the ordinance granting a franchise agreement to Lumos Networks, Inc., and to schedule the ordinance for second reading and possible adoption at the next regular meeting of City Council.

Attachments

1. FINAL - SEGRA FRANCHISE AGRMT. - 2025

ADOPTED BY CITY COUNCIL ON _____, 2025

LUMOS NETWORKS, INC. D/B/A SEGRA,

FRANCHISE ORDINANCE

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**AN ORDINANCE
GRANTING A FRANCHISE TO LUMOS NETWORKS, INC. d/b/a SEGRA,
ITS SUCCESSORS AND ASSIGNS
TO USE THE STREETS AND OTHER PUBLIC PLACES
OF THE CITY OF CHARLOTTESVILLE, VIRGINIA
FOR ITS POLE, WIRES, CONDUITS, CABLES AND FIXTURES,
FOR A PERIOD OF FIVE (5) YEARS**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that Lumos Networks, Inc. d/b/a/Segra, a corporation organized under the laws of Virginia, (the Company”), is hereby granted a franchise for a period of five (5) years from the effective date hereof. This Ordinance authorizes and empowers the Company to erect, maintain and operate certain Facilities as described in this Ordinance on, over, along, in, under and through the Public Rights-of-Way (as defined in this Ordinance) of the City of Charlottesville, Virginia (the “City”) as its business may from time to time require; provided that:

ARTICLE I – GENERAL

SECTION 101 PURPOSE AND SCOPE

To provide for the health, safety and welfare of its citizens and to ensure the integrity of its roads and streets and the appropriate use of the Public Rights-of-Way, the City strives to keep the Public Rights-of-Way under its jurisdiction in a state of good repair and free from unnecessary encumbrances.

Accordingly, the City hereby enacts this Ordinance to grant to grant a telecommunications right-of-way franchise and administration. This Ordinance imposes regulation on the placement and maintenance of Facilities and equipment owned by the Company currently within the City’s Public Rights-of-Way or to be placed therein at some future time. The Ordinance is intended to complement, and not replace, the regulatory roles of local, state, and federal agencies. Under this Ordinance, when excavating and obstructing the Public Rights-of-Way, the Company will bear financial responsibility for its work to the extent provided herein. Finally, this Ordinance provides for recovery of the City’s reasonable out-of-pocket costs related to the Company’s use of the Public Rights-of-Way, subject to the terms and conditions herein.

This Ordinance shall be interpreted so as to benefit the public but does not create any third-party right of action.

SECTION 102 AUTHORITY TO MANAGE THE RIGHT OF WAY

This Ordinance granting a franchise is created to manage and regulate the Company’s use of the City’s Public Rights-of-Way along city roads pursuant to the authority granted to the City under

its Charter, Sections 15.2-2015, 56-460, and 56-462(A) of the Virginia Code, and other applicable state and federal statutory, administrative and common law provisions.

This Ordinance and any right, privilege or obligation of the City or Company hereunder, shall be interpreted consistently with state and federal statutory, administrative and common law, and such statutory, administrative or common law shall govern in the case of conflict. This Ordinance is not intended to limit the regulatory and police powers of the City to adopt and enforce other general ordinances necessary to protect the health, safety, and welfare of the public.

SECTION 103 DEFINITIONS

103.1 CITY means the City of Charlottesville, Virginia, a municipal corporation of the Commonwealth of Virginia, acting through its authorized agents.

103.2 COMPANY means Lumos Networks, Inc. d/b/a Segra, a corporation organized under the laws of Virginia, including its permitted successors and assigns.

103.3 DIRECTOR means the Director of Public Works for the City of Charlottesville.

103.4 FACILITY means any tangible asset in the Public Rights-of-Way required to provide utility service within the scope of this Ordinance as stated in Section 101, above.

103.5 HOLDOVER PERIOD means the period between the termination or expiration of the franchise and the date provided in Sections 1104 and 1401.

103.6 PATCH means a method of pavement replacement that is temporary in nature.

103.7 PAVEMENT means any type of improved surface that is within the Public Rights-of-Way including but not limited to any improved surface constructed with bricks, pavers, bituminous, concrete, aggregate, or gravel or some combination thereof.

103.8 PUBLIC RIGHTS-OF-WAY or PROW means the area on, below, or above a public roadway, highway, street, cartway, bicycle lane, and public sidewalk in which the City has an interest, including other dedicated rights-of-way for travel purposes and utility easements belonging to the City (to the extent that they provide for third party usage), paved or otherwise. This definition does not include a state highway system regulated pursuant to the direction of the Commonwealth Transportation Board. This definition does not include any City-owned buildings or structures except those integral to a public street or road such as a bridge or viaduct.

ARTICLE II - INSTALLATION

SECTION 201 INITIAL INSTALLATION

The Company's initial installation of Facilities must be in strict compliance with the approved PROW Plan for the Facilities, a copy of which shall be maintained by the Director within a file within the Department of Public Works. Any additional installation of equipment, lines, cables or other Facilities shall be underground unless it shall be determined by the Director as set forth in Article III that it is not feasible to do so.

SECTION 202 SUBSEQUENT INSTALLATION

202.1 SUBSEQUENT INSTALLATION MADE PURSUANT TO AN APPROVED PROW PLAN:

Additional Facilities installed within the PROW may be placed overhead or underground pursuant to an approved request by the Company made pursuant to Article III, and in accordance with such generally applicable ordinances or regulations governing such installations that have been adopted by the City from time to time.

202.2 GENERAL PREFERENCE FOR UNDERGROUND FACILITIES: As a matter of policy, the City prefers that the installation of any Facility within the PROW occur underground. Notwithstanding this preference, the City recognizes that in some circumstances the placement of Facilities underground may not be appropriate. Any additional installation of lines, cable, equipment or other Facilities shall be underground unless it shall be determined by the Director, pursuant to Article III, that it is not feasible to do so.

202.3 INSTALLATION OF OVERHEAD FACILITIES: Where a subsequent PROW Plan is approved for overhead installation, the Company shall use its existing Facilities, or those of another utility where available. If the PROW Plan calls for overhead installation and existing Facilities cannot accommodate the proposed installation, the Company will clearly indicate in the PROW Plan its intended placement of new Facilities for the Director's review and consideration pursuant to Article III.

202.4 FUTURE ORDINANCES: Nothing herein shall be construed to limit the authority of the city to adopt an ordinance that will restrict the placement of overhead lines for all utilities using the PROW within a defined area of the City.

202.5 CONDITIONS FOR RELOCATING UNDERGROUND: The Company agrees that if, at some future time, the telephone and other utility lines on the posts, poles, and other overhead apparatus upon which the Company has placed some or all of its Facilities in the City's PROWs are relocated underground, the Company will also, at such time, relocate its Facilities on those posts, poles, and other overhead apparatus underground at its expense. Notwithstanding the foregoing, the City shall reimburse Company for any such relocation expense to the extent that such reimbursement is required by and available under Section 56-468.2 of the Code of Virginia, or other applicable law.

SECTION 203 INSPECTION BY THE CITY

The Company shall make the work-site available to the City and to all others as authorized by law for inspection at all reasonable times, during the execution of, and upon completion of, all work conducted pursuant to this Ordinance.

SECTION 204 AUTHORITY OF THE CITY TO ORDER CESSATION OF WORK

At the time of inspection, or any other time as necessary, the City may order the immediate cessation and correction of any work within the Public Rights-of-Way which poses a serious threat to the life, health, safety or wellbeing of the public.

SECTION 205 LOCATION OF FACILITIES

The Company may not place or install any Facilities within the Public Rights-of-Way pursuant to this Ordinance so as to endanger or interfere with public travel or the ordinary use of, or the safety and convenience of persons traveling through, on, or over, the Public Rights-of-Way within the City of Charlottesville.

SECTION 206 OBSTRUCTION OF THE PROW

The Company may not obstruct the PROW except as clearly specified within an approved PROW plan.

206.1 Removal of Obstructions: Upon notification from the City or an entity that has an Attachment Agreement, the Company shall remove any of its Facilities installed in the PROW contrary to an approved PROW Plan within forty-five (45) of receipt of the notification. If the Company has not removed its obstruction(s) from the PROW within forty-five (45) days of receipt of the notification, the City shall assess the Company a fee of five hundred dollars (\$500) per day the Company has failed to remove the Facility installed in the PROW contrary to an approved PROW Plan. The City, in its sole and absolute discretion, may also remove said offending Facility. In such event, the Company shall pay to the City its reasonable removal costs within thirty (30) days after the City issues a bill for the removal, in addition to the five hundred dollars (\$500) per day fee, such billing to be accompanied by an itemized statement of the City's reasonable costs. If payment is not received by the City within the thirty (30) day period, the City may collect the costs in any manner authorized by law. Reasonable costs may include, but are not limited to administrative overhead, mobilization, material, labor, and equipment related to removing the obstruction.

206.2 NO OBSTRUCTION OF WATER: The Company shall not obstruct the natural free and clear passage of water through gutters, culverts, ditches, tiles, or other waterways.

206.3 PARKING, LOADING AND UNLOADING OF VEHICLES SHALL NOT OBSTRUCT THE PROW: Private vehicles of those doing work for the Company in the PROW must be parked in a manner that conforms to the City's applicable parking regulations. The loading or unloading of trucks must be done in a manner that will not obstruct normal traffic within the PROW or jeopardize the safety of the public who use the PROW.

ARTICLE III - ADMINISTRATION

SECTION 301 ADMINISTRATION OF THE PUBLIC RIGHTS OF WAY

The Director is the principal City official responsible for the administration of this Ordinance granting a franchise to the Company and any of its PROW Plans. The Director may delegate any or all of the duties hereunder to another City employee.

SECTION 302 SUBMISSION OF PROW PLAN

At least thirty (30) days before beginning any installation, removal or relocation of underground or overhead Facilities, the Company shall submit a detailed PROW Plan of the proposed action to the Director for review and approval.

The Director may also require submission of a PROW Plan to coordinate with any upcoming City project. The Director will identify to Company the area, scope, and planned timeline of the project. The Company cannot perform any work in the project area except in compliance with the PROW Plan or with the advance written consent of the Director for one year after actual completion of the City project.

The City will not accept any PROW Plan for work to be done during the Holdover Period.

SECTION 303 GOOD CAUSE EXCEPTION

303.1 WAIVER: The Director, in his or her sole and absolute discretion, is authorized to waive the thirty (30) day requirement in Section 302 for good cause shown.

303.2 EMERGENCY WORK: The Company shall immediately notify the Director of any event regarding its facilities that it considers to be an emergency. The Company will proceed to take whatever actions are necessary to respond to the emergency, or as directed by the Director.

If the City becomes aware of an emergency regarding the Company's facilities, the City will attempt to contact the Company's emergency representative as indicated in Section 1202. In any event, the City shall take whatever action is deemed necessary by the Director to make an appropriate and reasonable response to the emergency. The costs associated with the City's response shall be borne by the person whose facilities occasioned the emergency.

SECTION 304 DECISION ON PROW PLAN BY THE DIRECTOR

304.1 DECISION: The Director must, within forty-five (45) days, either approve the Company's plans for proposed action as described in Section 302 or inform the Company by a written explanation of the reasons for disapproval and the actions required to cure disapproval.

The Director shall not shall impose on Company any restrictions or requirements concerning the use of the public rights-of-way (including but not limited to the permitting process; notice, time and location of excavations and repair work; enforcement of the statewide building code; and inspections), which are (i) unfair or unreasonable or (ii) any greater than those imposed on the following users of the public rights-of-way: all providers of telecommunications services and nonpublic providers of cable television, electric, natural gas, water and sanitary sewer services.

The Company must designate a responsible contact person with whom officials of the Department of Public Works can communicate on all matters relating to equipment installation and maintenance.

304.2 APPEAL: Upon written request within thirty (30) days of the Director's decision, the Company may have the denial of a PROW Plan reviewed by the City Manager. The City Manager will schedule its review of the Director's decision within forty-five (45) days of receipt of such a request. A decision by the City Manager will be in writing and supported by written findings establishing the reasonableness of its decision. The decision of the City Manager is final.

SECTION 305 MAPPING DATA

Immediately after each installation or placement of a Facility within the PROW, the Company shall provide to the City such information as the Director may require documenting the location and elevation of the Facility, including but not limited to:

- (a) location and elevation of the mains, cables, conduits, switches, and related equipment and other Facilities owned by the Company located in the PROW, with the location based on (i) offsets from property lines, distances from the centerline of the Public Rights-of-Way, and curb lines; (ii) coordinates derived from the coordinate system being used by the City; or (iii) any other system agreed upon by the Company and the City;
- (b) the outer dimensions of such Facilities; and
- (c) a description and location of above-ground appurtenances.

ARTICLE IV - STANDARDS

SECTION 401 COMPLIANCE WITH ALL LAW AND REGULATIONS; QUALITY OF WORK

Obtaining this franchise shall in no way relieve the Company of its duties to obtain all other necessary permits, licenses, and authority and to pay all fees required by any applicable state or federal rule, law or regulation. The Company shall comply with and fulfill all generally applicable laws and regulations, including ordinances, regulations and requirements of the City, regarding excavations and any other work in or affecting the Public Rights-of-Way. The Company shall perform all work in conformance with all applicable codes and established rules and regulations, and it is responsible for all work conducted by the Company or another entity or person acting on its behalf pursuant to this Ordinance in the Public Rights-of-Way. The Company shall install only such equipment as meets industry standards and shall perform all work to industry standards of quality and skill.

ARTICLE V – ALTERATIONS TO THE PROW

SECTION 501 RELOCATION OF COMPANY FACILITIES WITHIN THE PUBLIC RIGHTS-OF WAY

Upon written notice from the Director of a planned and authorized improvement or alteration of City sidewalks, streets or other property, or of a proposed relocation of any City-owned utilities that necessitate relocation of some or all of the Facilities owned by the Company and lines to accommodate same, or of the City's intent to close or vacate any Public Right-of-Way, the Company shall relocate at its own expense any such Facilities within one hundred eighty (180) days of receipt of the notice. At Company's request, the city may consent to a longer period, such consent not to be unreasonably or discriminatorily withheld, conditioned or delayed. Notwithstanding the foregoing, the City shall reimburse Company for any such relocation expense to the extent that such reimbursement is required by Section 56-468.2 of the Code of Virginia, or other applicable law. If the City requests relocation on behalf of any third party, the Company will give notice to the City of the cost for the relocation within a reasonable time not to exceed 30 days, and the third party will have the sole responsibility to the Company for the cost of the relocation. Upon receipt of payment, the Company will promptly undertake and diligently pursue to completion any relocation under this Section 501.

SECTION 502 RIGHTS-OF-WAY PATCHING AND RESTORATION

502.1 RESTORATION STANDARD: In accordance with an approved PROW Plan, the Company may disturb or damage the Public Rights-of-Way. The Director has the authority to determine the manner and extent of the restoration of the Public Rights-of-Way and may do so in written procedures of general application or on a case-by-case basis. In exercising this authority, the Director will consult with any state or federal standards for rights-of-way restoration and shall be further guided by the following considerations:

- (a) the number, size, depth and duration of the excavations, disruptions or damage to the Public Rights-of-Way;

- (b) the volume and speed of traffic carried by the Public Rights-of-Way and the character of the neighborhood surrounding the Public Rights-of-Way;
- (c) the pre-excavation condition of the Public Rights-of-Way and its remaining life expectancy;
- (d) the relative cost of the method of restoration to the Company balanced against the prevention of an accelerated deterioration of the Public Rights-of-Way resulting from the excavation, disturbance or damage to the Public Rights-of-Way; and
- (e) the likelihood that the particular method of restoration would be effective in slowing the depreciation of the Public Rights-of-Way that would otherwise take place.

502.2 TEMPORARY SURFACING: The Company shall perform temporary surfacing patching and restoration including backfill, compaction, and landscaping according to standards determined by, and with the materials determined by, the Director.

502.3 TIMING: After any excavation by the Company pursuant to this Ordinance, the patching and restoration of the Public Rights-of-Way must be completed promptly and, in a manner, determined by the Director.

502.4 GUARANTEES: The Company guarantees its restoration work and shall maintain it for twenty-four (24) months following its completion. The previous statement notwithstanding, the Company will guarantee and maintain plantings and turf for twelve (12) months. During these maintenance periods, the Company shall, upon notification by the City, correct all restoration work to the extent necessary, using the method determined by the Director. Such work shall be completed after receipt of notice from the Director, within a reasonably prompt period, with consideration given for days during which work cannot be done because of circumstances constituting force majeure. Notwithstanding the foregoing, the Company's guarantees set forth hereunder concerning restoration and maintenance shall not apply to the extent another company, franchisee, licensee, permittee, other entity or person, or the City disturbs or damages the same area, or a portion thereof, of the Public Rights-of-Way.

502.5 DUTY TO CORRECT DEFECTS: The Company shall correct defects in patching or restoration performed by it or its agents. Upon notification from the City, the Company shall correct all restoration work to the extent necessary, using the method determined by the Director. Such work shall be completed after receipt of the notice from the Director within a reasonably prompt period, with consideration given for days during which work cannot be done because of circumstances constituting force majeure.

502.6 FAILURE TO RESTORE: If the Company fails to restore the Public Rights-of-Way in the manner and to the condition required by the Director pursuant to Section 502.5, or fails to satisfactorily and timely complete all restoration required by the Director pursuant to this

Article V, the City shall notify the Company in writing of the specific alleged failure or failures and shall allow the Company at least ten (10) days from receipt of the notice to cure the failure or failures, or to respond with a Plan to cure. In the event that the Company fails to cure, or fails to respond to the City's notice as provided above, the City may, at its election, perform the necessary work and the Company shall pay to the City its reasonable costs for such restoration within thirty (30) days of issuance of a bill by the City; such bill will be accompanied by an itemized statement of the City's reasonable costs. If payment is not received by the City within the thirty (30) day period, the City may collect the costs in any manner authorized by law. Reasonable costs may include, but are not limited to, administrative overhead, mobilization, material, labor, and equipment related to such restoration.

502.7 DAMAGE TO OTHER FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY: The Company shall be responsible for the cost of repairing any Facilities existing within the Public Rights-of-Way that it or the Facilities owned by the Company damage. If the Company damages the City's Facilities within the Public Rights-of-Way, such as, but not limited to, culverts, road surfaces, curbs and gutters, or tile lines, the Company shall correct the damage within a prompt period after receiving written notification from the City. If the Company does not correct the City's damaged Facilities pursuant to the foregoing, the City may make such repairs as necessary and charge all of the reasonable costs of such repairs within thirty (30) days of billing accompanied by an itemized statement of the City's reasonable costs. If payment is not received by the City within such thirty (30) day period, the City Attorney may collect the costs in any manner authorized by law. Reasonable costs may include, but are not limited to, administrative overhead, mobilization, material, labor, and equipment related to such repair.

