

ACTIONS
Board of Supervisors Meeting of June 8, 2005

June 10, 2005

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
1. Call to Order. <ul style="list-style-type: none"> Meeting was called to order at 6:00 p.m. by the Chairman, Mr. Rooker. All BOS members were present. Also present were Bob Tucker, Larry Davis, and Debi Moyers. 	
4. From the Public: Matters Not Listed on the Agenda. <ul style="list-style-type: none"> Tom Loach commented on the recent award for the Crozet Master Plan and the need to fund infrastructure in Crozet. Bonnie Stevens, a resident of Cismont, spoke about Route 20 South and the need to keep the project on track in the Six Year Plan. Jeff Werner, from Piedmont Environmental Council, commented on the lack of affordable housing in Albemarle County. 	
5.2. Adopt Resolution of Appropriations for Albemarle County Operating and Capital Budgets for FY 2005/2006 and Resolution of Official Intent for use of VPSA Bond Proceeds. <ul style="list-style-type: none"> APPROVED, by a vote of 6:0, the attached Annual Resolution of Appropriations for FY 2005/2006 and the attached Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing. 	<u>Clerk:</u> Forward copies of signed resolutions to Richard Wiggans, OMB, and School Division. (Attachments 1 and 2)
6. SP-2004-041. Crickets Baked Goods and Catering (Sign #33). <ul style="list-style-type: none"> APPROVED SP-2004-041, by a vote of 6:0, subject to the five conditions as recommended by the Planning Commission. 	<u>Clerk:</u> Set out conditions of approval. (Attachment 3)
7. ZTA-2004-03. Monticello Historic District (MHD). <ul style="list-style-type: none"> ADOPTED ZTA-2004-03, by a vote of 6:0, as recommended by Planning Commission. 	<u>Clerk:</u> Forward signed copy of Ordinance to County Attorney's Office, David Benish and Amelia McCulley. (Attachment 4)
8. ZMA-2004-05. Monticello Historic District (MHD) <ul style="list-style-type: none"> APPROVED ZMA-2004-05, by a vote of 6:0, as proffered and signed by the applicant dated May 10, 2005. 	(Attachment 5)
9. ZTA-2004-06. Historic Center and Community Center. <ul style="list-style-type: none"> ADOPTED ZTA-2004-06, by a vote of 6:0, as recommended by Planning Commission. 	<u>Clerk:</u> Forward signed copy of Ordinance to County Attorney's Office, David Benish and Amelia McCulley. (Attachment 6)
10. ZTA-2005-002. Airport Impact Overlay District (AIA). <ul style="list-style-type: none"> ADOPTED ZTA-2005-002, by a vote of 6:0, as recommended by Planning Commission. 	<u>Clerk:</u> Forward signed copy of Ordinance to County Attorney's Office, David Benish and Amelia McCulley. (Attachment 7)
11. ZMA-2005-004. Airport Impact Area Overlay District (AIA). <ul style="list-style-type: none"> APPROVED ZMA-2005-004, by a vote of 6:0. 	
12. From the Board: Matters Not Listed on the Agenda. <u>David Wyant:</u> <ul style="list-style-type: none"> Said he has been receiving calls from 	<u>Clerk:</u> Schedule "Removal of Temporary

<p>constituents regarding advertising signs throughout the County both in the right of way and private property. After some discussion, it was recommended that the issue be discussed with Jim Utterback on July 6th.</p> <ul style="list-style-type: none">• Asked the status of the Business Development Coordinator position. Mr. Graham said the position has been filled and the person will be starting next Monday, June 13th. Her name is Susan Stimart and he will be bringing her to the July 6th meeting to introduce her to the Board.• Asked if the topic streamlining, which was discussed on June 1st, will be coming back to the Board. Mr. Graham said they hope to bring back some information in August. <p><u>Sally Thomas:</u></p> <ul style="list-style-type: none">• Commented on Jeff Werner's statements under matters from the public.• In a recent VML Newsletter they listed a website, www.schoolmatters.com which she found very informative. Said you can compare Albemarle County schools.• Pictures of Albemarle County are on the back of the Faces & Places brochure from Virginia Transit Association. <p><u>Dennis Rooker:</u></p> <ul style="list-style-type: none">• Handed out a letter he received from a citizen who lives on Garth Road in reference to Foxfield Spring Steeplechase. His main concern is the alcohol related problems. He would like this brought to the attention of Chief Miller. Also mentioned the substantial amount of off-site parking and the fact that residents are charging fees for the parking on their property. Mr. Davis said he does not think that is a permitted use.• Said the Places 29 meeting held several weeks ago was well attended. In addition, the Planning Academy had 75-80 people in attendance. Said staff did a good job at both events and they are off to a very good start. <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none">• Discussed the action taken by the Board on February 2, 2005, regarding Briarwood. The final motion does not reflect the intended action. He asked if the Board could amend or clarify the motion tonight. After some discussion, it was determined that the applicant will have to make an application to amend the Application Plan. Mr. Tucker said staff will try to review the amended application as quickly as possible. Mr. Graham said he would encourage the applicant to limit this to simply the setbacks and separations, no other changes to the plan. Mr. Tucker stated staff should write the note that needs to be on the application plan to help the applicant.	<p>Signs" under Transportation Matters on July 6th agenda.</p> <p><u>Mark Graham:</u> Proceed as directed.</p>
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13.	Adjourn. • The meeting was adjourned at 8:10 p.m.	
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/djm

- Attachment 1 – Annual Resolution of Appropriations for FY 2005/2006
- Attachment 2 – Resolution of Official Intent to Reimburse Expenditures with Proceeds of a Borrowing
- Attachment 3 – SP-2004-041. Conditions of Approval
- Attachment 4 – ZTA-2004-03. Monticello Historic District (MHD) - [Ordinance No. 05-18 (5)]
- Attachment 5 – ZMA 2004-05 Proffer Statement
- Attachment 6 – ZTA-2004-06. Historic Center and Community Center – [Ordinance No. 05-18 (7)]
- Attachment 7 – ZTA-2005-002. Airport Impact Overlay District (AIA) – [Ordinance No. 05-18 (6)]

**ANNUAL RESOLUTION OF APPROPRIATIONS
OF THE COUNTY OF ALBEMARLE
FOR THE FISCAL YEAR ENDING JUNE 30, 2006**

A RESOLUTION making appropriations of sums of money for all necessary expenditures of the COUNTY OF ALBEMARLE, VIRGINIA, for the fiscal year ending June 30, 2006; to prescribe the provisions with respect to the items of appropriation and their payment; and to repeal all previous appropriation ordinances or resolutions that are inconsistent with this resolution to the extent of such inconsistency.

BE IT RESOLVED by the Board of County Supervisors of the COUNTY OF ALBEMARLE, VIRGINIA:

SECTION I - GENERAL GOVERNMENT

That the following sums of money be and the same hereby are appropriated from the GENERAL FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2006:

Paragraph One: TAX REFUNDS, ABATEMENTS, & OTHER REFUNDS \$137,000

1	Refunds and Abatements	\$137,000
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Paragraph Two: GENERAL MANAGEMENT AND SUPPORT \$9,315,938

1	Board of Supervisors	\$442,486
2	County Attorney	\$643,000
3	County Executive	\$1,298,806
4	Department of Finance	\$3,606,800
5	Department of Human Resources	\$956,543
6	Department of Information Technology	\$1,985,089
7	Voter Registration/ Elections	<u>\$383,214</u>
		\$9,315,938

Paragraph Three: JUDICIAL \$3,108,863

1	Circuit Court	\$85,273
2	Clerk of the Circuit Court	\$635,000
3	Commonwealth's Attorney	\$711,772
4	General District Court	\$16,100
5	Juvenile Court	\$55,045
6	Magistrate	\$5,150
7	Sheriff's Office	<u>\$1,600,523</u>
		\$3,108,863

Paragraph Four: PUBLIC SAFETY \$21,912,850

1	Albemarle County Fire/Rescue Department	\$3,917,958
2	Department of Police	\$9,984,652
3	Emergency Communications Center	\$1,550,927
4	Fire/Rescue Credit	\$45,000
5	Fire Department Contract (City of Charlottesville)	\$600,565
6	Forest Fire Extinguishment	\$14,000
7	Thomas Jefferson EMS Council	\$20,667
8	Volunteer Fire Departments	\$801,501

9	Volunteer Rescue Squads	\$372,792
10	Inspections	\$1,073,895
11	Community Attention Home	\$49,155
12	Juvenile Court Assessment Center - Community Attention	
13	Juvenile Detention Center	\$855,099
14	Offender Aid and Restoration (OAR)	\$131,913
15	Regional Jail Authority	\$2,346,844
16	SPCA Contract	<u>\$147,882</u>
		\$21,912,850

Paragraph Five: GENERAL SERVICES / PUBLIC WORKS **\$3,468,005**

1	General Services / Public Works	\$3,468,005
		<u>\$3,468,005</u>

Paragraph Six: HUMAN SERVICES **\$14,342,991**

1	AIDS Support Group	\$4,200
2	Boys and Girls Club	\$12,000
3	BRMC - Latino Lay Health Promoter	\$5,150
4	Charlottesville - Albemarle Legal Aid Society (CALAS)	\$34,117
5	Charlottesville Free Clinic	\$8,017
6	Children, Youth and Family Services (CYFS)	\$90,132
7	Commission on Children & Families (CCF)	\$199,661
8	Computers4Kids	\$8,887
9	FOCUS - Teensight	\$27,568
10	Health Department	\$809,455
11	Jefferson Area Board on Aging (JABA)	\$211,228
12	JAUNT	\$555,663
13	Madison House	\$8,467
14	Music Resource Center	\$5,638
15	Piedmont Virginia Community College (PVCC)	\$22,060
16	Region Ten Community Services	\$453,213
17	Sexual Assault Resource Agency (SARA)	\$23,781
18	Shelter for Help in Emergency (SHE)	\$76,320
19	SOCA	\$3,000
20	Department of Social Services	\$8,580,733
21	Tax Relief for Elderly/Disabled	\$678,638
22	United Way -Child Care	\$99,515
23	Bright Stars Transfer	\$470,138
24	Family Support Transfer	\$165,795
25	Comprehensive Services Act Transfer	<u>\$1,789,615</u>
		\$14,342,991

