

City Council Work Session

Tuesday, October 22, 2013

6:00 p.m.

Council Chambers – Rouss City Hall

AGENDA

1.0 Call to Order

2.0 Public Comments: (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone)

3.0 Items for Discussion:

- 3.1 CU-13-495:** Conditional Use Permit – Request of Bowman-Turner, LC for conditional use permit for conversion of ground floor nonresidential use to residential use at 118½, 120 and 124 East Cork Street (*Map Numbers 193-01-P-31 and 32*) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay. (*Residential conversion of ground floor office space*) – Tim Youmans, Planning Director (pages 3-7)
- 3.2 O-2013-36:** AN ORDINANCE TO CONDITIONALLY REZONE 7.7076 ACRES OF LAND AT 940 CEDAR CREEK GRADE (*Map Number 249-01-2*) FROM RESIDENTIAL OFFICE (RO-1) DISTRICT WITH CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY TO HIGHWAY COMMERCIAL (B-2) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) & CE DISTRICT OVERLAY RZ-13-500 (*PUD Rezoning for Cedar Creek Place*) – Tim Youmans, Planning Director (pages 8-24)
- 3.3 O-2013-37:** AN ORDINANCE TO AMEND AND REENACT SECTION 22-2 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO REFERRAL TO AND ACTION BY THE PLANNING COMMISSION ON REZONINGS AND ZONING TEXT AMENDMENTS TA-13-488 (*Defines Referral and extends time limit to 100 days*) – Tim Youmans, Planning Director (pages 25-29)
- 3.4 O-2013-38:** AN ORDINANCE TO AMEND AND REENACT SECTIONS 30-49, 30-51, 30-52 AND 11-38 OF THE WINCHESTER CITY CODE PERTAINING TO NOTICE REQUIREMENTS FOR GRASS, WEEDS, AND OTHER FOREIGN GROWTH ON PRIVATE PROPERTY AND FEES FOR ABATEMENT OF TRASH AND TALL GRASS AND WEEDS BY THE CITY. (*Changes notice requirements for tall grass violations to once per growing season and creation of abatement fee*) – Aaron Grisdale, Director of Zoning & Inspections (pages 30-37)

3.5 O-2013-39: AN ORDINANCE TO AMEND AND REENACT SECTIONS 6-8, 6-9, AND 6-144 OF THE WINCHESTER CITY CODE PERTAINING TO VACANT BUILDING REGISTRATIONS, FEES AND PENALTIES, AND CIVIL PENALTIES FOR VIOLATIONS OF THE VIRGINIA MAINTENANCE CODE. (*Vacant buildings required to be registered must also be derelict and increases registration fee and penalty*) – Aaron Grisdale, Director of Zoning & Inspections (pages 38-46)

3.6 Discussion on Transportation Priorities for Commonwealth Transportation Board Annual Meeting – Tim Youmans, Planning Director (pages 47-48)

4.0 Executive Session

4.1 MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A) (7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER.

5.0 Liaison Reports

6.0 Monthly Reports

6.1 Finance Department (pages 49-61)

6.2 Fire & Rescue Department (pages 62-65)

6.3 Police Department (page 66)

7.0 Adjourn

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 10/22/13 (work session), **CUT OFF DATE:** 10/16/13
11/12/13 (regular mtg)

RESOLUTION ___ **ORDINANCE** ___ **PUBLIC HEARING** X

ITEM TITLE:

CU-13-495 Request of Bowman-Turner, LC for a conditional use permit for conversion of ground floor nonresidential use to residential use at 118½, 120 and 124 East Cork Street (*Map Numbers 193-01-P-31 and 32*) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

STAFF RECOMMENDATION:

Approval with conditions

PUBLIC NOTICE AND HEARING:

Public hearing for 11/12/13 Council mtg

ADVISORY BOARD RECOMMENDATION:

Planning Commission recommended approval with conditions

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. Zoning & Inspections	<u>AMG</u>	_____	<u>10/15/13</u>
2. Economic Redevelopment	<u>[Signature]</u>	_____	<u>10/16</u>
3. City Attorney	<u>[Signature]</u>	_____	<u>10/17/2013</u>
4. City Manager	<u>[Signature]</u>	_____	<u>10-16-13</u>
5. Clerk of Council	_____	_____	_____

Initiating Department Director's Signature: [Signature] 10/15/13
(Planning Dept)



APPROVED AS TO FORM:
[Signature] 10/17/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council

From: Will Moore, Planner

Date: October 15, 2013

Re: **CU-13-495** Request of Bowman-Turner, LC for a conditional use permit for conversion of ground floor nonresidential use to residential use at 118½, 120 and 124 East Cork Street zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

THE ISSUE:

Conversion of ground floor space most recently occupied as office use (vacant since 2009) to multifamily residential use.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 3: Continue Revitalization of Historic Old Town.

2013-14 Management Action, Item #3: *Market Rate Housing Units (25)*

BACKGROUND:

See attached staff report

BUDGET IMPACT:

N/A

OPTIONS:

- Approve with conditions as recommended by Planning Commission
- Approve with modified conditions
- Deny

RECOMMENDATIONS:

Planning Commission recommended approval with conditions.

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CU-13-495 Request of Bowman-Turner, LC for a conditional use permit for conversion of ground floor nonresidential use to residential use at 118½, 120 and 124 East Cork Street (*Map Numbers 193-01-P-31 and 32*) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

REQUEST DESCRIPTION

The request is for Conditional Use Permit approval under Section 9-2-16 of the Zoning Ordinance pertaining to conversion of nonresidential ground floor use to residential use within the Central Business District.

AREA DESCRIPTION

The subject properties and all adjoining properties along the same (north) side of E. Cork St are zoned B-1 with Historic Winchester (HW) overlay. Land on the opposite (south) side of E. Cork St is zoned Limited High Density Residential (HR-1) with HW overlay. The subject stretch of E. Cork St has some office use, but is primarily characterized by residential and church use. The site is situated within Parking District 'A' (100% exemption) and a portion of the site unimproved with structures falls within the 100-year Town Run Flood District.



STAFF COMMENTS

The CUP request for conversion of the former ground floor office space to residential use is outlined in a letter from the applicant dated September 9, 2013. This request applies to three contiguous structures that were converted from residential use to offices around 1989. The buildings have been vacant since 2009. The structures have door and window openings that are typical of residential dwellings rather than commercial storefronts. The units that would be accessed directly from the E. Cork St sidewalk all have living rooms at ground level. Three of these are two-level units, with the bedrooms located on the upper stories. The Planning Director has determined that this segment of E. Cork St does not represent a major commercial street and would suggest that City Council could find the ground-floor residential use to be as suitable as nonresidential reuse.

Floor Area/Lot Density

There are applicable minimum zoning standards pertaining to multifamily units in the B-1 District. The proposal includes a total of nine (9) one-bedroom apartments. The absolute minimum floor area for general population (non-age restricted) one bedroom units is 575sf; the minimum average for such units is 700sf. The proposed units range in size from 579sf to 923sf, with an average size of 709sf. For lot density, one unit is permitted for each 1000sf of lot area, with additional density bonuses available. The total lot area is 8867sf, permitting 9 units as proposed (simple rounding is used for fractional amounts) without the need for pursuing density bonuses.

Site Improvements

There is a small existing amount of green area in front of the portion of building #124 that is recessed back from the sidewalk along E Cork St. This area would be maintained. The rear portion of the properties not encumbered by buildings is mostly covered by gravel, with some vegetation overgrowing. This rear area is accessible from a private 10' alley connecting to S Kent St with an access easement benefitting the subject properties. The proposal includes a site plan depicting a number of improvements to the rear area, including a landscaped courtyard with numerous trees, a privately-serviced trash enclosure with stuccoed CMU walls, and five off-street parking spaces. The spaces, travel aisle, and a portion of the courtyard would be improved with permeable pavers. The Zoning Ordinance generally calls for 30% open space for residential uses in the HW District, however provides for the BAR to review and recommend an appropriate percentage for the particular site plan. The proposed plan more than doubles the existing amount of open space on the site, achieving 28%.

One of the existing front porches is completely enclosed by railings with no stair access to the adjoining sidewalk. The applicant has requested an easement to allow for additional encroachment into the public right-of-way (in line with the existing, encroaching porch) to allow for stairs to access a proposed apartment unit door at this location. Should the City grant this easement, an existing tree well and small existing street tree adjacent to the area may need to be relocated by the applicant several feet to the east to preserve necessary accessible clearances on the sidewalk.

RECOMMENDATION

For a conditional use permit to be approved, a finding must be made that the proposal as submitted or modified will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood.

At its October 15, 2013 meeting, the Planning Commission forwarded **CU-13-495** to City Council recommending approval because the proposal, as submitted, will not adversely affect the health, safety or welfare of persons residing or working in the neighborhood nor be detrimental to public welfare or injurious to property or improvements in the neighborhood. The recommendation is based upon finding that the proposed ground-floor residential units are as suitable or preferable to other permitted uses on the ground floor and is subject to the following:

1. Conformity with the submitted floor plans;
2. Acquisition of the necessary easement for the proposed stair encroachment; and,
3. Staff review and approval of the related site plan, to include a recommendation from the BAR on the proposed open space.

Bowman-Turner, LC
3863 Centerview Dr.
Suite #300
Chantilly, VA 20151



September 9, 2013

To: City of Winchester, Virginia

Re: Request for a Conditional Use Permit to Allow the Conversion of Former Commercial Ground Floor Space Within the B-1 District to Residential Use.

The accompanying material submitted with this letter complies with the requirements of Section 18-2 of the City Zoning Ordinance, containing:

1. The Conditional Use Application form, completed and signed.
2. A check to the Treasurer, City of Winchester, in the amount established by Staff.
3. 7 copies of the Site Plans, Floor Plans, and Elevations of the proposed use.
4. A check for \$25 to the Treasurer, City of Winchester, for the preparation of a list of adjacent property owners for the purpose of notification.
5. A list of the equitable owners of the properties under consideration (listed below)

Project Narrative and Community Impact: Until approximately 2009, the three contiguous structures at 118-1/2, 120, and 124 E. Cork St. together functioned as an office building, with internal connections between these buildings. Since that time the property has been unoccupied. Two of these buildings, 120 and 124, were originally built as separate residences in about 1840. The third building—118-1/2—was constructed in about 1930. In 1989 a major addition to 124 was added, and it was after this that the three building became united and changed to commercial use. **The proposed alteration requiring a Conditional use permit will return the buildings to their original character and original use as residential structures.** The accompanying floor plans will show that ground floor spaces facing Cork St. will henceforth contain the living rooms of the rehabilitated dwelling units, and that upper floor spaces facing Cork St. will contain predominantly bedrooms. The nine proposed apartments in the total project will be accessed either from the original entrances on Cork Street, or from new entrances on the back side of the buildings, as shown on the plans and elevation. The proposed project meets the density and apartment-size standards of the Zoning Ordinance. Garbage pickup will be privately provided, and the off-street parking requirements of the Zoning Ordinance will be met. There will be no adverse effect on the commercial character of the B-1 District because the buildings in question have always had a residential appearance.

D-2013-36

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 10/22/13 (work session), CUT OFF DATE: 10/16/13
11/12/13(1st Reading) 12/10/13 (2nd reading)

RESOLUTION ___ ORDINANCE X PUBLIC HEARING X

ITEM TITLE:

RZ-13-500 AN ORDINANCE TO CONDITIONALLY REZONE 7.7076 ACRES OF LAND AT 940 CEDAR CREEK GRADE (Map Number 249-01-2) FROM RESIDENTIAL OFFICE (RO-1) DISTRICT WITH CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY TO HIGHWAY COMMERCIAL (B-2) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) & CE DISTRICT OVERLAY

STAFF RECOMMENDATION:

Approval

PUBLIC NOTICE AND HEARING:

Public hearing for 12/10/13 Council mtg

ADVISORY BOARD RECOMMENDATION:

Planning Commission recommended approval.

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include Economic Development, City Attorney, City Manager, and Clerk of Council.

Initiating Department Director's Signature: (Planning)

Handwritten signature of the initiating department director.

10/16/13



APPROVED AS TO FORM:

Handwritten signature and 'CITY ATTORNEY' printed text.

CITY COUNCIL ACTION MEMO

To: Mayor and Members of City Council
From: Tim Youmans, Planning Director
Date: October 16, 2013
Re: RZ-13-500

THE ISSUE:

Rezoning a 7.74-acre tract from RO-1 to B-2 with PUD overlay. The existing CE overlay zoning would remain on the front portion of the property. The existing RO-1 zoning would permit office development consistent with the recommendation shown in the Comp Plan. The proposed B-2(PUD) zoning would result in a 132-unit apartment complex and some commercial use.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 4: Create a more liveable city for all

Vision 2028- Great neighborhoods with a range of housing choices

BACKGROUND:

See attached staff report (updated to reflect 10-11-13 version of Proffer Statement)

BUDGET IMPACT:

Because there are no units with more than two bedrooms, the project would not likely generate school-aged children adding to attendance at City schools. In addition to some revenue from on-site commercial use, this new high-quality multifamily development would create more demand for commercial development elsewhere.

OPTIONS:

- Approve subject to latest version of proffers and Development Plan
- Deny (must state reasons for denial in the motion- e.g. "inconsistent with Comp Plan")

RECOMMENDATIONS:

Planning Commission recommended approval subject to the 10-11-13 version of proffers and the latest Development Plan.

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RZ-13-500 AN ORDINANCE TO CONDITIONALLY REZONE 7.7076 ACRES OF LAND AT 940 CEDAR CREEK GRADE (Map Number 249-01-2) FROM RESIDENTIAL OFFICE (RO-1) DISTRICT WITH CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY TO HIGHWAY COMMERCIAL (B-2) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) & CE DISTRICT OVERLAY

REQUEST DESCRIPTION

The applicant is requesting to change the underlying zoning of a large tract of mostly vacant land at the western limits of the City along the north side of Cedar Creek Grade from RO-1 to B-2 subject to proffers. The proposal keeps the Corridor Enhancement (CE) overlay zoning in place for the first 125 feet back into the site from Cedar Creek Grade, but eliminates it from the remainder of the site where the taller residential structures are proposed. The request proposes to add Planned Unit Development (PUD) overlay zoning across the entire site. The B-2 rezoning would permit the construction of up to 139 apartment units, assuming that the overlay Planned Unit Development (PUD) provisions and Corridor Enhancement (CE) provisions are met. The applicant has provided a Conceptual Site Layout Plan depicting 132 apartment units in 5 three-story buildings and 2 four-story buildings. A separate two-story mixed use with offices on the ground floor and 1-bedroom apartments on the second floor is proposed near the Cedar Creek Grade frontage of the site. The applicant has included an alternative scenario that would eliminate the second floor apartments and extend another 9,846 square feet of commercial use to the upper level, depending upon market demand. Recreational amenities include 2 proposed bocce ball courts out close to Cedar Creek Grade which is available for use by the occupants only and a perimeter walking trail with exercise stations that would be available to the public for at least 2 years. There are also some exercise stations toward the interior of the site.

AREA DESCRIPTION

The subject parcel contains a vacant single-family residence and some agricultural structures. This parcel and one residentially used property immediately to the east comprise an existing RO-1 district. Along with numerous other properties throughout the City, these two properties were rezoned by the City (i.e. not at property owner request) in the 1990's in an effort to stem what was then viewed as undesirable multifamily rental housing. Land to the north and further to the east is zoned HR and contains multifamily development as well as townhouse development. Land to the south fronting along Cedar Creek Grade is also zoned HR and contains single-family residences.



Land to the west is situated in Frederick County. The adjoining Frederick County parcel owned by Greystone Properties, LLC was conditionally rezoned from Rural Areas (RA) to Residential Planned Community (R4) by Frederick County along with other properties including a larger tract owned by Miller & Smith about five years ago. The 360-acre Willow Run project is slated for 1,390 residential units as well as 36 acres of commercial uses. The Greystone Properties portion of the larger Willow Run

project is primarily single-family attached (i.e. townhouse) residential and age-restricted housing. It includes a spine road (Birchmont Dr) that connects Cedar Creek Grade with the extension of Jubal Early Drive to the north. That connection is required to be built prior to the 200th residential permit being issued. A public street connection to Cidermill Lane from the County spine road is also part of the approved Willow Run project. Cidermill Lane is currently being extended to the County line as part of the last phase of the Orchard Hill townhouse development.

