

**CITY OF CHARLOTTESVILLE  
NEIGHBORHOOD DEVELOPMENT SERVICES**



**Community Engagement Meeting Requirements (during COVID 19 Emergency)**

Approved by City Council July 20, 2020

---

The following procedures will apply to the following Community Engagement Meetings (“Community Meetings”):

1. Community Meetings required in connection with applications seeking rezonings including Planned Unit Developments (PUDs) per City Code Section 34-41(c)(2), and special use permits (SUP) per City Code Section 34-158(a).
2. Public Site Plan Conferences (also referred to as “Community Meetings”, for purposes of these procedures) per City Code Section 34-821.

The purposes of a community meeting are to provide citizens an opportunity to receive information about a proposed project, about applicable zoning processes and procedures, about applicable policies of the comprehensive plan and city ordinances or regulations that may apply to the project, and to give citizens an opportunity to ask questions about the project.

The following procedures are designed to ensure adequate community engagement and opportunities for public comment on zoning and development applications, while protecting public health and safety during the continuing state of emergency declared by the City Manager on March 12, 2020 for the COVID-19 pandemic.

**1. Responsibility for Hosting and Conducting Electronic Community Meetings**

**A. *Rezoning and SUPs***

It is the responsibility of the landowner(s) who is/are the applicant to schedule, host, set up, advertise and conduct the required Community Meeting.

**B. *Site Plans***

Neighborhood Development Services (NDS) staff shall be responsible for scheduling, hosting, advertising, and conducting the electronic Community Meetings for Site Plan Conferences.

## 2. **Format**

### A. ***Rezoning and SUPs***

1. Due to the potential limitations of members of the public to engage in a virtual meeting format, the applicant must provide both a virtual community meeting and the opportunity for citizens to provide comments by electronic and U.S. mail, first-class, postage pre-paid (“USPS Mail”).
2. The window of opportunity for citizens to mail in comments shall be a minimum of 45 days from the mailing of written notices (see section 4, below).
3. The applicant shall choose an electronic virtual meeting platform that satisfies all of the following criteria:
  - a. Members of the public may participate by video conferencing via the internet, free of charge, and
  - b. Members of the public shall also be given the opportunity to join via telephone, free of charge, instead of via the internet, and
  - c. All members of the public shall be afforded the opportunity to register to attend the meeting, regardless of their location, and
  - d. The platform chosen by the applicant must allow a means by which concept plans, illustrations, building elevations, photographs, etc. may be shared electronically with the public who attend the meeting, and
  - e. The platform chosen by the applicant must allow all participants the ability to present verbal questions and comments, and
  - f. The platform chosen by the applicant must provide a means by which the meeting can be recorded (including all questions and comments provided by persons who use the telephone dial-in option).
4. The applicant as well as the applicant’s design professionals shall attend the virtual community meeting.
5. The basic agenda for each meeting shall be as follows:
  - a. Introduction of Applicant and Design Professional—verbally provide names of legal entities (such as companies or LLC’s) as well as names of the individuals who are the real parties in interest. For example: ABC, LLC, by Joe Smith, its sole member; or ABC Engineering Consultants, by Joe Smith, Project Engineer.
  - b. Project Overview—to be provided verbally, supplemented by concept plans, illustrations, building elevations, maps, photographs, etc. The following information, at a minimum, shall be included:
    - i. Identification of the Subject Property by its classification on the City’s Long Range Land Use Map (Comprehensive Plan) and by its current Zoning District Classification.
    - ii. Identification of the number and types of housing units and other uses within the proposed project, the height and general size(s) of the housing units and other buildings, and an explanation of the reason(s) why the rezoning or SUP

is necessary in order for the project to be constructed as proposed by the applicant.

