



CITY OF EMPORIA

Memorandum

June 13, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Zoning Code Amendment Request – 920 West Atlantic Street
ITEM #: 14-36

Elliott Sadler has submitted a zoning code amendment application to allow a “recreational vehicle temporary park” on the property located behind the Sadler Travel Plaza at 920 W. Atlantic Street. According to the application, Mr. Sadler wishes “to create a temporary trailer court for recreational vehicles to fulfill the need of the Dominion Power project.” In addition, he intends to provide water and sewer hook-ups for the recreational vehicles that will be located on the property. According to the attached site plan, he proposes to have 111 recreational vehicle spaces on the lot. This property is zoned C-2 Commercial District and is identified as City Tax Map Number 101-A-0-1.

Sec. 90-51 of the City’s Zoning Code specifically prohibits the proposed use requested within the City. It states, “The parking or storage of a single wide manufactured home/mobile home, travel trailer or recreational vehicle in any district except in a manufactured home/mobile home park is hereby prohibited, except that one travel trailer or recreational vehicle may be parked or stored on any lot, provided that no living quarters shall be maintained within such travel trailer or recreational vehicle while such vehicle is parked or stored. It is further provided, however, that mobile vehicles may be placed on railroad right-of-way for the purpose of supplying temporary housing for personnel engaged in emergency repair work, subject to the approval of the zoning administrator and the health department, for a period not to exceed 30 days.”

As stated in Sec. 90-77 (a) “C-2 Commercial Districts shall be utilized to accommodate general business areas or for auto or highway-oriented commercial uses, and wholesaling operations which, by nature or space requirements, do not lend themselves to being concentrated within a centralized, C-1 district area.”

According to the City's 2008-2028 Comprehensive Plan Future Land Use Map this property is designated as "General Commercial." The Comprehensive Plan describes General Commercial as "areas intended for general commercial development including large retail stores, services, lodging/restaurants, offices, and shopping centers. General Commercial areas should be located on collector or arterial roads, have sufficient parking, and be adequately served by public utilities and services."

Recommendation

In reviewing this request, the purpose and intent of the C-2 Commercial District as stated in the Zoning Code, and the City's Comprehensive Plan I do not recommend that Sec. 90-77 (b) be amended to allow "recreational vehicle parks," either in a temporary or permanent capacity.

First and foremost, Sec. 90-51 already specifically prohibits this use in all zoning districts. Should this use be listed as a permitted use in the C-2 Commercial District, Sec. 90-51 will also need to be amended. Second, in reviewing the purpose and intent of the C-2 Commercial District and Comprehensive Plan documents, I do not believe this is a use that is compatible with the existing and future land use for that area, the abutting residential district, nor the City as a whole. Third, in doing research on this matter, the only other city that Administration could find that allows this type of development is the City of Galax. According to the Galax City Manager, Galax allows "campgrounds" only in specific areas. Permitted campgrounds must meet Virginia Department of Health requirements (see attached). Fourth, this type of use is more appropriate in a rural county setting away from commercial and residential development. Finally, this type of development does not appear to be compatible with City Council's fourth strategic priority of "City Appeal - Vitalize the overall appearance of the City to create an atmosphere that is attractive and appealing to citizens, businesses, and visitors."

Should you wish to list this as a permitted use, I further recommend this type of use be granted only under the issuance of a conditional use permit to help ensure proper development standards are met and that potential impacts are addressed through conditions. To be clear, I do not recommend amending the City's Zoning Code to allow this type of use, either by-right nor under issuance of a conditional use permit. City staff has also reviewed this request and expressed concerns regarding the proposal. At its June 10, 2014 meeting the Planning Commission voted (7 to 0 with 1 abstention) to recommend that you amend the Zoning Code to list recreational vehicle parks as a permitted use with conditional use permit.

Attached are two versions of an ordinance to amend Sections 90-1, 90-51, and 90-77 (b) of the City Code that would allow recreational vehicle parks. Option 1 lists recreational vehicle parks as a permitted use by-right. Option 2 lists recreational vehicle parks as a permitted use with conditional use permit. Both versions include a definition of recreational vehicle park in Section 90-1 and amend Section 90-51. Should you approve option 2, Mr. Sadler would need to apply for a conditional use permit to establish a recreational vehicle park on the property. At that time, you could impose conditions pertaining to the development of the recreational vehicle park, should you choose to approve the conditional use permit. Furthermore, Mr. Sadler would then have to obtain a permit through the Virginia Department of Health to construct the recreational vehicle park and adhere to its rules and regulations.

Attachments

Application

Site Plan

Zoning and Aerial Maps

Tax Map Sheet

Sec. 90-51 - Mobile Home and Trailer Parking

Sec. 90-77 (b) C-2 Commercial District – Uses Permitted

Comprehensive Plan Future Land Use Map

Comprehensive Plan General Commercial Use Designation Description

City-wide Zoning Map

Virginia Department of Health Campground Rules and Regulations

Option 1 Ordinance – Recreational Vehicle Parks (By-Right)

Option 2 Ordinance – Recreational Vehicle Parks with conditional use permit



CITY OF EMPORIA

Memorandum

June 13, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Zoning Code Amendment Request – 420-B South Main Street
ITEM #: 14-37

Muata Khalif has submitted a zoning code amendment application to allow a “cosmetology and barbering school” at the existing building located at 420-B South Main Street. This property is zoned Downtown District and is identified as City Tax Map Number 182-A-25A.

For the purposes of this application, I consider a “cosmetology and barbering school” as a “trade or vocational school.” Sec. 90-80 (b) does not list “trade or vocational schools” as permitted uses within the Downtown District. However, Sec. 90-77 (b) does list “trade or vocational schools, with conditional use permit” as permitted uses within the C-2 Commercial District. As such, in order to allow Mr. Khalif to operate a “cosmetology and barbering school” at the location specified above, you will need to consider whether “trade or vocational schools” should be added as permitted uses within the Downtown District.

As stated in Sec. 90-80 (a) “the DT Downtown District is hereby recognized as an integral part of the City’s unique character and the goal of this section is to promote the conservation and preservation of the City’s downtown areas and to encourage retail, general commercial business establishments, and other appropriate mixed uses to which the public requires direct and frequent access and is characterized by constant heavy traffic and by noises of congestion. The DT Downtown District includes such uses as retail stores, banks, offices, restaurants and taverns located in the central area of the City.”

According to the City’s 2008-2028 Comprehensive Plan Future Land Use Map this property is designated as “Downtown/Mixed Use.” The Comprehensive Plan states the Downtown/Mixed Use designation is intended “to serve as a transition zone between residential areas and more intense commercial uses. This designation is intended to control the transition from residential use to office and low-intensity business use. Appropriate uses include, but are not limited to,

legal/financial, real estate, personal services, and other types of low-impact business uses. Conventional retail uses are discouraged. Businesses should generate a low volume of traffic, be controlled in terms of times of operation and be generally non-intrusive to neighboring residences. In addition, the Comprehensive Plan Planning Factors Map designates this property as a “Historic Downtown Preservation” area.

Recommendation

In reviewing this request, the purpose and intent of the Downtown District as stated in the Zoning Code, and the City’s Comprehensive Plan I recommend that Sec. 90-80 (b) be amended to allow “trade or vocational schools with conditional use permit” in the Downtown District. I believe smaller scale “trade or vocational schools,” such as the one proposed in this instance and at this location, are appropriate permitted uses in the Downtown District. Requiring a conditional use permit for these uses will help ensure proper development standards are met and that potential impacts are addressed through conditions. At its June 10, 2014 meeting the Planning Commission voted (8 to 0) to recommend that you amend the Zoning Code to list trade or vocational schools as a permitted use with conditional use permit.

Attached are two versions of an ordinance to amend Section 90-80 (b) of the City Code that would allow trade or vocational schools as permitted uses in the Downtown District. Option 1 lists trade or vocational schools as permitted uses by-right. Option 2 lists trade or vocational schools as permitted uses with conditional use permit. Should you approve Option 2, Mr. Khalif would need to apply for a conditional use permit to open a cosmetology and barbering school at the location specified. At that time, you could impose conditions pertaining to the operation of the cosmetology and barbering school, should you choose to approve the conditional use permit.

Attachments

Application

Zoning and Aerial Maps

Tax Map Sheet

Sec. 90-77 (b) C-2 Commercial District – Uses Permitted

Sec. 90-80 (a) Downtown District – Purpose and Intent

Sec. 90-80 (b) Downtown District – Uses Permitted

Comprehensive Plan Land Use Map

Comprehensive Plan Downtown/Mixed Use Designation Description

Comprehensive Plan Planning Factors Map

City-wide Zoning Map

Option 1 Ordinance – Trade or Vocational Schools (By-Right)

Option 2 Ordinance – Trade or Vocational Schools with conditional use permit



CITY OF EMPORIA

PUBLIC HEARINGS

- 1. Zoning Code Amendment Request – 920 West Atlantic Street**
- 2. Zoning Code Amendment Request – 420-B South Main Street**

AGENDA
EMPORIA CITY COUNCIL
Regular Meeting
TUESDAY, June 17, 2014 - 6:30 P.M.

OPENING PRAYER

ROLL CALL

APPROVAL OF MINUTES

June 3, 2014 ~ Public Hearing and Regular Meeting

APPROVAL OF BILLS

REPORTS

Financial and Tax Reports
Commissioner of the Revenue Report
Permit and Inspection Report
Police Report
Sheriff Report
Fire Report
City Attorney Report

APPROVAL OF AGENDA

UNFINISHED BUSINESS

14-34 – Mosquito Control Commission– Board Appointment

NEW BUSINESS

14-36 – Zoning Code Amendment Request – 920 West Atlantic Street
14-37 – Zoning Code Amendment Request – 420-B South Main Street
14-38 – Proposed FY15 General and Utility Fund Budgets
14-39 – 2014 Fourth of July Fireworks Display

PUBLIC COMMENT

CLOSED SESSION

PUBLIC HEARING

1. Proposed FY15 General and Utility Fund Budgets

Emporia's City Council held a Public Hearing on Tuesday, June 3, 2014 at 6:30P.M. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary Person presided over the public hearing.

The following City Council members were present:

Councilman F. Woodrow Harris
Councilwoman Doris T. White
Councilwoman Carolyn S. Carey
Councilwoman L. Dale Temple
Councilwoman Deborah D. Lynch
Councilman James E. Ewing, III
Councilwoman Carol Mercer

Others present:

Mary L. Person, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manager
Lori R. Jarratt, Executive Secretary
Dr. Edwin C. Daley, Assistant City Manager
Sheila Cutrell, Finance Director
Don Wyatt, Chief

Absent:

Tessie Wilkins, City Clerk

1. Proposed FY15 General and Utility Fund Budgets

Mr. Thrower stated that the proposed FY15 General Fund budget is \$19,520,597. He also stated that departmental requests totaled \$21,686,195. He advised that the primary impacts to the City's FY15 budget include a 14.5% health insurance increase (\$65,177), increase in the City's share of funding for the Greensville County Public School System (\$47,745), and the City's share of debt service for the Commonwealth Attorney's Office (\$37,368). He also advised that he was also proposing a 2% COLA increase (\$41,881) effective January 11, 2015. He also stated that the \$100,000 loss of leachate acceptance revenue that had been transferred from the Utility Fund to the General Fund has been replaced by a Payment in Lieu of Taxes (\$124,106) from the Utility Fund.

He reported that in terms of school funding, the School Board requested a total of \$8,225,631 in local funds. He also stated that this was an increase of \$1,067,492 over the approved FY14 budget (\$7,158,139). He further reported that the City of Emporia and Greensville County

Administration have tentatively agreed to a joint funding increase figure of \$237,000. He reported that the City's increase in contribution to the school system using that figure is \$47,745 for a total City contribution of \$3,420,258. He advised that this increase is equivalent to approximately 1.4 cents on the real property tax rate using a 98% collection rate (1 penny @ a 98% collection rate = \$35,087 in revenue). He also advised that the proposed local funding increase will help offset health insurance and Virginia Retirement System (VRS) rate increases.

He stated that in terms of major initiatives, the S. Main Street Enhancement Project, W. Atlantic Neighborhood Improvement Project, and Belfield Downtown Revitalization Project continue to be funded in the proposed budget. He also stated that other projects including Phase II of Farmers Market Trailhead Project, Emporia Industrial Park drainage improvements, improvements to the Emporia Animal Shelter, and the City's share of funding for the E. Atlantic Street Reconstruction Project have not been included in the proposed budget. He further stated that he may be asking Council to consider funding these projects separately over the course of FY15 after plans have been more fully developed and actual bids have been received. He advised that any City funding for these projects will need to be appropriated from Fund Balance.

He advised that in terms of vehicles and major equipment, he is proposing to purchase two Police cruisers (\$66,000), two Public Works pick-up trucks (\$44,796), an asphalt roller (\$18,000), and a pressure washer (\$4,000). He also advised that these vehicles and equipment will be financed for three years.

He stated that in order to balance the proposed FY15 budget, he is proposing a 7 cent increase in the real property tax rate. He also stated that approximately 2 cents of this proposed increase is to offset the decline in real estate values. He further advised that the other 5 cents is primarily attributed to the aforementioned increases in health insurance, school funding, and Commonwealth Attorney's Office debt service. He advised that this would increase Emporia's real property tax rate to \$0.92 per \$100 valuation. He also advised that according to the Weldon Cooper Center for Public Service, the mean (average) real property tax rate for Virginia cities is 97 cents. He stated that the median is \$1.03. He also stated that should Council approve the proposed real property tax rate increase, Emporia's rate will still be lower than the mean and median for Virginia cities.

Utility Fund Budget

He advised that the proposed FY15 Utility Fund budget stands at \$17,631,869. He also advised that departmental requests totaled \$18,513,368.

The proposed FY15 water rates are as follows:

Current Water Rates		Proposed FY15 Water Rates	
Minimum 2,000 gallons	\$17.66	Minimum 2,000 gallons	\$20.31 – 15%
Next 48,000/1,000	\$ 7.90	Next 48,000/1,000	\$ 9.48 – 20%
Over 50,000/1,000	\$ 4.98	Over 50,000/1,000	\$ 5.73 – 15%

The proposed FY15 sewer rates are as follows:

Current Sewer Rates		Proposed FY15 Sewer Rates	
Minimum 2,000 gallons	\$18.27	Minimum 2,000 gallons	\$20.10 – 10%
Next 48,000/1,000	\$ 6.53	Next 48,000/1,000	\$ 7.51 – 15%
Over 50,000/1,000	\$ 5.22	Over 50,000/1,000	\$ 5.74 – 10%

He stated that the Water Treatment Plant Upgrade Project is currently underway. He also stated that construction is expected to be completed by September 2015. He further stated that in terms of new initiatives included in the proposed budget, City Administration proposes to move forward with improvements to the Water Distribution System (\$2,500,000), the W. Atlantic Sewer Main Replacement Project (\$420,000), and improvements to the Wastewater Treatment Plant (\$1,650,000). He advised that the aforementioned water and sewer rate increases are required in order to pay the debt service (20 years) on these projects, as well as cover the proposed 2% COLA increase (\$9,833) effective January 11, 2015, the 14.5% health insurance increase (\$13,623), and the Payment in Lieu of Taxes expenditure (\$124,106) that is shown as revenue in the General Fund budget.

Mayor Person asked if there was anyone present that wished to speak regarding this matter.

Marva Dunn of 272 Astrio Street, Emporia, Virginia 23847 addressed Council stating that she was understanding that the proposed budget would be an increase in water and sewer rates for residential users. Mayor Person stated that the proposed FY15 budget did include water and sewer rate increases.

Ms. Dunn asked Council to find other means of paying for projects without having to increase the costs of the water and sewer rates for the citizens.

Mayor Person stated that Council understood her concerns but unfortunately an increase in water and sewer rates was the only means of covering projects that are needed at this particular time.

Lynwood Matthews of 766 Courtland Road, Emporia, Virginia 23847 addressed Council thanking them for their time and efforts in having a budget ready for FY15.

With their being no further comments to come before City Council, Mayor Person declared the public hearing closed.

Mary L. Person, Mayor

Lori R. Jarratt, Executive Secretary

**MINUTES
EMPORIA CITY COUNCIL
CITY OF EMPORIA MUNICIPAL BUILDING
JUNE 3, 2014**

Note to Reader: Although the printed agenda document for this City Council meeting is not part of these minutes, the agenda document provides background information on the items discussed by City Council during the meeting. A copy of the agenda document for this meeting may be obtained by contacting the Office of the City Clerk.

Emporia City Council held a regular meeting on Tuesday, June 3, 2014 at 6:30 p.m. in the Council Chambers of the Municipal Building, located at 201 South Main Street, Emporia, Virginia. Mayor Mary L. Person presided over the meeting with Carolyn Carey, Council Member offering the invocation.

ROLL CALL

The following City Council members were present:

Councilman F. Woodrow Harris
Councilwoman Doris T. White
Councilwoman Carolyn S. Carey
Councilwoman L. Dale Temple
Councilwoman Deborah D. Lynch
Councilman James E. Ewing, III
Councilwoman Carol Mercer

Others present:

Mary L. Person, Mayor
C. Butler Barrett, City Attorney
Brian S. Thrower, City Manager
Lori R. Jarratt, Executive Secretary
Dr. Edwin C. Daley, Assistant City Manager
Sheila Cutrell, Finance Director
Don Wyatt, Chief

Absent:

Tessie Wilkins, City Clerk

MINUTES APPROVAL

Councilwoman Temple moved to approve the minutes from the Tuesday, May 20, 2014, City Council Regular meeting as presented, seconded by Councilwoman White, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye

Councilwoman L. Dale Temple	aye
Councilwoman Deborah D. Lynch	aye
Councilman James E. Ewing, III	aye
Councilwoman Carol Mercer	aye

AGENDA APPROVAL

Councilwoman Carey moved to approve the agenda as presented, seconded by Councilwoman Temple, which passed as follows:

Councilman F. Woodrow Harris	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye
Councilwoman Deborah D. Lynch	aye
Councilman James E. Ewing, III	aye
Councilwoman Carol Mercer	aye

NEW BUSINESS

14-31. FY15 Greenville County School System Budget – Request to Adopt Resolution

Mr. Thrower reported that the Greenville County School System requested \$8,225,631 in combined local funding for FY15. He also reported that the City of Emporia and Greenville County have proposed combined local funding of \$7,395,143, which is an increase of 3.31% over FY14. He further reported that per the school funding contract, the City's share is \$3,420,258 and Greenville County's share is \$3,974,885.

He stated that the confirmed average daily membership (ADM) number are as follows:

\$1,039.77 (Emporia)
<u>\$1,286.43 (Greenville)</u>
\$2,326.20 (Total)

He advised that the City's ADM numbers increased by 25.91, while the County's decreased by 20.45.

Councilwoman Temple made a motion to adopt Resolution No. 14-04 approving the FY15 Greenville County School System Budget, seconded by Councilwoman Mercer which passed as follows:

Councilman F. Woodrow Harris	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye
Councilwoman Deborah D. Lynch	aye
Councilman James E. Ewing, III	aye
Councilwoman Carol Mercer	aye

14-32. July 1, 2014 Meeting – Request to Cancel

Mr. Thrower stated that as in previous years, he was recommending Council cancel the July 1, 2014 meeting due to the July 4th holiday.

Councilwoman Temple made a motion to cancel the July 1, 2014 Regular Meeting due to the July 4th holiday, seconded by Councilwoman Carey which passed as follows:

Councilman F. Woodrow Harris	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye
Councilwoman Deborah D. Lynch	aye
Councilman James E. Ewing, III	aye
Councilwoman Carol Mercer	aye

14-33. Planning Commission – Board Appointment

Mr. Thrower advised that effective June 30, 2014, the four year terms of Woodrow L. Bryant, Jr. and Thomas L. Vaughan will expire on the City's Planning Commission. He also advised that both individuals have indicated they wish to be considered for reappointment.

Councilwoman Temple made a motion to reappoint Woodrow L. Bryant, Jr. and Thomas L. Vaughan to the City's Planning Commission for a four term with an expiration date of June 30, 2018, seconded by Councilman Ewing which passed as follows:

Councilman F. Woodrow Harris	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye
Councilwoman Deborah D. Lynch	aye
Councilman James E. Ewing, III	aye
Councilwoman Carol Mercer	aye

14-34. Mosquito Control Commission – Board Appointment

Mr. Thrower reported that Doris White's term on the Mosquito Control Commission will expire on June 30, 2014. Ms. White has indicated that she does not wish to be reappointed.

Councilwoman White nominated Councilwoman Mercer. Councilwoman Mercer declined the nomination.

There were no nominations for this board.

14-35. Social Services – Board Appointment

Mr. Thrower stated that representatives appointed to the Social Services Board shall consist of one At-Large member residing in the City of Emporia and one member of City Council. He also reported that appointments to fill unexpired terms shall not be considered full terms, and such person shall be eligible to be appointed to two consecutive full terms.

He advised that on June 30, 2014 his term on the Social Services Board will expire. He also advised that he is currently filling an unexpired term and does wish to be considered for reappointment to a full four year term with an expiration date of June 30, 2018.

Councilman Harris nominated Brian Thrower to the Social Services Board.

Councilman Harris made a motion to appoint Brian Thrower to the Social Services Board for a four year term with an expiration date of June 30, 2018, seconded by Councilwoman Mercer which passed as follows:

Councilman F. Woodrow Harris	aye
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye
Councilwoman Deborah D. Lynch	aye
Councilman James E. Ewing, III	aye
Councilwoman Carol Mercer	aye

14-36. Southside Regional Jail Authority – Board Appointment

Mr. Thrower reported that the Southside Regional Jail Authority Board shall consist of a total of nine members to be appointed as follows: four members by the Board of Supervisors of Greensville County; three members by the Council of the City of Emporia; the Sheriff of Greensville County conjointly elected by voters of Greensville County and the City of Emporia – and the Sheriff of the City of Emporia.

He stated that the four year terms consisting of himself, Don Wyatt, Chief of Police, and F. Woodrow Harris, Council Member will expire on June 30, 2014. He also stated that each member wishes to be considered for reappointment for an additional four years with a term expiration date of June 30, 2018.

Councilwoman Temple nominated Brian Thrower, Don Wyatt and Councilman F. Woodrow Harris to the Southside Regional Jail Authority Board

Councilwoman Temple made a motion to reappoint Brian Thrower, Don Wyatt and Councilman F. Woodrow Harris to the Southside Regional Jail Authority Board for an additional four years with a term expiration date of June 30, 2018, seconded by Councilman Ewing which passed as follows:

Councilman F. Woodrow Harris	abstain
Councilwoman Doris T. White	aye
Councilwoman Carolyn S. Carey	aye
Councilwoman L. Dale Temple	aye
Councilwoman Deborah D. Lynch	aye
Councilman James E. Ewing, III	aye
Councilwoman Carol Mercer	aye

PUBLIC COMMENT

Mayor Person asked if anyone would like to bring a matter before City Council members adhering to the three-minute time limitation.

Marva Dunn, 272 Astrio Street, Emporia, Virginia 23847 addressed Council stating that she would like to thank the Chief of Police for the work that had been done in the area Harrie Street.

With there being no further comments to come before City Council, Mayor Person closed the public comment portion of the meeting.

ADJOURNMENT

With no further business to come before City Council, Mayor Person adjourned the meeting.

Mary L. Person, Mayor

Lori R. Jarratt, Executive Secretary

Review of Bills

June 17, 2014

GENERAL FUND

LEGISLATIVE

C. W. Warthen	338.94
Harris, F. Woodrow	507.89
Independent Messenger	227.71
Lakiesha Powell	13.00
Lynch, Deborah	375.00
Mercer, Carol	30.00
Telpage, Inc.	79.90
Treasurer of Virginia - VITA	7.32
Troy & Banks	32.89
Verizon	19.20
Xerox Corporation	99.82

EXECUTIVE

Daily Herald	434.13
Department of Motor Vehicles	20.00
Independent Messenger	419.10
Pembroke Occupational Health	150.00
Richmond Times Dispatch	1,374.30
Telpage, Inc.	84.95
The Bank by Kahill's	1,961.28
The Progress Index	411.57
The Tidewater News	274.00
Treasurer of Virginia - VITA	13.57
Verizon	285.70
Xerox Corporation	149.40

LAW

Barrett Law Office, PC	583.33
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REGISTRAR

Treasurer of Virginia - VITA	0.24
Verizon	19.20

EMERGENCY SERVICES

Sadler Brothers Oil Company, Inc.	104.34
Treasurer of Virginia - VITA	2.42
Verizon	38.40
Verizon Wireless	49.79

COURTS

Crater Youth Care Commission	15,106.00
Southside Regional Jail	81,358.00
The Law Ofc. Of W. Wm. Robinson, III	240.00
Treasurer of Virginia - VITA	9.10
Verizon	94.02

VICTIM WITNESS

Pitney Bowes	96.07
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VJCCCA/FAMILY VIOLENCE PREVENTION

Sadler Brothers Oil Company, Inc.	391.22
Safelite	260.89
Telpage, Inc.	49.95
Treasurer of Virginia - VITA	55.36
Verizon	351.22
Verizon Wireless	477.72

SHARED SERVICES

County of Greensville	440,128.39
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FINANCE

Anthem Blue Cross/Blue Shield	38,574.44
Treasurer of Virginia - VITA	5.94
Treasurer of Virginia - VRS	39,169.96
Verizon	57.35
Xerox Corporation	119.30

TREASURER

Amy Moseley	196.07
Emporia-Greensville Chamber	25.00
Karen Taylor	28.00
Treasurer of Virginia - VITA	201.18
University of Virginia	60.00
Verizon	155.87
Xerox Corporation	5.25

COMMISSIONER OF REVENUE/ASSESSOR

Commissioners of the Revenue Assoc.	125.00
Reliable Office Supplies	53.40
Treasurer of Virginia - VITA	211.49
Verizon	81.05
Xerox Corporation	0.83

DEBT SERVICE

BB&T Governmental Finance	7,553.54
First Citizens Bank	3,927.16
SunTrust Bank	3,267.13
The Bank of Hampton Roads	3,665.43
The Bank of Southside Virginia	2,258.48
USDA Rural Development	5,000.00

NON-DEPARTMENTAL

Emporia-Greens. Local Law Library	444.00
Greens./Emporia Dept. of Soc. Serv.	45,391.50
Greensville Volunteer Rescue Squad	4,452.24
Meherrin Regional Library	7,711.25

Review of Bills June 17, 2014

SHERIFF

Best Uniforms, Inc.	86.00
Brown, Sam C.	241.56
Emporia CNBB, LP	325.00
Gay, Elizabeth	106.26
Greene's Service Center	16.00
King's Shoe Shop	65.00
NAFECO	81.68
Sadler Brothers Oil Company, Inc.	536.31
Telpage, Inc.	39.99
Treasurer of Virginia - VITA	0.93
Verizon	104.68
Verizon Wireless	91.14
Virginia Industries for the Blind	30.00

FIRE

Amerigas Propane	2,349.31
City of Emporia Utility Fund	438.95
Dominion Virginia Power	889.15
Fire-X Corporation	166.73
Houchins Pest Control	18.50
Jerry's Professional Carpet Cleaning	450.00
Mecklenburg Electric Cooperative	468.13
Morris Refrigeration Company, Inc.	140.56
Parker Oil Company, Inc.	661.29
Sadler Brothers Oil Company, Inc.	146.47
Telpage, Inc.	39.95
Treasurer of Virginia - VITA	6.56
Verizon	153.60
Verizon Wireless	18.78

PARKS & RECREATION

Cintas Corporation	17.76
Sadler Brothers Oil Company, Inc.	341.32
Wootton Brothers Greenhouse	700.00

ECONOMIC DEVELOPMENT

The Tidewater News	366.50
Treasurer of Virginia - VITA	12.60
Verizon	19.20
Verizon Wireless	49.79
Xerox Corporation	103.01

PLANNING AND ZONING

American Housing Specialist	1,762.12
B & B Consultants, Inc.	2,600.00
Cobb Technologies	178.00
Community Planning Partners	4,265.08
Condor Construction & Development	33,250.00
Cynthia Batts	241.80
Dell Marketing LP	32.03
Dickens Construction, Inc.	14,000.00
Dominion Virginia Power	55,784.22
Doretha Taylor	177.80
Ed Daley	376.32
H. G. Reynolds Company, Inc.	66,418.77
Hampton Inn	802.56
Independent Messenger	483.88
John L. Walston	237.00
Kyle Green	194.52
Ogburn Signs & Printing	15.00
Quill Corporation	329.35
R & C Electric Services, Inc.	546.10
Sadler Brothers Oil Company, Inc.	344.03
Stantec Consulting Services, Inc.	3,645.00
Treasurer of Virginia - VITA	7.59
Verizon	282,913.40
Verizon Wireless	80.80
Wilbert Williams & Sons Bldg. Contr.	3,158.75
William L. Chambliss Contractor	22,215.75
William L. Whitman	3,225.72
Xerox Corporation	162.50

POLICE

Department of Motor Vehicles	10.00
ID Networks, Inc.	7,785.00
National Rifle Association	1,190.00
Sadler Brothers Oil Company, Inc.	9,136.80
Stan Allen	29.05
Telpage, Inc.	59.95
Treasurer of Virginia - VITA	1,091.83
Troy & Banks	64.26
Troy Hawkins	644.92
United Parcel Service	9.59
Verizon	1,704.54
Verizon Wireless	629.91

ANIMAL CONTROL

Sadler Brothers Oil Company, Inc.	280.23
Verizon Wireless	30.38

Review of Bills June 17, 2014

FACILITIES

Amerigas Propane	869.59
Cintas Corporation	297.54
City of Emporia Utility Fund	70.12
David W. Fladung	62.50
Dominion Virginia Power	2,550.50
Fire-X Corporation	93.25
Gaston Security, Inc.	160.00
Houchins Pest Control	175.75
Jerry's Professional Carpet Cleaning	320.00
Klugel & Son, Inc.	523.60
Mecklenburg Electric Cooperative	694.15
Morris Refrigeration Company, Inc.	3,521.60
Parker Oil Company, Inc.	35.55
R & C Electric Service, Inc.	68.15