COMMENTS FROM STAFF

In a letter (see attached) to the Planning Director dated September 17, 2013, Mr. Timothy Painter of Painter-Lewis PLC, applicant for the owner (Mr. Scott Rosenfeld-Cedar Creek Place LLC), explains the proposed rezoning and the proposed Cedar Creek Place mixed use project. The applicant also provided an original Proffer Statement dated September 9, 2013 which was superseded by a 1st Revision dated September 30, 2013 (received by the Planning Department on October 2, 2013), and a 2nd Revision dated October 11, 2013 (received by the Planning Department on October 11, 2013). The Proffer Statement is addressed further below in the comments from staff. Along with the original letter and Proffer Statement, a 1-sheet Development Plan exhibit dated September 9, 2013 and titled 'Conceptual Site Layout Plan, Rezoning Exhibit "A"' was submitted. A revised 3-page Development Plan was submitted to the Planning Department on October 2, 2013. The Development Plan was revised again on October 11, 2013 to show updated phasing on the cover sheet. It includes detailed phasing, conceptual utility layout, perimeter buffering, and existing topography.

Comprehensive Plan Consistency

The Character Map contained in the adopted Comprehensive Plan calls for a Commerce Revitalization/Infill in this area and for the connection of Stoneleigh Drive to Cedar Creek Grade. PUD overlay allows for consideration of up to 18 dwelling units per acre, which in the case of 7.74 acres would translate to a maximum of 139 dwelling units. The applicant is proposing 132 dwelling units in addition to a building housing commercial offices. The Comprehensive Plan also calls for increased multifamily development citywide to attract young professionals and empty nesters. The proposed upscale apartments would serve these targeted populations.

The Cedar Creek Grade corridor has undergone considerable change over the past 25 years from being primarily single-family development along a two-lane roadway to becoming a mixed use corridor served by a four-lane arterial. A number of sites that were rezoned to RO-1 by the City in the 1990's were subsequently rezoned on a conditional basis to Highway Commercial (B-2) by private developers. These conditional B-2 rezonings often included restrictions on commercial uses. This effort includes the two lots along the south side of Cedar Creek Grade across from the east end of the subject property where two large office buildings are situated today. Corridor Enhancement (CE) overlay zoning was established along Cedar Creek Grade in 2006.

Potential Impacts & Proffers

Since this is a conditional rezoning request wherein the applicant has voluntarily submitted proffers to mitigate potential impacts arising from the rezoning of the property from RO-1(CE) to B-2 (PUD/CE). The September 9, 2013 Proffer Statement and the September 30th revision to it is structured to address six areas under the heading of Site Planning Improvements. These are: Street and Access Improvements; Interior Site Circulation; Site Development; Landscaping and Design; Recreation; and, Storm water Management. The last paragraph of the Proffer Statement binds the developer to develop the site in accordance with the Conceptual Site Layout Plan, Rezoning Exhibit "A" dated September 9, 2013.

The applicant has conducted both a Fiscal Impact Analysis and a Traffic Impact Analysis which are two studies that can be required by the Planning Commission for a PUD rezoning application per Sections 13-4-2.2k and l of the Zoning Ordinance.

Fiscal Impact Analysis

Because the multifamily (i.e. non-commercial) component of the project, from a land use perspective, is inconsistent with the adopted Comprehensive Plan, a Fiscal Impact Analysis was prepared. That Analysis, dated September 2013, shows the impacts on City revenue and expenditures generated by the project as compared to revenue and expenditures arising from development allowed under the current RO-1 development. While the current RO-1 zoning permits office development which generates no school-aged population, it also permits single-family residential homes at a density of 4.3 units per acre which is between the current LR and MR residential district densities. Single-family homes tend to generate more school-aged population than multifamily units, but there would be many fewer single-family homes possible under the current RO-1 zoning than possible under the proposed HR zoning.

The proposed conditional B-2 (PUD) zoning permits commercial office development, and also would permit up to 139 apartment units, in this case primarily consisting of two-bedroom units. The applicant is NOT asking to have any three bedrooms which might increase the likelihood of school-aged population. The Fiscal Analysis shows that the development would result in a net revenue benefit to the City, annually after build-out of nearly \$163,000, including on-site and off-site impacts. This assumes that the nonresidential component is built in a timely manner, which is discussed further under the review of the phasing plan.

Mr. Jim Deskins, the City's Economic Redevelopment Director reviewed the proposal and commented on the fiscal impacts associated with changing the zoning from the current RO-1 which would support general and medical office development to instead have mixed use under B-2 (PUD) zoning that would specifically consist of 132 one- and two-bedroom apartment units and 8,800 square feet of commercial development. (Note: the latest Development Plan calls for 9,846 square feet of commercial development which would only make the revenue figures even better than in the report.) In an email to the Planning Department, Mr. Deskins stated that, even with a higher number of students than what he would expect from the development, the report reflects a positive cash flow for the City.

Traffic Impact Analysis

A Traffic Signal Warrant Study dated 9/4/13 was submitted on 9/9/13 to the Planning Director and to the Public Services Director, Perry Eisenach. The Warrant Study concluded that a traffic signal would not be warranted at the proposed intersection of Cedar Creek Grade and the extension of Stoneleigh Drive, even if situated opposite of the existing Cedar Creek Grade/Stone Ridge Rd intersection. The Public Services Director reviewed the study and agreed with the findings.

The Traffic Signal Warrant Study included an analysis of Trip Generation based upon four different Development Scenarios. The figures are contained in Table 1 on page 6 of the Study (See attached Table 1). The proposed scenario identifies 132 apartment units and 8,500 square feet of specialty retail. It would generate 144 trips in the PM Peak Hour and an Average Daily Traffic (ADT) volume of 1,419 trips. The latest Development Plan calls for at least 9,846 square feet of commercial space which will most likely be dominated by office use instead of specialty retail. The trip generation figures should not change considerably from what was analyzed, but the traffic report should be updated to reflect the

latest development proposal including the option to do commercial use on the upper level of the front building. If the 7.74 acres were instead developed with by-right office development consisting of upwards of 120,000 square feet of medical-dental office development, then it would generate 424 trips in the PM Peak Hour and an ADT volume of 4,692 trips (over 3 times the amount of traffic generated by the development proposed with the rezoning). If the site was rezoned to HR District without the proposed PUD overlay zoning, then it would support upwards of 108 multifamily units. This development would generate 77 trips in the PM Peak Hour and an ADT volume of 799 trips. Staff has not observed problems at intersections such as Harvest Drive and W. Jubal Early Dr where considerably larger numbers of apartments, retirement cottages, assisted living, and conventional single-family units are linked to major streets in the City.

Based upon the Development Plan, the development is proposed to include a private extension of Stoneleigh Drive connecting with another private drive that then intersects Cedar Creek Grade at an unsignalized intersection located approximately 240 feet west of the Harvest Drive intersection. This new location is where the existing driveway into the adjoining Horton property is currently located. That driveway would be eliminated under the proposal and a connection to the Horton property would be provided from a point internal to the Cedar Creek Place development north of the existing Horton residence closest to Cedar Creek Grade.

The proposed street location minimizes impacts on the Harvest Drive neighborhood and provides for an indirect connection to the public portion of Stoneleigh Drive in the Orchard Hill neighborhood. It also provides for good sight distance to the west. It will, however, require the granting of an exception by City Council to allow for the new private street to be situated within 300 feet of the existing Harvest Drive intersection.

Alterations were made to traffic flow on Cedar Creek Grade at Stoneridge Rd intersection after VDOT had widened the road from two lanes to four lanes in 1993. The alteration decreased the capacity of Cedar Creek Grade by converting one of the two eastbound lanes and one of the two westbound lanes approaching Stoneridge Rd into right-turn and left-turn lanes respectively. That change essentially reduced Cedar Creek Grade down to a single through lane eastbound and westbound at that one location.

The applicant is proffering to extend a private roadway northward to connect with another private roadway internal to the apartment development. It would also connect to the privately-owned portion of Stoneleigh Drive serving the existing Summerfield Apartment development. Summerfield Apartments were approved with improved access only to the north connecting with the public portion of Stoneleigh Dr in the Orchard Hill townhouse development. The developer of the Summerfield Apartment development offered to extend Stoneleigh Drive as a public street southward to allow for an orderly extension of that street ultimately to Cedar Creek Grade once the former Racey property was developed. Due to strong opposition from adjoining Orchard Hill residents, City Council turned down a subdivision proposal in 1997 that would have extended the public street, but the apartment development site plan was nonetheless approved relying solely upon access to Harvest Drive, a Category II Collector Street via local (Category I) streets within the Orchard Hill development.

As noted above, the Comprehensive Plan calls for the orderly extension of roadway connecting the Summerfield and Orchard Hill neighborhoods to Cedar Creek Grade. This allows for improved traffic flow and improved service delivery for City services such as fire and rescue, police, school buses, and refuse, yard waste, and recycling pickup. It also implements the New Urbanism principle of an interconnected

grid street network advocated in the Comprehensive Plan and avoids undesirably long an inefficient single-access point development typical of 1960's – 1990's suburban sprawl. Total traffic on any one street is reduced since residents do not have to drive through other neighborhoods to get to the major streets in the City. The applicant is also proffering traffic calming measures along the proposed private roadway.

Site Development and Buffering

The Conceptual Site Layout Plan depicts 132 apartment units in 5 three-story buildings, 2 four-story buildings, and the upper floor of the two-story mixed use building out front. Proffers #3 & 4 address Site Development as well as Landscaping and Design. Three of the 5 three-story buildings would back up to the Summerfield Apartment development along the northern boundary furthest from Cedar Creek Grade. One of the 2 four-story structures is located along the west side of site adjoining Frederick County. Per the proffered layout, all of the residential-only buildings would be situated at least 140 feet away from Cedar Creek Grade. Only the apartments on the upper floor of the mixed use building would be within 140 feet of Cedar Creek Grade. In Proffer #3, the applicant has proffered minimum separations between building within the site and between buildings and of-street parking areas. Proffer#3 also now notes that the project will generally conform to the architectural floor plans and elevations prepared by Design Concepts, Inc. Proffer #4 provides detailed information about the landscaped buffers, including the quantity of evergreen and deciduous trees required. Upright evergreen screening consisting of a hedgerow or staggered double row of evergreens is proffered along the west, north and east perimeter of the site including the boundary adjoining the Horton property to the east.

Recreation and Open Space

Proffer #5 addresses recreational amenities and open space. The applicant is proposing a 5-foot wide walking trail with exercise stations for public use for at least a 2-year period and 2 bocce ball courts and a gazebo situated out close to Cedar Creek which would be for use only by the occupants. A 2-court bocce ball facility for a multifamily development of this size is on the low end of facilities provided per dwelling unit. Unlike the recently approved Jubal Square project, no swimming pool and community building is depicted on the plan and the applicant should clarify whether or not a fitness center is proposed in the front mixed use building.

Storm water Management

Proffer #6 addresses the impacts of storm water management and the applicant's measures to mitigate the potential impacts. A detailed storm water analysis would be generated by the applicant and reviewed by the City at the time of site plan. On sheet RZ2 of the applicant's proposed Development Plan layout, two large underground storm water management systems are depicted.

Project Phasing

The applicant proposes to phase the project in 8 phases over a 5-year timeframe as part of the PUD rezoning. Any phasing plan should clearly note the timing of the roadway connection to Summerfield Apartments and the completion of the recreational amenities relative to occupancies of any units. The bocce ball courts and gazebo are annotated as part of Phase 1. In response to concerns raised by City staff, the applicant has amended the phasing plan so that at least half of the winged mixed use building be constructed no later than the completion of Phase 5 and that it be ready for occupancy no later than the occupancy of the Phase 6 building. The latest version of the phasing proposal calls for flexibility with regard to the project phasing such that the Planning Director can administratively modify the phasing shown on the cover sheet of the Development Plan. This would, for example, allow the developer to

proceed with the second 4-story building in advance of commencing the 3-story buildings shown as Phases 5 and 6.

Other Issues

The applicant should review all of the requirements for a complete PUD proposal as spelled out in Section 13-4 of the Zoning Ordinance. Among the Development Plan requirements is the following:

- A plan or statement detailing covenants, restrictions, and conditions pertaining to the use, maintenance and operation of common spaces.

RECOMMENDATION

At its October 15, 2013 meeting, the Planning Commission forwarded **RZ-13-500** to City Council recommending approval of the rezoning as depicted on an exhibit entitled *“Rezoning Exhibit RZ-13-500, Prepared by Winchester Planning Department, October 1, 2013”* because the proposed B-2 (PUD/CE) zoning supports the expansion of housing serving targeted populations, facilitates the connection of Stoneleigh Drive to Cedar Creek Grade, and provides for commercial space in support of the Commerce Revitalization/Infill character designation in the Comprehensive Plan. The recommendation is subject to adherence with the latest Development Plan titled ‘CONCEPTUAL SITE LAYOUT PLAN EXHIBIT “A”’ dated September 9, 2013 (last updated on Oct 11, 2013) and the submitted proffers dated September 9, 2013 and last revised October 11, 2013.

PAINTER-LEWIS, P.L.C.
CONSULTING ENGINEERS
817 Cedar Creek Grade, Suite 120
Winchester, Virginia 22601

Tel.: (540) 662-5792
Fax: (540) 662-5793

September 17, 2013

Mr. Timothy P. Youmans, Director of Planning
City of Winchester, Virginia
15 N. Cameron Street
Rouss City Hall
Winchester, Virginia 22601

Re: Cedar Creek Place Commercial & Apartment Complex
940 Cedar Creek Grade
Winchester, Virginia
Tax Map: 249-01-2
Rezoning Application: RZ-13-500

Dear Sir:

The Comprehensive Plan of the City of Winchester recommends that the area in and around the above-referenced project have an Residential Office District (RO-1) zoning. This district permits a combination of residential and light commercial uses.

This rezoning proposal is requesting that this parcel be rezoned to a B-2 Highway Commercial District (B-2) with a Planned Unit Development District (PUD) overlay. The area along Cedar Creek Grade would house the commercial element and a high-density multifamily development would be developed on the rear of the parcel. The Corridor Enhancement (CE) overlay is proposed to be maintained along the Cedar Creek Grade corridor and extend into the property for one hundred twenty-five feet (125') from the Cedar Creek Grade right-of-way. This zoning would permit the use of a mixture of commercial and multifamily residential uses on this site.

The current RO-1 district allows the use of light-commercial (office) developments and is primarily for single-family residential uses. The B-2 zoning allows for more diversity in the commercial element and allows for a multifamily residential element, as well. Even though this proposal varies from the existing zoning district, it does provide a similar type of housing to what exists on the adjacent property to the north and generally conforms to the use of mixed housing types in the area.

Page 1

Mr. Timothy P. Youmans, Director of Planning
City of Winchester, Virginia

September 17, 2013
Cedar Creek Place

This proposal, to develop the above-referenced project into a combined commercial and high-density residential district with a multifamily use and a PUD overlay, generally conforms to the Comprehensive Plan of the City of Winchester by allowing a varied residential use in this area and still providing a commercial use to serve the general area. This combination of uses and development of this site, as a result of this rezoning, will have a positive impact for the City of Winchester; it generally conforms to the Comprehensive Plan for this area.

Thank you for your attention to this matter. If you would have any questions or would require further information please do not hesitate to contact me.

Sincerely,



Timothy G. Painter, P. E.

c. Mr. Scott Rosenfeld
Cedar Creek Place, LLC
821 Apple Pie Ridge Road
Winchester, Virginia 22603

**CEDAR CREEK PLACE
COMMERCIAL and APARTMENT COMPLEX
REZONING REQUEST PROFFER
(Conditions for this Rezoning Request)**

**Tax Map Number: 249-01-2
Owner: Cedar Creek Place, L.L.C.
Applicant: Painter-Lewis, P.L.C.**



**September 9, 2013
Latest Revision: October 11, 2013**

Property Information

The undersigned applicant hereby proffers that in the event the Council of the City of Winchester (Council) shall approve the rezoning of 7.7076 acres from Residential Office District (RO-1) to Highway Commercial District (B-2) with a Planned Unit Development District (PUD) overlay and maintaining the Corridor Enhancement District (CE) along Cedar Creek Grade for 125' from the right-of-way line into the parcel (to include the commercial space and the recreational area along Cedar Creek Grade), then development of the subject property shall be done in conformity with the terms and conditions as set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and such be approved by the Council in accordance with Virginia law. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. These proffers shall be binding upon the applicant and their legal successor or assigns.

