

AGENDA
Luray Town Council Work Session
Tuesday, February 28, 2023
5:30pm

- | | | |
|-------------|---|------------------|
| I. | CALL TO ORDER | Mayor Dofflemyer |
| II. | PLEDGE OF ALLEGIANCE TO THE U.S. FLAG | Mayor Dofflemyer |
| III. | ROLL CALL | Danielle Alger |
| IV. | UPDATES & DISCUSSION ITEMS | |
| | A. Tourism Zones | |
| | B. Accessory Dwelling Units | |
| | C. Hawksbill Greenway – Yagers Spring Extension | |
| | D. FY 23-24 Budget Calendar | |
| | E. REZ 23-01 – Fairview Subdivision – Section 2 | |
| | F. SUP 23-01 – 16 Eden Road | |
| | G. SUP 23-02 – 800 Massanutten Avenue | |
| | H. The Local Choice Health Benefits Program Renewal | |
| V. | ADJOURN | |

The meeting will be live-streamed on the Town's Facebook Live page.

Town of Luray
PO Box 629
45 East Main Street
Luray, VA 22835
www.townofluray.com
540.743.5511



Mayor

Jerry Dofflemyer
jdofflemyer@townofluray.com
Term: 2021-2024

Council Members

Ronald Vickers
rvickers@townofluray.com
Term: 2014-2026

Joey Sours
jfsours@townofluray.com
Term: 2017-2024

Jason Pettit
jpettit@townofluray.com
Term: 2021-2024

Ligon Webb
lwebb@townofluray.com
Term: 2021-2024

Stephanie Lillard
slillard@townofluray.com
Term: 2021-2026

Alex White
awhite@townofluray.com
Term: 2022-2026

Town Officials:

Town Manager – Steven Burke
Assistant Town Manager- Bryan Chrisman
Town Clerk/ Treasurer- Danielle Babb
Deputy Town Clerk/ Treasurer- Danielle Alger
Chief of Police- Bow Cook
Superintendent of Public Works- Lynn Mathews
Superintendent Parks & Recreation- Jennifer Jenkins
Superintendent Wastewater Treatment – Todd Kellison
Superintendent of Water Treatment – Joey Haddock

Commissions & Committees:

Luray Planning Commission
Luray-Page County Airport Commission
Luray Tree and Beautification Committee
Luray Board of Zoning Appeals
Luray Downtown Initiative
Luray-Page County Chamber of Commerce

TOWN OF LURAY

**TOWN COUNCIL
Work Session**

February 28, 2023



Agenda Item 4.A.

TOURISM ZONES



Town of Luray, Virginia

Town Council Agenda Statement

Item No: IV-A

Meeting Date: February 28, 2023

Agenda Item: TOWN COUNCIL DISCUSSION
Item IV-A – Tourism Zones

Summary: The Town Council is requested to discuss establishing a Tourism Zone(s) in the Town to promote the establishment or expansion of tourism related businesses. Virginia Code §58.1-3851 establishes the legal authority to establish tourism zones and grant tax incentives and regulatory flexibility to encourage tourism related business. A copy of the Virginia Code, Tourism Zone Ordinance for Front Royal, and the Economic Development Incentives Program for Wytheville is provided for review.

Council is requested to discuss if staff should develop an Ordinance Amendments for Council's review.

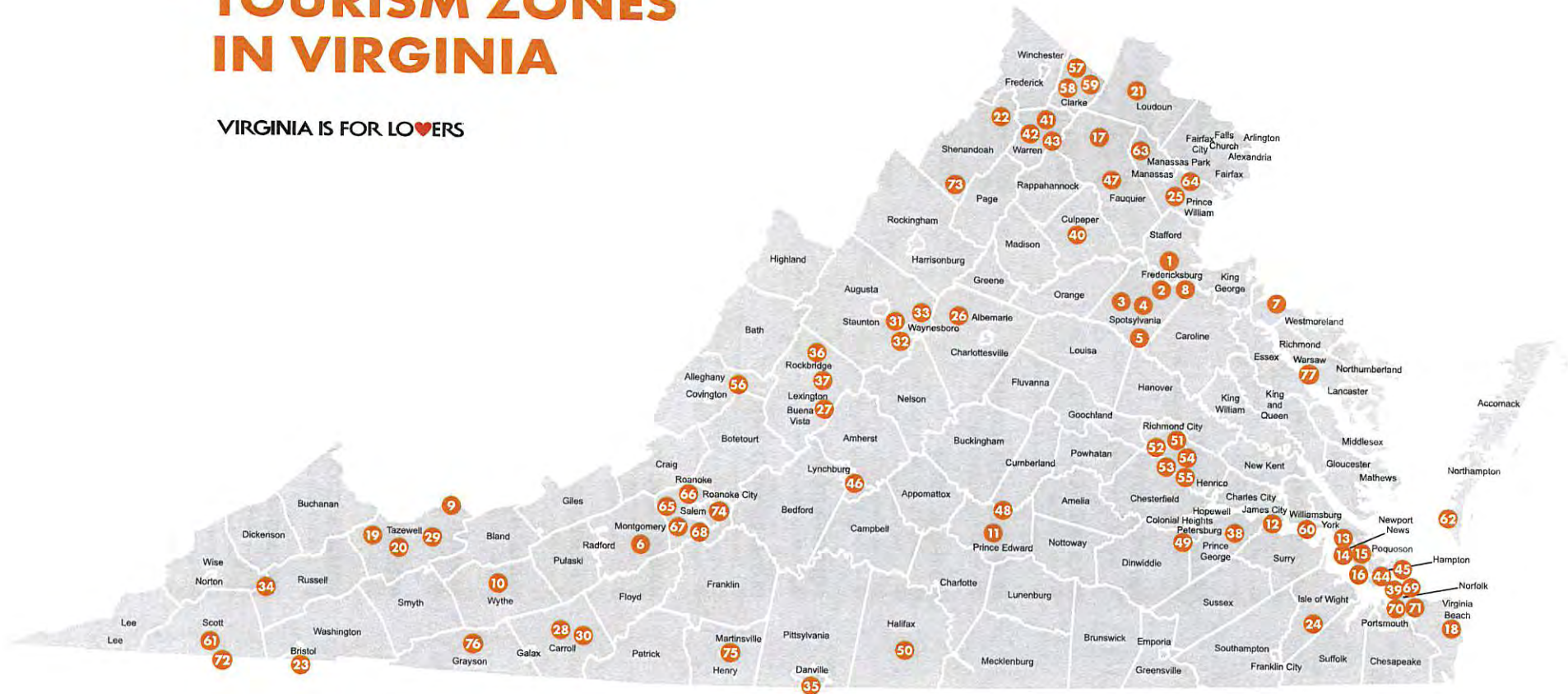
Council Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A

TOURISM ZONES IN VIRGINIA

VIRGINIA IS FOR LOVERS



* See full list of Virginia Tourism Zones on Page 2

TOURISM ZONES IN VIRGINIA

VIRGINIA IS FOR LOVERS

FREDERICKSBURG (CITY)

- 1 Celebrate Virginia South-Central Park Tourism Zone | July 2007
- 2 Downtown - Princess Anne Street Tourism Zone | July 2007
- 3 Eagle Village Tourism Zone | October 2010

SPOTSYLVANIA (COUNTY)

- 4 Courthouse Corridor Tourism Zone | October 2009
- 4 Route 2 Corridor Tourism Zone | October 2009
- 5 Lake Anna Corridor Tourism Zone | October 2009

BLACKSBURG (TOWN)

- 6 Downtown Tourism Zone | November 2009

COLONIAL BEACH (TOWN)

- 7 Colonial Beach Tourism Zone | September 2010

POCAHONTAS (TOWN)

- 9 Pocahontas Tourism Zone | January 2011

WYTHEVILLE (TOWN)

- 10 Wytheville Tourism Zone | September 2011

PRINCE EDWARD (COUNTY)

- 11 Route 15 South Tourism Zone | December 2011

JAMES CITY (COUNTY)

- 12 James City County Tourism Zone | January 2012

NEWPORT NEWS (CITY)

- 13 Upper Warwick Blvd/Denbigh Tourism Zone | February 2012
- 14 Patrick Henry Tourism Zone | February 2012
- 15 Greater Hilton Tourism Zone | February 2012
- 16 Southeast Community Tourism Zone | February 2012

FAUQUIER (COUNTY)

- 17 Fauquier County Tourism Zone | March 2012

VIRGINIA BEACH (CITY)

- 18 Resort Area Tourism Zone | March 2012

TAZEVELL (COUNTY)

- 19 Cavitt's Creek Park Tourism Zone | May 2012
- 20 Pocahontas Area/North Tazewell Tourism Zone | May 2012
- 20 Back of the Dragon Tourism Zone | November 2013

PURCELVILLE (TOWN)

- 21 Old Town Tourism Zone | May 2012

STRASBURG (TOWN)

- 22 Arts and Tourism District | August 2012

BRISTOL (CITY)

- 23 Tourism Zone Overlay District | January 2013

WINDSOR (TOWN)

- 24 Town of Windsor Tourism Zone | March 2013

PRINCE WILLIAM (COUNTY)

- 25 Prince William Tourism Zone | June 2013

ALBEMARLE (COUNTY)

- 26 Crozet Tourism Zone | August 2013

BUENA VISTA (CITY)

- 27 Buena Vista Tourism Zone | October 2013

HILLSVILLE (TOWN)

- 28 Town of Hillsville Tourism Zone | October 2013

CARROLL (COUNTY)

- 29 Carroll County Tourism Zone | November 2013

WAYNESBORO (CITY)

- 31 Downtown Tourism Zone | November 2013
- 32 East Main Tourism Zone | November 2013
- 33 Interstate Tourism Zone | November 2013

SAINT PAUL (TOWN)

- 34 Saint Paul Tourism Zone | December 2013

DANVILLE (CITY)

- 35 Danville Tourism Zone | December 2013

ROCKBRIDGE (COUNTY)

- 36 Natural Bridge Tourism Zone | January 2014
- 37 Raphine Tourism Zone | January 2014

PRINCE GEORGE (COUNTY)

- 38 Exit 45 Tourism Zone | April 2014

NORFOLK (CITY)

- 39 100Main Tourism Zone | May 2014
- 39 Ocean View Tourism Zone | May 2017
- 40 Downtown Tourism Zone | May 2017
- 41 Military Highway Tourism Zone | May 2017

CULPEPER (TOWN)

- 40 Town of Culpeper Business Investment Area Zone | June 2014

FRONT ROYAL (TOWN)

- 43 Downtown Business Tourism Zone | March 2015
- 41 Community Business Tourism Zone | March 2015
- 42 Entrance Corridor Tourism Zone | March 2015

HAMPTON (CITY)

- 44 Hampton Waterfront Tourism Zone | April 2015
- 45 Coliseum Central Tourism Zone | April 2015

LYNCHBURG (CITY)

- 46 Lynchburg Tourism Zone | September 2015

WARRENTON (TOWN)

- 47 Warrenton Tourism Zone | January 2016

FARMVILLE (TOWN)

- 48 Town of Farmville Tourism Zone | January 2016

PETERSBURG (CITY)

- 49 Downtown Petersburg Tourism Zone | February 2016

SOUTH BOSTON (TOWN)

- 50 South Boston Tourism Zone | June 2016

RICHMOND (CITY)

- 51 Downtown - East End Tourism Zone | June 2016
- 52 Fan - Boulevard - Carytown Tourism Zone | June 2016
- 53 Manchester Tourism Zone | June 2016
- 54 Port of Richmond Tourism Zone | June 2016
- 55 Scott's Addition Tourism Zone | June 2016

CLIFTON FORGE (TOWN)

- 56 Clifton Forge Tourism Zone | September 2016

BERRYVILLE (TOWN)

- 57 Downtown Business Tourism Zone | October 2016
- 58 Entrance Tourism Zone | October 2016
- 59 Community Business Tourism Zone | October 2016

WILLIAMSBURG (CITY)

- 60 Williamsburg Culinary Arts and Hospitality District | October 2016

GATE CITY (TOWN)

- 61 Gate City Tourism Zone | October 2016

CAPE CHARLES (TOWN)

- 62 Cape Charles Tourism Zone | November 2016

MANASSAS (CITY)

- 63 Downtown Manassas Tourism Zone | November 2016
- 64 Gateway Tourism Zone | November 2016

SALEM (CITY)

- 65 Downtown Tourism Zone | December 2016
- 66 Texas Street Tourism Zone | December 2016
- 67 East Main Street Tourism Zone | December 2016
- 68 Kesler Mill Tourism Zone | December 2016

SCOTT (COUNTY)

- 72 Scott County Tourism Zone | May 2018

NEW MARKET (TOWN)

- 73 New Market Tourism Zone | October 2018

ROANOKE (CITY)

- 74 Roanoke Tourism Zone | March 2019

MARTINSVILLE (CITY)

- 75 Martinsville Tourism Zone | October 2019

GRAYSON (COUNTY)

- 76 Grayson County Tourism Zone | April 2021

WARSAW (TOWN)

- 77 Warsaw Tourism Zone | September 2022

- a. Any public safety agency as defined in Virginia Code Section 58.1-3813.
- b. The United States of America, the Commonwealth and the political subdivisions thereof, including this jurisdiction.

3. Billing, collection, and remittance of tax. The service provider shall bill the electricity consumer tax to all users who are subject to the tax and to whom it delivers electricity and shall remit the same to this jurisdiction on a monthly basis. Such taxes shall be paid by the service provider to this jurisdiction in accordance with Virginia Code Section 58.1-3814, paragraphs F. and G., and Virginia Code Section 58.1-2901. If any consumer receives and pays for electricity but refuses to pay the tax imposed by this section, the service provider shall notify this jurisdiction of the name and address of such consumer. If any consumer fails to pay a bill issued by a service provider, including the tax imposed by this section, the service provider must follow its normal collection procedures and upon collection of the bill or any part thereof must apportion the net amount collected between the charge for electric service and the tax and remit the tax portion to this jurisdiction.

Any tax paid by the consumer to the service provider shall be deemed to be held in trust by such provider until remitted to this jurisdiction.

4. Computation of bills not on monthly basis. Bills shall be considered as monthly bills for the purposes of this ordinance if submitted 12 times per year of approximately one month each. Accordingly, the tax for a bi-monthly bill (approximately 60 days) shall be determined as follows: (i) the kWh will be divided by 2; (ii) a monthly tax will be calculated using the rates set forth above; (iii) the tax determined by (ii) shall be multiplied by 2; (iv) the tax in (iii) may not exceed twice the monthly "maximum tax".

75-74 TOURISM ZONE INCENTIVES (Adopted 3-23-15)

A. **PURPOSE.** The purpose for creating tourism zones is to encourage certain types of business growth in the Town that will attract visitors to the Town, increase tax revenue, and enhance the general welfare of Town citizens. Virginia Code §58.1-3851 grants the Town with the legal authority to establish tourism zones and grant tax incentives and regulatory flexibility therein.

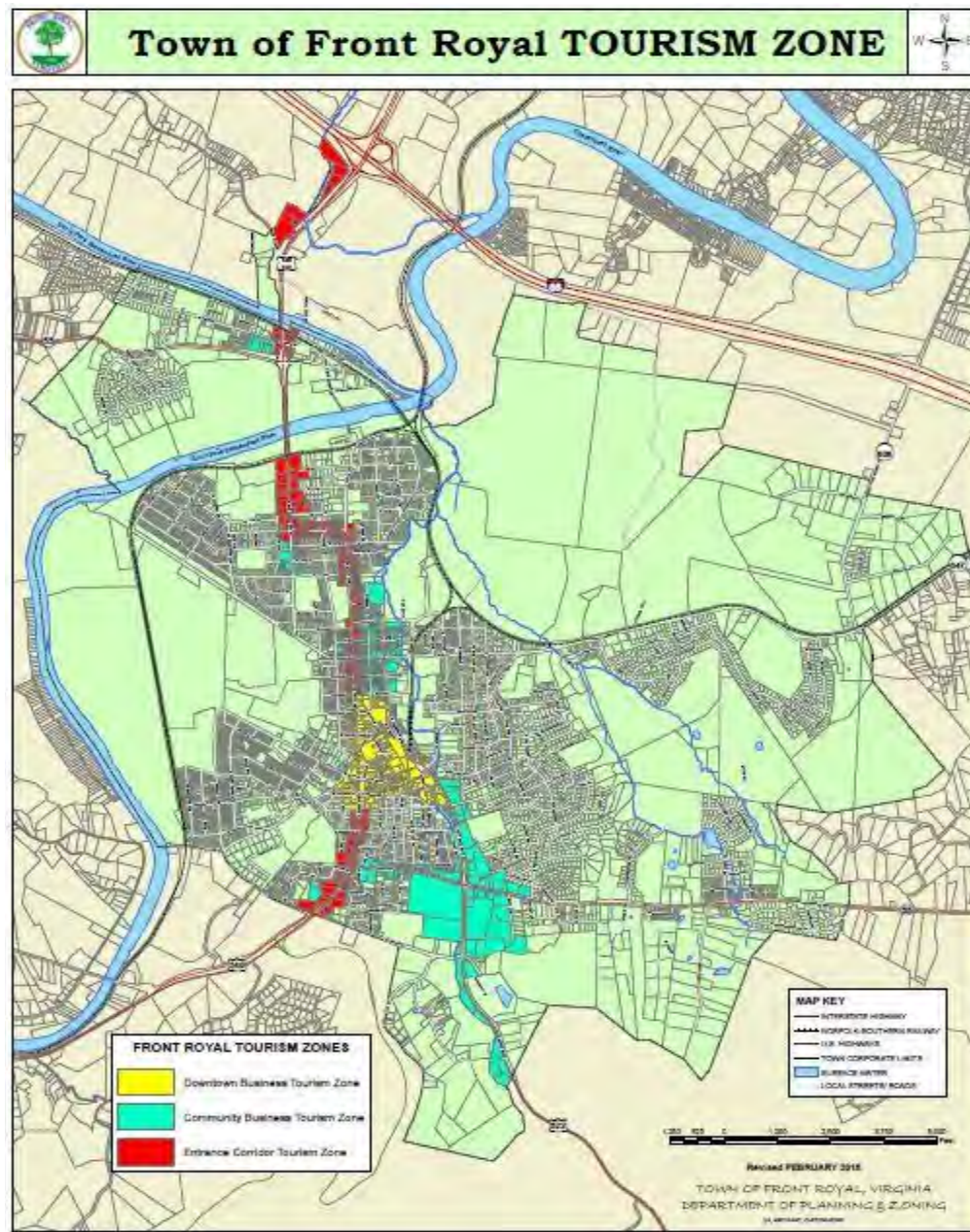
B. ESTABLISHMENT OF TOURISM ZONES.

1. Downtown Business Tourism (DBT) Zone Created. There is hereby established the "Downtown Business Tourism Zone," consisting of all the area designated as such on the map entitled "Town of Front Royal Tourism Zone," dated February 2015, attached hereto and incorporated herein. The intent of the Downtown Business Tourism Zone is to achieve the overall purpose of Section 75-74.A. by encouraging business growth and housing that enhances the unique character and assets of the downtown area.

2. Entrance Corridor Tourism (ECT) Zone Created. There is hereby established the "Entrance Corridor Tourism Zone," consisting of all the area designated as such on the map entitled "Town of Front Royal Tourism Zone," dated February 2015, attached hereto and

incorporated herein. The intent of the Entrance Corridor Tourism Zone is to achieve the overall purpose of Section 75-74.A. by encouraging business growth that enhances the unique character and assets of the entrance corridor area.

3. Community Business Tourism (CBT) Zone Created. There is hereby established the “Community Business Tourism Zone,” consisting of all the area designated as such on the map entitled “Town of Front Royal Tourism Zone,” dated February 2015, attached hereto and incorporated herein. The intent of the Community Business Tourism Zone is to achieve the overall purpose of Section 75-74.A. by encouraging general business growth in the Town of Front Royal that supports tourism.



C. ELIGIBILITY REQUIREMENTS.

1. ELIGIBLE USES BY TOURISM ZONE. The following land uses, as categorized within by each tourism zone, are eligible to receive the tourism zone incentives of Section 75-74.D., subject to compliance with all other code requirements of the Town Code.

TABLE 75-74.C.1.