Paragraph Seven: PARKS, RECREATION AND CULTURE **\$5,286,679**

1	Department of Parks & Recreation	\$2,107,107
2	Jefferson-Madison Regional Library	\$2,527,089
3	African American Festival	\$3,000
4	Ash-Lawn Highland	\$8,699
5	Lewis and Clark Festival	\$3,500
6	Literacy Volunteers	\$20,188
7	Municipal Band	\$16,000
8	Piedmont Council of the Arts	\$11,071
9	Virginia Discovery Museum	\$11,008
10	Virginia Festival of the Book	\$10,800
11	Virginia Film Festival	\$11,201

12	Visitors Bureau	\$387,138
13	WHTJ Public Television	\$4,336
14	WVPT Public Television	\$4,336
15	Albemarle County Fair	\$10,000
16	Darden Towe Park Transfer	<u>\$151,206</u>
		\$5,286,679

Paragraph Eight: COMMUNITY DEVELOPMENT **\$6,894,518**

1	Albemarle Housing Improvement Program (AHIP)	\$419,274
2	Charlottesville Transit Service	\$265,972
3	Department of Community Development	\$4,848,725
4	Housing Office	\$782,494
5	Monticello Area Community Action Agency (MACAA)	\$168,892
6	Piedmont Housing Alliance (PHA)	\$48,361
7	Planning District Commission (TJPDC)	\$94,357
8	Soil and Water Conservation	\$82,156
9	VPI Extension Service	<u>\$184,287</u>
		\$6,894,518

Paragraph Nine: CAPITAL OUTLAYS **\$7,804,581**

1	Transfer to General Government Capital Improvements Fund - Recurring	\$6,160,399
2	Transfer to General Government Capital Improvements Fund - One-Time	\$859,596
3	Transfer to Schools Capital Improvements Fund	\$334,586
4	Transfer to Stormwater Fund	<u>\$450,000</u>
		\$7,804,581

Paragraph Ten: REVENUE SHARING AGREEMENT **\$9,742,748**

1	Revenue Sharing Agreement	\$9,742,748
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Paragraph Eleven: OTHER USES OF FUNDS **\$94,585,354**

1	Transfer to General Government Debt Service	\$1,929,082
2	Transfer to School Division Debt Service	\$11,013,888
3	Transfer to School Fund - Recurring	\$80,861,241
4	Transfer to School Fund - One Time	\$119,951
5	Vehicle Replacement Fund	\$289,115
6	Board Contingency Reserve	\$132,077
7	Salary Contingency	<u>\$240,000</u>
		\$94,585,354

Total GENERAL FUND appropriations for the fiscal year ending June 30, 2006: **\$176,599,527**

To be provided as follows:

Revenue from Local Sources	\$146,285,394
Revenue from Local Sources - Transfers	\$3,649,034
Revenue from the Commonwealth	\$22,296,310
Revenue from the Federal Government	<u>\$4,368,789</u>
	\$176,599,527

Total GENERAL FUND resources available for fiscal year ending June 30, 2006: **\$176,599,527**

SECTION II: REGULAR SCHOOL FUND

That the following sums of money be and the same hereby are appropriated for SCHOOL purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2006:

Paragraph One: REGULAR SCHOOL FUND

1	Administration, Attendance & Health	\$8,099,423
2	Facilities Construction/ Modification	\$68,600
3	Facilities Operation/ Maintenance	\$12,096,060
4	Instruction	\$94,521,399
5	Pupil Transportation Services	\$8,167,644
6	Other Uses of Funds	<u>\$3,332,861</u>
		\$126,285,987

Total REGULAR SCHOOL FUND appropriations for fiscal year ending June 30, 2006: \$126,285,987

To be provided as follows:

Revenue from Local Sources (General Fund Transfer - Ongoing)	\$80,861,241
Revenue from Local Sources (General Fund Transfer - One Time)	\$119,951
Revenue from Other Local Sources	\$647,703
Revenue from School Fund Balance, Carry-Over, Transfers	\$2,722,206
Revenue from the Commonwealth	\$39,541,683
Revenue from the Federal Government	<u>\$2,393,203</u>
	\$126,285,987

Total REGULAR SCHOOL FUND resources available for fiscal year ending June 30, 2006: \$126,285,987

SECTION III: OTHER SCHOOL FUNDS

That the following sums of money be and the same hereby are appropriated for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2006:

Paragraph One: FOOD SERVICES

1	Maintenance/ Operation of School Cafeterias	\$3,628,400
2	Summer Feeding	<u>\$300,000</u>
		\$3,928,400

Total FOOD SERVICES appropriations for fiscal year ending June 30, 2006: \$3,928,400

To be provided as follows:

Revenue from Local Sources	\$2,971,400
Revenue from the Commonwealth	\$53,000
Revenue from the Federal Government	<u>\$904,000</u>
	\$3,928,400

**Total FOOD SERVICES resources available for fiscal year ending
June 30, 2006: \$3,928,400**

Paragraph Two: PRE-SCHOOL SPECIAL EDUCATION FUND

1 Special Ed Pre-School Program \$68,940

**Total PRE-SCHOOL SPECIAL EDUCATION FUND appropriations for fiscal
year ending June 30, 2006: \$68,940**

To be provided as follows:

Revenue from the Federal Government \$68,940

**Total PRE-SCHOOL SPECIAL EDUCATION FUND resources available for
fiscal year ending June 30, 2006: \$68,940**

Paragraph Three: McINTIRE TRUST FUND

1 Payment to County Schools \$10,000

**Total McINTIRE TRUST FUND appropriations for fiscal year ending
June 30, 2006: \$10,000**

To be provided as follows:

Revenue from Investments Per Trust \$10,000

**Total McINTIRE TRUST FUND resources available for fiscal year ending
June 30, 2006: \$10,000**

Paragraph Four: PREP PROGRAM

1 C. B. I. P. Severe \$869,825
2 E. D. Program \$752,058
\$1,621,883

**Total PREP PROGRAM appropriations for fiscal year ending
June 30, 2006: \$1,621,883**

To be provided as follows:

Revenue from Tuition and Fees \$1,621,883

**Total PREP PROGRAM resources available for fiscal year ending
June 30, 2006: \$1,621,883**

Paragraph Five: FEDERAL PROGRAMS

1 Adult Education \$114,050
2 Carl Perkins \$163,003
3 Chapter I \$1,160,750
4 Drug Free Schools \$51,756
5 Migrant Education \$86,000

6	Title II	\$401,282
7	English Literacy/Civics	\$47,458
8	Economically Dislocated Workers	\$20,000
9	Title III	\$79,685
10	Title V	\$47,254
11	Bright Stars	\$36,362
12	Reading First	\$100,000
13	Refugee Grant	\$7,000
14	Families in Crisis	<u>\$12,000</u>
		\$2,326,600

Total FEDERAL PROGRAMS appropriations for fiscal year ending June 30, 2006: \$2,326,600

To be provided as follows:

Revenue from Local Sources	\$21,550
Revenue from Local Sources (Transfer from School Fund)	\$33,500
Revenue from the Federal Government	<u>\$2,271,550</u>
	\$2,326,600

Total FEDERAL PROGRAMS resources available for fiscal year ending June 30, 2006: \$2,326,600

Paragraph Six: COMMUNITY EDUCATION FUND

1	Community Education	\$1,422,389
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Total COMMUNITY EDUCATION FUND appropriations for fiscal year ending June 30, 2006: \$1,422,389

To be provided as follows:

Revenue from Local Sources - Tuition	\$1,422,389
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Total COMMUNITY EDUCATION FUND resources available for fiscal ending June 30, 2006: \$1,422,389

Paragraph Seven: SUMMER SCHOOL

1	Summer School	\$557,683
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Total SUMMER SCHOOL appropriations for fiscal year ending June 30, 2006: \$557,683

To be provided as follows:

Revenue from Local Sources (Transfer from School Fund)	\$234,243
Revenue from Local Sources - Tuition	\$165,440
Miscellaneous Revenues	\$8,000
Revenue from the Commonwealth	<u>\$150,000</u>
	\$557,683

Total SUMMER SCHOOL resources available for fiscal year ending June 30, 2006: \$557,683

Paragraph Eight: SCHOOL BUS REPLACEMENT

1 School Bus Replacement \$1,100,000

Total SCHOOL BUS REPLACEMENT appropriations for fiscal year ending June 30, 2006: \$1,100,000

To be provided as follows:

Revenue from Local Sources (Transfer from School Fund) \$1,100,000

Total SCHOOL BUS REPLACEMENT resources available for fiscal year ending June 30, 2006: \$1,100,000

Paragraph Nine: AIMR SUMMER RENTAL FUND

1 AIMR Summer Rental \$446,000

Total AIMR SUMMER RENTAL FUND appropriations for fiscal year ending June 30, 2006: \$446,000

To be provided as follows:

Revenue from Local Sources (rental) \$446,000

Total AIMR SUMMER RENTAL FUND resources available for fiscal ending June 30, 2006: \$446,000

Paragraph Ten: INTERNAL SERVICE - VEHICLE MAINTENANCE FUND

1 Vehicle Maintenance \$542,500

Total INTERNAL SERVICE VEHICLE MAINTENANCE FUND appropriations for fiscal year ending June 30, 2006: \$542,500

To be provided as follows:

Revenue from Local Sources (charges) \$542,500

Total INTERNAL SERVICE VEHICLE MAINTENANCE FUND resources available for fiscal year ending June 30, 2006: \$542,500

Paragraph Eleven: GENERAL ADULT EDUCATION FUND

1 General Adult Education \$12,500

Total GENERAL ADULT EDUCATION FUND appropriations for fiscal year ending June 30, 2006: \$12,500

To be provided as follows:

