

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
March 9, 2023
6:00 p.m.**

- | | |
|------------------|--|
| 6:00 p.m. | 1. Consideration of Work Session and Regular Meeting Agendas |
| 6:05 p.m. | 2. Update for the Virginia America 250 Commission Local Committee |
| 6:10 p.m. | 3. Update on Services Provided by Valley Mission and Community Services Board to the City's Homeless Population |
| 6:30 p.m. | 4. Closed Meeting for: (i) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Regarding the Order to Show Cause Concerning the Staunton Juvenile and Domestic Relations District Courts Facilities; and (ii) Discussion or Consideration of the Acquisition of Real Property on Beverley, Johnson and Frederick Streets, Morris Mill Road, Thornrose Avenue, and North Frontier Drive in Staunton, Virginia, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body |
| 7:15 p.m. | Break Until Regular Meeting at 7:30 p.m. |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
March 9, 2023
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence – Holmes

Mayor's Report

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of February 23, 2023

REGULAR MEETING

- A. Staff Recognition—Barbara Bell**
- B. Staff Recognition—Kevin Cline**
- C. Staff Recognition—Carol Milkman**
- D. Public Hearing and Consideration of an Amendment to Staunton City Code (SCC) Section 18.120.010(4), of Title 18, Zoning, to Allow an Undeveloped and Unaccepted Street to Serve as Primary Access to a Single-Family Dwelling**
- E. Public Hearing and Consideration of Amendments to Staunton City Code (SCC) Section 18.125, of Title 18, Zoning, to Provide an Exemption for Some Single-Family Dwellings from the Required Parking and Sealed-Surface Requirements**
- F. Consideration of a Final Plat for Villages at Staunton, Extension of Village Drive**
- G. Consideration of Fiscal Year 2024 Holiday Schedule**

H. Consideration of a Resolution Approving the City's Participation in the Proposed Settlement of Opioid Related Claims

Matters from the City Manager

Matters from the Public*

Adjournment

***Public Participation** For instructions on how to participate in a Public Hearing and Matters from the Public portions of the City Council meeting visit www.staunton.va.us/council.

Per **Council Procedure Memorandum No. 5, Grant Applications**, grants that do not require City funds or property to be contributed as a matching share do not require City Council approval. However, Council's procedure requires that the City Manager report all such grants to Council no later than the second meeting of City Council following their approval and submittal by the City Manager. Recently approved and submitted grants include:

Information Technology: *Virginia 911 Services Board PSAP Next Generation 911 funding in the amount of \$150,000.* This grant will help implement the city's NG911 initiative by funding the Call Handling Equipment that is in the current FY 2023 CIP. This is an amendment to a previous grant received in the amount of \$9,161.50 and together, this should cover the cost of the project.

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	March 9, 2023	City Council
Item #	1	
Department:	City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Values: Integrity Engagement	
Subject:	Work Session and Regular Meeting Agendas	

Background: Consistent with Procedural Memorandum No. 3, attached are draft meeting agendas for City Council's consideration and for approval as Council prefers.

Suggested Motion: I move to approve the Work Session agenda and the Regular Meeting agenda [as presented] [with the following changes: as to the Work Session, the addition/deletion of _____; as to the Regular Meeting, the addition/deletion of _____].

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 9, 2023	Staff Member: Sheryl Wagner
Item #	2	
Department:	Tourism	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Engagement Strategic Area: Economic Development	
Subject:	Update for the Virginia America 250 Commission Local Committee	

Background: The Virginia America 250 Commission (VA250) was created in 2020 by the General Assembly for the purpose of preparing for and commemorating the 250th anniversary of Virginia's participation in American independence. The VA250 has requested that each locality in Virginia form a local committee to aid in planning for the commemoration period. Sheryl Wagner was designated as the local contact for Staunton's VA250 committee.

A resolution to create a Staunton 250 committee was adopted by City Council on January 26, 2023.

The Director of Tourism is presenting to City Council the plan for the formation of the local VA250 committee.

City Manager's Recommendation: No action needed

Suggested Motion: No action needed.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 9, 2023	Leslie Beauregard City Manager
Item #	3	
Department:	City Manager	
Alignment with Staunton Plan (Value/Strategic Area):	Values: Inclusion & Equity; Engagement	
Subject:	Update on Services Provided by Valley Mission and Community Services Board to the City’s Homeless Population	

Background: City Council will receive information and an update from Susan Richardson (Valley Mission) and Lydia Campbell (Community Services Board) on services provided to the city's homeless population

City Manager's Recommendation: No action needed

Suggested Motion: No action needed.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	March 9, 2023	City Council John C. Blair, II City Attorney
Item #	4	
Department:	City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Closed Meeting for: (i) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Regarding the Order to Show Cause Concerning the Staunton Juvenile and Domestic Relations District Courts Facilities; and (ii) Discussion or Consideration of the Acquisition of Real Property on Beverley, Johnson and Frederick Streets, Morris Mill Road, Thornrose Avenue, and North Frontier Drive in Staunton, Virginia, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body	

Suggested Motion: I move to enter a closed meeting for: (i) consultation with legal counsel for necessary legal-related advice and discussion regarding the Order to Show Cause concerning the Staunton Juvenile & Domestic Relations District Court Facility located in the District Courts Building at 6 East Johnson St., Staunton, pursuant to Virginia Code §§ 2.2-3711(A)(7) and 2.2-3711(A)(8); (ii) discussion or consideration of the acquisition of real property located on Beverley, Johnson, and Frederick Streets, Morris Mill Road, Thornrose Avenue, and North Frontier Drive in the City of Staunton where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).

Second. Discussion. Vote – Clerk of Council to poll members of Council.

After the closed meeting: I move that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

Second. Discussion. Vote –Clerk of Council to poll members of Council.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 23, 2023	Leslie Beauregard City Manager
Item #	A	
Department:	City Manager	
Alignment with Staunton Plan (Value/Strategic Area):	Values: Integrity Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Staff Recognition	

Background: Barbara Bell, former Accounting Technician II in the Finance Department, will attend Council's regular meeting to receive recognition of her retirement from service to the city.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 23, 2023	Leslie Beauregard City Manager
Item #	B	
Department:	City Manager	
Alignment with Staunton Plan (Value/Strategic Area):	Values: Integrity Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Staff Recognition	

Background: Kevin Cline, former Firefighter/EMT in Fire & Rescue, will attend Council's regular meeting to receive recognition of his retirement from service to the city.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	March 23, 2023	Leslie Beauregard City Manager
Item #	C	
Department:	City Manager	
Alignment with Staunton Plan (Value/Strategic Area):	Values: Integrity Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Staff Recognition	

Background: Carol Milkman, former Office Manager in Public Works, will attend Council's regular meeting to receive recognition of her retirement from service to the city.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	March 9, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	D	
Department:	Community Development— Planning and Zoning	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Areas: Infrastructure, Responsive, Efficient Government	
Subject:	Public Hearing and Consideration of an Amendment to Staunton City Code (SCC) Section 18.120.010(4), of Title 18, Zoning, to Allow an Undeveloped and Unaccepted Street to Serve as Primary Access to a Single-Family Dwelling	

Background: Staff received a request from a citizen, Mr. Charlie Bishop, to amend SCC Chapter 18.120, Yard, Building, and Open Space Exceptions, to allow a limited number of single-family dwellings to be constructed on existing lots that utilize undeveloped streets as their primary means of ingress and egress. Staff supported the concept but had concerns with the potential for loopholes to be created which may result in undeveloped streets becoming de facto private streets or public streets without ever being properly constructed or accepted by the city for maintenance. Careful consideration was given to wording and placement within the City's code.

At its December 15, 2022 meeting, the Planning Commission gave authorization to proceed with a zoning text amendment to address this issue. Staff drafted the zoning text amendment which was reviewed by the City Attorney and Mr. Bishop. At its January 19, 2023 meeting the Planning Commission reviewed the draft amendment and additional changes were made with the assistance of Vice-Chair Jessica Robinson.

The zoning text amendment allows the development of one single-family dwelling on an undeveloped street when all the lots having their sole access on the undeveloped street are under single ownership and are combined into one lot. Staff estimates that there are approximately forty (40) undeveloped streets, or portions of undeveloped streets, in the City. In most of these cases, it would be cost prohibitive to build the street to the city's standards, thereby severely restricting the development potential of the lots fronting on these undeveloped streets. The proposed amendment would allow a limited number of these lots to be developed with single-family homes. Additionally, the text amendment provides a definition of "undeveloped street." This aligns with an objective of the *City of Staunton, Virginia Comprehensive Plan 2018-2040* of encouraging projects that infill existing neighborhoods.

Planning Commission Recommendation:

At its February 16, 2023 meeting, the Planning Commission conducted a public hearing. During the public hearing no one spoke in opposition to the request. On a 4-0 vote, the Commission unanimously voted to recommend approval of the amendment.

Attachments:

Attachment 1—Draft Amendment to SCC, Chapter 18.120

Attachment 2—Draft Ordinance

Suggested Motion (to be made after the public hearing is conducted): I move that Council adopt the ordinance and approve the amendment as recommended by the Planning Commission.

City Manager: Leslie Beauregard

Chapter 18.120

YARD, BUILDING SETBACK, AND OPEN SPACE EXCEPTIONS

Sections:

18.120.010 Setback exceptions.

18.120.010 Setback exceptions.

The following requirements provide exceptions or qualify and supplement, as the case may be, the specific district regulations set forth except in Division II of this title:

(1) No yard, open space, or lot area required for a building or structure shall, during its life, be occupied by any other building or structure except:

(a) Awnings and canopies, as provided for in the building code and SCC 12.05.110.

(b) Bay windows and chimneys, not to exceed two feet.

(c) Driveways, curbs, sidewalks, and steps; provided, however, steps or stairs to a dwelling, nonenclosed, not to exceed six feet.

(d) Fences, walls, and hedges, subject to the regulations as set forth in this chapter.

(e) Garbage disposal equipment, nonpermanent.

(f) Landscape features, planting boxes, and recreational equipment.

(g) Overhanging roof, eave, gutter, cornice, or other architectural feature, not to exceed three feet. Open fire escapes may extend into any required yard not more than six feet.

(h) Parking space subject to the regulations set forth in Chapter 18.125 SCC.

(i) Signs, subject to the regulations set forth in Chapter 18.140 SCC.

(j) Terraces (open) and porches (nonenclosed) not to exceed six feet.

(k) Trees, shrubs, flowers, and other plants subject to the vision requirements in this chapter.

(2) On any corner lot where a front and side yard is required, no wall, fence, sign, structure, or any plant growth which obstructs sight lines at elevations between two and one-half feet and 10 feet above the crown of the adjacent roadway shall be placed or maintained within a triangle formed by measuring from the point of intersection of the front and exterior side lot lines a distance of 15 feet along the front and side lot lines and connecting the points so established to form a right triangle on the area of the lot adjacent to the street intersections.

(3) The following regulations shall apply to fences and walls in residential districts, or in any other district when constructed, placed, and/or used for residential purposes:

(a) The height of a fence or wall shall be measured from the elevation at the base of the fence or wall, on the side away from the principal structure, vertically to the highest point of

the fence or wall. In the case of fences on top of retaining walls or immediately adjacent to retaining walls, the height of the fence shall be measured from the top of the wall.

Posts or decorative trim caps may extend an additional six inches above the maximum height allowed for the fence.

In cases where topography creates conditions that hinder the ability to maintain a consistent fence height, the zoning administrator may have the discretion to approve minor increases in height in order to maintain a consistent horizontal line along the top edge of the fence.

(b) In any required front yard, except as provided in subsection (2), (3)(d), or (3)(e) of this section, no fence or wall shall be permitted above the height of four feet, except as to retaining walls on lots with a grade in excess of 15 percent.

(c) In any required side or rear yard, no fence or wall shall be permitted above the height of eight feet.

(d) Only for the purposes of this section, on any lot having frontage on more than one street, the orientation of the front or main door of the principal structure, as determined by the address assigned by the city, shall establish a primary front yard and all other front yards shall be considered secondary front yards. In secondary front yard(s), no fence or wall shall be permitted above the height of four feet unless the fence or wall is set back at least half the required front setback for the lot.

(e) On any through lot, as to any secondary front yard(s), as established in subsection (3)(d) of this section, no fence or wall shall be permitted above the height of four feet unless the fence or wall is set back the full front setback required for the lot, or the average setback established by the adjacent existing dwellings or structures in the block, whichever is greater.

(4) The following provisions also apply to certain conditions with respect to the use of lots and access points:

(a) If 25 percent or more of the lots on one side of the street between two intersecting streets are improved with buildings all of which have effectively established an average setback line which is less than the specified setback for that district, then no building on that side of the street shall be required to have a front yard greater than the average front yard of the existing buildings. However, when there are buildings on the adjacent lots on both sides, the front yard shall not be required to be greater than the average of the front yards of the buildings on the adjacent lots. Only front yards that are front facing based on the orientation of the principal structure, and the address assigned by the city, shall be a factor in these calculations.

