

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
December 14, 2023
5:00 p.m.**

- | | | |
|------------------|-----------|---|
| 5:00 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:05 p.m. | 2. | Discussion of 2024 Legislative Program with Delegate Ellen Campbell |
| 5:20 p.m. | 3. | Diversity, Equity and Inclusion Commission Final Report and Recommendations |
| 6:05 p.m. | 4. | Closed Meeting for Discussion of the Performance of the City Manager and Discussion of the Award of a Public Contract Involving the Expenditure of Public Funds Where Discussion in an Open Session Would Adversely Affect the City of Staunton's Bargaining Position (Includes Dinner Break Until Regular Meeting at 7:00 p.m.) |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
December 14, 2023
7:00 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence – Arrowood

Mayor's Report

Additional Items by Members of Council

REGULAR MEETING

A. Consent Agenda

A.1. Approval of Minutes

Work Session and Regular Meeting of November 9, 2023

Special Meeting of November 30, 2023

A.2. FY 2024 Quarterly Financial Report

**A.3. Authorization of Virginia Resources Authority Spring 2024
Application for the Juvenile and Domestic Relations District Court
Construction**

**All items will be voted on in one (1) motion. If so requested by any member
of Council, an item placed on the consent agenda shall be removed and
taken up as a separate matter at the end of the Regular Meeting.**

**B. Public Hearing and Consideration of a Request by LGP Realty
Holdings, LP, and Quick Properties, LLC, to Vacate that Portion of
Undeveloped Public Right-Of-Way Identified as 4,236 Square Feet
Lying in an Area Between 1200 Churchville Avenue and 1210
Churchville Avenue**

**C. Public Hearing and Consideration of a Request by Labrehab at
Windy Oaks, LLC, to Add Six Parcels Totaling 45.56 Acres to the M.
O. Carr Agricultural-Forestal District**

- D. Public Hearing and Consideration of a Request by the City of Staunton to Amend the City of Staunton, Virginia, Comprehensive Plan 2018-2040, to Include Changes that are Necessary to Reflect the Recently Completed Uniontown Neighborhood Action Plan**
- E. Consideration of a Final Plat for Winnbrook, Section 6**
- F. Presentation by City Auditors on the FY 2023 Annual Comprehensive Financial Report**
- G. Update on Municipal Separate Storm Sewer System Permit, Chesapeake Bay Total Maximum Daily Load Action Plan and Stormwater Utility Fee**
- H. Discussion of FY 2023 End of Year General Fund Financial Overview and Fund Analysis**
- I. Discussion and Consideration of Ordinance Dissolving the Valley Alcohol Safety Action Program**

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:	December 14, 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, Virginia

Meeting Date:	December 14, 2023	City Council John C. Blair, II City Attorney
Item #	2	
Department:	City Council City Attorney	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Discussion of 2024 Legislative Program with Delegate Ellen Campbell	

Background: Delegate Ellen Campbell will meet with the Staunton City Council to discuss the Council's 2024 Legislative Program adopted at the Council's October 26, 2023 meeting. Additionally, Kendall Bailey, the Legislative Assistant for Senator-elect Christopher Head will be in attendance.

Attachment: 2024 Staunton City Council Legislative Program

City Manager's Recommendation: Not Applicable.

Suggested Motion: Not Applicable.

City Manager: Leslie Beauregard

Attachment 1

Be it enacted by the General Assembly of Virginia:

1. That §24.2-682 of the Code of Virginia is amended and reenacted as follows:

A. Notwithstanding any charter or special act to the contrary, the following provisions govern the times for holding special elections. Every special election shall be held on a Tuesday. No special election shall be held within the 55 days prior to a general or primary election. ~~No special election shall be held on the same day as a primary election.~~ A special election may be held on the same day as a general election.

B. A referendum election shall be ordered at least 81 days prior to the date for which the referendum election is called.

C. A special election to fill a vacancy in any constitutional office shall be held promptly and in accordance with the requirements of subsection A.

Be it enacted by the General Assembly of Virginia:

1. The City of Staunton, Virginia may establish criteria to reduce or waive utility connection fees in the following described area located within the City of Staunton, Virginia:

Beginning at the intersection of Statler Boulevard and CSX Railroad (near the intersection of Statler Boulevard and Richmond Avenue), those lots immediately adjacent to the northern side of the railroad with frontage on Summerson Row and Anthony Street, to also include four lots located on the northern side of Anthony Street, situated between the parcels currently operating as Allied Concrete and Staunton Wrecking; and continuing to those lots which adjoin the southern side of undeveloped Anthony Street, to include the lot at the intersection of National Avenue and Anthony Street; and continuing southwest, all of lots to the south of CSX Railroad on the eastern side of National Avenue, then moving westerly to include the lots on the northern side of Richmond Avenue to the eastern corner of Young Street; including all of those lots on the eastern side of Young Street, inclusive of all of those lots situated between Young Street and National Avenue and Richmond Avenue and CSX Railroad.

The parcels being further identified as City Parcel Identification Numbers:

4798; 1093; 7508; 7509; 2915; 4178; 7968; 954; 99; 1851; 1847; 8136; 1095; 1864; 8138; 1096; 1867; 8860; 1863; 1097; 1879; 1284; 8134; 1880; 1865; 100722; 1098; 1848; 1876; 7507; 98; 1811; 8496; 10320; 7712; 1845; 1842; 1840; 1843; 9013; 4994; 4993; 1; 4995; 7613; 7610; 7609; 7607; 7611; 3928; 3929; 5395; 101541; 101542 7196; 1846; 6243; 8458; 1877; 3074; 7612; 100; 2914; 8839; 7608; 8843; 8678; 2913; 626; 8582; 3576; 3578; 3577; 1883; 1884; 5481; 2916; 11556; 2318; 8581; 786; 1376; 2912; 1882; 5599; 5151; 809; 2319; 3104; 5149; 1094

2. After the establishment of criteria for the reduction or waiving of utility connection fees for the aforementioned area, the Staunton City Council is authorized to adopt an ordinance to reduce or waive utility connection fees for the area.



Proposed 2024 Legislative Program Items

As approved by the VML Legislative Committee Oct. 8, 2023

I. LEGISLATIVE PRIORITIES (listed alphabetically)

Funding of Community Services Boards and Behavioral Health Authorities

VML supports sufficient and sustained state funding and technical assistance for community services boards/behavioral health authorities to implement STEP-VA requirements and to support the planning and implementation of Marcus Alert protocols. This funding should not come at the expense of other community-based service initiatives and requirements; nor should the burden of funding these state initiatives be shifted to local governments.

Robust state revenues offer an opportunity for the state to make new investments in the community and in the state hospitals.

Investments must go to both build the network of community-based services and to assist state hospitals with their vital mission. This cannot be a zero-sum funding situation where one part of the system benefits at the expense of the other part of the system.

Marijuana: Clarification of Local Referendum and State Support

VML urges the General Assembly to clarify the city and town referendum opt-out process by specifying that:

- Towns may hold concurrent referenda with their counties with the outcome of the town referendum binding within the town, and
- Only in the case of a town not holding a referendum would a county's referendum outcome affect a town's legal sales of recreational marijuana.

VML further requests dedicated and near-term financial state support to assist communities with the upfront, pre-implementation administrative, health, and public safety costs incurred prior to the start of legal sales in localities. This includes training for local law enforcement, and other applicable local government personnel (taxation, code enforcement, zoning, etc.) on the new law and regulations.

VML urges the Cannabis Control Authority to begin its work as soon as possible to fill the regulatory vacuum. This work must include participation by local governments to clarify state and local roles and responsibilities pertaining to marijuana rules and regulations, including but not limited to, establishing enforcement guidance and training standards, guidance for marijuana equivalents, and eliminating ambiguity from local authority. VML supports the equitable implementation of this law.

VML supports transparency but also a balance in financial reporting requirements on citizen volunteers to ensure that economic development authorities and industrial development authorities continue to operate with interested and knowledgeable volunteers.

Land Use Control

Localities must maintain control of local land use decisions. Neither the state nor the federal government should usurp or pre-empt a locality's authority to make such decisions; nor should they impose requirements that weaken planning and land use functions. This includes all types of housing to include, but not limited to short-term rentals.

VML also supports local government authority to promote affordable and mixed income housing as well as the required infrastructure to facilitate in-fill development, redevelopment and mixing of uses. Any mandate from the state should include full funding for the locality.

Local Excise Taxes

VML supports the statewide authority for local governments to establish an excise tax on the sale of vaping products. VML also supports the statewide authority for local governments to establish an excise tax on the sale of cannabis products.

Privacy Protection in Government Data Collection

VML supports ensuring that localities can meet the intent of the Government Data Collection and Dissemination Practices Act by protecting the privacy and personal information acquired through the provision of services to local government clients.

Remote Meetings for Persons with Disabilities

VML supports remote meeting participation for persons with disabilities as defined in Virginia State Code and that the participant count towards a quorum for the meeting.

Sovereign Immunity

Expanding liability and eroding immunities at state levels across the nation have had a chilling effect on the actions of local government officials contributing to local government insurance problems, creating immense financial risks (particularly for legal costs), and posing a substantial obstacle to the provision of needed public services. The Virginia General Assembly should strengthen and must maintain the principles of sovereign immunity for local governments and their officials.

State Assistance to Local Police Departments (HB 599)

Almost 70 percent of Virginians live in communities served by police departments. The State created a program of financial assistance to local police departments (HB 599) when it imposed an annexation moratorium on cities more than 30 years ago. It has increasingly de-emphasized this funding obligation as a priority but has never compromised on the annexation moratorium. VML calls for the state to honor its commitment to local governments and public safety by funding the program as stipulated in the Code of Virginia or lift the moratorium on annexation.

**RESOLUTION OF THE STAUNTON
CITY COUNCIL HONORING OFFICER
MARK CHRISTOPHER WAGNER, II AND
REQUESTING A LINE OF DUTY ACT AMENDMENT**

WHEREAS, Mark Christopher Wagner II served for seven years with the Massanutten Police Department, beginning his law enforcement career as a Gate Attendant and in May of 2019, earned Police Officer status following his graduation from Central Shenandoah Police Academy; and

WHEREAS, Officer Wagner joined the Wintergreen Police Department in August of 2020 and diligently served the Wintergreen Community with unwavering honor and commitment; and

WHEREAS, Officer Mark Christopher Wagner II was killed in the line of duty on June 16, 2023, in his capacity as a law enforcement officer employed by the Wintergreen Police Department, a private police department; and

WHEREAS, the Line of Duty Act, Virginia Code § 9.1-400 *et seq.*, excludes private Police Officers from the benefits of that Act; and

WHEREAS, by definition under the Code of Virginia private Police Officers are law enforcement officers; and

WHEREAS, private Police Officers, just as their counterparts employed by a police department or sheriff's office, are responsible for the prevention and detection of crime and the enforcement of the penal laws and are exposed to the same risks of injury or death; and,

WHEREAS, it is the desire of the Staunton City Council that the Line of Duty Act should be amended to afford private Police Officers the benefits available under the Act by permitting private Police Departments to join and pay premiums pursuant to the Line of Duty Act's provisions.

NOW, THEREFORE, BE IT RESOLVED, the Staunton City Council hereby honors Officer Mark Christopher Wagner II of the Wintergreen Police Department for his heroism and honorable service to the residents of Wintergreen, for whom he made the ultimate sacrifice, and

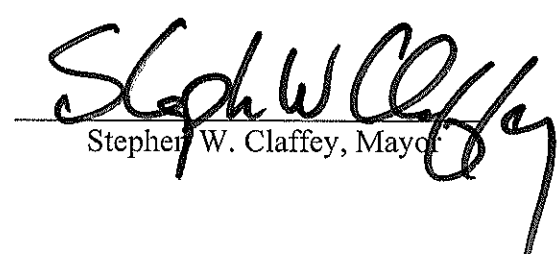
BE IT FURTHER RESOLVED, the Staunton City Council hereby requests the General Assembly to amend the Code of Virginia to afford private Police Departments the ability to participate in, pursuant to Virginia Code § 9.1-400 *et seq.*, the Line of Duty Act, and

BE IT FINALLY RESOLVED, the Staunton City Council hereby directs that a copy of this Resolution requesting these State Code amendments be delivered forthwith to the City's representatives in the 2024 Session of the Virginia General Assembly.

Adopted this 26th day of October, 2023.

ATTEST:


Kiley A. Kesecker, Clerk of Council


Stephen W. Claffey, Mayor

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	Diversity, Equity and Inclusion Commission City Council
Item #	3	
Department:	City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Inclusion & Equity Strategic Area: Responsive, Efficient Government Inclusion	
Subject:	Diversity, Equity and Inclusion Commission Final Report and Recommendations	

Background: On February 24, 2022, City Council adopted a resolution to establish an Equity and Diversity Commission, now known as the Diversity, Equity and Inclusion Commission. The Commission members were appointed on May 26, 2022. At the December 8, 2022 City Council meeting, the Commission provided an update on their work to City Council. At the December 14, 2023, the Commission will present their final report and recommendations to City Council. DEI Commission Chair Sabrina Burress and Vice Chair Lindsey Lennon will present the final report and recommendations.

Following the report, and per the resolution adopted on February 24, 2022, City Council will next conduct a public hearing on the report and recommendations. That will be scheduled for early 2024.

Attachment: [Diversity, Equity and Inclusion Commission Final Report and Recommendations](#)

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	Leslie Beauregard City Manager City Council
Item #	4	
Department:	City Manager’s Office City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Responsive, Efficient Government	
Subject:	Closed Meeting for Discussion of the Performance of the City Manager and Discussion of the Award of a Public Contract Involving the Expenditure of Public Funds Where Discussion in an Open Session Would Adversely Affect the City of Staunton’s Bargaining Position	

Suggested Motion: I move to enter a closed meeting for: (1) the discussion of the performance of a specific Council-appointed city employee, the Staunton City Manager, pursuant to Virginia Code § 2.2-3711(A)(1); and (2) the discussion of a public contract for architectural and engineering services involving the expenditure of public funds where the discussion in an open session would adversely affect the City of Staunton's bargaining position pursuant to Virginia Code §2.2-3711(A)(29).

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

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

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

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	City Council
Item #:	A	
Department:	City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Area: Responsive, Efficient Government	
Subject:	Consent Agenda	

Background: As provided in [Council Procedure Memorandum No. 14](#), it is the policy of City Council to have the City Manager place routine, noncontroversial items on a Consent Agenda. Briefings for each item included on the Consent Agenda have been prepared in the manner and format of regular business items on the agenda, with each item described in sufficient detail to provide the public with an appropriate understanding of such item. All matters listed on the Consent Agenda will be enacted by one motion and as a single item. There will be no separate discussion of an item. If discussion is desired, the item may be removed from the Consent Agenda at the request of a member of City Council and considered separately at the end of the regular meeting agenda.

The Mayor will inquire whether any member of City Council desires to remove any item from the Consent Agenda and to place such item on the regular meeting agenda for separate consideration.

Suggested Motion (if no items removed): I move to approve the Consent Agenda, as presented.

Suggestion Motion (if one or more items removed): I move to approve the Consent Agenda with the exception of item(s) _____, and that item(s)_____ be moved to the end of the regular agenda for discussion and a separate vote.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	City Council
Item #	A.1	
Department:	City Council	
Alignment with Staunton Plan (Value/Strategic Area):	Values: Integrity Engagement	
Subject:	Approval of Minutes	

Background: Draft meeting minutes are attached for City Council's consideration and for approval as Council prefers.

Attachment:

Attachment 1 – Work Session and Regular Meeting Minutes of November 9, 2023

Attachment 2 – Special Meeting Minutes of November 30, 2023

Suggested Motions: I move to approve the work session and regular meeting minutes of November 9, 2023, and the special meeting minutes of November 30, 2023 [as presented] [with the following changes: _____.]

City Manager: Leslie Beauregard



City Council
WORK SESSION
November 9, 2023
5:30 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 this 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 Ms. Edwards 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	absent		

Mr. Holmes arrived at 5:33 p.m.

2. Staunton Plan Update

City Manager Leslie Beauregard presented an update on the Staunton Plan, City Council's strategic plan that was adopted on May 11, 2023 following a two-day retreat held in late February of 2023.

3. Tourism Update

Director of Tourism Sheryl Wagner presented her last update on the tourism department's activities over the past year and the impact that tourism has had on the city's economy.

Mr. Arrowood asked what the attendance for Queen City Mischief and Magic was compared to last year. Ms. Wagner stated that last year was around 30,000 and this year was around 10,000.

4. **Closed Meeting for: Consultation with Legal Counsel Concerning a Regional Agreement; Consultation on Actual or Probable Litigation Related to a Quiet Title Action for Property Located on Churchville Avenue; and the Discussion or Consideration of the Disposition of Publicly Held Real Property at Crossing Way**

Mayor Claffey recognized Councilmember-elect Adam Campbell in attendance and invited him to participate in the closed meeting.

Mr. Robertson moved to enter a closed meeting for: (i) consultation with legal counsel, the City Attorney of Staunton, Virginia, to discuss legal matters related to a regional agreement requiring the provision of legal advice, pursuant to Virginia Code § 2.2-3711(A)(8); (ii) consultation with legal counsel of actual or probable litigation related to a quiet title action for property located on Churchville Avenue, pursuant to Virginia Code § 2.2-3711(A)(7); and, (iii) discussion or consideration of the disposition of real property located within the city limits of Staunton, Virginia on Crossing Way where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3);

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		

Mr. Holmes 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 by Mr. Robertson and carried as follows:

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

The work session adjourned at 7:01 p.m.

Kiley A. Kesecker
Clerk of Council

**REGULAR MEETING OF STAUNTON CITY COUNCIL****Thursday, November 9, 2023****7:00 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 Ms. Woods.

Proclamation – Veterans Day presented by Councilor Holmes, received by Col. Melissa Patrick.

Proclamation – Small Business Saturday, received by Executive Director of the Staunton Downtown Development Association Greg Beam and SDDA Board President Jessica Sawyers.

MAYOR'S REPORT

Mayor Claffey provided a schedule of upcoming events including the Veterans Day Parade, holiday tree lighting, and Christmas Parade. He also presented Councilor Holmes with a certificate of service for the year 2023, and acknowledged that it would be Mr. Holmes' last meeting.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Mr. Robertson stated that the Nominations Committee met on November 8, 2023 and would like to make the following motion:

To appoint Anna Leavitt to the Social Services Advisory Board to fill the unexpired term of Judy Burtner ending August 31, 2026.

To reappoint Sarah Lynch as restaurant representative to the Tourism Advisory Board for a 3-year term beginning November 1, 2023 and ending October 31, 2026.

Needing no second, the motion carried as follows:

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

Ms. Woods stated that she had attended Building Bridges Uniontown walk.

Vice Mayor Darby stated she attended a Lewis Creek Watershed Advisory Committee meeting.

Mr. Arrowood stated that he took a tour of the Staunton Crossing site.

REGULAR MEETING

A. Consent Agenda

Mayor Claffey made the following statement:

“Per Procedure Memorandum No. 14, it is the policy of City Council to have routine, non-controversial items placed on a Consent Agenda. All items on the Consent Agenda will be voted on in one motion. If separate discussion of an item is requested by any member of Council, that item shall be removed and considered separately at the end of the regular meeting agenda.”

A.1. Approval of Meeting Minutes Work Session and Regular Meeting of October 26, 2023

A.2 Consideration of Panhandling Signage in the City of Staunton

Mayor Claffey asked if any Councilmembers desired to remove any item from the Consent Agenda to be placed on the regular meeting agenda for separate consideration.

Ms. Woods moved to approve the Consent Agenda with the exception of item A.2, and that item A.2 be moved to the end of the regular agenda for discussion and a separate vote.

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

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

B. Public Hearing and Consideration of a Request by the Staunton Economic Development Authority to Rezone 100 North Frontier Drive (Parcel Identification Number 12411), Consisting of 79.3951 Acres, and a Portion of 1249 Richmond Avenue (Parcel Identification Number 12412), Consisting of 26.3072 Acres, from B-2, General Business District, to I-1, Light Industrial District

Senior Planner Rodney Rhodes stated that the Staunton Economic Development Authority has requested a rezoning of 100 North Frontier Drive and a portion of 1249 Richmond Avenue, totaling 105.7023 acres. The purpose of the rezoning is to make the area compatible with the I-1, Light Industrial zoning to the north, and to implement the recommendations of the Staunton Crossing Economic Development business plan, which calls for this portion of Staunton Crossing to be developed for industrial uses. In 2013, the EDA acquired the 300-acre site, which is the former location of Western State Hospital. In 2016, the site's front 25 acres were sold to Staunton Crossing Partners, LLC, which has developed the property with two hotels, several fast-food restaurants, and convenience and retail stores. The Virginia Department of Transportation is constructing an extension of Crossing Way that will connect Richmond Avenue with Valley Center Drive.

Mr. Rhodes stated that city staff conducted a review of the proposed rezoning and has not identified any areas of concern. Once the Crossing Way extension is complete, a final plat will be required to accept the new public right-of-way and create new property lines that will reflect the proposed zoning boundary between the proposed I-1, Light Industrial District and the remaining B-2, General Business District on 1249 Richmond Avenue. The "Generalized Land Use and Development Guide, Future Land Use Map" *Staunton, Virginia, Comprehensive Plan 2018 – 2040*, designates this area as commercial, but it has not been updated to reflect the land use changes needed to implement the Stanton Crossing Economic Development business plan. Staff recommends that this area be changed in the next Comprehensive Plan update to be consistent with the Staunton Crossing Economic Development Plan.

Mr. Rhodes concluded by stating that at its October 19, 2023 meeting, the Planning Commission conducted a public hearing during which, no one spoke in opposition to the request. On a 5-0 vote the Commission voted unanimously to recommend approval of the rezoning.

Mayor Claffey asked if Councilmembers had any questions.

Councilmembers had no questions.

Mayor Claffey stated the following:

"In a moment, I will open the Public Hearing. It is a time that Council sets aside to hear from citizens and others about a specific topic.

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

For our Zoom participants, please raise your hand now if you wish to speak on this particular Public Hearing. If you raise your hand during this Public Hearing, you will also be able to raise your hand during this Council meeting for other Public Hearings and Matters of the Public. Please

keep your comments to five minutes as well. Once everyone who wishes to speak has had an opportunity, I will then close the Public Hearing.

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

The public hearing was opened.

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

Mr. Holmes moved that Council adopt the ordinance and approve the rezoning as recommended by the Planning Commission.

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

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

Ordinance No. 2023- 36

AN ORDINANCE REZONING FROM B-2, GENERAL BUSINESS DISTRICT, TO I-1, LIGHT INDUSTRIAL DISTRICT, THAT CERTAIN TRACT OR PARCEL OF LAND LOCATED AT 100 NORTH FRONTIER DRIVE (PARCEL IDENTIFICATION NUMBER 12411) AND

A PORTION OF THAT CERTAIN TRACT OR PARCEL OF LAND LOCATED AT 1249 RICHMOND AVENUE (PARCEL IDENTIFICATION NUMBER 12412) CONSISTING OF 26.3072 ACRES IN THE CITY OF STAUNTON, VIRGINIA

Recitals

A. It appears by deed dated April 23, 2010, recorded in the Clerk’s Office of the Circuit Court of the City of Staunton, Virginia, as Instrument Number 100000926, that the Economic Development Authority of the City of Staunton, acquired from the Commonwealth of Virginia, Department of Behavioral Health and Development Services, what is known by present address numbering as 100 North Frontier Drive and 1249 Richmond Avenue with further description provided in the deed, a copy of which is annexed and incorporated herein by reference (**Exhibit A**);

B. The Economic Development Authority of the City of Staunton has applied to the City of Staunton for a zoning classification change, under the provisions of the Staunton City Code ("SCC"), from B-2, General Business District, to I-1, Light Industrial District;

C. The proposed rezoning is consistent with the provisions of SCC 18.215.060(1) and is necessary so that the zoning of the property is consistent with the master plan that has been approved for the development of the lands within the Staunton Crossing economic development site;

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 including the consideration of written reports provided by City of Staunton staff members; 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 100 North Frontier Drive (Parcel Identification Number 12411) and a 26.3072 acre portion of 1249 Richmond Avenue (Parcel Identification Number 12412), in the City of Staunton, Virginia, is **HEREBY REZONED** from B-2, General Business District, to I-1, Light Industrial District, on the basis that the rezoning would serve the interests of public necessity, convenience, general welfare, and good zoning practice.

Introduced: November 9, 2023
Adopted: November 9, 2023
Effective Date: November 9, 2023

Signed: STEPHEN W. CLAFFEY, MAYOR

Attest: KILEY A. KESECKER
Clerk of Council

C. Public Hearing and Consideration of an Amendment to Chapter 18.95, Agricultural-Forestal Districts, of Title 18, Zoning, of the Staunton City Code to Eliminate the Minimum Acreage Requirement for a Parcel to be Added to an Agricultural-Forestal District

Mr. Rhodes stated the city's agricultural forestal districts are established and regulated under both the Code of Virginia and the City Code, the latter of which has requirements that a parcel must contain a minimum of 20 acres to be considered for inclusion as an addition to an agricultural forestal district. However, the Code of Virginia does not include a minimum acreage for a specific parcel to be added to the district, only that there must be at least a 200 acre minimum for the entire district.

Mr. Rhodes noted that they recently had a request to reduce or eliminate that 20 acre requirement. It is the City Attorney's opinion that because the enabling legislation of the Code of Virginia does not specify a minimum acreage requirement, the City Code cannot specify a minimum acreage

requirement. To eliminate the conflict between state law and local ordinance, staff is recommending an amendment to remove the 20 acre minimum requirement. Mr. Rhodes added that in the state code, there is a minimum five acre agricultural acreage requirement in order to receive land use valuation, and there is a 20 acre minimum if it is in a forestal district, so state code still protects against having multiple small lots, or any small lots, from applying. The Planning Commission conducted a public hearing on October 19, 2023, during which no one spoke in opposition to the request, and the Commission voted unanimously to recommend approval of the zoning text amendment.

Mayor Claffey asked if Councilmembers had any questions or comments.

Councilmembers had no questions.

Mayor Claffey stated the following:

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

The public hearing was opened.

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

Mr. Arrowood moved that Council adopt the ordinance and approve the amendment as recommended by the Planning Commission.

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

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

Ordinance No. 2023- 37

AN ORDINANCE AMENDING SECTION 18.95.020, DISTRICTS DESIGNATED AND DESCRIBED – ADDITIONS TO DISTRICT, OF CHAPTER 18.95, A-1 AGRICULTURAL-FORESTAL DISTRICT OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE TO REMOVE THE MIMUMUM SIZE REQUIREMENT FOR A PARCEL TO BE ADDED TO THE DISTRICTS

Recitals

A. Chapter 18.95 of the Staunton City Code establishes and regulates the A-1, Agricultural-Forestal Districts, in the City of Staunton;

B. Section 18.95.020, Districts designated and described – additions to district, establishes a 20 acre minimum size requirement for parcels of land to be considered for addition to the Agricultural-Forestal Districts;

C. § 15.2-4300 of the Code of Virginia, the Agricultural and Forestal Districts Act, does not provide for a locality to enact such a requirement within a local ordinance;

D. City Staff have determined that Chapter 18.95, A-1 Agricultural-Forestal District, of Title 18, Zoning, of the Staunton City Code should be amended to remove the minimum size requirement and make the local ordinance consistent with the provisions of the Code of Virginia;

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

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 section 18.95.020 of Chapter 18.95, A-1 Agricultural-Forestal District, of Title 18, Zoning, of the Staunton City Code, is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

Chapter 18.95

A-1 AGRICULTURAL-FORESTAL DISTRICT

Sections:

- 18.95.005 Definitions.
- 18.95.010 Districts continued.
- 18.95.020 Districts designated and described – Additions to districts.
- 18.95.030 Required and permitted uses.
- 18.95.040 Overlay.
- 18.95.050 Private roads.
- 18.95.060 Other conditions.
- 18.95.070 Term review.
- 18.95.080 Severability.

18.95.005 Definitions.

For purposes of this chapter, the following definitions apply unless otherwise provided herein:

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

18.95.020 Districts designated and described – Additions to districts.

(1) Districts. The agricultural, or sometimes referred to as agricultural and forestal or agricultural-forestal, districts designated and the land included within the districts are the following:

(a)
.....
.....
.....

(2) Additions to Districts. Additional parcels of land may be added to an existing district at any time by following the process and application deadlines prescribed for the creation of a new district. The assessor for the city of Staunton shall specify an application form and, as necessary, other forms related to any proposed additional district and for proposed land to be added to a district consistent with the provisions of this chapter. (Ord. 2020-16; Ord. 2020-01; Ord. 2015-02; Ord. 2010-29; Ord. 2009-06; Ord. 2009-05; Ord. 2004-38. Zoning ordinance Art. 4, § 16).

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: November 9, 2023
Adopted: November 9, 2023
Effective Date: November 9, 2023

Signed: STEPHEN W. CLAFFEY, MAYOR

Attest: KILEY A. KESECKER
Clerk of Council

D. Consideration of a Request by D. R. Horton, Inc, to Amend the Final Plat for Old South Village, Section Four, to be Renamed South View, Section Four

Mr. Rhodes stated that in May of 2023, a Final Plat for section four of Olde South was approved by City Council. The Final Plat created 33 new lots with an extension of Stonewall Jackson Boulevard and the creation of a new street named Antietam Court. The revised Final Plat renames this section to South View, Section Four, and includes the same 33 lots with the same configuration, but changes the name of Antietam Court to Rolling Ridge Court. Although construction of the infrastructure is nearly complete, it has not yet been accepted as a public street; therefore, recordation of a revised Final Plat is the appropriate means to satisfy the developer's request to change the street name.

Mr. Rhodes concluded by stating that at its October 19, 2023 meeting, the Planning Commission voted to recommend approval of the amended Final Plat.

Mayor Claffey asked if Councilmembers had any questions.

Councilmembers had no comments or questions.

Mr. Holmes moved that Council approve the amended Final Plat as recommended by the Planning Commission.

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

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

A.2 Consideration of Panhandling Signage in the City of Staunton

Ms. Beauregard stated that during the September 14, 2023 work session, City Council discussed panhandling and potential signage within the City of Staunton, and directed staff to explore this issue. Assistant City Manager Amanda Kaufman assembled a working group with representatives from the City Manager's Office, Community Development, Public Works, Police Department, Valley Community Services Board, Valley Mission, and Shenandoah Valley Social Services, to discuss potential signage, content, and locations, which was presented to City Council during its October 26, 2023 work session. The signage will be made and installed by Public Works in two locations along Richmond Avenue. The resource listed on the signage will be the Valley Homeless Connection Hotline number, which is managed by the Valley Community Services Board. The working group felt this was the most comprehensive resource and referral hotline available to the community.

Mayor Claffey asked if Councilmembers had any questions.

Discussion ensued regarding where the phone number on the sign should go, state resources, specific wording on the sign, and locations of the signs.

Councilmembers agreed that the bottom portion of the sign should read "In crisis? Call 211."

Director of Public Works Jeff Johnston briefly outlined the sign materials, colors, and locations on Richmond Avenue.

Councilmembers had no further comments or questions.

Mr. Robertson moved that Council approve the panhandling signage with agreed upon language as discussed, and direct staff to install on Richmond Avenue.

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

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

MATTERS FROM THE CITY MANAGER

Ms. Beauregard presented updates and information on the following items:

- Statewide ban on skill games.
- Thanksgiving holiday schedules for city facilities.

Mr. Johnston gave a brief presentation about the trash survey and new city trash cans, at the request of Councilor Robertson.

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.”

Constance Birch, 319 Mary Gray Lane, expressed concern regarding safety issues for users of the skate park.

Leslie Kipp, 16 Church Street, expressed opposition to city DEI initiatives and Black Lives Matter.

There was no one else present wishing to speak.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 8:18 p.m.

Kiley A. Kesecker
Clerk of Council

SPECIAL MEETING OF STAUNTON CITY COUNCIL
Thursday, November 30, 2023
5:30 p.m.
Caucus Room

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

ABSENT: Mark A. Robertson

ALSO PRESENT: Adam F. Campbell, Councilmember-Elect
John Blair, City Attorney
Kiley Kesecker, Clerk of Council

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

Closed Meeting

Mr. Holmes moved to enter a closed meeting for: the discussion of the performance of a specific Council-appointed city employee, the Staunton City Manager, pursuant to Virginia Code § 2.2-3711(A)(1).

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

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

Mr. Arrowood 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 by Mr. Holmes and carried as follows:

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

49 **ADJOURNMENT**

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51 There being no further business to come before Council, the meeting adjourned at 8:45 p.m.

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Kiley A. Kesecker
Clerk of Council

DRAFT

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	Jessie Moyers Chief Finance Officer
Item #	A.2	
Department:	Finance	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsible, Efficient Government	
Subject:	FY 2024 Quarterly Financial Report	

Background: Attached for review, as prepared by Jessie Moyers, Chief Finance Officer, is the financial report for the first four months of fiscal year 2024. The quarterly financial report and the sales, meals, and lodging tax reports history reports are attached.

Attachments:

Attachment 1—Sales, Meals and Lodging Tax Reports
Attachment 2—Financial Report

City Manager's Recommendation: Not applicable

Suggested Motion: Not applicable

City Manager: Leslie Beauregard

LOCAL SALES TAX HISTORY - 1% Tax Rate

Attachment 1

	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	% Change
July	359,853	399,841	408,778	457,551	523,345	505,134	-3.5%
August	353,758	390,365	383,139	418,081	475,016	503,910	6.1%
September	364,511	408,013	416,225	459,262	500,792	490,234	-2.1%
October	368,779	406,308	417,973	431,562	487,941		-100.0%
November	367,724	386,214	367,040	430,213	478,059		-100.0%
December	416,329	459,871	489,867	568,394	576,043		-100.0%
January	301,088	378,159	381,915	389,797	422,884		-100.0%
February	333,110	354,448	360,082	382,280	457,991		-100.0%
March	393,767	424,727	462,591	512,099	530,346		-100.0%
April	382,963	384,624	497,565	485,816	488,377		-100.0%
May	409,439	408,068	451,087	472,797	501,712		-100.0%
June	383,654	454,692	381,951	476,868	520,099		-100.0%
Totals	4,434,974	4,855,331	5,018,212	5,484,719	5,962,604	1,499,278	
Budget	4,015,000	4,300,000	3,393,750	4,662,500	5,275,000	5,624,522	
Budget Variance	419,974	555,331	1,624,462	822,219	687,604	(4,125,244)	
% OF BUDGET	110.5%	112.9%	147.9%	117.6%	113.0%	26.7%	
% CHANGE- YEAR	7.5%	9.5%	3.4%	9.3%	8.7%	-74.9%	

SALES TAX HISTORY

\$7,000,000
\$6,000,000
\$5,000,000
\$4,000,000
\$3,000,000
\$2,000,000
\$1,000,000
\$-

FY2009
FY2010
FY2011
FY2012
FY2013
FY2014
FY2015
FY2016
FY2017
FY2018
FY2019
FY2020
FY2021
FY2022
FY2023

FY2009	\$	3,554,096	
FY2010	\$	3,495,905	-1.6%
FY2011	\$	3,381,018	-3.3%
FY2012	\$	3,588,737	6.1%
FY2013	\$	3,729,201	3.9%
FY2014	\$	3,760,505	0.8%
FY2015	\$	3,988,839	6.1%
FY2016	\$	4,079,919	2.3%
FY2017	\$	4,039,658	-1.0%
FY2018	\$	4,123,862	2.1%
FY2019	\$	4,434,974	7.5%
FY2020	\$	4,855,331	9.5%
FY2021	\$	5,018,212	3.4%
FY2022	\$	5,484,719	9.3%
FY2023	\$	5,962,604	8.7%

SALES TAX MONTHLY HISTORY

600,000
550,000
500,000
450,000
400,000
350,000
300,000
250,000
200,000

1 2 3 4 5 6 7 8 9 10 11 12

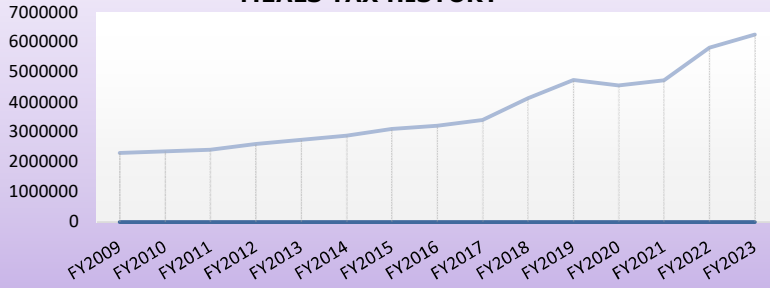
FY2019 FY2020 FY2021 FY2022 FY2023 FY2024

MEALS TAX HISTORY- 7% Tax Rate

ATTACHMENT #1

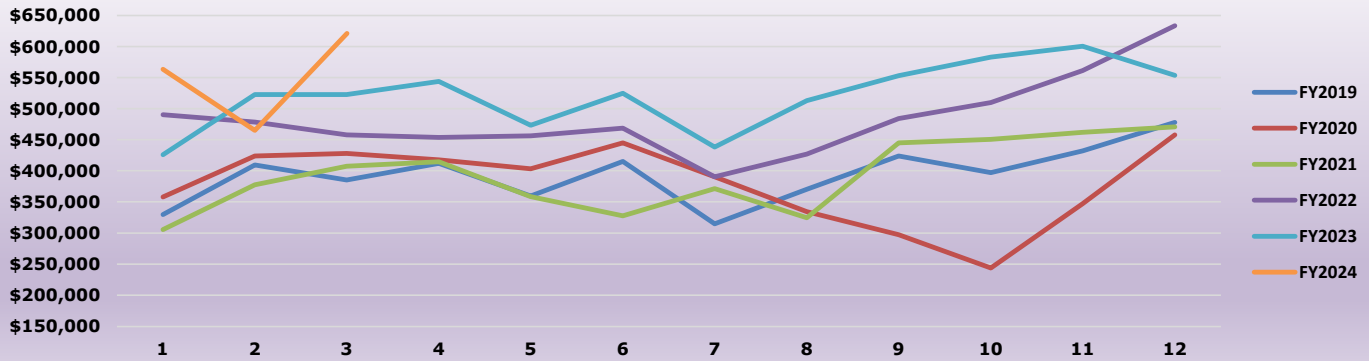
Tax Rate	6% TAX RATE	7% TAX RATE	7% TAX RATE	7% TAX RATE	7% TAX RATE	7% TAX RATE	7% TAX RATE	
	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	% Change
July	334,579	329,573	358,212	305,920	490,076	426,045	563,368	32.2%
August	341,094	409,425	424,090	377,519	478,421	522,710	465,046	-11.0%
September	343,277	385,385	427,995	407,128	457,575	522,740	621,042	18.8%
October	342,810	411,876	417,690	414,546	453,768	543,587		-100.0%
November	312,114	359,316	403,285	358,586	456,293	473,158		-100.0%
December	336,804	415,030	444,990	327,793	468,456	524,706		-100.0%
January	293,064	315,163	390,333	371,174	390,422	438,260		-100.0%
February	301,836	370,265	334,123	324,288	426,769	512,829		-100.0%
March	363,207	423,831	297,411	445,061	483,854	552,774		-100.0%
April	343,386	397,110	244,201	450,532	509,567	582,702		-100.0%
May	374,830	432,043	347,244	462,115	561,110	600,814		-100.0%
June	431,265	478,306	458,278	471,063	633,671	553,460		-100.0%
Actuals	4,118,267	4,727,323	4,547,853	4,715,726	5,809,981	6,253,785	1,649,456	
Budget	3,200,000	4,112,500	4,600,000	3,562,500	4,300,000	5,358,050	5,985,000	
Budget Variance	918,267	614,823	(52,147)	1,153,226	1,509,981	895,735	(4,335,544)	
% of BUDGET	128.7%	115.0%	98.9%	132.4%	135.1%	116.7%	27.6%	
% CHANGE-YEAR	28.5%	14.8%	-3.8%	3.7%	23.2%	7.6%	-73.6%	

