



Before the
Colonial Beach Town Council
Town Center,

Held at
22 Washington Avenue, Colonial Beach, VA 22443

Wednesday, January 21, 2026, at **6:00 PM**
Town Council Regular Meeting
AGENDA

1. **Call to Order**
2. **Moment of Silence & Pledge of Allegiance**
3. **Roll Call of Members**
4. **Additions to the Agenda**
5. **Approval of the Agenda**
6. **Consent Agenda**
 - a. Approval of November 19, 2025, and December 17, 2025, Meeting Minutes
7. **Council Member Liaison and Commission Reports**
8. **Town Manager Update**
 - a. 2nd Quarter Financial Report, Lisa Okes, Director of Finance
 - b. 4th Quarter Public Safety Report, Chief Parsons
 - c. Sewer Plant Update, John Simmons, Inboden
9. **Presentations**
 - a. **Westmoreland County Board of Supervisors**, Mr. Trivett, District V Supervisor
 - b. **Colonial Beach Public Schools**, Dr. Addo, Superintendent
10. **Public Comment**
11. **Unfinished Business**
12. **New Business**
 - a. **Election of Vice Mayor**
 - b. **Liaison Assignments**
 - Public Safety – related entities
 - Economic Development – related entities
 - Finance
 - Parks and Recreation
 - Administration
 - Public Works
 - School Board
 - Alliance of Colonial Beach Community Organizations and other local non-governmental organizations
 - Planning, Zoning, and Housing – related entities

- c. **Resolution #01-26, Establishes Town Council Meeting Schedule**
- d. **Resolution #02-26, Adoption of 2026 Bylaws and Rules of Procedures**
- e. **Resolution #03-26, Appointments to the Parks and Recreation Advisory Commission**
- f. **Authorize Advertisement of a Public Hearings: Zoning Text Amendment ZTA 25-04, Amendment to Article 14 (Site Plan) and ZTA 25-05 (Subdivision Ordinance) Darla Odom, Zoning Administrator**
- g. **Resolution #04-26, Fiscal Year 2027 Budget Calendar, , Lisa Okes, Chief Financial Officer/Director of Finance**
- h. **Resolution #05-26, Amends and Appropriates FY26 Budget, General Fund for the Refuse Liter Grant, Lisa Okes, Chief Financial Officer/Director of Finance**
- i. **Budget Amendments for Cash Funded CIP Items, Lisa Okes, Chief Financial Officer/Director of Finance**
 - o Resolution #06-26, Amends and Appropriates FY 25-26 Budget, General Fund for Town Pier Refurbishment
 - o Resolution #07-26, Amends and Appropriates FY 25-26 Budget, General Fund for Beach Nourishment and Rip Rap
 - o Resolution #08-26, Amends and Appropriates FY 25-26 Budget, General Fund for Sidewalk Repairs
 - o Resolution #09-26, Amends and Appropriates FY 25-26 Budget, General Fund for Two Police Vehicles
- j. **PUBLIC HEARING, Consideration of Financing Utility Vehicles and Equipment, Ted Cole, Davenport Financial Services**

13. Closed Meeting

- a. Pursuant to VA code section 2.2-3711 (A,1) for discussion on performance of specific public appointees of the Town Council.

14. Adjournment



Wednesday, January 21, 2026 Town Council Meeting

- TAB A** Quarterly Reports
- 2nd Quarter Finance
 - 4th Quarter Public Safety
- TAB B** Resolution #01-26, Establishes Town Council Meeting Schedule
- TAB C** Resolution #02-26, Adoption of 2026 Bylaws and Rules of Procedures
- TAB D** Resolution #03-26, Appointments to the Parks and Recreation Advisory Commission
- TAB E** Memo, Authorize Advertisement of a Public Hearings: Zoning Text Amendment (ZTA) 25-04, Amendment to Article 14 (Site Plan) and ZTA 25-05 (Subdivision Ordinance)
- TAB F** Resolution #04-26, Fiscal Year 2027 Budget Calendar
- TAB G** Resolution #05-26, Amends and Appropriates FY26 Budget, General Fund for the Refuse Liter Grant
- TAB H** Budget Amendments for Cash Funded CIP Items
- Resolution #06-26, Amends and Appropriates FY 25-26 Budget, General Fund for Town Pier Refurbishment
 - Resolution #07-26, Amends and Appropriates FY 25-26 Budget, General Fund for Beach Nourishment and Rip Rap
 - Resolution #08-26, Amends and Appropriates FY 25-26 Budget, General Fund for Sidewalk Repairs
 - Resolution #09-26, Amends and Appropriates FY 25-26 Budget, General Fund for Two Police Vehicles
- TAB I** Supporting Documents for Consideration of Financing Utility Vehicles and Equipment

Tab A



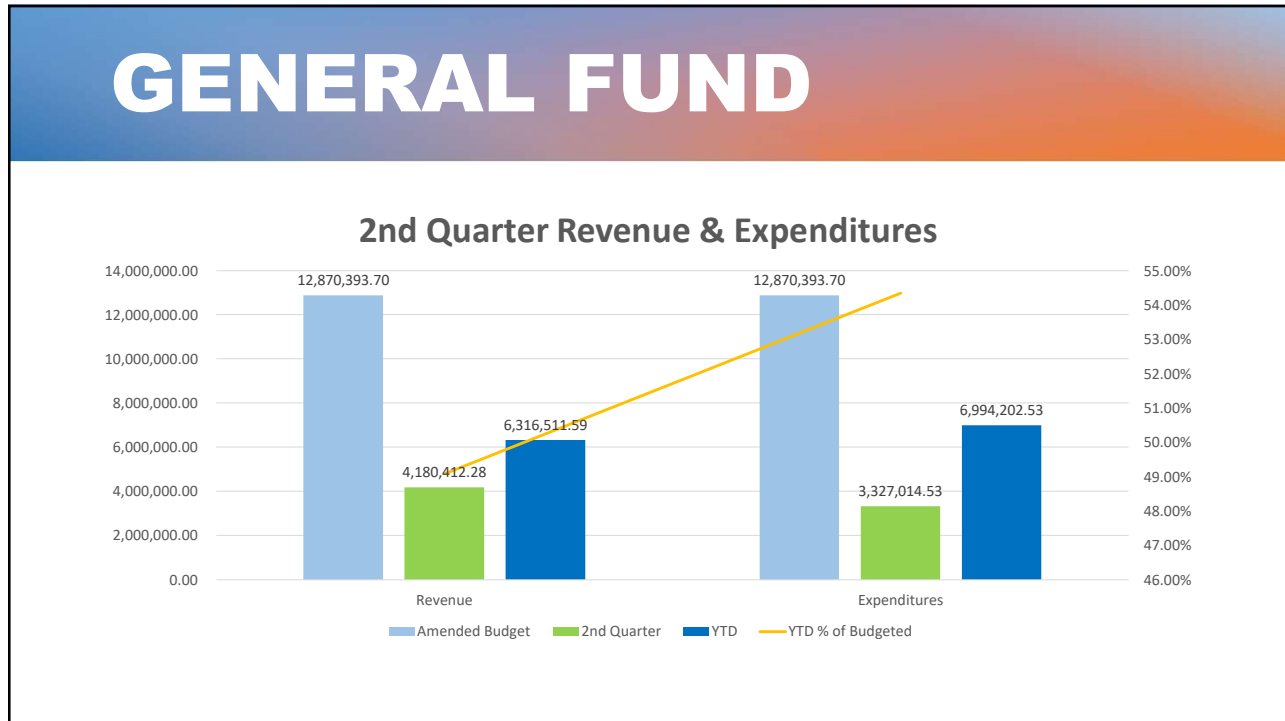
Town Council Regular Meeting

January 21, 2026
Finance Department
Lisa M. Okes, Director of Finance

1



2

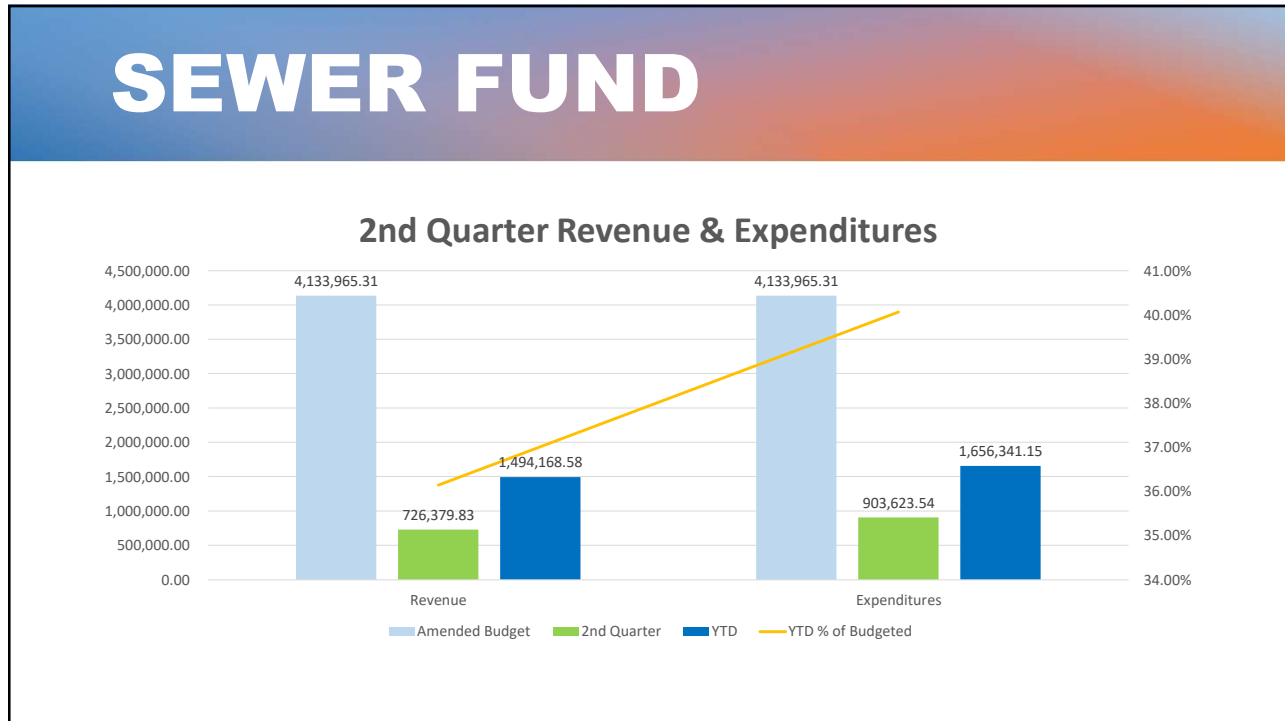


3

General Fund Revenue & Expenditure Breakdown

Property Taxes	3,127,443.49	Public Safety	506,139.79
Other Local Taxes	562,994.81	Public Works	632,058.91
Other Revenue	61,653.35	Government Administration	375,515.18
State Funding, Streets & Police	300,510.56	Community Development	155,114.23
Permits & Fees	116,586.01	Debt Service	122,528.13
Grant Proceeds	3,361.43	Parks & Recreation	37,494.09
Fines	7,862.63	Education	0.00
Total 2nd Quarter	4,180,412.28	Transfers	1,498,164.20
		Total 2nd Quarter	3,327,014.53

4

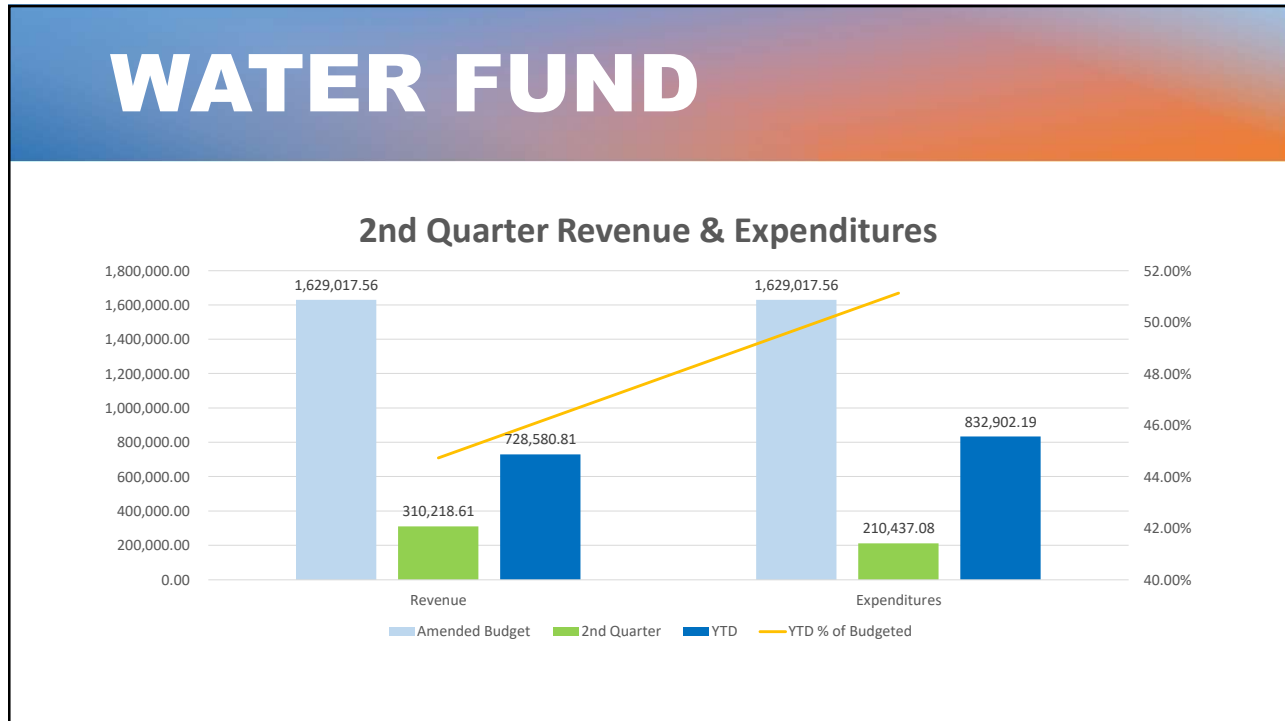


5

Sewer Fund Revenue & Expenditure Breakdown

Sewer Charges	705,282.89	
Wastewater Processing Fee	1,579.65	
Sewer Connections	9,000.00	
Septage Receiving	0.00	
Penalty & Interest	17.29	
Plan Review, Inspection & Availability fees	10,500.00	
Total 2nd Quarter	726,379.83	
Wastewater Treatment		600,479.66
Sewer Department		204,521.71
Debt Service		98,622.17
Total 2nd Quarter		903,623.54

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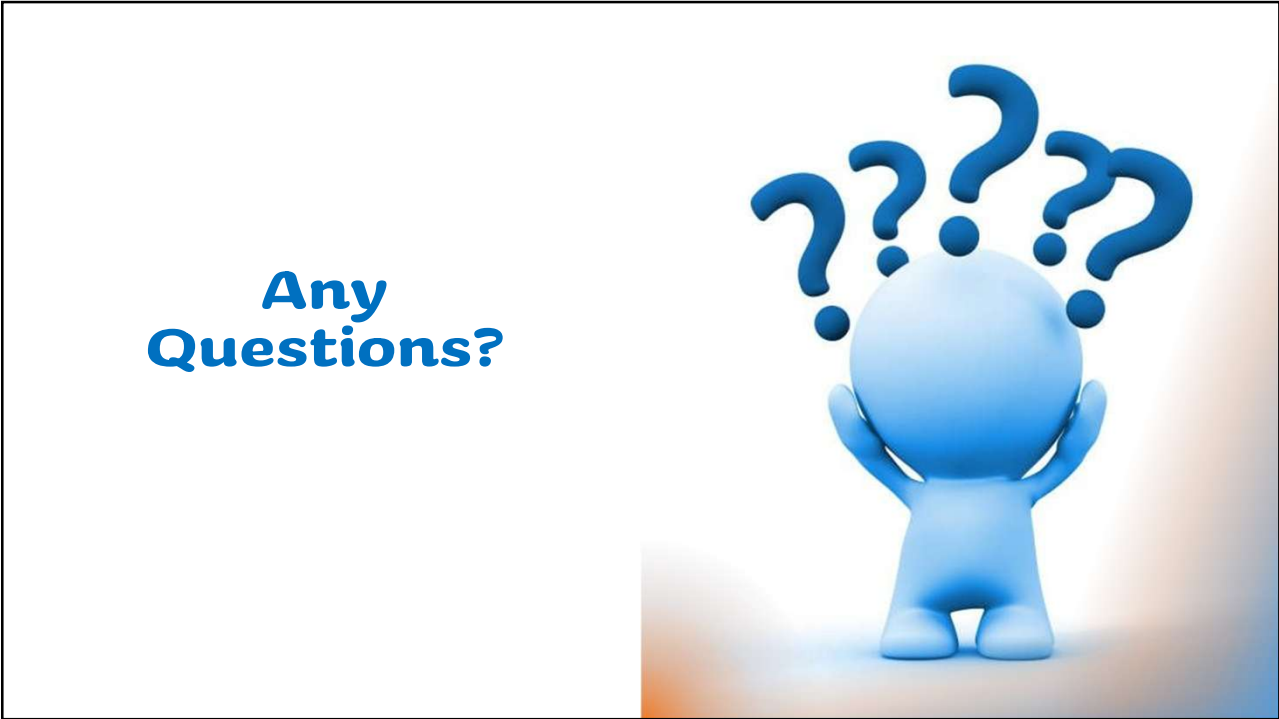


7

Water Fund Revenue & Expenditure Breakdown

Water Charges	296,839.46		
Water Connections	8,000.00	Water Department	205,127.09
Reconnection Fees	0.00		
Penalty & Interest	579.15	Debt Service	5,309.99
Plan Review, Inspection & Availability fees	4,800.00		
Total 2nd Quarter	310,218.61	Total 2nd Quarter	210,437.08

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TO: Town Council
FROM: Les J. Parsons, Chief of Police
COPY: Natasha Tucker, Town Manager
SUBJECT: 2025 4th Quarterly Public Safety Report
DATE: January 21, 2026

SUMMARY:

The purpose of the memo is to advise the council of the status regarding public safety activity in the Town of Colonial Beach for the 4th Quarter of 2025. The following information is aggregated information from public safety departments in town.

BACKGROUND:

The town provides public safety services to the residents and visitors of Colonial Beach. In 2021 Quarterly Reports of the Police Department activities were initiated. Since then, the Quarterly Report reflects all public safety services to include the Police Department, Volunteer Fire Department, Emergency Services and Emergency Management. The below information is a breakdown of each of the referenced department's activities for the 4th Quarter of 2025 for your review.

ISSUE: N/A

CBPD

The Colonial Beach Police Department responded to a total of 2,696 calls for service during the 4th Quarter of 2025, with a total of 428 traffic stops, 3 traffic collisions, and 37 arrests made. There were 0 parking citations issued during this quarter.

CBVFD

The Colonial Beach Volunteer Fire Department responded to a total of 135 various calls for service during the 4th Quarter of 2025 to include 13 vehicle accidents, 66 medical calls, 47 fire related calls, and 9 public service calls. The CBVFD averaged 4.01 members per call, and members served 236.75 hours.

WDES

The Westmoreland Department of Emergency Services responded to 248 medical related calls in Colonial Beach during the 4th Quarter of 2025 and performed 139 total transports in Colonial Beach and Westmoreland County. The average response time was 8:06 minutes.

CBEM

No Emergency Management Training during this time quarter.



ALTERNATIVES:

There are very minimal alternatives to the services these organizations offer to the Town.

FISCAL IMPACT:

There was no additional cost associated with any of these services provided to the Town.

RECOMMENDATION:

The recommendation is to continue to provide resources and support to the Town's Public Safety organizations. The priority of all three of the Public Safety Organizations is to provide the highest level of service to the Town and all residents and visitors.



