



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING ~ AGENDA ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, February 1, 2016

5:00 PM

Council Chambers

1. Call to Order

2. Invocation - Rizwan Jaka

3. Pledge of Allegiance

4. Citizen's Time

5. Presentation

A. VRE Presentation

6. Public Hearing

A. Repeal Chapter 58 Article XV Floodplain Districts

7. Minutes Acceptance

A. Mayor and Council - Continuation Meeting - Nov 6, 2015 5:00 PM

B. Mayor and Council - Special Meeting - Nov 24, 2015 4:30 PM

C. Mayor and Council - Work Session - Nov 30, 2015 5:00 PM

8. Department Reports

A. Main Street Coordinator's Report - Denise Andrews

B. Engineer's Report - Holly Montague

C. Town Planner's Report - Marchant Schneider

D. Building Official's Report - Joe Barbeau

E. Treasurer's Report - Sherrie Wilson

F. Police Report - Eric Noble, Chief of Police

G. Town Manager's Report - Brian Henshaw

9. Agenda Items

A. Repeal Article XV Flood Plain Districts - Holly Montague

B. Flood Plain Ordinance - Holly Montague

C. Town Center - RDA Change Order - Brian Henshaw

D. VRE Update

E. Dominion Virginia Power 230 kV Transmission Line & Substation

F. Fee Schedule - Building Department - Brian Henshaw

G. Board of Zoning Appeals Reappointment

10. Councilmember Time

A. Matt Caudle

B. Susan Edwards

C. Steve Aitken

D. Chris Morris

E. Joe Pasanello

F. Kurt Woods

G. David Leake

11. Adjournment



TO: Town of Haymarket Town Council
SUBJECT: VRE Presentation
DATE: 02/01/16

ATTACHMENTS:

- VRE Presentation GHX Haymarket Council 25 Jan 2016_r1 (PDF)

Gainesville-Haymarket Extension Study

Haymarket Town Council
January 2016



VIRGINIA RAILWAY EXPRESS
Gainesville-Haymarket Extension

Why GHX Now?

I-66 is a corridor of statewide significance

VRE is a part of the regional multimodal solution

VRE is one of the most cost-effective ways to increase peak capacity

Rapid land development in PWC is increasing congestion and travel options must keep pace



Attachment: VRE Presentation GHX Haymarket Council 25 Jan 2016_r1 (2718 : VRE



VIRGINIA RAILWAY EXPRESS
Gainesville-Haymarket Extension

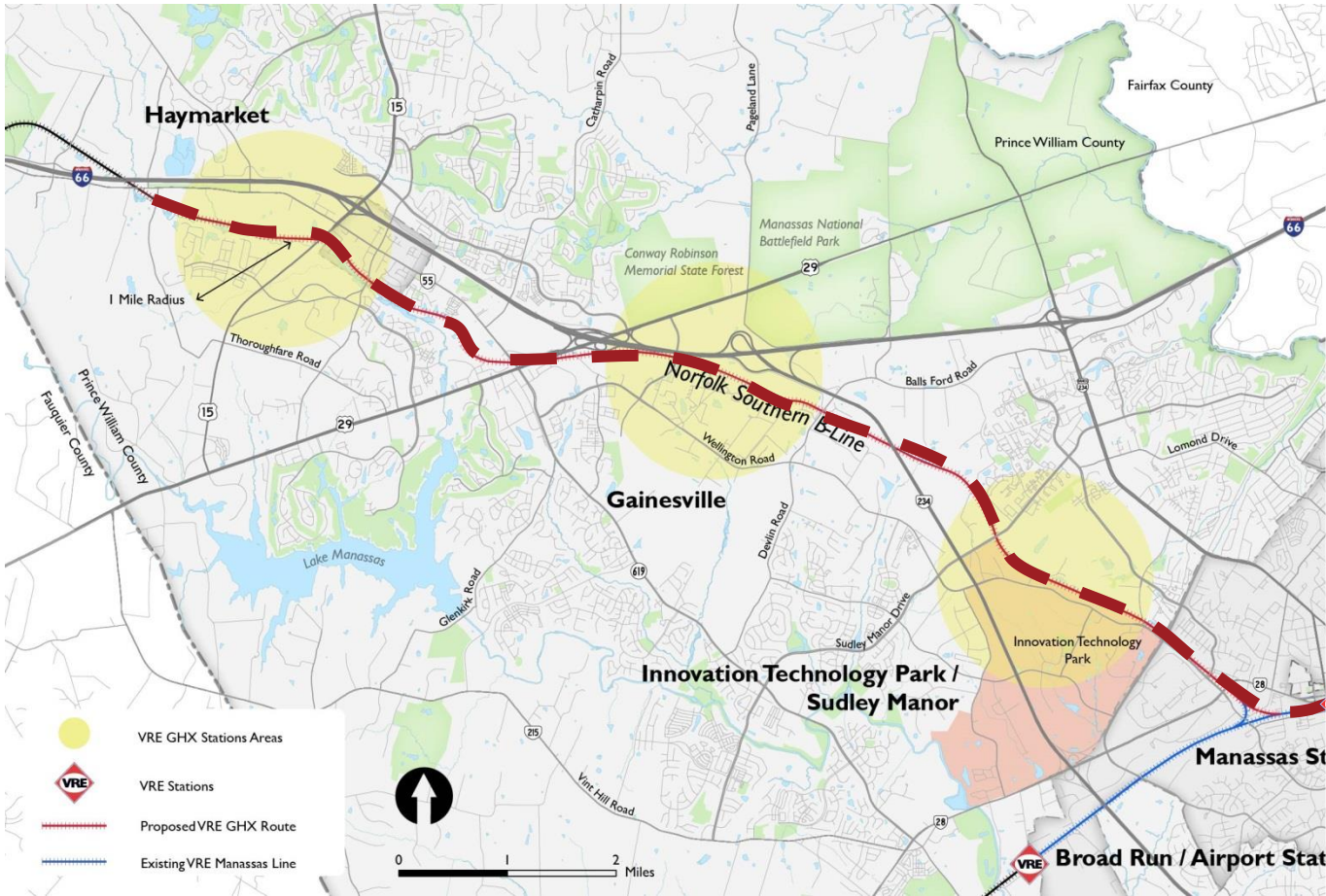
GHX Study Area

Up to 3 new stations

Track and right-of-way

Yard expansion

Higher peak frequency, new reverse peak & midday service



Attachment: VRE Presentation GHX Haymarket Council 25 Jan 2016_r1 (2718 : VRE





Kickoff Meetings: Nov 6-10, 2015

**Policy Advisory
Committee (PAC)**

Elected officials

**Executive Steering
Committee (ESC)**

Senior jurisdiction and agency staff

**Technical Advisory
Committee (TAC)**

Jurisdictions, regional and resource agency technical staff

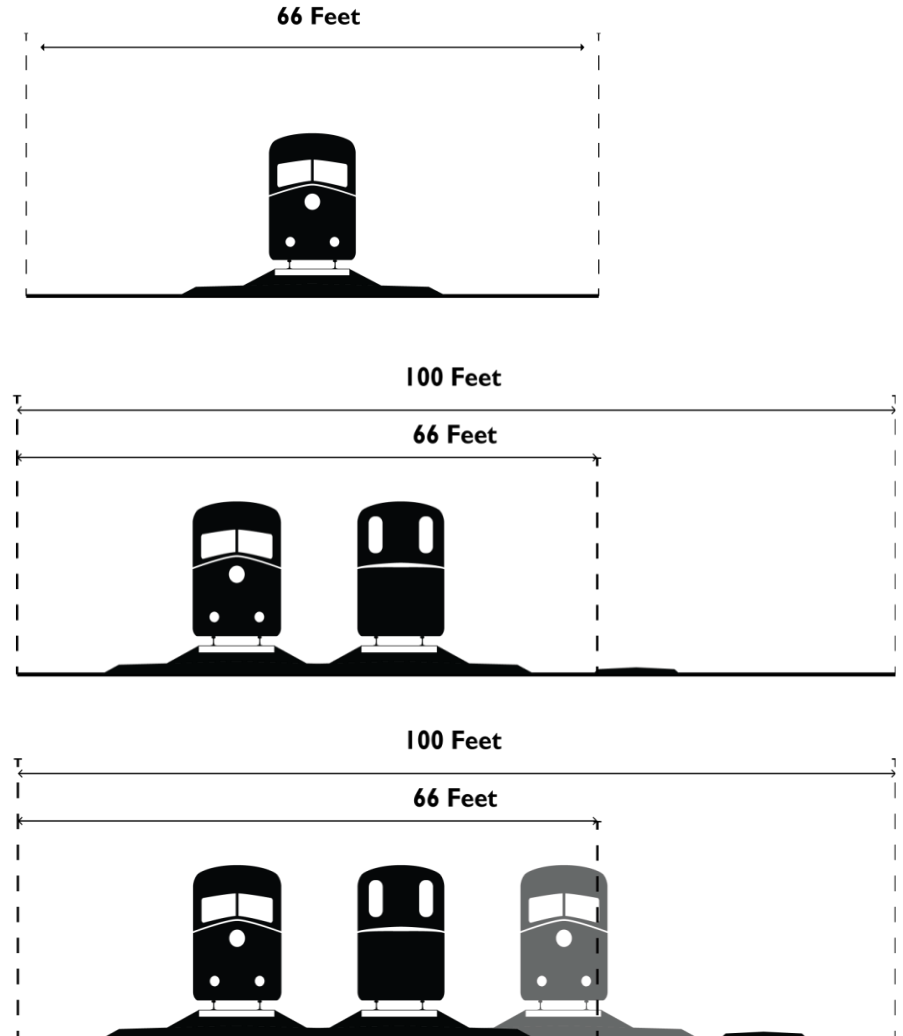
**Community Advisory
Committee (CAC)**

Community representatives, planning commissioners, etc.



Key Consideration: Alignment

- Norfolk Southern owns the Railroad and approves VRE service
- Extension proposed on Norfolk Southern B-Line
- Existing: Single track with passing siding at Gainesville
- Long-term need is for three tracks
- Expansion of right-of-way may be necessary



Key Consideration: Station Site Selection

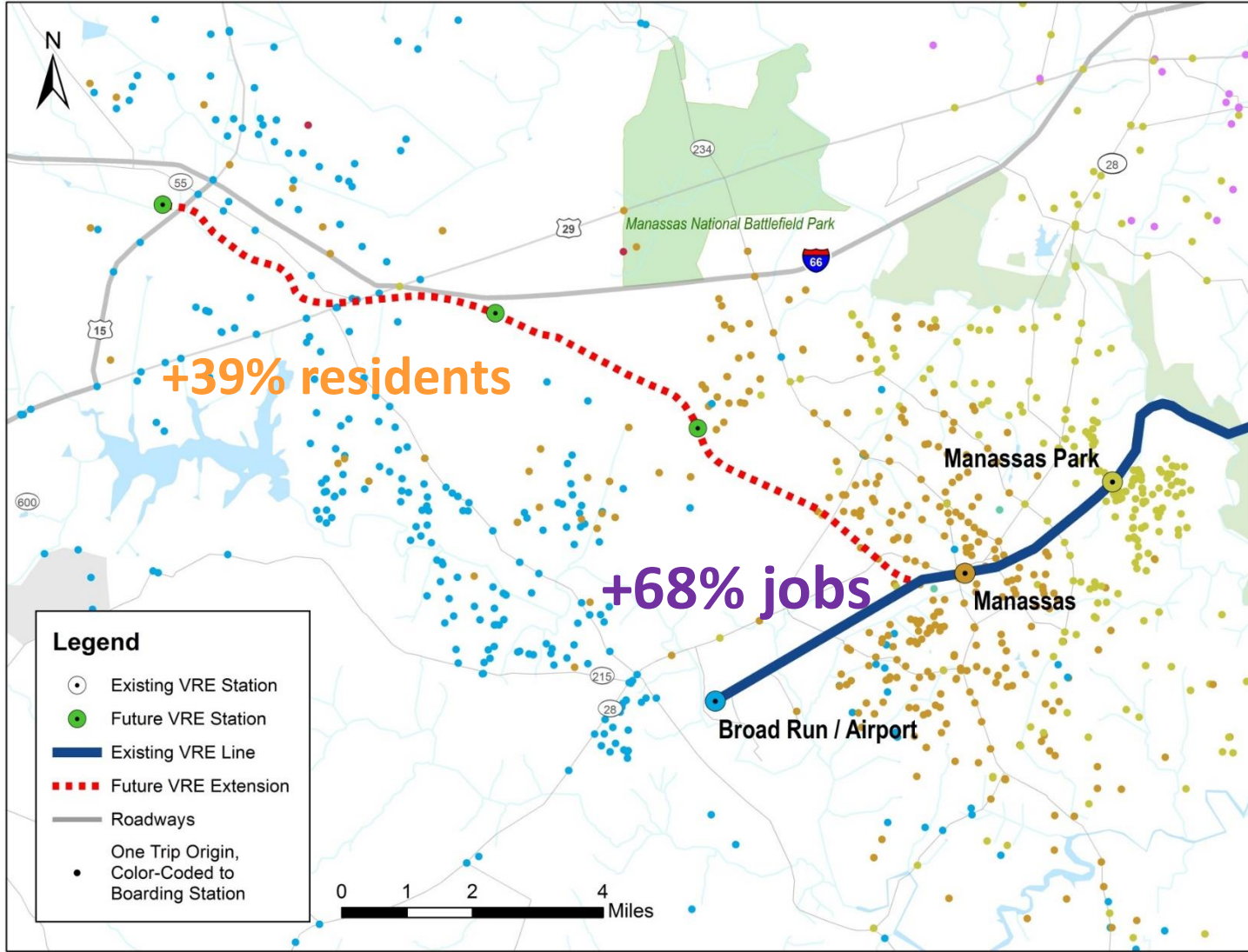


Attachment: VRE Presentation GHX Haymarket Council 25 Jan 2016_r1 (2718 : VRE



VIRGINIA RAILWAY EXPRESS
Gainesville-Haymarket Extension

Key Consideration: Ridership Potential



Attachment: VRE Presentation GHX Haymarket Council 25 Jan 2016_r1 (2718 : VRE

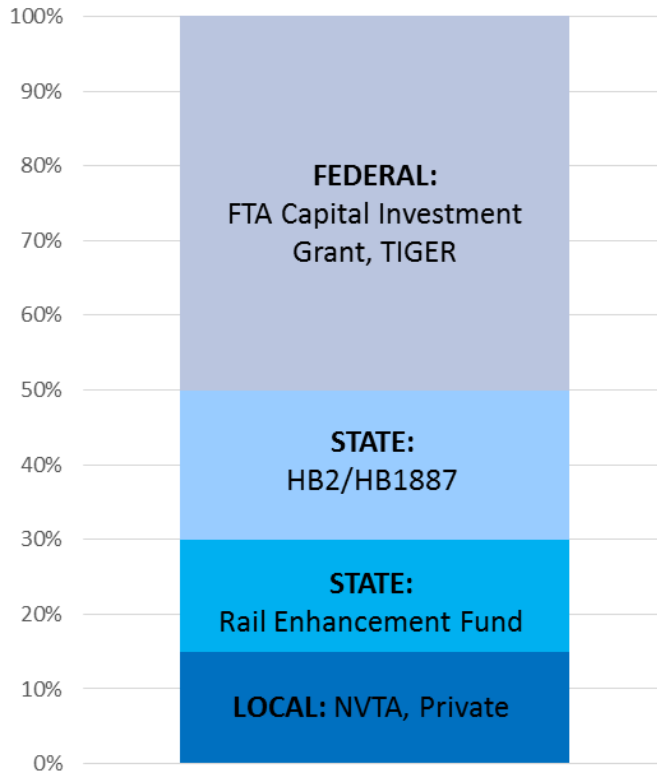


VIRGINIA RAILWAY EXPRESS
Gainesville-Haymarket Extension

Broad Run and GHX travel markets overlap

Key Consideration: Funding Package

Capital Funding Sources



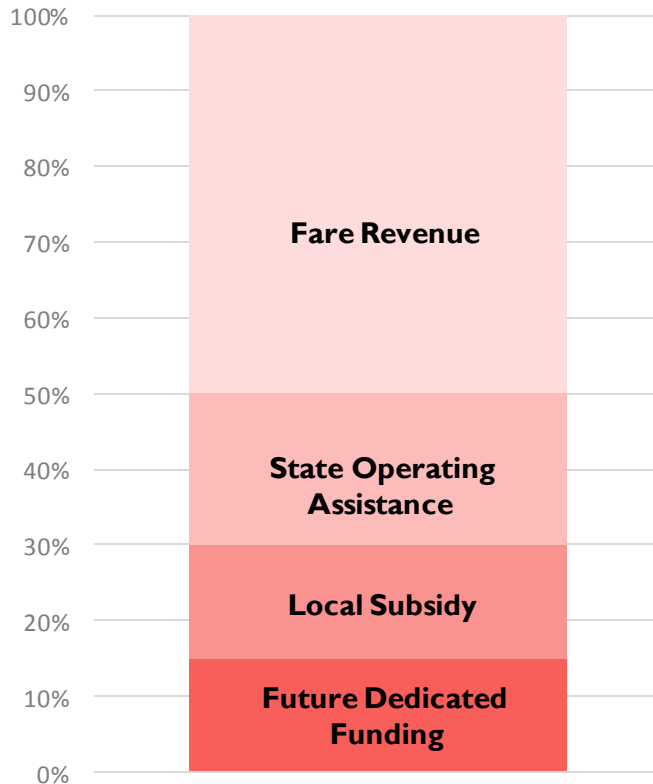
- GHX Funding Plan under development
 - Most likely sources (federal, state, local, private)
 - Mix/amount from each source
 - Initial draft mid-2016
- Plan covers capital and operating funding

Attachment: VRE Presentation GHX Haymarket Council 25 Jan 2016_r1 (2718 : VRE



Key Consideration: Funding Package

Operations Funding Sources



- Minimum 50% fare recovery
- Operating subsidy paid by VRE jurisdictions
 - Total annual subsidy recommended to PRTC/NVTC
 - Each VRE jurisdiction pays a percentage based on ridership
 - Varies year to year
- Additional revenue source required for future operations + extension
- Mix of state/local/new operating revenue for GHX TBD



GHX Goals

1. Add capacity to the I-66 corridor
2. Accommodate current and future freight operations
3. Provide cost-effective and reliable mobility options
4. Enhance service on existing line for current and future riders
5. Support local and regional economic development and plans

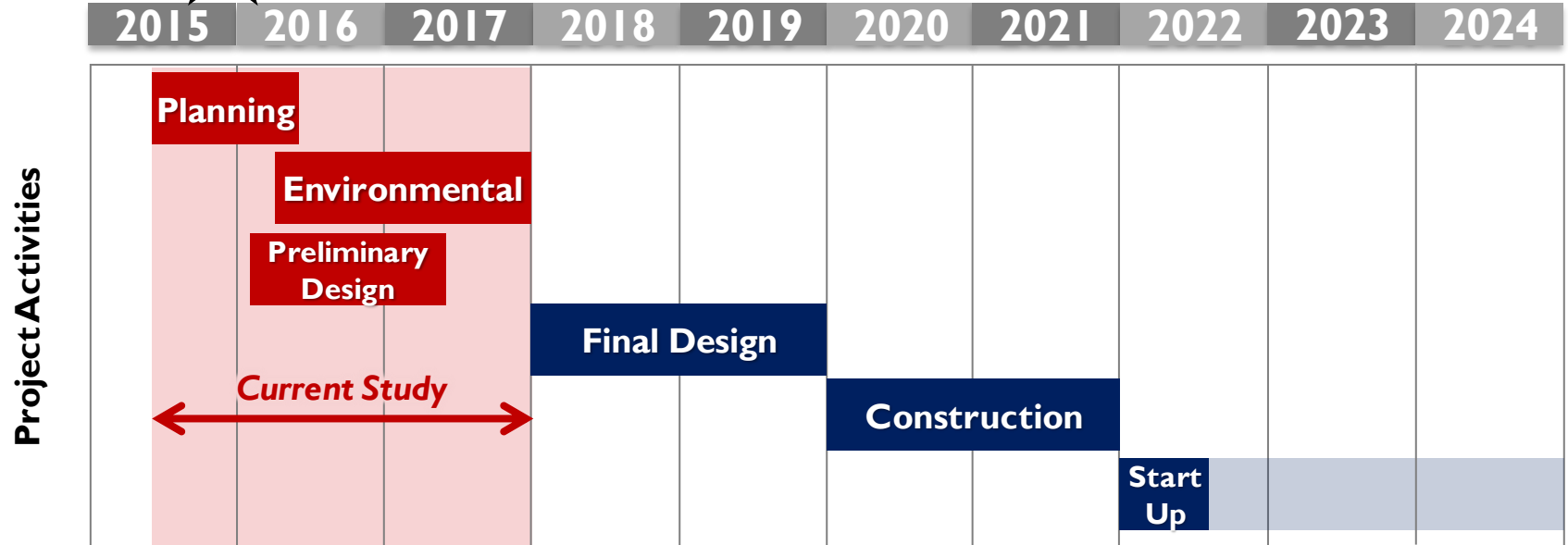


VIRGINIA RAILWAY EXPRESS
Gainesville-Haymarket Extension

Project Overview



We are here



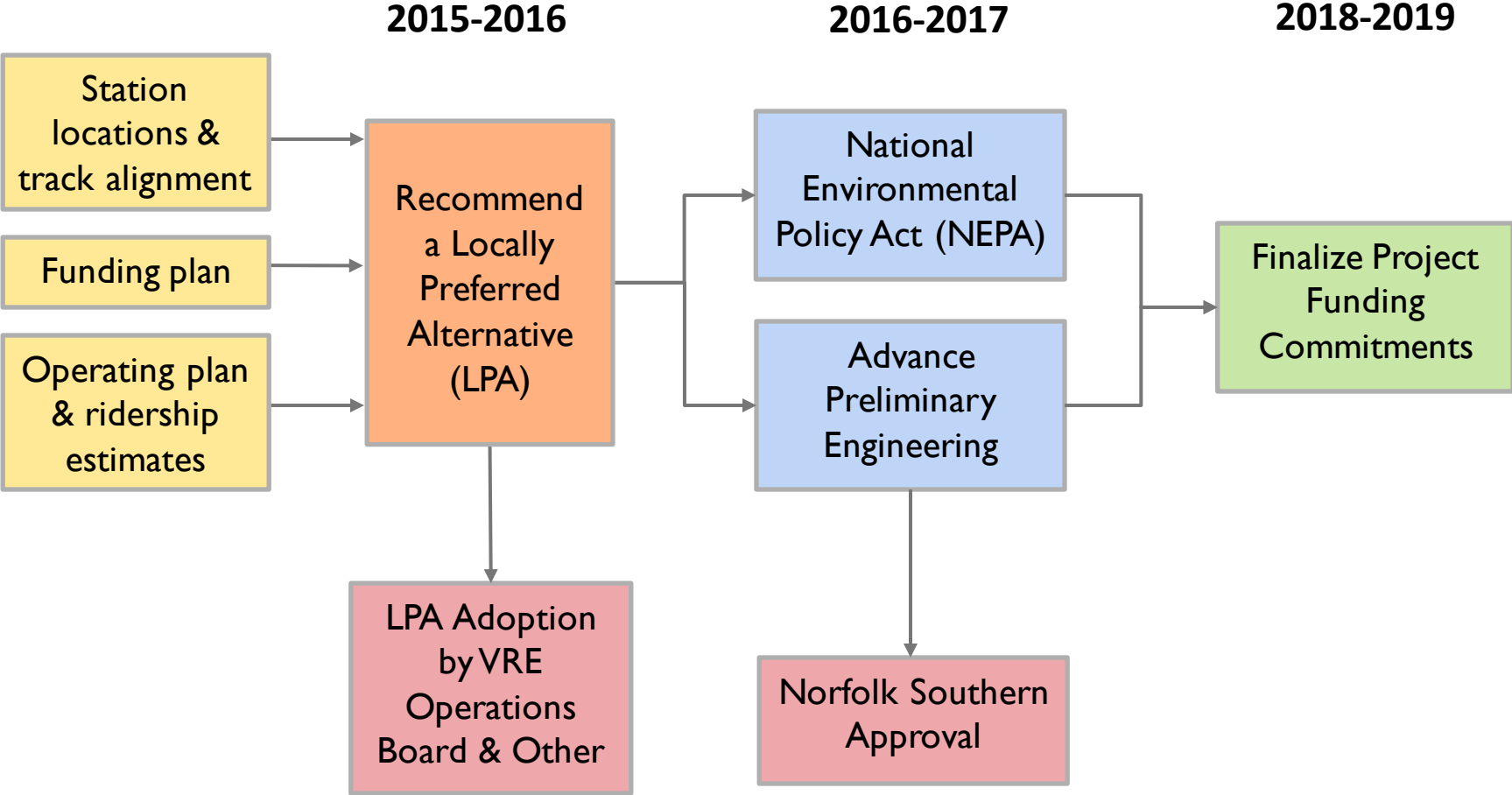
Contingent upon Norfolk Southern approval and funding availability.



Schedule as of September 2015



Decision Making Process



Attachment: VRE Presentation GHX Haymarket Council 25 Jan 2016_r1 (2718 : VRE





TOWN OF HAYMARKET TOWN COUNCIL

CONTINUATION MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Friday, November 6, 2015

5:00 PM

Council Chambers

A Continuation Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 5:00 PM

Mayor David Leake called the meeting to order.

1. Call to Order

Councilman Matt Caudle: Present, Councilman Chris Morris: Present, Councilman Kurt Woods: Present, Councilman Joe Pasanello: Present, Councilwoman Susan Edwards: Present, Vice Mayor Steve Aitken: Present, Mayor David Leake: Present.

2. Agenda Items

A. Citizens Time

Pam Stutz - 6720 Jefferson Street

She congratulates Council that they want to move on with the Harrover property. She understands that part of the desire or plan for the property may be to remove the two structures. She feels these buildings provide the Town with history. The Town has struggled over the years to prevent the Town from becoming like any other Town. She is concerned about the Food Pantry. She wishes we didn't need a food pantry. She asks that Council consider incorporating a facility that could house the food pantry. She encourages the Council to make this consideration this evening.

David Jones - St. Michael's Anglican Church

St. Paul's was integral to the start of the food pantry. He feels the pantry has been a blessing and that Haymarket is known for its food pantry. He reminds that folks come to the food pantry it brings them to Haymarket. Not only the people who pick up food, but also those who donate. All of these people create commerce for the Town.

Eileen Smith

She has been associated with the food pantry for 8 years. Not only is it important to focus on who the pantry serves, 500-600/month, but also focus on the spirit of volunteerism. Children of all ages volunteer for the pantry.

Brianna - Bristow

She has been volunteering for the Food Pantry for over a year now. There are other things than food that people get from the Food Pantry. Some people volunteer and it adds to their resume. Some do it because of their secular beliefs. She believes the pantry adds value to the Town.

Cathy Pasanello - 6895 Track Court

She is proud that Haymarket is HEAL Healthy Eating/Active Living, certified town. She feels our residents deserve a park.

Rebecca Bare - 14977 Cheyenne Way

Numbers were thrown out at the last meeting. She reminds that The Town of Haymarket owns 5 historic properties. We can have a park and have both of those buildings in tact. She reminds that grants are available for funding. She watches the meetings and has not heard any discussions about grant applications. Every public hearing the Town has had, residents come out in full support of the food pantry. This shouldn't be a matter of picking and choosing between the park and the buildings.