Revenue from Local Sources \$4,000

Revenue from the Commonwealth	<u>\$8,500</u>	
	\$12,500	
Total GENERAL ADULT EDUCATION FUND resources available for fiscal year ending June 30, 2006:		\$12,500
 Paragraph Twelve: DRIVERS SAFETY FUND		
1 Drivers Safety Fund	\$246,870	
Total DRIVERS SAFETY FUND appropriations for fiscal year ending June 30, 2006:		\$246,870
To be provided as follows:		
Revenue from Tuition	\$195,979	
Revenue from the Commonwealth	<u>\$50,891</u>	
	\$246,870	
Total DRIVERS SAFETY FUND resources available for fiscal year ending June 30, 2006:		\$246,870
 Paragraph Thirteen: OPEN DOORS FUND		
1 Open Doors Fund	\$99,700	
Total OPEN DOORS FUND appropriations for fiscal year ending June 30, 2006:		\$99,700
To be provided as follows:		
Revenue from Tuition	\$98,500	
Revenue from Local Sources (Advertisements)	<u>\$1,200</u>	
	\$99,700	
Total OPEN DOORS FUND resources available for fiscal year ending June 30, 2006:		\$99,700
 Paragraph Fourteen: STATE PROGRAMS		
1 Special Education SLIVER Grant	\$21,142	
2 Special Education Jail Program	\$114,945	
3 Algebra Readiness	\$46,838	
4 Individualized Student Alternative Education	\$23,576	
5 Teacher Mentor Program	<u>\$8,354</u>	
	\$214,855	
Total STATE PROGRAMS appropriations for fiscal year ending June 30, 2006:		\$214,855
To be provided as follows:		
Revenue from the Commonwealth	\$214,855	
Total STATE PROGRAMS resources available for fiscal year ending June 30, 2006:		\$214,855

Paragraph Fifteen: JEFFERSON REGIONAL DESTINATION IMAGINATION

1 Jefferson Regional Destination Imagination \$11,002

Total JEFFERSON REGIONAL DESTINATION IMAGINATION appropriations for fiscal year ending June 30, 2006: \$11,002

To be provided as follows:

Revenue from Registration Fees \$3,020
Revenue from Local Sources \$7,982
\$11,002

Total JEFFERSON REGIONAL DESTINATION IMAGINATION resources available for fiscal year ending June 30, 2006: \$11,002

Paragraph Sixteen: COMPUTER EQUIPMENT REPLACEMENT FUND

1 Computer Equipment Replacement Fund \$550,000

Total COMPUTER EQUIPMENT REPLACEMENT FUND appropriations for fiscal year ending June 30, 2006: \$550,000

To be provided as follows:

Revenue from Local Sources (Transfer from School Fund) \$550,000

Total COMPUTER EQUIPMENT REPLACEMENT FUND resources available for fiscal year ending June 30, 2006: \$550,000

Paragraph Seventeen: BUILDING SERVICES CONTINGENCY FUND

1 Building Services Contingency Fund \$100,000

Total BUILDING SERVICES CONTINGENCY FUND appropriations for fiscal year ending June 30, 2006: \$100,000

To be provided as follows:

Revenue from Local Sources (Transfer from School Fund) \$100,000

Total BUILDING SERVICES CONTINGENCY FUND resources available for fiscal year ending June 30, 2006: \$100,000

Paragraph Eighteen: FUEL CONTINGENCY FUND

1 Fuel Contingency Fund \$100,000

Total FUEL CONTINGENCY FUND appropriations for fiscal year ending June 30, 2006: \$100,000

To be provided as follows:

Revenue from Local Sources (Transfer from School Fund) \$100,000

Total FUEL CONTINGENCY FUND resources available for fiscal year ending June 30, 2006:	\$100,000
GRAND TOTAL - OTHER SCHOOL FUNDS	\$13,359,322

SECTION IV: OTHER SPECIAL REVENUE FUNDS

That the following sums of money be and the same hereby are appropriated for OTHER PROGRAM purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2006:

Paragraph One: COMPREHENSIVE SERVICES ACT FUND

1 Comprehensive Services Act Program Expenditures	\$6,163,127
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Total COMPREHENSIVE SERVICES ACT appropriations for fiscal year ending June 30, 2006:	\$6,163,127
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To be provided as follows:

Revenue from Local Sources (Transfer from General Fund)	\$1,789,615
Revenue from Local Sources (Transfer from School Fund)	\$890,000
Revenue from the Commonwealth	<u>\$3,483,512</u>
	\$6,163,127

Total COMPREHENSIVE SERVICES ACT resources available for the fiscal year ending June 30, 2006:	\$6,163,127
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Paragraph Two: BRIGHT STARS 4 YEAR OLD PROGRAM FUND

1 Bright Stars Program	\$702,699
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Total BRIGHT STARS 4 YEAR OLD PROGRAM FUND appropriations for the fiscal year ending June 30, 2006:	\$702,699
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To be provided as follows:

Revenue from Local Sources (Transfer from General Fund)	\$470,138
Revenue from Local Sources (Transfer from School Fund)	\$23,000
MJ Child Health Grant	\$5,000
Revenue from the Commonwealth	<u>\$204,561</u>
	\$702,699

Total BRIGHT STARS 4 YEAR OLD PROGRAM FUND resources available for the fiscal year ending June 30, 2006:	\$702,699
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Paragraph Three: FAMILY SUPPORT FUND

1 Family Support Program	\$740,431
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Total FAMILY SUPPORT FUND appropriations for the fiscal year ending June 30, 2006: \$740,431

To be provided as follows:

Revenue from Local Sources (General Fund)	\$165,795
Revenue from Local Sources (School Fund)	\$125,000
Revenue from the Federal Government	<u>\$449,636</u>
	\$740,431

Total FAMILY SUPPORT FUND resources available for fiscal year ending June 30, 2006: \$740,431

Paragraph Four: TOWE MEMORIAL PARK FUND

1 Darden Towe Memorial Park	\$260,345
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Total TOWE MEMORIAL PARK FUND appropriations for the fiscal year ending June 30, 2006: \$260,345

To be provided as follows:

Revenue from Local Sources (General Fund)	\$151,206
Other Local Sources	<u>\$109,139</u>
	\$260,345

Total TOWE MEMORIAL PARK FUND resources available for fiscal year ending June 30, 2006: \$260,345

Paragraph Five: E-911 SERVICE CHARGE FUND

1 E-911 Operations and Debt Service (Transfer to General Fund)	\$1,147,000
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TOTAL E-911 SERVICE CHARGE FUND appropriations for fiscal year ending June 30, 2006: \$1,147,000

To be provided as follows:

Revenue From Local Sources	\$1,147,000
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Total E-911 SERVICE CHARGE FUND resources available for fiscal year ending June 30, 2006: \$1,147,000

Paragraph Six: VISITOR CENTER FUND

1 Debt Service	\$67,734
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TOTAL VISITOR CENTER FUND appropriations for fiscal year ending June 30, 2006: \$67,734

To be provided as follows:

Revenue from Local Sources	\$67,734
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Total VISITOR CENTER FUND resources available for fiscal year ending June 30, 2006: \$67,734

Paragraph Seven: COURTHOUSE MAINTENANCE FUND

1 Transfer to General Government Capital Improvements Fund \$30,000

TOTAL COURTHOUSE MAINTENANCE FUND appropriations for fiscal year ending June 30, 2006: \$30,000

To be provided as follows:

Revenue from Local Sources \$30,000

Total COURTHOUSE MAINTENANCE FUND resources available for fiscal year ending June 30, 2006: \$30,000

Paragraph Eight: TOURISM FUND

1 Tourism Enhancement (Transfer to General Fund) \$443,492
2 Tourism Projects (Transfer to General Government Capital Improvements Fund) \$445,000
\$888,492

TOTAL TOURISM FUND appropriations for fiscal year ending June 30, 2006: \$888,492

To be provided as follows:

Revenue from Local Sources \$888,492

Total TOURISM FUND resources available for fiscal year ending June 30, 2006: \$888,492

Paragraph Nine: UNITED WAY DAY CARE FUND

1 United Way Day Care Fund \$603,567

TOTAL UNITED WAY DAY CARE FUND appropriations for fiscal year ending June 30, 2006: \$603,567

To be provided as follows:

Revenue from Local Sources (Transfer from General Fund) \$99,515
City of Charlottesville \$120,766
United Way Matching Funds \$78,000
Admin Fee - United Way \$27,021
Revenue from the Federal Government (HHS Pass Thru Grant) \$278,265
\$603,567

Total UNITED WAY DAY CARE FUND resources available for fiscal year ending June 30, 2006: \$603,567

Paragraph Ten: CRIMINAL JUSTICE PROGRAMS FUND

1	Criminal Justice Grant Programs	\$608,650	
TOTAL CRIMINAL JUSTICE PROGRAMS FUND appropriations for fiscal year ending June 30, 2006:			\$608,650
To be provided as follows:			
	Revenue from the Commonwealth (Grant)	\$608,650	
Total CRIMINAL JUSTICE PROGRAMS FUND resources available for fiscal year ending June 30, 2006:			\$608,650

Paragraph Eleven: VICTIM-WITNESS GRANT FUND

1	Victim-Witness Program	\$83,051	
TOTAL VICTIM-WITNESS GRANT FUND appropriations for fiscal year ending June 30, 2006:			\$83,051
To be provided as follows:			
	Revenue from the Commonwealth (Grant)	\$83,051	
Total VICTIM-WITNESS GRANT FUND resources available for fiscal year ending June 30, 2006:			\$83,051

Paragraph Twelve: METRO PLANNING GRANT FUND

1	Metropolitan Planning Organization Funding	\$9,500	
TOTAL METRO PLANNING GRANT FUND appropriations for fiscal year ending June 30, 2006:			\$9,500
To be provided as follows:			
	Revenue from the Federal Government (Grant)	\$7,600	
	Revenue from the Commonwealth (Grant)	\$950	
	Local Funds - Transfer from the General Fund	<u>\$950</u>	
		\$9,500	
Total METRO PLANNING GRANT FUND resources available for fiscal year ending June 30, 2006:			\$9,500

Paragraph Thirteen: HOUSING ASSISTANCE FUND

1	Family Self-Sufficiency Program (Transfer to General Fund)	\$312,837	
2	Section 8 Housing Assistance Payments	<u>\$2,736,062</u>	
		\$3,048,899	
TOTAL HOUSING ASSISTANCE FUND appropriations for fiscal year ending June 30, 2006:			\$3,048,899
To be provided as follows:			

