

AGENDA

Norton City Council

May 6, 2014

6:00 P.M.

1. Roll Call
2. Invocation – Father Tim Drake
3. Pledge of Allegiance
4. Approval of Minutes
 1. Regular Meeting of April 15, 2014
5. Audience for Visitors
6. Old Business
 - A. Consideration of Funding Request for the Let Freedom Ring Event to be Held at the Lonesome Pine Airport in September 2014.
7. New Business
 - A. Mountain Empire Community College Update by Dr. Scott Hamilton, President.
 - B. Lonesome Pine Regional Library Update by Amy Bond, Director.
 - C. Presentation of the Norton City School Budget for Fiscal Year 2014-15.
 - D. Presentation of Recommended Zoning Text Amendment for Fences and Hedges.

- E. Update on the Stormwater Management Ordinance.
- F. Closed Meeting to Discuss Personnel as Per Section 2.2-3711 (A) (1) of the Code of Virginia, as Amended.

- 1. Appointment to the Southwest Regional Recreation Authority for a Three (3) Year Term; Currently William "Buzz" Witt Whose Term Ends 6/30/2014.

To 6/30/2017

- 2. Nomination to the Board of Zoning Appeals for a Five (5) Year Term; Currently William Hutchinson Whose Term Ends 6/2/2014.

To 6/2/2019

- 3. Nomination to the Board of Zoning Appeals for a Five (5) Year Term; Currently Bill Bledsoe Whose Term Ends 6/2/2014.

To 6/2/2019

- 4. Nomination to the Board of Zoning Appeals for a Five (5) Year Term; Currently J. D. Adams Whose Term Ends 6/2/2014.

To 6/2/2019

- 8. Comments by the City Manager, City Attorney, and City Council.

- 9. Adjournment.

FY15 FISCAL BUDGET WORKSESSION

The regularly scheduled meeting of the Norton City Council was held on Tuesday, April 15, 2014 at 6:00 p.m. in the Municipal Council Chambers with Mayor William Mays presiding.

Present: Mark Caruso, William Mays, Joseph Fawbush, and Terry Roop

Absent: Joseph Hunnicutt

Also Present: Fred L. Ramey, Jr., City Manager and Bill Bradshaw, City Attorney

The invocation was given by Rev. Ken Taylor and was followed by the pledge of allegiance led by Norton Police Chief James Lane.

At this time, Mayor Mays advised he would like to amend the agenda under Item 7-C Closed Meeting to include Item 7-C-4 An Appointment to the Southwest Regional Recreation Authority. 26106

It was the consensus of Council for the agenda to be amended.

Upon a motion by Councilman Fawbush, seconded by Councilman Caruso, and passed by unanimous vote, Council moved to adopt the minutes of the April 1, 2014 meeting as presented. 26107

At this time, Mayor Mays welcomed Chris Mullins of the Forward Wise County Leadership Class. 26108

During the Mayor's call for visitors, Ms. Marsha Hunsucker of J. I. Burton High School appeared before Council to give an update on the finances for the J. I. Burton After-Prom Party. She advised that the J. I. Burton PTSA has agreed to pay for the tee shirts which covered a large portion of the amount needed. There is now an amount of \$380.00 needed to cover the expenses.

Vice Mayor Fawbush advised that the Norton Lions Club had voted to donate \$100.00 for this event. Ms. Hunsucker advised she had not heard from the Lions Club as of this date; however that would bring the amount down to \$280.00. 26109

Following a brief discussion and upon a motion by Councilman Caruso, seconded by Councilman Roop, and passed by unanimous roll call vote, Council moved to allocate an amount not to exceed \$400.00 for the J. I. Burton After-Prom Party with said funds to come from Contingency.

Mayor Mays, Councilman Caruso, and Councilman Roop advised this takes a lot of hard work and long hours and that Ms. Hunsucker has done a wonderful job.

At this time, Councilman Hunnicutt took his seat on Council. 26110

In their packets, Council had been given a revised version of the Donation Application Policy which contained the suggestions made by Councilman Caruso at the last meeting.

Councilman Roop advised he would like to add an item under the Expenses That Cannot Be Paid Section on Page 2 to read as follows: "Mileage expenses to and from events for coaches, teachers, and members of their families who use their personal vehicles for approved trips." The reason for this is that the School Board provides transportation (buses/vans) expenses – not the City. Mr. Ramey advised he can make this modification and bring this policy back to Council at the next meeting.

26111

Following a brief discussion and upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to adopt the City of Norton Donation Policy as presented tonight with Councilman Roop's item to be added into the policy. (Insert)

Mr. Ramey gave Council an update on the Safe Route to Schools Project via a PowerPoint presentation. Once the sidewalk running from the Dairy Queen intersection to the Community Center and Norton Elementary and Middle School is completed, it will have 40 street lights. The twelve inch replacement water line from the Dairy Queen intersection to the entrance to the Community Center has been done and tied in. A sewer line going up the hill has been completed and is back in service. A storm drain or ditch located at the entrance of the elementary/middle school will be piped going up the hill and the work on this is ongoing.

