

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
April 13, 2023
5:45 p.m.**

- | | | |
|------------------|-----------|--|
| 5:45 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:50 p.m. | 2. | FY 2024 Joint Budget Work Session with School Board |
| 6:20 p.m. | 3. | FY 2024 Budget Work Session |
| 7:05 p.m. | | Break Until Regular Meeting at 7:30 p.m. |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
April 13, 2023
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence – Woods

Proclamation – National Library Week

Mayor's Report

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of March 23, 2023

Special Meeting of April 5, 2023

REGULAR MEETING

- A. Public Hearing and Consideration of a Request by Kelly Grantier for a Special Use Permit at 114 W Johnson Street to Allow Living Quarters on the Ground Level***

- B. Public Hearing and Consideration of a Request by David and Michelle Wise to Rezone a portion of 1007 Seth Drive From R-3, Medium Density Residential Conditional, to I-1, Light Industrial District Conditional***

- C. Public Hearing and Consideration of an Amendment to Staunton City Code (SCC) Sections 18.55, B-1, Local Business District, and 18.75, I-1, Light Industrial District, and 18.10 Definitions, of Title 18, Zoning, to Allow Pet Boarding Facilities in all Business and Industrial Districts***

- D. Public Hearing of an Ordinance to Establish a Budget for FY 2024 (July 1, 2023—June 30, 2024)***

- E. Consideration of Council Procedure Memorandum No. 20—City Council Town Halls
- F. Presentation Regarding the City of Staunton Juvenile & Domestic Relations District Court Facility

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.

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	April 13, 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:	April 13, 2023	Dr. Garrett Smith School Superintendent Leslie Beauregard City Manager
Item #	2	
Department:	City Council School Board	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Joint Work Session—FY 2024 School Board Budget	

Background: City Council and Staunton City School Board will meet in a joint work session to discuss the proposed FY 2024 Staunton City Schools budget.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	April 13, 2023	Leslie Beauregard City Manager Jessie Moyers Chief Finance Officer
Item #	3	
Department:	City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	FY 2024 Budget Work Session	

Background: City Council will hold a work session to discuss the FY 2024 City Budget.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard



CITY OF STAUNTON, VIRGINIA

Proclamation

National Library Week 2023

- WHEREAS,** libraries provide the opportunity for everyone to pursue their passions and engage in lifelong learning, allowing them to live their best life; and
- WHEREAS,** libraries strive to be trusted and welcoming institutions for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and
- WHEREAS,** libraries strive to develop and maintain programs and collections that are as diverse as the populations they serve and ensure equity of access for all; and
- WHEREAS,** libraries adapt to the ever-changing needs of their communities, continually expanding their collections, services, and partnerships; and
- WHEREAS,** libraries play a critical role in the economic vitality of communities by providing internet and technology access, literacy skills, and support for job seekers, small businesses, and entrepreneurs; and
- WHEREAS,** libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals; and
- WHEREAS,** libraries are cornerstones of democracy, promoting the free exchange of information and ideas for all.

NOW, THEREFORE, BE IT PROCLAIMED by Staunton City Council that April 23 – 29, 2023, is hereby recognized as

National Library Week

in the City of Staunton, and during this week Council encourages all residents to visit their Staunton Public Library to explore the wealth of resources available.

Adopted this 13th day of April, 2023.

STEPHEN W. CLAFFEY, MAYOR

ATTEST: _____
CLERK OF COUNCIL

City Council
WORK SESSION
March 23, 2023
5:00 p.m.

Council Members Present: Mayor Claffey, Vice Mayor Darby and Councilors Arrowood, Edwards, Holmes, Robertson and Woods.

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:

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

2. Presentation of the Proposed FY2024 Budget by the City Manager

City Manager Leslie Beauregard presented the FY 2024 proposed budget by stating that the total proposed budget is \$152,355,651 for all funds, which is an increase of \$9.4 million (6.6%) over the adopted FY 2023 budget of \$142,967,876. Almost half of the total budget is the General Fund, proposed at \$69,264,351, a \$4.1 million (6.25%) increase over FY 2023. The proposed real estate tax rate was decreased from \$.92 to \$.89 per \$100 assessed value. Significant themes of the presentation were as follows: City Schools are fully funded per the newly adopted formula, focuses on aspirations, goals and future financial health, as well as Council strategic goal areas. Lagging competitive wages for workforce were also addressed. Ms. Beauregard stated that the proposed budget remains mindful of continued hardships on city residents, and provides stability in city services.

Mayor Claffey asked if Councilmembers had any questions or comments.

Mr. Robertson asked what the dollar figure is for the proposed 10% increase in employee health insurance premiums. Ms. Beauregard stated that it would be an increase of about \$15 per pay period. Mr. Robertson asked what the OOR program at the Juvenile Detention Center is. Ms. Beauregard stated that the increase for the Shenandoah Valley Juvenile Center in the amount of \$222,448, is a result of severing ties with the Office of Refugee Resettlement (ORR) Program that provided significant federal dollars to the Center.

Mr. Holmes asked if the raises for the police and fire departments are for all staff or new hires only, and if the sheriff's department is included. Ms. Beauregard stated that starting pay only would

be adjusted and would not include the sheriff's department, though she noted that they would receive the same five percent pay increase on July 1, like all other city employees.

Vice Mayor Darby asked what the proposed new Director of Community Development position would be responsible for compared to how the department is currently set up. Ms. Beauregard stated that it would split the director of community and economic development position into two positions. The new position would be the head of community development only, which would allow each department head to dedicate their workload solely to those distinct areas, rather than splitting up their time and focus.

Mayor Claffey asked how many employees the sheriff's department has currently and how many would be required to staff the new Juvenile and Domestic Relations Court. City Sheriff Chris Hartless stated that he currently has ten employees and estimated they may need an additional five.

Mayor Claffey shared some figures from budgets from previous years and expressed his concerns with the budget increasing every year without any population growth.

Mr. Holmes stated that the new high school is the main reason for the increase over years past. Discussion ensued about debt service, the effects of the COVID-19 pandemic, inflation, grant funding and water and sewer funding.

Vice Mayor Darby asked what revenue neutral is for the city tax rate. Ms. Beauregard answered that it is \$.74 per \$100 assessed and added that revenue neutral means the rate at which one would not pay any additional property taxes even with the assessment increase.

Discussion ensued about the dollar cost per month of a 20% rate increase, rent, homes for sale in the city and financial aid.

Councilmembers had no further questions or comments.

3. Discussion about Establishment of a Housing Commission

Councilor Arrowood stated that there is a definite disconnect between the cost of entry level housing and Staunton's area income levels. Since the creation of public housing is not a municipal action and is a private industry, an advisory committee may be an effective way to connect private builders with state and federal grant funding opportunities. This funding would incentivize builders to create housing that could be offered below market rate. Mr. Arrowood stated he is open to what form this committee or commission might take, but could include local experts who can help establish the needs of the community, and the city would be directly involved.

A discussion took place on how many seats the committee would have, and who would fill them. Involvement of the Planning Commission, local realtors and non-profits was also discussed, as well as the distinction between the purview of the Redevelopment and Housing Authority and the proposed housing commission.

Councilmembers agreed that they would like to move forward with the idea.

99 **4. Discussion about City Council Town Halls**

100
101 City Attorney John Blair stated that on February 28 and March 1, 2023, City Council conducted a
102 retreat, during which members of Council discussed the possibility of conducting town hall
103 meetings regarding the budget and other matters. After the retreat, Councilmembers Woods,
104 Robertson, Edwards and Vice Mayor Darby indicated their desire to participate in town hall
105 meetings.

106
107 A discussion took place regarding the logistics and legal issues concerning Councilmember town
108 halls, as well as the possibility of developing a Council procedure memorandum regarding
109 Councilmember town hall meetings.

110
111 Councilmembers agreed to instruct Mr. Blair to develop a policy that says city Councilmembers
112 will hold listening sessions and town halls, but they are in their individual capacity and not City
113 Council events. Therefore, they would not be subjected to the formal rules of an official city event.

114
115 **5. Closed Meeting for: (i) Consultation with Legal Counsel for Necessary Legal-Related**
116 **Advice and Discussion Regarding the Order to Show Cause Concerning the Staunton**
117 **Juvenile and Domestic Relations District Courts Facilities as well as a solar siting**
118 **agreement; (ii) Discussion or Consideration of the Disposal of Real Property adjacent**
119 **to Gypsy Hill Park in Staunton, Virginia, Where Discussion in an Open Meeting**
120 **Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public**
121 **Body; and (iii) Consultation with Legal Counsel Concerning Actual or Probable**
122 **Litigation Concerning a Quiet Title Action Related to Property on Churchville**
123 **Avenue**

124
125 Vice Mayor Darby moved to enter a closed meeting for: (i) consultation with legal counsel for
126 necessary legal-related advice and discussion regarding the Order to Show Cause concerning the
127 Staunton Juvenile & Domestic Relations District Court Facility located in the District Courts
128 Building at 6 East Johnson St., Staunton, pursuant to Virginia Code §§ 2.2-3711(A)(7) and 2.2-
129 3711(A)(8); (ii) consultation with legal counsel concerning a solar siting agreement pursuant to
130 Virginia Code §2.2-3711(A)(8); (iii) discussion or consideration of the disposition of real property
131 located adjacent to Gypsy Hill Park in the City of Staunton where discussion in an open meeting
132 would adversely affect the bargaining position or negotiating strategy of the public body, pursuant
133 to Virginia Code § 2.2-3711(A)(3); and (iv) consultation with legal counsel concerning actual or
134 probable litigation concerning a quiet title action related to property on Churchville Avenue in the
135 City of Staunton, Virginia where discussion in an open meeting would adversely affect the
136 litigation posture of the City of Staunton.

137
138 The motion was seconded by Mr. Robertson and carried as follows:

141 Ms. Edwards	aye	Mr. Robertson	aye
142 Mr. Arrowood	aye	Vice Mayor Darby	aye
143 Ms. Woods	aye	Mayor Claffey	aye
144 Mr. Holmes	aye		

145
146 Mr. Holmes moved that Council reconvene in an open meeting and certify to the best of each
147 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.

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

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

The work session adjourned at 7:30 p.m.

Kiley A. Kesecker
Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL**Thursday, March 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
 R. Terry Holmes
 Mark A. Robertson
 Alice L. Woods

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 Mr. Robertson.

MAYOR'S REPORT

Mayor Claffey stated that he had attended the Economic Development Authority meeting that morning where it was announced that the EDA would be holding an open information session on April 30 at the Blackburn Inn.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Mr. Robertson stated that he and Councilor Woods would be holding a question, answer and listening session on tax assessments at the Staunton-Augusta Rescue Squad on March 29.

Ms. Woods stated that she had attended a Diversity, Equity and Inclusion Commission meeting and stated that they are preparing for a business meet and greet being held on April 5.

Ms. Edwards stated that she had attended a School Board meeting and noted that Maaliah Cabell from Staunton High had set a new record for the long jump.

Mr. Arrowood stated that he had attended the Boys and Girls Club Youth of the Year Celebration where Omir Foster was named Youth of the Year.

APPROVAL OF MINUTES

Mr. Holmes moved to approve the special meeting minutes of February 28 and March 1, 2023 as presented.

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

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

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

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

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

REGULAR MEETING**A. Public Hearing of Effective Real Property Tax Rate Increase**

Chief Finance Officer Jessie Moyers stated that the City Assessor's Office has completed the 2023 general reassessment for the City. The Code of Virginia requires that all properties within a locality be assessed at 100% of their fair market value.

The total assessed value of all real property in the City equals \$3,324,826,400, an increase of 22% over 2022. The taxable assessed value, \$2,872,606,017, increased 26.14% over 2022. Total property values, excluding assessments due to new construction or improvements, increased 25.2% over 2022. As required by § 58.1-3321 of the Code of Virginia, because the reassessment would result in an increase of 1% or more in the total real property tax levied, City Council must conduct a public hearing at which it receives public comment concerning the "effective tax rate increase."

The same state code provision specifically dictates the contents of the notice of public hearing to be published and requires that, among other details, the notice state the lowered tax rate necessary to offset the effect of the increased assessment (i.e., \$0.74 per \$100 assessed value), whether or not the governing body intends to consider the adoption of such a lowered tax rate. The current real property tax rate is \$0.92 per \$100 assessed value. Council will finally determine the real property tax rate on April 27, when the FY 2024 budget ordinance is scheduled for consideration.

City Manager Leslie Beauregard added that the new proposed tax rate is \$0.89.

95 Mayor Claffey stated the following:

96
97 “In a moment, I will open up the Public Hearing. It is a time that Council sets aside to hear from
98 citizens and others about a specific topic.
99

100 We ask that you please give your name, your address, and then keep your remarks at five minutes
101 or less. When you reach the five-minute time limit, I will let you know that your time limit has
102 expired.
103

104 For our Zoom participants, please raise your hand now if you wish to speak on this particular
105 Public Hearing. If you raise your hand during this Public Hearing, you will also be able to raise
106 your hand during this Council meeting for other Public Hearings and Matters of the Public. Please
107 keep your comments to five minutes as well. Once everyone who wishes to speak has had an
108 opportunity, I will then close the Public Hearing.
109

110 I will now open the Public Hearing, so if you wish to speak, please approach the podium. We will
111 alternate between individuals physically present and those that have their hands raised via the
112 Zoom platform.”
113

114 The public hearing was opened.
115

116 The following citizens spoke in opposition to the effective real property tax rate increase:
117

118 Ken Shofner, 306 Lancelot Lane
119

120 Mark Sims, 703 Stonewall Circle
121

122 Pete Senter, 1810 Springhill Road
123

124 Jimmy Kilbourne, 1816 Springhill Road
125

126 Timothy Crider, 808 High Street
127

128 Gretchen Bishop, 220 Institute Street
129

130 Susan Boyd, 265 Thornrose Avenue
131

132 Wilson Fauber, 318 Woodmont Drive
133

134 Kevin Hettinger, 22 South Coalter Street
135

136 With there being no one else wishing to speak, the public hearing was closed.
137

138 **B. Introduction of an Ordinance Proposing a Budget for Fiscal Year 2024**
139

140 Chief Finance Officer Jessie Moyers stated that the FY 2024 budget ordinance totals \$152,355,651
141 and consists of the following: the General Fund at \$69,264,351, Debt Service Fund at \$6,162,277,

the CIP Fund, at \$0, has currently been cut from the budget. Blue Ridge Court Services at \$1,416,752, Water Fund at \$12,725,117. The Water Fund includes approximately \$9 million of capital improvements with the hopes that almost \$4 million could be funded with grant funding. The Sewer Fund, at \$8,601,500, includes \$4.9 million for capital related funding of which the city has already received notification that it will receive \$4.5 million of grant funding. The Parking Fund at \$449,340, the Stormwater Fund at \$2,702,800, \$2.1 million of which is for capital related storm restoration projects. Environmental Fund at \$4,450,069, of which \$1,090,140 is for capital projects related to the regional landfill. Education Fund at \$40,360,196, Cafeteria Fund at \$2,180,173, Textbook Fund at \$1,020,000, School CIP Fund at \$425,000, and School State Operated Programs at \$2,598,076.

Ms. Moyers noted that the ordinance does not include any proposed utility or parking rate increases for FY 2024. The ordinance includes a real estate tax decrease of three cents, which lowers the rate from \$0.92 per \$100 assessed, to \$0.89 per \$100 assessed. The equalized rate calculated as a result of the increase is \$0.74 per \$100 assessed. There are no proposed changes to any other tax rates, and Council may adjust the amendment as it sees fit. The City Manager presented the proposed FY 2024 budget that evening at the work session, and additional budget work sessions are scheduled for April 6 and April 13, which will be a joint meeting between City Council and schools, as well as a public hearing for the budget ordinance. April 20 is another budget work session, and the budget will potentially be approved on April 27. Ms. Moyers closed by stating that the City Manager recommends the ordinance be introduced as presented.

Mayor Claffey asked if Councilmembers had any questions or comments.

Mr. Holmes stated that the cost of doing business, just like everything else, is going up.

Councilmembers had no further questions or comments.

Mr. Robertson moved to introduce the Fiscal Year 2024 Budget Ordinance for the City of Staunton and to schedule a public hearing on the proposed ordinance during Council's regular meeting on April 13, 2023.

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

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

C. Consideration of Revised Council Procedure Memoranda

City Attorney John Blair stated that on February 28 and March 1, 2023, the Staunton City Council conducted a retreat, during which Council determined that it would like to delete one Council Procedure Memorandum, revise several memoranda and add three new memoranda. Mr. Blair presented the proposed revisions as follows:

Council will consider deleting current Council Procedure Memorandum Number 11. The rationale for deleting this memorandum is that current Council Procedure Memorandum Number 13 (which will be renumbered Number 12) will now incorporate the City Manager's fiscal oversight responsibility in that memorandum.

Council will consider adding a new Procedure Memorandum Number 17 which is a new invocation policy that adopts the current United States Supreme Court caselaw as the Council's official policy. Council will also consider adding a proposed Procedure Memorandum Number 18 which will require that any item of business, except for an item coming from a Council committee, must have a second to open discussion and to take action on an item. The Virginia Attorney General has opined that a local governing body's business items do not require a second. However, the Staunton City Charter provides the Council with the authority to establish this rule. All Councilors at the retreat agreed to require a second for business items to receive discussion and take action on the item. Lastly, Council will consider adding a new Procedure Memorandum Number 19 which will address proclamations and other honors bestowed upon individuals and entities by the Council.

Mr. Blair continued by outlining the proposed amendments to current procedures as follows:

Council Procedure Memorandum Number 3: The proposed amendments clarify that if an individual or entity wishes to present an item to the Council during a work session, they will need to make a brief presentation and request at a Matters from the Public portion of a regular meeting.

There is also an amendment which strikes the provision related to the Council's invocation portion of its meeting. This provision will be reinserted into proposed Council Procedure Memorandum 17.

Council Procedure Memorandum 4: The proposed amendments clarify that an applicant for a land use approval (rezoning, special exception) will make a presentation that is separate and distinct from the public hearing. There is also a proposal to set a 15 minute time limit for presentations by individuals appealing the denial of a certificate of appropriateness by the Historic Preservation Commission.

Council Procedure Memorandum 10: The proposed amendments clarify that travel expenses by Councilmembers that are non-budgeted should be approved by the entire Council. The amendments also provide that travel expenses related to Virginia First Cities and Virginia Municipal League do not need full Council approval. Mr. Blair noted that these expenses are approved when Council adopts the annual budget, as the budget does provide for Council travel to these events.

Renumbering: With the proposed deletion of Council Procedure Memorandum 11, then current Council Procedure Memoranda Numbers 12-17 would be renumbered to Council Procedure Memoranda 11-16.

Council Procedure Memorandum 15 (would be renumbered 14): The proposed amendment eliminates Proclamations from a Council Consent Agenda. Proclamations and recognitions would be addressed by proposed Council Procedure Memorandum 19.

Mayor Claffey asked if Councilmembers had any questions or comments.

Councilmembers had no questions or comments.

Mr. Robertson moved that the Staunton City Council delete Council Procedure Memorandum 11, adopt the proposed amendments to the Council Procedure Memoranda as presented and adopt the new proposed Council Procedure Memoranda numbered 17, 18 and 19.