Revenue from the Federal Government	\$3,048,899	
Total HOUSING ASSISTANCE FUND resources available for fiscal year ending June 30, 2006:		\$3,048,899
Paragraph Fourteen: VEHICLE REPLACEMENT FUND		
1 Vehicle Replacement	\$756,950	
TOTAL VEHICLE REPLACEMENT FUND appropriations for fiscal year ending June 30, 2006:		\$756,950
To be provided as follows:		
Local Funds - Transfer from the General Fund	\$756,950	
Total VEHICLE REPLACEMENT FUND resources available for fiscal year ending June 30, 2006:		\$756,950
GRAND TOTAL - SPECIAL REVENUE FUNDS		\$15,110,445

SECTION V - GENERAL GOVERNMENT CAPITAL IMPROVEMENTS FUND

That the following sums of money be and the same hereby are appropriated from the GENERAL GOVERNMENT CAPITAL IMPROVEMENTS FUND to be apportioned as follows for the purposes herein specified for the fiscal year ending June 30, 2006:

Paragraph One: COURTS		\$535,000
1 Levy Building Renovation	\$25,000	
2 Court Square Renovations	\$20,000	
3 Court Square Sallyport	\$350,000	
4 Court Square Maintenance/Replacement Projects	\$125,000	
5 J&D Court Maintenance/Replacement Projects	<u>\$15,000</u>	
	\$535,000	
Paragraph Two: PUBLIC SAFETY		\$4,049,000
1 Station 11 - Monticello Fire Station Fiber Connection	\$161,000	
2 Station 12 - Northside Fire Station	\$880,000	
3 Pantops Fire Station	\$842,000	
4 VFD Fire & EMS Apparatus Replacement	\$1,893,000	
5 Station 8 - Seminole Trail and CARS Station	\$20,000	
6 Police Patrol Video Cameras	\$23,000	
7 Police Mobile Data Computers	\$180,000	
8 SPCA - New County Animal Shelter	<u>\$50,000</u>	
	\$4,049,000	
Paragraph Three: PUBLIC WORKS		\$2,470,000
1 County Facilities - Maintenance/Replacement	\$650,000	
2 Ivy Landfill Remediation	\$640,000	

3	COB McIntire Renovations	\$1,180,000	
		<u>\$2,470,000</u>	
Paragraph Four: COMMUNITY/NEIGHBORHOOD DEVELOPMENT			\$3,086,000
1	Neighborhood Implementation Plan Program	\$217,000	
2	Revenue Sharing Road Program	\$1,000,000	
3	Sidewalk Construction Program	\$641,000	
4	Transportation Improvement Program - Local	\$1,200,000	
5	Roadway Landscaping Program	<u>\$28,000</u>	
		\$3,086,000	
Paragraph Five: HUMAN DEVELOPMENT			\$40,000
1	PVCC - Site Work for Science Building	\$40,000	
Paragraph Six: PARKS, RECREATION & CULTURE			\$367,000
1	Scottsville Community Center Improvements	\$57,000	
2	Paramount Theater	\$33,000	
3	Greenway Program	\$25,000	
4	River and Lake Access Improvements	\$36,000	
5	Patricia Byrom Forest Preserve Park	\$83,000	
6	Park Enhancements	\$57,000	
7	Parks - Maintenance/Replacement	<u>\$76,000</u>	
		\$367,000	
Paragraph Seven: LIBRARIES			\$424,000
1	New Crozet Library	\$424,000	
Paragraph Eight: TECHNOLOGY AND GIS			\$1,195,000
1	County Technology Upgrade - GIS System	\$220,000	
2	County IT - Business Key Systems Upgrade	\$450,000	
3	County Computer Upgrade	\$425,000	
4	CityView Internet Access	<u>\$100,000</u>	
		\$1,195,000	
Paragraph Nine: ACQUISITION OF CONSERVATION EASEMENTS			\$1,000,000
1	Acquisition of Conservation Easements (ACE) Program	\$1,000,000	
Total GENERAL GOVERNMENT CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2006:			\$13,166,000
To be provided as follows:			
	Revenue from Local Sources (Tourism Fund Transfer)	\$445,000	
	Revenues from Local Sources (General Fund Transfer)	\$7,019,995	
	CIP Fund Balance/Reserve	\$878,005	
	Courthouse Maintenance Funds	\$30,000	
	Loan Proceeds	\$4,643,000	
	Interest Income	<u>\$150,000</u>	
		\$13,166,000	

**Total GENERAL GOVERNMENT CAPITAL IMPROVEMENTS FUND
resources available for fiscal year ending June 30, 2006: \$13,166,000**

SECTION VI: SCHOOL DIVISION CAPITAL IMPROVEMENTS FUND

That the following sums of money be and the same hereby are appropriated from the SCHOOL DIVISION CAPITAL IMPROVEMENTS FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2006:

Paragraph One: EDUCATION (SCHOOL DIVISION) \$9,383,000

2	Henley Addition/Renovation	\$1,000,000
3	Murray High School Renovations	\$149,000
4	ADA Structural Changes	\$50,000
5	Monticello HS Auditorium	\$800,000
6	Monticello HS Auxiliary Gym	\$1,999,000
7	Administrative Technology	\$70,000
8	Instructional Technology	\$450,000
9	Maintenance/Replacement Projects	\$3,800,000
10	State Technology Grant	\$700,000
11	Vehicle Maintenance Facility - Emergency Generator	\$165,000
12	Jouett-Greer Site Reconfiguration	<u>\$200,000</u>
		\$9,383,000

Total SCHOOL DIVISION CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2006: \$9,383,000

To be provided as follows:

Revenue from Local Sources (General Fund Transfer)	\$334,586
Proffers	\$265,414
Interest Earned	\$100,000
State Construction Funds	\$197,000
State Technology Grant	\$700,000
VPSA Bonds	<u>\$7,786,000</u>
	\$9,383,000

Total SCHOOL DIVISION CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2006: \$9,383,000

SECTION VII: STORMWATER CAPITAL IMPROVEMENTS FUND

That the following sums of money be and the same hereby are appropriated from the STORMWATER CAPITAL IMPROVEMENTS FUND for the purposes herein specified to be apportioned as follows for the fiscal year ending June 30, 2006:

Paragraph One: STORMWATER PROJECTS

1	Stormwater Control Program	\$450,000
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Total STORMWATER CAPITAL IMPROVEMENTS FUND appropriations for fiscal year ending June 30, 2006: \$450,000

To be provided as follows:

Revenue from Local Sources (Transfer from General Fund)	\$450,000
Total STORMWATER CAPITAL IMPROVEMENTS FUND resources available for fiscal year ending June 30, 2006:	\$450,000

SECTION VIII: DEBT SERVICE

That the following sums of money be and the same hereby are appropriated for the function of DEBT SERVICE to be apportioned as follows from the GENERAL GOVERNMENT DEBT SERVICE FUND and the SCHOOL DIVISION DEBT SERVICE FUND for the fiscal year ending June 30, 2006:

Paragraph One: SCHOOL DIVISION DEBT SERVICE FUND

1 Debt Service Payments - School Division	\$11,013,887
2 Debt Service Payments - PREP	<u>\$246,358</u>
	\$11,260,245

Total SCHOOL DIVISION DEBT SERVICE appropriations for fiscal year ending June 30, 2006:	\$11,260,245
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To be provided as follows:

Revenue from Local Sources (Transfer from General Fund)	\$11,013,887
Revenue from Local Sources (PREP Fees)	<u>\$246,358</u>
	\$11,260,245

Total SCHOOL DIVISION DEBT SERVICE resources available for fiscal year ending June 30, 2006:	\$11,260,245
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Paragraph Two: GENERAL GOVERNMENT DEBT SERVICE FUND

1 Emergency Services Radio System Lease/Debt Service Payment	\$826,556
2 Lease/Purchase Software	\$41,314
3 Debt Service Payments - General Government	\$1,375,704
4 Bond Issuance Cost	<u>\$10,000</u>
	\$2,253,574

Total GENERAL GOVERNMENT DEBT SERVICE appropriations for fiscal year ending June 30, 2006:	\$2,253,574
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To be provided as follows:

Revenue from Local Sources	\$283,178
Revenue from Local Sources (Transfer from General Fund)	<u>\$1,970,396</u>
	\$2,253,574

Total GENERAL GOVERNMENT DEBT SERVICE resources available for

fiscal year ending June 30, 2006:

\$2,253,574

**TOTAL APPROPRIATIONS MENTIONED IN
SECTIONS I - VIII OF THIS RESOLUTION
FOR THE FISCAL YEAR ENDING June 30, 2006**

RECAPITULATION:

Appropriations: **\$367,868,100**

Section I	General Fund	\$176,599,527
Section II	School Fund	\$126,285,987
Section III	Other School Funds	\$13,359,322
Section IV	Other Special Revenue Funds	\$15,110,445
Section V	General Government Capital Improvements	\$13,166,000
Section VI	Fund	
Section VII	School Division Capital Improvements Fund	\$9,383,000
Section VIII	Stormwater Capital Improvements Fund	\$450,000
	Debt Service	<u>\$13,513,819</u>
		\$367,868,100

Less Inter-Fund Transfers **(\$111,715,981)**

General Fund to School Fund	(\$81,384,575)
General Fund to Special Revenue Funds	(\$3,434,169)
General Fund to Capital Improvements Funds	(\$7,804,581)
General Fund to Debt Service Funds	(\$12,984,284)
Special Revenue Funds to General Fund	(\$1,903,329)
Special Revenue Funds to Capital Improvements Funds	(\$475,000)
School Fund to Self-Sustaining Funds	(\$2,117,743)
School Fund to Special Revenue Funds	(\$1,038,000)
School Fund to General Fund	(\$150,300)
Self-Sustaining Funds to School Fund	<u>(\$424,000)</u>
	(\$111,715,981)

GRAND TOTAL APPROPRIATIONS **\$256,152,119**

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to transfer monies from one fund to another, from time to time as monies become available, sums equal to, but not in excess of, the appropriations made to these funds for the period covered by this appropriation resolution.

SECTION IX

All of the monies appropriated as shown by the contained items in Sections I through VIII are appropriated upon the provisos, terms, conditions, and provisions herein before set forth in connection with said terms and those set forth in this section. The Director of Finance (Richard Wiggans) and Clerk to the Board of Supervisors (Ella W. Carey) are hereby designated as authorized signatories for all bank accounts.

