



## City of Petersburg Virginia

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### March 19, 2024 - Regular City Council Meeting

March 19, 2024  
Petersburg Public Library  
201 West Washington Street  
Petersburg, VA 23803  
5:00 PM

#### City Council

Samuel Parham, Mayor – Ward 3  
Darrin Hill, Vice Mayor – Ward 2  
Marlow Jones, Councilor – Ward 1  
Charles Cuthbert, Jr., Councilor – Ward 4  
W. Howard Myers, Councilor – Ward 5  
Annette Smith-Lee, Councilor – Ward 6  
Arnold Westbrook, Jr., Councilor – Ward 7

#### City Administration

John "March" Altman, Jr. - City Manager  
Anthony Williams - City Attorney

1. Roll Call
2. Prayer
3. Pledge of Allegiance
4. Determination of the Presence of a Quorum
5. Proclamations/Recognitions/Presentation of Ceremonial Proclamations
  - a. Proclamation Recognizing Dr. Daphne Bazile-Harrison
6. Responses to Previous Public Information Posted
7. Approval of Consent Agenda (to include minutes of previous meetings):
  - a. March 5, 2024 – Work Session Meeting Minutes
8. Official Public Hearings
9. Public Information Period

A public information period, limited in time to 30 minutes, shall be part of an Order of Business at each regular council meeting. Each speaker shall be a resident or business owner of the City and shall be limited to three minutes. No speaker will be permitted to speak on any item scheduled for consideration on the regular docket of the meeting at which the speaker is to speak. The order of speakers, limited by the 30-minute time period, shall be determined as follows:

- a. First, in chronological order of the notice, persons who have notified the Clerk no later than 12:00 noon of the day of the meeting,
  - b. Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting removed from consent agenda
10. Business or reports from the Mayor or other Members of City Council
11. Items removed from Consent Agenda
12. Finance and Budget Report

- a. Consideration of an Ordinance Amending the FY24 City General Fund Budget – 2<sup>nd</sup> Reading

**13. Unfinished Business**

- a. A public hearing and consideration of an ordinance to amend and readopt Article 3, Definitions, and Article 19, Off-Street Parking Regulations, to clarify the requirement of driveways for low-density housing at the request of the Planning Commission. **(Page 111)**
- b. Presentation and Update on the 2024 Employee Health Insurance.

**14. New Business**

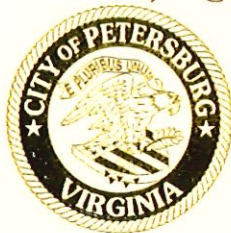
- a. 2023-ZTA-02: A request to schedule a public hearing on the consideration of an ordinance to amend and readopt Article 21, Sign Regulations, to regulate and allow for sandwich board/A-frame signs. **(Page 23)**
- b. Property Purchase Requirement
- c. Lease Payment Distribution / Funds Allocation Process
- d. Consideration of Appointment(s) to the Planning Commission
- e. Congressional Community Project Funding (CPF) Grant for Ferndale Park Upgrades

**15. City Manager's Report and Special Reports**

**16. Business or reports from the Clerk**

**17. Business or reports from the City Attorney**

**18. Adjournment**



# Proclamation

**WHEREAS**, Daphne Bazile-Harrison, M.D., has demonstrated unwavering dedication as a physician specializing in Obstetrics and Gynecology, with a focus on high-risk pregnancy, adolescent health, and cancer prevention; and

**WHEREAS**, Dr. Bazile-Harrison has shown remarkable commitment to serving the underserved and disadvantaged populations in Petersburg and the surrounding region; and

**WHEREAS**, in 2017, Dr. Bazile-Harrison reached out to Petersburg Councilwoman Treska Wilson-Smith to address her concerns about the elevated rate of cancer in younger women and to advocate for early detection practices; and

**WHEREAS**, Dr. Bazile-Harrison, through her tireless efforts, played an integral role in establishing the "Pink Party" in collaboration with Southside Medical Center, wherein city employees are provided with educational lunch and learn sessions on cancer prevention each October, followed by mammograms for early detection; and

**WHEREAS**, Dr. Bazile-Harrison's influence has broadened health initiatives in the City of Petersburg with Bon Secours Southside Medical Center, offering year-round cancer prevention lunch and learn sessions for city employees.

**NOW, THEREFORE, I**, Samuel Parham, Mayor of the City of Petersburg, extend heartfelt thanks and commendation to Dr. Daphne Bazile-Harrison for her ongoing and impactful efforts aimed at enhancing the health and well-being of Petersburg citizens.

Dated: March 19, 2024

BY

A handwritten signature in black ink, appearing to be "SP", written over a horizontal line.

Samuel Parham, Mayor

ATTEST:

A handwritten signature in black ink, appearing to be "Tangi R. Hill", written over a horizontal line.

Tangi R. Hill, Acting Clerk to the Council



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** March 19, 2024  
**TO:** The Honorable Mayor and Members of City Council  
**THROUGH:** March Altman, Jr., City Manager  
**FROM:** Tangi Hill  
**RE:** March 5, 2024 – Work Session Meeting Minutes

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**PURPOSE:**

**REASON:** Minutes of March 5, 2024 - Special Work Session

**RECOMMENDATION:** To approve minutes with consent agenda.

**BACKGROUND:** See attached information.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 3/19/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. March 5, 2024 - Work Session Meeting Minutes



The work session meeting of the Petersburg City Council was held on Tuesday, March 5, 2024, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:02 p.m.

**1. ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr.  
Council Member Marlow Jones (Arrived at 5:08 p.m.)  
Council Member Annette Smith-Lee  
Council Member Arnold Westbrook, Jr.  
Vice Mayor Darrin Hill  
Mayor Samuel Parham

Absent: Council Member W. Howard Myers

Present from City Council Administration:

City Manager John March Altman, Jr.  
City Attorney Anthony C. Williams  
Acting City Clerk Tangi R. Hill

**2. PRAYER:**

Vice Mayor Hill led the Council meeting in prayer.

**3. PLEDGE OF ALLEGIANCE:**

Mayor Parham led the Council and the citizens in the pledge of allegiance.

**4. DETERMINATION OF THE PRESENCE OF A QUORUM:**

A quorum was present.

**5. PUBLIC COMMENTS:**

Charles Funk, 1711 Midway Avenue, owns a warehouse between the former Southern States and Kings Barbecue buildings off of Washington Street. The purchase of the property included a fenced in parking. Mr. Funk spoke regarding the denial of a special use permit allowing a towing business to operate on his fenced parking lot property. He asked Council to reconsider their decision. He noted that the young man currently has a lease in place for the property, which was required by the Planning Department for his special use permit application. He added that the vehicles are being disposed behind the property at the metal recycling business. Mr. Funk asked Council Member Westbrook to reconsider the special use permit, since it was in his ward. Mayor Parham informed Mr. Funk that Council Member Westbrook would meet with him after the meeting.

Council Member Jones arrived at 5:08 p.m.

Ken Pritchett, 1113 Overbrook Road, spoke regarding the West High Street area. He stated that there is a lot of redevelopment, renovation, and restoration in that area. He has a house in the area that has been under contract, adding a new roof, since last July. Approval was sought from the Architectural Review Board, which was denied at that time. He thanked Council for reconsidering an ordinance to remove the requirement of a house that has been vacated for a minimum of two years to be resorted back to a single-family dwelling. He asked Council to consider downgrading that area from a Historic District to something amenable to get houses restored. He also asked Council to request amendments to the Department of Interior requirements for restoration of properties.

Mr. Pritchett asked Council if the Puddle Duck Road traffic light timing could be increased.

Barb Rudolph, 1675 Mt. Vernon Street, spoke regarding Exit 52. She stated that a few years ago the nearly \$2 million dollars was spent on bridge improvements, with the red waves and landscaping. She asked if the City received any "mileage out of that". She noted that the City owns the Ramada Inn and Holiday Inn properties, at approximately five acres and two acres respectively. She informed Council that the Howard Johnson site, at almost three acres, is scheduled to be sold by public auction on Wednesday, March 13. If the City obtained the Howard Johnson property, it would be a total of approximately 10 acres to consider as a site for the casino. She is not a casino fan; however, it is coming. She did not feel that the proposed location is the right place for it, nor will it do the most for Petersburg. She suggested that Council consider looking at the Exit 52 area. She added that there are many advantages to this area, including alleviating the blighted parts of Blanford and enhancing what is in the downtown Master Plan, which is to bring visitors to downtown. This area is close to Virginia State and the train station. Ms. Rudolph reported that the daily traffic count at Wagner Road and I-95 is 53,000 and at Exit 52 is 108,000. She added that locating the casino at Exit 52 would attract people traveling from I-85, 460 East, and 460 West.

Robert Anderson, 549 N. Azalea Road, spoke regarding the new real estate tax reassessment method. On a fixed income, his taxes increased by almost 70%, which is about \$900 a year. He requested Council reduce the tax rate.

Gary Talley, 2323 Fort Rice Street, asked Council to consider establishing a local emergency planning committee. He volunteered to serve on this committee. He stated that FEMA requires a local emergency planning committee to plan for disasters and shelters. He added that if a shelter is not in place, the City is in jeopardy, by federal law, of losing funding. He expressed how fortunate the City is to own its water and urged Council to not consider selling its water.

Hearing no one else, Mayor Parham concluded the public comment period.

**6. APPROVAL OF CONSENT AGENDA (TO INCLUDE MINUTES OF PREVIOUS MEETING/S):**

- a. Minutes:
  - February 20, 2024 – Closed Session Meeting Minutes
  - February 20, 2024 – Regular City Council Meeting Minutes
- b. 2023-ZTA-02: A Request to Schedule a Public Hearing on the Consideration of an Ordinance to Amend and Readopt Article 21, Sign Regulations, to Regulate and Allow for Sandwich Board/A-Frame Signs

Vice Mayor Hill made a motion to approve the consent agenda, as presented. Council Member Smith-Lee seconded the motion. The motion was approved on roll call of 6-0-0. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, and Parham; voting no: none; abstaining: none.

**7. SPECIAL REPORTS:**

- a. Project Pipeline Study: S. Crater Road, Wagner Road, and Rives Road

Naomi Siodmok, Director of Planning and Community Development; Liz McAdory, POC Study Lead, VDOT Richmond District; Satchin Katkar, PE, PMP, Project Manager, WSP; Kriston Belfield, PE, PTOE, Task Lead, WSP; and Samuel Hayes, PE, Contract Manager, WSP; provided City Council with an overview of the Project Pipeline Study that includes S. Crater, Wagner, and Rives Roads.

Key Notes:

- Prince George Economic Development provided Council with a letter of support for the project.
- Focuses on VTRANS Needs, which identifies and prioritizes capaCity and safety related

transportation needs for the next 10 years, both statewide and district. (Petersburg falls under the Richmond District.) The identified transportation needs may be addressed by projects, policies, or programs.

- The study area:
  - Wagner Road (S. Crater Road to Normandy Drive) 1.2 mi
  - S. Crater Road (Wagner Road to Rives Road) 1.1 mi
  - Rives Road (S. Crater Road to Lakeshore Drive) 1.4 mi
- Schedule:
  - Completed: Existing Conditions, Needs Identified, Concept Developed, and Alternative Analysis
  - Public Outreach – March 2024
  - Select Preferred Alternative – June 2024
  - Apply for Funding – July/August 2024. The application cycle that the City is applying for closes August 1. It will take about 6 years to complete the project, with the exception of Rives Road. Rives Road will take longer and be a part of a separate application.
  - Rives Road will require more in-depth study: VDOT Operations and Safety Analysis Report or Interchange Access Report
- Improvements Needed:
  - Improve Safety
  - Improve Multimodal Travel: Pedestrian, Bicycle, and Transit
  - Reduce Congestion
- S. Crater Road at Wagner Road/US-301 (S. Crater Road) Corridor
  - Improvements – Add northbound right turn bay; signal timing improvements
  - Safety – Signal equipment improvements; add crosswalks and pedestrian signals; and add intersection lights
  - Access Management and Safety – close one Subway driveway; close one Enterprise driveway; and restrict lefts out at Wawa
- Wagner Road at Normandy Drive/US-301 (S. Crater Road) Corridor
  - Operations – Add southbound right-turn bay; turn bay improvements (by others)
  - Safety – Add intersection lighting
- I-95/Rives Road Interchange (Option 2-Signalized Intersection Southbound Ramps)
  - Operations – Add Southbound right-turn by; Add roundabouts or traffic signal
  - Safety – Roundabouts and signal will also help with safety
  - Add intersection lighting and clearing out foliage
- Pedestrian Improvements – Corridor Wide - US 301 (S. Crater Road)
  - Add sidewalks along Wagner Road from S. Crater Road to Medical Park Blvd.
  - Add sidewalks for continuous sidewalk on both sides along S. Crater Road
  - Add or improve crosswalks
  - Add pedestrian signals
  - ADA Ramp Improvements
  - Shared Use Path – S. Crater Road at Walmart (by others)
- Another study is underway to address where I-85 and I-95 meet. It is on the same schedule.
- Plans for Wagner Road would be flexible enough to accommodate the potential casino, if needed.

Discussion was held between the City Council, staff, and consultants.

b. Presentation and Update on the 2024 Employee Health Insurance

Mary Jones, One Digital, provided Council with a presentation of the 2024 Employee Health Insurance. City Manager Altman stated that he is not seeking action of Council at this time. He will present this item at their March 19, 2024 meeting for consideration and action.

## Key Notes:

- A market study was conducted.
- Two new enhancements in The Local Choice
  - Hearing Benefit for Children
  - Healthy Families
- Aetna, Anthem, and Sentara all responded with qualified quotes (fully insured and self-funding).
- The most competitive quotes were The Local Choice (medical), Delta (dental), and Anthem (vision). Anthem was the most competitive for self-funded.
- Option A: Remain with The Local Choice and current options with no increase to the City or employees.
- Option B: Remain with The Local Choice. Keep the Key Advantage 1000, but replace the Key Advantage 500 with the Key Advantage 250. Share the increase with the employees due to adding the Key Advantage 250 plan. Total increase to the City is 11.1% or \$448,505. Total increase to the employees is 11/1% or \$121,795.
- Option C: Keep the Key Advantage 1000, but replace the Key Advantage 500 with the Key Advantage 250. City absorbs the increase due to adding the Key Advantage 250 plan. Total increase to the City is 11.1% or \$570,084. Total increase to the employees is 0.0%.
- Contributions to those carrying dependents is a pain point. The consultant can look at those contributing to those tiers having the City absorb more of the cost to make it more attractive recruitment/retention tool.
- Option D: Total increase to the City is 1.2% or \$40,680. Total increase to the employees is 2.0% or \$21,805. These are illustrative rates until Anthem underwriting provides final stop-loss rates. Final rates should be available in April. Conservatism for the first year built in due to moving to self-funding.
- There are only 4 employees on the family plan. Currently, the 1000 plan costs for employee only is \$115/month; spouse and 1 child is \$523.04; family is \$910.80. There are 4 employees who are on the family plan and 7 employees and spouse or 1 child. The 500 25 covers family or employee children. 30 employee spouse or employee 1 child.
- Mayor Parham asked City Manager Altman to build out in the coming budget covering the cost for employees and half for families. He also asked the City Manager to get a list of what other localities offer to incentivize these benefits.
- April 1<sup>st</sup> is the renewal date. City Manager Altman will email proposed rates to Council. He is willing to hold meetings with Council, in pairs of two, to discuss if desired.

Discussion between the City Council, staff, and consultants was held.

c. Presentation and Report on Employee Health Insurance Renewal

(This agenda item was the same as the previous agenda item.)

8. **MONTHLY REPORTS:**

There were no items for this portion of the agenda.

9. **FINANCE AND BUDGET REPORT:**

There were no items for this portion of the agenda. City Manager Altman informed Council that a robust report will be provided in April.

10. **CAPITAL PROJECTS UPDATE:**

There were no items for this portion of the agenda.

**11. UTILITIES:**

There were no items for this portion of the agenda.

**12. STREETS:**

There were no items for this portion of the agenda.

**13. FACILITIES:**

There were no items for this portion of the agenda.

**14. ECONOMIC DEVELOPMENT:**

a. Communication/Special Report Requested to Present the Petersburg Downtown Plan via Interface Studio

Interface Studio presented the Petersburg Downtown Plan.

