

# Town of Strasburg

## **SPECIAL MESSAGE TO THE PUBLIC**

IN PERSON ATTENDANCE WILL BE ALLOWED FOR MEETINGS.  
PLEASE UTILIZE OUR LIVESTREAM BY ACCESSING THE LINK  
BELOW

<https://www.strasburgva.com/bc/page/meetings>

To make public comment please submit to:  
[comment@strasburgva.com](mailto:comment@strasburgva.com)  
by 4:00 p.m., Tuesday, September 5, 2023

## **Town Council Work Session**

Strasburg Town Hall  
174 W King St  
Strasburg, VA 22657

Tuesday, September 5, 2023  
7 p.m.

### **Town Council Members:**

Brandy Hawkins Boies, Mayor  
A.D. Carter, IV  
Dane Hooser  
Ashleigh Kimmons

Emily Reynolds, Vice Mayor  
Andrew Lowder  
Christie Monahan  
Brad Stover

### **Staff Contact:**

J. Waverly Coggsdale, III, Town Manager



# Council Work Session Agenda – Tuesday, September 5, 2023

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*Please, silence all cellular devices. Thanks.*

*\*Town Council Work Sessions are typically used for general discussion on matters pertaining to the Town. Formal actions are taken during Town Council Meetings unless otherwise notified.*

## **Call to Order –Mayor Brandy Boies**

### **Introduction of Mellanie Shipe, Assistant Town Manager**

### **Public Hearings (if needed):**

- 1.) To receive public comment on a Special Use Permit application (SUP2023-0007) requested by FIDUM COMPANY, owner, for property identified as Tax Map 025A201B059 004 located at 395 Stonewall Street fifty feet north of the intersection of Stonewall Street and Thompson Street and containing 0.138 acres. The request is to permit short-term rental use within the existing detached single-family dwelling.
  - **Staff Report – (attachment)**
  - **Public Hearing**
  - **Discussion**
  
- 2.) To receive public comments on the following: (i) a proposed budget amendment to the FY2022-2023 budget, and (ii) proposed budget reappropriations from the FY2022-2023 budget to the Y2023-2024 budget (carryovers), as outlined below.
  - FY 2022-2023 budget is to be amended to allocate the following funds:
    - \$381,200 from the General Fund Balance for the purchase of property related to the Borden Mowery Drive Extension project.
  - FY 2023-2024 budget is to be amended to allocate the following funds:
    - \$356,275.47 from the FY2022-2023 budget to the FY2023-2024 budget to be reappropriated (carry over) for projects funded in the previous year but not expended.
  - **Staff Report – (attachment)**
  - **Public Hearing**
  - **Discussion**

### **Introduction and Recognition of Visitors and Guests:**

- **Joanne Royaltey**, Consumer Horticulture and Invasive Species Program Associate with the Virginia Cooperative Extension – presentation on the Spotted Lanternfly

### **Citizen Comments on non-agenda items:**

### **Discussion Items/Updates:**

- 1.) **Code of Conduct amendment**
  - Staff Report
- 2.) **462 Ash Street – Public Nuisance**
  - Staff Report
- 3.) **Request for Easement – 188 W. Queen Street (Old Water Treatment Plant)**
  - Staff Report
- 4.) **Special Events Process**
  - Staff Report

**Committee of the Whole (listed Areas of Focus will be discussed):**

- Ordinance Committee
  - Public Hearing Process
  - Short Term Rental Ordinance

**Council Member Comments:**

**Closed Meeting:**

- Pursuant to Code of Virginia §2.2-3711(A)(1) for discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The subject of the closed meeting is to discuss the applicants for the appointment to the Town Council to fill the unexpired term of Doreen Ricard.
  
- **Discussion/Action after Closed Meeting**

**Adjournment**

# PUBLIC HEARING(S)



1.) To receive public comment on a Special Use Permit application (SUP2023-0007) requested by FIDUM COMPANY, owner, for property identified as Tax Map 025A201B059 004 located at 395 Stonewall Street fifty feet north of the intersection of Stonewall Street and Thompson Street and containing 0.138 acres. The request is to permit short-term rental use within the existing detached single-family dwelling.





**Agenda Location: Public Hearings/Discussion Items    Meeting Date: September 5, 2023**

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**ITEM TITLE:** Public Hearing, Special Use Permit SUP2023-0007, FIDUM COMPANY– Short-Term Rental

**DESCRIPTION:**

Owner FIDUM COMPANY TRUSTEE, has requested the short-term rental use of a single-family dwelling, located at 395 Stonewall St.

**PREVIOUS ACTION:**

The Planning Commission met on August 22, 2023. This application was recommended for approval with conditions on a vote of 4-2.

**ATTACHMENTS:**

- SUP2023-0007 Staff Report

*Prepared by Brian Otis, Planning & Zoning Administrator*



Special Use Permit SUP2023-0007  
FIDUM COMPANY– Short-term Rental

## STAFF REPORT

TC Meeting Date: September 5, 2023

Agenda Title: Special Use Permit #SUP2023-0007, FIDUM COMPANY– Short-Term Rental

Requested Action: Recommend Approval of Special Use Permit #SUP2023-0007, FIDUM COMPANY – Short-Term Rental with any proposed conditions.

### Summary

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In conformance with the Short-Term Rental Ordinance approved by Town Council on September 28, 2021, any request for a Short-Term Rental proposed within the Medium Density Residential (MDR) District shall apply for a Special Use Permit. On May 8, 2023 the town received a special use permit application for Short-term Rental use consisting of the entire dwelling. The applicant is Fidum Company Trustee.

### Background

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- A: Site Location: 395 Stonewall Street (tax map# 025A201B059 004), at 0.138 acres. The property is situated approximately 50 feet north of the intersection of Stonewall Street and Thompson Street.
- B: Surrounding Land Uses: This site is within an area of single-family homes in a Medium Density Residential (MDR) District.
- C: History of Uses and Current Use: The Structure was originally constructed in 2006 as a Single-Family Dwelling.



Special Use Permit SUP2023-0007  
FIDUM COMPANY– Short-term Rental

Planning & Zoning Administration  
174 E. King Street, P.O. Box 351  
Strasburg, VA 22657  
(540) 465-9197 ext. 127

Staff Recommendation

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Staff recommendation is based on regulations set forth within the UDO.

Staff recommends approval of Special Use Permit #SUP2023-0007, FIDUM COMPANY Residence – Short-Term Rental, with the following conditions.

1. The applicant provides the name, address, and phone number of the local representative on the zoning occupancy application.
2. The property shall be advertised and rented with only 2 guestrooms available.
3. The advertisement for rental shall indicate the 2 sleeping/guest rooms.
4. If the owner obtains a zoning permit for driveway expansion, and the work has been completed/ inspected, the property can be utilized and advertised with 3 sleeping/ guest rooms.
5. Advertisements shall include an image of the front of the dwelling to identify the location of the rental unit.
6. If any condition listed above is violated, the SUP shall be made null and void.

Zoning Ordinance Analysis

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Uses: Existing uses are legal and conforming without violations.

Local Property Representative: Owner will need to provide the Local Property Representative information with the occupancy permit application to comply with the Section 6.2.2.A.b of the ordinance.

- Section 6.2.2 A.b Short-term Rental Performance Standards *“If the owner of a short-term rental does not reside at the property or locally, the owner shall designate a local property representative. The owner or representative shall be available to respond, physically, within one hour to complaints regarding the condition, operation, or conduct of occupants of the short-term rental. The name, address, and telephone number of the owner and/or local property representative shall be kept on file with the Town. If the owner does not reside at the rental property but lives locally and is able to respond as required, they may function as the local property representative.”*





Special Use Permit SUP2023-0007  
FIDUM COMPANY– Short-term Rental

### Community Input

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- Signs were posted at the location starting on June 5, 2023
- Notice was posted in the Northern Virginia Daily newspaper publications dated August 8, 2023, and August 15, 2023

### Planning Commission Recommendation

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The Planning Commission recommended approval with a vote of 4-2, with the following conditions.

1. The applicant provides the name, address, and phone number of the local representative on the zoning occupancy application.
2. The property shall be advertised and rented with only 2 guestrooms available.
3. The advertisement for rental shall indicate the 2 sleeping/ guest rooms.
4. The unused guestrooms will be locked.
5. If the owner obtains a zoning permit for driveway expansion, and the work has been completed/ inspected, the property can be utilized and advertised with 3 sleeping/ guest rooms.
6. Advertisements shall include an image of the front of the dwelling to identify the location of the rental unit.
7. The dwelling is not to be occupied by the owner.
8. If any condition listed above is violated, the SUP shall be made null and void.

