



Appomattox Regular Town Council Meeting Agenda

Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia 24522

Monday, March 09, 2026

6:30 PM – Regular Town Council Meeting

(Location: Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia 24522)

Call to Order

Welcome to Visitors

Prayer & Pledge of Allegiance to the Flag of the United States of America

Mayor's Comments

Unfinished Business

1. Approval of the modifications to the Bylaws and Rules of Procedure for Appomattox Town Council.

New Business

2. Public hearing on a proposed amendment to Chapter 28 ("Subdivisions") of the Town Code, which amendment removes certain minimum lot size requirements for lots served by public water and/or public sewer systems to avoid potential conflict with similar provisions in other portions of the Town Code.
3. Public hearing for the proposed amendment to Town Code, Chapter 36 ("Zoning"), which amendment will add townhouses to the permitted uses in the R-3 General Residential District, subject to provisions related to density, lot area, setbacks, and other requirements applicable to such townhouses.
4. David Carter, Director of Utilities, will appear before Council to discuss the emergency repairs required at the Waste Water Treatment Plant.
5. Council review and approval of the Town Manager's request for tuition reimbursement for doctoral coursework.

Council Standing Committee Reports

Citizen Comment

Town Manager's Report

Council Comment

Adjournment

File Attachments for Item:

1. Approval of the modifications to the Bylaws and Rules of Procedure for Appomattox Town Council.



TOWN OF APPOMATTOX TOWN COUNCIL ACTION FORM

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Revised Bylaws and Rules of Procedures for Appomattox Town Council.**ISSUE: Revision is needed to make the following changes:**

- (1) Page 3 “Parliamentarian” – the Parliamentarian is being modified from the Town Attorney to the Deputy Town Clerk.
- (2) Page 4 Section E “Order of Business” -Agenda Preparation – the third paragraph requiring transmittal of approved minutes to the J. Robert Jamerson Library has been struck. I spoke with the Library Director who agreed that since the Council Minutes or published on the website and available in digital form, a bound copy of Council Minutes would not be required.
- (3) There was modification for a scrivener’s error in the spelling of Council on the bottom of page 2.

RECOMMENDATION: Approval of the attached modified version of the Bylaws and Rules of Procedure to encompass those modifications.**TIMING:****BACKGROUND:****ENCLOSED DOCUMENTS: Revised Bylaws and Rules of Procedure for Appomattox Town Council.****STAFF/SPONSOR: Dianne Tanner, Deputy Town Clerk****SUMMARY:****Y N**

- Councilor Timothy W. Garrett
- Councilor Jack Hensley
- Councilor James Boyce, Sr.
- Councilor McKinley Cardwell

Y N

- Councilor Danielle Ulmer
- Councilor Mary Lou Spiggle
- Mayor Richard Conner (If required)

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call

SUMMARY:

Y N

- Councilor Timothy W. Garrett
- Councilor Jack Hensley
- Councilor James Boyce, Sr.
- Councilor McKinley Cardwell

Y N

- Councilor Danielle Ulmer
- Councilor Mary Lou Spiggle
- Mayor Richard Conner (If required)

**BYLAWS AND RULES OF PROCEDURES
APPOMATTOX TOWN COUNCIL**

SECTION A: MEETINGS

When and Where Meetings are Held and Notice thereof.

- (a) All meetings of the Council shall be open to the public, except when the Council is in closed pursuant to Section 2.2-3711 of the Virginia Code.
- (b) An Organizational meeting shall take place at the January Council meeting each year. The Council shall hold regular and workshop meetings on such days as may be prescribed by resolutions at the first meeting in January of each year, but which shall not be less frequent than once a month. The Council shall give notice of the date, time, and location of its meetings by placing a notice in a public location at which notices are regularly posted or in the office of the Clerk to the Council. The Clerk may publish meeting notices by electronic means. The notice shall be posted at least three working days prior to the meeting.
- (c) If the Mayor, or the Vice-Mayor is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the Council members to attend a regular meeting, the regular meeting shall be continued until the following Monday, unless that Monday is a legal Holiday, then the meeting shall be on the Tuesday following the Monday Holiday. Such conditions shall be communicated to the members of the Council and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.
- (d) All regular meetings of the Council shall be held on the second Monday of each month at 6:30 p.m. and workshop meetings on the fourth Tuesday of each month at 6:30 p.m., unless otherwise noted. All meetings will take place at the Appomattox Municipal Building, 210 Linden Street, Appomattox, Virginia, unless otherwise noted.
- (e) The Council may by resolution, when necessary, change the time and place of the regular meeting. The resolution shall set forth the circumstances necessitating such change. Note of such change shall be posted in a public location at which notices are regularly posted, or in the office of the Clerk to the Council at least three working day prior to the meeting to be held pursuant to the change, and published once in a newspaper, of general circulation in the town/county, at least seven days prior to the meeting. Three working days prior to the meeting to be held pursuant to such change, the Town Clerk shall give each Council member written notice, personally or by registered mail, of any change from the regular meeting days established by this section.