(b) Lots having frontage on more than one street shall provide the required front yards along those streets. On a corner lot in a residential district (R-1, R-2, R-3, R-4 and P-1), the front yard shall be designated by the orientation of the front or main door of the principal structure, as determined by the address assigned by the city, unless the front yard is designated on the recorded subdivision plat. The rear yard shall be opposite the front yard. The other yard abutting a street shall be a side yard and shall not be less than one-half of the

front yard setback of the underlying district for single-family dwellings and accessory buildings, unless the lot meets the small lot exception granted under subsection (4)(d) of this section. Terraces and porches shall not encroach into this side yard setback notwithstanding the exceptions in subsection (1) of this section.

(c) Division of a Lot. No recorded lot shall be divided into two or more lots unless such division results in the creation of lots, each of which conforms to all of the applicable regulations of the district in which the property is located. No reduction in the size of a recorded lot below the minimum requirements of this title shall be permitted, except as prescribed below:

(i) On lots containing more than one single-family dwelling, existing on or before November 11, 2021, and located within the H-1, historic preservation, district in cases where more than half of existing lots with frontage on the same side of an existing and public street accepted by city council between two intersecting streets have a width or overall lot area which is less than that required in the regulations of the respective district, a lot may be divided into two or more new lots when the new lots will be equal to or greater than the width and the lot area of at least half of the other lots existing on the same side of the intersecting streets at the time the subdivision is proposed. In no case shall a lot be created which is less than 40 feet in width and 70 feet in depth. Width shall be measured at the front building line. The provisions of maximum lot length set forth in SCC 18.20.040(4)(b), 18.25.040(4)(b), and 18.30.040(4)(c) shall not apply to the newly created lots. The minimum required setbacks for the newly created lots shall conform to subsection (4)(d) of this section, Dwellings on Small and/or Narrow Lots. The result of the approved and recorded plat must be that each single-family dwelling be located wholly on its own individual lot.

(d) Dwellings on Small and/or Narrow Lots. Where there are existing recorded lots which do not meet the minimum lot area and/or width requirements, single-family dwellings may be constructed (provided the building front yard setback is 15 feet or the average setback established by dwellings or structures existing at the start of construction, whichever is greater) and as long as a side yard shall be not less than four feet and the sum of the side yards shall be not less than 10 feet and as long as all other requirements, except lot size and lot width, are met.

(e) Principal Uses Without Buildings. Where a permitted use of land involves no structures, such use, excluding agricultural uses, shall nonetheless comply with all yards and minimum lot area requirements applicable to the district in which located, as well as obtain any other license or permit applicable to that particular use.

(f) No dwelling shall be erected on a lot which does not abut on at least one street for at least 30 feet. A street shall form the direct and primary means of ingress and egress for all dwelling units. Alleys, where they exist, shall form only a secondary means of ingress and egress.

The following shall provide an exception to the requirement for 30 feet of street frontage:

(i). Where there is an existing undeveloped street or undeveloped portion of a street, and where all the lots intended to utilize the undeveloped street or undeveloped portion of a street for sole or primary access are under the same ownership, the undeveloped street may be utilized as primary access for construction of one single-family dwelling under the following conditions:

(A). the portion of undeveloped street used for access must be of a sealed surface construction in compliance with SCC 18.125.020;:

(B). the undeveloped street may be used by other lots as secondary access but shall only serve as primary access to one single-family dwelling;

(C). Where the undeveloped street serves as sole and primary access to more than one lot, the lots shall be combined into one lot for the purpose of constructing one single-family dwelling using the undeveloped street as sole and primary access. All provisions of Title 17, Subdivision, shall apply when combining the lots.

(D). The undeveloped street must have a direct connection to a developed public street without using or crossing any other undeveloped streets.

(g) For any existing lot zoned residential which was displayed on a recorded subdivision plat without the required 30 feet of street frontage required in subsection (f) of this section, one single-family dwelling may be approved pursuant to the following conditions:

(i) In cases where frontage on a public street is less than 10 feet:

(A) The applicant must show evidence of the existence of an easement to the lot for ingress and egress from a public street.

(B) The easement shall be a minimum of 10 feet in width.

(C) Undeveloped streets, or undeveloped portions of streets, may not be used for access to the lot. Access must come from a street accepted by the city council pursuant to SCC 12.05.030.

(D) The lot must have been originally platted prior to annexation from Augusta County or have been platted in the city of Staunton prior to November 1, 1969, regardless of subsequent revisions.

(ii) In cases where the frontage on a public street is less than 30 feet but more than 10 feet, the lot may obtain approval for one single-family dwelling without an easement.

(iii) An easement found in compliance with this subsection may only be utilized by one single-family dwelling to meet the street frontage requirements of this section.

(h) An attached or detached private garage which faces on a street shall not be located closer than 25 feet to the street right-of-way line.

(i) Accessory buildings shall not be located in any required front yard with the exception of through lots in residential districts. On a lot in a residential district (R-1, R-2, R-3, R-4 and

P-1) with frontage on two parallel streets, the front yard shall be designated by the orientation of the front or main door of the principal structure, as determined by the address assigned by the city unless the front yard is designated otherwise on the recorded plat. The yard abutting the other, parallel street shall be considered the secondary front yard, and an accessory building thereon is permitted solely for a single-family use that satisfies the front yard setback requirements of such district. (Ord. 2022-22; Ord. 2021-36; Ord. 2021-32; Ord. 2021-02; Ord. 2019-09; Ord. 2011-07; Ord. 2009-22; Ord. 2009-20; Ord. 2004-06. Zoning ordinance Art. 5, § 4).

18.10.200 “S” definitions.

“Street” means a public thoroughfare which affords the principal means of access to abutting property.

“Street line” means a dividing line between a lot, tract, or parcel of land and a contiguous street.

“Street, Undeveloped” means a street that has been dedicated to the City of Staunton by the express terms or by implication and shown on an approved and properly recorded subdivision plat but has never been constructed and accepted pursuant to SCC 12.05.030.

DRAFT 2.24.23

Ordinance No. 2023-____

AN ORDINANCE AMENDING
SECTION 18.120.010, SETBACK EXCEPTIONS,
OF CHAPTER 18.120, YARD, BUILDING SETBACK, AND OPEN SPACE
EXCEPTIONS,
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ALLOW AN EXCEPTION FOR UNDEVELOPED STREETS TO SERVE AS
PRIMARY ACCESS TO ONE SINGLE-FAMILY DWELLING UNDER CERTAIN
CONDITIONS
AND
SECTION 18.10.200 “S” DEFINITIONS,
OF CHAPTER 18.10, DEFINITIONS
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ADD A DEFINITION FOR STREET, UNDEVELOPED

Recitals

A. Charles N Bishop Jr., owner of vacant land at 507 G Street, Staunton, Virginia, has requested a zoning text amendment to allow undeveloped streets to serve as primary access for one single-family dwelling under certain conditions;

B. City Staff has determined that an exception should be made, in certain cases, to the requirement that every dwelling front on a street for at least 30 feet and that Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, of the Zoning Title of the Staunton City Code should be amended to give more flexibility to property owners;

C. City staff has further determined that a definition should be added to the Staunton City Code defining the term “Undeveloped Street”;

D. The Planning Commission of the City of Staunton, after study and review, has properly heard the matter and recommended approval of the Staunton City Code text amendment;

E. This matter has been properly advertised, heard, and considered; and

F. These recitals are an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Chapter 18.120, Yard, Building Setback, and Open Space Exceptions, of Title 18, Zoning, of the Staunton City Code, is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

Chapter 18.120
YARD, BUILDING SETBACK, AND OPEN SPACE EXCEPTIONS

Sections:

18.120.010 Setback exceptions.

18.120.010 Setback exceptions.

The following requirements provide exceptions or qualify and supplement, as the case may be, the specific district regulations set forth except in Division II of this title:

(1)....

(2)....

(3)....

(4) The following provisions also apply to certain conditions with respect to the use of lots and access points:

(a)

(b)

(c)

(d)

(e)

(f) No dwelling shall be erected on a lot which does not abut on at least one street for at least 30 feet. A street shall form the direct and primary means of ingress and egress for all dwelling units. Alleys, where they exist, shall form only a secondary means of ingress and egress.

The following shall provide an exception to the requirement for 30 feet of street frontage:

(i). Where there is an existing undeveloped street or undeveloped portion of a street, and where all the lots intended to utilize the undeveloped street or undeveloped portion of a street for sole or primary access are under the same ownership, the undeveloped street may be utilized as primary access for construction of one single-family dwelling under the following conditions:

(A). The portion of undeveloped street used for access must be of a sealed surface construction in compliance with SCC 18.125.020;:

(B). The undeveloped street may be used by other lots as secondary access but shall only serve as primary access to one single-family dwelling;

(C). Where the undeveloped street serves as sole and primary access to more than one lot, the lots shall be combined into one lot for the purpose of constructing one single-family dwelling using the undeveloped street as sole and primary access. All provisions of Title 17, Subdivision, shall apply when combining the lots.

(D). The undeveloped street must have a direct connection to a developed public street without using or crossing any other undeveloped streets.

Chapter 18.10
DEFINITIONS

18.10.200 “S” definitions.

“Street” means a public thoroughfare which affords the principal means of access to abutting property.

“Street line” means a dividing line between a lot, tract, or parcel of land and a contiguous street.

“Street, Undeveloped” means a street that has been dedicated to the City of Staunton by the express terms or by implication and shown on an approved and properly recorded subdivision plat but has never been constructed and accepted pursuant to SCC 12.05.030.

In all other respects, the provisions of Title 18, Zoning, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced:
Adopted:
Effective Date:

Stephen W. Claffey, Mayor

ATTEST: _____
Kiley A. Kesecker,
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	March 9, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	E	
Department:	Community Development— Planning and Zoning	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Areas: Infrastructure, Responsive, Efficient Government	
Subject:	Public Hearing and Consideration of Amendments to Staunton City Code (SCC) Section 18.125, of Title 18, Zoning, to Provide an Exemption for Some Single-Family Dwellings from the Required Parking and Sealed-Surface Requirements	

Background: Chapter 18.125 of the Staunton Zoning Code requires that every single-family dwelling have at least one off-street parking space. While requiring off-street parking helps to prevent congestion on public streets and is good zoning practice, there are unusual situations where an exception is warranted. In established neighborhoods, where the existing development pattern consists of small or narrow lots with dwellings built close to the street and no off-street parking, the off-street parking requirement can create a hardship for infill development and result in the majority of an already small front yard becoming a parking area.

Chapter 18.125 of the Staunton Zoning Code also requires all off-street parking, including parking for single-family dwellings, to be constructed of a sealed-surface. A sealed-surface increases the cost of construction for the home which increases the purchase price for the buyer. In established older neighborhoods, gravel driveways are common and it can be an unnecessary burden to require a home builder to pave a

driveway when the majority of the neighborhood's driveways are gravel.

Staff proposes zoning text amendments to SCC Chapter 18.125, Minimum Off-Street Parking Requirements which would provide an exception to both the parking and the sealed-surface requirements in neighborhoods which have an established development pattern where neither is prevalent.

At the January 19, 2023 meeting, Planning Commission gave authorization to proceed with the zoning text amendments. At the meeting, Commission members provided input and suggested changes to the draft. Appropriate changes were then incorporated into the draft amendment.

The draft amendment was then reviewed by the City's Development Review Team on February 15, 2023. The Development Review Team suggested additional edits to address standards for driveways receiving the exemption from the sealed-surface standard, to help prevent loose material from being deposited on the public right-of-way. The amendment now includes such standards.

The amendment provides an exemption to the off-street parking requirement for new single-family homes, developed on existing lots, when at least 50% of the existing single-family homes on the block do not have off-street parking. In a similar fashion, new single-family homes, developed on existing lots, are exempt from the sealed-surface parking requirement when at least 50% of the existing homes on the block do not have sealed-surfaced parking.

The proposed amendment helps the development of infill lots, provides continuity with existing development patterns, and aligns with an objective of the *City of Staunton, Virginia Comprehensive Plan 2018-2040*:

Improve **flexibility in older neighborhoods** and redevelopment areas by examining lot size, set back, and **parking requirements**.

Planning Commission Recommendation:

At its February 16, 2023 meeting, the Planning Commission conducted a public hearing. During the public hearing no one spoke in opposition to the request. On a 4-0 vote, the Commission unanimously voted to recommend approval of the amendment.

Attachments:

Attachment 1—Draft Amendment to SCC, Chapter 18.125

Attachment 2—Draft Ordinance

Suggested Motion (to be made after the public hearing is conducted): I move that Council adopt the ordinance and approve the amendment as recommended by the Planning Commission.

City Manager: Leslie Beauregard

Chapter 18.125**MINIMUM OFF-STREET PARKING REQUIREMENTS**

Sections:

18.125.010 Off-street parking requirements – General.

18.125.011 Exceptions to off-street parking requirements.

18.125.020 Off-street parking lot layout, construction, and maintenance.

18.125.010 Off-street parking requirements – General.

In all districts there shall be provided, at any time any building or structure is erected or enlarged or increased in capacity, off-street parking spaces for automobiles in accordance with the following requirements:

(1) Off-street parking for other than residential use shall be either on the same lot, or within 400 feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot, along a public sidewalk and without crossing any major thoroughfares. Churches may establish joint parking facilities not to exceed 50 percent of the required spaces, with institutions and agencies that do not have a time conflict in parking demand.