MEALS TAX HISTORY



FY2009	\$	2,304,448	
FY2010	\$	2,344,698	1.7%
FY2011	\$	2,406,577	2.6%
FY2012	\$	2,599,776	8.0%
FY2013	\$	2,732,598	5.1%
FY2014	\$	2,868,910	5.0%
FY2015	\$	3,099,130	8.0%
FY2016	\$	3,203,638	3.4%
FY2017	\$	3,391,337	5.9%
FY2018	\$	4,118,267	21.4%
FY2019	\$	4,727,323	14.8%
FY2020	\$	4,547,853	-3.8%
FY2021	\$	4,715,726	3.7%
FY2022	\$	5,809,981	23.2%
FY2023	\$	6,253,785	7.6%

Meals Tax Monthly History

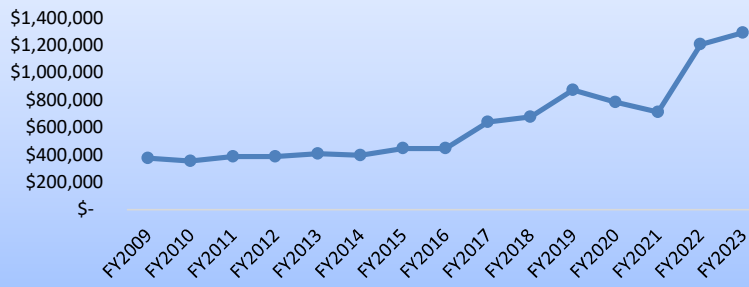


LODGING TAX HISTORY- 6.7% Tax Rate

ATTACHMENT #1

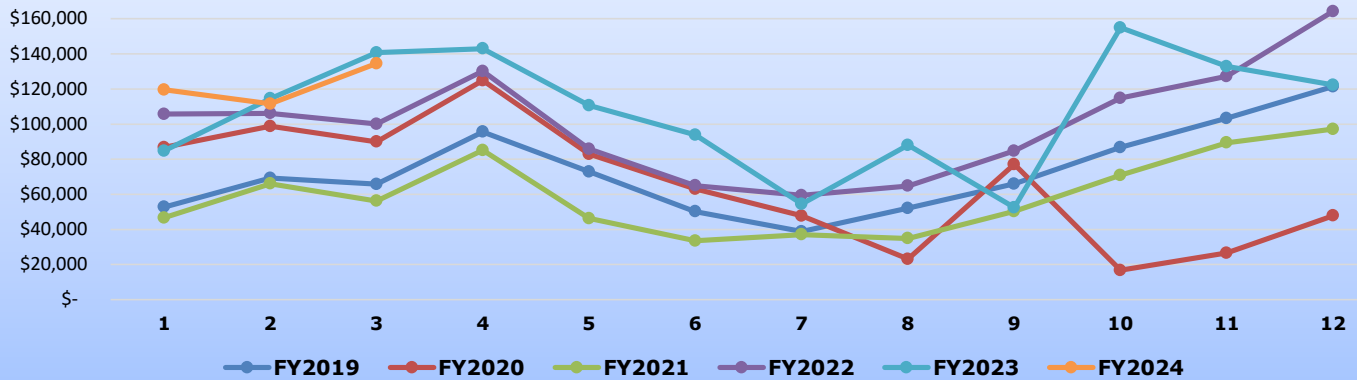
TAX RATE	6.70%	6.70%	6.70%	6.70%	6.70%	6.70%	6.70%	
	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	% CHANGE
July	\$ 63,907	\$ 52,798	\$ 86,792	\$ 46,648	\$ 105,750	\$ 84,716	\$ 119,557	41.1%
August	\$ 63,738	\$ 69,287	\$ 98,765	\$ 66,056	\$ 106,184	\$ 114,547	\$ 111,597	-2.6%
September	\$ 62,756	\$ 65,785	\$ 89,978	\$ 56,235	\$ 100,094	\$ 140,720	\$ 134,448	-4.5%
October	\$ 79,262	\$ 95,600	\$ 124,738	\$ 85,131	\$ 130,186	\$ 142,991		-100.0%
November	\$ 50,187	\$ 72,869	\$ 82,915	\$ 46,252	\$ 85,840	\$ 110,688		-100.0%
December	\$ 32,225	\$ 50,208	\$ 63,057	\$ 33,471	\$ 65,008	\$ 93,847		-100.0%
January	\$ 29,239	\$ 38,856	\$ 47,730	\$ 37,127	\$ 59,405	\$ 54,478		-100.0%
February	\$ 32,490	\$ 52,085	\$ 23,204	\$ 34,928	\$ 64,791	\$ 88,071		-100.0%
March	\$ 50,304	\$ 65,973	\$ 77,152	\$ 50,273	\$ 84,717	\$ 52,430		-100.0%
April	\$ 64,326	\$ 86,719	\$ 16,730	\$ 70,866	\$ 114,860	\$ 154,822		-100.0%
May	\$ 72,905	\$ 103,399	\$ 26,667	\$ 89,381	\$ 127,191	\$ 132,827		-100.0%
June	\$ 76,577	\$ 121,369	\$ 47,878	\$ 97,078	\$ 164,234	\$ 122,320		-100.0%
Actuals	\$ 677,917	\$ 874,948	\$ 785,605	\$ 713,445	\$ 1,208,260	\$ 1,292,457	\$ 365,602	
Budget Totals	\$ 575,000	\$ 890,000	\$ 890,000	\$ 836,000	\$ 760,000	\$ 968,000	\$ 1,350,000	
Budget Variance	\$ 102,917	\$ (15,052)	\$ (104,395)	\$ (122,555)	\$ 448,260	\$ 324,457	\$ (984,398)	
% of BUDGET	118%	98%	88%	85%	159%	134%	27%	
% CHANGE-YEAR	5.8%	29.1%	-10.2%	-9.2%	69.4%	7.0%	-71.7%	

LODGING TAX HISTORY



	TOTAL REVENUE	% CHANGE
FY2009	\$ 376,829	
FY2010	\$ 354,239	-6.0%
FY2011	\$ 388,022	9.5%
FY2012	\$ 388,721	0.2%
FY2013	\$ 408,906	5.2%
FY2014	\$ 397,786	-2.7%
FY2015	\$ 447,792	12.6%
FY2016	\$ 448,175	0.1%
FY2017	\$ 640,843	43.0%
FY2018	\$ 677,917	5.8%
FY2019	\$ 874,948	29.1%
FY2020	\$ 785,605	-10.2%
FY2021	\$ 713,444	-9.2%
FY2022	\$ 1,208,260	69.4%
FY2023	\$ 1,292,457	7.0%

LODGING TAX MONTHLY HISTORY



FY 2024 FINANCIAL REPORT - UNAUDITED
OCTOBER 31, 2023 RESULTS

Attachment 2

GENERAL FUND REVENUES	FY24 Original Budget	FY24 Revised Budget	ACTUAL YTD THRU OCT 2023	AVAILABLE BUDGET	% RECEIVED	Comment
PROPERTY TAXES						
Real Estate Taxes 2023 (25%) & 2024 (75%) \$	24,847,498	\$ 24,847,498	\$ 4,698,386	\$ 20,149,112	19%	25% of 2023 Taxes due Dec 5, 2023 75% of 2024 Taxes due June 20, 2024
Real Estate - Public Service	940,000	940,000	-	940,000	0%	100% of 2024 Taxes due Dec 5, 2023
Real Estate - Interest	135,000	135,000	28,008	106,992	21%	
Real Estate- Penalty	135,000	135,000	61,644	73,356	46%	
Real Estate Tax -Downtown Serv District	142,213	142,213	22,024	120,189	15%	25% due Dec 5, 2023; 75% due June 20, 2024
Personal Property Taxes	6,400,000	6,400,000	2,330,554	4,069,446	36%	100% of 2024 PP Tax due December 5, 2023
Personal Property Taxes -Prior Written Off	-	-	53	(53)	#DIV/0!	
Personal Property Taxes- Public Service	2,800	2,800	-	2,800	0%	
Personal Property -Interest	100,000	100,000	42,294	57,706	42%	
Personal Property - Penalty	125,000	125,000	26,736	98,264	21%	
Machinery & Tools Tax	425,000	425,000	192,477	232,523	45%	100% Tax Due December 5, 2023
TOTAL PROPERTY TAXES	\$ 33,252,511	\$ 33,252,511	\$ 7,402,176	\$ 25,850,335	22%	
OTHER LOCAL TAXES						
Business & Occupational Licenses	\$ 2,550,000	\$ 2,550,000	\$ 147,673	\$ 2,402,327	6%	BPOL License due March 1, 2024
Water Utility Tax	295,000	295,000	78,547	216,453	27%	Paid Monthly w/ 1-2 months delay in collection
Gas Utility	298,000	298,000	59,006	238,994	20%	Paid Monthly w/ 1-2 months delay in collection
Electric Utility	590,000	590,000	150,449	439,551	25%	Paid Monthly w/ 1-2 months delay in collection
Local Sales Tax	5,624,522	5,624,522	1,009,437	4,615,085	18%	Paid Monthly w/ 2 months delay in payment from State
Bank Stock	650,000	650,000	21,520	628,480	3%	Paid in June
Recordation	350,000	350,000	112,729	237,271	32%	Paid Monthly w/ 1 month delay in collection
Cigarette Tax	325,000	325,000	145,350	179,650	45%	Paid at sale date, no delay in collection
Lodging Tax	1,350,000	1,350,000	380,952	969,048	28%	Paid Monthly w/ 1 month delay in collection
Meals Tax	5,985,000	5,985,000	1,786,248	4,198,752	30%	Paid Monthly w/ 1 month delay in collection
Probate Tax on Wills	8,500	8,500	5,940	2,560	70%	
Short Term Rental Tax	25,000	25,000	8,531	16,469	34%	
Local Communications Tax	925,000	925,000	151,829	773,171	16%	Paid Monthly w/ 1-2 months delay in collection
TOTAL OTHER LOCAL TAXES	\$ 18,976,022	\$ 18,976,022	\$ 4,058,211	\$ 14,917,811	21%	
PERMITS						
Short Term Rental Registration/Precious Metz \$	-	\$ -	\$ 300	\$ (300)	#DIV/0!	
Judicial Charges for Services	1,000	1,000	286	714	29%	
Public Safety Charges for Services	187,650	187,650	130,964	56,686	70%	
Planning and Development Charges for Serv	12,000	12,000	7,225	4,775	60%	
TOTAL PERMITS	\$ 200,650	\$ 200,650	\$ 138,776	\$ -	\$ 61,874	69%

GENERAL FUND REVENUES	FY24 Original Budget	FY24 Revised Budget	ACTUAL YTD THRU OCT 2023	AVAILABLE BUDGET	% RECEIVED	
FINES & FORFEITURES						
Circuit Court Fines	\$ 135,000	\$ 135,000	\$ 39,795	\$ 95,205	29%	
Court Recorder Fees	58,000	58,000	18,125	\$ 39,875	31%	
Courthouse Maintenance Fee	9,500	9,500	3,034	6,466	32%	
Animal Control Fines	6,000	6,000	2,980	3,020	50%	
TOTAL FINES & FORFEITURES	\$ 208,500	\$ 208,500	\$ 63,934	\$ 144,566	31%	
REVENUE FROM USE OF PROPERTY						
Interest Revenue	\$ 45,000	\$ 45,000	\$ 193,607	\$ (148,607)	430%	Interest earned through September
Rental of Real Property	58,000	58,000	8,887	49,113	15%	
Rental of Real Property-Recreation	6,200	6,200	2,890	3,310	47%	
TOTAL REVENUE FROM USE OF PROPERTY	\$ 109,200	\$ 109,200	\$ 205,384	\$ (96,184)	188%	
CHARGES FOR SERVICES						
Property Clean Up Fees	\$ 5,000	\$ 5,000	\$ 75	\$ 4,925	2%	
Payment in Lieu of Tax from Proprietary Fun	956,422	956,422	-	956,422	0%	Allocation transfers from Enterprise Funds
DMV Stop Fees	8,000	8,000	8,378	(378)	105%	
Administrative Fees	20,000	20,000	4,955	15,045	25%	
Judicial Operations Charges for Services	78,242	78,242	29,971	48,271	38%	
Public Safety Tax Exempt Service Charge	6,972	6,972	-	6,972	0%	
Sale of Publications & Maps	-	-	-	-	#DIV/0!	
Recreation Charges for Services	\$ 611,150	\$ 611,150	276,838	334,312	45%	
TOTAL CHARGES FOR SERVICES	\$ 1,685,786	\$ 1,685,786	\$ 320,216	\$ 1,365,570	19%	
MISCELLANEOUS						
Sale of Salvage & Surplus	\$ 15,000	\$ 15,000	\$ 9	\$ 14,991	0%	
Payment in Lieu of Taxes SRHA	14,000	14,000	-	14,000	0%	
Donations	-	-	1,006	(1,006)	#DIV/0!	
Miscellaneous	-	-	\$ 264,617	(264,617)	#DIV/0!	Proceeds from tax sale \$243,900
TOTAL MISCELLANEOUS	\$ 29,000	\$ 29,000	\$ 265,632	\$ (236,632)	916%	
RECOVERED COSTS						
Wellness Program Reimbursement	\$ 11,000	\$ 11,000	\$ 1,836	\$ 9,164	17%	
Recovered Costs - General Govt	-	-	5,000	\$ (5,000)	#DIV/0!	
Recovered Costs - Courts	25,000	25,000	-	25,000	0%	
Recovered Costs- Public Safety	648,000	648,000	32,950	615,050	5%	Buy-In from Harrisonburg/Rockingham for Regional Jail.
Recovered Costs- Police Security	45,000	45,000	18,136	26,864	40%	
Recovered Costs- Insurance Recovery	-	-	380	(380)	#DIV/0!	
Recovered Costs- Public Works	20,000	20,000	1,394	18,606	7%	
Recovered Costs- Education	350,000	350,000	-	350,000	0%	Software Annual Costs and Bus Mechanic Services
Recovered Costs- Recreation/ Library	55,000	55,000	16,268	38,732	30%	Talking Book Center Reimbursement
TOTAL RECOVERED COSTS	\$ 1,154,000	\$ 1,154,000	\$ 75,964	\$ 1,078,036	7%	
TRANSFERS						
Transfers From Health	\$ -	\$ -	\$ -	\$ -	#DIV/0!	
TOTAL TRANSFERS	\$ -	\$ -	\$ -	\$ -	#DIV/0!	

OCTOBER 31, 2023 RESULTS

GENERAL FUND REVENUES	FY24 Original Budget	FY24 Revised Budget	ACTUAL YTD THRU OCT 2023	AVAILABLE BUDGET	% RECEIVED	
COMMONWEALTH OF VIRGINIA REVENUE						
Public Facilities Tax	\$ 45,000	\$ 45,000	\$ -	\$ 45,000	0%	State sales tax revenue from Hotel 24 South
Recordation	-	-	-	-	#DIV/0!	
Rolling Stock Taxes	10,200	10,200	6,608	3,592	65%	
Motor Vehicle Rental Tax	112,500	112,500	35,500	77,000	32%	
HB599 Law Enforcement	1,004,888	1,004,888	276,057	728,831	27%	Quarterly Payments from State
Personal Property Tax Relief Act (PPTRA)	1,652,200	1,652,200	82,610	1,569,590	5%	
Recordation - Grantor's Tax	101,500	101,500	30,500	71,001	30%	
Juror/Witness Fees	12,000	12,000	-	12,000	0%	
Va Forestry Ash Borer	-	-	-	-	#DIV/0!	
DCJS- Victim Witness Grant	25,000	25,000	-	25,000	0%	
DMV Four for Life Funds	23,500	23,500	(24,195)	47,695	-103%	
DMV Animal License Plates	1,000	1,000	146	854	15%	
State Crime Forfeited Assets- Police	-	-	6,915	(6,915)	#DIV/0!	Revenue based on criminal drug activity
Fire Programs Fund	88,000	115,938	-	115,938	0%	
E911 Wireless Funds	98,000	98,000	39,304	58,696	40%	Grants from the Wireless Board of Virginia
DCJS-Grants	-	87,705	14,069	73,636	16%	
Street & Highway Maintenance	4,350,000	4,350,000	1,378,358	2,971,642	32%	Quarterly Payments from State
Miscellaneous State Aid	-	-	-	-	#DIV/0!	
Other Grants	-	-	6,000	(6,000)	#DIV/0!	FM Global Foundation Fire Grant
Public Assistance	1,371,638	1,371,638	269,451	1,102,187	20%	
CSA Administrative Fees	13,405	13,405	-	13,405	0%	
Comprehensive Services Act (CSA)	2,062,000	2,062,000	142,140	1,919,860	7%	
VA Comm for the Arts	4,500	4,500	-	4,500	0%	
Library	168,022	168,022	107,314	60,708	64%	Quarterly Payments from State
Commissioner of Revenue	148,310	148,310	36,510	111,800	25%	
Treasurer	146,401	146,401	31,782	114,619	22%	
Electoral Board & Registrar	79,463	79,463	-	79,463	0%	
Commonwealth Attorney	626,752	626,752	158,632	468,120	25%	
Sheriff	450,704	450,704	98,565	352,139	22%	
Circuit Court Clerk	370,735	370,735	60,968	309,767	16%	
Circuit Court Technology Grant	17,634	17,634	-	17,634	0%	
TOTAL COMMONWEALTH OF VIRGINIA	\$ 12,983,352	\$ 13,098,995	\$ 2,757,234	\$ 10,341,761	21%	
FEDERAL REVENUES						
Victim Witness Federal Grant	\$ 60,000	\$ 60,000	\$ -	\$ 60,000	0%	
Federal DMV Grant	-	-	-	0	#DIV/0!	
U S Marshall Forfeited Asset	-	-	-	0	#DIV/0!	
ARPA Social Services	-	-	-	-	#DIV/0!	
Miscellaneous Federal Aid	-	-	-	-	#DIV/0!	
CSA Federal	-	-	-	-	#DIV/0!	
Welfare Public Assistance	1,179,852	1,179,852	243,987	935,865	21%	
TOTAL FEDERAL REVENUE	\$ 1,239,852	\$ 1,239,852	\$ 243,987	\$ 995,865	20%	
PRIOR YEAR APPROPRIATIONS						
Appropriation for Prior Year Encumbrances	\$ -	\$ 914,665	\$ -	\$ 914,665	0%	Outstanding Encumbrances at June 30, 2023
Appropriation of Prior Year Fund Balance	-	1,200,000	-	\$ 1,200,000	0%	
TOTAL PRIOR YEAR APPROPRIATIONS	\$ -	\$ 2,114,665	\$ -	\$ 2,114,665	0%	
TOTAL GENERAL FUND REVENUES	\$ 69,838,873	\$ 72,069,181.00	\$ 15,531,513.90	\$ 56,537,667	21.6%	

**FY 2024 FINANCIAL REPORT - UNAUDITED
OCTOBER 31, 2023 RESULTS**

ATTACHMENT #2

GENERAL FUND EXPENDITURES	FY24 Original Budget	FY24 Revised Budget	ACTUAL YTD THRU OCT 2023	ENCUMBRANCES	AVAILABLE BUDGET	% EXPENDED	
<u>GENERAL GOVERNMENT ADMINISTRATION</u>							
CITY COUNCIL	\$ 148,335	\$ 148,335	\$ 35,989	\$ 10,000	\$ 102,346	31%	
CLERK OF COUNCIL	118,831	123,831	32,513	5,000	86,318	30%	
CITY MANAGER	602,345	602,345	173,901	100	428,345	29%	
HUMAN RESOURCES	760,641	760,641	239,503	22,056	499,082	34%	
CITY ATTORNEY	432,271	549,483	105,838	102,062	341,583	38%	
COMMUNICATIONS MANAGER	161,434	163,909	22,395	-	141,514	14%	
PROFESSIONAL CONSULTANTS	80,000	80,000	-	70,350	9,650	88%	
CITY MEMBERSHIPS	31,050	31,050	28,689	-	2,361	92%	
FINANCE	1,273,483	1,331,710	333,966	66,880	930,864	30%	
ASSESSOR	377,962	377,962	116,787	25	261,150	31%	
COMMISSIONER OF REVENUE	410,337	410,337	119,821	552	289,964	29%	
TREASURER	429,934	429,934	116,264	239	313,431	27%	
REGISTRAR	246,513	246,513	65,366	86	181,061	27%	
INFORMATION TECHNOLOGY	1,449,852	1,515,229	382,741	19,854	1,112,634	27%	
RISK MANAGEMENT	753,501	753,501	275,271	272,407	205,823	73%	
TOTAL GENERAL GOV'T ADMINISTRATION	\$ 7,276,489	\$ 7,524,780	\$ 2,049,043	\$ 569,610	\$ 4,906,127	35%	
<u>JUDICIAL ADMINISTRATION</u>							
CIRCUIT COURT	\$ 164,275	\$ 164,275	\$ 51,256	\$ 63	\$ 112,956	31%	
GENERAL DISTRICT COURT	18,512	18,512	1,009	-	17,503	5%	
MAGISTRATES	2,225	2,225	-	-	2,225	0%	
JUVENILE DOMESTIC RELATIONS COURT	80,092	80,092	1,093	-	78,999	1%	
CLERK OF THE CIRCUIT COURT	628,406	628,406	202,930	2,142	423,334	33%	
SHERIFF	868,662	885,887	279,161	13,057	593,669	33%	
VICTIM/WITNESS GRANT	97,884	97,884	28,868	-	69,016	29%	
COMMONWEALTH ATTORNEY	1,012,088	1,012,088	289,115	299	722,673	29%	
TOTAL JUDICIAL ADMINISTRATION	\$ 2,872,144	\$ 2,889,369	\$ 853,432	\$ 15,561	\$ 2,020,376	30%	
<u>PUBLIC SAFETY</u>							
POLICE	\$ 6,227,720	\$ 6,364,987	\$ 2,027,141	\$ 111,164	\$ 4,226,681	34%	
E911 CENTER	1,127,445	1,198,743	319,903	88,928	789,913	34%	
FIRE	3,971,838	3,971,838	1,253,752	23,939	2,694,146	32%	
COMMUNITY PUBLIC SAFETY	110,500	138,438	9,954	-	128,484	7%	
JUVENILE DETENTION HOME	459,396	459,396	221,446	-	237,950	48%	Quarterly Payments
JAIL	3,286,318	3,286,318	1,643,159	-	1,643,159	50%	Quarterly Payments
OFFICE ON YOUTH	172,892	172,892	43,451	-	129,441	25%	
INSPECTIONS	429,634	430,188	123,669	650	305,869	29%	
ANIMAL CONTROL	241,381	241,381	60,854	-	180,527	25%	
MEDICAL EXAMINER	500	500	-	-	500	0%	
TOTAL PUBLIC SAFETY	\$ 16,027,624	\$ 16,264,682	\$ 5,703,329	\$ 224,682	\$ 10,336,671	36%	

OCTOBER 31, 2023 RESULTS

GENERAL FUND EXPENDITURES	FY24 Original Budget	FY24 Revised Budget	ACTUAL YTD THRU OCT 2023	ENCUMBRANCES	AVAILABLE BUDGET	% EXPENDED	
PUBLIC WORKS							
ENGINEERING	\$ 353,785	\$ 353,785	\$ 97,948	\$ 347	\$ 255,490	28%	
PUBLIC WORKS ADMINISTRATION	313,299	313,369	98,368	4,846	210,154	33%	
STREETS	3,233,357	3,424,493	431,264	193,735	2,799,493	18%	
TRAFFIC ENGINEERING	284,945	288,780	38,991	3,942	245,848	15%	
TRAFFIC SIGNALS	318,344	347,739	103,062	34,256	210,421	39%	
BUILDING MAINTENANCE	1,508,619	1,530,208	417,945	116,829	995,434	35%	
EQUIPMENT MAINTENANCE	533,205	533,525	162,645	2,725	368,156	31%	
TOTAL PUBLIC WORKS	\$ 6,545,554	\$ 6,791,899	\$ 1,350,223	\$ 356,681	\$ 5,084,996	25%	
HEALTH AND WELFARE							
PUBLIC HEALTH	\$ 298,153	\$ 298,153	\$ 124,140	\$ -	\$ 174,014	42%	
VALLEY COMM SERVICES BOARD	247,129	247,129	123,565	-	123,565	50%	Quarterly Payments
COMMUNITY POLICY MGMNT TEAM (CSA)	3,000,000	3,000,000	366,093	-	2,633,907	12%	
DEPT OF SOCIAL SERVICES	3,483,304	3,483,304	836,746	-	2,646,558	24%	
TAX RELIEF FOR THE ELDERLY	244,000	244,000	-	-	244,000	0%	Real Estate Tax Relief- processed May each year
COMMUNITY WELFARE ASSISTANCE	100,022	100,022	27,520	-	72,502	28%	Outside Agency Contributions
TOTAL HEALTH AND WELFARE	\$ 7,372,608	\$ 7,372,608	\$ 1,478,064	\$ -	\$ 5,894,544	20%	
EDUCATION -OTHER							
EDUCATIONAL CONTRIBUTIONS-BRCC	\$ 9,000	\$ 9,000	\$ 9,000	\$ -	\$ -	100%	Contribution to Blue Ridge Community College
TOTAL EDUCATION-OTHER	\$ 9,000	\$ 9,000	\$ 9,000	\$ -	\$ -	100%	
PARKS, RECREATION, LIBRARY, CULTURAL							
PARKS AND RECREATION ADMIN	\$ 1,280,787	\$ 1,301,987	\$ 423,034	\$ 28,307	\$ 850,646	35%	
HORTICULTURE	223,139	223,139	65,128	-	158,011	29%	
GOLF COURSE	156,107	156,107	54,789	-	101,318	35%	
COMMUNITY RECREATION ASSISTANCE	20,000	20,000	-	-	20,000	0%	Boys and Girls Club
PARK MAINTENANCE	1,279,296	1,352,434	441,524	36,176	874,734	35%	
COMMUNITY CULTURAL CONTRIBUTIONS	15,500	15,500	5,000	-	10,500	32%	Outside Agency Contributions
LIBRARY	1,332,312	1,332,312	410,604	3,597	918,111	31%	
TOTAL PARKS, RECREATION, LIBRARY, CU	\$ 4,307,141	\$ 4,401,479	\$ 1,400,079	\$ 68,080	\$ 2,933,320	33%	
PLANNING AND COMMUNITY DEVELOPMENT							
PLANNING	\$ 574,088	\$ 601,638	\$ 130,927	\$ 5,831	\$ 464,881	23%	
COMMUNITY DEVELOPMENT ASSISTANCE	385,250	544,750	267,448	122,872	154,430	72%	Outside Agency Contributions
ECONOMIC DEVELOPMENT	1,272,835	1,272,835	155,721	-	1,117,114	12%	
TOURISM	650,083	650,083	162,686	177,571	309,825	52%	
STAUNTON WELCOME CENTER	60,459	60,459	13,009	-	47,450	22%	
TRANSPORTATION-CSPDC	61,741	61,741	74,412	-	(12,671)	121%	
TOTAL PLANNING AND COMMUNITY DEVE	\$ 3,004,456	\$ 3,191,506	\$ 804,203	\$ 306,274	\$ 2,081,030	35%	

GENERAL FUND EXPENDITURES	FY24 Original Budget	FY24 Revised Budget	ACTUAL YTD THRU OCT 2023	ENCUMBRANCES	AVAILABLE BUDGET	% EXPENDED	
TRANSFERS TO OTHER FUNDS/NON-DEPARTMENTAL							
TRANSFER TO DEBT SERVICE FUND	\$ 5,591,903	\$ 5,591,903	-	\$ -	\$ 5,591,903	0%	Annual Debt Payments
TRANSFER TO CIP FUND	861,783	2,061,783	-	-	2,061,783	0%	
TRANSFER TO EDUCATION FUND	15,970,171	15,970,171	4,854,326	-	11,115,845	30%	Education Transfer/ 1st Half December and 2nd half to occur in June
NON-DEPARTMENTAL EXPENDITURES	-	-	451	-	(451)	#DIV/0!	
TOTAL TRANSFERS AND NON-DEPARTMEN	\$ 22,423,857	\$ 23,623,857	\$ 4,854,776	\$ -	\$ 18,769,081	21%	
TOTAL GENERAL FUND EXPENDITURES	\$ 69,838,873	\$ 72,069,181	\$ 18,502,148	\$ 1,540,888	\$ 52,026,144	28.7%	

FY2024 GENERAL FUND BUDGET

ADOPTED BUDGET	\$ 69,838,873	JULY 1, 2023
ENCUMBRANCE CARRY FORWARDS	914,665	JULY 1, 2023
FY2024 BUDGET AMENDMENT NO. 1	<u>1,315,643</u>	AUGUST 24, 2023
FY2024 REVISED BUDGET	\$ 72,069,181	
FY2024 REVENUES	\$ 15,531,514	
FY2024 EXPENDITURES	<u>\$ (18,502,148)</u>	
FY2024 NET YTD	\$ (2,970,634)	

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	December 14, 2023	Jessie Moyers Chief Finance Officer
Item #	A.3	
Department:	Finance	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsible, Efficient Government	
Subject:	Authorization of Virginia Resources Authority Spring 2024 Application for the Juvenile and Domestic Relations District Court Construction	

Background: The City of Staunton is separating out its Juvenile and Domestic Relations District Court from the combined Augusta County courts facility. The purchase of the parcel for the future courthouse and the design services of the courthouse will be covered with a combination of American Rescue Plan Act funding and cash on hand. The majority of the construction costs of the courthouse will need to be funded with debt through a bond issuance.

Staff has been in discussions with Davenport & Company, the City's financial advisers, and decided that the City's best method of financing at this point is the Virginia Resource Authority's (VRA) Virginia Pooled Financing Program (VPFP). The required amount of funding needed for construction is unknown at this time and will not be determined until construction bids have been received, which is tentatively scheduled for mid-March 2024.

The deadline for the Spring 2024 VRA VPFP application is Friday, February 2, 2024. But the city has been advised to apply early due to the tight timeline for the JDR Courthouse construction project. The city will need an approval for debt funding in hand before the construction contract is signed. Finance would like Council's approval to submit the application for the Spring 2024 pooled

funding. Submitting the application does not obligate the City to use of the debt funds and there is no cost for applying. The city is not pursuing bank financing at this time due to unfavorable bank rates and the fact that banks limit a loan's term to 20 years. The exact term of the new bond will not be decided until the total loan amount is determined.

Attachment: Not applicable.

City Manager's Recommendation: Authorize the City to submit an application to the Virginia Resources Authority's Virginia Pooled Financing Program for the construction of the Staunton Juvenile and Domestic Relations District Court.

Suggestion Motion: I move that Council authorize Finance to submit an application to the Virginia Resources Authority's Virginia Pooled Financing Program for the construction of the Staunton Juvenile and Domestic Relations District Court.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 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 LGP Realty Holdings, LP, and Quick Properties, LLC, to Vacate that Portion of Undeveloped Public Right-Of-Way Identified as 4,236 Square Feet Lying in an Area Between 1200 Churchville Avenue and 1210 Churchville Avenue	

Background: LGP Realty Holdings, LP, and Quick Properties, LLC, are seeking to vacate an undeveloped portion of Churchville Avenue public right-of-way. The portion of undeveloped right-of-way lies between 1200 and 1210 Churchville Avenue and the developed Churchville Avenue as shown on the attached map (Attachment 2). The area was platted in Augusta County in 1917 as part the Staunton Park Addition and was annexed into the City in 1948. In 2011, a similar vacation was approved for a portion of undeveloped right-of-way in front of the, then proposed, CVS Pharmacy located in the next block at 1310 Churchville Avenue.

Analysis: Staff has reviewed the request and has identified no issues. There is a public sewer line located within the area proposed for vacation. In the ordinance, the City is retaining an easement for that utility.

This portion of right-of-way is not used by the City and there are no future plans to ever utilize this area as part of Churchville Avenue. The property was developed with a Shell fueling station and the fuel canopy encroaches into the undeveloped right-of-way (as shown on Attachment 1, Exhibit 2). By vacating this portion of undeveloped right-of-way, the encroachment issue would be resolved.

Planning Commission Recommendation:

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

Attachments:

Attachment 1—Application and Supporting Documents

Attachment 2—Vicinity Map and Vacation Exhibit

Attachment 3—Draft Ordinance of Vacation

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

City Manager: Leslie Beauregard



Combs & Taylor LLP

2101 L Street NW, Suite 300
Washington, DC 20037
202.448.1008 (Ph) 202.466.0502 (F)

Jason R. Brost
Email: jason.brost@combstaylor.com

October 3, 2023

Via Federal Express

Department of Planning & Inspections
116 W. Beverley Street
P.O. Box 58
Staunton, VA 24402



Re: Alley and Street Vacation Application

Dear Sir or Madam:

Please find enclosed an Alley and Street Vacation Application, including a draft ordinance, submitted on behalf of LGP Realty Holdings LP and Quick Properties LLC. Please do not hesitate to contact me if you have any questions about the enclosed.

Sincerely yours,

Jason R. Brost

Encl.



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

ALLEY & STREET VACATION APPLICATION

DATE OF APPLICATION: October 3, 2023

APPLICANTS NAME: LGP Realty Holdings LP and Quick Properties LLC

ADDRESS: 645 W Hamilton St, Ste 400, Allentown, PA 18101, and 2309 Poplar St, Staunton, VA 24401

TELEPHONE NUMBER: (202) 448-1008 ALTERNATE: _____

EMAIL ADDRESS: jason.brost@combstaylor.com

LOCATION OF PROPERTY: 1200 and 1210 Churchville Avenue, Staunton, VA

PLAT PROVIDED ☒ YES ☐ NO (REQUIRED)

LEGAL DESCRIPTION OF PORTION OF ALLEY OR STREET IN THIS REQUEST:
See Exhibit 1 (legal description) and Exhibit 2 (plat) attached.

IS THE PORTION OF THE ALLEY OR STREET IN THIS REQUEST IMPROVED? ☒ YES ☐ NO

IF YES, IS IT BEING USED BY PERSONS OTHER THAN YOURSELF? ☐ YES ☒ NO

IF YES, EXPLAIN: _____

TO YOUR KNOWLEDGE, ARE THERE ANY UTILITIES IN THE PORTION OF THE ALLEY OR STREET
AFFECTED BY THIS REQUEST? ☐ YES ☒ NO IF YES, EXPLAIN?

PURPOSE OF THE REQUEST? To correct title to subject property.

ORDINANCE PROVIDED? ☒ YES ☐ NO

**An electronic copy, in word document format, must be emailed to Planning Office. Application is considered incomplete until this is provided.*

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

SIGNATURE OF APPLICANT Jason R. Brost

Timothy A. Hartless

From: Robin S. Wallace
Sent: Monday, October 16, 2023 12:53 PM
To: Timothy A. Hartless
Subject: FW: LGP Realty [STB-Worksite.FID1115944]

Tim-

See the email below from John Hill in which his client (Quick Properties, LLC) authorizes Mr. Brost to submit the application on their behalf for the portion of ROW in front of their property.

Thanks!

Robin

Robin Wallace
Legal Manager & FOIA Officer
City of Staunton
P. O. Box 58
Staunton, VA 24402-0058
540-332-3999 – phone
540-332-3996 – fax
wallacers@ci.staunton.va.us
[Click here to send large files](#)

From: John Hill <john@poindexterhill.com>
Sent: Thursday, September 28, 2023 2:18 PM
To: Robin S. Wallace <WallaceRS@ci.staunton.va.us>; 'Jason Brost' <jason.brost@combstaylor.com>
Cc: Jeremy E. Carroll <jcarroll@spilmanlaw.com>
Subject: RE: LGP Realty [STB-Worksite.FID1115944]

Dear Ms. Wallace,

This e-mail will confirm that my client Quick Properties, LLC agrees to counsel for LGP Realty Holdings LP endorsing the application for vacation and abandonment on their behalf.

John I. Hill, Esquire
PoindexterHill, P. C.
Attorneys at Law
PO Drawer 1067
404 S. Wayne Avenue
Waynesboro, VA 22980
540-943-1118
540-949-6476(Facsimile)
john@poindexterhill.com

EXHIBIT 1

LEGAL DESCRIPTION

All that certain lot or parcel of land, with all improvements thereon and all appurtenances thereunto belonging, containing 4,236 square feet on Churchville Avenue being designated as 1) "979 Sq. Ft. Quit Claim" and 2) "3,257 Sq. Ft. Area Between Lots and Churchville Avenue" on plat titled "PLAT OF LOTS 5, 6, 7, 6 AND 13 FEET OF LOT 4, BLOCK 26, CORRECTED MAP OF STAUNTON PARK ADDITION," dated October 25, 2021, and revised February 25, 2022, made by Thomas W. Dorr, Land Surveyor for EGS & Associates, Inc., recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia as Instrument No. 220003114.

Exhibit 2

CURVE	DELTA	RADIUS	ARC	TAN	CHORD BRG.	CHORD
C1	07°11'11"	1472.39'	184.68'	92.46'	S 23°08'15" E	184.55'

THE BOUNDARY SURVEY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY.

THIS SURVEY WAS PERFORMED WITHOUT A TITLE REPORT AND MAY NOT INDICATE ALL ENCUMBRANCES UPON THE PROPERTY.

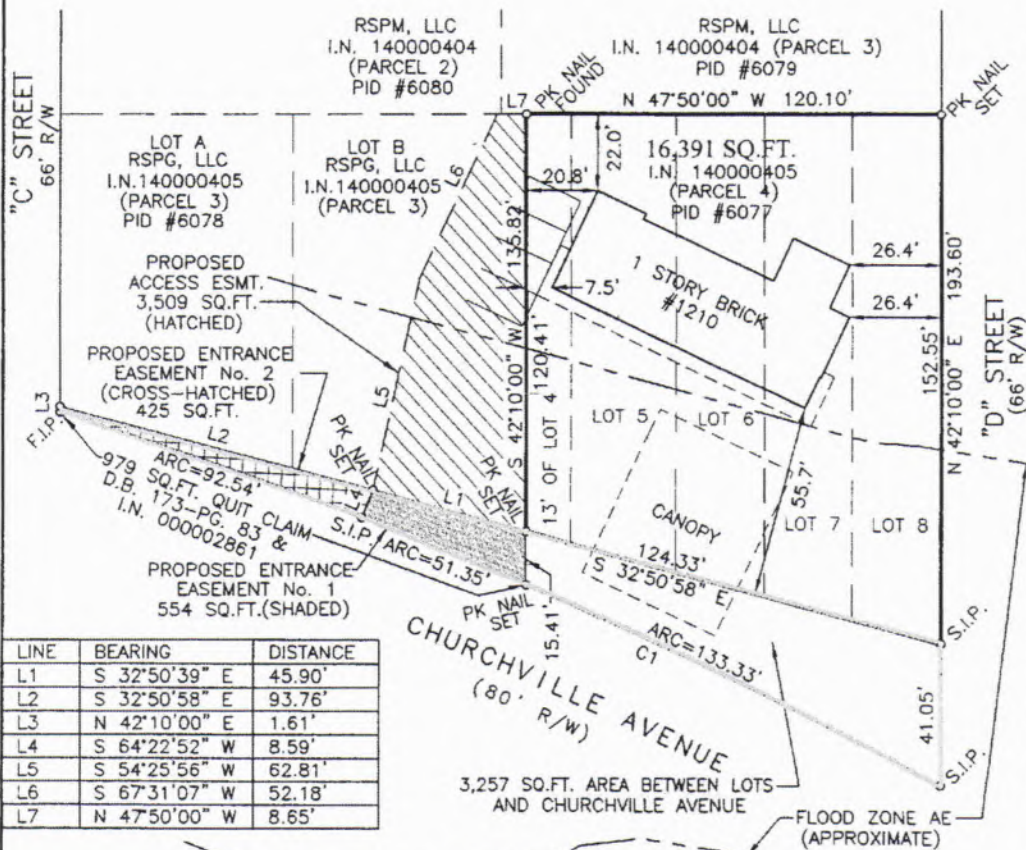
RECORDED EASEMENTS ARE NOT SHOWN.

