



Minutes of the Colonial Beach Town Council
Regular Meeting held on
Wednesday, February 18, 2026, at 6:00 p.m.
Colonial Beach Town Center
22 Washington Avenue

Call to Order

Mayor Schick called the meeting to order at 6:02 PM.

Council Members Present

Robin M. Schick, Mayor
Kenneth Allison, Vice Mayor
David Williams, Council Member
Richard Wood, Council Member
Lisa Grandstaff, Council Member
Tom Larson, Council Member
Maggie Sanford, Council Member

Staff Present

Kyler Brower, Assistant Town Manager
Powell Duggan, Town Attorney
Heather Oliver, Town Clerk
Les Parsons, Chief of Police
Lisa Okes, Director of Finance/Chief Financial Officer
Angela Lawrence, Director of Community Development & Planning
John Simmons, Inboden Environmental Services, Inc. (via zoom)

Moment of Silence/Pledge of Allegiance

Mayor Schick led the meeting in a Moment of Silence and Pledge of Allegiance.

Approval of the Agenda

Mr. Wood made a motion to approve the agenda, as presented. Mr. Allison seconded the motion. Mayor Schick called for a vote. All members present voted "aye." **Motion passed.**

Consent Agenda

Mr. Wood made a motion to approve the consent agenda. Mr. Allison seconded the motion. Mayor Schick called for a vote. All members present voted "aye." **Motion passed.**

Approved Items under Consent Agenda:

Resolution #12-26, Amends and Appropriates FY26 Budget, General Fund for Trash Truck
Resolution #13-26, Amends and Appropriates FY26 Budget, General Fund for Beach Rake & Tractor

Resolution #14-26, Amends and Appropriates FY26 Budget, General Fund for Utility/Plow Truck

(see attached)

Council Member Announcements

Mr. Wood, Mr. Larson, Mr. Williams, Ms. Grandstaff, Ms. Sanford, Mr. Allison, and Mayor Schick provided reports on their liaison assignments.

Town Manager Update

Mr. Brower stated the departments would provide their updates and then he would provide a brief update.

Mr. Simmons provided data collected from January at the Wastewater Treatment Plant.
(see attached)

Ms. Lawrence provided a summary of the Planning Commission's annual report.
(see attached)

Chief Parsons provided an update on the incident that involved officers of the CBPD. He shared that the Northumberland Commonwealth Attorney's office and the Virginia State Police had concluded their investigation. It was determined that there was no probable cause to pursue criminal charges against the officers involved.

Chief Parsons further shared that with the criminal review completed, the department will now proceed with an internal administrative review.

Mr. Brower shared an update of the water meter system, the North Beach Shoreline Project, and the Azalea Cove Park progress. He further shared recent reviews that had been received for exceptional services that were provided by the town staff.

Presentations

Tim Trivett, Westmoreland County District V Supervisor

Mr. Trivett provided an update from the county Board of Supervisors.

Dr. Felix Addo, Superintendent of Colonial Beach Schools

Dr. Addo presented the results from the FY27 budget survey that the school published.
(see attached)

Public Comment

Shawn Farrington, Montross, VA

Mr. Farrington introduced his organization, United Ministries of Westmoreland County (UMWC), and its mission to prevent homelessness and support residents with needs. He explained that the ministry consists of fifteen churches and several service organizations that work together to assist residents in their time of need. He shared since October 2024, the beginning of the group's operations they have assisted 150 families that made up over 350 residents.

Mr. Farrington stated the referrals are provided to the group from churches, social services, law enforcement, and schools. He further stated the group has a growing caseload and there is an ongoing need for financial contributions and volunteers to help with office tasks, grant writing,

fundraising, and technical problem-solving. He invited anyone interested in supporting the UMWC to visit westmorelanduntied.org.

Bill Taylor, 122 11th Street

Mr. Taylor shared his support for the UMWC's work in Colonial Beach and said his own faith-based group collaborates with organization to support their efforts within town limits, similar to Neighbor to Neighbor. He noted the growing needs among senior citizens and other residents and the importance of organizations like United Ministries of Westmoreland County.

Unfinished Business

PUBLIC HEARINGS on Ordinance No. 774 and Ordinance NO. 775

Ms. Odom introduced Ordinance No. 774 and Ordinance No. 775 with a presentation. (see attached)

Ordinance No. 774, Amends Article 14 Site Plan of the Town of Colonial Beach Zoning

Ordinance

Public Input

Mayor Schick opened the public hearing at 7:51 p.m.

No public input was offered.

Mayor Schick closed the public hearing at 7:52 p.m.

Ordinance No. 775, Amends the Town of Colonial Beach Subdivision Ordinance

Public Input

Mayor Schick opened the public hearing at 7:52 p.m.

No public input was offered.

Mayor Schick closed the public hearing at 7:53 p.m.

Council Discussion

Mr. Williams asked what would prevent somebody from coming in and doing two to four subsequent under fifty lot subdivisions? Does that get addressed in either of the ordinances?

Ms. Odom stated it was discussed with the Planning Commission and they had expressed concern that larger parcels in town could be developed in smaller segments without adequate oversight. The concern was addressed by adding two new provisions to the subdivision ordinance. The first added provision requires an approved master plan or a phasing plan for the developments within a larger parcel. The second provision clarifies that subdivision reviews must follow the subdivision ordinance, zoning, proffered conditions, and any approved master or concept plan, preventing changes to previously approved plans at the subdivision stage. She noted the added provisions satisfied the Planning Commission's concerns.

Mayor Schick asked if Mr. Duggan had reviewed all the revisions to make sure they align with the changes in Virginia Code.

Mr. Duggan stated he reviewed and read the proposed revisions and they align with Virginia Code.

Ms. Grandstaff and Mr. Wood received further confirmation from Mr. Duggan on compliance with Virginia code.

Ordinance No. 774, Amends Article 14 Site Plan of the Town of Colonial Beach Zoning Ordinance

Council Action

Mr. Wood made a motion to approve Ordinance No. 774, as presented. Mr. Larson seconded the motion.

Mayor Schick called for a roll call vote. Ms. Grandstaff voted “aye,” Ms. Sanford voted “aye,” Mr. Allison voted “aye,” Mr. Wood voted “aye,” Mr. Larson voted “aye,” Mr. Williams voted “aye,” and Mayor Schick voted “aye.”

Ordinance No. 775, Amends the Town of Colonial Beach Subdivision Ordinance

Council Action

Mr. Allison made a motion to approve Ordinance No. 775, as presented. Mr. Wood seconded the motion.

Mayor Schick called for a roll call vote. Mr. Wood voted “aye,” Mr. Larson voted “aye,” Mr. Williams voted “aye,” Ms. Grandstaff voted “aye,” Ms. Sanford voted “aye,” Mr. Allison voted “aye,” and Mayor Schick voted “aye.”

PUBLIC HEARING, Ordinance No. 776, Amends Section 8-2 of the Town of Colonial Beach Zoning Ordinance to list “Communications Facility, not to exceed a height of 100 feet” as permitted with approval of a CUP within C-1

Ms. Lawrence introduced Ordinance No. 776 with a presentation.
(see attached)

Public Input

Mayor Schick opened the public hearing at 8:09 p.m.

No public input was offered.

Mayor Schick closed the public hearing at 8:10 p.m.

Council Action

Mayor Schick asked if the staff’s recommendation was to defer this item to the March work session.

Ms. Lawrence confirmed that it is the recommendation.

Mr. Wood made a motion to defer the item to the March work session. Ms. Sanford seconded the motion.

Mayor Schick called for a vote. All members voted “aye.” **Motion passed.**

Item was deferred.

New Business

Authorize for Advertisement for a Public Hearing on Conditional Use Permit (CUP 26-01) – Executive Properties, LLC request approval of (CUP 26-01) to allow a Mixed Residential/Commercial Use to include a ground floor retail/commercial space and second floor residential units in the (CR) Zoning District at Property Identified as 110 Washington Ave.

Ms. Odom introduced the item and stated the applicant was only available for the March 4th date due to previous commitments. She went through a quick presentation that showed the identified property and a rendering of the proposed building.

Mr. Wood made a motion to authorize advertisement for March 4th. Mr. Williams seconded the motion.

Mayor Schick called for a vote. All members voted “aye.” **Motion passed.**

Public Hearing scheduled for March 4, 2026.

Closed Meeting

Motion to move into closed meeting

Mayor Schick made a motion to enter into a closed meeting pursuant to Virginia Code § 2.2-3711 (A.7.) for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Town Council and; pursuant to Virginia Code § 2.2-3711 (A.8.) for the purpose of consultation with legal counsel retained by the Town Council regarding specific legal matters requiring the provision of legal advice by such counsel. Mr. Wood second the motion.

Mayor Schick called for a roll call vote. Mr. Wood voted “aye,” Mr. Larson voted “aye,” Mr. Williams voted “aye,” Ms. Grandstaff voted “aye,” Ms. Sanford voted “aye,” Mr. Allison voted “aye,” and Mayor Schick voted “aye.”

