



**Urbanna Town Council
Monthly Meeting
Public Hearing
AGENDA
Town Council Chambers
390 Virginia St., Suite B
Thursday, November 16, 2023, Year 6:00 PM**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Hearing-Amendment to the Comprehensive Plan pertaining to the Chesapeake Bay Preservation Act (CPBA)
 - a. Open Public Hearing (3-minute time limit per speaker)
 - b. Close Public Hearing
 - c. Action by Town Council
6. Public Hearing-Ordinance 2023-03 to Amend the Urbanna Town Code Section 17-4.10.11.1
 - a. Open Public Hearing (3-minute time limit per speaker)
 - b. Close Public Hearing
 - c. Action by Town Council
7. Minutes
8. Reports
 - a. Town Administrator
 - b. Treasurer's Report
 - c. Christmas Parade
 - d. Pool Committee
 - e. Planning Commission
 - f. Project Funding Committee
9. Public Comment
10. Public Comment Response Period
11. Old Business
12. New Business
 - a. Street sign replacement update
 - b. VA250 Committee resolution
 - c. Bad Check fee ordinance-proposed
13. Closed Meeting

Pursuant to Va. Code section 2.2-3711(A)(1) for the discussion of the hiring of a new Town Administrator
14. Open Meeting
15. Public Comment
16. Announcements
17. Adjourn

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**Agenda Item Summary
November 16, 2023**

Agenda Item: 4-Approval of Agenda

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Motion(s):

Motion to approve agenda as presented

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Agenda Item Summary November 16, 2023

Agenda Item: 5- Resolution to Amendment the Comprehensive Plan section pertaining to the Chesapeake Bay Preservation Act (CBPA)-Public Hearing

Background: Since the creation of the Town's Comprehensive Plan in December of 2012, there have been a number of changes in the Chesapeake Bay Protection Act (CBPA) law and the regulations of the Virginia Department of Environmental Quality (DEQ.) These changes have not been reflected in the Comprehensive Plan or town ordinances. An attempt was made to redraft the language with the assistance of staff of the Middle Peninsula Planning Council in 2019. That attempt did not satisfy the staff of DEQ when it was submitted for review. Since that time, town staff has worked on a substitute for that portion of the Comprehensive Plan, regarding solely the CBPA. The language contained in the resolution to be considered has been reviewed and approved by the DEQ staff.

Fiscal Impact: None

Staff Recommendation: Town Council should approve. The resolution to amendment the Comprehensive Plan in regard to the Chesapeake Bay Protection Act, which had been referred to the Planning Commission for its recommendation was considered at a public hearing held by the Planning Commission on Tuesday November 14, 2023. At the conclusion of that public hearing the Planning Commission by motion unanimously recommended to the Town Council that the resolution to amendment be passed.

Council Action Requested: Yes

Sample Motion(s): Motion to approve amendment to the Comprehensive Plan pertaining to the Chesapeake Bay Preservation Act as presented.

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RESOLUTION APPROVING AMENDMENT
TO THE URBANNA COMPREHENSIVE PLAN

WHEREAS the Chesapeake Bay Preservation Area Designation and Management Regulations (9VAC25-830 et. seq) requires all jurisdictions in Tidewater, Virginia to develop criteria that will provide for the protection of water quality, and that will also accommodate economic development; and

WHEREAS the Urbanna Planning Commission has conducted a duly advertised public hearing in accordance with Virginia Code § 15.2-2225, 1950, as amended.

NOW THEREFORE BE IT RESOLVED, by the Urbanna Planning Commission, at its regular monthly meeting on November 14, 2023, that the following amendment to the Urbanna Comprehensive Plan pertaining to the Chesapeake Bay Act is hereby certified and recommended for approval by the Urbanna Town Council:

~~VI. CHESAPEAKE BAY PRESERVATION ACT~~

~~NOTE: Material in this Chapter is subject to change pending regulations promulgated by the Chesapeake Bay Local Assistance Board, the interpretation of those regulations by the Chesapeake Bay Local Assistance Department (CBLAD), and recommended implementation guidelines from the CBLAD and other state, regional and local agencies.~~

~~The Town is currently in compliance with the Local Chesapeake Bay Act. The Town is currently in compliance with the Local Chesapeake Bay Act.~~

~~The Chesapeake Bay Preservation Area Designation and management Regulations (VR 173-02-00) requires all jurisdictions in Tidewater, Virginia to develop criteria that will provide for the protection of water quality, and that will also accommodate economic development. This will require local government to modify the necessary Comprehensive Plans, Zoning and Subdivision Ordinances to protect the quality of State waters in their jurisdictions. This includes site redevelopment and construction review with respect to maintaining and/or improving and quality of groundwater, storm water run-off, sewage treatment and wetlands and shoreline preservation.~~

~~This Act also provides guidelines for the site and development of “Water dependent Facilities”, which includes ports, marinas and other boat docking structures, beaches and other water recreation facilities, fisheries and other marine resource facilities.~~

~~Water Quality Land Use Plan- Town of Urbanna:~~

~~Whereas the Chesapeake Bay Act of 1989 requires local governments to incorporate the protection of the quality of state waters into their comprehensive plans consistent with the provisions of the Act, the Town of Urbanna reviewed and revised its Comprehensive Plan for compliance by adopting a Water Quality Land use Plan in November 2005.~~

VI. Chesapeake Bay Preservation Act

~~NOTE: Material in this Chapter is subject to change pending regulations promulgated by the State Water Control Board, the interpretation of those regulations by the VA Department of Environmental Quality (DEQ), and recommended implementation guidelines from the DEQ and other state, regional and local agencies.~~

~~The Town's local program is currently in compliance with the Chesapeake Bay Preservation Act and Regulations.~~

The Chesapeake Bay Preservation Area Designation and Management Regulations (9VAC25-830 et. seq) requires all jurisdictions in Tidewater, Virginia to develop criteria that will provide for the protection of water quality, and that will also accommodate economic development. This will require local governments to modify the necessary Comprehensive Plans, Zoning and Subdivision Ordinances to protect the quality of State waters in their jurisdictions. This includes site redevelopment and construction review with respect to maintaining and/or improving the quality of groundwater, storm water run-off, sewage treatment and wetlands and shoreline preservation.

This Act also provides guidelines for the siting and development of "Water-dependent Facilities", which includes ports, marinas and other boat docking structures, beaches and other water recreation facilities, fisheries and other marine resource facilities.

Virginia, Pennsylvania, Maryland, the District of Columbia, and the U.S. Environmental Protection Agency signed the Chesapeake Bay Agreement in 1983 and created the Chesapeake Bay Program to aid in the restoration of the bay its waterways. Virginia passed the Chesapeake Bay Preservation Act (Code of Virginia, §62.144.15:67 et seq) in order to comply with the Chesapeake Bay Agreement. The Town of Urbanna is one of 84 Virginia localities subject to the Act. The Act requires the Town to have a long-range plan to protect and restore the Town's creeks and the Rappahannock River from further degradation. The corresponding regulations (9VAC25-830 et. seq) require the Town to incorporate water quality protections into its local comprehensive plan. This includes establishing goals, policies, and action plans based on the Town's inventory and analysis of the existing environmental conditions, which can serve as a guide for continued development.

Land use within the Town of Urbanna greatly affects the quality of the water in the Town's watershed. Because of its location on the Rappahannock River, Perkins Creek, and Urbanna Creek, the Town's storm drains, culverts, and drainage ditches are connected to the Chesapeake Bay's watershed and ecosystem. Middlesex County has been experiencing moderate growth since the 1980s, which has resulted in increased development within the area. Pollution from increased development and impervious surfaces has caused several species of the Chesapeake Bay watershed to reach critically low numbers.

In addition, the shorelines of the Rappahannock River and Urbanna Creek are experiencing shoreline erosion and/or accretion. Much of the Shoreline of the Rappahannock River and

Urbanna Creek within the Town has been either bulk headed or rip-rapped to combat shoreline erosion.

There is limited fishing in both Perkins Creek and Urbanna Creek for small fish, as shown on Town map Exhibit I, however there are no game fish within the limits of the Town. While the Town has a small oyster bed near the Town marina in Jameson's Cove, which is maintained as an educational asset for local schools, it does not have an active aquaculture industry. Local watermen, who harvest oysters on the beds outside Town limits in-season, offload their harvest at the Town Upton Point marina and sometimes on Perkins Creek. The oysters are then transported, over land, to processing plants outside Town limits.

Resource Protection Areas

Resource Protection Areas (RPA) are the more sensitive areas of a Chesapeake Bay Preservation Area. These consist of sensitive lands located along the shoreline of the Chesapeake Bay and its tributaries. RPAs include tidal wetlands, tidal shores, nontidal wetlands that are connected to tidal wetlands or perennial streams, and a 100-foot-wide buffer located adjacent to these features and along both sides of any body of water with perennial flow.

The Town contains tidal wetlands and tidal shores that are associated with the Rappahannock River, Perkins Creek, and Urbanna Creek and connected nontidal wetlands that are adjacent to Perkins Creek. A 100-foot-wide buffer has been designated adjacent to the listed features and the shoreline of the Rappahannock River, Perkins Creek, and Urbanna Creek.