Rhonda Reese - 6995 Manahoac Place

Minutes Acceptance: Minutes of Nov 6, 2015 5:00 PM (Minutes Acceptance)

She is a volunteer at the Food Pantry; her sons also volunteer there. She feels it is very important that the Food Pantry stay in Haymarket. She agrees why can't we do both the pantry and the park. There are many other blighted properties in Town that perhaps could be a park area.

Dottie Leonard - 14801 Washington Street

She agrees with the speaker who said the most critical use for everyone in the community is a park. She is a realtor of 26 years. The best and most efficient use would be for the Town to support another use. It is a large space for just the food pantry use. There was once a food pantry that became corrupt. She has a big heart for those in need and she would feed each of them if she could. She said the buildings are not worth the cost of moving them. She thinks it would be a good idea to have the front of the parcels plotted out for commercial businesses. There was a time she was fighting for her life and she could have used some help and no one from the pantry offered her food.

Joe Clark

He wanted to make a positive comment that they recently moved here. He volunteers his time at the pantry and thinks that

Carrie Fory - Maintenance Coordinator - Food Pantry

She really likes working there and hopes to continue. She was raised in an affluent area such as Haymarket. Her family relied on the same services. She asks that the Council think about what are we giving back?"

Brianna - Bristow

She thinks sharing the property with another use would give exposure to the pantry. She thinks it would make a great dog park. It would also make a nice community garden.

B. Consideration of Planning Commission Appointment

Move to appoint Cathy Pasanello to the Planning Commission for the term ending 06/30/2016.

Discussion: *Councilman Caudle is glad to have someone step up to serve the Town. Councilman Pasanello has known the applicant since 1976. The Town is lucky to have her and he does not need to abstain because he knows she objective and he can vote comfortably for her. Councilman Morris would like to invite all the folks that were here this evening to air their grievances to come serve on the Planning Commission.*

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kurt Woods, Councilman
SECONDER:	Susan Edwards, Councilwoman
AYES:	Caudle, Morris, Woods, Pasanello, Edwards, Aitken

C. 14740 Washington Street - Food Pantry Building

There is a matrix or outline provided this evening. The goal for the meeting tonight is give good direction to the staff with regard to the Harrover Master Plan.

The Mayor asks: Is now the time to exercise the 6-month notice in the lease agreement with the board of directors and assist them where we can so as to transition into a more suitable facility.

Mayor David Leake

Mayor Leake discusses that most of this Council went door-to-door during their campaigning. Overwhelmingly, the residents asked for a park and they wanted the park soon. They asked for a playground and pavilion. He believes the Council can move forward this evening. He knows that the food pantry is bursting at the seams. There are concerns that this residential structure can accommodate the weight of the food storage. The pantry has upgraded the structure significantly over the years. He understands that there have been times the Food Pantry has had to turn down food because they had no room.

Vice Mayor Aitken

Minutes Acceptance: Minutes of Nov 6, 2015 5:00 PM (Minutes Acceptance)

He does not believe this is the proper time to give six months notice. Even if it was decided tonight, he reminds that we do not have the money nor the plans to implement. He does not see the park being implemented within the next couple of years and believe notice would be premature. Even a minimal plan would cost about \$1.5 million. The Town has not identified the resources to fund this project. He believes that no matter what is decided, the Food Pantry is not going anywhere soon.

Councilman Pasanello

Unfortunately hard decisions must be made. He is not sure that the Food Pantry is a compatible use for this property. He thinks the Town can help the Pantry transition to a more appropriate location. He thinks the outreach needs to happen now. The community has benefited from the Food Pantry, but the Town needs to start moving forward. He has reached out to Supervisor Pete Candland for his help in relocating the Food Pantry. He does not believe it is the Town's responsibility. He is ready to move forward tonight and does not believe there is a winning side or a losing side, but he must do what is right for the Town's citizens.

Councilman Caudle

He thanks everyone for coming out tonight. He does think its time to make a decision. He has lived in the Town since 1997. He feels there have constantly been obstacles with this property. He too heard from the residents, overwhelmingly, the residents desire to have a park and open space. He disagrees about the lack of funds and points that the budget calls for \$300,000 expenditures for this project this year. He is in full support of the Food Pantry. His perspective is that the Pantry was started in the heart of the church and this is a faith-based operation. He believes that God has provided in the past and will provide in the future a suitable place for the Pantry. Perhaps the 6 month could be extended.

Councilman Woods

He wishes that the question wasn't should we give six month notice now. If we give the notice and the six months is up and they move, then the building lays vacant, he feels it reflects poorly on the Town and it does remove a valuable service from our Town. He does believe there are Town residents that use this service. He wishes the question was is it time to commit to reclaiming that space and to give notice of some undetermined length. He walked through the building and around the property today. It is not suited for the Food Pantry use; there is no good flow through the building. It was designed to be a home, not a food pantry. The pantry is full now, they have outgrown the space. The citizens of the Town, as a whole, have made it known that they want a park and the two uses are not compatible. He does not believe it is time to exercise six month notice. He would rather exercise notice that when we are ready to begin construction we will provide them notification.

Councilwoman Edwards

She believes we can begin moving toward development of the park and prepare the property. She does agree that we want that facility back, but she does not believe it will happen any time soon. She reminds we have other projects that we are working on at this time. She believes that when the time does come to reclaim the structure, there will be a space in the Town for the Food Pantry. She does not believe it is time to give six month notice. She does feel the Pantry should be on notice that eventually the Town will reclaim the building.

Councilman Morris

He believes the message should be sent that the Town intends to move forward with the plan. He feels there are two separate issues. 1) Town to use the property and 2) Should the pantry be located on the property. He does not believe this is an appropriate location for a pantry. He walked the property and had the opportunity to observe the donation box and it was full; the need is real. He recalls a gentleman that spoke at the last meeting who said that the Town Council must move the Pantry. The Town of Haymarket is not responsible for the Food Pantry. That being said, he would like to volunteer his time to help them relocate. This is a community effort. He reminds that approximately 5% of Town residents are served by the Pantry. He believes this is more of a Gainesville Food Pantry. He believes the message must be sent that we are moving forward with the plans for the property, but he agrees with Councilman Woods, we cannot move forward in six months. However, the Pantry must act with a sense of urgency.

Does not believe a 6-month notice is appropriate at this time.

Councilman Woods

He would like to commit to the Food Pantry that he will pray for the Pantry to find a new location. This is a faith-based organization.

Mayor Leake suggests that a year notice be provided. Modified to 12/31/2016 and with the intent that if there is any further extension that we would extend

- Councilman Pasanello agrees a lease termination notice of 12/31/2016 is appropriate and agrees with the flexibility.
- Councilman Caudle agrees a lease termination notice of 12/31/2016 is appropriate
- Councilman Woods is in support with the option of extension
- Vice Mayor Aitken agrees a lease termination notice of 12/31/2016 is appropriate
- Councilwoman Edwards believes we wait to give any notice until we have a more specific time and then give them notice
- Councilman Morris supports notice of December 2016

Move to instruct staff to notify the Haymarket Regional Food Pantry of the Town's intent to terminate their lease 12/31/2016 for 14740 Washington Street

RESULT:	ADOPTED [5 TO 1]
MOVER:	Steve Aitken, Vice Mayor
SECONDER:	Kurt Woods, Councilman
AYES:	Caudle, Morris, Woods, Pasanello, Aitken
NAYS:	Susan Edwards

D. Appoint Liaison to Food Pantry for Relocation

Move to appoint Councilman Morris as the liaison to the Food Pantry

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Aitken, Vice Mayor
SECONDER:	Joe Pasanello, Councilman
AYES:	Caudle, Morris, Woods, Pasanello, Edwards, Aitken

E. Master Plan Matrix

The following was discussed and affirmed this evening on what features are desired at Harrover Park						
ELEMENT	COMP PLAN	PUBLIC FORUM	ARB	PC	TC	COUNCIL DIRECTION FOR MASTER PLAN
Open Space - Council indicated open space a priority. PC desired to see more. ARB supported concept A with open space elements shown. Forum and Comprehensive Plan Policy (Comp Plan) specifically state use as open space.	X	X	X	X	X	Council agrees that open space is priority, without taking into consideration the status of the current structures
Pavilion - An open-air pavilion generally supported by three public bodies (ARB, PC, TC), Forum, and Comp Plan.	X	X	X	X	X	No objections
Trails Network - Creating a walking environment with connections the Town's Streetscape and trails on the property supported by three public bodies, Forum, and Comp Plan.	X	X	X	X	X	No objections
Major Community Playground - Council preferred a multi-age playground; the PC and ARB preferred	X	X	X	X	X	No objections

<i>a major community playground, as did the public. Comp Plan specifically states consideration of playground.</i>						
Amphitheater - <i>An open-air pavilion generally supported by three public bodies (ARB, PC, TC), Forum, and policy. Comp Plan references public use</i>		X	X	X	X	Phase II or future facility
Picnic Tables and Benches, etc. - <i>All three public bodies agreed that an early phase of development should include picnic tables, benches, etc. Comp Plan references park use.</i>	X	X	X	X	X	No objections
Vehicular / Park Entry - <i>The PC did not favor the "dual entrance". Council preferred a single entrance across from Coach Way, but stated if a dual entrance remained it would want one way traffic flow. No recommendation stated in ARB, Forum or Comp Plan.</i>				X	X	Single Entrance directly across from Coach Way

PROGRAM ELEMENTS - MODERATE AGREEMENT:

ELEMENT	COMP PLAN	PUBLIC FORUM	ARB	PC	TC	COUNCIL DIRECTION FOR MASTER PLAN
Parking - General consensus of ARB and TC was that parking should not be a focus of the design. The Park should feature functional parking but be designed to be pedestrian friendly. Comp Plan and Forum silent on issue.				X	X	Minimal parking
Removal of Outbuildings (sheds, garage, etc.) - ARB recommended removal as an early phase. No specific recommendation by PC specific outbuildings, but general preference not to use existing structures (except as noted below). Council did not specify a preference on the outbuildings, but did make it a priority to create usable space as did Forum.			X	X	X	Remove and Reuse. Repurpose well house, remove two sheds. Only outbuilding should be used to service shed
4. Do we agree to remove all the out buildings now?						
Public Restrooms - All three bodies agreed that the property would need public bathroom facilities. The public did not specify the need for public bathroom facilities. Comp Plan references Community Center, which assumes public restrooms. Potential for reuse of Lewis home to provide public restroom.	X	X	X	X	X	Restroom facilities are needed in the park. As soon as possible depending on funds availability
5. Do we agree bathroom facilities are needed in phase one?						
Community Room / Meeting Space - Comp Plan references community center use. The public forum requested meeting space to be part of the park. The ARB desired meeting space/ the possibility of a gallery. The PC did not state that it was interested in a meeting space due in part to issue of staffing such a facility, but did, at the recommendation of staff, agree to vet option using one Lewis home for such a facility. The Council discussed for some time the issue with a mixed result. Ultimately the Council agreed to explore the possibility of having a meeting space as part of the Master Plan. Potential for reuse of Lewis home.	X	X	X	X		This plan will not provide a community room or meeting space facility
6. Do we agree the need for Town to provide a community room or meeting space?						

Minutes Acceptance: Minutes of Nov 6, 2015 5:00 PM (Minutes Acceptance)

PROGRAM ELEMENTS - DISCUSSION / LEWIS HOMES

a. Lewis Home / Former Police Department (14710 Washington Street) -	REUSE	COUNCIL'S FINAL DIRECTION FOR MASTER PLAN
Comprehensive Plan: Although the plan is out of date and conflicting, it does identify the Lewis Home as a contributing resource to the Town's Historic District, recommends adaptive reuse of historic structures, and directs maintenance of Town-owned historic resources.	X	
Public Forum: The public forum featured two groups of differing opinions. Group 1 was in favor of demolishing both buildings and/or restoring one of the better buildings and constructing purpose driven facilities. Group 2 was in favor of refurbishing the buildings in place to utilize as part of the Park plan.	X	
ARB - ARB came up with a hierarchical approach. Their first preference is to retain both buildings, including the former PD. Their next preference was to allow the removal of one facility, document it, potentially salvage it and honor it on site with historic markers or interpretations. Their least favorable approach would be to remove all the buildings, but if that was decided, the goal would be to follow the same format of document it, potentially salvage it and honor it on site with historic markers or interpretations.	X	
PC: The PC was unanimously in favor of demo of all buildings, however, reluctantly agreed to consider an option that retained one of the buildings. No preference to which stated.	X	
Council: Has not made final determination on the buildings. However, the general consensus led to the development of a Master Plan Concept that in vision 1 or none of the buildings.		Remove from Plan, offer to sell at \$1 for three months; if not sold, salvage. Direct staff to complete Certificate of Appropriateness priority being 1) Sale 2) Salvage of materials
7. Do we want to remove the Lewis Home / Former PD? (14710 Washington Street)		
<i>If Retain :</i> 8. Do we want to reduce the building footprint by removing additions to the original structure?		
<i>If Remove:</i> 9. Do we donate for relocation from the property? Yes 10. Do we want salvage the building for features throughout the park? 11. Do we want to honor the original building location in some way? Keep the fireplace (proposed), create a space with the outline of the footprint or historic marker?		

Minutes Acceptance: Minutes of Nov 6, 2015 5:00 PM (Minutes Acceptance)

b. Lewis Home / Current Food Pantry (14740 Washington Street) -	<u>REUSE</u>	<u>COUNCIL'S FINAL DIRECTION FOR MASTER PLAN</u>
Comprehensive Plan: Among other items, Comp Plan identifies Lewis Home as a contributing resource to the Town's Historic District, recommends adaptive reuse of historic structures, and directs maintenance of Town-owned historic resources.	X	
Public Forum: The public forum featured two groups of differing opinions. Group 1 was in favor of demolishing both buildings and/or restoring one of the better buildings and constructing purpose driven facilities. Group 2 was in favor of refurbishing the buildings in place to utilize as part of the Park plan.	X	
ARB - ARB came up with a hierarchical approach. Their first preference is to retain both buildings, including the current food pantry, noting of the two Lewis homes, the food pantry was the more architecturally intact. Their next preference was to allow the removal of one facility, document it, potentially salvage it and honor it on site with historic markers or interpretations. Their least favorable approach would be to remove the buildings, but if that was decided, the goal would be to follow the same format of document it, potentially salvage it and honor it on site with historic markers or interpretations.	X	
PC: The PC was unanimously in favor of demo of all buildings, however, reluctantly agreed to consider an option that retained one of the buildings. No preference to which stated.	X	
Council: Has not made final determination on the buildings. However, the general consensus led to the development of a Master Plan Concept that in vision 1 or none of the buildings.	X	Remove additions and maintain original structure for restroom/storage facility
12. Do we want to repurpose or remove the Lewis Home / Food Pantry? (14740 Washington Street)		
<i>If Retain :</i> 13. Do we want reduce the building footprint by removing additions to the original structure?		
<i>If Remove:</i> 14. Do we want to donate for relocation from the property? 15. Do we want salvage the building for features throughout the park? 16. Do we want to honor the original building location in some way? Keep the fireplace (proposed), create a space with the outline of the footprint or historic marker?		

F. 14710 Washington Street - Old Police Department Building

G. 14740 Washington Street - Food Pantry

3. Adjournment

A. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kurt Woods, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Caudle, Morris, Woods, Pasanello, Edwards, Aitken

Submitted:

Approved:

Jennifer Preli, Town Clerk

David Leake, Mayor



TOWN OF HAYMARKET TOWN COUNCIL

SPECIAL MEETING ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Tuesday, November 24, 2015

4:30 PM

Council Chambers

A Special Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 4:30 PM

Mayor David Leake called the meeting to order.

1. Call to Order

Councilman Matt Caudle: Present, Councilman Chris Morris: Absent, Councilman Kurt Woods: Late, Councilman Joe Pasanello: Present, Councilwoman Susan Edwards: Absent, Vice Mayor Steve Aitken: Present, Mayor David Leake: Present.

2. Agenda Items

A. Enter into Closed Session

Move to enter into closed session pursuant to Virginia §2.2-3711 A (7) consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically regarding the Finley Contract

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Caudle, Woods, Pasanello, Aitken, Leake
ABSENT:	Chris Morris, Susan Edwards

B. Certification of Closed Session

Move to certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Pasanello, Councilman
SECONDER:	Steve Aitken, Vice Mayor
AYES:	Caudle, Woods, Pasanello, Aitken, Leake
ABSENT:	Chris Morris, Susan Edwards

C. Budget Amendment & Appropriations

Move to amend the Fiscal Year 2016 Budget by moving \$40,000 of 94100 *Washington Street Enhancement Project - Beautification* and move it to a new line item *Washington Street Enhancement Project - Payments to Finley* and moving \$13,227.32 out of General Reserve into the *Washington Street Enhancement Project - Payments to Finley*. *The total for that new line item would be \$53,227.32.* It is also moved to authorize Payment #14 to Finley Asphalt & Sealing, Inc.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Aitken, Vice Mayor
SECONDER:	Joe Pasanello, Councilman
AYES:	Matt Caudle, Kurt Woods, Joe Pasanello, Steve Aitken
ABSENT:	Chris Morris, Susan Edwards

3. Adjournment

Aitken motions to adjourn

Minutes Acceptance: Minutes of Nov 24, 2015 4:30 PM (Minutes Acceptance)

A. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Aitken, Vice Mayor
SECONDER:	Joe Pasanello, Councilman
AYES:	Matt Caudle, Kurt Woods, Joe Pasanello, Steve Aitken
ABSENT:	Chris Morris, Susan Edwards

Submitted:

Approved:

 Jennifer Preli, Town Clerk

 David Leake, Mayor

Minutes Acceptance: Minutes of Nov 24, 2015 4:30 PM (Minutes Acceptance)



TOWN OF HAYMARKET TOWN COUNCIL

WORK SESSION ~ MINUTES ~

David Leake, Mayor
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, November 30, 2015

5:00 PM

Council Chambers

A Work Session of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 5:00 PM

Mayor David Leake called the meeting to order.

1. Call to Order

Councilman Matt Caudle: Present, Councilman Chris Morris: Present, Councilman Kurt Woods: Present, Councilman Joe Pasanello: Present, Councilwoman Susan Edwards: Present, Vice Mayor Steve Aitken: Absent, Mayor David Leake: Present.

2. Agenda Items

A. Draft Town Council Agenda

The Town Council reviewed the draft Town Council agenda for Monday, December 7, 2015.

3. Adjournment

Minutes Acceptance: Minutes of Nov 30, 2015 5:00 PM (Minutes Acceptance)



TO: Town of Haymarket Town Council
 SUBJECT: Main Street Coordinator's Report
 DATE: 02/01/16

Town Business Social

On Monday, February 22nd at 4:30 pm, the Town will host its first coffee and conversation for the calendar year. The topics for discussion will be:

- The new Sign Ordinance
- New business's and potential development of property in the Town
- Earth Day

Serve Our Willing Warriors - Monte Carlo Night

Serve Our Willing Warriors (SOWW), is a Virginia, 501 (c)(3) non-profit corporation created to support our country's wounded warriors and their families. Their core mission has been to establish and maintain a respite for these families as a getaway during their recovery process.

- On Saturday, February 27th at 6 pm SOWW will host their annual Monte Carlo night at the Dominion Valley Country Club.
- In support of this event, the Town will donate a gift basket for this year's silent auction.
- The gift basket will include several Town affiliated items such as: a t-shirt, ball cap, ornament, pencils, and the Town's historical book.
- If you are interested in attending or making a donation, please contact Kelsy Dominick at kelsy@willingwarriors.org <<mailto:kelsy@willingwarriors.org>>

Haymarket Health Forum

Group Therapy Associates will host its second panel discussion in late February. Topic and date TBD. For more information on their upcoming panel discussions, please visit www.grouptherapyassociates.com/Haymarket <<http://www.grouptherapyassociates.com/Haymarket>>

Earth Day 2016

The Events Committee will be meeting the first week in February to discuss the theme and this year's event participants. Earth Day will be held in early April date TBD.



TO: Town of Haymarket Town Council
SUBJECT: Engineer's Report
DATE: 02/01/16

Enhancement Project

- All outstanding work orders for material and labor have been received and approved. All invoices have been received.
- The final agreed upon quantities were prepared on November 24 and semi-final invoice was submitted shortly thereafter. The project will come in \$135,475 under the original bid amount. This amount includes all approved work orders but does not include budgeted contingency that was not used and does not include any Liquidated Damages.
- The contract has a fixed end date of August 29, 2014 with a \$1,000/day Liquidated Damages clause for late completion. At the writing of this report, there are no agreed upon claims for Request for Time Extension.
- Finley has completed all punch out work with the exception of the buffer topsoiling/re-seeding which cannot be completed until Spring.
- The Town Attorney is working on settlement with Finley and will have discussions in closed session.

I-66 Projects

- A letter of appreciation for opening the Old Carolina Bridge to traffic ahead of schedule was sent to VDOT Project Manager Christiana Briganti-Dunn.



TO: Town of Haymarket Town Council
SUBJECT: Town Planner's Report
DATE: 02/01/16

Ongoing Projects

- Village of Haymarket Phase II. The developer has submitted building plans for Lot 52 (corner of Washington Street and Bleight Drive). Work on installation of curb, gutter, sidewalk, and utilities along Bleight Drive continues.
- Chick-fil-A. The developer has requested an increase in building height in order to screen rooftop utilities. Staff is working with the developer to amend the building plans accordingly.
- Sign Ordinance. The Planning Commission held a public hearing regarding the sign ordinance and forwarded the ordinance to the Council with a recommendation of approval. The ARB was presented the ordinance at their January meeting and will provide comment, if any, at their February meeting. Staff and the Attorney continue to refine the ordinance and expect to bring the ordinance to the Council for public hearing in March.

Development Review

- Other Plans. Staff continues to review site plans submitted by Haymarket Self Storage, Haymarket Masonic Lodge, and Signature Companies.

ARB Review

- Town Council COA - Structure Relocation / Demolition. The ARB approved a COA for the offsite relocation of the Lewis home at 14710 Washington Street (former police department) contingent upon documentation of the interior and exterior of the home prior to removal and installation of interpretive signage following removal. The ARB also required a separate COA for demolition be submitted should the home not be sold.



TO: Town of Haymarket Town Council
 SUBJECT: Building Official's Report
 DATE: 02/01/16

Permits Issued:

- Building Permit to construct an addition at the Haymarket Iceplex has been granted.
- Building Permit to construct a new Chick-fil-A restaurant has been issued pending compliance with other boards.
- Building Permit to construct a Single Family Home on Bleight Drive has been issued.

Certificates of Occupancy Issued:

- January 7: Temporary Certificate of Occupancy issued to Tobaccology, to allow business to commence while awaiting completion of site plan efforts.

Inspections:

- December 28: Pre-pour inspection for Speed Indicator signs (2 locations along Washington Street approved.
- January 5: Final Inspection to allow occupancy for the Business Tobaccology work was approved and temporary occupancy is granted.
- January 14: Final Inspection for the installation of Speed Control signs along Washington Street has been completed and this work approved.

Document Review:

- Currently there are no documents under review.

Actions:

- An issue with a serious accumulation of leaf debris has been brought to our attention at the landscaping yard located on Kapp Valley Way. Inspections at this site reveal a 30+ foot high pile that adjoins the riverbank and shows signs of instability. I am looking into whether or not we can apply the Property Maintenance Code to this situation. This slope needs to be reduced and moved back from the riverbed. Further actions or courses of possible action will be reported to this board.
- After some time there has been no response from the owners of 14881Greenhill Crossing. To date, an application to complete the conversion of this attached garage into a tailor shop has been denied. It had been requested that this space be returned to its original use, and that permits to ensure this compliance be filed. Further there have been reports of continued activity at this location. It seems that additional actions may be needed up to and including court action to facilitate this compliance. This office will continue to keep the board informed of this situation going forward.

Recommendations:

This office has no recommendations for the council at this time.

Other:

No other issues to report at this time.

End of Report, submitted on January 20, 2016.



TO: Town of Haymarket Town Council
SUBJECT: Treasurer's Report
DATE: 02/01/16

- The current year Profit & Loss report is attached. Real Estate Tax revenue has been received. About 97% has been collected to date. Statements of the delinquent taxes continue to go out monthly as interest accrues.
- The Budget is on an Accrual basis which means revenue and expenditures are recorded when they are incurred regardless of when cash is received. "Accrual" refers to any individual entry recording revenue or expense in the absence of a cash transaction. For example, October is when all Real Estate Tax Invoices are entered into Quick Books, therefore it appears as though the entire Taxes were received in October. So Quick Books captures the entire tax amount as what is being billed. Currently we are in the process of sending out Business License Tax renewal notifications. That is due by April 30th. Therefore in April you will see an increase in Revenue over the normal monthly revenues.
- Attached is a chart showing monthly comparison of Revenues versus Expenditures for the current year to date, and last Fiscal Year's chart. For this year's comparison, with the exception of October because of those Real Estate Tax invoices, there was only one month that Revenues exceeded Expenditures.
- At this point in the budget thru January, line items should be no more than 58% of the Budget. The Town Administration line item is currently at 62%. A Budget amendment was done last month to accommodate some of these overages, and staff is working to keep expenditures low. As was discussed in last month's Finance Committee Meeting and at the Town Council Work Session in December that I was unable to attend, the Legal line item is extensively over at 78%. Most matters billed by the Town's Attorney are matters that are normal monthly items, such as meetings and correspondence, general matters, etc. Other matters are items that have not been addressed for some time and need revisions, such as the Sign Ordinance, Planning Commission By Laws, Zoning matters, etc. It is recommended that a Budget Amendment occur to cover the remaining budget year expenses for Legal Services.
- The Finance Committee agrees that a midyear meeting with the Town Council would be important to discuss where the budget is at the halfway mark of the Fiscal Year. This meeting was set for January 21st, but will be rescheduled at the Town Council meeting on February 1st for a February time frame.

- Chief Noble will discuss the Police Department budget items.