26112

Blocks are currently being brought in and installation has begun on the wall at the Dairy Queen intersection.

Following a brief discussion, Mr. Ramey advised he is very pleased with the progress and will continue to keep Council informed.

Council had been presented with A Proclamation Declaring Child Abuse Prevention Month in the City of Norton.

The City Manager advised that all Social Services Departments in the Commonwealth are asking their governing bodies to adopt this proclamation.

26113

Upon a motion by Councilman Hunnicutt, seconded by Councilman Fawbush, and passed by unanimous vote, Council moved to adopt A Proclamation Declaring April 2014 as Child Abuse Prevention Month in the City of Norton. (Insert)

Council had been presented with a copy of a transfer to the Norton City Schools in the amount of \$230,000.

Upon a motion by Councilman Caruso, seconded by Councilman Fawbush, and passed by unanimous roll call vote, Council moved to approve a transfer to the Norton City Schools in the amount of \$230,000. (Insert – Councilman Roop's Disclosure)

26114

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section No. 2.2-3711 (A) (1) of the Code of Virginia, as amended.

26115

Mayor Mays declared Council in closed meeting.

At this time, Mayor Mays recognized Marsha Prater, another member of the Forward Wise County Leadership Class.

26116

Upon a motion by Councilman Roop, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved to go back into open meeting. 26117
Mayor Mays declared Council back in open meeting.

The Clerk polled each member of Council as to the Certification of Closed Meeting with each answering yes.

The Clerk then read A Resolution of the Certification of Closed Meeting. Upon a motion by Councilman Fawbush, seconded by Councilman Hunnicutt, and passed by the following unanimous vote: YES – Caruso, Hunnicutt, Fawbush, Roop, Mays, NO – None, ABSENT – None, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert) 26118

Mayor Mays opened the floor for nominations to the Community Services Board for a one year term which will expire on December 31, 2015.

Councilman Hunnicutt nominated Sarah Davis to be reappointed to this Board.

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, and passed by unanimous vote, Council moved that the nominations cease. 26119

Mayor Mays declared Sarah Davis reappointed to the Community Services Board for a one year term which will expire on December 31, 2015.

Mayor Mays opened the floor for nominations to the Norton Industrial Development Authority for a four year term which will expire on May 10, 2018.

Councilman Fawbush nominated Ethel Daniels to be reappointed to this Board.

Upon a motion by Councilman Caruso, seconded by Councilman Hunnicutt, and passed by unanimous vote, Council moved that the nominations cease. 26120

Mayor Mays declared Ethel Daniels reappointed to the Norton Industrial Development Authority for a four year term which will expire on May 10, 2018.

Mayor Mays opened the floor for nominations to the 2014 Virginia Municipal League Policy Committees.

Councilman Hunnicutt nominated the slate that was presented by the City Manager which is as follows: Fred Ramey, Community & Economic Development; Andrew Greear, Environmental Quality, Jeff Shupe, Finance, William Bradshaw, General Laws, Libby Fleming, Human Development & Education, and Steve McElroy, Transportation. 26121

Upon a motion by Councilman Fawbush, seconded by Councilman Roop, Council moved that the nominations cease.

Mayor Mays declared the slate as presented by the City Manager and listed above appointed to the 2014 Virginia Municipal League Policy Committees.

In comments from the City Manager, Mr. Ramey advised that:

Flag Rock Recreation Area opens tomorrow – April 16, 2014.

The citizens should be receiving their tax tickets for one-half of their real estate taxes this week.

A public notice has been issued to our citizens that the City will be conducting fire hydrant testing in multiple areas throughout the City over the next week or so. A copy of the ad was given to each Council member.

A "Clean Your Files Day" is scheduled for Friday, April 18th, in the Magic Mart parking lot from 10 am to 2 pm.

The annual Adopt-a-Truck Program runs from April 18th – 28th.

26122

The Great American Clean-up is scheduled for Saturday, April 26th, from 9 am to 2 pm., at the Coalfield Parking Lot.

In comments from City Council:

Councilman Roop thanked the members of the Forward Wise County Class and encouraged them to become public servants.

Councilman Fawbush also thanked the two representatives of this Class for their attendance tonight advising that Mr. Mullins is his brother-in-law.

There were no comments from Councilman Hunnicutt.

26123

Councilman Caruso asked if there were trailer hook-ups available at Flag Rock. He was advised that there are electrical hook-ups, but no sewer hook-ups.

Councilman and Mrs. Caruso attended a movie at the new Park Avenue Theater located in the old Cohens Building and advised it was a good movie. It was a very nostalgic experience with great atmosphere and staff.

Councilman Caruso wished his wife, Carol, a happy birthday today.

There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA

William J. Mays, Mayor

ATTEST:

Clerk

6-A

Inter-Office Memo



To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager *FR*
CC:
Date: May 2, 2014
Re: Funding Request for Let Freedom Ring

At our April 1st City Council meeting, Bob Spera appeared before Council to request \$2,000 in funding for the 2014 Let Freedom Ring Event to be held later this year. City Council said that they would take the request into consideration after learning more about the FY15 Fiscal Budget.