Any and all proffers and conditions, accepted or binding upon the aforementioned property, as a condition of accepting these proffers, shall become void and have no subsequent affect.

Site Planning Improvements

The undersigned applicant, who is acting on behalf of the owners of the above described property, hereby voluntarily proffers that, if the Council of the City of Winchester approves the rezoning, the undersigned will provide:

1. Street and Access Improvements

- ❖ Design and construction of approximately 1120 feet of Private Street from the existing Cedar Creek Grade Right-of-Way to the private street section of Stoneleigh Drive in the Summerfield Luxury Apartment Complex to the north of this property.
- ❖ Traffic calming measures shall be installed along this private street section to lessen the adverse effects of traffic in this apartment complex development.

2. Interior Site Circulation

- ❖ Access shall be provided via interior driveways and drive aisles which connect to the proposed private street section to provide the needed access to Cedar Creek Grade Roadway.

**CEDAR CREEK PLACE COMMERCIAL and APARTMENT COMPLEX
Rezoning Request Proffer**

3. Site Development:

- ❖ A minimum separation distance of thirty-two feet (32') shall be maintained between all building pads.
- ❖ A minimum separation distance of ten feet (10') shall be maintained between the building lines of the apartment buildings and the face of curb of the adjacent parking areas.
- ❖ No apartment buildings shall be constructed closer than one hundred forty feet (140') of the Cedar Creek Grade Right-of-Way and the commercial shall be situated no closer than forty feet (40') of the Cedar Creek Grade Right-of-Way.
- ❖ A minimum separation distance of six feet (6') shall be maintained between the building lines of the commercial buildings and the face of curb of the adjacent parking areas.
- ❖ The architectural building layouts and characteristics shall generally conform to the floor plans and building elevations indicated in the Cedar Creek Place renderings, as prepared by Design Concept Inc. The building renderings referenced were submitted to the City of Winchester on September 11, 2013 and shall be considered part of this application to present a standard of quality to be used for this project. The exterior building materials shall be as follows:
 - The exterior siding finishes shall be stone or masonry or a combination thereof on all buildings for the main floor level.
 - The upper level exterior finishes shall be a combination of stone, masonry, or vinyl siding.
 - The roofing materials shall be Architectural grade asphalt shingles that will accent the color scheme of the buildings.The final combinations and color selections shall be determined at the time of the site plan submittal for final review and approval.

4. Landscaping and Design:

- ❖ In the perimeter areas of the site where existing residential developments have been constructed, specifically along the eastern, western, and northern boundary lines, an opaque screen consisting of an evergreen hedgerow or double row of evergreens shall be constructed.

5. Recreation:

- ❖ An active recreation and landscaping buffer shall be provided along the Cedar Creek Grade Right-of-Way in the areas not included as part of the commercial portion of this development. This area shall be dedicated to active recreation for use by the residents of this development. The active recreation element shall include a minimum five foot (5') wide walking trail with exercise stations that will become part of the local trail system for use by the residents and local public for a period of two (2) years after completion of the trail network. The permitted use by the local public shall be evaluated by the current ownership on an annual basis thereafter and may be restricted dependent upon the future changes in the development.

**CEDAR CREEK PLACE COMMERCIAL and APARTMENT COMPLEX
Rezoning Request Proffer**

- ❖ Additionally, two bocce courts with community gazebo shall be constructed as part of this development that will be available for private use of the residents of this complex, only.

6. Storm Water Management:

- ❖ All storm water management and storm water quality facilities shall be installed underground in accordance with the standards and specifications of the Winchester Public Works Department. These facilities shall be maintained by the owner of the development and be constructed so as to secure the safety of the public at all times.

The conditions proffered above and in accordance with the accompanying rezoning exhibit, entitled Conceptual Site Layout Plan, Exhibit "A", dated September 9, 2013, and as prepared by Painter-Lewis, PLC, shall be binding upon the heirs, executors, administrators, assigns and successors in interest of the Applicant and Owner. In the event the Council grants said rezoning and accepts these conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the City of Winchester Code.

Respectfully submitted,

PROPERTY OWNER

By: _____ Date: _____

STATE OF VIRGINIA, AT LARGE
COUNTY OF _____, To Wit:

The foregoing instrument was acknowledged before me this ____ day of _____, 2013,
by _____.

My Commission expires _____.

Notary Public _____

Trip Generation

Trip generation for the planned apartment complex was developed from the TripGen Software and is based on the Institute of Transportation Engineers Manual, Trip Generation Manual, 9th edition. The full build-out of the project is planned to occur by the year 2019. The resulting trips generated by the project are summarized as Scenario 3 in Table 1.

In addition to the trip generation resulting from the proposed project, several other potential development types were evaluated for comparison. These are also presented in Table 1.

Table 1 Trip Generation Comparisons

Scenario 1 - Developed under current
RO-1 w/ single family detached
dwellings

Land Use	ITE Code	Amount	AM Peak Hour			PM Peak Hour			Avg. Daily Trips
			In	Out	Total	In	Out	Total	
Residential - single family detached (27 units)	210	27	8	23	31	23	12	35	312
Total New Trips			8	23	31	23	12	35	312

Scenario 2 - Developed under HR
zoning w/o PUD overlay

Land Use	ITE Code	Amount	AM Peak Hour			PM Peak Hour			Avg. Daily Trips
			In	Out	Total	In	Out	Total	
Apartments (108 units)	220	108	12	45	57	50	27	77	799
Total New Trips			12	45	57	50	27	77	799

Proposed Development

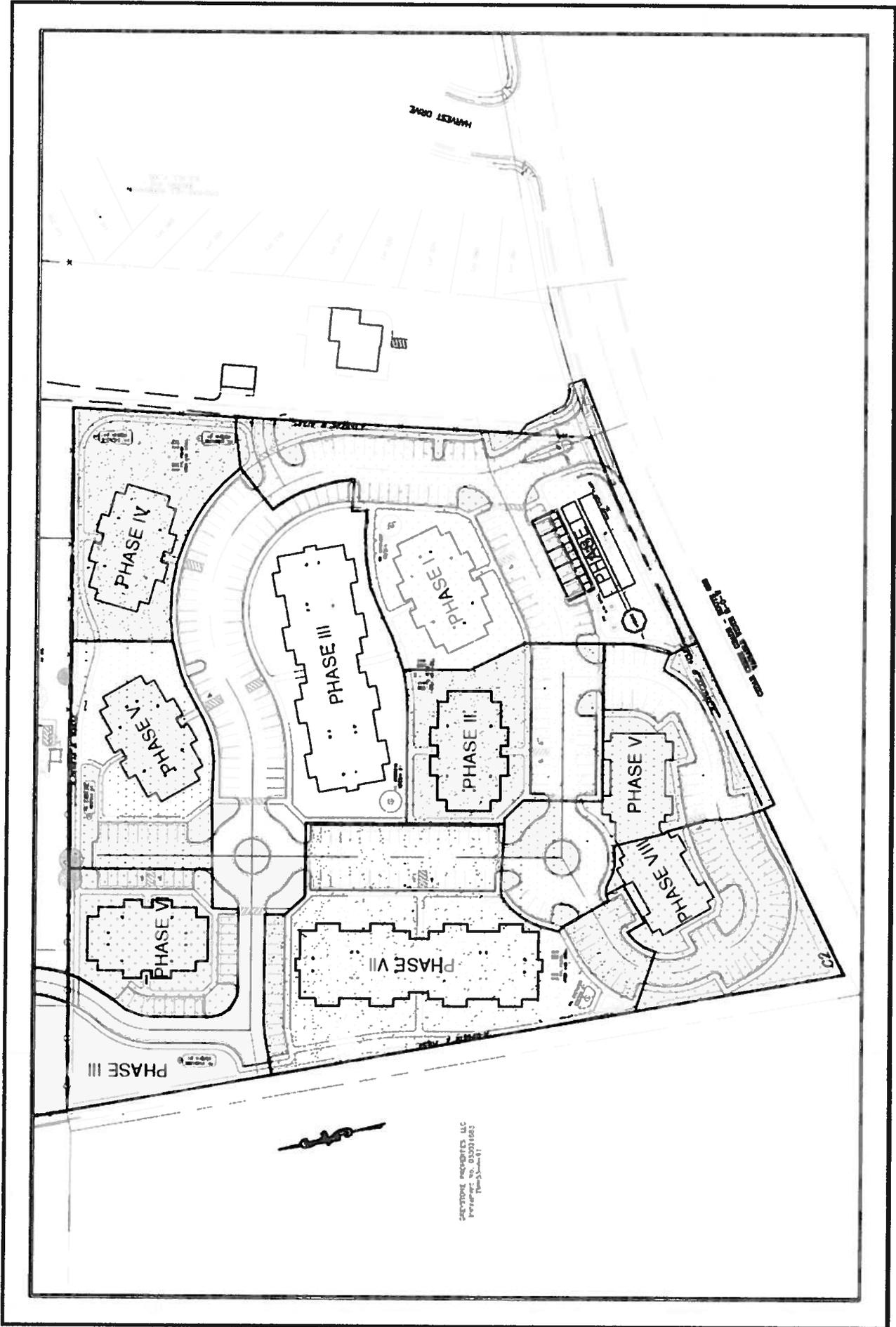
Scenario 3 - Developed under HR
zoning with PUD overlay

Land Use	ITE Code	Amount	AM Peak Hour			PM Peak Hour			Avg. Daily Trips
			In	Out	Total	In	Out	Total	
Apartments (124 units)	220	124	13	51	64	56	30	86	875
Specialty Retail (8,500 sq. ft.)	826	8.5	16	16	32	32	26	58	544
Total New Trips			29	67	96	88	56	144	1419

now 95464

Scenario 4 - Developed under B-2
zoning as Medical-Dental Offices

Land Use	ITE Code	Amount	AM Peak Hour			PM Peak Hour			Avg. Daily Trips
			In	Out	Total	In	Out	Total	
Medical-Dental Office Building (120,000 sq ft FAR = .35)	720	120	280	144	424	213	319	532	4,692
Total New Trips			280	144	424	213	319	532	4,692

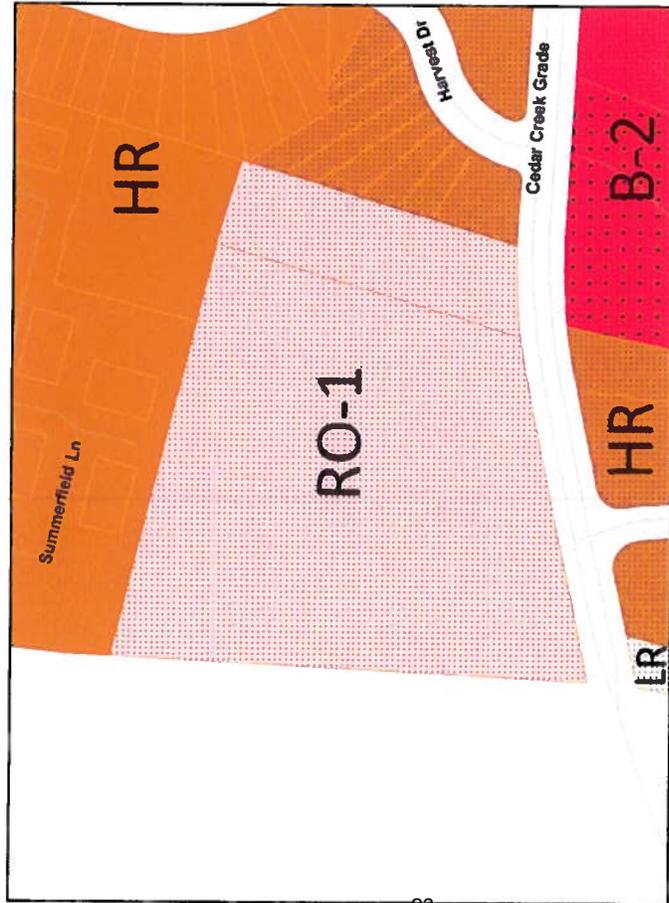


PROJECT OVERVIEW

REZONING EXHIBIT

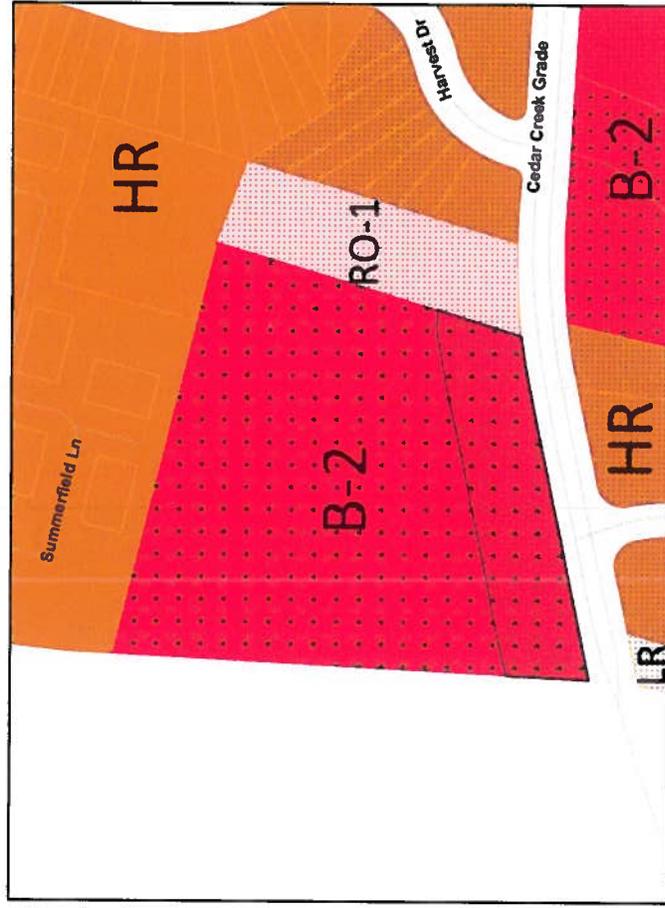
RZ-13-500

PREPARED BY WINCHESTER PLANNING DEPARTMENT
OCTOBER 1, 2013



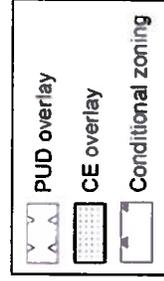
EXISTING

RO-1 (CE) ZONING FOR 940 CEDAR CREEK GRADE



PROPOSED

CONDITIONAL B-2 (PUD/part CE) ZONING FOR 940 CEDAR CREEK GRADE



AN ORDINANCE TO CONDITIONALLY REZONE 7.7076 ACRES OF LAND AT 940 CEDAR CREEK GRADE (Map Number 249-01-2) FROM RESIDENTIAL OFFICE (RO-1) DISTRICT WITH CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY TO HIGHWAY COMMERCIAL (B-2) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) & CE DISTRICT OVERLAY

RZ-13-500

WHEREAS, the Common Council has received an application from Painter-Lewis, PLC on behalf of Cedar Creek Place, LLC to rezone property at 940 Cedar Creek Grade from Residential Office with Corridor Enhancement District overlay to Highway Commercial District with Planned Unit Development District overlay and Corridor Enhancement District overlay; and,

WHEREAS, the Planning Commission forwarded the request to Council on October 15, 2013 recommending approval of the rezoning as depicted on an exhibit entitled "*Rezoning Exhibit RZ-13-500, Prepared by Winchester Planning Department, October 1, 2013*" because the proposed B-2 (PUD/CE) zoning supports the expansion of housing serving targeted populations, facilitates the connection of Stoneleigh Drive to Cedar Creek Grade, and provides for commercial space in support of the Commerce Revitalization/Infill character designation in the Comprehensive Plan. The recommendation is subject to adherence with the Development Plan titled 'CONCEPTUAL SITE LAYOUT PLAN EXHIBIT "A"' dated September 9, 2013 (last updated on October 11, 2013) and the submitted proffers dated September 9, 2013 and last revised October 11, 2013; and,

WHEREAS, a synopsis of this Ordinance has been duly advertised and a Public Hearing has been conducted by the Common Council of the City of Winchester, Virginia, all as required by the Code of Virginia, 1950, as amended, and the said Council has determined that the rezoning associated with this property herein designated supports the expansion of housing serving targeted populations, facilitates the connection of Stoneleigh Drive to Cedar Creek Grade, and provides for commercial space in support of the Commerce Revitalization/Infill character designation in the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Winchester, Virginia that the following land is hereby rezoned from the existing zoning designation of Residential Office with Corridor Enhancement District overlay to Highway Commercial District with Planned Unit Development District overlay and Corridor Enhancement District overlay:

7.7076 acres of land at 940 Cedar Creek Grade as depicted on an exhibit entitled "*Rezoning Exhibit RZ-13-500 Prepared by Winchester Planning Department, October 1, 2013*".

