

ORDINANCE NUMBER 2023-



**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT
TO ALLOW TEMPORARY SPECIAL EVENTS IN THE RG-5 (GENERAL
RESIDENTIAL) DISTRICT AT
1169 SHERWOOD AVENUE (TAX MAP NOS. 16-1-45D, 16-1-A1, AND 16-1-B1),
WAYNESBORO, VIRGINIA**

WHEREAS, the owners of certain real property located within the City of Waynesboro at 1169 Sherwood Avenue, and further identified on the City’s tax maps as tax parcels 16-1-45D, 16-1-A1, and 16-1-B1 (collectively, the “Property”), have submitted an application for a Conditional Use Permit (CUP 23-013) to allow for Temporary Special Events as a permissible use of the Property, which is zoned RG-5 (General Residential) District;

WHEREAS, a duly-noticed public hearing was held by the Planning Commission on June 20, 2023, with the Planning Commission voting thereafter to recommend approval of the application with conditions;

WHEREAS, a duly-noticed public hearing was held by the City Council on July 24, 2023; and

WHEREAS, the proposed use, subject to the below-listed conditions, will have no more adverse effect on the health, safety, or comfort of persons living or working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would other uses generally permitted in the RG-5 (General Residential) District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that:

1. A conditional use permit to allow Temporary Special Events on the Property in accordance with the application (#23-013), subject to the requirements of Section 98-7.6 of the City Code, and further subject to the following conditions:
 - a. The conditional use permit shall be granted to the current owners of the Property, Dana and Scott Mares, and shall expire at the time the Property is transferred to another owner.
 - b. Events shall be set up in general conformance with the concept plans submitted with the application.
 - c. Attendance at events shall be limited to 100 invited guests not to include staff or support workers brought in to assist with the event.

- d. The existing vegetative buffer around the Property’s western and southern boundaries consisting of evergreen trees and mixed hardwoods will remain. If any part of the buffer is removed, it shall be replaced with similar vegetation.
 - e. Events shall abide by the noise ordinance in Chapter 50, Article IV of the City Code.
 - f. No events shall start prior to 9:00 A.M., and events shall end by 11:00 P.M.
 - g. Portable restroom trailers shall be provided for events with more than 25 attendees, subject to the requirements of Section 98-4.4.11. At least one (1) ADA accessible restroom will be provided at all events.
 - h. Potable water shall be provided as necessary for events that may require drinking water or have other water needs.
2. The City Manager, or his designee, is authorized to take all actions reasonably necessary to effectuate and carry out the purpose of this Ordinance, including, without limitation, execution of such documents as are reasonably necessary to provide a conditional use permit for this property.
3. This Ordinance shall take effect immediately upon adoption by the City Council.

INTRODUCED: July 10, 2023 By Council Member Terry Short, Jr.

ADOPTED:

EFFECTIVE:

CERTIFICATE

The undersigned Mayor and Clerk of the City Council of City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an ordinance entitled An Ordinance Granting a Conditional Use Permit to allow Temporary Special Events in the RG-5 (General Residential) District at 1169 Sherwood Avenue (Tax Map Nos. 16-1-45D, 16-1-A1, and 16-1-B1), Waynesboro, Virginia, adopted by the City Council at a meeting held on .

[SEAL]

CLERK

MAYOR