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

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

D. Consideration of a Resolution Amending City Council Regular Meeting Times

Mr. Blair stated that at its January 3 organizational meeting, Council adopted a Resolution establishing its meeting schedule for Calendar Years 2023 and 2024. On February 28 and March 1, City Council conducted a retreat during which Council determined that it would like to begin its regular meetings at 7:00 p.m. instead of the 7:30 p.m. meeting start time established in its January 3, 2023 Resolution. The new starting time will begin with the Council's May 11, 2023 meeting.

Mayor Claffey asked if Councilmembers had any questions or comments.

Mr. Holmes stated that the earlier start time will make it easier for those who wish to speak during Matters from the Public.

Mayor Claffey stated that the new start time would also benefit city staff by making the long workday on Council meeting days slightly shorter.

Councilmembers had no further questions or comments.

Ms. Woods moved that City Council adopt the resolution amending regular City Council meeting times, as presented.

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

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

282 **RESOLUTION**
283 **OF THE**
284 **COUNCIL OF THE CITY OF STAUNTON**
285 **ESTABLISHING TIMES FOR**
286 **REGULAR MEETINGS OF THE**
287 **COUNCIL OF THE CITY OF STAUNTON**
288 **FOR THE PERIOD OF**
289 **MAY 11, 2023 THROUGH**
290 **DECEMBER 31, 2024**

291
292 **RECITALS**
293

294 A. Virginia Code Section 15.2-1416 provides that “[t]he governing body shall assemble
295 at a public place as the governing body may prescribe . . . in January for cities Future meetings
296 shall be held on such days as may be prescribed by resolution of the governing body but in no
297 event shall less than six meetings be held in each fiscal year.” It also specifies that:

298
299 [t]he days, times and places of regular meetings to be held during
300 the ensuing months shall be established at the first meeting which
301 meeting may be referred to as the annual or organizational meeting;
302 however, if the governing body subsequently prescribes any place
303 other than the initial established public meeting place, or any day or
304 time other than that initially established, as a meeting day, place or
305 time, the governing body shall pass a resolution as to such future
306 meeting day, place or time. The governing body shall cause a copy
307 of the resolution to be posted on the door of the courthouse or the
308 initial public meeting place and inserted in a newspaper having a
309 general circulation in the . . . municipality at least seven days prior
310 to the first such meeting at such other day, place or time. . . .
311

312 B. Section 2.10.080 of the Staunton City Code provides that Council will hold regular
313 meetings on the second and fourth Thursdays of each month at such hour as it may designate and
314 at any other time to which it may be regularly adjourned or postponed;
315

316 C. At its organizational meeting on January 3, 2023, Council established its regular
317 meeting dates for the period of January 1, 2023 through December 31, 2024 and specified that
318 regular meetings would start at 7:30 p.m.;
319

320 D. Council now wishes to amend the time for all regular meetings to begin at 7:00 p.m.
321 for the remaining period of May 11, 2023 through December 31, 2024.
322

323 **NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Staunton,
324 Virginia, that:
325

326 1. Regular meetings of the Council shall be held on the second and fourth Thursdays
327 of each month for the period of May 11, 2023 through December 31, 2024, at City Hall, 116 West

Beverley Street, Staunton, Virginia, at 7:00 p.m. or at such earlier or other time or place as may be designated by the published agenda for any meeting or session of Council;

2. In the event the Mayor, or the Vice-Mayor, if the Mayor is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members of the Council to attend a regular meeting, or if a quorum fails to attend, such regular meeting shall be continued to the next Monday. Such finding and declaration shall be communicated to the members of the Council and the media as promptly as possible. And to the fullest extent permitted by law, all hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

Adopted this 23rd day of March, 2023.

Stephen W. Claffey, Mayor

ATTEST: _____
Kiley A. Kesecker, Clerk of Council

MATTERS FROM THE CITY MANAGER

Ms. Beauregard stated that the 2023 season of Shop & Dine Out in Downtown starts on April 7 and will run through October 29, and that Staunton was named Tree City USA by the Arbor Day Foundation for the 27th year. She also noted that meeting planners from all over Virginia were in Staunton from March 22-24 for the Virginia Society for Association Executives Meeting Planners Summit. Lastly, Ms. Beauregard stated that the first budget work session would take place on April 6.

MATTERS FROM THE PUBLIC

Mayor Claffey read the following statement:

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

Commissioner of Revenue Maggie Ragon provided some information on two tax relief programs offered by her office, including requirements and how to apply.

Dan Gunnells, 610 Buckingham Street, spoke in support of the formation of a housing commission, and stated that Staunton is in need of more affordable housing.

Dave Metz, 15 North Augusta Street, spoke in support of the proposed solar farm and stated several items that should be addressed in ordinance.

Jimmy Kilbourne, 1816 Springhill Road, stated that Matters from the Public should take place at the beginning of the meeting and the city should close some of its payment windows to cut costs.

Timothy Crider, 808 High Street, described issues with city services and spoke on lowering the tax exemption rate for disabled veterans.

There was no one else wishing to speak.

Mr. Holmes moved 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) consultation with legal counsel concerning a solar siting agreement pursuant to Virginia Code §2.2-3711(A)(8).

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

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

Mr. Robertson moved 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.

The motion was seconded and carried as follows:

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

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:40 p.m.

Kiley A. Kesecker
Clerk of Council

SPECIAL MEETING OF STAUNTON CITY COUNCIL
Wednesday, April 5, 2023
7:15 p.m.
Caucus Room

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

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 the special meeting of Staunton City Council to order.

1. **Closed Meeting for Consultation with Legal Counsel Concerning (i) Contractual, Litigation, and Negotiation Matters Related to Staunton Circuit Court Case CL21-500 and Virginia Code Section 2.2-3711 (A)(7) to Consult with Legal Counsel Pertaining to Actual Litigation in the Matter of Staunton Circuit Court Case CL21-500; and (ii) for the Acquisition of Real Property Located in the Downtown Service District as Defined in Title 3 of the Staunton City Code**

Mr. Holmes moved to enter a closed meeting (i) pursuant to Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel concerning contractual, litigation, and negotiation matters related to Staunton Circuit Court case CL21-500 and Virginia Code Section 2.2- 3711 (A)(7) to consult with legal counsel pertaining to actual litigation in the matter of Staunton Circuit Court case CL21-500; and (ii) pursuant to Virginia Code Section 2.2-3711 (A)(3) for the acquisition of real property located in the Downtown Service District as defined in Title 3 of the Staunton City Code.

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

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

Mr. Robertson moved 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.

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

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52 Mr. Holmes aye Mr. Arrowood aye

53 Mr. Robertson aye Vice Mayor Darby aye

54 Ms. Edwards aye Mayor Claffey aye

55 Ms. Woods aye

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58 The meeting adjourned at 9:03 p.m.

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Kiley A. Kesecker
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	April 13, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	A	
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 a Request by Kelly Grantier for a Special Use Permit at 114 W Johnson Street to Allow Living Quarters on the Ground Level	

Background: Kelly Grantier is requesting a Special Use Permit at 114 W Johnson Street to construct a residential apartment unit in the rear portion of the ground floor of the property's existing building. The property is located on the south side of W Johnson Street, directly across from the Johnson Street Parking Garage. The building appears to have been constructed sometime in the 1920s and was originally used for a veterinary practice. Ms. Grantier acquired the property in 2019, and has renovated the exterior and two residential units on the second floor. Now, she is requesting a Special Use Permit for a rear portion of the ground floor while the front portion will remain a business use. A floor plan of the first floor was provided by the applicant and is included in the packet (part of Attachment 1). The property is zoned B-2, General Business District, and residential use on the ground and basement levels of buildings is permitted only by Special Use Permit. This property is also part of the Beverley Historic District.

Analysis: Staff has conducted a review of the request and has not identified any issues. This is a change of use in the zoning code as well as the building code and a building permit will be required. This property is in the central business parking exempt area so off-street parking will not be required. There would be a total of three residential units within the building, two on the

second floor and one on the ground floor. Public parking is available at the Wharf Parking Lot or the Johnson Street Garage. The rear of this building has limited access and visibility which would make commercial use of the space difficult.

As shown on the attached map (Attachment 3), surrounding zoning is all B-2, General Business District.

The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map, designates this area as commercial. The requested Special Use Permit is not consistent with the commercial designation. Ordinarily, staff would not be supportive of a request for residential use on the ground floor of a building in the City's central business district; however, the rear of this building has limited access and visibility which makes deliveries difficult and hinders customer access. This makes commercial use of the space difficult. Residential use of this portion of the building appears to be an appropriate use of the space.

Planning Commission Recommendation:

At its March 16, 2023 meeting, the Planning Commission conducted a public hearing. During the public hearing no one spoke in opposition to the request. On a 5-0 vote, the Commission unanimously voted to recommend approval of the Special Use Permit with the following conditions:

1. The ground floor of the structure shall be used for only one residential unit.
2. The unit must be accessed from the rear of the building.
3. The portion of the ground floor facing W Johnson Street must continue to be used for commercial purposes.

Attachments:

Attachment 1—Application and Supporting Documents

Attachment 2—Vicinity Map: 114 W Johnson St

Attachment 3—Current Zoning Map: 114 W Johnson St

Attachment 4—Future Land Use Map: 114 W Johnson St

Attachment 5—Draft Resolution

Suggested Motion (to be made after the public hearing is conducted): I move that Council adopt the resolution and approve the Special Use Permit, with conditions, as recommended by the Planning Commission.

City Manager: Leslie Beauregard



DEPARTMENT OF PLANNING &
INSPECTIONS
116 W. BEVERLEY STREET | P.O. BOX
58 | STAUNTON, VA 24402
540.332.3862 (OFFICE)
540.332.3807 (FAX)

APPLICATION FOR SPECIAL USE PERMIT

DATE: 1/31/23

NAME OF APPLICANT: Kelly Grantier

ADDRESS OF APPLICANT: 615 E. Beverley St, Staunton

PHONE #: 540 255-6062

E-MAIL ADDRESS: kelly@centralcityrestoration.com

IF APPLICANT IS **NOT** THE OWNER OF THE PROPERTY IN QUESTION, EXPLAIN. A COPY OF A PENDING CONTRACT OR OPTION AGREEMENT MUST BE ATTACHED HERETO AND MADE A PART OF THIS APPLICATION.

LOCATION OF PROPERTY: 114 W Johnson St, Staunton

MAP PROVIDED: YES ☐ NO ☒ SITE PLAN PROVIDED: YES ☒ NO ☐

FEE PAID: YES ☒ NO ☐ *check or cash only

PRESENT ZONING OF THE PROPERTY: B2

APPLICABLE SECTION OF ZONING CODE STATING USE IS PERMITTED ON REVIEW:
18.60.070 3A

ARE PUBLIC UTILITIES AVAILABLE AND ADEQUATE FOR PROPOSED USE? IF **NO**, EXPLAIN HOW UTILITIES WILL BE PROVIDED:

Yes

LEGAL DESCRIPTION OF PROPERTY: Lot 1A BLK PP
DETAILED DESCRIPTION OF PROPOSED USE (DRAWINGS MUST BE INCLUDED IF NEW CONSTRUCTION, ADDITIONS, OR CHANGES TO THE EXTERIOR OF THE PROPERTY ARE PROPOSED).

See attached

SIGNATURE: Kelly Grantier

Application for Special Use Permit

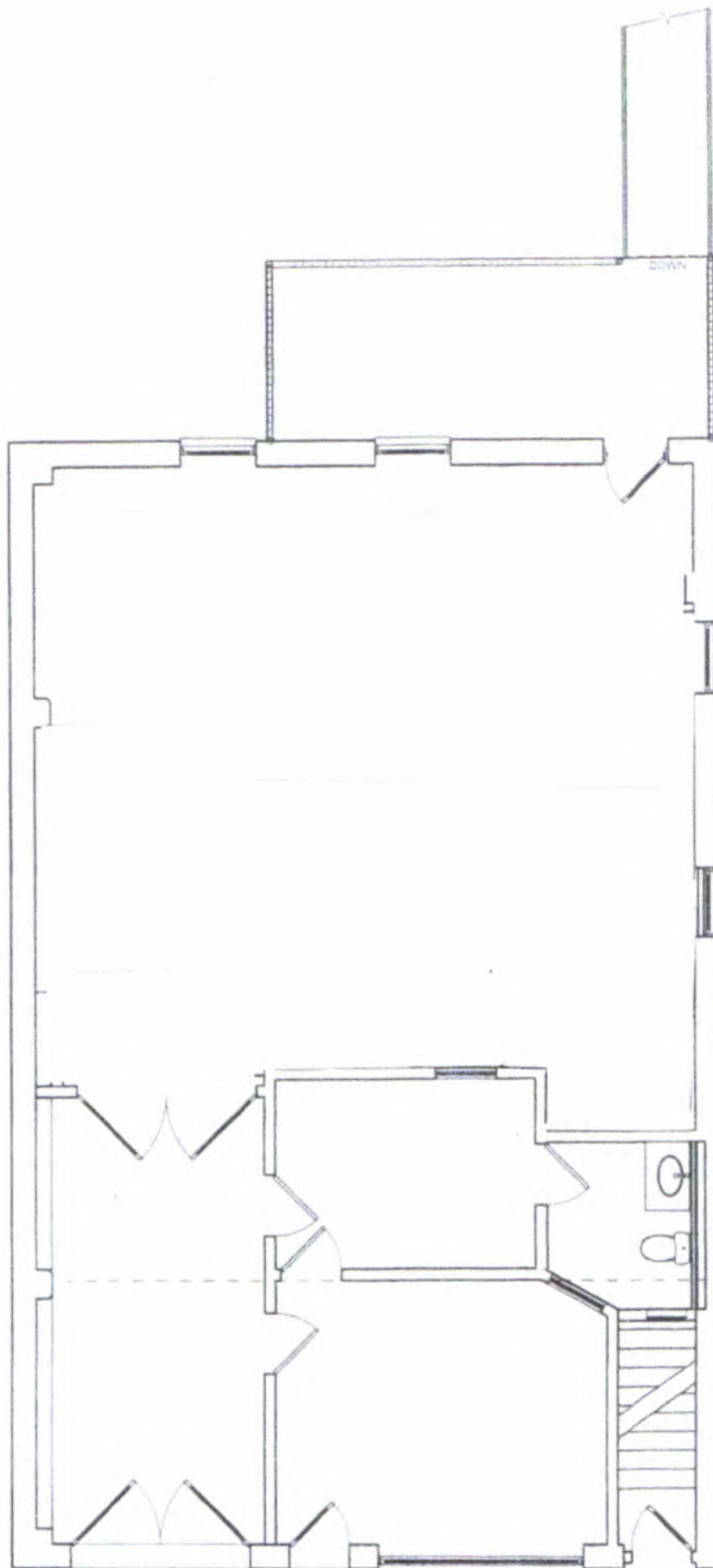
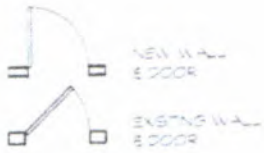
Detailed description of proposed use:

I purchased 114 W Johnson Street in 2019 and renovated the exterior and the two existing apartments on the second floor. I am returning to this property to complete renovations on the first floor. I want permission to create a residential space in the rear portion of the first floor. I would use the current back door as the main entrance to this residential space. Currently, the rear area of the first floor is an ample wide open, industrial-type space. By adding partitions, I can easily create a bedroom and bathroom and then use the remaining available space for the kitchen and living room.

The existing wood steps and deck at the back of the building would be removed and replaced with a metal deck and stairs to access the new first-floor living space.

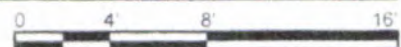
*The existing layout of the front portion of the first floor (street-facing) will remain as is and be used as commercial space.

114 W Johnson St

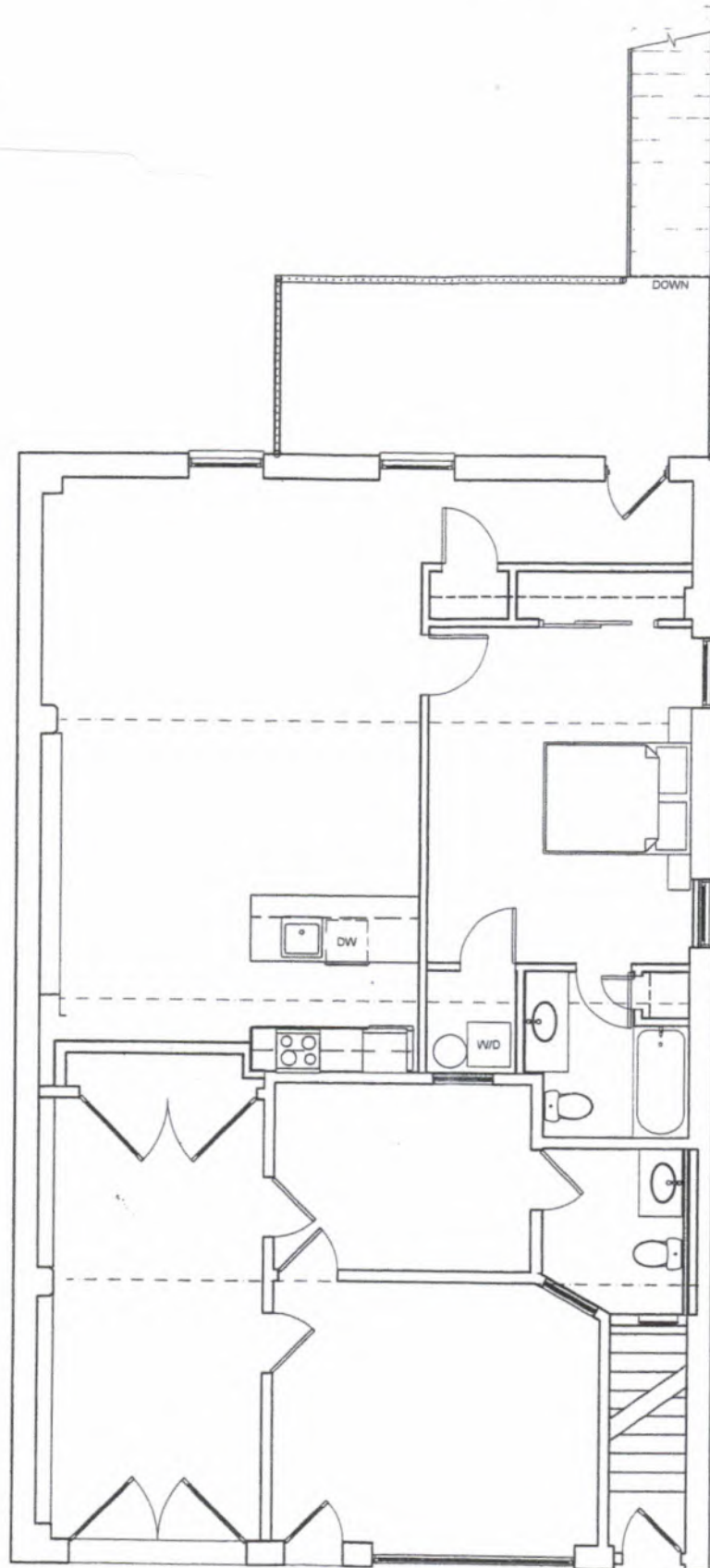


1ST FLR Existing Floor Plan

SCALE 1/8" = 1'-0"

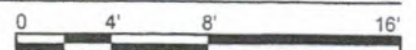


114 W Johnson St



1ST FLR PROPOSED

SCALE: 1/8" = 1'-0"



Proposed rear deck and stairs.



