

ACTIONS
Board of Supervisors Meeting of July 3, 2019

July 8, 2019

AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:00 p.m., by the Chair, Mr. Gallaway. All BOS members were present. Also present were Jeff Richardson, Greg Kamptner, Claudette Borgersen and Travis Morris. 		Link to Video
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> Item 8.10 removed from the consent agenda for discussion and action later in the meeting. Ned Gallaway added a proclamation of appreciation. Deferred Item 24. By a vote of 6:0, ADOPTED the final agenda as amended. 		
<p>8.10 Naming of the Bridge Carrying Berkmar Drive Over the South Fork of the Rivanna River as the Rio Mills Bridge.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED Resolution. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 1)</p>	
<p>Non-Agenda: Proclamation Recognizing Brad Sheffield.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED proclamation and presented to Brad Sheffield. 	<p>(Attachment 2)</p>	
<p>5. Brief Announcements by Board Members.</p> <p><u>Rick Randolph:</u></p> <ul style="list-style-type: none"> Announced the recent opening of Cipher Brewery in the Scottsville District and invited all to visit. Announced that the Scottsville Volunteer Fire Company Independence Day parade would start at 9:00 a.m. on July 4, 2019. <p><u>Diantha McKeel:</u></p> <ul style="list-style-type: none"> Mentioned that five members of the school Board signed a letter in support of the Board of Supervisors' resolution in support of gun violence prevention measures that will be taken up by the General Assembly. Announced that a free bus is available to take people to the General Assembly in Richmond to lobby in support of measures to address gun violence would leave from Meadows Presbyterian Church at 8:30 a.m. on July 9, 2019. <p><u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Advised those with dogs to not leave their animals outside in the hot weather. Invited the public to attend the naturalization ceremony at Monticello on July 4, 2019. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Announced that on July 1, 2019, a new State law took effect that requires dogs to be kept in the shade. Mentioned that she attended the second of the Charlottesville Municipal Band's summer concert series and over 1,000 people attended. Announced that there are three 4th of July parades in her district: Earlysville, Crozet, and Free Union. 		

<ul style="list-style-type: none"> • Mentioned that new Parks and Recreation brochures are available. • Mentioned that the Monticello Wine Trail brochures are available. • Announced that five volunteers from Station 4 in Earlysville are completing their Firefighter I course. <p><u>Norman Dill:</u></p> <ul style="list-style-type: none"> • Invited citizens to attend Climate Action Committee meetings on Mondays at 5:30 p.m. in the County Office Building. 		
<p>6. Proclamations and Recognitions.</p> <p>a. Proclamation Recognizing July 12, 2019 John Henry James Day.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED proclamation and presented to Dr. Andrea Douglas. 	(Attachment 3)	
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • <u>John Haydock</u>, resident of Jack Jouett District, spoke towards the County's Climate Action planning process and noted the climate Monday events and working group meetings have been productive. He encouraged the County to move towards implementation. • <u>Chip Boyles</u>, Executive Director, Thomas Jefferson Planning District Commission and Charlottesville-Albemarle MPO, and representative of the Regional Transit Partnership, spoke toward item #8.8 on the agenda. He noted that members of the partnership have worked with City and County staff for almost a year to develop the MOU, which would be used for FY 20 and beyond and thanked the Board for their work. • <u>Tom Olivier</u>, resident of Samuel Miller District and speaking on behalf of ASAP, spoke toward item #19 on the agenda and urged the Board to adopt the Biodiversity Protection Action Plan. • <u>Joan Chapman</u>, resident of Charlottesville, commented on Climate Monday's and recognized the Board for taking on the issue of climate change and encouraged the Board to adopted greenhouse gas emissions reduction goals. • <u>Sean Tubbs</u>, Piedmont Environmental Council, commented that he reviewed the minutes from 1975 and noticed that their predecessors dealt with many of the same issues. He recognized the Regional Transit Partnership as a key agreement that would support emissions reductions and climate change action. • <u>David Redding</u>, resident of Rio District and Eco-Village Charlottesville, recognized the Board's efforts to address climate change, and encouraged them to make efforts to get off of fossil fuels and approve the transit MOU. • <u>Chris Meyer</u>, Executive Director, Local Energy Alliance Program, commented on his positive experience with participation in the consultation process for creation of the Climate Action Plan and encouraged the Board to use this year's 		

	<p>strategic funding to support shovel-ready climate actions.</p> <ul style="list-style-type: none"> • <u>The following individuals spoke in regards to item #9 on the agenda.</u> <ul style="list-style-type: none"> • <u>Elizabeth Cromwell</u> • <u>Lettie Bien</u> • <u>Deborah Van Ersel</u> 	
8.2	<p>FY 19 Appropriations.</p> <ul style="list-style-type: none"> • ADOPTED Resolution to APPROVE appropriations #2019092 and #2019093 for local government and school division projects. 	<p><u>Clerk:</u> Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 4)</p>
8.3	<p>FY 20 Appropriations.</p> <ul style="list-style-type: none"> • ADOPTED Resolution to APPROVE appropriations #2020003, #2020004, #2020005, #2020006, and #2020007 for local government and school division projects. 	<p><u>Clerk:</u> Forward copy of signed resolution to OMB and County Attorney's office. (Attachment 5)</p>
8.4	<p>Short-Term Rental Registry Ordinance.</p> <ul style="list-style-type: none"> • SET a public hearing to consider adoption of the proposed ordinance on August 7, 2019. 	<p><u>Clerk:</u> Schedule on the August 7 agenda.</p>
8.5	<p>An Ordinance to Amend County Code Chapter 9, Motor Vehicles and Traffic, Article III, Video-Monitoring System.</p> <ul style="list-style-type: none"> • SET a public hearing to consider adoption of the proposed ordinance on August 7, 2019. 	<p><u>Clerk:</u> Schedule on the August 7 agenda.</p>
8.6	<p>Commonwealth Attorney's Supplemental Funding Request.</p> <ul style="list-style-type: none"> • APPROVED the supplemental funding of the new Assistant Commonwealth's Attorney position. If approved, staff will request the Board approve an appropriation request for the position at a subsequent Board meeting. 	<p><u>Staff:</u> Proceed as authorized.</p>
8.7	<p>Public-Private Education Facilities and Infrastructure Act (PPEA) Guidelines.</p> <ul style="list-style-type: none"> • Adopted Resolution to adopt guidelines related to the Public-Private Education Facilities and Infrastructure Act of 2002. 	<p><u>Clerk:</u> Forward copy of signed resolution to the Finance Department and the County Attorney's office. (Attachment 6)</p>
8.8	<p>Regional Transit Partnership (RTP) Memorandum of Understanding.</p> <ul style="list-style-type: none"> • APPROVED Memorandum of Understanding between the City of Charlottesville and the County of Albemarle for the purpose of budgeting, funding, operating, and planning for public transit services with the County by Charlottesville Area Transit for Fiscal Year 20. 	<p><u>Clerk:</u> Forward copy of signed resolution to the Trevor Henry and the County Attorney's office. (Attachment 7)</p>
8.9	<p>Community Remembrance Project: Installation of Historic Marker.</p> <ul style="list-style-type: none"> • Approved the installation of the historic marker on County property. 	<p><u>Siri Russell:</u> Proceed as authorized.</p>
8.10	<p>Naming of the Bridge Carrying Berkmar Drive Over the South Fork of the Rivanna River as the Rio Mills Bridge.</p> <ul style="list-style-type: none"> • Adopted earlier on the agenda. 	
8.11	<p>ZMA2016-15 Oakleigh Special Exception to Code of Development and Application Plan.</p> <ul style="list-style-type: none"> • ADOPTED Resolution approving the special exceptions, subject to the condition attached thereto. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 8)</p>
8.12	<p>Special Exception for B2019-01105-S Oakleigh to Modify Sign Setbacks.</p> <ul style="list-style-type: none"> • ADOPTED Resolution to approve the special exception, subject to the conditions attached thereto. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 9)</p>

<p>9. Defense Affairs Committee (DAC) Position Pilot Funding Recommendation.</p> <ul style="list-style-type: none"> By a vote of 6:0, ENDORSED funding of \$100K from the Economic Development Authority Pool for a pilot project over two years. 	<p><u>Staff:</u> Proceed as authorized.</p>	
<p>10. Peters Mountain Emergency Communications Center Tower Modernization.</p> <ul style="list-style-type: none"> By a vote of 6:0, AUTHORIZE the Chair to sign a letter expressing the Board's support for the Emergency Communications Center's (ECC) initiative to modernize its communications tower at Peters Mountain. 	<p><u>Chair:</u> Proceed as authorized. (Attachment 10)</p>	
<p>Recess. At 2:18 p.m. the Board recessed and reconvened at 2:35 p.m.</p>		
<p>11. 2019 Transportation Priorities Update.</p> <ul style="list-style-type: none"> By a vote of 6:0, APPROVE the attached Albemarle County Transportation Priorities list. Mr. Gallaway requested that Mr. McDermott recalculate the density based on the Comprehensive Plan's projected densities for transportation prioritization or scoring models. 	<p><u>Staff:</u> Proceed as requested.</p>	
<p>12. Virginia Department of Transportation (VDOT) Quarterly Report.</p> <ul style="list-style-type: none"> RECEIVED. Ms. Palmer asked for an explanation on what VDOT is using to kill vegetation along guardrails. Ms. Mallek requested the County Attorney research the issue of the County receiving notification on spraying near water is in a different category than spraying near water. Ms. Mallek asked Mr. DeNunzio for help fixing the problem of the Earlysville and Rheas Ford Road intersection. Ms. Mallek inquired if the signal at Hollymead South and 29 qualifies for flashing yellow lights. Ms. McKeel inquired about the status of signal updates and suggested the County Executive ask the City Manager about the status of the City signals. 		
<p>13. Rivanna Water and Sewer Authority (RWSA) Quarterly Report.</p> <ul style="list-style-type: none"> RECEIVED. Mr. Randolph asked for information regarding the detected levels of glyphosate at the various reservoirs. Ms. Mallek asked that signage be installed to alert the community of the presence of drinking water. 		
<p>14. Albemarle County Service Authority (ACSA) Quarterly Report.</p> <ul style="list-style-type: none"> RECEIVED. 		

<p>15. Closed Meeting.</p> <ul style="list-style-type: none"> At 4:40 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: Under Subsection (1), to discuss and consider: Appointments to the Equalization Board and to four other advisory committees, Under Subsection 8, to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to: <ul style="list-style-type: none"> 1) the application of the business license tax to particular activities, and 2) the public's access and use of the County's office buildings and their grounds located on McIntire Road and 5th Street. 		
<p>16. Certify Closed Meeting.</p> <ul style="list-style-type: none"> At 6:07 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
<p>17. Boards and Commissions: Vacancies and Appointments.</p> <ul style="list-style-type: none"> APPOINTED Mr. Sean Brydger and Mr. James Cathro to the 5th & Avon Community Advisory Committee with said terms to expire September 30, 2020. REAPPOINTED Mr. Tim Keller to the Agricultural & Forestal District Advisory Committee with said term to expire April 17, 2022. APPOINTED Mr. Tony Wayne to the Places 29/Hydraulic Advisory Committee with said terms to expire August 5, 2020. 	<p><u>Clerk:</u> Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>	
<p>18.</p> <ul style="list-style-type: none"> From the Public: Matters Not Listed for Public Hearing on the Agenda. Mr. Kent Schluskel stated that there was a conflict of interest with a member of the Rio Community Advisory Committee. Ms. Judy Schluskel expressed disappointment that the Planning Commission moved the proposed 999 Rio Road project forward to the Board and requested that VDOT and the Board of Supervisors rezone a section of Belvedere Boulevard to be for emergency vehicle access only. Mr. Kirk Bowers thanked the Board for approving the local climate action planning process and requested that the Board lobby the general assembly to remove policy barriers for solar energy accessibility. 		
<p>19. <u>CPA201800007 Comprehensive Plan Amendment to Incorporate Biodiversity Strategies.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED resolution to approve CPA-2001800007. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 11)</p>	
<p>20. <u>CPA201900001 Jefferson Area Bike and Pedestrian Plan (2019).</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED CPA 2019-0001. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 12)</p>	
<p>21. <u>ZMA201800019 3226 Proffitt Road.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED Ordinance to approve ZMA-20100019 as proffered. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 13)</p>	

<p>22. <u>ZMA201600013 Willow Glen Proffer Amendment</u></p> <ul style="list-style-type: none"> By a vote of 6:0, WAIVED the public hearing and notice requirements under Virginia Code Section 15.2-2302 B and E to allow the Board to consider amended proffer statements not affecting conditions, use, or density that the applicant has asked to submit. 	<p><u>Clerk:</u> Schedule on future agenda. <u>Staff:</u> Notify Clerk when ready to schedule.</p>	
<p>23. <u>ZMA201800007, Belvedere Carriage House Unit Proffer Amendment.</u></p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED Ordinance to approve ZMA201800007 as proffered. Mr. Gallaway asked for clarification about whether the carriage house have to be available for affordable housing. David Benish will get clarification from Zoning. 	<p><u>Clerk:</u> Forward copy of signed resolution to Community Development and the County Attorney's office. (Attachment 14)</p> <p><u>David Benish:</u> Proceed as requested.</p>	
<p>24. <u>ZMA201900002, Hollymead Town Center Area A1, Transit Proffer Amendment.</u></p> <ul style="list-style-type: none"> At the applicant's request, DEFERRED until September 4. 	<p><u>Clerk:</u> Schedule on September 4 agenda.</p>	
<p>25. From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Liz Palmer:</u></p> <ul style="list-style-type: none"> Inquired if biodegradable netting for erosion control was the standard for all projects and whether it should be included for schools. Inquired if there was anything they could do to enforce biodegradable netting for erosion control in the County and if staff could find out if the City was doing this as well. Inquired if the agenda for the upcoming PACC-TECH meeting on October 3 was being developed and wanted to know if the County could have any input on that. <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Remarked that Chris (Henry) of Stony Point Design contacted Stacy Pethia to discuss affordable housing units and asked how to reach out to people who may be in need of affordable housing and commented that the Board could get involved to assist. Stated that there were mobility accessibility issues at the Woodbrook polling place during the voting primary. 	<p><u>Staff:</u> Proceed as requested.</p>	
<p>26. From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> Ms. Kilroy stated that it is the 275th anniversary of the founding of Albemarle County, which took place on September 4, 1744 and staff is working on various events to commemorate the date. Announced that Siri Russell was invited to represent Albemarle County at the Association of American Colleges and Universities, at the 2019 Truth, Racial Healing, and Transformation Institute held in Philadelphia, Pennsylvania. 		
<p>27. Adjourn to July 9, 2019, 6:00 p.m., Room 241.</p> <ul style="list-style-type: none"> The meeting was adjourned at 9:16 p.m. 		

ckb/tom

Attachment 1 – Bridge Naming of Route 1403, Berkmar Drive, Over the South Fork of The Rivanna River in Albemarle County as the Rio Mills Bridge

- Attachment 2 – Proclamation Recognizing Brad Sheffield
- Attachment 3 – Proclamation Recognizing July 12, 2019 John Henry James Day
- Attachment 4 – Resolution to Approve Additional FY 19 Appropriations
- Attachment 5 – Additional FY 2020 Appropriations
- Attachment 6 – Resolution to Adopt Guidelines for Reviewing and Approving Proposals Received Under the Virginia Public-Private Education Facilities and Infrastructure Act Of 2002
- Attachment 7 – Intergovernmental Memorandum of Understanding Between Albemarle County and the City of Charlottesville
- Attachment 8 – Resolution to Approve Special Exceptions to Vary the Code of Development and Application Plan Approved in Conjunction With Zma201600015 Oakleigh
- Attachment 9 - Resolution to Approve Special Exception for B2019-01105-S Oakleigh To Modify Sign Setbacks
- Attachment 10 – Chris Novelli Regarding Peters Mountain Emergency Communications Tower Located At 3045 Peters Mountain Road, Keswick, Virginia
- Attachment 11 – Resolution to Approve CPA 2018-00007 For Conserving Biodiversity
- Attachment 12 – Resolution to Approve CPA2019-00001 Local Transportation Systems
- Attachment 13 – Ordinance No. 19-A(7) ZMA 2018-00019 An Ordinance To Amend The Zoning Map For Tax Map Parcel 03200-00-00-03500
- Attachment 14 – Ordinance No. 19-A(8) ZMA 2018-00007 Belvedere Proffer Amendment – Carriage House Units

BRIDGE NAMING RESOLUTION

BRIDGE NAMING OF ROUTE 1403, BERKMAR DRIVE, OVER THE SOUTH FORK OF THE RIVANNA RIVER IN ALBEMARLE COUNTY AS THE RIO MILLS BRIDGE

WHEREAS, the Rio Mills community was established in the 1820s when William H. Meriwether built a mill downstream from the present-day South Rivanna Reservoir dam where the former Harrisonburg-Charlottesville Turnpike crossed the South Fork of the Rivanna River and a short distance from the current crossing of Berkmar Drive over the South Fork of the Rivanna; and

WHEREAS, the construction of additional water-powered mills producing significant amounts of flour, cornmeal and lumber marked Rio Mills as an important local industry; and

WHEREAS, the covered bridge and gristmill were burned in 1864 following the Battle of Rio Hill; and

WHEREAS, it is appropriate to recognize these historic events; and

WHEREAS, Section 33.2-213 of the *Code of Virginia* authorizes the Commonwealth Transportation Board (CTB) to give suitable names to state highways, bridges, interchanges, and other transportation facilities and change the names of any highways, bridges, interchanges, or other transportation facilities forming a part of the systems of state highways; and

WHEREAS, Section 33.2-213 provides that the Virginia Department of Transportation shall place and maintain appropriate signs indicating the names of highways, bridges, interchanges, and other transportation facilities named by the CTB and requires that the costs of producing, placing, and maintaining such signs shall be paid by the localities in which they are located.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors, in accordance with the requirements of Section 33.2-213 of the *Code of Virginia*, does hereby request that the Commonwealth Transportation Board name the bridge on Route 1403, Berkmar Drive, over the South Fork of the Rivanna River in Albemarle County as the Rio Mills Bridge.

BE IT FURTHER RESOLVED, that the Albemarle County Board of Supervisors agrees that the County of Albemarle, Virginia will pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

Proclamation Recognizing Brad Sheffield

Whereas, Brad Sheffield faithfully served the County of Albemarle as Rio District Supervisor from January 2014 to December 2017, and provided leadership on urban planning and transit issues, reflecting the community's vision; and

Whereas, Brad served on behalf of the Albemarle County Board of Supervisors on VDOT's Route 29 Solutions Project Delivery Advisory Panel, which met biweekly from July 2014 to November 2017, to assist VDOT on issues that arose during project development and delivery. Brad's leadership ensured Albemarle County's interests and priorities for the projects were proactively addressed; and

Whereas, Brad was a tireless advocate for the needs to the community to mitigate the negative impacts of a major construction project while balancing the need for swift and effective project delivery; and

Whereas, Brad understood the transformative impact that the creation of a parallel road network to Route 29 would have on connecting the community and generating positive economic opportunities in the urban development area; and

Whereas, Brad identified the opportunity for a public park under the Rio Mills Bridge to provide river access to the South Fork Rivanna River and advocated for the planning of what will soon be the future Brook Hill River Park.

Now, therefore, be it proclaimed, that we, the Albemarle County Board of Supervisors, hereby honor Brad Sheffield and commend him for his years of exceptional service to the County of Albemarle and his commitment to realizing the community's vision for a vibrant urban area in the 29 North corridor and to working through regional partners to achieve positive outcomes for our residents and the broader community in which we live.

Proclamation Recognizing July 12, 2019 John Henry James Day

WHEREAS, following Reconstruction, the crime of lynching succeeded slavery in the United States as an expression of racism and upholder of white supremacy until the middle of the 20th century; and

WHEREAS, the lynching of Mr. John Henry James on July 12, 1898 was determined to have taken place in the County of Albemarle; his body shot dozens of times and his corpse hanging for hours; and

WHEREAS, 99 percent of all perpetrators, including those who murdered Mr. James, escaped punishment by State or local officials; and

WHEREAS, the Board of Supervisors recognizes that a history of racial injustice must be acknowledged, recognized, and most especially, remembered before a community may heal and that July 12, 2019 marks the 121st anniversary of the lynching of Mr. John Henry James; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Albemarle County Board of Supervisors do hereby recognize this tragic anniversary and declare July 12, 2019, as John Henry James Day in remembrance of our shared community history and as a demonstration of our commitment that this tragedy will be neither forgotten nor repeated.

**RESOLUTION TO APPROVE
ADDITIONAL FY 19 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriations #2019092 and #2019093 are approved; and
- 2) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2019.

**RESOLUTION TO APPROVE
ADDITIONAL FY 2020 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 3) That Appropriations #2020003, #2020004, #2020005, #2020006, and #2020007 are approved; and
- 4) That the appropriations referenced in Paragraph #1, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2020.

**RESOLUTION TO ADOPT GUIDELINES FOR REVIEWING AND APPROVING PROPOSALS
RECEIVED UNDER THE VIRGINIA PUBLIC-PRIVATE EDUCATION FACILITIES AND
INFRASTRUCTURE ACT OF 2002**

WHEREAS, the Virginia General Assembly has enacted the Public-Private Education Facilities and Infrastructure Act of 2002 (the "PPEA") (Virginia Code § 56-575.1 *et seq.*); and

WHEREAS, the PPEA provides Albemarle County and other responsible public entities with the opportunity to create public-private partnerships for the development of a wide range of projects for public use if the County determines there is a need for the project and that the private involvement may provide the project to the public in a timely or cost-effective fashion; and

WHEREAS, Virginia Code § 56-575.3:1 requires that the Board adopt guidelines before the County may request or consider a proposal for a qualifying project under the PPEA.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia that it hereby adopts the attached PPEA Guidelines for reviewing and approving proposals received pursuant to the PPEA, and the County Executive is hereby authorized to make minor adjustments to the Guidelines that are consistent with the PPEA if deemed necessary to expedite the processing of proposals.

County of Albemarle
**Guidelines for Implementation
of the
Public-Private Education Facilities and Infrastructure
Act of 2002, as amended**

Approved:

Albemarle County Board of Supervisors, **Date**

Albemarle County School Board, **Date**

Guidelines — Public-Private Education Facilities and Infrastructure Act [Revision Date]

I. Introduction

The Public-Private Education Facilities and Infrastructure Act of 2002 (Va. Code § 56-575 *et seq.*) (“PPEA”) authorizes the County of Albemarle (the “County”) to enter into public-private partnership agreements to develop needed projects in a more timely or less costly manner. The term “County” includes the Board of Supervisors (“Board”) for General Government projects and the School Board for education projects.

Private entities may include innovative financing methods in their proposals and shall be strictly accountable for their representations and information.

A project must meet the PPEA definition of "qualifying project" in Appendix A.

These guidelines are intended to supplement, and enable the County to comply with, PPEA’s requirements. They shall govern all County PPEA projects, including those for education facilities, and shall apply to all County agencies, boards, commissions, and committees. If these guidelines and the PPEA conflict, the terms of the PPEA control.

II. Requests for County Approval

A. Unsolicited, Competing, and Solicited Proposals

A private entity must obtain the County’s approval for PPEA projects or services. *See* Va. Code §§ 56-575.3(A); 56-575.4. The private entity may seek the County’s approval by submitting one of three types of proposals.

If the County has not issued a Request for Proposals (RFP), the private entity may submit an **unsolicited proposal** for approval. *See* Va. Code § 56-575.4(A).

If the County receives an unsolicited proposal, it shall review the proposal and decide whether to accept the unsolicited proposal for further consideration. *See* Va. Code § 56-575.3(C). If the County decides to

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accept the unsolicited proposal for further consideration, the County shall publish notice of the unsolicited proposal and seek **competing proposals** from other private entities. *See* Va. Code § 56-375.3:1(B)(11).

The County may seek PPEA proposals by issuing a RFP. *See* Va. Code § 56-575.4(B). If the County has issued a RFP, a private entity may submit a proposal which shall be treated as a **solicited proposal**.

B. Invitations to Bid

The private entity may also seek the County’s approval by responding to a County Invitation to Bid. *See* Va. Code § 56-575.4(B). The County may accept a responsive bid and enter into a Comprehensive Agreement using the competitive sealed bidding procedures of the Virginia Public Procurement Act. *See* Va. Code § 56-575.16(1).

C. Choice of Procedures

For PPEA projects, the County shall determine whether to use procedures consistent with competitive sealed bidding or with competitive negotiation of “other than professional services.” *See* Va. Code § 56-575.16(2). If the County elects not to use competitive sealed bidding for a PPEA project, the Purchasing Agent shall state in writing the reasons for using competitive negotiation before (1) the County issues a RFP in accordance with Part II(A) or (2) the Board accepts an unsolicited proposal for consideration in accordance with Part IV(A)(3).

D. Working Group

The Purchasing Agent shall designate a PPEA working group (the “Working Group”) to evaluate proposals.

For General Government projects, the Working Group shall include the Purchasing Agent and persons appointed by the County Executive.

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For education projects, the Working Group shall include the Purchasing Agent and representatives of Albemarle County Public Schools designated by the Superintendent of Schools (“Superintendent”).