Resource Management Areas

Resource Management Areas (RMA) include land types that if improperly managed could result in significant water quality degradation or diminish the functional land value of the Resource Protection Area. RMAs are an important component of water quality protection because they protect RPAs from the adverse impacts of human activity. A Resource Management Area can also provide additional water quality protection with careful use and development of its land types.

The Town's Chesapeake Bay Preservation Area Overlay District states that a Resource Management Area includes the following:

- 100-year floodplain;
- Non-tidal wetlands not connected by surface flow and contiguous to tidal wetlands, water bodies with perennial flow or other tidal waters;
- Highly erodible and highly permeable soils; and
- Slopes in excess of fifteen (15) percent.

Intensely Developed Areas

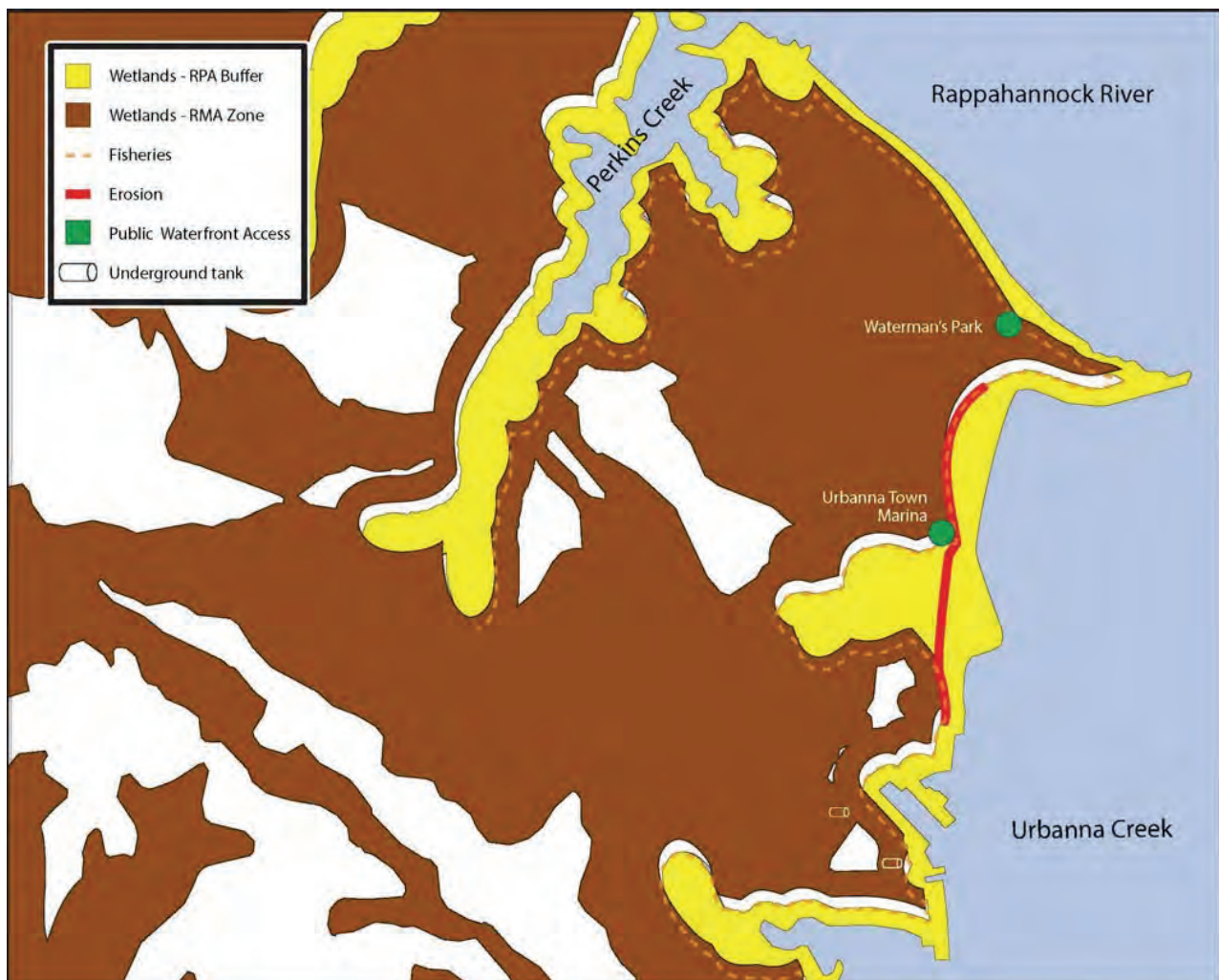
In addition to the RPA and RMA, the Town has designated an Intensely Developed Area (IDA) as an overlay district along the southern shoreline of Urbanna Creek. This IDA includes marinas and boat service facilities as well as the industrial uses of the area. The IDA signifies that it has

few natural features remaining, is almost entirely paved, and is currently served by public sewer and water.

Chesapeake Bay Preservation Area Overlay District

The Town has a Chesapeake Bay Preservation Area Overlay District with regulations that protect and enhance water quality through environmentally responsible land use management and practices. The Chesapeake Bay Preservation Areas are shown in the figure below.

EXHIBIT I



Potential and Existing Sources of Pollution

There are a variety of sources for pollution that can have environmental impacts such as groundwater contamination, poor air quality, and degradation of the aesthetics of the landscape. An important indicator of the health of a watershed is the quality of the water within the local streams and rivers. Although a certain level of pollution due to transportation and development is inevitable, steps must be taken to prevent environmental health hazards and protect the ecological balance of the aquatic ecosystem.

The Town's relatively small size makes the sources of pollution easier to identify. There are two main types of pollution: point source pollution and nonpoint source pollution. Point source pollution can be treated to a single source, such as a leaking underground storage tank, above ground storage tank, or illegal dumping of hazardous wastes. Underground storage tanks can be a major source of groundwater contamination. This is primarily because the tanks are not visible and a leak may easily go undetected until a substantial amount of pollutants have already seeped into the surrounding soil. The main concern for the Town regarding underground storage tanks is the possible corrosion of unprotected concrete tanks due to the acidity of local soils; nearly all land in Town is high risk for concrete. In addition, over 80 percent of the land area poses a moderate risk for corroding unprotected steel. The Town currently has two active underground storage tanks, as indicated on the Town map Exhibit I. One is at URBBY (formerly Bridges Marina) located at 15 Watling Street and the other at the Exxon Station at 20 Cross Street. The Department of Environmental Quality, Underground Storage Tank Program currently monitors both locations.

Nonpoint source pollution comes from a variety of sources, with stormwater runoff carrying a lot of these pollutants. Stormwater runoff carries pollutants that collect on impervious surfaces, such as roadways, sidewalks, and parking lots, into the local waterways. Impervious surfaces do not give the stormwater the chance to be absorbed by the soil. Urban development, including residential development, can produce high levels of nonpoint source pollution such as plant nutrients (nitrogen) and heavy metals. Residential and commercial activities, parking areas, and waterfront activities are the main sources of nonpoint source pollution within the Town.

Strategies to reduce nonpoint source pollution include: minimizing impervious areas of development sites, maintaining open space, preserving indigenous vegetation, and utilizing Best Management Practices (BMPs) that are designed to reduce stormwater runoff and aid in the filtration of harmful pollutants. Educating the public and local businesses about nonpoint source pollution can also be effective for eliminating these sources of pollution.

Eroding soils are also seen as pollution. The Town is located in a flat coastal plain with the only significant slopes along the shoreline of the Rappahannock River, Urbanna Creek and Perkins Creek. Elevations in the Town range from sea level to over 50 feet above sea level. Slopes of 15 percent or greater generally occur around the shorelines of waterways in and around the Town. The majority of slopes within the Town range from 0-2 percent and offer no problems for development activities.

The entire jurisdiction is designated as a Chesapeake Bay Preservation Area.

The Town sold its sewage treatment plant to the Hampton Roads Sanitary District (HRSD), and HRSD operates the treatment plant. After treatment, effluent is currently discharged into Urbanna Creek outside the Town limits. There are plans to discontinue operation of this treatment plant by 2027 and pump the Town's sewage to other HRSD treatment plants, which discharge into the James River. The Town requires all development within the Town to be connected to this system, per Town Code (§174.10.11.C, et seq). Therefore, there is no concern over failing septic systems producing pollution.

Physical Constraints to Development

Development in Resource Protection Areas is limited to water-dependent uses, such as marinas, and piers, or the redevelopment of previously developed areas. Development may be allowed in the Resource Protection Area, with administrative approval from the Town, only if it meets the following requirements:

- It is water dependent;
- Constitutes redevelopment;
- Constitutes development or redevelopment within a designated Intensely Developed Area (IDA);
- Or if the application of the buffer area would result in loss of buildable area on a lot or parcel recorded prior to October 1, 1989.

While there are certain restrictions prohibiting development or land disturbance or vegetation removal within 100 RPA protected zone, there are exceptions for water dependent facilities, redevelopment and certain administratively permitted exceptions. There is no restriction on development in the Resource Management Areas provided the development meets the requirements of the zoning district. Development in the IDA may have the 100-foot buffer area requirements waived, provided that the Town considers the establishment of a buffer area if, in the future, the land uses within the IDA have changed.