FRAZIER ASSOCIATES

ARCHITECTURE • INTERIOR DESIGN • LANDSCAPE
1000 N. 10th Street, Suite 100, Staunton, VA 24401
PHONE: (540) 520-1100 FAX: (540) 520-1101
WWW.FRAZIERASSOCIATES.COM

114 JOHNSON STREET

STAUNTON, VIRGINIA



PART 2

4/19/19

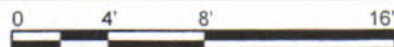
BASEMENT &
N. ELEVATION

3

2

NORTH ELEVATION

SCALE: 1/8" = 1'-0"

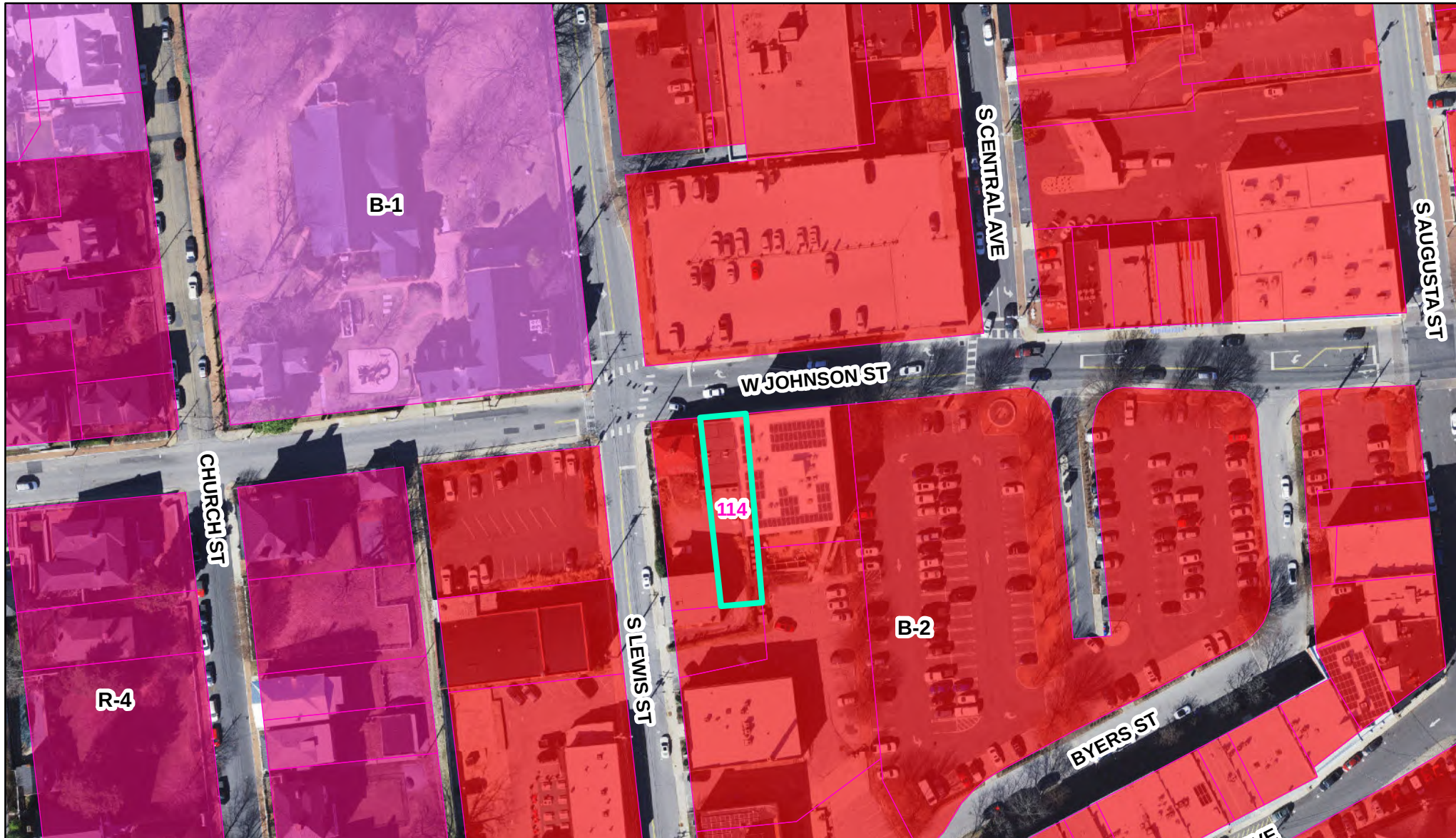


Vicinity Map: 114 W Johnson St



Current Zoning: 114 W Johnson St

Attachment 3



Zoning

B-1

B-1(conditional)

B-2

B-2(conditional)

B-3

B-5

HE-1

I-1

I-1(conditional)

I-2

I-2(conditional)

I-3(conditional)

P-1

P-1(conditional)

R-1

R-2

R-2(conditional)

R-3

R-3(conditional)

R-4

R-4(conditional)

Additional Layers

Selected Property

Parcels

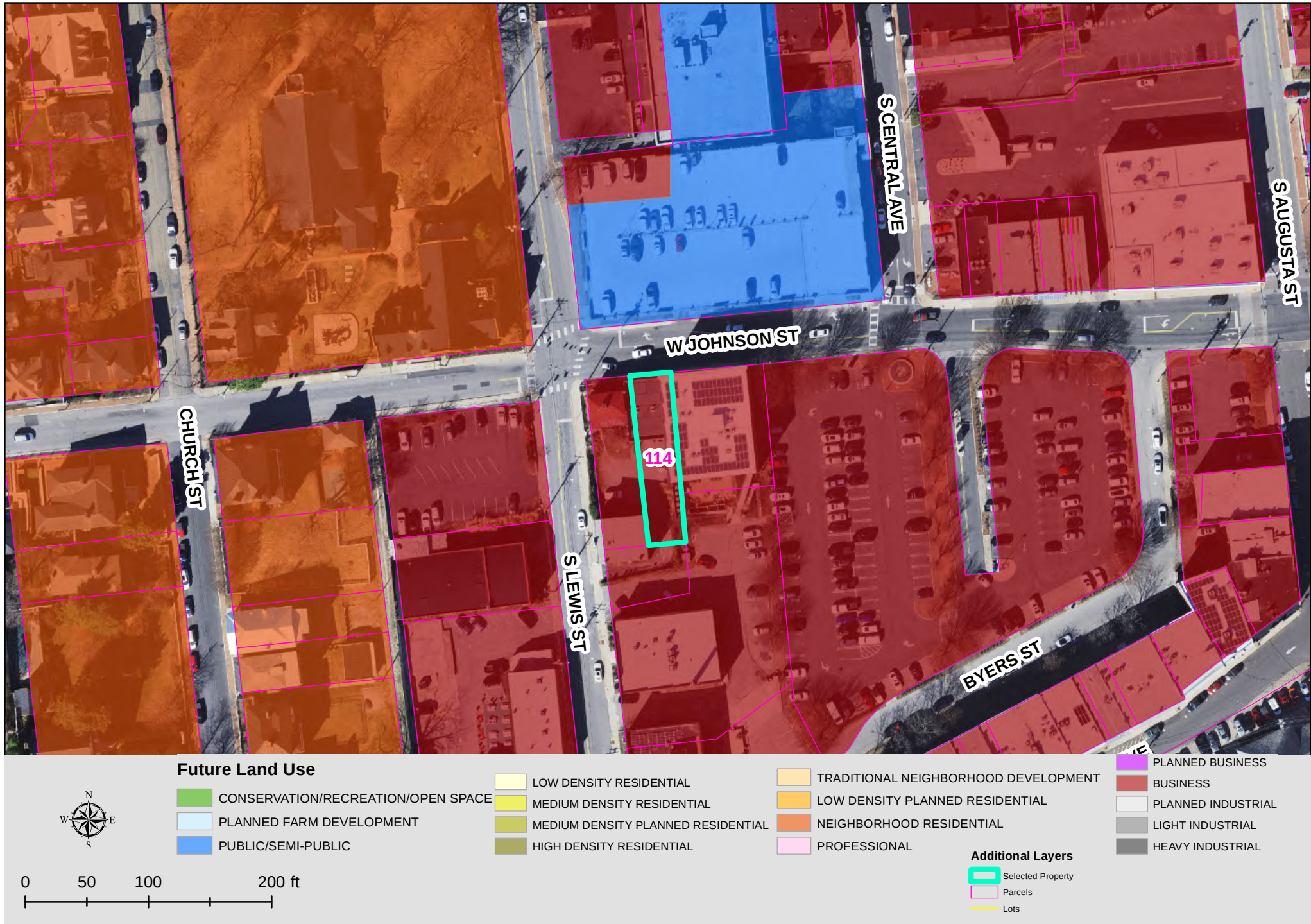
Lots



0 50 100 200 ft

Future Land Use: 114 W Johnson St

Attachment 4



**RESOLUTION
OF THE
COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
GRANTING A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT
114 W JOHNSON STREET (PID: 4227)**

Recitals

A. Kelly Grantier (Owner), owner of certain land identified as parcel identification number 4227, currently addressed as 114 W Johnson Street, Staunton (the Property), having acquired the land through a deed dated February 8, 2019 and recorded in the Clerk's Office of the Circuit Court of the City of Staunton as Instrument Number 190000300, is requesting a Special Use Permit to allow a residential unit to be constructed in the rear portion on the ground floor of the existing building (the Project);

B. The Owner seeks a Special Use Permit under Staunton City Code (SCC) Section 18.60.070(3)(a) to allow living and sleeping quarters on the ground floor of the building;

C. The Property is located within a B-2, General Business District, which according to SCC section 18.60.070(3)(a), living and/or sleeping quarters in detached accessory buildings and on the ground and basement levels of main buildings may be permitted on review;

D. The request was evaluated using the criteria established in SCC section 18.60.070(3) as a guide;

E. The Staunton Planning Commission conducted a public hearing concerning the Project, after notice and advertisement as required by law on March 16, 2023;

F. The Staunton Planning Commission considered and recommended approval of the Owner's application for the Project at its March 16, 2023 meeting;

G. Upon consideration of the Staunton Planning Commission's recommendation, the City staff briefing, comments received at the public hearing, as well as the factors set forth within Section 18.60.070 and Chapter 18.210 of the SCC, Staunton City Council finds and determines that granting the proposed Special Use would serve the public necessity, convenience, general welfare and good zoning practice; and

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

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia that a Special Use Permit is hereby granted to allow the Project to be established on the Property, subject to the following conditions:

1. The ground floor of the structure shall be used for only one residential unit.
2. The unit must be accessed from the rear of the building.

- 47 3. The portion of the ground floor facing W. Johnson Street must continue to be used for
48 commercial purposes.
49

50 Introduced:

51 Adopted:

52 Effective:
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56 Stephen W. Claffey, Mayor
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58

59 Attest: _____
60 Kiley A. Kesecker, Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	April 13, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	B	
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 a Request by David and Michelle Wise to Rezone a portion of 1007 Seth Drive From R-3, Medium Density Residential Conditional, to I-1, Light Industrial District Conditional	

Background: David and Michelle Wise have requested to rezone a 0.957 acre portion of 1007 Seth Drive from R-3, Medium Density Residential District Conditional, to I-1, Light Industrial District Conditional. The applicants own an adjacent business, EZ Self Storage, that they wish to expand onto the property subject to this rezoning request. Storage as a principal use is only permitted in industrial zoning. The property is located on the west side of Seth Drive between EZ Self Storage and the Wingate Apartment complex. The area is a mixed-use area of conditional B-1 Local Business District, I-1 Light Industrial District, and R-3 Medium Density Residential District zonings known as Middlebrook Park. EZ Self Storage was constructed in 2020. In 2022 the owners submitted a site plan for an expansion of the facility. Site Plan approval is pending the outcome of this rezoning request and a subsequent minor plat review.

Analysis: Staff has considered the request and has identified no issues. A building permit and associated trade permits will be required for the proposed expansion of the storage facility. If the 0.957 acres portion is rezoned, a subdivision plat will be required to divide it from 1007 Seth Drive and add it to the EZ Self Storage property. The I-1, Light Industrial Conditional Zoning is

attached (Attachment 1). The applicant proposes the same conditional zoning that already exists for Middlebrook Park. This conditional zoning was approved in 2003 with the Middlebrook Park Development. The proffers include special buffers between zoning districts and special lighting and signage requirements to ensure that the business and industrial uses are compatible with the surrounding low density residential uses along Middlebrook Avenue.

The *City of Staunton Comprehensive Plan, 2018-2040*, Future Land Use Map, designates this area as Planned Business. Originally, as part of the creation of Middlebrook Park, this area was zoned B-1 Local Business District Conditional, but the majority of the area was later rezoned to I-1 Light Industrial District Conditional. The Future Land Use Map needs to be updated to reflect this change. During the next Comprehensive Plan update, staff will recommend that the designation of this area be changed to Planned Industrial.

Planning Commission Recommendation:

At its March 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 rezoning.

Attachments:

Attachment 1—Application and Supporting Documents

Attachment 2—Vicinity Map: 107 Lacy B King Way

Attachment 3—Current Zoning Map: Lacy B King Way

Attachment 4—Proposed Zoning Map: Lacy B King Way

Attachment 5—2018 Future Land Use Map: Lacy B King Way

Attachment 6—Draft Ordinance and Exhibits

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

City Manager: Leslie Beauregard



Application for Rezoning

COMMUNITY DEVELOPMENT
Planning & Zoning Division

Applicant: Michelle and/or David Wise Date: January 20, 2023

Address: 107 Lacy B King Way, Staunton, Virginia 24401

Telephone #s: Primary: 540-430-1915 Secondary: _____

Email address: wisechoice.dw@gmail.com

If the applicant is NOT the owner of the property in question, explain. A copy of a pending contract or option agreement shall be attached hereto and made a part of this application.

Name of person to be notified in addition to the applicant and/or property owner:

Name: Daniel E. Hansen, LS

Address: 104 Industry Way, Suite 102

Phone #: 540-248-3220

Email address: dhansen@balzer.cc

Location of property:
1007 Seth Drive

Legal description of property:
LOT 6 SEC 2-3.564 AC

Purpose of request: To Rezone a portion of Lot 6, Section 2 from R-3c to I-1c

Map Provided: YES X NO _____

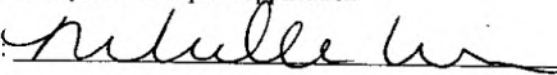
Present zoning classification of property: R-3c (Medium Density Residential, Conditional)

Requested zoning classification: I-1c (Light Industrial, Conditional)

List permits pending approval of this rezoning: _____

Fee Paid (\$250) YES ✓ NO _____ *check or cash only

Applicant must provide 19 copies of complete application

Signature of applicant: 
(Owner / Agent)



Authorization for EZ Self Storage



me Jan 26
to rburkholder ^



From **Stanton Apartments**
stantonapartments@gmail.com

To rburkholder@balzer.cc

Date Jan 26, 2023 at 9:58 AM

Seth Apartments LLC
1007 Seth Dr
Stanton, VA 24401

To Whom It May Concern,

This email is to authorize Balzer and Associates
to rezone 0.9 acres sold to EZ Self Storage LLC.

Please email us if you require any additional
information.

Matteo and Maria Fiorello

1

← Reply

→ Forward

Proffers to Rezone a Portion of Land Standing in the Name of Seth Drive Apartments, LLC from R-3 Medium Density Residential-Conditional to I-1 Light Industrial-Conditional

The following are proposed proffers to rezone a portion of property that is currently standing in the name of Seth Drive Apartments, LLC from R-3 Medium Density Residential-Conditional to I-1 Light Industrial-Conditional. The property in question is located within the City of Staunton, Virginia and is described as Lot 6, Section 2 of Middlebrook Park. The property is located on the west side of Seth Drive at approximately 1,160 feet from the intersection with Lucy B King Way. Seth Drive Apartments, LLC acquired the entirety of the property from Equity Partners, LLC by a deed dated March 16, 2022, which was recorded in the Clerk's Office of the Circuit Court for the City of Staunton as Instrument No. 220001359. The portion of land proposed to be rezoned contains about 0.957 acres, more or less.

Upon approval of the proposed proffers, Seth Drive Apartments, LLC will apply to the City of Staunton to adjust the said 0.957 acres of land into the adjoining property currently standing in the name of EZ Self Storage LLC, which is currently zoned I-1 Light Industrial-Conditional. EZ Self Storage LLC acquired their property from Equity Partners, LLC by a deed dated March 24, 2022, which was recorded in the Clerk's Office of the Circuit Court for the City of Staunton as Instrument No. 220001357.

PROPOSED PROFFERS

I-1 LIGHT INDUSTRIAL DISTRICT-CONDITIONAL

A. GENERAL DESCRIPTION:

The I-1 Light Industrial District-Conditional is intended to permit industrial development where the use and its operation do not directly adversely affect nearby residential, and business uses. The district regulations are designed to allow a wide range of industrial activities subject to limitations designed to protect nearby residential and business districts.

B. USES PERMITTED:

1. A retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof.

2. Sleeping facilities required by caretaker or night watchman employed on the premises shall be permitted in the I-1 Planned Industrial District.
3. Outdoor storage facilities for building materials, sand, gravel, stone, lumber open storage of construction contractor's equipment, supplies, and manufactured goods.
4. Offices, business or professional.
5. The following uses when conducted within a completely enclosed building:
 - (a) The manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products, drags, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.
 - (b) The manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials; aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, rubber, textiles, tin, iron, steel, wood (excluding sawmill), yarn, and paint not involving a boiling process.
 - (c) The manufacturer of pottery and figurines or other similar (glass,) ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas.
 - (d) The manufacture and maintenance of electric and neon signs, commercial advertising structures, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves, and the like.
 - (e) The manufacture of musical instruments, toys, novelties, and rubber and metal stamps.
 - (f) The manufacture of technical, computerized, laser, radio and electronic products.
 - (g) Auction house, except for sale of livestock.

- (h) Machine shop and Blacksmith shop.
 - (i) Wholesale or warehouse enterprise.
 - (j) Veterinary establishments, provided that all animals shall be kept inside soundproof air-conditioned buildings.
6. Buildings, structures, and uses accessory and customarily incidental to any of the above uses.