(2) Residential off-street parking spaces shall consist of a parking lot, driveway, garage, or combination thereof, and shall be located on the lot they are intended to serve.

(3) For uses not specifically mentioned herein, off-street parking requirements shall be interpreted by the planning commission.

(4) Any area once designed as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.

(5) Off-street parking existing at effective date of these regulations in connection with the operation of an existing building or use, shall not be reduced to an amount less than hereinafter required for a similar new building or use.

(6) Two or more buildings or uses may collectively provide the required off-street parking, in which case the required number of parking spaces shall be not less than the sum of the requirements for the several individual uses computed separately.

(7) The required off-street parking shall be for occupants, employees, visitors, patrons, and shall be limited in use to motor vehicles. The storage of merchandise, motor vehicles for sale, or the repair of vehicles on such parking area is prohibited.

(8) Every company car, truck, tractor, and trailer normally stored at the plant site shall be provided with off-street parking space in an area reserved for the use as determined by the planning commission.

(9) In cases of dual functioning of off-street parking where operating hours do not overlap, the planning commission may grant an exception.

(10) The minimum number of off-street parking spaces shall be determined in accordance with the following:

Table of Parking Spaces Required

USES	PARKING SPACES REQUIRED
Automobile wrecking, junk, or salvage yard which offers for sale to the public any new or used merchandise	One space for each two employees, plus one space for each 10,000 square feet of lot area, or two spaces for each 100 square feet of floor area, whichever is the greater.
Banks, business, or professional offices	One per 300 square feet of usable floor area, plus one per each three employees.
Barbershop or beauty parlor	Two per barber or beauty shop chair.
Boarding or rooming house	One space for the resident family. One space for each two guests.
Bowling alleys	Five per alley.
Churches	One per four seats, or one per 30 square feet of usable floor area of auditorium, whichever is greater.
Commercial recreation uses	One per three patrons, based on the design capacity of the facility.
Commercial or trade schools	One per three students plus two per three employees.
Country club	One per five members.
Dormitories, fraternity, or sorority	One per each three permanent residents.
Dwellings (single- and two-family)	One per dwelling unit.
Dwellings (multifamily and attached)	Two spaces per dwelling unit.
Establishments for sale and consumption on the premises of beverages, food, or refreshments	One per three employees, plus one per 100 square feet of usable floor space, or one per three fixed seats, whichever is the greater.
Gasoline service station	One parking space for each employee, plus two spaces for each service bay.
Governmental office building	One per 300 square feet of usable floor area, plus one per each three employees. Every governmental vehicle shall be provided with a reserved off-street parking space.
Group house	One space for each three individuals, plus one space for each supervisor, plus one space for each two employees.
Housing for elderly and/or physically handicapped	One for each two dwelling units per each unit actually housing elderly and/or physically handicapped and two spaces per dwelling unit housing individuals not elderly or handicapped.
Hospitals	One per three patient beds, exclusive of bassinets, plus one space for each two employees including nurses on the maximum working shift, plus adequate area for parking emergency vehicles.
Hotel, motel, etc.	One per each room or suite. When a restaurant is included that may serve the outside public, parking shall be calculated at the same rate as "Establishments for sale and consumption on the premises of beverages, food, or refreshments." For conference or meeting facilities, add one additional space for every four persons based on the design capacity of the conference or meeting area.
Industrial establishments	One per two employees on the combined two largest successive shifts, plus adequate parking space for customer and visitor vehicles as determined by the planning commission.
Library	One for each 400 square feet of floor space.
Manufactured home	Two spaces per stand or lot.
Medical clinics	Three patient parking spaces per staff doctor, plus one per staff doctor, plus two per three other

USES	PARKING SPACES REQUIRED
	employees.
Mortuaries or funeral parlors	Five spaces per parlor or chapel unit, or one per four seats, whichever is greater.
Private clubs, lodge, or union headquarters	One per three members based on the design capacity of the facility.
Retail stores, supermarkets, department stores, and personal service establishments except as otherwise specified herein	One per 100 square feet of retail floor space.
Schools shall be provided with parking spaces per the following schedule:	
Elementary, junior high, and the equivalent private or parochial schools	Two spaces per three teachers and employees normally engaged in or about the building or grounds, plus one space for each 150 square feet of seating area, including aisles, in any auditorium.
Senior high schools and the equivalent private or parochial schools	Two spaces per three teachers and employees normally engaged in or about the building or grounds, plus one space per five students or one space for each 150 square feet of seating area, including aisles, in any auditorium, gymnasium, or cafeteria intended to be used as an auditorium, whichever is the greater.
Kindergartens, day schools, and the equivalent private or parochial schools	Two parking spaces per three teachers and employees normally engaged in or about the building or grounds plus one off-street loading space per eight pupils.
Shopping centers	Five and one-half parking spaces per 1,000 square feet of gross leasable area; provided, however, that if more than two-thirds of the gross retail and customer service area for all business establishments is devoted to or occupied by retail food stores and department stores, the parking requirements shall be as provided for supermarkets and department stores. Hardware and furniture stores and all other retail and personal service establishments except as otherwise provided: one space for each 200 square feet of retail space.
Special care facility	One space for each four patient beds plus one space for each staff doctor plus one space for each two employees including nurses.
Stadiums and sports arenas	One per eight seats or 12 feet of benches.
Supermarkets and department stores	One parking space for each 100 square feet of floor area used for retail sales for the first 5,000 square feet and one space for each 200 square feet of retail area above 5,000 square feet.
Swimming pools	One per 30 square feet of water area.
Theaters, auditoriums, and places of assembly without fixed seats	One per three people based on the design capacity of the structure.
Wholesale establishments and business services	One for every 50 square feet of customer service area, plus two per three employees based on the design capacity of the largest shift.

(Ord. 2019-15; Ord. 2017-10; Ord. 2009-12; Ord. 2004-23. Zoning ordinance Art. 5, § 5).

18.125.011 Exceptions to off-street parking requirements.

The requirements of SCC 18.125.010 shall not be applicable to the following:

(1) Any lot or parcel in the core business district, beginning at the intersection of Baldwin Street and Lewis Street, thence with Baldwin Street to Central Avenue, thence with the line (center line) of existing Baldwin Street to New Street, thence with New Street to Frederick Street, thence with Frederick Street to Coalter Street, thence with Coalter Street to its intersection with the C&O Railroad, thence with the C&O Railroad to its intersection with Middlebrook Avenue, thence with Middlebrook Avenue to its intersection with Lewis Street, thence with Lewis Street to Baldwin Street to the point of beginning.

(2) All that certain lot of parcel of land, with all improvements thereon and appurtenances thereto belonging, situate in the city of Staunton, Virginia, known by present house numbering as 300 Church Street and described as containing 1.435 acres and being in all respects the same property

shown on plat entitled “Plat Showing Smith Fuel Company Lands, Church Street, Staunton, Virginia,” dated January 20, 1970, made by Higgs and Shumate, Engineers – Surveyors, said plat being recorded in the clerk’s office of the circuit court of the city of Staunton, Virginia, in Deed Book 173, page 225, less however, that portion containing 0.002 acre, more or less, which was conveyed to the commonwealth of Virginia by deed dated October 13, 1988, recorded in Deed Book 290, page 512.

(3) All those two certain lots or parcels of land, together with all improvements thereon, and all rights, privileges and appurtenances thereunto belonging, situate in the city of Staunton, Virginia, more particularly described as Lot 6 (PIN 1611) and Lot 7 (PIN 1612), Block ZZ and designated by present street numbering as 220 and 222 S. Washington Street, Staunton, Virginia.

(4) Any lot or parcel, in addition to that permitted in subsections (1), (2), (3) of this section, with existing commercial buildings and zoned B-1, B-2, B-3, or P-1, with new or continuing business uses, where any of the following conditions already exist exclusive of adjacent unaccepted alleyways and/or streets:

(a) Slopes greater than 15 percent;

(b) Front yard less than 25 feet, side yard(s) less than 40 feet and a rear yard less than 40 feet; or

(c) The new or continuing business use occupies only the existing structure(s) without any additions or conversion of unfinished space for business use. Existing parking lots shall be maintained and not be reduced except in conformance with this chapter. (Ord. 2019-15; Ord. 2009-12).

(5) For lots platted before January 1, 2023, any single-family dwelling constructed on a street where more than 50% of the existing single-family dwellings located on the same side of the street between two intersecting streets do not have off-street parking.

18.125.020 Off-street parking lot layout, construction, and maintenance.

Where the required off-street parking requires the building of a parking lot, and wherever a parking lot is built, such parking shall be laid out, constructed, and maintained in accordance with the following regulations:

(1) Except for parcels of land devoted to one- and two-family uses, all areas devoted to off-street parking shall be so designed, constructed, and be of such size that no vehicle is required to back into a public street to obtain egress.

(2) Each parking space shall be not less than nine feet in width and 18 feet in length and shall be a specifically designated stall.

(3) In any determination of parking requirements as set forth in this chapter, where the resultant figure contains a fraction, any fraction less than one-half or more shall be counted as one parking space.

(4) Clearly defined driveways used for ingress and egress shall be designed in general conformance with the standards of the Virginia Department of Transportation.

(5) All areas devoted to permanent off-street parking as required under this chapter shall be of a sealed-surface construction, and maintained in such a manner that no dust will result from continuous use and no loose materials shall wash, erode, or in any other way be deposited onto the public-right-of-way.

(a) For lots platted before January 1, 2023, in cases where a single-family dwelling is constructed on a street in which the majority of lots fronting on the same side of the street between two intersecting streets have already been developed, if more than 50% of the existing required parking for each dwelling is not sealed-surface, any new dwelling shall not be required to have sealed-surface parking. A non-sealed-surface shall consist of 21A stone that is properly compacted. Alternate, but equivalent, materials and methods may be approved at the discretion of the Zoning Administrator. All non-sealed-surface parking shall be maintained in such a manner as to prevent loose materials from washing, eroding, or in any other way being deposited onto the public right-of-way.

(ab) In cases where a business use would require intermittent parking, the zoning administrator may approve surfaces which are not sealed. Such surfaces shall include, but not be limited to, structured turf, gravel or crush and run, asphalt millings or recycled asphalt.

(i) All spaces located on gravel or other nonsealed parking areas, except structured turf parking, shall be marked with concrete parking blocks, landscaped timbers, railroad ties or similar devices. Spray paint on gravel or nonsealed surfaces does not constitute the marking of parking spaces and is prohibited.

(ii) The parking area shall be maintained so that there are no ruts, potholes, mud, and also so there is no erosion of gravel, dust, or mud into the public right-of-way.

(iii) In cases where the unsealed parking area has direct access from the public right-of-way, there shall be a sealed surface drive which gives access to the unsealed parking area. The drive shall be a minimum of 30 feet in length.

(iv) The parking area shall be landscaped and screened in accordance with the provisions of Chapter 18.175 SCC, Landscape and Screening.

(v) This exception to the sealed surface requirement shall not apply to shared parking arrangements or to cases where the parking is not provided on the same lot as the use that it serves.

For the purposes of this section “intermittent parking” shall be defined as parking which does not occur on a year-round weekly basis.

(bc) Businesses conducting agritourism activities, as defined in Section 3.2-6400 of the Code of Virginia, shall be exempt from the sealed surface requirement of the chapter.

(6) The parking lot shall be drained to eliminate surface water.

(7) For any parking lot, except on parcels of land devoted to single-family dwellings or no more than one two-family dwelling, there shall be a minimum setback of five feet from any property

133 line. The minimum setback may be greater in cases where Chapter 18.175 SCC requires a larger
134 planting or screening area. In cases of shared parking or where parking lots are connected, side
135 and rear setbacks may be reduced or eliminated at the discretion of the zoning administrator.

136 (8) Plans for the layout of a parking lot must be approved by the zoning administrator, based on
137 the Infrastructure Design and Construction Standards of the City of Staunton, maintained in the
138 office of the city engineer. (Ord. 2022-09; Ord. 2018-01. Zoning ordinance Art. 5, § 5).