Mr. Spera indicated that it would be extremely helpful to them if we could let them know something in about month as they were currently making commitments for the upcoming event.

If City Council wants to contribute funding for this project, I would recommend that we fund the event from our contingency line item in the current budget.

Thank You.



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager
CC:
Date: March 27, 2014
Re: Request for Funding

At our April 1st City Council meeting I anticipate that Bob Spera will come before City Council in the audience for visitors to request funding for the Let Freedom Ring event planned for September 2014. As you know this event, if funded, will technically be in the FY15 budget so Council would not need to approve the funding out of this year's budget. However I think they are lining up their money prior to making the commitments for the event and that is the reason for their request at this time. Here is some background information that may be helpful to you:

1. City Council recently funded \$1,000.00 for Let Freedom Ring activities in FY 11 and FY 13.
2. There were no Let Freedom Ring events in the FY 12 or current FY 14 budgets.
3. Please find attached their completed application and supporting materials which were handed out at a previous Council meeting.

Please let me know if you have any questions or if I can be of any further assistance with this matter.

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 3
To <u>Fred Ramsey</u>	From <u>Bob Spera</u>	
Co.	Co.	
Dept.	Phone #	
Fax # <u>679-3510</u>	Fax #	



Application for Donation

Applicant/
Organization: EAA Lonesome Pine Chapter 1416

Federal ID: 59-3814793

Address: 6225 AIRPORT ROAD
Wise, VA 24293

Contact
Person: Bob Spera

Phone: 328-5300 Fax: 328-2680

Email: liberty@mountainview.com

Organization's

Board

Members: Bob Spera

Donnie Rose

Glynn Helbert

JACK HAMM

Amount
Requested: \$2,000

Total

Amount

Needed:

\$ 24,000

Purpose for

Funds (attached additional information if needed):

"Let Freedom Ring" Educational Event
FOR OUR CHILDREN, AND SALUTE TO OUR
VETERANS.

Describe

Fund Raising

Activities:

Campaign in progress to raise
Funds from Corporate, Government, Community Service
Organizations and individual sponsors. To date
we have raised about \$13,000.

Include overall financial information for the applicant organization with the application. This information should be the current budget or financial statements where applicable.

(ATTACHED)

LFR – BUDGET - 2014

C-54.....	\$6,000
Red Tail / Rise Above.....	\$10,000
Fuel.....	\$4,000
Misc.....	\$4,000
Total	\$24,000



Fred Ramey

From: liberty@mounet.com
Sent: Friday, January 03, 2014 1:03 PM
To: Fred Ramey
Subject: Request for funding

Hi Fred, and a Happy New Year to you. I put a letter in the mail yesterday that is coming to you. Our airport event will be held in September, and I just wanted to make sure that our request was submitted timely. I know that money is going to tight this year, but we are presenting a program geared to our children to encourage them to "Rise Above" their circumstances, and become whatever it is that they want to be. The long term outcomes for our future community leaders could have a positive impact on the City of Norton and Wise County. If you need any additional information or documentation just give me a call.

Best regards,

Bob Spera, Manager
Lonesome Pine Airport

**LET FREEDOM RING
LONESOME PINE AIRPORT
September 16-20, 2014**

December 30, 2013

Fred Ramey, Jr. City Manager
City of Norton
P.O. Box 618
Norton, VA 24273

Dear Fred,

We are in the beginning stages of planning for "LET FREEDOM RING - 2014". The event is scheduled on September 16 through September 20, 2014 at the Lonesome Pine Airport, Wise, VA. It is our desire to make this educational event free to everyone. We believe that everyone, especially our school children, needs to know and remember the sacrifices that were made by American Veterans to preserve our freedom. This year we commemorate the 70th anniversary of Operation Overlord, the D-Day invasion of Normandy. During the event on Saturday September the 20th we are planning a candy drop for our children by the Berlin Airlift Historical Foundation's "Spirit of Freedom" flying museum.

For the first time in the Commonwealth of Virginia we will be joined by the Tuskegee Airman Red Tail Squadron P-51C Mustang aircraft, and their "Rise Above" traveling exhibit. Their objective is to "carry the lessons and legacy of the Tuskegee Airmen into every classroom in America". Their goal is to teach the six guiding principles of the Tuskegee Airman: "AIM HIGH, BELIEVE IN YOURSELF, NEVER QUIT, BE READY TO GO, USE YOUR BRAIN, EXPECT TO WIN".

I hope that City of Norton will be able to partner with us this year to bring these educational programs to our area. Rides will be available in the P-51C Mustang for a fee (it is only one of four still flying). Please inquire if interested. All sponsors will be acknowledged in print and during announcements. Your contribution in meeting our goal would be greatly appreciated. Checks can be made out to "Let Freedom Ring". Checks can also be made out to the CAF Red Tail Squadron, or to the Berlin Airlift Historical Foundation, both of which are IRS 501(c)3 organizations, and are tax deductible. You can send you donation to me at 6225 Airport Road, Wise, VA 24293.

