



Franklin City Council Agenda
August 26, 2019
City Council Chambers
207 W. Second Avenue
7:00 P.M.

Call to Order
Pledge of Allegiance
Citizen's Time
Amendments to the Agenda

1. Consent Agenda
 - a. Approval of Minutes from July 22, 2019 Work Session and City Council Meeting
 - b. Approval of State of Emergency Resolution
 - c. Special Recognitions
2. Financial Matters
 - a. Overview of Year End Statements for FY 2018-2020
 - b. Davenport Update
3. Old-New Business
 - a. Joint Public Hearing with the City of Franklin Planning Commission on Zoning Ordinance Items
 - b. Appointment of Ward 5 School Board Candidate
 - c. Waiver of Fees for Permits Related to Storm Damage
 - d. City Manager's Report
4. Council/Staff Reports On Boards and Commissions
5. Closed Session

I move that the Franklin City Council meet in closed session to discuss appointments to boards and commissions; discussion, consideration, or interviews of prospective candidates for employment to discuss a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its' facilities in the community; pursuant to Virginia Code Session 2.2-3711(A)(1), (3), and (5).

Motion Upon Returning to Open Session: I move that the only matters discussed during the closed session were those lawfully exempted from open meeting requirements and identified in the motion by which the closed session was convened.

6. Adjournment
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City Council Members in Attendance: Frank Rabil, Mayor; Barry Cheatham, Vice- Mayor; Councilman Linwood Johnson; Councilman Bobby Cutchins; Councilwoman Wynndolyn Copeland; Councilman Gregory McLemore and Councilman Benny Burgess

Staff in Attendance: Amanda Jarratt, City Manager; Taylor Williams, City Attorney and Leesa Barnes, Acting Secretary, Recording Minutes

Other Staff in Attendance: Russ Pace, Director of Public Works; Brenda Rickman; Commissioner of Revenue; Dinah Babb, Treasurer of the City of Franklin; Dan Howe, Director of Downtown Franklin Association; Michelle Dandridge, Director of Human Resources; Mark Bly, Director of Power & Light; Robert Porti, Interim Chief of Police; Vernie Francis, III, Interim Director of Emergency Services; Samara Green-Bailey, Activities Director of Parks & Recreation; Tracy Spence, Director of Finance and Joyce Johnson, Utilities Billing and Customer Service Supervisor

Amanda Jarratt, City Manager introduced Davenport & Company to brief Council on capital funding strategies. In April 2019, Davenport & Company presented a Comprehensive Financial Overview including Capital Funding Requirements and Budget Implications for FY 2020 and beyond. As part of its Comprehensive Financial Overview, Davenport reviewed the City's evolving Capital Improvement needs and evaluated potential funding alternatives for New Money Projects including a Line of Credit, Interim Financing, Permanent Financing and a Strategic Restructuring of Selected Debt. Additionally, Davenport evaluated the impact of various funding strategies on the cash flows of the General Fund and the Utility Enterprise Fund. Over the last several months, Davenport and City Staff have been working to develop a financing strategy for both the City's General Fund and Utility Enterprise Fund. He then went over the following goals and objectives:

- Develop a multi-year Plan(s) of Finance for the General Fund and Utility Enterprise Fund, including but not limited to:
 1. Multiple General Fund Capital Needs
 2. Initial Utility Enterprise Fund Capital Needs
 3. Courthouse funding at both locations (City of Franklin and Southampton County)
- Maintain compliance with all City Financial Policy Guidelines
- Follow industry-wide "best practices" for implementation of the Plan(s) of Finance
- Maximize the City's Credit Rating(s) in order to obtain the lowest, reasonable cost of funds, irrespective of the funding strategy(s).
- Provide City Council and Citizens with a timetable for action

Councilman Linwood Johnson asked the Davenport Representative what strategies would they be using.

The Davenport Representative recommended the following strategies:

- Take the substantial payment from Isle of Wight County and build up a Fund Balance with those funds
- Structure debt
- Provide citizens with a time table for these actions

Davenport then gave a Summary of Observations. He stated that as of April 2019 the City's General Fund has been structurally out of balance during four of the last five fiscal years, which means the City has spent more than it takes in.

Councilman Gregory McLemore stated he thought the state requires a municipality to balance their budget.

Davenport answered yes that is correct however; the state will allow a municipality to balance their budget by using one time monies for recurring needs. The City has been depleting their Fund Balance over a number of years to balance their budget. The City's unassigned Fund Balance is below certain Virginia Peer Cities and selected neighboring Counties. The City's real estate tax rate is favorable in comparison to its Virginia peer cities. The City has approximately \$5 million of immediate General Fund Capital Requirements needed within the next twelve to eighteen months. The City has identified approximately \$10 - \$15 million of Courthouse needs, including both the City of Franklin and Southampton County over the next several years. Depending upon how funding for the Courthouse is procured, the Real Estate Tax equivalent impact to the City could be well above a double-digit penny impact.

Davenport explained the City needed to consider obtaining either Interim or Permanent Financing via a competitively bid Direct Bank Loan of up to \$5 million dollars, consisting of the following projects:

- | | |
|-------------------------|--|
| ▪ \$1.50 million | HVAC Projects |
| ▪ \$.25 million | Medic 2 Replacements |
| ▪ \$.32 million | Stadium Lighting |
| ▪ \$.45 million | E-911 Radio Equipment |
| ▪ \$.22 million | High End Police Replacement (Cameras) |
| ▪ \$1.10 million | Engine Three / Ladder Combination |
| ▪ \$.25 million | Medic 5 Replacement |
| ▪ \$.25 million | Emergency Generator City Hall |
| ▪ \$.16 million | Street Sweeper |
| ▪ \$.085 million | Bay Heater and Door Replacement |
| ▪ \$.15 million | Dump Truck |
| ▪ \$.135 million | Backhoe Replacement |
| ▪ \$.13 million | Estimated Costs of Issuance / Rounding |
| ▪ \$5.00 million | General Fund Total |

Councilman McLemore stated he would like to see the total of these projects reduced from five million to four million by eliminating some of the items from the list above. He added he does not see the need for a \$250,000.00 Emergency Generator for City Hall.

Davenport suggested when the City borrows the money; they borrow this money on an as needed basis. He explained this is based on a line of credit loan whereas; you could borrow up to \$5 million, but does not necessarily mean you will borrow the full amount. The City would be charged only for the amount that is actually borrowed. Davenport needs guidance from Council on what they would like to do. Whatever Council chooses to do; a Public Hearing will be required.

Councilman McLemore asked for clarification to make sure that the City would only be paying interest on the amount that is borrowed.

Davenport confirmed that was correct.

Davenport stated if Council gave them some direction on what they choose to do, they will spend July and August working towards putting something together and then actually putting the plan out to bid.

Davenport recommended the following steps in completing the loan process:

- **Monday, July 22, 2019 - City Council Meeting;** Davenport to present to City Council an update on the multi-year Plan(s) of Finance including the competitive RFP process for General Fund New Money capital projects, Line of Credit for Utility capital projects, and General Fund Restructuring
- City Council adopts a Reimbursement Resolution for Capital Improvement Projects;
- **Balance of July / August** – Approve the Process to advertise for a Public Hearing;
- Davenport, with Bond Counsel assistance, to develop the documents and bidding parameters for General Fund New Money financing, Utility Line of Credit, and General Fund Restructuring
- **Monday, August 26 – City Council Meeting** – Davenport to present results of competitive RFP process for General Fund New Money capital projects, a Line of Credit for Utility capital projects, and General Fund Restructuring (i.e. Direct Bank Loans(s);
- City Council holds Public Hearing and formally approves the winning bidder (s), as appropriate.
- **Early September - Close on Utility Line of Credit** - Close on General Fund New Money financing and / or General Fund Restructuring as appropriate.
- **Note:** Depending upon Bank proposals received for the General Fund New Money Capital Needs and General Fund Restructuring, the City may wish to consider obtaining financing through public credit markets,
- **September / October** – Visit with national Credit Rating Agencies in anticipation of a General Fund New Money financing and / or a Restructuring in late calendar year 2019 and courthouse financing(s), likely in CY 2020 and / or CY 2021, as necessary.

City Manager Jarratt informed Council no resolution was needed, but Davenport would need direction from them in order to proceed with the bidding process.

City Council gave their consensus to Davenport to move forward with the bidding process.

Councilman McLemore requested that Davenport move forward but move forward with caution.

Mayor Frank Rabil asked for a motion to adjourn the July 22, 2019 Work Session with Davenport & Company.

Councilman Benny Burgess motioned to adjourn the July 22, 2019 Work Session with Davenport & Company.

The motion was seconded by Vice-Mayor Barry Cheatham.

The motion carried the vote by 7-0.

The July 22, 2019 Work Session with Davenport & Company adjourned at 6:58 p.m.

Mayor

Clerk to City Council

Council Members in Attendance: Frank Rabil, Mayor; Barry Cheatham, Vice-Mayor; Councilman Linwood Johnson; Councilman Bobby Cutchins, Councilwoman Wyndolynn Copeland; Councilman Gregory McLemore and Councilman Benny Burgess

Staff in Attendance: Amanda Jarratt, City Manager; Taylor Williams, City Attorney and Leesa Barnes, Acting Secretary, Recording Minutes

Other Staff in Attendance: Russ Pace, Director of Public Works; Brenda Rickman; Commissioner of Revenue; Dinah Babb, Treasurer of the City of Franklin; Dan Howe, Director of Downtown Franklin Association; Michelle Dandridge, Director of Human Resources; Mark Bly, Director of Power & Light; Robert Porti, Interim Chief of Police; Vernie Francis, III, Interim Director of Emergency Services; Samara Green-Bailey, Activities Director of Parks & Recreation; Tracy Spence, Director of Finance and Joyce Johnson, Utilities Billing and Customer Service Supervisor

CALL TO ORDER

Mayor Frank Rabil called the July 22, 2019 Regular City Council Meeting to order at 7:00 p.m.

CITIZEN'S TIME

There were no sign-ups for Citizen's Time.

AMENDMENTS TO AGENDA

Vice-Mayor Barry Cheatham made a motion to add additional topics to Closed Session as follows: He motioned to add appointments to Boards and Commissions. He also added to discuss to a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Public Body regarding specific legal matters requiring legal advice and the discussion consideration for interview of perspective candidate for employment pursuant to Virginia Code Section 2.2 – 3711 (A) (1), (3) (5) & (8)

Councilman Benny Burgess seconded the motion.

The motion carried the vote by a 7-0 vote.

CONSENT AGENDA

Approval of June 24, 2019 Minutes

Mayor Frank Rabil asked if there were any corrections or additions to the June 24, 2019 Minutes.

Councilman Benny Burgess stated there were a couple of duplications that needed to be corrected.

Upon not locating the duplications, Mayor Rabil decided to defer the June 24, 2019 Minutes until the next City Council meeting that will be held on Monday, August 12, 2019.

FINANCIAL MATTERS

Budget Amendment 2020-1

City Manager Amanda Jarratt introduced Tracy Spence, Finance Director, to review Budget Amendment 2020-1.

Director Spence explained the first item on Budget Amendment 2020-1 is to recognize revenues from the Commonwealth of Virginia and to appropriate revenues for use in the amount of \$634,243.00 and the second is dealing with the sale of jet fuel and aviation gas of \$67,500.00 and to appropriate such revenue for use. She then asked if there were any questions.