SPECIFIC TOURISM ZONE	ELIGIBLE TYPE OF LAND USES
<u>Downtown Business Tourism (DBT)</u>	Retail Dining Lodging Entertainment* Culture & Arts Personal Services & Offices Condominiums**
<u>Entrance Corridor Tourism (ECT)</u>	Retail Dining Lodging Entertainment* Culture & Arts
<u>Community Business Tourism (CBT)</u>	Retail Dining Lodging Entertainment* Personal Services & Offices

*Including both outdoor and indoor uses, but excluding adult entertainment uses.

** Excluding such uses that are located on the ground level.

2. INVESTMENT CRITERIA. Eligible land uses, as specified under Section 75-74.C.1, shown above, are eligible to receive the tourism zone incentives of Section 75-74.D., shown below, only if all of the following criteria is met.

- a. A minimum new capital investment of \$25,000.
- b. A minimum creation of one new (1) job.
- c. Conformance with the Town's Comprehensive Plan.
- d. Compliance with the Town Code.

D. INCENTIVES.

1. BPOL Tax Incentive. BPOL Tax may be reduced for eligible land uses that meet the investment criteria, as specified under 75-74.C.2.

a. Eligible land uses shall be categorized into one of the following three (3) tier groups, depending on the amount of capital investment and quantity of jobs created.

TABLE 75-74.D.1.a.

Tier Group	Capital Investment	Jobs Created
Tier 1	\$10,000 - \$99,999	1-3
Tier 2	\$100,000 - \$499,999	4-10
Tier 3	\$500,000 or more	11 or more

b. The following table illustrates the duration that eligible land uses may receive BPOL tax reduction, based on the tier group they qualify for.

TABLE 75-74.D.1.b.

YEA R	1	2	3	4	5	6	7	8	9	10	11 +
Tier 1	✓	✓	✓	✓	X	X	X	X	X	X	X
Tier 2	✓	✓	✓	✓	✓	✓	✓	X	X	X	X
Tier 3	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	X

Note: X = not eligible; ✓ = Eligible.

c. Eligible land uses may receive up to 100% BPOL tax reduction for the number of specified years they qualify for under Table 75-74.D.1.b.

d. BPOL tax reduction is based on the estimated increase in BPOL tax, as calculated from estimated increased revenue after the proposed investment. BPOL tax reduction shall not apply to existing BPOL tax prior to the specific investment.

2. Permit Fee Incentive. All eligible land uses may receive up to 100% reduction in permit fees with the Town of Front Royal.

3. Tap Fee Incentive. Eligible commercial land uses may be allowed to make payment of required tap fees over a period of time that does not exceed ten (10) years, without interest or fees, subject to a lien on the property, or other guarantee, for the specified time period. Eligible residential land uses may be allowed to delay payment of required tap fees at a point

of time agreeable to the Town of Front Royal, but before all dwelling units are occupied, subject to a lien on the property, or other guarantee, for the specific time period.

E. ADMINISTRATION & INTERPRETATION

1. The Town Manager, or designee, is authorized to administer tourism zones.
2. Interpretations of this section shall be determined by the Town Manager, after consultation with the Town Attorney.
3. All eligible businesses must submit an application for tourism zone incentives to the Town Manager's Office.
4. The Town Manager, or designee, shall draft a performance agreement for applicants that qualify for incentives. The performance agreement shall be reviewed by the Town Attorney, Director of Finance, Director of Planning & Zoning, or other departments, authorities, committees, commissions or agencies, as determined appropriate by the Town Manager.
5. Performance agreements shall specify all incentives that are to be authorized and may include conditions of approval, such as, but not limited to, requirements that the applicant maintain certain hours of operation, site improvement requirements, or reduction of incentives from their maximum levels authorized by this section.
6. Incentives are not authorized until a performance agreement is approved by Town Council, and nothing herein shall be interpreted to require or obligate the Town to approving any incentives until a performance agreement is approved by Town Council.
7. Town Council may revoke, reduce, or suspend incentives after approval of the performance agreement if the conditions, or other terms, of the performance agreement are not complied with.

(Added Entire Section 3-23-15-Effective Upon Passage)

75-75 HISTORIC DISTRICT INCENTIVES FOR REHABILITATION

A. A partial exemption of real estate taxes for a period of ten (10) years shall be provided for the substantial rehabilitation of any structure [fifty (50) years or older] within a designated historic resource overlay area or to a structure which is listed on the National Register of Historic Places. For the purposes herein, substantial rehabilitation shall involve an investment of at least forty percent (40%) of the pre-rehabilitated assessed value of the structure.

B. The partial exemption shall be equal to the increase in assessed value resulting from the rehabilitation. Rehabilitations cannot replace the original structure. Increases in total square footage may be permitted up to a maximum of fifty (50%) percent of the original structure.

C. The exemption shall commence on January 1 of the year following completion of the rehabilitation and shall run with the real estate for a period of ten (10) years. An increase in an

assessment occurring after the first year of the exemption shall not result in an increase in the exemption.

D. No property shall be eligible for such exemption unless the appropriate certificate of appropriateness and building permits have been acquired and the Zoning Administrator and Commissioner of the Revenue have verified that the rehabilitation indicated on the application has been completed. Such rehabilitation shall be completed within two (2) years of issuance of the building permit for the work, except that the deadline for completion may be extended for up to two (2) additional years if the Zoning Administrator determines that reasonable progress has been made towards completion of the project.

(Ord. No. Z-1-93 Amended Title/Added "A-D" 3-22-93 (175-97)-Effective Upon Passage)

(Ord. No. Z-3-97 Amended "A, B, D" 10-27-97 (175-97)-Effective Upon Passage)

(Moved Content for this Chapter from 175-97 on 3-23-15)

Town of Wytheville Economic Development Incentives

2019

To enhance the business environment and promote a vibrant local economy, the Town of Wytheville offers access to a variety of economic development incentives. New businesses and/or new and existing property owners may be eligible for grants to offset local meals taxes, lodging taxes, business license taxes, building permit fees, and real property taxes. Also available are grants for building rehabilitation and job creation, revolving loan funds and tax credits for rehabilitation of historic buildings and business development training and assistance. The following pages provide a general outline of these incentives and eligibility requirements. If you have questions, or would like more information about how to apply, please contact:



Brian Freeman
Assistant Director of Planning & Development
276-223-3450
bfreeman@wytheville.org

Enterprise Zone – Local Incentive Restaurants & Eateries Grant

Overview: For NEW restaurants and eateries created within the boundaries of the Wytheville Enterprise Zone, the Town of Wytheville will provide grants equivalent to the meals tax paid by the Qualifying Business in accordance with the terms below.

Qualifying Business:

1. The business must be within the designated Enterprise Zone. Applicants shall verify the district boundary with the Town of Wytheville. *See attached map.*
2. The business must be new to Wythe County, between January 1, 2014 and January 1, 2024. Businesses created within the district prior to this date are not eligible for Enterprise Zone Incentives. Existing businesses from within Wythe County that have located within the Enterprise Zone District are not eligible for Enterprise Zone incentives, **unless the business remains open in both locations.**
3. The applicant must be the owner of the business.
4. The applicant must be current and remain current on ALL taxes and fees due the Town of Wytheville. If the meals tax is late, the grant reimbursement will be assessed a 25% penalty, which will not be repaid to the applicant. **More than three late payments during the Program Eligible Period will result in revocation of program eligibility.**

Program Eligible Period:

1. Qualifying Businesses are eligible to receive the Restaurants and Eateries Grant for a period of 5 years (60 Months), following issuance of a Certificate of Occupancy.

When will I receive my grant?

1. Grants will be processed within 30 days of the end of each quarter. Please refer to "Restaurants and Eateries Grant Reimbursement Schedule" at the end of this document for further details. After Initial approval, program participants do not need to reapply.



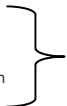

What if my business changes names or ownership?

1. Businesses that change names, or undergo rebranding, will remain eligible as long as they are under the same ownership as the original applicant.
2. If an eligible business changes ownership, a new application will be required of the new owner, however the grant terms will remain the same. Businesses that remain significantly similar following an ownership change may be precluded from eligibility for the time granted to the prior owner.

Can I pause or defer my grants?

1. The program cannot be paused, delayed or deferred for interruptions associated with name changes, rebranding efforts, remodeling & repairs, or code violations, etc.

Restaurants & Eateries Grant Schedule

Q ₁	<ul style="list-style-type: none">January - Tax Due by February 20thFebruary - Tax Due by March 20thMarch - Tax Due by April 20th		Rebate Processed by May 20th
Q ₂	<ul style="list-style-type: none">April - Tax Due by May 20thMay - Tax Due by June 20thJune - Tax Due by July 20th		Rebate Processed by August 20th
Q ₃	<ul style="list-style-type: none">July - Tax Due by August 20thAugust- Tax Due by September 20thSeptember - Tax Due by October 20th		Rebate Processed by November 20th
Q ₄	<ul style="list-style-type: none">October - Tax Due by November 20thNovember- Tax Due by December 20thDecember- Tax Due by January 20th		Rebate Processed by February 20th

Enterprise Zone – Local Incentive

Lodging Establishment Grant

Overview: For NEW lodging establishments created within the boundaries of the Wytheville Enterprise Zone, the Town of Wytheville will provide grants equivalent to the lodging tax paid by the Qualifying Business in accordance with the terms below.

Qualifying Business:

1. The business must be within the designated Enterprise Zone. Applicants shall verify the district boundary with the Town of Wytheville. *See attached map.*
2. The business must be new to Wythe County, between January 1, 2014 and January 1, 2024. Businesses created within the district prior to this date are not eligible for Enterprise Zone Incentives. Existing businesses from within Wythe County that have located within the Enterprise Zone District are not eligible for Enterprise Zone incentives, **unless the business remains open in both locations.**
3. The applicant must be the owner of the business.
4. The applicant must be current and remain current on ALL taxes and fees due the Town of Wytheville. If the lodging tax is late, the grant reimbursement will be assessed a 25% penalty, which will not be repaid to the applicant. **More than three late payments during the Program Eligible Period will result in revocation of program eligibility.**

Program Eligible Period:

1. Qualifying Businesses are eligible to receive the Lodging Establishments Grant for a period of 5 years (60 Months), following issuance of a Certificate of Occupancy.

When will I receive my grant?

1. Grants will be processed within 30 days of the end of each quarter. Please refer to Lodging Establishment Grant Reimbursement Schedule at the end of this document for further details. After Initial approval, program participants do not need to reapply.

What if my business changes names or ownership?

1. Businesses that change names, or undergo rebranding, will remain eligible as long as they are under the same ownership as the original applicant.
2. If an eligible business changes ownership, a new application will be required of the new owner, however the grant terms will remain the same. Businesses that remain significantly similar following an ownership change may be precluded from eligibility for the time granted to the prior owner.

Can I pause or defer my grants?

1. The Program Eligible Period begins with issuance of the original Certificate of Occupancy, and the program cannot be paused, delayed or deferred for interruptions associated with name changes, rebranding efforts, remodeling & repairs, or code violations, etc.

Lodging Establishment Grant Schedule

Q₁

- January - Tax Due by February 20th
- February - Tax Due by March 20th
- March - Tax Due by April 20th



Rebate Processed by May 20th

Q₂

- April - Tax Due by May 20th
- May - Tax Due by June 20th
- June - Tax Due by July 20th



Rebate Processed by August 20th

Q₃

- July - Tax Due by August 20th
- August - Tax Due by September 20th
- September - Tax Due by October 20th



Rebate Processed by November 20th

Q₄

- October - Tax Due by November 20th
- November - Tax Due by December 20th
- December - Tax Due by January 20th



Rebate Processed by February 20th

Enterprise Zone – Local Incentive

Building Permit Fees Rebates

Overview: For business and property owners within the boundaries of the Wytheville Enterprise Zone, the Town of Wytheville will reimburse Building Permit fees in accordance with the terms below.

How to Qualify:

1. The permit must be for construction taking place within the Enterprise Zone. Applicants shall verify the district boundary with the Town of Wytheville. *See attached map.*
2. The applicant must be owner of the business, or the property.
3. Application must be made within 90 days of final inspection.
4. The applicant must be current and remain current on ALL taxes and fees due the Town of Wytheville. Failure to make on-time payments at any time during the Program Eligible Period will result in revocation of program eligibility.

Program Eligible Period:

1. Applicants are eligible for rebate of all local building permit fees associated with the first \$200,000 in building improvements that require a permit.
2. Multiple application may be made for the same property, but eligibility ends when \$200,000 in permitted improvements have been made.
3. Permits eligible for rebate must have been obtained between January 1, 2014 - January 1, 2024.

When will I receive my grant?

1. Applicants can request a rebate following final inspection by the Building Official and application review by the Program Manager, Town Treasurer, Building Official and the Town Manager. If approved, the Town of Wytheville Treasurer's Office will issue a rebate check within 30 days of application request.

Enterprise Zone - Local

Water & Sewer Availability Fees Rebates

Overview: For property owners within the boundaries of the Wytheville Enterprise Zone, the Town of Wytheville will reimburse Water & Sewer Availability Fees in accordance with the terms below.

How to Qualify:

1. The Availability Fee must be for water or sewer connections taking place within the Enterprise Zone.
2. Applicants shall verify the district boundary with the Town of Wytheville. *See attached map.*
3. The applicant must be owner of the property.
4. Application must be made within 90 days of final inspection.
5. The applicant must be current and remain current on ALL taxes and fees due the Town of Wytheville. Failure to make on-time payments at any time during the Program Eligible Period will result in revocation of program eligibility. The rebate does not include the cost of metering devices.

Program Eligible Period:

1. Applicants are eligible for rebate of water and sewer availability fees, between January 1, 2014 - January 1, 2024

When will I receive my grant?

1. Applicants can request a rebate following final inspection by the Building Official and application review by the Program Manager, Town Treasurer, Building Official and Town Manager. If approved, the Town of Wytheville Treasurer's Office will issue a rebate check within 30 days of application request.

Enterprise Zone – State Incentives

Qualification for state VEZ incentives are based on the calendar year and are administered annually. All applicants (businesses and real properties) must be located within an [Enterprise Zone](#) to qualify for incentives.

VEZ State Incentives are offered through the Virginia Department of Housing & Community Development, but are administered by the Joint Industrial Development Authority of Wythe County, 190 S 1st Street, Wytheville, VA 24382. Please contact David Manley, JIDA Executive Director, at 276-223-3370 for further details.

Real Property Investment Grant (RPIG) Summary

BENEFIT	ELIGIBILITY REQUIREMENTS ¹	APPLICATION FORMS	GRANT TERM
<ul style="list-style-type: none"> Up to \$100,000 per building or facility for qualifying real property investments of less than \$5 million. Up to \$200,000 per building or facility for qualifying real property investments of \$5 million or more. Real Property grant awards may be subject to proration should requests exceed grant funds allocated. 	<p>Commercial, industrial, or mixed-use buildings or facilities.</p> <p>For rehabilitation and expansion, at least \$100,000 incurred in qualified real property investments.</p> <p>For new construction, at least \$500,000 incurred in qualified real property investments.</p>	<p>Required application forms:</p> <ul style="list-style-type: none"> EZ-RPIG Final Placed in Service Documentation Mixed Use Form* Multiple Owner Form* Tenant/Owner Consent Form* Tenant Coordination Form* W-9 CPA Attestation Report <p>*If applicable</p>	<p>Capped per building or facility at a maximum of \$200,000 within a five- consecutive year term.</p>

Job Creation Grant (RPIG) Summary

BENEFIT	ELIGIBILITY REQUIREMENTS	APPLICATION FORMS	GRANT TERM
<ul style="list-style-type: none"> Up to \$500/year per net new permanent, full-time position earning at least 175% of the Federal minimum wage (150% in High Unemployment Areas) with health benefits. Up to \$800/year per net new permanent full-time position earning at least 200% of federal minimum wage with health benefits. 	<p>Net new permanent full-time positions, created over the four-job threshold, that meet wage and health benefit requirements.</p> <p>Excludes retail, personal service, or food and beverage positions.</p>	<p>Required application forms:</p> <ul style="list-style-type: none"> EZ-JCG JCG Worksheet W-9 CPA Attestation Report¹ 	<p>Available for a five- consecutive year term for net new permanent full-time positions above the four-job threshold over base year employment levels.</p>

Downtown Incentives

Downtown Development Fund

- An initial **Downtown Development Fund (DDF)** of \$200,000 will be established on July 1, 2017, and, thereafter, as the Council may appropriate.
- The purpose of the Downtown Development Fund (DDF) is to provide sufficient economic stimulus to property owners in the B-2 DT – General Business District – Downtown to renovate buildings to become usable for business and residential purposes. An eligible building in the B-2 DT – General Business District – Downtown can utilize Downtown Development Funds only once.
- Applicants seeking to participate in the program must provide the Town Council or its designee with sufficient information, planning documents, costs and a business plan to justify the eligibility for participation in the program, and approval of participation must be by an action of the Council or its designee.
- Architectural, engineering and legal fees associated with the improvements approved by the DDF can be paid (up to 50 percent of the actual cost) from the Downtown Development Fund, regardless of type. Not to exceed the total of \$50,000.
- The maximum Downtown Development Fund grant (regardless of type) is \$50,000 per building.
- Applicants for the Downtown Development Fund needing bridge funding for their project should contact the Joint Industrial Development Authority of Wythe County for business loans available at low interest rates (as determined by the JIDA).
- A Certificate of Occupancy must be issued by the Town's Building Official prior to the release of grant funds from the Downtown Development Fund.
- Property owners participating in the Downtown Development Fund are also eligible to participate in the Façade Program, the Sign Incentive Program and other programs available to downtown businesses and property owners.
- Property owners are eligible to receive Downtown Development Funds only one time for each parcel of property situated in the district.

Downtown Development Fund – Type A:

Funds available to eligible building owners in the B-2 DT – General Business District – Downtown as grants to reimburse up to 50 percent of construction expenses for comprehensive remodeling, which create or substantially improve a retail business at street level and provide Code approved space on the second and third stories for either business or residential purposes. Retail business is defined as an establishment providing the sale of goods (not services) directly to consumers. Business and professional office space is not eligible for this program. In the event a retail establishment already exists on the street level, the property owner remains eligible to utilize Type A Funds, provided they meet all other requirements herein. The funds shall be distributed in five (5) equal, annual payments to the property owner, so long as the property continues to be used for the purpose identified in the original application, beginning at the end of the first year of operation.

Downtown Incentives

Downtown Development Fund cont.

Downtown Development Fund – Type B:

Funds available to eligible building owners in the B-2 DT – General Business District – Downtown as grants to reimburse up to 50 percent of construction expenses for comprehensive remodeling, which create or substantially improve a retail business at street level, which generate at least \$500,000 in annual gross receipts and create at least five (5) full-time, new jobs within twelve (12) months of participation. Retail business is defined as an establishment providing the sale of goods (not services) directly to consumers. Business and professional office space is not eligible for this program. The funds shall be distributed in five (5) equal, annual payments to the property owner, so long as the property continues to be used for the purpose identified in the original application and the five (5) full-time new jobs are maintained, beginning at the end of the first year of operation, and continuing on each anniversary thereafter for the entire five (5) years. Failure to meet any requirements shall immediately disqualify such building/owner from any further participation in the Downtown Development Fund.

Downtown Incentives

Façade Improvements Program

Eligible Area: B-2 DT General Business District – Downtown

Grant Amount Available: 50 percent of the façade renovation costs, not to exceed \$15,000.

Building Priority: Priority will be established for building applications based on the following criteria:

- Blighted condition. Those buildings with façades that are in poor condition (blighted) will receive first priority.
- Confirmation of the Town Council with a recommendation from Downtown Wytheville, Incorporated (DWI).
- Main Street visibility. Those buildings, which are visible from Main Street, will receive priority.
- The interest of the Owner and ability to finance the rehabilitation.

Annual Budget: An annual budget of \$85,000 will be allocated by Town Council as funds are available, with \$125,000 allocated the first year.

General Provisions of the Program: The general requirements for the Façade Improvement Program are listed below:

- The Town of Wytheville (hereinafter referred to as the “Town”) shall procure an Architect to provide outline drawings and specifications (“work write-up”) and cost estimates for each façade renovation project.
- The Architect shall work with the Property Owner to complete the work write-up based on the Owner’s design goals, budget and input from Downtown Wytheville, Incorporated’s Design Committee (hereinafter also referred to as “DWI”). If the building is listed on the Virginia Landmarks Register, the National Register of Historic Places or if it is a contributing structure to one of these districts, a Virginia Department of Historic Resources review may also be required, and the work write-up may also be required to follow the provisions of the Secretary of the Interior’s Standards for Rehabilitation of Historic Buildings.
- The façade work write-up shall be approved by the Town and DWI prior to the start of work.
- The Property Owner shall enter into a contract with the Town for the façade renovations. See attached contract.
- The Property Owner shall enter into a contract with a Contractor for the work described in the work write-up according to the provisions of this document.
- All changes or substitutions to the work write up shall be approved by the Town and DWI.
- Owners that have not reached substantial completions of a Façade Renovations Project within one year of an approved work write-up may be responsible for the architectural fees accrued on the project work write-up, up to \$2,500. If the delay is due to circumstances beyond the control of the Owner, an extension of time may be granted by the Town.