Key Notes:

- The plan is available on the City's website.
- The survey will be placed on the website and remain available until April 5<sup>th</sup>.
- 150+ people attended 2 public visioning events.
- 320+ surveys completed and 30 interviews conducted.
- 5 Advisory Committee meetings.
- Biggest Issues Need to Address When Thinking About the Future of Downtown
  - Balancing history and preservation with growth and change.
  - Need to build a bigger customer base to support local businesses.
  - Aging infrastructure (roads, sidewalks, utilities, etc.)
  - Old building stock that requires significant investments.
  - Lack of capaCity to implement change.
  - The cost of implementing improvements.
  - Loss of housing affordability.
  - Risk of flooding.
- Five Key Goals
  - Open for Business – Support downtown's business community, and restores downtown's economic vitality and building stock.
  - Right at Home – Develop downtown as a livable neighborhood with parking as part of the mix.
  - Wander & Wonder – Foster lush and lovely connections throughout downtown to the river and farther afield that encourage people to walk, bike, and explore.
  - On the Map – Grown downtown as a destination for residents, students, service members, and visitors, and a place that people know about (and know how to find.)
  - Positioned for Success – Build capaCity for implementation and stewardship over time.
- The goals are organized into the Plan's 29 strategies. The strategies complement and reinforce the City's new comprehensive plan, "Petersburg Next".
- City Manager Altman stated that 2023 drainage study will be presented at the April meeting. The flooding issues will be included in the drainage study. The flood plain study and FEMA flood maps will also be addressed in the near future.

Discussion was held between the City Council, staff, and consultants.



15. **CITY MANAGER'S AGENDA:**

a. Presentation and Update from JMT on Poor Creek

Ben Anderson, JMT, presented the Southeast Petersburg Infrastructure Improvement Program review and update.

Key Notes:

- New PRVs
- Abandon existing force mains
- New larger force mains
- Rehab and expand WPPs
- New water booster PS
- New water transmission main
- New water storage tank
- Waiver was received for the wastewater project EPA grant non-federal match. \$6,000 will not have to be paid by the City.
- Approval for the environmental assessment for the waste water project was received.
- The low bidder was Landmark in the amount of \$8,287,000.
- Projects are on schedule to be constructed in 2025 and within budget. ARPA reimbursement #3 was received in the amount of \$400,000 and the next reimbursement #4 is scheduled within the next two months in the amount of \$100,000.
- The City received an award of under \$1 million dollars through congressional direct spending that will be used for the waste water force main project.

Discussion was held between the City Council, staff, and consultant.

City Manager Altman requested Council consider suspend the rules for the consideration of three resolutions that are time sensitive. He stated that these items would have been discussed in the closed session that was canceled.

Mayor Parham recognized Council Member Jones. Council Member Jones expressed his concerns regarding the consideration of the FEMA grant resolution being presented.

City Manager Altman stated that the match language in the grant was required by FEMA. He noted that it is a 10% match of \$30,000 that will be allocated when the grant is received. He added that Ms. Joanne Williams has been successful in the past getting a waiver for the match.

The grant will close March 8, 2024 for the G2 Fire Station Alerting System.

Discussion was held between the City Council and staff.

Consideration of the City Council of the City of Petersburg, Virginia, Committing Support for Emergency CAD Service Upgrades and Improvements for the Petersburg Department of Fire, Rescue, and Emergency Services in Support of All Petersburg Citizens and Businesses

Vice Mayor Hill made a motion to suspend the rules and add the consideration of a resolution of the City Council of the City of Petersburg, Virginia, Committing Support for Emergency CAD Service Upgrades and Improvements for the Petersburg Department of Fire, Rescue, and Emergency Services in Support of All Petersburg Citizens and Businesses. Council Member Jones seconded the motion. The motion was approved on roll call of 6-0-0. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, and Parham; voting no: none; abstaining: none.

Mayor Parham opened the floor for Public Comments. Hearing none, Mayor Parham closed the floor

for Public Comments.

Council Member Cuthbert made a motion to adopt the Resolution of the City Council of the City of Petersburg, Virginia, Committing Support for Emergency CAD Service Upgrades and Improvements for the Petersburg Department of Fire, Rescue, and Emergency Services in Support of All Petersburg Citizens and Businesses. Council Member Jones seconded the motion. Staff requested that the resolution be adopted with a correction of the grant amount to \$324,359.10. Council Member Cuthbert amended the motion to adopt the resolution with correcting the grant funding amount to \$324,359.10. Council Member Jones seconded the amended motion. The motion was approved on roll call of 6-0-0. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, and Parham; voting no: none; abstaining: none.

Mayor Parham requested a motion to suspend the rules to add the following items to the agenda:

- a. Suspend the rules to add a Consideration of a Resolution of the City Council of the City of Petersburg, Virginia Committing Support for Water/Wastewater Upgrades and Improvements in Support of All Petersburg Citizens and Businesses
- b. Suspend the rules to add for Consideration an Appropriation Ordinance for State Aid to the Public Library Revenue Funds in the Amount of \$34,450
- c. Consideration of the Appropriation Ordinance for the Donation to Petersburg Public Library in the Amount of \$19,620

Vice Mayor Hill made a motion to suspend the rules to add items a). Consideration of a Resolution of the City Council of the City of Petersburg, Virginia Committing Support for Water/Wastewater Upgrades and Improvements in Support of All Petersburg Citizens and Businesses; b). Consideration of an Appropriation Ordinance for State Aid to the Public Library Revenue Funds in the Amount of \$34,450; and c). Consideration of the Appropriation Ordinance for the Donation to Petersburg Public Library in the Amount of \$19,620. Council Member Smith-Lee seconded the motion. The motion was approved on roll call of 6-0-0. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, and Parham; voting no: none; abstaining: none.

Consideration of a Resolution of the City Council of the City of Petersburg, Virginia Committing Support for Water/Wastewater Upgrades and Improvements in Support of All Petersburg Citizens and Businesses

Vice Mayor Hill made a motion to approve the Resolution of the City Council of the City of Petersburg, Virginia Committing Support for Water/Wastewater Upgrades and Improvements in Support of All Petersburg Citizens and Businesses. Council Member Smith-Lee seconded the motion.

Mayor Parham opened the floor for public comments. Hearing none, Mayor Parham closed the floor for public comments.

Discussion was held between the City Council and staff.

The motion was approved on roll call of 6-0-0. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, and Parham; voting no: none; abstaining: none.

Consideration of an Appropriation Ordinance for State Aid to the Public Library Revenue Funds in the Amount of \$34,450 – 2<sup>nd</sup> Reading

Vice Mayor Hill made a motion to approve Consideration of an Appropriation Ordinance for State Aid to the Public Library Revenue Funds in the Amount of \$34,450. Council Member Smith-Lee seconded the motion.

Mayor Parham opened the floor for public comments. Hearing none, Mayor Parham closed the floor for public comments.

The motion was approved on roll call of 6-0-0. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, and Parham; voting no: none; abstaining: none.

Consideration of the Appropriation Ordinance for the Donation to Petersburg Public Library in the Amount of \$19,620.

Council Member Smith-Lee made a motion to approve Consideration of an Appropriation Ordinance for the Donation to Petersburg Public Library Revenue Funds in the Amount of \$34,450. Council Member Jones seconded the motion.

Mayor Parham opened the floor for public comments. Hearing none, Mayor Parham closed the floor for public comments.

The motion was approved on roll call of 6-0-0. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Westbrook, and Parham; voting no: none; abstaining: none.

Council Member Cuthbert requested that City Manager Altman provide an update regarding the Finance Committee. City Manager Altman reported that the Finance Committee met on the 28<sup>th</sup> of February. The Finance Committee consisted of the Mayor, City Manager, Treasurer, Commissioner, and Finance Director/CFO, and Davenport. He reported that Davenport is developing an overall strategy for investment of funds to be presented to the committee. He noted that the Treasurer has the ability to invest funds according to the code. City Manager Altman stated that the Finance Committee will present to Council by late April or the first meeting in May. Council Member Cuthbert asked if the presentation could be made at the business meeting in April. City Manager Altman will request a presentation from Davenport for the business meeting in April.

Council Member Cuthbert reported that constituents expressed concern of phones not being answered in the City Manager's Office. City Manager Altman stated that his office was short staff, but now Ms. Hill is on staff to aid with phone coverage. City Manager Altman stated that citizens can email him as well.

**16. BUSINESS OR REPORTS FROM THE CLERK:**

Mayor Parham welcomed and introduced Tangi Hill, who is currently serving under the City Manager and assisting with the City clerk duties.

**17. BUSINESS OR REPORTS FROM THE CITY ATTORNEY:**

There was nothing to report.

**18. ADJOURNMENT:**

The City Council adjourned at 7:51 p.m.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk of City Council



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** March 19, 2024

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** John M. Altman, Jr, City Manager

**FROM:** Leon Glaster, Interim CFO/Director of Finance

**RE:** Amendment of FY24 City General Fund Budget (2<sup>nd</sup> Reading)

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**PURPOSE:** Adopt ordinance amending the FY23-24 City General Fund Budget

**REASON:** City Council needs to budget and appropriate the additional revenue received during the FY23-24 year

**RECOMMENDATION:** Adopt the ordinance to amend the FY23-24 City General Fund Budget to budget and appropriate the additional \$3,881,817 in revenue increasing the General Fund Budget to \$88,083,817.

**BACKGROUND:** The City of Petersburg has received additional local source revenue to date of \$3,881,348.

**COST TO CITY:** n/a

**BUDGETED ITEM:** n/a

**REVENUE TO CITY:** \$3,881,817

**CITY COUNCIL HEARING DATE:** February 20, 2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** n/a

**AFFECTED AGENCIES:** n/a

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** Approved FY23-24 Budget Ordinance

**REQUIRED CHANGES TO WORK PROGRAMS:** n/a

**ATTACHMENTS:** Ordinance to Amend the FY23-24 General Fund Budget

**STAFF:**





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** March 19, 2024

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** Naomi Siodmok, Director of Planning and Community Development

**FROM:** March Altman, Jr.

**RE:** **A public hearing and consideration of an ordinance to amend and readopt Article 3, Definitions, and Article 19, Off-Street Parking Regulations, to clarify the requirement of driveways for low-density housing at the request of the Planning Commission. (Page 111)**

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**PURPOSE:** To clarify the need for driveways to accommodate residential parking.

**REASON:** To clarify the need for parking in residential areas to be accommodated via a driveway and to define what a driveway is.

**RECOMMENDATION:** The Planning Commission recommends approval.

**BACKGROUND:** Though the City Ordinance under Article 19, Off Street Parking Regulations, states that parking spaces are required for residential development, the issue of developers not installing driveways prior to requesting a certificate of occupancy seems to make clarification necessary for compliance.

**CITY COUNCIL HEARING DATE:** 3/19/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. Memo Template - Driveway
2. 2023-ZTA-03 (1)
3. ARTICLE\_3.\_\_\_\_DEFINITIONS (1)
4. ARTICLE\_19.\_\_\_\_OFF\_STREET\_PARKING\_REGULATIONS
5. Driveway Ordinance



## City of Petersburg

Department of Planning and Community Development

135 N Union St, Room 304

Petersburg, VA 23803

(804) 733-2308

# MEMORANDUM

**DATE:** January 11, 2024

**TO:** Planning Commission

**FROM:** Planning and Community Development

**RE:** 2023-ZTA-03: A public hearing and consideration of a resolution recommending approval to amend and readopt Article 3, Definitions, and Article 19, Off-Street Parking Regulations, to clarify the requirement of driveways for low-density housing.

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**SUMMARY:** This text amendment is for clarification regarding the requirement for driveways for low-density (four units or less) residential.

**BACKGROUND:** Though the City Ordinance under Article 19, Off Street Parking Regulations, states that parking spaces are required for residential development, the issue of developers not installing driveways prior to requesting a certificate of occupancy seems to make clarification necessary for compliance.

With this, staff has suggested a minor edit to Article 19 clarifying that parking must take the form of a driveway for low-density residential development. Further, a definition for driveway has been added to Article 3, Definitions, in the zoning ordinance.

**RECOMMENDATION:** Staff recommend approval of the proposed text amendments.

## ATTACHMENTS

Presentation

Resolution

Article 19. Off Street Parking Regulations – Revised.

Article 3. Definitions – Revised.

PLANNING  
COMMISSION  
MEETING

MARCH 2024



**2023-ZTA-03:** To amend and readopt Article 3, Definitions, and Article 19, Off-Street Parking Regulations, to clarify the requirement of driveways for low-density housing.

# Request

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2023-ZTA-03: To clarify the driveway requirement for low-density residential development (4-units or less).

# Background

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Though the City Ordinance under Article 19, Off Street Parking Regulations, states that parking spaces are required for residential development.

There has been a recent issue of developers not installing driveways prior to requesting a certificate of occupancy, which seems to make clarification necessary for compliance.



# Proposed Language

# ARTICLE 3. Definitions

## Sec. 2. Definitions.

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*Driveway.* The paved area between a road/street and required parking spaces, which provides an approach to the parking spaces.

# Article 19. Off-Street Parking Regulations

## Section 4. General

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(9) Residential parking requirements for single-family, duplexes, triplexes, quadplexes, and townhomes, must be accommodated in the form of a driveway that meets the minimum parking space requirements and design standards of this article.



# Article 19. Off Street Parking Regulations

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This article already outlines the following:

- 1) That off-street parking is required for all land uses and structures unless otherwise stated.
- 2) Parking must be surfaced.
- 3) Dimensions of parking spaces (180 SF – 9' x 20' or 10' x 18').
- 4) Parking space requirements for residential.
  - a. SF and Townhouse: Two spaces per dwelling unit.
  - b. Multi-family (including two-family): One space per each one-bedroom unit; two spaces per every two- or more bedroom dwelling units.

# Recommendation

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Planning Commission recommends approval of the recommendation to amend and readopt Article 19. and Article 3. of the City Zoning Ordinance.

## **ARTICLE 3. DEFINITIONS**

### **Section 1. General rules of construction.**

For the purpose of this ordinance, certain terms and words are hereby defined. Words used in the present tense include the future, words in singular number include the plural number, and words in plural number include the singular; the word "building" includes the word "structure"; the word "shall" is mandatory and not directory.

(Ord. No. 94-140, 11-15-1994)

### **Section 2. Definitions.**

*Abattoir.* A commercial slaughterhouse.

*Accessory building.* An accessory building is a subordinate building or a portion of the main building, the use of which is clearly incidental to or customarily found in connection with, and (except as otherwise provided in this article) located on the same lot as the main building or principal use of the land.

*Accessory use.* An accessory use is one which is clearly incidental to or customarily found in connection with, and (except as otherwise provided in this article) on the same lot as the principal use of the premises. When "accessory" is used in the text, it shall have the same meaning as "accessory use."

*Adult book store.* A commercial establishment which has a substantial or significant portion of its stock in trade, books, magazines, periodicals, films or similar printed materials and which, with respect to the entire premises or a portion or a section of the premises, limits its customers to persons over 18 years of age, or as one of its principal business purposes offers for sale, rental or viewing for any form of consideration any one or more of the following:

- (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or
- (2) Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities."

*Adult entertainment establishment.* A restaurant, nightclub, private club or similar establishment which allows live performances involving persons who are semi-nude. For the purposes of this provision, semi-nude shall mean:

- (1) Less than completely and opaquely covered pubic region, buttocks, or female breasts below a point immediately above the top of the areolae, excepting any portion of the cleavage of the female breast exploited by a dress, shirt, leotard, bathing suit or other wearing apparel, provided the areolae are not exposed, but under no circumstances less than completely covered genitals, anus, or areolae of the female breast;
- (2) Male genitals in a state of arousal, even if completely and opaquely covered.

Any establishment which features such performances shall be deemed to be an adult entertainment establishment. The above restrictions shall not apply to a legitimate theatrical performance where nudity or semi-nudity is only incidental to the primary purpose of the performance.

*Adult motion picture theater.* A commercial establishment where, for any form of consideration, films (which term shall also include videotapes and other, comparable technology) containing "specified sexual activities" or

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"specified anatomical areas" ("sexually oriented films") are predominantly shown; or where a predominant number of films are limited to adults only. For the purposes of this section, sexually oriented films will be deemed predominantly shown if they are shown more frequently than other, nonsexually oriented films, or if there is regularly greater audience attendance at such films than at other, nonsexually oriented films. A finding of the zoning administrator that sexually oriented films predominate or that a predominant number of films are restricted to adults shall be presumed to be correct unless the subject owner or operator rebuts the presumption by clear and convincing evidence.

*Adult video store.* A commercial establishment where, for any form of consideration, films, including videotapes/video cassettes, motion pictures, slides and other, comparable technology, containing "specified sexual activities" or "specified anatomical areas" (sexually oriented films) are offered for sale or rent; such films are a substantial portion of the stock-in-trade of such establishment; or where a substantial portion of such films are limited to adults only.

*Alley.* A public way which affords only a secondary means of access to property abutting thereon.

*Alteration.* Any change in the total floor area, use, adaptability or external appearance of an existing structure.

*Alternative financial institution.* Any check cashing establishment other than a federally or state-chartered bank, credit union, or savings and loan institution, which primarily offers motor vehicle title loan and/or payday loan services.