NO GRAVES OR PLACES OF BURIAL WERE NOTED DURING THIS SURVEY.

A PORTION OF THE SURVEY PREMISES IS LOCATED IN FLOOD ZONE AE (SPECIAL FLOOD HAZARD AREAS SUBJECT INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, BASE FLOOD ELEVATIONS DETERMINED) ACCORDING TO FIRM FOR THE COUNTY OF AUGUSTA, VIRGINIA, COMMUNITY #510013, AND THE CITY OF STAUNTON, VIRGINIA, COMMUNITY #510155, MAP NUMBER 51015C0337D, EFFECTIVE DATE SEPTEMBER 28, 2007.

S.I.P. = SET IRON PIN

OWNER:
RSPG, LLC
I.N. 140000405
(PARCEL 4)
PID #6077



PLAT OF
LOTS 5, 6, 7, 8 AND 13 FEET OF LOT 4,
BLOCK 26, CORRECTED MAP OF
STAUNTON PARK ADDITION

STAUNTON, VA

SCALE 1" = 40' OCTOBER 25, 2021

REVISED: FEBRUARY 22, 2022

EGS & ASSOCIATES, INC.
15 TERRY ST., STAUNTON, VA



10/31/2023, 11:31:34 AM

— Lot_Lines

Lot_Numbers

□ City Limits

□ Tax Parcels

• AddressPoints

2022 Imagery

Red: Band_1

Road Centerline

Green: Band_2

Blue: Band_3

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

For Information Purposes Only. Data owned by the City of Staunton and ESRI.

Ordinance No. 2023-__

AN ORDINANCE
CONDITIONALLY VACATING AND ABANDONING THAT PORTION OF
UNDEVELOPED PUBLIC RIGHT-OF-WAY IDENTIFIED AS 4,236 SQUARE FEET
LYING IN AN AREA BETWEEN CHURCHVILLE AVENUE AND 1210
CHURCHVILLE AVENUE (PARCEL ID 6077) AND 1200 CHURCHVILLE AVENUE
(PARCEL ID 6078)

Recitals

A. An application for public right-of-way vacation has been filed by Jason Brost, Esq., on behalf of LGP Realty Holdings LP and Quick Properties LLC, pursuant to § 15.2-2006 of the Code of Virginia, 1950, as amended, to have all of that certain portion of the public right-of-way as hereinafter described, vacated and abandoned by the City of Staunton, Virginia ("City");

B. The subject portion of the public right-of-way was initially platted, yet was never developed or accepted by the City as part of its public street system;

C. LGP Realty Holdings LP is the owner of 1210 Churchville Avenue, identified as City of Staunton PID 6077, and Quick Properties LLC is the owner of 1200 Churchville Avenue, identified as City of Staunton PID 6078, and seek to close the portion of the undeveloped public right-of-way containing 4,236 square feet being designated as: 1) "979 Sq. Ft. Quit Claim" and 2) "3,257 Sq. Ft. Area Between Lots and Churchville Avenue" on plat titled "PLAT OF LOTS 5, 6, 7, 8 AND 13 FEET OF LOT 4, BLOCK 26, CORRECTED MAP OF STAUNTON PARK ADDITION," dated October 25, 2021, and revised February 22, 2022, made by Thomas W. Dorr, Land Surveyor for EGS & Associates, Inc., recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia as Instrument No. 220003114;

D. A plat showing the aforesaid portion of the public right-of-way to be vacated and abandoned is annexed and incorporated by reference as **Exhibit A**;

E. City staff has determined that the subject portion of the public right-of-way is not needed to serve any future street development needs;

F. The requirements of § 15.2-2006 of the Code of Virginia have been met along with those of § 15.2-2204 of the Code of Virginia;

G. At its regular meeting on November 16, 2023, the Planning Commission of the City of Staunton, Virginia, after study and review, properly heard the matter and recommended approval of vacating said portion of the right-of-way;

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

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

47 **NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Staunton,
48 Virginia, that the rights of the public in the 4,236 square feet portion of the right-of-way as shown
49 on the attached plat being designated as: 1) "979 Sq. Ft. Quit Claim" and 2) "3,257 Sq. Ft. Area
50 Between Lots and Churchville Avenue" on plat titled "PLAT OF LOTS 5, 6, 7, 8 AND 13 FEET
51 OF LOT 4, BLOCK 26, CORRECTED MAP OF STAUNTON PARK ADDITION," dated
52 October 25, 2021, and revised February 22, 2022, made by Thomas W. Dorr, Land Surveyor for
53 EGS & Associates, Inc., recorded in the Clerk's Office of the Circuit Court of the City of Staunton,
54 Virginia as Instrument No. 220003114, are hereby **VACATED AND ABANDONED** and all the
55 City's right, title and interest otherwise, if any, is relinquished and to the extent permitted by law,
56 is conveyed, transferred and assigned to LGP Realty Holdings LP and Quick Properties LLC, with
57 reservation to the City of Staunton of any existing utility lines located within the vacated right-of-
58 way, with ownership of the area of the vacated street determined in accordance with applicable
59 law.
60

61 **NOW, THEREFORE, BE IT FURTHER ORDAINED** that such vacation of the
62 right-of-way is conditioned upon tendered payment to the City of Staunton of Three Thousand
63 Five Hundred Dollars (\$3,500.00), plus the costs of public hearing advertisements prior to the
64 adoption of this ordinance, pursuant to the provisions of § 15.2-2008 and § 15.2-2006 of the
65 Code of Virginia; and that a certified copy of the ordinance of vacation shall be recorded in the
66 Clerk's Office of the Circuit Court for the City of Staunton, Virginia.
67

68 Introduced:
69 Adopted:
70 Effective Date:
71
72

73 _____
74 Stephen W. Claffey, Mayor
75

76 ATTEST: _____
77 Kiley Kesecker,
78 Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 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 a Request by Labrehab at Windy Oaks, LLC, to Add Six Parcels Totaling 45.56 Acres to the M. O. Carr Agricultural-Forestal District	

Background: Labrehab at Windy Oaks, LLC, has requested to add 45.56 acres of land to the M. O. Carr Agricultural-Forestal District. The property consists of six parcels and is located on the southwest quadrant of the intersection of VA Route 262 and US Route 250. The properties were acquired over a period between 2021 and 2022. The properties are contiguous to other properties in Augusta County which the applicant owns and uses for agricultural purposes.

Analysis: City staff conducted a review of the proposed addition and found no issues with the proposal.

Section 15.2-4305 of the Code of Virginia requires that land to be added to an Agricultural-Forestal District must be within one mile of the existing district. A map (Attachment 4) has been included in the packet which shows that the distance from the nearest parcel of land, to be added to the district to the nearest point of the existing M. O. Carr District is less than one mile (0.92 miles). When it was created in 1997, the M. O. Carr District contained over 200 acres but in September 2003, and January 2004, lands were withdrawn from the district to create the Carrsbrook Planned Residential Development. As a result, the M. O. Carr District no longer

has a core of 200 acres; however, the district was properly created and even though it no longer meets the 200-acre core requirement, the district may continue.

On November 9, 2023, City Council approved a code amendment to remove the 20-acre minimum lot size requirement which was previously a part of Staunton City Code, Chapter 18.95.

During its review, staff evaluated how this area could develop under the current zoning given the property's physical constraints. Staff identified the following areas of concern that could hinder development:

Water and Sewer

The area is not served by City of Staunton water or sewer. Water and sewer would need to be extended along Churchville Avenue in order to serve these properties. Water would need to be extended approximately 1,350 feet and sewer approximately 850 feet. The extension of public water and sewer is typically done by, and at the expense of, the developer.

Streets

Churchville Avenue (Rt 250) - The property has approximately 350 feet of frontage on Churchville Avenue; however, the frontage is adjacent to the Route 262 south bound entrance ramp. It would be challenging, if not impossible, to obtain an entrance permit for a new street entrance onto Route 250.

Woodrow Wilson Parkway (Rt 262) – Route 262 is a limited access highway owned and maintained by the Virginia Department of Transportation (VDOT). VDOT does not allow private driveways on Route 262 and it would be extremely difficult to get approval for a new entrance and exit ramp this close to Churchville Avenue.

Zoning

One parcel (PID 11554 consisting of 0.93 acres) is residual land left from the construction of Route 262, and is zoned B-1, Local Business District Conditional while the remaining 44+ acres is zoned R-2, Low Density Residential. The R-2 District allows for development of single-family homes with a maximum density of 4.9 units per acre. The B-1, Conditional District is a special zoning given to John Jackson in 2000 so that he could relocate his auto repair shop (J & D Automotive) due to the construction of Route 262. Parcel 11554 is residual land from the parcel that was split by the right-of-way acquisition for construction of Route 262.

Potential by-right Development

Option 1 - Currently, the six parcels could be developed with one single-family dwelling on each parcel. These dwellings would be accessed from Churchville Avenue via an access easement. Each dwelling must have its own individual easement and may not share an easement with another property which would result in six dwellings with six separate driveways all terminating at Churchville Avenue.

Option 2 – A developer could build a new public street through the properties and replat the property into new lots. Each lot would need to be at least 8,750 square feet. Water and Sewer would need to be extended (water 1,350 feet and sewer 850 feet) west along Churchville Avenue, under the bridge where Route 262 crosses Route 250, and then extended down the new street to serve each lot. These improvements would be borne by the developer.

Comprehensive Plan

The City of Staunton, Virginia, Comprehensive Plan 2018-2040, Land Use and Development Guide, Future Land Use Map, designates the northern portion of this property as planned business and the southern portion as low density residential. Both designations create challenges presently given the lack of water and sewer and minimal street frontage as explained above.

Surrounding Uses

Uses to the east, within the City of Staunton are the J & D Automotive property, vacant residentially zoned land, and single-family dwellings which are part of the Crosscrest Development.

Uses to the west, within Augusta County are, what appear to be single-family dwellings and agricultural uses.

Agricultural-Forestal Advisory Committee Meeting:

The Agricultural-Forestal Advisory Committee met on September 27, 2023 to consider the request. The Committee reviewed the request based on criteria contained in 15.2-4306 of the Code of Virginia. After consideration, the Advisory Committee voted unanimously, on a 5-0 vote, to recommend approval of the request. The Agricultural-Forestal Advisory Committee report is included in your packet (Attachment 9).

Pursuant to the Code of Virginia 15.2-4307, a copy of the Agricultural-Forestal Advisory Committee Report and all other documents associated with the review of this request have been forwarded to Augusta County for its review and comments. Augusta County did not provide any comments on the proposal.

Planning Commission Recommendation:

At its November 16, 2023 meeting, the Planning Commission conducted a public hearing on the request. During the public hearing, no one spoke in opposition to the request. On a 4-0 vote, the Commission voted unanimously to recommend approval of the addition to the M. O. Carr Agricultural-Forestal District.

Attachments:

Attachment 1—Application
Attachment 2—Map and list of parcels to be added to the Agricultural-Forestal Districts
Attachment 3—Soil Map and soil data
Attachment 4—Map showing distance to the nearest Agricultural-Forestal District
Attachment 5—SCC 18.95 A-1, Agricultural-Forestal District
Attachment 6—Code of Virginia § 15.2 4300 Agricultural and Forestal Districts Act
Attachment 7—Current Zoning
Attachment 8—2018-2040 Future Land Use Map for the Area
Attachment 9—The Report of the Agricultural-Forestal Advisory Committee
Attachment 10—Draft Ordinance

Suggested Motion (to be made after the public hearing is conducted): I move that Council adopt the ordinance and approve the addition to the M. O. Carr Agricultural-Forestal District as recommended by the Planning Commission.

City Manager: Leslie Beauregard



**Application for the Creation of/Addition to an Agricultural,
Forestal, or Agricultural and Forestal District:**

Date of Application: 7/28/2023

Application Fee: \$300.00

_____ Paid (initial)

To Be Completed by Applicant

1. Name of Applicant: Lab Rehab @ Windy Oaks 96 Eric W. O'neigh

2. Address of Applicant: PO Box 2648 Staunton, VA 24402

3. Telephone Number of Applicant: (H) _____

(C) (540) 294-8302 (W) _____

4. Email Address: eobangh@charlieobangh.com

4. General Location of the District: West of 262 along 250 West
Main address - 1650 Churchville Rd
containing 6 parcels

5. Type of District: (Check One)

☐ Agricultural

☐ Forestal

☒ Agricultural and Forestal

6. Proposed/Current Name of District:

Lab Rehab @ Windy Oaks

7. Total Acreage in the District or Addition: 45.56 ac

8. Proposed Period Before First Review: _____

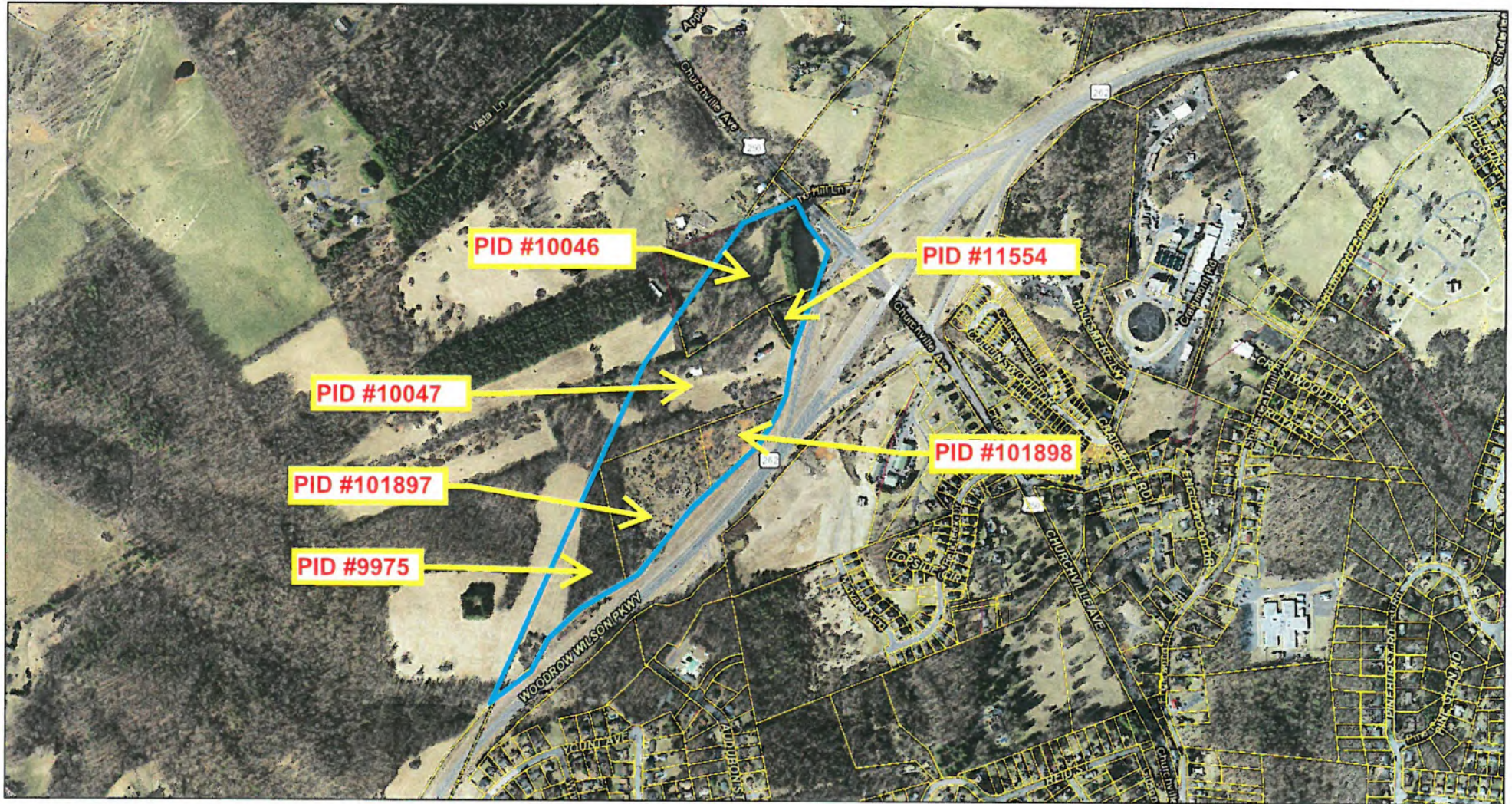
9. Required Exhibits that MUST be furnished with the application:

- A. A United States Geological Survey 7.5 Minute Topographic Map showing clearly the boundaries of the district or addition and the boundaries of properties owned by each applicant.
- B. A City of Staunton Real Property Map showing boundaries of the district or addition and the boundaries of properties owned by each applicant.
- C. A tabular listing of all parcels of land to be included in the district or addition showing the owner's name, address, telephone number, acreage of the parcel and the parcel number and current assessed value of the land, improvements and uses value.
- D. A tabular listing of all parcels, with the signature of each landowner applying for creation of the district or addition.
- E. All proposed conditions to create of the district pursuant to subsection D of Section 15.1-1511 of the Code of Virginia.

Signature of Applicant: _____

Date: _____

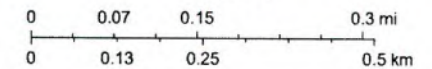
Addition to the Agricultural Forestal Districts



7/28/2023, 8:25:54 AM

- Lot_Lines
- Ag Forestal District
- Green: Band_2
- City Limits
- Road Centerline
- Blue: Band_3
- Tax Parcels
- 2022 Imagery
- Red: Band_1

1:7,106



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



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Richard Johnson, Treasurer
P.O. Box 474
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Staunton, VA 24401

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Fax 540-332-3836

Web: www.staunton.va.us

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LABREHAB AT WINDY OAKS, LLC
PO BOX 2648
STAUNTON VA 24402-2648

If you feel there is an error in your
assessment, please contact the City
Assessor's Office at 540-332-3827

Jackson

CITY OF STAUNTON TAX BILL - 2023 REAL ESTATE

INVOICE/BILL NUMBER	PARCEL ID
429808	101897

ACCOUNT NUMBER
1151028

STREET LOCATION AND DESCRIPTION	LAND VALUE	IMPROVEMENTS	ASSESS TOTAL	RATE PER \$100	ANNUAL TAX
1842 CHURCHVILLE AVE 8.715 ACS ON PLAT OF 13.836 AC ACREAGE 8.715	69,720.00	0.00	69,720.00	0.89	620.51
TOTAL TAX					620.51
** Tax relief/rehab (if applicable)					0.00
Net Tax					620.51
1ST INSTALLMENT 3/4 DUE 6/20/23					465.38
2ND INSTALLMENT 1/4 DUE 12/5/23					155.13
Payments received/applied					0.00

If amounts not paid by due date, 10% penalty
will be added. 10% annual interest will begin
starting Jan. 1st.

Payment options on back

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Detach and return this portion with your payment

CITY OF STAUNTON REAL ESTATE TAX - 2023

INVOICE NUMBER
429808

PARCEL	ACCOUNT#
101897	1151028

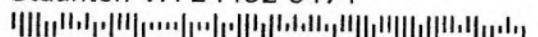
AMOUNT ENCLOSED

Code of Virginia 58.1-3913 Delinquent tax MUST be paid first

Make Check Payable and Remit To:

LABREHAB AT WINDY OAKS, LLC
PO BOX 2648
STAUNTON VA 24402-2648

City of Staunton Treasurer
PO Box 474
Staunton VA 24402-0474





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T Jackson

CITY OF STAUNTON TAX BILL - 2023 REAL ESTATE

INVOICE/BILL NUMBER	PARCEL ID	ACCOUNT NUMBER
429810	11554	1151030

STREET LOCATION AND DESCRIPTION	LAND VALUE	IMPROVEMENTS	ASSESS TOTAL	RATE PER \$100	ANNUAL TAX
1848 CHURCHVILLE AVE RESIDUE OF LOT 28D-0.931 AC-(A ACREAGE 0.931	7,500.00	0.00	7,500.00	0.89	66.75
TOTAL TAX					66.75
** Tax relief/rehab (if applicable)					0.00
Net Tax					66.75
1ST INSTALLMENT 3/4 DUE 6/20/23					50.06
2ND INSTALLMENT 1/4 DUE 12/5/23					16.69
Payments received/applied					0.00

If amounts not paid by due date, 10% penalty
will be added. 10% annual interest will begin
starting Jan. 1st.

Payment options on back

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CITY OF STAUNTON REAL ESTATE TAX - 2023

INVOICE NUMBER
429810

PARCEL	ACCOUNT#
11554	1151030

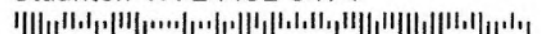
AMOUNT ENCLOSED

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PO BOX 2648
STAUNTON VA 24402-2648

City of Staunton Treasurer
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Staunton VA 24402-0474





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Jackson

CITY OF STAUNTON TAX BILL - 2023 REAL ESTATE

INVOICE/BILL NUMBER	PARCEL ID	ACCOUNT NUMBER
429809	101898	1151028

STREET LOCATION AND DESCRIPTION	LAND VALUE	IMPROVEMENTS	ASSESS TOTAL	RATE PER \$100	ANNUAL TAX
1844 CHURCHVILLE AVE 4.190 ACS ON PLAT OF 13.836 AC ACREAGE 4.190	33,520.00	0.00	33,520.00	0.89	298.33
TOTAL TAX					298.33
** Tax relief/rehab (if applicable)					0.00
Net Tax					298.33
1ST INSTALLMENT 3/4 DUE 6/20/23					223.75
2ND INSTALLMENT 1/4 DUE 12/5/23					74.58
Payments received/applied					0.00

If amounts not paid by due date, 10% penalty
will be added. 10% annual interest will begin
starting Jan. 1st.

Payment options on back

RETAIN TOP PORTION FOR YOUR RECORDS

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CITY OF STAUNTON REAL ESTATE TAX - 2023

INVOICE NUMBER
429809

PARCEL	ACCOUNT#
101898	1151028

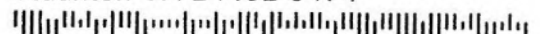
AMOUNT ENCLOSED

Code of Virginia 58.1-3913 Delinquent tax MUST be paid first

Make Check Payable and Remit To:

LABREHAB AT WINDY OAKS, LLC
PO BOX 2648
STAUNTON VA 24402-2648

City of Staunton Treasurer
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CITY OF STAUNTON TAX BILL - 2023 REAL ESTATE

INVOICE/BILL NUMBER	PARCEL ID	ACCOUNT NUMBER
429811	9975	1150627

STREET LOCATION AND DESCRIPTION	LAND VALUE	IMPROVEMENTS	ASSESS TOTAL	RATE PER \$100	ANNUAL TAX
1900 CHURCHVILLE AVE (045-27) SPLIT PARCEL-7.464 AC ACREAGE 7.464	59,710.00	0.00	59,710.00	0.89	531.42
TOTAL TAX					531.42
** Tax relief/rehab (if applicable)					0.00
Net Tax					531.42
1ST INSTALLMENT 3/4 DUE 6/20/23					398.57
2ND INSTALLMENT 1/4 DUE 12/5/23					132.85
Payments received/applied					0.00

If amounts not paid by due date, 10% penalty
will be added. 10% annual interest will begin
starting Jan. 1st.

Payment options on back

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CITY OF STAUNTON REAL ESTATE TAX - 2023

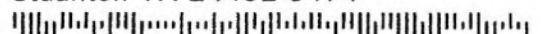
INVOICE NUMBER	PARCEL	ACCOUNT#	AMOUNT ENCLOSED
429811	9975	1150627	

Code of Virginia 58.1-3913 Delinquent tax MUST be paid first

Make Check Payable and Remit To:

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STAUNTON VA 24402-2648

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CITY OF STAUNTON TAX BILL - 2023 REAL ESTATE

INVOICE/BILL NUMBER	PARCEL ID
429806	10046

ACCOUNT NUMBER
1150627

STREET LOCATION AND DESCRIPTION	LAND VALUE	IMPROVEMENTS	ASSESS TOTAL	RATE PER \$100	ANNUAL TAX
1850 CHURCHVILLE AVE (045-28A) W SIDE 250-POR J JA ACREAGE 10.869	148,690.00	567,800.00	716,490.00	0.89	6,376.76
TOTAL TAX					6,376.76
** Tax relief/rehab (if applicable)					0.00
Net Tax					6,376.76
1ST INSTALLMENT 3/4 DUE 6/20/23					4,782.58
2ND INSTALLMENT 1/4 DUE 12/5/23					1,594.18
Payments received/applied					0.00

If amounts not paid by due date, 10% penalty
will be added. 10% annual interest will begin
starting Jan. 1st.

Payment options on back

RETAIN TOP PORTION FOR YOUR RECORDS

Detach and return this portion with your payment

CITY OF STAUNTON REAL ESTATE TAX - 2023

INVOICE NUMBER
429806

PARCEL	ACCOUNT#
10046	1150627

AMOUNT ENCLOSED

Code of Virginia 58.1-3913 Delinquent tax MUST be paid first

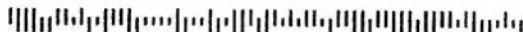
Make Check Payable and Remit To:

LABREHAB AT WINDY OAKS, LLC
PO BOX 2648
STAUNTON VA 24402-2648

City of Staunton Treasurer

PO Box 474

Staunton VA 24402-0474





CITY OF STAUNTON
Richard Johnson, Treasurer
P.O. Box 474
Staunton, VA 24402-0474
Forwarding Service Requested

IMPORTANT INFORMATION ON BACK

OFFICE OF THE TREASURER
City Hall, 1st Floor
116 West Beverley St
Staunton, VA 24401

Phone 540-332-3833
Fax 540-332-3836

Web: www.staunton.va.us

*000094/6--S 0--B 0



LABREHAB AT WINDY OAKS, LLC
PO BOX 2648
STAUNTON VA 24402-2648

If you feel there is an error in your
assessment, please contact the City
Assessor's Office at 540-332-3827

CITY OF STAUNTON TAX BILL - 2023 REAL ESTATE

INVOICE/BILL NUMBER	PARCEL ID
429807	10047

ACCOUNT NUMBER
1150627

STREET LOCATION AND DESCRIPTION	LAND VALUE	IMPROVEMENTS	ASSESS TOTAL	RATE PER \$100	ANNUAL TAX
1846 CHURCHVILLE AVE (045-28C) TRACT 3 ON PLAT-W ST ACREAGE 13.389	107,120.00	24,100.00	131,220.00	0.89	1,167.86
TOTAL TAX					1,167.86
** Tax relief/rehab (if applicable)					0.00
Net Tax					1,167.86
1ST INSTALLMENT 3/4 DUE 6/20/23					875.89
2ND INSTALLMENT 1/4 DUE 12/5/23					291.97
Payments received/applied					0.00

If amounts not paid by due date, 10% penalty
will be added. 10% annual interest will begin
starting Jan. 1st.

Payment options on back

RETAIN TOP PORTION FOR YOUR RECORDS

Detach and return this portion with your payment

CITY OF STAUNTON REAL ESTATE TAX - 2023

INVOICE NUMBER
429807

PARCEL	ACCOUNT#
10047	1150627

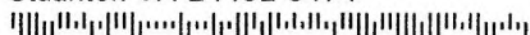
AMOUNT ENCLOSED

Code of Virginia 58.1-3913 Delinquent tax MUST be paid first

Make Check Payable and Remit To:

LABREHAB AT WINDY OAKS, LLC
PO BOX 2648
STAUNTON VA 24402-2648

City of Staunton Treasurer
PO Box 474
Staunton VA 24402-0474



PROPERTIES TO BE ADDED TO THE AGRICULTURAL-FORESTAL DISTRICT

Parcel #	Acerage	Parcel Address	Owner Name	STREET	CITY STATE ZIP	Phone #
11544	0.931	1848 CHURCHVILLE AVE	LABREHAB AT WINDY OAKS, LLC	P.O. BOX 2648	STAUNTON, VA, 24402	(540) 294-8302
10047	13.389	1846 CHURCHVILLE AVE	LABREHAB AT WINDY OAKS, LLC	P.O. BOX 2648	STAUNTON, VA, 24402	(540) 294-8302
10046	10.869	1850 CHURCHVILLE AVE	LABREHAB AT WINDY OAKS, LLC	P.O. BOX 2648	STAUNTON, VA, 24402	(540) 294-8302
9975	7.464	1900 CHURCHVILLE AVE	LABREHAB AT WINDY OAKS, LLC	P.O. BOX 2648	STAUNTON, VA, 24402	(540) 294-8302
101897	8.715	1842 CHURCHVILLE AVE	LABREHAB AT WINDY OAKS, LLC	P.O. BOX 2648	STAUNTON, VA, 24402	(540) 294-8302
101898	4.19	1844 CHURCHVILLE AVE	LABREHAB AT WINDY OAKS, LLC	P.O. BOX 2648	STAUNTON, VA, 24402	(540) 294-8302
Total Acerage	45.56					

Eric Obaugh, Owner

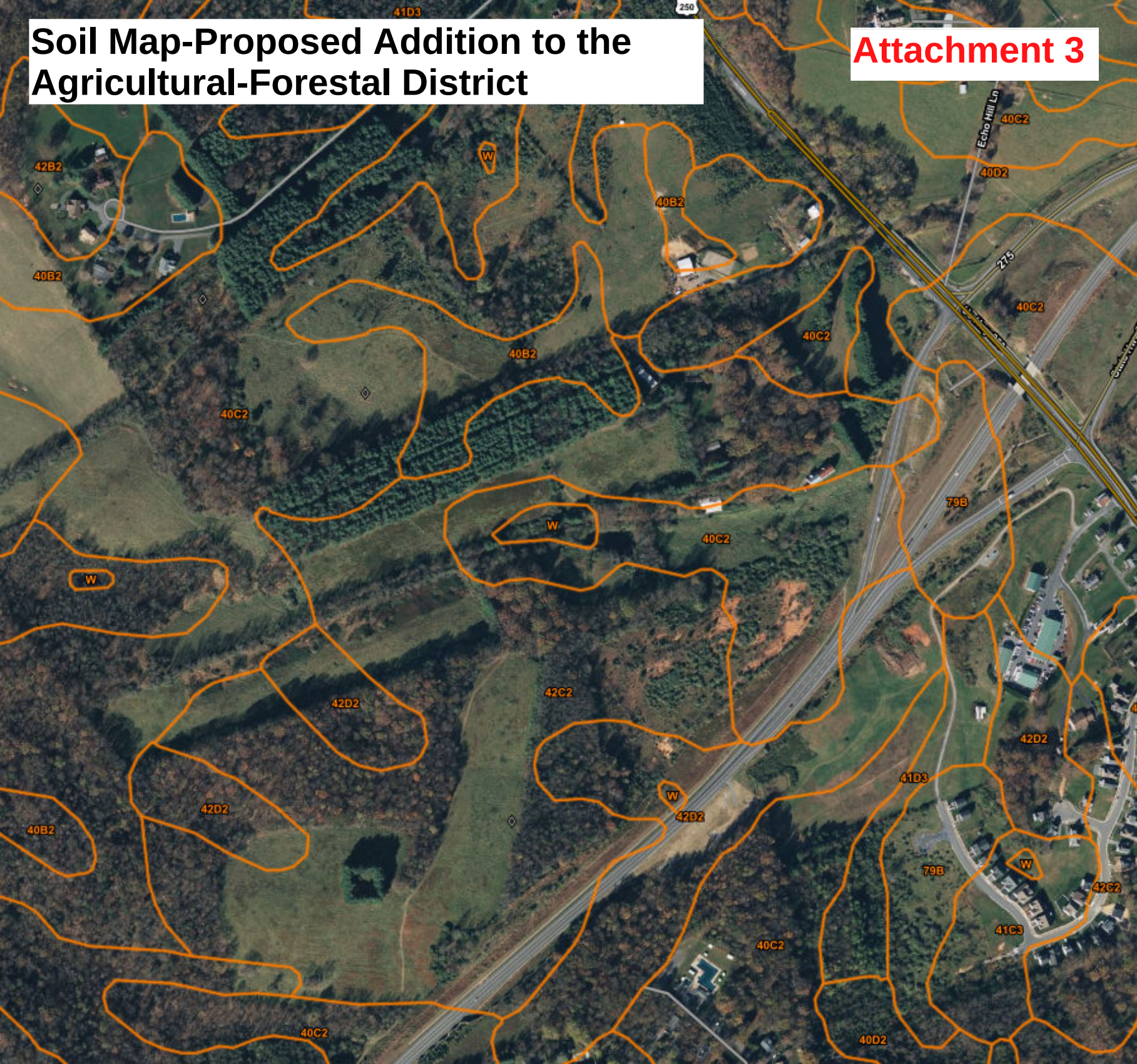
Labrehab At Windy Oaks, LLC

Date

7/28/2023

Soil Map-Proposed Addition to the Agricultural-Forestal District

Attachment 3



Augusta County, Virginia

42C2—Frederick-Christian gravelly silt loams, 7 to 15 percent slopes, eroded

Map Unit Setting

National map unit symbol: kcsw

Elevation: 1,100 to 2,180 feet

Mean annual precipitation: 29 to 38 inches

Mean annual air temperature: 43 to 64 degrees F

Frost-free period: 138 to 192 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Frederick and similar soils: 45 percent

Christian and similar soils: 35 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Frederick

Setting

Landform: Hills

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Residuum weathered from dolomitic and cherty limestone

Typical profile

H1 - 0 to 7 inches: gravelly silt loam

H2 - 7 to 14 inches: silty clay loam

H3 - 14 to 50 inches: clay

H4 - 50 to 70 inches: clay

Properties and qualities

Slope: 7 to 15 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: Medium

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high to high (0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Moderate (about 8.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: B

Ecological site: F147XY003PA - Mixed Limestone Upland

Hydric soil rating: No

Description of Christian

Setting

Landform: Hills

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Residuum weathered from limestone or
interbedded limestone and sandstone

Typical profile

H1 - 0 to 7 inches: gravelly silt loam

H2 - 7 to 13 inches: clay loam

H3 - 13 to 40 inches: clay

H4 - 40 to 70 inches: clay

Properties and qualities

Slope: 7 to 15 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: Medium

Capacity of the most limiting layer to transmit water

(Ksat): Moderately high to high (0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Moderate (about 8.1
inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: B

Ecological site: F147XY003PA - Mixed Limestone Upland

Hydric soil rating: No

Data Source Information

Soil Survey Area: Augusta County, Virginia

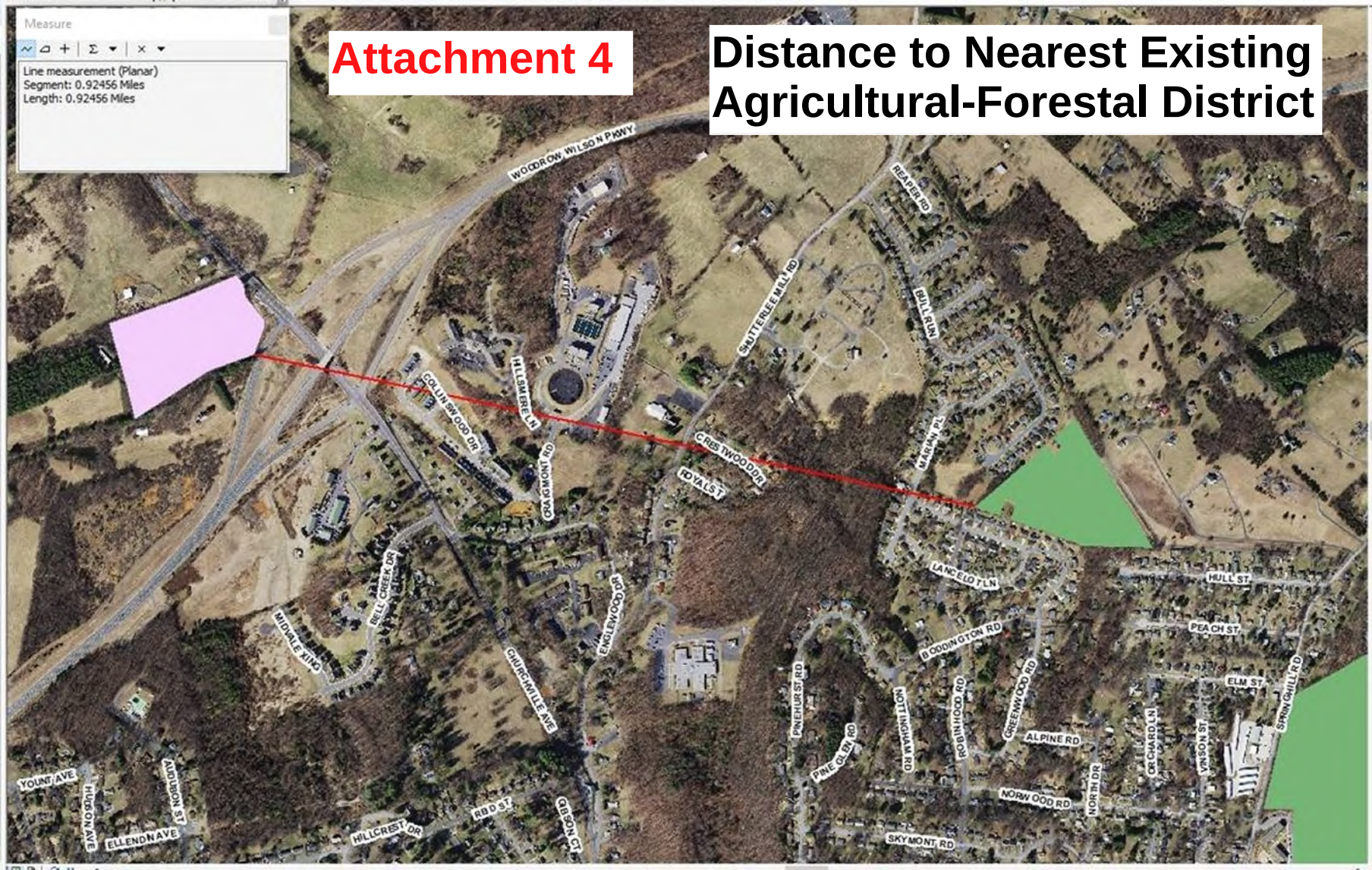
Survey Area Data: Version 18, Aug 23, 2022

Measure

Line measurement (Planar)
Segment: 0.92456 Miles
Length: 0.92456 Miles

Attachment 4

Distance to Nearest Existing Agricultural-Forestral District



Chapter 18.95

A-1 AGRICULTURAL-FORESTAL DISTRICT

Sections:

- 18.95.005 Definitions.
- 18.95.010 Districts continued.
- 18.95.020 Districts designated and described – Additions to districts.
- 18.95.030 Required and permitted uses.
- 18.95.040 Overlay.
- 18.95.050 Private roads.
- 18.95.060 Other conditions.
- 18.95.070 Term review.
- 18.95.080 Severability.

18.95.005 Definitions.

For purposes of this chapter, the following definitions apply unless otherwise provided herein:

“Agricultural production” means the production for commercial purposes of crops, livestock and livestock products, and other agricultural products, including the processing or retail sales by the producer of such products which are produced on the parcel or in the district.

“Agricultural products” means crops, livestock and livestock products, including but not limited to: field crops, fruits, vegetables, horticultural specialties, cattle, sheep, hogs, goats, horses, poultry, furbearing animals, milk, eggs and furs.

“Application” means the set of items an owner of land or owners of land, landowner or landowners must submit to the local governing body when applying for the creation of a district or an addition to an existing district.

