



# City of Petersburg Virginia

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## April 16, 2024 City Council Regular Meeting

April 16, 2024  
Petersburg Library  
201 W. 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  
Tangi R. Hill - City Clerk

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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. 2024 National Library Week and National Library Worker Day Proclamation - Pages 3-4
    - b. 2024 National Public Safety Telecommunicators Week Proclamation - Pages 5-7
  6. **Responses to Previous Public Information Posted**
  7. **Approval of Consent Agenda (to include minutes of previous meetings):**
    - a. Minutes: - Pages 8-19  
-Minutes of April 2, 2024 - City Council Closed Session  
-Minutes of April 2, 2024 - City Council Work Session
    - b. Resolution of Support for Safe Streets and Roads for All Planning Grant - Pages 20-21
  8. **Official Public Hearings**
    - a. A Public Hearing and Consideration of an Ordinance Requested by City Council to Amend and Readopt Article 24 Nonconforming Uses and Article 25 Supplementary Height, Area, and Bulk Regulations, as Set forth in the Zoning Ordinance of the City of Petersburg, to Allow the Rehabilitation and Continuation of Noncomplying Structures as Defined and to Clarify the Allowance of Single-Family Dwellings and Accessory Improvements on Non-Conforming Lots Recorded Prior to Adoption of the Zoning Ordinance (Second Reading) - Pages 22-41
    - b. A Public Hearing and Consideration of an Ordinance to Amend and Readopt Section 2-108 of the Petersburg City Code Pertaining to Responsibilities of the Clerk with Respect to Published Ordinances (Second Reading) - Pages 42-44
    - c. A Public Hearing and Consideration to Amend Chapter 106, Taxation, Article III, Real Estate, Division 3, Exemption for Elderly and Disabled (Second Reading) - Pages 45-47

- d.
  - A Public Hearing and Consideration of an Ordinance to Adopt the Real Property Tax Rate (Second Reading) - Pages 48-51

**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. Proposed FY25 Budget Calendar - Pages 52-54

**13. Unfinished Business**

**14. New Business**

- a. Presentation of Blighted Properties - Pages 55-56

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

- a. UVA Introductory Presentation - Pages 57-75

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

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

**18. Adjournment**



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024

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

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

**FROM:** Tangi Hill

**RE:** 2024 National Library Week and National Library Worker Day Proclamation - Pages 3-4

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**PURPOSE:** National Library Week 2024 is April 7-13, 2024 and Tuesday, April 9, 2024, is National Library Workers Day.

**REASON:** Proclaim National Library Week 2024 is April 7-13, 2024 and Tuesday, April 9, 2024, is National Library Workers Day in the City of Petersburg.

**RECOMMENDATION:** Presentation of proclamation to Wayne Crocker, Library Director

**BACKGROUND:** National Library Week 2024 is April 7-13, 2024 and Tuesday, April 9, 2024, is National Library Workers Day. The theme for this year is Ready, Set, Library! On August 5, 2024, the City of Petersburg Public Library will celebrate its 100th anniversary.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 4/16/2024

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

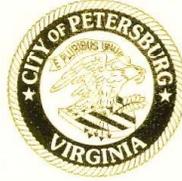
**AFFECTED AGENCIES:** N/A

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

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

**ATTACHMENTS:**

1. Library Week Proclamation



PETERSBURG

VIRGINIA

# Proclamation

**WHEREAS**, libraries offer the opportunity for everyone to connect with others, learn new skills, and pursue their passions, no matter where they are on life's journey; and

**WHEREAS**, libraries have long served as trusted institutions, striving to ensure equitable access to information and services for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and

**WHEREAS**, libraries adapt to the ever-changing needs of their communities, developing and expanding collections, programs, and services that are as diverse as the populations they serve; and

**WHEREAS**, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals; and

**WHEREAS**, libraries play a pivotal role in economic development by providing resources and support for job seekers, entrepreneurs, and small businesses, thus contributing to local prosperity and growth; and

**WHEREAS**, libraries make choices that are good for the environment and make sense economically, creating thriving communities for a better tomorrow; and

**WHEREAS**, libraries are treasured institutions that preserve our collective heritage and knowledge, safeguarding both physical and digital resources for present and future generations; and

**WHEREAS**, libraries are an essential public good and fundamental institutions in democratic societies, working to improve society, protect the right to education and literacy, and promote the free exchange of information and ideas for all; and

**WHEREAS**, the City of Petersburg Public Library opened its doors on August 5, 1924, therefore this year marking its 100<sup>th</sup> year in operation; and

**WHEREAS**, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week; and

**WHEREAS**, on April 9, 2024 is National Library Workers Day. The City of Petersburg recognizes the hard work and dedication of its own, Library Director Wayne M. Crocker, the founder of the Petersburg Library Foundation, which is responsible for the building of the new library building. Mr. Crocker also founded the McKenney Foundation, which is working on renovating the old McKenney Library into an African American History and Cultural Center and Archive.

**NOW, THEREFORE, I**, Samuel Parham, Mayor of the City of Petersburg, proclaim National Library Week, April 7-13, 2024 and National Library Workers Day, April 9, 2024. During this week, I encourage all residents to visit the library and celebrate the adventures and opportunities it unlocks for us every day. In addition, show appreciation to the City of Petersburg Public Library staff and volunteers for the service they provide to our community. Ready, Set, Library!

Dated: April 8, 2024

BY

Samuel Parham, Mayor

ATTEST:

Tangi R. Hill, Clerk to the Council



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024

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

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

**FROM:** Tangi Hill

**RE:** 2024 National Public Safety Telecommunicators Week Proclamation - Pages 5-7

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**PURPOSE:** The City of Petersburg is celebrating the second full week of April (April 14-20, 2024) as National Public Safety Telecommunicators Week. This week, sponsored by the Association of Public-Safety Communications Officials (APCO) International and celebrated annually, honors the thousands of men and women who respond to emergency calls, dispatch emergency professionals and equipment, and render life-saving assistance to the world’s citizens.

**REASON:** The second full week of April (April 14-20, 2024) as National Public Safety Telecommunicators Week.

**RECOMMENDATION:**

**BACKGROUND:** The second full week of April (April 14-20, 2024) as National Public Safety Telecommunicators Week. This week, sponsored by the Association of Public-Safety Communications Officials (APCO) International and celebrated annually, honors the thousands of men and women who respond to emergency calls, dispatch emergency professionals and equipment, and render life-saving assistance to the world’s citizens.

**COST TO CITY:**

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:** 4/16/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

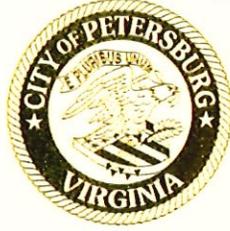
**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. National Public Safety Telecommunicators Week April 14-20, 2024



# Proclamation

**WHEREAS**, emergencies can occur at any time of day or night that require police, fire, or emergency medical services; and

**WHEREAS**, when an emergency occurs the prompt response of police officers, firefighters, and paramedics is critical to the protection of life and preservation of property; and

**WHEREAS**, the safety of our police officers, firefighters, and paramedics is dependent upon the quality and accuracy of information obtained from citizens who contact the dispatchers; and

**WHEREAS**, maintaining a calm demeanor while communicating with citizens who are experiencing traumatic situations, and dispatchers must rapidly and accurately gather and relay information to first responders and citizens to maintain public safety and possibly save lives; and

**WHEREAS**, the 9-1-1 telecommunicators are the true backbone of the 9-1-1 system and the link between people calling for help in an emergency situation and the first responders that arrive on the scene; and

**WHEREAS**, Public Safety Telecommunicators are the single vital link for our police officers, firefighters, and paramedics by monitoring their activities by radio, providing them information and ensuring their safety; and

**WHEREAS**, Public Safety Telecommunicators for the City of Petersburg Police Department have contributed substantially to the apprehension of criminals, suppression of fire, and treatment of patients by providing excellent service to our community; and

**WHEREAS**, every dispatcher has exhibited compassion, understanding, professionalism and extraordinary dedication to our City during the performance of their job in the past year.

**NOW, THEREFORE, I, Samuel D. Parham**, by virtue of the authority vested in me as Mayor of the City of Petersburg, do hereby proclaim the week of April 14 through April 20, 2024, to be National Public Safety Telecommunicators Week in the City of Petersburg, in honor of those whose diligence and professionalism keep our City and citizens safe.

Dated: 04/10/2024

Mayor, Samuel Parham

ATTEST:

Clerk of Council, Tangi R. Hill



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024

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

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

**FROM:** Tangi Hill

**RE:** **Minutes: - Pages 8-19**  
**-Minutes of April 2, 2024 - City Council Closed Session**  
**-Minutes of April 2, 2024 - City Council Work Session**

**PURPOSE:**

**REASON:** Minutes of the April 2, 2024, City Council Closed Session and Work Session.

**RECOMMENDATION:** Consideration of adoption of Minutes of the April 2, 2024, City Council Closed Session and Work Session.

**BACKGROUND:** -Minutes of April 2, 2024 - City Council Closed Session  
-Minutes of April 2, 2024 - City Council Work Session

N/A

**CITY COUNCIL HEARING DATE:** 4/16/2024

**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. April 2, 2024 Closed Session Meeting Minutes
2. April 2 2024 - Work Session Meeting Minutes

The Closed Session Meeting of the Petersburg City Council was held on Tuesday, April 2, 2024, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 3:01 p.m.

**1. ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr.  
Council Member W. Howard Myers  
Council Member Arnold Westbrook, Jr.  
Vice Mayor Darrin Hill  
Mayor Samuel Parham

Absent:

Council Member Marlow Jones  
Council Member Annette Smith-Lee

Present from City Administration:

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

Mayor Parham stated there is an additional item to be added to the Closed Session. He asked to entertain a motion to add to the Closed Session agenda discussion of legal requirements for procurement under the Virginia Public Procurement Act and legal requirements associated with easement requests and funding for the Hotel Petersburg project.

Vice Mayor Hill made a motion that the City Council add a discussion of legal requirements for procurement under the Virginia Public Procurement Act and legal requirements associated with easement requests and funding for the Hotel Petersburg project to the closed session agenda. Council Member Westbrook seconded the motion.

On roll call vote, voting yes: Cuthbert, Myers, Westbrook, Smith-Lee, Hill, and Parham; Absent: Jones and Smit-Lee; Abstain: Cuthbert. Council Member Cuthbert stated his abstention was due to the Hotel Petersburg is his brother's project.

**2. CLOSED SESSION:**

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711 (A) (1) of the Code of Virginia for the purpose of discussion pertaining to performance, assignment, and appointment of specific public employees of the City of Petersburg, specifically including but not limited to discussion of the performance, assignment, and appointment of specific public officer of the City of Petersburg; pursuant to §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 discussion of Petersburg Circuit Court Case Numbers CR23000979-00, CR23000980-00-00, 23000981-00, and other matters requiring legal advice of the City Attorney; and pursuant to §2.2-3711(A)(3) of the Code of Virginia 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.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Westbrook seconded the motion.

On roll call vote, voting yes: Cuthbert, Myers, Westbrook, Smith-Lee, Hill, and Parham; Absent: Jones and Smit-Lee; Abstain: N/A.

The City Council entered closed session at 3:04 p.m.

Council Member Smith-Lee arrived at 3:52 p.m.

Council Member Jones arrived at 4:30 p.m.

**CERTIFICATION:**

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called today to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the foregoing requirements should state prior to the vote indicating the substance for departure in which he believes has occurred. This requires a roll call vote Mr. Mayor."

Vice Mayor Hill made a motion to return the City Council to open session and certify the purposes of the closed session. Council Member Myers seconded the motion. There was no discussion on the motion.

The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert. Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; Absent: N/A; Abstain: N/A

- 24-R-15      A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.**

City Council returned to open session at 6:01 pm

Council Member Myers made a motion to approve a letter dated March 20, 2024. Council Member Jones seconded the motion. There was no discussion on the motion.

The motion was approved on roll call vote.

On roll call vote, voting yes: Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; Absent: N/A; Abstain: Cuthbert. Council Member Cuthbert did not respond to the roll call nor stated a reason for abstention.

**3.      OLD BUSINESS**

- a. Amendment of FY24 City General Fund Budget (2<sup>nd</sup> Reading)

City Manager Altman introduced the item. He stated that a Public Hearing was held at the Council's February 20, 2024 meeting. He requested that Council adopt the proposed budget amendment as

presented amending the budget from \$84,202,469 to \$88,083,817.

Discussion from Council was held.

Vice Mayor Hill made a motion to adopt the amendment of the FY24 City General Fund Budget.

Additional discussion was held by Council.