*Apartment.* A part of a building containing cooking and housekeeping facilities, consisting of a room or suite of rooms, intended, designed and used as a residence by an individual or a single family.

*Apartment house.* Same as "dwelling, multiple-family."

*Assisted living facility.* A residential facility, other than a group home, where more than eight residents who are not related by blood or marriage receive assistance with activities of daily living or therapeutic care, regardless of whether licensed by a governmental agency or not. Assisted living facilities shall only be permitted upon issuance of a special use permit by city council.

*Automobile.* A motor vehicle designed to transport property and/or persons on its own structure. The term "automobile" shall include, but not be limited to, "passenger car," "pickup truck," "panel truck," "van," or "light truck, with a capacity of four tons or less and having no more than two axles."

*Automobile self-service station.* Any establishment having pumps and storage tanks at which fuels and oils for automobiles are dispensed or sold at retail, and where dispensing is performed by the customer or an employee, but where automotive repair is not performed. A gasoline service station shall not have parking or refueling facilities for semi-trailer trucks, nor shall the refueling of such vehicles be permitted, although semi-trailer trucks may be permitted to park on the site for the purpose of off-loading goods to the businesses located on the premises.

*Automobile service station.* Any establishment having pumps and storage tanks at which fuels and oils for automobiles are dispensed or sold at retail, and where dispensing is performed by the customer or an employee. A gasoline service station shall not have parking or refueling facilities for semi-trailer trucks, although semi-trailer trucks may be permitted to park on the site for the purpose of off-loading goods to the businesses located on the premises. In addition, only the following services and sales may be made: sale and servicing of spark plugs, batteries and/or distributors and ignition system parts; replacement or muffler or other exhaust system parts; replacement of coolant hoses, accessory drive belts, windshield wipers or blades, light bulbs or parts; the changing or oil and filters and lubrication of parts; repairs to fuel injectors or related systems; adjustment and repair of brakes; repair of automotive wiring systems; and minor motor repairs not involving the removal of the engine head or crankcase, or transmission; sales of beverages, packaged foods, tobacco products and similar convenience goods for customers, as accessory and incidental to the principal operations; provision of restroom facilities; and state motor vehicle inspections.

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**Basement.** That portion of a building between the floor and ceiling which is wholly or partly below grade, and having more than one-half of its height below grade.

**Bed-and-breakfast inn.** A structure or building containing sleeping and eating accommodations for compensation and allowing only overnight transient guests and which is operated in accordance with all pertinent city code requirements and regulations.

**Boardinghouse.** A building or portion thereof where no more than six rooms, limited to no more than one occupant each, are rented on a weekly or monthly basis, where renters may share common cooking or bathroom facilities.

**Breezeway.** A structure, entirely open, except for roof and supporting columns, which connects a residence and an accessory building on the same lot.

**Building.** Any structure, having a roof supported by columns or walls, for the housing or enclosure of persons or property of any kind.

**Building, height of.** The vertical distance from the grade to the highest point of the coping of a flat roof or to the mean height level between eaves and ridge for gable, hip and gambrel roof.

**Buildable width.** The width of that part of a lot not included within the open space herein required.

**Child-care center.** A facility operated for the purpose of providing care, protection and guidance to a group of ten or more children separated from their parents or guardian during a part of the day only, except:

- (1) A facility required to be licensed as a summer camp under the Code of Virginia, §§ 35-43 through 35-53;
- (2) A public school, unless the commission of welfare and institutions determines that such private schools is operating a child care outside the scope of regular classes;
- (3) A facility which provides child care on a hourly basis, which is contracted for by parent only occasionally;
- (4) A facility operated by a hospital on the hospital's premises, which provides care to the children of the hospital employees while such employees are engaged in performing work for the hospital;
- (5) Sunday School conducted by a religious institution or a facility operated by a religious organization, where children are cared for during short periods of time while persons responsible for such children are attending religious study;
- (6) Those operated as an auxiliary use on the premises of a church or religious institution.

**Clinic.** An office building or a group of offices for one or more physicians, surgeons or dentists engaged in treating the sick or injured, but not including rooms for abiding patients.

**Club.** Buildings and facilities owned or operated by a corporation, association, person or persons, for a social, educational or recreational purpose, but not primarily for profit which insures to any individual, and not primarily to render a service which is customarily carried on as a business.

**Conditional zoning.** As part of classifying land within a governmental entity into areas and districts by legislative action, the allowing of reasonable conditions governing the use of such property, such conditions being in addition to the regulations provided for a particular zoning district or zone by the overall zoning ordinance.

**Commission.** The planning commission of the City of Petersburg.

**Court.** An open space, which may or may not have direct street access and around which is arranged a single building or a group of related buildings.

**District.** Any section of the City of Petersburg within which the zoning regulations are uniform.

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*Drive-in restaurant.* A retail food-dispensing and eating establishment where patrons are permitted to park cars on the premises and food or drinks are served to patrons in cars.

*Driveway.* The paved area between a road/street and required parking spaces, which provides an approach to the parking spaces.

*Dwelling.* Any building, or portion thereof: designed or used for residential purposes.

*Dwelling, single-family.* A building designed for use, or occupied exclusively, by one family.

*Dwelling, two-family.* A building designed for, or occupied exclusively, by two families living independently of each other.

*Dwelling, multiple-family.* A building designed for, or occupied exclusively, by three or more families living independently of each other.

*Dwelling, townhouse.* One of a series of from three to 12 attached dwelling units separated from one another by continuous vertical walls without openings from basement floor to roof: and having diversified architectural facades or treatment of materials on both front and rear of the building group, with not more than four or any 12 abutting townhouses having the same architectural facades and treatment of materials, and with same front and rear setbacks. Minimum setback offset shall be one foot.

*Dwelling unit.* A room or group of rooms occupied or intended to be occupied as separate living quarters by a single family or other group of persons living together as a household, or by a person living alone.

*Family.* One person, or two or more persons related by blood, adoption or marriage living and cooking together as a single housekeeping unit with not more than two boarders; or a number of persons, but not exceeding two living and cooking together as a single housekeeping unit, though not related by blood, adoption or marriage shall be deemed to constitute a family. The term "person" used herein shall not be construed to include lodger(s) or boarder(s).

*Family day-care home.* Any private family home in which five to nine children are received for care, protection and guidance during only a part of the 24-hour-day, except children who are related by blood or marriage to the person who maintains the house.

*Floor area.* The gross horizontal area of all floors, including basements, cellars and penthouses (but excluding such areas within a building which are used for parking), measured from the exterior faces of the exterior of a building.

*Frontage.*

- (1) *Street frontage.* All of the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street; or if the street is dead-ended, then all the property abutting on one side between an intersecting street and the dead-end of the street.
- (2) *Lot frontage.* The distance for which the front boundary line of the lot and the street line are coincident.

*Garage, private.* An accessory building, not exceeding 900 square feet in area, designed or used for the storage of not more than four motor-driven vehicles owned and used by the occupants of the building to which it is accessory. Not more than one of the vehicles may be a commercial vehicle [, such vehicle] of not more than two tons capacity.

*Garage, storage or parking.* A building, or portion thereof: designed or used exclusively for storage of motor-driven vehicles, and at which motor fuels and oils may be sold without exterior advertising, and where motor-driven vehicles are not equipped, repaired, hired, or sold.

*Gasoline service station.* Same as automobile self-service station.

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*Grade.*

- (1) For buildings having a wall or walls adjoining one street only, the elevation of the sidewalk grade at the center of the wall adjoining the street.
- (2) For buildings having a wall or walls adjoining more than one street, the average elevation of the sidewalk grade at the centers of all walls adjoining the streets.
- (3) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Any wall parallel to, or within ten degrees of being parallel to and not more than 15 feet from a street line is to be considered as adjoining the street. Sidewalk grades shall be as established by the director of public works.

*Group home.* As defined within Code of Virginia, § 15.2-2291, (1) a residential facility for which the Department of Behavioral Health and Developmental Services of the Commonwealth is the licensing authority; and, in which no more than eight mentally ill, mentally retarded or developmentally disabled persons reside, with one or more resident or nonresident staff persons or (2) a residential facility in which aged, infirm or disabled persons reside for which the Department of Social Services is the licensing authority in which no more than eight aged, infirm or disabled persons reside, with one or more resident counselors or other staff persons. A group home shall be treated as residential occupancy by a single family. Mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined within Code of Virginia, § 54.1-3401.

*Guesthouse.* Living quarters within a detached accessory building located on the same premises with the main building for use by temporary guests of the occupants of the premises; such quarters having no kitchen facilities or separate utilities and not rented or otherwise used as a separate dwelling.

*Home occupation.* Any occupation or activity which is clearly incidental and secondary to use of the premises for dwelling, and which is carried on wholly within a main building by a member of a family residing on the premises; in connection with which there is no advertising other than an identification sign of not more than one square foot in area; and no other display or storage of materials, or generation of substantial volumes of vehicular or pedestrian traffic or parking demand, or other exterior indication of the home occupation or variation from the residential character of the building; and in connection with which no person outside the resident family is employed, and no equipment used, other than that normally used in connection with a residence. A home occupation shall not include beauty parlors, barbershops, or doctors' or dentists' offices for the treatment of patients, or similar establishments offering services to the general public.

*Hospital.* A building or group of buildings, having room facilities for one or more abiding patients, used for providing services for the in-patient, medical or surgical care of sick or injured humans, and which may include related facilities, such as laboratories, out-patient department, training facilities, central service facilities, and staff offices; provided, however, that such related facility must be incidental and subordinate to the main use, and must be an integral part of the hospital operation.

*Hotel, motel.* An establishment primarily engaged in the rental of more than six rooms on a daily basis. As such, it is open to the public in contradistinction to a boardinghouse, rooming house, lodging house or apartment, which are herein separately defined. The term "motel" includes "motor court," "motor hotel," or "motel lodge." The term "hotel" includes "apartment hotel." A hotel or motel shall be deemed to include any establishment which provides residential living accommodations for transients on a short-term basis.

*Live entertainment.* An accessory use allowing live performances but not limited to, music performances involving amplified music or more than one live instrument, a disc jockey, any form of dancing, karaoke, solo artists and comedians.

*Loading space.* A space within the main building or on the same lot therewith providing for temporary parking of motor vehicles while transferring, loading or unloading goods, merchandise, or products.

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*Lodging house.* Same as "boardinghouse."

*Lot.* A portion or parcel of land devoted to a common use, or occupied by a principal building or group of buildings devoted to common use, together with the customary accessories and open spaces belonging to same, and having its principal frontage on a public street or a private street of record.

*Lot, area.* The total horizontal area within the lot lines of the lot.

*Lot, corner.* A lot abutting upon two or more streets at their intersection.

*Lot, depth of.* The distance from the front street line to the rear lot line, measured in the mean direction of the side lot lines.

*Lot, interior.* A lot whose side line or lines do not abut upon any street.

*Lot, through.* An interior lot having frontage on two streets.

*Lot of record.* A lot which has been recorded in the office of the clerk of the Hustings Court of the City of Petersburg or the Circuit Court of Dinwiddie or Prince George County.

*Lot, width.* The distance between the side lot lines measured at the required front yard line.

*Micro-brewery, micro-distillery, micro-winery and/or micro-cidery.* A facility for the production and packaging of alcoholic beverages for distribution, retail or wholesale, on- or off-premises and which meets all Virginia Alcoholic Beverage Control laws and regulations. The facility may include other uses such as retail sales, tasting rooms and restaurants.

*Mini-storage facility, mini-warehouse, or self-storage facility.* A facility consisting of individual, small, self-contained units or areas within a building which are rented individually for storage, that is used or is designed to be used for storing household goods, business records or supplies, vehicles or recreational vehicles.

*Mobile food unit.* A restaurant that is mounted on wheels and readily movable from place to place by an internal engine or that is towed from place to place by a motor vehicle. Mobile food unit shall not include vending carts or other conveyances which are designed to be moved by either human or animal power.

*Mobile home.* An industrialized building unit which is eight feet or more in width and 32 feet or more in length and is constructed on a chassis for towing to the point of use and designed to be used with or without a foundation for occupancy as a dwelling when connected to required utilities; or two or more such units, separately towable, but designed to be joined together at the point of use to form a single dwelling, and which is designed for removal to and installation or erection on other sites.

*Mobile home park.* Any plot of ground upon which two or more mobile homes, occupied for dwelling sleeping purposes, are located, regardless of whether or not a charge is made for such accommodations.

*Mobile home space.* A plot of ground within a mobile home park designed for accommodation for one mobile home.

*Mobile home subdivision.* Any division of land into three or more lots, for the intended purpose of occupation of the resultant lots by mobile homes. Each lot to be occupied by no more than one mobile home at any one time.

*Modular home or unit.* An industrialized building assembly or system of building subassemblies, including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building or as a part of a finished building, comprising two or more industrialized building units and not designed for ready removal to or installation or erection on another site. For the purpose of this article, a modular unit shall be deemed a single-family dwelling and shall not be deemed a mobile home.



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*Nightclub.* An establishment where entertainment, live or otherwise, predominates over food service, becoming the principal use for at least during part of the business' operations, with or without dancing, and typically involving a cover or other charge for admission and event advertising. An establishment that serves alcoholic beverages, that provides live entertainment with live music, a disc jockey and a dance floor and that operates late in the evening later than 11:00 p.m.

- (1) A nightclub shall not serve food or beverages to customers between the hours of 2:00 a.m. and 6:00 a.m.
- (2) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (3) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (4) The establishment shall maintain a current, active business license at all times while in operation.
- (5) The establishment shall remain current on all food beverages taxes and business personal property taxes which may become due while it is in operation.
- (6) The area devoted to dance floor shall not exceed 250 square feet or ten percent of total floor area (exclusive of food preparations and service area), whichever is greater.

*Nonconforming use.* Any building or land lawfully occupied by a use at the time of passage of this article, or amendment thereto, which does not conform after the passage of this article, or amendment thereto, with the use regulations of the district in which it is located.

*Parking space, off-street.* An all-weather surfaced area, not in the street or alley, and having an area of not less than 180 square feet, exclusive of driveways, permanently reserved for the temporary storage of one automobile, and connected with a street or alley by an all-weather surfaced driveway which affords satisfactory ingress and egress for automobiles.

*Premises.* A lot, together with all buildings and structures thereon.

*Private club.* An establishment of a private not-for-profit organization, including fraternal organizations, which provides social, physical, recreational, educational or benevolent services. Such establishment shall not be operated for the purpose of carrying on a trade or business, and no part of the net earnings shall inure to the benefit of any member of such organization or any other individuals, although regular employees may be paid reasonable compensation for services rendered.

*Private nursery school.* A school operated primarily for the educational instruction of children three to five years of age, at which [school] children three or four years of age do not attend in excess of four hours per day and children five years of age do not attend in excess of six and one-half hours per day.

*Private plaza.* A multi-purpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza.

*Proffer.* A condition voluntarily offered by a developer that limits or qualifies how the property in question will be used or developed.

*Restaurant.* An establishment where food and beverages are prepared and sold for consumption both on and off the premises, and with customer seating provided on the premises.

*Restaurant, carry out.* An establishment where food and beverages are prepared for consumption off the premises, and with no customer seating on the premises.

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*Restaurant, coffee or ice cream shop.* A small restaurant, typically no more than 2,000 square feet in area, where the principal business is either the sale of coffee and other hot beverages or the sale of ice cream, frozen yogurt or other related confections. Pastries, baked goods, cold beverages, sandwiches and other light fare may also be sold incidental to the service of coffee, and other confections, but no alcohol is served, no entertainment takes place and no significant cooking, other than the application of heat by microwave, electric burner, espresso machine, the heating of soup or the boiling of water, typically takes place.

*Rooming house.* Same as "boardinghouse."

*Sign.* A sign is any structure, or part thereof or any device attached to, painted on, or represented on a building, fence or other structure, upon which is displayed or included any letter, work, model, banner, flag, pennant, insignia, decoration, device or representation used as, or which is in the nature of an announcement, direction, advertisement or other attention-directing device. A sign shall not include a similar structure or device located within a building, except illuminated signs within show windows.

*Sign area.* That area within a line including the outer extremities of all letters, figures, characters and delineations, or within a line, including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon or a building, or part thereof shall be included in the sign area.

*Sign, flashing.* Any illuminated sign on which the artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use. Any revolving illuminated sign shall be considered a flashing sign.

*Sign, illuminated.* Any sign designed to give forth artificial light, or designed to reflect light from one or more sources of artificial light erected to provide light for the sign.

*Small box discount store.* Retail sales uses with a floor area less than 12,000 square feet that offer for sale a combination and variety of convenience shopping goods and consumer shopping goods; and continuously offer a majority of the items in their inventory for sale at a price less than \$10.00 per item.