Town Council Meeting Public Safety Quarterly Update

Les J. Parsons
Chief of Police
January 21, 2026

1

Colonial Beach Police Department



Quarterly Report October-December 2025



2

Colonial Beach Police Department



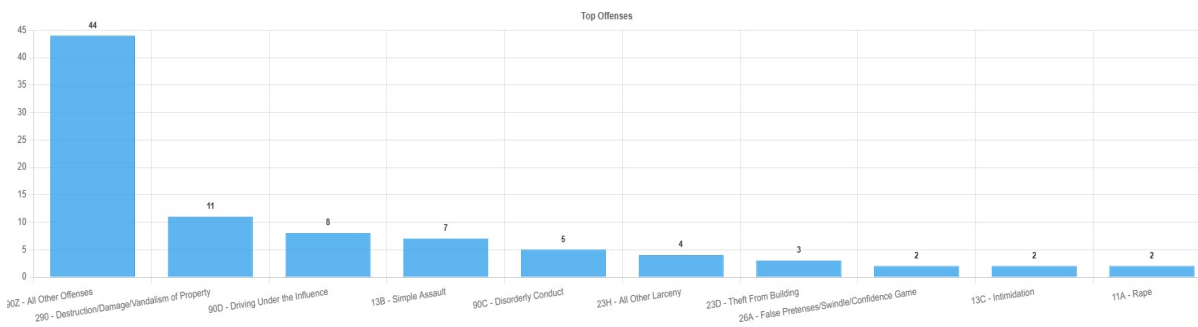
2025 4th Quarter Total Calls for Service: 2,696

Incident Reports	Traffic Stops	Traffic Collisions	Arrests Made
92	428	3	37

3

Colonial Beach Police Department

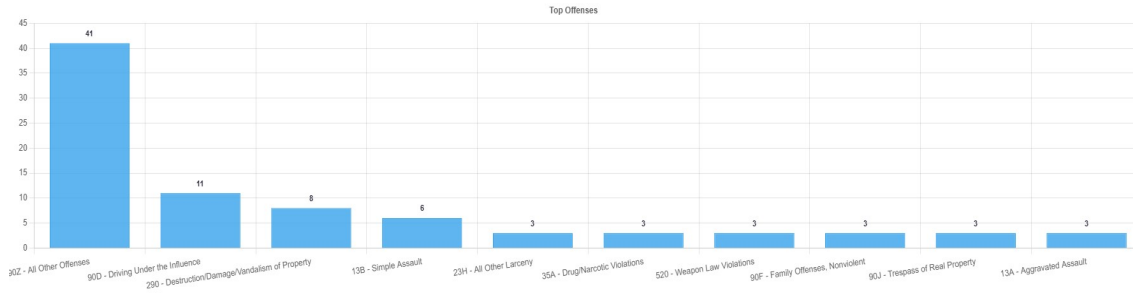
Offenses 10/01/2025-12/31/2025



4

Colonial Beach Police Department

Offenses 10/01/2024-12/31/2024



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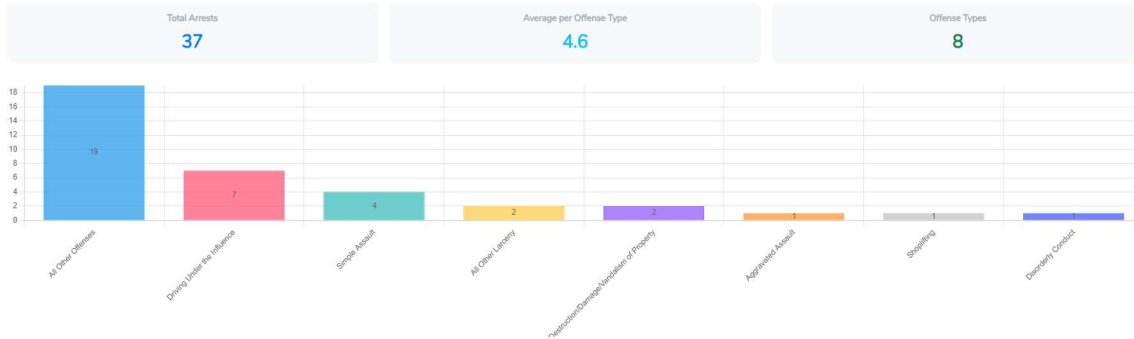
Colonial Beach Police Department

Arrests 10/01/2025-12/31/2025



Arrest Trends - All Crimes

Date Range: 10/01/2025 to 12/31/2025



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Colonial Beach Police Department

Offense Trends – Day of Week



2025

Incidents By Day Of Week



2024

Incidents By Day Of Week



7

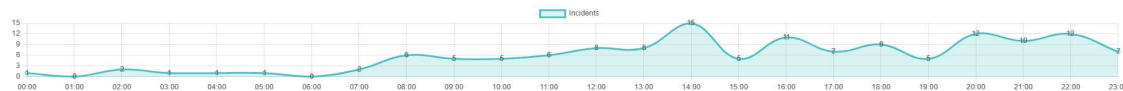
Colonial Beach Police Department

Offense Trends - Hour



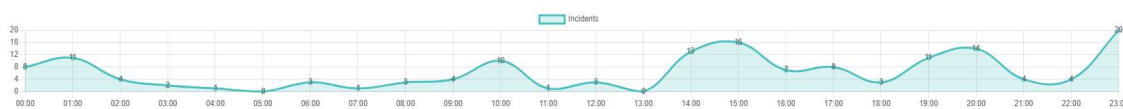
2025

Incidents By Hour Of Day



2024

Incidents By Hour Of Day



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Colonial Beach Vol. Fire Company



Quarterly Report October-December 2025



9

Colonial Beach Vol. Fire Company



2025 4th Quarter Total calls: 135

Fire Calls	Motor Vehicle Accidents	EMS	Public Service	Man Hours	Average members per call
47	13	66	9	236.75	4.01

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Westmoreland Department of Emergency Services

Quarterly Report October-December 2025



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Westmoreland Department of Emergency Services

WDES Responded to a total of 248 medical calls in CB

- Average Response Time of 8:06 minutes to each call
- Total Transports- 139

Westmoreland EMS Run Report-Town of Colonial Beach (Box 100)

Month	Total EMS Reports (Countywide)	EMS Calls-Colonial Beach	Transports	Average Response Time
October	342	87	39	8:03:00
November	318	77	44	8:28:00
December	322	84	56	7:59:00
Totals:	982	248	139	8:06:00

** Dispatch time is from PSAP to ambulance arrival on scene.



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Tab B

RESOLUTION #01-26

Establishes Town Council Meeting Schedule for February 2026 through January 2027

WHEREAS, Section 15.2-1416 of the Code of Virginia requires that the Town Council establish its meeting schedule by resolution.

NOW THEREFORE BE IT RESOLVED, that the following dates and times have been established for the Town Council Meetings:

WORK SESSIONS

Wednesday, February 4, 2026, at 6:00 p.m.

Wednesday, March 4, 2026, at 6:00 p.m.

Wednesday, April 1, 2026, at 6:00 p.m.

Wednesday, May 6, 2026, at 6:00 p.m.

Wednesday, June 3, 2026, at 6:00 p.m.

Wednesday, July 1, 2026, at 6:00 p.m.

Wednesday, August 5, 2026, at 6:00 p.m.

Wednesday, September 2, 2026, at 6:00 p.m.

Wednesday, October 7, 2026, at 6:00 p.m.

Wednesday, November 4, 2026, at 6:00 p.m.

Wednesday, December 2, 2026, at 6:00 p.m.

Wednesday, January 6, 2027, at 6:00 p.m.

REGULAR MEETINGS

Wednesday, February 18, 2026, at 6:00 p.m.

Wednesday, March 18, 2026, at 6:00 p.m.

Wednesday, April 15, 2026, at 6:00 p.m.

Wednesday, May 20, 2026, at 6:00 p.m.

Wednesday, June 17, 2026, at 6:00 p.m.

Wednesday, July 15, 2026, at 6:00 p.m.

Wednesday, August 19, 2026, at 6:00 p.m.

Wednesday, September 16, 2026, at 6:00 p.m.

Wednesday, October 21, 2026, at 6:00 p.m.

Wednesday, November 18, 2026, at 6:00 p.m.

Wednesday, December 16, 2026, at 6:00 p.m.

Wednesday, January 20, 2027, at 6:00 p.m.

BE IT FURTHER RESOLVED, that, unless otherwise determined, all meetings shall be held in the Colonial Beach Town Center, 22 Washington Avenue, Colonial Beach, Virginia.

Commonwealth of Virginia 2026 Pay and Holiday Calendar

State Holidays

- January 1**
New Year's Day
- January 19**
Martin Luther King, Jr. Day
- February 16**
George Washington Day
- May 25**
Memorial Day
- June 19**
Juneteenth
- July 4 (Observed on 3rd)**
Independence Day
- September 7**
Labor Day
- October 12**
Columbus Day & Yorktown Victory Day
- November 3**
Election Day
- November 11**
Veterans Day
- November 25**
4 hours additional holiday time
- November 26**
Thanksgiving
- November 27**
Day After Thanksgiving
- December 24**
8 hours additional holiday time
- December 25**
Christmas

Please note: In some agencies, the holiday and payday schedule may vary from what is shown here. If you have questions, see your agency human resources officer.

Denotes Payday

Denotes Holiday

Denotes Additional Time Off 8 hrs 4 hrs

Published by the Virginia Department of Human Resource Management. An equal opportunity employer.

Published by Commonwealth of Virginia
July 2025



Virginia Department of
HUMAN RESOURCE
MANAGEMENT

January

S	M	T	W	T	F	S
				①	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March

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1	2	3	4	5	6	7
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December

S	M	T	W	T	F	S
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

January

2027

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
27	28	29	30	31	01 NEW YEAR'S DAY	02
03	04	05	06	07	08	09
10	11	12	13	14	15	16
17	18 MARTIN LUTHER KING JR. DAY	19	20	21	22	23
24	25	26	27	28	29	30

Tab C

Resolution # _____, Adoption of 202~~65~~ Bylaws and Rules of Procedure

BE IT RESOLVED, that the Town Council in a meeting, ~~Wednesday~~Monday, January ~~21~~6, 202~~65~~ hereby adopts the attached 202~~65~~ Bylaws and Rules of Procedure.

2026 ~~5~~ BYLAWS AND RULES OF PROCEDURE

Colonial Beach Town Council

Preamble

The Colonial Beach Town Council (the “Council”) operates in accordance with federal, state, and local laws and regulations at all times. If there should be any conflict between these Bylaws and Rules of Procedure (these “Bylaws”) and federal, state, or local law or regulation, the federal, state, or local law or regulation shall be followed.

The citizens and businesses of the Town of Colonial Beach, Virginia (the “Town”) are entitled to have fair, ethical, and accountable local government, so as to earn the public’s full confidence and trust. The effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial, and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Council has adopted these Bylaws to assure public confidence in the integrity of local government and its effective and fair operation.

Section 1 Meetings

Section 1-1 Annual organizational meetings

- A. The Council shall conduct an organizational meeting at its first meeting in January of every year.¹
- B. At the organizational meeting in January, the Council shall establish the date, time and place for its regular monthly meetings and work sessions for the remainder of the calendar year.² At the organizational meeting, the Council shall elect a Vice-Mayor.³
- C. The Council shall conduct a prioritization meeting in January of every year.

Section 1-2 Meeting postponements, Work Session Cancelations

At its organizational meeting, the Council fixed the following Wednesday as the day to which a regular meeting shall be continued if the Mayor finds and declares that weather or other conditions are such that it would be hazardous to attend a meeting. All matters previously advertised shall be conducted at the continued meeting, and no further advertisement is required ¹Va. Code § 15.2-1416 (*Regular meetings*).

² Va. Code § 15.2-1416³ Va. Code § 15.2-1422 (*Electing a vice-mayor*).

⁴ Va. Code § 15.2-1416.

Upon their agreement that there are no matters to be addressed at a work session or that matters which might be addressed at a work session could easily be addressed at a regular meeting, the Mayor and the Manager may cancel the particular work session. Unless an emergency exists,

the work session shall not be cancelled unless notice of the cancellation has been provided to the Council at least forty-eight hours prior to the work session

Section 1-3 Special meetings

A special meeting of the Council shall be held when called by the Mayor or requested by two or more members of the Council in accordance with state law. The Council may hold such special meetings, as it deems necessary, at such times and places, as it finds convenient.⁵ Notice, reasonable under the circumstance, of special meetings shall be given contemporaneously with the notice provided to the members of the Council.⁶

Section 1-4 Meetings held electronically

During declared states of emergency

A. The Council may meet by electronic communication means without a quorum of the public body physically assembled at one location when the governor of the Commonwealth of Virginia has declared a state of emergency in accordance with Virginia Code § 44-146.17 (*Powers and duties of Governor*) or the Town has declared a local state of emergency pursuant to § 44-146.21 (*Declaration of local emergency*), provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to provide for the continuity of operations of the public body or the discharge of its lawful purposes, duties, and responsibilities. The Council convening a meeting in accordance with this section shall:

1. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the Council;
2. Make arrangements for public access to such meeting through electronic communication means, including videoconferencing;
3. Provide the public with the opportunity to comment at those meetings of the public body when public comment is customarily received; and
4. Otherwise comply with the provisions of the Virginia Code § 2.2-3700 et seq. (the Virginia Freedom of Information Act).

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

The provisions of this section shall be applicable only for the duration of the emergency declared pursuant to § 44-146.17 or 44-146.21. ⁵ Va. Code § 15.2-1417 (*Special meetings*).

⁶ Va. Code § 2.2-3707 (*notice of meetings*) (D).

⁷ Va. Code § 2.2-3708.2. (*Meetings held through electronic communication means during declared states of*

emergency)**situations other than declared states of emergency**

B. Individual members of Council may use remote participation instead of attending a public meeting in person if, in advance of the meeting, the member notifies the Mayor that:

1. The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance. For purposes of determining whether a quorum is physically assembled, an individual member of the Council who is a person with a disability as defined in Virginia Code Section 51.5-40.1 and uses remote participation counts toward the quorum as if the member was physically present.
2. A medical condition of a member of the Council member's family requires the Council member to provide care that prevents the Council member's physical attendance or the member is a caregiver who must provide care for a person with a disability at the time the public meeting is being held thereby preventing the member's physical attendance.; For purposes of determining whether a quorum is physically assembled, an individual member of the Council who is a caregiver for a person with a disability and uses remote participation counts toward the quorum as if the member was physically present.
3. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
4. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. However, the member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. ~~four meetings per calendar year.~~

If participation by a member through electronic communication means is approved pursuant to this subsection, the Council shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description. If participation is approved pursuant to subdivision 1 or 2, the Council shall also include in its minutes the fact that the member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision 3, the public body shall also include in its minutes the fact that the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location. If participation is approved pursuant to subdivision 4, the public body shall also include in its minutes the specific nature of the personal matter cited by the member.

The foregoing constitutes the Council's "Remote Participation Policy," which has

Commented [PD1]: These changes follow the current requirements of the Virginia Code.

been adopted by adoption of these Bylaws by recorded vote at a public meeting, and which Remote Participation Policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

If a member's participation from a remote location pursuant to this subsection is

of emergency).

disapproved because such participation would violate the Remote Participation Policy, such disapproval shall be recorded in the minutes with specificity.

The Council may also adopt a policy that shall apply to the use of individual remote participation and all-virtual public meetings of committees, subcommittees, or other entities of the Council created to perform delegated functions of the Council.⁸

Section 1-5 Quorum and method of voting

- A. A quorum shall consist of a majority of the members of the Council, which is four; except as may be otherwise provided in the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100 et seq.).⁹
- B. It shall be the duty of every member to vote yes or no on issues before the Council, except if **the member voluntarily recuses themselves or is deemed** disqualified.¹⁰ Each member may vote by stating “aye,” “nay,” or “abstain.”

Commented [PD2]: This is intended to provide some flexibility. Even if a member does not have a conflict of interest under the law, the member may want to recuse themselves.

Section 2 Officers; administration of government

Section 2-1 Mayor and Vice-Mayor; Town Manager

The Mayor shall preside over all meetings of the Council, and shall be the head of the local government for all official functions and ceremonial purposes.¹¹ The Town Manager¹² shall be the administrative head of the local government, and shall:

- A. See that all ordinances, resolutions, directives, and orders of the Council and all laws of the Commonwealth required to be enforced through the Council or officers subject to the control of the Council are faithfully executed;
- B. Make reports to the Council from time to time as required or deemed advisable upon the affairs of the Town under the Town Manager’s control and supervision;
- C. Receive reports from, and give directions to, all heads of offices, departments, and boards of the Town under the Town Manager’s control and supervision;
- D. Submit to the Council a proposed annual budget, in accordance with general law, with the Town Manager’s recommendations;
- E. Execute the budget as finally adopted by the Council;

F. Keep the governing body fully advised on the Town's financial condition and its

⁸ Va. Code § 2.2-3708.3 (*Meetings held through electronic communication means; situations other than declared states of emergency*).

⁹ Va. Code § 15.2-1415 (*At what meetings governing body may act*).

¹⁰ Va. Code § 2.2-3112 (*Prohibited conduct concerning personal interest in a transaction*).

¹¹ Va. Code § 15.2-1423 (*Powers of mayor*).

¹² Va. Code § 15.2-1540 (*Chief administrative officer*).

future financial needs;

G. Appoint all officers and employees of the Town except as the Town Manager may authorize the head of an office, department, or board responsible to the Town Manager to appoint subordinates in such office, department, or board, and except those appointed by the Council under the Town charter (the “Charter”), including the clerk and town attorney;¹³

H. Perform such other duties as may be prescribed by the Council.¹⁴

The Vice-Mayor serves in the absence or disability of the Mayor. In the absence from any meeting of both the Mayor and the Vice-Mayor, the members present shall choose one of their number as temporary presiding officer.¹⁵

By adoption of these Bylaws, the Council hereby appoints the Mayor to appoint individual Council members as liaisons (“Liaisons” and, individually, a “Liaison”) to the following,¹⁶ and ratifies all such appointments made as of the adoption of these Bylaws:

- Public safety-related entities:
 - Colonial Beach Rescue Squad, Incorporated.
 - Colonial Beach Volunteer Fire Department, Inc.
 - Colonial Beach Police Department, as to local policing, parking, and emergency management matters, and provided that the Town Manager serves at all times as co-liaison, given that the Police Chief reports to and is under the control and supervision of the Town Manager.¹⁷
 - Westmoreland County Department of Emergency Services.
- Economic development-related entities:
 - Colonial Beach Chamber of Commerce Economic Development Committee.
 - Colonial Beach Economic Development, Grants, Communications, and Planning & Community Development Departments, provided that the Town Manager serves at all times as co-liaison, given that the department directors and other staff report to and are under the control and supervision of the Town Manager.

¹³ Under Virginia Code 15.2-1103 (*Charter provisions not affected; conflict between chapter and charter*), the provisions of the Charter are “construed and held to take precedence over” conflicting provisions of the Virginia Code.

¹⁴ Va. Code § 15.2-1541 (*Administrative head of government*).

¹⁵ Va. Code § 15.2-1422.

¹⁶ Under § 4 of the Charter, the Council may appoint such officers and committees and create such boards and departments as it deems necessary or proper, and define their duties and functions, and under Virginia Code § 15.2-1411 (*Appointment of advisory boards, committees and commissions*), the Council may appoint such advisory boards, committees, and commissions as it deems necessary to advise the Council with regard to any matter of concern to the Town.

¹⁷ The current Police Chief was appointed by the Council under the Charter then in effect, which has since been amended so that the Police Chief reports to and is under the control and supervision of the Town Manager. *See* Charter § 4(b) (“chief of police . . . shall be appointed by the town manager and serve at the pleasure of the town manager.”).

- Downtown Colonial Beach.¹⁸
- Finance Department, provided that the Town Manager serves at all times as co-liaison, given that the director and chief financial officer and other staff report to and are under the control and supervision of the Town Manager.¹⁹
- Parks and recreation-related entities:
 - Parks and Recreation Department, provided that the Town Manager serves at all times as co-liaison, given that the director and other staff report to and are under the control and supervision of the Town Manager.
 - Parks & Recreation Advisory Commission.
- Administration: the Town Manager.
- Public Works Department, provided that the Town Manager serves at all times as co-liaison, given that the director and other staff report to and are under the control and supervision of the Town Manager
- School Board.²⁰
- Alliance of Colonial Beach Community Organizations and other local non-governmental organizations.
- Planning, zoning, and housing-related entities:
 - Planning Commission.
 - Redevelopment and Housing Authority.

In addition to the above, each Liaison (1) serves as the primary point of contact for the public and relevant agencies and other organizations in matters related to the entities with which the Liaison interacts, (2) attends relevant meetings and events, (3) reports at Council meetings, and (4) provides written quarterly updates for the Town newsletter.

As with nominations for any committee or appointment, the Council member nominated may decline.

The Liaison operates under the council-manager form of government and holds no individual authority.²¹

Section 2-2 Preservation of order

At meetings of the Council, the Mayor shall preserve order and decorum.

¹⁸ Although its name does not suggest it, this organization, like the rescue squad and fire department, is a Virginia nonstock corporation registered with the State Corporation Commission.

¹⁹ A prior version of the Charter provided for “a Treasurer appointed by the Colonial Beach Town Council.” While the Town does not have a “Treasurer” per se, the current Director of Finance/CFO was appointed by the Council, but is under the control and supervision of the Town Manager, consistent with the current Charter.

²⁰ Under even the latest version of the Charter published by the Virginia General Assembly, the school board is appointed by the Council; however, the current school board was generally elected this past November. Either way, the school board is not under the control or supervision of the Town Manager, and is an appropriate entity for a sole Liaison.

²¹ See also Section 6-1 (*Actions by individual members of the Council*).

Section 2-3 Parliamentarian

Except as modified herein or as provided by Virginia law, the informal "Procedure in Small Boards" described in the most current edition of *Robert's Rules of Order* shall be the parliamentary authority at all meetings of the Council, which procedure includes the following exceptions:

- Members may raise a hand instead of standing when seeking to obtain the floor, and may remain seated while making motions or speaking.
- There is no limit to the number of times a member may speak to a debatable question.
- Informal discussion of a subject is permitted while no motion is pending.

The Town Attorney shall act as parliamentarian (the "Parliamentarian") to the Council. In the absence of the Town Attorney, the Town Clerk shall act as Parliamentarian. Any questions involving the interpretation or application of *Robert's Rules of Order* ~~'s Procedure in Small Boards~~ shall be addressed to the Town Attorney or, if not available, to the Town Clerk. If the Town Attorney and Town Clerk are not available, then the Town Manager shall act as Parliamentarian.

Section 3 Conduct of business

Section 3-1 Order of business

At the Council's meeting, the order of business shall be generally as follows:

- Call to order
- Roll call of members
- Amendments to the agenda
- Approval of the agenda
- Approval of minutes
- Consent agenda
- Council member announcements (at regular meeting)
- Council Liaison and committee reports (at work session)
- Presentations
- Public comment²²
- Unfinished business
- New business
- Closed meeting (if necessary)
- Recess/adjournment²³

²² Under Virginia Code § 15.2-1416(D), the Council "shall provide members of the general public with the opportunity for public comment during a regular meeting at least quarterly."

²³ Under Virginia Code § 15.2-1416(C), regular meetings "may be adjourned from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting," until the business before the Council is completed.

Section 3-2 Agenda details

Every ordinance or resolution which involves the expenditure of funds shall identify the budget line item number that will be used to fund the expenditure.

Section 3-3 Motions

The Mayor need not rise while putting questions to a vote.

The Mayor may, without leaving the chair, speak in informal discussion and debate, and vote on all questions.

Section 3-4 Appeal to council

Any member of the Council may appeal to the Council from the decision of the Mayor on any question of order or the interpretation of these Bylaws. A majority vote of those present is necessary to overrule the Mayor. No second is required on a member's appeal.

Section 3-5 Suspending rules

At any time when Council members wish to proceed on an item or discussion, in a manner that is not in accordance with these Bylaws, a motion to suspend is in order. A vote of the majority of the members present is required to suspend the Bylaws.

Section 3-6 Public comment

Individuals may speak during the portion of the agenda designated for public comment and may speak for up to five (5) minutes. The Mayor may exercise discretion in these time limits based upon the circumstances but should do so only rarely.

Council members may not interrupt citizen speakers.

Section 3-7 Citizen questions, complaints, and suggestions

A purpose of the public comment portion of the agenda is to permit members of the general public an opportunity to address the Council. The public comment period is not intended as a question and answer session with the Council.

In order to promote good government, citizen questions, complaints, concerns, requests, etc. may first be addressed to the customer service representative at Town Hall, who will either answer the questions or refer them to the proper administrators for answers.