At 8:26 p.m., the Town Council moved into a closed meeting.

Reconvene Open Meeting

Mr. Wood made a motion to reconvene into an open meeting. Mr. Williams seconded the motion.

Mayor Schick called for a roll call vote. Mr. Wood voted “aye,” Mr. Larson voted “aye,” Mr. Williams voted “aye,” Ms. Grandstaff voted “aye,” Ms. Sanford voted “aye,” Mr. Allison voted “aye,” and Mayor Schick voted “aye.”

At 8:55 p.m., the Town Council reconvened into an open meeting.

Certify

Ms. Grandstaff made a motion to certify that only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was

convened were heard, discussed or considered in the meeting by the Council. Mr. Wood seconded the motion.

Mr. Wood, Mr. Larson, Mr. Williams, Ms. Grandstaff, Ms. Sanford, Mr. Allison, and Mayor Schick all so certified.

Adjournment/Recess

Seeing no further business to discuss, Mayor Schick adjourned the meeting at 8:56 p.m.

Heather Oliver

Heather Oliver, Town Clerk

APPROVED 03.18.2026

Attachments

1. Resolution #12-26, Amends and Appropriates FY26 Budget, General Fund for Trash Truck
2. Resolution #13-26, Amends and Appropriates FY26 Budget, General Fund for Beach Rake & Tractor
3. Resolution #14-26, Amends and Appropriates FY26 Budget, General Fund for Utility/Plow Truck
4. Inboden Monthly Report
5. Annual Planning Commission Report
6. CBPS FY27 Budget Survey Results Presentation
7. Presentation for Ordinance No 774 and Ordinance No. 775
8. Ordinance No. 774, Amends Article 14 Site Plan of the Town of Colonial Beach Zoning Ordinance
9. Ordinance No. 775, Amends the Town of Colonial Beach Subdivision Ordinance

ATTACHMENT 1

RESOLUTION #12-26, 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’s solid waste operations rely on trash trucks that experience significant daily use and are essential to the safe and efficient delivery of services; and

WHEREAS, the FY2026 Capital Improvement Plan (CIP), as adopted by the Town Council, includes the purchase of a new trash truck; and

WHEREAS, replacement of these vehicles is necessary to ensure the safe, reliable, and efficient delivery of services; and

WHEREAS, at its work session held on February 4, 2026, Town Council directed staff to return with a resolution utilizing funds from the Capital Improvement Fund to support this capital project;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council, at its regular meeting held on Wednesday, February 18, 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	\$13,345,005.13	\$13,645,005.13	+\$300,000.00

Breakdown of revenue and expenditure allocations:

General Fund

DB 100-042300-8108 – Replacement Equipment \$300,000.00
CR 100-090000-0007 – Transfer from Capital Projects Fund \$300,000.00

Capital Projects Fund

DB 330-099999-0100 – Transfer to General Fund \$300,000.00
CR 330-099999-1000 – Carry-Over From Prior Years \$300,000.00

ATTACHMENT 2

RESOLUTION #13-26, 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, beach maintenance and restoration are essential to the safety, cleanliness, and overall quality of the Town’s shoreline; and

WHEREAS, the FY2026 Capital Improvement Plan (CIP), as adopted by the Town Council, includes the purchase of a new beach rake and compatible tractor; and

WHEREAS, replacement of the beach rake and tractor are critical to public safety and environmental stewardship; and

WHEREAS, at its work session held on February 4, 2026, Town Council directed staff to return with a resolution utilizing funds from the Capital Improvement Fund to support this capital project;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council, at its regular meeting held on Wednesday, February 18, 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	\$13,645,005.13	\$13,845,005.13	+\$200,000.00

Breakdown of revenue and expenditure allocations:

General Fund

DB 100-043100-8108 – Replacement Equipment \$200,000.00
CR 100-090000-0007 – Transfer from Capital Projects Fund \$200,000.00

Capital Projects Fund

DB 330-099999-0100 – Transfer to General Fund \$200,000.00
CR 330-099999-1000 – Carry-Over From Prior Years \$200,000.00

ATTACHMENT 3

RESOLUTION # 14-26, 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’s utility/plow truck fleet is critical to Public Works operations, including snow removal, emergency response, and general maintenance; and

WHEREAS, the FY2026 Capital Improvement Plan (CIP), as adopted by the Town Council, includes the purchase of a new utility/plow truck; and

WHEREAS, replacement of a utility/plow truck is critical to public works operations, including snow removal, emergency response, and general maintenance; and

WHEREAS, at its work session held on February 4, 2026, Town Council directed staff to return with a resolution utilizing funds from the Capital Improvement Fund to support this capital project;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council, at its regular meeting held on Wednesday, February 18, 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	\$13,845,005.13	\$13,915,005.13	+\$70,000.00

Breakdown of revenue and expenditure allocations:

General Fund

DB 100-043100-8108 – Replacement Equipment \$70,000.00
CR 100-090000-0007 – Transfer from Capital Projects Fund \$70,000.00

Capital Projects Fund

DB 330-099999-0100 – Transfer to General Fund \$70,000.00
CR 330-099999-1000 – Carry-Over From Prior Years \$70,000.00

ATTACHMENT 4

UTILITY REPORT



JANUARY 2026

Town of Colonial Beach, VA

Authored by:

Inboden Environmental Services, Inc.



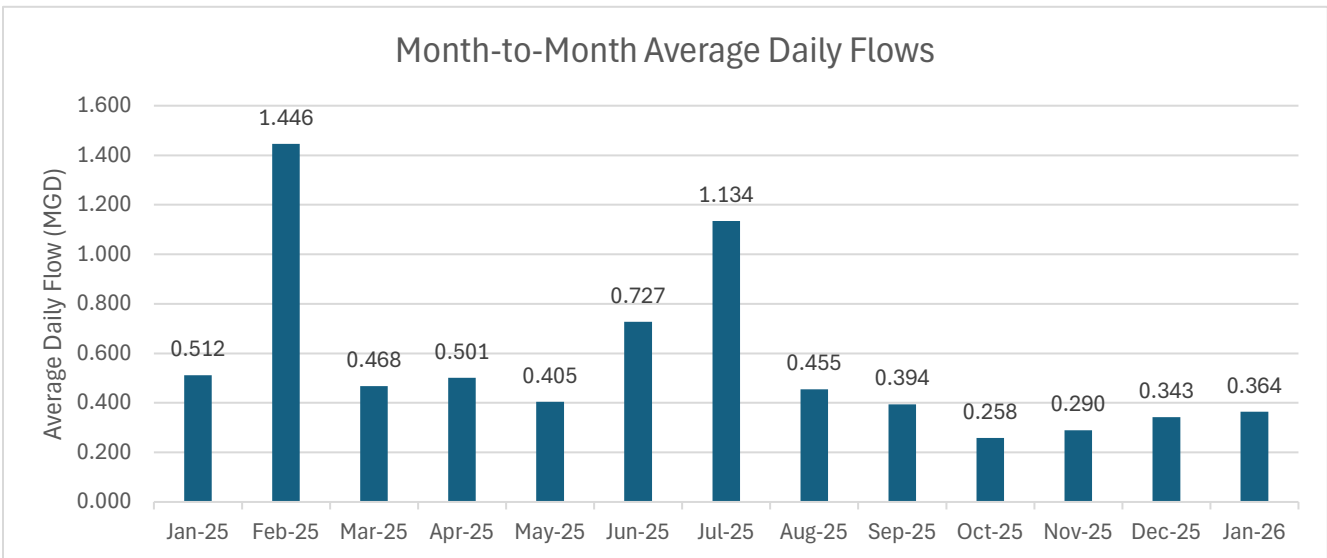
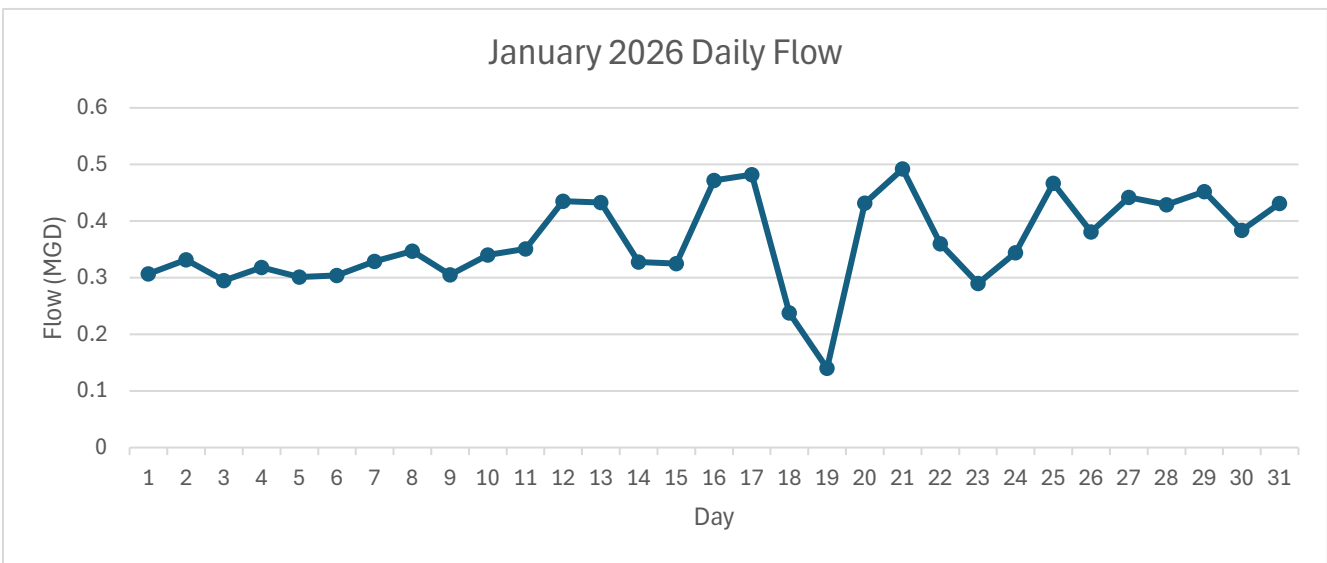
INTRODUCTION

This Utility Report provides information on operations, facility performance, and regulatory compliance for the month prior. Information includes items related to the wastewater treatment plant (WWTP) operations, effluent discharge volumes, laboratory analytical data, and compliance auditing.