*Solar panel, small.* Non-commercial/industrial solar energy harvesting equipment designed to be affixed to a pre-existing structure to supplement a primary energy source. The use is permitted in all zoning districts and must conform to any current or future laws and regulations regarding electrical energy harvesting, storage, and distribution. If the proposed location is within a historic district, the use is subject to review by the architectural review board. All solar facilities must comply with Code of Virginia title 15.2, chapter 22, article 7, § 15.2-2288.7.

*Solar farm.* Commercial/industrial solar energy harvesting equipment designed to function as standalone structures to provide solar energy as a primary source of electric energy. The use is permitted in A, M-1, and M-2 Zoning Districts, pursuant to an approved special use permit and must conform to any current or future laws and regulations regarding electrical energy harvesting, storage, and distribution. If the proposed location is within a historic district, the use is subject to review by the architectural review board. All solar facilities must comply with Code of Virginia title 15.2, chapter 22, article 7, § 15.2-2288.7.

*Specified anatomical area.* As used herein, specified anatomical areas means and includes any of the following:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

*Specified sexual activities.* As used herein, specified sexual activities means and includes any of the following:

The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;  
Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;  
Masturbations, actual or simulated; or

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Excretory functions as part of or in connection with any of the activities set forth in subdivisions (1) through (3) of this subsection.

*Stand-alone used vehicle sales.* A business which is not a part of and not on the same parcel as a franchised new vehicle sales business, but which is subject to licensing by the Virginia Department of Motor Vehicles as a vehicle dealership.

*Stand-alone vehicle repair shop.* A business which is engaged in the provision of general repairs to motor vehicles, including the serving or rebuilding of engines and transmissions, vehicle suspensions, vehicle electrical, hydraulic, or fuel systems, or the provision of major overhauls and maintenance, or minor repairs and routine maintenance to vehicles or parts thereof, and the washing or waxing of vehicles either through the use of automated devices or by hand. The term "stand alone vehicle repair shop" shall not include the painting of vehicles, bodywork or framework performed on vehicles. Neither shall the term "stand alone vehicle repair shop" apply to the service shops of franchised new vehicle dealerships licensed as such by the Virginia Department of Motor Vehicles Dealer Services Division.

*Story.* That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or if there be no floor above it, then the space between such floor and the ceiling next above it.

*Story, half.* A space under a sloping roof at the top of a building, the floor of which is not more than two feet below the plate, shall be counted as a half-story when not more than 60 percent of said floor area is used for rooms, baths or toilets. A half-story containing an independent apartment or living quarters shall be counted as a full story.

*Street.* A public thoroughfare which affords the principal means of access to abutting property.

*Street line.* A dividing line between a lot, tract, or parcel of land and a contiguous street.

*Structure.* Anything, other than a fence, constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, advertising signs, billboards and posterboards.

*Structural alterations.* Any change in the supporting members of a building, including, but not limited to, bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

*Tourist court, auto court.* Same as "motel."

*Tractor-trailer.* A truck equipped with a coupling device to pull trailers, tankers, or semi-trailers, and having a gross vehicular weight of more than five tons. The term "tractor-trailer" shall include, but not be limited to, "tractor truck," and "semi-trailer."

*Tractor-trailer service station or truck stop.* Any establishment having pumps and storage at which fuels and oils for tractor-trailers, trucks, or buses are dispensed or sold at retail. The facility may also have provisions for the following; tractor trailer, truck, or bus parking; automobile fueling; repair or maintenance of automobiles, trucks, buses, or tractor-trailers; sleeping accommodations; sanitation facilities; or sale of parts or accessories for automobiles or tractor trailers, trucks or buses.

*Trailer park, auto trailer camp or mobile home court.* That area of land on which two or more trailers or mobile homes being used for living purposes are parked.

*Travel trailer.* A vehicular, portable structure built on a chassis and designed to be used for temporary occupancy for travel, recreational or vacation use; with manufacturers' permanent identification, "travel trailer," thereon and when factory-equipped for the road, being of any weight, provided its gross weight does not exceed 4,500 pounds; or being of any length provided its overall length does not exceed 32 feet.

*Truck.* A vehicle with a gross weight of more than five tons.

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*Vehicle demolisher.* Any person whose business it is to crush, flatten, or otherwise reduce a vehicle to a state where it can no longer be considered a vehicle.

*Vehicle rebuilder.* Any person who acquires and repairs, for use on the public highways, two or more salvage vehicles within a twelve-month period.

*Vehicle removal operator.* Any person who acquires a vehicle for the purpose of reselling it to a demolisher, scrap metal processor, or salvage dealer.

*Vehicle salvage dealer.* Any person who acquires any vehicle for the purpose of reselling any parts thereof.

*Vehicle tow lot or storage lot.* The use of a parcel or lot for the temporary storage of damaged, disabled, inoperative, or impounded motor vehicles or machinery. Except as noted below, temporary storage shall be limited to a maximum of 30 days per vehicle unless the vehicle has been abandoned by its owner. Abandoned vehicles may remain on the lot a maximum of 90 days. Maximum storage times shall be extended up to six months if the owner submits certification to the zoning administrator and to the Bureau of Police that legal obligations preclude removal of such vehicles. The term vehicle tow lot or storage lot shall not include junkyards; nor any vehicle or machinery storage on the same property or portion of property as and directly related to any permitted motor vehicle sales, service, repair and rental use, automobile service station, body shop or similar use and permitted as part of that use. The term vehicle tow lot or storage lot shall include the storage of vehicles in association with the operation of wreckers or similar vehicles, and the parking of wreckers whether or not attached to wrecked, damaged, disabled, inoperative, or impounded vehicles.

*Yard.* An open space, other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this article.

*Yard, front.* A yard extending across the front of a lot between the side yard lines; and being the minimum horizontal distance between the street line and the main building, or any projections thereof: other than the projections of uncovered steps, uncovered balconies, terraces, or uncovered porches. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

*Yard, rear.* A yard extending across the rear of the lot between the side lot lines, and measured between the rear lot lines and the rear of the main building or any projection other than steps, unenclosed porches, or entrance ways.

*Yard, side.* A yard between the main building and the side line of the lot; extending from the front lot line to the rear yard; and being the minimum horizontal distance between a side lot line and side of the main building, or any projection thereof.

(Ord. No. 21-15, (Exh. A), 3-16-2021; Ord. No. 21-18, (Exh. A), 3-23-2021; Ord. No. 23-13, Exh. A, 3-21-2023)

## **ARTICLE 19. OFF-STREET PARKING REGULATIONS**

### **Section 1. Off-street parking requirements.**

Except as otherwise provided in this ordinance, all structures and land uses constructed, enlarged, erected or extended shall provide off-street parking spaces in accordance with the provisions of this article.

(Ord. No. 89-88, 9-5-1989)

### **Section 2. Location of off-street parking.**

Location of off-street parking facilities shall be provided on the same lot with the structure or land use served; except that where an increase in the number of spaces is required by a change or enlargement of use, or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required spaces may be located and maintained in areas within two hundred (200) feet of the building served.

In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form by the city attorney, and shall be filed with the application for a building permit.

(Ord. No. 89-88, 9-5-1989)

### **Section 3. Design standards.**

All off-street parking lots shall be surfaced with asphalt, concrete or other impermeable surface to protect against potholes, erosion and dust unless an alternative surface is allowed by the city engineer to control stormwater runoff. All parking lots shall be bordered by a curb of asphalt, concrete or other material acceptable to the city engineer. Entrances and exits for all parking facilities shall comply with existing ordinances of the city.

(Ord. No. 89-88, 9-5-1989)

### **Section 4. General.**

- (1) All parking lots, regardless of the number of spaces, must have individual spaces marked. Such spaces shall be laid out on the parking surface with paint or plastic stripping which shall provide a permanent delineation between spaces. Spaces should be arranged so that any maneuvering directly incidental to entering or leaving a parking space shall not be on any public street, alley or walkway.
- (2) The parking requirements in this article do not limit requirements which may be imposed with special uses (Article 23) or special use exception (Article 27).
- (3) The parking requirements in this article apply to all districts except the B-3, Central Commercial District, where no special requirements are imposed.
- (4) The parking requirements in this article do not limit other requirements in this ordinance for parking contained in district regulations, particularly in the B-1, Shopping Center District, where special requirements may be imposed.

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- (5) Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
  - (6) In the case of mixed uses, uses with different parking requirements occupying the same building or premises or in the case of joint use of a building or a premises by more than one use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
  - (7) Whenever a building or use constructed after the date of this ordinance is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or other wise to create a need for an increase of ten (10) percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.
  - (8) Off-street parking areas and off-street loading space appurtenant to any use permitted in residential districts shall be provided on the same parcel of land occupied by the use to which the area or space is appurtenant. No person shall park any motor vehicle, vehicle, trailer, or semitrailer on the front or side yard of any lot, improved with a single-family or two-family dwelling, zoned for residential use, except on a lawfully paved surface. For this purpose, the front yard of corner lots shall be the lot area before the architectural front of the single-family or two-family dwelling and between the side lot lines. Except in the RMH, Residential Mobile Home District; R-4, Multiple Dwelling District; R-5, Multiple Dwelling District; R-6, High Rise District; and the RTH, Residential Town House, no such paved surface shall exceed 35% (thirty-five percent) of the size of the front yard of the lot. No such paved surface shall be located closer than three feet from any side or rear lot line.
  - (9) Residential parking requirements for single-family, duplexes, triplexes, quadplexes, and townhomes, must be accommodated in the form of a driveway that meets the minimum parking space requirements and design standards of this article.

(Ord. No. 89-88, 9-5-1989)

## Section 5. Parking space requirements.

Each individual space must total one hundred eighty (180) square feet using either 9' x 20' or 10' x 18' dimensions. Compact car spaces may account for up to twenty (20) percent of the total available spaces and shall be so marked. Compact car spaces shall have a minimum size of 7½' x 15'. Handicapped parking spaces shall conform to a minimum size of 13' x 19' and must be marked so. Any lot having at least ten (10) spaces must have one (1) handicapped space. Additional handicapped spaces will be determined using the ratio of one (1) handicapped space per fifty (50) spaces in the lot.

(Ord. No. 89-88, 9-5-1989; Ord. No. 13-25, 4-16-2013)

## Section 6. Minimum parking spaces.

The following uses shall comply with the minimum parking requirements designated therefor:

- (1) *Animal hospitals, veterinary clinics, kennels, animal pounds and shelters:* At least one (1) space per three hundred (300) square feet of floor area.
- (2) *Auto sales and services to include new and used car dealers:* One (1) space per three hundred (300) square feet for the first one thousand five hundred (1,500) square feet of floor area and four hundred (400) square feet in excess thereof.
- (3) *Automobile service stations:* One (1) space per everyone hundred twenty-five (125) square feet of gross floor area.

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- (4) *Banks, credit unions, savings and loans and other financial institutions:* Eight (8) spaces for first one thousand (1,000) square feet of floor area plus one (1) space per every one hundred fifty (150) square feet of additional floor area.
  - (5) *Bowling alleys:* Five (5) spaces for each alley.
  - (6) *Child-care centers and child-care education centers:* One (1) space per every three hundred (300) square feet of gross floor space.
  - (7) *Convenience stores or quick-service food stores:* One (1) space per everyone hundred twenty-five (125) square feet of gross floor area
  - (8) *Institutions and libraries, museums and art galleries:* Not less than ten (10) spaces and one (1) additional space for every three hundred (300) square feet of gross floor space except as listed below:
    - (a) *Convalescent homes or nursing homes:* One (1) space for every six (6) beds plus one (1) space per each employee, including staff doctors.
    - (b) *Churches or civic associations or assembly rooms:* One (1) space for every eight (8) seats.
    - (c) *Homes for the aged, disabled and handicapped:* One (1) space per every three patient beds plus one (1) space per each staff doctor, employee or doctor on main shift.
    - (d) *Hospitals:* One (1) space for every two (2) beds and one (1) space per every two (2) employees.
    - (e) *Theaters:* One (1) space for every four (4) fixed seats.
    - (f) *Primary and secondary schools:* One (1) space per classroom or one (1) space per every ten (10) seats in auditorium, whichever is greater.
    - (g) *High school, college or vocational:* One (1) space per eight (8) seats in auditorium or three (3) per classroom, whichever is greater.
  - (9) *Fast-food restaurants:* One (1) space per one hundred (100) square feet of floor area plus five (5) stacking spaces per drive-thru window;
  - (10) *Hotels:* One (1) space per each guestroom plus one employee space for every ten (10) guestrooms plus spaces for eating and assembly rooms as required for those uses in this ordinance.
  - (11) *Medical, optical and dental offices and clinics:* One (1) space for each doctor and employee and three (3) spaces for each examining room and dentist's chair.
  - (12) *Mortuaries and funeral homes:* One (1) space per every seventy-five (75) square feet of gross floor area plus one (1) space per each employee working on main shift.
  - (13) *Motels:* One space per each guestroom plus one employee space per every ten guestrooms plus spaces for eating and assembly rooms as required for those uses in this ordinance.
  - (14) *Nightclubs, bars and taverns:* One space per one hundred (100) square feet of floor area.
  - (15) *Personal services, including beauty and barbershops, accountant and tax services, attorney offices and any other comparable services that cannot be classified as retail, with medical, dental or optical offices and clinics excluded:* Two spaces for each chair (barber or beauty shop) or one space for every 300 square feet of floor space for the first 1,500 square feet and one per 400 square feet in excess thereof.
  - (16) *Private clubs, social centers, athletic clubs and commercial recreation facilities other than bowling alleys:* One space per every 200 square feet of gross floor area.
  - (17) *Retail establishments, repair, plumbing and heating establishments and service establishments, excluding personal services defined hereinabove:* One space for every 300 square feet.

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(18) *Residential:*

- (a) *Single-family:* Two spaces per dwelling unit;
  - (b) *Townhouse:* Two spaces per dwelling unit;
  - (c) *Multifamily (including two-family dwelling(s)):* One space per each one-bedroom unit; two spaces per every two- or more bedroom dwelling units;
  - (d) *Multifamily elderly:* One space for every two dwelling units;
  - (e) *Boarding:* One space for each rental room and two spaces for principal dwelling.
- (19) *Restaurants except fast-food restaurants but including those accessory to hotels and motels:* One space per 100 square feet of gross floor area.
- (20) *Manufacturing and industrial plants, including processing, packaging, fabricating, research or testing labs, warehousing, printing or publishing:* At least one space per employee or maximum working shift.

(Ord. No. 89-88, 9-5-1989; Ord. No. 13-25, 4-16-2013)

## **Section 7. Similar uses.**

For any use not specifically listed herein, the requirements of the most similar listed use shall apply unless otherwise specified.

(Ord. No. 89-88, 9-5-1989)

## **Section 8. Buffers required.**

- (a) *Buffer required where adjoining property is residential.* Where a side or rear lot line abuts property used or zoned for residential purposes, there shall be installed and maintained a continuous evergreen vegetative screen or opaque structural fence not less than six feet in height planted or erected along such lot line.
- (b) *Buffers required along streets.* Buffers are required for new parking areas.

(Ord. No. 89-88, 9-5-1989; Ord. No. 13-25, 4-16-2013)

## **Section 9. Off-street shared parking requirements in B-2, B-3, and PUD districts.**

*Shared parking.* In the B-2, B-3 and PUD districts, fifty percent of the number of off-street parking spaces required under section 6 of article 19 for dwelling units may be supplied by shared off-street parking spaces located on private property provided for non-dwelling uses that are not routinely open, used or operated between the hours of 6:00 p.m., and before 7:30 a.m. on any day. Notwithstanding the provisions of article 19, section 2, the required spaces for dwelling units may be located onsite or off-site, but if located off-site, in no event a distance greater than 500 feet measured from the end of the building closest to the off-site parcel to the individual parking space located on an off-site parcel supplying the required spaces. If a portion of an individual parking space is within the 500 feet distance, such parking space may be included as an off-site parking space for purposes of this section. In any case where the required off-street parking spaces are supplied by shared off-street parking spaces pursuant to this section, a written agreement shall be properly drawn and executed by the parties concerned, approved as to form by the city attorney, and shall be filed with the application for a building permit.

(Ord. No. 11-80, 7-19-2011)



**AN ORDINANCE TO AMEND AND READOPT ARTICLE 3, DEFINITIONS, AND ARTICLE 19, OFF-STREET PARKING REGULATIONS, TO CLARIFY THE REQUIREMENT OF DRIVEWAYS FOR LOW-DENSITY HOUSING.**

WHEREAS, the City of Petersburg Zoning Ordinance includes Article 3, Definitions, and Article 19, Off-Street Parking Regulations; and

WHEREAS, the purpose of Article 19 is to ensure all structures and land uses that are constructed, enlarged, erected, or extended provide off-street parking spaces; and

WHEREAS, The City of Petersburg currently requires off-street parking for residential development; and

WHEREAS, developers have been unclear about this requirement and have requested certificates of occupancy without installing the required parking spaces; and

WHEREAS, the City Council seeks clarify that parking for low-density residential structures are required to have driveways as a means of accommodating the required parking spaces; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that City Council does hereby amend and readopt Article 3, Definitions, and Article 19, Off-Street Parking Regulations, to clarify the requirement of driveways for low-density housing.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** March 19, 2024

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** March Altman, Jr.