- (f) Except for the properly called closed sessions as permitted by state law, all regular and workshop meetings of the Appomattox Town Council and official committees of the Council shall be open to the media, freely subject to recording by radio, television, and photography at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings under such rules as the Council may prescribe.
- (g) The regular meeting of the Appomattox Town Council is generally the meeting whereby action is conducted. While the workshop meeting of the Appomattox Town Council is generally less formal than regular meetings as to create an atmosphere of discussion regarding items of concern for council members, committee reports, staff reports and updates. While realizing the Workshop meeting will be a legal meeting in the sense of a quorum of the council will generally be present, it is the intent of the Appomattox Town Council not to take action in the workshop meetings, unless absolutely necessary.

Special Meetings.

- (a) The Mayor or two members of the Council may call special meetings of the Council whenever in their opinion the public business may require it.
- (b) Whenever a special meeting shall be called, notice in writing signed by the Mayor or two members of the Council shall be filed with the Clerk and delivered to each member of the council and the Town Attorney, either in person or at his place of residence or business, stating the date and hour of the meeting and the purpose for which such meeting is called, and no business shall be transacted at the meeting except such as is stated in the notice, unless all members are present.
- (c) The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.
- (d) Notice to the public of a special meeting shall be given contemporaneously with the notice provided by members of the Council.

Closed Sessions:

Closed Sessions may be held in accordance with the provisions of the Virginia Freedom of Information Act.

Adjourned Meeting:

Regular meetings without further public notice may be adjourned from day to day or time to time or place to place, not beyond the time fixed for the next regular meeting, until the business before the Council is completed.

Minutes:

- (a) Minutes of all regular and special meetings and work sessions shall be recorded. Such minutes shall be maintained in the office of the Clerk of the Appomattox Town Council. The minutes shall reflect:
- (1) the date, time and place of the meeting or session.
 - (2) the members recorded as either present or absent.
 - (3) a general description of all matters proposed, discussed, or decided:
and
 - (4) record of any votes taken.
- (b) Approval of the minutes of all but closed meetings or sessions shall be considered at a regular Council meeting. It shall not be necessary to read the minutes prior to approval. Prior to approval, any member may, through the Mayor, request the privilege of amending or correcting the minutes to accurately reflect the substance of the prior meeting. If objection is made by any Council member to such an amendment or correction, a majority Vote of the Council shall be necessary for adoption of the correction or amendment. The Mayor and Clerk shall sign the adopted minutes.

SECTION B: OFFICERS

Election and Term of Chairperson and Vice-Chairman

At the first meeting in January, as needed. The Appomattox Town Council who shall elect from its membership a Vice-Mayor, each of whom shall serve a term of two years. In the case of the absence of the Mayor and the Vice-Mayor; the members present shall choose one of its members as president pro-tem.

Clerk

The Town Clerk shall be the Clerk of Council, whose duties and responsibilities shall be those set forth in State law and as delegated and directed by the Appomattox Town Council.

Parliamentarian

The Deputy Town Clerk shall serve as the Parliamentarian.

SECTION C: QUORUM AND MANNER OF VOTING

A majority of the Town Council shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance shall adjourn to a later time when a quorum is present to transact business.

No ordinance, nor resolution, appropriating money, imposing taxes, or authorizing borrowing money shall be passed except by a recorded affirmative roll call vote of the entire membership of the Town Council members.

SECTION D: RULES OF ORDER

The proceedings of the council, except as otherwise provided within these Rules of Procedure and applicable State law, shall be governed by Robert's Rules of Order Newly Revised 12th Edition.

SECTION E: ORDER OF BUSINESS

Agenda Preparation

The Clerk shall prepare the agenda for each regular and workshop meeting conforming with the agenda format approved by the Council. Except as permitted at the discretion of the Town Manager, every item to be placed on the agenda shall be received in the Office of the Town Clerk before the close of the workday on the Monday of the week prior to agenda distribution, which is the Wednesday prior to any regular or workshop meeting of the Council.

The agenda packages shall be transmitted by the Clerk of the Council by the close of business on the Monday prior to the regular or workshop meeting using whatever means of delivery he deems best suitable to ensure that the Council members have the agenda packages prior to the regular or workshop meeting.

Order of Business

The order of business at Appomattox Town Council regular meetings is normally:

- a. Call to order.
- b. Welcome
- c. Invocation
- d. Citizen Comment Period
- e. Scheduled Public Appearances
- f. Mayor's Comments
- g. Consent Agenda, consisting of the Agenda, Financial Statement, and Minutes
- h. Old/Unfinished Business
- i. New Business
- j. Appointments to Boards, Commissions and Committees
- k. Town Manager report
- k. Council Concerns
- l. Adjournment

The order of business at the Appomattox Town Council workshop meetings is normally:

- a. Call to order
- b. Citizen Comments
- c. Committee Reports
- d. Staff Reports
- e. Council Concerns (discussion items)
- f. Adjournment

Consent Agenda

The Consent Agenda shall consist of a listing of various items to be considered by the Council as a block or one single item and to be approved by one vote rather than specific votes on each item.