ATTACHMENTS:

- 2 - Treasurers Profit and Loss Statement (PDF)
- 3 - Budget monthly comparison 1-21-2016 (PDF)
- 4 - Chart comparison of Revenue and Expenditures (PDF)

3:39 PM
01/20/16
Accrual Basis

Town of Haymarket
Profit & Loss Budget vs. Actual
July 2015 through January 20, 2016

Ordinary Income/Expense	Jul '15 - Jun ...	Budget	% of Budget
Income			
GENERAL PROPERTY TAXES			
Real Estate - Current	288,125.60	292,000.00	98.7%
Public Service Corp RE Tax	10,050.30	9,000.00	111.7%
Penalties - All Property Taxes	680.25		
Interest - All Property Taxes	136.87		
Total GENERAL PROPERTY TAXES	298,993.02	301,000.00	99.3%
OTHER LOCAL TAXES			
Sales Tax Receipts	76,462.80	130,000.00	58.8%
Meals Tax - Current	245,662.79	450,000.00	54.6%
Consumer Utility Tax	78,614.50	120,000.00	65.5%
Bank Stock Tax	0.00	25,000.00	0.0%
Business License Tax	8,531.58	176,000.00	4.8%
Penalties (Non-Property)	1,568.37		
Cigarette Tax	116,979.75	220,000.00	53.2%
Total OTHER LOCAL TAXES	527,819.79	1,121,000.00	47.1%
PERMITS,FEES & LICENESES			
Occupancy Permits	400.00	500.00	80.0%
Inspection Fees	8,325.00	7,000.00	118.9%
Other Planning & Permits	16,700.00	30,000.00	55.7%
Application Fees	550.00	2,000.00	27.5%
Motor Vehicle Licenses	1,206.00	1,000.00	120.6%
Total PERMITS,FEES & LICENESES	27,181.00	40,500.00	67.1%
FINES & FORFEITURES			
Fines	27,181.75	48,000.00	56.6%
Total FINES & FORFEITURES	27,181.75	48,000.00	56.6%
REVENUE - SPONSORED TOWN EVENTS	35,803.17	65,000.00	55.1%
MISCELLANEOUS REVENUE			
Miscellaneous	115.00		
Total MISCELLANEOUS REVENUE	115.00		
MISCELLANEOUS			
Earnings on VACO/VML Investment	511.85		
Sale of Salvage & Surplus	0.00	0.00	0.0%
Recovered Costs- Private Events	0.00	5,000.00	0.0%
Interest on Bank Deposits	402.68	100.00	402.7%
Interest (Non-Property)	33.81		
Citations & Accident Reports	1,305.00	1,000.00	130.5%
Total MISCELLANEOUS	2,253.34	6,100.00	36.9%
RENTAL (USE OF PROPERTY)			
Suite 110 Rental Income	0.00	26,850.00	0.0%
Suite 206 Rental Income	49,128.32	84,100.00	58.4%
Suite 200 Rental Income	2,857.76	4,830.00	59.2%
15020 Wash St Rental Income	24,918.81	42,735.00	58.3%
6630 Jefferson St Rental Income	19,670.00	41,055.00	47.9%
Town Hall Rental Income	675.00	1,200.00	56.3%
Total RENTAL (USE OF PROPERTY)	97,249.89	200,770.00	48.4%
INTEREST ON BANK DEPOSITS	7,248.55		
REVENUE FROM COMMONWEALTH			
Communications Tax	71,377.90	120,000.00	59.5%
Department of Fire Programs	0.00	41,200.00	0.0%
599 Law Enforcement Grant	14,184.00	28,334.00	50.1%
Personal Property Tax Reimburse	18,626.97	18,600.00	100.1%
Car Rental Reimbursement	3,250.77	4,500.00	72.2%
Railroad Rolling Stock	1,514.70	1,400.00	108.2%
REVENUE FROM COMMONWEALTH - Other	534.00		
Total REVENUE FROM COMMONWEALTH	109,488.34	214,034.00	51.2%

Attachment: 2 - Treasurers Profit and Loss Statement (2707 : Treasurer's Report)

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01/20/16
Accrual Basis

Town of Haymarket
Profit & Loss Budget vs. Actual
July 2015 through January 20, 2016

	Jul '15 - Jun ...	Budget	% of Budget
REVENUE FROM FEDERAL GOVERNMENT			
PEDESTRIAN IMPROVEMENT GRANT	36,264.00	250,000.00	14.5%
CABOOSE ENHANCEMENT GRANT	0.00	38,500.00	0.0%
Total REVENUE FROM FEDERAL GOVERNMENT	36,264.00	288,500.00	12.6%
TRANSFER OF CASH RESERVES	0.00	1,178,499.00	0.0%
Total Income	1,169,597.85	3,463,403.00	33.8%
Gross Profit	1,169,597.85	3,463,403.00	33.8%
Expense			
01 - ADMINISTRATION			
11100 - TOWN COUNCIL			
Salaries & Wages - Regular	13,275.00	32,100.00	41.4%
FICA/Medicare	924.13	2,000.00	46.2%
Unemployment Insurance	170.73	1,350.00	12.6%
Mileage Allowance	496.10	750.00	66.1%
Meals and Lodging	2,642.69	3,500.00	75.5%
Convention & Education	3,380.00	4,000.00	84.5%
Total 11100 - TOWN COUNCIL	20,888.65	43,700.00	47.8%
12110 - TOWN ADMINISTRATION			
Salaries/Wages-Regular	151,317.50	243,600.00	62.1%
Salaries/Wages - Overtime	5,043.44	8,000.00	63.0%
Salaries/Wages - Part Time	38,681.65	92,700.00	41.7%
FICA/Medicare	17,941.12	22,165.00	80.9%
VRS	11,038.42	15,660.00	70.5%
Health Insurance	29,712.15	46,772.00	63.5%
Life Insurance	1,464.23	3,151.00	46.5%
Disability Insurance	1,203.35	2,600.00	46.3%
Unemployment Insurance	2,296.36	2,550.00	90.1%
Worker's Compensation	543.55	350.00	155.3%
Liability Insurance	8,689.00	9,000.00	96.5%
Accounting Services	5,025.55	8,000.00	62.8%
Cigarette Tax Administration	3,025.22	4,000.00	75.6%
Printing & Binding	8,731.63	13,000.00	67.2%
Advertising	6,375.00	10,000.00	63.8%
Computer, Internet & Website Svc	12,222.60	24,000.00	50.9%
Postage	1,907.04	4,500.00	42.4%
Telecommunications	3,346.96	4,500.00	74.4%
Mileage Allowance	1,485.19	2,500.00	59.4%
Meals & Lodging	2,637.78	5,000.00	52.8%
Convention & Education	9,715.00	15,000.00	64.8%
Discretionary Fund	2,094.69	2,000.00	104.7%
Books, Dues & Subscriptions	2,476.40	3,000.00	82.5%
Office Supplies	2,364.57	4,500.00	52.5%
Capital Outlay-Machinery/Equip	9,997.00	25,000.00	40.0%
66900 - Reconciliation Discrepancies	0.03		
Miscellaneous	107.79		
Total 12110 - TOWN ADMINISTRATION	339,443.22	571,548.00	59.4%
12210 - LEGAL SERVICES			
Legal Services	70,859.98	90,000.00	78.7%
Total 12210 - LEGAL SERVICES	70,859.98	90,000.00	78.7%
12240 - INDEPENDENT AUDITOR			
Auditing Services	16,150.00	16,000.00	100.9%
Total 12240 - INDEPENDENT AUDITOR	16,150.00	16,000.00	100.9%
Total 01 - ADMINISTRATION	447,341.85	721,248.00	62.0%

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Town of Haymarket
Profit & Loss Budget vs. Actual
July 2015 through January 20, 2016

	Jul '15 - Jun ...	Budget	% of Budget
03 - PUBLIC SAFETY			
31100 - POLICE DEPARTMENT			
Salaries & Wages - Regular	234,676.98	359,000.00	65.4%
Salaries & Wages - Overtime	8,079.11	12,000.00	67.3%
Salaries & Wages - Part Time	8,221.52	10,500.00	78.3%
FICA/MEDICARE	15,960.93	23,000.00	69.4%
VRS	10,081.18	22,385.00	45.0%
Health Insurance	43,684.70	81,700.00	53.5%
Life Insurance	2,336.44	3,505.00	66.7%
Disability Insurance	1,395.00	2,250.00	62.0%
Unemployment Insurance	0.00	2,600.00	0.0%
Workers' Compensation Insurance	9,937.45	6,900.00	144.0%
Line of Duty Act Insurance	1,554.00	1,550.00	100.3%
Legal Services	7,053.02	15,500.00	45.5%
Repairs & Maintenance	3,893.40	8,000.00	48.7%
Advertising	0.00	150.00	0.0%
Electrical Services	1,659.90	5,500.00	30.2%
Computer, Internet & Website	1,989.02	5,000.00	39.8%
Postage	101.54	300.00	33.8%
Telecommunications	7,913.96	12,000.00	65.9%
General Prop Ins (Veh. & Bldg)	9,648.00	10,450.00	92.3%
Mileage Allowance	98.33	300.00	32.8%
Meals and Lodging	125.43	500.00	25.1%
Convention & Education	879.00	1,000.00	87.9%
Misc - Discretionary Fund	269.82	1,500.00	18.0%
Books Dues & Subscriptions	2,909.28	6,000.00	48.5%
Office Supplies	1,173.75	4,000.00	29.3%
Vehicle Fuels	7,769.03	17,000.00	45.7%
Vehicle Maintenance/Supplies	8,761.13	23,500.00	37.3%
Uniforms & Police Supplies	5,418.20	8,000.00	67.7%
Mobile Data Computer Netwk Svc	0.00	10,000.00	0.0%
Capital Outlay-Machinery/Equip	40,638.20	53,000.00	76.7%
Total 31100 - POLICE DEPARTMENT	436,228.32	707,090.00	61.7%
34100 - BUILDING OFFICIAL	24,335.00	50,000.00	48.7%
32100 - FIRE & RESCUE			
Contributions to other Govt Ent	38,801.46	40,200.00	96.5%
Total 32100 - FIRE & RESCUE	38,801.46	40,200.00	96.5%
Total 03 - PUBLIC SAFETY	499,364.78	797,290.00	62.6%
04 - PUBLIC WORKS			
43200 - REFUSE COLLECTION			
Trash Removal Contract	45,593.92	80,000.00	57.0%
Total 43200 - REFUSE COLLECTION	45,593.92	80,000.00	57.0%
43100 - MAINT OF 15000 Wash St./Grounds			
Repairs/Maintenance Services	42,963.97	65,200.00	65.9%
Maint Svc Contract-Pest Control	1,145.00	2,000.00	57.3%
Maint Svc Contract-Landscaping	27,669.75	30,000.00	92.2%
Maint Svc Contract Snow Removal	0.00	4,000.00	0.0%
Maint Svc Cont- Street Cleaning	4,510.00	10,000.00	45.1%
Electric/Gas Services	6,779.68	10,000.00	67.8%
Electrical Services-Streetlight	2,621.39	5,200.00	50.4%
Water & Sewer Services	926.50	1,500.00	61.8%
Janitorial Supplies	546.76	1,000.00	54.7%
Capital Outlay-Machinery/Equip	0.00	37,000.00	0.0%
Real Estate Taxes	2,274.40	2,500.00	91.0%
Total 43100 - MAINT OF 15000 Wash St./Grounds	89,437.45	168,400.00	53.1%
Total 04 - PUBLIC WORKS	135,031.37	248,400.00	54.4%
07 - PARKS, REC & CULTURAL			
71110 - EVENTS			
Contractual Services	44,696.02	65,000.00	68.8%
Total 71110 - EVENTS	44,696.02	65,000.00	68.8%

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Town of Haymarket
Profit & Loss Budget vs. Actual
July 2015 through January 20, 2016

	Jul '15 - Jun ...	Budget	% of Budget
72200 - MUSEUM			
Salaries & Wages - Part Time	0.00		
Advertising	454.50	2,000.00	22.7%
Postage	0.00	100.00	0.0%
Telecommunications	1,036.16	1,500.00	69.1%
Convention & Education	0.00	500.00	0.0%
Mileage Allowance	169.65	200.00	84.8%
Books, Dues & Subscriptions	0.00	500.00	0.0%
Office Supplies	-90.02	800.00	-11.3%
Exhibits & Programs	852.50	3,000.00	28.4%
Capital Outlay-Furn/Fixtures	0.00	10,000.00	0.0%
Total 72200 - MUSEUM	2,422.79	18,600.00	13.0%
Total 07 - PARKS, REC & CULTURAL	47,118.81	83,600.00	56.4%
08 - COMMUNITY DEVELOPMENT			
81100 - PLANNING COMMISSION			
Salaries & Wages - Regular	2,923.20	6,000.00	48.7%
FICA/Medicare	110.16	850.00	13.0%
Consultants	15,818.00	60,000.00	26.4%
Mileage Allowance	486.45	500.00	97.3%
Meals & Lodging	258.31	1,000.00	25.8%
Convention/Education	1,692.48	2,500.00	67.7%
Books/Dues/Subscriptions	0.00	300.00	0.0%
Total 81100 - PLANNING COMMISSION	21,288.60	71,150.00	29.9%
81110 - ARCHITECTURAL REVIEW BOARD			
Salaries & Wages - Regular	1,710.00	5,500.00	31.1%
FICA/Medicare	53.93	850.00	6.3%
Mileage Allowance	0.00	500.00	0.0%
Meals & Lodging	0.00	1,000.00	0.0%
Convention & Education	0.00	1,000.00	0.0%
Books/Dues/Subscriptions	0.00	300.00	0.0%
Total 81110 - ARCHITECTURAL REVIEW BOARD	1,763.93	9,150.00	19.3%
Total 08 - COMMUNITY DEVELOPMENT	23,052.53	80,300.00	28.7%
09 - NON-DEPARTMENTAL			
95100 - DEBT SERVICE			
General Obligation Bond	189,065.02	189,065.00	100.0%
Total 95100 - DEBT SERVICE	189,065.02	189,065.00	100.0%
Total 09 - NON-DEPARTMENTAL	189,065.02	189,065.00	100.0%
94100 - WASH ST. ENHANCEMENT PROJECT			
Maintenance/Beautification	4,390.58	10,000.00	43.9%
Street Scape Construction	129,797.84	247,797.84	52.4%
Total 94100 - WASH ST. ENHANCEMENT PROJECT	134,188.42	257,797.84	52.1%
94101 - CABOOSE ENHANCEMENT PROJECT			
Construction	0.00	38,500.00	0.0%
Total 94101 - CABOOSE ENHANCEMENT PROJECT	0.00	38,500.00	0.0%
TOWN CENTER MASTER PLAN			
Construction	14,625.00	435,000.00	3.4%
Architectural/Engineering Fees	22,193.46		
Total TOWN CENTER MASTER PLAN	36,818.46	435,000.00	8.5%
HARROVER MASTER PLAN			
Construction	0.00	235,000.00	0.0%
Architecture/Engineering Fees	7,162.50	75,000.00	9.6%
Drafting of Plan	0.00	0.00	0.0%
Total HARROVER MASTER PLAN	7,162.50	310,000.00	2.3%

Attachment: 2 - Treasurers Profit and Loss Statement (2707 : Treasurer's Report)

3:39 PM
01/20/16
Accrual Basis

Town of Haymarket
Profit & Loss Budget vs. Actual
July 2015 through January 20, 2016

	Jul '15 - Jun ...	Budget	% of Budget
PEDESTRIAN IMPROVEMENT PROJECT			
Architectural/Engineering Fees	34,709.00	250,000.00	13.9%
Total PEDESTRIAN IMPROVEMENT PROJECT	34,709.00	250,000.00	13.9%
General Reserve	0.00	52,202.16	0.0%
PERSONNEL			
EMPLOYEE BENEFITS			
6560 - Payroll Processing Fees	79.50		
Total EMPLOYEE BENEFITS	79.50		
Total PERSONNEL	79.50		
Total Expense	1,553,932.24	3,463,403.00	44.9%
Net Ordinary Income	-384,334.39	0.00	100.0%
Net Income	-384,334.39	0.00	100.0%

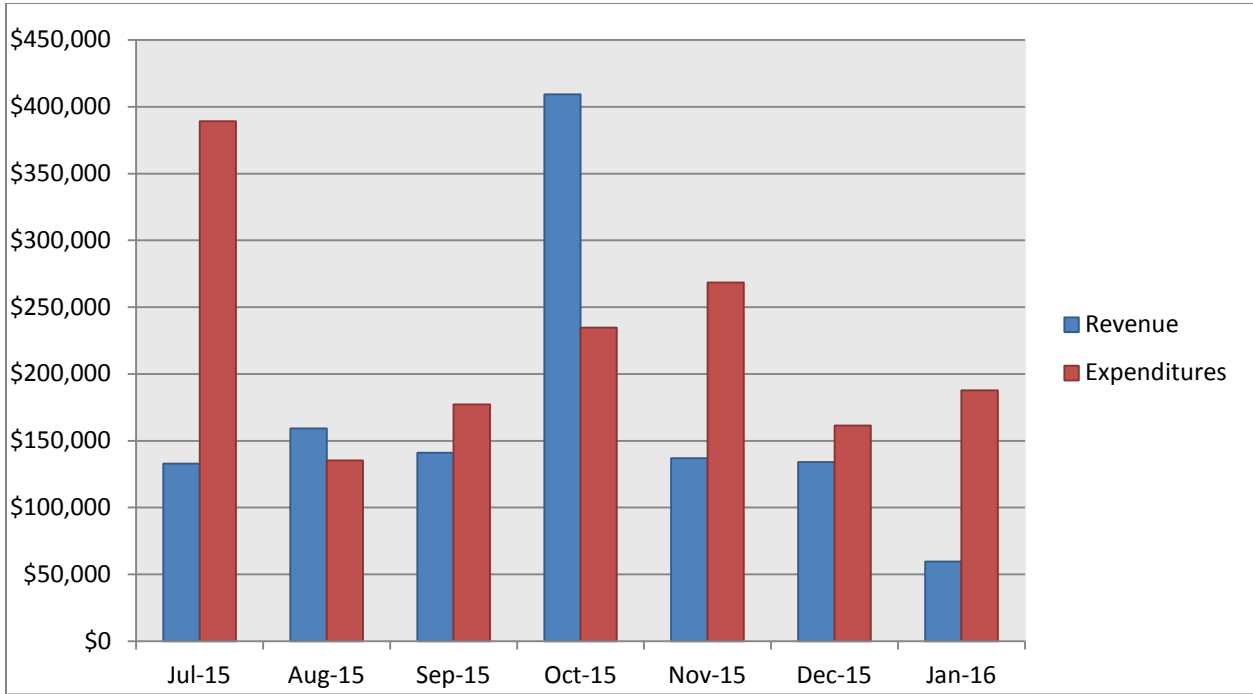
Attachment: 2 - Treasurers Profit and Loss Statement (2707 : Treasurer's Report)

Town of Haymarket Profit & Loss Budget vs. Actual July 2015 through June 2016

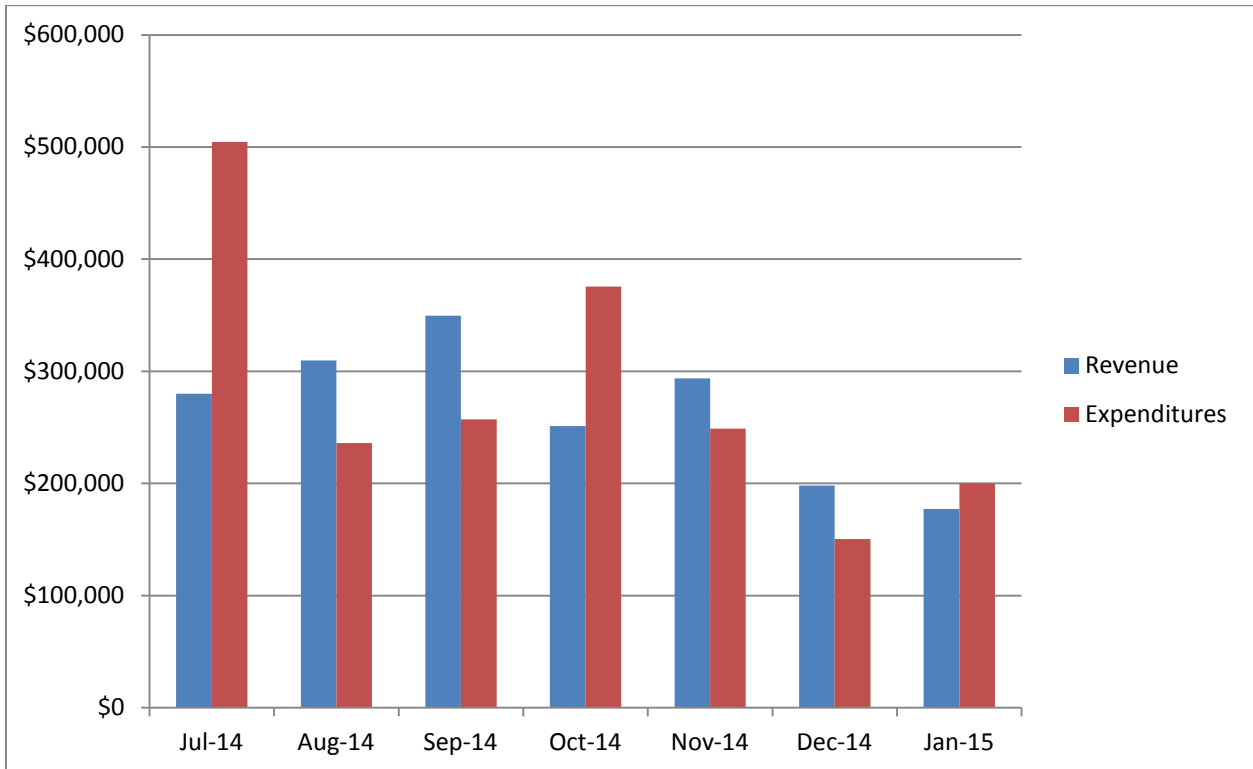
	Jul 15	Aug 15	Sep 15	Oct 15	Nov 15	Dec 15	Jan 16	Budget
Ordinary Income/Expense								
Income								
GENERAL PROPERTY TAXES	548.39	54.50	517.68	297,149.72	28.62	694.11	0.00	301,000.00
OTHER LOCAL TAXES	86,070.06	82,935.51	87,154.99	69,539.20	103,806.63	79,044.10	22,448.89	1,121,000.00
PERMITS,FEES & LICENESES	1,195.00	745.00	1,025.00	875.00	435.00	15,276.00	7,730.00	40,500.00
FINES & FORFEITURES	122.09	2,094.88	4,581.12	5,308.30	5,058.57	5,948.61	4,068.18	48,000.00
REVENUE - SPONSORED TOWN EVENTS	16,864.00	12,175.00	6,336.17	-85.00	468.00	45.00	0.00	65,000.00
MISCELLANEOUS REVENUE	1.00	0.00	54.00	20.00	10.00	30.00	0.00	
MISCELLANEOUS	571.75	220.31	1,171.82	77.29	-257.83	245.00	225.00	6,100.00
RENTAL (USE OF PROPERTY)	13,676.91	13,476.91	14,461.57	13,810.89	14,136.57	13,856.02	13,831.02	200,770.00
INTEREST ON BANK DEPOSITS	1,344.62	1,198.74	1,174.61	1,171.21	1,208.98	1,150.39	0.00	
REVENUE FROM COMMONWEALTH	10,888.90	31,381.81	18,307.30	10,507.44	10,588.31	17,749.78	10,064.80	214,034.00
REVENUE FROM FEDERAL GOVERNMENT	1,555.00	14,873.00	6,217.00	10,887.00	1,471.00	0.00	1,261.00	288,500.00
TRANSFER OF CASH RESERVES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,178,499.00
Total Income	132,837.72	159,155.66	141,001.26	409,261.05	136,953.85	134,039.01	59,628.89	3,463,403.00
Expense								
01 - ADMINISTRATION	71,701.55	50,073.31	52,062.95	82,219.82	88,106.27	61,021.24	42,156.71	721,248.00
03 - PUBLIC SAFETY	73,754.25	56,332.36	62,295.28	111,789.65	85,445.15	63,516.81	46,231.28	797,290.00
04 - PUBLIC WORKS	35,832.59	15,582.26	23,612.06	9,807.49	19,927.77	28,880.62	1,388.58	248,400.00
07 - PARKS, REC & CULTURAL	4,665.76	3,424.55	21,773.24	8,833.29	3,820.29	4,425.81	175.87	83,600.00
08 - COMMUNITY DEVELOPMENT	973.20	935.00	566.24	8,174.29	6,880.10	1,053.70	4,470.00	50,300.00
09 - NON-DEPARTMENTAL	172,410.85	0.00	0.00	0.00	0.00	0.00	16,654.17	189,065.00
94100 - WASH ST. ENHANCEMENT PROJECT	0.00	1,475.00	0.00	0.00	56,142.90	0.00	76,570.52	50,000.00
94101 - CABOOSE ENHANCEMENT PROJECT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	38,500.00
TOWN CENTER MASTER PLAN	15,032.10	349.07	6,033.00	7,524.00	7,880.29	0.00	0.00	500,000.00
HARROVER MASTER PLAN	0.00	1,000.00	0.00	5,037.50	0.00	1,125.00	0.00	375,000.00
PEDESTRIAN IMPROVEMENT PROJECT	14,873.00	6,217.00	10,887.00	1,235.00	236.00	1,261.00	0.00	250,000.00
General Reserve	0.00	0.00	0.00	0.00	0.00	0.00	0.00	160,000.00
PERSONNEL	0.00	0.00	0.00	0.00	0.00	0.00	79.50	
Total Expense	389,243.30	135,388.55	177,229.77	234,621.04	268,438.77	161,284.18	187,726.63	3,463,403.00

Attachment: 3 - Budget monthly comparison 1-21-2016 (2707 : Treasurer's Report)

FY 2016 (YTD) Revenue vs. Expenditures



FY 2015 Revenue vs. Expenditures



Attachment: 4 - Chart comparison of Revenue and Expenditures (2707 : Treasurer's Report)



TO: Town of Haymarket Town Council
SUBJECT: Police Report
DATE: 02/01/16

ATTACHMENTS:

- Police Report 02-2016 (PDF)
- Police Coverage (PDF)



**Haymarket Police Department
Monthly Town Council Report
February, 2016**



Significant Incidents

NATURE	DATE	TIME	LOCATION (BLOCK)	DETAILS
Grand Larceny	12/21/2015	11:45 am	15240 Washington St	Victim reports that male suspect was given too much cash by mistake by bank teller. Suspect was contacted and agreed to return money to bank. No charges placed by request of management.
Outstanding Warrant for other jurisdiction, Possession of Schedule I/II Drug & Possession of Open Container of Alcohol	12/16/2015	12:37 pm	15315 Washington St.	BOLO for possible DUI resulted in: 1 adult male arrest for Open Container; 1 adult male arrest on outstanding warrant; 1 adult male arrested for Possession of Schedule I/II Drug.
Possession of Schedule II & IV drug and Possession of Marijuana	12/12/2015	1:39 am	Fayette & Washington St	Traffic stop for failing to stop at STOP sign resulted in 1 adult female passenger arrested for Possession of Schedule II, Schedule IV Drugs, and Possession of Marijuana.
Possession of Marijuana	12/07/2015	5:27 pm	15315 Washington Street	Officer saw smoking device in plain view and upon questioning suspect and searching vehicle found Marijuana. Adult male charged with Possession.
DUI 2 nd in 10 years	12/05/2015	1:58 am	I66 @ Rt. 15	Traffic stop for driver view obstruction resulted in 1 adult male arrested for DUI/2 nd in 10 years.

Attachment: Police Report 02-2016 (2705 : Police Report)



Haymarket Police Department



Public Intoxication & Obstruction of Justice	12/05/2015	8:34 pm	4400 Costello Way	Report of possible intoxicated person in roadway resulted in 1 adult female arrested for Public Intoxication and Obstruction of Justice for resisting arrest.
Hit and Run	12/17/2015	7:20 pm	Rt 15 S @ I66 ramp	Victim reported that unknown male in a Black Ford 4 x 4 pickup struck his vehicle then proceeded to follow and harass victim and passenger. No suspect information obtained.
Hit and Run	12/18/2015	2:10 pm	15315 Washington St	Victim reports white vehicle backed into her vehicle while in parking lot at Sheetz. No verifiable suspect information obtained.
Vandalism	12/23-24/2015	11:00 pm – 7:34 pm	6900 Blk Jockey Club	Reported that someone damaged Christmas lights attached to several homes in area.