If a project includes construction, the Working Group shall also include a licensed architect or engineer, the Director of Facilities Planning and Construction (or designee) and the Director of Building Services.

The Purchasing Agent shall serve as the chair of the Working Group, shall administer these guidelines, and shall receive and respond to inquiries and proposals.

The Working Group will consult with, and make recommendations to, the County Executive for General Government projects and to the Superintendent for education projects.

After consulting with the County Executive or the Superintendent, the Working Group shall engage the services of qualified professionals to provide independent analysis of the specifics, advantages, disadvantages, and the long- and short-term costs of proposals. These professionals may include a cost estimator, architect, professional engineer, or certified public accountant not employed by the County. However, the Board or the School Board may determine that such analysis other than cost estimation shall be performed by County employees. *See* Va. Code § 56-575.3:1(C)(1).

III. Proposals

A. General Proposal Requirements

Whether solicited, competing, or unsolicited, each proposal shall be clearly identified as a “PPEA PROPOSAL.” Proposals should be prepared simply and economically and provide a concise description of the proposer's capabilities to complete the proposed project and the benefits to the County. The County will consider project benefits occurring during the construction, renovation, expansion, or improvement phases as well as the life cycle of the

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project. Proposals also should include a comprehensive scope of work and a financial plan for the project with enough detail for the County to properly analyze the financial feasibility of the proposed project. The proposal shall identify each facility, building, infrastructure, or improvement included in the proposal. The Purchasing Agent may request any information that clarifies or supplements a proposal.

For solicited proposals, proposers should submit the number of copies required by the RFP to the Purchasing Agent. For unsolicited and competing proposals, proposers shall submit one original and eight copies along with the applicable fee to the Purchasing Agent.

B. Proposal Review Fees

The PPEA authorizes the County to charge fees to cover the costs of processing, reviewing, and evaluating proposals, including reasonable attorney's fees and fees for financial, technical, and other advisors or consultants.

Solicited Proposals. When the County issues a RFP soliciting PPEA proposals, proposers are not required to submit an initial consideration fee. If a solicited proposal is advanced for detailed review, the proposer shall pay the detailed review fee in the Fee Schedule below.

Unsolicited and Competing Proposals. For unsolicited and competing proposals, proposers shall pay the following fees:

1. An initial consideration fee paid with certified funds shall accompany any unsolicited proposal, in accordance with the Fee Schedule below. The initial consideration fee shall be based on the estimated total cost of the proposed project.
2. If the County accepts an unsolicited proposal for consideration and seeks competing proposals, competing proposers are not required to pay the initial consideration fee.

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3. If an unsolicited or competing proposal is advanced to the detailed review phase, a detailed review fee based on the estimated total cost of the proposed project shall accompany the proposer’s detailed proposal. The detailed review fee shall be paid with certified funds.

FEE SCHEDULE:

Review Phase	Fee	Minimum	Maximum
Initial Consideration	1%	\$2,500.00	\$25,000.00
Detailed	1%	\$5,000.00	\$50,000.00

4. The County Executive is authorized to refund all or part of these proposal review fees to all proposers during the initial consideration or detailed review phases.

C. Required Information in Solicited Proposals

The RFP shall specify the information that must accompany each solicited proposal and the factors to be used in evaluating proposals. The Purchasing Agent shall post the RFP in public areas normally used for posting of the County’s notices, including the County’s procurement website. The Purchasing Agent may also publish notice of the RFP in newspapers or other publications of general circulation. Pre-proposal conferences may be held as the Purchasing Agent deems appropriate.

Solicited proposals shall address and meet all requirements of the RFP.

D. Required Information in Unsolicited and Competing Proposals

Unsolicited proposals and competing proposals shall contain the information required in Appendix B. *See* Va. Code § 56-575.4(A).

IV. Consideration of Unsolicited Proposals and Solicitation of Competing Proposals

- A. After receipt and review of an unsolicited proposal, the Working Group shall recommend whether to accept the unsolicited proposal for consideration. The Working Group may request additional information from the proposer prior to making its recommendation.
 - 1. If an unsolicited proposal is for a General Government facility or services, the County Executive shall receive the Working Group's recommendation and shall recommend to the Board whether the unsolicited proposal should be accepted for consideration.
 - 2. If an unsolicited proposal is for an education facility or services, the Superintendent shall receive the recommendation of the Working Group and shall recommend to the School Board whether the proposal should be accepted for consideration. If the School Board recommends acceptance of the unsolicited proposal for consideration, the County Executive shall forward the School Board's recommendation to the Board along with his recommendation about whether the Board should accept the unsolicited proposal for consideration.
 - 3. The Board shall make the final decision on whether to accept an unsolicited proposal for consideration. If the Board accepts the proposal for consideration, it shall specify the time period between 90 and 120 days during which competing proposals may be submitted after the Purchasing Agent posts notice of its decision as provided in IV(B) below. If the Board rejects an unsolicited proposal that purports to develop specific cost savings, the Board shall specify the basis for rejection. *See* Va. Code § 56-575.3(D).
 - 4. The Purchasing Agent shall return any unsolicited proposal not accepted for consideration, together with the initial consideration fee and accompanying documentation, to the private entity.

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- B. If the Board decides to accept an unsolicited proposal for consideration, the Purchasing Agent shall post a notice within 10 days of the Board's decision on the County's procurement website and in a public area regularly used by the County for posting of public notices. The notice shall be posted for at least 90 days. The Purchasing Agent may also publish the notice in one or more newspapers or periodicals of general circulation in the County.
- C. The notice shall state that the County (i) has accepted an unsolicited proposal for consideration, (ii) intends to further evaluate the unsolicited proposal, and (iii) will accept for simultaneous consideration any competing proposals that comply with these guidelines and the PPEA. The notice also shall summarize the proposed project and identify its proposed locations.
- D. Interested parties may submit competing proposals within the time period specified by the Board and listed in the notice. Competing proposals shall provide the information required for unsolicited proposals in Appendix B.

V. Posting and Inspection of Submitted Proposals

Within 10 days of the County's acceptance of an unsolicited proposal for consideration and within 10 days of the County's receipt of a solicited proposal or a competing proposal, the Purchasing Agent shall post the proposal on the County's procurement website. The Purchasing Agent shall also make at least one copy of each proposal available for public inspection.

However, trade secrets, financial records, or other records of the proposer excluded from disclosure under state law shall not be posted or made available for public inspection unless the County and private entity agree otherwise. *See* Va. Code § 56-575.17(A)(2).

The Purchasing Agent may publish a summary of the proposals and the location where a copy of the proposals is available for public inspection on

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the County's procurement website and in one or more newspapers or periodicals of general circulation in the County.

VI. Consideration of Proposals

The Working Group shall review solicited proposals, accepted unsolicited proposals, and competing proposals using the criteria listed in Appendix D. The Working Group shall recommend in writing one of the five actions listed below to the County Executive for General Government proposals or to the Superintendent for education proposals. Upon receipt of the Working Group's recommendation, the County Executive or Superintendent shall determine:

- (i) not to proceed further with any proposal;
- (ii) to proceed to the detailed review phase with the original unsolicited proposal;
- (iii) to proceed to the detailed review phase with a competing proposal;
- (iv) to proceed to the detailed review phase with a solicited proposal;
or
- (v) to proceed to the detailed review phase with multiple proposals.

The Purchasing Agent shall give written notice to all proposers of the decision of the County Executive or Superintendent in writing.

VII. Detailed Review Phase

If the County Executive or Superintendent decide to proceed to the detailed review phase, the Purchasing Agent's written notice to proposers shall establish a reasonable deadline for submission of detailed proposals based upon the complexity of the project. The required information for detailed

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proposals is listed in Appendix C. The Purchasing Agent’s notice may require additional information in the detailed proposals.

Each proposer shall submit an original and eight copies of its detailed proposal along with the detailed review fee to the Purchasing Agent.

The Working Group shall evaluate each detailed proposal using the criteria listed in Appendix D. After the Working Group has reviewed the detailed proposals, it shall make its recommendations to the County Executive or the Superintendent.

For General Government proposals, the Board shall receive the County Executive’s recommendation and hold a public hearing on the detailed proposals. For education proposals, the School Board shall receive the Superintendent’s recommendation and hold a public hearing on the detailed proposals. The public hearing shall be held at least 30 days before execution of an Interim or Comprehensive Agreement.

After the public hearing, the Board or School Board shall determine by resolution:

- (i) not to proceed further with any proposal;
- (ii) to defer a decision until it has received additional information from one or more proposers; or
- (iii) to proceed to the negotiation phase with one or more proposers.

VIII. Negotiation Phase

A. Negotiations

If the Board or School Board agrees to proceed to the negotiation phase, the Working Group shall begin negotiations with one or more proposers on a Comprehensive Agreement. If desirable or necessary, the Working Group may also negotiate an Interim Agreement while the Comprehensive

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Agreement is being negotiated. The negotiations shall be based on the detailed proposals that were the subject of the public hearing at the end of the detailed review phase.

The private entity must enter into a Comprehensive Agreement with the County prior to developing or operating the project.

B. Duration of Negotiation Phase

The County anticipates that the negotiation phase may last three months or longer for simple projects and six months or longer for more complex projects.

IX. Posting and Filing of Proposed Agreements

Once the negotiation phase for an Interim or a Comprehensive Agreement is complete, but before an Interim or a Comprehensive Agreement is executed, the Purchasing Agent shall post the negotiated agreement on the County's purchasing website or on the Commonwealth of Virginia Department of General Services' central electronic procurement website for at least 10 days.

In addition, the Purchasing Agent may publish a summary of the negotiated agreement and the location where copies of the negotiated agreement are available for public inspection in a newspaper of general circulation in the County.

The Purchasing Agent shall make at least one copy of the negotiated agreement available for public inspection. Trade secrets, financial records, or other records of the private entity excluded from disclosure under the provisions of Va. Code § 2.2-3705.6(11) shall not be required to be posted, except as otherwise agreed to by the County and the private entity.

X. Interim Agreement

Prior to, or in connection with, the negotiation of the Comprehensive Agreement, the County may enter into an Interim Agreement with the private entity. The Interim Agreement may (i) permit the private entity to commence and be compensated for initial activities related to the qualifying project, such as project planning and development, design and engineering, environmental analysis and mitigation, surveying, and ascertaining the availability of financing for the proposed facilities or services; (ii) establish the process and timing of the negotiation of the Comprehensive Agreement; and (iii) contain other provisions related to the development or operation of a qualifying project. *See* Va. Code § 56-575.9:1.

The Board must review, and by Board resolution authorize the County Executive to execute, an Interim Agreement for General Government projects. The Board must review, and by Board resolution authorize the School Board to execute, an Interim Agreement for education projects. *See* Va. Code §§ 56-576.16(5); 56-575.3:1(C)(2).

III. Comprehensive Agreement

The Comprehensive Agreement shall include the components listed in Appendix E and other terms agreed to by the parties. Any changes in the Comprehensive Agreement shall be made by written amendment.

The Board must review, and by Board resolution authorize the County Executive to execute, a Comprehensive Agreement for General Government projects. The Board must review, and by Board resolution authorize the School Board to execute, a Comprehensive Agreement for education projects. *See* Va. Code §§ 56-576.16(5); 56-575.3:1(C)(2).

Within 30 days after the County enters into a Comprehensive Agreement, the Purchasing Agent shall submit a copy to the Commonwealth of Virginia's Auditor of Public Accounts.

XII. Posting of Procurement Records

Once an Interim or Comprehensive Agreement has been executed, the Purchasing Agent shall make procurement records available for public inspection upon request. Procurement records shall not include trade secrets of the private entity or financial records of the private entity that are not generally available to the public through regulatory disclosure or otherwise. *See* Va. Code § 56-575.17(D).

APPENDIX A. General Provisions

1. Qualifying Projects

PPEA projects must meet the statutory definition of "qualifying project" which includes public buildings and facilities, including:

- (i) An education facility, including a school building, any functionally-related and subordinate facility to a school building (including any stadium or other facility primarily used for school events), and any depreciable property for use in a public school facility;
- (ii) A building or facility that meets a public purpose and is developed or operated by or for a public entity;
- (iii) Improvements and equipment to enhance public safety and security of buildings principally used by a public entity;
- (iv) Utility, telecommunications, and other communications infrastructure;
- (v) A recreational facility;
- (vi) Technology infrastructure, services, and applications, including automated data processing, word processing and management information systems, and related equipment, goods, and services;
- (vii) Services to increase the productivity or efficiency of the responsible public entity through technology or other means;
- (viii) Technology, equipment, or infrastructure to deploy wireless broadband services to schools, businesses, or residential areas;
- (ix) Necessary or desirable improvements to unimproved publicly-owned real estate; or
- (x) A solid waste management facility that produces electric energy derived from solid waste.

2. Virginia Freedom of Information Act

Generally, proposal documents submitted by private entities are subject to the Virginia Freedom of Information Act (Va. Code § 2.2-3700 *et seq.*) (“FOIA”).

In accordance with Va. Code § 2.2-3705.6(11)(b), proposal documents are subject to disclosure if requested, except to the extent that they relate to (i) trade secrets of the private entity; (ii) financial information of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity, where, if such information was made public prior to the execution of an Interim Agreement or a Comprehensive Agreement, the financial interest or bargaining position of the County or private entity would be adversely affected. The private entity must invoke this exception in accordance with Va. Code § 2.23705.6(11)(b).

Va. Code § 56-575.4(G) imposes an obligation on the County to protect confidential proprietary information submitted by a private entity. When the private entity requests that the County not disclose information, the private entity must make a written request to the County:

1. Invoking the exclusion upon submission of the data or other materials to the County;
2. Identifying with specificity the data or other materials for which protection is sought; and
3. Stating the reasons why protection is necessary.

The County is only authorized and obligated to protect confidential proprietary information. The County will not protect any portion of a proposal from disclosure if the entire proposal has been designated confidential by the proposer without reasonably differentiating between the proprietary and non-proprietary information contained therein.

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Upon timely receipt of a request that designated portions of a proposal be protected from disclosure as confidential and proprietary, the Purchasing Agent shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. The Purchasing Agent will send the proposer a written determination of the nature and scope of the protection.

To protect other information submitted by the private entity from disclosure, the Purchasing Agent shall determine whether public disclosure prior to the execution of an Interim Agreement or Comprehensive Agreement would adversely affect the financial interest or bargaining position of the County or the private entity. In accordance with Va. Code § 56-575.4(G), the Purchasing Agent shall take appropriate action to protect confidential and proprietary information provided by the private entity pursuant to an agreement under Va. Code § 2.2-3705.6(11).

Upon a final determination by the Purchasing Agent to afford less protection than requested by the proposer, the proposer will be afforded an opportunity to withdraw its proposal. A proposal so withdrawn will be treated in the same manner as a proposal not accepted for consideration.

Once an Interim Agreement or Comprehensive Agreement has been entered into, the County will make the procurement records available upon request in accordance with Va. Code § 2.2-4342. Such procurement records shall include documents protected from disclosure during the negotiation phase on the basis that the release of such documents would have an adverse effect on the financial interest or bargaining position of the County or private entity in accordance with Va. Code § 2.2-3705.6(11)(b)(iii). Such procurement records shall not include (i) trade secrets of the private entity; (ii) financial information of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity where if such information was made public prior to the execution of an Interim Agreement or Comprehensive Agreement, the financial interest or bargaining position of the County or the private entity would be adversely affected.

3. Reservation of Rights

The County shall administer these guidelines in accordance with the PPEA and shall have the right to:

1. Terminate evaluation of a proposal or to reject a proposal at any time for any reason. Proposers shall have no recourse against the County for such termination or rejection. Proposers will be notified in writing of the County's rejection of their proposal.
2. Suspend or terminate negotiations with a proposer before execution of an Interim Agreement or Comprehensive Agreement.
3. Request revisions of, and negotiate with proposers about, provisions in a proposal.
4. Request or obtain additional information about any proposal.
5. Issue addenda to or cancel any request for proposals or invitation to bid.
6. Revise, supplement, or withdraw any part of these guidelines.
7. Modify the Fee Schedule in these guidelines for a specific project or for all future projects.
8. Keep review fees required by these guidelines unless an unsolicited proposal is not accepted by the County.
9. Submit one or more proposals for review by outside consultants or advisors selected by the County without notice to the proposer. Such consultants or advisors shall be required to maintain the confidentiality of information that has been designated as confidential and to refer all requests for confidential information to the County.

The County shall not be liable for, or reimburse, the costs incurred by proposers in developing proposals or in negotiating agreements. Any information the County makes available to proposers shall be provided

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solely as a convenience to the proposer and without representation or warranty of any kind. Proposers may not rely upon any oral responses to inquiries. If a proposer has a question regarding application of these guidelines, the proposer must submit the question in writing to the Purchasing Agent, and the County will respond in writing as it determines appropriate.

4. Use of Public Funds

Interim Agreements and Comprehensive Agreements are subject to all Virginia constitutional and statutory requirements and County of Albemarle County Code provisions governing the expenditure of public funds.

5. Applicability of Other Laws

Nothing in the PPEA shall affect the duty of the County to comply with all other applicable laws not in conflict with the PPEA. The applicability of the Virginia Public Procurement Act (Va. Code § 2.2-4300 *et seq.*) is as set forth in the PPEA.

APPENDIX B. Required Information for Unsolicited and Competing Proposals

1. Qualifications and Experience

- a. Identify the legal structure, *i.e.*, type of business entity, of the firm or consortium of firms making the proposal. Identify the organizational structure for the project, the management approach, and how each partner and major subcontractor (\$1 million or more) in the structure fits into the overall team. Identify all members of the private entity's team, including major subcontractors known to the proposer, at the time a proposal is submitted for the conceptual phase. State the status of the applicable Virginia license of each partner, proposer, contractor, and major subcontractor.
- b. Describe the experience of the firm or consortium of firms making the proposal and the key principals involved in the proposed project. Include experience with projects of comparable size and complexity and prior experience bringing similar projects to completion on budget and in compliance with design, land use, service and other standards. Describe the length of time in business, business experience, public sector experience, and other engagements of the firm or consortium of firms. Describe the past safety performance record and current safety capabilities of the firm or consortium of firms. Describe the past technical performance history on recent projects of comparable size and complexity, including disclosure of any legal claims or litigation by or against the firm or consortium of firms. Identify any firms that will provide design, construction, and completion guarantees and warranties and a description of such guarantees and warranties.
- c. For each firm or major subcontractor (\$1 million or more) that will be utilized in the project, provide a statement listing all of the firm's prior projects and clients for the past five years and their contact information. If a firm has worked on more than 10 projects during this period, it may limit its prior project list to 10 but shall first list all projects similar in scope and size to the proposed project and then list its most recent projects. Each firm or major subcontractor shall be required to submit all performance evaluation reports or other documents in its possession evaluating the firm's performance during

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the preceding three years in terms of cost, quality, schedule maintenance, safety, and other matters relevant to successful project development, operation, and completion.

- d. Provide the names, addresses, and telephone numbers of persons within the firm or consortium of firms who may be contacted for further information.
- e. Provide a current or most recent audited financial statement of the firm or consortium of firms and the financial statement of each partner with an equity interest of 10 percent or greater.
- f. Identify any persons known to the proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to the Virginia State and Local Government Conflict of Interests Act (Va. Code § 2.2-3100 *et seq.*) (“COIA”).
- g. Identify the proposed plan for obtaining sufficient numbers of qualified workers in all trades or crafts required for the project.
- h. For each firm or major subcontractor that will perform construction or design activities, provide the following information:
 - (1) A sworn certification by an authorized representative of the firm attesting to the fact that the firm is not currently debarred or suspended by any federal, state or local government entity.
 - (2) A completed qualification statement that reviews all relevant information regarding technical qualifications and capabilities, firm resources, and business integrity of the firm, including bonding capacities, insurance coverage, and firm equipment. This statement shall also include a mandatory disclosure by the firm for the past five years any of the following:
 - (A) bankruptcy filings
 - (B) claims for liquidated damages
 - (C) fines, assessments or penalties
 - (D) judgments or awards in contract disputes

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- (E) contract defaults, contract terminations
- (F) license revocations, suspensions, other disciplinary actions
- (G) debarments or suspensions by a governmental entity
- (H) denials of prequalification
- (I) findings of non-responsibility
- (J) safety performance issues, including fatality incidents, “Experience Modification Rating,” “Total Recordable Injury Rate” and “Total Lost Workday Incidence Rate”
- (K) violations of any federal, state or local criminal or civil law
- (L) criminal indictments or investigations
- (M) claims filed by or against the firm

- i. Worker safety programs: Describe worker safety training programs, job-site safety programs, accident prevention programs, written safety and health plans, including incident investigation and reporting procedures.

2. Project Characteristics

- a. Provide a topographic map (1:2000 or other appropriate scale) indicating the location of the qualifying project.
- b. Provide a description of the proposed project, including the conceptual design, in sufficient detail so that type and intent of the project, its location, and the communities that may be affected are clearly identified.
- c. Identify any facility, building, infrastructure, or improvement included in a proposal as part of a qualifying project specifically or conceptually.
- d. Identify and fully describe any work to be performed by the County and the timeline for its performance.
- e. Include a list of all federal, state, and local permits and approvals required for the project and a schedule for obtaining such permits and approvals.

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- f. Identify any anticipated adverse social, economic, and environmental impacts of the project. Specify the strategies or actions to mitigate known or anticipated adverse impacts of the project. Indicate if any environmental or archaeological assessment has been completed.
 - g. Identify the projected positive social, economic, and environmental impacts of the project.
 - h. Identify the proposed schedule for the work on the project, including sufficient time for the County to review the proposal and plans, and the estimated time for completion.
 - i. Identify contingency plans for addressing public needs if the project is not completed according to projected schedule.
 - j. Propose allocation of risk and liability for work completed beyond the Comprehensive Agreement's completion date and assurances for timely completion of the project.
 - k. State assumptions related to ownership, legal liability, and operation of the project and the existence of any restrictions on the County's use of the project.
 - l. Provide information about phased or partial openings of the proposed project prior to completion of the entire work.
 - m. List other assumptions relied on or any contingencies that must occur for the project to be successful.
3. Project Financing
- a. Provide a preliminary estimate and estimating methodology of the cost of the work by phase, segment, or both.
 - b. Submit a plan for the development, financing, and operation of the project showing the anticipated schedule on which funds will be required. Describe the anticipated costs of and proposed sources and

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uses for such funds. Include any supporting due diligence studies, analyses or reports.

- c. Include a list and discussion of assumptions underlying all major financial elements of the plan.
- d. Identify the proposed risk factors and methods for dealing with these factors.
- e. Identify any local, state, or federal resources that the proposer contemplates requesting for the project. Describe the total commitment, if any, expected from governmental sources and the timing of any anticipated commitment, both one-time and ongoing.

4. Project Benefit and Compatibility

- a. Identify community benefits, including the economic impact the project will have on the County and local community in terms of amount of tax revenue to be generated for the County, the number of jobs generated for County residents, the level of pay and fringe benefits of such jobs, the training opportunities for apprenticeships and other training programs generated by the project, and the number and value of subcontracts generated for County subcontractors.
- b. Identify any anticipated public support or opposition, as well as any anticipated government support or opposition, for the project.
- c. Explain the strategy and plan to involve and inform the general public, business community, local governments, and governmental agencies in areas affected by the project.
- d. Describe the compatibility of the project with local, regional, and state economic development efforts.
- e. Describe the compatibility with the local comprehensive plan, infrastructure development plans, and capital improvement program.

APPENDIX C. Required Information for Detailed Review Proposals

1. For a proposed construction project, construction plans and specifications that are at least 50% complete, as determined by the County.
2. Conceptual site plan indicating proposed location and configuration of the project on the proposed site. Any facility, building, infrastructure, or improvement included in a proposal as part of a qualifying project shall be identified specifically or conceptually.
3. Conceptual (single line) plans and elevations depicting the general scope, appearance, and configuration of the proposed project.
4. Detailed description of the proposed participation of, use by, and financial involvement of the County.
5. List of public facilities or other public improvements required of the County to complete the project.
6. Statement of the plans for securing all necessary real property interests, such as easements, rights-of-way, etc., for the project. The statement must include the names and addresses, if known, of the current owners of the necessary property and the location of any property the proposer requests the County to condemn.
7. Detailed listing of all firms that will provide design, construction, and completion guarantees and warranties, and a brief description of the guarantees and warranties.
8. Total life-cycle costs, methodology, assumptions of the project, and the proposed project start date. The life-cycle cost analysis should include a detailed analysis of the projected return, rate of return, or both; the expected useful life of the facilities; and estimated annual operating expenses. The information should also include each party's anticipated commitment; equity, debt, and other financing mechanisms; and a schedule of project revenues and project costs.

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9. Detailed discussion of assumptions about user fees or rates and about usage of the project.
10. Identification of known government or public support or opposition for the project. Government or public support should be demonstrated through resolutions of government departments or boards, minutes of meetings, letters, or other official communications.
11. Demonstration of consistency with the County’s comprehensive plan or a schedule of the steps necessary to amend the comprehensive plan.
12. Description of an ongoing evaluation system to track key performance criteria, including schedules, cash management, quality, worker safety, change orders, and legal compliance.
13. Identification of any known conflicts of interest or other factors that may impact consideration of the proposal, including the identification of persons who would be obligated to disqualify themselves from participation in any transaction in connection to the project because of COIA.
14. Acknowledgement of conformance with the Ethics in Public Contracting provisions of Va. Code §§ 2.2-4367 through 2.2-4377.
15. Additional information requested by the County.