Construction Contracts: Generally, the construction contracts must follow the provisions below:

- The contract for rehabilitation work shall be between the Owner and the Contractor. The Town is neither responsible for the performance of the Contractor nor the for payments to the Contractor.
- The Owner shall ensure that the Contractor is legally licensed for the work to be performed and has provided proof of General Liability Insurance and Workers Compensation Insurance.
- The Owner shall take full responsibility for the selection and management of the Contractor.
- The Owner shall utilize the Owner’s financial resources to undertake 100% of the cost of the façade improvements.
- During construction, the architect, representatives of the Town and DWI shall have the right to inspect the property and the work during reasonable hours for the purpose of determining compliance with the work write-up.

Downtown Incentives

Façade Improvements Program cont.

- Following the final inspection and approval of the work by the Architect, representatives of the Town and DWI, the Town will make a single lump-sum payment to the Owner based on the provisions of this document.
- All costs submitted for reimbursement shall be in accord with the work write-up or approved change orders. Reimbursements will only be made for the materials and labor necessary to complete the work write-up. Owners will not be reimbursed for tools, superfluous materials, restocking fees, improperly ordered or damaged material or work outside the work write-up.
- The Town will make payment within thirty (30) days of the inspection and approval noted above.

Downtown Incentives

Tax Exemption for Rehabilitated Property

Overview: The Town of Wytheville offers a real estate tax exemption valued at 100% of the increase in assessed value for 5 years following the rehabilitation of certain properties. The guidelines for this exemption are outlined below.

Residential Structures:

1. The structure must be wholly located within the B-2DT (Downtown) District, as shown on the town's official Zoning Map, or be eligible for listing on the National Register of Historic Places. Applicants shall verify eligibility and district boundaries with town officials.
2. The structure must be no less than 40 years of age.
3. Single-family residential structures must be renovated in such a way as to increase the assessed value by no less than 20% without increasing overall square footage by more than 15%.
4. Multi-family residential structures which have been substantially rehabilitated by replacement for multi-family use shall be eligible for the tax exemption provided by this section so long as such replacement structures do not exceed the total square footage of the replaced structures by more than thirty (30) percent.
5. Plans for rehabilitation of properties listed or eligible for listing on the National Register of Historic Places, which are located within the B-2DT District must be approved by the Downtown Wytheville, Inc. Design Committee. Historic architectural features must be preserved in the renovation process to be eligible for the tax exemption.
6. An application along with a \$50 application fee must be filed with the Town Treasurer and the property must be inspected by the Building Official before rehabilitation work begins.
7. Rehabilitation must have taken place after January 1, 2012

Commercial & Industrial Structures:

1. Commercial & industrial structures must be located within the corporate limits of the Town of Wytheville and subject to taxation by the Town of Wytheville.
2. The structure must be no less than 40 years of age.
3. The structure must be renovated in such a way as to increase the assessed value at least 30% without increasing overall square footage by more than 15%.
4. Plans for rehabilitation of properties listed or eligible for listing on the National Register of Historic Places, which are located within the B-2DT District must be approved by the Downtown Wytheville, Inc. Design Committee.
5. Historic architectural features must be preserved in the renovation process to be eligible for the tax exemption.
6. The applicant must be the owner of the property, or the entity responsible for remitting real property taxes to the Town of Wytheville.
7. An application along with a \$150 application fee must be filed with the Town Treasurer and The property must be inspected by the Building Official before rehabilitation work begins.
8. Rehabilitation must have taken place after January 1, 2012.

Downtown Incentives

Sign Improvement Grant

Purpose: To provide an incentive to downtown businesses to invest in high quality, visually appealing signs, and to support existing business in upgrading old, faded or outdated signs.

Eligible Area: B-2 DT General Business District - Downtown

Grant Amount Available: A matching grant of 50 percent of the sign replacement, rehabilitation or refurbishment cost up to \$500.00 per property. If there are existing signs, sign structures and sign bases that are being replaced, the existing signs shall be removed prior to the grant award. The cost of the removal of the existing signs may be included in the cost for the matching grant.

Priority: If the applications exceed the funds available, priority will be given to sign applications based on the following criteria:

- **Participation by the Business or Property Owner:** The interest of the Business or Property Owner and the ability to finance the sign rehabilitation, refurbishment or replacement, independent of reimbursement.
- **Blighted Condition:** Signs in poor condition. Those with excessive size, height, with blank or outdated faces, will receive first priority.
- **Approved:** Confirmation by the Town Council, upon recommendation by the Downtown Wytheville, Incorporated (DTW) Design Committee, that the proposed signs are appropriate, will be an asset to the goals of DTW and after confirmation the Business or Property Owner confirms that existing signs will be removed, refurbished and/or replaced.
- **Main Street Visibility:** Signs visible from Main Street.

Annual Budget: An annual budget of \$7,500 will be allocated the first year.

General Provisions of the Program: The general requirements for the Sign Improvement Program are:

1. Prior to designing and purchasing a sign or sign structure, the Business or Property Owner shall make application to the Design Committee of Downtown Wytheville, Inc. (DTW).
2. The Design Committee will discuss the sign and the design with the Business or Property Owner and may offer suggestions and provide design assistance.
3. The Business or Property Owner shall then submit an application fee to the Design Committee showing the details of the proposed sign, its mounting or structure, and details of the existing signs to be replaced and/or removed.
4. The Design Committee shall review the application and recommend to DTW and the Town Council that the grant be awarded.
5. Upon completion of the sign, removal of existing signs and approval of the DTW Design Committee that the sign conforms to the design approved, the Business or Property Owner shall be reimbursed 50 percent of the approved costs up to \$500. A Town check will be issued within 10 days of the Design Committee of DTW confirmation.
6. Sign grants shall be issued on a first come, first served basis, until the annual funds are exhausted.

Tourism Zone Incentives

Overview: Qualified tourism-related businesses under certain conditions may receive the following:

1. **Business License Tax Rebate:** Business license taxes will be rebated by the following schedule:

Year 1 - 100% Rebate
Year 2 - 75% Rebate
Year 3 - 50% Rebate
2. **Building Permit Fee Waiver/Reduction:** Reimbursement of up to \$2K in Town building code fees.
3. **Subdivision Fee:** Reimbursement of fees associated with review and approval of a subdivision request connected with creation of a tourism related business.
4. **Utility Connection Fee Waiver:** Reimbursement of water and sewer availability fees. This applies to new services as well as upgrades. **Gap Financing:** Access to Virginia Tourism Corporation's Tourism Development Financing Plan which provides up to 20% gap financing assistance funded in part through performance based tax grants for large Tourism Development Projects.

Qualifying Businesses:

1. The business must be wholly located within the B-2DT (Downtown) District, as shown on the town's official Zoning Map. Applicants shall verify the district boundaries with town officials.
2. The business must derive its gross receipts from the sale of tourism-related goods or services. Example businesses include: fine arts studios; restaurants; hotels, bed & breakfast etc.
3. The new tourism business must make a minimum of \$15,000 in capital improvements to the property or parcel of land.
4. The business must be new to Wythe County, after January 1, 2012. Businesses created within the zone prior to its adoption are not eligible for the incentive.

Technology Zone Incentives

Overview: Qualified technology businesses located anywhere within Wytheville Town limits may under certain conditions receive the following:

1. **Business License Tax Reduction:** 100% rebate in business license tax for qualified technology businesses with less than \$50K in gross receipts for up to 3 years or until the tax year ending Dec. 31, 2022, whichever comes first.
2. **Business License Tax Reduction:** 50% rebate in business license tax for qualified technology businesses with more than \$50K in gross receipts for up to 3 years or until the tax year ending Dec. 31, 2022, whichever comes first.

How To Qualify: A business engaged in any of the following activities may be deemed a "technology business":

1. Design, development or other creation, for lease, sale or license, of computer software or hardware, computer network protocols, information systems, internet software, internet database applications;
2. Provision of internet services (i.e., services, including an internet web-hosting service, enabling users to access content, information, electronic mail and the internet as part of a package of services sold to customer), and business-to-business exchanges;
3. Design, development or other creation, for lease, sale or license, of biotechnology, or pharmaceutical or medical technologies or products, including, without limitation: Drug development, clinical trials services, data management and reporting and regulatory services;
4. Design, development or other creation or provision, for lease, sale or license, of immunology and analytical biochemistry services, including, without limitation: Mass spectrometry and HPLC, or liquid chromatography, equipment, services and supplies;
5. Design, development or other creation of electronics, for lease, sale or license, of telecommunications equipment or technology, such as digital switching systems, internet protocol telephony gateway, network telephone solutions;
6. Design, development or other creation of electronics, for lease, sale or license including, without limitation: Flexible and printed circuits, custom integrated circuits, electronic assemblies, medical electronics displays;
7. Receipt, as the principal or prime contractor, of identifiable federal appropriations for research and development services, as such services are defined in section 31.205-18(a) of the Federal Acquisition Regulations, in the areas of: (i) computer and electronic systems, (ii) computer software, (iii) applied sciences, (iv) economic and social sciences, and (v) electronic and physical sciences;
8. Any other business or industry as may be further defined from time to time by the Town of Wytheville;
9. The mere use of computer hardware or software in the performance of business activities will not render a business a "technology business" for the purposes of the technology zone, including, without limitation any such businesses which offer training or education to employees with respect to the use of computer hardware or software in the performance of the employee's job duties.
10. The business must not be operating under a certificate of public convenience issued by the Virginia State Corporation Commission. The business must not be engaged in the provision of a "utility service" as that term is defined within [section 14-31](#) of the Town Code;
11. At the time of application, any qualified business must certify that it expects to be engaged in such business throughout the entire or remaining portion of the tax year for which an incentive is sought; and
12. The business must have submitted an application for qualification to the town treasurer, on or before March 1 of the tax year for which a reduction of taxes is sought under this section. A separate application shall be required for each tax year. A business seeking to obtain a reduction of taxes under this section shall have the burden of demonstrating, to the satisfaction of the town treasurer, that it meets the definition of a technology business and that it meets all applicable criteria for a reduction.

Restaurants & Eateries Grant

Non-Enterprise Zone

Overview: For NEW restaurants and eateries created within the boundaries of the Town of Wytheville other than those situated in the Enterprise Zone. The Town of Wytheville will provide grants to the qualifying business equivalent to the meals tax paid by the Qualifying Business in accordance with the terms below.

Qualifying Business:

1. The business must be within the Town's corporate limits.
2. The business must be new to Wythe County, between January 1, 2017 and January 1, 2024. Businesses created prior to this date, are not eligible for incentives. Existing businesses from within Wythe County that have located within the Town limits are not eligible for incentives, **unless the business remains open in both locations.**
3. The applicant must be the owner of the business.
4. The applicant must be current and remain current on ALL taxes and fees (Real Estate, Personal Property and Business License fees) due to the Town of Wytheville. If the meals tax payment to the Town is late, the grant reimbursement will be assessed a 25 percent penalty, which will not be repaid. **More than three late payments during the Program Eligible Period will result in revocation of program eligibility. Upon the fourth late payment, the business will be disqualified from further participation in the program and previously awarded grants will be repaid to the Town by the disqualified business.**

Program Eligible Period:

1. Grants will be awarded on a month by month or quarterly basis as set forth in Table A, below.
2. Each month or each quarter, new restaurants must reach the level of gross meals receipts as set forth in "**Minimum Threshold**" to receive the corresponding meals tax grant in "**Grant Rate**". The Grant Rate will only be awarded on the percentages listed in Table A, below, and not on any sliding or pro rata scale.
3. Month 1 shall begin upon issuance of a Certificate of Occupancy ("**CO**") as set forth herein. Quarters shall be determined by a January 1 to December 31 calendar year. If the CO is issued on a date other than the first day of a quarter, then the grant will be awarded on a month to month basis until a new quarter begins. If the CO is issued between the 1st and 15th of the month, then that month shall be deemed Month 1. If the CO is issued between the 16th and 31st of the month, then the gross meals receipts for the remainder of that month shall be included in the following month and the following month shall be deemed Month 1.

Table A:

Eligible Period		Grant Rate	Minimum Threshold (either/or)	
			Monthly	Quarterly
YEAR 1 - 3	Months 1-36 from issuance of original C.O.	50%	\$ 50,000	\$ 150,000
	Months 1-36 from issuance of original C.O.	100%	\$ 100,000	\$ 300,000
YEAR 4	Months 37-48 from issuance of original C.O.	50%	\$125,000	\$ 375,000
	Months 37-48 from issuance of original C.O.	100%	\$ 150,000	\$ 450,000
YEAR 5	Months 49-60 from issuance of original C.O.	50%	\$ 175,000.00	\$ 525,000.00
	Months 49-60 from issuance of original C.O.	100%	\$ 200,000.00	\$ 600,000.00

Restaurants & Eateries Grant

Non-Enterprise Zone cont.

When will I receive my grant?

1. Grants will be processed within 30 days of the end of each quarter. Please refer to "Restaurants and Eateries Grant Reimbursement Schedule" at the end of this document for further details. After initial approval, program participants need not reapply.

What if my business changes names or ownership?

1. Businesses that change names, or undergo rebranding, will remain eligible for the original grant as long as they are under the same ownership as the original applicant.
2. If an eligible business changes ownership, a new application will be required of the new owner, however, the grant terms will remain the same as those provided to the original applicant for the remaining portion of the eligible period. Businesses that remain significantly similar following an ownership change may be precluded from eligibility for the period granted to the prior owner.

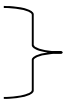
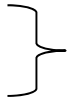
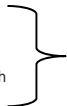
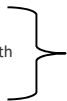
Can I pause or defer my grants?

1. The Program Eligible Period begins with issuance of the original Certificate of Occupancy, and the program cannot be paused, delayed or deferred for interruptions associated with name changes, rebranding efforts, remodeling and repairs, code violations, etc.

Audit Procedures

1. At any time during the Program Eligible Period and for two (2) years after the termination or expiration of the Program Eligible Period, the Town may send a written notice to the business requesting an audit of the business's gross meals receipts, the cost of which shall be the Town's responsibility.
2. The business shall keep and make available records of all gross meals receipts claimed during the entire Program Eligible Period and shall permit the Town to examine and audit such records as may be reasonably required to verify such statements, at reasonable times during business hours.

Restaurants & Eateries Grant Schedule

Q ₁	<ul style="list-style-type: none">January - Tax Due by February 20thFebruary - Tax Due by March 20thMarch - Tax Due by April 20th		Rebate Processed by May 20th
Q ₂	<ul style="list-style-type: none">April - Tax Due by May 20thMay - Tax Due by June 20thJune - Tax Due by July 20th		Rebate Processed by August 20th
Q ₃	<ul style="list-style-type: none">July - Tax Due by August 20thAugust- Tax Due by September 20thSeptember - Tax Due by October 20th		Rebate Processed by November 20th
Q ₄	<ul style="list-style-type: none">October - Tax Due by November 20thNovember- Tax Due by December 20thDecember- Tax Due by January 20th		Rebate Processed by February 20th

Lodging Establishment Grant

Non-Enterprise Zone

Overview: For new lodging establishments created within the boundaries of the Town of Wytheville other than those situated in the Enterprise Zone, which includes all of the B-2 DT – General Business District – Downtown. The Town of Wytheville will provide grants to the qualifying business equivalent to the lodging tax paid by the Qualifying Business in accordance with the terms below.

Qualifying Business:

1. The business must be within the Town's corporate limits.
2. The business must be new to Wythe County, between January 1, 2017 and January 1, 2024. Businesses created prior to this date, are not eligible for incentives. Existing businesses from within Wythe County that have located within the Town limits are not eligible for incentives, **unless the business remains open in both locations.**
3. The applicant must be the owner of the business.
4. The applicant must be current and remain current on ALL taxes and fees (Real Estate, Personal Property and Business License fees) due to the Town of Wytheville. If the meals tax payment to the Town is late, the grant reimbursement will be assessed a 25 percent penalty, which will not be repaid. **More than three late payments during the Program Eligible Period will result in revocation of program eligibility. Upon the fourth late payment, the business will be disqualified from further participation in the program and previously awarded grants will be repaid to the Town by the disqualified business.**

Program Eligible Period:

1. Qualifying businesses are eligible to receive the Lodging Establishment Grant for a period of three years (36 Months), immediately following issuance of a Certificate of Occupancy. Qualifying businesses must generate at least \$100,000 per month of gross revenue subject to the meals tax.

When will I receive my grant?

1. Grants will be processed within 30 days of the end of each quarter. Please refer to "Restaurants and Eateries Grant Reimbursement Schedule" at the end of this document for further details. After initial approval, program participants need not reapply.
2. Month 1 shall begin upon issuance of a Certificate of Occupancy ("**CO**") as set forth herein.
3. If the CO is issued between the 1st and 15th of the month, then that month shall be deemed Month 1.
4. If the CO is issued between the 16th and 31st of the month, then the gross meals receipts for the remainder of that month shall be included in the following month and the following month shall be deemed Month 1.

What if my business changes names or ownership?

1. Businesses that change names, or undergo rebranding, will remain eligible for the original grant as long as they are under the same ownership as the original applicant.
2. If an eligible business changes ownership, a new application will be required of the new owner, however, the grant terms will remain the same as those provided to the original applicant for the remaining portion of the eligible period. Businesses that remain significantly similar following an ownership change may be precluded from eligibility for the period granted to the prior owner.

Can I pause or defer my grants?

1. The Program Eligible Period begins with issuance of the original Certificate of Occupancy, and the program cannot be paused, delayed or deferred for interruptions associated with name changes, rebranding efforts, remodeling and repairs, code violations, etc.

Lodging Establishment Grant Schedule

Q₁

- January - Tax Due by February 20th
- February - Tax Due by March 20th
- March - Tax Due by April 20th



Rebate Processed by May 20th

Q₂

- April - Tax Due by May 20th
- May - Tax Due by June 20th
- June - Tax Due by July 20th



Rebate Processed by August 20th

Q₃

- July - Tax Due by August 20th
- August- Tax Due by September 20th
- September - Tax Due by October 20th



Rebate Processed by November 20th

Q₄

- October - Tax Due by November 20th
- November- Tax Due by December 20th
- December- Tax Due by January 20th



Rebate Processed by February 20th

Incentives Offered by Partnering Organizations

Joint Industrial Development Authority

Overview: The Joint Industrial Development Authority (Joint IDA or JIDA) is the economic development office for the Towns of Wytheville and Rural Retreat as well as for the County of Wythe. This organization can serve as a single point of contact for any new enterprise interested in locating here and work to facilitate any processes that can help assure success. These efforts could include but are not limited to:

- Confidential business assistance; Acting as a proxy for any sensitive inquiries
- Discussion and review of business idea and plan, financing needs and opportunities
- Convening meetings with partners in local and state government and in workforce development
- Site selection assistance; demographic, taxation, or infrastructure information
- Referrals to professional service providers
- Assistance with transportation and export efforts
- Accessing job training resources
- Pursuing grants for qualifying businesses

Business assistance is available for all types and sizes of companies from a variety of resources and partners. The Joint IDA can help you assess your needs then make the appropriate referrals if necessary.

The Joint IDA also operates a revolving loan fund that can provide low-interest financing for qualified borrowers. Startups are encouraged to inquire. The approval process is internal and a completed application as well as business plan are required to begin.

The Joint IDA works with the Virginia Economic Development Partnership to maintain a list of available commercial property. A completed data sheet for qualifying properties is required to be listed in the My Virginia Scan database. Contact the office for more information. Extensive demographic, labor, taxation, infrastructure, and other information is available from the Joint IDA by request. Workforce assistance is available from a variety of partners and this can include training assistance for certain qualifying enterprises.

Joint IDA staff members have cultivated strong relationships with a variety of partners in the public, private, educational, and political sectors and can leverage those as appropriate to help our economy grow.