The Mayor may, in their discretion, answer a question or a complaint if the answer is brief or may recognize a Council member to respond. For more involved answers to questions, the Mayor will respond to the citizen by saying that the question has been referred to the

Town Manager who will see to it that an answer is provided if the citizen provides their contact information.

Citizen suggestions about the day-to-day practical operations of the Town may be made to the Assistant Director of Finance/Customer Service Manager at Town Hall, who will direct them, if necessary, to the appropriate departments.

Citizen suggestions about Council policies and actions may be made during the public comment period of Council meetings. The Town Clerk will keep a record of these suggestions, and provide them to the Town Manager within 72 hours of the meeting. And the Council will consider them at its next work session, to determine which suggestions may be appropriate for action at the next, or a later, regular meeting.

Section 3-8 Work sessions

When items are to be included in the agenda for consideration at a work session, a summary sheet providing an overview (including pros and cons) shall be prepared by the appropriate Town staff member, provided to the Town Clerk, and distributed to the Council members in advance of the work session by the Town Clerk.

Routine administrative matters, including but not limited to simple referral of items to the planning commission and authorization to advertise a public hearing, may be introduced by motion, and voted on by the Council at work sessions.

Section 4 Public hearings

Section 4-1 Mayor to conduct public hearings

The Mayor shall conduct all public hearings.

Section 4-2 Hearing presentations

Hearings shall begin with a brief presentation from a staff member and/or representative from the relevant board, authority, commission, or committee. The presentation shall summarize the facts about the issue. Council members' inquiry during the staff's presentation shall be limited to questions about the issue. Discussion or debate about the merits of the proposal shall occur after the close of the public hearing. Council members shall be mindful of their obligation to keep an open mind regarding matters involving public hearings.

Section 4-3 Order of public hearings

The order of public hearings shall be as follows:

- A. The Mayor shall open the public hearing.

- B. The applicant (or his or her representative) shall be the first speaker. Any and all representations made by the applicant to the Town on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the Town.
- C. The Mayor shall then solicit comments from the public. Each speaker must clearly state his or her name and address.
- D. After public comments have been received, the applicant, at his or her discretion, may respond with additional information.
- E. Upon the conclusion of the applicant's comments, the Mayor shall close the public hearing.

Section 4-4 Members' participation

Council members shall withhold their comments in public hearings to ensure participation by the public without Council interference.

Section 4-5 Close of hearing

When a public hearing has been closed by the Mayor, no further public comments shall be permitted. Council members, however, may direct questions to the applicant, the representative of the relevant board, authority, commission, or committee, or a staff member for clarification prior to taking any vote, if a vote is in order.

Section 4-6 Debate

Following the close of the public hearing, the Mayor entertains a motion and a second to address the issue, and the Council may debate the merits of the issue.

Section 5 Agenda

Section 5-1

Preparation

- A. The Town Clerk shall prepare an agenda for each regular and special meeting conforming generally to the order of business specified in Section 3-1, entitled "Order of business." The Town Manager shall coordinate the scheduling of items on the agenda with the Mayor. Every item that is placed on an agenda shall be accompanied by a staff memorandum that identifies the action that is recommended, the pros and cons, and relevant background information. Complete agenda packets shall be distributed to the Council and made available to the public on or before the Friday immediately preceding the Council meeting.
- B. Council members may request that items be placed on the agenda of a work

session, for discussion, by contacting the Town Manager and Town Clerk at least eight business days prior to that work session. No such item shall be removed without the consent of the requesting Council member.

Before an item is placed on the agenda of a regular meeting for action, that item should have been discussed and vetted at a previous work session. While it may not always be possible because of time constraints to discuss a matter at a work session in order to promote thoroughness and attention to detail, this shall be the generally accepted practice.

- C. Appointments may be placed on the agenda for consideration at any time.
- D. On a quarterly basis during the months of April, July, October, and January, at least twenty- four (24) hours prior to the regular meeting, the Town Manager and the Chief Financial Officer shall provide budget updates. These updates shall state the current revenues and expenditures and the projected end-of-year outcome. The budget update shall include all funds.
- E. Any matter not on the printed agenda may be heard, provided that every member of Council shall have been previously notified and that such a request is in the form of a motion to amend the agenda, is duly seconded, and then voted upon by a majority of the Council. If a resolution for consideration by Council is not included with the printed agenda, Council shall not vote on any such resolution unless a copy of the proposed resolution shall have been provided to every member of the Council prior to the start of the meeting.

Section 5-2 Minutes

The Town Clerk shall prepare and maintain minutes of the proceedings of the Council, and Council committees, in accordance with the requirements of the Virginia Code. Each recorded vote shall indicate how each member of the Council voted, as required by law. Preparation of minutes will not include every aspect of the Council's meetings relating specifically to discussion and debate, but will include all significant events relating to official action. The Clerk will make every effort to provide draft minutes to the Council within thirty (30) days or less of the date of the meeting.

Section 6 General operating policy

Section 6-1 Actions by individual members of the Council

- A. It shall be the policy of the Council that no one member shall exert individual action or direct any Town employee or independent contractor, or any Council, authority, commission, or committee of the Council, to initiate any action that would require a Town employee or independent contractor to perform any action contrary to the laws, ordinances, or policies of the Town, or which would require the expenditure of public funds in any amount without the approval of the Council.

No individual member of the Council possesses any individual authority. The authority to require the Town Manager, Town Attorney, or Town Clerk to engage in any work must be requested by a majority of the Council.²⁴

When one or more members of Council and/or the Mayor respond to the media, they shall make it clear whether they are expressing a personal opinion or whether they are representing a formal Council position or decision.

- B. While the Council does not have the authority to require anyone who is not appointed by the Council to engage in any work, it is the policy of the Council that when the Mayor and/or an individual member of Council otherwise interacts with employees or independent contractors of the Town, that the Mayor and/or individual members of Council conduct themselves in a respectful, civilized, and appropriate manner at all times. Under no circumstances is it appropriate for the Mayor and/or any individual member of Council to shout or yell at, or shout or yell in the presence of, any Town employee or independent contractor. Neither the Mayor nor any individual member of Council shall make a comment or statement to any Town employee or independent contractors that is vulgar, insulting, or sarcastic. The Mayor and individual members of Council shall support the maintenance of a positive and constructive workplace environment for Town employees and independent contractors, and for citizens and businesses dealing with the Town. The Mayor and individual members of Council shall recognize that any communications with Town employees or independent contractors shall in no way create the perception of any type of inappropriate direction to them.
- C. The conduct of the Mayor and individual members of Council must be above reproach and must avoid even the appearance of impropriety. Under no circumstances shall the Mayor or any member of Council threaten, either directly or indirectly, any Town employee or independent contractor with the loss of his or her job, position, and/or salary.
- D. The Mayor and individual members of the Council shall prepare themselves for every meeting by reading and reviewing the Council packet and they shall listen courteously and attentively to all public discussions before the body and focus on the business at hand. They shall refrain from interrupting other speakers and making personal comments that are not germane to the business before the Council or otherwise interfering with the orderly conduct of the meeting.
- E. The Mayor and individual members of Council shall not use the public resources that are not available to the public in general, such as Town staff time, equipment, supplies, or facilities, for private gain or personal purposes. The Mayor and individual members of Council may seek assistance from Town staff with respect to

²⁴ The Council does not have the authority to require anyone who is not appointed by the Council to engage in any work.

official Town business but shall not monopolize Town staff or interfere in any way with the ability of Town staff to perform their jobs.

- F. The Mayor and individual members of Council shall respect the confidentiality of information concerning the property, personnel, and/or affairs of the Town. They shall neither disclose confidential information without proper authorization of the Council, nor use such information to advance their personal, financial, or other private interests. Likewise, members of Council shall not use their position on Council for any type of personal gain.
- G. Recognizing that stewardship of the public interest must be their primary concern, the Mayor and members of Council will work for the common good of the people of the Town of Colonial Beach and not for any private or personal interest, and they will assure fair and equitable treatment of all persons, claims, and transactions coming before the Council. No member of Council should engage in behavior that is self-important or solicitous of special treatment.
- H. No individual Council member may pursue independently any mission, project, or commitment that is not in accordance with the majority of the Council, with the exception of carrying out his or her duties consistent with his or her appointment as an advocate for a specific area of Town government where those duties are in accordance with the consensus of Council.

Section 6-2 Exit interviews

Whenever a Town Manager, Town Clerk, or Town Attorney resigns or retires, the Mayor or the Vice Mayor, and the Liaison, if any, may conduct an exit interview with that person.

Section 6-3 Discussion of zoning and land use matters

Town Council members shall not engage in negotiations with applicants on zoning or land use matters.

Section 6-4 Polling procedure

The Town Manager or his or her designee may separately contact members of the Council for the purpose of ascertaining a member's position with respect to public business, provided the contact does not constitute a meeting as defined in Virginia Code § 2.2-3701(*Definitions*).

Section 6-5 Sanctions

Individual members of the Council may be held accountable for their actions in violation of these Bylaws and/or state law by the Council in accordance with these Bylaws and state law. For example, a member of Council may be punished or fined for disorderly behavior in accordance with Virginia Code § 15.2-1400 (*Governing bodies*), and the Council may,

by majority vote, censure a member of Council for violation of these Bylaws or other grossly inappropriate behavior.²⁵

Section 7 Amendments

Section 7-1 Amendments to the Bylaws and Rules of Procedure

The Bylaws and Rules of Procedure may be amended as necessary by majority vote of the Council.

Section 8 Statement of Colonial Beach Town Council members regarding Bylaws and Rules of Procedure

Each member of the majority who vote in favor of adopting these Bylaws is deemed to have affirmed the following statement:

Recognizing that elected officials hold office as a public trust, as a member of the Colonial Beach Town Council, I agree to abide by the Bylaws and Rules of Procedure and I will place the welfare of the community, and the best interests of the Town of Colonial Beach, above my loyalty to individuals or particular groups. I will ensure the integrity of the Town Council by not giving any special favors or privileges to anyone. I will not intentionally embarrass my colleagues, the Town staff, or citizens. I will behave in a professional, civilized manner at all times. I will not use my public position to benefit me personally. I will be mindful that I am only one member of Council and that I possess no individual authority, excepting the Mayor's statutory duty to preside at meetings. I will preserve the confidentiality of personal and privileged information shared during a closed meeting. I will not use my elected office to gain any personal privilege.

²⁵ See Robert's Rules of Order.

Tab D



TO: Town Council
FROM: Sally Adams, Director of Parks, Recreation, and Events
COPY: Natasha Tucker, Town Manager
SUBJECT: Confirmation of Parks & Recreation Advisory Commission Recommendations
DATE: January 21, 2026

SUMMARY

The purpose of this memo is to formally appoint the Parks & Recreation Advisory Commission’s recommendations of recent applicant selections.

BACKGROUND

The Parks & Recreation Advisory Commission has been serving with the minimum required Commissioners to meet the standard for a quorum for several months. After promoting the need for commissioners, the Parks, Recreation, & Events Director received four applications for the Commission during the time between the two most recent meetings. At a duly noticed meeting, the Parks & Recreation Advisory Commission reviewed applications and conducted discussions related to vacancies on the Commission. Following this review, the Commission voted to forward its recommendations to the Town Council for consideration.

RECOMMENDATION STATUS

The following applicants have been recommended by the Parks & Recreation Advisory Commission for appointment to the Commission, subject to Town Council approval:

- Constance Chewning
- Elena Thompson

These recommendations are presented to the Town Council for formal appointments.

NEXT STEPS

Applicants recommended by the Commission are not required to take any action at this time. Applicants will be notified of the outcome following Council action.

If approved by Town Council, appointed members will receive additional information regarding onboarding, meeting schedules, and applicable training requirements.

RECOMMENDATION

The Parks & Recreation Advisory Commission appreciates the time, interest, and commitment shown by all applicants. Volunteer service on the Parks & Recreation Advisory Commission plays an important role in supporting community engagement and enhancing the Town’s parks and recreational programming. The Commission recommends appointing Constance Chewning and Elena Thompson as the newest commissioners on the Parks & Recreation Advisory Commission.

Resolution #03-26, Appoints Constance Chewning and Elena Thompson to the Colonial Beach Parks and Recreation Advisory Commission

WHEREAS, there are two vacant seats on the Colonial Beach Parks and Recreation Advisory Commission; and

WHEREAS, Constance Chewning and Elena Thompson have applied and expressed their interest to serve on the Parks and Recreation Advisory Commission.

NOW THEREFORE BE IT RESOLVED, that the Town Council at a meeting on Wednesday January 21, 2026 hereby appoints Constance Chewning and Elena Thompson to the Colonial Beach Parks and Recreation Advisory Commission for a four-year term expiring on January 1, 2030.

Tab E



TO: Town of Colonial Beach Town Council

FROM: Angela Lawrence, Director of Planning & Community Development

COPY: Natasha Tucker, Town Manager; Kyler Brower, Assistant Town Manager; Powell Duggan, Town Attorney; and Darla Odom, Zoning Official

SUBJECT: **AUTHORIZE PUBLIC HEARINGS - ZONING TEXT AMENDMENT (ZTA 25-04) AMENDMENTS TO ARTICLE 14 – SITE PLAN AND ZONING TEXT AMENDMENT (ZTA 25-05) AMENDMENTS TO THE SUBDIVISION ORDINANCE**

DATE: January 21, 2026

BACKGROUND:

For many years, skyrocketing housing markets and overall economic shifts, including unforeseen events like the pandemic, have stressed Virginia’s ability to reach a healthy, affordable balance between housing costs and incomes. Numerous studies, including House Bill 854 (statewide housing study in 2022) have identified various challenges to housing provision and strategies to boost housing. During these studies stakeholders noted that local ordinance restrictions often lead to limited sites available for development as well as barriers such as lower permitted densities, site design regulations, and lengthy development review processes.

Revisions to Virginia Code § 15.2-2201, 15.2-2241, 15.2-2245, 15.2-2254, 15.2-2258, 15.2-2259, 15.2-2260, 15.2-2261, 15.2-2269, 15.2-2270, 15.2-2271 and 15.2-2307 became effective on July 1, 2025 relative to site plan and subdivision plat reviews.

The first modification in these state code revisions, which applies to all localities, reduces review times for site plan and subdivision plats, and establishes very specific processes for the number of resubmittals if plans and plats are not initially approved. These process and timing changes also strengthen a developer’s/subdivider’s ability to petition the circuit court to approve a plan or plat should the review timelines and processes not be met and/or if the developer/subdivider contends that a disapproval was not properly based on the ordinance applicable thereto or was arbitrary or capricious.

Staff continue to reiterate that the site plan and subdivision plat reviews are ministerial duties, not legislative actions such as with a rezoning request or conditional use permit application that would require public hearings and allow for discretionary acts that involve personal judgement by the reviewers. For site plan and subdivision plat reviews, the reviewer (whether the Planning Commission or a staff agent) must review the plats and/or plans as an obligatory act when a specific set of conditions is met – in other words, if the plans/plats meet the minimum ordinance requirements, they are to be approved.

The second part of the new law revisions, specifically for § 15.2-2201 removes the Planning Commission as a designated review agent to review and act on subdivision plats, site plans, and plans of development. The change is mandatory for localities with a population greater than 5,000. The University of Virginia’s Weldon Cooper Center for Public Service estimates the population of the Town of Colonial Beach to be 4,038 as of July 1, 2024. Since the Town has a population below the state code’s threshold, the Planning Commission will continue to review Preliminary Plats required for subdivision plats of more than 50 lots and those voluntarily submitted for their review by a subdivider for Preliminary Subdivision Plats with 50 or fewer lots. While no public hearing is enabled in state code for preliminary

subdivision plat reviews, the Town’s Zoning Ordinance does require the Planning Commission’s action on a Preliminary Plat to occur at a public meeting of the Planning Commission.

It is important to remember that these changes in the ministerial review processes for site plan and subdivision plat reviews where there are no requirements for public comment, do not preempt the Town’s review and public hearing requirements for rezoning, conditional use permits or variances, and similar processes.

DISCUSSION:

As part of their legislative program, the Home Builders Association of Virginia, championed the new laws that became effective July 1, 2025 (House Bill 2660 and Senate Bill 974). These changes in state code affect site plan and subdivision plat review approval processes for localities, including the Town of Colonial Beach.

Staff reviewed the Article 14 (Site Plans) of the Zoning Ordinance and the Town’s Subdivision Ordinance for compliance with the new law and the prepared draft ordinance amendments are recommended as Zoning Text Amendments ZTA 25-04 (Article 14 Site Plans) and ZTA 25-05 (Subdivision Ordinance).

In addition to minor language changes for clarity and consistency, the amendments would ensure these ordinances are in compliance with state code by referencing state code requirements for new processes and review timeframes. As noted in the Background Section, the Planning Commission will continue to review Preliminary Subdivision Plats required by the Town’s Subdivision Ordinance for plats of more than 50 lots and those voluntarily submitted for their review by a subdivider for Preliminary Subdivision Plats with 50 or fewer lots. There is no change with these amendments in the Planning Commission’s review authority or permissions. With these state code changes, it will be imperative for the Planning Commission and the Town to meet the new state mandated review processes and timelines, in addition to ensuring preliminary subdivision plat reviews are based solely on the applicable ordinances and regulations in compliance with state code.

Proposed Amendments are summarized below:

- Zoning Text Amendment ZTA 25-04 – Article 14 Site Plan
 - Section 14-5 A.7. – Remove language that conflicts with definition of floor area ratio
 - Section 14.5 A.12 – Modify language to clarify parking is to be provided in accordance with Article 13 Parking for consistency
 - Section 14.5 A.13 – For clarity, re-word requirement for public utilities to be identified on plans
 - Section 14-7 C. – Remove review time language and reference state code timeframes
 - Sections 14-7. D and E – Add sections from state code for a developer’s right to petition the circuit court if the locality fails to act in accordance with processes and timelines of state code and if disapproval is not based on applicable ordinance or is arbitrary or capricious
- Zoning Text Amendment ZTA 25-05 – Subdivision Ordinance
 - Section 2 and 6-2-3– Remove definition and process for submission of Concept Plat to eliminate the option. This process conflicts with the new state code processes and timing that states the locality “shall not delay the official submission of any proposed plat ... by requiring pre-submission conferences or reviews.”
 - Section 2 – Update definition of Preliminary Plat to ensure the findings only reflect compliance with applicable ordinances per state code
 - Section 2, 3-4, 5-3, and 6 – Remove terms for Minor and Major Subdivision from Ordinance as subdivision types as requested by Planning Commission. Terms conflict with state enabling legislation from 2014 for plat reviews. Term subdivisions remains and processes for review based on plats for greater than 50 lots and plats for fewer than 50 lots.
 - Section 3-1-2 – Clarify this section is relative to amendments to the Ordinance and remove conflicting references to processes

- Section 3-2 Duties – Simplify language to ensure processes and timeframes for review comply with state code
- Section 3-4. – Add language as a General Process statement that includes consideration of lot arrangement, both internally and where applicable, as part of a larger master planned or phased development
- Section 3-5. – Modify title to replace “Appeal” with “Petition” and add language in compliance with new state code on rights of a subdivider to petition circuit court.
- Section 5-1-1 – Modify language for clarity of purposes to allow deeper lots and to reflect that there are no waiver processes in new state code beyond petitions in Section 3-5
- Section 5-4-3. – Modify language that states porous pavers/concrete “shall” be used to clarify that the requirement would be based on practicality to lower impacts on environmentally sensitive areas and where such requirement would not conflict with other laws such as for accessibility
- Section 6-1-3.28 – Language added for Preliminary Plat requirements to identify portions of an overall master planned or phased development on adjacent parcels and for submittal of an approved mater or phased development plan with the preliminary plat submittal for additional information.
- Section 6-2 – Combined language to streamline and for clarity and removed phrase “including all phases of a phased subdivision” in conflict with state enabling legislation
- Section 6-2-3.A. – Clarify language for required and voluntarily submitted Preliminary Subdivision Plat and required Plat scale
- Section 6-2-3.B. – Correct plat copies required for Final Plat submittals
- Section 7-1-1 – Replace “Commission” with “Subdivision Agent” to correct the reference. It is unrelated to state code change. The Agent signs/certifies the Record Plats, not Commission. No change in process.
- Section 7-1-5 – Modify language to clarify difference between Commission’s required and optional reviews of Preliminary Plats. No change in process.
- Other minor language changes for minor corrections such as with adding “Planning and” to the name of the Community Development Department

PLANNING COMMISSION ACTION:

Following the public hearings for the two text amendments at their November 13, 2025, meeting, the Planning Commission voted unanimously to recommend approval to Town Council of Zoning Text Amendment (ZTA 25-04) to Article 14 – Site Plan as summarized herein and identified in Attachment 1 with underlined and stricken language.

The Planning Commission voted to defer its decision on Zoning Text Amendment (ZTA 25-05) to the Subdivision Ordinance to their December 11, 2025 meeting to allow input from the Town Attorney regarding whether preliminary plat reviews could be required where phases of larger phased developments are platted, even if the plat was for 50 or fewer lots. Specifically, the Commission asked if the phrase “including all phases of a phased subdivision” proposed as stricken in the Ordinance by staff could be retained to allow expanded review by the Planning Commission. In addition, the Commission discussed the confusion in the Ordinance due to Minor and Major subdivisions being defined differently than the state code where preliminary plats are required or optional.

At their December 11, 2025 meeting the Town Attorney confirmed that the phrase “including all phases of a phased subdivision” in Section 6-2 should be stricken as it conflicts with the state enabling legislation that establishes mandatory and optional submittal of preliminary plats based on the number of lots included, or submitted, on a subdivision plat for preliminary approval. Staff also identified revisions to the amendments that remove Minor and Major Subdivisions since these types conflict with state code reviews for Preliminary Plats based on greater than 50 lots and 50 or fewer lots. The Planning Commission agreed with this revised language to keep the term subdivision and the processes for preliminary plats, as well as those for boundary line adjustments, family subdivisions, and re-subdivisions, in compliance with state code. Following these discussions, the Planning Commission voted unanimously to recommend approval to Town Council of Zoning Text Amendment (ZTA 25-05) to the Subdivision Ordinance, as summarized herein and identified in Attachment 2 with underlined and stricken language.

RECOMMENDED COUNCIL ACTION:

Authorize staff to advertise public hearings for Zoning Text Amendment (ZTA 25-04) to amend Zoning Ordinance Article 14 – Site Plan as provided and Zoning Text Amendment (ZTA 25-05) to amend the Subdivision Ordinance as provided.