**RE:** **Presentation and Update on the 2024 Employee Health Insurance.**

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**PURPOSE:** 2024 Employee Health Insurance Plan Renewal Review

**REASON:**

**RECOMMENDATION:** Option B

Continue with TLC offering the two current plan options:

- Key Advantage 500
- Key Advantage 1000

Contributions

- Reduce employee contributions by plan and tier
- Shift to a 5-tier rate structure which will result in the following:
- Avoid having employees that cover themselves and children from having to pay the family premium
- Avoid having employees that cover themselves and one child from having to pay the higher premium under the employee + one premium (today includes employee + spouse or employee + one child)

**BACKGROUND:** N/A

The total increase for the City is \$429,050. The total decrease for employees is \$429,050. It will lower the employee premiums on both plans per tier. Assumptions were made on enrollment distribution in the 5-tier structure. Material changes to the dependent tier contributions will likely result in a shift out of the employee-only tier, which would increase overall cost to the city.

**CITY COUNCIL HEARING DATE:** 3/19/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. City of Peteresburg - Council Renewal meeting 3.19.2024 mcj3 (003)



# July 1, 2024 Renewal Review and Follow-up with Council

March 19, 2024

# Option A Keeping TLC Plans as is with 3 Tier Rate Structure

	CURRENT PLANS CURRENT CONTRIBUTION STRUCTURE					CURRENT PLANS with Updated Contributions REDUCED EMPLOYEE CONTRIBUTIONS						
	Jan-24 Enrollment	Total Premium	ER Contribution	EE Contribution	ER Cost-Share	Jan-24 Enrollment	Total Premium	ER Contribution	EE Contribution	ER Cost-Share	EE Change (\$)	EE Change (%)
	<b>Key Advantage 500</b>					<b>Key Advantage 500</b>						
Employee Only	272	\$904.00	\$773.00	\$131.00	85.5%	272	\$904.00	\$813.60	\$90.40	90.0%	-\$40.60	-31.0%
Employee + 1	32	\$1,672.00	\$1,116.60	\$555.40	66.8%	32	\$1,672.00	\$1,351.20	\$320.80	80.8%	-\$234.60	-42.2%
Employee + Family	25	\$2,441.00	\$1,474.20	\$966.80	60.4%	25	\$2,441.00	\$1,889.50	\$551.50	77.4%	-\$415.30	-43.0%
<b>Subtotal</b>	<b>329</b>	<b>\$4,325,004</b>	<b>\$3,394,106</b>	<b>\$930,898</b>	<b>78.5%</b>	<b>329</b>	<b>\$4,325,004</b>	<b>\$3,741,301</b>	<b>\$583,703</b>	<b>86.5%</b>	<b>-\$347,195</b>	<b>-37.3%</b>
	<b>Key Advantage 1000</b>					<b>Key Advantage 1000</b>						
Employee Only	31	\$859.00	\$744.00	\$115.00	86.6%	31	\$859.00	\$816.05	\$42.95	95.0%	-\$72.05	-62.7%
Employee + 1	13	\$1,590.00	\$1,066.60	\$523.40	67.1%	13	\$1,590.00	\$1,327.75	\$262.25	83.5%	-\$261.15	-49.9%
Employee + Family	5	\$2,320.00	\$1,409.20	\$910.80	60.7%	5	\$2,320.00	\$1,838.75	\$481.25	79.3%	-\$429.55	-47.2%
<b>Subtotal</b>	<b>49</b>	<b>\$706,788</b>	<b>\$527,710</b>	<b>\$179,078</b>	<b>74.7%</b>	<b>49</b>	<b>\$706,788</b>	<b>\$621,025</b>	<b>\$85,763</b>	<b>87.9%</b>	<b>-\$93,315</b>	<b>-52.1%</b>
<b>Total Premium</b>	<b>378</b>	<b>\$5,031,792</b>	<b>\$3,921,816</b>	<b>\$1,109,976</b>		<b>378</b>	<b>\$5,031,792</b>	<b>\$4,362,326</b>	<b>\$669,466</b>			
<i>Change (\$)</i>		<i>n/a</i>	<i>n/a</i>	<i>n/a</i>			<i>\$0</i>	<i>\$440,510</i>	<i>-\$440,510</i>			
<i>Change (%)</i>		<i>n/a</i>	<i>n/a</i>	<i>n/a</i>			<i>0.0%</i>	<i>11.2%</i>	<i>-39.7%</i>			

- Keeps the plans as is: Key Advantage 500 and Key Advantage 1,000
- Total increase to the City \$440,510
- Total decrease to the employees \$440,510
  - Lowers employee premiums on both plans per tier
  - Tiers are as follows; Employee only; Employee + 1 and Family
- Material changes to the dependent tier contributions will likely result in a shift out of the employee only tier which would increase overall cost to the city

# Option B Keeping TLC Plans as is with 5 Tier Rate Structure

	CURRENT PLANS CURRENT CONTRIBUTION STRUCTURE					CURRENT PLANS WITH UPDATED CONTRIBUTIONS & 5 TIER RATE STRUCTURE REDUCED EMPLOYEE CONTRIBUTIONS						
	Jan-24 Enrollment	Total Premium	ER Contribution	EE Contribution	ER Cost-Share	Jan-24 Enrollment	Total Premium	ER Contribution	EE Contribution	ER Cost-Share	EE Change (\$)	EE Change (%)
	<b>Key Advantage 500</b>					<b>Key Advantage 500</b>						
Employee Only	272	\$904.00	\$773.00	\$131.00	85.5%	272	\$904.00	\$813.60	\$90.40	90.0%	-\$40.60	-31.0%
Employee + Spouse	14	\$1,672.00	\$1,116.60	\$555.40	66.8%	14	\$1,672.00	\$1,312.80	\$359.20	78.5%	-\$196.20	-35.3%
Employee + Child	18	\$1,672.00	\$1,116.60	\$555.40	66.8%	18	\$1,672.00	\$1,389.60	\$282.40	83.1%	-\$273.00	-49.2%
Employee + Children	6	\$2,441.00	\$1,474.20	\$966.80	60.4%	6	\$2,441.00	\$1,966.35	\$474.65	80.6%	-\$492.15	-50.9%
Employee + Family	19	\$2,441.00	\$1,474.20	\$966.80	60.4%	19	\$2,441.00	\$1,812.65	\$628.35	74.3%	-\$338.45	-35.0%
<b>Subtotal</b>	<b>329</b>	<b>\$4,325,004</b>	<b>\$3,394,106</b>	<b>\$930,898</b>	<b>78.5%</b>	<b>329</b>	<b>\$4,325,004</b>	<b>\$3,731,156</b>	<b>\$593,848</b>	<b>86.3%</b>	<b>-\$337,049</b>	<b>-36.2%</b>
	<b>Key Advantage 1000</b>					<b>Key Advantage 1000</b>						
Employee Only	31	\$859.00	\$744.00	\$115.00	86.6%	31	\$859.00	\$816.05	\$42.95	95.0%	-\$72.05	-62.7%
Employee + Spouse	5	\$1,590.00	\$1,066.60	\$523.40	67.1%	5	\$1,590.00	\$1,291.20	\$298.80	81.2%	-\$224.60	-42.9%
Employee + Child	8	\$1,590.00	\$1,066.60	\$523.40	67.1%	8	\$1,590.00	\$1,364.30	\$225.70	85.8%	-\$297.70	-56.9%
Employee + Children	1	\$2,320.00	\$1,409.20	\$910.80	60.7%	1	\$2,320.00	\$1,911.80	\$408.20	82.4%	-\$502.60	-55.2%
Employee + Family	4	\$2,320.00	\$1,409.20	\$910.80	60.7%	4	\$2,320.00	\$1,765.70	\$554.30	76.1%	-\$356.50	-39.1%
<b>Subtotal</b>	<b>49</b>	<b>\$706,788</b>	<b>\$527,710</b>	<b>\$179,078</b>	<b>74.7%</b>	<b>49</b>	<b>\$706,788</b>	<b>\$619,711</b>	<b>\$87,077</b>	<b>87.7%</b>	<b>-\$92,001</b>	<b>-51.4%</b>
<b>Total Premium</b>	<b>378</b>	<b>\$5,031,792</b>	<b>\$3,921,816</b>	<b>\$1,109,976</b>		<b>378</b>	<b>\$5,031,792</b>	<b>\$4,350,866</b>	<b>\$680,926</b>			
<b>Change (\$)</b>		<i>n/a</i>	<i>n/a</i>	<i>n/a</i>			<i>\$0</i>	<i>\$429,050</i>	<i>-\$429,050</i>			
<b>Change (%)</b>		<i>n/a</i>	<i>n/a</i>	<i>n/a</i>			<i>0.0%</i>	<i>10.9%</i>	<i>-38.7%</i>			

- Keeps the plans as is: Key Advantage 500 and Key Advantage 1,000
- Total increase to the City \$429,050
- Total decrease to the employees \$429,050
  - Lowers employee premiums on both plans per tier
  - Tiers are as follows: Employee only; employee + spouse; Employee + child; Employee + Children and Family
- Assumptions were made on enrollment distribution in the 5-tier structure
- Material changes to the dependent tier contributions will likely result in a shift out of the employee only tier which would increase overall cost to the city

# Option C Replace the KA 500 with the KA 250 Plan with 3 Tier Rate Structure

	CURRENT PLANS CURRENT CONTRIBUTION STRUCTURE						ENHANCED PLANS REDUCED EMPLOYEE CONTRIBUTIONS						
	Jan-24 Enrollment	Total Premium	ER Contribution	EE Contribution	ER Cost-Share		Jan-24 Enrollment	Total Premium	ER Contribution	EE Contribution	ER Cost-Share	EE Change (\$)	EE Change (%)
	<b>Key Advantage 500</b>						<b>Key Advantage 250</b>						
Employee Only	272	\$904.00	\$773.00	\$131.00	85.5%		272	\$1,018.00	\$885.66	\$132.34	87.0%	\$1.34	1.0%
Employee + 1	32	\$1,672.00	\$1,116.60	\$555.40	66.8%		32	\$1,884.00	\$1,405.26	\$478.74	74.6%	-\$76.66	-13.8%
Employee + Family	25	\$2,441.00	\$1,474.20	\$966.80	60.4%		25	\$2,749.00	\$1,924.26	\$824.74	70.0%	-\$142.06	-14.7%
<b>Subtotal</b>	<b>329</b>	<b>\$4,325,004</b>	<b>\$3,394,106</b>	<b>\$930,898</b>	<b>78.5%</b>		<b>329</b>	<b>\$4,870,908</b>	<b>\$4,007,692</b>	<b>\$863,216</b>	<b>82.3%</b>	<b>-\$67,682</b>	<b>-7.3%</b>
	<b>Key Advantage 1000</b>						<b>Key Advantage 1000</b>						
Employee Only	31	\$859.00	\$744.00	\$115.00	86.6%		31	\$859.00	\$764.51	\$94.49	89.0%	-\$20.51	-17.8%
Employee + 1	13	\$1,590.00	\$1,066.60	\$523.40	67.1%		13	\$1,590.00	\$1,203.11	\$386.89	75.7%	-\$136.51	-26.1%
Employee + Family	5	\$2,320.00	\$1,409.20	\$910.80	60.7%		5	\$2,320.00	\$1,641.11	\$678.89	70.7%	-\$231.91	-25.5%
<b>Subtotal</b>	<b>49</b>	<b>\$706,788</b>	<b>\$527,710</b>	<b>\$179,078</b>	<b>74.7%</b>		<b>49</b>	<b>\$706,788</b>	<b>\$570,549</b>	<b>\$136,239</b>	<b>80.7%</b>	<b>-\$42,840</b>	<b>-23.9%</b>
<b>Total Premium</b>	<b>378</b>	<b>\$5,031,792</b>	<b>\$3,921,816</b>	<b>\$1,109,976</b>			<b>378</b>	<b>\$5,577,696</b>	<b>\$4,578,242</b>	<b>\$999,454</b>			
Change (\$)		n/a	n/a	n/a				\$545,904	\$656,426	-\$110,522			
Change (%)		n/a	n/a	n/a				10.8%	16.7%	-10.0%			

- Keeps the Key Advantage 1,000 as is and replaces the Key Advantage 500 with the Key Advantage 250
- Total increase to the City \$656,426
- Total decrease to the employees \$110,522
  - Lowers employee premiums on both plans per tier
  - Tiers are as follows; Employee only; Employee + 1 and Family
- Material changes to the dependent tier contributions will likely result in a shift out of the employee only tier which would increase overall cost to the city



# Option D Replace the KA 500 with the KA 250 Plan with 5 Tier Rate Structure

	CURRENT PLANS CURRENT CONTRIBUTION STRUCTURE							ENHANCED PLANS REDUCED EMPLOYEE CONTRIBUTIONS						
	Jan-24 Enrollment	Total Premium	ER Contribution	EE Contribution	ER Cost-Share			Jan-24 Enrollment	Total Premium	ER Contribution	EE Contribution	ER Cost-Share	EE Change (\$)	EE Change (%)
	Key Advantage 500							Key Advantage 250						
Employee Only	272	\$904.00	\$773.00	\$131.00	85.5%			272	\$1,018.00	\$885.66	\$132.34	87.0%	\$1.34	1.0%
Employee + Spouse	14	\$1,672.00	\$1,116.60	\$555.40	66.8%			14	\$1,884.00	\$1,405.26	\$478.74	74.6%	-\$76.66	-13.8%
Employee + Child	18	\$1,672.00	\$1,116.60	\$555.40	66.8%			18	\$1,884.00	\$1,491.86	\$392.14	79.2%	-\$163.26	-29.4%
Employee + Children	6	\$2,441.00	\$1,474.20	\$966.80	60.4%			6	\$2,749.00	\$2,097.36	\$651.64	76.3%	-\$315.16	-32.6%
Employee + Family	19	\$2,441.00	\$1,474.20	\$966.80	60.4%			19	\$2,749.00	\$1,924.26	\$824.74	70.0%	-\$142.06	-14.7%
Subtotal	329	\$4,325,004	\$3,394,106	\$930,898	78.5%			329	\$4,870,908	\$4,038,861	\$832,047	82.9%	-\$98,850	-10.6%
	Key Advantage 1000							Key Advantage 1000						
Employee Only	31	\$859.00	\$744.00	\$115.00	86.6%			31	\$859.00	\$764.51	\$94.49	89.0%	-\$20.51	-17.8%
Employee + Spouse	5	\$1,590.00	\$1,066.60	\$523.40	67.1%			5	\$1,590.00	\$1,203.11	\$386.89	75.7%	-\$136.51	-26.1%
Employee + Child	8	\$1,590.00	\$1,066.60	\$523.40	67.1%			8	\$1,590.00	\$1,276.21	\$313.79	80.3%	-\$209.61	-40.0%
Employee + Children	1	\$2,320.00	\$1,409.20	\$910.80	60.7%			1	\$2,320.00	\$1,787.21	\$532.79	77.0%	-\$378.01	-41.5%
Employee + Family	4	\$2,320.00	\$1,409.20	\$910.80	60.7%			4	\$2,320.00	\$1,641.11	\$678.89	70.7%	-\$231.91	-25.5%
Subtotal	49	\$706,788	\$527,710	\$179,078	74.7%			49	\$706,788	\$579,320	\$127,468	82.0%	-\$51,611	-28.8%
Total Premium	378	\$5,031,792	\$3,921,816	\$1,109,976				378	\$5,577,696	\$4,618,181	\$959,515			
Change (\$)		n/a	n/a	n/a					\$545,904	\$696,365	-\$150,461			
Change (%)		n/a	n/a	n/a					10.8%	17.8%	-13.6%			

- Keeps the Key Advantage 1,000 as is and replaces the Key Advantage 500 with the Key Advantage 250
- Total increase to the City \$696,365
- Total decrease to the employees \$150,461
  - Lowers employee premiums on both plans per tier
  - Tiers are as follows: Employee only; employee + spouse; Employee + child; Employee + Children and Family
- Assumptions were made on enrollment distribution in the 5-tier structure
- Material changes to the dependent tier contributions will likely result in a shift out of the employee only tier which would increase overall cost to the city



# Recommendation

- Option B - Continue with TLC offering the two current plan options
  - Key Advantage 500
  - Key Advantage 1000
- Contributions
  - Reduce employee contributions by plan and tier
  - Shift to a 5-tier rate structure which will result in the following:
    - Avoid having employees that cover themselves and children from having to pay the family premium
    - Avoid having employees that cover themselves and one child from having to pay the higher premium under the employee + one premium (today includes employee + spouse or employee + one child)



# Questions?





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** March 19, 2024

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Naomi Siodmok

**RE:** **2023-ZTA-02: A request to schedule a public hearing on the consideration of an ordinance to amend and readopt Article 21, Sign Regulations, to regulate and allow for sandwich board/A-frame signs. (Page 23)**

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**PURPOSE:** The City of Petersburg has seen a growth of small, local businesses seeking a way to make their establishments shine. With that, sandwich board signs have been identified as a solution for small businesses to stand out, supplement existing signage, and have versatility in messaging. Currently, sandwich boards signs are illegal per the City Code. This text amendment seeks to allow sandwich board signs and regulate them.