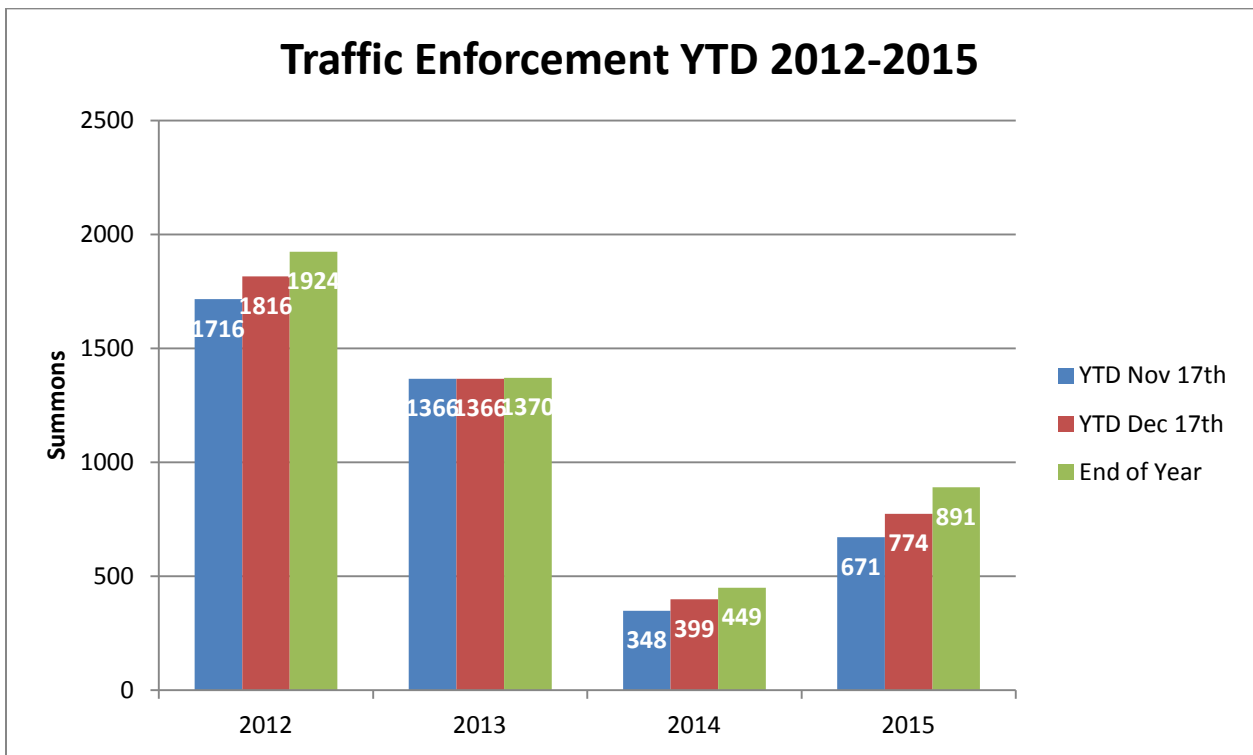
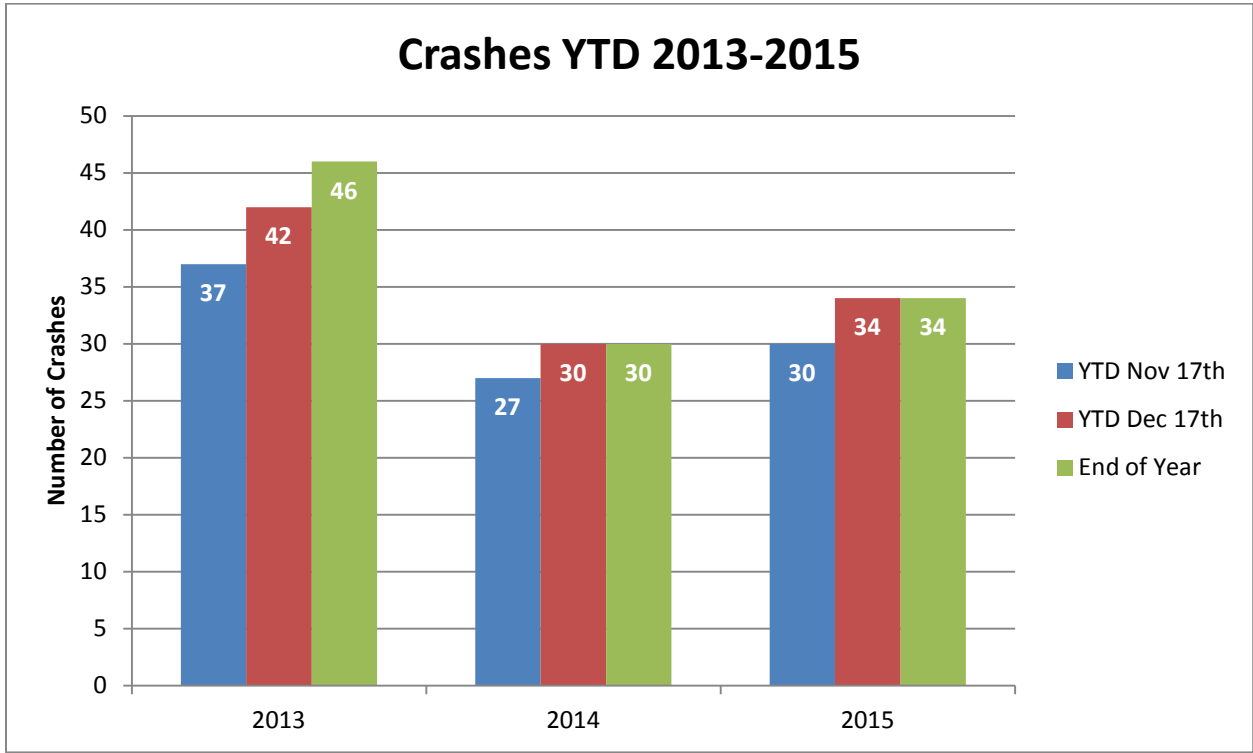
Attachment: Police Report 02-2016 (2705 : Police Report)



Haymarket Police Department



Crash/Enforcement 2015



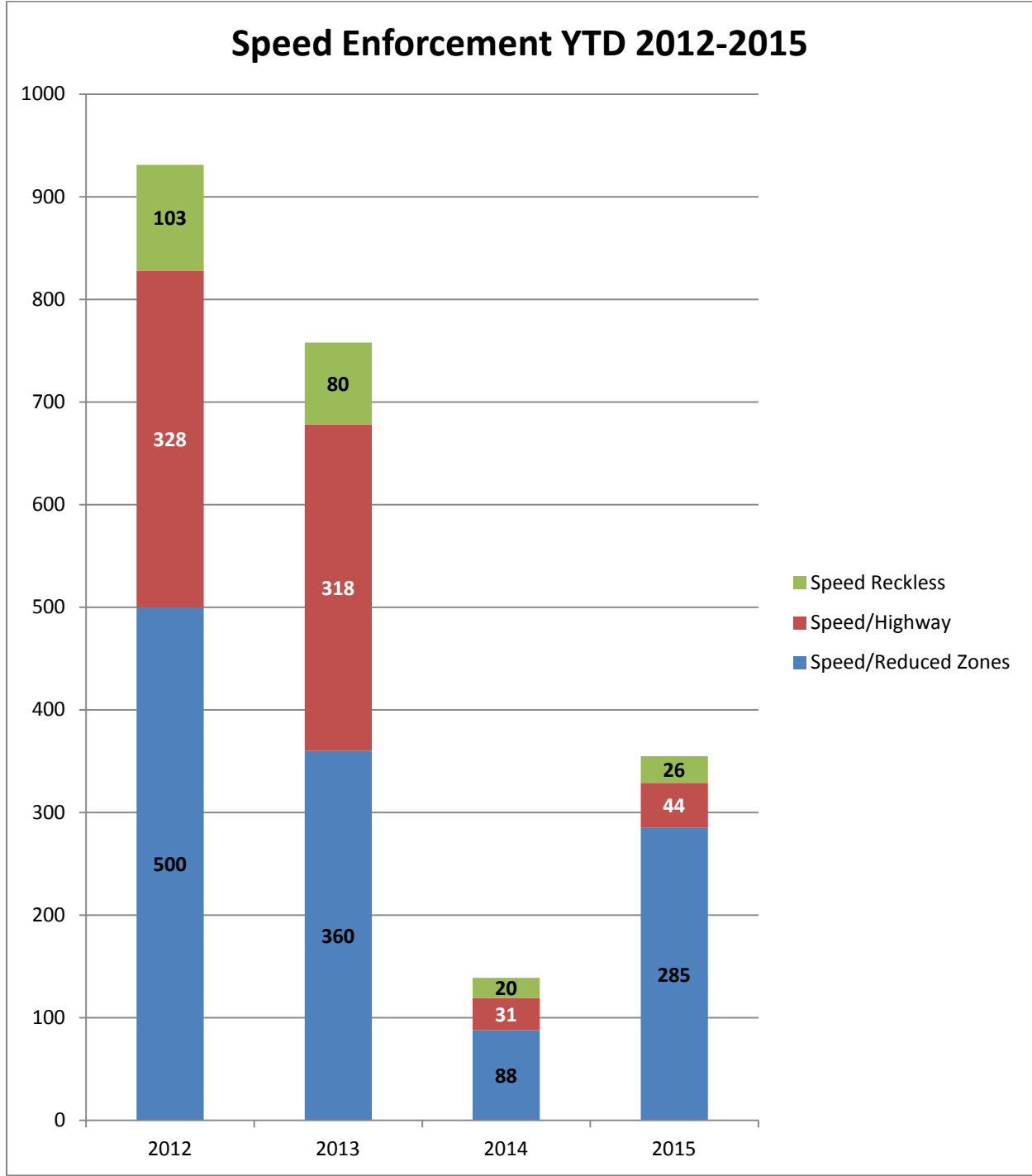
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Haymarket Police Department



Crash/Enforcement YTD



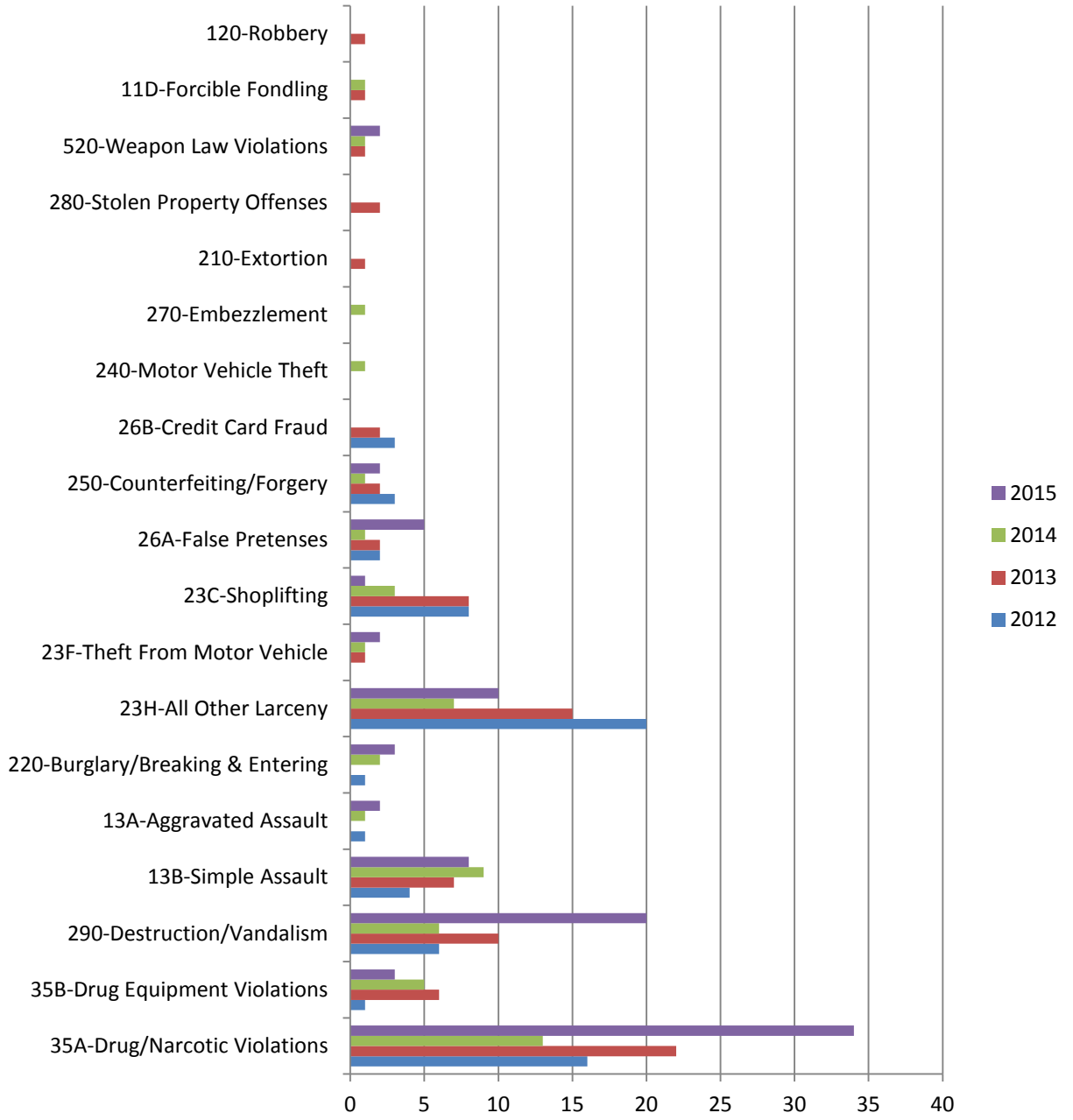
Attachment: Police Report 02-2016 (2705 : Police Report)



Haymarket Police Department



Group A Crimes 2012-2015



Attachment: Police Report 02-2016 (2705 : Police Report)



Haymarket Police Department



Offense	2012	2013	2014	2015
35A-Drug/Narcotic Violations	16	22	13	34
35B-Drug Equipment Violations	1	6	5	3
290-Destruction/Vandalism	6	10	6	20
13B-Simple Assault	4	7	9	8
13A-Aggravated Assault	1	0	1	2
220-Burglary/Breaking & Entering	1	0	2	3
23H-All Other Larceny	20	15	7	10
23F-Theft From Motor Vehicle	0	1	1	2
23C-Shoplifting	8	8	3	1
26A-False Pretenses	2	2	1	5
250-Counterfeiting/Forgery	3	2	1	2
26B-Credit Card Fraud	3	2	0	0
240-Motor Vehicle Theft	0	0	1	0
270-Embezzlement	0	0	1	0
210-Extortion	0	1	0	0
280-Stolen Property Offenses	0	2	0	0
520-Weapon Law Violations	0	1	1	2
11D-Forcible Fondling	0	1	1	0
120-Robbery	0	1	0	0
Total	65	81	53	92

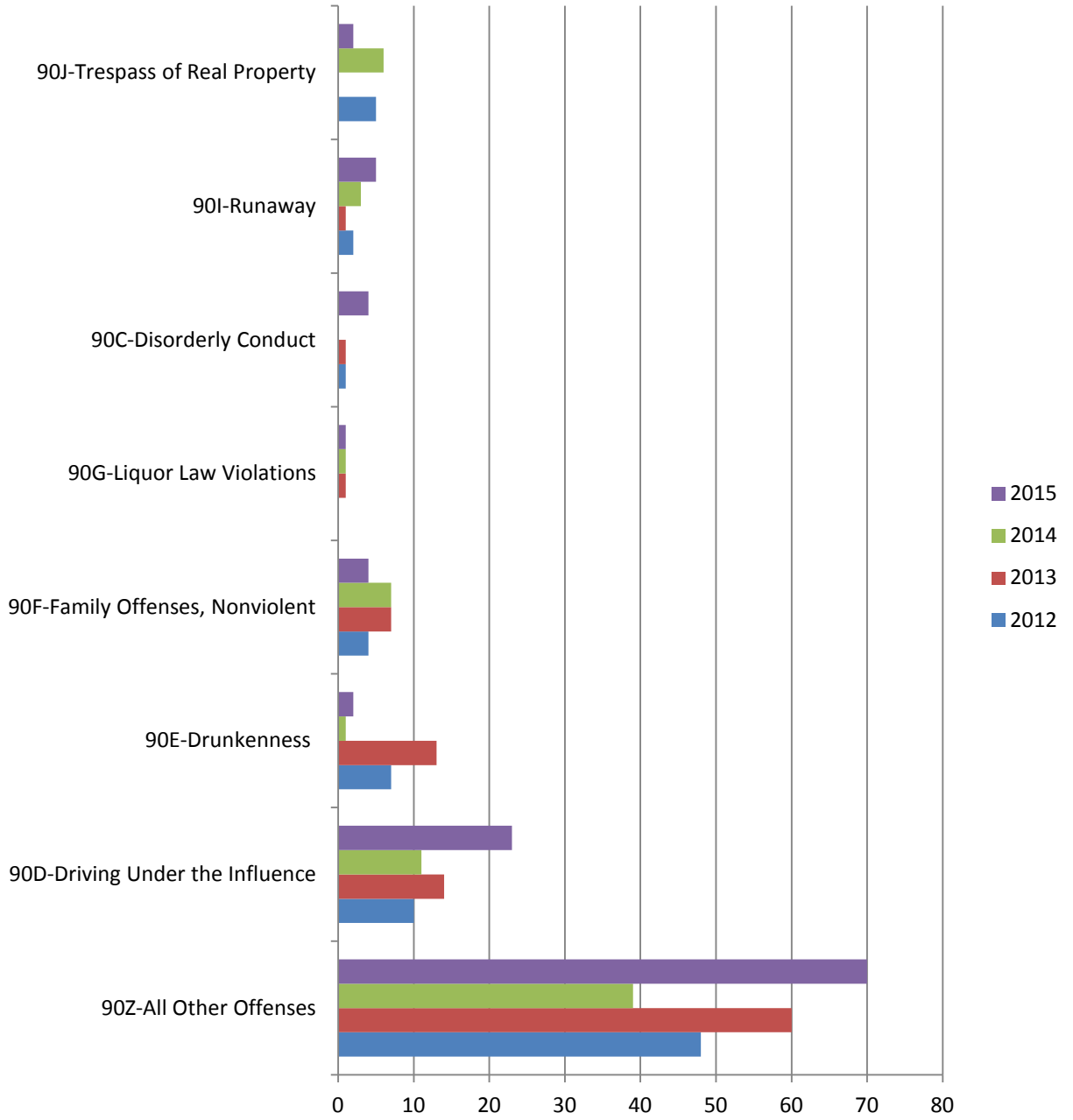
Attachment: Police Report 02-2016 (2705 : Police Report)



Haymarket Police Department



Group B Crimes 2012-2015



Attachment: Police Report 02-2016 (2705 : Police Report)



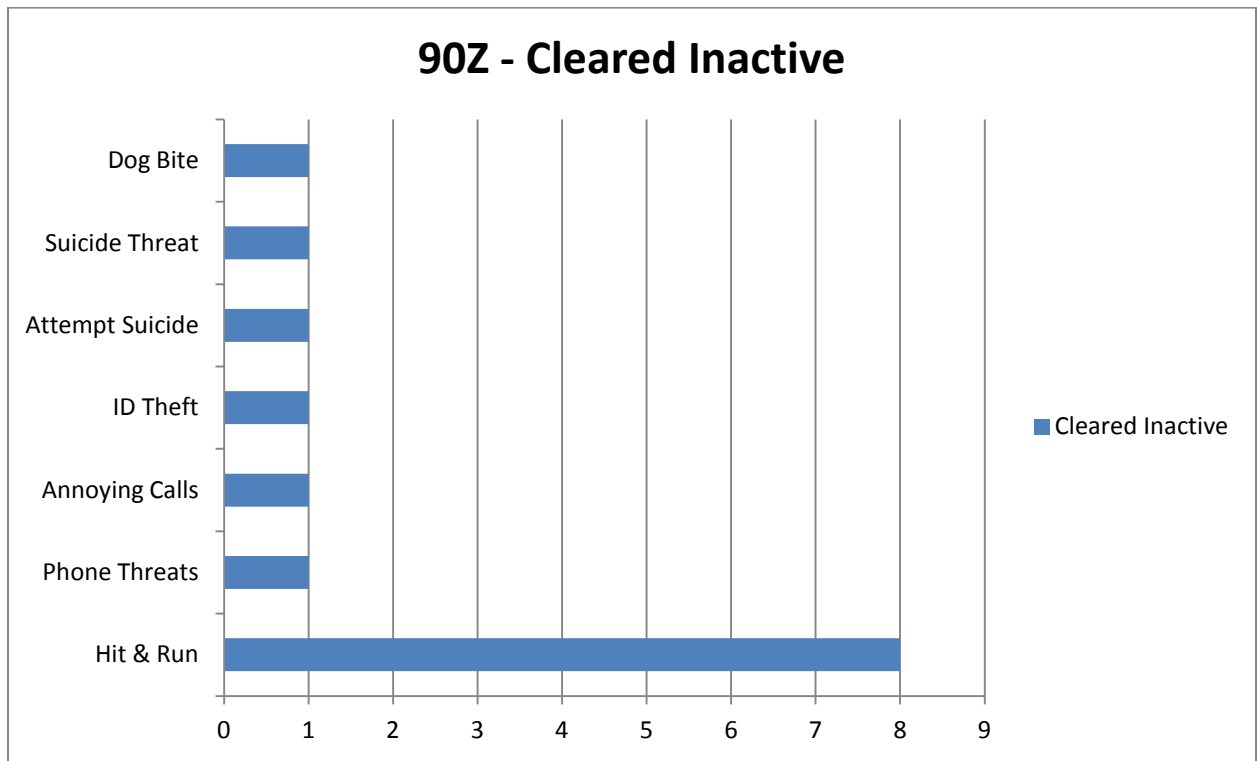
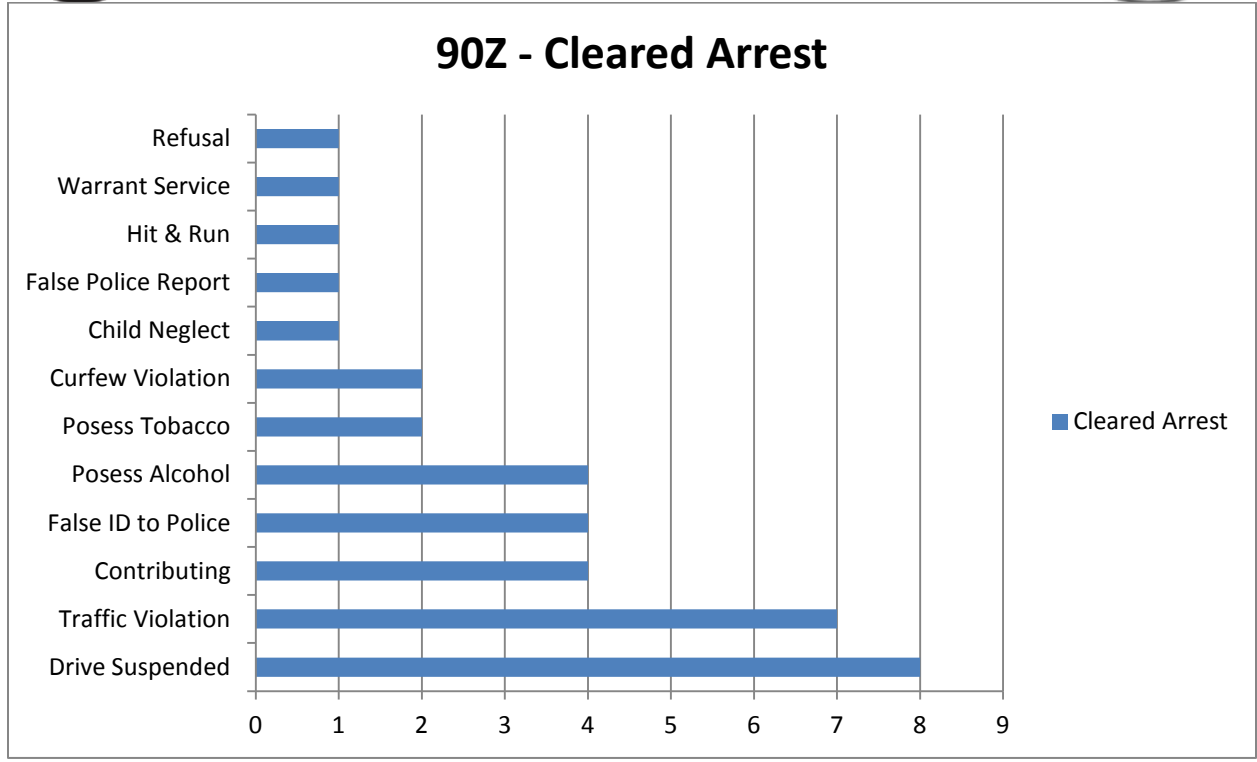
Haymarket Police Department



Offenses	2012	2013	2014	2015
90Z-All Other Offenses	48	60	39	70
90D-Driving Under the Influence	10	14	11	23
90E-Drunkenness	7	13	1	2
90F-Family Offenses, Nonviolent	4	7	7	4
90G-Liquor Law Violations	0	1	1	1
90C-Disorderly Conduct	1	1	0	4
90I-Runaway	2	1	3	5
90J-Trespass of Real Property	5	0	6	2
Total	77	97	68	111