APPENDIX D. Proposal Evaluation Criteria

In addition of any criteria listed in a Request for Proposals, the County will consider the following items in its evaluation of PPEA proposals.

A. Qualifications and Experience

Factors to be considered in determining whether the proposer possesses the requisite qualifications and experience include:

1. Professional qualifications and experience with similar projects;
2. Demonstrated ability to perform the work;
3. Demonstrated record of successful past performance, including timeliness of project delivery, compliance with plans and specifications, quality of workmanship, cost-control and project safety;
4. Demonstrated conformance with applicable laws, codes, standards, regulations, and agreements on past projects;
5. Leadership structure;
6. Project manager's experience;
7. Management approach;
8. Project staffing plans, the skills levels of the proposed workforce, and the proposed safety plans for the project; and
9. Financial condition of the proposer.

B. Project Characteristics

Factors to be considered in evaluating the project characteristics include:

1. Project definition;

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2. Proposed project schedule;
3. Operation of the project after completion;
4. Technological and technical feasibility;
5. Conformity to state and County laws, regulations, and standards;
6. Environmental impacts;
7. Condemnation impacts;
8. State and local permits; and
9. Maintenance of the project after completion.

C. Project Financing

Factors to be considered about the proposed project financing include:

1. Cost and economic benefit to the County;
2. Financing, including debt source, and its impact on the debt or debt burden of the County;
3. Financial plan, including overall feasibility and reliability of plan; default implications; degree to which proposer has conducted due diligence investigation; maintenance and operational costs after completion; and
4. Life-cycle cost analysis.

D. Project Benefit and Compatibility

Factors to be considered in determining the proposed project's compatibility with the County's long-term development goals and objectives include the following:

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1. Community benefits, including the economic impact the project will have on the County in terms of amount of tax revenue generated for the County, the number of jobs generated for area residents, the level of pay and fringe benefits of such jobs, and the number and value of subcontracts generated for area subcontractors;
2. Community support or opposition, or both;
3. Public involvement strategy;
4. Compatibility with existing and planned facilities;
5. Compatibility with County, regional, and state economic development efforts; and
6. Compatibility with the County's land use and transportation plans.

APPENDIX E. Required Components of Comprehensive Agreement

1. Delivery of maintenance, performance, and payment bonds or letters of credit in connection with the development or operation of the qualifying project, in the forms and amounts satisfactory to the County and in compliance with Va. Code § 2.2-4337 for those components of the qualifying project that involve construction;
2. Review and approval of plans and specifications for the qualifying project by the County;
3. County's inspection of the qualifying project to ensure the private entity's compliance with the Comprehensive Agreement;
4. Maintenance of liability insurance or self-insurance reasonably sufficient to insure coverage of the project and the tort liability to the public and employees and to enable the continued operation of the qualifying project;
5. County's monitoring of the practices of the private entity to ensure proper maintenance of the qualifying project;
6. Terms under which the private entity will reimburse the County for County services, if any;
7. Policy and procedures governing the rights and responsibilities of the parties if the Comprehensive Agreement is terminated or there is a material default by the private entity. *See* Va. Code § 56-575.9(A)(8);
8. Filing of appropriate financial statements by private entity on a periodic basis;
9. User fees, lease payments, or service payments as may be established upon agreement of the parties. Any payments or fees shall be the same for persons using the facility under like conditions and shall not materially discourage use of the qualifying project;

- a. A copy of any service contract shall be filed with the County; and
 - b. A schedule of the current user fees or lease payments shall be made available by the private entity to any member of the public upon request.
10. Any grants from, or loans by, the County from amounts received from federal, state, or local government sources;
 11. Incorporation of the duties of the private entity from the PPEA;
 12. Certification by the private entity and its team members that all material representations, information, and data provided in connection with a proposal are true and correct. If material changes occur with respect to any representations, information or data provided for a proposal, the private entity shall immediately notify the County. Any violation of this section of the Comprehensive Agreement by the private entity shall give the County the right to terminate the agreement, withhold payment or other consideration due, and seek any other remedy available under the law;
 13. Requirement for the written approval of the County for the private entity to substitute or replace identified team members, including major subcontractors performing over \$1 million of work;
 14. The date for the commencement of activities related to the qualifying project. *See* Va. Code § 56-575.4(F); and
 15. Other requirements of the PPEA or terms that the County determines serve the public interest, such as liquidated damages and reporting of SWAM and Tier 2 data.

INTERGOVERNMENTAL
MEMORANDUM OF UNDERSTANDING

Between

Albemarle County and the City of Charlottesville

July 1, 2019 – June 30, 2020

WHEREAS, the City of Charlottesville (City) and Albemarle County (County), Virginia have historically cooperated in providing public transit services through a department of the City, Charlottesville Area Transit (CAT), serving all of the City of Charlottesville and portions of Albemarle County; and

WHEREAS, the City of Charlottesville on behalf of Charlottesville Area Transit receives ongoing Virginia Department of Rail and Public Transportation (DRPT) and Federal Transit Administration (FTA) grant money for the operation and capital improvements of CAT; and

WHEREAS, both the City of Charlottesville and County of Albemarle (collectively, the Parties) desire that the collaboratively operated service of CAT continues in both jurisdictions; and

WHEREAS, both the City of Charlottesville and County of Albemarle on October 30, 2017 entered into a Memorandum of Understanding with the Charlottesville Albemarle Metropolitan Planning Organization, the Thomas Jefferson Planning District Commission and JAUNT, Inc., creating the Regional Transit Partnership (RTP) to advise and recommend to the parties improved efforts for regional transit cooperation; and

WHEREAS, a written understanding between the City and County was recommended by the RTP to communicate and implement each party's roles and responsibilities toward shared public transit service; and

WHEREAS, this Memorandum of Understanding is not intended to be an agreement for Purchase of Service.

NOW, THEREFORE, this Memorandum of Understanding is entered between the City and County for the purpose of budgeting, funding, operating and planning for public transit services within Albemarle County, Virginia by Charlottesville Area Transit for the time period of July 1, 2019 through June 30, 2020.

Accordingly, the City and County understand as follows:

I. TERM

This Memorandum of Understanding is effective upon signature by all representatives for both parties and shall remain in full force and effect until June 30, 2020, or until canceled

pursuant to the provisions of Section VIII below; provided however that the terms of this MOU are subject to written amendment pursuant to Section X.

II. OPERATIONS AND SERVICES

- A. Operations. The Parties agree to continue operations of CAT providing ongoing public transit service within the City of Charlottesville and County of Albemarle. The CAT operating year begins on July 1 and ends on June 30 of the following year.
- B. Services. All transit services will be provided in vehicles open to the general public without discrimination.

The Parties agree to the bus routes and timetables for the various routes as set forth in Attachment A to this agreement.

The Parties agree to make best efforts to mutually develop routes, timetables and headways on or before January 1 of each year for the following fiscal year services, if the Parties anticipate renewing this MOU for the subsequent period.

The routes and timetables in Attachment A may be amended from time to time by mutual written agreement between the City and County. To the extent that such changes impact cost for services, the City and County will include the proper adjustment of those costs in the written amendment.

Emergency temporary changes and deviations of routes due to weather, sports events, concerts, community events or similar unexpected one-time occurrences are not subject to written amendment. Verbal or electronic notice to Albemarle County will be provided within a reasonable time period.

CAT will provide marketing and advertising services equitably between City and County routes. Marketing and advertising services should be provided systematically and not specific to any particular route unless specifically identified in the operating budget for that specific route or specific service.

All annual budgets, agreements, agreement amendments, route and timetable changes shall be presented to the Regional Transit Partnership for their review.

III. COMPLIANCE WITH FEDERAL AND STATE LAWS, RULES AND REGULATIONS

CAT has the sole responsibility for ensuring compliance with applicable federal and state laws, rules and regulations.

CAT, City and County will cooperate to develop a regional urban transit agency strategic plan that includes the development of regional operational strategic plans for transit agencies pursuant to Virginia Code Section 33.2-286.

Any charter use of any system vehicles used in the course of implementing services is subject to agreement of the parties and applicable FTA guidelines.

IV. FINANCIAL / EQUIPMENT COMMITMENTS

The Parties are obligated to the financial commitments for CAT as indicated in Attachment "B", Financial Detail Sheet.

A. Albemarle County.

1. The County shall pay an annual amount for public transit services provided during the period of July 1, 2019 through June 30, 2020 as set forth in Attachment "B" to this agreement.

Payments shall be from the County to the City on the following intervals:

Equal quarterly payments are due in July, October, January and April.

The actual fiscal year public transit services funding as stated in Section (IV) (A)(1) to be provided by the County to the City will be determined based upon the actual City approved budget and actual approved state and federal grants for operational expenses for the upcoming fiscal year.

2. County contributions are for operating services only. No contributions by the County create ownership by the County of any City or CAT capital stock, land, buildings or equipment.

B. City of Charlottesville.

1. The City will provide a draft budget to the County and RTP upon submission by the City Manager to the City Council.
2. The City will maintain a CAT fund account as part of the City budget.
3. The City will account for all funds received from the County pursuant to this agreement, and revenues generated by the CAT operations accounts. In the event that the County chooses to terminate this MOU, the City will prorate any and all related year-to-date operating expenses and reimburse the County any funds paid by the County up to the service termination date. In the event these related operating expenses exceed payments received from the County at the time of service termination, the City shall invoice the County within 30 days of service termination, for payment of utilized but unpaid hours of service. The City will retain all other operational and capital purchase reserve amounts in the CAT account, not otherwise owed to the County under this agreement. Those funds shall be utilized for the ongoing operation of the transit service.
4. The City, shall apply for federal and state grants for CAT when mutually beneficial to the system. Any grant applications which, if awarded, would commit County resources shall be reviewed by the Regional Transit Partnership and approved by the

Albemarle County Executive prior to the submission of the grant application to the sponsor or funding agency.

5. The City shall carry insurance coverages with written proof of coverage meeting the following minimum amounts:
 - a. Workers' Compensation - Statutory requirements and benefits. Coverage is compulsory for employers of three or more employees, to include the employer. This policy shall specifically list Virginia as a covered state.
 - b. Employer's Liability - \$100,000. This policy shall list Virginia as a covered state.
 - c. General Liability - \$1,000,000 per occurrence. General Liability is to include bodily injury and property damage, personal injury, advertising injury, contractual liability, products and completed operations coverage and public official's liability coverage.
 - d. Automobile Liability - \$1,000,000 per occurrence.
 - e. Excess Liability Coverage - \$3,000,000 per occurrence. The excess liability coverage policy will be written on an occurrence basis and shall follow form, without exclusions, to the underlying Commercial General Liability and Auto Liability coverages.

All insurance coverage:

- a. shall be issued by an insurance carrier authorized to do business within the Commonwealth of Virginia or other qualified proof of self-insurance as confirmed and approved by the Commonwealth of Virginia;
 - b. shall be kept in force throughout performance of services;
 - c. shall be an occurrence-based policy;
 - d. shall include completed operations coverage;
 - e. shall contain a cross liability or severability of interest clause or endorsement. Insurance covering the specified additional insured shall be primary and non-contributory, and all other insurance carried by the additional insureds shall be excess insurance.
 - f. A certificate of insurance will be provided by the City to the County's Office of Risk Management prior to the commencement of the operation of a transit vehicle. The premium for this insurance will be paid out of the transit account maintained by the City. All policies should name the County and its officers, employees, and volunteers as additional insureds on a primary and non-contributory basis. All insurance policies must also include a waiver of subrogation in favor of the County of Albemarle.
6. The City agrees that any excess funding paid by the County for operations will be accounted for as a percentage of contribution and the parties will mutually agree upon how the funds will be identified for use such as crediting them as matching funds or operational credit. Excess funding is defined as the actual budget dollars.
 7. The City agrees to contribute the amount of funding necessary for normal operations to achieve and maintain the level of service established in Attachment "A" above any portion that County will pay. In the event of an extreme and

unexpected economic situation as determined by the City, i.e., significant increase in fuel expense, both the County and the City agree to mutually determine how to resolve the resulting funding requirement.

V. OTHER COMMITMENTS AND GOALS

The parties are obligated to the financial commitments for CAT as indicated in Attachment "B".

A. Albemarle County

1. The County agrees to participate in the Regional Transit Partnership.
2. The County agrees to immediately notify the City of any staffing changes of executive officials of the County that that would affect operations, management or administration of this MOU and joint transit services.

B. City of Charlottesville

1. The City shall operate CAT in accordance with the terms, conditions and spirit of this MOU, including any properly executed amendments or other modifications mutually agreed upon in writing by both parties.
2. All CAT personnel will be employees of the City, and it is the City's responsibility to ensure that personnel who drive buses are properly licensed and trained.
3. The City will maintain all buses according to best practices to ensure that they are fully operational, safe, clean and well-kept, and the City will use its best efforts to ensure that buses display accurate information on the marquee of each bus.
4. The City agrees to jointly communicate with the County of any proposed route or schedule changes to its citizens, visitors and businesses.
5. The City agrees to participate in the Regional Transit Partnership.
6. The City agrees to immediately notify the County of any staffing changes of executive officials of the City (CAT) that that would affect operations, management or administration of this MOU and joint transit services.
7. The City agrees to provide reasonable accommodations of use at the Downtown Transit Station for public transit service of JAUNT and any other public transit service providing such services are pursuant to a contract with the County.

VI. ADMINISTRATION

- A. Responsibilities. Except as otherwise provided in this MOU, the City shall have the sole responsibility for the overall implementation, operations, and management of CAT. The City is responsible for adhering to the budget; any exceptions to the approved budget during the term of this agreement must be approved in writing by the County. The City

will provide operations information of ridership, fare revenues, expenses, routes, and general operational data to the County. All matters related to this agreement and the operation of the transit system shall be communicated to the County Executive with copy to the Regional Transit Partnership.

- B. Audit and Record Keeping. The County shall have the right, upon reasonable notice, to audit the records of the City and CAT as they pertain to these public transit services, including relevant computer files. The City agrees to provide the County with a copy of any audit initiated by an outside agency which includes any aspect of the City's public transit service operations, equipment or facilities.

The Regional Transit Partnership shall be responsible for annual auditing of the revenue hours, County percentage of operations, County service hours, approved budgets and awarded grant amounts.

- C. Reports. The City shall provide the following reports to the Regional Transit Partnership:

1. Ridership Report: The City shall electronically provide a monthly summary of ridership in a spreadsheet format. Additionally, the Regional Transit Partnership shall have access upon reasonable request to the daily ridership route logs.
2. Exception Reports: The City shall deliver a summary report indicating any run on a scheduled route that was not started or completed detailing the reason for the cancellation, or early termination of the run on the route, within five (5) business days of the occurrence. Early/late runs are not subject to this report.
3. Financial Reports: The City shall provide an annual budget report to the County showing the revenues and expenses for CAT including line item detail of the Capital Equipment Reserve Account and the CAT fund account.

- D. Meetings. The parties shall participate in regular Regional Transit Partnership meetings to discuss ridership trends, potential route modifications, operational matters, identify opportunities for efficiencies, and such other matters as the parties agree. Additionally, the parties agree to have at least one meeting between June 1 and September 1 of each calendar year to develop its budgetary priorities to communicate to the County and the City.

Upon submission of a recommended annual budget to the City of Charlottesville by the City Manager and to the Albemarle County Board of Supervisors by the County Executive, the RTP shall review the recommended CAT and public transit service budget for possible recommendations to the Charlottesville City Council and the Albemarle County Board of Supervisors.

VII. OVERSIGHT

A. Regional Transit Partnership. The Regional Transit Partnership has been established as an advisory board that provides recommendations to City, County, Public Transit Operators and other stakeholders, such as the University of Virginia (UVA). The Partnership shall not have any inherent decision-making powers and does not supersede management over the Public Transit Operators.

Changes to multi-jurisdictional routes, bus stops outside of the City of Charlottesville, substantial rider or service policies shall be submitted to the RTP for their review and recommendations to the governing bodies.

B. Transit Director. The City's Transit Director shall apprise the RTP of all matters pertaining to CAT and will recommend to the RTP those actions and policies believed necessary for the efficient operation of CAT. The Transit Director shall receive advisory direction from the RTP but is ultimately a City employee responsible to the City and they will be governed by City administrative, financial, and personnel policies.

The Transit Director shall serve as the RTP's contact and staff representative for CAT operations and shall provide the RTP with the following information monthly, or upon request:

1. monthly operations reports of relevant operational activities of CAT; (narrative of activities occurring such as staffing/driver concerns, fuel cost projections, upcoming construction detours, site issues, etc.)
2. ridership data for all routes;
3. revenue/expenditure reports;
4. citizen complaints and suggestions;
5. Citizen Advisory Committee updates; ;
6. new service requests;
7. grant requests;
8. long-range planning; and
9. capital improvement programs.

VIII. TERMINATION / EXTENSION

This MOU may be terminated by either party upon 120 days written notice.

Upon termination:

1. The City will reimburse the County any funds paid by the County during the year in which the termination occurred which had not yet been obligated.
2. Upon any reduction or elimination of grant funding for CAT by the DRPT or by the FTA, neither party to this MOU shall be required to provide funding to maintain operations and services. This event will be considered a Special Exception allowing the early termination of this MOU, if the MOU cannot be modified, by the written agreement of both parties to continue operations without the grant funds at issue.

This MOU will automatically renew for a one (1) year term, for a maximum of four one-year renewal terms, unless either party provides notice to the other of its intent to terminate this agreement not less than one hundred twenty (120) days before the end of the then current MOU term. Such renewal is terminated upon the execution of a new or amended MOU.

IX. LIABILITY AND INDEMNIFICATION

To the fullest extent allowed by law, the City of Charlottesville will and does hereby agree to protect and defend, hold harmless and indemnify Albemarle County and its respective affiliated enterprises, officers, employees, representatives and agents from and against all damages, losses, liens, causes of action, suits, judgments, expenses and other claims of any nature, kind or description by any entity or person resulting from the operation of Charlottesville Area Transit under the performance of this agreement through the procurement of and coverages offered by general liability insurance, public official liability, automobile and bus, worker's compensation, excess liability insurance coverage, and any other insurance endorsements that serve to protect the City of Charlottesville.

X. RENEGOTIATION

Both parties agree to meet, review and consider changes that could be caused by grant funding changes, service level changes, ridership, and efficiencies including any potential amendments of this MOU. All such changes or amendments to this MOU must be in writing and be signed by the authorized representatives of the parties.

XI. Non-appropriation

The obligation of the County to appropriate funds to the City as provided in this agreement is subject to, and dependent upon, appropriations being made from time to time by the County's Board of Supervisors. Under no circumstances shall this agreement be construed to establish an irrevocable obligation on the County to contribute the funds. The obligation of the City to appropriate funds as provided in this Agreement is subject to, and dependent upon, appropriations being made from time to time by the Charlottesville City Council. Under no circumstances shall this Agreement be construed to establish an irrevocable obligation on the City to contribute the funds.

XIII. Entire Memorandum of Understanding.

This MOU states all covenants, promises, agreements, conditions, and understandings between the County and the City regarding the County's contribution of funds to the City for public transit services.

XIV. Amendments

In addition to renegotiating certain changes identified in Section X, this MOU may be amended by a mutual written amendment signed by the authorized representatives of the parties.

XV. NOTICE TO PARTIES

Any notice, consent or other communication ("Notice") required or permitted under this MOU shall be in writing and either delivered in person, sent by electronic mail (e-mail), deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, or deposited with any commercial air courier or express service addressed as follows:

If to the City:

City of Charlottesville
Charlottesville Area Transit
Attn: Transit Director
615 East Water Street
Charlottesville, VA 22902

and to:

City of Charlottesville
City Manager
PO Box 911
Charlottesville, VA 22902

If to the County:

Albemarle County
Attn: County Executive
401 McIntire Road
Charlottesville, VA 22902



and to:

Albemarle County
Attn: Director of Community Development
401 McIntire Road
Charlottesville, VA 22902


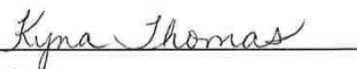
Correspondence should be copied to:
Thomas Jefferson Planning District Commission
Regional Transit Partnership
Executive Director
401 East Water Street
Charlottesville, VA 22902

IN WITNESS WHEREOF, all concerned parties have executed this Memorandum of Understanding on the 16th day of JULY, 2019:

Signatures:

 _____ WITNESS BY  _____
DATE 7/10/19

Ned Gallaway,
Chair
County of Albemarle Board of Supervisors

 _____ WITNESS BY  _____
DATE 7/16/19

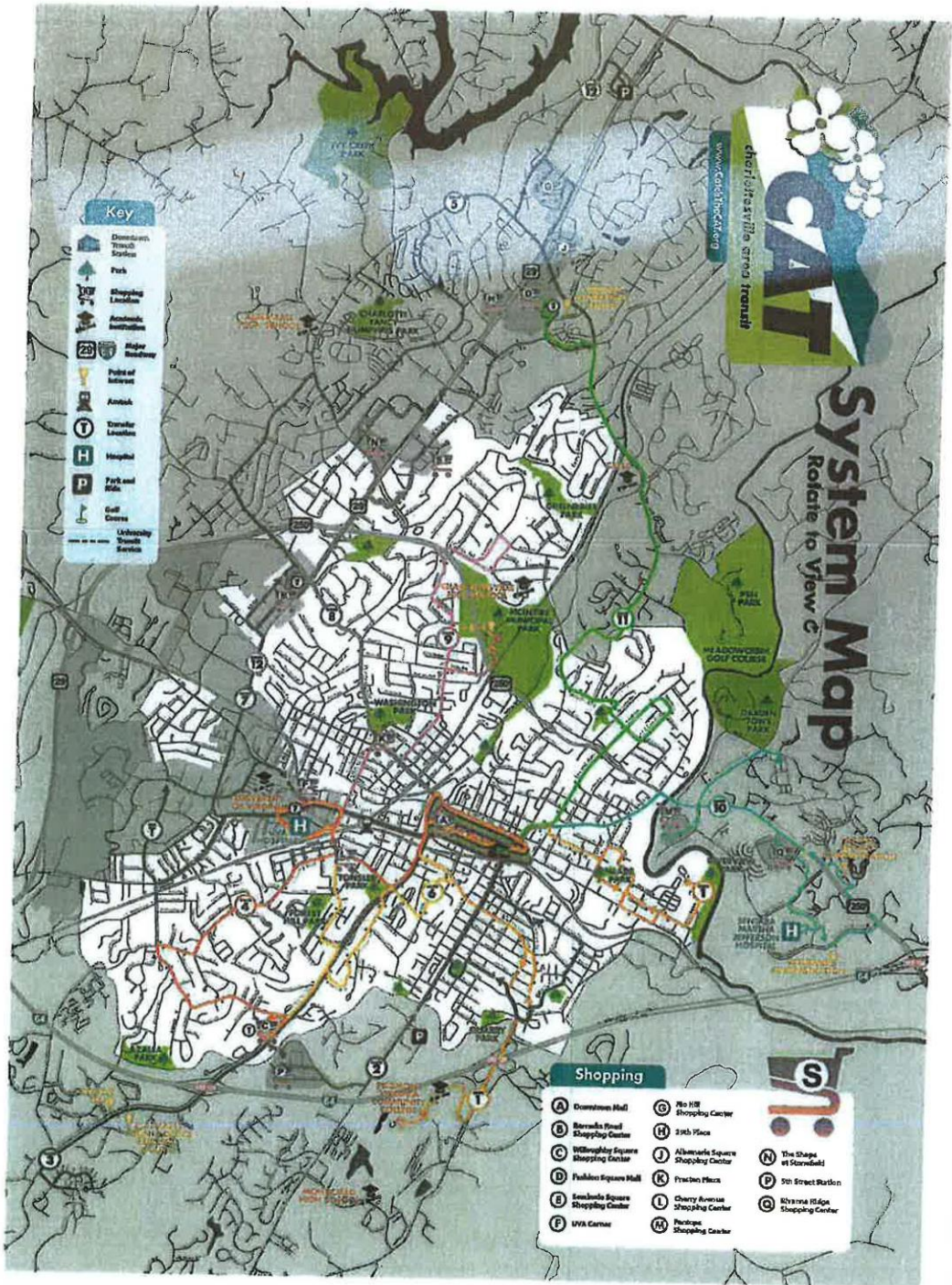
Nikuyah Walker,
Mayor
City of Charlottesville, and on behalf of the Charlottesville Transit Service

Approved as to Form:


John C. Blair, II, City Attorney

ATTACHMENT "A"

CHARLOTTESVILLE AREA TRANSIT ROUTE MAP AND SCHEDULE





W Main St & UVA

Monday - Sunday 6:40 AM - 11:57 PM
 Sunday 8:00 AM - 5:57 PM (schedule on page 37)



Free to Ride!
 The perfect choice when traveling
 Between UVA and Downtown.