Thank you for all your support in the past.

Sincerely,



Bob Spera, President EAA Chapter 1416
Lonesome Pine Airport

EAA Chapter 1416
6225 Airport Rd.
Wise, Virginia 24293
276-328-5300
liberty@mounet.com

Board of Directors: Bob Spera, Donnie Rose, Jack Hamm, Glynn Helbert.
(non of our board members live in the City of Norton at this time)

Board meets monthly on the third Saturday at 10:30 am at the Lonesome Pine Airport.

Our mission is to promote aviation and aero-space education as it relates to enhancing the goals of teaching STEM, and the history of aviation.

A copy of our budget for "Let Freedom Ring" is attached. All funding comes from the generosity of the community.

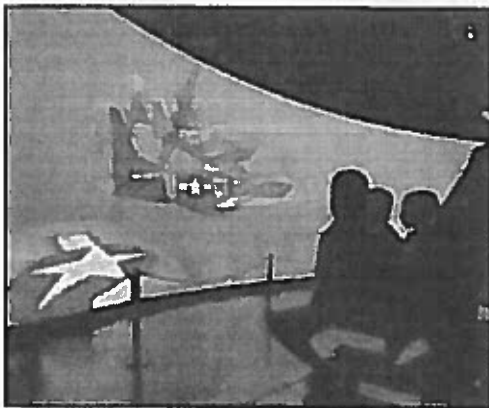
LFR – BUDGET - 2013

C-54.....	\$6,000
Red Tail / Rise Above.....	\$10,000
Fuel.....	\$4,000
Misc.....	\$4,000
Total	\$24,000

RISE ABOVE SPONSORSHIP



COMMEMORATIVE
AIR FORCE



The CAF Red Tail Squadron invites you
to help us bring RISE ABOVE to the
Lonesome Pine Airport, Wise, Virginia
Sept 16-20, 2014!

Dear Community Partner,

It is our goal to bring our educational program "RISE ABOVE" featuring our rare P-51C Mustang "Tuskegee Airmen" and the RISE ABOVE Traveling Exhibit to the "Let Freedom Ring" at the Lonesome Pine Airport, Wise, Virginia

Since the Exhibit will be at the airport, we are also looking for groups to visit us there, they can contact Bob Spera to arrange that. Each student will be given an inspirational "Dog Tag" with the 6 principals used in training the Tuskegee Airmen: Aim High – Believe In Yourself – Use Your Brain – Never Quit – Be Ready to Go – Expect To Win.

There is no fee to see the RISE ABOVE movie and there is an electronic ramp for handicap access to the exhibit.

We are contacting you in hopes that you will help sponsor this event, your generous donation will help bring this inspiring legacy of the Tuskegee Airmen to your community.

Based on our experience over the past several years, we know the story of the Tuskegee Airmen resonates with young people and that it is a powerful and inspirational story that can impact everyone's life.

Thank you for any assistance you can give us.

Sincerely,

Bradford Lang

Bradford Lang
Squadron Leader

Please fill out and mail this form to:

For more information contact

Bob Spera
Lonesome Pine Airport
6225 Airport Road
Wise, VA 24293

Bob Spera • 276-328-5300
Email: liberty@mounet.com

DONATION AMOUNT:

\$500 \$1000 \$1500 \$2000 Other

Payment Method:

VISA Master Card Check Cash

Acct # _____

Exp. Date: _____

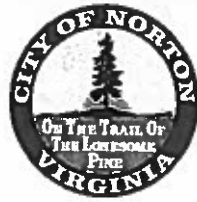
Print Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Signature: _____

7-A



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager **FR**
CC:
Date: April 22, 2014
Re: Update on Mountain Empire Community College

At our May 6th Council meeting, Dr. Scott Hamilton President of the Mountain Empire Community College will provide an update on the College.

Thank You.

7-B

City of Norton



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager **FR**
CC:
Date: April 22, 2014
Re: Update on Lonesome Pine Regional Library

At our May 6th Council meeting, Amy Bond, Director of the Lonesome Pine Regional Library will provide an update on the Library.

Thank You.

7-C

City of Norton



Inter-Office Memo

To: Mayor and City Council
From: Fred L. Ramey, Jr., City Manager **FR**
CC:
Date: April 22, 2014
Re: Norton City Schools FY15 Budget

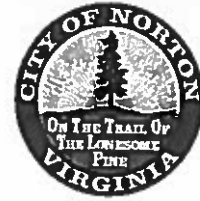
At our May 6th Council meeting, Dr. Comer will present the proposed FY15 Fiscal Budget for Norton City Schools.

Thank You.

7-D

City of Norton

Inter-Office Memo



To: Fred Ramey
From: Winfred Collins *WC*
Date: April 22, 2014
Re: Zoning Text Amendment Concerning Fences and Hedges

The planning commission made a motion and voted unanimously to forward the attached proposed zoning text amendment to City Council for another public hearing.

