



**Urbanna Town Council  
Monthly Meeting  
AGENDA  
Town Council Chambers  
390 Virginia St., Suite B  
Thursday, April 28, 2022 7:00 PM**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Minutes
  - a. March 24, 2022\*
  - b. April 7, 2022\*
6. Reports
  - a. Town Administrator
  - b. Treasurer's Report\*
  - c. Finance Committee
  - d. Pool Committee
  - e. Water Committee
  - f. Planning Commission
  - g. 2<sup>nd</sup> Saturdays
  - h. Urbanna Creek Kayak Trail Update
7. Public Comment
8. Public Comment Response Period
9. Presentation
  - a. UBI-Bristow Pavilion
  - b. Middlesex Rescue Squad-New Building
10. Old Business
  - a. Virginia Main Street Program\*
11. New Business
  - a. Recognition of Service-Alana Courtney
  - b. Bristow Pavilion
12. Announcements
13. Adjourn

\*Document included in meeting packet

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**Agenda Item Summary**  
**April 28, 2022**

**Agenda Item:** March 24, 2022 Monthly Meeting Minutes  
April 7, 2022 Special Meeting Minutes

**Fiscal Impact:** NA

**Staff Recommendation:** Approve minutes as presented

**Council Action Requested:** Yes

**Sample Motion(s):**

Motion to approve the minutes of the March 24, 2022 Urbanna Town Council Monthly Meeting minutes and the April 7, 2022 Special Meeting minutes as presented.

Draft minutes attached

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**Town of Urbanna  
Town Council  
Monthly Meeting  
Council Chambers-390 Virginia St. Suite B  
March 24, 2022**

**CALL TO ORDER & ROLL CALL**

Mayor Hartley called the meeting to order at 7:02pm

**Present**

Mayor Barbara Hartley  
Council Members  
Marjorie Austin  
Larry Chowning  
Bill Goldsmith  
Merri Hanson-electronic participation-left meeting at approximately 9:00pm  
Bill Smith  
Garth Wheeler-Town Administrator  
Roy Kime-Zoning Administrator  
Michele Hutton-Town Treasurer  
Martha Rodenburg-Town Clerk  
Andrea Erard-Town Attorney  
Members of the public and press

**Absent**

Councilmember Hollberg

Councilmember Hanson requested to participate electronically from San Diego, CA while she is with family during her infant grandson's cancer treatment.

**Councilmember Austin moved to allow Councilmember Hanson to participate electronically**

**Councilmember Goldsmith seconded**

**Austin, Chowning, Goldsmith, Smith, and Hartley voted yes**

**Motion passed 5-0**

All present said the Pledge of Allegiance

**APPROVAL OF AGENDA**

**Councilmember Austin moved to approve the agenda as presented**

**Councilmember Smith seconded**

**Austin, Chowning, Goldsmith, Hanson, Smith, and Hartley voted yes**

**Motion passed 6-0**

**APPROVAL OF MINUTES**

**Councilmember Austin made a motion to approve the March 10, 2022 work session minutes as presented**

Martha Rodenburg, Town Clerk stated there would be a correction made to correct a typo she made on page 4 of the [March 10, 2022] minutes

**Councilmember Austin amended her motion [to approve the March 10, 2022 minutes] with the correction**

**Councilmember Smith seconded**

**Austin, Chowning, Goldsmith, Hanson, Smith, and Hartley voted to accept the amended motion**  
**Motion passed 6-0**

**Councilmember Austin made a motion for the cigarette tax to be direct deposited into the historic trust account monthly instead of quarterly**

**Councilmember Goldsmith seconded**

After discussion regarding the timing of the receipt of cigarette tax payments, the wording of the motion was changed to:

**The cigarette tax, when presented to the town shall be directly deposited to the Historic Trust account**

**Austin, Chowning, Goldsmith, Hanson, Smith, and Hartley voted yes**

**Motion passed 6-0**

## **REPORTS**

### **Town Administrator**

Garth Wheeler reported

- He recently attended Kiwanis meeting and updated them on projects and other things happening in the town
- Meeting on March 17<sup>th</sup> Friends of Rappahannock & Oyster Festival Foundation
  - Grant funding for projects discussed, including Coastal Resiliency grant to fix coastline around marina
  - Grant funding for Oyster Festival to make improvements on their property
- Roy Kime attended presentation by MCSO and DWR (3 reps) regarding recent diseased raccoons
  - Recommendations given to mitigate spread
    - Remove any food and water left outdoors for animals
    - Secure household trash
  - Animals only tested for rabies if human is bitten

### **Treasurer's Report**

Michele Hutton presented the February 2022 Treasurer's Report (report attached)

### **Finance Committee**

Councilmember Goldsmith reported

- Rough draft of FY 2022-2023 almost complete
- Report will be given to Council the end of next month

### **Pool Committee**

Councilmember Goldsmith reported

- Geanie Longest has offered to help with fundraising events such as oyster roasts/BBQ
- Kristi Anzivino contacted MHS swimming to generate interest
- Garth Wheeler speaking with banks regarding loans
- Project is moving forward
- Possible grant opening in September
  - Shovel ready project
  - This is a reimbursement grant, funding required to be in place

### **Water Committee**

Councilmember Smith reported

- Meeting held March 7
- AH Environmental is researching 6 different funding sources for grants and/or loans

## **Planning Commission**

Councilmember Hanson reported

- Developing a workshop on May 10 to investigate ways to reinvigorate the town physically and economically
- Councilmember Hanson and Roy Kime will be attending the national conference of the Main Street America program
  - National program for economic and downtown development
- Commission members have met with Virginia Main Street (part of Virginia Department of Community and Housing Development) to assist in developing a plan and identify grants
- Recommended joining at their first tier “Exploring Main Street”, a resolution is required and will be brought to Council at a later date

## **PUBLIC COMMENT**

There was no public comment

## **OLD BUSINESS**

### **Friends of Urbanna Funding-Founder’s Day**

Councilmember Austin made a motion to approve providing \$2,400.00 to the Friends of Urbanna to support their efforts in planning and execution of the 9<sup>th</sup> Annual Founder’s Day Celebration to be held August 6, 2022.

Councilmember Smith seconded

Austin, Chowning, Goldsmith, Hanson, Smith, and Hartley voted yes

Motion passed 6-0

### **Urbanna Creek Water Trail-Intermediate Kayak Trail Marker Update**

Councilmember Chowning presented a rough draft of the text for the trail markers on the intermediate level portion of the Urbanna Creek Water Trail. This draft has been sent to the Middle Peninsula Planning District Commission (MPPDC). At this time, there are 26 different possible sites.

Councilmember Chowning added he was leading a tour of the town to residents of Westminster Canterbury, and suggested the town have volunteers available to give tours/historical talks to groups that may be interested.

## **Second Saturdays**

Councilmember Austin reported this event has evolved into an event to be held in the Town Green and near Portside Grill.

- Second Saturday of the month-May thru October from 4:00pm-8:00pm
- Beer served
- Open mic entertainment
- Possible car show
- Snow cone vendor
- Possible pizza vendor
- Plan to start on a smaller scale and grow as needed
- Poster/flyer art has been produced

## **NEW BUSINESS**

### **Volunteer Appreciation Event**

Garth Wheeler introduced a proposal to hold a volunteer appreciation event on Friday, April 22, 2022 at the Portside Grill. The proposal from Portside Grill is \$4,200

Mayor Hartley commented that everyone wants volunteers honored, but how deep and broad should the guest list be. Should only volunteers & staff be included.