Conditions #4 and #7 were added by the Planning Commission.

### Further Actions

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If the Town Council recommends approval of the Special Use Permit the following actions moving forward must be completed for the Short-term Rental to be a legal use.

- Obtain a letter from the Shenandoah County Building Official identifying an approved life safety inspection
- Obtain a Zoning Occupancy Approval for the Short-term Rental use
- Annual renewal of the Occupancy Approval is required

### Attachments

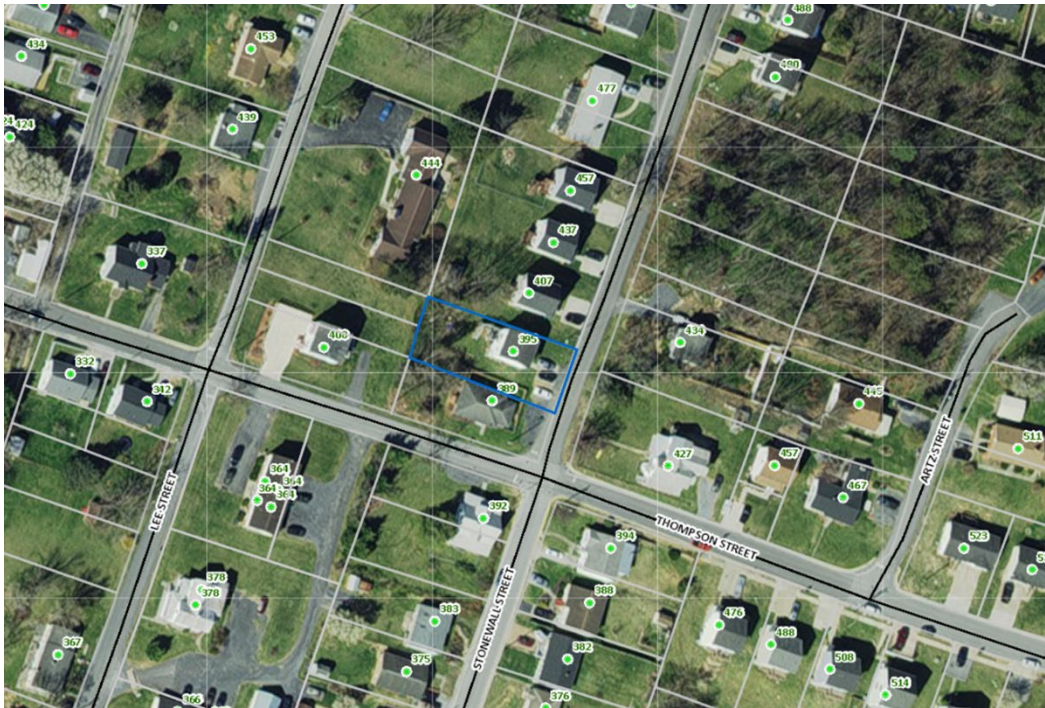
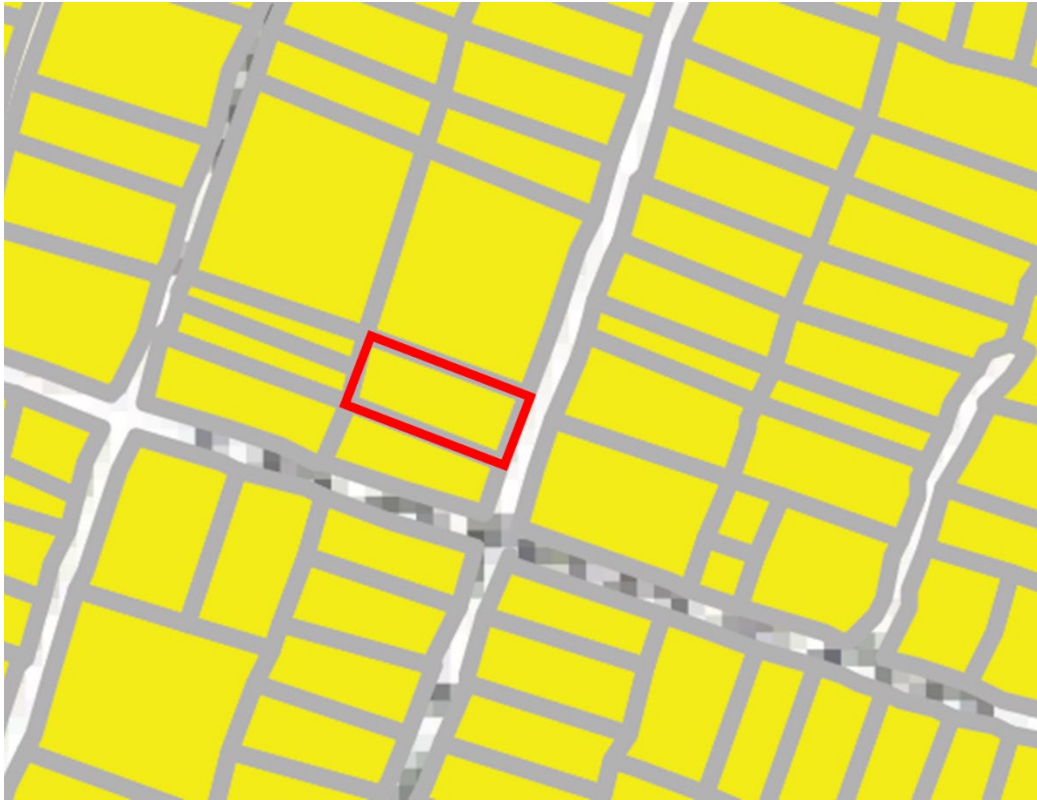
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Attachment A – Zoning Map

Attachment B - Short-term Rental Ordinance adopted September 8, 2021

Attachment C – Building Images

Attachment A Zoning Map





## Attachment B – Short Term Rental Ordinance

### Short-Term Rental – Zoning District Chart

Zoning District	Name	Process
MDR	Medium Density Residential	SUP

#### CHAPTER 7. DEFINITIONS

##### 7.2 Definitions

##### 7.2.2 Specific Terms

Home occupation: An accessory use which is carried on entirely within a dwelling unit by the occupant and is incidental and subordinate to the dwelling use. Home occupations include, but are not limited to, preparation of food products for sale off premises, professional offices such as medical, dental, legal, engineering and architectural, teaching of music, and fine arts and similar uses.

*Short-term rental owner: Any person or entity that meets the definition of “operator” as defined in §15.2-983, as amended, of Virginia State Code.*

*Short-term rental: Any residential use that falls within the definition of short-term rental as defined in §15.2-983, as amended, of Virginia State Code.*

*Short-term rental, not occupied by owner: Any short-term rental where owner does not reside on the property when guests are in residence.*

*Short-term, owner-occupied: Any short-term rental where the owner of the property also resides on the same property during such period when guests are in residence.*

#### CHAPTER 6. REGULATION OF SPECIFIC USES

##### 6.2 Short-Term Rental and Bed and Breakfast Establishments

##### 6.2.1 Purpose

*The purpose of this chapter is to establish regulations for the short-term rental of privately-owned residences, in whole or in-part, including Bed & Breakfast Establishments. The performance requirements in this chapter are intended to allow and facilitate the operation of short-term rental and bed and breakfast establishments while maintaining the health, safety, and welfare of existing and future neighborhoods.*

*The performance requirements in this section are in addition to any other county, state, or rental platform requirements.*