WASTEWATER

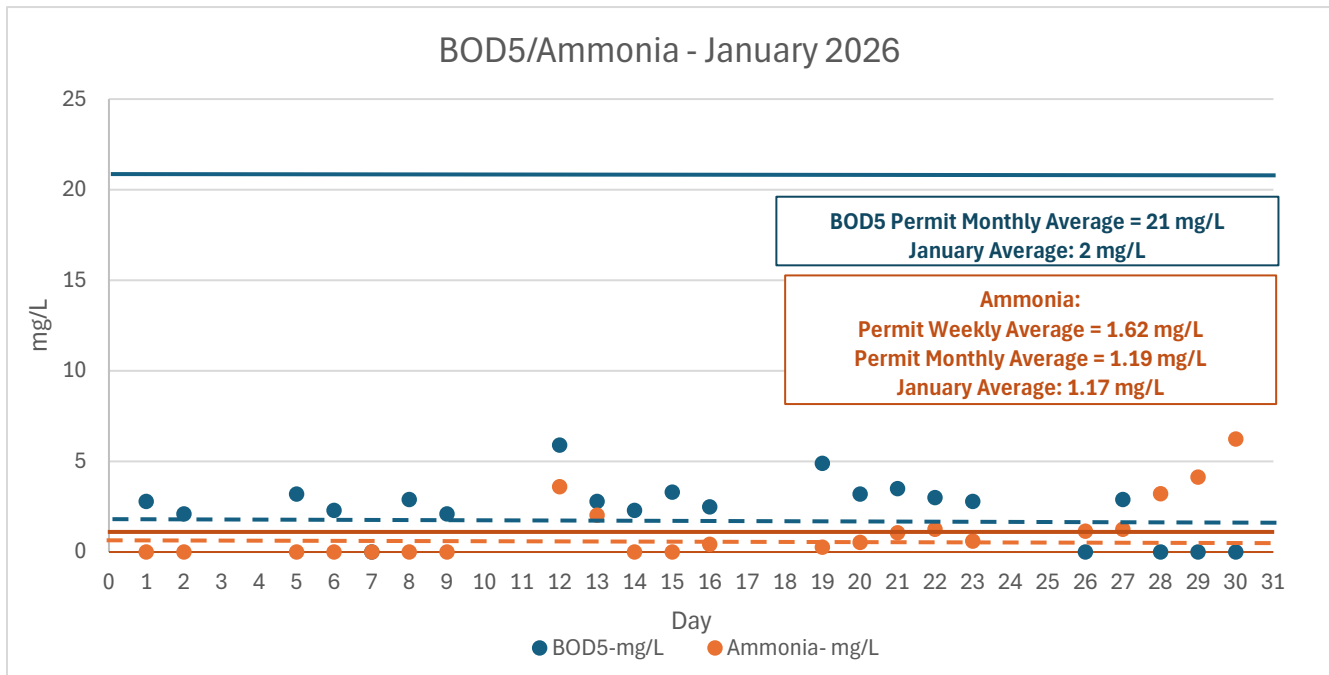
Wastewater Treatment

The wastewater treatment plant had an average daily discharge of 0.364 MGD resulting in a total discharge of 11.286 MG for the month.



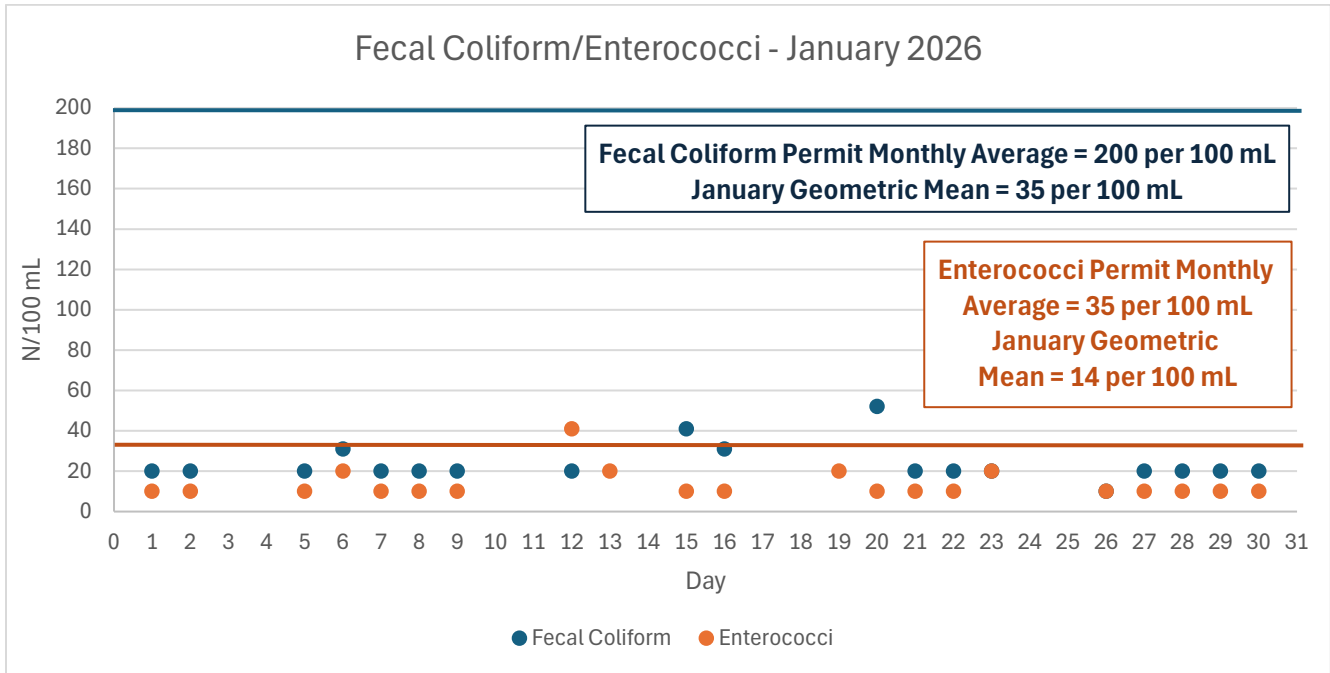
Effluent Quality:

All sample results for BOD5, TSS, Fecal Coliform, and Enterococci were within permit limits. Ammonia exceedances were noted as explained below.



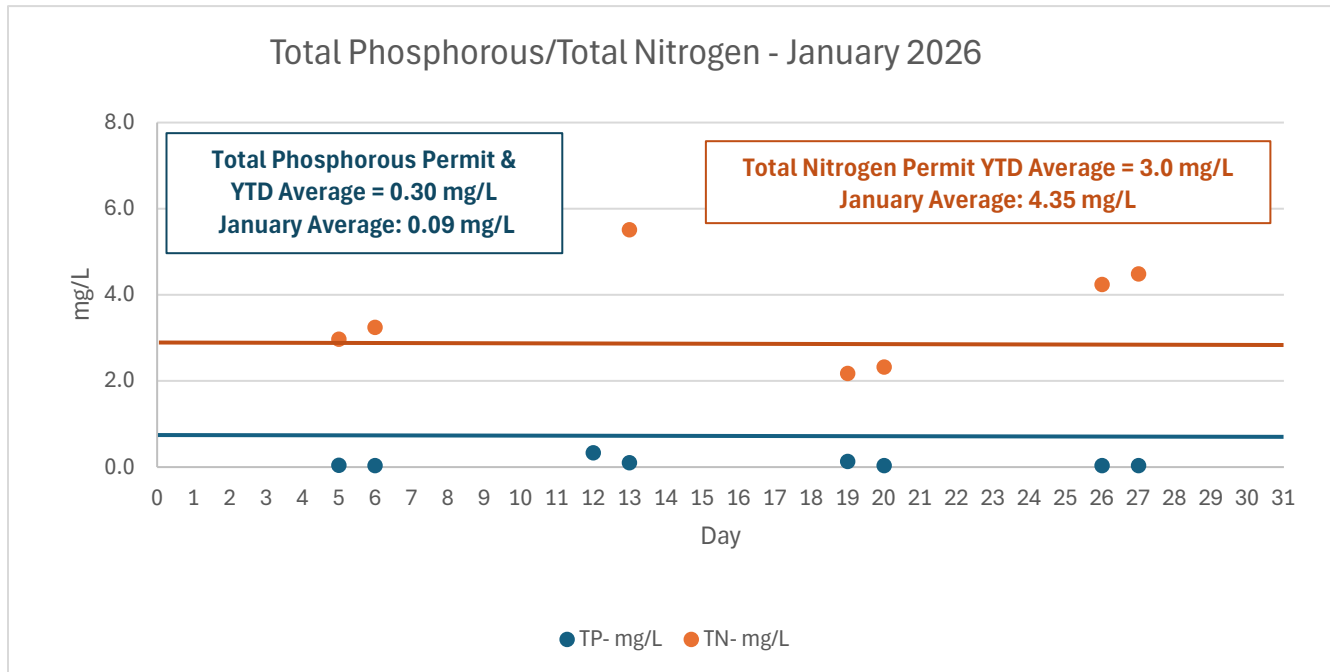
Exceedance details:

During the week of January 27, the facility experienced elevated ammonia concentrations, resulting in a weekly average of 3.20 mg/L and exceeding the permitted weekly maximum average limit of 1.62 mg/L. A closed valve between the nitrification tanks began leaking after exposure to frigid temperatures, allowing mixed liquor suspended solids (MLSS) to escape the treatment process. Even though the valve was in the closed position, the cold caused the internal components to contract and fail, creating a path for MLSS to flow into the off-line nitrification tank, which is storing unusable solids. The leak pulled active biomass out of the nitrification system, reducing the concentration of microorganisms needed for ammonia conversion. This sudden loss of MLSS caused process inhibition, weakening the plant's biological treatment capacity. With fewer nitrifiers available, the system's ability to oxidize ammonia dropped sharply, leading to elevated ammonia levels in the effluent until the biomass can be rebuilt and the process stabilized. The valve was worked repeatedly until it regained its seal, stopping the leakage from the nitrification tanks. With the leak isolated, the biological process has been reseeded to restore the mixed liquor that was lost. The treatment system is now being closely monitored as we work to regain full nitrification and return ammonia removal to normal levels.



Effluent Quality (continued):

Samples were also collected twice per week for Total Nitrogen (TN) and Total Phosphorous (TP) that have specific Year-to-Date (YTD) permit requirements with an end-of-year evaluation. Results for all samples are presented in the charts below.



Glossary

Bacteria	E.coli and/or Total Coliform
BOD5	5-day Biochemical Oxygen Demand
CBOD	Carbonaceous Biochemical Oxygen Demand
cfu	colony forming unit
CIP	Capital Improvement Plan or Cast/cleaned-in-place
Cl	Chloride Ion
Cl ₂	Chlorine
CMF	Continuous Membrane Filtration?
D.O.	Dissolved Oxygen
F/M ratio	Food to Microorganism ratio
FOG	Fats, Oil and Grease
GST	Ground Storage Tank
HWTP	Harmony Water Treatment Plant
I&I	Infiltration and Inflow
Inorganic Nitrogen	Nitrate + Nitrite
LS	Lift Station
mg/L	Milligrams per Liter
MGD	Million Gallons Per Day
mL	Milliliters
MLSS	Mixed Liquor Suspended Solids
MLVSS	Mixed Liquor Volatile Suspended Solids
MPN	Most Probable Number -bacteriological well sample
MW	Monitoring Well
N/N	Nitrate/Nitrite
Organic Nitrogen	TKN
P/A	Presence/Absence- bacteriological samples for drinking water
PFAS	polyfluoroalkyl substances
PLC	Programmable Logic Controller
POE	Point of Entry
RAS	Return Activated Sludge
SCADA	Supervisory Control and Data Acquisition
STEP	Septic Tank Effluent Pump
TKN	Total Kjeldahl Nitrogen
TN	Total Nitrogen
TP	Total Phosphorous
TR-6	Copper sequestering chemical for wastewater
TSS	Total Suspended Solids
UV	Ultraviolet Light
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plant

ATTACHMENT 5

2025 Planning Commission Annual Report



Town of Colonial Beach, Virginia
February 12, 2026



Planning Commission Members and Responsibilities

Members

The Colonial Beach Planning Commission is composed of seven (7) members. Members are appointed by the Town Council to serve four (4) year terms. In 2025, the Planning Commission expressed sincere appreciation for the service of three (3) outgoing members and eagerly welcomed three (3) new members. Two members, Bailey Thompson (Chairperson) and Patricia Kuhrtz (Vice Chairperson), relocated out of the town at the end of August while Robert Christiansen's appointed term expired November 30th.

The 2025 members of the Planning Commission include:

- Bailey Thompson, Member & Chair through August
- Patricia Kuhrtz, Member & Vice-Chair through August
- Robert Christiansen – term expired November 30, 2025
- Nathan Howell, Member - elected Chair in September
- Vicki Luna, Member - elected Vice-Chair in September
- Bill Hutchins, Member
- Nigel Long, Member
- Annemarie Bairstow, Member beginning in November
- Lauren Adams, Member beginning in November
- Bill Malone, Member beginning in December

Town Council Liaison: Rick Wood



Chair Nathan Howell thanked Commissioner Bob Christiansen for his years of service to the planning commission.



Patricia Kuhrtz was thanked for her years of service to planning commission.

Responsibilities

The Planning Commission was established pursuant to the provisions of Title 15.2 of the Code of Virginia. The Planning Commission advises the Town Council on matters related to the development of the Town of Colonial Beach.

The Town Code specifies that the Planning Commission:

- Prepares and adopts by-laws for the Commission's organizational and procedural functions.
- Prepares and recommends a Comprehensive Plan for physical development of the Town and review the plan at least once every five (5) years.
- Prepares and recommends amendments to the Zoning Ordinance.
- Prepares and recommends amendments to the Subdivision Ordinance.
- Prepares and recommends amendments to the Capital Improvements Program (CIP).
- Prepares and recommends amendments to an Official Map.
- Reviews and recommendations on applications for Zoning Map amendments.
- Reviews and makes recommendations on applications for conditional use permits.
- Approves or disapproves the general location of public facilities, public utilities and roads for conformance with the adopted Comprehensive Plan.
- Reviews and approves subdivisions as required by the Zoning Ordinance and the Subdivision provisions of the Ordinance.

Planning Commission 2025 Meetings Summary

The Colonial Beach Planning Commission held its regular scheduled monthly meetings on the second Thursday of each month beginning at 5:30 p.m. at Town Center located at 22 Washinton Avenue, Colonial Beach, Virginia. The Commission meetings were live streamed on the Colonial Beach Town Hall–YouTube channel.

In 2025, the Planning Commission held ten (10) regularly scheduled meetings. The minutes for these meetings are archived in the Agenda Center on the Town’s website at <https://colonialbeachva.gov/AgendaCenter>

The regular monthly meeting scheduled for February was not held due to inclement weather. The regular monthly meeting in July was cancelled as there was no business.



Members of the 2025 Planning Commission, from left to right: Bill Malone, Lauren Adams, Vice-Chair Vicki Luna, Chair Nathan Howell, William Hutchins, Nigel Long, and Annemarie Bierstow.

In calendar year 2025, the Planning Commission:

- *Approved* their 2025 Work Plan
- Considered six (6) zoning ordinance text amendments
- Made recommendations for *approval* of all six (6) zoning ordinance text amendments to Town Council
- Made a recommendation of *approval* for one (1) Conditional Use Permit
- Held seven (7) public hearings on six (6) ordinance amendments and one (1) for the Capital Improvement Plan (CIP)
- *Approved* and recommended the 2025-2029 Capital Improvement Plan to Council
- Held a work session with Town Department Heads to finalize the draft of the 2026-2030 Capital Improvement Plan

• For additional information related to the Town of Colonial Beach Planning Commission meeting schedule, agendas, meeting minutes, and more visit the Town’s web page at www.colonialbeachva.gov

Planning Commission Monthly Business

January:

- Conducted a public hearing and recommended approval of the FY25-30 CIP to Town Council.
- Conducted a public hearing and recommended Zoning Text Amendment 25-01: Article 17 – BZA Appeals, Variances, and Provisions for Appeals including minor revisions as well as updates to reflect guidance of the Code of Virginia to Town Council.
- Amended and approved Planning Commission By-laws.
- Reviewed and approved the 2025 Work Plan.

March:

- Conducted a work session with citizens and stakeholders on Floor Area Ratio (FAR). (see page 5 for additional information).
- Reviewed and accepted the 2024 Planning Commission Annual Report.

April:

- Followed up on the FAR work session and authorized a public hearing.