“District” means an agricultural-forestal area comprised of one or more parcels as designated for inclusion in a district as specified herein.

“Forestal production” means the production for commercial purposes of forestal products and includes the processing or retail sales, by the producer, of forestal products which are produced on the parcel or in the district.

“Forestal products” means, but is not limited to, saw timber, pulpwood, posts, firewood, Christmas trees and other tree and wood products for sale or for farm use.

“Intensive agriculture facility” means any building or structure housing more than 10 animals or any dead animal disposal facility.

“Owner or owners of land” means any person who holds a direct or indirect fee simple interest in property or a direct or indirect controlling or other interest in an entity that holds a direct or indirect fee simple interest in land and other property but does not include the holder of an easement.

“Person” means any individual, corporation, limited liability company, partnership, association, cooperative, trust, business trust, joint venture, or any other entity and any successor, representative, agent, agency, or instrumentality thereof. (Ord. 2010-29).

18.95.010 Districts continued.

Pursuant to the Agricultural and Forestal Districts Act of the Commonwealth of Virginia, there are hereby continued agricultural-forestal districts, subject to the terms, conditions, and restrictions set forth in this chapter and as otherwise provided by Sections 15.2-4300 through and including 15.2-4314 of the Code of Virginia, as amended, the provisions of which, except as specifically modified herein, to the extent permitted by law, are adopted and incorporated herein by reference. (Ord. 2010-29; Ord. 2004-38. Zoning ordinance Art. 4, § 16).

18.95.020 Districts designated and described – Additions to districts.

(1) Districts. The agricultural, or sometimes referred to as agricultural and forestal or agricultural-forestal, districts designated and the land included within the districts are the following:

(a) The Bell's Lane Agricultural and Forestal District shall consist of the following land, to wit:

(i) 1,662.34 acres of land, more or less, situated in the city of Staunton, Virginia, bounded generally on the west by Commerce Road, on the north by State Route 262 (formerly State Route 275), on the east by Interstate 81, and on the south by Route 254, which includes the land identified by the city of Staunton assessor as parcel numbers 10140, 10143, 10146, 10149, 10152, 10169, 10176, 10182, 10187, 10369, 10375, 10410, 10413, 10418, 10420, 10423, 10430, 10438, 10442 and 11121, and as further shown on the map entitled "Ag-Forestal Districts" made by the engineering department of the city of Staunton, dated October 25, 2004, a copy of which map shall be on file with the department of planning and inspection and the city assessor's office.

(ii) 26.19 acres of land, more or less, situated in the city of Staunton, Virginia, bounded generally on the east by Interstate 81 and on the south, west and north by the land of Lewis W. Moore, lying along the southeastern margin of Lewis Creek and encompassing the land identified by the city of Staunton as parcel number 10484.

(b) The Merrifield Agricultural and Forestal District shall consist of the following land, to wit:

(i) 218.441 acres of land, more or less, situated in the city of Staunton, Virginia, at the northwest quadrant of the intersection of U.S. Route 11 and State Route 262 (formerly State Route 275), and identified by the city of Staunton assessor as parcel number 10329 and shown on the aforementioned map as "Hereford," and more particularly shown and described as Parcel A-2 on the "Survey Plat of Property of E. Monroe Bonfoey and Sarah D. Witz Bonfoey," a copy of which plat is recorded in the clerk's office of the circuit court of the city of Staunton, Virginia, in Deed Book 305, Page 858.

(ii) 147.202 acres of land, more or less, situated in the city of Staunton, Virginia, adjoining the land described in subsection (1)(b)(i) of this section and shown on the map aforementioned as "Bonfoey," and more particularly shown and described on the plat, aforesaid, as Parcel A-1 (excluding 2.999 acres shown on said plat as Parcel B) and identified by the city of Staunton assessor as parcel number 10881.

(iii) 196.13 acres of land, more or less, situated in the city of Staunton, Virginia, known as "Cobble Hill," identified by the city of Staunton assessor as parcel numbers 10007, 10008 and 10010 and shown on the map aforementioned as "Craske."

(c) The M.O. Carr Agricultural and Forestal District shall consist of the following land, to wit:

(i) 40.67 acres of land, more or less, and shown on the map aforementioned as "Hardy" and identified by the city of Staunton assessor as parcel number 10012.

(ii) 35.167 acres of land, more or less, and shown on the map aforementioned as "Johnson" and identified by the city of Staunton assessor as parcel number 10472.

(iii) 10.54 acres of land, more or less, known as the "Thompson" property and consisting of two parcels identified and shown by the city as parcel number 9996, containing approximately 0.950 acres, and parcel number 10824, containing approximately 9.404 acres.

(d) The Middlebrook Agricultural and Forestal District shall consist of the following land, to wit:

221.266 acres of land, more or less, situated in the city of Staunton, Virginia, fronting approximately 6,500 feet along the southwestern city limits at the northwest corner of the intersection of Middlebrook Avenue and State Route 262 (formerly State Route 275), adjoining Montgomery Hall Park on the northeast, Augusta County on the southwest, CSX Railroad on the northwest and Middlebrook Avenue on the southeast, which includes the lands identified by the city of Staunton assessor as parcel numbers 10098, 10126, 10311, 10099, 10103, 10510

and 10097, and as further shown on the map entitled “Exhibit D.1. – Boundary Map,” a copy of which map shall be on file with the department of planning and inspection and the city assessor’s office.

(2) Additions to Districts. No additional district shall be established and no land shall be added to a district unless the land as a parcel for which application is made totals at least 20 acres and the district already has a core of not less than 200 acres in one parcel or in contiguous parcels. The assessor for the city of Staunton shall specify an application form and, as necessary, other forms related to any proposed additional district and for proposed land to be added to a district consistent with the provisions of this chapter. (Ord. 2020-16; Ord. 2020-01; Ord. 2015-02; Ord. 2010-29; Ord. 2009-06; Ord. 2009-05; Ord. 2004-38. Zoning ordinance Art. 4, § 16).

18.95.030 Required and permitted uses.

(1) Required Uses. Land included within the districts under this chapter shall be used solely for agricultural products, agricultural productions, forestal products, and forestal production, except as otherwise specifically limited or permitted, and shall continuously be so used to manifest active, bona fide agricultural and forestal production of a significant nature and degree. Not later than July 1st of each year, each owner of land in a district shall file with the assessor for the city of Staunton a fully complete affidavit as to each such parcel of land as identified separately within the district in SCC 18.95.020, in a form specified by the assessor, that verifies the use of the land within the district satisfies these conditions. Owners shall be permitted a 30-day period extension to file the affidavit as to each such parcel as identified separately within the district in SCC 18.95.020 upon satisfactory proof of payment within such 30-day extension period to the Staunton city treasurer of a late filing fee of \$100.00 or 10 percent of the tax savings, whichever is greater, as to each separately identified parcel within the district. Owners shall be permitted an immediately successive 30-day period filing extension as to each such separately identified parcel within the district upon satisfactory proof of payment within such 30-day extension period to the Staunton city treasurer of a late filing fee of an additional \$100.00 or 10 percent of the tax savings, whichever is greater, as to each. In no event, however, shall the total extension exceed two immediately successive 30-day periods, totaling 60 days. Absent timely filing of a properly completed affidavit and timely payment of late filing fee(s), if applicable, land included in a district shall be regarded as suspended from inclusion in the district for the following calendar year for purposes of qualification for an agricultural or forestal use-value assessment pursuant to Article 4 (Section 58.1-3229 et seq.) of Chapter 32 of Title 58.1 of the Code of Virginia.

(2) Other Permitted Uses. Construction and placement of dwellings for persons who earn a substantial part of their livelihood from farm or forestry operations on the same property, or for members of the immediate family of the owner, and divisions of parcels for dwellings of such immediate family members shall be permitted subject to the following limitations and regulations:

- (a) Any new dwelling permitted hereunder must be located on a platted lot approved in accordance with the provisions of SCC 17.10.070, Minor subdivision plats.
- (b) Minimum lot area: one acre.
- (c) Maximum lot coverage: 10 percent.
- (d) Lots must abut at least 30 feet on a public or private street.
- (e) All buildings on a lot must be set back at least 100 feet from the front lot line, 50 feet from the rear lot line, and 50 feet from the side lot lines.
- (f) Dwellings shall not exceed 35 feet or two and one-half stories, whichever is greater. All other buildings or structures, unless exempted by Chapter 18.115 SCC, shall not exceed one story or 15 feet, whichever is greater.

(3) Nothing herein shall prohibit the carrying out of agritourism activities, as defined in Section 3.2-6400 of the Code of Virginia, or other activities in accordance with Section 15.2-2288.6 of the Code of Virginia, on the land within these districts, except to the extent such activities substantially impact the health, safety, or general welfare of the public as further identified by the city council in this code, or constitute a nuisance as defined in this code or in Section 15.2-900 of the Code of Virginia. (Ord. 2020-01; Ord. 2018-26; Ord. 2010-29; Ord. 2004-38. Zoning ordinance Art. 4, § 16).

18.95.040 Overlay.

These districts are overlay districts and upon termination of any of the districts or withdrawal of any parcel from a district, when permitted, the underlying zoning with its rules and regulations shall continue to be in effect. (Ord. 2020-01; Ord. 2010-29; Ord. 2004-38. Zoning ordinance Art. 4, § 16).

18.95.050 Private roads.

If, in the creation of a lot pursuant to SCC 18.95.030(2)(a), a private road is created, no city services such as, but not limited to, snow and ice removal and trash collection will be provided to such lot. In addition, emergency services such as fire and rescue may be limited. (Ord. 2020-01; Ord. 2010-29; Ord. 2004-38. Zoning ordinance Art. 4, § 16).

18.95.060 Other conditions.

(1) Land included in a district shall be regarded as suspended from inclusion in the district for the following calendar year for purposes of qualification for agricultural or forestal use-value assessment pursuant to Article 4 (Section 58.1-3229 et seq.) of Chapter 32 of Title 58.1 of the Code of Virginia if, as of June 30th or December 31st, any owner of land is delinquent as to any amounts, including but not limited to taxes, fees, and charges, or any other sum for which the person has been determined to be liable to the city of Staunton even though the matter may be in contest. The city director of finance, treasurer, and commissioner of revenue shall certify to the assessor the name of any such person and shall, together with the city assessor, regard the land as suspended from inclusion in the corresponding district for the following calendar year for this purpose, to the fullest extent permitted by law.

(2) No land within a district shall be removed from the district except with the approval of the council of the city of Staunton, upon a showing of good and reasonable cause.

(3) During the term of the districts, no parcel of land within the districts shall, without the prior approval of the council of the city of Staunton, be developed to any more intensive use than existed at the date of the creation of these districts, other than uses resulting in more intensive agricultural or forestal production, and no parcel of common or related ownership within the districts may have thereon, at any particular time, more than 10 turkeys, 10 hogs, and 20 chickens.

(4) By having land in an existing or in an added district, any owner of land in a district accordingly deems and stipulates that the value of such land shall, for all purposes related to the acquisition of any easement interest in the land for a public use for water and/or sewer utility facilities or ingress and egress right-of-way to such facilities by the city of Staunton or its authorities as authorized by law, be the same value used for assessment pursuant to Article 4 (Section 58.1-3229 et seq.) of Chapter 32 of Title 58.1 of the Code of Virginia, to the fullest extent permitted by law.

(5) No intensive agriculture facility shall be closer than 500 feet from a nonagricultural district and 100 feet from any property line or street right-of-way line. (Ord. 2020-01; Ord. 2010-29; Ord. 2004-38. Zoning ordinance Art. 4, § 16).

18.95.070 Term review.

(1) A review of the Bell's Lane Agricultural and Forestal District, the Merrifield Agricultural and Forestal District, the M. O. Carr Agricultural and Forestal District, and the Middlebrook Agricultural and Forestal District as identified in SCC 18.95.020, including any additions to any district, may be made by the council of the city of Staunton on the date 10 years measured from the effective date of the continuation of those districts as provided by, and in accordance with, Section 15.2-4311 of the Code of Virginia, as amended; except, however, a review is and shall be unnecessary prior to a new 10-year period which shall commence January 1, 2021, and expire December 31, 2030, with the next review, therefore, to occur in the year 2030 consistent with Section 15.2-4311 of the Code of Virginia.

(2) *Repealed by Ord. 2020-16.*

(3) Each district created hereunder shall be so reviewed on an individual basis, and the continuation of one or its termination shall not automatically continue or terminate any other district. (Ord. 2020-16; Ord. 2015-03; Ord. 2010-29; Ord. 2009-05; Ord. 2004-38. Zoning ordinance Art. 4, § 16).

18.95.080 Severability.

If any of the provisions of any subsection, paragraph, subdivision or clause of this chapter 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 the chapter. (Ord. 2010-29).

Code of Virginia

Title 15.2. Counties, Cities and Towns

Subtitle IV. Other Governmental Entities

Chapter 43. Agricultural and Forestal Districts Act

§ 15.2-4300. Short title

This chapter shall be known and may be cited as the "Agricultural and Forestal Districts Act."

1977, c. 681, § 15.1-1506; 1997, c. 587.

§ 15.2-4301. Declaration of policy findings and purpose

It is the policy of the Commonwealth to conserve and protect and to encourage the development and improvement of the Commonwealth's agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also the policy of the Commonwealth to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, as well as for aesthetic purposes. It is the purpose of this chapter to provide a means for a mutual undertaking by landowners and localities to protect and enhance agricultural and forestal land as a viable segment of the Commonwealth's economy and as an economic and environmental resource of major importance.

1977, c. 681, § 15.1-1507; 1987, c. 552; 1997, c. 587.

§ 15.2-4302. Definitions

As used in this chapter, unless the context requires a different meaning:

"Advisory committee" means the agricultural and forestal districts advisory committee.

"Agricultural products" means crops, livestock and livestock products, including but not limited to: field crops, fruits, vegetables, horticultural specialties, cattle, sheep, hogs, goats, horses, poultry, furbearing animals, milk, eggs and furs.

"Agricultural production" means the production for commercial purposes of crops, livestock and livestock products, and includes the processing or retail sales by the producer of crops, livestock or livestock products which are produced on the parcel or in the district.

"Agriculturally and forestally significant land" means land that has recently or historically produced agricultural and forestal products, is suitable for agricultural or forestal production or is considered appropriate to be retained for agricultural and forestal production as determined by such factors as soil quality, topography, climate, markets, farm structures, and other relevant factors.

"Application" means the set of items a landowner or landowners must submit to the local governing body when applying for the creation of a district or an addition to an existing district.

"District" means an agricultural, forestal, or agricultural and forestal district.

"Forestal production" means the production for commercial purposes of forestal products and includes the processing or retail sales, by the producer, of forestal products which are produced on the parcel or in the district. "Forestal products" includes, but is not limited to, saw timber, pulpwood, posts, firewood, Christmas trees and other tree and wood products for sale or for farm

use.

"Landowner" or "owner of land" means any person holding a fee simple interest in property but does not mean the holder of an easement.

"Program administrator" means the local governing body or local official appointed by the local governing body to administer the agricultural and forestal districts program.

1977, c. 681, § 15.1-1508; 1979, c. 377; 1981, c. 54; 1987, c. 552; 1997, c. 587; 2011, cc. [344](#), [355](#).

§ 15.2-4303. Power of localities to enact ordinances; application form and fees; maps; sample form

A. Each locality shall have the authority to promulgate forms and to enact ordinances to effectuate this chapter. The locality may charge a reasonable fee for each application submitted pursuant to this chapter; such fee shall not exceed \$500 or the costs of processing and reviewing an application, whichever is less.

B. The locality shall prescribe application forms for districts that include but need not be limited to the following information:

1. The general location of the district;
2. The total acreage in the district or acreage to be added to an existing district;
3. The name, address, and signature of each landowner applying for creation of a district or an addition to an existing district and the acreage each owner owns within the district or addition;
4. The conditions proposed by the applicant pursuant to § [15.2-4309](#);
5. The period before first review proposed by the applicant pursuant to § [15.2-4309](#); and
6. The date of application, date of final action by the local governing body and whether approved, modified or rejected.

C. The application form shall be accompanied by maps or aerial photographs, or both, prescribed by the locality that clearly show the boundaries of the proposed district and each addition and boundaries of properties owned by each applicant, and any other features as prescribed by the locality.

D. For each notice required by this chapter to be sent to a landowner, notice shall be sent by first-class mail to the last known address of such owner as shown on the application hereunder or on the current real estate tax assessment books or maps. A representative of the local planning commission or local governing body shall make affidavit that such mailing has been made and file such affidavit with the papers in the case.

1977, c. 681, § 15.1-1509; 1978, c. 604; 1979, c. 377; 1984, c. 20; 1987, c. 552; 1997, c. 587; 2005, c. [667](#); 2011, cc. [344](#), [355](#).

§ 15.2-4304. Agricultural and forestal districts advisory committee

A. Upon receipt of the first agricultural and forestal districts application, the local governing body shall establish an advisory committee which shall consist of four landowners who are engaged in agricultural or forestal production, four other landowners of the locality, the commissioner of revenue or the local government's chief property assessment officer, and a

member of the local governing body. The members of the committee shall be appointed by and serve at the pleasure of the local governing body. The advisory committee shall elect a chairman and a vice-chairman and elect or appoint a secretary who need not be a member of the committee. The advisory committee shall serve without pay but the locality may reimburse each member for actual and necessary expenses incurred in the performance of his duties. Any expenditures of the committee shall be within the amounts appropriated for such purpose by the local governing body. The committee shall advise the local planning commission and the local governing body and assist in creating, reviewing, modifying, continuing or terminating districts within the locality. In particular, the committee shall render expert advice as to the nature of farming and forestry and agricultural and forestal resources within the district and their relation to the entire locality.

B. The local governing body may designate the planning commission to act for and in lieu of an agricultural and forestal districts advisory committee if the membership of the planning commission includes at least four landowners who are engaged in agricultural or forestal production.

1977, c. 681, § 15.1-1510; 1987, c. 552; 1989, c. 52; 1997, c. 587; 2011, cc. [344](#), [355](#).

§ 15.2-4305. Application for creation of district in one or more localities; size and location of parcels

On or before November 1 of each year or any other annual date selected by the locality, any owner or owners of land may submit an application to the locality for the creation of a district or addition of land to an existing district within the locality. Each district shall have a core of no less than 200 acres in one parcel or in contiguous parcels. A parcel not part of the core may be included in a district (i) if the nearest boundary of the parcel is within one mile of the boundary of the core, (ii) if it is contiguous to a parcel in the district the nearest boundary of which is within one mile of the boundary of the core, or (iii) if the local governing body finds, in consultation with the advisory committee or planning commission, that the parcel not part of the core or within one mile of the boundary of the core contains agriculturally and forestally significant land. No land shall be included in any district without the signature on the application, or the written approval of all owners thereof. A district may be located in more than one locality, provided that (i) separate application is made to each locality involved, (ii) each local governing body approves the district, and (iii) the district meets the size requirements of this section. In the event that one of the local governing bodies disapproves the creation of a district within its boundaries, the creation of the district within the adjacent localities' boundaries shall not be affected, provided that the district otherwise meets the requirements set out in this chapter. In no event shall the act of creating a single district located in two localities pursuant to this subsection be construed to create two districts.

1977, c. 681, § 15.1-1511; 1979, c. 377; 1981, c. 546; 1984, c. 20; 1985, c. 13; 1987, c. 552; 1993, cc. 745, 761; 1997, c. 587; 1998, c. [833](#); 2011, cc. [344](#), [355](#).

§ 15.2-4306. Criteria for evaluating application

Land being considered for inclusion in a district may be evaluated by the advisory committee and the planning commission through the Virginia Land Evaluation and Site Assessment (LESA) System or, if one has been developed, a local LESA System. The following factors should be considered by the local planning commission and the advisory committee, and at any public hearing at which an application that has been filed pursuant to § [15.2-4303](#) is being considered:

1. The agricultural and forestal significance of land within the district or addition and in areas adjacent thereto;
2. The presence of any significant agricultural lands or significant forestal lands within the district and in areas adjacent thereto that are not now in active agricultural or forestal production;
3. The nature and extent of land uses other than active farming or forestry within the district and in areas adjacent thereto;
4. Local developmental patterns and needs;
5. The comprehensive plan and, if applicable, the zoning regulations;
6. The environmental benefits of retaining the lands in the district for agricultural and forestal uses; and
7. Any other matter which may be relevant.

In judging the agricultural and forestal significance of land, any relevant agricultural or forestal maps may be considered, as well as soil, climate, topography, other natural factors, markets for agricultural and forestal products, the extent and nature of farm structures, the present status of agriculture and forestry, anticipated trends in agricultural economic conditions and such other factors as may be relevant.

1977, c. 681, § 15.1-1511; 1979, c. 377; 1981, c. 546; 1984, c. 20; 1985, c. 13; 1987, c. 552; 1993, cc. 745, 761; 1997, c. 587.

§ 15.2-4307. Review of application; notice; hearing

Upon the receipt of an application for a district or for an addition to an existing district, the program administrator shall refer such application to the advisory committee.

The advisory committee shall review and make recommendations concerning the application or modification thereof to the local planning commission, which shall:

1. Notify, by first-class mail, adjacent property owners, as shown on the maps of the locality used for tax assessment purposes, and where applicable, any political subdivision whose territory encompasses or is part of the district, of the application. The notice shall contain (i) a statement that an application for a district has been filed with the program administrator pursuant to this chapter; (ii) a statement that the application will be on file open to public inspection in the office of the clerk of the local governing body; (iii) where applicable a statement that any political subdivision whose territory encompasses or is part of the district may propose a modification which must be filed with the local planning commission within thirty days of the date of the notice; (iv) a statement that any owner of additional qualifying land may join the application within thirty days from the date of the notice or, with the consent of the local governing body, at any time before the public hearing the local governing body must hold on the application; (v) a statement that any owner who joined in the application may withdraw his land, in whole or in part, by written notice filed with the local governing body, at any time before the local governing body acts pursuant to § 15.2-4309; and (vi) a statement that additional qualifying lands may be added to an already created district at any time upon separate application pursuant to this chapter;

2. Hold a public hearing as prescribed by law; and

3. Report its recommendations to the local governing body including but not limited to the potential effect of the district and proposed modifications upon the locality's planning policies and objectives.

1977, c. 681, § 15.1-1511; 1979, c. 377; 1981, c. 546; 1984, c. 20; 1985, c. 13; 1987, c. 552; 1993, cc. 745, 761; 1997, c. 587; 1998, c. 833; 2011, cc. 344, 355.

§ 15.2-4308. Repealed

Repealed by Acts 2011, cc. 344 and 355, cl. 2.

§ 15.2-4309. Hearing; creation of district; conditions; notice

A. The local governing body, after receiving the report of the local planning commission and the advisory committee, shall hold a public hearing as provided by law, and after such public hearing, may by ordinance create the district or add land to an existing district as applied for, or with any modifications it deems appropriate.

B. The governing body may require, as a condition to creation of the district, that any parcel in the district shall not, without the prior approval of the governing body, be developed to any more intensive use or to certain more intensive uses, other than uses resulting in more intensive agricultural or forestal production, during the period which the parcel remains within the district. Local governing bodies shall not prohibit as a more intensive use, construction and placement of dwellings for persons who earn a substantial part of their livelihood from a farm or forestry operation on the same property, or for members of the immediate family of the owner, or divisions of parcels for such family members, unless the governing body finds that such use in the particular case would be incompatible with farming or forestry in the district. To further the purposes of this chapter and to promote agriculture and forestry and the creation of districts, the local governing body may adopt programs offering incentives to landowners to impose land use and conservation restrictions on their land within the district. Programs offering such incentives shall not be permitted unless authorized by law. Any conditions to creation of the district and the period before the review of the district shall be described, either in the application or in a notice sent by first-class mail to all landowners in the district and published in a newspaper having a general circulation within the district at least seven days prior to adoption of the ordinance creating the district. The ordinance shall state any conditions to creation of the district and shall prescribe the period before the first review of the district, which shall be no less than four years but not more than ten years from the date of its creation. In prescribing the period before the first review, the local governing body shall consider the period proposed in the application. The ordinance shall remain in effect at least until such time as the district is to be reviewed. In the event of annexation by a city or town of any land within a district, the district shall continue until the time prescribed for review.

C. The local governing body shall act to adopt or reject the application, or any modification of it, no later than 180 days from (i) November 1 or (ii) the other date selected by the locality as provided in § 15.2-4305. Upon the adoption of an ordinance creating a district or adding land to an existing district, the local governing body shall submit a copy of the ordinance with maps to the local commissioner of the revenue, and the State Forester, and the Commissioner of Agriculture and Consumer Services for information purposes. The commissioner of the revenue shall identify the parcels of land in the district in the land book and on the tax map, and the local governing body shall identify such parcels on the zoning map, where applicable and shall

designate the districts on the official comprehensive plan map each time the comprehensive plan map is updated.

1977, c. 681, § 15.1-1511; 1979, c. 377; 1981, c. 546; 1984, c. 20; 1985, c. 13; 1987, c. 552; 1993, cc. 745, 761; 1997, c. 587; 1998, c. 833; 2011, cc. 344, 355; 2023, cc. 506, 507.

§ 15.2-4310. Additions to a district

Additional parcels of land may be added to an existing district at any time by following the process and application deadlines prescribed for the creation of a new district.

1977, c. 681, § 15.1-1511; 1979, c. 377; 1981, c. 546; 1984, c. 20; 1985, c. 13; 1987, c. 552; 1993, cc. 745, 761; 1997, c. 587; 2011, cc. 344, 355.

§ 15.2-4311. Review of districts

The local governing body may complete a review of any district created under this section, together with additions to such district, no less than four years but no more than ten years after the date of its creation and every four to ten years thereafter. If the local governing body determines that a review is necessary, it shall begin such review at least ninety days before the expiration date of the period established when the district was created. In conducting such review, the local governing body shall ask for the recommendations of the local advisory committee and the planning commission in order to determine whether to terminate, modify or continue the district. When each district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the local governing body at any time before it acts to continue, modify or terminate the district. The local planning commission or the advisory committee shall schedule as part of the review a public meeting with the owners of land within the district, and shall send by first-class mail a written notice of the meeting and review to all such owners. The notice shall state the time and place for the meeting; that the district is being reviewed by the local governing body; that the local governing body may continue, modify, or terminate the district; and that land may be withdrawn from the district at the owner's discretion by filing a written notice with the local governing body at any time before it acts to continue, modify or terminate the district. The local governing body shall hold a public hearing as provided by law. The governing body may stipulate conditions to continuation of the district and may establish a period before the next review of the district, which may be different from the conditions or period established when the district was created. Any such different conditions or period shall be described in a notice sent by first-class mail to all owners of land within the district and published in a newspaper having a general circulation within the district at least two weeks prior to adoption of the ordinance continuing the district. Unless the district is modified or terminated by the local governing body, the district shall continue as originally constituted, with the same conditions and period before the next review as that established when the district was created.

If the local governing body determines that a review is unnecessary, it shall set the year in which the next review shall occur.

1977, c. 681, § 15.1-1511; 1979, c. 377; 1981, c. 546; 1984, c. 20; 1985, c. 13; 1987, c. 552; 1993, cc. 745, 761; 1997, c. 587.

§ 15.2-4312. Effects of districts

A. Land lying within a district and used in agricultural or forestal production shall automatically qualify for an agricultural or forestal use-value assessment pursuant to Article 4 (§ 58.1-3229 et

seq.) of Chapter 32 of Title 58.1, if the requirements for such assessment contained therein are satisfied. Any ordinance adopted pursuant to § 15.2-4303 shall extend such use-value assessment and taxation to eligible real property within such district whether or not a local ordinance pursuant to § 58.1-3231 has been adopted.

B. No local government shall exercise any of its powers to enact local laws or ordinances within a district in a manner which would unreasonably restrict or regulate farm structures or farming and forestry practices in contravention of the purposes of this chapter unless such restrictions or regulations bear a direct relationship to public health and safety. The comprehensive plan and zoning and subdivision ordinances shall be applicable within said districts, to the extent that such ordinances are not in conflict with the conditions to creation or continuation of the district set forth in the ordinance creating or continuing the district or the purposes of this chapter. Nothing in this chapter shall affect the authority of the locality to regulate the processing or retail sales of agricultural or forestal products, or structures therefor, in accordance with the local comprehensive plan or any local ordinances. Local ordinances, comprehensive plans, land use planning decisions, administrative decisions and procedures affecting parcels of land adjacent to any district shall take into account the existence of such district and the purposes of this chapter.

C. It shall be the policy of all agencies of the Commonwealth to encourage the maintenance of farming and forestry in districts and all administrative regulations and procedures of such agencies shall be modified to this end insofar as is consistent with the promotion of public health and safety and with the provisions of any federal statutes, standards, criteria, rules, regulations, or policies, and any other requirements of federal agencies, including provisions applicable only to obtaining federal grants, loans or other funding.

D. No special district for sewer, water or electricity or for nonfarm or nonforest drainage may impose benefit assessments or special tax levies on the basis of frontage, acreage or value on land used for primarily agricultural or forestal production within a district, except a lot not exceeding one-half acre surrounding any dwelling or nonfarm structure located on such land. However, such benefit assessment or special ad valorem levies may continue if imposed prior to the formation of the district.

1977, c. 681, § 15.1-1512; 1979, c. 377; 1987, c. 552; 1997, c. 587.

§ 15.2-4313. Proposals as to land acquisition or construction within district

A. Any agency of the Commonwealth or any political subdivision which intends to acquire land or any interest therein other than by gift, devise, bequest or grant, or any public service corporation which intends to: (i) acquire land or any interest therein for public utility facilities not subject to approval by the State Corporation Commission, provided that the proposed acquisition from any one farm or forestry operation within the district is in excess of one acre or that the total proposed acquisition within the district is in excess of ten acres or (ii) advance a grant, loan, interest subsidy or other funds within a district for the construction of dwellings, commercial or industrial facilities, or water or sewer facilities to serve nonfarm structures, shall at least ninety days prior to such action notify the local governing body and all of the owners of land within the district. Notice to landowners shall be sent by first-class or registered mail and shall state that further information on the proposed action is on file with the local governing body. Notice to the local governing body shall be filed in the form of a report containing the following information:

1. A detailed description of the proposed action, including a proposed construction schedule;

2. All the reasons for the proposed action;
3. A map indicating the land proposed to be acquired or on which the proposed dwellings, commercial or industrial facilities, or water or sewer facilities to serve nonfarm structures are to be constructed;
4. An evaluation of anticipated short-term and long-term adverse impacts on agricultural and forestal operations within the district and how such impacts are proposed to be minimized;
5. An evaluation of alternatives which would not require action within the district; and
6. Any other relevant information required by the local governing body.

B. Upon receipt of a notice filed pursuant to subsection A, the local governing body, in consultation with the local planning commission and the advisory committee, shall review the proposed action and make written findings as to (i) the effect the action would have upon the preservation and enhancement of agriculture and forestry and agricultural and forestal resources within the district and the policy of this chapter; (ii) the necessity of the proposed action to provide service to the public in the most economical and practical manner; and (iii) whether reasonable alternatives to the proposed action are available that would minimize or avoid any adverse impacts on agricultural and forestal resources within the district. If requested to do so by any owner of land that will be directly affected by the proposed action of the agency, corporation, or political subdivision, the Director of the Department of Conservation and Recreation, or his designee, may advise the local governing body on the issues listed in clauses (i), (ii) and (iii) of this subsection.

C. If the local governing body finds that the proposed action might have an unreasonably adverse effect upon either state or local policy, it shall (i) issue an order within ninety days from the date the notice was filed directing the agency, corporation or political subdivision not to take the proposed action for a period of 150 days from the date the notice was filed and (ii) hold a public hearing, as prescribed by law, concerning the proposed action. The hearing shall be held where the local governing body usually meets or at a place otherwise easily accessible to the district. The locality shall publish notice in a newspaper having a general circulation within the district, and mail individual notice of the hearing to the political subdivisions whose territory encompasses or is part of the district, and the agency, corporation or political subdivision proposing to take the action. Before the conclusion of the 150-day period, the local governing body shall issue a final order on the proposed action. Unless the local governing body, by an affirmative vote of a majority of all the members elected to it, determines that the proposed action is necessary to provide service to the public in the most economic and practical manner and will not have an unreasonably adverse effect upon state or local policy, the order shall prohibit the agency, corporation or political subdivision from proceeding with the proposed action. If the agency, corporation or political subdivision is aggrieved by the final order of the local governing body, an appeal shall lie to the circuit court having jurisdiction of the territory wherein a majority of the land affected by the acquisition is located. However, if such public service corporation is regulated by the State Corporation Commission, an appeal shall be to the State Corporation Commission.

1977, c. 681, § 15.1-1512; 1979, c. 377; 1987, c. 552; 1997, c. 587; 1998, c. [833](#); 2000, c. [1069](#).

§ 15.2-4314. Withdrawal of land from a district; termination of a district

A. At any time after the creation of a district within any locality, any owner of land lying in such district may file with the program administrator a written request to withdraw all or part of his land from the district for good and reasonable cause. The program administrator shall refer the request to the advisory committee for its recommendation. The advisory committee shall make recommendations concerning the request to withdraw to the local planning commission, which shall hold a public hearing and make recommendations to the local governing body. Land proposed to be withdrawn may be reevaluated through the Virginia or local Land Evaluation and Site Assessment (LESA) System. The landowner seeking to withdraw land from a district, if denied favorable action by the governing body, shall have an immediate right of appeal de novo to the circuit court serving the territory wherein the district is located. This section shall in no way affect the ability of an owner to withdraw an application for a proposed district or withdraw from a district pursuant to clause (v) of subdivision 1 of § 15.2-4307 or § 15.2-4311.

B. Upon termination of a district or withdrawal or removal of any land from a district created pursuant to this chapter, land that is no longer part of a district shall be subject to and liable for roll-back taxes as are provided in § 58.1-3237. Sale or gift of a portion of land in a district to a member of the immediate family as defined in § 15.2-2244 shall not in and of itself constitute a withdrawal or removal of any of the land from a district.

C. Upon termination of a district or upon withdrawal or removal of any land from a district, land that is no longer part of a district shall be subject to those local laws and ordinances prohibited by the provisions of subsection B of § 15.2-4312.

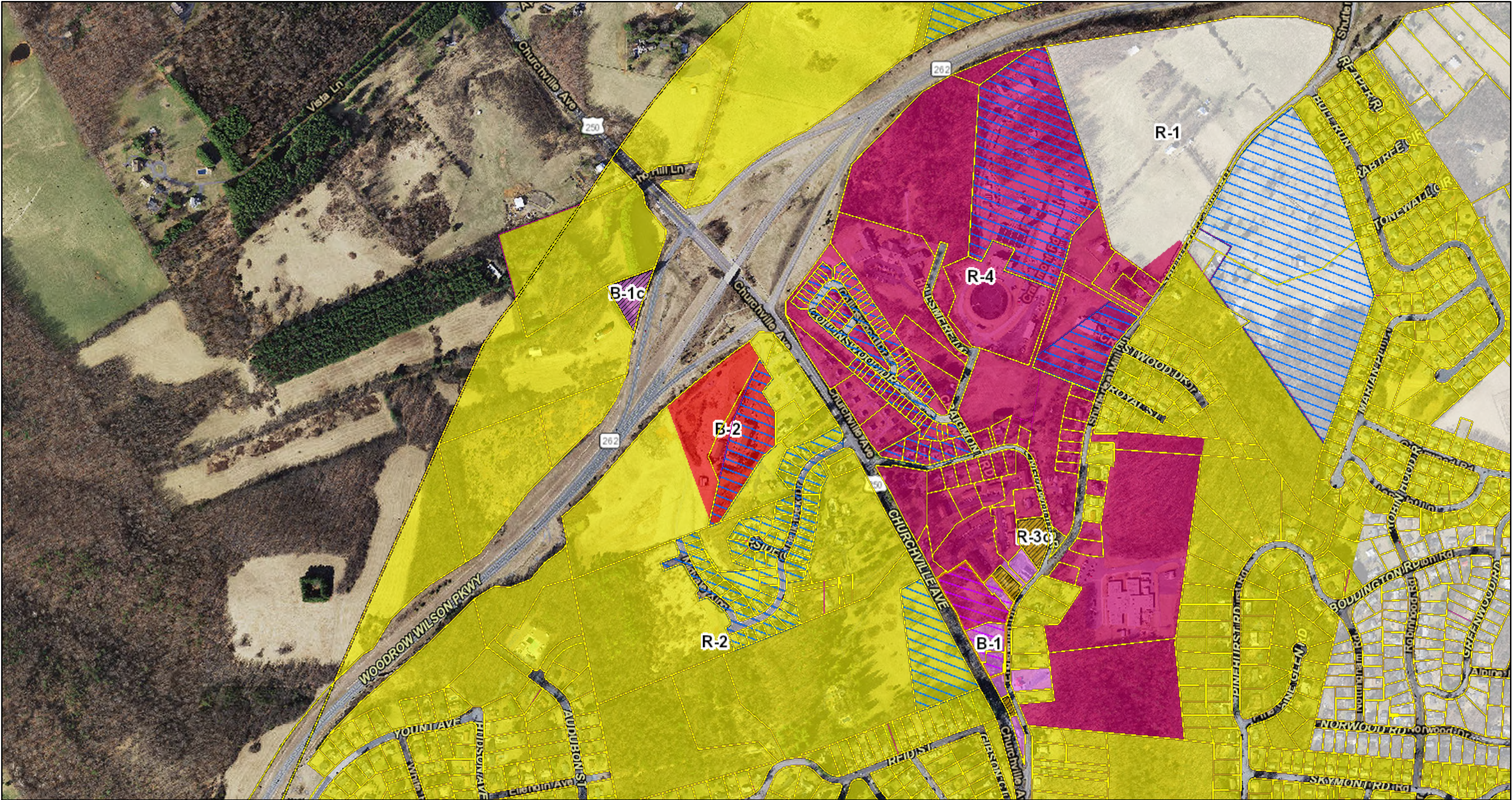
D. Upon the death of a property owner, any heir at law, devisee, surviving cotenant or personal representative of a sole owner of any fee simple interest in land lying within a district shall, as a matter of right, be entitled to withdraw such land from such district upon the inheritance or descent of such land provided that such heir at law, devisee, surviving cotenant or personal representative files written notice of withdrawal with the local governing body and the local commissioner of the revenue within two years of the date of death of the owner.

E. Upon termination or modification of a district, or upon withdrawal or removal of any parcel of land from a district, the local governing body shall submit a copy of the ordinance or notice of withdrawal to the local commissioner of revenue, the State Forester and the State Commissioner of Agriculture and Consumer Services for information purposes. The commissioner of revenue shall delete the identification of such parcel from the land book and the tax map, and the local governing body shall delete the identification of such parcel from the zoning map, where applicable.

F. The withdrawal or removal of any parcel of land from a lawfully constituted district shall not in itself serve to terminate the existence of the district. The district shall continue in effect and be subject to review as to whether it should be terminated, modified or continued pursuant to § 15.2-4311 of this chapter.

1977, c. 681, § 15.1-1513; 1979, c. 377; 1985, c. 13; 1987, c. 552; 1997, c. 587; 2000, c. 521; 2011, cc. 344, 355.