Imogene and Jerome Emershaw were present at the meeting to voice their opposition to the proposed change. After the public comment period Chairperson Stokes state to Ms. Emershaw that while was sympathetic with their individual case, she felt that the duties of the planning commission was to represent the citizens as a whole and the amendment in her opinion, should be forwarded on the Council. After Ms. Stokes' statement she opened the floor for a motion. Randy Stidham made the motion to forward the proposed text amendments as presented. Danny Holt seconded the motion and it passed with a unanimous vote. There were four members present. Tim Castle was absent from last night's meeting.

March 20, 2014

PUBLIC NOTICE

The City of Norton Planning Commission will hold a public hearing on Thursday April 10th, 2014 at 7:00 p.m. in the Municipal Council Chambers located at 618 Virginia Ave. NW. The purpose of the hearing is to solicit public input on a proposed zoning text amendment that would add an exception that would allow certain sizes of fencing to be declassified as an accessory structure. The following is the proposed amendment text: *“The yard requirements of this ordinance shall not be deemed to prohibit any otherwise lawful fence or wall if each fence and/or wall does not exceed four (4) feet in height in front yards and eight (8) feet in height in side and rear yards in residential zones or ten (10) feet in commercial or industrial zones and if it does not obstruct the normal observation of traffic.”*

Additionally, the deletion of the word *“hedge”* from the accessory use section of the City’s zoning ordinance has been proposed.

Further details, maps, etc. are available in the Building Official’s office during normal working hours.

All interested parties will be heard at this time.

Winfred H. Collins, MCP, CZA
Secretary
City of Norton Planning Commission

TO THE COALFIELD: Please advertise in the Tuesday, March 25th, 2014 and Tuesday, April 1st, 2014 editions of the paper. Send bill and Publisher’s Certificate to Winfred Collins, City of Norton, P.O. Box 618, Norton, VA 24273

26.1-40-3. Accessory use limitations--General.

- (a) No accessory structure shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.
 - (b) Accessory structures shall be allowed only in the rear or side yards of residentially zoned parcels. Accessory structures may be located in the front, rear or side yards of commercially or industrially zoned parcels, but not in a required front setback area or in a manner that obstructs the normal observation of traffic.
 - (c) The aggregate gross floor area of all structures accessory to a single-family detached or attached dwelling shall not exceed thirty (30) percent of the gross floor area of the principal structure, provided that every lot of record with a principal structure shall be entitled to an aggregate of five hundred sixty-three (563) square feet of gross floor area for all accessory structures. All other accessory structures shall not exceed thirty (30) percent of the gross floor area of the principal structure on the lot.
 - (d) Structures or uses accessory to single-family detached or attached dwellings, shall not exceed a height of fifteen feet. Satellite antennas shall conform to section 26.1-40-2(aa) above. All other accessory uses and structures shall not exceed the height of the principal structure on the lot.
 - (e) Accessory structures and uses in either the rear or side yard of a residentially zoned parcel shall be set back a minimum of five (5) feet from the rear or side property line, unless there is a common party wall. An accessory structure or use located on a corner lot shall be set back a minimum of twenty-five (25) feet from the side property line adjacent to the side street.
 - (f) The following regulations shall also apply to the location of structures for the housing of animals:
 - (1) Barns and other structures used in connection with agriculture, including structures for the keeping, confining or sheltering of any poultry or livestock, except horses or ponies, shall be located no closer than one hundred (100) feet to any lot line.
 - (2) Barns and other structures used for the confining or sheltering of horses or ponies shall be located no closer than fifty (50) feet to any front or side lot line nor closer than twenty feet to a rear lot line.
 - (3) Doghouses, runs, pens, rabbit, hutches, cages, lofts, hives shall conform to paragraph (e) above.
- (Ord. of 6-1-93)

(g) The yard requirements of this ordinance shall not be deemed to prohibit any otherwise lawful fence or wall if each fence and/or wall does not exceed four (4) feet in height in front yards and eight (8) feet in height in side and rear yards in residential zones or ten (10) feet in commercial or industrial zones and if it does not obstruct the normal observation of traffic.

Sec. 26.1-40. - Accessory uses.

26.1-40-1. General. Accessory buildings, structures or uses are permitted in any zoning district, unless qualified below, but only in connection with, incidental to, and on the same lot with a principal building structure or use which is permitted within such district.

26.1-40-2. Permitted accessory uses. Accessory buildings, structures, and uses shall include, but are not limited to, the following buildings, structures or uses; provided that such buildings, structures or uses shall be in accordance with the definitions of accessory use and accessory building or structure contained in section 26.1-10.