Special Use Permit SUP2023-0007  
FIDUM COMPANY– Short-term Rental

6.2.2 Performance Standards

- A. *Short-term rental owners shall be subject to the following requirements.*
- a. *The owner shall obtain a zoning permit to be reviewed on an annual basis by staff. The owner shall obtain an annual business license and pay appropriate Transient Occupancy Tax as outlined in Article VII of the Town Code.*
  - b. *If the owner of a short-term rental does not reside at the property or locally, the owner shall designate a local property representative. The owner or representative shall be available to respond, physically, within one hour to complaints regarding the condition, operation, or conduct of occupants of the short-term rental. The name, address, and telephone number of the owner and/or local property representative shall be kept on file with the Town. If the owner does not reside at the rental property but lives locally and is able to respond as required, they may function as the local property representative.*
  - c. *Prior to issuance of a zoning permit, the Shenandoah County Building official or their technical assistant must do a life safety inspection of the short-term rental to ensure that all applicable Virginia Uniform Statewide Building Code requirements are met; including, but not limited to, regulations regarding fire extinguishers, carbon monoxide detectors, and emergency exits.*
  - d. *The owner of a short-term rental shall give the Town and Shenandoah County Building Department written consent to inspect the rental property to ascertain compliance with all applicable performance standards upon a twenty-four-hour notice.*
  - e. *Emergency information must be conspicuously posted inside the property, including contact information for the owner and/or local property representative.*
  - f. *All short-term rentals shall meet parking requirements of the applicable zoning district,*
  - g. *The owner shall provide an informational packet to each new guest. Review of this information packet is required upon issuance of Zoning Permit. The information must include, but is not limited to:*
    - i. *Maximum occupancy as outlined in Section 6.12 of the UDO*
    - ii. *Location of off-street parking*
    - iii. *Code references applicable to noise as outlined in Section 6.12 of the UDO*
    - iv. *Use restrictions as outlined in applicable Zoning District*
    - v. *Guidelines for trash storage and removals*
    - vi. *Evacuation routes in case of fire or emergency*
    - vii. *Owner or Local property representative information*
  - h. *If the operator of the short-term rental is not the property owner, written consent from the property owner must be submitted with the application for a zoning permit.*
- B. *In addition to section 6.2.2 A, Bed and breakfast establishments shall be subject to the following requirements:*
- a. *Permitted only in single-family dwellings.*
  - b. *A maximum of five guestrooms, with a maximum occupancy of 15 persons.*
  - c. *Food service shall be limited to the breakfast meal and shall be available only to guests and not to the general public in any residential district.*
  - d. *No receptions, private parties, or other events, for fee shall be permitted.*
  - e. *Any amenities such as tennis court, swimming pool, etc., shall be solely for the use of the resident owner and guests of the facility.*
  - f. *Provisions applicable to Bed and Breakfast Establishments as required by the Uniform Statewide Building Code shall be met.*
  - g. *Issuance of owner permit from the Shenandoah County Health Department is required.*
  - h. *The maximum length of stay for each guest shall be 30 days or less.*
  - i. *The owner(s) or property representative shall be available to respond in person within one hour to complaints regarding the condition, operation, or conduct of occupants of the Bed and Breakfast Establishment.*





Special Use Permit SUP2023-0007  
FIDUM COMPANY– Short-term Rental

- j. A Bed and Breakfast shall have *frontage on an improved public street*.
- k. One off street parking space shall be provided for each guest room.

6.2.3 Penalties A.

- A Zoning Permit may be revoked or suspended for the following reasons:
  - a. *Three or more substantiated complaints including, but not limited to, noise, excess trash, failure to meet parking requirements, exceeding occupancy limits.*
  - b. *The repeated of failure of any short-term rental or bed and breakfast owner to respond physically to in a timely manner to complaints regarding the condition, operation, or conduct of occupants.*
  
- B. *A fine of \$200.00 will be issued to any owner that:*
  - a. *Fails to obtain a zoning permit.*
  - b. *Receives three or more substantiated complaints including, but not limited to, noise, excess trash, failure to meet parking requirements, and exceeding occupancy limits.*

Attachment C – Building Image



2.) To receive public comments on the following: (i) a proposed budget amendment to the FY2022-2023 budget, and (ii) proposed budget reappropriations from the FY2022-2023 budget to the Y2023-2024 budget (carryovers), as outlined below.

FY 2022-2023 budget is to be amended to allocate the following funds:

- \$381,200 from the General Fund Balance for the purchase of property related to the Borden Mowery Drive Extension project.

FY 2023-2024 budget is to be amended to allocate the following funds:

- \$356,275.47 from the FY2022-2023 budget to the FY2023-2024 budget to be reappropriated (carry over) for projects funded in the previous year but not expended.





**Public Hearings**

**Meeting Date: September 5, 2023**

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To: Mayor Boies and Town Council of Strasburg

From: Waverly Coggsdale, Town Manager

Date: August 25, 2023

Re: FY2023 Budget Amendments & FY2024 Budget Amendments (Reappropriations)

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**DESCRIPTION:** Town Council will conduct two separate public hearings regarding FY2023 Budget Amendments and FY2024 Budget Amendments (Reappropriations). These hearings are required as the amendments exceed 1% of the total adopted budgets.

**FY2023 Budget Amendments**

- Budget Amendment (BA-06): Town Council approved the purchase of property associated with the Borden Mowery Drive extension project on March 14, 2023, in the amount of \$381,200. The property was acquired, and the appropriate budget amendment form has been submitted for review and approval.

**FY2024 Budget Amendments (Reappropriations)**

- Budget Reappropriations (BR-1 through BR-10): At the end of the fiscal year, staff reviewed items that were budgeted in the previous year (FY2023) but due to circumstances the funds were not expended prior to June 30, 2023. To ensure the items/projects move forward, the funding has to be moved from FY2023 to FY2024, this is called “reappropriation of funds”. Attached is a list showing the items that staff is seeking to “carry over” from FY2023 to FY2024; some items were ordered in FY2023 but were not received prior to the end of the fiscal year (June 30, 2023).

**POTENTIAL ACTIONS**

- Consensus to Approve FY2023 Budget Amendment as provided.
- Consensus to Approve FY2024 Budget Amendment (Reappropriations) via the adoption of the FY2024 Budget Reappropriation Resolution.

**Attachments:**

- *FY2024 Proposed Budget Advertisement*





## TOWN OF STRASBURG

### BUDGET AMENDMENT

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2023:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Administration - CIP General Fund 10-4413-0400	\$381,200	
Transfer In from General Fund Balance (Reserves) 10-3330-7035		\$381,200

#### Summary

To appropriate funds from the General Fund Reserves for the purchase of property associated with the Borden Mowery Drive Extension project. Town Council approved this item at their Regular Meeting on March 14, 2023

#### Budget Impact

This will result in a net increase to the FY2023 Adopted Budget of \$381,200.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.

Adopted this \_\_\_\_\_ day of September 2023.

## FY2024 BUDGET AMENDMENTS (Reappropriations)

<u>Budget Appropriations From FY2023 to FY2024</u>			
<b>GENERAL FUND</b>			<b>\$216,107.41</b>
<b>WATER FUND</b>			<b>\$70,084.03</b>
<b>SEWR FUNDS</b>			<b>\$70,084.03</b>
<b>TOTAL EXPENDITURES:</b>			<b>\$356,275.47</b>

<u>BUDGET REAPPROPRIATIONS (CARRY OVERS) FROM FY2023 to FY2024</u>							
	DEPT.	ITEM	FUND			TOTAL	
			GF	WF	SE		
BR-01	PW	Dump Truck	\$ 23,290.00	\$ 22,605.00	\$ 22,605.00	\$68,500.00	
BR-02	PW	Service Body Truck	\$ 24,506.38	\$ 23,785.61	\$ 23,785.61	\$72,077.60	
BR-03	PW	Standard Box Pickup 4WD	\$ 20,077.00	\$ 19,486.50	\$ 19,486.50	\$59,050.00	
BR-04	PW	Motor Replacement Air Zone - PW	\$ 2,123.30	\$ 2,060.85	\$ 2,060.85	\$6,245.00	
BR-05	PW	Unit 10627 Repair (Vehicle)	\$ 2,211.12	\$ 2,146.07	\$ 2,146.07	\$6,503.26	
BR-06	CI	UDO Rewrite	\$ 39,599.61			\$39,599.61	
BR-07	SI	Façade Improvement Grants	\$ 14,800.00			\$14,800.00	
BR-08	SI	Town Park entrance sign	\$ 4,500.00			\$4,500.00	
BR-09	SI	Discovery Trail (VC)	\$ 15,000.00			\$15,000.00	
BR-10	Admin	Town Hall Lobby Security Imp.	\$70,000			\$70,000.00	
<b>Total Budget Reappropriations (Carry Overs):</b>			<b>\$ 216,107.41</b>	<b>\$ 70,084.03</b>	<b>\$ 70,084.03</b>	<b>\$ 356,275.47</b>	



TOWN OF STRASBURG

BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Public Works – Capital		
General Fund -10-4433-0100	\$23,290.00	
Water Fund – 20-4433-0100	\$23,290.00	
Sewer Fund – 30-4433-0100	\$23,290.00	
Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) - Capital		
General Fund -10-4433-0100		\$23,290.00
Water Fund – 20-4433-0100		\$23,290.00
Sewer Fund – 30-4433-0100		\$23,290.00

Summary

To reappropriate \$68,500 from FY2023 Adopted Budget to FY2024 Budget in the General Fund, Water Fund and Sewer Fund as indicated for the purchase of a dump truck. Purchase Order #1369 dated June 20, 2023, in the amount of \$68,500. The dump truck was not delivered prior to July 1, 2023.

Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$68,500.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.



TOWN OF STRASBURG

BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Public Works – Capital		
General Fund -10-4433-0100	\$24,506.38	
Water Fund – 20-4433-0100	\$23,785.61	
Sewer Fund – 30-4433-0100	\$23,785.61	
Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) - Capital		
General Fund -10-4433-0100		\$24,506.38
Water Fund – 20-4433-0100		\$23,785.61
Sewer Fund – 30-4433-0100		\$23,785.61

Summary

To reappropriate \$72,077.60 from FY2023 Adopted Budget to FY2024 Budget in the General Fund, Water Fund and Sewer Fund as indicated for the purchase of a service body truck. Purchase Order #1368 dated June 20, 2023, in the amount of \$68,500. The service body truck was not delivered prior to July 1, 2023.

Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$72,077.60.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.



TOWN OF STRASBURG

BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Public Works – Capital		
General Fund -10-4433-0100	\$20,077.00	
Water Fund – 20-4433-0100	\$19,486.50	
Sewer Fund – 30-4433-0100	\$19,486.50	
Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) - Capital		
General Fund -10-4433-0100		\$20,077.00
Water Fund – 20-4433-0100		\$19,486.50
Sewer Fund – 30-4433-0100		\$19,486.50

Summary

To reappropriate \$59,050.00 from FY2023 Adopted Budget to FY2024 Budget in the General Fund, Water Fund and Sewer Fund as indicated for the purchase of a 4WD Standard Box Pickup truck. Purchase Order #1367 dated June 20, 2023, in the amount of \$59,050.00. The 4WD Standard Box Pickup truck was not delivered prior to July 1, 2023.

Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$59,050.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.



TOWN OF STRASBURG

BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Public Works – Capital		
General Fund -10-4432-3300	\$2,123.30	
Water Fund – 20-4432-3300	\$2,060.85	
Sewer Fund – 30-4432-3300	\$2,060.85	
Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) – General Fund – Public Works – Repairs to Streets (Town Share 10-4432-3500		\$6,245.00

Summary

To reappropriate \$6,245.85 from FY2023 Adopted Budget General Fund – Public Works – Repairs to Streets (Town Share) 10-4432-3500 FY2024 Budget in the General Fund, Water Fund and Sewer Fund as indicated for the purchase of two (2) replacement motors for the HRU unit at the Public Works Facility. Purchase Order #1354 dated June 1, 2023, in the amount of \$6,245.00. The replacement motors were not delivered prior to July 1, 2023.

Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$6,245.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.



TOWN OF STRASBURG

BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Public Works – Capital		
General Fund -10-4432-3400	\$2,211.12	
Water Fund – 20-4432-3400	\$2,146.07	
Sewer Fund – 30-4432-3400	\$2,146.07	
Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) - Capital		
General Fund -10-4432-3400		\$2,211.12
Water Fund – 20-4432-3400		\$2,146.07
Sewer Fund – 30-4432-3400		\$2,146.07

Summary

To reappropriate \$6,503.26 from FY2023 Adopted Budget to FY2024 Budget in the General Fund, Water Fund and Sewer Fund as indicated for the repair of Unit 10627. Purchase Order #1352 dated May 23, 2023, in the amount of \$6,503.26. The repair of this vehicle is pending and not completed prior to July 1, 2023.

Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$6503.26.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.



TOWN OF STRASBURG

BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Community Initiatives – Capital General Fund -10-4423-1411	\$39,599.61	
Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) – Community Initiatives - Capital General Fund -10-4423-1411		\$39,599.61

Summary

To reappropriate \$39,599.61.26 from FY2023 Adopted Budget to FY2024 Budget in the General Fund for the UDO Rewrite Consulting Services. The UDO Rewrite process will continue through FY2024, with an additional \$60,000 budgeted

Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$39,599.61.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.





### TOWN OF STRASBURG

## BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Strategic Initiatives – Projects & Programs General Fund 10-4462-7000	\$14,800.00	
 Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) – Strategic Initiatives – Projects & Programs General Fund 10-4462-7000		\$14,800.00

#### Summary

To reappropriate \$14,800.00 from FY2023 Adopted Budget to FY2024 Budget in the General Fund for the pending award of Façade Improvement Grants to local businesses.

#### Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$14,800.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.



### TOWN OF STRASBURG

## BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Strategic Initiatives – Tourism General Fund 10-4462-7200	\$4,500.00	
 Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) – Strategic Initiatives – Tourism General Fund 10-4462-7200		\$4,500.00

### Summary

To reappropriate \$4,500.00 from FY2023 Adopted Budget to FY2024 Budget in the General Fund for the pending installation of a new Town Park entrance sign.

### Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$4,500.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.



TOWN OF STRASBURG

BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Strategic Initiatives – Capital General Fund 10-4463-0101	\$15,000.00	
Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) – Strategic Initiatives – Capital General Fund 10-4463-0101		\$15,000.00

Summary

To reappropriate \$15,000.00 from FY2023 Adopted Budget to FY2024 Budget in the General Fund for the Discovery Trail at the Visitor’s Center. The project has been designed and a quote has been received.

Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$15,000.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.



TOWN OF STRASBURG

BUDGET REAPPROPRIATION (CARRYOVER)

BE IT ORDAINED by the Town Council of Strasburg, VA, that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2024:

Section 1. To amend the General Fund, as follows:

<u>Account</u>	<u>Expense</u>	<u>Revenue</u>
Administration – Capital General Fund 10-4413-0400	\$70,000.00	
Reappropriation to FY2024 Budget from the FY2023 Adopted Budget (Carry Over from Previous Year) – Capital General Fund 10-4413-0400		\$70,000.00

Summary

To reappropriate \$70,000.00 from FY2023 Adopted Budget to FY2024 Budget in the General Fund for the partial funding for the Town Hall Lobby Security Improvements. The project totals \$171,818.85 and Town Council indicated that the additional funds would either come from FY2023 Year End Reserves (surplus) or ARPA Funds, a budget amendment will be adopted when the additional funding source is known.

Budget Impact

This will result in a net decrease to the FY2023 Budget and a net increase to the FY2024 Adopted Budget in the amount of \$70,000.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Town Council and to the Finance Director for their direction.

## FY 2023 – 2024 Budget Reappropriations Resolution

**A RESOLUTION ADOPTING the FINAL REAPPROPRIATION BUDGET FOR ITEMS OF EXPENDITURE PREVIOUSLY ADOPTED AS PART OF THE 2022-2023 FISCAL YEAR OPERATING AND CAPITAL FUND BUDGETS OF THE TOWN OF STRASBURG BUT REMAINING AS UNEXPENDED FUNDS AS OF JUNE 30, 2023.**

**WHEREAS**, the Town of Strasburg, Virginia adopts, pursuant to state law, an annual budget consisting of operating funds and capital funds for expenditure in each fiscal year, and did so for the fiscal year 2022-2023; and

**WHEREAS**, the requirements of planning and contracting for the acquisition of goods and services requires in many instances that the contracts for such goods and services cannot be immediately executed; and

**WHEREAS**, there remains from said items budgeted for the fiscal year 2022-2023 substantial amounts represented by executed contracts or projects that are ongoing but that were not completed in fiscal year 2022-2023; and

**WHEREAS**, it has become necessary to adopt a reappropriation and supplemental budget for sums to be expended in the fiscal year 2023-2024 from funds budgeted for fiscal year 2022-2023 but remaining unexpended as of the close of the fiscal year on June 30, 2023.

**NOW THEREFORE BE IT RESOLVED** by the Town Council of Strasburg, Virginia that:

**SECTION 1.** This Council has determined and adopted the following estimates of proposed capital and operating fund expenditures as hereinafter set forth presenting a reappropriation of items previously budgeted for FY2022-23 but remaining unexpended at the close of said fiscal year, and representing amounts encumbered or proposed at the close of said fiscal year. That said amounts and the purchases therefore are set forth in the schedule below as follows:

### 2023-2024 REAPPROPRIATION FUNDS

The following amounts aggregating \$356,275.47 are approved and appropriated for the General Fund, subject to conditions set forth in this Resolution for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

<b>GENERAL FUND</b>	<b>\$ 216,107.41</b>
<b>WATER FUND</b>	<b>\$ 70,084.03</b>
<b>SEWER FUND</b>	<b>\$ 70,084.03</b>
<b>GENERAL FUND TOTAL EXPENDITURES:</b>	<b>\$ 356,275.47</b>

**SECTION 2.** Money from any fund may be used for any of these purposes set forth hereinabove, except money specifically restricted by state law or by Town Charter or Town ordinances and resolution.