DRAFT

DRAFT 2.24.23

Ordinance No. 2023-____

AN ORDINANCE AMENDING
SECTION 18.125.011, EXCEPTIONS TO OFF-STREET PARKING
REQUIREMENTS,
OF CHAPTER 18.125, MINIMUM OFF-STREET PARKING REQUIREMENTS
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ALLOW AN EXCEPTION TO THE REQUIREMENT TO PROVIDE ONE
PARKING SPACE FOR A SINGLE-FAMILY DWELLING
AND
SECTION 18.125.020, OFF-STREET PARKING LOT LAYOUT,
CONSTRUCTION, AND MAINTENANCE,
OF CHAPTER 18.125, MINIMUM OFF-STREET PARKING REQUIREMENTS
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ALLOW AN EXCEPTION FOR A SINGLE-FAMILY DWELLING
TO THE SEAL-SURFACE REQUIREMENT

Recitals

A. City staff have proposed amendments to Chapter 18.125, Minimum Off-Street Parking Requirements, to allow single-family dwellings, in certain situations, to be exempt from providing off-street parking and to allow an exemption to the sealed-surface requirement;

B. City Staff have determined that, in certain situations, the current off-street parking requirements may be too restrictive and that the Staunton City Code should be amended to give more flexibility to homeowners and real estate developers;

C. The Planning Commission of the City of Staunton, after study and review, has properly heard the matter and recommended approval of the text amendment;

D. This matter has been properly advertised, heard, and considered; and

E. These recitals are an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Chapter 18.125, Minimum Off-Street Parking Requirements, of Title 18, Zoning, of the Staunton City Code, is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

CHAPTER 18.125
MINIMUM OFF-STREET PARKING REQUIREMENTS

Sections:

18.125.010 Off-street parking requirements – General.

18.125.011 Exceptions to off-street parking requirements.

18.125.020 Off-street parking lot layout, construction, and maintenance

18.125.010 Off-street parking requirements – General

....

....

18.125. 011 Exceptions to off-street parking requirements

(1)....

(2)....

(3)....

(4)....

(5) For lots platted before January 1, 2023, any single-family dwelling constructed on a street where more than 50% of the existing single-family dwellings located on the same side of the street between two intersecting streets do not have off-street parking.

18.125.020 Off-street parking lot layout, construction, and maintenance

(1)....

(2)....

(3)....

(4)....

(5) All areas devoted to permanent off-street parking as required under this chapter shall be of a sealed-surface construction, and maintained in such a manner that no dust will result from continuous use and no loose materials shall wash, erode, or in any other way be deposited onto the public-right-of-way.

(a) For lots platted before January 1, 2023, in cases where a single-family dwelling is constructed on a street in which the majority of lots fronting on the same side of the street between two intersecting streets have already been developed, if more than 50% of the existing required parking for each dwelling is not sealed-surface, any new dwelling shall not be required to have sealed-surface parking. A non-sealed-surface shall consist of 21A stone that is properly compacted. Alternate, but equivalent, materials and methods may be approved at the discretion of the Zoning Administrator. All non-sealed-surface parking shall be maintained in such a manner as to prevent loose materials from washing, eroding, or in any other way being deposited onto the public right-of-way.

(ab) In cases where a business use would require intermittent parking, the zoning administrator may approve surfaces which are not sealed. Such surfaces shall include, but not be limited to, structured turf, gravel or crush and run, asphalt millings or recycled asphalt.

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(iii) In cases where the unsealed parking area has direct access from the public right-of-way, there shall be a sealed surface drive which gives access to the unsealed parking area. The drive shall be a minimum of 30 feet in length.

(iv) The parking area shall be landscaped and screened in accordance with the provisions of Chapter 18.175 SCC, Landscape and Screening.

(v) This exception to the sealed surface requirement shall not apply to shared parking arrangements or to cases where the parking is not provided on the same lot as the use that it serves.

For the purposes of this section “intermittent parking” shall be defined as parking which does not occur on a year-round weekly basis.

(b) Businesses conducting agritourism activities, as defined in Section 3.2-6400 of the Code of Virginia, shall be exempt from the sealed surface requirement of the chapter.

....
....
....

In all other respects, the provisions of Title 18, Zoning, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced:
Adopted:
Effective Date:

Stephen W. Claffey, Mayor

ATTEST: _____
Kiley A. Kesecker,
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	March 9, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	F	
Department:	Community Development— Planning and Zoning	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Built Environment	
Subject:	Consideration of a Final Plat for Villages at Staunton, Extension of Village Drive	

Background: Village Associates has submitted a final plat for an extension of Village Drive as well as an extension of public water and sewer lines. The Villages at Staunton is the original site of Western State Hospital and later, Staunton Correctional Center, a minimum-security state prison. The property transferred from the Commonwealth of Virginia to Village Associates in April 2006. City Council approved a rezoning of the property in December 2005 to a “Traditional Neighborhood Development Infill District (TND-I)” which is designed to allow the developer considerable flexibility on this specific site. Permitted uses include both residential and commercial throughout the site and allow for mixed uses within buildings. Both architectural design and site design standards are included in the TND-I zoning. The Master Plan for the site was approved in 2005 with revisions in 2015 and 2021. The developer is now requesting approval of a final plat for an extension of Village Drive and extension of public water and sewer lines to provide access and service to a recently created lot and two apartment buildings.

In September 2021, the developer obtained approval of a minor subdivision plat which created one new lot containing 2.62 acres. Soon after, building permits were issued for renovations to an existing building and construction of a new building to create 40 apartment units. During construction, the property was accessed by way of a 50-foot private access easement. The developer constructed a street within that easement and now wishes to dedicate that street and

is asking the city to accept it as an extension of Village Drive.

For clarification purposes, the plat calls out a small section of existing right-of-way with a note that says "PROPOSED R-O-W VACATION 0.009 ACS." This is existing right-of-way and it cannot be vacated through the plat approval process. A separate vacation process will be initiated by staff at a later date.

Analysis: At the time of the Planning Commission meeting, staff had conducted a review of the request and had identified no issues; however, there were still some outstanding items that needed to be addressed.

1. Paving of the street had been completed however, the City Engineer was still waiting for some of the construction documentation to be submitted for review.
2. Street lights, which were to be provided by Dominion Energy, had not been installed.

These items have been addressed since the Planning Commission meeting and the plat is now ready for City Council Consideration and approval.

The final plat is in general conformance with the approved master plan from 2021, Title 17, Subdivision, and Title 18, Zoning. The utility lines have been pressure tested and are also ready to be accepted.

Staunton City Code Section 17.10.050 requires the Staunton City Council to approve the final plat.

The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map, designates this area as Traditional Neighborhood Development and the approved Villages at Staunton mixed use development is in compliance with this designation.

Planning Commission Recommendation:

At its November 17, 2022 meeting, the Planning Commission considered the request. On a 5-0 vote, the Commission unanimously voted to recommend approval of the final plat with the condition that the outstanding items be addressed prior to the plat being placed on a City Council agenda. As previously noted, those items have now been addressed. The City Engineer has conducted an inspection and has verified that all infrastructure is ready for acceptance by the city.

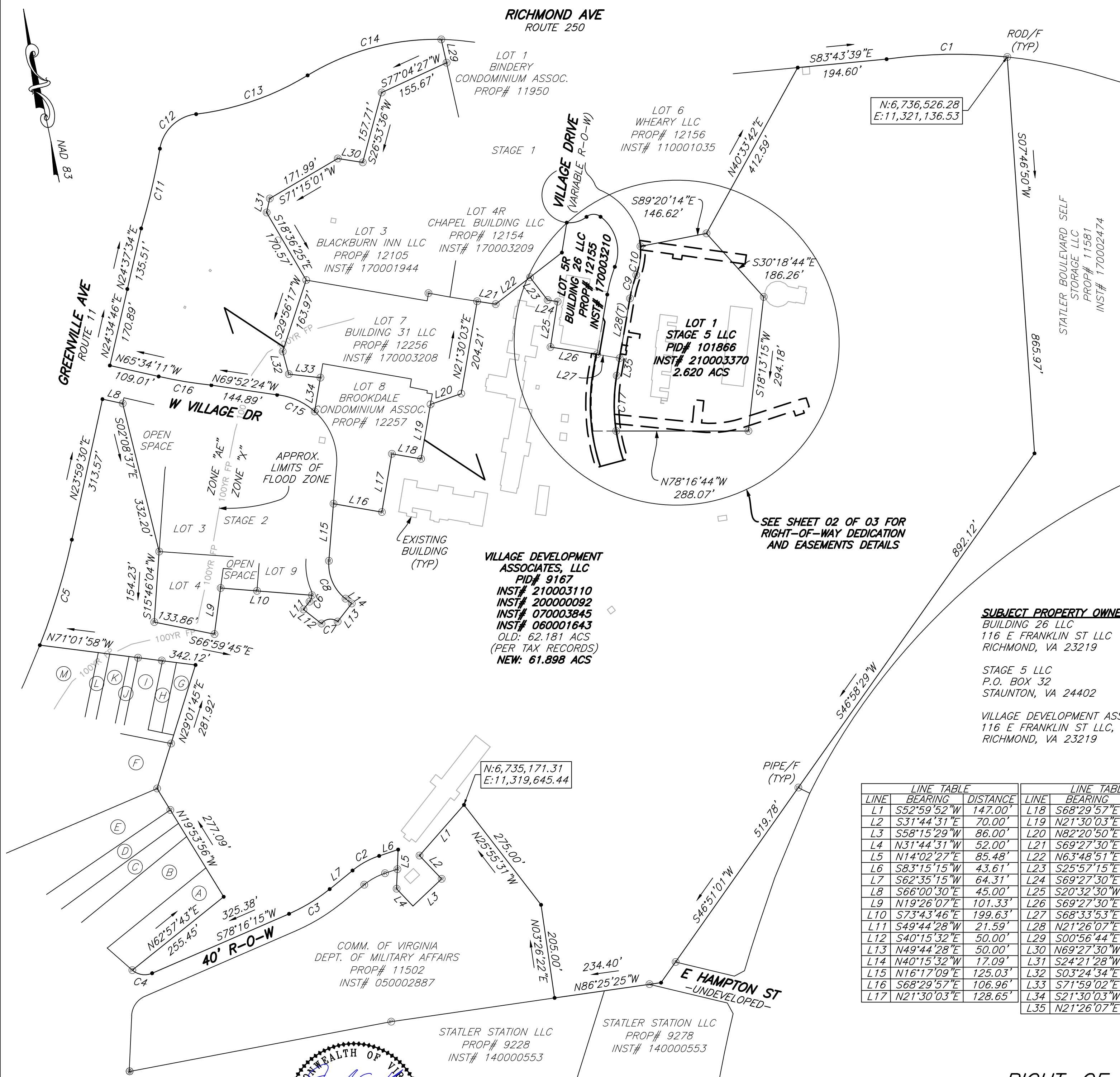
Attachments:

Attachment 1—Plat Showing, Right-of-Way Dedication, Sanitary Sewer Easement, and Waterline Easement at Villages at Staunton

Attachment 2—Approved Master Plan from 2021

Suggested Motion: I move that Council approve the final plat, as recommended by the Planning Commission.

City Manager: Leslie Beauregard

**NOTES:**

- 1) THIS PLAT REPRESENTS A CURRENT FIELD SURVEY, PRIOR FIELD SURVEYS, AND INFORMATION COMPILED FROM RECORDS.
- 2) THERE ARE IMPROVEMENTS ON THE SUBJECT PARCELS NOT SHOWN HEREON.
- 3) THERE ARE EASEMENTS ON THE SUBJECT PROPERTIES, NONE OF WHICH EFFECT THE PROPOSED EASEMENTS. THESE HAVE NOT BEEN SHOWN HEREON FOR CLARITY.
- 4) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION DISCLOSED BY SUCH.
- 5) ALL EASEMENTS SHOWN HEREON ARE PUBLIC EASEMENTS.
- 6) PROPERTY IS LOCATED IN FEMA DEFINED ZONES "AE" AND "X" COMMUNITY PANEL NO.: 51015C0339E EFFECTIVE DATE: JANUARY 6, 2010
- 7) 100 YEAR FLOOD PLAIN AS SHOWN HEREON IS BASED ON THE GRAPHICS OF THE FEMA FLOOD MAP.