Councilman Gregory McLemore asked was the revenue in the amount of \$67,500.00 from the sale of the jet fuel or is this for the purchase of jet fuel.

Director Spence answered this is for appropriation in order to purchase the jet fuel.

Councilman Benny Burgess stated at budget time the City did not appropriate any funds for jet fuel.

Director Spence answered this was taken out at budget time so the City could not purchase fuel.

Councilman McLemore asked if these funds were coming out of the General Fund.

Director Spence answered no these funds would be coming out of the Enterprise Fund.

Councilman Benny Burgess motioned to approve Budget Amendment 2020-1.

The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by a 7-0 vote.

Utility Accounts Receivable Write-Offs

Director Tracy Spence gave a review of Utility Accounts for year 2012 that are deemed uncollectable due to the Statute of Limitations in Virginia Code 58.1-3940. The Statute of Limitations restricts the office from actively placing any collections on these accounts. The Treasurer's office has pursued all collection tools allowed to the office to collect those inactive accounts. She recommends \$87,612.38 (\$32,308.01 utility charges and \$55,304.37 penalty) inactive utility accounts be charged off.

Councilman Gregory McLemore asked where was the list of uncollected accounts.

Director Spence answered the list is located in the Agenda Package, but the names are not listed, just the account numbers for confidentiality purposes.

Councilman McLemore asked if any of these accounts were from businesses.

Director Spence answered yes some of these accounts were from businesses.

Councilman Benny Burgess asked how the bankruptcies are handled.

Director Spence answered the bankruptcies are automatically written off.

Councilman McLemore expressed he was not comfortable writing off utility accounts without knowing who owes this money.

Councilwoman Wyndolynn Copeland asked if these businesses were still active.

Dinah Babb, City Treasurer answered no they are no longer in business.

Councilman Linwood Johnson asked if there was any way these businesses could open under new names.

Treasurer Babb answered if this was to happen, the City would require higher deposits due to the history.

Councilman Bobby Cutchins asked if these accounts were turned over to a collection agency.

Treasurer Babb answered once we have exhausted every resource to try and locate the owner, we write them off. She informed Council she has looked into hiring a Collection Agency but in the past the City has not hired a Collection Agency. She added these accounts are kept on the books for five years which is what the Statute of Limitations will allow.

Mayor Frank Rabil asked for a motion to approve the Utility Accounts Receivable Write-Offs.

Councilman Linwood Johnson motioned to approve the Utility Accounts Receivable Write-Offs.

The motion was seconded by Vice-Mayor Barry Cheatham.

The motion was carried by a 6-1 vote.

The Vote was as follows:

Mayor Frank Rabil	AYE
Vice-Mayor Barry Cheatham	AYE
Councilman Linwood Johnson	AYE
Councilman Wynndolyn Copeland	AYE
Councilman Gregory McLemore	NAY
Councilman Benny Burgess	AYE

OLD / NEW BUSINESS

Nomination of Ward 5 School Board Seat

City Manager Amanda Jarratt stated the Ward 5 representative is scheduled for re-appointment to another three-year term. There were no nominations at our May 13, 2019, meeting so the process has been advertised for this evening. City Manager Jarratt added the individual that was selected at the June City Council Meeting had informed her that they would not be able to serve if selected.

Mayor Frank Rabil opened the floor for nominations for Ward 5 representation for the Franklin City School Board.

Peggy R. Scott of 100 Oakwood Drive, Franklin, Virginia nominated Andrea Shelton to represent Ward 5 for the Franklin City School Board. Ms. Scott informed Council that Andrea was an enthusiastic, dependable and dedicated professional who has demonstrated her ability to initiate tasks and coordinate procedures. She has ten plus years of teaching experience. She also possesses two master degrees and a doctoral candidate at one of our major universities in the state of Virginia.

Mayor Rabil asked if there were any other nominations for Ward 5 for the Franklin City School Board.

Being there were no other nominations for Ward 5 Franklin City School Board, Mayor Frank Rabil closed the nomination period.

Councilwoman Wynndolyn Copeland requested School Board interviews be scheduled before August 4, 2019 or after August 20, 2019, due to vacation.

Paul D. Camp Community College Update

City Manager Amanda Jarratt invited Dr. Dan Lufkin, President of Paul D. Camp Community College and Jamie Weist, of Kimberly Horn and Associates, Inc. to come to the podium to give a presentation about the Paul D. Camp Community College Athletics Program Economic Impact Analysis.

Dr. Lufkin informed Council that Paul D. Camp Community College (PDCCC) creates a positive impact on business community through its athletics programs, which draw students to the region, retain in-region athletes, and attract visitors for games. PDCCC's athletics programs currently serve approximately seventy student athletes, and the college hopes that by increasing funding and support for the programs it can expand to establish soccer teams, growing to serve about 120 student athletes. Once the expansion is complete. PDCCC's athletics programs will add \$6145 thousand in income to the PDCCC Service Region economy each year. It is estimated that 68% of PDCCC's student athletes will originate from outside the region, and the majority of these students will relocate to the PDCCC Service Region. These student athletes will spend money at businesses in the region for everyday needs such as groceries, accommodations and transportation. PDCCC's athletics programs will also attract out- of- region visitors who come to the region to attend games. These out-of-region visitors will bring new dollars to the economy through their spending at hotels, restaurants, gas stations and other regional businesses.

Mr. Weist then presented some projections, he stated by improving the facilities the attendance will increase. He added once the athletics programs are expanded the college estimates it will host forty-eight games per year, resulting in 1,200 out-of-region visitors annually. Mr. Weist presented the following benefits to improving the PDCCC's athletic facilities:

- Increase in spending and tourism
- Grow our economy
- Give back to our communities
- Investment in local infrastructure

Dr. Lufkin closed by saying he was not ready to make a formal request yet. He was just promoting awareness. He would be back with a formal request after his research had been completed.

Councilman Linwood Johnson asked would this project be similar to the Sportsplex facility in Hampton.

Dr. Lufkin answered he was but this facility would be different.

Councilman Gregory McLemore asked what was the top field of study other than the nursing program.

Dr. Lufkin answered General Studies which a student would carry on to a four-year university.

Councilman McLemore expressed his concern that PDCCC was not offering a basketball program.

Dr. Lufkin answered basketball courts were very expensive to construct but would look into this in the future.

Vice-Mayor Barry Cheatham asked if PDCCC offered strength conditioning facilities.

Dr. Lufkin replied PDCCC did not offer strength conditioning facilities but partnered with other facilities for this type of training.

Public Hearing Sale of Pin Point Property

Councilman Benny Burgess informed Council after discussion with Taylor Williams, City Attorney they determined there was not a conflict of interest but in case there was an appearance of a conflict of interest he excused himself.

Mayor Frank Rabil stated before Councilman Burgess left the meeting he wanted to make sure that everyone knew there would be no action on this item tonight.

City Manager Amanda Jarratt stated at City Council's request she directed staff to advertise a public hearing to discuss the sale of the property near the boat landing commonly referred to as the Pin Point Property. The Public Hearing allows the City of Franklin to sell the property at some point in the future if they choose to do so.

Mayor Frank Rabil opened the Public Hearing for speakers.

Speaker 1

Liz Burgess, resides at 409 North College Drive, Franklin; she introduced herself as the president of the Franklin Experience, which is a non-profit organization. She stated the City of Franklin's Comprehensive Plan shows the City has modest plans for the Pin Point Property. The land is located in the flood plain. She asks that Council please listen to the Franklin Experience to see what they have planned for this area before making a decision to sell this property.

Speaker 2

Bobby Tyler, resides at 112 Queens Lane, Franklin, Virginia; he asks why would City Council want to sell the Pin Point property. He added he contacted City Attorney, Williams the week before and he does not know how much the land is worth. There is timber on this land that could be sold for a price. He added on the City's GIS system the total acreage is incorrect. He asked had there been an actual study to see what the actual value of this property is.

Speaker 3

Rebecca Harper, resides at 103 Parks Circle, Franklin, Virginia; she is a member of the Franklin Experience Group. She is in favor of the sale of the Pin Point Property. She would like for Council to explore other opportunities for this land.

Speaker 4

Ruth R. Scott, resides at 100 Oakwood Drive, Franklin, Virginia; She is not in favor of the sale of the Pin Point Property. She would like for City Council to explore other opportunities before making a decision.

Iashia Yarough, resides at 1222 South Street, Franklin, Virginia; She is not in favor of the sale of the Pin Point Property as well.

Lawyer Artis, resides at 401 Harrison Street, Franklin, Virginia; He is not in favor of the sale of the Pin Point Property. He stated this property would be needed if the decision was made to expand the Franklin City Courthouse.

Jim Hart, resides in the County but is a business owner in the City of Franklin; He is not in favor of the sale of the Pin Point Property. He stated the City does not need to give up a property without doing proper research first, such as value, size and the cost of the timber on this property.

Mayor Frank Rabil asked if anyone else wanted to speak.

There being no more speaker, Mayor Frank Rabil closed the Public Hearing.

Mayor Frank Rabil asked Council for discussion.

Councilman Gregory McLemore stated he is not in favor of the sale of Pin Point. He also thinks more research needs to be done as well as the possibility of expanding the courthouse. He stated he embraces the ideas of the Franklin Experience.

Vice-Mayor Barry Cheatham stated he also would like more information before a decision is made.

Councilman Linwood Johnson agreed with Vice-Mayor Cheatham's statement.

Franklin Redevelopment & Housing Authority Appointments

Ward 3 Nominations

City Manager Amanda Jarratt explained to Council three individuals from the Franklin Redevelopment and Housing Authority Board (FRHA) of Directors were not properly reappointed. She requested appointing individuals from Ward 3, Ward 4 and an at Large Seat.

Mayor Frank Rabil asked for nominations for Ward 3.

Councilman Gregory McLemore nominated Keisha Saunders to serve on the Franklin Redevelopment & Housing Authority to represent Ward 3.

Councilman Benny Burgess stated previously nominations have been discussed in Close Sessions.

Councilman McLemore asked why is it necessary to go into Closed Session for nominations.

Council's consensus was to move on with the nominations in Open Session.

Councilman Gregory McLemore made a motion to nominate Keisha Saunders to serve on the Franklin Redevelopment & Housing Authority Board as Ward 3 Representative.

The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote by a 5-2 vote.

The vote was as follows:

Mayor Frank Rabil	AYE
Vice-Mayor Barry Cheatham	NAY
Councilman Linwood Johnson	AYE
Councilman Wynndolyn Copeland	AYE
Councilman Gregory McLemore	AYE
Councilman Benny Burgess	NAY

Ward 4 Nominations

Mayor Frank Rabil asked for nominations for Ward 4.

Councilman Linwood Johnson motioned to appoint Shaquita Barrett to represent Ward 4 on the Franklin Redevelopment & Housing Authority Board.

The motion was seconded by Councilman Gregory McLemore.

The motion carried the vote by 7-0.

At Large Seat

Mayor Frank Rabil asked for nominations for the at Large Seat.

Councilman Linwood Johnson motioned to nominate Cheryl Vincent for the at Large Seat for the Franklin Redevelopment & Housing Authority Board.

The motion was seconded by Wynndolyn Copeland.