502.8 DIRECTOR'S STANDARD: All determinations to be made by the Director with respect to the manner and extent of restoration, patching, repairing and similar activities under the franchise granted by this Ordinance, shall be reasonable and shall not be unreasonably conditioned, withheld, or delayed. The Company may request additional time to complete restoration, patching, repair, or other similar work as required under the franchise granted by this Ordinance, and the Director shall not unreasonably withhold, condition, or delay consent to such requests.

ARTICLE VI - LIABILITY

SECTION 601 INDEMNIFICATION AND LIABILITY

601.1 SCOPE OF INDEMNIFICATION: Subject to the following, the Company agrees and binds itself to defend, indemnify, keep and hold the City, City Council members, officials and its employees free and harmless from liability on account of injury or damage to persons, firms or corporations or property growing out of or directly or indirectly resulting from:

- (a) the Company's use of the Public Rights-of-Way pursuant to the franchise granted by this Ordinance;

- (b) the acquisition, erection, installation, maintenance, repair, operation and use of any poles, wires, cables, conduits, lines, manholes, facilities and equipment by the Company, its authorized agents, subagents, employees, contractors or subcontractors; or
- (c) the exercise of any right granted by or under the franchise granted by this Ordinance or the failure, refusal or neglect of the Company to perform any duty imposed upon or assumed by the Company by or under the franchise granted by this Ordinance.

601.2 DUTY TO INDEMNIFY, DEFEND AND HOLD HARMLESS: If a suit arising out of subsection (a), (b), (c) of Section 601.1, claiming such injury, death, or damage shall be brought or threatened against the City, its officers, or employees, either independently or jointly with the Company, the Company will defend, indemnify and hold the City harmless in any such suit, at the cost of the Company, provided that the City promptly provides written notice of the commencement or threatened commencement of the action or proceeding involving a claim in respect of which the City will seek indemnification hereunder and provided the suit or claim is not based upon the negligence of the City. The Company shall be entitled to have sole control over the defense through counsel of its own choosing and over settlement of such claim provided that the Company must obtain the prior written approval of City of any settlement of such claims against the City, which approval shall not be unreasonably withheld or delayed more than thirty (30) days. If, in such a suit, a final judgment is obtained against the City, its officers, or employees, either independently or jointly with the Company, the Company will pay the judgment, including all reasonable attorney's fees and other costs, and will hold the City harmless therefrom.

SECTION 602 WAIVER BY THE CITY

The City waives the applicability of these indemnification provisions with respect to the claim at issue as of the date that the City:

- (a) elects to conduct its own defense against such claim; or
- (b) fails to give notice to the Company within thirty (30) days of any such claim such that the Company's ability to defend against such claim is compromised; or
- (c) denies approval of a complete settlement of such claim for which the Company seeks approval; or
- (d) fails to approve or deny a settlement of such claim within thirty (30) days of the Company seeking approval of such settlement.

SECTION 603 INSURANCE

603.1 The Company shall also maintain in force a comprehensive general liability policy in a form satisfactory to the City Attorney, as evidenced by a certificate of insurance, which at minimum must provide:

- (a) verification that an insurance policy has been issued to the Company by an insurance company licensed to do business in the State of Virginia, or a form of self-insurance acceptable to the City Attorney;
- (b) verification that the Company is insured against claims for personal injury, including death, as well as claims for property damage arising out of (i) the use and occupancy of the Public Rights-of-Way by the Company, its agents, employees and permittees, and (ii) placement and use of Facilities owned by the Company in the Public Rights-of-Way by the Company, its officers, agents, employees and permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground Facilities and collapse of property;
- (c) verification that the City Attorney will be notified thirty (30) days in advance of cancellation of the policy or material reduction of a coverage term;
- (d) verification that comprehensive liability coverage, automobile liability coverage, workers compensation and umbrella coverage established by the City Attorney in amounts sufficient to protect the City and the public and to carry out the purposes and policies of this Ordinance; and
- (e) verification that the policy has a combined single limit coverage of not less than two million dollars (\$2,000,000).

The policy shall include the City as an additional insured party, and the Company shall provide the City Attorney with a certificate of such coverage before execution of this Franchise Ordinance in a form acceptable to the City Attorney.

603.2 The Company shall also require similar indemnification and insurance coverage from any contractor working on its behalf in the Public Rights-of-Way.

SECTION 604 NEGLIGENCE AND INTENTIONAL ACTS

Nothing herein contained shall be construed to render the Company liable for or obligated to indemnify the City, its agents, or employees, for the negligence or intentional acts of the City, its Council members, its agents or employees, or a permittee of the City.

ARTICLE VII – GUARANTEES OF PERFORMANCE

SECTION 701 GENERAL REQUIREMENT OF A PERFORMANCE BOND

Prior to the Effective Date of this Ordinance, the Company has deposited with the City a Performance Bond made payable to the city in the amount of twenty-five thousand dollars (\$25,000). The bond must be written by a corporate surety acceptable to the City and authorized to do business in the Commonwealth of Virginia. The Performance Bond must be maintained at this amount through the term of this Franchise Ordinance. Whenever the City calls upon the Performance Bond, the Company will take whatever steps are necessary to replenish the amount available to be called upon under the Performance Bond within ten (10) days of notice from the City regarding same.

SECTION 702 CHANGED AMOUNT OF THE PERFORMANCE BOND

At any time during the Term, the City may, acting reasonably, require or permit the Company to change the amount of the Performance Bond if the City finds that new risk or other factors exist that reasonably necessitate or justify a change in the amount of the Performance Bond. Such new factors may include, but not be limited to, such matters as:

- (a) material changes in the net worth of the Company;
- (b) changes in the identity of the Company that would require the prior written consent of the City;
- (c) material changes in the amount and location of Facilities owned by the Company;
- (d) the Company's recent record of compliance with the terms and conditions of this Ordinance; and
- (e) material changes in the amount and nature of construction or other activities to be performed by the Company pursuant to this Ordinance.

SECTION 703 PURPOSE OF PERFORMANCE BOND

The Performance Bond shall serve as security for:

- (a) the faithful performance by the Company of all terms, conditions and obligations of this Ordinance;

- (b) any expenditure, damage or loss incurred by the City occasioned by the Company's failure to comply with all rules, regulations, orders, permits and other directives of the City issued pursuant to this Ordinance;
- (c) payment of costs or compensation required by this Ordinance;
- (d) the payment of premiums for the liability insurance required pursuant to this Ordinance;
- (e) the removal of Facilities owned by the Company from the Streets at the termination of the Ordinance, at the election of the City, pursuant to this Ordinance;
- (f) any loss or damage to the Streets or any property of the City during the installation, operation, upgrade, repair or removal of Facilities by the Company;
- (g) the payment of any other amounts that become due to the City pursuant to this Ordinance or law;
- (h) the timely renewal of any corporate surety bond that constitutes the Performance Bond; and
- (i) any other costs, loss or damage incurred by the City as a result of the Company's failure to perform its obligations pursuant to this Ordinance.

SECTION 704 FEES OR PENALTIES FOR VIOLATIONS OF THE ORDINANCE

704.1 FEE OR PENALTY: The Company shall be subject to a fee or a penalty for violation of this Ordinance as provided for in applicable law.

704.2 APPEAL: The Company may, upon written request within thirty (30) days of the City's decision to assess a fee or penalty and for reasons of good cause, ask the City to reconsider its imposition of a fee or penalty pursuant to this Ordinance unless another period is provided for in applicable law. The City Engineer or designee shall schedule a review of such request to be held within forty-five (45) days of receipt of such request from the Company. The City's decision on the Company's appeal shall be in writing and supported by written findings establishing the reasonableness of the City's decision. During the pendency of the appeal before the City or any subsequent appeal thereafter, the Company shall place any such fee or penalty in an interest-bearing escrow account. Nothing herein shall limit the Company's right to challenge such assessment or the City's decision on appeal, in a court of competent jurisdiction.

ARTICLE VIII – REQUIRED PAYMENTS

SECTION 801 COMPENSATION/PROW USE FEE.

The City reserves the right to impose at any time on the Company consistent with Section 253(c) of the Communications Act of 1934, as amended:

- (a) a PROW Use Fee in accordance with Section 56-468.1(G) of the Code of Virginia, and/or
- (b) any other fee or payment that the City may lawfully impose for the occupation and use of the Streets.

The Company shall be obligated to remit the PROW Use Fee and any other lawful fee enacted by the City, so long as the City provides the Company and all other affected certificated providers of local exchange telephone service appropriate notice of the PROW Use Fee as required by Section 56-468.1(G) of the Code of Virginia. If the PROW Use Fee is eliminated, discontinued, preempted or otherwise is declared or becomes invalid, the Company and the City shall negotiate in good faith to determine fair and reasonable compensation to the City for use of the Streets by the Company for Facilities.

SECTION 802 RESERVED

SECTION 803 NO CREDITS OR DEDUCTIONS

The compensation and other payments to be made pursuant to Article VIII: (a) shall not be deemed to be in the nature of a tax, and (b) except as may be otherwise provided by Section 56-468.1 of the Code of Virginia, shall be in addition to any and all taxes or other fees or charges that the Company shall be required to pay to the City or to any state or federal agency or authority, all of which shall be separate and distinct obligations of the Company.

SECTION 804 REMITTANCE OF COMPENSATION/LATE PAYMENTS, INTEREST ON LATE PAYMENTS

(1) If any payment required by this Ordinance is not actually received by the City on or before the applicable date fixed in this Ordinance, or (2), in the event the City adopts an ordinance imposing a PROW Use Fee, if such Fee has been received by the Company from its customers, and has not been actually received by the City on or before the applicable date fixed in this Ordinance or thirty (30) days after receipt of the PROW Use Fee from its customers, whichever is later, then the Company shall pay interest thereon, to the extent permitted by law, from the due date to the date paid at a rate equal to the rate of interest then charged by the City for late payments of real estate taxes.

ARTICLE IX – ENFORCEMENT AND INTERPRETATION

SECTION 901 ENFORCEMENT; RESERVATION OF ALL RIGHTS AND POWERS

The City may enforce the terms of this Ordinance by any lawful means in its sole and absolute discretion, and the selection of a particular method of enforcement shall not preclude the City from using another method in relation to the same enforcement action or another enforcement action. In addition to any methods of enforcement granted by general law, the City reserves the remedy of self-help, including the right to remove, correct, or relocate any unsafe Facility belonging to the Company. In any litigation arising out of the City's enforcement of this Ordinance, the City may recover its reasonable attorney's fees if it prevails in the litigation.

The City reserves the right by ordinance or resolution to establish any reasonable regulations for the convenience, safety, health and protection of its inhabitants under its police powers, consistent with state and federal law. The rights herein granted are subject to the exercise of such police powers as the same now are or may hereafter be conferred upon the City. Without limitation as to the generality of the foregoing the City reserves the full scope of its power to require by ordinance substitution of underground service for overhead service, or the transfer of overhead service from the front to the rear of property whenever reasonable in all areas in the City and with such contributions or at such rates as may be allowed by law.

Notwithstanding anything herein to the contrary, nothing herein shall be construed to extend, limit or otherwise modify the authority of the City preserved under Sections 253 (b) and (c) of the Communications Act of 1934, as amended. Nothing herein shall be construed to limit, modify, abridge or extend the rights of the Company under the Communications Act of 1934, as amended, or any other federal, state or local statute, ordinance or regulation.

SECTION 902 SEVERABILITY

If any portion of this Ordinance is for any reason held to be invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

ARTICLE X - MAINTENANCE

SECTION 1001 MAINTENANCE OBLIGATION

The Company will maintain the poles, wires, cable, conduits, lines, manholes, equipment and other Facilities it owns within the City's PROW in good order and operating condition throughout the term of the franchise granted by this Ordinance. Upon notice from the City, the Company will promptly repair, replace or remove any Facilities not in good order or not in operating condition.

SECTION 1002 TREE TRIMMING

Should the Company install any overhead lines, it shall have the authority to trim trees upon or overhanging the streets, alleys, walkways or Public Rights-of-Way to prevent the branches of such trees from interfering with its lines or other Facilities. However, all such trimmings shall be

performed in a safe and orderly manner under the general direction of the Director of Public Works or his or her designee and in compliance with the pruning standards of the National Arborists Association as currently in effect.

ARTICLE XI - TERM

SECTION 1101 INITIAL TERM OF FRANCHISE

The term of the franchise granted by this Ordinance shall be for a period of five (5) years from the effective date of this Ordinance.

SECTION 1102 APPLICATION FOR NEW FRANCHISE

If the Company wishes to maintain its equipment within the City and to continue the operation of the system beyond the term of the franchise granted by this Ordinance, it shall give written notice to the City at least one hundred twenty (120) days before expiration of the franchise granted by this Ordinance, stating that it wishes to apply for a new franchise. Such application shall include a report of the location of the Facilities owned by the Company within the City's PROW, and a statement as to whether the Company has complied with the provisions of this Ordinance.

SECTION 1103 HOLDOVER PERIOD; OPERATION OF FACILITIES OWNED BY THE COMPANY WHILE RENEWAL IS PENDING

Upon a timely request by the Company prior to the expiration of its initial franchise, the Company shall be permitted to continue operations of the Facilities owned by the Company within the City under the terms of the franchise granted by this Ordinance until the City acts upon the Company's request or as otherwise provided in Section 1401 of this Ordinance. Nothing herein shall be construed to grant the Company a perpetual franchise interest.

During the Holdover Period, the Company will abide by all its obligations under this Ordinance as if it remained in effect.

SECTION 1104 MODIFICATION

This Ordinance may be modified by the parties during performance, but no modification shall be valid or enforceable unless in writing and signed by each of the parties hereto.

ARTICLE XII – INFORMATION SHARING

SECTION 1201 NOTICE

All notices, except for in cases of emergencies, required pursuant to the franchise granted by this Ordinance shall be in writing and shall be mailed or delivered to the following address:

To the Company:

Lumos Networks, Inc. d/b/a Segra,
Attn: Legal Department
120 W 12th Street, 11th Floor
Kansas City, MO 64105

To the City:

City of Charlottesville
Attn: City Manager
605 East Main Street
Charlottesville, VA 22902

All correspondences shall be by registered mail, certified mail or regular mail with return receipt requested; and shall be deemed delivered when received or refused by the addressee. Each Party may change its address above by like notice.

SECTION 1202 EMERGENCY NOTIFICATION

Notices required pursuant to Section 303.2 shall be made orally and by email to the following:

To the Company:

Segra Network Operations Center (NOC)
staffed 24/7, and can be reached at 877-
411-6930

To the City:

Gas Dispatchers
(434) 970-3800 (office)
Emergency (434)293-9164 (leaks)

Jason Sipe
Market VP, Operations
(540) 949-3452 (office)
Jason.Sipe@segrafiber.com

Steven Hicks
Director of Public Works
(434) 970-3703 (office)
hicks@charlottesville.gov

SECTION 1203 REGISTRATION OF DATA

The Company, including any sub-leasee or assigns, must keep on record with the City the following information:

- (a) Name, address and e-mail address if applicable, and telephone number;
- (b) Name, address and e-mail address if applicable, and telephone number of a local representative available for consultation at all times. This information must include how to contact the local representative in an emergency; and

- (c) A certificate of insurance as required under Article VI, Section 603 of this Franchise Ordinance.

The Company shall update all of the above information with the City within fifteen (15) days following its knowledge of any change.

ARTICLE XIII - TERMINATION

SECTION 1301 TERMINATION OF FRANCHISE

The franchise granted by this Ordinance may be terminated:

- (a) by the Company, at its election and without cause, by written notice to the City at least sixty (60) days prior to the effective date of such termination; or
- (b) by either the Company or the City, after thirty (30) days written notice to the other party of the occurrence or existence of a default of the franchise granted by this Ordinance, if the defaulting party fails to cure or commence good faith efforts to cure, such default within sixty (60) days after delivery of such notice.

Notwithstanding the provisions of this Section, the terms and conditions of the franchise granted by this Ordinance pertaining to indemnification shall survive a termination under this Section.

ARTICLE XIV – DISPOSITION OF FACILITIES UPON TERMINATION

SECTION 1401 REMOVAL OF FACILITIES FROM THE PUBLIC RIGHTS-OF-WAY

The Company shall remove all Facilities owned by the Company from the streets, alleys and public places of the City at the expense of the Company within six (6) months after the termination, abandonment, or expiration of this franchise granted by this Ordinance, or by such reasonable time to be prescribed by the City Council, whichever is later. No such removal will be required while any renewal requests as provided for in Section 1102 and Section 1103, are pending before the City. If such renewal request is denied, the six (6) month period provided above shall commence on the date of denial or expiration, whichever is later. The City reserves the right to waive this requirement, as provided for in Section 1402 herein. The City shall grant the Company access to the Public Rights-of-Way in order to remove its Facilities owned by the Company pursuant to this paragraph.

SECTION 1402 ABANDONMENT OF FACILITIES OWNED BY THE COMPANY IN THE PUBLIC RIGHTS-OF-WAY

The Facilities owned by the Company may be abandoned without removal upon request by the Company and approval by the City. This Section survives the expiration or termination of this franchise granted by this Ordinance.

ARTICLE XV – ASSIGNMENT AND LEASING

SECTION 1501 PRIOR WRITTEN CONSENT FOR ASSIGNMENT

The franchise granted by this Ordinance shall not be assigned or transferred without the express written approval of the City, which shall not be unreasonably or discriminatorily conditioned, withheld or delayed. The City will not approve of a transfer to any entity that is not properly authorized to do business in the Commonwealth of Virginia or not authorized or equipped to carry on the business contemplated by this Ordinance. As a condition of approval of a transfer, the City may require that the transferee accept liability for any known or unknown claims against the Company arising under this Ordinance.

In addition, nothing in this Ordinance shall be construed to require the Company to obtain approval from the City in order to lease any Facilities owned by the Company or any portion thereof in, on, or above the PROW, or grant an indefeasible right of use (“IRU”) in the Facilities owned by the Company, or any portion thereof, to any entity or person. The lease or grant of an IRU in such Facilities owned by the Company, or any portion or combination thereof, shall not be construed as the assignment or transfer of any franchise rights granted under this Ordinance. Any lease or IRU granted by the Company terminates upon the termination of the Franchise or the expiration of any grace period provided under Section 1401.