C. AREA REGULATIONS:

The following requirements shall apply to all uses permitted in this district:

1. **Front Yard:** All buildings shall setback from all street right-of way lines not less than thirty-five (35) feet.
2. **Side Yard:** No building shall be located closer than fifteen (15) feet to a side lot line, unless said side lot line abuts a Residential or Professional District, in which case no building shall be located closer than fifty (50) feet to that side lot line.
(50 feet Treed Buffer when abuts Residential)
(25 feet Tree Buffer each side of property line when I-1, Light Industrial District-Conditional and B-1, Local Business Conditional abuts each other.)
3. **Rear Yard:** No building shall be located closer than thirty (30) feet to a rear lot line, unless such rear lot line abuts a Residential or Professional District, in which case no building shall be located closer than fifty (50) feet to that rear lot line.
(50 feet with Treed Buffer when abuts Residential)
(25 feet Tree Buffer each side of property line when I-1 Light Industrial District-Conditional and B-I, Local Business Conditional abuts each other.)
4. **Coverage:** Main and accessory buildings and off-street parking, drives, access roads, service areas and loading facilities shall not cover more than seventy-five (75) percent of the lot area.
5. **Buffer Zone:** Setback areas shall act as a buffer between adjacent residential and business uses. They shall be fully landscaped and maintained with grass, trees and shrubbery of sufficient height and density to serve as a screen

between the I-1 Light Industrial District-Conditional Zone and other zones. The buffer zone shall not constitute a site-distance obstruction at street intersections. The buffer zone shall be considered as part of the lot area but shall not be used for any business purpose such as buildings, parking lots, area, or any accessory use. The buffer zone, upon completion of the development of any project, shall be at or near the same grade or plane which existed prior to the development of the I-1 Light Industrial District-Conditional property, unless otherwise expressly reviewed and approved by the Planning Commission and by City Council. These restrictions shall not apply to that portion of the lot fronting on the major thoroughfares, however all other required landscaping shall apply.

D. HEIGHT REGULATIONS:

No building or structure shall exceed four (4) stories or forty-five (45) feet in height, except as hereinafter provided in Article V, Section 3.

E. MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS:

As regulated in Article V, Sections 5 and 7.

F. SIGNAGE:

The requirements of Article V, Section 8 Signs, Billboards and Other Advertising Structures, shall apply with the following exceptions:

1. Each parcel of property occupied by a building shall be permitted on freestanding sign, whose size shall not exceed thirty-six (36) square feet on each face.
2. Freestanding signs shall be mounted on bases a maximum of three feet high. If the specific location of the sign requires a base of more than three feet to provide adequate visibility, the Planning Commission may approve a taller base. No freestanding sign shall exceed fifteen (15) feet in height from grade.
3. Location of signs.
 - (a) If the nearest point of a freestanding sign is located within five feet of the street right-of-way, its location must be approved by the City's Director

of Public Works, or his designee, who will evaluate the location for site line and other traffic safety considerations.

- (b) Flat wall signs are allowed and can project beyond the surface of the building for no more than twelve (12) inches and shall be no more than thirty-six (36) square feet in size.
 - (c) No signs can project above the roofline of the building.
4. Illumination: Only external illumination of exterior is permitted, but in accordance with the restrictions set forth below:
- (a) The light from any illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to the surrounding area.
 - (b) No sign shall have blinking, flashing, or fluttering lights or any other illumination device that has a changing light intensity, brightness, or color. Beacon lights shall not be permitted.
 - (c) No color lights shall be used for exterior signage, except that lightning showing through the signage material.
 - (d) Neither direct nor reflected light from primary light sources shall create a traffic hazard to operators or motor vehicles on public thoroughfares.
 - (e) No exposed reflective bulb, strobe light, or incandescent lamp that exceeds fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light, or lamp to any public street or adjacent property.
 - (f) Awnings must not be illuminated.
5. Materials and colors used in signs and their support structures should reflect and be harmonious with the building served by the sign.

G. UTILILTY LINES UNDERGROUND:

All utility lines such as electric, telephone, CATV or other similar lines shall be installed underground in the Corridor Overlay District. This requirement shall apply

to lines serving individual sites as well as to utility lines necessary within the project. All junction and access boxes shall be screened with appropriate landscaping. All utility pad fixtures and meters should be shown on the site plan. The necessity of utility connections, meter boxes, etc., should be recognized and integrated with the architectural elements of the site plan.

H. EXTERIOR LIGHTING:

1. Lighting should be of uniform style for each project site.
2. Lighting should be contained within the site and designed to limit spillover and minimize the amount of light that is directed to the sky.
3. Light poles shall not exceed twenty-four (24) feet in height.

I. DRIVEWAYS AND PARKING AREAS:

1. Parking lot layouts shall respond to the topographic characteristics of the site.
2. The number of access points to parking lots from a street will be minimized and shall relate to other existing curb cuts whenever possible.
3. Parking lots will be interconnected on adjacent parcels whenever possible.
4. Parking lots shall not dominate the image of a site.
5. Pedestrian access from the sidewalk into individual project sites, as well as within sites and between sites shall be provided.

J. SCREENING OF OUTDOOR STORAGE:

Outdoor storage facilities and areas shall be screened by a minimum seven (7) foot tall obscuring fence, wall or mass plantings and designed in such a way as to contribute to the orderly appearance of the district.

K. USES PROHIBITED:

The following uses are prohibited:

1. Abattoirs or slaughterhouses.

2. Acid manufacture.
3. Automobile assembling, painting, upholstering, rebuilding, reconditioning, body, and fender works, truck repairing and overhauling, tire re-treading or re-capping and battery manufacturing.
4. Ammonia, bleaching powder, or chlorine manufacture.
5. Bag cleaning.
6. Batching plants for asphalt and Portland cement concrete.
7. Blast furnace.
8. Boiler works.
9. Brick, tile, or terra cotta manufacture not requiring ovens.
10. Candle manufacture.
11. Celluloid manufacture.
12. Coke ovens.
13. Crematory or reduction plant.
14. Creosote treatment or manufacture.
15. Dextrine, glucose, and starch manufacture.
16. Disinfectants, cattle dips, exterminators, and insecticides manufacture, not including the compounding of the same.
17. Distillation of bones.
18. Dyestuff manufacture.

19. Fat rendering.
20. Feed Mills.
21. Fertilizer manufacture, not including compounding.
22. Fireworks or explosives manufacture or storage, or the loading of explosives.
23. Fish smoke curing.
24. Forge plant.
25. Foundry casting lightweight nonferrous metal not causing noxious fumes or odors.
26. Freightng or trucking yard or terminal.
27. Fuel manufacture.
28. Gas (illumination or heating) manufacture or storage in excess of one thousand cubic feet.
29. Gelatin, glue, or size manufacture or process involving recovery from fish or animal material.
30. Glass manufacture.
31. Gunpowder manufacture or storage.
32. Hotels and similar inhabitable places.
33. Incineration or reduction of garbage, dead animals, outfall, or refuse other than by an authorized public agency.
34. Iron, steel, brass, or copper works or foundry.
35. Lampblack manufacture.

36. Lime, gypsum, cement, asphalt or plaster of Paris manufacture.
37. Livestock market, auction or sales pavilion.
38. Match manufacture.
39. Oil, paint, turpentine, or varnish manufacture.
40. Ore reduction.
41. Planing mill.
42. Potash or washing soda manufacture.
43. Public Utility service yard or electrical receiving or transforming station.
44. Pulp mills.
45. Petroleum products, refining, or storage.
46. Printing ink manufacture.
47. Propylene plastics or celluloid manufacture, or explosive or inflammable cellulose or propylene products manufacture.
48. Rendering plant or other comparable processing of fish or animal material.
49. Residential Use.
50. Rolling manufacture.
51. Sale, storage and sorting of junk, waste, discarded or salvaged materials, machinery, or equipment, but not including processing.
52. Salt works.
53. Sawmill.

54. Smelting or refining of metals.

55. Soap manufacture.

56. Sulfurous, sulfuric, nitric, or hydrochloric, or other corrosive or offensive acid manufacture or their use except as accessory to a permitted industry,

57. Stockyards.

58. Shoe polish manufacture.

59. Tanning, curing, or storage of raw hides or skins, or leather dressing or coloring.

60. Tar distillation or manufacture.

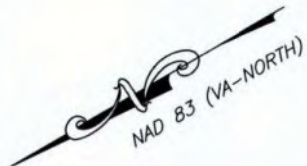
61. Tire recapping or retreading.

62. Tar roofing or waterproofing manufacture.

63. Wool pulling or scouring.

L. USES PERMITTED ON REVIEW:

The uses permitted in the B-1 Local Business District.



C1
L=122.65'
R=275.00'
CB=S00°20'02"E
CH=121.63'

N:6734131.8
E:11314418.0

±1160' TO LACY
B KING WAY

SETH DRIVE

DODSON BROTHERS
EXTERMINATING CO., INC.
LOT 2A, SECTION 1

PROPOSED
REZONING FROM
R-3c TO I-1c
0.957 ACRES

CURRENT ZONING: B-1c
(LOCAL BUSINESS, CONDITIONAL)

EZ SELF STORAGE LLC
LOT 3D, SECTION 3
(PENDING BLA PLAT CURRENTLY
UNDER REVIEW BY CITY)

CURRENT ZONING: I-1c
(LIGHT INDUSTRIAL, CONDITIONAL)

SETH DRIVE
APARTMENTS, LLC
LOT 6, SECTION 2

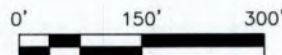
CURRENT ZONING: R-3c
(MEDIUM DENSITY
RESIDENTIAL, CONDITIONAL)

N:6734666.8
E:11313863.4

SETH STAUNTON, LLC
LOT 5R, SECTION 2

EQUITY PARTNERS, LLC
LOT 1B, SECTION 1

EQUITY
PARTNERS, LLC
LOT 1A-1



NOTES:

- 1) THIS EXHIBIT REPRESENTS A CURRENT FIELD SURVEY.
- 2) THIS EXHIBIT WAS PRODUCED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION DISCLOSED BY SUCH.
- 3) THE PURPOSE OF THIS EXHIBIT IS TO DEPICT A PROPOSED REZONING OF A PORTION OF LOT 6, SECTION 2, MIDDLEBROOK PARK.
- 4) PENDING APPROVAL OF REZONING, IT IS THE INTENT TO ADJUST THE AREA OF THIS REZONING FROM LOT 6, SECTION 2 INTO LOT 3D, SECTION 3 WITH A FUTURE PLAT.

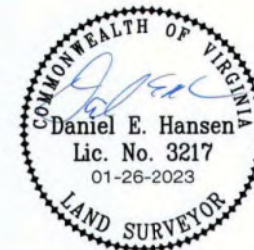
EXHIBIT SHOWING
PROPOSED REZONING OF A
PORTION OF LOT 6, SECTION 2
MIDDLEBROOK PARK

CITY OF STAUNTON, VIRGINIA

PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS

ROANOKE / RICHMOND / NEW RIVER VALLEY / SHENANDOAH VALLEY

104 Industry Way, Suite 102 / Staunton, Virginia 24401 / Phone (540) 248-3220 / www.balzer.cc

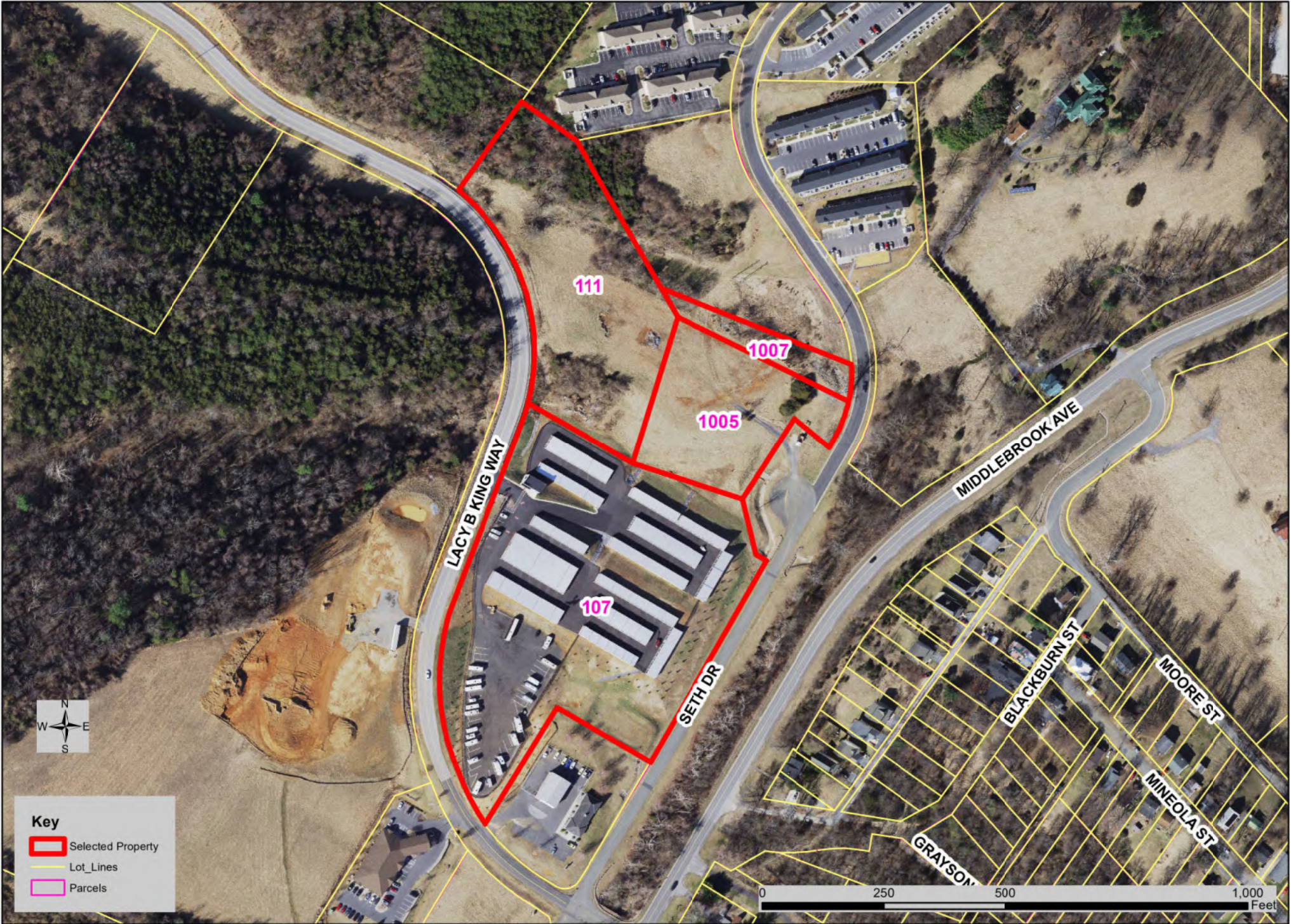


DATE: 01-26-2023
SCALE: 1" = 150'
JOB: 34210021.00
DRAWN BY: DEN

SHEET 01 OF 01

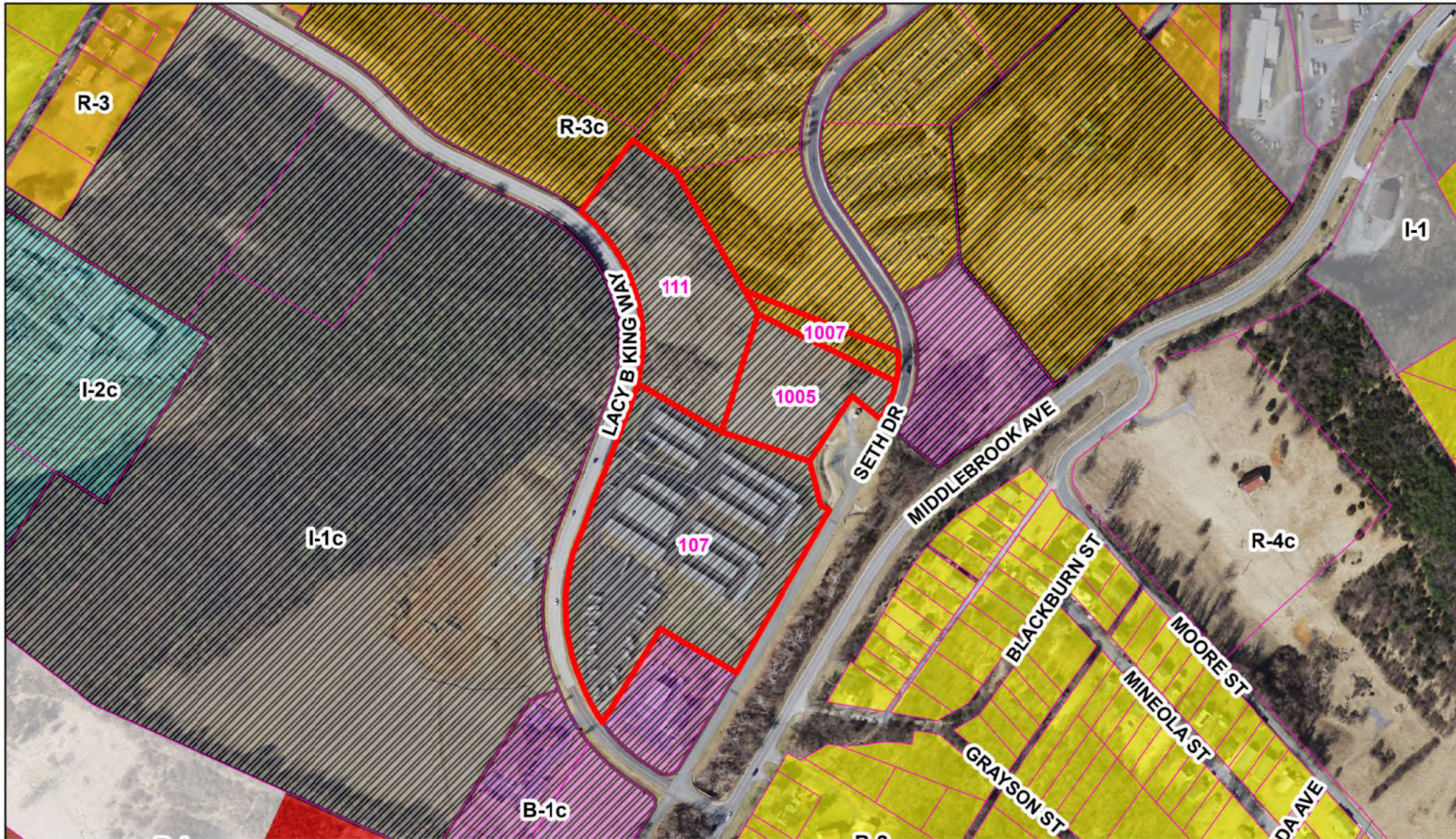
Vicinity Map: 107 Lacy B King Way

Attachment 2



Current Zoning: 107 Lacy B King Way

Attachment 3



Zoning

B-1	B-3	I-1(conditional)	P-1(conditional)	R-3(conditional)
B-1(conditional)	B-5	I-2	R-1	R-4
B-2	HE-1	I-2(conditional)	R-2	R-4(conditional)
B-2(conditional)	I-1	I-3(conditional)	R-2(conditional)	
		P-1	R-3	