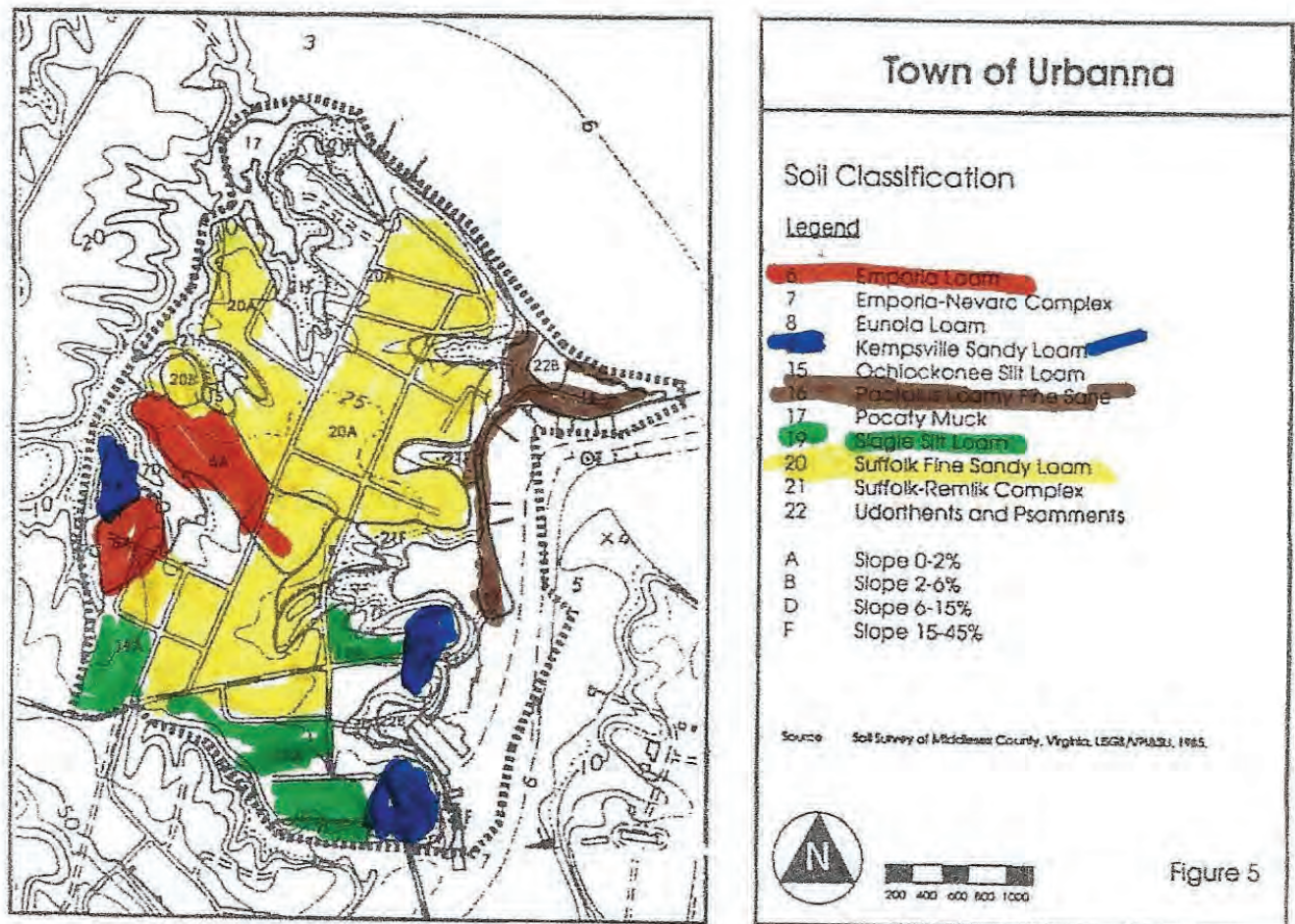
Development is restricted from the floodway and discouraged from the floodplain. Sensitive soils create a development constraint. The Town's Chesapeake Bay Preservation Area Overlay District included highly erodible and highly permeable soils as part of the Resource Management Area. The Virginia Tech Geographic Information System (VirGIS) laboratory mapped areas of Middlesex County that met the parameters for highly erodible and permeable soils as specified in the regulations.

High erodible soils are those in which have a high potential for eroding and causing sediments to enter waterways. The potential for eroding is due in part to the steepness and length of slope which act together to increase the speed of water running down slope. The faster the runoff down the slope, the more soil particles are washed off the slope. Soil structure, texture, percentage of organic material, the infiltration rate and the permeability of the soil are characteristics that help to define a soils erodibility. Eroding soils contributes to water pollution by increasing the amount of sediment in the water.

Highly permeable soils are those soil which are susceptible to pollutant leaching and therefore have a high potential for groundwater pollution. The ability of water to move down through the soil depends in large part on the water holding capacity of the soil. Capacity of a soil to hold water is determined by the structure, texture, percentage of organic matter and permeability of a soil. Soil permeability is particularly important in the design and construction of septic drain fields as the effluent from the septic system will move quickly through the soil into the groundwater system without proper filtration. However, other pollutants such as pesticides, heavy metals, organic wastes and road salts can also move quickly through highly permeable soils and contribute to the contamination of groundwater.

Within the Town, there are areas that are both high erodible and highly permeable and areas that are either highly permeable or highly erodible. Approximately 13 percent of the Town is characterized by soils that are both highly permeable and highly erodible. More than 49 percent of the Town is characterized by soils which are highly permeable, while over 6 percent of the soil are highly erodible. Overall, 68 percent of the Town is characterized by sensitive soils.

EXHIBIT II



Shoreline erosion is another development constraint. The erosion of the shoreline can affect growth by removing land area from the Town. As the shorelines along Urbanna Creek and Perkins Creek continue to develop, the rate of erosion may increase if the proper steps are not taken to prevent the disturbance of the vegetation along the shoreline. Some hardening of the creek shoreline has occurred, but hardening techniques tend to exacerbate the erosion downstream. The implementation of the Town's Chesapeake Bay Preservation Area Overlay District should help to preserve the existing vegetation along the creek's shoreline. With erosion occurring, it will be particularly important for the full 100-foot buffer area to remain intact, not only to provide a filter for the water running off the property, but to protect the property from further erosion. In addition, development may be constrained by:

- Steep slopes
- Flat grades that don't drain well
- Mature forest vegetation

The Town of Urbanna is, therefore, committed to the following polices:

The Town will continue to identify physical constraints to development. It will continue to enforce its Chesapeake Bay Preservation Area Overlay District to protect sensitive natural features including, but not limited to, tidal wetlands, tidal shores, nontidal wetlands, highly erodible soils including steep slopes, highly permeable soils, and perennial streams.

The Town will protect the potable water supply by identifying and addressing threats to groundwater resources from existing and potential pollution sources and encouraging water conservation.

The Town will achieve this goal by the following actions:

- Continue to inspect and ensure the maintenance of BMP facilities within the Town, in accordance with §17-4.10.11(d) of the Town's Chesapeake Bay Preservation Area Overlay District.
- Participate with Middlesex County Health Department to identify any malfunctioning or abandoned septic systems and investigate remediation or removal options including removal of them during redevelopment.
- Work with the State Water Control board to identify and remedy any existing sources of pollution within the Town such as abandoned underground storage tanks and above ground storage tanks and to identify those underground storage tanks risk of corroding.
- Collaborate with applicable state agencies to remove any illegal dumping and pursue stringent enforcement of applicable federal and state laws as necessary.
- Participate with the Department of Health to identify operations not adhering to the regulations outlined in Code of Virginia §32.1-246 related to marina operations. The Town will work to recognize ways of addressing the appropriate density of docks and piers such as investigating the possibility of adopting Marine Resources Commission guidelines for marina and boat dock facilities.

- Consider possibilities of providing public information workshops for citizens to demonstrate the proper application of pesticides and fertilizers for home lawns and gardens. These workshops will help to reduce the over-application of the substances which are one element of nonpoint source pollution.
- Promote Water resource conservation

The Town will address the relationship of land use to commercial and recreational fisheries and other aquatic resources by:

- Enforcement of zoning ordinances such as the Chesapeake Bay Preservation Area Overlay District.
- Reduction of nonpoint sources of pollution from impervious surfaces adjacent to the River and Urbanna and Perkins Creeks.
- Institution of programs in public education, wildlife habitat preservation, and pollution prevention.
- Participate with the Department of Health to identify operations not adhering to the regulations outlined in Code of Virginia §32.1-246 related to marina operations. The Town will work to recognize ways of addressing the appropriate density of docks and piers such as investigating the possibility of adopting Marine Resources Commission guidelines for marina and boat dock facilities.