Discussion took place regarding the scope of who was being invited. The list includes Town Council, Town Staff, project volunteers, and various members of the area instrumental in aiding the town.

Garth Wheeler added the average volunteer saves the town approximately \$28/hour

**Councilmember Smith made a motion to approve holding a Volunteer Appreciation Event on April 22, 2022 at a cost of \$4,602.00 to celebrate our volunteers.**

**Councilmember Austin seconded**

**Austin, Chowning, Goldsmith, Hanson, Smith, and Hartley voted yes**

**Motion passed 6-0**

#### **Museum Painting Contract**

Garth Wheeler commented the museum is in need of painting. With its historical significance and as an important amenity in the town, it is important to have the building cleaned, painted, and windows caulked. Partlett's Painting has provided a contract in the amount of \$9375.00

Councilmember Austin inquired as to whether or not they are familiar with historical structures. Garth Wheeler responded Partlett's was familiar with historical properties and had completed projects in Williamsburg, as well as buildings in Urbanna.

Work would not begin until after the study by historical architect is completed and funds would come from the Historic Trust.

**Councilmember Austin made a motion to go ahead and hire Partlett's to do the work on the museum for the total cost of \$9375.00**

**Councilmember Goldsmith seconded**

**Austin, Chowning, Goldsmith, Smith, and Hartley voted yes**

**Motion passed 5-0**

#### **Taber Park Pool-proposed fees**

Councilmember Goldsmith presented the most recent proposal for pool membership fees to be charged when the new Taber Park pool opens.

(Proposal attached)

- Funding needs to be in place not only for construction, but continuing maintenance
- Middlesex County has not yet said whether or not it will provide funding for project, but it should be accessible to Middlesex residents as it will be the only pool acceptable for competition in Middlesex.
- Friends of Urbanna has agreed to accept donations on behalf of town for pool due to their 501(c)(3)

#### **Virginia Main Street Program**

Covered during Planning Commission report

#### **ANNOUNCEMENTS**

Garth Wheeler announced the proposed changes to the Town Charter had passed the General Assembly and awaiting the Governor's signature.

#### **ADJOURN**

**Councilmember Austin made a motion to adjourn**

**Councilmember Smith seconded**

**Austin, Chowning, Goldsmith, Smith, and Hartley voted yes**

**Motion passed 5-0**



**Meeting adjourned at 8:26pm**

**Submitted by:**

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**Martha J. Rodenburg**

**Town Clerk**

**Approved by Town Council xx/xx/xxxx**

DRAFT



## Treasurer's Report

Account Balance thru <b>2/28/2022</b>	Prior Year	Prior Month	Statement Date
	<b>2/28/21</b>	<b>1/31/22</b>	<b>2/28/22</b>
Primis Bank General Operating Bank Account	577,386.26	781,159.96	717,478.84
Renter Water Deposits	-14,736.66	-14,401.66	-14,511.66
Net Operating General Bank Account	566,382.55	776,520.72	711,142.69
TRUIST Historic Trust	17,503.78	23,046.66	23,046.84
TRUIST Pool Replacement Account	36,759.73	36,763.10	36,763.38
Primis Bank Water Fund Reserve	113,579.49	113,939.55	113,965.77
Primis Bank General Fund Reserve	94,508.36	94,719.98	94,734.51
Primis Bank Cares Local Recovery	n/a	237,651.86	237,660.98
Primis Bank DMV	n/a	100.00	100.00
Taber Trust – Account Value as of 12/31/2021		1,502,728.75	
	<b>2/28/21</b>	<b>1/31/22</b>	<b>2/28/22</b>
Meals Tax collected in February	6,113.26	7,724.74	8,064.21
Lodging Tax collected in February	2,475.45	3,032.54	460.73
Cigarette Tax collected in February	n/a	491.57	741.08

### **FEBRUARY EXPENDITURES:**

\$10,000 to Library  
\$10,000 to Middlesex Fire Dept.

### **REVENUE as of 2/28/2022**

- Collected Real Estate \$7,931.54 (Grand Total Year \$250,042.11)
- Collected Real Estate Delinquent \$00.00  
Delinquent RE Bills Mailed 2/4/22 – Past Due totaling \$12,521.86
- Personal Property \$36.31 (Grand Total Year \$8,573.79)
- Oyster Fest Meals Tax for Nov/Dec/Jan \$10,418.00 - 4 vendors unpaid

March 3, 2022  
02:12 PM

**RE CURRENT & DELINQUENT**

Town of Urbanna  
2022 Revenue Summary by Month

Range of Accounts: 100-11010-0001 to 100-11010-0002 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 03/03/22  
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Total											
100-11010-0001	Current Real Estate Taxes										
249927.05	0.00	0.00	361.79	1908.08	86912.74	149606.91	3161.13	7931.54	44.86	0.00	
100-11010-0002	Real Estate Tax - Delinquent										
115.06	0.00	0.00	0.00	0.00	0.00	88.09	26.97	0.00	0.00	0.00	
Fund Total											
250042.11	0.00	0.00	361.79	1908.08	86912.74	149695.00	3188.10	7931.54	44.86	0.00	
Grand Total	Count: 2										
250042.11	0.00	0.00	361.79	1908.08	86912.74	149695.00	3188.10	7931.54	44.86	0.00	

March 3, 2022  
02:14 PM

**PERSONAL PROPERTY CURRENT & DELINQUENT**

Town of Urbanna  
2022 Revenue Summary by Month

Range of Accounts: 100-11030-0001 to 100-11030-0002 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 03/03/22  
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Total											
100-11030-0001	Current Year Personal Property										
8380.50	0.00	0.00	14.85	7.70	4211.73	4065.73	42.59		36.31	1.59	0.00
100-11030-0002	Delinquent Personal Property										
193.29	0.00	115.35	0.00	0.74	40.69	28.84	7.67		0.00	0.00	0.00
Fund Total											
8573.79	0.00	115.35	14.85	8.44	4252.42	4094.57	50.26		36.31	1.59	0.00
Grand Total	Count: 2										
8573.79	0.00	115.35	14.85	8.44	4252.42	4094.57	50.26		36.31	1.59	0.00



**MEALS TAX**March 3, 2022  
02:03 PMTown of Urbanna  
2022 Revenue Summary by Month

Range of Accounts: 100-12110-0001 to 100-12110-0001 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 03/03/22  
Subtotal CAFR: No

Account No	Description	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Total	Jul									
100-12110-0001	Meals Tax - Local									
98142.95	14800.26	16638.47	13800.94	15596.12	12199.80	9318.41	7724.74	8064.21	0.00	0.00
Fund Total										
98142.95	14800.26	16638.47	13800.94	15596.12	12199.80	9318.41	7724.74	8064.21	0.00	0.00
Grand Total Count: 1										
98142.95	14800.26	16638.47	13800.94	15596.12	12199.80	9318.41	7724.74	8064.21	0.00	0.00

**LODGING TAX**March 3, 2022  
02:07 PMTown of Urbanna  
2022 Revenue Summary by Month

Range of Accounts: 100-12100-0001 to 100-12100-0001 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 03/03/22  
Subtotal CAFR: No