Council Member Smith-Lee seconded the motion. Additional discussion was held by Council.

The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Smith-Lee, Hill, and Parham; Absent: N/A; Abstain: N/A

Council Member Jones questioned the \$650,000 allocation to Southside VA Emergency Crew. City Manager Altman explained that the initial contract was for \$350,000, and there was an increase of \$300,000 for additional services, a fourth ambulance during the day, and a third ambulance at night. The City amended the budget for the full amount of the contract as Southside is the primary EMS provider until such time the City builds its rank and staff is ALS certified and paramedic. At the current time, the City is not in position to be first out. City Manager Altman did not want to feed into the rumor that the City is trying to take over Southside. He does not feel that there will be a time that Southside is not in the mix, but the City will be able to provide more services out of the fire department for EMS services that what is currently provided.

**ADJOURNMENT:**

The City Council adjourned at 6:10 p.m.

The work session meeting of the Petersburg City Council was held on Tuesday, April 2, 2024, at the Petersburg Public Library. Mayor Parham called the meeting to order at 6:10 p.m.

1. **ROLL CALL:**

Present:

Council Member Charles H. Cuthbert, Jr.  
Council Member Marlow Jones  
Council Member W. Howard Myers  
Council Member Annette Smith-Lee  
Council Member Arnold Westbrook, Jr.  
Vice Mayor Darrin Hill  
Mayor Samuel Parham

Absent:

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:**

Coretha Claiborn, 35 S. Market Street, is the owner of Claiborn and Associates, Incorporated. Ms. Claiborn is the Director of the Alamo Recovery Center in Petersburg. The Alamo is a small nonprofit that provides hope and healing support for those struggling with addiction through structured counseling, life skills development, transitional housing, and community awareness. The Alamo was established in 1971 and targets primarily the Tri-Cities region. It is the only transitional recovery house serving this region. She described the admission process and the free services provided. Residents are required to obtain employment, pay a modest rent, and participate in daily therapeutic support groups. Ms. Claiborn noted that they typically serve 100 to 150 individuals each its support for the last 13 years. The Alamo owns and occupies two pre-Civil War era two story houses. Ms. Claiborn shared with Council the repairs that have been made to the homes and those that are still needed to the exterior. She informed the Council that they have applied for the Community Development Block Grant to complete the renovations. She desired to increase collaboration with the City and other local agencies. She is expressed her desire to participate in conversations with the Governors partnership for Petersburg and related to the regional and local opioids abatement. She thanked Council Member Myers for his support.

Barb Rudolph, 1675 Mt. Vernon Street, addressed the Council regarding the budget amendment that was approved under Old Business at the Council's previous meeting. She expressed confusion about the Southside Virginia Emergency Crew "SVEC" budget allocation for \$300,000 and an additional \$350,000, and Council just appropriated \$650,000. She mentioned that Mr. Altman stated that a

contract had just been signed around the time of the meeting on February 20<sup>th</sup>, but shortly thereafter an article was published in *Progress Index* stating that Southside Virginia Emergency Crew hiring more staff because of Petersburg giving them more money. She stated that this indicates to her that the SVEC knew that the money was coming before Council knew about it and obviously a long time before it was appropriated. Ms. Rudolph stated that we're now in the month of April and questioned the audit. She commented to why we're concerned about having another month of time for people to find out about this if the public can't comment on it. She added that the public could not do it at the March meeting because we did not have proper notification. She asked what was the notification for if the people are not given an opportunity to speak. She spoke regarding having less than 3 months to pass the FY2025 budget. She expressed her desire that the public will have the opportunity to speak on it. She also noted that the City does not have a CAFR for this fiscal year. She added that the last time it was mentioned was December of 2023. At that time, the public was told that information was going to be given to the auditors and the public has not heard any more about that. She commented that again, something that's overdue. Ms. Rudolph noted that on the agenda for the next meeting is the real estate tax rate. She commented that it is a whole interesting thing, but she is glad it is going to be talked about because what is being proposed will be of great interest to the citizens. She stated that she is hoping that the Council is still going to have a meeting to allow for public comment regarding the STARS Project with VDOT. She added that the Don-A-Matrix Gala is a good event, but feels that Council needs to buckle down and put in some extra time working on a budget and some of the basic things needed to run the City.

Pat Hines, 1227 Hamilton Street, spoke regarding the homeless issues in the City of Petersburg. She introduced Mr. Johnson, who was in a homeless shelter last year and lost custody of his daughters as a result of it. She was able to get him in transitional housing and gave him an apartment. He now has regained custody of his daughters. She requested that Council make it a priority to allocate funding in the upcoming budget to address homelessness.

David Mueller, 1855 Arch Street, spoke regarding his 10-year old son, who is in the fourth grade, being assaulted by his substitute teacher at Walnut Hill Elementary School. He described what happened to his son as explained to him by the principal. He requested that the substitute teacher be arrested. However, he was told that there was nothing that could be done by the magistrate because the stories conflicted as a result of the principal's report. Mr. Mueller stated that he called Council Member Marlow Jones and Police Chief Christian, within a day he was instructed to come to the police station with his son. Within two days, the police department arrested the substitute teacher and charged him with assault and battery. The substitute teacher pleaded guilty to both charges. Mr. Mueller stated that the issue was the principal's refusal to call the police and that the substitute teacher had no teaching degree nor substitute credentials at all. He was hired as a security guard to walk the halls. Mr. Mueller stated that he has received other reports that this man was hitting other kids and the principal is doing nothing about it. He thanked Council Member Marlow Jones and Police Chief Christian.

Jeffrey Fleming, 1819 Chuchatuck Avenue, stated that the City has some good employees. Mr. Fleming mentioned that he is an employee of the City. He reported that two weeks ago, he received a call from one of his neighbors about a house that was being renovated. The owner of the house poured fuel oil into the grass along the City's right of way. Mr. Fleming contacted Mr. Jim Reid, who connected him with Mr. Chris Lawson. Mr. Lawson enforced what was needed to remedy the situation. Mr. Fleming stated that the City needs more employees like him and wanted to thank him for a job well done.

Jocelyn Toppin, 605 and 611 S. Sycamore Street, spoke regarding real estate tax rates in Petersburg. She provided a comparison of the taxes paid for her properties compared to what she pays for real estate taxes in Louisa County. She also spoke of her nonprofit organization to teach entrepreneurship. She also expressed her desire to help the homeless get cars, jobs, and adequate housing.

Jasmine McDonald requested to speak. Mayor Parham allowed her to do so.

Jasmine McDonald, 19 Jarrett Court, spoke regarding her home being without water for 30 days. She resides in housing managed by the Petersburg Redevelopment and Housing Authority. She asked why does she need legal aid or a judge to make a ruling to have her water restored. She noted that it is illegal for her water to be off and her children to be without water. She requested assistance having her water restored and/or relocating to a better environment. Council Member Smith-Lee informed Ms. McDonald that she has made attempts twice to contact her. Council Member Smith-Lee stated that she would contact her again and requested Ms. McDonald's email address.

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

Council Member Smith-Lee left the dais at 6:37 p.m.

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

- a. Minutes of the March 19, 2024 – Regular Meeting Minutes
- b. Minutes of the March 19, 2024 – Closed Session City Council Meeting Minutes
- c. Minutes of the March 27, 2024 – Special Meeting Closed Session Minutes
- d. Schedule a Public Hearing for the Consideration of an Ordinance to Amend and Readopt Section 2-108 of the Petersburg City Code Pertaining to Responsibilities of the Clerk with Respect to Published Ordinances – (First Reading)
- e. Schedule a Public Hearing and Consideration of an Ordinance Requested by the City Council to Amend and Readopt Article 24 Nonconforming Uses and Article 25 Supplementary Height, Area, and Bulk Regulations, as Set Forth in the Zoning Ordinance of the City of Petersburg, to Allow the Rehabilitation and Continuation of Noncomplying Structures as Defined and to Clarify the Allowance of Single-Family Dwellings and Accessory Improvements on Non-Conforming Lots Recorded Prior to Adoption of the Zoning Ordinance (First Reading)
- f. Schedule a Public Hearing to Amend Chapter 106, Taxation, Article III, Real Estate, Division 3, Exemption for Elderly and Disabled (First Reading)
- g. Consideration of a Resolution to Amend and Readopt the City of Petersburg's Purchasing/Procurement Manual – (Removed from the Consent Agenda)
- h. Schedule a Public Hearing for Consideration of an Ordinance to Adopt the Real Property Tax Rate (First Reading)

Vice Mayor Hill made a motion to approve the consent agenda, with the exception of Item g, Consideration of a Resolution to Amend and Readopt the City of Petersburg's Purchasing//Procurement Manual to be considered at the April 16, 2024 City Council meeting. Council Member Jones seconded the motion. The motion was approved on roll call of 7-0-0. On roll call vote, voting yes: Cuthbert, Jones, Myers, Westbrook, Hill, and Parham; voting no: none; abstaining: none; absent: Smith-Lee.

Council Member Smith Lee returned at 6:40 p.m.

**7. SPECIAL REPORTS:**

- a. Discussion of the Draft Comprehensive Plan Future Land Use Map Modifications Based on Council Feedback and Request

Naomi Siodmok, Director of Planning and Community Development, provided City Council with an overview of the Draft Comprehensive Plan Future Land Use Map Modifications that was based on Council's feedback and request.

Key Notes:

- A joint meeting with the Planning Commission and City Council was held on February 27, 2024.
- Council requested that staff look at some potential areas to add additional industrial use on the future land use map.

- Additional industrial use was added near Squirrel Level Road; however, the single-family homes remained as recommended.
- Modifications were made near Rives Road, where roadway improvements are also being proposed, could be impacted by some additional infrastructure is being proposed.
- Council will take action to adopt the Comprehensive Plan on May 21, 2024. At that time, Council will make a motion to adopt to include these requested changes.

Discussion was held between the City Council and staff.

Council directed staff to provide them with the number of additional industrial acres supported in the City via modifications to the Future Land Use Map as Squirrel Level Road and Rives Road. Staff will email this information to Council.

b. Discussion on the Safe Streets and Roads for All Planning Grant

Naomi Siodmok, Director of Planning and Community Development, provided City Council with an overview of the Safe Streets and Roads for All Planning Grant (SS4A). This discretionary program was established by the Bipartisan Infrastructure Law (BIL) with \$5 billion in appropriated funds over 5 years, 2022-2026. The program funds regional, local, and Tribal initiatives through grant to prevent roadway deaths and serious injuries. Over \$3 billion is still available for future funding rounds.

The City of Petersburg is eligible to submit for the creation of a Safety Action Plan. The Action Plans are comprehensive safety plans aimed at reducing and eliminating serious-injury and fatal crashes affecting all roadway users. Action Plans use data analysis to characterize roadway safety problems and strengthen a community's approach through project and strategies that address the most significant risks.

Key Notes:

- Safe Streets and Roads for All also offers implementation funds, but to be eligible, plans need to be completed by April 30, 2024, which is not feasible for staff.
- Even though the City will not be eligible to receive implementation funds, the City will still come out with a plan prioritizing projects to address safety concerns. With cost estimates and planning level designs, the City would be eligible for other funding opportunities, such as Safe Routes to School, Transportation Alternatives, Highway Safety Improvement Program, etc.
- Petersburg Statistics: 22 Fatalities in 2017-2021; 5 Pedestrian Fatalities in 2017-2021, with 4 in 2019; 7 Fatalities in 2022, with 1 Pedestrian and 1 Bicyclist); 4 Fatalities in 2023; 2017-2021 Serious Injuries Per Year 53.6; 2022-2023 Serious Injuries Per Year 56.5
- Based on early conversations, cost is likely about \$200,000-\$250,000 for a Safety Action Plan with \$40,000 - \$50,000 coming from the City (20% match required).

Discussion between the City Council and staff was held.

Council Member Jones asked City Manager Altman to address the sinkhole at the Petersburg High School. City Manager Altman informed Council that will coordinate with the school system regarding this matter.

c. Tax Relief for the Elderly and Disabled

Brittany Flowers, Commissioner of Revenue, provided City Council with an overview of the Tax Relief for the Elderly and Disabled. The implementation of the tax relief for the elderly and disabled will improve the increase of the gross income and assets from the current City Codes §206-109 and §106-112.