ATTACHMENTS:

Attachment 1 – Zoning Text Amendment (ZTA 25-04) Article 14 – Site Plan
Attachment 2 – Zoning Text Amendment (ZTA 25-05) Subdivision Ordinance

ARTICLE 14
SITE PLANStatement of Intent

For the purpose of assuring good arrangement, appearance, function, harmony with surroundings and adjacent uses and the objectives of the Comprehensive Plan, and compliance with the requirements of these regulations, a major or minor site plan shall be submitted for approval as detailed in this section.

14-1 When a Major Site Plan is Required

- A. The following uses shall require a Major Site Plan to be submitted and approved prior to the commencement of any land disturbing activity. Nothing in this section shall be construed to eliminate the need for any Major Site Plan when required by other sections of this Ordinance.
1. Single-Family Dwellings (per Article 14-5).
 2. Manufactured Home Parks.
 3. Multiple-Family Dwellings.
 4. Non-Residential Development where the land area devoted to the use of the property is 2,000 square feet or more.
 5. Mixed-Use Developments
 6. Any other construction or land improvements, as deemed necessary, by the Director [of Planning and Community Development \(the "Director"\)](#).

14-2 When a Site Plan is not Required

- A. The re-use of an existing building or structure is not subject to the requirements herein, provided the footprint of the building or structure and/or the impermeable surface coverage of the lot on which the building or structure is located on is not increased.

14-3 When a Minor Site Plan is Required

- A. Any application for a zoning permit that does not require a Major Site Plan shall require a Minor Site Plan, unless exempted by this Article. A Minor Site Plan shall be submitted and approved prior to the commencement of any land disturbing activity.

14-4 Major Site Plan Requirements

- A. Except as provided in Article 14-5, the following shall be the minimum requirements for Major Site Plans. If certain requirements are deemed unnecessary, the Director [of Community Development](#) may waive submission of part(s) of the submittal requirements. All site plans shall be clearly drawn to scale by a licensed engineer or land surveyor, duly authorized by the Commonwealth of Virginia, and shall illustrate the following information:
1. A title block denoting the type of application, name of project, tax map reference, and street address of the subject property.
 2. The name, address, and phone number of the property owner and applicant.
 3. The name, address, phone number, signature, seal, and registration number of the plan preparer, including his/her license expiration date and the preparation date of the plan.
 4. A north point arrow and plan scale. The plan scale for projects containing more than ten (10) acres shall not exceed fifty (50) feet to one inch. For projects containing less than

- ten (10) acres, the plan scale shall not exceed twenty (20) feet to one inch.
5. The distance to and identification of the nearest street intersection.
 6. The boundaries and dimensions of the entire parcel with existing or proposed parcel lines, easements, or rights-of-way within the subject property, including the total parcel area.
 7. The present zoning, principal use(s), and the boundaries of any overlay zoning on the subject parcel, including all contiguous properties.
 8. A table (with computations) estimating the lot coverage ratio and impervious surface coverage ratio, the types of proposed land-uses, the number of residential dwelling units and densities, and the gross and net floor area of residential and non-residential buildings and accessory structures.
 9. The location, dimensions, height, setbacks, and use of all existing and proposed buildings and structures on the property.
 10. All existing or proposed fences, walls, trash receptacles, freestanding/monument signs, buffer areas, storm water management facilities and all other required and proposed property improvements.
 11. The boundaries of any water bodies, floodplains, resource protection areas, watersheds, and wetlands.
 12. A generalized landscape plan demonstrating compliance with Article 24 of this Ordinance.
 13. A fully dimensioned parking lot plan illustrating all on-site parking stalls, stall dimensions, vehicular drive aisle widths, loading areas, vehicular driving surface material, curb cuts, vehicular driveways, and parking lot landscape planters.
 14. The location and dimensions of on-site pedestrian walkways, Americans with Disabilities Act (ADA) paths-of-travel and access ramps, bicycle paths, and any pedestrian or vehicular connection to an adjoining property.
 15. A typical roadway pavement and design section for all proposed streets, sidewalks, curbs, gutters, and culverts.
 16. For new development, the point of connection to public water and sewer with the location of utility lines, and a table estimating the daily water usage and sewage flow attributable to the proposed development in gallons per day, including the time of any necessary connections.
 17. A grading and drainage plan with topographic contour lines, at two-foot intervals, when associated with any on-site land disturbance.
 18. The size, location, and boundaries of any common open space, including recreational areas and/or facilities. A statement of whether or not such open space is to be dedicated to the public shall also be identified on the site plan.
 19. For phased developments, identification of the location and timing of each phase of development shall be identified on the site plan.
 20. A plan demonstrating compliance with all applicable sections of Article 22 (Chesapeake Bay Preservation Area (CBPA) Overlay District) when any land disturbance is proposed.
 21. A listing of the persons responsible for future maintenance of all easements, parks, playgrounds, storm water, drainage facilities, and common areas.
 22. Identification of the Resource Protection Area (RPA) on or adjacent to the project site, if applicable. A note stating that all property in the Town of Colonial Beach that is not in an RPA is considered a Resource Management Area (RMA).
 23. A notation regarding the retention of any undisturbed, vegetated, 100-foot buffer along all water dependent features.
 24. In the case of demolition, all existing construction to be demolished and the location and size of all existing buildings and construction to remain on-site.
 25. Four (4) sets of building construction plans (three (3) sets on at least 18" x 24" sheets and one (1) set reduced on a 11" x 17" sheet) that include the site plan, floor plans, and all building elevations with the maximum, proposed, building height illustrated.

14-5 Major Site Plan Requirements for Single-Family Dwellings

- A. The following shall be the minimum requirements for a site plan submitted for new construction of a single-family dwelling. If certain requirements are deemed unnecessary, the Director ~~of Community Development~~ may waive submission of part(s) of the submittal requirements. The site plan shall be clearly drawn to scale by a licensed engineer or land surveyor, duly authorized by the Commonwealth of Virginia, and shall include the following information:
1. A title block denoting the type of application, name of the project, and the tax map lot reference.
 2. The name, address, and phone number of the property owner and applicant.
 3. The name, address, phone number, signature, seal, and registration number of the plan preparer, including his/her license expiration date, and the preparation date of the site plan.
 4. A north point arrow and plan scale. The plan scale of the site plan shall not exceed twenty (20) feet to one (1) inch.
 5. The boundaries and dimensions of the entire parcel. The site plan shall show all existing or proposed property lines, easements, and rights-of-way within the subject property, including the total parcel area.
 6. The present zoning, principal use, and boundaries of any overlay or split zoning on the parcel.
 7. A table (with computations) identifying the lot coverage ratio, the impervious surface coverage ratio, and the floor area ratio for all existing and new construction. ~~In addition to the main dwelling unit, all covered porches, decks, balconies, and attached garages that are 50% or more enclosed shall be included in the total floor area ratio calculation for a single family dwelling.~~
 8. The general location, dimensions, height, and setbacks for all existing and proposed buildings on the property, including accessory structures.
 9. The boundaries of any water bodies, floodplains, Resource Protection Area (RPA) buffers, watersheds, and wetlands. The finished floor elevation for all buildings and structures proposed within a floodplain must be shown on the site plan. When a property is located outside of an RPA, it will be delineated as a Resource Management Area (RMA) on the site plan.
 10. A description and depiction of the methods proposed to control erosion, sedimentation, and storm water runoff. Properties exceeding an impervious lot coverage of 36% must include descriptions and details for required storm water mitigation measures under the Chesapeake Bay Preservation Act.
 11. A landscape plan for the installation of two (2) street trees on the property. The plan shall include the location, tree caliper size at planting, the tree species, and the planting details for the trees.
 12. ~~A minimum of two (2) vehicular p~~Parking spaces shall be illustrated on the site plan ~~and provided in accordance with Article 13 Parking. Each parking space shall be a minimum of nine (9) feet wide by eighteen feet (18) deep on the driveway.~~
 13. ~~Existing and/or planned public water and sewer lines. The including~~ points of connection to public water and sewer with location of ~~lines. aterals to proposed dwelling with meter and clean-out locations.~~
 14. A grading and drainage plan with topographic contour lines at two (2) foot intervals for the development of the project site.
 15. Delineation of the buildable area on the lot in compliance with the minimum zoning district requirements.
 16. Four (4) sets of building construction plans (three (3) sets on at least 18" x 24" sheets and one (1) set reduced on a 11" x 17" sheet) that include the site plan, floor plans, and all building elevations with the maximum, proposed, building height illustrated.
 17. In the case of demolition, all existing construction to be demolished and the location and size of all existing buildings and construction to remain on-site.

14-6 Minor Site Plan

A. The following shall be minimum requirements for Minor Site Plans. If certain requirements are deemed unnecessary, the Director of Community Development may waive submission of part(s) of the submittal requirements. The site plan shall be clearly drawn to scale by a licensed engineer or land surveyor, duly authorized by the Commonwealth of Virginia, illustrating the following information:

1. A title block denoting the type of application, name of project, tax map reference, and street address of the subject property.
2. The name, address, and phone number of the property owner and applicant.
3. The name, address, phone number, signature, seal, and registration number of the plan preparer, including his/her license expiration date and the preparation date of the plan.
4. A north point arrow and plan scale. The plan scale of the site plan shall not exceed twenty (20) feet to one (1) inch.
5. The square footage, location, building height, and setbacks of the new construction, drawn to scale, and in accordance with an accurate boundary line survey.
6. The boundaries and dimensions of the entire parcel. The site plan shall show all existing or proposed property lines, easements, and rights-of-way within the subject property, including the total parcel area.
7. The present zoning, principal building use, and boundaries of any overlay or split zoning on the parcel.
8. A table (with computations) identifying the lot coverage ratio, the impervious surface coverage ratio, and the floor area ratio for all existing and new construction.
9. The location and setbacks of all existing buildings and structures on the property.
10. Established street grades and proposed finished grades.
11. Identify the methods used to achieve positive drainage from the property, including contours and swales, as appropriate.
12. For new development, the point of connection to public water and sewer with the location of utility lines, and a table estimating the daily water usage and sewage flow attributable to the proposed development in gallons per day, including the time of any necessary connections.
13. A landscape plan demonstrating compliance with Article 24 of this Ordinance.
14. The location, configuration, dimensions, and vehicular surface material for all parking areas, vehicular drive aisles, loading areas and pedestrian paths of travel, including those for compliance with the Americans with Disabilities Act (ADA).
15. Demonstration of compliance with all applicable sections of Article 22 (Chesapeake Bay Preservation Area (CBPA) Overlay District) when any land disturbance is proposed.
16. In the case of demolition, all construction to be demolished and the location and size of all existing buildings and construction to remain on site.
17. Identification of the Resource Protection Area (RPA), if applicable, and a note stating that all property in the Town of Colonial Beach that is not in an RPA is considered a Resource Management Area (RMA).
18. A plat notation regarding the retention of an undisturbed vegetated 100-foot buffer along all water dependent features.
19. Four (4) sets of building construction plans (three (3) sets on at least 18" x 24" sheets and one (1) reduced set of plans on a 11" x 17" sheet).

14-7 Procedures

- A. All site plans or any portion thereof involving engineering or land surveying, shall be prepared and certified respectively by an engineer or land surveyor authorized by the Commonwealth of Virginia to practice as such.
- B. A minimum of four (4) clearly legible, blue or black line copies, for Major and Minor Site Plans

shall be submitted to the Director ~~of Community Development~~ for plan check review.

- ~~C.~~ The Director ~~of Community Development~~ or his/her designee shall be responsible for checking submitted site plans for general completeness and compliance with existing ordinances and regulations. As such, the Director may route copies thereof to appropriate public departments, agencies, and officials. The Director shall see that all reviews are completed on time and that action is taken by the approving authority on the site plan ~~within sixty (60) days of the receipt thereof in the Director's office, except under abnormal circumstances in accordance with Virginia Code as amended.~~ ~~Upon approval, Approval of a site plan is required prior to the Director will issue~~issuing a zoning permit for the ~~development approved on the submitted Major or Minor~~ Site Plan.
- ~~D.~~ If the Director fails to approve or disapprove the plan within the timeframe prescribed in Section C above, the developer, after 10 days' written notice to the Director, may petition the circuit court of the locality in which the land involved, or the major part thereof, is located, to decide whether the plan should or should not be approved. The court shall give the petition priority on the civil docket, hear the matter expeditiously in accordance with the procedures prescribed in Article 2 (§ 8.01-644 et. seq.) of Chapter 25 of Title 8.01 and make and enter an order with respect thereto as it deems proper, which may include directing approval of the plan.
- ~~E.~~ If the Director disapproves a plan and the developer contends that the disapproval was not properly based on the ordinance applicable thereto, or was arbitrary or capricious, he may appeal to the circuit court having jurisdiction of such land and the court shall hear and determine the case as soon as may be, provided that the appeal is filed with the circuit court within 60 days of the written disapproval by the Director.

14-8 Effect and Duration of Site Plan

- A. Every, valid, ~~and approved Community Development Department approval of a~~ Major or Minor Site Plan shall have an approval stamp affixed to the plan or an approval block located at the lower right corner of the plan that is signed by the Director ~~of Community Development~~ or his/her designee to authorize the applicant to proceed with any application for land-disturbing permits, building permits, and other permits and approvals required to develop property in conformity with the approved site plan. The site plan shall remain in effect for a period of not more than five (5) years unless the applicant requests ~~and is granted~~ an extension from the Director ~~of Community Development~~. Once approved and constructed the following improvements shall be maintained by the owner, successor, or heir in perpetuity. These improvements include landscaping, drainage, stormwater facilities, water/sewer facilities, streets and roads and any other facility not accepted by the Town of Colonial Beach by a deed of dedication and accepted by the Town of Colonial Beach Town Council.
- B. Should the site plan be disapproved, the applicant shall submit a revised site plan showing any corrections or modifications which are required as conditions for approval, unless the applicant chooses to withdraw the application. The revised site plan shall be reviewed and acted upon in accordance with Section 14-6 of this Article.
- C. If the approved site plan indicates that any land, improvement thereon, or right-of-way is to be dedicated to the public, the applicant shall submit appropriate legal documents to the Town Attorney for approval and acceptance by the Town Council. After the dedication has been approved, the applicant shall record a plat and an original warranty deed containing the metes and bounds description of all lands dedicated as part of the approved site plan. Such plat and deed shall be recorded no later than the time limit established for recording of deeds under the Town's subdivision ordinance.

- D. As built drawings, prepared by a surveyor or engineer licensed by the Commonwealth of Virginia shall be required for all improvements to be submitted and approved prior to acceptance of the improvements by the Town Council.
- E. For so long as the final site plan remains valid, in accordance with the provisions of this section, no amendment to this chapter adopted subsequent to the date of approval of the final site plan shall adversely affect the right of the developer or his successor in interest to commence and complete an approved development in accordance with the lawful terms of the site plan unless the amendment is required to comply with State law or there has been a mistake, fraud, or a change in circumstances substantially affecting the public health, safety, or welfare.
- F. Applications for minor changes to final site plans made during the period of validity of such plans established in accordance with this section shall not constitute a waiver of the provisions hereof, nor shall the approval of such minor changes extend the period of validity of such plans. Requests for such minor changes to approved site plans shall be made in writing to the Director ~~of Community Development~~. Such requests shall include any necessary information, including, but not limited to, modified drawings or renderings, as requested by the Director ~~of Community Development~~. Minor site plan revisions shall also be subject to those fees adopted in the Zoning Permit Planning Fees Schedule.

The Town of Colonial Beach

Subdivision Ordinance – 12.11.25 Version

SECTION 1 -AUTHORITY, PURPOSE & TITLE

1- 1. AUTHORITY

Appendix "B" is enacted pursuant to Virginia Code section 15.2-2200 et seq.

1-2. PURPOSE

The purpose of this ordinance is to establish certain subdivision and construction plan standards and procedures for the Town of Colonial Beach, Virginia. These are part of long-range plans to guide and facilitate the orderly and beneficial growth of the community, and to promote the public health, safety, convenience, comfort, prosperity and general welfare. More specifically, the purposes of these standards and procedures are to provide rules to guide the change that occurs when lands and acreage are subdivided and/or developed for residential, business, or industrial purposes; to provide assurance that the purchasers of lots are buying a commodity that is suitable for development and use; and to make possible the provision of public services in a safe, adequate, and efficient manner. Subdivided land sooner or later becomes a public responsibility in that roads and streets must be maintained and numerous public services customary to urban areas must be provided. This ordinance assists the community in meeting these responsibilities. This ordinance is to regulate the subdivision of property into lots, streets, alleys, and other public areas, to provide for making and recording of plats of such subdivisions, to regulate site plans to assure the good arrangement, appearance, function and harmony of buildings and other uses on intensively developed sites and to provide for the certification and approval of same.

1-3. TITLE

This ordinance is known and may be cited as "Subdivision Ordinance of the Town of Colonial Beach, Virginia."

- 1-3-1. A certified copy of this ordinance is filed in the Office of the Clerk of the Circuit Court of Westmoreland County and in the Office of the Town Clerk of the Town of Colonial Beach, Virginia.

SECTION 2 - DEFINITIONS

For the purpose of this ordinance, certain words and terms used herein shall be interpreted or defined as follows: Words used in the present tense include the future, words in the singular number include the plural, and the singular, unless the natural construction of the word indicates otherwise; the word "lot" includes the words "parcel" and "tract"; the word "shall" is mandatory and not directory; the word "approve" shall be considered to be followed by the words "or disapproved"; any reference to this ordinance includes all ordinances amending or supplementing the same; all distances and areas in feet or square feet and refer to measurement in a horizontal plane. When a term is not defined within this ordinance, the following references shall be used: 1) *The Colonial Beach Zoning Ordinance, A Glossary of Zoning, Development and Planning Terms, 50th edition, Planning Advisory Service Report #491/492; The New Illustrated Boon of Development Definitions;* and, the *Commonwealth of Virginia Uniform Statewide Building Code 2009* and all future subsequent revisions.

<i>Alley:</i>	A permanent service way providing a secondary means of access to abutting properties.
<i>Boundary Line Adjustment:</i>	Where adjacent property owners relocate a boundary line and no new building lots are created. Such property line adjustments contain the original parcels and/or have a common border with the original parcels. The action shall not involve the relocation or alteration of streets, alleys, easements for public passage or other public areas.
<i>Building Line:</i>	The distance which a building is from the lot line or boundary line, including from the edge of any street right-of-way.
<i>Commission:</i>	The Planning Commission of the Town of Colonial Beach, Virginia.
<i>Concept Plan:</i>	A drawing which can be as simple as a plan illustrating the location of a proposed parcel, showing how access shall be achieved to the parcel and showing the proposed layout of streets and lots. A concept plan is not engineered and not required as part of a subdivision approval. The submission of a Concept Plan is not required, but it is recommended that such a plan be created and/or submitted for discussion purposes and provided to the Planning Commission to review.
<i>Construction Plans:</i>	The site construction design with illustrative details as to how the subdivision and all improvements shall be constructed, including profiles.
<i>Corner Lot:</i>	A lot abutting upon two (2) or more streets at their intersection. The portions of the lot facing the

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	streets shall be deemed to be front(s) and the other boundary lines shall be deemed to be sides.
<i>Council:</i>	The Town Council of the Town of Colonial Beach, Virginia.
<i>Cul-de-sac:</i>	A street with only one outlet and having an appropriate turn-around for a safe and convenient reverse traffic movement.
<i>Developer:</i>	See Subdivision Developer.
<i>Director:</i>	The Director of <u>Planning and</u> Community Development of the Town of Colonial Beach, Virginia.
<i>Double Frontage Lot:</i>	An interior lot having frontage on two 12! streets.
<i>Family Subdivision:</i>	A single division of a lot or parcel for the purpose of sale or gift to a member of the Immediate Family of the property owner or to a trust, the beneficiary or beneficiaries of which are all member(s) of the Immediate Family of the property owner.
<i>Final Plat:</i>	A plat, drawn to scale as specified in the subdivision ordinance, incorporating all conditions of approval of the Preliminary Plat, when required or submitted, and confirming that private and public improvements have been completed and/or performance guarantees have been secured.
<i>Flog Lot:</i>	A lot with access provided to the bulk of the lot by means of a narrow corridor having a minimum width of twenty (20) feet and a maximum length of two hundred fifty (250) feet from the public right-of-way,
<i>Governing Body:</i>	The Town Council of the Town of Colonial Beach, Virginia.
<i>Health Officer:</i>	The Health Director or Sanitarian of the Town of Colonial Beach and/or County of Westmoreland Health Department.
<i>Highway Engineer:</i>	The resident engineer employed by the Virginia Department of Transportation (VDOT)
<i>Homeowners Association</i>	See "Property Owners Association (POA)."
<i>Immediate Family:</i>	Any person who is a natural or legally defined offspring, stepchild, spouse, sibling, grandchild, grandparent, aunt, uncle, niece, nephew, or parent of the property owner.
<i>Interior Lot:</i>	A lot other than a corner lot.
<i>Lot:</i>	A numbered and recorded portion of a subdivision intended for transfer of ownership and/or for

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	building development for a single building and its accessory buildings.
<i>Lot Depth:</i>	<i>The</i> mean horizontal distance between the front and rear lot lines.
<i>Lot Line Vacation:</i>	The legal combination by survey and/or deed of two (2) or more lots to create a single larger lot, thereby removing the existing line(s) dividing the lots.
<i>Lot of record:</i>	A lot, the plat or description for which is of record in the office of the Circuit Court Clerk of Westmoreland County, Virginia.
<i>Lot Width:</i>	The mean horizontal distance between the side lot lines.
<i>Low Impact Development (LID):</i>	A site design strategy with a goal of maintaining or replicating the predevelopment hydrologic regime through the use of design techniques to create a functionally equivalent hydrologic landscape, often utilizing integrated and distributed micro- scale stormwater retention and detention areas; concentrated reduction of impervious surface areas; the lengthening of flow paths and runoff times; the preservation and/or protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable (mature) trees, flood plains, woodlands and highly permeable soils. LID lowers development costs by reducing use of concrete and utilizes natural processes to manage stormwater runoff.
<i>Major Street:</i>	Those Primary Roadways (Main Roads) identified in the Colonial Beach Comprehensive Plan.
<i>Major Subdivision</i>	Any Subdivision not classified as Minor Subdivision, including but not limited to subdivisions of three (3) or more lots, or any size subdivisions requiring a new street or extension of public water and/or sanitary sewer, or any other public improvements or any Re-subdivision of a previously vacated lot line in a residential development of record. Review and approval of a Major Subdivision shall be in accordance with these regulations.
<i>Minor Street:</i>	Are those Local Streets (Secondary Roadways) identified in the Colonial Beach Comprehensive Plan.
<i>Minor Subdivision:</i>	A Boundary Line Adjustment between adjacent property owners where no new building lots are created, a family subdivision, or any Subdivision that: <ol style="list-style-type: none"> 1. Results in not more than two (2) lots,