- iii. If the Subject Property is within an overlay district, such as an Architectural Design Control District or an Entrance Corridor District, the district shall be identified and the applicant shall provide a description of the characteristics of the design control district, based on the description of the district contained in the City's Historic District Guidelines.
  - iv. Identify any waiver(s) the applicant will be requesting of generally-applicable zoning requirements (critical slope waivers, sidewalk waivers, etc.)
  - v. Identify any amenities that will be part of the project (open space, affordable housing, special parking arrangements, etc.)
  - vi. If affordable housing will be included, state whether the applicant is subject to the requirements of City Code Section 34-12 and if so, identify generally the number of units that would be required based on gross floor area (GFA) of the project if built out as proposed. If Section 34-12 does not apply, or if the applicant proposes to provide more affordable dwelling units than required by Section 34-12, describe the applicant's specific proposal.
- c. Question and Answer Period for the public attending the Community Meeting:
- i. Each person who wishes to speak or ask questions shall be given no less than three (3) minutes, not counting time used by the applicant to respond.
  - ii. Applicant shall arrange for at least one (1) person to "moderate" the question and answer period, by calling upon individuals who wish to speak, keeping track of time, assisting with and resolving technical problems, etc. Before beginning the question and answer period, the moderator shall announce that all questions shall be limited to the proposal being discussed.
  - iii. Questions shall be responded to by applicant, applicant's design professional, or other person(s) designated to speak as the applicant's agent.

**B. *Site Plans***

NDS shall conduct the Site Plan Conference using a format that can be recorded and available for review by members of the public following the date of the conference. Additionally the format of the conference shall satisfy the requirements of 2(A)(3), above.

Due to the potential limitations of members of the public to engage in a virtual meeting format, the opportunity for citizens to provide comments by email and by USPS mail shall be provided. The window of opportunity for written comments (email or USPS mail) shall be 30 days from the date on which the site plan conference is conducted by NDS staff (see section 4, below). NDS staff shall choose a virtual meeting platform that is free to participants and allows participants to join via telephone instead of online. All

interested parties shall be allowed to register to attend the virtual community meeting, regardless of the party's location.

### **3. Scheduling**

#### **A. *Rezoning and SUPs***

The applicant shall schedule the virtual community meeting outside of regular business hours. Weeknights between 5:30-8:00 p.m. are preferable. Federal or religious holidays shall not be used for virtual community meetings. The applicant shall include a 30 minute minimum "buffer" extension on their reservation on the chosen virtual meeting platform in the event additional time is required to provide participants adequate opportunity to speak.

The applicant is responsible for setting up the time, date and any necessary hardware/software needed to host and conduct an electronic/telephone Community Meeting. Applicant shall obtain the approval of the NDS Director, or designee, that the Applicant's preferred date and time satisfy the requirements of this section prior to conducting the community meeting.

#### **B. *Site Plans***

Site plan conferences are routinely held on the first and third Wednesdays of each month, per City Code Section 34-821. However, additional conference dates may be set by NDS adequate notice to affected persons. The applicant or their designated representative, as well as the design professionals involved in the project, shall attend the site plan conference (community meeting) by video conference, and shall be prepared to present verbal information as well as drawings, sketches, illustrations and photos as part of the video conference. NDS staff shall record each conference, and any member of the public who wishes to listen or watch the conference during the 30-day comment period following the conference may do so.

### **4. Public Advertisement and Written Notices**

#### **A. *Rezoning and SUPs***

The applicant will mail via USPS application review materials (as approved by staff) and notice of the community meeting to a list of addresses provided by the City. The address list will include all landowners and occupants (if different than property owner) within 500 feet of the Subject Property, as well as neighborhood association contacts. The applicant shall also provide a copy of the packet to the NDS planner by email and USPS mail.

The mailing of the notice and application packet must be mailed at least 14 calendar days prior to the date of the Community Meeting. Materials must be approved by the NDS Director or designee prior to mailing. The applicant is responsible for the cost of the mailing.

