

The special meeting of the Town Council of the Town of Front Royal, Virginia was held on June 2, 2008, in the Town Hall Conference Room. The roll was called at 5:08 p.m.

PRESENT: Mayor James M. Eastham
Vice Mayor Timothy W. Darr
Councilman Stanley W. Brooks, Jr.
Councilwoman M. Eileen Grady
Councilman Bret W. Hrbek
Councilman Thomas H. Sayre
Councilman Eugene R. Tewalt
Town Manager J. Michael Graham
Town Attorney Thomas R. Robinett
Clerk of Council Jennifer E. Berry

(The above listed members represent the full body of Council as authorized in the Town Charter.)

COUNCIL APPROVAL – Emergency Ordinance Amending Certain Sections of the Floodplain Provisions of the Town’s Zoning Ordinance

Councilman Sayre moved, seconded by Councilwoman Grady, that Council approve an Emergency Ordinance that would amend certain sections of the Floodplain Provisions of the Town’s Zoning Ordinance.

Vote: Yes – Councilmen Brooks, Darr, Grady, Hrbek, Sayre and Tewalt
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Eastham did not vote as there was no tie to require his vote)
(By Roll Call)

☞ AN EMERGENCY ORDINANCE TO AMEND SECTIONS 175-76(B),
175-78(A), 175-79(A), AND 175-80(D) OF THE TOWN CODE
PERTAINING TO THE FLOODPLAIN PROVISIONS
OF THE ZONING ORDINANCE ☞

WHEREAS, the Town Council has learned quite recently that additional adjustments to the Floodplain Provisions of the Town’s Zoning Ordinance, adjustments in addition to those already made by the Ordinance of May 19, 2008, have been mandated by the Commonwealth of Virginia and by the Federal Emergency Management Agency; and,

WHEREAS, the said Council has been specifically informed that, unless the provisions hereinafter ordained are adopted on or before June 3, 2008, said Town will be suspended from the flood insurance program for “failure to adopt a compliant flood plain ordinance”, and said Council finds that immediate action is required on its part to preserve those properties within the Town which are covered by said program from sustaining damage by flood for which they would have no insurance; and,

WHEREAS, it is the intent of said Council to adopt the hereinafter stated provisions on June 2, 2008, in order to meet the aforesaid deadline as an Emergency Ordinance, as provided by Section 38 of the Town Charter, and, further, in the ordinary course of business, to re-adopt the same said provisions within thirty (30) days thereafter through a Joint Meeting and Public Hearing with the Town Planning Commission to be conducted, after due advertisement thereof, on June 23, 2008.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Town Council of the Town of Front Royal, Virginia, that Section 175-76(B), 175-78(A), 175-79(A), and 175-80(D) of the Front Royal Town Code are hereby amended as follows:

175-76 ESTABLISHMENT OF FLOODPLAIN DISTRICTS.

B. The Floodway District is delineated, for purposes of this Article, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one-hundred-year flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this district are specifically defined in ~~Section 5-0~~ Table 4 of the above-referenced Flood Insurance Study and shown on the accompanying Flood Insurance Rate Map.

175-78 DISTRICT PROVISIONS.

A. The boundaries of the Floodplain Districts are established as shown on the Flood Insurance Rate map, ~~Community Panel Numbers 510167 through 510167 0005B~~, which is declared to be a part of this Article and which shall be kept on file at the office of the Front Royal Zoning Administrator.

175-79 FLOODPLAIN DISTRICT – DISTRICT PROVISIONS.

A. All uses, activities and development occurring within any floodplain district shall be undertaken only upon the issuance of a special use permit. Such development shall be undertaken only in strict compliance with the provisions of this Article and ~~with~~ with all other applicable codes and ordinances, such as the Virginia Uniform Statewide Building Code and the Town of Front Royal Subdivision Ordinances. Prior to the issuance of any permit, the Zoning Administrator shall require all applications to include compliance with all applicable state and federal law. Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.

175-80 FLOODPLAIN DISTRICT – VARIANCES.

D. Variances shall be issued only after the Board of Zoning Appeals has determined that the variance will be the minimum required to provide relief from ~~any~~ any exceptional hardship to the applicant.

This Ordinance is an emergency measure adopted pursuant to the authority provided in Section 38 of the Town Charter, and it shall be effective upon passage.

THIS ORDINANCE was approved at the Special Meeting of the Town of Front Royal, Virginia, Town Council conducted on June 2, 2008, upon the following recorded vote:

Stanley W. Brooks, Jr.	<u>Yes</u>	Timothy W. Darr	<u>Yes</u>
M. Eileen Grady	<u>Yes</u>	Bret W. Hrbek	<u>Yes</u>
Thomas H. Sayre	<u>Yes</u>	Eugene R. Tewalt	<u>Yes</u>

There being no further business, the Mayor declared the meeting adjourned at 5:10 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council