Paragraph One

Subject to the qualifications in this resolution contained, all appropriations are declared to be maximum, conditional and proportionate appropriations – the purpose being to make the appropriations payable in full in the amount named herein if necessary and then only in the event the aggregate

revenues collected and available during the fiscal year for which the appropriations are made are sufficient to pay all of the appropriations in full.

Otherwise, the said appropriations shall be deemed to be payable in such proportion as the total sum of all realized revenue of the respective funds is to the total amount of revenue estimated to be available in the said fiscal year by the Board of Supervisors.

Paragraph Two

All revenue received by any agency under the control of the Board of Supervisors included or not included in its estimate of revenue for the financing of the fund budget as submitted to the Board of Supervisors may not be expended by the said agency under the control of the Board of Supervisors without the consent of the Board of Supervisors being first obtained, nor may any of these agencies or boards make expenditures which will exceed a specific item of an appropriation.

Paragraph Three

No obligations for goods, materials, supplies, equipment or contractual services for any purpose may be incurred by any department, bureau, agency, or individual under the direct control of the Board of Supervisors except by requisition to the purchasing agent; provided, however, no requisition for items exempted by the Albemarle County Purchasing Manual shall be required; and provided further that no requisition for contractual services involving the issuance of a contract on a competitive bid basis shall be required, but such contract shall be approved by the head of the contracting department, bureau, agency, or individual, the County Attorney and the Purchasing Agent or Director of Finance. The Purchasing Agent shall be responsible for securing such competitive bids on the basis of specifications furnished by the contracting department, bureau, agency or individual

In the event of the failure for any reason of approval herein required for such contracts, said contract shall be awarded through appropriate action of the Board of Supervisors.

Any obligations incurred contrary to the purchasing procedures prescribed in the Albemarle County Purchasing Manual shall not be considered obligations of the County, and the Director of Finance shall not issue any warrants in payment of such obligations.

Paragraph Four

Allowances out of any of the appropriations made in this resolution by any or all County departments, bureaus, or agencies under the control of the board of Supervisors to any of their officers and employees for expense on account of the use of such officers and employees of their personal automobiles in the discharge of their official duties shall be paid at the same rate as that established by the State of Virginia for its employees and shall be subject to change from time to time to maintain like rates.

Paragraph Five

All travel expense accounts shall be submitted on forms and according to regulations prescribed or approved by the Director of Finance.

Paragraph Six

All resolutions and parts of resolutions inconsistent with the provisions of this resolution shall be and the same are hereby repealed.

Paragraph Seven

This resolution shall become effective on July first, two thousand and five.

**RESOLUTION OF OFFICIAL INTENT TO REIMBURSE
EXPENDITURES WITH PROCEEDS OF A BORROWING**

WHEREAS, the Board of Supervisors of Albemarle County, Virginia (the "Borrower"), intends to acquire, construct and equip the items and projects set forth in Exhibit A hereto (collectively, the "Project"); and

WHEREAS, plans for the Project have advanced and the Borrower expects to advance its own funds to pay expenditures related to the Project (the "Expenditures") prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ALBEMARLE COUNTY:

1. The Borrower intends to utilize the proceeds of tax-exempt bonds (the "Bonds") or to incur other debt, to pay the costs of the Project in an amount not currently expected to exceed \$12,429,000.
2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures with respect to the Project made on or after the date that is no more than 60 days prior to the date of this Resolution. The Borrower reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.
3. Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.
4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction of at least five years.
5. The Borrower intends that the adoption of this resolution confirms the "official intent" within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.
6. This resolution shall take effect immediately upon its passage.

* * * * *

Exhibit A

**CAPITAL IMPROVEMENT PROGRAM
BONDED PROJECTS
FY 2005/06**

Schools	Amount
1. Henley Addition	\$1,000,000
2. Murray High School Renovations	\$149,000
3. ADA Structural Changes	\$50,000
4. Monticello Auditorium	\$800,000
5. Monticello Gym	\$1,999,000
6. School Maintenance Projects	\$3,423,000
7. Vehicle Maintenance Generator	\$165,000
8. Jouett-Greer Site Reconfiguration	\$200,000
Schools Subtotal	\$7,786,000
General Fund	Amount
1. Fire Apparatus	\$1,893,000
2. Transportation	\$1,700,000
3. Business Systems	\$1,050,000
General Fund Subtotal	\$4,643,000
TOTAL DEBT ISSUE	\$12,429,000

SP-2004-041. Crickets Baked Goods and Catering (Sign #33). Public hearing on a request to allow Home Occupation Class B for catering business in accord w/Sec 10.2.2.31 of the Zoning Ord, which allows for Home Occupations Class B. TM 105, P 46, contains 13.68 acs. Znd RA. Loc at 3047 Thomas Jefferson Pkway (Rt 53), E of the intersec of Thomas Jefferson Pkway & Buck Island Rd (Rt 729). Scottsville Dist.

1. No business sign shall be permitted;
2. The aggregate area of the use, including both the home office and the garage kitchen may not exceed five hundred (500) square feet;
3. No employees shall be permitted other than members of family residing in the dwelling on premises;
4. No customer visits to the site shall be permitted; and
5. The applicant shall obtain a zoning compliance clearance and any necessary Health Department approvals prior to use of the garage kitchen for this home occupation.

ORDINANCE NO. 05-18(5)

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE II, BASIC REGULATIONS, AND ARTICLE III, DISTRICT REGULATIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article II, Basic Regulations, and Article III, District Regulations, of the Code of the County of Albemarle is amended as follows:

By Amending:

- Sec. 4.15.8 Regulations applicable in the RA, VR, R-1 and R-2 zoning districts
- Sec. 7 Establishment of districts
- Sec. 8.1 Intent
- Sec. 8.2 Relation of planned development regulations to other zoning regulations
- Sec. 8.3 Planned development defined
- Sec. 8.4 Where permitted

By Adding:

- Sec. 11.1 Intent and purpose, where permitted
- Sec. 11.2 Status as a planned development district
- Sec. 11.3 Permitted uses
 - Sec. 11.3.1 By right
 - Sec. 11.3.2 By special use permit
- Sec. 11.4 Regulation of development

Chapter 18. Zoning

Article II. Basic Regulations

Sec. 4.15.8 Regulations applicable in the MHD, RA, VR, R-1 and R-2 zoning districts

The following regulations pertaining to the number of signs permitted per lot or establishment, the sign area, sign height, and setback requirements shall apply to each sign for which a sign permit is required within the Monticello Historic District (MHD), Rural Areas (RA), Village Residential (VR) and Residential (R-1 and R-2) zoning districts (Amended 6-8-05):

Sign Type	Number of Signs Allowed	Sign Area (Maximum)	Sign Height (Maximum)	Sign Setback (Minimum)
<i>Directory</i>	1 or more per establishment, as authorized by zoning administrator	24 square feet, aggregated	6 feet	10 feet
<i>Freestanding</i>	1 per street frontage, or 2 per entrance, per lot with 100 or more feet of continuous street frontage, plus 1 per lot if the lot is greater than 4 acres and has more than 1 approved entrance on its frontage	24 square feet, aggregated; if more than 1 sign, no single sign shall exceed 12 square feet	10 feet	10 feet
<i>Subdivision</i>	2 per entrance per subdivision	24 square feet, aggregated, per entrance	6 feet	5 feet
<i>Temporary</i>	1 per street frontage per establishment	24 square feet	10 feet, if freestanding sign; 20 feet, if wall sign, but not to exceed the top of the fascia or mansard	10 feet
<i>Wall</i>	As calculated pursuant to section 4.15.20	40 square feet, aggregated in the RA zoning district; 20 square feet, aggregated, in other	20 feet	Same as that applicable to structure

		zoning districts		
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(12-10-80; 7-8-92, § 4.15.12.1; Ord. 01-18(3), 5-9-01; Ord. 05-18(5), 6-8-05)

State law reference – Va. Code § 15.2-2280.

Article III. District Regulations

Sec. 7 Establishment of districts

For the purposes of this chapter, the unincorporated areas of Albemarle County are hereby divided into the following districts:

- Commercial District - C-1
- Commercial Office - CO
- Entrance Corridor - EC (Added 10-3-90)
- Heavy Industry - HI
- Highway Commercial - HC
- Light Industry - LI
- Monticello Historic District – MHD (Added 6-8-05)
- Neighborhood Model - NMD
- Overlay Districts:
- Airport Impact Area - AIA
- Flood Hazard - FH
- Natural Resource Extraction - NR
- Scenic Streams - SS (Amended 9-9-92)
- Planned Development-Industrial Park - PD-IP
- Planned Development-Mixed Commercial - PD-MC
- Planned Development-Shopping Centers - PD-SC
- Planned Residential Development - PRD
- Planned Unit Development - PUD
- Residential - R-1
- Residential - R-2
- Residential - R-4
- Residential - R-6
- Residential - R-10
- Residential - R-15
- Rural Areas - RA
- Village Residential – VR

(§ 7.0, 12-10-80; § 7, Ord. 03-18(2), 3-19-03; Ord. 05-18(5), 6-8-05)

Sec. 8.1 Intent

The planned development districts are the Monticello Historic District (MHD), Planned Residential Development (PRD), Planned Unit Development (PUD), Neighborhood Model (NMD), Planned Development – Mixed Commercial (PDMC), Planned Development – Shopping Centers (PDSC), and Planned Development – Industrial Park (PD-IP) zoning districts. Each of these districts is distinct in purpose; however, all are intended to provide for variety and flexibility in design necessary to implement the various goals and objectives set forth in the comprehensive plan. Through a planned development approach, the regulations in section 8 are intended to accomplish the goals and objectives of the comprehensive plan to a greater extent than the regulations of conventional districts. In addition, these regulations are intended to promote: economical and efficient land use through unified development; improved levels of amenities; appropriate and harmonious physical development; creative design; and a better environment than generally realized through conventional district regulations. In view of the substantial public advantages of planned development, these regulations are intended to encourage the planned development approach in areas appropriate in terms of location and character.

