

Colonial Heights City Council Work Session June 7, 2016



Colonial Heights City Council Work Session

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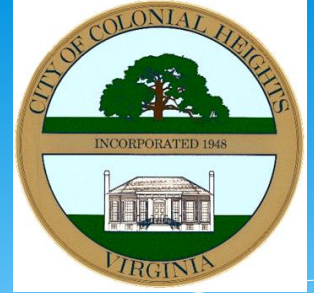
1. Call to Order

2. Roll Call

3. Declarations of Special Interest

Colonial Heights City Council Work Session

June 7, 2016



4. Special Meeting for the purpose of holding a Work Session for the Following Purpose:

- A. Report on a possible major increase in costs/rates for wastewater treatment services from South Central Wastewater Authority due to one member's failure to pay for services rendered**

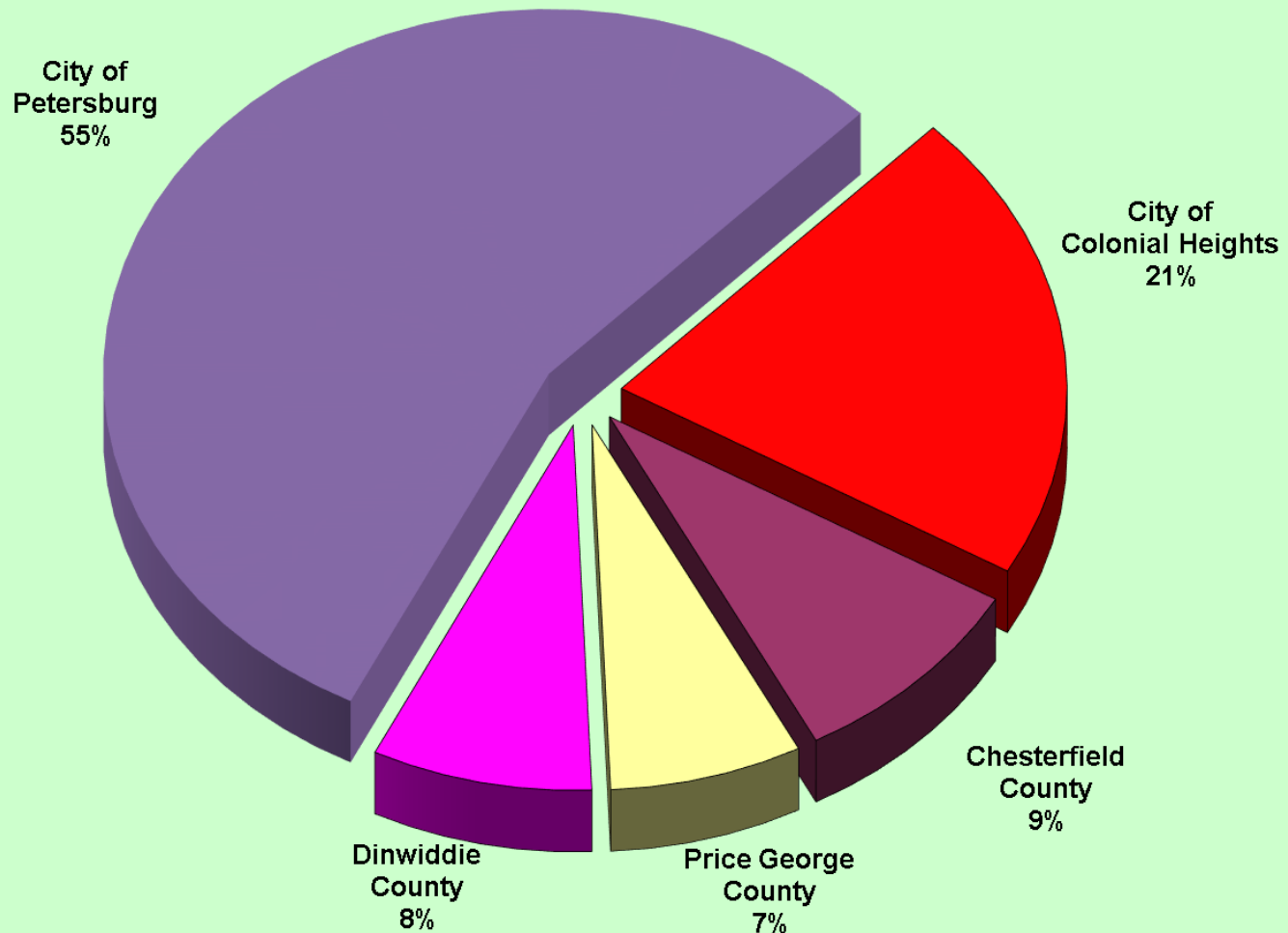
South Central Wastewater Authority

- The **South Central Wastewater Authority (SCWWA)** is a regional organization formed in 1996 to provide high quality and economical wastewater treatment services to the Tri-Cities area. With its formation, the SCWWA assumed operation of what was previously the City of Petersburg wastewater treatment plant at 900 Magazine Road.
- Since that time, SCWWA has provided wastewater treatment services from that location to its five (5) member localities: the cities of Petersburg and Colonial Heights; and the counties of Chesterfield, Dinwiddie, and Prince George.

South Central Wastewater Authority

TREATMENT PLANT CAPACITY/FLOW

(COST SHARING RESPONSIBILITIES)



South Central Wastewater Authority

- The City of Petersburg has recently experienced a variety of financial issues; including failure to pay its SCWWA bills in a timely manner.
- This situation has now created serious cash flow issues for SCWWA that has endangered its ability to continue operations through the end of next month. With the accumulation of unpaid bills, the City of Petersburg now owes SCWWA in excess of **\$1.5M**.
- SCWWA staff has now placed members on notice that its operating cash will be depleted by next month (July) if Petersburg fails to make full payment as per its written commitment.