The Town will manage the process of siting docks and piers as a water-dependent use in the RPA and of IDAs. Since the Town is built out, it is anticipated the development of docks and piers would be undertaken as a redevelopment project. The Town will achieve this goal by the following actions:

- Enforcement of zoning ordinances such as the Chesapeake Bay Preservation Area Overlay District.
- Limit water-dependent uses to those with proven economic justification.
- Avoidance of development on sensitive natural features such as steep slopes.
- Reduction of nonpoint sources of pollution from impervious surfaces adjacent to the River and Urbanna and Perkins Creeks.
- Institution of programs in public education, wildlife habitat preservation, and pollution prevention.

The Town will maintain public and private access to waterfront areas and manage the effect on the water quality by:

- Enforcement of zoning ordinances such as the Chesapeake Bay Preservation Area Overlay District.
- Avoidance of development on sensitive natural features such as steep slopes.
- Reduction of nonpoint sources of pollution from impervious surfaces adjacent to the River.
- Institution of programs in public education, wildlife habitat preservation, and pollution prevention.

The Town will mitigate the impacts of land use and its associated pollution upon water quality by:

- Enforcement of zoning ordinances such as the Chesapeake Bay Preservation Area Overlay District.
- Amend CBPOD to reflect the calculated average land cover for the Town while making other programmatic changes as necessary.
- Minimizing impervious cover is an integral part of the Town's stormwater quality management program. The Town Planning Commission will investigate economically feasible and practical ways to reduce the impervious cover for development within the Town. Such as investigation may include the following options: establishment of maximum parking space size and number of parking spaces for zoning categories; requiring pervious paving in low traffic areas, reducing the amount of impervious cover allowed based on the zoning category; and requiring open space based on the zoning category.
- Avoidance of development on sensitive natural features such as steep slopes.
- Reduction of nonpoint sources of pollution from impervious surfaces adjacent to the River.
- Institution of programs in public education, wildlife habitat preservation, and pollution prevention.
- Continued enforcement of the Floodplain Ordinance in order to protect floodplains within the Town from improper development as well as to protect the health, welfare, economic and real estate interests of Town residents.
- Reducing nonpoint source pollution generated by development by preserving as much existing vegetation on site as possible while accommodating the desired land use.
- Investigate ways of addressing existing shoreline erosion problems along the Rappahannock River and Urbanna Creek and work with appropriate state agencies to determine appropriate policies regarding shoreline erosion control.

The Town will support water quality improvement through reduction of existing pollution sources and redevelopment on Intensely Developed Areas and other areas targeted for redevelopment by:

- Enforcement of zoning ordinances such as the Chesapeake Bay Preservation Area Overlay District.
- Avoidance of development on sensitive natural features such as steep slopes.
- Reduction of nonpoint sources of pollution from impervious surfaces adjacent to the River.
- Institution of programs in public education, wildlife habitat preservation, and pollution prevention.

~~VII. COMPREHENSIVE PLAN IMPLEMENTATION GUIDELINES~~

~~The goals of the Comprehensive Plan tend to be broad and general. At the same time, they encompass nearly the full range of the Town's governmental responsibility. If these goals are to be achieved over a period of time, the Town must use all of the means at its disposal for plan implementation. Chapter 11 of the Code of Virginia provides for procedures whereby a Town may implement its comprehensive plan, including provisions for review of proposed improvements by the Town Planning Commission and for a zoning ordinance to assist with accomplishment of the land use elements of the Plan. This Comprehensive Plan has been prepared in large measure to provide support for changes in the zoning ordinances that will achieve compliance with the legislation of the Chesapeake Bay Preservation Act of 1989.~~

~~Perhaps as important as any of the direct statutory means for plan implementation are the various funding and technical assistance programs available to local governments. The outside help that these programs can provide may make the difference between success and failure in accomplishments of a goal.~~

~~However specific the state laws and local ordinances may be and however carefully planning procedures may be followed, all of the laws and procedures, text, maps, special studies and outside funding programs cannot substitute in effectiveness for the support of the people of Urbanna and their general awareness of the advantages of a comprehensive, long-range view in dealing with the Town's development. It is especially important that such a long-range view be maintained, when the pace of growth is slow and the future of the Town depends on the accumulated effects of many small events. The careful handling of small events within a long-range view sets a favorable precedent, not only for future small events but also for the large events, when they occur.~~

~~The Plan and the Planning Commission:~~

~~The Planning Commission is the agency charged with the preparation of the Comprehensive Plan and with advising the Town Council on matters related to the Plan. In order to do this properly, the Commission must maintain knowledge of the facts and interrelationships of a broad range of subjects and must be able to weigh the advantages and disadvantages of various possible courses of action that may be available in a given situation. This is no small responsibility. The Planning Commission will need help from various sources depending on the complexity of problems placed before it.~~

~~With the Chesapeake Bay Preservation Act requirements and growing interest in the Urbanna area, the requirements for planning staff assistance could be increased steadily in coming years. Routine administration and review of building and subdivision proposals, periodic revision of the Comprehensive Plan, participation in funding programs and special studies of all kinds could require staff assigned full time to planning matters. Without sufficient professional and technical assistance, the Planning Commission might not be equipped to render the services expected of it.~~

~~The State Planning Enabling Statutes provide for the general content of the Plan and procedures for its adoption. The Planning Commission is required to give notice and hold a public hearing before recommending the Plan to the Town Council for adoption. The Town Council must also give notice and hold a public hearing before it adopts the Plan. If this procedure is followed, Sec. 15.2-2225 of the enabling statutes establishes the legal status of the Plan.~~

~~Plan Adoption:~~

~~The following provision taken from Title 15.2 Chapter 22, Article 3 outlines the general procedure to be followed by the Town of Urbanna in adopting the Comprehensive Plan.~~

~~15.2-2225 Notice and hearing on plan; recommendation by local commission to governing body. Prior to the recommendation of a comprehensive plan or any part thereof, the local commission shall give notice and hold a public hearing on the plan. After such public hearing has been held the commission may approve, amend and approve, or disapprove the plan, after notice as required by~~

~~15.2-2225. Upon approval of the plan, the commission shall by resolution recommend the plan to the governing body.~~

~~15.2-2225 Copy to be certified to governing body. Upon recommendation of the comprehensive plan or a part thereof by the local commission a copy thereof shall be certified to the governing body.~~

~~15.2-2226 Adoption or disapproval of plan by governing body. After certification of the plan or part thereof, the governing body after a public hearing with notice as required shall proceed to a consideration of the plan or part thereof and shall approve and adopt, amend and adopt, or disapprove the same within ninety days after date of adoption of such resolution.~~

~~15.2-2227 Return of plan to commission; resubmission. If such governing body disapproves the plan, then it shall be returned to the local commission for its reconsideration, with a written statement of the reasons for its disapproval. The commission shall have sixty days in which to reconsider the plan and resubmit it, with any changes, to the governing body.~~

~~15.2-2228 Adoption of parts of plan. As the work of preparing the comprehensive plan progresses, the local commission may, from time to time, recommend, and the governing body approve and adopt, parts thereof; any such part shall cover one or more major sections or divisions of the municipality or one or more functional matters.~~

Maintenance of the Plan:

~~15.2-2229 Amendments. After the adoption of a comprehensive plan, all amendments to it shall be recommended, and approved and adopted, respectively, as required by 15.2-2225. If the governing body desires an amendment, it may direct the local commission to prepare an amendment and submit it to public hearing within sixty days after formal written request by the governing body.~~

~~15.2-2230 Plan to be reviewed at least once every five years. At least once every five years the comprehensive plan shall be reviewed by the local commission to determine whether it is advisable to amend the plan.~~

~~Significant new developments, i.e. State highway proposals; location of new industry, shopping center, or residential subdivision; expansion of major public/private uses, etc., should trigger a re-evaluation of the adopted comprehensive plan. Review and appropriate revisions to the plan ensuring consistency with major proposals should be made to maintain it in a current condition. Changes in the plan should only be made in the best interest of established goals and objectives. Development proposals, which are contrary to the plan, require serious consideration within the context of the plan's provisions. The end result of unwarranted plan revisions would be to leave the Town without an enforceable plan.~~

Plan Implementation:

~~Private property development and public improvement efforts can be coordinated with the plan through the use of applicable regulatory measures zoning ordinance, subdivision regulations, building and housing codes. An adopted Capital Improvement program also provides a mechanism for the local governing body to schedule public improvements in accordance with the plan over both a five-year period and on an annual basis.~~

~~15.2-2239 Local commissions to prepare and submit annually capital improvement programs to governing body or official charged with preparation of budget. A local commission may, and at the direction of the governing body shall, prepare a capital improvement program based on the comprehensive plan of municipality for a period not to exceed the ensuing five years.~~

~~15.2-2280 - Zoning ordinances generally: jurisdiction of municipalities. The governing body of any municipality may, by ordinance, classify the territory under its jurisdiction or any substantial portion thereof into districts of such number, shape and size as it may deem best suited to carry out the purposes of this article.~~

~~For the purpose of zoning, the governing body of a municipality shall have jurisdiction over the incorporated area of the municipality.~~

~~The Zoning Ordinance for the Town of Urbanna will accompany this planning document. The Comprehensive Plan must be used as the reference by which zoning requests, development proposals and the zoning regulations are reviewed for approval or disapproval. Zoning regulations are the tools intended to accomplish the plan's objectives.~~