**REASON:** Sandwich board signs are prevalent throughout the city of Petersburg, but currently are not legal per the City Ordinance. This text is proposed to support the legal continuation of sandwich board signs.

**RECOMMENDATION:** Planning Commission recommends approval.

**BACKGROUND:** Currently, Chapter 98 (Streets, Sidewalks and Other Public Spaces) Article II. Section 98-124 (a) and Appendix B. Article 21. Section 6.7 prohibit the use of sandwich board signs per the excerpts below:

Sec. 98-124 (a): No person shall place, keep or store, or exhibit or display for sale, any goods, wares or merchandise, or maintain any advertising signs, on the sidewalks of the city.

Section 6. - Prohibited signs: The following signs shall be prohibited in all districts:

6.7. All portable or nonstructural signs.

The proposed text amendment seeks to allow sandwich board signs with regulations. This proposal has gone through the Planning Commission through a work session as well as for a vote and recommendation for approval.

**CITY COUNCIL HEARING DATE:** 3/19/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. Memo - Sandwich Boards
2. 5 2023 A-frame\_sandwich board
3. ARTICLE\_21.\_\_\_\_SIGN\_REGULATIONS
4. Sandwich board ordinance



## City of Petersburg

Department of Planning and Community Development

135 N Union St, Room 304

Petersburg, VA 23803

(804) 733-2308

# MEMORANDUM

**DATE:** March 2024

**TO:** City Council

**FROM:** Planning Commission

**RE:** 2023-ZTA-02: A public hearing and consideration of an ordinance approving to amend and readopt Article 21, Sign Regulations, to regulate and allow for sandwich board/A-frame signs.

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**SUMMARY:** This text amendment is proposed to address the abundance of sandwich board/a-frame signs in the City of Petersburg. This amendment seeks to regulate and not eliminate sandwich board signs, which are currently not permitted within the Petersburg sign ordinance.

**BACKGROUND:** The city of Petersburg has seen a growth of small, local businesses seeking a way to make their establishments shine. With that, sandwich board signs have been identified as a solution for small businesses to stand out, supplement existing signage, and have versatility in messaging.

Currently, Chapter 98 (Streets, Sidewalks and Other Public Spaces) Article II. Section 98-124 (a) and Appendix B. Article 21. Section 6.7 prohibit the use of sandwich board signs per the excerpts below:

Sec. 98-124 (a): No person shall place, keep or store, or exhibit or display for sale, any goods, wares or merchandise, or maintain any advertising signs, on the sidewalks of the city.

Section 6. - Prohibited signs: The following signs shall be prohibited in all districts:

6.7. All portable or nonstructural signs.

The proposed text amendment seeks to allow sandwich board signs with limitations to include the following:

1. One (1) sandwich board sign may be located on a property occupied by a lawful use in any zoning district allowing commercial uses.
2. Such sign shall be located:
  - a. Within the same parcel boundaries as the business the sign advertises, OR
  - b. Within the pedestrian right-of-way ONLY when the primary face of the building is less than five (5) feet from the pedestrian right-of-way, or
  - c. Within the closest, main pedestrian right-of-way to the business establishment when a business fronts an alley.
  - d. Any sign within the pedestrian right-of-way shall allow for at least a thirty-six (36) inch wide clearance.
  - e. Sandwich board signs shall not be located in any required off-street parking space, driveway, alley, curb ramp, or fire lane.
3. The sign shall not exceed four (4) feet in height and three (3) feet in width.
4. Signs are to be constructed of plastic, metal, or other similar weather-resistant materials, and shall be maintained in a neat and orderly condition. Use of cardboard or paper shall be prohibited.
5. Signs shall not be lighted or flashing in any manner.
6. No attachments such as pennants, balloons, etc. are allowed unless otherwise permitted.
7. Sandwich board signs are only to be displayed during the business establishment's hours of operation to include additional time before and after formal operation, while businesses set-up and break-down.
8. Sandwich board signs are not subject to Chapter 98. Article III. Section 98-124 (a).

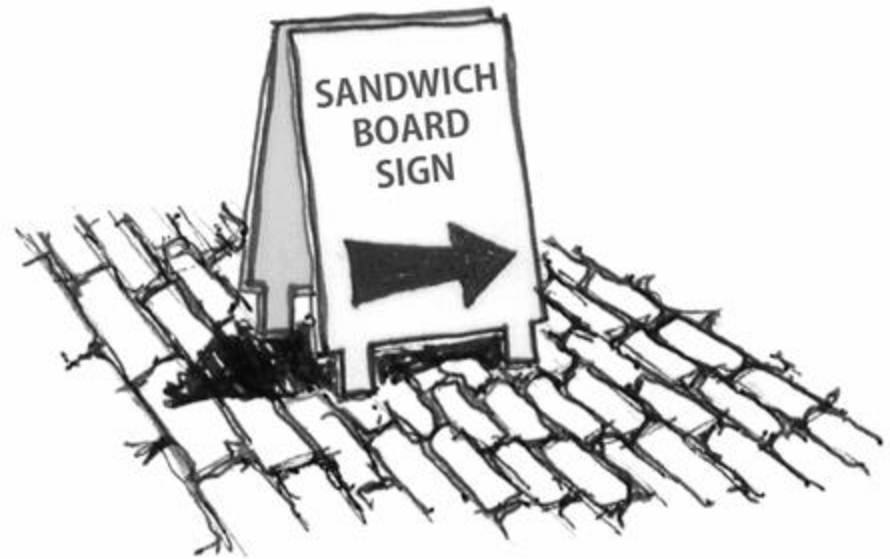
**RECOMMENDATION:** Planning Commission recommends approval of the proposed text amendments.

CITY COUNCIL

MARCH 2024



# 2023-ZTA-02 Sandwich board/ A-frame/ Portable Signs



# Current Code

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All portable or non-constructional signs are currently prohibited under **Chapter 98. Article III. Section 98-124a.** and **Appendix B. Article 21. Section 6.7** in any district

- *Sec. 98-124: No person shall place, keep or store, or exhibit or display for sale, any goods, wares or merchandise, or maintain any advertising signs, on the sidewalks of the city.*
- *Section 6. - Prohibited signs: The following signs shall be prohibited in all districts:*

*6.7. All portable or nonstructural signs.*



# Current Concerns

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- Not permitted per the Code.
- Impacts on walkability and accessibility of sidewalks.

# Current Examples

# N Sycamore Street





# N Sycamore St @ Old St



*Petersburg*  
VIRGINIA



# W Bank St



# W Old St



# E Old Street

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# E Bank Street

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# Benefits



# Benefits of A-frame Signs

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- Helps a small business stand out.
- Creates versatility in messaging.
- Brings character to the neighborhood.
- Creates a small town-type environment.
- Supplements existing signage but is removeable.

# Proposal

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- One (1) sandwich board sign may be located on a property occupied by a lawful use in any zoning district allowing commercial uses.
- Such sign shall be located:
  - Within the same parcel boundaries as the business the sign advertises, OR
  - Within the pedestrian right-of-way ONLY when the primary face of the building is less than five (5) feet from the pedestrian right-of-way, or
  - Within the closest, main pedestrian right-of-way to the business establishment when a business fronts an alley.
- Any sign within the pedestrian right-of-way shall allow for at least a thirty-six (36) inch wide clearance.
- Sandwich board signs shall not be located in any required off-street parking space, driveway, alley, curb ramp, or fire lane.

# Proposal (continued)

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- The sign shall not exceed four (4) feet in height and three (3) feet in width.
- Signs are to be constructed of plastic, metal, or other similar weather-resistant materials, and shall be maintained in a neat and orderly condition. Use of cardboard or paper shall be prohibited.
- Signs shall not be lighted or flashing in any manner.
- No attachments such as pennants, balloons, etc. are allowed unless otherwise permitted.
- Sandwich board signs are only to be displayed during the business establishment's hours of operation to include additional time before and after formal operation, while businesses set-up and break-down.
- Sandwich board signs are not subject to Chapter 98. Article III. Section 98-124 (a).

# Proposal (continued)

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- Sandwich board signs will be subject to liability insurance if located within the right-of-way to ensure the City is not responsible for any damages or injuries resulting from the sign.
- Applications will be required to ensure liability insurance is provided.

# Referenced Ordinances

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- Fredericksburg
- Staunton
- Charlottesville
- Richmond

# Recommendation

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- The Planning Commission recommend that the City Council approve to amend and readopt Article 21. Sign Regulations to regulate and allow for sandwich board signs.

## ***ARTICLE 21. SIGN REGULATIONS<sup>1</sup>***

### **Section 1. Short title.**

The regulations contained in this article may be cited as the "sign ordinance."

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

### **Section 2. Purpose and intent.**

- 2.1. The purpose of this article is to set forth regulations that shall govern the construction, alteration, repair, maintenance and use of all signs, together with their appurtenant and auxiliary devices.
- 2.2. The intent of these regulations is to permit and regulate all signs, except as otherwise provided herein, in such a manner as to protect property values, promote neighborhood character and stability, ensure safety on the streets by minimizing obstruction of vision or confusion of those utilizing the streets, promote clarity in the transmission of sign information, and to facilitate the creation of an attractive and harmonious community.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

### **Section 3. Permit required.**

A sign permit shall be required to erect, structurally alter, relocate or replace any sign within the city, except as otherwise provided herein. A separate permit shall be required for each sign.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

#### **Section 3.1. Application.**

- A. Prior to the erection, installation, placement, or alteration of any sign, a permit application shall be submitted to the zoning administrator. Each application for such permit shall be accompanied by plans showing the dimensions of the sign, the area, and height above grade level; the proposed location of the sign, including proper sight lines, rights-of-way, streets, sidewalks, buildings, and existing signs on the premises; the methods of illumination or lighting; the method of fastening such sign; and the name and address of the sign owner and of the sign erector, including written permission of the owner, lessee, or his authorized agent of the building or land on which the sign is to be erected or placed. Except as required by the building official, it shall not be necessary for the applicant to submit drawings or renderings from a licensed professional engineer, or to submit a survey from a licensed surveyor, as part of the application.

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<sup>1</sup>Editor's note(s)—Ordinance No. 10-Ord-10, adopted March 2, 2010, amended App. A, Art. 21, to read as herein setout, revising Art. 21, Ordinance No. 91-23, adopted March 19, 1991. Former App. A, Art. 21, relative to sign regulations, derived from the original zoning ordinance adopted April 20, 1971. As amended by Ord. No. 89-55, adopted June 6, 1989.

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- B. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six months after the date of issuance of the permit, and there shall be no refund of any fee required by this article.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

## Section 4. Definitions.

For the purpose of this article, and notwithstanding other provisions elsewhere in this article, certain terms and words pertaining to signs are hereby defined as follows:

- (1) *Historic area.* Historic area means an area designated by ordinance as containing buildings or places in which historic events occurred, or which have special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation.
- (2) *Nonconforming sign structure.* A nonconforming sign structure shall be any lawfully erected sign structure that fails to meet current ordinance standards.
- (3) *Sign.* A sign is any structure, or part thereof, or any device attached to, painted on, or represented on a building, fence, or other structure, upon which is displayed or included any letter, word, numeral, picture, illustration or decoration, emblem, symbol or trademark, flag, banner, or pennant, or other device, figure, or character used as, or which is in the nature of, an announcement, direction, advertisement or other attention-directing device, and which is visible beyond the boundaries of the parcel of land on which the same is located.
  - a. A sign shall not include:
    1. A similar structure or device located within a building, except illuminated signs within show windows;
    2. Official court or public notices; or
    3. The painted or posted message on a properly permitted general advertising sign structure.
  - b. *Sign, abandoned.* Any accessory or business sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity located, conducted, or sold on the premises upon which such sign is located, which use has been discontinued for a continuous period of two years.
  - c. *Sign, accessory or business.* A sign directing attention to a business, commodity, service or entertainment conducted, sold or offered on the same premises upon which the sign is located and not included as exemptions in section 5 of this article.
  - d. *Sign, billboard.* A general advertising sign owned or operated by a person engaged in the business of outdoor advertising licensed by the Department of Transportation 33.1-361 of the Code of Virginia.
  - e. *Sign, changeable message.* Any changeable message sign that is illuminated, stationary and constant and does not change more than once every eight seconds shall be permitted, including a billboard sign which contains electronic messaging as expressly authorized by the Code of Virginia in § 33.1-369.
  - f. *Sign, face, surface area.* The surface area of a sign shall be computed as including the entire area within a circle, semicircle, triangle, rectangle, parallelogram, or trapezoid enclosing all elements of the matter displayed, excluding frames and columns or uprights on which the sign is placed. One side of a double-faced sign, whose sign faces are parallel and are at no point more than two feet



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from one another, shall be included in the computation of total sign area; for all other signs with more than one face, each side shall be included in the computation of total sign area.

- g. *Sign, flashing.* Any sign displaying flashing or intermittent lights, changing in degrees of intensity, which constitutes a public safety or traffic hazard in the judgment of the city's traffic engineer.
- h. *Sign, freestanding or ground.* A non-movable sign supported by a fence, retaining wall or by upright structural members or braces on or in the ground and not attached to a building.
- i. *Sign, general advertising.* Any sign which directs attention to a business, commodity, service or entertainment not conducted, sold, or offered on the same premises upon which such sign is located, except a wall sign that is determined to be historic by the architectural review board. General advertising sign includes a "billboard sign" as defined in this article, however, any general advertising or billboard sign owned or operated by the city shall not be subject to the provisions of this article.
- j. *Sign, height.* The vertical distance from the average street grade or from the average lot grade of the real property upon which the sign is located, at the required minimum front setback line for signs, whichever allows for the greater height, to the highest point of the sign.
- k. *Sign, illuminated.* Any sign designed to give forth artificial light, or designed to reflect light from one or more sources of artificial light erected to provide light for the sign.
- l. *Sign, portable.* Any sign not permanently affixed to the ground nor to a building, which is designed or constructed in such manner that it can be moved or relocated without involving any structural or support changes (including a sign attached to or displayed on a vehicle that is used for the express purpose of advertising a business establishment, product or service when the vehicle is parked so as to attract the attention of motoring or pedestrian traffic).
- m. *Sign, projecting.* Any sign which is attached to and projects more than 12 inches from the face of a wall of a building.
- n. *Sign, roof.* Any sign painted, erected, or constructed upon or above the roof of a building or structure, or part thereof; any sign that projects above the intersection of the roof decking and wall face; or any sign that extends above the eave or parapet shall be deemed to be a roof sign.
- o. *Sign, sandwich board.* Portable, freestanding sign, typically in the shape of an inverted V, with two sign boards attached to each other at the top of the sign; also known as a sidewalk or A-frame sign.
- pe. *Sign, temporary.* A sign which advertises community or civic projects or special events on a temporary basis. Temporary signs for community or civic projects or special events shall be permitted only for events of public interest, e.g. fairs, carnivals, community gatherings, or other similar events.
- qp. *Sign, wall.* A sign attached to or painted on or otherwise inscribed on the outside wall of a building and supported throughout its length by such wall or building and not extending more than 12 inches from the building wall.
- rq. *Structure.* Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, advertising signs, billboard signs, main buildings, outbuildings, fences, walls, lamp posts, light fixtures and, posterboards.
- sf. *Structural alterations.* Any change in the supporting members of a building or structure, including, but not limited to, bearing walls or partitions, columns, beams or girders, or any substantial

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change in the roof or in the exterior walls, provided that in order to be a structural alteration, the alteration shall meet the criteria otherwise provided in the Uniform Statewide Building Code.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

## **Section 5. Exemptions.**

The following signs are exempted from the permit requirements of this article provided that they comply with all other regulations of this article; however, nothing in this section shall be construed as providing an exemption from any requirement of the Building Code:

- 5.1. One identification sign not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants or premises, or hours of operation.
- 5.2. Signs identifying municipal or governmental buildings or buildings used for religious purposes, provided such signs are erected upon the building or land upon which such building is located and not exceed 25 feet in area.
- 5.3. Public signs of a noncommercial nature and in the interest of, erected by, or on the order of, a public officer in the performance of his public duty, such as directional signs, regulatory signs, warning signs, and informational signs.
- 5.4. Temporary real estate signs which advertise the sale, rental or lease of the premises on which such signs are displayed, provided that advertisement display area does not exceed six square feet in residential districts or 16 square feet in commercial or industrial districts. Such signs shall not be illuminated and, if freestanding, shall not be more than six feet in height.
- 5.5. Signs warning the public against trespassing, dangerous animals, swimming or the like, provided such signs do not exceed three square feet in area per sign.
- 5.6. One sign, not more than one square foot in area and not illuminated, identifying a home occupation in any and all zoning districts.
- 5.7. Not more than three construction signs, when placed at the construction site. Such signs shall not be illuminated, shall not exceed 16 square feet in area for each sign, and shall be removed within ten days following completion of construction.
- 5.8. Signs designating entrances, exits or conditions of use for parking lots. Such signs shall not exceed six square feet in area for each sign.
- 5.9. Commemorative plaques and historic markers recognized by the city.
- 5.10. Yard or garage sale signs displayed on the premises of such sale, provided that such signs shall not exceed six square feet. No such sign is permitted elsewhere and if so displayed or placed, may be removed by the city. The cost of such removal shall be charged to the occupant of the property on which the yard or garage sale is conducted.
- 5.11. Temporary agricultural or seasonal signs that promote the sale of agricultural produce and that do not exceed 12 square feet per sign on the premises on which such signs are displayed, provided such signs are removed at the end of the sales season.
- 5.12. Political campaign signs, including posters, banners, writings, pictures, paintings, lights, models, displays, emblems, notices, illustrations, insignias, symbols, and any other advertising devices, the purpose of which is to announce a referendum or the nomination or election of individuals seeking an elected public office, provided that the total area of such signs shall not exceed six square feet in a residential zone and 32 square feet in a commercial or industrial zone. These signs shall be confined with private property and shall not encroach into the visibility triangle at street intersections:

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- (a) In those situations where a final election follows a primary election, those candidates who won in the primary election may continue to display their signs during the interim period and up to ten days after the final election, at which time all political campaign signs shall be removed. Persons responsible jointly and severally for the maintenance and removal of political campaign signs are:

- (1) The candidate, spokesman or campaign committee;
- (2) The owner of the premises on which the sign is located;
- (3) The person erecting the sign; or
- (4) The person causing erection of the sign.

5.13. Sandwich board signs as defined and regulated within this article.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

## **Section 6. Prohibited signs.**

The following signs shall be prohibited in all districts:

- 6.1. Signs which by reason of their location, position, size, shape, color, design or means of illumination may be construed as or confused with, or may interfere with, obstruct or obscure the view of all or any portion of a traffic control sign, signal, or device.
- 6.2. Signs which imitate an official sign or signal or which contain the words "stop," "go," "slow," "yield," "caution," "danger," "warning" or similar words which imply any official warning or command or which may imply the need for special actions on the part of any vehicle operator or pedestrian.
- 6.3. Any flashing sign.
- 6.4. Signs which contain or consist of pennants, ribbons, streamers, spinners, strings of light bulbs, or other similar moving devices. Pennants, flags, and banners, when not part of any sign, even if attached to the poles or other supporting elements of the sign face, however, are allowed in the B-2, General Commercial, and B-3 B, Central Commercial Districts, provided such devices are connected to a rope or wire that is attached securely at both ends or attached directly to a supporting pole; otherwise such devices, when not part of any sign, are prohibited in any district.
- 6.5. Any sign or means of sign illumination which causes glare into or upon any building other than the building to which the sign may be related.
- 6.6. Any sign affixed to, hung, placed, or painted on any other sign, cliff, tree, public utility pole, radio or television or similar tower, provided that this prohibition shall not affect official traffic, parking or informational signs placed on utility poles by the city government.
- 6.7. All portable or nonstructural signs except for sandwich board signs, which are further regulated in this article.
- 6.8. Roof signs.
- 6.9. Signs advertising activities which are illegal under federal, state, or city laws or regulations.
- 6.10. General advertising signs, except billboard signs as otherwise provided herein.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

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## Section 7. General regulations.

The following regulations apply generally to all signs and are in addition to the regulations contained elsewhere in this article:

- 7.1. Structural and safety features and electrical systems shall be in accordance with the requirements of the Uniform Statewide Building Code. All signs requiring permits shall be inspected by the zoning administrator for compliance with all the requirements of this article and by the building official for compliance with the requirements of the Uniform Statewide Building Code.
- 7.2. The zoning administrator, upon application as required in this article, may issue temporary permits for the following signs and displays for a period not to exceed 30 days, when in the administrator's opinion, the use of such signs and displays would be in the public interest and would not result in damage to private property including signs advertising a special civic or cultural event such as a fair or exposition, play, concert or meeting, sponsored by a governmental, civic or charitable organization.
- 7.3. Special sales promotion displays in a district where such sales are permitted, including displays incidental to the opening of a new business.
- 7.4. No signs shall project over public right-of-way without the express written permission of the city manager, except for permitted flat signs which may so project not more than six inches.
- 7.5. The sign face of a sign which advertises an activity, business, product or service no longer produced or conducted on the premises where the sign is located may remain in place for not more than 90 days from the date of vacancy by the tenant or owner previously occupying the premises on which the sign is located. An abandoned sign structure may be removed in accordance with section 15.2-2307.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

## Section 8. Liability insurance.

No sign shall be hung, kept in place, maintained or erected over or on any public right-of-way including streets, alleys or sidewalks within the city unless the owner or tenant of the building or structure to which such sign is, or may be, attached shall have secured and deposited with the city manager a policy of insurance against public liability and property damage, issued by some solvent insurance company licensed and duly authorized to execute such policies within the state, or a proper certificate of such insurance company showing that such owner or tenant has obtained such policy, insuring the city against liability for bodily injuries, including death, in an amount not to exceed the sum of \$250,000.00 for injury to any one person, or the sum of \$500,000.00 for injuries arising out of any one accident, and against liability for property damage in an amount not to exceed the sum of \$100,000.00 in any one accident, where such liability arises out of the erection, maintenance or presence of any such sign, or on account of any damages or injuries caused thereby. Such policy or insurance shall contain a clause obligating the company issuing the policy to give ten days' written notice to the city manager before cancellation thereof. In lieu of such policy of insurance, the owner or tenant of such building or other structure shall be permitted to enter into a bond, with surety satisfactory to the city manager, and in a form approved by the city attorney, payable to the city, with conditions therein similar to the conditions hereinbefore provided with respect to such policies of insurance.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

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## Section 9. Permitted signs by zoning district.

The regulations set forth in this section pertain to the various types and specifications for signs expressly permitted in each designated zoning district, except for billboard signs which are addressed in section 10.14 of this article.

- 9.1. In District R-B, regulations shall be established in accordance with article 13, section 2.
- 9.2. The maximum advertising display area for accessory or business signs in the mixed use districts (MSD) shall not exceed 25 square feet.
- 9.3. In District B-1, regulations shall be established in accordance with article 14, section 6.
- 9.4. The maximum advertising display area for accessory or business signs in District B-2 shall not exceed 150 square feet.
- 9.5. The maximum advertising display area for accessory or business signs in District B-3 shall not exceed 125 square feet.
- 9.6. In Districts M-1 and M-2, sign area shall not exceed in the aggregate three square feet in area per linear foot of building frontage, such frontage shall be measured as the longest horizontal dimension of the building and which does not pass through or between any adjacent elements of same, provided, however, no such sign or signs shall exceed an aggregate total of 350 square feet in area.
- 9.7. No part of any freestanding or projecting sign shall be higher than 25 feet from grade.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

## Section 10. ~~Intentionally blank~~Sandwich board signs.

Sandwich board signs are permitted subject to the conditions set out in this section.

1. One (1) sandwich board sign may be located on a property occupied by a lawful use in any zoning district allowing commercial uses.
2. Such sign shall be located:
  - a. Within the same parcel boundaries as the business the sign advertises, OR
  - b. Within the pedestrian right-of-way ONLY when the primary face of the building is less than five (5) feet from the pedestrian right-of-way, or
  - c. Within the closest, main pedestrian right-of-way to the business establishment when a business fronts an alley.
  - d. Any sign within the pedestrian right-of-way shall allow for at least a thirty-six (36) inch wide clearance.
  - e. Sandwich board signs shall not be located in any required off-street parking space, driveway, alley, curb ramp, or fire lane.
3. The sign shall not exceed four (4) feet in height and three (3) feet in width.
4. Signs are to be constructed of plastic, metal, or other similar weather-resistant materials, and shall be maintained in a neat and orderly condition. Use of cardboard or paper shall be prohibited.
5. Signs shall not be lighted or flashing in any manner.
6. No attachments such as pennants, balloons, etc. are allowed unless otherwise permitted.

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7. Sandwich board signs are only to be displayed during the business establishment's hours of operation to include additional time before and after formal operation, while businesses set-up and break-down.

8. Sandwich board signs are not subject to Chapter 98. Article III. Section 98-124 (a).

9. Any person installing a sign in accordance with this section thereby agrees to the fullest extent of the law to indemnify and save harmless the City, its elected officials, employees, agents, and volunteers from all claims for damages to persons or property resulting from the installation or location of the signage within public right-of-way.

## **Section 11. Signs permitted in local historic districts.**

Before any sign shall be painted, erected, or constructed in local-designated historical areas, a certificate of appropriateness shall be obtained from the architectural review board, in accordance with the provisions of article 35 of this appendix. Notwithstanding the sign regulations established herein, the architectural review board, in approving a sign, may further regulate such sign with respect to area, height, placement, materials, color, lighting, graphics, lettering or architectural styling, provided that area and height limitations established herein are not exceeded. Sandwich board signs are not subject to this review.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

## **Section 12. Maintenance.**

12.1. All signs, including those exempt from the permit requirements of this article, together with all of their supports, braces, connections, anchors, and electrical equipment shall be maintained in good structural condition at all times. All materials used in the sign shall be kept in good condition, free of holes, rotting, peeling paint or other forms of decay. If the sign is illuminated, all lighting shall be maintained in working order and meet the standards and requirements of the Building Code. Billboard signs shall be maintained in accordance with section 10.14.6 of this chapter.

12.2. Except as otherwise provided herein, whenever a sign fails to meet the maintenance requirements, as specified in this section, or becomes structurally unsafe, or endangers the public safety, the zoning administrator or the building official shall order that such sign be properly maintained, repaired, made safe, or removed. Such order shall be complied with within ten days of receipt thereof by the person, firm or corporation owning or using the sign, or the owner of the building or premises on which such sign is affixed or erected.

12.3. The ground area around any freestanding sign shall be kept free and clean of weeds, trash and other debris.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

## **Section 13. Nonconforming signs.**

No sign lawfully erected or placed before the effective date of Ordinance No. 91-23 which does not conform to the provisions of this article, and no sign lawfully erected or placed before the effective date of any amendment to such ordinance which does not conform to the provisions of such amendment, shall be enlarged, structurally altered, or reconstructed in any manner, except for billboard signs as otherwise provided herein. No nonconforming sign shall be moved on the same lot, however, notwithstanding any other provisions of this article including article 3, nonconforming billboard signs shall be governed by section 10.14 of this article.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

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## Section 14. Billboard signs.

For the purpose of section 10.14, the following terms and words pertaining to billboard signs supplement the definitions in section 10.4:

- (1) "Consolidate and reconstruct" means that the applicant will demolish an existing single-faced billboard structure and combine that single-faced billboard with another single-faced billboard structure to create one double-faced billboard, which may be a monopole structure. However, there shall be no billboard stacked above another billboard, commonly referred to as a "double stack".
- (2) "Demolition of billboard sign structure" means that the applicant will demolish an existing billboard sign structure and remove of all of the debris from the demolition site.
- (3) "Receiving area" means the area that includes any parcel of real property that is zoned commercial or industrial, as of the date of adoption of this article and is adjacent to: (i) the main traveled way of Interstate 95 but not including any parcel of real estate located on Pocahontas Island, or (ii) Route 460 East, from Interstate 95 eastbound to the city limits but not including any parcel of real estate that is within 500 feet of a residential dwelling.
- (4) "Relocation" means that the applicant will demolish an existing billboard sign structure in a sending area and reconstruct a new billboard sign structure in a receiving area.
- (5) "Sending area" means any parcel of real property in the city that that is not expressly designated as being in a "receiving area".

### 14.2. Relocation of billboard sign structures.

Billboard sign structures may be "relocated" only in accordance with this section. Applications to relocate a billboard sign structure shall be made to, and subject to approval of, the zoning administrator.

No application for relocation of a billboard sign structure shall be approved unless the applicant first applies for a demolition permit to demolish an existing billboard sign structure of equal or greater sign face area. Further, no such building permit shall be approved until the zoning administrator confirms that the demolition of the billboard sign structure designated for demolition has in fact occurred and the debris from the demolition removed from the site.

### 14.3. Consolidation and reconstruction of billboard sign structures.

Billboard sign structures may be consolidated and reconstructed only in accordance with this section. Applications to consolidate and reconstruct shall made to, and subject to approval of, the zoning administrator.

No application for consolidation and reconstruction of a billboard sign structure shall be approved unless the applicant first applies for a demolition permit to demolish an existing billboard sign structure of equal or greater sign face area. Further, no such building permit shall be approved until the zoning administrator confirms that the demolition of the billboard sign structure designated for demolition has in fact occurred and the debris from the demolition removed from the site.

### 14.4. Installation of changeable message sign technology.

Changeable message sign technology may be installed on a billboard sign structure only in accordance with this section. Applications to install changeable message technology shall [be] made to, and subject to approval of, the zoning administrator.

No application to install changeable message sign technology on an existing billboard in a receiving area shall be approved unless the applicant first applies for a demolition permit to demolish an existing billboard sign structure of equal or greater face sign area. Further, no such building permit shall be approved until the

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zoning administrator confirms that the demolition of the billboard sign structure designated for demolition has in fact occurred and the debris from the demolition removed from the site.

14.5. Height and size of billboard sign structures; other provisions.

The maximum height of any billboard structure along Interstate 95 shall not exceed 50 feet, with the maximum height of any other billboard structure being limited to 25 feet, measured from the natural grade of the center-line of an adjacent state or federal highway.

The size of any billboard sign face shall not exceed 675 square feet. No billboard sign structure shall be located closer than 100 feet to an entrance or exit ramp on Interstate 95, measured in accordance with Virginia Department of Transportation standards. Further, no billboard sign structure shall be located less than 500 feet apart on the same side of the road.

All billboard signs in sending areas shall remain nonconforming. Billboard signs in receiving areas on property zoned for commercial or industrial as of the date of adoption of this article shall be conforming and a permitted use. Changeable message sign technology shall be permitted only on conforming billboard sign structures.

14.6. Maintenance and repair; condemnation.

Billboard sign structures shall be maintained in good repair. Such maintenance and repair shall be governed by the Code of Virginia and the regulations of the Virginia Department of Transportation. In the event of condemnation, the owner of the billboard shall relocate the billboard on the same parcel of real property at no expense to the condemner.

14.7. Building permits required.

No alteration (as defined by the Building Code) to an existing billboard or relocation of a billboard shall occur without obtaining a building permit as provided herein.

14.8. Permitting process.

A billboard sign visible from the main traveled way of the right-of-way of any highway within the city classified as a part of the national system of interstate highways, shall not be erected except in conformance with title 33.1, chapter 7 of the Code of Virginia, entitled "Outdoor advertising in sight of public highways". However, no city permit shall be issued until such time as an outdoor advertising permit approved by the Virginia Department of Transportation is presented to the zoning administrator; and provided further, that the requirements of this section are met.

14.9. Compliance with state and federal laws and regulations.

Billboard signs shall comply at all times with applicable state and federal laws and regulations for traffic safety.

(Ord. No. 10-10, § 1, 3-2-2010)

## **Section 15. Removal of signs.**

Except as otherwise provided herein for billboard signs, the zoning administrator may order the removal of any sign erected or maintained in violation of this article. Upon determination of such violation, the zoning administrator may give 30 days' written violation notice, by certified mail, to the owner of such sign, or of the building, structure or premises upon which such sign is located if the owner of the sign is not identified, to remove the sign or to bring it into compliance with applicable regulations. If the owner or person notified of the violation fails to remove or alter the sign to comply with the applicable requirements of this article within the 30 days, the zoning administrator shall cause such sign to be removed or brought into compliance at the cost of the owner or person notified of the violation. Removal of sign shall mean the dismantling and removal from premises of all



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signs, embellishments, and structures designed specifically to support such sign. This process described herein also is applicable to abandoned signs.

