

// A regular meeting of the Council of the City of Lynchburg was held on the 22nd day of January, 2008, at 5:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. Vice Mayor Dodson gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Absent: 0

// Copies of the minutes of the January 8, 2008 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Garrett, seconded by Council Member Johnson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of City Code/Community Planning - Zoning, City Council Report #2 regarding amending the Rezoning Application fee schedule to cap rezoning fees after 100 acres was considered. City Planner Tom Martin stated that the fee charged for a rezoning application is currently set at \$400 + \$75 per acre with no "cap" set on the amount of the review fee required. Mr. Martin explained that the fee charged for a rezoning is intended to recoup a portion of the City's cost involved in processing a rezoning application, i.e., copying costs and staff time expended in review, report writing and attending neighborhood meetings. Mr. Martin went on to say that while exact City costs are hard to quantify, typically equilibrium between costs and fees are obtained and occasionally, rezoning applications are submitted that require fees beyond actual costs to the City. Mr. Martin stated that currently in review is a petition to rezone 237 acres and that the rezoning fee required for this petition is \$18,175 and that the petitioner has requested relief from the required fee. Mr. Martin explained that staff believes that fairness dictates that there should be a cap on the rezoning fee since it is hard to justify that the costs associated with a rezoning application increase with the acreage beyond a certain point. Mr. Martin explained that city staff surveyed rezoning fees of other Virginia First Cities and the Counties of Amherst, Bedford and Campbell and that one hundred acres seems to be a reasonable cap. Council Members discussed the request and following discussion, Vice Mayor Dodson made a motion, seconded by Council Member Garrett, to amend the Rezoning Application fee schedule to cap rezoning fees after 100 acres and Council by the following recorded vote approved the motion:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of City Code, City Council Report #3 regarding amending the City Code relating to the inspection of Residential Rental Dwelling units within the City was considered. City Attorney Walter Erwin explained that the Inspections Division is having difficulty collecting from some landlords the \$50 inspection fee approved by City Council to cover the cost of inspecting residential rental dwelling units. Mr. Erwin stated that the proposed amendment to the City Code makes it an offense to rent a residential rental dwelling unit without paying the inspection fee and allows the Inspections Division to revoke a landlord's certificate of compliance if the landlord gives the City a bad check. Mr. Erwin went on to say

that the State Code also allows a building code official to obtain an administrative inspection warrant to inspect a residential rental dwelling unit if the building code official is denied access to the dwelling unit and that the proposed amendment makes it clear that the local magistrate's office is authorized to issue such administrative inspection warrants. On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote adopted Ordinance #0-08-007, as presented, amending the City Code relating to the inspection of Residential Rental Dwelling units within the City:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// The meeting was adjourned at 5:18 P.M.