Mayor Frank Rabil asked for discussion.

Councilman Gregory McLemore stated it was an honor to have Mrs. Cheryl Vincent serve on the Franklin Redevelopment & Housing Authority Board. He added she will be a great asset to this board.

The motion carried the vote.

Amendments to City Code Related to Various Fees

City Manager Amanda Jarratt gave an overview on Amendments to City Code Related to Various Fees. She informed Council the City of Franklin Clerk of Court as well as a private citizen have made the City of Franklin Administration and City Council aware of various fees. City Attorney, Taylor Williams drafted the following amendments to the City Code:

- Section 19 – 73 would assess a sum of \$2.00 as a part of the fees taxed as costs in each civil action filed in the Franklin General District Court and the Franklin Juvenile Domestic Relations District Court and each and every criminal or traffic case in the Franklin General District Court or Juvenile and Domestic Relations District Court. The assessment can be used for the costs of construction, renovation, or maintenance of the City of Franklin Courthouse.
- Section 19 – 74 would assess a sum of \$10.00 as part of the costs in each and every criminal or traffic case in which the person is convicted in the Franklin General District Court or the Franklin Juvenile and Domestic Relations District Court. These fees are solely for funding of courthouse security personnel.
- Section 17-60 would assess a fee of \$350.00 when someone is found guilty of a driving under the influence in the City of Franklin

Mayor Frank Rabil asked if each one of these amendments needed to be done separately or if they could be done together.

City Attorney Taylor Williams answered they could be done either way, that was a matter of preference.

Mayor Frank Rabil asked for a motion to amend the City Code to reflect the amendments as presented.

Councilman Gregory McLemore expressed some concern about these Amendments.

The motion carried the vote by 6-1.

The vote was as follows:

Mayor Frank Rabil	AYE
Vice-Mayor Barry Cheatham	AYE
Councilman Linwood Johnson	AYE
Councilman Bobby Cutchins	AYE
Councilwoman Wynndolyn Copeland	AYE
Councilman Gregory McLemore	NAY
Councilman Benny Burgess	AYE

Follow Up Conversation from Joint Meeting with Southampton County Board of Supervisors

City Manager Amanda Jarratt gave an overview of the Joint Meeting with Southampton County Board of Supervisors as well as a time-line of the history of the series of meetings concerning the courthouse. She stated after the April 11, 2016 Mike Johnson, Southampton County administrator made a presentation to City Council concerning the Southampton Courthouse Project. At the end of this presentation he asked two things of City Council; the first being to appoint a Council Member and the former City Manager Randy Martin to the Courthouse Committee and the second was to consider combining the two courts and sharing all resources. During this discussion the Mayor at the time, Raystine Johnson asked how would we know if we could combine the two courts. The response from Administrator Johnson was that would be the work of the Courthouse Committee over the next ten to twelve months. The former City Manager Martin referenced an assessment of the City of Franklin Courthouse, which we have since found out does not exist. At the first meeting of the Courthouse Committee held on May 5, 2016 per the minutes former City Manager Martin mentioned that the two courts should be combined. At the second meeting of the Courthouse Committee held on May 18, 2016 per the minutes Rick Francis motioned for the two courts to be combined and the vote was past unanimous to join the courts. At the City Council meeting that was held on May 23, 2016 during the Boards and Commissions section of the meeting that the courthouse committee had voted to recommend to the Board of Supervisors on whether or not to move the courthouse to a new location and to pursue the combining of the courts. The next time that she found that this was an agenda item was on September 11, 2017. City Manager Jarratt informed Council in all her research she has not found anywhere in the minutes where there was any vote on combining the two courts. She added as for the question that arose at Monday night’s meeting with the Southampton Board of Supervisors concerning the Courthouse Project about certain provisions of the Code of Virginia. It appears that section 16.1 – 69.7 will put a complete halt to any discussion of combining the City of Franklin Courts with Southampton County Courts. That section reads as follows “On or after July 1, 1973, every County and City there shall be one court that shall be called the municipality’s Juvenile and Domestic Relations District Court”, unless the General Assembly specifically states otherwise. She added she asked City Attorney Williams about this particular Code Section and he concurred this was correct.

City Manager Jarratt stated she has reached out to the Virginia Municipal League for information concerning this. Mr. Johnson emailed the Virginia Supreme Court on May 25, 2016, asking about this the process of the City of Franklin and Southampton County combining courts. The Supreme Court replied on June 10, 2016 that any combination of this type would require presentation and approval by the Commission on District Courts. This information was reported to Randy Martin, City Manager, at the time and Taylor Williams, City Attorney in 2016. She added she is not aware of why this was not discussed with Council.

Councilman Gregory McLemore asked why didn't City Attorney Williams make City Council aware of this information.

Attorney Williams replied he honestly did not remember receiving such an email.

Councilman Bobby Cutchins stated this question was asked at the Joint Meeting.

Councilman McLemore stated that he asked this question at the Joint Meeting and I was shut down.

Councilman Bobby Cutchins stated he has asked Southampton County Attorney, Richard Railey and he replied he did not know.

Vice-Chairman Barry Cheatham stated the City became a City before this Code was adopted since the City of Franklin's General District Court existed before 1973 then we cannot give up our General District Court.

City Attorney Williams informed Council that Section 16-21 - 67.7 does not state the City will give up their charter. He added before the City can give up its Charter, the City would have to go to court because there was an agreement of annexation between the County and the City.

Councilman McLemore stated that's a legal opinion. He added the code states on or after July1, 1973, every County and City there shall be one court that shall be called the municipality's Juvenile and Domestic Relations District Court."

City Attorney Williams told Councilman McLemore where does it say in that Code Section does it say the City would be giving up its charter.

Councilman McLemore replied it does not say it, it is implied.

City Attorney Williams replied we do not imply laws. He added he should not be arguing with you; you are not a lawyer.

Councilman Bobby Cutchins stated his main concern is that Council has learned a lesson, for future projects such as this to always contact the Supreme Court first.

Mayor Rabil stated to continue on pursuing a meeting with the judges to see what needs to be done with the Courthouse besides as far as the Circuit Court goes the City is still responsible for thirty percent of the cost of the Courthouse.

Councilman Linwood Johnson stated that we need to move forward with the security requirements on our Courthouse.

Councilman Cutchins stated we have been told we do not have a choice in the percentage we are required to pay, but can we seek outside Legal Counsel to make sure that what we are actually responsible to pay is correct.

City Manager Jarratt stated the last communication that was sent to Southampton County was to ask the County to stop spending any money associated with the Courthouse until everyone could agree on an estimate.

Councilman McLemore stated he thought it was important for the citizens to know that they had been misinformed on a number of items dealing with the Courthouse. He added that this thirty percent that the City was expected to pay should be renegotiated.

Mayor Rabil reminded Council that they needed to honor what the referendum stated.

Councilman Johnson stated at the end of the meeting it was agreed on getting a second opinion on the price of the new or renovation of the Courthouse therefore, we need to seek action.

Mayor Rabil asked Councilman Johnson for clarification of his statement. He asked if he wanted something drawn up about seeking a second opinion.

Councilman Cutchins stated he thought Council should wait and see the outcome of the Southampton County Meeting before making any further decisions.

Mayor Rabil and Council agreed with Councilman Cutchins' statement.

City Manager's Report

City Manager Amanda Jarratt informed Council of the following items:

General Updates

- That she and staff were working with Franklin City Schools, Franklin Parks and Recreation, Franklin Power and Light to complete the Armory Field lighting project. This will require coordination between all parties to ensure the least amount of impact to the use of the field.
- In an effort to continue addressing the housing needs in the City of Franklin we will be pursuing a Planning Grant for another Community Development Block Grant. The City of Franklin Planning Commission will discuss various options at their July meeting and make a recommendation.
- As a reminder to the public, trash will no longer be collected on the day of a City holiday. If your trash collection day falls on one of these holidays your trash will be collected the following business day.

- We are still awaiting information back from the Virginia Department of Transportation regarding the intersection of Highway 58 and 258. We are hopeful to have a meeting with them set up the last week in July.
- City Manager Jarratt stated she has executed the final paperwork for the listing of the Camp Family Homestead.
- City Manager Jarratt introduced Jay Brenchick as the next President & CEO of Franklin Southampton Economic Development, Inc.

Community Events

- Franklin Cruise in and We Be Jammin continue throughout the remainder of the summer.
- Franklin Southampton County Fair August 7th through August 10th.
- Community Day College Drive Park July 27, 2019 11:00 am to 4:00 pm
- City of Franklin African American Festival, September 21, 2019, at Barrett's Landing

COUNCIL / STAFF REPORTS ON BOARDS / COMMISSIONS

Mayor Frank Rabil asked if anyone had anything to report for Council / Staff Reports on Boards and Commissions.

Vice-Mayor Barry Cheatham informed Council that he attended the Hampton Roads Transportation Planning Organization (HRTPO) meeting and everything is on schedule for the 264 Interchange and the High-Rise Bridge as well as the 64 widening project is on schedule. HRTPO and the Hampton Roads Planning District Commission (HRPDC) have already worked on their Legislative Agenda. He stated that City Council do the same so the City can get support for our needs. He announced there will be a Joint Meeting with the HRPDC and the HRPTO on August 28, 2019.

Councilman Linwood Johnson informed Council that he attended a Virginia Municipal League(VML) Meeting on July 18, 2019. One of the topics of discussion was Amazon is coming to Virginia.

He asked Council to look into a Scooter Ordinance because they are becoming a popular means of transportation.

He also suggested the City come up with an Opportunity Zone to supply infrastructure within the City.

Councilman Gregory McLemore informed Council that the Franklin Housing Authority met on July 18, 2019 to discuss reorganization and to appoint a Temporary Chairman which Councilman Linwood Johnson was appointed as such. He will serve until the next meeting. There was a situation where twenty-four apartments at Holland Trace were out of power and the citizens had to be relocated to hotels for a day.

He also announced he would be joining the VML as well.

He reminded Council that the third annual Community Back to School Bash will be held on Saturday, August 17, 2019 from 4:00 pm to 7:00 pm at College Drive Playground. He invited his fellow Council Members to join him.

Councilman Benny Burgess informed Council that the Franklin Business Center met on August 17, 2019, where there were three new businesses admitted and discussed the possibility of offering long-term leases for businesses that have been located at the Center for a while.

He added the Franklin Experience had a baseball tournament the week before,

CLOSED SESSION

Mayor Frank Rabil asked for a motion to go into Closed Session.

Councilwoman Wynndolyn Copeland moved that the Franklin City Council meet in closed session to discuss appointments to boards and commissions; to discuss a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, regarding specific legal matters requiring legal advice pursuant to Virginia Code Section 2.2 – 3711 (A) (1), (3) (5) & (8).

The motion was seconded by Vice-Mayor Cheatham.

The motion carried the vote by 7-0.

Closed Session Action

Councilman Gregory McLemore made a motion to appoint C. Steve Patterson as the City of Franklin Police Chief.

The motion was seconded by Vice-Mayor Cheatham.

The motion carried the vote by 7-0.

ADJOURNMENT

Having nothing further to discuss Mayor Frank Rabil asked for a motion to adjourn.

Councilwoman Wynndolyn Copeland motioned to adjourn the July 22, 2019 Regular City Council Meeting.

The motion was seconded by Vice-Mayor Barry Cheatham.