The Joint IDA is staffed by an Executive Director, an Associate Director, and an Administrative Assistant, and provides comprehensive assistance for economic development projects of varying scope. The organization is governed by a board of directors that is appointed by the three local governing bodies that primarily fund the organization. Please contact the office (276-223-3370) with any inquiries or visit www.wytheida.org for much more information on our area and the positive business climate we all work so hard to maintain.



Joint Industrial Development Authority of Wythe County

190 S 1st Street; Wytheville, VA 24382

www.wytheida.org

276.223.3370



David Manley, Executive Director

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Ginny Crockett, Administrative Assistant

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Incentives Offered by Partnering Organizations

Downtown Wytheville, Inc.



Overview – As a Main Street America™ Accredited program, Downtown Wytheville is a recognized leading program among the national network of more than 1,200 neighborhoods and communities who share both a commitment to creating high-quality places and to building stronger communities through preservation-based economic development. All Main Street America™ Accredited programs meet a set of National Accreditation Standards of Performance as outlined by the National Main Street Center.

Mission: Downtown Wytheville Incorporated will build grassroots revitalization, forging strong partnerships and progressive strategies to realize its vision.

Vision: To make Downtown Wytheville the vibrant heart of community and commerce for the region.

Values:

- Strong partnerships
- Community engagement and input
- Frequent communication with stakeholders
- Strategic, organized and effective approaches

Service Offered:

1. **Site Selection:** Services include facilitation of meetings with property owners, town officials and others involved in the site development process.
2. **Permitting Assistance:** Downtown Wytheville Incorporated can provide suggestions regarding site improvements and compliance with B2DT design guidelines.
3. **Promotional Events:** Downtown Wytheville Incorporated hosts 8 or more promotional events annually to promote the downtown district and to generate in-store customer traffic.
4. **Design Review Assistance** is available by the Downtown Wytheville Incorporated's Design Committee by request.
5. **Sign Incentive Program:** Downtown Wytheville assists

For more information, please contact:

Downtown Wytheville, Incorporated
180 W Main Street, Suite 4
Wytheville, VA 24382
phone: 276-223-3343

Todd Wolford, Executive Director
exedir@downtownwytheville.org

Town of Wytheville Incentives Application

Personal Information:

Name: _____ Phone: _____

Address: _____ Email: _____

Business and/or Property Information:

Name & Physical Address of Business: _____

Mailing Address (other than Physical Address): _____

Business Phone: _____ Business Email: _____ Tax ID # _____

Program(s) Being Requested - Please select only those which apply:

Enterprise Zone

- ☐ Restaurants & Eateries Grant
- ☐ Lodging Establishment Grant
- ☐ Building Permit Fees Rebate
- ☐ Water & Sewer Availability Fee Rebate
- ☐ Job Creation Grant (State Incentive)
- ☐ Real Property Investment Grant (State Incentive)

Tourism Zone

- ☐ BPOL Tax Rebate
- ☐ Building Permit Fee Rebate

Downtown Incentives

- ☐ Façade Improvement Grant
- ☐ Sign Improvement Grant
- ☐ Downtown Development Fund

Rehabilitated Property Tax Exemption

- ☐ Commercial Structure
- ☐ Historic Residential

Other Local Incentives

- ☐ Restaurants & Eateries Grant - Non Enterprise Zone
- ☐ Lodging Establishment Grant - Non Enterprise Zone

Technology Zone

- ☐ BPOL Tax Waiver
- ☐ BPOL Tax Reduction

IMPORTANT - READ BEFORE SIGNING

With your signature below, you certify that you have read and understand the policies and guidelines for each program you're applying for; you understand that your eligibility and participation in these programs is not guaranteed and is contingent upon compliance with all program policies and guidelines; you understand that additional information may be required to complete the review of this application, or to evaluate your eligibility in these programs in the future.

Signature: _____ Date: _____

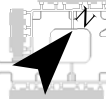
APPROVALS:

Town Treasurer: _____ Date: _____

Building Official: _____ Date: _____

Program Administrator: _____ Date: _____

Town Manager: _____ Date: _____





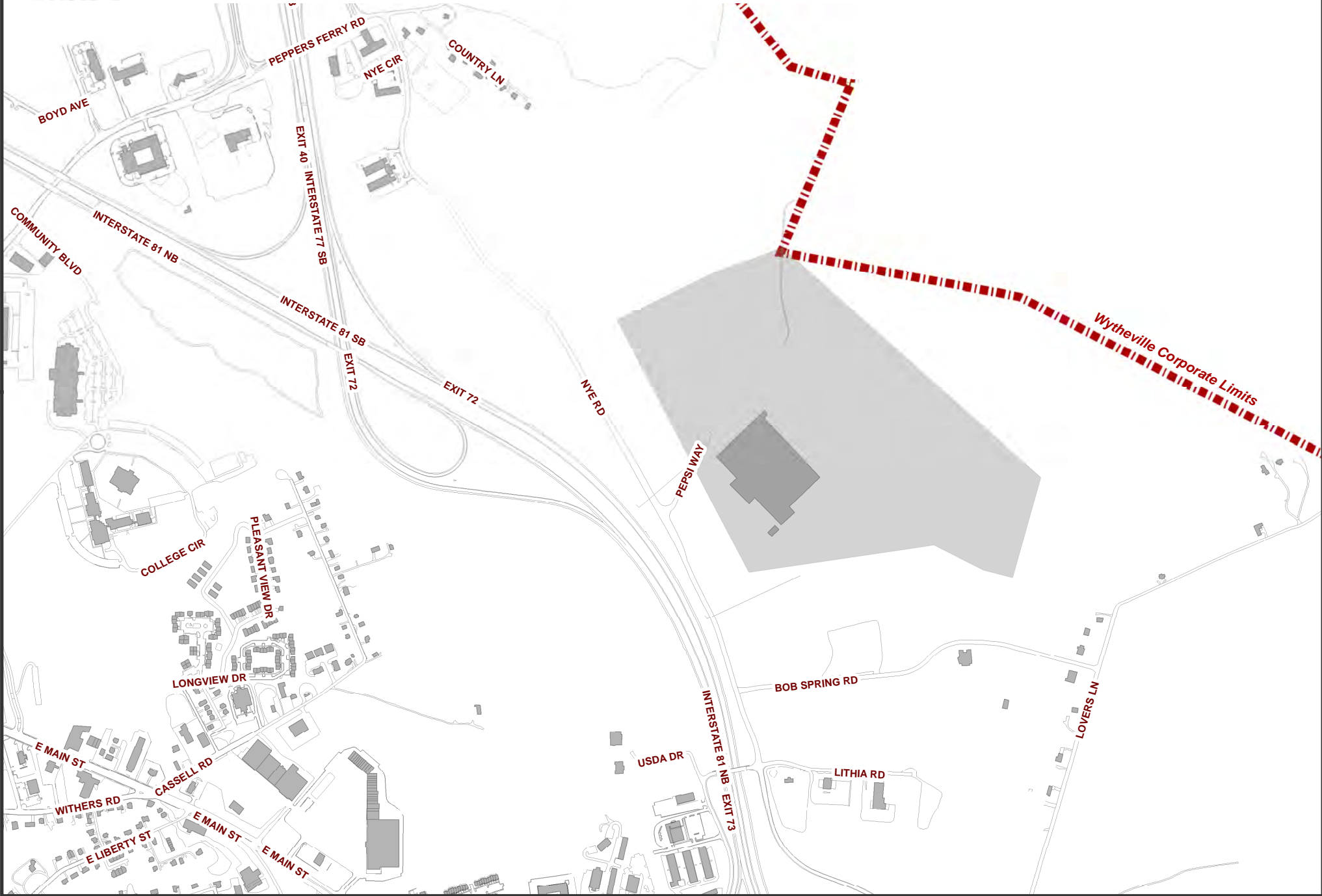
Wytheville Economic Development Incentives Programs

ATTACHMENT B - ENTERPRISE ZONE FAIRVIEW PARK





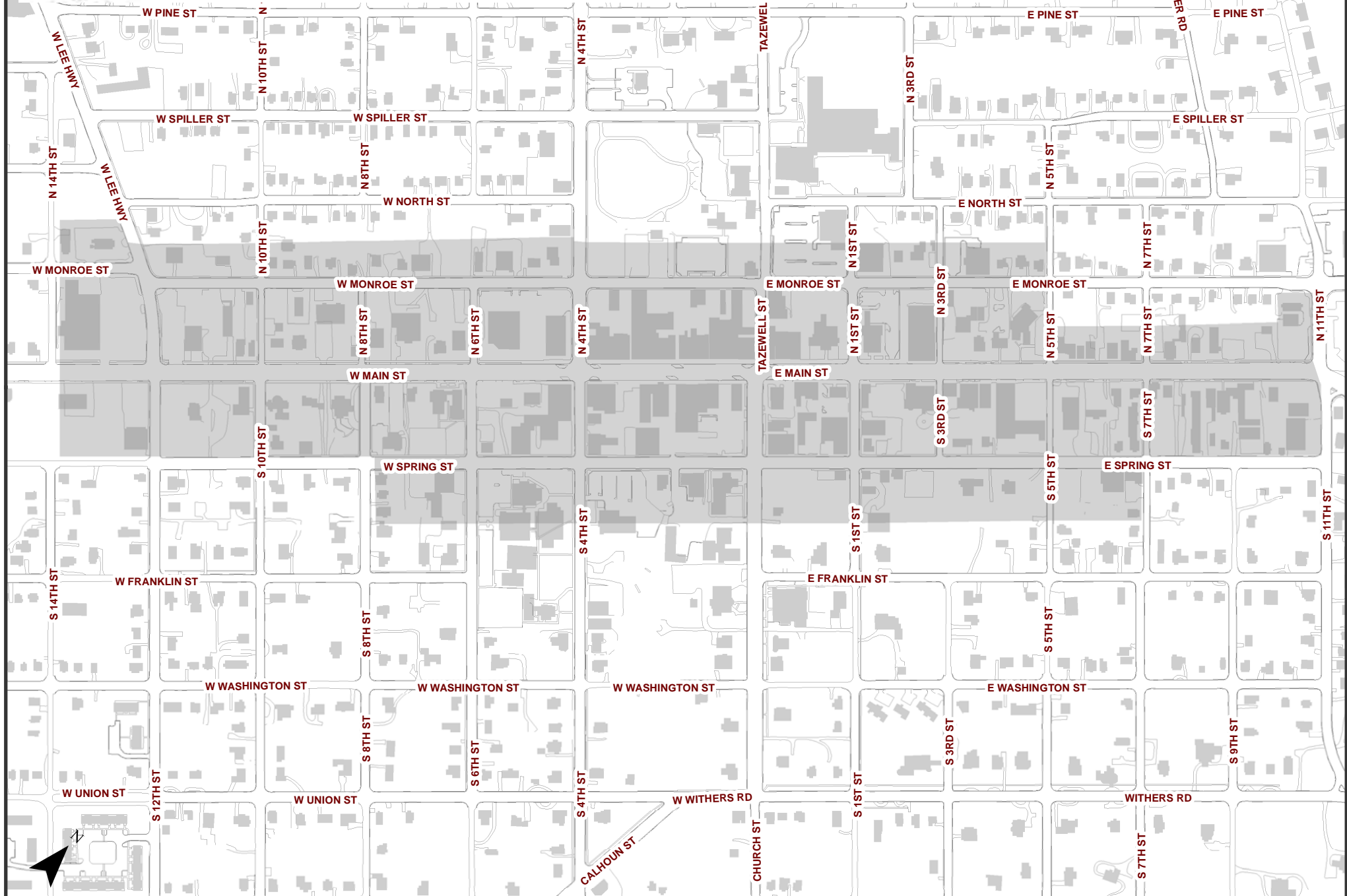
Wytheville Economic Development Incentives Programs
ATTACHMENT C - ENTERPRISE ZONE EAST WYTHEVILLE





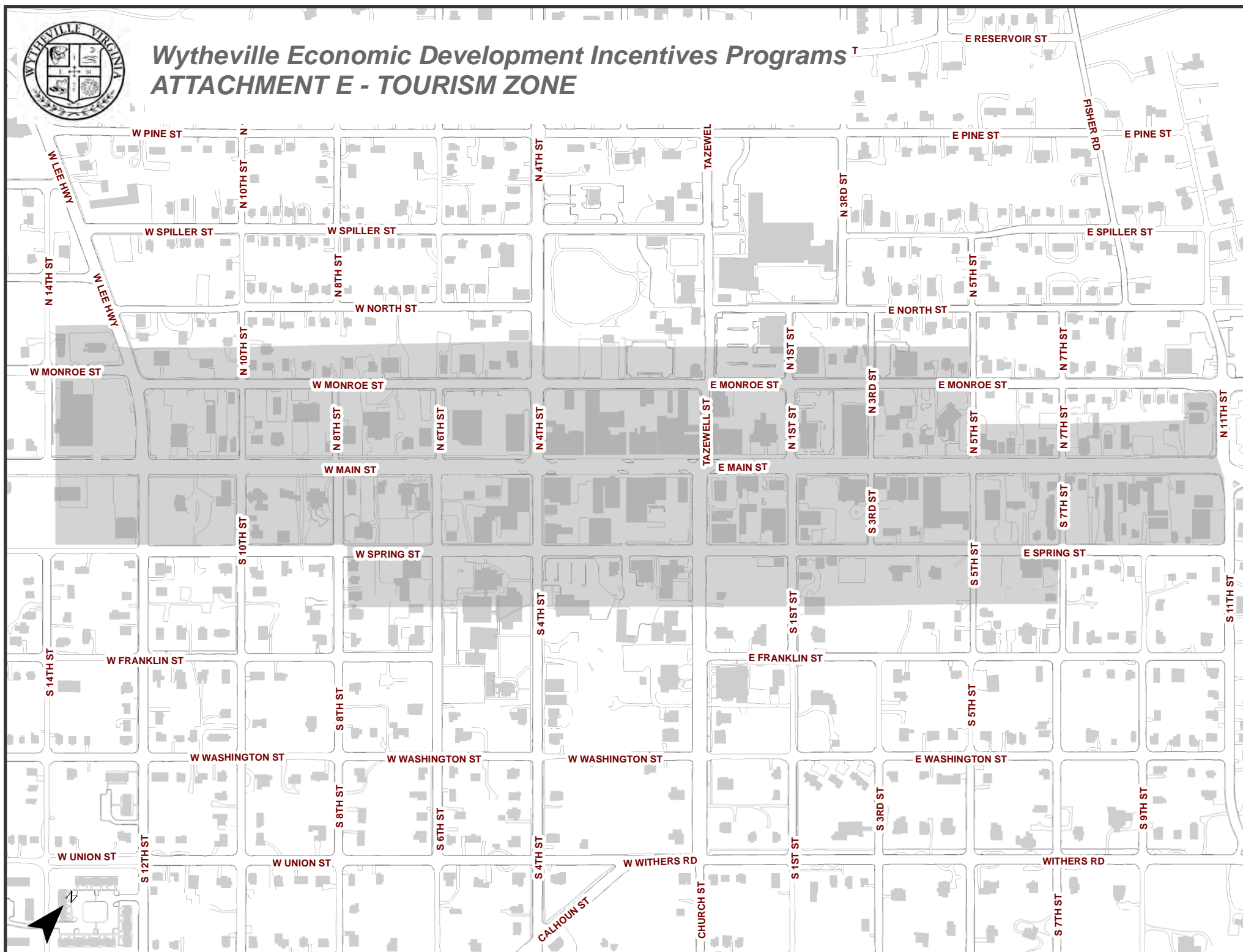
Wytheville Economic Development Incentives Programs

ATTACHMENT D - DOWNTOWN BUSINESS DISTRICT(B-2DT)





Wytheville Economic Development Incentives Programs
ATTACHMENT E - TOURISM ZONE



TOWN OF LURAY

**TOWN COUNCIL
Work Session**

February 28, 2023



Agenda Item 4.B.

**ACCESSORY
DWELLING UNITS**



Town of Luray, Virginia

Town Council Agenda Statement

Item No: IV-B

Meeting Date: February 28, 2023

Agenda Item: TOWN COUNCIL DISCUSSION
Item IV-B – Accessory Dwelling Units

Summary: The Town Council is requested to discuss the Town Code related to Accessory Dwelling Units (ADUs). Town Code Appendix A – Zoning; Article 5 – Supplementary Regulations; Chapter 516 Accessory Dwelling Units establishes the regulations related to establishing a secondary dwelling unit on a residential property. Item D of the Chapter requires that only structures constructed prior to December 31, 2008 can be used for ADUs.

Council Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A

516. Accessory dwelling units.

- (a) Accessory dwelling units are allowable only by special use permit.
- (b) Only one accessory dwelling unit allowable per lot.
- (c) The accessory dwelling units must be located on the same lot of the primary dwelling.
- (d) The proposed accessory dwelling unit is required to be an existing and permanent structure and constructed prior to December 31, 2008.
- (e) The accessory dwelling unit is required to meet all relevant building codes and contain provisions for sleeping, cooking, and sanitation.
- (f) The accessory dwelling unit must have a dedicated single off-street parking space measuring a minimum of ten feet by 20 feet size.
- (g) The property owner must reside in either the primary residence or accessory dwelling unit.
- (h) No more than two individuals can reside in an accessory dwelling unit at any given time.
- (i) The size of an accessory dwelling unit may not exceed 50 percent of the footprint occupied by the lot's primary dwelling, exclusive of attached carports, decks, etc. The applicant shall provide both sets of dimensions with their application.
- (j) An accessory dwelling unit is required to have a separate water meter and line connecting directly to a town water main, and a separate sewer connection with a clean-out at the property line. A separate utility account, with proper fees and deposits, shall be required. These requirements may be waived provided the following items are satisfied:
 - (1) For accessory structures being converted to an accessory dwelling unit containing existing approved water and sewer connections: The above requirement may be waived provided the owner maintains responsibility for all fees associated with water, sewer and trash service for both structures in perpetuity. An approved connection is one where a building permit and inspection were issued and completed, and/or the owner can substantively verify the subject connection(s) were done so prior to the enactment of relevant codes and/or ordinances. To be eligible for a waiver, such work must have been completed and approved prior to December 31, 2008.
 - (2) If a waiver from item "(j)" of this ordinance is granted, a condition of the special use permit shall be that if the billing or plumbing arrangements are changed, then adherence to the requirements of item "(j)" shall be met.
- (k) The accessory dwelling unit is required to conform to additional regulations as recommended by the town's planning commission, and required by the town council.

(Ord. of 5-11-2009(1), § 1; Ord. of 2-14-2011)

TOWN OF LURAY

TOWN COUNCIL
Work Session

February 28, 2023



Agenda Item 4.C.

HAWKSBILL
GREENWAY

YAGERS SPRING
EXTENSION



Town of Luray, Virginia

Town Council Agenda Statement

Item No: IV-C

Meeting Date: February 28, 2023

Agenda Item: TOWN COUNCIL DISCUSSION
Item IV-C – Hawksbill Greenway – Yagers Spring Extension

Summary: The Town Council is requested to discuss the next steps for the design of the Yagers Spring Extension of the Hawksbill Greenway.

During the Preliminary Engineering Report development, concern was raised about confirming the property limits owned by the Town and confirming chain of title. Racey Engineering has developed a proposal of \$5,000 to confirm the property owned by the Town for use of the Greenway Extension.

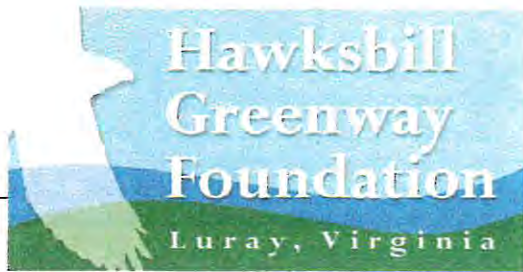
Racey Engineering has also developed the proposal for the second phase of the Feasibility & Preliminary Engineering Study. Services include Joint Permit Application submittal for the project, environmental studies and mapping, preliminary geotechnical investigations, and contingency services. The proposed cost for services is \$27,000.00 with the Hawksbill Greenway Foundation provided a \$13,500 contribution for these services.

Staff would propose \$18,500 of ARPA funding for the Town's portion of these costs.

Council Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A



P.O. Box 629 • Luray, Virginia 22835 • (540) 743-2135

www.hawksbillgreenway.org/

February 14, 2023

Steve Burke, Manager
Town of Luray
PO Box 629
Luray, VA 22835

Dear Mr. Burke:

Thank you for the opportunity to speak at the 2/13/23 Town Council Meeting, regarding the Greenway expansion to Redwell-Isabella Furnace at Yager Spring.