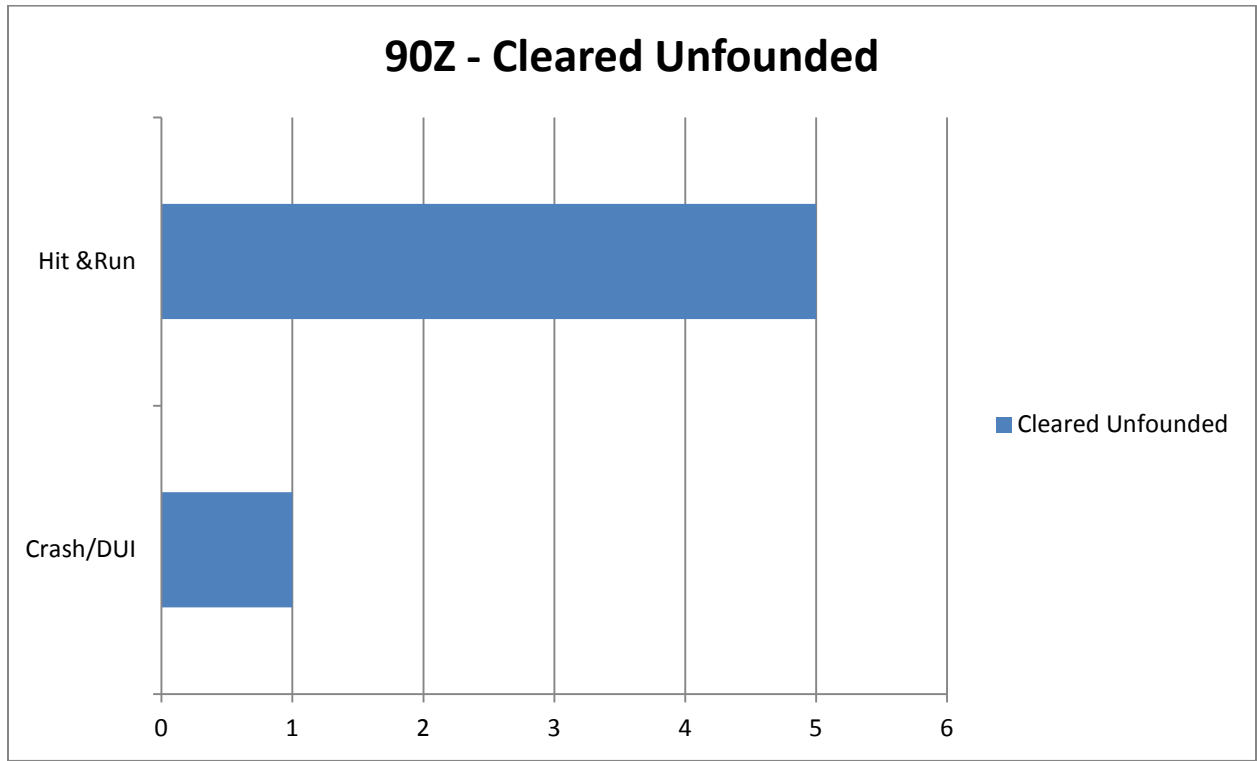
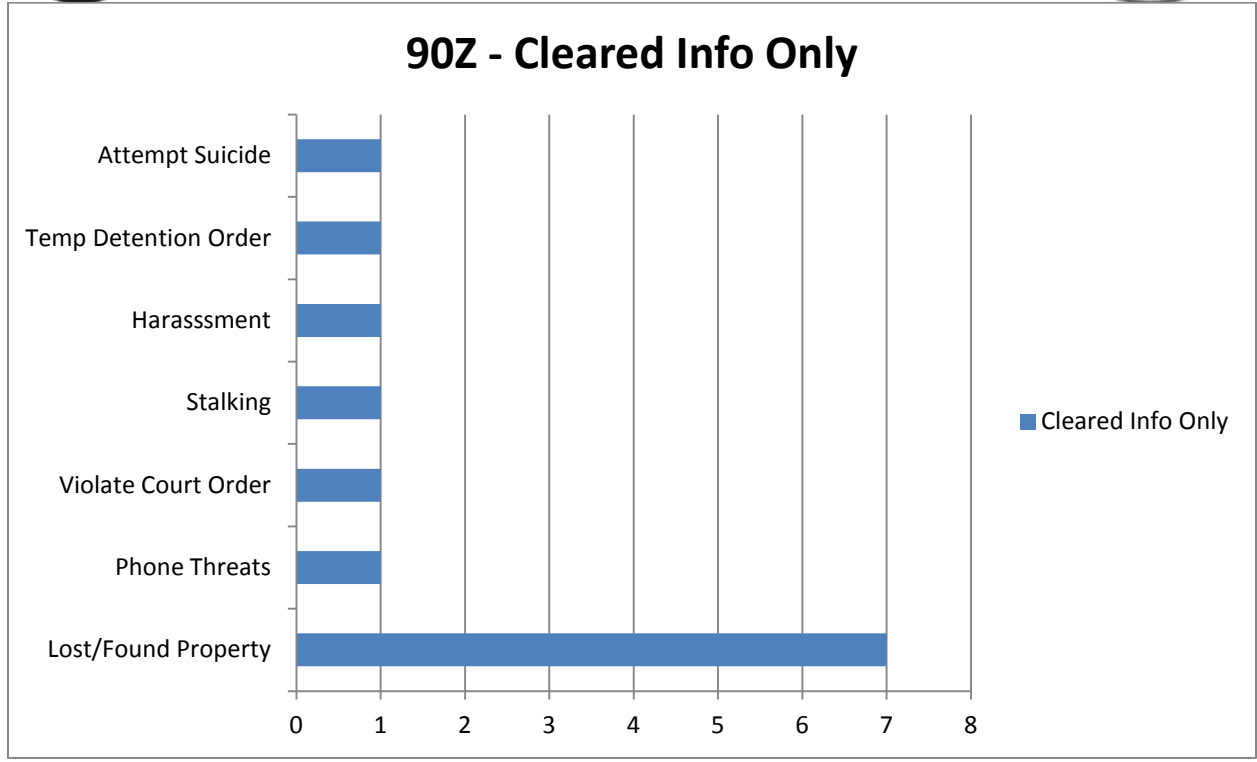
Haymarket Police Department



Attachment: Police Report 02-2016 (2705 : Police Report)



Haymarket Police Department



Attachment: Police Report 02-2016 (2705 : Police Report)



Haymarket Police Department



Other Issues of Note

Budget

Select object codes	<u>YTD(56%)</u>	<u>Budgeted</u>	
Salaries & Wages – Regular	\$234,676	\$359,000	65.37%
Salaries & Wages – Overtime	\$8079.11	\$12,000.00	67.33%
Salaries & Wages – Part Time	\$8221.52	\$10,500.00	78.30%
Workers Comp Insurance	\$9937.45	\$6900.00	144.02%
Telecommunications	\$7913.96	\$12000.00	65.95%
Capital Outlay – Machinery	\$40,638	\$53,000	76.68%
Total 31100	\$436,228	\$707,090	61.69%

Community Relations

- The agency participated in the Haymarket Holiday Party
- Chief Noble participated in the Fraternal Order of Police Lodge #69 “Cops & Kids” event
- Officer Jason Davis participated in the Fraternal Order of Police Lodge #43 “Santa Cops” event

Current Initiatives

- Working with Prince William County Police to establish a “one-button” transfer process for calls for service that come into HPD’s main phone line – *awaiting additional information from PWCPD*
- Developing and finalizing a schedule for a Women’s Self Defense Workshop – *Lesson plan completed and scheduling venue now.*
- Completed analysis of part-time pool (see attachment).
- Application filed to initiate the accreditation process through the Virginia Law Enforcement Professional Standards Commission.
- Authorized the accrual of a small amount of compensation time in lieu of overtime pay.

Attachment (1)



Report on Police Coverage Alternatives:

Information Item Town Council **DATE: December 31 2015**

SUBJECT: Police Coverage Alternatives

ISSUE: To provide an officer on duty 100% of the time requires additional coverage to compensate for annual and sick leave, training and court. Currently, a significant amount of that coverage is provided by a part-time officer funded through a part-time pool of \$10,500.00 for FY16. That pool is projected to be overspent by approximately \$3,200.00 by the end of the fiscal year.

BACKGROUND:

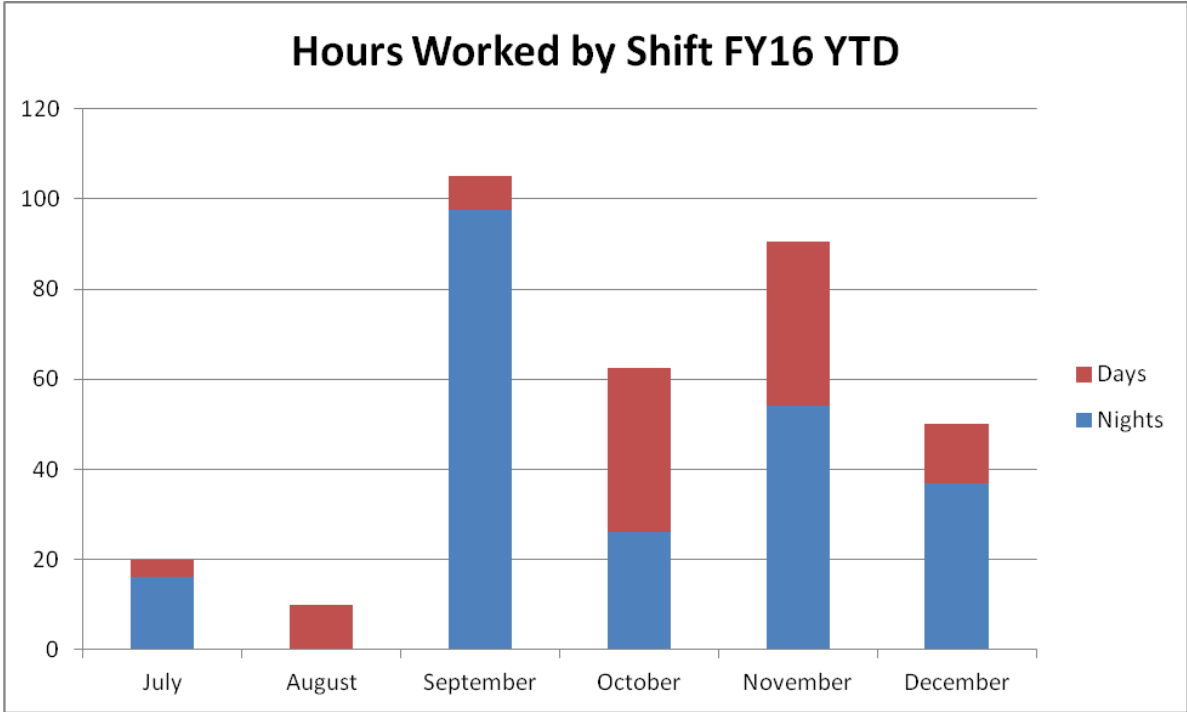
- As part of the Police Report during December 28th's Town Council Work Session, Chief Noble reviewed the status of the agency's budget. As part of that review, he noted that the part-time pool had exhausted 61% of its funding 47% into the fiscal year.
- It has been the goal of the police department to provide coverage 100% of the time. To account for absences due to leave, training and court, additional coverage has been provided through a combination of the part-time officer, schedule adjustments and coverage by the Chief.
- Guidance was requested from the Council on whether they wanted full coverage or some lesser percentage.

DISCUSSION:

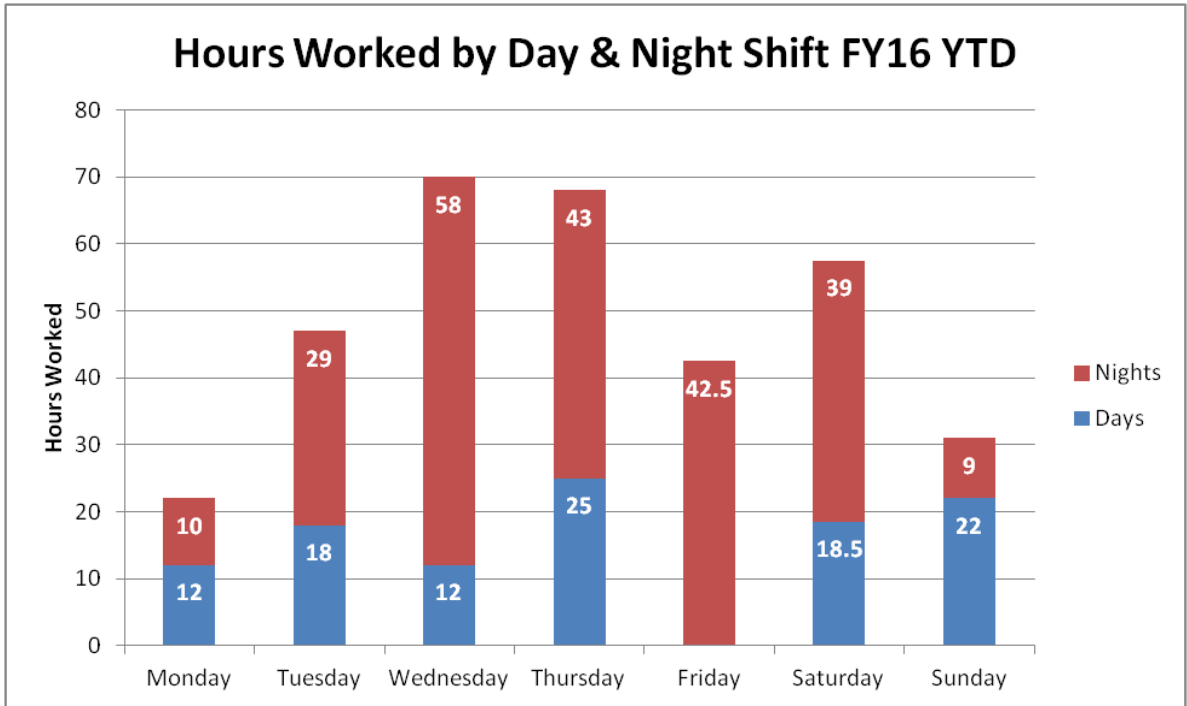
- On evaluating the mechanisms available to manage absences, Chief Noble noted that frequent schedule adjustments and use of his position to cover vacant shifts have significant drawbacks and are not long-term solutions. Use of the part-time pool has been the primary coverage tool and offers excellent flexibility particularly for coverage issues that occur last-minute.
- Council discussion included questions about coverage provided by the Prince William County Police Department when no Haymarket officer was on-duty. Chief Noble indicated that PWCPD would be dispatched to any call within Haymarket but that in all probability, the response times would be significantly longer than they would be if a Haymarket officer was on duty.
- Council asked for an analysis of the part-time pool to include quantifying the level of coverage provided by the position.

POLICE CHIEF'S COMMENTS:

- As discussed in the work session, I completed an analysis of the how we are expending the part-time pool. With the exception of training, virtually all expenditures occur to provide coverage for when a full-time officer has become unavailable.



- As noted above, the majority of coverage is provided during the overnight hours. Coverage provided during July and August was significantly lower due to the fact that the part-time officer was out of the state on vacation.



- On closer analysis, the two greatest days of coverage needed are Wednesday and Thursday. This is due to the rotation worked by full-time officers which allows them to take leave both days and actually have a seven day break.

Attachment: Police Coverage (2705 : Police Report)

- A significant amount of coverage is also provided over the weekend, typically when I am not scheduled to work.
- At the current rate of expenditure, by the end of the fiscal year, the part-time pool will have been over expended by \$3,202.00 for a total of \$13,702.00.

POTENTIAL QUESTIONS:

- Does the agency continue with 100% coverage for the remainder of FY16 and overspend the part-time pool or reduce coverage to stay within budget?
- For FY17, does the agency make a budget adjustment to fully fund coverage or accept that for a certain percentage of time, coverage will be provided by the Prince William County Police Department?

FISCAL IMPACT:

- \$3,200.00 for FY17.

RECOMMENDATION:

- My strongest recommendation is that we continue with providing coverage 100% of the time. There is a strong correlation between always having a Haymarket police officer patrolling the Town and our jurisdiction's relative immunity to crimes occurring in nearby neighborhoods including auto tampering cases, daytime residential burglaries and nighttime commercial burglaries. Full coverage also provides town residents, businesses and visitors with extremely short response times.
- With respect to FY16, while we are scheduled to overspend the part-time pool, I am confident that we can cover that expenditure from savings in other parts of the budget including Vehicle Maintenance/Supplies.
- For FY17, I will recommend that Salaries & Wages – Part Time be increased from \$10,500.00 to \$13,700.00.

ALTERNATIVELY:

- If the Council chooses not to increase the part time pool for FY17, I would recommend that the agency accept a lack of coverage during day shift, Monday through Friday. Based on coverage provided year to date in FY16, this would reduce coverage by 142 hours for a savings of \$2,594.00.



TO: Town of Haymarket Town Council
 SUBJECT: Town Manager's Report
 DATE: 02/01/16

Action Items:

Fee Schedule:

- Report and recommendation included in packet.

Change Order- Town Center Design:

- Report and recommendation included in packet.

Updates:

Dominion Power SCC Application:

- Staff is working on setting up a meeting with our local elected state representatives and the PWC Board of Supervisors to discuss the upcoming SCC hearings at the end of February and beginning of March.

Quiet Zone:

- The sub-committee has met to discuss the Quiet Zone and set up a meeting with Supervisor Candland to further discuss the Thoroughfare RR Crossing.
- On Thursday, January 7th I submitted two Rail Safety Grant Applications to VDOT for additional safety upgrades at the Rt. 15 RR Crossing (Dual Gates or other alternatives to prevent traffic from maneuvering around the existing gates) and upgrades to the Thoroughfare Rd. RR Crossing that was not received in the 2014 grant application.
- Councilman Pasanello is researching the process to apply for a waiver to the FRA with regard to an accident that occurred in October of 2014, due to additional traffic volumes and faulty equipment, which has since been upgraded.
- This accident currently places this crossing and the Town out of the safety threshold for declaring a Quiet Zone.

Speed Indicator Signs:

- Speed Indicator Signs have been installed and are operational.
- The signs are little smaller than anticipated.
- Staff is currently working with the company to determine a possible upgrade or other solutions to make the signs more visible.
- The Town Manager may have additional information at the time of the Work Session.

Town Center Project:

- Mr. John Heltzel, our architect is moving forward with the detailed design of the Police Department. Mr. Heltzel's Mechanical and Electrical sub-contractors visited the offices this week as they prepare the mechanical and electrical plans.
- Mr. Heltzel has broken the project into 3 phases. At this time, we will look at getting Phase 1 designed and out to bid.
- Mr. Heltzel will immediately start Phase 2, which would include portions of the new entrance, foyer, public restrooms, and a private restroom for the PD.

Harrover Property Update:

- Mr. Schneider, Town Planner presented the COA to the ARB on Wednesday, January 20th.
- I have received one letter of interest, with possibly additional on the way.
- I would like to present these proposals to you at the Closed Session during the work session.
- Staff is currently working on signage for the Harrover Property showing the Master Plan Layout; however we have to work on getting a higher resolution image to use to the artwork from the adopted Master Plan and could involve some re-imaging.

Museum Painting:

- During the Main Street Coordinator's last Council report, Ms. Hall stated that she would be looking into having the Museum repainted, which is part of this year's Capital Improvement Plan.
- This prompted staff to look into when the museum was last painted and determine if there was any sort of warranty.
- As it turns out, it was last painted in 2012 and there was a 5 year warranty for chipping and flaking.
- I contacted the contractor and we verified that the work was under warranty.
- The contractor has sent over his painting crew to look at the building and they will schedule it when the winter weather begins to break (early spring or sooner depending upon the weather).
- This might not be the best long term solution, however to effectively repair the defects may require the replacement of siding and this will afford the Town some time to work the project into the 5 year Capital Improvements Plan.

Columbia Gas- Emergency Repair:

- The week of January 4th-8th, Columbia Gas had to make an emergency repair in front of the Cupcake Heaven.
- In making the repair, they had to remove a 2-3 foot section of the brick sidewalk. They temporarily repaired it with an asphalt patch, until they could get their sub-contractor on site to replace the brick sidewalk.
- I have made contact with the regional office and I worked an agreement to let the Town make the repair and invoice Columbia Gas the bill.
- This should be taken care within the next couple weeks, I will keep you all informed about any progress.

VML- Day at the Capital:

- I will be attending VML-Day in Richmond, VA on Wednesday, January 27th.

VLGMA Winter Conference:

- I will be attending the VLGMA's (Virginia Local Government Management Association) Winter Conference in Charlottesville, VA February 17th-19th.



TO: Town of Haymarket Town Council
 SUBJECT: Repeal Article XV Floodplain Districts
 DATE: 02/01/16

BACKGROUND

- In August the Town Engineer received notice from the Virginia Department of Conservation and Recreation (DCR) on behalf of the Federal Emergency Management Agency (FEMA) that they wanted to schedule a National Flood Insurance Program (NFIP) Community Assistance Visit (CAV). The purpose of this meeting was to go over our current Floodplain Ordinance, review our program, identify any problems in our ordinances or program and offer guidance.
- The Community Assistance Visit was held August 26. At this meeting, the DCR identified that our Floodplain ordinance was out of date. They recommended we completely delete our current Floodplain Ordinance and provided a template ordinance to use.
- In order to adopt the new Floodplain Ordinance, the current ordinance must be repealed.
- Attached is the current Floodplain Ordinance to be repealed in both redline and non-redline format.
- At the December Planning Commission Meeting, the Planning Commission passed motion recommending the repeal of the current Flood Plain Ordinance. Since the new Flood Plain Ordinance will be outside Zoning Ordinance, they do not pass a motion recommending adoption of the new Ordinance.
- The new Floodplain Ordinance and FEMA Flood Insurance Rate Maps (FIRM) are included in a separate agenda item.

STAFF RECOMMENDATION

- Staff recommends the Town Council repeal sections 58-596 through 58-655 of Town Code relating to Floodplains.

DRAFT ORDINANCE

- Attached is the draft ordinance to repeal sections 58-596 through 58-655 of Town Code relating to Floodplains.

ATTACHMENTS:

- 02 Current ARTICLE_XV.___FLOODPLAIN_DISTRICTS (1) REDLINED (PDF)
- 03 Current ARTICLE_XV.___FLOODPLAIN_DISTRICTS (1) (PDF)
- 04 Repeal of zoning provisions on flooding (2) (PDF)

~~ARTICLE XV. FLOODPLAIN DISTRICTS⁴⁹¹ (REPEALED)~~

~~Footnotes:~~

~~—(10)—~~

~~Cross reference—Erosion and sedimentation control, § 18-66 et seq.~~

~~DIVISION 1. GENERALLY~~

~~Sec. 58-596. Purpose.~~

~~The purpose of this article is to prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:~~

- ~~(1) Regulating uses, activities and development which, alone or in combination with other existing or future uses, activities and development, will cause unacceptable increases in flood heights, velocities and frequencies.~~
- ~~(2) Restricting or prohibiting certain uses, activities and development from locating within districts subject to flooding.~~
- ~~(3) Requiring all those uses, activities and developments that do occur in floodprone districts to be protected and/or floodproofed against flooding and flood damage.~~
- ~~(4) Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.~~

~~(Ord. of 4-3-1995, art. I, § 1.1)~~

~~Sec. 58-597. Applicability.~~

~~This article shall apply to all lands within the jurisdiction of the town and identified as being in the 100-year floodplain by the Federal Insurance Administration.~~

~~(Ord. of 4-3-1995, art. I, § 1.2)~~

~~Sec. 58-598. Compliance and liability.~~

- ~~(a) No land shall be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this article and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this article.~~
- ~~(b) The degree of flood protection sought by the provisions of this article is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This article does not imply that districts outside the floodplain district, or that land uses permitted within such district, will be free from flooding or flood damages.~~

~~(c) This article shall not create liability on the part of the town or any officer or employee of the town for any flood damages that result from reliance on this article or any administrative decision lawfully made under this article.~~

~~(Ord. of 4-3-1995, art. I, § 1.3)~~

~~Sec. 58-599.— Abrogation and greater restrictions.~~

~~This article supersedes any ordinance currently in effect in floodprone districts. However, any underlying ordinance shall remain in full force and effect to the extent that its provisions are more restrictive than this article.~~

~~(Ord. of 4-3-1995, art. I, § 1.4)~~

~~Sec. 58-600.— Definitions.~~

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

~~Base flood elevation (BFE) means the Federal Emergency Management Agency designated 100-year water surface elevation.~~

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

~~Basement means any area of the building having its floor subgrade (below ground level) on all sides.~~

~~Board of zoning appeals means the board appointed to review appeals made by individuals with regard to decisions of the Administrator in the interpretation of this article.~~

~~Development means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations or storage of equipment or materials.~~

~~Floodplain means any land area susceptible to being inundated by water from any source.~~

~~Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.~~

~~Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management.~~

~~Lowest floor means the lowest floor of the lowest enclosed area (including basement).~~

~~Recreational vehicle means a vehicle which is:~~

- ~~(1) Built on a single chassis;~~
- ~~(2) No more than 400 square feet when measured at the largest horizontal projection;~~
- ~~(3) Designed to be self-propelled or permanently towable by a light-duty truck; and~~
- ~~(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel or seasonal use.~~

~~Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before damage occurred.~~

~~Substantial improvement shall mean any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.~~

~~(Ord. of 4-3-1995, art. II; Ord. No. 20150302, § 1, 3-2-2015)~~

~~**Cross reference**—Definitions generally, § 1-2.~~

~~Secs. 58-601—58-625.—Reserved.~~

~~DIVISION 2.—ESTABLISHMENT OF ZONING DISTRICTS~~

~~Sec. 58-626.—Description of districts.~~

~~(a) Basis of districts. The various floodplain districts shall include areas subject to inundation by waters of the 100-year flood. The basis for the delineation of these districts shall be the Flood Insurance Study (FIS) for Prince William County, Virginia, and Incorporated Areas prepared by the Federal Emergency Management Agency, Federal Insurance Administration, dated January 5, 1995, as amended.~~

~~(1) The floodway district is delineated, for purposes of this article, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the 100-year flood without increasing the water surface elevation of that flood more than one foot at any point. The areas included in this district are specifically defined in the above-referenced flood insurance study and shown on the accompanying flood insurance rate map (panels 59 and 67).~~

~~(2) The flood-fringe district shall be that area of the 100-year floodplain not included in the floodway district. The basis for the outermost boundary of the district shall be the 100-year flood elevations contained in the flood profiles of the above-referenced flood insurance study and as shown on the accompanying flood insurance rate map (panels 59 and 67).~~

~~(b) Overlay concept.~~

~~(1) The floodplain districts described in subsection (a) of this section shall be overlays to the existing underlying districts as shown on the official zoning ordinance map; and as such, the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions.~~

~~(2) In the event of any conflict between the provisions or requirements of the floodplain districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.~~

~~(3) If any provision concerning a floodplain district is declared inapplicable as a result of any legislative or administrative actions or judicial decision, the basic underlying provisions shall remain applicable.~~

~~(Ord. of 4-3-1995, art. III, § 3.1)~~

~~Sec. 58-627.—Boundaries; official zoning map.~~

~~The boundaries of the floodplain districts are established as shown on the flood boundary and floodway map and/or flood insurance rate map, which is declared to be a part of this article and which shall be kept on file at the town offices.~~

~~(Ord. of 4-3-1995, art. III, § 3.2)~~

~~Sec. 58-628.— District boundary changes.~~

~~The delineation of any of the floodplain districts may be revised by the town council where natural or manmade changes have occurred and/or where more detailed studies have been conducted or undertaken by the U.S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal Insurance Administration.~~

~~(Ord. of 4-3-1995, art. III, § 3.3)~~

~~Sec. 58-629.— Interpretation of district boundaries.~~

~~Initial interpretations of the boundaries of the floodplain districts shall be made by the zoning officer. Should a dispute arise concerning the boundaries of any of the districts, the board of zoning appeals shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the board and to submit his own technical evidence if he so desires.~~

~~(Ord. of 4-3-1995, art. III, § 3.4)~~

~~Secs. 58-630—58-650.— Reserved.~~

~~DIVISION 3.— DISTRICT PROVISIONS; VARIANCES; EXISTING STRUCTURES~~

~~Sec. 58-651.— General district provisions.~~

- ~~(a) Permit requirement. All uses, activities and development occurring within any floodplain district shall be undertaken only upon the issuance of a zoning permit. Such development shall be undertaken only in strict compliance with the provisions of this article and with all other applicable codes and ordinances, such as the Virginia Uniform Statewide Building Code and the town subdivision regulations in chapter 38. Prior to the issuance of any such permit, the zoning officer shall require all applications to include compliance with all applicable state and federal laws. Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodway or any watercourse, drainage ditch, or any other drainage facility or system.~~
- ~~(b) Alteration or relocation of watercourse. Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U.S. Army Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations). Furthermore, notification of the proposal shall be given by the applicant to all affected adjacent jurisdictions, the Department of Conservation and Recreation (Division of Soil and Water Conservation) and the Federal Insurance Administration.~~
- ~~(c) Drainage facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall ensure proper drainage along streets, and provide~~