PUBLIC WORKS

Amerigas Propane LP	413.97
Brunswick Landfill	1,842.25
Cintas Corporation	795.30
Commercial Ready Mix	298.00
Dominion Virginia Power	6,854.57
Enviro-Utilities	2,300.00
Fuel Freedom Card	4,502.63
Greensville County Landfill	16,669.98
Independent Messenger	201.83
Machine & Welding Supply Company	52.74
Mattern & Craig	5,200.00
Mecklenburg Electric Cooperative	1,544.97
Redwine International, Inc.	1,348.49
Rightmyer Machine Rentals	1,012.83
Sadler Brothers Oil Company, Inc.	2,619.96
Southside Regional Jail	302.20
Telpage, Inc.	39.95
Treasurer of Virginia - VDC	367.00
Treasurer of Virginia - VDOT	395.68
Treasurer of Virginia - VITA	13.46
Verizon	289.61
Verizon Wireless	211.71

TOTAL GENERAL FUND \$1,295,582.88

UTILITY FUND

Anthem Blue Cross/Blue Shield	9,362.00
Aquionics, Inc.	3,424.92
Brenntag Mid-South, Inc.	2,439.25
Cintas Corporation	716.13
Cobb Technologies, Inc.	90.00
Delbridge, Tom	1,844.30
Dewberry Engineers, Inc.	40,813.00
Dominion Virginia Power	5,221.39
Electric Motor Shop	2,871.84
Fire-X Corporation	44.44
Fuel Freedom Card	728.06
Hampton Roads Sanitation District	403.58
Instrumentation Services	425.00
M & W Printers, Inc.	897.86
Mecklenburg Electric Cooperative	7,565.59
Miller Supply Company	54.00
Ogburn Signs & Printing	87.50
Parker Oil Company, Inc.	467.56
Postmaster	741.90
Sadler Brothers Oil Company, Inc.	2,377.11
Step Saver Products	750.00
Suffolk Sales & Service	4,582.50
SunTrust Bank	166,579.70
Sydnor Hydro, Inc.	2,000.00
Telpage, Inc.	79.90
Treasurer of Virginia - DGS	1,406.00
Treasurer of Virginia - VITA	7.83
Treasurer of Virginia - VRS	9,597.37
United Parcel Service	6.87
Verizon	1,079.77
Verizon Wireless	190.44
VUPS	39.10

TOTAL UTILITY FUND \$266,894.91

**CITY OF EMPORIA
CITY COUNCIL MEETING
June 17, 2014
AGENDA MEMORANDUM**

**SUBJECT: FINANCIAL STATEMENT
COLLECTIONS 2013
COLLECTIONS 2010-2012
COLLECTIONS 2007-2009
DELINQUENT TAX SUMMARY-ALL YEARS
2013 PPTRA ALLOTMENT-COMPARISON
SALES & USE TAX COMPARISON
MONTHLY UTILITY DEPT. COMPARISON
CUT OFFS FOR UTILITY CUSTOMERS
UNCOLLECTED UTILITY BILLS
BOOT COLLECTIONS**

W. S. HARRIS, JR., TREASURER

Financial Statement

May 31, 2014

CHECKING / DAILY INVESTMENT

General Fund

Utility Fund

941,476.91

435,413.22

CERTIFICATES OF DEPOSIT / INVESTMENTS

FIRST COMMUNITY BANK	\$384,722.20	MMF @ .07%	NA	GF
CARTER BANK & TRUST	\$752,528.55	12 Mos @ .45%	6/28/2014	GF
CARTER BANK & TRUST	\$1,513,848.22	12 Mos @ .55%	1/7/2015	GF
CARTER BANK & TRUST	\$1,012,285.34	12 Mos @ .60%	1/30/2015	GF
CARTER BANK & TRUST	\$1,012,285.34	12 Mos @ .60%	1/30/2015	GF
CARTER BANK & TRUST	\$776,553.95	12 Mos @ .65%	2/5/2015	GF
CARTER BANK & TRUST	\$506,542.61	12 Mos @ .65%	2/5/2015	GF
CARTER BANK & TRUST	\$506,542.61	12 Mos @ .65%	2/5/2015	GF

FIRST COMMUNITY BANK	\$504,878.79	MMF @ .07%	NA	UT
CARTER BANK & TRUST	\$504,616.08	12 Mos @ .55%	1/7/2015	UT
CARTER BANK & TRUST	\$505,891.05	12 Mos @ .60%	1/30/2015	UT

May-14

RECAP OF 2010 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY (Cols. A+B-C) (D)	COLLECTIONS TO DATE (E)	BALANCE DUE (F)
Real Estate	2,976,993.81	0.00	3,324.20	2,973,669.61	2,962,817.59	10,852.02
Personal Property	1,141,435.34	99,940.97	56,825.37	1,184,550.94	1,177,307.58	7,243.36
Decals	107,658.50	9,563.00	5,519.15	111,702.35	108,518.70	3,183.65
Personal Property Relief	578,916.57	34,959.61	29,395.11	584,481.07	576,982.58	7,498.49
Public Service	165,731.98	0.00	8,167.59	157,564.39	157,564.39	0.00
TOTAL	4,970,736.20	144,463.58	103,231.42	5,011,968.36	4,983,190.84	28,777.52
2010 Real Estate Tax Collections		99.63%	2010 Personal Property Tax Relief		98.71%	
2010 Personal Property Tax Collections		99.38%	2010 Public Service Tax Collection		100.00%	

RECAP OF 2011 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY (Cols. A+B-C) (D)	COLLECTIONS TO DATE (E)	BALANCE DUE (F)
Real Estate	2,984,406.93	0.00	3,000.24	2,981,406.69	2,967,013.93	14,392.76
Personal Property	1,244,373.83	26,690.75	33,638.35	1,237,426.03	1,232,974.13	4,451.90
Decals	111,029.00	8,475.00	6,009.93	113,494.07	108,889.10	4,604.97
Personal Property Relief	557,964.29	30,384.27	29,883.36	558,465.20	550,731.25	7,733.95
Public Service	156,479.42	0.00	0.00	156,479.42	156,479.42	0.00
TOTAL	5,054,253.27	65,550.02	72,531.88	5,047,271.41	5,016,087.83	31,183.58
2011 Real Estate Tax Collections		99.52%	2011 Personal Property Tax Relief		99.61%	
2011 Personal Property Tax Collection		99.63%	2011 Public Service Tax Collection		100.00%	

RECAP OF 2012 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY (Cols. A+B-C) (D)	COLLECTIONS TO DATE (E)	BALANCE DUE (F)
Real Estate	3,019,463.59	1,020.90	2,415.91	3,018,069.30	2,991,511.70	26,557.60
Personal Property	1,224,318.90	68,794.39	32,993.06	1,260,120.23	1,249,595.99	10,524.24
Decals	104,243.00	9,600.50	4,170.00	109,673.50	102,440.24	7,233.26
Personal Property Relief	560,183.75	63,406.00	42,878.85	580,710.90	564,994.41	15,716.49
Public Service	173,064.34	0.00	0.00	173,064.34	173,064.34	0.00
TOTAL	5,081,273.58	142,821.79	82,457.10	5,141,638.27	5,081,606.68	60,031.59
2012 Real Estate Tax Collections		99.12%	2012 Personal Property Tax Relief		97.29%	
2012 Personal Property Tax Collections		96.16%	2012 Public Service Tax Collection		100.00%	
2012 License Fee Collections		93.40%				

May-14

RECAP OF 2007 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY (Cols. A+B-C) (D)	COLLECTIONS TO DATE (E)	BALANCE DUE (F)
Real Estate	2,673,531.26	29,166.22	14,468.19	2,688,229.29	2,684,919.82	3,309.47
Personal Property	1,270,481.69	232,305.66	109,391.44	1,393,395.94	1,389,359.83	4,037.11
Decals	444,139.00	30,539.61	8,576.33	466,102.28	463,339.57	2,762.71
Personal Property Relief	549,911.50	5,471.39	137,247.89	418,135.00	412,093.12	6,041.88
Public Service	140,577.17	4,462.35	0.00	145,039.52	145,039.52	0.00
TOTAL	5,078,640.62	301,945.23	269,683.85	5,110,902.03	5,094,750.86	16,151.17
2007 Real Estate Tax Collections		99.87%	2007 Personal Property Tax Relief		98.55%	
2007 Personal Property Tax Collections		99.71%	2007 Public Service Tax Collection		100.00%	

RECAP OF 2008 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY (Cols. A+B-C) (D)	COLLECTIONS TO DATE (E)	BALANCE DUE (F)
Real Estate	2,703,731.80	15,918.97	11,236.65	2,708,412.12	2,704,090.57	4,321.55
Personal Property	1,288,745.41	42,594.01	82,647.30	1,248,692.12	1,242,785.37	5,906.75
Decals	110,269.50	9,823.17	6,545.00	113,547.67	109,487.70	4,059.97
Personal Property Relief	548,290.97	39,726.80	28,914.65	559,103.12	549,577.00	9,526.12
Public Service	149,011.30	5,341.13	5,341.13	149,011.30	149,011.30	0.00
TOTAL	4,800,048.98	113,402.08	134,684.73	4,778,766.33	4,754,951.94	23,814.39
2008 Real Estate Tax Collections		99.84%	2008 Personal Property Tax Relief		98.30%	
2008 Personal Property Tax Collection		99.53%	2008 Public Service Tax Collection		100.00%	

RECAP OF 2009 TAXES

TYPE OF TAX	BAL. FWD. (A)	SUPPLEMENTS (B)	ABATEMENTS (C)	ADJUSTED LEVY (Cols. A+B-C) (D)	COLLECTIONS TO DATE (E)	BALANCE DUE (F)
Real Estate	2,942,633.61	3,808.18	6,400.94	2,940,040.85	2,932,083.31	7,957.54
Personal Property	1,214,926.66	219,679.72	219,483.52	1,215,122.86	1,210,600.20	4,522.66
Decals	110,891.50	7,026.00	7,526.50	110,491.00	106,162.29	4,328.71
Personal Property Relief	524,152.89	38,891.54	17,349.89	545,694.54	538,256.32	7,438.22
Public Service	121,797.85	0.00	0.00	121,797.85	121,797.85	0.00
TOTAL	4,914,502.51	269,405.44	250,760.85	4,933,147.10	4,908,899.97	24,247.13
2009 Real Estate Tax Collections		99.73%	2009 Personal Property Tax Relief		98.64%	
2009 Personal Property Tax Collection		99.63%	2009 Public Service Tax Collection		100.00%	

DELINQUENT TAX SUMMARY - FY 2013-2014

May-14

REAL ESTATE TAXES

<i>Tax Year</i>	<i>Balance July 1</i>	<i>Supplements Added</i>	<i>Abatements</i>	<i>Bankruptcy Charge-Offs</i>	<i>Credit Card Collections</i>	<i>Collected To This Month</i>	<i>Collected This Month</i>	<i>Balance</i>
2006	\$3,347.90	\$0.00	\$0.00	\$0.00	\$0.00	\$346.94	\$0.00	\$3,000.96
2005	\$2,406.50	\$0.00	\$0.00	\$0.00	\$0.00	\$321.21	\$0.00	\$2,085.29
2004	\$1,480.72	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,480.72
2003	\$1,225.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,225.56
2002	\$792.12	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$792.12
2001	\$645.37	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$645.37
2000	\$355.32	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$355.32
1991-1999	\$2,183.52	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,183.52
TOTAL	\$12,437.01	\$0.00	\$0.00	\$0.00	\$0.00	\$668.15	\$0.00	\$11,768.86

PERSONAL PROPERTY TAX

<i>Tax Year</i>	<i>Balance July 1</i>	<i>Supplements Tx Relief</i>	<i>Abatements</i>	<i>Bankruptcy Charge-Offs</i>	<i>Credit Card Collections</i>	<i>Collected To This Month</i>	<i>Collected This Month</i>	<i>Balance</i>
2006 Net Tax	\$4,250.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,250.30
2005 Net Tax	\$5,793.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,793.30
2004 Net Tax	\$2,051.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,051.76
2002-2003	\$5,964.81	\$0.00	\$0.00	\$0.00	\$0.00	\$340.62	\$0.00	\$5,624.19
TOTAL	\$18,060.17	\$0.00	\$0.00	\$0.00	\$0.00	\$340.62	\$0.00	\$17,719.55

Grand Total of All Delinquent	\$30,497.18	\$0.00	\$0.00	\$0.00	\$0.00	\$1,008.77	\$0.00	\$29,488.41
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2013 PPTRA ALLOTMENT - COMPARISON

TOTAL ALLOTMENT FROM STATE - \$570,316.00

TOTAL PPTRA ASSESSED - 62.00% **\$561,632.25**

COLLECTIONS THRU PAID BILLS

Jun-13	\$169,906.08
Jul-13	\$161,056.98
Aug-13	\$72,201.05
Sep-13	\$723.12
Oct-13	\$5,246.31
Nov-13	\$6,923.92
Dec-13	\$20,165.67
Jan-14	\$2,759.04
Feb-14	\$11,073.99
Mar-14	\$34,640.84
Apr-14	\$6,397.70
May-14	\$16,385.79

ABATEMENTS **-\$23,517.16**

SUPPLEMENTS **\$10,214.96**

TOTAL REMAINING FROM UNPAID BILLS \$40,849.56

1st Payment from State	7/31/2013	145,727.85
2nd Payment from State	8/15/2013	169,836.72
Final Payment from State	11/15/2013	254,755.09

Local Sales & Use Tax Collection Comparison

Local Sales & Use Tax

Month	2011 Calendar Year Collected	2012 Calendar Year Collected	2013 Calendar Year Collected	2014 Calendar Year Collected
January	\$110,239.00	\$127,062.93	\$108,278.56	\$114,486.19
February	\$125,876.99	\$126,296.95	\$127,189.75	\$134,859.04
March	\$104,593.90	\$102,337.33	\$99,674.97	\$113,809.08
April	\$119,737.24	\$137,369.57	\$104,585.97	\$109,251.63
May	\$123,865.11	\$135,414.13	\$119,461.45	\$126,207.82
June	\$131,026.53	\$110,435.22	\$117,580.07	
July	\$180,490.56	\$116,536.54	\$107,486.36	
August	\$53,547.37	\$117,795.21	\$117,641.94	
September	\$119,307.80	\$125,411.89	\$118,116.99	
October	\$123,419.00	\$111,125.40	\$105,496.08	
November	\$119,256.67	\$106,691.83	\$100,495.50	
December	\$117,432.90	\$102,684.77	\$105,977.72	
Yearly Total	\$1,428,793.07	\$1,419,161.77	\$1,331,985.36	\$598,613.76

State Sales & Use Tax Collection Comparison

State Sales & Use Tax

Month	2011 Calendar Year Collected	2012 Calendar Year Collected	2013 Calendar Year Collected	2014 Calendar Year Collected
January	\$76,745.66	\$81,464.16	\$80,957.08	\$81,625.86
February	\$92,440.02	\$91,897.24	\$95,365.10	\$89,390.50
March	\$63,957.82	\$72,512.86	\$73,527.62	\$73,783.14
April	\$69,216.00	\$70,609.86	\$76,942.78	\$72,753.54
May	\$78,000.40	\$85,665.32	\$87,608.38	\$82,071.08
June	\$85,721.72	\$85,637.98	\$90,121.30	
July	\$72,832.12	\$78,791.66	\$78,471.52	
August	\$84,321.66	\$89,692.72	\$87,181.40	
September	\$74,027.06	\$80,905.18	\$76,334.64	
October	\$78,763.86	\$83,390.34	\$79,978.88	
November	\$77,775.18	\$82,935.18	\$81,448.88	
December	\$77,868.98	\$77,980.08	\$83,144.42	
Yearly Total	\$931,670.48	\$981,482.58	\$991,082.00	\$399,624.12

Monthly Comparison of
Collected Utility Fund Revenue & Completed Service Orders
FY 2013-2014

	July	August	September	October	November	December
Water	113,793.01	122,743.11	123,511.78	118,244.88	123,032.25	118,337.35
Sewer	103,792.22	100,363.03	97,775.80	94,460.97	94,725.62	93,721.11
Meter Charge	4,653.73	4,429.04	4,246.42	4,496.31	4,298.60	4,457.88
Water Taps	0.00	0.00	3,515.58	3,000.00	0.00	4,053.90
Sewer Taps	0.00	0.00	4,000.00	0.00	0.00	0.00
Sale of Materials	0.00	0.00	0.00	0.00	0.00	0.00
Penalties	4,874.93	7,703.25	2,718.96	4,351.84	4,587.52	5,876.00
Cut on/off Fees	5,528.94	3,361.00	2,791.00	2,221.00	2,100.00	2,076.12
Water Sales-Bulk Water	564.48	0.00	35.06	35.06	94.91	50.50
Sewer Services	1,221.39	46,241.40	3,518.86	5,018.15	0.00	151.32
Miscellaneous	1,559.91	0.00	0.00	130.00	0.00	0.00
Total Revenue For the Month	235,988.61	284,840.83	242,113.46	231,958.21	228,838.90	228,724.18

	January	February	March	April	May	June	YTD Category Ttl
Water	106,085.60	127,186.86	126,691.37	116,495.76	114,586.82		1,310,708.79
Sewer	88,339.49	103,317.33	98,618.79	92,979.25	89,604.33		1,057,697.94
Meter Charge	4,403.97	4,576.88	4,475.76	4,424.34	4,540.59		49,003.52
Water Taps	0.00	8,530.00	0.00	0.00	0.00		19,099.48
Sewer Taps	0.00	12,100.00	0.00	0.00	0.00		16,100.00
Sale of Materials	0.00	0.00	0.00	0.00	0.00		0.00
Penalties	8,121.10	7,767.40	6,944.75	5,804.35	6,611.11		65,361.21
Cut on/off Fees	2,245.81	2,190.00	1,710.00	1,811.33	1,730.67		27,765.87
Water Sales-Bulk Water	35.06	35.06	35.06	35.06	35.06		955.31
Sewer Services	137.75	148.16	144.22	0.00	541.37		57,122.62
Miscellaneous	0.00	0.50	0.00	0.00	0.00		1,690.41
Total Revenue for the Month	209,368.78	265,852.19	238,619.95	221,550.09	217,649.95	0.00	

	July	August	September	October	November	December
Service Orders						
Ttl Off/On Requests	61	73	80	68	52	61
Ttl Leak Inquiries	54	53	74	71	69	49
Ttl Service Orders For the Month	115	126	154	139	121	110

	January	February	March	April	May	June	YTD Order Totals
Service Orders							
Ttl Off/On Requests	52	47	56	62	59		625
Ttl Leak Inquiries	39	71	74	51	43		648
Ttl Service Orders For the Month	91	118	130	113	102	0	

YTD Revenue Total All Depts. **2,605,505.15** YTD Service Order **1,273**

**REPORT OF CUT OFFS TO UTILITY ACCOUNTS SINCE
EXTENSION OF PAYMENTS TO NEXT MONTH**

JULY 06 STARTED CHANGE-DID NOT CUT WATER OFF THIS MONTH

AUGUST	24
SEPTEMBER	55
OCTOBER	45
NOVEMBER	27
DECEMBER	77

2007		2008		2009		2010	
JANUARY	58	JANUARY	45	JANUARY	62	JANUARY	103
FEBRUARY	32	FEBRUARY	63	FEBRUARY	56	FEBRUARY	44
MARCH	35	MARCH	71	MARCH	74	MARCH	46
APRIL	49	APRIL	44	APRIL	28	APRIL	63
MAY	63	MAY	71	May	56	MAY	86
JUNE	66	JUNE	82	June	86	JUNE	58
JULY	76	JULY	67	JULY	53	JULY	74
AUGUST	67	AUGUST	86	AUGUST	90	AUGUST	78
SEPTEMBER	75	SEPTEMBER	94	SEPT	49	SEPTEMBER	66
OCTOBER	93	OCTOBER	43	OCTOBER	72	OCTOBER	86
NOVEMBER	51	NOVEMBER	39	NOVEMBER	46	NOVEMBER	54
DECEMBER	71	DECEMBER	71	DECEMBER	130	DECEMBER	44

2011		2012		2013		2014	
JANUARY	86	JANUARY	68	JANUARY	80	Jan.	68
FEBRUARY	30	FEBRUARY	45	FEBRUARY	68	(114 Door Hangers)	
MARCH	31	MARCH	48	MARCH	58	Feb.	27
APRIL	48	APRIL	70	APRIL	92	(33 Door Hangers)	
MAY	83	MAY	43	MAY	64	Mar.	42
JUNE	281	JUNE	79	JUNE	83	(48 Door Hangers)	
JULY	130	JULY	80	JULY	88	Apr.	31
AUGUST	85	AUGUST	75	AUGUST	57	(32 Door Hangers)	
SEPTEMBER	83	SEPTEMBER	63	SEPT-CUT OFF DEFRAID FOR 1 TIME OCCURANCE			
OCTOBER	66	OCTOBER	68	UNTIL NOV 5TH	180	REMINDER NOTICES PUT ON .	
NOVEMBER	86	NOVEMBER	90	DOORS SEPT. 30TH.		May	36
DECEMBER	61	DECEMBER	53	October	16	(42 Door Hangers)	
				(39 DOOR HANGERS)			
				Nov.	31		
				(48 Door Hangers)			
				Dec.	55		
				(149 Door Hangers)			

UNCOLLECTED UTILITY BILLS

BEGINNING BALANCE JULY 2006	54043.62	54043.62
BALANCE ADDED AFTER 2 MONTHS EXT	31012.65	85056.27
BALANCES ADDED FOR 2009	10028.85	95085.12
COLLECTIONS 2009	-4577.96	90507.16
BALANCES ADDED FOR 2010	56074.78	146601.94
COLLECTIONS 2010	-21349.82	125252.12
BALANCES ADDED FOR 2011	43729.33	168981.45
COLLECTIONS 2011	-30063.76	138917.69
BALANCES ADDED FOR 2012	30144.85	169062.54
COLLECTIONS 2012	-26675.91	142386.43
BALANCES ADDED FOR 2013	39039.11	181425.54
COLLECTIONS 2013	-23560.98	157864.56
BALANCES ADDED FOR JANUARY 2014	9571.36	167435.92
COLLECTIONS JANUARY 2014	-2324.92	165111.00
BALANCES ADDED FOR FEBRUARY 2014	4377.22	169488.22
COLLECTIONS FEBRUARY 2014	-3167.73	166320.49
BALANCES ADDED FOR MARCH 2014	5320.02	171640.51
COLLECTIONS MARCH 2014	-603.22	171037.29
BALANCES ADDED FOR APRIL 2014	2322.14	173359.43
COLLECTIONS APRIL 2014	-2571.48	170787.95
BALANCES ADDED MAY 2014	3270.81	174058.76
COLLECTIONS MAY 2014	-3338.98	170719.78

BOOT COLLECTIONS

STARTING DATE 1-25-12

GOOD THRU 5-31-14

AMOUNT COLLECTED FOR CITY \$88,927.60

RE TAX \$51,155.94

PP TAX \$24,489.15

UTILITY \$7,107.04

OTHER (DEMO/WEED) \$6,175.47

AMOUNT COLLECTED FOR VAC \$33,740.70

TOTAL \$122,668.30



Commissioner of the Revenue
P. O. Box 956
Emporia, Virginia 23847
TELEPHONE (434) 634-5405

June 11, 2014

JOYCE E. PRINCE
COMMISSIONER

LISA D. COUNCIL
DEPUTY COMMISSIONER

The Honorable Mayor
City Council Members
City Manager

Dear Members of Council:

During the month of May a total of \$14,497.58 was processed for City Business License.

Transient tax totaled \$120,454.16 for the month of April and processed during May.

Meal tax processed during the month of May totaled \$154,314.83 with an additional \$1,571.99 for prior months.

The usual comparison of meal and transient tax processed during May to the same time period last year is as follows:

	<u>April 2013</u>	<u>April 2014</u>
Meal Tax	\$150,411.49	\$154,314.83
Transient Tax	\$104,973.75	\$120,454.16

Respectfully,

Joyce E. Prince



CITY OF EMPORIA

DEPARTMENT OF INSPECTIONS

**May-2014
Code Enforcement Monthly Report**

Notices Issued

Resolved

Inoperable Vehicles - 7

6- By Owner

Weeds / Grass - 26

**28- By Owner
13- By City Contractor**

Property Maintenance - 2

6- By Owner

Zoning - 0

0- By Owner

Cases Turned Over To City Attorney – 1

Total Notices Issued – 35

Invoiced Notices- 14

**Weeds / Grass – 13
Inoperable Vehicle- 0
Demolition- 1**

**Total- Weeds/ Grass- \$3,585.72
Inoperable Vehicles- 0
Demolition- \$14,000.00**

Total Amount- \$17,585.72

Signature :

A handwritten signature in black ink, appearing to be "Chris Bell", written over a horizontal line.

5/30/14

Supervisor :

A handwritten signature in black ink, appearing to be "Chris Bell", written over a horizontal line.

5/30/14

Demolitions : 409 West Atlantic Street & 2561 Reese Street

**Emporia Police Department Statistics
Arrests by Race**

May 2014

	Black	%	White	%	Other	%
Criminal Arrests	49	86%	6	11%	2	4%
Selective Tickets	573	41%	678	49%	132	10%
Regular Tickets	47	78%	10	17%	3	5%

IBR Offense Counts 5/1/2014-5/31/2014 Emporia Police Department

1	09A-Murder/Nonnegligent Manslaughter
1	120-Robbery
1	13A-Aggravated Assault
11	13B-Simple Assault
1	13C-Intimidation
3	220-Burglary/Breaking & Entering
7	23C-Shoplifting
2	23D-Theft From Building
1	23F-Theft From Motor Vehicle
1	23G-Theft of Motor Vehicle Parts or Accessories
9	23H-All Other Larceny
2	240-Motor Vehicle Theft
1	250-Counterfeiting/Forgery
10	290-Destruction/Damage/Vandalism of Property
13	35A-Drug/Narcotic Violations
2	520-Weapon Law Violations
2	90C-Disorderly Conduct
4	90D-Driving Under the Influence
1	90E-Drunkenness
1	90F-Family Offenses, Nonviolent
2	90G-Liquor Law Violations
3	90J-Trespass of Real Property
49	90Z-All Other Offenses
	49 Unclassified 90Z

128	Total Offenses Reported
127	Total Incidents Reported

Criminal Arrestees

May 2014

Resident – 43

Non-resident - 14

CONSENT SEARCHES

There were no consent searches conducted during the month of May 2014.

**Noise complaints
May 2014**

Loud Music from Building – 13	no summons
Dog Barking – 2	no summons
Loud Music from Vehicle – 5	no summons

Schools

May 2015

J. Matthews attended Basic Animal Control at Crater Academy May 5-23.

T. Hawkins attended Impression Evidence for Investigations in Richmond May 6-7.

J. Romano and B. Osborn attended Leadership Fundamentals at Crater May 7-8.

A VCIN Level A/B recertification class was held at the police department May 9. S. Ottinger instructed the class. C. Vaughan and A. Tucker attended it.

K. Blount instructed a VCIN Level C recert class at Dinwiddie Sheriff's Department May 21.

F. Mainwaring and J. Parker attended a Child Sexual Assault class at Crater May 27.

C. Clary and G. Garnes attended a Taser Instructor course at Crater May 28-29.

D. Jarratt attended a Taser Instructor Recertification course at Crater May 29.

Emporia Animal Control Monthly Report

May 2014

Dogs

On Hand 14
 Stray 6
 Seized 1
 Bite Cases 1
 Surrendered by Owner 11
 Transferred In 0
 Born in Facility 0
 DOA 0
 Claimed by Owner 3
 Adopted 9
 Transferred Out 11
 Died in Facility 0
 Euthanized 0
 Remain 10

Wildlife

Wild or Fowl 3
 DOA 1
 Relocate 2
 On-Hand _____
 Euthanize _____

Cats

On Hand 0
 Stray 10
 Seized 0
 Bite Cases 0
 Surrendered by Owner 0
 Transferred In 0
 Born in Facility 5
 DOA 0
 Claimed by Owner 0
 Adopted 4
 Transferred Out 0
 Died in Facility 0
 Euthanized 0
 Remain 11

General

Calls Answered 180
 Hours _____
 Mileage _____
 Verbal Warning 2
 Summons Issued 0
 Court Cases 0

Remarks _____

Prepared by: Joey Turner



City of Emporia Sheriff's Office

201 South Main Street
P. O. Box 511
Emporia, VA 23847
Phone: (434) 634-4671



June 4, 2014

From the Office of:

Sheriff Sam C. Brown

The Honorable Mayor
City Manager
Honorable Members of City Council

Dear Members of City Council:

The Emporia Sheriff's Office spent approximately **181** hours in General District and Juvenile & Domestic Relations Court in **May, 2014**. We served a total of **436** civil papers. These are broken down as follows:

<i>Arrest Warrants</i>	2
<i>Capias</i>	3
<i>Change in Payee</i>	2
<i>Detention Order</i>	2
<i>Debt</i>	18
<i>Detinue</i>	10
<i>Garnishments</i>	22
<i>Interrogatories</i>	6
<i>Motion to Rehear</i>	2
<i>Misdemeanor Warrants</i>	55
<i>Notice</i>	8
<i>Notice of Lien</i>	6
<i>Protective Orders</i>	6
<i>Show Cause</i>	27
<i>Subpoena Duces Tecum</i>	2
<i>Summons</i>	243
<i>Support Order</i>	3
<i>Transportations</i>	12
<i>Unlawful Detainer</i>	2
<i>Writ of Possession</i>	5

We did not collect any Sheriff Fees for the month of **May, 2014**. We had **12 transports** for the month.

