



**City Council Meeting
AGENDA**

Monday, November 27, 2023, 6:30 PM

Work Session is cancelled for November 27, 2023

Regular Session 6:30 P.M. Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia 24153

WORK SESSION

AMENDED AGENDA

WORK SESSION IS CANCELLED

REGULAR SESSION

1. Call to Order
2. Pledge of Allegiance
3. Bid Openings, Awards, Recognitions
4. Consent Agenda
 - A. **Citizen Comments**

Comments from the public, limited to five minutes, on matters not already having a public hearing at the same meeting.
 - B. **Minutes**

Consider acceptance of the November 8, 2023 Special Meeting/East Bottom Community Engagement meeting with the Economic Development Authority of the City of Salem; the November 9, 2023, Special Meeting/Closed Session for the purpose of interviewing City Manager candidates; and the November 13, 2023, Work Session and Regular Meeting minutes.
 - C. **Financial Reports**

Consider acceptance of the Statement of Revenues and Expenditures for four months ending October 2023.
5. Old Business
 - A. **Water Rates**

Consider ordinance on second reading to amend Chapter 90, Article IV Division 2, Section

90-257 of the City Code to adopt water rates for the years 2024 -2028. (Approved on first reading at the November 13, 2023, meeting.)

B. Sewer Rates

Consider ordinance on second reading to amend Chapter 90, Article IV, Division IV, Section 90-303, Subdivision I of the City Code to adopt changes pertaining to charges for sewage disposal for the years 2024-2028. (Approved on first reading at the November 13, 2023, meeting.)

C. Water and Sewer Disposal Rates & Charges

Consider ordinance on second reading amending Chapter 90, Article III, Division 2, Subdivision I, Sections 90-74 and 90-128 pertaining to water and sewer disposal and rates and charges for the years 2024-2028. (Approved on first reading at the November 13, 2023, meeting.)

6. New Business

A. Special Exception Permit

Hold public hearing to consider the request of GKM Properties, LLC, property owner, for the issuance of a Special Exception Permit to allow a two-family dwelling on the property located at 800-802 Maryland Avenue (Tax Map # 147 – 2 - 1). (Advertised in the November 16, and 22, 2023, issues of the *Salem Times-Register*.) (Recommend approval; see page 2 of Planning Commission minutes.) **STAFF REPORT**

B. Amendment to the City Code - Chapter 66 Signs

Hold public hearing and consider adoption of ordinance on first reading amending Chapter 66, Article I, In General, Section 66-7, Nonconforming signs and 66-9, Removal of signs no longer advertising existing bona fide business, of the CODE OF THE CITY OF SALEM, VIRGINIA pertaining to signs. (Advertised in the November 16, and 22, 2023, issues of the *Salem Times - Register*.) (Recommend approval; see page 4 of Planning Commission minutes.) **STAFF REPORT**

C. Amendment to the City Code - Chapter 106 Zoning

Hold public hearing and consider adoption of ordinance on first reading amending Chapter 106, Zoning, Article II District Regulations, Sections 106-208.2, 106-214.2, 106-216.2, and 106-218.2, pertaining to permitted uses; Section 106-216.3 pertaining to site development regulations; Article III Use & Design Standards, section 106-304.21 pertaining to short term rentals; section 106-316.3 pertaining to accessory uses, residential; Article IV Development Standards, section 106-404 pertaining to parking requirements; section 106-406 miscellaneous provisions pertaining to storage containers; and Article VI Definitions and use types, section 106-600 pertaining to definitions of the CODE OF THE CITY OF SALEM, VIRGINIA. (Advertised in the November 16, and 22, 2023, issues of the *Salem Times - Register*.) (Recommend approval except Section 106-406.25 which was continued until the March 13, 2024, Planning Commission meeting; see page 5 of Planning Commission minutes.) **STAFF REPORT**

D. Amendment to the City Code - Chapter 74 Streets, sidewalks and other public places

Consider adoption of ordinance on first reading amending Chapter 74, Streets, Sidewalks, and Other Public Places, Article IV, Numbering of houses and buildings, Section 74-101(c) pertaining to assigning addresses, and Section 74-103 pertaining to placing of address numbers, of the CODE OF THE CITY OF SALEM, VIRGINIA. **STAFF REPORT**

E. Amendment to the City Code - Chapter 94 Nuisance Ordinance

Consider adoption of ordinance on first reading amending Chapter 94, Nuisances, Section 94-

3, Declaration of nuisances; abatement required, of the CODE OF THE CITY OF SALEM, VIRGINIA pertaining to trees. **STAFF REPORT**

F. **Boards and Commissions**

Consider appointments to various boards and commissions.

7. Closed Session

A. **Closed Session**

Hold a closed session in accordance with Section 2.2-3711 A(1) of the 1950 Code of Virginia, as amended, to discuss a personnel matter, namely the position of City Manager.

8. Adjournment

City Council Special Meeting MINUTES

Wednesday, November 8, 2023, 5:30 PM

East Bottom neighborhood Community Meeting with Council and the Economic Development Authority -
Community Room, Salem Civic Center, 1001 Roanoke Boulevard, Salem, VA 24153

1. Call to Order

A Special Meeting/East Bottom neighborhood Community Meeting with Council and the Economic Development Authority of the City of Salem was held at the Salem Civic Center, Community Room, 1001 Roanoke Boulevard, Salem, Virginia, 24153, on November 8, 2023, at 5:30 p.m., there being present the following members of said Council, to wit: Renée Ferris Turk, Mayor; James W. Wallace, III, Vice-Mayor; Council members: Byron Randolph Foley (absent), William D. Jones, and H. Hunter Holliday; H. Robert Light, Assistant City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; Jim Guynn, attorney for both the City of Salem and the Salem Economic Development Authority; and Crystal Williams, Assistant to the City Manager and Secretary to the EDA. Also present were Tommy Miller, Director of Economic Development; Wayne Adkins, Business Outreach Coordinator; and the following members of the Economic Development Authority: Dave Robbins, Chair; Quinn Mongan, Paul Kuhnel, Cindy Shelor, Sean Kosmann; and the following business was transacted;

2. New Business

A. Discussion Items

Community Engagement meeting with the East Bottom neighborhood.

3. Adjournment

The meeting was adjourned at 7:18 p.m.

City Council Special Meeting
MINUTES
Thursday, November 9, 2023, 8:00 AM
Colket Center, Roanoke College, Salem, VA 24153

1. Call to Order

A special meeting of the Council of the City of Salem, Virginia, was called to order at 8:40 a.m., there being present the following members to wit: Renée Ferris Turk, Mayor; James W. Wallace, III, Vice-Mayor; Council members: Byron Randolph Foley, William D. Jones, and H. Hunter Holliday; and Jim Guynn, City Attorney. Also present were: Karen Edmonds and Joe Paxton, Executive Managers with the Berkley Group.

Mayor Turk reported that this date, place, and time was set as a special meeting of City Council, in accordance with Section 4.6 (b) of The Charter of the City of Salem, Virginia, in order to interview the candidates for the City Manager position and called the meeting to order.

2. Closed Session

A. Closed Session

Hold a closed session in accordance with Section 2.2-3711 A (1) of the 1950 Code of Virginia, as amended, to discuss a personnel matter pertaining to the appointment of a City Manager, specifically for the purpose of interviewing City Manager candidates.

Jim Wallace motioned that in accordance with Section 2.2-3711 A(1) of the 1950 Code of Virginia, as amended, Council hereby convenes to closed session at 8:40 a.m. for the purpose of discussing a personnel matter pertaining to the appointment of a City Manager, specifically for the purpose of interviewing City Manager candidates. Randy Foley seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

James Wallace motioned to reconvene at 3:45 p.m. in accordance with Section 2.2-3712 D. of the Code of Virginia, 1950 as amended to date, Council certifies that in closed session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the closed session was convened were heard, discussed, or considered by the Council. Randy Foley seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

3. Adjournment

The meeting was adjourned at 3:45 p.m.

City Council Meeting MINUTES

Monday, November 13, 2023, 6:30 PM

Work Session 5:45 P.M. Council Chambers Conference Room, City Hall, 114 North Broad Street, Salem, Virginia 24153
Regular Session 6:30 P.M. Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia 24153

WORK SESSION

AMENDED AGENDA

1. Call to Order

A work session of the Council of the City of Salem, Virginia, was held in the Council Chambers Conference Room, City Hall, 114 N. Broad Street, Salem, Virginia, on November 13, 2023, at 5:45 p.m., there being present the following members of said Council to wit: Renée Ferris Turk, Mayor; James W. Wallace, III, Vice- Mayor; Council members: Byron Randolph Foley, William D. Jones, and H. Hunter Holliday; with Renée Ferris Turk, Mayor, presiding together with Rob Light, Interim City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; Chuck Van Allman, Director of Community Development; Mary Ellen Wines, Planning and Zoning Administrator; Max Dillon, Planner; Larado Robinson, Director of the Water/Sewer Department; Crystal Williams, Assistant to the City Manager; Laura Lea Harris, Deputy Clerk of Council; Joe Paxton, Executive Manager with the Berkley Group; and the following business was transacted;

Mayor Turk reported that this date, place, and time had been set in order for the Council to hold a work session.

2. New Business

A. Discussion Items

1) Follow up discussion on items from September 25, 2023, Work Session

As a follow up to items from the September 25, 2023, Work Session, Mary Ellen Wines, Planning and Zoning Administrator, gave a presentation. She noted that Community Development had done further research on items from the September meeting. She shared the following options for addressing property clean up in the City of Salem: spot blight abatement, creation of Salem's own Maintenance Code; adoption of the exterior sections of the International Property Maintenance Code, and the use of Vacant Property Registration. Each option was discussed, including any staffing requirements that would be needed, and questions asked and

responded to. It was noted that Salem's rental inventory is approximately 40 to 45% of its residential inventory.

Mr. Van Allman noted that some consideration should be given to the Fire Marshal and the Police Department.

Enforcement of existing City Code Sections 30-5 and 30-7, 30-6, and 86-471 through 86-476 was discussed.

An all-inclusive definition of "Clutter" was provided and discussed. A more streamlined definition that had been adopted by Wytheville, Leesburg, and Radford was presented. It was noted that Blacksburg has a similar definition, and that Roanoke has not defined the term. Current results to the Comprehensive Plan Survey question "How do you feel the properties such as the one above (with a picture included of a property that could be considered with this term) should be addressed?" were shared.

Community Development requested clear direction from Council that will be referenced and supported as efforts to address these issues progress.

The question was raised about the current status of vehicles parking in yards. Staff is in the process of scheduling a meeting with staff, Community Development, and the Police Department. Staff will follow up with Council once this meeting has been held.

The Mayor requested that a copy of the PowerPoint presentation from this evening be sent to Council and they will communicate back with Community Development once they have been able to review this information.

Discussion was also held about the importance of offering and working with resources to assist those that need financial assistance to be able to meet the requirements of the Code.

3. Adjournment

REGULAR SESSION

1. Call to Order

A regular meeting of the Council of the City of Salem, Virginia, was called to order at 6:30 p.m., there being present the following members to wit: Renée Ferris Turk, Mayor; James W. Wallace, III, Vice-Mayor; Councilmembers: Byron Randolph Foley, William D. Jones, and H. Hunter Holliday; with Renée Ferris Turk, Mayor, presiding together with Rob Light, Interim City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; Chuck Van Allman, Director of Community Development; Mike Stevens, Director of Communications; Larado Robinson, Director of the Water/Sewer Department; and Jim Guynn, City Attorney.

2. Pledge of Allegiance

3. Bid Openings, Awards, Recognitions

Mayor Turk recognized the following members of the Greenway Commission: Frank Maguire, Roanoke Valley Greenway Coordinator; Russ Craighead, Dee King, Skip Lautenschlager, and Steve Powers. She thanked them for their service on the Greenway Commission.

Vice-Mayor Wallace motioned to amend tonight's agenda to add a Closed Session to discuss a personnel matter. Hunter Holliday seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

4. Consent Agenda

A. Citizen Comments

Comments from the public, limited to five minutes, on matters not already having a public hearing at the same meeting.

Chris McCart, 316 North Broad Street, addressed Council in opposition to proposed rezoning of the Hope Tree property. She had shared pictures and comments by email prior to the meeting for Council's review and noted that she had met with some members of Council and done research since the last

meeting she spoke at. Dr. McCart shared statistics from the Balzer traffic narrative found in the Freedom of Information Act (FOIA) material and in published works by traffic engineers on traffic numbers for the neighborhood both with and without a change in zoning. She expressed concern about the impact on quality of life and home value. She requested that the City put in place measures to slow the traffic in neighborhoods. She shared pictures of an example of a raised crosswalk and of a neighborhood sign on the middle of an island in the middle of the road. Dr. McCart urged Council as they vote on a potential Hope Tree rezoning request to think about preserving historic neighborhoods, safety on neighborhood streets, and what is best for the majority of Salem and its downtown area. She requested City Council to vote no to any rezoning proposal for the Hope Tree property.

Mark Nayden, 352 North Broad Street, expressed concerns about potential future development on the Hope Tree property. He referenced Salem's current Comprehensive Plan, specifically referencing goals for the downtown area, new housing construction, encouraging redevelopment that is compatible with existing and planned residential areas, and preserving existing vegetation and open spaces. He stated that "developers should have incentives in exchange for the permanent preservation of open spaces incorporated as part of a new development." He expressed concern that the preliminary plans for the Hope Tree property do not meet this objective. He also shared the desire to see citizens of Salem, including those in Roanoke County, included as part of the process. Mr. Nayden expressed concern at the possibility of allowing a residential property to become mixed-use with such close proximity to Main Street. He did note that he felt a housing development could make sense on that property. He shared the hope that Salem would not allow for overdevelopment and expressed concerns about potential traffic, sewage, and drainage issues. He asked that Council consider the goals of preserving as much as possible the scenic landscapes and quality of life that is found in Salem as well as potential impacts on existing neighborhoods and surrounding properties. He requested that his comments be entered into the public record.

John Breen, 142 Bogey Lane, expressed compliments to Council for recent Joint meetings that were held with various public bodies that provided opportunities to share information and concerns. He shared

concerns about Code enforcement and ongoing violations of City Code. He gave examples of ongoing cases of Code violations from the Zoning and Building Department's Case listing reports. He specifically referred to blight, dilapidated structures, junk vehicles, and unsightly buildings and conditions. He expressed concern about the potential resulting negative impact on property values. Mr. Breen noted that the Case files indicate that violation complaints are overwhelmingly citizen generated. He expressed concern that Code violations are not timely and effectively enforced. He noted concern at waiting twelve to eighteen months for a Comprehensive Plan update to enact comprehensive Code improvements and enhanced Code compliance and enforcement strategies.

James Reinhard, 213 North Broad Street, was the last citizen to address Council this evening. He shared that he and his family had lived in their home at this address for three decades. He expressed that they had been able to have a career in which they could choose where they wanted to live and that they had chosen Salem because it did not have crime, sprawl, and traffic as well as the fact that it did have excellent schools, history, charm, peace, natural beauty, and green spaces. Dr. Reinhard noted that he had been a Board-certified Psychiatrist for almost forty years and that he wanted to speak on mental health in Salem. He referenced an article in the November issue of the American Psychiatric Association's *Psychiatric News* and quoted Peter James, a professor at Harvard's School of Public Health, on the link between exposure to green space and mental health. He cited another 2019 Danish study relating an association between exposure to green space during childhood and a lower risk of psychiatric disorders later in life; referenced the preservation of Rock Creek Park, in Washington, D.C.; and noted how many progressive cities are working to preserve green spaces. In addition, Dr. Reinhard ended by sharing from an article in *The Roanoke Times* in which details were given on the preservation of an 850-acre sized section of the view from McAfee Knob by the Appalachian Trail Conservancy. He appealed to Council to have vision and to consider preservation of green space in Salem.

Mayor Turk noted the link on the Website and encouraged citizens to use this to offer input toward the development of the Comprehensive Plan.

B. Minutes

Consider acceptance of the October 23, 2023, Work Session and Regular Meeting minutes.

The minutes were approved as written.

5. Old Business

A. Amendment to the Zoning Ordinance

Consider adoption of ordinance on second reading for the request of Crystal Lowery, property owner, for rezoning the property located at 1000 Blk Ohio Ave (Tax Map # 197-1-15) from HM Heavy Manufacturing District to RSF Residential Single-Family District. (Approved on first reading at the October 23, 2023, meeting.)

Randy Foley motioned to adopt ordinance on second reading for the request of Crystal Lowery, property owner, for rezoning the property located at 1000 Blk Ohio Ave (Tax Map # 197-1-15) from HM Heavy Manufacturing District to RSF Residential Single-Family District. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

6. New Business

A. Water Rates

Consider ordinance on first reading to amend Chapter 90, Article IV Division 2, Section 90-257 of the City Code to adopt water rates for fiscal years 2024 - 2028. - **Audit-Finance Committee**

Larado Robinson, Director of the Water/Sewer Department, explained Items 6A, 6B, and 6C on tonight's agenda. The City hired a consultant, TRC (formerly Draper Aden Associates), that has performed a Water and Sewer Rate Study and has provided recommendations for rate changes for the next five years. Rate changes include water and sewer base rates, volume rates, connection fees, and availability fees. He noted that the City had not had a rate change since January, 2021. During that time, inflation has escalated, which has had an impact on cost to produce clean water and maintain the water and sewer systems for Salem residents and businesses. He explained that cost increases affect the City's ability to maintain

our expected level of service, meet regulatory requirements, address aging infrastructure needs, and protect the public health. The ordinance coming before Council this evening proposes for water and sewer rates to increase beginning January 1, 2024, and every year thereafter, through 2028 as follows: Water rates will increase by 7% in the first two years and then drop to 3% for the final two years; Sewer rates will increase by 3% each year. He gave examples of what this would mean to a typical home. Mr. Robinson explained that the increase in funds was necessary due to the increase in Operational Costs to keep pace with inflation and costs, to fund Capital Improvements (one of which is water plan infrastructure and improvements including the full development of two additional wells to increase the raw water supply to the City), and for the replacement of aging equipment to keep the level of service up. Specifically mentioned were the replacement or rehabilitation of the Franklin Street tank and the Mason's Creek Interceptor sewer line. Since the last rate increase, chemical costs to treat the water has doubled and material costs are up between 100 to 150%.

Mayor Turk thanked him for the explanation and for the breakdown on rates of what this would mean to citizens.

Council thanked Mr. Robinson for all of his work to compile this information.

James Wallace motioned to adopt ordinance on first reading to amend Chapter 90, Article IV Division 2, Section 90-257 of the City Code to adopt water rates for the years 2024-2028. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

B. Sewer Rates

Consider ordinance on first reading to amend Chapter 90, Article IV, Division IV, Section 90-303, Subdivision I of the City Code to adopt changes pertaining to charges for sewage disposal for fiscal years 2024-2028. **Audit - Finance Committee**

James Wallace motioned to adopt ordinance on first reading to amend Chapter 90, Article IV, Division IV, Section 90-303, Subdivision I of the City Code to adopt changes pertaining to charges for sewage disposal for the years 2024-2028. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

C. Water and Sewer Disposal Rates & Charges

Consider ordinance on first reading amending Chapter 90, Article III, Division 2, Subdivision I, Sections 90-74 and 90-128 pertaining to water and sewer disposal and rates and charges for fiscal years 2024-2028. - **Audit-Finance Committee**

James Wallace motioned to adopt on first reading ordinance amending Chapter 90, Article III, Division 2, Subdivision I, Sections 90-74 and 90-128 pertaining to water and sewer disposal and rates and charges for the years 2024-2028. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

D. Appropriation of Funds

Consider request to appropriate donations received from Deggeller Attractions. **Audit - Finance Committee**

Each year Deggeller Attractions donates approximately \$10,000 to the City for a community impact project. \$7,600 from the prior year's Fair donation and \$7,500 from the current year's Fair donation was given to the Fire Department to purchase an EMS cart. Mr. Wallace explained what an EMS cart is for the benefit of the public. The donation allows the City to purchase needed items that are not included in the current budget.

James Wallace motioned to appropriate \$7,600 in the Appropriated from Fund Balance account and appropriate \$7,500 to the Fire Donation account. Increase the Fire Department's Machinery and Equipment expenditure budget by \$15,100. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

E. Appropriation of Funds

Consider request to appropriate funds from the Library of Virginia. **Audit - Finance Committee**

Each year, the Library of Virginia provides state aid to the Salem Public Library. The City was awarded more funding than was budgeted for fiscal

year 2024 so the budget needs to be increased by \$57,426 to account for the total State allocation. Additional grant funds will be used to purchase additional books and materials for the Salem Public Library.

James Wallace motioned to appropriate \$57,426 to the Library Grants In Aid State revenue account and to increase the budget for the Books and Subscriptions – State account by \$57,426. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

F. Appropriation of Funds

Consider request to amend the School Cafeteria Fund budget as approved by the School Board on September 12, 2023. **Audit - Finance Committee**

Vice-Mayor noted that this is a housekeeping item for the School Board budget.

James Wallace motioned to approve the School Board's appropriation changes of \$127,000 to the Cafeteria Fund as amended at the September 12, 2023, School Board meeting. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

G. Appropriation of Funds

Consider request to amend the School Operating Fund, School Grants Fund, School Capital Projects Fund and School Reserve Fund budgets as approved by the School Board on October 10, 2023. **Audit - Finance Committee**

Mr. Wallace noted that this is also a housekeeping item for the School Board.

James Wallace motioned to approve the School Board's appropriation changes of \$10,000 to the School Operating Fund, \$97,500 to the School Grants Fund, \$199,448 to the School Reserve Fund, and \$698,000 to the School Capital Projects Fund, as approved by the School Board at their October 10, 2023, meeting. Also, to approve the six-year Capital Improvement Projects Plan document submitted by the School Board. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

H. Appropriation of Funds

Consider request to appropriate Water Fund net position. **Audit - Finance Committee**

In fiscal year 2023, \$1,020,000 was budgeted but not spent for infrastructure improvements. These funds were designated for the replacement of existing waterlines. Engineering was not completed prior to June 30, 2023, and therefore, we were not able to move forward with construction. Engineering is now complete and we desire to move forward with construction, using the funds that were allocated last fiscal year. Re-appropriating net position will allow work to proceed on infrastructure improvements.

James Wallace motioned to re-appropriate \$1,020,000 from the Water Fund net position and increase the budget in the Infrastructure Improvements account. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

I. 1243 West Riverside Drive

Consider approval of a contract agreement to purchase 1243 West Riverside Drive, authorize the Interim City Manager to finalize and execute necessary documents, and authorize staff to appropriate an amount not to exceed \$151,000 for the purchase price, closing costs, and demolition of the existing structure and stabilization of the site. - **Audit-Finance Committee**

Mr. Jones noted that he would need to abstain from Item 6I as someone from his firm was part of the process of this transaction.