Monday through Saturday

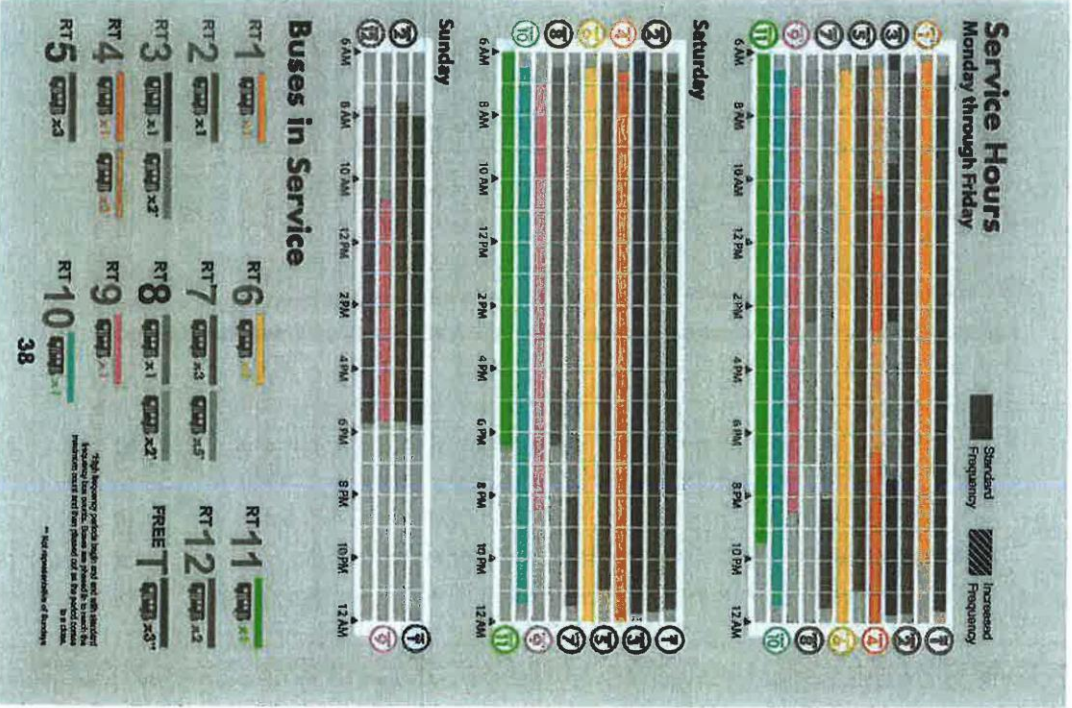
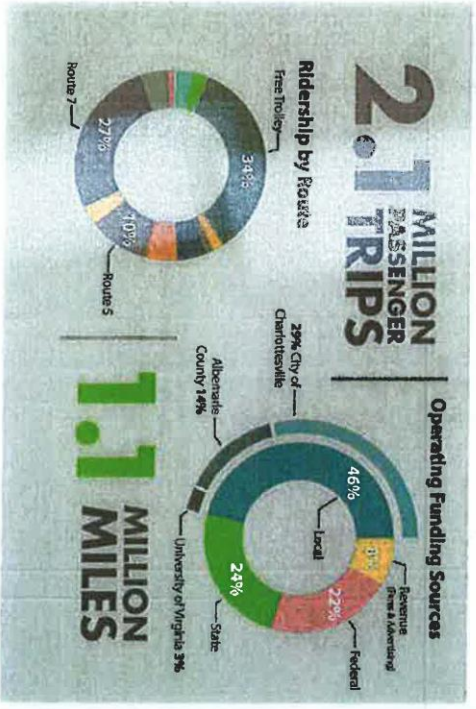
17230	17193	17100	17230	17230	17193	17100	17230
DTS	UVA	Chapel	DTS	DTS	UVA	Chapel	DTS
Departure	Hospital	Chapel	Arrival	Departure	Hospital	Chapel	Arrival
A	B	C	A	A	B	C	A
6:40 AM	6:50 AM	7:05 AM	7:22 AM	3:10 PM	3:20 PM	3:35 PM	3:52 PM
6:55 AM	7:05 AM	7:20 AM	7:37 AM	3:25 PM	3:35 PM	3:50 PM	4:07 PM
7:10 AM	7:20 AM	7:35 AM	7:52 AM	3:40 PM	3:50 PM	4:05 PM	4:22 PM
7:25 AM	7:35 AM	7:50 AM	8:07 AM	3:55 PM	4:05 PM	4:20 PM	4:37 PM
7:40 AM	7:50 AM	8:05 AM	8:22 AM	4:10 PM	4:20 PM	4:35 PM	4:52 PM
7:55 AM	8:05 AM	8:20 AM	8:37 AM	4:25 PM	4:35 PM	4:50 PM	5:07 PM
8:10 AM	8:20 AM	8:35 AM	8:52 AM	4:40 PM	4:50 PM	5:05 PM	5:22 PM
8:25 AM	8:35 AM	8:50 AM	9:07 AM	4:55 PM	5:05 PM	5:20 PM	5:37 PM
8:40 AM	8:50 AM	9:05 AM	9:22 AM	5:10 PM	5:20 PM	5:35 PM	5:52 PM
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9:10 AM	9:20 AM	9:35 AM	9:52 AM	5:40 PM	5:50 PM	6:05 PM	6:22 PM
9:25 AM	9:35 AM	9:50 AM	10:07 AM	5:55 PM	6:05 PM	6:20 PM	6:37 PM
9:40 AM	9:50 AM	10:05 AM	10:22 AM	6:10 PM	6:20 PM	6:35 PM	6:52 PM
9:55 AM	10:05 AM	10:20 AM	10:37 AM	6:25 PM	6:35 PM	6:50 PM	7:07 PM
10:10 AM	10:20 AM	10:35 AM	10:52 AM	6:40 PM	6:50 PM	7:05 PM	7:22 PM
10:25 AM	10:35 AM	10:50 AM	11:07 AM	6:55 PM	7:05 PM	7:20 PM	7:37 PM
10:40 AM	10:50 AM	11:05 AM	11:22 AM	7:10 PM	7:20 PM	7:35 PM	7:52 PM
10:55 AM	11:05 AM	11:20 AM	11:37 AM	7:25 PM	7:35 PM	7:50 PM	8:07 PM
11:10 AM	11:20 AM	11:35 AM	11:52 AM	7:40 PM	7:50 PM	8:05 PM	8:22 PM
11:25 AM	11:35 AM	11:50 AM	12:07 PM	7:55 PM	8:05 PM	8:20 PM	8:37 PM
11:40 AM	11:50 AM	12:05 PM	12:22 PM	8:10 PM	8:20 PM	8:35 PM	8:52 PM
11:55 AM	12:05 PM	12:20 PM	12:37 PM	8:25 PM	8:35 PM	8:50 PM	9:07 PM
12:10 PM	12:20 PM	12:35 PM	12:52 PM	8:40 PM	8:50 PM	9:05 PM	9:22 PM
12:25 PM	12:35 PM	12:50 PM	1:07 PM	8:55 PM	9:05 PM	9:20 PM	9:37 PM
12:40 PM	12:50 PM	1:05 PM	1:22 PM	9:10 PM	9:20 PM	9:35 PM	9:52 PM
12:55 PM	1:05 PM	1:20 PM	1:37 PM	9:25 PM	9:35 PM	9:50 PM	10:07 PM
1:10 PM	1:20 PM	1:35 PM	1:52 PM	9:40 PM	9:50 PM	10:05 PM	10:22 PM
1:25 PM	1:35 PM	1:50 PM	2:07 PM	9:55 PM	10:05 PM	10:20 PM	10:37 PM
1:40 PM	1:50 PM	2:05 PM	2:22 PM	10:10 PM	10:20 PM	10:35 PM	10:52 PM
1:55 PM	2:05 PM	2:20 PM	2:37 PM	10:25 PM	10:35 PM	10:50 PM	11:07 PM
2:10 PM	2:20 PM	2:35 PM	2:52 PM	10:40 PM	10:50 PM	11:05 PM	11:22 PM
2:25 PM	2:35 PM	2:50 PM	3:07 PM	10:55 PM	11:05 PM	11:20 PM	11:37 PM
2:40 PM	2:50 PM	3:05 PM	3:22 PM	11:10 PM	11:20 PM	11:35 PM	-
2:55 PM	3:05 PM	3:20 PM	3:37 PM	11:25 PM	11:35 PM	-	-

Sunday

11:05	11:08	12:00	12:03	11:03	11:06	12:03
DTS Departure A	VVA Hospital B	Chapel C	DTS Arrival A	DTS Departure A	VVA Hospital B	Chapel C
8:30 AM	8:10 AM	8:20 AM	8:27 AM	1:00 PM	1:10 PM	1:23 PM
8:30 AM	8:40 AM	8:50 AM	8:57 AM	1:20 PM	1:30 PM	1:45 PM
9:00 AM	9:10 AM	9:20 AM	9:27 AM	1:45 PM	1:55 PM	2:10 PM
9:30 AM	9:40 AM	9:50 AM	9:57 AM	2:05 PM	2:15 PM	2:30 PM
10:00 AM	10:10 AM	10:25 AM	10:42 AM	2:30 PM	2:40 PM	2:55 PM
10:20 AM	10:30 AM	10:45 AM	11:02 AM	2:50 PM	3:00 PM	3:15 PM
10:45 AM	10:55 AM	11:10 AM	11:27 AM	3:15 PM	3:25 PM	3:40 PM
11:05 AM	11:15 AM	11:30 AM	11:47 AM	3:35 PM	3:45 PM	4:00 PM
11:30 AM	11:40 AM	11:55 AM	12:12 PM	4:00 PM	4:10 PM	4:25 PM
12:15 PM	12:25 PM	12:40 PM	12:57 PM	4:30 PM	4:40 PM	4:55 PM
12:35 PM	12:45 PM	1:00 PM	1:17 PM	4:45 PM	4:55 PM	5:10 PM
				5:05 PM	5:15 PM	5:30 PM
						5:47 PM

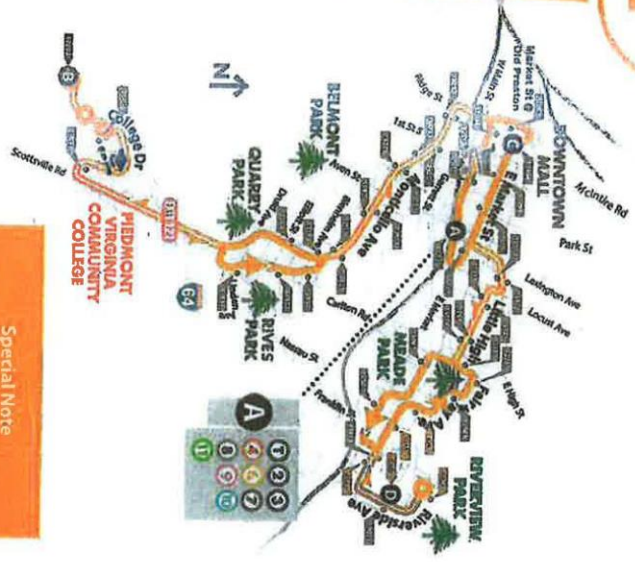
System Facts

Did you know that, on average, car logs enough miles to travel to California each day? These facts are based on data collected from fiscal year 2017.



ROUTE 1

PVCC & Woollen Mills
 Monday - Friday 6:15 AM - 10:05 PM
 Saturday & Sunday No Service



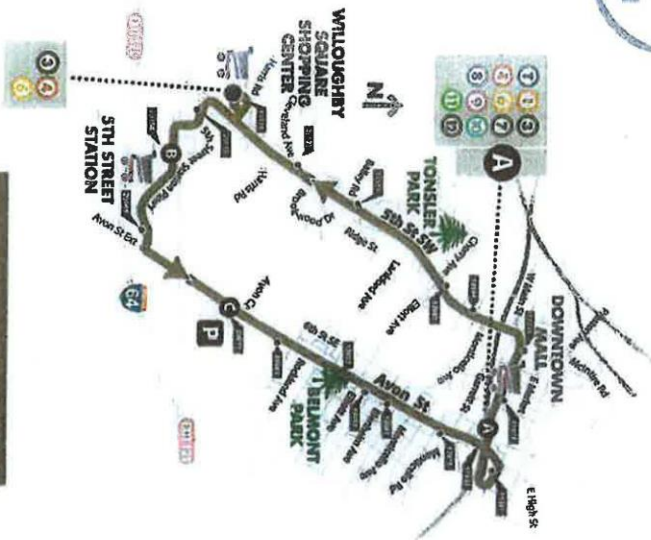
Special Note
 The Special Note from 1-23-2016 regarding the new route schedule and direction for the PVCC & Woollen Mills route is still in effect. Please refer to the Special Note on the back of this schedule for more information. The Special Note from 1-23-2016 regarding the new route schedule and direction for the PVCC & Woollen Mills route is still in effect. Please refer to the Special Note on the back of this schedule for more information.

10:55 Downtown Transit Station Departure	12:00 PVCC @ Dickinson Bldg	1:05 Market St @ Old Preston	1:55 Riverdale Avenue	1:55 Downtown Transit Station Arrival
6:30 AM	6:50 AM	7:00 AM	7:15 AM	7:27 AM
7:30 AM	7:50 AM	8:00 AM	8:15 AM	8:27 AM
8:30 AM	8:50 AM	9:00 AM	9:15 AM	9:27 AM
9:30 AM	9:50 AM	10:00 AM	10:15 AM	10:27 AM
10:30 AM	10:50 AM	11:00 AM	11:15 AM	11:27 AM
11:30 AM	11:50 AM	12:00 PM	12:15 PM	12:27 PM
12:30 PM	12:50 PM	1:00 PM	1:15 PM	1:27 PM
1:30 PM	1:50 PM	2:00 PM	2:15 PM	2:27 PM
2:30 PM	2:50 PM	3:00 PM	3:15 PM	3:27 PM
3:30 PM	3:50 PM	4:00 PM	4:15 PM	4:27 PM
4:30 PM	4:50 PM	5:00 PM	5:15 PM	5:27 PM
5:30 PM	5:50 PM	6:00 PM	6:15 PM	6:27 PM
6:30 PM	6:50 PM	7:00 PM	7:15 PM	7:27 PM
7:30 PM	7:50 PM	8:00 PM	8:15 PM	8:27 PM
8:30 PM	8:50 PM	9:00 PM	9:15 PM	9:27 PM
9:30 PM	9:50 PM	10:00 PM Straight to OTS	—	10:05 PM

ROUTE 2

5th Street Station

Monday - Saturday 6:55 AM - 11:42 PM
Sunday 7:35 AM - 5:42 PM



Free Parking
The City of Cambridge offers free parking at the Park & Ride on Avon Street. Extended 7th floor parking is also available for parking downtown.

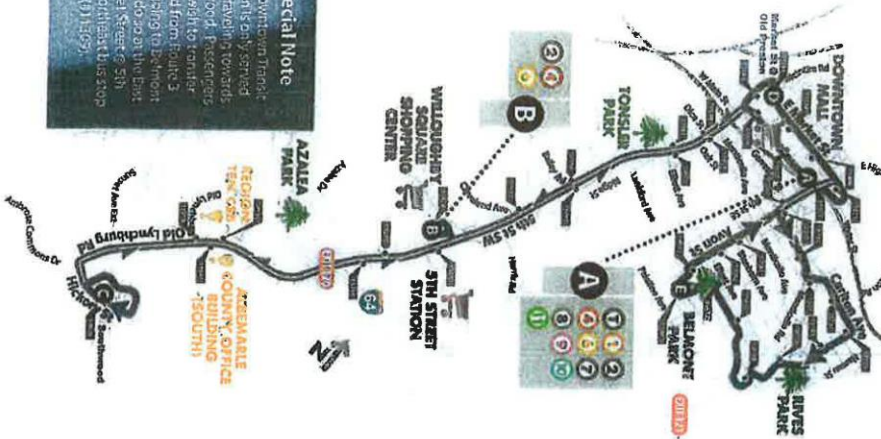
172333 Downtown Transit Station Departure	200134 5th Street Station	200727 Avon St. Ext. Park & Ride	172333 Downtown Transit Station Arrival
6:55 AM	7:30 AM	6:35 AM	6:42 AM
7:15 AM	7:50 AM	7:05 AM	7:12 AM
7:45 AM	8:00 AM	7:42 AM	8:12 AM
8:15 AM	8:30 AM	8:05 AM	8:12 AM
8:45 AM	9:00 AM	8:35 AM	8:42 AM
9:15 AM	9:30 AM	9:05 AM	9:12 AM
9:45 AM	10:00 AM	9:35 AM	9:42 AM
10:15 AM	10:30 AM	10:05 AM	10:12 AM
10:45 AM	11:00 AM	10:35 AM	10:42 AM
11:15 AM	11:30 AM	11:05 AM	11:12 AM
11:45 AM	12:00 PM	11:35 AM	11:42 AM
12:15 PM	12:30 PM	12:05 PM	12:12 PM
12:45 PM	1:00 PM	12:35 PM	12:42 PM
1:15 PM	1:30 PM	1:05 PM	1:12 PM
1:45 PM	2:00 PM	1:35 PM	1:42 PM
2:15 PM	2:30 PM	2:05 PM	2:12 PM
2:45 PM	3:00 PM	2:35 PM	2:42 PM
3:15 PM	3:30 PM	3:05 PM	3:12 PM
3:45 PM	4:00 PM	3:35 PM	3:42 PM
4:15 PM	4:30 PM	4:05 PM	4:12 PM
4:45 PM	5:00 PM	4:35 PM	4:42 PM
5:15 PM	5:30 PM	5:05 PM	5:12 PM
5:45 PM	6:00 PM	5:35 PM	5:42 PM
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6:45 PM	7:00 PM	6:35 PM	6:42 PM
7:15 PM	7:30 PM	7:05 PM	7:12 PM
7:45 PM	7:50 PM	7:35 PM	7:42 PM
8:15 PM	8:00 PM	8:05 PM	8:12 PM
8:45 PM	8:30 PM	8:35 PM	8:42 PM
9:15 PM	9:00 PM	9:05 PM	9:12 PM
9:45 PM	9:30 PM	9:35 PM	9:42 PM
10:15 PM	10:00 PM	10:05 PM	10:12 PM
10:45 PM	11:00 PM	11:05 PM	11:12 PM
11:15 PM	11:30 PM	11:35 PM	11:42 PM

● NOT SERVED ON SUNDAY

ROUTE 3

Southwood & Belmont

Monday - Saturday 6:00 AM - 11:45 PM
Sunday No Service



Special Note
The Downtown Transit Station is only served when traveling towards Southwood. Passengers who wish to transfer to and from Route 3 when going to Belmont should do so at the East Market Street @ 5th Street Northwest bus stop (311569).

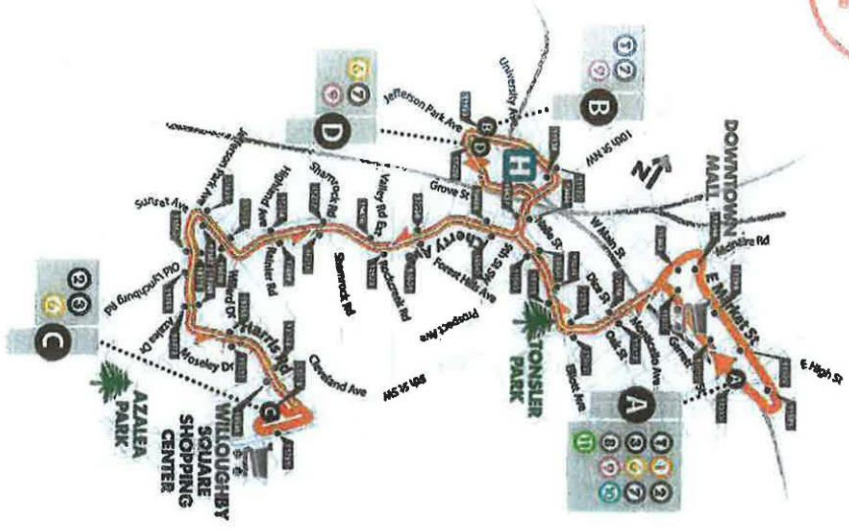
172333	172338	172337	174144	173337	172335
Downtown Transit Station Departure	Willowby Square Shopping Center	Southwood	Market St @ Old Preston	Belmont Park	Downtown Transit Station Arrival
A	B	C	D	E	A
6:30 AM	6:40 AM	6:45 AM	6:50 AM	6:15 AM	6:27 AM
7:00 AM	7:10 AM	7:15 AM	7:30 AM	7:45 AM	7:27 AM
7:30 AM	7:40 AM	7:45 AM	8:00 AM	8:15 AM	8:27 AM
8:00 AM	8:10 AM	8:15 AM	8:30 AM	8:45 AM	8:27 AM
8:30 AM	8:40 AM	8:45 AM	9:00 AM	9:15 AM	9:27 AM
9:30 AM	9:40 AM	9:45 AM	10:00 AM	10:15 AM	10:27 AM
10:30 AM	10:40 AM	10:45 AM	11:00 AM	11:15 AM	11:27 AM
11:30 AM	11:40 AM	11:45 AM	12:00 PM	12:15 PM	12:27 PM
12:30 PM	12:40 PM	12:45 PM	1:00 PM	1:15 PM	1:27 PM
1:30 PM	1:40 PM	1:45 PM	2:00 PM	2:15 PM	2:27 PM
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7:30 PM	7:40 PM	7:45 PM	8:00 PM	8:15 PM	8:27 PM
8:30 PM	8:40 PM	8:45 PM	9:00 PM	9:15 PM	9:27 PM
9:30 PM	9:40 PM	9:45 PM	10:00 PM	10:15 PM	10:27 PM
10:30 PM	10:40 PM	10:45 PM	11:00 PM	11:15 PM	11:27 PM
11:30 PM	11:40 PM	11:45 PM	-	-	-

● NOT SERVED ON SATURDAY

ROUTE 4

Cherry Ave & Harris Rd

Monday - Friday 6:25 AM - 12:03 AM
 Saturday 6:56 AM - 12:03 AM
 Sunday No Service



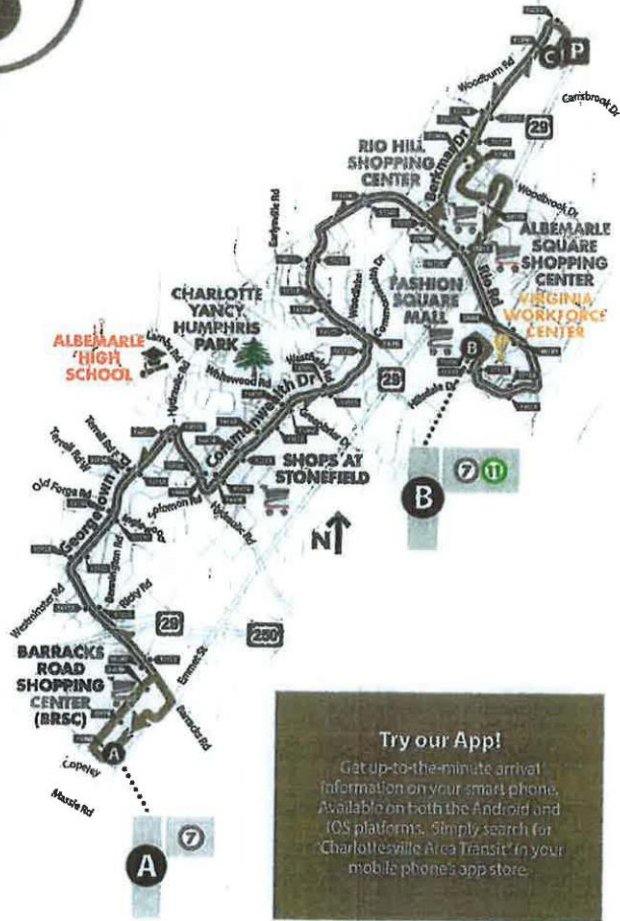
17233	11193	10954	17923	17233
Downtown Transit Station Departure	UVA Hospital Outbound	Willoughby Square Shopping Center	Pinn Hall Inbound	Downtown Transit Station Arrival
6:56 AM	6:51 AM	6:25 AM	6:42 AM	6:57 AM
7:00 AM	7:15 AM	6:46 AM	7:05 AM	7:20 AM
7:23 AM	7:38 AM	7:11 AM	7:28 AM	7:43 AM
7:46 AM	8:01 AM	7:35 AM	7:52 AM	8:07 AM
8:10 AM	8:25 AM	7:58 AM	8:15 AM	8:30 AM
8:33 AM	8:48 AM	8:21 AM	8:38 AM	8:53 AM
8:56 AM	9:11 AM	8:45 AM	9:02 AM	9:17 AM
9:20 AM	9:35 AM	9:08 AM	9:25 AM	9:40 AM
10:06 AM	10:21 AM	9:31 AM	9:48 AM	10:03 AM
11:16 AM	11:31 AM	9:55 AM	10:12 AM	10:27 AM
12:26 PM	12:41 PM	10:41 AM	10:58 AM	11:13 AM
1:36 PM	1:51 PM	11:51 AM	12:08 PM	12:23 PM
2:46 PM	3:01 PM	1:01 PM	1:18 PM	1:33 PM
3:10 PM	3:25 PM	2:11 PM	2:28 PM	2:43 PM
3:33 PM	3:48 PM	3:21 PM	3:38 PM	3:53 PM
3:56 PM	4:11 PM	3:45 PM	4:02 PM	4:17 PM
4:20 PM	4:35 PM	4:08 PM	4:25 PM	4:40 PM
4:43 PM	4:58 PM	4:31 PM	4:48 PM	5:03 PM
5:06 PM	5:21 PM	4:55 PM	5:12 PM	5:27 PM
5:30 PM	5:45 PM	5:18 PM	5:35 PM	5:50 PM
6:16 PM	6:31 PM	5:41 PM	5:58 PM	6:13 PM
7:26 PM	7:41 PM	6:51 PM	7:08 PM	7:23 PM
8:36 PM	8:51 PM	8:01 PM	8:18 PM	8:33 PM
9:46 PM	10:01 PM	9:11 PM	9:28 PM	9:43 PM
10:56 PM	11:11 PM	10:21 PM	10:38 PM	10:53 PM
		11:31 PM	11:48 PM	12:03 AM

NOT SERVED ON SATURDAY

ROUTE 5

Commonwealth Dr

Monday - Saturday 6:20 AM - 11:00 PM
 Sunday No Service (Refer to Route 12)



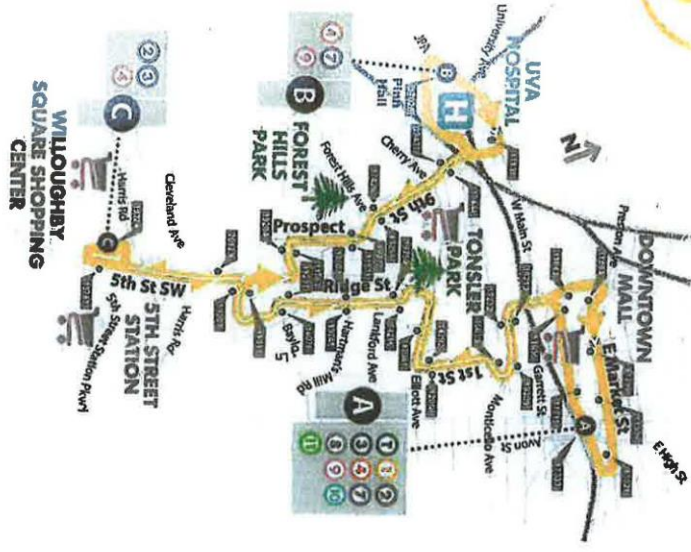
Try our App!
 Get up-to-the-minute arrival information on your smart phone. Available on both the Android and iOS platforms. Simply search for "Charlottesville Area Transit" in your mobile phone's app store.