May:

- Conducted a Public Hearing for Zoning Text Amendment 25-02: FAR and recommended approval to Town Council.
- Planned for stakeholder input regarding Planning Commission recommended Amendments to Article 13, Parking Regulations.
- Introduction of Kyler Brower, Assistant Town Manager.

June:

- Discussed potential amendments to Article 22 – Woodlot Management and Tree Preservation.
- Conducted a work session with town citizens and stakeholders on Draft Amendments to Article 13 – Parking Regulations – Zoning Text Amendment 24-02.

August:

- Reviewed Draft Zoning Text Amendment (ZTA 25-03) – Woodlot Management and Tree Preservation and authorized the public hearing.
- Reviewed information gathered at work session and reviewed Draft Zoning Text Amendment (ZTA 24-02) to Article 13 – Parking Regulations.
- Introduction of John Sawdy, Community Enhancement Officer.

September:

- Election of Officers – Upon resignation of Chair Bailey Thompson and Vice-Chair Pat Kuhrtz.
- Conducted a Public Hearing for Zoning Text Amendment 25-03 Article 22 Chesapeake Bay Preservation District Overlay – Woodlot Management and Tree Preservation and recommended approval by Town Council.
- Discussed staff's Draft amendments to Article 13 – Parking Regulations and authorized the public hearing.

October:

- Introduction of Angela Lawrence, Director of Planning & Community Development Department.
- Conducted a Public Hearing for Zoning Text Amendment 24-02: Article 13 Parking and recommended approval to Town Council.
- Discussed draft amendments to Article 14 Site Plan and Subdivision Ordinance to reflect State Code revisions and authorized a public hearing.

November:

- Introduction of new Planning Commission members Lauren Adams and Annemarie Bairstow.
- Conducted Public Hearing for Zoning Text Amendment 25-04 to Article 14 – Site Plan and recommended approval to Town Council.
- Conducted Public Hearing for Zoning Text Amendment 25-05 – Subdivision Ordinance and deferred action.

December:

- Introduction of new Planning Commission member Bill Malone.
- Discussed Zoning Text Amendment 25-04 – Article 14 Site Plan and recommended approval to Town Council.
- Authorized a public hearing for a Text Amendment allowing Communication Facility not to exceed height of 100' in C-1 district with a Conditional Use Permit.

Community Outreach & Participation

Regular Planning Commission meetings include a time for public comment on non-public hearing matters that relate to planning, zoning, and community development. In addition, some items require a formal public hearing. The planning commission values and encourages public input.

In 2025, Planning Commission included ten (10) regular monthly meetings, seven (7) public hearings, and two (2) work sessions/stakeholder input sessions.

Floor Area Ratio (FAR) Stakeholder Work Session

Floor Area Ratio (FAR) is of the principle building on any lot or tract of land is the sum of the total areas of all floors within the building structure divided by the total lot area.

After a joint work session with Town Council and Planning Commission, it was agreed that Planning Commission would meet with the building community and citizens to gain insight to understand the impacts and concerns of recommended changes to the FAR.

Participants at the meeting were asked:

- To provide three top reasons they believe the Town should have a maximum FAR regulation in its Single Family Residential zoning districts.
- What portions of a dwelling they believe should be or should not be counted towards the FAR calculation? Attached garages? Covered porches? Basements?
- To explain what they believe the FAR should or should not be increased to, including thoughts on the impact to the Town overall, the impact on the real estate market and property values, and the impacts on adjacent properties and neighborhoods.
- If the Town's FAR regulations are too rigid? How will density and compatibility be achieved in the residential areas with a FAR regulation or if the FAR is increased?

The input served to guide the staff and planning commission in determining what revisions were needed related to the FAR.

Parking Regulations Stakeholder Work Session

In 2024, Town Council sent Zoning Text Amendment (ZTA 24-02) on parking regulations back to the Planning Commission for additional work and to receive input from business stakeholders and citizens. A work session was held at the Commission's June 2025 meeting. Participants stated that the draft ordinance: was too cumbersome for local businesses; needed to better support golf cart parking; should consider a greater distance for acceptable transitory parking; ensure adequate spaces are provided for each use; allow parking on Colonial Avenue; ensure regulations are not punitive to new business development. Comments also included discussion of parking congestion in for town events and options for satellite parking options the Town should consider, both of which are outside of the purview of the zoning ordinance.

Other Responsibilities and Highlights

Work Plan Update

The Planning Commission adopts an annual work plan to guide its intended work for the calendar year. Staff provides general monthly status reports as to the progress of various planned projects.

Comprehensive Plan Projects

While the Planning Commission did not complete any specific projects related to the Comprehensive Plan in 2025, there were discussions about the Comprehensive Plan review required in 2026. The Commission recognizes that an analysis of updated demographic information, growth trends, infrastructure needs, compliance with state code changes, and goals and implementation strategies of the approved plan Propelling Resilience – Town of Colonial Beach Flood Resilience and Stormwater Management Plan will inform revisions to the Comprehensive Plan, as well as potential subsequent ordinance amendment considerations.

Capital Improvement Plan (CIP)

The Colonial Beach Town Council has tasked the Planning Commission with the annual preparation of a Capital Improvement Program (CIP) under the authority of the Code of Virginia §15.2-2239. The CIP is a five-year plan that serves as a guide for financial decisions, annual budgeting and the coordination of major public investments in the preservation and expansion of the Town's infrastructure. The CIP is a working document with approximations designed to provide advance project identification, evaluation, scope definition, and cost estimating to more clearly identify the complete state of the infrastructure or capital asset once accomplished/procured. It shows how Colonial Beach plans to address its public facility needs and the best method of paying for them within the Town's fiscal capacity. The Town's CIP supports the Town's commitment to infrastructure maintenance and enhancement.

The CIP for Fiscal Year 2026-2030 was forwarded to Council by the Planning Commission, after their public hearing on January 9, 2025.



Looking Forward to 2026

The work of the Planning Commission in 2026 will focus greatly on the revision of the Comprehensive Plan and subsequent zoning and subdivision ordinance reviews.

Virginia State Code Section 15.2-2223 requires the local planning commission to prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction for the Town Council to adopt.

There is no power for change greater than a community discovering what it cares about.

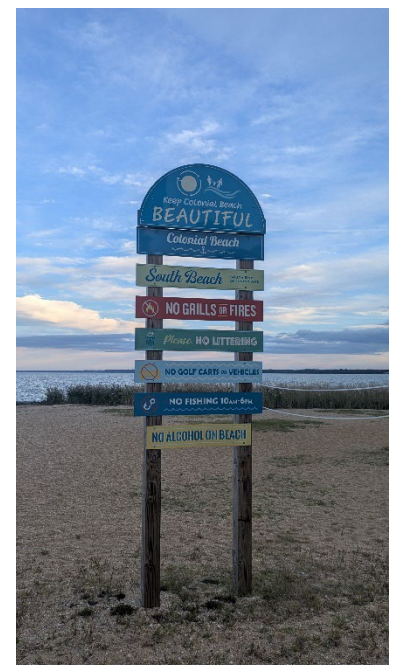
In the preparation of a comprehensive plan, the commission is to make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The comprehensive plan is to be made with the purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the territory that will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, including the elderly and persons with disabilities.

Comprehensive Plans are to be reviewed every five (5) years and the Colonial Beach. The last update was approved in 2021, so it is time for planning commission to review and revise, as needed.

The Vision for 2030

"To be an attractive, historical beach town committed to family, business, the arts, and a healthy lifestyle."

Town of Colonial Beach 2020-2030 Comprehensive Plan



ATTACHMENT 6

Colonial Beach Public Schools

"Every Student, Every Day, Every Minute"