Mayor Turk explained that this property would enable expansion of the Greenway and give the City Right-Of-Way to be able to help close the gap with that area.

Mr. Foley noted that his as his wife was part of the Realty firm involved, that he would also need to abstain from this item.

Mr. Wallace clarified that there were three parcels down on West Riverside Drive near the River Rock Restaurant that the City has been attempting to purchase or gather Right-Of-Way in order to extend the Greenway down in

that area. This City now has the opportunity to purchase this important parcel for the completion of the Greenway.

Mr. Light noted that this parcel is also encumbered in the floodway and that impacts what could be done with it.

Mr. Wallace also shared that the house would be torn down and the lot graded and reseeded.

Mayor Turk pointed out the importance of the Greenway for the citizens.

Mr. Holliday made a clarification that the River Rock Restaurant was not a part of this transaction.

Mayor Turk motioned to approve a contract agreement to purchase 1243 West Riverside Drive, authorize the Interim City Manager to finalize and execute necessary documents, and authorize staff to appropriate an amount not to exceed \$151,000 for the purchase price, closing costs, and demolition of the existing structure and stabilization of the site. Vice-Mayor Wallace seconded the motion.

Ayes: Holliday, Turk, Wallace

Abstain: Foley, Jones

Mayor Turk called forward Frank Maguire, Roanoke Valley Greenway Coordinator.

Mr. Maguire shared a letter from both the Greenway Commission and Pathfinders for Greenways, the 501 (c)(3) Charitable arm. On behalf of the Greenway Commission and Pathfinders for Greenways, he thanked Salem for moving so quickly to acquire this property.

The Board members for Pathfinders for Greenways and the Executive Committee of the Greenway Commission voted to donate \$30,000 from the Bridge the Gap Fund, which was used to complete the Roanoke River Greenway, to help Salem with this effort. These funds may go towards closing costs or demolition as the City sees fit. He also noted that as Salem moves forward, they would entertain further requests.

Council expressed appreciation for this contribution.

J. Boards and Commissions

Consider appointments to various boards and commissions.

Mr. Foley motioned to appoint Tommy Miller to replace James Taliaferro for the remainder of a four-year term ending February 3, 2026, to the Western Virginia Regional Industrial Facilities Authority. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

Mr. Foley noted for the benefit of the public that Mayor Turk, Mr. Jones, and a few members of the Economic Development Authority met with those that were considered for this appointment.

Mr. Jones stated that all three were excellent applicants and that he hoped they would apply for future openings on this board.

Mayor Turk encouraged citizens to consider available vacancies on boards for service opportunities.

William Jones motioned to appoint Joe Curran to replace Rob Robinson for the remainder of a four-year term ending December 14, 2024, to the Economic Development Authority. Renee Turk seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

7. Closed Session

A. Closed Session

Hold a closed session in accordance with Section 2.2-3711 A(1) the 1950 Code of Virginia, as amended, to discuss a personnel matter, namely candidates for the position of City Manager.

Jim Wallace motioned that in accordance with Section 2.2-3711 A(1) of the 1950 Code of Virginia, as amended, Council hereby convenes to closed session at 7:21 p.m. for the purpose of discussing a personnel matter, namely candidates for the position of City Manager. Randy Foley seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

It was noted that no action was anticipated this evening.

James Wallace motioned to reconvene at 8:29 p.m. in accordance with Section 2.2-3712 D. of the Code of Virginia, 1950 as amended to date, Council certifies that in closed session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the closed session was convened were heard, discussed, or considered by the Council. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

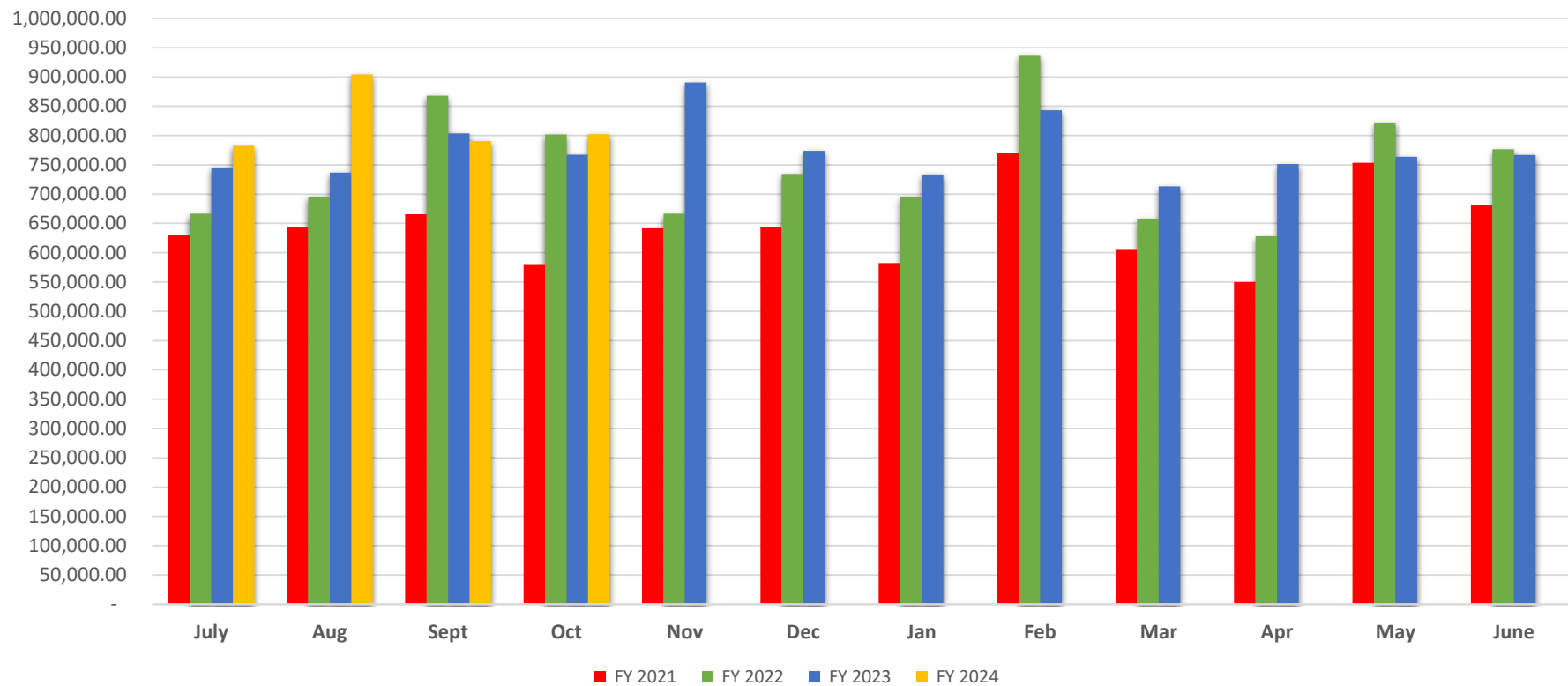
8. Adjournment

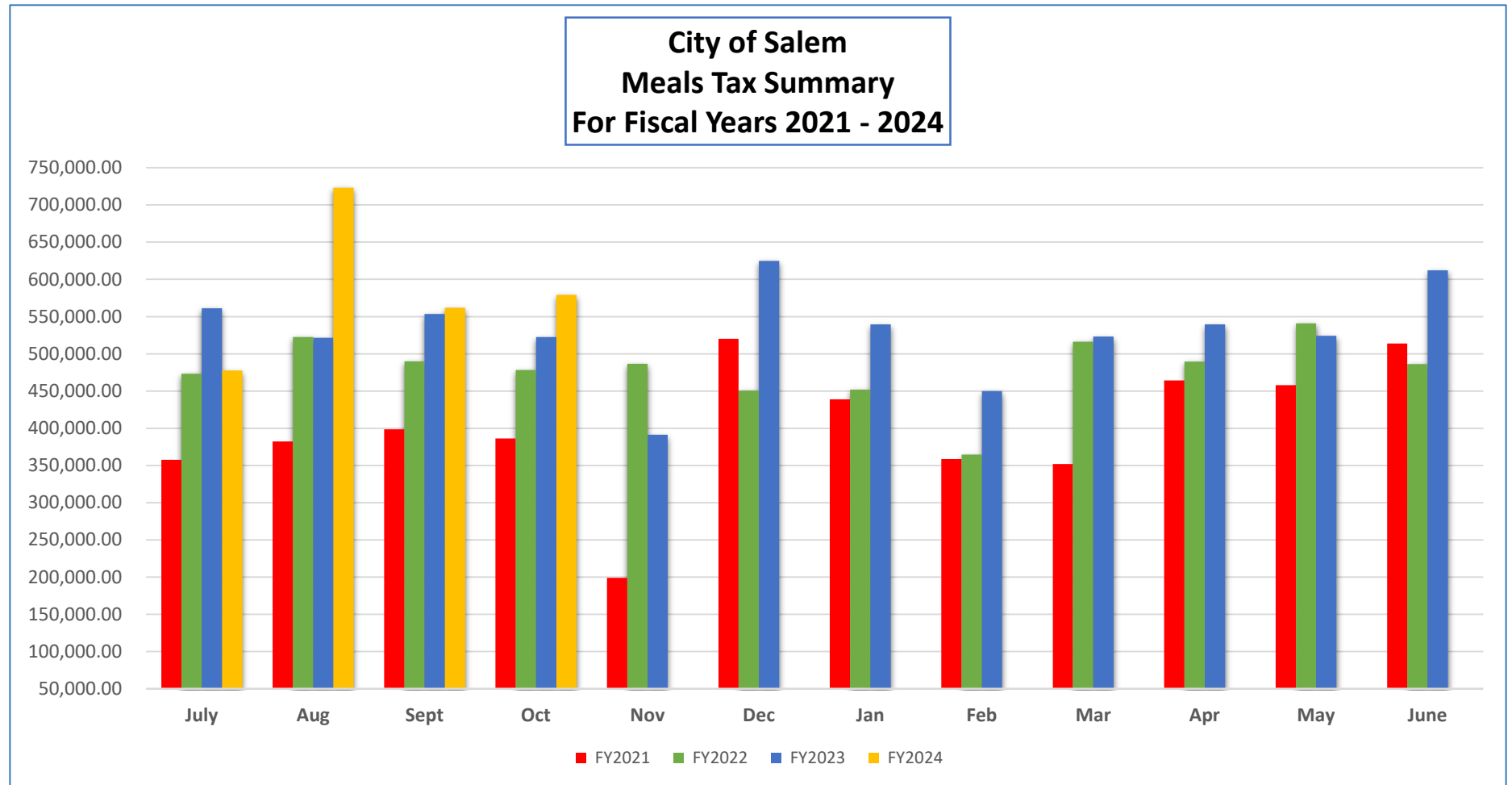
The meeting was adjourned at 8:29 p.m.

**City of Salem, Virginia
General Fund
Statement of Revenues and Expenditures
For Four Months Ending October 31, 2023**

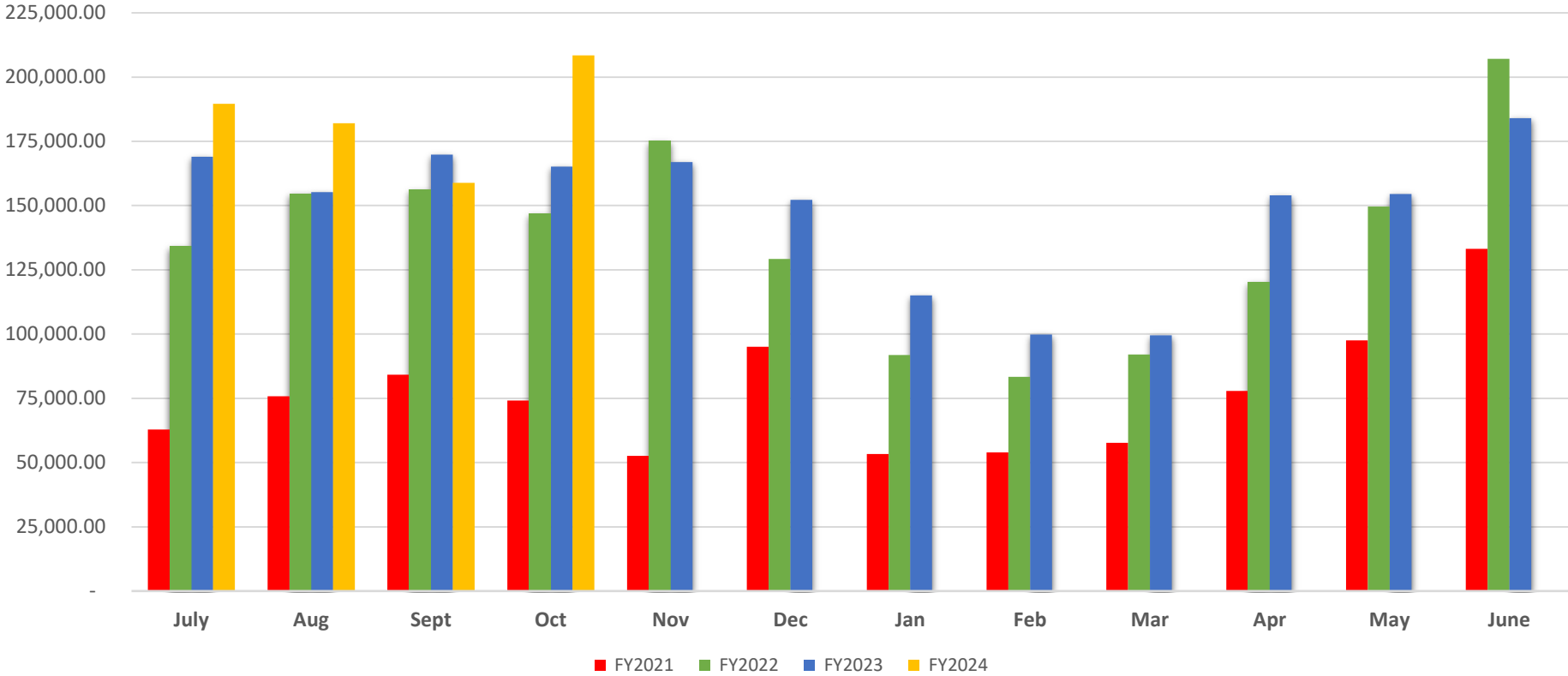
	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Revenues:					
Beginning Balance 7-1-23	\$ 6,765,726	\$ -	0%	\$ -	\$ -
General Property Taxes	47,435,126	1,580,840	3%	1,285,209	295,631
Other Local Taxes	27,410,800	4,798,228	18%	4,609,909	188,319
Permits and Licenses	356,740	94,663	27%	102,796	(8,133)
Fines and Forfeitures	119,000	30,604	26%	35,622	(5,018)
Revenue from Use of Money and Property	5,332,180	2,589,527	49%	480,173	2,109,354
Charges for Services	3,672,626	1,067,820	29%	1,020,171	47,649
Payment in Lieu of Taxes from Electric Fund	3,160,000	1,580,000	50%	1,580,000	-
Payment in Lieu of Taxes from Water Fund	145,395	49,980	34%	53,022	(3,042)
Miscellaneous Revenue	582,500	125,404	22%	260,182	(134,779)
Non-Categorical Aid	3,690,450	189,743	5%	222,322	(32,579)
Shared Expenses	1,711,395	391,580	23%	354,761	36,819
Categorical Aid	9,200,427	1,935,601	21%	1,582,450	353,152
Non-Revenue Receipts	23,823	23,821	100%	-	23,821
Transfer From Other Funds	5,396,700	5,319,145	99%	7,465,975	(2,146,830)
Total Revenues	115,002,888	19,776,956	17%	19,052,592	724,364
Expenditures:					
General Government	10,028,336	3,210,534	32%	3,402,129	(191,595)
Judicial Administration	3,163,592	997,880	32%	859,084	138,796
Public Safety	25,802,545	7,804,107	30%	6,848,356	955,751
Public Works	14,008,351	4,132,508	30%	2,943,378	1,189,130
Health and Welfare	6,492,410	1,322,259	20%	1,044,577	277,682
Education	25,651,617	10,244,691	40%	9,884,779	359,912
Parks, Recreation and Cultural	8,888,258	2,425,693	27%	2,312,134	113,559
Community Development	3,482,635	1,238,335	36%	2,068,369	(830,034)
Non-Departmental	15,258,771	10,131,025	66%	9,222,111	908,914
Contingency	2,226,373	-	0%	-	-
Total Expenditures	115,002,888	41,507,032	36%	38,584,917	2,922,115
Revenues Over/(Under) Expenditures	\$ -	\$ (21,730,076)		\$ (19,532,325)	\$ (2,197,751)

**City of Salem
Sales Tax Summary
For Fiscal Years 2021 - 2024**





**City of Salem
Lodging Tax Summary
For Fiscal Years 2021 - 2024**



Schedule E

[illegible]

City of Salem, Virginia
Debt Outstanding
For Period Ending October 31, 2023

Schedule F

	Balance 7/1/2023	Issuances	Principal Payments	Balance 10/31/2023
City Debt Outstanding				
2011 Union First Market Refunding Bonds	\$ 379,962	\$ -	\$ (379,962)	\$ -
2013 Public Improvement Bonds	977,550	-	(89,425)	888,125
2016B Public Improvement Bonds	441,146	-	-	441,146
2019 Public Improvement Bonds	4,273,000	-	-	4,273,000
2020 Public Improvement Bonds	1,935,000	-	-	1,935,000
2020 Public Improvement Refunding Bonds	4,703,652	-	-	4,703,652
2021 Public Improvement Refunding Bonds	1,166,000	-	-	1,166,000
2022B Public Improvement Bonds	14,491,000	-	-	14,491,000
Total City Debt Outstanding	28,367,310	-	(469,387)	27,897,923
School Debt Outstanding				
2011 Union First Market Refunding Bonds	665,038	-	(665,038)	-
2012A Public Improvement Bonds	4,772,500	-	(477,250)	4,295,250
2013 Public Improvement Bonds	3,012,450	-	(275,575)	2,736,875
2020 Public Improvement Bonds	23,565,000	-	-	23,565,000
Total School Debt Outstanding	32,014,988	-	(1,417,863)	30,597,125
Total Debt Outstanding	<u>\$ 60,382,298</u>	<u>\$ -</u>	<u>\$ (1,887,250)</u>	<u>\$ 58,495,048</u>

City of Salem, Virginia
Capital Projects Fund
Statement of Revenues and Expenditures
For Period Ending October 31, 2023

Schedule G

	Budget	Project To Date	Encumbrances	Total Project	Available Balance	Year To Date	
Fund Balance, July 1, 2023							\$ 21,420,610
<u>Revenues:</u>							
Federal Grants	\$ 12,009,855	\$ 1,594,706	\$ -	\$ 1,594,706	\$ 10,415,149	\$ 1,627	
State Grants	17,515,640	1,624,869	-	1,624,869	15,890,771	366	
Proceeds From Debt Issuance	42,015,146	42,015,145	-	42,015,145	1	-	
Interest Income	683,190	796,688	-	796,688	(113,498)	113,501	
Transfer From General Fund	25,423,186	25,118,212	-	25,118,212	304,974	5,262,949	
Total Revenues	97,647,017	71,149,621	-	71,149,621	26,497,396		5,378,443
<u>Expenditures:</u>							
Next Generation 911	378,493	187,161	30,609	217,770	160,723	-	
Fire Station #2 Renovations	432,000	9,491	-	9,491	422,509	3,259	
Fire Station #2 Storage Building	515,000	-	-	-	515,000	-	
Fire Station #1 Renovations	545,000	-	-	-	545,000	-	
Fire Station #3 Renovations	378,000	-	-	-	378,000	-	
Colorado St Bridge Replacement	11,778,826	821,732	5,621,126	6,442,858	5,335,968	24,127	
Apperson Drive Bridge Replacement	9,784,451	762,394	31,828	794,222	8,990,229	14,391	
Jury Room Expansion	400,000	37,187	1,634	38,821	361,179	4,954	
Apperson Drive Bridge Repairs #1800	682,432	69,800	4,972	74,772	607,660	69,800	
Hanging Rock Battlefield Phase 2	1,420,310	1,431,719	21,435	1,453,154	(32,844)	574	
Western Roanoke River Greenway	50,000	1,500	-	1,500	48,500	-	
Elizabeth Campus Greenway	1,104,400	158,378	39,970	198,348	906,052	-	
Moyer Sports Complex Renovation	27,922,667	15,861,819	10,052,020	25,913,839	2,008,828	3,488,277	
Mason Creek Greenway Phase 3	2,610,681	173,266	303,868	477,134	2,133,547	-	
Library Flooring Replacement	190,000	-	-	-	190,000	-	
Library Co-working Space	155,000	-	-	-	155,000	-	
Civic Center East/West Fields Restroom	220,000	-	221,070	221,070	(1,070)	-	
Longwood Park Restroom Replacement #2	180,000	-	129,261	129,261	50,739	-	
Civic Center West Field Lighting Upgrades	250,000	-	246,473	246,473	3,527	-	
Kiwanis Park Wall Pads	110,000	-	-	-	110,000	-	
Library Lawn Special Events Space	500,000	-	-	-	500,000	-	
Flood Mitigation-CFPF	78,962	36,929	42,033	78,962	-	27,655	
Downtown Impr - E Main St/Union St	2,504,140	2,061,342	314,934	2,376,276	127,864	50,326	
Downtown Impr - E Main St/Market St	3,629,869	209,482	5,850	215,332	3,414,537	3,419	
Downtown Impr - E Main St/White Oak	2,311,825	16,280	45,650	61,930	2,249,895	-	
Capital Projects Local Reserve	67,811	-	-	-	67,811	-	
Downtown Improvements Reserve	90,350	-	-	-	90,350	-	
Excess Local Funding Reserve	2,356,800	-	-	-	2,356,800	-	
Transfer to Schools-2020 Bonds	27,000,000	26,323,373	-	26,323,373	676,627	124,503	
Total Expenditures	\$ 97,647,017	\$ 48,161,853	\$ 17,112,733	\$ 65,274,586	\$ 32,372,431		3,811,285
Fund Balance, October 31, 2023							\$ 22,987,768

City of Salem, Virginia
Electric Fund
Statement of Operations
For Four Months Ending October 31, 2023

