

**ORDINANCE NUMBER 2023-**

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO MODIFY THE CONDITIONS OF AN EXISTING CONDITIONAL USE PERMIT (CUP 13-091 AND 18-312) IN AN RG-5 (GENERAL RESIDENTIAL) DISTRICT AT 1035 FAIRFAX AVENUE (TAX MAP NO. 26-9-1A), WAYNESBORO, VIRGINIA**

**WHEREAS**, the owner of certain real property located within the City of Waynesboro at 1035 Fairfax Avenue, and further identified as Tax Map No. 26-9-1A (the “Property”), has submitted an application (CUP 23-016) to amend conditions for an existing Conditional Use Permit (CUP 13-091 and 18-312) allowing temporary supportive housing operations as a permissible use of the Property, which is zoned RG-5 (General Residential);

**WHEREAS**, a duly-noticed public hearing was held by the Planning Commission on August 22, 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 October 23, 2023; and

**WHEREAS**, the use with the amended 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 modifying the conditions of an existing Conditional Use Permit (CUP 13-091 and 18-312) allowing temporary supportive housing operations on 1035 Fairfax Avenue in accordance with the application (#23-016), subject to the requirements of Section 98-7.6 of the City Code, is hereby approved.
2. As amended, Conditions 1.b. and c., of the existing Conditional Use Permit (13-091 and 18-312), shall now state as follows:
  1. Waynesboro Area Refuge Ministry (WARM) shall operate the transient lodging (a.k.a. Temporary Supportive Housing) as follows:

- b. It shall maintain appropriate professional around-the-clock staffing coverage for the facility, with no less than one (1) full time (or FTE) employee providing services and supervision 24 hours per day and 7 days per week.
    - i. The shelter shall not operate at any time without at least one qualified staff member onsite and one on- call supervisor/ manager providing additional backup coverage to the facility. This includes daytime staff, evening staff, and overnight staff, even when the overnight staff has residence on- site.
    - ii. The organization' s management must employ a professional staff with relevant training and experience in the homeless services and operations field and, more specifically, with the services and operations offered through Temporary Supportive Housing/ Transitional Housing programs. The staffing plans and patterns of the facility must be documented and available for review by the Planning Director or Zoning Administrator or their designee.
  - c. The facility shall not exceed more than 35 persons (inclusive of transitional clients, staff, and volunteers) at any given time.
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 the Property.
  3. This Ordinance shall take effect immediately upon adoption by the City Council.

INTRODUCED: ON OCTOBER 11, 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 Modify the Conditions of an Existing Conditional Use Permit (CUP 13-091 and 18-312) in an RG-5 (General Residential) District at 1035 Fairfax Avenue (Tax Map No. 26-9-1A), Waynesboro, Virginia, adopted by the City Council at a meeting held on.

[SEAL]

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CLERK

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MAYOR