BE IT FURTHER ORDAINED by the Common Council of the City of Winchester, Virginia that the rezoning is subject to adherence with the Development Plan titled 'CONCEPTUAL SITE LAYOUT PLAN EXHIBIT "A"' dated September 9, 2013 (last updated on October 11, 2013) and the submitted proffers dated September 9, 2013 and last revised October 11, 2013.

0-2013.37

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 10/22/13 (work session), CUT OFF DATE: 10/16/13
11/12/13 (1st Reading) 12/10/13 (2nd Reading/Public Hearing)

RESOLUTION ___ ORDINANCE X PUBLIC HEARING X

ITEM TITLE:

TA-13-488 AN ORDINANCE TO AMEND AND RE-ENACT SECTION 22-2 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO REFERRAL TO AND ACTION BY THE PLANNING COMMISSION ON REZONINGS AND ZONING TEXT AMENDMENTS

STAFF RECOMMENDATION:

Approval.

PUBLIC NOTICE AND HEARING:

Public hearing for 12/10/13 Council mtg

ADVISORY BOARD RECOMMENDATION:

Planning Commission recommended approval.

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include Zoning and Inspections, City Attorney, City Manager, and Clerk of Council.

Initiating Department Director's Signature: [Signature] 10/16/13
(Planning)



APPROVED AS TO FORM: [Signature] CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Mayor and Members of City Council
From: Tim Youmans, Planning Director
Date: October 16, 2013
Re: TA-13-488

THE ISSUE:

The ordinance clarifies the means by which referral of a rezoning or text amendment request to the Planning Commission is handled as required by State Code. The ordinance also amends the maximum time allowed for Commission recommendation to be forwarded to Council by 10 days.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 4: Create a more liveable city for all
Policy Agenda- Zoning Ordinance Rewrite

BACKGROUND:

See attached staff report

BUDGET IMPACT:

NA

OPTIONS:

- Approve
- Deny

RECOMMENDATIONS:

Planning Commission recommended approval.

TA-13-488 AN ORDINANCE TO AMEND AND REENACT SECTION 22-2 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO REFERRAL TO AND ACTION BY THE PLANNING COMMISSION ON REZONINGS AND ZONING TEXT AMENDMENTS

REQUEST DESCRIPTION

The request is to bring language in Section 22-2 of the Zoning Ordinance pertaining to the procedures for Commission review of rezonings and text amendments into compliance with State Code. Specifically, the amended language addresses the referral of a case from City Council (i.e. the elected body) to the Commission. This referral is defined as the determination by the Planning Commission that the application for rezoning or zoning text amendment is complete. The amendment also changes the maximum limit on the time period in which the Commission must report a recommendation to City Council. The proposed amendment changes the timeframe from the current limit of 90 days to instead be 100 days consistent with the maximum period identified in State Code.

STAFF COMMENTS

The proposed ordinance clarifies provisions of Winchester's local zoning ordinance in order to better define when the clock starts ticking for the Planning Commission to complete review of rezonings and zoning text amendments prior to forwarding a recommendation on to City Council.

Effectively, the change from 90 days to 100 days will allow the Commission to table a request for rezoning or text amendment up to two times before having to forward it on to City Council regardless of uncertainties with the proposal. To illustrate how this works, the following example is provided:

Application for rezoning or text amendment submitted-	Sept 6 th
Application Determined Complete (i.e. 'Referral by Council')-	Sept 9 th
Nearest Planning Commission meeting to 'Referral' date-	Sept 17 th
Public Hearing opened at Planning Commission-	Oct 15 th (28 days after Sept 17 th)
Public Hearing continued to next Commission meeting-	Nov 19 th (63 days after Sept 17 th)
Public Hearing closed, decision tabled until next Comm mtg-	Dec 17 th (91 days after Sept 17 th)

In the example above, under the present 90-day limit, the Commission would not be able to table action beyond the Nov 19th meeting because the Dec 17th meeting would be more than 90 days out. Under the proposed 100-day limit, the Commission would not be able to table action beyond the Dec 17th meeting because the next Commission meeting would be more than 100 days out.

RECOMMENDATION

At its October 15, 2013 meeting, the Planning Commission forwarded TA-13-488 to Council recommending approval because it represents good planning practice by more clearly ensuring compliance with State Code and allowing a more reasonable upper limit of time for the Commission to make a recommendation to City Council.

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 22-2 OF THE WINCHESTER ZONING
ORDINANCE PERTAINING TO REFERRAL TO AND ACTION BY THE PLANNING
COMMISSION ON REZONINGS AND ZONING TEXT AMENDMENTS
TA-13-488

WHEREAS, the Code of Virginia codifies how amendments and reenactments of the Zoning Ordinance are to be handled; and,

WHEREAS, the Code of Virginia requires that amendments and reenactments be referred to the Planning Commission and acted upon in a prescribed timeframe; and,

WHEREAS; the Winchester Zoning Ordinance currently is silent on referral by City Council and provides for a referral period shorter than that permissible under current State Code; and,

WHEREAS, the Planning Commission of the City of Winchester initiated public sponsorship of a text amendment to ensure compliance with State Code; and,

WHEREAS, the Planning Commission has considered the aforesaid amendment and, at its meeting of October 15, 2013, forwarded said amendment to City Council recommending approval as identified in "Draft 1 – 9/4/13" because it represents good planning practice by more clearly ensuring compliance with State Code and allowing a more reasonable upper limit of time for the Commission to make a recommendation to City Council; and,

WHEREAS, a synopsis of this Ordinance has been duly advertised and a Public Hearing has been conducted by the Common Council of the City of Winchester, Virginia, all as required by the Code of Virginia, 1950, as amended, and the said Council has determined that the amendment represents good planning practice.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Winchester, Virginia, that the Winchester Zoning Ordinance of 1976, as amended, be further amended to read as follows:

AN ORDINANCE TO AMEND AND REENACT SECTION 22-2 OF THE WINCHESTER ZONING
ORDINANCE PERTAINING TO REFERRAL TO AND ACTION BY THE PLANNING
COMMISSION ON REZONINGS AND ZONING TEXT AMENDMENTS

TA-13-488

Draft 1 – 9/4/13

Ed. Note: The following text represents an excerpt of Article 22 that is subject to change. Words with strikethrough are proposed for repeal. Words that are boldfaced and underlined are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excerpted text.

Section 22-2. REFERRAL TO AND ACTION BY PLANNING COMMISSION.

22-2-1 **All applications to amend or reenact the Zoning Ordinance, or to amend the Zoning Map, which have been determined by the Winchester Planning Department to be complete shall be considered to be referred to the Planning Commission by City Council.** No amendment **or reenactment** shall be acted upon unless the proposal has been reviewed by the Commission. The Commission shall hold at least one (1) public hearing on such proposed amendment **or reenactment after required notice.** For ~~in~~ any amendment of the Zoning Map, the public notice shall include the statement of the general usage and density range of the proposed amendment and the general usage and density range of the applicable part of the Comprehensive Plan. Following the hearing, the Commission may include changes in the original proposal resulting from the hearing, and shall transmit such recommendations, together with any explanatory matter, to the City Council. Failure of the Commission to report within ~~ninety (90)~~ **one hundred (100)** days after the first meeting of the Commission after the completed amendment application has been referred to the Commission shall be deemed approval, unless such proposed amendment **or reenactment** has been withdrawn by the applicant **prior to the expiration of the time period.** (11/13/79, Ord. No. 024-19; 2/9/88, Case TA-87-13, Ord. No. 008-88; 12/11/90, Case TA-90-06, Ord. No. 043-90; 10/13/92, Case TA-92-02, Ord. No. 016-92)

0-2013-38

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 10/22/13 (Work Session), **CUT OFF DATE:** 10/15/13
11/12/13 (First Reading) 12/10/13 (2nd Reading/Public Hearing)

RESOLUTION **ORDINANCE** X **PUBLIC HEARING** X

ITEM TITLE:

AN ORDINANCE TO AMEND AND REENACT SECTIONS 30-49, 30-51, 30-52 AND 11-38 OF THE WINCHESTER CITY CODE PERTAINING TO NOTICE REQUIREMENTS FOR GRASS, WEEDS, AND OTHER FOREIGN GROWTH ON PRIVATE PROPERTY AND FEES FOR ABATEMENT OF TRASH AND TALL GRASS AND WEEDS BY THE CITY.

STAFF RECOMMENDATION:

Approval.

PUBLIC NOTICE AND HEARING:

Public Hearing Required – 12/10/13.

ADVISORY BOARD RECOMMENDATION:

N/A

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. City Attorney	<u>AW</u>	<u> </u>	<u>10/9/2013</u>
2. City Manager	<u>DI</u>	<u> </u>	<u>10-16-2013</u>
3. Clerk of Council	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>

Initiating Department Director's Signature:
(Zoning and Inspections)



APPROVED AS TO FORM:

 10/9/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Aaron Grisdale, Director of Zoning and Inspections
Date: October 22, 2013
Re: Changes to Notice Requirements for Tall Grass and Weeds Violations

THE ISSUE:

Proposed modifications to City Code to reflect recent changes in the General Assembly regarding notice requirements for tall grass and weeds violations.

RELATIONSHIP TO STRATEGIC PLAN:

This text amendment correlates to the Goal #2 of “Develop a High Performing Organization” and Goal #4 “Create a More Livable City For All” by improving the tools available for code enforcement staff to correct and abate tall grass and weeds violations throughout the City.

BACKGROUND:

During the 2013 session of the General Assembly, changes were made to amend and reenact §15.2-901 of the Code of Virginia to amend the provisions pertaining notice requirements for violations of excessive grass height. The change states that one notice per growing season shall constitute reasonable notice for properties that exceed the maximum allowable height for grass violations. Additionally, an abatement fee is proposed in cases where City staff must hire a contractor to abate the violation in order to cover the administrative costs of this abatement. (Full staff report attached).

BUDGET IMPACT:

No funding is required.

OPTIONS:

- Adopt the proposed changes which include:
 - o Modifying the written notice requirements for tall grass and weeds violations to once per growing season
 - o Adopt a \$50 abatement fee to cover administrative costs associated with the abatement.
- Make no changes to existing code

RECOMMENDATIONS:

The Director of Zoning and Inspections recommends adoption.

AN ORDINANCE TO AMEND AND REENACT SECTIONS 30-49, 30-51, 30-52 AND 11-38 OF THE WINCHESTER CITY CODE PERTAINING TO NOTICE REQUIREMENTS FOR GRASS, WEEDS, AND OTHER FOREIGN GROWTH ON PRIVATE PROPERTY AND FEES FOR ABATEMENT OF TRASH AND TALL GRASS AND WEEDS BY THE CITY.

REQUEST DESCRIPTION

This ordinance to amend City Code is to maintain compliance with the Code of Virginia, following the adoption of some bills recently in the General Assembly. Specifically revisions were adopted pertaining to the notice requirements for violations of tall grass provisions.

STAFF COMMENTS

During the 2013 session of the General Assembly, changes were made to amend and reenact §15.2-901 of the Code of Virginia to amend the provisions pertaining notice requirements for violations of excessive grass height. The change states that one notice per growing season shall constitute reasonable notice for properties that exceed the maximum allowable height for grass violations.

Currently the City Code requirements involve the drafting and sending of a written notice each time the vegetation on private property reached height in excess of ten inches. In a majority of cases it can take two weeks for the required certified return receipt to be returned to staff to confirm that the property owner has received the notice, meanwhile the grass or weed violation continues to get worse. With properties involving absentee landowners or foreclosure the time required can increase. If the property owner does not abate the violation, then the Zoning and Inspections department typically hires a contractor to abate the violation and then sends a bill to the property owner. If the bill is not paid, then the amount due is added to the City real estate tax bill for the subject property and will constitute a lien on such property to the same extent and effect as real estate tax. Staff anticipates a small reduction in postage costs as there would be a minor reduction in the number of second and additional notices sent to property owners (the current price for staff to send a notice of violation with certified return receipt is \$6.11).

This proposal will dramatically improve Zoning and Inspections efforts to proactively address tall grass and weeds violations throughout the City. Rather than having to send out a notice of violation several times throughout the growing season, staff will need to send a notice of violation once at the beginning of the season at the first observation of a violation, rather than repeatedly throughout the year. The growing season dates are based on first and last frost dates for our location as provided by the Virginia Cooperative Extension for the local area. General guidance is that although the dates are an average the frost can generally occur within 10 days on either side of the given dates.

Lastly, the proposed ordinance includes a provision for an administrative abatement fee to be charged each time the City is required to utilize a contractor to abate a tall grass or trash violation. These administrative fees would cover the costs of certified mailings, re-inspections of the property by staff, administrative work with receiving an estimate with the contractor, paying the contractor, billing the

property owner, and if no payment then working with the necessary City departments to place a lien on the property.

RECOMMENDATION

Staff recommends approval of this ordinance amendment.

AN ORDINANCE TO AMEND AND REENACT SECTIONS 30-49, 30-51, 30-52 AND 11-38 OF THE WINCHESTER CITY CODE PERTAINING TO NOTICE REQUIREMENTS FOR GRASS, WEEDS, AND OTHER FOREIGN GROWTH ON PRIVATE PROPERTY AND FEES FOR ABATEMENT OF TRASH AND TALL GRASS AND WEEDS BY THE CITY.

WHEREAS, the Winchester City Code presently contains a requirement for property owners to maintain their grass at a height of no higher than ten inches and a separate written notification must be sent for each violation that occurs throughout the year; and,

WHEREAS, the Code of Virginia was amended during the 2013 General Assembly session to alter the notice requirements, for tall grass and weeds violations, allowing for one written notification to serve as notice for the entire growing season; and,

WHEREAS, in situations where City code enforcement staff must hire a contractor to abate a trash or tall grass violation, an abatement fee is proposed in order to cover the administrative costs associated with the abatement process;

WHEREAS, the proposed Ordinance will expedite Code Enforcement staff's ability to address tall grass and weeds violations in a timely manner, thereby resulting in a "High Performing Organization" in line with Goal #2 of the 2013 City Strategic Plan;

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Winchester, Virginia, that Sections 30-49, 30-51, 30-52, and 11-38 of the Winchester City Code are hereby amended.

AN ORDINANCE TO AMEND AND REENACT SECTIONS 30-49, 30-51, 30-52 AND 11-38 OF THE WINCHESTER CITY CODE PERTAINING TO NOTICE REQUIREMENTS FOR GRASS, WEEDS, AND OTHER FOREIGN GROWTH ON PRIVATE PROPERTY AND FEES FOR ABATEMENT OF TRASH AND TALL GRASS AND WEEDS BY THE CITY.

*Ed. Note: The following text represents excerpts of City Code that are subject to change. Words with ~~strikethrough~~ are proposed for repeal. Words that are **boldfaced and underlined** are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excerpted text.*

CHAPTER 30

VEGETATION

ARTICLE III. GRASS, WEEDS AND OTHER FOREIGN GROWTH ON PRIVATE PROPERTY

SECTION 30-49. DEFINITIONS.

For the purpose of this article, the following words shall have the meanings respectively ascribed to them by this section:

Growing Season: **Time period beginning April 20th and ending October 29th. Source; Vegetable Planting Guide and Recommended Planting Dates, Virginia Cooperative Extension Publication 426-331**

Owners: Persons holding title to any land or lot in the City; lessees, tenants and principal occupants of any land or lot in the City or agents of persons holding title to such lands or lots, and agents of persons having care, custody, control or management of the land or lot; and fiduciaries holding title to or having the care, custody, control or management of land or lots in the City for others.