The Greenway Foundation is reaffirming our commitment to share 50% of the Feasibility Study cost. We are ready to move to Phase 2 of the study based on the positive results of Phase 1 of the study that were reported at the Council Meeting.

Copied and pasted below is the fee structure from the Racey Engineering Phase 2 Proposal.

The Foundation commits \$13,500 for Phase 2. In addition to the \$14,000 commitment to Phase 1 the Foundation's total financial support is \$27,500. The Foundation has also committed an additional \$2,000 for permits etc.

"This is the second order under this project and is labeled as Project Order #2. The proposed fee for the project is detailed below."

Task	Proposed Fee
Racey	Labor (Fixed Fee)
Task 4 – JOINT PERMIT APPLICATION (JPA) FILING SERVICES	\$3,400.00
Task 5 – ENVIRONMENTAL STUDIES AND MAPPING	\$14,000.00
Task 6 – PRELIMINARY GEOTECHNICAL INVESTIGATION	\$2,600.00
Task 7 – PLANNING AND PROGRAMMING CONTINGENCY FUNDS	\$7,000.00
TOTAL	\$27,000.00

Sincerely,



William C. Dudley III
President
Hawksbill Greenway Foundation

Dedicated to preserving Luray's precious green space for future generations



February 8, 2022

Clients: Steve Burke, Town Manager
Town of Luray
45 East Main Street
Luray, VA 22835
Ph: 540-743-5511
Email: sburke@townofluray.com

Hawksbill Greenway and Recreation Foundation
P.O. Box 629
Luray, VA 22835

Project: Town of Luray – Luray Greenway – Proposed Yager’s Spring Extension

Racey Project Number: 8994

Subject: Proposal for Professional Services – Phase 2 Feasibility & Preliminary Engineering- Project Order #2

Racey Engineering, PLLC (“Racey”) is pleased to submit this proposal for professional services associated with preparing preliminary engineering services to help determine feasibility of the extension of the Luray Greenway Trail to the historic Yager’s Spring. This proposal represents that Racey will provide field and office work, engineering, planning, as well as coordination and denoted as items 2, 3, 5, and 7 in Racey’s “Engineer’s Estimate – Planning and Feasibility Studies” document dated 3/22/22. These 4 items are to be known as Phase 2 of the Feasibility and Preliminary Engineering work required to conduct the due diligence and feasibility of this proposed extension. The project scope, fee, and terms are outlined below for your approval prior to commencement of work. If approved, the terms in this agreement along with the terms of the original agreement (Project Order #1), shall continue to govern through the completion of work.

SCOPE OF SERVICES

Based on our discussions, Racey will provide the following tasks to facilitate the project:

TASK 4 (ITEM 2 FROM RACEY ENGINEERING ESTIMATE LETTER) – JOINT PERMIT APPLICATION (JPA) FILING SERVICES

- Coordinate and submit the JPA to the required Agencies to determine the permitting requirements and limits of our impacts for the proposed project.
- The plans, especially the structural bridge designs, need to be far enough along in design to ensure that we are representing the actual impacts to the waterway and surrounding areas. Construction modifications can be made as the plan progresses, but a sound structural engineering submission will need to be included with the application.

TASK 5 (ITEM 3 FROM RACEY ENGINEERING ESTIMATE LETTER) – ENVIRONMENTAL STUDIES AND MAPPING

- Based on our Preliminary Report from our Environmental Coordinator Steve Long, we will engage Wetlands Studies & Solutions, Inc. (WSSI) to perform the following initial delineation and mapping. These services are the most critical at this point to determine the permit requirements. From their discoveries, it will determine if Archaeological, Habitat, and Endangered Species Studies are





required. If required, they will be an additional fee to Task 5 (Item 3) which is different from our planning letter but will determine everything that is required.

- Waters of the U.S. (WOTUS) Delineation and Mapping
- Cultural Resources Studies
- Coordination with the U.S. Army Corps of Engineers (USACE) to obtain approved Jurisdictional Determination (JD) We will determine and/or establish the FEMA Base Flood Elevation along the proposed corridor extension and at the proposed pedestrian bridge crossing.

TASK 6 (ITEM 5 FROM RACEY ENGINEERING ESTIMATE LETTER)– PRELIMINARY GEOTECHNICAL INVESTIGATION

- We will engage a geotechnical engineer to provide preliminary feedback on our bridge foundation designs, give parameters for the likely soils/rock to be encountered based on their knowledge of the area and like conditions.
- If funds allow, conduct limited borings to determine competency of rock at our proposed abutment locations.

TASK 7 (ITEM 7 FROM RACEY ENGINEERING ESTIMATE LETTER)– PLANNING AND PROGRAMMING CONTINGENCY FUNDS

- We request that these contingency funds be allowed to be used if needed to cover the increased consultant costs for floodplain and bridge hydraulics, environmental studies, and other unforeseen cost increases from our initial planning estimates.
- All items will continue to be invoiced and backup provided for expenses as requested. Any remaining funds will be either returned or used in further design efforts if approved by the Clients.

GENERAL EXCLUSIONS

1. Any and all work not specifically included in the above “Scope of Services” is excluded.
2. Any geotechnical or environmental testing, or investigations and professional design services not outlined above.
3. Archaeological, habitat, or endangered species assessments, studies, coordination, or permitting services are excluded at this time. If required, we will discuss that scope and fee prior to proceeding.
4. This work does not include formal boundary surveys or plats, or a title survey or report from Racey. If a Title Report is provided to Racey, the information will be incorporated into our engineering and survey files.
5. Permit or Review Fees, Application Fees of any, and Permit Applications are excluded.
6. Rezoning, Special Use, and/or Conditional Use Actions are excluded.
7. Building, Foundation, and Structural plans are excluded.
8. Formal Building Permit Drawings or Construction Site Plan Drawing preparations or submissions to the Town or County for Building Permits, Stormwater Management Quantity or Quality Design, Formal Erosion and Sediment Control Plans, Calculations, Landscaping, or Lighting Plans are excluded





9. Construction Administration, Bid Services, Construction Management, or Construction Survey (Stakeout) services are excluded.

DELIVERABLES

- ✓ Electronic (PDF) copy of the Phase 2 Preliminary Engineering Package
- ✓ Up to Five (5) Hard Copies of the Phase 2 Preliminary Engineering Package if requested
- ✓ Electronic (PDF) copies of all deliverables will also be released to the Client.

PROPOSAL FEE & SCHEDULE

We trust the above scope of work meets the Client’s requirements. We are proposing to perform the scope of work presented in this proposal for a fixed fee and hourly time and materials format for the contingency monies. This is the second order under this project and is labeled as Project Order #2. The proposed fee for the project is detailed below.

Task	Proposed Fee
Racey	Labor (Fixed Fee)
Task 4 – JOINT PERMIT APPLICATION (JPA) FILING SERVICES	\$3,400.00
Task 5 – ENVIRONMENTAL STUDIES AND MAPPING	\$14,000.00
Task 6 – PRELIMINARY GEOTECHNICAL INVESTIGATION	\$2,600.00
Task 7 – PLANNING AND PROGRAMMING CONTINGENCY FUNDS	\$7,000.00
TOTAL	\$27,000.00

Upon timely receipt of the notice to proceed and signed contract, we propose the following schedule:

Milestone	Proposed Duration
Task 4 JPA Filings	Estimated June 1, 2023
Task 5 Environmental Studies	Delineation Currently on-going – Completion Estimated May 2023
Task 6 Preliminary Geotech	April 2023 Completion

FEES AND TERMS

We propose completing these tasks as outlined in this letter for a fixed fee as denoted with each task. All expected reimbursable expenses are included within the fixed fee price provided. We propose to work in accordance with our current agreement and our Standard Terms and Conditions for Professional Services, a copy of which is attached as part of this proposal.





APPROVAL/ACCEPTANCE

We appreciate the opportunity to provide this proposal, and hope the scope and fee are acceptable for your project’s needs. Please reach out to me if you have any questions or the presented information or would like to discuss any aspect further. If the terms of this proposal are acceptable, please sign and return and work will commence as indicated.

Sincerely,

Racey Engineering, PLLC

Town of Luray (“Client”) – Project Representative

By: _____

Date:_____

**Hawksbill Greenway and Recreation Foundation
 (“Client”) – Project Representative**

By: _____

Date:_____

Attachments: None

[Close of Proposal_V1]





February 8, 2023

Clients: Steve Burke, Town Manager
Town of Luray
45 East Main Street
Luray, VA 22835
Ph: 540-743-5511
Email: sburke@townofluray.com

Hawksbill Greenway and Recreation Foundation
P.O. Box 629
Luray, VA 22835

Project: Town of Luray – Luray Greenway – Proposed Yager’s Spring Extension

Racey Project Number: 8994

Subject: Proposal for Professional Survey Services – Boundary Survey Project with Spring House Location Project Order #3

Racey Engineering, PLLC (“Racey”) is pleased to submit this proposal for professional services associated with providing field and office Land Surveying Services on the referenced parcel. The intent of the work under this proposal is to survey the approximate 42 +/- acres on Tax Map 42-A-5 and prepare a suitable deliverable as described within. The project scope, fee, and terms are outlined below for your approval prior to commencement of work. If approved, the terms in this agreement shall continue to govern through the completion of work and Racey will serve as Project Surveyor of Record for the assignments outlined herein.

SCOPE OF SERVICES

Based on our discussions, Racey will provide the following tasks to facilitate the project:

- Assign staff to obtain Courthouse Research for the property from the County Clerk’s Office. Interpret, and plot the parcel boundary from available deed and plat records.
- Dispatch Crew to the site to make a field survey of the property or parcel(s).
- Process field work, establish parcel or property survey limits and boundaries.
- Task 1: Prepare suitable Record Plat of Survey Project (i.e. Boundary Survey as noted).
- Locate Spring House and any Easements that may turn up in the title report.
- Task 2: Title Reports done on Parent Parcel #42-A-5 and adjoiners #42-A-5A & #42-A-6.
- Release Plat to Client or Designated Project Representative.
- Complete survey process by staking and “pinning” parcel corners for the property as surveyed.

GENERAL EXCLUSIONS

1. Any and all work not specifically included in the above “Scope of Services” is excluded. The Client may opt for additional Assignments and Surveys under a separate agreement. The work program as outlined is specific and limited to only those assignments as stated and outlined.
2. This work does not include interval line marking between corners.





3. In the event that County Land Records are deemed to be indeterminate or not physically available and suitable for use, then the project may be discontinued until separate and additional arrangements are established between Racey and the Client. Furthermore, in the event suitable documentation or monumentation cannot be found or reproduced to establish a survey suitable to the regulations of the Commonwealth of Virginia, Racey reserves the right to terminate itself from this agreement. Client accepts that Racey may seek payment for services rendered at the time of termination of this agreement, with release of collected research and other pertinent documents as final deliverables.
4. Any cost for supplemental submittals discovered or found that present the need for legal assistance is excluded.
5. The Client must secure and engage (any) legal services for any preparation of Title Work and for administration of any line disputes between adjoining landowners. Racey will not be required to enter into dispute resolution in any way on this project. Boundary (or other) disputes and any process where exception is taken to the work of Racey will result in additional fees being charged to the client.
6. Permit or Review Fees, Application Fees of any, and Permit Applications are excluded. Agency Submittals are not included or proposed under this contract, Plat recording is under the responsibility of the Client(s), not Racey.
7. Formal zoning actions, schematics, engineering design development, or construction documents are excluded.

DELIVERABLES

- ✓ Up to five (5) hard copies of the Record Plat
- ✓ An Electronic (.pdf) copy of all hard copy deliverables will also be provided

PROPOSAL FEE

We trust the above scope of work meets your requirements. We are proposing to perform the scope of work presented in this proposal for a Fixed Fee format. This is the first order under this project and is labeled as Project Order #3. The proposed fee for the project is detailed below.

Task	Proposed Fee
Racey	Labor (NTE)
Task 1 – Courthouse Research, Field and Office Survey, Boundary Survey	\$3,500.00
Task 2 – Title Report on #42-A-5, 5A, 6	\$1,500.00
TOTAL	\$5,000.00

We will hold our proposed fee for 30 calendar days. Upon timely receipt of the notice to proceed and signed contract, we propose the following schedule:





Milestone	Proposed Duration
Task 1.1 Field Survey & Data Processing	4-6 Weeks from NTP
Task 1.2 Finalize and Issue Deliverables	2 Weeks from Field Survey Completion
Task 2 – Title Report	Estimated 6 Weeks from NTP

Please notify Racey prior to signing this proposal if such is not acceptable schedule terms for this project. All delays caused by acts of God, strikes or adverse weather conditions or other causes beyond the Surveyor’s reasonable control or geological conditions shall cause the contract completion date to be extended on a day for day basis. Delays by such causes do not constitute abandonment. Liquidated damages are not applicable for uncontrollable completion delay.

FEES AND TERMS

We propose completing these tasks as outlined in this letter for a fixed fee as denoted with each task. All expected reimbursable expenses are included within the fixed fee price provided. We propose to work in accordance with the terms and conditions of this and the original project order (PO#1).

APPROVAL/ACCEPTANCE

We appreciate the opportunity to provide this proposal, and hope the scope and fee are acceptable for your project’s needs. Please reach out to me if you have any questions or the presented information or would like to discuss any aspect further. If the terms of this proposal are acceptable, please sign and return and work will commence as indicated.

Sincerely,

Racey Engineering, PLLC

Town of Luray (“Client”) – Project Representative

By: _____

Date:_____

Hawksbill Greenway and Recreation Foundation
(“Client”) – Project Representative

By: _____

Date:_____

Attachments: None

[Close of Proposal_V1]



TOWN OF LURAY

**TOWN COUNCIL
Work Session**

February 28, 2023



Agenda Item 4.D.

**FY 23-24
BUDGET CALENDAR**



Town of Luray, Virginia

Town Council Agenda Statement

Item No: IV-D

Meeting Date: February 28, 2023

Agenda Item: TOWN COUNCIL DISCUSSION
Item IV-D – FY 23-24 Budget Calendar

Summary: The Town Council is requested to discuss the calendar for review, public comment, and adoption of the FY 23-24 Town Budget.

Council Review: N/A

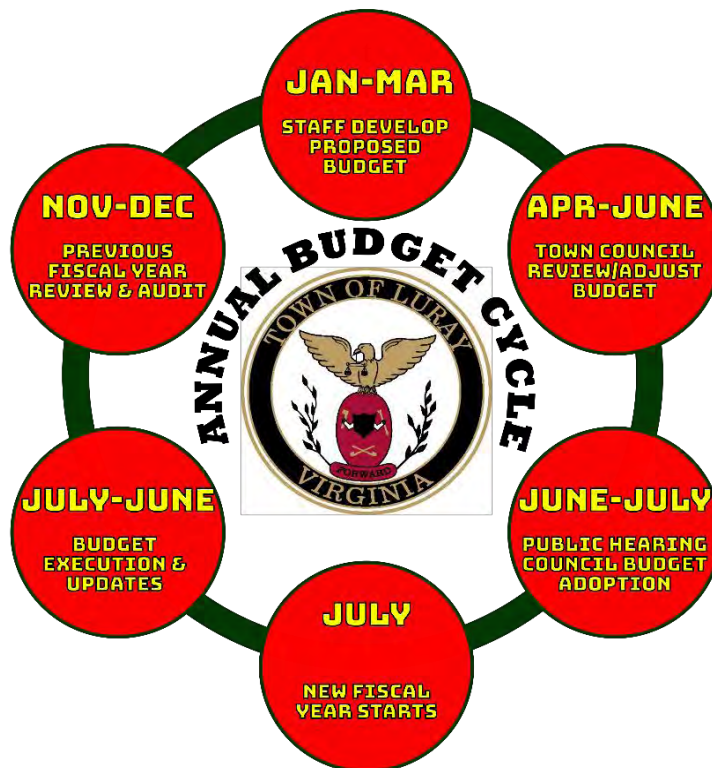
Fiscal Impact: N/A

Suggested Motion: N/A

TOWN OF LURAY

FY 2023-2024 BUDGET CALENDAR

<u>DATE</u>	<u>ACTIVITY</u>	<u>DEPARTMENT</u>
Tuesday, March 28	Propopsed Budget Presentation	Town Manager
Monday, April 10	Budget Discussion & Draft Ad Review	Town Council
Tuesday, April 25	Budget Discussion - General Fund	Town Council & Staff
Monday, May 8	Budget Discssuion - Enterprise Funds / Early Public Hearing	Town Council & Staff
Tuesday, May 23	Budget Discussion - Special Meeting Early Budget Adoption	Town Council & Staff
Monday, June 12	Late Budget Public Hearing	Town Council
Tuesday, June 27	Late Budget Adoption	Town Council



TOWN OF LURAY

**TOWN COUNCIL
Work Session**

February 28, 2023



Agenda Item 4.E.

REZ 23-01

**FAIRVIEW
SUBDIVISION
SECTION 2**



Town of Luray, Virginia

Town Council Agenda Statement

Item No: IV-E

Meeting Date: February 28, 2023

Agenda Item: TOWN COUNCIL DISCUSSION
Item IV-E – REZ23-01 – Fairview Subdivision – Section 2

Summary: The Town Council is requested to conduct a discuss a request from Ramsey Inc. to rezone parcels 42A16-1-1 through 11, 13 and 14 which were recently boundary line adjusted into the Town limits as Low Density (R-1) Residential District zoned properties to High Density (R-3) Residential District. The subject parcels are approximately 5.28 acres in total area. The Boundary Line Adjustment Agreement between Ramsey Inc., Page County, and the Town specified this request and consideration.

Review of the County GIS indicates that parcel 12 is not owned by Ramsey Inc, and the rezoning request would need to be submitted by the individual owners.

The Rezoning Request will allow the developer to construct single-family dwellings on lots with reduced setback and minimum acreage requirement.

The Planning Commission unanimously recommended denial of the application based upon citizen concerns about the increased density from duplex construction at their February 15th meeting.

The applicant has submitted a proffer statement limiting development of the thirteen lots to only single-family homes to alleviate the concern for additional development.

Council Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A



Town of Luray
Zoning Permit Application
Application No.: _____

I, as owner or authorized agent for the property described below, do hereby certify that I have the authority to make this application for a Zoning Permit for the activity described below and as show on any attached plans or specifications, that the information provided is correct and that any construction/use will conform to the regulations of the Town's *Zoning Ordinance* and other codes of the Town of Luray, County of Page, and Commonwealth of Virginia, as applicable. This permit application authorizes the Zoning Administrator or designee to perform reasonable site inspections as required to confirm information provided and compliance with the conditions applicable to this permit. Further I understand that any deviation from the application as requested shall require the express written approval of the Zoning Administrator.

Application: ☐ Site Development ☐ Property Subdivision ☐ Boundary Line Adjustment
☒ Rezoning ☐ Special Use Permit ☐ Zoning Variance

Applicant Information:

Applicant Name Ramsey Inc
Company Name _____
Address 508 N Commerce Ave Front Royal VA 22630
Phone: 540-660-2159 Email: Chrisramseyinc@yahoo.com

Property Owner Information:

Owner Name Same
Address _____
Phone: _____ Email: _____

Property Information:

Site Address _____
Page County Tax Map Number _____ Town Zoning District _____

Request Information:

Nature of Request (Describe Fully) Rezone Fairview Section 2 Lots 1-14
From R-1 to R-3

See Appropriate Application Appendix for Additional Information Required with Your Application

Signature of Applicant

CLS Ry

Date

12-14-22



Town of Luray
Rezoning Application
Application No.: _____

Existing Property Information:

Site Address Arthur Lane Luray VA
Page County Tax Map Number _____ Town Zoning District R-1

Request Information:

Requested Zoning District R-3
Total Acreage to be Rezoned 5.62 (Entire Parcel Shall be Requested to be Rezoned)
Nature of Request (Describe fully to include future property use and planned structure(s) construction)
Existing Building Lots Served by Public Water & Sewers
No New parcels to be Created
Rezone for purpose of Conformity to Surrounding Properties
in Size, Set backs & Use
Residential Use

Please include location map, plat, property deed, impact analysis statement, and proffer statement with your Application

I (we), the undersigned, do hereby respectfully make application and petition to the Town of Luray to amend the Zoning Ordinance and to change the Zoning Map of the Town of Luray, Virginia. I (we) authorize Town of Luray officials to enter the property for site inspection purposes.