Adopted by the Council of the Town of Strasburg this \_\_\_\_\_ day of September 2023.

\_\_\_\_\_  
MAYOR

**PUBLIC HEARING NOTICE  
TOWN OF STRASBURG**

The Strasburg Town Council will hold two public hearings on Tuesday, September 5, 2023, at 7:00 p.m. at the Strasburg Town Hall located at 174 East King Street, Strasburg, Virginia. The Town will receive public comments on the following: (i) a proposed budget amendment to the FY2022-2023 budget, and (ii) proposed budget reappropriations from the FY2022-2023 budget to the Y2023-2024 budget (carryovers), as outlined below.

FY 2022-2023 budget is to be amended to allocate the following funds:

- \$381,200 from the General Fund Balance for the purchase of property related to the Borden Mowery Drive Extension project.

FY 2023-2024 budget is to be amended to allocate the following funds:

- \$356,275.47 from the FY2022-2023 budget to the FY2023-2024 budget to be reappropriated (carry over) for projects funded in the previous year but not expended.

Additional information regarding the public hearing can be obtained at the Strasburg Town Office, 174 East King Street, Strasburg, Virginia, or by calling 540-465-9197. All public hearings are accessible to persons with handicap conditions. Any person requiring auxiliary aids including signers or cued speech in connection with the public hearing shall notify the Strasburg Town Office at least five (5) days prior to the hearing date.

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Please run as a display ad on Tuesday, August 22, 2023. Please invoice the Town of Strasburg for the ads.

# **INTRODUCTION and RECOGNITION of VISITORS and GUESTS**



- Presentation on the Spotted Lantern Fly by Joanne Royaltey, Consumer Horticulture and Invasive Species Program Associate with the Virginia Cooperative Extension





# **CITIZEN COMMENTS (Non-Agenda Items)**



# DISCUSSION ITEMS/ UPDATES



# STRASBURG TOWN COUNCIL CODE OF CONDUCT AND ETHICS

## PREAMBLE

The citizens of Strasburg are entitled to fair, ethical, accountable, and effective local government. Such a government requires that public officials:

- Comply with both the letter and the spirit of the laws, ordinances, and policies affecting government.
- Be independent, impartial and fair in their judgment and actions.
- Use their public office for the public good, not for personal gain.
- Conduct public deliberations and processes openly.
- Act with respect and civility.

To this end, the Strasburg Town Council has adopted this Code of Conduct and Ethics to emphasize the imperatives of integrity, fairness, and accountability in local government.

### 1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, Council Members shall work for the common good of the people of Strasburg and not for any private or personal interest. They will treat all persons, claims, and transactions in a fair and equitable manner.

### 2. Conduct of Members

Council Members shall at all times refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the Town Council, boards, commissions, committees, staff, or the public.

### 3. Respect for Process

Council Member duties shall be performed in accordance with the processes and rules established by the Town Council. A Council Member shall respect a decision once it has been made by the majority of Council.

### 4. Communication

It is the responsibility of Council Members to share substantive information that is relevant to a matter under consideration that they have received from sources outside of the decision-making process with all other Council Members.

Council Members shall interact with one another honestly, forthrightly, and respectfully. Discussions shall focus on issues, policies, and other substantive matters relating to the function of Town government.

### 5. Confidential Information

Council Members shall respect and preserve the confidentiality of information provided to them concerning the matters of the Town. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial or private interests.

6. Advocacy

To the best of their ability, Council Members shall represent the official policies and positions of the Town Council. When presenting their personal opinions or positions, members shall explicitly state that they do not represent the Council or the Town.

*Council Members have no individual authority or gains in making promises, decisions or commitments that the elected body has not authorized. When presenting their individual opinions and positions, individual members shall explicitly state that they do not represent the entire Council.*

*In their capacity as appointed members of other boards, Council Members are permitted to vote on routine matters which impact that specific board. However, prior approval of Council is necessary if a member will vote on significant items directly involving or impacting the town.”*

7. Positive Work Environment

Council Members shall support and maintain a positive and constructive environment for residents, businesses, Town employees, and others involved in Town activities.

8. Compliance

The Strasburg Town Council Code of Conduct and Ethics expresses standards of ethical conduct expected of Members of the Strasburg Town Council.

Members of the Council have the primary responsibility to ensure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the Town government.

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Signature, if so desired

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Date



**Agenda Location: Discussion Items**

**Meeting Date: September 5, 2023**

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**ITEM TITLE:** 462 Ash Street Nuisance – Abandoned vehicles

**DESCRIPTION:**

Staff received an anonymous complaint that 4 abandoned vehicles are located at the subject address. The property owner has not acted to abate the violation. Staff are requesting direction in relation to the action of removing the abandoned vehicles.

**ATTACHMENTS:**

- 462 Ash St Nuisance - Staff Report

*Prepared by Brian Otis, Planning & Zoning Administrator*



## STAFF REPORT

TC Meeting Date: September 5, 2023  
Agenda Title: 462 Ash St violation – Inoperable vehicles.  
Requested Action: Removal of four vehicles that are in violation of Town Code Section 82-238.

### Summary

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Town staff had issued a violation letter to the property owner of 462 Ash Street for inoperable vehicles. Without abatement, staff issued a Final Notice and Order letter. The letter identified staff will be bringing this case to Town Council during the September 5, 2023 meeting to obtain direction on the abatement of the violation.

### Background

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An anonymous complaint was received by the town about four abandoned vehicles located on the residential lot. Upon inspection, staff identified the following vehicles.

1. A white, four-wheeled box trailer
2. A small black four-door sedan (confirmed to have a tag)
3. A Ford RV (confirmed to have a tag)
4. A small unknow truck-like vehicle

Staff inspected the site over a period of over 60 days to confirm the vehicles were not operated during this period. Staff has confirmed the vehicles either have expired tags or are without tags.

Staff initially corresponded with the property owner July 12, 2022. The owner expressed that they would have the vehicles removed. The Notice of Violation was provided on September 9, 2022. Since the violation has not been abated and correspondence with the owner has ceased, the Final Notice and Order was issued on July 21, 2023.

## Staff Recommendation

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Staff would like to act per the Town Code and State Code to remove the vehicles from the property.

1. Issue a letter to the property owner providing the following;
  - Town Code and State Code sections
  - Intent for the town to act on the violation.
  - Describe the process of taking of the vehicles.
  - Provide 30 days to abate based on the town's intent to act.
  - Identify the related costs will be charged to the owner.
2. If the violation is not abated, staff will coordinate with the Police Department to acquire the services of towing companies to remove the vehicles with a police presence.
3. Vehicles will be towed to the yard of the towing company and at that time will not become the responsibility of the town.
4. Future interactions are to be between the property owner and the towing or holding company that has the vehicles.
5. The costs of removal will be charged to the owner.

## Town Code and State Code Language

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### Town Code Sec. 82-238. Keeping inoperable vehicles.

(a) It shall be unlawful for any person to keep, except within a fully enclosed building or structure or otherwise shielded or screened from public view, on any property zoned for residential or commercial or agricultural purposes any motor vehicle, trailer or semitrailer, as such are defined in Code of Virginia, § 46.2-100, which is inoperable. As used in this section, the term "inoperable motor vehicle" means any motor vehicle which is not in operating condition; or which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle or on which there are displayed neither valid license plates nor a valid inspection decal.

However, this section shall not apply to a licensed business which on June 26, 1970, is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

(b) The owners of property zoned for residential, commercial or agricultural purposes, at such time as the council may prescribe, shall remove therefrom any such inoperable motor vehicles, trailers or semitrailers that are not kept within a fully enclosed building or structure.

(c) The council, through its own agents or employees, may remove any such inoperable motor vehicle, trailer or semitrailer, whenever the owner of the premises, after reasonable notice of at least 30 days, has failed to do so.

(d) If the council, through its own agents or employees, removes any such motor vehicle, trailer or semitrailer, after having given such reasonable notice, the town may dispose of such motor vehicle, trailer or semitrailer after giving additional notice to the owner of the vehicle.

(e) The cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the town as taxes are collected.

(f) Every cost authorized by this section with which the owner of the premises shall have been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs shall have been made to the town.

(g) Violation of this section shall constitute a class 4 misdemeanor, and each day of continued violation shall constitute a separate offense.

### State Code § 15.2-904. Authority to restrict keeping of inoperable motor vehicles, etc., on residential or commercial property; removal of such vehicles; penalty.