13265 BRSC at Arlington Blvd Southbound Departure	16596 Fashion Square Mall Northbound	13296 Walmart	16596 Fashion Square Mall Southbound	13265 BRSC at Arlington Blvd Southbound Arrival
A	B	C	B	A
—	—	6:20 AM	6:30 AM	6:35 AM
—	6:30 AM	6:50 AM	7:00 AM	7:25 AM
6:30 AM	7:00 AM	7:20 AM	7:30 AM	7:55 AM
7:00 AM	7:30 AM	7:50 AM	8:00 AM	8:25 AM
7:30 AM	8:00 AM	8:20 AM	8:30 AM	8:55 AM
8:00 AM	8:30 AM	8:50 AM	9:00 AM	9:25 AM
8:30 AM	9:00 AM	9:20 AM	9:30 AM	9:55 AM
9:00 AM	9:30 AM	9:50 AM	10:00 AM	10:25 AM
9:30 AM	10:00 AM	10:20 AM	10:30 AM	10:55 AM
10:00 AM	10:30 AM	10:50 AM	11:00 AM	11:25 AM
10:30 AM	11:00 AM	11:20 AM	11:30 AM	11:55 AM
11:00 AM	11:30 AM	11:50 AM	12:00 PM	12:25 PM
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12:00 PM	12:30 PM	12:50 PM	1:00 PM	1:25 PM
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7:30 PM	8:00 PM	8:20 PM	8:30 PM	8:55 PM
8:00 PM	8:30 PM	8:50 PM	9:00 PM	9:25 PM
8:30 PM	9:00 PM	9:20 PM	9:30 PM	9:55 PM
9:00 PM	9:30 PM	9:50 PM	10:00 PM	10:25 PM
9:30 PM	10:00 PM	10:20 PM	10:30 PM	10:55 PM
10:00 PM	10:30 PM	10:50 PM	10:55 PM	—
10:30 PM	11:00 PM	—	—	—

ROUTE 6

Ridge St & Prospect Ave

Monday - Saturday 6:30 AM - 12:00 AM
Sunday No Service



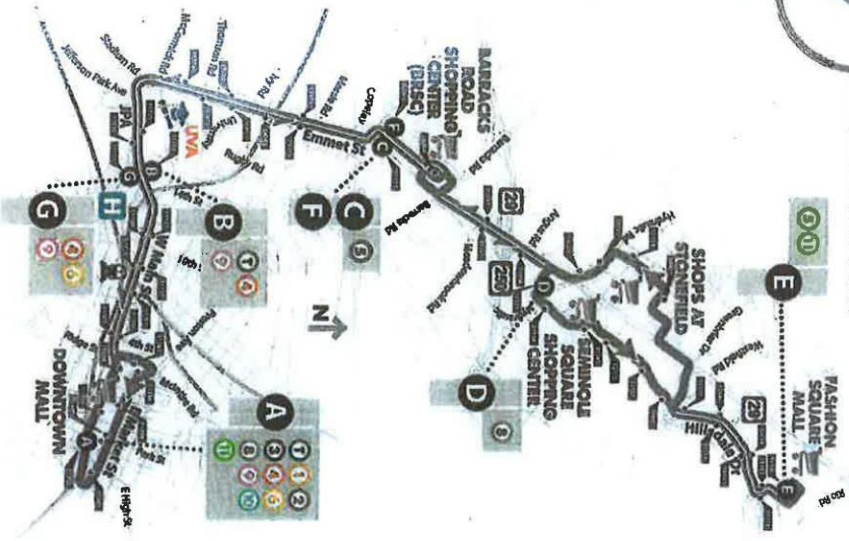
See something?
Call 800-444-4444 or visit us online
at www.columbiatransit.com
and let us know!

12:30 PM	12:00 PM	10:30 AM	10:00 AM
Downtown Transit Station (A)	Penn Hall (B)	Willoughby Square Shopping Center (C)	Downtown Transit Station (A)
6:30 AM	6:30 AM	7:35 AM	7:27 AM
7:30 AM	7:30 AM	8:05 AM	8:27 AM
8:30 AM	8:50 AM	9:05 AM	9:27 AM
9:30 AM	9:50 AM	10:05 AM	10:27 AM
10:30 AM	10:50 AM	11:05 AM	11:27 AM
11:30 AM	11:50 AM	12:05 PM	12:27 PM
12:30 PM	12:50 PM	1:05 PM	1:27 PM
1:30 PM	1:50 PM	2:05 PM	2:27 PM
2:30 PM	2:50 PM	3:05 PM	3:27 PM
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5:30 PM	5:30 PM	6:05 PM	6:27 PM
6:30 PM	6:50 PM	7:05 PM	7:27 PM
7:30 PM	7:50 PM	8:05 PM	8:27 PM
8:30 PM	8:50 PM	9:05 PM	9:27 PM
9:30 PM	9:50 PM	10:05 PM	10:27 PM
10:30 PM	10:50 PM	11:05 PM	11:27 PM
11:30 PM	12:00 AM	-	-

ROUTE 7

Emmet St & Seminole TR

Monday - Saturday 6:25 AM - 1:32 PM
 Sunday No Service (Refer to Route 12)



175333	111529	131027	102331	104966	103005	170228	175333
DTS Departure	UVA Hospital	BRSIC at Artington Blvd Northbound	Kroger at Hydraulic Rd	Fashion Square Mall	BRSIC at Artington Blvd Southbound	Pina Hill	DTS Arrival
A →	B →	C →	D →	E →	F →	G →	A →
6:25 AM	6:47 AM	7:07 AM	7:27 AM	7:47 AM	8:07 AM	8:27 AM	8:47 AM
6:55 AM	7:15 AM	7:35 AM	7:55 AM	8:15 AM	8:35 AM	8:55 AM	9:15 AM
6:55 AM	7:15 AM	7:35 AM	7:55 AM	8:15 AM	8:35 AM	8:55 AM	9:15 AM
7:05 AM	7:25 AM	7:45 AM	8:05 AM	8:25 AM	8:45 AM	8:65 AM	8:85 AM
7:15 AM	7:35 AM	7:55 AM	8:15 AM	8:35 AM	8:55 AM	9:15 AM	9:35 AM
7:25 AM	7:45 AM	8:05 AM	8:25 AM	8:45 AM	8:65 AM	8:85 AM	9:05 AM
7:35 AM	7:55 AM	8:15 AM	8:35 AM	8:55 AM	9:15 AM	9:35 AM	9:55 AM
7:45 AM	8:05 AM	8:25 AM	8:45 AM	8:65 AM	8:85 AM	9:05 AM	9:25 AM
7:55 AM	8:15 AM	8:35 AM	8:55 AM	9:15 AM	9:35 AM	9:55 AM	10:15 AM
8:05 AM	8:25 AM	8:45 AM	8:65 AM	8:85 AM	9:05 AM	9:25 AM	9:45 AM
8:15 AM	8:35 AM	8:55 AM	9:15 AM	9:35 AM	9:55 AM	10:15 AM	10:35 AM
8:25 AM	8:45 AM	8:65 AM	8:85 AM	9:05 AM	9:25 AM	9:45 AM	9:65 AM
8:35 AM	8:55 AM	9:15 AM	9:35 AM	9:55 AM	10:15 AM	10:35 AM	10:55 AM
8:45 AM	9:05 AM	9:25 AM	9:45 AM	9:65 AM	9:85 AM	10:05 AM	10:25 AM
8:55 AM	9:15 AM	9:35 AM	9:55 AM	10:15 AM	10:35 AM	10:55 AM	11:15 AM
9:05 AM	9:25 AM	9:45 AM	9:65 AM	9:85 AM	10:05 AM	10:25 AM	10:45 AM
9:15 AM	9:35 AM	9:55 AM	10:15 AM	10:35 AM	10:55 AM	11:15 AM	11:35 AM
9:25 AM	9:45 AM	9:65 AM	9:85 AM	10:05 AM	10:25 AM	10:45 AM	10:65 AM
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1:35 PM	1:55 PM	1:75 PM	1:95 PM	2:15 PM	2:35 PM	2:55 PM	3:15 PM

17:55	18:10	18:27	18:43	18:59	19:15	19:31	19:47	20:03	20:19	20:35	20:51	21:07	21:23
DTS Departure	UVA Hospital	BRS at Arlington Blvd Northbound	Kroger at Hydraulic Rd	Fashion Square Mall	BRS at Arlington Blvd Southbound	Pin Hall	DTS Arrival						
1:35 PM	1:47 PM	2:00 PM	2:10 PM	2:25 PM	2:50 PM	3:00 PM	3:12 PM	1:59 PM	2:07 PM	2:20 PM	2:30 PM	2:45 PM	2:55 PM
2:15 PM	2:27 PM	2:40 PM	2:50 PM	3:05 PM	3:30 PM	3:40 PM	3:52 PM	2:35 PM	2:47 PM	3:00 PM	3:10 PM	3:25 PM	3:35 PM
2:55 PM	3:07 PM	3:20 PM	3:30 PM	3:45 PM	4:10 PM	4:20 PM	4:32 PM	3:15 PM	3:27 PM	3:40 PM	3:50 PM	4:05 PM	4:15 PM
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6:55 PM	7:07 PM	7:20 PM	7:30 PM	7:45 PM	8:10 PM	8:20 PM	8:32 PM	7:15 PM	7:27 PM	7:40 PM	7:50 PM	8:05 PM	8:15 PM
7:35 PM	7:47 PM	8:00 PM	8:10 PM	8:25 PM	8:50 PM	9:00 PM	9:12 PM	7:55 PM	8:07 PM	8:20 PM	8:30 PM	8:45 PM	8:55 PM
8:15 PM	8:27 PM	8:40 PM	8:50 PM	9:05 PM	9:30 PM	9:40 PM	9:52 PM	8:35 PM	8:47 PM	9:00 PM	9:10 PM	9:25 PM	9:35 PM
8:55 PM	9:07 PM	9:20 PM	9:30 PM	9:45 PM	10:10 PM	10:20 PM	10:32 PM	9:15 PM	9:27 PM	9:40 PM	9:50 PM	10:05 PM	10:15 PM
9:35 PM	9:47 PM	10:00 PM	10:10 PM	10:25 PM	10:50 PM	11:00 PM	11:12 PM	9:55 PM	10:07 PM	10:20 PM	10:30 PM	10:45 PM	10:55 PM
10:15 PM	10:27 PM	10:40 PM	10:50 PM	11:05 PM	11:30 PM	11:40 PM	11:52 PM	10:35 PM	10:47 PM	11:00 PM	11:10 PM	11:25 PM	11:35 PM

● BUS ENDS SERVICE AT THIS STOP

PLANNING AN EVENT?

Give your guests a 3-Day Transit Pass!

Passes only cost \$5.50 each and can be purchased weeks or months in advance.

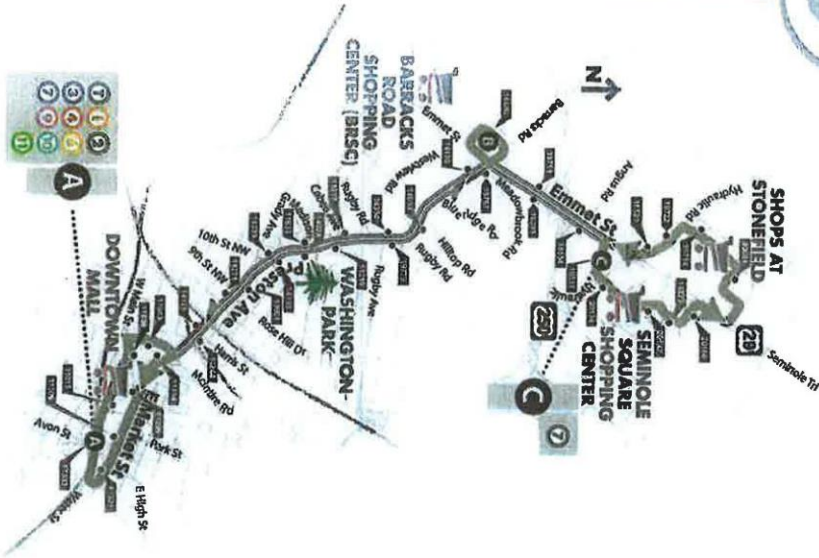
Only when the pass is first used will it begin to depreciate.

For bulk orders, please call 434-970-3669, Ext. 3

ROUTE 8

Preston Ave & Emmet St

Monday - Friday 6:30 AM - 6:57 PM
 Saturday 6:30 AM - 6:27 PM
 Sunday No Service



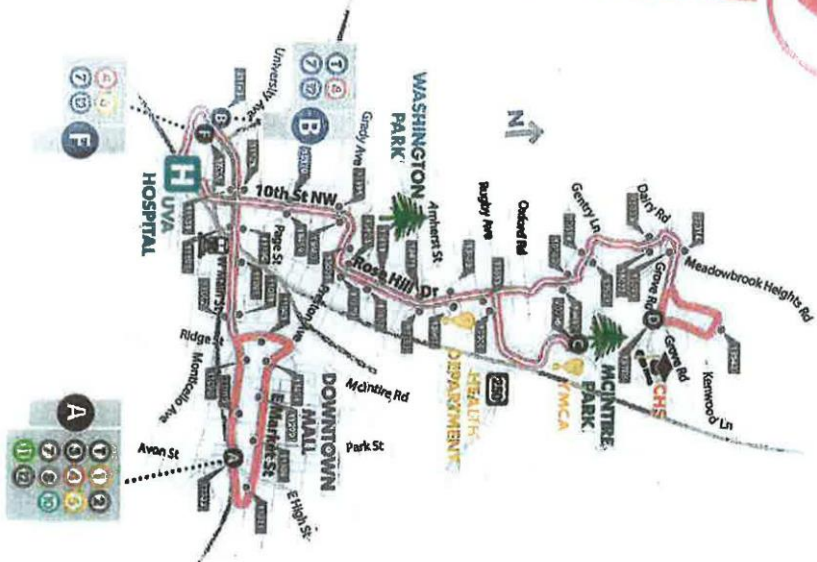
17033	16630	16531	16430	17033
Downtown Transit Station Departure	Barracks Road Shop Ctr CVS	Kroger at Hydraulic Rd	Barracks Road Shop Ctr CVS	Downtown Transit Station Arrival
A	B	C	B	A
6:30 AM	6:40 AM	6:50 AM	7:05 AM	7:27 AM
7:30 AM	7:10 AM	7:20 AM	7:35 AM	7:57 AM
7:30 AM	7:40 AM	7:50 AM	8:05 AM	8:27 AM
8:30 AM	8:10 AM	8:20 AM	8:35 AM	8:57 AM
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5:30 PM	5:10 PM	5:20 PM	5:35 PM	5:57 PM
5:30 PM	5:40 PM	5:50 PM	6:05 PM	6:27 PM
6:30 PM	6:10 PM	6:20 PM	6:35 PM	6:57 PM

NOT SERVED ON SATURDAY



The Health Dept & YMCA

Monday - Saturday 7:00 AM - 8:30 PM
 Sunday 10:00 AM - 5:00 PM



Monday through Saturday

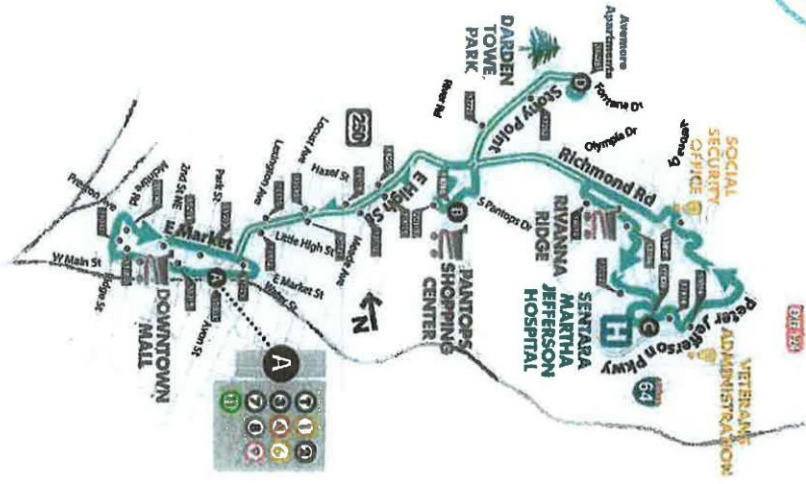
17203	11193	20006	19526	20096	17208	17203
Downtown Transit Station	UVA Hospital	YMCA	Grove Rd at Concord Dr	YMCA	Pinn Hall	Downtown Transit Station
A	B	C	D	C	F	A
7:40 AM	7:50 AM	8:05 AM	8:10 AM	8:20 AM	8:35 AM	8:50 AM
8:50 AM	9:00 AM	9:15 AM	9:20 AM	9:30 AM	9:45 AM	10:00 AM
10:50 AM	10:10 AM	10:25 AM	10:30 AM	10:40 AM	10:55 AM	11:10 AM
11:10 AM	11:20 AM	11:35 AM	11:40 AM	11:50 AM	12:05 PM	12:20 PM
12:20 PM	12:30 PM	12:45 PM	12:50 PM	1:00 PM	1:15 PM	1:30 PM
1:30 PM	1:40 PM	1:55 PM	2:00 PM	2:10 PM	2:25 PM	2:40 PM
2:40 PM	2:50 PM	3:05 PM	3:10 PM	3:20 PM	3:35 PM	3:50 PM
3:50 PM	4:00 PM	4:15 PM	4:20 PM	4:30 PM	4:45 PM	5:00 PM
5:00 PM	5:10 PM	5:25 PM	5:30 PM	5:40 PM	5:55 PM	6:10 PM
6:10 PM	6:20 PM	6:35 PM	6:40 PM	6:50 PM	7:05 PM	7:20 PM
7:20 PM	7:30 PM	7:45 PM	7:50 PM	8:00 PM	8:15 PM	8:30 PM

Sunday

17203	11193	20006	19526	20096	17208	17203
Downtown Transit Station	UVA Hospital	YMCA	Grove Rd at Concord Dr	YMCA	Pinn Hall	Downtown Transit Station
A	B	C	D	C	F	A
11:20 AM	11:30 AM	11:45 AM	11:50 AM	12:00 PM	12:15 PM	12:30 PM
12:30 PM	12:40 PM	12:55 PM	1:00 PM	1:10 PM	1:25 PM	1:40 PM
1:40 PM	1:50 PM	2:05 PM	2:10 PM	2:20 PM	2:35 PM	2:50 PM
2:50 PM	3:00 PM	3:15 PM	3:20 PM	3:30 PM	3:45 PM	4:00 PM
4:00 PM	4:10 PM	4:25 PM	4:30 PM	4:40 PM	4:55 PM	5:10 PM
5:10 PM	5:20 PM	5:35 PM	5:40 PM	5:50 PM	6:05 PM	6:20 PM



Pantops
 Monday - Saturday 6:30 AM - 11:27 PM
 Sunday No Service

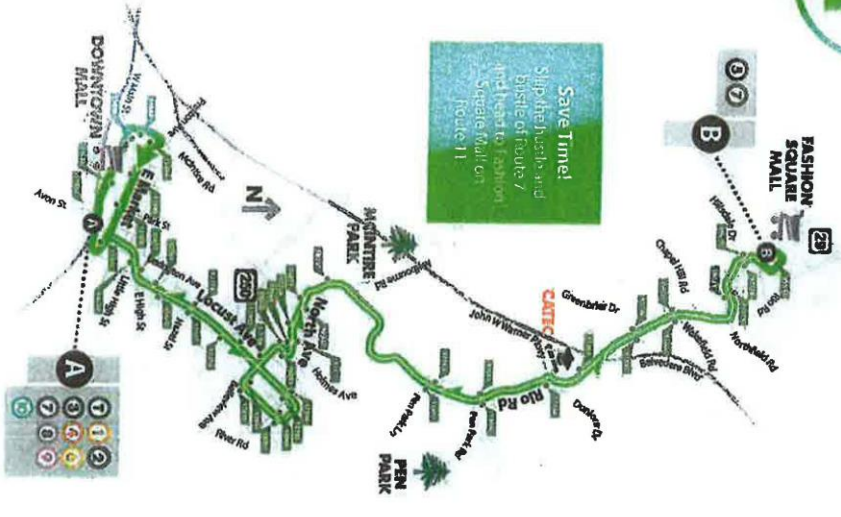


17:53	1:09	17:30	1:50	17:53
Downtown Transit Station Departure	Pantops Shopping Center	Sentara Martha Jefferson Hospital	Avemore Apartments	Downtown Transit Station Arrival
6:30 AM	6:45 AM	7:00 AM	7:10 AM	7:27 AM
7:30 AM	7:45 AM	8:00 AM	8:10 AM	8:27 AM
8:30 AM	8:45 AM	9:00 AM	9:10 AM	9:27 AM
9:30 AM	9:45 AM	10:00 AM	10:10 AM	10:27 AM
10:30 AM	10:45 AM	11:00 AM	11:10 AM	11:27 AM
11:30 AM	11:45 AM	12:00 PM	12:10 PM	12:27 PM
12:30 PM	12:45 PM	1:00 PM	1:10 PM	1:27 PM
1:30 PM	1:45 PM	2:00 PM	2:10 PM	2:27 PM
2:30 PM	2:45 PM	3:00 PM	3:10 PM	3:27 PM
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6:30 PM	6:45 PM	7:00 PM	7:10 PM	7:27 PM
7:30 PM	7:45 PM	8:00 PM	8:10 PM	8:27 PM
8:30 PM	8:45 PM	9:00 PM	9:10 PM	9:27 PM
9:30 PM	9:45 PM	10:00 PM	10:10 PM	10:27 PM
10:30 PM	10:45 PM	11:00 PM	11:10 PM	11:27 PM