Key Notes:

- §106-109 General Prerequisites to Grant – The exemption provided for in this division shall be granted to persons subject to the following provisions:
  - The title to the property for which the exemption is claimed is held, or partially held, on July 1 of the taxable year, by the person claiming the exemption.
  - That the head of household occupying the dwelling and owning the title, or partial title, thereto is 65 years or older, or is permanently and totally disabled, on June 30 of the year immediately preceding the taxable year.
  - That the gross combined income of the owner during the year immediately preceding the taxable year shall be determined by the Commissioner of Revenue to be in an amount not to exceed \$35,000.00. The gross combined income shall include all income from all sources of the owner and of the owner’s relatives living in the dwelling for which exemption is claimed; except that the first \$4,000.00 of income of each relative, other than the spouse of the owner, who is living in the dwelling, shall not be included in such total.
  - That the total combined financial worth of the owner and of the spouse of the owner, as of May 1 of the year immediately preceding the taxable year, shall be determined by the Commissioner of the Revenue to be in an amount not to exceed \$70,000.00. The total financial worth shall include the value of all assets, including the equitable interest, of the owner and the owner’s relatives living in the dwelling for which the exemption is claimed but shall not include the fair market value of the dwelling and the land upon which it is situated, not exceeding one acre, for which the exemption is claimed.
- §106-112 – Amount of Exemption. The exemption provided for in this division shall be granted to persons subject to the following provisions:
  - The person qualifying for and claiming exemption under the division shall be relieved of 100 percent of the real estate tax levied on the qualifying dwelling and land if the combined household income of the owner is \$0 - \$25,000.00 with a maximum tax relief of \$1,200.00. The person qualifying for and claiming exemption under this division shall be relieved of 50 percent of the real estate tax levied on the qualifying dwelling and land if the combined household income of the owner is \$25,001.00 - \$35,000.00 with a maximum tax relief of \$1,200.00.
- Applications
  - 2022 – 358 Applications Mailed – 19 Applications Denied Due to Being Over Income
  - 2023 – 463 Applications Mailed – 3 Applications Denied due to Assets > 70,000 – 20 Applications Denied Due to Being Over Income
  - 2024 – 566 Applications Set to be Mailed

Discussion between the City Council and staff was held.

**8. MONTHLY REPORTS:**

Presentation and Update from JMT on Poor Creek

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

Key Notes:

- The EPA Grant was approved for \$2.4 million, which goes directly to the Poor Creek Pumping Station
- \$900,000 Community Funded Grant from Congress for the Force Main Project
- Submitting a grant for \$8 million through ED. Waiting to hear back from the Congress and the Senate for \$4 million funding for the same project.
- Completed the activities for the Elevated Water Tank at Wagner Road.
- Kick-off meeting is Thursday, April 4, 2024 at 11:00 a.m.

- Landmark Construction Company of Texas is doing the construction of the Water Storage Tank. Projected completion is early Summer 2025.
- Water Main Project bid was awarded and notice of award was posted.
- Wastewater Project is out for bid. Schedule to be completed in the Fall 2025.
- The Water Tank will include the City logo and logos of area industries.

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

**9. FINANCE AND BUDGET REPORT:**

There were no items for this portion of the agenda.

**10. CAPITAL PROJECTS UPDATE:**

There were no items for this portion of the agenda.

**11. UTILITIES:**

Public Works Monthly Report

Jerry Byerly, Director of Public Works, provided City Council with the Public Works & Utilities Monthly Report. A status update was provided for work orders and projects.

Discussion between the City Council and staff was held.

Citywide Drainage Study Update

Consultants from the Timmons Group, provided City Council with an overview of the Petersburg Citywide Drainage Study Update. The Timmons Group is leading the project, but supported by RK&K, James River Association, Precision Measurements, Inc., and H&B Surveying & Mapping, LLC. This update included the Culvert Replacement Project on North Park Drive, the Southwest Improvement Project on Walnut Boulevard, and the Bioretention Area on Canal Street. The study is needed because when it rains, some areas of Petersburg experience localized flooding.

Key Notes:

- Petersburg was awarded a \$2.2 million grant from the Virginia Community Flood Preparedness Fund to facilitate the study.
- Study began in 2023 and will continue through 2024.
- The data collected will be used by the City's Stormwater Management Program to improve drainage and reduce localized flooding.
- The Project Approach consists of master planning, asset mapping, community outreach, watershed modeling, and neighborhood drainage studies.
- The projected schedule for Brickhouse Run & Lieutenant Run Watersheds
  - Spring 2024 – Neighborhood Prioritization and Modeling Begins
  - Summer 2024 – Project Identification and Project Prioritization
  - Fall 2024 – Conceptual Design and Grant Applications
- The projected schedule for Remaining Watersheds
  - Winter 2024 - Citywide Asset Mapping Delivery and Modeling Begins
  - Spring 2025 – Project Identification and Project Prioritization
  - Summer 2025 – Conceptual Design and Grant Applications

Discussion between the City Council and staff was held.

**12. STREETS:**

This report was provided under the Public Works & Utilities Monthly Report.

**13. FACILITIES:**

This report was provided under the Public Works & Utilities Monthly Report.

**14. ECONOMIC DEVELOPMENT:**

a. Final Report for Upcoming Armed Forces Day

Brian Moore, Director of Economic Development, presented the Petersburg Armed Forces Day scheduled for May 18, 2024. The event is hosted by the City of Petersburg. Armed Forces Day is a day to pay tribute to the men and women who serve in the United States' Armed Forces. Armed Forces Day is also a part of Armed Forces Week, which begins on the second Saturday of May.

Key Notes:

- The event areas are:
- Bank/Old Street Event Zone (Sycamore Street to Market Street)
  - Opening Ceremonies at the Siege Museum
  - National Guard Rock Climbing Wall
  - US Army Virtual Reality Tractor Trailer
  - EOD Equipment Display
  - Military Vehicles
  - Goodyear Blimp Flyover
  - Historic "Poker Walk Contest" through the Downtown
  - USMC Pullup Contest
  - Recruiters from All Service Branches
  - Autograph Opportunities with NFL Players
  - Pictures with Miss America
- Sycamore Street Event Zone (Bollingbrook Down to Old Street)
  - Military Exhibits
  - Outdoor Café' Seating
- Rock Street Event Zone (Between PAAL and the Crocker Spot)
  - PAAL Park will be Open for Picnics
  - Outdoor Art Exhibit and Vendors
  - Children's Hands-On Art Opportunities
- Trapezium Harbor Park Stage Event Zone
  - Trapezium Harbor Park Stage will be the debut of the first national musical act playing at the harbor. Goal is to have 10,000 fans in Petersburg enjoying the music, festivities, shopping, and the best restaurants in the region.
- Amphibious Landing Zone
  - An Amphibious Landing Force conducting an exercise to deploy on the western side of the island (former Richard's Wine Cellar, Inc. site)

Discussion was held between the City Council and staff.

Mayor Parham reported on the upcoming weekend events and summer internship program. Vice Mayor Hill announced his upcoming Ward meeting.

**15. CITY MANAGER'S AGENDA**

City Manager Altman thanked Mayor Parham for announcing the Summer Employment Program.

Council Member Jones asked City Manager Altman about lights being installed on Scotts Street and Old Wagner Road. He stated that the lights were never installed with the new construction. He also asked if City Manager Altman to look at 652 Warner Road was never put back after the new pole was put up. He also asked the status of the smoke detectors.

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

Acting City Clerk Tangi Hill informed Council and the public of how to access the City Council meeting agendas on the City's website. She also informed the Public that email copies of the agenda can be requested by contacting the City Clerk's Office.

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

City Attorney Williams commended the Acting City Clerk on her report.

**18. ADJOURNMENT:**

The City Council adjourned at 8:04 p.m.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024

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

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

**FROM:** Naomi Siodmok

**RE:** **Resolution of Support for Safe Streets and Roads for All Planning Grant - Pages 20-21**

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**PURPOSE:** For Council to resolve support for the Safe Streets and Roads for all grant application, which was discussed in work session on April 2nd. This grant will result in an Action Plan, which is a comprehensive safety plan aimed at reducing and eliminating serious-injury and fatal crashes affecting all roadway users. The Action Plan will use data analysis to characterize roadway safety problems and strengthen Petersburg’s approach through projects and strategies that address the most significant safety risks.

**REASON:** For Council to show support for the Safe Streets and Roads for All grant application.

**RECOMMENDATION:** Approval

**BACKGROUND:** On April 2nd, staff presented information on the opportunity available through the Safe Streets and Roads for All funding opportunity. This resolution solidifies Council's support.

Will require, at most, a \$50,000 match.

**CITY COUNCIL HEARING DATE:** 4/16/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. Resolution for SS4A

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF PETERSBURG SUPPORTING THE APPLICATION FOR SAFE STREETS AND ROADS FOR ALL FUNDING TO CREATE A SAFETY ACTION PLAN FOR THE CITY.**

WHEREAS, the City of Petersburg City Council is interested in reducing fatalities and serious injuries for all roadway users; and

WHEREAS, Safe Streets and Roads for All funding through the creation of a Safety Action Plan will use data analysis to characterize roadway safety problems and strengthen a community's approach through projects and strategies that address the most significant safety risks; and

WHEREAS, the City Council is aware that a match of 20 percent is required to support these efforts and is willing to ensure this money is available to advance safety for all on the roadways (not to exceed \$50,000).

NOW THEREFORE BE IT RESOLVED that the City Council does hereby adopt this resolution to support the application for Safe Streets and Roads for All for a Safety Action Plan.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 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 Requested by City Council to Amend and Readopt Article 24 Nonconforming Uses and Article 25 Supplementary Height, Area, and Bulk Regulations, as Set forth in the Zoning Ordinance of the City of Petersburg, to Allow the Rehabilitation and Continuation of Noncomplying Structures as Defined and to Clarify the Allowance of Single-Family Dwellings and Accessory Improvements on Non-Conforming Lots Recorded Prior to Adoption of the Zoning Ordinance (Second Reading) - Pages 22-41**

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**PURPOSE:** This text amendment is proposed to support the rehabilitation and continued use of existing structures, both residential and commercial, which were constructed prior to the enactment of the current Zoning Ordinance and do not comply with modern standards.

**REASON:** The City of Petersburg has seen an influx of building permits to renovate existing structures that have been vacant for years and do not conform with the existing zoning designation. Per Article 24, Section 3, *If any nonconforming use is discontinued for a period of two years ... it shall lose its nonconforming status and any further use shall conform to the provisions of the zoning ordinance.* With that, existing duplexes have been required to reduce their density, most often to single family, to be suitable for redevelopment. This has put some renovations completely on hold, which has stifled the removal of blight, and has required duplex structures to become single family homes.

**RECOMMENDATION:** Hold a Public Hearing to receive public comments. The Planning Commission recommends approval and re-adoption of the text amendment to Article 24. Nonconforming Uses; and Article 25. Supplementary Height, Area, and Bulk Regulations.

**BACKGROUND:** In November 2023, Planning Commission recommended approval of a text amendment to allow duplexes, triplexes, quadplexes, and historic commercial structures to be renovated even if nonconforming (e.g. inconsistent with the code in terms of use/lot dimensions) if a certificate of nonconforming use is issued. After consideration by the Council, an alternative amendment was proposed in January 2024. This amendment narrowed the original scope, but still provides a benefit to existing duplexes to support renovation, if the use is permitted in the district, even if the structure is nonconforming. The Planning Commission recommended approval in March 2024.

**COST TO CITY:**

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:** 4/2/2024

**CONSIDERATION BY OTHER GOVERNMENT ENTITIES:**

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** This ordinance is a substitute for a previously presented ordinance as discussed in the background information.

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. 24-ZTA-01 City Council Packet



# City of Petersburg

Department of Planning and Community Development  
135 N Union St, Room 304  
Petersburg, VA 23803  
(804) 733-2308

## MEMORANDUM

**DATE:** April 2024

**TO:** Mayor and Council

**FROM:** Planning Commission

**RE:** 2024-ZTA-01: A Public Hearing and consideration of a resolution presented by City Council to amend and readopt Article 24 Nonconforming Uses and Article 25 Supplementary Height, Area, and Bulk Regulations, as set forth in the Zoning Ordinance of the City of Petersburg, to allow the rehabilitation and continuation of noncomplying structures as defined and to clarify the allowance of single-family dwellings and accessory improvements on non-conforming lots recorded prior to adoption of the Zoning Ordinance.

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**SUMMARY:** This text amendment is proposed to support the rehabilitation and continued use of existing structures, both residential and commercial, which were constructed prior to the enactment of the current Zoning Ordinance and do not comply with modern standards. The proposed amendment would allow existing noncomplying structures to be continued indefinitely and be considered legal structures, with renovation and repair permissible so long as the use of the structure is permitted in the underlying zoning district. For residential non-complying structures, expansion of the structures will be allowed if no use nonconformities or additional units are introduced.