Weeds: Wild or uncontrolled growth or vegetation of every kind standing on land, other than trees, ornamental shrubbery, flowers and garden vegetables.

(Code 1959, §1-5; Ord. No. 049-95, 10-17-95)

SECTION 30-51. NOTICE TO CUT.

Where grass, weeds or other foreign growth in excess of ten (10) inches in height are found upon property, the code enforcement officer, as defined in section 11-2 shall immediately notify the owner of such property to cut such grass, weeds, or other foreign growth down to a height not to exceed three (3) inches. **One written** ~~N~~ **notifications per growing season to the owner shall be considered reasonable notice for this article provided** ~~shall be~~ it is made by the same procedure as set forth in Section 11-37 of this Code.

(Code 1959, §11-5; Ord. No. 048-88, 11-15-88; Ord. No. 029-91; 6-11-91; Ord. No. 022-94, 07-12-94; Ord. No. 028-97, 10-14-97)

SECTION 30-52. CUTTING BY THE CITY.

- (a) If grass, weeds, or other foreign growth have not been cut within ten (10) days from the date the notice provided for in Section 30-51 is sent, the code enforcement officer, as defined in section 11-2 shall cause the cutting by the City's forces or the City's agent of such grass, weeds or other foreign growth forthwith.
- (b) Where grass, weeds or other foreign growth have been cut by order of the code enforcement officer pursuant to the provisions of this section, the cost of such cutting **and a Fifty Dollar (\$50) fee to offset the administrative expenses** shall be billed to the owner of the property. If such bill is not paid, it shall be added to the City real estate tax bill on such property and shall be a lien on such property to the same extent and effect as such real estate tax is.
(Code 1959, §11-5; Ord. No. 048-88, 11-15-88; Ord. No. 029-91, 6-11-91; Ord. No. 022-94, 07-12-94; Ord. No. 028-97, 10-14-97)

State Law References--Authority of city to require cutting or removal of weeds and other foreign growth, Code of Virginia, §§15.1-11, 15.1-867, §15.1-901(penalty).

CHAPTER 11 GARBAGE AND REFUSE

ARTICLE III. ACCUMULATIONS OF GARBAGE AND REFUSE

SECTION 11-38. REMOVAL BY THE CITY.

- (a) If the substances referred to in Section 11-36 have not been removed from the property by the owner within seven (7) days from the date the letter has been mailed or the notice posted pursuant to Section 11-37, or, in the case of personal property subject to §11-36(b), within the time prescribed in that subsection, the Code Enforcement Officer may cause the removal by the City's forces or the City's agent of such substances from such property forthwith. (Ord. No. 020-94, 06-14-94; Ord. No. 028-97, 10-14-97)
- (b) Where substances have been removed from property by order of the Code Enforcement Officer pursuant to the provisions of this section, the cost of such removal **and a Fifty Dollar (\$50) fee to offset the administrative expenses** shall be billed to the owner of the property. If such bill is not paid, it shall be added to the City real estate tax on such property and shall be a lien on such property to the same extent and effect as such real estate tax is. (Code 1959, §11-5; Ord. No. 048-88, 11-15-88; Ord. No. 028-91, 6-11-91; Ord. No. 005-93, 02-09-93; Ord. No. 028-97, 10-14-97)

Ordinance No. _____

ADOPTED by the Common Council of the City of Winchester on the ____ day of _____, 2013.

Witness my hand and the seal of the City of Winchester, Virginia.

Deputy Clerk of the Common Council

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 10/22/13 (Work Session), **CUT OFF DATE:** 10/15/13
11/12/13 (First Reading) 12/10/13 (2nd Reading/Public Hearing)

RESOLUTION **ORDINANCE** X **PUBLIC HEARING** X

ITEM TITLE:
AN ORDINANCE TO AMEND AND REENACT SECTIONS 6-8, 6-9, AND 6-144 OF THE WINCHESTER CITY CODE PERTAINING TO VACANT BUILDING REGISTRATIONS, FEES AND PENALTIES, AND CIVIL PENALTIES FOR VIOLATIONS OF THE VIRGINIA MAINTENANCE CODE.

STAFF RECOMMENDATION:
Approval.

PUBLIC NOTICE AND HEARING:
Public Hearing Required – 12/10/13.

ADVISORY BOARD RECOMMENDATION:
N/A

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

<u>DEPARTMENT</u>	<u>INITIALS FOR APPROVAL</u>	<u>INITIALS FOR DISAPPROVAL</u>	<u>DATE</u>
1. City Attorney	<i>[Signature]</i>		<i>10/10/2013</i>
2. City Manager	<i>[Signature]</i>		<i>10-16-2013</i>
3. Clerk of Council			

Initiating Department Director's Signature: *[Signature]* *10/9/13*
(Zoning and Inspections)



APPROVED AS TO FORM:
[Signature]
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council
From: Aaron Grisdale, Director of Zoning and Inspections
Date: October 22, 2013
Re: Changes to Registration Requirements for Vacant Buildings and Increase Penalties for Virginia Maintenance Code Violations

THE ISSUE:

Proposed modifications to City Code to reflect recent changes in the General Assembly regarding registration requirements, fees, and penalties for vacant buildings. Additionally, increase the assessed penalties for violations of the Virginia Maintenance Code.

RELATIONSHIP TO STRATEGIC PLAN:

This text amendment correlates to the Goal #4 "Create a More Livable City For All" by addressing the tools available for code enforcement staff to identify vacant buildings and improve the tools to help correct property maintenance violations throughout the City.

BACKGROUND:

During the 2013 session of the General Assembly, changes were made to amend and reenact §15.2-1127 of the Code of Virginia to amend the provisions pertaining to vacant buildings. The change requires that vacant buildings subject to registration must also meet the definition of derelict building, as defined in §15.2-907.1, and Chapter 6, Section 132 of City Code. Additionally, the proposed ordinance would incorporate increases to the schedule of civil penalties for violations of the Virginia Maintenance Code in line with increases in the enabling legislation in the Code of Virginia. (Full staff report attached).

BUDGET IMPACT:

No funding is required.

OPTIONS:

- Adopt the proposed changes which include:
 - o Modify the requirement for vacant buildings to register with the Building Official to only vacant buildings that also are derelict, as defined.
 - o Increase both the registration fee for vacant buildings and penalty for failing to register.
 - o Increase the penalties for violations of the Virginia Maintenance Code.
- Make no changes to existing code

RECOMMENDATIONS:

The Director of Zoning and Inspections recommends adoption.

AN ORDINANCE TO AMEND AND REENACT SECTIONS 6-8, 6-9, AND 6-144 OF THE WINCHESTER CITY CODE PERTAINING TO VACANT BUILDING REGISTRATIONS, FEES AND PENALTIES, AND CIVIL PENALTIES FOR VIOLATIONS OF THE VIRGINIA MAINTENANCE CODE.

REQUEST DESCRIPTION

This ordinance to amend City Code is to maintain compliance with the Code of Virginia, following the adoption of some bills recently in the General Assembly. Specifically revisions were adopted pertaining to the City's Vacant Building registration requirement and fees, as well as the maximum amounts that localities can issue as part of civil penalties for violations of the Virginia Maintenance Code.

STAFF COMMENTS

During the 2013 session of the General Assembly, changes were made to amend and reenact §15.2-1127 of the Code of Virginia to amend the provisions pertaining to vacant buildings. The change requires that vacant buildings subject to registration must also meet the definition of derelict building, as defined in §15.2-907.1, and Chapter 6, Section 132 of City Code.

A derelict building is defined as a residential or nonresidential building or structure, whether or not construction has been completed, that might endanger the public's health, safety, or welfare and for a continuous period in excess of six months, it has been (i) vacant, (ii) boarded up in accordance with the building code, and (iii) not lawfully connected to electric service from a utility service provider or not lawfully connected to any required water or sewer service from a utility service provider. Not being lawfully connected as used in this definition would be the ability to use the service provided, instead of a lack of physical connection. Boarded up in accordance with the building code is achieved by securing the property from public entry. Actual boarding of buildings is usually ordered as a result of the doors, windows being damaged or by City code officials finding repeated unauthorized entry points. An uninhabitable or unsafe building would be considered boarded or secure if all windows and doors were secured and undamaged and capable from preventing unauthorized entry by the general public.

There is likely to be a reduction of the number of vacant buildings registered with the City, due to some property owners having maintained utility connections even though they are vacant. Buildings currently registered as vacant would be reviewed during the annual renewal and the owners made aware of the changes of the registry requirements. The properties that are currently registered that do not meet the new requirements would then not be required to register.

Additionally, the General Assembly has increased the fees authorized to cover costs associated with maintaining the registry from \$25 to \$100 and increase the civil penalty for failing to register from \$50 to \$200. These changes have been incorporated with the proposed City Code ordinance. These fees, which are set by the enabling legislation, have not been increased since when the ordinance was first adopted in 2005.

Lastly, the proposed ordinance would incorporate increases to the schedule of civil penalties for violations of the Virginia Maintenance Code in line with increases in the enabling legislation in the Code of Virginia. These increases include changes to the first civil penalty from \$75 to \$100, and for second and subsequent penalties from \$150 to \$350. These fees have not been revisited or adjusted since 2005.

RECOMMENDATION

Staff recommends approval of this ordinance amendment.

AN ORDINANCE TO AMEND AND REENACT SECTIONS 6-8, 6-9, AND 6-144 OF THE WINCHESTER CITY CODE PERTAINING TO VACANT BUILDING REGISTRATIONS, FEES AND PENALTIES, AND CIVIL PENALTIES FOR VIOLATIONS OF THE VIRGINIA MAINTENANCE CODE.

WHEREAS, the Winchester City Code presently contains a requirement for buildings that have been vacant for at least one year to be registered with the Building Official and pay a fee; and,

WHEREAS, the Code of Virginia was amended during the 2013 General Assembly session to alter the requirements, penalties and fees of vacant properties that must be registered with the City; and,

WHEREAS, the vacant building registry requirement is an important tool in ensuring that vacant properties throughout the City are monitored to prevent deterioration of the property and loss of the quality of life in the surrounding neighborhood; and,

WHEREAS, the Code of Virginia has been amended to increase the penalties that municipalities may issue for violations of the Virginia Maintenance Code;

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Winchester, Virginia, that Sections 6-8, 6-9 and 6-1444 of the Winchester City Code are hereby amended.

AN ORDINANCE TO AMEND AND REENACT SECTIONS 6-8, 6-9, AND 6-144 OF THE WINCHESTER CITY CODE PERTAINING TO VACANT BUILDING REGISTRATIONS, FEES AND PENALTIES, AND CIVIL PENALTIES FOR VIOLATIONS OF THE VIRGINIA MAINTENANCE CODE.

*Ed. Note: The following text represents excerpts of City Code that are subject to change. Words with ~~strikethrough~~ are proposed for repeal. Words that are **boldfaced and underlined** are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excerpted text.*

CHAPTER 6

BUILDING REGULATIONS

SECTION 6-9. VACANT BUILDING REGISTRATION; PENALTY

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section:

Owner means the person shown on the current real estate assessment books or current real estate assessment records.

Vacant ~~Building~~ means ~~a building that~~:

- No person or persons actually, currently conducts a lawfully licensed business; or,
- No person or person(s) lawfully resides or lives in the building as the legal or equitable owner(s) or tenant-occupant(s), or owner-occupants, or tenant(s) on a permanent, non-transient basis; or,
- All residential and business activity has ceased; or,
- Has been declared unsafe or unfit for human habitation as defined in the Virginia Maintenance Code and ordered vacated by the Building Official and or his designee; and,
- Does not include buildings which are undergoing construction, renovation, or rehabilitation and which are in compliance with all applicable ordinances, codes, and regulations, and for which construction, renovation or rehabilitation is proceeding diligently to completion.

(a) The owner of a vacant building which has been continuously vacant for a period of twelve (12) months or more **and which meet the definition of "derelict building" under Section 6-132 of the City code**, must register the building annually with the Building Official. Such registration shall be on a form prescribed by the Building Official. A building shall be deemed "continuously vacant", as that term is used in this subsection, even if it is sporadically or intermittently occupied during the twelve (12) month period.

(b) The annual fee for such registration shall be **One Hundred Dollars (\$100)** ~~Twenty-Five Dollars (\$25.00)~~. The fee shall be paid at the time that the building is initially registered. For each subsequent year, or any part of such year, that the building remains continuously vacant, an annual and non-

refundable fee of **One Hundred Dollars (\$100)** ~~Twenty-Five Dollars (\$25.00)~~ shall be paid within fifteen (15) days of the anniversary date of the building's initial registration.

(c) Failure to register a vacant building as required by this section shall be punishable by a civil penalty not exceeding **Two Hundred Dollars (\$200)** ~~Fifty Dollars (\$50.00)~~. ~~Failure to register in conservation and rehabilitation districts designated by the Common Council for the City of Winchester, or other areas designated as blighted pursuant to section 36-49.1:1 of the Code of Virginia, 1950, as amended, shall be punishable by a civil penalty not exceeding Two Hundred Fifty Dollars (\$250.00).~~

(d) The Building Official, or his or her designee, shall mail a Notice of violation to the owner(s) of the vacant building, at the address to which property tax notices are sent, at least thirty (30) days prior to the assessment of the civil penalty.

(Ord. No. 028-2005, 9-13-05; Ord. No. 2008-29, 6-10-08)

State Law Reference—Code of Virginia, §15.2-1127.

SECTIONS 6-10 - 6-15. RESERVED.

(Ord. No. 004-90, 2-13-90; Ord. No. 023-92, 12-8-92)

SECTIONS 6-144. UNIFORM SCHEDULE OF CIVIL PENALTIES AND SUMMONS FORMAT.

The following Uniform Schedule of Civil Penalties is hereby adopted by the City of Winchester:

**City of Winchester
Department of Zoning and Inspections
Uniform Schedule of Civil Penalties**

Fail to display Street Numbers (CC -26-3, IPMC 304.3)	1 st \$75.00 \$25.00 2nd and subsequent violations <u>\$150.00</u> \$50.00
Fail to obtain any required inspection (CC-6-91(f))	\$50.00
Fail to provide Notification of Rental Housing (CC-6-90(b))	\$50.00
Fail to register Vacant Building (CC-6-9)	<u>\$200.00</u> \$50.00
Zoning Violations (scheduled in Sec. 21-3, Z.O.)	1st \$200.00 2nd and subsequent violations \$500.00
Violations of the Virginia Maintenance Code (CC-6-8)	1st <u>\$100.00</u> \$75.00 2nd and subsequent violations <u>\$350.00</u> \$150.00
Weeds and Tall Grass (fail to cut) (CC-30-50) Trash and Rubbish (fail to remove) (CC-11-36)	1st and subsequent from same set of facts \$50.00 2nd within 12 months \$200.00 similar violations not of same facts 1st and subsequent from same set of facts \$50.00 2nd within 12 months \$200.00 similar violations not of same facts

SECTION 6-8. VIOLATIONS OF VIRGINIA UNIFORM STATEWIDE BUILDING CODE, VIRGINIA MAINTENANCE CODE; MISDEMEANOR, CIVIL PENALTIES.

(a) Violations of Chapter 1, Section 105, Virginia Maintenance Code, unsafe structures or structures unfit for human habitation shall be deemed a misdemeanor. Penalties shall be as set out in §36-106(A) of the Code of Virginia as amended.

(b) Violations resulting or that results in a dwelling not being a safe, decent and sanitary dwelling, as defined in §25.1-400 Code of Virginia, shall be deemed a misdemeanor. Penalties shall be as set out in §36-106(B) Code of Virginia as amended.

(c) In lieu of criminal penalties otherwise chargeable under the Virginia Uniform Statewide Building Code, Virginia Maintenance Code and in accordance with §36-106(C) of the Code of Virginia as amended, except for any violation resulting in injury to any person or persons, the following civil

penalties shall be imposed upon any person who violates the provisions thereof after compliance with the initial notice has not been achieved:

Failure to obtain any required inspection:

First summons, per day	\$100.00
Second or subsequent summonses, per day	\$150.00

Violation of any other provision of Virginia Maintenance Code of the Virginia Uniform Statewide Building Code:

First summons, per day:	\$75.00 <u>\$100.00</u>
Second or subsequent summonses, per day	\$150.00 <u>\$350.00</u>

Failure to display or maintain street numbers:

First summons	\$ 75.00
Second or subsequent summonses, per summons	\$ 150.00

(d) With the exception of the street numbering provisions of Section 26-3, each day during which a violation exists shall constitute a separate violation. However, a series of violations arising from the same operative set of facts shall not give rise to the levying of a civil penalty more frequently than once in any ten (10) day period, and shall not result in civil penalties exceeding a total of **four thousand dollars (\$4,000)** ~~three thousand dollars (\$3,000.00)~~.