The July 22, 2019, Franklin City Council meeting adjourned at 9:06 p.m.

Mayor

Clerk to City Council



**DECLARATION OF LOCAL EMERGENCY ON AUGUST 21, 2019 BY THE CITY OF FRANKLIN, VIRGINIA
DIRECTOR OF EMERGENCY SERVICES**

1. On August 20, 2019 the City of Franklin suffered an unexpected series of severe thunderstorms with lightning strikes, hail, straight line winds with up to 80 mph and torrential rain up to 3-5 inches.
2. These severe thunderstorms caused widespread power outages throughout the City, fires in the City, trees down in the City and greatly hampered the ability of various City Departments to Communicate with one another.
3. Temperatures today, August 21, 2019 are expected to rise into the high 80's to low 90's with high humidity and the possibility of additional thunderstorms occurring in the afternoon. These weather conditions will further impact existing conditions within the City.
4. That is a result of the aforementioned rain, wind and extreme high temperatures, the City of Franklin is facing a condition of extreme peril which will put in jeopardy the lives and property of the residents of the City; and
5. That as a result of this extreme peril, the declaration of the existence of an emergency is necessary to permit the full powers of City government to deal with this condition of peril; and
6. That during the existence of this emergency, the powers, functions and duties of the Director of Emergency Services, City Manager Amanda C. Jarratt, the Coordinator of Emergency Services, Vernie Francis, (the Chief of the Department of Emergency Services – Fire and Rescue); Deputy Coordinator of Emergency Services – Fire and Rescue) service organizations and City Departments would be those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions and emergency operations plan of the City of Franklin, Virginia in order to mitigate the effects of such emergency; and
7. That City Manager Amanda C. Jarratt; the Director of Finance, Tracy Spence; and their designees, are hereby authorized to expend funds from the City's unappropriated fund balances to cover the reasonable operational costs of emergency services as would be deemed necessary to cover the expected scope of the emergency, subject to subsequent ratification of such expenditures by City Council.
8. Now, therefore; I, Amanda C. Jarratt, Directory of Emergency Services, for the City of Franklin, Virginia, do hereby proclaim and declare that a local emergency exists in the City of Franklin, Virginia, effective on the 21st of August 2019.


Director of Emergency Services



*Office of the City Manager
Amanda C. Jarratt*

August 23, 2019

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Year End Financial Review

Background

Finance Director Spence will provide an overview of FY 2019.

Needed Action

None at this time.



*Office of the City Manager
Amanda C. Jarratt*

August 23, 2019

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Davenport Finance Follow Up

Background

The RFP for financing options was issued and responses were received on Wednesday August 21, 2019. Davenport will provide an overview of our options.

Needed Action

None at this time. The Public Hearing is scheduled for September 9th.



DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING - BUILDING INSPECTIONS – ZONING



To: Amanda C. Jarratt, City Manager

From: Donald E. Goodwin, CBO, CFM, Director of Community Development

Date: August 20, 2019

CC: City Council Members
Planning Commission Members

RE: Proposed Zoning Ordinance Text Amendments and Zoning Map Amendment

Please be advised that the Planning Commission is currently proposing four text amendments to the zoning ordinance and one zoning map change. As you recall there was a first reading of these at the last Council meeting. The required public hearing notices and property owner notifications have been completed per Code of Virginia Section 15.2-2204. (See attached documentation). The proposed changes are as follows:

1. Ordinance text amendments to create provisions that regulate food trucks in commercial and industrial zoning districts.
2. Ordinance text amendments to allow food trucks in commercial and industrial zoning districts.
3. Ordinance text amendment to the off-street parking requirements in order to reduce the number of required spaces, the size of the spaces and provisions for use of various parking surfaces to reduce the amount of stormwater runoff.
4. Ordinance text amendment to reduce the lot size and frontage in the R-O zoning district.
5. Ordinance text amendment to allow legal lots of record to be sued as a single family dwelling if the lot does not meet the then current lot size and frontage.
6. Zoning map amendment to rezone the current downtown B-3 zoning district to B-3A. The comprehensive plan future landuse map shows this area as mixed use.

STAFF RECOMMENDATION: Hold a Joint Public Hearing with the Planning Commission for these amendments, receive public comment and consider the planning commission's recommendation's for each proposed amendment for adoption.

NOTICE OF PUBLIC HEARING

Notice is hereby given in accordance with Virginia Code Section 15.2-2204 that the Franklin City Council and the Planning Commission of the City of Franklin, Virginia will hold a joint public hearing on Monday, August 26, 2019 at 7:00 P.M. at the City Council meeting being held in the City Council Chambers at City Hall, 207 W. Second Avenue, Franklin, Virginia to consider amendments to the City of Franklin Zoning Ordinance and the Official Zoning Map as follows:

- 1) Amend Section 3.5 and 3.7 of the Zoning Ordinance and the table in Section 19.2 of the Zoning Ordinance in the R-O Single Family Residence District regulations to decrease the minimum lot size for detached single family dwellings from forty thousand (40,000) square feet to twenty thousand (20,000) square feet per lot., and reduce the minimum lot width from one hundred fifty (150) feet to one hundred (100) feet.
- 2) Amend the Official Zoning Map to change that portion of the B-3 General Business District which is located in the Downtown Central Commercial Area from B-3 General Business District to B-3A General Business District. The properties affected by this amendment include: Tax Parcels 90-40-6, 107-48-14-57, 123-77-A-3, 123-77-A-5, 123-77-A-7, 123-77-A-9, 123-72-10-41, 106-48-242, 107-48-19-10, 107-48-22-2, 107-55-13-5, 107-55-13-6, 107-55-13-7, 106-109-E, 107-48-23-6, 107-48-24-1, 107-48-24-2, 107-48-24-3, 107-48-25-4, 107-48-25-6, 107-48-25-6A, 107-55-2-40A, 107-55-6-2A, 107-55-7-4, 107-55-7-4A, 107-55-7-5, 107-55-7-6, 107-55-7-7, 107-55-7-8, 107-55-7-9, 107-55-7-5A, 107-55-9-12, 107-55-9-13, 123-122-A, 123-122-D, 123-48-25-5, 123-48-25-6B, 123-72-7-50, 123-72-7-50A, 123-72-7-51, 123-72-7-52, 123-72-8-32, 123-72-8-33, 123-72-8-32A, 123-72-8-33A, 123-78-1, 90-40-3, 90-40-4, 90-40-5, 90-55-1-55, 90-55-1-55A, 91-40-1, 91-40-2, 106-47-9, 106-48-12-243-2, 90-48-12-243-1, 107-55-6-1, 107-55-6-2, 107-55-6-3, 107-55-6-4, 107-55-6-5, 91-55-2-48, 91-55-2-48A, 91-55-2-48B, 106-109-C, 106-48-16-245, 107-48-16-246, 107-48-16-247, 107-48-16-248, 107-48-16-249, 107-48-16-250, 106-109-A, 106-109-B, 106-109-D, 107-48-16-251, 107-48-16-252, 107-48-16-253, 107-48-16-254, 107-48-16-255, 107-55-11-1A, 107-55-9-10, 107-55-9-10A, 107-55-9-10B, 107-55-9-11, 107-55-9-11A, 107-55-11-1, 107-55-11-2, 107-55-11-3, 107-55-11-4, 107-55-11-5, 107-55-11-6, 107-55-11-7, 107-55-13-1, 107-55-13-1A, 107-55-13-9A, 107-55-13-9B, 107-55-13-8, 107-48-22-4, 107-48-23-1, 107-48-23-2, 107-48-23-3, 106-48-14-229, 106-48-14-60, 107-55-6-6, 106-48-15-244, 91-55-1-49, 91-55-1-50, 91-55-1-51, 91-55-1-52, 91-55-1-53, 90-55-1-54, 123-122-B, 106-48-13-230, 106-48-13-231, 107-48-14-53, 107-48-14-56, 107-48-14-55A, 107-48-14-58, 90-40-7, 106-48-14-59, 106-47-1, 106-47-2, 106-48-12-237, 106-48-12-238, 106-47-3, 106-47-4, 106-47-5, 106-47-6, 106-47-7, 106-47-8, 107-48-14-55, 107-55-13-2, 107-55-13-3, 107-55-13-4, 123-72-8-31, 123-72-8-34, 123-72-10-47A, 123-72-10-52, 123-72-10-53, 123-72-10-54, 123-77-B-1E, 123-78-2, 123-122-C, 107-55-2-41, 107-55-2-42, 107-55-2-43, 107-55-2-44, 107-55-2-45, 107-55-2-46, 107-55-2-47, 106-48-13-17A, 106-48-13-232, 106-48-13-233, 106-48-13-234, 107-55-3-17, 107-55-3-18, 107-55-3-18A, 107-55-3-19, 107-55-3-19A, 107-48-25-1, 107-48-25-2, 107-48-25-3, 123-77-B-1D, 106-210-A, 106-210-B, 107-225-B, 107-55-8-1, 107-48-22-1, 123-72-7-53A, 90-36-6, 123-72-7-53, 107-48-22-3
- 3) Amend Section 19.2(2) of the Zoning Ordinance to provide that any lot lawfully of record, except in the B-3 and M districts, may be used for a single family dwelling even though such lot does not meet the lot area or lot width requirements of the district, provided all the other regulations of this ordinance are satisfied. Such single family dwelling shall not be deemed to be nonconforming.
- 4) Add Section 2.13 to the Zoning Ordinance to allow Food Trucks and Mobile Food Vendors on developed properties within the city under an annual administrative permit issued by the zoning administrator.

- 5) Amend Sections 10.4, 11.4, 12.4, 12A.4, 13.3 and Section 14.3 of the Zoning Ordinance to allow a Mobile Food Vendor as a permitted accessory use.
- 6) Amend Sections 18.2, 18.3, 18.4, and Section 18.5 to provide for reduced required off-street parking for select uses; to provide for special parking regulations for single – family detached dwellings, to provide for units of measurement and how to calculate the number of required parking spaces; to allow for decreases or increases in the number of parking spaces when approve by the planning commission or zoning administrator conditioned on a reduction of pre-development stormwater runoff; to reduce the parking space width to nine feet and to offer alternative parking surfaces to reduce post development stormwater runoff volume from entering the offsite receiving system.

A map with the R-O zoning district shaded and the proposed B-3A area appears on the attachment enclosed in this notice. In the event of any discrepancy between that map and the official zoning map, the official zoning map shall control. Full texts of the proposed ordinance amendments are available for inspection at the office of the secretary of the Planning Commission located at 207 West Second Avenue, Franklin, Virginia during regular business hours. Any person desiring to express his or her views with respect to the proposed amendments should appear at the aforesaid time and place. The public hearing is to be held at a public facility designed to be accessible to persons with disabilities. Any persons with questions concerning the accessibility of the facility or those who have need for reasonable accommodations should contact Shelia Baker, at (757) 562-8501. Persons needing interpreter services for the deaf must notify Ms. Baker at least seven (7) days in advance of the hearing.