SECTION 1502 SUCCESSORS AND ASSIGNS

Notwithstanding Section 1501, the Company may assign, transfer, or sublet its rights, without the consent of the City, to any person or entity that controls, is controlled by or is under common control with the Company, any company or entity with which or into which the Company may merge or consolidate, or to any lender of the Company, contingent upon the Company’s providing the City notice of the action prior to enactment. Any successor(s) of the Company shall be entitled to all rights and privileges of this franchise granted by this Ordinance and shall be subject to all the provisions, obligations, stipulations and penalties herein prescribed.

ARTICLE XVI - NONEXCLUSIVITY

SECTION 1601 NONEXCLUSIVE FRANCHISE

Nothing in the franchise granted by this Ordinance shall be construed to mean that this is an exclusive franchise, as the City Council reserves the right to grant additional franchises to other parties.

ARTICLE XVII – WAIVERS GENERALLY

SECTION 1701 ALL WAIVERS IN WRITING AND EXECUTED BY THE PARTIES

Any waiver of the franchise granted by this Ordinance or any of its provisions shall be effective and binding upon the Parties only if it is made in writing and duly signed by the Parties.

SECTION 1702 NO CONSTRUCTIVE WAIVER RECOGNIZED

If either Party fails to enforce any right or remedy available under the franchise granted by this Ordinance, that failure shall not be construed as a waiver of any right or remedy with respect to any breach or failure by the other Party. Nothing herein shall be construed as a waiver of any rights, privileges or obligations of the City or the Company, nor constitute a waiver of any remedies available at equity or at law. No acceptance by the City of any payment by the Company will be considered an accord and satisfaction of disputed claims or debts unless the City provides written agreement that such payment constitutes accord and satisfaction.

ARTICLE XVIII - NONDISCRIMINATION

SECTION 1801 NO DISCRIMINATION

The Company's rights, privileges and obligations under the franchise granted by this Ordinance shall be no less favorable than those granted by the City to and shall not be interpreted by the City in a less favorable manner with respect to any other similarly situated entity or person or user of the City's Public Rights-of-Way.

ARTICLE XIX – INABILITY TO PERFORM

SECTION 1901 FORCE MAJEURE

Neither the Company nor the City shall be liable for any delay or failure in performance of any part of the franchise granted by this Ordinance from any cause beyond its control and without its

fault or negligence including, without limitation, acts of nature, acts of civil or military authority, government regulations, embargoes, epidemics, terrorist acts, riots, insurrections, fires, explosions, earthquakes, nuclear accidents, floods, work stoppages, equipment failure, power blackouts, volcanic action, other major environmental disturbances, or unusually severe weather conditions.

ARTICLE XX

SECTION 2001 EFFECTIVE DATE

This Ordinance shall be effective upon its passage.

Adopted by the Council of the City of Charlottesville on the ____ day of _____, 2025.

Clerk of Council

ACCEPTED: The franchise granted by this Ordinance is accepted, and the Company agrees to be bound by its terms and conditions.

LUMOS NETWORKS, INC. d/b/a SEGRA

By _____

Its _____

Date _____

Policy Briefing Summary

City Council



Regarding:	Ordinance to authorize the abandonment of a portion of the existing trail easement with the Locust Meadows Owners Association and allow recording of an updated easement and plat
Staff Contact(s):	Chris Gensic, Park and Trail Planner
Presenter:	Chris Gensic, Park and Trail Planner
Date of Proposed Action:	November 3, 2025

Issue

The City of Charlottesville, Virginia ("City"), holds a trail easement along lower Meadow Creek on property owned by the Locust Meadows Owners Association. City Staff, or its agent, has completed the engineering to construct the stone dust trail along the easement. Said engineering work determined that the alignment of the trail at the northern end, including a bridge across a wetland outfall, will need to shift ten (10) to fifteen (15) feet from where City Staff first anticipated the alignment. To re-align the easement to the better trail and bridge location, an update to the easement is required. Since that will require abandonment of a section of existing easement, City Council action is necessary.

Background / Rule

Analysis

This is a basic trail easement and is only coming to City Council to abandon the existing alignment, as evidenced in the attached updated easement and plat.

Financial Impact

none

Recommendation

City Staff recommends City Council adopt the attached Ordinance abandoning the existing easement and allow City Staff to complete and record the new adjusted easement deed and plat (as attached).

Recommended Motion (if Applicable)

"I move adoption of the attached Ordinance authorizing the abandonment of a portion of the existing trail easement with the Locust Meadows Owners Association and allow City Staff to complete recording of updated easement and plat."

Attachments

1. LMOA EasementUpdatePlat-signed-Oct2024
2. Ordinance - Amendment of Deed of Easement
3. Amendment to Locust Meadows Deed January 2025

NOTES:
1.) SOURCE OF MERIDIAN: NAD83, ESTABLISHED BY DRAPER ADEN ASSOCIATES UTILIZING GPS.
2.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR TITLE REPORT AND ALL EASEMENTS AND ENCUMBRANCES THAT MIGHT BE DISCLOSED IN A TITLE SEARCH MAY NOT BE SHOWN.
3.) PROPERTY LINES SHOWN HEREON ARE COMPILED FROM RECORD INFORMATION AND DO NOT REPRESENT A BOUNDARY SURVEY.

AREA SUMMARY

EX. INS#: 201900002947

EX. TEMPORARY CONSTRUCTION EASEMENTS
VACATED TEMPORARY CONSTRUCTION EASEMENTS
NEW TEMPORARY CONSTRUCTION EASEMENTS

38,184 SF
- 3,259 SF
+ 3,935 SF
38,860 SF

EX. 15' PEDESTRIAN AND BICYCLE PATH
VACATED 15' PEDESTRIAN AND BICYCLE PATH
NEW 15' PEDESTRIAN AND BICYCLE PATH

25,916 SF
- 2,445 SF
+ 2,951 SF
26,422 SF

TEMPORARY NATURE TRAIL EASEMENT
VACATED TEMPORARY NATURE TRAIL EASEMENT

171 SF
- 171 SF
0 SF

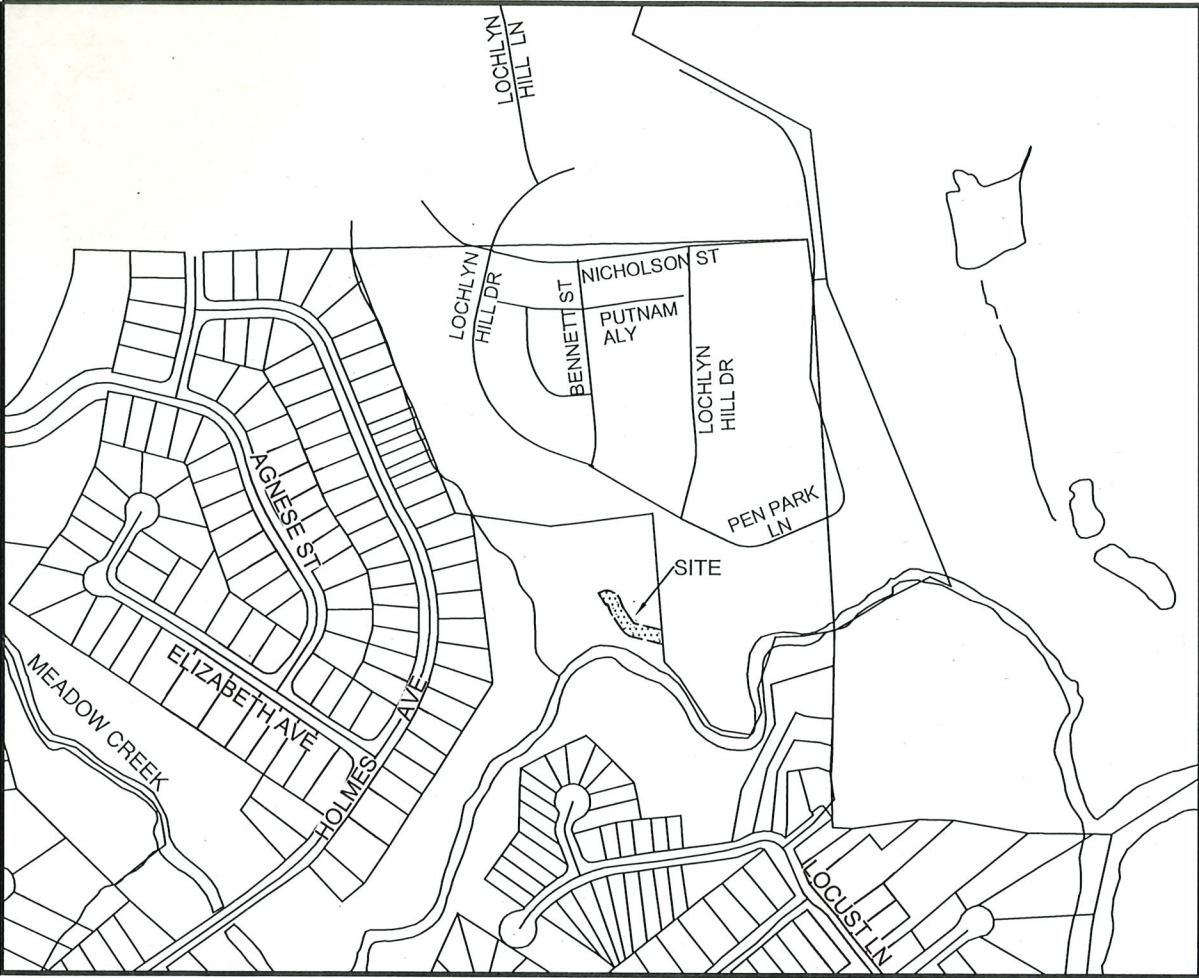
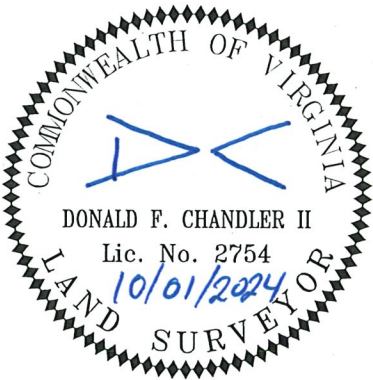
PARCEL INFORMATION

PARCEL ADDRESS: 1100 HOLMES AVE

TMP 48A-41AA0
DB616-710
DB 582-506 PLAT

ZONE: MLTP

OWNER:
LOCUST MEADOWS OWNERS ASSOCIATION
911 LOCUST LN
CHARLOTTESVILLE, VA 22901



VICINITY MAP
1"=500'

EXISTING VACATED EASEMENT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C22	25.00'	30.67'	70°17'57"	28.79'	S 86°36'28" E
C23	50.00'	42.47'	48°39'56"	41.20'	S 73°10'37" E

EASEMENT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C19	23.00'	41.36'	103°02'14"	36.01'	S70°14'19"E
C20	50.00'	14.86'	17°01'25"	14.80'	S27°13'55"E
C21	25.00'	17.86'	40°55'31"	17.48'	S56°12'23"E

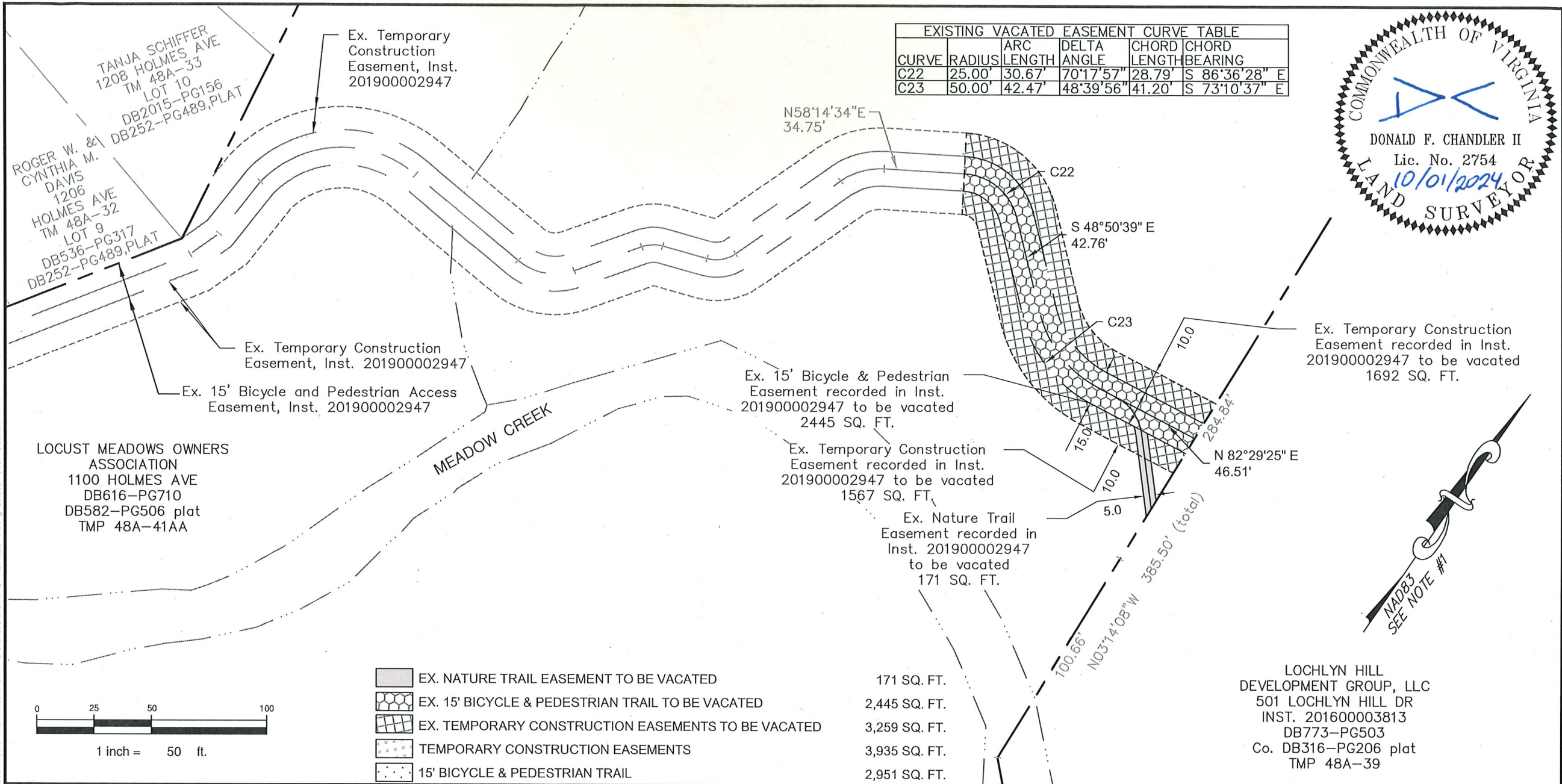


DRAWN NCS
CHECKED DC
DATE 01/16/2024

PLAT SHOWING EXISTING TEMPORARY CONSTRUCTION EASEMENTS, 15' BICYCLE AND PEDESTRIAN ACCESS EASEMENT & 5' NATURE TRAIL EASEMENT TO BE ABANDONED AND PROPOSED TEMPORARY CONSTRUCTION EASEMENTS AND 15' BICYCLE AND PEDESTRIAN ACCESS EASEMENT TO BE DEDICATED ACROSS PROPERTY OF LOCUST MEADOWS OWNERS LOCUST GROVE NEIGHBORHOOD, CITY OF CHARLOTTESVILLE, VIRGINIA

SCALE: 1"=50'
PROJECT: C13138C-01S2
FIGURE 1/3

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110 Avon Street
Charlottesville, VA 22902
434-295-0700 Fax: 434-295-2105
Richmond, VA Raleigh, NC
Blacksburg, VA Northern Virginia
Newport News, VA Virginia Beach, VA

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01/16/2024

PLAT SHOWING EXISTING TEMPORARY CONSTRUCTION EASEMENTS, 15' BICYCLE AND PEDESTRIAN ACCESS EASEMENT & 5' NATURE TRAIL EASEMENT TO BE ABANDONED AND PROPOSED TEMPORARY CONSTRUCTION EASEMENTS AND 15' BICYCLE AND PEDESTRIAN ACCESS EASEMENT TO BE DEDICATED ACROSS PROPERTY OF LOCUST MEADOWS OWNERS LOCUST GROVE NEIGHBORHOOD, CITY OF CHARLOTTESVILLE, VIRGINIA