ROUTE 11

Locust Ave & Rio Rd

Monday - Friday 6:00 AM - 9:27 PM
 Saturday 6:00 AM - 6:27 PM
 Sunday No Service



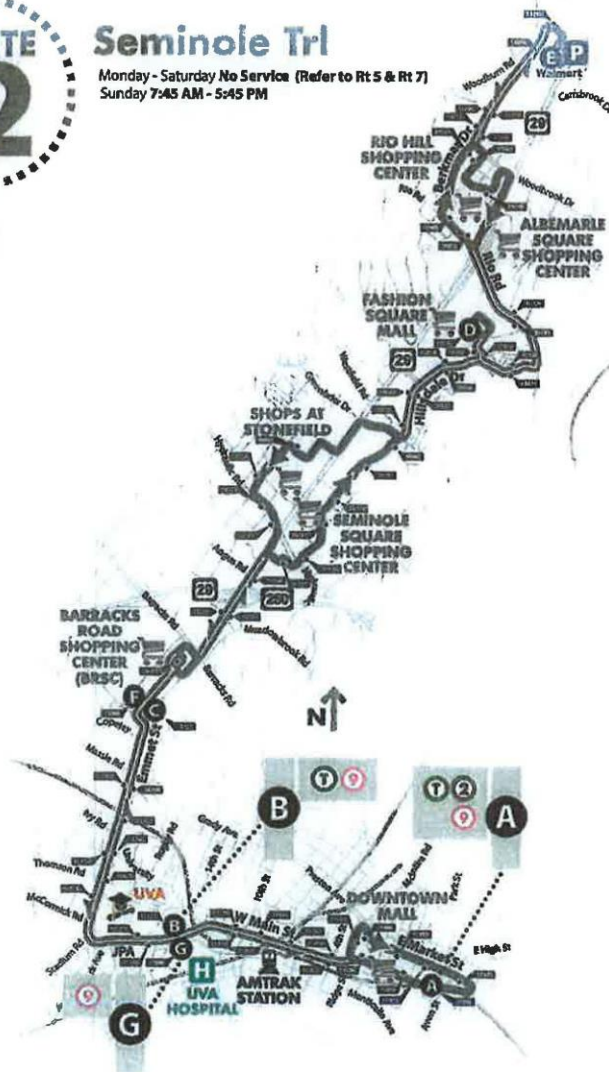
1230 A	1630 B	1730 A
Downtown Transit Station Departure	Fashion Square Mall	Downtown Transit Station Arrival
-	6:00 AM	6:27 AM
6:30 AM	7:00 AM	7:27 AM
7:30 AM	8:00 AM	8:27 AM
8:30 AM	9:00 AM	9:27 AM
9:30 AM	10:00 AM	10:27 AM
10:30 AM	11:00 AM	11:27 AM
11:30 AM	12:00 PM	12:27 PM
12:30 PM	1:00 PM	1:27 PM
1:30 PM	2:00 PM	2:27 PM
2:30 PM	3:00 PM	3:27 PM
3:30 PM	4:00 PM	4:27 PM
4:30 PM	5:00 PM	5:27 PM
5:30 PM	6:00 PM	6:27 PM
6:30 PM	7:00 PM	7:27 PM
7:30 PM	8:30 PM	8:27 PM
8:30 PM	9:00 PM	9:27 PM

● NOT SERVED ON SATURDAY

ROUTE 12

Seminole Trl

Monday - Saturday No Service (Refer to Rt 5 & Rt 7)
 Sunday 7:45 AM - 5:45 PM



17303	11193	13157	16996	13296	16996	13265	17028	17333
DTS Departure	UVA Hospital	BRSC at Arlington Blvd North	Fashion Square Mall	Walmart	Fashion Square Mall	BRSC at Arlington Blvd South	Pinn Hall	DTS Arrival
A	B	C	D	E	D	F	G	A
—	—	—	—	7:45 AM	8:00 AM	8:20 AM	8:30 AM	8:42 AM
7:45 AM	7:55 AM	8:05 AM	8:30 AM	8:45 AM	9:00 AM	9:20 AM	9:30 AM	9:42 AM
8:45 AM	8:55 AM	9:05 AM	9:30 AM	9:45 AM	10:00 AM	10:20 AM	10:30 AM	10:42 AM
9:45 AM	9:55 AM	10:05 AM	10:30 AM	10:45 AM	11:00 AM	11:20 AM	11:30 AM	11:42 AM
10:45 AM	10:55 AM	11:05 AM	11:30 AM	11:45 AM	12:00 PM	12:20 PM	12:30 PM	12:42 PM
11:45 AM	11:55 AM	12:05 PM	12:30 PM	12:45 PM	1:00 PM	1:20 PM	1:30 PM	1:42 PM
12:45 PM	12:55 PM	1:05 PM	1:30 PM	1:45 PM	2:00 PM	2:20 PM	2:30 PM	2:42 PM
1:45 PM	1:55 PM	2:05 PM	2:30 PM	2:45 PM	3:00 PM	3:20 PM	3:30 PM	3:42 PM
2:45 PM	2:55 PM	3:05 PM	3:30 PM	3:45 PM	4:00 PM	4:20 PM	4:30 PM	4:42 PM
3:45 PM	3:55 PM	4:05 PM	4:30 PM	4:45 PM	5:00 PM	5:20 PM	5:30 PM	5:42 PM
4:45 PM	4:55 PM	5:05 PM	5:30 PM	5:45 PM	—	—	—	—

Don't Pay for Parking!
 Take the bus and save! A 24-Hour Pass only costs \$1.50 and kids ride for free (see page 5 for details).

ATTACHMENT "B"

RECOMMENDED BUDGET

FISCAL YEAR 2020
7/1/2019

ALBEMARLE COUNTY COST ALLOCATION

**Recommended
May 23, 2019**

Routes by Funding	(A)							
Routes	Revenue Hours	County %	County Hours	Annual \$	FOA Credit	Fare Credit	County Cost	City Cost
Trolley	19,604	0%	0	\$0	\$0	\$0	\$0	\$1,421,594
1	4,160	25%	1,040	\$75,416	-\$32,790	-\$7,194	\$35,433	\$266,232
2	5,460	30%	1,638	\$118,780	-\$51,644	-\$11,330	\$55,807	\$340,128
3	7,176	25%	1,794	\$130,093	-\$56,562	-\$12,409	\$61,122	\$459,250
4	8,736	0%	0	\$0	\$0	\$0	\$0	\$633,496
5	15,288	92%	14,065	\$1,019,928	-\$443,448	-\$97,286	\$479,193	\$629,424
6	5,616	0%	0	\$0	\$0	\$0	\$0	\$407,247
7	24,960	24%	5,990	\$434,397	-\$188,869	-\$41,435	\$204,093	\$1,605,895
8	5,564	17%	946	\$68,591	-\$29,822	-\$6,543	\$32,226	\$371,250
9	4,680	0%	0	\$0	\$0	\$0	\$0	\$339,373
10	5,304	50%	2,652	\$192,311	-\$83,614	-\$18,344	\$90,354	\$294,269
11	4,628	52%	2,407	\$174,513	-\$75,875	-\$16,646	\$81,992	\$253,610
12	1,092	44%	480	\$34,842	-\$15,149	-\$3,323	\$16,370	\$62,817
Totals	112,268		31,012	\$2,248,872	-\$977,774	-\$214,510	\$1,056,588	\$7,084,585

Historical Albemarle Contribution			
Fiscal Year	Approved	Actual	Difference
FY13	\$722,555		
FY14	\$815,567		
FY15	\$868,988		
FY16	\$905,477		
FY17	\$1,054,244		
FY18	\$1,135,821		
FY19	\$1,178,382		
FY20			

Service Cost/Credit Calculations	
CAT FY20 Operating Budget	
Expenditures	\$8,141,173
Gross Cost/Service Hour	\$72.52
FOA Federal / State Revenue	\$3,539,652
FOA %	44%
FOA \$/Service Hour	-\$31.53
Farebox \$ / Service Hour	-\$6.92
Net Cost per Service Hour (B)	\$34.07

Service Hours - All Routes

Route	Service Hours / Day			Revenue Hrs	Annual \$	Ann Fare \$	Ann Grants \$
	Weekday	Sat	Sun				
Trolley	60.5	60.5	14	19,604			
1	16	0		4,160			
2	17.5	17.5		5,460			
3	24	18		7,176			
4	30	18		8,736			
5	49	49		15,288			
6	18	18		5,616			
7	80	80		24,960			
8	19	12		5,564			
9	14	14		4,680			
10	17	17		5,304			
11	15.5	11.5		4,628			
12	0	0	21	1,092			
Total	360.5	315.5	35	112,268			

Budget Formula						
A	Total Albemarle County Revenue Hours					
B	Net Cost per Service Hour					
C	County Funding					
	$A \times B = C$					
A	Hours of fixed route revenue service in Albemarle County					
B	Total expenses minus Fed/State Grants minus System farebox revenues divided by Total system revenue hours equals NET COST PER SERVICE HOUR					
	Farebox cost per service hour equals system					
	farebox revenue divided by system revenue hours.					

**RESOLUTION TO APPROVE SPECIAL EXCEPTIONS
TO VARY THE CODE OF DEVELOPMENT AND APPLICATION PLAN
APPROVED IN CONJUNCTION WITH ZMA201600015 OAKLEIGH**

WHEREAS, the Owner of Tax Map Parcels 04500-00-00-026A3, 04500-00-00-026A4, 04500-00-00-026A5, 04500-00-00-026A6, 04500-00-00-026A7, 04500-00-00-026A8, and 04500-00-00-026B6 filed a request for special exceptions to vary the Code of Development and Application Plan approved in conjunction with ZMA201600015 Oakleigh to allow several minor modifications.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-8.5.5.3, 18-33.43, and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception to vary the Code of Development and Application Plan approved in conjunction with ZMA201600015 Oakleigh as requested, subject to the conditions attached hereto.

**Special Exception to Vary the ZMA201600015 Oakleigh
Code of Development and Application Plan Condition**

1. Modifications shall be limited to Sheet 5 of the Code of Development and Sheet 4 of the Application Plan as set forth in the Applicant's Special Exception Request #1 dated April 12, 2019 and revised on June 6, 2019.
2. The modification to the design and layout to protect the proffered preserved trees, as specified by the project arborist in his letter dated March 29, 2019, is required unless alternative methods that meet or exceed those specified by the project arborist are approved by the Director of Planning.

**RESOLUTION TO APPROVE SPECIAL EXCEPTION
FOR B2019-01105-S OAKLEIGH
TO MODIFY SIGN SETBACKS**

WHEREAS, the Owner of Tax Map Parcels 04500-00-00-026A3 and 04500-00-00-026A4 filed a request for a special exception to modify the sign requirements of County Code § 18-4.15.10 to allow a 0 foot setback for a sign to be located within a private street access easement in conjunction with Building Permit B2019-01105 S Oakleigh.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the Memorandum prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-8.2(b) and 18-33.49, the Albemarle County Board of Supervisors hereby approves the special exception requested in conjunction with Building Permit B2019-01105-S Oakleigh, as described hereinabove, subject to the conditions attached hereto.

**Special Exception to Modify Sign Setbacks
Special Exception Conditions**

1. One freestanding sign up to 32 square feet shall be permitted on TMP 04500-00-00-026A4.
2. No freestanding sign shall be permitted on TMP 04500-00-00-026A3.
3. No subdivision signs shall be permitted on TMP 04500-00-00-026A4 or TMP 04500-00-00-026A3.
4. A three (3) foot clear zone is required from the face of the curb to any non-breakaway structures (i.e., the monument sign).



Norman G. Dill
Rivanna

Richard F. Randolph
Scottsville

Ann H. Mallek
White Hall

COUNTY OF ALBEMARLE
Office of Board of Supervisors
401 McIntire Road
Charlottesville, Virginia 22902-4596
(434) 296-5843 FAX (434) 296-5800

Diantha H. McKeel
Jack Jouett

Liz A. Palmer
Samuel Miller

Ned L. Gallaway
Rio

July 8, 2019

Chris Novelli
State Historic Preservation Office
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

Re: Peters Mountain Emergency Communications Tower Located at 3045 Peters Mountain Road, Keswick, Virginia

Dear Mr. Novelli,

The Albemarle County Board of Supervisors has authorized me to send this letter expressing the Board's support for the Emergency Communications Center's (ECC) initiative to modernize its communications tower at Peters Mountain.

The ECC operates a regional 800 MHz public safety land mobile radio system on behalf of the County of Albemarle, the City of Charlottesville, and the University of Virginia. The system provides interoperable, mission-critical communications to nearly 3,000 regional public safety and public service users. As part of an enterprise-wide project to replace end-of-life infrastructure and improve public safety communications coverage and reliability, the ECC is seeking to add additional equipment and height to the Peters Mountain site, located at 3045 Peters Mountain Road in Keswick.

This additional equipment will allow the ECC to provide improved public safety services to the residents of Albemarle County. The Board therefore supports the modifications to the Peters Mountain tower sought by the ECC. If you should have any questions, please do not hesitate to ask. Thank you for your time and attention.

Sincerely,

Ned L. Gallaway, Chair
Albemarle County Board of Supervisors

cc: Albemarle County Board of Supervisors
Jeffrey B. Richardson

**RESOLUTION TO APPROVE CPA 2018-00007
FOR CONSERVING BIODIVERSITY**

WHEREAS, Objective 4 of the Natural Resources Chapter of the Albemarle County Comprehensive Plan calls for protecting the biological diversity and ecological integrity of the County; and

WHEREAS, Strategy 4a under Objective 4 calls for developing an Action Plan for Biodiversity to protect significant areas of biological importance in the County; and

WHEREAS, the Comprehensive Plan states that “When completed, the action plan should be presented to the Board of Supervisors for adoption into the Comprehensive Plan.”; and

WHEREAS, a Biodiversity Action Plan for Albemarle County was completed in June 2018 and endorsed by the Albemarle County Board of Supervisors on July 5, 2018; and

WHEREAS, on September 4, 2018, the Albemarle County Planning Commission adopted a Resolution of Intent to amend the Comprehensive Plan to incorporate strategies for conserving biodiversity; and

WHEREAS, based on data and analysis in the Biodiversity Action Plan, County staff developed revisions to the Comprehensive Plan to comply with directions and guidance in the Comprehensive Plan; and

WHEREAS, two work sessions with the Planning Commission were conducted - on November 20, 2018 and February 12, 2019 - to review the proposed revisions to the Comprehensive Plan and to solicit public comments on the proposed revisions; and

WHEREAS, a public meeting was conducted on November 29, 2018 and an online survey made available to the general public in efforts to solicit public comments on the proposed revisions to the Comprehensive Plan; and

WHEREAS, a work session with the Board of Supervisors to review the proposed revisions to the Comprehensive Plan was conducted on April 3, 2019, after which the Board approved proceeding to a public hearing with the Planning Commission for the purpose of amending the Comprehensive Plan; and

WHEREAS, on May 14, 2019, the Albemarle County Planning Commission held a duly noticed public hearing on CPA 2018-00007, at which it recommended approval of CPA 2018-00007; and

WHEREAS, on July 3, 2019, the Board of Supervisors held a duly noticed public hearing on CPA 2018-00007.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, and for the purposes articulated in Virginia Code § 15.2-2223, the Albemarle County Board of Supervisors hereby approves CPA 2018-00007 and amends Objective 4 and the related strategies of the Natural Resources Chapter of the Albemarle County Comprehensive Plan, as shown on Attachments A6 and A7 of the staff report, attached hereto and incorporated herein.

Objective 4: Protect the biological diversity and ecological integrity of the County in both the Rural Area and Development Areas.

Biological diversity, or “biodiversity” for short, has been defined as “the diversity of life in all its forms, and at all levels of organization” (Hunter 1996). While there are numerous ways to think about how life and all organisms are organized, the most common ways of viewing biodiversity include species diversity, genetic diversity, and ecosystem diversity. Biodiversity is sometimes described as the totality of genes, species, and ecosystems of a region.

The health of biological systems is often indicated by the amount of native variety they contain. Native species have evolved to live in their current habitats and, generally, the more diverse a system is, the healthier it is. The breadth of species creates strength for all species; when a species is lost, it signals a change that may affect all species.

Biodiversity is important to human populations for numerous and diverse reasons. In a narrow but critical sense, we depend on the services that ecosystems, and the living things found in them, provide. Ecosystem services refer to the many benefits that humans receive, at no direct economic cost, from natural environments and functioning ecosystems. Some essential ecosystem services include purification of air and water, pollination of crops and natural vegetation, generation and renewal of soil and fertility, and mitigation of floods and droughts. Healthy, functioning ecosystems provide many other benefits and also contribute greatly to the quality of life of County residents.

Protection of biodiversity is important in both the Development Areas and the Rural Area. Because the quantity of resources is much greater in the Rural Area, most of the efforts in protecting biodiversity are focused there. However, Development Areas are very important for conserving biodiversity. They are home to a number of key species and ecosystems. Preservation of environmental corridors, such as those shown on Parks and Green Systems plans in Development Area Master Plans, helps to maintain biodiversity in the Development Areas. Equally important is the preservation of wooded corridors that extend from the Rural Area into the Development Areas. Developing and maintaining a diverse, connected urban forest can provide important biodiversity resources as well as many other environmental and societal benefits.

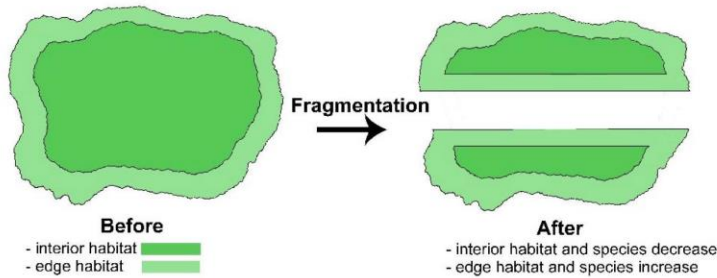
There are a variety of threats to biodiversity, ranging from the local to the global scale. An ongoing threat in Albemarle County and beyond is habitat fragmentation. When large patches of habitat are fragmented into smaller areas, species dependent on large “interior” habitats or large ranges cannot survive.

As shown in Figure 4, which depicts the potential results of a new road or utility right-of-way being constructed, the amount of interior habitat is reduced, minimizing area for food, cover, and movement. This negatively impacts many wildlife species found in the County that rely on interior habitat. Examples include forest interior breeding birds, such as the cerulean warbler and scarlet tanager, that are harmed by nest predators and nest parasites that are common in edge habitat. Some amphibians are also impacted by the loss of interior habitat, including the red-spotted newt and eastern red-backed salamander.

Figure 4 also illustrates that the overall amount of habitat is often reduced by fragmentation. Species that require large areas of habitat, such as the bobcat and river otter, may be negatively impacted. The increase in edge habitat often benefits many commonly occurring species, such as white-tailed deer, raccoon, and opossum. While these and other common species are important components of biodiversity, they can present problems too. Vehicle-wildlife collisions are perhaps the most serious issue. The County

and its residents can work closely with agencies and County partners, such as Virginia Department of Game and Inland Fisheries, in reducing human-wildlife conflicts.

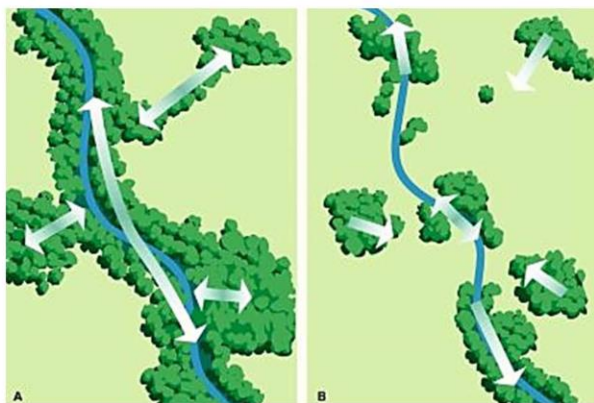
Figure 4: Illustration of Habitat Size and Fragmentation



Fragmentation also reduces viability for species. Loss of safe passages between habitats (shown in picture B of Figure 5) prevents species from reaching needed habitats or recolonizing habitats that have lost those species. Connectivity of habitat is critical for healthy, functioning ecosystems.

Subdivision of parcels into smaller parcels is conceptually distinct from habitat fragmentation and has been referred to as “parcelization” (Downing 2016). However, parcelization often leads to habitat fragmentation. Parcelization and subdivision of land can result in the size and/or shape of parcels that are generally usable only for residential purposes, thus complicating land management for forestry, agriculture, or conservation.

Figure 5: Illustration of Habitat Range and Connectivity



Conversion of wildlife habitat to land uses that remove the key elements for survival result in many fewer native species and pose the greatest threat to biodiversity. As discussed in the Rural Area Chapter (page 18), there is potential for much residential development in the Rural Area, which could negatively affect biodiversity.

Aquatic habitats are also degraded by soil erosion when land is cleared for development. As a result, aquatic life declines and affects the health of rivers and streams.

Any effort to protect the quality of ecosystems must include both terrestrial (land-based) and aquatic (water-based) ecosystems.

A: A well connected landscape. B: A poorly connected landscape.
Source: *Federal Interagency Stream Restoration Working Group (FISRWG)*

Strategy 4a: Implement an Action Plan for Biodiversity that includes protection of significant areas of biological importance in the County.

The Natural Heritage Committee (formerly the Biodiversity Committee) was appointed by the Board of Supervisors in 2005 to create and maintain the County's Biodiversity Assessment, advise the Board of Supervisors, the Planning Commission, and County staff on applying biodiversity information to land-use decision-making, and support biodiversity education in the County. Their mission is to help maintain and restore the County's native biological diversity and provide a healthy environment for the citizens of Albemarle County.

After adoption of the 2015 Comprehensive Plan, County staff worked with the Natural Heritage Committee to develop a Biodiversity Action Plan which is included in the Reference Documents section of this document ([hyperlink](#)). Included as Reference Documents and part of the plan are an Executive Summary, Appendices, and maps. The Biodiversity Action Plan builds upon work conducted by the Biodiversity Work Group from 2002-2004. The work group was created as a temporary body and developed a biodiversity report for Albemarle County in 2004. That report, a summary report, and appendices are also available in the Reference Documents section.

The Biodiversity Action Plan (BAP) provides both a broad overview and detailed information about biodiversity in the County. A key component of the plan is a spatial analysis of the Albemarle County landscape and the habitat it contains. Figures 6, 7, and 8 illustrate some of the data, analysis, and results of the plan. These figures correspond to Maps 1, 2, and 4 respectively in the BAP.

The BAP affirms the need to minimize and reduce habitat fragmentation County-wide by maintaining existing habitat connectivity. It promotes establishing new connectivity where possible and appropriate. It identifies non-native invasive species and climate change as significant threats to biodiversity both locally and on grander scales. It builds and expands upon recommendations in Objectives 1, 5, and 6 of this Chapter that call for protecting and preserving water resources, retaining mountain resources, retaining and improving land cover near rivers and streams, and protecting wetlands. The BAP also highlights the need to restore impaired or degraded ecosystems. Returning these systems to better health and functionality is often possible and a very important conservation tool.

The BAP should be reviewed and updated on a regular basis to account for changing conditions and to incorporate new knowledge and data. The BAP was intended to cover a five year period and should be reviewed and updated as needed in 2023.

The strategies that follow provide specific ways to protect and conserve biodiversity in Albemarle County. Since most of the County land is in private ownership, a strong community-based stewardship approach toward the County's natural resources will be a tremendous asset in effectively implementing the strategies.

Strategy 4b: Use existing tools (e.g., conservation easements), develop strategies, and implement new conservation programs to protect lands in the three conservation focus areas, other conservation targets (e.g., examples of the five key ecosystems described below, large forest blocks or other intact, important habitat), and lands that can serve as habitat corridors or connections among important habitat areas.

The BAP identifies three areas of the County that are rich in biodiversity and have significant conservation value (see Figure 8). Conserving lands and resources within the three focus areas – Northwestern Albemarle, the Southern Albemarle Mountains, and the Rivanna River Corridor - prioritizes efforts and should maximize conservation effectiveness. There is significant potential for enhanced conservation through good stewardship and land management in these focus areas. The total acreage of the areas is approximately 156,539 acres. Approximately 12% of the land is publicly owned, approximately 88% is in private ownership, and approximately 20% of the privately owned land is under conservation easement.

Five types of ecosystems are also identified as key for conserving biodiversity: 1) forests, 2) outcrops, bluffs, and other xeric habitats, 3) relict Piedmont prairies and grasslands, 4) rivers, streams, and riparian areas, and 5) wetlands. While not as widely recognized as some ecosystems, the biological importance and historical significance of Piedmont prairies and grasslands have become better studied and understood in recent years.

These five ecosystems may be important conservation targets regardless of their location. That is, they do not need to be located within the conservation focus areas to merit protection. Similarly, lands that can connect areas of habitat may be important conservation targets regardless of location in the County. In addition to their importance as habitat, rivers, wetlands, and other water features form key connectors that aquatic species, birds, and other wildlife use to move through the landscape. Protecting riparian and wetland areas is very important in supporting healthy, functioning ecosystems and providing good water quality.

The County's conservation easement programs, Acquisition of Conservation Easements (ACE) and Albemarle Conservation Easement Authority (ACEA), can be effective tools for helping conserve biodiversity. In addition to revising the criteria for these programs to include biodiversity values (as stated in Strategy 4e of this chapter), these programs should be strengthened. This is consistent with Strategy 5d of this chapter and Strategies 2b, 2d, 2e, and 2f ([hyperlink](#)) of the Rural Area Chapter.

Other land and resource protection tools should be investigated for use in Albemarle County. For example, a Transfer of Development Rights (TDR) program should be investigated as a possible method for conserving biodiversity. Lands within the three conservation focus areas and other identified conservation targets could be the focus of TDR programs. Researching a TDR program that is appropriate for Albemarle County is consistent with Strategies 1a and 2g ([hyperlink](#)) of the Rural Area Chapter.

Strategy 4c: Protect and conserve natural resources on County-owned land to enhance biodiversity.