Account No	Description	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Total	Jul									
100-12100-0001	Lodging Tax									
14636.57	3166.70	1625.18	2123.60	2358.88	653.34	1215.60	3032.54	460.73	0.00	0.00
Fund Total										
14636.57	3166.70	1625.18	2123.60	2358.88	653.34	1215.60	3032.54	460.73	0.00	0.00
Grand Total Count: 1										
14636.57	3166.70	1625.18	2123.60	2358.88	653.34	1215.60	3032.54	460.73	0.00	0.00

**CIGARETTE TAX**March 3, 2022  
02:23 PMTown of Urbanna  
2022 Revenue Summary by Month

Range of Accounts: 100-12040-0001 to 100-12040-0001 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 03/03/22  
Subtotal CAFR: No

Account No	Description	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Total	Jul									
100-12040-0001	CIGARETTE TAX									
3582.49	0.00	0.00	0.00	472.95	1493.32	383.57	491.57	741.08	0.00	0.00
Fund Total										
3582.49	0.00	0.00	0.00	472.95	1493.32	383.57	491.57	741.08	0.00	0.00
Grand Total	Count: 1									
3582.49	0.00	0.00	0.00	472.95	1493.32	383.57	491.57	741.08	0.00	0.00

**WATER SALES**March 3, 2022  
02:22 PMTown of Urbanna  
2022 Revenue Summary by Month

Range of Accounts: 500-17010-0001 to 500-17010-0001 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 03/03/22  
Subtotal CAFR: No

Account No	Description	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
Total	Jul									
500-17010-0001	Water Sales Charges									
229867.14	16617.35	54615.16	15450.08	45620.23	14608.38	37425.02	5152.05	40378.87	0.00	0.00
Fund Total										
229867.14	16617.35	54615.16	15450.08	45620.23	14608.38	37425.02	5152.05	40378.87	0.00	0.00
Grand Total	Count: 1									
229867.14	16617.35	54615.16	15450.08	45620.23	14608.38	37425.02	5152.05	40378.87	0.00	0.00

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**Town of Urbanna  
Town Council  
Special Meeting  
Council Chambers-390 Virginia St. Suite B  
April 7, 2022**

**CALL TO ORDER & ROLL CALL**

Mayor Hartley called the meeting to order at 7:00pm

**Present**

Mayor Barbara Hartley  
Council Members  
    Larry Chowning  
    Bill Goldsmith  
    Steve Hollberg  
    Bill Smith  
Garth Wheeler-Town Administrator  
Roy Kime-Zoning Administrator  
Martha Rodenburg-Town Clerk

**Absent**

Councilmember Marjorie Austin  
Councilmember Merri Hanson

All present said the Pledge of Allegiance

**APPROVAL OF AGENDA**

**Councilmember Smith moved to approve the agenda**

**Councilmember Goldsmith seconded**

**Chowning, Goldsmith, Hollberg, Smith, and Hartley voted yes**

**Motion passed 5-0**

**PUBLIC HEARING**

A public hearing took place to solicit comments on Ordinance No. 22-01 which contains proposed floodplain (zoning ordinance and map) revisions that are required by state and federal law. These revisions govern development in mapped floodplain areas. The proposed changes to the existing Floodplain Ordinance are mandated by the Federal Emergency Management Agency (FEMA) and are necessary for the Town to participate in the National Flood Insurance Program (NFIP).

Garth Wheeler presented the proposed Ordinance No. 20-11

Councilmember Hollberg commented the map included with the proposed ordinance was not clear.

Mr. Wheeler responded the map was produced from the FEMA website, but agreed it was not clear. Several local jurisdictions do not include a map with their Floodplain Ordinances.

Discussion took place regarding the necessity of including a map that does not provide clear information.

Mr. Wheeler suggested following the format used by Middlesex County, which does not include the map, and use the document as proposed, without the map. The proposed ordinance was developed using FEMA guidelines and language.

Councilmember Hollberg recommended removing the map from the proposed ordinance, and amending in the future, if needed, to include a clear map.

There were no members of the public present to comment.

**Councilmember Hollberg made a motion to approve Ordinance No. 22-01, without the map attached in the proposed ordinance. (Ordinance attached to minutes)**

**Councilmember Goldsmith seconded**

**Chowning, Goldsmith, Hollberg, Smith, and Hartley voted yes**

**Motion passed 5-0**

**Public Hearing concluded**

**Councilmember Goldsmith made a motion, based on the recommendation of Garth Wheeler, to cancel the April 14, 2022 meeting, with the next meeting being the Monthly Meeting of the Town Council on April 28, 2022.**

**Councilmember Hollberg seconded**

**Chowning, Goldsmith, Hollberg, Smith, and Hartley voted yes**

**Motion passed 5-0**

#### **ADJOURN**

**Councilmember Smith made a motion to adjourn**

**Councilmember Goldsmith seconded**

**Chowning, Goldsmith, Hollberg, Smith, and Hartley voted yes**

**Motion passed 5-0**

Meeting adjourned at 7:19pm

**Submitted by:**

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**Martha J. Rodenburg**

**Town Clerk**

**Approved by Town Council xx/xx/xxxx**



## **ORDINANCE NO. 22-01**

ORDINANCE NO. 22-01 DELETES §17.4-11, "FLOOD PLAIN AREAS" OF THE URBANNA TOWN CODE, AND ADDS § 15.1, "FLOODPLAIN MANAGEMENT," BY ESTABLISHING FLOODPLAIN DISTRICTS, REQUIRING THE ISSUANCE OF PERMITS FOR DEVELOPMENT, AND BY PROVIDING FACTORS AND CONDITIONS FOR VARIANCES; THE ORDINANCE CONTAINS PROPOSED FLOODPLAIN (ZONING ORDINANCE AND MAP) REVISIONS THAT ARE REQUIRED BY STATE AND FEDERAL LAW. THESE REVISIONS GOVERN DEVELOPMENT IN MAPPED FLOODPLAIN AREAS. THE PROPOSED CHANGES TO THE EXISTING FLOODPLAIN ORDINANCE ARE MANDATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND ARE NECESSARY FOR THE TOWN TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP).

BE IT ORDAINED by the Urbanna Town Council pursuant to the grant of authority contained in Virginia Code section 10.1-600 et seq. that the Urbanna Town Code, § 17.4-11, "Flood Plain Areas" shall be deleted and replaced with Chapter 15.1, "Floodplain Management," Sections 15.1- through 15.1-22 shall be added to the Town Code to read in their entirety as follows:

### **"15.1-1. Purpose.**

The purpose of these provisions is to prevent: the loss of life, health, or property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:

- A. Regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies;
- B. Restricting or prohibiting certain uses, activities, and development from locating within districts subject to flooding;
- C. Requiring all those uses, activities, and developments that do occur in flood-prone districts to be protected and/or floodproofed against flooding and flood damage; and,
- D. Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

### **15.1-2. Applicability.**

These provisions shall apply to all privately and publicly owned lands within the jurisdiction of the Town of Urbanna and identified as areas of special flood hazard shown on the flood insurance rate map (FIRM) or included in the flood insurance study (FIS) that are provided to the Town of Urbanna by FEMA.