Additional Layers

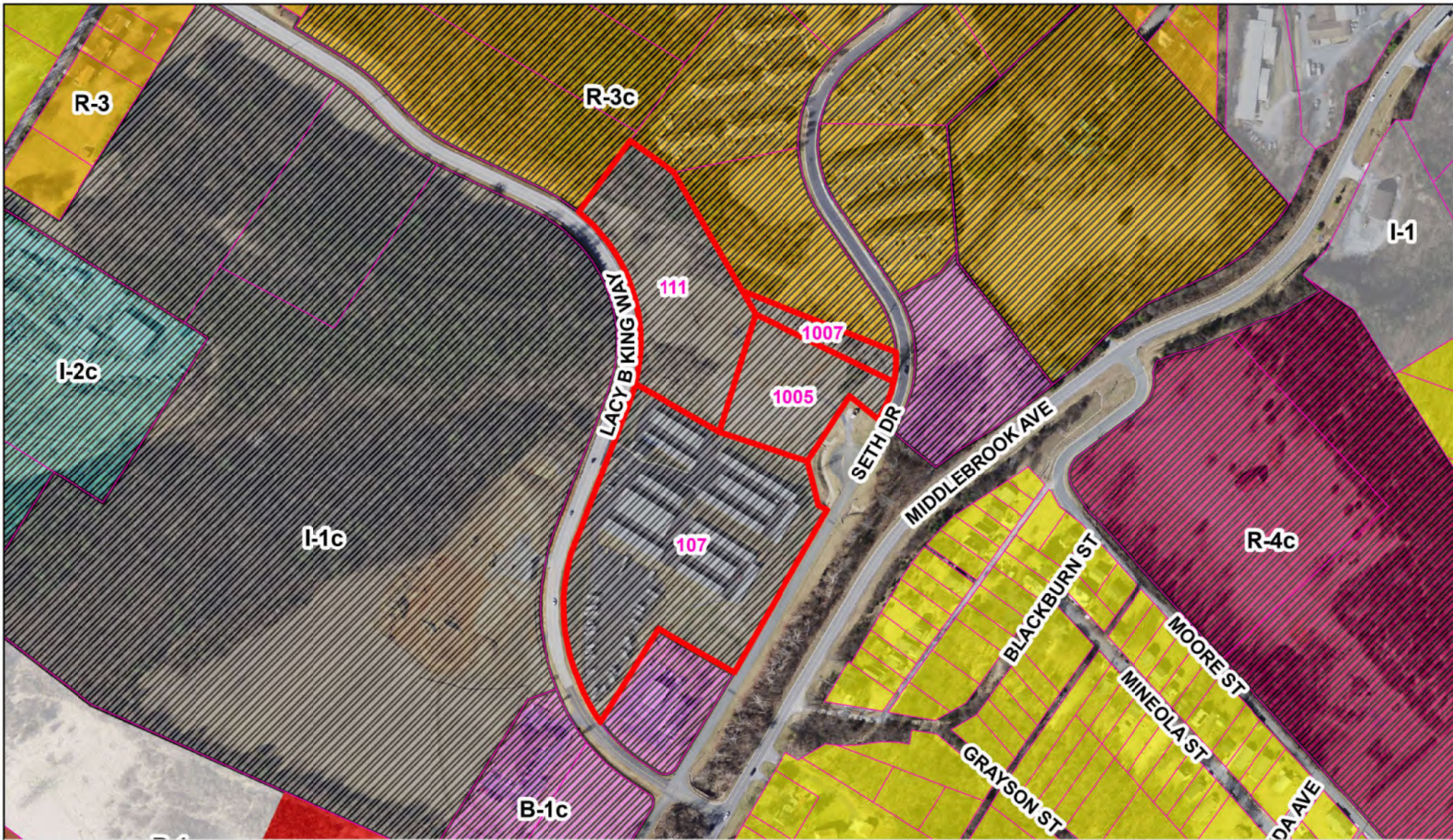
- Selected Property
- Parcels
- Lots



0 175 350 700 ft

Proposed Rezoning: 107 Lacy B King Way

Attachment 4



Zoning

B-1

B-1(conditional)

B-2

B-2(conditional)

B-3

B-5

HE-1

I-1

I-1(conditional)

I-2

I-2(conditional)

I-3(conditional)

P-1

P-1(conditional)

R-1

R-2

R-2(conditional)

R-3

R-3(conditional)

R-4

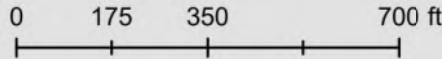
R-4(conditional)

Additional Layers

Selected Property

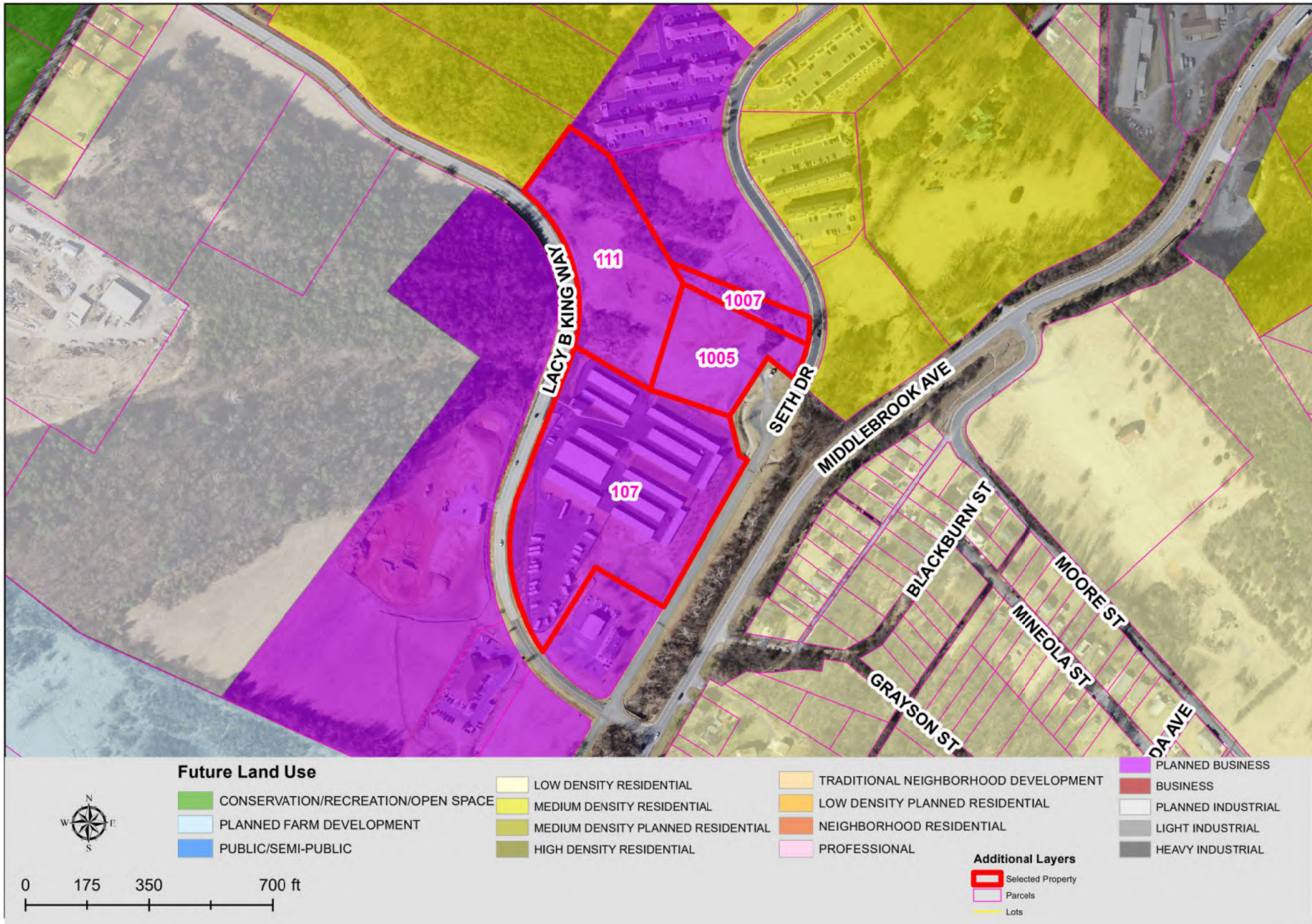
Parcels

Lots



Future Land Use: 107 Lacy B King Way

Attachment 5



Ordinance No. 2023-____

**AN ORDINANCE REZONING
FROM R-3, MEDIUM DENSITY RESIDENTIAL DISTRICT CONDIITONAL,
TO I-1, LIGHT INDUSTRIAL DISTRICT CONDITIONAL,
A PORTION OF THAT CERTAIN TRACT OR PARCEL OF LAND
LOCATED AT 1007 SETH DRIVE (PID 11732), STAUNTON, VIRGINIA**

Recitals

A. It appears by deed dated March 16, 2022, recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia, as Instrument Number 220001359, that Seth Drive Apartments, LLC, acquired from Equity Partners, LLC, what is known by present numbering as 1007 Seth Drive and referenced in the deed as all that certain lot or parcel of land designated as Lot 6, Section 2, Middlebrook Park, with further description provided in the deed, a copy of which is annexed and incorporated herein by reference (**Exhibit A**);

B. David and Michelle Wise, acting with authorization of the owner, have applied to the City of Staunton for a zoning classification change under the provisions of the Staunton City Code for a 0.957 acre portion of 1007 Seth Drive (Parcel Identification Number 11732), from R-3, Medium Density Residential District Conditional, to I-1, Light Industrial District Conditional with proffers offered by the applicant and being the same conditional zoning adopted for Middlebrook Park and incorporated herein by reference (**Exhibit B**);

C. The proposed conditional rezoning is consistent with the provisions of SCC 18.215.060(1) and is necessary due to substantially changed conditions in the Middlebrook Park mixed use development because of the increase in demand for industrial zoned land in the area;

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

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 the property known as 1007 Seth Drive (Parcel Identification Number 11732), in the City of Staunton, Virginia, is **HEREBY REZONED** from R-3, Medium Density Residential District Conditional, to I-1, Light Industrial District Conditional, on the basis that the rezoning would serve the interests of public necessity, convenience, general welfare, and good zoning practice, subject to the following onsite proffers as proposed by the applicant:

1-1 LIGHT INDUSTRIAL DISTRICT-CONDITIONAL

A. GENERAL DESCRIPTION:

The 1-1 Light Industrial District-Conditional is intended to permit industrial development where the use and its operation do not directly adversely affect nearby residential, and business uses. The

48 district regulations are designed to allow a wide range of industrial activities subject to limitations
49 designed to protect nearby residential and business districts.

50 **B. USES PERMITTED:**

51 1. A retail or service use only when it directly serves or is auxiliary to the needs
52 of industrial plants or employees thereof.

53 2. Sleeping facilities required by caretaker or night watchman employed on the
54 premises shall be permitted in the 1-1 Planned Industrial District.

55 3. Outdoor storage facilities for building materials, sand, gravel, stone, lumber open storage of
56 construction contractor's equipment, supplies, and manufactured goods.

57 4. Offices, business or professional.

58 5. The following uses when conducted within a completely enclosed building:

59 (a) The manufacture, compounding, processing, packaging, or treatment of such products as
60 bakery goods, candy, cosmetics, dairy products, drags, perfumes, pharmaceuticals, perfumed
61 toilet soap, toiletries, and food products.

62 (b) The manufacture, compounding, assembling or treatment of articles of merchandise from the
63 following previously prepared materials; aluminum, bone, cellophane, canvas, cloth, cork,
64 feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious
65 metals or stones, shell, rubber, textiles, tin, iron, steel, wood (excluding sawmill), yam, and
66 paint not involving a boiling process.

67 (c) The manufacturer of pottery and figurines or other similar (glass,) ceramic products, using
68 only previously pulverized clay, and kilns fired only by electricity or gas.

69 (d) The manufacture and maintenance of electric and neon signs, commercial advertising
70 structures, light sheet metal products, including heating and ventilating ducts and equipment,
71 cornices, eaves, and the like.

72 (e) The manufacture of musical instruments, toys, novelties, and rubber and metal stamps.

73 (f) The manufacture of technical, computerized. Laser, radio and electronic products.

74 (g) Auction house, except for sale of livestock.

75 (h) Machine shop and Blacksmithshop.

76 (i) Wholesale or warehouse enterprise.

77 (j) Veterinary establishments, provided that all animals shall be kept inside soundproof air-
78 conditioned buildings.

79 6. Buildings, structures, and uses accessory and customarily incidental to any of the above uses.

C. AREA REGULATIONS:

The following requirements shall apply to all uses permitted in this district:

1. Front Yard: All buildings shall setback from all street right-of way lines not less than thirty-five (35) feet.
2. Side Yard: No building shall be located closer than fifteen (15) feet to a side lot line, unless said side lot line abuts a Residential or Professional District, in which case no building shall be located closer than fifty (50) feet to that side lot line.
(50 feet Treed Buffer when abuts Residential)
(25 feet Tree Buffer each side of property line when 1-1, Light Industrial District-Conditional and B-I, Local Business Conditional abuts each other.)
3. Rear Yard: No building shall be located closer than thirty (30) feet to a rear lot line, unless such rear lot line abuts a Residential or Professional District, in which case no building shall be located closer than fifty (50) feet to that rear lot line.
(50 feet with Treed Buffer when abuts Residential)
(25 feet Tree Buffer each side of property line when 1-1 Light Industrial District-Conditional and B-I, Local Business Conditional abuts each other.)
4. Coverage: Main and accessory buildings and off-street parking, drives, access roads, service areas and loading facilities shall not cover more than seventy-five (75) percent of the lot area.
5. Buffer Zone: Setback areas shall act as a buffer between adjacent residential and business uses. They shall be fully landscaped and maintained with grass, trees and shrubbery of sufficient height and density to serve as a screen between the 1-1 Light Industrial District-Conditional Zone and other zones. The buffer zone shall not constitute a site-distance obstruction at street intersections. The buffer zone shall be considered as part of the lot area but shall not be used for any business purpose such as buildings, parking lots, area, or any accessory use. The buffer zone, upon completion of the development of any project, shall be at or near the same grade or plane which existed prior to the development of the 1-1 Light Industrial District- Conditional property, unless otherwise expressly reviewed and approved by the Planning Commission and by City Council. These restrictions shall not apply to that portion of the lot fronting on the major thoroughfares, however all other required landscaping shall apply.

D. HEIGHT REGULATIONS:

No building or structure shall exceed four (4) stories or forty-five (45) feet in height, except as hereinafter provided in Article V, Section 3.

E. MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS:

As regulated in Article V, Sections 5 and 7.

F. SIGNAGE:

The requirements of Article V, Section 8 Signs, Billboards and Other Advertising

121 Structures, shall apply with the following exceptions:

- 122 1. Each parcel of property occupied by a building shall be permitted on freestanding sign,
123 whose size shall not exceed thirty-six (36) square feet on each face.
- 124 2. Freestanding signs shall be mounted on bases a maximum of three feet high. If the specific
125 location of the sign requires a base of more than three feet to provide adequate visibility, the
126 Planning Commission may approve a taller base. No freestanding sign shall exceed fifteen
127 (15) feet in height from grade.
- 128 3. Location of signs.
 - 129 (a) If the nearest point of a freestanding sign is located within five feet of the street right-of-way,
130 its location must be approved by the City's Director of Public Works, or his designee, who
131 will evaluate the location for site line and other traffic safety considerations.
 - 132 (b) Flat wall signs are allowed and can project beyond the surface of the building for no more
133 than twelve (12) inches and shall be no more than thirty-six (36) square feet in size.
 - 134 (c) No signs can project above the roofline of the building.
- 135 4. Illumination: Only external illumination of exterior is permitted, but in accordance with the
136 restrictions set forth below:
 - 137 (a) The light from any illuminated sign shall be so shaded, shielded, or directed that the light
138 intensity or brightness will not be objectionable to the surrounding area.
 - 139 (b) No sign shall have blinking, flashing, or fluttering lights or any other illumination device
140 that has a changing light intensity, brightness, or color. Beacon lights shall not be
141 permitted.
 - 142 (c) No color lights shall be used for exterior signage, except that lightning showing through the
143 signage material.
 - 144 (d) Neither direct nor reflected light from primary light sources shall create a traffic hazard to
145 operators or motor vehicles on public thoroughfares.
 - 146 (e) No exposed reflective bulb, strobe light, or incandescent lamp that exceeds fifteen (15) watts
147 shall be used on the exterior surface of any sign so as to expose the face of the bulb, light, or
148 lamp to any public street or adjacent property.
 - 149 (f) Awnings must not be illuminated.
- 150 5. Materials and colors used in signs and their support structures should reflect and be
151 harmonious with the building served by the sign.

152 **G. UTILITY LINES UNDERGROUND:**
153

154 All utility lines such as electric, telephone, CATV or other similar lines shall be installed
155 underground in the Corridor Overlay District. This requirement shall apply to lines serving

individual sites as well as to utility lines necessary within the project. All junction and access boxes shall be screened with appropriate landscaping. All utility pad fixtures and meters should be shown on the site plan. The necessity of utility connections, meter boxes, etc., should be recognized and integrated with the architectural elements of the site plan.

H. EXTERIOR LIGHTING:

1. Lighting should be of uniform style for each project site.
2. Lighting should be contained within the site and designed to limit spillover and minimize the amount of light that is directed to the sky.
3. Light poles shall not exceed twenty-four (24) feet in height.

I. DRIVEWAYS AND PARKING AREAS:

1. Parking lot layouts shall respond to the topographic characteristics of the site.
2. The number of access points to parking lots from a street will be minimized and shall relate to other existing curb cuts whenever possible.
3. Parking lots will be interconnected on adjacent parcels whenever possible.
4. Parking lots shall not dominate the image of a site.
5. Pedestrian access from the sidewalk into individual project sites, as well as within sites and between sites shall be provided.

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4. Ammonia, bleaching powder, or chlorine manufacture.
5. Bag cleaning.
6. Batching plants for asphalt and Portland cement concrete.

- 188 7. Blast furnace.
- 189 8. Boiler works.
- 190 9. Brick, tile, or terra cotta manufacture not requiring ovens.
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- 192 11. Celluloid manufacture.
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- 194 13. Crematory or reduction plant.
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- 199 17. Distillation of bones.
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- 201 19. Fat rendering.
- 202 20. Feed Mills.
- 203 21. Fertilizer manufacture, not including compounding.
- 204 22. Fireworks or explosives manufacture or storage, or the loading of explosives.
- 205 23. Fish smoke curing.
- 206 24. Forge plant.
- 207 25. Foundry casting lightweight nonferrous metal not causing noxious fumes or odors.
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- 213 31. Gunpowder manufacture or storage.
- 214 32. Hotels and similar inhabitable places.

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- 219 36. Lime, gypsum, cement, asphalt or plaster of Paris manufacture.
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- 223 40. Ore reduction.
- 224 41. Planing mill.
- 225 42. Potash or washing soda manufacture.
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- 227 44. Pulp mills.
- 228 45. Petroleum products, refining, or storage.
- 229 46. Printing ink manufacture.
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- 237 52. Salt works.
- 238 53. Sawmill.
- 239 54. Smelting or refining of metals.
- 240 55. Soap manufacture.
- 241 56. Sulfurous, sulfuric, nitric, or hydrochloric, or other corrosive or offensive acid manufacture or
242 their use except as accessory to a permitted industry,

57. Stockyards.

58. Shoe polish manufacture.

59. Tanning, curing, or storage of raw hides or skins, or leather dressing or coloring.

60. Tar distillation or manufacture.

61. Tire recapping or retreading.

62. Tar roofing or waterproofing manufacture.

63. Wool pulling or scouring.

L. USES PERMITTED ON REVIEW:

The uses permitted in the B-1 Local Business District.