The proposed amendment also includes a minor modification to Article 25 of the Zoning Ordinance, which currently allows for the construction of a single-family dwelling on lots created prior to the application of zoning regulations in cases where those lots do meet current lot width and area requirements. The proposed amendment would clarify that this allowance only applies to lots in zoning districts that allow residential uses and that only single-family dwellings and accessory improvements to the lot are permitted.

**BACKGROUND:** The City of Petersburg has seen an influx of building permits to renovate existing structures that have been vacant for years and do not conform with the existing zoning designation. Per Article 24, Section 3, *If any nonconforming use is discontinued for a period of two years ... it shall lose its nonconforming status and any further use shall conform to the provisions of the zoning ordinance.*

With that, existing duplexes have been required to reduce their density, most often to single-family, to be suitable for redevelopment. This has put some renovations completely on hold, which has stifled the removal of blight, and has required duplex structures to become single-family homes.

There are currently 35 Blighted multi-family homes in the City of Petersburg per the Code Enforcement Blighted Property list, including multiple duplexes, triplexes, and quadplexes. Of these 35 properties, 26 do not meet the minimum lot width requirements of the zoning district in which they are located. An additional 6 properties are non-conforming due to being in a district where duplex, triplex, or quadplexes aren't allowed but would otherwise be conforming if rezoned.

The proposed amendment to Article 24 would result in the following major changes:

1. Noncomplying structures, as defined, would be allowed to remain and be maintained, repaired, and altered so long as the uses within the structures comply with the standards of the underlying zoning district. This would apply to both residential and commercial structures.
2. Noncomplying residential structures that do not comply with lot width, area, or setback requirements of a zoning district may be expanded in size so long as no nonconforming uses are introduced and no new dwelling units are installed.

The modification to Article 25 is provided to clarify that the construction of single-family dwellings on nonconforming lots will not be allowed in districts that do not allow residential uses. The amendment also specifies that only "accessory" improvements are allowed beyond the single-family dwelling.

The amendment as drafted is provided at City Council's direction as an alternative to proposed amendment 2023-ZTA-01, which was recommended for approval by the Planning Commission on November 2, 2023.

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

## **ATTACHMENTS**

Presentation

Resolution

Article 24. Nonconforming Uses – Revised.

Article 25. Supplementary Height, Area, and Bulk Regulations – Revised.

CITY COUNCIL

APRIL 2024



**2024-ZTA-01:** A Public Hearing and consideration of a resolution requested by City Council to amend Article 24 Nonconforming Uses and Article 25 Supplementary Height, Area, and Bulk Regulations, as set forth in the Zoning Ordinance of the City of Petersburg, to allow the rehabilitation and continuation of noncomplying structures as defined and to clarify the allowance of single-family dwellings and accessory improvements on nonconforming lots recorded prior to adoption of the Zoning Ordinance.

# Background

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In November 2023, Planning Commission recommended approval of a text amendment to allow duplexes, triplexes, quadplexes, and historic commercial structures to be renovated even if nonconforming (e.g. inconsistent with code in terms of use/lot dimensions) if a certificate of nonconforming use is issued.

After consideration by Council, an alternative amendment was proposed in January 2024. This amendment narrowed the original scope, but still provides a benefit to existing duplexes to support renovation, if the use is permitted in the district, even if the structure is nonconforming.

Planning Commission recommended approval March 2024.

# Request

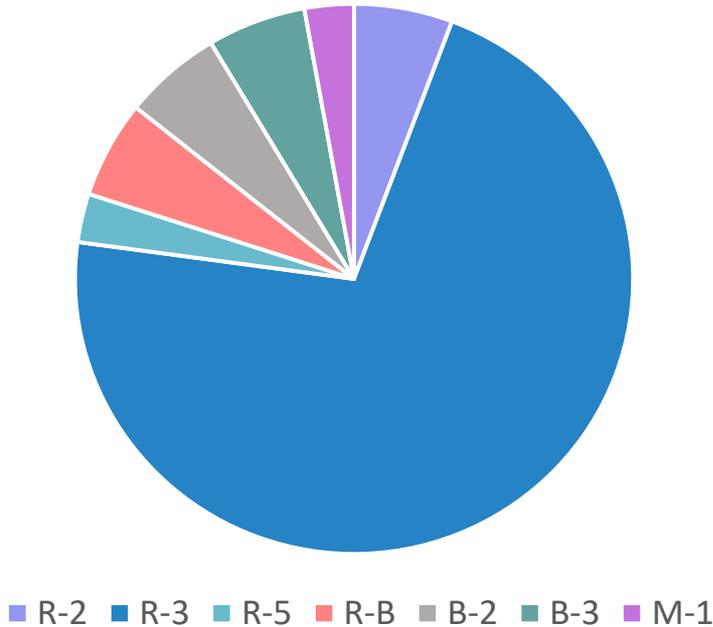
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- Clarify definitions – noncomplying structure versus nonconforming use.
- Allow the renovation, remodel, and repair of noncomplying structures if the use within the structure complies with the Code.
- Allow expansion of noncomplying structures if no nonconforming uses are introduced.
- Legal nonconforming uses and noncomplying structures shall first be decided by the Zoning Administrator and appealed to the Board of Zoning Appeals.
- Allowance of single-family dwellings and accessory improvements on non-conforming lots.

# Sample of Impacts

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Blighted Homes by Zoning District



Staff reviewed the blighted properties list and determined that of the 35 structures identified on that list, 24 of those structures (almost 70 percent), would be helped by this ordinance. A majority are duplexes located within an R-3, Two-Family Residence, District.

# Sample of Impacts (continued)

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Most projects on hold due to the current zoning ordinance can advance via this zoning amendment:

932-934  
Priam  
Street (R-3)



622 – 624  
Independence  
Ave (R-3)



1009 W  
High Street  
(R-3)



1004  
McKenzie  
Street (R-3)



# Recommendation

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Planning Commission recommends approval and readoption of the proposed text amendment to

Article 24. Nonconforming Uses; and

Article 25. Supplementary Height, Area, and Bulk Regulations.

**AN ORDINANCE AMENDING ARTICLE 24 NONCONFORMING USES AND ARTICLE 25 SUPPLEMENTARY HEIGHT, AREA, AND BULK REGULATIONS, AS SET FORTH IN THE ZONING ORDINANCE OF THE CITY OF PETERSBURG, TO ALLOW THE REHABILITATION AND CONTINUATION OF RESIDENTIAL STRUCTURES WITH FOUR UNITS OR LESS AND EXISTING NEIGHBORHOOD COMMERCIAL STRUCTURES WITH A CERTIFICATE OF NONCONFORMING USE AS WELL AS DEVELOPMENT OF NONCONFORMING LOTS.**

WHEREAS, the City of Petersburg Zoning Ordinance includes both Article 24. – Nonconforming Uses and Article 25. - Supplementary Height, Area, And Bulk Regulations; and

WHEREAS, the purpose of these sections are to regulate uses and lots; and

WHEREAS, The City of Petersburg has seen an influx of building permits to renovate existing structures that have been vacant for years and do not conform with the existing zoning designation; and

WHEREAS, the City Council seeks to support the rehabilitation of existing, low-density housing to support affordable housing by design, create housing ownership and rental opportunities, make low-density communities accessible to all, and make building equity accessible; and

WHEREAS, the City Council wishes to support the development of nonconforming lots for all uses to reduce barriers to redevelopment on account of lots being created prior to the establishment of the zoning ordinance; 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 RESOLVED** that City Council does hereby approve an ordinance amending Article 24. – Nonconforming Uses and Article 25. - Supplementary Height, Area, And Bulk Regulations as indicated as follows:

**PART II - CODE  
APPENDIX B - ZONING  
ARTICLE 24. NONCONFORMING USES**

**ARTICLE 24. *NONCOMPLIANCE AND NONCONFORMITY USES***

**~~Section 1. Purpose and intent.~~**

~~The purpose of this article is to regulate nonconforming uses in a manner consistent with sound planning and zoning principles, and in conformity with state law. The general intent is that over time, nonconforming uses will be discontinued in favor of uses conforming to the zoning ordinance and the zoning map.~~

**~~Section 2. Term defined.~~**

~~The term "nonconforming use" shall mean any use, lot, building or structure that was lawful on the date of enactment of the zoning ordinance, or amendment thereto, which has been continued although otherwise unlawful by such enactment or amendment. Any use, lot, building, or structure that was lawful on the date of enactment of the zoning ordinance, or amendment thereto, shall remain lawful and shall not be a "nonconforming use."~~

**~~Section 3. Termination of nonconforming uses.~~**

~~A nonconforming use may continue as it existed when it became nonconforming, provided that it may not be changed, replaced, relocated, expanded in any manner, nor structurally altered, except as provided for in this article.~~

- ~~1. If any nonconforming use is discontinued for a period of two years, or for a period of less than two years if authorized by Virginia law, it shall lose its nonconforming status and any further use shall conform to the provisions of the zoning ordinance.~~
- ~~2. For the purposes of this article, cessation of a nonconforming use for the aforesaid period shall be conclusively presumed to establish discontinuance. The possession of a business license to conduct business upon a property shall not itself constitute proof of business activities on the premises.~~
- ~~3. Operation of only an accessory or incidental use to the principal nonconforming use during the two-year period shall not have the effect of continuing the principal nonconforming use.~~

**Section 1. - Noncomplying structures. Term defined.**

Noncomplying structure means any building or structure that existed prior to the effective date of any change in the zoning regulations or restrictions, but which thereafter, by reason of such change, is not in compliance with the zoning regulations or restrictions then in effect.

**Section 2 - Noncomplying structures.**

Noncomplying structures shall be permitted to continue indefinitely and shall be considered legal structures, but subject to the following restrictions:

1. Expansion. No noncomplying structure may be physically enlarged or expanded unless, after such enlargement or expansion, it complies with the regulations for the zoning district in which it is located.
2. Repairs and maintenance. A noncomplying structure may be remodeled, renovated, maintained, repaired and altered so long as such work complies with this article and any other applicable controlling law or regulation.
3. Uses in a noncomplying structure shall comply with the use limitations contained in the zoning district in which the nonconforming structure is located or the nonconforming use provisions of this article.

### **Section 3. - Nonconforming uses. Terms defined.**

1. Nonconforming use means any use that lawfully existed prior to the effective date of any change in the zoning regulations or restrictions, but which thereafter, by reason of such change, is not in conformity with the zoning regulations or restrictions then in effect,
2. The provisions of this section, Section 4, and Section 5 of this Article apply only to nonconforming uses, not to structures or to noncompliance that arises from a failure to conform to the provisions of this ordinance relating to height, floor area ratio, density, yard, setback or open space.

### **Section 4. - Continuance of nonconforming uses.**

Any nonconforming use, lawfully existing prior to the effective date of any change in the zoning regulations or restrictions, may be continued as such subject to the provisions of this article, it being the intent of the city to provide for the eventual elimination of all nonconforming uses.

### **Section 5. - Effect of abandonment of nonconforming use for two years.**

In case a nonconforming use shall be abandoned for 2 years, then such nonconforming use shall terminate, and the use of the property shall revert to a conforming use of the zoning district in which it is located.

### **Section 6. Destruction of a nonconforming use building.**

No building which has been damaged, by any cause whatsoever, to the extent of more than fifty (50%) percent of the fair market value of the building immediately prior to damage, shall be restored except in conformity with the regulations of this ordinance, and all rights as a ~~nonconforming use~~ **noncomplying structure** are terminated. If a building is damaged by less than fifty (50%) percent of the fair market value, it may be repaired or reconstructed and used as before the time of damage, provided that such repairs or reconstruction be substantially completed within twelve (12) months of the date of such damage.

### ~~**Section 7. Nonconforming uses not validated.**~~

~~A nonconforming use in violation of a provision of the ordinance which this ordinance amends or repeals shall not be validated by the adoption of this ordinance.~~

### **Section 7. Intermittent use.**

The casual, intermittent, temporary, or illegal use of land or buildings shall not be sufficient to establish the existence of a nonconforming use, and the existence of a nonconforming use on part of a lot or tract shall not be construed to establish a nonconforming use on the entire lot or tract.

### **Section 8. Existence of a nonconforming use or noncomplying structure.**

Whether a **legal** nonconforming use **or a legal noncomplying structure** exists shall be a question of fact and shall be decided by the **Zoning Administrator with appeals to** Board of Zoning Appeals, after public notice and hearing, and in accordance with the rules of the board.