### **15.1-3. Compliance and Liability.**

- A. No land shall hereafter be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged, or structurally altered except in full compliance with the terms and provisions of this ordinance and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this ordinance.
- B. The degree of flood protection sought by the provisions of this ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study, but does not imply total flood protection. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that districts outside the floodplain district or land uses permitted within such district will be free from flooding or flood damages.
- C. This ordinance shall not create liability on the part of The Town of Urbanna or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.
- D. Records of actions associated with administering this ordinance shall be kept on file and maintained by or under the direction of the Floodplain Administrator in perpetuity.

### **15.1-4. Abrogation and Greater Restrictions.**

To the extent that the provisions are more restrictive, this ordinance supersedes any ordinance currently in effect in flood-prone districts. To the extent that any other existing law or regulation is more restrictive or does not conflict it shall remain in full force and effect.

These regulations are not intended to repeal or abrogate any existing ordinances including subdivision regulations, zoning ordinances, or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall govern.

### **15.1-5. Severability.**

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this ordinance. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this ordinance are hereby declared to be severable.

### **15.1-6. Penalty for Violations.**

Any person who fails to comply with any of the requirements or provisions of this ordinance shall be fined in accordance with state law. In addition, other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by the Town of Urbanna to be a public

nuisance and abatable as such. Flood insurance may be withheld from structures constructed in violation of this article.

#### **15.1-7. Designation of the Floodplain Administrator.**

The Floodplain Administrator is hereby appointed to administer and implement this ordinance and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may:

- A. Do the work himself/herself. In the absence of a designated Floodplain Administrator, the duties are conducted by the Town of Urbanna's Town Administrator.
- B. Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.
- C. Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

#### **15.1-8. Duties and Responsibilities of the Floodplain Administrator.**

The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

- A. Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area (SFHA).
- B. Interpret floodplain boundaries and provide available base flood elevation and flood hazard information.
- C. Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.
- D. Review applications to determine whether all necessary permits have been obtained from the Federal, State, or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the 100-year frequency floodplain of free-flowing non-tidal waters of the State.
- E. Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (VADEQ, USACE), and have submitted copies of such notifications to FEMA.
- F. Advise applicants for new construction or substantial improvement of structures that are located within an area of the Coastal Barrier Resources System established by the Coastal

Barrier Resources Act that Federal flood insurance is not available on such structures; areas subject to this limitation are shown on Flood Insurance Rate Maps as Coastal Barrier Resource System Areas (CBRS) or Otherwise Protected Areas (OPA).

- G. Approve applications and issue permits to develop in flood hazard areas if the provisions of these regulations have been met, or disapprove applications if the provisions of these regulations have not been met.
- H. Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.
- I. Review Elevation Certificates and require incomplete or deficient certificates to be corrected.
- J. Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for the Town of Urbanna, within six months after such data and information becomes available if the analyses indicate changes in base flood elevations.
- K. Maintain and permanently keep records that are necessary for the administration of these regulations, including:
  - 1. Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps), and Letters of Map Change; and
  - 2. Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been floodproofed, inspection records, other required design certifications, variances, and records of enforcement actions taken to correct violations of these regulations.
- L. Enforce the provisions of these regulations, investigate violations, issue notices of violations or stop work orders, and require permit holders to take corrective action.
- M. Advise the Board of Zoning Appeals regarding the intent of these regulations and, for each application for a variance, prepare a staff report and recommendation.
- N. Administer the requirements related to proposed work on existing buildings:
  - 1. Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.
  - 2. Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct. Prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.

- O. Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in special flood hazard areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.
- P. Notify the Federal Emergency Management Agency when the corporate boundaries of the have been modified and:
  - 1. Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and
  - 2. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.
- Q. Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for development in the SFHA, and number of variances issued for development in the SFHA.
- R. It is the duty of the Community Floodplain Administrator to take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the Community, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

#### **15.1-9. Use and Interpretation of FIRMs.**

The Floodplain Administrator shall make interpretations, where needed, as to the exact location of special flood hazard areas, floodplain boundaries, and floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:

- A. Where field surveyed topography indicates that adjacent ground elevations:
  - 1. Are below the base flood elevation in riverine SFHAs, or below the 1% storm surge elevation in coastal SFHAs, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as special flood hazard area and subject to the requirements of these regulations;

2. Are above the base flood elevation and the area is labelled as a SFHA on the FIRM, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.
- B. In FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.
  - C. Base flood elevations and designated floodway boundaries on FIRMs and in FISs shall take precedence over base flood elevations and floodway boundaries by any other sources if such sources show reduced floodway widths and/or lower base flood elevations.
  - D. Other sources of data shall be reasonably used if such sources show increased base flood elevations and/or larger floodway areas than are shown on FIRMs and in FISs.
  - E. If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA:
    1. Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.
    2. Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to Article III, Section 3.1.A.3 and used where no base flood elevations and/or floodway areas are provided on the effective FIRM.
    3. Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary base flood elevations or floodway areas exceed the base flood elevations and/or designated floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.

#### **15.1-10. Jurisdictional Boundary Changes.**

The County floodplain ordinance in effect on the date of any annexation or boundary adjustment shall remain in effect and shall be enforced by the town for all annexed or boundary adjustment areas until the town adopts and enforces an ordinance which meets the requirements for participation in the National Flood Insurance Program. If the FIRM for any annexed or boundary adjustment area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in this ordinance, the governing body shall prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22(a)(9)(v) all NFIP participating communities must notify the Federal Insurance Administration and

optionally the State Coordinating Office in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.

In order that all Flood Insurance Rate Maps accurately represent the community's boundaries, a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority must be included with the notification.

#### **15.1-11. District Boundary Changes.**

The delineation of any of the Floodplain Districts may be revised by the Town of Urbanna where natural or man-made changes have occurred and/or where more detailed studies have been conducted or undertaken by the U. S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency. A completed LOMR is a record of this approval.

#### **15.1-12. Interpretation of District Boundaries.**

Initial interpretations of the boundaries of the Floodplain Districts shall be made by the Zoning Administrator. Should a dispute arise concerning the boundaries of any of the Districts, the Town Administrator shall make the necessary determination. The person questioning or contesting the location of the District boundary shall be given a reasonable opportunity to present his case to the Town Administrator and to submit his own technical evidence if he so desires.

#### **15.1-13. Submitting Model Backed Technical Data.**

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Emergency Management Agency of the changes by submitting technical or scientific data. The community may submit data via a LOMR. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

#### **15.1-14. Letters of Map Revision.**

When development in the floodplain will cause or causes a change in the base flood elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.

Example cases:

- Any development that causes a rise in the base flood elevations within the floodway.
- Any development occurring in Zones A1-30 and AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation.

- Alteration or relocation of a stream (including but not limited to installing culverts and bridges)

### **15.1-15. Description of Special Flood Hazard Districts.**

#### **A. Basis of Districts**

The various special flood hazard districts shall include the SFHAs. The basis for the delineation of these districts shall be the FIS and the FIRM for the Town of Urbanna prepared by the Federal Emergency Management Agency, Federal Insurance Administration and any subsequent revisions or amendments thereto.

The Town of Urbanna may identify and regulate local flood hazard or ponding areas that are not delineated on the FIRM. These areas may be delineated on a “Local Flood Hazard Map” using best available topographic data and locally derived information such as flood of record, historic high water marks, or approximate study methodologies.