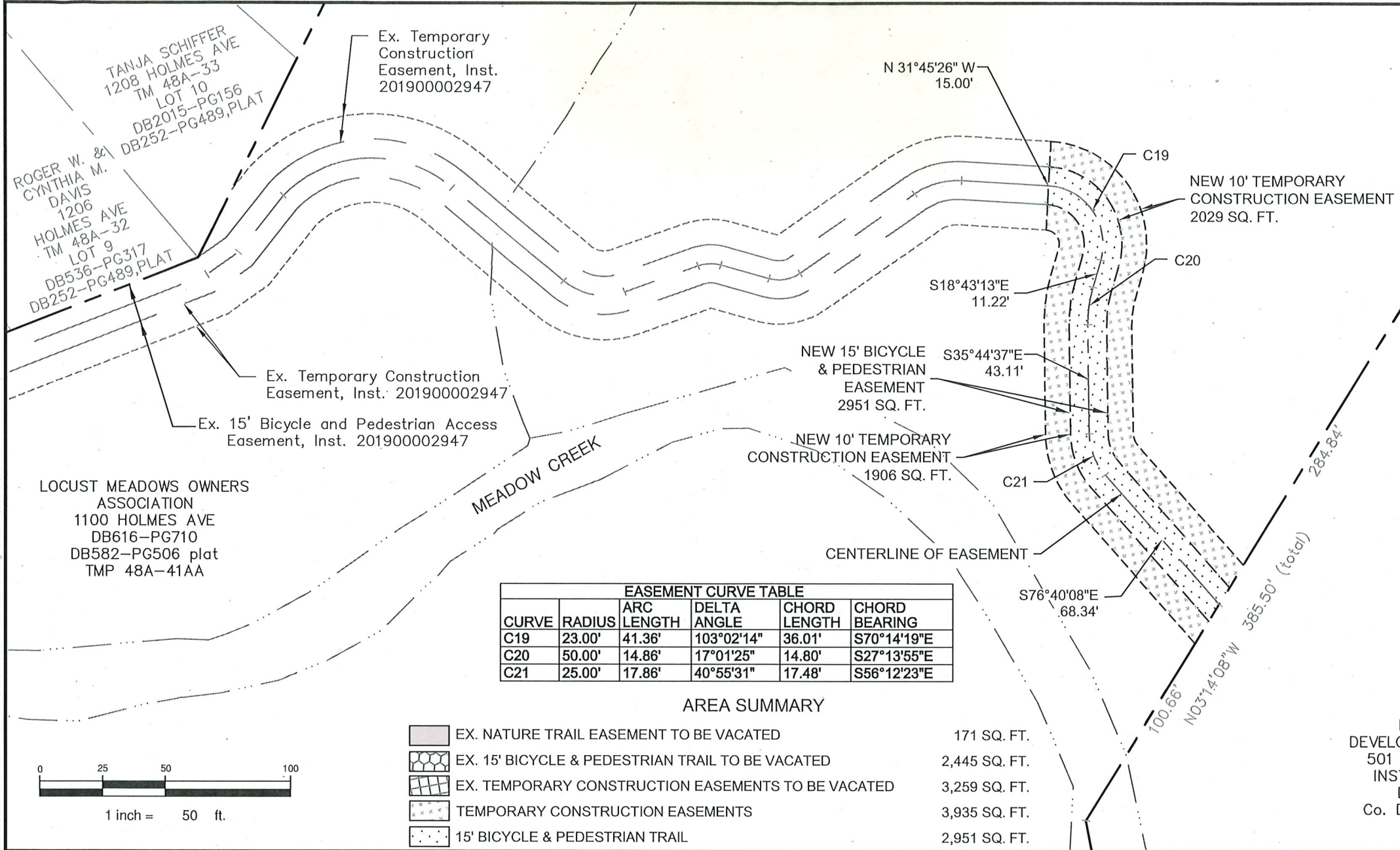
SCALE: 1"=50'

PROJECT: C13138C-01S2

FIGURE

2/3

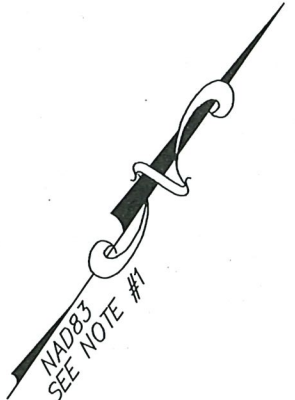
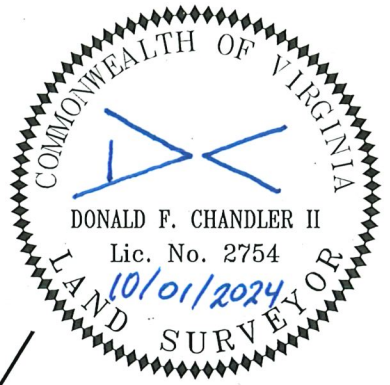
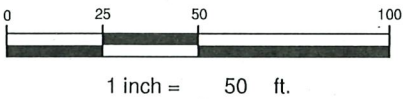
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EASEMENT CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C19	23.00'	41.36'	103°02'14"	36.01'	S70°14'19"E
C20	50.00'	14.86'	17°01'25"	14.80'	S27°13'55"E
C21	25.00'	17.86'	40°55'31"	17.48'	S56°12'23"E

AREA SUMMARY

	EX. NATURE TRAIL EASEMENT TO BE VACATED	171 SQ. FT.
	EX. 15' BICYCLE & PEDESTRIAN TRAIL TO BE VACATED	2,445 SQ. FT.
	EX. TEMPORARY CONSTRUCTION EASEMENTS TO BE VACATED	3,259 SQ. FT.
	TEMPORARY CONSTRUCTION EASEMENTS	3,935 SQ. FT.
	15' BICYCLE & PEDESTRIAN TRAIL	2,951 SQ. FT.



LOCHLYN HILL
DEVELOPMENT GROUP, LLC
501 LOCHLYN HILL DR
INST. 201600003813
DB773-PG503
Co. DB316-PG206 plat
TMP 48A-39

TRC ENGINEERS, INC.

110 Avon Street
Charlottesville, VA 22902
434-295-0700 Fax: 434-295-2105

Richmond, VA Raleigh, NC
Blacksburg, VA Northern Virginia
Newport News, VA Virginia Beach, VA

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DATE

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DC
01/16/2024

PLAT SHOWING EXISTING TEMPORARY CONSTRUCTION EASEMENTS, 15' BICYCLE AND PEDESTRIAN ACCESS EASEMENT & 5' NATURE TRAIL EASEMENT TO BE ABANDONED AND PROPOSED TEMPORARY CONSTRUCTION EASEMENTS AND 15' BICYCLE AND PEDESTRIAN ACCESS EASEMENT TO BE DEDICATED ACROSS PROPERTY OF LOCUST MEADOWS OWNERS LOCUST GROVE NEIGHBORHOOD, CITY OF CHARLOTTESVILLE, VIRGINIA

SCALE: 1"=50'	FIGURE 3/3
PROJECT: C13138C-01S2	

ORDINANCE FOR AMENDMENT OF DEED OF EASEMENT (TMP: 48A-41AA)

WHEREAS, the City of Charlottesville, Virginia (“City”), is the holder/owner of a Temporary Construction Easement and a Bicycle and Pedestrian Access Easement (hereinafter the “Easements”) in Charlottesville, Virginia, depicted on the plat attached hereto as Exhibit “A,” and made a part fully hereof; and

WHEREAS, the City has completed the engineering for the Project and has determined that the alignment of the trail at the northern end, including a bridge across a wetland outfall, will need to shift ten (10) to fifteen (15) feet from where the City first anticipated the alignment; and

WHEREAS, to re-align the Easements to the better trail and bridge location, the City will need to update the Easement by abandoning a section of the existing Easements, which requires City Council action; and

WHEREAS, Locust Meadow Owners Association, has requested the Council of the City of Charlottesville, Virginia (“City Council”), to Amend a Deed of Easement, as identified on the plat attached as Exhibit “A,” and as further described in a Deed recorded with the Charlottesville Circuit Court Clerk’s Office as Instrument No. 201900002947, and

WHEREAS, since the proposed abandonment of a section of the existing Easements is for site development purposes, no Public Hearing is required under Virginia Code § 15.2-1800(B) is legally required; and

NOW THEREFORE BE IT ORDAINED, by City Council that the Amendment of the Deed of Easements abandoning the sections of the existing Easements are hereby approved. The City Attorney, or his designee, has prepared an Amendment to Deed of Easement to effectuate the amending of the Deed of Easement as approved by this Ordinance; and

BE IT FURTHER ORDAINED BY CITY COUNCIL THAT the requirement within City Code Section 2-97 (for two (2) readings of an Ordinance) is hereby WAIVED, and this Ordinance shall be effective upon its adoption by City Council without any requirement for a second reading.

Approved by Council _____

Clerk of Council

Prepared by:
J. Vaden Hunt, Esq. (VSB # 65574)
Charlottesville City Attorney's Office
P.O. Box 911
Charlottesville, Virginia 22902

Tax Map Parcel: No. 48A-41AA
Consideration: \$1.00

*This Deed is exempt from state recordation taxes pursuant to Virginia Code §§ 58.1-811(A)(3) and 58.1-811(C)(4),
and is exempt from the fees imposed by Virginia Code § 17.1-275, pursuant to Virginia Code § 17.1-266*

AMENDMENT TO DEED OF EASEMENT

THIS AMENDMENT TO DEED OF EASEMENT ("Amendment") is made this ____ day of _____, 2025, by and between **LOCUST MEADOW OWNERS ASSOCIATION** ("Grantor"), and the **CITY OF CHARLOTTESVILLE, VIRGINIA** ("City"), a municipal corporation and political subdivision of the Commonwealth of Virginia ("Grantee"), whose address is P.O. Box 911, Charlottesville, Virginia 22902; (collectively "Parties").

WITNESSETH

WHEREAS, the Grantor owns certain real property, acquiring such property by a deed dated May 15, 1993, and duly recorded in the Circuit Court Clerk's Office of the City in Deed Book 616, p. 710 ("Property"); and

WHEREAS, the Grantor and Grantee entered into a Deed of Easement dated August 1, 2019, which crosses over a portion of the Property and is duly recorded in the Circuit Court Clerk's Office of the City at Instrument No. 201900002947 ("Deed"); and

WHEREAS, the Deed set forth certain obligations and rights between the Parties on the Property, as more specifically described in the Deed; and

WHEREAS, the Grantee has requested that the Deed be amended, in accordance with Section 2.4 of the Deed, to relocate a small portion of the existing trail to better conform with the City's adopted Bicycle and Pedestrian Facility Master Plan and improve public access to such trail; and

WHEREAS, the Grantor accepts this request to relocate a small portion of the existing trail as more fully shown on a plat prepared by Draper Arden Associates on January 16, 2024, entitled, "PLAT SHOWING EXISTING TEMPORARY CONSTRUCTION EASEMENTS, 15' BICYCLE AND PEDESTRIAN ACCESS EASEMENT & 5' NATURE TRAIL EASEMENT TO BE ABANDONED AND PROPOSED TEMPORARY CONSTRUCTION EASEMENT AND 15' BICYCLE AND PEDESTRIAN ACCESS EASEMENT TO BE DEDICATED ACROSS PROPERTY OF LOCUST MEADOWS OWNERS, LOCUST GROVE NEIGHBORHOOD, CITY OF CHARLOTTESVILLE, VIRGINIA," which is attached and incorporated herein by reference as Exhibit "A" ("Plat").

NOW, THEREFORE, in consideration of the sum of One Dollar and 0/100 Cents (\$1.00), cash in hand paid, and other value and good consideration, the receipt of which is hereby acknowledged, the following amendments are mutually agreed to:

VACATION OF PORTIONS OF EXISTING TRAIL

Grantee does hereby VACATE the following easements, and Grantee does hereby RELEASE and QUITCLAIM to Grantor any interest it has in the area within these easements, which shall revert to Grantor:

1. A portion of one (1) of the existing temporary construction easements, containing approximately 1,567 square feet, as more fully described as “Ex. Temporary Construction Easement recorded in inst. 201900002947 to be vacated” on the Plat;
2. A portion of one (1) of the existing temporary construction easements, containing approximately 1,692 square feet, as more fully described as “Ex. Temporary Construction Easement recorded in inst. 201900002947 to be vacated” on the Plat;
3. A portion of the existing bicycle and pedestrian easement, containing approximately 2,445 square feet, as more fully described as “Ex. 15’ Bicycle & Pedestrian Easement recorded in Inst. 201900002947 to be vacated” on the Plat; and
4. The nature trail easement, containing approximately 171 square feet, as more fully described as “Ex. Nature Trail Easement recorded in Inst. 201900002947 to be vacated” on the Plat.

CONVEYANCE OF PORTIONS OF A NEW TRAIL CONNECTION

Grantor does hereby GIVE, GRANT, CONVEY, and DEDICATE to the Grantee, with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, easements over the Property, such easements being more specifically described as:

1. A new temporary construction easement, ten feet (10’) in width, containing approximately 1,906 square feet, and more fully described as “NEW 10’ TEMPORARY CONSTRUCTION EASEMENT” on the Plat;
2. A new temporary construction easement, ten feet (10’) in width, containing approximately 2,029 square feet, and more fully described as “NEW 10’ TEMPORARY CONSTRUCTION EASEMENT” on the Plat; and
3. A new permanent easement and right-of-way, fifteen feet (15’) in width, containing approximately 2,951 square feet, and more fully described as “NEW 15’ BICYCLE & PEDESTRIAN EASEMENT” on the Plat.

RELATIONSHIP BETWEEN AMENDMENT AND THE DEED

As a result of the VACATIONS and CONVEYANCES above, the legal description of the existing easements described in the first two (2) pages of the Deed is hereby amended to read:

1. A permanent easement and right-of-way, fifteen feet (15') in width, containing approximately 2,951 square feet, and more fully described as "NEW 15' BICYCLE & PEDESTRIAN EASEMENT" on the Plat;

2. A temporary construction easement, ten feet (10') in width, containing approximately 1,906 square feet, and more fully described as "NEW 10' TEMPORARY CONSTRUCTION EASEMENT" on the Plat; and

3. A temporary construction easement, ten feet (10') in width, containing approximately 2,029 square feet, and more fully described as "NEW 10' TEMPORARY CONSTRUCTION EASEMENT" on the Plat.

MISCELLANEOUS PROVISIONS

A. All new temporary construction easements conveyed in this Amendment shall automatically expire upon full construction of the "NEW 15' BICYCLE & PEDESTRIAN EASEMENT" on the Plat, as determined by the City;

B. All new easements conveyed in this Amendment are hereby subject to the same conditions, restrictions, covenants, terms, and obligations in the Deed;

C. All other terms, conditions, restrictions, obligations, and covenants in the Deed shall remain binding to the Grantor and Grantee, which will continue running with the land; and

D. In the event of any conflict between the Deed and the Amendment, the Amendment shall control.

WITNESS the following signatures and seals:

[SIGNATURE PAGES FOLLOW; THE REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

GRANTOR:

LOCUST MEADOWS OWNERS ASSOCIATION

By: _____(SEAL)
Gail Hyder
President

COMMONWEALTH OF VIRGINIA
City of Charlottesville, to-wit:

The foregoing Amendment was acknowledged before me, a Notary Public in and for the aforesaid City and State, by _____, as _____ of the Locust Meadows Owners Association, on the ____ day of _____, 2025

Notary Public

Registration #: _____

The City acting by and through its City Attorney, the City official designated by the City Manager pursuant to authority granted by Resolution of the City Council of the City of Charlottesville, Virginia, does hereby accept the conveyance of this Amendment, pursuant to Virginia Code § 15.2-1803, as evidenced by the City Attorney's signature hereto and the City's recordation of this Deed.

GRANTEE:

CITY OF CHARLOTTESVILLE, VIRGINIA

By: _____ (SEAL)
John Mattux, Esq.
City Attorney

COMMONWEALTH OF VIRGINIA
City of Charlottesville, to-wit:

The foregoing Amendment to the Deed of Easement was acknowledged before me, a Notary Public in and for the aforesaid City and State, by _____, as _____ of the City of Charlottesville, Virginia, on the ____ day of _____, 2025

Notary Public

Registration #: _____

EXHIBIT “A”

PLAT SHOWING EXISTING TEMPORARY CONSTRUCTION EASEMENTS, 15’
BICYCLE AND PEDESTRIAN ACCESS EASEMENT & 5’ NATURE TRAIL EASEMENT
TO BE ABANDONED AND PROPOSED TEMPORARY CONSTRUCTION EASEMENT
AND 15’ BICYCLE AND PEDESTRIAN ACCESS EASEMENT TO BE DEDICATED
ACROSS PROPERTY OF LOCUST MEADOWS OWNERS, LOCUST GROVE
NEIGHBORHOOD, CITY OF CHARLOTTESVILLE, VIRGINIA

Policy Briefing Summary

City Council



Regarding:	Ordinance amending City Code Article XVI. - Police Civilian Oversight Board (1 of 2 readings)
Staff Contact(s):	James Walker, PCOB Management Analyst
Presenter:	James Walker, PCOB Management Analyst
Date of Proposed Action:	November 3, 2025

Issue

Council is asked to consider amendments to *Chapter 2 - Article XVI* of the City Code governing the Police Civilian Oversight Board (PCOB). The proposed ordinance amendments are intended to improve operational functionality, clarify roles and responsibilities, establish an Office of Police Civilian Oversight, and align oversight functions with city policies and state law.

Background / Rule

The stated purpose of the PCOB is to "establish and maintain trust between and among the Charlottesville Police Department (CPD), the City Council, the City Manager, and the public." The original ordinance was intended to authorize a fully independent, investigatory-dominant model of oversight. Since adoption, the application of this model has been hindered by structural inconsistencies, conflicting provisions, and procedural burdens that limit the Board's effectiveness and legitimacy. Critical gaps include unclear delineation between Board and Director responsibilities, misalignment with state law and CPD policies (including general orders and collective bargaining), conflicts with city procurement and operational procedures, and unrealistic expectations placed on volunteer Board members.

The amendments proposed address some of these deficiencies without altering the Board's core authority. These amendments align aspects of the ordinance with established city policies, state law, and current practices, while formalizing the Office of Police Civilian Oversight to improve the capacity and sustainability of oversight functions. The amendments help to clarify the distinct roles of the Director and the Board and streamline procedural requirements to reflect realistic expectations of Board members.

Analysis

The proposed amendments represent the first phase of ordinance reform focused on operational functionality and structural clarity. These changes do not alter the Board's powers or duties but rather address how those duties are implemented and by whom. The following links can be used to review the relevant amendments and supporting documents:

- [Current PCOB Ordinance \(Last Amended 11/18/2024\)](#)
- [PCOB Ordinance Amendments \(Redlined\)](#)
- [PCOB Ordinance Amendments \(Clean Rewrite\)](#)
- [Presentation of PCOB Ordinance Amendments \(Joint Council & PCOB Meeting 09/11/2025\)](#)

Establishing the Office and Clarifying Roles: The amendments formally establish the Office of Police Civilian Oversight (modeled on language from the Office of Human Rights ordinance) and delineate responsibilities between the Board, Director, and City Manager. Key changes include:

- Granting the Director authority to engage in oversight activities (policy review, departmental meetings, interview panels, use-of-force review) independently, or directed by Board majority vote, with summary reporting required.
- Authorizing the Director to conduct audits independently or at Board request.
- Shifting contract authority for legal counsel from the Board Chair to the Director, aligning with city procurement policies.
- Clarifying that the Director prepares the annual report, with Board review and approval.

Terminology and Organizational Improvements: The ordinance is updated throughout to replace "Executive Director" with "Director" for consistency with city organizational structure and to refer to the "Office of Police Civilian Oversight" uniformly. Multiple sections are reordered and consolidated (e.g., combining mediation and informal resolution; elevating subpoena and investigation conduct sections) to improve navigability and reduce fragmentation and redundancy. Some ordinance language has been removed entirely due to irrelevancy or duplication.