Budget Survey (FY '27) Results

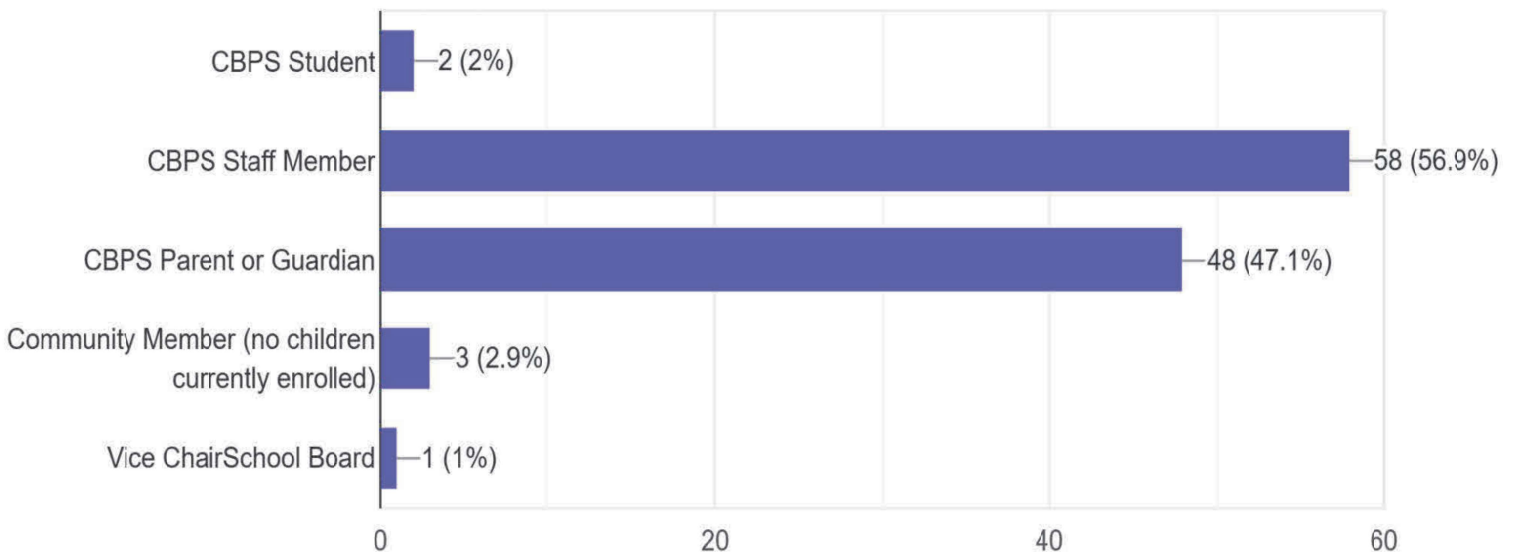


Felix Addo, Ed. D.



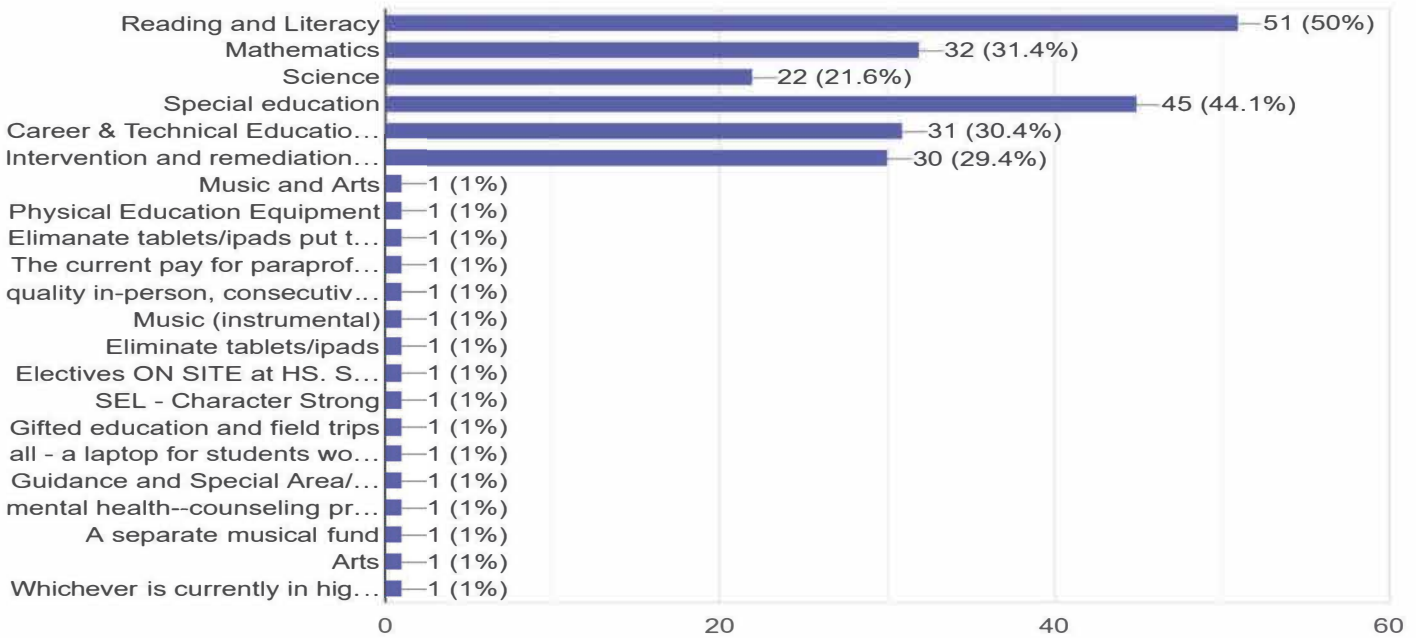
Which best describes your relationship to Colonial Beach Public Schools? (Select all that apply)

102 responses



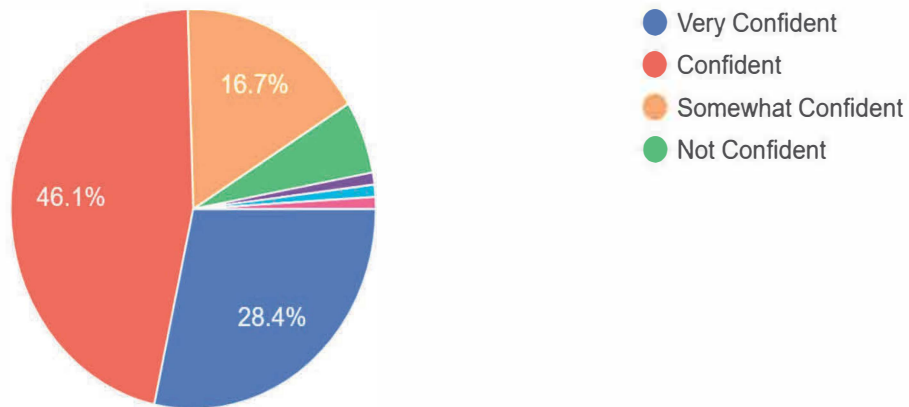
Which academic areas should receive additional investment in FY 2027? (Select all that apply)

102 responses



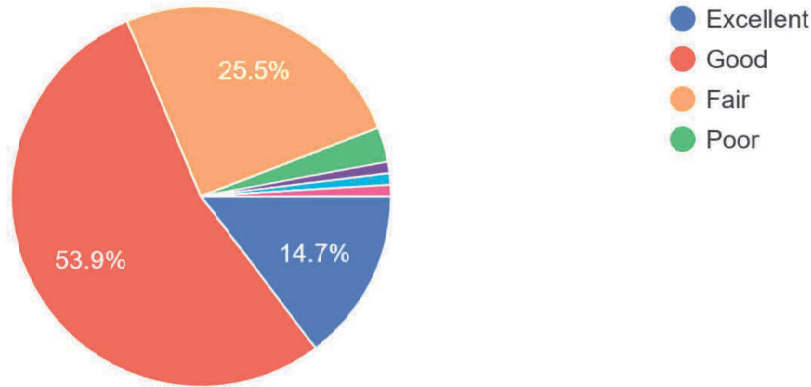
How confident are you that CBPS schools are safe and secure?

102 responses



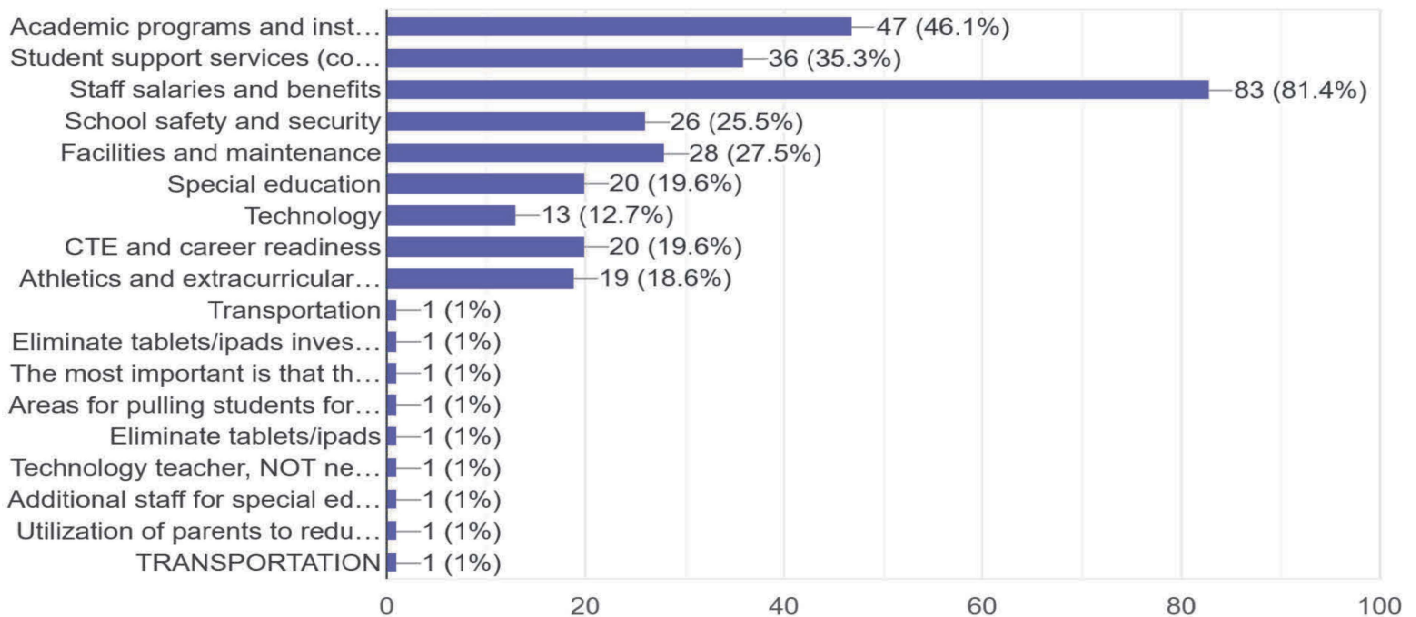
How would you rate the overall condition of CBPS facilities?