	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Operating Revenues					
Sale of Power	\$ 46,790,745	\$ 15,038,513	32%	\$ 14,903,158	\$ 135,355
Other Electric Revenue	654,799	130,037	20%	128,174	1,863
Reserve for Encumbrances	1,707,820	-	0%	-	-
Appropriated from Net Position	3,300,000	-	0%	-	-
Total Operating Revenues	52,453,364	15,168,550	29%	15,031,332	137,218
Operating Expenses					
Other Power Generation - Operation	150,000	24,024	16%	41,456	(17,432)
Other Power Generation - Maintenance	73,846	38,896	53%	5,783	33,113
Purchased Power	28,030,000	9,408,198	34%	8,159,520	1,248,678
Transmission - Operation	9,736,000	3,416,335	35%	3,034,172	382,163
Transmission - Maintenance	41,339	1,090	3%	8,142	(7,052)
Distribution - Operations	1,142,527	370,884	32%	340,204	30,680
Distribution - Maintenance	1,541,782	496,186	32%	471,618	24,568
Customer Service	662,562	219,987	33%	209,363	10,624
Administration & General - Operation	2,641,681	312,383	12%	517,833	(205,450)
Administration & General - Maintenance	239,359	114,185	48%	79,817	34,368
Depreciation	-	529,885	0%	466,191	63,694
Capital	4,858,117	14,588	0%	188,971	(174,383)
Contingency	176,151	-	0%	-	-
Total Operating Expenses	49,293,364	14,946,641	30%	13,523,070	1,423,571
Income (loss) Before Transfers	3,160,000	221,909		1,508,262	(1,286,353)
Transfers (Payment in Lieu of Taxes)	(3,160,000)	(1,580,000)	50%	(1,580,000)	-
Income (loss)	\$ -	\$ (1,358,091)		\$ (71,738)	\$ (1,286,353)

City of Salem, Virginia
Water Fund
Statement of Operations
For Four Months Ending October 31, 2023

Operating Revenues	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Services	\$ 7,400,000	\$ 2,526,189	34%	\$ 2,512,406	\$ 13,783
Other Revenue	459,899	140,635	31%	121,232	19,403
Water Federal Grants Revenue	-	-	0%	800	(800)
Reserve for Encumbrances	762,126	-	0%	-	-
Appropriated from Net Position	300,000	-	0%	-	-
Total Operating Revenues	8,922,025	2,666,824	30%	2,634,438	32,386
Operating Expenses					
<i><u>Production</u></i>					
Salaries of Personnel	986,455	310,520	31%	327,913	(17,393)
Fringe Benefits	465,075	142,918	31%	137,114	5,804
Contractual Services	687,733	181,477	26%	177,827	3,650
Printing and Binding	2,500	24	1%	-	24
Advertising	1,000	-	0%	-	-
Utilities	421,200	131,697	31%	131,701	(4)
Communications	5,800	1,313	23%	1,322	(9)
Insurance	38,000	1,786	5%	7,679	(5,893)
Travel and Training	9,800	1,040	11%	2,108	(1,068)
Miscellaneous	65,730	38,889	59%	39,414	(525)
Materials and Supplies	317,076	110,292	35%	71,063	39,229
Depreciation	-	284,473	0%	284,955	(482)
Capital	516,451	(19,710)	-4%	481,334	(501,044)
Contingency	155,423	-	0%	-	-
Total Production Expenses	3,672,243	1,184,719	32%	1,662,430	(477,711)
<i><u>Distribution</u></i>					
Salaries of Personnel	750,853	186,549	25%	166,906	19,643
Fringe Benefits	361,704	86,922	24%	73,578	13,344
Contractual Services	905,688	254,755	28%	244,620	10,135
Printing and Binding	-	136	0%	-	136
Communications	4,950	1,189	24%	1,925	(736)
Insurance	32,000	-	0%	-	-
Lease/Rent of Equipment	2,000	375	19%	554	(179)
Travel and Training	8,300	638	8%	2,194	(1,556)
Miscellaneous	30,530	10,114	33%	9,657	457
Miscellaneous Credits	(255,000)	(101,632)	40%	(89,810)	(11,822)
Materials and Supplies	157,374	55,286	35%	44,471	10,815
Depreciation	-	56,178	0%	36,240	19,938
Capital	1,511,968	46,365	3%	971,767	(925,402)
Interest Obligations	1,594,020	81,220	5%	99,362	(18,142)
Total Distribution Expenses	5,104,387	678,095	13%	1,561,464	(883,369)
Income (loss) Before Transfers	145,395	804,010		(589,456)	1,393,466
Transfers (Payment in Lieu of taxes)	(145,395)	(49,980)	34%	(53,022)	3,042
Income (loss)	\$ -	\$ 754,030		\$ (642,478)	\$ 1,396,508

City of Salem, Virginia
Sewer Fund
Statement of Operations
For Four Months Ending October 31, 2023

Operating Revenues	<u>Current Year Budget</u>	<u>Current Year Year to Date</u>	<u>% of Budget</u>	<u>Prior Year Year to Date</u>	<u>Variance</u>
Services	\$ 6,997,000	\$ 2,328,229	33%	\$ 2,323,774	\$ 4,455
Other Revenue	149,896	47,389	32%	65,804	(18,415)
Reserve for Encumbrances	805,002	-	0%	-	-
Total Operating Revenues	<u>7,951,898</u>	<u>2,375,618</u>	<u>30%</u>	<u>2,389,578</u>	<u>(13,960)</u>
Operating Expenses					
Salaries of Personnel	853,377	236,766	28%	260,442	(23,676)
Fringe Benefits	402,342	115,335	29%	111,938	3,397
Contractual Services	3,661,280	771,208	21%	791,587	(20,379)
Printing and Binding	1,500	487	32%	-	487
Advertising	1,500	-	0%	-	-
Utilities	4,500	1,185	26%	1,065	120
Communications	14,850	4,395	30%	4,204	191
Insurance	18,500	-	0%	-	-
Lease/Rent of Equipment	3,000	375	13%	554	(179)
Travel and Training	12,000	2,012	17%	4,341	(2,329)
Miscellaneous	39,030	17,105	44%	13,198	3,907
Miscellaneous Credits	(325,000)	(66,611)	20%	(72,427)	5,816
Materials and Supplies	86,289	13,148	15%	17,561	(4,413)
Depreciation	-	469,299	0%	457,079	12,220
Capital	1,367,415	100,569	7%	63,589	36,980
Interest Obligations	1,666,581	17,751	1%	17,200	551
Contingency	144,734	-	0%	-	-
Total Operating Expenses	<u>7,951,898</u>	<u>1,683,024</u>	<u>21%</u>	<u>1,670,331</u>	<u>12,693</u>
Income (loss) before Transfers	<u>-</u>	<u>692,594</u>		<u>719,247</u>	<u>(26,653)</u>
Income (loss)	<u>\$ -</u>	<u>\$ 692,594</u>		<u>\$ 719,247</u>	<u>\$ (26,653)</u>

**City of Salem, Virginia
Salem Civic Center
Statement of Operations
For Four Months Ending October 31, 2023**

Operating Revenues	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Shows/rentals	\$ 359,850	\$ 130,281	36%	\$ 140,583	\$ (10,302)
Box office shows	1,500,000	316,545	21%	945,715	(629,170)
Catering and concessions	-	-	0%	60,222	(60,222)
Merchandise and commissions	177,500	107,218	60%	67,887	39,331
Static advertising	55,000	16,250	30%	11,750	4,500
Miscellaneous income	15,000	9,762	65%	4,903	4,859
Interest Income	-	454	0%	-	454
Salem Fair	603,000	610,595	101%	541,500	69,095
Reserve for encumbrances	309,197	-	0%	-	-
Appropriated from Net Position	100,500	-	0%	-	-
Total Operating Revenues	3,120,047	1,191,105	38%	1,772,560	(581,455)
Operating Expenses					
Salaries of personnel	1,421,099	481,514	34%	471,794	9,720
Fringe benefits	571,127	160,302	28%	146,472	13,830
Maintenance and contractual services	287,134	62,666	22%	63,749	(1,083)
Printing and binding	500	-	0%	1,000	(1,000)
Advertising	23,000	3,072	13%	9,139	(6,067)
Utilities	295,000	112,719	38%	114,788	(2,069)
Communications	13,900	3,206	23%	4,182	(976)
Insurance	28,500	-	0%	-	-
Leases and Rentals	3,200	-	0%	-	-
Travel and training	8,150	6,447	79%	5,372	1,075
Miscellaneous	99,268	39,093	39%	31,748	7,345
Show expense	1,296,992	360,155	28%	679,737	(319,582)
Fair expense	546,100	619,632	113%	558,692	60,940
Materials and supplies	81,500	9,625	12%	9,478	147
Capital	1,093,563	267,177	24%	-	267,177
Depreciation	-	91,082	0%	91,775	(693)
Total Operating Expenses	5,769,033	2,216,690	38%	2,187,926	28,764
Income (loss) Before Transfers	(2,648,986)	(1,025,585)		(415,366)	(610,219)
Transfers	2,648,986	616,995	23%	536,389	80,606
Income (loss)	\$ -	\$ (408,590)		\$ 121,023	\$ (529,613)

City of Salem, Virginia
Salem Catering and Concessions
Statement of Operations
For Four Months Ending October 31, 2023

Operating Revenues:	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Catering	\$ 516,682	\$ 230,664	45%	\$ 285,149	\$ (54,485)
Concessions	137,833	10,763	8%	28,143	(17,380)
Moyer Concessions	25,000	-	0%	-	-
Salem High Concessions	6,606	4,310	65%	468	3,842
Total Operating Revenues	686,121	245,737	36%	313,760	(68,023)
Operating Expenses:					
<u>Catering</u>					
Salaries of personnel	289,671	89,563	31%	81,509	8,054
Fringe benefits	111,668	31,821	28%	20,510	11,311
Contractual services	9,465	1,817	19%	5,764	(3,947)
Printing and binding	300	-	0%	-	-
Laundry and Cleaning	2,500	-	0%	-	-
Communications	200	58	29%	52	6
Insurance	1,800	-	0%	-	-
Travel and training	-	179	0%	-	179
Miscellaneous	19,216	8,048	42%	80,020	(71,972)
Materials and supplies	203,081	79,733	39%	95,021	(15,288)
Capital	60,000	-	0%	-	-
Depreciation	-	1,285	0%	1,461	(176)
Total Catering Expenses	697,901	212,504	30%	284,337	(71,833)
<u>Concessions</u>					
Salaries of Personnel	53,832	9,915	18%	5,082	4,833
Fringe Benefits	18,808	1,462	8%	1,124	338
Contractual services	4,000	2,955	74%	2,710	245
Miscellaneous	150	(14)	-9%	13,554	(13,568)
Materials and Supplies	27,500	4,892	18%	10,358	(5,466)
Total Concessions Expenses	104,290	19,210	18%	32,828	(13,618)
<u>Moyer Concessions</u>					
Salaries of Personnel	9,745	-	0%	-	-
Fringe Benefits	4,484	-	0%	-	-
Contractual services	2,500	-	0%	-	-
Materials and Supplies	13,329	-	0%	-	-
Total Moyer Expenses	30,058	-	0%	-	-
<u>Salem High Concessions</u>					
Salaries of Personnel	2,272	702	31%	-	702
Fringe Benefits	209	305	146%	-	305
Contractual	-	1,005	0%	-	1,005
Materials and Supplies	1,807	1,570	87%	-	1,570
Total Salem High Expenses	4,288	3,582	84%	-	3,582
Income (loss) Before Transfers	(150,416)	10,441		(3,405)	13,846
Transfers	150,416	-	0%	-	-
Income (loss)	\$ -	\$ 10,441		\$ (3,405)	\$ 13,846

City of Salem, Virginia
Water and Sewer Capital Fund
Statement of Revenues and Expenditures
For Period Ending October 31, 2023

Schedule M

	<u>Budget</u>	<u>Project To Date</u>	<u>Encumbrances</u>	<u>Total Project</u>	<u>Available Balance</u>	<u>Year To Date</u>	
Fund Balance, July 1, 2023							\$ 10,218,902
<u>Revenues:</u>							
Transfer From General Fund	<u>\$ 13,575,000</u>	<u>\$ 13,575,000</u>	<u>\$ -</u>	<u>\$ 13,575,000</u>	<u>\$ -</u>	<u>\$ 3,356,098</u>	
Total Revenues	13,575,000	13,575,000	-	13,575,000	-		3,356,098
<u>Expenditures:</u>							
North Salem Water Improvements	6,200,000	-	-	-	6,200,000	-	
Roanoke River Upper Sewer Rehab	7,000,000	-	-	-	7,000,000	-	
Wiley Ct Sewer Improvements	<u>375,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>375,000</u>	<u>-</u>	
Total Expenditures	<u>\$ 13,575,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 13,575,000</u>		<u>-</u>
Fund Balance, October 31, 2023							<u><u>\$ 13,575,000</u></u>

**City of Salem, Virginia
Health Insurance Fund
Statement of Revenues and Expenses
For Three Months Ending September 30, 2023**

	Budget	Current Year Year to Date	Percent to Date	Prior Year Year to Date	Variance
Beginning Net Position	\$ -	\$ 7,846,412		\$ 6,036,231	\$ 1,810,181
Revenue					
Premiums Paid - City	6,060,000	1,465,992	24%	1,343,347	122,645
Premiums Paid - School	5,240,000	1,284,532	25%	1,134,518	150,014
Premiums Paid - Retirees	765,000	239,885	31%	233,434	6,451
Dental Premiums Paid	591,050	150,280	25%	145,683	4,597
Interest Earnings	90,000	82,511	92%	3,507	79,004
Miscellaneous	5,000	3,060	61%	-	3,060
Total Year to Date Revenues	12,751,050	3,226,260	25%	2,860,489	365,771
Expenses					
Health Claims	11,545,772	2,361,048	20%	2,513,318	(152,270)
Dental Claims	591,050	128,010	22%	128,689	(679)
Employee Health Clinic	511,332	84,102	16%	80,604	3,498
Consulting Services	96,896	22,717	23%	22,536	181
Miscellaneous	6,000	4,170	70%	3,889	281
Total Year to Date Expenses	12,751,050	2,600,047	20%	2,749,036	(148,989)
Ending Net Position	<u>\$ -</u>	<u>\$ 8,472,625</u>		<u>\$ 6,147,684</u>	<u>\$ 2,324,941</u>

City of Salem, Virginia
Schedule of Deposits and Investments
For Period Ending October 31, 2023

Schedule O

	Cash Value 10/31/2023	Net Change in Fair Value	Fair Value 10/31/2023	FV as a % of Portfolio
Demand & Time Deposits				
Concentration Account	\$ 47,873,528	\$ -	\$ 47,873,528	30.1%
Payroll Account	10,589	-	10,589	0.0%
Revenue Recovery Account	22,282	-	22,282	0.0%
Utility Billing Account	16,939	-	16,939	0.0%
Box Office Account	1,348,028	-	1,348,028	0.8%
Held as Fiscal Agent of:				
Cardinal Academy	1,011,707	-	1,011,707	0.6%
Court Community Corrections	1,489,751	-	1,489,751	0.9%
Held on Behalf of:				
Economic Development Authority	470,910	-	470,910	0.3%
Total Demand & Time Deposits	<u>52,243,734</u>	<u>-</u>	<u>52,243,734</u>	<u>32.7%</u>
Investments				
Local Government Investment Pool (LGIP)	104,041,015	-	104,041,015	65.6%
VA State Non-Arbitrage Program (SNAP)	2,574,141	-	2,574,141	1.6%
Held on Behalf of:				
Economic Development Authority LGIP	143,439	-	143,439	0.1%
Total Investments	<u>106,758,595</u>	<u>-</u>	<u>106,758,595</u>	<u>67.3%</u>
Total Deposits and Investments	<u><u>\$ 159,002,329</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 159,002,329</u></u>	<u><u>100.0%</u></u>

AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SALEM, VIRGINIA
HELD AT CITY HALL

MEETING DATE: November 27, 2023

AGENDA ITEM: Consider ordinance on second reading to amend Chapter 90, Article IV Division 2, Section 90-257 of the City Code to adopt water rates for the years 2024-2028; consider ordinance on second reading to amend Chapter 90, Article IV, Division IV, Section 90-303, Subdivision I of the City Code to adopt changes pertaining to charges for sewage disposal for the years 2024-2028; and consider ordinance on second reading amending Chapter 90, Article III, Division 2, Subdivision I, Sections 90-74 and 90-128 pertaining to water and sewer disposal and rates and charges for the years 2024-2028. (Approved on first reading at the November 13, 2023, meeting.)

SUBMITTED BY: Larado Robinson, Director of Water/Sewer Department

SUMMARY OF INFORMATION:

The City's consultant, TRC (formerly Draper Aden Associates), has performed a Water and Sewer Rate Study and has provided recommendations for rate changes for the next five years. Rate changes include water and sewer base rates, volume rates, connection fees, and availability fees.

It is critical to understand that incremental rate increases are necessary to maintain the City of Salem's water and sewer systems. There are numerous benefits for us as a community to raise rates incrementally as operational and capital improvement costs continue to increase.

Raising rates should provide adequate funding that will allow us to:

- **Maintain Our Expected Level of Service:** We desire to maintain the level of service our citizens and businesses expect of us by minimizing service disruptions, reducing the need for unexpected and unplanned capital projects and quickly addressing emergency repairs.

- Upgrade Aging Infrastructure: Like many other cities, Salem has an aging water and sewer infrastructure requiring incremental upgrades. Improving our infrastructure improves the efficiency, quality and resilience of our system.
- Protect the Public Health: Our top priority is to ensure the delivery of safe and clean water to our citizens and businesses. Additionally, maintaining a dependable sewer system will help us prevent the release of wastewater into the environment.
- Meet Regulatory Requirements: We must keep up with unfunded regulatory mandates as regulatory agencies impose new requirements. New requirements include meeting today's environmental challenges and our need to continue serving the City throughout extreme weather conditions.
- Help Preserve Property Values and Promote Economic Growth: A well-maintained water and sewer system will help preserve the overall value of properties within the City of Salem. Maintaining our system will impact the community's reputation and support economic growth.

Providing consistent small rate increases, rather than implementing significant increases in single years, is much more beneficial for citizens and businesses. Increasing rates will also provide adequate funding to ensure our ability to maintain an expected level of service, upgrade our aging infrastructure, promote public health, meet regulatory requirements, help preserve property values and promote economic growth. Rate increases are an investment in the long-term sustainability of the water and sewer systems to secure a prosperous and resilient future for the City of Salem.

Note that the attached proposed ordinances show in strikethrough format the rates formally adopted by Council in 2016 for subsequent calendar years. Municode does not reflect the codified 2016 actions. Upon Council's adoption of the new rates and fees, staff will engage Municode to ensure the 2016 rates and fees approved are incorporated into the historical code revisions.

FISCAL IMPACT:

See Attached.

STAFF RECOMMENDATION:

It is recommended that Salem City Council approve the recommendations made by the City's consultant.

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 90, ARTICLE IV, DIVISION 2, SECTION 90-257, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO RATES WITHIN CITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 90-257, Division 2, Article IV, Chapter 90, of The Code of the City of Salem, Virginia, be amended, revised, and reordained to read as follows:

CHAPTER 90
UTILITIES
Article IV. Rates and Charges.
Division 2. Water.

Sec. 90-257. Rates within city.

There are hereby established the following customer classes and rates for consumers of water within the City effective **January 1, 2024** ~~July 1, 2016~~. The following consumer classes are: *Residential*, generally characterized as serving single family residential household regardless of the level of consumption; ***Duplex-Residential*, those residential customers with two housing units receiving water through one meter**; *Small Commercial*, a business entity that generally uses less than 75,000 gallons of water per month; *Large Commercial*, business entities both commercial or industrial using in excess of 75,000 gallons of water per month; *Multi-Unit*, those residential customers with more than two housing units receiving water through one meter or those commercial customers with more than one business location receiving water through one meter; ~~*Duplex-Residential*, those residential customers with two housing units receiving water through one meter~~; *Fire Service* are the connections that are for metered fire suppression systems.

The following base charges are hereby established and effective January 1, 2017 as noted:

WATER BASE SERVICE FEE					
	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020	Jan. 2021
Residential	\$12.24	\$12.60	\$12.98	\$13.24	\$13.51
Small Commercial	\$24.47	\$25.21	\$25.96	\$26.48	\$27.01
Large Commercial	\$50.39	\$51.90	\$53.46	\$54.53	\$55.62
Multi-Unit	\$37.43	\$38.55	\$39.71	\$40.50	\$41.31
Fire Service	\$24.47	\$25.21	\$25.96	\$26.48	\$27.01

WATER BASE SERVICE FEE					
	Jan. 2024	Jan. 2025	Jan. 2026	Jan. 2027	Jan. 2028
Residential	\$14.46	\$15.47	\$15.93	\$16.41	\$16.90
Duplex-Residential	\$28.91	\$30.93	\$31.86	\$32.82	\$33.80
Small Commercial	\$28.90	\$30.92	\$31.85	\$32.81	\$33.79
Large Commercial	\$59.51	\$63.68	\$65.59	\$67.56	\$69.59
Multi-Unit	\$44.20	\$47.29	\$48.71	\$50.17	\$51.68
Fire Service	\$28.90	\$30.92	\$31.85	\$32.81	\$33.79

The following base charges are hereby established and effective July 1, 2016:

WATER BASE SERVICE FEE						
	July 2016	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020	Jan. 2021
Duplex-Residential	\$23.76	\$24.48	\$25.20	\$25.96	\$26.48	\$27.02

The following volume charges are hereby established and effective **January 1**, as noted:

WATER VOLUME RATE (GPM = Gallons Per Month)					
	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020	Jan. 2021
First 5,000 GPM	\$5.25	\$5.41	\$5.57	\$5.68	\$5.80
5,000 – 10,000 GPM	\$5.47	\$5.63	\$5.80	\$5.92	\$6.04
10,000 – 75,000 GPM	\$5.90	\$6.08	\$6.26	\$6.39	\$6.51
75,000 GPM – 1,000,000 GPM	\$6.20	\$6.39	\$6.58	\$6.71	\$6.84
1,000,000 GPM and over	\$3.68	\$3.79	\$3.90	\$3.98	\$4.06

WATER VOLUME RATE Per 1,000 Gallons Used (GPM = Gallons Per Month)					
	Jan. 2024	Jan. 2025	Jan. 2026	Jan. 2027	Jan. 2028
First 5,000 GPM	\$6.21	\$6.64	\$6.84	\$7.05	\$7.26
5,000 – 10,000 GPM	\$6.46	\$6.91	\$7.12	\$7.33	\$7.55
10,000 – 75,000 GPM	\$6.97	\$7.46	\$7.68	\$7.91	\$8.15
75,000 GPM – 1,000,000 GPM	\$7.32	\$7.83	\$8.06	\$8.30	\$8.55
1,000,000 GPM and over	\$4.34	\$4.64	\$4.78	\$4.92	\$5.07

Non-User Fees are fees charged to customers if service is available to the property whether or not they use this utility.

Water Non-User Fees					
	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020	Jan. 2021
32% of 5,000 GPM Residential Rate	\$12.32	\$12.69	\$13.07	\$13.32	\$13.60

Water Non-User Fees					
	Jan. 2024	Jan. 2025	Jan. 2026	Jan. 2027	Jan. 2028
32% of 5,000 GPM Residential Rate	\$14.55	\$15.57	\$16.04	\$16.52	\$17.02

All ordinances, or parts of ordinances, in conflict with the provisions of this ordinance be and the same are hereby repealed. **The rates and fees for January of 2028 will remain in effect after December 31, 2028 until or unless amended by ordinance.**

This ordinance shall be in full force and effect on **January 1, 2024** ~~July 1, 2016~~.