Regional Review and Coordination:

~~Local Town planning requires coordination with other adjacent jurisdictions: Middlesex County, Middle Peninsula Planning District, and other State and Federal development proposals and plans. Without coordination among these jurisdictions, the danger of planning efforts being duplicated or conflicting will result in ineffective programs and unnecessarily high development costs. The Middle Peninsula Planning District Commission is the most appropriate agency to provide regional coordination and review of related plans.~~

Level of Professional Planning Assistance:

~~Planning assistance is presently provided to the Town of Urbanna by its Staff and through contracted services of private planning consultants for special projects. Special needs of the local planning commission may warrant additional planning assistance from a planning consultant in order to implement the adopted comprehensive plan.~~

Zoning Ordinance

~~Of the various legal devices available for implementation of the Comprehensive Plan, zoning will probably receive most attention during the coming years and will have the most impact on the lives of Town's residents.~~

~~The extent to which zoning can improve living conditions and guide the growth of the Town of Urbanna in accordance with the Comprehensive Plan will be largely dependent upon the attitudes and interests of the people of Urbanna as expressed by themselves and expressed through their leaders in enactment of regulations and subsequent sustained enforcement of regulations. The problems will be varied since Urbanna is an urbanizing community with the potential for different kinds of development. But if the people of Urbanna want an orderly efficient land use development pattern which is an objective of the Comprehensive Plan, if they want to channel development to designated areas, protect the water resources and environmentally sensitive areas, then zoning is available to implement a program which, over the long run, may accomplish these objectives.~~

~~The Zoning Map (Exhibit H) should remain generally consistent with the General Land use Plan. Within the overall pattern of land use established by the Plan, there is nevertheless considerable room for variation between the Plan and the Zoning map. The land use categories need not be identical and the one need not be amended every time the other is. Actually, the timing of a zoning change to best implement a land use change will require repeated judgments by the Town Planning Commission and the Town Council. In addition, the system of review of individual projects by a special use permit process or by means of special exceptions will require many separate decisions based on the guidelines of the Plan and the Zoning Ordinance and conditions of the locale where change is proposed. In any event, the limitations on our ability to foresee the future will assure that changes will be necessary. An important part of the Town's continuing planning effort will be the recommendations of the Town Planning Commission regarding proposed changes, the continuing effort to keep these changes within the overall perspective of the Comprehensive Plan, and the continuing effort to~~

~~study and adjust implementation devices and programs which can assist with accomplishments of the goals and objectives of the Comprehensive Plan.~~

~~Concurrent with preparation of this revision of the Comprehensive Plan, a comprehensive review of the Town Zoning Ordinance and a revised ordinance has been prepared. The provisions of the revised ordinance pertaining to the Chesapeake Bay Preservation Act should substantially improve the ability of the Town to implement the land use elements of the Comprehensive Plan.~~

~~The Capital Improvement Program:~~

~~A capital improvement program is a schedule by years of the amounts to be spent on improvements to the Town's public facilities. The purpose of making such a program is to ensure that long-range plans will be compatible with the Town's financial resources.~~

~~Forecasts of more than five years in advance are generally not sufficiently reliable for planning. On the other hand, too short a period would not be useful as specified in the statute. A list of needed improvements is drawn up and those, which should be made during the next five years, are arranged in order of urgency and costs are estimated according to the best information available. As each year of the program is completed, an additional year is added so that the program always looks five years to the future.~~

~~In the near future the Town should move to formalize the capital improvements programming process so that relations of capital improvement expenditures to a long-range plan will become a routine part of Town government.~~

Vote:



Agenda Item Summary November 16, 2023

Agenda Item: 6-Ordinance 2023-03 to Amend the Urbanna Town Code Section 17-4.10.11.1-
Public Hearing

Background: One section of the Town zoning ordinance, section 17-4.10.11 must be amended to reflect information the Virginia Department of Environmental Quality now requires on site plans or plans of development submitted for consideration.

Fiscal Impact: None

Staff Recommendation: Town Council should approve. The amendment, which had been referred to the planning Commission for its recommendation was considered at a public hearing held by the Planning Commission on Tuesday November 14, 2023. At the conclusion of that public hearing the Planning Commission by motion unanimously recommended to the Town Council that the amendment be passed.

Council Action Requested: Yes

Sample Motion(s): Motion to approve Ordinance 2023-03 to Amend the Urbanna Town Code Section 17-4.10.11.1 as presented.

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ORDINANCE NO. 2023-03 AMENDS THE URBANNA TOWN CODE, CHAPTER 17, "ZONING," SECTION 17-4.10.11.1, "PLAN OF DEVELOPMENT PROCESS" TO UPDATE THE REQUIREMENTS FOR PLANS OF DEVELOPMENT TO ENSURE COMPLIANCE WITH THE CHESAPEAKE BAY ACT AND OTHER RELEVANT STATE LAWS. ORDINANCE NO. _____ IS CONSIDERED PURSUANT TO THE GRANT OF AUTHORITY CONTAINED IN VA. CODE § 15.2-2200 ET SEQ., 1050, AS AMENDED.

BE IT ORDAINED by the Urbanna Town Council, that the Urbanna Town Code, Chapter 17, "Zoning, Section 17-4.10.11.1, "Plan of Development Process" be amended to read, in part, as follows:

"Plan of Development Process

A. Purpose and Intent

~~The purpose of the plan of development process is to provide for a review process that ensures that development and redevelopment complies with the provisions of this Article and that protects the quality of state waters.~~

The purpose of the plan of development process is to provide for a review process that ensures that development and redevelopment complies with the provisions of this Article and that protects the quality of state waters.

- l. Any final site plan, plan of development, plat, plot, or final subdivision plans for all lands within CBPAs shall include the following information:
- a. Delineation of the RPA boundary;
 - b. Delineation of required buffer areas;
 - c. Delineation of RMA wetlands;
 - d. Delineation of RMA boundary;
 - e. Plat or plan note providing that no land disturbance or vegetation removal is allowed in the buffer area without review and approval by the Zoning Administrator;
 - f. Plat or plan note of the permissibility of only water dependent facilities or redevelopment in Resource Protection Areas, including the 100-foot wide buffer area;
 - i. Plat or plan depiction indicating the buildable area; all subdivision plats shall include a notation that setbacks and yards shown hereon are based on current district requirements at the time of approval but shall not take precedence over any subsequently adopted setback requirements related to any rezoning action or district regulation amendments; and
 - j. Any additional requirements specified in the subsections below."

Vote:

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**Agenda Item Summary
November 16, 2023**

Agenda Item: 7-Minutes

Background: Draft minutes attached

Fiscal Impact: NA

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Motion(s):

Note: If changes are requested at the meeting, approval of the minutes will be postponed to the next meeting.

Motion to approve the minutes of the September 14 and October 12 meetings, and the October 30 special meeting.

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**Town of Urbanna
Town Council
Work Session
Council Chambers-390 Virginia St. Suite B
September 14, 2023**

CALL TO ORDER & ROLL CALL

Members of Council

Present

Mayor Bill Goldsmith
Marjorie Austin
Larry Chowning
Alana Courtney
Merri Hanson
Beth Justice
Sandy Sturgill

Others Present

Roy Kime-Zoning Administrator
Martha Rodenburg-Town Clerk
Michele Hutton-Town Treasurer
Andrea Erard-Town Attorney
Members of the public and press

Mayor Goldsmith called the meeting to order at 7:00pm
All present said the Pledge of Allegiance

APPROVAL OF AGENDA

**Councilmember Austin made a motion to approve the agenda as presented
Councilmember Sturgill seconded
Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes
Motion passed 7-0**

PRESENTATION

Anne Miller and Nancy Greenwood of Urbanna Beautification (UBI), in accordance with the memorandum of understanding between UBI and the Town of Urbanna regarding the Bristow Pavilion, presented Council with a check for \$7,200 for the maintenance of the pavilion.

PUBLIC COMMENT & PUBLIC COMMENT RESPONSE

- Vicki Satterwhite-spoke regarding security concerns at Waterman's Park
- Councilmember Justice read a letter on behalf of Lisa & Greg Brindle regarding security concerns at Waterman's Park
- Councilmember Justice read a letter on behalf of Mark & Sherry Mikuta regarding security concerns at Waterman's Park

Mayor Goldsmith responded he has spoken with Sheriff Bushey regarding increasing patrols in the area and is in the process of getting bids for security cameras at various locations.

Councilmember Austin asked about trail cameras that had been purchased in the past. Mayor Goldsmith responded those cameras were not very good for what is currently needed.

Further discussion took place regarding security options.