A. Any locality may, by ordinance, provide that it shall be unlawful for any person to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned for residential or commercial or agricultural purposes any motor vehicle, trailer or semitrailer, as such are defined in § 46.2-100, which is inoperable. Any locality in addition may, by ordinance, limit the number of inoperable motor vehicles which any person may keep outside of a fully enclosed building or structure, but which are shielded or screened from view by covers. As used in this section, an "inoperable motor vehicle" may, at the election of the locality, mean any one or more of the following: (i) any motor vehicle which is not in operating condition; (ii) any motor vehicle which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle; or (iii) any motor vehicle on which there are displayed neither valid license plates nor a valid inspection decal. However, the provisions of this section shall not apply to a licensed business which on June 26, 1970, is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.



B. Any locality may, by ordinance, further provide that: (i) the owners of property zoned for residential, commercial or agricultural purposes shall, at such time or times as the locality prescribes, remove therefrom any such inoperable motor vehicles, trailers or semitrailers that are not kept within a fully enclosed building or structure; (ii) such locality through its own agents or employees may remove any such inoperable motor vehicles, trailers or semitrailers, whenever the owner of the premises, after reasonable notice, has failed to do so; (iii) in the event such locality, through its own agents or employees, removes any such motor vehicles, trailers or semitrailers, after having given such reasonable notice, such locality may dispose of such motor vehicles, trailers or semitrailers after giving additional notice to the owner of the vehicle; (iv) the cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the locality as taxes are collected; and (v) every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs has been made to the locality. Notwithstanding the other provisions of this subsection, if the owner of such vehicle can demonstrate that he is actively restoring or repairing the vehicle, and if it is shielded or screened from view, the vehicle and one additional inoperative motor vehicle that is shielded or screened from view and being used for the restoration or repair may remain on the property.

C. The governing body of any locality may by ordinance provide that violations of this section shall be subject to a civil penalty, which may be imposed in accordance with the provisions of § 15.2-2209.

D. Except as provided in this subsection, adoption of an ordinance pursuant to subsection C shall be in lieu of criminal penalties and shall preclude prosecution of such violation as a misdemeanor. The governing body of any locality may, however, by ordinance provide that such violations shall be a Class 3 misdemeanor in the event three civil penalties have previously been imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts, within a 24-month period. Classifying such subsequent violations as criminal offenses shall preclude the imposition of civil penalties for the same violation.

E. As used in this section, notwithstanding any other provision of law, general or special, "shielded or screened from view" means not visible by someone standing at ground level from outside of the property on which the subject vehicle is located.

#### Attachments

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Attachment A – Images

Attachment A Images



Attachment A Images – cont.





**Agenda Location: Discussion Items**

**Meeting Date: September 5, 2023**

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**ITEM TITLE:** 388 West Queen St (Old Treatment Plant) – Requested Stormwater Easement on town property.

**DESCRIPTION:**

Mr. Blaine Wilson owns the property across Queen Street and is looking to develop residential lots. Staff met on site with Mr. Wilson, his designer and the Shenandoah County Erosion & Sediment Control Program Administrator.

Staff has identified some benefits to maintenance of the right-of-way if the stormwater is controlled and diverted off the roadway.

Staff has modified the plat to indicate the location staff identified as the best location to limit the effect the easement has on the buildable area of the lot.

**ATTACHMENTS:**

- Letter of request from Mike Artz with Pennoni
- Plat showing proposed location of easement and staff recommended location of easement.

*Prepared by Brian Otis, Planning & Zoning Administrator*



## **MEMORANDUM**

**TO:** Waverly Coggsdale  
**FROM:** Mike Artz, LS  
**DATE:** August 30, 2023  
**SUBJECT:** Stormwater Drainage Easement – Queen Street

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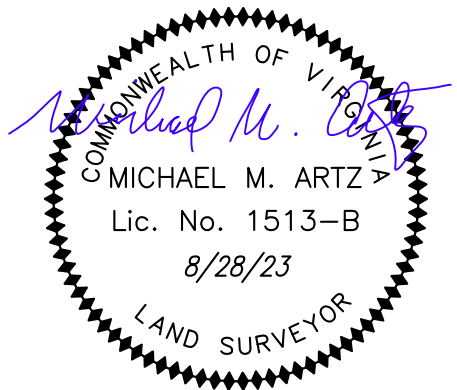
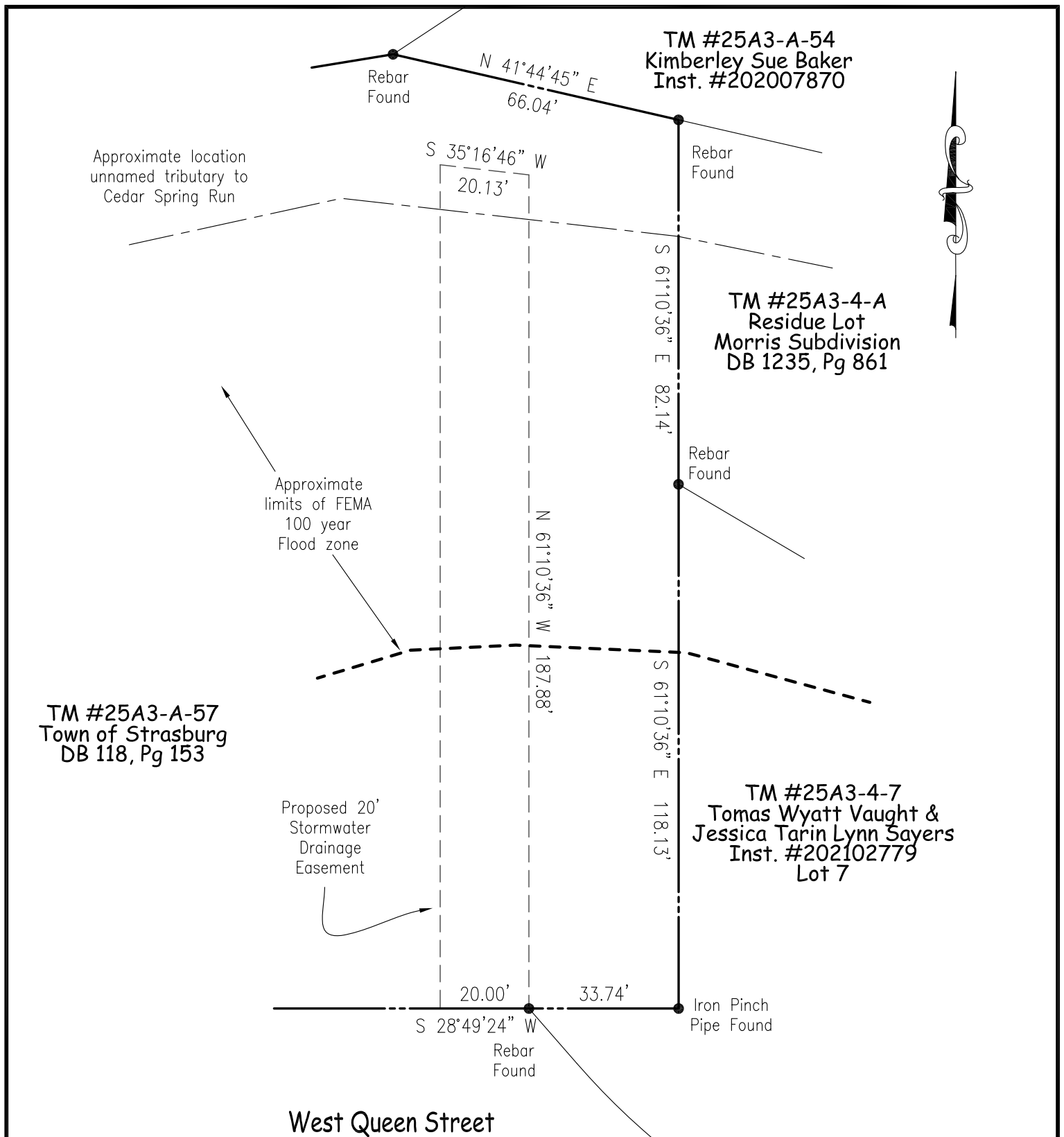
We are in the process of preparing Grading Plans for the construction of homes on Lots A, B, and C of Queens Court, Section Two located on the western end of Queen Street and we have become aware of some existing drainage issues where stormwater is running across Queen Street and a private driveway that currently serves 390 High Street in the area of the old water treatment facility. This creates an unsafe condition, especially in colder weather.

We have met on site with the Town and the County and discussed options for dealing with the stormwater. The only real option is to grade a small ditch along the southern side of Queen Street (along the front of the three lots) to intercept the stormwater which would then collect in a new storm pipe before the 390 High Street driveway. This pipe would then need to cross under Queen Street and discharge in to the 100 year flood plain and small un-named tributary to Cedar Spring Run just to the north of the old water treatment facility. We understand the Town is considering the disposition of this property and it would be appropriate to provide a 20' wide stormwater drainage easement for any portion of the pipe and discharge ditch located on the Water Treatment Facility.