Upon a call for an aye and a nay vote, the same stood as follows:

H. Hunter Holliday -
William D. Jones -
Byron Randolph Foley -
James W. Wallace, III -
Renee F. Turk -

Passed:
Effective:

/s/
Mayor

ATTEST:

H. Robert Light
Clerk of Council
City of Salem, Virginia

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN, Chapter 90, Article IV, Division IV, Section 90-303, Subdivision I OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO CHARGES FOR SEWAGE DISPOSAL.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the sewage disposal rate schedule be amended, revised, and reordained to read as follows:

ARTICLE IV.

DIVISION IV. SEWER SERVICE CHARGES IN CITY; PROHIBITED DISCHARGES

Subdivision I. In General

Section 90-303. Domestic and industrial sewage, charges for disposal.

(a) There are hereby established the following customer classes and rates for the consumption of sewer utility services within the City of Salem effective **January 1, 2024** ~~July 1, 2016~~. *Residential*, generally characterized as serving single-family residential households regardless of the level of consumption; **Duplex-Residential, those residential customers with two housing units served by a single meter**; *Small Commercial*, is a business entity that utilizes less than 75,000 gallons per month; *Large Commercial*, are businesses entities both commercial or industrial using in excess of 75,000 gallons per month; *Multi-Unit*, those residential customers with more than two housing units served by a single meter or those commercial customers with more than one business location served by a single meter; ~~*Duplex-Residential*, those residential customers with two housing units served by a single meter.~~

The following base charges are hereby established and effective January 1, ~~2017~~ as noted:

SEWER BASE SERVICE FEE					
	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020	Jan. 2021
Residential	\$22.70	\$22.70	\$22.70	\$22.70	\$22.70
Small Commercial	\$45.41	\$45.41	\$45.41	\$45.41	\$45.41
Large Commercial	\$90.82	\$90.82	\$90.82	\$90.82	\$90.82
Multi-Unit	\$67.11	\$67.11	\$67.11	\$67.11	\$67.11

SEWER BASE SERVICE FEE					
	Jan. 2024	Jan. 2025	Jan. 2026	Jan. 2027	Jan. 2028
Residential	\$23.38	\$24.08	\$24.80	\$25.54	\$26.31
Duplex	\$46.76	\$48.16	\$49.60	\$51.09	\$52.62
Small Commercial	\$46.77	\$48.17	\$49.62	\$51.11	\$52.64
Large Commercial	\$93.54	\$96.35	\$99.24	\$102.22	\$105.29
Multi-Unit	\$70.15	\$72.25	\$74.42	\$76.65	\$78.95

The following base charges are hereby established and effective July 1, 2016:

SEWER BASE SERVICE FEE	
------------------------	--

	July 2016	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020	Jan. 2021
Duplex Residential	\$45.40	\$45.40	\$45.40	\$45.40	\$45.40	\$45.40

The following volume charges are hereby established and effective **January 1**, as noted:

SEWER VOLUME RATE (GPM – Gallons Per Month)					
	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020	Jan. 2021
First 5,000 GPM	\$5.39	\$5.39	\$5.39	\$5.39	\$5.39
5,000 – 10,000 GPM	\$5.39	\$5.39	\$5.39	\$5.39	\$5.39
10,000 – 75,000 GPM	\$5.39	\$5.39	\$5.39	\$5.39	\$5.39
All over 75,000 GPM	\$5.39	\$5.39	\$5.39	\$5.39	\$5.39

SEWER VOLUME RATE Per 1,000 Gallons Used (GPM = Gallons Per Month)					
	Jan. 2024	Jan. 2025	Jan. 2026	Jan. 2027	Jan. 2028
First 5,000 GPM	\$5.55	\$5.72	\$5.89	\$6.07	\$6.25
5,000 – 10,000 GPM	\$5.55	\$5.72	\$5.89	\$6.07	\$6.25
10,000 – 75,000 GPM	\$5.55	\$5.72	\$5.89	\$6.07	\$6.25
All over 75,000 GPM	\$5.55	\$5.72	\$5.89	\$6.07	\$6.25

Non-User Fees are fees charged to customers if service is available to the property whether or not they use this utility.

Sewer Non-User Fees					
	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020	Jan. 2021
32% of 5,000 GPM Residential Rate	\$14.40	\$14.40	\$14.40	\$14.40	\$14.40

Sewer Non-User Fees					
	Jan. 2024	Jan. 2025	Jan. 2026	Jan. 2027	Jan. 2028
32% of 5,000 GPM Residential Rate	\$14.83	\$15.27	\$15.73	\$16.20	\$16.69

Unmetered Sewer Fees are fees charged to customers who have sewer service but not a metered water service that provides a monthly reading for usage.

Unmetered Sewer User Fees					
	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020	Jan. 2021
100% of 4,000 GPM Residential Rate	\$44.26	\$44.26	\$44.26	\$44.26	\$44.26

Unmetered Sewer User Fees					
	Jan. 2024	Jan. 2025	Jan. 2026	Jan. 2027	Jan. 2028
100% of 4,000 GPM Residential Rate	\$45.58	\$46.96	\$48.36	\$49.82	\$51.31

(b) All consumers who purchase from the city only a part of the water consumed or used by them and all persons who purchase or acquire water from any other source, regardless, shall pay based on such volume as set forth in subsection (a) as would have been assessed against such consumers had they been furnished all their water from the city's water system for disposal of industrial sewage. In order to determine the amount of water used by such consumers, regardless of its source, when less than the entire amount of water so used is furnished through the city's water system, such consumers shall install water meters of a type currently used by the city's water and sewer department, so that the same may be read in like manner as the city water meters are now read, and the proper charge for industrial sewage can be fixed and determined on a monthly basis as if such water had actually been purchased each month from the city at the city's prevailing rates, and in addition thereof, the surcharges as are provided for in this subdivision.

The sewer rates herein established shall apply to all bills rendered after **January 1, 2024**
~~July 1, 2016.~~

All ordinances, or parts of ordinances, in conflict with the provisions of this ordinance be and the same are hereby repealed. **The rates and fees for January of 2028 will remain in effect after December 31, 2028 until or unless amended by ordinance.**

This ordinance shall be in full force and effect on **January 1, 2024** ~~July 1, 2016.~~

Upon a call for an aye and a nay vote, the same stood as follows:

H. Hunter Holliday -
William D. Jones -
Byron Randolph Foley -
James W. Wallace, III -
Renee F. Turk -

Passed:
Effective:

/s/

Mayor

ATTEST:

H. Robert Light
Clerk of Council, City of Salem, Virginia

AN ORDINANCE TO AMEND, REVISE AND REORDAIN CHAPTER 90, ARTICLE III, DIVISION 2, SUBDIVISION I, SECTION 90-74 AND 90-128 PERTAINING TO WATER AND SEWER DISPOSAL AND RATES AND CHARGES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, THAT SECTIONS 90-74 AND 90-128, ARTICLE III, CHAPTER 90, of The Code of the City of Salem, Virginia, be amended, revised and reordained to read as follows:

Chapter 90 - UTILITIES
ARTICLE III. - WATER AND SEWAGE DISPOSAL
DIVISION 2. - WATERWORKS SYSTEM AND WATER SUPPLY
Subdivision I. - In General

Sec. 90-74. - Same—Charges.

- (a) *Generally.* Before a service connection to a city water main is made for a consumer of water, the person desiring such connection shall **comply with City connection policy and** pay to the city treasurer the following charges:

(1) *Availability fees:* **The following charges are hereby established and effective January 1, as noted:**

5/8" or 3/4" Water Meter Size	\$2,000.00
1" Water Meter Size	\$4,000.00
1 1/2" Water Meter Size	\$7,000.00
2" Water Meter Size	\$13,000.00
3" Water Meter Size	\$25,000.00
4" Water Meter Size	\$40,000.00
6" Water Meter Size	\$80,000.00
8" Water Meter Size	\$155,000.00

Meter Size or Tap Size (Whichever is greater)	Jan. 2024	Jan. 2025
5/8" or 3/4"	\$3,000.00	\$4,000.00
1"	\$6,000.00	\$8,000.00
1-1/2"	\$10,500.00	\$14,000.00
2"	\$19,500.00	\$26,000.00
3"	\$37,500.00	\$50,000.00
4"	\$60,000.00	\$80,000.00
6"	\$120,000.00	\$160,000.00
8"	\$232,500.00	\$310,000.00

(2) *Connection fees:* The following charges are hereby established and effective January 1, as noted:

5/8" or 3/4" Water Meter Size	\$1,500.00
1" Water Meter Size	\$1,800.00
1 1/2" Water Meter Size	\$2,700.00
2" Water Meter Size	\$3,300.00
Larger than 2" Water Meter Size	Actual Cost plus 29%

Meter Size or Tap Size (Whichever is greater)	Jan. 2024
5/8" or 3/4"	\$2,000.00 or actual cost plus 29%, whichever is greater
1"	\$2,300.00 or actual cost plus 29%, whichever is greater
1-1/2"	\$3,200.00 or actual cost plus 29%, whichever is greater
2"	\$3,800.00 or actual cost plus 29%, whichever is greater
Larger than 2"	Actual Cost plus 29%

- (b) *Subdivisions.* In a duly approved subdivision where the subdivider or property owner has installed water service laterals, as required under the provisions of chapter 78 of this Code as a part of the physical improvements within the subdivision, the amounts specified in subsection (a) of this section to be made shall be reduced by 40 percent.

Connection fee for water service laterals installed by subdivider **are hereby established and effective January 1, as noted:**

5/8" or 3/4" Water Meter Size	\$900.00
1" Water Meter Size	\$1,080.00
1 1/2" Water Meter Size	\$1,620.00
2" Water Meter Size	\$1,980.00
Larger than 2" Water Meter Size	Actual cost plus 29%, whichever is greater

Water Meter Size	Jan. 2024
5/8" or 3/4"	\$1,200.00
1"	\$1,380.00
1-1/2"	\$1,920.00
2"	\$2,280.00
Larger than 2" Water Meter Size	Actual cost plus 29%

DIVISION 3. - SEWAGE DISPOSAL

Subdivision I. - In General

Sec. 90-128. - Sewer connection charges generally.

- (a) Before a sewer service connection is made to a city public sewer, the applicant therefor shall **comply with City connection policy and** pay to the city treasurer the following charges:

(1) *Availability fees:* **The following charges are hereby established and effective January 1, as noted:**

5/8" or 3/4" Water Meter Size	\$1,000.00
1" Water Meter Size	\$2,000.00
1 1/2" Water Meter Size	\$3,500.00
2" Water Meter Size	\$6,000.00
3" Water Meter Size	\$12,000.00
4" Water Meter Size	\$20,000.00
6" Water Meter Size	\$40,000.00
8" Water Meter Size	\$75,000.00

Meter Size or Tap Size (Whichever is greater)	Jan. 2024	Jan. 2025
5/8" or 3/4"	\$1,500.00	\$2,000.00
1"	\$3,000.00	\$4,000.00
1-1/2"	\$4,500.00	\$6,000.00
2"	\$9,000.00	\$12,000.00
3"	\$18,000.00	\$24,000.00
4"	\$30,000.00	\$40,000.00
6"	\$60,000.00	\$80,000.00
8"	\$112,500.00	\$150,000.00

(2) *Connection fees:*

6" Sewer Connection or smaller based on lateral diameter	The greater of \$2,100.00 or actual cost plus 29%
Larger than 6" Sewer Connection based on lateral diameter	The greater of \$2,100.00 or actual cost plus 29%

6" Sewer Connection or smaller - based on lateral diameter	The greater of \$2,200.00 or actual cost plus 29%
Larger than 6" Sewer Connection - based on lateral diameter	The greater of \$2,200.00 or actual cost plus 29%

(b) This section shall be subject to sections 90-129 and 90-130

All ordinances, or parts of ordinances, in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect on **January 1, 2024** ~~July 1, 2016~~.

Upon a call for an aye and a nay vote, the same stood as follows:

H. Hunter Holliday -
William D. Jones -
Byron Randolph Foley -
James W. Wallace, III -
Renee F. Turk -

Passed:
Effective:

/s/
Mayor

ATTEST:

H. Robert Light
Clerk of Council
City of Salem, Virginia

Item #6A
Date: 11/27/2023

AT A REGULAR MEETING OF CITY COUNCIL OF THE CITY OF SALEM,
VIRGINIA HELD IN COUNCIL CHAMBERS

AGENDA ITEM: Special Exception Permit
Hold public hearing to consider the request of GKM Properties, LLC, property owner, for the issuance of a Special Exception Permit to allow a two-family dwelling on the property located at 800-802 Maryland Avenue (Tax Map # 147 – 2 - 1). (Advertised in the November 16, and 22, 2023, issues of the *Salem Times-Register*.) (Recommend approval; see page 2 of Planning Commission minutes.)

SUBMITTED BY: Mary Ellen Wines, CZA CFM, Planning & Zoning Administrator

SUMMARY OF INFORMATION:

SITE CHARACTERISTICS:

Zoning: RSF Residential Single Family
Land Use Plan Designation: Residential
Existing Use: Vacant
Proposed Use: Two Family Dwelling

The subject property (800-802 Maryland Avenue, Tax Map # 147-2-1) consists of a 0.226-acre tract which possesses the RSF Residential Single-Family designation. 800-802 Maryland Avenue was originally built as an up/down duplex (two family dwelling) in 1966; however, in 2013 a building permit was issued to demo the lower unit due to a sewer back up. The unit sat vacant, and the property sold in 2015. The owner at that time discussed putting the lower unit back; however, it was never completed. The property then sold in 2023 and the current owner wishes to reestablish the lower unit. The zoning ordinance requires that two family dwellings receive a Special Exception Permit in order to be constructed in the RSF Residential Single-Family District.

On October 26, 2023, the Board of Zoning Appeals approved a variance for the minimum lot frontage and width in order for the lot to meet the minimum requirements of the RSF Residential Single Family District. As a result, the property now satisfies those standards.

The Future Land Use Map (FLUM) identifies this area as residential, consistent with the proposed utilization of the property should the Special Exception Permit be granted.

REQUIREMENTS:

The proposal meets the requirements of Section 106-202.3. Site development regulations for RSF.

City of Salem Community Development Application

Request for SPECIAL EXCEPTION/USE NOT PROVIDED FOR PERMIT

Case #: _____

APPLICANT INFORMATION

Owner: KALIE MATTHEWS (GKM PROPERTIES LLC)
 Contact Name: KALIE MATTHEWS
 Address: 5364 PEREGRINE CREST DRIVE, ROANOKE, VA. 24018

Telephone No. 540-494-9771
 Fax No. _____
 Email Address gkmproperties22@gmail.com

Applicant/Contract Purchaser: BALZER AND ASSOCIATES (AGENT)
 Contact Name: DONALD HADDON
 Address: 1208 CORPORATE CIRCLE, ROANOKE, VA. 24018

Telephone No. 540-772-9580
 Fax No. _____
 Email Address DHADDON@BALZER.CC

PARCEL INFORMATION

For multiple parcels, please attach a page ☐

(Tax ID #s) 147-2-1
 Deed Book _____ Page INST.230001725
 Subdivision SALEM IMPROVEMENTS CO
 Location Description (Street Address, if applicable) _____
800 MARYLAND AVE, 24153

Total Area (acres/square feet) 0.226/9,875
 Current Zoning RSF
 Requested Use ☒ Special Exception ☐ Use Not Provided For

SIGNATURE OF OWNER ☒ CONTRACT PURCHASER ☐ (attach contract) ☐ LESSEE

As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I hereby grant permission to the agents and employees of the City of Salem to enter the property for the purposes of processing and reviewing this request.

Signature [Signature]
 Print Name Giza Matthews
 Signature Kalie Matthews
 Print Name Kalie Matthews

Date 10/04/23
 Date 10/04/23

QUESTIONS/ LETTERS/ SHOULD BE FORWARDED TO THE FOLLOWING**:

Name DONALD HADDON
 Address: 1208 CORPORATE CIRCLE, ROANOKE VA. 24018

[Signature] 10-4-23

Telephone No. 540-772-9580
 Fax No. _____
 Email Address DHADDON@BALZER.CC

**It is the responsibility of the contact person to provide copies of all correspondence to other interested parties to the application.

ACKNOWLEDGEMENT OF APPLICATION FEE PAYMENT PROCEDURE

Application fees must be submitted at the time of submittal. I hereby acknowledge that this application is not complete until the payment for all applicable fees has been received by the City of Salem Community Development Department. I acknowledge that I am responsible for ensuring that such fees are received by the City of Salem. I further acknowledge that any application fee submitted after the deadline shall result in the application being considered filed for the next month's meetings.

Signature of applicant/authorized agent

[Signature] Date: 10/04/23

Print Name:

Greg Matthews

Signature of owner/authorized agent

Kalie Matthews Date: 10/04/23

Print Name:

Kalie Matthews

If you would like your correspondence emailed and/or faxed, please make selections, and provide the information below:

☐ Email _____

☐ Fax: _____

FEES:

All application fees must be paid at the time of submittal. Please make checks payable to the City of Salem:

Special Exception/Use Not Provided For/Use Not Provided For Permit application fee:

\$500

FOR STAFF USE ONLY

Staff Reviewer: _____

Application Complete? ☐ YES ☐ NO

Date: _____

PLEASE RESPOND FOR ALL SPECIAL EXCEPTION/USE NOT PROVIDED FOR APPLICATIONS:

1. This Special Exception/Use Not Provided For is being requested in order to?
Re-Instate a special exception to use the existing duplex as a multi-family use.

2. Describe how you plan to develop the property for the proposed use and any associated uses.
The existing duplex will be renovated and upgraded and utilized as intended.

3. Describe why the proposed use or exception is desirable and appropriate for the area. What measures will be taken to assure that the proposed use or exception will not have a negative impact on the surrounding vicinity?
(This could include traffic or environmental impacts.)
With this request being a re-instatement of an expired use, there would be minimal impact to the community.
Parking is provided for on-site with no impact to traffic thoroughfare. The structure will keep its integrity as looking like a single family structure from the facade and therefore matching with surrounding uses.

4. Is the subject property located within the Floodplain District? ☐ YES ☒ NO If yes, describe the proposed measures for meeting the standards of the Floodplain Ordinance.
n/a

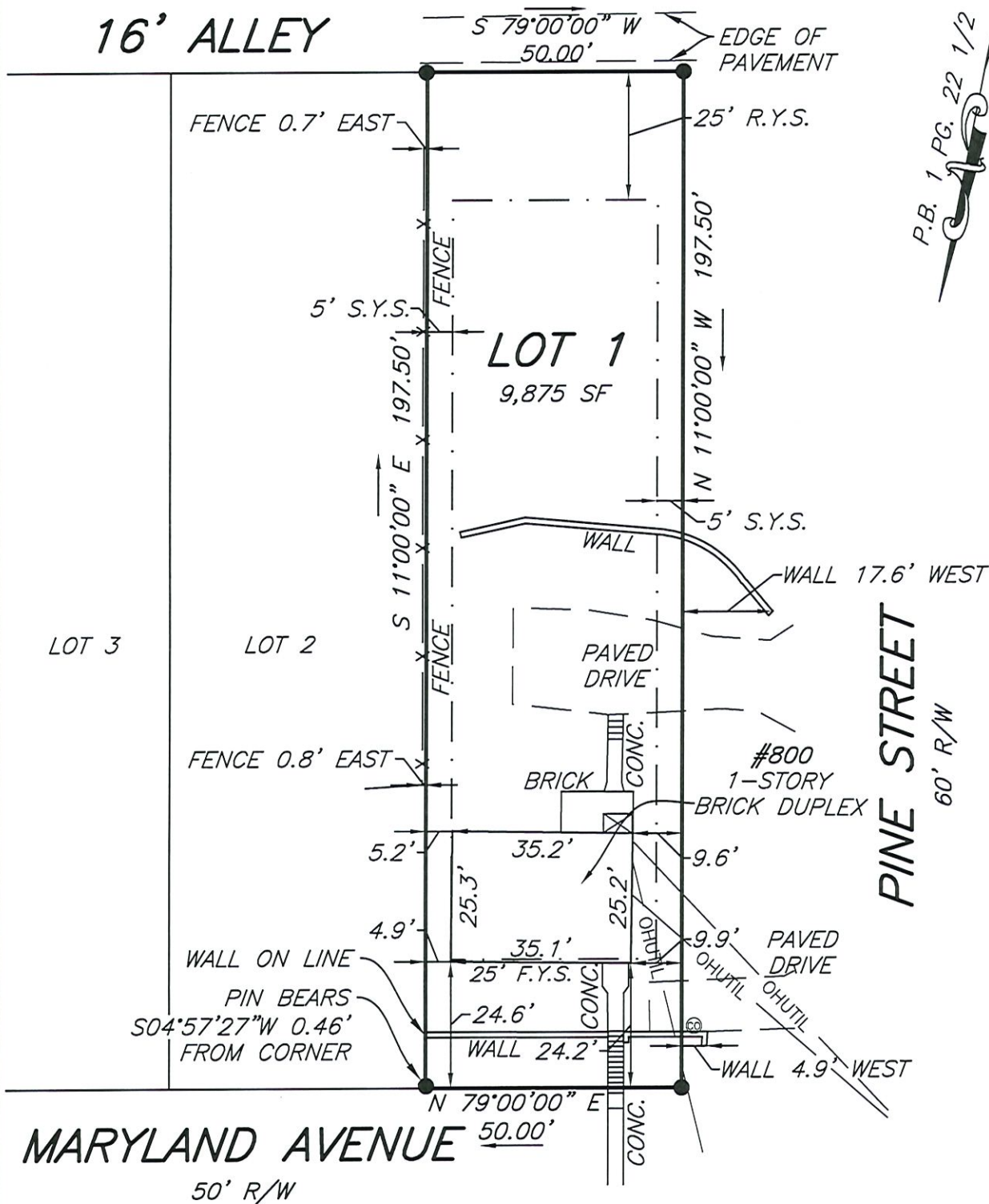
5. Have you provided a conceptual plan of the proposed development, including general lot configurations and road locations? Are the proposed lot sizes compatible with existing parcel sizes in the area?
Provided with Variance application

6. Is the subject property listed as a historic structure or located within a historic district? ☐ YES ☒ NO
If yes, describe the proposed measures for meeting the standards of the Department of Historic Resources.

LEGEND

- IRON PIN FOUND
- ⊙ SAN. CLEANOUT
- F.Y.S. FRONT YARD SETBACK
- S.Y.S. SIDE YARD SETBACK
- R.Y.S. REAR YARD SETBACK

THIS IS TO CERTIFY THAT AN ACTUAL FIELD SURVEY OF THE PREMISES SHOWN HEREON HAS BEEN PERFORMED UNDER MY SUPERVISION; THAT IMPROVEMENTS AND VISIBLE EVIDENCE OF EASEMENTS ARE SHOWN HEREON, AND THAT VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES ARE SHOWN HEREON. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY SUCH. PROPERTY IS IN F.E.M.A. DEFINED ZONE X UNSHADED.