City of Franklin Planning Commission
Donald E. Goodwin, CBO, CFM
Secretary

Run in Tidewater News legals
Sunday August 11th and 18th, 2019



August 7, 2019

Dear Property Owner,

Reference: NOTICE OF PUBLIC HEARING

Notice is hereby given in accordance with Virginia Code Section 15.2-2204 that the Franklin City Council and the Planning Commission of the City of Franklin, Virginia will hold a joint public hearing on Monday, August 26, 2019 at 7:00 P.M. at the City Council meeting being held in the City Council Chambers at City Hall, 207 W. Second Avenue, Franklin, Virginia to consider amendments to the City of Franklin Zoning Ordinance and the Official Zoning Map as follows:

- 1) Amend Section 3.5 and 3.7 of the Zoning Ordinance and the table in Section 19.2 of the Zoning Ordinance in the R-O Single Family Residence District regulations to decrease the minimum lot size for detached single family dwellings from forty thousand (40,000) square feet to twenty thousand (20,000) square feet per lot., and reduce the minimum lot width from one hundred fifty (150) feet to one hundred (100) feet.
- 2) Amend the Official Zoning Map to change that portion of the B-3 General Business District which is located in the Downtown Central Commercial Area from B-3 General Business District to B-3A General Business District.

A map with the R-O zoning district shaded and the proposed B-3A area appears on the attachment enclosed in this notice. In the event of any discrepancy between that map and the official zoning map, the official zoning map shall control. Full texts of the proposed ordinance amendments are available for inspection at the office of the secretary of the Planning Commission located at 207 West Second Avenue, Franklin, Virginia during regular business hours. Any person desiring to express his or her views with respect to the proposed amendments should appear at the aforesaid time and place. The public hearing is to be held at a public facility designed to be accessible to persons with disabilities. Any persons with questions concerning the accessibility of the facility or those who have need for reasonable accommodations should contact Shelia Baker, at (757) 562-8501. Persons needing interpreter services for the deaf must notify Ms. Baker at least seven (7) days in advance of the hearing.

City of Franklin Planning Commission
Donald E. Goodwin, CBO, CFM
Secretary

You may also access a FAQ's document about these amendments by logging onto www.franklinva.com. You will find a link on the HOME page called FAQ's about R-O - B-3A.

On motion made by _____ and seconded by _____ it was unanimously RESOLVED that the City of Franklin Planning Commission hereby recommends that the Franklin City Council approve the following amendment to the City of Franklin Zoning Ordinance:

ORDINANCE NO. 2019 - 03

THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA DOES ORDAIN AS FOLLOWS:

That the City of Franklin Zoning Ordinance is hereby amended by the addition of Article II, Section 2.13 Food Trucks and Mobil Food Vendors to read as follows:

Sec. 2.13 – Food Trucks and Mobil Food Vendors.

Definition of a Mobile Food Vendor: A mobile food vendor is a self-contained food service operation, located in a readily movable motorized wheeled or towed vehicle, used to store, prepare, display or serve food intended for individual portion service. Food carts are included in this definition.

When not in conjunction with a special event regulated by Article II, Section 2.12 Temporary Uses (f) (2) special events, the operation of mobile food vendors when permitted by a specific zoning district shall be permitted by an administrative permit approved by the zoning administrator subject to the following provisions:

(1) The applicant shall provide the following to the zoning administrator:

- a. **A copy of a valid City of Franklin business license. Such business license shall be posted in the vehicle at all times.**
- b. **A copy of a valid health permit from the Virginia Department of Health stating that the mobile food vendor meets all applicable standards. A valid health permit must be maintained for the duration of the permit.**
- c. **A copy of an approved inspection from the City of Franklin Department of Community Development stating that the mobile food vendor and equipment meets the requirements of the Virginia Statewide Fire Prevention Code and all applicable standards. The food truck must be reinspected on an annual basis.**
- d. **When applicable operators shall provide a valid driver's license for each person who will drive the food truck.**
- e. **When applicable operators shall provide current registration for the food truck, proof of current motor vehicle inspection, and proof of valid motor vehicle insurance for the food truck.**

(2) The administrative permit shall be issued for a period not to exceed one year but may be renewed upon written request by the operator.

(3) The following standards and conditions shall apply to all mobile food vendor operations:

- a. **The operator must have written documentation of the consent of the owner(s) of the property or properties on which the mobile food vendor will be operated;**
- b. **Unless otherwise approved, mobile food vendors shall operate only on developed and occupied property and only during the hours when the business establishment on the premises is open for business;**
- c. **The Zoning Administrator may approve mobile food vendors remaining on-site for multi-day events or late closings on a case-by-case basis. Unless otherwise approved, mobile food vendor shall be removed from any site when the on-premises establishment closes for the day. Prior to leaving the site, the mobile food vendor operator shall pick up, remove, and dispose of all trash**

or refuse within at least 25 feet of the mobile food vendor that consists of materials originally dispensed from the mobile food vendor, including any packages or containers or parts thereof used with or for dispensing the menu items sold from the mobile food vendor;

- d. The volume of any background music played from the mobile food vendor shall be limited so as not to be plainly audible beyond the property boundaries of the site where the mobile food vendor is located, or at a distance of 100 feet from the mobile food vendor, whichever is less;
- e. Any lighting attached to the exterior of the mobile food vendor or used to illuminate the menu boards or the customer waiting areas adjacent to the mobile food vendor shall be provided with fixtures that do not produce light spill onto adjacent properties or into the night sky;
- f. Trash Receptacles, either those already available on a site or temporary/portable ones provided by the food truck operator, shall be positioned conveniently for disposal of all trash, refuse, compost and garbage generated by the use; disposal of all trash, refuse, compost and garbage generated by the use shall be the responsibility of the mobile food vendor.
- g. Any greywater, fats, oils, grease or hazardous liquids generated in the mobile food vending operation shall be contained within the unit and transported off the property for proper disposal. No hazardous materials or liquids shall be released into any sewer, storm drain, ditch, drainage canal, creek, stream, river, lake or tidal water or on the ground, sidewalk, street, highway, or into the atmosphere;
- h. Unless otherwise approved, mobile food vendors shall be parked at least 100 feet from any residential dwelling;
- i. Mobile food vendors shall not obstruct pedestrian or bicycle access or passage, impede traffic or parking lot circulation, or create safety or visibility problems for vehicles and pedestrians. Such vehicles may be parked in an existing parking lot provided that any required parking spaces are not obstructed and made unavailable;
- j. Unless otherwise approved, mobile food vendors shall not be parked in or operated from a public street right-of-way;
- k. Not more than two A-frame signs may be used to display and advertise menu items and other information associated with the mobile food vendor operation. Such signs shall not exceed six square feet in area and four feet in height, shall be positioned within 30 feet of the mobile food vendor, and shall not be placed within a public street right-of-way. Signage that is permanently affixed to the food truck shall be permitted; however, the Zoning Administrator may approve flags, banners, or other decorative appurtenances, whether attached or detached on a case-by-case basis.

(4) The zoning administrator may revoke the permit at any time for failure of the permit holder to comply with the requirements of this section and to correct such noncompliance within the timeframe specified in a notice of violation. Notice of revocation shall be made in writing to the permit holder. Any person aggrieved by such notice may appeal the revocation to the board of zoning appeals.

Certified copy of an ordinance adopted by the Franklin City Council at its regular meeting held on August 26, 2019.

Clerk to City Council

On motion made by _____ and seconded by _____ it was unanimously RESOLVED that the City of Franklin Planning Commission hereby recommends that the Franklin City Council approve the following amendment to the City of Franklin Zoning Ordinance:

ORDINANCE NO. 2019 - 04

THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA DOES ORDAIN AS FOLLOWS:

That (1) Section 10.4 of Article X B-1 Neighborhood Business District Use Regulations, (2) Section 11.4 of Article XI B-2 Central Commercial District use Regulations, (3) Section 12.4 of Article XII B-3 General Business District use Regulations, (4) Section 12A.4 of Article XIII A B-3A General business District Use Regulations, (5) Section 13.3 of Article VIII M-1 Light Industrial District use Regulations and (6) 14.3 of Article XIV heavy Industrial District use Regulations of the City of Franklin Zoning Ordinance are hereby amended to add “Mobil Food Vendor” to read as follows:

Sec. 10.4 Permitted accessory uses

Accessory uses, customarily incidental to a permitted principal use or a conditional use, are allowed on the same lot including but not limited to the following:

- (1) Private garages or carports.
- (2) Storage buildings other than shipping containers, sea containers, freight containers, portable storage units and like containers.
- (3) Guest homes.
- (4) Workshops.
- (5) Living quarters within a one-family dwelling for persons employed therein.
- (6) Home occupations.
- (7) Signs, as permitted by article XXII of this ordinance.
- (8) Fences and walls as permitted in section 2.9 of this ordinance.
- (9) Temporary family health care structure

(10) Mobile food vendors in accordance with Article II, Section 2.13

Sec. 11.4 Permitted accessory uses.

Accessory uses, customarily incidental to a permitted principal use or a conditional use, are allowed on the same lot. They include

- (1) Private garages or carports.
- (2) Storage buildings other than shipping containers, sea containers, freight containers, portable storage units and like containers.
- (3) Guest homes.
- (4) Workshops.
- (5) Living quarters within a one-family dwelling for persons employed therein.
- (6) Live/work units, provided that:
 - (a) Not more than one person who does not reside in the unit shall be employed at any one time in the conduct of the nondwelling activity.
 - (b) Space devoted to the nondwelling activity within such unit shall not exceed 40 percent of the total floor area of the unit.
 - (c) The nondwelling activity shall not involve the sale of products directly to customers on the premises, the housing of persons for compensation, or any group instruction or group assembly involving more than two patrons or clients at any one time.

(d) There shall be no process or activity conducted or equipment operated in conjunction with the nondwelling activity that generates any noise, vibration, odor, smoke, fumes, glare or electrical interference discernable to the normal senses outside of the live/work unit. The use or storage or both of hazardous materials of such type or in such quantities not normally permitted in a residential structure shall be prohibited.

(7) Temporary family health care structure.

(8) Signs, as permitted by article XXII of this ordinance.

(9) Fences and walls as permitted in section 2.9 of this ordinance.

(10) Satellite television antennas or ground-mounted conventional television or radio antennas, when installed and maintained in accordance with article XXIII.

(11) Mobile food vendors in accordance with Article II, Section 2.13

Sec. 12.4 Permitted accessory uses.

Accessory uses, customarily incidental to a permitted principal use or a conditional use, are allowed on the same lot. They include:

(1) Private garages or carports.

(2) Storage buildings other than shipping containers, sea containers, freight containers, portable storage units and like containers.

(3) Signs, as permitted by article XXII of this ordinance.

(4) Fences and walls as permitted in § 2.9 of this ordinance. Additional provisions dealing with the location and size of accessory structures are found in § 19.2(11) of this ordinance.

(5) Satellite television antennas or ground-mounted conventional television or radio antennas, when installed and maintained in accordance with article XXIII.

(6) Mobile food vendors in accordance with Article II, Section 2.13

Sec. 12A.4 Permitted accessory uses.

Accessory uses, customarily incidental to a permitted principal use or a conditional use, are allowed on the same lot. They include:

(1) Private garages or carports.

(2) Storage buildings other than shipping containers, sea containers, freight containers, portable storage units and like containers.

(3) Signs, as permitted by article XXII of this ordinance.

(4) Fences and walls as permitted in section 2.9 of this ordinance. Additional provisions dealing with the location and size of accessory structures are found in section 19.2(11) of this ordinance.