South Central Wastewater Authority

- If Petersburg fails to make full payment by June 15, SCWWA will have little choice than to look to its other members to make up this shortfall if it is to continue operations.

Effect on:	Proposed FY16/17		Adjusted FY16/17		ERRF & Reserves as currently Proposed	Total FY16/17 Monthly Billing	
	% O&M	Monthly O&M Bill	% O&M	Monthly O&M Bill		As Proposed	As Adjusted
Chesterfield	8.045%	\$ 52,918.37	21.053%	\$ 101,752.63	\$ 9,194.14	\$ 62,112.51	\$ 110,946.77
Dinwiddie	8.081%	\$ 47,804.54	21.053%	\$ 101,752.63	\$ 9,194.14	\$ 56,998.68	\$ 110,946.77
Colonial Heights	20.981%	\$ 124,002.45	42.105%	\$ 203,505.26	\$ 18,388.27	\$ 142,390.72	\$ 221,893.53
Prince George	6.580%	\$ 38,984.74	15.789%	\$ 76,314.47	\$ 6,895.60	\$ 45,880.34	\$ 83,210.07

- Colonial Heights could see its typical monthly WW treatment costs increase by approximately **\$80,000** or **56%** - an increase that would be extremely difficult to absorb – *such a cost increase would likely require a significant rate increase for Colonial Heights residents*

Proposed Utility Increase					
Effective 7/1/2016					
				Bi-monthly	
			Current	Proposed	Increase
Usage 0 Cubit Feet					
Water			22.33	22.33	0.00
Sewer			26.98	27.65	0.67
Refuse			22.80	22.80	0.00
Storm Water			4.00	4.00	0.00
			76.11	76.78	0.67
Usage 1,000 Cubit Feet					
Water			22.33	22.33	0.00
Sewer			52.48	53.75	1.27
Refuse			22.80	22.80	0.00
Storm Water			4.00	4.00	0.00
			101.61	102.88	1.27
Usage 1800 Cubit Feet					
Water			35.17	35.21	0.04
Sewer			72.88	74.63	1.75
Refuse			22.80	22.80	0.00
Storm Water			4.00	4.00	0.00
			134.85	136.64	1.79

IF we have to absorb our additional share of costs as projected by SCWWA staff and IF we increase customer rates to pay such cost, we would anticipate the necessary rate increase to be about 30% or \$22-25 per average bi-monthly bill.