I (we) authorize the Town of Luray to place standard signage on the property necessary for notifying the public of this rezoning request during the application consideration process.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Signature of Applicant

PLS Ry

Date

12-14-22

Signature of Applicant

Date

Signature of Owner

Date

Signature of Owner

Date

NOTE: LOTS 4, 8, AND 12 SECTION 3
CURRENTLY TAXED ENTIRELY IN TOWN OF LURAY.

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

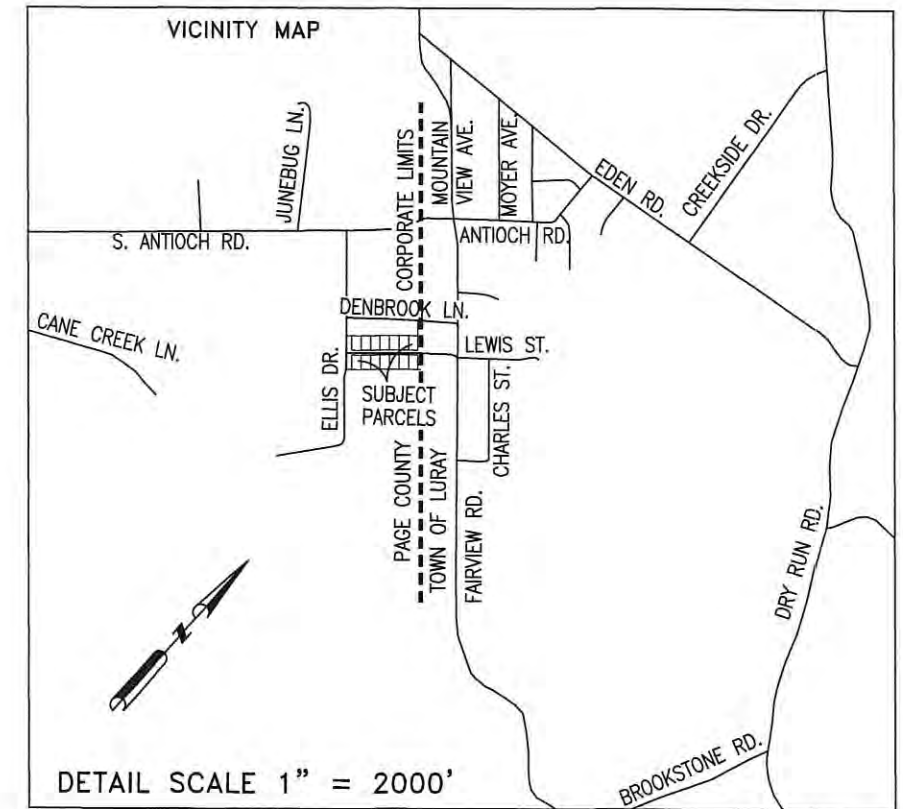
DERIVATION OF TITLE TO: RAMSEY INC.
PER INSTRUMENT # 050004759.

PLAT REF: D.B. 551/358.

PROPERTY SITUATED OUTSIDE THE LIMITS
OF THE FEMA FLOOD ZONE.

MUNICIPAL BOUNDARY LINE ADJUSTMENT BETWEEN
THE TOWN OF LURAY AND THE COUNTY OF PAGE

TOWN OF LURAY
PAGE COUNTY, VA.

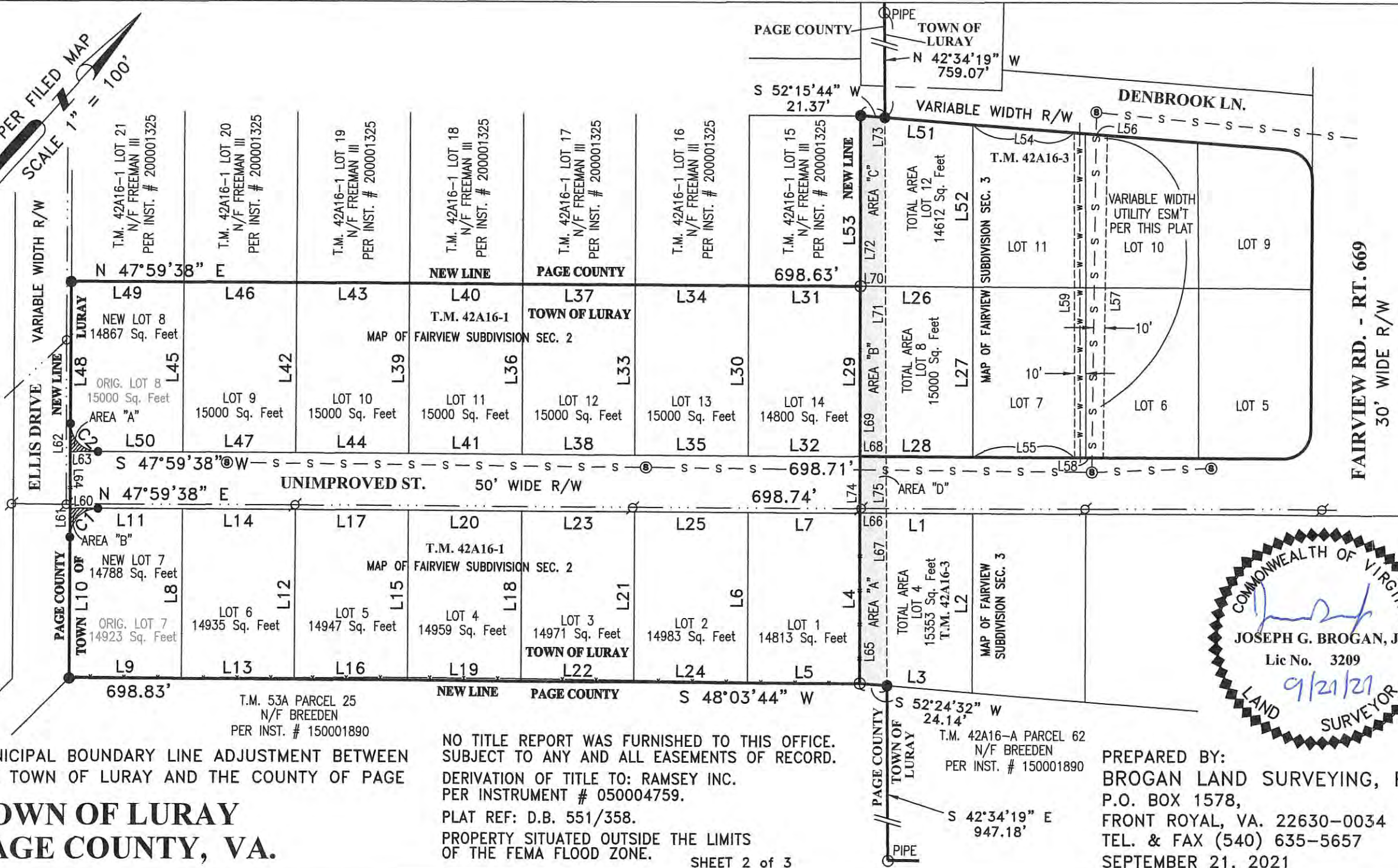


- DENOTES EXISTING PIN.
- DENOTES PIN SET.
- ⊙ DENOTES SEWER MANHOLE.
- · · — DENOTES OVERHEAD WIRES.
- s — DENOTES EXISTING SEWER LINE.
- x — DENOTES FENCE LINE.
- / — DENOTES SCALE BREAK.
- ▨ DENOTES AREA ADDED TO UNIMPROVED STREET FROM LOTS 7 AND 8.
- ▨ DENOTES AREA ADDED TO TOWN OF LURAY FROM LOTS 4, 8 AND 12 SECTION 3 AND UNIMPROVED ROAD SECTION

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578,
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
SEPTEMBER 21, 2021



PER FILED MAP
SCALE 1" = 100'



MUNICIPAL BOUNDARY LINE ADJUSTMENT BETWEEN
THE TOWN OF LURAY AND THE COUNTY OF PAGE

TOWN OF LURAY

PAGE COUNTY, VA.

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.
DERIVATION OF TITLE TO: RAMSEY INC.
PER INSTRUMENT # 050004759.
PLAT REF: D.B. 551/358.
PROPERTY SITUATED OUTSIDE THE LIMITS
OF THE FEMA FLOOD ZONE.

SHEET 2 of 3



PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578,
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
SEPTEMBER 21, 2021

AREA TABULATION FAIRVIEW SECTION 2		
ORIGINAL AREA LOT 8	A =	15000 SQ. FT.
AREA "A" ADDED TO UNIMPROVED ST.	A =	-133 SQ. FT.
NEW AREA LOT 8	A =	14867 SQ. FT.
ORIGINAL AREA LOT 7	A =	14923 SQ. FT.
AREA "B" ADDED TO UNIMPROVED ST.	A =	-135 SQ. FT.
NEW AREA LOT 7	A =	14788 SQ. FT.
LOT 1	A =	14813 SQ. FT.
LOT 2	A =	14983 SQ. FT.
LOT 3	A =	14971 SQ. FT.
LOT 4	A =	14959 SQ. FT.
LOT 5	A =	14947 SQ. FT.
LOT 6	A =	14935 SQ. FT.
PORTION OF LOT 7 ADDED TO UNIMPROVED ST. AREA "B"	A =	135 SQ. FT.
REMAINING LOT 7 AREA	A =	14788 SQ. FT.
PORTION OF LOT 8 ADDED TO UNIMPROVED ST. AREA "A"	A =	133 SQ. FT.
REMAINING LOT 8	A =	14867 SQ. FT.
LOT 9	A =	15000 SQ. FT.
LOT 10	A =	15000 SQ. FT.
LOT 11	A =	15000 SQ. FT.
LOT 12	A =	15000 SQ. FT.
LOT 13	A =	15000 SQ. FT.
LOT 14	A =	14800 SQ. FT.
PORTION OF UNIMPROVED STREET 50' R/W	A =	34936 SQ. FT.
TOTAL AREA TO BE ADDED TO TOWN OF LURAY	A =	24,4267 SQ. FT. OR 5.6076 ACRES

AREA TABULATION FAIRVIEW SECTION 3		
AREA "A" LOT 4	A =	3567 SQ. FT.
AREA "B" LOT 8	A =	3380 SQ. FT.
AREA "C" LOT 12	A =	3239 SQ. FT.
AREA "D" UNIMPROVED ROAD SECTION	A =	1154 SQ. FT.
TOTAL AREA TO BE ADDED TO TOWN OF LURAY	A =	11340 SQ. FT.
NOTE: TOTAL AREA OF THESE LOTS CURRENTLY TAXED IN THE TOWN OF LURAY		

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 48°05'00" E	100.00'	L23	N 47°59'38" E	100.00'	L45	N 42°13'22" W	150.00'
L2	S 42°08'11" E	157.55'	L24	S 48°03'44" W	100.00'	L46	N 47°59'38" E	100.00'
L3	S 52°24'32" W	100.00'	L25	N 47°59'38" E	100.00'	L47	S 47°59'38" W	100.00'
L4	N 42°15'22" W	150.01'	L26	N 48°05'00" E	100.00'	L48	N 42°13'22" W	125.09'
L5	S 48°03'44" W	98.83'	L27	S 42°15'22" E	150.00'	L49	N 47°59'38" E	100.00'
L6	N 42°13'22" W	149.89'	L28	S 48°05'00" W	100.00'	L50	S 47°59'38" W	75.09'
L7	N 47°59'38" E	98.74'	L29	N 42°15'22" W	150.00'	L51	N 52°15'44" E	100.00'
L8	S 42°13'22" E	149.29'	L30	N 42°13'22" W	150.00'	L52	S 42°22'49" E	142.71'
L9	S 48°03'44" W	100.00'	L31	N 47°59'38" E	98.63'	L53	N 42°15'22" W	150.00'
L10	N 42°13'22" W	124.08'	L32	S 47°59'38" W	98.71'	L54	N 52°15'44" E	89.97'
L11	N 47°59'38" E	74.91'	L33	N 42°13'22" W	150.00'	L55	N 48°05'00" E	90.00'
L12	S 42°13'22" E	149.41'	L34	N 47°59'38" E	100.00'	L56	N 52°15'44" E	29.74'
L13	S 48°03'44" W	100.00'	L35	S 47°59'38" W	100.00'	L57	S 41°33'16" E	283.99'
L14	N 47°59'38" E	100.00'	L36	N 42°13'22" W	150.00'	L58	S 48°05'00" W	25.55'
L15	S 42°13'22" E	149.53'	L37	N 47°59'38" E	100.00'	L59	N 42°22'48" W	286.16'
L16	S 48°03'44" W	100.00'	L38	S 47°59'38" W	100.00'	L60	N 47°59'38" E	25.09'
L17	N 47°59'38" E	100.00'	L39	N 42°13'22" W	150.00'	L61	N 42°13'22" W	25.09'
L18	S 42°13'22" E	149.65'	L40	N 47°59'38" E	100.00'	L62	N 42°13'22" W	24.91'
L19	S 48°03'44" W	100.00'	L41	S 47°59'38" W	100.00'	L63	S 47°59'38" W	24.91'
L20	N 47°59'38" E	100.00'	L42	N 42°13'22" W	150.00'	L64	S 42°13'22" E	50.00'
L21	S 42°13'22" E	149.77'	L43	N 47°59'38" E	100.00'	L65	N 42°15'22" W	150.01'
L22	S 48°03'44" W	100.00'	L44	S 47°59'38" W	100.00'	L66	N 48°05'00" E	23.22'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	39.36'	25.00'	90°13'00"	S 02°53'08" W	35.42'
C2	39.18'	25.00'	89°47'00"	S 87°06'52" E	35.29'

L67	S 42°34'19" E	151.83'
L68	S 48°05'00" W	22.95'
L69	N 42°15'22" W	150.00'
L70	N 48°05'00" E	22.12'
L71	S 42°34'19" E	150.01'
L72	N 42°15'22" W	150.00'
L73	S 42°34'19" E	148.45'
L74	N 42°15'22" W	50.00'
L75	S 42°34'19" E	50.00'



MUNICIPAL BOUNDARY LINE ADJUSTMENT BETWEEN
THE TOWN OF LURAY AND THE COUNTY OF PAGE

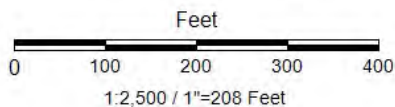
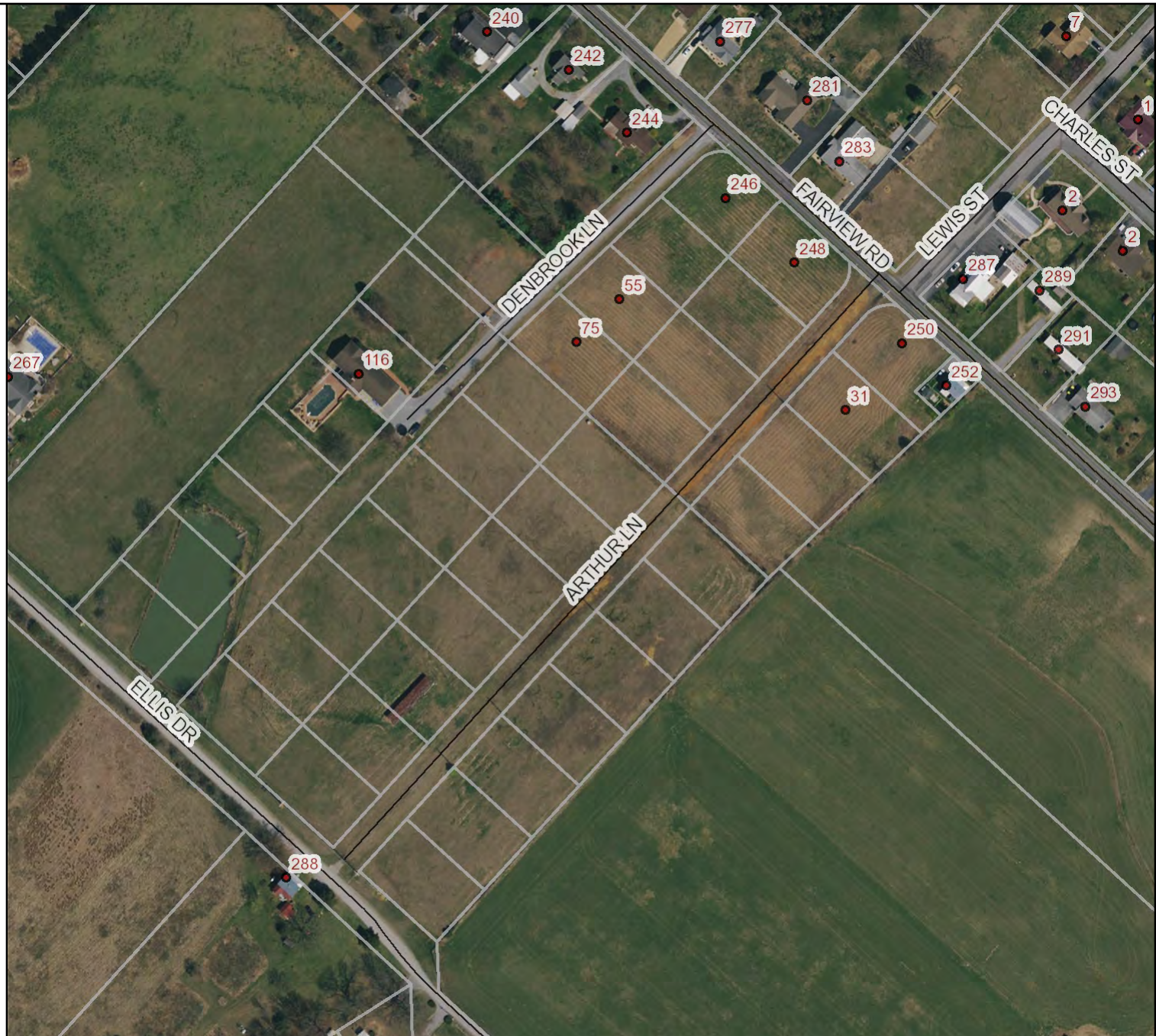
TOWN OF LURAY
PAGE COUNTY, VA.

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578,
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
SEPTEMBER 21, 2021

Page County, Virginia

Legend

- 9-1-1 Addresses
- US Highways
- Roads
- Railroads
- Other Counties
- Parcels
- Shenandoah River
- Streams



Title:

Date: 9/8/2022

DISCLAIMER: THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressly or implied, but no limited to, the implied warranties of merchantability and fitness for a particular purpose. Site-specific information is best obtained after an onsite visit by a competent professional. Please call Page County, VA for specialized products. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as Page County, VA expressly disclaims any liability for loss or damage arising from the use of said information by any third party. In addition use of Virginia Base Mapping Program (VBMP) statewide aerial photography requires the following disclaimer: "Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination."

Ramsey Inc

508 Commerce Ave
Front Royal, Virginia 22630
540-635-5637
540-660-2159 cell

February 16, 2023

Mr. Steve Burke PE
Town Manager- Town of Luray
Luray, Virginia

RE: Fairview Section II Rezoning

Dear Steve:

This letter is to follow-up on my request for the rezoning of Fairview Section II from R-1 Single Family Residential to R-3 Multi-Family Residential.

1. The recent boundary line Adjustment between the Town of Luray and the County of Page for Fairview Section II, lots 1-14, resulted in the taking of county conforming lots and creating Town non-conforming lots. Without unnecessary debate over the implications or consequences of such an action, the rezoning of the properties involved in the request is necessary to negate those potentialities. By reference these issues were addressed in the Pre-Boundary Line agreement Between Ramsey Inc and the Town of Luray.
2. Ramsey Inc. requested the rezoning to satisfy Item 1 above and to make the resulting zoned lots buildable, and have more favorable set back restrictions. Current Restrictive Covenants of record for Fairview Section II preclude any combining or re-sub-dividing of any of the lots for the expressed purpose of creating additional building lots.
3. Ramsey Inc. proffers as part of the rezoning request to only construct single family homes on the rezoned lots. In that a number of the lots already have zoning permits issued through the county, it is also proffered that those structures shall also be restricted to single family activities under the Town of Luray Zoning Ordinance.

Respectfully ,

A handwritten signature in black ink, appearing to read "Chris Ramsey". The signature is fluid and cursive, with the first name "Chris" and the last name "Ramsey" clearly distinguishable.