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	<p>2. Does not include any new street or road construction,</p> <p>3. Does not require the extension of public facilities or the creation of any public improvements, and</p> <p>4. Is not in conflict with the Comprehensive Plan, the Official Zoning Map, the Zoning Ordinance, or the Subdivision Ordinance.</p> <p>A Minor Subdivision includes Boundary Line Adjustment(s) between adjacent property owners where no new building lots are created, and includes family divisions.</p>
<i>Plat:</i>	A map of a piece of land on which are marked the courses and distances of the lines and the quantity of the land and may include features and/or improvements on the land.
<i>Property Owners Association (POA):</i>	A non-profit organization, organized under the Property Owners Association Act (Virginia Code § 55.1-1800 <i>et seq.</i>), whose major purpose is to maintain and provide community facilities and services for the common enjoyment of the property owners within a development.
<i>Preliminary Plat:</i>	Prepared to show graphically all facts needed to enable the Subdivision Agent and the Planning Commission, if required, or voluntarily submitted to the Planning Commission for review, to determine whether the proposed layout of the subdivision in question is satisfactory from the standpoint of the public interest and in compliance with Zoning and Subdivision Ordinance standards <u>and other applicable laws.</u>
<i>Property:</i>	Any one or more tracts, lots, or parcels of real property.
<i>Road:</i>	See "Street."
<i>Resource Management Area IRMAJ:</i>	All lands within the Town of Colonial Beach that are not classified as Resource Protection Areas (RPA).
<i>Resource Protection Area (RPA):</i>	That component of the Chesapeake Bay Preservation Area comprised of lands adjacent to water bodies with intermittent or perennial flow that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation to the quality of state waters.
<i>Re-subdivision:</i>	To divide any legally recorded subdivision (whether approved and recorded as provided in this Ordinance or recorded prior to applicability of

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	such Ordinance) including, but not requiring, the relocation, alteration, and/or vacation of lot lines. <u>This term shall also include subdivision amendments and vacations in accordance with state code.</u>
<i>Service Street:</i>	A public right-of-way, generally parallel and contiguous to a primary or main roadway, primarily designed to promote safety by eliminating promiscuous ingress and egress to the right-of-way by providing safe and orderly points of access to the highway.
<i>Street:</i>	The principal means of access to abutting properties.
<i>Street Width:</i>	The total width of the strip of land dedicated or reserved for public travel, including roadway, curbs, gutters, sidewalks, planting strips, and additional right-of-way.
<i>Subdivide/Subdivision:</i>	To divide, <u>or the division of</u> , any tract, parcel, or lot of land into two (2) or more <u>lots or parcels parts of less than five acres each for the purpose of transfer of ownership or building development, or if a new street is involved in such division, any division of a parcel of land. The word "subdivide," and any derivative thereof shall have reference to the term "subdivider."</u>
<i>Subdivider:</i>	The owner or owners of any tract, lot, or parcel of land which is to be subdivided; or any individual, group of individuals, entity, or entities to whom or to which the owner(s) of a tract, lot, or parcel of land to be subdivided have given their power of attorney to act on his, her, its, or their behalf in planning, negotiating for, representing, effecting, and/or executing the legal requirements for accomplishing a Subdivision.
<i>Subdivision Agent:</i>	The Director of Planning and Community Development or their designee shall serve as the Subdivision Agent for the Town of Colonial Beach.
<i>Subdivision Developer:</i>	Any person, whether an individual, corporation, company, trust, partnership, other entity, or any combination thereof, which acquires lots within a subdivision for the purpose of resale following construction thereon of improvements; or any individual, corporation, or partnership, or any combination thereof, which acquires from a subdivider or his/her successor in interest the right to construct improvements within a subdivision for resale.

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<i>Subdivision Monument:</i>	The initial point, also known as the point of beginning, of a plat on the exterior boundary of the plat and marked with a galvanized iron pipe or an iron or steel rod. If galvanized iron pipe is used, the pipe may not be less than three-quarter inch inside diameter and 30 inches long. If an iron or steel rod is used; the rod may not be less than five-eighths of an inch in least dimension and 30 inches long. The location of the monument shall be with reference by survey to a section corner, one-quarter corner, or one-sixteenth corner, to a pre-existing monument or known lot corner or boundary corner of a recorded Subdivision Plat.
<i>Surety:</i>	Certified check, cash escrow, letter of credit, or performance bond in an amount and form approved by the town attorney and held by the governing body.
<i>Town:</i>	The Town of Colonial Beach, Virginia, or any authorized representative thereof.
<i>Underdeveloped Roadways:</i>	Gravel roads and similar type roadways, as identified in the Colonial Beach Comprehensive Plan. Underdeveloped roadways may also be paper streets or roadways that have not been developed, but are identified for future construction in a recorded, final, Subdivision Plat or in the Colonial Beach Comprehensive Plan.
<i>VDOT</i>	The Virginia Department of Transportation.

SECTION 3 - ADMINISTRATION & ENFORCEMENT

3-1. ADMINISTRATION

- 3-1-1. The Director of Planning and Community Development or their designee, is the Subdivision Agent to administer this ordinance. All Final Plats for Subdivision must be submitted to the Town for approval or disapproval, which submission must carry the recommendation for approval or disapproval of the Director.
- 3-1-2. The ~~administration and enforcement of all State and local laws applicable to land subdivision and development, and the~~ authority to amend the Town of Colonial Beach Subdivision Ordinance, shall be vested in the governing body, upon receipt of a recommendation by the Planning Commission. ~~The Planning Commission subdivision agent shall approve or disapprove all Major Subdivisions and Preliminary Plats in accordance with this Ordinance and the laws of the Commonwealth of Virginia.~~
- 3-1-3. The right is reserved in the governing body to elect, by resolution entered on record, whether it will or will not accept the dedication of any proposed subdivision street or alley into the Town's street system for maintenance.
- 3-1-4. Nothing in this ordinance shall be construed to authorize the impairment of any vested right.

3-2. DUTIES

The Subdivision Agent, and the Planning Commission for Preliminary Subdivision Plat reviews as outlined in Section 3-4-1, shall perform their duties in accordance with this Ordinance and the ~~Land Subdivision and Development Act, of the~~ Code of Virginia for subdivision plat reviews, (Va. Code §§ 15.2-2240 through 15.2-2276). ~~The Subdivision Agent shall review and approve all Minor Subdivisions including the timeliness and processes for such reviews.~~

3-3. To CONSULT

In the performance of their duties, the Subdivision Agent and the Planning Commission may call for or request verbal or written opinions or decisions from other departments of the Town, as well as pertinent reports from State agencies and consultants, where deemed necessary or convenient.

3-4. R E V I E W ADDITIONAL AUTHORITY

General Process. In the examination of Preliminary Subdivision plats as required and permitted below, the Planning Commission and/or Subdivision Agent shall take into consideration applicable laws and regulations, zoning, proffers, approval conditions, the land being subdivided and provisions of this chapter. Attention shall be given to items, including, but not limited to, rights-of-way widths, location of streets, private pavement, water and wastewater sanitary utilities, stormwater management and environmental protection, lot arrangement internally and, where applicable, as part of a larger master planned or phased development, and public facility requirements such as parks, schools, and other facilities.

- 3-4-1. The Subdivision Agent shall have the authority to approve Final and Record Plats for ~~Major~~ Subdivisions of more than 50 lots, or for ~~Major~~ Subdivisions of 50 or fewer lots when the subdivider voluntarily submits the Preliminary Plan, to the Planning Commission for review and approval, provided the plat is consistent with the Preliminary Plat approved by the Planning Commission, as required for Subdivision Plats for more than 50 lots. The Subdivision Agent shall also have the authority to approve Final and Record Plats for ~~Major~~ Subdivisions of 50 or fewer lots where the subdivider decides not to submit a Preliminary Plat to the Planning Commission for review and approval provided such plat(s) are prepared in accordance with the requirements of this Ordinance, the Town's Zoning Ordinance, and other applicable laws.
- 3-4-2. The Subdivision Agent shall have the authority to approve through the Final Plat review all ~~Minor Subdivision Boundary Line Adjustment, Family Subdivision and Re-subdivision~~ Plats, as defined in this Ordinance.
- 3-4-3. All Subdivision Final Plats shall have the approval of the Subdivision Agent as a Record Plat prior to recordation of said plat in Westmoreland County's Circuit Court Clerk's office, and prior to the development or sale of any Lot.
- 3-4-4. In addition to the regulations herein contained for the platting of Subdivisions, the Subdivision Agent may, from time to time, establish any reasonable additional administrative procedures and policies deemed necessary for the proper administration of this Ordinance.
- 3-4-5. The approval or disapproval of a plat shall be in writing with specific reasons given in writing for any disapproval.

3-5. RIGHT OF APPEAL/PETITION

A. If the Planning Commission or Subdivision Agent fails to approve or disapprove a plat within the timeframe prescribed in Section 3-2 above, the Subdivider, after

10 days' written notice to the Subdivision Agent, may petition the circuit court for the locality in which the land involved, or the major part thereof, is located, to decide whether the plat should or should not be approved. The court shall give the petition priority on the civil docket, hear the matter expeditiously in accordance with the procedures prescribed in Article 2 (§ 8.01-644 et. seq.) of Chapter 25 of Title 8.01 and make and enter an order with respect thereto as it deems proper, which may include directing approval of the plan.

B. If the Planning Commission or Subdivision Agent disapproves a plat and the Subdivider contends that the disapproval was not properly based on the ordinance applicable thereto, or was arbitrary or capricious, the Subdivider may appeal to the circuit court having jurisdiction of such land and the court shall hear and determine the case as soon as may be, provided that the appeal is filed with the circuit court within 60 days of the written disapproval by the Planning Commission or Subdivision Agent.

~~In the event a plan for subdivision is disapproved by the Subdivision Agent or Planning Commission, the subdivider may appeal, in writing, to the Town Council within 30 calendar days of the disapproval. If the Town Council finds that such disapproval was not based on the Subdivision Ordinance or applicable State laws, the Town Council may override the disapproval and approve said plan if the Town Council determines it satisfies the Subdivision Ordinance and applicable State laws. No appeal shall be made unless it is filed by the subdivider, in writing, with the Clerk of the Town Council within 30 days of disapproval by the Subdivision Agent or Planning Commission.~~

SECTION 4-GENERAL STANDARDS

4-1. MUTUAL RESPONSIBILITY

There is a mutual responsibility between the subdivider and the Town to divide land so as to improve the general use pattern of the land being Subdivided.

4-2. SUBDIVISION AND DEVELOPMENT

All subdivision and development, including all improvements, shall be installed by the subdivider at their cost and in compliance with the provisions of this Subdivision Ordinance, the Town's Zoning Ordinance, and other applicable local, State, and federal codes and regulations and the determinations of governing State departments and agencies, including, but not limited to, VDOT.

4-3. STANDARDS AND SURETY

All improvements shall be in accordance with the requirements set forth herein and in all other Town ordinances. This Ordinance includes, by reference, all mandatory provisions of Virginia. Code §15.2-2241 through 15.2-2269, as amended.

4-3-1. All Streets. All streets and alleys in the proposed subdivision shall be designed and constructed in accordance with the VDOT road

specifications and requirements, except as may otherwise be approved by the Town in conjunction with approval of a Planned Unit Development (PUD) District or within a townhouse or business park development.

- 4-3-2. New Streets. All new streets shall have a minimum of a fifty (50) foot right-of-way, unless otherwise provided for as part of a PUD zoning approval.
- 4-3-3. Alleys. Dead end alleys must have turn-arounds or cul-de-sacs of at least one hundred (100) feet in diameter, except as may be provided for in a PUD zoning designation.
- 4-3-4. Coastal Flood Plain and Coastal High Hazard Areas. Areas which are shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map which are subject to flooding, the streets and sidewalks of the subdivision therein shall be designed to minimize their potential for increasing and aggravating

the levels of flood flow. Drainage openings shall be required to sufficiently discharge flood flows without unduly increasing flood depths.

- 4-3-5. Alignment and layout of streets. The arrangements of streets in new subdivisions shall make provision for the continuation of existing streets in adjoining areas. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. When, in the opinion of the Subdivision Agent, it is necessary to do so, the connection of existing streets to access the adjoining property(ies) shall be required. Proposed streets shall be extended and constructed to the boundary line of adjoining property(ies). Signage shall be posted at locations within a subdivision where such streets terminate. The signage shall state: *"This street may be extended to serve future development and is not a permanent cul-de-sac."* A reference to this notification shall be placed upon all Record Plats and within the deeds of the individual lots within the subdivision.

Half streets along the boundary of land proposed for subdivision will not be permitted. Wherever possible, streets should intersect at right angles. Streets running with contours shall be required to intersect at angles of not less than eighty (80) degrees, unless approved by the Subdivision Agent upon recommendation of VDOT.

- 4-3-6. Secondary Roadways and Local Streets. Except as provided in Section 5-2-2, whenever a proposed subdivision with four (4) or more lots contains or is adjacent to a primary or main roadway, a provision shall be made for a secondary roadway or local street approximately parallel to such right-of-way at a distance suitable for buffering the residential properties from such primary or main roadway and the proposed subdivision. Such distances shall be determined with due consideration of the minimum distance required for ingress and egress to the primary or main roadways.
- 4-3-7. Right-of-way Crossings. The right-of-way of any primary or main roadway projected across any railroad, limited access highway, or expressway shall be of adequate width to provide for the cuts or fills required for any future separation of grades. Any such local street or secondary roadway shall be constructed in accordance to plans and specifications of the VDOT, to include its right-of-way requirements.
- 4-3-8. Approach angle of streets. Streets shall approach intersecting streets at an angle of not less than eighty (80) degrees, unless the Subdivision Agent, upon recommendation of VDOT, shall approve

a lesser angle of approach for reasons of contour, terrain, or matching of existing traffic patterns.

- 4-3-9. Cul-de-sac. Terminal streets (cul-de-sacs), shall not exceed a length of five hundred (500) feet to the beginning of the turn-around. Cul-de-sacs shall not provide access to more than twelve (12) lots. Each cul-de-sac must be terminated by a turn-around of not less than one hundred (100) feet in diameter, except as may be provided for in Planned Unit Development District.
- 4-3-10. Reserve strips. There shall be no reserve strips controlling access to streets.
- 4-3-11. Private streets. There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street except as may be provided for in Planned Unit Development Districts or within a Townhouse Development.
- 4-3-12. Names of streets. Proposed streets which are obviously in alignment with other already existing and named streets shall bear the names of the existing streets. In no case shall the names of proposed streets duplicate existing street names irrespective of the use of the suffix street, avenue, boulevard, drive, way, place, lane, or court. Street names shall be indicated on the Preliminary and Final Plats and shall be subject to approval by the Subdivision Agent. Names of existing streets shall not be changed except by approval of the governing body.
- 4-3-13. Monuments. As required by this ordinance all monuments must be installed by the subdivider and shall meet the minimum specifications (as described in this ordinance.) Upon completion of subdivision streets, sewers, and other improvements, the subdivider shall make certain that all monuments required by the Subdivision Agent are clearly visible for inspection and use. Such monuments shall be inspected and approved by the Subdivision Agent before any improvements are accepted by the governing body. The area immediately surrounding a monument (a radius of at least five (5) feet) shall be shown on the Record Plats as common area/easements dedicated to the property owners' association.
- 4-3-14. Location - Concrete. Concrete monuments four (4) inches in diameter or square, three (3) feet long (deep), with a flat top, shall be set at all street corners, at all points where the street line intersects the exterior boundaries of the subdivision, and at right angle points, and points of curve in each street. The top of the monument shall have an appropriate mark to identify property

location and shall be set flush with finished grade.

4-3-15. Location -- Iron pipe. All other lot corners shall be marked with iron pipe not less than three-fourths (3/4) inch in diameter and twenty-four (24) inches long and driven so as to be flush with the finished grade. When rock is encountered, a hole shall be drilled four (4) inches deep in the rock, into which shall be cemented a steel rod one-half (1/2) inch in diameter, the top of which shall be flush with the finished grade line.

4-3-16. Water facilities. Public water facilities shall be extended by the subdivider to all lots within a subdivision. Every subdivision lot shall be provided by the subdivider with a satisfactory and sanitary means of central water distribution in accordance with the design standards and specifications of the Town for water construction and improvements and meeting the approval of the Director of Public Works and the Subdivision Agent. All costs shall be borne by the subdivider.

Water facilities in Coastal Flood Plain and Coastal High Hazard Areas as shown on the FEMA Flood Insurance Rate Map shall be designed to minimize or eliminate infiltration of flood waters into the public system and shall be located and constructed to minimize or eliminate flood damage.

4-3-17. Sewerage facilities. Public sewerage facilities shall be extended by the subdivider to all lots within a subdivision. Every subdivision lot shall be provided by the subdivider with a satisfactory and sanitary means of central sewage collection and disposal in accordance with the design standards and specifications of the Town for sewage construction and improvements meeting the approval of the Director of Public Works and the Subdivision Agent. All costs shall be borne by the subdivider.

All new or replacement sanitary sewer facilities, (including all pumping stations and collector systems) within Coastal Flood Plain and Coastal High Hazard Areas as shown on the FEMA Flood Insurance Rate Map, shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into floodwaters. In addition, they should be located and constructed to minimize or eliminate flood damage and impairment.

4-3-18. Private sewer. Private sanitary sewer systems are not permitted to be installed on private property within the corporate limits of the Town. Where such a system is pre-existing and such system fails, the property owner shall connect the improvement(s) previously served by the failed system to the Town's sanitary sewer system.

All costs for construction and connection shall be the responsibility of the property owner.

- 4-3-19. Lot size. The minimum Lot size shall be in accordance with standards set forth in the Zoning Ordinance of the Town of Colonial Beach.
- 4-3-20. Storm drainage. Storm drainage facilities shall be designed and constructed in accord with the facility design and construction standards of the Town of Colonial Beach. The subdivider shall provide all necessary information needed to determine what improvements are necessary to properly develop the subject property, including contour intervals, drainage plans, flood control devices, and surface water quality protection, The subdivider shall also provide plans for all such improvements, and when properly installed, the improvements will be adequate for appropriate development. Low Impact Development (LID) methods should be used to the maximum extent possible to manage storm water runoff and drainage. The Subdivision Agent shall then approve or disapprove the plans. The subdivider shall also provide any other information required by the VDOT resident engineer.

All storm drain facilities shall be designed to convey the flow of surface water without damage to persons or property, and to minimize off-site impacts, which may require retention on-site. The system shall insure drainage away from buildings and on-site waste disposal sites. The Director of Public Works and/or the Subdivision Agent may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans, including those of VDOT, and the Chesapeake Bay water quality protection objectives. All costs for storm drainage shall be borne by the subdivider.

- 4-3-21. Fire protection. Fire Protection facilities shall be designed and constructed in accordance with the facility design and construction standards of the Town of Colonial Beach, ~~The~~the installation of adequate fire hydrants in a subdivision at locations approved by the Subdivision Agent may be required, The Subdivision Agent shall consult with the Director of Public Works before approving such location. All costs shall be borne by the subdivider.

4-3-22. Easements. The Subdivision Agent, in consultation with Director of Public Works and/or Town Engineer, may require easements for drainage or stormwater management facilities. When required by the Subdivision Agent, the construction easement shall be no less than forty (40) feet in width and permanent easements shall not be less than twenty (20) feet in width. Easements shall be provided for water, sewer, power lines, and other utilities in the subdivision. Easements shall be designed and located in accordance with the facility design and construction standards of the Town of Colonial Beach. All easements shall be shown on the Final Plat. Developer shall convey the shown easement, which may be common or shared easements, to franchised cable television operators furnishing cable television and public service corporations furnishing cable television, gas, telephone, and electric service to the subdivision consistent with Va. Code § 15.2-224 I(A)(6), as amended; however, the Town shall not be responsible to enforce such requirement.

4-3-23. Surety

A. Prior to approval of a Final Subdivision Plat, the subdivider shall complete, or shall provide for completion, all required public improvements all at the subdivider's expense. To provide for completion, the subdivider shall provide the Subdivision Agent with a surety payable to the Town of Colonial Beach, in a form acceptable to the Town Attorney. All bonds and letters of credit must be issued by a bank that has a physical location in Virginia that is within one hundred (100) miles of the Town. The amount of such surety shall not exceed the total of the estimated cost of construction as determined by the Town, based on unit prices for new public or private sector construction in the Town and a reasonable allowance for estimated administrative costs, inflation, and potential damage to existing roads or utilities, which shall not exceed ten (10) percent of the estimated construction costs. The subdivider shall obtain the Subdivision Agent's approval of its estimate of the time necessary to complete the improvements. If that time is exceeded and is not extended by the Subdivision Agent, the Subdivision Agent may arrange for completion of the improvements using the surety. If the subdivider defaults on construction of public improvements, and such improvements are constructed by the obligated party providing the surety, or with funding from the surety, the Town shall be entitled to retain or collect the allowance for administrative costs to the extent the costs of such construction do not exceed the total of the originally estimated costs of construction and the allowance for administrative costs.