### **Section 9. Permitted changes of nonconforming uses or noncomplying structures.**

A nonconforming use **or noncomplying structures** may be changed, altered, repaired, restored, replaced, relocated, or expanded only in accordance with the provisions of this article and subject to the appropriate approvals (including, among others, verification of the nonconforming use **or noncomplying structure** by the Zoning Administrator, site plan approval, and building permit approval) otherwise required by law.

1. A nonconforming use **or noncomplying structure** may change to a conforming use **or structure**.

~~2. A nonconforming building or structure may be repaired, provided such repair constitutes only routine maintenance necessary to keep the structure in the same general condition it was in when it originally became nonconforming.~~

2. A one-family residential **noncomplying** structure which is ~~nonconforming~~ **noncomplying** with respect to **lot width, rear yard** area or front, rear, or side yard setback requirements, but which otherwise conforms to the use requirements of the district in which it is located, may be expanded **in size** so long as additional **use** nonconformities are not introduced. New or expanded residential accessory uses **and structures** may be permitted subject to the provisions of the zoning ordinance, provided that all new or expanded accessory structures and uses shall meet all current zoning requirements, including height, yard requirements, and setbacks, for the zoning district in which located. In no case shall a ~~nonconforming single-family dwelling~~ **noncomplying structure used for residential purposes** be **physically** modified to accommodate additional dwelling units.

**PART II - CODE**  
**APPENDIX B - ZONING**  
**ARTICLE 25. SUPPLEMENTARY HEIGHT, AREA AND BULK REGULATIONS**

***ARTICLE 25. SUPPLEMENTARY HEIGHT, AREA AND BULK REGULATIONS***

**Section 1. [Purpose.]**

The regulations set forth in this section [article] qualify or supplement the district regulations appearing elsewhere in this ordinance.

**Section 2. Modification of height regulations.**

- (1) The height regulations as prescribed in this ordinance shall not apply to:
  - Belfries;
  - Chimneys;
  - Church spires;
  - Conveyors;
  - Cooling towers;
  - Elevator bulkheads;
  - Fire towers;
  - Flagpoles;
  - Monuments;
  - Ornamental towers and spires;
  - Smokestacks;
  - Stage towers or scenery lofts;
  - Water towers;
  - Tanks.
- (2) Public, semipublic, or public service buildings, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, and churches and temples may be erected to a height not exceeding seventy-five (75) feet, when the required side and rear yards are each increased by at least one foot for each one foot of additional building height above the height regulation for the district in which the building is located.
- (3) Manufacturing buildings located in the "M-2" Heavy Industrial district, on land parcels at or exceeding one hundred fifty (150) acres and used for gravity assisted processing, may erect to a height not exceeding one hundred seventy-five (175) feet, when such buildings are set back from any other contiguous zoning district by at least one foot for each one foot of additional building height above the height regulations for the "M-2" Industrial District.

**Section 3. Modification of area regulations.**

3.1. *Yards generally.*

- (1) Whenever a lot abuts upon a public alley, one-half of the alley width may be considered as a portion of the required yard only.

- (2) Every part of a required yard shall be open to the sky, except as authorized by this article; and ordinary projections of sills, belt courses, window air conditioning units, chimneys, cornices and ornamental features, which may project to a distance not to exceed twenty-four (24) inches into a required yard.
- (3) Within a residence or office-apartment district, the least dimension of a yard upon which the principal entrances or exists of a multiple dwelling face shall be twenty (20) feet.
- (4) Where a lot is used for a commercial or industrial purpose more than one main building may be located on the lot, but only when such buildings conform to all open space requirements around the lot for the district in which the lot is located.
- (5) A bathroom not exceeding fifty (50) square feet in area may be constructed on the rear of an existing dwelling which does not have these sanitary facilities, provided the addition is at least ten (10) feet from the rear lot line and conforms to the side line requirements.
- (6) On residential lots having a width of less than fifty (50) feet ~~and on record prior to November 20, 1947,~~ there shall be a side yard on each side of a building having a width of not less than ten (10) percent of the average width of the lot; provided, however, that such side yard shall not be less than three (3) feet.
- (7) For housing projects involving the construction of several multiple-group dwellings on the same lot or parcel of land, in order to permit a more flexible placing of the buildings on the land and more desirable grouping of open spaces and such accessory facilities as recreation and parking areas, the following yard requirements shall apply:
  - (a) Front, side and rear yard requirements along the boundaries of the lot shall be in accordance with requirements previously established;
  - (b) Within the lot, minimum distances between main buildings, except Residential Town House Districts, shall be as follows:
    1. When buildings are front to front, not less than fifty (50) feet.
    2. When buildings are front to rear, not less than sixty (60) feet.
    3. When buildings are front to side, not less than fifty (50) feet.
    4. When buildings are side to side, rear to side, or rear to rear, not less than twenty (20) feet for one story buildings and not less than thirty (30) feet when one or both of the buildings are more than one story.

3.2. *Accessory buildings and structures.*

- (1) Except as herein provided, no accessory building shall project beyond a required yard line along any street.
- (2) Filling station pumps and pump islands may occupy the required yards; provided, however, that they are not less than fifteen (15) feet from the street lines.
- (3) One directional or name sign or sign advertising products sold on the premises may occupy required yards in a district where such sign is permitted by the use regulations of this ordinance; provided such sign is of not more than thirty (30) square feet in area, does not contain flashing, moving, or intermittent illumination; and provided the requirements of other city ordinances are complied with.
- (4) An ornamental fence or wall not more than three and one-half (3½) feet in height may project into or enclose any required front or side yard to a depth from the street line equal to the required depth of the front yard. Ornamental fences or walls may project into or enclose other required yards, provided such fences and walls do not exceed a height of seven (7) feet.

- (5) Accessory, open and uncovered swimming pools and home barbecue grills may occupy a required rear yard, provided they are not located closer than five (5) feet to the rear lot line not closer than three (3) feet to a side lot line.
- (6) Accessory buildings which are not a part of the main building, although connected by an open breezeway, may be constructed in a rear yard; provided, such accessory building does not occupy more than twenty-five (25) percent of the area of the required rear yard; and provided, it is not located closer than eight (8) feet to the rear lot line nor closer than three (3) feet to a side lot line.

3.3. *Front yards.*

- (1) Where an official line has been established by the adopted major arterial plan, for the future widening or opening of a street upon which a lot abuts, then the depth of a front or side yard shall be measured from such official line to the nearest line of the building.
- (2) On through lots, the required front yard shall be provided on each street.
- (3) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard of fifteen (15) feet on the side street; provided, however, that the buildable width of a lot of record at the time of passage of this ordinance shall not be reduced to less than thirty-two (32) feet.
- (4) Open unenclosed porches, platforms or paved terraces, open or covered by a roof or canopy, and which do not extend above the level of the first floor of the building, may extend or project into the front yard not more than six (6) feet.
- (5) Where twenty-five (25) percent or more of the street frontage, or where twenty-five (25) percent or more of the street frontage within four hundred (400) feet, of the property in question is improved with buildings that have a front yard (with variation of six (6) feet or less) that is greater or less than the required front yard in the district, no building shall project beyond the average front yard so established; provided, however, that a depth of front yard of more than fifty (50) percent in excess of the depth of the required front yard in the district in which the lot is located shall not be required. Where forty (40) percent or more of the street frontage is improved with buildings that have no front yard, no front yard shall be required for the remainder of the street frontage.
- (6) All buildings hereinafter erected, or structurally altered so as to change the character of use of such building, shall observe the following setback requirements or the setbacks or front yard requirements set forth elsewhere in this ordinance, whichever is greater:
  - (a) Except as otherwise provided below, on Washington Street, the minimum setback shall be forty (40) feet, and on Sycamore Street south of Halifax Street, the minimum setback shall be forty-five (45) feet. (On Crater Road, between Graham Road and South Boulevard, the minimum setback on the west side shall be forty (40) feet and on the east side shall be ninety (90) feet for dwellings and sixty (60) feet for all other buildings.) On all other streets thirty (30) feet in width and less than sixty (60) feet in width the minimum setback shall be thirty (30) feet. The term "center line of the street" as used below, shall mean the center line which existed November 20, 1947.
  - (a-1) The minimum setback along U.S. Rout 301 (South Crater Road) from the Norfolk and Western Railway underpass south of Morton Avenue and to the Prince George County Line shall be one hundred (100) feet. The minimum setback along U.S. Route 460 (County Drive) from the Norfolk and Western Railway overpass, at the old corporate limits, to the Prince George County Line shall be one hundred (100) feet. The minimum setback along State Route 604 (Halifax Road) from its intersection with Boydton Plank Road south to the overpass over Interstate 85 shall be one hundred (100) feet; along the west side of Halifax Road from Interstate 85 south to Vaughan Road the minimum setback shall be one hundred forty-five (145) feet; along Halifax Road from Vaughan Road south to the Dinwiddie County Line the minimum setback shall be one hundred (100) feet. The minimum setback along State Route 142 (Boydton Plank Road) from its intersection with Halifax Road west to the Dinwiddie County Line shall be one hundred (100) feet. The minimum setback along State Route 632 (Wagner Road) from U.S. Route 301 east to U.S.

Route 460 shall be one hundred (100) feet. The minimum setback along State Route 608 (Johnson Road) from the Norfolk and Western Railway overpass, at the old corporate limits, south to the Dinwiddie County Line south of Flank Road shall be one hundred (100) feet. The minimum setback along State Route 109 (Hickory Hill Road) from U.S. 460 east to Fort Lee shall be one hundred (100) feet.

The minimum setback along State Route 629 (Rives Road) from U.S. Route 301 east to the Prince George County Line shall be one hundred (100) feet. The minimum setback along State Route 613 (Squirrel Level Road) from Boydton Plank Road southwest to the Dinwiddie County Line shall be one hundred (100) feet. The minimum setback along Dupuy Road from Spring Street Southwest to Boydton Plank Road shall be eighty (80) feet. The minimum setback along State Route 613 (young's Road) from Brick House Run south to Boydton Plank Road shall be eighty (80) feet. The minimum setback along Flank Road from U.S. Route 301 west to State Route 604(Halifax Road) shall be one hundred fifty (150) feet. The minimum setback along Defense Road from Banister Road west to State Route 142 (Boydton Plank Road) shall be one hundred fifty (150) feet. The term "center line of the street," as used below in subsection (b), when referring to this paragraph shall mean the center line which existed January 1, 1972. Where there are two (2) center lines on a road, the center line referred to is a line running half way between and parallel to the two (2) existing center lines.

- (b) The minimum setback required herein shall be the minimum horizontal distance from the center line of the street to the main building, or any projection thereof. Where an existing building has less setback than provided herein, any building hereafter erected or structurally altered within twenty (20) feet of said existing building may observe the setback line established by the existing building provided that provision be made in the structure for the removal of that portion which extends beyond the setback line established herein, without damage to the balance of the structure, and that the owner of the building to be erected or structurally altered enter into agreement with the City of Petersburg, relieving the city of damage for the removal of that portion of the structure extending beyond the required setback line, when at such time the city acquires title to this portion of the property for street widening.
- (c) No setback of any building shall be required on the south side of East Tabb Street, between North Sycamore Street and Monroe Street.
- (d) Where the minimum setback required herein would require a front yard, the depth of which is greater than ten (10) percent of the average depth of a lot of record prior to November 20, 1947, or require a front yard on the side having the greater, and the front yard is not required by the district regulations, an application for a building permit, conforming to the provisions herein, shall be denied by the building inspector for a period of sixty (60) days. The building inspector shall immediately notify the council of such application for a permit, and unless the building inspector be notified by the clerk of the council within sixty (60) days of date of the application for permit, of the city's intention to purchase the land occupied by the setback required herein, the building inspector shall grant the permit.

#### 3.4. *Side yards.*

- (1) Where dwelling units are erected above business and industrial structures in business and industrial districts, no side yards are required, except such side yard as may be required in the district regulations for a business or industrial building on the side of a lot adjoining a dwelling district.
- (2) For the purpose of the side yard regulations, a two-family dwelling or a multiple dwelling shall be considered as one building occupying one lot.
- (3) The minimum width of side yards for schools, libraries, churches, community houses and other public and semipublic buildings in residence districts shall be twenty-five (25) feet, except where a side yard is adjacent to a business, commercial or industrial district, in which case the width of that yard shall be as required in the chart of article 22, for the district in which e building is located.