The boundaries of the SFHA Districts are established as shown on the FIRM which is declared to be a part of this ordinance and which shall be kept on file at the Town of Urbanna offices.

1. The Floodway District is in an AE Zone and is delineated, for purposes of this ordinance, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one percent annual chance 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 and designated as Zones A1 – 30 and AE and AH of the above-referenced FIS and shown on the accompanying FIRM.

The following provisions shall apply within the Floodway District of an AE zone:

- a. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently-accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.

Development activities which increase the water surface elevation of the base flood may be allowed, provided that the applicant first applies – with the Town of Urbanna’s endorsement – for a Conditional Letter of Map Revision (CLOMR), and receives the approval of the Federal Emergency Management Agency.

All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of FEMA.



- b. The placement of manufactured homes (mobile homes) is prohibited, except in an existing manufactured home (mobile home) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring, elevation, and encroachment standards are met.
2. The AE, or AH Zones on the FIRM accompanying the FIS shall be those areas for which one-percent annual chance flood elevations have been provided and the floodway has not been delineated. The following provisions shall apply within an AE or AH zone where FEMA has provided base flood elevations:

Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within the areas of special flood hazard, designated as Zones A1-30, AE, or AH on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the Town of Urbanna.

Development activities in Zones A1-30, AE, or AH on the Town of Urbanna's FIRM which increase the water surface elevation of the base flood by more than one foot may be allowed, provided that the applicant first applies – with the Town of Urbanna's endorsement – for a Conditional Letter of Map Revision, and receives the approval of the Federal Emergency Management Agency.

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  3. The A Zone on the FIRM accompanying the FIS shall be those areas for which no detailed flood profiles or elevations are provided, but the one percent annual chance floodplain boundary has been approximated. For these areas, the following provisions shall apply:

The Approximated Floodplain District shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a one percent annual chance floodplain boundary has been approximated. Such areas are shown as Zone A on the maps accompanying the FIS. For these areas, the base flood elevations and floodway information from Federal, State, and other acceptable sources shall be used, when available. Where the specific one percent annual chance flood elevation cannot be determined for this area using other sources of data, such as the U. S. Army Corps of Engineers Floodplain Information Reports, U. S. Geological Survey Flood-Prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this base flood elevation. For development proposed in the approximate floodplain the applicant must use technical methods that correctly reflect currently accepted practices, such as point on boundary, high water marks, or detailed methodologies hydrologic and hydraulic analyses. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.

The Floodplain Administrator reserves the right to require a hydrologic and hydraulic analysis for any development. When such base flood elevation data is utilized, the lowest floor shall be elevated to or above the base flood level plus eighteen (18) inches.

During the permitting process, the Floodplain Administrator shall obtain:

- a. The elevation of the lowest floor (in relation to mean sea level), including the basement, of all new and substantially improved structures; and,
- b. If the structure has been floodproofed in accordance with the requirements of this article, the elevation (in relation to mean sea level) to which the structure has been floodproofed.

Base flood elevation data shall be obtained from other sources or developed using detailed methodologies comparable to those contained in a FIS for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.

4. The AO Zone on the FIRM accompanying the FIS shall be those areas of shallow flooding identified as AO on the FIRM. For these areas, the following provisions shall apply:
  - a. All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to or above the flood depth specified on the FIRM, above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM. If no flood depth number is specified, the lowest floor, including basement, shall be elevated no less than two feet above the highest adjacent grade.
  - b. All new construction and substantial improvements of non-residential structures shall
    - (1) Have the lowest floor, including basement, elevated to or above the flood depth specified on the FIRM, above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least two feet above the highest adjacent grade; or,
    - (2) Together with attendant utility and sanitary facilities be completely floodproofed to the specified flood level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
  - c. Adequate drainage paths around structures on slopes shall be provided to guide floodwaters around and away from proposed structures.
5. The Coastal A Zone is labelled as AE on the FIRM; it is those areas that are seaward of the limit of moderate wave action (LiMWA) line. As defined by the VA USBC,

these areas are subject to wave heights between 1.5 feet and 3 feet. For these areas, the following provisions shall apply:

Buildings and structures within this zone shall have the lowest floor elevated to or above the base flood elevation plus one foot of freeboard, and must comply with this ordinance.

6. The VE or V Zones on FIRMs accompanying the FIS shall be those areas that are known as Coastal High Hazard areas, extending from offshore to the inland limit of a primary frontal dune along an open coast or other areas subject to high velocity waves. For these areas, the following provisions shall apply:
  - a. All new construction and substantial improvements in Zones V and VE, including manufactured homes, shall be elevated on pilings or columns so that:
    - (1) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level plus eighteen (18) inches. if the lowest horizontal structural member is parallel to the direction of wave approach or elevated at least two feet above the base flood level if the lowest horizontal structural member is perpendicular to the direction of wave approach; and,
    - (2) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (one-percent annual chance).
  - b. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Article III, Section A.6.a.
  - c. The Floodplain Administrator shall obtain the elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in Zones V and VE. The Floodplain Management Administrator shall maintain a record of all such information.
  - d. All new construction shall be located landward of the reach of mean high tide.
  - e. All new construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood-lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this Section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds

per square foot (either by design or when so required by local codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

- (1) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
  - (2) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year.
- f. The enclosed space below the lowest floor shall be used solely for parking of vehicles, building access, or storage. Such space shall not be partitioned into multiple rooms, temperature-controlled, or used for human habitation. The enclosed space shall be less than 300 square feet.
  - g. The use of fill for structural support of buildings is prohibited. When non-structural fill is proposed in a coastal high hazard area, appropriate engineering analyses shall be conducted to evaluate the impacts of the fill prior to issuance of a permit.
  - h. The man-made alteration of sand dunes, which would increase potential flood damage, is prohibited.
7. The mapped floodplain includes all of the above regions and also the regions designated as having a 0.2 percent annual chance of flooding on any flood map or flood insurance study. In this area no emergency service, medical service, or governmental records storage shall be allowed except by special exception using the variance process.

## **15.1-16. Permit and Application Requirements.**

### **A. Permit Requirement**

All uses, activities, and development occurring within any floodplain district, including placement of manufactured homes, shall be undertaken only upon the issuance of a permit. Such development shall be undertaken only in strict compliance with the provisions of this Ordinance and with all other applicable codes and ordinances, as amended, such as the Virginia Uniform Statewide Building Code (VA USBC) and the Town of Urbanna. Subdivision Regulations. Prior to the issuance of any such permit, the Floodplain Administrator shall require all applications to include compliance with all applicable State and Federal laws and shall review all sites to assure they are reasonably safe from flooding. 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.

### **B. Site Plans and Permit Applications**

All applications for development within any floodplain district and all permits issued for the floodplain shall incorporate the following information:

1. The elevation of the Base Flood at the site.
2. For structures to be elevated, the elevation of the lowest floor (including basement) or, in V zones, the lowest horizontal structural member.
3. For structures to be floodproofed (non-residential only), the elevation to which the structure will be floodproofed.
4. Topographic information showing existing and proposed ground elevations.