Sincerely,

Sam C. Brown
Sam C. Brown, Sheriff

Detailed Selected Statistics & Management Activity

Selected Coded Field: Basic: Incident Type

Report Period: From 04/01/2014 to 04/30/2014

CODE	DESCRIPTOR	FREQUENCY	FREQ. PERCENT	EXPs	AVG # SUPPR PERS	AVG # EMS PERS	AVG # OTHER PERS	AVG # SUPPR APPR	AVG # EMS APPR	AVG # OTHER APPR	AVERAGE # MAN HOURS	TOTAL MAN HOURS	AVERAGE RESPONSE TIME (min)
133	Rail vehicle fire	1	5.26 %	0	10.00	0.00	1.00	3.00	0.00	1.00	6.23	6.23	14.00
142	Brush, or brush and grass mixture fire	1	5.26 %	0	8.00	0.00	0.00	2.00	0.00	0.00	2.00	2.00	10.00
322	Vehicle accident with injuries	10	52.63 %	0	10.50	0.00	1.00	2.40	0.00	1.00	12.97	129.72	9.60
531	Smoke or odor removal	2	10.53 %	0	8.50	0.00	1.00	3.00	0.00	1.00	4.18	8.35	7.50
551	Assist police or other governmental agency	1	5.26 %	0	15.00	0.00	1.00	3.00	0.00	1.00	37.60	37.60	4.00
611	Dispatched & canceled en route	4	21.05 %	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Totals		19	100.00 %	0	8.16	0.00	0.74	2.00	0.00	0.74	9.68	183.90	9.27
Mutual Aid Given Incidents		1											

Detailed Selected Statistics & Management Activity

Selected Coded Field: Basic: Incident Type

Report Period: From 05/01/2014 to 05/31/2014

CODE	DESCRIPTOR	FREQUENCY	FREQ. PERCENT	EXPs	AVG # SUPPR PERS	AVG # EMS PERS	AVG # OTHER PERS	AVG # SUPPR APPR	AVG # EMS APPR	AVG # OTHER APPR	AVERAGE # MAN HOURS	TOTAL MAN HOURS	AVERAGE RESPONSE TIME (min)
100	Fire, other	1	3.57 %	0	7.00	0.00	1.00	2.00	0.00	1.00	4.13	4.13	10.00
111	Building fires	2	7.14 %	0	9.50	0.00	1.00	2.50	0.00	1.00	6.37	12.73	8.00
131	Passenger vehicle fire	1	3.57 %	0	6.00	0.00	1.00	2.00	0.00	1.00	9.22	9.22	16.00
132	Road freight or transport vehicle fire	1	3.57 %	0	6.00	0.00	1.00	1.00	0.00	1.00	2.57	2.57	7.00
160	Special outside fire, other	1	3.57 %	0	5.00	0.00	1.00	1.00	0.00	1.00	4.10	4.10	10.00
322	Vehicle accident with injuries	12	42.86 %	0	9.08	0.00	1.00	1.92	0.00	1.00	9.21	110.50	6.92
324	Motor vehicle accident with no injuries	1	3.57 %	0	5.00	0.00	0.00	1.00	0.00	0.00	0.83	0.83	8.00
352	Extrication of viclim(s) from vehicle	1	3.57 %	0	12.00	0.00	1.00	2.00	0.00	1.00	15.38	15.38	7.00
531	Smoke or odor removal	2	7.14 %	0	7.00	0.00	1.00	1.50	0.00	1.00	4.15	8.30	10.00
611	Dispatched & canceled en route	6	21.43 %	0	0.00	0.00	0.17	0.00	0.00	0.17	0.01	0.05	
Totals		28	100.00 %	0	6.54	0.00	0.79	1.43	0.00	0.79	5.99	167.82	8.05
Mutual Aid Given Incidents		1											



CITY OF EMPORIA

Memorandum

May 30, 2014

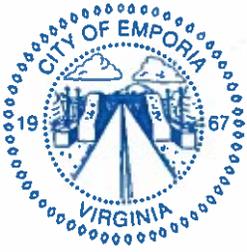
TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Mosquito Control Commission– Board Appointment
ITEM: 14-34

On June 30, 2014, Doris White's four (4) year term on the Mosquito Control Commission will expire. Mrs. White has indicated she does *not* wish to be considered for reappointment.

Recommendation

The information is provided to City Council for consideration.

BST/lrj



CITY OF EMPORIA

Memorandum

June 13, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Zoning Code Amendment Request – 920 West Atlantic Street
ITEM #: 14-36

Elliott Sadler has submitted a zoning code amendment application to allow a “recreational vehicle temporary park” on the property located behind the Sadler Travel Plaza at 920 W. Atlantic Street. According to the application, Mr. Sadler wishes “to create a temporary trailer court for recreational vehicles to fulfill the need of the Dominion Power project.” In addition, he intends to provide water and sewer hook-ups for the recreational vehicles that will be located on the property. According to the attached site plan, he proposes to have 111 recreational vehicle spaces on the lot. This property is zoned C-2 Commercial District and is identified as City Tax Map Number 101-A-0-1.

Sec. 90-51 of the City’s Zoning Code specifically prohibits the proposed use requested within the City. It states, “The parking or storage of a single wide manufactured home/mobile home, travel trailer or recreational vehicle in any district except in a manufactured home/mobile home park is hereby prohibited, except that one travel trailer or recreational vehicle may be parked or stored on any lot, provided that no living quarters shall be maintained within such travel trailer or recreational vehicle while such vehicle is parked or stored. It is further provided, however, that mobile vehicles may be placed on railroad right-of-way for the purpose of supplying temporary housing for personnel engaged in emergency repair work, subject to the approval of the zoning administrator and the health department, for a period not to exceed 30 days.”

As stated in Sec. 90-77 (a) “C-2 Commercial Districts shall be utilized to accommodate general business areas or for auto or highway-oriented commercial uses, and wholesaling operations which, by nature or space requirements, do not lend themselves to being concentrated within a centralized, C-1 district area.”

According to the City's 2008-2028 Comprehensive Plan Future Land Use Map this property is designated as "General Commercial." The Comprehensive Plan describes General Commercial as "areas intended for general commercial development including large retail stores, services, lodging/restaurants, offices, and shopping centers. General Commercial areas should be located on collector or arterial roads, have sufficient parking, and be adequately served by public utilities and services."

Recommendation

In reviewing this request, the purpose and intent of the C-2 Commercial District as stated in the Zoning Code, and the City's Comprehensive Plan I do not recommend that Sec. 90-77 (b) be amended to allow "recreational vehicle parks," either in a temporary or permanent capacity.

First and foremost, Sec. 90-51 already specifically prohibits this use in all zoning districts. Should this use be listed as a permitted use in the C-2 Commercial District, Sec. 90-51 will also need to be amended. Second, in reviewing the purpose and intent of the C-2 Commercial District and Comprehensive Plan documents, I do not believe this is a use that is compatible with the existing and future land use for that area, the abutting residential district, nor the City as a whole. Third, in doing research on this matter, the only other city that Administration could find that allows this type of development is the City of Galax. According to the Galax City Manager, Galax allows "campgrounds" only in specific areas. Permitted campgrounds must meet Virginia Department of Health requirements (see attached). Fourth, this type of use is more appropriate in a rural county setting away from commercial and residential development. Finally, this type of development does not appear to be compatible with City Council's fourth strategic priority of "City Appeal - Vitalize the overall appearance of the City to create an atmosphere that is attractive and appealing to citizens, businesses, and visitors."

Should you wish to list this as a permitted use, I further recommend this type of use be granted only under the issuance of a conditional use permit to help ensure proper development standards are met and that potential impacts are addressed through conditions. To be clear, I do not recommend amending the City's Zoning Code to allow this type of use, either by-right nor under issuance of a conditional use permit. City staff has also reviewed this request and expressed concerns regarding the proposal. At its June 10, 2014 meeting the Planning Commission voted (7 to 0 with 1 abstention) to recommend that you amend the Zoning Code to list recreational vehicle parks as a permitted use with conditional use permit.

Attached are two versions of an ordinance to amend Sections 90-1, 90-51, and 90-77 (b) of the City Code that would allow recreational vehicle parks. Option 1 lists recreational vehicle parks as a permitted use by-right. Option 2 lists recreational vehicle parks as a permitted use with conditional use permit. Both versions include a definition of recreational vehicle park in Section 90-1 and amend Section 90-51. Should you approve option 2, Mr. Sadler would need to apply for a conditional use permit to establish a recreational vehicle park on the property. At that time, you could impose conditions pertaining to the development of the recreational vehicle park, should you choose to approve the conditional use permit. Furthermore, Mr. Sadler would then have to obtain a permit through the Virginia Department of Health to construct the recreational vehicle park and adhere to its rules and regulations.

Attachments

Application

Site Plan

Zoning and Aerial Maps

Tax Map Sheet

Sec. 90-51 - Mobile Home and Trailer Parking

Sec. 90-77 (b) C-2 Commercial District – Uses Permitted

Comprehensive Plan Future Land Use Map

Comprehensive Plan General Commercial Use Designation Description

City-wide Zoning Map

Virginia Department of Health Campground Rules and Regulations

Option 1 Ordinance – Recreational Vehicle Parks (By-Right)

Option 2 Ordinance – Recreational Vehicle Parks with conditional use permit



City of Emporia
 Community Development and Planning
 201 South Main Street
 Emporia, Virginia 23847
 (434) 634-3332 (434) 634-0003 (F)

Permit Number 14-0000150
 Date 5/12/14
 Tax Map # 101-A-0-1
 Zoning District C-2
 Enterprise Zone Yes No

LAND USE AMENDMENT APPLICATION
Information must be typed or printed and completed in full.
Attach additional pages where necessary.

Land Use Information:

Application Type: Variance Rezoning Conditional Use Permit
 Special Exception Amendment Appeal
 Telecommunications Tower Co-location on existing tower

Description of Request: to Allow recreational vehicle temporary
park in C2 ZONING

Proposed Acreage: 19.19 ACRES
WE WILL USE 12 to 14 ACRES

Applicant/Agent Information:

Is the applicant: Property Owner (If property owner skip to next section) Contract Purchaser Other: family

Agent(s): ELLIOTT SABLER Phone # 434-594-8536

Address: 5225 DRY BRICKS ROAD

If you are the agent for the property owner, do you have consent of the owner attached? Yes No

Property Owner Information:

Property Owner (s): HERMAN SABLER JR. Phone # 434-594-4500

Address: 5159 DRY BRICKS ROAD
EMPORIA, VA 23847

Property owners mailing address (If this is different from that listed in the Assessor's Office)

Subject Parcel Information

Location of Property: ON ROUTE 686 behind SALKER TRAVEL PLAZA

Street Address: _____

General Description of Property:

OPEN LANDS WENT WET POND ON IT

Current Zoning (circle one)

R-1 R-2 R-3 C-1 C-2 I-1 I-2 DT Other _____

Proposed Zoning (for rezoning request)

R-1 R-2 R-3 C-1 C-2 I-1 I-2 DT Other _____

Existing Use(s) of Property

- A. Explain fully the proposed use, type of development, operation program, reason for this request, etc.:
To create a temporary trailer court for RV's to fulfill the needs of Dominion Power Project, want to provide hookups of water and sewer to RV's. Most RV's on 5 to 8 month rotation, specialist who makes 100K plus in salary
- B. Section(s) of the City Code that pertain to this request

- C. State how this request will not be materially detrimental to adjacent property, the surrounding neighborhood or City in general. Include where applicable; information concerning use of public utilities/services, relationship to the comprehensive plan effect of request on public schools, traffic impact, means of access to nearest public road, existing and future area development, etc.

Public utilities is just sewer and water, no kids to place in schools, no cost to city, road already made for RV's, Fees for City, Taxes for City, People with money staying in the city limits, ALL Positive

- D. Has any previous application for a land use amendment been filed in connection with these parcels? List case numbers and explain any existing use permit, special exception, conditional use or variance previously granted on the parcels in question. If this application is to amend an existing special use

permit, special exception, or other applicable amendment, please explain the request (proposed change in structure(s) including all signs).

No Previous Application

E. Proffers and Conditions

List any conditions or proffers currently associated with this property.

If the applicant proffers any conditions (§ 15.2-2297 of the Code of Virginia), they must:

- 1) Have a reasonable relationship to the rezoning
- 2) Not include a cash contribution to the City of Emporia
- 3) Not include mandatory dedication of property
- 4) Not include payment for construction of off-site improvements

Proffers may be amended in writing prior the Planning Commission public hearing.

If this is an application for a conditional zoning, the following conditions are voluntarily proffered:

F. Please list any and all restrictive covenants, deed restrictions and other special considerations:

G. If required by the Zoning Administrator, attach a site plan / plot plan / survey plat / building dimensions / densities showing the location(s) of existing and proposed structures to be erected and applicable setback lines and distances including all zoning district requirements.

Notes:

SEE ATTACHMENTS

- (1) Special use permits shall be for an indefinite period of time unless the Planning Commission imposes a condition specifying a shorter duration. Such permits shall run with the land unless the City of Emporia imposes a more restrictive condition with regard to the succession to rights in such a permit.
- (2) The City of Emporia may include, as part of the ordinance granting any conditional use permit, suitable regulations and safeguards as it may deem appropriate. Once a special use permit is approved subject to such conditions, they shall be deemed to be a part of the zoning ordinance and may be enforced by the zoning administrator. Conditions attached to a special use permit may only be amended or deleted by subsequent application for the purpose.
- (3) This application for a conditional special use permit must be accompanied by two (2) copies of any required site plans or plot plans.

H. If requesting a variance, explain the unique physical hardship or extraordinary situation (size, shape, topography, etc.) that is justification for the request:

I. Explain how the zoning ordinance prohibits or unreasonable restricts the use of the property.

not listed as a pre approved item under
Commercial Zoning C2

J. Applicant Remarks

I want to invest in my hometown, this will help
Dominion Power Project, they have brought alot to our
little city, people with money will spend it here, want
to create this with the support of the city and within
the guidelines of rules of commercial zoning

Checklist:

Thanks for your Time!!

- ✓ The required fee must accompany this application. A fee schedule is attached for your convenience Checks must be made payable to: "Treasurer, City of Emporia".
- ✓ Enclosed with the application, a copy of the appropriate city tax map with the property marked and, if available, a surveyed plat of the entire parcel.
- ✓ Enclose with this application any required plans or plats (plans must be folded).
- ✓ Enclose with this application any additional information to assist with review and determination.

I/We hereby certify that to the best of my/our knowledge all the above statements and the statements contained in any exhibits transmitted are true and that the adjacent property owners listed herewith are the owners of record as of the date of the application:

Date: April 16, 2014

Applicants Name ELFON SABLER
(Typed or printed)

Signature of Applicant 

Note: Incomplete application will not be accepted. Any request that requires plans must be accompanied by application at time of submission.

For Office Use by the Community Development Planning and Zoning Department and/or the Planning Commission

Zoning/Subdivision Code (90-14 or 66-8): Fee Paid:

Copy of Receipt attached

Action Taken:

Planner / Zoning Administrator

Date

Planning Commission

Date

City Council

Date

PERMIT FEES

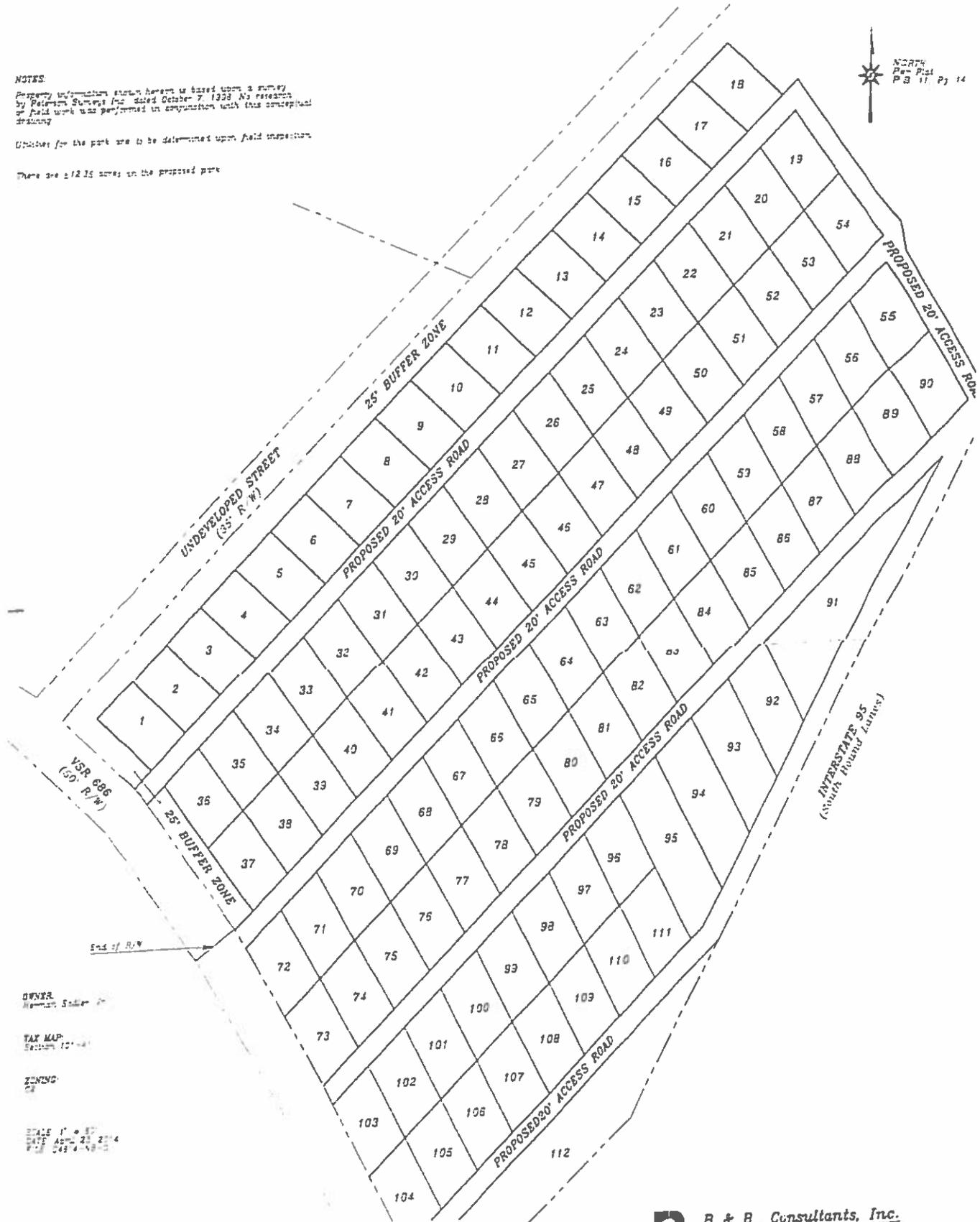
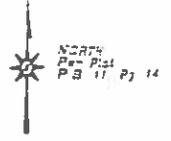
VARIANCE	\$300.00
REZONING	\$400.00 + 50/lot
CONDITIONAL USE PERMIT	\$300.00
TELECOMMUNICATIONS TOWER (CONDITIONAL USE)	\$1,500.00 per plus review by private consultant if deemed necessary for final approval
CO-LOCATION ON EXISTING TOWER (CONDITIONAL USE)	\$300.00 per plus review by private consultant if deemed necessary for final approval
SPECIAL EXCEPTION	\$300.00
AMENDMENT TO CONDITIONAL USE	\$300.00
RENEWAL OF CONDITIONAL USE	\$300.00
REQUEST FOR PRIVATE ROAD- NAME/SIGN	\$100.00
REQUEST TEXT AMENDMENT	\$400.00
APPEAL	\$300.00
AMENDMENT TO PROFFERED REZONING	\$300.00

NOTES:

Property information shown hereon is based upon a survey by Peterson Surveys, Inc. dated October 7, 1999. No research or field work was performed in conjunction with this conceptual drawing.

Utilities for the park are to be determined upon field inspection.

There are ± 12.15 acres on the proposed park.



OWNER
Herbert S. Soder Jr.

TAX MAP:
Section 12-1-14

ZONING:
R-1

SCALE: 1" = 80'
DATE: April 23, 2014
FILE: 0434-18-01

CONCEPTUAL DRAWING OF A PROPOSED TRAVEL TRAILER PARK
Located in THE CITY OF EMPORIA VIRGINIA

B & B Consultants, Inc.
Engineers - Surveyors - GIS Analysts
Plant Operators - Environmental Services
Chase City, VA 22822



Area

3A

MEADOW DR

WEISS ST

WEST END DR

PURDY RD

ATLANTIC ST W

ATLANTIC ST W

US HWY 58

US HWY 58

ATLANTIC ST W

MARKET DR

DOMINION DR

95

58

95



Area

3A

MEADOW DR

WEISS ST

WEST END DR

PURDY RD

ATLANTIC ST W

ATLANTIC ST W

US HWY 58

US HWY 58

ATLANTIC ST W

MARKET DR

DOMINION DR

95

58

95



3A

MEADOW DR

WEISS ST

WEST END DR

PURDY RD

ATLANTIC ST W

ATLANTIC ST W

WIGGINS RD

US HWY 58

US HWY 58

ATLANTIC ST W

DOMINION DR

MARKET DR

X
Area

245 241 307 1305 1303 311 309 305 303 304 243 238 236 232 230 225 220 219 217 215 213 211 209 208 206 205 204 203 202 200 198 197 196 195 194 193 192 191 190 189 188 187 186 185 184 183 182 181 180 179 178 177 176 175 174 173 172 171 170 169 168 167 166 165 164 163 162 161 160 159 158 157 156 155 154 153 152 151 150 149 148 147 146 145 144 143 142 141 140 139 138 137 136 135 134 133 132 131 130 129 128 127 126 125 124 123 122 121 120 119 118 117 116 115 114 113 112 111 110 109 108 107 106 105 104 103 102 101 100 99 98 97 96 95 94 93 92 91 90 89 88 87 86 85 84 83 82 81 80 79 78 77 76 75 74 73 72 71 70 69 68 67 66 65 64 63 62 61 60 59 58 57 56 55 54 53 52 51 50 49 48 47 46 45 44 43 42 41 40 39 38 37 36 35 34 33 32 31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

City of Emporia

Prop Sheet: 6/06/2014

MAP# 101-A -0 -1

ACCT# 00255071

ADDRESS 23847

LEGAL DESCRIPTION

CODES Classification 04 Zoning C-2 District UNKN Property Use VAC Assessor RW Mort Cd

OWNER	Name	Address	Date	Deed Book	Consid.
Current	SADLER HERMAN M JR	P O BOX 871 EMPORIA VA 23847	5/15/1980	DB129	P10
Prev 1					
Prev 2					

ACTIVITY	Vst Date	H	S/D Date	PlatRef
	2/21/2013			

BOE
Dte
Land
Impv

REMARK THIS WAS SPLIT FROM PREVIOUS RECORD OF 101 (A) 1-4,9,12
REFACE SIGN IN 2011 PART IS GRAVEL TRUCK PARKING

PROPERTY DESCRIPTION

Res'l	C'cial	Model:	M/H?
Building Characteristics			
Split Level?	Split Foyer?	Central Heat?	Cental Air?
Stories	Rms	Bedr.	Baths
F/P.	Chim.		
Roofing	Exterior	Cond.	
Foundation	Basement		
Flooring	Interior	Fuel	
Property Factors			
<input type="checkbox"/> Pub Watr	<input type="checkbox"/> WatrFrn	<input type="checkbox"/> No Road	<input type="checkbox"/> Paved
<input type="checkbox"/> Pub Sewr	<input type="checkbox"/> Septic	<input type="checkbox"/> Crb/Gutr	<input type="checkbox"/> Gravel
<input type="checkbox"/> Well	<input type="checkbox"/> UG Utl	<input type="checkbox"/> Sidewlk	<input type="checkbox"/> Dirt
Topo:		Soil:	
Loca:			
Grade	Yr Assessed 2014	Yr Built	Eff Age

BUILDING VALUATION

Item Description	Size	Rate	\$ Value
Total			
Grd		Replcmnt:	

SUMMARY OF IMPROVEMENTS

Description	Size	Rate	Grad	Dep	Func	Econ	\$ Value
SIGN	1	45000.00					45000
I: 2013	45000	2014	45000	2015	45000		1.00
L:	105500		105500		105500		1.00
MKT:	150500		150500		150500		

LAND VALUATION

Description	Size	Rate	Adj	\$ Value
VACANT	9.000	10000.00		90000
RESIDUAL (PA)	10.300	1500.00		15450
Land 1:	x			
Land 2:	x			
Total Size: 19.300		Value: 105500		

Recent Permit History

Prmt #	TaxDate	Value	Ab/Sp Val

Sec. 90-51. Mobile home and trailer parking.

The parking or storage of a single wide manufactured home/mobile home, travel trailer or recreational vehicle in any district except in a manufactured home/mobile home park is hereby prohibited, except that one travel trailer or recreational vehicle may be parked or stored on any lot, provided that no living quarters shall be maintained within such travel trailer or recreational vehicle while such vehicle is parked or stored. It is further provided, however, that mobile vehicles may be placed on railroad right-of-way for the purpose of supplying temporary housing for personnel engaged in emergency repair work, subject to the approval of the zoning administrator and the health department, for a period not to exceed 30 days.

Sec. 90-77. C-2 commercial district.

- (a) *Purpose and intent.* C-2 commercial districts shall be utilized to accommodate general business areas or for auto or highway-oriented commercial uses, and wholesaling operations which, by nature or space requirements, do not lend themselves to being concentrated within a centralized, C-1 district area.
- (b) *Uses permitted.* Permitted uses in a C-2 district are as follows:
All uses permitted in C-1 districts.

Adult day support facility.

Appliance stores.

Automobile, truck, manufactured housing sales, services, storage and repairs.

Bakery.

Barber shops and beauty parlors.

Bed, breakfast and tourist homes.

Bookstores.

Bowling alleys.

Building, plumbing, woodworking, wholesaling, air conditioning, sheet metal, electrical and painting contractors' establishments, offices and display rooms, provided that any materials or supplies in an unenclosed area must be arranged so as not to detract from the orderly appearance of the area.

Building supplies and service with storage under cover.

Branch banks.

Car washes.

Cards, flower and gift shops.

Churches.

Commercial, recreational and amusement facilities, with conditional use permit.

Child care centers.

Delicatessen.

Drugstores.

Funeral homes.

Furniture stores.

Gasoline service stations, with all repair and storage of vehicles taking place in a fully enclosed building.

Grocery stores.

Internet sweepstakes cafe with conditional use permit.

Jewelry stores.

Laundromats and dry cleaners.

Machinery sales and service.

Mini-storage facilities.

Motels/hotels.

Nightclubs with conditional use permit.

Pet service and supply establishments.

Photographers.

Printing establishments.

Professional, business, and public offices.

Radio and television broadcasting stations.

Repair service or business, including repair of bicycles, locks, lawn mowers and other small appliances.

Restaurants, including fast food and drive-through types.

Roller skating rinks.

Sexually-oriented businesses (conditional use permit).

Shopping centers.

Tailors and shoe repair shops.

Taxicab establishments.

Theaters.

Tire recapping and vulcanizing.

Trade or vocational schools, with conditional use permit.

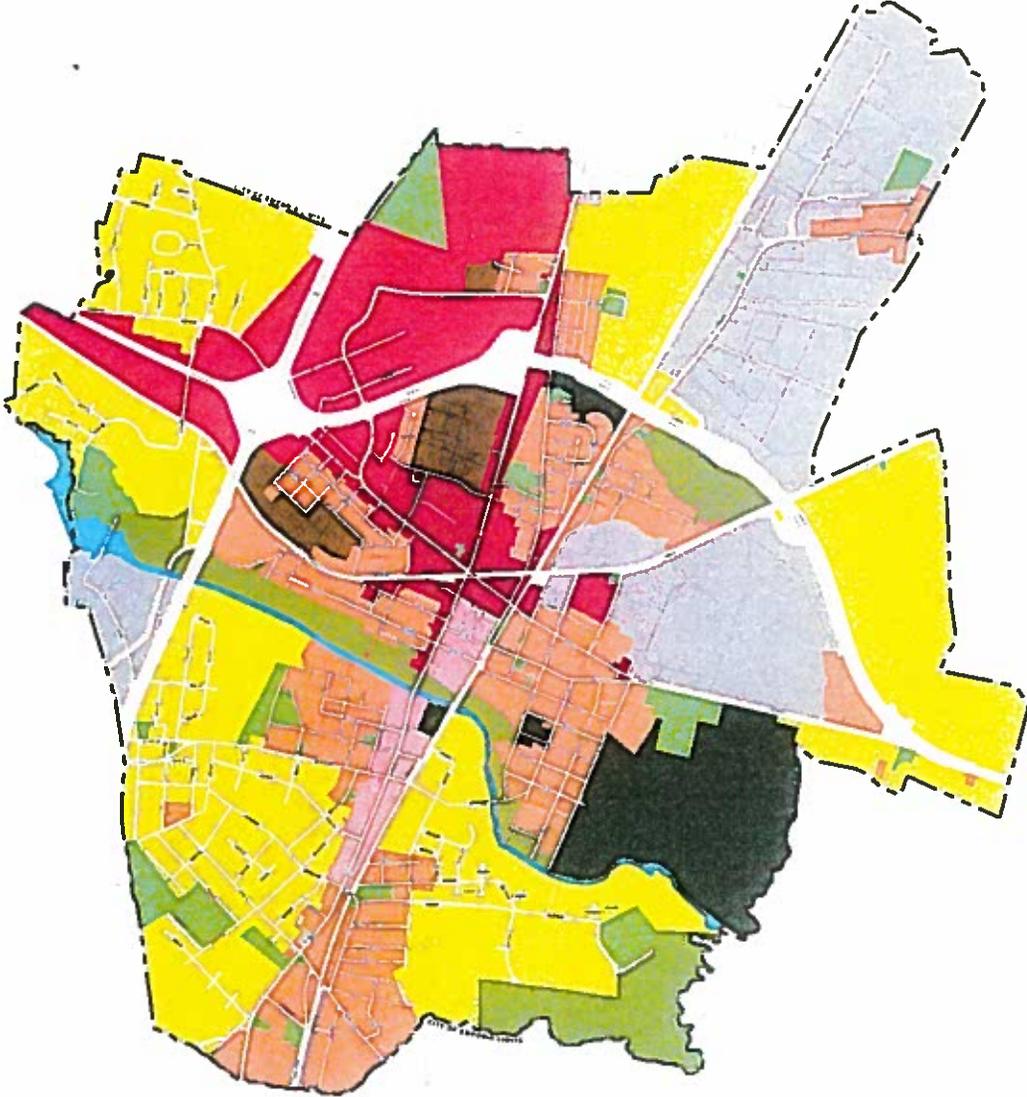
Transportation terminals, automobile and truck sales, service, storage and repairs.

Veterinary hospitals, with conditional use permit.

Warehouses and distribution centers, with conditional use permit.

- (c) *Height regulations.* Buildings in a C-2 district may not be erected more than 45 feet in height without prior [approval] of the city planning commission.
- (d) *Area regulations.* None, except if the permitted uses utilizes a private water or sewage system, the required area in a C-2 district shall be established by the health official.
- (e) *Lot coverage.* Lot coverage in a C-2 district may be up to 100 percent if yard and other regulations are met.
- (f) *Setback regulations.* The front setback line in a C-2 district shall be located 25 feet from any street right-of-way.
- (g) *Width regulations.* Width regulations in a C-2 district are not applicable.
- (h) *Yard regulations.* For permitted uses in a C-2 district, the minimum side or rear yard adjoining or adjacent to a residential district shall be 25 feet.
- (i) *Parking.* Off-street parking space in a C-2 district shall be provided as specified in article V of this chapter.
- (j) *Signs.* Signs in a C-2 district may be erected as provided in article V of this chapter.

FUTURE LAND USE
COMPREHENSIVE PLAN STUDY
CITY OF EMPORIA, VIRGINIA



- LEGEND**
- Residential**
 - LOW DENSITY
 - MEDIUM DENSITY
 - HIGH DENSITY
 - Commercial**
 - GENERAL COMMERCIAL
 - RETAIL & SERVICE
 - DOWNTOWN / MIXED USE
 - Industrial**
 - INDUSTRIAL
 - Public & Open Space**
 - COMMUNITY FACILITIES
 - CONSERVATION / OPEN SPACE
 - PARKS & RECREATION



H W POORE & ASSOCIATES, INC
 Community Development Consultants
 Charlottesville, Virginia

include homes of modest size as well as larger homes. Some of these older neighborhoods are in transition and experiencing a slight to moderate decline. Potential impacts on the surrounding neighborhoods should be carefully weighed before medium-density residential uses are approved.

High-Density Residential Use

The plan directs high-density residential uses to established multi-family areas in and around the City. As a general rule, apartments and other large-scale group housing are best sited on arterial roads near major commercial centers. In these locations, high-volume circulation needs can be met without disrupting lower-density neighborhoods.

In an effort to keep these areas active, vacant and underutilized dwellings should be conditionally considered for conversion to other uses such as small offices, group homes, and similar mixed-use development. However, potential impacts on the surrounding neighborhood should be carefully considered before such conversions are approved.

COMMERCIAL USES

The Land Use Plan establishes three (3) principal types of commercial designations for the City of Emporia. A detailed description of each designation is found below.

I. General Commercial

Areas intended for general commercial development including large retail stores, services, lodging/restaurants, offices, and shopping centers. General Commercial areas should be located on

collector or arterial roads, have sufficient parking, and be adequately served by public utilities and services.

2. Downtown/Mixed-use

A mixed-use category to serve as a transition zone between residential areas and more intense commercial uses. This designation is intended to control the transition from residential use to office and low-intensity business use. Appropriate uses include, but are not limited to, legal/financial, real estate, personal services, and other types of low-impact business uses. Conventional retail uses are discouraged. Businesses should generate a low volume of traffic, be controlled in terms of times of operation and be generally non-intrusive to neighboring residences.

3. Retail/Service Commercial

The purpose of this category is to provide for an appropriate dynamic variety of uses adjacent to the downtown for commercial, financial, professional, governmental, and cultural activities. This category is intended to promote an attractive, convenient, and relatively compact arrangement of uses and buildings with a strong pedestrian orientation. Signage and outdoor storage should be adequately controlled to promote an attractive and stable urban environment.

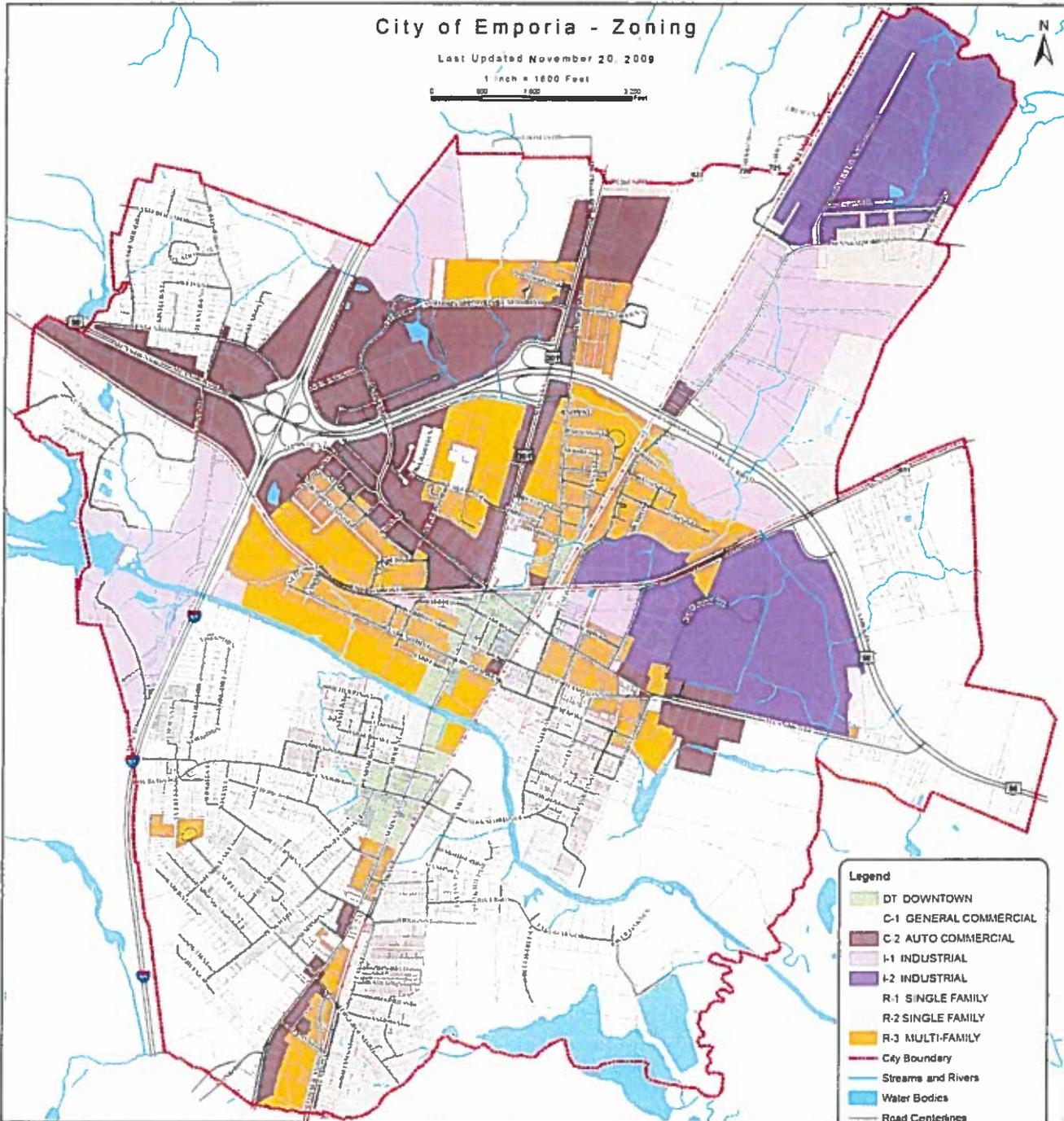
Designated Areas of Commercial Use

The general extent of areas designated for commercial use is indicated on the Future Land Use Map. The patterns of commercial uses within Emporia are well established, with three basic types occurring:

City of Emporia - Zoning

Last Updated November 20, 2009

1 inch = 1000 Feet



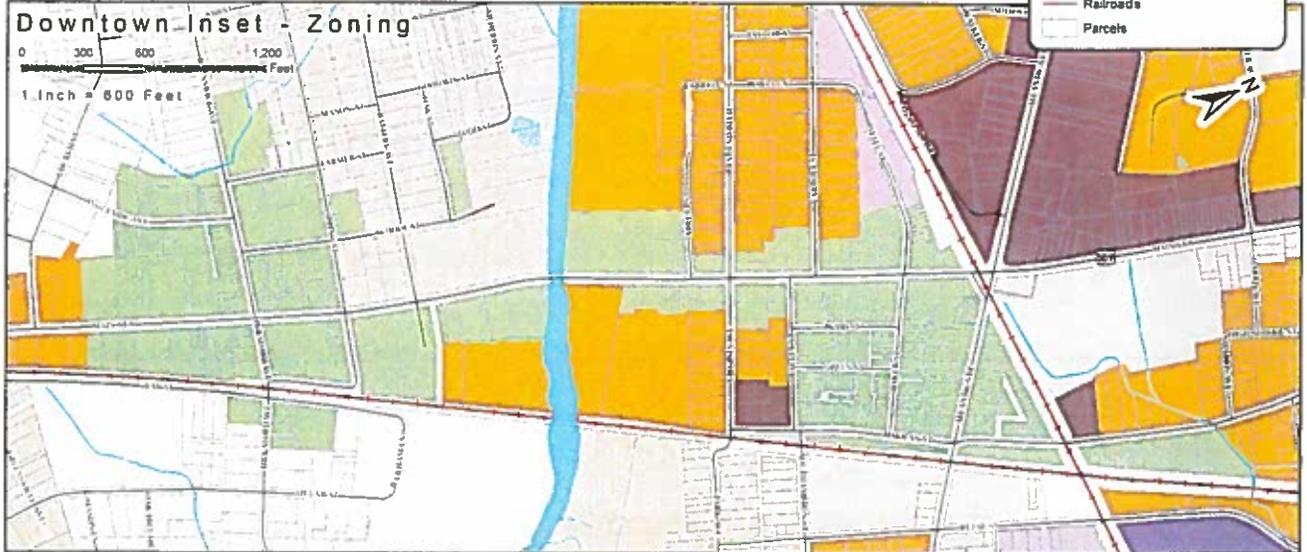
Legend

- DT DOWNTOWN
- C-1 GENERAL COMMERCIAL
- C-2 AUTO COMMERCIAL
- I-1 INDUSTRIAL
- I-2 INDUSTRIAL
- R-1 SINGLE FAMILY
- R-2 SINGLE FAMILY
- R-3 MULTI-FAMILY
- City Boundary
- Streams and Rivers
- Water Bodies
- Road Centerlines
- Railroads
- Parcels

Downtown Inset - Zoning

0 300 600 1,200 Feet

1 inch = 500 Feet



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[Search VDH](#)

[Home](#) > [OEHS](#) > [Food and General Environmental Services](#) > [Regulations](#) > Rules and Regulations Governing Campgrounds

Rules and Regulations Governing Campgrounds

EH Calendar
Bedding & Upholstery
Food Safety
Milk Safety
Links
PIMS
Regulations
Restaurant Inspections
Food and General Environmental Services

12 VAC 5-450-10 - Definitions

For the purpose of this chapter, the following terms shall have the meanings respectively indicated unless another meaning is clearly intended or required by the context.

Approved - means a procedure of operation or construction which is in accordance with the standards established by the Virginia Department of Health, or which is acceptable to the Health Commissioner based on his determination as to the conformance with appropriate standards and good public health practice.

Campgrounds - means and includes, but is not limited to tourist camps, travel trailer camps, recreation camps, family campgrounds, camping resorts, camping communities or any other area, place, parcel or tract of land, by whatever name called, on which three or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and/or facilities is granted gratuitously, by a rental fee, by lease, by conditional sale or by covenants, restrictions and easements. This definition is not intended to include summer camps, and migrant labor camps as defined in §§ 35.1-16 and 32.1-203 of the Code of Virginia, construction camps, permanent mobile home parks, or storage areas for unoccupied camping units, or property upon which the individual owner may choose to camp and not be prohibited or encumbered by covenants, restrictions and conditions from providing his sanitary facilities within his property lines.

Camping unit - means and includes tents, tent trailers, travel trailers, camping trailers, pick-up campers, motor homes or any other device or vehicular-type structure as may be developed marketed and used by the camping trade for use as temporary living quarters or shelter during periods of recreation, vacation, leisure time, or travel.

Campsite - means and includes any plot of ground within a campground used or intended for the exclusive occupation by a camping unit or units under the control of a camper.

Emergency - means a condition that in the exercise of the sound discretion of the Health Commissioner is found deleterious to the public health, safety and welfare and requires immediate action.

Health Commissioner - means the chief executive officer of the State Board of Health or his authorized agent.

Independent camping unit - means a unit which contains a water- flushed toilet, lavatory and shower as an integral part of the structure, and which requires an on-site sewer connection due to the absence of a waste holding tank on the unit.

Non-self-contained camping unit - means a unit, which is dependent upon a service building for toilet and lavatory facilities.

Outdoor bathing facilities - means lakes, ponds, rivers, tidal waters, impoundments, beaches, streams or other places, whether natural or man-made, in which an area is held out for swimming or bathing purposes.

Overflow area - means a plot of ground in or adjacent to the campground set apart for accommodating those campers for whom no designated sites are available in the general geographical area, and which is subject to certain restrictions as to size, length of stay, temporary facilities, etc.

Overnight - means the occupation of a camping unit as a temporary habitation between the hours of 7 p.m. and 7 a.m., or major portion thereof.

Permit - means a written permit issued by the Health Commissioner authorizing a designated person to operate a specific camping place.

Person - means and include any individual or group of individuals, partnership, firm, private or public association or corporation, state, county, city, town, or anyone who by covenant, restriction or agreement has care, control, custody or management of property or parts thereof, or any combination of the above or other legal entity.

Primitive camps - means camps which are characterized by the absence of what is generally understood as modern conveniences such as water- flushed toilets, showers and electrical connections. A campground shall be classified as a primitive camp when half or more of the required number of toilet seats are nonflush type.

Self-contained camping unit - means a unit, which contains a water-flushed toilet, lavatory, shower and kitchen sink, all of which are connected, as an integral part of the structure, to water storage and sewage holding tanks located within the unit.

Service building - means a structure housing toilet, showers or lavatories.

Sewage - means the human excrement from service buildings, sanitary stations, camping units or other places together with such kitchen, laundry or shower wastes as may be present.

Swimming pool - means any swimming, wading or spray pool, including all appurtenant equipment, structures and facilities provided for the use of the campers.

12 VAC 5-450-20 - Local requirements

In addition to the requirements of this chapter, all applicable local ordinances, including plumbing, building, electrical and zoning ordinances shall also apply in the construction, maintenance and operation of all campgrounds.

12 VAC 5-450-30 - Approval of plans required

1.) In order to insure the provision of adequate, properly designed sanitation facilities at campgrounds, any person planning construction, major alteration or extensive addition to any campground shall, prior to the initiation of any such construction, submit to the Health Commissioner, through the local health department in the county in which the proposed project is located, complete plans or statements which show the following:

- a.) The proposed method and location of sewage disposal system.
- b.) The proposed sources and location of the water supply.
- c.) The number, location and dimensions of all campsites.
- d.) The number, description and location of proposed sanitary facilities such as toilets, dump stations, sewer lines, etc.
- e.) Name and address of applicant.
- f.) Location, boundaries and dimensions of the proposed project.
- g.) Such other pertinent information as the Health Commissioner may deem necessary.

2.) When, upon review of the plans, the Health Commissioner is satisfied that the proposed plans, if executed, will meet the requirements of this regulation and other pertinent laws and regulations designed to protect the public health, written approval shall be issued.

3.) When upon review of the plans, the Health Commissioner determines that the proposed plans preclude a safe, sanitary operation, the plans shall be disapproved and the applicant shall be notified of any deficiency in the plans that constitute the basis for disapproval.

4.) No person shall begin construction, major alteration or addition to a campground until written approval has been granted by the Health Commissioner.

5.) If construction is not begun within one year from the date of the approval of the plans, such approval shall be considered null and void.

6.) All construction, reconstruction or alteration shall be done in accordance with and limited to work covered by the plans and recorded changes, which have been approved by the Health Commissioner.

7.) Any person whose plans have been disapproved may request and shall be granted a hearing on the matter under the procedure provided by 12 VAC 5-450-60.

12 VAC 5-450-40 - Permits

1.) No person or persons, directly or indirectly shall conduct, control, manage, operate, or maintain a campground or offer campsites for occupancy within the Commonwealth without first making application for and receiving a valid permit from the Health Commissioner for the operation of said camp.

2.) Any campground for which a permit was not issued during the previous year shall file an application for a permit with the local health department in writing on a form and in a manner prescribed by the Health Commissioner at least 30 days before such camp is to be opened.

3.) If, after receipt of an application to operate a campground, the Health Commissioner finds that the campground is not in compliance with the provisions of this regulation, he shall notify the applicant in writing citing the noncomplying items that constitute his reason for denying the permit.

4.) A permit may be revoked by the Health Commissioner, or his authorized agent, if he finds that the camp for which the permit was issued is operated, maintained, or occupied in violation of this chapter, or any law, ordinance or regulation applicable to such establishments, or in violation of the conditions stated in the permit.

5.) The permit shall be conspicuously posted in the office of the camp or on the premises if no office is available.

6.) The permit shall not be transferable and shall expire on December 31 of each year, unless stated otherwise in special permits such as temporary permits that may be granted by the Health Commissioner to allow a reasonable time to conform to the requirements of this chapter, or to correct existing violations.

12 VAC 5-450-50 - Inspection of camping places

- 1.) The Health Commissioner is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this chapter.
- 2.) It shall be the duty of the operator or occupant(s) of a campground to give the Health Commissioner free access to such premises at reasonable times for the purpose of inspection.
- 3.) A register shall be kept indicating name and address of the camper, the date of the campsite occupancy, and the number of the campsite occupied. Such register shall be made available to the Health Commissioner, upon request, during his inspection of the campground.

12 VAC 5-450-60 - Enforcement, notices, and hearings

- 1.) Whenever the Health Commissioner finds violations of this chapter, an inspection report shall be filled out and left with the person in charge of the campground. Such inspection report shall be legible, contain written notation of the violation and remedial action to be taken to effect compliance with this chapter.
- 2.) If, after a reasonable time has elapsed for the correction of noted items, the violation is found to continue to exist, a formal notice shall be issued which;
 - (i) includes a written statement of the reasons for its issuance;
 - (ii) sets forth a time for the performance of the corrections;
 - (iii) is served upon the operator or his agent; Provided: that such notice shall be deemed to have been properly served upon such operator or agent when a copy has been sent by certified mail to his last known address; or when he has been served with such notice by any other method authorized or required by the laws of this Commonwealth;
 - (iv) contains an outline of remedial action which, if taken will effect compliance with the provisions of this chapter;
 - (v) informs the person to whom the notice is directed of his right to a hearing and of his responsibility to request the hearing and to whom the request should be made.
- 3.) Periods of time allowed to elapse between notation of the violation on the inspection report and issuance of a formal notice, and time allowed in formal notice for performance of correction shall depend upon the nature and seriousness of the violation, but shall generally not exceed 30 days.
- 4.) Whenever the Health Commissioner finds that an emergency exists which requires immediate action to protect the public health, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he may deem necessary to meet the emergency including the suspension of the permit. Notwithstanding any other provisions of this chapter, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, by upon petition to the Health Commissioner, shall be afforded a hearing as soon as possible.
- 5.) Any person affected by any notice which has been issued in connection with the enforcement of any provision of this chapter may request and shall be granted a hearing in accordance with the provisions of Title 9, Chapter 1.1:1 of the Administrative Process Act.
- 6.) If a request for a hearing is not made within 10 days after the receipt of a formal notice of violation of this chapter, or correction of the violation has not taken place within the prescribed time, the permit may be revoked and the continued operation of the campground shall be considered unlawful.
- 7.) Nothing in this chapter shall be construed as preventing the Health Commissioner from making efforts to obtain voluntary compliance through warning, conference or any other appropriate means.

12 VAC 5-450-70 - Location

- 1.) Each campground shall be located on ground which has good surface drainage and which is free of natural and man-made hazards such as mine pits, shafts and quarries. Camps shall not be located on ground which is in or adjacent to swamps, marshes, landfills or abandoned landfills, or breeding places for insects or rodents of public health importance unless adequate, approved safeguards or preventive measures are taken.
- 2.) The density of campsites in a campground shall not exceed an average of 20 campsites per acre inclusive of service roads, toilet buildings, recreational areas, etc.
- 3.) Each campsite (including parking space) shall provide a minimum of 1600 square feet of space and shall not be less than 25 feet at its narrowest point.
- 4.) Each campsite shall be identified by number and section. Camping units within a campground shall be required to locate within the designated campsites.

12 VAC 5-450-80 - Water supplies

- 1.) The water supply, storage reservoirs and distribution system shall be approved by the Health Commissioner.

- 2.) An adequate supply of safe, sanitary, potable water capable of supplying a total capacity of at least 50 gallons per campsite per day if privies are used, and at least 100 gallons per campsite per day if water-flushed toilets are used, shall be provided at one or more easily accessible locations within the camping area. Adequate water storage facilities shall be provided to meet the demands for water during periods of peak use by the campers.
- 3.) All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with over-lapping covers so as to prevent the entrance of contaminating material. Reservoir overflow pipes shall discharge through an acceptable air gap.
- 4.) All cross connections, between approved and nonapproved water supply systems are prohibited, and the supply shall be protected against the hazards of backflow or back siphonage.
- 5.) Drinking fountains and water coolers, if provided, shall be of an approved type. Common drinking cups, glasses, or vessels are prohibited.
- 6.) Unsafe wells or springs in the camp area shall be eliminated or made inaccessible.
- 7.) All ice provided shall be from an approved source. All ice shall be handled and stored in such a manner as to prevent contamination. Ice-making machines shall be of approved construction.
- 8.) Portable water tanks or watering stations shall not be approved, except in emergencies, and then such tanks, stations and dispensing shall be approved by the Health Commissioner.
- 9.) The area surrounding a pump or hydrant used for a water supply shall be maintained in a properly drained and sanitary condition, to prevent the accumulation of standing water or the creation of muddy conditions.
- 10.) The connection for potable water piped to individual campsites shall be so installed that it will not be damaged by the parking of camping vehicles.
- 11.) If installed above the ground; the riser shall terminate at least four inches above the ground surface. If installed in a pit, the riser shall terminate at least 12 inches above the floor of the pit, and the pit shall be drained to prevent it from containing standing water. The drain for the pit shall not be connected to a sanitary sewerage system.
- 12.) If a water connection and a sewer connection are provided at individual campsites, the two connections shall be separated by a minimum horizontal distance of five feet.
- 13.) Adequate provisions shall be made to prevent the freezing of service lines, valves and riser pipes.

12 VAC 5-450-90 - Sewage disposal

- 1.) Every campground shall be provided with an approved method of collection, conveying and disposing of all sewage and liquid wastes.
- 2.) Privies shall be an acceptable method of sewage disposal when the location, design, construction, and quantity have been approved by the Health Commissioner provided their use is not prohibited or restricted by local requirements.
- 3.) All methods or systems of collecting and disposing of sewage and liquid wastes, whether temporary or permanent shall be subject to the approval of the Health Commissioner.
- 4.) It shall be unlawful to discharge sewage, sink waste water, shower waste water, or other putrescible wastes in such a manner as to enter the ground surface or subsurface, or a body of water except following a treatment device or process approved prior to construction by the Health Commissioner.
- 5.) A sanitary or dump station for the disposal of sewage and other liquid wastes from self-contained camping units shall be provided which complies with the following requirements:
 - a.) Campgrounds having less than 200 campsites shall provide a minimum of one sanitary station.
 - b.) Campgrounds having more than 200 campsites shall provide an additional sanitary station for each additional 200 campsites or major fraction thereof, provided that campsites equipped with sewer connections shall not be included in the total.
 - c.) Where two or more sanitary stations are required they shall be so located as to facilitate the simultaneous discharge of sewage wastes from different units.
 - d.) Each sanitary station shall be so located and designed as to be easily accessible and facilitate ingress and egress for camping vehicles.
- 6.) The sanitary station shall consist of the following:
 - a.) A four-inch sewer pipe trapped below the frost line connected to an approved sewage disposal system.
 - b.) The sewer pipe, at the inlet, shall be surrounded by a reinforced, concrete apron sloped to drain to the sewer pipe.

- c.) The minimum dimensions of the concrete apron shall be 36 inches wide, 60 inches long and four inches thick. The sewer pipe shall be located such that the major portion of the apron will project under the camping unit when it is discharging.
- d.) The inlet of the sewer pipe shall be provided with a suitable fly-tight cover.
- e.) The sanitary station shall be provided with a water outlet to permit wash down of the immediate area after each use and so arranged as to prevent a cross-connection or back siphonage.
- f.) Each water outlet used for such purposes shall display a sign stating, in effect, "Notice: Unsafe Water Outlet-This water for wash-down purposes only."

7.) Individual sewer connections for camping vehicles, if provided, shall be installed in accordance with the following provisions:

- a.) The individual sewer (equivalent to the building sewer for a permanent building), shall be at least four inches in diameter, shall be trapped below the frost line, and shall be laid at depths sufficient to provide adequate protection against physical injury.
- b.) The sewer inlet shall consist of four inch riser extending, at a minimum four inches above the surface of the surrounding ground to accommodate a hose connection from the camping vehicle, or so designed as to divert surface drainage away from the riser. The riser shall be imbedded firmly in the ground and be protected against heaving and shifting.
- c.) The sewer riser shall be equipped with a standard ferrule and close nipple provided with a tight cap or expanding sewer plug. The screw cap or sewer plug shall be fastened by a durable chain to prevent removal while the sewer riser is in use. When the sewer riser is not in use, it shall be capped or plugged.
- d.) The sewer hose between the camping vehicle drain and the sewer riser shall be watertight, and shall be of flexible, noncollapsible, corrosion and weather-resistant material of suitable diameter to fit the camping vehicle drain. Its lower end shall be secured into the open sewer riser with a gasket of rubber or other suitable material. All joints shall be effected so as to prevent the leakage of sewage, odor or prevent the entrance of rodents.

12 VAC 5-450-100 - Service buildings

1.) Each campground shall be provided with one or more service buildings, which contain an adequate number of toilet and sanitary facilities. The minimum ratio of sanitary facilities to the number of campsites shall be provided according to the following schedule:

Number Sites	Toilets		Urinals	Lavatories		Showers*		Other Fixtures
	Male	Female	Male	Male	Female	Male	Female	
0-15	1	1	0	1	1	1	1	1 slop drain
16-30	2	2	0	2	2	1	1	See Subsection F of this section
31-45	2	3	1	3	3	1	1	
46-60	3	4	1	3	3	2	2	
61-75	4	5	1	4	4	2	2	
76-90	4	6	2	4	4	2	2	
91-105	5	7	2	4	4	3	3	
106-120	6	8	2	5	5	3	3	
121-135	6	9	3	5	5	3	3	
136-150	7	10	3	5	5	4	4	

* The providing of showers in the service building(s) is optional on the part of the campground owner, but when they are provided the schedule will apply.

2.) For campgrounds having more than 150 campsites located, in the opinion of the Health Commissioner, contiguously to the service building or buildings required by the schedule in subsection A, there shall be provided one toilet seat and one lavatory for each sex for each additional 30 campsites, and one additional shower for each additional 40 campsites and one additional men's urinal for each 100 campsites. When a section or sections of a campground are found to be inconspicuous, the Health Commissioner may apply the schedule in subsection A above in determining the adequacy of the fixtures for such section. Whenever the number of campsites fall in between the numbers listed above, the larger number of required fixtures shall apply when a major fraction of the difference in the two numbers is attained.

3.) Primitive camps shall be exempted from the provisions for lavatories and showers. If, however, any showers are provided at a campground designated as a primitive camp, the schedule in subsections A and B shall apply.

4.) Where urinal troughs are used, two feet of urinal trough shall constitute one urinal.

5.) Exemptions. Any person desiring to furnish temporary facilities for accommodating a travel trailer rally, or other group of camping units assembled for the purpose of traveling together, shall make application for such activity to the Health Commissioner through the local health department having jurisdiction, 15 days in advance of the intended date of use. The requirements for a service building may be waived by the Health Commissioner on the determination that public health will not be endangered; but the location of the site, the facilities which must be provided, and the method of conducting such rally shall be acceptable to the Health Commissioner before a special permit shall be issued specifying the location of the site, the period of operation not to exceed seven days, and any conditions of issuance.

6.) A slop sink or suitable drain shall be provided within 500 feet of all campsites for the disposal of liquid wastes unless a sanitary station is accessible for this purpose. Adequate provision shall be made by the operator of a campground to assure that the slop sink or other suitable drain, if necessary, is kept in a sanitary condition and is used for the purpose for which it was intended such as the disposal of dish water and wash water.

7.) Lavatories shall be provided adjacent to the toilet fixtures.

8.) When a campground is operated in connection with a resort or other business establishment, the total number of sanitary facilities shall be in excess of those required by the aforementioned schedules and shall be based on the total number of persons using such facilities.

9.) Service buildings shall be located no farther than 500 feet from any campsite served by such building, nor closer than 30 feet to any campsite. When two or more service buildings exist, the ratio of fixtures as specified in subsections A and B shall be in approximate relation to the number of campsites located within a 500-foot radius of each building.

10.) All service buildings and the commodes, urinals, lavatories, shower and other appurtenances located therein shall be maintained in a state of good repair and shall be kept in a clean and sanitary condition at all times.

11.) All doors to the exterior from service buildings shall be self-closing.

12.) Toilet rooms, shower rooms and other areas receiving heavy camper use shall not be used for miscellaneous storage during operation of the camp.

13.) Toilet tissue shall be provided at each privy or toilet seat.

14.) Shower compartments, whether individual type with partitions or group type without partitions, shall have not less than 1,024 square inches in floor area and, if rectangular, square or triangular in plan, shall be not less than 30 inches in shortest dimension.

15.) In a campground where there is a combination of campsites, part of which are provided with a water connection and a sewer outlet, the minimum number of fixtures as required in subsections A and B above may be adjusted by the Health Commissioner based on individual conditions provided any request for an adjustment complies with 12 VAC 5-450-190.

12 VAC 5-450-110 - Structural requirements for service buildings

1.) All portions of the structure shall be properly protected from damage by ordinary use and by decay and corrosion. Exterior portions shall be of such material and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

2.) Effective ventilation of all service buildings shall be provided to prevent condensation, moisture and odors.

3.) Interior of service buildings shall be finished in a light color and provided with adequate natural or artificial illumination, or both.

4.) The floors of toilet and shower rooms shall be sloped to a properly trapped floor drain connected to the sewerage system.

- 5.) Partitions between flush toilets in the same room shall be raised a minimum of eight inches from the floor to permit easy cleaning.
- 6.) The interior finish of such buildings shall be of moisture resistant and easily cleanable material, which will withstand frequent washing and cleaning. Special attention shall be given wall finishes immediately around lavatories, urinals, and commodes and in showers to insure a surface in these heavily used areas, which will withstand commercial use.
- 7.) The floors shall be constructed of material impervious to water and be of easily cleanable material. Duck boards or walkways made of wood or other absorptive material shall not be permitted.
- 8.) All windows and openings to the outside from areas containing commodes and urinals shall be provided with fly-proof screening material of at least 16 mesh per inch.
- 9.) Water closets and bathing facilities shall not be located in the same compartment.
- 10.) Permanent service buildings shall be provided with an artificial light at the entrance to the building to facilitate its use at night: Provided, that primitive camps with privies may be exempted from this requirement.
- 11.) Service buildings shall have appropriate signs to denote its use such as "Men's Toilet," "Women's Toilet," "Showers," etc.
- 12.) Showers shall be equipped with a drain or drains, which will prevent the shower water from running across floors that, are used for other purposes.
- 13.) All fixtures shall be of durable material, which will be capable of withstanding the heavy usage which public facilities receive.

12 VAC 5-450-120 - Garbage and refuse disposal

- 1.) All garbage and refuse shall be stored in durable, watertight, rodent-proof, fly-proof containers with tight-fitting covers. All containers shall be maintained in a state of good repair, and shall be kept clean.
- 2.) Collection and disposal of garbage and refuse shall be in an approved manner, and of such frequency as to prevent a nuisance or health hazard to campers or adjacent areas.
- 3.) An adequate number of containers shall be provided for the depositing of garbage and refuse.
- 4.) Containers for garbage and refuse shall be supported in such a manner as to minimize tipping or spillage and the area around such containers shall be kept clean.

12 VAC 5-450-130 - Insect, rodent and weed control

- 1.) Camping places shall be kept free from cans, jars, buckets, old tires and other articles which may hold water and provide temporary breeding places for mosquitoes. Mosquito control measures and supplemental larvicidal measures shall be undertaken by the owner when the need is indicated.
- 2.) Fly breeding shall be controlled by eliminating the insanitary practices, which provide breeding, places. The area surrounding the garbage cans shall not be permitted to become littered with garbage nor saturated with waste liquid from garbage.
- 3.) The growth of weeds, grass, poison ivy or other noxious plants shall be controlled as a safety measure and as a means toward the elimination of ticks and chiggers. Pesticidal measures shall be applied, if necessary provided the pesticide and its use is in accordance with the rules promulgated by the Pesticide Control Board.
- 4.) The campsite and the premises shall be maintained in a clean and orderly manner.

12 VAC 5-450-140 - Swimming pools and outdoor bathing facilities

The construction, modification, maintenance, operation and use of any swimming pool at a campground, if provided, shall be subject to the State Board of Health regulations adopted under §§ 35.1-17 of the Code of Virginia.

12 VAC 5-450-150 - Safety

- 1.) The electrical installation and electrical hook-up provided travel trailers, and other similar units shall be in accordance with the provisions of local electrical ordinances, or if no such ordinance exists, in accordance with the provisions of the National Electrical Code, applicable at the time of installation.
- 2.) Adequate precautions shall be exercised by the operator to prevent the outbreak of fires. If open fires are permitted, there shall be a definite area provided within the bounds of each campsite for the building of fires by the camper, with a cleared area surrounding the firesite to aid in fire control.
- 3.) Adequate precautions shall be taken by the operator in the storage and handling of gasoline, gas cylinders or other explosive materials, in accordance with local, state and national safety standards.
- 4.) The operator shall make adequate provisions for the use and control of mini-bikes, trail bikes and other similar vehicles within the confines of the camping area to prevent accidents to small children and campers.

5.) Broken bottles, glass and other sharp objects shall not be allowed to create a hazard to children or others.

12 VAC 5-450-160 - Storage and handling of liquified petroleum gases

Filling plants may be located in the campground provided that the entire operation, including the storage container, is located not less than 50 feet from the nearest campsite; important buildings, or group of buildings, or line of adjoining property which may be built upon, and not less than 25 feet from any public street or highway. Such filling plant and storage containers shall be enclosed by man-proof fencing or otherwise protected from tampering or physical damage. The access to the enclosed area shall be kept locked when unattended.

12 VAC 5-450-170 - Control of animals and pets

1.) Every pet permitted in a campground shall be maintained under control at all times and not be permitted to create a public health problem. Dogs shall be kept on leash at all times. Dung shall be removed immediately and be buried in a location, which will not interfere with the site for camping purposes.

2.) Any kennels, pens or other facilities provided for such pets shall be maintained in a sanitary condition at all times.

12 VAC 5-450-180 - Overflow areas

1.) It shall be unlawful for any person operating a campground to exceed the design capacity of the campground as stated on the health permit by the use of certain unequipped areas as an overflow area for campers, camping clubs or rallies unless and until the overflow area and its proposed use have been approved by the Health Commissioner in writing as to the specific location of the overflow area, number and location of sanitary facilities, size and number of campsites and such other factors as may be deemed necessary to prevent overcrowding and the accompanying insanitary conditions.

2.) The length of stay of any camping unit permitted to use an area specifically designated and approved as an overflow area shall be limited to a 12 hour period.

12 VAC 5-450-190 - Waiver

1.) One or more of the provisions in the above regulation may be waived in whole or in part when, in the opinion of the Health Commissioner, there are factors or circumstances which render compliance with such provision(s) unnecessary; provided, that such provision(s) shall be specifically exempt in writing by the Health Commissioner.

2.) It shall be the duty of the campground operator to file a written request for such waiver in which the reasons for noncompliance of a certain provision(s) are stated fully. If data, test or other adequate information is necessary to the rendering of a decision by the Health Commissioner, it shall be the responsibility of the applicant to provide such evidence.

12 VAC 5-450-200 - Penalties

Any person who violates any provision of this chapter shall, upon conviction, be punished by a fine of not less than \$10 nor more than \$100; and each day's failure of compliance with any provision shall constitute a separate violation.

12 VAC 5-450-210 - Constitutionality

If any provision of any section of this chapter is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the validity and constitutionality of the remainder of such regulations shall not be affected thereby.

12 VAC 5-450-220 - [Reserved Section]

12 VAC 5-450-230 - Exemptions

Whenever it is found that existing facilities provided at a campground prior to the effective date of this chapter such as the size of campsites and design of structures are in noncompliance, and that the required changes would work an undue hardship on the operator and not materially affect the public health or safety, such major items shall be exempted from this chapter. Other nonconforming items at existing campgrounds such as dump station requirements and number of sanitary facilities may continue in use for a reasonable period of time not to exceed two years from the effective date, provided that a diligent effort is made by the owner to effect compliance. All new campgrounds, sections added to existing campgrounds and additions and extensions within existing campgrounds shall be subject to the provisions of this chapter.

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Last Updated: 07-30-2011

Ordinance

AN ORDINANCE TO AMEND SECTIONS 90-1, 90-51, and 90-77 (B)
OF THE CODE OF THE CITY OF EMPORIA, VIRGINIA

BE IT ORDAINED by the City Council of the City of Emporia, Virginia, in regular assembly that:

Sections 90-1, 90-51, and 90-77 (b) of the Code be amended and re-enacted to read as follows:

Sec. 90-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building means a detached subordinate building located on the same lot with the main building or use, the use of which is customarily incidental to that of the main building or to the use of the land. Where a wall of the accessory building is part of the wall of the main building, or where an accessory building such as a garage is attached in any manner to the main building, such accessory building shall be considered a part of the main building. The accessory building shall be less than the main building in height, except in industrial districts where a higher building is required in the manufacturing process. No accessory building shall be used for residential purposes. Accessory buildings shall be permitted only in the rear yards and shall not be located within five feet of any interior lot side or rear lot line. Accessory buildings constructed on corner lots shall have the same street side yard setback required of the main building.

Administrator means the city manager, or his duly authorized agent, designated to enforce this chapter.

Adult day support facility means a non-residential facility that provides a variety of health, social and related support services in a protective setting during part of the day to four or more adults over the age of 18 who reside elsewhere.

Alley means a public service way providing a secondary means of access to abutting properties.

Alteration means any change in the total floor area, use, adaptability or external appearance of an existing structure.

Animal foster home means a private residential dwelling and its surrounding grounds at which site through an affiliation with a pound, animal shelter, or other releasing agency care or rehabilitation is provided for no more than three companion animals for a period not to exceed 12 months.

Apartment means a room, or suite of two or more rooms, which is designed or intended for occupancy by, or which is occupied by, one family doing its cooking therein.

Apartment house means any building or portion thereof which contains three or more apartments, the occupants of any two or more of which use any entrance or hall in common, and all living units of which are intended to be maintained under single ownership or management. This shall be interpreted to include cooperative apartment houses.

Assembly hall means a hall or structure where many people congregate for a particular event, purpose or general gathering.

Banquet facility means a room which is utilized for the purpose of hosting a party, banquet, reception or other social event which is many times located in the buildings of clubs, fraternal and nonprofit organizations, and/or restaurants and is rented out as a fundraising mechanism.

Base floor or lowest floor elevation means the level of the lowest floor of a building or structure or basement, if included in the building or structure.

Base floor or lowest floor elevation means the level of the lowest floor of a building or structure or basement, if included in the building or structure.

Basement means any story of a building in which the surface of the floor above is less than six feet above the adjacent ground elevation at all points.

Bed and breakfast house means a house, or portion thereof, where shortterm lodging rooms and meals are provided and the operator shall live on the premises.

Boardinghouse means a building where, for compensation, lodging and meals are provided for at least three and up to 14 persons.

Body piercing means the practice of physical body adornment in permitted establishments by operators utilizing tattooing and/or body piercing cosmetics. Body piercing activities shall be in accordance with the Virginia Department of Professional and Occupational Regulations' "Body Piercing Regulations" and may be permitted only as an accessory use in commercial zoning districts.

Building means a structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels. When separated by division walls from the ground up without openings, each portion of such building shall be deemed a separate building. The word "building" also includes the words "use" and "structure."

Building height means the vertical distance measured from the level of the curb or established centerline of the street opposite the middle of the front elevation of the main entrance of the building to the highest point of the roof surface, if a flat roof; to the deck line of the mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof. If built on a terrace, the height of the building may be increased by the height of the terrace, but this increase of height shall not exceed five feet.

Building setback means the required distance by which any building or structure must be separated from the lot lines.

Camper. See Recreational vehicles.

Certificate of occupancy means a certificate issued by the administrator providing he has determined the occupancy, use, erection or alteration of a building or land or part thereof is in conformity with this chapter and other city ordinance provisions.

Child care center means any facility in which more than five children are received for care, protection, and guidance during a part of the day, except children who are related by blood or marriage to the person who maintains the home.

Commercial means any wholesale, retail, or service business activity established to carry on trade for a profit.

Commission means the planning commission of the city.

Conditional use means a use listed as such in this chapter and which may be permitted in a specified district under certain conditions, such conditions to be determined in each case by the terms of this chapter and by the city council, in accordance with the procedures specified by this chapter and applicable state law.

Conditional use permit means a permit issued by the city council after recommendation by the planning commission for a use allowed as a conditional use in a designated district or in section 90-55 after evaluation of the impact and compatibility of such use. Such permit shall stipulate such conditions and restrictions, including any such conditions contained in this chapter, as will ensure the use being compatible with the neighborhood in which it is to be located; or, where that cannot be accomplished, shall deny the use as not in accord with adopted plans and policies or as being incompatible with existing uses or development permitted by right in the area.

Development means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Dwelling means any structure which is designed for use for residential purposes, except hotels, boardinghouses, lodginghouses, tourist cabins, apartments and automobile trailers. The word "dwelling" includes the word "residence."

Dwelling, multiple-family means a structure arranged or designed to be occupied by three or more families living independently of each other.

Dwelling, single-family means a structure arranged or designed to be occupied by one family, the structure having only one dwelling unit.

Dwelling, two-family means a structure arranged or designed to be occupied by two families, the structure having only two dwelling units.

Dwelling unit means one or more rooms in a dwelling designed for living or sleeping purposes, and having at least one kitchen.

Family means any individual, or two or more persons living together on the premises as a single nonprofit housekeeping unit, including domestic servants, not more than three boarders and the occupants of not more than two rooms as roomers, but excluding fraternities, sororities, clubs and institutions of all types.

Fence, wall or hedge means a freestanding structure of wood, chainlink or hedge, or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes. The height of such fences, walls, or hedges shall be determined by the zoning district. (See special provisions.)

Flood means a general and temporary inundation of normally dry land areas.

Flood, 100-year means a flood that, on the average, is likely to occur once every 100 years (i.e., that has a one percent chance of occurring each year, although the flood may occur in any year).

Floodplain means a relatively flat or low land area, adjoining a river, stream or watercourse, which is subject to partial or complete inundation, or an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

Floodway means the designated area of the floodplain required to carry and discharge floodwaters of a given magnitude. For the purpose of this chapter, the floodway shall be capable of accommodating a flood of the 100-year magnitude.

Floodway fringe means that portion of the floodplain between the floodway and 100-year floodplain boundaries.

Floor area means the sum of the gross horizontal areas of the several floors of the building or buildings on a lot, measured from the exterior walls or from the centerline of party walls separating two buildings.

Group home means a facility or dwelling unit serving physically handicapped, mentally ill, mentally retarded or other developmentally disabled persons, not related by blood, marriage, adoption or guardianship and operating as a group family household. A group home may include family care home, foster home, half-way house, and nursing home.

Home occupations means occupations such as dressmaking, voice, piano, preserving or home cooking, including a professional occupation of a resident of the premises (providing such professional occupation does not occupy more than 300 square feet of floor area for a professional use), but not including a beauty parlor, barbershop, convalescing or nursing home, tourist home, massage parlor or similar establishment offering services to the general public. Home occupations shall be carried on only by a member of the family residing on the premises, and no mechanical equipment shall be used except such as is customary for purely domestic household purposes, provided further that there shall be no sign exceeding 144 square inches in area, nor any artificial lighting of such sign, nor any display that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling.

Hotel means any building or portion thereof which contains ten or more sleeping rooms which are designed or intended to be used, let or hired out primarily for transient occupancy for compensation, whether the compensation be paid directly or indirectly, and in which no provision is made for cooking in any individual room or suite.

Internet sweepstakes cafe means any venue where an electronic machine or device is operated under a sweepstakes premises. Only in the context of this definition, an "electronic machine or device" means a mechanically, electrically or electronically operated machine or device, that is owned, leased or otherwise possessed by a sweepstakes sponsor or promoter, or any sweepstakes sponsor's or promoter's partners, affiliates, subsidiaries or contractors, that is intended to be used by a sweepstakes entrant, that uses energy, and that is capable of displaying information on a screen or other mechanism.

Kennel means any place in which more than three dogs, more than six months of age, are kept, or any number of dogs are kept for the purpose of sale or rental or in connection with boarding, care or breeding, for which any fee is charged.

Licensed family day home means a child day program offered in the residence of the provider or the home of any of the children in care of six through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation.

Loading space, off-street, means an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of vehicles while loading or unloading merchandise or material, and which has access to a street, alley or other appropriate means of ingress and egress.

Lot means a parcel of land either occupied or vacant, or to be occupied by a building or group of buildings and accessory buildings and used together with such yards and other open spaces as are required by this chapter.

Lot, corner means a lot abutting on two or more streets at their intersection. Of the two sides of a corner lot, the front shall be deemed to be the shortest of the two sides fronting on streets.

Lot, depth of means the average horizontal distance between the front and rear lot lines.

Lot, double frontage means an interior lot having frontage on two streets.

Lot, front of means that side of the lot which fronts on a street. In the case of a corner lot, the narrowest side fronting on the street shall be considered to be front of the lot.

Lot, interior means any lot other than a corner lot.

Lot of record means a lot which has been recorded in the clerk's office of the circuit court, or on a plat of record, or it may include parts of, or a combination of such lots when adjacent to one another, provided such ground is used for egress by means of a street or public right-of-way.

Lot, width means the distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Manufacture and/or *manufacturing* means the processing and/or converting of raw, unfinished materials, or products, or either of them, into articles of substances of different character, or for use for a different purpose. The word "manufacturing" includes mixing, blending, fabricating and producing.

Manufactured home/mobile home means a structure intended for human habitation that is subject to federal regulation, is transportable in one or more sections, is eight body feet or more in width or 40 body feet or more in length, or when erected is 320 or more square feet in area. Such a structure is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation, connected to the required utilities and contains plumbing, heating, air conditioning, and electrical systems. All such homes constructed since 1976 have been required to conform to the National Manufactured Housing Construction and Safety Standards Act of 1974. The term "mobile home," once widely used to describe transportable housing units, has been replaced in the Code of Virginia by the term "manufactured housing." See Code of Virginia, § 36-85.2 et seq.

Manufactured home/mobile home lot means the unit of land used or intended to be used by one manufactured home/mobile home, whether in a manufactured home/mobile home park or not.

Manufactured home/mobile home, multi-sectional (double-wide or larger) means a structure built in accordance with 1974 national manufactured housing construction and safety standards that is mounted on and anchored to a permanent foundation in accordance with the Virginia Unified Statewide Building Code and which has its wheel, axle and towing apparatus removed.

Manufactured home/mobile home park means any site, lot, field, or tract of land upon which are located four or more manufactured home/mobile home lots.

Manufactured home/mobile home, single wide means a structure, transportable in one section, which is eight body feet or more in width and is 32 body feet or more in length and which is built on a permanent chassis and designed to be used with or without

permanent foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

Modular home means a single-family dwelling designed for transportation after fabrication on streets and highways on a flatbed or other trailer and arriving at the site where it is to be occupied as a dwelling, which dwelling shall be placed on a permanent foundation, and connected to city utilities and the like.

Also, "modular" means a combination of one or more sections or modules, subject to state regulations and including necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation to comprise a finished building. In addition to the compliance assurance label, each dwelling unit shall be marked by a Virginia Registration Seal secured by the department of housing and community development.

Motel means one or more buildings containing individual sleeping rooms, designed for or used temporarily by tourists or transients, with parking space conveniently located to each unit. Cooking facilities may be provided for each unit.

Nightclub means an establishment for evening entertainment, generally open until the early morning hours that serves liquor and usually food and offers patrons music, comedy acts, a floor show, or dancing.

Nonconforming activity means the otherwise legal use of a building or structure or of a tract of land that does not conform to the use regulations of this chapter for the district in which it is located, either as of April 4, 1975, or as a result of subsequent amendments to this chapter.

Nonconforming building means a building, structure or portion thereof lawfully existing and used at the time the ordinance from which this chapter derives became effective, which was designed, erected or structurally altered, for a use that does not conform to the use regulations of the district in which it is located, or a building or structure that does not conform to all the height and area regulations of the district in which it is located.

Nonconforming lot means an otherwise legally platted lot that does not conform to the minimum area or width requirements of this chapter for the district in which it is located either as of April 4, 1975, or as a result of subsequent amendments to this chapter.

Nonconforming sign means any sign, excluding temporary signs, erected or placed prior to August 7, 2007 that is not in conformance with the requirements of this chapter.

Nonconforming structure means an otherwise legal building or structure that does not conform with the lot area, yard, height, lot coverage or other area regulations of this chapter, or is designed or intended for a use that does not conform to the use regulations of this chapter for the district in which it is located, either as of April 4, 1975, or as a result of subsequent amendments to this chapter.

Nonconforming use means a use which lawfully occupied a building, or portion thereof or land at the time the ordinance from which this chapter derives became effective and which does not conform to the use regulations of the district in which it is located.

Nursing home means a place devoted primarily to the maintenance and operation of facilities for the treatment and care of any person suffering from illnesses, diseases, deformities, or injuries not requiring extensive and/or intensive care that is normally provided in a general hospital or other specialized hospital.

Office building means a building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity and where there are no goods offered for sale.

Off-street parking area means space provided for vehicular parking outside of the dedicated street right-of-way.

Parking lot means an open, unoccupied space used, or required for use, for the parking of automobiles or other private vehicles exclusively, and in which no gas or automobile accessories are sold or no other business is conducted.

Parking space means a space used as an area for temporary storage of passenger vehicles. Such space shall be a minimum of ten feet in width and 20 feet in length, except that off-street parking facilities containing any parking spaces may use 20 percent of the total spaces as "compact car" spaces with a minimum size of 7½ feet in width and 15 feet in length. Such spaces shall be indicated by the posting of signs reading "small cars only."

Principal building means a building in which the primary use of the lot on which the building is located is conducted.

Professional office means an office building for doctors, dentists, lawyers, and similar professional occupations, provided such building does not exceed four offices.

Public and semipublic uses means any public works supplied generally by a governmental or nonprofit organization. Such public and semipublic works shall include, but not be limited to: public roads, schools, water supply and sewer facilities, rescue squads, and police and fire protection facilities.

Public utilities means a group of uses which provide essential energy and communication services to the general public. These include, but are not limited to: electrical, natural gas, water and sewer and telephone companies; their distribution and transmission lines; poles and towers; substations, pumping stations and storage facilities. By definition, some of these activities are industrial in nature, although local distribution facilities usually are compatible uses in residential areas.

Recreational vehicle means a vehicle which is self-propelled or towed, can be operated independently of utility connections and is designed to be used principally as temporary living quarters for travel, recreation, or vacation purposes.

Recreational vehicle park means any lot or parcel of land upon which two or more sites are located, established, or maintained for occupancy by recreational vehicles for a fee as temporary living quarters. Temporary shall mean a period not to exceed 365 days of continuous occupancy of a recreational vehicle on a site within a recreational vehicle park.

Restaurant, standard or sit-down means any premises utilized for the sale, dispensing, and/or serving of food, refreshments, or beverages where the customer is normally involved with an individual menu and is served by an employee at a table, booth, or counter at which said items are consumed.

Rest home or convalescent home means any place containing beds for two or more patients, established to render domiciliary care for chronic or convalescent patients, but not including child care homes or facilities for the cure of feeble-minded, mental, epileptic, alcoholic patients, or drug addicts.

Retail stores and shops means buildings for display and sale of merchandise at retail or for the rendering of personal services (but specifically exclusive of coal, wood and lumber yards), such as the following which will serve as illustration: drugstore, newsstand, foodstore, candy shop, milk dispensary, dry goods and notions store, antique store and gift shop, hardware store, household appliance store, furniture store, florist, optician, music and radio store, tailor shop, barbershop and beauty shop.

Roominghouse means any building or portion thereof which contains guestrooms which are designed or intended to be used, let or hired out for occupancy by, or which are occupied by, three or more, but not exceeding 14, individuals for compensation, whether the compensation is paid directly or indirectly.

Setback means the minimum distance by which any building or structure must be separated from the front lot line or side yard abutting the street of a corner lot.

Sign means any letters, words, numerals, figures, devices, designs, emblems, trademarks, or any parts or combinations thereof, by which anything is made known.

Sign area means the total area in the smallest square, rectangle or triangle, which will contain the entire sign including lighting but excluding supports that are not lighted or signs.

Sign, banner means any sign of lightweight fabric, plastic, vinyl, or similar material usually mounted at one or more edges excluding national, state, municipal or institutional flags. Banners shall be considered temporary signs in all districts. Banners shall conform in size to business signs.

Sign, business means a sign which directs attention to a product, commodity or service available on the premises, exclusive of a window sign.

Sign, flashing means a sign having or containing an intermittent or sequential light source that pulsates, causing the sign to turn on and off or become intermittently brighter and darker.

Sign, general advertising means a sign which directs attention to a product, commodity or service not necessarily available on the premises. Such sign may be referred to as a billboard.

Sign, home occupation or nameplate means a sign not exceeding four square feet in area containing the name and occupation of the occupant or directing attention to a product, commodity or service available on the premises.

Sign, interim means a sign intended to provide signage while the permanent sign is being fabricated, repaired, or prepared for installation.

Sign, menu board means a sign located at the drive-through window of a restaurant detailing the prices of specific food items.

Sign, pennant means any lightweight fabric, plastic or similar material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series, designed to move in the wind.

Sign, portable means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by wheels; "A" - or "T"-frame signs; menu and sandwich board signs balloons used as signs; sign pennants; umbrellas used for advertising; flags; and signs attached to or painted on vehicles parked and visible from the public right-of-

way, unless said vehicle is used in normal day to day operation of the business on the premises. Portable signs, excluding "A" or "T" frame sign/menu or sandwich board signs and flags in the DT district, as well as pennants, balloons, and flags on automotive sales and gasoline service station/convenience store lots within C-2 districts, shall be considered as temporary in all districts.

Sign, reader board/changeable copy means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or surface of the sign. This definition includes, without limitation, electronic message boards, which are defined as signs that use changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Business signs and general advertising signs shall also be considered reader board/changeable copy signs.

Sign, temporary means a sign affixed to the exterior of a primary building which is not permanently mounted to such building. To be deemed permanently mounted, a sign must be (a) attached or secured by bolting, welding, molding, nailing, concrete, or similar mechanisms; and (b) made of materials enabling the sign to maintain its structural integrity and the clarity of its graphics. Signs attached by rope, string, chain, tape, paste, and similar mechanisms; signs not rigidly attached to a supporting structure; signs made of paper, cloth, vinyl, and similar lightweight materials; and signs that are pushed, hammered or similarly put in the ground are all presumed to be temporary signs. Only temporary signs affixed to a primary building shall be permitted under issuance of a "temporary sign permit from the zoning administrator for brief activities such as grand openings, promotions of new products or services, special and seasonal sales, special civic or cultural events such as fairs, plays, concerts, or meetings sponsored by a school, student association, governmental, religious, charitable, or non-profit organizations, or other similar events.

Sign, window means the primary identification sign(s) placed inside or upon a window or door which is intended to be seen or actually is seen from the exterior of a building used to advertise the specific business in which it is located. Signs painted on windows or doors shall be considered window signs.

Site plan means a plan, prepared to scale, showing accurately and with complete dimensions, the boundaries of a site and location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land.

Story means that portion of a building included between the surface of any floor and the surface of the next floor above or the roof, if it is directly above. When measuring

height a habitable basement extending at least five feet above the ground level, or a habitable attic shall be counted as a story.

Story, half means a space under a sloping roof, which has the line of intersection or roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use.

Street means a public thoroughfare, 30 feet or more wide between property lines.

Street line means the dividing line between a street or road right-of-way and the contiguous property.

Street or road means a public thoroughfare which affords principal means of access to abutting property.

Structural alteration means any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof.

Structure means anything constructed or erected, which requires location on the ground, or attached to something having location on the ground.

Subdivision means a division of a tract or parcel of land into two or more lots or parcels for the purpose of either immediate or future transfer of ownership or building development; provided, however, that the definition of a subdivision shall not include a bona fide division or partition of agricultural land into parcels of five acres or more and not involving a new street, nor division of land which might be ordered or approved by a court.

Telecommunications tower means a wireless, cellular or personal communications service antenna its antenna support structure, accessory buildings and parking and may include other uses associated with and ancillary to providing wireless communications, cellular communications or personal communications services. Any wireless, cellular, personal communication or other service antenna addition to an existing telecommunications tower shall be known as co-location on an existing tower

Temporary outdoor yard sale means to offer for sale any items of tangible property at sales, commonly known as "yard, garage, rummage, or backyard sales," whereby such sale is conducted on private property in a commercial district limited to four times per year per applicant. All temporary outdoor yard sales shall require a signed permission document from a business/property owner and be regulated in accordance with applicable provisions of Chapter 18, Article VII of this Code.

Tourist court means a group of attached or detached buildings containing individual sleeping or living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit, including auto courts, motels, or motor lodges.

Travel trailer means a mobile unit less than 29 feet in length and less than 4,500 pounds in weight which is designed for human habitation.

Unlicensed family day home means a child day program offered in the residence of the provider or the home of any of the children in care of one through five children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation. However, no family day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. However, a family day home where the children in care are all grandchildren of the provider shall not be required to be licensed.

Use means the occupancy of or principal business conducted in a building or portion thereof or land of the premises.

Variance means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship. As used in this chapter, a variance is authorized only for height, area and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or adjoining zoning districts.

Vehicle loading zone. See Loading space, off-street.

Yard, front means the yard across the full width of the plat facing the street extending from the front line of the building to the front property line. Either yard facing a street may be selected as the front yard of a corner lot.

Yard, rear means the yard across the full width of the plat opposite the front yard extending from rear line of building to rear property line. The rear yard of a corner lot is the yard opposite the selected front yard.

Yard, side means an open, unoccupied space on the same lot as a building between the side line of the building, excluding steps, and the side line of the lot, and extending from the front yard line to the rear yard line.

Zoning administrator. See Administrator.

Sec. 90-51. Mobile home and trailer parking.

Except as provided in Sec. 90-77 (b), the parking or storage of a single wide manufactured home/mobile home, travel trailer or recreational vehicle in any district except in a manufactured home/mobile home park is hereby prohibited, except that one travel trailer or recreational vehicle may be parked or stored on any lot, provided that no living quarters shall be maintained within such travel trailer or recreational vehicle while such vehicle is parked or stored. It is further provided, however, that mobile vehicles may be placed on railroad right-of-way for the purpose of supplying temporary housing for personnel engaged in emergency repair work, subject to the approval of the zoning administrator and the health department, for a period not to exceed 30 days.

Sec. 90-77. C-2 commercial district.

(b) *Uses permitted.* Permitted uses in a C-2 district are as follows:

All uses permitted in C-1 districts.

Adult day support facility.

Appliance stores.

Automobile, truck, manufactured housing sales, services, storage and repairs.

Bakery.

Barber shops and beauty parlors.

Bed, breakfast and tourist homes.

Bookstores.

Bowling alleys.

Building, plumbing, woodworking, wholesaling, air conditioning, sheet metal, electrical and painting contractors' establishments, offices and display rooms, provided that any materials or supplies in an unenclosed area must be arranged so as not to detract from the orderly appearance of the area.

Building supplies and service with storage under cover.

Branch banks.

Car washes.

Cards, flower and gift shops.

Churches.

Commercial, recreational and amusement facilities, with conditional use permit.

Child care centers.

Delicatessen.

Drugstores.
Funeral homes.
Furniture stores.
Gasoline service stations, with all repair and storage of vehicles taking place in a fully enclosed building.
Grocery stores.
Internet sweepstakes cafe with conditional use permit.
Jewelry stores.
Laundromats and dry cleaners.
Machinery sales and service.
Mini-storage facilities.
Motels/hotels.
Nightclubs with conditional use permit.
Pet service and supply establishments.
Photographers.
Printing establishments.
Professional, business, and public offices.
Radio and television broadcasting stations.
Recreational vehicle parks.
Repair service or business, including repair of bicycles, locks, lawn mowers and other small appliances.
Restaurants, including fast food and drive-through types.
Roller skating rinks.
Sexually-oriented businesses (conditional use permit).
Shopping centers.
Tailors and shoe repair shops.
Taxicab establishments.
Theaters.
Tire recapping and vulcanizing.
Trade or vocational schools, with conditional use permit.
Transportation terminals, automobile and truck sales, service, storage and repairs.
Veterinary hospitals, with conditional use permit.

Adopted: June 17, 2014

By _____
Mary L. Person
Mayor

Attest:

City Clerk

Form Approved:

City Attorney

Ordinance

AN ORDINANCE TO AMEND SECTIONS 90-1, 90-51, and 90-77 (B)
OF THE CODE OF THE CITY OF EMPORIA, VIRGINIA

BE IT ORDAINED by the City Council of the City of Emporia, Virginia, in regular assembly that:

Sections 90-1, 90-51, and 90-77 (b) of the Code be amended and re-enacted to read as follows:

Sec. 90-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building means a detached subordinate building located on the same lot with the main building or use, the use of which is customarily incidental to that of the main building or to the use of the land. Where a wall of the accessory building is part of the wall of the main building, or where an accessory building such as a garage is attached in any manner to the main building, such accessory building shall be considered a part of the main building. The accessory building shall be less than the main building in height, except in industrial districts where a higher building is required in the manufacturing process. No accessory building shall be used for residential purposes. Accessory buildings shall be permitted only in the rear yards and shall not be located within five feet of any interior lot side or rear lot line. Accessory buildings constructed on corner lots shall have the same street side yard setback required of the main building.

Administrator means the city manager, or his duly authorized agent, designated to enforce this chapter.

Adult day support facility means a non-residential facility that provides a variety of health, social and related support services in a protective setting during part of the day to four or more adults over the age of 18 who reside elsewhere.

Alley means a public service way providing a secondary means of access to abutting properties.

Alteration means any change in the total floor area, use, adaptability or external appearance of an existing structure.

Animal foster home means a private residential dwelling and its surrounding grounds at which site through an affiliation with a pound, animal shelter, or other releasing agency care or rehabilitation is provided for no more than three companion animals for a period not to exceed 12 months.

Apartment means a room, or suite of two or more rooms, which is designed or intended for occupancy by, or which is occupied by, one family doing its cooking therein.

Apartment house means any building or portion thereof which contains three or more apartments, the occupants of any two or more of which use any entrance or hall in common, and all living units of which are intended to be maintained under single ownership or management. This shall be interpreted to include cooperative apartment houses.

Assembly hall means a hall or structure where many people congregate for a particular event, purpose or general gathering.

Banquet facility means a room which is utilized for the purpose of hosting a party, banquet, reception or other social event which is many times located in the buildings of clubs, fraternal and nonprofit organizations, and/or restaurants and is rented out as a fundraising mechanism.

Base floor or lowest floor elevation means the level of the lowest floor of a building or structure or basement, if included in the building or structure.

Base floor or lowest floor elevation means the level of the lowest floor of a building or structure or basement, if included in the building or structure.

Basement means any story of a building in which the surface of the floor above is less than six feet above the adjacent ground elevation at all points.

Bed and breakfast house means a house, or portion thereof, where shortterm lodging rooms and meals are provided and the operator shall live on the premises.

Boardinghouse means a building where, for compensation, lodging and meals are provided for at least three and up to 14 persons.

Body piercing means the practice of physical body adornment in permitted establishments by operators utilizing tattooing and/or body piercing cosmetics. Body piercing activities shall be in accordance with the Virginia Department of Professional and Occupational Regulations' "Body Piercing Regulations" and may be permitted only as an accessory use in commercial zoning districts.

Building means a structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels. When separated by division walls from the ground up without openings, each portion of such building shall be deemed a separate building. The word "building" also includes the words "use" and "structure."

Building height means the vertical distance measured from the level of the curb or established centerline of the street opposite the middle of the front elevation of the main entrance of the building to the highest point of the roof surface, if a flat roof; to the deck line of the mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof. If built on a terrace, the height of the building may be increased by the height of the terrace, but this increase of height shall not exceed five feet.

Building setback means the required distance by which any building or structure must be separated from the lot lines.

Camper. See Recreational vehicles.

Certificate of occupancy means a certificate issued by the administrator providing he has determined the occupancy, use, erection or alteration of a building or land or part thereof is in conformity with this chapter and other city ordinance provisions.

Child care center means any facility in which more than five children are received for care, protection, and guidance during a part of the day, except children who are related by blood or marriage to the person who maintains the home.

Commercial means any wholesale, retail, or service business activity established to carry on trade for a profit.

Commission means the planning commission of the city.

Conditional use means a use listed as such in this chapter and which may be permitted in a specified district under certain conditions, such conditions to be determined in each case by the terms of this chapter and by the city council, in accordance with the procedures specified by this chapter and applicable state law.

Conditional use permit means a permit issued by the city council after recommendation by the planning commission for a use allowed as a conditional use in a designated district or in section 90-55 after evaluation of the impact and compatibility of such use. Such permit shall stipulate such conditions and restrictions, including any such conditions contained in this chapter, as will ensure the use being compatible with the neighborhood in which it is to be located; or, where that cannot be accomplished, shall deny the use as not in accord with adopted plans and policies or as being incompatible with existing uses or development permitted by right in the area.

Development means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Dwelling means any structure which is designed for use for residential purposes, except hotels, boardinghouses, lodgings, tourist cabins, apartments and automobile trailers. The word "dwelling" includes the word "residence."

Dwelling, multiple-family means a structure arranged or designed to be occupied by three or more families living independently of each other.

Dwelling, single-family means a structure arranged or designed to be occupied by one family, the structure having only one dwelling unit.

Dwelling, two-family means a structure arranged or designed to be occupied by two families, the structure having only two dwelling units.

Dwelling unit means one or more rooms in a dwelling designed for living or sleeping purposes, and having at least one kitchen.

Family means any individual, or two or more persons living together on the premises as a single nonprofit housekeeping unit, including domestic servants, not more than three boarders and the occupants of not more than two rooms as roomers, but excluding fraternities, sororities, clubs and institutions of all types.

Fence, wall or hedge means a freestanding structure of wood, chainlink or hedge, or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes. The height of such fences, walls, or hedges shall be determined by the zoning district. (See special provisions.)

Flood means a general and temporary inundation of normally dry land areas.

Flood, 100-year means a flood that, on the average, is likely to occur once every 100 years (i.e., that has a one percent chance of occurring each year, although the flood may occur in any year).

Floodplain means a relatively flat or low land area, adjoining a river, stream or watercourse, which is subject to partial or complete inundation, or an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

Floodway means the designated area of the floodplain required to carry and discharge floodwaters of a given magnitude. For the purpose of this chapter, the floodway shall be capable of accommodating a flood of the 100-year magnitude.

Floodway fringe means that portion of the floodplain between the floodway and 100-year floodplain boundaries.

Floor area means the sum of the gross horizontal areas of the several floors of the building or buildings on a lot, measured from the exterior walls or from the centerline of party walls separating two buildings.

Group home means a facility or dwelling unit serving physically handicapped, mentally ill, mentally retarded or other developmentally disabled persons, not related by blood, marriage, adoption or guardianship and operating as a group family household. A group home may include family care home, foster home, half-way house, and nursing home.

Home occupations means occupations such as dressmaking, voice, piano, preserving or home cooking, including a professional occupation of a resident of the premises (providing such professional occupation does not occupy more than 300 square feet of floor area for a professional use), but not including a beauty parlor, barbershop, convalescing or nursing home, tourist home, massage parlor or similar establishment offering services to the general public. Home occupations shall be carried on only by a member of the family residing on the premises, and no mechanical equipment shall be used except such as is customary for purely domestic household purposes, provided further that there shall be no sign exceeding 144 square inches in area, nor any artificial lighting of such sign, nor any display that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling.

Hotel means any building or portion thereof which contains ten or more sleeping rooms which are designed or intended to be used, let or hired out primarily for transient occupancy for compensation, whether the compensation be paid directly or indirectly, and in which no provision is made for cooking in any individual room or suite.

Internet sweepstakes cafe means any venue where an electronic machine or device is operated under a sweepstakes premises. Only in the context of this definition, an "electronic machine or device" means a mechanically, electrically or electronically operated machine or device, that is owned, leased or otherwise possessed by a sweepstakes sponsor or promoter, or any sweepstakes sponsor's or promoter's partners, affiliates, subsidiaries or contractors, that is intended to be used by a sweepstakes entrant, that uses energy, and that is capable of displaying information on a screen or other mechanism.

Kennel means any place in which more than three dogs, more than six months of age, are kept, or any number of dogs are kept for the purpose of sale or rental or in connection with boarding, care or breeding, for which any fee is charged.

Licensed family day home means a child day program offered in the residence of the provider or the home of any of the children in care of six through 12 children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation.

Loading space, off-street, means an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of vehicles while loading or unloading merchandise or material, and which has access to a street, alley or other appropriate means of ingress and egress.

Lot means a parcel of land either occupied or vacant, or to be occupied by a building or group of buildings and accessory buildings and used together with such yards and other open spaces as are required by this chapter.

Lot, corner means a lot abutting on two or more streets at their intersection. Of the two sides of a corner lot, the front shall be deemed to be the shortest of the two sides fronting on streets.

Lot, depth of means the average horizontal distance between the front and rear lot lines.

Lot, double frontage means an interior lot having frontage on two streets.

Lot, front of means that side of the lot which fronts on a street. In the case of a corner lot, the narrowest side fronting on the street shall be considered to be front of the lot.

Lot, interior means any lot other than a corner lot.

Lot of record means a lot which has been recorded in the clerk's office of the circuit court, or on a plat of record, or it may include parts of, or a combination of such lots when adjacent to one another, provided such ground is used for egress by means of a street or public right-of-way.

Lot, width means the distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Manufacture and/or manufacturing means the processing and/or converting of raw, unfinished materials, or products, or either of them, into articles of substances of different character, or for use for a different purpose. The word "manufacturing" includes mixing, blending, fabricating and producing.

Manufactured home/mobile home means a structure intended for human habitation that is subject to federal regulation, is transportable in one or more sections, is eight body feet or more in width or 40 body feet or more in length, or when erected is 320 or more square feet in area. Such a structure is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation, connected to the required utilities and contains plumbing, heating, air conditioning, and electrical systems. All such homes constructed since 1976 have been required to conform to the National Manufactured Housing Construction and Safety Standards Act of 1974. The term "mobile home," once widely used to describe transportable housing units, has been replaced in the Code of Virginia by the term "manufactured housing." See Code of Virginia, § 36-85.2 et seq.

Manufactured home/mobile home lot means the unit of land used or intended to be used by one manufactured home/mobile home, whether in a manufactured home/mobile home park or not.

Manufactured home/mobile home, multi-sectional (double-wide or larger) means a structure built in accordance with 1974 national manufactured housing construction and safety standards that is mounted on and anchored to a permanent foundation in accordance with the Virginia Unified Statewide Building Code and which has its wheel, axle and towing apparatus removed.

Manufactured home/mobile home park means any site, lot, field, or tract of land upon which are located four or more manufactured home/mobile home lots.

Manufactured home/mobile home, single wide means a structure, transportable in one section, which is eight body feet or more in width and is 32 body feet or more in length and which is built on a permanent chassis and designed to be used with or without

permanent foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

Modular home means a single-family dwelling designed for transportation after fabrication on streets and highways on a flatbed or other trailer and arriving at the site where it is to be occupied as a dwelling, which dwelling shall be placed on a permanent foundation, and connected to city utilities and the like.

Also, "modular" means a combination of one or more sections or modules, subject to state regulations and including necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation to comprise a finished building. In addition to the compliance assurance label, each dwelling unit shall be marked by a Virginia Registration Seal secured by the department of housing and community development.

Motel means one or more buildings containing individual sleeping rooms, designed for or used temporarily by tourists or transients, with parking space conveniently located to each unit. Cooking facilities may be provided for each unit.

Nightclub means an establishment for evening entertainment, generally open until the early morning hours that serves liquor and usually food and offers patrons music, comedy acts, a floor show, or dancing.

Nonconforming activity means the otherwise legal use of a building or structure or of a tract of land that does not conform to the use regulations of this chapter for the district in which it is located, either as of April 4, 1975, or as a result of subsequent amendments to this chapter.

Nonconforming building means a building, structure or portion thereof lawfully existing and used at the time the ordinance from which this chapter derives became effective, which was designed, erected or structurally altered, for a use that does not conform to the use regulations of the district in which it is located, or a building or structure that does not conform to all the height and area regulations of the district in which it is located.

Nonconforming lot means an otherwise legally platted lot that does not conform to the minimum area or width requirements of this chapter for the district in which it is located either as of April 4, 1975, or as a result of subsequent amendments to this chapter.

Nonconforming sign means any sign, excluding temporary signs, erected or placed prior to August 7, 2007 that is not in conformance with the requirements of this chapter.

Nonconforming structure means an otherwise legal building or structure that does not conform with the lot area, yard, height, lot coverage or other area regulations of this chapter, or is designed or intended for a use that does not conform to the use regulations of this chapter for the district in which it is located, either as of April 4, 1975, or as a result of subsequent amendments to this chapter.

Nonconforming use means a use which lawfully occupied a building, or portion thereof or land at the time the ordinance from which this chapter derives became effective and which does not conform to the use regulations of the district in which it is located.

Nursing home means a place devoted primarily to the maintenance and operation of facilities for the treatment and care of any person suffering from illnesses, diseases, deformities, or injuries not requiring extensive and/or intensive care that is normally provided in a general hospital or other specialized hospital.

Office building means a building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity and where there are no goods offered for sale.

Off-street parking area means space provided for vehicular parking outside of the dedicated street right-of-way.

Parking lot means an open, unoccupied space used, or required for use, for the parking of automobiles or other private vehicles exclusively, and in which no gas or automobile accessories are sold or no other business is conducted.

Parking space means a space used as an area for temporary storage of passenger vehicles. Such space shall be a minimum of ten feet in width and 20 feet in length, except that off-street parking facilities containing any parking spaces may use 20 percent of the total spaces as "compact car" spaces with a minimum size of 7½ feet in width and 15 feet in length. Such spaces shall be indicated by the posting of signs reading "small cars only."

Principal building means a building in which the primary use of the lot on which the building is located is conducted.

Professional office means an office building for doctors, dentists, lawyers, and similar professional occupations, provided such building does not exceed four offices.

Public and semipublic uses means any public works supplied generally by a governmental or nonprofit organization. Such public and semipublic works shall include, but not be limited to: public roads, schools, water supply and sewer facilities, rescue squads, and police and fire protection facilities.

Public utilities means a group of uses which provide essential energy and communication services to the general public. These include, but are not limited to: electrical, natural gas, water and sewer and telephone companies; their distribution and transmission lines; poles and towers; substations, pumping stations and storage facilities. By definition, some of these activities are industrial in nature, although local distribution facilities usually are compatible uses in residential areas.

Recreational vehicle means a vehicle which is self-propelled or towed, can be operated independently of utility connections and is designed to be used principally as temporary living quarters for travel, recreation, or vacation purposes.

Recreational vehicle park means any lot or parcel of land upon which two or more sites are located, established, or maintained for occupancy by recreational vehicles for a fee as temporary living quarters. Temporary shall mean a period not to exceed 365 days of continuous occupancy of a recreational vehicle on a site within a recreational vehicle park.

Restaurant, standard or sit-down means any premises utilized for the sale, dispensing, and/or serving of food, refreshments, or beverages where the customer is normally involved with an individual menu and is served by an employee at a table, booth, or counter at which said items are consumed.

Rest home or convalescent home means any place containing beds for two or more patients, established to render domiciliary care for chronic or convalescent patients, but not including child care homes or facilities for the cure of feeble-minded, mental, epileptic, alcoholic patients, or drug addicts.

Retail stores and shops means buildings for display and sale of merchandise at retail or for the rendering of personal services (but specifically exclusive of coal, wood and lumber yards), such as the following which will serve as illustration: drugstore, newsstand, foodstore, candy shop, milk dispensary, dry goods and notions store, antique store and gift shop, hardware store, household appliance store, furniture store, florist, optician, music and radio store, tailor shop, barbershop and beauty shop.

Roominghouse means any building or portion thereof which contains guestrooms which are designed or intended to be used, let or hired out for occupancy by, or which are occupied by, three or more, but not exceeding 14, individuals for compensation, whether the compensation is paid directly or indirectly.

Setback means the minimum distance by which any building or structure must be separated from the front lot line or side yard abutting the street of a corner lot.

Sign means any letters, words, numerals, figures, devices, designs, emblems, trademarks, or any parts or combinations thereof, by which anything is made known.

Sign area means the total area in the smallest square, rectangle or triangle, which will contain the entire sign including lighting but excluding supports that are not lighted or signs.

Sign, banner means any sign of lightweight fabric, plastic, vinyl, or similar material usually mounted at one or more edges excluding national, state, municipal or institutional flags. Banners shall be considered temporary signs in all districts. Banners shall conform in size to business signs.

Sign, business means a sign which directs attention to a product, commodity or service available on the premises, exclusive of a window sign.

Sign, flashing means a sign having or containing an intermittent or sequential light source that pulsates, causing the sign to turn on and off or become intermittently brighter and darker.

Sign, general advertising means a sign which directs attention to a product, commodity or service not necessarily available on the premises. Such sign may be referred to as a billboard.

Sign, home occupation or nameplate means a sign not exceeding four square feet in area containing the name and occupation of the occupant or directing attention to a product, commodity or service available on the premises.

Sign, interim means a sign intended to provide signage while the permanent sign is being fabricated, repaired, or prepared for installation.

Sign, menu board means a sign located at the drive-through window of a restaurant detailing the prices of specific food items.

Sign, pennant means any lightweight fabric, plastic or similar material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in a series, designed to move in the wind.

Sign, portable means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by wheels; "A" - or "T"-frame signs; menu and sandwich board signs balloons used as signs; sign pennants; umbrellas used for advertising; flags; and signs attached to or painted on vehicles parked and visible from the public right-of-

way, unless said vehicle is used in normal day to day operation of the business on the premises. Portable signs, excluding "A" or "T" frame sign/menu or sandwich board signs and flags in the DT district, as well as pennants, balloons, and flags on automotive sales and gasoline service station/convenience store lots within C-2 districts, shall be considered as temporary in all districts.

Sign, reader board/changeable copy means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or surface of the sign. This definition includes, without limitation, electronic message boards, which are defined as signs that use changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Business signs and general advertising signs shall also be considered reader board/changeable copy signs.

Sign, temporary means a sign affixed to the exterior of a primary building which is not permanently mounted to such building. To be deemed permanently mounted, a sign must be (a) attached or secured by bolting, welding, molding, nailing, concrete, or similar mechanisms; and (b) made of materials enabling the sign to maintain its structural integrity and the clarity of its graphics. Signs attached by rope, string, chain, tape, paste, and similar mechanisms; signs not rigidly attached to a supporting structure; signs made of paper, cloth, vinyl, and similar lightweight materials; and signs that are pushed, hammered or similarly put in the ground are all presumed to be temporary signs. Only temporary signs affixed to a primary building shall be permitted under issuance of a "temporary sign permit from the zoning administrator for brief activities such as grand openings, promotions of new products or services, special and seasonal sales, special civic or cultural events such as fairs, plays, concerts, or meetings sponsored by a school, student association, governmental, religious, charitable, or non-profit organizations, or other similar events.

Sign, window means the primary identification sign(s) placed inside or upon a window or door which is intended to be seen or actually is seen from the exterior of a building used to advertise the specific business in which it is located. Signs painted on windows or doors shall be considered window signs.

Site plan means a plan, prepared to scale, showing accurately and with complete dimensions, the boundaries of a site and location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land.

Story means that portion of a building included between the surface of any floor and the surface of the next floor above or the roof, if it is directly above. When measuring

height a habitable basement extending at least five feet above the ground level, or a habitable attic shall be counted as a story.

Story, half means a space under a sloping roof, which has the line of intersection or roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use.

Street means a public thoroughfare, 30 feet or more wide between property lines.

Street line means the dividing line between a street or road right-of-way and the contiguous property.

Street or road means a public thoroughfare which affords principal means of access to abutting property.

Structural alteration means any change in the supporting members of a building or structure, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof.

Structure means anything constructed or erected, which requires location on the ground, or attached to something having location on the ground.

Subdivision means a division of a tract or parcel of land into two or more lots or parcels for the purpose of either immediate or future transfer of ownership or building development; provided, however, that the definition of a subdivision shall not include a bona fide division or partition of agricultural land into parcels of five acres or more and not involving a new street, nor division of land which might be ordered or approved by a court.

Telecommunications tower means a wireless, cellular or personal communications service antenna its antenna support structure, accessory buildings and parking and may include other uses associated with and ancillary to providing wireless communications, cellular communications or personal communications services. Any wireless, cellular, personal communication or other service antenna addition to an existing telecommunications tower shall be known as co-location on an existing tower

Temporary outdoor yard sale means to offer for sale any items of tangible property at sales, commonly known as "yard, garage, rummage, or backyard sales," whereby such sale is conducted on private property in a commercial district limited to four times per year per applicant. All temporary outdoor yard sales shall require a signed permission document from a business/property owner and be regulated in accordance with applicable provisions of Chapter 18, Article VII of this Code.

Tourist court means a group of attached or detached buildings containing individual sleeping or living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit, including auto courts, motels, or motor lodges.

Travel trailer means a mobile unit less than 29 feet in length and less than 4,500 pounds in weight which is designed for human habitation.

Unlicensed family day home means a child day program offered in the residence of the provider or the home of any of the children in care of one through five children under the age of 13, exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation. However, no family day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. However, a family day home where the children in care are all grandchildren of the provider shall not be required to be licensed.

Use means the occupancy of or principal business conducted in a building or portion thereof or land of the premises.

Variance means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship. As used in this chapter, a variance is authorized only for height, area and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or adjoining zoning districts.

Vehicle loading zone. See Loading space, off-street.

Yard, front means the yard across the full width of the plat facing the street extending from the front line of the building to the front property line. Either yard facing a street may be selected as the front yard of a corner lot.

Yard, rear means the yard across the full width of the plat opposite the front yard extending from rear line of building to rear property line. The rear yard of a corner lot is the yard opposite the selected front yard.

Yard, side means an open, unoccupied space on the same lot as a building between the side line of the building, excluding steps, and the side line of the lot, and extending from the front yard line to the rear yard line.

Zoning administrator. See Administrator.

Sec. 90-51. Mobile home and trailer parking.

Except as provided in Sec. 90-77 (b), the parking or storage of a single wide manufactured home/mobile home, travel trailer or recreational vehicle in any district except in a manufactured home/mobile home park is hereby prohibited, except that one travel trailer or recreational vehicle may be parked or stored on any lot, provided that no living quarters shall be maintained within such travel trailer or recreational vehicle while such vehicle is parked or stored. It is further provided, however, that mobile vehicles may be placed on railroad right-of-way for the purpose of supplying temporary housing for personnel engaged in emergency repair work, subject to the approval of the zoning administrator and the health department, for a period not to exceed 30 days.

Sec. 90-77. C-2 commercial district.

(b) *Uses permitted.* Permitted uses in a C-2 district are as follows:

All uses permitted in C-1 districts.

Adult day support facility.

Appliance stores.

Automobile, truck, manufactured housing sales, services, storage and repairs.

Bakery.

Barber shops and beauty parlors.

Bed, breakfast and tourist homes.

Bookstores.

Bowling alleys.

Building, plumbing, woodworking, wholesaling, air conditioning, sheet metal, electrical and painting contractors' establishments, offices and display rooms, provided that any materials or supplies in an unenclosed area must be arranged so as not to detract from the orderly appearance of the area.

Building supplies and service with storage under cover.

Branch banks.

Car washes.

Cards, flower and gift shops.

Churches.

Commercial, recreational and amusement facilities, with conditional use permit.

Child care centers.

Delicatessen.

Drugstores.
Funeral homes.
Furniture stores.
Gasoline service stations, with all repair and storage of vehicles taking place in a fully enclosed building.
Grocery stores.
Internet sweepstakes cafe with conditional use permit.
Jewelry stores.
Laundromats and dry cleaners.
Machinery sales and service.
Mini-storage facilities.
Motels/hotels.
Nightclubs with conditional use permit.
Pet service and supply establishments.
Photographers.
Printing establishments.
Professional, business, and public offices.
Radio and television broadcasting stations.
Recreational vehicle parks with conditional use permit.
Repair service or business, including repair of bicycles, locks, lawn mowers and other small appliances.
Restaurants, including fast food and drive-through types.
Roller skating rinks.
Sexually-oriented businesses (conditional use permit).
Shopping centers.
Tailors and shoe repair shops.
Taxicab establishments.
Theaters.
Tire recapping and vulcanizing.
Trade or vocational schools, with conditional use permit.
Transportation terminals, automobile and truck sales, service, storage and repairs.
Veterinary hospitals, with conditional use permit.

Adopted: June 17, 2014

By _____
Mary L. Person
Mayor

Attest:

City Clerk

Form Approved:

City Attorney



CITY OF EMPORIA

Memorandum

June 13, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Zoning Code Amendment Request – 420-B South Main Street
ITEM #: 14-37

Muata Khalif has submitted a zoning code amendment application to allow a “cosmetology and barbering school” at the existing building located at 420-B South Main Street. This property is zoned Downtown District and is identified as City Tax Map Number 182-A-25A.

For the purposes of this application, I consider a “cosmetology and barbering school” as a “trade or vocational school.” Sec. 90-80 (b) does not list “trade or vocational schools” as permitted uses within the Downtown District. However, Sec. 90-77 (b) does list “trade or vocational schools, with conditional use permit” as permitted uses within the C-2 Commercial District. As such, in order to allow Mr. Khalif to operate a “cosmetology and barbering school” at the location specified above, you will need to consider whether “trade or vocational schools” should be added as permitted uses within the Downtown District.

As stated in Sec. 90-80 (a) “the DT Downtown District is hereby recognized as an integral part of the City’s unique character and the goal of this section is to promote the conservation and preservation of the City’s downtown areas and to encourage retail, general commercial business establishments, and other appropriate mixed uses to which the public requires direct and frequent access and is characterized by constant heavy traffic and by noises of congestion. The DT Downtown District includes such uses as retail stores, banks, offices, restaurants and taverns located in the central area of the City.”

According to the City’s 2008-2028 Comprehensive Plan Future Land Use Map this property is designated as “Downtown/Mixed Use.” The Comprehensive Plan states the Downtown/Mixed Use designation is intended “to serve as a transition zone between residential areas and more intense commercial uses. This designation is intended to control the transition from residential use to office and low-intensity business use. Appropriate uses include, but are not limited to,

legal/financial, real estate, personal services, and other types of low-impact business uses. Conventional retail uses are discouraged. Businesses should generate a low volume of traffic, be controlled in terms of times of operation and be generally non-intrusive to neighboring residences. In addition, the Comprehensive Plan Planning Factors Map designates this property as a “Historic Downtown Preservation” area.

Recommendation

In reviewing this request, the purpose and intent of the Downtown District as stated in the Zoning Code, and the City’s Comprehensive Plan I recommend that Sec. 90-80 (b) be amended to allow “trade or vocational schools with conditional use permit” in the Downtown District. I believe smaller scale “trade or vocational schools,” such as the one proposed in this instance and at this location, are appropriate permitted uses in the Downtown District. Requiring a conditional use permit for these uses will help ensure proper development standards are met and that potential impacts are addressed through conditions. At its June 10, 2014 meeting the Planning Commission voted (8 to 0) to recommend that you amend the Zoning Code to list trade or vocational schools as a permitted use with conditional use permit.

Attached are two versions of an ordinance to amend Section 90-80 (b) of the City Code that would allow trade or vocational schools as permitted uses in the Downtown District. Option 1 lists trade or vocational schools as permitted uses by-right. Option 2 lists trade or vocational schools as permitted uses with conditional use permit. Should you approve Option 2, Mr. Khalif would need to apply for a conditional use permit to open a cosmetology and barbering school at the location specified. At that time, you could impose conditions pertaining to the operation of the cosmetology and barbering school, should you choose to approve the conditional use permit.

Attachments

Application

Zoning and Aerial Maps

Tax Map Sheet

Sec. 90-77 (b) C-2 Commercial District – Uses Permitted

Sec. 90-80 (a) Downtown District – Purpose and Intent

Sec. 90-80 (b) Downtown District – Uses Permitted

Comprehensive Plan Land Use Map

Comprehensive Plan Downtown/Mixed Use Designation Description

Comprehensive Plan Planning Factors Map

City-wide Zoning Map

Option 1 Ordinance – Trade or Vocational Schools (By-Right)

Option 2 Ordinance – Trade or Vocational Schools with conditional use permit



City of Emporia
 Community Development and Planning
 201 South Main Street
 Emporia, Virginia 23847
 (434) 634-3332 (434) 634-0003 (F)

Permit Number 14-000098
 Date 4/30/14
 Tax Map # 182-D-022-5P
 Zoning District OT
 Enterprise Zone Yes No

LAND USE AMENDMENT APPLICATION
Information must be typed or printed and completed in full.
Attach additional pages where necessary.

Land Use Information:

Application Type: Variance Rezoning Conditional Use Permit
 Special Exception Amendment Appeal
 Telecommunications Tower Co-location on existing tower

Description of Request: I'm requesting a cosmetology and barbering school at 420-B South Main Street.

Proposed Acreage: _____

Applicant/Agent Information:

Is the applicant: Property Owner (If property owner skip to next section) Contract Purchaser Other: Renting

Agent(s): Muata Khalif Phone # 434-594-1020

Address: 2016 Tall Oaks Drive, Emporia

If you are the agent for the property owner, do you have consent of the owner attached? Yes No

Property Owner Information:

Property Owner (s): Tony Vincent

Phone # (434) 637-1140

Address: _____

Property owners mailing address (If this is different from that listed in the Assessor's Office)

Subject Parcel Information

Location of Property: 420 South Main Street / Beside Adult Probation and Parole

Street Address: _____

General Description of Property:

The property is a brick building that's part of 3 other buildings, and they're all connected together. The school will be right inside the same parking lot as adult Probation and Parole.

Current Zoning (circle one)

R-1 R-2 R-3 C-1 C-2 I-1 I-2 DT Other _____

Proposed Zoning (for rezoning request)

R-1 R-2 R-3 C-1 C-2 I-1 I-2 DT Other _____

Existing Use(s) of Property

A. Explain fully the proposed use, type of development, operation program, reason for this request, etc.:

B. Section(s) of the City Code that pertain to this request

C. State how this request will not be materially detrimental to adjacent property, the surrounding neighborhood or City in general. Include where applicable; information concerning use of public utilities/services, relationship to the comprehensive plan effect of request on public schools, traffic impact, means of access to nearest public road, existing and future area development, etc.

D. Has any previous application for a land use amendment been filed in connection with these parcels? List case numbers and explain any existing use permit, special exception, conditional use or variance previously granted on the parcels in question. If this application is to amend an existing special use

permit, special exception, or other applicable amendment, please explain the request (proposed change in structure(s) including all signs).

E. Proffers and Conditions

List any conditions or proffers currently associated with this property.

If the applicant proffers any conditions (§ 15.2-2297 of the Code of Virginia), they must:

- 1) Have a reasonable relationship to the rezoning
- 2) Not include a cash contribution to the City of Emporia
- 3) Not include mandatory dedication of property
- 4) Not include payment for construction of off-site improvements

Proffers may be amended in writing prior the Planning Commission public hearing.

If this is an application for a **conditional zoning**, the following conditions are voluntarily proffered:

F. Please list any and all restrictive covenants, deed restrictions and other special considerations:

G. If required by the Zoning Administrator, attach a site plan / plot plan / survey plat / building dimensions / densities showing the location(s) of existing and proposed structures to be erected and applicable setback lines and distances including all zoning district requirements.

Notes:

- (1) Special use permits shall be for an indefinite period of time unless the Planning Commission imposes a condition specifying a shorter duration. Such permits shall run with the land unless the City of Emporia imposes a more restrictive condition with regard to the succession to rights in such a permit.
- (2) The City of Emporia may include, as part of the ordinance granting any conditional use permit, suitable regulations and safeguards as it may deem appropriate. Once a special use permit is approved subject to such conditions, they shall be deemed to be a part of the zoning ordinance and may be enforced by the zoning administrator. Conditions attached to a special use permit may only be amended or deleted by subsequent application for the purpose.
- (3) This application for a conditional special use permit must be accompanied by two (2) copies of any required site plans or plot plans.

H. If requesting a variance, explain the unique physical hardship or extraordinary situation (size, shape, topography, etc.) that is justification for the request:

I. Explain how the zoning ordinance prohibits or unreasonable restricts the use of the property.

J. Applicant Remarks

Checklist:

- ✓ The required fee must accompany this application. A fee schedule is attached for your convenience Checks must be made payable to: "Treasurer, City of Emporia".
- ✓ Enclosed with the application, a copy of the appropriate city tax map with the property marked and, if available, a surveyed plat of the entire parcel.
- ✓ Enclose with this application any required plans or plats (plans must be folded).
- ✓ Enclose with this application any additional information to assist with review and determination.

I/We hereby certify that to the best of my/our knowledge all the above statements and the statements contained in any exhibits transmitted are true and that the adjacent property owners listed herewith are the owners of record as of the date of the application:

Date: 4-25-14

Applicants Name Muata Khalif
(Typed or printed)

Signature of Applicant Muata Khalif

Note: Incomplete application will not be accepted. Any request that requires plans must be accompanied by application at time of submission.

For Office Use by the Community Development Planning and Zoning Department and/or the Planning Commission

Zoning/Subdivision Code (90-14 or 66-8): Fee Paid:

Copy of Receipt attached

Action Taken:

Planner / Zoning Administrator

Date

Planning Commission

Date

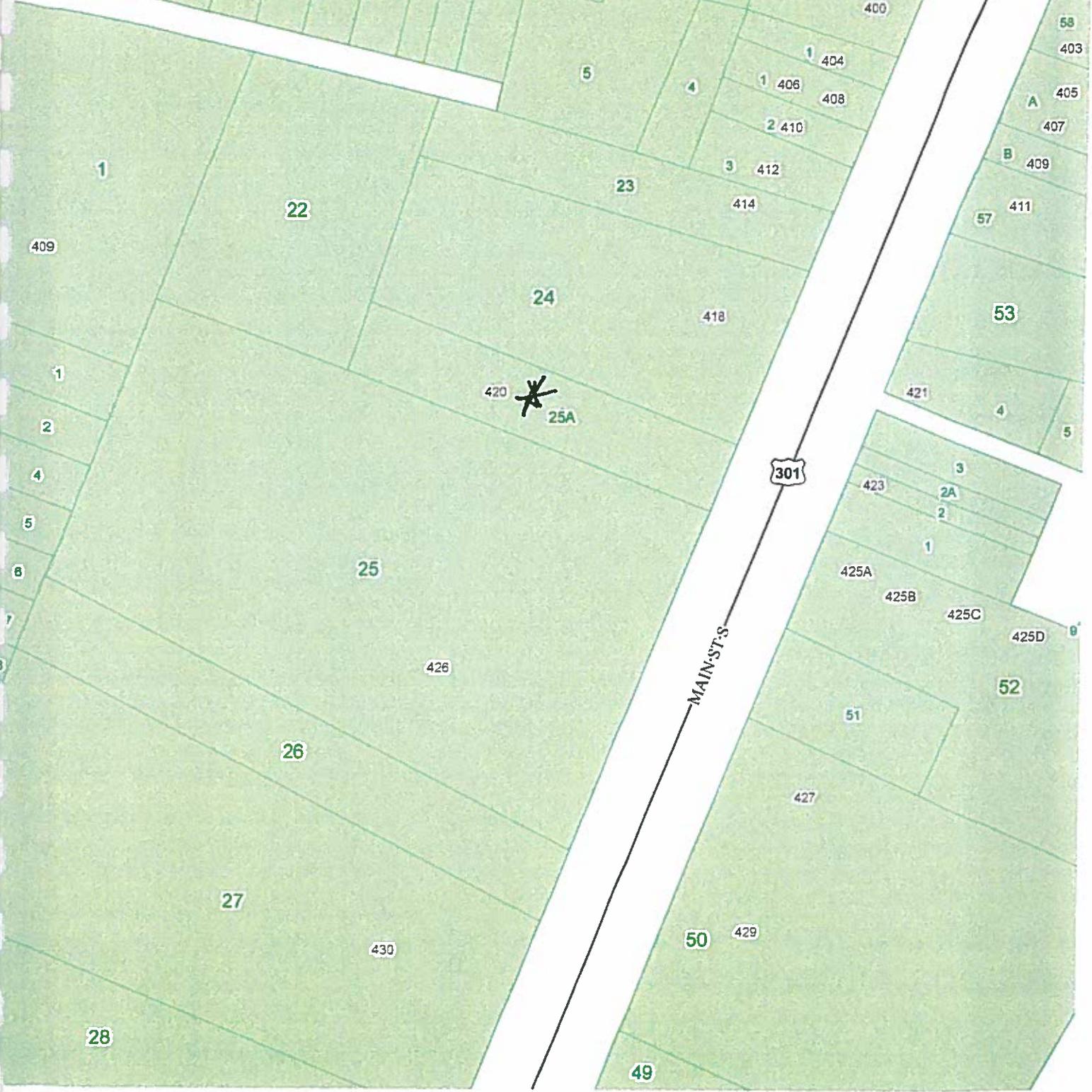
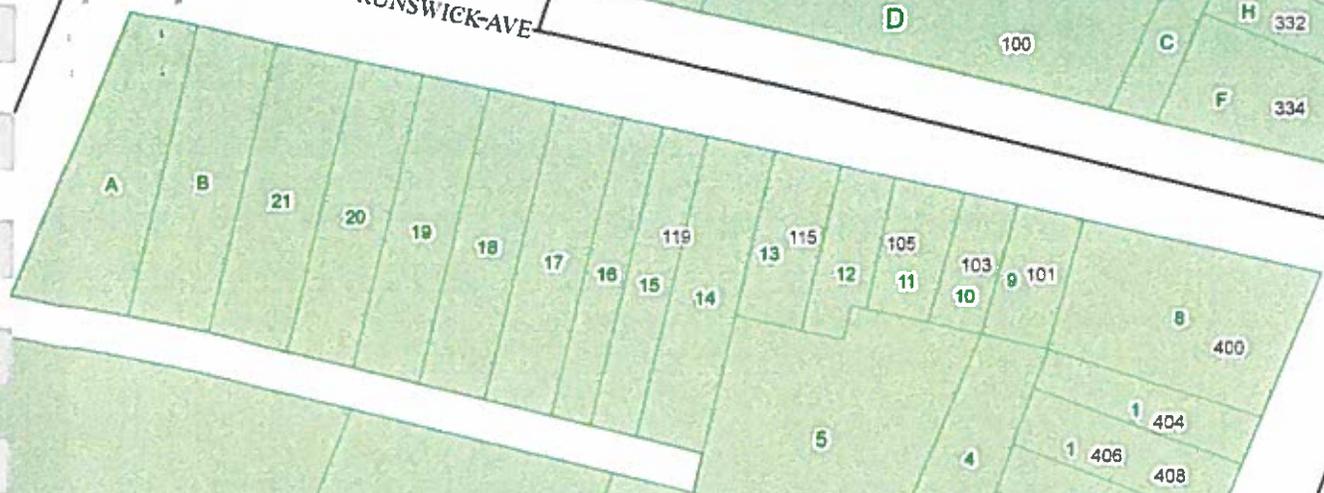
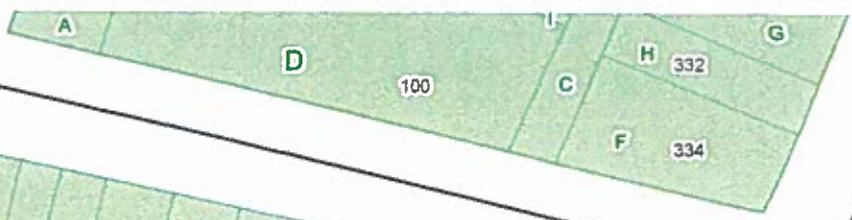
City Council

Date

PERMIT FEES

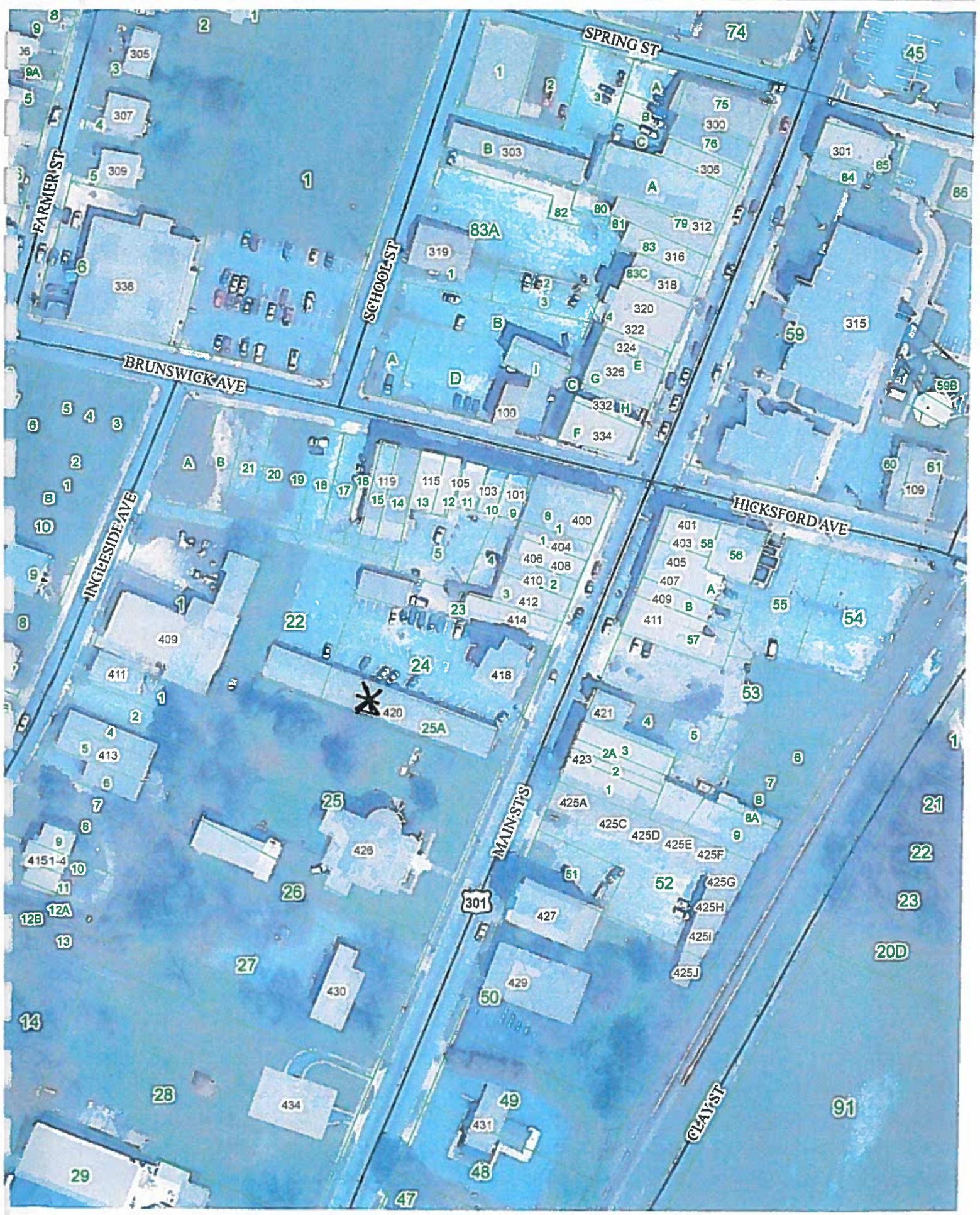
VARIANCE	\$300.00
REZONING	\$400.00 + 50/lot
CONDITIONAL USE PERMIT	\$300.00
TELECOMMUNICATIONS TOWER (CONDITIONAL USE)	\$1,500.00 per plus review by private consultant if deemed necessary for final approval
CO-LOCATION ON EXISTING TOWER (CONDITIONAL USE)	\$300.00 per plus review by private consultant if deemed necessary for final approval
SPECIAL EXCEPTION	\$300.00
AMENDMENT TO CONDITIONAL USE	\$300.00
RENEWAL OF CONDITIONAL USE	\$300.00
REQUEST FOR PRIVATE ROAD- NAME/SIGN	\$100.00
REQUEST TEXT AMENDMENT	\$400.00
APPEAL	\$300.00
AMENDMENT TO PROFFERED REZONING	\$300.00

BRUNSWICK-AVE



301

MAIN ST-S



FARMER ST

SPRING ST

SCHOOL ST

BRUNSWICK AVE

INGERSIDE AVE

HICKSFORD AVE

MAIN ST

CLAY ST

301

305, 307, 309, 338, 319, 303, 316, 318, 320, 322, 324, 326, 332, 334, 315, 316, 318, 320, 322, 324, 326, 332, 334, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425A, 425C, 425D, 425E, 425F, 425G, 425H, 425I, 425J, 400, 404, 408, 410, 412, 414, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

City of Emporia

Prop Sheet: 6/06/2014

MAP# 182-A -0 -22,25A

ACCT# 00031450

ADDRESS 420A,B SOUTH MAIN STREET 23847

LEGAL DESCRIPTION

CODES	Classification 04	Zoning DT	District 073	Property Use OFFI	Assessor RW	Mort Cd	
OWNER	Name	Address			Date	Deed Book	Consid.
Current	VINCO ENTERPRISES INC	109 HICKSFORD AVE EMPORIA VA 23847			7/03/2001	IN001015	
Prev 1	KARVELIS JANICE F	105 TALL OAKS DR EMPORIA VA 23847			8/06/1986	DB153 P527	10000
Prev 2	WEAVER						

ACTIVITY	Vst Date	H	S/D Date	PlatRef		BOE Dte Land Impv
	11/30/2013					
REMARK	LAND MEAS 20 X 190 COURT SERVICES, ADULT PROBATION, OFFICE, COUNSELING SERVICE					

PROPERTY DESCRIPTION

Res'l	C'cial Y	OFFICES(4)	Model:	M/H?			
Building Characteristics							
Split Level?	Split Foyer?	Central Heat?	Y	Central Air? Y			
Stories	Rms	Bedr.	Baths	F/P.	Chim.		
Roofing	COMP.SH.	Exterior BRK/FRM		Cond.	A/F		
Foundation	BRICK	Basement NONE					
Flooring	CAR/VIN	Interior D/W&PANEL		Fuel	HTPUMP		
Property Factors							
<input checked="" type="checkbox"/> Pub Watr	<input type="checkbox"/> WatrFrm	<input type="checkbox"/> No Road	<input checked="" type="checkbox"/> Paved	Topo: LEVEL			
<input checked="" type="checkbox"/> Pub Sewr	<input type="checkbox"/> Septic	<input checked="" type="checkbox"/> Crb/Gutr	<input type="checkbox"/> Gravel	Soil:			
<input type="checkbox"/> Well	<input type="checkbox"/> UG Utli	<input checked="" type="checkbox"/> Sidewlk	<input type="checkbox"/> Dirt	Loca:			
Grade	D+10	Yr Assessed	2014	Yr Built	1985	Eff Age	1986

BUILDING VALUATION

Item Description	Size	Rate	\$ Value
OFFICES(4)	6669	78.25	521849
BUS CENT AIR	7641	2.50	19103
2ND FLR OFF	972	75.00	72900
2ND FLR STRG	972	26.00	25272
GRADE FACTOR	639124	-0.15	-95869
Total			543255
Grd		1.00%	Replcmnt: 543255

SUMMARY OF IMPROVEMENTS

Description	Size	Rate	Grad	Dep	Func	Econ	\$ Value
OFFICES(4)	6669	78.25	D+10	0.380		-0.200	269500
PAVE-ASPH	1	3500.00					3500
I: 2013	282400	2014	282400	2015	273000	-0.03%	1.00
L:	17900	17900	17900	17900	17900	1.00	
MKT:	300300	300300	300300	290900	-0.03%		

LAND VALUATION

Description	Size	Rate	Adj	\$ Value
SITE (FF)	20.000	275.00	+0.100	6050
RESIDUAL (SF)	9480.000	1.25		11850
Land 1:	x			
Land 2:	x			
Total Size:		9500.000		Value: 17900

Recent Permit History

Prmt #	TaxDate	Value	Ab/Sp Val

Sec. 90-77. C-2 commercial district.

- (a) *Purpose and intent.* C-2 commercial districts shall be utilized to accommodate general business areas or for auto or highway-oriented commercial uses, and wholesaling operations which, by nature or space requirements, do not lend themselves to being concentrated within a centralized, C-1 district area.
- (b) *Uses permitted.* Permitted uses in a C-2 district are as follows:
All uses permitted in C-1 districts.

Adult day support facility.

Appliance stores.

Automobile, truck, manufactured housing sales, services, storage and repairs.

Bakery.

Barber shops and beauty parlors.

Bed, breakfast and tourist homes.

Bookstores.

Bowling alleys.

Building, plumbing, woodworking, wholesaling, air conditioning, sheet metal, electrical and painting contractors' establishments, offices and display rooms, provided that any materials or supplies in an unenclosed area must be arranged so as not to detract from the orderly appearance of the area.

Building supplies and service with storage under cover.

Branch banks.

Car washes.

Cards, flower and gift shops.

Churches.

Commercial, recreational and amusement facilities, with conditional use permit.

Child care centers.

Delicatessen.

Drugstores.

Funeral homes.

Furniture stores.

Gasoline service stations, with all repair and storage of vehicles taking place in a fully enclosed building.

Grocery stores.

Internet sweepstakes cafe with conditional use permit.

Jewelry stores.

Laundromats and dry cleaners.

Machinery sales and service.

Mini-storage facilities.

Motels/hotels.

Nightclubs with conditional use permit.

Pet service and supply establishments.

Photographers.
 Printing establishments.
 Professional, business, and public offices.
 Radio and television broadcasting stations.
 Repair service or business, including repair of bicycles, locks, lawn mowers and other small appliances.
 Restaurants, including fast food and drive-through types.
 Roller skating rinks.
 Sexually-oriented businesses (conditional use permit).
 Shopping centers.
 Tailors and shoe repair shops.
 Taxicab establishments.
 Theaters.
 Tire recapping and vulcanizing.

Trade or vocational schools, with conditional use permit.

Transportation terminals, automobile and truck sales, service, storage and repairs.

Veterinary hospitals, with conditional use permit.

Warehouses and distribution centers, with conditional use permit.

- (c) *Height regulations.* Buildings in a C-2 district may not be erected more than 45 feet in height without prior [approval] of the city planning commission.
- (d) *Area regulations.* None, except if the permitted uses utilizes a private water or sewage system, the required area in a C-2 district shall be established by the health official.
- (e) *Lot coverage.* Lot coverage in a C-2 district may be up to 100 percent if yard and other regulations are met.
- (f) *Setback regulations.* The front setback line in a C-2 district shall be located 25 feet from any street right-of-way.
- (g) *Width regulations.* Width regulations in a C-2 district are not applicable.
- (h) *Yard regulations.* For permitted uses in a C-2 district, the minimum side or rear yard adjoining or adjacent to a residential district shall be 25 feet.
- (i) *Parking.* Off-street parking space in a C-2 district shall be provided as specified in article V of this chapter.
- (j) *Signs.* Signs in a C-2 district may be erected as provided in article V of this chapter.

(Code 1972 § 24-26 Ord. No. 97-9 9-2-97 Ord. No. 99-10 9-21-99 Ord. No. 03-16, § 2 5-20-03 Ord. No. 07-03 9-13-07, Ord. No. 11-17-03 Ord. No. 10-7, 1-19-10 Ord. No. 10-42 10-19-10 Ord. No. 13-24 12-17-13)

Sec. 90-80. DT downtown district.

- (a) *Purpose and intent.* The DT downtown district is hereby recognized as an integral part of the city's unique character and the goal of this section is to promote the conservation and preservation of the city's downtown areas, and to encourage retail, general commercial business establishment and other appropriate mixed uses to which the public requires direct and frequent access and is characterized by constant heavy traffic and by noises of congestion. This DT downtown district includes such uses as retail stores, banks, offices, restaurants and taverns located in the central area of the city.
- (b) *Uses permitted.* Permitted uses in a DT district shall be as follows:
 Art galleries and studios.

Assembly halls.
Automotive sales and service with the screening of impound/storage areas with conditional use permit.
Bakeries.
Banks and financial institutions.
Banquet facility.
Barber and beauty shops.
Bed and breakfast and tourist homes.
Billiard parlors and pool rooms.
Bookstores.
Bowling alleys.
Business offices and display rooms.
Child care centers.
Churches.
Clubs and lodges.
Convenience stores.
Delicatessen.
Department stores.
Drugstores.
Dry goods or notion stores.
Flower, gift, record and tobacco shops.
Furniture stores.
Grocery stores.
Hardware stores.
Hotels/motels.
Household appliance stores.
Jewelry stores.
Laundromats and dry cleaners.
Libraries.
Machinery sales and service with conditional use permit.
Magazine and news stands.
Newspaper printing establishments.
Nightclubs with condition use permit.
Pet service and supply establishments.
Photographer.
Post office.
Printing establishments.
Professional and public offices.
Recreation centers.
Repair, sale and service of bicycles, locks, lawn mowers and other small engines or appliances.
Radio and telecommunication stations with conditional use permit.
Residential uses, single and multi-family, above ground level floors.

Residential use, apartment, on the ground level floor with conditional use permit provided the dwelling is located at the rear of the structure and is occupied by the current property owner(s) or business owner(s) of a business operating in the structure. Furthermore, the residential area should not be visible from the commercial space and shall not occupy more than 50 percent of total ground floor area as shown in a floor plan provided to the city for review.

Restaurants, excluding drive-in or curbside types.

Shoe repair shops.

Tailors.

Taxicab establishments.

Theaters.

Variety stores.

Wearing apparel stores.

Wine and beer shops.

- (c) *Height regulations.* Buildings in a DT downtown district may not be erected more than 45 feet in height without prior approval of the city planning commission.
- (d) *Area regulations.* None.
- (e) *Lot coverage.* Lot coverage in a DT downtown district may be up to 100 percent if yard and other regulations are met.
- (f) *Setback regulations.* Building or structure in a DT downtown district may have a zero setback; however such building or structure shall be placed such that the front is generally "in-line" with other existing buildings.
- (g) *Width regulations.* Width regulations in a DT downtown district are not applicable.
- (h) *Yard regulations.* For permitted uses in a DT downtown district, the minimum side or rear yard adjoining or adjacent to a residential district shall be 25 feet.
- (i) *Parking.* Due to the centralized nature of the DT downtown district, parking shall be provided as is practically possible to conform with the requirements of article V of this chapter and shall be subject to subsection (k) of this section.
- (j) *Signs.* The following signs shall be permitted in a DT downtown district and shall conform to all other applicable requirements of article V of this chapter. All permitted signs shall be subject to subsection (k) of this section.
 - (1) All signs permitted in R districts.
 - (2) Business signs not to exceed a total area of two square feet for each foot of frontage of the business provided they are attached to the building and not projecting more than four feet therefrom and shall not extend above the roofline. For buildings with more than one business, the total area allowed may be divided among those businesses.
 - (3) One freestanding or monolithic business sign not to exceed 50 square feet in area and no higher than six feet tall, for each lot with a lot frontage of 75 feet or more, provided such signs do not create a visual obstruction or safety hazard. In the case of shopping or business centers where more than one business resides within a single building, each business may have an additional ten square feet of sign area, so long as it is located on the same pole or poles of the freestanding or monolithic sign, but in no case shall such sign extend over the street right-of-way line. Freestanding signs shall not be permitted on lots where the building has a setback of 25 feet or less.
- (k) *Architectural compatibility.*
 - (1) All buildings or structures shall be erected or altered to blend with the general character of the DT downtown district. To facilitate this requirement, the zoning administrator shall

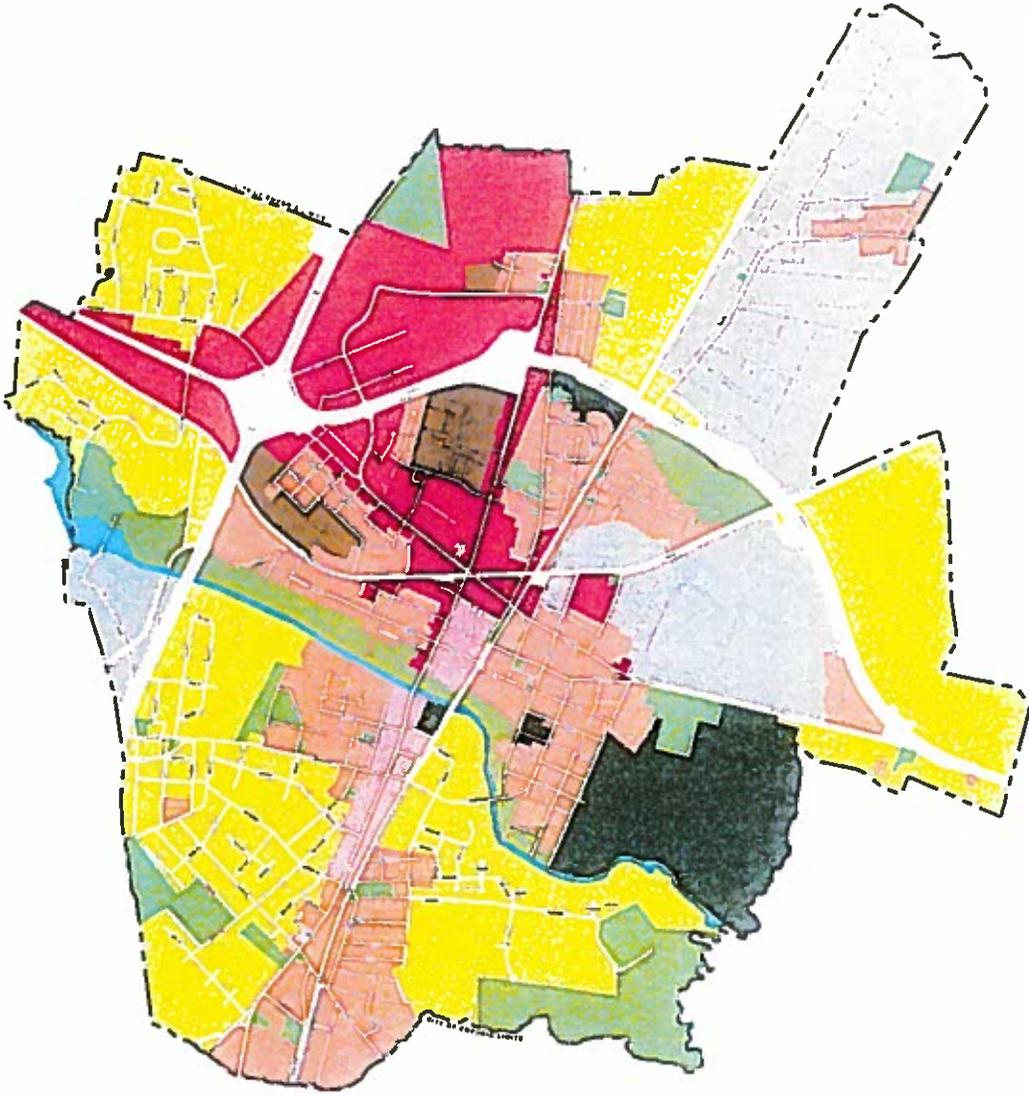
submit all plans and specifications necessary to make such a reasonable determination, to the planning commission for review. The planning commission may seek input from surrounding property owners, tenants or other organizations as it may see fit and shall make recommendations regarding the architectural compatibility of the proposed development or alteration of existing buildings to city council. This review shall in no way require the use of specific materials.

- (2) Signs and exterior paint colors in the DT downtown district shall be subject to review and approval by the zoning administrator.
- (3) In order to ensure that buildings proposed for removal will not substantially impact or take away from the general character of the DT downtown district, the proposed demolition of any building or structure is subject to the same review and approval as outlined in subsection (k)(l) above.
- (4) The City of Emporia shall be exempt from the review and approval procedure as outlined in subsection (k) (1) and (2) above provided any erection or alteration done by the city is consistent with the general character of the DT downtown district.

*Ord No 03-59 § 2 11-18-03 Ord No 04-46 § 1 12-7-04; Ord No 05-26 § 1, 6-21-05 Ord No 06-41 3-6-07
Ord No 07-03 9-18-07, Ord No 09-27 6-2-09 Ord No 10-8, 1-19-10 Ord No 12-03 2-21-12*

FUTURE LAND USE

COMPREHENSIVE PLAN STUDY
CITY OF EMPORIA, VIRGINIA



- LEGEND**
- Residential
 - LOW DENSITY
 - MEDIUM DENSITY
 - HIGH DENSITY
 - Commercial
 - GENERAL COMMERCIAL
 - OFFICE & SERVICE
 - DOWNTOWN / AREA SERVICE
 - Industrial
 - INDUSTRIAL
 - Public & Open Space
 - COMMUNITY FACILITIES
 - CONSERVATION / OPEN SPACE
 - PARKS & RECREATION



H. W. POORE & ASSOCIATES, INC.
1400 W. 10th Street, Emporia, VA 22424
Tel: 804.833.1234

include homes of modest size as well as larger homes. Some of these older neighborhoods are in transition and experiencing a slight to moderate decline. Potential impacts on the surrounding neighborhoods should be carefully weighed before medium-density residential uses are approved.

High-Density Residential Use

The plan directs high-density residential uses to established multi-family areas in and around the City. As a general rule, apartments and other large-scale group housing are best sited on arterial roads near major commercial centers. In these locations, high-volume circulation needs can be met without disrupting lower-density neighborhoods.

In an effort to keep these areas active, vacant and underutilized dwellings should be conditionally considered for conversion to other uses such as small offices, group homes, and similar mixed-use development. However, potential impacts on the surrounding neighborhood should be carefully considered before such conversions are approved.

COMMERCIAL USES

The Land Use Plan establishes three (3) principal types of commercial designations for the City of Emporia. A detailed description of each designation is found below.

1. General Commercial

Areas intended for general commercial development including large retail stores, services, lodging/restaurants, offices, and shopping centers. General Commercial areas should be located on

collector or arterial roads, have sufficient parking, and be adequately served by public utilities and services.

2. Downtown/Mixed-use

A mixed-use category to serve as a transition zone between residential areas and more intense commercial uses. This designation is intended to control the transition from residential use to office and low-intensity business use. Appropriate uses include, but are not limited to, legal/financial, real estate, personal services, and other types of low-impact business uses. Conventional retail uses are discouraged. Businesses should generate a low volume of traffic, be controlled in terms of times of operation and be generally non-intrusive to neighboring residences.

3. Retail/Service Commercial

The purpose of this category is to provide for an appropriate dynamic variety of uses adjacent to the downtown for commercial, financial, professional, governmental, and cultural activities. This category is intended to promote an attractive, convenient, and relatively compact arrangement of uses and buildings with a strong pedestrian orientation. Signage and outdoor storage should be adequately controlled to promote an attractive and stable urban environment.

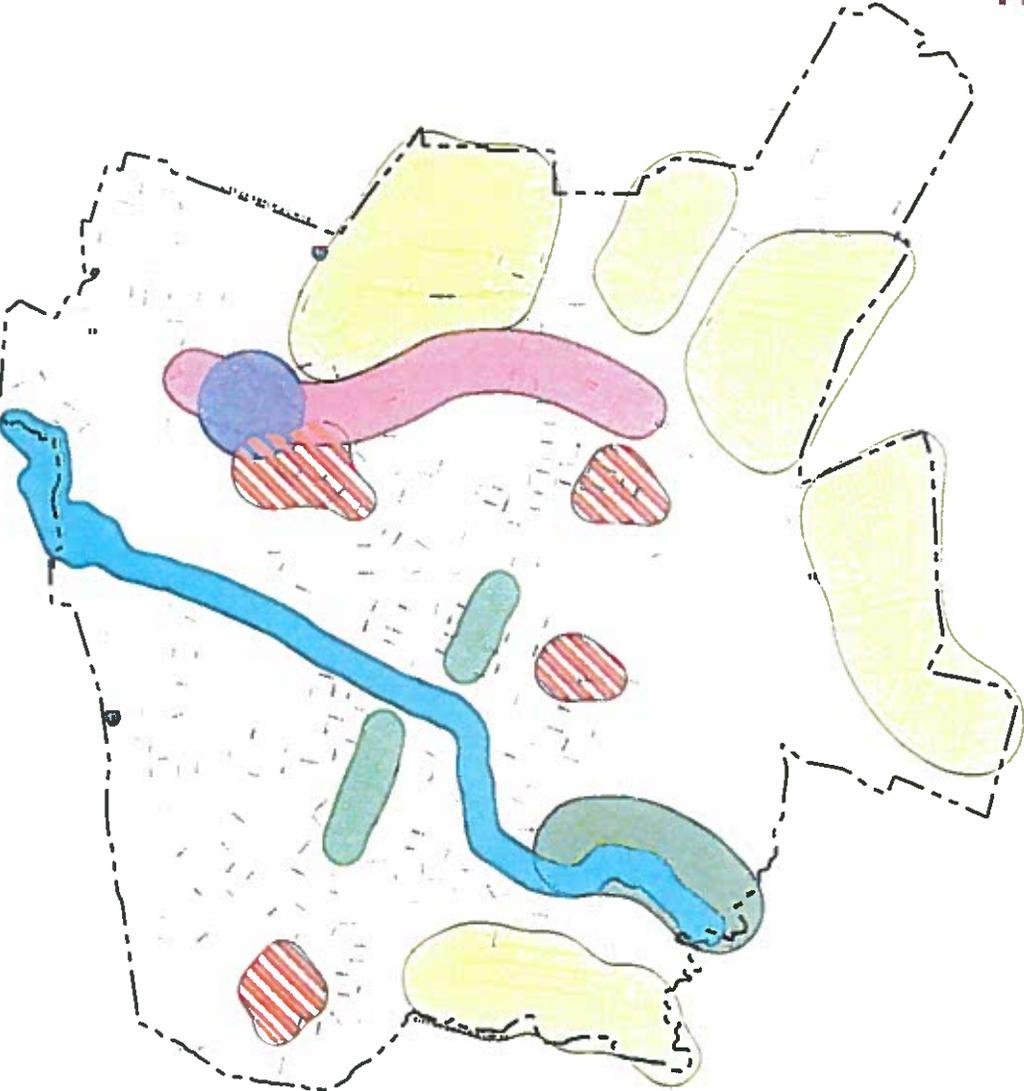
Designated Areas of Commercial Use

The general extent of areas designated for commercial use is indicated on the Future Land Use Map. The patterns of commercial uses within Emporia are well established, with three basic types occurring:

PLANNING FACTORS

COMPREHENSIVE PLAN STUDY
CITY OF EMPORIA, VIRGINIA

- LEGEND
- KEY GATEWAYS
 - TRUNKLINE AREAS
 - HISTORIC DISTRICTS/PRESERVATION
 - PARKS/RECREATION
 - DRIVEWAY/PAVEMENT/STREET & SIDEWALKS
 - ROUTE OR COMMERCIAL DEVELOPMENT
 - UTILITIES (SPOUTS/AREAS)



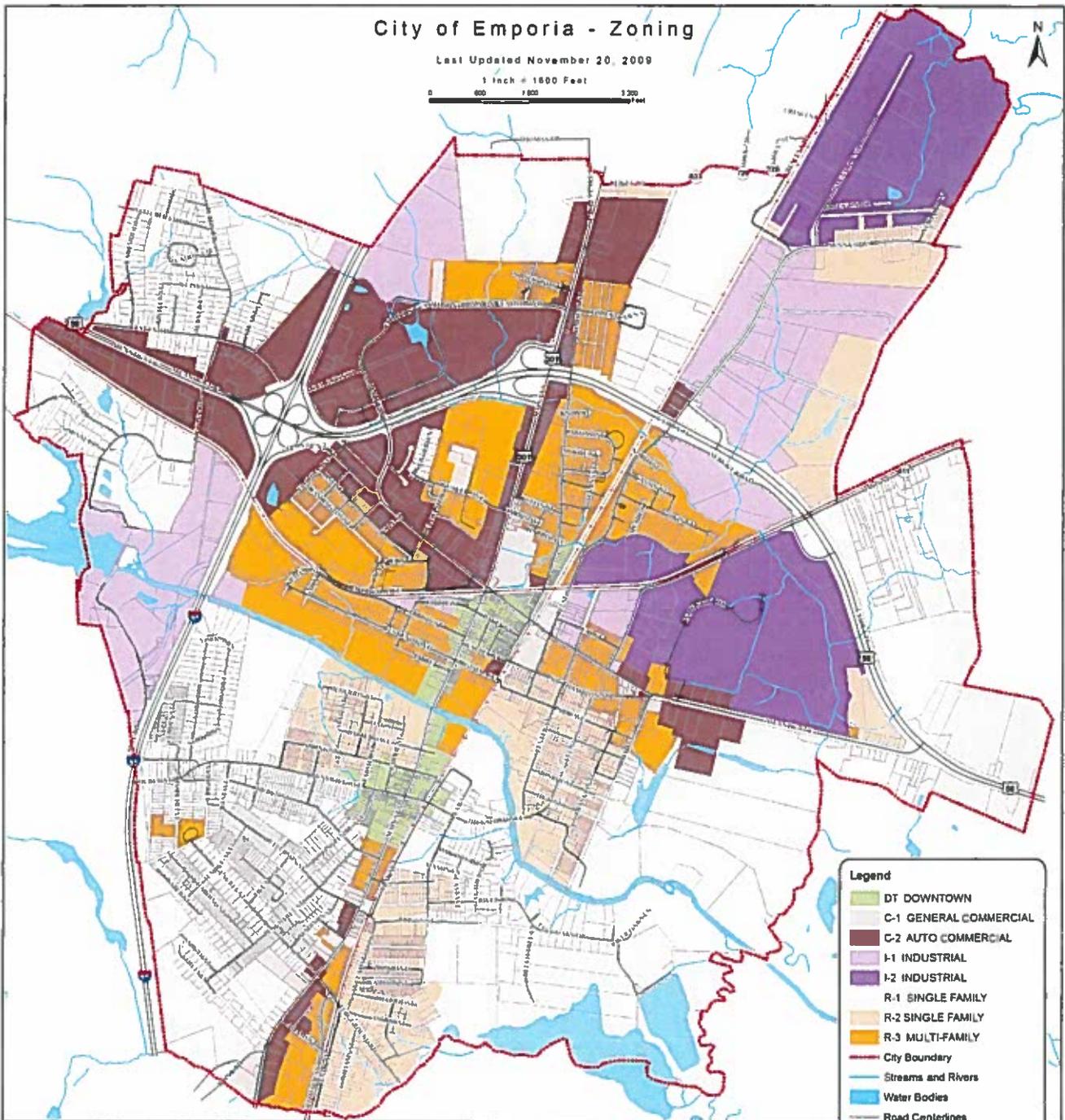
GRAPHIC SCALE 0' TO 100'
AUGUST, 2007

R. W. POTTS & ASSOCIATES, INC.
Community Development Consultants
An Equal Opportunity Firm

City of Emporia - Zoning

Last Updated November 20, 2009

1 inch = 1600 Feet



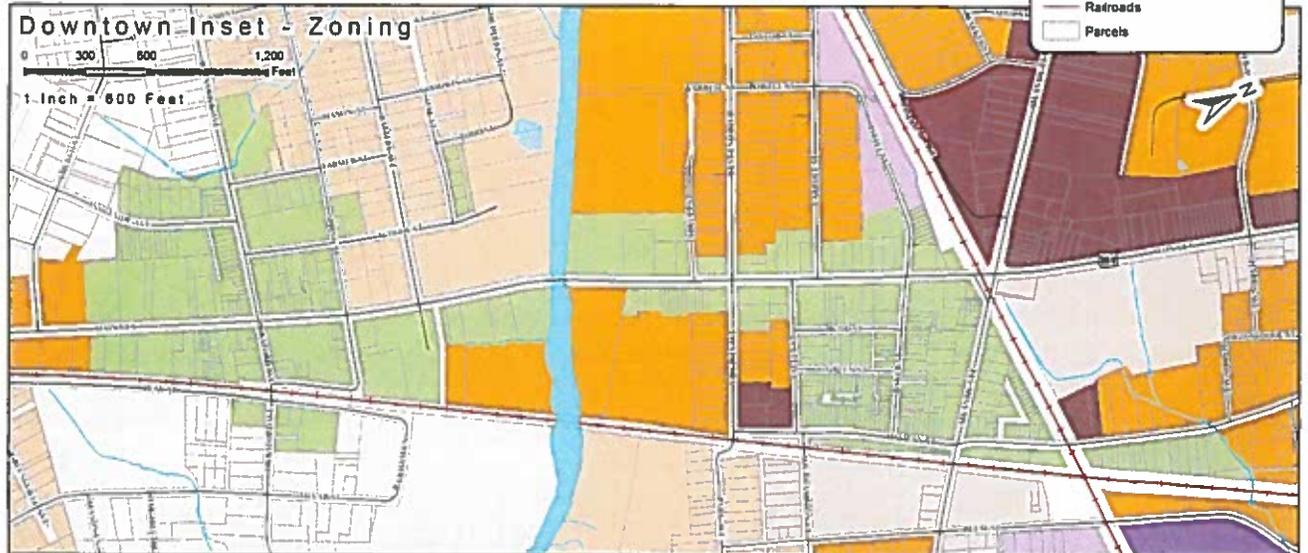
Legend

- DT DOWNTOWN
- C-1 GENERAL COMMERCIAL
- C-2 AUTO COMMERCIAL
- I-1 INDUSTRIAL
- I-2 INDUSTRIAL
- R-1 SINGLE FAMILY
- R-2 SINGLE FAMILY
- R-3 MULTI-FAMILY
- City Boundary
- Streams and Rivers
- Water Bodies
- Road Centerlines
- Railroads
- Parcels

Downtown Inset - Zoning



1 inch = 600 Feet



Ordinance

**AN ORDINANCE TO AMEND SECTION 90-80 (B)
OF THE CODE OF THE CITY OF EMPORIA, VIRGINIA**

BE IT ORDAINED by the City Council of the City of Emporia, Virginia, in regular assembly that:

Section 90-80 (b) of the Code be amended and re-enacted to read as follows:

Sec. 90-80. DT downtown district.

(b) *Uses permitted.* Permitted uses in a DT district shall be as follows:

Art galleries and studios.

Assembly halls.

Automotive sales and service with the screening of impound/storage areas with conditional use permit.

Bakeries.

Banks and financial institutions.

Banquet facility.

Barber and beauty shops.

Bed and breakfast and tourist homes.

Billiard parlors and pool rooms.

Bookstores.

Bowling alleys.

Business offices and display rooms.

Child care centers.

Churches.

Clubs and lodges.

Convenience stores.

Delicatessen.

Department stores.

Drugstores.

Dry goods or notion stores.

Flower, gift, record and tobacco shops.
Furniture stores.
Grocery stores.
Hardware stores.
Hotels/motels.
Household appliance stores.
Jewelry stores.
Laundromats and dry cleaners.
Libraries.
Machinery sales and service with conditional use permit.
Magazine and news stands.
Newspaper printing establishments.
Nightclubs with condition use permit.
Pet service and supply establishments.
Photographer.
Post office.
Printing establishments.
Professional and public offices.
Recreation centers.
Repair, sale and service of bicycles, locks, lawn mowers and other small engines or appliances.
Radio and telecommunication stations with conditional use permit.
Residential uses, single and multi-family, above ground level floors.
Residential use, apartment, on the ground level floor with conditional use permit provided the dwelling is located at the rear of the structure and is occupied by the current property owner(s) or business owner(s) of a business operating in the structure. Furthermore, the residential area should not be visible from the commercial space and shall not occupy more than 50 percent of total ground floor area as shown in a floor plan provided to the city for review.
Restaurants, excluding drive-in or curb-service types.
Shoe repair shops.
Tailors.
Taxicab establishments.
Theaters.
Trade or vocational schools.
Variety stores.

Wearing apparel stores.
Wine and beer shops.

Adopted: June 17, 2014

By _____
Mary L. Person
Mayor

Attest:

City Clerk

Form Approved:

City Attorney

Ordinance

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OF THE CODE OF THE CITY OF EMPORIA, VIRGINIA

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Variety stores.

Wearing apparel stores.

Wine and beer shops.

Adopted: June 17, 2014

By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney



CITY OF EMPORIA

Memorandum

June 13, 2014

TO: The Honorable Mayor and City Council
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: Proposed FY15 General and Utility Fund Budgets
ITEM: 14-38

General Fund Budget

After reviewing and discussing the proposed budget over multiple work sessions, your FY15 General Fund budget totals \$19,496,253. My recommended budget stands at \$19,520,597. Departmental and external organization requests totaled \$21,686,195. A two cent increase in the real property tax rate is included in the budget to offset the decline in real estate values. This will bring the City's real property tax rate to \$0.87 per \$100 valuation, which is still lower than the mean and median for Virginia cities.

The primary impacts to the City's FY15 budget include a 14.5% health insurance increase (\$65,177), increase in the City's share of funding for the Greensville County Public School System (\$47,745), and the City's share of debt service for the Commonwealth Attorney's Office (\$37,368). A 2% COLA increase (\$41,881) effective January 11, 2015 is also included in the budget (includes City Clerk and Manager). The \$100,000 loss of leachate acceptance revenue that had been transferred from the Utility Fund to the General Fund has been replaced by a Payment in Lieu of Taxes (\$124,106) from the Utility Fund.

In terms of major initiatives, the S. Main Street Enhancement Project, W. Atlantic Neighborhood Improvement Project, and Belfield Downtown Revitalization Project continue to be funded in the proposed budget. Other projects including Phase II of Farmers Market Trailhead Project, Emporia Industrial Park drainage improvements, improvements to the Emporia Animal Shelter, and the City's share of funding for the E. Atlantic Street Reconstruction Project have not been included in the proposed budget. I may be asking you to consider funding these projects separately over the course of FY15 after plans have been more fully developed and actual bids have been received. Any City funding for these projects will need to be appropriated from Fund Balance.

In terms of vehicles and major equipment, two Police cruisers (\$66,000), two Public Works pick-up trucks (\$44,796), an asphalt roller (\$18,000), and a pressure washer (\$4,000) are included in the budget. These vehicles and equipment will be financed for three years.

Utility Fund Budget

Your FY15 Utility Fund budget totals \$15,002,725. My proposed FY15 Utility Fund budget stands at \$17,631,869. Departmental requests totaled \$18,513,368.

The proposed FY15 water rates are as follows:

Current Water Rates		Proposed FY15 Water Rates	
Minimum 2,000 gallons	\$17.66	Minimum 2,000 gallons	\$18.90 – 7%
Next 48,000/1,000	\$ 7.90	Next 48,000/1,000	\$ 8.77 – 11%
Over 50,000/1,000	\$ 4.98	Over 50,000/1,000	\$ 5.33 – 7%

The proposed FY15 sewer rates are as follows:

Current Sewer Rates		Proposed FY15 Sewer Rates	
Minimum 2,000 gallons	\$18.27	Minimum 2,000 gallons	\$20.10 – 10%
Next 48,000/1,000	\$ 6.53	Next 48,000/1,000	\$ 7.51 – 15%
Over 50,000/1,000	\$ 5.22	Over 50,000/1,000	\$ 5.74 – 10%

As you are aware, the Water Treatment Plant Upgrade Project is currently underway. Construction is expected to be completed by September 2015. In terms of new initiatives, the W. Atlantic Sewer Main Replacement Project (\$420,000) and improvements to the Wastewater Treatment Plant (\$1,650,000) are included in the budget. The aforementioned water and sewer rate increases are required in order to pay the debt service (20 years) on these projects, as well as cover the 2% COLA increase (\$9,833) effective January 11, 2015, the 14.5% health insurance increase (\$13,623), and the Payment in Lieu of Taxes expenditure (\$124,106) that is shown as revenue in the General Fund budget.

Recommendation

The proposed budget ordinances are attached for your consideration.

Attachments

Changes to the FY15 General and Utility Fund Budgets
Budget Ordinances

Proposed changes to the FY 15 budget:

General Fund

Revenues

Page 1	Revenues – Decrease Current Real Estate line	-\$ 175,434
Page 2	Revenues – Establish line for Court Services	+\$ 30,958
Page 4	Revenues – Increase Appropriated Fund Balance line	<u>+\$ 120,132</u>
		-\$ 24,344

Expenditures

Page 16	Police – Salaries and Wages line	-\$ 13,490
Page 16	Police – FICA line	-\$ 1,032
Page 16	Police – VRS and Life Insurance line	-\$ 1,833
Page 16	Police – Medical Insurance line	-\$ 2,097
Page 22	Emergency Services – Increase Part-time Wages line	+\$ 2,901
Page 22	Emergency Services – Increase FICA line	+\$ 222
Page 22	Emergency Services – Increase VDEM Grant Match line	+\$ 35,000
Page 24	Courts and Other Related Shared Services – Increase 6 th District Court Services	+\$ 30,958
Page 36	Library – Increase Library Operations line	+\$ 2,000
Page 37	Community Development – Decrease Mileage line	-\$ 15,000
Page 37	Community Development – Decrease TEA-21 Grant and Match line	-\$ 69,342
Page 39	Economic Development – Increase Emporia/Greenville Mega Site Project/RIFA	+\$ 2,000
Page 42	Parks and Recreation – Increase CYC Operations line	+\$ 1,000
Page 45	Civic and Community Organizations – Increase Med-Flight line	+\$ 600
Page 46	Non-Departmental – Increase Operating/Capital Reserve line	<u>+\$ 3,769</u>
		-\$ 24,344

Utility Fund

Revenues

Page 47	Revenues – Decrease Water Sales line	-\$ 129,144
Page 47	Revenues – Decrease Proceeds from Financing line	<u>-\$2,500,000</u>
		-\$2,629,144

Expenditures

Page 52	Water Distribution – Decrease Water Distribution Sys. Improv. line	-\$2,500,000
Page 56	Non-Departmental – Decrease GO Bond Series 2014 line	<u>-\$ 129,144</u>
		-\$2,629,144

Ordinance

An Ordinance To Adopt The 2014-2015 Operating Budget For The City of Emporia, Virginia And To Appropriate The Funds For The Same

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

Section 1. That the City Council hereby approves and adopts the document entitled "City of Emporia, Operating Budget For Fiscal Year 2014-2015."

Section 2. In order to provide the requisite funds for said operating budget, the sum of \$34,498,978.00 is hereby appropriated to the following fund accounts for the fiscal year beginning July 1, 2014 and ending June 30, 2015

Fund	Amount
General Fund	\$19,496,253.00
Utility Fund	<u>15,002,725.00</u>
<i>Total</i>	\$34,498,978.00

Section 3. The City Manager is hereby authorized and directed to do all things necessary to implement said budget to include executing all purchase orders of any amounts and making all payments and disbursements consistent with the purpose and intent of this budget.

Section 4. The City Manager shall present to Council monthly a list of disbursements made for the previous month for Council's review and examination.

Section 5. The City Manager is hereby authorized to make the appropriate transfers among the various budgetary accounts within each fund.

Section 6. This ordinance shall become effective July 1, 2014.

Adopted: June 17, 2014

City of Emporia, Virginia

By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney

Ordinance

**An Ordinance Imposing And Levying Taxes
Within The City of Emporia, Virginia Upon
Real Property, Personal Property, And
Machinery And Tools For Tax Year 2014**

WHEREAS, it is necessary for the Council of the City of Emporia, Virginia to adopt the City's operating budget for Fiscal Year 2014-2015 and to establish the various tax levies pertaining to the same.

NOW THEREFORE BE IT ORDAINED by the Council of the City of Emporia as follows:

Section 1. That for the support and operations of the City government, the Council of the City of Emporia, Virginia hereby levies the following tax rates on all real property, all tangible personal property, and all machinery and tools for the tax year beginning January 1, 2014 and ending December 31, 2014 as follows:

A. Real Estate

Upon all real estate and improvements thereon, not exempt from local taxation, there shall be a tax levy of No Dollars and Eighty-Seven Cents (\$0.87) for every One Hundred Dollars (\$100.00) of assessed value, which shall be based upon 100% of the fair market value thereof.

B. Public Service Corporation

Upon all property of public service corporations not exempt from local taxation, there shall be a levy of No Dollars and Eighty-Seven Cents (\$0.87) for every One Hundred Dollars (\$100.00) of assessed value.

C. Tangible Personal Property

Upon all tangible personal property of every kind and description not exempt from local taxation, there shall be a tax levy of Five Dollars and No Cents (\$5.00) for every One Hundred Dollars (\$100.00) of assessed value.

D. Machinery and Tools

Upon all machinery and tools used or employed by any person, firm or corporation in any trade or business, not exempt from local taxation, there shall be a tax levy of Five Dollars and No Cents (\$5.00) for every One Hundred Dollars (\$100.00) of assessed value.

Section 2. This ordinance shall become effective July 1, 2014.

Adopted: June 17, 2014

City of Emporia, Virginia

By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney

Ordinance

An Ordinance To Amend A Certain Section
Of The Code Of Ordinances Of The City of
Emporia, Virginia

AN AMENDMENT

BE IT ENACTED by the City Council of the City of Emporia, Virginia that:

DIVISION 3. RATES; CHARGES; BILLS

Sec. 78-91 (1) through (3) be amended and re-enacted to read as follows:

Sec. 78-91. Schedule of rates—Designated; billing generally.

The rates for water and allied services supplied by the city shall be as follows:

(1)	Minimum 2,000 gallons...	\$17.66	\$18.90
(2)	Next 48,000/1,000.....	\$ 7.90	\$ 8.77
(3)	Over 50,000/1,000.....	\$ 4.98	\$ 5.33

This ordinance shall become effective July 1, 2014.

Adopted: June 17, 2014

City of Emporia, Virginia

By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney

Ordinance

An Ordinance To Amend A Certain Section
Of The Code Of Ordinances Of The City of
Emporia, Virginia

AN AMENDMENT

BE IT ENACTED by the City Council of the City of Emporia, Virginia that:

DIVISION 5. RATES; CHARGES; BILLS

Sec. 78-261 (1) through (3) be amended and re-enacted to read as follows:

Sec. 78-261. Schedule of rates—Designated; billing generally.

The rates for sewage services supplied by the city shall be based upon the amount of water metered to the premises, as follows:

(1)	Minimum 2,000 gallons...	\$18.27	\$20.10
(2)	Next 48,000/1,000.....	\$ 6.53	\$ 7.51
(3)	Over 50,000/1,000.....	\$ 5.22	\$ 5.74

This ordinance shall become effective July 1, 2014.

Adopted: June 17, 2014

City of Emporia, Virginia

By _____
Mary L. Person
Mayor

Attest:

Form Approved:

City Clerk

City Attorney



CITY OF EMPORIA

Memorandum

June 13, 2014

TO: Honorable Mayor and City Council Members
FROM: Brian S. Thrower, City Manager *BST*
SUBJECT: 2014 Fourth of July Fireworks Display
ITEM: 14-39

City Administration has received a request from the Emporia-Greenville Chamber of Commerce to host the Fourth of July Fireworks Display. Emporia's Code of Ordinances requires City Council's approval to permit such display by adoption of a resolution. As such, a resolution is attached for your consideration.

Recommendation

This information is provided for your consideration.

Attachments

Resolution
Letter from Nancy Rose, Chamber of Commerce Executive Director

BST/lrj



*Emporia-Greenville
Chamber of Commerce
Together, we achieve the extraordinary!*

434 634 9441

June 11, 2014

Chief Rawlings
Emporia Fire Department
209 Halifax Street
Emporia, VA 23847

Dear Chief Rawlings,

We appreciate so much all that you do in keeping our community safe. On the 4th of July the Emporia-Greenville Chamber of Commerce would like to have a fireworks display at or about 9 pm near the north pump house on the property known as Veterans Memorial Park.

As in the past, Master Displays Limited will provide the pyrotechnic personnel for display of fireworks that should last about 15 minutes. Master Displays Limited has provided the chamber and the city with their copy of liability insurance and the grass will be cut in and around the firing site.

As you may determine, we are asking that you please provide fire protection services in case of any mishaps. I believe in the past that the Fire Department has staged apparatus on both the north and south side of the river.

Please notify us of your decision to provide fire protection services so that the proper permits can be issued by the city.

Thank you for your time and consideration, and most importantly, your service to the community.

Again, we appreciate all that you do.

Nancy

Nancy Rose
Executive Director

Cc: Brian Thrower, City Manager
Randy Pierce, City Fire Marshall

Resolution No. _____

Resolution

A Resolution Authorizing The Use And Display
Of Fireworks By The Emporia-Greenville
Chamber of Commerce

WHEREAS, the Emporia-Greenville Chamber of Commerce desires to conduct a fireworks display on Friday, July 4, 2014 for the benefit of the citizens of the Emporia and its environs; and

WHEREAS, the Chamber of Commerce is requesting the approval of the Council of the City of Emporia to conduct said fireworks display.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Emporia, Virginia as follows:

Section 1. That the Council of the City of Emporia hereby approves the request from the Emporia-Greenville Chamber of Commerce to conduct a fireworks display on Thursday, July 4, 2013 and authorizes the same.

Section 2. That the City Manager is hereby authorized and directed to do all things necessary to implement the intent of this resolution.

Adopted: June 17, 2014

City of Emporia, Virginia

By _____
Mary L. Person, Mayor

Tessie S. Wilkins
City Clerk