Planned development districts shall be developed: to provide for the comfort and convenience of residents or visitors; to facilitate the protection of the character of surrounding lands, neighborhoods and

the adjacent rural areas; and to lessen traffic impacts through a reasonably short travel time between origins and destinations of persons living, working, or visiting in such developments. Housing, commercial and service facilities, and places of employment shall be related either by physical proximity or by adequate street networks so as to promote these objectives.

(12-10-80; Ord. 03-18(2), 3-19-03; 05-18(5), 6-8-05)

Sec. 8.2 Relation of planned development regulations to other zoning regulations

The regulations in section 8 shall apply to the establishment and regulation of all planned development districts.

An applicant may request that any requirement of sections 4, 5 and 32, or the planned development district regulations be waived or modified if it is found to be inconsistent with planned development design principles and that the waiver or modification is consistent with the intent and purposes of the planned development district under the particular circumstances. If the applicant requests such a waiver or modification as part of the application plan, the applicant shall submit its request in writing as part of the application, and shall demonstrate that the waiver or modification would not adversely affect the public health, safety or general welfare and, in the case of a requested modification, that the public purposes of the original regulation would be satisfied to at least an equivalent degree by the modification. Notwithstanding any regulation in sections 4, 5, or 32 establishing a procedure for considering a waiver or modification, any request for such a waiver or modification shall be reviewed and considered as part of the application plan. Nothing in this section prohibits an owner within a planned development from requesting a waiver or modification of any requirement of sections 4, 5 and 32 at any time, under the procedures and requirements established therefor. In addition to making the findings required for the granting of a waiver or modification in sections 4, 5, and 32, such a waiver or modification may be granted only if it is also found to be consistent with the intent and purposes of the planned development district under the particular circumstances, and satisfies all other applicable requirements of section 8.

(12-10-80; Ord. 03-18(2), 3-19-03; 05-18(5), 6-8-05)

Sec. 8.3 Planned development defined

A planned development is a development that meets all of the following criteria: (1) the land is under unified control and will be planned and developed as a whole; (2) the development is in general accord with one or more approved application plans; and (3) in all planned development districts other than a planned historic district, the development will provide, operate and maintain common areas, facilities and improvements for some or all occupants of the development where these features are appropriate.

(12-10-80; Ord. 03-18(2), 3-19-03; Ord. 05-18(5), 6-8-05)

Sec. 8.4 Where permitted

A planned development district may be established in any development area identified in the comprehensive plan, and in any rural area identified in the comprehensive plan if the district is a planned historic district containing a historic site and the purposes of the district include the restoration, preservation, conservation and enhancement of the historic site, provided that its location is suitable for the character of the proposed uses and structures.

(12-10-80; Ord. 03-18(2), 3-19-03; Ord. 05-18(5), 6-8-05)

Section 11

Monticello Historic District, MHD

Sec. 11.1 Intent and purpose, where permitted

The intent and purpose of the Monticello Historic District (hereinafter referred to as "MHD") is to create a planned historic district:

- To permit restoration, preservation, conservation, education, programs, research and business activities related to the operation of a historic house museum and historic site at Monticello;
- To promote the preservation and enhancement of a unique historical site;
- To preserve significant tracts of agricultural and forestal land;
- To be a district that is unique to those parcels which both belonged to Thomas Jefferson and contain uses related to the operation of the historic site, in recognition of:
 - the importance of Thomas Jefferson to the history of Albemarle County;
 - the importance of Monticello to the reputation, education, and economy of Albemarle County;
 - Monticello as a unique element of the historical and architectural legacy of Albemarle County, the nation, and the world, as recognized by its inclusion on the World Heritage List administered by the United Nations Educational, Scientific, and Cultural Organization.

Restoration or re-creation of Jefferson-era structures or landscape features, and their subsequent interpretive use, shall be regulated only to the extent necessary to protect public health and safety.

(Ord. 05-18(5), 6-8-05)

Sec. 11.2 Status as a planned development district

The MHD is a planned development district within the meaning of section 8 of this chapter, and shall not be construed to be an agricultural zoning district or a district in which agricultural, horticultural or forestal uses are dominant.

(Ord. 05-18(5), 6-8-05)

Sec. 11.3 Permitted uses

The following uses shall be permitted in the MHD, subject to the regulations in this section and section 8 of this chapter, the approved application plan, and any accepted proffers:

(Ord. 05-18(5), 6-8-05)

Sec. 11.3.1 By right uses

The following uses shall be permitted by right in the MHD:

1. Uses relating to the operation of Monticello as a historic house museum and historic site as follows:
 - a. Interpretative, educational and research uses such as tours; interpretive signs, walking paths, displays and exhibits; classes, workshops, lectures, programs and demonstrations; field schools and history-related day camps; and archaeological laboratories.
 - b. Administrative and support activities including visitor ticketing and shuttle bus operations, maintenance operations, equipment storage, vehicle maintenance

- and refueling, security and general administration, and related support spaces and offices.
- c. Visitor amenities including: parking lots; travelways; public restrooms; food and drink preparation and vending; picnic areas; walking paths and pedestrian bridges.
 - d. Display and sale of products related to Thomas Jefferson and the history of Monticello.
 - e. Other uses not expressly delineated in subsection 1(a) through (d) authorized by the zoning administrator after consultation with the director of planning and other appropriate officials; provided that the use shall be consistent with the express purpose and intent of the MHD, similar to the uses delineated in this subsection in character, locational requirements, operational characteristics, visual impact, and traffic generation.
2. Temporary events related to or supportive of the historic, educational or civic significance of Monticello, such as, but not limited to the Naturalization Ceremony on the Fourth of July, Thomas Jefferson's Birthday celebration, summer speakers series, presidential inaugural events, and commemorative events similar to the Lewis and Clark bicentennial.
 3. Display and sale of gifts, souvenirs, crafts, food, and horticultural and agricultural products, including outdoor storage and display of horticultural and agricultural products, including wayside stands for display and sale of agricultural products produced on the premises (reference 5.1.19).
 4. Establishment and changes to structures shown on the approved application plan:
 - a. Modification, improvement, expansion, or demolition of "modern structures" existing on the effective date of this section 11.
 - b. Modification, improvement, re-creation, or restoration (including expansion) of "historic or interpretive structures."
 - c. Establishment of "new primary structures or features" identified as such on the approved application plan.
 5. Cemeteries.
 6. Detached single-family dwellings, including guest cottages and rental of the same.
 7. Side-by-side duplexes; provided that density is maintained and provided that buildings are located so that each unit could be provided with a lot meeting all other requirements for detached single-family dwellings except for side yards at the common wall. Other two-family dwellings shall be permitted provided density is maintained.
 8. Agriculture, forestry, and fishery uses except as otherwise expressly provided.
 9. Game preserves, wildlife sanctuaries and fishery uses.
 10. Electric, gas, oil and communication facilities excluding tower structures and including poles, lines, transformers, pipes, meters and related facilities for distribution of local service and owned and operated by a public utility. Water distribution and sewerage collection lines, pumping stations and appurtenances owned and operated by the Albemarle County Service Authority. Except as otherwise expressly provided, central water supplies and central sewerage systems in conformance with Chapter 16 of the Code of Albemarle and all other applicable laws.

11. Accessory uses and structures including home occupation, Class A (reference 5.2) and storage buildings.
12. Temporary construction uses (reference 5.1.18).
13. Public uses and buildings including temporary or mobile facilities such as schools, offices, parks, playgrounds and roads funded, owned or operated by local, state or federal agencies (reference 31.2.5); public water and sewer transmission, main or trunk lines, treatment facilities, pumping stations and the like, owned and/or operated by the Rivanna Water and Sewer Authority (reference 31.2.5; 5.1.12).
14. Temporary sawmill (reference 5.1.15 and subject to performance standards in 4.14).
15. Agricultural service occupation (subject to performance standards in 4.14).
16. Divisions of land in accordance with section 10.3.
17. Tourist lodging (reference 5.1.17).
18. Mobile homes, individual, qualifying under the following requirements (reference 5.6):
 - a. A property owner residing on the premises in a permanent home wishes to place a mobile home on such property in order to maintain a full-time agricultural employee.
 - b. Due to the destruction of a permanent home an emergency exists. A permit can be issued in this event not to exceed twelve (12) months. The zoning administrator shall be authorized to issue permits in accordance with the intent of this ordinance and shall be authorized to require or seek any information which he may determine necessary in making a determination of cases "a" and "b" of the aforementioned uses.
19. Farm winery (reference 5.1.25).
20. Borrow area, borrow pit, not exceeding an aggregate volume of fifty thousand (50,000) cubic yards including all borrow pits and borrow areas on any one parcel of record on the adoption date of this provision (reference 5.1.28).
21. Commercial stable (reference 5.1.03).
22. Stormwater management facilities shown on an approved final site plan or subdivision plat.
23. Tier I and Tier II personal wireless service facilities (reference 5.1.40).

(Ord. 05-18(5), 6-8-05)

Sec. 11.3.2 By special use permit

The following uses shall be permitted by special use permit in the MHD:

1. Farm sales (reference Section 5.1.35).
2. Private helistop (reference Section 5.1.01).
3. Commercial fruit or agricultural produce packing plants.
4. Flood control dams or impoundments.

5. Concerts (such as performances by the Charlottesville Symphony Orchestra and the Charlottesville Municipal Band), theater, and outdoor drama events open to the general public, not otherwise permitted by right under section 11.3.1(2).
6. Home occupations Class B.
7. Boat landings and canoe livery.

(Ord. 05-18(5), 6-8-05)

Sec. 11.4 Regulation of development

In order to protect the county's historic resources and the rural character of surrounding lands, all uses and structures shall be subject to an approved application plan, and to sections 4, 5, 8 and 32 of this chapter, including such regulations as may be waived or modified pursuant to section 8.2. In addition:

- a. Density. Density shall not exceed one dwelling unit per twenty-one (21) acres and the minimum lot size shall be twenty-one (21) acres.
- b. Structure height. The maximum structure height established in the standards for development required by section 8.5.1(d)(11) of this chapter shall not exceed forty-five (45) feet.
- c. Yards. The minimum yards established in the standards for development required by section 8.5.1(d)(11) of this chapter shall not be less than the minimum yards provided in section 21.7, except as otherwise provided on the application plan.