- (a) Amusement machines, limit of five (5), including pinball machines, video games, or other similar player-operated devices but only accessory to legally conforming eating establishments, hotels and motels, bowling alleys, skating facilities, billiard establishments, indoor theaters and other establishments offering indoor games of skill, but not including amusement arcades, located in the central business or the general business zones; legally conforming indoor theaters or hotels and motels located in the local business zone; and legally conforming golf clubs, private clubs not conducted for profit and churches located in the A residence, B residence or local business zones.
- (b) Antenna structures other than satellite antennas (refer to paragraph (aa) below).
- (c) Barns and any other structures that are customarily incidental to an agricultural use (refer to paragraph (y) and section 26.1-40-3(f) below).
- (d) Carports.
- (e) Coal sheds.
- (f) Construction offices that accompany on-going development activities. (See definition of development contained in section 26.1-10.) Construction offices shall be removed from any development site not more than ninety (90) days after the development activity ceases.
- (g) Doghouses, runs, pens, rabbit hutches, cages and other similar structures including private kennels housing no more than four (4) dogs, which are six (6) months of age or older, as defined in section 26.1-10; for the housing of commonly accepted pets, but not including kennels as defined in section 26.1-10
- (h) Fallout shelters.
- (i) Garages, private.
- (j) Garage and yard sales.
- (k) Gardening and garden sheds.

- (l) Guest house or rooms for guests in an owner-occupied principal building or building accessory to an owner-occupied principal building, but only in the A residence zone, B residence zone or local business zone and provided that the gross floor area used for housing guests in either an accessory or principal building does not exceed twenty (20) percent of the gross floor area of the principal building. The purpose of a guest house or rooms for guests shall be for the occasional housing of guests, and not as rental units or for permanent occupancy as housekeeping units. An accessory building used to house guests shall meet all applicable building code requirements that pertain to dwellings.
- (m) Motor vehicle fuel storage tanks installed underground in business and industrial zones and in residential zones when accessory to a use other than a dwelling.
- (n) Parking and loading spaces, off-street, as regulated by section 26.1-42; however a garage or parking area for not more than three (3) passenger vehicles plus one (1) commercial vehicle shall be permitted when accessory to a one-family dwelling in any zoning district.
- (o) Parking of one (1) commercial vehicle per dwelling unit in a residential zone or the local business zone subject to the following limitations.
 - (1) No garbage truck, tractor and/or trailer of a tractor-trailer truck, dump truck, construction equipment, cement mixer truck, wreckers with a gross weight of twelve thousand (12,000) pounds or more, commercial passenger buses, or similar such vehicles or equipment shall be parked as an accessory to a dwelling in the aforementioned zones.
 - (2) Any commercial vehicle parked as an accessory to a dwelling unit in any zone shall be owned and/or operated only by the occupant of the dwelling at which it is parked.
- (p) Porches, gazebos and similar structures.
- (q) Recreation, storage and service structures in a manufactured home park or trailer court.
- (r) Residence for a proprietor or storekeeper and his/her family located in the same building as his/her place of occupation in any commercial zone.
- (s) Signs for advertising the lease, sale or use of a lot or building on which placed and not exceeding a total area of twelve (12) square feet, provided that on a lot occupied by a dwelling there may be for each family housed no more than one (1) sign with a total area of not more than two (2) square feet that may indicate the occupants' name, address, and business, for example J. Smith—Accountant. Home occupation signs shall be installed in accordance with section 21-21(a) of the City of Norton Code. All other signs are permitted only in accordance with Chapter 21.

- (t) Statues, arbors, trellises, clotheslines, barbecue stoves, flagpoles, fences, walls, hedges, gates and gateposts located so as not to obstruct the normal observation of traffic.
- (u) Storage, outside, in residential and local business zones; to include a compost pile, provided such storage is located in the rear yard, is screened from view from the first story window of any neighboring dwelling, and the total area for such outside storage does not occupy more than one hundred (100) square feet. Outside storage on lots within either the general business, central business, light industrial or heavy industrial zones is permitted provided that the storage is screened from view from the first story window of any abutting dwelling located in a residential or local business zone.
- (v) Storage structures, provided however, that structures on lots within the general business, central business, light industrial or heavy industrial zones shall be screened from view from the first story window of any abutting dwelling located in a residential or local business zone.
- (w) Swimming pool and bathhouse, private.
- (x) Tennis, basketball or volleyball court, and similar private outdoor recreation uses.
- (y) Wayside stands, subject to the following limitations:
 - (1) Shall be for the purpose of selling agricultural products grown on the same property, or the sale of products of approved home occupations conducted on the same property. For purpose of this chapter, plants which are balled and burlapped shall not be considered as growing on the same property.
 - (2) Shall be permitted only in the A residence, B residence or local business zones on a lot containing at least twenty thousand (20,000) square feet.
 - (3) Structure shall not exceed two hundred (200) square feet in gross floor area.
 - (4) Shall be permitted only during crop-growing season, and such structure shall be removed except during such season.
 - (5) Shall not be subject to the limitations set forth in section 26.1-40-3, but shall be located a minimum distance of ten (10) feet from any lot line.
 - (6) Shall be located so as to provide for adequate off-street parking spaces and safe ingress and egress to the adjacent street.
 - (7) Notwithstanding the provisions of section 26.1-40-2(18), a wayside stand may have one (1) building-mounted sign, mounted flush against the stand, which does not exceed ten (10) square feet in area.