**(1,800 cubic feet = average bi-monthly bill
..... \$74.63 x 30% = \$22.39)**

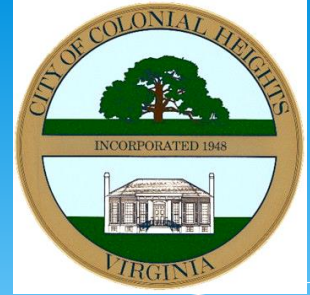
South Central Wastewater Authority

Summation

- “Worst-case scenario” – but a very real possibility
- Colonial Heights is directly tied to the SCWWA Wastewater Treatment Plant and essentially has no other options for wastewater treatment services
- Legal options/issues
- Funding stability issue extends beyond current problems – major plant upgrade/modification may be in near future
- Situation one example of various regional partnerships City has with Petersburg that could be similarly impacted
- Education/information for Colonial Heights customers
- Proper response moving forward – (?)

Colonial Heights City Council Work Session

June 7, 2016



4. Special Meeting for the purpose of holding a Work Session for the Following Purpose:

- A. City Council and Staff Discussion***
Ordinance No. 16-18 To amend and reordain §§ 286-200, 286-518.04, 286-518.05, 286-530.24, and 286-612 of Chapter 286 of City Code, relating to the parking or storage of recreational vehicles, campers, commercial vehicles, utility trailers, boats, and tractor-trailers in certain zoning districts

Potential Regulation of Recreational Vehicles, Campers, Commercial Vehicles, Utility Trailers, Boats, and Tractor-trailers

- ❑ ONGOING EFFORT TO IMPROVE CODE ENFORCEMENT & ENHANCE APPEARANCE OF THE CITY – SPECIFICALLY RESIDENTIAL AREAS
Responsive to Citizen concerns; same as with tall grass & junk vehicles
- ❑ SIMPLIFY AND CLARIFY RULES AND REGULATIONS FOR BOTH THE GENERAL PUBLIC AND CITY STAFF
- ❑ ORDINANCE BEING DISCUSSED IS LESS-RESTRICTIVE THAN CURRENT CITY CODE AND PROVIDES PROPERTY OWNERS WITH MORE FREEDOM
For all practical purposes, current city code prohibits most RVs
- ❑ SOME RESPONSIBILITY FOR CONFUSION LIES WITH CITY FOR FAILURE TO ENFORCE ITS OWN CODE REQUIREMENTS

Ordinance No. 16-18

“Type and Weight of Vehicles in Residential Districts and Recommended Fee Changes”

C. Scott Davis, LP.D.
Director of Planning and Community Development

Topics To Be Covered

“Type and Weight of Vehicles in Residential Districts”

- ▶ Purpose of Zoning Ordinances
- ▶ Summary of previous presentations/discussions on zoning and property maintenance enforcement
- ▶ Comparison of existing ordinance and proposed ordinance
- ▶ Policy options – staff opinion
- ▶ Next steps

Purpose of Zoning Ordinances

- ▶ First widely adopted form of regulatory implementation of planning and remains the most widely used
- ▶ The division of a community into districts or zones
- ▶ The districts have different rules for different districts
- ▶ Local governments typically regulate the following in districts
 - Use of land or buildings
 - The intensity of the use
 - The height and bulk, or extent of the use – regulated both directly and indirectly
- ▶ In summary – regulations to have a defined use and the level of intensity compatible with the use

Summary of previous presentations on zoning and property maintenance enforcement

- ▶ Previous enforcement
- ▶ January 2015 Retreat
- ▶ August 25, 2015 Council Work Session
- ▶ January 2016 Retreat

January 2015 Retreat

- ▶ Reviewed the previous method of handling enforcement of codes
- ▶ “1st Step in Moving Ahead”
 - Policy decision on enforcement – key piece of department assessment
 - Letter of the law vs. Spirit of the law
 - Discuss ramifications of each method
 - Preliminary Assessment – Resources, Expenditures, and Big Picture
- ▶ “Letter of the law vs. Spirit of the law”
 - Letter of the law
 - Definition – (*litera legis*) the literal meaning
 - Spirit of the law
 - Definition – the intention of the law or general meaning and purpose