(Ord. No. 021-2005, 6-14-05; Ord. No. 2008-04, 01-08-08; Ord. No. 2011-21, 10-11-11)

Ordinance No. _____

ADOPTED by the Common Council of the City of Winchester on the ____ day of _____, 2013.

Witness my hand and the seal of the City of Winchester, Virginia.

Deputy Clerk of the Common Council

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 10/22/13 (work session), CUT OFF DATE: 10/16/13
11/12/13 (regular mtg)

RESOLUTION __ ORDINANCE __ PUBLIC HEARING

ITEM TITLE:

DISCUSSION REGARDING CITY TRANSPORTATION PRIORITIES FOR MPO STAFF TO COMMUNICATE TO COMMONWEALTH TRANSPORTATION BOARD (CTB)

STAFF RECOMMENDATION:

Staff recommends emphasizing two projects which are: 1) the Tevis St connection including I-81 bridge between S. Pleasant Valley Rd and Rte 522; and, 2) Fully funding the engineering phase of the Exit 313 interchange redesign project.

PUBLIC NOTICE AND HEARING:

N/A

ADVISORY BOARD RECOMMENDATION:

None

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include Public Services, City Attorney, City Manager, and Clerk of Council.

Initiating Department Director's Signature: (Planning)

Handwritten signature of the initiating department director.

10/16/13



APPROVED AS TO FORM:

Handwritten signature and date 10/17/2013 over the text CITY ATTORNEY.

CITY COUNCIL ACTION MEMO

To: Mayor and Members of City Council
From: Tim Youmans, Planning Director
Date: October 16, 2013
Re: Discussion regarding City Transportation Priorities

THE ISSUE:

The Win-Fred MPO Policy Board has requested that each of the three member jurisdictions identify one or two top priority projects that they would like to have the MPO staff present to the Commonwealth Transportation Board (CTB) at the Fall Six-Year Improvement Plan (SYIP) meeting scheduled for November 14th in Staunton.

RELATIONSHIP TO STRATEGIC PLAN:

Vision 2028- Guiding Principles

Principle #6: Easy Movement

Means #1: Well designed, well-maintained highways and streets

Means #7: Effective Traffic Flow within the City and to the Region

BACKGROUND:

The high priority transportation projects for the MPO were called out in the Constrained Long-Range Plan (CLRP) element of the adopted Long-Range Transportation Plan (LRTP). Annually, the CTB provides an opportunity for localities and MPO's to communicate priorities to the Board. The Policy Board has suggested that Winchester, Frederick Co, and Stephens City each identify a couple of high priority projects that will be mentioned in a brief presentation by MPO staff. City staff has suggested that two projects be noted. These are:

- 1) Tevis St connection including I-81 bridge between S. Pleasant Valley Rd and US Rte 522
- 2) Fully funding the engineering phase of the Exit 313 interchange redesign project.

BUDGET IMPACT:

NA

OPTIONS:

- 1) Consensus to allow City staff to forward the 2 suggested projects noted above
- 2) Alternative projects
- 3) No recommendation or consensus

RECOMMENDATIONS:

Staff recommends option #1 above

Budget Summary

July 1, 2013-September 30, 2013

General Fund Revenue & Exp. Summary

To date in fiscal year 2014 (July 2013 through Sept. 30, 2013) the G F revenues are \$8,372,363 representing 10.47% of the budget. Prior period last year was \$7,547,354 or 9.45%. Expenditures in the General fund are currently at \$17,608,794 representing 22.01% of the budget. Last year, in FY 2013 for the same period, our expenses were at \$17,529,303 or 21.95%. Sales Tax receipts for July 2013 were \$664,878. Sales Tax receipts for July 2012 were \$645,739.

Utility Fund Revenue & Exp. Summary

To date in fiscal year 2014 (July 2013 through Sept 30, 2013) the Utility fund revenues are \$5,202,628, representing 25.15% of the budget. Prior period last year was \$4,767,026 or 24.69%. Expenditures in the Utility fund are currently at \$5,937,621 representing 28.70% of the budget. Last year, in FY 2013 for the same period, our expenses were at \$6,627,980 or 34.33%.

Old Town Information Jun-Sep 12/Jun-Sep 13

Meals tax Primary Dist.	\$ 140,024	\$ 174,085
Meals tax Second Dist	\$ 52,768	\$ 55,263

Amended	Bgt. (3 mos)	Actual
Revenue	\$19,999,998	\$8,372,363
Expenditures	\$19,999,998	\$17,608,794

Operating	Bgt. (3 mos)	Actual
Revenue	\$5,172,249	\$5,202,628
Exp.	\$5,172,249	\$5,937,621

Highlights

- 1 August Sales tax is \$697,854
- 2 Sales tax up \$19,139 comparing period to period
- 3 Meals tax are up \$38,209 from last year
- 4 Admissions tax up \$34,131 comparing period to period
- 5 Building permits down \$23,907

Highlights

- 1 Water & Sewer collections up \$421,901 from the same period last year.
- 2 Availability fees down \$210,230 from same period last fiscal year.
- 3 Paid debt service in the amt. of \$4.5M in first quarter

Operating Cash

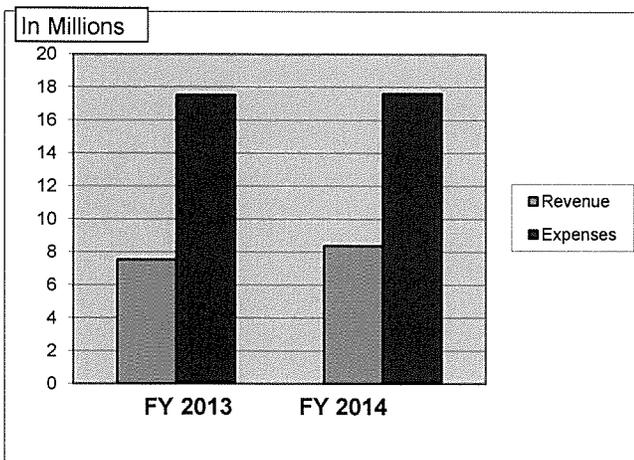
* Total Cash:	\$14,809,059	Fund balance
Reserved		Committed to date
cash:	(551,180)	
Available cash:	\$14,257,879	\$4,484,500
* September-13 (General fund only)		

Cash & Investments

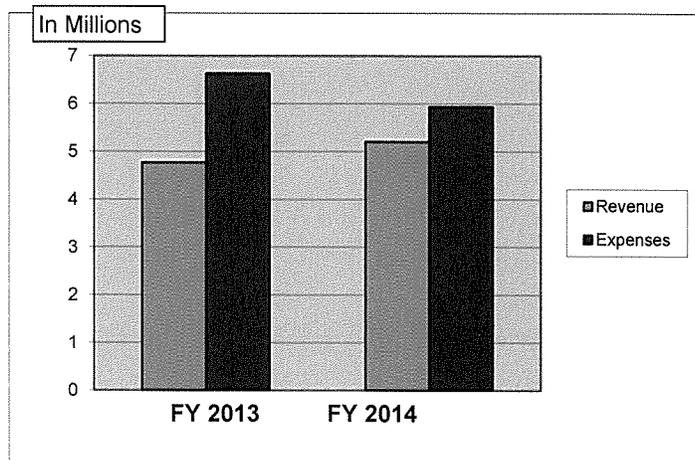
Operating Cash:	(\$2,141,777)
Reserves for CIP:	\$0
Bond Proceeds:	60,326
Total:	(\$2,081,451)
	As of Sept 2013

Period to Period Comparison FY 2013 to FY 2014

General Fund



Utilities Fund



PROGRAM GM601L

FOR FISCAL YEAR 2014

CRVPD03

JULY 1, 2013 - SEPTEMBER 30, 2013

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 9/30	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 9/30	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 1 GENERAL PROPERTY TAXES							
111-0000-311.01-01	CURRENT	47,640	24,611,530	25,539,000	25,539,000	95,359	.37
111-0000-311.01-02	DELINQUENT	224,487	1,195,411	900,000	900,000	440,392	48.93
111-0000-311.01-03	DELINQUENT-PRIM/SECOND	4,722	11,410	10,000	10,000	1,868	18.68
111-0000-311.01-04	PRIMARY DISTRICT	1,026	70,321	70,000	70,000	0	.00
111-0000-311.01-05	SECONDARY DISTRICT	1,347	82,567	80,500	80,500	414	.51
111-0000-311.01-06	PENALTIES	21,877	112,900	92,000	92,000	38,910	42.29
111-0000-311.01-07	INTEREST	10,893	87,861	50,000	50,000	36,529	73.06
111-0000-311.02-01	REAL ESTATE	0	686,590	670,000	670,000	0	.00
111-0000-311.02-03	PERSONAL PROPERTY	0	247	500	500	0	.00
111-0000-311.03-01	CURRENT	1,026,807	7,059,459	7,300,000	7,300,000	1,079,915	14.79
111-0000-311.03-02	DELINQUENT	30,069	308,397	250,000	250,000	57,853	23.14
111-0000-311.03-03	MOBILE HOME TAXES	359	1,866	1,000	1,000	35	3.51
111-0000-311.03-04	MACHINERY & TOOLS	164,777-	1,636,534	1,900,000	1,900,000	1,103	.06
111-0000-311.03-06	PENALTIES	20,926	141,455	120,000	120,000	22,482	18.73
111-0000-311.03-07	INTEREST	8,214-	31,929	50,000	50,000	10,325	20.65
* GENERAL PROPERTY TAXES		1,217,164	36,038,477	37,033,000	37,033,000	1,785,185	4.82
SUB 2 OTHER LOCAL TAXES							
111-0000-312.01-01	STATE SALES TAX	645,740	8,718,682	8,500,000	8,500,000	664,879	7.82
111-0000-312.01-02	COMMUNICATIONS TAXES	375,968	2,199,696	2,200,000	2,200,000	358,925	16.31
111-0000-312.02-01	ELECTRIC UTILITY	231,285	1,325,208	1,300,000	1,300,000	344,798	26.52
111-0000-312.02-03	GAS UTILITY	20,839	530,538	390,000	390,000	38,526	9.88
111-0000-312.02-51	ELECTRIC CONSUMPTION	23,376	136,308	135,000	135,000	34,778	25.76
111-0000-312.02-52	GAS CONSUMPTION	34,808	22,210	25,000	25,000	875	3.50
111-0000-312.03-01	CONTRACTING	36,911	346,846	400,000	400,000	6,005	1.50
111-0000-312.03-02	RETAIL	19,891	2,064,246	2,150,000	2,150,000	40,014	1.86
111-0000-312.03-03	PROFESSIONAL	44,744	2,245,940	2,200,000	2,200,000	26,061	1.18
111-0000-312.03-04	REPAIR & PERSONAL	19,483	757,698	800,000	800,000	37,196	4.65
111-0000-312.03-05	WHOLESALE	662	183,222	200,000	200,000	120	.06
111-0000-312.03-06	OTHER	170	2,531	4,000	4,000	1,731	43.27
111-0000-312.03-07	PENALTIES	17,327	54,949	75,000	75,000	17,268	23.02
111-0000-312.03-09	TELEPHONE	0	80,321	80,000	80,000	62	.08
111-0000-312.04-01	CABLE	19,949	0	0	0	0	.00

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FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 2 OTHER LOCAL TAXES							
111-0000-312.04-02	ELECTRICAL	17,610	216,259	200,000	200,000	55,069	27.53
111-0000-312.04-03	TELEPHONE ROW	11,987	95,021	70,000	70,000	16,357	23.37
111-0000-312.04-05	GAS	12,188	48,750	50,000	50,000	12,188	24.38
111-0000-312.05-01	LICENSES	141,263	518,723	550,000	550,000	150,210	27.31
111-0000-312.05-03	PENALTIES	9,305	39,080	40,000	40,000	11,094	27.74
111-0000-312.06-01	BANK FRANCHISE	0	490,943	430,000	430,000	0	.00
111-0000-312.07-01	RECORDATION	39,921	218,429	200,000	200,000	48,213	24.11
111-0000-312.07-02	WILL PROBATE	963	5,485	10,000	10,000	1,817	18.17
111-0000-312.08-02	CIGARETTES	135,375	530,667	580,000	580,000	139,617	24.07
111-0000-312.09-01	ADMISSIONS	2,859	6,645	100,000	100,000	36,990	36.99
111-0000-312.09-02	PENALTIES	0	65	0	0	792	.00
111-0000-312.09-03	INTEREST	0	7	0	0	0	.00
111-0000-312.10-01	MOTEL	126,770	678,881	650,000	650,000	135,991	20.92
111-0000-312.10-02	PENALTIES	138	856	0	0	376	.00
111-0000-312.10-03	INTEREST	11	108	0	0	21	.00
111-0000-312.11-01	MEALS	909,050	5,514,847	5,500,000	5,500,000	947,259	17.22
111-0000-312.11-02	PENALTIES	2,086	19,937	20,000	20,000	3,411	17.05
111-0000-312.11-03	INTEREST	16	925	1,000	1,000	45	4.54
111-0000-312.12-01	SHORT TERM	2,522	8,029	15,000	15,000	333	2.22
111-0000-312.12-02	PENALTIES	16	26	0	0	0	.00
* OTHER LOCAL TAXES		2,898,191	27,062,078	26,875,000	26,875,000	3,131,022	11.65
SUB 3 PERMITS, PRIVILEGE FEES							
111-0000-313.01-01	DOG	1,138	12,611	11,000	11,000	1,117	10.15
111-0000-313.03-03	ON STREET PARKING	10	135	100	100	40	40.00
111-0000-313.03-05	TRANSFER FEES	120	627	1,000	1,000	125	12.51
111-0000-313.03-24	EROSION, SEDIMENT CONTROL	1,200	3,750	6,000	6,000	800	13.33
111-0000-313.03-28	WEAPONS	1,031	7,406	6,500	6,500	1,064	16.37
111-0000-313.03-30	RE TAX APPLICATION FEE	0	160	0	0	20	.00
111-0000-313.03-31	RE PUBLIC HEARING FEE	0	0	0	0	20	.00
111-0000-313.03-36	HAZARDOUS USE	100	1,850	1,000	1,000	50	5.00
111-0000-313.03-37	TAXI	72	360	800	800	216	27.00
111-0000-313.03-50	STREET PERMITS	1,505	3,310	2,000	2,000	555	27.75