(Ord. 05-18(5), 6-8-05)

THOMAS JEFFERSON FOUNDATION, INC.
MONTICELLO HISTORIC DISTRICT

ZMA 04-05

PROFFER STATEMENT

The following parcels are subject to rezoning application ZMA 04-05 and thus to this proffer statement: tax map parcels 78-22, 78-23, 78-25, 78-28A, 78-28B, 78-29, and 79-7A (the "Property"). The Applicant and Owner of the Property is the Thomas Jefferson Foundation, Inc.

The Owner hereby voluntarily proffers that if the Albemarle County Board of Supervisors acts to rezone the Property to Monticello Historic District as requested, the Owner shall develop the Property in accord with the following proffers pursuant to Section 15.2-2298 of the Code of Virginia, 1950, as amended, and pursuant to Section 33.3 of the Albemarle County Zoning Ordinance. These conditions are voluntarily proffered as part of the requested rezoning, and the Owner acknowledges that (1) the rezoning itself gives rise to the need for the conditions; and (2) such conditions have a reasonable relation to the rezoning requested. If rezoning application ZMA 04-05 is denied these proffers shall immediately be null and void and of no further force and effect.

This Proffer Statement shall relate to the application plan shown on sheets AP-1 through AP-4, each dated February 28, 2005, of the plans entitled "Monticello, Thomas Jefferson Foundation, Inc., Albemarle County, Virginia, Zoning Map Amendment Application Plan, ZMA 04-05, February 28, 2005," which sheets are attached hereto as Exhibit A (the "Application Plan") and also to the terms of Section 8.5.5.3 of the Albemarle County Zoning Ordinance as in effect on the date of this Proffer Statement, a copy of which Section 8.5.5.3 is attached hereto as Exhibit B.

1. The Owner will convey easements on certain portions of the Property and on tax map parcel 78-31A for incorporation of such easement areas into the Rivanna River Greenway Trail Park, on the terms and conditions contained herein:
 - a. The Foundation shall convey easements to the County encumbering the portions of tax map parcels 78-28B and 79-7A (collectively, the "Shadwell Quarter Farm") and 78-31A (the "Lego Quarter Farm") that are contiguous to the Rivanna River and consist of the real property defined in the Federal Emergency Management Agency national flood insurance maps as land within the 100-year flood plain on the north side of the Rivanna River (individually, the "Shadwell Easement Area," and the "Lego Easement Area," and collectively, the "Easement Areas") for the extension of the County's Greenway Trail Park within the Easement Areas.
 - b. The easement on the Shadwell Quarter Farm shall be conveyed after an easement or land dedication is conveyed to the County for the County's Greenway Trail Park by the owners of tax map parcel 78-33D for the extension of the greenway trail through that parcel, upon the request of the County and as soon thereafter as the Foundation can reasonably cause an easement plat to be prepared, prepare the deed of easement in a form reasonably agreeable to the Foundation and the County, and complete any other administrative matters associated with such easement.
 - c. The easement on the Lego Quarter Farm will be conveyed within six months after request by the County, or as soon thereafter as the Foundation can reasonably cause an easement plat to be prepared, prepare the deed of easement in a form reasonably agreeable to the Foundation and the County, and complete any other administrative matters associated with such easement.
 - d. The easements would be subject to the terms of existing encumbrances and easements of record, including, but not limited to, the Deed of Easement conveyed to the Virginia Department of Historic Resources ("DHR") of record in the Clerk's Office of the Albemarle County Circuit Court in Deed Book 1970, page 412, and the Deed of Easement

conveyed to the Virginia Outdoors Foundation ("VOF") of record in the aforesaid Clerk's Office in Deed Book 2894, page 76, each as applicable.

e. The easement on the Shadwell Quarter Farm shall be previously approved in writing by DHR and/or VOF, as applicable, with regard to any portion of the Shadwell Easement Area which is subject to the Deed of Easement from the Foundation to DHR or the Deed of Easement from the Foundation to VOF.

f. The Foundation may expressly reserve the following: (i) a right of access for ingress and egress to and from the Easement Areas from other parcels the Foundation owns for the benefit of the Foundation; (ii) an easement for drainage from any of the Foundation's stormwater control facilities through the Easement Areas; (iii) for riparian rights in the Rivanna River for the benefit of the Foundation; (iv) the right to physically restrict access by the public to other portions of the Shadwell Quarter Farm and the Lego Quarter Farm, or any other parcels the Foundation owns, as may be necessary or appropriate in the Foundation's discretion to protect any historical artifacts or features on such parcels; and (v) for crossings of the greenway trail and use of the Easement Areas outside of the greenway trail for other purposes reasonably stipulated by the Foundation, including but not limited to interpretation of historically significant areas that may be present within the Easement Areas.

g. The Foundation may expressly reserve in the Shadwell Quarter Farm deed of easement a right of access for the benefit of the County through the Shadwell Quarter Farm in an area reasonably agreeable to the Foundation, for access to and from the Shadwell Easement Area for greenway trail maintenance and for emergency purposes, provided that no activities inconsistent with the Deed of Easement from the Foundation to DHR shall be carried out within the Shadwell Easement Area.

h. The Foundation shall not be responsible for the construction, operation, maintenance, expense or policing of the Easement Areas as portions of the County's Greenway Trail Park.

i. Upon the approval of ZTA 2004-03 and ZMA 2004-05, employees, agents and independent contractors of the County shall have reasonable access to the Easement Areas for purposes of planning the greenway trail, provided that no earth shall be disturbed, nor any vegetation cleared within the Easement Areas without the prior consent of the Foundation, and provided further that no activities inconsistent with the Deed of Easement from the Foundation to DHR shall be carried out within the Shadwell Easement Area.

j. The County shall notify the Foundation at least six (6) months prior to disturbing any land within the Easement Areas. Upon such notice, the Foundation will either cause a Phase I archeological study to be conducted at its expense within the Easement Area proposed for disturbance if the Foundation deems such a study necessary, or it will authorize the County to move forward with such planned land disturbance.

k. The trail surface shall be not more than 10 feet wide within a clear zone (12 feet wide and 8 feet high), shall be unpaved and shall utilize only natural materials. The trail will be a "Class B" trail pursuant to County standards.

l. The precise location of the trail within the Easement Areas will be mutually agreed upon by the Foundation and the County.

m. Any construction, grading or other disturbance by the County within the Shadwell Easement Area must be approved in advance in writing by DHR with regard to any portion of the Shadwell Easement Area which is subject to the Deed of Easement from the Foundation to DHR.

n. The Foundation will be responsible for the administrative costs of drafting the deeds of easement, the easement plats, any surveys of the Easement Areas, and recordation costs.

o. If the County has not commenced construction of the greenway trail within the Lego Quarter Farm within 20 years of the Foundation's conveyance of the easement thereon, and completed such trail within 22 years of the conveyance, upon request by the Foundation, the County shall release all of its interest in the easement, at no expense to the Foundation, unless the Foundation and the County shall agree to another permissible use by the County for the Easement Area.

p. If the County has not commenced construction of the greenway trail within the Shadwell Quarter Farm within 20 years of the Foundation's conveyance of the easement thereon, and completed such trail within 22 years of such conveyance, upon request by the Foundation, the County shall release all of its interest in the easement, at no expense to the Foundation, unless the Foundation and the County shall agree to another permissible use by the County for the Easement Area.

q. If the County terminates the Greenway trail program, upon request by the Foundation, the County shall release all of its interest in the easements, at no expense to the Foundation, unless the Foundation and the County shall agree to another permissible use by the County for the Easement Areas.

r. When negotiating the deeds of easement pursuant to this paragraph 1 of this proffer statement, the County and the Owner may mutually agree to modify the terms and conditions hereof.

2. Prior to the approval of a final site plan for the proposed Monticello Visitors Center as shown on the Application Plan, the Owner shall make improvements to the existing Monticello exit onto Route 53 as necessary to provide for the turning movement of a "BUS-45" vehicle onto Route 53 without crossing the opposing lane of traffic, to the reasonable satisfaction of the Albemarle County Engineer and the Virginia Department of Transportation.

WITNESS the following signature:

THOMAS JEFFERSON FOUNDATION, INC.

By: _____
Daniel P. Jordan, President

* * * * *

Exhibit A

Application Plan

* * * * *

Exhibit B

Section 8.5.5.3 of the Zoning Ordinance in Effect on the date of this Proffer Statement

ORDINANCE NO. 05-18(7)

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE I, GENERAL PROVISIONS, ARTICLE II, BASIC REGULATIONS, AND ARTICLE III, DISTRICT REGULATIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article I, General Provisions, Article II, Basic Regulations, and Article III, District Regulations, of the Code of the County of Albemarle are amended and reordained as follows:

By Amending:

- Sec. 3.1 Definitions
- Sec. 10.2.2 By special use permit
- Sec. 12.2.2 By special use permit
- Sec. 13.2.2 By special use permit
- Sec. 14.2.2 By special use permit
- Sec. 15.2.2 By special use permit
- Sec. 16.2.2 By special use permit
- Sec. 17.2.2 By special use permit
- Sec. 18.2.2 By special use permit
- Sec. 19.3.2 By special use permit

By Adding:

- Sec. 5.1.42 Historical centers

Chapter 18. Zoning

Article I. General Provisions

Sec. 3.1 Definitions

The following definitions shall apply in the administration and enforcement of this chapter:

...

Community center: A place, structure, area or facility used for cultural, educational and/or recreational activities, which is open to the public and intended to serve the local community. A community center is different from a neighborhood center, which is a use that is typically accessory to a residential development.

...

Historical center. One or more buildings, structures or facilities designed and/or used for educational and/or interpretative activities related to natural, cultural, or agricultural history which are open to the public and located at or adjacent to a historic resource. For purposes of this definition, a "historic resource" is a district, site, building or structure with architectural, engineering, archaeological, or cultural remains present, which possesses integrity of location, design, setting, materials, workmanship, and association, and which is associated with one or more of the following historical or cultural themes: (i) events that have made a significant contribution to the broad patterns of local, state or national history; (ii) the lives of persons significant in local, state or national history; (iii) the embodiment of distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values; or that represent a significant and distinguishable entity whose components may lack individual distinction; or (iv) yielding information important to prehistory or history.