August 25, 2015 Council Work Session

- ▶ Discussion on multiple city code section
 - Sections on building inspections
 - Zoning fees
 - Trucks for commercial purpose and gross vehicle weight – in reference to August 18, 2015 memo
- ▶ All items discussed further at 2016 City Council Retreat

January 2016 Retreat

§ 286-518.04 General Regulations

“Type and Weight of Vehicles in Residential Districts”

- ▶ Next 5 slides are from this discussion – a review

Summary – Previous Discussions

- ▶ Code covers multiple regulations on types, weight, and use of vehicles, trailers, and storage containers
- ▶ Who this affects by being parked in neighborhoods.
- ▶ Policy decision on correlation between neighborhood revitalization/sustainability (enhancing or maintaining properties) and allowable uses

Key Topics

- ▶ Vehicles greater than 10,000 lbs. gross vehicle weight capacity (applies to certain personal vehicles, RVs, tow trucks, etc.)
- ▶ Tractor-trailer, tractor, or trailer
- ▶ Trucks used or intended for use, for commercial purposes, under 10,000 lbs. gross vehicle weight – one per lot in residential zoned district & located on side or rear yard, behind principle building (applies to certain tow trucks, trucks any business name, logo, etc.)
- ▶ Trailers
- ▶ Portable storage containers – confliction § 286-530.24. Storage containers and buildings

What is Council's Primary Goal?

- ▶ Revitalize and Build Sustainable Neighborhoods through codes to assist in enhancement or maintain property – primary or secondary?
- ▶ Homeowner's occupational needs – primary or secondary?
- ▶ Homeowner's recreational needs/wants – primary or secondary?
- ▶ Is it a balance between all of these?

The policy decision needs to be “what is right or important for our community”!

Staff Opinion

- ▶ Redraft this entire section
- ▶ Keep tractor-trailer, tractor, or trailer as written
- ▶ Increase the vehicle weight for personal vehicles
- ▶ Do away with vehicle weight all together
- ▶ Make stipulations for vehicles used for commercial purposes to be limited to one per lot in residentially zoned district and must be parked in the rear yard or behind the front plain of the principle structure
- ▶ Make all recreational vehicles stored in the rear yard or behind the front plain of the principle structure
- ▶ Trailers – omit commercial districts and rewrite to only be parked in rear yard or behind the front plain of the principle structure
- ▶ Remove storage containers all together – addressed in §286-530.24 and if needed update this section

Summary

- ▶ Code never fully enforced as written
- ▶ Code needs more clarity
- ▶ Complaints received from citizens
- ▶ First step – What is Council’s primary goal – **“what is right or important for our community”?**
- ▶ Second step – Policy decision
- ▶ Third step – Redraft and approve new code section