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FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 3 PERMITS, PRIVILEGE FEES							
111-0000-313.04-08	BUILDING	49,509	115,661	100,000	100,000	25,602	25.60
111-0000-313.04-10	ELECTRICAL	181	702	600	600	184	30.67
111-0000-313.04-12	PLUMBING	6,433	23,391	20,000	20,000	6,618	33.09
111-0000-313.04-14	MECHANICAL	8,424	28,146	25,000	25,000	7,483	29.93
111-0000-313.04-15	ELEVATOR	1,020	3,600	3,000	3,000	1,080	36.00
111-0000-313.04-23	OCCUPANCY	150	300	1,500	1,500	300	20.00
111-0000-313.04-32	FIRE PROTECTION	1,767	7,205	7,000	7,000	2,009	28.70
111-0000-313.04-35	GAS	34	363	500	500	184	36.80
111-0000-313.04-37	BUILDING PERMITS - SIGNS	1,000	5,042	4,000	4,000	1,601	40.03
111-0000-313.05-04	LAND USE APPLICATION FEES	1,100	26,675	30,000	30,000	9,275	30.92
111-0000-313.05-06	PLANNING ADVERTISING FEES	100	625	1,000	1,000	150	15.00
111-0000-313.05-07	RE-ZONING & SUBDIV PERMIT	4,750	16,600	10,000	10,000	4,000	40.00
111-0000-313.05-19	SIGNS, PERMITS & INSPECTI	400	2,040	3,000	3,000	100	3.33
111-0000-313.05-33	ARCHITECTURAL REVIEW	300	900	600	600	0	.00
111-0000-313.05-34	BOARD OF ZONING APPEALS	1,850	4,600	10,000	10,000	1,800	18.00
111-0000-313.05-40	MISC FEES	400	2,100	2,500	2,500	150	6.00
111-0000-313.05-41	CIVIL PENALTIES	400	2,200	1,000	1,000	2,200	220.00
111-0000-313.06-02	RNTL HOUSING/INSPECTIONS	1,385	8,940	35,000	35,000	8,090	23.11
111-0000-313.06-03	RNTL HOUSING/PENALTIES	200	3,425	4,000	4,000	1,725	43.13
111-0000-313.06-05	MISC FEES	620	3,023	10,000	10,000	750	7.50
* PERMITS, PRIVILEGE FEES		85,198	285,747	297,100	297,100	77,308	26.02
SUB 4 FINES AND FORFEITURES							
111-0000-314.01-01	COURTS	42,161	157,394	300,000	300,000	25,464	8.49
111-0000-314.01-03	REGISTRAR	100	100	0	0	0	.00
111-0000-314.01-10	INTEREST	745	3,909	3,000	3,000	761	25.38
* FINES AND FORFEITURES		43,006	161,403	303,000	303,000	26,225	8.66
SUB 5 REVENUE-USE OF MONEY/PROP							
111-0000-315.01-01	INTEREST EARNINGS	3,788	65,775	130,000	130,000	10,159	7.81
111-0000-315.02-01	RENTAL - GENERAL PROPERTY	0	500	0	0	0	.00
111-0000-315.02-02	RENTAL REC PROP/FACILITY	24,437	143,401	145,000	145,000	33,530	23.12

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FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 5 REVENUE-USE OF MONEY/PROP							
111-0000-315.02-03	CONCESSION RENTALS	0	50	0	0	0	.00
* REVENUE-USE OF MONEY/PROP		28,224	209,726	275,000	275,000	43,690	15.89
SUB 6 CHARGES FOR SERVICES							
111-0000-316.01-03	SHERIFF FEES	2,949	2,949	3,000	3,000	2,949	98.29
111-0000-316.01-05	CASE ASSESSMENT	6,738	28,781	30,000	30,000	7,042	23.47
111-0000-316.01-09	COURTHOUSE SECURITY FEE	11,219	50,360	60,000	60,000	10,303	17.17
111-0000-316.01-11	MISCELLANEOUS FEES	1,593	8,731	7,000	7,000	2,019	28.85
111-0000-316.01-12	COURTHOUSE COMPLIANCE FEE	9,362	39,757	50,000	50,000	9,392	18.78
111-0000-316.02-01	COMMONWEALTH ATTORNEY FEE	1,275	7,333	6,000	6,000	1,171	19.52
111-0000-316.03-02	MISC POLICE FEES	824	3,679	4,000	4,000	1,572	39.30
111-0000-316.03-10	POLICE O/T REIMBURSEMENT	0	17,459	0	0	0	.00
111-0000-316.04-03	HAZ/MAT	23,501	61,774	5,000	5,000	0	.00
111-0000-316.04-05	LEPC FUNDS	0	8,135	7,000	7,000	0	.00
111-0000-316.04-06	ALARM FEES	0	3,000	5,000	5,000	0	.00
111-0000-316.04-07	FALSE ALARM FEES	3,400	16,300	20,000	20,000	2,600	13.00
111-0000-316.04-08	FIRE INSPECTION FEES	0	0	50,000	50,000	0	.00
111-0000-316.06-01	ANIMAL IMPOUNDING FEES	241	1,914	2,000	2,000	412	20.60
111-0000-316.06-18	GAS INSPECTION	13,500	54,000	54,000	54,000	13,500	25.00
111-0000-316.08-02	WASTE COLL/DISPOSAL FEES	868	3,100	4,000	4,000	686	17.15
111-0000-316.08-05	SALE OF RECYCLE MATERIAL	5,888	30,203	50,000	50,000	6,499	13.00
111-0000-316.13-01	RECREATION ACTIVITIES	0	2,900	5,000	5,000	100	2.00
111-0000-316.13-02	INDOOR POOL	21,630	87,010	112,150	112,150	13,047	11.63
111-0000-316.13-06	OUTDOOR POOL	27,489	48,359	91,000	91,000	35,764	39.30
111-0000-316.13-21	ADMISSIONS & MEMBERSHIPS	15,887	98,064	135,000	135,000	15,925	11.80
111-0000-316.13-24	ATHLETICS	16,200	62,440	115,850	115,850	17,894	15.45
111-0000-316.13-26	CHILD CARE	56,993	184,592	180,000	180,000	61,402	34.11
111-0000-316.13-28	CONCESSION SALES	13,960	27,829	28,000	28,000	10,824	38.66
111-0000-316.13-30	PARKS CAPITAL REPL FEES	0	0	0	0	1,586	.00
* CHARGES FOR SERVICES		233,517	848,669	1,024,000	1,024,000	214,687	20.97

SUB 8 MISCELLANEOUS REVENUE

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FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 8 MISCELLANEOUS REVENUE							
111-0000-318.01-01	PAYMENT IN LIEU OF TAXES	0	800,175	845,000	845,000	0	.00
111-0000-318.04-01	SPECIAL EVENTS	0	0	155,000	155,000	31,438	20.28
111-0000-318.04-04	ARTSCAPE PROGRAM	50	2,550	1,000	1,000	0	.00
111-0000-318.04-05	OLD TOWN PUBLIC RESTROOM	0	335	0	0	1,250	.00
111-0000-318.98-01	BAD CHECKS	105	455	1,000	1,000	175	17.50
111-0000-318.98-02	ADMIN & COLLECTION FEES	10,557	48,795	40,000	40,000	10,570	26.43
111-0000-318.99-05	SALE OF SUPPLIES	143	769	1,000	1,000	92	9.24
111-0000-318.99-06	SALE OF SURPLUS PROPERTY	0	4,649	10,000	10,000	1,110	11.10
111-0000-318.99-14	SALE OF COPIES & DOCUMENT	188	688	2,000	2,000	252	12.58
111-0000-318.99-22	DONATIONS-FIRE DEPT	0	500	0	0	0	.00
111-0000-318.99-23	DONATIONS-POLICE DEPT.	0	2,870	0	0	0	.00
111-0000-318.99-32	PARKS & RECREATION	316	2,467	60,000	60,000	6,914	11.52
111-0000-318.99-33	SHERIFF	0	1,250	0	0	0	.00
111-0000-318.99-99	MISCELLANEOUS	203	262	0	0	116	.00
* MISCELLANEOUS REVENUE		11,563	865,765	1,115,000	1,115,000	51,917	4.66
SUB 9 RECOVERED COSTS							
111-0000-319.02-01	MISCELLANEOUS	571	2,094	0	0	202	.00
111-0000-319.02-05	REBATES	0	2,103	0	0	0	.00
111-0000-319.02-22	FIRE DEPARTMENT	0	186	0	0	2,380	.00
111-0000-319.02-24	SOCIAL SERVICES	0	52,875	62,000	62,000	0	.00
111-0000-319.02-34	CIRCUIT COURT	1,381	72,586	70,000	70,000	1,685	2.41
111-0000-319.02-35	JJC BUILDING	0	328,187	416,000	416,000	0	.00
111-0000-319.02-40	LANDFILL-RECYCLING	0	165,280	170,000	170,000	0	.00
111-0000-319.02-43	POLICE DEPARTMENT	470	50,815	0	0	225	.00
111-0000-319.02-45	PARKS & RECREATION	100	249	0	0	13	.00
111-0000-319.02-51	DATA PROCESSING	0	54,150	40,000	40,000	0	.00
* RECOVERED COSTS		2,521	728,525	758,000	758,000	4,505	.59
** REVENUE FROM LOCAL SOURCE		4,519,384	66,200,390	67,680,100	67,680,100	5,334,539	7.88

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FUND 111 GENERAL OPERATING FUND							
BASIC 32 REVENUE FROM COMMONWEALTH							
SUB 2 NON-CATEGORICAL AID							
SUB 2 NON-CATEGORICAL AID							
111-0000-322.01-01	ABC PROFITS	0	664	0	0	0	.00
111-0000-322.01-05	MOBILE HOME TITLING TAXES	0	1,800	0	0	0	.00
111-0000-322.01-06	TAX ON DEEDS	0	76,009	100,000	100,000	0	.00
111-0000-322.01-08	RAILROAD ROLLING STOCK TX	0	7,530	7,000	7,000	8,251	117.87
111-0000-322.01-10	GRANTOR'S TAX	9,427	71,859	75,000	75,000	14,097	18.80
111-0000-322.01-11	RENTAL CARS TAX	42,874	186,910	175,000	175,000	49,791	28.45
111-0000-322.01-12	PERSONAL PROPERTY REIMB.	1,819,718	2,622,084	2,622,100	2,622,100	1,819,718	69.40
* NON-CATEGORICAL AID		1,872,019	2,966,856	2,979,100	2,979,100	1,891,857	63.50
SUB 3 SHARED EXPENSES							
111-0000-323.01-01	COMMONWEALTH'S ATTORNEY	113,437	713,945	630,000	630,000	114,200	18.13
111-0000-323.02-01	SHERIFF	54,562	344,376	300,000	300,000	55,227	18.41
111-0000-323.02-02	SHERIFF MILEAGE	940	2,889	3,000	3,000	666	22.19
111-0000-323.03-01	COMMISSIONER OF REVENUE	14,551	116,055	85,000	85,000	16,161	19.01
111-0000-323.04-01	TREASURER	12,736	93,697	83,000	83,000	11,851	14.28
111-0000-323.06-01	REGISTRAR/ELECTORAL BOARD	0	41,755	40,000	40,000	0	.00
111-0000-323.07-01	CLERK OF CIRCUIT COURT	52,366	367,632	324,000	324,000	54,671	16.87
111-0000-323.07-02	JURY REIMBURSEMENT	1,770	5,760	5,000	5,000	0	.00
111-0000-323.10-01	SHARED-VICTIM WITNESS	0	25,010	25,000	25,000	0	.00
* SHARED EXPENSES		250,362	1,711,119	1,495,000	1,495,000	252,774	16.91
SUB 4 STATE CATEGORICAL FUNDS							
111-0000-324.02-35	DEPT OF HEALTH	0	2,000	0	0	0	.00
111-0000-324.04-02	EMERGENCY SERVICES GRANTS	0	1,136	0	0	0	.00
111-0000-324.04-04	JUV & DOMESTIC RELATIONS	0	11,848	10,000	10,000	0	.00
111-0000-324.04-07	LITTER CONTROL	0	7,575	6,000	6,000	6,682	111.37
111-0000-324.04-12	FIRE PROGRAMS FUND	63,042	74,733	70,000	70,000	66,253	94.65
111-0000-324.04-13	TWO FOR LIFE GRANT	0	23,291	20,000	20,000	0	.00
111-0000-324.04-17	HAZ MAT FUNDING	15,000	15,000	24,300	24,300	15,000	61.73
111-0000-324.04-23	POLICE	203,201	775,025	820,000	820,000	203,201	24.78
111-0000-324.04-25	JAIL	0	21,327	20,000	20,000	0	.00

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FUND 111 GENERAL OPERATING FUND							
BASIC 32 REVENUE FROM COMMONWEALTH							
SUB 4 STATE CATEGORICAL FUNDS							
111-0000-324.04-42	HEALTH DEPARTMENT	61,465	248,064	252,000	252,000	62,656	24.86
111-0000-324.04-44	GENERAL DISTRICT COURT	0	7,684	8,000	8,000	0	.00
111-0000-324.04-98	MISC STATE FUNDS	48	290	0	0	0	.00
111-0000-324.05-23	ASSET FORFEITURE POLICE	506	5,430	0	0	4,094	.00
111-0000-324.05-45	ASSET FORFEITURE COMM ATY	190	4,785	0	0	229	.00
111-0000-324.10-38	WIRELESS E911 SERVICE BD	0	83,500	49,000	49,000	8,776	17.91
111-0000-324.10-61	PUBLIC ASSISTANCE GRANT	0	90,375	0	0	0	.00
* STATE CATEGORICAL FUNDS		343,452	1,372,063	1,279,300	1,279,300	366,891	28.68
** REVENUE FROM COMMONWEALTH		2,465,832	6,050,038	5,753,400	5,753,400	2,511,522	43.65
BASIC 33 REVENUE FROM FEDERAL GOVT							
SUB 3 CATEGORICAL AID							
111-0000-333.01-13	EMERGENCY SERVICE GRANT	0	8,905	0	0	8,905	.00
111-0000-333.01-14	ASSET FORFEITURE FUNDS	183	636	0	0	7,988	.00
111-0000-333.04-15	COMMISSION OF ARTS GRANT	0	0	5,000	5,000	0	.00
111-0000-333.06-04	CHILD/ADULT CARE FOOD	0	5,407	5,000	5,000	0	.00
111-0000-333.10-11	POLICE - DCJS GRANTS	0	6,486	0	0	0	.00
111-0000-333.10-30	COPS	0	166,136	0	0	0	.00
111-0000-333.10-40	CDBG GRANT	0	125,525	213,000	213,000	99,350	46.64
111-0000-333.10-42	HAZ/MAT EMERGENCY PLANNIN	0	2,476	0	0	0	.00
111-0000-333.10-46	BALLISTIC VEST PROGRAM	0	0	5,000	5,000	2,238	44.75
111-0000-333.10-49	VICTIM WITNESS	0	75,032	75,000	75,000	0	.00
111-0000-333.10-55	DMV GRANTS	0	24,062	25,000	25,000	0	.00
111-0000-333.10-61	PUBLIC ASSISTANCE GRANT	0	327,529	0	0	0	.00
111-0000-333.10-63	HOMELAND SECURITY/ODP	872	43,394	15,000	15,000	4,183	27.89
111-0000-333.10-64	NVRDTF GRANT	0	58,019	0	0	0	.00
* CATEGORICAL AID		1,054	843,607	343,000	343,000	122,664	35.76
** REVENUE FROM FEDERAL GOVT		1,054	843,607	343,000	343,000	122,664	35.76

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FUND 111 GENERAL OPERATING FUND							
BASIC 33 REVENUE FROM FEDERAL GOVT							
SUB 3 CATEGORICAL AID							
111-0000-341.01-01	INSURANCE RECOVERIES	0	47,216	0	0	3,488	.00
111-0000-341.04-04	CDBG LOANS PRINCIPAL	37	1,000,127	0	0	117	.00
111-0000-341.04-11	CDBG LOANS INTEREST	13	63	0	0	33	.00
111-0000-341.04-20	PREMIUMS ON BONDS	0	4,837,787	0	0	0	.00
111-0000-341.04-58	SALE OF BONDS	161,034	22,125,285	0	0	0	.00
111-0000-341.05-27	UTILITIES FUND	400,000	1,600,000	1,600,000	1,600,000	400,000	25.00
111-0000-341.05-45	OTDB	0	0	50,000	50,000	0	.00
111-0000-341.06-01	FUND BALANCE	0	0	1,084,500	1,084,500	0	.00
111-0000-341.06-04	ASSIGNED FIRE PROGRAMS	0	0	89,000	89,000	0	.00
111-0000-341.07-02	CARRY FORWARD	0	0	3,400,000	3,400,000	0	.00
* NON-REVENUE RECEIPTS		561,084	29,610,478	6,223,500	6,223,500	403,638	6.49
** OTHER FINANCING SOURCES		561,084	29,610,478	6,223,500	6,223,500	403,638	6.49
*** GENERAL OPERATING FUND		7,547,354	102,704,513	80,000,000	80,000,000	8,372,363	10.47
		7,547,354	102,704,513	80,000,000	80,000,000	8,372,363	10.47

EXPENDITURES BY DIVISION
FOR FISCAL YEAR 2014
JULY 1, 2013 - SEPTEMBER 30, 2013

ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 9/30	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 9/30	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 11 LEGISLATIVE						
* CITY COUNCIL	40,302	114,936	122,400	122,400	48,891	39.94
* CLERK OF COUNCIL	8,488	37,034	36,600	36,600	8,553	23.37