Zoning - Southwest Side of Rt 262



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Lot_Lines

City Limits

Tax Parcels

Zoning Map

B-1

B-1(conditional)

B-2

B-2(conditional)

B-3

B-5 outline

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)

Conditional Rezoning

Special Use Permit

Road Centerline

2022 Imagery

Red: Band_1

Green: Band_2

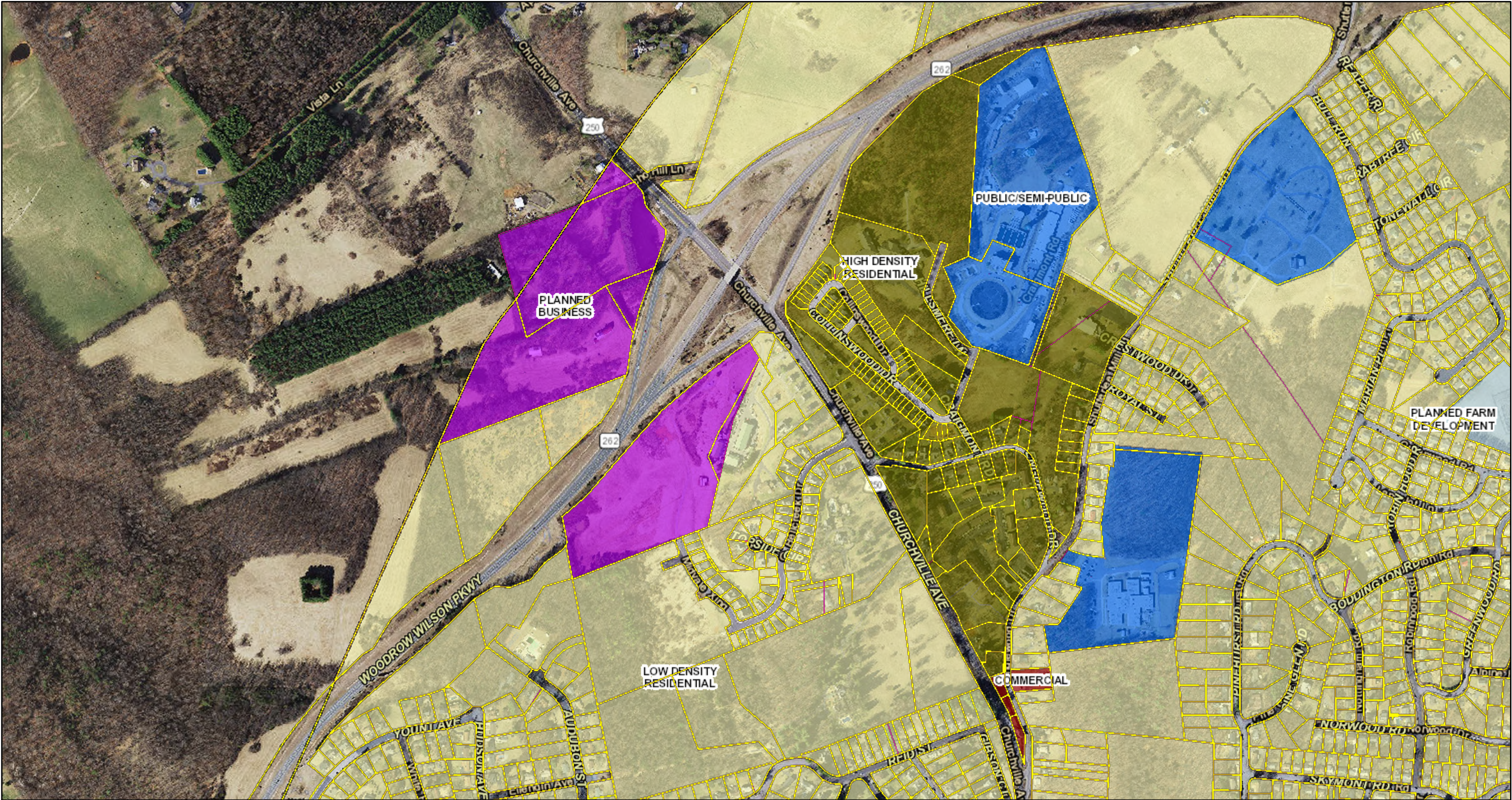
Blue: Band_3

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

For Information Purposes Only. Data owned by the City of Staunton and ESRI.

2018 Future Land Use Map

Attachment 8



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Lot_Lines

City Limits

Tax Parcels

2018 Future Land Use

CONSERVATION/RECREATION/PARKS

PLANNED FARM DEVELOPMENT

PUBLIC/SEMI-PUBLIC

LOW DENSITY RESIDENTIAL

MEDIUM DENSITY RESIDENTIAL

MEDIUM DENSITY PLANNED RESIDENTIAL

HIGH DENSITY RESIDENTIAL

TRADITIONAL NEIGHBORHOOD DEVELOPMENT

PLANNED RESIDENTIAL

NEIGHBORHOOD RESIDENTIAL

PROFESSIONAL

PLANNED BUSINESS

COMMERCIAL

PLANNED INDUSTRIAL

LIGHT INDUSTRIAL

HEAVY INDUSTRIAL

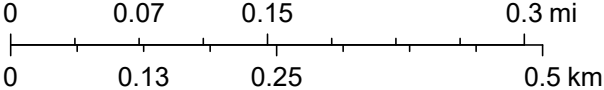
Road Centerline

2022 Imagery

Red: Band_1

Green: Band_2

Blue: Band_3



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

REPORT OF THE AGRICULTURAL & FORESTAL ADVISORY
COMMITTEE
on the
PROPOSED ADDITION OF SIX PARCELS
OWNED BY
LABREHAB AT WINDY OAKES, LLC
TO THE
M.O. CARR AGRICULTURAL/FORESTAL PRESERVATION DISTRICT

The Agricultural & Forestal Advisory Committee of The City of Staunton, Virginia

Stephen Talley, Chairman

Faye Cooper, Vice-Chairman

Steven Beam

Presley W. Moore, III

Charles Haney, Jr., Staunton City Assessor

Mark Robertson, Council Liaison

Background

- A. On July 28, 2023 Eric Obaugh of Labrehab at Windy Oaks, the owner of six contiguous parcels totaling 45.56 acres described as city of Staunton tax PID numbers 11544,10047,10046,9975,101897,101898, requested that Staunton add these aforementioned parcels to the M.O. Carr Agriculture-Forestal District.

Salient Points

- A. The City Ordinance 18.95, which establishes Ag/Forestal Districts, does not give a purpose statement or general description which could help guide the Committee in their determination. However, language in the Code of Virginia does lay out state policy that specifies considerations in establishing and maintaining Ag/Forestal Districts. Code section 15.2-4401 states, "It is state policy to encourage localities of the Commonwealth to conserve and protect and to encourage the development and improvement of their agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also state policy to encourage localities of the Commonwealth to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, aesthetic quality, and other environmental purposes. It is the purpose of this chapter to provide a means by which localities may protect and enhance agricultural and forestal lands of local significance as a viable segment of the local economy and as an important economic and environmental resource."
- B. The general purpose of Land Use Taxation in Virginia is to preserve agricultural, horticulture, forestry, and open space lands and to allow for the timely development of land.

- C. Soil maps from the City show that the property consist of 7 to 15 percent slopes with residuum weathered from dolomitic and cherty limestone soil. Pete Kesecker, the City's Environmental Programs Administrator described the soil as typical Augusta County farm land, good for grazing and hey production. This land is significantly better than the soil of the last parcel considered by the Advisory Committee.

Committee Action

The Committee met on September 27, 2023, at the Staunton City Hall building, to discuss the request. Several members of the committee visited the site earlier on the day of the meeting. Representatives of the zoning department were also at our meetings to answer zoning-related questions.

Issues brought up and discussed were: the general loss of agriculture and open space lands in the city and elsewhere and the need for these land to help provide clean air and water, the boundaries of the district, the effect of income to the City, the probability of current and future development of the land as residential and some business zoned land, the lack of city water and sewer to the property, and the conservation benefits of having a large amount of land together for conservation purposes (these parcels are adjoining approximately 221 acres owned by the same LLC in Augusta County).

Ms. Cooper made a motion to accept this application as an addition to the M.O. Carr District and to make a recommendation to the Planning Commission to approve this application. The motion was seconded by Mr. Talley and unanimously passed.

Stephen Talley, Chairman, Ag/Forestal Committee

Chairman Agriculture/Forestal Advisory Committee

Ordinance No. 2023-____

**AN ORDINANCE AMENDING
SECTION 18.95.020, DISTRICTS DESIGNATED AND DESCRIBED –
ADDITIONS TO DISTRICT,
OF CHAPTER 18.95, A-1 AGRICULTURAL-FORESTAL DISTRICT
OF TITLE 18, ZONING, OF THE STAUNTON CITY CODE
TO ADD 45.56 ACRES OF LAND
TO THE M.O. CARR AGRICULTURAL-FORESTAL DISTRICT**

Recitals

A. On July 28, 2023 LABREHB AT WINDY OAKS, LLC, made application to the City of Staunton to add 45.56 acres of land to the M. O. Carr Agricultural-Forestal District;

B. The Program Administrator referred the application to the Agricultural-Forestal Advisory Committee and the Committee reviewed the application and recommended approval;

C. The City of Staunton Planning Commission after study and review conducted a public hearing at its November 16, 2023 meeting, has properly heard the matter, and has recommended approval of the application;

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that section 18.95.020 of Chapter 18.95, A-1 Agricultural-Forestal District, of Title 18, Zoning, of the Staunton City Code, is **HEREBY AMENDED, RESTATED, AND REORDAINED** as follows:

Chapter 18.95

A-1 AGRICULTURAL-FORESTAL DISTRICT

Sections:

- 18.95.005 Definitions.
- 18.95.010 Districts continued.
- 18.95.020 Districts designated and described – Additions to districts.
- 18.95.030 Required and permitted uses.
- 18.95.040 Overlay.
- 18.95.050 Private roads.
- 18.95.060 Other conditions.
- 18.95.070 Term review.
- 18.95.080 Severability.

18.95.005 Definitions.

For purposes of this chapter, the following definitions apply unless otherwise provided herein:

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

18.95.020 Districts designated and described – Additions to districts.

(1) Districts. The agricultural, or sometimes referred to as agricultural and forestal or agricultural-forestal, districts designated and the land included within the districts are the following:

(a) The Bell's Lane Agricultural and Forestal District shall consist of the following land, to wit:

(i) 1,662.34 acres of land, more or less, situated in the city of Staunton, Virginia, bounded generally on the west by Commerce Road, on the north by State Route 262 (formerly State Route 275), on the east by Interstate 81, and on the south by Route 254, which includes the land identified by the city of Staunton assessor as parcel numbers 10140, 10143, 10146, 10149, 10152, 10169, 10176, 10182, 10187, 10369, 10375, 10410, 10413, 10418, 10420, 10423, 10430, 10438, 10442 and 11121, and as further shown on the map entitled "Ag-Forestal Districts" made by the engineering department of the city of Staunton, dated October 25, 2004, a copy of which map shall be on file with the department of planning and inspection and the city assessor's office.

(ii) 26.19 acres of land, more or less, situated in the city of Staunton, Virginia, bounded generally on the east by Interstate 81 and on the south, west and north by the land of Lewis W. Moore, lying along the southeastern margin of Lewis Creek and encompassing the land identified by the city of Staunton as parcel number 10484.

(b) The Merrifield Agricultural and Forestal District shall consist of the following land, to wit:

(i) 218.441 acres of land, more or less, situated in the city of Staunton, Virginia, at the northwest quadrant of the intersection of U.S. Route 11 and State Route 262 (formerly State Route 275), and identified by the city of Staunton assessor as parcel number 10329 and shown on the aforementioned map as "Hereford," and more particularly shown and described as Parcel A-2 on the "Survey Plat of Property of E. Monroe Bonfoey and Sarah D. Witz Bonfoey," a copy of which plat is recorded in the clerk's office of the circuit court of the city of Staunton, Virginia, in Deed Book 305, Page 858.

(ii) 147.202 acres of land, more or less, situated in the city of Staunton, Virginia, adjoining the land described in subsection (1)(b)(i) of this section and shown on the map aforementioned as "Bonfoey," and more particularly shown and described on the plat, aforesaid, as Parcel A-1 (excluding 2.999 acres shown on said plat as Parcel B) and identified by the city of Staunton assessor as parcel number 10881.

(iii) 196.13 acres of land, more or less, situated in the city of Staunton, Virginia, known as “Cobble Hill,” identified by the city of Staunton assessor as parcel numbers 10007, 10008 and 10010 and shown on the map aforementioned as “Craske.”

(c) The M.O. Carr Agricultural and Forestal District shall consist of the following land, to wit:

(i) 40.67 acres of land, more or less, and shown on the map aforementioned as “Hardy” and identified by the city of Staunton assessor as parcel number 10012.

(ii) 35.167 acres of land, more or less, and shown on the map aforementioned as “Johnson” and identified by the city of Staunton assessor as parcel number 10472.

(iii) 10.54 acres of land, more or less, known as the “Thompson” property and consisting of two parcels identified and shown by the city as parcel number 9996, containing approximately 0.950 acres, and parcel number 10824, containing approximately 9.404 acres.

(iv) 45.56 acres of land, more or less, known as the “Labrehab at Windy Oaks, LLC” property and consisting of six parcels identified and shown by the City as parcel identification numbers 11544, containing approximately 0.931 acres, parcel number 10046, containing approximately 10.869 acres, parcel number 10047, containing approximately 13.389 acres, parcel number 9975, containing approximately 7.464 acres, parcel number 101897, containing approximately 8.715 acres, and parcel number 101898, containing approximately 4.19 acres.

(d) The Middlebrook Agricultural and Forestal District shall consist of the following land, to wit:

221.266 acres of land, more or less, situated in the city of Staunton, Virginia, fronting approximately 6,500 feet along the southwestern city limits at the northwest corner of the intersection of Middlebrook Avenue and State Route 262 (formerly State Route 275), adjoining Montgomery Hall Park on the northeast, Augusta County on the southwest, CSX Railroad on the northwest and Middlebrook Avenue on the southeast, which includes the lands identified by the city of Staunton assessor as parcel numbers 10098, 10126, 10311, 10099, 10103, 10510 and 10097, and as further shown on the map entitled “Exhibit D.1. – Boundary Map,” a copy of which map shall be on file with the department of planning and inspection and the city assessor’s office.

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

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:

126
127
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129
130
131
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133

Stephen W. Claffey, Mayor

ATTEST: _____
Kiley A. Kesecker,
Clerk of Council

DRAFT

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	D	
Department:	Community Development— Planning and Zoning	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Areas: Infrastructure, Responsive, Efficient Government	
Subject:	Public Hearing and Consideration of a Request by the City of Staunton to Amend the City of Staunton, Virginia, Comprehensive Plan 2018-2040, to Include Changes that are Necessary to Reflect the Recently Completed Uniontown Neighborhood Action Plan	

Background: In 2022, Staunton City Council appropriated funding from the American Rescue Plan Act (ARPA) to pay the cost associated with creating a Neighborhood Action Plan for the community of Uniontown. The planning firm of EPR, P.C. was chosen as the consultant for the project and the City began working with them in February of 2023. A Steering Committee was assembled consisting of residents, property owners and other interested stakeholders to create a Neighborhood Action Plan for the historic community of Uniontown. The planning process included six steering committee meetings and a community survey that identified concerns, vetted goal statements, and asked for specific ideas for moving Uniontown forward. Additional information on the community's past and vision for the future was received at a Building Bridges event honoring Uniontown's past. Staff and the Steering Committee reviewed multiple revisions of the Neighborhood Action Plan. The plan was presented at the Planning Commission's August 17, 2023 meeting and City Council's August 24, 2023 meeting. Upon receiving the presentation, City Council directed the Planning Commission to conduct a public hearing on the Uniontown Neighborhood Action Plan to be included as an addendum to the

City of Staunton Comprehensive Plan. Staff has also prepared an update to the Future Land Use Map and incorporated various objectives into Chapter 1 – Goals and Objectives to address the action items noted in the Uniontown Neighborhood Action Plan.

The Uniontown Neighborhood Plan has a dedicated City webpage utilized for information and meeting dates, updated by the Planning & Zoning Division, where the [Uniontown Neighborhood Action Plan](#) can be viewed. There are four main goals to the action plan, which were presented with actions associated with each goal.

Goal A – Reinvestment

Action 1 – Extend water and sewer infrastructure into Uniontown.

Action 2 – Improve the internal roadway network conditions and provide streetlights.

Action 3 – Develop a property owner education program to inform Uniontown's owners of their rights and opportunities.

Action 4 – Survey lots to improve property boundaries and records.

Goal B – Sense of Community

Action 1 – Update the Zoning Map to reflect Uniontown's vision for single-family residential.

Action 2 – Partner with Housing Groups to construct new, quality, affordable homes on existing lots that are comparable in size and scale to what existed previously.

Action 3 – Evaluate the condition of remaining vacant structures to determine what can be repaired and what might need to be removed.

Action 4 – Organize regular community clean-up events and beautification efforts.

Action 5 – Preserve natural habitats to maintain the rural feel.

Goal C – Preservation

Action 1 – Re-establish access to the Uniontown Chapel Cemetery.

Action 2 – Develop promotional material to communicate Uniontown's history.

Action 3 – Create an online presence that documents Uniontown's history.

Action 4 – Install historical markers and plaques that communicate Uniontown's history and the stories of its people.

Action 5 – Ensure every school library has a copy of Old Uniontown Glances Backwards and other books/references that document local history.

Goal D – Reestablished Connections

Action 1 – Examine options at the former National Avenue Bridge site.

Action 2 – Examine gateway treatments on National Avenue that makes Uniontown visible from Richmond Road.

Action 3 – Update the City of Staunton's Comprehensive Plan to show Uniontown as an essential part of the Richmond Road Corridor.

Action 4 – Redesign Uniontown's commercial properties on Richmond Road to reflect the neighborhood.

Planning Commission Recommendation:

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

Attachments:

Attachment 1—Uniontown Future Land Use Map

Attachment 2—Uniontown Proposed Future Land Use Map

Attachment 3—Proposed Changes to the Comprehensive Plan's Objectives

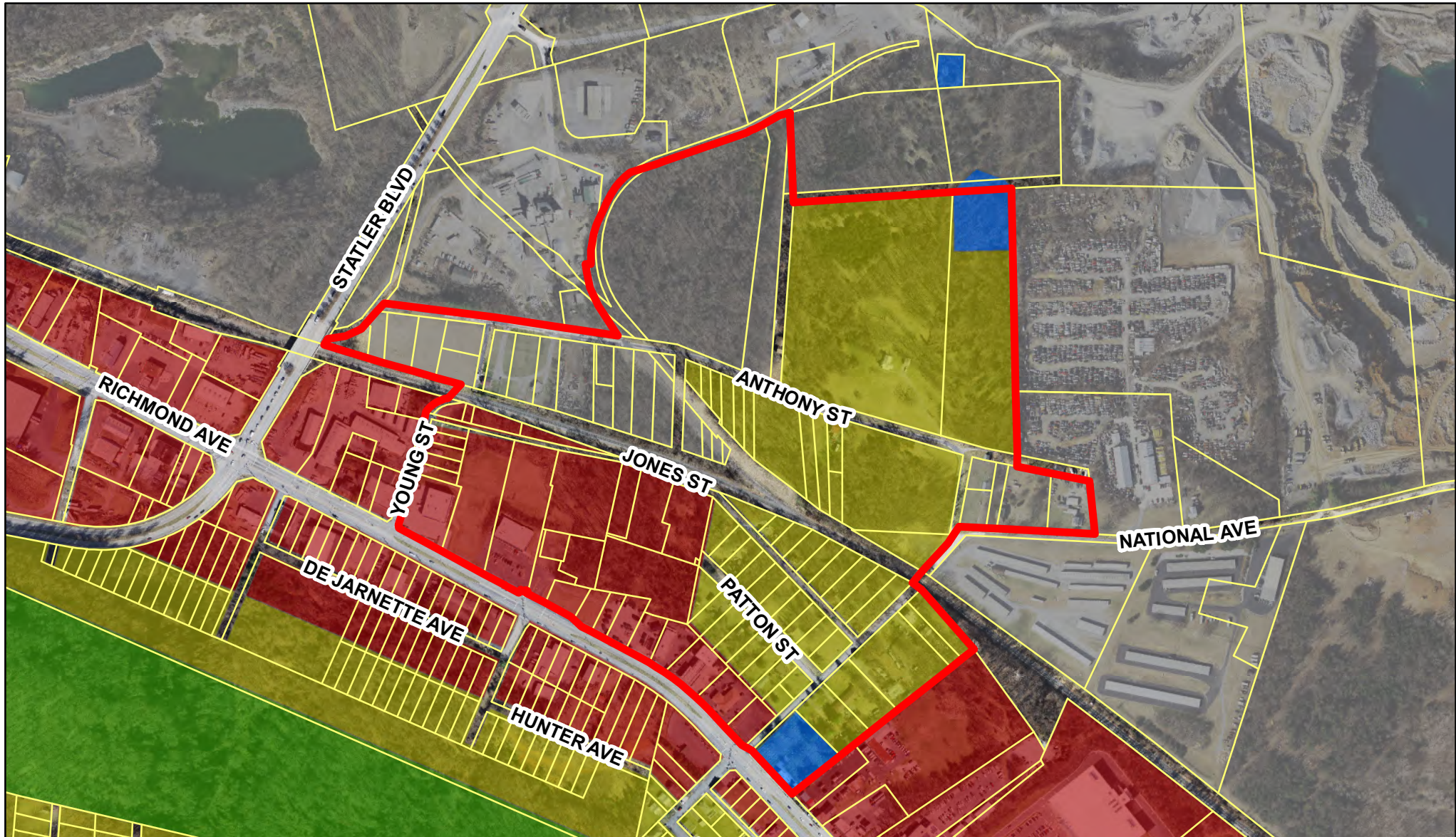
Attachment 4—Draft Resolution

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

City Manager: Leslie Beauregard

Uniontown Future Land Use Map

Attachment 1



Future Land Use

- CONSERVATION/RECREATION/OPEN SPACE
- PLANNED FARM DEVELOPMENT
- PUBLIC/SEMI-PUBLIC

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM DENSITY PLANNED RESIDENTIAL
- HIGH DENSITY RESIDENTIAL

- TRADITIONAL NEIGHBORHOOD DEVELOPMENT
- LOW DENSITY PLANNED RESIDENTIAL
- NEIGHBORHOOD RESIDENTIAL
- PROFESSIONAL

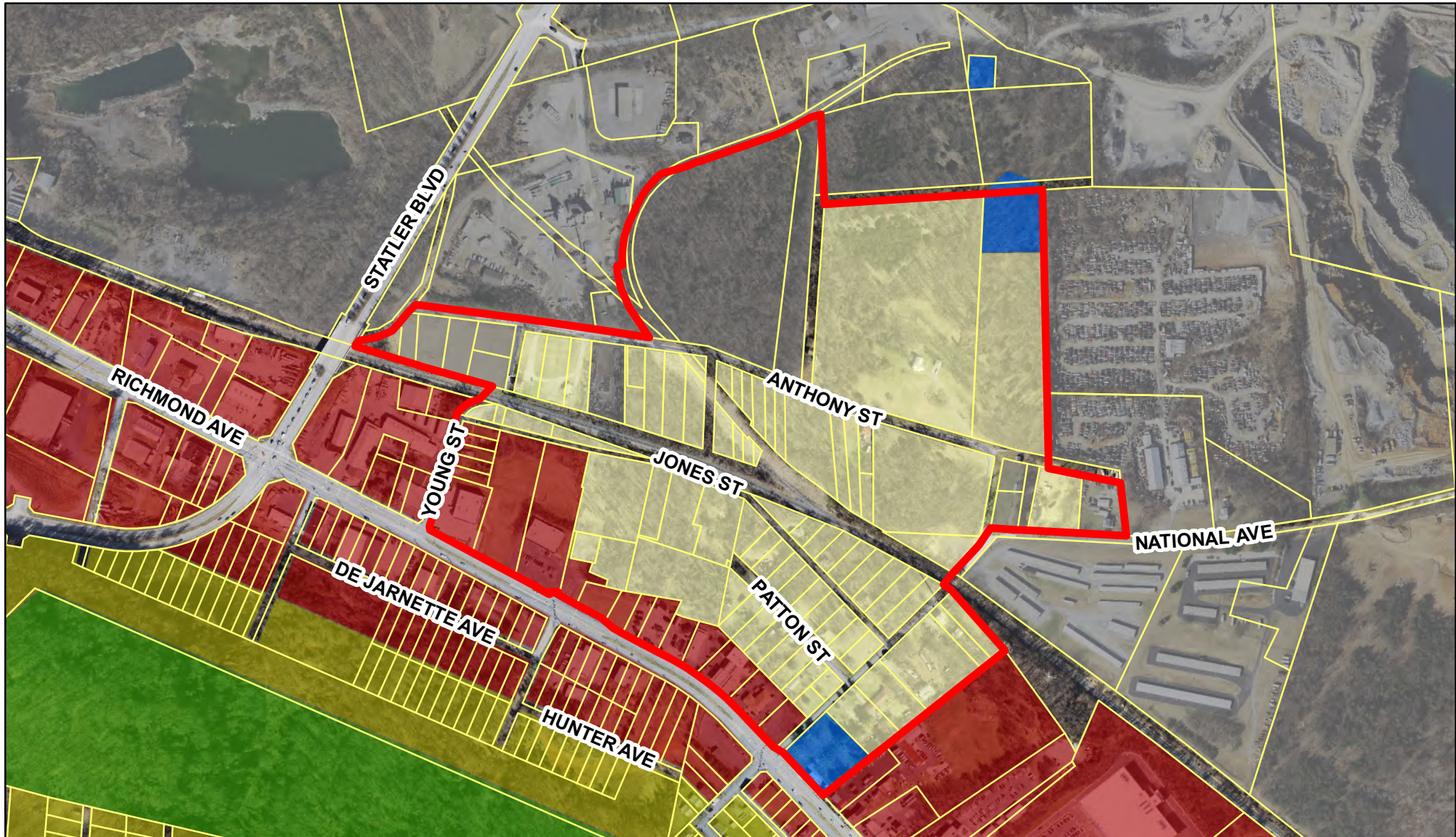
- PLANNED BUSINESS
- BUSINESS
- PLANNED INDUSTRIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL

Additional Layers

- Uniontown
- Lot_Lines

0 250 500 1,000 Feet

Uniontown Proposed Future Land Use Map Attachment 2



Future Land Use



- CONSERVATION/RECREATION/OPEN SPACE
- PLANNED FARM DEVELOPMENT
- PUBLIC/SEMI-PUBLIC

- LOW DENSITY PLANNED RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM DENSITY PLANNED RESIDENTIAL
- HIGH DENSITY RESIDENTIAL

- TRADITIONAL NEIGHBORHOOD DEVELOPMENT
- LOW DENSITY PLANNED RESIDENTIAL
- NEIGHBORHOOD RESIDENTIAL
- PROFESSIONAL

- PLANNED BUSINESS
- BUSINESS
- PLANNED INDUSTRIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL

Additional Layers

- Uniontown
- Lot_Lines

0 250 500 1,000 Feet

Chapter 1- Goals and Objectives

GOALS AND OBJECTIVES

Goals are overarching statements describing the direction that a community wants to go. Goals are general, reflect values of the community, and are visionary to lead to a desired future. Objectives are statements describing how those goals should be reached. Objectives should be measurable and achievable.

Open Space/Environment

Goal: Practice good stewardship of the environmental resources within and surrounding the City by protecting environmentally sensitive areas, preserving open space and natural habitat (including dark skies), minimizing pollution of all kinds, and encouraging sustainability and conservation practices.

Objectives:

- Promote only appropriate uses for open space, floodplains, environmentally sensitive areas, and agricultural-forestal districts.
- Support efforts to preserve Betsy Bell and Mary Gray Mountains by enhancing the use of public areas and exploring the possibility of conservation easements.
- Support development of greenways in and those that connect to the City.
- Encourage the implementation of Mitigation Strategies for the City included in the Central Shenandoah Valley Hazard Mitigation Plan.
- Take a watershed approach to protect water resources, through efforts such as reducing pollution and litter, encouraging stream buffers and restoration of riparian areas, increasing tree canopy, preserving open space, and educating the public.
- Continue implementation of stormwater best management practices.
- Promote energy conservation practices and the potential use of alternative energy sources.

Community Character

Goal: Preserve and capitalize on the rich historical and architectural character of the City by enhancing its physical attractiveness and implementing architecturally appropriate design standards.

Objectives:

- Enhance the physical attractiveness of the City through signage, landscaping and tree plantings, controlling litter, and reducing light pollution through “Dark Sky” techniques such as top and side shields on outdoor lighting.
- Educate citizens, especially property owners, on landscaping, beautification of neighborhoods, proper stormwater management, and the importance of maintaining long-term historic standards.
- Continue support for and cooperative efforts with the Historic Staunton Foundation.
- Support the City’s continued compliance with the historic preservation and the historic district overlay ordinances.
- Explore areas in the City for potential designation as historic districts and continue to identify properties of historical or architectural significance, especially pre- and post- WWII neighborhoods.
- Support preservation efforts of Staunton’s historic African American communities and identify properties of historical or architectural significance. [Support the preservation goals for Uniontown as noted in the Uniontown Neighborhood Action Plan.](#)
- Encourage commercial and retail structures that adjoin residential neighborhoods to utilize consistent or complimentary facades and site features to the surrounding neighborhoods when they are developed, redeveloped, or renovated.

Goal: Minimize degradation of scenic and natural resources.

Objectives:

- Use community friendly lighting policies to minimize light pollution and foster comfortable and safe nighttime environments; use smart outdoor lighting in public installations and educate citizens on appropriate lighting choices.

Planning

Goal: Encourage appropriate new development that is well-planned, compatible, incorporates mixed uses when appropriate, and contributes to the resource base of the City.

Objectives:

- Coordinate planning on corridors to promote quality of life and architectural character.
- Educate the public, development community, local officials and staff on the advantages of smart/good development.
- Encourage “living where you work” through at-home businesses in residential areas and small business owners living in commercial and transitional mixed-use zones, especially downtown buildings where businesses are at street level and upper floors are residences.
- Continue funding to complete the adopted Streetscape Plan in the Downtown Business District. Expand the Streetscape planning to include entry corridors immediately adjacent to and leading into the Downtown historic districts.
- Review zoning for the Downtown Business District and the adjoining historic districts for compatibility with the architectural character of the area.
- Review building height allowable under current zoning.
- Document the existing and historical architectural character of the Central Avenue area, adjoining historic districts, and neighborhoods.
- Revise zoning as needed to ensure new construction will relate to and be compatible with the historic architectural building and landscape character, including size, scale, and pattern of development.
- Review and update historic overlay zoning for the historic districts to ensure compatibility with the intent of the adopted design guidelines.
- Review and update Certificate of Appropriateness (COA) procedures and process. Consider consent agenda for minor changes and proposed changes clearly documented and following the adopted guidelines.

Goal: Encourage a demographically diverse and growing population.

Objectives:

- Recruit a mix of young professionals, families, and recent retirees to Staunton.
- Develop incentives for young adults to return to the City after completing college or starting a family.
- Capitalize on the financial resources and life experiences that new retirees bring to the City.
- Ensure adequate facilities and programs are available to support the City's older citizens and empower them to remain active in the community.

Goal: Actively encourage public and stakeholder participation and input for land use and development decisions.

Objectives:

- Encourage civic, service, and faith-based organizations, as well as neighborhood and community associations and the development community to play key roles in neighborhood revitalization through their participation in neighborhood “visioning” exercises.

Neighborhoods and Housing

Goal: Create walkable neighborhoods with the emphasis on pedestrian access and safety.

Objectives:

- Make rehabilitation and development of a quality pedestrian network including a maintenance and enhancement program for existing sidewalks a key priority for capital project funding and implementation.
- Require appropriately landscaped and sized sidewalks within all new developments and major redevelopments. Retrofit existing neighborhoods with appropriately landscaped and sized sidewalks as funding becomes available.
- Maximize the safety of students utilizing the school “walk zones” and by enabling and encouraging walking to school through such programs as “Safe Routes to School.”

- Complete the pedestrian corridor on Churchville Avenue to connect downtown to Gypsy Hill Park.
- Pursue safety efforts to ensure that neighborhood streets along the pedestrian network are as safe as possible from high speed traffic and crime.
- Integrate new developments into surrounding neighborhoods by connecting with existing roads and discouraging cul-de-sacs and isolating neighborhoods.

Goal: Ensure that Staunton's housing stock is an adequate mix to support the citizenry and the City's tax base.

Objectives:

- Develop a city-wide housing plan to address housing issues such as affordable housing, blighted areas, historic rehabilitation, housing for seniors and the elderly, and housing too concentrated based on income levels.
- Encourage building projects that infill existing neighborhoods.
- [Encourage the construction of quality, affordable homes on existing lots in Uniontown that are comparable in size and scale to what existed previously.](#)
- Encourage residential development of upper floors of commercial buildings in downtown.
- Promote mixed use development of housing, shops, businesses, and parks.

Rehabilitation and Re-use

Goal: Promote rehabilitation and conservation throughout the City by reuse of existing infrastructure and buildings, revitalization of blighted and vacant properties, and redevelopment in older, high-density areas with existing utilities and infrastructure.

Objectives:

- Provide tools and incentives for private rehabilitation of older structures throughout the City such as grants, low-interest loans, revolving loan funds, tax abatement, and technical assistance.
- Emphasize proactive property and structural maintenance and environmental hazard abatement through public education and volunteer support through community and faith-based organizations.

- Review the Rehab Abatement Program to see if there are any helpful revisions that could benefit homeowners.

- Continue applying for funding from state, federal, private, and non-profit programs for neighborhood improvements.
- Revitalize blighted and vacant properties by creating an inventory to evaluate if zoning changes are needed, create a partnership with public safety officials to address crime, require absent landlords to maintain deteriorating properties, and encourage the City Treasurer to auction tax delinquent and abandoned properties.
- Improve flexibility in older neighborhoods and redevelopment areas by examining lot size, set back, and parking requirements. [Investigate the possibility of creating a new zoning district to address historic neighborhoods where current zoning requirements would be impractical and would impede development/redevelopment.](#)
- Encourage continued redevelopment of commercial brownfield areas.
- Encourage compatible, in-fill development on vacant lots.

Transportation and Parking

Goal: Provide balanced design that includes use of a variety of transportation options including pedestrian, bicycle, vehicle, and public transportation within the City.

Objectives:

- Develop designs that scale roads and intersections compatible to neighborhoods.
- Evaluate the design of any new transportation project for sidewalks, safety, pedestrian and bicycle access, and the impact on existing neighborhoods.
- Develop safe, designated street crossings and ingress/egress points for pedestrians in high-density neighborhoods that adjoin primary destinations such as downtown, parks, and schools to encourage walking.
- Consider options such as traffic calming devices and traffic routing patterns to disperse traffic away from older, established neighborhoods.
- Continue to make Staunton more bike-friendly with a variety of bike infrastructure on streets as they are built, widened, or resurfaced. Link greenways and bike trails.
- Pursue safe pedestrian networks in and between all neighborhoods.

- Continue participation in a regional transit system that offers transportation options to those who cannot, or choose not, to operate motor vehicles. Expand services of the existing system, when possible, to provide a broader service area within the City.

Goal: Increase the emphasis on use and design for the City's current and future parking facilities.

Objectives:

- Implement resourceful parking strategies that promote calculating parking ratios based upon average use instead of capacity use. Examine ways to maximize utilization of downtown parking lots and garages.
- Maintain incentives for retrofitting hard surface commercial parking areas to landscaped areas.
- Create a safe, user-friendly, landscaped pedestrian network of walkways and crossings between public parking and commercial areas.
- Where appropriate, move parking from the front of public and commercial buildings to the side or rear.

Public Service and Government

Goal: Ensure quality and effective public services that meet the needs of citizens and the business community that is balanced with the City's economic base and resources.

Objectives:

Recreation

- Provide appropriate facilities and programs to adequately meet the recreational needs of the community.
- Continue to support and provide facilities for active and passive recreation activities that provide opportunities for social interaction.
- Work with the local YMCA and similar organizations to provide joint programs and to supplement resources.
- Continue to support the network of parks; small and large.

Public Safety

- Closely monitor personnel and equipment needs of the public safety departments (police, fire, rescue) to ensure that an optimum level of public safety and protection is maintained for Staunton's citizens, homes, properties, and businesses.
- Continue to promote public safety education and prevention programs for police, fire, and rescue services in schools, neighborhoods, and other settings.
- Develop a volunteer "Crime Watch" or "Neighborhood Watch" program for neighborhoods, parks, public areas, and along the pedestrian network leading to and from destinations.
- Develop a "Fire Watch" program for any areas of the city that border forested and grass lands and have high potential for wildfires.
- Continue support for "closest to call" joint response agreement with Augusta County Fire Department.
- Ensure that the City is prepared in the event of a natural disaster or man-made disaster here or in neighboring regions where it could significantly affect the City or its residents.

Schools

- Support efforts to maintain a quality school system.
- Encourage the continued renovation and upgrade of existing, neighborhood-based schools.
- Encourage more utilization of schools, school grounds, and playgrounds as neighborhood focal points and gathering centers for after hours and community activities when schools are not in session.
- Continue to capitalize on the excellent schools, colleges, and universities in the region to assist with the implementation of planning objectives. Utilize student interns and classes to conduct research; and seek input from professors and students.

Library

- Continue to support regional cooperation between area libraries.
- Support continued maintenance/enhancement of the library facility and encourage family-friendly programs and services.

Social Services

- Ensure that Staunton maintains its responsibility for the number of social service clients proportionate to its capabilities.

Utilities and Infrastructure

- Encourage extension of water and sewer utilities only where it is planned, and discourage extension of water and sewer utilities into areas where they might promote the development of identified environmentally critical areas.
- [Seek funding to extend water and sewer infrastructure into Uniontown.](#)
- [Improve the internal roadway network conditions in Uniontown.](#)
- Encourage the undergrounding of utilities whenever possible in private and public development, redevelopment and relocation.
- Continue to fund and seek funding for critical stormwater control facilities and flood mitigation activities.
- Encourage the use of smart outdoor lighting when new lighting is installed and transition existing street lighting to smart lighting; follow guidelines of International Dark Sky Association (IDA) and Smart Outdoor Lighting Association (SOLA).
- Continue to require sidewalks and curb and guttering for all new developments and major renovations, but allow for flexibility in design, that maintains the edge of the street and allows for controlled stormwater management.
- Encourage green and sustainable initiatives and integrate emerging technologies that promote use of efficient and renewable energy.

Goal: Ensure that the regulatory and approval processes are clear and facilitate the type of development the City desires.

Objectives:

- Work with stakeholders (including developers, contractors, investors, real

estate agents, architects, land surveyors, and bankers) to evaluate the regulatory and approval processes.

- Develop zoning regulations and design goals in a graphic / pictorial format.

Economic Development

Goal: Continue development of a vibrant, active downtown with enhanced business and residential opportunities.

Objectives:

- Continue to support the Staunton Downtown Development Association and its economic development and revitalization efforts.
- Support organizations that expand arts and cultural opportunities for Staunton's residents and visitors.
- Promote outdoor activities in the downtown area such as dining, sales by downtown businesses, festivals, and community gatherings that encourage pedestrian activity and social interaction.
- Encourage the opening of "basic service" businesses including a grocery store, laundry, and pharmacy in downtown.
- Continue to educate businesses on the benefits within enterprise zones.
- Support opportunities to attract visitors downtown who have stopped at Staunton Crossing or Frontier Center.

Goal: Aggressively pursue an economic development program that strengthens and broadens the City's economic base, with an emphasis on living wage opportunities.

Objectives:

- Support the goals of the City's Economic Development Plan, including: short-term priorities such as destination retail, tourism, white collar service businesses, and manufacturing in the industrial parks; long-term priorities such as workforce skill development, development of higher paying jobs, and small business development.
- Promote and fill the Green Hills Industry and Technology Center and the Staunton Crossing.

- Work cooperatively with Augusta County and Waynesboro to achieve joint economic development and tourism goals.
- Continue to support the Central Shenandoah Valley's Comprehensive Economic Development Strategies.
- Actively participate in the Shenandoah Valley Partnership, the Shenandoah Valley Technology Council, the Shenandoah Valley Workforce Development Board, the Central Shenandoah Planning District Commission, and similar organizations that promote the economic health and well-being of Central Shenandoah Valley residents and businesses.
- Support an agricultural processing plant in the area to give farmers a way to market and process farm products locally.
- Encourage medical and educational uses in the downtown area.
- Maintain support for a business incubator located in Staunton.