- 3.5. *Rear yards.* Open or lattice-enclosed fire escapes, outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues, may project into the required rear yard for a distance of not more than five (5) feet, but only where the same are so placed as not to obstruct light and ventilation.
- 3.6. *Lot area.* Where an **unimproved lot in a zoning district that allows residential use** was of record prior to the application of zoning regulations and restrictions to the premises, and if such lot does not conform to the requirements of such regulations and restrictions as to the width of lots or lot area per family, the provisions of such lot area per family and lot width regulations and restrictions shall not prevent the owner of such lot from erecting a one-family dwelling or making other **accessory** improvements on the lot; provided such improvements conform in all other respects to the applicable zoning regulations and restrictions. However, this section will not apply if the lot or lots in question were contiguous to another lot or lots of record owned by the same person at the time the more restrictive regulations became in force.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024

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

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

**FROM:** Anthony Williams

**RE:** **A Public Hearing and Consideration of an Ordinance to Amend and Readopt Section 2-108 of the Petersburg City Code Pertaining to Responsibilities of the Clerk with Respect to Published Ordinances (Second Reading) - Pages 42-44**

**PURPOSE:** Council directed the City Attorney to prepare and present an amendment to Ordinance 2-108 to clarify the assignment of responsibilities for loading approved ordinances, amending the published Code of Ordinances and Zoning and Subdivision Ordinances by the Clerk of Council.

**REASON:** Council directed the City Attorney to prepare and present an amendment to Ordinance 2-108 to clarify assignment of responsibilities for loading approved Ordinances, amending the published Code of Ordinances and Zoning and Subdivision Ordinances by the Clerk of Council.

**RECOMMENDATION:** Hold a Public Hearing to receive public comments and the consideration of the Ordinance for adoption.

**BACKGROUND:** Council directed the City Attorney to prepare and present an amendment to Ordinance 2-108 to clarify the assignment of responsibilities for loading approved ordinances, amending the published Code of Ordinances and Zoning and Subdivision Ordinances by the Clerk of Council. Council, at their April 2, 2024 Work Session, had its first reading of the ordinance and scheduled a Public Hearing fo their April 16, 2024 Regular Council Meeting.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 4/16/2024

**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. ordinance to amend Code

**ORDINANCE TO AMEND AND RE-ADOPT SECTION 2-108 OF THE PETERSBURG CITY CODE PERTAINING TO RESPONSIBILITIES OF THE CLERK WITH RESPECT TO PUBLISHED ORDINANCES**

WHEREAS, in year 1981, the City adopted Section 2-108 of the City Code regarding the responsibilities of the Clerk to record and index ordinances and furnish copies to city officers; and

WHEREAS, in year 1981, commercial publication options for the Code of Ordinances and Zoning and Subdivision Ordinance did not exist;

WHEREAS, since the adoption of this Ordinance, the City has transitioned to electronic publication of its Code of Ordinances; and Zoning and Subdivision Ordinance using commercial service providers such as Municode; and

WHEREAS, Council wishes to clarify the duties of the Clerk with respect to the publication of such documents by amending Section 2-108 of the City Code.

NOW therefore be it ORDAINED that Section 2-108 of the City Code is hereby amended and re-adopted as follows:

**Sec. 2-108. - Duty to record and index ordinances and furnish copies to city officers.**

The Clerk is responsible for maintaining all official records of City Council. The clerk of the city council shall maintain copies of all adopted ordinances and resolutions and record, in the minute book, the number, title and purpose of all ordinances and resolutions passed by the city council. The clerk shall also furnish to every city officer an attested copy or abstract of any ordinance passed by the city council affecting the duties of such officer. The books containing the proceedings and ordinances shall be accurately indexed and shall be open to the inspection of any citizen of the city. Upon adoption of any ordinance amending the City's published Code of Ordinances, Subdivision and Zoning Ordinance, the Clerk shall be responsible for ensuring that such amendments are promptly incorporated into said published codes.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024

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

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

**FROM:** Brittany Flowers

**RE:** **A Public Hearing and Consideration to Amend Chapter 106, Taxation, Article III, Real Estate, Division 3, Exemption for Elderly and Disabled (Second Reading) - Pages 45-47**

**PURPOSE:** A Public Hearing and Consideration of Amendment to Chapter 106, Taxation, Article III, Real Estate, Division 3, Exemption for Elderly and Disabled

**REASON:**

**RECOMMENDATION:** Hold the Public Hearing to receive public comments and consider adoption of the ordinance amendment to Chapter 106, Taxation, Article III, Real Estate, Division 3, Exemption for Elderly and Disabled.

**BACKGROUND:**

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 4/16/2024

**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. ORD. 2024-XX - Amending Sec. 106 - Tax Relief for the Elderly

**ORDINANCE 2024-\_\_**

**An Ordinance amending and reenacting Section 106-109, General prerequisites to grant, and Section 106-112, Amount of exemption, of Division 3, Exemption for Elderly and Disabled, of Article III, Real Estate Taxes, of Chapter 106, Taxation, of the Code of the City of Petersburg.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PETERSBURG** that Section 106-109, General prerequisites to grant, and 106-112, Amount of exemption, of Division 3, Exemption for Elderly and Disabled, of Article III, Real Estate Taxes, of Chapter 106, Taxation, of the Code of the City of Petersburg is amended and reenacted as follows:

**ARTICLE III – REAL ESTATE TAXES**

**DIVISION 3. – EXEMPTION FOR ELDERLY AND DISABLED**

**Sec. 106-109. General prerequisites to grant.**

The exemption provided for in this division shall be granted to persons subject to the following provisions:

- (1) That the title to the property for which the exemption is claimed is held, or partially held, on July 1 of the taxable year, by the person claiming the exemption.
- (2) That the head of the household occupying the dwelling and owning the title, or partial title, thereto is 65 years or older, or is permanently and totally disabled, on June 30 of the year immediately preceding the taxable year.
- (3) That the gross combined income of the owner during the year immediately preceding the taxable year shall be determined by the commissioner of the revenue to be in an amount not to exceed ~~\$35,000.00~~ \$45,000.00. The gross combined income shall include all income from all sources of the owner and of the owner's relatives living in the dwelling for which exemption is claimed; except that the first \$4,000.00 of income of each relative, other than the spouse of the owner, who is living in the dwelling, shall not be included in such total.
- (4) That the total combined financial worth of the owner and of the spouse of the owner, as of May 1 of the year immediately preceding the taxable year, shall be determined by the commissioner of the revenue to be in an amount not to exceed ~~\$70,000.00~~ \$80,000.00. The total financial worth shall include the value of all assets, including the equitable interest, of the owner and the owner's relatives living in the dwelling for which the exemption is claimed but shall not include the fair market value of the dwelling and the land upon which it is situated, not exceeding one acre, for which the exemption is claimed.

(Ord. No. 04-49, 6-15-2004; Ord. No. 08-15, 2-5-2008; Ord. No. 12-83, § 1, 12-18-2012)

**Sec. 106-112. Amount of exemption.**

The person qualifying for and claiming exemption under this division shall be relieved of 100 percent of the real estate tax levied on the qualifying dwelling and land if the combined household income of the owner is \$0 – \$25,000.00 with a maximum tax relief of ~~\$1,200.00~~ \$1,500.00. The person qualifying for and claiming exemption under this division shall be relieved of 50 percent of the real estate tax levied on the qualifying dwelling and land if the combined household income of the owner is \$25,001.00 – ~~\$35,000.00~~ \$45,000.00 with a maximum tax relief of ~~\$1,200.00~~ \$1,500.00.

(Code 1981, § 34-75(a); Ord. No. 12-83, § 1, 12-18-2012)

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In all other respects, the Code of the City of Petersburg shall remain unchanged and be in full force and effect.



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024

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

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

**FROM:** Leon Glaster

**RE:**

- **A Public Hearing and Consideration of an Ordinance to Adopt the Real Property Tax Rate (Second Reading) - Pages 48-51**

**PURPOSE:** Public Hearing and Consideration to Adopt the FY25 Tax Rate Ordinance

**REASON:** Adoption of the tax rates to support the Fiscal Year 2024-2025 Operating and Capital Improvement Budgets.

**RECOMMENDATION:** Hold Public Hearing to receive public comments and consideration of adoption of the FY25 Tax Rate Ordinance.

**BACKGROUND:** The adoption of the ordinance establishing the annual tax levy on various classes of real estate and personal property is required of the City Council each year. The ordinance establishes the real property tax rate at \$1.27/\$100 of assessed value. The attached tax rate ordinance proposed no changes to the current tax rate structure established with the adoption of the FY 2023-2024 Operating Budget.

Maintaining the real estate tax rate of \$1.27/\$100 of assessed value represents a proposed increase in real property tax resulting from the increase in the total assessed value of the real property exceeding last year's total assessed value of real property by 14.57 percent, resulting in a lowered tax rate of \$1.12/\$100 to offset the increase in assessed value. Based on the proposed real property tax rate and changes in other revenues, the total budget will exceed last year's by 4.86 percent.

**COST TO CITY:** N/A

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:** 4/16/2024

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

**AFFECTED AGENCIES:**

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:**

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:**

1. FY25 Budget - Real Estate Tax Ordinance
2. FY25 Budget - Notice of Real Property Tax Increase

**AN ORDINANCE TO IMPLEMENT THE ANNUAL AMENDMENT TO THE TAX RATE**

**WHEREAS**, the City of Petersburg Code has a codified section that depicts a real property tax for all tracts of land, lots and improvements thereon; and

**WHEREAS**, this aforementioned tax is referenced in Section 106.1 of the Petersburg City Code; and

**WHEREAS**, the City of Petersburg City Council revisits this section of the Petersburg City Code in correlation with reviewing budget options for the impending fiscal year and amends the aforementioned tax rate to accomplish Council's priorities in the City of Petersburg next fiscal year's budget.

**NOW THEREFORE BE IT ORDAINED**, that the adoption of this ordinance shall implement the proposed amendments to change the real estate tax rate to \$1.27 per \$100 of assessed value.

# **CITY OF PETERSBURG**

## **NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE**

The City Council of the City of Petersburg will hold a public hearing on Tuesday, April 16, 2024, at 5:00 PM at the Petersburg Public Library, 201 W. Washington Street, Petersburg, Virginia to receive public comments regarding the proposed FY 2024-2025 Real Property Tax Rate.

The City of Petersburg proposes to increase real property tax levies.

1. **Assessment Increase:** Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 14.57 percent.
2. **Lowered Rate Necessary to Offset Increased Assessment:** The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be \$1.12 per \$100 of assessed value. This rate will be known as the "lowered tax rate."
3. **Effective Rate Increase:** The City of Petersburg proposes to adopt a tax rate of \$1.27 per \$100 of assessed value. The difference between the lowered tax rate and the proposed rate would be \$0.15 per \$100, or 13.39 percent. This difference will be known as the "effective tax rate increase."

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

4. **Proposed Total Budget Increase:** Based on the proposed real property tax rate and changes in other revenues, the total budget of the City of Petersburg will exceed last year's by 4.86 percent.

A public hearing on the increase will be held on April 16, 2024 in the Multi-Purpose Room, Petersburg Public Library, 201 W. Washington Street, Petersburg, Virginia



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024

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

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

**FROM:** Leon Glaster, Chief Financial Officer/Director of Finance

**RE:** **FY 25 Budget Calendar**

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**PURPOSE:** Consideration of the FY 2025 Budget Calendar

**REASON:** Council review and adoption of the FY 2025 Budget Calendar

**RECOMMENDATION:** Approve the proposed FY 2025 Budget Calendar

**BACKGROUND:**

**COST TO CITY:** n/a

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:** April 16, 2024

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

**AFFECTED AGENCIES:** n/a

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** FY25 Budget Ordinance

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:** Proposed FY25 Budget Calendar

**STAFF:** Leon Glaster, Chief Financial Officer/Director of Finance

Garry Crozier, Budget Manager

# FY2025 Budget Development

8th-18th  
Position  
Control  
Meetings with  
Department  
Directors  
18th – Budget  
Request  
Templates  
sent out to  
Dept Directors

22nd –  
Revenue  
Projections  
Completed

Develop FY2025  
Budget document

7th – FY25  
Proposed Budget  
1st Reading

21st – FY25  
Proposed Budget  
2nd Reading &  
Adoption

1st – FY25  
Begins



JAN  
24

FEB  
24

MAR  
24

APR  
24

MAY  
24

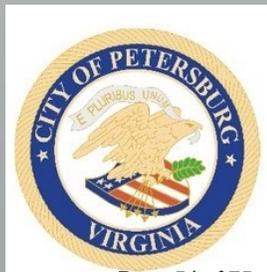
JUN  
24

JUL  
24

21st – Budget  
Requests due  
from Dept  
Directors

5th – Finalize  
Budget  
15th-19th – City  
Council Budget  
Workshops  
22nd-26th –  
Community  
meetings

30th – FY24 Ends





# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024

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

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

**FROM:** Jim Reid, Director of Neighborhood Services

**RE:** **Blighted Properties List**

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**PURPOSE:** City Council review and approval of the list of blighted properties to be demolished

**REASON:** The City has several blighted properties and staff is seeking Council approval to begin the process of removing these properties.