Aligning with Current Practice and Law: Several provisions are amended to reflect how oversight functions locally in practice and to reduce conflicts with state law, CPD policy, and collective bargaining agreements. Changes include:

- Updating language to reflect how information access is administered by the Director.
- Removing language directing Circuit Court actions (outside city ordinance authority).
- Clarifying confidentiality provisions and identifying the Chief of Police and City Attorney as sources for determinations on confidential information.
- Streamlining training requirements by reducing prescriptive timelines that create inefficiency with staggered appointments.

Supporting Volunteer Sustainability: The amendments reduce procedural burdens on volunteer Board members by shifting operational and administrative responsibilities to professional staff where appropriate, converting mandatory "shall" requirements to discretionary "may" options for certain community engagement activities and training mandates, and removing the fixed April 15 annual report deadline (aligning with other city boards and commissions).

These amendments balance the Council's oversight objectives with the operational realities of a part-time volunteer Board supported by a small, professionally staffed office.

Financial Impact

There is no anticipated financial impact from these amendments. The amendments assume a level budget for two full-time equivalent staff and operational expenses, as is currently allocated.

Recommendation

It is recommended that the City Council should adopt the ordinance amendments to Article XVI of the City Code governing the Police Civilian Oversight Board, as presented.

Recommended Motion (if Applicable)

Council moves to approve adoption of the ordinance amendments to Article XVI of the City Code governing the Police Civilian Oversight Board, as presented.

Attachments

1. Article XVI PCOB Ordinance Amendments - Clean Version
2. Article XVI PCOB Ordinance Amendments - Redlined Version

ARTICLE XVI. POLICE CIVILIAN OVERSIGHT BOARD¹

Sec. 2-450. Title.

This article shall be known as the Charlottesville Police Civilian Oversight Board Ordinance.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-451. Police civilian oversight board established.

Pursuant to Virginia Code § 9.1-601, there is hereby established a Charlottesville Police Civilian Oversight Board, which shall be referred to as "the board," with powers granted as provided within this article. The board is a body established and appointed by the city council of Charlottesville pursuant to Virginia Code § 9.1-601(B) to perform functions authorized by the city council in accordance with Virginia Code § 9.1-601(C). It shall not be able to bring suit or to be sued in its own name, except to the extent needed to request and defend subpoenas as authorized by this article.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-452. Office of police civilian oversight established.

- (a) *Office established.* There is hereby established an Office of Police Civilian Oversight, which shall be referred to as "the office," which is a division of the city manager's office, and shall have the powers granted as provided within this article to facilitate and support the authorized functions of the board. The office shall have the authority to carry out its duties and responsibilities under this article with respect to all law enforcement activities and all sworn and civilian personnel operating under the authority of the Charlottesville Police Department, which shall be referred to as "the department."
- (b) *Director.* There shall be a full-time director of the office. The director will be responsible for and report to the board on the day-to-day operational activities of the board and the office. The director shall report to the city manager, and the city manager shall delegate to the director the authority to employ such additional staff as funded by the city council for the board to effectively fulfill its obligations under this article, and any such additional staff shall report to the director.
 - (1) *Appointment.* The city manager shall appoint a director with the approval of a majority vote of the city council.
 - (2) *Interview process.* As a part of the director appointment process, the city manager shall convene an interview panel that includes two (2) members of the board. If those two (2) members recommend a candidate for appointment as director, the city manager shall provide a written justification to the board if a different candidate is appointed.

¹Editor's note(s)—Ord. No. O-21-183, §§ 1, 2, adopted Dec. 20, 2021, repealed the former Art. XVI, §§ 2-450—2-464, and enacted a new Art. XVI as set out herein. The former Art. XVI pertained to the police civilian review board, and derived from an ordinance adopted Nov. 4, 2019(1)); and Ord. No. O-21-062, 5-3-21.

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- (c) *Duties of the city manager.* The city manager shall have the following duties:
- (1) *Operating procedures.* The city council authorizes the city manager to establish operating procedures for the performance of duties by the board and the office, in consultation with the board and the director. Those procedures may be amended from time to time by the city council or by the city manager, in consultation with the board and the director.
 - (2) *Supervision.* The city manager or a designee shall supervise the work of the director. The city manager's annual evaluation of the director's performance shall consider a written performance review submitted by the board to the city manager. The board may request that the city manager meet with the board's chair to discuss the director's performance.
 - (3) *Vacancy.* If there is a vacancy in the position of director, the city manager may designate some other city employee who is not an employee of the department to act as director until a new director is hired.
- (d) *Duties of the director.* The director shall have the following duties:
- (1) *Duties.* The director shall support the board in the implementation and exercise of its oversight functions and undertake or ensure the performance of specific tasks assigned by majority vote of the board, pursuant to the powers and duties of the board authorized in this article. The director shall be responsible for management of all administrative and fiscal needs of the board and the office as authorized by the city manager.
 - (2) *Director's authority to conduct audits.* The director may conduct retrospective examinations and audits of patterns in internal affairs investigations, arrests and detentions, department expenditures, and other public-police interactions pursuant to the powers and duties of the board authorized in this article. The board may request the director to conduct additional audits by majority vote. The director will provide a summary report of any audit conducted to the board and the city manager upon completion.
 - (3) *Director's authority to engage in oversight activities on behalf of the board.* The director may engage in additional oversight activities which support and inform the functions of the board, consistent with the powers and duties of the board authorized in this article. This may include, but is not limited to, review of department data systems, attendance at department meetings, review of department policies, practices, and procedures, participation in interviews of candidates for employment with the department, participation in use of force and similar conduct review panels, and other activities which are reasonably necessary for the board to effectuate its lawful purpose. The board may request the director to conduct additional oversight activities by majority vote. The director shall report all activities to the board and the city manager in accordance with the limitations outlined in § 2-454 of this article.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-453. Powers and duties of the police civilian oversight board.

- (a) *Purpose.* The purpose of the board is to establish and maintain trust between and among the department, the city council, the city manager, and the public.
- (b) *Powers and duties.* The board shall have the following powers and duties:
 - (1) To receive, investigate, and issue findings on complaints from civilians regarding the conduct of law enforcement officers and civilian employees of the department;
 - (2) To investigate and issue findings on incidents, including the use of force by a law enforcement officer, death or serious injury to any individual held in custody, serious abuse of authority or misconduct as

-
- defined in this section, allegedly discriminatory stops, and other incidents regarding the conduct of law enforcement officers and civilian employees of the department;
- (3) At the conclusion of any investigation conducted pursuant to paragraphs (1) and (2), above, if the board has found that an employee has committed misconduct, to recommend disciplinary action to the chief of police;
 - (4) To investigate policies, practices, and procedures of the department and to make recommendations regarding changes to such policies, practices and procedures;
 - (5) To review investigations conducted internally by the department and to issue findings regarding the accuracy, completeness, and impartiality of the investigations and the sufficiency of any discipline resulting from such investigations;
 - (6) To request reports of the annual expenditures of the department, and to make recommendations to the city council concerning future appropriations;
 - (7) To make public reports on the activities of the board, including investigations, hearings, findings, recommendations, determinations and oversight activities;
 - (8) To hold hearings and, if, after making a good faith effort to obtain the voluntary attendance of witnesses and the production of books, papers, and other evidence necessary to perform its duties, the board is unable to obtain such attendance or production, to apply to the Circuit Court for the City of Charlottesville for a subpoena compelling the attendance of such witness or the production of such books, papers and other evidence; and
 - (9) To undertake other duties, as reasonably necessary, for the board to effectuate its lawful purpose as provided for in this article, to effectively oversee the department.
- (c) *Definition of "serious abuse of authority or misconduct."* "Serious abuse of authority or misconduct" shall include the following:
- (1) Verbal or other conduct regarding an individual or group that maligns or shows hostility for the individual or group because of race, color, religion, gender, national origin, age, disability, sexual orientation, or gender identity and expression;
 - (2) Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status or disability;
 - (3) Acting in a rude, careless, angry, retaliatory or threatening manner;
 - (4) Reckless endangerment of a citizen, detainee, or person in custody;
 - (5) Violation of laws or ordinances;
 - (6) Criminal or other misconduct occurring on or off the job which is related to job performance or is of such a nature that to continue the employee in the assigned position or in any city employment capacity would constitute negligence in regard to the city's duties to the public or to other city employees;
 - (7) In any matter within the jurisdiction of any officer, department or agency of the city:
 - a. The knowing falsification, concealment or cover-up of a material fact; and/or
 - b. The knowing making of any false, fictitious or fraudulent statement or representation, and/or the making or using of any writing or document knowing the same to contain a false, fictitious or fraudulent statement or entry;
 - (8) Sexual activity, including consensual sexual activity, on the job; and

-
- (9) Other serious violations of Charlottesville or department policies or procedures, including the department code of conduct.

Sec. 2-454. Information access and limitations.

- (a) *Access to department information.* The board, administered by the director, is authorized to receive, and shall be provided full access to, all department reports, files and records determined by the board or the director to be necessary to carry out its authorized powers and responsibilities. All records, documents and materials in the possession of or provided to the board or the director shall be subject to board procedures adopted for the protection of confidential information as defined in such procedures. The city manager, in consultation with the chief of police and the board, shall establish a standard operating procedure setting forth how this access shall be given by the department to the board, how personal information shall be managed and protected by the board in accordance with the requirements of Virginia Code § 2.2-3800 et seq., and under what circumstances or conditions it may be made available to the parties.
- (b) *Department information to which the board may not have access.* The director and the board shall not have access to:
- (1) Juvenile records;
 - (2) Records that may reveal the identity or personal information, as defined in Virginia Code § 2.2-3801, of a confidential informant;
 - (3) Investigative files for an active civil or criminal investigation by the commonwealth attorney, the Virginia Attorney General, the Virginia State Police, or the United States Department of Justice;
 - (4) Files related to an active EEOC claim, human rights commission investigation, or civil claim involving a department employee;
 - (5) Files containing information exempt from public disclosure pursuant to Virginia Code §§ 2.2-3706(B)(2), (3), (4), (5), (6), (7), (8), (10), (11); 2.2-3706(C); 2.23706.1(C)(1) through (C)(6); 2.2-3706.1(D); and 2.2-3706.1(E); or
 - (6) Any information that the police department is not legally authorized to share.
- (c) *Disputes over access.* If the director and the board seek access to information the disclosure of which the department believes would compromise ongoing investigations, disclosure may be withheld until such time as the need for maintaining confidentiality is no longer present, or until the city manager has determined that the matter will not be compromised by the release of the information. If the board believes that the city manager is unreasonably withholding such information, the board may consider whether to seek a subpoena requiring the production of such information pursuant to section 2-459.
- (d) *Confidentiality.* Each member of the board and the director shall maintain the confidentiality of all confidential or privileged information, including, but not limited to:
- (1) Materials from police internal investigative files;
 - (2) Disciplinary actions, memos and reports;
 - (3) Statements of any police officer or civilian employee who was required by the department to give a statement;
 - (4) Criminal investigative files; or
 - (5) Any other information that the chief or city attorney's office has deemed confidential.

This requirement to maintain confidentiality continues indefinitely or until the information no longer meets the definition of confidential or privileged as defined in relevant board procedures.

- (e) *Records to remain department records.* The chief of police, as the custodian of the original records, shall be responsible for decisions as to whether copies of such records (or information contained in such records) may be publicly disclosed, subject to the direction and control of the city manager. Nothing in this paragraph shall preclude the city manager from including with the standard operating procedure guidelines for public disclosure of certain types of information contained within department records. In the standard operating procedure, the city manager shall issue guidelines for what information may be included in board or office reports or otherwise publicly disclosed.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-455. Board membership appointment, and terms.

- (a) *Objectivity.* It is of fundamental importance that members of the board be fair and objective in the conduct of their duties, and that they be perceived as fair and objective in the conduct of their duties.
- (b) *Appointment process.* The city council shall appoint the members of the board. The council shall announce a public application process with applications available online and by hardcopy in English and Spanish for individuals interested in serving on the board. Council will seek to appoint fair-minded and objective members with a demonstrated commitment to community service who have training and experience, including lived experience, with topics relevant to the business of the board, including law, police practices, human resources practices and procedures, trauma-informed mental health issues, and the sociology of historically overpoliced communities.
- (c) *Board composition.* The board shall reflect the demographic diversity of the City of Charlottesville. The board shall be composed of seven (7) voting members and one (1) non-voting member appointed by the city council. The members shall be removable by the city council for cause as specified in the board code of ethics, violating the duty of confidentiality, failing to participate in required training, or other good cause.
 - (1) Council shall appoint at least three (3) members who are residents of public housing or who come from historically disadvantaged communities that have traditionally experienced disparate policing.
 - (2) Council may appoint one (1) member who represents an organization that seeks racial or social justice on behalf of historically disadvantaged communities.
 - (3) The non-voting member of the board shall be an individual with policing expertise or experience. The non-voting member may be a retired law enforcement officer who prior to his or her retirement was employed in a locality similar to the City of Charlottesville.
 - (4) The seven (7) voting members of the board shall be residents of, or shall be employed in, the City of Charlottesville or Albemarle County, with priority given to city residents and those with significant and demonstrable ties to the city.
 - (5) No board member shall be a current candidate for public office, a former member of the department, an immediate family member of a current department employee, or a current employee of a law enforcement agency, the fire department, the emergency communications center, or the sheriff's office. If council considers appointing a board member who is employed by the City of Charlottesville, council will seek to avoid potential conflicts of interest.
- (d) *Terms.* Each board member shall be appointed for a term of three (3) years. Appointments and terms shall be subject to the provisions of chapter 2, article I § 2-8 of the city code.

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- (e) *Conflicts of interest.* No board member may participate in any matter before the board under circumstances in which the objectivity of the board member could reasonably be questioned, including, without limitation, the consideration of a complaint of someone who is a family member. For purposes of the Virginia State and Local Government Conflict of Interests Act, the board shall be deemed a "governmental agency" and each board member shall be an "officer," as those terms are defined in Virginia Code § 2.2-3101. All board members shall comply with the requirements of the Virginia State and Local Government Conflict of Interests Act.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21; Ord. No. O-24-155, 11-18-24)

Sec. 2-456. Meetings.

- (a) *Number of meetings.* The board shall hold public meetings at least once per calendar quarter. Additional meetings may be called by the chair or any two (2) board members.
- (b) *FOIA.* The board shall comply with all applicable requirements of the Virginia Freedom of Information Act ("FOIA") pertaining to disclosure of public records and the conduct of its meetings, including the requirement that all meetings shall be open to the public except under circumstances when the topic is authorized by FOIA to be discussed in a closed meeting.
- (c) *Quorum.* A quorum of the board shall be four (4) members.
- (d) *Minutes.* The board shall keep minutes of its meetings, which shall include:
- (1) The date, time, and location of the meeting;
 - (2) The members present and absent;
 - (3) A summary of the discussion on matters proposed, deliberated, or decided;
 - (4) A record of any votes taken.
- (e) *Rules and procedures.* Meetings of the board shall be conducted in accordance with Robert's Rules of Order or such other procedures as the board may adopt.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-457. Board legal counsel.

The director may retain independent legal counsel to represent the board in all cases, hearings, controversies, or matters involving the interests of the board. Such independent legal counsel shall be chosen from a list of attorneys recommended by the city attorney. The director is authorized to execute a contract in the name of the board for legal services if the contract has first been approved by the board and endorsed by the city's finance director to verify that funding is available and has been appropriated to support performance of the payment obligations of the board under such contract. The board's legal counsel shall be paid only from funds that have been appropriated to the board's budget by city council. The board and the director are encouraged to consult the office of the city attorney for legal advice except in cases, hearings, investigations, controversies that are before the board, or in any other matter in which the board's and the department's interests may conflict.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-458. Investigation exclusions, limitations, and suspension.

- (a) *Compliance.* Any investigation shall comply with all federal, state, and local laws, as well as with requirements for the initiation and conduct of investigations described in the procedures promulgated by the city council as authorized in this article.
- (b) *Compelled statements.* The board may not compel a statement from any department employee, other than by means of its subpoena powers.
- (c) *Exclusions.* The board shall not consider complaints, incidents, claims or issues involving the following:
 - (1) Any incident that occurred more than one (1) year before the filing of the complaint, or one (1) year before the board received notice of the incident, except as otherwise authorized by subsection (d) of this section;
 - (2) Except as otherwise authorized by subsection (d) of this section, a matter that was the subject of an investigation where more than seventy-five (75) days has elapsed since the department sent notice to the complainant informing the complainant that the department's internal affairs investigation is complete (unless the board determines that there is good cause to extend the filing deadline);
 - (3) Matters that are the subject of a pending criminal proceeding in any trial court, a pending or anticipated civil proceeding in any trial court (as evidenced by a notice of claim or a filed complaint), or any pending City of Charlottesville grievance proceeding;
 - (4) Any financial management related issue;
 - (5) Any complaint, incident, claim or issue where the complainant requests that the board not have access to their files;
 - (6) Any complaint, incident, claim or issue that has previously been the subject of an investigation by the board, unless substantial new information has come to the attention of the board;
 - (7) An allegation of misconduct only by employees of law enforcement agencies other than the department. Such complainants should be referred to the appropriate law enforcement agency;
 - (8) An allegation of conduct that does not violate the Charlottesville Police Policies and Guidelines, Disciplinary Orders, or Code of Conduct;
 - (9) Any other claim outside the scope of the board's authority expressly set forth within this article.
- (d) *Exceptions to time limits.* With the concurrence of the city manager, the board may review investigations beyond the time limits specified in subsections (c)(1) and (c)(2) if:
 - (1) The board determines that there is good cause for doing so; or
 - (2) As part of an audit taking place under subsection 2-452(d).
- (e) *Suspension of investigations.* If a complaint asserts criminal conduct by an employee of the department, or if at any point in an investigation of a complaint or incident the board becomes aware that an employee may have committed a criminal offense, the board shall:
 - (1) Suspend the investigation and notify the chief of police and commonwealth's attorney of the alleged conduct, ensuring that no statements obtained from the police department employee(s) whose actions are the subject of the matter are shared with criminal investigators or any prosecuting authority except in accordance with applicable law; and
 - (2) Evaluate, in consultation with board legal counsel, the city attorney, and the commonwealth's attorney, whether competing public interests and civil rights involved permit the resumption of continued, parallel investigation by the board.

Sec. 2-459. Subpoenas.