P.B. 1 PG. 22 1/2

NOTES:

- OWNERS OF RECORD: GKM PROPERTIES, LLC
- LEGAL REFERENCE: INST.#230001725
- TAX MAP NUMBER: 147-2-1
- PROPERTY MAY CONTAIN UNDERGROUND UTILITY SERVICE LINES.
- MINIMUM SETBACK REQUIREMENTS:
 FRONT YARD = 25 FEET MIN. / NO MAX.
 SIDEYARD = 5 FEET (10% LOT WIDTH)
 REAR YARD = 25 FEET

PHYSICAL IMPROVEMENT SURVEY FOR
GKM PROPERTIES, LLC

800 MARYLAND AVENUE
 LOT 1

SECTION 55

SALEM IMPROVEMENT CO.

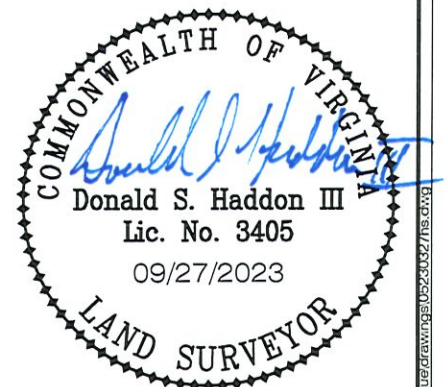
PLAT BOOK 1, PAGE 22 1/2

CITY OF SALEM, VIRGINIA

SURVEYED SEPTEMBER 27, 2023

JOB #05230327.HS

SCALE: 1" = 30'



DRAWN BY: EJP
 CHECKED BY: DSH

PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS
 ROANOKE / RICHMOND / NEW RIVER VALLEY / SHENANDOAH VALLEY
 1208 Corporate Circle / Roanoke, Virginia 24018 / Phone (540) 772-9580 / www.balzer.cc



09/29/2023

COLLECTION STATION
Engineering/Inspections

RECEIVED FROM

Kalie Matthews

DESCRIPTION

City of Salem

P.O. Box 869

Salem, VA 24153

BATCH NO.

2024-00001674

RECEIPT NO.

2024-00034132

CASHIER

Krystal Graves

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT
PLAN FILING FEE	Planning Rezoning/Site Plan Rev Application fees for BZA variance (\$200.00) and Special Exception Permit (\$500.00)	\$700.00
	<div> <div>Total Cash</div> <div>\$0.00</div> </div> <div> <div>Total Check</div> <div>\$0.00</div> </div> <div> <div>Total Charge</div> <div>\$0.00</div> </div> <div> <div>Total Wire</div> <div>\$0.00</div> </div> <div> <div>Total Other</div> <div>\$700.00</div> </div> <div> <div>Total Remitted</div> <div>\$700.00</div> </div> <div> <div>Change</div> <div>\$0.00</div> </div> <div> <div>Total Received</div> <div>\$700.00</div> </div>	

Total Amount:

\$700.00

Customer Copy

Board of Zoning Appeals
MINUTES
Thursday, October 25, 2023, 4:00 PM

Council Chambers, City Hall, 114 North Broad Street

1. Call to Order

A regular meeting of the Board of Zoning Appeals of the City of Salem, Virginia, was held after due and proper notice in the Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia, at 4:00 p.m., on October 12, and 19, 2023, issue of the “Salem Times Register”, a newspaper published and having general circulation in the City. All adjacent property owners were notified via the U.S. Postal Service.

Chairman DuBois called the hearing to order at 4:00 p.m.

Chairman DuBois asked for the roll call.

Mr. Belanger sat in place of Mr. Sellars at this hearing

Ms. Wines stated, and the appropriate party responded: Mr. Belanger here, Mr. Eanes here, Mr. Gresham here, Captain Copenhaver here, Chairman DuBois here.

Chairman DuBois requested that everyone please stand for the Pledge of Allegiance.

2. Old business

Chairman DuBois asked if there was any old business.

Ms. Wines stated the Board did not have any old business items. She stated that there were two (2) prior sets of minutes to be addressed.

Chairman DuBois asked if everyone on the Board had a chance to look over the previous minutes and if they did, did anyone have any objections? If not he would entertain a motion for both sets of minutes.

Mr. Gresham motioned to approve the minutes.

Captain Copenhaver seconded the motion.

Chairman DuBois requested a roll call vote.

Ms. Wines stated, and the appropriate party responded: Mr. Belanger Aye, Mr. Eanes Aye, Mr. Gresham Aye, Captain Copenhaver Aye, Chairman DuBois Aye.

Chairman DuBois asked Ms. Wines to read the disclaimer.

Ms. Wines stated that should anyone disagree with the board’s decision today you have the right to appeal to the Circuit Court of the

City of Salem. You exercise your right to appeal no later than 30 days following the board's decision by filing a petition to the Circuit Court specifying the grounds of which you are aggrieved.

Chairman DuBois requested Ms. Wines to read the first item of new business.

3. New business

Ms. Wines stated that this date and time has been set to hold a public hearing to consider the request of GKM Properties, LLC, property owner, for a variance from Section 106-202.3(A) of the City of Salem Zoning Ordinance pertaining to site development regulations, for the property located at 800-802 Maryland Avenue, Tax Map # 147-2-1. The petitioner is requesting a variance of twenty-five (25) feet of frontage and twenty-five (25) feet of lot width. Proper legal notice has been given and all property owners have been notified.

Chairman DuBois inquired if there was any correspondence or phones calls.

Ms. Wines stated no.

Chairman DuBois opened the public hearing stating that anyone who wished to speak should give their name, address, and relationship to the request.

Don Haddon of Balzer and Associates, representative of GKM properties, spoke and stated that the variance is for 25 feet of road frontage and lot width. Mr. Haddon explained the process by which the property underwent a sewage backup in 2013. Until then the property was a duplex. As result of sewage backup the lower unit was demoed and subsequent vacancy. The property was purchased in 2015. The owner at that time discussed putting the lower level back; however it was never completed. The property then sold in 2023 and the current owner wishes to reestablish the lower unit rendering a Special Exception Permit necessary. Which will be discussed at another date and time.

Mr. Copenhaver asked if any exterior work will be completed.

Mr. Haddon noted that a retaining wall may be added on to one of the driveways adding to the visual aesthetic of the property.

Chairman DuBois asked if both units will use the existing driveway.

Mr. Haddon noted that there are two separate driveways, and each unit will utilize its own driveway. The driveway in the back will accommodate two vehicles side by side. The driveway in the front can accommodate two vehicles one in front of the other.

Chairman DuBois asked if there was anyone else that would like to speak.

Mark Jones, a neighboring resident, spoke in concern regarding the potential behavior of tenants that may occupy a two family dwelling.

Ms. Wines clarified that this hearing is merely a recommendation regarding lot frontage and lot width, not necessarily the use of the property. She told Mr. Jones there would be another public hearing at a later date for him and his neighbors to express their concerns.

Chairman DuBois asked if there was anyone else to speak on the matter and hearing none, closed the public hearing.

Mr. Gresham motioned for approval.

Mr. Belanger seconded the motion.

Chairman DuBois requested a roll call vote.

Ms. Wines stated, and the appropriate party responded: Mr. Belanger Aye, Mr. Eanes Aye, Mr. Gresham Aye, Captain Copenhaver Aye, Chairman DuBois Aye.

Chairman DuBois stated the variance requested for by the petitioner has hereby granted in accordance with the application presented at this meeting.

Chairman DuBois inquired if there was anyone to speak on the matter and hearing none closed the public hearing at 4:10 p.m.

The secretary of the Board of Zoning Appeals is here by instructed to certify a copy of this order to the Clerk of City Council and the Building Official of the City of Salem. This hearing is complete. Chairman DuBois adjourned the meeting.

ATTEST: _____
Mr. Winston J. DuBois
Chairman

Planning Commission Meeting
MINUTES
Wednesday, November 15, 2023, 7:00 PM

Work Session 6:00PM Council Chambers Conference Room, City Hall, 114 North Broad Street:

WORK SESSION

1. Call to Order

A work session of the Planning Commission of the City of Salem, Virginia, was held in Council Chambers Conference Room, City Hall, 114 North Broad Street, Salem, Virginia, at 6:00 p.m. on November 15, 2023; there being the members of said Commission, to wit: Vicki G. Daulton, Chair; Reid Garst, Neil L. Conner, and Jackson Beamer; together with Mary Ellen Wines, Planning & Zoning Administrator; Charles E. Van Allman, Jr., Director of Community Development; Maxwell S. Dillon, Planner; and Christopher Dadak, City Attorney; and the following business was transacted: Chair Daulton called the meeting to order at 5:58 p.m. and reported that this date, place and time had been set for the Commission to hold a work session.

2. New Business

A. Discussion of items on the November agenda

1. 800-802 Maryland
2. Sign code changes
3. Zoning ordinance changes

A discussion was held regarding the item on the November agenda.

B. Introduction of items on the December agenda

1. 68 St. John Road Rezoning HBD to HM
2. 2105-2121 Apperson Drive BCD to HBD

Items for the December agenda were introduced, and a discussion was held.

3. Adjournment

Chair Daulton inquired if there were any other items for discussion and hearing none, adjourned the work session at 6:53 p.m.

REGULAR SESSION

1. Call to Order

A regular meeting of the Planning Commission of the City of Salem, Virginia, was held after due and proper notice in the Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia, at 7:00 p.m., on November 15, 2023. Notice of such hearing was published in the November 2 and 9, 2023, issues of the "Salem Times Register," a newspaper published and having general circulation in the City of Salem. All adjacent property owners were notified via the U. S. Postal Service.

The Commission, constituting a legal quorum, presided together with H. Robert Light, interim City Manager; Christopher Dadak on behalf of Jim Guynn, City Attorney; Mary Ellen Wines, Planning & Zoning Administrator; Maxwell S. Dillon, City Planner; and Charles E. Van Allman, Jr., Director of Community Development, and the following business was transacted:

A. **Pledge of Allegiance**

2. Consent Agenda

A. **Minutes**

Consider acceptance of the minutes from the October 11, 2023, work session and regular meeting.

Jackson Beamer motioned Consider acceptance of the minutes from the September 13, 2023, work session and regular meeting and the September 29, 2023, joint work session with City Council. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

3. New Business

A. **Special Exception Permit**

Hold public hearing to consider the request of GKM Properties, LLC, property owner, for the issuance of a Special Exception Permit to allow a two-family dwelling on the property located at 800-802 Maryland Avenue (Tax Map # 147 – 2 - 1).

Staff noted the following: The subject property (800-802 Maryland Avenue, Tax Map # 147-2-1) consists of a 0.226-acre tract which possesses the RSF Residential Single-Family designation. 800-802 Maryland Avenue was originally built as an up/down duplex (two family dwelling) in 1966; however, in 2013 a building permit was issued to demo the lower unit due to a sewer back up. The unit sat vacant, and the property sold in 2015. The owner at that time discussed putting the lower unit back; however, it was never completed. The property then sold in 2023 and the current owner wishes to reestablish the lower unit. The zoning ordinance requires that two family dwellings receive a Special Exception Permit in order to be constructed in the RSF Residential Single-Family District.

On October 26, 2023, the Board of Zoning Appeals approved a variance for the minimum lot frontage and width in order for the lot to meet the minimum requirements of the RSF Residential Single-Family District. As a result, the property now satisfies those standards.

The Future Land Use Map (FLUM) identifies this area as residential, consistent with the proposed utilization of the property should the Special Exception Permit be granted.

Don Hadden, Balzer & Associates, agent for GKM Properties, appeared before the Commission and stated that the request is to reinstate the property as a duplex. The property sat vacant for over two years; therefore, it lost its "grandfathered" status.

The property was built in 1966 as a duplex, but had some unfortunate circumstances happen that ruined the bottom unit. The current owners are local and are invested in the property and the community. Some landscaping and cleaning up of the exterior of the property has already started. Currently the house fronts facing Maryland Avenue and has access from Pine Street to both units, and street parking is also available.

Member Garst questioned what year the property was last occupied as multi-family.

Mr. Hadden stated that it was in 2015 and noted that the top unit is the only one that had been in use until the property became vacant.

Vice Chair King questioned what measures had been taken to correct the sewer issue.

Greg Matthews, property owner, 5364 Paragren Crest Circle, Roanoke, appeared before the Commission and stated that they currently have contractors evaluating the property. He plans to update the unit, but the project has been on hold until the outcome of the Special Exception Permit request is known.

Member Conner questioned the projected rent of the units.

Mr. Matthews stated that MKB Realtors would manage the property and handle the vetting of the renters. The projected rent would be just under \$1,500 a month for each unit. A landscaping company would mow the grass.

A discussion was held regarding the sewer issues of the property, landscaping, upgrades, etc.

It was again noted that the structure was originally built as a duplex and was also noted that the Special Exception Permit can be revoked.

Mark Jones, 808 Maryland Avenue, appeared before the Commission, and stated that he lives the closest to the residence and will be the most affected by the decision. He and his wife have lived there for almost 35 years and have raised a family in their home. He further stated that there have been some bad tenants over the years, and he is concerned about future tenants.

Member Conner questioned who owned the property during that time.

Mr. Jones stated that Luke Waldrop owned the property. He stated that there have been some good tenants, but mostly bad tenants over the years. He noted that his sewer goes

out the rear of his property and assumes it goes out the rear of the property in question as well.

A discussion was held regarding previous tenants, previous owners, the request is revocable, etc.

Vicki Jones, 808 Maryland Avenue, appeared before the Commission and stated that their master bedroom backs up to the right to the bottom unit of the subject property. She also noted the issues and struggles with the property over the years.

Marie Tourville, 812 Maryland Avenue, appeared before the Commission and stated that she has a disabled daughter that stays home alone during the day, and she is concerned about the potential nature of the tenants.

It was noted that only one person came into the office to ask about the request and did not address any concerns. Just inquired about the request.

Mr. Matthews reappeared before the Commission and discussed the applicant screening process done by MKB Realty.

Mr. Dadak noted that it is inappropriate for Planning Commission to assume illegal actions by the applicant.

No other person(s) appeared related to the request.

Neil Conner motioned approve the request of GKM Properties, LLC, property owner, for the issuance of a Special Exception Permit to allow a two-family dwelling on the property located at 800-802 Maryland Avenue (Tax Map # 147 – 2 - 1). Denise King seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

B. Amendment to the City Code - Chapter 66 Signs

Hold public hearing to consider amending Chapter 66, Article I, In General, Section 66-7, Nonconforming signs and 66-9, Removal of signs no longer advertising existing bona fide business, of the CODE OF THE CITY OF SALEM, VIRGINIA pertaining to signs.

Mary Ellen Wines, Zoning Administrator, appeared before the Commission and stated that signs perform an important function in identifying and promoting properties, businesses, services, residence, events, and other matters of interest to the public. However, signs can also obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. As a result, it is incredibly important to ensure that signs are properly managed, maintained, and even improved when necessary; especially those which do not meet the current standards and those that advertise businesses that are no longer in operation. The following guidelines are mechanisms by which non-conforming signs and signs no longer advertising a bona fide business will be regulated moving forward.

For non-conforming signs, the City shall give the owner twelve (12) months to utilize the sign, to make it conform to the current regulations of this chapter, or to remove the sign and all parts of the sign structure. By giving them the additional twelve months, no other sign permits can be pulled for the property. Failure to meet the required ten-foot setback will not

be enforced as a non-conforming violation due to the historic right-of-way expansion over the years. The size and height of the sign will come into play for non-conforming signs.

Signs that no longer advertise an existing bona fide business--instead of having the sign covered or replaced, the face only of the sign will be required to be replaced by a blank white face within 60 days after the closing of the business.

No other person(s) appeared related to the item.

Neil Conner motioned approve amending Chapter 66, Article I, In General, Section 66-7, Nonconforming signs and 66-9, Removal of signs no longer advertising existing bona fide business, of the CODE OF THE CITY OF SALEM, VIRGINIA pertaining to signs. Jackson Beamer seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

C. Amendment to the City Code - Chapter 106 Zoning

Hold public hearing to consider amending Chapter 106, Zoning, Article II District Regulations, Sections 106-208.2, 106-214.2, 106-216.2, and 106-218.2, pertaining to permitted uses; Section 106-216.3 pertaining to site development regulations; Article III Use & Design Standards, section 106-304.21 pertaining to short term rentals; section 106-316.3 pertaining to accessory uses, residential; Article IV Development Standards, section 106-404 pertaining to parking requirements; section 106-406 miscellaneous provisions pertaining to storage containers; and Article VI Definitions and use types, section 106-600 pertaining to definitions of the CODE OF THE CITY OF SALEM, VIRGINIA.

Staff noted the following:

As staff has worked through the enforcement of the current zoning ordinance, it has become apparent that a few use types (administrative services, restaurant, retail sales) are either missing, or not appropriate in certain zoning districts. The changes in bold below reflect those adjustments. Additionally, the establishment of previously absent site development regulations for BCD Business Commerce District have been introduced.

Staff would also like to introduce Short-Term Rental as a use type, correspondingly identifying its parameters, while not currently allowing it in any zoning district. This is designed to prevent the City of Salem from potentially being forced to adopt state-mandated short-term rental regulations.

Adjustments to the ordinance to promote uniformity with the yard sale policy have been included.

Off-street parking requirements have been modified in an effort to reduce the minimum requirements for several use types. The objective of these changes is to maximize usable space while also removing unnecessary impervious surfaces that introduce negative environmental benefits.

Changes to the regulation of storage containers have been proposed to improve the character of major commercial corridors (i.e., Main Street, Wildwood Road, 4th Street, etc.) by not allowing them to be viewed from the public way. Residential

storage containers which facilitate relocation and renovation will still be permitted temporarily through the Community Development Office.

Finally, staff has proposed additional language which will require the front door of any residential structure to face the street to which it is addressed. This change will remove ambiguity in the current code which potentially allows for the manipulation of front, side, and rear yards for lots which possess more than one street frontage.

Duane Smith, 462 Patricia Drive and 1020 S. College Avenue, appeared before the Commission regarding the proposed amendment regarding storage containers. He stated that he understands the restriction in certain corridors but does not agree with College Avenue. He knows certain properties are being targeted, two of which he owns. The storage containers on his property are well-maintained and mostly out of sight from the street. He listed a few properties he knew that currently had storage containers on their property. He feels that the storage containers are better suited for businesses as they are made of steel, last longer, have less repair, more economical, etc. He feels that the proposed amendment needs to be fine-tuned.

A discussion was held regarding the proposed amendment(s) to Section 106-406 miscellaneous provisions pertaining to storage containers and it was continued to the March 13, 2024, meeting.

No other person(s) appeared related to the item.

Jackson Beamer motioned approve amending Chapter 106, Zoning, Article II District Regulations, Sections 106-208.2, 106-214.2, 106-216.2, and 106-218.2, pertaining to permitted uses; Section 106-216.3 pertaining to site development regulations; Article III Use & Design Standards, section 106-304.21 pertaining to short term rentals; section 106-316.3 pertaining to accessory uses, residential; Article IV Development Standards, section 106-404 pertaining to parking requirements; and Article VI Definitions and use types, section 106-600 pertaining to definitions of the CODE OF THE CITY OF SALEM, VIRGINIA. Denise King seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

4. Adjournment

On motion by Member Conner, seconded by Vice Chair, the meeting was adjourned at 8:08 pm.

MBLU	Location	Owner Name	Co-Owner Name	Address 1	Address 2	City, State, Zip
147-2-1	800 MARYLAND AVE	GKM PROPERTIES LLC	C/O KALIE MATTHEWS	5364 PEREGRINE CREST CIR		ROANOKE VA 24018
147-2-2	808 MARYLAND AVE	MARK TRAVIS JONES	VICKY A PUGH	808 MARYLAND AVE		SALEM VA 24153
147-2-3	812 MARYLAND AVE	CYNTHIA MARIE TOURVILLE		812 MARYLAND AVE		SALEM VA 24153
147-2-15	805 ILLINOIS AVE	MARVIN A CLINE	RAMA L CLINE	5466 W RIVER RD		SALEM VA 24153
147-2-16	801 ILLINOIS AVE	ILLINOIS LLC		5466 W RIVER RD		SALEM VA 24153
147-1-5	743 ILLINOIS AVE	JOHNNY L GINN	JERRI L GINN	P O BOX 356		SALEM VA 24153
147-1-6	733 ILLINOIS AVE	OLAF BARTHELMAI	JOY BARTHELMAI	645 APPERSON DR		SALEM VA 24153
147-1-4	750 MARYLAND AVE	SONIA A GERALD		750 MARYLAND AVE		SALEM VA 24153
147-1-3	744 MARYLAND AVE	BRIAN CURTIS HAYMAN	LANGLEY A HAYMAN	744 MARYLAND AVE		SALEM VA 24153
119-4-6	745 MARYLAND AVE	PATRICIA A RIDGEWAY		745 MARYLAND AVE		SALEM VA 24153
119-4-5	749 MARYLAND AVE	AMELIA H GERNER		749 MARYLAND AVE		SALEM VA 24153
119-3-21	803 MARYLAND AVE	RICHARD J COOK	NANCY B COOK	803 MARYLAND AVE		SALEM VA 24153
119-3-21.1	809 MARYLAND AVE	ANDREW MAGEROS	HELENA MAY MAGEROS	809 MARYLAND AVE		SALEM VA 24153

**AFFADAVIT OF MAILING PURSUANT TO S15.2-2204
CODE OF VIRGINIA**

**PLANNING COMMISSION
NOVEMBER 15, 2023**

ITEM #

This is to certify that I mailed letters in reference to the Special Exception Permit request of GKM Properties, LLC, property owner, for the issuance of a Special Exception Permit, to allow a two family dwelling on the property located at 800-802 Maryland Avenue, (Tax Map # 147-2-1), to the following property owners and adjacent property owners on October 30, 2023 in the 2:00 p.m. mail:

GKM PROPERTIES LLC
C/O KALIE MATTHEWS
5364 PEREGRINE CREST CIR
ROANOKE VA 24018

MARK TRAVIS JONES
VICKY A PUGH
808 MARYLAND AVE
SALEM VA 24153

CYNTHIA MARIE TOURVILLE
812 MARYLAND AVE
SALEM VA 24153

MARVIN A CLINE
RAMA L CLINE
5466 W RIVER RD
SALEM VA 24153

ILLINOIS LLC
5466 W RIVER RD
SALEM VA 24153

JOHNNY L GINN
JERRIE L GINN
P O BOX 356
SALEM VA 24153

OLAF BARTHELMAI
JOY BARTHELMAI
645 APPERSON DR
SALEM VA 24153

SONIA A GERALD
750 MARYLAND AVE
SALEM VA 24153

BRIAN CURTIS HAYMAN
LANGLEY A HAYMAN
744 MARYLAND AVE
SALEM VA 24153

PATRICIA A RIDGEWAY
745 MARYLAND AVE
SALEM VA 24153

AMELIA H GERNER
749 MARYLAND AVE
SALEM VA 24153

RICHARD J COOK
NANCY B COOK
803 MARYLAND AVE
SALEM VA 24153

ANDREW MAGEROS JR
HELENA MAY MAGEROS
809 MARYLAND AVE
SALEM VA 24153

DONALD HADDON
BALZER & ASSOCIATES
1208 CORPORATE CIRCLE
ROANOKE VA 24018

Signed

Loretta L. Prillaman

Date

10/30/2023

City of Salem
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 30th day of October, 2023, by

Loretta L. Prillaman

Krystal M. Graves
Notary Public

My commission expires: March 31, 2027



Krystal M. Graves
Notary Public - ID 228801
Commonwealth of VA
My Commission Exps. 3-31-27



October 27, 2023

GKM Properties, LLC
Attn: Kalie Matthews
5364 Peregrine Crest Cir
Roanoke, VA 2401

RE: Petition For Special Exception Permit
800 Maryland Ave
Tax Map # 147-2-1

To Whom It May Concern:

You and/or your agent shall appear before the Planning Commission on:

Wednesday, November 15, 2023
at 7:00 p.m. in the

Council Chambers, 1st Floor, Salem City Hall
114 North Broad Street

AND

Salem City Council on:

Monday, November 27, 2023
at 6:30 p.m. in the

Council Chambers, First Floor, Salem City Hall
114 North Broad Street, Salem, Virginia

for consideration of your request for rezoning the above referenced property.