#### **15.1-17. General Standards.**

The following provisions shall apply to all permits:

- A. New construction and substantial improvements shall be built according to this ordinance and the VA USBC, and anchored to prevent flotation, collapse, or lateral movement of the structure.
- B. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state anchoring requirements for resisting wind forces.
- C. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- D. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- E. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- F. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- G. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- H. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

In addition to provisions A – H above, in all special flood hazard areas, the additional provisions shall apply:

- I. Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U. S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations). Furthermore, in riverine areas, notification of the proposal shall be given by the applicant to all affected adjacent jurisdictions, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), other required agencies, and the Federal Emergency Management Agency.
- J. The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.

### **15.1-18. Elevation and Construction Standards.**

In all identified flood hazard areas where base flood elevations have been provided in the FIS or generated by a certified professional the following provisions shall apply:

#### **A. Residential Construction**

New construction or substantial improvement of any residential structure (including manufactured homes) in Zones A1-30, AE, AH, and A with detailed base flood elevations shall have the lowest floor, including basement, elevated to or above the base flood level plus eighteen(18) inches.

#### **B. Non-Residential Construction**

1. New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated to or above the base flood level plus eighteen (18) inches.
2. Non-residential buildings located in all A1-30, AE, and AH zones may be floodproofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the BFE plus two feet are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification, including the specific elevation (in relation to mean sea level) to which such structures are floodproofed, shall be maintained by (title of community administrator).

#### **C. Space Below the Lowest Floor**

In zones A, AE, AH, AO, and A1-A30, fully enclosed areas, of new construction or substantially improved structures, which are below the regulatory flood protection elevation shall:

1. Not be designed or used for human habitation, but shall be used solely for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of

maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).

2. Be constructed entirely of flood resistant materials below the regulatory flood protection elevation;
3. Include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:
  - a. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.
  - b. The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.
  - c. If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.
  - d. The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.
  - e. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
  - f. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

D. Accessory Structures

1. Accessory structures in the SFHA shall comply with the elevation requirements and other requirements of Article IV, Section 4.3.B or, if not elevated or dry floodproofed, shall:
  - a. Not be used for human habitation;
  - b. Be limited to no more than 600 square feet in total floor area;
  - c. Be useable only for parking of vehicles or limited storage;
  - d. Be constructed with flood damage-resistant materials below the base flood elevation;
  - e. Be constructed and placed to offer the minimum resistance to the flow of floodwaters;

- f. Be anchored to prevent flotation;
- g. Have electrical service and mechanical equipment elevated to or above the base flood elevation;
- h. Shall be provided with flood openings which shall meet the following criteria:
  - (1) There shall be a minimum of two flood openings on different sides of each enclosed area; if a building has more than one enclosure below the lowest floor, each such enclosure shall have flood openings on exterior walls.
  - (2) The total net area of all flood openings shall be at least 1 square inch for each square foot of enclosed area (non-engineered flood openings), or the flood openings shall be engineered flood openings that are designed and certified by a licensed professional engineer to automatically allow entry and exit of floodwaters; the certification requirement may be satisfied by an individual certification or an Evaluation Report issued by the ICC Evaluation Service, Inc.
  - (3) The bottom of each flood opening shall be 1 foot or less above the higher of the interior floor or grade, or the exterior grade, immediately below the opening.
  - (4) Any louvers, screens or other covers for the flood openings shall allow the automatic flow of floodwaters into and out of the enclosed area.
- i. A signed Declaration of Land Restriction (Non-Conversion Agreement) shall be recorded on the property deed.

**E. Standards for Manufactured Homes and Recreational Vehicles**

- 1. In zones A, AE, AH, and AO, all manufactured homes placed, or substantially improved, on individual lots or parcels, must meet all the requirements for new construction, including the elevation and anchoring requirements in Article III, Section 3.1.A.6 and Article IV, Sections 4.2 and 4.3.
- 2. All recreational vehicles placed on sites must either:
  - a. Be on the site for fewer than 180 consecutive days, be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or
  - b. Meet all the requirements for manufactured homes in Article IV, Section 4.3.E.1.

**15.1-19. Standards for Subdivision Proposals.**

- A. All subdivision proposals shall be consistent with the need to minimize flood damage;



- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and
- D. Base flood elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a Flood Insurance Study for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.

#### **15.1-20. Existing Structures In Floodplain Areas.**

Any structure or use of a structure or premises must be brought into conformity with these provisions when it is changed, repaired, or improved unless one of the following exceptions is established before the change is made:

- A. The floodplain manager has determined that:
  - 1. Change is not a substantial repair or substantial improvement AND
  - 2. No new square footage is being built in the floodplain that is not complaint AND
  - 3. No new square footage is being built in the floodway AND
  - 4. The change complies with this ordinance and the VA USBC AND
  - 5. The change, when added to all the changes made during a rolling 5-year period does not constitute 50% of the structure's value.
- B. The changes are required to comply with a citation for a health or safety violation.
- C. The structure is a historic structure and the change required would impair the historic nature of the structure.

#### **15.1-21. VARIANCES: FACTORS TO BE CONSIDERED**

Variances shall be issued only upon (i) a showing of good and sufficient cause, (ii) after the Town Administrator has determined that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) after the Town Administrator has determined that the granting of such variance will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

While the granting of variances generally is limited to a lot size less than one-half acre, deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases. Variances may be issued by the

Town Administrator for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of this Section.

Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

In passing upon applications for variances, the Town Administrator shall satisfy all relevant factors and procedures specified in other sections of the zoning ordinance and consider the following additional factors:

- A. The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development, or activity within any Floodway District that will cause any increase in the one percent (1%) chance flood elevation.
- B. The danger that materials may be swept on to other lands or downstream to the injury of others.
- C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
- D. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
- E. The importance of the services provided by the proposed facility to the community.
- F. The requirements of the facility for a waterfront location.
- G. The availability of alternative locations not subject to flooding for the proposed use.
- H. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- I. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
- J. The safety of access by ordinary and emergency vehicles to the property in time of flood.
- K. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
- L. The historic nature of a structure. Variances for repair or rehabilitation of historic structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

M No variance shall be granted for an accessory structure exceeding 600 square feet.

Such other factors which are relevant to the purposes of this Ordinance.

The Town Administrator may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.

Variances shall be issued only after the Town Administrator has determined that the granting of such will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

Variances shall be issued only after the Town Administrator has determined that the variance will be the minimum required to provide relief.

The Town Administrator shall notify the applicant for a variance, in writing that the issuance of a variance to construct a structure below the one percent (1%) chance flood elevation (a) increases the risks to life and property and (b) will result in increased premium rates for flood insurance.

A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances that are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.

#### **15.1-22. Definitions.**

- A. Appurtenant or accessory structure - A non-residential structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures are not to exceed 600 square feet.
- B. Base flood - The flood having a one percent chance of being equalled or exceeded in any given year.
- C. Base flood elevation - The water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. The water surface elevation of the base flood in relation to the datum specified on the community's Flood Insurance Rate Map. For the purposes of this ordinance, the base flood is the 1% annual chance flood.
- D. Basement - Any area of the building having its floor sub-grade (below ground level) on all sides.
- E. Board of Zoning Appeals - The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance.
- F. Coastal A Zone - Flood hazard areas that have been delineated as subject to wave heights between 1.5 feet and 3 feet.
- G. Development - Any man-made change to improved or unimproved real estate, including,

but not limited to, buildings or other structures, temporary structures, mining, dredging, filling, grading, paving, excavation, drilling or other land-disturbing activities or permanent or temporary storage of equipment or materials.