**RECOMMENDATION:** Approve the proposed list of blighted properties for demolition

**BACKGROUND:** The presence of deteriorating, vacant and abandoned properties can have profound negative impacts on communities and is typically the result of economic disinvestment and the exit of the working class. The blighted, vacant properties can result in reduced property value and a loss of tax revenue and creates an environment ripe for criminal activity making people feel unsafe. Neighborhood Services staff have begun the process of identifying blighted properties in the City that need to be demolished as they have reached a point of disrepair and attempts to have the properties addressed by the owners have not been successful. Staff has identified ten (10) properties for City Council's considered to allow staff to move forward with demolition.

**COST TO CITY:** n/a

**BUDGETED ITEM:**

**REVENUE TO CITY:**

**CITY COUNCIL HEARING DATE:** April 16, 2024

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

**AFFECTED AGENCIES:** n/a

**RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:** FY25 Budget Ordinance

**REQUIRED CHANGES TO WORK PROGRAMS:**

**ATTACHMENTS:** Proposed FY25 Budget Calendar

**STAFF:** Leon Glaster, Chief Financial Officer/Director of Finance  
Garry Crozier, Budget Manager



# City of Petersburg

## Ordinance, Resolution, and Agenda Request

**DATE:** April 16, 2024  
**TO:** The Honorable Mayor and Members of City Council  
**THROUGH:** March Altman, Jr., City Manager  
**FROM:** Brian Moore  
**RE:** **UVA Introductory Presentation - Pages 57-75**

**PURPOSE:** The University of Virginia's Weldon Cooper Center for Public Service will deliver a presentation on Economic Development strategies.

**REASON:** UVA's Weldon Cooper Center for Public Service will provide a presentation to include comments, statistical data and potential Economic Development strategies.

**RECOMMENDATION:** N/A

**BACKGROUND:** The University of Virginia's Weldon Cooper Center for Public Service, the Director and Staff will spend the day visiting, learning, and enjoying the City.

**COST TO CITY:** N/A

**BUDGETED ITEM:** N/A

**REVENUE TO CITY:** N/A

**CITY COUNCIL HEARING DATE:** 4/16/2024

**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. 2024-04-05\_PetersburgPresentation

# Strategizing about Economic Development for the City of Petersburg

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Petersburg City Council

April 2024

Eric Scorsone, Executive Director

[Eric.scorsone@virginia.edu](mailto:Eric.scorsone@virginia.edu)



Weldon Cooper Center  
for Public Service

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# Overview

WHAT ARE THE DRIVERS OF A LOCAL ECONOMY ?

# How a regional/city economy works

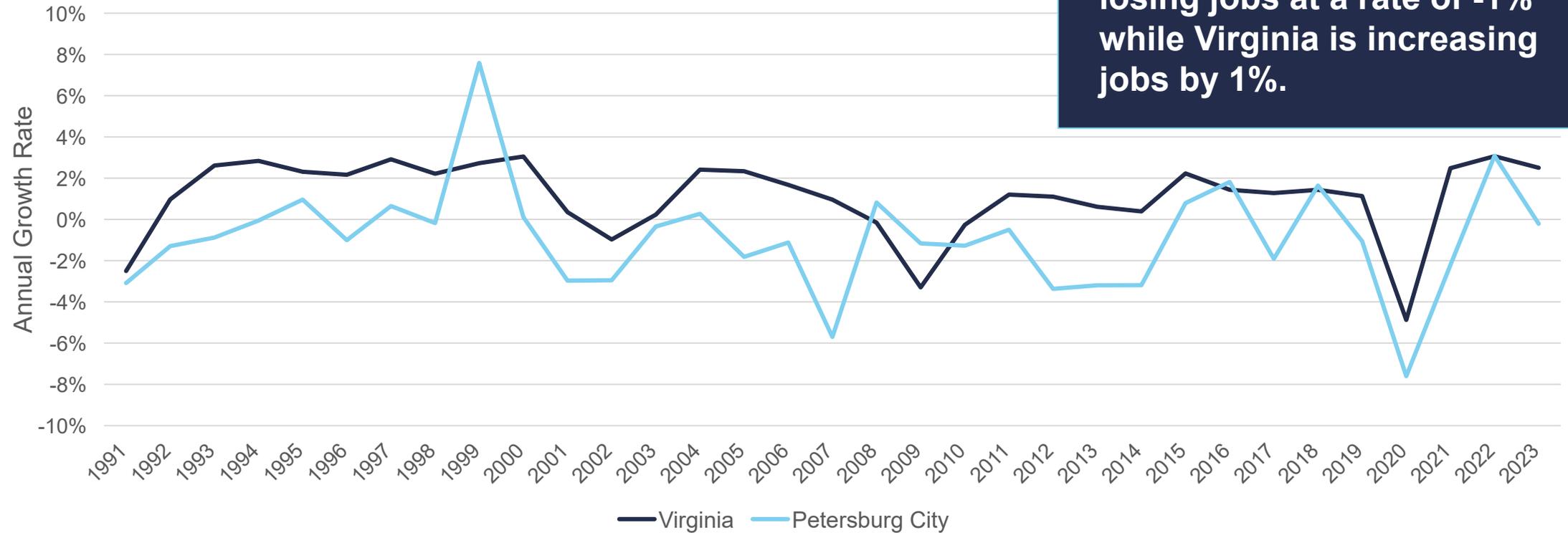
## Traded (export) sector enhancement

- Traded (export) – sell to the rest of the world
- Local – meet local demand
- Resource dependent – locate near natural resource

## Two sources of traded income

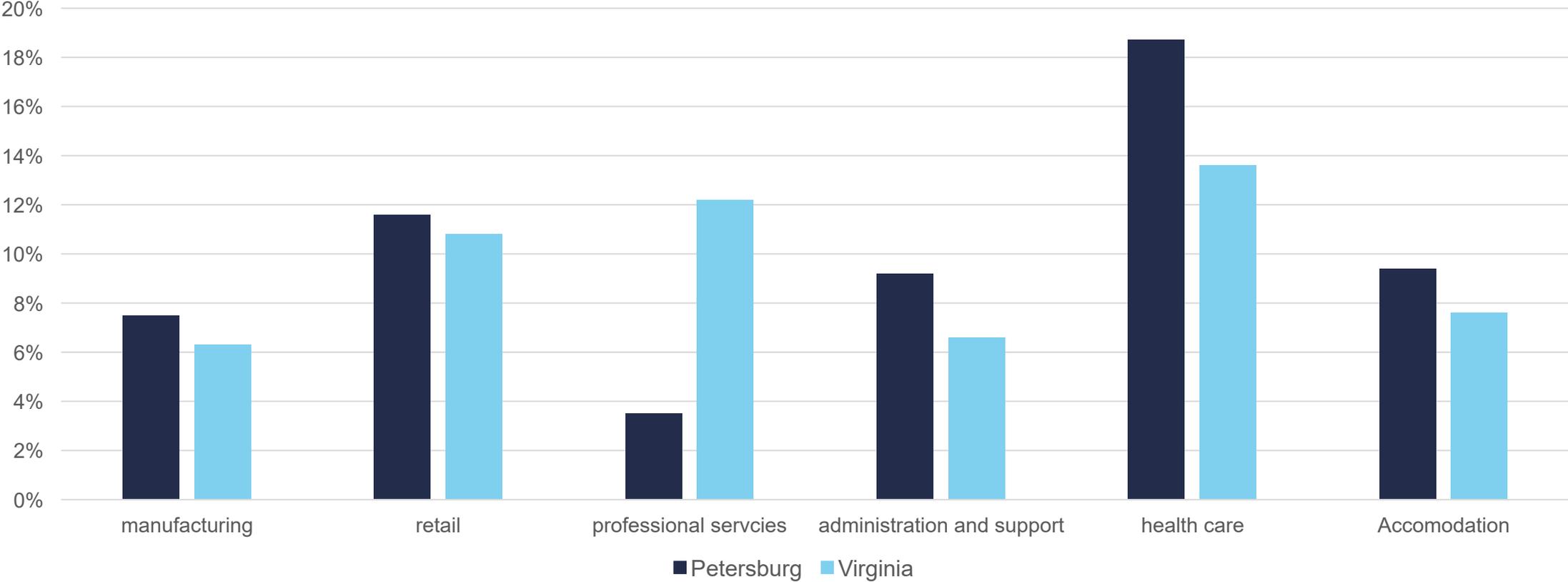
- Exports
- Import money and income from outside the region

# Total Employment Growth, 1991-2023

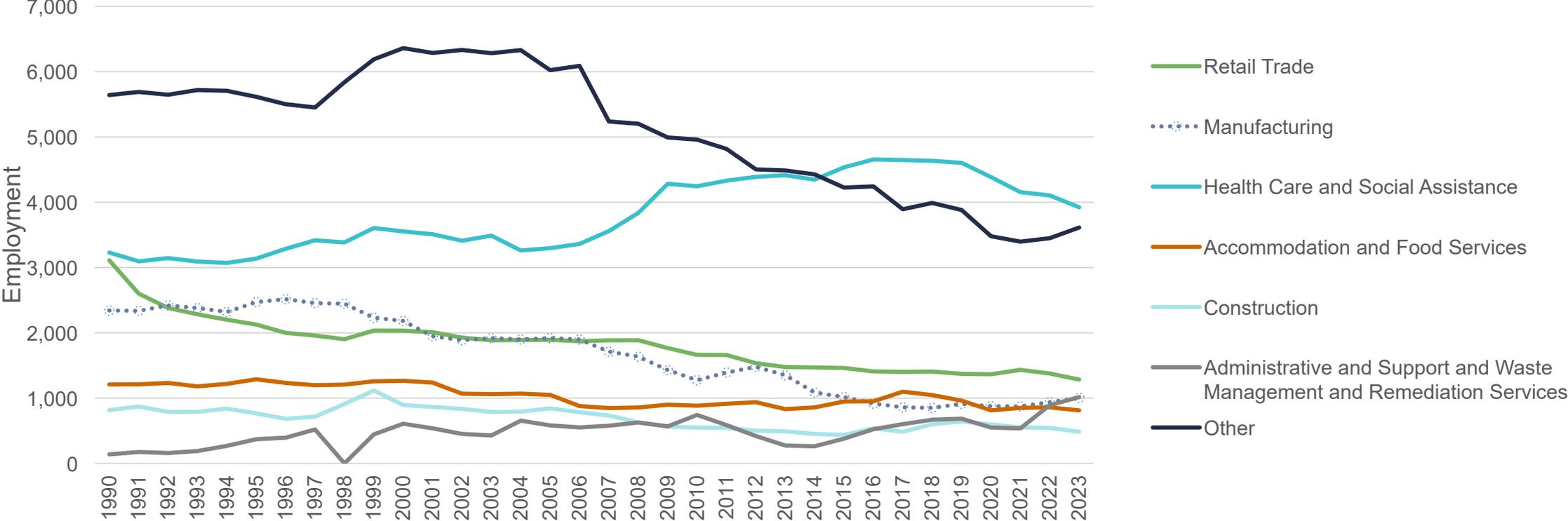


Source: Virginia Employment Commission, Quarterly Census of Employment and Wages (2023, 2<sup>nd</sup> quarter)