All of the stormwater runoff generated by the development of these three lots including all the rooftop drainage would be handled by this proposed option except for the grass rear yards of the lots. Additionally, the developer, Affordable Properties will be responsible for all the costs associated with this proposal.

Please feel free to contact me if you have questions.

Mike Artz, LS  
Pennoni, Inc.  
540-327-3233



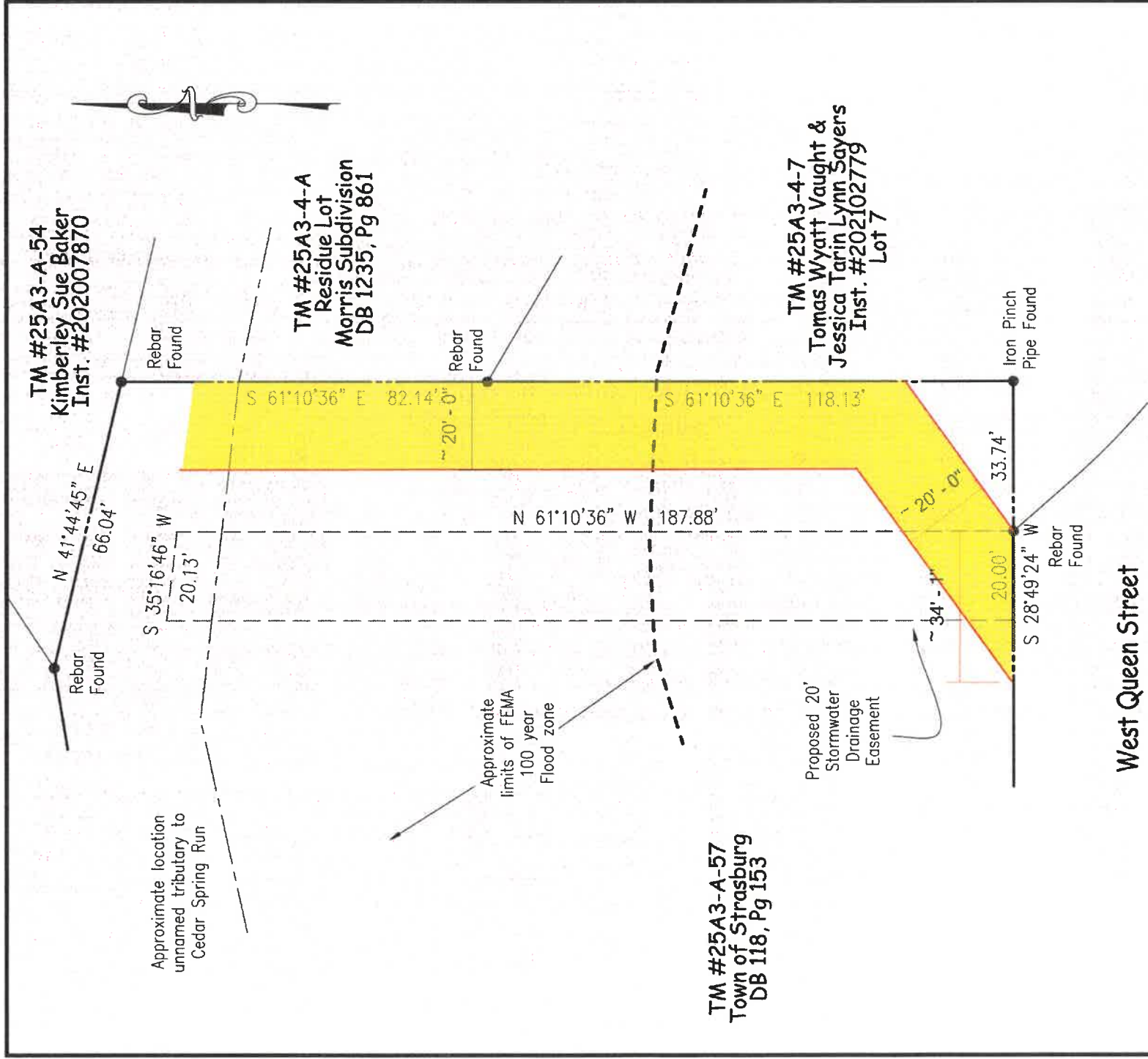
# Proposed Stormwater Drainage Easement

Town of Strasburg, Shenandoah County, Virginia  
Scale: 1" = 30' Date: August 28, 2023

Present Owner  
Town of Strasburg  
TM #25A3-A-57 DB 118, Pg 153

PREPARED BY:  
**PENNONI ASSOCIATES INC.**

**Pennoni**  
117 East Piccadilly Street  
Winchester, VA 22601  
T 540.667.2139  
F 540.665.0493



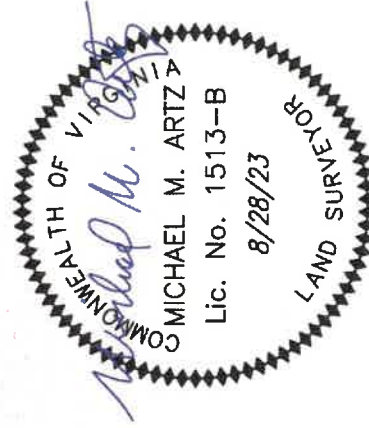
TM #25A3-A-57  
Town of Strasburg  
DB 118, Pg 153



### Proposed Stormwater Drainage Easement

Town of Strasburg, Shenandoah County, Virginia  
Scale: 1" = 30' Date: August 28, 2023

Present Owner  
Town of Strasburg  
TM #25A3-A-57 DB 118, Pg 153



PREPARED BY:  
**PENNONI ASSOCIATES INC.**



117 East Piccadilly Street  
Winchester, VA 22601  
T 540.667.2139  
F 540.665.0493



**Agenda Location: Discussion Items**

**Meeting Date: September 5, 2023**

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**ITEM TITLE:** Special Event requirements and use of town property.

**DESCRIPTION:**

Based on past events and current applications regarding the use of town property, staff is requesting direction on possible revisions to our policy for use of public spaces.

The known concerns are;

- Noise/amplified sound
- Parking
- Overcrowding
- Maintaining access for the public as a whole
- Rental vs. Open to the Public

Locations to consider;

- Town Park open space
- Town Park pavilions
- Town Square open space
- Town Square pavilion
- Visitors Center open area
- Future use of 115 W. King St. rear lot

*Prepared by Brian Otis, Planning & Zoning Administrator*



# COMMITTEE OF THE WHOLE





**Agenda Location: Committee of the Whole**

**Meeting Date: September 5, 2023**

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**ITEM TITLE:** General Assembly Legislative Update

**Executive Summary:** The 2023 General Assembly convened for its short session on Wednesday, January 11, 2023, session. Overall, the General Assembly did not pass much legislation of significance to local governments. One item of particular interest is an amendment to the Code of Virginia § 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notices of certain amendments, which is attached for your review.

Staff has reviewed the change and based on the new language stating the period of advertisement and the inclusion of the term “intended option”, the Town’s current process of holding the public hearing at the Work Session (1<sup>st</sup> Monday) and taking action at the Regular Meeting (2<sup>nd</sup> Tuesday) will not accommodate the process. This will require the Town to seek to conduct the public hearing and take action at the same meeting; if action is not taken at the published meeting then it can be interpreted that you have to readvertise.

Several other pieces of legislation or studies passed that may have some impact on the Town. Some highlights include:

**SB1069:** Drivers stopping for pedestrians – Signage can now require vehicles to stop, not just yield to pedestrians.

**HB2494:** Annual Report to Department of Housing and Community Development on Land use issues (adoption or amendments to housing policies, proffer policy changes, changes to subdivision, zoning ordinance, or comprehensive plan.)

**SB1185:** Extends Moratorium on issuing City Charters to at least 2032.

**SB1151:** Land Use Public Hearing Advertisements – Reduces the amount of description that needs to be placed in a printed advertisement.

**HB2271:** Short Term Rental Study – Group to study a proposed bill that would exempt local short term rental regulations if property was managed by a realtor.

**SB1455:** Civil disturbance; local curfew – Chief law enforcement officer can enact a curfew up to 24 hours during a civil disturbance, longer requires governing body action.

**Code 15.2 – 1804** - Amended to require all localities (not just those over 100,000 population as was previously defined) to comply with specific energy standards for new or renovated building over 5,000 square feet.