102 responses



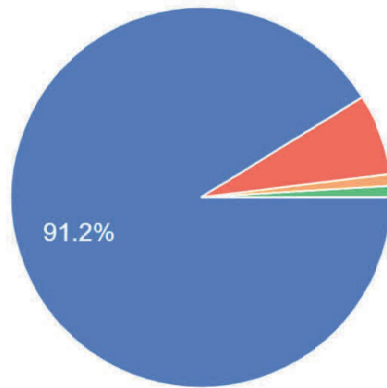
Please select the top three areas you believe should receive the greatest funding priority in FY 2027:

102 responses



How important is it for CBPS to prioritize competitive compensation to recruit and retain high-quality staff?

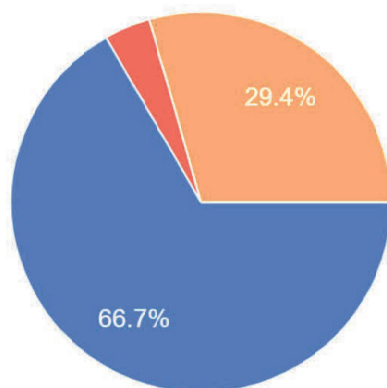
102 responses



- Very Important
- Somewhat Important
- Not Important
- No opinion

Are you willing to consider potential adjustments to local funding sources to support the school district's needs?

102 responses



- Yes, I am open to adjustments
- No, I am not open to adjustments
- Undecided/No Opinion

Additional Feedback

1. Staff Compensation and Workforce Stability

- Increase salaries for teachers, paraprofessionals, and instructional assistants (noted as below living-wage levels).
- Address loss of planning time when teachers cover for substitute shortages.
- Improve recruitment and retention, including hiring more ethnically diverse **licensed** teachers.

2. Student Support Services and Instruction

- Provide appropriate, quiet spaces for Tier 2 and Tier 3 intervention services (not hallways).
- Expand guidance counseling, college and career preparation (SAT/ACT, applications, financial aid).
- Add consistent technology and guidance instruction as part of the specials rotation.
- Improve instructional resources, including curriculum adoptions and CTE staff qualified for advanced and dual-enrollment courses.
- Support for online and virtual learning programs.

Additional Feedback

3. Safety and Student Well-Being

- Improve school safety measures, including:
 - School Resource Officer (SRO) presence at the high school.
 - Safety rails for student pick-up and drop-off areas.
- Ensure basic health and facility needs are met (e.g., functional hot water for staff restrooms).

4. Facilities and Infrastructure

- Continue renovations to improve efficiency while maintaining safe learning environments.
- Address deficiencies in athletic facilities.
- Increase janitorial, maintenance, and transportation staffing and resources.

DrifterPride



ATTACHMENT 7



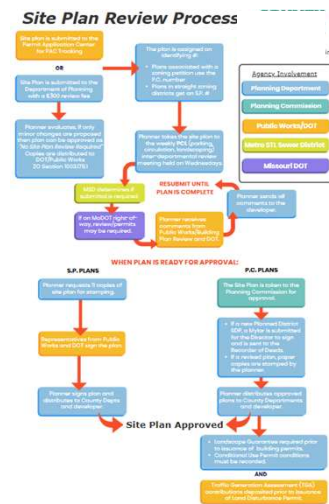
Public Hearings – Zoning Text Amendments # 25-04 and #25-05 – Article 14 Site Plan and Subdivision Ordinance

Town Council
February 18, 2026

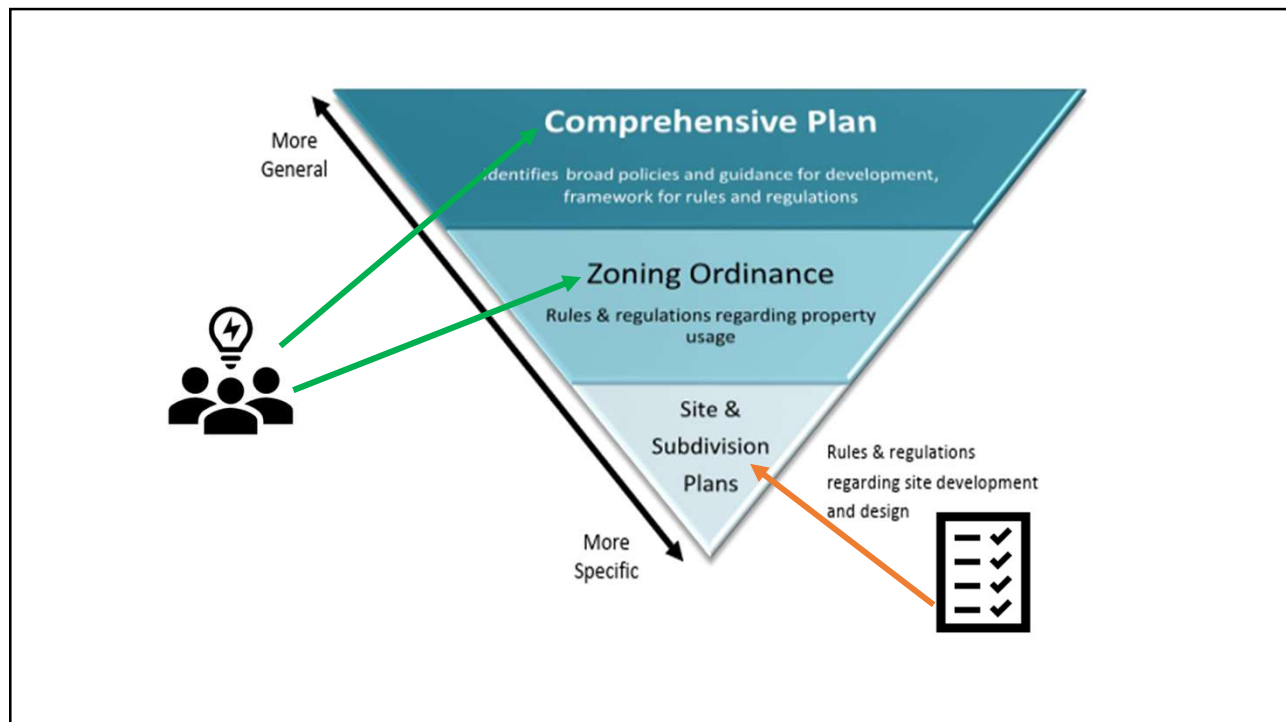
1

Background

- New laws re: site plan and subdivision plat reviews
- Effective July 1, 2025
- Shift approval authority from PC and Governing Body to a Designated Agent - (*Professional Planner and Planning staff*)
- Designated Agent defined as not being PC
- Exception – localities under 5,000 people, PC continue to review Preliminary Plats with over 50 lots; Town falls under exception



2



3

STATE LAW REVISIONS EFFECTIVE JULY 1, 2025 APPLICABLE TO ALL LOCALITIES

- Specific Review Process and Actions After Each Review
- Reduce Review Times for Site Plans and Subdivision Plats
- Appeal Not to Governing Body – Directly to Circuit Court
- Strengthen Developers ability to petition Circuit Court
If timelines and processes not met
Disapproval was not properly based on ordinance
applicable thereto



4

NEW TEXT AMENDMENTS TO ARTICLE 14 (SITE PLAN) AND SUBDIVISION ORDINANCE

- Modify ordinance language to capture relevant state code amendments and processes
- Remove review time language; reference state code
- Remove or modify conflicting processes/language
- Add from state code language for developer's right to petition directly to Circuit Court; specific to timeline, process and review criteria based in ordinance



5

NEW TEXT AMENDMENTS - CLARIFICATION IN SUBDIVISION ORDINANCE AMENDMENTS

- No Planning Commission processes or review changes – Preliminary Plats and Final Plats
- Clarify required vs voluntary preliminary plans per state code
- Remove definition & process for Concept Plat – eliminate option so as not to conflict with new state code processing – not delay official submission
- Porous pavers remove shall; optional; need review by case
- Deeper lots – not through separate appeal process



6

NEW TEXT AMENDMENTS - CLARIFICATION IN SUBDIVISION ORDINANCE AMENDMENTS (CONT.)