Comparison of existing ordinance and proposed ordinance

- ▶ § 286-518.04. General regulations.
- ▶ A. Vehicles greater than 10,000 pounds, gross vehicle weight capacity, or any tractor-trailer combinations, tractors, or trailers shall not be placed, parked, or stored in residentially zoned districts. Trucks used, or intended for use, for commercial purposes, less than 10,000 pounds gross vehicle weight capacity shall be limited to no more than one per lot in residentially zoned districts and shall be located in the side or rear yard, behind the principal building.
- ▶ B. No recreational vehicle shall be used as a dwelling or for businesses purposes, except that itinerant merchants as defined in § **286-202** may use a recreational vehicle as a temporary office in accord with the standards contained in § **286-410**.
- ▶ C. Trailers and portable storage containers of any size used for any purpose are prohibited in the front yard of any commercial or residential zoning district, provided however that a portable storage container is allowed in the front yard if it cannot be located elsewhere on the lot.
- ▶ D. All required off-street parking shall be located on the same lot as the use requiring the parking, except under the following conditions:
 - ▶ (1) Required parking spaces are on a contiguous lot under the same ownership or in a permanent parking easement on contiguous property. Contiguous lots providing parking for more than one use shall provide sufficient spaces to comply with the parking requirements for all uses.
 - ▶ (2) For use types other than residential, required parking spaces may be located up to 600 feet away from the use that requires the parking spaces.
 - ▶ (3) Off-site spaces must be subject to a written agreement between the parties involved in such use.[Added 8-14-2012 by Ord. No. 12-14]
- ▶ **§ 286-518.05. Parking of Commercial Vehicle, Recreational Vehicle, Utility Trailer, Boat, and Camper in Residential Districts.**
- ▶ A. Any tractor-trailer combinations, tractors, or trailers shall not be placed, parked, or stored in residentially zoned districts.
- ▶ B. All vehicles used for commercial purposes shall be limited to no more than one per lot in residentially zoned districts and shall be located in the side or rear yard, behind the front line of the principal structure.
- ▶ C. Recreational Vehicles shall be stored placed, or parked in a residential district in the side or rear yard, behind the front line of the principal structure; and there shall be no more than one recreational vehicle per lot.
- ▶ D. It shall be unlawful for any recreational or utility trailer, boat, or camper whose overall length exceeds 21 feet to be located in a residential district; and any recreational or utility trailer, boat, or camper equal to or less than 21 feet shall be stored, placed, or parked in the side or rear yard, behind the front line of the principal structure. There shall be no more than one of each type listed in this paragraph per lot.
- ▶ E. This Code Section shall not supersede, and it shall be in addition to, § 273-27, which refers to parking requirements upon public streets and right-of-way in residential districts.

Existing Code

Proposed Code

Policy options – staff opinion

- ▶ Keep the language of located in the side or rear yard, behind the front line of the principal structure
- ▶ For sub-section B – change the number of vehicles for commercial purposes allowed or do not have a specified number per lot
- ▶ For sub-section D – remove any length requirement, remove any language on specifying the number of trailers, boats, or campers per lot

Potential Regulation of Recreational Vehicles, Campers, Commercial Vehicles, Utility Trailers, Boats, and Tractor-trailers

FOUR MAIN POLICY QUESTIONS

1. SHOULD THERE BE A LIMIT ON THE NUMBER OF SUCH VEHICLES, TRAILERS, PERMITTED IN RESIDENTIAL AREAS?
2. SHOULD THERE BE A LIMITATION ON THE SIZE OF SUCH VEHICLES, TRAILERS, PERMITTED IN RESIDENTIAL AREAS?
3. SHOULD ALL SUCH VEHICLES BE REQUIRED TO BE **LOCATED BEHIND THE FRONT LINE OF THE HOUSE/MAIN STRUCTURE?**
4. SHOULD WE ALLOW **COMMERCIAL VEHICLES** TO BE PARKED IN RESIDENTIAL AREAS? IF SO, HOW MANY?

Potential Regulation of Recreational Vehicles, Campers, Commercial Vehicles, Utility Trailers, Boats, and Tractor-trailers

STAFF OBSERVATIONS

- ❑ REQUIRING ALL SUCH VEHICLES TO BE **LOCATED BEHIND THE FRONT LINE OF THE HOUSE** (SIDE OR REAR YARDS) IS THE KEY ELEMENT TO THIS DISCUSSION
- ❑ IF WE ATTEMPT TO LIMIT **SIZE** AND **NUMBER**, BUT NOT **LOCATION** OF SUCH VEHICLES, TRAILERS, ETC., CONFUSION ABOUT RULES AND ENFORCEMENT WILL LIKELY CONTINUE – AND AESTHETIC/APPEARANCE ISSUES WILL CONTINUE

Potential Regulation of Recreational Vehicles, Campers, Commercial Vehicles, Utility Trailers, Boats, and Tractor-trailers

STAFF OBSERVATIONS

- ❑ LOCATING SUCH VEHICLES IN SIDE OR REAR YARDS SHOULD ADDRESS GENERAL AESTHETIC CONCERNS – AND MAY NEGATE NEED TO LIMIT NUMBER AND SIZE

Policy would be based on the general premise, “If an individual has a property that can accommodate it, the City doesn’t need to limit the number or size of RVs, campers, trailers, and boats an individual can have in a residential area.”