ADJOINING OWNER INFORMATION:

A) ROMERO PROP# 4105 INST# 180000935	B) LINHARES PROP# 6023 INST# 190002096	C) JONES PROP# 4245 DB:201 PG:556
D) WILSON PROP# 1015 INST# 120000911	E) VONAHNEN PROP# 8428 INST# 040002185	F) BOTKIN PROP# 1285 INST# 190001478
G) BOTKIN PROP# 7432 INST# 190001478	H) BOTKIN PROP# 3937 DB:413 PG:342	I) BISHOP PROP# 964 INST# 050005149
J) WILLIAMS PROP# 8672	K) ATKINS (ESTATE OF) PROP# 190 DB:392 PG:490	L) ATKINS PROP# 192 INST# 190000288
M) ATKINS (ESTATE OF) PROP# 189 DB:392 PG:490		

STAGE 2 LOTS:	LOT 3: MARGOLIN PROP# 12259 INST# 210002222	LOT 4: QUILLEN PROP# 12260 INST# 190002364	LOT 9: SIMMS PROP# 12265 INST# 200002016
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CERTIFICATE OF APPROVAL

THIS DEDICATION KNOWN AS "PLAT SHOWING RIGHT-OF-WAY DEDICATION, SANITARY SEWER EASEMENT, AND WATERLINE EASEMENTS AT VILLAGES AT STAUNTON" IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

APPROVED BY THE CITY OF STAUNTON

PLANNING COMMISSION _____ DATE _____

CITY COUNCIL _____ DATE _____

***IF THIS PLAT IS NOT RECORDED WITHIN 6 MONTHS, THE SUBDIVISION APPROVAL IS VOID.

SUBJECT PROPERTY OWNERS' INFORMATION:

BUILDING 26 LLC
116 E FRANKLIN ST LLC
RICHMOND, VA 23219

STAGE 5 LLC
P.O. BOX 32
STAUNTON, VA 24402

VILLAGE DEVELOPMENT ASSOCIATES, LLC
116 E FRANKLIN ST LLC,
RICHMOND, VA 23219

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S52°59'52"W	147.00'	L18	S68°29'57"E	64.74'
L2	S31°44'31"E	70.00'	L19	N21°30'03"E	120.52'
L3	S58°15'29"W	86.00'	L20	N82°20'50"E	70.90'
L4	N31°44'31"W	52.00'	L21	S69°27'30"E	40.83'
L5	N14°02'27"E	85.48'	L22	N63°48'51"E	95.16'
L6	S83°15'15"W	43.61'	L23	S25°57'15"E	62.56'
L7	S62°35'15"W	64.31'	L24	S69°27'30"E	21.85'
L8	S66°00'30"E	45.00'	L25	S20°32'30"W	100.27'
L9	N19°26'07"E	101.33'	L26	S69°27'30"E	102.75'
L10	S73°43'46"E	199.63'	L27	S68°33'53"E	50.00'
L11	S49°44'28"W	21.59'	L28	N21°26'07"E	132.03'
L12	S40°15'32"E	50.00'	L29	S00°56'44"E	52.13'
L13	N49°44'28"E	50.00'	L30	N69°27'30"W	54.98'
L14	N40°15'32"W	17.09'	L31	S24°21'28"W	31.17'
L15	N16°17'09"E	125.03'	L32	S03°24'34"E	51.20'
L16	S68°29'57"E	106.96'	L33	S71°59'02"E	69.54'
L17	N21°30'03"E	128.65'	L34	S21°30'03"W	74.94'
			L35	N21°26'07"E	38.78'

CURVE	RADIUS	ARC LENGTH	CURVE BEARING	CHORD LENGTH
C1	1065.92'	263.59'	S79°18'30"E	262.92'
C2	184.54'	66.57'	S72°55'16"W	66.21'
C3	379.35'	103.84'	S70°25'45"W	103.52'
C4	40.91'	46.17'	N69°23'46"W	43.76'
C5	1488.39'	240.53'	N28°37'17"E	240.27'
C6	25.00'	15.02'	S32°31'50"W	14.79'
C7	25.00'	39.27'	S85°15'31"E	35.36'
C8	95.00'	93.75'	N11°59'11"W	90.00'
C9	275.00'	53.12'	N26°58'09"E	53.04'
C10	145.00'	63.58'	N19°56'32"E	63.07'
C11	1519.89'	178.63'	N24°54'21"E	178.53'
C12	91.50'	116.90'	N58°06'54"E	109.11'
C13	609.46'	259.21'	N82°31'53"E	257.26'
C14	536.46'	305.79'	N86°40'38"E	301.67'
C15	145.00'	90.83'	N54°18'08"W	89.35'
C16	1000.00'	116.53'	N68°54'30"W	116.47'
C17	375.00'	121.09'	N12°11'05"E	120.56'

PLAT SHOWING RIGHT-OF-WAY DEDICATION, SANITARY SEWER EASEMENT, AND WATERLINE EASEMENTS AT VILLAGES AT STAUNTON

CITY OF STAUNTON, VIRGINIA

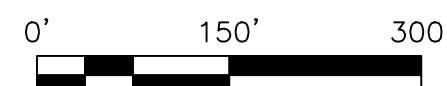
PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS

ROANOKE / RICHMOND / NEW RIVER VALLEY / SHENANDOAH VALLEY / LYNCHBURG
104 Industry Way, Suite 102 / Staunton, Virginia 24401 / Phone (540) 248-3220 / www.balzer.cc

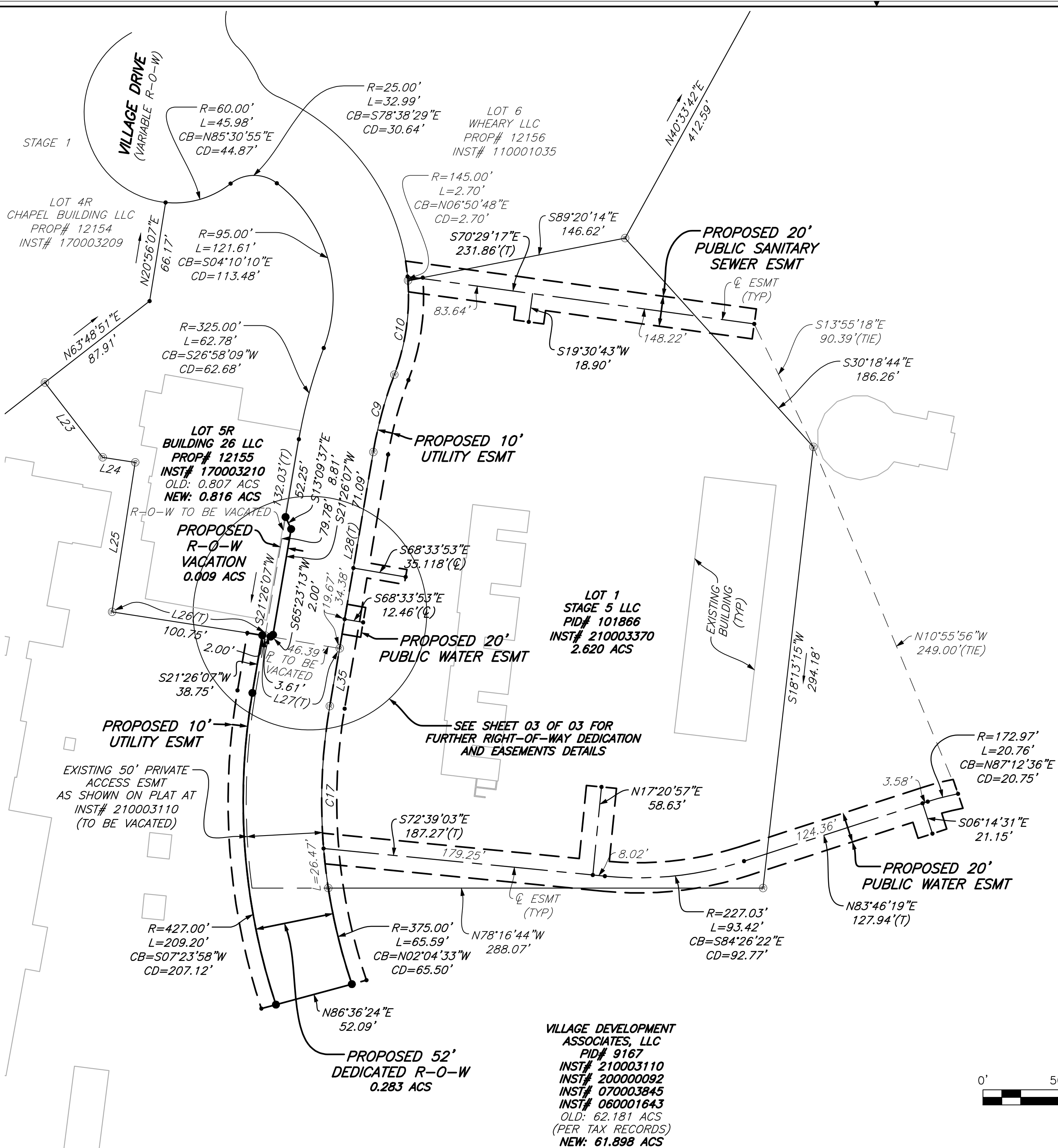


REV: 02-27-2023
REV: 11-17-2022
DATE: 10-31-2022
SCALE: 1" = 150'
JOB: 34210008.00
DRAWN BY: DEN

SHEET 01 OF 03

**LEGEND**

- ⊙ ROD/F ROD FOUND
- ⊙ PIPE/F PIPE FOUND
- ROD/S ROD SET



SUBJECT PROPERTY OWNERS' INFORMATION:

BUILDING 26 LLC
116 E FRANKLIN ST LLC
RICHMOND, VA 23219

STAGE 5 LLC
P.O. BOX 32
STAUNTON, VA 24402

VILLAGE DEVELOPMENT ASSOCIATES, LLC
116 E FRANKLIN ST LLC,
RICHMOND, VA 23219

LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S52°59'52"W	147.00'	L18	S68°29'57"E	64.74'
L2	S31°44'31"E	70.00'	L19	N21°30'03"E	120.52'
L3	S58°15'29"W	86.00'	L20	N82°20'50"E	70.90'
L4	N31°44'31"W	52.00'	L21	S69°27'30"E	40.83'
L5	N14°02'27"E	85.48'	L22	N63°48'51"E	95.16'
L6	S83°15'15"W	43.61'	L23	S25°57'15"E	62.56'
L7	S62°35'15"W	64.31'	L24	S69°27'30"E	21.85'
L8	S66°00'30"E	45.00'	L25	S20°32'30"W	100.27'
L9	N19°26'07"E	101.33'	L26	S69°27'30"E	102.75'
L10	S73°43'46"E	199.63'	L27	S68°33'53"E	50.00'
L11	S49°44'28"W	21.59'	L28	N21°26'07"E	132.03'
L12	S40°15'32"E	50.00'	L29	S00°56'44"E	52.13'
L13	N49°44'28"E	50.00'	L30	N69°27'30"W	54.98'
L14	N40°15'32"W	17.09'	L31	S24°21'28"W	31.17'
L15	N16°17'09"E	125.03'	L32	S03°24'34"E	51.20'
L16	S68°29'57"E	106.96'	L33	S71°59'02"E	69.54'
L17	N21°30'03"E	128.65'	L34	S21°30'03"W	74.94'
			L35	N21°26'07"E	38.78'

CURVE TABLE				
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C6	25.00'	15.02'	S32°31'50"W	14.79'
C7	25.00'	39.27'	S85°15'31"E	35.36'
C8	95.00'	93.75'	N11°59'11"W	90.00'
C9	275.00'	53.12'	N26°58'09"E	53.04'
C10	145.00'	63.58'	N19°56'32"E	63.07'
C11	1519.89'	178.63'	N24°54'21"E	178.53'
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C16	1000.00'	116.53'	N68°54'30"W	116.47'
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VILLAGE DEVELOPMENT ASSOCIATES, LLC
PID# 9167
INST# 210003110
INST# 200000092
INST# 070003845
INST# 060001643
OLD: 62.181 ACS
(PER TAX RECORDS)
NEW: 61.898 ACS

LEGEND	
⊗	ROD/F ROD FOUND
⊖	PIPE/F PIPE FOUND
●	ROD/S ROD SET

PLAT SHOWING
RIGHT-OF-WAY DEDICATION, SANITARY SEWER
EASEMENT, AND WATERLINE EASEMENTS AT
VILLAGES AT STAUNTON

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LOT 5R
BUILDING 26 LLC
PROP# 12155
INST# 170003210
OLD: 0.807 ACS
NEW: 0.816 ACS

VILLAGE DEVELOPMENT ASSOCIATES, LLC
PID# 9167
INST# 210003110
INST# 200000092
INST# 070003845
INST# 060001643
OLD: 62.181 ACS
(PER TAX RECORDS)
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DRAWN BY: DEN

Attachment #2

WESTERN STATE REDEVELOPMENT

MASTER PLAN

AUGUST 4 2005
AMENDED MARCH 4 2015
AMENDED MAY 18 2021

LANDSCAPE CONCEPTS

- Preserve historic front park area and the cemetery
- Preserve and enhance the historic courtyard spaces defined by the historic buildings
- Create a series of new small scale plazas, courtyards and open spaces in the new development areas
- Connect spaces and buildings with a series of pedestrian walkways
- Add sidewalks to road network as needed
- Add trees along road network and pedestrian paths to define edges and provide shade
- Use native indigenous plantings and trees