- (a) *Application for subpoenas.* If the board determines that there is evidence (including witnesses) not within the control of the department that the board is unable to obtain voluntarily, the board by two-thirds ($\frac{2}{3}$) vote may authorize the director, on behalf of the board, to apply to the Charlottesville Circuit Court for a subpoena compelling the attendance of such witness or the production of such books, papers, and other evidence.
- (b) *Requests for access.* If the director is denied access to material witnesses, records, books, papers, or other evidence within the control of the department that the director deems necessary to perform their duties and the duties of the board, the director may request the city manager to require the department to produce the requested witnesses and documents. The city manager, or their designee, shall not unreasonably deny such a request, but may place conditions on the production of the requested witnesses and documents as necessary to preserve confidentiality for the reasons set forth in this article. The city manager, or their designee, shall issue a decision on the director's request within five (5) business days from the date of that request.
- (c) *Scope of subpoenas.* If the city manager, or their designee, denies the director's request made pursuant to subparagraph (b) above, the board by two-thirds ($\frac{2}{3}$) vote may authorize the director, on behalf of the board, to apply to the Charlottesville Circuit Court for a subpoena compelling the attendance of such witnesses or the production of such books, papers, and other evidence. The board shall give the city manager and the department reasonable notice of its intent to subpoena such witness or records and shall give the city attorney a copy of the request for subpoena. The board shall not unreasonably withhold its agreement to limitations on the scope of the subpoena requested by the city manager that may be necessary to protect confidential information. The parties may request that any hearing to be held in the circuit court on the request for a subpoena be conducted in a closed courtroom, to the extent permitted by state law. Upon request, the court file for any such subpoena request shall be kept under seal to the extent permitted by state law.
- (d) *Retention of subpoena records.* If a subpoena is granted, the board shall digitally record any interviews or depositions conducted pursuant to the subpoena and shall make copies of any documents obtained by subpoena. The board shall provide the department with copies of any such interview/deposition recordings and documents. The board shall delegate its authority to subpoena and question witnesses to the director, who shall conduct any interviews, depositions, or questioning of witnesses in a non-public forum that adequately protects the privacy of the individual being subpoenaed, the confidentiality or sensitivity of information shared or sought, and the integrity of any pending or concurrent investigation.

Sec. 2-460. Conduct of investigations.

- (a) *Conduct of complaint investigations.* If the complainant asks that their complaint be investigated by the department, the complaint will be investigated by the department with monitoring by the director. When the department's investigation is concluded, the department will provide the complainant with a closure letter of its findings and the resolution of the complaint and will provide the board a summary of the department's resolution of the complaint.
- (b) *Monitoring of investigations.* The director may actively monitor investigations of complaints of employee misconduct conducted by the department and shall have access to records and witnesses to the same extent as the department, subject to the limitations or requirements set out in this article. Such monitoring may include reviewing the investigative plan of the department, reviewing any records within the department's digital evidence management system, reviewing any pertinent law enforcement records

within the department's records management system, observing any real-time interviews of witnesses with the department, reviewing any recorded interviews which the director chooses not to attend in real time, providing feedback during the interview to be relayed to department staff conducting the interview, providing feedback to department staff in determining next steps in the investigative process, and reviewing facts gained from investigation. For active criminal investigations, the director shall be limited in their participation to the same extent the department is limited in its participation in such investigations. The director may monitor the department's administrative investigation of employee misconduct after the close of the active criminal investigation in the same manner as all other investigations of employee conduct handled by the department as described in this section. When monitoring department investigations, during the pendency of the investigations the director shall not disclose information about the investigation to the board, any board member, or any person other than as authorized in writing by the chief of police or the city manager.

- (c) *Investigative reports.* If the complainant asks that the complaint be investigated only by the board, the director shall initiate an investigation on behalf of the board. The director will provide the chief of police with enough identifying information to allow the department to give the director access to information, records and witnesses as may be relevant to the complaint. When the investigation is concluded, the director will provide the board, the complainant and the department with an investigative report that includes a summary of the circumstances of the incident(s) of alleged misconduct, the evidence related to whether there was any misconduct, and any suggested findings related to each allegation.
- (d) *Conduct of incident investigations.* If the board is investigating an incident, the board may request information from the department, may seek subpoenas as authorized above, and may conduct an investigation of the incident. When the investigation is concluded, the director will provide the board, the department, and (if a complaint has been filed) the complainant, with an investigative report that includes, at a minimum, a summary of the circumstances of the incident, the evidence related to whether the incident involved any police or employee misconduct, and any suggested findings related to the incident. The director may make recommendations as to whether an allegation, if substantiated, could constitute serious abuse of authority or misconduct as defined in subsection 2-453(c). The investigative report shall also be provided to any employees identified within the investigative report as having committed employee misconduct.
- (e) *Duration of investigations.* Investigations of complaints and incidents will be completed, and any investigative report will be submitted, within seventy-five (75) days from the date the complaint is received, or the board received notice of the incident. The board may extend the seventy-five-day period upon request of the police chief or the director to protect an ongoing investigation or prosecution, or for other good cause, with notice to the complainant and the city manager.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21; Ord. No. O-22-164, § 1, 12-19-22)

Sec. 2-461. Matters on which the board may conduct hearings.

- (a) *Hearings.* Hearings of the board shall be conducted in accordance with board operating procedures.
 - (1) At the conclusion of an investigation of an incident or a complaint the board may conduct a review hearing whose scope and procedures are described in the board's operating procedures. Review hearings shall be defined as any hearing conducted by the board to review the facts, issues and findings of a closure letter of the department related to an internal affairs investigation, or of an investigative report of the director related to a complaint or incident investigation.
 - (2) The board may conclude that no hearing, or a hearing only on a limited issue, is necessary to support the board's decision related to a particular complaint or incident. If so, the board may issue a report without a hearing.

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- (b) *Hearing findings.* Within thirty (30) days of a review hearing of an internal affairs investigation, the board shall report their findings publicly and to the city manager, the police chief, and the complainant with respect to each allegation or issue under review as follows:
- (1) That the board finds that the investigation of the complaint was satisfactory, and the board concurs with the findings of the investigation;
 - (2) That the board finds that the investigation of the complaint was satisfactory, but the board does not concur with the findings of the investigation, in which case the board may make recommendations to the city manager concerning disposition of the review request; or
 - (3) That the board finds that the investigation is incomplete or otherwise unsatisfactory and provides a detailed written explanation of the basis for such finding.
- (c) *Independent investigation findings.* If the board makes a finding under subsection (b)(3) above, the board may conduct an independent investigation of the matter that is the subject of the complaint. The board shall report publicly and to the city manager, the chief of police and the complainant that the board has made one (1) of the following findings:
- (1) That the board now finds that, despite the defects in the original internal affairs investigation, the board's own investigation has produced no material evidence to dispute the original findings of the internal affairs department.
 - (2) The board's independent investigation has produced substantive new information that causes them to disagree with the findings of the internal affairs investigation. In this case, the board shall make recommendations to the city manager concerning disposition of the complaint; or
 - (3) That despite the board's best efforts, the evidence is insufficient to allow the board to determine whether the findings of the internal affairs investigative report are correct.
- (d) *Allegation findings.* Within thirty (30) days of a review hearing of a complaint or incident investigation, the board shall report their findings publicly and to the city manager, the police chief, and the complainant with respect to each allegation or issue under review as follows:
- (1) That the board finds that the department employee committed misconduct;
 - (2) That the board finds that no department employee committed misconduct; or
 - (3) That despite the board's best efforts, the evidence is insufficient to allow the board to determine whether any department employee committed misconduct.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21; Ord. No. O-22-164, § 2, 12-19-22)

Sec. 2-462. Alternative resolution.

- (a) *Mediation.* The board may propose procedures for the use of mediation or other alternative dispute resolution techniques to resolve complaints against employees of the department. Such procedures shall not affect the ability of complainants to pursue remedies under other sections of this article.
- (b) *Informal resolution.* At any time after receiving a complaint and before issuance of the written findings required at the conclusion of a hearing, the board and any party may propose an informal resolution within the scope of the express authority granted to the board within this article, which informal resolution may be adopted if all parties and the board agree to such a resolution. At any time, the parties may agree to refer the matter to mediation or other alternative dispute resolution methods, without prejudice to the right to have a hearing on the review request.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-463. Disciplinary recommendations.

The board shall be authorized to make disciplinary recommendations regarding department employees in a manner that protects personnel information regarding identifiable employees against public disclosure, in accordance with the operating procedures established pursuant to subsection 2-452(c) and the standard operating procedures established pursuant to subsection 2-454(a). Subject to the foregoing provisions, the following process may be used, as appropriate:

- (a) *Board recommendations for discipline.* Upon making a finding that a department employee has engaged in a serious breach of departmental and professional standards, the board shall meet to discuss appropriate recommendations for disciplinary action. Prior to commencement of any such disciplinary deliberations, the subject employee shall be given notice of the proceedings and of the range of disciplinary actions under consideration for recommendation, and the employee shall be offered an opportunity to be heard. If permitted by FOIA, some or all of the disciplinary hearing may be held in closed session. No department employee, and no other city employee, shall be compelled to provide statements to the board during its deliberations. Disciplinary action to be considered for recommendation by the board shall only include those specified within any applicable disciplinary matrix utilized by the department. After considering these sources of information, the board may make a disciplinary recommendation to the department.
- (b) *Decline of discipline recommendations.* If the board makes a disciplinary recommendation to the department, and the department declines to implement the board's disciplinary recommendations, the chief of police shall, within thirty (30) days of the board's recommendation, provide a written explanation of the reason for declining to implement the board's recommendation. This explanation shall be made available to the board, the city council, the city manager, and the public.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-464. Board review of law enforcement policies, practices and procedures.

The board may review and make recommendations regarding policies, practices, and procedures of the department, including written policies, procedures and standing orders. The board shall present in writing its findings and recommendations with supporting rationale to the city manager and chief of police. If the department declines to implement any changes recommended by the board, the chief of police shall explain in writing, which shall be made available for public inspection, why the department declines to implement the board's recommendation, unless the board instead withdraws the recommendation based on the rationale provided. The board's withdrawal of any such recommendation shall be made available for public inspection.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-465. Request annual reports of police expenditures.

During the city manager's preparation of a proposed city budget, the budget office shall provide the director with annual expenditure estimates and future year projections for the department, itemized to the same level of detail as provided to the city manager. The estimates shall be presented to the board by the director. The board may review the estimates and may make budgetary recommendations to the city manager or to the city council during the annual budget process.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-466. Community engagement, legislative recommendations, and reporting.

- (a) *Community engagement.* The board and the director shall engage in regular community outreach and collaboration to seek the assistance and input of community members and to provide education, awareness, and guidance on policing matters. The board may host public community listening and discussion sessions regarding policing matters of pressing public concern, such as questions about transparency, availability, legitimacy, mutual respect and trust, and community safety and order. The board and the director may also host or participate in public police-community relations meetings focused on topics such as the impacts of local policing on historically disadvantaged communities that currently experience or traditionally have experienced disparate policing.
- (b) *Legislative recommendations.* The board may make recommendations to city council of any proposed changes in state law, for the council's consideration to include in its annual legislative program to present to the General Assembly. These recommendations shall be presented to the city attorney's office by August 15 of each year.
- (c) *Reporting.* Each calendar year, the director shall provide the board and city council with an annual report of activities conducted during the preceding calendar year. The report shall detail activities of the board and the office in the prior calendar year, with sections related to the appointment of committees and their actions; the establishment of any community advisory panels; an overview of complaints received during the calendar year including the number of complaints, the complaints' findings, and the number of complaints deferred due to pending proceedings; the number and outcome of any independent investigations; an overview of proposed policy recommendations and amendments to department policies and whether the recommendations and amendments were implemented by the department; the number, type, and attendance at community listening sessions; a summary of public input and recommendations of the public during those sessions; recommendations of the board about policing within the city; and any other information necessary to provide an overview of board and office activities. The director may provide the board, city council, and the city manager additional reports as deemed appropriate by the director to provide transparency into oversight activities of the board and the office.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-467. Board member training.

- (a) *NACOLE training.* At least once every two (2) years, and within six (6) months of any new board appointments, the director shall facilitate or provide board members with at least four (4) hours of training, presented using training content from the National Association for Civilian Oversight of Law Enforcement or a comparable professional organization. The training shall be consistent with the board's mission, this article, and the board's operating procedures.
- (b) *City and CPD training.* At least once every two (2) years, and within six (6) months of any new board appointments, the city, the director, and the chief of police or their designees, shall facilitate or provide board members with at least two (2) hours of training or information:
 - (1) Describing the legal and ethical obligations of members of a public board, including the need to comply with FOIA and other statutes and ordinances governing their service;
 - (2) Explaining police department procedures, policies, and regulations;
 - (3) Describing the substance of police department personnel record-keeping;
 - (4) Describing such other city policies, procedures and systems relevant to the duties of the board; and

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(Supp. No. 61, Update 1)

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- (5) Explaining the board's operating procedures and code of ethics.
- (c) *Additional training.* As needed, the board may request additional relevant training by subject matter experts on subjects that may include mental health, trauma-informed policing, civil rights and constitutional law, race and racism, community outreach, mediation, investigation, and policing practices. The board may also request opportunities for ride-along experiences with the department and participation in the Community Police Academy. The director shall facilitate or provide this training as is feasible with available funding and other relevant considerations.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-468. Commendations for exceptional community service.

- (a) *Soliciting public comment.* The board may solicit comments from the public concerning incidents of exceptional performance by employees of the department.
- (b) *Exemplary employees.* The board may consult with the chief of police regarding individual employees who have made outstanding contributions exemplary of equitable, just, and professional policing.
- (c) *Recognition of outstanding contributions.* The board may issue public citations recognizing individuals deemed to have made such contributions.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Secs. 2-469—2-479. Reserved.

ARTICLE XVI. POLICE CIVILIAN OVERSIGHT BOARD¹

Sec. 2-450. Title.

This article shall be known as the Charlottesville Police Civilian Oversight Board Ordinance.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-451. Police civilian oversight board established.

Pursuant to Virginia Code § 9.1-601, there is hereby established a Charlottesville Police Civilian Oversight Board, which shall be referred to as "the board," with powers granted as provided within this article. The board is a body established and appointed by the city council of Charlottesville pursuant to Virginia Code § 9.1-601(B) to perform functions authorized by the city council in accordance with Virginia Code § 9.1-601(C). It shall not be able to bring suit or to be sued in its own name, except to the extent needed to request and defend subpoenas as authorized by this article.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-452. Office of police civilian oversight established.

- (a) Office established. There is hereby established an Office of Police Civilian Oversight, which shall be referred to as "the office," which is a division of the city manager's office, and shall have the powers granted as provided within this article to facilitate and support the authorized functions of the board. The office shall have the authority to carry out its duties and responsibilities under this article with respect to all law enforcement activities and all sworn and civilian personnel operating under the authority of the Charlottesville Police Department, which shall be referred to as "the department."
- (b) Director. There shall be a full-time director of the office. The director will be responsible for and report to the board on the day-to-day operational activities of the board and the office. The director shall report to the city manager, and the city manager shall delegate to the director the authority to employ such additional staff as funded by the city council for the board to effectively fulfill its obligations under this article, and any such additional staff shall report to the director.
- (1) Appointment. The city manager shall appoint an ~~executive~~ director with the approval of a majority vote of the city council.
- (2) Interview process. As a part of the ~~executive~~ director appointment process, the city manager shall convene an interview panel that includes two (2) members of the board. If those two (2) members recommend a candidate for appointment as ~~executive~~ director, the city manager shall provide a written justification to the board if a different candidate is appointed.
- (c) Duties of the city manager. The city manager shall have the following duties:

¹Editor's note(s)—Ord. No. O-21-183, §§ 1, 2, adopted Dec. 20, 2021, repealed the former Art. XVI, §§ 2-450—2-464, and enacted a new Art. XVI as set out herein. The former Art. XVI pertained to the police civilian review board, and derived from an ordinance adopted Nov. 4, 2019(1)); and Ord. No. O-21-062, 5-3-21.

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- (1) *Operating procedures.* The city council, ~~shall approve~~ authorizes the city manager to establish operating procedures for the performance of duties by the board and the office, in consultation with the board and the director. Those procedures may be amended from time to time by the city council or by the city manager, in consultation with the board and the director.
- (2) *Supervision.* The city manager or a designee shall supervise the work of the ~~executive~~director and may delegate that responsibility to a deputy city manager. The city manager's annual evaluation of the ~~executive~~director's performance shall consider a written performance review submitted by the board to the city manager. The board may request that the city manager meet with the board's chair to discuss the ~~executive~~director's performance.
- (3) *Vacancy.* If there is a vacancy in the position of ~~executive~~director, the city manager ~~or their designee~~ may designate some other city employee who is not an employee of the department to act as ~~executive~~director until a new ~~executive~~director is hired.
- (d) *Duties of the director.* The director shall have the following duties:
- (1) *Duties.* The ~~executive~~director shall support the board in the implementation and exercise ~~of all~~ of its oversight functions authorized under this article and ~~to~~ undertake or ensure the performance of specific tasks assigned by majority vote of the board, pursuant to the powers and duties of the board authorized in this article. The director shall be responsible for management of all administrative and fiscal needs of the board and the office as authorized by the city manager, ~~including the monitoring of investigations conducted by the department. If authorized by the city manager or their designee, the executive director may engage the services of such investigators as may be necessary to perform the executive director's duties to conduct or to monitor investigations.~~
- (2) *Executive Director's authority to conduct audits.* The ~~board may direct the executive director, its behalf to may~~ conduct retrospective examinations and audits of patterns in internal affairs investigations, arrests and detentions, department expenditures, and other public-police interactions pursuant to the powers and duties of the board authorized in this article. The board may request the director to conduct additional audits by majority vote. The director will provide a summary report of any audit conducted to the board and the city manager upon completion. ~~The board may request information from the department, may seek subpoenas as authorized above, and may conduct such an investigation as is necessary to permit the board to perform the audit.~~
- (3) *Director's authority to engage in oversight activities on behalf of the board.* The director may engage in additional oversight activities which support and inform the functions of the board, consistent with the powers and duties of the board authorized in this article. This may include, but is not limited to, review of department data systems, attendance at department meetings, review of department policies, practices, and procedures, participation in interviews of candidates for employment with the department, participation in use of force and similar conduct review panels, and other activities which are reasonably necessary for the board to effectuate its lawful purpose. The board may request the director to conduct additional oversight activities by majority vote. The director shall report all activities to the board and the city manager in accordance with the limitations outlined in § 2-454 of this article.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. ~~2-452.~~2-453. Powers and duties of the police civilian oversight board.