TOWN OF LURAY

Notice of Public Hearings Luray Town Council

Rezoning & Special Use Permit Requests

NOTICE is hereby given pursuant to §15.2-2204 of the *Code of Virginia*, as amended, that Luray's Town Council shall hold public hearings on **March 13, 2023 at 7 p.m.** The public hearing shall be conducted in the Luray Town Council Chambers located at 45 East Main Street in the Town of Luray, Virginia.

Public comment may also be submitted until 5:00 p.m. on March 13, 2023 through any of the following means: Email: sburke@townofluray.com; Mail: Luray Town Council, Attention: Steve Burke, Post Office Box 629, Luray, Virginia, 22835; Hand delivery: Place in the exterior DROP BOX in the alcove located at the front of the Town's offices facing Main Street; or Phone: (540)743-5511. All comments will be read aloud at the hearings. These hearings will be live-streamed on the Town's Facebook Live page. All normal Rules of Procedure will be followed.

The purpose of the hearings is to receive public comments and to consider the following:

- **REZ 23-01**

The applicant, Ramsey, Inc., has requested rezone thirteen lots from Low Density Residential (R-1) Zoning District to High Density Residential (R-3) Zoning District as specified in the approved Boundary Line Adjustment Agreement for the Fairview Subdivision – Section 2. The subject parcels are approximately 5.28 acres in total area. The subject parcels are identified as Page County Tax Maps as 42A16-1-1 through 11, 42A16-1-13, and 42A16-1-14.

- **SUP 23-01**

The applicant, Lanny Bailey, has requested a Special Use Permit to operate a Bed & Breakfast Home at 16 Eden Road in the Medium Density Residential (R-2) Zoning District. The subject dwelling is roughly 1,212 square feet with three bedrooms and is located on one parcel that is roughly 0.61 acres in area. The subject parcel is further identified on Page County Tax Maps as 42A13-A-19. A Special Use Permit is required to operate a Bed & Breakfast Home in the R-2 zoning district per Town Code Appendix A, Article IV, Sec. 402.2.d.

- **SUP 23-02**

The applicants, Dwight and Angela Griffith, have requested a Special Use Permit to establish an apartment house at 800 Massanutten Avenue in the Business (B-1) Zoning District. The subject structure is roughly 8,500 square feet with three units and is located on one parcel that is roughly 0.41 acres in area. The subject parcel is further identified on Page County Tax Maps as 42A12-A-49A. A Special Use Permit is required to establish an apartment house in the B-1 zoning district per Town Code Appendix A, Article IV, Sec. 406.2.a.

Copies of the Special Use Permit and Rezoning applications and the Town's zoning ordinance are available at the Town of Luray's Office, 45 East Main Street, Luray, Virginia. These items may be viewed between the hours of 8 a.m. and 5 p.m. Monday – Friday, and may also be found online at the Town's website www.townofluray.com. Questions may be directed to the Town by calling 540-743-5511, or by emailing sburke@townofluray.com

TOWN OF LURAY

**TOWN COUNCIL
Work Session**

February 28, 2023



Agenda Item 4.F

SUP 23-01

16 EDEN ROAD



Town of Luray, Virginia

Town Council Agenda Statement

Item No: IV-F

Meeting Date: February 28, 2023

Agenda Item: TOWN COUNCIL DISCUSSION
Item IV-F – SUP 23-1 – 16 Eden Road

Summary: The Town Council is requested discuss a request for a Special Use Permit to operate a Bed & Breakfast Home at 16 Eden Road (Tax Map No. 42A13-A-19) in the Medium Density Residential (R-2) District from Lanny Bailey.

A Bed & Breakfast Home is defined as a single-family dwelling where for compensation lodging and breakfast are provided to registered transient guests only. Meals may be provided to the residents in a central location; however, no provisions shall be made for cooking in individual rooms or units. The maximum number of guests shall be two per bedroom with on-site parking for all guests. On-site management shall be provided though the applicant's family

Staff recommend the following conditions be considered:

- 1) On-site management will be present when any guests stay overnight at the residence;
- 2) Guest stay shall not exceed fourteen (14) day;
- 3) Occupancy of no more than six (6) guests at any one time;
- 4) Off-street parking is required for all guest vehicles;
- 5) One identification sign can be permitted on the property not exceeding four square feet on either side;
- 6) Meals if provided shall be served to only guests renting bedrooms in the dwelling; and
- 7) Obtain Town Business License; Transient occupancy tax and meals tax must be collected and remitted to the Town.
- 8) Special Use Permit shall not transfer upon sale of property or membership interest composition of the holding company.
- 9) Maintain Commercial General Liability Insurance Policy for Short-Term Rentals for a minimum limit of \$500,000 from a Virginia licensed insurance provider.
- 10) Maintain a registry showing names, home addresses, and dates renters of transient visitors.
- 11) Prior to operation, obtain an updated Certificate of Occupancy from Page County Building Official.
- 12) One working smoke detector shall be located in each bedroom and carbon monoxide detectors shall be located on each floor of the structure.
- 13) At least one working fire extinguisher shall be installed and maintained.
- 14) Commercial uses, other than expressly permitted in the Town's Zoning Ordinance are prohibited.
- 15) Compliance with Town's Noise Ordinance – Chapter 58, Article I, Section 58-5



Town of Luray, Virginia

Town Council Agenda Statement

Item No: IV-F

Meeting Date: February 28, 2023

The Planning Commission unanimously recommend approval of the application at their February 15th meeting.

Council Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A



Town of Luray
Zoning Permit Application
Application No.: _____

I, as owner or authorized agent for the property described below, do hereby certify that I have the authority to make this application for a Zoning Permit for the activity described below and as show on any attached plans or specifications, that the information provided is correct and that any construction/use will conform to the regulations of the Town's *Zoning Ordinance* and other codes of the Town of Luray, County of Page, and Commonwealth of Virginia, as applicable. This permit application authorizes the Zoning Administrator or designee to perform reasonable site inspections as required to confirm information provided and compliance with the conditions applicable to this permit. Further I understand that any deviation from the application as requested shall require the express written approval of the Zoning Administrator.

Application: ☐ Site Development ☐ Property Subdivision ☐ Boundary Line Adjustment
☐ Rezoning ☒ Special Use Permit ☐ Zoning Variance

Applicant Information:

Applicant Name Lanny Bailey
Company Name 16 Eden Road
Address 808 Navigator Ct. Virginia Beach, Va 23454
Phone: (757) 652-8322 Email: lanny.bailey@gmail.com

Property Owner Information:

Owner Name Lanny Bailey
Address 808 Navigator Ct. Virginia Beach, Va 23454
Phone: (757) 652-8322 Email: lanny.bailey@gmail.com

Property Information:

Site Address 16 Eden Road, Luray, Va 22835
Page County Tax Map Number 42A13-A-19 Town Zoning District R-2

Request Information:

Nature of Request (Describe Fully) Please see attached

See Appropriate Application Appendix for Additional Information Required with Your Application

Lanny L. Bailey
Signature of Applicant

12/19/2022
Date

Please Complete Additional Application Form for Your Specific Request



Town of Luray
Special Use Permit Application
Application No.: _____

Existing Property Information:

Site Address 16 Eden Road, Luray, Va 22835
Page County Tax Map Number 42A13-A-19 Town Zoning District R-2
Total Acreage .78 acres

Request Information:

Nature of Request (Describe property use, structure(s) construction, and affected Zoning Ordinance Sections)

Please see attached.

Please include location map, plat, property deed, and impact analysis statement with your Application

I (we), the undersigned, do hereby respectfully make application and petition to the Town of Luray in order to utilize the subject property for a use which requires the issuance of a Special Use Permit. I (we) agree to comply with any conditions for the Special Use Permit required by the Town.

I (we) authorize Town of Luray officials to enter the property for site inspection purposes.

I (we) authorize the Town of Luray to place standard signage on the property necessary for notifying the public of this rezoning request during the application consideration process.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Lanny Bailey
Signature of Applicant

12/19/2022
Date

Signature of Applicant

Date

Signature of Owner

Date

Signature of Owner

Date

Dear Town of Luray,

I am writing to request consideration for a special use permit for my family home located at 16 Eden Road, Luray, VA 22835 (Tax Map No. 42A13-A-19). The home is primarily used as a second residence and would alternatively be used as a short-term Vacation Rental by Owner (VRBO). We anticipate average rentals to be about 2-4 days per month. Total annual rentals are not anticipated to exceed 120 days per calendar year.

My brother Danny Bailey, (540) 742-0772, who lives at 2070 Dry Run Road would be the property representative. The home would be cleaned and inspected after each use. The property is not open to the general public. There will be no side agreements or outside arrangements. Our intention is to limit rentals to responsible adults only. Reservations will be made strictly through (VRBO) and requests and approvals will be vetted by us personally.

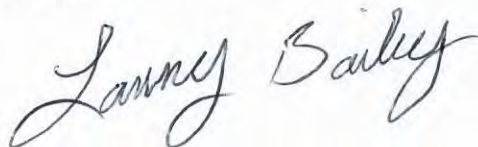
VRBO automatically collects and pays all necessary taxes for the following:

- A) Virginia Sales and Use tax at 4.3%
- B) Page County Sales and Use Tax at 1%
- C) Luray Accommodations Tax at 6%

- 1) Occupancy would be limited to no more than six (6) overnight guests.
- 2) Off-street parking (driveway) easily accommodates 6 guest vehicles
- 3) The home address will be clearly visible from the street (as required). Identifying signs will be placed on the property as deemed appropriate.
- 4) Tenants are responsible for their own meal planning.
- 5) Town Business License; Transient Occupancy Tax Remittance Form with Intermediary Reporting will be remitted to the Town as directed.

Note: As a Luray native, I know and respect my neighbors in Fairview and they are well aware of our hopeful intentions. We intend to check with them regularly to ensure that our peaceful and quiet neighborhood is respected and maintained. They have our contact information. We largely expect extended family, friends, and colleagues who want to visit Luray based on our recommendations, to be our primary occupants.

Submitted Respectfully,

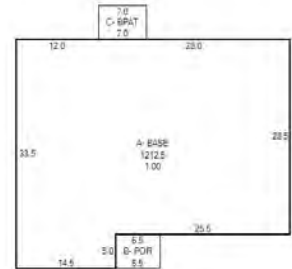
A handwritten signature in cursive script that reads "Danny Bailey". The signature is written in dark ink and is positioned below the "Submitted Respectfully," text.

Page County, Virginia

Tax Map #:	Property Address:	Account #:
42A13-A-19	16 EDEN RD	20176

General

Owners Name: BAILEY LANNY LEE
Mailing Address: 508 SUMMER LAKE LN
 VIRGINIA BEACH VA 23454
Zoning: R2
Year Built: 1963
Acreage: N/A
Description: INST#06-5269
Grouped With: N/A



Assessment Information

2021 Land Value \$35,000
2021 Improvement \$102,900
2021 Total Value \$137,900
Total Land Area (acres) N/A
2016 Total Value \$135,800

Sale information

Transfer Date: 12/7/2006
Sales Price: \$5,000
Grantor: \$5,000
Deed Book: N/A
Deed Page: 0
Plat Book: N/A
Plat Page: 0
Instrument Number: 2006-5269

Details

Exterior Information

Year Built: 1963
Occupancy Type: Dwelling
Foundation: Cinderblock
Ext. Walls: Brick
Roofing: Comp Shg
Roof Type: Gable
Garage: None
Garage - # Of Cars: 0
Carport: None
Carport - # Of Cars: 0

Interior Information

Story Height: 1
of Rooms: 5
of Bedrooms: 2
Full Bathrooms: 1
Half Bathrooms: 0
Floors: Wood

Building SqFt: 1212.5
Basement SqFt: 1212.5
Finished Basement SqFt: 303.1
Interior Walls: Drywall
Heating: Forced Air
A/C: No

Utilities

Water: Public
Sewer: Public
Electric: Yes
Gas: No
Fuel Type: Oil

Other Information

Fireplace: 1
Stacked Fireplace: 0
Flue: 0
Metal Flues: 0
Stacked Flues: 0
Inop. Flues/FP: 0

Site Information

Zoning Type: R2
Terrain Type: On
Character: Rolling/Sloping
Right of Way: Public
Easement: Paved

Page County, Virginia

Legend

- US Highways
- Roads
- Railroads
- Other Counties
- Parcels
- Shenandoah River
- Streams



Feet
0 25 50 75 100
1:1,128 / 1"=94 Feet

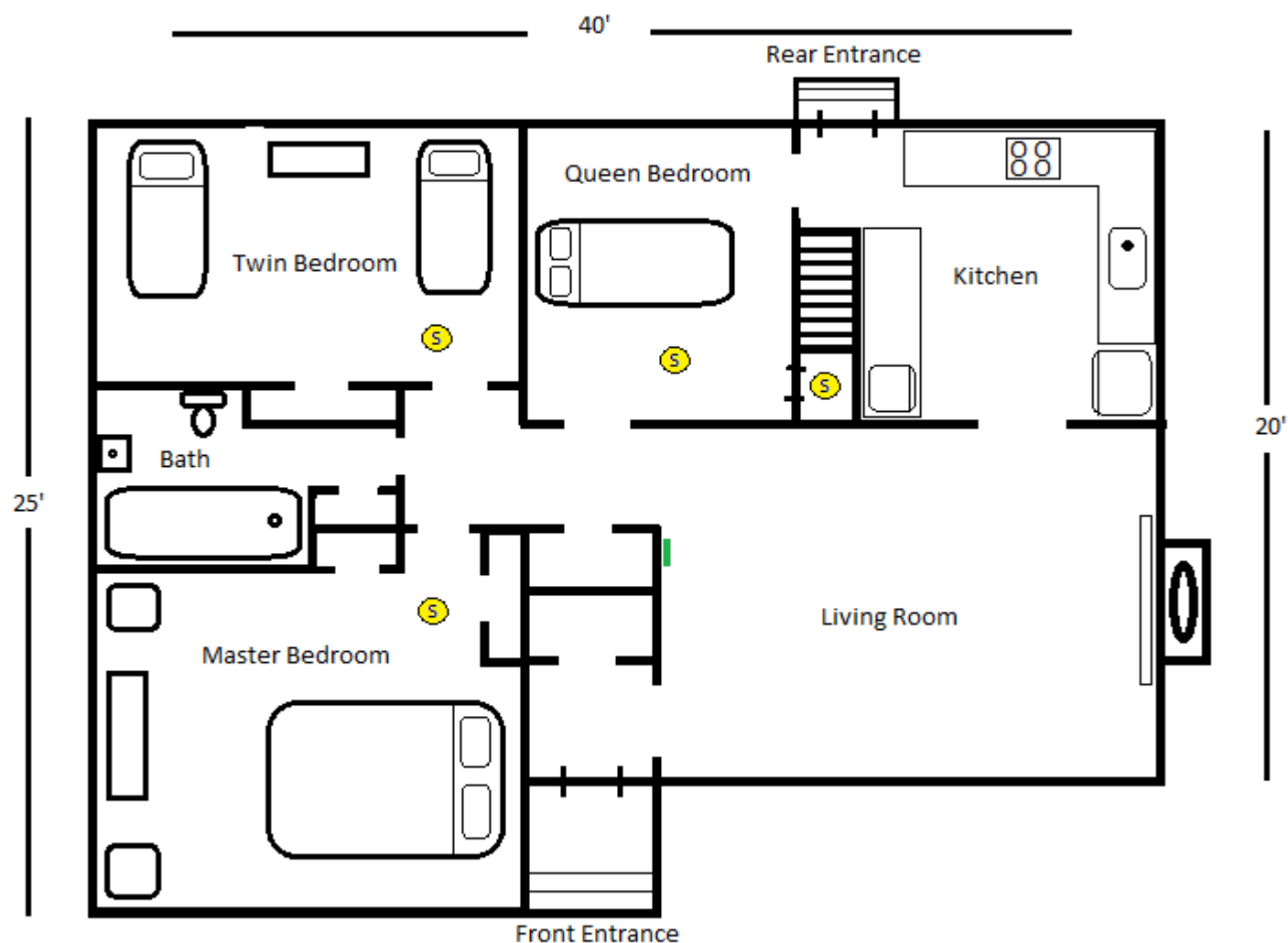
Title: Parcels

Date: 1/5/2023

DISCLAIMER: THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressly or implied, but no limited to, the implied warranties of merchantability and fitness for a particular purpose. Site-specific information is best obtained after an onsite visit by a competent professional. Please call Page County, VA for specialized products. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as Page County, VA expressly disclaims any liability for loss or damage arising from the use of said information by any third party. In addition use of Virginia Base Mapping Program (VBMP) statewide aerial photography requires the following disclaimer: "Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination."

GFI Kitchen & Bath - GFCI protected

AFI Living Spaces - AFCI protected



(S) Smoke alarms / Hardwired / Interconnected - w/ Battery Backup

(T) Thermostat controlled locally and remotely

(B) Basement Secured / Not open to guests

TOWN OF LURAY

**TOWN COUNCIL
Work Session**

February 28, 2023



Agenda Item 4.G.

SUP 23-02

**800 MASSANUTTEN
AVENUE**



Town of Luray, Virginia

Town Council Agenda Statement

Item No: IV-G

Meeting Date: February 28, 2023

Agenda Item: TOWN COUNCIL DISCUSSION
Item IV-G – SUP 23-2 – 800 Massanutten Avenue

Summary: The Town Council is requested to discuss a request for a Special Use Permit to establish a three-unit apartment at 800 Massanutten Avenue (Tax Map No. 42A12-A-49A) in the Business (B-1) District from Dwight and Angela Griffith. The subject structure is approximately 8,500 square feet in area with three units, and is located on one parcel that is approximately 0.41 acres in area.

A Special Use Permit is required to establish apartments in the Business District per Town Code Appendix A, Article IV, Section 406.2.a.

Staff recommend the following conditions be considered:

- 1) Off-street parking is required for six vehicles;
- 2) Signage shall be considered by separate permit application.

The Planning Commission unanimously recommend approval of the application at their February 15th meeting.

Council Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A



Town of Luray
Zoning Permit Application
Application No.: _____

I, as owner or authorized agent for the property described below, do hereby certify that I have the authority to make this application for a Zoning Permit for the activity described below and as show on any attached plans or specifications, that the information provided is correct and that any construction/use will conform to the regulations of the Town's *Zoning Ordinance* and other codes of the Town of Luray, County of Page, and Commonwealth of Virginia, as applicable. This permit application authorizes the Zoning Administrator or designee to perform reasonable site inspections as required to confirm information provided and compliance with the conditions applicable to this permit. Further I understand that any deviation from the application as requested shall require the express written approval of the Zoning Administrator.

Application: ☐ Site Development ☐ Property Subdivision ☐ Boundary Line Adjustment
☐ Rezoning ☐ Special Use Permit ☐ Zoning Variance

Applicant Information:

Applicant Name Dwight + Angela Griffith
Company Name Dwight + Angela Griffith
Address 2374 US Hwy 340 North Luray VA 22835
Phone: 540-860-2749 Email: angluventynCody@yahoo.com

Property Owner Information:

Owner Name Dwight + Angela Griffith
Address 2374 U.S. Highway 340 North Luray Va 22835
Phone: 540-860-2749 Email: SAME

Property Information:

Site Address 800 Massanutten Ave Luray Va 22835
Page County Tax Map Number 42 A12 - A 49 A Town Zoning District B1

Request Information:

Nature of Request (Describe Fully) Repurpose the use of structure for apartment rentals. Building has potential of being a 3 unit apartment building. It would consist of 3 two bedroom one bath units.

See Appropriate Application Appendix for Additional Information Required with Your Application

Dwight S. Griffith
Signature of Applicant
Angela Griffith

1-4-23
Date
1-4-23



Town of Luray
Special Use Permit Application
Application No.: _____

Existing Property Information:

Site Address 780, 790, 800 Massanutten Ave - Luray VA 22835
Page County Tax Map Number 42 A12-A-491A Town Zoning District B1
Total Acreage 116,192 Sq Ft

Request Information:

Nature of Request (Describe property use, structure(s) construction, and affected Zoning Ordinance Sections)

Repurpose the use of structure for Apartment rentals
Building has potential of being a 3 unit apartment building.
3/ two bedroom one bath units.

Please include location map, plat, property deed, and impact analysis statement with your Application

I (we), the undersigned, do hereby respectfully make application and petition to the Town of Luray in order to utilize the subject property for a use which requires the issuance of a Special Use Permit. I (we) agree to comply with any conditions for the Special Use Permit required by the Town.