Introduced:

Adopted:

Effective Date:

Stephen W. Claffey, Mayor

ATTEST: _____
Kiley A. Kesecker,
Clerk of Council

VIRGINIA LAND RECORD COVER SHEET
FORM A – COVER SHEET CONTENT

Instrument Date: 04/25/2022
Instrument Type: DBS
Number of Parcels: Number of Pages: 2
[X] City [] County

STAUNTON

TAX EXEMPT? VIRGINA/FEDERAL LAW
[] Grantor:
[] Grantee:
Consideration: \$110,000.00
Existing Debt: \$0.00
Actual Value/Assumed: \$110,000.00
PRIOR INSTRUMENT UNDER § 58.1-803(D)

Original Principal: \$0.00
Fair Market Value Increase: \$0.00
Original Book Number: Original Page Number: Original Instrument Number:

Prior Recording At: [X] City [] County
STAUNTON

BUSINESS / NAME
1 [X] Grantor: EQUITY PARTNERS, LLC
[] Grantor:
1 [X] grantee: SETH DRIVE APARTMENTS, LLC
[] grantee:

GRANTEE ADDRESS:
Name: Seth Drive Apartments, LLC
Address: 1008 Seth Drive Apt 315
City: Staunton State: VA Zip Code: 24401
Book Number: Page Number: Instrument Number:
Parcel Identification Number (PIN): 11732 Tax Map Number: 440
Short Property Description: Lot 6 Sec 2-3.564 ac Middlebrook Park

Current Property Address: 1007 Seth Dr
City: Staunton State: VA Zip Code: 24401
Instrument Prepared By: Franklin, Denney, Ward & Strosnider, PLC
Recording Returned To: PoindexterHill, PC
Address:
City: Waynesboro State: VA Zip Code:

INSTRUMENT 220001359
RECORDED IN THE CLERK'S OFFICE OF
STAUNTON CIRCUIT COURT ON
APRIL 26, 2022 AT 02:51 PM
\$110.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$55.00 LOCAL: \$55.00
STACI N. FALLS, CLERK
RECORDED BY: BLR

(Area Above Reserved For Deed Stamp Only)

Percentage In This Jurisdiction: 100%

This Document Prepared By:
Jeffrey A. Ward VSB #20702
FRANKLIN, DENNEY, WARD & STROSNIDER PLC
129 N. Wayne Ave.
Waynesboro, VA 22980

Consideration and actual
value: \$110,000.00
PID 11732

THIS DEED, made and entered into this 16th day of March, 2022, by and between **EQUITY PARTNERS, LLC**, a Virginia limited liability company, party of the first part, hereinafter referred to as "Grantor," and **SETH DRIVE APARTMENTS, LLC**, a Virginia limited liability company, party of the second part, hereinafter referred to as "Grantee," whose address is 1008 Seth Drive, Apt. 315, Staunton, VA 24401-4599.

***** WITNESSETH *****

That for and in consideration of the sum of Twenty-Five (\$25.00) Dollars cash in hand paid to the Grantor by the Grantee, and other good and valuable consideration, the receipt of all of which is hereby acknowledged **Equity Partners, LLC**, a Virginia limited liability company, Grantor, does hereby grant, bargain, and sell with **GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE**, unto **Seth Drive Apartments, LLC**, a Virginia limited liability company, Grantee, the following described real estate, to-wit:

All that certain lot or parcel of land with all improvements thereon and appurtenances thereto belonging situate in the City of Staunton, Virginia on Middlebrook Road known and designated as Lot 6, containing 3.564 acres as shown on plat entitled "Middlebrook Park, Section 2, City of Staunton, Virginia" dated May 26, 2004, and last revised October 8, 2004, made by Balzer and Associates, Inc., which plat is of record in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia as Instrument No. 050001027.

The real estate herein conveyed is a portion of the real estate conveyed to the Grantor herein by deed dated January 3, 2007, from Lake Front Properties, LLC, which deed is recorded in the aforesaid Clerk's Office as Instrument Number 070000031, and by deed of correction dated June 9, 2009 from Lake Front Properties, LLC, which deed is recorded in the aforesaid Clerk's Office as Instrument No. 080001937, reference to all of which is made for a more particular description and derivation of title.

The real estate conveyed herein is also subject to any easements, conditions, restrictions and reservations of record in the chain of title to the property hereby conveyed, which have not expired by limitation of the time contained therein or otherwise become ineffective.

Real estate taxes shall be prorated as of the date of delivery of this deed.

This deed was prepared without the benefit of title examination.

WITNESS the following signatures and seals:

Equity Partners, LLC,
a Virginia limited liability company

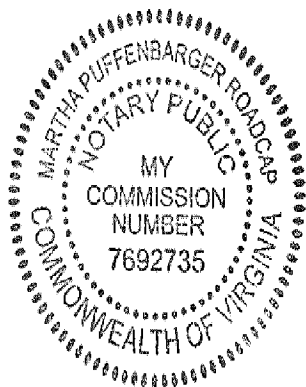
By: Paul J. Wright Jr. (SEAL)
Paul J. Wright, Jr., Manager

STATE OF VIRGINIA

CITY/COUNTY OF Waynesboro, to-wit:

The foregoing instrument was acknowledged before me this 25th day of April, 2022, by Paul J. Wright, Jr., Manager.

My commission expires 9/30/2024.



Martha P. Roadcap
Notary Public

INSTRUMENT 220001359
RECORDED IN THE CLERK'S OFFICE OF
STAUNTON CIRCUIT COURT ON
APRIL 26, 2022 AT 02:51 PM
\$110.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$55.00 LOCAL: \$55.00
STACI N. FALLS, CLERK
RECORDED BY: BLR

Proffers to Rezone a Portion of Land Standing in the Name of Seth Drive Apartments, LLC from R-3 Medium Density Residential-Conditional to I-1 Light Industrial-Conditional

The following are proposed proffers to rezone a portion of property that is currently standing in the name of Seth Drive Apartments, LLC from R-3 Medium Density Residential-Conditional to I-1 Light Industrial-Conditional. The property in question is located within the City of Staunton, Virginia and is described as Lot 6, Section 2 of Middlebrook Park. The property is located on the west side of Seth Drive at approximately 1,160 feet from the intersection with Lucy B King Way. Seth Drive Apartments, LLC acquired the entirety of the property from Equity Partners, LLC by a deed dated March 16, 2022, which was recorded in the Clerk's Office of the Circuit Court for the City of Staunton as Instrument No. 220001359. The portion of land proposed to be rezoned contains about 0.957 acres, more or less.

Upon approval of the proposed proffers, Seth Drive Apartments, LLC will apply to the City of Staunton to adjust the said 0.957 acres of land into the adjoining property currently standing in the name of EZ Self Storage LLC, which is currently zoned I-1 Light Industrial-Conditional. EZ Self Storage LLC acquired their property from Equity Partners, LLC by a deed dated March 24, 2022, which was recorded in the Clerk's Office of the Circuit Court for the City of Staunton as Instrument No. 220001357.

PROPOSED PROFFERS

I-1 LIGHT INDUSTRIAL DISTRICT-CONDITIONAL

A. GENERAL DESCRIPTION:

The I-1 Light Industrial District-Conditional is intended to permit industrial development where the use and its operation do not directly adversely affect nearby residential, and business uses. The district regulations are designed to allow a wide range of industrial activities subject to limitations designed to protect nearby residential and business districts.

B. USES PERMITTED:

1. A retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof.

2. Sleeping facilities required by caretaker or night watchman employed on the premises shall be permitted in the I-1 Planned Industrial District.
3. Outdoor storage facilities for building materials, sand, gravel, stone, lumber open storage of construction contractor's equipment, supplies, and manufactured goods.
4. Offices, business or professional.
5. The following uses when conducted within a completely enclosed building:
 - (a) The manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products, drags, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.
 - (b) The manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials; aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, rubber, textiles, tin, iron, steel, wood (excluding sawmill), yarn, and paint not involving a boiling process.
 - (c) The manufacturer of pottery and figurines or other similar (glass,) ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas.
 - (d) The manufacture and maintenance of electric and neon signs, commercial advertising structures, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves, and the like.
 - (e) The manufacture of musical instruments, toys, novelties, and rubber and metal stamps.
 - (f) The manufacture of technical, computerized, laser, radio and electronic products.
 - (g) Auction house, except for sale of livestock.

- (h) Machine shop and Blacksmith shop.
 - (i) Wholesale or warehouse enterprise.
 - (j) Veterinary establishments, provided that all animals shall be kept inside soundproof air-conditioned buildings.
6. Buildings, structures, and uses accessory and customarily incidental to any of the above uses.

C. AREA REGULATIONS:

The following requirements shall apply to all uses permitted in this district:

1. **Front Yard:** All buildings shall setback from all street right-of way lines not less than thirty-five (35) feet.
2. **Side Yard:** No building shall be located closer than fifteen (15) feet to a side lot line, unless said side lot line abuts a Residential or Professional District, in which case no building shall be located closer than fifty (50) feet to that side lot line.
(50 feet Treed Buffer when abuts Residential)
(25 feet Tree Buffer each side of property line when I-1, Light Industrial District-Conditional and B-1, Local Business Conditional abuts each other.)
3. **Rear Yard:** No building shall be located closer than thirty (30) feet to a rear lot line, unless such rear lot line abuts a Residential or Professional District, in which case no building shall be located closer than fifty (50) feet to that rear lot line.
(50 feet with Treed Buffer when abuts Residential)
(25 feet Tree Buffer each side of property line when I-1 Light Industrial District-Conditional and B-I, Local Business Conditional abuts each other.)
4. **Coverage:** Main and accessory buildings and off-street parking, drives, access roads, service areas and loading facilities shall not cover more than seventy-five (75) percent of the lot area.
5. **Buffer Zone:** Setback areas shall act as a buffer between adjacent residential and business uses. They shall be fully landscaped and maintained with grass, trees and shrubbery of sufficient height and density to serve as a screen

between the I-1 Light Industrial District-Conditional Zone and other zones. The buffer zone shall not constitute a site-distance obstruction at street intersections. The buffer zone shall be considered as part of the lot area but shall not be used for any business purpose such as buildings, parking lots, area, or any accessory use. The buffer zone, upon completion of the development of any project, shall be at or near the same grade or plane which existed prior to the development of the I-1 Light Industrial District-Conditional property, unless otherwise expressly reviewed and approved by the Planning Commission and by City Council. These restrictions shall not apply to that portion of the lot fronting on the major thoroughfares, however all other required landscaping shall apply.

D. HEIGHT REGULATIONS:

No building or structure shall exceed four (4) stories or forty-five (45) feet in height, except as hereinafter provided in Article V, Section 3.

E. MINIMUM OFF-STREET PARKING AND LOADING REQUIREMENTS:

As regulated in Article V, Sections 5 and 7.

F. SIGNAGE:

The requirements of Article V, Section 8 Signs, Billboards and Other Advertising Structures, shall apply with the following exceptions:

1. Each parcel of property occupied by a building shall be permitted on freestanding sign, whose size shall not exceed thirty-six (36) square feet on each face.
2. Freestanding signs shall be mounted on bases a maximum of three feet high. If the specific location of the sign requires a base of more than three feet to provide adequate visibility, the Planning Commission may approve a taller base. No freestanding sign shall exceed fifteen (15) feet in height from grade.
3. Location of signs.
 - (a) If the nearest point of a freestanding sign is located within five feet of the street right-of-way, its location must be approved by the City's Director

of Public Works, or his designee, who will evaluate the location for site line and other traffic safety considerations.

- (b) Flat wall signs are allowed and can project beyond the surface of the building for no more than twelve (12) inches and shall be no more than thirty-six (36) square feet in size.
 - (c) No signs can project above the roofline of the building.
4. Illumination: Only external illumination of exterior is permitted, but in accordance with the restrictions set forth below:
- (a) The light from any illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to the surrounding area.
 - (b) No sign shall have blinking, flashing, or fluttering lights or any other illumination device that has a changing light intensity, brightness, or color. Beacon lights shall not be permitted.
 - (c) No color lights shall be used for exterior signage, except that lightning showing through the signage material.
 - (d) Neither direct nor reflected light from primary light sources shall create a traffic hazard to operators or motor vehicles on public thoroughfares.
 - (e) No exposed reflective bulb, strobe light, or incandescent lamp that exceeds fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light, or lamp to any public street or adjacent property.
 - (f) Awnings must not be illuminated.
5. Materials and colors used in signs and their support structures should reflect and be harmonious with the building served by the sign.

G. UTILILTY LINES UNDERGROUND:

All utility lines such as electric, telephone, CATV or other similar lines shall be installed underground in the Corridor Overlay District. This requirement shall apply

to lines serving individual sites as well as to utility lines necessary within the project. All junction and access boxes shall be screened with appropriate landscaping. All utility pad fixtures and meters should be shown on the site plan. The necessity of utility connections, meter boxes, etc., should be recognized and integrated with the architectural elements of the site plan.

H. EXTERIOR LIGHTING:

1. Lighting should be of uniform style for each project site.
2. Lighting should be contained within the site and designed to limit spillover and minimize the amount of light that is directed to the sky.
3. Light poles shall not exceed twenty-four (24) feet in height.

I. DRIVEWAYS AND PARKING AREAS:

1. Parking lot layouts shall respond to the topographic characteristics of the site.
2. The number of access points to parking lots from a street will be minimized and shall relate to other existing curb cuts whenever possible.
3. Parking lots will be interconnected on adjacent parcels whenever possible.
4. Parking lots shall not dominate the image of a site.
5. Pedestrian access from the sidewalk into individual project sites, as well as within sites and between sites shall be provided.

J. SCREENING OF OUTDOOR STORAGE:

Outdoor storage facilities and areas shall be screened by a minimum seven (7) foot tall obscuring fence, wall or mass plantings and designed in such a way as to contribute to the orderly appearance of the district.

K. USES PROHIBITED:

The following uses are prohibited:

1. Abattoirs or slaughterhouses.

2. Acid manufacture.
3. Automobile assembling, painting, upholstering, rebuilding, reconditioning, body, and fender works, truck repairing and overhauling, tire re-treading or re-capping and battery manufacturing.
4. Ammonia, bleaching powder, or chlorine manufacture.
5. Bag cleaning.
6. Batching plants for asphalt and Portland cement concrete.
7. Blast furnace.
8. Boiler works.
9. Brick, tile, or terra cotta manufacture not requiring ovens.
10. Candle manufacture.
11. Celluloid manufacture.
12. Coke ovens.
13. Crematory or reduction plant.
14. Creosote treatment or manufacture.
15. Dextrine, glucose, and starch manufacture.
16. Disinfectants, cattle dips, exterminators, and insecticides manufacture, not including the compounding of the same.
17. Distillation of bones.
18. Dyestuff manufacture.

19. Fat rendering.
20. Feed Mills.
21. Fertilizer manufacture, not including compounding.
22. Fireworks or explosives manufacture or storage, or the loading of explosives.
23. Fish smoke curing.
24. Forge plant.
25. Foundry casting lightweight nonferrous metal not causing noxious fumes or odors.
26. Freightng or trucking yard or terminal.
27. Fuel manufacture.
28. Gas (illumination or heating) manufacture or storage in excess of one thousand cubic feet.
29. Gelatin, glue, or size manufacture or process involving recovery from fish or animal material.
30. Glass manufacture.
31. Gunpowder manufacture or storage.
32. Hotels and similar inhabitable places.
33. Incineration or reduction of garbage, dead animals, outfall, or refuse other than by an authorized public agency.
34. Iron, steel, brass, or copper works or foundry.
35. Lampblack manufacture.

36. Lime, gypsum, cement, asphalt or plaster of Paris manufacture.
37. Livestock market, auction or sales pavilion.
38. Match manufacture.
39. Oil, paint, turpentine, or varnish manufacture.
40. Ore reduction.
41. Planing mill.
42. Potash or washing soda manufacture.
43. Public Utility service yard or electrical receiving or transforming station.
44. Pulp mills.
45. Petroleum products, refining, or storage.
46. Printing ink manufacture.
47. Propylene plastics or celluloid manufacture, or explosive or inflammable cellulose or propylene products manufacture.
48. Rendering plant or other comparable processing of fish or animal material.
49. Residential Use.
50. Rolling manufacture.
51. Sale, storage and sorting of junk, waste, discarded or salvaged materials, machinery, or equipment, but not including processing.
52. Salt works.
53. Sawmill.

54. Smelting or refining of metals.

55. Soap manufacture.

56. Sulfurous, sulfuric, nitric, or hydrochloric, or other corrosive or offensive acid manufacture or their use except as accessory to a permitted industry,

57. Stockyards.

58. Shoe polish manufacture.

59. Tanning, curing, or storage of raw hides or skins, or leather dressing or coloring.

60. Tar distillation or manufacture.

61. Tire recapping or retreading.

62. Tar roofing or waterproofing manufacture.

63. Wool pulling or scouring.

L. USES PERMITTED ON REVIEW:

The uses permitted in the B-1 Local Business District.

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	April 13, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	C	
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) Sections 18.55, B-1, Local Business District, and 18.75, I-1, Light Industrial District, and 18.10 Definitions, of Title 18, Zoning, to Allow Pet Boarding Facilities in all Business and Industrial Districts	

Background: Kalem Hillman has requested an amendment to the Staunton Zoning Code allowing pet boarding facilities. After consideration of the request, staff suggested that the use be limited to business and industrial districts. Mr. Hillman has applied for the text amendment and has been working with Planning and Zoning Staff to finalize the draft language. At its February 16, 2023 meeting, Planning Commission gave authorization to proceed with the zoning text amendment. The City Attorney and Police Department Animal Control Officers have reviewed the draft amendment.

If approved, pet boarding facilities would be a permitted use in B-1, Local Business, B-2, General Business, I-1, Light Industrial, and I-2, Heavy Industrial Districts. The proposed amendment establishes a basic framework within which pet boarding facilities can operate. This includes minimum standards to protect the surrounding area from noise and smell, and references the requirements within the Code of Virginia for Pet Boarding Establishments and

Groomers.

Planning Commission Recommendation:

At its March 16, 2023 meeting, the Planning Commission conducted a public hearing. During the public hearing no one spoke in opposition to the request. On a 5-0 vote, the Commission unanimously voted to recommend approval of the amendment.

Attachments:

Attachment 1—Application for Zoning Text Amendment

Attachment 2—Draft Amendment

Attachment 3—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



COMMUNITY DEVELOPMENT
Planning & Zoning Division

ZONING TEXT AMENDMENT REQUEST

DATE:	01/09/2023
APPLICANT:	Kalem Hillman
ADDRESS:	430 Bridge St Staunton, VA 24401
PHONE #:	540 245 3291
EMAIL ADDRESS:	KALEMLH@gmail.com

Present Zoning Regulation:

None

Proposed Zoning Amendment:

I-1 / B-1
See attached

Purpose of Request:

Add regulations for Pet Caring boarding facilities

Fee Must be Paid at the Time of Submittal: \$250.00

Signature of Applicant: Kalem Hillman

For Office Use:

Date Received: 1/9/2023

Payment Type: C/C 7708

18.75.020 Uses permitted.

Property and buildings in the I-1 light industrial district shall be used only for the following purposes:

(8) Pet boarding facility.