BUILDING MATERIALS

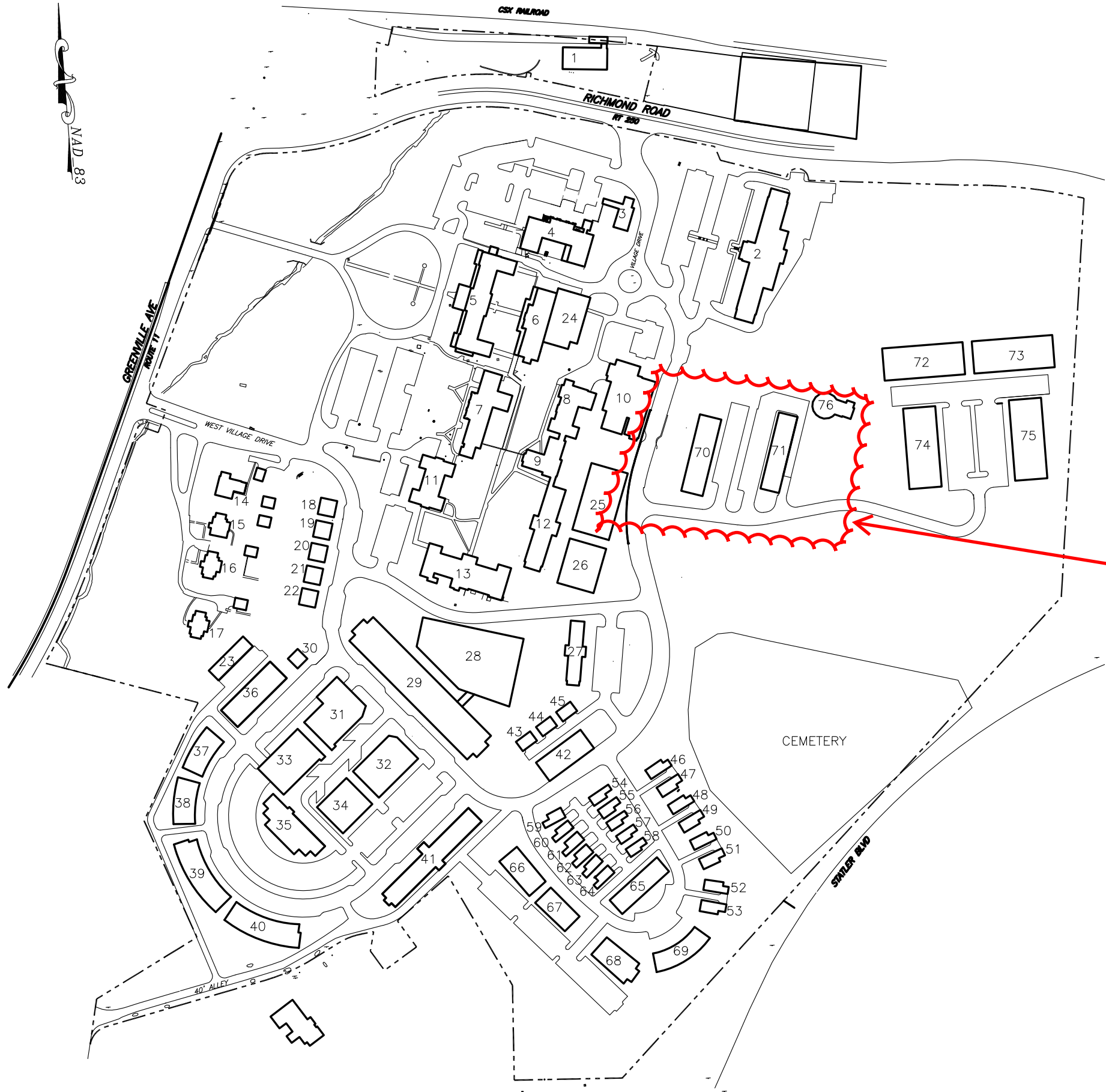
Walls: brick, wood, cementitious siding
Trim: wood, cast stone, stone, cementitious products
Roofs: standing-seam metal, slate, artificial slate, architectural asphalt shingles

Area Impacted
by the final
plat.

Bldg#	Sq.Ft. /FL.	Max Floors	Square Feet	Proposed Use
Historic Buildings				
1			4,806	Restaurant / Commercial
2			41,878	Office / Commercial / Residential
3			4,720	Commercial / Residential
4			44,716	Residential Condominiums
5			30,890	Hospitality / Commercial
6			22,346	Hospitality / Commercial
7			27,618	Commercial / Hospitality
8			24,018	Residential / Commercial
9			18,208	Residential / Commercial
10			22,885	Residential / Commercial / Hospitality
11			23,544	Residential / Commercial
12			21,582	Residential / Commercial
13			43,703	Residential / Commercial
14			3,908	Residential / Commercial
15			4,476	Residential / Commercial
16			1,070	Residential / Commercial
17			4,065	Residential / Commercial
New Buildings				
18	1,350	3	4,050	Residential / Commercial
19	1,350	3	4,050	Residential / Commercial
20	1,350	3	4,050	Residential / Commercial
21	1,350	3	4,050	Residential / Commercial
22	1,350	3	4,050	Residential / Commercial
23	8,062	3	24,186	Residential / Commercial
24	7,200	3	21,600	Commercial / Hospitality
25	21,600	4	86,400	Parking Garage
26	21,600	4	86,400	Parking Garage
27	4,200	2	8,400	Community Building
28	19,880	4	79,520	Parking Garage
29	9,000	5	45,000	Mixed Use
30	1,200	1	1,200	Commercial
31	7,000	4	28,000	Residential / Mixed Use
32	7,000	4	28,000	Residential / Mixed Use
33	6,000	3	18,000	Mixed Use
34	6,000	3	18,000	Mixed Use
35	6,400	3	19,200	Mixed Use
36	5,000	3	15,000	Residential Townhouses
37	3,000	3	9,000	Residential Townhouses
38	3,000	3	9,000	Residential Townhouses
39	3,000	3	9,000	Residential Townhouses
40	3,000	3	9,000	Residential Townhouses
41	9,680	1	9,680	Commercial
42	4,500	3	13,500	Residential Townhouses
43	1,000	1	1,000	Garage
44	1,000	1	1,000	Garage
45	1,000	1	1,000	Garage
46	1,500	3	4,500	Residential
47	1,500	3	4,500	Residential
48	1,500	3	4,500	Residential
49	1,500	3	4,500	Residential
50	1,500	3	4,500	Residential
51	1,500	3	4,500	Residential
52	1,500	3	4,500	Residential
53	1,500	3	4,500	Residential
54	1,225	3	3,675	Residential
55	1,225	3	3,675	Residential
56	1,225	3	3,675	Residential
57	1,225	3	3,675	Residential
58	1,225	3	3,675	Residential
59	1,225	3	3,675	Residential
60	1,225	3	3,675	Residential
61	1,225	3	3,675	Residential
62	1,225	3	3,675	Residential
63	1,225	3	3,675	Residential
64	1,225	3	3,675	Residential
65	5,625	4	22,500	Residential Townhouses
66	5,000	3	15,000	Residential Lofts
67	5,000	3	15,000	Residential Lofts
68	5,000	3	15,000	Residential Lofts
69	5,625	4	22,500	Residential Townhouses
70	8,250	2	16,500	Residential
71	8,250	2	16,500	Residential
72	12,500	3	40,000	Residential
73	12,500	3	40,000	Residential
74	12,500	3	40,000	Residential
75	12,500	3	40,000	Residential
76	3,600	1	3,600	Residential



SCALE: 1" = 250'



CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	March 9, 2023	Staff Member: Jonathan Venn
Item #	G	
Department:	Human Resources	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Response, Efficient Government	
Subject:	Consideration of Fiscal Year 2024 Holiday Schedule	

Background: The City of Staunton will observe 13 paid holidays annually in FY 2024, plus other holidays as designated by City Council (Personnel Policy 5.3). The holiday schedule is planned in advance to allow employees and departments time to plan and coordinate operations. Staff scheduled to work essential services on a holiday are provided an alternate holiday. In case of emergency, employees called in to work during a holiday are paid for time worked and receive an alternate holiday.

City Manager's Recommendation: Recommend the following FY 2024 (July 1, 2023-June 30, 2024) Holiday Schedule:

1. Observe the following 13 paid holidays plus the 1 additional paid holiday granted by City Council for FY24 for a total of 14 paid holidays:

Holiday	Date Observed
Independence Day	Tuesday, July 4, 2023
Labor Day	Monday, September 4, 2023
Veteran's Day	Friday, November 10, 2023
Thanksgiving Day	Thursday, November 23, 2023
Day After Thanksgiving	Friday, November 24, 2023
Additional Holiday granted by City	Friday, December 22, 2023

Council	
Christmas Day	Monday, December 25, 2023
New Year's Day	Monday, January 1, 2024
Martin Luther King, Jr. Day	Monday, January 15, 2024
Presidents' Day	Monday, February 19, 2024
Memorial Day	Monday, May 27, 2024
Juneteenth Day	Wednesday, June 19, 2024
2 Personal Holidays*	Discretionary
*Must be on payroll July 1, 2023 to receive the personal holiday.	

Attachment: Proposed FY 2024 Holiday Schedule

Suggested Motion: I move to adopt the fiscal year 2024 holiday schedule as presented.

City Manager: Leslie Beauregard



**DEPARTMENT OF HUMAN RESOURCES
CITY & SCHOOLS**

City of Staunton Holiday Schedule

Fiscal Year 2024 (July 1, 2023-June 30, 2024)

Holiday	Date Observed
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Presidents' Day	Monday, February 19, 2024
Memorial Day	Monday, May 27, 2024
Juneteenth Day	Wednesday, June 19, 2024
2 Personal Holiday*	Discretionary

*Must be on payroll July 1, 2024 to receive the personal holiday.

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	March 9, 2023	John C. Blair, II City Attorney Leslie Beauregard City Manager
Item #	H	
Department:	City Attorney City Manager’s Office	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Responsive, Efficient Government Value: Excellence	
Subject:	Consideration of a Resolution Approving the City’s Participation in the Proposed Settlement of Opioid Related Claims	

Background: The Commonwealth of Virginia, through the Office of the Attorney General, initiated a number of legal claims against various manufacturers and distributors of opioid pharmaceuticals

On November 11, 2021 the Staunton City Council, as a local government in Virginia, approved proposed settlements with one manufacturer (Janssen) and three distributors (McKesson, Cardinal Health, and AmerisourceBergen) of opioid pharmaceuticals that agreed to a \$26 billion national settlement which includes the potential distribution of up to \$530 million to Virginia and its localities. That settlement resolved all claims that settlement participants could have against Janssen, McKesson, Cardinal Health, and AmerisourceBergen arising out of the manufacture and distribution of opioid pharmaceuticals. As part of that settlement process, the Staunton City Council joined the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding ("Virginia MOU").

Before the Council is a similar settlement proposal that is a result of the Office of the

Attorney General's litigation against entities in the opioid distribution supply chain. Similar to the previous settlement, the Council would need to adopt the Resolution presented for its consideration to join the Virginia MOU for settlements with Teva, Allergan, Walmart, CVS, and Walgreens.

The proposed settlement with these five entities is estimated to be \$18.7 billion. Virginia's share of the settlement funds is estimated to be \$425 million. The amount of funds that Virginia receives is contingent upon how many localities agree to participate in the settlements and the Virginia MOU. The settlement will be administered and allocated in the same manner as the 2021 settlements with Janssen, McKesson, Cardinal Health, and AmerisourceBergen.

If the Council agrees to participate in the settlements, the City will receive some funds in the form of a direct payment from the Office of the Attorney General. Additionally, the City will have the opportunity to receive funds from the Opioid Abatement Authority established at the 2021 Session of the Virginia General Assembly as a result of the settlements.

In order to participate in the settlements, the Council must approve the Resolution agreeing to the settlements by April 18, 2023.

At the March 9, 2023 Council meeting, staff will provide Council with an update on the amount of funds received from the 2021 settlements as well as discussion around possible usage of those settlement funds.

Attachment: Resolution approving the city's participation in the settlement with Teva, Allergan, Walmart, CVS, and Walgreens.

City Manager's Recommendation: Adopt the resolution as presented.

Suggested Motion: I move that the Staunton City Council approve the resolution approving the city's participation in the proposed settlement of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate entities.

City Manager: Leslie Beauregard

1 **A RESOLUTION OF THE STAUNTON CITY COUNCIL APPROVING OF THE**
2 **CITY’S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-**
3 **RELATED CLAIMS AGAINST TEVA, ALLERGAN, WALMART, WALGREENS, CVS,**
4 **AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING THE CITY**
5 **ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE**
6 **CITY’S PARTICIPATION IN THE SETTLEMENTS**
7

8 **WHEREAS**, the opioid epidemic that has cost thousands of human lives across the country
9 also impacts the Commonwealth of Virginia and its counties and cities, including the City of
10 Staunton, by adversely impacting the delivery of emergency medical, law enforcement, criminal
11 justice, mental health and substance abuse services, and other services by the City of Staunton’s
12 various departments and agencies; and
13

14 **WHEREAS**, the Commonwealth of Virginia and its counties and cities, including the City
15 of Staunton, have been required and will continue to be required to allocate substantial taxpayer
16 dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and
17 continues to cause the citizens of the Commonwealth and the City of Staunton; and
18

19 **WHEREAS**, settlement proposals have been negotiated that will cause Teva, Allergan,
20 Walmart, Walgreens, and CVS to pay billions of dollars nationwide to resolve opioid-related
21 claims against them; and
22

23 **WHEREAS**, the City of Staunton has approved and adopted the Virginia Opioid
24 Abatement Fund and Settlement Allocation Memorandum of Understanding (the “Virginia
25 MOU”), and affirms that these pending settlements with Teva, Allergan, Walmart, CVS, and
26 Walgreens shall be considered “Settlements” that are subject to the Virginia MOU, and shall be
27 administered and allocated in the same manner as the opioid settlements entered into previously
28 with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, and opioid
29 manufacturer Janssen Pharmaceuticals; and
30

31 **WHEREAS**, the Staunton City Attorney has reviewed the available information about the
32 proposed settlements and has recommended that the City of Staunton participate in the settlements
33 in order to recover its share of the funds that the settlement would provide;
34

35 **NOW THEREFORE BE IT RESOLVED** that the Staunton City Council, this 9th day of
36 March, 2023, approves of the City of Staunton’s participation in the proposed settlement of opioid-
37 related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate
38 entities, and directs the City Attorney to execute the documents necessary to effectuate the City of
39 Staunton’s participation in the settlements, including the required release of claims against settling
40 entities.
41

42 Adopted this _____ day of March, 2023.
43
44
45
46

Stephen W. Claffey, Mayor

47
48
49
50
51

ATTEST: _____

Kiley A. Kesecker,
Clerk of Council

DRAFT

City Council
WORK SESSION
February 23, 2023
6:30 p.m.