I (we) authorize Town of Luray officials to enter the property for site inspection purposes.

I (we) authorize the Town of Luray to place standard signage on the property necessary for notifying the public of this rezoning request during the application consideration process.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Devin S. Gifford
Signature of Applicant

1-4-23
Date

Devin S. Gifford
Signature of Applicant

1-4-23
Date

Devin S. Gifford
Signature of Owner

1-4-23
Date

Devin S. Gifford
Signature of Owner

1-4-23
Date

Page County, Virginia

Tax Map #:	Property Address:	Account #:
42A12-A-49A	800 MASSANUTTEN AVE	23712

General

Owners Name: GRIFFITH DWIGHT STEVEN & ANGELA M
Mailing Address: 2374 US HWY 340 N
LURAY VA 22835
Zoning: B1
Year Built: 0
Acreage: N/A
Description: LOT 1



Grouped With: N/A

Assessment Information

2021 Land Value \$30,000
2021 Improvement \$28,300
2021 Total Value \$58,300
Total Land Area (acres) N/A
2016 Total Value \$58,300

Sale information

Transfer Date: 3/19/2009
Sales Price: \$0
Grantor: \$0
Deed Book: N/A
Deed Page: 0
Plat Book: N/A
Plat Page: 0
Instrument Number: 2009-778

Details

Exterior Information

Year Built: N/A
Occupancy Type: Vacant Land
Foundation: N/A
Ext. Walls: Unknown
Roofing: N/A
Roof Type: N/A
Garage: None
Garage - # Of Cars: 0
Carport: None
Carport - # Of Cars: 0

Interior Information

Story Height: 0
of Rooms: 0
of Bedrooms: 0
Full Bathrooms: 0
Half Bathrooms: 0
Floors: N/A

Building SqFt: N/A
Basement SqFt: N/A
Finished Basement SqFt: N/A
Interior Walls: N/A
Heating: N/A
A/C: N/A

Utilities

Water: Public Water Available
Sewer: Public Sewer Available
Electric: Yes
Gas: No
Fuel Type: N/A

Other Information

Fireplace: 0
Stacked Fireplace: 0
Flue: 0
Metal Flues: 0
Stacked Flues: 0
Inop. Flues/FP: 0

Site Information

Zoning Type: B1
Terrain Type: On
Character: Rolling/Sloping
Right of Way: Public
Easement: Paved

Page County, Virginia

Legend

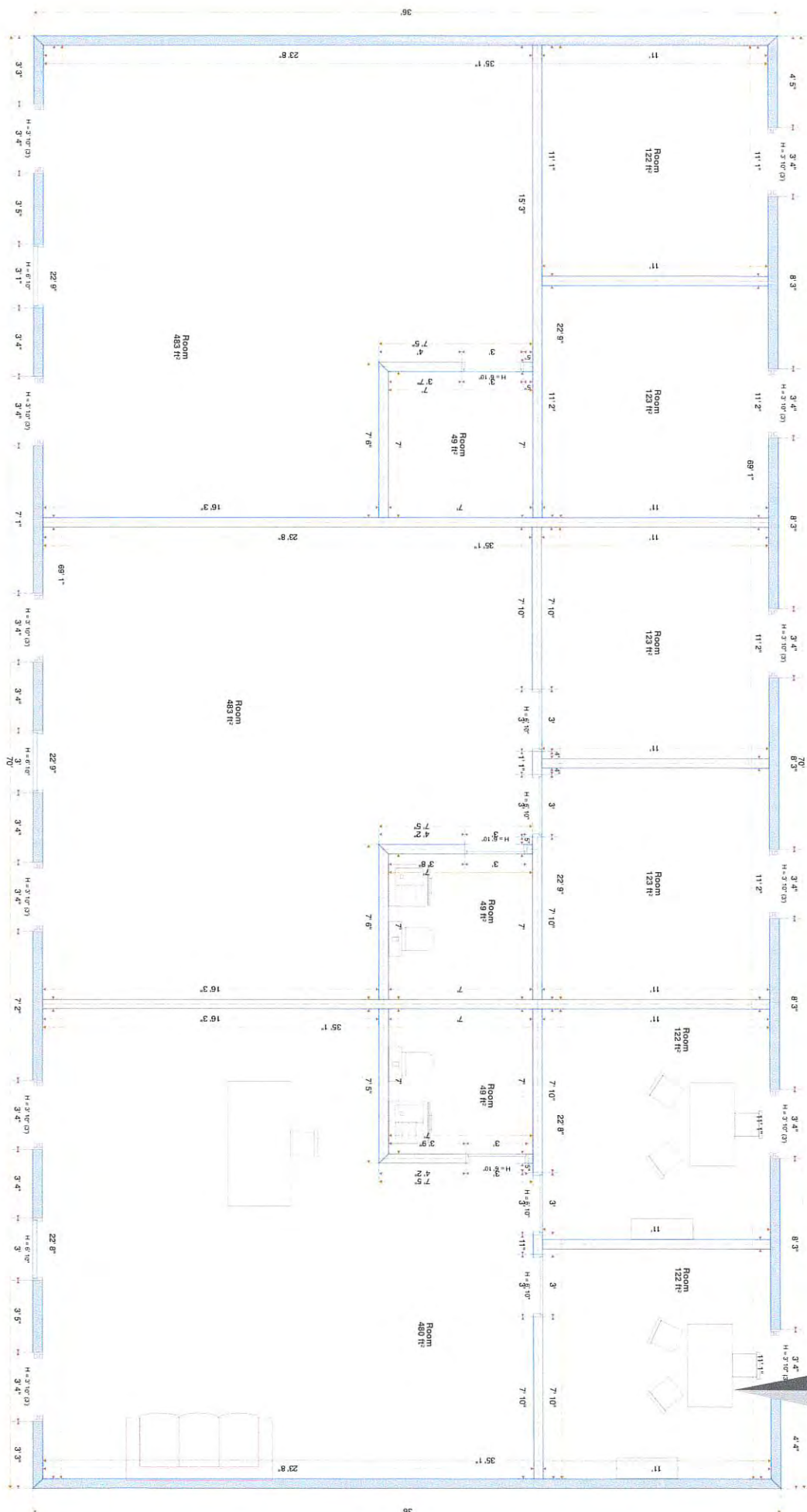
- US Highways
- Roads
- Railroads
- Other Counties
- Parcels
- Shenandoah River
- Streams



Title: Parcels

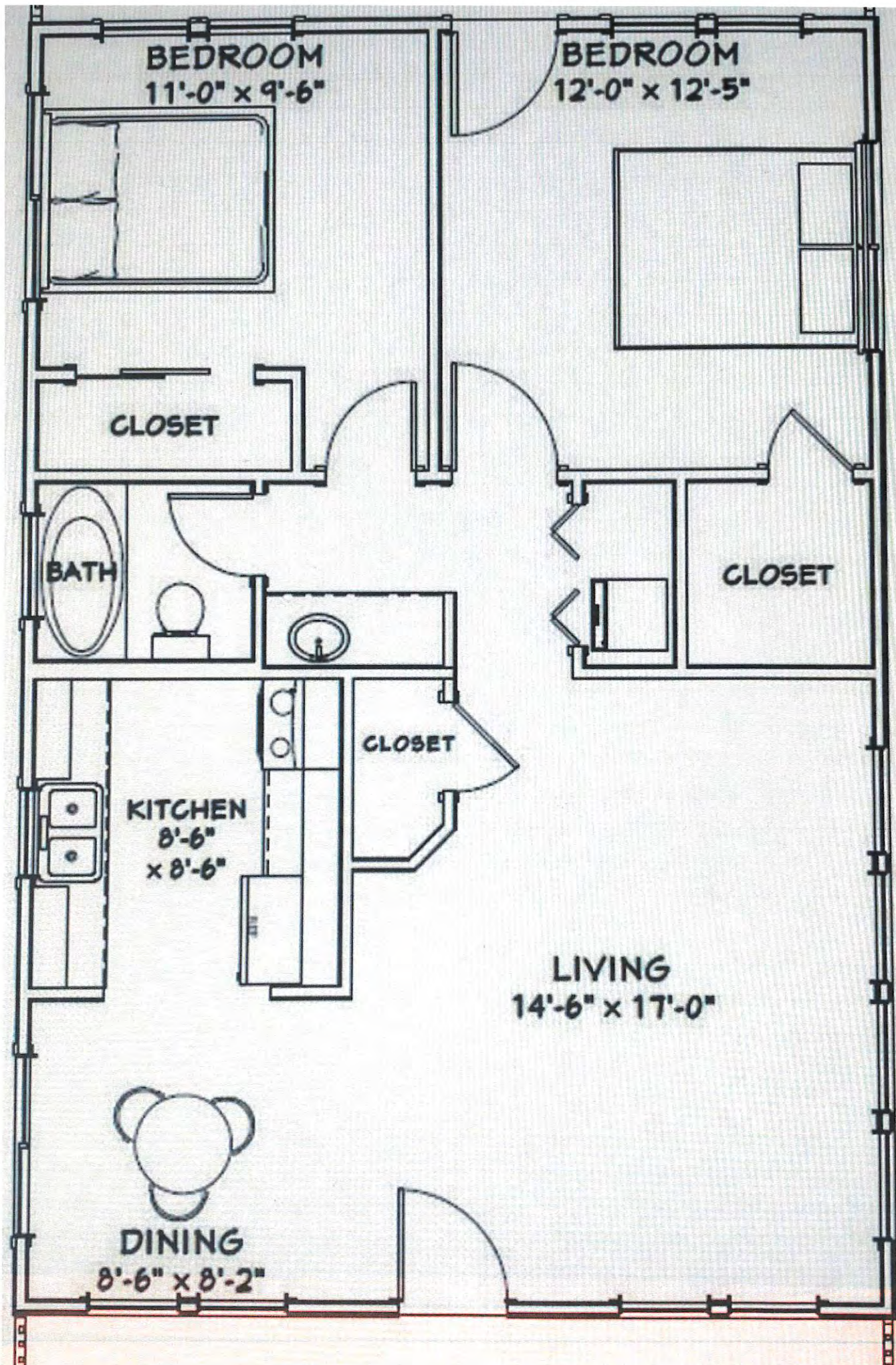
Date: 1/5/2023

DISCLAIMER: THIS MAP IS PROVIDED WITHOUT WARRANTY OF ANY KIND, either expressly or implied, but no limited to, the implied warranties of merchantability and fitness for a particular purpose. Site-specific information is best obtained after an onsite visit by a competent professional. Please call Page County, VA for specialized products. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as Page County, VA expressly disclaims any liability for loss or damage arising from the use of said information by any third party. In addition use of Virginia Base Mapping Program (VBMP) statewide aerial photography requires the following disclaimer: "Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination."



0

20ft



TOWN OF LURAY

TOWN COUNCIL
Work Session

February 28, 2023



Agenda Item 4.H.

LOCAL CHOICE
HEALTH BENEFITS
PROGRAM
RENEWAL



Town of Luray, Virginia

Town Council Agenda Statement

Item No: IV-H

Meeting Date: February 28, 2023

Agenda Item: TOWN COUNCIL DISCUSSION
Item IV-H – The Local Choice Health Benefits Program Renewal

Summary: The Town Council is requested to discuss Town's Health Insurance Program renewal. The Town was notified that the insurance rates for FY 23-24 will remain the same as FY 22-23. Historically, we have experience minor rate increases each year.

Council Review: N/A

Fiscal Impact: N/A

Suggested Motion: N/A



The Local Choice Health Benefits Program

To: TLC Group Administrators

From: Michelle (Shelley) Rozzell
TLC Program Manager

Date: January 2023

Re: The Local Choice Health Benefits Renewal

Thank you for your continuing support of The Local Choice (TLC) program. We are pleased to share the enclosed fiscal year 2024 renewal for TLC.

The Virginia Department of Human Resource Management (DHRM) and The Local Choice (TLC) Health Benefits Program are keenly aware of the high priority that TLC groups place on planning and budgeting for health benefits. We are constantly working to find new and innovative ways to add value to our plans and improve our service. Our statewide and regional plan offerings continue to provide choice, competitive pricing, and value-added services that offer opportunities to improve the health of your employees and their families.

TLC plan administrators remain as follows:

- Anthem BCBS: Medical, Behavioral Health, EAP and Routine Vision and Outpatient Prescription Drugs for statewide plans
- Delta Dental: Dental for statewide plans
- Kaiser Permanente: regional HMO
- Optima Health Vantage: regional HMO

TLC will continue to offer five statewide plans to all local employer groups along with two regional HMOs available in defined service areas. Employer plan choices include:

Statewide plans

- Key Advantage Expanded
- Key Advantage 250
- Key Advantage 500
- Key Advantage 1000
- TLC High Deductible Health Plan (HDHP) – HSA compatible

Regional HMO plans

- Kaiser Permanente – available in defined service area
- Optima Health Vantage – available in defined service area

Retiree Plans

- Key Advantage or Regional Plan coverage (only available to retirees not eligible for Medicare)
- Advantage 65
- Advantage 65 with Dental/Vision
- Medicare Complementary (grandfathered for current participant groups, only)

All active employee TLC plans include the CommonHealth Wellness Program at no additional cost. CommonHealth features confidential, at-work medical screenings plus other health and wellness programs such as nutrition, stress management and fitness programs.

Your 2023-2024 renewal notebook includes a Comparison of Benefits brochure outlining the statewide benefits to assist you in determining which plan or plans you want to offer your employees.

Rates for all available plan options are listed in Section 2 (Renewal Rate Sheets and Information). A separate COBRA rate page is included.

Together, the statewide Key Advantage plans, High Deductible Health Plan, the Kaiser Permanente and Optima Vantage HMO fully-insured regional plans (available in certain service areas) offer you a variety of choices with competitive administrative costs and quality coverage.

In an effort to provide the tools and resources for Benefits Administrators to expand their knowledge about the TLC Program, we are coordinating more frequent, focused training in a virtual environment. Please look for information regarding upcoming webinars.

Please read "IMPORTANT CHANGES FOR 2023-2024 PLAN YEAR" on the next page.

We value your participation, and we look forward to continuing to build upon our partnership of caring for your employees.

Thank you for selecting The Local Choice.

If you have any questions, please contact us at tlc@dhrm.virginia.gov or at 888-642-4414.
Sincerely,

Michelle Rozzell

Michelle (Shelley) Rozzell
TLC Program Manager

THE LOCAL CHOICE HEALTH BENEFITS PROGRAM

Town Of Luray
T69926

Proposed Rates Effective from
July 1, 2023 through June 30, 2024
With Comprehensive Dental

	<u>Single</u>	<u>Dual</u>	<u>Family</u>
<u>ACTIVE EMPLOYEES</u>			
* Key Advantage Expanded	\$948	\$1,754	\$2,560
Key Advantage 250	\$863	\$1,597	\$2,330
* Key Advantage 500	\$796	\$1,473	\$2,149
Key Advantage 1000	\$758	\$1,402	\$2,047
High Deductible Health Plan	\$626	\$1,158	\$1,690
<u>RETIREEES NOT ELIGIBLE FOR MEDICARE</u>			
* Key Advantage Expanded	\$948	\$1,754	\$2,560
Key Advantage 250	\$863	\$1,597	\$2,330
* Key Advantage 500	\$796	\$1,473	\$2,149
Key Advantage 1000	\$758	\$1,402	\$2,047
High Deductible Health Plan	\$626	\$1,158	\$1,690

With Preventive Dental Only

<u>ACTIVE EMPLOYEES</u>			
* Key Advantage Expanded	\$931	\$1,722	\$2,514
Key Advantage 250	\$846	\$1,565	\$2,284
* Key Advantage 500	\$779	\$1,441	\$2,103
Key Advantage 1000	\$741	\$1,371	\$2,001
High Deductible Health Plan	\$609	\$1,127	\$1,644
<u>RETIREEES NOT ELIGIBLE FOR MEDICARE</u>			
* Key Advantage Expanded	\$931	\$1,722	\$2,514
Key Advantage 250	\$846	\$1,565	\$2,284
* Key Advantage 500	\$779	\$1,441	\$2,103
Key Advantage 1000	\$741	\$1,371	\$2,001
High Deductible Health Plan	\$609	\$1,127	\$1,644

The rates above reflect a one-time TLC adjustment of a -1% decrease.

* Benefit Plans Currently Offered

Coverage under The Local Choice Key Advantage and RDHP contracts is for:

- Active Employees and their Dependents
- Retirees not eligible for Medicare and their Dependents not eligible for Medicare, and/or
- Dependents of Medicare eligible Retirees who are not Medicare eligible.

If coverage is offered to Medicare eligible retirees and their Medicare eligible Dependents, it must be obtained through one of our Medicare Supplemental contracts which require participation in both Parts A and B of Medicare to receive maximum benefits.

The PCORI fee is the responsibility of the group and payment should be submitted directly to HHS, therefore, this fee has not been included in your rates.

THE LOCAL CHOICE HEALTH BENEFITS PROGRAM

Town Of Luray

T69926

Proposed COBRA Rates Effective from

July 1, 2023 through June 30, 2024

With Comprehensive Dental

	<u>Single</u>	<u>Dual</u>	<u>Family</u>
<u>ACTIVE EMPLOYEES</u>			
* Key Advantage Expanded	\$966.96	\$1,789.08	\$2,611.20
Key Advantage 250	\$880.26	\$1,628.94	\$2,376.60
* Key Advantage 500	\$811.92	\$1,502.46	\$2,191.98
Key Advantage 1000	\$773.16	\$1,430.04	\$2,087.94
High Deductible Health Plan	\$638.52	\$1,181.16	\$1,723.80

RETIREES NOT ELIGIBLE FOR MEDICARE

* Key Advantage Expanded	\$966.96	\$1,789.08	\$2,611.20
Key Advantage 250	\$880.26	\$1,628.94	\$2,376.60
* Key Advantage 500	\$811.92	\$1,502.46	\$2,191.98
Key Advantage 1000	\$773.16	\$1,430.04	\$2,087.94
High Deductible Health Plan	\$638.52	\$1,181.16	\$1,723.80

With Preventive Dental Only

<u>ACTIVE EMPLOYEES</u>			
* Key Advantage Expanded	\$949.62	\$1,756.44	\$2,564.28
Key Advantage 250	\$862.92	\$1,596.30	\$2,329.68
* Key Advantage 500	\$794.58	\$1,469.82	\$2,145.06
Key Advantage 1000	\$755.82	\$1,398.42	\$2,041.02
High Deductible Health Plan	\$621.18	\$1,149.54	\$1,676.88

RETIREES NOT ELIGIBLE FOR MEDICARE

* Key Advantage Expanded	\$949.62	\$1,756.44	\$2,564.28
Key Advantage 250	\$862.92	\$1,596.30	\$2,329.68
* Key Advantage 500	\$794.58	\$1,469.82	\$2,145.06
Key Advantage 1000	\$755.82	\$1,398.42	\$2,041.02
High Deductible Health Plan	\$621.18	\$1,149.54	\$1,676.88

*** Benefit Plans Currently Offered**

Coverage under The Local Choice Key Advantage and HDHP contracts is for:

- Active Employees and their Dependents
- Retirees not eligible for Medicare and their Dependents not eligible for Medicare, and/or
- Dependents of Medicare eligible Retirees who are not Medicare eligible.

If coverage is offered to Medicare eligible retirees and their Medicare eligible Dependents, it must be obtained through one of our Medicare Supplemental contracts which require participation in both Parts A and B of Medicare to receive maximum benefits.

The PCORI fee is the responsibility of the group and payment should be submitted directly to HHS, therefore, this fee has not been included in your rates.

THE LOCAL CHOICE HEALTH BENEFITS PROGRAM

Medicare Retiree Rate

RETIREES WITH MEDICARE

* Medicare Complementary	\$140
Advantage 65	\$177
Advantage 65 and Dental/Vision	\$211

RETIREES WITH MEDICARE - COBRA

* Medicare Complementary	\$142.80
Advantage 65	\$180.54
Advantage 65 and Dental/Vision	\$215.22

* Benefit Plans Currently Offered

Coverage under The Local Choice Key Advantage and HDHP contracts is for:

- Active Employees and their Dependents
- Retirees not eligible for Medicare and their Dependents not eligible for Medicare, and/or
- Dependents of Medicare eligible Retirees who are not Medicare eligible.

If coverage is offered to Medicare eligible retirees and their Medicare eligible Dependents, it must be obtained through one of our Medicare Supplemental contracts which require participation in both Parts A and B of Medicare to receive maximum benefits.