Public lands and the ways they are managed play an important role in protecting open space, wildlife habitat, and biodiversity. Several land management practices, if implemented consistently on County-owned land, will contribute to enhancing biodiversity. Examples include controlling non-native invasive species, using locally native plants in landscaping, promoting natural plant communities on site when

possible (e.g., establishing native grassland habitat in place of turf or large lawn areas), maintaining wide riparian buffers along waterways, and reducing stormwater runoff.

County parks in particular should play a critical role in conserving biodiversity. Many parks contain examples of the five highlighted ecosystems, and several current and future County parks occur within or near the conservation focus areas. If managed properly, parks can conserve large, intact areas of forest and other habitat types. Management plans for the parks should include strategies to conserve and enhance biodiversity. Simple examples include controlling access to sensitive areas, designating specific locations for non-disturbance (e.g., reducing areas maintained by mowing), and using boardwalks and signage to limit access to sensitive areas while providing unique educational opportunities. Where possible, prescribed burning can be used to promote biodiversity.

Strategy 4d: Preserve existing vegetation in areas shown as Parks and Green Systems on Development Area Master Plans.

Each Development Area Master Plan describes the importance of preserving stream corridors and other environmentally sensitive areas. These places are especially important to biodiversity as are other areas shown as Parks and Green Systems in the Master Plan maps. [The Neighborhood Model principles, found in the Development Areas Chapter](#), describe the importance of parks, recreational amenities, and open space in creating and maintaining high quality neighborhoods. Wooded areas, riparian areas, and undeveloped well-vegetated land connecting these areas help retain habitat corridors.

Strategy 4e: Revise criteria for ACE (Acquisition of Conservation Easement Program) and ACEA (Albemarle Conservation Easement Authority, formerly the Public Recreational Facilities Authority) easement applications to more accurately identify biodiversity resources and conservation needs.

Conservation easements typically restrict development and protect agricultural, scenic, historic, and aquatic resources. They could be more effective at protecting specific habitat areas. While recognizing the value of biodiversity, current criteria for assessing biodiversity on ACE properties are limited in scope, with biodiversity data coming into play on a very limited basis. The criteria should be revised to include additional information and data sources, including BAP data. Improved criteria will allow biodiversity to be more easily considered in evaluating properties for ACE easements. For all County-held easements, terms and language need to be developed that provide effective methods for permanently protecting specific habitat areas that support biodiversity.

Strategy 4f: Evaluate opportunities and take steps to conserve and protect high priority Important Sites in the County.

Important Sites are defined as “locations of special plant communities, unusual habitats, or species rare to scarce in the County.” An initial list of Important Sites was developed by the Biodiversity Work Group in 2004. The Natural Heritage Committee (NHC) has maintained and revised the list in the ensuing years. Appendix C of the BAP provides descriptions of all 53 sites and a list of the 24 high priority sites. Map 3 of the BAP shows generalized locations of the sites.

The Important Sites represent significant opportunities for good stewardship, land management, and enhanced conservation of lands in the County. The total amount of land in the 53 sites is approximately

30,543 acres. Of this total, approximately 7% is public land and 93% is in private ownership. Approximately 23% of the privately owned land is under conservation easement. One of the 53 Important Sites is a landscape scale area of 21,588 acres. If this very large landscape scale site is not included, the remaining 52 sites represent a smaller area of approximately 9,786 total acres. They are comprised of approximately 21% public land, 79% privately owned land, and 30% of the privately owned land is under conservation easement.

Important Sites were evaluated based on their conservation value and the potential for conservation action that can be taken in the five years following completion of the BAP. The NHC intends to serve as an advocate for thirteen of the sites, working with landowners and local residents to raise awareness about them and discuss options for appropriate management and protection. Based on pending actions, the County is well positioned to positively influence activities and land management at nine Important Sites, and should take lead responsibility for them. The pending actions include development of new County parks, joint planning with the City of Charlottesville and Thomas Jefferson Planning District Commission on a Rivanna River corridor, and updating the Pantops Master Plan. The County and the NHC should share responsibility for two Important Sites. One site is adjacent to a future County park. The other site is within the Shenandoah National Park.

Strategy 4g: Encourage the use of locally native plants in landscaping to protect and provide habitat for native biodiversity, to save water, and to connect landowners to the local ecosystem.

The term “locally native” refers to plants that are native to the central Piedmont region of Virginia. The use of locally native plants in landscaping, land management, and development projects is important to protect native biodiversity against invasive species, to save water compared to plantings not adapted to the local climate, to provide additional habitat for native species, and to help connect residents to the local ecosystems. In 2012, Albemarle County Department of General Services (since renamed Facilities and Environmental Services) staff developed a native plants database and currently strives to plant at least 80% native plants in County projects. Community Development Department staff should also promote use of native plants in conjunction with the site development process.

Strategy 4h: Collaborate with resource management agencies, partners, and landowners to manage non-native invasive species to reduce their impacts and limit their spread.

The threat that non-native invasive species pose to biodiversity, agriculture, forestry, and other concerns is widely documented and accepted. Numerous state and federal agencies, nonprofit groups, and other organizations are actively engaged in trying to manage the threat. Examples include the Virginia Department of Forestry, Virginia Department of Conservation and Recreation, Blue Ridge PRISM, Thomas Jefferson Soil and Water Conservation District, The Nature Conservancy, and the Virginia Native Plant Society. Efforts on this front by the County can be significantly strengthened by collaborating with these and other organizations.

Strategy 4i: Include aquatic and riparian habitat enhancement with strategies for water quality when developing the comprehensive water resources plan.

Strategy 1c of this chapter calls for developing and implementing a comprehensive water resources plan for the County. The strategy includes stream restoration needs and strategies, public education efforts, and coordination of different County programs. This represents a logical and practical opportunity to enhance aquatic and riparian habitat as part of the comprehensive water resources plan.

Biodiversity and stream health are associated with water quality. The Virginia Department of Environmental Quality designates aquatic life, as determined by benthic macroinvertebrate data, as one of six designated uses for surface waters, and thus a standard for assessing water quality.

The County's network of rivers, streams, and riparian areas are a vital component of regional biodiversity, as stated under Strategy 4b of this chapter. Greater efforts should be made to protect these resources, for purposes of both improving water quality and protecting biodiversity. Taking actions for these purposes is consistent with Objectives 1 and 6 of this chapter, Strategies 1a, 6a, 6b, and 6c of this chapter, Objective 8 and Strategies 8a and 8b([hyperlink](#)) of the Development Areas Chapter, and Strategy 3a ([hyperlink](#)) of the Parks and Recreation, Greenways, Blueways, and Green Systems Chapter.

Strategy 4j: Increase the community's awareness of the importance of biodiversity to encourage protection of biological resources.

Volunteers and the County can support private conservation efforts by developing and disseminating educational and technical material to the general public, developers, and private land owners, including residents of the Development Areas. The material should contain information on the value of biodiversity, voluntary techniques that can be used to protect biological resources located on their land, and resources available to them. Typical examples that are often appropriate on small parcels and in urbanized areas include creating rain gardens, pollinator habitat, and xeriscaping with native plants.

Strategy 4k: Continue to collaborate with federal, state, and regional partners, who have geographic information on biological resources, to help build a biodiversity inventory.

Many federal, state, and regional agencies collect data on biological resources and work towards species protection. These data can be used in conjunction with information from the BAP and other County-generated data to develop a broad dataset on biodiversity. Developing and maintaining good working relationships with cooperating agencies and organizations is important.

One very useful strategy would be to work with the Virginia Department of Transportation to design and test wildlife overpasses and underpasses to reduce the loss of wildlife to habitat fragmentation by roads, especially between large habitat blocks. A variety of overpass and underpass sizes can contribute to biodiversity protection, including, for example, very small tubes and tunnels that can help amphibians move between upland and wetland habitats as needed for reproduction.

Strategy 4l: Retain a position for a County staff member with expertise in conservation biology.

In the years following creation of the Natural Heritage Committee in 2005, County resources were limited and no staff was available to work with the committee. With the hiring of a natural resources staff person in December 2015, a liaison between County staff and the NHC was established. The staff position supports the NHC and made development of the BAP possible. The staff position also strengthens County efforts to improve stream health, helps monitor proposed projects for impacts to biodiversity, provides additional resources for project review, and increases County support, outreach, and education for landowners.

Staff is in a unique situation to help make the connections between science, conservation management, and planning in the County. Staff time for conservation enables the County to be more effective and ensure that resources expended on these programs are put to the best use.

Strategy 4m: Develop indicators and monitor data that reflect the state of biodiversity in the County. Regularly repeat the land use/land-cover data-gathering process (as begun in 2009) for the purpose of monitoring landscape changes.

The state of biodiversity in Albemarle County is continually evolving. Indications of change are important in monitoring and assessing the current state, for tracking changes through time, and for effective conservation planning. Indicators may directly or indirectly reflect biodiversity resources. Examples of indicators could include the amount of land and landscape areas that are protected, the level of protection provided, indices of habitat connectivity and fragmentation, water quality and stream health data, and the status of threats to biodiversity (e.g., non-native invasive plants).

In 2007, Albemarle County, along with the Nature Conservancy, the Rivanna River Basin Commission, and StreamWatch (merged with the Rivanna Conservation Society in 2016 to form the Rivanna Conservation Alliance) funded mapping of land cover in the County and the rest of the Rivanna River watershed. The first map was completed in 2009 and is provided as a layer on the County's GIS web application. Because it is such a useful tool to track change over time, it is essential to repeat because it provides feedback on the effectiveness of conservation programs and allows conservation programs to adapt to trends in landscape changes.

CITATIONS:

Downing, A. 2016. "The Fragmented Forest." *Virginia Forest Landowner Update*. Volume 30, Number 4, Fall 2016. Virginia Cooperative Extension Program.

Hunter, M. L. 1996. *Fundamentals of Conservation Biology*. Cambridge, MA: Blackwell Science.

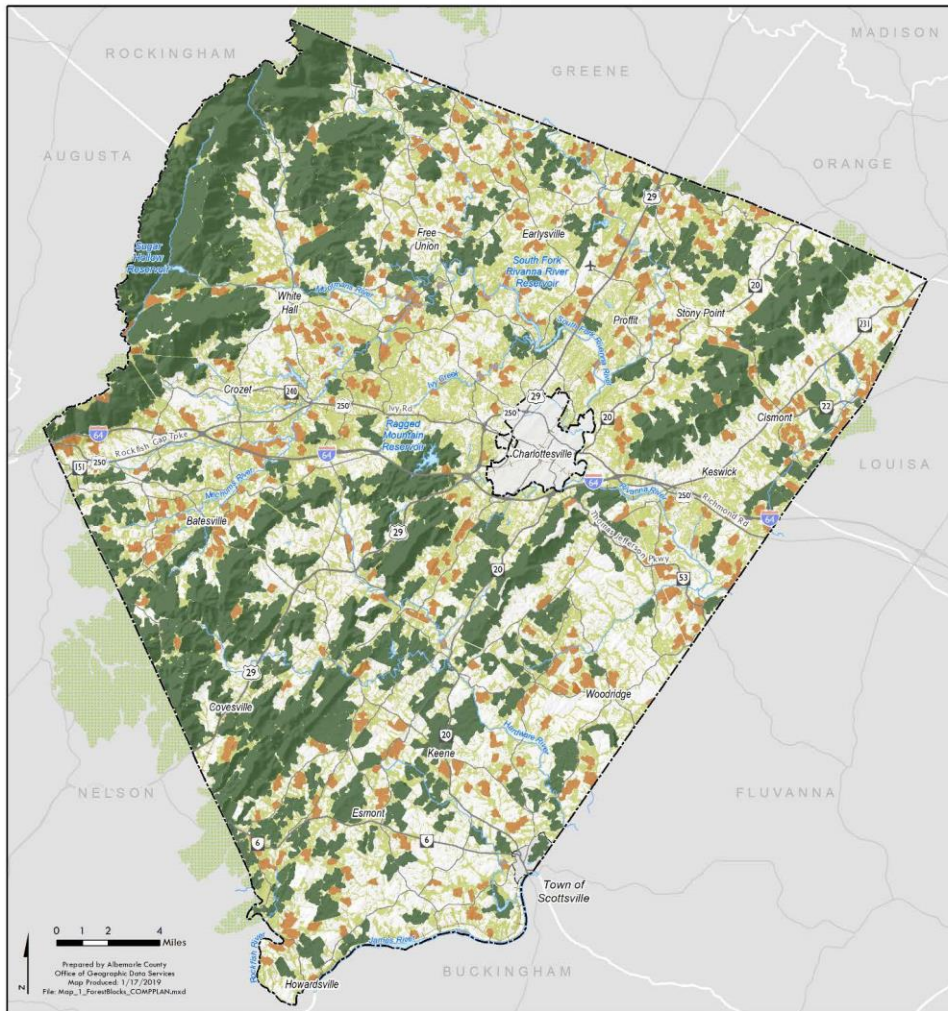


Figure 6: Forest Blocks and Tree Cover in Albemarle County

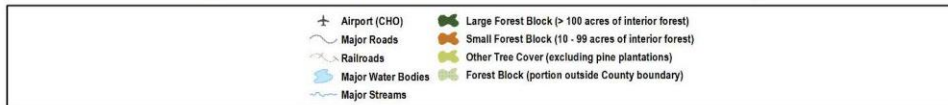


Figure 6 illustrates forested areas and tree cover in Albemarle County based on 2009 land cover data. Pine plantations were not included as forest or tree cover in this analysis.

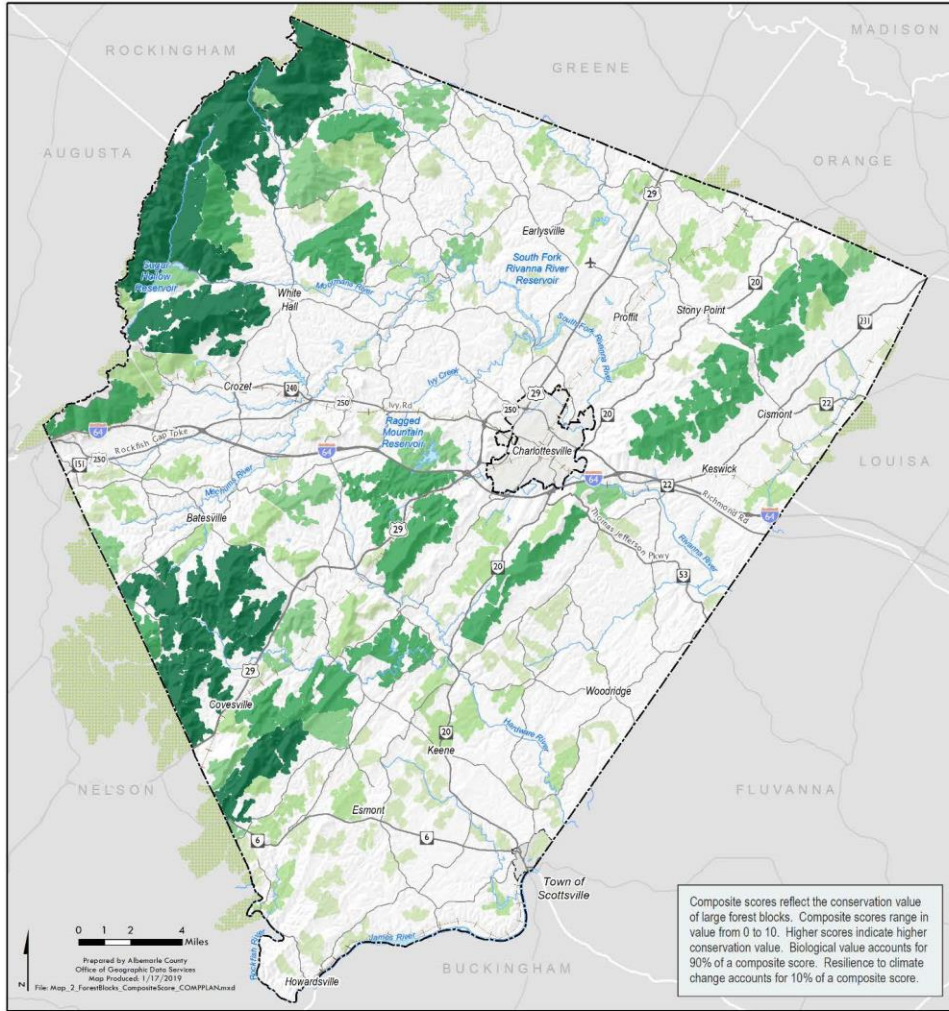


Figure 7: Ranking the Conservation Value of Large Forest Blocks

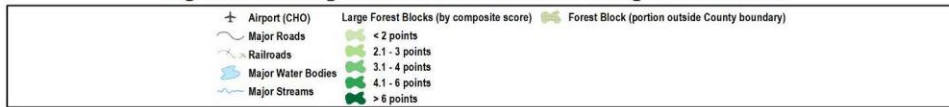


Figure 7 illustrates the composite scores of large forest blocks (blocks containing 100 or more acres of interior forest). Forest blocks were identified using 2009 land cover data.

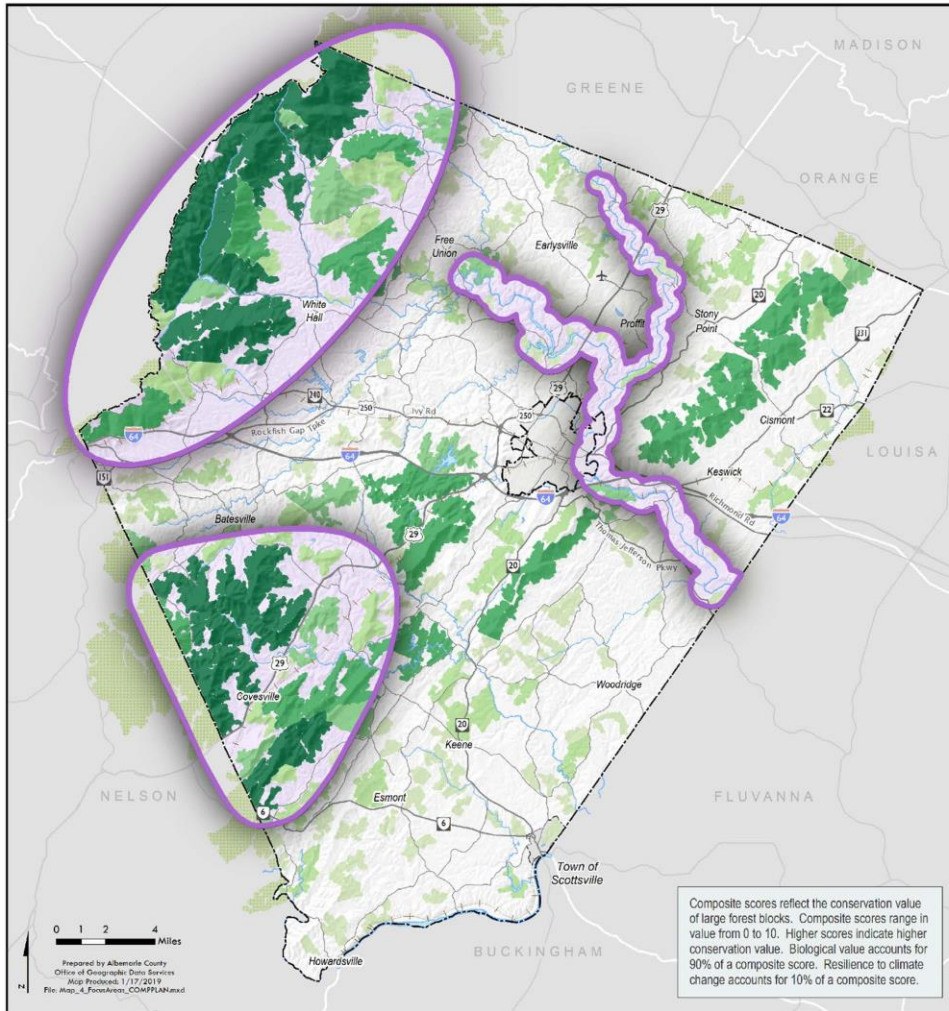


Figure 8: Conservation Focus Areas

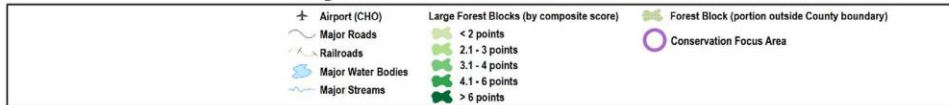
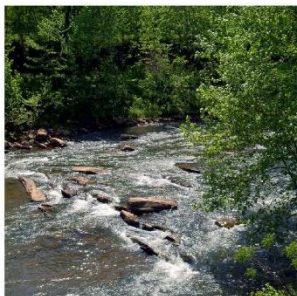


Figure 8 depicts the three areas in Albemarle County that should be a focus of conservation activity and attention.



GOAL: Albemarle’s ecosystems and natural resources will be thoughtfully protected and managed in both the Rural Area and Development Areas to safeguard the quality of life for present and future generations.

Natural Resources Implementation Priorities

Priorities are organized sequentially in the order in which they appear in the Plan. Additional prioritization will be needed before adding items to the County’s Work Program.

- | | |
|------------------------|--|
| Strategy 1c, page 4.14 | <ul style="list-style-type: none"> • Develop and implement a comprehensive water resources plan that sets expectations for quantity of public water supply, surface water protection and improvement, and groundwater protection. |
| Strategy 1d, page 4.16 | <ul style="list-style-type: none"> • Educate the public on how they can help with water resource protection. |
| Strategy 1e, page 4.17 | <ul style="list-style-type: none"> • Secure funding for water resource management programs. |
| Strategy 4a, page 4.20 | <ul style="list-style-type: none"> • Implement an Action Plan for Biodiversity to protect significant areas of biological importance in the County. |
| Strategy 4d, page 4.22 | <ul style="list-style-type: none"> • Retain a position for a County staff member with expertise in conservation biology. |
| Strategy 6c, page 4.29 | <ul style="list-style-type: none"> • Use Development Area Master Plans to identify important streams and wetlands that should be protected. |
| Strategy 7c, page 4.32 | <ul style="list-style-type: none"> • Increase awareness of areas which are prone to debris flow in the County. |
| Strategy 8a, page 4.33 | <ul style="list-style-type: none"> • Study the expected effects of climate change on Albemarle County and develop a Community Resilience Plan to prevent harm to human and biologic health. |

**RESOLUTION TO APPROVE CPA2019-00001
LOCAL TRANSPORTATION SYSTEMS**

WHEREAS, The Thomas Jefferson Planning District Commission (TJPDC), which also staffs the Charlottesville-Albemarle Metropolitan Planning Organization (C-A MPO), has completed the Jefferson Area Bicycle and Pedestrian Plan 2019 (the 2019 Plan) as an update to the 2004 Jefferson Area Bicycle, Pedestrian and Greenways Plan; and

WHEREAS, Objective 4 of the Transportation Chapter of the Albemarle County Comprehensive Plan calls for a local transportation system that includes access to pedestrian and bicycle facilities; and

WHEREAS, Strategy 4c under Objective 4 states, "As updates to the regional bicycle, pedestrian, and greenways plan are adopted, they will help guide future CIP projects, volunteer activities, and proffers from developers;" and

WHEREAS, the 2019 Plan seeks to encourage implementation by providing a focused list of regionally significant bicycle and pedestrian projects that enhance regional connectivity and provide routes connecting the region's important residential and economic centers for the development areas and rural areas of the County of Albemarle; and

WHEREAS, the 2019 Plan recommends local and regional bicycle and pedestrian safety and education programs to reduce roadway crashes and injuries among pedestrians and bicyclists, increase awareness of the responsibilities of pedestrians, bicyclists, and motorists, and promote tolerance among all roadway users; and

WHEREAS, references to the 2004 Jefferson Area Bicycle, Pedestrian, and Greenways Plan of the Transportation Chapter of the Albemarle County Comprehensive Plan require updating to the revised and adopted Jefferson Area Bicycle and Pedestrian Plan 2019; and

WHEREAS, on May 7, 2019, the Albemarle County Planning Commission, after a duly noticed public hearing, recommended approval of CPA2019-00001 as being appropriate and promoting the health, safety, morals, order, convenience, prosperity, and general welfare of all inhabitants of the County; and

WHEREAS, on July 3, 2019, the Board of Supervisors held a duly noticed public hearing on CPA 2019-00001.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, and for the purposes articulated in Virginia Code § 15.2-2223, the Albemarle County Board of Supervisors hereby approves CPA2019-00001 and amends the Albemarle County Comprehensive Plan as shown on Attachment D of the staff report, attached hereto and incorporated herein.

BE IT FURTHER RESOLVED that the Jefferson Area Bicycle and Pedestrian Plan 2019 is added as a reference under the Transportation Chapter Appendix of the Comprehensive Plan.