MATTERS OF TOWN COUNCIL

John Anzivino

- Mr. Anzivino a town resident and highly regarded authority on municipal government and administration addressed Council regarding best practices and process for the continuing search for a new Town Administrator. His advice included the following:
 - Up to the Council to make decision
 - Work through the process deliberately
 - Individual should be service oriented
 - Consider whether or not you want a full-time or a part-time person
 - What type of experience is needed (e.g., planning, human resources, finance, infrastructure, etc.)
 - Target advertising for the position (examples of various places were given)
 - All applications should be reviewed by Council, or by Personnel Committee, who will then give recommendations to Council
 - A two-week process is best to retain candidates
 - Council should interview candidates collectively
 - Consult with attorney regarding interview questions
 - Background and reference checks should be performed
 - Best practices for negotiating employment contract

Mayor Goldsmith questioned whether or not hiring as a part-time position is typical

Mr. Anzivino responded it depended on needs and experience of candidate

Councilmember Hanson inquired about consulting groups that provide resources for small communities

Mr. Anzivino gave several options for consulting firms, both small and international

Discussion took place regarding costs

Council and all in attendance expressed their appreciation for Mr. Anzivino's time and advice

Mayor's Report

- MOM (Museums of Middlesex) presented a check for \$5000 for the Scottish Factor Store, our portion of an annual grant from Middlesex
- UBI has presented an addendum to our agreement for the Bristow Pavilion to provide funds for maintenance
 - A budget line item has been created to track those funds
- UBI has decided to remain in existence as a conduit for funding of town projects where a 501c3 will be of benefit
 - Gives the project funding committee a way for people to give IRA RMD's to the pool with more benefit to both parties
- The car and truck on Watling St, and the truck at the gas station have been removed
- VDOT has completed the road work at Colorado and Cross streets and paved more on Kent St
- Boundary Line Adjustment has been approved
- High resolution files to recreate a printable version of the Mitchell Map have been given to the Town
- Living shore line and marina work will take place after the Oyster Festival

Urbanna Town Council meeting schedule change

Mayor Goldsmith explained in an effort to utilize resources more effectively, he recommended having only one meeting a month and to start those meetings at 6:00pm.

Councilmember Austin commented it would be a disservice to the taxpayers to do so, but to have one true work session to communicate issues, then take action at the monthly meeting.
Further discussion took place regarding the reasoning for this discussion, and if necessary, special meetings can be called with 3 days' notice given to the public.

Andrea Erard explained any meeting schedule changes can only take place through the end of the year, with an organizational meeting taking place in January of 2024 to determine the meeting schedule for the year.

Councilmember Austin commented, once a new Town Administrator is hired, they may decide two meetings is better.

**Councilmember Chowning made a motion to approve Resolution 2023-RES-007 as presented
Councilmember Sturgill seconded**

Discussion took place to clarify the new time of the meeting is 6:00pm

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

DRAFT

2023-RES-007

RESOLUTION TO MODIFY MEETING SCHEDULE FOR 2023

BE IT RESOLVED by the Urbanna Town Council at its regularly schedule meeting on September 14, 2023 that the September 28, 2023 meeting of the Urbanna Town Council shall be cancelled, and that, beginning in October of 2023, the Urbanna Town Council shall have one monthly meeting on the second Thursday of each month at Town Hall located at 390 Virginia Street, Suite B, at 6:00PM; and

BE IT FINALLY RESOLVED that this Resolution shall be posted on the door at Town Hall and advertised in the Southside Sentinel at least seven (7) days prior to October 12, 2023.

Ms. Austin	Aye✓	Nay	Abstain	Absent
Mr. Chowning	Aye✓	Nay	Abstain	Absent
Ms. Courtney	Aye✓	Nay	Abstain	Absent
Ms. Justice	Aye✓	Nay	Abstain	Absent
Ms. Hanson	Aye✓	Nay	Abstain	Absent
Ms. Sturgill	Aye✓	Nay	Abstain	Absent
Mayor Goldsmith	Aye✓	Nay	Abstain	Absent

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 0

A TRUE COPY:

TESTE: 

TOWN CLERK

Street sign replacements

Mayor Goldsmith discussed the continuing need for street sign replacements, with Kristi Anzivino and Don Drayer doing extensive research. Pricing is between \$12,000-\$25,000, depending on whether or not the poles are replaced. Mayor Goldsmith asked Council whether or not the town should reach out for bids to do the project. Further discussion took place regarding pricing and the possibility of auctioning the old signs and selling the old poles for scrap metal
All agreed bids should be sought

Councilmember Sturgill commented there needs to be additional signage for the Town Marina

ACTION ITEMS

Planning Commission Appointment

Councilmember Austin made a motion for Council to accept Lewis Hall's application to serve on the Planning Commission

Councilmember Hanson seconded

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

Pool name

The Pool Committee has recommended the new pool should honor the Marshall Family and be named "The Marshall Community Pool"

Councilmember Austin made a motion to name the Urbanna Pool "The Marshall Community Pool"

Councilmember Sturgill seconded

Councilmember Hanson asked what would happen if a large donor came forward

It was discussed that the Marshall family was an important part of the committee, deserving of the honor. Any large donors could be recognized in another way.

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

PUBLIC COMMENT

There was no public comment

ANNOUNCEMENTS

- Roy Kime announced the well testing for the new well would take place the following week. The well is so effective, it will only need to be run for 48 hours instead of 72. During that time, there will be a noticeable water coming down the hill from the well
- Councilmember Austin announced her appreciation for all the volunteers for Second Saturdays, and Beth Justice's assistance with the bands. Proceeds from all 50/50 raffles have been donated to the pool fund

CLOSED MEETING

Councilmember Austin made a motion to go into closed meeting pursuant to Virginia Code section §2.2-3711(A)(1) for the following purpose: Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body.

Councilmember Sturgill seconded

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

Council entered Closed Meeting

OPEN MEETING

Councilmember Austin made a motion to reconvene in open meeting and to certify that only the matters that were identified in the motion to go into closed meeting were heard, discussed, or considered.

Councilmember Sturgill seconded

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

Council entered Open Meeting

Discussion took place whether or not Councilmember Hanson should recuse herself, due to a conflict of interest regarding an issue about to be voted on. While the Town Attorney did not feel there was a conflict, there was nothing wrong with an abundance of caution.

Councilmember Austin stated she would ask that out of caution.

Further discussion took place that, due to Martha Rodenburg, the Town Clerk, being a tenant of Councilmember Hanson's, the public may perceive there is some economic benefit to Ms. Hanson.

Councilmember Sturgill made a motion the salary of the Town Treasurer to the gross amount of \$49,391.67, effective September 18, 2023 and to increase the salary of the Town Clerk to \$45,302.29, effective September 18, 2023.

Councilmember Austin seconded

Austin, Chowning, Courtney, Justice, Sturgill, and Goldsmith voted yes

Hanson abstained

Motion passed 6-0

ADJOURN

Councilmember Austin made a motion to adjourn

Councilmember Sturgill seconded

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

Meeting adjourned at 9:05pm

Submitted by:

Martha J. Rodenburg

Town Clerk

Approved by Town Council xx/xx/xxxx

**Town of Urbanna
Town Council
Special Meeting
Council Chambers-390 Virginia St. Suite B
October 30, 2023**

CALL TO ORDER & ROLL CALL

Members of Council

Present

Mayor Bill Goldsmith
Marjorie Austin
Larry Chowning
Alan Courtney
Merri Hanson
Beth Justice
Sandy Sturgill

Others Present

Martha Rodenburg-Town Clerk

Mayor Goldsmith called the meeting to order at 1:30pm
All present said the Pledge of Allegiance

APPROVAL OF AGENDA

Councilmember Austin made a motion to approve the agenda as presented

Councilmember Sturgill seconded

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

CLOSED MEETING

Councilmember Courtney mad a motion to go into closed meeting pursuant to Virginia Code section §2.2-3711(A)(1) for the following purposed: discussion and interviewing of candidates for the position of Town Administrator.

Councilmember Austin seconded

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

Martha Rodenburg left the meeting

OPEN MEETING

Councilmember Courtney made a motion to reconvene in open meeting and to certify that only the matters that were identified in the motion into go into closed meeting were heard, discussed, or considered.

Councilmember Sturgill seconded

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

ADJOURN

Councilmember Austin made a motion to adjourn

Councilmember Sturgill seconded

Austin, Chowning, Courtney, Hanson, Justice, Sturgill, and Goldsmith voted yes

Motion passed 7-0

Meeting adjourned at 3:19pm

Submitted by:

Martha J. Rodenburg

Town Clerk

Approved by Town Council xx/xx/xxxx

DRAFT



**Agenda Item Summary
November 16, 2023**

Agenda Item: 8-Reports

Town Administrator Report-Mayor Goldsmith, Acting Town Administrator

Treasurer's Report-Michele Hutton (report attached)

Christmas Parade-Michele Hutton

Pool Committee Report-Barbara Hartley

Planning Commission-Councilmember Merri Hanson

Project Funding Committee-Councilmember Sandy Sturgill

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Treasurer's Report

The Balances Below, Reflect Bank Statements as Of Month's End.