Council Members Present: Mayor Claffey, Vice Mayor Darby and Councilmembers Arrowood, Edwards, Robertson and Woods. Councilmember Holmes was absent.

Mayor Claffey called the meeting to order: Mayor Claffey called the meeting of Staunton City Council to order.

1. Consideration of Work Session and Regular Meeting Agendas

Consistent with Procedural Memorandum No. 3, the agendas were presented for Council consideration.

Ms. Woods moved to approve the work session and regular meeting agendas as presented.

The motion was seconded by Mr. Arrowood and carried as follows:

Mr. Robertson	aye	Ms. Edwards	aye
Mr. Arrowood	aye	Vice Mayor Darby	aye
Ms. Woods	aye	Mayor Claffey	aye
Mr. Holmes	absent		

The Quarterly Financial Report was moved to item 2 to allow additional time for presenting staff to arrive.

2. Presentation of Quarterly Financial Report

Chief Finance Officer Jessie Moyers presented a financial report for the second quarter of fiscal year 2023, including tax reports for: sales, meals and lodging.

Mayor Claffey asked if Councilmembers had any questions or comments.

Mr. Robertson asked why the meals tax for July of the previous year was so low. Ms. Moyers stated they did not know, but it is very unusual.

Ms. Edwards asked if it is normal to be self-insured for workers compensation. City Attorney John Blair stated that from a legal perspective, that is no longer the practice.

Councilmembers had no further questions or comments.

3. Update from Registrar about Special Election

Registrar Christi Linhoss stated that with the resignation of former Mayor Andrea Oakes, a vacancy was filled on City Council at a special meeting on February 2, 2023. The seat will be filled by the appointed Council Member until a special election is held on November 7, 2023. Ms. Linhoss stated that the special election does not have any differences except that the filing date

will move from June 20 at 7 p.m., to August 18 at 5 p.m. All the paperwork, filings, campaign finance, etc. will remain the same.

Mayor Claffey asked if Councilmembers had any questions or comments.

Vice Mayor Darby asked if there are any constitutional officers up for election. Ms. Linhoss stated that the Virginia House of Delegates goes through the state and not their office.

Mr. Arrowood asked if filing was now open, which Ms. Linhoss confirmed.

Councilmembers had no further questions or comments.

The work session adjourned at 6:42 p.m.

Kiley A. Kesecker
Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL**Thursday, February 23, 2023****7:30 p.m.****Rita S. Wilson Council Chambers**

PRESENT: Mayor Stephen W. Claffey
Vice Mayor Amy G. Darby
Brad D. Arrowood
Michele D. Edwards
Mark A. Robertson
Alice L. Woods

ABSENT: R. Terry Holmes

ALSO PRESENT: Leslie Beauregard, City Manager
Amanda Kaufman, Assistant City Manager
John Blair, City Attorney
Kiley Kesecker, Clerk of Council

Mayor Claffey called the meeting to order: Mayor Claffey called this meeting of Staunton City Council to order.

The Pledge of Allegiance was recited in unison.

The invocation/moment of silence was given by Ms. Edwards. She read aloud a poem titled *Cocoon* by Sheila Ahmadi.

MAYOR'S REPORT

Mayor Claffey stated that he and the Vice Mayor had met with representatives from Mary Baldwin concerning the baseball field. He also stated that Councilors Woods and Edwards has attended the Oikos Solar community meeting the previous night.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Vice Mayor Darby stated that she had attended an orientation session at the Central Shenandoah Planning District Commission offices, as well as Councilor Arrowood, who was there for his part on the Staunton Augusta Waynesboro Metropolitan Planning Organization.

Ms. Edwards stated that she and Mr. Arrowood had the opportunity to visit the WARM Shelter at Expo in Fishersville.

Mr. Arrowood stated that there is work actively underway at the Chestnut Hills Shopping Center.

Mayor Claffey acknowledged and welcomed several students from Riverheads High School.

APPROVAL OF MINUTES

Mr. Robertson moved to approve the special meeting minutes of February 2, 2023 as presented.

The motion was seconded by Ms. Woods and carried as follows:

Mr. Robertson	aye	Ms. Edwards	aye
Mr. Arrowood	aye	Vice Mayor Darby	aye
Ms. Woods	aye	Mayor Claffey	aye
Mr. Holmes	absent		

Mr. Robertson moved to approve the work session and regular meeting minutes of February 9, 2023 as presented.

The motion was seconded by Mr. Arrowood and carried as follows:

Mr. Robertson	aye	Ms. Edwards	aye
Mr. Arrowood	aye	Vice Mayor Darby	aye
Ms. Woods	aye	Mayor Claffey	aye
Mr. Holmes	absent		

REGULAR MEETING**A. Consideration of Ordinance to Amend the FY2023 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number Five**

Chief Financial Officer Jessie Moyers stated that the fifth budget amendment for fiscal year 2023 has been prepared for review and discussion. The total budget amendment equals \$9,716,425. She noted that this is a City only amendment and it does require a public hearing, which was properly advertised on February 2, 2023. Consideration of the ordinance is scheduled for February 23, 2023.

Ms. Moyers outlined the amendment as follows:

City Budget Amendment—\$9,716,425

1. General Fund amendment of \$113,099.
 - (11,901) – Adjust appropriation for the FY2023 Health Department Budget.
 - \$50,000 – Appropriate additional American Rescue Plan Act (ARPA) funding for the West End Small Area Plan.
 - \$75,000 – Correct appropriation of ARPA funds for the Uniontown Small Area Plan.
2. Capital Improvements Fund amendment of \$7,508,326 to appropriate ARPA funding for the following:
 - \$480,000 – Montgomery Hall Park Paving
 - \$200,000 – Gypsy Hill Park Bathhouse Refresh
 - \$200,000 – Montgomery Hall Park Bathhouse Refresh
 - \$300,000 – Montgomery Hall Park Bathroom Upgrades

- \$200,000 – Moxie Stadium Renovation Design
 - \$375,000 – Library Roof Replacement
 - \$300,000 – Two Public Works Dump Trucks
 - \$776,000 – Regional Animal Shelter Design and Renovation
 - \$400,000 – City Facility/Building Security Improvements
 - \$2,000,000 – Two Fire Pumps
 - \$2,277,326 – JDR Courthouse expense
3. Community Development amendment of \$5,000 to adjust the appropriation for Brownfields Assessment Grant.
4. Water Fund amendment for (\$75,000) to correct the ARPA appropriation of the Uniontown Small Area study, offset is in the General Fund.
5. Environmental Fund amendment of \$965,000 to appropriate ARPA Funds for the following:
- \$115,000 – Relocate Centralized Recycling Center
 - \$850,000 – Standardize Refuse Collection
6. Stormwater Fund amendment for \$1,200,000 to appropriate ARPA Funds for the Gypsy Hill Stream Restoration.

Mayor Claffey asked if Councilmembers had any questions or comments.

Mr. Robertson clarified that if a certain project does not cost its entire allocation, that money could then be put into another project.

Ms. Moyers stated that all excess funds will be put towards the JDR Courthouse.

Councilmembers had no further questions or comments.

Vice Mayor Darby moved to approve an ordinance amending the fiscal year 2023 budget by adding Budget Amendment Number Five, totaling \$9,716,425.

The motion was seconded by Ms. Edwards and carried as follows:

Vice Mayor Darby	aye	Mr. Holmes	absent
Mr. Arrowood	aye	Ms. Woods	aye
Mr. Robertson	aye	Mayor Claffey	aye
Ms. Edwards	aye		

B. Consideration of Virginia Department of Criminal Justice Services FY 2024 School Resource Officer Incentive Grant Program

Ms. Beauregard stated that the Virginia Department of Criminal Justice Services is offering a new cycle of state grants to continue funding for School Resource Officer (SRO) positions to enhance and continue partnerships between local law enforcement agencies and school divisions. The

Staunton Police Department has one SRO position at Shelburne Middle School currently funded by this grant program through June 30. Grantees are required to submit a new application for continued funding in FY 2024. While the FY 2023 grant did not require a local match, the new round of funding requires localities to contribute matching funds based on the Composite Index of Local Ability to Pay. Staunton's rate is calculated at .3967, resulting in the following match requirement for the Shelburne SRO:

City Share:	\$34,793
DCJS Share:	\$52,912
Total Compensation:	\$87,705

Because this grant requires a cash match, per City Council Procedure Memorandum No. 5, submitting an application for this grant requires approval by City Council. The Shelburne Middle School SRO position was initially filled by an existing patrol officer in the department who would not otherwise be assigned as an SRO, and the city share of the grant will be funded with the existing salary of the officer assigned to the school.

Mayor Claffey asked if Councilmembers had any questions or comments.

Mr. Robertson asked if the funding will be for a new SRO. Ms. Beauregard stated that the grant is to help fund an existing position, but it is not really costing the city anything since the salaries are already budgeted.

Councilmembers had no other questions or comments.

Mr. Arrowood moved that City Council authorize staff to apply for the Virginia Department of Criminal Justice Services FY 2024 School Resource Officer Incentive Grant Program.

The motion was seconded by Vice Mayor Darby and carried as follows:

Mr. Holmes	absent		
Mr. Robertson	aye	Mr. Arrowood	aye
Ms. Woods	aye	Ms. Edwards	aye
Vice Mayor Darby	aye	Mayor Claffey	aye

C. Consideration of Virginia Commission for the Arts 2023-2024 Creative Communities Partnership Grant Application

Senior Planner Rodney Rhodes stated that the Virginia Commission for the Arts (VCA) has operated the Creative Communities Partnership Grant (previously known as Local Government Challenge Grant) program for a number of years. In the past, the City has applied for and obtained grant funds to assist three local arts organizations: ShenanArts, the Stonewall Brigade Band and the Staunton Augusta Art Center. A partnership grant requires an equal match payable to each arts organization by the local government, and local match funds will be included in the proposed City budget for City Council's consideration. The Creative Communities Partnership Grants will be available for 2023-2024, with a total maximum grant of \$4,500. Grant applications are due on April 1, and staff intends to submit an application that provides for funding for the three organizations that previously received grant funding: ShenanArts, Stonewall Brigade Band and

Staunton Augusta Art Center. Based on the maximum possible grant amount, staff recommends the following breakdown:

	City Share	VCA Share	Total
ShenanArts	\$1,500	\$1,500	\$3,000
Stonewall Brigade Band	\$1,500	\$1,500	\$3,000
Staunton Augusta Art Center	\$1,500	\$1,500	\$3,000
Total	\$4,500	\$4,500	\$9,000

Should deliberations concerning the proposed FY 2023-2024 budget result in the removal of any matching funds, it is possible to rescind the request at a later date. By authorizing the City Manager to submit the grant application, the City is not irrevocably committed to appropriating the matching funds. It should also be noted that the City will be committed to match only those funds which are actually received from the state. If a grant of any amount less than the \$4,500 is received, then that amount will be matched by the City. If local funds are appropriated and available, they will be divided among the three organizations in the same proportions as those outlined above.

Mayor Claffey asked if Councilmembers had any questions or comments.

Ms. Edwards asked if there are any criteria around for how the money is spent by the organization, or if it is part of the application process. Mr. Rhodes stated that it is not explicitly specified, but the organizations are required to provide a copy of their budget.

Tom Kernan, Chairperson at ShenanArts, thanked Council for everything they have done to help their organization over the years.

Councilmembers had no other questions or comments.

Ms. Edwards moved that City Council authorize staff to apply for the 2023-2024 Creative Communities Partnership Grant, with the understanding that acceptance will be determined by the availability of local funds to match the grant.

The motion was seconded by Ms. Woods and carried as follows:

Mr. Robertson	aye	Ms. Edwards	aye
Mr. Holmes	absent	Vice Mayor Darby	aye
Ms. Woods	aye	Mayor Claffey	aye
Mr. Arrowood	aye		

Ms. Beauregard introduced and welcomed the new Assistant City Manager, Amanda Kaufman.