~~positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.~~

~~(d) Site plans and permit applications. All applications for development in the floodplain district and all building permits issued for the floodplain shall incorporate the following information:~~

~~(1) For structures to be elevated, the elevation of the lowest floor (including basement).~~

~~(2) For structures to be floodproofed (nonresidential only), the elevation to which the structure will be floodproofed.~~

~~(3) The elevation of the 100-year flood.~~

~~(4) Topographic information showing existing and proposed ground elevations.~~

~~(e) Recreational vehicles. Recreational vehicles placed on sites shall either:~~

~~(1) Be on the site for fewer than 180 consecutive days, be fully licensed and ready for highway use; or~~

~~(2) Meet the permit requirements for placement and the elevation and anchoring requirements for manufactured homes as contained in the Virginia Uniform Statewide Building Code.~~

~~A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect-type utilities and security devices, and has no permanently attached additions.~~

~~(Ord. of 4-3-1995, art. IV, § 4.1)~~

~~Sec. 58-652. Floodway district.~~

~~In the floodway district, no encroachments, including fill, new construction, substantial improvements or other development, shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the 100-year flood elevation.~~

~~(Ord. of 4-3-1995, art. IV, § 4.2)~~

~~Sec. 58-653. Flood fringe district.~~

~~In the flood fringe district, the development and/or use of land shall be permitted in accordance with the regulations of the underlying area provided that all such uses, activities and/or development shall be undertaken in strict compliance with the floodproofing and related provisions contained in the Virginia Uniform Statewide Building Code and all other applicable codes and ordinances.~~

~~(Ord. of 4-3-1995, art. IV, § 4.3)~~

~~Sec. 58-654. Variances; factors to be considered.~~

~~(a) In passing upon applications for variances, the board of zoning appeals shall satisfy all relevant factors and procedures specified in other sections of this chapter and consider the following additional factors:~~

~~(1) The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development or activity within any floodway district that will cause any increase in the 100-year flood elevation.~~

~~(2) The danger that materials may be swept onto other lands or downstream to the injury of others.~~

- ~~(3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.~~
- ~~(4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.~~
- ~~(5) The importance of the services provided by the proposed facility to the community.~~
- ~~(6) The requirements of the facility for a waterfront location.~~
- ~~(7) The availability of alternative locations not subject to flooding for the proposed use.~~
- ~~(8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.~~
- ~~(9) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.~~
- ~~(10) The safety of access by ordinary and emergency vehicles to the property in time of flood.~~
- ~~(11) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site.~~
- ~~(12) The repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.~~
- ~~(13) Such other factors which are relevant to the purposes of this article.~~
- ~~(b) The board of zoning appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.~~
- ~~(c) Variances shall be issued only after the board of zoning appeals has determined that the granting of such will not result in unacceptable or prohibited increases in flood heights, additional threats to public safety, or extraordinary public expense and will not create nuisances, cause fraud on or victimization of the public, or conflict with local laws or ordinances.~~
- ~~(d) Variances shall be issued only after the board of zoning appeals has determined that the variance will be the minimum required to provide relief from any hardship to the applicant.~~
- ~~(e) The board of zoning appeals shall notify the applicant for a variance, in writing, that the issuance of a variance to construct a structure below the 100-year flood elevation increases the risks to life and property and will result in increased premium rates for flood insurance.~~
- ~~(f) A record shall be maintained of the notification referred to in subsection (e) of this section as well as all variance actions, including justification for the issuance of the variances. Any variances which are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.~~

~~(Ord. of 4-3-1995, art. V)~~

~~Sec. 58-655. Existing structures in floodplain districts.~~

~~A structure or use of a structure or premises which lawfully existed before April 3, 1995, but which is not in conformity with this article, may be continued subject to the following conditions:~~

- ~~(1) Existing structures in the floodway district shall not be expanded or enlarged unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with~~

~~standard engineering practice that the proposed expansion would not result in any increase in the 100-year flood elevation.~~

- ~~(2) Any modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use located in any floodplain area to an extent or amount of less than 50 percent of its market value should be considered to be elevated and/or floodproofed to the greatest extent possible.~~
- ~~(3) The modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use, regardless of its location in a floodplain area, to an extent or amount of 50 percent or more of its market value shall be undertaken only in full compliance with the provisions of this article and the Virginia Uniform Statewide Building Code.~~

~~(Ord. of 4-3-1995, art. VI)~~

~~Secs. 58-656—58-690. Reserved.~~

ARTICLE XV. - FLOODPLAIN DISTRICTS^[10]

Footnotes:

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Cross reference— Erosion and sedimentation control, § 18-66 et seq.

DIVISION 1. - GENERALLY

Sec. 58-596. - Purpose.

The purpose of this article is to prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:

- (1) Regulating uses, activities and development which, alone or in combination with other existing or future uses, activities and development, will cause unacceptable increases in flood heights, velocities and frequencies.
- (2) Restricting or prohibiting certain uses, activities and development from locating within districts subject to flooding.
- (3) Requiring all those uses, activities and developments that do occur in floodprone districts to be protected and/or floodproofed against flooding and flood damage.
- (4) Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

(Ord. of 4-3-1995, art. I, § 1.1)

Sec. 58-597. - Applicability.

This article shall apply to all lands within the jurisdiction of the town and identified as being in the 100-year floodplain by the Federal Insurance Administration.

(Ord. of 4-3-1995, art. I, § 1.2)

Sec. 58-598. - Compliance and liability.

- (a) No land shall be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this article and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this article.
- (b) The degree of flood protection sought by the provisions of this article is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This article does not imply that districts outside the floodplain district, or that land uses permitted within such district, will be free from flooding or flood damages.

- (c) This article shall not create liability on the part of the town or any officer or employee of the town for any flood damages that result from reliance on this article or any administrative decision lawfully made under this article.

(Ord. of 4-3-1995, art. I, § 1.3)

Sec. 58-599. - Abrogation and greater restrictions.

This article supersedes any ordinance currently in effect in floodprone districts. However, any underlying ordinance shall remain in full force and effect to the extent that its provisions are more restrictive than this article.

(Ord. of 4-3-1995, art. I, § 1.4)

Sec. 58-600. - Definitions.

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

Base flood elevation (BFE) means the Federal Emergency Management Agency designated 100-year water surface elevation.

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

Basement means any area of the building having its floor subgrade (below ground level) on all sides.

Board of zoning appeals means the board appointed to review appeals made by individuals with regard to decisions of the Administrator in the interpretation of this article.

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

Floodplain means any land area susceptible to being inundated by water from any source.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management.

Lowest floor means the lowest floor of the lowest enclosed area (including basement).

Recreational vehicle means a vehicle which is:

- (1) Built on a single chassis;
- (2) No more than 400 square feet when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel or seasonal use.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before damage occurred.

Substantial improvement shall mean any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before

the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as an historic structure.

(Ord. of 4-3-1995, art. II; [Ord. No. 20150302, § 1, 3-2-2015](#))

Cross reference— Definitions generally, § 1-2.

Secs. 58-601—58-625. - Reserved.

DIVISION 2. - ESTABLISHMENT OF ZONING DISTRICTS

Sec. 58-626. - Description of districts.

- (a) Basis of districts. The various floodplain districts shall include areas subject to inundation by waters of the 100-year flood. The basis for the delineation of these districts shall be the Flood Insurance Study (FIS) for Prince William County, Virginia, and Incorporated Areas prepared by the Federal Emergency Management Agency, Federal Insurance Administration, dated January 5, 1995, as amended.
- (1) The floodway district is delineated, for purposes of this article, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the 100-year flood without increasing the water surface elevation of that flood more than one foot at any point. The areas included in this district are specifically defined in the above-referenced flood insurance study and shown on the accompanying flood insurance rate map (panels 59 and 67).
 - (2) The flood-fringe district shall be that area of the 100-year floodplain not included in the floodway district. The basis for the outermost boundary of the district shall be the 100-year flood elevations contained in the flood profiles of the above-referenced flood insurance study and as shown on the accompanying flood insurance rate map (panels 59 and 67).
- (b) Overlay concept.
- (1) The floodplain districts described in subsection (a) of this section shall be overlays to the existing underlying districts as shown on the official zoning ordinance map; and as such, the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions.
 - (2) In the event of any conflict between the provisions or requirements of the floodplain districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.
 - (3) If any provision concerning a floodplain district is declared inapplicable as a result of any legislative or administrative actions or judicial decision, the basic underlying provisions shall remain applicable.

(Ord. of 4-3-1995, art. III, § 3.1)

Sec. 58-627. - Boundaries; official zoning map.

The boundaries of the floodplain districts are established as shown on the flood boundary and floodway map and/or flood insurance rate map, which is declared to be a part of this article and which shall be kept on file at the town offices.

(Ord. of 4-3-1995, art. III, § 3.2)

Sec. 58-628. - District boundary changes.

The delineation of any of the floodplain districts may be revised by the town council where natural or manmade changes have occurred and/or where more detailed studies have been conducted or undertaken by the U.S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal Insurance Administration.

(Ord. of 4-3-1995, art. III, § 3.3)

Sec. 58-629. - Interpretation of district boundaries.

Initial interpretations of the boundaries of the floodplain districts shall be made by the zoning officer. Should a dispute arise concerning the boundaries of any of the districts, the board of zoning appeals shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the board and to submit his own technical evidence if he so desires.

(Ord. of 4-3-1995, art. III, § 3.4)

Secs. 58-630—58-650. - Reserved.

DIVISION 3. - DISTRICT PROVISIONS; VARIANCES; EXISTING STRUCTURES

Sec. 58-651. - General district provisions.

- (a) Permit requirement. All uses, activities and development occurring within any floodplain district shall be undertaken only upon the issuance of a zoning permit. Such development shall be undertaken only in strict compliance with the provisions of this article and with all other applicable codes and ordinances, such as the Virginia Uniform Statewide Building Code and the town subdivision regulations in chapter 38. Prior to the issuance of any such permit, the zoning officer shall require all applications to include compliance with all applicable state and federal laws. Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodway or any watercourse, drainage ditch, or any other drainage facility or system.
- (b) Alteration or relocation of watercourse. Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U.S. Army Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations). Furthermore, notification of the proposal shall be given by the applicant to all affected adjacent jurisdictions, the Department of Conservation and Recreation (Division of Soil and Water Conservation) and the Federal Insurance Administration.
- (c) Drainage facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall ensure proper drainage along streets, and provide

positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

- (d) Site plans and permit applications. All applications for development in the floodplain district and all building permits issued for the floodplain shall incorporate the following information:
- (1) For structures to be elevated, the elevation of the lowest floor (including basement).
 - (2) For structures to be floodproofed (nonresidential only), the elevation to which the structure will be floodproofed.
 - (3) The elevation of the 100-year flood.
 - (4) Topographic information showing existing and proposed ground elevations.
- (e) Recreational vehicles. Recreational vehicles placed on sites shall either:
- (1) Be on the site for fewer than 180 consecutive days, be fully licensed and ready for highway use; or
 - (2) Meet the permit requirements for placement and the elevation and anchoring requirements for manufactured homes as contained in the Virginia Uniform Statewide Building Code.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect-type utilities and security devices, and has no permanently attached additions.

(Ord. of 4-3-1995, art. IV, § 4.1)

Sec. 58-652. - Floodway district.

In the floodway district, no encroachments, including fill, new construction, substantial improvements or other development, shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the 100-year flood elevation.

(Ord. of 4-3-1995, art. IV, § 4.2)

Sec. 58-653. - Flood-fringe district.

In the flood-fringe district, the development and/or use of land shall be permitted in accordance with the regulations of the underlying area provided that all such uses, activities and/or development shall be undertaken in strict compliance with the floodproofing and related provisions contained in the Virginia Uniform Statewide Building Code and all other applicable codes and ordinances.

(Ord. of 4-3-1995, art. IV, § 4.3)

Sec. 58-654. - Variances; factors to be considered.

- (a) In passing upon applications for variances, the board of zoning appeals shall satisfy all relevant factors and procedures specified in other sections of this chapter and consider the following additional factors:
- (1) The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development or activity within any floodway district that will cause any increase in the 100-year flood elevation.
 - (2) The danger that materials may be swept onto other lands or downstream to the injury of others.

- (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
 - (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
 - (5) The importance of the services provided by the proposed facility to the community.
 - (6) The requirements of the facility for a waterfront location.
 - (7) The availability of alternative locations not subject to flooding for the proposed use.
 - (8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 - (9) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
 - (10) The safety of access by ordinary and emergency vehicles to the property in time of flood.
 - (11) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters expected at the site.
 - (12) The repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
 - (13) Such other factors which are relevant to the purposes of this article.
- (b) The board of zoning appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.
 - (c) Variances shall be issued only after the board of zoning appeals has determined that the granting of such will not result in unacceptable or prohibited increases in flood heights, additional threats to public safety, or extraordinary public expense and will not create nuisances, cause fraud on or victimization of the public, or conflict with local laws or ordinances.
 - (d) Variances shall be issued only after the board of zoning appeals has determined that the variance will be the minimum required to provide relief from any hardship to the applicant.
 - (e) The board of zoning appeals shall notify the applicant for a variance, in writing, that the issuance of a variance to construct a structure below the 100-year flood elevation increases the risks to life and property and will result in increased premium rates for flood insurance.
 - (f) A record shall be maintained of the notification referred to in subsection (e) of this section as well as all variance actions, including justification for the issuance of the variances. Any variances which are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.

(Ord. of 4-3-1995, art. V)

Sec. 58-655. - Existing structures in floodplain districts.

A structure or use of a structure or premises which lawfully existed before April 3, 1995, but which is not in conformity with this article, may be continued subject to the following conditions:

- (1) Existing structures in the floodway district shall not be expanded or enlarged unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed expansion would not result in any increase in the 100-year flood elevation.

- (2) Any modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use located in any floodplain area to an extent or amount of less than 50 percent of its market value should be considered to be elevated and/or floodproofed to the greatest extent possible.
- (3) The modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use, regardless of its location in a floodplain area, to an extent or amount of 50 percent or more of its market value shall be undertaken only in full compliance with the provisions of this article and the Virginia Uniform Statewide Building Code.

(Ord. of 4-3-1995, art. VI)

Secs. 58-656—58-690. - Reserved.

Ordinance 2016-001

ORDINANCE TO REPEAL SECTIONS 58-596 THROUGH 58-655 OF THE TOWN
CODE RELATING TO FLOODPLAINS

WHEREAS, new federal and state mandates require updates to the Town’s floodplain ordinance, and

WHEREAS, floodplain ordinances are better handled as police power ordinances outside the zoning ordinance than through zoning provisions, and

WHEREAS, the Town Council will be asked to approve a replacement floodplain ordinance effective upon the repeal of the existing floodplain ordinance,

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Haymarket, meeting this 1st day of February, 2016, in regular session, that the Town Council hereby repeals Sections 58-596 through 58-655 of the Town Code in their entirety.

THIS ORDINANCE IS EFFECTIVE UPON ADOPTION.

Done this 1st day of February, 2016.
TOWN OF HAYMARKET, VIRGINIA

ATTEST:

Jennifer Preli, Town Clerk

- Motion to approve:
- Second:
- Voting Aye:
- Voting Nay:
- Absent:
- Abstaining:

Attachment: 04 Repeal of zoning provisions on flooding (2) (2703 : Repeal Article XV Floodplain Districts)



TO: Town of Haymarket Town Council
 SUBJECT: Flood Plain Ordinance
 DATE: 02/01/16

BACKGROUND

- In August the Town Engineer received notice from the Virginia Department of Conservation and Recreation (DCR) on behalf of the Federal Emergency Management Agency (FEMA) that they wanted to schedule a National Flood Insurance Program (NFIP) Community Assistance Visit (CAV). The purpose of this meeting was to go over our current Floodplain Ordinance, review our program, identify any problems in our ordinances or program and offer guidance.
- The Community Assistance Visit was held August 26. At this meeting, the DCR identified that our Floodplain ordinance was out of date. They recommended we completely delete our current Floodplain Ordinance and provided a template ordinance to use.
- At the request of the Town Attorney, we are moving the Floodplain Ordinance out of the Zoning Ordinance and placing it in the Waterways section of the Town Code.
- Attached is the new Floodplain Ordinance created by the Town Attorney, approved by DCR. The “old” Floodplain Ordinance is contained in its separate Public Hearing/Agenda item.
- At the December Planning Commission Meeting, the Planning Commission passed motion recommending the repeal of the current Flood Plain Ordinance. Since the revised Flood Plain Ordinance will be outside Zoning Ordinance, they do not pass a motion recommending adoption of the new Ordinance.
- Earlier this evening, the Town Council held a Public Hearing on repealing the “old” Floodplain Ordinance and then repealed the “old” Floodplain Ordinance in a separate agenda item.
- Attached are the official FEMA Flood Insurance Rate Maps (FIRM) for the Town, included at the request of the Town Council.
- Also included are color maps from the FEMA FIRM Interactive Website. This website can be accessed by going to: <https://msc.fema.gov/portal> then entering “Haymarket, Va” where it says “Enter an address, a place, or longitude/latitude coordinates:” then clicking on “Interactive Map” below where it says “Search Results - Produces for HAYMARKET, TOWN OF”. This map can be zoomed in to look at specific locations in better detail.

OVERVIEW OF CHANGES

- At the suggestion of the Town Attorney, the Floodplain Ordinance is being removed from the Zoning Ordinance section and put in the Waterways section of the Town Code. The reasons for removing from the Zoning Ordinance are as follows:
 - Putting it in a separate ordinance prevents any argument that illegal conditions are vested rights as non-conforming uses.
 - Putting it in a separate ordinance allows quicker enforcement with class 1 misdemeanor penalties among the options.
 - The BZA arguably has no authority to hear appeals regarding the floodplain.

- The criteria for granting a variance or special exception under the model ordinance do not match the criteria for granting a “variance” under the zoning code.
 - The purpose of zoning is to control uses and improvements, and that model of regulation is not perfectly compatible with the kind of regulations in the model floodplain ordinance. While preventing floods is among the purposes for zoning, the floodplain ordinance looks more like a traditional police power ordinance than like a zoning ordinance.
- There are changes to old definitions and new definitions.
 - A new Administration section has been added in which the Floodplain Administrator is designated and his/her duties clearly outlined.
 - At the request of FEMA, the NFIP construction standards are called out in the ordinance instead of being included by reference to the building code.
 - The Term “100-year flood” is officially replaced with “one percent annual chance flood.”
 - Other minor changes to meet FEMA and State laws and regulations.
 - NOTE: There are no changes to the mapping of the “once percent annual chance flood” and thereby **no new or increased areas of impacts to property owners.**

STAFF RECOMMENDATION

- Staff recommends the Town Council adopt the attached new Article III, FLOODPLAIN, to Chapter 54, Waterways, consisting of sections 54-200 through 54-226 of Town Code.

DRAFT MOTION(S)

1. I move that the Town Council adopt the new Article III, FLOODPLAIN, to Chapter 54, Waterways, consisting of sections 54-200 through 54-226 of Town Code;

OR

2. I move an alternate motion

ATTACHMENTS:

- 02 New Floodplain Ordinance 12-23-15 - FINAL (PDF)
- 03 FIRM Panels (PDF)
- 04 - Online Color FIRM - Overall (PDF)
- 04a - Online Color FIRM (PDF)
- 04b - Online Color FIRM (PDF)
- 04c - Online Color FIRM (PDF)

ORDINANCE #2016-002

ORDINANCE TO ADOPT A NEW ARTICLE III, FLOODPLAIN, TO CHAPTER 54, WATERWAYS, CONSISTING OF SECTIONS 54-200 THROUGH 58-227 OF THE TOWN CODE, TO IMPLEMENT THE NATIONAL FLOOD INSURANCE PROGRAM

WHEREAS, The Federal Emergency Management Agency administers the National Flood Insurance Program (NFIP), and in connection with that program requires participating localities to protect against development which increases the risk of flood damage, and

WHEREAS, new federal and state mandates require updates to the Town's floodplain ordinance, and

WHEREAS, The Virginia Department of Conservation and Recreation (DCR) ensures that Virginia localities implement appropriate provisions in their ordinances in order to maintain eligibility for flood insurance through NFIP, and

WHEREAS, floodplain ordinances are better handled as police power ordinances outside the zoning ordinance than through zoning provisions, and

WHEREAS, DCR has reviewed this ordinance amendment and found it to be compliant with the requirements of NFIP, such that property owners within the Town will be able to obtain flood insurance;

WHEREAS, the Town Council is repealing its existing floodplain ordinance within the zoning ordinance effective with the approval of this floodplain ordinance,

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Haymarket, meeting this 1st day of February, 2016, in regular session, that the Town Council hereby adopts a new Article III, Floodplain, within Chapter 54, Waterways, as follows:

ARTICLE III. FLOODPLAIN MANAGEMENT

Sec. 54-200. Authority and Purpose.

This article is adopted pursuant to Va. Code § 10.1-600 et seq.

The purpose of this article is to prevent the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:

- (1) Regulating uses, activities and Development that, alone or in combination with

other existing or future uses, activities, and Development, will cause unacceptable increases in flood heights, velocities and frequencies.

- (2) Restricting or prohibiting certain uses, activities, and Development from locating within areas subject to flooding.
- (3) Requiring all those uses, activities and Developments that do occur in floodprone areas to be protected and/or floodproofed against flooding and flood damage.
- (4) Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

Sec. 54-201. Applicability.

This article shall apply to all privately and publicly owned lands within the jurisdiction of the town and identified as Special Flood Hazard Areas by the Federal Emergency Management Agency.

Sec. 54-202. Compliance and liability.

(a) No land shall be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this article and any other applicable ordinances and regulations that apply to uses within the jurisdiction of this article.

(b) The degree of flood protection sought by the provisions of this article is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This article does not imply that areas outside the floodplain districts, or that land uses permitted within such districts, will be free from flooding or flood damages.

(c) This article shall not create liability on the part of the town or any officer or employee of the town for any flood damages that result from reliance on this article or any administrative decision lawfully made under this article.

Sec. 54-203. Abrogation and greater restrictions.

This article supersedes any ordinance currently in effect in floodprone areas. However, any underlying ordinance shall remain in full force and effect to the extent that its provisions are more restrictive than this article.

Sec. 54-204. Definitions.

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

Base Flood means a flood that has a one percent chance of being equaled or exceeded in any given year. Also referred to as the 100-year flood.

Base Flood Elevation (BFE) means the water surface elevation of the Base Flood in relation to the datum specified on the Flood Insurance Study and Flood Insurance Rate Map.

Basement means any area of a building having its floor subgrade (below ground level) on all sides.

Development means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of Manufactured Homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operation, or storage of equipment or materials, and the subdivision of land.

Elevation Certificate means a FEMA approved form which documents the elevation of a Structure.

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

Flood Insurance Rate Map (FIRM) - an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) – a report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards

Floodplain means:

- (1) A relatively flat or low land area adjoining a river, stream or watercourse that is subject to partial or complete inundation;
- (2) An area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

Floodplain Administrator (FA) means the Town Manager or designee.

Floodprone Area means any land area susceptible to being inundated by water from

any source.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents, as provided in the Virginia Uniform Statewide Building Code.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than one foot at any point within the town..

Historic Structure means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the department of the interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the secretary of the interior; or
- (4) Individually listed in the Town’s Comprehensive Plan.

Lowest Floor means the lowest floor of the lowest enclosed area (including Basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area is not considered a building's lowest floor provided such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this article.

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term “manufactured home” also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more Manufactured Home lots for rent or sale.

Attachment: 02 New Floodplain Ordinance 12-23-15 - FINAL (2702 : Flood Plain Ordinance)

New Construction means, for floodplain management purposes, structures for which the Start of Construction commenced on or after January 17, 1990, and includes any subsequent improvements to such structures.

Recreational Vehicle means a vehicle that is:

- (1) Built on a single chassis;
- (2) No more than 400 square feet when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Special Flood Hazard Area (SFHA) means the land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Section 26-36 of this article.

Start of Construction means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, Substantial Improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a Manufactured Home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a Basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a Substantial Improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a Manufactured Home.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition or other

improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure before the Start of Construction of the improvement. This term includes structures that have incurred Substantial Damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications that have been identified by the local code enforcement official and are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of an Historic Structure, provided the alteration will not preclude the structure's continued designation as an Historic Structure as determined by the Town’s Architectural Review Board created by Section 58-556 of the Zoning Ordinance.

USBC means the Virginia Uniform Statewide Building Code.

Violation means the failure of a structure or other Development to be fully compliant with the town's floodplain management regulations. A structure or other Development without the Elevation Certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided to the Floodplain Administrator.

Sec. 54-205. Description of districts.

(a) The various floodplain districts shall include the Special Flood Hazard Area. The basis for the delineation of these districts shall be the flood insurance study (FIS) dated August 3, 2015, and panels 51153C0059D and 51153C0067D of the FIRM dated January 5, 1995, prepared by the Federal Emergency Management Agency for Prince William County, Virginia and Incorporated Areas, and any subsequent revisions or amendments thereto.

(b) The Floodway district is delineated, for purposes of this article, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the Base Flood without increasing the water surface elevation of that Flood more than one foot at any one point. The areas included in this district are specifically defined in the Flood insurance study and shown on the accompanying FIRM.

(c) The flood fringe district shall be that area of the one percent annual chance floodplain not included in the Floodway district. The basis for the outermost boundary of this district shall be the Base Flood Elevations contained in the flood profiles of the flood insurance study and as shown on the accompanying flood insurance rate map.

(d) The approximated floodplain district shall be that floodplain area for which no

Attachment: 02 New Floodplain Ordinance 12-23-15 - FINAL (2702 : Flood Plain Ordinance)

detailed Flood profiles or elevations are provided, but where the SFHA floodplain boundary has been approximated. Such areas are shown as zone A on the maps accompanying the flood insurance study. For these areas, the BFE and Floodway information from federal, state and other acceptable sources shall be used, when available. Where the specific BFE cannot be determined for this area using other sources of data, such as the U.S. Army Corps of Engineers Floodplain Information Reports, U.S. Geological Survey Flood-Prone Floodplain Information Reports, and U.S. Geological Survey Flood-Prone Quadrangles, the applicant for the proposed use, Development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, and similar data or reports shall be submitted in sufficient detail to allow a thorough review by the town.

Sec. 54-206. Official floodplain map.

The boundaries of the floodplain districts are established as shown on the FIRM, which is declared to be a part of this article and which shall be kept on file at the town offices.

Sec. 54-207. District boundary changes.

The delineation of any of the floodplain districts may be revised by the town council where natural or manmade changes have occurred and/or where more detailed studies have been conducted or undertaken by the U.S. Army Corps of Engineers or other qualified agency, or an individual documents the need for possibility for such change. However prior to any such change, approval must be obtained from the Federal Emergency Management Agency. A final Letter of Map Revision (LOMR) from FEMA is a record of this approval.

Sec. 54-208. Interpretation of district boundaries.

Initial interpretations of the boundaries of the floodplain districts shall be made by the Floodplain Administrator. Should a dispute arise concerning the boundaries of any of the districts, the Town Council shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Council and to submit his own technical evidence if he so desires.

Sec. 54-209. District provisions.