- (z) Farm animals (such as cows, pigs, hogs, goats, sheep, and other livestock, horses, mules, and other equine, chickens and other fowl, and similar utilitarian animals) may accompany permitted general purpose farms that engage primarily in the commercial soil-development cultivation or agricultural crop production and/or in the raising of livestock in accordance with Chapter 4 of the City of Norton Code—Animals and Fowl, but shall not be permitted as an accessory use except as follows:
 - (1) Horses and other domesticated equine shall be permitted as accessory uses to a residential principal use in residential zones on lots of two (2) acres or greater in size, at the rate of one (1) such animal per acre over one (1).
- (aa) Satellite antenna. The size and location of any such antenna shall comply with all of the following requirements:
 - (1) A satellite antenna may be located in a residential district when it complies with the following conditions:
 - a. It is permanently ground mounted.
 - b. It is not located in the front yard.
 - c. It complies with the yard requirements of the underlying zone for accessory structures and uses.
 - d. It does not exceed fifteen (15) feet in height above the existing grade.
 - e. Only one (1) satellite antenna shall be permitted per lot.
 - f. The satellite antenna shall be used for private, non-commercial purposes.
 - g. Installation shall take place only after a building permit has been obtained.
 - h. Satellite antennas with a diameter measuring less than forty (40) inches may be installed in a manner consistent with a typical television antenna.
 - i. Roof-mounted satellite antennas are permitted in conjunction with hospitals, convalescent homes; sanatoriums; federal, state, or municipal uses; group housing projects and larger apartment houses when installed in accordance with section 26.1-40-2(aa)(2)c.
 - (2) A satellite antenna may be located in a business or industrial zone when it complies with the following conditions:
 - a. Ground mounted antennas shall be permitted when installed permanently and in accordance with the yard height, and other limiting requirements of the underlying zone for accessory structures.

- b. All ground mounted satellite antennas exceeding twelve (12) feet in diameter shall be screened from any adjoining residentially zoned property. Such screening can be waived if the antenna is set back a distance at least five (5) times its diameter from the residentially zoned parcel.**
- c. Roof mounted antennas shall be permitted, provided, however, that the diameter of the antenna does not exceed thirty-three (33) percent of the existing height of the building.**

7-E



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

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Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4020
1-800-592-5482

April 8, 2014

Mr. Fred Ramey
Norton City Manager
P.O. Box 618
Norton, VA 24273

Subject: Amended Stormwater Management Act
Formal Notification of VSMP Adoption "Opt In"

Dear Chief Administrative Officer:

As you may be aware, during its 2014 session, the General Assembly adopted amendments to the Stormwater Management Act (Act) (Chapter 303 of the 2014 Acts of Assembly). As revised, the Act now only requires localities that operate a regulated Municipal Separate Storm Sewer System ("MS4") to adopt a Virginia Stormwater Management Program (VSMP) and allows all other localities to "opt in" to the program if so desired. You are receiving this correspondence because your locality is not a regulated MS4 and therefore you are no longer required to adopt a VSMP. The purpose of this letter is to communicate information about the legislation, identify next steps and to seek your locality's decision as to whether or not you intend to opt in to the program.

Information about the Amended Stormwater Management Act

As set forth in the amended Act, if your locality does not elect to "opt in" and adopt a VSMP, DEQ will operate the program within your locality and address post-construction stormwater runoff for land disturbing activities beginning July 1, 2014. The Act also now allows towns to be subject to the county's VSMP, establish a town VSMP or have DEQ operate the VSMP. The attached table describes the legislative timelines for the localities that are required to adopt a VSMP and adoption options for those who may opt in. The table further identifies DEQ's role should your locality choose not to adopt a program.

DEQ understands that the needed changes to your ordinance based on the recent legislation may affect your locality's ability to meet the current VSMP adoption schedule. Accordingly, we are

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Amended Stormwater Management Act
Formal Notification of VSMP Adoption "Opt In"

providing flexibility to allow provisional approval of programs and more time for localities to incorporate these recent changes.

I would also like to make you aware of additional program considerations.

1. Localities deciding not to adopt a VSMP are still required to satisfy the new post development stormwater management quantity requirements (effective July 1, 2014) contained in the VESC law. Your locality will need to ensure that your erosion and sediment control ordinance includes this requirement.
2. Non-MS4 localities that are subject to the Chesapeake Bay Preservation Act do not have to adopt a VSMP, but must adopt requirements to regulate Chesapeake Bay Land Disturbing activities (between 2,500 ft² and an acre) consistent with the VSMP regulations. DEQ will assist such localities in incorporating these requirements into their local ordinances.
3. Non-MS4 localities that adopted stormwater programs in accordance with an earlier version of the Stormwater Management Act (Act), may opt-in to the VSMP program and amend the existing ordinances to conform to the current version of the Act, or elect to have DEQ operate the program. A locality cannot maintain an existing stormwater program that is inconsistent with the current Act.

Next Steps

- DEQ has provided localities the amendments to the Stormwater Management Act that need to be reflected in the local VSMP ordinances as well as an updated schedule for adoption which allows for provisional approval - March 31, 2014.
- DEQ will issue guidance to address changes in the Act and the General Permit for Discharges of Stormwater from Construction Sites – April through June, 2014.
- DEQ will complete review of submitted final local VSMP application packages, so that localities can begin implementing VSMPs that are consistent with the Stormwater Management Act by July 1, 2014.