(5) Satellite television antennas or ground-mounted conventional television or radio antennas, when installed and maintained in accordance with article XXIII.

(6) Live/work units, provided that:

(1) Not more than one person who does not reside in the unit shall be employed at any one time in the conduct of the nondwelling activity.

(2) Space devoted to the nondwelling activity within such unit shall not exceed 40 percent of the total floor area of the unit.

(3) The nondwelling activity shall not involve the sale of products directly to customers on the premises, the housing of persons for compensation, or any group instruction or group assembly involving more than two patrons or clients at any one time.

(4) There shall be no process or activity conducted or equipment operated in conjunction with the nondwelling activity that generates any noise, vibration, odor, smoke, fumes, glare or electrical interference discernable to the normal senses outside of the live/work unit. The use or

storage or both of hazardous materials of such type or in such quantities not normally permitted in a residential structure shall be prohibited.

(7) Temporary family health care structure.

(6) Mobile food vendors in accordance with Article II, Section 2.13

Section 13.3 Permitted accessory uses.

(a) Accessory uses customarily incidental to a permitted principal use including the dwelling of a watchman or caretaker.

(b) Signs as permitted by article XXII of this ordinance.

(c) Fences and walls as permitted in § 2.9 of this ordinance. Additional provisions dealing with the location and size of accessory structures are found in § 19.2(11) of this ordinance.

(d) Satellite television antennas or ground-mounted conventional television or radio antennas, when installed and maintained in accordance with article XXIII.

(e) Mobile food vendors in accordance with Article II, Section 2.13

Sec. 14.3 Permitted accessory uses.

(a) Accessory uses customarily incidental to a permitted principal use including the dwelling of a watchman or caretaker.

(b) Signs as permitted by article XXII of this ordinance.

(c) Fences and walls as permitted in § 2.9 of this ordinance. Additional provisions dealing with the location and size of accessory structures are found in § 19.2(11) of this ordinance.

(d) Satellite television antennas or ground-mounted conventional television or radio antennas, when installed and maintained in accordance with article XXIII.

(e) Mobile food vendors in accordance with Article II, Section 2.13

Certified copy of an ordinance adopted by the Franklin City Council at its regular meeting held on August 26, 2019.

Clerk to City Council

On motion made by _____ and seconded by _____ it was unanimously RESOLVED that the City of Franklin Planning Commission hereby recommends that the Franklin City Council approve the following amendment to the City of Franklin Zoning Ordinance:

ORDINANCE NO. 2019 - 05

THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA DOES ORDAIN AS FOLLOWS:

That Sections 18.2 Off-street parking requirements, 18.3 Interpretation of specific requirements, 18.4 Joint use and off-site facilities and 18.5 Design standards of Article XVIII Off-Street Parking and Loading Requirements of the City of Franklin Zoning Ordinance are hereby amended to read as follows:

§ 18.2. Off-street parking requirements.

[Amended by Ord. No. 2005-10, 5-9-2005]

Off-street parking spaces shall be provided in accordance with the following standards:

(1) Minimum required spaces for residential/related uses.

a. Dwelling, single-family detached and duplex: Two spaces per unit.

b. Dwelling, townhouses: Two spaces per unit, plus ~~one additional space per each three units~~ **0.25 spaces for each dwelling unit** for visitor parking.

c. Dwelling, multi-family: 1 **space for efficiency and one bedroom dwelling units**, and ~~One and one-half spaces per unit~~, **1.5 spaces for each two or more bedroom dwelling unit** plus ~~one additional space per each three units~~ **0.25 spaces for each dwelling unit for visitor parking.**

d. Mobile home: Two spaces per unit.

e. Rooming, boarding and lodging house: One space for each sleeping room.

f. Retirement homes and retirement communities: One space per ~~dwelling unit~~ **2 dwelling units.**

g. Residential units within a mixed-use facility: One space for each efficiency and one bedroom unit and 2 for each two or more bedroom unit.

h. Special regulations for single-family detached dwellings.

- 1. Parking spaces and driveways shall be constructed of gravel, compacted stone, concrete, asphalt, brick or paving stones.**
- 2. Parking spaces and driveways shall not occupy more than 30 percent of a front or rear yard area, and shall not occupy more than 15 percent of the total lot area for lots having a lot area of 20,000 square feet or less; more than ten percent of the total lot area for lots having a lot area of more than 20,000 square feet; nor more than 20 percent of the total lot area for lots in a cluster subdivision.**
- 3. Additional lot coverage by parking spaces and driveways, and alternative paving material, may be allowed contingent upon approval of the Zoning Administrator**

4. Parking shall be allowed only in driveways or parking spaces meeting these requirements, and shall be prohibited elsewhere on the lot.

(2) Minimum and maximum spaces for community facilities and places of assembly.

a. Auditorium, gymnasium, arena, convention hall: Minimum of one space for each five fixed seats or seating spaces and maximum of one space for each four fixed seats or seating spaces.

b. Church, temple, synagogue or similar place of worship: Minimum of one space for each six fixed seats or seating spaces and maximum of one space for each five fixed seats or seating spaces.

c. Public swimming pool: Minimum of one space for every nine persons lawfully in the pool at one time and maximum of one space for every seven persons lawfully permitted in the pool at one time, plus one space per employee.

d. Public tennis, handball or racquet courts: Minimum of two spaces per court.

e. Country clubs, private clubs, lodges, YMCA and similar facilities: Minimum of one space per six members, or one space per 500 square feet of area in meeting rooms, lounges and similar assembly areas, or five spaces per each golf hole, whichever is greater and maximum of one space per five members, or one space per 400 square feet of floor area in meeting rooms, lounges or similar assembly areas, or six spaces per each golf hole, whichever is greater.

f. Day care center, nursery school, child care center: Minimum of one space per each employee, plus one additional space for each seven students the facility is licensed to enroll and maximum of one space per each employee, plus one additional space for each five students the facility is licensed to enroll.

g. Elementary/intermediate schools: Minimum of one space for each twelve seats or seating spaces in the auditorium or main assembly rooms plus ~~two~~ one spaces per classroom and maximum of one space for each ten seats or seating spaces in the auditorium or main assembly rooms plus ~~two~~ one spaces per classroom.

h. High schools and colleges: Minimum of one space for each five seats or seating spaces in the auditorium or main assembly room, plus two spaces per classroom and maximum of one space for each four seats or seating spaces in the auditorium or main assembly room, plus two spaces per classroom.

i. Hospital, nursing home, group home or similar facility: Minimum of one space for each five patient/occupant beds, plus one additional space for each employee/staff member and maximum of one space for each four patient/occupant beds, plus one additional space for each employee/staff member.

j. Libraries, museums and similar cultural facilities: Minimum of one space for each 400 square feet of gross floor area, but in no case less than eight spaces and maximum of one space for each 300 square feet of gross floor area.

k. Vocational school: Minimum of one space for each three students of the maximum projected enrollment capacity, plus one additional space for employee/staff member and maximum of one space for each two students of the maximum projected enrollment capacity, plus one additional space for each employee/staff member.

(3) Minimum and maximum spaces for commercial and related uses.

a. Automobile service stations/gasoline sales and convenience stores: Minimum of one space per service bay plus one space per ~~300~~ **500** square feet of gross sales area and maximum of two spaces per service bay plus one space for each ~~200~~ **300** square feet of gross sales area.

b. Bowling alley: Minimum of two spaces per lane and maximum of three spaces per each lane.

c. Automatic car wash: Minimum of three stacking spaces per bay or stall and maximum of four stacking spaces per bay or stall.

d. Self-service car wash: Minimum of two stacking spaces per bay or stall and maximum of four stacking spaces per bay or stall plus one space per employee.

e. Financial institutions with drive-in windows: Minimum of one space per 400 square feet of floor area, plus sufficient area for eight stacking spaces for the first drive-in window and two stacking spaces for each additional window and maximum of one space per 300 square feet of floor area, plus sufficient area for eight stacking spaces for the first drive-in window and two stacking spaces for each additional window.

f. Financial institutions without drive-in windows: Minimum of one space per 400 square feet of floor area and maximum of one space per 300 square feet of floor area.

g. Furniture, carpet or appliance stores: Minimum of one space per 600 square feet of floor area and maximum of one space per 500 square feet of floor area.

h. Funeral home or mortuary: Minimum of one space per five seats or seating spaces in the main chapel or parlor, plus one space for each vehicle used in connection with the business and maximum of one space per four seats or seating spaces in the main chapel or parlor, plus one space for each vehicle used in connection with the business.

i. Marinas/dry-stack boat storage facility: One space per boat slip.

j. Medical or dental clinic: Two spaces per examination or treatment room, plus one additional space per each employee.

k. Motel, hotel, motor lodge: One space per sleeping room or suite plus, one space for each 350 square feet of floor area used for meeting rooms or for the preparation, serving or consumption of food or beverage, but not including storage and refrigeration areas.

l. Office or office building and personal service establishment: Minimum of one space per 400 square feet of floor area, but in no case less than three spaces and maximum of one space per 300 square feet of floor area.

m. Recreational/amusement establishment other than those specifically listed herein: Minimum of one space per four seats or four persons based on the occupancy load, whichever is greater, plus one additional space per employee and maximum of one space per three seats or three persons based on the occupancy load, whichever is greater plus one additional space per employee.

n. Restaurants, nightclubs, bars, taverns, dance halls: Minimum of one space per 125 square feet of total gross floor area and maximum of one space per 100 square feet of total gross floor area.

o. Retail sales establishment except furniture/carpet/appliance stores: Minimum of one space per 300 square feet of gross floor area and one space per 600 square feet of outdoor sales/display area and maximum of one space per 200 square feet of gross floor area and one space per 500 square feet of outdoor sales/display area.

p. Shopping center with gross leasable space of 10,000 square feet or more: Minimum of two spaces per 1,000 square feet of gross leasable floor area and maximum of two and one-half spaces per 1,000 feet of gross leasable floor area.

q. Theater: Minimum of one space per five seats and maximum of one space per four seats.

r. Vehicle sale, rental and service establishments: Minimum of one space per 600 square feet of enclosed sale/rental floor area, plus one space per 3,000 square feet of open sales/rental display lot area, plus two spaces per service bay, plus one space per employee and maximum of one space per 500 square feet of enclosed sale/rental floor area, plus one space per 2,500 square feet of open sales/rental display lot area, plus two spaces per service bay, plus one space per employee.

s. Veterinary clinic/animal hospital: Minimum of one space per treatment room but in no case less than five spaces and maximum of two spaces per treatment room.

t. Wholesale trade or repair service establishments or contractor's offices/shops: Minimum of one space per 900 square feet of shop, storage or service area, plus one space per 400 square feet of office, sales or other space to be used by visitors, customers or salesmen and maximum of one space per 700 square feet of shop, storage or service area, plus one space per 300 square feet of office, sales or other space to be used by visitors, customers or salesmen.

(4) Minimum and maximum spaces for industrial, manufacturing and related uses.

a. Warehousing, distributing: One space for each two employees plus one space for each vehicle maintained on the premises.

b. Mini-storage warehouses: Minimum of one space for each 30 cubicles, plus two spaces for the manager's quarters/office and maximum of one space for each 20 cubicles, plus two spaces for the manager's quarters/office.

c. Other permitted industrial uses: One space for each 500 square feet of floor area or for each three employees on the anticipated largest working shift, whichever is greater, plus one space for each vehicle maintained on the premises.