**POTENTIAL ACTIONS**

- Consensus to Approve a new public hearing schedule for Town Council, per discussion.

**Attachment(s):**

- *Code of Virginia § 15.2-2204*

## § 15.2-2204. Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments

A. Plans or ordinances, or amendments thereof, recommended or adopted under the powers conferred by this chapter need not be advertised in full, but may be advertised by reference. Every such advertisement shall identify the place or places within the locality where copies of the proposed plans, ordinances or amendments may be examined.

**The local planning commission shall not recommend nor the governing body adopt any plan, ordinance or amendment thereof until notice of intention to do so has been published once a week for two successive weeks in some newspaper published or having general circulation in the locality, with the first notice appearing no more than 14 days before the intended adoption;** however, the notice for both the local planning commission and the governing body may be published concurrently. The notice shall specify the time and place of hearing at which persons affected may appear and present their views. The local planning commission and governing body may hold a joint public hearing after public notice as set forth in this subsection. If a joint hearing is held, then public notice as set forth in this subsection need be given only by the governing body. As used in this subsection, "two successive weeks" means that such notice shall be published at least twice in such newspaper, with not less than six days elapsing between the first and second publication. In any instance in which a locality has submitted a correct and timely notice request to such newspaper and the newspaper fails to publish the notice, or publishes the notice incorrectly, such locality shall be deemed to have met the notice requirements of this subsection so long as the notice was published in the next available edition of a newspaper having general circulation in the locality. After enactment of any plan, ordinance or amendment, further publication thereof shall not be required.

B. When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of 25 or fewer parcels of land, then, in addition to the advertising as required by subsection A, the advertisement shall include the street address or tax map parcel number of the parcels subject to the action. Written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner or owners, their agent or the occupant, of each parcel involved; to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels that lie in other localities of the Commonwealth; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property as may be required by the commission or its agent. However, when a proposed amendment to the zoning ordinance involves a tract of land not less than 500 acres owned by the Commonwealth or by the federal government, and when the proposed change affects only a portion of the larger tract, notice need be given only to the owners of those properties that are adjacent to the affected area of the larger tract. Notice sent by registered or certified mail to the last known address of such owner as shown on the current real

estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement. If the hearing is continued, notice shall be remailed. Costs of any notice required under this chapter shall be taxed to the applicant.

When a proposed amendment of the zoning ordinance involves a change in the zoning map classification of more than 25 parcels of land, or a change to the applicable zoning ordinance text regulations that decreases the allowed dwelling unit density of any parcel of land, then, in addition to the advertising as required by subsection A, the advertisement shall include the street address or tax map parcel number of the parcels as well as the approximate acreage subject to the action. For more than 100 parcels of land, the advertisement may instead include a description of the boundaries of the area subject to the changes and a link to a map of the subject area. Written notice shall be given by the local planning commission, or its representative, at least five days before the hearing to the owner, owners, or their agent of each parcel of land involved, provided, however, that written notice of such changes to zoning ordinance text regulations shall not have to be mailed to the owner, owners, or their agent of lots shown on a subdivision plat approved and recorded pursuant to the provisions of Article 6 (§ 15.2-2240 et seq.) where such lots are less than 11,500 square feet. One notice sent by first class mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement, provided that a representative of the local commission shall make affidavit that such mailings have been made and file such affidavit with the papers in the case. Nothing in this subsection shall be construed as to invalidate any subsequently adopted amendment or ordinance because of the inadvertent failure by the representative of the local commission to give written notice to the owner, owners or their agent of any parcel involved.

The governing body may provide that, in the case of a condominium or a cooperative, the written notice may be mailed to the unit owners' association or proprietary lessees' association, respectively, in lieu of each individual unit owner.

Whenever the notices required hereby are sent by an agency, department or division of the local governing body, or their representative, such notices may be sent by first class mail; however, a representative of such agency, department or division shall make affidavit that such mailings have been made and file such affidavit with the papers in the case.

A party's actual notice of, or active participation in, the proceedings for which the written notice provided by this section is required shall waive the right of that party to challenge the validity of the proceeding due to failure of the party to receive the written notice required by this section.

C. When a proposed comprehensive plan or amendment thereto; a proposed change in zoning map classification; or an application for special exception for a change in use or to increase by greater than 50 percent of the bulk or height of an existing or proposed building, but not including renewals of previously approved special exceptions, involves any parcel of land located within one-half mile of a boundary of an adjoining locality of the Commonwealth, then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 10 days before the hearing to the chief administrative officer, or his designee, of such adjoining locality.

D. When (i) a proposed comprehensive plan or amendment thereto, (ii) a proposed change in zoning map classification, or (iii) an application for special exception for a change in use involves any parcel of land located within 3,000 feet of a boundary of a military base, military installation,

military airport, excluding armories operated by the Virginia National Guard, or licensed public-use airport then, in addition to the advertising and written notification as required by this section, written notice shall also be given by the local commission, or its representative, at least 30 days before the hearing to the commander of the military base, military installation, military airport, or owner of such public-use airport, and the notice shall advise the military commander or owner of such public-use airport of the opportunity to submit comments or recommendations.

E. The adoption or amendment prior to July 1, 1996, of any plan or ordinance under the authority of prior acts shall not be declared invalid by reason of a failure to advertise or give notice as may be required by such act or by this chapter, provided a public hearing was conducted by the governing body prior to such adoption or amendment. Every action contesting a decision of a locality based on a failure to advertise or give notice as may be required by this chapter shall be filed within 30 days of such decision with the circuit court having jurisdiction of the land affected by the decision. However, any litigation pending prior to July 1, 1996, shall not be affected by the 1996 amendment to this section.

F. Notwithstanding any contrary provision of law, general or special, the City of Richmond may cause such notice to be published in any newspaper of general circulation in the city.

G. When a proposed comprehensive plan or amendment of an existing plan designates or alters previously designated corridors or routes for electric transmission lines of 150 kilovolts or more, written notice shall also be given by the local planning commission, or its representative, at least 10 days before the hearing to each electric utility with a certificated service territory that includes all or any part of such designated electric transmission corridors or routes.

H. When any applicant requesting a written order, requirement, decision, or determination from the zoning administrator, other administrative officer, or a board of zoning appeals that is subject to the appeal provisions contained in § 15.2-2311 or 15.2-2314, is not the owner or the agent of the owner of the real property subject to the written order, requirement, decision or determination, written notice shall be given to the owner of the property within 10 days of the receipt of such request. Such written notice shall be given by the zoning administrator or other administrative officer or, at the direction of the administrator or officer, the requesting applicant shall be required to give the owner such notice and to provide satisfactory evidence to the zoning administrator or other administrative officer that the notice has been given. Written notice mailed to the owner at the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall satisfy the notice requirements of this subsection.

This subsection shall not apply to inquiries from the governing body, planning commission, or employees of the locality made in the normal course of business.

Code 1950, § 15-961.4; 1962, c. 407, § 15.1-431; 1964, c. 632; 1968, cc. 354, 714; 1973, cc. 117, 334; 1974, cc. 100, 570; 1975, c. 641; 1976, c. 642; 1977, c. 65; 1982, c. 291; 1990, c. 61; 1992, cc. 353, 757; 1993, cc. 128, 734; 1994, c. 774; 1995, c. 178; 1996, cc. 613, 667; 1997, c. 587; 2001, c. 406; 2002, c. 634; 2004, cc. 539, 799; 2005, c. 514; 2007, cc. 761, 813; 2011, c. 457; 2012, c. 548; 2013, cc. 149, 213; 2022, c. 478; 2023, cc. 506, 507.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.



**Agenda Location: Discussion Items**

**Meeting Date: September 5, 2023**

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**ITEM TITLE:** Planning Commission recommendation – Short-term Rental Ordinance

**DESCRIPTION:**

The Planning Commission voted unanimously to make a recommendation to the Town Council requesting staff and the Planning Commission to review and revise the current short-term rental ordinance as adopted October 12, 2021.

The Planning Commission also voted unanimously to recommend that Town Council direct staff to research if an emergency amendment to the ordinance prohibiting the short-term rental use or stay of applications can be made to prevent these uses from being approved prior to above requested revision is adopted.

*Prepared by Brian Otis, Planning & Zoning Administrator*

# COUNCIL MEMBER COMMENTS





# CLOSED MEETING



- Pursuant to Code of Virginia §2.2-3711(A)(1) for discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. The subject of the closed meeting is to discuss the applicants for the appointment to the Town Council to fill the unexpired term of Doreen Ricard.



# ADJOURNMENT