**ORDINANCE NO. 19-A(7)
ZMA 2018-00019**

**AN ORDINANCE TO AMEND THE ZONING MAP
FOR TAX MAP PARCEL 03200-00-00-03500**

WHEREAS, the application to rezone 3.198 acres from R1 Residential to R15 Residential for Tax Map Parcel 03200-00-00-03500 is identified as ZMA 2018-00019 3226 Proffit Road ("ZMA 2018-00019"); and

WHEREAS, on May 21, 2019, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2018-00019; and

WHEREAS, on July 3, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2018-00019.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the transmittal summary and staff report prepared for ZMA 2018-00019 and their attachments, including the revised concept plan, the information presented at the public hearing, any written comments received, the material and relevant factors in Virginia Code § 15.2-2284 and County Code § 18-20A, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2018-00019 with the Concept Plan entitled "Zoning Map Amendment Concept Plan, 3226 Proffit Road, TMP 32-35", prepared by Shimp Engineering, P.C., dated December 17, 2018, last revised on June 24, 2019, and Proffers dated June 26, 2019.

* * *

Original Proffers X
Amendment

PROFFER STATEMENT

ZMA Number: 2018-00019
Tax Map and Parcel Number: 03200-00-00-03500
Owner: Albemarle Land Development LLC
Date of Proffer Signature: June 26, 2019
Rezone 3.198 acres from R-1 to R-15

ALBEMARLE LAND DEVELOPMENT LLC, is the owner (the “Owner”) of Tax Map and Parcel Number **03200-00-00-03500** (the “Property”) which is the subject of rezoning application ZMA No. 2018-00019, a project known as “**3226 Proffit Road**” (the “Project”).

Pursuant to Section 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if ZMA 2018-00019 is approved. These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable. Each signatory below signing on behalf of the Owner covenants and warrants that they are an authorized signatory of the Owner for this Proffer Statement.

1. **CONCEPT PLAN:** The property shall be developed in general accord with the plans titled “Zoning Map Concept Plan 3226 Proffit Road” (the “concept plan”) prepared by Shimp Engineering P.C., dated December 17, 2018 and last revised June 24, 2019 and shall reflect the following major elements as shown and noted on the plans:
 - **Right of Way Dedication:** Concurrent with recordation of the first subdivision plat of the parcel, the property owner shall dedicate a portion of the property along Proffit Road, as shown on the concept plan, to public right of way.
 - **Right of Way Improvements:** Within 120 days of issuance of certificate of occupancy of the 20th dwelling unit on the property, the owner shall provide improvements within the right of way dedication in accordance with the “Right of Way Dedication Section” shown on the concept plan.
 - **Parking Standards:**
 - i. **Single Family Detached and Single Family Attached:** The front façade of single family detached and single family attached units shall face Proffit Road. No individual lot driveway shall enter directly onto Proffit Road; driveways shall only enter onto the internal road network.

- ii. **Multi-Family:** Off street parking serving multi-family structures shall be relegated to the side or rear of buildings adjacent to Proffit Road and shall be accessed from the internal road network.
- **Residential Units:** A maximum of forty (40) dwelling units shall be built on the property.

2. INTERCONNECTED STREETS AND TRANSPORTATION NETWORKS:

Upon demand by the County, the property owner shall prepare and record, at its sole expense, a deed or other instrument (collectively, The “deed”) establishing an access easement for the purpose of providing interparcel interconnectivity. The access easement shall be for the benefit of Tax Parcel 03200-00-00-029D0 and Tax Parcel 046B4-00-00-005A0 and its owners and users and shall be located to provide access from Tax Parcel 03200-00-00-03500 to any future road on Tax Parcel 03200-00-00-029D0 or Tax Parcel 046B4-00-00-005A0. Before the deed is recorded, the property owner and the County shall agree to the terms of the deed, including the access easement its location, width, and maintenance.

OWNER:

Albemarle Land Development LLC



By: Albemarle Land Development LLC

Title: LLC Member

Tax Map and Parcel Number: 03200-00-00-03500

The undersigned Owner hereby proffers that the use and development of the Property shall be in conformance with the proffers and conditions herein above. This document shall supersede all other agreements, proffers or conditions that may be found to be in conflict. The Owner agrees that all proffers shall be binding to the property, which means the proffers shall be transferred to all future property successors of the land.

WITNESS the following signature:

Albemarle Land Development LLC
By: *But Hall*

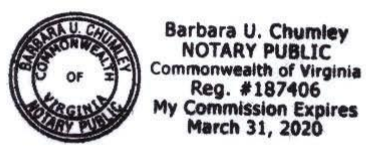
COMMONWEALTH OF VIRGINIA

~~CITY~~/COUNTY OF Albemarle, to wit:

The foregoing instrument was acknowledged before me this 26th day of June 2019 by Albemarle Land Development LLC.

My Commission expires: March 31, 2020

Barbara U. Chumley
Notary Public



**ORDINANCE NO. 19-A(8)
ZMA 2018-00007 BELVEDERE PROFFER AMENDMENT
– CARRIAGE HOUSE UNITS**

AN ORDINANCE TO AMEND THE PROFFERS AND CODE OF DEVELOPMENT APPROVED WITH ZMA 2004-00007 FOR TAX MAP PARCELS 06100-00-00-154E0, 06100-00-00-15800, 06100-00-00-16000, 06200-00-00-002A1, 06200-00-00-002B0, 06200-00-00-002C0, 062A3-00-00-00100, 062G0-00-00-005A0, 062G0-00-00-005A1, 062G0-00-00-007A, 062G0-00-07-15700, 062G0-00-07-16500, 062G0-00-07-17100, 062G0-00-07-17200, 062G0-00-07-17400, 062G0-00-07-17900, 062G0-00-07-18000, 062G0-00-00-009A0

WHEREAS, the application to amend the proffers and the Code of Development that were approved with ZMA 2004-00007 for Tax Map Parcels 06100-00-00-154E0, 06100-00-00-15800, 06100-00-00-16000, 06200-00-00-002A1, 06200-00-00-002B0, 06200-00-00-002C0, 062A3-00-00-00100, 062G0-00-00-005A0, 062G0-00-00-005A1, 062G0-00-00-007A, 062G0-00-07-15700, 062G0-00-07-16500, 062G0-00-07-17100, 062G0-00-07-17200, 062G0-00-07-17400, 062G0-00-07-17900, 062G0-00-07-18000, 062G0-00-00-009A0 (collectively, the “Property”) is identified as ZMA 2018-00007, Belvedere Proffer Amendment – Carriage House Units (“ZMA 2018-07”); and

WHEREAS, ZMA 2018-07 proposes to amend Proffer Numbers 2.2, 2.2.1, and 2.2.2 of the Proffers, and Appendix A and Tables 1 and 2 of the Code of Development, that were approved in conjunction with ZMA 2004-07 to allow carriage house units to be attached to the primary residential unit, to allow the carriage houses to be located on lots with single-family attached units, and to allow accessory apartments to count towards the required number of carriage house units; and

WHEREAS, staff recommended approval of ZMA 2018-07, provided technical changes were made to the proffers; and

WHEREAS, on June 4, 2019, after a duly noticed public hearing, the Planning Commission recommended approval of ZMA 2018-07, provided technical changes were made to the proffers; and

WHEREAS, following the Planning Commission public hearing, the Applicant made the recommended technical changes to the proffers; and

WHEREAS, on July 3, 2019, the Albemarle County Board of Supervisors held a duly noticed public hearing on ZMA 2018-00007.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2018-07 and its attachments, including the proposed amended proffers and the proposed amended Appendix A and Tables 1 and 2 of the Code of Development, the information presented at the public hearing, the material and relevant factors in Virginia Code § 15.2-2284, and for the purposes of public necessity, convenience, general welfare and good zoning practices, the Board hereby approves ZMA 2018-07 with the proffers dated June 25, 2019, and the amended Appendix A and Tables 1 and 2 of the Code of Development as shown on Attachment D of the Planning Commission staff report dated May 28, 2019, which was presented to the Planning Commission on June 4, 2019.

Original Proffer: 10/12/2005
Amended Proffer: 3/4/2019
(Amendment #1)

PROFFER FORM

Date of Proffer Signature June 25, 2019

ZMA # 2018-00007
Tax Map 61, Parcels 154E, 158, 160
Tax Map 62, Parcels 2A1, 2B and 2C
Tax Map 62A3 Parcel 1
Tax Map 62G, Parcels 5A, 5A1, 7A, 7157, 7165, 7171, 7172, 7174, 7179, 7180, 9A

172.145 Acres to be rezoned from Neighborhood Model District (NMD) to Neighborhood Model District (NMD)

This Proffer Statement shall supersede and replace that certain Proffer Statement dated October 12, 2005, related to ZMA-2004-00007, for the applicable property listed below.

With respect to the property described in rezoning application #ZMA-2018-00007 (the "ZMA"), New Belvedere, Inc. is the fee simple owner of the following parcels:

- **TMP 06100-00-00-154E0**
- **TMP 06100-00-00-15800**
- **TMP 06100-00-00-16000**
- **TMP 06200-00-00-002A1**
- **TMP 06200-00-00-002C0**
- **TMP 062G0-00-05-000A0**
- **TMP 062G0-00-05-000A1**
- **TMP 062G0-00-07-000A0**
- **TMP 062G0-00-07-15700**
- **TMP 062G0-00-07-16500**
- **TMP 062G0-00-07-17100**
- **TMP 062G0-00-07-17200**
- **TMP 062G0-00-07-17400**
- **TMP 062G0-00-07-17900**
- **TMP 062G0-00-07-18000**
- **TMP 062G0-00-09-000A0**

Belvedere Land Holdings, LLC is the fee simple owners of the following parcels

- **TMP 06200-00-00-002B0**
- **TMP 062A3-00-00-00100**

The foregoing parties are collectively referred to herein as the "Owner," which term shall include any successors in interest. All of the parcels listed above are referred to collectively as the "Property."

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance (the "Ordinance"), Owner hereby voluntarily proffers the conditions listed in this Proffer Statement, which shall be applied to the Property if the ZMA is approved by Albemarle County. These conditions are proffered as part of the ZMA and it is agreed that: (1) the ZMA itself gives rise to the need for the conditions, and (2) such conditions have a reasonable relation to the rezoning requested.

1. Plan Exhibits.

1.1 Exhibits not in the Code of Development. The following exhibits which are not part of the General Development Plans or the Code of Development are proffered as a part of this rezoning:

- Exhibit 14 Archaeological Survey Summary
- Exhibit 15 Architectural Reconnaissance Survey

2. Affordable Housing.

2.1 Cash Contribution. Owner shall contribute to Albemarle County a minimum of one thousand dollars (\$1,000) per single family detached dwelling unit, seven hundred fifty dollars (\$750) per single family attached or townhouse unit, and five hundred dollars (\$500) per multi-family condominium unit. The cash contribution shall be due and payable with each application for a building permit. This cash proffer shall not apply to Carriage House units or multi-family rental housing. This cash contribution shall be used for the purpose of funding affordable housing programs including those provided by nonprofit housing agencies within Albemarle County. If this cash contribution has not been exhausted by the County for the stated purpose within ten (10) years from the date of the last payment of the contribution, all the unexpended funds shall be refunded to the Owner.

2.2 Carriage House Units and Accessory Apartments. The Owner shall provide a minimum of 103 units within the Property that are either Carriage House Units or Accessory Units, as provided in this paragraph 2.2. Any Carriage House Units or Accessory Units that are constructed within the Property after August 20, 2018 that comply with the requirements of this paragraph 2.2 shall be counted toward the required total of 103 units required by this paragraph 2.2, even if they were constructed prior to the date of approval of ZMA-2018-00007.

2.2.1. Carriage House Units. Carriage House Units shall meet the requirements for a single family or two family dwelling as defined in the Virginia Uniform Statewide Building Code. Each Carriage House Unit shall conform to the Code of Development, Appendix A, Carriage House Units, General Standards (as Modified by ZMA 2018-00007). Each Carriage House Unit shall be on the same parcel as the primary dwelling unit to which it is

accessory. Carriage House Units may not be subdivided from the primary residence. The subdivision restrictions shall be described on the plat creating such parcels and be incorporated into each deed conveying title to such parcels.

2.2.2. Accessory Units. "Accessory Units" shall mean Accessory Apartments as defined in the Albemarle County Code, Chapter 18, Section 3.1, and a regulated by the Albemarle County Code, Chapter 18, Section 5.1.34, and a unit within a two family dwelling as defined in the Virginia Uniform Statewide Building Code. Accessory Units may also be located in single family attached units.

3. Open Space and Greenways.

3.1 Open Space. The Owner shall restrict from development all open space areas which are areas not shown as development parcels on the General Development Plan. In no event shall the total area of open space areas, which include the preservation areas, conservation areas, greenway (defined in 3.2 below), buffer and park areas shown on Exhibits 5A, 5B and 5C of the General Development Plan, be less than twenty-five percent (25%) of the total land within the Property. These areas shall be for the use and enjoyment of the residents of the Property, subject to the restrictions that may be imposed by any declaration recorded as part of a conveyance of these areas to a homeowner's association.

3.2 Greenway: The Owner shall dedicate and convey to Albemarle County, upon demand by the County, a strip of land no less than one hundred (100) feet in width and adequate in width to accommodate the construction, maintenance and use of a ten (10) foot wide pedestrian trail along the Rivanna River from the Property's boundary with Dunlora Farm (Tax Map 62 Parcel 16-A) to the Property's boundary with the Southern Railway right-of-way (as it exists on November 19, 2004) (the "Greenway"). The precise location of the greenway shall be mutually agreed upon by the Owner and the County, and such agreement shall not be unreasonably withheld. The Greenway will be conveyed in the form of a general warranty deed and the Owner shall bear the cost of a survey and preparing the deed. Upon request by the County, the Owner shall also contribute ten thousand dollars (\$10,000) cash for application toward the cost of constructing the Greenway according to the County's current standards for a class B trail. Such contribution shall be made by Owner within 30 days of receipt of a written request by the County. If the request is not made within seven (7) years from the date of submission of the first final site plan for Phase I, this cash proffer shall become null and void. If such cash contribution is not fully expended for the stated purpose within two (2) years from the date the funds are contributed to the County, all unexpended funds shall be refunded to the Owner. If the greenway is not used for the purpose for which it is dedicated within ten (10) years from the date of dedication, the County shall transfer the land back to and for the use of the Owner to be used as open space. The Owner will provide a pedestrian connection to the Greenway through the Belvedere Community's internal trail system, as illustrated in Exhibit 5A, 5B, and 5C.

3.3 Greenway bridge: Within thirty (30) days following request by the County, Owner shall contribute ten thousand dollars (\$10,000) cash for application toward the cost of constructing a pedestrian bridge linking the Rivanna River Greenway in Dunlora (Tax Map Parcel 62F-A3) to

RiverRun (Tax Map Parcel 62-D1-1A), thereby allowing neighborhood residents access to facilities in Pen Park and other portions of the Greenway system. If the request is not made within seven (7) years from the date of submission of the first final site plan for Phase I, this proffer shall become null and void. If such cash contribution is not expended for the stated purpose within two (2) years from the date the funds were contributed to the County, all unexpended funds shall be refunded to the Owner.

4. Road Construction and Reservation of Right-of-way.

4.1 North Free State Connector Road. The Owners shall dedicate upon demand by the County a one hundred (100) foot wide right-of-way to public use as shown on Exhibit 2B of the General Development Plan and labeled "Reserved Road ROW". Where less than one hundred (100) feet of right-of-way is available on the Owner's Property (Approximately the first 800 feet from Rio Road), the Owner shall dedicate the available right-of-way. Fee simple interest shall be dedicated by the Owner within six (6) months following receipt by the Owner of written notice of demand by the County. The Owner shall pay for the costs of surveying and preparing deeds necessary to complete such dedication. The County must accept the dedication within twelve (12) months following its demand for dedication.


4.2 Future North Free State Connector Extension Road. The Owner shall dedicate a one hundred (100) foot strip of land along the Property boundary with the Norfolk Southern Railroad as shown on Exhibit 2C of the General Development Plan and labeled "100' Reserved Road ROW" for dedication upon demand by the County for the purpose of constructing a road that extends the North Free State Connector Road northward across the Rivanna River. The Owner shall dedicate right-of-way within six (6) months following written notice of demand by the County. Such reservation shall remain in place through December 31, 2025. The County must accept the dedication within twelve (12) months following its demand for dedication. Should this road be removed from the Albemarle County Comprehensive Plan, said reservation shall become null and void, and the Owner or Successors shall retain fee simple ownership of the parcel.

4.2.1 North Free State Connector Extension Road Design. The Owner shall demonstrate to the satisfaction of the County Engineer and VDOT that the North Free State Connector Extension Road can be accommodated by the Block 2 Development Plan. Approval by VDOT and the County Engineer must be secured prior to final platting and road plan approval in Block 2.

4.3 Free State Road Right-of-way. The Owner shall dedicate, upon demand by the County, a fifty (50) foot wide right-of-way along portions of the existing Free State Road that are on the Owner's Property from its proposed intersection with Belvedere Blvd between Road C and Road K to its intersection with Loring Run Road. Where the road is only partially on the Property, the Owner shall dedicate sufficient right-of-way width to ensure a total right-of-way of not less than fifty (50) feet inclusive of the existing proscriptive right-of-way. The right-of-way shall be conveyed within six (6) months following receipt of written notice by the County, in the form of a general warranty deed and the Owner shall bear the cost of a survey and preparation of the deed. If the dedicated land is not used for the purpose for which it was dedicated within two (2) years

from the date of dedication, the County shall transfer the land back to, and for the use of, the Owner.

4.4 Connection to Dunlora Farm. The Owner shall dedicate upon demand by the County, a fifty (50) foot wide right-of-way extending from Road D to the property line at the eastern terminus of Road J, as shown on Exhibit 2C of the General Development Plan. The right-of-way shall be conveyed within six (6) months following receipt of written notice by the County, fee simple, in the form of a general warranty deed and Owner shall bear the cost of a survey and preparation of the deed. The County must accept the dedication within twelve (12) months following its demand for dedication. If the dedicated land is not used for the purpose for which it was dedicated within ten (10) years from the date of dedication, the County shall transfer the land back to, and for the use of, the Owner.

4.5 Fairview Access. The Owner agrees to provide to Fairview Swim Club ~~owner~~ of a fifty (50) foot wide access easement from Belvedere Drive to the edge of the Fairview Swim Club Property, (Tax Map Parcel 61-160B and 61-160C) to facilitate vehicular access to the existing Fairview entrance or in other such location that is mutually agreeable to the parties and in conformance with applicable County and VDOT regulations. The Owner shall grant easement within sixty (60) days following approval of final road plan for Belvedere Boulevard in Phase 1. 

5. Overlot Grading Plan

5.1. Subdivision Plans. The Owner shall submit an overlot grading plan meeting the requirement of this section (hereinafter, the "plan") with the application for each subdivision of Property into single family detached lots and single family attached dwelling units shown on the General Development Plan. The plan shall show existing and proposed topographic features to be considered in the development of the proposed subdivision. The plan shall be approved by the County Engineer prior to final approval of the subdivision plat. The Property within the subdivision shall be graded as shown on the approved plan. No certificate of occupancy shall be issued for any dwelling on a lot where the County Engineer has determined the lot grading is not consistent with the approved grading plan. The plan shall satisfy the following:

- (a) The plan shall show all proposed streets, building sites, setbacks, surface drainage, driveways, trails, and other features the County Engineer determines are needed to verify that the plan satisfies the requirements of this proffer.
- (b) The plan shall be drawn to a scale not greater than one (1) inch equals fifty (50) feet.
- (c) All proposed grading shall be shown with contour intervals not greater than two (2) feet. All concentrated surface drainage over lots shall be clearly shown with the proposed grading. All proposed grading shall be designed to assure that surface drainage can provide adequate relief from the flooding of dwellings in the event a stain). sewer fails.

(d) Graded slopes on lots proposed to be planted with turf grasses (lawns) shall not exceed a gradient of three (3) feet of horizontal distance for each one (1) foot of vertical rise or fall (3:1). Steeper slopes shall be vegetated with low maintenance vegetation as determined to be appropriate by the County's program authority in its approval of an erosion and sediment control plan for the land disturbing activity. These steeper slopes shall not exceed a gradient of two (2) feet of horizontal distance for each one (1) foot of vertical rise or fall (2:1), unless the County Engineer finds that the grading recommendations for steeper slopes have adequately addressed the impacts.

(e) Surface drainage may flow across up to three (3) lots before being collected in a storm sewer or directed to a drainage way outside of the lots.

(f) No surface drainage across a residential lot shall have more than one-half (1/2) acre of land draining to it.

(g) All drainage from streets shall be carried across lots in a storm sewer to a point beyond the rear of the building site.

6. Preservation of Historic Structures, Sites and Archaeological Sites.

6.1 Archaeological Survey. A Phase I Archaeological Study for the Property shall be submitted by the Owner to the Director of Planning for his review and approval prior to issuance of a grading permit. An archaeological resource treatment plan shall be submitted by the Owner to, and approved by, the Director of Planning for all sites in the Phase I study that are recommended for Phase II evaluation, and/or identified as being eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion the National Register of Historic Places and/or those sites that require a Phase III study. If, in a Phase II study, a site is determined to be eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study area. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standard and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the plan of development for the site and shall be adhered to during the clearing, grading, and construction activities thereon.

6.2 Potential Artifacts. Should Phases I or II or III studies yield objects or artifacts of archaeological significance, these objects shall be conveyed to the Virginia Department of Historic Resources (VDHR) for long term preservation. Should Phase III fieldwork yield

subsurface architectural features and artifacts related to 18th- or early 19th-century domestic occupations at Free State, and should these sites be deemed archaeologically significant by archaeologists with the Digital Archaeological Archive of Comparative Slavery (DAACS) based at the Thomas Jefferson Foundation, these artifacts will be submitted to the archaeologists at the Thomas Jefferson Foundation for analysis and entry into DAACS prior to being conveyed to the VDHR. The Owner will be solely responsible for conveying all artifacts analyzed by DAACS to the VDHR within thirty (30) days of receipt of such artifacts.

6.3 Roadside Markers. Upon request by the County, the Owner shall contribute up to five thousand dollars (\$5,000) cash to fund the cost of creating and installing two roadside historical markers as described in section 5 of the Code of Development. If the request is not made within one (1) year from the date of approval of the first final site plan for Phase I, this proffer shall become null and void. If such cash contribution is not expended for the stated purpose within two (2) years from the date the funds were contributed to the County, all unexpended funds shall be refunded to the Owner.

7. Phasing and Mitigation of Impact.

7.1 Phasing. Phases of Belvedere infrastructure will be constructed sequentially beginning with Phase 1, then 2, etc. This proffer shall not restrict the Owner's ability to develop multiple phases concurrently nor shall it require the completion of all buildings and other improvements in one phase before beginning construction on the next.

7.2 Mitigation of Construction Traffic Impact. The Owner shall neither establish, nor allow to be established, ingress or egress for any vehicle, heavy equipment, or farm machinery or farm equipment to and from the Property except at the intersection of the alignment of Belvedere Boulevard and East Rio Road, as shown on Exhibit 2B, and from the northern segment of Free State Road that crosses Free State Bridge, as shown on Exhibit 1, of the General Development Plan, or on any public street shown on a final subdivision plat that has been constructed and accepted by VDOT or bonded for acceptance by VDOT. For purposes of this proffer, the term "vehicle" means every device on or by which any person or property is or may be transported or drawn on a highway, except devices moved by human power or used exclusively on stationary rails or tracks, that are used in the construction on or below the Property, including all improvements placed on the property by the Owner, its contractors, subcontractors or agents. The term "heavy equipment" means self-propelled, self-powered or pull-type equipment and machinery, including engines, weighing five thousand (5,000) pounds or more, primarily employed for construction, industrial, maritime, mining and forestry uses.

8 Code Enforcement.

8.1 Architectural Standards. The Owner shall prepare and record a declaration of covenants, conditions and restrictions that, among other things, establishes architectural standards equal to or more stringent than the architectural standards in the Code of Development, and establishes an Architectural Standards Committee ("ASC"). The declaration shall include among the powers and duties of the ASC the authority and

responsibility to determine that each structure within the Property complies with all applicable architectural standards before submitting the proposal to the County to conduct its review for compliance with the architectural standards established in the Code of Development.

Signatures of All Owners:


New Belvedere, Inc.


Belvedere Land Holdings, LLC

Printed Names of All Owners:

Steven C Krohn

Steven C Krohn

Date:

6/25/2019

6/25/2019

**Appendix A- Carriage House Units
General Standards**

Modified by ZMA 2018-00007

All Carriage House Units must be constructed in the same architectural style as the primary residence and must employ the same exterior color selections as the primary residence. Setback regulations for Carriage House Units shall be the same as those for garages.

Carriage House Units are separate, detached independent living units which are included with a single family detached unit or a single family attached unit, and are clearly subordinate to the primary residence. These units are typically located above a garage (which garage may be either attached to, or detached from the primary residence), and are restricted to a maximum finished area of 800 ft². While these units may have a distinct street address and may be provided with separate utility meters if utilized as a rental unit, they may not be subdivided from the primary residence. Carriage House Units must meet all architectural standards applicable to the primary residence. Setbacks shall be the same as those applicable to a traditional detached or attached garage, as applicable.

Carriage house units play an important role in providing for affordable housing. As an inexpensive rental unit, they help provide affordable rental housing that is integrated into the larger community. An additional benefit is that the units are "Cash flow positive" helping to make the primary residence more affordable by providing the owner with additional cash flow to pay the mortgage. These units have been widely utilized in other TND neighborhoods with tremendous success.

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