** LEGISLATIVE	48,790	151,970	159,000	159,000	57,444	36.13
DEPT 12 GENERAL & FINANCIAL ADMIN						
* CITY MANAGER	54,694	299,268	387,000	387,000	87,095	22.51
* CITY ATTORNEY	78,391	283,752	343,400	343,400	57,992	16.89
* INDEPENDENT AUDITORS	11,400	63,700	80,000	80,000	9,030	11.29
* HUMAN RESOURCES	80,806	373,712	453,600	453,600	91,602	20.19
* COMMISSIONER OF REVENUE	113,032	508,317	521,400	521,400	106,279	20.38
* TREASURER	100,543	438,887	439,100	439,100	79,830	18.18
* FINANCE	119,638	508,336	565,000	565,000	103,347	18.29
* INFORMATION TECHNOLOGY	280,227	1,308,607	1,740,800	1,740,800	274,422	15.76
* RISK MANAGEMENT	48,535	48,535	50,000	50,000	45,767	91.53

** GENERAL & FINANCIAL ADMIN	887,266	3,833,114	4,580,300	4,580,300	855,364	18.67
DEPT 13 BOARD OF ELECTIONS						
* ELECTORAL BOARD OFFICIALS	2,750	60,680	51,000	51,000	1,807	3.54
* REGISTRAR	23,423	104,690	140,600	140,600	25,878	18.41

** BOARD OF ELECTIONS	26,172	165,370	191,600	191,600	27,685	14.45
DEPT 21 COURTS						
* CIRCUIT COURT	18,607	78,101	81,800	81,800	18,180	22.22
* GENERAL DISTRICT COURT	4,810	18,958	28,800	28,800	5,218	18.12
* J & D RELATION DIST COURT	11,306	45,564	50,400	50,400	10,966	21.76
* CLERK OF CIRCUIT COURT	110,497	501,747	503,100	503,100	109,681	21.80
* CITY SHERIFF	265,250	991,391	1,032,400	1,032,400	272,571	26.40
* COURTHOUSE SECURITY	16,149	172,332	173,500	173,500	34,763	20.04
* JUROR SERVICES	0	20,000	26,000	26,000	0	.00

** COURTS	426,619	1,828,093	1,896,000	1,896,000	451,378	23.81
DEPT 22 COMMONWEALTH'S ATTORNEY						
* COMMONWEALTH ATTORNEY	246,848	1,095,657	1,085,100	1,085,100	253,105	23.33
* VICTIM WITNESS PROGRAM	31,931	139,874	141,100	141,100	32,287	22.88

EXPENDITURES BY DIVISION
 FOR FISCAL YEAR 2014
 JULY 1, 2013 - SEPTEMBER 30, 2013

ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 9/30	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 9/30	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 22 COMMONWEALTH'S ATTORNEY						
** COMMONWEALTH'S ATTORNEY	278,779	1,235,531	1,226,200	1,226,200	285,392	23.27
DEPT 31 LAW ENFORCEMENT & TRAFFIC						
* POLICE DEPARTMENT	1,584,082	7,194,339	7,500,200	7,500,200	1,669,962	22.27
* POLICE GRANTS	79,599	301,247	47,200	47,200	25,622	54.28
** LAW ENFORCEMENT & TRAFFIC	1,663,680	7,495,586	7,547,400	7,547,400	1,695,584	22.47
DEPT 32 FIRE AND RESCUE SERVICES						
* FIRE DEPARTMENT	1,060,233	4,684,185	4,923,700	4,923,700	1,206,340	24.50
* EMERGENCY MEDICAL	12,170	53,697	0	0	40	.00
* FIRE GRANTS	12,161	80,274	203,100	203,100	26,587	13.09
** FIRE AND RESCUE SERVICES	1,084,563	4,818,156	5,126,800	5,126,800	1,232,966	24.05
DEPT 33 CORRECTION AND DETENTION						
* PROBATION OFFICE	494	2,567	3,500	3,500	569	16.27
** CORRECTION AND DETENTION	494	2,567	3,500	3,500	569	16.27
DEPT 34 INSPECTIONS						
* INSPECTIONS DEPARTMENT	105,518	449,706	466,000	466,000	100,262	21.52
** INSPECTIONS	105,518	449,706	466,000	466,000	100,262	21.52
DEPT 35 OTHER PROTECTION						
* ANIMAL WARDEN	29,645	137,768	165,600	165,600	61,351	37.05
* EMERGENCY SERVICES CD	35,844	77,098	47,000	47,000	17,037	36.25
* HAZARDOUS MATERIAL	15,894	66,397	41,800	41,800	7,985	19.10
* COMMUNICATION OPERATIONS	247,723	898,264	930,100	930,100	235,807	25.35
** OTHER PROTECTION	329,107	1,179,527	1,184,500	1,184,500	322,180	27.20
DEPT 41 MAINT HIGHWAY, STREET ETC						
* STREETS	11,717	29,219	23,600	23,600	11,984	50.78
* STORM DRAINAGE	0	35,978	35,000	35,000	874	2.50
* LOUDOUN MALL	12,608	51,695	70,800	70,800	19,793	27.96
** MAINT HIGHWAY, STREET ETC	24,325	116,892	129,400	129,400	32,652	25.23
DEPT 42 SANITARY & WASTE REMOVAL						
* REFUSE COLLECTION	282,252	1,315,126	1,388,300	1,388,300	321,344	23.15

EXPENDITURES BY DIVISION
FOR FISCAL YEAR 2014
JULY 1, 2013 - SEPTEMBER 30, 2013

ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 9/30	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 9/30	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 42 SANITARY & WASTE REMOVAL						
** SANITARY & WASTE REMOVAL	282,252	1,315,126	1,388,300	1,388,300	321,344	23.15
DEPT 43 MAINT GENERAL BLDG/GROUND						
* JOINT JUDICIAL CENTER	126,077	515,138	705,400	705,400	117,235	16.62
* FACILITIES MAINTENANCE	283,100	1,094,213	1,117,300	1,117,300	270,570	24.22
** MAINT GENERAL BLDG/GROUND	409,176	1,609,351	1,822,700	1,822,700	387,805	21.28
DEPT 53 WELFARE/SOCIAL SERVICES						
* ELDERLY - PROP TAX RELIEF	0	496,565	520,000	520,000	0	.00
** WELFARE/SOCIAL SERVICES	0	496,565	520,000	520,000	0	.00
DEPT 71 PARKS & RECREATION						
* SUPERVISION PARKS & REC	100,309	454,602	567,700	567,700	93,479	16.47
* SPECIAL EVENTS TROLLEY	0	0	0	0	2,189	.00
* MAINTENANCE	404,861	1,326,365	971,430	971,430	194,704	20.04
* RECREATION ACTIVITIES	26,809	75,651	73,100	73,100	21,456	29.35
* OUTDOOR SWIMMING POOL	58,871	106,824	110,600	110,600	51,326	46.41
* INDOOR POOL	30,930	161,304	226,450	226,450	36,816	16.26
* WAR MEMORIAL & ADDITIONS	99,824	386,838	377,825	377,825	77,916	20.62
* SCHOOL AGE CHILD CARE	42,933	170,973	183,650	183,650	44,045	23.98
* ATHLETIC PROGRAMS	48,456	174,639	199,525	199,525	47,171	23.64
** PARKS & RECREATION	812,993	2,857,196	2,710,280	2,710,280	569,103	21.00
DEPT 72 CULTURAL ENRICHMENT						
* APPLE BLOSSOM FESTIVAL	0	59,685	29,500	29,500	0	.00
** CULTURAL ENRICHMENT	0	59,685	29,500	29,500	0	.00
DEPT 81 PLANNING & COMMUNITY DEVL						
* PLANNING DEPARTMENT	49,995	207,763	278,900	278,900	49,261	17.66
* REDEVELOPMENT & HOUSING	2,468	1,087,168	21,500	21,500	4,893	22.76
* ZONING DEPARTMENT	26,542	141,175	211,200	211,200	37,806	17.90
* ECONOMIC DEVELOPMENT	39,359	1,384,953	799,500	799,500	50,916	6.37
* OLD TOWN WINCHESTER ADMIN	35,964	262,109	437,100	437,100	131,747	30.14
* GIS	15,388	81,259	89,300	89,300	25,452	28.50

EXPENDITURES BY DIVISION
 FOR FISCAL YEAR 2014
 JULY 1, 2013 - SEPTEMBER 30, 2013

ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 9/30	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 9/30	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 81 PLANNING & COMMUNITY DEVL						
** PLANNING & COMMUNITY DEVL	169,715	3,164,427	1,837,500	1,837,500	300,075	16.33
DEPT 91 NONDEPARTMENTAL						
* OTHER	35,413	456,937	588,144	588,144	37,955	6.45
* OUTSIDE AGENCIES	72,928	182,713	282,713	282,713	83,069	29.38
* REGIONAL AGENCIES	2,029,311	4,862,867	5,065,041	5,065,041	1,988,911	39.27
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** NONDEPARTMENTAL	2,137,652	5,502,517	5,935,898	5,935,898	2,109,935	35.55
DEPT 93 TRANSFERS						
* INTERFUND	6,688,051	29,374,347	33,989,702	33,989,702	6,600,551	19.42
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** TRANSFERS	6,688,051	29,374,347	33,989,702	33,989,702	6,600,551	19.42
DEPT 95 DEBT SERVICE						
* DEBT	2,154,151	36,195,347	9,255,420	9,255,420	2,258,504	24.40
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** DEBT SERVICE	2,154,151	36,195,347	9,255,420	9,255,420	2,258,504	24.40
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*** GENERAL OPERATING FUND	17,529,303	101,851,073	80,000,000	80,000,000	17,608,794	22.01
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	17,529,303	101,851,073	80,000,000	80,000,000	17,608,794	22.01

2013 Fire and Rescue Department Statistics

Month	Incidents											Casualties		Training Hours		Resuscitation Efforts	
	EMS	Fire	Total	Struc. Fire	Fire Other	ALS 1	ALS 2	BLS	Pt. Ref.	Mutual Aid Given	Mutual Aid Recvd.	Fire	Civ.	Dept. Personnel	LFCC Ride-Along Students	Cardiac Arrest	Cardiac Arrest Saved
January	349	96	445	5	91	160	2	137	21	50	13	1	0	935	0	1	1
February	309	65	374	2	63	138	1	109	25	18	13	0	1	424	0	2	1
March	390	103	493	7	96	171	6	161	23	40	7	0	1	879	12	4	2
April	333	95	428	3	92	153	3	130	19	27	15	1	0	872	282	1	0
May	388	113	501	5	108	144	5	144	30	35	11	1	2	410	54	3	1
June	341	112	453	8	104	134	4	150	31	39	10	0	3	386	0	4	1
July	388	106	494	7	99	170	7	137	29	39	15	0	0	1444	0	4	1
August	357	105	462	6	99	175	2	123	27	25	6	2	0	1467	0	1	0
September	373	82	455	3	79	187	10	124	27	23	10	0	0	1481	0	6	3
October			0		0												
November			0		0												
December			0		0												
TOTAL	3228	877	4105	46	831	1432	40	1215	232	296	100	5	7	8297	348	26	10
																38.46%	

26.3% National Average

10 Years of Incidents											
2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	
4932	5288	5711	5673	5571	5365	5407	5539	5541	5756		

Other Monthly Activity:



Aerial Training for New Drivers, Shenandoah University 9/11 Memorial Thank You, Operational Readiness Training

2013 EMS Revenue Recovery Statistics

	Total billed	Payment Adj.	Net Collectable	Total paid by insurance	Patient Payment	Refunds	Total Deposit	Total Revenue	Increase from FY2012	Percent Increase From FY2012
JULY	\$163,418.00	\$21,816.44	\$141,601.56	\$217,637.09	\$9,148.96	\$0.00	\$80,835.01	\$80,835.01	\$6,999.94	9%
AUGUST	\$154,507.00	\$6,700.89	\$147,806.11	\$73,522.65	\$6,533.14	\$786.97	\$79,268.82	\$160,103.83	\$561.43	0%
SEPTEMBER	\$168,913.00	\$0.00	\$168,913.00	\$66,236.78	\$0.00	\$309.00	\$65,927.78	\$226,031.61	(\$4,098.67)	-2%
OCTOBER										
NOVEMBER										
DECEMBER										
JANUARY										
FEBRUARY										
MARCH										
APRIL										
MAY										
JUNE										
TOTALS	\$486,838.00	\$28,517.33	\$458,320.67	\$357,396.52	\$15,682.10	\$1,095.97	\$226,031.61			49%



2013 Fire Marshal Division Statistics

Month	City Fire Property Dollar Loss/Save			Plan Review		Inspections/Investigations								Public Education			
	Loss	Value	Saved	#	Revenue	Fire Insp.	Follow-up	Sprinkler	Alarm	Supres.	Site	Other Insp.	Investig.	Smoke Alarms Installs	Car Seat Installs	Pub Ed Children	Pub Ed Adult
January	\$100.00	\$175,000.00	\$174,900.00	2	\$75.99	10	18	2	3	1	1	0	0	0	13	2	17
February	\$600.00	\$107,000.00	\$106,400.00	9	\$0.00	16	9	3	0	0	0	0	1	2	10	64	53
March	\$0.00	\$0.00	\$0.00	11	\$758.30	14	18	8	0	1	2	42	0	4	8	15	40
April	\$26,100.00	\$111,100.00	\$85,000.00	5	\$214.20	38	26	2	0	0	0	21	2	1	4	2	8
May	\$105,500.00	\$148,400.00	\$42,900.00	14	\$1,239.86	8	9	5	1	3	0	23	1	1	11	143	43
June	\$98,000.00	\$17,846,200.00	\$17,748,200.00	6	\$517.16	15	14	4	3	3	3	10	3	1	3	113	19
July	\$7,250.00	\$8,100.00	\$850.00	14	\$1,159.18	14	19	3	4	1	1	7	3	1	14	48	20
August	\$309,262.00	\$1,469,204.00	\$1,159,942.00	3	\$68.34	16	20	4	1	4	1	13	2	7	13	219	332
September	\$14,000.00	\$28,337,600.00	\$28,323,600.00	11	\$765.00	38	18	4	0	2	0	6	3	1	19	137	101
October					\$0.00												
November					\$0.00												
December					\$0.00												
TOTAL	\$560,812.00	\$48,202,604.00	\$47,641,792.00	75	\$4,798.03	169	151	35	12	15	8	122	15	18	95	743	633



2013 Station/Apparatus Statistics

Month	Station Logbook Runs			
	1	2	4	5
January	174	73	151	196
February	148	71	122	180
March	188	80	180	215
April	164	80	161	203
May	173	72	157	226
June	168	77	137	218
July	202	89	152	229
August	183	72	156	194
September	168	76	148	221
October				
November				
December				
TOTAL	1568	690	1364	1882



A Virginia Accredited Law Enforcement Agency

Timbrook Public Safety Center
231 East Piccadilly Street
Winchester, VA 22601

Telephone: (540) 545-4700
FAX: (540) 542-1314
Website: www.winchesterva.gov

**WINCHESTER POLICE DEPARTMENT
MONTHLY COUNCIL REPORT
September 2013**

5 YEAR TREND FOR MAJOR CRIMES- September

	2009	2010	2011	2012	2013
THEFT	62	67	74	78	64
GRAND THEFT	22	11	21	19	16
MVT	2	2	1	1	1
ROBBERY	1	3	3	2	1
RAPE	1	0	0	0	1
B&E	12	22	12	19	8

5 YEAR TREND ENFORCEMENT -Enforcement for September - 5 year trend

	2009	2010	2011	2012	2013
Felony Arrests	24	16	31	27	20
Misdemeanor Arrests	98	141	126	162	95
Legal Document - Felony	41	17	29	35	36
Legal Document - Misdemeanor	168	129	150	125	151
DUI Arrests	12	14	23	13	12
Incident Reports	336	340	343	378	244
Field Contacts Documented	21	18	43	48	4
Speeding - Radar	55	105	72	26	42
Traffic Violations	222	243	292	235	194
Vehicle Crash Investigations	79	76	50	33	35
Warning Citations					58
Parking Violations	106	209	177	135	91

Up-to-date statistics can be found at www.winchesterpolice.org/crimestats/index1.html and up-to-date crime maps are available at www.winchesterpolice.org/crimemap/index1.html.