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF
THE CITY OF STAUNTON, VIRGINIA** that it formally adopts the amendments to the
City of Staunton, Virginia, Comprehensive Plan 2018 – 2040 as proposed and
recommended by the Staunton Planning Commission.

Adopted: December 14, 2023

Stephen W. Claffey, Mayor

ATTEST: _____
Kiley A. Kesecker,
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	E	
Department:	Community Development— Planning and Zoning	
Alignment with Staunton Plan (Value/Strategic Area):	Strategic Areas: Infrastructure, Responsive, Efficient Government	
Subject:	Consideration of a Final Plat for Winnbrook, Section 6	

Background: Winnbrook is a single-family residential development located on New Hope Road near the City's eastern border and Interstate 81. In April 2003, City Council approved a rezoning of the property from R-1, Low Density Residential District to R-2, Low Density Residential District Conditional. The conditional zoning retained the same density as the previous zoning for the overall tract.

The proffered items from the rezoning included:

1. Minimum lot width of 85 feet at front setback.
2. Minimum lot depth of 135 feet.
3. Minimum lot area of 12,000 sq. ft.
4. There shall be no more than 76 single family lots.
5. Several uses in standard R-2 have been removed, such as housing boarders and upon review, golf courses, plant nurseries, cemeteries and not for profit social uses.

A preliminary plat for the development was approved in August 2003. The preliminary plat contains 76 single-family lots with a minimum lot area of 12,000 square feet.

Previously approved final plats:

Section	Date Approved	# Of Lots
Section 1	September 2005	19 lots
Section 2	June 2007	18 lots
Section 3	June 2014	11 lots
Section 4	November 2020	15 lots
Section 5	January 2023	4 lots
Total lots approved		67 lots
Proposed Section 6	Pending	9 lots
Total		76 lots

Analysis: The proposed Section 6 contains the final nine lots of the development and includes an extension of Wexford Street. The new lots will all have frontage on the Wexford Street extension which has not yet been constructed. Public water and sewer for this section have already been constructed but have not yet been accepted by the City Engineer. The developer has submitted a bond for \$200,000 to cover the cost of the public infrastructure improvements which will allow the final plat to be approved, and the lots created, prior to construction of the public street and acceptance of all infrastructure.

The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map, designates this area as Low Density Residential and the approved Winnbrook single-family development is consistent with this designation.

The final plat is in general conformance with the approved preliminary plat from 2003, the proffered conditions and all requirements of the zoning and subdivision ordinances (in place in 2003).

Planning Commission Recommendation:

At its November 16, 2023 meeting, the Planning Commission considered the request. On a 3-0 vote, with one abstention, the Commission voted to recommend approval.

Attachments:

Attachment 1—Preliminary Plat, Winnbrook, Approved August, 2003

Attachment 2—Final Plat, Winnbrook Section 6

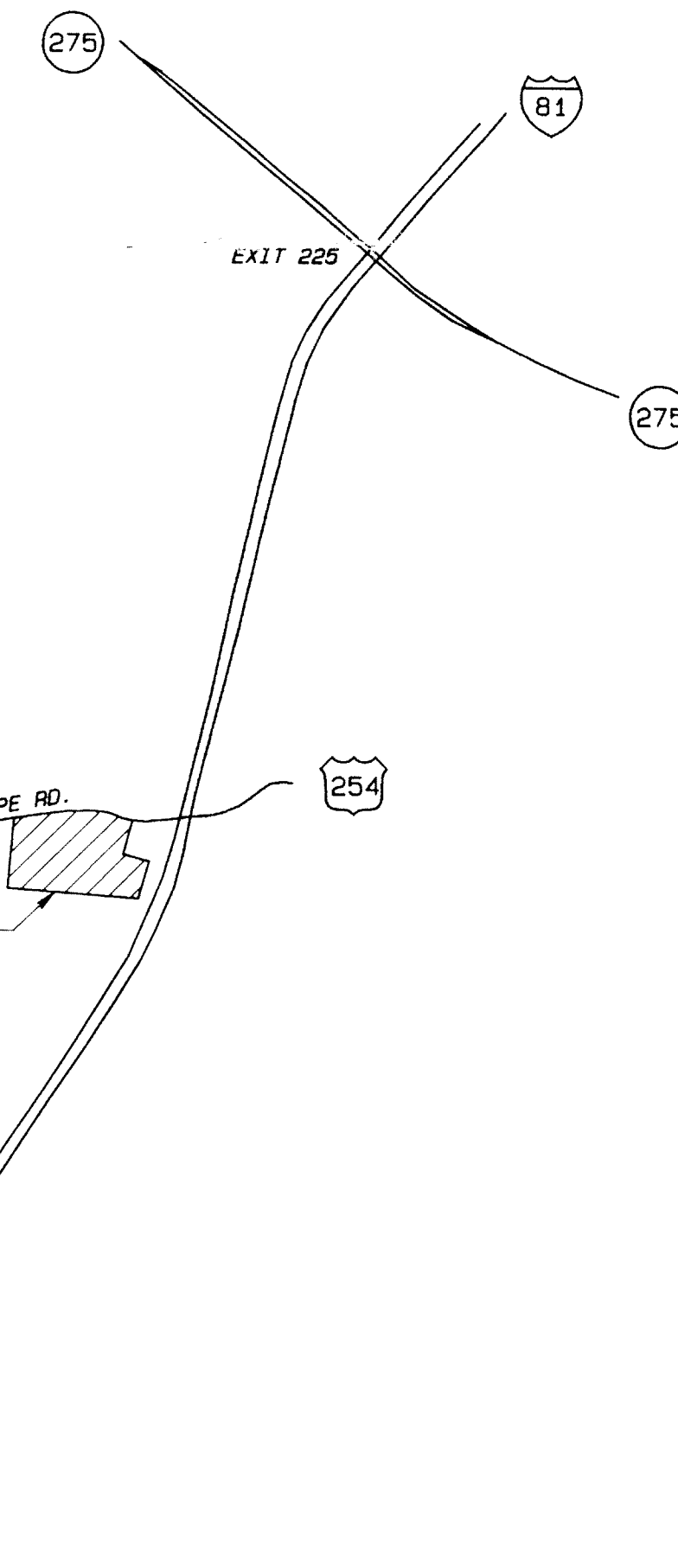
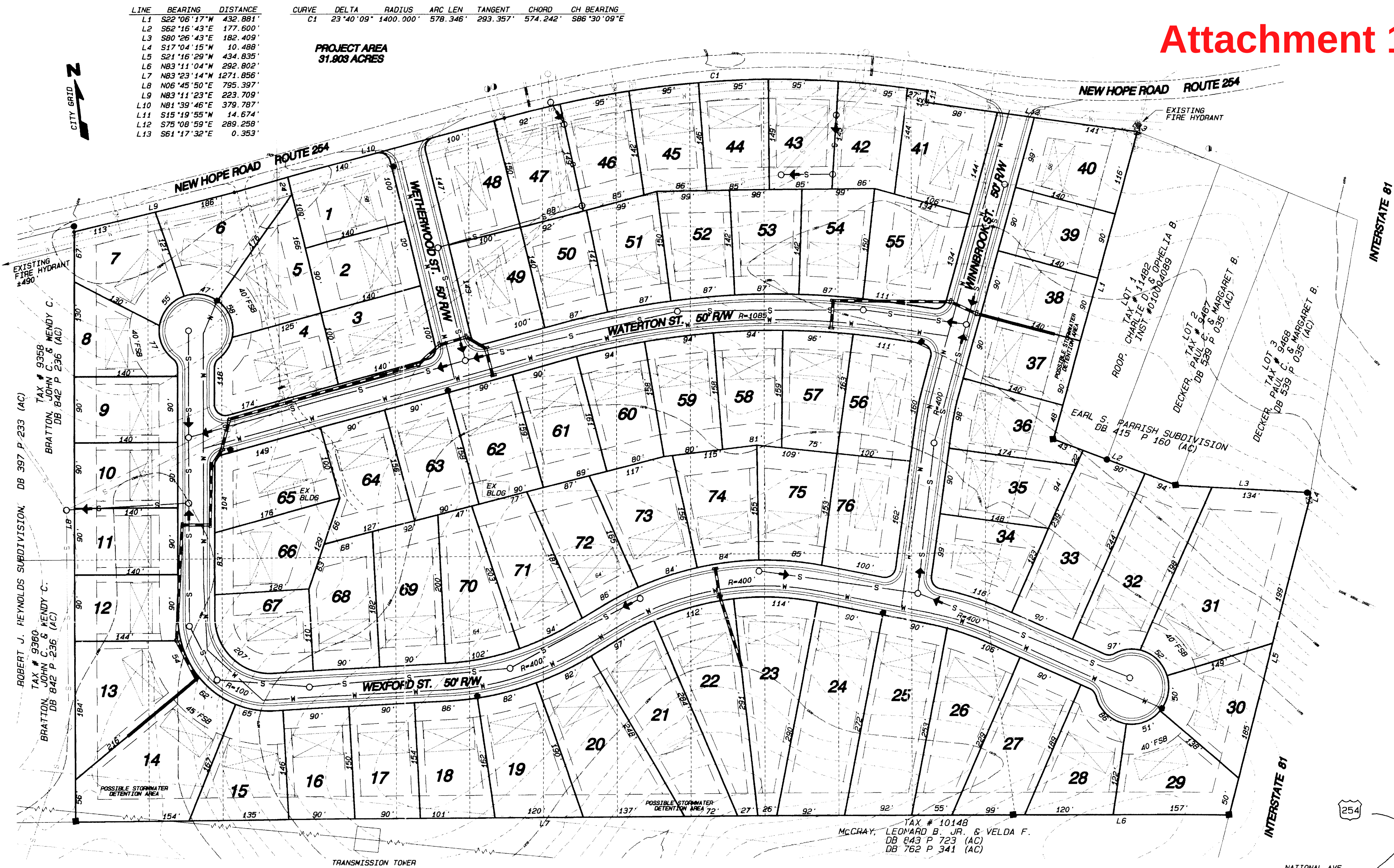
Suggested Motion: I move that Council approve the final plat for Winnbrook, Section 6, as recommended by the Planning Commission.

City Manager: Leslie Beauregard

Attachment 1

LEGEND

- EXISTING UTILITY POLE
- EXISTING MAILBOX
- EXISTING TELEPHONE BOX
- EXISTING CABLE BOX
- EXISTING SIGN
- PROPOSED FIRE HYDRANT, UNO
- EXISTING WATER METER
- EXISTING VALVE
- PROPERTY CORNER, MONUMENT FOUND
- PROPERTY CORNER, IRON PIN FOUND
- PROPERTY CORNER, POST FOUND
- PROPERTY CORNER, POINT NOT MARKED
- EXISTING OVERHEAD ELECTRIC LINES
- EXISTING OVERHEAD TRANSMISSION LINE
- INTERNAL PROPERTY LINES TO BE VACATED
- PROPERTY LINE
- EXISTING WIRE FENCE
- EXISTING EASEMENT LINE
- EXISTING 5' CONTOURS
- EXISTING 25' CONTOURS
- EXISTING EDGE OF PAVEMENT
- EXISTING EDGE OF GRAVEL
- EXISTING EDGE OF WATER
- SETBACK LINE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- EXISTING WATERLINE
- EXISTING WATER SERVICE
- PROPOSED WATERLINE
- PROPOSED ROLL TOP CURB



LOCATION MAP

0 2000 4000 FT.

- THIS DEVELOPMENT IS COMPRISED OF TWO TRACTS:
TRACT 1 CONSISTS OF THE FOLLOWING TAX NUMBERS:
9710 THROUGH 9723, 9725 THROUGH 9721, AND 9733
TRACT 2 CONSISTS OF TAX NUMBER 10424
OWNER: ASSOCIATED DEVELOPERS, L.L.C.
RECORDED: INST #020002859
ZONED: R-2 CONDITIONAL

- DEVELOPER: ASSOCIATED DEVELOPERS, L.L.C.
370 NEFF AVENUE, SUITE
HARRISONBURG, VA. 22801
PHONE: 434-9415
FAX: 434-6141

- TOTAL AREA OF SUBDIVISION: 31.90 ACRES
TOTAL PROPOSED STREET AREA: 4.33 ACRES
TOTAL NUMBER OF SINGLE FAMILY LOTS: 76
RESIDENTIAL DENSITY: DWELLING UNITS PER ACRE 2.38

- MINIMUM LOT AREAS: 12,000 SQ. FT.

- SETBACKS:
25' FRONT, SOME LOTS HAVE LARGER SETBACK
30' REAR
7' SIDE AND TOTAL OF 18' FOR 1 STORY HOUSE
10' SIDE FOR 2 STORY HOUSE
LOT WIDTH AT FRONT SETBACK IS 85' OR LARGER

- THIS PROPERTY IS ZONED R-2, LOW DENSITY RESIDENTIAL WITH CONDITIONS.
ALL OTHER ADJACENT PROPERTIES ARE ZONED R-1, LOW DENSITY RESIDENTIAL.

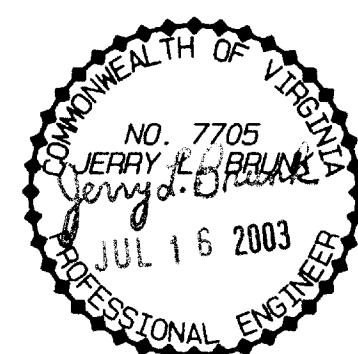
- EXISTING NEW HOPE ROAD, ROUTE 254, HAS A 30' WIDE PRESCRIPTIVE
RIGHT-OF-WAY AND 19' TO 20' WIDE PAVEMENT
35 MPH SPEED LIMIT. MINIMUM SIGHT DISTANCE IS 350'.
ENTRANCES FOR WETHERWOOD AND WINNBROOK STREETS HAVE BEEN LOCATED TO
PROVIDE AT LEAST 350' OF SIGHT DISTANCES.

- THE ORIGINAL PROPERTY LINES GENERALLY WENT TO THE CENTER
OF THE ROUTE 254. THEREFORE, A 25' WIDE STRIP,
CONTAINING 0.68 ACRES, WILL BE DEDICATED TO THE CITY.

- STREET CLASSIFICATION: PUBLIC WITH ROLLING TERRAIN
RIGHT-OF-WAY WIDTH: 50' WITH 50' RADIUS IN CUL-DE-SAC.
CENTERLINE RADII ARE SHOWN NEAR CURVE.

NOTES

- ADT CALCULATION: USE 10 TRIPS PER DAY PER LOT
TOTAL SUBDIVISION: 760
WETHERWOOD ST. (ASSUME 50%): 380
WINNBROOK ST. (ASSUME 50%): 380
- PAVEMENT WIDTH: 30', PLUS ROLL-TOP GUTTER ON EACH SIDE.
- PROPOSED UTILITIES:
A. 8" PROPOSED PUBLIC WATER SYSTEM TO BE CONNECTED TO THE EXISTING
8" PUBLIC WATER LINE ON THE SOUTH SIDE OF NEW HOPE ROAD.
B. 8" PROPOSED PUBLIC GRAVITY SEWER TO BE CONNECTED TO THE EXISTING
SEWER LOCATED THROUGHOUT THIS PROJECT.
- EXISTING EASEMENTS:
20' WIDE SEWER EASEMENT CENTERED ON EXISTING SEWER LINES, INST # 000001677.
20' WIDE WATER EASEMENT CENTERED ON EXISTING WATER LINES, DB 737 P 450 (AC).
100' WIDE ELECTRIC EASEMENT ACROSS SOUTHWEST PORTION OF PROPERTY.
- THIS PROJECT WILL COMPLY WITH THE EROSION AND SEDIMENT CONTROL
MEASURES AS REQUIRED BY CITY OF STAUNTON.
- THIS PROJECT IS NOT WITHIN A 100-YEAR FLOOD PLAIN.
- A 5' WIDE UTILITY EASEMENT WILL BE PROVIDED ALONG ALL PROPERTY LINES.
FOR INTERIOR LOT LINES THIS MEANS THAT A TOTAL OF 10' EASEMENT WIDTH
WILL BE PROVIDED.
- ADDITIONAL EASEMENTS MAY BE NEEDED UPON REVIEW OF CONSTRUCTION PLANS.
- SUGGESTED BUILDING AREA OF 30'x68' IS SHOWN. AREAS HAVING LESS WIDTH THAN
68' ARE LABELED.
- STREET TREES ARE PROPOSED AT 50' INTERVALS.
- ALL INTERNAL LOT LINES, WHICH WERE A PART OF THE ROBERT J. REYNOLDS
SUBDIVISION IN DEED BOOK 397 PAGE 233 (AC), WILL BE VACATED.
- LOTS 42, 46, AND 47 DO NOT HAVE ADEQUATE SIGHT DISTANCES FOR DRIVEWAY
ENTRANCES BASED UPON PRELIMINARY FIELD REVIEW. THE DEVELOPER PLANS TO
LOWER NEW HOPE ROAD IN FRONT OF LOT 44 TO PROVIDE THE NEEDED SIGHT DISTANCE.
A PORTION OF THE ROAD 200 FEET IN LENGTH AND A DEPTH OF 1.5 FEET AT THE HIGHEST
POINT WILL NEED TO BE LOWERED.
- ALL LOTS WITH DRIVEWAYS FROM NEW HOPE ROAD WILL HAVE A TURN-AROUND TO
PREVENT BACKING ONTO NEW HOPE ROAD.



REV	DATE	DESCRIPTION
1	7-16-03	CITY COMMENTS

BRUNK & HYLTON ENGINEERING, INC.
ENGINEERING SURVEYING PLANNING
P. O. BOX 7
WEYERS CAVE, VIRGINIA 24486
540 234-9112

DSN: JLB
DWG: RKH
FILE: 02112.pro
PROJ: 02112
DATE: MAY 23, 2003
PLOTTED: JUL 16, 2003

SCALE: 0 80 160 FT.

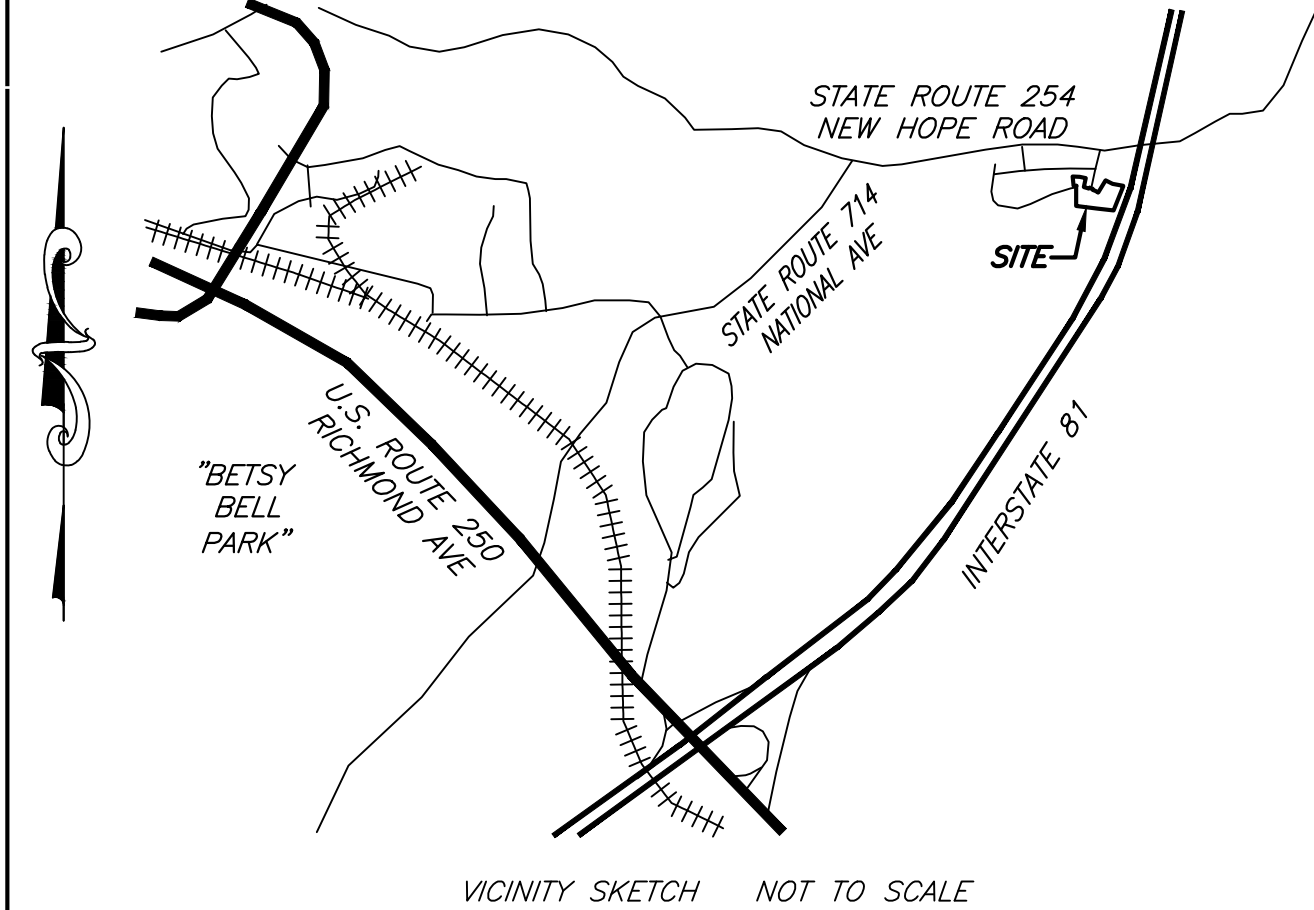
SHEET
1 OF 1

S-03-8R

Attachment 2

NOTES

- 1) THIS PLAT REPRESENTS A CURRENT FIELD SURVEY.
- 2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION DISCLOSED BY SUCH.
- 3) PROPERTY IS LOCATED IN FEMA DEFINED ZONE "X"
COMMUNITY PANEL NO.: 51015C0333D
EFFECTIVE DATE: SEPTEMBER 28, 2007
- 4) A 5' WIDE UTILITY EASEMENT ALONG ALL PROPERTY LINES IS HEREBY DEDICATED FOR PUBLIC USE.
- 5) SECTION 6 CONSISTS OF LOTS 54 TO 62 AND ALSO DEDICATES A PORTION OF WEXFORD STREET.



CERTIFICATE OF APPROVAL

THIS SUBDIVISION KNOWN AS "WINNBROOK SECTION 6" IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

APPROVED BY THE CITY OF STAUNTON

PLANNING COMMISSION DATE

CITY COUNCIL DATE

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

GENERAL NOTES

OWNER: F.C.LAND, LLC
PID# 101861
INST# 210001492

EXISTING ZONING: (R-2) LOW DENSITY RESIDENTIAL

SETBACKS: FRONT = 25 FEET
SIDE = SINGLE STORY - NOT LESS THAN 7 FEET, AND THE SUM OF TWO NOT LESS THAN 18 FEET.
MORE THAN ONE STORY - 10 FEET
REAR = 30 FEET

SUBDIVIDER: F.C.LAND, LLC
5211 CONCOURSE DRIVE SOUTH
ROANOKE, VA 24019
CONTACT: ROBERT FRALIN
(540) 204-4247 (TEL)
(540) 204-4249 (FAX)

AGENT: BALZER & ASSOCIATES, INC
104 INDUSTRY WAY, SUITE 102
STAUNTON, VA 24401
540-248-3220 (TEL)
540-248-3221 (FAX)

WATER: CITY OF STAUNTON

SEWER: CITY OF STAUNTON

AREA TABULATION

AREA IN LOTS =	4.283 ACS
AREA IN ROADS =	0.386 ACS
TOTAL =	4.669 ACS

OWNER'S CONSENT TO DIVISION AND DEDICATION

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND "WINNBROOK SECTION 6" IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

F.C.LAND, LLC DATE
(AGENT)

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED

BEFORE ME THIS _____ DAY OF _____, 2023.

BY: _____

NOTARY: _____

SURVEYOR'S CERTIFICATE

I, DANIEL E. HANSEN, A LAND SURVEYOR DULY LICENSED BY THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THIS SUBDIVISION KNOWN AS "WINNBROOK SECTION 6" IS A PORTION OF THOSE CERTAIN TRACTS OF LAND LAST CONVEYED TO F.C.LAND, LLC IN INSTRUMENT #210001492 OF RECORD IN THE CLERK'S OFFICE OF THE CITY OF STAUNTON, VIRGINIA.



WINNBROOK SECTION 6
FINAL PLAT

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





LEGEND	
⊙	ROD FOUND
⊙	PIPE FOUND
■	MONUMENT FOUND
●	FENCE POST FOUND
●	ROD SET



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHD BEARING	CHD LENGTH	DELTA
C1	375.00'	59.76'	S67°30'39"E	59.70'	9°07'52"
C2	425.00'	26.72'	S61°08'40"E	26.71'	3°36'06"
C3	400.00'	25.15'	S61°08'40"E	25.14'	3°36'06"
C4	375.00'	23.57'	S61°08'40"E	23.57'	3°36'06"
C5	15.00'	13.62'	S33°20'00"E	13.16'	52°01'12"
C6	50.00'	247.87'	N30°39'24"E	61.54'	284°02'25"
C7	50.00'	59.22'	S41°15'11"E	55.82'	67°51'35"
C8	50.00'	50.89'	N75°39'43"E	48.72'	58°18'37"
C9	50.00'	49.72'	N18°01'02"E	47.70'	56°58'44"
C10	50.00'	52.64'	N40°37'57"W	50.24'	60°19'14"
C11	50.00'	35.40'	S88°55'19"W	34.67'	40°34'15"
C12	15.00'	13.62'	N85°21'12"W	13.16'	52°01'12"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S59°20'36"E	11.56'



WINNBROOK SECTION 6
FINAL PLAT
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



REV: 11-15-2023
DATE: 10-02-2023
SCALE: 1" = 40'
JOB: S1400055
DRAWN BY: BSR

SHEET 02 OF 02

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	Jessie Moyers Chief Finance Officer Cindy Fitzgerald Asst. Director of Finance
Item #	F	
Department:	Finance	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsible, Efficient Government	
Subject:	Presentation by City Auditors on the FY 2023 Annual Comprehensive Financial Report	

Background: Megan Argenbright of Brown Edwards & Company, L.L.P., the City's auditor, will present the FY2023 Annual Comprehensive Financial Report (ACFR) and findings to City Council.

Attached are the FY 2023 final audit documents:

1. the FY 2023 Annual Comprehensive Financial Report, which is also available online at www.staunton.va.us at the Finance Department's departmental webpage;
2. the Auditor's Comments on Internal Controls and Other Suggestions Report;
3. the Auditor's communication/management representation letter; and
4. Notarized statement to the Commonwealth of Virginia Auditor of Public Accounts.

The Auditor's Comments on Internal Controls and Other Suggestions Report also includes a summary of the upcoming financial statement requirements from the Governmental Accounting Standards Board (GASB), that will require more reporting in the ACFR to satisfy those requirements. Some of these additional requirements may increase the costs to the City due to additional audit costs. These GASB accounting statements are effective for fiscal years 2022-2023, and include:

1. GASB Statement No. 91 – Conduit Debt Obligation reporting requirements (FY23);

2. GASB Statement No. 94 – Public-Private and Public-Public Partnerships and Availability Payment Arrangements (Statement addresses issues related to public-private and public-public partnership arrangements – PPP) (FY23);
3. GASB Statement No. 96 – Subscription-Based Information Technology Arrangements (provides guidance on the accounting and financial reporting for subscription-based information technology arrangements, SBITA, for government end users (FY23);
4. GASB Statement No. 99 – Omnibus 2022. (Enhance comparability in accounting and financial reporting.) (FY23)
5. GASB Statement No. 100 – Accounting Changes and Error Corrections (FY24)
6. GASB Statement No. 101 – Compensated Absences (FY24)

The ACFR is prepared by the Finance Department and opined by the auditor. The auditor expressed an unmodified opinion on the financial statements for FY 2023. An unmodified opinion means that the City's ACFR is materially correct in accordance with generally accepted accounting principles and may be relied upon by the users of the financial statements.

The ACFR is divided into four sections: (1) Introductory Section, (2) Financial Section, (3) Statistical Section, and (4) Compliance Section.

The Financial Section contains the Management's Discussion and Analysis of the City's financial performance during FY 2023 with some comparisons to FY 2022. This analysis summarizes financial statements of the City's general operating funds and the enterprise funds for the year.

Statement of Activities

The Statement of Activities is presented on pages 7 and 8 of the ACFR. The statement displays all of the operating revenues and expenditures for the entire City government. For Governmental Activities, education expenditures required the highest local tax revenue support at \$17,013,452, public safety expenditures were second at \$16,576,207, and general government expenditures were third at \$12,315,584.

The Compliance Section contains the report on internal controls, compliance matters, and schedules of findings and questioned costs starting on page 165.

The auditor noted the following in their report on compliance and internal control matters in the ACFR:

- a) The auditor's report expresses an unmodified opinion on the financial statements;
- b) No significant deficiencies relating to the audit are reported in the Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters based on an audit of the financial statements performed in accordance with Government Auditing Standards;
- c) No instances of noncompliance material to the financial statements were disclosed;
- d) No significant deficiencies relating to the audit of the major federal award programs were reported in the Independent Auditor's Report on Compliance for Each Major Program and on Internal Control over Compliance required by the Uniform Guidance;
- e) The auditor's report on compliance for the major federal award programs expresses an unmodified opinion; and
- f) No audit findings relating to major programs.

Schedule of Findings and Questioned Costs:

- a) Financial Statement Audit—none.
- b) Major Federal Award Programs Audit—none.
- c) Commonwealth of Virginia—two.

City Manager's Recommendation: Accept the FY 2023 ACFR, as presented.

Suggested Motion: I move that City Council accept the Fiscal Year 2023 Annual Comprehensive Financial Report, as presented.

City Manager: Leslie Beauregard

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	December 14, 2023	Staff Member: Pete Kesecker
Item #	G	
Department:	Community Development – Environmental Programs Division	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Environmentally Conscious Strategic Area: Infrastructure	
Subject:	Update on Municipal Separate Storm Sewer System Permit, Chesapeake Bay Total Maximum Daily Load Action Plan and Stormwater Utility Fee	

Background: The City is required to develop, implement and enforce a Municipal Separate Storm Sewer System (MS4) Program to comply with coverage under General Permit No. VAR04, issued by the Virginia Department of Environmental Quality. The [MS4 Program](#) must include a program plan that includes the following six minimum control measures and special conditions for the approved Chesapeake Bay Total Maximum Daily Load (TMDL):

- Public education and outreach
- Public involvement and participation
- Illicit discharge detection and elimination
- Construction site runoff control
- Post-construction runoff control
- Pollution prevention and good housekeeping

Keith Thompson of Wiley|Wilson, along with City staff, have previously provided updates to City Council, during their [September 22, 2022](#) and [February 9, 2023](#) work sessions on the status of the MS4/TMDL programs and Stormwater Utility Fee Program.

Following the work session on February 9, 2023, one of the next steps identified was to perform a study on the city's stormwater fee enterprise and bring that back to City Council for discussion

as staff begins to prepare the FY 2025 Budget. That work has been completed by Wiley|Wilson who will present the report at the December 14, 2023 work session.

Attachment: City of Staunton Stormwater Utility Fee Analysis/Study

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Leslie Beauregard



Attachment 1

December 7, 2023

City of Staunton Stormwater Utility Fee Analysis/Study

This report summarizes Wiley Wilson's evaluation of Staunton's Stormwater Management (SWM) and Municipal Separate Storm Sewer System (MS4) Program's cashflow from fiscal year (FY) 2024 to FY 2030. Six Stormwater (SW) utility fee adjustment scenarios have been developed to provide revenue to support Staunton's SWM/MS4 program costs. The existing fee structure was evaluated to determine the equitability of charges between the residential and non-residential properties. A review of fee crediting was also conducted to determine the appropriateness of current program.

PROJECTED COSTS TO FUND THE CITY OF STAUNTON SWM/MS4 PROGRAMS (TABLE 1)

The costs for the Staunton SWM/MS4 program fall into six categories: 1) Administrative, 2)Capital, 3) TMDL projects, 4) Flooding, 5) Vehicles/Equipment, and 6) Depreciation of Enterprise. The City provided Wiley|Wilson with data on the administrative, capital, and depreciation costs for the past two fiscal years. Using the last complete year (FY 2022) as a starting point, these costs are projected to increase by 3% every year from FY 2024 to 2030.

A value of \$300,000 was included in the study for new equipment. This cost was split between two years assuming the expense will be a planned purchase for new equipment that will support the SWM/MS4 program. This value could also be a shared expense between other Staunton enterprise funds that share equipment.

Wiley|Wilson assumed Staunton has already budgeted for or appropriated the capital required to comply with the Total Maximum Daily Load (TMDL) obligations in the L2 permit cycle (ending July 1, 2023). The costs to comply with the obligations for the 2023-2028 permit cycle are sourced from the TMDL/MS4 presentation made to the Council in February 2023. The current proposed project list for TMDL compliance includes:

- Asylum Creek (in front of The Villages) Restoration - \$850,000 (2025 - 2026)
- Staunton High School Stream Restoration - \$1,350,000 (2026 - 2027)
- Green Hills Ponds Retrofit for Quality Credit- \$2,500,000 (2025 - 2028)
- Public/Private BMP Retrofit Projects for Quality Credit - \$7,000,000 (2025 - 2028)

The city has experienced significant flooding in recent years. The evaluation includes developing an annual allotment to pay for projects to mitigate flooding/flood damage. For the purposes of this study, the flooding allotment value is \$100,000 per year.



TABLE 1: PROJECTED STAUNTON SWM/MS4 PROGRAM COST

	2024	2025	2026	2027	2028	2029	2030
Admin.	\$ 273,355	\$ 281,554	\$ 290,003	\$ 298,701	\$ 307,663	\$ 316,893	\$ 326,398
Capital	\$ 292,804	\$ 301,588	\$ 310,636	\$ 319,955	\$ 329,554	\$ 339,441	\$ 349,624
TMDL	\$ -	\$ 1,170,000	\$ 2,340,000	\$ 3,510,000	\$ 3,510,000	\$ 1,170,000	\$ -
Flooding	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Veh/Equip.	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000	\$ -
Deprec.	\$ 510,717	\$ 526,039	\$ 541,820	\$ 558,075	\$ 574,817	\$ 592,061	\$ 609,823
Total	\$ 1,176,876	\$ 2,379,181	\$ 3,582,459	\$ 4,786,731	\$ 4,972,034	\$ 2,668,395	\$ 1,385,845

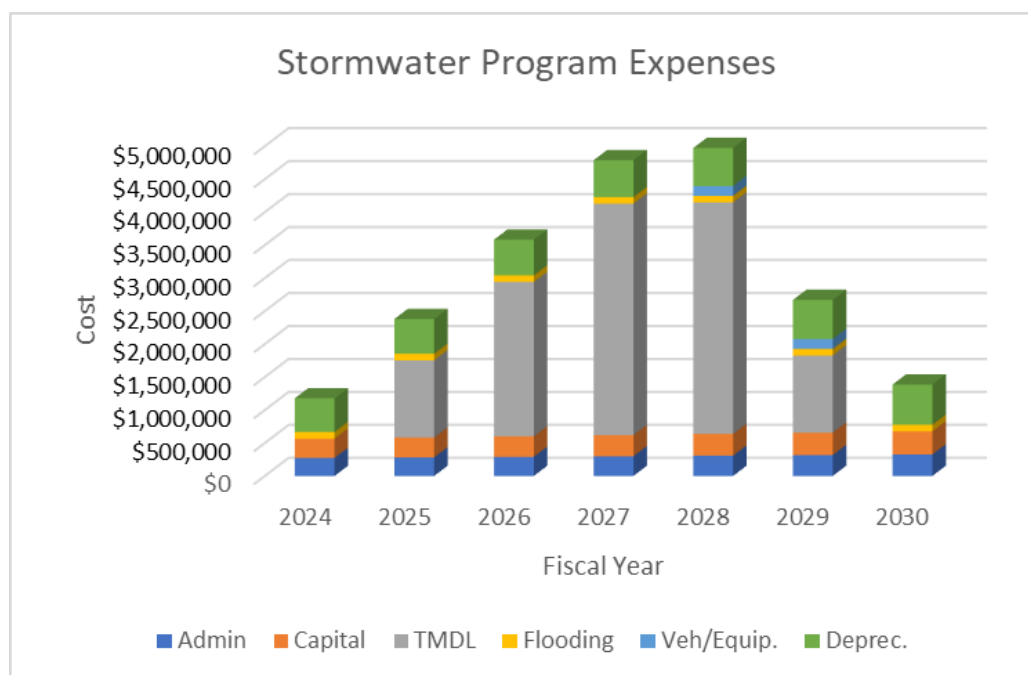


Figure 1

SW UTILITY FEE

The sole source of income for the SWM/MS4 program is the Stormwater (SW) utility fee. Staunton has an 18-tier system based on square footage of impervious area per parcel.

The fee for each tier is based on an Equivalent Residential Unit (ERU) charge of \$3.20 per ERU which is based on the square footage of impervious area. Tier 1(0-3400 sq. ft. of impervious area) is equivalent to one ERU and represents the minimum applied user fee. City code exempts cemeteries, City-owned parcels, State and Federal-owned parcels with SW management, and contiguous lots from the SW utility fee.



A review of the SW utility fee equitability was performed to ensure that the 18-tier system was distributing the SW utility fee proportionally to the impervious area of each user group. This evaluation revealed that the tier system does adequately distribute the fee in an equitable manner when comparing residential and non-residential classes. This equitable distribution is based on baseline fee distribution and does not consider the impacts of the SW utility fee program crediting.

CREDITS

Staunton offers annual credits to property owners for constructing, operating, and maintaining SW quality and quantity Best Management Practices (BMPs) on their property. A 3-tier reduction for a quantity BMP and 3 tier reduction for a quality BMP for an allowable total of a 6-tier reduction and/or credit.

Twenty four percent of the parcels in the city claim at least one BMP which reduces the SW utility fee revenue currently received by 25%. This reduction of revenue is primarily attributed to commercial properties. These reductions cause the distribution of the SW utility fee to be less equitable and put a higher proportion of the revenue generation on residential users. Typically, other localities SW utility fee programs result in only a 5% reduction in revenue, as a result, their crediting programs has fewer of these credit applications. A review of the City's crediting program points to some issues with the existing crediting allowance.

Staunton's SW utility fee crediting program does not require an annual renewal to maintain the claimed credit. Annual credit renewal is a mechanism that other localities use to ensure that property and business owners are maintaining their SW BMPs. Renewals require that a third-party professional evaluate the BMP annually to verify it is functioning properly and is still providing for proper detention and nutrient reduction as designed. BMP's that are not maintained are prevented from obtaining credit through this process.

Staunton's crediting program also allows for users to reduce their fee up to 6 tiers for BMPs that provide a water quality and quantity benefit. There is potential crediting that exceeds typical maximum reductions by using these tier reductions as the crediting strategy. An example of the excessive crediting value can be seen in the application of a 6-tier credit to a Tier 18 property. In this example, the standard charge would be \$2,464.54 bi-monthly; however, the 6-tier maximum credit currently allowed would result in a charge of only \$233.84 bi-monthly. This represents a 90% reduction that far exceeds values typically observed in other localities. This 90% reduction also exceeds the percent value of the standard operating costs of the program. The administrative and capital costs to operate the SWM/MS4 program represents approximately 50% of the total program costs. Other localities in Virginia limit the reduction to a percentage of the fee initially charged, typically only up to 40 or 50% of the SW utility fee. These localities define the maximum credit benefit because there is baseline cost that must be accounted for regardless of an individual user's impact.