If you have any questions regarding this matter, please contact our office
at (540) 375-3032.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Ellen H. Wines", is written over a horizontal line.

Mary Ellen H. Wines, CZA CFM
Planning and Zoning Administrator

C: Don Haddon, Balzer and Associates



**IMPORTANT NOTICE OF PUBLIC HEARINGS
PROPOSAL TO CHANGE USE**

Notice is hereby given that a request of the property owner/petitioner of the property described below has been filed with the City of Salem. The Planning Commission of the City of Salem will consider this request at its meeting listed below and make a recommendation to the City Council. The City Council of the City of Salem will also consider this request and the recommendation of the Planning Commission at its meeting listed below. City Council will make the final decision in this matter.

Property Owner/Petitioner:

GKM Properties, LLC, Property Owner

Location of Property:

800-802 Maryland Ave (Tax Map # 147-2-1)

Purpose of Request:

For the issuance of a Special Exception Permit to allow a two family dwelling on the property located at 800 Maryland Avenue, (Tax Map # 147-2-1)

The date, time, and place of the public hearing scheduled by the Planning Commission on this request are as follows:

**WEDNESDAY, NOVEMBER 15, 2023 – 7 P.M.
COUNCIL CHAMBERS, FIRST FLOOR, SALEM CITY HALL
114 NORTH BROAD STREET, SALEM, VIRGINIA**

The date, time, and place of the public hearing scheduled by City Council on this request are as follows:

**MONDAY, NOVEMBER 27, 2023 – 6:30 P.M.
COUNCIL CHAMBERS, FIRST FLOOR, SALEM CITY HALL
114 NORTH BROAD STREET, SALEM, VIRGINIA**

Additional information on this request may be obtained in the Community Development Department, 21 South Bruffey Street, Salem, Virginia or at (540) 375-3032.

James E. Taliaferro, II
Executive Secretary
Planning Commission



Marketplace

The FINEST CASTLE HERALD

The Vinton Messenger

THE NEW CASTLE RECORD

SALEM TIMES-REGISTER

News Messenger

RADFORD News Journal

ourvalley.org

Help Wanted - Clerical

TOWN OF TROUTVILLE IS SEEKING FULL TIME TOWN CLERK

The Town of Troutville is looking for an experienced business professional to support the Town with an array of clerical functions. The ideal candidate will have a degree in business or 5 years of accounts payable/receivable experience. Candidate must have excellent communication, organizational and interpersonal skills and be able to work with Microsoft Office Tools as well as financial software applications. Duties include the answering of phones, general secretarial duties, water billing, collections, bank deposits, and other duties as assigned or needed. Candidate must have the ability to work in a self-directed environment. Selected applicants will be called for an interview. Hourly rate is negotiable. Retirement and health benefits are available. All resumes must be received by December 5, 2023, 3:00 PM. Send resume to: Town of Troutville, Resumes, P.O. Box 276, Troutville VA 24175 or laura.burgamer@gmail.com

Help Wanted - General

Help Wanted Carpenter

\$16 to \$20 plus hour, based on experience. Vacation after one year. For Details call 540-598-7100 or 304-667-7531

Wanted - To Buy

Wanted to Buy Political buttons, ribbons, and posters

Wanted by collector. Top prices paid. Call or text Steve 412-418-1567

Dogs for Sale

Yorkie Poo Puppies

8 weeks old. Ready for Forever Homes \$900 each. Tiny & Solid Black 3 female, 1 male. Serious inquiries only. Call or Text 540-620-9242

Free Misc

FREE Wooden Pallets

No Need to call or come inside. First come, First served. Behind Salem Times Register building.

Legals - City of Radford

ABC NOTICE

Shivaram LLC, trading as Duck in Deli, 2307 W. Main St., Radford, VA 24141-1695.

The above establishment is applying to the VIRGINIA ALCOHOLIC BEVERAGE CONTROL (ABC) AUTHORITY for a Convenience Grocery Store license to sell or manufacture alcoholic beverages.

KUNALSINH VASHI, MEMBER.

NOTE: Objections to the issuance of this license must be submitted to ABC no later than 30 days from the publishing date of the first of two required newspaper legal notices. Objections should be registered at www.abc.virginia.gov or 800-552-3200.

Legals - City of Salem

Notice is hereby given to all interested persons that the Council of the City of Salem, at its regular meeting on Monday, November 27, 2023, at 6:30 p.m., in the Council Chambers of City Hall, 114 N. Broad Street, in the City of Salem, Virginia, will hold a public hearing, pursuant

Legals - City of Salem

to Sections 15.2-2204 and 15.2-2285 of the Code of Virginia, as amended, to consider approval of the following requests relative to the CODE OF THE CITY OF SALEM, VIRGINIA:

1. Consider the request of GKM Properties, LLC, property owner, for the issuance of a Special Exception Permit to allow a two family dwelling on the property located at 800-802 Maryland Avenue (Tax Map # 147 - 2 - 1)

2. Consider amending Chapter 66, Article I, in General, Section 66-7, Nonconforming signs and 66-9, Removal of signs no longer advertising existing bona fide business, of the CODE OF THE CITY OF SALEM, VIRGINIA pertaining to signs.

3. Consider amending Chapter 106, Zoning, Article II District Regulations, Sections 106-208.2, 106-214.2, 106-216.2, and 106-218.2, pertaining to permitted uses; Section 106-216.3 pertaining to site development regulations; Article III Use & Design Standards, section 106-304.21 pertaining to short term rentals; section 106-316.3 pertaining to accessory uses, residential; Article IV Development Standards, section 106-404 pertaining to parking requirements; section 106-406 miscellaneous provisions pertaining to storage containers; and Article VI Definitions and use types, section 106-600 pertaining to definitions of the CODE OF THE CITY OF SALEM, VIRGINIA.

If approved, Salem City Council intends to adopt the ordinance(s) associated with the above item(s) on first reading, with a second reading of those ordinance(s) at a subsequent meeting. Copies of the proposed plans, ordinances or amendments may be examined in the Office of Community Development, 21 South Bruffey Street,

Legals - City of Salem

Salem, Virginia. At said hearing, parties in interest and citizens shall have an opportunity to be heard relative to the said requests.

THE COUNCIL OF THE CITY OF SALEM, VIRGINIA BY: H. Robert Light Clerk of Council

Legals - Montgomery County

Order of Publication

Commonwealth of Virginia VA Code §§ 1-211.1; 8.01-316, 20-104 Case No. CA23000019-00 MONTGOMERY COUNTY Circuit Court, 55 EAST MAIN STREET, SUITE 1, CHRISTIANBURG, VA 24073

Legals - Montgomery County

Commonwealth of Virginia, In re: The Adoption of a Minor Child Under Eighteen Years of Age, to be known as SERITA DANIELLE TICKLE. By: MILDRED ANNE TICKLE, FRED LEE TICKLE, JR.

The object of this suit is to obtain an adoption of the minor child, Serita Danielle McLemore, by your petitioners, Mildred Anne Tickle and Fred Lee Tickle, Jr., husband and wife. An affidavit having been made and filed, pursuant to Virginia Code §8.01-316 (1950), as amended, showing that the biological father, Kenneth McLemore (aka Kenneth Lee Sturdivant), despite the exercise of due diligence on behalf of Petitioners, could not be personally served

Legals - Montgomery County

with legal process for this action and his last known address is unknown, though he is known to be residing in and around the Montgomery County, Virginia area.

It is further ORDERED that this Order shall be published once a week for (4) successive weeks in a newspaper of general circulation, serving the Montgomery County, Virginia, the locality of father's last known whereabouts, and contemporaneously posted in a conspicuous location at the Montgomery County Courthouse. Enter this 1 day of November, 2023. Robert M.D. Turk, Judge I ask for this: R. Cord Hall, Esquire, VSB 77637 R. Cord Hall

Legals - Montgomery County

Attorney-At-Law, P.C. 106 S. Franklin Street, Suite B-2 Christiansburg, VA 24073 (540)318-0707 (540)381-0505 fax Counsel for Petitioners

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DIVORCE-Uncontested, \$475+\$86

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court WILL-\$295.00.

No court appearance. Estimated completion time twenty-one days. Hilton Oliver, Attorney (Facebook). 757-490-0126. Se Habla Espanol. BBB Member. https://hiltonoliverattorneyva.com.

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THE NEW CASTLE RECORD

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RADFORD News Journal

Help Wanted - Clerical

TOWN OF TROUTVILLE IS SEEKING FULL TIME TOWN CLERK

The Town of Troutville is looking for an experienced business professional to support the Town with an array of clerical functions. The ideal candidate will have a degree in business or 5 years of accounts payable/receivable experience. Candidate must have excellent communication, organizational and interpersonal skills and be able to work with Microsoft Office Tools as well as financial software applications. Duties include the answering of phones, general secretarial duties, water billing, collections, bank deposits and other duties as assigned or needed. Candidate must have the ability to work in a self-directed environment. Selected applicants will be called for an interview. Hourly rate is negotiable. Retirement and health benefits are available. All resumes must be received by December 5, 2023, 3:00 PM. Send resume to: Town of Troutville, Resumé, P.O. Box 276, Troutville VA 24175 or laura.bumgarner@gmail.com

Help Wanted - General

Help Wanted Carpenter

\$16 to \$20 plus hour, based on experience. Vacation after one year. For Details call 540-598-7100 or 304-667-7531

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Wanted by collector. Top prices paid. Call or text Steve 412-418-1567

Dogs for Sale

Yorkie Poo Puppies
8 weeks old
Ready for Forever Homes \$900 each
Tiny & Solid Black
3 female, 1 male
Serious inquiries only
Call or Text 540-620-9242

Free Misc

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Legals - City of Salem

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Legals - City of Salem

VIRGINIA
If approved, Salem City Council intends to adopt the ordinance(s) associated with the above item(s) on first reading, with a second reading of those ordinance(s) at a subsequent meeting. Copies of the proposed plans, ordinances or amendments may be examined in the Office of Community Development, 21 South Bruffey Street, Salem, Virginia. At said hearing, parties in interest and citizens shall have an opportunity to be heard relative to the said requests.

THE COUNCIL OF THE CITY OF SALEM, VIRGINIA
BY
H. Robert Light
Clerk of Council

ABC NOTICE

SAPPHIRE HOSPITALITY LLC, trading as FAIRFIELD INN AND SUITES, 121 SHERRATON DRIVE, ROANOKE COUNTY, SALEM, VA 24153-0121.

The above establishment is applying to the VIRGINIA ALCOHOLIC BEVERAGE CONTROL (ABC) AUTHORITY for a Beer and Wine license to sell or manufacture alcoholic beverages.

Vishnu Patel, Sole Member
NOTE: Objections to the issuance of this license must be submitted to ABC no later than 30 days from the publishing date of the first of two required newspaper legal notices. Objections should be registered at www.abc.virginia.gov or 800-552-3200.

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Legals - Montgomery County

Order of Publication

Commonwealth of Virginia
VA Code §§ 1-211 1, 8 01-316, 20-104
Case No CA23000019-00
MONTGOMERY COUNTY
Circuit Court, 55 EAST MAIN STREET, SUITE 1, CHRISTIANSBURG, VA 24073
Commonwealth of Virginia, in re: The Adoption of a Minor Child Under Eighteen Years of Age, to be known as SERITA DANIELLE TICKLE
By MILDRED ANNE TICKLE, FRED LEE TICKLE, JR.
The object of this suit is to obtain an adoption of the minor child, Serita Danielle McLemore, by your petitioners, Mildred Anne Tickle and Fred Lee Tickle, Jr., husband and wife. An affidavit having been made and filed, pursuant to Virginia Code §8 01-316 (1950), as amended, showing that the biological father, Kenneth McLemore (aka Kenneth Lee Sturdivant) despite the exercise of due diligence could not be personally served

Legals - Montgomery County

with legal process for this action and his last known address is unknown, though he is known to be residing in and around the Montgomery County, Virginia area. It is further ORDERED that this Order shall be published once a week for (4) successive weeks in a newspaper of general circulation, serving the Montgomery County, Virginia, the locality of father's last known whereabouts, and contemporaneously posted in a conspicuous location at the Montgomery County Courthouse. Enter this 1 day of November, 2023. Robert M. D. Turk, Judge. I ask for this: R. Cord Hall, Esquire, VSB 77637 R. Cord Hall Attorney-At-Law, P.C. 106 S. Franklin Street, Suite B-2 Christiansburg, VA 24073 (540)318-0707 (540)381-0505 fax Counsel for Petitioners

Legals - Town of Vinton

LEGAL NOTICE TOWN OF VINTON, VIRGINIA

NOTICE OF PUBLIC HEARING
Please be advised that the Vinton Town Council will hold a public hearing at its meeting on Tuesday, December 5, 2023, at 6:00 p.m. or as soon thereafter as the matter may be heard, in the Council Chambers of the Vinton Municipal Building, located at 311 South Pollard Street, Vinton, Virginia, concerning the appropriation of funds in the amount of \$500,000.00 in the Grant Fund for a Community-wide Brownfields Assessment Grant from U.S. Environmental Protection Agency (EPA). The purpose of the EPA Community-wide Brownfields Assessment Grant is to evaluate underutilized commercial properties and/or perceived brownfields sites throughout the community that are in need of revitalization by performing Phase I and Phase II Environmental Assessments at each identified location. The program will also allow for the development of

Legals - Town of Vinton

design concept plans, site specific remediation/redevelopment plans, and marketing materials to be created for each site, with the hope of engaging potential developers to consider taking on the redevelopment project. Section 15-2-2507 of the 1950 Code of Virginia, as amended, requires any locality to hold a Public Hearing in order to amend its budget when any such amendment exceeds one percent (1%) of the total expenditures shown in the currently adopted budget. Any additional information on this public meeting is available in the Town Manager's Office, located in the Vinton Municipal Building, (540) 983-0607. Persons requiring special assistance to attend and participate in this public meeting should contact the Town Manager's office at (540) 983-0607. Antonia Arias-Magallon Administrative Manager



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DIVORCE-Uncontested, \$475+\$86 court cost. WILLIS-\$295.00. No court appearance. Estimated completion time twenty-one days. Hilton Oliver, Attorney (Facebook). 757-490-0126. Se Habla Espanol. BBB Member. <https://hiltonoliverattorneyva.com>.

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AT A REGULAR MEETING OF CITY COUNCIL OF THE CITY OF SALEM,
VIRGINIA HELD IN COUNCIL CHAMBERS

AGENDA ITEM: Chapter 66 Code Changes
Hold public hearing and consider adoption of ordinance on first reading amending Chapter 66, Article I, In General, Section 66-7, Nonconforming signs and 66-9, Removal of signs no longer advertising existing bona fide business, of the CODE OF THE CITY OF SALEM, VIRGINIA pertaining to signs. (Advertised in the November 16, and 22, 2023, issues of the *Salem Times - Register*.) (Recommend approval; see page 4 of Planning Commission minutes.)

SUBMITTED BY: Max Dillon, Planner

SUMMARY OF INFORMATION:

Throughout the process of working with various property and business owners, it has come to staff's attention that nonconforming signs are prevalent throughout Salem, and the cost of removing those signs is often exorbitant. As a result, the following code change would allow property/business owners a period of 12 months to either utilize or remove a nonconforming sign, during which time no other signs will be permitted for that business.

The proposed change in Section 66-9 would require signs which no longer advertise a bona fide business to be replaced with a blank white face, as opposed to be replaced with a black face/covered. This adjustment is designed to promote uniformity and enhance the aesthetics of outdated signs.

Section 66-7

B(9): Discontinued use. If any nonconforming sign or any use to which such a sign applies is discontinued for a period exceeding two years, it shall then be made to conform with the requirements of this chapter or removed. In addition, a nonconforming sign structure shall be removed by the owner or lessee of the property. The city manager or his designee shall give the owner twelve (12) months to utilize the sign, make it conform with the requirements of this chapter or remove the sign and all parts of the sign structure. During this time no other sign permits will be issued for the parcel on which the nonconforming sign is located.

Section 66-9

Whenever any sign no longer advertises an existing bona fide business, service or product manufactured on a premise, and such business, service or product has not been located or been available on the premises for 60 days or more, such sign face shall be replaced with a blank white sign face. professionally covered, or the sign face painted blank.

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 66, SIGNS,
ARTICLE I, IN GENERAL, SECTIONS 66-7 and 66-9 OF THE CODE OF THE CITY OF
SALEM, VIRGINIA PERTAINING TO SIGNS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Sections
66-7 and 66-9, Article I of The Code of the City of Salem, Virginia, be amended, revised, and
reordained to read as follows:

CHAPTER 66
SIGNS
ARTICLE I IN GENERAL

Sec. 66-7. Nonconforming signs.

- A. Signs legally in existence at the time of the adoption of this chapter, which do not conform to the requirements of this chapter, shall be considered nonconforming signs.
 - 1. Electronic sign settings not meeting the regulations herein shall not be considered nonconforming since the settings may be easily altered.
 - 2. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the city manager, or his designee, a property owner shall submit verification that sign(s) were lawfully existing at time of construction. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.
 - 3. To determine the legal status of existing signs in each of the cases listed in section 66-7(B), the applicant shall submit the following information to the city manager or his designee:
 - a. Type(s) of existing sign(s) located on the property.
 - b. The area and height of all signs.
 - c. For freestanding signs, the distance between the curbline or shoulder and the nearest portion of the sign. A certified plat may be required.
 - d. Type of sign illumination.
 - e. The electronic capabilities of the sign.
 - f. The material of which the sign is constructed.
 - g. The building frontage.
 - h. The control method for glare and brightness.
- B. All permanent signs and sign structures shall be brought into conformance with the sign regulations when and if the following occurs:
 - 1. The sign is removed, relocated, or significantly altered. Significant alterations include changes in the height, size or dimension of the sign. Changes to the sign copy or the replacement of a sign face on a nonconforming sign shall not be considered a significant alteration. Moving a window sign to another location within or to another window shall be considered a relocated sign.

2. If less than 50 percent of the sign area is destroyed or damaged, it may be restored within two years after such destruction or damage but shall not be enlarged in any manner.
 3. If more than 50 percent of the sign area is destroyed or damaged, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this chapter.
 4. An alteration in the structure of a sign support.
 5. A change in the mechanical facilities or type of illumination.
 6. A change in the material of the sign face.
 7. The property on which the nonconforming sign is located submits a subdivision or land development application or site plan requiring city review and approval.
 8. The property on which the nonconforming sign is located submits an application for an amendment to the zoning ordinance requiring the review and approval of city council.
 9. Discontinued use. If any nonconforming sign or any use to which such a sign applies is discontinued for a period exceeding two years, it shall then be made to conform with the requirements of this chapter or removed. In addition, a nonconforming sign structure shall be removed by the owner or lessee of the property. **The city manager or his designee shall give the owner twelve (12) months to utilize the sign, make it conform with the requirements of this chapter or remove the sign and all parts of the sign structure. During this time no other sign permits will be issued for the parcel on which the nonconforming sign is located.** If the owner or lessee fails to remove the sign structure, the city manager, or his designee, shall give the owner 15 days' written notice to remove it. Upon failure to comply with this notice, the city manager, or his designee, may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the property owner and may be collected as taxes and levies.
 10. Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area. The material of the sign face shall not be changed.
- C. Prior to the events listed in section 66-7(B), nonconforming signs may be repainted or repaired up to 50 percent of the replacement cost of the sign, the sign copy may be changed, and sign faces may be replaced provided that these actions do not increase the dimensions of the existing sign, and do not in any way increase the extent of the sign's nonconformity.

- D. Nonconforming signs shall be exempt from the provisions of section 66-7, if the nonconforming sign possesses documented historic value, and has met the requirements and has been approved in accordance with section 66- 13.
- E. All electronic signs must be programmed so as to conform to the regulations of this chapter.

Sec. 66-9. Removal of sign no longer advertising existing bona fide business.

Whenever any sign no longer advertises an existing bona fide business, service or product manufactured on a premise, and such business, service or product has not been located or been available on the premises for 60 days or more, such sign **face** shall be replaced with a blank white sign face. ~~professionally covered, or the sign face painted blank.~~

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect ten (10) days after its final passage.

Upon a call for an aye and a nay vote, the same stood as follows:

H. Hunter Holliday -
William D. Jones -
Byron Randolph Foley -
James W. Wallace, III –
Renee F. Turk –

Passed:
Effective:

Mayor

ATTEST:

H. Robert Light
Clerk of Council
City of Salem, Virginia

AT A REGULAR MEETING OF CITY COUNCIL OF THE CITY OF SALEM,
VIRGINIA HELD IN COUNCIL CHAMBERS

AGENDA ITEM: Chapter 106 Code Changes
Hold public hearing and consider adoption of ordinance on first reading amending Chapter 106, Zoning, Article II District Regulations, Sections 106-208.2, 106-214.2, 106-216.2, and 106-218.2, pertaining to permitted uses; Section 106-216.3 pertaining to site development regulations; Article III Use & Design Standards, section 106-304.21 pertaining to short term rentals; section 106-316.3 pertaining to accessory uses, residential; Article IV Development Standards, section 106-404 pertaining to parking requirements; section 106-406 miscellaneous provisions pertaining to storage containers; and Article VI Definitions and use types, section 106-600 pertaining to definitions of the CODE OF THE CITY OF SALEM, VIRGINIA. (Advertised in the November 16, and 22, 2023, issues of the *Salem Times - Register*.) (Recommend approval except Section 106-406.25 which was continued until the March 13, 2024, Planning Commission meeting; see page 5 of Planning Commission minutes.)