- B. Upon the subdivider's written request, the Subdivision Agent shall make periodic partial releases of the Surety in a cumulative amount equal to no more than ninety (90) percent of the original amount for which the Surety was taken, based upon the percentage of facilities completed and approved by the Town or state agency having jurisdiction. Periodic partial releases may not occur before the completion of at least thirty (30) percent of the facilities covered by any surety. The Subdivision Agent shall not be required to execute more than three (3) periodic partial releases in any twelve (12) month period.
- C. Within thirty (30) days of receipt of written notice by the subdivider of completion of part or all of the facilities required to be constructed, the Subdivision Agent shall notify the subdivider of any specified defects or deficiencies in construction and suggested corrective measures. Written notice under this subsection shall consist of a letter from the subdivider to the Subdivision Agent requesting reduction or release of the surety along with a set of as-built plans and a certificate of completion by an engineer or land surveyor, as appropriate, licensed by the Commonwealth of Virginia. If no action is taken by the Subdivision Agent within the thirty (30) day period, the request shall be deemed approved, and a partial release granted to the subdivider. No final release shall be deemed approved and granted until after such thirty (30) day period has expired and there is an additional request in writing sent by certified mail, return receipt requested, to the Town Manager. The Subdivision Agent shall have ten (10) working days after receipt of the second request for final release to act, and, if no action is taken, the request shall be deemed approved and final release granted to the subdivider.
- D. The Subdivision Agent shall not grant final release for the remaining ten (10) percent of the surety until the public facilities covered by the surety are complete and have been accepted by and taken over for operation and maintenance by the state agency, Town department or agency, or other public authority which is responsible for maintaining and operating such public facility upon acceptance.
- 4-3-24. Developer/Subdivision Agreements. Facilities shown on the final and/or Preliminary Plats which are required by Town ordinances and are not proposed to be dedicated to the Town but are owned by the property owners' association shall also be referenced via an agreement with the Town as it relates to the construction and maintenance of such facilities. Such facilities may include, but are not limited to, landscaping, stormwater management structures, entrance signs, parks, trails, sidewalks, and other similar facilities.

- 4-3-25. Utilities. All utilities, such as gas lines, electrical lines, cable TV lines, telephone lines, and similar facilities shall be buried and constructed to minimize the chance of impairment during a flood event. This requirement applies to pre-existing distribution lines along a subject property's frontage with an existing state highway. The costs of burying and construction shall be borne by the property owner or developer.

4-4. UNSUITABLE LAND

Land deemed topographically unsuitable shall not be platted for residential occupancy or for any other use where such use is likely to increase the danger of health, life, or property, or aggravate erosion or flood hazard. Such land within the subdivision shall be set aside on the Record Plat as common area(s) which may be designated and used as open space or passive recreational area(s). Such area(s) shall not produce conditions contrary to the public welfare.

SECTION 5 DESIGN STANDARDS

5-1. LOT REQUIREMENTS FOR ALL SUBDIVISIONS

- 5-1-1. Lot Shape- Lots ~~with a~~ depth ~~greater than shall not exceed~~ four (4) times ~~its~~their width ~~should be avoided to the greatest extent possible unless the subdivider can show to the satisfaction of unless the Planning Commission for preliminary plat reviews for more than fifty (50) lots or if voluntarily submitted to the Planning Commission for fifty (50) or fewer lots and to the Subdivision Agent for all other plat reviews, that the depth of the lot(s) is necessary to due to unique grants a wavier due to~~ topography, terrain, or other physical characteristics of the land which render the dimensional restrictions impracticable ~~and such a lot lowers the environmental impacts on sensitive environmental areas.-~~
- 5-1-2. Side Lot Lines - Side lot lines shall be approximately at right angles or radial to the street line.
- 5-1-3. Lot Remnants - All remnants of lots below the minimum lot size left over after subdividing of a tract of land must be added to adjacent lot or lots or otherwise disposed of and shall not remain as unusable parcel(s).
- 5-1-4. Corner Lots - Corner lots shall have sufficient width for maintenance of the building restriction lines (setbacks) on both streets.
- 5-1-5. Flag Lots - These types of lots should be avoided to the greatest extent possible unless the subdivider can show, to the satisfaction of the Subdivision Agent, that the use of such a lot lowers the environmental impact(s) on sensitive environmental areas. In such cases, these types of lots may be utilized provided that the sensitive environmental area is

placed in common ownership of the community and shown on the Record Plat as "passive open space."

- 5-1-6. Separate Ownership - Where land covered by a subdivision includes two (2) or more parcels in separate ownership and the Lot arrangement is such that a property ownership line divides one (1) or more Lots, the land in each lot shall be transferred by deed to single ownership, which deed shall be recorded in the Circuit Court Clerk's Office of Westmoreland County, Virginia either before, or contemporaneously with the Final Plat.

5-2. ACCESS REQUIREMENTS

- 5-2-1. Controlled Access Points - Whenever a proposed subdivision contains four (4) or more lots and is adjacent to a primary or main roadway, as identified in the Town's Comprehensive Plan, then provisions shall be made for a local street or secondary roadway, as identified in the Town's Comprehensive Plan, that is approximately parallel to such right-of-way at a distance suitable for the establishment of screening and buffering the residential lots from such primary or main roadway. The size of the buffer shall be determined with due consideration of the minimum distance required for ingress and egress to the primary or main roadway.
- 5-2-2. Shared Driveway Entrances Required - If a subdivision contains fewer than four (4) lots, all lots shall be served by a single, shared, vehicular driveway when vehicular access to the subdivision is taken from a primary or main roadway.
- 5-2-3. Internal Streets Required - A tract of land proposed to be Subdivided shall be served by an internal street constructed to the standards of the Virginia Department of Transportation (VDOT) unless a private street is authorized by way of a PUD zoning.
- 5-2-4. A subdivision or re-subdivision involving any previously platted lots in the Town of Colonial Beach which take access from an underdeveloped road where there are no existing houses, shall be required to satisfy Sec. 4-3. In such locations, the subdivision roads and infrastructure shall be brought up to the minimum standards contained herein. All costs shall be borne by the developer.
- 5-2-5. VDOT Permit Required - All subdivisions or individual lots installing a new access point to the state road network shall first obtain a Land Use Entrance Permit from VDOT. If three (3) or more lots are using the same access point, then a paved entrance with a minimum of twenty-four (24) feet in width shall be installed by the subdivider in accordance with VDOT standards.
- 5-2-6. Boulevard Spine Road Required - All subdivisions which contain more than fifty (50) lots shall be served by a road designed as a boulevard. Such boulevard roadways shall have a raised, landscaped median and

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utilize curb, gutter, and sidewalks along both sides or utilize a six (6) foot wide asphalt trail along one (1) side of the boulevard with connections to sidewalks along local streets in the subdivision. Additionally, this trail option shall allow for engineered ditches to manage stormwater, incorporating low impact development (LID) techniques.

5-3. STREET LIGHTS, SIGNS, AND SIDEWALKS FOR MAJOR SUBDIVISIONS

- 5-3-1. Streetlights. All subdivisions in the Town of Colonial Beach with twenty lots or greater shall have streetlights installed by the subdivider. The streetlights, at a minimum, shall be located at each intersection and at mid-block points on the backside of the sidewalk(s). At a minimum, all cul-de-sac streets shall have a streetlight at the entrance and terminus of the street. The streetlights shall be of a consistent design and color. Where applicable, streetlights shall be energy star compliant. Streetlights shall be no taller than fifteen (15) feet above finished grade, all light sources (bulbs) shall be shielded as not to be visible from public rights-of-way, and the streetlights shall be shielded to reflect light to the ground. All costs shall be borne by the subdivider.
- 5-3-2. Street identification signs. Street identification signs shall be of a design approved by the Virginia Department of Transportation and/or the Subdivision Agent. The subdivider shall be responsible for the cost to acquire and the cost to install all street signs. Street signs may incorporate route numbers on sign blades to prevent excessive signage at intersections. Street signs shall be located at all intersections. If the Developer wishes to use a decorative street identification sign, the design shall be submitted to the Subdivision Agent for approval if it is consistent with the Colonial Beach Design Guidelines. Repair and maintenance of decorative street identification signs shall be the responsibility of the property owners' association.
- 5-3-3. Curb, gutter and sidewalks. All subdivisions within the Town of Colonial Beach shall contain curb, gutter, and sidewalks along both sides of subdivision streets in a design that meets the requirements of the Virginia Department of Transportation unless otherwise altered under the terms of the Planned Unit Development provisions in the zoning ordinance or as specified above in Section 5-2-6 of this ordinance. Subdivisions constructed with frontage along an existing state road(s) shall install such improvements for their respective frontage.
- 5-3-4. Subdivision Entrance Signs - All new subdivisions in the Town of Colonial Beach shall have a masonry monument style sign/entry feature. Such sign/entry feature may be illuminated with shielded lighting reflecting all light to the ground. A decorative/ornamental landscape perimeter shall be installed around the sign/entrance feature by the Subdivider which shall be a maximum of sixty-four (64) square feet in area and comply with all applicable landscaping provisions contained in Articles 12 and 24 of the Colonial Beach Zoning Ordinance. This area shall be shown on the Preliminary Plat and the Final Plat as common area which is to be owned and maintained by the property owners' association.

5-4. LOW IMPACT DEVELOPMENT (LID)

- 5-4-1. Low Impact Development - To the maximum extent possible, Low Impact Development (LID) methods shall be incorporated into the design of the stormwater management systems and facilities within all subdivisions in the Town of Colonial Beach. Such methods may include infiltration trenches, bio-retention areas, green roof systems, or other recognized methods.
- 5-4-2. Retention Ponds - These stormwater management structures are also referred to as Best Management Practices (BMPs). Generally, a wet aquatic basin is preferred over a dry basin provided there is sufficient hydrology to support the basin's ecology. Wet aquatic basins are the most effective in removing containments to meet Chesapeake Bay Act requirements. Additionally, when an aquatic basin is required, such structures shall be designed to appear as a naturally occurring body of water with a curvilinear shape. By using this shape, the basin blends into existing landform(s) and appears to fit naturally on the site. Along the banks, native Virginia hydrological or wetland plants shall be installed to aid in the treatment and filtering of the water to improve water quality and management of water quantity, consistent with Chesapeake Bay Act. Finally, security fencing shall be installed to protect the public's health, safety, and welfare, all such fencing shall be of a tubular aluminum and/or steel or wrought iron form no greater than six (6) feet in height.
- 5-4-3. Porous Pavers/Concrete. To provide for adequate drainage and flood control, porous pavers and/or porous concrete shall be used to the greatest extent practical as determined by the Subdivision Agent to lower the environmental impact(s) on sensitive environmental areas and by the subdivider to further the goals of the Chesapeake Bay Preservation Act in the construction of paths, walkways, driveways, and similar facilities within the subdivision, provided such use does not conflict with other applicable laws, such as accessibility.
- 5-4-4. LID & BMP Locations. All stormwater management facilities installed by the subdivider shall be shown on the Preliminary Plat and identified as common area, which shall be dedicated to the property owners' association upon completion of the subdivision. In addition, easements to access such facilities shall also be shown on the Preliminary Plat and identified as common area.
- 5-4-5. Maintenance of Common Areas. The maintenance of common areas and the facilities therein shall be the responsibility of the subdivider until such time that those facilities are transferred to the property owners' association ownership and control, which shall then become responsible for such maintenance.

SECTION 6 PLAT TYPES AND REQUIREMENTS

6-1. MINOR SUBDIVISION PLAT REQUIREMENTS

~~Whenever any Minor subdivision is proposed, and before any permit for the erection of a structure shall be granted, the subdivider or their agent shall apply in writing to the Subdivision Agent for the approval of the Subdivision Plat and submit six (6) copies of the plat, including the lot, street, and utilities layouts. No lot shall be sold or construction activity initiated until a Final Plat for the subdivision has been approved and recorded. Once recorded the subdivider or their agent shall submit one electronic copy of the Record Plat with the plat book and page number(s) to the Subdivision Agent. All costs for the preparation and recordation of any Subdivision Plat shall be the responsibility of the subdivider.~~

~~6-1-1. Minor Subdivision Plat Requirements. The following are the platting requirements for administrative approval of Minor Subdivisions:~~

- ~~1. Title on the plat specifying the type of Minor Subdivision;~~
- ~~2. Location of proposed subdivision by an insert map at a scale of not less than two (2) inches equal to one (1) mile showing adjoining roads, their names and numbers, towns, subdivisions and other landmarks;~~
- ~~3. Scale of one (1) inch equals 100 feet;~~
- ~~4. North arrow and date plat was prepared;~~
- ~~5. Property lines of the new lots shown with bearings and distances;~~
- ~~6. The boundary survey showing a closure with an accuracy of not less than one in twenty-five hundredth foot;~~
- ~~7. Total area of each new lot (square feet and acreage);~~
- ~~8. Total area of the parcel from which the Minor Subdivision was taken (residual, if any, of pre-existing tract);~~
- ~~9. Tax map number of the pre-existing parcel~~
- ~~10. If applicable, the new tax map number(s) assigned;~~
- ~~11. Location of the water & sewer laterals;~~
- ~~12. Current zoning of the property;~~
- ~~13. Location(s) of any lakes, rivers, and/or streams on the subject parcel, and specific delineation of the Resource Protection Area (RPA) boundaries;~~
- ~~14. A note on the plat that "All land within the Town of Colonial Beach is designated as Resource Management Area (RMA);"~~
- ~~15. Location and dimensions of all access points from public roads;~~
- ~~16. Location and dimensions of all driveways;~~
- ~~17. Location(s) of all easements;~~
- ~~18. Location(s) of all public rights-of-way;~~
- ~~19. If fronting on a State maintained road, a minimum dedication of twenty-five (25) feet from the centerline for public use;~~
- ~~20. The certified professional engineer or land surveyor's name, address, telephone, e-mail address, and fax number, along with their signed, professional, seal and certificate number on each plat;~~

- ~~21. An executed surveyor's certificate in accordance with Section 9 of this Ordinance;~~
- ~~22. A dotted line delineating required building setbacks;~~
- ~~23. Location(s) of all existing structures lying within or partially overlapping the required building setbacks on all new or residual parcels;~~
- ~~24. If applicable, the distance from existing buildings to all immediately surrounding property lines;~~
- ~~25. Culverts, drains, and water courses, their names, locations, elevations, and other pertinent data;~~
- ~~26. Boundaries of all coastal flood plain and coastal high hazard areas associated with the subdivision;~~
- ~~27. All location and design details for low impact development (LID) facilities and Best Management Practices (BMPs) that are required or proposed for the project;~~
- ~~28. An executed owner's consent and dedication in accordance with Section 9 of this Ordinance; and,~~
- ~~29. A signature block for the Subdivision Agent to sign for approval of the plat in accordance with the certifications found in Section 9 of this Ordinance.~~

6-2. MAJOR SUBDIVISION PLAT REQUIREMENTS

~~6-2-1. Whenever any Major Subdivision is proposed for more than fifty (50) lots, including all phases of a phased subdivision, and before any final or Record Plats are submitted for review and approval or any permit for the erection of any structure shall be granted, the subdivider or their agent shall apply, in writing, to the Planning Commission for the approval of the Preliminary Plat. For Major Subdivisions of fifty (50) or fewer lots, a Preliminary Plat may be submitted voluntarily, by the subdivider or their agent, for review and approval.~~

~~6-2-2. The applicant has the option to submit a concept plan to the Planning Commission for review and discussion. Concept plans are NOT to be approved by the Commission. A concept plan is a mechanism for a subdivider and the Commission to come to a general understanding of the proposal and potential impacts of the proposal (see 6-2-5(A) below).~~

~~6-2-3. The subdivider must obtain Preliminary Plat approval, as outlined in Section 6-2-1 above, and Final Plat approval before recording the plat, initiating construction, or selling any lot(s). To receive Final Plat approval, all construction plans and posting of surety must be completed and approved by the Town.~~

~~6-2-4. The Planning Commission Subdivision Agent shall act on a Preliminary Plat, as prescribed in this Ordinance and Va. Code § 15.2-2260. Review and/or approval by the Planning Commission shall occur at a public meeting of the Commission.~~

~~6-2-5. The following sections outline the process and platting requirements for Major Subdivisions:~~

~~A. SKETCH OR CONCEPT PLAT REQUIREMENTS~~

~~The subdivider may, at his/her option, submit to the Planning Commission up to twelve (12) paper copies and one electronic copy of a concept plan of the proposed subdivision prior to preparing an engineered Preliminary Plat. The purpose of the concept plan is to permit the Commission to advise the subdivider whether the concept plan is in general accordance with the requirements of this Ordinance. The Commission shall consider any concept plan and advise the subdivider where it appears that changes would be necessary or advisable. The Commission may mark the concept plan indicating necessary changes, and any such marked concept plan shall be returned to the Commission with the Preliminary Plat. No approval of the concept plan is required by the Commission, but if submitted, a concept plan shall contain, comply with, or be accompanied by, the following:~~

- ~~1. A completed land development application along with all required fees. All checks shall be made payable to the Town of Colonial Beach;~~
- ~~2. Drawn on white paper or print of topographic map;~~
- ~~3. If to scale, then the scale shall be one hundred (100) feet to one (1) inch;~~
- ~~4. Location(s), width, and names of all existing and proposed streets and public rights-of-way; and,~~
- ~~5. Location(s) and dimensions of all lots, parks, playgrounds, and other proposed uses of the land.~~

~~8. PRELIMINARY PLATS REQUIREMENTS~~

~~6-1-1 All proposed lot subdivisions involving more than 50 lots must submit a preliminary plat for approval as outlined in Section 3-4. When a preliminary plat is not required, such plat may be submitted voluntarily by the subdivider.~~

~~6-1-2 Approval Terms. An approved preliminary subdivision plat shall be valid for a period of five years and in accordance with the provisions of the Code of Virginia.~~

~~6-1-3 Preliminary Plat Requirements.~~

~~The subdivider or their agent shall submit up to sixteen (16) paper copies and one (1) electronic copy of the Preliminary Plat. The Preliminary Plat shall include, including the lot, street, and utilities layout and shall meet the following. The submittal requirements of a Preliminary Plat are as follows:~~

- ~~1. Scale of one (1) inch equals 100 feet or other scale approved by the Subdivision Agent to ensure readability;~~
- ~~2. Name of subdivision, owner, date of drawing, numbers of sheet(s), north point, and scale. If true north is used, the method of determination must be shown;~~
- ~~3. The certified professional engineer or land surveyor's name, address, telephone number, e-mail address, and fax number, along with their~~

- signed, professional, seal and certificate number on each plat;
4. Boundary survey or existing survey of record, provided such survey shows a closure with an accuracy of not less than one in twenty-five hundredths of a foot;
 5. The total gross and net acreage of the proposed subdivision, including the area of each lot within the subdivision;
 6. The approximate street frontage of all building sites;
 7. Existing buildings and structures within the boundaries of the proposed subdivision and their respective distances to all property lines. The Preliminary Plat shall identify if such buildings and structures are to be retained or demolished;
 8. Names of owners and their property lines within the boundaries of the tract and adjoining such boundaries;
 9. All existing, platted, and proposed streets, their names, numbers, and widths (rights-of-way). The Preliminary Plat shall also identify the width and location of all proposed sidewalks, trails and other public and/or private rights-of-way within the proposed subdivision;
 10. All existing and proposed utility, public, and private easements within the subdivision as well as all easements to be abandoned or relocated;
 11. The location and size of all proposed public gathering areas/spaces such as, but not limited to, recreational facilities, community centers, multi-purpose buildings, parks, and parking facilities. All proposed and required on-site parking facilities shall be detailed on the preliminary plan in compliance with the Colonial Beach Zoning Ordinance;
 12. Location(s) and dimension(s) of all proposed driveways on each lot;
 13. Culverts, drains, and water courses, with their names, location(s), elevations, and other related data;
 14. The complete drainage layout showing all proposed storm water and water quality protection facilities, including all pipe sizes, types, drainage easements, and means of transporting the drainage to a well-defined open stream which is considered natural drainage;
 15. The location and design details for low impact development (LID) facilities and Best Management Practices (BMPs) that are required or proposed for the project;
 16. A cross section showing the proposed street construction, including, but not limited to, depth and type of base, type of surface, and curvature radii;
 17. Topographic contours at intervals of two (2) feet for the entire property, showing the proposed grades for the streets and drainage facilities including elevations of existing and proposed ground surface at all street intersections and at points of major grade change along the center line of streets, together with proposed grade lines connecting therewith;
 18. A location map tying the subdivision into the Town's present road system, either by aerial photographs or topographic maps of the U. S. Department of the Interior, or other acceptable maps;
 19. Proposed connections with existing sanitary sewers and existing water supply or alternate means of sewage disposal and water supply, and drainage outfalls and adequate outfall conditions;
 20. All parcels of land to be dedicated for public use (including street

- rights-of-way) and the conditions of such dedication;
21. Proposed building setback lines on each parcel, shown as dotted lines, including the lot width at setback lines;
 22. Proposed block, section and lot numbers;
 23. A note on the plat stating "All land within the Town of Colonial Beach is designated as Resource Management Areas" (RMA);
 24. Resource Protection Area (RPA) boundaries, including differentiation between wetland core and buffer areas as defined by the Chesapeake Bay Act protection regulations;
 25. A signature block for the Subdivision Agent to sign for approval of the plat, in accordance with the certifications found in Section 9 of this Ordinance.
 26. An executed surveyor's certificate in accordance with Section 9 of this ordinance.
 27. An executed owner's consent and dedication provided on the plat in accordance with Section 9 of this Ordinance.
 28. The Preliminary Plat shall illustrate all adjacent parcels abutting the proposed subdivision and identify any on-site improvements on these parcels for context with the proposed subdivision plat. If the proposed subdivision is part of a larger master planned or phased development, the adjacent properties should be identified as part of that planned development and a copy of the approved master or phased plan of development should be submitted with the preliminary subdivision plat.
 29. The proposed building pad area and pad elevation for each lot within the proposed Subdivision Plat.
 30. All proposed freestanding walls, fences and retaining walls on each lot within the proposed subdivision, including the height of each freestanding wall, fence and retaining wall. The height of all freestanding walls, fences and retaining walls shall be measured from the top of wall to the ground immediately below it.
 31. A photometric plan for the proposed subdivision illustrating the location and height(s) of all, on-site, lighting serving the subdivision and the anticipated illumination intensity of the development upon the adjacent properties abutting the proposed subdivision.
 32. Identify and illustrate all important environmental characteristics associated with the property that comprises the proposed subdivision such as, but not limited to, all on-site improvements, water features, shorelines, wetlands, flood zones, impounding structures, inundation zones, forested areas/tree groves, outcroppings, ravines, slopes, hillsides, recorded archeological sites, eligible and designated historic resources, rare or endangered plant, tree, and animal habit(s) etc. The Preliminary Plat shall also identify and illustrate how such features will be preserved, modified, integrated, or removed as part of the proposed subdivision.
 33. Boundaries of all costal flood plains and costal high hazard areas associated with the subdivision.
 34. The Subdivision Agent reserves the right to require professional land-use, environmental, and infrastructure studies to determine short-term

and long-term impacts associated with the proposed subdivision in the interest of protecting the public's health, safety, and welfare.