- (a) *Purpose.* The purpose of the board is to establish and maintain trust between and among ~~the Charlottesville Police Department, which shall be referred to as "~~the department," the city council, the city manager, and the public.

~~(b) *Objectivity.* It is of fundamental importance that members of the board be fair and objective in the conduct of their duties, and that they be perceived as fair and objective in the conduct of their duties.~~

(b) *Powers and duties.* The board shall have the following powers and duties:

- (1) To receive, investigate, and issue findings on complaints from civilians regarding the conduct of law enforcement officers and civilian employees of the department;
- (2) To investigate and issue findings on incidents, including the use of force by a law enforcement officer, death or serious injury to any individual held in custody, serious abuse of authority or misconduct as defined in this section, allegedly discriminatory stops, and other incidents regarding the conduct of law enforcement officers and civilian employees of the department;
- (3) At the conclusion of any investigation conducted pursuant to paragraphs (1) and (2), above, if the board has found that an employee has committed misconduct, to recommend disciplinary action to the chief of police;
- (4) To investigate policies, practices, and procedures of the department and to make recommendations regarding changes to such policies, practices and procedures, ~~as set forth within section 2-462 of this article;~~
- (5) To review investigations conducted internally by the department, ~~as set forth in section 2-458 of this article,~~ and to issue findings regarding the accuracy, completeness, and impartiality of the investigations and the sufficiency of any discipline resulting from such investigations;
- (6) To request reports of the annual expenditures of the department, and to make recommendations to the city council concerning future appropriations;
- (7) To make public reports on the activities of the board, including investigations, hearings, findings, recommendations, determinations and oversight activities;
- (8) To hold hearings and, if, after making a good faith effort to obtain the voluntary attendance of witnesses and the production of books, papers, and other evidence necessary to perform its duties, the board is unable to obtain such attendance or production, to apply to the Circuit Court for the City of Charlottesville for a subpoena compelling the attendance of such witness or the production of such books, papers and other evidence; and
- (9) To undertake other duties, as reasonably necessary, for the board to effectuate its lawful purpose as provided for in this article, to effectively oversee the department.

(c) *Definition of "serious abuse of authority or misconduct."* "Serious abuse of authority or misconduct" shall include the following:

- (1) Verbal or other conduct regarding an individual or group that maligns or shows hostility for the individual or group because of race, color, religion, gender, national origin, age, disability, sexual orientation, or gender identity and expression;
- (2) Harassment or discrimination based on race, color, sexual orientation, gender, religion, national origin, marital status, age, familial status, immigration status or disability;
- (3) Acting in a rude, careless, angry, retaliatory or threatening manner ~~not necessary for self defense;~~
- (4) Reckless endangerment of a citizen, detainee, or person in custody;
- (5) Violation of laws or ordinances;
- (6) Criminal or other misconduct occurring on or off the job which is related to job performance or is of such a nature that to continue the employee in the assigned position or in any city employment

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- capacity would constitute negligence in regard to the city's duties to the public or to other city employees;
- (7) In any matter within the jurisdiction of any officer, department or agency of the city:
- a. The knowing falsification, concealment or cover-up of a material fact; and/or
 - b. The knowing making of any false, fictitious or fraudulent statement or representation, and/or the making or using of any writing or document knowing the same to contain a false, fictitious or fraudulent statement or entry;
- (8) Sexual activity, including consensual sexual activity, on the job; and
- (9) Other serious violations of Charlottesville or department policies or procedures, including the department code of conduct.

Sec. 2-454. Information access and limitations.

- (a) *Access to department information.* The board, administered by the director, is authorized to receive, and shall be provided full access to, all department reports, files and records determined by the board or the director to be necessary to carry out its authorized powers and responsibilities~~investigations of complaints and incidents or to its review of department internal affairs investigations, as authorized in this article~~. All records, documents and materials in the possession of ~~the department or the city~~ provided to the board or the director that are determined by the board to be necessary and requested by the board to carry out its authorized powers and responsibilities shall be ~~provided to the board~~ subject to board procedures adopted ~~with council approval~~, for the protection of confidential information as defined in such procedures. ~~Within forty-five (45) days of the enactment of this article,~~ The city manager, in consultation with the chief of police and the board, shall establish a standard operating procedure setting forth how this access shall be given by the department to the board, how personal information shall be managed and protected by the board in accordance with the requirements of Virginia Code § 2.2-3800 et seq., and under what circumstances or conditions it may be made available to the parties.
- (b) *Department information to which the board may not have access.* ~~The executive~~ director and the board shall not have access to:
- (1) Juvenile records;
 - (2) Records that may reveal the identity or personal information, as defined in Virginia Code § 2.2-3801, of a confidential informant;
 - (3) Investigative files for an active civil or criminal investigation by the commonwealth attorney, the Virginia Attorney General, the Virginia State Police, or the United States Department of Justice;
 - (4) Files related to an active EEOC claim, human rights commission investigation, or civil claim involving a department employee;
 - (5) Files containing information exempt from public disclosure pursuant to Virginia Code §§ 2.2-3706(B)(2), (3), (4), (5), (6), (7), (8), (10), (11); 2.2-3706(C); 2.23706.1(C)(1) through (C)(6); 2.2-3706.1(D); and 2.2-3706.1(E); or
 - (6) Any information that the police department is not legally authorized to share.
- (c) *Disputes over access.* If the ~~executive~~ director and the board seek access to information the disclosure of which the department believes would compromise ongoing investigations, disclosure may be withheld until such time as the need for maintaining confidentiality is no longer present, or until the city manager has determined that the matter will not be compromised by the release of the information. If the board believes

that the city manager is unreasonably withholding such information, the board may consider whether to seek a subpoena requiring the production of such information pursuant to ~~subsection 2-458(f)~~section 2-459.

~~(h) Procedures must be adopted before the board begins to operate. The board shall not exercise the powers and duties set forth within paragraphs (c)(1) — (9) until city council approves operating procedures, after consultation with the board, pursuant to subsection 2-460(a).~~

(d) *Confidentiality.* Each member of the board and the director shall maintain the confidentiality of all confidential or privileged information, including, but not limited to:

- (1) Materials from police internal investigative files;
- (2) Disciplinary actions, memos and reports;
- (3) Statements of any police officer or civilian employee who was required by the department to give a statement;
- (4) Criminal investigative files; or
- (5) Any other information that the ~~board~~chief or city attorney's office has deemed confidential.

This requirement to maintain confidentiality continues indefinitely or until the information no longer meets the definition of confidential or privileged as defined in relevant board procedures.

(e) *Records to remain department records.* The chief of police, as the custodian of the original records~~of which copies may be provided to the board by the department~~, shall be responsible for decisions as to whether copies of such records (or information contained in such records) may be publicly disclosed, subject to the direction and control of the city manager. Nothing in this paragraph shall preclude the city manager from including with the standard operating procedure~~required by subsection 2-452(e)~~ guidelines for public disclosure of certain types of information contained within department records. In the standard operating procedure~~required by subsection 2-452(e)~~, the city manager shall issue guidelines for what information may be included in board or office reports or otherwise publicly disclosed.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. ~~2-453-2-455~~. Board membership appointment, and terms.

(a) *Objectivity.* It is of fundamental importance that members of the board be fair and objective in the conduct of their duties, and that they be perceived as fair and objective in the conduct of their duties.

(b) *Appointment process.* The city council shall appoint the members of the board. The council shall announce a public application process with applications available online and by hardcopy in English and Spanish for individuals interested in serving on the board. Council will seek to appoint fair-minded and objective members with a demonstrated commitment to community service who have training and experience, including lived experience, with topics relevant to the business of the board, including law, police practices, human resources practices and procedures, trauma-informed mental health issues, and the sociology of historically overpoliced communities.

(c) *Board composition.* The board shall reflect the demographic diversity of the City of Charlottesville. The board shall be composed of seven (7) voting members and one (1) non-voting member appointed by the city council. The members shall be removable by the city council for cause as specified in the board code of ethics, violating the duty of confidentiality, failing to participate in required training, or other good cause.

- (1) Council shall appoint at least three (3) members who are residents of public housing or who come from historically disadvantaged communities that have traditionally experienced disparate policing.

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- (2) Council may appoint one (1) member who represents an organization that seeks racial or social justice on behalf of historically disadvantaged communities.
- (3) The non-voting member of the board shall be an individual with policing expertise or experience. The non-voting member may be a retired law enforcement officer who prior to his or her retirement was employed in a locality similar to the City of Charlottesville.
- (4) The seven (7) voting members of the board shall be residents of, or shall be employed in, the City of Charlottesville or Albemarle County, with priority given to city residents and those with significant and demonstrable ties to the city.
- (5) No board member shall be a current candidate for public office, a former member of the department, an immediate family member of a current department employee, or a current employee of a law enforcement agency, the fire department, the emergency communications center, or the sheriff's office. If council considers appointing a board member who is employed by the City of Charlottesville, council will seek to avoid potential conflicts of interest.
- (d) *Terms.* Each board member shall be appointed for a term of three (3) years. Appointments and terms shall be subject to the provisions of ~~section~~chapter 2, article I § 2-8 of thisthe city code. ~~The membership of the board, and the terms of each board member, shall be the same as for the police civilian review board that was serving as of December 20, 2021, and that membership shall continue as the police civilian oversight board established by this article, with no change in the date of appointment, or length of term, for any member.~~
- (e) *Conflicts of interest.* No board member may participate in any matter before the board under circumstances in which the objectivity of the board member could reasonably be questioned, including, without limitation, the consideration of a complaint of someone who is a family member. For purposes of the Virginia State and Local Government Conflict of Interests Act, the board shall be deemed a "governmental agency" and each board member shall be an "officer," as those terms are defined in Virginia Code § 2.2-3101. All board members shall comply with the requirements of the Virginia State and Local Government Conflict of Interests Act.
- ~~(e) — Confidentiality. Each member shall maintain the confidentiality of all confidential or privileged information, including, but not limited to:~~
- ~~(1) — Materials from police internal investigative files;~~
- ~~(2) — Disciplinary actions, memos and reports;~~
- ~~(3) — Statements of any police officer or civilian employee who was required by the department to give a statement;~~
- ~~(4) — Criminal investigative files; or~~
- ~~(5) — Any other information that the board has deemed confidential.~~
- ~~(f) — Records to remain department records. The chief of police, as the custodian of the original records of which copies may be provided to the board by the department, shall be responsible for decisions as to whether copies of such records (or information contained in such records) may be publicly disclosed, subject to the direction and control of the city manager. Nothing in this paragraph shall preclude the city manager from including with the standard operating procedure required by subsection 2-452(e) guidelines for public disclosure of certain types of information contained within department records. In the standard operating procedure required by subsection 2-452(e), the city manager shall issue guidelines for what information may be included in board reports or otherwise publicly disclosed.~~

(Ord. No. O-21-183, §§ 1, 2, 12-20-21; Ord. No. O-24-155, 11-18-24)

Sec. ~~2-454.2-456.~~ Meetings.

- (a) *Number of meetings.* The board shall hold public meetings at least once per calendar quarter. Additional meetings may be called by the chair or any two (2) board members.
- (b) *FOIA.* The board shall comply with all applicable requirements of the Virginia Freedom of Information Act ("FOIA") pertaining to disclosure of public records and the conduct of its meetings, including the requirement that all meetings shall be open to the public except under circumstances when the topic is authorized by FOIA to be discussed in a closed meeting.
- (c) *Quorum.* A quorum of the board shall be four (4) members.
- (d) *Minutes.* The board shall keep minutes of its meetings, which shall include:
 - (1) The date, time, and location of the meeting;
 - (2) The members present and absent;
 - (3) A summary of the discussion on matters proposed, deliberated, or decided;
 - (4) A record of any votes taken.
- (e) *Rules and procedures.* Meetings of the board shall be conducted in accordance with Robert's Rules of Order or such other procedures as the board may adopt. ~~Hearings of the board shall be conducted in accordance with the operating procedures approved by city council for the board.~~

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

~~Sec. 2-455. Executive director.~~

- ~~(a) *Appointment.* The city manager shall appoint an executive director with the approval of a majority vote of the city council.~~
- ~~(b) *Interview process.* As a part of the executive director appointment process, the city manager shall convene an interview panel that includes two (2) members of the board. If those two (2) members recommend a candidate for appointment as executive director, the city manager shall provide a written justification to the board if a different candidate is appointed.~~
- ~~(c) *Duties.* The executive director shall support the board in the implementation and exercise of all of its functions authorized under this article and to undertake or ensure the performance of specific tasks assigned by the board, including the monitoring of investigations conducted by the department. If authorized by the city manager or their designee, the executive director may engage the services of such investigators as may be necessary to perform the executive director's duties to conduct or to monitor investigations.~~
- ~~(d) *Supervision.* The city manager shall supervise the work of the executive director and may delegate that responsibility to a deputy city manager. The city manager's annual evaluation of the executive director's performance shall consider a written performance review submitted by the board to the city manager. The board may request that the city manager meet with the board's chair to discuss the executive director's performance.~~
- ~~(e) *Vacancy.* If there is a vacancy in the position of executive director, the city manager or their designee may designate some other city employee who is not an employee of the department to act as executive director until a new executive director is hired.~~

~~(Ord. No. O-21-183, §§ 1, 2, 12-20-21)~~

Sec. ~~2-456.2-457.~~ Board legal counsel.

The ~~board~~director may retain independent legal counsel to represent the board in all cases, hearings, controversies, or matters involving the interests of the board. Such independent legal counsel shall be chosen from a list of attorneys recommended by the city attorney. The ~~board's chair~~director is authorized to execute a contract in the name of the board for legal services if the contract has first been approved by the board and endorsed by the city's finance director to verify that funding is available and has been appropriated to support performance of the payment obligations of the board under such contract. The board's legal counsel shall be paid only from funds that have been appropriated to the board's budget by city council. The board and the ~~executive~~director are encouraged to consult the office of the city attorney for legal advice except in cases, hearings, investigations, controversies that are before the board, or in any other matter in which the board's and the department's interests may conflict.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. ~~2-457.~~ Matters that the board may investigate.

- ~~(a) — Investigate complaints. The board and the city manager shall jointly develop and administer a process for receiving and investigating complaints from members of the public regarding the misconduct of law enforcement employees of the department and referring complaints to the department for investigation. The process, to be set out in detail in a standard operating procedure established by the city manager in consultation with the chief of police and the executive director, shall permit complainants to file complaints online, in writing, or orally. The SOP shall permit the complainant to choose whether the complaint will be investigated by the board only or by the department with monitoring by the executive director. Regardless of how a complaint is received, it shall be promptly provided to the department and to the executive director. The executive director, in consultation with the board, may decline to investigate a complaint.~~
- ~~(b) — Investigate incidents. If the board becomes aware of an incident, including the use of force by a law enforcement officer, death or serious injury to any individual held in custody, serious abuse of authority or misconduct as defined in this article, an allegedly discriminatory stop, or another incident regarding the conduct of an employee of the department, even if no complaint has been filed, the board may initiate its own investigation of the incident, by notice from the board chair to the city manager and the chief of police, who shall ensure the department's cooperation with the investigation.~~

~~(Ord. No. O-21-183, §§ 1, 2, 12-20-21)~~

Sec. 2-458. Investigations ~~of complaints and incidents~~ exclusions, limitations, and suspension.

- (a) *Compliance.* Any investigation shall comply with all federal, state, and local laws, as well as with requirements for the initiation and conduct of investigations described in the procedures promulgated by the city council ~~under section 2-460~~as authorized in this article.
- (b) *Compelled statements.* The board may not compel a statement from any department employee, other than by means of its subpoena powers.
- (c) *Exclusions.* The board shall not consider complaints, incidents, claims or issues involving the following:
- (1) Any incident that occurred more than one (1) year before the filing of the complaint, or one (1) year before the board received notice of the incident, except as otherwise authorized by subsection (d) of this section;

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- (2) Except as otherwise authorized by subsection (d) of this section, a matter that was the subject of an investigation where more than seventy-five (75) days has elapsed since the department sent notice to the complainant informing the complainant that the department's internal affairs investigation is complete (unless the board determines that there is good cause to extend the filing deadline);
 - (3) Matters that are the subject of a pending criminal proceeding in any trial court, a pending or anticipated civil proceeding in any trial court (as evidenced by a notice of claim or a filed complaint), or any pending City of Charlottesville grievance proceeding;
 - (4) Any financial management related issue;
 - (5) Any complaint, incident, claim or issue where the complainant requests that the board not have access to their files;
 - (6) Any complaint, incident, claim or issue that has previously been the subject of an investigation by the board, unless substantial new information has come to the attention of the board;
 - (7) An allegation of misconduct only by employees of law enforcement agencies other than the department. Such ~~complaints~~complainants should be referred to the appropriate law enforcement agency;
 - (8) An allegation of conduct that does not violate the Charlottesville Police Policies and Guidelines, Disciplinary Orders, or Code of Conduct;
 - (9) Any other claim outside the scope of the board's authority expressly set forth within this article.
- (d) *Exceptions to time limits.* With the concurrence of the city manager, the board may review investigations beyond the time limits specified in subsections (c)(1) and (c)(2) if:
- (1) The board determines that there is good cause for doing so; or
 - (2) As part of an audit taking place under subsection ~~2-462(b)~~2-452(d).
- (e) *Suspension of investigations.* If a complaint asserts criminal conduct by an employee of the department, or if at any point in an investigation of a complaint or incident the board becomes aware that an employee may have committed a criminal offense, the board shall:
- (1) Suspend the investigation and notify the chief of police and commonwealth's attorney of the alleged conduct, ensuring that no statements obtained from the police department employee(s) whose actions are the subject of the matter are shared with criminal investigators or any prosecuting authority except in accordance with applicable law; and
 - (2) Evaluate, in consultation with board legal counsel, the city attorney, and the commonwealth's attorney, whether competing public interests and civil rights involved permit the resumption of continued, parallel investigation by the board.

Sec. 2-459. Subpoenas.