Account Balance thru 10/31/2023	Prior Year	Prior Month	Statement Date
	10/31/22	9/30/23	10/31/23
Primis Bank General Operating Bank Account	653,145.29	866,290.20	966,323.38
Renter Water Deposits	-16,551.66	-16,101.66	-16,326.66
Net Operating General Bank Account	648,832.80	859,297.27	962,032.45
C & F Bank Pool Replacement Account (new 2/28/23)	(Truist) 94,767.26	356,509.15	209,434.41
C&F Bank Historic Trust (new 3/1/2023)	(Truist) 29,160.31	44,001.25	44,641.78
C&F Bank Building Fund (new 6/8/23) CD	n/a	236,856.41	236,856.41
C & F Bank Pool Fundraising checking (new 8/4/23)	n/a	235.00	Closed 10/18 -\$250.00
Primis Bank Water Fund Reserve	114,321.41	115,158.57	115,239.34
Primis Bank General Fund Reserve	94,924.54	95,358.45	95,400.25
Primis Bank Cares Local Recovery	475,363.98	239,182.54	239,350.30
Primis Bank DMV	1,505.56	100.00	1,463.39
Primis Bank USDA Well Replacement-new 10/14/22	n/a	2,507.25	2,507.91
Taber Trust – Account Value	1,205,718.35	846,246.84	846,246.84
Taxes listed below are collected for prior month(s)	10/31/22	9/30/23	10/31/23
Meals Tax collected in October	10,045.11	17,037.21	14,135.62
Lodging Tax collected in October	1,946.30	3,694.95	1,955.01
Cigarette Tax collected in October	845.35	968.24	\$640.53

AUGUST EXPENDITURES:

- Pool draw = \$148,274.74

REVENUE as of 10/31/2023

Notes:

- Real estate = \$ 35,046.46
- Personal Property = \$1,016.86
- Grand total all OF Business License = \$23,200.00

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Agenda Item Summary November 16, 2023

Agenda Item: 12a-Street sign replacement

Background: While doing research regarding the cost to replace the town's street signs, a Middlesex County ordinance from 2000 was discovered that would potentially have the much of the costs be paid for by Middlesex County's 911 taxes.

Steps involved would include modifying or repealing our current ordinance, requiring a public hearing, and then passing a resolution to endorse the Middlesex County ordinance.

Mayor Goldsmith and Andrea Erard will explain the details during the meeting.

Fiscal Impact: TBD

Staff Recommendation: Discuss options to take action at a later date.

Council Action Requested: Not at this time

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**AN ORDINANCE TO PROVIDE FOR THE ASSIGNMENT OF
NAMES TO STREETS AND ROADS IN MIDDLESEX COUNTY
AND THE POSTING OF STREET SIGNS AND BUILDING NUMBERS.**

(Adopted April 18, 2000)

WHEREAS, the establishment of an Enhanced 9-1-1 emergency telephone system in Middlesex County has been approved by the Middlesex County Board of Supervisors; and

WHEREAS, the establishment of such system requires the assignment of names to all streets and roads in the county, the assignment of building numbers to all buildings having telephones and/or occupancies, and the erection of appropriate street signs at intersections; and

WHEREAS, a professional consultant experienced in comprehensive addressing has been employed to map streets and roads in Middlesex County and to assign building numbers to buildings in said county,

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1. The "Middlesex County Road Name Index" to be adopted and filed in the Office of Planning and Community Development shall be the official listing of names for streets and roads in Middlesex County and such streets and roads are hereby assigned the names listed therein. As used in the ordinance, the terms "street" and "road" shall have the same meaning and shall also include avenues, boulevards, highways, lanes, ways, and similar street types.

SECTION 2. The Middlesex County Board of Supervisors, or their duly authorized agent as may be appointed, shall have the authority to assign names to any public or private road or street in the County which provides access to three or more occupied buildings.

SECTION 3. The County Planning Director, or his duly authorized agent, is hereby authorized to negotiate with residents along streets or roads bearing duplicate or confusingly similar names in the County. The changing of the names of such roads or streets to eliminate such duplications shall reside with the Middlesex County Board of Supervisors or their duly authorized agent as may be appointed.

SECTION 4. No street or road within the County shall be assigned a name on a subdivision plat or otherwise until such name is registered with the Planning Director, or his duly authorized agent, approved, and added to the "Middlesex County Road Name Index." The Planning Director, with the concurrence of the Middlesex County Board of Supervisors, shall have authority to refuse registration of any name already in use, confusingly similar to a name already registered, or deemed confusing for purposes of emergency response.

SECTION 5. No street or road name currently shown on a subdivision plat filed with the County or otherwise shall be implemented by a subdivision owner until such name has been registered with the Planning Director or his duly authorized agent, approved and added to the "Middlesex County Road Name Index" provided, however, that this section shall not apply to any road or street presently constructed on which street signs have been placed prior to the effective date of this ordinance. The Planning Director, with the concurrence of the Middlesex County Board of Supervisors, shall have the right to refuse registration of any name already in use, confusingly similar to a name already registered, or deemed confusing for purposes of emergency response.

SECTION 6. All new street signs erected within Middlesex County shall be in conformance with the specifications of this section, unless a variance is granted by the Virginia Department of Transportation (VDOT) or the Middlesex County Board of Supervisors. Street name signs for use on Primary routes and collector Secondary roads shall have a minimum height of nine (9) inches, a minimum width of thirty (30) inches and a maximum width of forty-eight (48) inches. Widths greater than forty-eight (48) inches may be allowed in special cases upon approval of the VDOT district traffic engineer. The standard letter height shall be six (6) inch Series C letters for the street name. The standard letter height of the suffix and prefix (if any) shall be three (3) inch Series C letters. Non-Standard letter height may be allowed in special cases upon approval of the VDOT district traffic engineer. A blank space at least 2.50 inches high and twelve (12) inches wide shall be provided in the lower right hand corner of the sign to accommodate a decal containing the appropriate route number. The VDOT shall be responsible for the fabrication and installation of the decal, which shall be white with a black legend consisting of two (2) inch letters/numerals and may be non-reflectorized.

Street name signs for use on local Secondary roads, subdivision streets and private roads assigned names under this ordinance shall have a minimum height of six (6) inches, a minimum width of twenty-four (24) inches and a maximum width of forty-two (42) inches. Widths greater than forty-two (42) inches may be allowed in special cases upon approval of the VDOT district traffic engineer. The standard letter height shall be four (4) inch Series C letters for the street name. The standard letter height of the suffix and prefix (if any) shall be two (2) inch Series C letters. Non-standard letter heights may be allowed in special cases upon approval from the VDOT district traffic engineer. A blank space at least 1.25 inches high and eight (8) inches wide shall be provided in the lower right hand corner of the sign to accommodate a decal containing the appropriate route number. The VDOT shall be responsible for the fabrication and installation of the decal, which shall be white with a black legend consisting of one (1) inch letters/numerals and may be non-reflectorized.

All street name signs in the County shall be fabricated with high intensity reflectorized sign sheeting. All sign text and numerals shall be white and the

background of all signs shall be green. Signs at intersections of all public and private roads assigned names under this ordinance shall be mounted atop galvanized metal posts with the signs appearing at a height of not less than seven (7) feet above grade.

SECTION 7. The Planning Director is hereby authorized to direct the placement of street signs at intersection within the County, the initial costs of such signs to be appropriated from 9-1-1 telephone taxes as approved by the Middlesex County Board of Supervisors.

SECTION 8. The owner of any subdivision or other development shall erect or cause to be erected street signs in conformance with this ordinance at any and all intersections within such subdivision or development upon the construction of any street on or after the effective date of this ordinance. Where any subdivision owner is currently required to erect street signs but has failed to do so, the future erection of street signs shall be in conformance with this ordinance.

SECTION 9. All properties or parcels of land within Middlesex County shall hereafter be identified by reference to a uniform numbering system, as shown on maps filed in the Office of Planning and Community Development. Said maps and the explanatory matter thereon are hereby adopted and made a part of this ordinance.

SECTION 10. A house or building number shall be assigned to each dwelling or other building in the County. The combination of such numbers and the road or street name shall be the official address of such dwelling or building. Such location shall serve as the official mailing address for postal patrons receiving home or rural delivery.

SECTION 11. When each house or building has been assigned its respective numerical street address, the owner, occupant, or agent shall place or cause to be placed upon each house or building controlled by him the number or numbers assigned under the uniform numbering system. The number or numbers shall be placed in accordance with the provisions as are herein contained. Such numbers shall be placed on existing buildings within sixty (60) days of notification of the assigned address.

Numerical street addresses shall be placed on new buildings prior to the issuance of a Certificate of Occupancy for the structure by the Middlesex County Building Official. Such addresses shall be placed in accordance with the provisions as contained herein. The cost of posting the address shall be the responsibility of the property owner.

SECTION 12. Street address numbers for residences shall be at least three (3) inches in height and shall be made of a durable and clearly visible material. The numbers shall be conspicuously placed on, above, or at the side of the main entrance so that the number is discernible from the street. Whenever a residence is more than seventy-five (75) feet from the street, or

when the entrance is not visible from the street, the number shall be placed along a walk, driveway, or other suitable location so that the address number is discernable from the street. Street address numbers shall be of a contrasting color to the background on which they are mounted.

SECTION 13. Street address numbers for commercial and industrial structures shall be at least four (4) inches in height if located within seventy-five (75) feet of a roadway or at least ten (10) inches in height if located greater than seventy-five (75) feet from the street. The number shall be placed above or on the main entrance to the structure when possible. If such number is not visible from the street, the number shall be placed along a driveway or on a sign visible from the street.