35. Any additional information deemed necessary by the Subdivision Agent to understand and process the proposed subdivision to

protect the public's health, safety, and welfare.

Note: Prior to Final Plat Approval FINAL SITE CONSTRUCTION PLANS shall be approved.

6-2

~~C.~~ **FINAL PLAT REQUIREMENTS**

Whenever any subdivision of land is proposed, and before any plat can be recorded or permit for the erection of a structure shall be granted, the subdivider or their agent shall apply in writing to the Subdivision Agent for the approval of the Final Plat. The final plat, once approved and recorded with the circuit court, serves to modify, create or transfer property as provided by the individual plat and in accordance with this Ordinance.

~~and submit six (6) copies and one (1) electronic copy of the Final Plat for that purpose. At least two (2) copies shall be retained by the Subdivision Agent for the Town.~~

6-2-1

4. The Subdivision Agent shall review the Final Plat and ensure that all requirements from the Preliminary Plat, if required or voluntarily submitted for review are reflected on the Final Plat.

6-2-2 If the development is to be constructed in phases, the Subdivision Agent shall approve each plat for each phase. Subsequent phases shall be required to submit Preliminary Plats, when required or if submitted voluntarily, prior to proceeding to a Final Plat approval.

~~2.~~ 6-2-3

No lot shall be sold or construction of structures commenced until the Final Plat for the subdivision has been approved and recorded.

~~3.~~ 6-2-4

No construction shall be commenced until all sureties are approved and submitted to the Subdivision Agent. All public improvements shall be secured by a surety acceptable to the Town Attorney.

~~4.~~ 6-2-5

Roads, water, sewer, drainage, utilities, and all other public improvements shall be constructed or guaranteed with updated surety, approved by the Town, prior to issuance of building permits for the individual lots within the subdivision.

~~5.~~ 6-2-6

~~6.~~ Roads to be constructed shall meet VDOT standards and topped with a minimum of least two (2) inches of asphalt after compression.

6-2-7 Final Plat Requirements

The following requirements shall be adhered to in preparing final plats for family subdivisions, boundary line adjustments, re-subdivisions and all other subdivisions:

1. The subdivider or their agent must submit four (4) paper copies and one (1) electronic copy of the Final Plat. At least one (1) paper copy and one (1) electronic copy shall be retained by the Subdivision Agent for the Town.

2. The Subdivision Plat submitted for final approval by the Subdivision Agent and subsequent recording shall be clearly and legibly drawn in ink at a scale of one hundred (100) feet to the inch (or other reasonable scale, if approved by the Subdivision Agent) on sheets having a size of 24" x 36". The Subdivision Agent may require a scale of 1"=20' or 1"=50', if necessary, for sections of the plat.

7. 3. In addition to the requirements of the Preliminary Plat, the Final Plat shall include the following:

- a. When the subdivision consists of land acquired from more than one source of title, the approximate outlines of various tracts shall be indicated by dash-lines, and identification of the respective tracts shall be placed on the plat;
- b. The accurate location and dimensions by bearings and distances with all curve data on all lots, street lines, and center lines of existing

- and proposed streets showing their names, numbers, and right-of-way widths;
- c. A table showing the maximum impervious surface ratios in percentages and square feet for each lot and the entire tract as a whole;
 - d. Boundaries of all phases (if any);
 - e. Boundaries of all proposed or existing easements, parks, school sites, or other public areas;
 - f. The number and area of all building sites (square feet and acres or fraction thereof);
 - g. The building restriction lines of each lot;
 - h. The existing and proposed easements for utilities such as sanitary sewers, storm drains, storm water management facilities, water mains, manholes, and underground conduits, including their size;
 - i. Any type of water courses, their names, elevations, and names of owners and their property lines, both within the boundary of the subdivision and adjoining said boundaries;
 - j. Distances and bearings must balance and close with an accuracy of not less than one (1) in ten thousandth (10,000) of a foot;
 - k. The data of all curves along the street frontage shall be shown in detail at the curve or in a curve data table containing the following: delta, radius, arc, and tangent, chord, and chord bearings.

8-2. Prior to approval of the Final Plat, the subdivider shall provide the Subdivision Agent the following:

- a. Executed covenants and restrictions for the community and all common areas, if applicable;
- b. The organizational documentation for the property owners' association;
- c. The by-laws of the property owners' association, if applicable;
- d. A fiscal program for a minimum of ten (10) years, including adequate reserve funds for the maintenance and care of all lands, streets, facilities, and uses under the purview of the property owners' association;
- e. A recommended time schedule for the maintenance of major facilities, including BMPs, streets, street signs, pools, sidewalks, parking areas, and buildings;
- f. A copy of the proposed notice that will be given to prospective buyers regarding the property owners' association, assessments, and fiscal program;
- g. A copy of the deed of conveyance and title certificate or, at the discretion of the Subdivision Agent, a commitment for a policy of title insurance, issued by an insurance company authorized to do business in the Commonwealth of Virginia confirming the ownership over all associated lands;

- h. An executed deed of dedication and easement conveying land in fee simple to the Town and easements for public/Town purposes which are depicted on the Final Plat;
- i. An executed subdivision agreement and improvement guarantees acceptable to the Town Attorney.

SECTION 7 SUPPLEMENTAL REQUIREMENTS

7-1. PLATTING & CERTIFICATIONS REQUIRED

- 7-1-1. Any owner or Developer of any tract of land situated within the Town of Colonial Beach who subdivides the same shall cause a plat of such subdivision to be made and recorded in the Circuit Court Clerk's Office of Westmoreland County, Virginia. No such plat of subdivision shall be recorded unless and until it shall have been submitted, approved, and certified by the ~~Commission~~ Subdivision Agent, and site construction plans have been approved by the Town of Colonial Beach, in accordance with the regulations set forth in this ordinance. No lot shall be sold in any such subdivision before the plat shall have been recorded.
- 7-1-2. Every such plat shall be prepared by a surveyor or engineer duly licensed by the Commonwealth of Virginia, who shall endorse upon each plat a certificate signed by him/her setting forth the source of the title of the land subdivided and the place of record of the last instrument in the chain of title. When the plat is of land acquired from more than one source of title, the outlines of the several tracts shall be indicated upon such plat within an insert block or by means of a dotted boundary line upon the plat.
- 7-1-3. Every such plat, or the deed of dedication to which the plat is attached, shall contain, in addition to the surveyor's or engineer's certificate, a statement as follows: "The platting or dedication of the following described land (here insert a correct description of the land subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors, and trustees, if any.," which statement shall be signed by the owners, proprietors, and trustees, if any, and shall be duly acknowledged before an officer authorized to take acknowledgments of deeds; and when thus executed and approved as herein specified shall be filed and recorded in the Circuit Court Clerk's Office of Westmoreland County, Virginia and indexed under the name(s) of the land owners signing such statement and under the name of the subdivision.
- 7-1-4. This ordinance bears no relation to any private easement, covenant, agreement, or restriction, nor is the responsibility of enforcing such private easement, covenant, agreement, or restriction implied herein to any public official. When this ordinance calls for more restrictive standards

than are required by private contract, the provisions of this ordinance shall control.

- 7-1-5. No change, erasure, or revision shall be made on any Preliminary Plat nor accompanying data sheets as required herein for approval by the Planning Commission, unless authorization for such changes has been granted in writing by the Commission with the approval of a new revised Preliminary Plat submitted to the Planning Commission. No change, erasure, or revision shall be made on any ~~or~~ Final or Record Plat, nor on accompanying data sheets, after approval by the Planning Commission-Subdivision Agent has been endorsed in writing on the plat or sheets, unless authorization for such changes has been granted in writing by the Commission-Subdivision Agent. For Preliminary, Final and Record Plats changes, erasures or revisions as described here shall not be made and unless such changes ~~shall~~ comply with these subdivision regulations in every respect.

7.2. MISCELLANEOUS REQUIREMENTS

- 7-2-1 Pro-Rata Share Payments -0- In cases where a subdivider/developer extends an existing road located outside the property limits of the land owned or controlled by the subdivider/developer to service their development, the need for which is substantially generated and reasonably required by the construction or improvement of their subdivision or development, the subdivider/developer shall receive a reasonable and rational share of the cost of the installation of the existing road on a pro-rata-share basis if accepted as part of a pro-rata plan adopted by the Town Council. The subdivider/developer shall only receive reimbursement in accordance with a pro-rata plan adopted by the Town Council determining the propionate share of such costs to be reimbursed by each subsequent subdivider or developer within the area, with interest at a rate equal to the rate of interest on bonds most recently issued by the Town Council. Such pro-rata plan shall be in accordance with Va. Code § 15.2-2242(4), as amended.
- 7-2-2. Extension of Sidewalks - Where a subdivider or developer proposes to subdivide a lot, re-subdivide a lot, or where a platted lot is developed or re-developed which fronts on an existing street and the adjacent property on either side has an existing sidewalk, or when the provision of a sidewalk, the need for which is substantially generated and reasonably required by the proposed development, is in accordance with the Town's adopted Comprehensive Plan, the subdivider or developer must dedicate the land and construct a continuation of the sidewalk across the lot being developed (as provided in Va. Code § 15.2242, as amended). Any new or replacement sidewalks shall be constructed to current VDOT standards.
- 7-2-3. Phase I Assessments - Unless waved by the Subdivision Agent, a subdivider shall provide a Phase I Environmental Site Assessment (as provided in Va. Code § 15.2242, as amended) which meets generally accepted national standards for such assessments such as those

Subdivision Ordinance

developed by the American Society for Testing and Materials. Based upon the findings of the Phase I Assessment, the Subdivision Agent may require the subdivider to conduct a Phase II Assessment. The cost for any/all assessments, as well as the review for any/all assessments by the

Town, shall be borne by the subdivider. The subdivider shall also be required to disclose and remediate any/all on-site contamination, including any/all other adverse environmental conditions associated with the subdivided property, consistent with all local, State and Federal laws/regulations using best professional practices.

- 7-2-4 Owners shall notify the Westmoreland County Commissioner of the Revenue for all improvements to real property situated in platted subdivisions.
- 7-2-5 The Town may, by ordinance, adopt fees and charges for the review of plats and plans, and for the inspection of facilities required by this Subdivision Ordinance, ~~The~~the subdivider shall remit all Town fees and charges associated with the administration and enforcement of their subdivision pursuant to Va, Code 15.2-2241 (A) (9)

SECTION 8 • EFFECTUAL

CLAUSES 8-1. VIOLATIONS/CIVIL PENALTIES

Any subdivider, owner of any parcel of land, person, ~~firm~~firm, or corporation, whether as principal, agent, employee or otherwise who violates any provision of this Subdivision Ordinance or Article 6 of Chapter 22 of Title 15.2 of the Code of Virginia, as amended ("Article 6") shall be subject to a fine of \$500 for each lot or parcel of land so subdivided, transferred, or sold and shall be required to comply with all provisions of Article 6 and the Subdivision Ordinance. The description of the lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from the penalties or remedies herein provided.

8-2. SEVERABILITY

Should any article, section, subsection, or provision of this Subdivision Ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this Subdivision Ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

8-3. REPEAL

All ordinances or portions of ordinances in conflict with this Ordinance are hereby repealed to the extent of their conflict.

SECTION 9 • CERTIFICATIONS

9-1. CERTIFICATIONS ON PLATS

All plats for subdivision, re-subdivision, boundary line adjustments, plat of vacation, plat of right(s)-of-way, vacation, and/or lot consolidations shall have each of the following certifications placed on the plat and signed prior to Town approval of the plat.

OWNERS CONSENT AND DEDICATION (NAME OF SUBDIVISION)

THE PLATTING OF THE FOLLOWING DESCRIBED LAND IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND/OR TRUSTEES, IF ANY. THE STREETS, STORM DRAINAGE EASEMENTS, SLOPE, GRADING AND DRAINAGE EASEMENTS, SIGHT DISTANCE EASEMENTS, STORMWATER MANAGEMENT FACILITY ACCESS EASEMENTS, TEMPORARY TURNAROUND EASEMENTS, AND CONTROL MONUMENT ACCESS EASEMENTS ARE HEREBY DEDICATED TO PUBLIC USE.

_____ Date _____
Property Owner

..... Date.....
Property Owner

SURVEYOR'S CERTIFICATE

I, _____ A DULY LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON WAS DRAWN FROM AN ACTUAL SURVEY UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON AND THE PROPERTY IS NOW IN THE NAME OF _ AND WAS ACQUIRED BY DEED DATED _ OF _____, 20_ AS RECORDED IN DEED BOOK _ AT PAGE _/INSTRUMENT NUMBER _____ AMONG THE LAND RECORDS OF WESTMORELAND COUNTY, VIRGINIA.

CERTIFICATE OF APPROVAL

THE (INSERT SUBDIVISION NAME) IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION ORDINANCES OF THE TOWN OF COLONIAL BEACH, VIRGINIA AND MAY BE COMMITTED TO RECORD. IF THIS PLAT

IS NOT RECORDED WITHIN SIX (6)

MONTHS OF THE APPROVAL DATE, UNLESS OTHERWISE EXTENDED BY THE COLONIAL BEACH SUBDIVISION ORDINANCE OR BY THE COMMONWEALTH OF VIRGINIA, THE PLAT IS NULL AND VOID.

Approval Date_____

Approval Signature_____

Subdivision Agent

SECTION 10- VALIDITY OF APPROVED PLANS

10-1. FINAL PLATS TO BE RECORDED WITHIN SIX (6) MONTHS

All approved final plats shall be recorded in the Westmoreland County Circuit Court Clerk's Office within six (6) months of approval. Unless otherwise extended by state law or the Town Council, if a Final Plat is not filed for recordation within six (6) months after final approval thereof, such approval shall be withdrawn, and the plat marked void and returned to the Subdivision Agent. In any case where construction of facilities to be dedicated for public use has commenced pursuant to an approved plan or permit with surety approved by the Town Council or its designated agency, or where the developer has furnished surety to the Town Council or its designated agency in the amount of the estimated cost of construction of such facilities, the time for plat recordation shall be extended to one (1) year after final approval or to the time limit specified in the surety agreement, whichever is greater.

10-2. PRELIMINARY PLAT TO REMAIN VALID

10-2-1. Once a Preliminary Plat is approved, it shall be valid for a period of five (5) years, provided the subdivider (i) submits a Final Plat for all or a portion of the property shown on the Preliminary Plat within one (1) year of such approval, and (ii) thereafter diligently pursues approval of the Final Plat. If a Final Plat is not submitted within one (1) year of approval of the Preliminary Plat, the Preliminary Plat is automatically null and void and of no effect.

10-2-2. If a Final Plat has not been approved within three (3) years following such Preliminary Plat approval, and upon ninety (90) days' written notice by certified mail to the subdivider, the ~~Commission~~ or Subdivision Agent may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat in accordance with Sec. 10-2-1.

10-2-3. If a developer records a Final Plat, which may be a section of a subdivision as shown on an approved Preliminary Plat and furnishes to the Town a surety in the amount of the estimated cost of construction of the facilities to be dedicated within said section for public use and

maintained by the Town, the Commonwealth, or other public agency, the developer shall have the right to record the remaining sections shown on the Preliminary Subdivision Plat for a period of five (5) years from the recordation date of any section, or for such longer period as the Planning Commission or Subdivision Agent may, at the time of approval, determine to be reasonable, taking into consideration the size and phasing of the proposed development, subject to the terms and conditions of this subsection and subject to engineering and construction standards and zoning requirements in effect at the time that each remaining section is recorded.

10-3. RECORDED PLAT TO REMAIN VALID

10-3-1. Once an approved Final Plat is recorded, it shall be valid in perpetuity, except if vacated,

10-3-2. An approved Final Plat that has been recorded, from which any part of the property subdivided has been conveyed to third parties (other than to the developer or the Town), or a Recorded Plat dedicating real property to the Town or other public body that has been accepted by such grantee, shall remain valid for an indefinite period of time unless and until any portion of the property is subject to a vacation action as set forth in Virginia Code §§ 15.2-2270 through 15.2-2278, as amended.

Tab F

RESOLUTION #04-26, FY 2027 Budget Calendar

WHEREAS Virginia Code Section 22.1-93 requires that the Town Council approve the budget for the Colonial Beach School Board by May 15, 2026; and

WHEREAS state law also prescribes the deadlines for the setting of tax rate(s) by the Colonial Beach Town Council as well as the adoption of the FY 2027 budget.

NOW THEREFORE BE IT RESOLVED by the Colonial Beach Town Council at its regular meeting on January 21, 2026, that the FY 2027 budget shall be developed/approved in accordance with the following timelines:

November 7, 2025

Requests for CIP items distributed to Department Heads

November 14, 2025

Department CIP items due to Town Manager

December 29, 2025

Letters to Outside Agencies mailed – requests for FY2027 Funding

December 31, 2025

Budget guidance given / Department Budget worksheets distributed

January 12, 2026

Outside Agencies Requests due to Town Manager

January 16, 2026

Operating Revenue Projections completed

January 21, 2026

Town Department Budget Worksheets due

Town Council adopts the Budget Calendar

January 22, 2026

Town Council Strategic Planning Retreat

January 22-23, 2026

Finance Director consolidates Department Worksheets and Revenue Projections and provides to Town Manager for review

January 26-30, 2026

Town Manger initial line by line review of Town Budget

Initial review of individual line-item budgets with Department Heads

February 2-3, 2026

*Updated budget with discussed changes to Town Manager for review
Finance Director begins preparing Budget in Brief*

February 4, 2026

Department Head budget presentations to Town Council, Town Manager discussion on cuts made, publishing on Town Website and Draft CIP presented

February, 2026

Initial review of proposed budget with individual council members

March 2026

Ongoing Budget discussions with council members

March 4, 2026

Present Budget in Brief to Town Council with proposed tax / fee rates

March, 2026

Staff makes any adjustments to Budget from Town Council direction

April 1, 2026 – Via email

Town Manager and Finance Director/CFO provide Town Council FY27 Budget Estimate according to the Code of Virginia § 15.2-2503

April 1, 2026, Town Council Work Session

Town Manager & Finance Director/CFO Present FY27 Proposed Budget to Town Council; request Public Hearing

April 15, 2026, Town Council Regular Meeting

Public Hearing for FY27 Proposed Budget and CY27 Tax Rates

May 6, 2026, Town Council Work Session

Town Council approves FY2027 Budget and sets tax rate

Note: School Board FY2027 Budget must be approved by CBPS School Board by May 15, 2026.

May 20, 2026

FY27 Budget Approval & Appropriation

Tab G



TO: Town Council
FROM: Lisa M. Okes, Finance Director/CFO
COPY: Natasha Tucker, Town Manager
SUBJECT: Litter Grant Proceeds
DATE: January 21, 2026

SUMMARY:

The Town has received its annual Litter Grant from the Department of Environmental Quality to support litter prevention. Because the grant amount fluctuates annually, it was not included in the adopted FY2026 budget and must now be formally appropriated to utilize the funds. Staff recommends that Council appropriate the \$3,361.43 in grant proceeds and amend the FY2025–2026 General Fund budget accordingly.

BACKGROUND:

The Town receives an annual Litter Grant from the Department of Environmental Quality to support local litter prevention and recycling initiatives. Because the award amount varies from year to year, no funding was included in the FY2026 adopted budget.

ISSUE:

These grant funds must be formally adopted and appropriated in the FY2025–2026 budget to enable their use for the Town’s litter prevention.

ALTERNATIVES:

There are no alternatives available.

FISCAL IMPACT:

The FY 2025-2026 General Fund budget will increase by \$3,361.43.

RECOMMENDATION:

Staff recommends that council appropriate and amend the FY 2025-2026 General Fund budget for the \$3,361.43 of Litter Grant proceeds received.

COUNCIL PAPER

At the regular meeting held on January 21, 2026 at the Colonial Beach Town Hall

RESOLUTION # 05-26, Amends and Appropriates Fiscal Year 2025-2026 Budget, General Fund

WHEREAS, the Colonial Beach Town Council finds it necessary to make the following amendments to the Fiscal Year 2025-2026 budget.

WHEREAS, the Town received \$3,361.43 in grant proceeds from the Department of Environmental Quality for the 2026 Litter Grant and;

NOW THEREFORE BE IT RESOLVED, that the Town Council at its regular meeting held on Wednesday, January 21, 2026 hereby adopts and appropriates an amendment to the Fiscal Year 2025-2026 budget as follows:

	FY 2025-26 Amended	FY 2025-26 Revised	Change
General Fund	\$ 12,870,393.70	\$ 12,873,755.13	+\$3,361.43

Breakdown of revenue and expenditure allocations:

General Fund

DB 100-082600-6007 – Litter Control, Repairs & Maintenance \$3,361.43
CR 100-024030-0002 – Litter Control \$3,361.43

Commonwealth of Virginia

EDI Remittance Detail

Total Amount: 3,361.43

Deposit Date: 12/01/2025

Trace Number 82816518

Agy No	Amt.	CDS Offset Amount	TOP Offset Amount	Invoice Number	Invoice Date	Cust. Number	Voucher Number	Description
440	3,361.43	0.00	0.00	N-2026-0045	11/25/2025		59365	LITTER GRANT - 2026 -
Tot 440	3,361.43							

Tab H



TO: Town Council
FROM: Lisa M. Okes, Finance Director/CFO
COPY: Natasha Tucker, Town Manager
SUBJECT: Town Pier Refurbishment
DATE: January 21, 2026

SUMMARY:

The Town Pier requires ongoing maintenance and periodic piling replacement to remain safe and operational. A maintenance and repair plan has been in place since FY2023 to preserve the Pier's condition and functionality. Without continued maintenance, the Pier will deteriorate, creating safety concerns and increasing the Town's liability. At the Council Meeting on November 19, 2025, the Council directed staff to return with a resolution using money from the Capital Improvement Fund to pay for this capital project. Consistent with that direction, staff recommends appropriating \$60,000.00 from the Capital Improvement Fund to the FY2025–2026 General Fund to support Town Pier refurbishment and ensure continued public access and safety.

BACKGROUND:

The Town Pier requires ongoing annual maintenance to remain operational, and its pilings must be replaced on a cyclical basis. In FY2023, the Town implemented a maintenance and repair plan to ensure the Pier remains safe, functional, and in good condition.