CASH FLOW

The City of Staunton provided Wiley|Wilson with their spreadsheet for tracking credits, calculating revenues and GIS files of the impervious area in Staunton. Wiley|Wilson independently calculated the yearly income from the SW utility fee to verify the City's accounting and serve as a platform for modifications to the fee amount and structure. The estimated yearly income from the SW utility fee was calculated by assigning a tier to each eligible parcel within the city according to Table 2, below, then summing the corresponding rates over all the parcels and multiplying by 12. The parcels exempted by the contiguous lot exception were not estimated for this study. The incomes calculated by Wiley|Wilson were 10% higher than those calculated by the City for FY 23, which may be related to the contiguous lot exemption.

TABLE 2: CURRENT SW UTILITY FEE							
Tier	Impervious Area		Monthly Rate	Tier	Impervious Area		Monthly Rate
1	0	3,400	\$ 3.20	10	70,001	80,000	\$ 92.31
2	3,401	6,800	\$ 6.28	11	80,001	90,000	\$ 104.62
3	6,801	10,000	\$ 10.34	12	90,001	100,000	\$ 116.92
4	10,001	20,000	\$ 18.46	13	100,001	200,000	\$ 184.62
5	20,001	30,000	\$ 30.77	14	200,001	300,000	\$ 307.69
6	30,001	40,000	\$ 43.08	15	300,001	400,000	\$ 430.77
7	40,001	50,000	\$ 55.38	16	400,001	500,000	\$ 553.85
8	50,001	60,000	\$ 67.69	17	500,001	1,000,000	\$ 923.08
9	60,001	70,000	\$ 80.00	18	1,000,001	>	\$ 1,230.77

This study examined 6 cash flow Scenarios:

- 1) Increase rates to achieve full funding of the SWM/MS4 program.
- 2) Increase rates for full funding of the SWM/MS4 program and reduce income lost to credits to (5) % of total revenue.
- 3) Increase rates to support payment of debt service on loans funding the SWM/MS4 program.
- 4) Increase rates to support payment of debt service on loans funding and reduce income lost to credits to (5) % of total revenue.
- 5) Increase rates proportional to rate increases for City Water, Sewer, and Refuse services, loans to fund the SWM/MS4 program, and reduce income lost to credits to (5) % of total revenue.
- 6) Reduce income lost to credits to (5) % of total revenue.



In all scenarios, the duration of the study is from FY 2024 to FY 2030. The rate increase was done equitably to ensure that all sectors (single family residential, condominium, retail, commercial, etc.) were billed proportional to the impervious area of their properties. Currently, single family residential parcels account for 39% of the impervious area in Staunton and are billed for 40% and 45% of the total pre- and post-credit revenue, respectively.

Scenario 1 - Increase Rates to Fully Fund the SWM/MS4 program through 2030

The goal of Scenario 1 was to determine the rates required for the City to fully fund the SWM/MS4 program over the duration of the study period without the use of loans or modifications to the crediting system. This scenario would result in the largest overall rate increase but will not require any long-term loan burden. The resultant cost per ERU to sustain the SWM/MS4 program under this scenario is \$10.56 per month or \$126.72 per year. Figure 2 shows the cashflow versus expenditures. Scenario 1 Table shows that rate increase correlation for the 18-tier system.

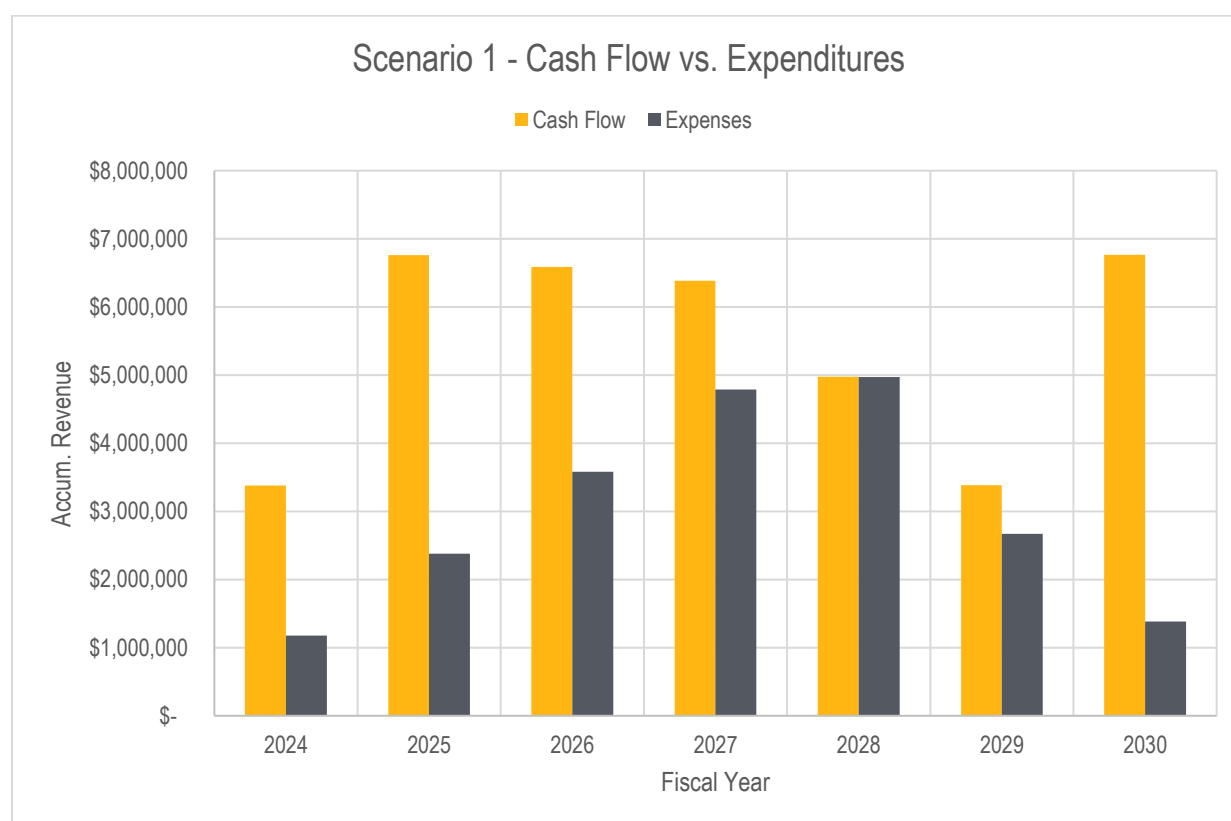


Figure 2



SCENARIO 1 TABLE - SW UTILITY FEE

Tier	Impervious Area		Monthly Rate	Tier	Impervious Area		Monthly Rate
1	0	3,400	\$ 10.56	10	70,001	80,000	\$ 417.05
2	3,401	6,800	\$ 28.36	11	80,001	90,000	\$ 472.66
3	6,801	10,000	\$ 46.71	12	90,001	100,000	\$ 528.26
4	10,001	20,000	\$ 83.41	13	100,001	200,000	\$ 834.10
5	20,001	30,000	\$ 139.02	14	200,001	300,000	\$ 1,390.16
6	30,001	40,000	\$ 194.62	15	300,001	400,000	\$ 1,946.22
7	40,001	50,000	\$ 250.23	16	400,001	500,000	\$ 2,502.28
8	50,001	60,000	\$ 305.84	17	500,001	1,000,000	\$ 4,170.46
9	60,001	70,000	\$ 361.44	18	1,000,001	>	\$ 5,560.62



Scenario 2- Increase Rates for Full Funding and Reduce Income Lost to Credits to 5%

Scenario 2 determines the rates required to fully fund the SWM/MS4 program through 2030 without adding debt and limiting SW utility fee reductions from crediting to 5%. Figure 3 shows the cashflow for the scenario. Scenario 2 Table shows the fee rates for the Calculation. The resultant cost per ERU to sustain the SWM/MS4 program under this scenario is \$8.04 per month or \$96.48 per year.

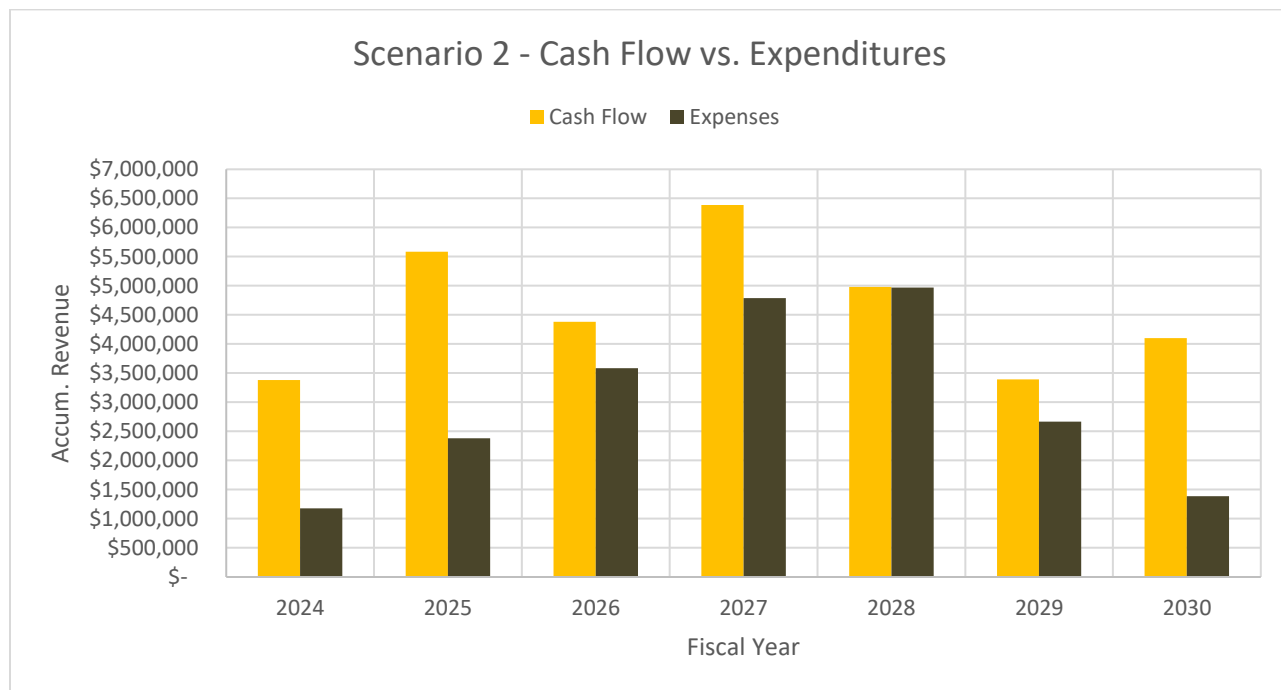


Figure 3

SCENARIO 2 TABLE - SW UTILITY FEE							
Tier	Impervious Area		Monthly Rate	Tier	Impervious Area		Monthly Rate
1	0	3,400	\$ 8.04	10	70,001	80,000	\$ 305.54
2	3,401	6,800	\$ 20.78	11	80,001	90,000	\$ 346.28
3	6,801	10,000	\$ 34.22	12	90,001	100,000	\$ 387.02
4	10,001	20,000	\$ 61.11	13	100,001	200,000	\$ 611.08
5	20,001	30,000	\$ 101.85	14	200,001	300,000	\$ 1,018.46
6	30,001	40,000	\$ 142.59	15	300,001	400,000	\$ 1,425.85
7	40,001	50,000	\$ 183.33	16	400,001	500,000	\$ 1,833.23
8	50,001	60,000	\$ 224.06	17	500,001	1,000,000	\$ 3,055.39
9	60,001	70,000	\$ 264.80	18	1,000,001	>	\$ 4,073.85



Scenario 3 - Increase Rates & Use Loans to Fully Fund the SWM/MS4 program

Scenario 3 seeks to lower the above rates of the SW utility fee by taking on debt service to fully fund the SWM/MS4 program expenses projected for FY 27 and 28 per Table 1 by using a 20-year loan from the Clean Water Revolving Loan Fund offered by the Virginia DEQ. The rate for a 20-year loan as of June 2023 is 2.05% which corresponds to a yearly payment of \$215,697.24 on a principal of \$3,510,000. The debt service for the loans will be added to the cost of the SWM/MS4 program. The resultant cost per ERU to fund the SWM/MS4 program under this scenario is \$7.66 per month or \$91.92 per year. Figure 4 and the Scenario 3 Table shows the cashflow graph and revised fees.

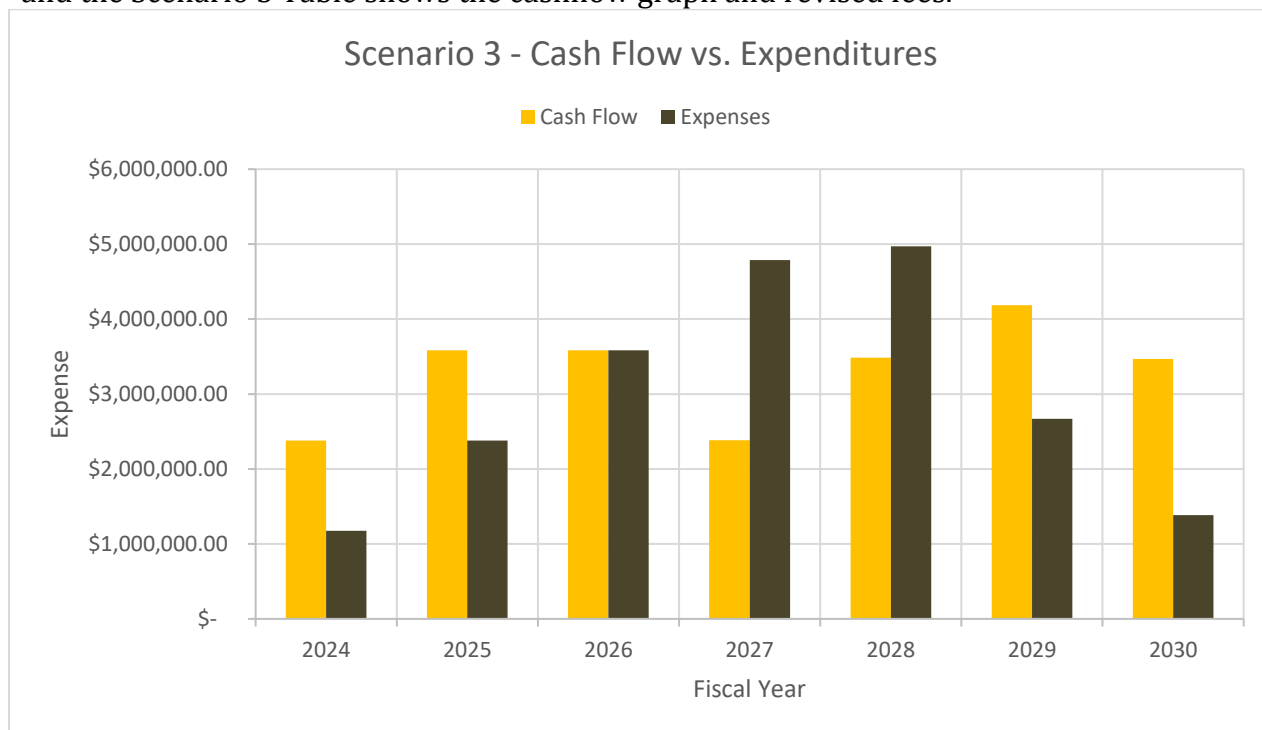


Figure 4

SCENARIO 3 TABLE - SW UTILITY FEE							
Tier	Impervious Area		Monthly Rate	Tier	Impervious Area		Monthly Rate
1	0	3,400	\$ 7.66	10	70,001	80,000	\$ 288.93
2	3,401	6,800	\$ 19.65	11	80,001	90,000	\$ 327.45
3	6,801	10,000	\$ 32.36	12	90,001	100,000	\$ 365.97
4	10,001	20,000	\$ 57.79	13	100,001	200,000	\$ 577.85
5	20,001	30,000	\$ 96.31	14	200,001	300,000	\$ 963.08
6	30,001	40,000	\$ 134.83	15	300,001	400,000	\$ 1,348.31
7	40,001	50,000	\$ 173.36	16	400,001	500,000	\$ 1,733.54
8	50,001	60,000	\$ 211.88	17	500,001	1,000,000	\$ 2,889.23
9	60,001	70,000	\$ 250.40	18	1,000,001	>	\$ 3,852.31



Scenario 4 - Increase Rates, Use Loans, and Reduce Income Lost to Credits to 5% to Fully Fund the SWM/MS4 program

Scenario 4 builds on Scenario 3 and brings the reduction of income due to crediting in-line with other Virginia localities. This study did not attempt to solve how the effects of credits may be reduced. Some options could be to require property owners to apply for the credit every year and require annual third-party inspection for the BMPs or capping the credits to percentage of the tier per type of BMP. Figure 5 shows the cashflow for Scenario 4 with and without credits. Scenario 4 Table shows the fee rates for the calculation that result in a break-even situation. The resultant cost per ERU to sustain the stormwater program under this scenario is \$5.91 per month or \$70.92 per year.

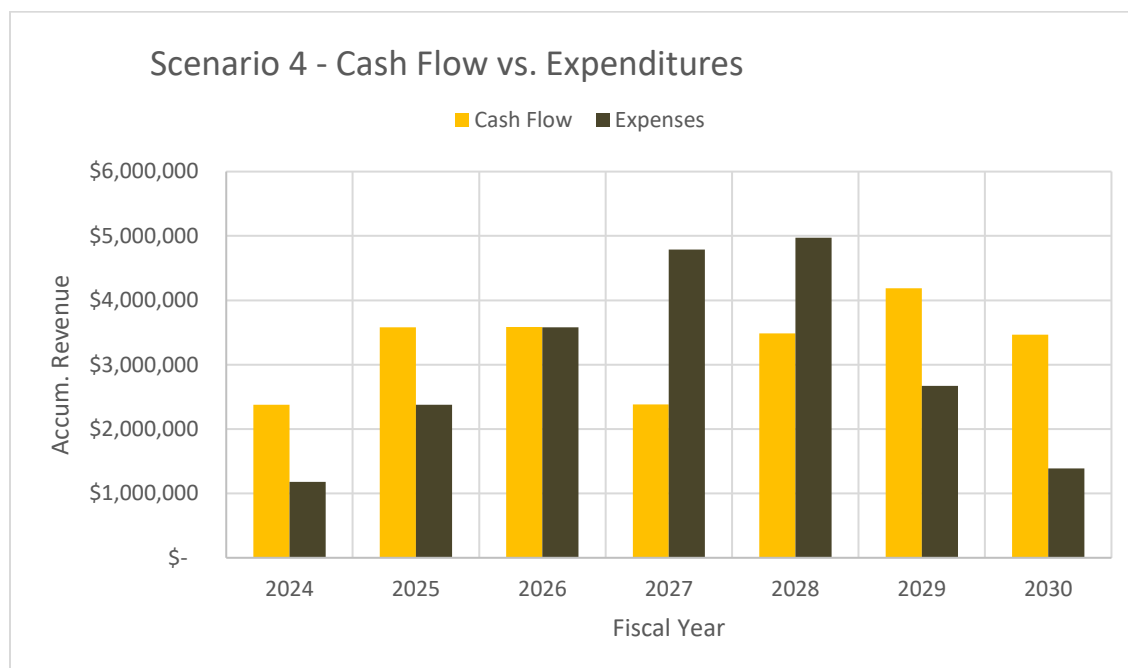


Figure 5



SCENARIO 4 TABLE - SW UTILITY FEE							
Tier	Impervious Area		Monthly Rate	Tier	Impervious Area		Monthly Rate
1	0	3,400	\$ 5.91	10	70,001	80,000	\$ 211.94
2	3,401	6,800	\$ 14.41	11	80,001	90,000	\$ 240.20
3	6,801	10,000	\$ 23.74	12	90,001	100,000	\$ 268.46
4	10,001	20,000	\$ 42.39	13	100,001	200,000	\$ 423.88
5	20,001	30,000	\$ 70.65	14	200,001	300,000	\$ 706.46
6	30,001	40,000	\$ 98.91	15	300,001	400,000	\$ 989.05
7	40,001	50,000	\$ 127.16	16	400,001	500,000	\$ 1,271.63
8	50,001	60,000	\$ 155.42	17	500,001	1,000,000	\$ 2,119.39
9	60,001	70,000	\$ 183.68	18	1,000,001	>	\$ 2,825.85

Scenario 5 - Increases SW Utility Fee Rates Proportional to Rate Increases for Water, Sewer, and Refuse services, Use Loans, and Reduce Income Lost to Credits to 5%

Scenario 5 increases the SW utility fee rate proportional to the rate increases the City has approved for Water, Sewer, and Refuse services for the period from 2005 to 2022. Over the same period, the base SW utility fee increased from \$2.70 to \$3.20 in 2010 which has been accounted for in the rate increases presented here. The amount of income lost due to crediting has been reduced to 5%. The income of the SW utility fee program is supplemented by two 20-year loans in FY 27 and FY 28 to partially defray the costs of the MS4/TMDL projects. The loan principal is set to allow the program to break even by 2030. Both loans will be fully paid off by 2047 and, assuming no new MS4/TMDL requirements or vehicle expenditures after 2029, the SWM/MS4 program will be firmly in the black.

5A – SW Utility Fee Rate Increase Proportional to Water Service

The cost of Water Service increased from 2005 to 2022. The study applies an equivalent proportional increase in the existing stormwater fee that result in a cost per ERU of \$6.30 per month or \$75.60 per year. The principal of each loan is \$2.32 million which has a yearly payment of \$142,569 (double for two loans). Figure 6 presents the cashflow for calculations. Scenario 5A Table shows the fee rates.

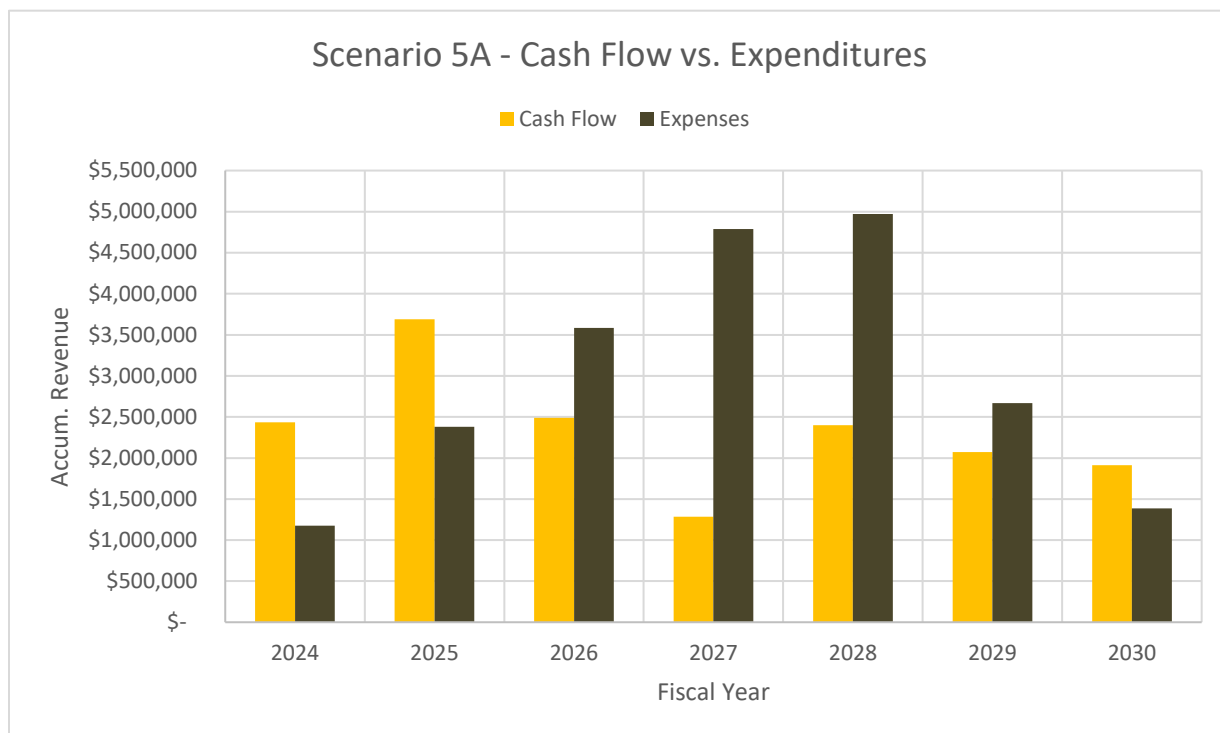


Figure 6

SCENARIO 5A TABLE - SW UTILITY FEE							
Tier	Impervious Area		Monthly Rate	Tier	Impervious Area		Monthly Rate
1	0	3,400	\$ 6.30	10	70,001	80,000	\$ 228.92
2	3,401	6,800	\$ 15.57	11	80,001	90,000	\$ 259.45
3	6,801	10,000	\$ 25.64	12	90,001	100,000	\$ 289.97
4	10,001	20,000	\$ 45.79	13	100,001	200,000	\$ 457.85
5	20,001	30,000	\$ 76.31	14	200,001	300,000	\$ 763.08
6	30,001	40,000	\$ 106.83	15	300,001	400,000	\$ 1,068.31
7	40,001	50,000	\$ 137.36	16	400,001	500,000	\$ 1,373.54
8	50,001	60,000	\$ 167.88	17	500,001	1,000,000	\$ 2,289.23
9	60,001	70,000	\$ 198.40	18	1,000,001	>	\$ 3,052.31



5B – SW Utility Fee Rate Increase Proportional to Sewer Service

The cost of Sewer Service increased from 2005 to 2022. The study applies an equivalent proportional increase in the existing stormwater fee that result in a cost per ERU of \$5.98 per month or \$71.76 per year. The principal of each loan is \$2.91 million which has a yearly payment of \$178,826 (double for two loans). Figure 7 presents the cashflow for the calculations. Scenario 5B Table shows the fee rates.

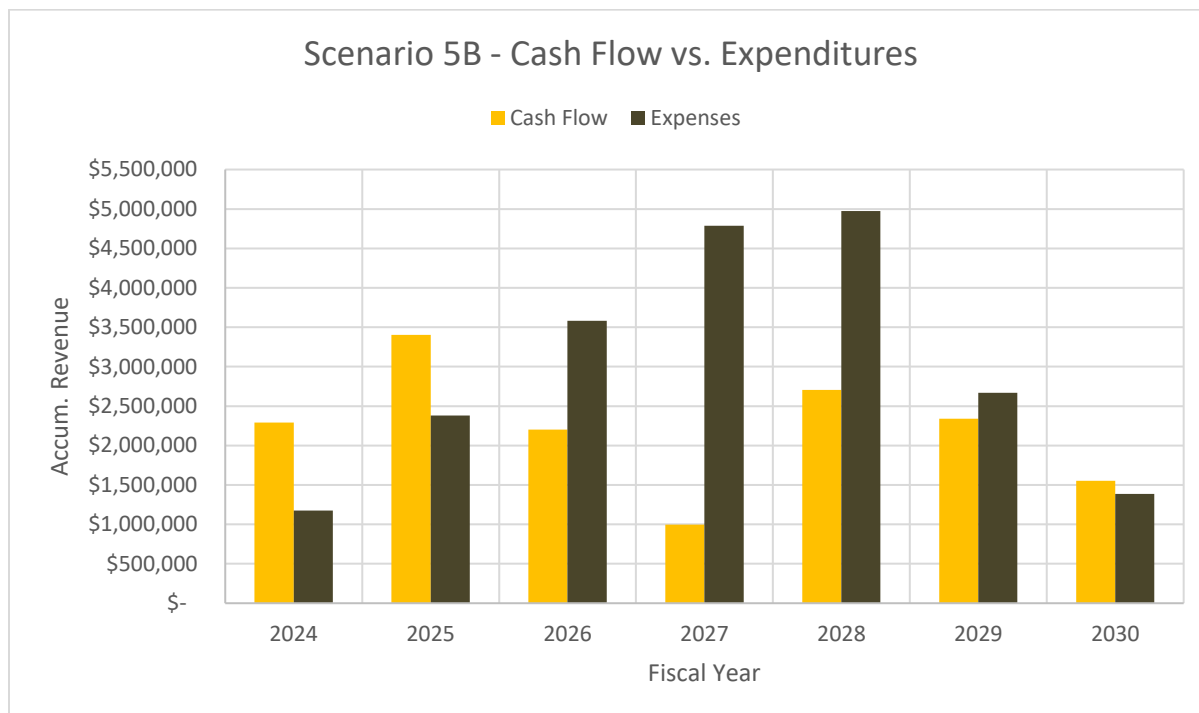


Figure 7

SCENARIO 5B TABLE - SW UTILITY FEE							
Tier	Impervious Area		Monthly Rate	Tier	Impervious Area		Monthly Rate
1	0	3,400	\$ 5.98	10	70,001	80,000	\$ 214.89
2	3,401	6,800	\$ 14.61	11	80,001	90,000	\$ 243.55
3	6,801	10,000	\$ 24.07	12	90,001	100,000	\$ 272.20
4	10,001	20,000	\$ 42.98	13	100,001	200,000	\$ 429.79
5	20,001	30,000	\$ 71.63	14	200,001	300,000	\$ 716.31
6	30,001	40,000	\$ 100.28	15	300,001	400,000	\$ 1,002.83
7	40,001	50,000	\$ 128.94	16	400,001	500,000	\$ 1,289.36
8	50,001	60,000	\$ 157.59	17	500,001	1,000,000	\$ 2,148.92
9	60,001	70,000	\$ 186.24	18	1,000,001	>	\$ 2,865.23



5C – SW Utility Fee Rate Increase Proportional to Refuse Service

The cost of Refuse Service increased from 2005 to. The study applies an equivalent proportional increase in the existing stormwater fee that result in a cost per ERU of \$7.44 per month or \$89.28 per year. One loan of \$400,000 in FY 2027 would be needed for the program to break even by 2030. The yearly payment is \$24,581. Figure 8 presents the cashflow for the versus the expenditures. Scenario 5C Table shows the fee rates.

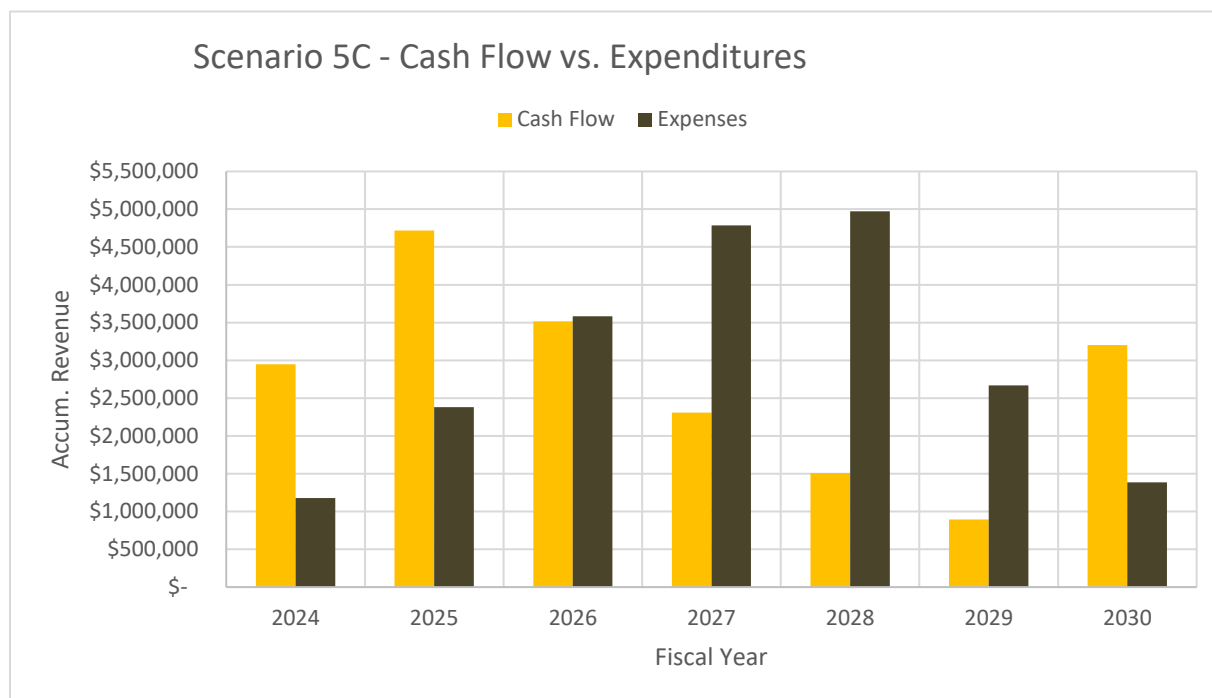


Figure 8

SCENARIO 5C TABLE - SW UTILITY FEE							
Tier	Impervious Area		Monthly Rate	Tier	Impervious Area		Monthly Rate
1	0	3,400	\$ 7.44	10	70,001	80,000	\$ 279.32
2	3,401	6,800	\$ 19.00	11	80,001	90,000	\$ 316.57
3	6,801	10,000	\$ 31.29	12	90,001	100,000	\$ 353.81
4	10,001	20,000	\$ 55.87	13	100,001	200,000	\$ 558.65
5	20,001	30,000	\$ 93.11	14	200,001	300,000	\$ 931.08
6	30,001	40,000	\$ 130.35	15	300,001	400,000	\$ 1,303.51
7	40,001	50,000	\$ 167.60	16	400,001	500,000	\$ 1,675.94
8	50,001	60,000	\$ 204.84	17	500,001	1,000,000	\$ 2,793.23
9	60,001	70,000	\$ 242.08	18	1,000,001	>	\$ 3,724.31



Scenario 6 - Reduce Income Lost for Credits to only 5%

Scenario 6 is the bare minimum change to the existing rate structure. ***It does not break-even***, as visualized in Figure 9. Scenario 6 Table shows the credit adjusted fee rates required to produce revenue 5% less than the rates without credit. The calculated, credit adjusted monthly revenue from the SW utility fee is approximately \$70,350. By limiting the income lost due to credits, the calculated monthly revenue would be approximately \$87, 070 which is equivalent to increasing the SW utility fee by 27.8%, or \$3.78 per month or \$45.46 per year.

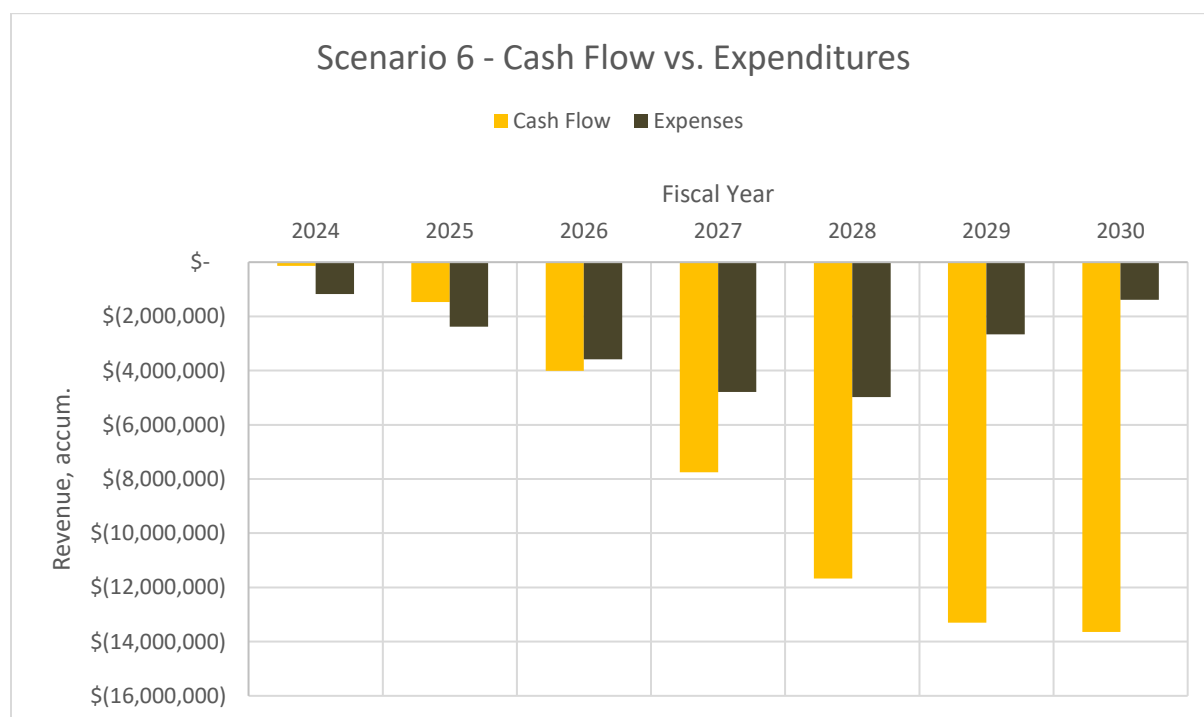


Figure 9

SCENARIO 6 TABLE - SW UTILITY FEE							
Tier	Impervious Area		Monthly Rate	Tier	Impervious Area		Monthly Rate
1	0	3,400	\$ 3.78	10	70,001	80,000	\$ 117.97
2	3,401	6,800	\$ 8.02	11	80,001	90,000	\$ 133.70
3	6,801	10,000	\$ 13.21	12	90,001	100,000	\$ 149.43
4	10,001	20,000	\$ 23.59	13	100,001	200,000	\$ 235.94
5	20,001	30,000	\$ 39.32	14	200,001	300,000	\$ 393.23
6	30,001	40,000	\$ 55.05	15	300,001	400,000	\$ 550.52
7	40,001	50,000	\$ 70.78	16	400,001	500,000	\$ 707.82
8	50,001	60,000	\$ 86.51	17	500,001	1,000,000	\$ 1,179.69
9	60,001	70,000	\$ 102.24	18	1,000,001	>	\$ 1,572.92



RECOMMENDATIONS

The City of Staunton's current SW utility fee (see Table 1) cannot fund the current or future demands of the SWM/MS4 program. This is a result of increased demand by Federal and State regulations. The SW enterprise fund has remained at its current rate since 2010. It is common for enterprise funds to increase over time to account for increases in program demands, inflation and the needs of aging infrastructure. The SW enterprise fund will need additional funding to meet regulatory obligations either through the general fund or through modifications to the SW utility fee. Figure 10 charts the annual expenditure deficit that will need to be funded through the general fund or other mechanisms.