- H. Elevated building - A non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, or columns (posts and piers).
- I. Encroachment - The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
- J. Existing construction - For the purposes of the insurance program, structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975 for FIRMs effective before that date. “Existing construction” may also be referred to as “existing structures” and “pre-FIRM.”
- K. Flood or flooding -
  - 1. A general or temporary condition of partial or complete inundation of normally dry land areas from:
    - a. The overflow of inland or tidal waters; or,
    - b. The unusual and rapid accumulation or runoff of surface waters from any source.
    - c. Mudflows which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
  - 2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1 (a) of this definition.
- L. Flood Insurance Rate Map (FIRM) - an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
- M. Flood Insurance Study (FIS) - a report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.
- N. Floodplain or flood-prone area - Any land area susceptible to being inundated by water from any source.
- O. Floodproofing - any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved

real property, water and sanitary facilities, structures and their contents.

- P. Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point within the community.
- Q. Freeboard - A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.
- R. Functionally dependent use - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- S. Highest adjacent grade - the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- T. Historic structure - Any structure that is:
1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
  2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
  3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
  4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
    - a. By an approved state program as determined by the Secretary of the Interior; or,
    - b. Directly by the Secretary of the Interior in states without approved programs.
- U. Hydrologic and Hydraulic Engineering Analysis - Analyses performed by a licensed professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation and FEMA, used to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.
- V. Letters of Map Change (LOMC) - A Letter of Map Change is an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA) - An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a land as defined by meets and bounds or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR) - A revision based on technical data that may show changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR) - A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study.

- W. Lowest adjacent grade - the lowest natural elevation of the ground surface next to the walls of a structure.
- X. Lowest floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.
- Y. Manufactured home - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.
- Z. Manufactured home park or subdivision - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- AA. Mean Sea Level – for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988 to which base flood elevations shown on a community's FIRM are referenced.
- BB. New construction - For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after January 18, 1989, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.
- CC. Post-FIRM structures - A structure for which construction or substantial improvement occurred on or after January 18, 1989.
- DD. Pre-FIRM structures - A structure for which construction or substantial improvement

occurred before January 18, 1989.

- EE. Primary frontal dune - a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms.
- FF. Recreational vehicle - A vehicle which is:
1. Built on a single chassis;
  2. 400 square feet or less when measured at the largest horizontal projection;
  3. Designed to be self-propelled or permanently towable by a light duty truck; and,
  4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.
- GG. Repetitive Loss Structure - A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions in a 10-year period, in which the cost of the repair, on the average, equalled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.
- HH. Severe repetitive loss structure - a structure that: (a) Is covered under a contract for flood insurance made available under the NFIP; and (b) Has incurred flood related damage - (i) For which 4 or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or (ii) For which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.
- II. Shallow flooding area - A special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- JJ. Special flood hazard area - The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article 3, Section 3.1 of this ordinance.
- KK. Start of construction - For other than new construction and substantial improvement, under the Coastal Barriers Resource Act (P.L. – 97-348), means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the

installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

- LL. Structure - for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
- MM. Substantial damage - Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. It also means flood-related damages sustained by a structure on two occasions in a 10-year period, in which the cost of the repair, on the average, equals or exceeds 25 percent of the market value of the structure at the time of each such flood event.
- NN. Substantial improvement - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. The term does not, however, include either:
1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
  2. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.
  3. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.
- OO. Violation - the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.
- PP. Watercourse - A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.”



This Ordinance shall take effect upon adoption.

Adopted: April 7, 2022

Certified to be true and accurate:



---

Martha J Rodenburg, Clerk

Hartley	AYE
Austin	ABSENT
Chowning	AYE
Goldsmith	AYE
Hanson	ABSENT
Hollberg	AYE
Smith	AYE

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## **Agenda Item Summary**

**Agenda Item: #6-Reports**

**Background: Administrative and Committee reports**

**Fiscal Impact: NA**

**Staff Recommendation: NA**

**Council Action Requested: NA**

### **Reports Scheduled**

Town Administrator-Garth Wheeler  
Treasurer's Report (document attached)-Michele Hutton  
Finance Committee-Bill Goldsmith  
Pool Committee-Bill Goldsmith  
Water Committee-Bill Smith  
Planning Commission-Merri Hanson  
2<sup>nd</sup> Saturdays-Marjorie Austin  
Urbanna Creek Kayak Trail-TBD

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## Treasurer's Report

Account Balance thru <b>3/31/2022</b>	Prior Year	Prior Month	Statement Date
	<b>3/31/21</b>	<b>2/28/22</b>	<b>3/31/22</b>
Primis Bank General Operating Bank Account	572,951.52	781,159.96	695,908.41
Renter Water Deposits	-14,736.66	-14,401.66	14,426.66
Net Operating General Bank Account	567,373.51	776,520.72	689,088.34
TRUIST Historic Trust	17,543.93	23,046.66	23,516.26
TRUIST Pool Replacement Account	36,760.04	36,763.10	36,763.69
Primis Bank Water Fund Reserve	113,615.43	113,939.55	113,994.81
Primis Bank General Fund Reserve	94,529.72	94,719.98	94,750.60
Primis Bank Cares Local Recovery	0.00	237,651.86	237,671.07
Primis Bank DMV	0.00	100.00	464.31
Taber Trust – Account Value as of 12/31/2021		1,502,728.75	
	<b>3/31/21</b>	<b>2/28/22</b>	<b>3/31/22</b>
Meals Tax collected in March	6,363.65	8,064.21	8,226.71
Lodging Tax collected in March	170.52	460.73	0.00
Cigarette Tax collected in March	n/a	741.08	469.22

### MARCH LARGE EXPENDITURES:

Docks of the Bay - \$16,000.00

### REVENUE as of 3/31/2022

- Collected Real Estate \$3,448.47 (Grand Total Year \$254,452.89)
- Collected Real Estate Delinquent \$1,007.17  
Delinquent RE Bills– Past Due Totaling \$7,979.04
- Collected Personal Property \$00.00 (Grand Total Year \$8,669.06)  
Delinquent PPT Bill – Past Due Totaling \$9,324.62

Range of Accounts: 100-11010-0001 to 100-11010-0002 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 04/05/22  
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Total													
100-11010-0001	Current Real Estate Taxes												
253330.66	0.00	0.00	361.79	1908.08	86912.74	149606.91	3161.13	7931.54	3448.47	0.00	0.00	0.00	
100-11010-0002	Real Estate Tax - Delinquent												
1122.23	0.00	0.00	0.00	0.00	0.00	88.09	26.97	0.00	1007.17	0.00	0.00	0.00	
Fund Total													
254452.89	0.00	0.00	361.79	1908.08	86912.74	149695.00	3188.10	7931.54	4455.64	0.00	0.00	0.00	
Grand Total	Count: 2												
254452.89	0.00	0.00	361.79	1908.08	86912.74	149695.00	3188.10	7931.54	4455.64	0.00	0.00	0.00	