...

Article II. Basic Regulations

Sec. 5.0 Supplementary Regulations

Sec. 5.1.42 Historical centers.

Each historical center shall be subject to the following:

- a. *New historical center structures.* Newly constructed structures for historical centers shall be limited to one thousand five hundred (1,500) square feet in size, aggregate, including interpretative space and accessory uses within such structures.
- b. *Rehabilitation or construction on historic structures or sites to be used for historical center structure.* The rehabilitation of historic structures and sites to be used for historical centers shall be completed to the satisfaction of the Virginia Department of Historic Resources (DHR) as demonstrated by a letter to the county. The design and siting of any proposed accessory uses and visitor amenities at a historic structure or site shall also be approved by DHR.
- c. *Minimum side and rear yards.* Notwithstanding any other provision of this chapter, the minimum side yard and rear yard shall be fifty (50) feet; provided that there shall be no minimum side yard or rear yard if the side or rear lot lines are shared with another lot that is part of the historical center; and further provided that greater side yards or rear yards may be required by the site plan agent if deemed necessary because of site-specific conditions, and that lesser side yards and rear yards may be allowed to facilitate the rehabilitation or reuse of a historic structure or site.
- d. *Site plan.* A site plan is required for a historical center. In addition to any requirement of section 32: (i) the site plan agent may impose additional reasonable standards of development as conditions of final site plan approval; (ii) the owner shall submit photographic documentation of existing site conditions with the preliminary site plan; and (iii) the site plan agent may require the applicant to submit a Phase 1 archaeological survey of the areas of the site proposed for the historical center use prior to final site plan approval.
- e. *Items for display.* Items for display shall be related to the significance of the historic resource to be interpreted and shall relate to past or present people, places, things, or events in the county.
- f. *Primary uses.* The educational and interpretative activities that are permitted primary uses include, but are not limited to, passive display, active demonstration including tours, public participation in activities, educational classes, and research.
- g. *Accessory uses.* Not more than ten percent (10%) of the total floor area of a historical center structure may be devoted to uses other than the educational and interpretive activities provided in subsection (f). A floor plan shall be submitted with the special use permit application to ensure that this requirement is met. Accessory uses may include, but are not limited to, administrative offices and shops and facilities such as gift shops, book stores, and accessory food sales such as luncheonettes, snack bars, or refreshment stands.
- h. *Operations.* The operation of each historical center shall be subject to the following: (i) daily tours of a historical center shall be permitted; (ii) the normal hours that the historical center is open to the public shall be limited to daylight hours only, dawn until dusk; and (iii) an outdoor amplified sound system shall be prohibited at all times.
- i. *Special events.* Special events are authorized by special use permit only, either as part of the special use permit authorizing the historical center or by a separate special use permit.
 1. For purposes of this section, a *special event* is an event conducted at a historical center on a single day for which attendance is allowed only by invitation or reservation and whose participants do not exceed one hundred fifty (150)

persons; *special events* are limited to events conducted for the purpose of promoting the mission of the historical center.

2. In addition to all other special use permit application requirements in section 31.2.4, the application shall describe the nature of the special events.
 3. The special use permit: (i) shall identify the number of approved special events per year, which number shall not exceed twelve (12); (ii) may authorize specific special events, classes of special events, or a combination thereof; and (iii) may include reasonable conditions relative to the special events as authorized under section 31.2.4.3.
- j. *Festivals*. Festivals are authorized by special use permit only, either as part of the special use permit authorizing the historical center or by a separate special use permit.
1. For the purposes of this section, a *festival* is an event conducted at an historical center for up to three (3) consecutive days which is open to the general public and conducted for the purpose of promoting the mission of the historical center.
 2. In addition to any other special use permit application requirements in section 31.2.4, the application shall describe the nature of the festivals.
 3. The special use permit: (i) shall identify the number of approved festivals per year, which number shall not exceed four (4); (ii) may authorize specific festivals, classes of festivals, or a combination thereof; and (iii) may include reasonable conditions relative to the festivals as authorized under section 31.2.4.3.
 4. The owner shall obtain a zoning compliance clearance prior to conducting a festival at which more than one hundred fifty (150) persons will be allowed to attend. A single zoning compliance clearance may be obtained for one (1) or more such festivals as provided herein:
 - a. The owner shall apply for a zoning compliance clearance at least thirty (30) days prior to the date of the first festival to be authorized by the zoning compliance clearance. The application shall be submitted to the zoning administrator, who shall forward copies of the application to the county police department, the county department of fire and rescue, and the local office of the Virginia Department of Health;
 - b. The application shall describe the nature of each festival to be authorized by the zoning compliance clearance, the date or dates and hours of operation of each such festival, the facilities, buildings and structures to be used, and the number of participants allowed to attend each festival;
 - c. Upon a determination that all requirements of the zoning ordinance are satisfied, and imposing all conditions of such approval required by the offices identified in subsection 5.1.42(j)(4)(a), the zoning administrator shall issue a zoning compliance clearance for one or more festivals. The zoning compliance clearance shall be conditional upon the owner's compliance with all requirements of the zoning ordinance, all conditions of the approved special use permit, the approved site plan, and all conditions imposed by the zoning compliance clearance; and
 - d. The zoning administrator may issue a single zoning compliance clearance for two (2) or more festivals if: (i) the application submitted by the owner includes the required information for each festival to be covered by the zoning compliance clearance; (ii) the zoning administrator determines that each such festival is substantially similar in nature and size; and (iii) the zoning administrator determines that a single set of

conditions that would apply to each such festival may be imposed with the zoning compliance clearance.

Article III. District Regulations

Sec. 10.2.2 By special use permit

...

49. Historical centers, historical center special events, historical center festivals (reference 5.1.42).

Sec. 12.2.2 By special use permit

...

17. Historical centers, historical center special events, historical center festivals (reference 5.1.42).

Sec. 13.2.2 By special use permit

...

13. Historical centers, historical center special events, historical center festivals (reference 5.1.42).

Sec. 14.2.2 By special use permit

...

15. Historical centers, historical center special events, historical center festivals (reference 5.1.42).

Sec. 15.2.2 By special use permit

...

17. Historical centers, historical center special events, historical center festivals (reference 5.1.42).

Sec. 16.2.2 By special use permit

...

17. Historical centers, historical center special events, historical center festivals (reference 5.1.42).

Sec. 17.2.2 By special use permit

...

19. Historical centers, historical center special events, historical center festivals (reference 5.1.42).

Sec. 18.2.2 By special use permit

...

19. Historical centers, historical center special events, historical center festivals (reference 5.1.42).

Sec. 19.3.2 By special use permit

...

11. Historical centers, historical center special events, historical center festivals
(reference 5.1.42).

ORDINANCE NO. 05-18(6)

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE III, DISTRICT REGULATIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article III, District Regulations, of the Code of the County of Albemarle is amended and reordained as follows:

By Amending:

Sec. 30.2.1 Intent
 Sec. 30.2.2 Application
 Sec. 30.2.3 Definitions

Chapter 18. Zoning**Article III. District Regulations****Sec. 30.2.1 Intent**

The airport impact area ("AIA") overlay district is created in recognition of: airport related hazards which may endanger lives and property; obstructions which effectively reduce air space required for take-off, landing and maneuvering of aircraft, thereby reducing the utility of the Charlottesville-Albemarle Airport and the public investment therein; and noise from aircraft operations which may adversely affect the health of persons and the peaceful use and enjoyment of property. It is the intent of this overlay district to minimize the creation of physical, visual and other obstructions to the safe operations of the airport facility and to minimize adverse airport-related impacts on persons and properties in the vicinity. The AIA overlay district shall consist of the airport protection area, runway protection zone ("RPZ") and the AIA noise impact area.

(Ord. 05-18(6), 6-8-05)

Sec. 30.2.2 Application

The AIA overlay district is hereby created and designated generally on the zoning map and specifically on the Airport Airspace Drawing-Part 77, as amended, and on the Existing Noise Contours Map (2002), of the Charlottesville/Albemarle Airport Master Plan, as amended ("Airport Airspace Drawing-Part 77" and "Existing Noise Contours Map (2003)", respectively). Copies of these documents shall be available in the office of the zoning administrator.

(Ord. 05-18(6), 6-8-05)

Sec. 30.2.3 Definitions

The following definitions shall apply in the interpretation and implementation of this section 30.2:

- (1) *AIA noise impact area.* The term "AIA noise impact area" means all land within the 65 DNL contour as delineated on the Existing Noise Contours Map (2003).
- (2) *Airport protection area.* The term "airport protection area" means the imaginary conical, horizontal, transitional and approach surfaces as delineated and/or described on the Airport Airspace Drawing-Part 77.
- (3) *Primary surface.* The term "primary surface" means a surface longitudinally centered on a runway. The primary surface for Runway 3-21 extends two hundred (200) feet beyond each end and is

one thousand (1,000) feet wide. The elevation of the primary surface is the same as the elevation of the nearest point on the runway centerline.

(4) *Runway protection zone.* The term “runway protection zone” means an area at ground level underlying a portion of the FAR Part 77 imaginary runway approach surface and extending to a point on the ground where the elevation of the approach surface reaches fifty (50) feet above the runway end elevation. The runway protection zone is trapezoidal in shape and centered about the extended runway centerline, with dimensions for a particular runway end defined by the type of aircraft and approach visibility minimum associated with that runway end. The runway protection zone typically begins two hundred (200) feet beyond the end of the runway area usable for takeoff and landing, and extends from the ends of the primary surface. At the Charlottesville-Albemarle Airport, the dimensions of the runway protection zone for Runway 3 are one thousand (1,000) feet (inner width), one thousand seven hundred fifty (1,750) feet (outer width) and two thousand five hundred (2,500) feet (length); the dimensions of the runway protection zone for Runway 21 are one thousand (1,000) feet (inner width), one thousand five hundred ten (1,510) feet (outer width) and one thousand seven hundred (1,700) feet (length).

(5) *Safety area.* The term “safety area” means the airport primary surface and the runway protection zone at each end of the runway as shown on the Airport Lay-Out Plan.

(Ord. 05-18(6), 6-8-05)