# Petersburg's Current Economic Makeup

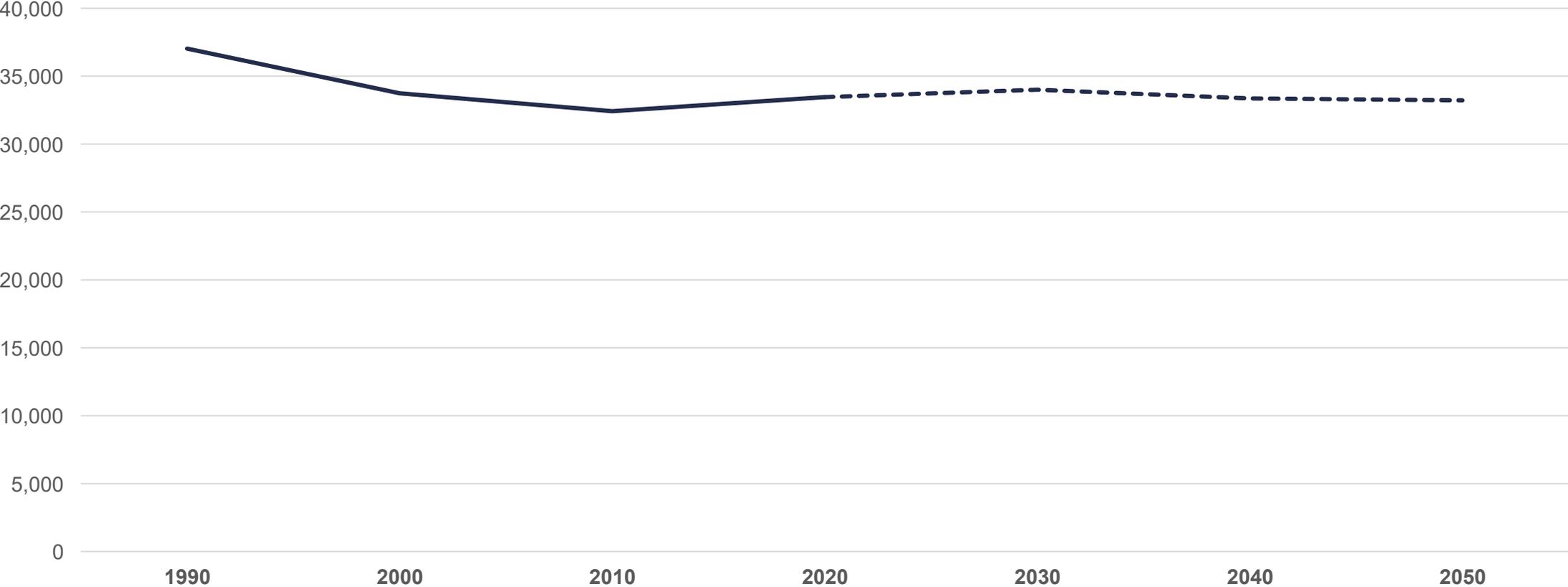


# Major Industry Employment, 1990-2023

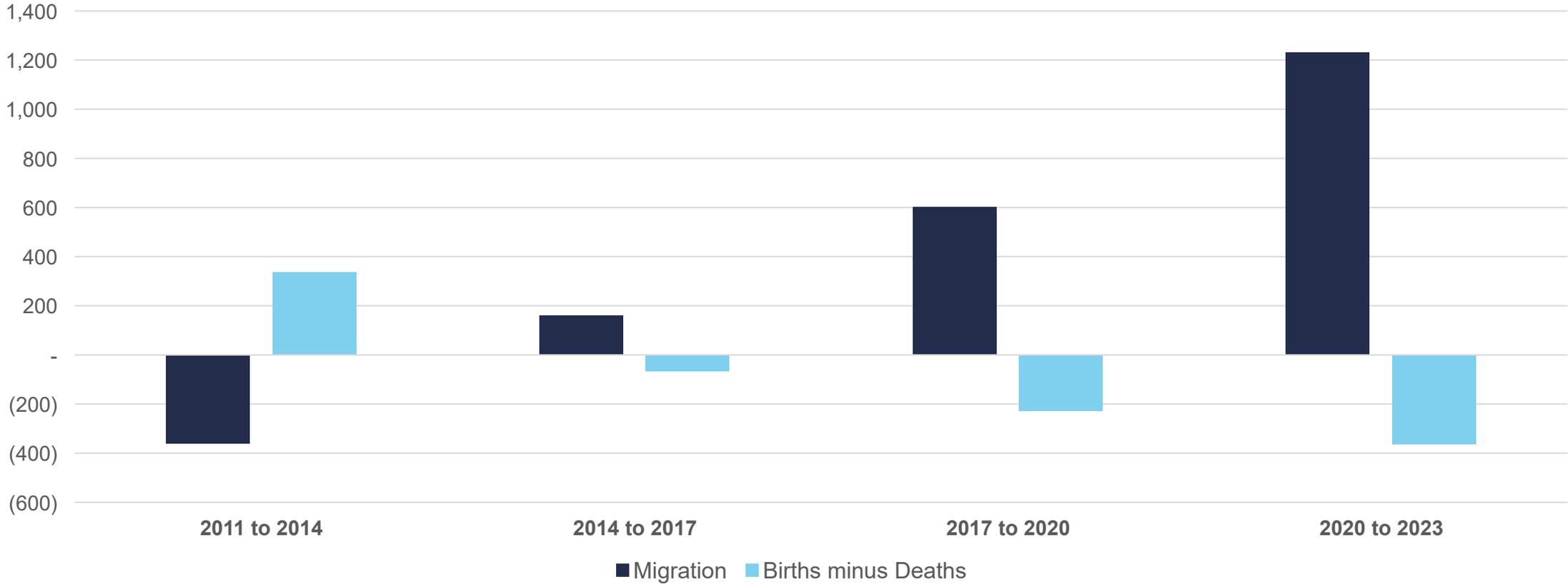


Source: Virginia Employment Commission, Quarterly Census of Employment and Wages (2023, 2<sup>nd</sup> quarter)

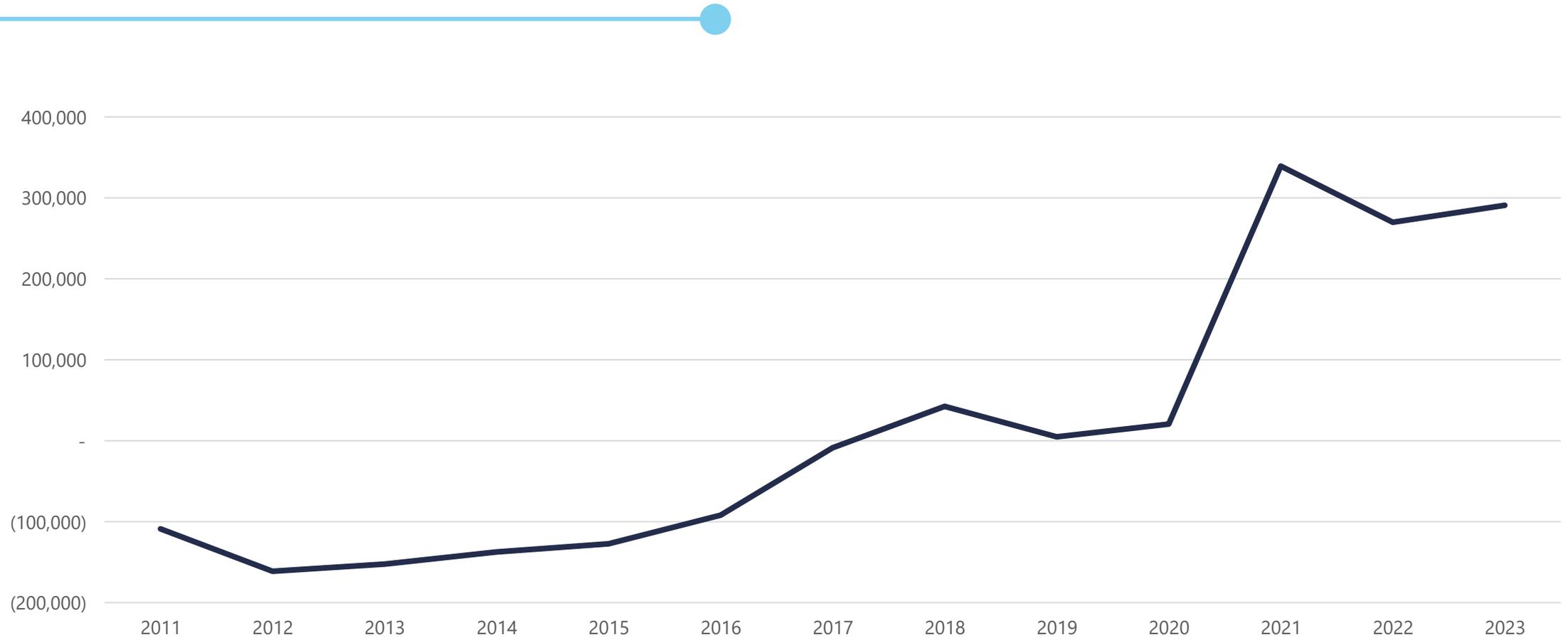
# Petersburg Projected Population



# Petersburg Population Change Components



# Domestic Migration: Rural & Small Metro Areas



Total Annual Domestic Migration in Rural U.S. Counties & Small Metro Areas

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# Petersburg Economic Development

# Successful Economic Development

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**Job Creation**



**Median Household Income**



**Job Quality**  
(often measured by salary and wages)



**Tax Revenues**  
(support for needed or additional public services)

# Regional Quality of Life



**Financial**  
Jobs & Income



**Transport**  
Time to and from work



**Health**  
Access to health services  
& health outcomes



**Regional Costs**  
Housing & Utilities

# Economic Development Strategies

## Traded (export) sector enhancement

- Obtain more external money via two possible methods
- Enhance productivity and competitiveness for existing or new traded sector
- Increase demand for existing or new sector

## Import substitution

- “Plug the leaks”
- Do things locally that have traditionally been done remotely

# Leveraging Ongoing and Future Investments

## Casino Investment

- Build a new economic sector that will be a partially traded sector
- Plug leakages and supply holes

## Pharmaceutical Investment

- Build a new economic sector that will be a partially traded sector
- ..... Import money and income from outside the region

# Translating into Higher Jobs/Wages

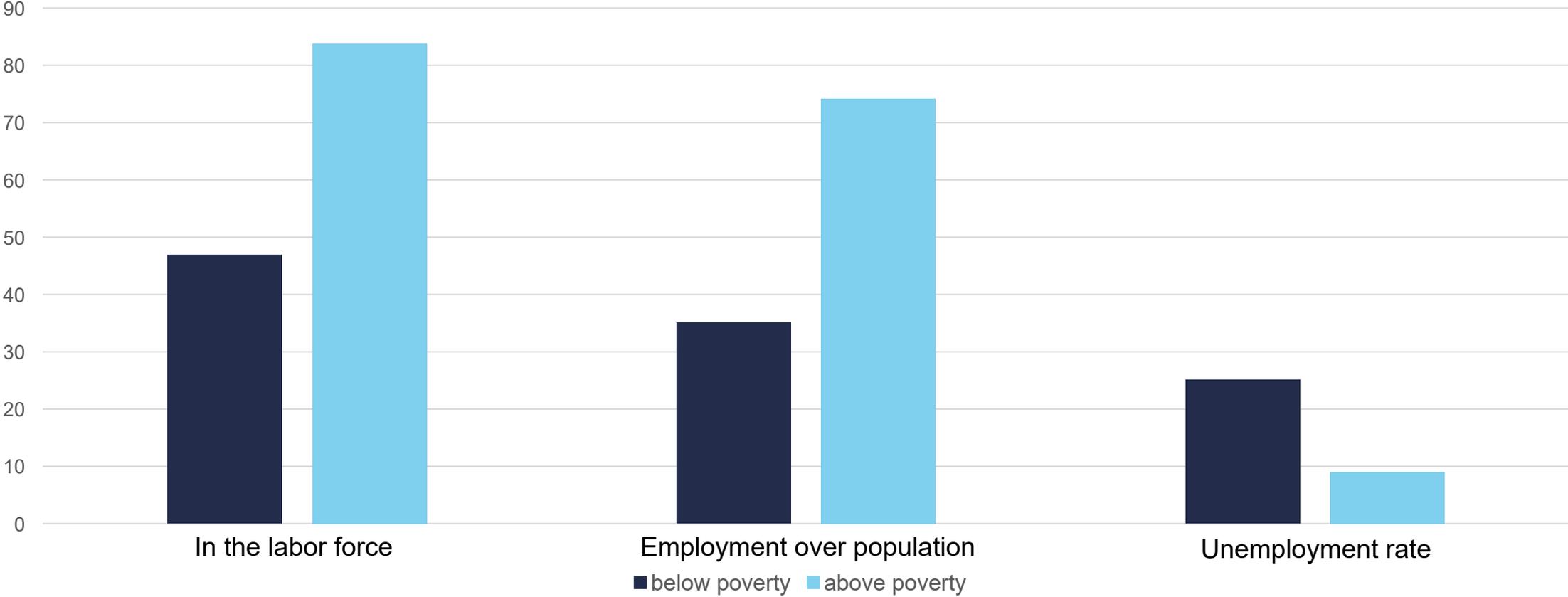
— New traded sector investment will create jobs and income

— Traded sector will boost local sector (multiplier effect)

..... This may or may not raise average or median income

To truly grow median income, you need to target import substitution or “plug the holes” and “buy local”

# Petersburg Employment Conditions



# New Local Tax Revenues

**Leverage these new tax dollars  
to invest in economic  
development strategies that  
will raise average wage or  
median income in the  
community or enhance other  
quality of life factors**

Thank you

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