

## **ORDINANCE COMMITTEE**

**Date: February 23, 2010**

**IN Attendance:** Council Members Terndrup (Chair), Le Vine, Mauck, Redmon, and Vena; Mayor Taylor, Town Planner Rex, Clerk Keller, Carla and Mil Wallen, Eunice Terndrup, Michael Terndrup, and Amber Merra of the NVD.

**I. The minutes from the January 26, 2009 meeting were approved as presented.**

**II. Update of sign proposed by Hometown Strasburg, Inc.**

Carla Wallen, representing Hometown Strasburg, said she had contacted Little Apple Corporation about making the sign so as to keep the business local. Eddie Edwards Sign Company was highly recommended by Little Apple and she gave them the ideas for the look of the sign; she showed two renditions of the result of the ideas. The letters of the sign would be 10" high and one picture was amber in color, with the other being in full color. The total sign would be 9' tall, with a limestone base and the outline of having the "Welcome to Strasburg" sign. The cost of the sign in one color would be \$30,000 and the full color would be \$40,000. It is being proposed to have much of the work done locally and buy most of the materials locally and only have the actual LED portion done by Eddie Edwards Sign Company.

It was asked if this would need to be part of the sign ordinance and Planner Rex said it would have to be discussed. Council Member Terndrup said he does think there needs to be something just as you come off of the interstate, but it might be something totally different than this. Council Member Mauck said she likes the sign, but she does not want to open "Pandora's Box" as it could allow other businesses or organizations to put in LED signs. Council Member Le Vine was wondering if maybe signs could be bought in bulk. Mrs. Wallen will find out more information as far as the material to be used on the top, the bulk cost, etc. It was suggested putting trees around the sign. Also, a commitment/agreement would need to be gotten from Virginia Savings Bank to protect Hometown.

Mrs. Wallen also reported she is working on getting a Historic District sign on I81.

**III. Action Item**

Council Member Terndrup asked that the Ordinance Committee recommend the approval of an ordinance enacting civil penalties for zoning violations – Zoning Code Section 5-6, Violation and penalty.

Council Member Mauck gave some comments on the wording of the ordinance and Planner Rex said the cover memo was just summarizing the ordinance. He said this would basically make a zoning violation more like a traffic ticket. There are two violations that are exceptions to this ordinance:

A. Sign in the right of way

B. Land development procedures

It is felt this will make a much more efficient procedure for violations. Planner Rex has already been in contact with the ticket company that can make the ticket books and has talked to the Town's prosecutor as far as court dates, etc., but he does not know what the court costs might be. This ordinance actually would be giving the zoning administrator the authority to write tickets.

Council Member Mauck asked about the educating of the public on this ordinance. Planner Rex said a public hearing will be held, which has been advertised. Also, information will be added to the website. It was suggested having a two month "warning" period. Planner Rex explained how the offenses would be determined.

**It was decided to move forward on this as a recommendation to Council for a vote in March.**

**IV. Updates**

➤ **Blight abatement – 901 Capon Road:** Planner Rex said the property is actually in better condition on the inside than on the outside, but it does not have indoor

plumbing. The blight abatement plan needs to be approved by Council. The owner is planning to have the dwelling up to code by June, but Planner Rex is concerned with the June deadline and if it could be brought up to code by then. He reviewed the ordinance as to what the next steps would be.

➤ **Blight abatement – 368 West King Street:** Planner Rex said the house is listed on the MLS by Sager Realty. A formal letter has not been issued on this since it is listed. He has talked to Dora Buck and an offer has been made on it. Planner Rex recommends waiting to see if the offer is accepted before moving forward.

➤ **Alteration and vacation of public rights-of-way:** Planner Rex is still working on this. Council Member Terndrup said he believes the consensus of the committee was the vacation of an alleyway would not require a price, but then there was a problem with the difference between alleys and streets. Council Member Le Vine asked about the homeowners who do not want to the land and Planner Rex said you can force people to take the land, but whether you should do this is questionable. Council Member Mauck said when this was first discussed, it had been thought to do this on a case-by-case basis. Planner Rex said there would be an option of only vacating portions of alleys, but this can cause problems. Council Member Terndrup said he thought it had already been decided that if  $\frac{3}{4}$  of the adjoining property owners wanted the alley vacated, then it would be vacated. It was asked why the Town shouldn't get some financial reward when there is significant benefit to a landowner. It was asked how other towns handle this. If the vacation would increase the value of the land by "x" dollars, then a price could/would be charged. Council Member Le Vine does not want to do this case-by-case because of the chance of favoritism.

Mr. Mil Wallen discussed some of the abatements that have been done in the past and how 100% of the neighbors need to be in agreement. Council Member Le Vine explained how the Town will not go out and initiate this; it only comes up when the property owner wants the vacation.

**This will be looked at during the next meeting and a "threshold" price will be decided on.**

In the case of a vacated alley, the applicant would pay for the change of deeds for all the landowners.

If this is left at 100%, then maybe it could be contiguous property owners would have to agree to the vacation. This will be discussed again at the March meeting.

➤ **Developmental Review Process ---** Will be added to the March agenda.

➤ **Availability Fee Policy – Potential revisions to Chapter 86, Utilities ---** This topic is being discussed in the Work Session and Finance Committee. Town Attorney Neal has gotten a copy of an ordinance from Manassas that gives the idea of sufficiency. Council Member Le Vine thought this would be an ordinance that would address the legality of pre-paying availability fees. It was decided to wait until after the Finance Committee meeting to move forward on this.

➤ **Revisions to Appendix A, Section 3-8, Sign regulations**

**Review Survey results ---** Planner Rex said the results, to-date, were given in the packet. About 45 surveys have been returned and Planner Rex discussed some of the results.

➤ **Regulating Development on Steep Slopes ---** a copy of the Front Royal ordinance was sent out to the Planning Commissioners and this will be reviewed at that meeting.

Being no further business, the meeting adjourned at 7:26 p.m.