§ 18.3. Interpretation of specific requirements.

[Amended by Ord. No. 2005-10, 5-9-2005]

(a) ~~Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.~~ **When the units of measurements determining the number of required parking spaces results in the requirement of a fractional space, any fraction less than one-half shall be disregarded, and fractions of one-half or over shall require one additional parking space.**

(b) Except as otherwise provided, the number of employees shall be compiled on the basis of the maximum number of persons employed on the premises at one time on an average day or average night, whichever is greater. Seasonal variations in employment may be considered by the zoning administrator or the planning commission in determining an average day.

(c) The parking space requirements for a use not specifically listed in § 18.2 shall be the same as for a listed use of similar characteristics of parking demand generation.

(d) In case of mixed uses, uses with different parking requirements occupying the same building or premises, or in the case of joint use of a building or premises by more than one use having the same parking

requirements, the minimum parking spaces required and maximum parking spaces permitted shall equal the sum of the requirements of the various uses computed separately.

(e) If circumstances justify either a reduction or increase in the number of parking spaces from the minimum and maximum spaces set forth above, the zoning administrator or planning commission may, in their sole discretion, authorize such a reduction or increase. Any **decrease in the minimum spaces or increase in the maximum spaces** ~~over the minimum required~~ **or allowed** may **be granted by the zoning administrator or Planning Commission.** ~~not cause any increase in the size of a surface stormwater retention facility. **In considering this there must be a reduction in the pre-development runoff which must be accomplished through best management practices in accordance with the Virginia Stormwater Management Handbook (current edition).**~~

§ 18.4. Joint use and off-site facilities.

[Amended by Ord. No. 2005-10, 5-9-2005]

(a) In all districts, off-street accessory parking areas, in the open or in garages, shall be provided in connection with the uses as described above and in addition to the required loading spaces, on the premises to be served or on adjoining or other property within 300 feet thereof.

(b) In any case, where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, such parking space shall be established by a recorded covenant or agreement as parking space to be used in conjunction with the principal use and shall be reserved as such through an encumbrance on the title of the property to be designated as required parking space such encumbrance to be valid for the total period the use or uses for which the parking is needed are in existence.

§ 18.5. Design standards.

[Amended by Ord. No. 2004-22A, 8-23-2004; Ord. No. 2005-10, 5-9-2005]

(a) Dimensions. Each off-street parking space not in a street or alley shall be not less than 18 feet long and not less than ~~ten~~ **nine** feet wide, exclusive of access drives and aisles, permanently reserved for the temporary storage of one automobile and connected with a street or alley by a driveway which affords satisfactory ingress and egress for automobiles. Parking areas shall be of usable shape and those for more than five vehicles shall be surfaced with an all-weather surfaced area (asphalt or concrete). **Alternative parking surfaces maybe allowed where infiltration into existing soil is achieved to reduce post development runoff volume from entering the offsite receiving system. The alternate parking surfaces maybe created using porous pavement, porous asphalt, pervious concrete and other industry standard surfaces while supporting traffic loads for the intended vehicular traffic as approved by the Environmental Services Division of Community Development.**

Parking lots shall be designed to reduce water pollution through stormwater management measures including, but not limited to porous paving, filter strips, bio-retention areas, open sections, and depressed medians. Any such measure shall not conflict with the Low Impact Development (LID) Best Management Practices (BMPs) as referenced in the latest edition of the Green Parking Lot Guide Published by the US Environmental Protection Agency or other approved agency guideline.

(b) Entrances and exits. Location and design of entrances and exits shall be in accord with the requirements of applicable city regulations and **construction** standards, including those of the Virginia Department of Transportation.

(c) Drainage and maintenance. Off-street parking facilities shall be properly graded and drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys. Off-street parking areas shall be maintained in a clean and orderly condition and in good repair at the expense of the owner or lessee and, if applicable, in accordance with § 24.15(b).

(d) Lighting. Off-street parking areas with parking space for more than five vehicles and used during darkness shall have a lighting system which provides an adequate standard of illumination over the entire parking lot. All lights shall be shielded so that minimum glare will extend to adjacent property and shall meet requirements of the ~~director of public works~~ **Zoning Administrator**.

(e) Landscaping. Landscape planting shall be installed and maintained on all off-street parking lots with a capacity of more than five vehicles adjacent to the parking spaces or parking structures in accordance with article XXV landscaping requirements of this ordinance.

(f) Exemptions. In the B-2 central commercial business district as shown and designated on the zoning district map, the foregoing off-street parking areas shall not be required.

§ 18.6. Existing or reconstructed buildings.

[Amended by Ord. of 11-24-1997(8)]

(a) The foregoing requirements for off-street loading and parking spaces shall not apply to existing buildings; nor shall they apply to buildings that may be rebuilt or restored after fire or other damage except where it is manifestly feasible to do so. It is the intent of this ordinance to require off-street loading and parking spaces primarily for new buildings and for any additions to or extensions of existing buildings.

(b) No enlargement of a building or structure shall be made in such a way as to reduce the number of existing parking or loading spaces below the minimum number required unless provisions are made elsewhere on the premises to provide the minimum number required.

Certified copy of an ordinance adopted by the Franklin City Council at its regular meeting held on August 26, 2019.

Clerk to City Council

On motion made by _____ and seconded by _____ it was unanimously RESOLVED that the City of Franklin Planning Commission hereby recommends that the Franklin City Council approve the following amendment to the City of Franklin Zoning Ordinance:

ORDINANCE NO. 2019- 06

AN ORDINANCE AMENDING SECTIONS 3.5, 3.7 AND 19.2 OF THE ZONING ORDINANCE (SECTIONS 3.5, 3.7 AND 19.2 OF APPENDIX D OF THE CODE OF THE CITY OF FRANKLIN, VIRGINIA), RELATING TO MINIMUM LOT AREA AND MINIMUM LOT FRONTAGE IN THE R-0 ONE FAMILY RESIDENCE DISTRICT

BE IT ORDAINED BY THE CITY OF FRANKLIN, VIRGINIA AS FOLLOWS:

SECTION I. Section 3.5 of Article III of the Zoning Ordinance (Section 3.5 of Appendix D of the Code of the City of Franklin, Virginia) is amended to read as follows:

Sec. 3.5 Minimum Lot area.

The minimum lot area shall be ~~40,000~~ 20,000 square feet. Refer to article XIX for exceptions to the minimum lot area.

SECTION II. Section 3.7 of Article III of the Zoning Ordinance (Section 3.7 of Appendix D of the Code of the City of Franklin, Virginia) is amended to read as follows:

Sec. 3.7 Minimum lot frontage.

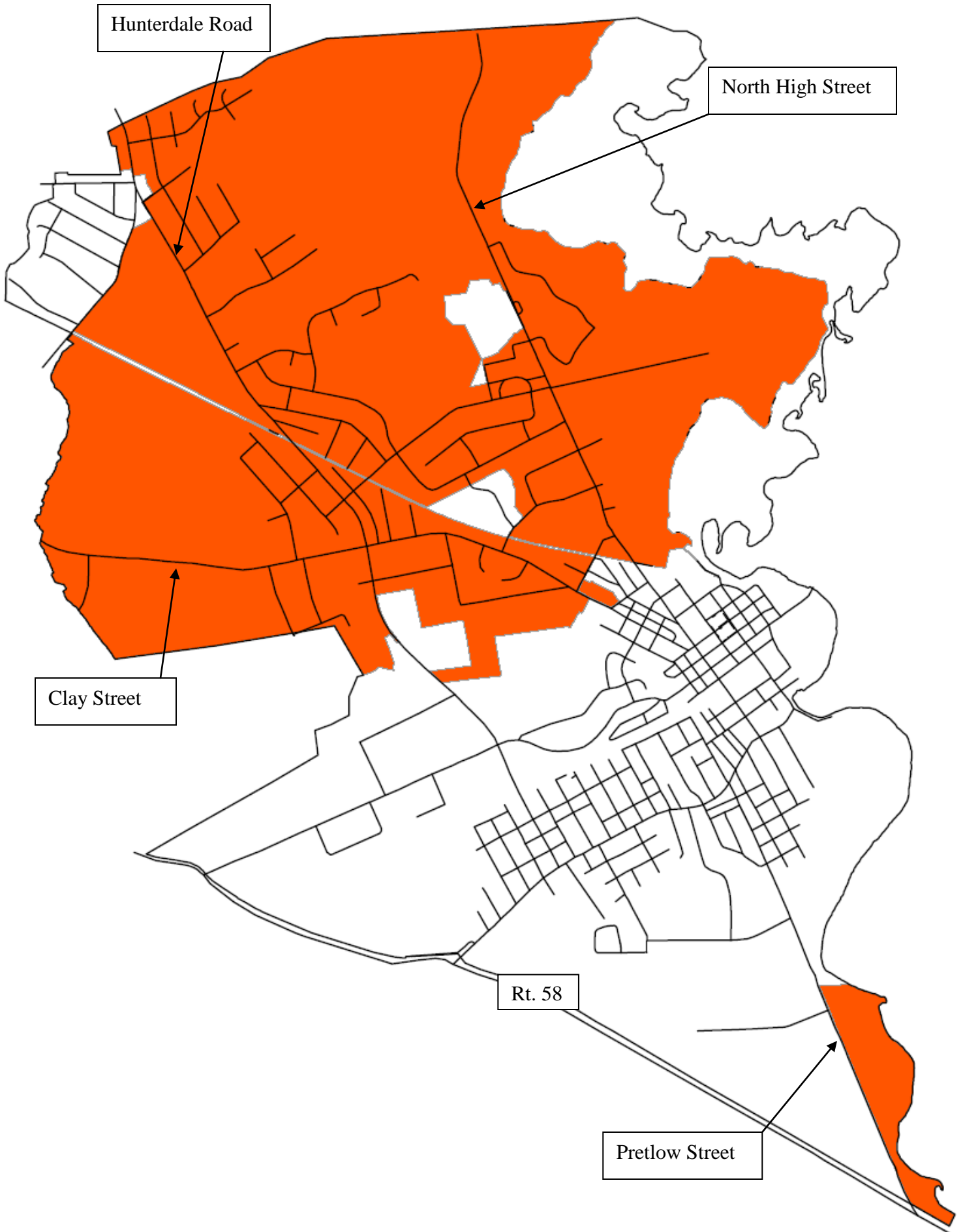
The minimum lot frontage shall be ~~150~~ 100 feet at the front setback line.

SECTION III. The table in Section 19.2 of Article XIX of the Zoning Ordinance (Section 19.2 of Appendix D of the Code of the City of Franklin, Virginia) is amended to change the minimum lot area in the R-O District from 40,000 square feet to 20,000 square feet and to change the minimum lot width from 150 feet to 100 feet.

Certified copy of an ordinance adopted by the Franklin City Council at its regular meeting held on August 26, 2019.

Clerk to City Council

R-O Zoning District Amendment #1



On motion made by _____ and seconded by _____ it was unanimously RESOLVED that the City of Franklin Planning Commission hereby recommends that the Franklin City Council approve the following amendment to the City of Franklin Zoning Ordinance:

ORDINANCE NO. 2019 - 07

THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA DOES ORDAIN AS FOLLOWS:

That Section 19.2 (2) Additional requirements, exceptions and limitations of Article XIX of the City of Franklin Zoning Ordinance are hereby amended to read as follows:

§ 19.2 Additional requirements, exceptions and limitations.