- a) All pet boarding facilities must be reasonably soundproofed from neighboring residential and commercial uses.
- b) No breeding, buying, or renting of any animal. No animals under four (4) months old are allowed on the premises.
- c) All areas used by animals shall be adequately fenced so as to prevent their escape and provide screening for adjacent properties as approved by the Zoning Administrator or designee.
- d) All animal waste and run-off discharge containing animal waste shall be captured and disposed of in a manner that controls odors and protects the environment. No on-site composting of animal waste.
- e) All kennels and outdoor pet runs shall be subject to the following setback requirements
 - a. Residential use in a building: 100 feet
 - b. Residential zoning district: 200 feet

For the purpose of this section, measurement of the setback requirements shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of an existing dwelling unit or residential district boundary to the nearest portion of the kennel or fenced play area.
- f) Outdoor exercise areas, outdoor pet runs, or yards, when provided for training or exercising, shall be restricted to the hours of 8 a.m. to 8 p.m.
- g) The comprehensive care for animals in a pet boarding facility must comply with the Code of Virginia, Title 3.2, Chapter 65, Article 4, Boarding Establishments and Groomers. § 3.2-6518
- h) All new pet boarding facilities shall be subject to review and approval by the Zoning Administrator, pursuant to the provisions of this section.
- i) All pet boarding facilities shall comply with all applicable provisions of SCC 6.10.180.

18.55.020 Uses permitted.

The following uses shall be permitted in the B-1 local business district:

(38) Pet boarding facility.

- j) All pet boarding facilities must be reasonably soundproofed from neighboring residential and commercial uses.
- k) No breeding, buying, or renting of any animal. No animals under four (4) months old are allowed on the premises.
- l) All areas used by animals shall be adequately fenced so as to prevent their escape and provide screening for adjacent properties as approved by the Zoning Administrator or designee.
- m) All animal waste and run-off discharge containing animal waste shall be captured and disposed of in a manner that controls odors and protects the environment. No on-site composting of animal waste.
- n) All kennels and outdoor pet runs shall be subject to the following setback requirements
- a. Residential use in a building: 100 feet
 - b. Residential zoning district: 200 feet
- For the purpose of this section, measurement of the setback requirements shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of an existing dwelling unit or residential district boundary to the nearest portion of the kennel or fenced play area.
- o) Outdoor exercise areas, outdoor pet runs, or yards, when provided for training or exercising, shall be restricted to the hours of 8 a.m. to 8 p.m.
- p) The comprehensive care for animals in a pet boarding facility must comply with the Code of Virginia, Title 3.2, Chapter 65, Article 4, Boarding Establishments and Groomers. § 3.2-6518
- q) All new pet boarding facilities shall be subject to review and approval by the Zoning Administrator, pursuant to the provisions of this section.
- r) All pet boarding facilities shall comply with all applicable provisions of SCC 6.10.180.

18.10.170 “P” definitions.

“Pet boarding facility” means any lot or premises, or portion thereof, designed or used for the boarding and/or daycare of dogs, cats, or other household domestic animals.

18.10.160 “O” definitions

“Outdoor pet run” means a fenced area allowing an animal freedom of movement and exercise off-leash.

Ordinance No. 2023-____

AN ORDINANCE AMENDING
SECTION 18.55.020, USES PERMITTED,
OF CHAPTER 18.55, B-1, LOCAL BUSINESS DISTRICT,
AND
SECTION 18.75.020, USES PERMITTED,
OF CHAPTER 18.75, I-1, LIGHT INDUSTRIAL DISTRICT,
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ALLOW PET BOARDING FACILITIES IN THE B-1, LOCAL BUSINESS
DISTRICT, AND THE I-1, LIGHT INDUSTRIAL DISTRICT,
AND
AMENDING SECTION 18.10.160 "O" DEFINITIONS,
OF CHAPTER 18.10 DEFINITIONS
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ADD A DEFINITION FOR "OUTDOOR PET RUN"
AND
AMENDING SECTION 18.10.170 "P" DEFINITIONS, OF CHAPTER 18.10
DEFINITIONS
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ADD A DEFINITION FOR "PET BOARDING FACILITY"

Recitals

A. Kalem Hillman has requested a zoning text amendment to allow Pet Boarding Facilities in B-1, Local Business Districts, B-2, General Business Districts, I-1, Light Industrial Districts, and I-2, Heavy Industrial Districts;

B. City Staff has determined that a text amendment should be made and that Chapters 18.55, B-1, Local Business District, and 18.75, I-1, Light Industrial District, of the Zoning Title of the Staunton City Code should be amended to allow pet owning citizens the convenience of boarding their pets;

C. The Staunton Zoning Code is cumulative therefore any use permitted by-right in B-1, will also be permitted by-right in B-2, likewise any use permitted by-right in I-1, will also be permitted by-right in I-2;

D. The criteria established in SCC 18.215.060 was used to evaluate the request and the amendment was found to be consistent with the provisions;

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Chapters 18.55, B-1, Local Business District, Chapter 18.75, I-1, Light

Industrial District, and Chapter 18.10, Definitions, of Title 18, Zoning, of the Staunton City Code, are **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

**Chapter 18.10
DEFINITIONS**

18.10.160 “O” definitions.

“Outdoor pet run” means a fenced area allowing an animal freedom of movement and exercise off-leash.

18.10.170 “P” definitions.

“Pet boarding facility” means any lot or premises, or portion thereof, designed or used for the boarding and/or daycare of dogs, cats, or other household domestic animals.

Chapter 18.55

B-1 LOCAL BUSINESS DISTRICT

Sections:

- 18.55.010 General description.
- 18.55.020 Uses permitted.
- 18.55.030 Area regulations.
- 18.55.040 Height regulations.
- 18.55.050 Off-street parking.
- 18.55.060 Uses permitted on review.

18.55.010 General description.

These districts are composed of land and structures occupied by or suitable for furnishing the retail goods, such as groceries and drugs, and the services, such as barbering and shoe repairing, to satisfy the daily household needs of the surrounding residential neighborhoods. Often located on one or more thoroughfares, these districts are small and are within convenient walking distance of most of the areas they will serve. The district regulations are designed to permit the development of the districts for their purpose and to protect the abutting and surrounding residential areas by requiring certain minimum yard and area standards to be met, standards that are comparable to those called for in residence districts. It is intended that additional local business districts will be created, in accordance with the amendment procedure set forth herein, as they are needed to serve new residential areas.

18.55.020 Uses permitted.

The following uses shall be permitted in the B-1 local business district:

(1) Living and/or sleeping quarters shall be a permitted use when constructed above the ground and basement floors. No living and/or sleeping quarters shall be permitted in any detached accessory building or structure on the same lot to the rear of any other building.

(2) Auction houses.

(3) Veterinary establishments; provided, that all animals shall be kept inside sound proof air-conditioned buildings.

(4) Banks.

(5) Bakeries employing not more than five persons and when products are sold only at retail on the premises.

(6) Barbershops, beauty parlors, chiropody, massages, or similar personal service shops.

(7) Catering and delicatessen business.

(8) Churches.

(9) Clubs and lodges.

(10) Custom dressmaking, millinery, tailoring or similar retail trades employing not more than five persons on the premises.

(11) Drugstore.

(12) Automobile service establishments including gasoline service stations and automatic car-washing establishments.

(13) Eating and drinking establishments.

(14) Food stores, fruit or vegetable stands.

(15) Funeral homes.

(16) Garden centers, greenhouses, and nurseries.

(17) Laundry and/or cleaning pick-up station, or self-service laundry and dry cleaning.

(18) Milk distribution stations, but not involving any bottling on the premises.

(19) Monument sales.

(20) Motels, motor courts and hotels.

(21) Offices, business or professional only.

(22) Personal or business service establishments.

(23) Pet shops.

(24) Public buildings and ground other than elementary and high schools.

- 113 (25) Prefabricated and shell house sales.
- 114 (26) Restaurants, tea rooms, drive-in eating stands.
- 115 (27) Shops for repair of bicycles, shoes, watches, locks, electrical equipment, or other similar
116 commodities employing not more than five persons on the premises and not involving the
117 conduct of any manufacturing on the premises.
- 118 (28) Accessory buildings and uses customarily incidental to permitted uses not otherwise
119 prohibited in this district which comply with Chapter 18.110 SCC.
- 120 (29) No wholesale or jobbing shall be carried on, and no merchandise shall be stored other than
121 that to be sold at retail on the premises; provided, further, that not more than 30 percent of the
122 floor area of any building shall be devoted to reserve stock storage purposes incidental to such
123 primary use.
- 124 (30) Open storage uses which shall comply with the following provisions:
- 125 (a) All open storage and display of merchandise, material, and equipment shall be screened
126 by adequate ornamental fencing or evergreen planting at the side and rear of the lot on which
127 said open storage or display occurs; provided, however, that screening shall not be required
128 in excess of seven feet in height.
- 129 (b) All of the lot used for parking of vehicles, for the storage and display of merchandise,
130 and all driveways used for vehicle ingress and egress shall be constructed and maintained in
131 such a manner that no dust will be produced by continued use.
- 132 (c) All servicing of vehicles carried on as an incidental part of the sales operation shall be
133 conducted within a completely enclosed building.
- 134 (d) Outdoor lighting, when provided, shall have an arrangement of reflectors and an intensity
135 of lighting which will not interfere with adjacent land uses or the use of adjacent streets, and
136 shall not be of a flashing or intermittent type.
- 137 (31) Stores or shops for the conduct of retail business which do not maintain gasoline dispensing
138 services.
- 139 (32) Name plate and sign, as regulated in Chapter 18.140 SCC.
- 140 (33) Amusement and recreation establishments except open-air drive-in theaters.
- 141 (34) Stores for the conduct of retail business which are not gasoline service stations but which do
142 maintain gasoline dispensing services incidental to their primary business provided they meet the
143 requirements of Chapter 18.145 SCC.
- 144 (35) Elementary or high schools, public or private. Living or sleeping quarters shall be permitted
145 in the same building with the school use.
- 146 (36) Colleges or universities, public or private.

(37) Co-location of telecommunication antenna and related equipment as regulated in SCC 18.185.020(4).

(38) Pet boarding facility.

- a) All pet boarding facilities must be reasonably soundproofed from neighboring residential and commercial uses.
 - b) No breeding, buying, or renting of any animal. No animals under four (4) months old are allowed on the premises.
 - c) All areas used by animals shall be adequately fenced so as to prevent their escape and provide screening for adjacent properties as approved by the Zoning Administrator or designee.
 - d) All animal waste and run-off discharge containing animal waste shall be captured and disposed of in a manner that controls odors and protects the environment. No on-site composting of animal waste.
 - e) All kennels and outdoor pet runs shall be subject to the following setback requirements
 - a. Residential use in a building: 100 feet
 - b. Residential zoning district: 200 feet
- For the purpose of this section, measurement of the setback requirements shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of an existing dwelling unit or residential district boundary to the nearest portion of the kennel or fenced play area.
- f) Outdoor exercise areas, outdoor pet runs, or yards, when provided for training or exercising, shall be restricted to the hours of 8 a.m. to 8 p.m.
 - g) The comprehensive care for animals in a pet boarding facility must comply with the Code of Virginia, Title 3.2, Chapter 65, Article 4, Boarding Establishments and Groomers. § 3.2-6518
 - h) All new pet boarding facilities shall be subject to review and approval by the Zoning Administrator, pursuant to the provisions of this section.
 - i) All pet boarding facilities shall comply with all applicable provisions of SCC 6.10.180.

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Chapter 18.75

I-1 LIGHT INDUSTRIAL DISTRICT

Sections:

- 18.75.010 General description.
- 18.75.020 Uses permitted.
- 18.75.030 Area regulations.
- 18.75.040 Uses permitted on review.
- 18.75.050 Height regulations.
- 18.75.060 Minimum off-street parking and loading requirements.
- 18.75.070 Landscaping and screening.
- 18.75.080 Minimum distance for building construction from any residential or professional district.
- 18.75.090 Uses permitted on review.

18.75.010 General description.

These districts are composed of land and structures used for light manufacturing or wholesaling, or suitable for such uses, where the use and its operation do not directly adversely affect nearby residential and business uses. These districts are usually separated from residential areas by business areas or by natural barriers. The district regulations are designed to allow a wide range of industrial activities subject to limitations designed to protect nearby residential and business districts.

18.75.020 Uses permitted.

Property and buildings in the I-1 light industrial district shall be used only for the following purposes:

(1) A retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof or when it is an adult business, which use shall be permitted solely in an I-1 light industrial zoning district.

(2) No residential use, except sleeping facilities required by caretaker or night watchman employed on the premises shall be permitted in the I-1 light industrial district.

(3) Any of the following uses:

(a) Business sign as regulated in Chapter 18.140 SCC.

(b) Building material sales yard and lumber yard, including the sale of rock, sand, gravel, and the like as an incidental part of the main business, but not including a concrete batch plant or a transit plant.

(c) Contractor's equipment storage yard or plant, or rental of equipment commonly used by contractors.

(d) Freighting or trucking yard or terminal.

(e) Outdoor storage facilities for coal, coke, building materials, sand, gravel, stone, lumber; open storage of construction contractor's equipment and supplies shall be screened by seven foot obscuring fence, wall, or mass plantings, or otherwise so located as not to be obnoxious to the orderly appearance of the district.

(f) Public utility service yard or electrical receiving or transforming station.

(g) Auction house, except for sale of livestock.

(h) Tire recapping or retreading.

(i) Co-location of telecommunication antenna and related equipment as regulated in SCC 18.185.020(4).

(4) Adult Businesses. In addition to all other requirements, any adult business shall be permitted solely in an I-1 light industrial zoning district and conform to the following requirements:

(a) The business shall be located at least 500 feet away from any residential or agricultural-forestal zoning district, and at least 500 feet from the property line of any land used for any of the following:

(i) A dwelling;

(ii) A nursing home, assisted living facility, or similar institution;

(iii) An adult day care center;

(iv) A child day care center;

(v) A public or private school, college or university;

(vi) A public park;

(vii) A public or private library, museum or cultural center;

(viii) A church or other place of worship;

(ix) A hotel, motel or boardinghouse; and

(x) Any other adult business.

(b) Adult merchandise shall not be visible from any point outside the establishment.

(c) Signs or attention-getting devices for the business shall not contain any words or graphics depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined in SCC 5.40.010.

(d) The business shall not begin service to the public or any outside activity before 7:00 a.m. local time. Hours of operation for any adult movie theater, adult nightclub or other business providing adult entertainment shall not extend after 1:00 a.m. local time. Hours of operation for any adult bookstore, adult video store, adult model studio, adult store or any other adult business except an adult motel shall not extend after 12:00 midnight local time.

(e) In any adult business other than an adult motel or adult movie theater, there shall be no viewing of videotapes, computer disks, CD-ROMs, DVD-ROMs, virtual reality devices, Internet sites or files transmitted over the Internet, or similar media characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined in SCC 5.40.010, while on the premises.

(f) Adult merchandise shall be located in a conspicuously marked separate room or other area inaccessible to persons under 18 years of age with the room configured so that it remains open to plain view at all times.

(g) The interior of the enclosed premises shall be equipped with overhead lighting fixtures that at all times illuminate every place patrons are permitted access with an illumination of not less than two-foot candles measured at floor level.

(h) Wide angle mirrors must be used to provide the manager with continuous monitoring of all areas of the establishment.

(i) All owners, operators, managers, employees, associates and entertainers shall be at least 18 years of age.

(j) The owner or operator shall operate and maintain a security camera and videotape or digital file system designed and installed by a private security service business licensed by the commonwealth of Virginia. Surveillance cameras shall continuously monitor and record images of all entrances, exits, parking areas and all areas of the establishment where the adult business is conducted, except for the sleeping rooms of an adult motel. Such cameras shall provide clear imagery of the establishment's premises, patrons and their vehicles and of any vehicles otherwise entering the premises. Videotapes or digital file systems recording activities in the areas under surveillance shall be preserved for a period of not less than four months. Authorized representatives of the Staunton police or the Staunton planning department shall have prompt access to recovery and possession or a complete and accurate copy of such videotapes or digital files upon request.

(k) The owner or operator shall provide adequate lighting for all entrances, exits and off-street parking areas serving the adult business, and all areas of the establishment where the adult business is conducted, except for the private rooms of an adult motel or the movie viewing areas in an adult movie theater. "Adequate lighting" means sufficient lighting for clear visual and security camera surveillance and recording of all images on the premises at all times one hour before dusk and one hour after dawn.

Unless otherwise defined or required by the context, terms used in this section relating to adult businesses shall have the same meaning as defined in SCC 5.40.010.

If any of the provisions of any subsection, paragraph, subdivision or clause of this section shall be judged invalid by a court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any subsection, paragraph, subdivision or clause of this section.

Nothing in the provisions of this subsection shall be applied, construed or interpreted in any way as prohibiting or limiting the prosecution of alleged violation of any obscenity or child pornography laws.

(5) The following uses when conducted within a completely enclosed building:

(a) The manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.

(b) The manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, rubber, textiles, tin, iron, steel, wood (excluding sawmill), yarn, and paint not involving a boiling process.

(c) The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas.

(d) The manufacture and maintenance of electric and neon signs, commercial advertising structures, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves, and the like.

(e) The manufacture of musical instruments, toys, novelties, and rubber and metal stamps.

(f) Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing and overhauling, tire retreading or recapping, and battery manufacturing.

(g) The sale, storage, and sorting of junk, waste, discarded or salvaged materials, machinery or equipment, but not including processing.

(h) Blacksmith shop and machine shop.

(i) Foundry casting lightweight nonferrous metal not causing noxious fumes or odors.

(j) Planing mill.

(k) Wholesale or warehouse enterprise.

(6) Buildings, structures, and uses accessory and customarily incidental to any of the above uses.

(7) Business and professional offices not involving on-premises retail or wholesale trade nor the maintenance of a stock of goods for display or sale. This use shall be limited to only fully enclosed buildings constructed prior to September 1, 2019.

(8) Pet boarding facility.

a) All pet boarding facilities must be reasonably soundproofed from neighboring residential and commercial uses.

b) No breeding, buying, or renting of any animal. No animals under four (4) months old are allowed on the premises.

c) All areas used by animals shall be adequately fenced so as to prevent their escape and provide screening for adjacent properties as approved by the Zoning Administrator or designee.

d) All animal waste and run-off discharge containing animal waste shall be captured and disposed of in a manner that controls odors and protects the environment. No on-site composting of animal waste.

e) All kennels and outdoor pet runs shall be subject to the following setback requirements

a. Residential use in a building: 100 feet

b. Residential zoning district: 200 feet

For the purpose of this section, measurement of the setback requirements shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of an existing dwelling unit or residential district boundary to the nearest portion of the kennel or fenced play area.

f) Outdoor exercise areas, outdoor pet runs, or yards, when provided for training or exercising, shall be restricted to the hours of 8 a.m. to 8 p.m.

g) The comprehensive care for animals in a pet boarding facility must comply with the Code of Virginia, Title 3.2, Chapter 65, Article 4, Boarding Establishments and Groomers. § 3.2-6518

h) All new pet boarding facilities shall be subject to review and approval by the Zoning Administrator, pursuant to the provisions of this section.

i) All pet boarding facilities shall comply with all applicable provisions of SCC 6.10.180.