SUBMITTED BY: Max Dillon, Planner

SUMMARY OF INFORMATION:

As staff has worked through the enforcement of the current zoning ordinance, it has become apparent that a few use types (administrative services, restaurant, retail sales) are either missing, or not appropriate in certain zoning districts. The changes in bold below reflect those adjustments. Additionally, the establishment of previously absent site development regulations for BCD Business Commerce District have been introduced.

Staff would also like to introduce Short-Term Rental as a use type, correspondingly identifying its parameters, while not currently allowing it in any zoning district. This is designed to prevent the City of Salem from potentially being forced to adopt state-mandated short-term rental regulations.

Adjustments to the ordinance to promote uniformity with the yard sale policy have been included.

Off-street parking requirements have been modified in an effort to reduce the minimum requirements for several use types. The objective of these changes is to maximize usable space, while also removing unnecessary impervious surfaces that introduce negative environmental benefits.

Changes to the regulation of storage containers have been proposed to improve the character of major commercial corridors (i.e. Main Street, Wildwood Road, 4th Street, etc.) by not allowing them to be viewed from the public way. Residential storage containers which facilitate relocation and renovation will still be permitted temporarily through the Community Development Office.

Finally, staff has proposed additional language which will require the front door of any residential structure to face the street to which it is addressed. This change will remove ambiguity in the current code which potentially allows for the manipulation of front, side, and rear yards for lots which possess more than one street frontage.

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 106, ZONING, ARTICLE II DISTRICT REGULATIONS, SECTIONS 106-208.2, 106-214.2, 106-216.2, AND 106-218.2, PERTAINING TO PERMITTED USES; SECTION 106-216.3 PERTAINING TO SITE DEVELOPMENT REGULATIONS; ARTICLE III USE & DESIGN STANDARDS, SECTION 106-304.21 PERTAINING TO SHORT TERM RENTALS, SECTION 106-316.3 PERTAINING TO ACCESSORY USES, RESIDENTIAL; ARTICLE IV DEVELOPMENT STANDARDS, SECTION 106-404. PERTAINING TO PARKING REQUIREMENTS, SECTION 106-406 MISCELLANEOUS PROVISIONS PERTAINING TO STORAGE CONTAINERS; AND ARTICLE VI DEFINITIONS AND USE TYPES, SECTIONS 106-600 PERTAINING TO DEFINITIONS OF THE CODE OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Sections 106-208.2, 106-214.2, 106-216.2, 106-216.3 AND 106-218.2, Article II; Sections 106-304.21, 106-316.3, Article III; Section 106-404, 106-406 , Article IV; Section 106-600. Article VI, Chapter 106 of The Code of the City of Salem, Virginia, be amended, revised, and reordained to read as follows:

CHAPTER 106 ZONING

ARTICLE II DISTRICT REGULATIONS Sec. 106-208.2. Permitted uses.

(A) The following uses are permitted by right in the RB Residential Business District, subject to all other applicable requirements contained in this chapter. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, use and design standards.

1. *Agricultural Use Types*
(None)
2. *Residential Use Types*
Accessory Apartment *
Home Occupation *
Manufactured Home, Emergency *
Residential Human Care Facility
Single Family Dwelling, Detached *
Townhouse *
3. *Civic Use Types*
Administrative Services
Cultural Services
Public Parks and Recreation Areas
Religious Assembly
4. *Office Use Types*
General Offices

5. *Commercial Use Types*
Homestay Inn *
Studio, Fine Arts
6. *Industrial Use Types*
(None)
7. *Miscellaneous Use Types*
Amateur Radio Tower *
Utility Services—Minor

(B) The following uses are permitted by special exception in the RB Residential District, subject to all other applicable requirements contained in this chapter. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, use and design standards.

1. *Agricultural Use Types*
(None)
2. *Residential Use Types*
Family Day Care Home *
Multi-Family Dwelling *
Single Family Dwelling, Attached
Two Family Dwelling
3. *Civic Use Types*
~~Administrative Services~~
Educational Facilities—Primary/Secondary
4. *Office Use Types*
Financial Institutions
Medical Offices/Clinics
5. *Commercial Use Types*
Antique Shops
Day Care Center *
Personal Services
Retail Sales
6. *Industrial Use Types*
(None)
7. *Miscellaneous Use Types*
(None)

Sec. 106-214.2. Permitted uses.

(A) The following uses are permitted by right in the HBD Highway Business District, subject to all other applicable requirements contained in this chapter. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, use and design standards.

1. *Agricultural Use Types*
(None)
2. *Residential Use Types*
Home Occupation*
Manufactured Home, Emergency *
3. *Civic Use Types*
Administrative Services
Assisted Care Residence
Clubs
Cultural Services
Guidance Services
Life Care Facility
Nursing Home
Park and Ride Facility
Post Office
Public Assembly
Public Maintenance and Service Facilities
Public Parks and Recreation Areas
Religious Assembly
Safety Services
4. *Office Use Types*
Financial Institutions
General Offices
Laboratories
Medical Offices/Clinics
5. *Commercial Use Types*
Agricultural Services
Antique Shops
Assembly Hall
Athletic Instruction Services
Automobile Dealership, New *
Automobile Parts/Supply, Retail
Automobile Rental/Leasing
Automobile Repair Services, Minor
Business or Trade School
Business Support Services

Car Wash
Commercial Indoor Amusement
Commercial Indoor Entertainment
Commercial Indoor Sports and Recreation
Commercial Outdoor Entertainment
Commercial Outdoor Sports and Recreation
Communication Services
Construction Sales and Services
Consumer Repair Services
Convenience Store
Day Care Center *
Equipment Sales and Rental
Funeral Services
Garden Center
Gasoline Station
Golf Course
Homestay Inn *
Hotel/Motel/Motor Lodge
Kennel, Commercial
Laundry
Personal Improvement Services
Personal Services
Recreational Vehicle Sales and Service *
Restaurant
Retail Sales
Studio, Fine Arts
Veterinary Hospital/Clinic

6. *Industrial Use Types*
Custom Manufacturing
Recycling Centers and Stations
Transportation Terminal

7. *Miscellaneous Use Types*
Outdoor Gathering *
Utility Service, Minor

(B) The following uses are permitted by special exception in the HBD Highway Business District, subject to all other applicable requirements contained in this chapter. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, use and design standards.

1. *Agricultural Use Types*
(None)

2. *Residential Use Types*
(None)
3. *Civic Use Types*
Administrative Services
Cemetery *
Correction Facilities
Crises Center
Educational Facilities, Primary/Secondary
Halfway House
4. *Office Use Types*
Outpatient Mental Health and Substance Abuse Clinic *
Short-Term Lender
5. *Commercial Use Types*
Adult Business *
Automobile Dealership, Used *
Automobile Repair Services, Major *
Dance Hall
Flea Market
Hospital
Manufactured Home Sales *
Massage Parlor
Pawn Shop
Personal Storage *
Truck Stop
6. *Industrial Use Types*
(None)
7. *Miscellaneous Use Types*
Aviation Facility
Parking Facility, Surface/Structure
Tower *
Utility Service, Major

Sec. 106-216.2. Permitted uses.

- (A) The following uses are permitted by right in the BCD Business Commerce District, subject to all other applicable requirements contained in this chapter. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, use and design standards.

1. *Agricultural Use Types*
(None)

2. *Residential Use Types*
Manufactured Home, Emergency *
3. *Civic Use Types*
Cultural Services
Guidance Services
Post Office
Public Parks and Recreation Areas
Safety Services
4. *Office Use Types*
Financial Institutions
General Offices
Laboratories
Medical Offices/Clinics
5. *Commercial Use Types*
Business or Trade School
Communication Services
Day Care Center *
Hotel/Motel/Motor Lodge
Restaurant
Retail Sales
6. *Industrial Use Types*
Custom Manufacturing
Industry Type I
7. *Miscellaneous Use Types*
Utility Services Minor

Sec. 106-216.3. Site development regulations.

Business Commerce District (BCD) site development regulations and requirements pertaining to minimum lot sizes, minimum lot frontages, minimum open space requirements, minimum setbacks, maximum lot coverage and maximum building heights shall be established by the council **during the amendment to the ordinance process** after review and recommendation of the planning commission. **Should the property already be zoned BCD, Business Commerce District, and the development standards have not been established then the site development regulations from HBD, Highway Business District shall apply.**

Sec. 106-218.2. Permitted uses.

- (A) The following uses are permitted by right in the LM Light Manufacturing District, subject to all other applicable requirements contained in this chapter. An asterisk (*) indicates that the use is subject to additional, modified or more stringent standards as listed in article III, use and design standards.

1. *Agricultural Use Types*
(None)
2. *Residential Use Types*
Manufactured Home, Emergency *
3. *Civic Use Types*
Administrative Services
Public Maintenance and Service Facilities
Public Parks and Recreation Areas
Safety Services
4. *Office Use Types*
Financial Institutions
General Office
Laboratories
5. *Commercial Use Types*
Agricultural Services
Automotive Repair Services, Major *
Business Support Services
Day Care Center *
Equipment Sales and Rental
Laundry
Manufactured Home Sales *
Truck Stop
6. *Industrial Use Types*
Custom Manufacturing
Construction Yard
Industry Type I
Recycling Centers
Transfer Station
Transportation Terminal
Truck Terminal
Warehousing and Distribution
7. *Miscellaneous Use Types*
Parking Facility, Surface/Structure
Utility Services, Minor

(B) The following uses are permitted by special exception in the LM Light Manufacturing District, subject to all other applicable requirements contained in this chapter. An asterisk (*) indicates that the use is subject to

additional, modified or more stringent standards as listed in article III, use and design standards.

1. *Agricultural Use Types*
(None)
2. *Residential Use Types*
(None)
3. *Civic Use Types*
~~Administrative Services~~
4. *Office Use Types*
(None)
5. *Commercial Use Types*
Athletic Instruction Services
Automobile Rental/Leasing
Microbrewery *
Personal Storage *
6. *Industrial Use Types*
Asphalt Plant *
Brewery *
Distillery *
Industry Type II
Landfill, Construction Debris
Landfill, Rubble
Landfill, Sanitary
Meat Packing and Related Industries
Railroad Facilities
Resource Extraction
Scrap and Salvage Services
7. *Miscellaneous Use Types*
Tower *
Utility Services, Major

Sec. 106-304.21. – Short-Term Rental.

- A. **Safety:**
 1. **Any property to be utilized for short-term rental shall have a life safety inspection performed by the Division of Building Inspections**

- prior to occupancy.
 - 2. **Minimum guest room size of seventy (70) square feet per guest.**
 - 3. **Only owner-occupied dwellings may be utilized as a short-term rental.**
- B. **Registry**
 - 1. **Any property to be utilized for short-term rental shall obtain a zoning permit.**
 - 2. **Prior to offering any property for short-term rental, each operator shall register in accordance with Chapter 22, Businesses, of the city code.**
- C. **Rental period:**
 - 1. **Minimum stay of twenty-four (24) hours**
 - 2. **Maximum stay of seven (7) days**
- D. **Parking:**
 - 1. **Must provide onsite parking**
 - 2. **No parking of recreational vehicles, buses, trailers, or the like, in association with a short-term rental**
- E. **Signage: none allowed**

Sec. 106-316.3. - Accessory uses: residential use types.

- (A) Residential use types may include the following accessory uses, activities or structures on the same site or lot:
 - 1. Private garages and parking for the principal use.
 - 2. Recreational activities and uses used by residents, including structures necessary for such uses.
 - 3. Playhouses, gazebos, incidental household storage buildings, swimming pools, and other similar accessory structures.
 - 4. Garage or yard sales provided that such sales occur ~~no more than seven days in a two-month period.~~ **in conjunction with a yard sale permit in accordance with Section 22-83 of the city code.** (2 sales in a calendar year, each sale for 3 consecutive days maximum)
 - 5. Other uses and activities necessarily and customarily associated with purpose and function of residential use types, as determined by the administrator.

Sec. 106-404. Off-street parking requirements.

- (A) These provisions for off-street parking are intended to address the off-street parking demands created by various land uses within the City of Salem. The standards established in this section are designed to protect the health safety and welfare of the Salem community by accommodating parked vehicles in a safe and functional manner with consideration given to the stormwater quality and quantity impacts of impervious parking areas.

Sec. 106-404.1. Applicability.

- (A) These provisions shall apply equally for all use types listed in this section, except for those use types located within the DBD Downtown Business District and the TBD Transitional Business District. No minimum parking shall be required for any use type within DBD and TBD. However, if parking is provided for any use type in the DBD and the TBD, it shall be constructed to the standards contained herein as well as applicable standards contained in section 106-402, buffer yards, screening and landscaping, except that parking areas designated for private use of residents may utilize compact size parking stalls.

Sec. 106-404.9. Access.

- (A) All off-street parking spaces shall provide safe and convenient access to a street.
- (B) Aisles between rows of parking, and aisles providing access to parking lots shall comply with the design standards ~~established by the building official~~ **set forth in section 106-404.13.**

Sec. 106-404.11. Construction standards.

- (A) All off-street parking areas shall be constructed of a hard surface consisting of bituminous concrete or concrete. Gravel parking areas shall not be permitted, unless the administrator determines that the use is of a temporary nature. Between the right-of-way and the rear building line, single-family and two-family dwellings must utilize bituminous concrete, concrete or chip seal type of hard surface. Once past the rear building line, single-family and two-family homes may utilize gravel. For corner lots between the right-of-way and the side building line, single-family and two-family dwellings must utilize bituminous concrete, concrete or chip seal type of hard surface. Once past the side building line, gravel may be used. For double frontage

lots between the right-of way and the rear building setback line, single-family and two-family dwellings must utilize bituminous concrete, concrete or chip seal type of hard surface. Once past the rear building setback line, single-family and two-family homes may utilize gravel.

- (B) For sites or structures listed on the National Register of Historic Places, parking areas may be constructed using period correct materials as permitted by the administrator. Such development shall require a site plan.
- (C) The city engineer may require paving surfaces and/or construction techniques which minimize surface stormwater runoff in areas where it is deemed necessary. The developer may select precast interlocking blocks, porous-type asphalt paving, detention basins or other methods as approved by the city engineer.
- (D) In no case shall there be allowed excessive dust or debris to be transferred onto the roadway system or onto neighboring properties. Violators shall be guilty of a misdemeanor and subject to section 106-516, penalties.

(E) ~~Commercial Use Types.~~

USE TYPE	PARKING REQUIRED
Agricultural Services	Schedule A
Antique Shops	1 space per 400 square feet
Assembly Hall	1 space per 5 seats
Athletic Instruction Services	Schedule B (minimum 1 space per 300 square feet)
Automobile Dealership, New	Schedule A
Automobile Dealership, Used	Schedule A
Automobile Repair Services, Major	2 spaces per repair bay plus 1 space per employee on shift
Automobile Repair Services, Minor	3 spaces per repair bay plus 1 space per employee on shift
Automobile Rental/Leasing	Schedule A
Automobile/Parts Supply, Retail	Schedule A
Business Support Services	1 space per 200 square feet
Business or Trade Schools	Schedule B
Campground	1 space per camp site
Car Wash	1 space per employee on shift plus stacking spaces
Commercial Indoor Amusement	1 space per 3 persons based on maximum occupancy

Commercial Indoor Entertainment	1 space per 4 seats plus one space per employee on shift
Commercial Indoor Sports and Recreation	1 space per 3 persons based on maximum occupancy plus 1 space per employee on shift
Commercial Outdoor Entertainment	1 space per 3 persons based on maximum occupancy plus 1 space per employee on shift
Commercial Outdoor Sports and Recreation	
Miniature Golf	1.5 space per hole
Swimming Pool	Schedule B
Tennis/Court Games	2 spaces per court
Other Outdoor Sports	Schedule B
Communications Services	1 space per 300 square feet plus 1 space per company vehicle based on site
Construction Sales and Services	Schedule A
Consumer Repair Services	1 space per 300 square feet
Convenience Store	5 spaces plus 1 space per 200 square feet plus one space per gas dispenser
Dance Hall	1 space per 3 persons based upon maximum occupancy
Day Care Center	1 space per employee on shift plus one space per three persons receiving care
Equipment Sales and Rental	Schedule A
Flea Market	1 space per 100 square feet of sales area accessible to the public
Funeral Services	1 space per 2 employees on shift plus one space per 5 seats in main chapel
Garden Center	Schedule A
Gasoline Station	1 space per employee plus required stacking spaces
Golf Course	36 spaces per 9 holes
Homestay Inn	1 space per sleeping room available for guests
Hospital	1 space per employee on shift plus one space per 2 beds
Hotel/Motel/Motor Lodge	1 space per guest room plus one space per employee, plus spaces as may be required for other uses on site
Kennel, Commercial	Schedule B
Laundry	1 space per 300 square feet

Manufactured Home Sales	Schedule B
Microbrewery	Schedule B
Microdistillery	Schedule B
Personal Storage	2 spaces for any live-in manager unit plus 2 spaces per 100 storage units
Pawn Shop	1 space per 300 square feet
Personal Improvement Services	1 space per 300 square feet
Personal Services	1 space per 300 square feet
Recreational Vehicle Sales and Service	Schedule A
Restaurant	1 space per four seats plus 1 space per employee on shift, plus required stacking spaces
Retail Sales	
Shopping Center	1 space per 250 square feet
Other Retail	Schedule A
Studio, Fine Arts	Schedule B
Truck Stop	Schedule B
Veterinary Hospital/Clinic	1 space per 300 square feet

SCHEDULE A

The following table contains minimum parking requirements for uses with elements having different functions or operating characteristics. The administrator shall consider and decide the minimum parking required for uses containing a mixture of these elements.

Element	Parking Required for Element
Office or Administrative Activity	3.5 spaces per 1,000 square feet
Indoor Sales, Display or Service Area	1 space per 500 square feet
Motor Vehicle Service Bays	2 spaces per service bays
Outdoor Sales, Display or Service Area	1 space per 2,000 square feet
General Equipment Servicing or Manufacturing	1 space per 1,000 square feet
Indoor or Outdoor Storage or Warehousing	1 space per 5,000 square feet

Sec. 106-404.13. Parking lot **standards** ~~space dimensions~~.

All required or provided parking **areas** spaces shall **comply with the following**:



City of Salem
Engineering and
Building Inspections
Department

25 East Main St
Salem, Va 24153
(540)375-3032

Drawn By: JLP

Checked By: CEV

Date: 12/10/2015

Drawing Name:

Parking Lot Standards

Scale: 1" = 60'

Revisions:

Sheet No: 1/1

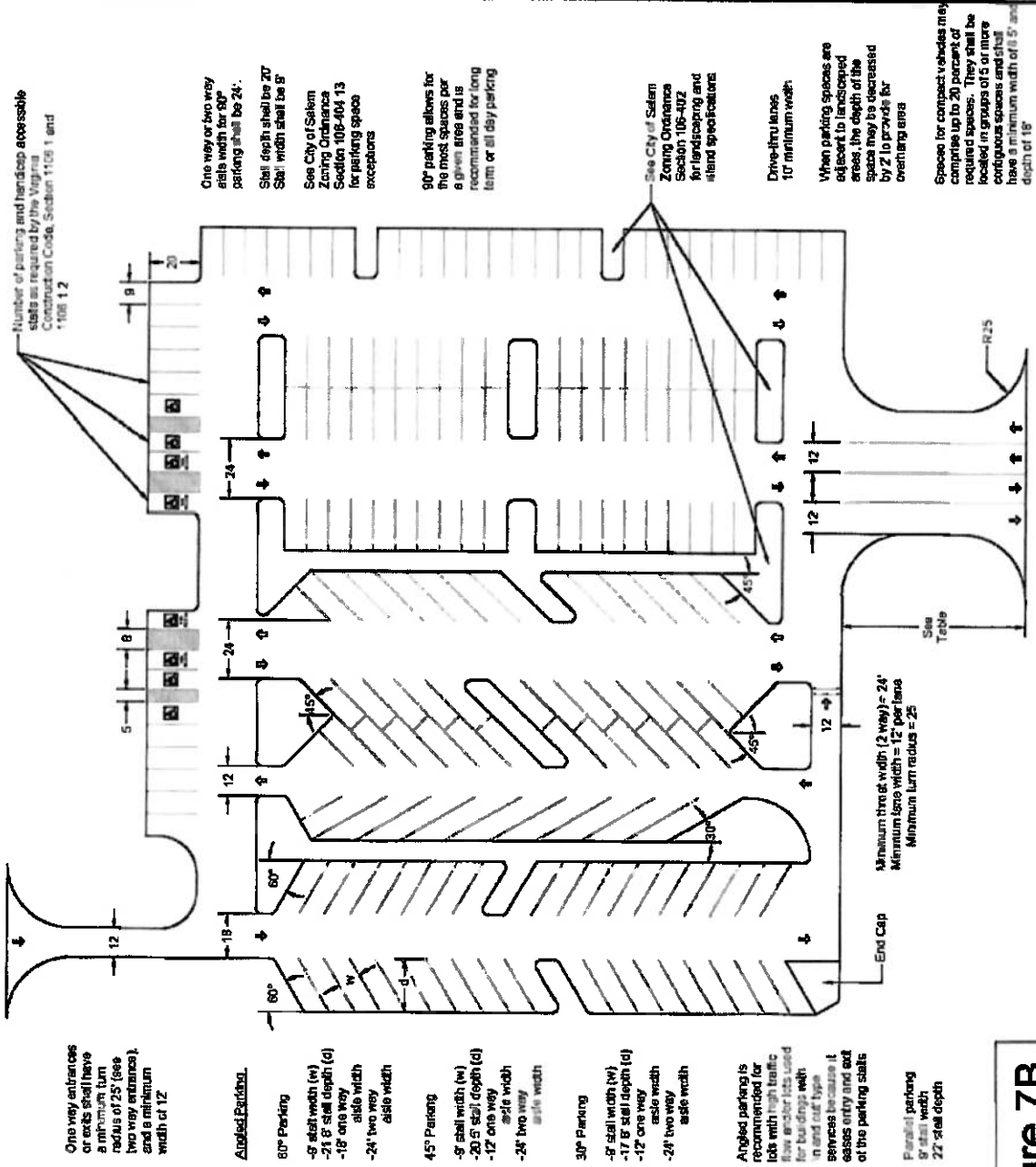


Figure 7B

~~have a minimum width of nine feet and a minimum depth of 20 feet except as follows:~~

~~When parking spaces are adjacent to landscaped areas, the paved depth of such spaces may be decreased by two feet to provide for vehicle overhang area.~~

~~Spaces for compact vehicles may comprise up to 20 percent of required spaces. Compact spaces shall be located in groups of five or more contiguous spaces and may have a minimum width of eight and one-half feet and a minimum depth of 18 feet.~~

Sec. 106-404.15. Criteria for determining required parking.