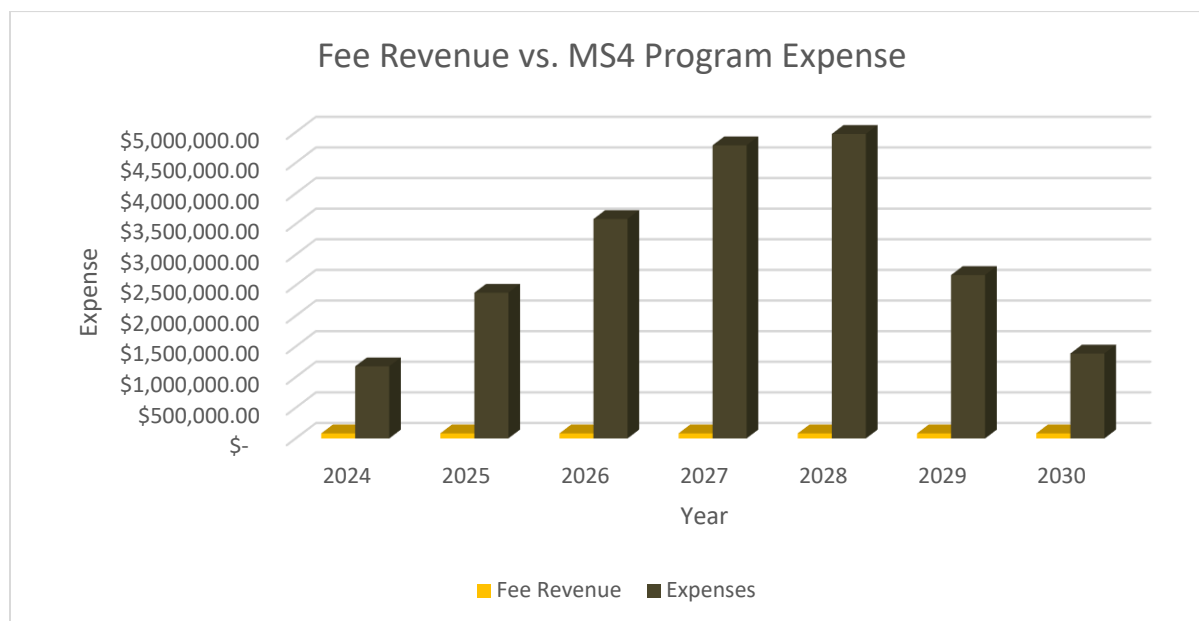


Figure 10

Wiley Wilson recommends that the SW utility fee be increased as soon as feasible to provide full funding for the SWM/MS4 program requirements mandated through the next permit cycle by adopting either Scenario 2, Scenario 4 or by selecting a value in between. If the Scenario 2 is not selected, a portion of the stormwater expenses will need to be covered through grants and/or debt service. The above study identified 6 approaches to address these increases. Each of these scenarios except Scenario 6 would fully fund the SWM/MS4 program.

We also recommend that the SW fee crediting process be modified regardless of the chosen rate increase scenario. There is a probability that ineffective and unmaintained SWM/BMP practices are currently being credited. This reduces the revenue of the SWM/MS4 program while increasing overall burden to the City of Staunton. The crediting should also provide a maximum benefit that corresponds to the value of the minimum administrative and infrastructure maintenance program costs.

CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	Jessie Moyers Chief Finance Officer
Item #	H	
Department:	Finance	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsible, Efficient Government	
Subject:	FY2023 End of Year General Fund Financial Overview and Fund Analysis	

Background: The FY2023 year-end process has been completed. Recommendations for the use of the unassigned fund balance will be introduced at the January 11, 2024 council meeting as part of fiscal year 2024 budget amendment #2. The unassigned general fund balance as of June 30, 2023 is \$9,554,873, of which \$250,000 is a contingency reserve that is not available to be spent. In addition, \$1,200,000 was proposed in Budget Amendment #1 for the Regional Animal Shelter (\$776,000) and the JDR Courthouse/West End Complex (\$424,000). The \$1,200,000 was carried over from FY2022 and not related to FY2023. This leaves \$8,104,873 available from the FY2023 carry over. The following are recommendations for use:

Proposed for Budget Amendment #2

- \$765,000 be transferred to the Capital Improvements Fund in accordance with approved first year of the FY2024-2028 Capital Improvement Plan to fund additional funds for GHP bathrooms, MHP practice field lights, library study, and the three information technology projects;
- \$3,000,000 set aside for the JDR Courthouse/West End Complex Project;
- \$1,250,000 be transferred into the Environmental fund to support the FY2025 Landfill Capital;
- \$450,000 set aside to fund the shortfall on the West Beverley St. paving and sidewalk improvements;
- \$100,000 to fund the Comprehensive Plan;

- \$85,000 set aside to help offset Valley Supportive Housing three years of back taxes;

Proposed for final budget amendment in FY2024

- \$350,000 to increase safety net reserve to 17%;
- \$300,000 set aside for JDR Courthouse one time startup costs;
- \$1,421,050 be transferred to the Capital Improvements Fund in accordance with approved first year of the FY2024-2028 Capital Improvement Plan to fund the remaining reserve lines not funded in budget amendment #2;

The remaining \$383,823 is not recommended for appropriation at this time.

Attachments:

Attachment 1—Fund Balance Analysis

Attachment 2—FY 2023 Financial Analysis

Attachment 3—Adopted FY 2024 Capital Improvement Plan

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable. For discussion only.

City Manager: Leslie Beauregard

Attachment 1

GENERAL FUND - FUND BALANCE HISTORY						
Year Ended June 30	Nonspendable	Restricted	Committed	Assigned	*Unassigned	Total
2023	121,993	967,138	11,523,414	2,970,571	9,554,873	25,137,989
2022	111,400	1,002,931	10,756,835	2,724,344	6,479,724	21,075,234
2021	103,947	230,914	9,571,866	2,792,804	9,587,197	22,286,728
2020	100,048	242,949	8,738,079	2,118,052	6,366,059	17,565,187
2019	97,630	250,953	8,891,250	2,346,271	4,630,500	16,216,604
2018	198,490	15,219	8,489,250	2,221,017	4,605,965	15,529,941
2017	475,098	25,401	8,137,500	2,516,915	2,632,596	13,787,510
2016	103,252	15,825	7,295,960	2,790,139	2,106,836	12,312,012
2015	78,126	117,646	6,607,250	2,762,575	2,364,510	11,930,107
2014	95,561	122,452	5,777,532	2,152,899	3,386,768	11,535,212
2013	58,666	120,217	5,178,250	2,089,799	3,472,715	10,919,647

*Unassigned includes a \$250,000 contingency reserve that is not available to spend.

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2023- 2024 updated**

DEPARTMENT	PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN GOALS AND OBJECTIVES
RESERVES			\$ 721,050	
FIRE DEPARTMENT	*	BA 2024 Self-Contained Breathing Apparatus (SCBA) and Compressor Reserves	\$ 30,000	Public Service and Government
FIRE DEPARTMENT	*	BA 2024 Cardiac Monitor Replacement Reserves	\$ 10,000	Public Service and Government
STREETS	*	BA 2024 City ineligible streets and/or City parking lots- improvements/slurry seal/re-paving	\$ 100,000	Transportation and Parking
STREETS	*	BA 2024 Adaptive traffic control systems.	\$ 140,000	Transportation and Parking
PUBLIC WORKS EQUIPMENT FUND	*	BA 2024 Annual funding source for acquisition of major equipment for General Fund Streets Department > \$100,000	\$ 100,000	Not Applicable
PUBLIC WORKS BUILDING FUND	*	BA 2024 Annual funding source for major repairs to City buildings to include replacement of HVAC systems, roof, structural repairs, etc.	\$ 100,000	Not Applicable
NEW SIDEWALKS	*	BA 2024 Annual funding source for new sidewalk projects and match funds for VDOT grant programs for sidewalks	\$ 100,000	Transportation and Parking
BLUE RIDGE COMMUNITY COLLEGE	*	BA 2024 Annual Share of Blue Ridge Community College Capital Building Fund	\$ 41,050	Not Applicable
BUILDING MAINTENANCE REPAIRS	*	BA 2024 Transfer to City Schools CIP Fund for Building Maintenance Repairs-Roofs, HVAC systems, Technology	\$ 100,000	Public Service and Government
PROJECTS			\$ 1,465,000	
POLICE DEPARTMENT	*	BA 2024 Replace the CAD/RMS System (\$100k for FY24 and \$375k each for FY25 & FY26)	\$ 100,000	Public Service and Government
GHP BATHROOMS	*	BA 2024 Additional funding for GHP bathroom renovation	\$ 90,000	Public Service and Government
MHP LIGHTING	*	BA 2024 Install lights at the MHP soccer field	\$ 160,000	Public Service and Government
MOXIE STADIUM RENOVATION	*	BA 2024 Renovate baseball facilities reserve (\$600k each year for FY24, FY25, & FY26)	\$ 600,000	Public Service and Government
PUBLIC LIBRARY STUDY	*	BA 2024 Reserve set aside by city council for future improvements to the library.	\$ 65,000	Public Service and Government
CORE NETWORK ROUTER REPLACEMENT	*	BA 2024 Replace the current core network router	\$ 200,000	Public Service and Government
NUTANIX HARDWARE REPLACEMENT	*	BA 2024 Update the Nutanix Cluster hardware.	\$ 150,000	Public Service and Government
MONTGOMERY HALL PARK FIBER	*	BA 2024 Extend fiber optic network at Montgomery Hall Park	\$ 100,000	Public Service and Government
TOTAL FY2024 CIP PLAN			\$ 2,186,050	

FUNDING SOURCES:

BA 2024	FY2024 Budget Amendment from FY2023 Year Fund Balance-Transfer to CIP Fund	\$ 2,186,050
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City of Staunton - General Fund Expenditures
Fiscal Year End June 30, 2023

	2023 Revised Budget	2023 Actual	2023 Difference	2022 Actual
PERSONAL SERVICES				
FULL TIME SALARIES/WAGES	12,812,125	12,334,972	477,153	11,585,187
PART-TIME HELP	1,475,016	1,331,133	143,883	1,119,126
ALL OTHER PAYROLL LINES	3,326,040	3,403,053	(77,013)	2,931,917
PERSONAL SERVICES TOTAL	17,613,181	17,069,158	544,023	15,636,231
FRINGE BENEFITS				
HEALTH INSURANCE	2,888,855	2,466,413	422,442	2,478,643
RETIREMENT-VRS	2,570,247	2,449,133	121,114	2,012,880
SOCIAL SECURITY-FICA	1,358,732	1,262,706	96,026	1,149,320
ALL OTHER BENEFITS LINES	1,038,045	940,670	11,649	764,217
FRINGE BENEFITS TOTAL	7,855,879	7,118,922	736,957	6,405,059
CONTRACTUAL SERVICES				
PROFESSIONAL SERVICES	927,959	477,469	450,490	358,158
CONTRACTUAL AGREEMENTS	432,094	369,080	63,014	306,019
ALL OTHER CONTRACTUAL SERVICES	8,097,161	7,679,559	417,602	5,937,755
CONTRACTUAL SERVICES TOTAL	9,457,214	8,526,108	931,106	6,601,932
RENTAL OF PROP & EQP				
RENTAL OF EQUIPMENT	21,137	2,040	19,097	6,448
RENTAL OF REAL PROPERTY	62,817	62,512	305	62,512
RENTAL OF PROP & EQP TOTAL	83,954	64,552	19,402	68,960
OTHER				
FAMILY COMPREHENSIVE SERVICES	3,150,000	2,138,092	1,011,908	2,303,553
TANF FOSTER CARE/E.A.	1,115,000	297,625	817,375	404,127
DEVELOPMENT AGREEMENT	895,000	655,421	239,579	513,668
ADMINISTRATIVE EXPENSES	855,995	627,950	228,045	699,679
STATE FIRE PROGRAM FUNDS	217,948	176,936	41,012	56,059
ADOPTION SUBSIDY	1,400,000	1,528,673	(128,673)	1,470,229
ALL OTHER LINES	3,626,700	3,225,297	395,069	2,831,862
OTHER TOTAL	11,260,643	8,649,994	2,610,649	8,279,177
MATERIALS/SUPPLIES				
NON-CAPITAL EQUIPMENT	152,339	97,713	54,626	79,773
STATE FORFEITED FUNDS PROGRM	95,297	32,591	62,706	31,428
BUILDING MATERIALS & MAINT	42,335	29,652	12,683	50,220
MAINT/REPAIR SUPPL(TRAFF SIG)	108,288	87,192	21,096	117,295
WEARING APPAREL	120,381	78,823	41,558	65,207
M&S-TRAINING	49,229	19,345	29,884	11,468
TRAFFIC MATERIALS	17,451	13,053	4,398	21,648
MATERIALS/SUPPLIES	264,721	241,580	23,141	242,058
GAS & OIL	280,658	355,449	(74,791)	284,564
ALL OTHER MATERIALS/SUPPLIES	1,184,527	1,039,247	145,280	1,017,215
MATERIALS/SUPPLIES TOTAL	2,315,226	1,994,645	320,581	1,920,876
CAPITAL				
SPECIAL EQUIPMENT	209,670	205,645	4,025	55,881
COMPUTER EQUIPMENT	57,830	47,820	10,010	4,312
CONTINGENCY	-	-	-	-
AUTO EQUIPMENT	330,975	297,267	33,708	393,334
ALL OTHER CAPITAL LINES	186,700	220,434	(33,734)	262,651
CAPITAL TOTAL	785,175	771,166	14,009	716,178
DEBT SERVICE (GASB 87 AND 96)				
LEASE INTEREST PAYMENT	-	565	(565)	746
LEASE PRINCIPAL PAYMENT	-	11,895	(11,895)	11,597
SUBSCRIPTION PAYMENT	-	143,110	(143,110)	-
SUBSCRIPTION INTEREST	-	8,186	(8,186)	-
DEBT SERVICE TOTAL	-	163,756	(163,756)	12,343

City of Staunton - General Fund Expenditures
Fiscal Year End June 30, 2023

	2023 Revised Budget	2023 Actual	2023 Difference	2022 Actual
TRANSFERS				
TRANSFER TO DEBT SERVICE	4,844,415	4,844,415	-	4,844,415
TRANSFER TO CIP FUND	2,421,050	2,421,050	-	7,257,050
TRANSFER TO WATER FUND	1,024,761	1,024,761	-	1,640
TRANSFER TO SEWER FUND	538	538	-	372
TRANSFER TO PARKING FUND	3,230	3,230	-	
TRANSFER TO STORMWATER FUND	2,153	2,153	-	94
TRANSFER TO ENVIR FUND	18,302	18,302	-	251
TRANSFER TO EDUCATION FUND	15,065,237	15,065,237	-	13,630,476
TRANSFERS TOTAL	23,379,686	23,379,686	-	13,630,821
SOFTWARE LICENSE FEE				
SOFTWARE LICENSE FEES	519,267	288,073	231,194	317,712
SOFTWARE LICENSE FEE TOTAL	519,267	288,073	231,194	317,712
UTILITIES				
UTILITIES-ELECTRIC	283,021	299,086	(16,065)	248,982
UTILITIES-PROPANE	11,500	6,624	4,876	9,562
UTILITIES-NATURAL GAS	67,900	69,887	(1,987)	65,374
UTILITIES TOTAL	362,421	375,597	(13,176)	323,918
MAINT AND REPAIR				
MAINT/REPAIR-PLANT MACHINERY	200	-	200	772
MAINT/REPAIR-VEHICLES	217,418	243,410	(25,992)	186,411
MAINT AND REPAIR TOTAL	217,618	243,410	(25,792)	187,183
TRANSFER TO COMP UNI				
TRANSFER TO BRCS	18,025	18,025	-	-
TRANSFER TO HUD	34,151	34,151	-	-
TRANSFER TO COMP UNI TOTAL	52,176	52,176	-	-
GRAND TOTAL	\$ 73,902,440	\$ 68,697,243	\$ 5,205,197	\$ 66,203,866
		PO Encumbrances	\$ (914,665)	
		Net Total	\$ 4,290,532	

City of Staunton
General Fund Expenses by Department

	FY2023	FY2023		FY2022
	Revised Budget	Actual	DIFFERENCE	Actual
DEPT OF SOCIAL SERVICES	3,952,949	2,895,706	1,057,243	2,998,282
CHILDREN SERVICES ACT	3,150,000	2,138,092	1,011,908	2,303,553
POLICE	6,545,049	6,141,693	403,356	5,501,263
ECONOMIC DEVELOPMENT	1,352,250	1,019,467	332,783	888,490
INFORMATION TECHNOLOGY	1,545,739	1,269,191	276,548	1,152,636
RISK MANAGEMENT	765,000	530,200	234,800	579,473
STREETS	4,773,617	4,540,205	233,412	3,711,665
FINANCE	1,324,731	1,133,592	191,139	1,152,135
COMMUNITY DEVELOPMENT ASSIST	584,592	395,990	188,602	344,316
CITY ATTORNEY	494,635	352,529	142,105	327,798
CITY MANAGER	582,486	442,483	140,003	675,649
E 911 CENTER	1,062,402	929,154	133,248	694,389
PARK MAINTENANCE	1,270,461	1,141,922	128,539	968,598
TREASURER	411,887	319,248	92,639	372,356
COMMUNITY PUBLIC SAFETY	263,998	186,484	77,514	57,597
PARKS AND RECREATION ADMIN	1,310,009	1,233,903	76,106	1,225,257
REGISTRAR	252,811	194,744	58,066	211,802
PLANNING	440,290	383,376	56,914	375,551
COMMISSIONER OF REVENUE	389,991	338,276	51,715	361,939
COMMONWEALTH ATTORNEY	982,243	932,301	49,942	874,580
TRAFFIC SIGNALS	375,309	338,252	37,057	293,390
TOURISM	673,681	637,241	36,440	421,868
INSPECTIONS	451,671	417,086	34,585	372,601
JAIL	3,055,160	3,020,629	34,531	2,747,490
CLERK OF THE CIRCUIT COURT	645,068	611,351	33,717	570,853
COMMUNICATIONS MANAGER	67,507	34,848	32,659	139,079
BUILDING MAINTENANCE	1,500,360	1,477,168	23,192	1,267,658
SHERIFF	903,880	881,063	22,816	855,740
PROFESSIONAL CONSULTANTS	77,000	55,000	22,000	65,000
ASSESSOR	364,269	343,573	20,696	298,263
TRAFFIC ENGINEERING	214,671	195,453	19,218	205,696
CITY COUNCIL	165,426	147,031	18,395	148,316
LIBRARY	1,277,157	1,263,727	13,430	1,149,021
STAUNTON WELCOME CENTER	57,911	45,011	12,900	36,906
FIRE	3,989,099	3,978,355	10,744	3,359,819
OFFICE ON YOUTH	162,400	151,732	10,668	146,995
CLERK OF COUNCIL	114,163	109,104	5,059	75,931
EQUIPMENT MAINTENANCE	574,766	571,599	3,167	507,478
PUBLIC WORKS ADMINISTRATION	341,956	339,187	2,769	282,728
ENGINEERING	304,252	301,636	2,616	265,750
CITY MEMBERSHIPS	30,550	29,688	862	26,995
ANIMAL CONTROL	191,240	190,894	346	123,466
MAGISTRATES	2,225	1,920	305	1,920
CIRCUIT COURT	157,475	157,301	174	160,986
HUMAN RESOURCES	794,667	794,543	124	653,232
JUVENILE DOMESTIC RELATIONS CT	70,992	70,918	74	69,021
GENERAL DISTRICT COURT	10,350	10,291	59	11,524
VICTIM/WITNESS PROGRAM	102,870	102,842	28	98,391
CHAPTER X BOARD	200,334	200,334	-	193,869
COMMUNITY CULTURAL CONTRIB	15,500	15,500	-	15,500
COMMUNITY RECREATION ASSIST	20,000	20,000	-	20,000
COMMUNITY WELFARE ASSISTANCE	114,091	114,091	-	104,524

CSPDC TRANSIT	77,948	77,948	-	73,997
EDUCATIONAL CONTRIBUTIONS	9,000	9,000	-	9,000
MEDICAL EXAMINER	380	380	-	320
PUBLIC HEALTH	274,363	274,363	-	284,218
TRANSFERS	23,431,862	23,431,862	-	25,734,298
JUVENILE DETENTION HOME	236,948	236,948	(0)	130,608
HORTICULTURE	861,412	869,756	(8,344)	163,575
GOLF COURSE (storm repair)	193,834	204,268	(10,434)	132,014
TAX RELIEF FOR THE ELDERLY	209,000	283,039	(74,039)	196,155
DEBT SERVICE (GASB 96)	-	163,756	(163,756)	12,343
NONDEPARTMENTAL EXPENDITURES	126,553	-	-	-
GRAND TOTAL	\$ 73,902,440	\$ 68,697,243	\$ 5,205,196	\$ 66,203,866
		PO Encumbrances	\$ (914,665)	
		Net Total	\$ 4,290,532	

City of Staunton - General Fund Revenue
Fiscal Year End June 30, 2023

PROPERTY TAXES	FY23 Revised Budget	FY23 Actual	Difference	FY22 Actual
PERSONAL PROPERTY TAXES	(6,055,000)	(7,289,145)	1,234,145	(6,334,718)
REAL ESTATE TAXES	(20,492,518)	(23,987,330)	3,494,812	(20,714,940)
REAL ESTATE-PUBLIC SERVICE	(940,000)	(929,541)	(10,459)	(957,979)
PERSONAL PROP PENALTY	(105,450)	(171,425)	65,975	(128,816)
PERS PROPERTY-INTEREST	(85,000)	(131,542)	46,542	(100,360)
REAL ESTATE-PENALTY	(120,000)	(129,559)	9,559	(135,373)
DOWNTOWN TAX	(125,243)	(140,410)	15,167	(132,460)
PERS PROP-PRIOR WRITE OFF	-	(849)	849	(249)
PERSONAL PROPERTY-PSC	(2,800)	(2,975)	175	(2,858)
REAL ESTATE-INTEREST	(150,000)	(106,740)	(43,260)	(104,798)
MACHINERY & TOOLS TAX	(425,000)	(388,540)	(36,460)	(400,158)
	(28,501,011)	(33,278,056)	4,777,045	(29,012,709)
OTHER LOCAL TAXES				
MEALS TAX	(5,358,050)	(6,253,785)	895,735	(5,809,981)
LOCAL SALES-1 PERCENT	(5,275,000)	(5,962,604)	687,604	(5,484,719)
BUSINESS & OCCUP LICENSES	(2,250,000)	(3,038,125)	788,125	(2,741,890)
TRANSIENT OCCUPANCY TAX	(968,000)	(1,292,457)	324,457	(1,208,260)
RECORDATION-LOCAL	(300,000)	(348,925)	48,925	(436,285)
BANK STOCK	(575,000)	(713,315)	138,315	(647,823)
WATER UTILITY	(281,280)	(300,866)	19,586	(294,358)
ELECTRIC UTILITY	(585,000)	(590,270)	5,270	(593,113)
SHORT TERM RENTAL TAX	(25,000)	(31,823)	6,823	(30,579)
PROBATE TAX ON WILLS	(8,500)	(10,407)	1,907	(12,598)
CIGARETTE TAX	(385,000)	(339,660)	(45,340)	(384,700)
GAS UTILITY	(298,000)	(297,126)	(874)	(295,924)
LOCAL COMMUNICATIONS TAX	(925,000)	(970,142)	45,142	(999,140)
	(17,233,830)	(20,149,505)	2,915,675	(18,939,371)
PERMITS				
SUBDIVISION REVIEW	-	(4,700)	4,700	(4,200)
ELECTRICAL PERMITS	(24,000)	(33,522)	9,522	(31,269)
ST RENT REGIS FEE	-	(1,100)	1,100	(1,150)
BUILDING PERMITS	(70,850)	(136,136)	65,286	(80,920)
OTHER PERMITS	(5,900)	(5,825)	(75)	(7,325)
ZONING FEES-ADVERT & COMMISS	(14,250)	(17,375)	3,125	(11,276)
TRANSFER FEES-CIRCUIT COURT	(1,000)	(941)	(59)	(1,030)
PLUMBING PERMITS	(43,000)	(39,957)	(3,043)	(38,067)
ELECTRONIC SUMMONS FEE	(20,000)	(15,661)	(4,339)	(15,716)
POLICE RECORDING FEES	(14,000)	(11,853)	(2,147)	(11,232)
DOG LICENSES	(8,950)	(7,603)	(1,347)	(7,548)
	(201,950)	(274,673)	72,723	(209,732)
FINES AND FORFEITURE				
COURT RECORDER FEE	(54,000)	(46,875)	(7,125)	(63,525)
ANIMAL CONTROL FINES	(6,000)	(5,500)	(500)	(6,479)
COURTHOUSE MAINTENANCE FEES	(9,500)	(9,009)	(491)	(8,820)
CIRCUIT COURT FINES	(168,000)	(122,765)	(45,235)	(130,198)
	(237,500)	(184,149)	(53,351)	(209,021)
REV-MONEY & PROPERTY				
RENTAL OF REAL PROPERTY	(64,200)	(63,769)	(431)	(89,082)
INTEREST REVENUE	(45,000)	(199,233)	154,233	65,253
	(109,200)	(263,002)	153,802	(23,828)

CHARGES FOR SERVICES	FY23 Revised Budget	FY23 Actual	Difference	FY22 Actual
GOLF GREEN FEES	(64,342)	(91,906)	27,564	(87,553)
GOLF MEMBERSHIP FEES	(30,000)	(30,650)	650	(46,205)
SWIMMING POOL FEES	(45,000)	(48,456)	3,456	(54,871)
COURTHOUSE SECURITY FEE-\$5	(60,000)	(55,708)	(4,292)	(61,172)
GOLF CART RENTALS	(126,530)	(135,146)	8,616	(120,966)
RECREATION-INSTR/EDUC CLASSES	(25,000)	(31,873)	6,873	(32,473)
LIBRARY FEES & FINES	(6,500)	(11,501)	5,001	(8,593)
ADMINSTRATIVE FEES	(18,000)	(40,071)	22,071	(23,801)
DUCK FEEDER REVENUE	(9,400)	(10,248)	848	(9,262)
PROPERTY CLEAN UP FEES	(4,800)	(7,602)	2,802	(5,280)
DMV STOP FEES	(8,000)	(7,211)	(789)	(6,920)
PAYMENT IN LIEU OF TAXES-WATER	(410,178)	(407,673)	(2,505)	(410,178)
TAX EXEMPT SERVICE CHARGES	(6,972)	(7,031)	59	(6,972)
SALE OF PUBLICATIONS & MAPS	-	(350)	350	(302)
CT APPT ATTORNEY FEE	-	(4,905)	4,905	(60)
COMMONWEALTH ATTORNEY FEES	(4,875)	(5,212)	337	(4,253)
SALE OF MATERIALS & SUPPLIES	-	(93)	93	(4)
SHERIFF FEES	(2,617)	(2,617)	-	(2,617)
JAIL ADMISSION FEE	(3,650)	(3,801)	151	(3,073)
CIRCUIT COURT FEES	(3,600)	(4,754)	1,154	(3,387)
RECREATION FEES	(750)	(1,944)	1,194	195
PAYMT IN LIEU OF TAX-PARKING	(98,654)	(36,275)	(62,379)	(98,654)
PAYMENT IN LIEU OF TAX-ENVIR	(288,255)	(282,840)	(5,415)	(288,255)
RECREATION-LEAGUE FEES	(40,000)	(42,100)	2,100	(35,794)
RECREATION TRIP AND TOURS	(10,000)	(25,249)	15,249	(1,534)
CLERK CIRCUIT COURT COPY FEES	(3,500)	(3,543)	43	(2,913)
RECREATION-HEART PROGRAM	(156,500)	(204,140)	47,640	(147,080)
RECREATION-CAMP STAUNTON	(85,000)	(70,421)	(14,579)	(69,635)
PAYMENT IN LIEU OF TAX-SEWER	(170,235)	(142,984)	(27,251)	(170,235)
PAYMENT IN LIEU OF TAX STRMWAT	(202,997)	(86,650)	(116,347)	(202,997)
	(1,885,355)	(1,802,954)	(82,401)	(1,904,844)
MISCELLANEOUS				
SALE OF SALVAGE & SURPLUS	(15,000)	(95,605)	80,605	(69,871)
PROCEEDS FROM TAX SALE	-	(10,494)	10,494	-
MISCELLANEOUS REVENUE	(114,652)	(197,169)	82,517	(7,552)
OTHER GRANTS	(6,970)	(9,970)	3,000	(11,744)
RESITUTION-ANIMAL COSTS	-	(1,839)	1,839	(1,387)
DONATIONS	(37,735)	(73,945)	36,210	(13,178)
RESTITUTION PAYMENTS	(1,100)	(1,370)	270	(76)
OTHER GRANTS	(1,974)	(1,974)	-	(25,349)
PAYMT IN LIEU OF TAXES-SRHA	(13,923)	(13,923)	(0)	(13,923)
	(191,354)	(406,289)	214,935	(143,080)
STATE-NONCATEGORICAL				
RECORDATION-GRANTOR'S TAX	(101,500)	(108,649)	7,149	(128,162)
MOTOR VEHICLE RENTAL TAX	(112,500)	(133,199)	20,699	(123,127)
STATE SALES TAX	(45,000)	(87,498)	42,498	(71,392)
ROLLING STOCK TAXES	(10,200)	(5,941)	(4,259)	(10,097)
PERSONAL PROPERTY-PPTRA	(1,652,200)	(1,652,200)	-	(1,652,200)
LAW ENFORCEMENT	(1,004,888)	(1,049,862)	44,974	(954,979)
RECORDATION	-	-	-	-
	(2,926,288)	(3,037,349)	111,061	(2,939,958)

STATE-CATEGORICAL	FY23 Revised Budget	FY23 Actual	Difference	FY22 Actual
STATE CRIME FORFEITED ASSETS	-	(54,616)	54,616	(38,816)
E911 WIRELESS FUNDS	(98,000)	(106,219)	8,219	(117,372)
LIBRARY	(191,702)	(191,702)	-	(169,003)
FIRE PROGRAMS FUND	(103,312)	(103,312)	-	(96,112)
JUROR & WITNESS FEES	(9,100)	(2,150)	(6,950)	(14,544)
DMV-ANIMAL LICENSE PLATES	(1,000)	(1,068)	68	(867)
CSA ADMIN FUNDS	(10,787)	(13,405)	2,618	(10,787)
VA COMM FOR THE ARTS	(4,500)	(4,500)	-	(4,500)
MISCELLANEOUS STATE-AID	-	-	-	(6,768)
DMV-FOUR FOR LIFE FUNDS	(24,195)	(24,195)	-	(22,774)
DCJS-VICTIM/WITNESS	(25,000)	(26,586)	1,586	(25,624)
DCJS-Grant	(67,486)	(45,970)	(21,516)	-
PUBLIC ASSISTANCE	(1,628,175)	(1,068,281)	(559,894)	(1,102,715)
STREET & HIGHWAY MAINTENANCE	(5,426,659)	(5,063,937)	(362,722)	(4,372,319)
CSA-CPMT PROGRAM	(2,192,100)	(1,363,466)	(828,634)	(1,419,992)
	(9,782,016)	(8,069,407)	(1,712,609)	(7,402,193)

FEDERAL CATEGORICAL				
CSA FEDERAL	-	(137,171)	137,171	(122,591)
DCJS GRANTS	-	-	-	(887)
FEDERAL DMV GRANT	(13,200)	(11,102)	(2,098)	(12,890)
US MARSHALL FORFEITED ASSET	-	(20,713)	20,713	(18,331)
VICTIM/WITNESS GRANT	(112,548)	(62,033)	(50,515)	(59,790)
PUBLIC ASSISTANCE	(1,396,153)	(1,113,800)	(282,353)	(1,127,346)
ARPA SOCIAL SERVICES	-	(19,795)	19,795	-
MISCELLANEOUS FEDERAL AID	(356,939)	(67,230)	(289,709)	(21,309)
	(1,878,840)	(1,431,844)	(446,996)	(1,363,144)

LOAN/DEBT PROCEEDS				
PROCEEDS FROM LEASE	-	(45,665)	45,665	(12,485)

STATE SHARED EXPENSE				
CIRCUIT COURT TECH TRUST FUND	(20,457)	(17,879)	(2,578)	(16,496)
COMMISSIONER OF REVENUE	(140,484)	(138,840)	(1,644)	(133,742)
CIRCUIT COURT CLERK	(348,098)	(344,966)	(3,132)	(323,099)
TREASURER	(143,532)	(136,087)	(7,445)	(127,957)
ELECTORAL BOARD & REGISTRAR	(75,679)	(74,731)	(948)	(71,355)
COMMONWEALTH ATTORNEY	(601,581)	(593,481)	(8,100)	(561,227)
SHERIFF	(445,488)	(412,576)	(32,912)	(393,999)
	(1,775,319)	(1,718,560)	(56,759)	(1,627,875)

RECOVERED COSTS				
INSURANCE RECOVERY	(200,623)	(196,375)	(4,248)	(39,848)
OUTSIDE SECURITY	(45,000)	(94,662)	49,662	(60,227)
WELLNESS PROGRAM REIMBURSE	(11,000)	(13,101)	2,101	(13,725)
RECOVERED COSTS-OPERATIONS	(1,073,443)	(1,050,874)	(22,569)	(741,614)
RECOVERED COSTS-WORKERS COMP	(275,643)	(275,643)	-	(741,614)
RECOVERED COSTS-EDUCATION FUND	(335,000)	(354,899)	19,899	(348,718)
	(1,940,709)	(1,985,554)	44,845	(1,945,747)

OPERATING REVENUES \$ (66,663,372) \$ (72,647,007) \$ 5,983,635 \$ (65,733,986)

NON-OP REVENUES					
APPRO.OF PRIOR YR FUND BAL	(5,870,039)	-	(5,870,039)	-	FY22 Carry Over
APPRO.FOR PRIOR YEAR ENCUMBR.	(969,028)	-	(969,028)	-	FY22 Carry Over for POs
TRANSFER FROM HEALTH	(400,000)	-	(400,000)	-	Not needed in FY23
NON-OPERATING REVENUES \$ (7,239,067) \$ - \$ (7,239,067) \$ -					

GRAND TOTALS \$ (73,902,439) \$ (72,647,007) \$ (1,255,432) \$ (65,733,986)

**CITY OF STAUNTON
CAPITAL IMPROVEMENT PLAN (CIP)
GENERAL FUND
FY2023- 2024 updated**

Attachment 3

DEPARTMENT	PROPOSED FUNDING SOURCE	PROJECT DESCRIPTION	PROJECT ESTIMATE	COMPREHENSIVE PLAN GOALS AND OBJECTIVES
RESERVES			\$ 1,421,050	
FIRE DEPARTMENT *	BA 2024	Self-Contained Breathing Apparatus (SCBA) and Compressor Reserves	\$ 30,000	Public Service and Government
FIRE DEPARTMENT *	BA 2024	Cardiac Monitor Replacement Reserves	\$ 10,000	Public Service and Government
POLICE DEPARTMENT *	BA 2024	Replace the CAD/RMS System (\$100k for FY24 and \$375k each for FY25 & FY26)	\$ 100,000	Public Service and Government
STREETS *	BA 2024	City ineligible streets and/or City parking lots- improvements/slurry seal/re-paving	\$ 100,000	Transportation and Parking
STREETS *	BA 2024	Adaptive traffic control systems.	\$ 140,000	Transportation and Parking
PUBLIC WORKS EQUIPMENT FUND *	BA 2024	Annual funding source for acquisition of major equipment for General Fund Streets Department > \$100,000	\$ 100,000	Not Applicable
PUBLIC WORKS BUILDING FUND *	BA 2024	Annual funding source for major repairs to City buildings to include replacement of HVAC systems, roof, structural repairs, etc.	\$ 100,000	Not Applicable
NEW SIDEWALKS *	BA 2024	Annual funding source for new sidewalk projects and match funds for VDOT grant programs for sidewalks	\$ 100,000	Transportation and Parking
MOXIE STADIUM RENOVATION *	BA 2024	Renovate baseball facilities reserve (\$600k each year for FY24, FY25, & FY26)	\$ 600,000	Public Service and Government
BLUE RIDGE COMMUNITY COLLEGE *	BA 2024	Annual Share of Blue Ridge Community College Capital Building Fund	\$ 41,050	Not Applicable
BUILDING MAINTENANCE REPAIRS *	BA 2024	Transfer to City Schools CIP Fund for Building Maintenance Repairs-Roofs, HVAC systems, Technology	\$ 100,000	Public Service and Government
PROJECTS			\$ 765,000	
GHP BATHROOMS *	BA 2024	Additional funding for GHP bathroom renovation	\$ 90,000	Public Service and Government
MHP LIGHTING *	BA 2024	Install lights at the MHP soccer field	\$ 160,000	Public Service and Government
PUBLIC LIBRARY STUDY *	BA 2024	Reserve set aside by city council for future improvements to the library.	\$ 65,000	Public Service and Government
CORE NETWORK ROUTER REPLACEMENT *	BA 2024	Replace the current core network router	\$ 200,000	Public Service and Government
NUTANIX HARDWARE REPLACEMENT *	BA 2024	Update the Nutanix Cluster hardware.	\$ 150,000	Public Service and Government
MONTGOMERY HALL PARK FIBER *	BA 2024	Extend fiber optic network at Montgomery Hall Park	\$ 100,000	Public Service and Government
TOTAL FY2024 CIP PLAN			\$ 2,186,050	

FUNDING SOURCES:

BA 2024	FY2024 Budget Amendment from FY2023 Year Fund Balance-Transfer to CIP Fund	\$ 2,186,050
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CITY COUNCIL



AGENDA BRIEFING

Staunton, Virginia

Meeting Date:	December 14, 2023	Amanda Kaufman Assistant City Manager John C. Blair, II City Attorney
Item #	I	
Department:	City Council City Attorney	
Alignment with Staunton Plan (Value/Strategic Area):	Value: Excellence Strategic Area: Responsive, Efficient Government	
Subject:	Ordinance Dissolving the Valley Alcohol Safety Action Program	

Background: In 1987, the City formed the Valley Alcohol Safety Action Program (VASAP) in conjunction with Augusta County and the City of Waynesboro. In 2013, Rockbridge County and the Cities of Lexington and Buena Vista became members of VASAP.

This summer, the State-level Commission on the Alcohol Safety Action Program (Commission) assumed responsibility for VASAP after the Executive Director and other staff members resigned.

After several board meetings, the VASAP Policy Board determined that it would be in the best interest of member localities to dissolve the organization, and adopted a resolution to dissolve VASAP.

The Commission will administer the program on a temporary basis until it determines which other Alcohol Safety Action Program would best absorb VASAP's former member localities.

The ordinance before you would formally dissolve VASAP and provide a windup process for the organization's outstanding assets and liabilities. At the conclusion of twelve months after the

enactment of the ordinance, any remaining VASAP funds will be distributed to the former VASAP localities in equal shares.

Attachment: Ordinance Dissolving Valley Alcohol Safety Action Program

City Manager's Recommendation: Enact the ordinance dissolving the Valley Alcohol Safety Action Program, as presented.

Suggested Motion: I move that City Council enact the ordinance dissolving the Valley Alcohol Safety Action Program, as presented.

City Manager: Leslie Beauregard

Attachment 1

AN ORDINANCE AUTHORIZING THE DISSOLUTION OF THE VALLEY ALCOHOL SAFETY ACTION PROGRAM

WHEREAS, the City of Staunton is a member of the Valley Alcohol Safety Action Program (VASAP), a joint exercise of powers among Augusta and Rockbridge Counties and the Cities of Buena Vista, Lexington, Staunton, and Waynesboro pursuant to Sections 15.2-1300 and 18.2-271.2 of the Code of Virginia; and

WHEREAS, the Policy Board of VASAP resolved on November 1, 2023, to dissolve and begin windup of its affairs, and has communicated to this locality its request that its Council authorize the dissolution of VASAP in accordance with its governing documents.

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

1. Its ordinance establishing the Valley Alcohol Safety Action Program (VASAP) is repealed;

2. That the City Manager is authorized to confer with the chief administrative officers of the other member localities of VASAP, and to equitably divide the personal property of VASAP among its member localities, or, if such personal property is no longer needed by any member locality, sell such property as surplus in the manner provided by law;

3. That the Chair of VASAP is authorized and directed to obtain its release from its lease on its office space in Staunton, provided, however, that only such funds as are held in the name of VASAP or in trust for VASAP shall be spent on such resolution or on rent until such resolution, and no funds of this locality shall be spent therefor; and

4. The City of Staunton is authorized to hold, in trust as fiscal agent of VASAP, VASAP's funds for a period of 12 months following the effective date of this ordinance in order to defray any remaining invoices that may come due from VASAP after the date of its dissolution, after which time such funds shall be distributed to the member jurisdictions in equal shares.

ADOPTED: _____

By: _____
Stephen W. Claffey, Mayor

ATTEST: _____
Kiley A. Kesecker,
Clerk of Council

39

40 Adopted by the following vote:

<u>Name</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>

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By: _____
Clerk of the [Governing Body]
[Locality], Virginia