(Ord. No. 91-23, 3-19-1991; Ord. No. 10-10, § 1, 3-2-2010)

**AN ORDINANCE TO AMEND AND READOPT ARTICLE 21, SIGN REGULATIONS, TO REGULATE AND ALLOW FOR SANDWICH BOARD/A-FRAME SIGNS.**

WHEREAS, the City of Petersburg Zoning Ordinance includes Article 21. – Sign Regulations; and

WHEREAS, the purpose of this article is to set forth regulations that govern the construction, alteration, repair, maintenance, and use of all signs, together with their appurtenant and auxiliary devices; and

WHEREAS, The City of Petersburg currently prohibits the use of all portable signs under Article 21, but is interested in defining, allowing, and regulating sandwich board signs; and

WHEREAS, the City Council seeks to allow one sandwich board sign per establishment to help small businesses stand out, allow versatility in messaging, and maintain the current character of Petersburg, which as of now exhibits sandwich board signs; and

WHEREAS, the City Council seeks to do this with requirements related to where a sign can be located, the size and material of the sign, restrictions of flashing lights and balloons on signs, and the requirement that signs be removed when the business closes; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that City Council amend and readopt Article 21, Sign Regulations, to regulate and allow for sandwich board/a-frame signs.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** March 19, 2024

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Brian Moore

**RE:** **Property Purchase Requirement**

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**PURPOSE:** To provide City Council with a presentation with property purchase criteria recommendations.

**REASON:** Requested by City Manager and Council.

**RECOMMENDATION:** To update the current status of property purchase criteria with recommendations.

**BACKGROUND:** City Council has passed guidance that for any proposal to come to City Council, the minimum proposed price was to be at least 50% of the assessed value; however, there was not a differentiation of status relative to the property.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** Various

**CITY COUNCIL HEARING DATE:** 3/19/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. Property Purchase Criteria 2024

# Property Purchase Criteria City Council Requirements

March 19, 2024  
Department of Economic Development





# Property Purchase Criteria Background



- The City Council has passed guidance that for any proposal to come to City Council, the minimum proposed price was to be at least 50% of the assessed value.
- There was not a differentiation of status of property such as:
  - Vacant (Industrial and Business).
  - Industrial and Business (with Structures and parking.)
  - Residential with existing structure (conforming and non-conforming.)
  - Residential vacant lot and buildable.
  - Residential vacant lot not buildable for single-family housing.)



# Property Purchase Criteria

## Current Process

- A Letter of Intent (LOI) is sent to the Department of Economic Development for consideration.
- The LOI is evaluated to see if it meets baseline requirements.
- If the LOI meets baseline requirements, it will be presented to the City Council in closed session.



# Property Purchase Criteria Current Process, Cont'd



- The closed session requirement is the following:
  - “...The purpose of this meeting is to convene in the closed session pursuant to: a. (1)§2.2-3711(A)(7) and (8) of the Code of Virginia for the purpose of receiving legal advice and status update from the city attorney and legal consultation regarding the subject of specific legal matters requiring the provision of legal advice by the city attorney, specifically including but not limited to matters requiring the legal advice of the city attorney; under Section 2.2-3711 (A)(3) for the purpose of discussion or consideration of the acquisition of real property for a public purpose and the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically including but not limited to the acquisition and disposition of real property;...”

*Excerpt taken from a closed session agenda*



# Property Purchase Criteria

## Current Process, (Cont'd)

- If there is support to move forward, the LOI is prepared to be submitted for the public agenda.
- The LOI will be on the consent agenda for a public hearing after two reviews.
- After the public hearing, Council will make their decision on the submitted LOI.





# Property Purchase Criteria

## Current items not brought to Council



- **Free land and/or buildings.**
- **Submittals for \$1 or less than 50% of the assessed value.**
- **Requests for personal unsecured loans for development of property.**
- **Request for the City to pay all pre-development costs.**



# Property Purchase Criteria

## Current items not brought to Council, Cont'd



- **Request for the City to pay 100% of all utility hookups and connection fees.**
- **Trying to add properties in a development agreement that were not part of the accepted LOI or development agreement.**



# Property Purchase Criteria Recommendations



- **Maintain the minimum proposed price was at least 50% of the assessed value.**
- **Develop exception considerations based on possible uses. This would be done as a joint effort of Economic Development and Planning and Community Development.**
- **Possible consideration, but not limited to the following, could be evaluated:**
  - **Vacant (Industrial and Business).**
  - **Industrial and Business (with Structures and parking.)**
  - **Residential with existing structure (conforming and non-conforming.)**
  - **Residential vacant lot and buildable.**
  - **Residential vacant lot not buildable for single-family housing.)**
- **Bring back to Council on May 21<sup>st</sup> a recommended Criteria Plan to move forward.**



# Property Purchase Criteria Conclusion



**Thank you,**





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** March 19, 2024  
**TO:** The Honorable Mayor and Members of City Council  
**THROUGH:** March Altman, Jr., City Manager  
**FROM:** Brian Moore  
**RE:** Lease Payment Distribution / Funds Allocation Process

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**PURPOSE:** To provide City Council with a presentation on the process of distributing lease payment funds from Old Town Alibi's expansion.

**REASON:** To provide City Council with a presentation regarding the process of distributing lease payment funds from Old Town Alibi's expansion.

**RECOMMENDATION:** Approve the payment distribution process.

**BACKGROUND:** City Council has passed the utilization and lease agreement of McCay Enterprises, LLC regarding 301 North Sycamore Street for the expansion and beatification of the outdoor seating area. On Page 7 of 146 Minutes from the Petersburg City Council meeting held on February 20, 2024 - 3, Council Member Jones made a motion to approve the lease and to direct the funds to go towards the Petersburg Academic Sports League and the homeless initiative by Ms. Pat Hines. Council Member Westbrook seconded the motion. The motion was approved on a roll call vote. On roll call vote, voting yes: Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham; Abstain: Cuthbert. The lease amount will be \$500 monthly or \$6000 annually.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** \$6000 annually

**CITY COUNCIL HEARING DATE:** 3/19/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. 00Alibi lease payment Distribution 2024



# Alibi's Lease Payment Distribution

February 20, 2024  
Department of Economic Development





# Alibi's Lease Payment Distribution Background



- **Alibi's, operated by McCay Enterprises, LLC, was approved for the leasing of 301 North Sycamore Street for the expansion and beautification of the outdoor seating area.**
- **Council Member Jones made a motion to approve the lease and to direct the funds to go towards Petersburg Academic Sports League and the homeless initiative by Ms. Pat Hines. Council Member Page 7 of 146 Minutes from the Petersburg City Council meeting held on February 20, 2024 - 3 Westbrook seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham; Abstain: Cuthbert**
- **The lease amount will be \$ 500.00 a month/ \$ 6,000 a year.**





# Alibi's Lease Payment Distribution Funds Allocation Process



- The lease amount will be \$ 500.00 a month/ \$ 6,000 a year.
- Each entity (Petersburg Academic Sports League and The HUB) will have to submit a W – 9 and be entered into BAI
- With each lease amount paid monthly, a Pay In Voucher (PIV) will be used in conjunction with an assigned General Ledger (GL) Code for deposits.



# Alibi's Lease Payment Distribution Funds Allocation Process, Cont'd



- For the remainder of the FY23/24 (March – June 2024), the lease amount will be obtained from McCay Enterprises, LLC for a total amount of \$2000.
  - Each entity will receive a total of \$1000 each during the month of June 2024.
- On a quarterly basis (starting FY24/25), the amount of \$1500 will be equally allocated to:
  - Petersburg Academic Sports League (\$750.00)
  - The HUB, Homeless Shelter(\$750.00)





# Alibi's Lease Payment Distribution Recommendation



**Vote to approve and authorize  
by ordinance the process for  
the receipt and distribution of  
funds.**





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** March 19, 2024

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Tangi Hill

**RE:** **Consideration of Appointment(s) to the Planning Commission**

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**PURPOSE:** To consider appointment to the Planning Commission (Ward 1)

**REASON:** There is one unexpired term within Ward 1 that expires on September 30, 2026.

**RECOMMENDATION:** Councilmember Jones (Ward 1) recommends the appointment of Alvin L. Cannon, 3230 Holland Drive, to fill the unexpired term on the Planning Commission ending September 30, 2026.

**BACKGROUND:** The Planning Commission consists of 2 at-large members and 7 members appointed by the City Council. There is a vacant seat for Ward 1 to fill an unexpired term, expiring on September 30, 2026.

The duties of the Board include, but are not limited to, the following: Promote the orderly development of the City and its environs; serve primarily in an advisory capacity to the City Council on matters pertaining to land use, future development, and capital improvements.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 3/19/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. Alvin Cannon Planning Commission Application

## 2. Planning Commission 2024



**City of Petersburg, Virginia  
Boards, Commission, and Authority Application**

(Please type or print clearly)

APPLICATION FOR: Planning Commission  
(Board, Commission, or Authority)

3/1/2024

(Date of Application)

NAME: Cannon Alvin L  
(Last First Middle initial)

HOME ADDRESS: 3230 Holland Drive Petersburg, Virginia 23805  
(Street Apartment# ZIP)

804-502-2672 - CELL  
(Home Phone # or Cell Phone#) (Work Phone #) (Ward)

Email Address: Alvin.cannon18@gmail.com

University Bursar – Virginia State University

(Current occupation and place of employment - if retired, indicate former occupation)

Current membership in professional/community organizations: President – Kappa Alpha Psi  
Fraternity, Inc. – VSUAA – RMC – Chairman – Membership Committee, Board of Directors – VSUAA  
and Kappa Alpha Psi Fraternity, Inc., William T. Wallace # 134 – PHA - Member, NAACP – Petersburg  
Branch

Please indicate why you would like to serve: I am writing to express my interest in serving on the planning

board of the city of Petersburg, VA. As a resident of this vibrant and diverse community, I am deeply committed to

contributing to its growth and development. I believe that my skills, knowledge, and passion for urban planning make me  
an excellent candidate for this position. First and foremost, I have a solid educational background in Accounting,  
Information Systems, and pursuing doctoral at VSU and professional experience as a past City Controller of the City of  
Richmond, University Controller at UDC. I have a focus on sustainable development and community revitalization.  
Through my years and studies, I have gained a comprehensive understanding of the principles and practices of effective  
urban planning, including zoning regulations, land use policies, transportation planning, and environmental  
sustainability. This knowledge will enable me to make informed and well-reasoned decisions as a planning board  
member. Furthermore, I have experience in the fiscal side of urban planning. I was involved in various projects focused  
on community engagement, neighborhood revitalization, and urban design in the City of Richmond. These experiences  
have given me valuable insights into the challenges and opportunities associated with urban development. I have  
developed a keen eye for identifying community needs and finding innovative solutions to address them.

As stated in my educational and professional background, I possess strong analytical and problem-solving skills. I have a  
proven ability to analyze complex data, assess the impact of proposed projects, and make sound recommendations based  
on evidence and best practices. I am also a good communicator, capable of effectively conveying ideas and engaging  
with diverse stakeholders. I believe in the power of collaboration and consensus-building and will strive to ensure that all  
voices are heard and considered in the decision-making process. Above all, I am deeply passionate about creating  
sustainable, inclusive, and livable communities. I am eager to contribute my expertise to the planning board and work  
collaboratively with fellow board members, city officials, and community members to shape the future of Petersburg. I

am committed to promoting responsible growth, preserving the city's unique heritage, and enhancing the quality of life for all residents. In conclusion, my educational background, practical experience, analytical skills, and passion for urban planning make me an ideal candidate for the planning board of the city of Petersburg. I am dedicated to serving the community and working towards its continued progress and prosperity. I would be honored to contribute my knowledge and expertise to help shape the future of Petersburg. Thank you for considering my application.

(Please use reverse side if additional space is needed)

***\*Please include/attach resume.***

I understand the duties of this (Board, Commission, or Authority) and agree to actively participate and attend the meeting at its scheduled date and time if appointed.

**Al Cannon**

Digitally signed by Al Cannon  
Date: 2024.03.05 18:56:57 -05'00'

(Applicant's signature)

	<b>PLANNING COMMISSION</b>			
	Number of members: 9			
<b>TERMS</b>	<b>APPOINTMENTS</b>	<b>WARDS</b>	<b>NEW APPLICANTS</b>	<b>WARDS</b>
03/15/2022- 09/30/2026	Vacant	1	Alvin L. Cannon, 3230 Holland Drive	1
05/19/2020 - 09/30/2024	Fenton Bland	2		
09/15/2020 - 09/30/2024	Candace Taylor	3		
04/28/2020 - 09/30/2024	Marie Vargo	4		
05/19/2020 - 09/30/2024	Tammy L. Alexander	5		
02/04/2020 - 09/30/2024	Thomas S. Hairston	6		
02/02/2020 - 09/30/2024	James Norman	7		
04/28/2020 - 09/30/2024	Michael Edwards	At-Large		
02/02/2020 - 09/30/2024	William Irvin	At-Large		
	<b>SPECIAL REQUIREMENTS</b>			
	Nine members appointed by City Council. One from each of the seven wards and two at-large. Members serve four-year terms. <b>Orientation and training required.</b>			
	<b>MEETING DATE AND TIME</b>			
	Monthly - 1 <sup>st</sup> Thursday of each month at 6:30 p.m. The Commission does not schedule meetings in August. Additional meetings may be scheduled as needed. All meetings are scheduled and advertised in accordance with Public Meeting Law requirements.			
	<b>PURPOSE</b>			
	Promotes the orderly development of the City and its environs; serves primarily in an advisory capacity to the City Council in matters pertaining to land use, future development, and capital improvements.			





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** March 19, 2024

**TO:** The Honorable Mayor and Members of City Council

**THROUGH:** March Altman, Jr., City Manager

**FROM:** Joanne Williams

**RE:** Congressional Community Project Funding (CPF) Grant for Ferndale Park Upgrades

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**PURPOSE:** Funding for upgrades to Ferndale Park that adjoins the Appomattox River Trail

**REASON:** The renovation and upgrading of Ferndale Park, adjoining the Appomattox River Trail, is vital for improving the health of residents, growing tourism, and boosting economic development. The collaborative efforts between the City of Petersburg, Dinwiddie County, and The Friends of the Lower Appomattox River (FOLAR) exemplify a vision to create a pristine, user-friendly park and world-class trail that enhances river access and conservation, fosters a culture of active outdoor recreation while advancing better health outcomes and economic development. Ferndale Park is owned by the City of Petersburg but is in eastern Dinwiddie County.

**RECOMMENDATION:** Approve

**BACKGROUND:** N/A

**COST TO CITY:** Possible 10 – 20% match if required. Petersburg does meet distressed locality measures for a waiver of match funding if required. The project cost is estimated at approximately \$3 million dollars. FOLAR has \$1 million dollars in grant match funding for this project.

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 3/19/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:** N/A

**AFFECTED AGENCIES:** N/A

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** N/A

**REQUIRED CHANGES TO WORK PROGRAMS:** N/A

**ATTACHMENTS:**

1. FOLAR FERNDAL CONGRESSIONAL DIRECTED SPENDING RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PETERSBURG, VIRGINIA COMMITTING  
SUPPORT FOR FERNDAL PARK AND APPOMATTOX RIVER TRAIL  
RENOVATION AND REVITALIZATION  
IN SUPPORT OF ALL PETERSBURG CITIZENS AND THE REGION**

**WHEREAS** the City Council of the City of Petersburg desires to participate as an Applicant for Congressional Directed Spending (CDS) from the U.S. Senate and Community Project Funding from the U.S. House of Representatives for citywide essential projects that serve all residents and businesses in the City; and

**WHEREAS** the City Council of the City of Petersburg supports the renovation of Ferndale Park and the Appomattox River Trail, which would support the residents of Petersburg and the region by improving the safety and condition of the public outdoor space and granting more equitable access to such facilities. Parks and open spaces support a robust economy by providing a high quality of life, attracting businesses and tourists, and contributing to the community's physical and mental well-being. These improvements would also address erosion and other water quality impacts that enter the Appomattox River, leading to the Chesapeake Bay; and

**WHEREAS** these high-impact community projects will cost Petersburg nearly \$3 million dollars and can be fulfilled with assistance from the federal government.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PETERSBURG, VIRGINIA**, that a matching amount of 20% (if required and Petersburg does not meet distressed locality requirements for a match waiver) is committed to the Projects above for the period of the performance which will be available as needed and which will not be conditioned or encumbered in any way that may preclude its use consistent with the requirements of Congressional Directed Spending (CDS) from the U.S. Senate and Community Project Funding from the U.S. House of Representatives.

Adopted by the City of Petersburg Council of the City of Petersburg on:  
March 19, 2024