- (A) When a building includes a combination of uses, the required parking will be the sum of the required parking for each use.
- (B) Where the parking requirement for a use is not defined in this section, and no similar use is listed, the administrator shall determine the number of spaces to be provided.
- (C) All references to square feet in the parking requirements below shall refer to **gross net square feet. Net square feet is 75% of the gross floor area.**
- (D) All references to maximum occupancy shall refer to maximum occupancy as defined by the Virginia Uniform Statewide Building Code.
- (E) **The maximum allowed parking spaces shall be 140% of the minimums listed in 106-404.17. If there are no minimums listed, then the maximum parking shall be determined by the administrator.**
- (F) **Parking reductions:**
 - 1. **A reduction of 10% of the number of required parking spaces may be applied in the following conditions.**
 - a. **A contained bicycle parking area is provided.**
 - b. **A transit stop is located within 300'.**
 - 2. **A reduction of 20% of the number of required parking spaces may be applied in the following conditions.**
 - a. **The parking area utilizes green infrastructure as approved by the City Engineer.**
 - b. **Parking area is located in the rear yard only**
 - 3. **A total reduction of 30% may be applied.**

Sec. 106-404. 17.– Construction standards.

(C) Civic Use Types.

USE TYPE	PARKING REQUIRED
Administrative Services	1 space per employee plus 3 spaces per 1000 square feet 1 space per 300 square feet

(D) *Office Use Types.*

USE TYPE	PARKING REQUIRED
Financial Institutions	3 spaces per 1,000 square feet plus required stacking spaces 1 space per 300 square feet
General Offices	3.5 spaces per 1,000 square feet 1 space per 300 square feet
Medical Office/Clinic	7 spaces per practitioner or 1 space per 200 square feet, whichever is greater 1 space per 300 square feet

(E) *Commercial Use Types.*

USE TYPE	PARKING REQUIRED
Funeral Services	1 space per 2 employees on shift plus one space per 5 seats in main chapel 1 space per 250 square feet
Retail Sales	
Shopping Center	1 space per 250 300 square feet
Other Retail	1 space per 200 350 square feet

SCHEDULE A

The following table contains minimum parking requirements for uses with elements having different functions or operating characteristics. The administrator shall consider and decide the minimum parking required for uses containing a mixture of these elements.

Element	Parking Required for Element
Office or Administrative Activity	3.5 spaces per 1,000 square feet 1 space per 300 square feet

SCHEDULE B

Specific minimum parking requirements shall be determined by the administrator, based on requirements for similar uses, location of the proposed use, expected demand and traffic generated by the proposed use.

Sec. 106-406.25. - On-site storage and temporary mobile storage containers.

~~(A) Storage containers shall be considered accessory structures and shall be located in accordance with the standards for accessory structures as described in article II of this chapter.~~

(BA) No vehicle, truck body, manufactured home, mobile home, bus, trailer, recreational vehicle, shipping container, portable storage unit, or similar equipment shall be used as a storage container or building in any **residential** zoning district, **or on any property that is used residentially**, except that:

(1) Temporary mobile storage containers **up to 20' in length that are** designed for site delivery and pickup may be placed and used on any **residentially zoned** property, **or on any property that is used residentially** for a period not to exceed 30 days per calendar year. Such a container shall be placed in the driveway or rear yard of residentially zoned property. **A zoning permit shall be obtained prior to the placement.**

(2) Commercial and industrial use types may use shipping containers for storage provided that:

- a. All containers are maintained in suitable condition and be free of rust, deterioration, graffiti, etc.
- b. All containers are placed in an approved location that does not utilize existing parking spaces, fire lines, etc.
- c. All containers are placed in the rear of the property and shielded from public views.
- d. ~~Such containers shall not be allowed for more than 90 consecutive days in any one-year period.~~
- d. Such containers cannot be viewed from the public way of the following streets, screening is not allowed:
 1. Main Street
 2. Wildwood Road
 3. 4th Street
 4. Thompson Memorial Drive
 5. College Avenue
 6. Electric Road
 7. Texas Street
 8. Roanoke Boulevard
 9. Apperson Drive
 10. South Colorado Street

~~(C) A zoning permit shall be obtained prior to the placement of any storage container.~~

(DB) No stacking of storage containers shall be allowed.

Sec. 106-600. Definitions.

(C) The words and terms listed below shall have the following meanings:

Building, front. That portion of a building facing the street of address.

The front door shall be provided with orientation to the street on which the lot faces.

Lot, frontage. The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way. ~~All sides of a lot which abuts a street shall be considered frontage.~~ On curvilinear streets the arc between the side lot lines shall be considered the lot frontage.

Sec. 106-602.3. Residential use types.

[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:]

***Short-term rental.* The provision of a room or space within a residential dwelling unit that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect ten (10) days after its final passage.

Upon a call for an aye and a nay vote, the same stood as follows:

H. Hunter Holliday -
William D. Jones -
Byron Randolph Foley -
James W. Wallace, III -
Renee F. Turk -

Passed:
Effective:

Mayor

ATTEST:

H. Robert Light
Clerk of Council
City of Salem, Virginia

Item #6D
Date: 11/27/2023

AT A REGULAR MEETING OF CITY COUNCIL OF THE CITY OF SALEM,
VIRGINIA HELD IN COUNCIL CHAMBERS

AGENDA ITEM:

Chapter 74 Code Changes

Consider adopting ordinance on first reading amending Chapter 74, Streets, Sidewalks, and other Public Places, Article IV Numbering of houses and buildings, section 74-101(c) pertaining to assigning addresses, and Section 74-103 pertaining to placing of address numbers of the CODE OF THE CITY OF SALEM, VIRGINIA.

SUBMITTED BY:

Mary Ellen Wines, Planning & Zoning Administrator

SUMMARY OF INFORMATION:

Historically in the City of Salem, a property could be addressed to any street frontage available to that particular parcel regardless of access or to which street the primary structure was oriented. For example, corner lots or lots with two street frontages could "choose" which street to be addressed. This, in turn, can affect the zoning setback requirements for front yards, side yards, and rear yards. Moving forward, this proposed code change verifies that all buildings shall be addressed according to the street to which the lot (and corresponding primary structure) faces. This is further defined in the zoning ordinance by **Building, front**. "That portion of a building facing the street of address." The goal of this change is to ensure the front door shall be provided with orientation to the street on which it is addressed.

Furthermore, 13VAC5-63-224 of the Virginia Administrative Code states:

The numbers shall be legible and placed in a position that is visible from the street or road fronting the property. The numbers shall contrast with their background and shall be Arabic numbers. Numbers shall not be spelled out. Each character shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private drive and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 74, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE IV, NUMBERING OF HOUSES AND BUILDINGS, SECTION 74-101(c) PERTAINING TO ASSIGNING ADDRESSES AND 74-103 PERTAINING TO PLACING OF ADDRESS NUMBERS OF THE CODE OF THE CITY OF SALEM, VIRGINIA PERTAINING TO SIGNS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 74-101 (c) and 74-103, Article IV, Chapter 74, of The Code of the City of Salem, Virginia, be amended, revised, and reordained to read as follows:

Chapter 74

STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE IV. NUMBERING OF HOUSES AND BUILDINGS

Sec. 74-101. Plans.

- a. All houses or buildings shall be numbered according to the centenary plan. The intersection of the centerline of Main Street and the centerline of North Broad Street on the north and South Broad Street on the south shall be considered the central point of the city, thus forming the quadrants to be styled northwest, northeast, southwest and southeast divisions. From the centerline of North Broad Street on the north and South Broad Street on the south, Main Street shall be known as West Main Street to the west and East Main Street to the east.
- b. Beginning at the central point as described in subsection (a) and moving therefrom upon the axis of reference, houses or buildings and vacant lot frontage shall be numbered from one upward, allowing one number for every 25 feet of street frontage on each side of the street. Odd numbers shall be placed upon the north side and even numbers upon the south side of the streets running in a generally east and west direction, and odd numbers shall be placed upon the west side and even numbers upon the east side of the streets running in a generally north and south direction. A new hundred shall be begun at each intersection as far as practicable, or where existing streets or proposed future streets would intersect if extended. Where blocks and intersection intervals are irregular a new hundred shall be begun at reasonable intervals corresponding in general to blocks or intersections in other parts of the city.
- c. **All buildings shall be addressed according to the street to which the lot faces.**

Sec. 74-102. Assignment of numbers.

The city manager shall assign the proper numbers to all existing houses or buildings and to future houses or buildings as they may be constructed, in accordance with the provisions of section 74-101.

Sec. 74-103. ~~City to furnish numbers;~~ Duty of owner of house or building shall place numbers.

~~Numbers of a uniform design shall be furnished for every house or building by the city. These numbers shall be properly placed upon the house or building by the owner or other person in charge thereof., and each owner or person in charge of a house or building within the city shall secure such numbers from the office of the city manager and place and maintain such numbers upon his house or building in a proper manner within 60 days after due notice has been given through publication in a newspaper having general circulation in the city, or otherwise, that the proper numbers have been assigned by the city manager.~~

The numbers shall be legible and placed in a position that is visible from the street or road fronting the property. The numbers shall contrast with their background and shall be Arabic numbers. Numbers shall not be spelled out. Each character shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private drive and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure.

~~1Cross reference(s) — Numbering of buildings and structures in subdivisions, § 78- 214.~~

(From 13VAC5-63-224 of the Virginia Administrative Code.)

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect ten (10) days after its final passage.

Upon a call for an aye and a nay vote, the same stood as follows:

H. Hunter Holliday -
William D. Jones -
Byron Randolph Foley -
James W. Wallace, III –
Renee F. Turk –

Passed:
Effective:

Mayor

ATTEST:

H. Robert Light
Clerk of Council
City of Salem, Virginia

AT A REGULAR MEETING OF CITY COUNCIL OF THE CITY OF SALEM, VIRGINIA HELD AT CITY HALL

AGENDA ITEM:

Chapter 94 Code Changes

Consider ordinance on first reading amending Chapter 94, Nuisances, Sections 94-3, Declaration of nuisances; abatement required, pertaining to trees of the CODE OF THE CITY OF SALEM, VIRGINIA.

SUBMITTED BY:

Mary Ellen Wines, Planning & Zoning Administrator

SUMMARY OF INFORMATION:

Since the introduction of trees into the nuisance ordinance in June of 2021, we have received numerous complaints regarding trees, their limbs, and their potential to possibly impact another property. From the inception of the nuisance ordinance, the incorporation of trees was ultimately intended to assist property owners when a danger to life and property was either probable or had already occurred due to the falling of trees and/or branches.

Throughout our implementation of the nuisance ordinance, our code enforcement team has learned and concluded that once the damage has occurred, it is simply a private property issue that should be handled between property owners. As a result, the phrase "have fallen" should be removed from the nuisance ordinance.

In addition to the removal of damage which has already occurred, we are proposing to add the term "imminent" to the "trees or parts thereof in danger of falling" phrase to mitigate the flooding of calls received for what in actuality are benign organisms. Certainly, an act of God can render any tree a significant danger, but these changes are crafted in a way which establishes a credible threat to life/property under normal circumstances must be present for the City to get involved.

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 94, NUISANCES, SECTION 94-3 PERTAINING TO TREES, OF THE CODE OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, THAT SECTION 94-3 OF CHAPTER 94, OF THE CODE OF THE CITY OF SALEM, VIRGINIA BE AMENDED, REVISED, AND REORDAINED TO READ AS FOLLOWS:

Chapter 94 Nuisances

Sec. 94-3. Declaration of nuisances; abatement required.

It shall be unlawful for any person who owns or occupies property to permit a nuisance as set forth in this chapter to exist on any parcel within the corporate limits of the city. The responsible party shall abate any nuisance as defined herein. The following conditions, when allowed to exist on property, are hereby declared to be nuisances:

1. Weeds growing on any parcel except weeds on property zoned AG Agricultural or in active farming operation, or in the case of a parcel greater than one acre in area natural vegetation growing more than 50 feet from every property line shall not constitute a public nuisance.
2. Trees or parts thereof in **imminent** danger of falling ~~or have fallen~~ onto neighboring property, buildings, structures, vehicles, or any public right-of-way. Trees growing into a structure resulting in damage to structural elements shall also be deemed a nuisance.
3. Hedges, shrubs, trees or other vegetation, any part of which extends or protrudes into any street, sidewalk, public right-of-way, grass strip or alley so as to obstruct or impede or threaten the safe and orderly movement of persons or vehicles.
4. Trash, as defined herein, which is not contained in an approved container that conforms to the requirements of sections 70-42 and 70-45.
5. Accumulation of stagnant water leading to the breeding of mosquitoes.
6. Vehicle tires that have been removed from the rim.
7. Infestation by bats, rodents, insects, arachnids, or vermin.
8. Any other condition that threatens the health, safety, order, and convenience of the public.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect ten (10) days after its final passage.

Upon a call for an aye and a nay vote, the same stood as follows:

H. Hunter Holliday -
William D. Jones -
Byron Randolph Foley -
James W. Wallace, III –
Renee F. Turk –

Passed:

Effective:

Mayor

ATTEST:

H. Robert Light
Clerk of Council
City of Salem, Virginia

Item #6F
Date: 11/27/2023

November 27, 2023

Council of the City of Salem
Salem, Virginia 24153

Dear Council Members:

For your information, I am listing appointments and vacancies on various boards and commissions:

<u>Board or Commission</u>	<u>Recommendation</u>
Board of Appeals (USBC Building Code)	Recommend appointing Patrick Snead for the remainder of the current five-year term of David Botts as a regular member ending January 1, 2025; also recommend appointing David Botts as an alternate member for a five-year term ending January 1, 2029.
Roanoke Valley Resource Authority	Recommend re-appointing Rob Light for a full four-year term ending December 31, 2027.
Western Virginia Regional Jail Authority	Recommend reappointing William D. Jones and April M. Staton as Members and Byron R. Foley, Rosemarie Jordan, and Steve Garber as Alternates for a one-year terms ending December 31, 2024.
<u>Vacancies</u>	
Blue Ridge Behavioral Healthcare	Need one member to complete remainder of three-year term ending December 31, 2024.
Board of Appeals (USBC)	Need one alternate, five-year term
Roanoke River Blueway Advisory Committee	Need one member, two-year term

Sincerely,

Laura Lea Harris

Laura Lea Harris
Deputy Clerk of Council

**CITY OF SALEM, VIRGINIA
BOARDS AND COMMISSIONS
November 27, 2023**

MEMBER EXPIRATION OF TERM

BLUE RIDGE BEHAVIORAL HEALTHCARE

Term of Office: 3 years (3 terms only)

Vacant (replace Ann Tripp) 12-31-24

Rev. C. Todd Hester 12-31-25

Dr. Forest Jones 12-31-23

AT LARGE MEMBERS:

Patrick Kenney 12-31-25

Helen Ferguson 12-31-23

Bobby Russell 12-31-24

BOARD OF APPEALS (USBC BUILDING CODE)

Term of Office: 5 years

John R. Hildebrand 1-01-26

Robert S. Fry, III 1-01-28

David A. Botts 1-01-25

Nathan Routt 5-11-25

Joseph Driscoll 1-01-28

ALTERNATES:

David Hodges 12-12-26

Chelsea Dyer 8-09-25

Vacant

BOARD OF EQUALIZATION OF REAL ESTATE
ASSESSMENTS

Term of Office: 3 years (**appointed by Circuit Court**)

Wendel Ingram 11-30-24

N. Jackson Beamer, III 11-30-24

David A. Prosser 11-30-25

Janie Whitlow 11-30-26

Kathy Fitzgerald 11-30-24

BOARD OF ZONING APPEALS

Term of Office: 5 years (**appointed by Circuit Court**)

F. Van Gresham 3-20-27

Frank Sellers 3-30-28

Winston J. DuBois 6-05-24

Gary Lynn Eanes 3-20-25

Tom Copenhagen 3-20-27

ALTERNATES:

Tony Rippee 10-12-28

Jeff Zoller 3-1-28

Steve Belanger 11-13-28

CHIEF LOCAL ELECTED OFFICIALS (CLEO)
CONSORTIUM

No Term Limit

H, Hunter Holliday

Alternate: James E. Taliaferro, II

MEMBER EXPIRATION OF TERM

CONVENTION & VISITORS BUREAU

John Shaner No term limit

COMMUNITY POLICY AND MANAGEMENT TEAM

No term limit except for Private Provider

(Names) (Alternates)

Rosie Jordan Tammy Todd

Laura Lea Harris Crystal Williams

Kevin Meeks Joshua Vaught Amy Cole

Jasmin Lawson

Cathy Brown Sarah Watkins Howard Shumate

Leigh Frazier Courtenay Alleyne

Heather Gunn Chris Park

Mark Chadwick

Parent Rep-Vacant Vacant

Sue Goad Chrissy Brake

Randy Jennings Deborah Coker

Darryl Helems Mandy Hall

Derek Weeks Danny Crouse

Health Dept. - Vacant Vacant

Wendel Cook Jessica Cook

*Note: Rosie Jordan will serve as Fiscal Agent

For the City of Salem

ECONOMIC DEVELOPMENT AUTHORITY

Term of Office: 4 years (**Requires Oath of Office**)

William Q. Mongan 3-09-27

Paul C. Kuhnel 3-09-24

J. David Robbins 3-09-24

Cindy Shelor 4-10-25

Macel Janoschka 3-09-25

Sean B. Kosmann 12-14-24

Joe Curran 12-14-24

FAIR HOUSING BOARD

Term of Office: 3 years

Betty Waldron 7-01-25

Melton Johnson 7-01-26

Cole Keister 8-09-24

Pat Dew 3-01-24

Janie Whitlow 4-09-24

<u>MEMBER</u>	<u>EXPIRATION OF TERM</u>
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FINE ARTS COMMISSION (INACTIVE)

Term of Office: 4 years

Cameron Vest	5-01-15
Julie E. Bailey Hamilton	5-01-15
Brenda B. Bower	7-26-12
Vicki Daulton	10-26-12
Hamp Maxwell	10-26-12
Fred Campbell	5-01-13
Rosemary A. Saul	10-26-13
Rhonda M. Hale	10-12-14
Brandi B. Bailey	10-12-14

STUDENT REPRESENTATIVESLOCAL OFFICE ON AGING

Term of Office: 3 years

John P. Shaner	3-01-24
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Partnership for a Livable Roanoke Valley(INACTIVE)

Term of Office: Unlimited

James E. Taliaferro, II

PERSONNEL BOARD

Term of Office: 2 years

William R. Shepherd	6-09-25
J. Chris Conner	8-12-25
Margaret Humphrey	8-12-25
Garry Lautenschlager	11-23-24
Teresa Sizemore-Hernandez	4-26-25

PLANNING COMMISSION AND
NPDES CITIZENS' COMMITTEE

Term of Office: 4 years

Neil Conner	7-31-26
Denise "Dee" King	7-31-26
Vicki Daulton	7-26-27
Reid Garst	7-31-26
N. Jackson Beamer	8-28-27

REAL ESTATE TAX RELIEF REVIEW BOARD

Term of Office: 3 years

David G. Brittain	2-14-25
Wendel Ingram	6-11-24
Daniel L. Hart	2-14-24

ROANOKE REGIONAL AIRPORT COMMISSION

Term of Office: 4 years

Dale T. Guidry	7-1-24
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ROANOKE RIVER BLUEWAY ADVISORY COMMITTEE

Term of Office: 2 years

Jeff Ceasar	6-30-24
Vacant	6-30-25

<u>MEMBER</u>	<u>EXPIRATION OF TERM</u>
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ROANOKE VALLEY-ALLEGHANY REGIONAL
COMMISSION

Term of Office: 3 years

H. Hunter Holliday	6-30-24
Dee King	6-30-26
James W. Wallace, III	6-30-24

ROANOKE VALLEY BROADBAND AUTHORITY

Term of Office: 4 years

H. Robert Light	12-14-23
Mike McEvoy (Citizen At-large)	12-13-25

ROANOKE VALLEY DETENTION COMMISSION

No Terms

Member	Alternate
James Taliaferro	Rosemarie Jordan

ROANOKE VALLEY GREENWAY COMMISSION

Term of Office: 3 years

Dr. Steven L. Powers	11-08-24
Russ Craighead	7-25-25
Skip Lautenschlager	9-26-26

ROANOKE VALLEY RESOURCE AUTHORITY

Term of Office: 4 years

Rob Light	12-31-23
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ROANOKE VALLEY TRANSPORTATION PLANNING
ORGANIZATION (TPO) POLICY BOARD

Term of Office: 3 years

Renee F. Turk	6-30-26
H. Hunter Holliday	6-30-26
Alternate: Byron R. Foley	6-30-26

SCHOOL BOARD OF THE CITY OF SALEM

Term of Office: 3 years

Nancy Bradley	12-31-24
Teresa Sizemore-Hernandez	12-31-24
Andy Raines	12-31-25
Stacey Danstrom	12-31-25
David Preston	12-31-23

SOCIAL SERVICES ADVISORY BOARD

Term of Office: 4 years, 2 term limit

Heath Rickmond	12-01-26
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TOTAL ACTION FOR PROGRESS

Term of Office: 2 years

Byron Randolph Foley	11-13-25
(vacant - full-time alternate)	11-13-21

MEMBEREXPIRATION OF TERMTRANSPORTATION TECHNICAL COMMITTEE (TTC)

Term of office: 3 years

Crystal Williams	6-30-26
Josh Pratt	6-30-26
Alternate: James E. Taliaferro, II	6-30-26
Alternate: Max Dillon	6-30-26

VIRGINIA WESTERN COMMUNITY COLLEGE LOCAL
ADVISORY

Term of Office: 4 years (2 terms only)

Dr. Forest I. Jones, Jr.	6-30-26
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VIRGINIA'S BLUE RIDGE BOARD

Term of Office:

H. Robert Light

WESTERN VIRGINIA EMERGENCY MEDICAL
SERVICES COUNCIL

Term of office: 3 years

Deputy Chief Matt Rickman	12-31-25
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WESTERN VIRGINIA REGIONAL INDUSTRIAL
FACILITY AUTHORITY

Term of Office: 4 years **(Requires Oath of Office)**

Tommy Miller	2-3-26
H. Robert Light	2-3-24

Crystal Williams (Alternate)	2-3-26
Vacant (Alternate)	2-3-24

WESTERN VIRGINIA REGIONAL JAIL AUTHORITY

Term of Office: 1 year – Expires 12-31-23

(Requires Oath of Office)

William D. Jones

Alternate: Byron R. Foley

James E. Taliaferro, II

Alternate: Rosemarie Jordan

April M. Staton

Alternate: Chief Deputy-Major Steve Garber