(a) All uses, activities and Development occurring within any floodplain district, including the placement of Manufactured Homes, shall be undertaken only upon the issuance of a Special Exception in accordance with 54-213 of this ordinance. Such Development shall be undertaken only in strict compliance with the provisions of this article and with all other

applicable codes and ordinances, such as the Virginia Uniform Statewide Building Code. Prior to the issuance of any such permit, the Floodplain Administrator shall require all applications to include compliance with all applicable state and federal laws. Under no circumstances shall any use, activity and/or Development adversely affect the capacity of the channels or Floodways or any watercourse, drainage ditch, or any other drainage facility or system.

(b) Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction, a permit from the U.S. Army Corps of Engineers or the Virginia Marine Resources Commission or the certification from the Virginia State Water Control Board may be necessary (a joint permit application is available from any one of these organizations). Further notification of the proposal shall be given to all affected adjacent jurisdictions, the division of soil and water conservation (department of conservation and recreation), and the Federal Emergency Management Agency.

(c) All applications for the Development in the floodplain district and all Special Exceptions issued for the floodplain shall incorporate the following information:

- (1) For structures that have been elevated, the elevation of the Lowest Floor (including Basement).
- (2) For structures that have been floodproofed (nonresidential only), the elevations to which the structure has been floodproofed.
- (3) The elevation of the 100-year Flood.
- (4) Topographic information showing the existing and proposed ground elevations.

Sec. 54-210. Floodway district.

In the Floodway district, no Development, including fill or Substantial Improvements, shall be permitted except where the effect of such Development on flood heights is fully offset by accompanying improvements that shall have demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed Development will not result in any increase in the Base Flood Elevation.

If the above is satisfied, all New Construction and Substantial Improvements shall comply with the USBC and all applicable provisions of the General Standards, Elevation and Construction Standards, and Subdivision Standards sections in this Article (§§ 54-215, 54-216, and 54-226).

The placement of Manufactured Homes is prohibited, except when replacing an existing Manufactured Home in an existing Manufactured Home park or subdivision. A

replacement Manufactured Home may be placed on a lot in an existing Manufactured Home park or subdivision provided the anchoring, elevation, and encroachment standards are met.

Sec. 54-211. Flood fringe and approximated floodplain districts.

(a) In Zone AE, as designated and defined on the FIRM, until a regulatory Floodway is designated, no New Construction, Substantial Improvements, or other Development (including fill) shall be permitted, unless it is demonstrated that the cumulative effect of the proposed Development, when combined with all other existing and anticipated Development, will not increase the water surface elevation of the Base Flood more than one foot at any point within the town.

(b) In the flood fringe and approximated floodplain districts, the Development and/or use of land shall be permitted in accordance with the regulations of this article provided that all such uses, activities and/or Development shall be undertaken in strict compliance with the Floodproofing and related provisions contained in the Virginia Uniform Statewide Building Code, the General Standards Article of this Chapter and the Elevation and Construction Standards section and Subdivision Standards section in this Article, and all other applicable codes and ordinances.

(c) Within the approximated floodplain areas, the applicant shall also delineate a Floodway area based on the requirement that all existing and future Development not increase the 100- year Flood elevation more than one foot at any one point. The engineering principle--equal reduction of conveyance--shall be used to make the determination of increased Flood heights.

(d) Within the Floodway area delineated by the applicant, the provisions of section 54-210 shall also apply.

Sec. 54-212. Design criteria for utilities and facilities.

(a) *Sanitary sewerage facilities.* All new or replaced sanitary sewerage facilities and private package sewage treatment plants (including all pumping stations and collector systems) shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into the floodwaters. In addition, they shall be located and constructed to minimize or eliminate flood damage and impairment.

(b) *Water facilities.* All new or replacement water facilities shall be designed to minimize or eliminate infiltration of floodwaters into the system and be located and constructed to minimize or eliminate flood damages.

(c) *Drainage facilities.* All storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. Systems shall ensure drainage away from buildings and on-site waste disposal sites. The town council may require a

primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.

(d) *Utilities.* All utilities, such as gas lines, electrical and telephone systems, being placed in floodprone areas shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flooding occurrence.

(e) *Streets and sidewalks.* Streets and sidewalks shall be designed to minimize their potential for increasing and aggravating the levels of Flood flow. Drainage openings shall be required to sufficiently discharge Flood flows without unduly increasing Flood heights.

Sec. 54-213. Appeals and Special Exceptions; factors to be considered.

(a) *Appeals.*

(1) Whenever any person is aggrieved by a decision of the Floodplain Administrator with respect to the provisions of this article, it is the right of that person to appeal to Town Council. Such appeal must be filed, in writing, within 30 days after the determination by the permit officer.

(2) Upon receipt of such an appeal, the Town Council shall set a time and place for the purpose of hearing the appeal, which shall be not less than ten nor more than 30 days from the date of the receipt of the appeal. Notice of the time and place of the hearing of the appeal shall be given to all parties, at which time they may appear and be heard. The determination by the Town Council shall be final in all cases.

(3) In ruling upon an appeal, the Town Council shall consider the criteria listed in subsection (c) of this section.

(b) *Special Exceptions.*

(1) The Special Exception provisions of this Chapter fulfill the regulatory mandate of 44 CFR 60.6.

(2) In passing upon applications for a Special Exception, the Town Council shall satisfy all relevant factors and procedures specified in other sections of this article and consider the factors listed in subsection (c) of this section.

(c) *Criteria for Appeals and Special Exceptions.* In considering an appeal or a request for a Special Exception, the Town Council shall consider the following factors:

(1) The danger to life and property due to increased Flood heights or velocities caused by encroachments. No Special Exception or appeal shall be granted for any proposed use, Development or activity within the Floodway district that

will cause any increase in Flood levels during the Base Flood.

- (2) The danger that materials may be swept on to other lands or downstream to the injury of others.
- (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
- (5) The importance of the services provided by the proposed facility to the town.
- (6) The requirements of the facility for a waterfront location.
- (7) The availability of alternative locations not subject to flooding for the proposed use.
- (8) The compatibility of the proposed use with existing Development and Development anticipated in the foreseeable future.
- (9) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
- (10) The safety of access by ordinary and emergency vehicles to the property in time of Flood.
- (11) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.
- (12) The historic nature of a structure. Special Exceptions for repair or rehabilitation of Historic Structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a Historic Structure and the Special Exception is the minimum necessary to preserve the historic character and design of the structure.
- (13) Such other factors relevant to the purposes of this article.

(d) The Town Council may refer any application and accompanying documentation pertaining to any request for a Special Exception or Appeal to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to Flood height and velocities, and the adequacy of the plans for the flood protection, and other related matters.

(e) Special Exceptions shall be issued and Appeals granted only upon (i) a showing of good and sufficient cause, (ii) after the Town Council has determined that failure to grant the Special Exception or Appeal would result in exceptional hardship to the applicant, and (iii) after the Town Council has determined that the granting of such will not result in unacceptable or prohibited increases in Flood heights, additional threats to public safety or extraordinary public expense, and will not create a nuisance, cause fraud or victimization of the public, or conflict with local laws or ordinances.

(f) While the granting of Special Exceptions generally is limited to a lot size less than one-half acre, deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a Special Exception increases. Special Exceptions may be issued by the Town Council for New Construction and Substantial Improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the Base Flood level, in conformance with the provisions of this section.

(g) Special Exceptions may be issued for New Construction and Substantial Improvements and for other Development necessary for the conduct of a functionally dependent use provided that the criteria of this section are met, and the structure or other Development is protected by methods that minimize flood damages during the Base Flood and create no additional threats to public safety.

(h) Special Exceptions shall be issued only after the Town Council has determined that the Special Exception will be the minimum required to provide relief from any hardship to the applicant.

(i) The Town Council shall notify the applicant for a Special Exception, in writing, that the issuance of a Special Exception to construct a structure below the 100-year Flood elevation increases the risks to life and property and will result in increased premium rates for flood insurance.

(j) A record of the notification required by subsection (g) of this section, as well as all Special Exception actions, including justification for their issuance, shall be maintained; and any Special Exceptions shall be noted in the annual or biennial report submitted to the Federal Emergency Management Agency.

Sec. 54-214. Existing structures in floodplain districts.

A structure or use of a structure or premises which lawfully existed before January 17, 1990, but which is not in conformity with this article, may be continued subject to the following conditions:

- (1) Existing structures and/or uses located in the Floodway district shall not be expanded or enlarged unless the effect of the proposed expansion or enlargement on Flood heights is fully offset by accompanying improvements.
- (2) Any modifications, alteration, repair, reconstruction or improvement of any kind to a structure and/or use located in any floodplain district to an extent or amount of less than 50 percent of its market value shall conform to the Virginia Uniform Statewide Building Code and the appropriate provisions of this article.
- (3) The modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use, regardless of its location in a floodplain district, to an extent or amount of 50 percent or more of its market value shall be undertaken only in full compliance with this article, and the entire structure shall conform to the provisions of this Article and the Virginia Uniform Statewide Building Code.
- (4) Uses or their adjuncts that are or become nuisances shall not be permitted to continue.
- (5) No building or structure shall be occupied/reoccupied after a natural disaster such as fire or flood without an inspection and approval for structural stability and livability by the Town Building Official.

Sec. 54-215. General Standards

The following provisions shall apply to all permits:

- A. New Construction and Substantial Improvements shall be built according to this ordinance and the Virginia Uniform Statewide Building code, and anchored to prevent flotation, collapse or lateral movement of the structure.
- B. Manufactured Homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state anchoring requirements for resisting wind forces.
- C. New Construction and Substantial Improvements shall be constructed with materials and utility equipment resistant to Flood damage.
- D. New Construction or Substantial Improvements shall be constructed by methods and practices that minimize Flood damage.

- E. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- F. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of Flood waters into the system.
- G. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of Flood waters into the systems and discharges from the systems into Flood waters.
- H. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- I. In addition to provisions A – H above, in all Special Flood Hazard Areas, the Flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

Sec. 54-216. Elevation and construction standards

In all identified flood hazard areas where Base Flood Elevations have been provided in the FIS or generated by a certified professional in accordance with Section 54-205 (d), the following provisions shall apply:

A. Residential Construction

New Construction or Substantial Improvement of any residential structure (including Manufactured Homes) in Zones AE and A (as defined on the FIRM) with detailed Base Flood Elevations shall have the Lowest Floor, including Basement, elevated to or above the Base Flood level plus eighteen(18) inches.

B. Non-Residential Construction

- 1) New Construction or Substantial Improvement of any commercial, industrial, or non-residential building (or Manufactured Home) shall have the Lowest Floor, including Basement, elevated to or above the Base Flood level plus eighteen (18) inches.
- 2) Non-residential buildings located in all AE zones (as defined on the FIRM) may be flood-proofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the BFE plus two feet are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification, including

the specific elevation (in relation to mean sea level) to which such structures are floodproofed, shall be maintained by the Floodplain Administrator.

C. Space Below the Lowest Floor

In zones A and AE (as defined on the FIRM), fully enclosed areas, of New Construction or substantially improved structures, which are below the regulatory Flood protection elevation shall:

1. Not be designed or used for human habitation, but shall be used solely for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).
2. Be constructed entirely of Flood resistant materials below the regulatory Flood protection elevation;
3. Include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:
 - a. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.
 - b. The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.
 - c. If a building has more than one enclosed area, each area must have openings to allow Floodwaters to automatically enter and exit.
 - d. The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.
 - e. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
 - f. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and

requires openings as outlined above.

D. Standards for Manufactured Homes and Recreational Vehicles

1. In zones A and AE (as defined on the FIRM), all Manufactured Homes placed, or substantially improved, on individual lots or parcels, must meet all the requirements for New Construction, including the elevation and anchoring requirements in the General Standards section, and the Elevation and Construction Standards section of this Article.
2. All Recreational Vehicles placed on sites must either
 - a. Be on the site for fewer than 180 consecutive days, be fully licensed and ready for highway use (a Recreational Vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or
 - b. Meet all the standards for Manufactured Homes in this Article.

Sec. 54-217. Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this ordinance. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this ordinance are hereby declared to be severable.

Sec. 54-218. Penalty for Violations

Any person who fails to comply with any of the requirements or provisions of this article or directions of the Floodplain Administrator or any authorized employee of the Town shall be guilty of a Class 1 misdemeanor and subject to the penalties thereof.

The Virginia Uniform Statewide Building Code addresses building code violations and the associated penalties in Section 104 and Section 115.

In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time.

Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by the Town to be a public nuisance and abatable as such.

Sec. 54-219. Records

Records of actions associated with administering this ordinance shall be kept on file and maintained by or under the direction of the Floodplain Administrator.

Section 54-220. Administration – designation of the Floodplain Administrator

The Town Manager shall from time to time appoint a person to administer and implement these regulations as the Floodplain Administrator. The Floodplain Administrator may:

- (A) Cause work to be performed as necessary to comply with the terms of this Chapter.
- (B) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.
- (C) Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

Sec. 54-221. Duties and Responsibilities of the Floodplain Administrator

The Town Manager or his designee is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator. The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

- (A) Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area.
- (B) Interpret floodplain boundaries and provide available Base Flood Elevation and flood hazard information.
- (C) Review applications to determine whether proposed activities will be reasonably safe from flooding and require New Construction and Substantial Improvements to meet the requirements of these regulations.
- (D) Review applications to determine whether all necessary permits have been obtained from the Federal, State or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the BFE and SFHA

of free-flowing non-tidal waters of the State.

(E) Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (VADEQ, USACE) and have submitted copies of such notifications to FEMA.

(F) Approve applications and issue permits to develop in Flood hazard areas if the provisions of these regulations have been met, or disapprove applications if the provisions of these regulations have not been met.

(G) Inspect or cause to be inspected, buildings, structures, and other Development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.

(H) Review Elevation Certificates and require incomplete or deficient certificates to be corrected. Obtain the elevation of the Lowest Floor, including the Basement, of all new and substantially improved structures; and, if the structure has been flood-proofed in accordance with the requirements of this article, the elevation to which the structure has been flood-proofed.

(I) Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for the town, within six months after such data and information becomes available if the analyses indicate changes in Base Flood Elevations.

(J) Maintain and permanently keep records that are necessary for the administration of these regulations, including:

(1) Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps) and Letters of Map Revision; and

(2) Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been floodproofed, inspection records, other required design certifications, Special Exceptions, and records of enforcement actions taken to correct violations of these regulations.

(K) Enforce the provisions of these regulations, investigate violations, issue notices of violations, request the Building Official to issue stop work orders, and require permit holders to take corrective action.

(L) Advise the Town Council regarding the intent of these regulations and, for each application for a Special Exception, prepare a staff report and recommendation.

(M) Administer the requirements related to proposed work on existing buildings:

- 1) Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.
- 2) Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct. Prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.

(N) Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with Substantial Damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in Special Flood Hazard Areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.

(O) Notify the Federal Emergency Management Agency when the corporate boundaries of the town have been modified and:

- (1) Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and
- (2) If the FIRM for any annexed area includes Special Flood Hazard Areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

(P) Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for Development in the SFHA, and number of Special

Exceptions issued for Development in the SFHA.

(Q) It is the duty of the Floodplain Administrator to take into account Flood, mudslide and Flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the town, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

Sec. 54-222. Use and Interpretation of FIRMs

The Floodplain Administrator shall make interpretations, where needed, as to the exact location of Special Flood Hazard Areas, floodplain boundaries, and Floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:

(A) Where field surveyed topography indicates that adjacent ground elevations:

(1) Are below the Base Flood Elevation, even in areas not delineated as a Special Flood Hazard Area on a FIRM, the area shall be considered as Special Flood Hazard Area and subject to the requirements of these regulations;

(2) Are above the Base Flood Elevation, the area shall be regulated as Special Flood Hazard Area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.

(B) In FEMA-identified Special Flood Hazard Areas where Base Flood Elevation and Floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.

(C) Base Flood Elevations and designated Floodway boundaries on FIRMs and in FISs shall take precedence over Base Flood Elevations and Floodway boundaries by any other sources if such sources show reduced Floodway widths and/or lower Base Flood Elevations.

(D) Other sources of data shall be reasonably used if such sources show increased Base Flood Elevations and/or larger Floodway areas than are shown on FIRMs and in FISs.

(E) If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA:

(1) Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these

regulations.

(2) Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to Section 26-36(c) and used where no Base Flood Elevations and/or Floodway areas are provided on the effective FIRM.

(3) Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary Base Flood Elevations or Floodway areas exceed the Base Flood Elevations and/or designated Floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.

Sec. 54-223. Jurisdictional Boundary Changes

Before the Town boundary with Prince William changes, the Town Council shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards. If the FIRM for any added area includes Special Flood Hazard Areas that have flood zones that have regulatory requirements that are not set forth in these regulations, the Floodplain Administrator shall prepare amendments to this ordinance to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of boundary change and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22 (a) (9) (v) the Town will notify the Federal Insurance Administration and optionally the State Coordinating Office in writing whenever the boundaries of the town have been modified or the town has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.

In order that all Flood Insurance Rate Maps accurately represent the town's boundaries, a copy of a map of the town suitable for reproduction, clearly delineating the new corporate limits or new area for which the town has assumed or relinquished floodplain management regulatory authority shall be included with the notification.

Sec. 54-224. Submitting Model Backed Technical Data

The town's Base Flood Elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the town shall notify the Federal Emergency Management Agency of the changes by submitting technical or scientific data. The town may submit data via a LOMR. Such a submission is necessary so that upon confirmation of those physical changes

affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.

Sec. 54-225. Letters of Map Revision

When Development in the floodplain will cause or causes a change in the Base Flood Elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.

Example cases:

- Any Development that causes a rise in the Base Flood Elevations within the Floodway.
- Any Development occurring in Zones A1-30 and AE (as defined on the FIRM) without a designated Floodway, which will cause a rise of more than one foot in the Base Flood Elevation.
- Alteration or relocation of a stream (including but not limited to installing culverts and bridges) *44 Code of Federal Regulations §65.3 and §65.6(a)(12)*

Sec. 54-226. Subdivision.

(a) All subdivision proposals shall be consistent with the need to minimize flood damage;

(b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

(c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and

(d) In areas where a Base Flood Elevation has not been previously established, Base Flood Elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a Flood Insurance Study for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.

(e) Land in the 100-year floodplain, other land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for such other uses in such a way as to endanger health, life or property, or aggravate erosion or flood hazard. Such land within the subdivision shall be set aside on the plat for such uses as shall neither be endangered by periodic or occasional inundation, nor produce conditions contrary to public welfare.

Attachment: 02 New Floodplain Ordinance 12-23-15 - FINAL (2702 : Flood Plain Ordinance)

THIS ORDINANCE IS EFFECTIVE UPON ADOPTION.

Done this 1ST day of February, 2016.

TOWN OF HAYMARKET, VIRGINIA

ATTEST:

Jennifer Preli, Town Clerk

Motion to approve:

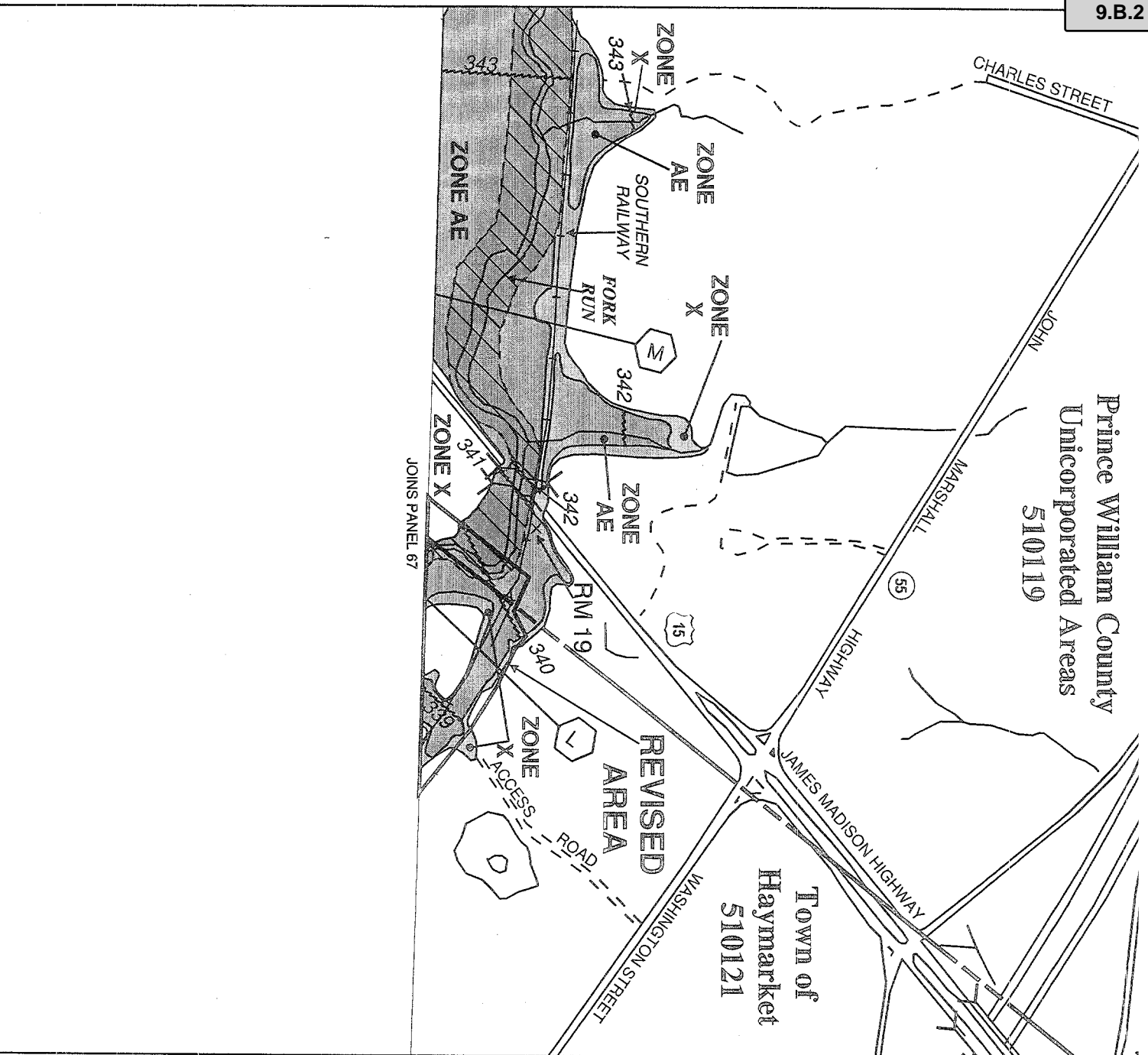
Second:

Voting Aye:

Voting Nay:




Absent:

Abstaining:

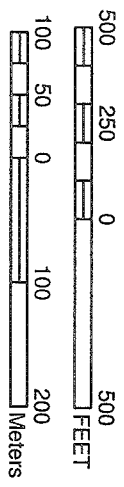


Attachment: 03 FIRM Panels (2702 : Flood Plain Ordinance)

LEGEND

-  1% annual chance (100-Year) Floodplain
-  1% annual chance (100-Year) Floodway
-  0.2% annual chance (500-Year) Floodplain

All Elevations Referenced in NGVD 29



MAP SCALE 1" = 500'

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP
PRINCE WILLIAM COUNTY,
VIRGINIA
AND INCORPORATED AREAS

PANEL 59 OF 330
(SEE MAP INDEX FOR PANELS NOT PRINTED)

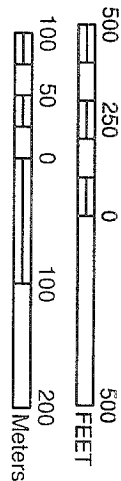
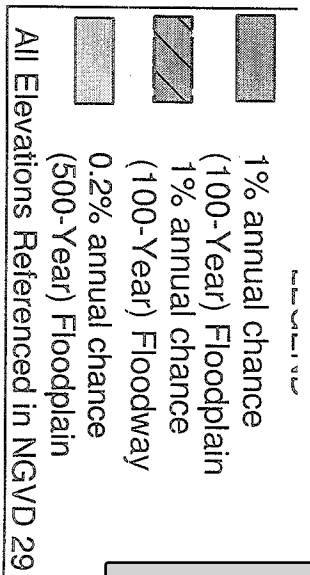
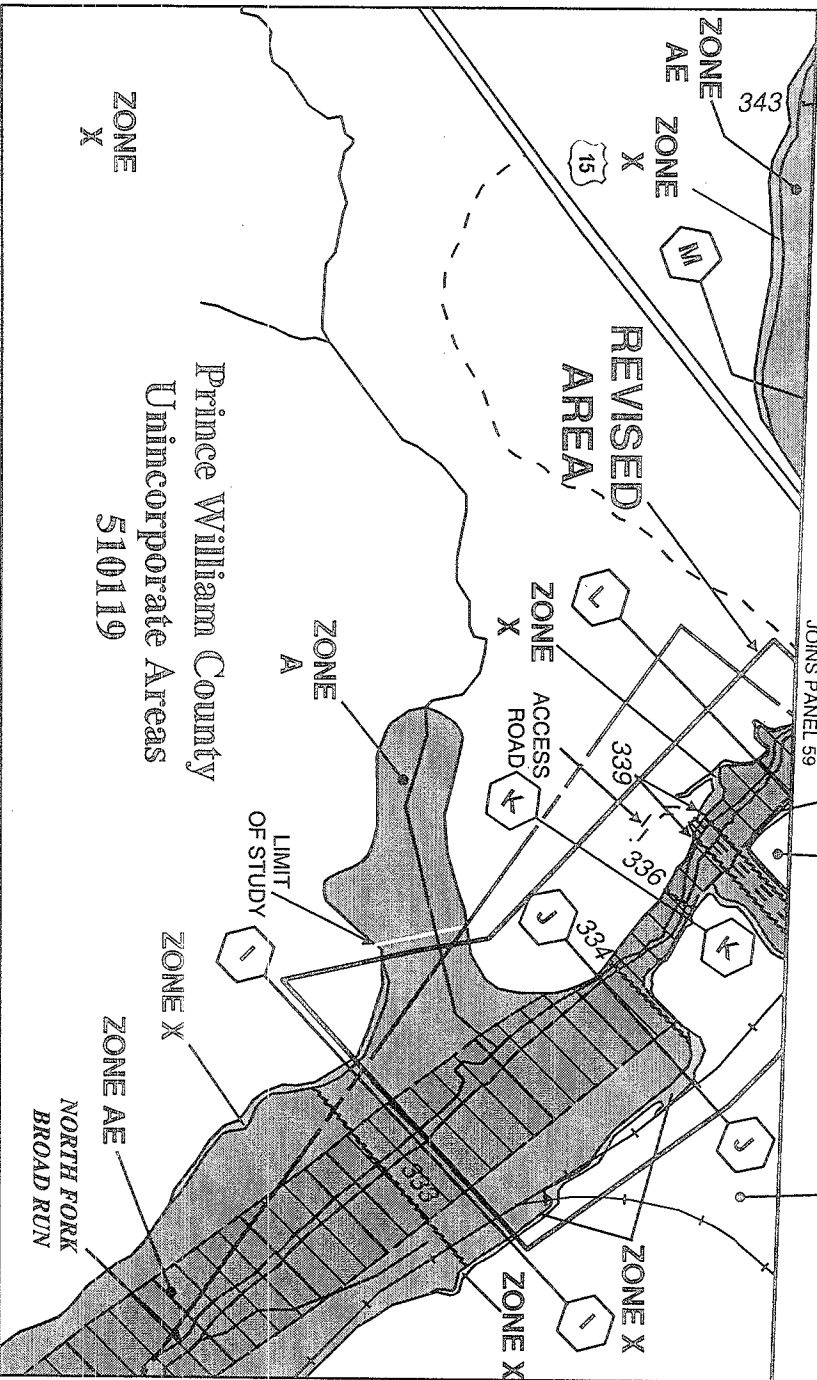
CONTRACT NUMBER PANEL SHEET
SUBJECT (FIRM OF DISCREPANCY) 5103 0 0
ORDERED (FIRM OF DISCREPANCY) 5103 005 0

Includes: To User: The map reflects storm surge based on wind speed and surge height. It is not intended to be used as a basis for design or construction. It is not intended to be used as a basis for design or construction. It is not intended to be used as a basis for design or construction.