D. Consideration of Appointment of Assistant City Manager as Representative to Select Public Bodies and Authorization for City Manager to Designate an Alternate Representative to Select Public Bodies

Ms. Beauregard stated that the City of Staunton is a member locality of several regional agencies including: BRITE Transit Advisory Committee, Staunton Augusta Waynesboro Metropolitan

Planning Organization, Valley Alcohol Safety Action Program and Blue Ridge Criminal Justice Board.

The organizational documents of each organization authorize the appointment of a City of Staunton representative to each body. The organizational documents of BTAC, SAWMPO and VASAP allow for the appointment of an alternate representative of the City to participate in meetings in the event the City's primary representative is unable to attend.

With the recent hire of Ms. Amanda Kaufman as the City's Assistant City Manager, it is appropriate for City Council to appoint Ms. Kaufman as the City's representative member on the bodies.

The attached resolutions appoint the Assistant City Manager to serve as the City's representative to each body. Additionally, for those bodies which permit the appointment of an alternate representative in the event that the Assistant City Manager is unable to attend those bodies' meetings, the resolutions grant the City Manager such authority.

Mayor Claffey asked if Councilmembers had any questions or comments.

Councilmembers had no questions or comments.

Ms. Woods moved to appoint Assistant City Manager Amanda Kaufman as representative of the City to the policy board of the following regional agencies: BRITE Transit Advisory Committee, the Staunton Augusta Waynesboro Metropolitan Planning Organization, the Valley Alcohol Safety Action Program and the Blue Ridge Criminal Justice Board.

The motion was seconded by Mr. Robertson and carried as follows:

Ms. Woods	aye	Ms. Edwards	aye
Mr. Holmes	absent	Vice Mayor Darby	aye
Mr. Robertson	aye	Mayor Claffey	aye
Mr. Arrowood	aye		

ATTACHMENT A

MATTERS FROM THE CITY MANAGER

Ms. Beauregard shared some additional information about Ms. Kaufman and her background. She also stated that property owners have until March 2 to submit an appeal to their real estate assessments, and that the city was placed as number 8 for *Best Small Town Cultural Scene 2023* in the *USA Today* 10Best contest – the only Virginia city in the top ten. She closed by stating that information has been going out through State DSS and Shenandoah Valley Social Services about the rollback of benefits due to the ending of the Public Health Emergency. Expanded benefits that were provided during the pandemic are now being brought back to pre-COVID levels.

MATTERS FROM THE PUBLIC

Mayor Claffey read the following statement:

288
289 “This part of City Council's agenda is entitled matters from the public. It is a time that council sets
290 aside to hear from citizens and others about a wide variety of subjects. A copy of the Staunton City
291 Council's ‘Matters from the Public’ rules are available in paper form at the clerk's desk and online
292 at the City of Staunton webpage. You are asked to familiarize yourself with those rules before
293 commenting. Please come to the podium or begin your call, identify yourself and complete your
294 remarks within five minutes.”

295
296 Ted Lawhorn, 1002 Baylor Street, thanked Council for their service and described issues with real
297 estate assessments and the assessor's office.

298
299 Cindy Connors, 106A Skyline Avenue, stated that people would be more comfortable disputing
300 their assessments if there were an option to do so online.

301
302 Kobe Ayers, no address given, described issues with Parks and Recreation funding and summer
303 camps.

304
305 **ADJOURNMENT**

306
307 There being no further business to come before Council, the meeting adjourned at 8:07 p.m.
308
309
310

311 _____
312 Kiley A. Kesecker
Clerk of Council

**RESOLUTION
OF THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
TO TERMINATE THE APPOINTMENT OF CITY MANAGER, LESLIE M.
BEAUREGARD, AS THE BLUE RIDGE CRIMINAL JUSTICE BOARD
MEMBER AND CONCURRENTLY APPOINT THE ASSISTANT CITY
MANAGER, AMANDA KAUFMAN, AS THE CITY'S REPRESENTATIVE
MEMBER ON THE BOARD**

Recitals

A. The Blue Ridge Criminal Justice Board (BRCJB) was duly formed under the provisions of Virginia Code Section 9.1-178 et seq. to provide and support a broad range of community-oriented justice options in an effort to reduce jail overcrowding, enhance public safety, and offer remedial and rehabilitative opportunities to pretrial defendants and post conviction offenders;

B. The City of Staunton, Virginia, is a participating locality of BRCJB;

C. Under the November 19, 2013 Bylaws of BRCJB (the Bylaws), BRCJB shall include "a person appointed by each governing body to represent the governing body;"

D. City Manager, Leslie M. Beauregard currently serves as the City of Staunton's government representative to BRCJB, pursuant to a resolution adopted by City Council at its regular meeting on October 24, 2019;

E. Amanda Kaufman was hired as the City of Staunton's Assistant City Manager, effective February 21, 2023;

F. It is Ms. Beauregard's recommendation for Staunton City Council to terminate her appointment to BRCJB and concurrently appoint Amanda Kaufman, Assistant City Manager, as the City's BRCJB representative; and

G. These recitals are an integral part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia that:

1. To the extent necessary, the appointment of Leslie M. Beauregard to the Blue Ridge Criminal Justice Board is terminated and Amanda Kaufman, Assistant City Manager, is appointed as the City's government representative, effective retroactively to and including February 21, 2023; and

2. It directs the Clerk of Council to transmit immediately an attested copy of this Resolution to the BRCJB.

Adopted: _____, 2023, effective retroactively to and including February 21, 2023.

Stephen W. Claffey, Mayor

ATTEST: _____

Kiley A. Kesecker,
Clerk of Council

**RESOLUTION
OF THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
TO TERMINATE THE APPOINTMENT OF THE CITY MANAGER, LESLIE M.
BEAUREGARD, AS A MEMBER OF THE BLUE RIDGE INTER CITY
TRANSIT EXPRESS ADVISORY COMMITTEE AND CONCURRENTLY
APPOINT ASSISTANT CITY MANAGER, AMANDA KAUFMAN, AS THE
CITY'S REPRESENTATIVE MEMBER ON THE BOARD, AND AUTHORIZING
THE CITY MANAGER TO APPOINT AN ALTERNATE MEMBER ON THE
BOARD AS MAY BE NECESSARY**

Recitals

A. The Central Shenandoah Planning District Commission is responsible for the operation of the Blue Ridge Inter City Transit Express (BRITE) which provides transportation in the areas of Staunton, Waynesboro, and Augusta County;

B. The BRITE funding partners and stakeholders consist of the City of Staunton, Virginia, the City of Waynesboro, Virginia, the County of Augusta, Virginia, Augusta Health, Blue Ridge Community College, Shenandoah Valley Social Services, Wilson Workforce Rehabilitation Center, and Staunton Downtown Development Association;

C. The BRITE Transit Advisory Committee (BTAC) consists of one (1) member from each of the funding partners;

D. Leslie M. Beauregard was designated as the City's representative member of BTAC pursuant to a resolution adopted by City Council at its regular meeting on March 24, 2022;

E. Amanda Kaufman was hired as the City of Staunton's Assistant City Manager, effective February 21, 2023;

F. It is Ms. Beauregard's recommendation for Staunton City Council to terminate her appointment to BTAC and concurrently appoint Amanda Kaufman, Assistant City Manager, as the representative BTAC member, and for the City Manager to be authorized to appoint an alternate BTAC member as may be necessary; and

G. These recitals are an integral part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia that:

1. To the extent necessary, the appointment of Leslie M. Beauregard, City Manager, is terminated and Amanda Kaufman, Assistant City Manager, is appointed as the City representative on the Board, effective retroactively to and including February 21, 2023;

2. The City Manager is authorized to appoint an alternate member to the board as may be necessary; and

3. It directs the Clerk of Council to transmit immediately an attested copy of this Resolution to the Board.

Adopted: _____, 2023, effective retroactively to and including February 21, 2023.

Stephen W. Claffey, Mayor

ATTEST: _____

Kiley A. Kesecker
Clerk of Council

**RESOLUTION
OF THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
TO TERMINATE THE APPOINTMENT OF CITY MANAGER, LESLIE M.
BEAUREGARD, AS A MEMBER OF THE STAUNTON AUGUSTA
WAYNESBORO METROPOLITAN PLANNING ORGANIZATION POLICY
BOARD AND CONCURRENTLY APPOINT THE ASSISTANT CITY
MANAGER, AMANDA KAUFMAN, AS THE CITY'S REPRESENTATIVE
MEMBER ON THE BOARD; AND AUTHORIZING THE CITY MANAGER TO
APPOINT AN ALTERNATE MEMBER ON THE BOARD AS MAY BE
NECESSARY**

Recitals

A. The Staunton-Augusta-Waynesboro Metropolitan Planning Organization (SAWMPO) was established as a result of the designation of the Staunton-Augusta-Waynesboro Urbanized Area by the U.S. Census on March 26, 2012. Federal regulations require an urbanized area to create and maintain an ongoing transportation planning process that is overseen by representatives of the local jurisdictions as well as state and federal transportation officials;

B. SAWMPO was created through a Memorandum of Understanding between the local jurisdictions in the urbanized area, including the Cities of Staunton and Waynesboro, Augusta County, and the Secretary of Transportation for the Commonwealth of Virginia. The MOU was adopted by SAWMPO at its first meeting, held on August 13, 2012, circulated to the local governments for adoption, and was executed on November 7, 2012. SAWMPO designated the Central Shenandoah Planning District Commission to serve as the staff to the SAWMPO;

C. Under the June 2016 Bylaws of SAWMPO, the voting membership of the SAWMPO shall be composed of two (2) voting representatives for the City of Staunton, and one (1) alternate member to serve in the absence of the regular representative. City Council designates the respective representatives;

D. Leslie M. Beauregard was designated as the City's representative member of SAWMPO pursuant to a resolution adopted by City Council at its regular meeting on March 24, 2022;

E. Amanda Kaufman was hired as the City of Staunton's Assistant City Manager, effective February 21, 2023;

F. It is Ms. Beauregard's recommendation for Staunton City Council to terminate her appointment to SAWMPO and concurrently appoint Amanda Kaufman, Assistant City Manager, as a representative SAWMPO member, and for the City Manager to appoint an alternate SAWMPO member as may be necessary; and

J. These recitals are an integral part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia that:

1. To the extent necessary, the appointment of Leslie M. Beauregard to the Staunton-Augusta-Waynesboro Metropolitan Planning Organization policy board is terminated and Amanda Kaufman, Assistant City Manager, is appointed as a City representative on the board, effective retroactively to and including February 21, 2023;

2. The City Manager is authorized to appoint an alternate member to the policy board as may be necessary; and

3. It directs the Clerk of Council to transmit immediately an attested copy of this Resolution to the Board.

Adopted: _____, 2023, effective retroactively to and including February 21, 2023.

Stephen W. Claffey, Mayor

ATTEST: _____
Kiley A. Kesecker
Clerk of Council

**RESOLUTION
OF THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
TO TERMINATE THE APPOINTMENT OF CITY MANAGER, LESLIE M.
BEAUREGARD, AS THE VALLEY ALCOHOL SAFETY ACTION PROGRAM
POLICY BOARD MEMBER AND CONCURRENTLY APPOINT THE
ASSISTANT CITY MANAGER, AMANDA KAUFMAN, AS THE CITY'S
REPRESENTATIVE MEMBER ON THE BOARD**

Recitals

A. The Valley Alcohol Safety Action Program (VASAP) is a public body corporate duly formed under the provisions of Article 2, Chapter 7, of Title 18.2 of the Code of Virginia to operate a program to provide public information, probation, education, prevention, and rehabilitation services for persons charged under the laws with operating motor vehicles while under the influence of alcohol or drugs;

B. The City of Staunton, Virginia, is a participating locality of VASAP;

C. Under the April 9, 2019 Bylaws of VASAP (the Bylaws), “[t]he Policy Board (Board) shall consist of not more than twelve members and shall develop policies for operation of the Program. One of such members shall be selected by the governing body of each participating locality for a term of three years and shall be either the Chief Operating Officer of the locality, or his/her designee;”

D. Leslie M. Beauregard was designated as the City’s representative member on the Board pursuant to a resolution adopted by City Council at its regular meeting on March 24, 2022

E. Amanda Kaufman was hired as the City of Staunton’s Assistant City Manager, effective February 21, 2023;

F. It is Ms. Beauregard’s recommendation for Staunton City Council to terminate her appointment to the VASAP Board and concurrently appoint Amanda Kaufman, Assistant City Manager, as the City’s Board Member; and

G. These recitals are an integral part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia that:

1. To the extent necessary, the appointment of Leslie M. Beauregard to the Valley Alcohol Safety Action Program Policy Board is terminated and Amanda Kaufman, Assistant City Manager, is appointed as the City’s representative on the Board, effective retroactively to and including February 21, 2023, and

2. It directs the Clerk of Council to transmit immediately an attested copy of this Resolution to the Board.

Adopted: _____, 2023, effective retroactively to and including February 21, 2023.

Stephen W. Claffey, Mayor

ATTEST: _____
Kiley A. Kesecker
Clerk of Council