- ❑ IF WE DO NOT LIMIT SIZE, NUMBER, & LOCATION OF SUCH VEHICLES, TRAILERS, THEN CONSIDERATION SHOULD BE GIVEN TO ELIMINATING ANY CODE RESTRICTIONS ALTOGETHER

Potential Regulation of Recreational Vehicles, Campers, Commercial Vehicles, Utility Trailers, Boats, and Tractor-trailers

STAFF OBSERVATIONS

- ❑ IF WE DO NOT RESTRICT ALL **COMMERCIAL VEHICLES**, THERE MUST BE A CLEAR DISTINCTION BETWEEN TYPES
- ❑ EVEN WITH CHANGES, PROPER ENFORCEMENT OF A NEW ORDINANCE WILL HAVE SOME EFFECT – NOT *EVERY* PROPERTY CAN ACCOMMODATE *EVERYTHING*
- ❑ IF COST IMPLICATIONS/POTENTIAL REVENUE LOSS

FEE STRUCTURE: PLANNING/ZONING BUILDING INSPECTIONS

Presented by:
C. Scott Davis,
LP.D.
Director of Planning
and Community
Development

OVERVIEW OF FEE STUDY

■ Why review our fee structure?

- Verify fees are relevant to certain costs to the City – pay for resources you use
- Fees covering statutory costs instead of general fund dollars
- Comparison with other local governments - especially those w/growth

OVERVIEW OF FEE STUDY

■ Division compared fees with certain localities

■ Surrounding area and those used in previous studies by City Council

- Chesterfield County
- Dinwiddie County
- City of Fredericksburg
- City of Hopewell
- City of Martinsville
- County of Prince George
- City of Petersburg
- City of Salem
- City of Staunton
- City of Williamsburg
- City of Winchester

■ Planning/Zoning Fees

- Certain fees titled differently or not applicable
- Statutory required public hearing costs – not fully covered by fees

CURRENT PLANNING/ZONING FEES

Fees	
Zoning Map Amendment	\$900
Zoning Text Amendment	\$900
Special Use Permit*	\$900
Special Exception Permit	\$900
Site Plan - Preliminary	\$300
Site Plan - Final	\$750 - \$35 per acre - \$1100
Resubmittals - 3rd or more	\$250 per
Preliminary Subdivision	\$300
Lot Subdivision - Final Plat	
Variance	\$450
Fence Permit	\$10
Sign Permit - Permanent	\$50
Sign Permit - Temp 45 days	\$20
Sign Permit - Temp 180	\$75
Wetland Development	\$350
Zoning Opinion	\$25
Zoning Permit	\$25
Certificate of Zoning Compliance	\$25
Boundary Line Adjustment	\$11

PROPOSED PLANNING/ZONING FEES

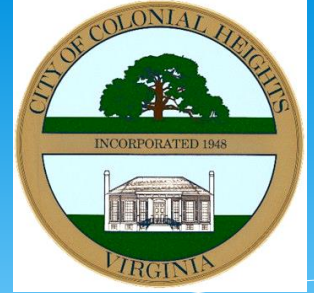
Fees	
Rezoning/Comprehensive Plan Change	\$1,500
Special Use Permit	\$1,500
Special Exception Permit	\$1,500
Site Plan - Preliminary	\$500
Site Plan - Final	\$750 - \$35 per acre - \$1100
Resubmittals - 3rd or more	\$250 per submittal
Variance	\$1,000
Fence Permit	\$50
Sign Permit - Permanent	\$75
Sign Permit - Temp 45 days	\$45
Sign Permit - Temp 180	\$60
Wetland Development	\$350
Zoning Opinion	\$100
Zoning Permit	\$50
Certificate of Zoning Compliance	\$100

FEE CHANGES ACCOMPLISH

- Costs related to resources/services used
- Better use of general fund dollars
- Streamlines fee structure
- Updates outdated fees

Colonial Heights City Council Work Session

June 7, 2016



5. Adjournment