....
....
....
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, VA

Meeting Date:	April 13, 2023	Leslie Beauregard City Manager
Item #	D	
Department:	City Manager Finance Department	Jessie Moyers Chief Finance Officer
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Public Hearing of an Ordinance to Establish a Budget for FY 2024 (July 1, 2023—June 30, 2024)	

Background: The City Manager's proposed FY 2024 budget was presented at the regular meeting on March 23, 2023. The attached FY 2024 budget ordinance was introduced at the same meeting. A public hearing is scheduled for the regular meeting on April 13, 2023. Notice of the public hearing, attached, was advertised in *The News Leader* on April 5, 2023.

Attachments:

Attachment 1—FY 2024 Budget Ordinance

Attachment 2—Notice of Public Hearing

City Manager's Recommendation: Conduct the public hearing.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

Ordinance No. 2023-

**AN ORDINANCE ESTABLISHING A BUDGET FOR THE
CITY OF STAUNTON, VIRGINIA, FOR THE FISCAL YEAR
BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024,
APPROPRIATING FUNDS FOR PUBLIC PURPOSES FOR SUCH FISCAL YEAR,
SUBJECT TO FUTURE APPROPRIATION AMENDMENT;
ESTABLISHING A TAX RATE ON TAXABLE PERSONAL PROPERTY,
REAL ESTATE AND PROPERTY OF PUBLIC SERVICE CORPORATIONS;
ESTABLISHING AND IMPOSING A SERVICE CHARGE ON
CERTAIN REAL PROPERTY EXEMPT FROM TAXATION;
AND CONTINUING IN EFFECT ALL ORDINANCES OF THE
CITY OF STAUNTON, VIRGINIA, RELATING TO TAXES, LICENSES,
FEES, SERVICE CHARGES, COSTS AND OTHER CHARGES AND
ALL ORDINANCES RELATING TO THE TIME OF
PAYMENT THEREOF AND COLLECTION THEREOF, EXCEPT AS HEREIN
SPECIFICALLY MODIFIED**

BE IT ORDAINED by the Council of the City of Staunton, Virginia, as follows:

SECTION 1. The following budget, annexed and incorporated by reference, totaling **\$152,355,651** for the City of Staunton, Virginia for the fiscal year beginning July 1, 2023 and ending June 30, 2024 is hereby proposed, approved and adopted:

(SEE ATTACHED BUDGET, incorporated by reference)

SECTION 2. Public revenues of the City of Staunton, Virginia are hereby appropriated for public purposes for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as set forth in the appropriate Section of such budget.

SECTION 3.

3.1. The tax rate for all real estate, including real estate owned by public service corporations, subject to tax for the calendar year beginning January 1, 2023, shall be and is fixed at \$0.89 per \$100.00 of assessed value of such property per year, with assessed values being established through biennial reassessments pursuant to Section 58.1-3253 of the Code of Virginia, as amended, as of January of every odd numbered year.

3.2. The tax rate for all real property and improvements located in the Downtown Service District is subject to an additional tax for the calendar year beginning January 1, 2023, which shall be and is fixed at \$0.15 (fifteen cents) per \$100.00 of assessed value of such property for calendar year 2023. Assessed values for the Downtown Service District shall be established through biennial reassessments pursuant to Section 58.1-3253 of the Code of Virginia, as amended, as of January 1 of every odd numbered year. These rates shall continue until modified by action of the Council of the City of Staunton, Virginia.

SECTION 4.

4.1. The tax rate for all personal property, including vehicles owned by public service corporations (but excluding machinery and tools, referenced and defined in Section 58.1-3507 of the Code of Virginia, as amended), subject to tax for the calendar year beginning January 1, 2023, shall be fixed at \$2.90 per \$100.00 of assessed value per year.

4.2. The tax rate for machinery and tools as defined in Section 58.1-3507 of the Code of Virginia, as amended, subject to tax for the calendar year beginning January 1, 2023 shall be and is fixed at \$1.24 per \$100.00 of assessed value per year.

SECTION 5. For the period of July 1, 2023, through June 30, 2024, certain categories of property exempted from taxation under Section 58.1-3600 et seq. of the Code of Virginia, as amended, shall be assessed and have imposed a fee or service charge based on the assessed value of the real estate and the amount which the City of Staunton expended in the year preceding for police and fire protection and, in the case of faculty and staff housing of an educational institution, the cost of public school education. The categories of property eligible for such assessment, and the method for calculating the assessment, are prescribed in Section 58.1-3400 et seq. of the Code of Virginia, as amended.

SECTION 6. The rate of service charge or fee imposed for property subject to such charge or fee under Section 5 of this ordinance shall be and is fixed and imposed at \$0.19 per annum per \$100.00 of assessed value and \$0.49 per annum per \$100.00 of assessed value for faculty and staff housing of an educational institution for the 2023 calendar year. The service charge shall be and is payable in one installment on December 15, 2023. Any service charge not paid when due shall bear interest computed at the rate of 10% per annum from the due date until paid.

SECTION 7. The real estate lawfully owned by the County of Augusta lying wholly or partly in the corporate limits of the City of Staunton, Virginia, shall be exempt from the service charge imposed by Section 5 of this ordinance.

SECTION 8. It is the intention of Section 5, 6 and 7 of this ordinance to conform to and meet all the requirements of Section 58.1-3400 et seq. of the Code of Virginia, as amended, and shall be read and construed accordingly.

SECTION 9. The annual salary for each member of the Council of the City of Staunton, Virginia, is hereby established as follows and shall remain in effect until formal action is taken to amend this ordinance:

Mayor	\$11,000
Vice-Mayor	\$10,000
Council Member	\$10,000

SECTION 10.

10.1. The City Manager is hereby authorized to transfer funds from one line item to another line item within each Fund of such budget, with the exception of the general contingency account.

10.2. Authorization is hereby given to the City Manager to withhold or postpone the expenditure of any funds appropriated by and in this ordinance when it appears to the City Manager that it would be in the best interests of the City for such expenditure to be withheld; but, this provision shall not in any way limit or restrict the right of the Council of the City of Staunton, Virginia, in its sole discretion to the fullest extent permitted by law, to direct immediate disbursement of any appropriated funds when the Council of the City of Staunton, Virginia, is of the opinion that the funds should be expended regardless of the position or action or inaction of the City Manager.

SECTION 11. Any ordinance in conflict with this ordinance is hereby repealed to the extent and only to the extent that such conflict exists. However, all ordinances not in conflict with this ordinance shall continue in effect, including specifically all ordinances of the City of Staunton, Virginia relating to taxes, licenses, fees, service charges, costs and payment and collection thereof continuing in effect except as herein specifically modified.

SECTION 12. If any part of this ordinance is found to be invalid by competent authority, the remaining portions of this ordinance shall continue in effect to the fullest extent permitted by law.

INTRODUCED: March 23, 2023

PUBLIC HEARING ADVERTISE DATE: April 5, 2023

PUBLIC HEARING DATE: April 13, 2023

ADOPTED: April 27, 2023

EFFECTIVE DATE: July 1, 2023

Stephen W. Claffey, Mayor

ATTEST:

Kiley A. Kesecker
Clerk of Council

**CITY OF STAUNTON, VIRGINIA
FY 2024 PROPOSED BUDGET**

GENERAL FUND

ANTICIPATED REVENUE

	BUDGET
General Property Taxes	\$ 33,252,511
Other Local Taxes	\$ 18,401,500
Commonwealth of Virginia	\$ 12,983,352
Current Service Charges	\$ 1,685,786
Federal Revenue	\$ 1,239,852
Recovered Costs	\$ 1,154,000
Licenses and Permits	\$ 200,650
Use of Money and Property	\$ 109,200
Fines and Forfeitures	\$ 208,500
Miscellaneous	\$ 29,000
Total Revenue	\$ 69,264,351

APPROPRIATIONS

Transfer to Education Fund	\$ 15,970,171
Public Safety	\$ 16,110,574
Health and Welfare	\$ 7,374,026
Public Works	\$ 6,554,554
General Government Administration	\$ 7,298,548
Transfer to Debt Service Sinking Fund	\$ 5,591,903
Parks, Recreation, Library, and Cultural	\$ 4,392,841
Judicial Administration	\$ 2,872,144
Community Development	\$ 3,090,590
Transfer to the City CIP Fund	\$ -
Educational Agency Contributions	\$ 9,000
Total Appropriations	\$ 69,264,351

DEBT SERVICE SINKING FUND

ANTICIPATED REVENUE

Transfer from the General Fund	\$ 5,591,903
General Revenues	\$ 570,374
Total Revenue	\$ 6,162,277

APPROPRIATIONS

Debt	\$ 6,162,277
Total Appropriations	\$ 6,162,277

BLUE RIDGE COURT SERVICES FUND

ANTICIPATED REVENUE

Non Capital Grants/ Contributions	\$ 1,276,752
Charges for Services	\$ 140,000
Total Revenue	\$ 1,416,752

APPROPRIATIONS

Operations	\$ 1,416,752
Total Appropriations	\$ 1,416,752

WATER FUND**ANTICIPATED REVENUE**

Charges for Service	\$ 4,552,976
General Revenues	4,317,141
Grant Contributions	<u>3,855,000</u>
Total Revenue	\$ 12,725,117

APPROPRIATIONS

Operations	\$ 2,919,855
Debt	945,262
Capital	<u>8,860,000</u>
Total Appropriations	\$ 12,725,117

SEWER FUND**ANTICIPATED REVENUE**

Charges for Services	\$ 3,994,000
General Revenues	52,500
Grant Contributions	<u>4,555,000</u>
Total Revenue	\$ 8,601,500

APPROPRIATIONS

Operations	\$ 2,868,937
Debt	868,943
Capital	<u>4,863,620</u>
Total Appropriations	\$ 8,601,500

PARKING FUND**ANTICIPATED REVENUE**

Charges for Services	\$ 308,300
General Revenues	<u>141,040</u>
Total Revenue	\$ 449,340

APPROPRIATIONS

Operations	\$ 271,684
Debt	<u>177,656</u>
Total Appropriations	\$ 449,340

STORMWATER FUND**ANTICIPATED REVENUE**

Charges for Services	\$ 774,500
General Revenues	1,200,500
Grant Contributions	<u>727,800</u>
Total Revenue	\$ 2,702,800

APPROPRIATIONS

Operations	\$ 602,800
Capital	<u>2,100,000</u>
Total Appropriations	\$ 2,702,800

ENVIRONMENTAL FUND**ANTICIPATED REVENUE**

Charges for Services	\$ 3,636,068
General Revenues	804,001
Non Capital Grants/ Contributions	<u>10,000</u>
Total Revenue	\$ 4,450,069

APPROPRIATIONS

Operations	\$ 3,359,929
Capital	<u>1,090,140</u>
Total Appropriations	\$ 4,450,069

EDUCATION FUND**ANTICIPATED REVENUE**

Commonwealth of Virginia	\$ 21,717,957
Transfer from the General Fund	15,970,171
Federal Government	2,022,546
Charges for Services	63,801
General Revenues	<u>585,721</u>
Total Revenue	\$ 40,360,196

APPROPRIATIONS

Administration and Operation of Schools	\$ 40,360,196
Total Appropriations	\$ 40,360,196

CAFETERIA FUND

ANTICIPATED REVENUE

Operating Grants	\$ 1,945,538
Charges for Service	1,400
General Revenues	<u>233,235</u>
Total Revenue	\$ 2,180,173

APPROPRIATIONS

Operations	\$ <u>2,180,173</u>
Total Appropriations	\$ 2,180,173

SCHOOL TEXTBOOK FUND

ANTICIPATED REVENUE

Commonwealth of Virginia	\$ 814,348
General Revenues	<u>205,652</u>
Total Revenue	\$ 1,020,000

APPROPRIATIONS

Operations	\$ <u>1,020,000</u>
Total Appropriations	\$ 1,020,000

SCHOOL CAPITAL IMPROVEMENTS PROJECT FUND

ANTICIPATED REVENUE

General Revenues	\$ 425,000
Total Revenue	\$ 425,000

APPROPRIATIONS

Capital Improvements	\$ 425,000
Total Appropriations	\$ 425,000

STATE OPERATED PROGRAMS

ANTICIPATED REVENUE

Operating Grants	\$ <u>2,598,076</u>
Total Revenue	\$ 2,598,076

APPROPRIATIONS

Operations	\$ <u>2,598,076</u>
Total Appropriations	\$ 2,598,076

Grand Total Revenues	\$ 152,355,651
Grand Total Expenditures	\$ 152,355,651
Balance	<u>\$0</u>

INTRODUCED: March 23, 2023

Approved this _____ day of ____ 2023

Effective Date: _____

ATTEST: _____
Kiley A. Kesecker
Clerk of Council

CERTIFIED: _____
Stephen W. Claffey
Mayor of Council

PLEASE RUN THIS AD: WEDNESDAY, April 5, 2023

City of Staunton

PROPOSED FISCAL YEAR (FY) 2024 (2023-2024) BUDGET

**NOTICE OF PUBLIC HEARING OF STAUNTON CITY COUNCIL
ON THE PROPOSED FY 2024 BUDGET FOR THE
CITY OF STAUNTON AND STAUNTON CITY PUBLIC SCHOOLS**

Pursuant to Virginia Code Section 15.2-2506, the public is hereby given notice of a meeting of the Staunton City Council to conduct a **PUBLIC HEARING** on the proposed FY 2024 budget as presented by the City Manager. The public hearing will be held on Thursday, April 13, 2023, at 7:30 p.m.

Following is a brief synopsis of the proposed FY 2024 Budget:

	Revenues	Expenditures
<u>City Government Funds:</u>		
General Fund	\$ 69,264,351	\$ 69,264,351
Debt Service Sinking Fund	\$ 6,162,277	\$ 6,162,277
City Capital Improvements Fund	\$ -	\$ -
Blue Ridge Court Services Fund	\$ 1,416,752	\$ 1,416,752
<u>City Proprietary Funds:</u>		
Water Fund	\$ 12,725,117	\$ 12,725,117
Sewer Fund	\$ 8,601,500	\$ 8,601,500
Environmental Fund	\$ 4,450,069	\$ 4,450,069
Stormwater Fund	\$ 2,702,800	\$ 2,702,800
Parking Fund	\$ 449,340	\$ 449,340
<u>School Operating Funds:</u>		
Education Fund	\$ 40,360,196	\$ 40,360,196
State Operated Programs	\$ 2,598,076	\$ 2,598,076
Cafeteria Fund	\$ 2,180,173	\$ 2,180,173
School Capital Improvements Fund	\$ 425,000	\$ 425,000
School Textbook Fund	\$ 1,020,000	\$ 1,020,000
Total All Funds	\$ 152,355,651	\$ 152,355,651

Proposed Property Tax Rates:

	Current Tax Rates as of January 1, 2022	Proposed Tax Rates for January 1, 2023
Real Estate	\$0.92	\$0.89
Personal Property –motor vehicles	\$2.90	\$2.90
Personal Property – business tangible property	\$2.90	\$2.90
Personal Property – machinery and tools	\$1.24	\$1.24

After holding its own public hearing, the Staunton School Board approved and proposes to Council, pursuant to Virginia Code Section 22.1-92, a public schools budget totaling \$46,583,445. Council is required to prepare and approve an annual budget for the educational purposes by May 15 or within thirty days of the receipt by the City of the estimates of state funds, whichever is later, in accordance with Virginia Code Section 22.1-93.

The FY 2024 Budget is available on the City's website at www.staunton.va.us/budget.

The public is strongly encouraged to participate in the budget process. The meeting will be audio streamed live on Cable Channel 7 and on the City's internet site at <https://www.ci.staunton.va.us/government/city-council>. Specific guidelines for participation, including in-person participation, can be found at <https://www.ci.staunton.va.us/government/city-council/access-city-council-meetings>. Questions regarding participation may be directed to Clerk of Council, Kiley Kesecker at keseckerka@ci.staunton.va.us or 540-332-3810.

Kiley A. Kesecker
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	April 13, 2023	Leslie M. Beauregard City Manager John C. Blair, II City Attorney
Item #	E	
Department:	City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence	
Subject:	Consideration of Council Procedure Memorandum No. 20—City Council Town Halls	

Background: On February 28 and March 1, 2023, the City Council conducted a retreat. During the retreat, members of Council discussed the possibility of conducting town hall meetings regarding the budget and other matters before Council.

Subsequent to the retreat, Council members Woods, Robertson, Edwards, Arrowood, Darby, and Mayor Claffey indicated their desire to participate in town hall meetings. The Council discussed this matter at its March 23, 2023 Work Session and requested the City Attorney draft a Procedure Memorandum establishing an official Council policy for town halls.

Proposed City Council Procedure Memorandum No. 20 provides the legal framework for Councilmembers to conduct town hall meetings. It establishes that no more than two Councilmembers may be present at a town hall. It also provides the flexibility for Councilmembers to either establish rules for the town hall or to allow a more free flowing conversation. Finally, it makes clear that no matter what format is chosen, Councilmembers will not discriminate against a participant based solely on the viewpoint that a participant expresses.

Attachment: Proposed Council Procedure Memorandum No. 20

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

Suggested Motion: I move that the Staunton City Council adopt Council Procedure

Memorandum No. 20.

City Manager: Leslie Beauregard

COUNCIL PROCEDURE MEMORANDUM NO. 20

SUBJECT: Town Hall Meetings

Members of the Staunton City Council may wish to individually, or in pairs, hear from their constituents regarding issues before the City Council. One method for Councilmembers to interact with constituents is through a “town hall” format. No more than two Councilmembers may be present for a “town hall” meeting.

The “town hall” format is when the Councilmember advertises a meeting in which the Councilmember will hear from and, at the Councilmember’s election, answer questions from a constituent.

“Town hall” meetings are not official meetings of the Staunton City Council, and the transaction of public business will not occur at these meetings. Councilmembers are acting in their individual capacity in “town hall” meetings and not as representatives of the Staunton City Council. These meetings are an opportunity for Councilmembers to provide and receive information from their constituents. Any statement made by a Councilmember at a “town hall” meeting is made in the Councilmember’s individual capacity and is not the official statement of the Staunton City Council or the City of Staunton’s municipal government.

City of Staunton employees will not participate nor be required to participate in “town hall” meetings as part of their official duties.

Councilmembers may designate a particular topic(s) for a “town hall” meeting and require that all attendees only speak and ask questions about that topic(s). Councilmembers may also establish the rules for “town hall” attendees or allow for an informal conversation between the Councilmembers and constituents.

Consistent with controlling legal authority, Councilmembers may not discriminate against any attendee’s viewpoint expressed about the designated topic(s).

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	April 13, 2023	Leslie Beauregard City Manager John C. Blair, II City Attorney Jeff Johnston Director, Public Works
Item #	F	
Department:	City Manager’s Office	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Presentation Regarding the City of Staunton Juvenile & Domestic Relations District Court Facility	

Background: City staff will provide information on the planning process for the creation of a new City of Staunton Juvenile & Domestic Relations District Court facility.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard