

TOWN COUNCIL SPECIAL MEETING

Monday, February 4, 2013 @ 7:00pm

Town Administration Building Conference Room

1. Roll Call

2. CLOSED MEETING – Consultation with Council, specific to the Rappahannock-Shenandoah-Warren Regional Jail

Motion to Go Into Closed Meeting

I move that Council convene and go into Closed Meeting for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters, , requiring the provision of legal advice by such counsel, namely, the Rappahannock-Shenandoah-Warren Regional Jail's decision to handle its waste water treatment through an on-site package plant pursuant to Section 2.2-3711. A. 7. of the Code of Virginia.

Motion to Certify Closed Meeting at its Conclusion [At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Action as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

TOWN COUNCIL WORK SESSION

Monday, February 4, 2013 to begin immediately after Special Meeting
Town Administration Building Conference Room

Town/Staff Related Issues:

1. Chamber of Commerce-Tourism Coordination – NO BACKUP *Chamber of Commerce*
2. Donation of Safety Vests – *Director of Energy Services/Director of Environmental Services*
3. Water Treatment Plant Improvements – *Director of Environmental Services*
4. Visioning Proposal – *Director of Planning/Zoning*
5. Ordinance Amendments – *Director of Planning/Zoning*
 - a. (ORD12-09-213), "NONCONFORMITY – PARKING EXEMPTION"
 - b. (ORD12-09-214), "HOME OCCUPATIONS"
6. Employee Handbook Continued Discussion – BACKUP IS SEPARATE - *Town Manager*
7. Capital Improvement Project (CIP) Continued Discussion – NO BACKUP - *Director of Finance*
8. Real Estate/Personal Property Tax Rate Continued Discussion – NO BACKUP - *Director of Finance*

Council/Mayor Related Issues:

9. Update on Tourism Business Located on Chester Street – *Councilman Sayre*
10. Memorial located at Shenandoah Avenue/Kendrick Lane – *Mayor Darr*
11. Reconvene the Route 522 North Committee – *Mayor Darr*

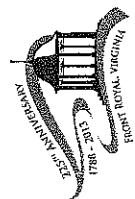
12. Continued Discussion of Policy Manual – *Mayor Darr*
13. Council Discussion/Goals *(time permitting)*
14. CLOSED MEETING – Consultation with Legal Counsel

Motion to Go Into Closed Meeting

I move that Council convene and go into Closed Meeting for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711.A.7 of the Code of Virginia.

Motion to Certify Closed Meeting at its Conclusion *[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]*

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.



Town of Front Royal, Virginia Work Session Agenda Form

Date: February 4, 2013

Agenda Item: Donation of Safety Vests to Blue Ridge Opportunities

Summary: In July 2012, The Virginia Department of Transportation (VDOT) changed the requirements for high visibility safety apparel from ANSI/ISEA Class 2 to a Class 3. This change impacted all departments in the Town, which created a surplus of safety vests that are Class 2 and no longer meet the new specifications for VDOT.

Council Discussion: Council is requested to consider donation of safety vests to Blue Ridge Opportunities.

Staff Evaluation: These safety vests are a combination of inventory between Energy Services and Environmental Services that currently do not meet the new VDOT standard.

Budget/Funding: The Director of Finance will be available to address fiscal issues.

Legal Evaluation: The Town Attorney will be available to address legal issues.

Staff Recommendations: Staff is requesting the donation of eighty (80) safety vests in various sizes to Blue Ridge Opportunities to use as needed.

Town Manager Recommendation: The Town Manager recommends that Council consider donation of eighty (80) safety vests to Blue Ridge Opportunities.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

Town of Front Royal
Energy Services
P.O. Box 1560
Front Royal, Virginia 22630-1560
(540) 635-3027 Fax: (540) 635-5497



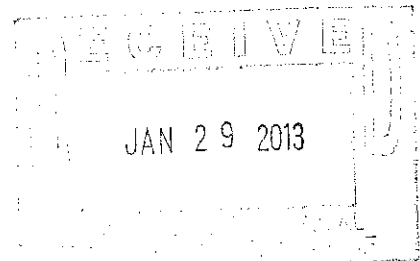
Memo

To: Steve Burke, Town Manager
From: Joseph Waltz, Director of Energy Services 
Date: January 29, 2013
Re: Donation of safety vests to Blue Ridge Opportunities

In July 2012, The Virginia Department of Transportation (VDOT) changed the requirements for high visibility safety apparel from ANSI/ISEA Class 2 to a Class 3. This change impacted all departments in the Town, which created a surplus of safety vests that are Class 2 and no longer meet the new specifications for VDOT.

I'm requesting the donation of 80 safety vests in various sizes to Blue Ridge Opportunities to use as needed. These safety vests are a combination of inventory between Energy Services and Environmental Services that currently do not meet the new VDOT standard.

If you have any questions or concerns, please feel free to call me.



Town of Front Royal, Virginia Work Session Agenda Form

Date: February 4, 2013

Agenda Item: Water Treatment Plant Improvements:
Disinfectants/Disinfection By-Products Rule (DBP Rule)
Long Term 2 Enhanced Surface Water Treatment Rule (LT2)

Summary: CHA completed the summary of the different DBP reduction alternatives and UV conceptual design for the Water Treatment Plant upgrades. Charts attached show options and the costs associated with each as well as CHA recommendations

Council Discussion: Council is requested to consider the recommendations of CHA to ensure the Water Treatment Plant complies with all state and federal water quality and performance standards

Staff Evaluation: Due to the new state and federal regulations, care must be taken in the design of any improvements to ensure the Town will be in a position to comply with these regulations both now and the foreseeable future

Budget/Funding: Funding to be determined by the Town Manager and Finance Director

Legal Evaluation: The Town Attorney will be able to address any legal issues or concerns

Staff Recommendations: Staff recommends Council to review and discuss the recommendations of CHA

Town Manager Recommendation: The Town Manager recommends Town Council review and discuss the recommendations for the Water Treatment Plant.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)

Table 5.7 – Summary of DBP Control Alternatives

Alternative	Capital Cost	Operating Cost at 6 MGD (per month)	Benefits	Drawbacks
Pre-Oxidation with Sodium Permanganate	\$236,000	\$900	-might improve filtration -some algal control	-can cause pink color -not as effective as chlorine dioxide -requires piloting
Pre-Oxidation with Chlorine Dioxide	\$470,000	\$6,600	-demonstrated HAA control -some algal control	-requires additional monitoring -can result in unpleasant odors -dose limited to 1 mg/L -it could require additional TTHM control measures
Chloramination	\$313,000	\$700	-may not entirely address HAA & TTHM control	-may not meet future regulations -will require public notice on switch -may require additional treatment
Granular Activated Carbon Adsorption	\$1,243,000	\$85,000	-lowers DBPs to near zero -improves taste and odor -lowers chlorine demand -removes endocrine disruptors & PPCPs - Biological growth could extend operating life	-removes chlorine -media use would have to be monitored -would require periodic media replacement
Magnetic Ion Exchange Resin	\$6,968,000	\$12,100	-effective HAA & TTHM control -may reduce coagulant and disinfection costs	-brine waste disposal -proprietary -additional equipment
Additional Powdered Activated Carbon Application	\$430,000	\$11,000	-no new feed equipment required	-required dose may be very large -requires piloting
Distribution System Practices	Varies	Varies	-can be inexpensive	- Not likely to adequately reduce DBPs

UV Conceptual Design
Cost Estimates for UV Disinfection Installation Option

UV Equipment Installed in Working Clearwell (From TM 5)				
Item	Unit	Quantity	Unit Price	Total Costs
Bonds, Mobilization, Insurance	% of Const.	10%	-	\$48,000
UV Equipment Capital	EA	1	\$250,000	\$250,000
UV Equipment Installation	% of Equip.	30%	\$75,000	\$75,000
Structural Modifications in Clearwell	LS	1	\$50,000	\$50,000
Piping & Valves	LS	1	\$100,000	\$100,000
Electrical & Instrumentation	% of Const.	20%	-	\$95,000
Contractor Overhead & Profit	% of Const.	15%	-	\$71,000
Opinion of Probable Construction Cost:				\$689,000
Contingency	% of Const.	20%	-	\$138,000
Engineering Fees	% of Const.	15.0%	-	\$103,000
Total Opinion of Probable Capital Cost:				\$930,000

UV Equipment Installed in Building Extension				
Item	Unit	Quantity	Unit Price	Total Costs
Bonds, Mobilization, Insurance	% of Const.	10%	-	\$83,000
Site Grading, Drainage & Paving	LS	1	\$100,000	\$100,000
UV Equipment Capital	EA	1	\$250,000	\$250,000
Sump Pump	EA	1	\$2,000	\$2,000
Equipment Installation	% of Equip.	30%	-	\$76,000
Piping and Valves	LS	1	\$100,000	\$100,000
Building Extension	SF	800	\$300	\$240,000
Painting	SF	3,000	\$3.00	\$9,000
Aluminum Grating, Rail and Stairs	LS	1	\$35,000	\$35,000
Hoist and Rail	LS	1	\$5,000	\$5,000
HVAC	LS	1	\$15,000	\$15,000
Electrical & Instrumentation	% of Const.	20%	-	\$166,000
Contractor Overhead & Profit	% of Const.	15%	-	\$125,000
Opinion of Probable Construction Cost:				\$1,206,000
Contingency	% of Const.	20%	-	\$241,000
Engineering Fees	% of Const.	15%	-	\$181,000
Total Opinion of Probable Capital Cost:				\$1,628,000

DBP Reduction Alternatives Recommendation

We do not believe that using sodium permanganate as a pre-oxidant by itself will reliably reduce DBPs to below the design levels established in TM 4. However, this solution is inexpensive, and if changes to the chlorination practice, flocculation and PAC addition show reduction in DBPs as we anticipate, this is potentially a workable option. We recommend the Town perform a full-scale pilot study of this option, along with the changes described in Section 5.1, to determine the effectiveness of this control strategy.

We cannot recommend chloramination as a solution to the DBP challenges at the Town. We believe that municipalities using chloramination will face significant challenges in the upcoming regulatory environment. There will be challenges to operation and potential push-back from the customer base. There are other solutions that can improve the finished water quality and suitably address probable future regulations. While appearing to be a low cost solution, a change in pre-oxidant may be required along with chloramination. This would reduce the economic benefit, making this a less attractive option.

GAC adsorption and MIEEX are both excellent processes that would be effective at meeting the design goal of keeping the DBPs below the OEL level as described in TM4. However, they are expensive and require changes to the operation of the plant. Of the two, GAC shows the most promise and has the added benefit of treating endocrine disruptors and PAPC products. However, the goal here is to reduce DBPs as earlier described. GAC will work effectively, but is not an economical solution.

While additional PAC application and detention time could also assist with treatment of endocrine disruptors and PAPC products, DBP reduction may not be consistent. This process could be piloted to evaluate the effectiveness of the treatment, but the changeable adsorptive capacity of PAC creates varying results over time. We do not expect PAC addition to be consistently effective in DBP reduction.

We recommend the Town pursue the use of chlorine dioxide as a pre-oxidant. We recommend this solution because it was effective in the bench scale pilot testing, has been shown to be effective in the past and limits the Town's exposure to violations of future regulations, customer complaints and distribution system nutrient growth.

The only significant drawback to this alternative is higher operating costs than sodium permanganate addition. However, the costs of this chemical addition are much lower than other alternatives that were shown to be successful in our pilot testing. Since it is only needed during

the warmer times of the year, chlorine dioxide use (or the use of any of the alternatives discussed) could be restricted to a period between approximately May through September. Running only during the warm months would reduce the operating costs. Our costs assume the maximum dose is applied; costs would be further reduced if operational experience showed a lower effective dose.

While the bench-scale testing of chlorine dioxide showed mixed results on TTHM removal, the literature and our experience leads us to conclude that TTHM reduction will be similar to the HAA reduction. However, if our expectations are incorrect, TTHMs can be reduced with low cost tank aeration.

Our recommended DBP reduction strategy is:

1. Pilot test sodium permanganate as a pre-oxidant (with the improvements described in section 5.1 in place) at full scale during early 2013.
2. If the initial results do not show substantial reductions in TTHM and HAAs, then initiate design and installation of chlorine dioxide addition.
3. After chlorine dioxide has been implemented, monitor TTHMs monthly as non-compliance testing, to determine the actual reduction of TTHMs.
4. If TTHM levels are still elevated, initiate TTHM stripping at problematic locations.

Town of Front Royal, Virginia Work Session Agenda Form

Date: February 4, 2013

Agenda Item: Visioning Proposal - *Director of Planning & Zoning*

Summary: Attached are the key pages of a bid that was received from Renaissance Planning Group, in association with Herd Planning & Design, LTD for the Town Visioning project.

Although there are some aspects of the proposal that still need to be worked out or adjusted in the final contract, the Planning Commission is interested in moving forward with the proposal. For example, the Planning Commission would like to have the plan changed so that there would be 2 or 3 shorter public input meetings instead of the 1 all-day meeting proposed.

Council Discussion: This agenda item is scheduled for discussion between Town Council and Staff during the February 4, 2013 Town Council Work Session.

Staff Evaluation: The Planning Director will be at the upcoming Town Council work session to answer questions that Town Council may have.

Budget/Funding: Expenses could be paid for under the current budget of Planning & Zoning, but may be split between this fiscal year and next.

Legal Evaluation: The Town Attorney will be available at the upcoming Town Council work session to answer questions that Town Council may have.

Staff Recommendations: Staff recommends that the Town proceed in drafting and implementing a contract with the firm that addresses all comments.

Town Manager Recommendation: The Town Manager will be available at the upcoming work session for discussion and questions.

Council Recommendation:

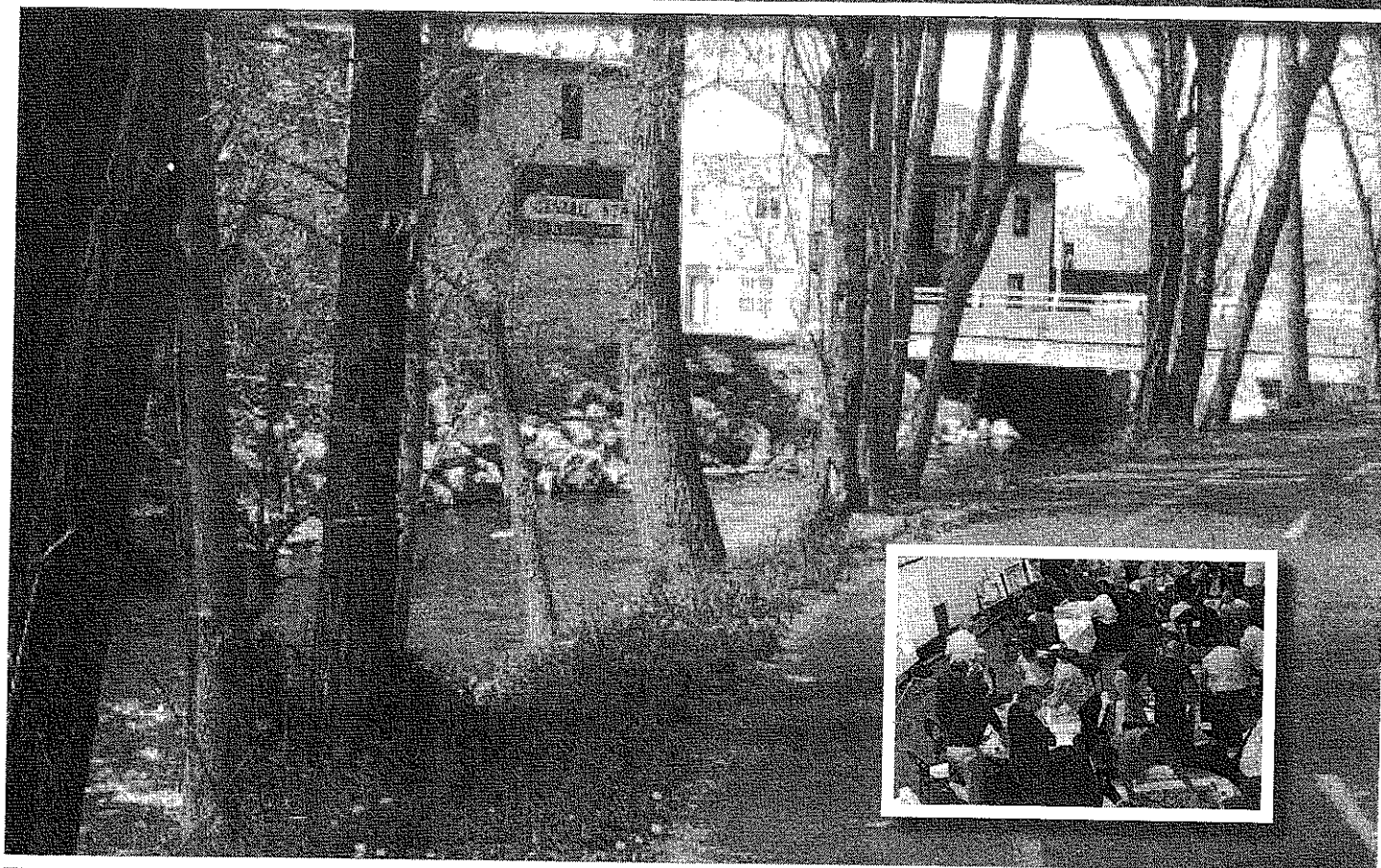
☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)



Proposal • December 11, 2012

TOWN VISIONING PROFESSIONAL CONSULTING SERVICES

for Front Royal, Virginia - Department of Planning & Zoning



Submitted by:

RENAISSANCE PLANNING GROUP

In association with:



PROPOSAL



RENAISSANCE PLANNING GROUP

455 Second Street SE, Suite 300 • Charlottesville, VA 22902 • phone: 434.296.2554 • fax: 434.295.2543

December 7, 2012

Town of Front Royal
ATTN: Cynthia A. Hartman, Purchasing Agent
P.O. Box 1560
Front Royal, Virginia 22630

RE: REQUEST FOR PROPOSAL TOWN VISIONING PROFESSIONAL CONSULTING SERVICES

Dear Ms. Hartman,

On behalf of the Renaissance Planning Group team, I am pleased to submit the enclosed proposal to the Town of Front Royal for "**Town Visioning Professional Consulting Services.**" If a plan is a roadmap to the future, the vision represents the destination. Therefore knowing where you want to go, or end up, is a critical step of any planning process. At Renaissance we understand the importance of building shared ownership, and commitment to reaching that common destination. We take visioning exercises seriously and work closely with clients and citizens to help them through the process.

Our Team's collective experience with hundred of communities across Virginia and the Mid-Atlantic makes us well qualified assist the Town of Front Royal in this visioning exercise. This visioning exercise represents a critical chapter of the current Comprehensive Plan update process. Senior Renaissance professionals, based in Charlottesville Virginia, together with Herd Planning and Design, based in Leesburg, Virginia constitute a team with demonstrated capability to deliver excellence in visioning and community-based planning. Our project manager, **Jason Espie, AICP** has 18 years of experience working on community development and public engagement processes. He is a skilled and dedicated professional with demonstrated capability to lead projects. Jason is the primary point of contact for the project and can be reached at: *Renaissance Planning Group, 455 Second Street, SE, Suite 300; Tel. 434-296-2554 x303; Fax. 434-295-2543; Mobile 540-435-0718; email: jespie@ciesthatwork.com.*

Jason will work in close partnership with **Milt Herd, AICP**, President of Herd Planning and Design. Milt is well known across Virginia as an accomplished planner, facilitator, and expert in consensus building processes. I have responsibility for overseeing all work, which will also be supported by urban design, research, and graphic professionals based in our Charlottesville office.

Our approach to all our planning projects and working with our clients emphasizes integration, flexibility, collaboration and communication. We use project studio working sessions, and constant communications via web-teleconferences, calls and emails, to move progress forward and ensure that everyone is on the same page.



The visioning exercise for the Town of Front Royal requires the design and implementation of a thoughtful engagement process. The visioning process will emphasize transparent and interactive feedback loops. It will begin with investigations into existing plans, data and context, which includes an upfront Town visit and work session with staff, as well as a series of interviews with key stakeholders. We also have extensive experience in extending the public input process through on-line media. A MindMixer website will be developed and will be used to set-the-stage for the primary public event which is a full-day Vision Workshop. The MindMixer site will be used following the event to review and validate results and offer additional opportunities for input as the Vision Framework report is finalized.

The Renaissance Team is pleased to have this opportunity to offer our services to the Town of Front Royal in its efforts to plan for and shape its future. We trust that our proposal will demonstrate our experience and capability in working on similar efforts in localities across Virginia and the Mid-Atlantic. We bring our enthusiasm for collaborative planning and working with dedicated communities to this visioning effort and urge your favorable consideration of it. We look forward to hearing from you.

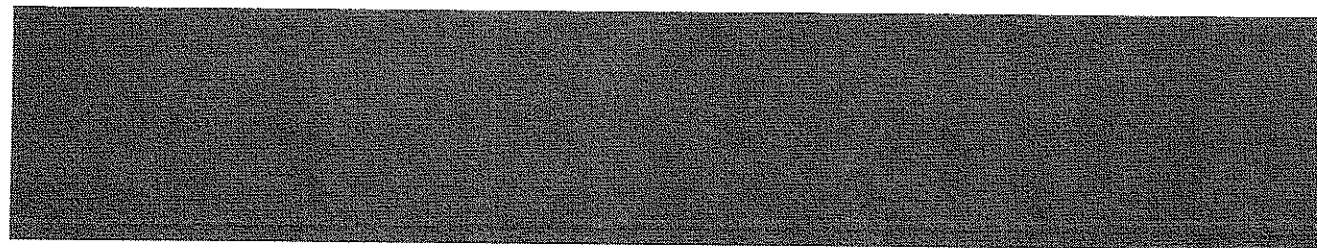
Sincerely,

Vlad Gavrilovic, AICP, Principal
Renaissance Planning Group
vlad@ciiesthatwork.com
434-296-2554 x 300

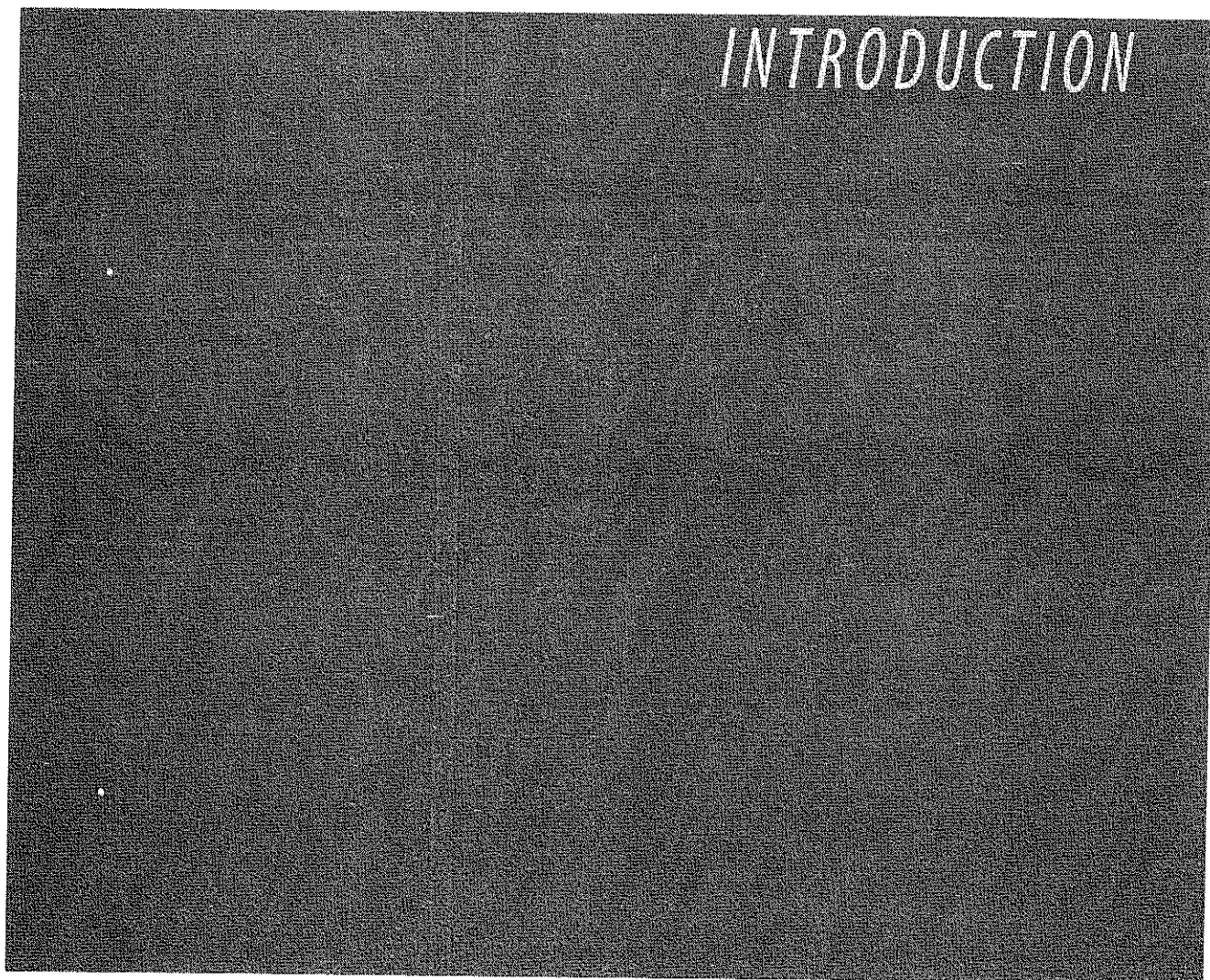


TABLE OF CONTENTS

INTRODUCTION	1
Project Understanding	1
Team	2
TECHNICAL SUMMARY	3
Our Approach	3
Scope of Services	4
Schedule	8
STATEMENT OF QUALIFICATIONS	10
Introduction	10
Unique and Award-Winning Experience	11
Proximity to Project	13
Ability to Provide Impartial Performance and Exclusive Representation	13
Financial Stability	13
Subconsultants	13
PAST PERFORMANCE & REFERENCES	14
Typical Project Clients	14
Local/Regional Experience	14
Current Project Workload	15
Relevant Experience	16
STAFF QUALIFICATIONS & EXPERIENCE	28
Key Personnel	28
PRICE PROPOSAL	40
SAMPLE WORK/OTHER MATERIAL	41



INTRODUCTION



TOWN VISIONING

Proposal for Professional Consulting Services

Town of Front Royal, Virginia

INTRODUCTION

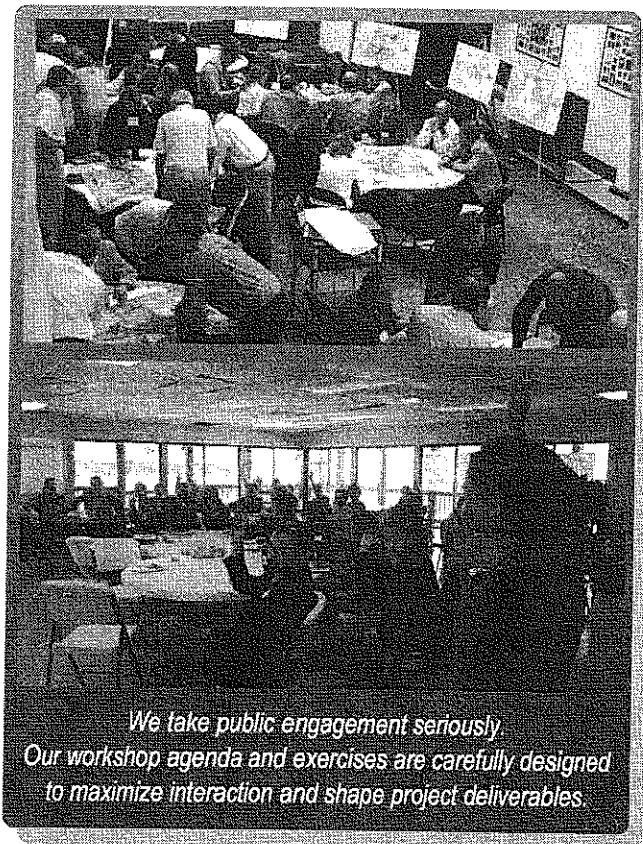
PROJECT UNDERSTANDING

The following is a proposal by Renaissance Planning Group, in partnership with Herd Planning and Design, to implement a visioning exercise for the Town of Front Royal. We understand that the Town of Front Royal is in the process of updating its Comprehensive Plan. This visioning represents Phase 2 of the comprehensive planning process. Visioning is an important part of every successful planning project, and as a firm we are committed to creating thoughtful, transparent and inclusive processes. The approach and scope outlined in this proposal builds on years of experience our team has in guiding other communities through similar visioning processes.

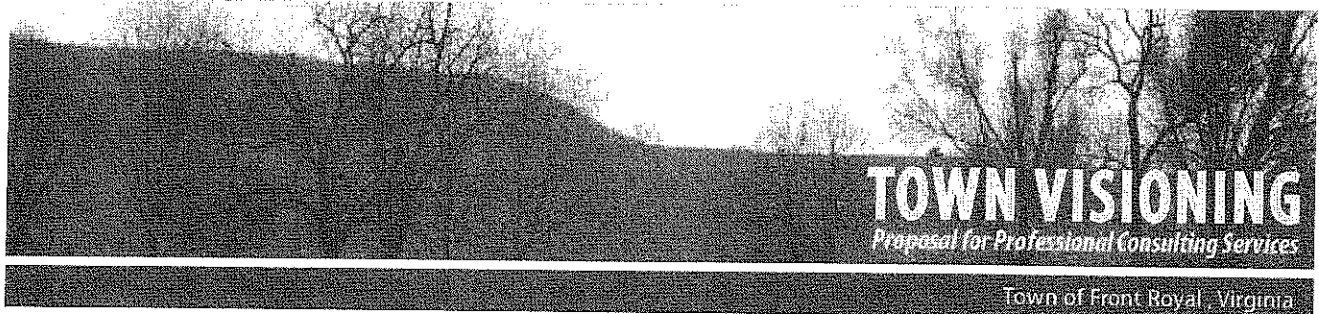
Our visioning process begins by identifying the community's shared values, needs, and goals. Our approach to visioning emphasizes a story telling theme, where we create opportunities for citizens to get involved through a number of means to participate in telling the story, present and future, of their Town. The process we propose is open and transparent with multiple opportunities for engagement and feedback loops.

To enhance the community outreach process, we propose the use of MindMixer (www.mindmixer.com), a highly effective, cutting edge web-based, public engagement tool that enables two way interaction between Town leaders and citizens. We will use this tool to help gather input and solicit feedback on key ideas through each step of the visioning process.

The final product of the visioning effort will be a Vision Framework report that will summarize the process, and clearly and illustratively portray a compelling vision in both words, and graphic illustrations. The Vision Framework report will contain any related supplemental information investigated and obtained, such as, but not limited to, an analysis of surveys or input received via a MindMixer web-based participation tool. The final report preparation will be done with the clear understanding that the product needs to fit into the Town's Comprehensive Plan update document and process. This project in essence is a chapter of the Comprehensive Planning update process. Though it is one chapter, it is a crucially important one because it helps establish baseline and shared understanding in regards to the future physical development and redevelopment of the Town.



*We take public engagement seriously.
Our workshop agenda and exercises are carefully designed
to maximize interaction and shape project deliverables.*

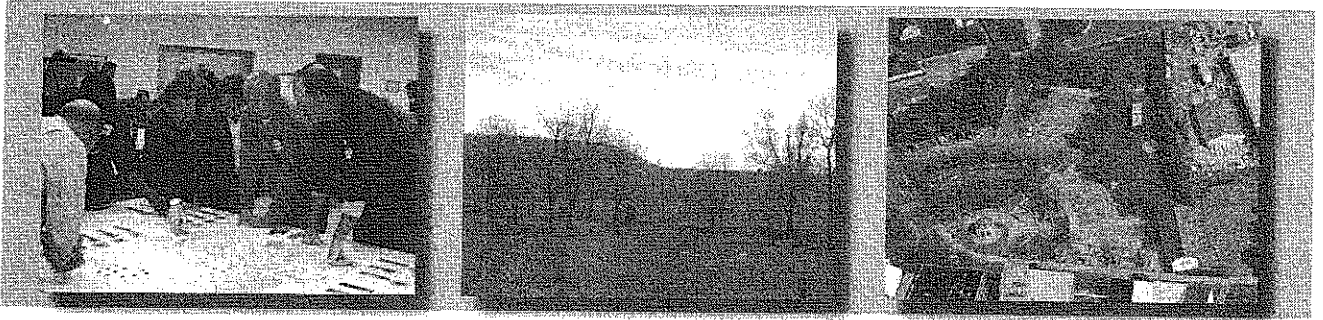
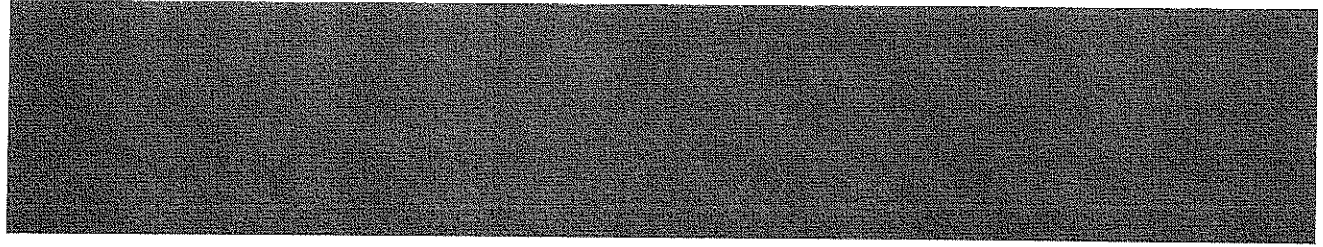


TEAM

Renaissance Planning Group has assembled a team with proven leadership, creativity, and analytic skills honed by experience both nationally and locally. Renaissance's approach is to collaborate closely with its customers and consulting partners, providing personal responsiveness and quality services within tight schedules. Helping communities articulate and reach consensus on a vision for their future is a fundamental building block of successful plans. We understand the importance of articulating a vision that can energize a community and mobilize people to action.

Renaissance has assembled a team of professionals with national expertise and local knowledge in working with small and medium towns throughout Virginia and the southeast. Leading the project is **Jason Espie, AICP**, who has 18 years of experience in facilitating public involvement processes and managing projects, and will serve as the Project Manager and primary point of contact for the Front Royal visioning initiative. **Vlad Gavrilovic, AICP**, a Principal and Urban Designer with Renaissance, will serve as senior advisor on the project. Also supporting the team is **Milt Herd, AICP** President of Herd Planning and Design, who brings expertise in visioning and planning for small towns and rural communities across the commonwealth. Jason and Milt have collaborated on a number of projects that are listed in this proposal, and together will be the primary staff for the visioning effort. The visioning effort will be supported by additional professionals in our Charlottesville and Arlington, Virginia offices who bring expertise in community outreach, communications, visualization, web technologies, GIS mapping, transportation planning and urban design. In particular, **Kristin Nelson, ASLA** Urban Designer, and **Mike Callahan, Planner**, have been identified for key support roles to assist the visioning effort. The organization chart above represents the composition of the project team and the key people who can deliver a successful visioning effort for Front Royal.





TECHNICAL SUMMARY

TOWN VISIONING

Proposal for Professional Consulting Services

Town of Front Royal, Virginia

TECHNICAL SUMMARY

OUR APPROACH

A good vision is crafted with a good process. We employ story telling techniques to help craft a positive vision for the future, one that is rooted in shared values of the community. Over the years, we have developed a list of goals that guide our community visioning processes:

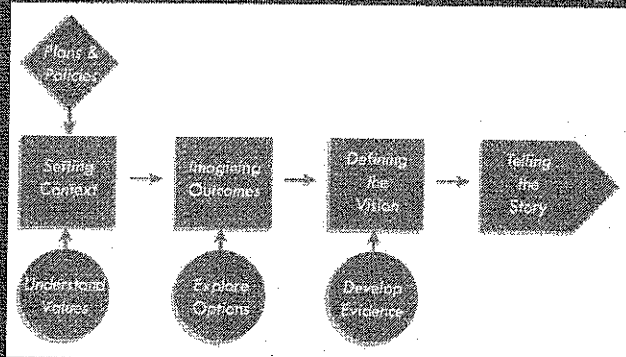
- Focus on values
- Build ownership
- Understand context
- Be focused yet flexible
- Use data to inform, not dictate, solutions
- Focus on outcomes to craft a compelling story
- Link values to vision to specific strategies.

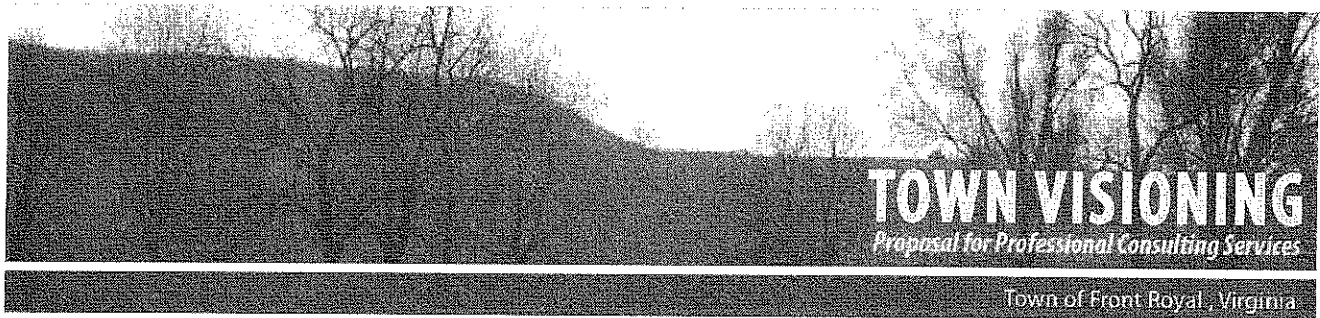
Renaissance's integrated approach is designed to guide the community through an organized dialogue about a future vision for Front Royal today as told through the story of how it has arrived to the present and where it wants to be in the future. The Renaissance team will help the community develop a sense of future vision, along with actions and strategies that create an overall **Vision Framework** to help realize that vision. Our approach to planning and community engagement emphasizes three key principle; integration, collaboration and studios.

1. **Integration.** Renaissance Planning Group specializes in providing integrated approaches to community planning that effectively addresses key issues in urban form, economic development, and transportation simultaneously so that policy makers and the public understand the interrelatedness and tradeoffs associated with different policy options.
2. **Collaborative Planning.** Renaissance works closely with clients and stakeholders to craft plans that build upon community values and desires for the future. To do so we employ collaborative processes to facilitate a common understanding of key issues, and different viewpoints associated future options. Successful visions are built by effective community engagement, where stakeholder concerns are heard and

STORYTELLING AS AN ORGANIZING THEME IN VISIONING

A vision, at its essence, is a compelling story with a desirable ending. Renaissance employs the practice of storytelling in nearly all its project work and finds it particularly effective in visioning efforts. But it is not a simple effort; it takes careful, strategic thought. The process must rest upon open, interactive, transparent and objective dialogue and communication. Our approach to storytelling is derived from how it is used in writing narratives: stories grow out of some type of tension; they involve interesting characters with their own motivations; and there is a process of resolution of the conflict and outcome of the story. The storytelling process begins at the outset of a planning project, and will continue to evolve, through community interaction and analysis, to its conclusion. The general approach diagram below outlines the stages that are used in visioning and planning efforts at Renaissance. We had this flow chart in mind when responding to the scope of services for the Town of Front Royals visioning exercise.





TOWN VISIONING

Proposal for Professional Consulting Services

Town of Front Royal, Virginia

where stakeholders are given the opportunity and knowledge to help shape that vision. Community-based planning is challenging in that not everyone will agree, and diverging views for the future need to be brought together. As planners, we understand and have faced numerous situations where competing voices and views are plentiful and strongly held. Helping people understand the trade-offs, where common values meet, and where possibilities for overall improvement exist is the foundation of collaborative planning.

3. **Studio Approach.** Renaissance Planning Group employs studios, or working sessions with clients, aimed at exploring big ideas and pragmatic actions for address community needs. The studio approach enhances our planning capabilities by infusing our experience and skill set with the knowledge and training of other project partners. We have built into the scope of services an initial site visit for a studio working session with the project team, and also time to conduct stakeholder interviews. We have allotted for numerous conference calls with the project team to maintain the 'constant contact' that is crucial for project success. Communications through studios and regular calls are the cornerstone of our commitment to constant contact.

SCOPE OF SERVICES

The proposed scope of services and price fee herein, accounts for all of the ten outcome points raised in section 8.0 of the RFP. We have organized this scope into tasks that have a logical flow that is illustrated in our schedule section. The scope process adheres to a six month timeframe from initiation to presentation of the final Vision Framework report. We pride ourselves in being flexible and responsive to client needs. New ideas often emerge from a proposal submission process, as well as subsequent conversations with the Town. Thus this proposed scope of services is presented as a conversation starter, to be finalized by working closely with the Town staff refine the final work plan to best meet the needs of the community and this effort.

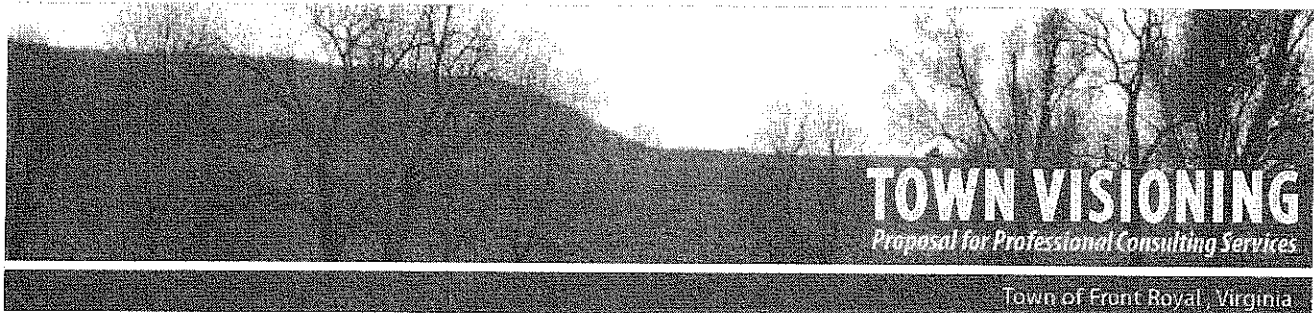
TASK 1 – PROJECT INITIATION

The purpose of this phase is for the consultant team to familiarize themselves with existing plans, documents and data in preparation for an initial site visit. A kickoff teleconference call at the very outset with the Project Team is needed, where introductions will be made and the purpose and background documentation discussed. The Project Team is a small working group of the Consultant Team and Town staff, and any others the Town wishes to involve. This is a

A VISION SHOULD YIELD A LEGACY

We strongly believe that plans, and in particular the vision element of plans, should yield a lasting legacy. A lasting legacy will depend in part on which related actions continue to occur long after the vision is in place. Completing a shared vision framework is a natural start of turning a good story into reality. A vision should have a strong, effective message that resonates over time. We use the principles of storytelling to develop those messages, using data and supporting analysis already done, as the "proof points" that support and reinforce the message. We work to craft visions that are also linked to values and to specific actions that can result in a plan's legacy.

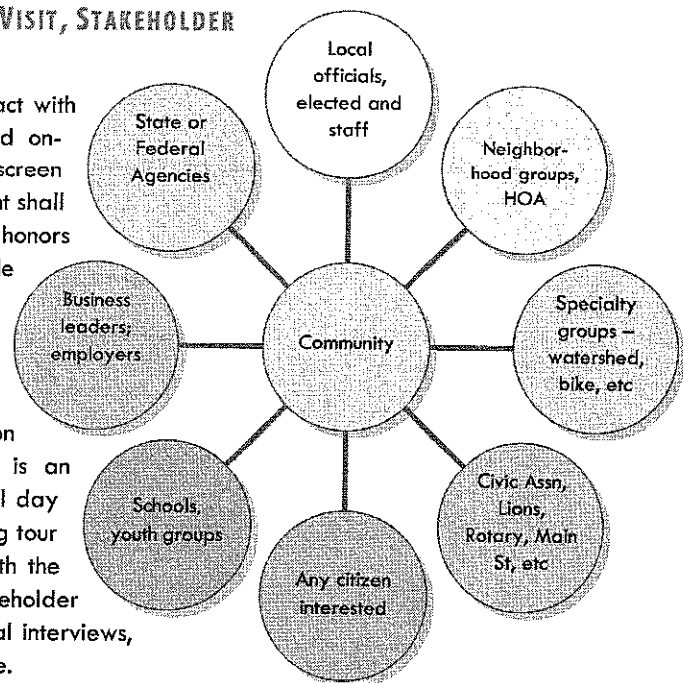




coordination team to guide the structure and process of the Visioning but ideally is a close-knit working group of 5-8 +/- persons who will participate in on-going conference calls (see Task 2). The Town will provide the Consultants with any available documentation, plans, any available GIS data, or other relevant topics of discussion in this phase. The Consultants will review existing resources and other information that is included within the document prepared by the Technical Review Committee (TRC) of the Planning Commission, titled Preliminary Report of Existing Resources (September 2012). Also as part of this phase the Consultants will draft a public participation outline. This outline is essentially a more detailed process description for the visioning and will cover the list of activities and roles and responsibilities of the Consultant and the Town moving forward. This outline will become the playbook for the process. At this phase the conversation will also begin about possible outreach methods, the availability of stakeholder lists, mail lists. A draft public participation outline will be prepared for the first site visit and stakeholder interviews. At the kickoff conference call the list of potential stakeholder interviewees should be identified. Town staff will provide local outreach and logistics to coordinate the interviews for Task 2.

TASK 2 – PROJECT COMMUNICATIONS, INITIAL SITE VISIT, STAKEHOLDER INTERVIEWS

Renaissance is committed to maintaining constant contact with the Project Team through regular email updates and on-going conference calls or GoToMeeting with web screen sharing as needed. The RFP requests that the Consultant shall communicate all activities with the Town, and this task honors that need for ongoing communication. The schedule diagram has an icon to indicate these regular communications calls with the Project Team. There are three in-person site visits by Consultants to Front Royal, one towards the end of month 1, another for the vision workshop event, and a third to present the final vision framework product. This initial site visit of Task 2 is an important project assessment phase. This will be a full day visit which usually starts with an informal driving/walking tour of the town, followed by a 2-3 hour work session with the Project Team and then conduct individual stakeholder interviews in the final part of the afternoon. Additional interviews, if needed, can be conducted after this site visit by phone.



Stakeholder interviews are an opportunity for the consultants to hear directly from engaged and knowledgeable individuals about the primary issues, opportunities, or challenges. The results of these interviews is kept anonymous, but will be synthesized into information that will help frame the values, goals and ultimately influence the final vision. We have found that having one-on-one talking sessions provides an opportunity for candid expression and help the Consultant team understand the context and issues. Ideal candidates to interview are those that are most engaged and have valuable knowledge of the community, and could be from any of the key stakeholder groups listed in the diagram above. It is understood that Town Staff would like help in identifying citizens interested in volunteering in the drafting process of the Comprehensive Plan, and this assistance will occur primarily in these tasks, but ultimately will continue throughout the process as it evolves.

TOWN VISIONING

Proposal for Professional Consulting Services

Town of Front Royal, Virginia

During this site visit, the Consultants will work to understand and discuss specific priorities and preferences for future development and redevelopment in the Town of Front Royal and surrounding areas, including, but not limited to the Avtex Property, Front Royal Historic District, Urban Development Areas (UDAs), and the Town's Entrance Corridors (Rt. 55 & Rt. 340).

At the conclusion of Task 2 an "Understanding the Context" summary memo will be prepared that outlines the findings of the research, site visit, and interview process.

TASK 3 – MINDMIXER AND PROJECT WEB 2.0 OUTREACH

Renaissance is proposing the use of an innovative web-based, public engagement tool called MindMixer. We are confident this tool will address the stated RFP need to provide a variety of outreach opportunities. Web based tools and social media sites will not replace the importance of face-to-face meetings, but when utilized and structured meaningfully around a key public event, the tool can leverage and add great value to broaden the overall engagement experience. The web has become more sophisticated in just the past few years. With the increasing popularity of social media sites, the expectation on improved and more interactive web-based experiences has increased. People want opportunities to share, comment, link and provide feedback.

MindMixer offers such a platform and Renaissance is experienced in using MindMixer. For an example of how Renaissance has used this tool for another City's planning and visioning efforts, please visit www.imaginesanford.com. On the back end, MindMixer administrators have access to information about users of the site that make analysis and understanding input provided more robust. Some standard tools that MindMixer

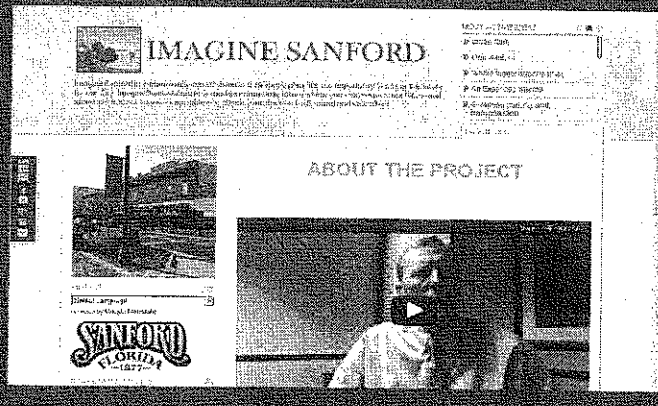
MINDMIXER

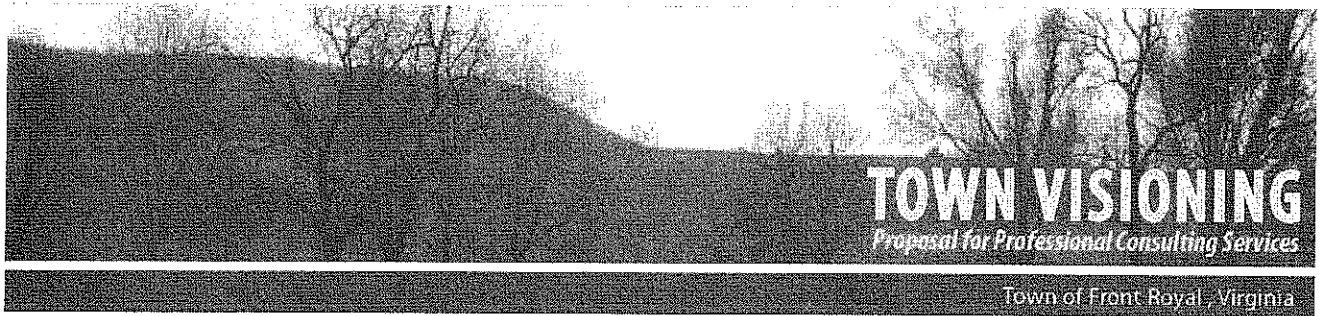
The web today is different from the web of yesterday. People expect it to be more interactive and engaging. The MindMixer platform was designed to respond to this growing demand to improve public engagement opportunities online. It offers numerous online tools that enhance the overall participation experience. To learn more about MindMixer view this YouTube demo.

<http://youtu.be/BZWbpCWfF2c>



Renaissance teamed with MindMixer on the Imagine Sanford Project <http://www.imaginesanford.com/>





has are surveys, idea polling, voting (or seconding) ideas, and identifying community assets (marking on Google maps). These tools can be customized to a processes needs and goals. The Other Materials section contains some additional information on the MindMixer platform.

This task will work to set up and create the MindMixer site so that it can be used to generate ideas, identify core community values and obtain survey information in advance of the primary public event that is the Vision Workshop. The site will be developed and launched in 1-1.5 months prior to the Vision Workshop, during which time online activities, questions and information can be generated that will help structure the conversation and exercises that are designed for the workshop itself. Thus, the MindMixer site will provide a public venue for input so that we don't enter the workshop cold but have had some time to generate ideas, values, and elements of the vision prior to the workshop. Granted, not everyone uses the web. Conversely, not everyone attends public meetings either so providing opportunities for meaningful interaction both in person and virtually are more important than ever in today's busy world where there is a lot of competition for our time and attention. Creating the site content will require a team effort and input from the Town staff and elected officials. Typically the Mayor or lead elected official will introduce the project via a short YouTube video that is posted on the site. Renaissance will assist the Town in producing this video, will contract with MindMixer to set up the site and craft it so it supports the vision workshop and process. The deliverable of this Task is the public launch of the MindMixer site.

Guiding Principle for Task 4

"Give me six hours to chop down a tree and I will spend the first four sharpening the axe"

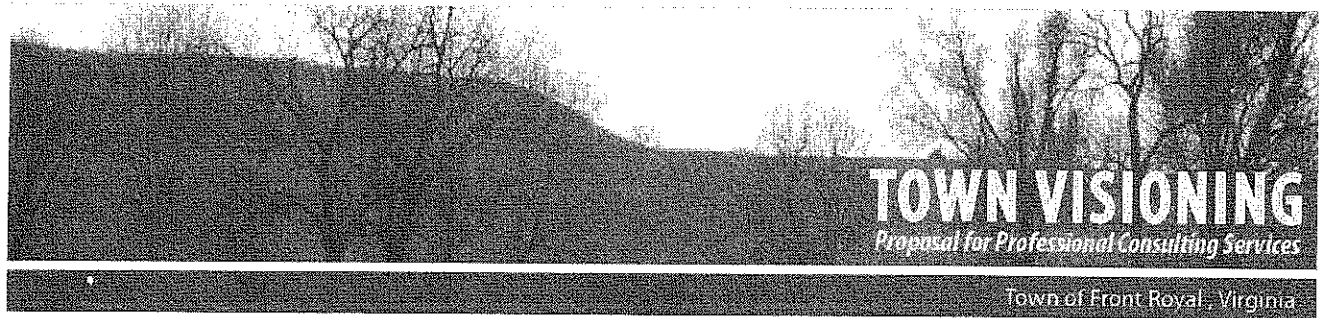
Abraham Lincoln

TASK 4 – WORKSHOP PREPARATION AND MATERIALS

During the 1-2 months prior to the workshop, and equipped the information and knowledge from the previous tasks, the Consultant team will work during this phase to a) oversee and learn from on-going MindMixer interactions, and b) prepare workshop materials, agenda and exercises. The Consultants will work closely with the project team to monitor and encourage online participation and progress, and to interpret and utilize input received into the design of the workshop agenda and exercises. The deliverables for this phase are the products to be used for the workshop, including an agenda, a detailed facilitators agenda, a workshop presentation that provides a project overview, and summarizes key findings and MindMixer inputs to date.

TASK 5 – CONDUCT A FULL DAY VISION WORKSHOP

A full day Vision Workshop is the primary public event of the Visioning exercise. The goal of the Vision Workshop is to identify and affirm core community values, needs, goals and aspirations that constitute a shared vision of the future. The exact agenda and detailed exercises for this workshop will need to be developed and agreed upon during the process itself, but attention will be paid to structure the sessions so they maximize opportunities for dialog and input. The agenda will be develop so that not everyone has to attend every minute of the full day; and that we will use techniques that identify common ground and point to resolutions of any conflicting views or priorities. In addition, attention will be paid to sessions that help to identify specific and general priorities, recommendations and conclusions that are based on those values, needs, goals and aspirations. The Consultants will provide the lead facilitation for the event. Town staff will be expected to assist with some of the small group facilitation exercises, under the guidance of the Consultant lead facilitators. The deliverable for this task is a summary report that documents the workshop results.



TOWN VISIONING

Proposal for Professional Consulting Services

Town of Front Royal, Virginia

TASK 6 – FINALIZE AND PRESENT TOWN VISION PLAN

The first step of this task is to post the workshop summary results to the MindMixer site for a review and final comment period. This 2-3 week summary review period will conclude the public website activities of the vision plan and provides a post-workshop opportunity for people who were not able to attend to weigh in with input. In this way the MindMixer platform provides virtual bookends to the primary in-person meeting, adding value and robustness to the process.

The consultants will work during this last task to prepare and edit as necessary, a final report into a Vision Framework document. The Vision Framework will contain a summary of key issues and findings from data and information collected and reviewed earlier. The Vision Framework will contain descriptive text, and shall include visual sources of information, such as, but not limited to, concept plans, design details, artistic renderings, illustrations, charts, and graphs produced in other documents or as part of the vision process materials generation in earlier tasks. The desired time period for completing the final visioning report is six (6) months or less.

At the conclusion of this phase the consultant will make one final site visit in order to present the final report to the Planning Commission and Town Council. It is understood from the RFP that the Town staff may desire additional services related to reviewing and updating the Town's Comprehensive Plan may be sought after the completion of the visioning exercise. The price proposal has allotted a final four hours of time following the final presentation to assist Town staff in an advisory role to help assimilate the vision products into the Comprehensive Plan update effort. If more substantial time investments are needed beyond this, the Consultant team would be pleased to provide additional services as part of additional Task orders, to assist the Town as they require.

SCHEDULE

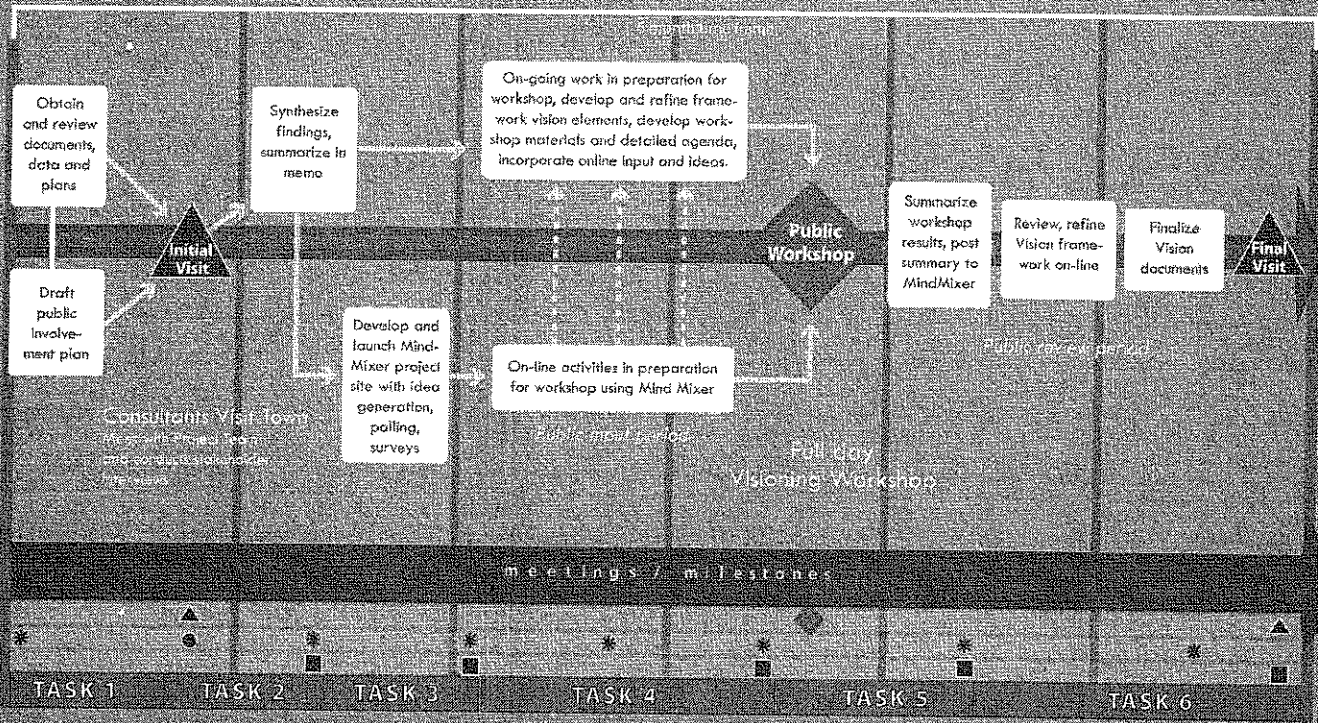
A preliminary schedule illustrating the process as described in the Scope of Work is presented on the following page, based on our understanding of the Request for Proposal. We look forward to working with the Town to develop a detailed schedule of tasks, meetings, and milestones for this project.

A VISION PROCESS SHOULD CULTIVATE CHAMPIONS

We have found that the most compelling planning stories occur when a community's values are clearly linked to desired outcomes and specific actions, and when the process itself will cultivate those champions – people who become engaged through the visioning process and buy into a shared vision. These champions become actors in their own story, move it forward over subsequent years, and keep the flame alive. They help the story come into focus. Our processes are designed to identify and strengthen these champions. Designing open, transparent and inclusive process, with meaningful opportunities for interaction, is essential to build shared ownership. Finding and getting the right people to the table is also an essential part of the story, and Renaissance has experience in identifying potential champions.



FRONT ROYAL TOWN VISIONING PROJECT



▲ First / Last Site Visits ● Stakeholder Interviews * Project Team Conference Call ◆ Vision Workshop ■ Deliverable

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Town of Front Royal, Virginia

PRICE PROPOSAL

	Rendissance			Sub - HPD		TEAM TOTALS
	Vlad Govrilovic	Jason Espie	Planner/Designer	Firm Subtotal	Milt Herd	
Front Royal Visioning						
Task 1 Project Initiation	0	8	16	24	6	30
Task 2 Project Communications, Initial Site Visit, Interviews	1	18	12	31	18	51
Task 3 MindMixer and project Web 2.0 Outreach	1	18	32	51	8	59
Task 4 Workshop and Materials Preparation	1	16	40	57	12	69
Task 5 Conduct and Summarize Vision Forum	0	16	16	32	16	48
Task 6 Finalize and Present Town Vision	1	16	20	37	20	57
Hours Subtotal	4	92	136	232	80	312
Burdened Hourly Rate (Excl expenses)	\$ 186	\$ 115	\$ 90		\$ 120	
Labor Cost Subtotal	\$ 744	\$ 10,603	\$ 12,281	\$ 23,628	\$ 9,600	\$ 33,228
Direct Costs						
Mileage for two persons, for three site visits		Miles	\$0.55	\$ 204	\$182	
Meals and Incidentals				\$ 200	\$100	
MindMixer licensure (1200 set up, 200 per month @ 6)				\$ 2,200		
Plotting posters (30"x40")		12 Poster @	\$20	\$ 240		
Reproduction		4000 copies @	\$0.10	\$ 400		
Meeting supplies, Misc				\$ 200		
Direct Cost Subtotal				\$ 3,444		
TOTAL				\$ 27,071	\$ 282	\$ 36,953



Town of Front Royal, Virginia Work Session Agenda Form

Date: February 4, 2013

Agenda Item: Ordinance Amendment (ORD12-09-213) "NONCONFORMITY -- PARKING EXEMPTION" - *Director of Planning & Zoning*

Summary: A draft amendment to the Town Code, titled "Nonconformity -- Parking Exemption", was recently recommended by the Planning Commission after a referral from Town Council was passed. Town Council's referral to the Planning Commission was to review the Town's parking requirements and evaluate the possibility of adding language that would exempt older buildings from having to meet the current parking requirements. During the January 22, 2013 Work Session a draft amendment was discussed with Town Council that added a parking exemption. The draft also included the reformatting and rewording of the nonconforming use section of the Town Code which was recommended by the Town Attorney's Office because the section was very difficult to understand. Town Council discussed that the title to Section 175-127 should be reworded and make simpler if possible. A question was also asked regarding what the maximum replacement value should be in the regulations that allowed for the reconstruction of a nonconforming building that becomes damaged. The attached redraft attempts to address these concerns and will be discussed with Town Council during their work session on February 4th.

Council Discussion: This agenda item is scheduled for discussion between Town Council and Staff during the February 4, 2013 Town Council Work Session.

Staff Evaluation: The Planning Director will be at the upcoming Town Council work session to answer questions that Town Council may have.

Budget/Funding: n/a

Legal Evaluation: The Town Attorney will be available at the upcoming Town Council work session to answer questions that Town Council may have.

Staff Recommendations: Staff recommends moving forward to a public hearing to consider adoption of the draft amendment.

Town Manager Recommendation: The Town Manager will be available at the upcoming work session for discussion and questions.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)

DRAFT AMENDMENT – VERSION 5
NONCONFORMITY – PARKING EXEMPTION

This draft amendment is intended to modify the nonconforming use section of the Zoning Ordinance and includes language that would exempt existing nonconforming parking and loading areas from having to add parking and loading spaces, subject conditions of the Zoning Administrator, but not when Town Council determines otherwise as part of the review of a special use permit.

START -----

TOWN OF FRONT ROYAL MUNICIPAL CODE, Chapter 175, ZONING

NONCONFORMING USE NONCONFORMITY

~~175-124~~ — CONTINUATION (Nonconforming Use)

A. ~~If at the time of enactment of this chapter, any legal activity which is being pursued or any lot or structure legally utilized in a manner or for a purpose which does not conform to the provisions of this chapter, such manner of use or purpose may be continued as herein provided.~~

B. ~~If any changes in title of possession or renewal of a lease of any such lot or structure occurs, the use existing may be continued.~~

C. ~~If any nonconforming use, structure or activity is discontinued for a period exceeding two (2) years after the enactment of this chapter, it shall be deemed abandoned, and any subsequent use shall conform to the requirements of this chapter.~~

D. ~~No nonconforming use and/or structure shall be moved, in whole or in part, to any portion of the lot or parcel other than that occupied by such use and/or structure at the effective date of adoption or amendment of this chapter unless said move results in decreasing the degree of nonconformity or results in conformance with the requirements for the district.~~

**~~175-125~~ — ZONING PERMITS AND CERTIFICATES OF OCCUPANCY
(Nonconforming Use)**

A. ~~All nonconforming uses shall be issued a zoning permit and a certificate of occupancy within ninety (90) days after the adoption of this chapter.~~

B. ~~The construction or use of a nonconforming building or land area for which a permit was issued legally prior to the adoption of this chapter may proceed, provided that such building is completed within one (1) year or such use of land established within thirty (30) days after the effective date of this chapter.~~

~~175-126~~ — REPAIRS AND MAINTENANCE (Nonconforming Use)

~~On any building devoted, in whole or in part, to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing to an extent not exceeding twenty percent (20%) of the current replacement value of the structure, provided that cubic content of the structure as it existed at the time of passage or amendment of this chapter shall not be increased. Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any~~

structure or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

~~175 127~~ CHANGES IN DISTRICT BOUNDARIES (Nonconforming Use)

Whenever the boundaries of a district are changed, any uses of land or buildings which become nonconforming as a result of such change shall become subject to the provisions of this Article.

~~175 128~~ NONCONFORMING LOTS OF RECORD (Nonconforming Use)

A. Except as hereinafter provided, the minimum lot width and lot area shall be required for the establishment of any new use on the lot in the R-1 Residential District. Wherever possible, the consolidation of existing nonconforming lots is encouraged to meet the minimum lot size requirements. All new construction shall conform to the yard dimensions and all other regulations for the R-1 Residential District.

1. The Administrator may issue an administrative variance of up to twenty percent (20%) of the required lot width and/or area, where it is found that the proposed new construction is consistent with the structure size, orientation and pattern of development on the street and in the immediate neighborhood.
2. On lots with an area or lot width of less than eighty percent (80%) of the minimum required, approval for construction may be granted by special permit by the Town Council, where the Council finds the application meets the following conditions:
 - a. The proposed structure has a finished floor area of not less than ninety percent (90%) of the amount of finished floor area prevalent in comparative homes. Finished floor areas does not include basement areas.
 - b. The proposed structure is compatible with comparative homes in terms of building orientation, scale, proportion and site layout.
 - c. The site grading provides for adequate drainage on and off the site, without any adverse impact onto adjoining properties.
3. For the purpose of this section, comparative homes shall mean characteristics that are present in at least sixty percent (60%) of the homes located on both sides of the street in the immediate block where the proposed structure is located.
4. The Council may approve a reduction of the side yard requirement, by not more than forty percent (40%), where necessary, to achieve increased compatibility with other structures in the immediate block.

B. In any other residential district, a single dwelling may be erected on any single lot of record, notwithstanding limitations imposed by other provisions of this chapter. This provision shall apply even though such lot fails to meet the requirements for lot area and/or lot width, that are generally applicable in the district, provided that yard dimensions shall conform to the regulations for the district in which such lot is located. Other requirements shall be complied with. All other uses, except a single dwelling, required to meet the minimum lot area requirements for the district in which it is located.

C. In any commercial or industrial district, a permitted structure may be erected on any single lot of record at the effective date of adoption or amendment of this chapter, notwithstanding limitations imposed by other provisions of this chapter. This provision shall apply even though such lot fails to meet the requirements for lot area and/or lot width, that are generally applicable in the district, provided that yard dimensions shall conform to the regulations for the district in which such lot is located. Other requirements shall be compiled with.

D. In any nonconforming lot of record contains a conforming use and/or structure, such use and/or structure may be replaced in the area of the preexisting use and/or structure should damage or destruction occur. Expansion of said use and/or structure may occur within the limits of this chapter.

E. Except as otherwise noted herein, variance of yard requirements can be obtained only through action of the Board of Zoning Appeals.

175-129 — NONCONFORMING USES OF LAND

Lawful uses of land which, at the effective date of this chapter or as a result of subsequent amendments thereto, become nonconforming may be continued by the present or any subsequent owner so long as it remains otherwise lawful, subject to the following provisions:

A. Extension. No such nonconforming use shall be enlarged or increased or extended to occupy a greater area of land than was occupied at the effective date of adoption of this chapter.

B. Changes of use. A nonconforming use, if changed to a conforming use, shall not thereafter be changed back to any nonconforming use. A nonconforming use may, by special permit, be changed to another nonconforming use, provided that the Town Council shall find that the proposed use is equally appropriate or more appropriate in the zoning district than the existing nonconforming use.

C. Additional structures or buildings. No additional structures or buildings not conforming to the requirements of this chapter shall be erected in connection with such nonconforming use of land.

D. Damage or destruction. If a nonconforming use of land is damaged or destroyed, such use may be replaced to the extent to which it existed prior to said damage or destruction.

175-130 — NONCONFORMING STRUCTURES OR BUILDINGS

Structures or buildings which, at the effective date of this chapter or subsequent amendments thereto, become nonconforming by reason of restrictions on lot coverage, height, yards, its location on the lot or other requirements concerning the building or structure may be continued to be used so long as such structure or building remains otherwise lawful, subject to the following provisions:

A. Enlargement. A nonconforming structure shall not be enlarged in a manner which increases the nonconformity. Such nonconforming structure may be enlarged in a manner which does not create a new nonconformity.

B. Damage or destruction. A nonconforming structure or building which is destroyed or partially destroyed by any means to an extent of seventy five percent (75%) or more of the market value thereof immediately prior to such damage or destruction shall not be repaired or restored to a nonconforming status, but shall be reconstructed and used only in conformity with

the provisions of this chapter. If such structure is more than seventy-five percent destroyed, reconstruction to its prior state may occur if begun within twelve (12) months of said damage or destruction. A special permit from the Town Council is needed for reconstruction during this twelve-month period.

C. Moving of structure or building. No nonconforming structure or building shall be, for any reason, moved for any distance unless it shall thereafter conform to the zoning district regulations for the district in which it is located after it is moved.

175-131 — NONCONFORMING USES OF STRUCTURES OR BUILDINGS

Lawful uses of structures or buildings which, at the effective date of this chapter or as a result of subsequent amendments thereto, become noneconforming may be continued by the present or any subsequent owner so long as such use remains otherwise lawful, subject to the following provisions:

A. Extension. A nonconforming use may be extended only if the Town Council approves a special permit after review and recommendation of the Planning Commission.

B. Change of use. Such nonconforming use, if changed to a conforming use, shall not thereafter be changed back to any nonconforming use. A nonconforming use may, by special permit, be changed to another noneconforming use, provided that the Town Council shall find that the proposed use is equally appropriate or more appropriate in the zoning district than the existing noneconforming use.

C. Damage or destruction. Removal or destruction of the structure or building in which a noneconforming use is located shall eliminate the use which the structure or building was used for (a noneconforming use). "Destruction," for the purpose of this subsection, is defined as damage to an extent of fifty percent (50%) or more of the market value of the structure or building immediately prior to such damage or destruction. However, if reconstruction begins within twelve (12) months after destruction or partial destruction occurs, the same nonconforming use, with a special permit, or a use which is more appropriate in the zoning district according to the Town Council may be carried on.

175-132 — PERCENT OF DAMAGE (Nonconforming Use)

The cost of land or any factors other than the cost of the structure are excluded in the determination of fair market value for the purpose of calculating the percent of damage. Such percentage shall be determined by the Building Inspector of the Town of Front Royal.

175-133 — USES UNDER SPECIAL PERMIT PROVISIONS (Nonconforming Use)

Any use which is permitted by a special permit in a zoning district under the terms of this chapter (other than a change through the Town Council action from one noneconforming use to another noneconforming use) shall not be deemed a noneconforming use in such zoning district, but shall without further action be considered a conforming use.

175-124. CONTINUATION

A. Any legal use that was in operation, or any building or structure that legally existed prior to the effective adoption date of this chapter, that no longer conforms to the requirements of this chapter at the effective adoption date, may be continued so long as the use, building and/or structure remains otherwise

191 lawful. Such legally nonconforming uses, buildings and structures shall
192 conform to all applicable laws in effect at the time when the use, building and/or
193 structure was established.
194

195 B. If there is any change of ownership, possession, or lease, of any legally
196 nonconforming use, building or structure, it may continue according to the
197 requirements of this chapter.
198

199 C. When the boundaries of a district are changed, any uses, buildings, and/or
200 structures, which become nonconforming as a result of such change, shall be
201 subject to the provisions of this Chapter.
202

203 175-125. VESTED RIGHTS

204 Pursuant to §15.2-2307 of the Virginia Code, plans for the establishment of new
205 uses, buildings and/or structure may proceed, despite if the requirements of this
206 chapter are not complied with, if a vested right is determined by the Zoning
207 Administrator, after concurrence with the Town Attorney.
208

209 175-126. DISCONTINUANCE

210 If any legally nonconforming use is discontinued for a period exceeding two (2)
211 years after the enactment of this chapter, it shall be deemed abandoned, and any use
212 thereafter shall conform to the use requirements of this chapter.
213

214 175-127. PARKING EXEMPTION FOR THE REUSE OF EXISTING PROPERTIES

215
216 Regardless of Section 175-126, the reuse of properties with existing parking areas
217 and/or loading spaces shall be exempt from the requirement to comply with the
218 current parking area and loading space requirements of this Chapter, or Chapter 148,
219 provided that, the following conditions are met:
220

- 221 1. A zoning permit was previously issued by the Town on the property for a business
222 (commercial) or industrial use;
 - 223 2. Town Council may require site improvements when a special use permit is
224 required;
 - 225 3. The number of existing parking spaces shall not be reduced for display or other
226 purposes;
 - 227 4. When the existing parking area and/or loading spaces are in disrepair, the Zoning
228 Administrator may require the following types of maintenance improvements at
229 the time of issuance of a zoning permit:
 - 230 a. Additional landscaping;
 - 231 b. The demarcation of existing parking spaces by striping, restriping, wheel
232 stops, or signage;
 - 233 c. The resurfacing of the existing surface material.
- 234

235 175-128. NONCONFORMING LOTS OF RECORD

236 A. Except as hereinafter provided, the minimum lot width and lot area shall be
237 required for the establishment of any new lot, or use of a lot, in the R-1
238 Residential District. Wherever possible, the consolidation of existing
239 nonconforming lots is encouraged to meet the minimum lot size requirements.

Comment [JC1]: The title of this section was changed.

The language of the section attempts to write in a "simple" exemption while including the substance recommended by the Planning Commission.

All new construction shall conform to the yard dimensions and all other regulations for the R-1 Residential District.

1. The Administrator may issue an administrative variance of up to twenty percent (20%) of the required lot width and/or area, where it is found that the proposed new construction is consistent with the structure size, orientation and pattern of development on the street and in the immediate neighborhood.
2. On lots with an area or lot width of less than eighty percent (80%) of the minimum required, approval for construction may be granted by special permit by the Town Council, where the Council finds the application meets the following conditions:
 - a. The proposed structure has a finished floor area of not less than ninety percent (90%) of the amount of finished floor area prevalent in comparative homes. Finished floor areas does not include basement areas.
 - b. The proposed structure is compatible with comparative homes in terms of building orientation, scale, proportion and site layout.
 - c. The site grading provides for adequate drainage on and off the site, without any adverse impact onto adjoining properties.
3. For the purpose of this section, comparative homes shall mean characteristics that are present in at least sixty percent (60%) of the homes located on both sides of the street in the immediate block where the proposed structure is located.
4. The Council may approve a reduction of the side yard requirement, by not more than forty percent (40%), where necessary, to achieve increased compatibility with other structures in the immediate block.

B. In any other residential district, a single dwelling may be erected on any single lot of record, notwithstanding limitations imposed by other provisions of this chapter. This provision shall apply even though such lot fails to meet the requirements for lot area and/or lot width, that are generally applicable in the district, provided that yard dimensions shall conform to the regulations for the district in which such lot is located. All other uses, except a single dwelling, are required to meet the minimum lot area requirements for the district in which it is located.

C. In any commercial or industrial district, a permitted structure may be erected on any single lot of record at the effective date of adoption or amendment of this chapter, notwithstanding limitations imposed by other provisions of this chapter. This provision shall apply even though such lot fails to meet the requirements for lot area and/or lot width, that are generally applicable in the district, provided that yard dimensions shall conform to the regulations for the district in which such lot is located.

D. In any nonconforming lot of record contains a conforming use and/or structure, such use and/or structure may be replaced in the area of the preexisting use and/or structure should damage or destruction occur. Expansion of said use and/or structure may occur within the limits of this chapter.

E. Except as otherwise noted herein, a variance of yard requirements may be obtained only through action of the Board of Zoning Appeals.

175-129 CHANGES OF USE

A nonconforming use, if changed to a conforming use, shall not thereafter be changed back to any nonconforming use. A nonconforming use may, by special permit, be changed to another nonconforming use, provided that the Town Council shall find that the proposed use is equally appropriate or more appropriate in the zoning district than the existing nonconforming use.

175-130 EXPANSIONS AND OTHER TYPES OF ALTERATIONS

A. Except by approval of a special use permit by Town Council, a nonconforming use, building or structure shall not be enlarged, increased or extended to occupy a greater area of land area than was occupied at the effective date of adoption of this chapter unless such expansion conforms to the requirements of this chapter.

B. New nonconforming structures or buildings shall not be erected in connection with a nonconforming use of land.

C. A nonconforming building or structure may be enlarged if the expansion does not create a new nonconformity, and does not increase the degree or intensity of the existing nonconformity, as determined by the Zoning Administrator.

D. A nonconforming structure or building shall not be moved, for any distance or reason, unless it shall thereafter conform to the zoning district regulations for the district in which it is located after it is moved.

175-131 REPLACEMENT, REMOVAL, REPAIR, AND RECONSTRUCTION

A. If a nonconforming use of land is damaged or destroyed, such use may be replaced to the extent to which it existed prior to said damage or destruction. Removal or destruction of a building or structure in which a nonconforming use was located shall eliminate the use which the structure or building was used for (a nonconforming use).

B. Nonconforming buildings and structures that are damaged by a natural event or man-made accident may be repaired and/or reconstructed to their previous condition and size if the work does not exceed fifty percent (50%) of the replacement value.

C. Town Council may approve a special use permit for the repair and/or reconstruction of a building or structure beyond 50% of the market value, provided that the special use permit application is submitted within twelve

Comment [JC2]: The current code uses a variety of different maximum replacement values, such as 20%, 25%, and 50%. It is also not always clear which percentage applies to a situation. This draft sets the same percentage of 50% to all situations involving the repair of a damaged structure/building.

(12) months of said damage or destruction. Otherwise, when the repair and/or reconstruction work to a nonconforming building or structure exceeds 50% of the market value, it may only be repaired and/or reconstructed to the requirements of this chapter, as applicable for new construction.

D. Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any structure or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official

175-132 PERCENT OF DAMAGE

The cost of land or any factors other than the cost of the structure are excluded in the determination of fair market value for the purpose of calculating the percent of damage. Such percentage shall be determined by the Building Official.

175-133 USES UNDER SPECIAL PERMIT PROVISIONS

Any use which is permitted by a special permit in a zoning district under the terms of this chapter (other than a change through the Town Council action from one nonconforming use to another nonconforming use) shall not be deemed a nonconforming use in such zoning district, but shall without further action be considered a conforming use.

-----END

Editorial Notes:

- Proposed new text is shown in highlighted font. Proposed deleted text is shown in strikethrough font.
- Drafted 9/10/12 (JFC) by referral of Town Council and Planning Commission; 9/17/12 (JFC) changes per Town Manager/Town Attorney review; 10/03/12 (JFC); 1/23/13 (JFC) after TC WS.

Town of Front Royal, Virginia Work Session Agenda Form

Date: February 4, 2013

Agenda Item: Ordinance Amendment (ORD12-09-214) "HOME OCCUPATIONS" -
Director of Planning & Zoning

Summary: The draft amendment titled "HOME OCCUPATIONS" was prepared by the Planning Commission after Town Council requested that the Planning Commission review the home occupation regulations. The latest version is attached. It is a revision of the draft recommended by the Planning Commission, which was discussed with Town Council during the January 22, 2013 Work Session. At this work session, Town Council discussed some concerns about allowing home occupation signs in the R-3 District, or any residential district. Town Council also looked for clarification that the removal of the indoor storage limitation would not impact the character of the neighborhood and the residential property. Changes have been made to the attached document to address the discussion points of Town Council. Staff has added this to the February 4, 2012 Town Council Work Session to determine if the changes adequately address Town Council's concerns and if a public hearing should be scheduled.

Council Discussion: This agenda item is scheduled for discussion between Town Council and Staff during the February 4, 2013 Town Council Work Session.

Staff Evaluation: The Planning Director will be at the upcoming Town Council work session to answer questions that Town Council may have.

Budget/Funding: n/a

Legal Evaluation: The Town Attorney will be available at the upcoming Town Council work session to answer questions that Town Council may have.

Staff Recommendations: Staff recommends moving forward to a public hearing to consider adoption of the draft amendment.

Town Manager Recommendation: The Town Manager will be available at the upcoming work session for discussion and questions.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)

DRAFT AMENDMENT – VERSION 3

HOME OCCUPATIONS

Town Council directed the Planning Commission to review the Town's restrictions on Home Occupations. Overall, the Planning Commission and Staff felt that the existing home occupation regulations were reasonable. A few changes were recommended by the Planning Commission that would add more flexibility to property owners with home occupations. Version 3 includes changes drafted after a work session with Town Council in January.

START

- TOWN OF FRONT ROYAL MUNICIPAL CODE, Chapter 175, ZONING,
- Section 175-108.1 HOME OCCUPATIONS

All home occupations shall meet the following standards:

- A. The use shall be clearly incidental to the principal use of the property for residential purposes and shall not change the exterior appearance of the dwelling unit, or change the character of the neighborhood.
- B. Operators of home occupations must be residents of a permitted dwelling unit on the ~~the principal building on the zoning lot, and not more than one (1) nonresident of the zoning lot may be employed in the occupation~~ same parcel, or parcels, where the home occupation is located. Notwithstanding subsection B, nonresident employees may also work for the home occupation, but no more than one (1) nonresident employee may work from the parcel, or parcels, at the same time.
- C. ~~Home occupations may involve the interior storage of goods and materials up to one hundred (100) square feet of floor area within the main building or an accessory building. No outdoor display, sales or storage of goods, materials or equipment shall be permitted, except that, the Zoning Administrator may authorize up to two (2) business vehicles, including any vehicle used by a nonresident employee. Indoor storage is permitted, provided that it does not violate the other restrictions of this section, including, but not limited to, changing the appearance of the dwelling unit, changing the character of the neighborhood, or increasing traffic.~~
- D. No wholesale or retail business shall be permitted unless it is conducted entirely by mail and/or telephone and does not involve the bulk shipment/delivery of merchandise to and from the premises; provided, however, that articles produced by the home occupation operators may be sold on the premises.
- E. Home occupations shall be interpreted to include but not be limited to the following: home offices, computer/telecommunication activities, artist studios, instructional services/tutoring, dressmaking or small item repairs. It shall not include motor vehicle repair, beauty/barber shops (with more than one (1) chair), restaurants, animal hospitals/kennels, dance studios or similar commercial activities.
- F. In the instance of a home occupation involving a nonresident employee, at least one (1) additional off-street parking place shall be provided.
- G. No home occupation shall create greater vehicular or pedestrian traffic than is otherwise normal for the district in which it is located.
- H. No home occupation shall create noise, dust, vibrations, smells, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance to any greater or

Comment [JC1]: Added this language

53 more frequent extent than that usually experienced in the district on residentially used
54 zoning lots where no home occupation exists.

- 55 I. ~~No advertising signs shall be displayed on the property. Any motor vehicle parked or~~
56 ~~stored on a regular basis in a visible location on the property shall not have~~
57 ~~commercial signage affixed exceeding a total of ten (10) square feet. Only one (1)~~
58 ~~such vehicle may be parked at any one (1) time. Notwithstanding other regulations~~
59 ~~within this Chapter, signs are not permitted for home occupations, except that the~~
60 ~~Zoning Administrator may authorize a sign for the following circumstances.~~

- 61 1. When the sign is located on an authorized business vehicle and does not exceed
62 ten (10) square feet in size.
63 2. When the sign is located within the C-1, C-2, C-3, I-1, I-2, or MCD Zoning
64 District, subject to the following conditions.
65 a. Shall not exceed four (4) square feet in size.
66 b. Shall not exceed six (6) feet in height, if freestanding.
67

68 -----END

69 **Editorial Notes:** All language shown in highlight is proposed new text. All language shown in strikethrough is
70 existing language that is proposed to be removed. Regular text shown is existing language with no changes
71 proposed. Bulleted headings are only added as editorial notes for this document.
72

73 Drafted 10/16/2012 (JFC); modified after October PC Work Session (JFC); 1/29/13 (JFC) Drafted changes based on
74 Town Council Work Session held on 1/22/13.
75
76

Comment [JC2]: Originally, the Planning Commission and Staff proposed allowing home occupation signs in all zoning districts except the R-1, R-1A, and R-2 Districts. Based on Town Council's discussion of the draft amendment during their January 22, 2013 work session, the draft amendment was tightened up a little to extend the restriction to the R-3, R-E, R-S and A-1 zoning districts. Therefore, as currently written, home occupation signs would only be allowed when the home occupation is located within a commercial or industrial zoning district (except when on a vehicle).

Town of Front Royal, Virginia Work Session Agenda Form

Date: February 4, 2013

Agenda Item: Employee Handbook Update

Summary: Staff has developed an update to the Employee Handbook to address current legal and human resources issues. A copy of the handbook with sections highlighting significant changes is provided for your review.

Council Discussion: Council is requested to review and consider adoption of the updated Employee Handbook.

Staff Evaluation: Staff has worked to incorporate updates based upon legal updates, changes to our retirement program, and other updates necessary to promote performance in the workplace.

Budget/Funding: The Director of Finance will be available to address fiscal issues.

Legal Evaluation: The Town Attorney will be available to address legal issues.

Staff Recommendations: Staff recommends that Council provide comments on the updated Employee Handbook and adopt the revised Handbook.

Town Manager Recommendation: The Town Manager recommends that Council provide comments on the updated Employee Handbook and adopt the revised Handbook.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)