Opt in

If your locality intends to opt in and adopt a VSMP, please return the enclosed form to me as soon as possible but **no later than April 30, 2014**. We look forward in continuing to work with your locality to successfully implement these recent legislative changes. If you have any questions on this issue, please contact Joan Salvati (804-698-4230 / joan.salvati@deq.virginia.gov) or myself at (804-698-4038 / melanie.davenport@deq.virginia.gov).

Sincerely,



Melanie D. Davenport,

Director, Water Division

Locality VSMP OPT In Form

_____ VSMP Adoption Opt In

If applicable, please list the Towns that are included in your VSMP:

Name of Locality (Print)

Name and Title of Chief Administrative Officer (Print)

Chief Administrative Officer (Signature)

Date

Local VSMP Adoption Options in Accordance with House Bill 1173 and Senate Bill 423

Categories of Localities	Must Adopt VSMP?	Required VSMP Implementation Date	Local Options	Role of DEQ as VSMP Authority
1. Existing MS4 Counties & Cities, & the New MS4 Cities as of Jan. 1, 2014 (Radford, Staunton & Waynesboro)	Yes	July 1, 2014	Adopt a VSMP	None
2. New MS4 Counties as of Jan. 1, 2014 (Augusta, Montgomery & Fauquier)	Yes	January 1, 2015	Adopt a VSMP, with an optional six-month delay until 1/1/15	During the six-month deferral period, DEQ will operate the VSMP and address post-construction stormwater runoff and the required design criteria for stormwater runoff controls.
3. MS4 Towns	Yes	July 1, 2014	<ol style="list-style-type: none"> 1. Adopt a VSMP; or 2. Become subject to the VSMP of the County in which town lies, if the County operates one. Note: Towns that become subject to the VSMP of a new MS4 county choosing to defer until January 1, 2015 will also be subject to the County's deferral schedule, with DEQ administering the program in the meantime. 	None
4. Non-MS4 Localities	No	July 1, 2014	<ol style="list-style-type: none"> 1. Don't adopt a VSMP/Department will operate the VSMP; or 2. Adopt a VSMP; or 3. If a town, become subject to the County VSMP, if County operates one. Note: Towns that become subject to the VSMP of a new MS4 county choosing to defer until January 1, 2015 will also be subject to the County's deferral schedule, with DEQ administering the program in the meantime. 	If option 1 is chosen, DEQ will operate the VSMP and address post-construction stormwater runoff and the required design criteria

Note 1. Counties electing to defer still are required to comply with the stormwater flow rate capacity and velocity requirements of the Erosion and Sediment Control Law for their E&SC program.

Note 2. All Bay Act localities, whether or not they adopt a VSMP, required to adopt requirements to regulate Chesapeake Bay Preservation Act Land Disturbing Activities.



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April 8, 2014

Mr. Fred Ramey
Norton City Manager
P.O. Box 618
Norton, VA 24273

Subject: VSMP Program Development Grant Requirements

Dear Chief Administrative Officer:

As noted in the DEQ April 8, 2014 letter to you (Formal Notification of VSMP Adoption "Opt In") changes have been made to the Stormwater Management Act that affect local Virginia Stormwater Management Programs (VSMPs) currently under development. You are receiving this correspondence because your locality is not a regulated MS4 (and therefore is no longer required to adopt a VSMP) and is the recipient of a VSMP Program Development grant from DEQ. Given this situation, it is our fiscal responsibility to determine whether you will be establishing your own VSMP as stipulated in your agreement and if not, to stop the additional expenditure of grant funds as soon as possible.

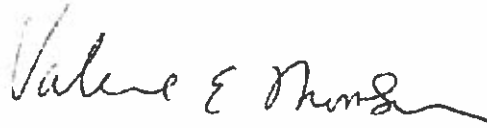
Until your locality decides to "opt in" and adopt a VSMP your locality must stop all VSMP grant related expenditures immediately. If DEQ does not receive an "opt in" form by April 30, 2014 this letter shall serve as the DEQ's notification of termination and your grant agreement is terminated May 8, 2014 (see "*Termination for Convenience*" provision of your agreement). The DEQ will reimburse your locality for all approved costs *incurred prior to* the May 8, 2014 termination date, to include costs for which goods/services have been provided within that timeframe, but not yet invoiced to your locality; DEQ will not reimburse your locality for any expenses incurred after the termination date.

Thank you in advance for your attention to this letter and for your locality's efforts toward the development of a local VSMP. If you have any questions on this issue, please contact Walter

April 8, 2014
VSMP Program Development Grant Requirements

Gills (804-698-4133 / walter.gills@deq.virginia.gov) or Melanie Davenport (804-698-4038 / melanie.davenport@deq.virginia.gov).

Sincerely,

A handwritten signature in black ink that reads "Valerie E. Thomson". The signature is written in a cursive style with a long, sweeping underline.

Valerie E. Thomson
Director of Administration