~~(f) —Subpoenas.~~

- (a) *Application for subpoenas.* If the board determines that there is evidence (including witnesses) not within the control of the department that the board is unable to obtain voluntarily, the board by two-thirds (⅔) vote may ~~authorize~~direct the ~~executive~~director, on behalf of the board, to apply to the Charlottesville Circuit Court for a subpoena compelling the attendance of such witness or the production of such books, papers, and other evidence, ~~and the court, on finding that the witness or evidence is material to the discharge of the board's duties, may issue the requested subpoena.~~

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- (b) Requests for access. If the ~~executive~~ director is denied access to material witnesses, records, books, papers, or other evidence within the control of the department that the ~~executive~~ director deems necessary to perform their duties and the duties of the board, the ~~executive~~ director may request the city manager to require the department to produce the requested witnesses and documents. The city manager, or their designee, shall not unreasonably deny such a request, but may place conditions on the production of the requested witnesses and documents as necessary to preserve confidentiality for the reasons set forth in this article. The city manager, or their designee, shall issue a decision on the ~~executive~~ director's request within five (5) business days from the date of that request.
- (c) Scope of subpoenas. If the city manager, or their designee, denies the ~~executive~~ director's request made pursuant to subparagraph (2b) above, the board by two-thirds (⅔) vote may ~~direct~~authorize the ~~executive~~ director, on behalf of the board, to apply to the Charlottesville Circuit Court for a subpoena compelling the attendance of such witnesses or the production of such books, papers, and other evidence. ~~The court, on finding that the witness or evidence is material to the discharge of the board's duties, shall cause the subpoena to be issued with such conditions as the court may deem necessary to protect the department's concerns about the need for confidentiality.~~ The board shall give the city manager and the department reasonable notice of its intent to subpoena such witness or records and shall give the city attorney a copy of the request for subpoena. The board shall not unreasonably withhold its agreement to limitations on the scope of the subpoena requested by the city manager that may be necessary to protect confidential information. The parties may request that any hearing to be held in the circuit court on the request for a subpoena be conducted in a closed courtroom, to the extent permitted by state law. Upon request, the court file for any such subpoena request shall be kept under seal to the extent permitted by state law.
- (d) Retention of subpoena records. If a subpoena is granted, the board shall digitally record any interviews or depositions conducted pursuant to the subpoena and shall make copies of any documents obtained by subpoena. The board shall provide the department with copies of any such interview/deposition recordings and documents. The board shall delegate its authority to subpoena and question witnesses to the ~~executive~~ director, who shall conduct any interviews, depositions, or questioning of witnesses in a non-public forum that adequately protects the privacy of the individual being subpoenaed, the confidentiality or sensitivity of information shared or sought, and the integrity of any pending or concurrent investigation.
- ~~(e) In deciding whether, and under what conditions, the circuit court will issue any subpoena, the court shall refer to procedures and case law decided under Rule 3A:12 of the Rules of the Supreme Court of Virginia.~~

Sec. 2-460. Conduct of investigations.

~~(g) Conduct of investigations pursuant to subsection 2-457(a).~~

- (a) Conduct of complaint investigations. If the complainant asks that their complaint be investigated by the department, the complaint will be investigated by the department with monitoring by the ~~executive~~ director. When the department's investigation is concluded, the department will provide the complainant with an ~~investigative report~~ closure letter of its findings and the resolution of the complaint and will provide the board a summary of the department's resolution of the complaint.
- (b) Monitoring of investigations. The ~~executive~~ director may actively monitor ~~all~~ investigations of complaints of employee misconduct conducted by the department and shall have access to records and witnesses to the same extent as the department, subject to the limitations or requirements set out in this article. Such monitoring may include reviewing the investigative plan of the department, reviewing ~~with the department~~ any records within the department's digital evidence management system, reviewing ~~with the department~~ any pertinent law enforcement records within the department's records management system, observing any ~~and all~~ real-time interviews of witnesses with the department, reviewing ~~all~~ any recorded

interviews which the ~~executive~~ director chooses not to attend in real time, providing feedback during the interview to be relayed to department staff conducting the interview, providing feedback to department staff in determining next steps in the investigative process, and reviewing facts gained from investigation ~~with department staff~~. For active criminal investigations, the ~~executive~~ director shall be limited in their participation to the same extent the department is limited in its participation in such investigations. The ~~executive~~ director may monitor the department's administrative investigation of employee misconduct after the close of the active criminal investigation in the same manner as all other investigations of employee conduct handled by the department as described in this section. When monitoring department investigations, during the pendency of the investigations the ~~executive~~ director shall not disclose information about the investigation to the board, any board member, or any person other than as authorized in writing by the chief of police or the city manager.

- (c) Investigative reports. If the complainant asks that the complaint be investigated only by the board, the ~~executive~~ director shall initiate an investigation on behalf of the board. The ~~executive~~ director will provide the chief of police with enough identifying information to allow the department to give the ~~executive~~ director access to information, records and witnesses ~~as required by subsections 2-452(e) and (f)~~ as may be relevant to the complaint. When the ~~board's~~ investigation is concluded, the ~~executive~~ director will provide the board, the complainant and the department with an investigative report that includes a summary of the circumstances of the incident(s) of alleged misconduct, the evidence related to whether there was any misconduct, and any suggested findings related to each allegation.
- (d) Conduct of ~~incident~~ investigations pursuant to subsection 2-457(b). If the board is investigating an incident ~~under the authority of subsection 2-457(b)~~, the board may request information from the department, may seek subpoenas as authorized above, and may conduct an investigation of the incident. When the ~~board's~~ investigation is concluded, the ~~executive~~ director will provide the board, the department, and (if a complaint has been filed) the complainant, with an investigative report that includes, at a minimum, a summary of the circumstances of the incident, the evidence related to whether the incident involved any police or employee misconduct, and any suggested findings related to the incident. The ~~executive~~ director may make recommendations as to whether an allegation, if substantiated, could constitute serious abuse of authority or misconduct as defined in subsection ~~2-452(d)2-453(c)~~. The investigative report shall also be provided to any employees identified within the investigative report as having committed employee misconduct.
- (e) Duration of investigations. Investigations of complaints and incidents will be completed, and any investigative report will be submitted, within seventy-five (75) days from the date the complaint is received, or the board received notice of the incident. The board may extend the seventy-five-day period upon request of the police chief or the ~~executive~~ director to protect an ongoing investigation or prosecution, or for other good cause, with notice to the complainant and the city manager.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21; Ord. No. O-22-164, § 1, 12-19-22)

Sec. ~~2-459, 2-461~~. Matters on which the board may conduct hearings.

- (a) Hearings. Hearings of the board shall be conducted in accordance with ~~the board~~ operating procedures ~~approved by city council for the board~~.
- (1) At the conclusion of an investigation of an incident or a complaint the board may conduct a review hearing whose scope and procedures are described in the board's operating procedures, ~~approved by city council~~. Review hearings shall be defined as any hearing conducted by the board to review the facts, issues and findings of an investigative report closure letter of the department related to an internal affairs investigation, or of an investigative report of the ~~executive~~ director related to a complaint or incident investigation.

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- (2) The board may conclude that no hearing, or a hearing only on a limited issue, is necessary to support the board's decision related to a particular complaint or incident. If so, the board may issue a report without a hearing.
- (b) Hearing findings. Within thirty (30) days of a review hearing of an internal affairs investigation, the board shall report their findings publicly and to the city manager, the police chief, and the complainant with respect to each allegation or issue under review as follows:
- (1) That the board finds that the investigation of the complaint was satisfactory, and the board concurs with the findings of the investigation;
 - (2) That the board finds that the investigation of the complaint was satisfactory, but the board does not concur with the findings of the investigation, in which case the board may make recommendations to the city manager concerning disposition of the review request; or
 - (3) That the board finds that the investigation is incomplete or otherwise unsatisfactory and provides a detailed written explanation of the basis for such finding.
- (c) Independent investigation findings. If the board makes a finding under subsection (b)(3) above, the board may conduct an independent investigation of the matter that is the subject of the complaint. The board shall report publicly and to the city manager, the chief of police and the complainant that the board has made one (1) of the following findings:
- (1) That the board now finds that, despite the defects in the original internal affairs investigation, the board's own investigation has produced no material evidence to dispute the original findings of the internal affairs department.
 - (2) The board's independent investigation has produced substantive new information that causes them to disagree with the findings of the internal affairs investigation. In this case, the board shall make recommendations to the city manager concerning disposition of the complaint; or
 - (3) That despite the board's best efforts, the evidence is insufficient to allow the board to determine whether the findings of the internal affairs investigative report are correct.
- (d) Allegation findings. Within thirty (30) days of a review hearing of a complaint or incident investigation, the board shall report their findings publicly and to the city manager, the police chief, and the complainant with respect to each allegation or issue under review as follows:
- (1) That the board finds that the department employee committed misconduct;
 - (2) That the board finds that no department employee committed misconduct; or
 - (3) That despite the board's best efforts, the evidence is insufficient to allow the board to determine whether any department employee committed misconduct.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21; Ord. No. O-22-164, § 2, 12-19-22)

Sec. 2-460. Operating procedures.

- ~~(a) —Operating procedures. The city council shall approve operating procedures for the performance of duties by the board. Those procedures may be amended from time to time by city council, in consultation with the board. The board shall conduct all hearings in accordance with hearing procedures set forth within the operating procedures approved by city council. A hearing examiner, chosen as set out in the operating procedures, shall preside over the hearing; however, the board shall serve as the factfinding body. Parties to the hearing shall have no right to a particular set of procedures. The hearing examiner may make reasonable modifications to the procedures as circumstances concerning a particular complaint may require, provided that:~~

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- ~~(1) Any such modifications are within the authority of the board under this article or the approved operating procedures; and~~
- ~~(2) No such modification deprives any party to a hearing of substantial justice.~~

Sec. 2-462. Alternative resolution.

- (a) Mediation.** The board may propose procedures for the use of mediation or other alternative dispute resolution techniques to resolve complaints against employees of the department. Such procedures shall not affect the ability of complainants to pursue remedies under other sections of this article.
- (b) Informal resolution.** At any time after receiving a complaint and before issuance of the written findings required at the conclusion of a hearing, the board and any party may propose an informal resolution within the scope of the express authority granted to the board within this article, which informal resolution may be adopted if all parties and the board agree to such a resolution. At any time, the parties may agree to refer the matter to mediation or other alternative dispute resolution methods, without prejudice to the right to have a hearing on the review request.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-461.2-463. Disciplinary recommendations.

~~Prerequisite to the board making disciplinary recommendations:~~ The board shall be authorized to make disciplinary recommendations regarding department employees in a manner that protects personnel information regarding identifiable employees against public disclosure, in accordance with the operating procedures established ~~by city council~~ pursuant to subsection ~~2-460(a)2-452(c)~~ and the standard operating procedures established pursuant to subsection ~~2-452(e)2-454(a)~~. Subject to the foregoing provisions, the following process may be used, as appropriate:

- (a) Board recommendations for discipline.** Upon making a finding that ~~a~~ department employee has engaged in a serious breach of departmental and professional standards, the board shall meet to discuss appropriate recommendations for disciplinary action. ~~The board shall consult with the employee's direct supervisor or commander, complainants and witnesses when discussing the appropriate disciplinary action to be recommended.~~ Prior to commencement of any such disciplinary deliberations, the subject employee shall be given notice of the proceedings and of the range of disciplinary actions under consideration for recommendation, and the employee shall be offered an opportunity to be heard. If permitted by FOIA, some or all of the disciplinary hearing may be held in closed session. No department employee, and no other city employee, shall be compelled to provide statements to the board during its deliberations. Disciplinary action to be considered for recommendation by the board shall only include those specified within any applicable disciplinary matrix utilized by the department. After considering these sources of information, the board may make a disciplinary recommendation to the department.
- (b) Decline of discipline recommendations.** If the board makes a disciplinary recommendation to the department, and the department declines to implement the board's disciplinary recommendations, the chief of police shall, within thirty (30) days of the board's recommendation, provide a written explanation of the ~~ir~~ reason for declining to implement the board's recommendation. This explanation shall be made available to the board, the city council, the city manager, and the public.
- ~~(b) Grievance rights.~~ Nothing in this article shall affect in any way any right of an employee to file a grievance requesting a hearing before the city's personnel appeals board, which right shall be governed by the provisions of Virginia Code §§ 9.01-507 and 9.1-601(F), or the provisions of Virginia Code § 15.2-1507(A)(3)

~~and the city's employee grievance procedures, as may be applicable. No finding by the board, nor any recommendation of the board, shall be admitted in any personnel appeal or grievance hearing.~~

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. ~~2-462.2-464.~~ Board review of law enforcement policies, practices and procedures.

~~Authority to make policy recommendations.~~ The board may review and make recommendations regarding policies, practices, and procedures of the department, including written policies, procedures and standing orders. The board shall present in writing its findings and recommendations with supporting rationale to the city manager and chief of police. If the department declines to implement any changes recommended by the board, the chief of police shall explain in writing, which shall be made available for public inspection, why the department declines to implement the board's recommendation, unless the board instead withdraws the recommendation based on the rationale provided. The board's withdrawal of any such recommendation shall be made available for public inspection.

~~(b) —Executive director's authority to conduct audits. The board may direct the executive director on its behalf to conduct retrospective examinations and audits of patterns in internal affairs investigations, arrest and detention, and other public-police interactions. The board may request information from the department, may seek subpoenas as authorized above, and may conduct such an investigation as is necessary to permit the board to perform the audit.~~

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. ~~2-463.2-465.~~ Request annual reports of police expenditures.

During the city manager's preparation of a proposed city budget, the budget office shall provide the ~~board~~director with annual expenditure estimates and future year projections for the department, itemized to the same level of detail as provided to the city manager. The estimates shall be presented to the board by the director at the same time they are presented to the city manager. The board may review the estimates and may make budgetary recommendations to the city manager ~~and/or~~ to the city council during the annual budget process.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. ~~2-464.2-466.~~ Community engagement, legislative recommendations, and annual reporting.

(a) Community outreach engagement. The board and the ~~executive~~director shall engage in regular community outreach and collaboration to seek the assistance and input of community members and to provide education, awareness, and guidance on policing matters. ~~At least twice a year,~~The board ~~shall~~may host public community listening and discussion sessions ~~to discuss regarding~~ policing matters of pressing public concern, such as questions about transparency, availability, legitimacy, mutual respect and trust, and community safety and order. The board and the director may also host or participate in public police-community relations meetings focused on topics such as including the impacts of local policing on historically disadvantaged communities that currently experience or traditionally have experienced disparate policing.

(b) Legislative recommendations. The board may make recommendations to city council of any proposed changes in state law, for the council's consideration to include in its annual legislative program to present to the General Assembly. These recommendations shall be presented to the city attorney's office by August 15 of each year.

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(Supp. No. 61, Update 1)

(c) ~~Annual Reporting. On or before April 15 of~~ Each calendar year, the ~~board~~director shall provide the ~~board and~~ city council with an annual report of activities conducted during the preceding calendar year. The report shall detail activities of the board's activities and the office in the prior calendar year, with sections related to the appointment of committees and their actions; the establishment of any community advisory panels; an overview of complaints received during the calendar year including the number of complaints, the complaints' findings, and the number of complaints deferred due to pending proceedings; the number and outcome of any independent investigations; an overview of proposed policy recommendations and amendments to department policies and whether the recommendations and amendments were implemented by the department; the number, type, and attendance at community listening sessions; a summary of public input and recommendations of the public during those sessions; recommendations of the board about policing within the city; and any other information necessary to provide an overview of ~~the board's and office~~ activities. The director may provide the board, city council, and the city manager additional reports as deemed appropriate by the director to provide transparency into oversight activities of the board and the office.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-465. Community engagement and community relations.

- (a) ~~Community outreach.~~ The board and the executive director shall engage in community outreach to seek the assistance and input of community members. At least twice a year, the board shall host public community listening sessions to discuss policing matters of pressing public concern, including the impacts of local policing on historically disadvantaged communities that currently experience or traditionally have experienced disparate policing.
- (b) ~~Community meetings.~~ The board may also host or participate in public police-community relations meetings, in which board members, supported by the executive director, department officials, designated by the chief of police, and community members discuss policing matters of pressing public concern, including questions about transparency, availability, legitimacy, mutual respect and trust, equitable treatment, social and racial justice, equal rights, and community safety and order.
- (c) ~~Include in reports.~~ The board shall report on its community outreach and engagement activities, public input, and any recommendations for community-policing initiatives or for improved police-community relations at least annually as part of the annual report provided for in subsection 2-464(b).

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. 2-466-2-467. Board member training.

- (a) NACOLE training. At least once every two (2) years, and within ~~ninety (90) days~~six (6) months of any new board appointments, the ~~city, assisted by the executive~~director, shall facilitate or provide board members with at least ~~eight (8)~~four (4) hours of training, presented ~~by using training content from~~ the National Association for Civilian Oversight of Law Enforcement or a comparable professional organization. The training shall be consistent with the board's mission, this article, and the board's operating procedures.
- (b) ~~City and~~ CPD training. At least once every two (2) years, and within six (6) months of any new board appointments, the city, ~~assisted by the executive~~director, and the chief of police or their designees, shall facilitate or provide board members with at least two (2) hours of training or information:
- (1) Describing the legal and ethical obligations of members of a public board, including the need to comply with FOIA and other statutes and ordinances governing their service;
 - (2) Explaining police department procedures, policies, and regulations;

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- (3) Describing the substance of police department personnel record-keeping;
 - (4) Describing such other city policies, procedures and systems relevant to the duties of the board; and
 - (5) Explaining the board's operating procedures and code of ethics ~~for the board.~~
- (c) *Additional training.* As needed, the ~~city shall provide~~ board may request members with additional relevant training by subject matter experts on subjects that may include mental health, trauma-informed policing, civil rights and constitutional law, race and racism, community outreach, mediation, investigation, and policing practices. The board may also request opportunities for ride-along experiences with the department and participation in the Community Police Academy. The director shall facilitate or provide this training as is feasible with available funding and other relevant considerations.
- (Ord. No. O-21-183, §§ 1, 2, 12-20-21)

Sec. ~~2-467.2-468.~~ Commendations for exceptional community service.

- (a) *Soliciting public comment.* The board may solicit comments from the public concerning incidents of exceptional performance by employees of the department.
- (b) *Exemplary employees.* The board may consult with the chief of police regarding individual employees who have made outstanding contributions exemplary of equitable, just, and professional policing.
- (c) *Recognition of outstanding contributions.* The board may issue public citations recognizing individuals deemed to have made such contributions.

(Ord. No. O-21-183, §§ 1, 2, 12-20-21)

~~Sec. 2-468. Mediation.~~

~~The board may propose procedures for the use of mediation or other alternative dispute resolution techniques to resolve complaints against employees of the department. Such procedures shall not affect the ability of complainants to pursue remedies under other sections of this article.~~

~~(Ord. No. O-21-183, §§ 1, 2, 12-20-21)~~

Secs. 2-469—2-479. Reserved.