ISSUE:

Failure to perform regular maintenance will result in deterioration of the Town Pier, posing safety risks and increasing the Town's potential liability.

ALTERNATIVES:

Defer Maintenance - Deferring maintenance would accelerate deterioration and increase safety and liability risks.

Reduce Scope of Maintenance - Limiting maintenance to critical repairs would not address long-term structural needs.

Close the Pier - Closing the Pier would eliminate maintenance costs but reduce public access and community benefit.

FISCAL IMPACT:

The FY 2025-2026 General Fund will increase by \$60,000.00.

RECOMMENDATION:

Staff recommends Town Council approve and appropriate the \$60,000.00 from the Capital Improvement Fund to the General Fund for Town Pier Refurbishment.

COUNCIL PAPER

At the regular meeting held on January 21, 2026 at the Colonial Beach Town Hall

RESOLUTION # 06-26, Amends and Appropriates Fiscal Year 2025-2026 Budget, General Fund

WHEREAS, the Colonial Beach Town Council finds it necessary to make the following amendment to the Fiscal Year 2025-2026 budget.

WHEREAS, the Town Pier is a public asset that requires ongoing annual maintenance and periodic replacement of pilings to remain safe, functional, and operational; and

WHEREAS, in FY2023, the Town implemented a maintenance and repair plan to preserve the condition and usability of the Town Pier; and

WHEREAS, failure to perform regular maintenance will result in deterioration of the Town Pier, posing safety risks and increasing the Town’s potential liability; and

WHEREAS, continued investment in the Town Pier supports public access, community use, and waterfront safety; and

WHEREAS, sufficient funds are available in the Capital Improvement Fund to support the required maintenance and refurbishment activities;

NOW THEREFORE BE IT RESOLVED, that the Town Council at its regular meeting held on Wednesday, January 21, 2026 hereby adopts and appropriates an amendment to the Fiscal Year 2025-2026 budget as follows:

	FY 2025-26 Amended	FY 2025-26 Revised	Change
General Fund	\$13,005,005.13	\$13,065,005.13	+\$60,000.00

Breakdown of revenue and expenditure allocations:

General Fund

DB 100-043100-8212 – Capital Projects \$60,000.00
CR 100-099999-1000 – Transfer from Capital Projects Fund \$60,000.00

Capital Projects Fund

DB 330-099999-0103 – Transfer to General Fund \$60,000.00
CR 330-099999-1000 – Carry-Over From Prior Years \$60,000.00



TO: Town Council
FROM: Lisa M. Okes, Finance Director/CFO
COPY: Natasha Tucker, Town Manager
SUBJECT: Beach and Rip Rap Nourishment
DATE: January 21, 2026

SUMMARY:

Ongoing beach erosion has been documented through satellite imagery over multiple decades, demonstrating the need for continued shoreline maintenance. Regular nourishment and maintenance of breakwaters are necessary to preserve the beach, protect adjacent infrastructure, and maintain safe public access for residents and visitors. Without continued maintenance, erosion will worsen, resulting in shoreline loss and increased safety and infrastructure risks. At the Council Meeting on November 19, 2025, the Council directed staff to return with a resolution using money from the Capital Improvement Fund to pay for this capital project. Consistent with that direction, staff recommends appropriating \$150,000.00 from the Capital Improvement Fund to the FY 2025–2026 General Fund to support beach and rip rap nourishment activities.

BACKGROUND:

Satellite imagery from 1994, 2009, 2020, and 2025 demonstrates ongoing and progressive beach erosion. To conserve the beach, regular maintenance of the breakwaters and periodic addition of locally sourced natural sand are required. General beach maintenance activities, including nourishment and reinforcement of breakwaters, are necessary to preserve the shoreline for continued use and enjoyment by residents and visitors.

ISSUE:

Without continued beach maintenance, erosion will worsen, resulting in loss of shoreline, reduced recreational use, and increased risk to adjacent infrastructure and public safety.

ALTERNATIVES:

Defer Maintenance - Deferring maintenance would allow erosion to continue, leading to shoreline loss and increased long-term costs.

Reduce Scope of Maintenance - Limiting maintenance to critical areas would provide only temporary relief and would not adequately address ongoing erosion.

Cease Active Maintenance - Discontinuing maintenance would reduce immediate costs but result in loss of beach area and diminished public use.

FISCAL IMPACT:

The FY 2025-2026 General Fund will increase by \$150,000.00.

RECOMMENDATION:

Staff recommends Town Council approve and appropriate the \$150,000.00 from the Capital Improvement Fund to the General Fund for Beach and Rip Rap Nourishment.

COUNCIL PAPER

At the regular meeting held on January 21, 2026 at the Colonial Beach Town Hall

RESOLUTION # 07-26, Amends and Appropriates Fiscal Year 2025-2026 Budget, General Fund

WHEREAS, the Colonial Beach Town Council finds it necessary to make the following amendments to the Fiscal Year 2025-2026 budget.

WHEREAS, regular beach nourishment and maintenance of breakwaters are necessary to preserve the shoreline, protect adjacent infrastructure, and maintain safe public access for residents and visitors; and

WHEREAS, without continued maintenance, erosion will worsen, resulting in shoreline loss, reduced recreational use, and increased risk to public safety and infrastructure; and

WHEREAS, sufficient funds are available in the Capital Improvement Fund to support the required maintenance and nourishment activities;

NOW THEREFORE BE IT RESOLVED, that the Town Council at its regular meeting held on Wednesday, January 21, 2026 hereby adopts and appropriates an amendment to the Fiscal Year 2025-2026 budget as follows:

	FY 2025-26 Amended	FY 2025-26 Revised	Change
General Fund	\$13,065,005.13	\$13,215,005.13	+\$150,000.00

Breakdown of revenue and expenditure allocations:

General Fund

DB 100-043100-8212 – Capital Projects \$150,000.00
CR 100-099999-1000 – Transfer from Capital Projects Fund \$150,000.00

Capital Projects Fund

DB 330-099999-0103 – Transfer to General Fund \$150,000.00
CR 330-099999-1000 – Carry-Over From Prior Years \$150,000.00



TO: Town Council
FROM: Lisa M. Okes, Finance Director/CFO
COPY: Natasha Tucker, Town Manager
SUBJECT: Sidewalk Repairs
DATE: January 21, 2026

SUMMARY:

The Town is required to complete mandated sidewalk repairs to achieve compliance with the Americans with Disabilities Act (ADA) under the direction of the Department of Transportation. An engineering assessment and phased project schedule have been completed and approved, with construction beginning in 2025 and scheduled for completion by the end of FY2029. At the Council Meeting on November 19, 2025, the Council directed staff to return with a resolution using money from the Capital Improvement Fund to pay for this capital project. Consistent with that direction, staff recommends appropriating \$130,000.00 from the Capital Improvement Fund to the FY 2025–2026 General Fund to continue the required sidewalk repairs and maintain regulatory compliance.

BACKGROUND:

The Town is required to bring certain sidewalks into compliance with the Americans with Disabilities Act (ADA) in coordination with the Department of Transportation. To address this mandate, the Town contracted an engineering firm to assess the sidewalks and develop a project schedule, which was subsequently approved by the Department of Transportation. Repairs began in 2025 and are scheduled for completion by the end of FY2029. The costs for each year of the project are included in the Capital Improvement Plan.

ISSUE:

The Town is required, under a Department of Transportation mandate, to repair identified sidewalks to achieve compliance with the Americans with Disabilities Act (ADA).

ALTERNATIVES:

None provided as the repairs are mandated to achieve ADA compliance.

FISCAL IMPACT:

The FY 2025-2026 General Fund will increase by \$130,000.00.

RECOMMENDATION:

Staff recommends Town Council approve and appropriate the \$130,000.00 from the Capital Improvement Fund to the General Fund for mandated sidewalk repairs.

COUNCIL PAPER

At the regular meeting held on January 21, 2026 at the Colonial Beach Town Hall

RESOLUTION # 08-26, Amends and Appropriates Fiscal Year 2025-2026 Budget, General Fund

WHEREAS, the Colonial Beach Town Council finds it necessary to make the following amendments to the Fiscal Year 2025-2026 budget.

WHEREAS, the Town is required to bring certain sidewalks into compliance with the Americans with Disabilities Act (ADA) pursuant to a mandate from the Department of Transportation; and

WHEREAS, construction activities began in 2025 and are scheduled to be completed by the end of FY2029, with annual project costs included in the Town’s Capital Improvement Plan; and

WHEREAS, funding is required in FY 2025–2026 to continue the mandated repairs and maintain compliance with federal and state requirements; and

WHEREAS, sufficient funds are available in the Capital Improvement Fund to support the approved project;

NOW THEREFORE BE IT RESOLVED, that the Town Council at its regular meeting held on Wednesday, January 21, 2026 hereby adopts and appropriates an amendment to the Fiscal Year 2024-2025 budget as follows:

	FY 2025-26 Amended	FY 2025-26 Revised	Change
General Fund	\$13,215,005.13	\$13,345,005.13	+\$130,000.00

Breakdown of revenue and expenditure allocations:

General Fund

DB 100-043100-8212 – Capital Projects \$130,000.00
CR 100-099999-1000 – Transfer from Capital Projects Fund \$130,000.00

Capital Projects Fund

DB 330-099999-0103 – Transfer to General Fund \$130,000.00
CR 330-099999-1000 – Carry-Over From Prior Years \$130,000.00



TO: Town Council
FROM: Lisa M. Okes, Finance Director/CFO
COPY: Natasha Tucker, Town Manager
SUBJECT: Police Vehicle Funding
DATE: January 21, 2026

SUMMARY:

The Police Department's routine vehicle replacement program ensures a safe, reliable, and efficient fleet. The FY2026 Capital Improvement Plan includes funding for two replacement police vehicles to address heavy use and high mileage. At the Council Meeting on November 19, 2025, the Council directed staff to return with a resolution using money from the Capital Improvement Fund to pay for this capital project. Consistent with that direction, staff recommends appropriating \$131,250.00 from the Capital Improvement Fund to the FY2025–2026 General Fund to purchase two police vehicles.

BACKGROUND:

The Police Department annually replaces two vehicles to maintain a reliable and modern fleet. As new vehicles are added, the oldest units are transitioned to backup use or sold as surplus. The FY2026 Capital Improvement Plan (CIP), as adopted by the Town, includes funding for the purchase of two replacement police vehicles.

ISSUE:

Police vehicles experience heavy daily use and accumulate significant mileage, requiring regular replacement to maintain a safe, reliable, and efficient fleet. The Police Department must continue its routine vehicle updates to ensure operational readiness and service effectiveness.

ALTERNATIVES:

- Delay replacement of the vehicles to a future fiscal year.
- Purchase only one vehicle at this time.
- Explore alternative funding options, such as grants or lease-purchase agreements.

FISCAL IMPACT:

The FY 2025-2026 General Fund budget will increase by \$131,250.00 if approved.

RECOMMENDATION:

Staff recommends that council appropriate and amend the FY 2025-2026 General Fund budget for \$131,250.00.

COUNCIL PAPER

At the regular meeting held on January 21, 2026 at the Colonial Beach Town Hall

RESOLUTION # 09-26, Amends and Appropriates Fiscal Year 2025-2026 Budget, General Fund

WHEREAS, the Colonial Beach Town Council finds it necessary to make the following amendments to the Fiscal Year 2025-2026 budget.

WHEREAS, the Police Department annually replaces vehicles to maintain a safe, reliable, and efficient fleet due to heavy use and high mileage; and;

WHEREAS, the FY2026 Capital Improvement Plan (CIP), as adopted by the Town Council, includes the purchase of two replacement police vehicles; and;

WHEREAS, the replacement of these vehicles is necessary to ensure continued operational readiness and effective service delivery by the Police Department; and;

WHEREAS, Town staff has recommended that the Town Council appropriate the necessary funds to proceed with the planned vehicle purchases;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council at its regular meeting held on Wednesday, January 21, 2026 hereby adopts and appropriates an amendment to the Fiscal Year 2025-2026 budget as follows:

	FY 2025-26 Amended	FY 2025-26 Revised	Change
General Fund	\$12,873,755.13	\$13,005,005.13	+\$131,250.00

Breakdown of revenue and expenditure allocations:

General Fund

DB 100-031100-8105 – MV & Equipment Capital Purchase \$131,250.00
CR 100-099999-1000 – Transfer from Capital Projects Fund \$131,250.00

Capital Projects Fund

DB 330-099999-0103 – Transfer to General Fund \$131,250.00
CR 330-099999-1000 – Carry-Over From Prior Years \$131,250.00

Tab I

**RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND AWARD OF
GENERAL OBLIGATION BOND, SERIES 2026, OF THE TOWN OF COLONIAL
BEACH, VIRGINIA AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT
THEREOF**

WHEREAS, the Town Council (**the “Town Council”**) of the Town of Colonial Beach, Virginia (**the “Town”**) has determined that it is necessary and advisable and in the best interest of the Town to authorize the borrowing of money in an amount not to exceed \$700,000 in order to provide funding to finance vehicles and equipment for the Town and to finance various additional capital projects for the Town (**together, the “Projects”**) and to pay the costs of issuance thereof by the issuance by the Town of its general obligation bond or bonds therefor; and

WHEREAS, the Town has held a public hearing, duly noticed, on this date, January 21, 2026, on the issuance of up to \$700,000 general obligation bonds or notes of the Town in accordance with Section 15.2-2606 of the Act, as defined below; and

WHEREAS, Town staff, in consultation with Davenport & Company LLC, the Town's financial advisor (**the “Financial Advisor”**), and its bond counsel, Sands Anderson PC, has recommended that the Town Council approve the issuance of the Town’s maximum aggregate principal amount not to exceed \$700,000 General Obligation Bonds, Series 2026 (**the “Bonds”**) and the placement or sale of such Bonds in either a direct bank placement or in a public loan, or a combination thereof, and the Town Council desires to accept such arrangement and proceed with the financing;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE
TOWN OF COLONIAL BEACH, VIRGINIA:**

1. Issuance of Bonds. Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Public Finance Act of 1991, as amended (**the “Act”**), the Town Council hereby authorizes the issuance and sale of one or more general obligation bonds of the Town to provide funds to pay the costs of the Projects. The Town hereby finds (i) the obtaining of such funds will be for the welfare of citizens of the Town for purposes which will serve the Town and its citizens, (ii) the most effective and efficient manner in which to provide such funds to the Town is by general obligation bonds issued by the Town to be sold to the Bondholder (as defined below) and (iii) the issuance of the Bonds is in the best interests of the Town and its citizens. The Town elects to issue the Bonds pursuant to Sections 15.2-2607 of the Act, after a public hearing held in accordance with Section 15.2-2606 of the Act.

2. Bond Details. The Bonds shall be issued in an aggregate principal amount not to exceed \$700,000 consisting of registered bonds designated “General Obligation Bond, Series 2026”, numbered R-1 and upwards, having an interest rate not to exceed ___%, and maturing not later than December 31, 2035 in the form attached to this Resolution. Subject to the preceding terms, the Town Council further authorizes the Town Manager and Mayor with the advice of the Town Financial Advisor to determine the aggregate total of principal and interest payments on the Bonds and the purchaser of the Bonds (**the “Bondholder”**) whether in a direct bank loan or other placement, or a combination of thereof, all in accordance with the provisions hereof.

3. Payment and Redemption Provisions. The principal of and premium, if any, and interest on the Bonds shall be payable as set forth in the Bonds. The principal of the Bonds shall be subject to optional prepayment or redemption, in whole or in part, by the Town, as detailed in the Bonds, as determined by the Town Manager and Mayor, as evidenced conclusively by the execution and delivery of the Bonds.

4. Execution and Form of Bond. The Bonds shall be signed by the Mayor or Vice Mayor of the Town and the Town's seal shall be affixed thereon and attested by the Town Clerk or Deputy Town Clerk. The Bonds shall be issued as typewritten bonds with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by such officers, whose approval shall be evidenced conclusively by the execution and delivery of the Bonds.

5. Pledge of Full Faith and Credit. The Town's full faith and credit are pledged to secure the payment of the principal of, premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Town agrees to levy an annual tax upon all property subject to local taxation in the Town sufficient to pay the principal of and premium, if any, and interest on the Bonds.

6. Preparation of Printed Bond. The Town shall initially issue the Bonds in typewritten form. Upon request of the registered owner and upon presentation of the Bond at the office of the Registrar (as hereinafter defined), the Town shall arrange to have prepared, executed and delivered in exchange as soon as practicable the Bonds in printed form in an aggregate principal amount equal to the unpaid principal of the Bonds in typewritten form, in denominations of \$250,000 and \$1,000 multiples thereof, of the same form and maturity and registered in such names as requested by the registered owners or their duly authorized attorneys or legal representatives. The printed Bonds may be executed by manual or facsimile signature of the Mayor or Vice Mayor of the Town, the Town's seal affixed thereto and attested by the Town Clerk; provided, however, that if both such signatures are facsimiles, no Bond shall be valid until it has been authenticated by the manual signature of the Registrar and the date of authentication noted thereon. The typewritten Bonds surrendered in any such exchange shall be cancelled.

7. Registration and Transfer of the Bond. The Town appoints the Town Treasurer as paying agent and registrar (**the "Registrar"**) for the Bonds. If deemed to be in its best interest, the Town may at any time appoint a qualified bank or trust company as successor Registrar. Upon surrender of the Bonds at the office of the Registrar, together with an assignment duly executed by the registered owner or its duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the Town shall execute, and the Registrar shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, of the same form and maturity, bearing interest at the same rates and registered in such name as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the Town, except that the Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person or entity exclusively entitled to payment of principal, premium, if any, and interest, and the exercise of all other rights and

powers of the owner, except that installments shall be paid to the person or entity shown as owner on the registration books on the 1st day of the month on which an interest payment date occurs.

The Bonds may only be transferred to (a) affiliates of the registered holder or (b) one or more banks, insurance companies, trusts, custodians or other financial institutions and their affiliates.

8. Mutilated, Lost or Destroyed Bond. If a Bond has been mutilated, lost or destroyed, the Town shall execute and deliver a new Bond of like date and tenor in exchange and substitution for, and upon cancellation of, such mutilated Bond or in lieu of and in substitution for such lost or destroyed Bond; provided, however, that the Town shall so execute and deliver only if the registered owner has paid the reasonable expenses and charges of the Town in connection therewith and, in the case of a lost or destroyed Bond, (a) has filed with the Town evidence satisfactory to the Town that such Bond was lost or destroyed and (b) has furnished to the Town satisfactory indemnity.

9. Arbitrage and other Tax Covenants. The Town covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (**the “Code”**), or otherwise cause interest on the Bonds to be includable in the gross income for Federal income tax purposes of the registered owner thereof under existing law. Without limiting the generality of the foregoing, the Town shall comply with any provision of the Tax Compliance Agreement (as defined below) that may require the Town at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the Town receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Bonds from being included in the gross income for federal income tax purposes of the registered owners thereof under existing law. The Town shall pay any such required rebate from legally available funds.

10. Tax Compliance Agreement. Such officers of the Town as may be requested are authorized and directed to execute and deliver a nonarbitrage certificate and tax compliance agreement in relation to the Bonds (**the “Tax Compliance Agreement”**) in the form approved by the Mayor or Vice Mayor of the Town or the Town Manager, or any of them, in collaboration with the Town’s bond counsel, with such completions, omissions, insertions and changes as may be approved by the officers of the Town executing such Tax Compliance Agreement, whose approval shall be evidenced conclusively by the execution and delivery thereof.

11. Private Activity Bond Covenant. The Town covenants that it shall not permit the proceeds of the Bonds or the property financed thereby to be used in any manner that would result in (a) 5% or more of such proceeds or the facilities financed with such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds or the facilities financed with such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a

governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the Town receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the Town need not comply with such covenants.

12. Qualified Tax-Exempt Obligation. The Town Council hereby designates the Note as a “qualified tax-exempt obligation” as defined in Section 265(b)(3)(B) of the Code and certifies by this Resolution that it does not reasonably anticipate the issuance by it or its subordinate entities of more than \$10 million in “qualified tax-exempt obligations” during the calendar year 2026 and will not designate, or permit the designation by any of its subordinate entities of, any of its bonds (or those of its subordinate entities) during the calendar year 2026 which would cause the \$10 million limitation of Section 265(b)(3)(D) of the Code to be violated.

13. Bond Counsel. The Town Council hereby confirms the appointment of Sands Anderson PC to serve as Bond Counsel to the Town in connection with the issuance of the Bonds.

14. Issuance, Sale and Other Actions. All other actions of Town officials in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds are ratified, approved and confirmed. The Town officials are authorized and directed to execute and deliver all agreements, certificates and other instruments considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds pursuant to this Resolution including, but not limited to the Bonds, determining whether the Bonds will be sold in a private direct bank loan, or in a public sale, or a combination of both, and the documentation relating thereto, which may include a loan agreement, a bond purchase agreement, placement agreement or similar agreement, an escrow agreement, and any other agreements and to make modifications thereof, including but not limited to the dated date, interest payment dates, maturity, redemption terms and such other provisions as such officials shall deem necessary or convenient, whose determination shall be conclusively evidenced by the execution thereof.

15. Effectiveness and Filing of Resolution. This Resolution shall become effective immediately upon its passage. After such passage, a certified copy of this Resolution shall be filed by the Clerk with the Clerk of the Circuit Court of the County of Greenville, Virginia. Any ordinances or resolutions inconsistent herewith previously adopted by the Town Council are amended to be consistent with this Resolution.

16. Applicable Law. The Town Council elects to issue the Bonds pursuant to the provisions of the Act, in accordance with Sections 15.2-2601 and 2607 of the Act.

On motion of Councilman _____, seconded by Councilman _____, the foregoing Resolution was adopted at a regular meeting of Town Council on January 21, 2026. Members of the Council voted as follows:

YES

NO

ABSTAINED

ABSENT

Adopted this 17th day of December, 2026.

The undersigned Clerk of the Town Council of the Town of Colonial Beach, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of a Resolution adopted at a meeting of the Town Council of the Town of Colonial Beach, held on January 21, 2026. I hereby further certify that such a meeting was a regular meeting, duly called and held, during open meeting and that during the consideration of the foregoing Resolution, a quorum was present.

Clerk, Town Council of the
Town of Colonial Beach, Virginia