(2) Any lot lawfully of record, ~~which, in other than the R-O district, is owned separately from any adjoining property,~~ except in the B-3 and M districts may be used for a single-family dwelling, even though such lot does not meet the then current lot area or lot frontage (width) requirements of the district, provided all other regulations of this ordinance are satisfied. Such single family dwelling shall not be deemed to be nonconforming.

Certified copy of an ordinance adopted by the Franklin City Council at its regular meeting held on August 26, 2019.

RESOLUTION TO REZONE PROPERTY LOCATED IN THE DOWNTOWN B-3 ZONING DISTRICT FROM B-3 GENERAL BUSINESS DISTRICT TO B-3A GENERAL RESIDENCE DISTRICT

WHEREAS, the Planning Commission of the City of Franklin, Virginia initiated a zoning map amendment to change the Downtown B-3 zoning district from B-3 General Business District to B-3A General Business District in the City of Franklin, Virginia; and

WHEREAS, the City of Franklin 2015-2025 Comprehensive Plan Future Land Use Map designates this property as Mixed Use; and

WHEREAS, the Planning Commission, at the conclusion of the duly scheduled joint public hearing held on August 26, 2019, did vote to City Council that this property be rezoned as set forth above; and

WHEREAS, City Council did hold a joint public hearing with the Planning Commission on the proposed rezoning on August 26, 2019 at 7:00 P.M. at a regular meeting of Council after giving public notice as required by Virginia Code Section 15.2-2204 in the Tidewater News on August 11th and August 18nd, 2019; and

WHEREAS, the City Council of the City of Franklin, Virginia feels that the public necessity, convenience, general welfare and good zoning practice require that the property located in the downtown B-3 zoning district in the City of Franklin, Virginia to rezone the property from B-3 General Business District to B-3A General Business District; and

NOW, THEREFORE, IT IS HEREBY ORDAINED by the City Council of the City of Franklin, Virginia that the Zoning District Map provided for in Section 1.2 of the City Zoning Ordinance is hereby amended to establish the following zoning classification of B-3A General Business District for the properties known as City of Franklin Tax Parcel Tax Parcel Nos. 90-40-6, 107-48-14-57, 123-77-A-3, 123-77-A-5, 123-77-A-7, 123-77-A-9, 123-72-10-41, 106-48-242, 107-48-19-10, 107-48-22-2, 107-55-13-5, 107-55-13-6, 107-55-13-7, 106-109-E, 107-48-23-6, 107-48-24-1, 107-48-24-2, 107-48-24-3, 107-48-25-4, 107-48-25-6, 107-48-25-6A, 107-55-2-40A, 107-55-6-2A, 107-55-7-4, 107-55-7-4A, 107-55-7-5, 107-55-7-6, 107-55-7-7, 107-55-7-8, 107-55-7-9, 107-55-7-5A, 107-55-9-12, 107-55-9-13, 123-122-A, 123-122-D, 123-48-25-5, 123-48-25-6B, 123-72-7-50, 123-72-7-50A, 123-72-7-51, 123-72-7-52, 123-72-8-32, 123-72-8-33, 123-72-8-32A, 123-72-8-33A, 123-78-1, 90-40-3, 90-40-4, 90-40-5, 90-55-1-55, 90-55-1-55A, 91-40-1, 91-40-2, 106-47-9, 106-48-12-243-2, 90-48-12-243-1, 107-55-6-1, 107-55-6-2, 107-55-6-3, 107-55-6-4, 107-55-6-5, 91-55-2-48, 91-55-2-48A, 91-55-2-48B, 106-109-C, 106-48-16-245, 107-48-16-246, 107-48-16-247, 107-48-16-248, 107-48-16-249, 107-48-16-250, 106-109-A, 106-109-B, 106-109-D, 107-48-16-251, 107-48-16-252, 107-48-16-253, 107-48-16-254, 107-48-16-255, 107-55-11-1A, 107-55-9-10, 107-55-9-10A, 107-55-9-10B, 107-55-9-11, 107-55-9-11A, 107-55-11-1, 107-55-11-2, 107-55-11-3, 107-55-11-4, 107-55-11-5, 107-55-11-6, 107-55-11-7, 107-55-13-1, 107-55-13-1A, 107-55-13-9A, 107-55-13-9B, 107-55-13-8, 107-48-22-4, 107-48-23-1, 107-48-23-2, 107-48-23-3, 106-48-14-229, 106-48-14-60, 107-55-6-6, 106-48-15-244, 91-55-1-49, 91-55-1-50, 91-























55-1-51, 91-55-1-52, 91-55-1-53, 90-55-1-54, 123-122-B, 106-48-13-230, 106-48-13-231, 107-48-14-53, 107-48-14-56, 107-48-14-55A, 107-48-14-58, 90-40-7, 106-48-14-59, 106-47-1, 106-47-2, 106-48-12-237, 106-48-12-238, 106-47-3, 106-47-4, 106-47-5, 106-47-6, 106-47-7, 106-47-8, 107-48-14-55, 107-55-13-2, 107-55-13-3, 107-55-13-4, 123-72-8-31, 123-72-8-34, 123-72-10-47A, 123-72-10-52, 123-72-10-53, 123-72-10-54, 123-77-B-1E, 123-78-2, 123-122-C, 107-55-2-41, 107-55-2-42, 107-55-2-43, 107-55-2-44, 107-55-2-45, 107-55-2-46, 107-55-2-47, 106-48-13-17A, 106-48-13-232, 106-48-13-233, 106-48-13-234, 107-55-3-17, 107-55-3-18, 107-55-3-18A, 107-55-3-19, 107-55-3-19A, 107-48-25-1, 107-48-25-2, 107-48-25-3, 123-77-B-1D, 106-210-A, 106-210-B, 107-225-B, 107-55-8-1, 107-48-22-1, 123-72-7-53A, 90-36-6, 123-72-7-53, 107-48-22-3

Certified copy of resolution adopted by the City of Franklin City Council at its meeting held on June 27, 2016.

Clerk to City Council

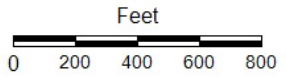
City of Franklin, Virginia

Legend

-  City Boundary
-  Parcels
-  Roads
-  Road Labels
- Zoning**
-  B-1
-  B-1 Conditional
-  B-2
-  B-3
-  B-3 Conditional
-  M-1
-  M-2
-  R-1
-  R-1A
-  R-1A Conditional
-  R-2
-  R-2 Conditional
-  R-3 Conditional
-  R-O
-  R-OA
-  R-OA Conditional
-  R-UR
-  RC

All areas colored orange downtown to change from B-3 to B-3A

Amendment #2 Zoning Map
Amendment to change B-3 in the downtown central commercial district to B-3A.
 *All existing uses will remain conforming.



Title: Rezoning Downtown B-3 to B-3A

Date: 6/19/2019

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Franklin is not responsible for its accuracy or how current it may be.



*Office of the City Manager
Amanda C. Jarratt*

August 23, 2019

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: School Board Appointments Ward 5

Background

Interviews were conducted for the Ward 5 School Board seat on August 22, 2019.

Needed Action

Appoint the candidate or provide guidance to staff.



*Office of the City Manager
Amanda C. Jarratt*

August 23, 2019

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: Waiver of Fees for Permits Related to Storm Damage

Background

After previous weather related events City Council has provided a waiver of fees for permits related to storm damage. In order to provide this waiver City Council would need to make a motion to waive the permit fees specifically related to this storm event.

Needed Action

Provide guidance to staff on how to proceed.



*Office of the City Manager
Amanda C. Jarratt*

August 23, 2019

To: Franklin City Council

From: Amanda C. Jarratt, City Manager

Reference: City Manager's Report

General Updates

- We are working with the Franklin City Public Schools, Franklin Parks and Recreation, Franklin Power and Light, to complete the Armory Field lighting project. This requires coordination between all parties to ensure the least amount of impact to the use of the field.
- The City of Franklin has closed with Repair Tech on the property located in Pretlow Industrial Park.
- The City of Franklin is selling av-gas at the Franklin Regional Airport and are waiting on final testing of the remaining jet fuel. As soon as the test results come back we will begin to sell jet fuel. We are in the process of scheduling interviews for Airport Manager.
- As you all are aware the Rental Inspection Committee determined that they did not feel it was necessary to move forward with the program at this point in time. Staff is seeking direction from Council on how to proceed.
- The Franklin Police Department arrested Shakeem Bryant, 29, of Courtland, Virginia, for the murder of Jack Sykes III.
- City staff is continuing to make improvements to the lights throughout the City.
- We have had 20 applicants for the Director of Social Services position and are proceeding with filling that position.

Storm Update

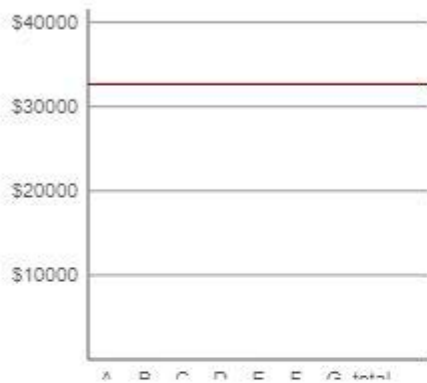
- As a result of the microburst event on Tuesday August 20, 2019 our maximum power outage was 2,270 customers without power.
- Our wastewater treatment plant reached a maximum flow of 4.3MGD and as of Thursday August 23, 2019 flows were back to 0.78MGD.
- As of Friday August 23, 2019 Public Works had collected 400 cubic yards of debris related to the microburst event.
- As of Friday August 23, 2019 we estimate \$97,630 in residential damage and \$129,520 in commercial damage.
- There were no storm related injuries or crimes.

Community Events

- Franklin Cruise In and We Be Jammin continue throughout the remainder of the summer.
- Franklin Cruise In Grant Finale September 7, 2019
- City of Franklin African American Festival September 21, 2019 at Barrett's Landing
- Franklin Fall Festival October 5, 2019.

Public Damage

Threshold: \$32651

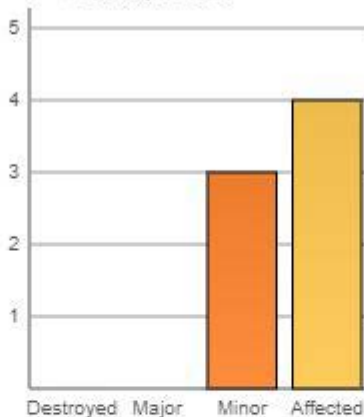


Status

Total: 15

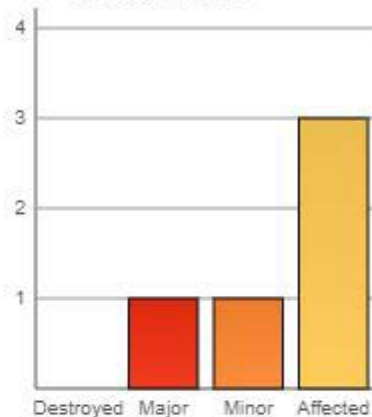
Residential Damage

Total: \$97630



Commercial Damage

Total: \$129520



Complete: 15