Range of Accounts: 100-11030-0001 to 100-11030-0002 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 04/05/22  
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Total													
100-11030-0001	Current Year Personal Property												
8475.77	0.00	0.00	14.85	7.70	4211.73	4065.73	42.59	36.31	96.86	0.00	0.00	0.00	
100-11030-0002	Delinquent Personal Property												
193.29	0.00	115.35	0.00	0.74	40.69	28.84	7.67	0.00	0.00	0.00	0.00	0.00	
Fund Total													
8669.06	0.00	115.35	14.85	8.44	4252.42	4094.57	50.26	36.31	96.86	0.00	0.00	0.00	
Grand Total	Count: 2												
8669.06	0.00	115.35	14.85	8.44	4252.42	4094.57	50.26	36.31	96.86	0.00	0.00	0.00	



April 5, 2022  
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Town of Urbanna  
2022 Revenue Summary by Month

Page No: 1

Range of Accounts: 100-12110-0001 to 100-12110-0001 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 03/31/22  
Subtotal CAFR: No

Account No	Description											
Total	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
100-12110-0001	Meals Tax - Local											
106369.66	14800.26	16638.47	13800.94	15596.12	12199.80	9318.41	7724.74	8064.21	8226.71	0.00	0.00	0.00
Fund Total												
106369.66	14800.26	16638.47	13800.94	15596.12	12199.80	9318.41	7724.74	8064.21	8226.71	0.00	0.00	0.00
Grand Total	Count: 1											
106369.66	14800.26	16638.47	13800.94	15596.12	12199.80	9318.41	7724.74	8064.21	8226.71	0.00	0.00	0.00

April 5, 2022  
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Town of Urbanna  
2022 Revenue Summary by Month

Page No: 1

Range of Accounts: 100-12100-0001 to 100-12100-0001 Start Month: July Start Year: 2021  
Type: Revenue Activity Includes Accounts with Zero Activity: N Year To Date As Of: 03/31/22  
Subtotal CAFR: No

Account No	Description	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Total													
100-12100-0001	Lodging Tax												
14636.57	3166.70	1625.18	2123.60	2358.88	653.34	1215.60	3032.54	460.73	0.00	0.00	0.00	0.00	
Fund Total													
14636.57	3166.70	1625.18	2123.60	2358.88	653.34	1215.60	3032.54	460.73	0.00	0.00	0.00	0.00	
Grand Total	Count: 1												
14636.57	3166.70	1625.18	2123.60	2358.88	653.34	1215.60	3032.54	460.73	0.00	0.00	0.00	0.00	

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**Agenda Item Summary**  
**April 28, 2022**

**Agenda Item: #9a-UBI Presentation**

**Background: Members of UBI (Urbanna Beautification) will be giving a presentation on a proposed pavilion to be constructed in Taber Park, in honor of Charles & Betsy Bristow.**

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## **Agenda Item Summary April 28, 2022**

### **Agenda Item: #9b-Middlesex Rescue Squad**

**Background:** Middlesex County Rescue Squad's lease is up in two years in their current housing location at the Urbanna Fire Department. They have been given a parcel of land on Lord Mott Road by Beth Page Campground to build a Rescue Squad station. They have received a price of \$600,000.00 for a metal building on this site. They need to raise \$500,000.00 in contributions for this project. The current Rescue Squad Board is not familiar with Urbanna and is seeking assistance from Town Council to assist with their familiarity and assist with public awareness of this needed project.

There is currently a committee that is formed to assist them with this project. Members are David Layman, Middlesex County Emergency Coordinator, Matt Walker County Administrator, Garth Wheeler, Town Administrator, Ray Burch, Urbanna Fire Chief, Angie Zabel president, Leslie Krohm, treasurer, Tina Mennet, secretary.

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**Agenda Item Summary**  
**April 28, 2022**

**Agenda Item: #10a-Virginia Main Street Program**

**Background:** The Planning Commission has been investigating the possibility of the Town participating in the “Exploring Main Street Program” of the Virginia Department of Housing and Community Development. That program is designed to assist communities with economic development plans through information sharing and limited grants used to revitalize downtown business areas. To participate in the program the Town must submit an application which is supported by a resolution of the Town Council supporting participation.

**Fiscal Impact:** No cost to the Town to participate in the program. There will be minimal costs to the town in hosting events to solicit ideas for future economic development

**Staff Recommendation: Approve**

**Council Action Requested: Yes**

**Proposed Motion Attached:**

Motion to approve the resolution, as presented, for the Town of Urbanna to join the Virginia Exploring Main Street Program. (resolution attached)

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At the regularly scheduled meeting of the Urbanna Town Council held at Town Hall located at 390 Virginia Street, Suite B, Urbanna, Virginia on the 28<sup>th</sup> day of April, 2022, at which the following members were present: ----- the following resolution was adopted by ----- vote of all present members.

**A RESOLUTION SUPPORTING AN EXPLORING MAIN STREET PROGRAM  
APPLICATION TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY  
DEVELOPMENT**

**WHEREAS** the Virginia Department of Housing and Community Development has established the Virginia Main Street Program, which provides technical assistance, consulting services, training and grant funding to communities of all sizes with different levels of experience in, and commitment to, commercial district revitalization; and

**WHEREAS** interested cities, towns and counties that are exploring the Virginia Main Street Program designation may participate as an affiliate through the Exploring Main Street tier, wherein the Town of Urbanna is currently best suited; and

**WHEREAS** the program requires a local government or a local government and private sector partnership to apply for this affiliate status; and

**WHEREAS** participation in the Virginia Department of Housing and Community Development's Exploring Main Street program would be of benefit to the Town of Urbanna community; and

**WHEREAS** the Town of Urbanna understands that participation as an affiliate community does not guarantee selection as a Virginia Main Street Community, and the Town will be able to receive affiliate community services from the Exploring Main Street Program as long as the requirements stated in the Program Guidelines are met; and

**WHEREAS** the Town of Urbanna will appoint a liaison who will serve in connection with the Virginia Main Street Program and keep Council apprised of all progress of the program status;

**NOW, THEREFORE, BE IT RESOLVED**, on this 28<sup>th</sup> day of April, 2022, that the Mayor and Town Council of the Town of Urbanna, Virginia hereby endorse, support and authorize the submission of the the Exploring Main Street Program application on behalf of the Town.

---

Barbara Hartley, Mayor

ATTEST:

---

Martha J. Rodenburg, Clerk

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### **Agenda Item Summary**

**Agenda Item: #11a**-Recognition of Service-Alana Courtney

**Background:** After 16 years of volunteer service to the Town of Urbanna, Alana Courtney has submitted her resignation from the Town of Urbanna Planning Commission

**Staff Recommendation:** Staff recommends Council approve a motion recognizing the 16 years of dedicated service by Alana and thank her for her devotion to the Town.

**Council Action Requested: Yes**

**Sample Motion(s):** A motion is made for Town Council to recognize Alana Courtney for her years of dedicated service serving the Town and its citizens.

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**Agenda Item Summary**  
**April 28, 2022**

**Agenda Item: #11b-Bristow Pavilion**

**Background:** UBI (Urbanna Beautification) is seeking to build a pavilion in Taber Park for public use and special events. They have \$15,000.00 in their Treasury they want to use and indicate they can raise an additional \$30,000.00. They are requesting the Pavilion be dedicated to Charles and Betsy Bristow.

**Fiscal Impact:** \$40,000.00

**Staff Recommendation:** A committee was put together and did a study of designs and approximate costs.

**Council Action Requested: Yes**

**Sample Motion(s):** A motion is made to support this project and to approve the Town to work with UBI to have the Pavilion constructed. The Town will assist with costs up to\_\_\_\_\_.

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