SECTION 14. Apartments and similar complexes assigned a single building number shall display address numbers on each assigned structure using numbers having a minimum height of eight (8) inches. Trailer parks and similar complexes assigned a single building number shall display the assigned number at the main entranceway using numbers having a minimum height of eight (8) inches. Numbers or letters for individual apartments, trailers, or units within these complexes shall be displayed on, above, or to the side of the main doorway of each apartment, trailer, or unit, and shall be at least three (3) inches in height.

SECTION 15. Whenever any house, building, or structure shall be erected or located after the initial establishment of the uniform numbering system as provided herein, it shall be the duty of the property owner to procure the correct number or numbers for the said property and to affix said numbers to said building in accordance with this ordinance. An application for a building permit for a new building shall be considered an application for an address assignment. The Building Official shall coordinate the application with the designated agent of the Planning Director responsible for the assignment of addresses, and forward the assigned address to the applicant not later than sixty (60) days following issuance of said permit. The applicant shall be required to furnish such measurements in relation to other properties or intersections as shall be deemed necessary for assignment of a valid address.

SECTION 16. In applying the guidelines specified herein, the Planning Director, or his authorized agent, shall have the authority to make minor adjustments and modifications to ensure a logical and efficient street address system.

SECTION 17. The provisions of this ordinance shall be applicable in all areas of Middlesex County outside of the incorporated limits of the Town of Urbanna. The provisions of this ordinance shall be applicable within the Town of Urbanna if the Urbanna Town Council adopts and endorses this ordinance by resolution. If adopted by the Town, the location of each dwelling or building shall be the combination of the house number and street name assigned from time to time by the Town Council or its agent.

SECTION 18. Whenever the Planning Director, or his authorized agent, has reason to believe there has been or there exists a violation of this ordinance, he shall give written notice of such violation to the person failing to comply, and order said person to take corrective measures within thirty (30) days from the date of notification. If such person fails to comply with the duly issued order, the Planning Director, or his agent, shall initiate necessary actions to terminate the violation through criminal or civil measures.

SECTION 19. Any violation of this ordinance shall constitute a Class 4 misdemeanor. Subsequent to the thirty (30) day period following notification of violation, each day of violation shall constitute a separate violation.

SECTION 20. This ordinance shall become effective immediately upon its adoption.

Adopted upon motion by Mrs. Weber, seconded by Mr. Jessie and carried unanimously:

Kenneth W. Williams	aye
John D. Miller, Jr.	aye
Fred S. Crittenden	aye
Lenora O. Weber	aye
Frank Jessie	aye

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**Agenda Item Summary
November 16, 2023**

Agenda Item: 12b-Virginia America 250

Background: See attached document

Fiscal Impact: TBD

Staff Recommendation: Approve

Council Action Requested: Yes

Sample Motion:

Motion to approve the Resolution relating to the support of the Virginia America 250 Commission recitals as presented.

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The **250th anniversary of the nation's independence** (its semiquincentennial) is not just coming – it's here.

No other state has had a more defining role in the creation of our nation than Virginia. The very fabric of our national identity was woven in Virginia. From the first colonists to the Founding Fathers to First Baptist Church. . . from native lands to the journey to freedom for the enslaved . . . from its defining role in the American Revolution, the Civil War, Civil Rights, and so much more.... **Virginia's history is America's story.**

Even more, in Virginia, the American Revolution was a war, but more than a war. It was a Revolution of Ideas. The very ideas and ideals that laid the foundation for a new nation based on the ideals of life, liberty, and the pursuit of happiness, were formed, articulated, and put into motion here, in Virginia. The young nation conceived and formed 250 years ago is now a beacon of hope and opportunity for the world. There is no doubt that, indeed, Virginia's history is America's story, with new chapters still being written across the Commonwealth today.

Established by the General Assembly in 2020, the Virginia American Revolution 250 Commission (VA250) serves to commemorate the 250th anniversary of the American Revolution, the Revolutionary War, and the independence of the United States in the Commonwealth of Virginia, one of the former colonies and future states, where much of this history took place.

A primary goal of the Commission is to convene and facilitate a multi-year series of robust events, including three national signature events annually through 2026 and dozens of Virginia-specific signature events that mark key anniversaries and events across every corner of the state.

Join us throughout Virginia as we commemorate the American Revolution and come together to mark 250 years since the founding of a nation and our continuing march toward a more perfect Union.



The **VA250 Commission** is proud to assist Virginia's **cities and counties** in planning commemoration efforts. Resources the Commission offers to VA250 local committees include:

- **Regional Information Meetings.**
- **Grants** to support content development, interpretive signage, and promotion of local VA250 efforts.
- **Dedicated page on VA250 website** for each local committee to highlight local stories, history, images, and events.
- Individual log-in for each locality to add events directly to the **VA250 Statewide Calendar of Events.**
- Amplification of events and promotion on social media pages including **Facebook, Twitter, and Instagram.**
- **Usage of Commission logo**, including a custom-designed locality-specific logos.



Form a Local Committee



If your county, city or town is not listed, here is how to start the process:

To form a Local VA250 Committee and join in the planning for this large-scale commemoration, we ask that the local governing body designate a liaison to work with the Commission, who will serve as the local contact with the state commission, participate in planning events, and communicate regularly on events occurring within the locality. While the Commission is planning statewide programs and events, including traveling exhibitions, strong involvement at the local level is crucial. The Commission is working with hundreds of partners across

the state to encourage and support local participation. Local history, after all, is the foundation on which all else is built.

For those localities that form official Local VA250 Committees, as evidenced by the passing of a resolution of support, the designation of a local contact, and the formation of a Local VA250 Committee, the state commission will provide grant funding opportunities for commemorative events and make available programs to include traveling exhibitions and teacher resources.

To every extent possible, the local committee should include representatives from:

1. Tourism, especially local attractions, lodging, and restaurants
2. Economic development
3. Education – primary through college level where possible
4. Tribal representatives
5. Museums and historic sites
6. Local historical and cultural groups
7. Local governing body

To find your local committee contact, [click here](#) or go to the Get Involved tab above. Towns not listed can [check here](#) to see a list of local DMO contacts. If an organization is already an officially VTC recognized town or regional DMO, they are eligible to become an official VA250 Committee, making them eligible for the VA250 grants as long as they pass a resolution through their town council. As was always the case, regional DMOs can now create VA250 committees, but they must have a resolution passed by ALL localities they represent to create a REGIONAL committee.

Once the local committee designee is named, please forward [this form](#) to Cheryl Wilson, VA250 Executive Director. Staff will remain in close contact with the local liaison, providing technical assistance and support. Please do not hesitate to [contact us](#) if you have questions.

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**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF URBANNA
RELATING TO THE SUPPORT OF THE VIRGINIA AMERICA 250 COMMISSION
RECITALS:**

- A. The Town Council of the Town of Urbanna is dedicated to the furtherance of economic development and tourism in Urbanna
- B. The Virginia America 250 Commission (VA250) was created in 2020 by the General Assembly for the purpose of preparing for and commemorating the 250th anniversary of Virginia's participation in American independence
- C. VA250 has requested that each locality form a committee to aid in planning for the commemoration period.

WHEREAS The Urbanna Town Council will form a local VA250 committee;

WHEREAS the committee will plan and coordinate programs occurring within the locality and communicate regularly with VA250 and with the Middlesex VA250 Committee;

WHEREAS the Urbanna Town Council wishes to undertake this endeavor with VA250 to promote and commemorate this important historic milestone.

NOW, THEREFORE, BE IT RESOLVED BY THE URBANNA TOWN COUNCIL:

1. The Urbanna Town Council hereby desires to support the Virginia America 250 Commission and their efforts to commemorate the 250th anniversary of Virginia's participation in American independence.
2. The Urbanna Town Council will form a committee to aid in the planning for the commemoration period.

ADOPTED this 16th day of November, 2023.

A COPY TESTE

Martha J Rodenburg
Town Clerk

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Agenda Item Summary November 16, 2023

Agenda Item: 12c-Bad check fee ordinance-proposed

Background: At present, there is no ordinance for the Town to collect fees for checks returned for insufficient funds.

Per Virginia Code:

§ 15.2-106. Ordinances providing fee for passing bad checks to localities.
Any locality may by ordinance provide for a fee, not exceeding \$50, for the uttering, publishing or passing of any check, draft, or order for payment of taxes or any other sums due, which is subsequently returned for insufficient funds or because there is no account or the account has been closed, or because such check, draft, or order was returned because of a stop-payment order placed in bad faith on the check, draft, or order by the drawer.

Fiscal Impact: TBD

Staff Recommendation: Discuss the proposed verbiage below of an ordinance, including the amount of the fee, and grant authority to advertise the ordinance for a future public hearing and Town Council vote.

Fee for passing bad check to the Town

There shall be a fee of \$_____ for the uttering, publishing or passing of any check or draft for payment of taxes, or any other sums due the Town, which is subsequently returned to the Town for insufficient funds or because there is no account or the account has been closed. Such fee shall be collected by the Town Treasurer and be credited to the general fund of the Town.

Council Action Requested: Yes

Sample Motion:

Motion to authorize the advertising of an ordinance to provide for a fee for payments returned for insufficient funds.

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