- Remove definitions and reference to Major and Minor subdivisions – Leave definitions of subdivisions, family divisions, re-subdivisions (created confusion over processes)
- Submittal requirements the Same, added requirement for approved master or phasing plan for master planned or phased developments
- Added “General Process” language to clarify subdivision reviews based on ordinance, zoning, proffered conditions and any approved master/concept plan



7

Statutory Review Timeframes, Effective July 1, 2025

Application Type	Review Entity	Statutory Timeframe	Legal Reference
Preliminary Subdivision Plats	Local Agent	45 days	§ 15.2-2260
Final Subdivision Plats	Local Agent	30 days	§ 15.2-2259
Site Plans / Plans of Development	Local Agent	40 days	§ 15.2-2259
Resubmittal of Disapproved Plans	Local Agent	30 days	§ 15.2-2259
State Agency Reviews (e.g., VDOT)	Relevant State Agencies	30 days	§ 15.2-2222.1
Local Action Post State Agency Approval	Local Agent	20 days	§ 15.2-2259

8

Recommendation:

The Planning Commission and Staff recommend approval of ZTAs 25-04 (Article 14 Site Plan) and 25-05 (Subdivision Ordinance), as provided in Attachments 2 and 4.

9

Town Council Action Requested

Adoption of Ordinances 774 and 775 for the approval of ZTA 25-04 for Zoning Ordinance Article 14 and ZTA 25-05 for the Subdivision Ordinance, as provided in Attachments 2 and 4.

10

ATTACHMENT 8

ORDINANCE NO. 774

AN ORDINANCE TO AMEND TOWN OF COLONIAL BEACH ZONING ORDINANCE WITH THE APPROVAL OF ZONING TEXT AMENDMENT (ZTA) 25-04 – AN AMENDMENT OF ARTICLE 14 – SITE PLANS

WHEREAS, the Town of Colonial Beach adopted as Article 14 of the Town’s Zoning Ordinance to establish regulations to provide for adequate site plan submittal and review requirements to ensure development and re-development complies with local and state regulations;

WHEREAS, the Code of Virginia was amended in 2025 relative to submittal, review and appeal processes for site plans with such state code changes having become effective July 1, 2025;

WHEREAS, staff reviewed the current Zoning Ordinance to identify areas where the ordinance processes, timelines and appeal processes for site plans were not consistent with the amended state code effective July 1, 2025;

WHEREAS, current staff drafted revisions to Article 14 Site Plan regulations of the Zoning Ordinance as Zoning Text Amendment ZTA 25-04 and reviewed draft changes with the Planning Commission;

WHEREAS, after a duly advertised public hearing, at their meeting on November 13, 2025, the Planning Commission voted unanimously to recommend approval of ZTA 25-04 to Town Council; and,

WHEREAS, following a duly advertised public hearing at their February 18, 2026 meeting, the Town Council now wishes to adopt the amendments to Article 14 of the Town’s Zoning Ordinance as provided with ZTA 25-04.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Town Council of
Colonial Beach, Virginia, the following:**

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, and having found that the Zoning Text Amendment 25-04 of Article 14 of the Town of Colonial Beach Zoning Ordinance is appropriate and in the best interest of the Town and its residents to align with state code regulations for site plan reviews, the Town Council does ordain and amend the said Article 14 Site Plan regulations of the Town of Colonial Beach Zoning Ordinance as proposed and attached.
- c. This Ordinance is effective immediately.

PASSED AND ADOPTED this _____ day of _____ 2026 by the Town Council of Colonial Beach.

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 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 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.
 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. Parking spaces shall be illustrated on the site plan and provided in accordance with Article 13 Parking.
 13. Existing and/or planned public water and sewer lines, including points of connection to public water and sewer with location of laterals 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 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 for plan check review.
- C. The Director 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 in accordance with Virginia Code as amended. Approval of a site plan is required prior to the Director issuing a zoning permit for the development approved on the 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 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 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. 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. Such requests shall include any necessary information, including, but not limited to, modified drawings or renderings, as requested by the Director. Minor site plan revisions shall also be subject to those fees adopted in the Zoning Permit Planning Fees Schedule.

DRAFT

ATTACHMENT 9

ORDINANCE NO. 775

AN ORDINANCE TO AMEND TOWN OF COLONIAL BEACH ZONING ORDINANCE WITH THE APPROVAL OF ZONING TEXT AMENDMENT (ZTA) 25-05 – AN AMENDMENT OF THE TOWN OF COLONIAL BEACH SUBDIVISION ORDINANCE

WHEREAS, the Town of Colonial Beach adopted as the Town’s Subdivision Ordinance pursuant to the mandate in the Code of Virginia to review and regulate the division of land to assure the orderly subdivision of land and its development;

WHEREAS, the Code of Virginia was amended in 2025 relative to submittal, review and appeal processes for land subdivisions with such state code changes having become effective July 1, 2025;

WHEREAS, staff reviewed the current Subdivision Ordinance to identify areas where the ordinance processes, timelines and appeal processes for subdivision plat reviews were not consistent with the amended state code effective July 1, 2025;

WHEREAS, current staff drafted revisions to the Subdivision Ordinance regulations as Zoning Text Amendment ZTA 25-05 and reviewed draft changes with the Planning Commission;

WHEREAS, after a duly advertised public hearing, at their meeting on November 13, 2025, and following discussion at their December 11, 2025, meeting, the Planning Commission voted unanimously to recommend approval of ZTA 25-05 to Town Council; and,

WHEREAS, following a duly advertised public hearing at their February 18, 2026, meeting, the Town Council now wishes to adopt the amendments to the Subdivision Ordinance as provided with ZTA 25-05.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Town Council of Colonial Beach, Virginia, the following:

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, and having found that the Zoning Text Amendment 25-05 of the Subdivision Ordinance of the Town of Colonial Beach is appropriate and in the best interest of the Town and its residents to align with state code regulations for land subdivisions, the Town Council does ordain and amend the said Subdivision Ordinance of the Town of Colonial Beach as proposed and attached.
- c. This Ordinance is effective immediately.

PASSED AND ADOPTED this _____ day of _____ 2026 by the Town Council of Colonial Beach.

The Town of Colonial Beach Subdivision Ordinance

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>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 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 Planning and 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

	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>Minor Street:</i>	Are those Local Streets (Secondary Roadways) identified in the Colonial Beach Comprehensive Plan.
<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.

Subdivision Ordinance

<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 compliance with Zoning and Subdivision Ordinance standards and other applicable laws.
<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 such Ordinance) including, but not requiring, the relocation, alteration, and/or vacation of lot lines. This term shall also include subdivision amendments and vacations in accordance with state code.
<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 properties 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.

Subdivision Ordinance

<i>Subdivide/Subdivision:</i>	To divide, or the division of, any tract, parcel, or lot of land into two (2) or more lots or parcels 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.
<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.
<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.

Subdivision Ordinance

<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 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.
- 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 Code of Virginia for subdivision plat reviews, 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. REVIEW 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 Subdivisions of more than 50 lots, or for 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 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 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 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.

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 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 four (4) times their width should be avoided to the greatest extent possible unless the subdivider can show to the satisfaction of 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 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 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. STREETLIGHTS, SIGNS, AND SIDEWALKS FOR 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 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. PRELIMINARY PLATS

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 sixteen (16) paper copies and one (1) electronic copy of the Preliminary Plat prepared on sheets having a size of 18 inches by 24 inches, or other size as approved by the Subdivision Agent to ensure readability. The Preliminary Plat shall include the lots, streets, and utilities layout and shall meet the following submittal requirements :

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 the setback lines
 22. Proposed block, section, and lot numbers
 23. A note on the plat stating "All land within the Town of Colonial Beach not otherwise located within Resource Protection Areas 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 owner's consent and dedication provided on the plat in accordance with Section 9 of this Ordinance
 27. An executed surveyor's certificate in accordance with Section 9 of this ordinance.
 28. An executed owner's consent and dedication provided on the plat in accordance with Section 9 of this Ordinance.
 29. 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.
30. The proposed building pad area and pad elevation for each lot within the proposed Subdivision Plat.
 31. 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.
 32. 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.
 33. 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.
 34. Boundaries of all costal flood plains and costal high hazard areas associated with the subdivision.
 35. 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 and
 36. 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 MUST BE APPROVED BY THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT FOR ANY IMPROVEMENTS, SUCH AS ACCESS, WATER AND SEWER, AND DRAINAGE, WITH REQUIRED SURETY PROVIDED TO THE TOWN.

6-2 FINAL PLATS

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.

6-2-1 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.

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.

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.

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.

6-2-6 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~~

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- (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 inch equals 100 feet or other reasonable scale, if approved by the Subdivision Agent, to ensure readability.) The plat shall be prepared on sheets having a size of 18 inches by 24 inches, or other size if approved by the Subdivision Agent to ensure readability.
 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.
 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, and
- 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 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 Final or Record Plat, nor on accompanying data sheets, after approval by the Subdivision Agent has been endorsed in writing on the plat or sheets, unless authorization for such changes has been granted in writing by the Subdivision Agent. For Preliminary, Final and Record Plats changes, erasures or revisions as described here shall not be made unless such changes 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 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 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, 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 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.