The application packet shall include:

1. A cover letter summarizing the application and providing full contact information for the applicant, including mailing address, telephone number, and email address.
2. A written synopsis as well as an illustrative/graphic of the proposal for the rezoning or SUP application, showing sufficient visuals and detailed information to facilitate understanding of the potential project. This may include site or conceptual plans and supplemental information. Colorized materials (such as conceptual plans or illustrative graphics) shall be provided in a colorized format unless greyscale documents are approved by the NDS planner. Materials must be approved by the NDS Director or designee prior to mailing. City Code Section 34-827 requires site plans to be submitted at a scale of 1:20. However, if this scale results in document sizes which will be difficult to mail, NDS may approve an alternate scale to allow for reduced size mailings. If the applicant desires to provide materials at a reduced scale, the NDS planner and ADA Coordinator must approve the reduced scale prior to mailing. The applicant will need to provide additional reasonable accommodations if requested.
3. Postage paid self-addressed envelopes for citizens to provide written comment to the applicant. A minimum of 45 calendar days shall be provided from the date of mailing for citizens to return written comments by email and USPS mail. The notice letter shall identify the deadline for receipt of written comments.
4. The applicant shall have available, at the time of mailing, all materials in PDF format to be provided to the community as requested. The applicant must provide the PDF materials to the NDS planner at the time of the mailing.

**B. *Site Plans***

In the application packet, the applicant will provide materials for distribution by NDS staff in advance of the Site Plan Conference. The applicant shall confirm with the NDS planner prior to submission the quantity of materials required for distribution. The materials shall include the following documents and shall be submitted in compiled packages, each within an unsealed envelope ready for distribution by staff:

1. A cover letter summarizing the proposed development and providing full contact information for the applicant, including mailing address, telephone number, and email address.
2. A copy of the proposed site plan. City Code Section 34-827 requires site plans to be submitted at a scale of 1:20. However, if this scale results in document sizes which will be difficult to mail, NDS may approve an alternate scale to allow for reduced size mailings. If the applicant desires to provide materials at a reduced scale, the NDS planner and ADA Coordinator must approve the reduced scale prior to submission.

The applicant will need to provide additional reasonable accommodations if requested.

3. Postage paid self-addressed envelopes for citizens to provide written comment to the applicant. A minimum of 30 calendar days shall be provided from the date of mailing for citizens to return written comments by email and USPS mail. The notice letter shall identify the deadline for receipt of written comments.
4. At the time of submission, the applicant shall provide to the NDS planner all materials in PDF format to be provided to the community as requested.

## **5. Documentation**

### ***A. ZMAs and SUPs***

Community meetings shall be documented by the applicant as follows:

1. At least seven (7) calendar days prior to the meeting, the applicant will provide the city with a sworn affidavit confirming that the mailing was completed in a timely manner and attaching the mailing list.
2. On the date of the meeting, the applicant shall record the meeting. The applicant shall provide the NDS planner with a link to the recording of the meeting and a record of all registered attendees from the meeting platform. The meeting link must remain publicly accessible throughout the review process.
3. At the end of the public comment window, the applicant shall compile all written comments received by email and by USPS Mail, and shall send them (all at once, packaged together) to the NDS planner. If submitted electronically to the planner, all comments shall be compiled into a single electronic document in PDF format.

### ***B. Site Plans***

Virtual community meetings and notification shall be documented by NDS using the following protocols:

1. At least five (5) calendar days prior to the meeting, NDS staff will place an affidavit into the application file, confirming that the mailing was completed in a timely manner.
2. On the date of the meeting, NDS staff shall make records of attendance and shall also document that the meeting occurred through recordation or other evidence. The NDS planner shall maintain a record of all registered attendees.
3. At the end of the 30-day public comment window, the applicant shall send to the NDS planner all written comments which were sent directly to the applicant. If submitted electronically to the planner, all comments shall be compiled into a single electronic document, in PDF format.

## **6. Completion**

The Community Meeting requirement for a rezoning or SUP is not completed until the NDS planner has received all documentation required by these procedures.