EFFECTIVE DATE: JANUARY 5, 1995

MAP NUMBER 515330059 D

Federal Emergency Management Agency



MAP SCALE 1" = 500'

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
 FLOOD INSURANCE RATE MAP
 PRINCE WILLIAM COUNTY,
 VIRGINIA
 AND INCORPORATED AREAS

PANEL 67 OF 330
 (SEE MAP INDEX FOR PANELS NOT PRINTED)

CONTAINS:	NUMBER	PANEL	SHEET
COMMUNITY	5102	067	0
MANAGED TOWN OF	5102	067	0
UNINCORPORATED AREAS	5102	067	0

MAP NUMBER: 5153C0067 D
 EFFECTIVE DATE: JANUARY 5, 1995

Federal Emergency Management Agency

FEMA's National Flood Hazard Layer (Official)

Data from Flood Insurance Rate Maps (FIRMs) where available digitally. Try <http://bit.ly/1bPpUjq> (Unofficial) if this map is down

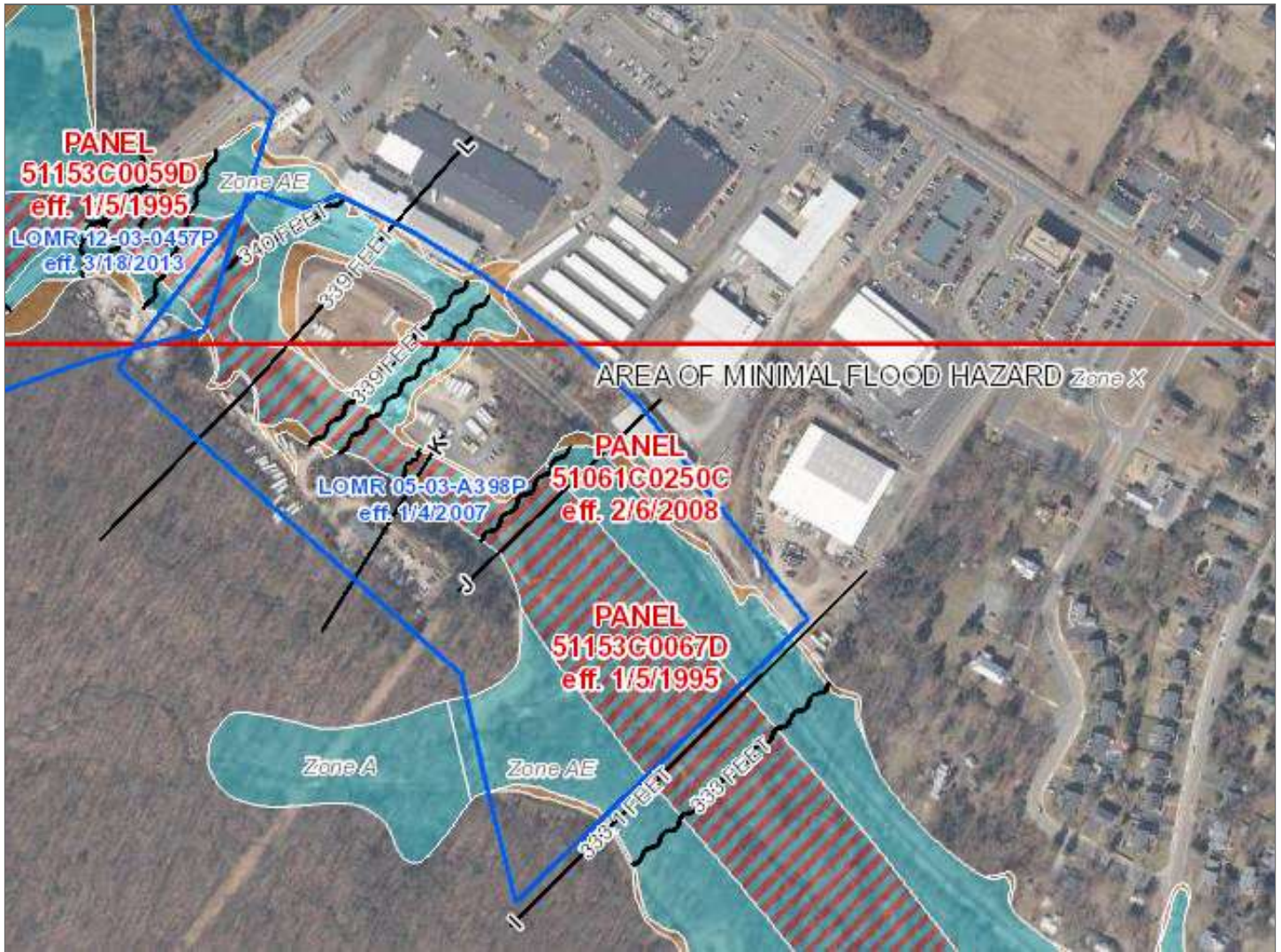


National Geospatial-Intelligence Agency (NGA); Delta State University; Esri | scott.mcafee@fema.dhs.gov

Attachment: 04 - Online Color FIRM - Overall (2702 : Flood Plain Ordinance)

FEMA's National Flood Hazard Layer (Official)

Data from Flood Insurance Rate Maps (FIRMs) where available digitally. Try <http://bit.ly/1bPpUjq> (Unofficial) if this map is down



scott.mcafee@fema.dhs.gov | National Geospatial-Intelligence Agency (NGA); Delta State University; Esri

Attachment: 04a - Online Color FIRM (2702 : Flood Plain Ordinance)

FEMA's National Flood Hazard Layer (Official)

Data from Flood Insurance Rate Maps (FIRMs) where available digitally. Try <http://bit.ly/1bPpUjq> (Unofficial) if this map is down



scott.mcafee@fema.dhs.gov | National Geospatial-Intelligence Agency (NGA); Delta State University; Esri

Attachment: 04b - Online Color FIRM (2702 : Flood Plain Ordinance)

FEMA's National Flood Hazard Layer (Official)

Data from Flood Insurance Rate Maps (FIRMs) where available digitally. Try <http://bit.ly/1bPpUjq> (Unofficial) if this map is down



National Geospatial-Intelligence Agency (NGA); Delta State University; Esri | scott.mcafee@fema.dhs.gov

Attachment: 04c - Online Color FIRM (2702 : Flood Plain Ordinance)



TO: Town of Haymarket Town Council
 SUBJECT: Town Center - RDA Change Order
 DATE: 02/01/16

SUBJECT: Recommendation for Town Center Master Plan- Engineering and Design (Change Order)

ISSUE: Authorize Town Manager to sign change order with RDA, our Engineer for the Town Center Master Plan- Engineering and Design

BACKGROUND:

- The Town issued RFP on June 5, 2014 for Engineering Services for the Town Center Master Plan Design and Engineering.
- On June 16th we received 4 proposals from 4 qualified firms offering their services.
- The Town Engineer, Town Planner and Town Manager reviewed the proposals and selected 3 of the 4 firms for an interview based upon the merit of their proposals and understanding of the project.
- On Wednesday, August 20th the Town Engineer and Town Manager interviewed 2 of the 3 candidates. These interviews were with J2 Engineering and Christopher Consultants. The Town Planner could not make the interview, but the three of us corresponded on the questions for the interviews.
- On Thursday, August 21st the Town Engineer and Town Manager concluded our interviews with the 3rd candidate RDA.
- The Town Engineer, Planner and Manager went over the interviews and the results assessing which firm had the best grasp of the goals and objectives of the project and formulated a recommendation, slated to present at the Work Session held on Monday, August 25th.
- The Manager, Engineer and Planner recommend moving forward with the proposal by RDA.
- Due to the large agenda of the work session, the Town Manager never did get the opportunity to discuss the recommendation with Council.
- The Manager got in touch with Mayor Leake the following day to inquire if he should go ahead and negotiate the proposed contract for the engineering work.

ADDITIONAL BACKGROUND (January 20, 2016):

- A change order was approved in August 2015 to authorize the Engineer hiring an architect and additional design criteria not originally specified in the original contract.
- The change order being proposed is the additional costs to the architect that covers breaking the design into three separate phases for the interior design.

DISCUSSION: (January 20, 2016):

- Our Town Attorney has reviewed the change order and has approved as it is written.
- The change order being proposed is the additional costs to the architect that covers breaking the design into three separate phases for the interior design.
- The proposed Change Order provides the following details:

Architectural Plan and Coordination: Prepare Architectural Permit and Construction Documents, and Mechanical, Electrical and Plumbing Documents, and Specifications and Bidding. Documents in (3) three separate phases, including the following, for the purposes of expediting the construction. This work will be performed by John F. Heltzel, AIA as a sub consultant to RDA.

Phase 1

- Scope of work to include the approximately 1,600 square foot of area for the Police

- Department, as shown in Phase 1 Schematic.
- No proposed work in center core areas or building exterior.
- No proposed plumbing work.

Phase 2

- Revise Phase 1 documents to expand scope to include center core areas including Lobby, two new restrooms, and provide access to existing Town Hall offices, as shown in Phase Schematic.
- Reconfiguration of electric service and incoming switch gear to accommodate future expansion.

Phase 3

- Complete documents for all remaining work that was not included in Phase 1 and Phase 2, as shown in Phase 3 Schematic, as well as second floor modifications as required for building addition and access to proposed elevator and stairwell. No other second floor tenant interior modifications will be included. This will include exterior renovations as proposed in the original scope of work.

TOWN MANAGER'S COMMENTS: (January 20, 2016)

- By breaking the work into three separate phases, I believe that it is in our better interest to except the change order as presented to better accommodate the expedited design schedule for the Police Department.

POTENTIAL QUESTIONS:

- How soon can the architect complete the Phase 1 Design for a bid package?
- What is the next step after Phase 1 design is complete?
- Is the project taking longer than we anticipated?

BUDGET IMPACT:

The change order will have negative impact to the overall engineering and design budget. The total impact is not that great and the end result will be a logical planned approach to phase the interior construction.

RECOMMENDATION:

Staff recommends the approval of the change order so that we can continue to move forward on the project.

MOTION:

Motion of Approval:

I move to authorize the Town Manager to execute the change order for the Town Center Master Plan Design and Engineering with RDA Civil Engineering firm. Furthermore the funds for this contract shall come from the designated line item of Town Center Master Plan (design and construction).

Motion of Denial:

I move to ...

ATTACHMENTS:

- (2) 14096 Haymarket Town Center change order-revised (PDF)



RINKER DESIGN ASSOCIATES, P.C.

Engineering • Surveying • Land Planning
Transportation • Right of Way • Environmental

**PROPOSED CHANGE ORDER
BETWEEN
TOWN OF HAYMARKET
AND
RINKER DESIGN ASSOCIATES, P.C.**

January 19, 2016
Revised: January 28, 2016

SCOPE

The purpose of this Change Order is to provide additional services required for the Town Center Redevelopment project. The scope of services is as follows:

Architectural Plan and Coordination: Prepare Architectural Permit and Construction Documents, and Mechanical, Electrical and Plumbing Documents, and Specifications and Bidding Documents in (3) three separate phases, including the following, for the purposes of expediting the commencement of the construction. This work will be performed by John F. Heltzel, AIA as a subconsultant to RDA.

Phase 1

- Scope of work to include the approximately 1,600 square foot of area for the Police Department, as shown in Phase 1 Schematic.
- No proposed work in center core areas or building exterior.
- No proposed plumbing work.
- Services to be completed approximately 2 weeks from Client authorization to proceed.

Phase 2

- Revise Phase 1 documents to expand scope to include center core areas including Lobby, two new restrooms, and provide access to existing Town Hall offices, as shown in Phase 2 Schematic.
- Reconfiguration of electric service and incoming switch gear to accommodate future expansion.
- Services to be completed approximately 4 weeks from Client authorization to proceed and completion of previous phase.

Phase 3

- Complete documents for all remaining work that was not included in Phase 1 and Phase 2, as shown in Phase 3 Schematic, as well as second floor modifications as required for building addition and access to proposed elevator and stairwell. No other second floor tenant interior modifications will be included. This will include exterior renovations as proposed in the original scope of work.
- Services to be completed approximately 12 weeks from Client authorization to proceed and completion of previous phase.

Attachment: (2) 14096 Haymarket Town Center change order-revised (2712 : Town Center - RDA Change Order)

Part One and Two - Exterior and Interior Base Building Renovations	Original Fees	Revised Fees	Fee Change
	\$ 12,000.00	\$ 12,000.00	\$ -
Preliminary Design			
Design Development	\$ 5,000.00	\$ 5,000.00	\$ -
Architectural Permit and Construction Documents	\$ 18,000.00	\$ 21,200.00	\$ 3,200.00
Structural Permit and Construction Documents	\$ 6,400.00	\$ 7,400.00	\$ 1,000.00
Mechanical, Electrical and Plumbing Documents	\$ 15,900.00	\$ 17,400.00	\$ 1,500.00
Specifications and Bidding Documents	\$ 7,600.00	\$ 7,600.00	\$ -
Sub-Total Pre-Construction Services	\$ 64,900.00	\$ 70,600.00	\$ 5,700.00
Interior Design	\$ 3,800.00	\$ 3,800.00	\$ -
Estimated Reimbursable Expenses (Additional printing costs, etc. due to 3 separate phases)	\$ 1,500.00	\$ 2,000.00	\$ 500.00
Total Services	\$ 70,200.00	\$ 76,400.00	\$ 6,200.00
			\$ -
			\$ -
Part Three - Interior Tenant Build-Outs			
Preliminary Design	\$ 6,000.00	\$ 6,000.00	\$ -
Architectural Permit and Construction Documents	\$ 6,000.00	\$ 8,500.00	\$ 2,500.00
Mechanical, Electrical and Plumbing Documents	\$ 9,600.00	\$ 11,100.00	\$ 1,500.00
Specifications and Bidding Documents	\$ 5,800.00	\$ 5,800.00	\$ -
Sub-Total Pre-Construction Services	\$ 27,400.00	\$ 31,400.00	\$ 4,000.00
Interior Design	\$ 5,400.00	\$ 5,400.00	\$ -
Estimated Reimbursable Expenses	\$ 1,500.00	\$ 1,500.00	\$ -
Total Services	\$ 34,300.00	\$ 38,300.00	\$ 4,000.00
RDA coordination			\$ 300.00

ESTIMATED FEE

The fee for this change order is \$10,500.00. The new total maximum price for this contract is now \$262,915.57.

RDA is looking forward to the opportunity to continue our professional engineering services to the Town of Haymarket on this project. Should you have any questions, please do not hesitate to contact me at 703-368-7373, or e-mail me at sdusza@rdacivil.com.

Sincerely,



Sharon D. Dusza, P.E.
Senior Project Manager/Principal

Attachment: (2) 14096 Haymarket Town Center change order-revised (2712 : Town Center - RDA Change Order)

AUTHORIZATION:

I hereby authorize Rinker Design Associates, P.C. to proceed in accordance with the above outlined proposal.

(Signature)

(Date)

(Print Name)

(Title)

Attachment: (2) 14096 Haymarket Town Center change order-revised (2712 : Town Center - RDA Change Order)



TO: Town of Haymarket Town Council
SUBJECT: VRE Update
DATE: 02/01/16



TO: Town of Haymarket Town Council
SUBJECT: Dominion Virginia Power 230 kV Transmission Line & Substation
DATE: 02/01/16



TO: Town of Haymarket Town Council
 SUBJECT: Fee Schedule - Building Department
 DATE: 02/01/16

ISSUE: In an effort to more accurately cover the cost of the Town Building and Inspections program, staff worked collaboratively with TCS to draft and develop a revised Building Fee Schedule for the Town.

BACKGROUND:

- Staff began working with TCS (Total Construction Solutions) to more accurately cover the impending costs associated with the Building Inspections Program and the Town's Building Official.
- An in house study was performed, with the aid of TCS to assess surrounding jurisdictions fees for inspections and building related expenditures.
- The result is the draft revised building fee schedule presented.
- The proposed Fee Schedule has been reviewed and forwarded to the Council by the Town's Finance Committee.

DISCUSSION:

- The proposed revised fee schedule is consistent with surrounding jurisdictions practices and fees.
- The revised proposed fee schedule makes our inspection program more cost neutral.
- It has been determined by our Attorney that in order to adopt the revised building fee, a public hearing would not be required, as it is allowed under Section 58-6 of the Zoning Ordinance.

TOWN MANAGER'S COMMENTS: (January 20, 2016)

- It is my recommendation that this is an appropriate and acceptable revised building fee schedule and would recommend immediate implementation.

POTENTIAL QUESTIONS:

- Who do these fees apply to?
- How will this affect development?
- How will this affect permit applications?

FISCAL IMPACT:

- Positive. The revised Building Fee Schedule should make the building inspections program more cost neutral, while keeping our fees reasonable.

RECOMMENDATION:

Staff recommends adoption of the revised building fee schedule as presented.

MOTION:

Motion of Approval:

I move to adopt the revised Building Fee Schedule as presented.

Motion of Denial:

I move to deny the revised Building Fee Schedule because...

ATTACHMENTS:

- (2) Town of Haymarket Building Fee Schedule (Draft- December 16, 2015) (PDF)

15000 Washington St.
Haymarket, Virginia
703-753-2600



Building Official:
Joe Barbeau
Total Construction Solutions, LLC

BUILDING FEE SCHEDULE

Construction Permit Application:	Fees:	Notes:
Non Refundable permit administration fee	\$25.00	Per permit
Residential:		
Residential Plan Review (New Construction)	\$300.00	Minimum Charge
Residential Permit (New Construction)	\$550.00	Includes Permit and six (6) inspections Additional inspections \$90.00 each
Residential Plan Review (Additions, Remodeling, Alterations)	\$100.00	Minimum Charge
Residential (Additions, Remodeling, Alterations)	\$400.00	Includes Permit and four (4) inspections Additional inspections: \$90.00 each
Residential (Decks)	\$200.00	Includes permit and two (2) inspections Additional inspections: \$90.00 each
Residential (Plumbing)	\$90.00	Per inspection
Residential (H/V/AC)	\$90.00	Per inspection
Residential (Electrical)	\$90.00	Per inspection
Residential (Fire)	\$90.00	Per inspection
Residential (Occupancy Permit)	\$100.00	
Commercial:		
Commercial Plan Review (new/additions)	\$350.00	Minimum Charge
Commercial (new/additions)	\$1,050.00	Includes Permit and ten (10) inspections Additional Inspections: \$90.00 each
Commercial Plan Review (tenant layout/alterations)	\$150.00	Minimum Charge
Commercial (tenant layout/alterations)	\$890.00	Includes Permit and eight (8) inspections Additional inspections: \$90.00 each
Commercial (Plumbing)	\$100.00	Per inspection
Commercial (H/V/AC)	\$100.00	Per inspection
Commercial (Electrical)	\$100.00	Per inspection
Commercial (Fire)	\$100.00	Per inspection
Commercial (Occupancy Permit)	\$150.00	
<i>NOTE: All commercial projects at or above \$200,000.00 in total construction budget viable to standard industry sources, will be charged 1% of total construction cost for all permitting and inspections fees. Plan review fees will not be included and will be charged according to the schedule above.</i>		
Amusement Devices:		
Small Mechanical ride or Inflatable amusement device	\$35.00	Per permit
Circular ride or flat-ride less than 20 feet in height	\$55.00	Per permit
Spectacular ride	\$75.00	Per permit
Coaster Ride	\$200.00	Per permit

NOTE: If a private inspector is used for amusement devices inspections fee reductions of 75% will be implemented.

Other Permits and Fees:

Fire Marshal inspections (sprinklers, fire alarms)	\$150.00	Per inspection
Site inspection (storm sewer, water, sewer lines)	\$150.00	Per inspection
Code compliance inspection (requested by customer)	\$200.00	Per inspection
VA Department of Professional Services		2% of total permit fee (insp. & plan review)
Plan Review	\$150.00	Per hour
Code Modification Review (per structure/tenant space)	\$100.00	
Sign Permit (requires building & electrical permits)	\$100.00	
Pre-designed Meetings	\$90.00	Per hour
Reinstatement of Rescinded/Suspended Construction Permit	\$100.00	
Reassignment of Responsible Parties for Construction Permits	\$100.00	Per charge

NOTE: Any work commenced prior to obtaining proper permits, the applicant will be responsible for acquiring the necessary permits, and all fees associated with those permits will be doubled.

DRAFT



TO: Town of Haymarket Town Council
 SUBJECT: Board of Zoning Appeals Reappointment
 DATE: 02/01/16

ISSUE: Eric Mathews was appointed to the Haymarket Board of Zoning Appeals in February 2013 to fill an unexpired term ending on January 31, 2016. He is seeking reappointment to serve an additional 5-year term.

BACKGROUND:

- Virginia State Code § 15.2-2308 requires that:
 - A. Every locality that has enacted or enacts a zoning ordinance pursuant to this chapter or prior enabling laws, shall establish a board of zoning appeals that shall consist of either five or seven residents of the locality, appointed by the circuit court for the locality. Boards of zoning appeals for a locality within the fifteenth or nineteenth judicial circuit may be appointed by the chief judge or his designated judge or judges in their respective circuit, upon concurrence of such locality. Their terms of office shall be for five years each except that original appointments shall be made for such terms that the term of one member shall expire each year. The secretary of the board shall notify the court at least thirty days in advance of the expiration of any term of office, and shall also notify the court promptly if any vacancy occurs. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members may be reappointed to succeed themselves. Members of the board shall hold no other public office in the locality except that one may be a member of the local planning commission. A member whose term expires shall continue to serve until his successor is appointed and qualifies. The circuit court for the City of Chesapeake and the Circuit Court for the City of Hampton shall appoint at least one but not more than three alternates to the board of zoning appeals. At the request of the local governing body, the circuit court for any other locality may appoint not more than three alternates to the board of zoning appeals. The qualifications, terms and compensation of alternate members shall be the same as those of regular members. A regular member when he knows he will be absent from or will have to abstain from any application at a meeting shall notify the chairman twenty-four hours prior to the meeting of such fact. The chairman shall select an alternate to serve in the absent or abstaining member's place and the records of the board shall so note. Such alternate member may vote on any application in which a regular member abstains
- The Haymarket Board of Zoning Appeals is a 5 member body. The following are the power and duties of a Board of Zoning Appeals: (1) To hear and decide appeals from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of this article or of any ordinance adopted pursuant thereto. The decision on such appeal shall be based on the board's judgment of whether the administrative officer was correct. The board shall consider the purpose and intent of any applicable ordinances, laws and regulations in making its decision; and (2) To authorize upon appeal or original application in specific cases such variance as defined in § 15.2-2201 <<https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+15.2-2201>> from the terms of the ordinance as will not be contrary to the public interest, when, owing to special conditions a literal enforcement of the provisions will result in unnecessary hardship; provided that the spirit of the ordinance shall be observed and substantial justice done, as follows: When a property owner can show that his property was acquired in good faith and where by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the effective date of the ordinance, or where by reason of exceptional topographic conditions or other extraordinary situation or condition of the piece of property, or of the condition, situation, or development of property immediately adjacent thereto, the strict application of the terms of the ordinance would effectively prohibit or unreasonably restrict the

utilization of the property or where the board is satisfied, upon the evidence heard by it, that the granting of the variance will alleviate a clearly demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant, provided that all variances shall be in harmony with the intended spirit and purpose of the ordinance. No such variance shall be authorized by the board unless it finds: a. That the strict application of the ordinance would produce undue hardship relating to the property; b. That the hardship is not shared generally by other properties in the same zoning district and the same vicinity; and c. That the authorization of the variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

DISCUSSION:

- There is currently one vacancy on the Board of Zoning Appeals and one resident who has been appointed, but not yet sworn in with the Court. The vacant term expires 01/31/2018.
- It is required by the Court that the Town Council, when making an appointment, offer two back up residents for the Court's consideration. The resident that the Town Council wishes to place on the Board should be first in the motion.
- The last BZA meeting was held on 11/25/2014

FISCAL IMPACT:

- The Board of Zoning Appeals is paid \$60 per meeting.

RECOMMENDATION:

It is recommended that the Town Council reappoint Mr. Mathews to the Board of Zoning Appeals for a term of 5 years ending on January 31, 2021

MOTION:

Motion of Approval:

Move to nominate for appointment to the Town of Haymarket Board of Zoning Appeals Eric H. Mathews, Marchant Schneider, or Jean Schneider to the five-year term ending on January 31, 2021

Alternate Motion:

I move to....

ATTACHMENTS:

- Application to serve on Board Commission or Committee -Mathews BZA 2016 (PDF)
- Mathews Oath through 01-31-2016 (PDF)

David Leake, Mayor
Steve Aitken, Vice Mayor
Council Members:
Pamela Swinford
Joe Pasanello
Kurt Woods
Chris Morris
Matt Caudle



15000 Washington Street
Suite 100
Haymarket, Virginia 20169
703-753-2600
703-753-2800 Fax
Townofhaymarket.org

Appointed Boards, Committees & Commission Application for Appointment Consideration

Full Name: _____

Address: _____

Cell Phone: _____

Email Address: _____

- Architectural Review Board Planning Commission Board of Zoning Appeals
- Special Committee (please name committee) _____

Please use the space below or attach a letter describing your interest in being part of the Town's governmental process and how you feel you can contribute. For additional information, please contact the Town Clerk, Jennifer Preli, jpreli@townofhaymarket.org or 703-753-2600.


Attachment: Application to serve on Board Commission or Committee -Mathews BZA 2016 (2717 : Board of Zoning Appeals Reappointment)

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Prince William County, VA Pgs: 1
02/21/2013 12:01:02PM
Michèle B. McQuigg, Clerk

VIRGINIA:

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF PRINCE WILLIAM:

I, Eric H. Mathews, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as member of the Board of Zoning Appeals of the Town of Haymarket, according to the best of my ability (so help me God).

 2/21/13
Signature

I, Michèle B. McQuigg, Clerk of the Circuit Court in and for the County of Prince William and the Cities of Manassas and Manassas Park, in the Commonwealth of Virginia, do certify that Eric H. Mathews, this 21st day of February, 2013, personally appeared before me in the jurisdiction aforesaid, and qualified as such member of the Board of Zoning Appeals of the Town of Haymarket, by taking and subscribing the oath of office prescribed by law and the said qualification is hereby made a matter of record.


Clerk

Attachment: Mathews Oath through 01-31-2016 (2717 : Board of Zoning Appeals Reappointment)