There shall be no debate or discussion by any member of the Council or the public regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

Any item on the Consent Agenda shall be removed from the Consent Agenda at the request of any Council member prior to the vote on the Consent Agenda. Items removed from the Consent Agenda shall be considered by the Council individually in order in which they were removed from the Consent Agenda immediately following consideration of the Consent Agenda.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

Citizen Comment Period

At each regular meeting of the Council, the council shall set aside a citizen's comment period. During the citizen's comment period, speakers wishing to address the Council shall clearly state their name and address. No individual citizen shall be permitted to address the Council for more than three (3) minutes.

Individuals who have previously spoken on a subject at a public hearing shall not be allowed to readdress the Council during the citizen's comment period. Specific questions should be resolved prior to the meeting by contacting a Council member or the appropriate staff member. Questions shall be directed to the Mayor, who will, at his/her discretion, solicit the response from the appropriate person. Citizens should refrain from commenting on any item on the agenda unless the council requests public input.

Public Appearances

Any citizen may request to appear before the Council at any regular Council meeting no more than four times per year and no more than once within a three-month period. Speakers shall be limited to speaking on the same subject not more than three times within any 12-month period. Speakers who wish to address matters which have previously been addressed at a public hearing under public appearances shall not be allowed to request to appear before the Council nor shall they be allowed to readdress the Council on the subject of the public hearing. Specific questions should be resolved prior to the meeting by contacting a Council member or the appropriate staff person. Questions shall be directed to the Mayor, who will, at his/her discretion, solicit the response from the appropriate person. Requests to appear before the Council shall be directed to the Clerk of the Council. When requesting time to appear on the agenda, the requestor shall give the Clerk a description of what the topic will be, the speaker's full legal name and address (including street name and zip code), and home and business phone numbers, if applicable, shall be required. Speakers must speak on the subject identified when registering to appear before the Council and failure to stay on the topic will be deemed to render the speaker out of order and will result in forfeiture of the remaining time that had been allotted to the speaker. Fifteen minutes will be allotted on the agenda for public appearances. Each speaker will be allotted five minutes unless there are not more than two speakers; in which event, each speaker will be subject to such time limitations at the Mayor may equitably impose.

Each speaker addressing the Council shall step up to the microphone in front of the podium, shall give his name and address in an audible tone of voice for the record. All remarks shall be addressed to the Council and not to any member thereof.

Any person speaking before the Council who represents himself as being an officer of or representing an organization, group, association, corporation, or other entity not generally known to the Council shall, upon request by any member of the Council, disclose for the organization, the history, size, structure, date of creation, tax status: and shall reveal for the organization its method of determining its official position and the speaker's authority to represent the organization. Unreasonable failure to provide satisfactory answers shall bar the speaker from further speaking on the matter before the Council.

Public Hearings

It is the purpose and objective of the Appomattox Town Council to give each citizen an opportunity to express his/her views during the public appearance and citizen comment sections of regular meetings and on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy. While it is often necessary to have a presentation by the applicant and staff, it is the desire of the Council to hear from the public, and therefore, the applicant and staff presentations will be as brief as possible. In order to accomplish this objective, it is necessary that certain rules of order prevail at all hearings of the Appomattox Town Council, as follows:

- The order of business for consideration of a matter on the Council’s public hearing agenda shall be as follows:
 - a. Staff presentation
 - b. Questions from Council members (and Planning Commission members if present)
 - c. Applicants’ presentation
 - d. Council discussion, at which time the Mayor may entertain a motion to place the matter on future agenda for action, to refer the matter to committee, or bring the matter to vote.
 - Staff presentation will be brief, concise summaries for the public’s information and understanding. When written information has been provided prior to the hearing only a summary and/or new information should be presented.
 - Each speaker will have up to five minutes available whether speaking as an individual or a representative of any group or organization. However, should the number of speakers registered to speak on any item exceed ten, the time will be adjusted to three minutes for each speaker. Unless instructed by a majority of the Council present and voting to do otherwise, the Mayor shall enforce the time limits, as appropriate.
 - Order of speakers will be determined on first to register, first to speak basis.
 - Registration will be taken by Town staff and will be submitted on the registration form provided, which will include the name and address of the speaker.
 - Speakers will be limited to a presentation of their points of view except that the Mayor may entertain questions of clarification.
 - Debate is prohibited.
 - All comments will be directed to the Appomattox Town Council as a body.
 - Decorum will be maintained. This includes a common courtesy from the audience, the staff and Council to the speaker and from the speaker to the audience, the Council, and the staff. Statements, which are demeaning or inappropriate, shall be ruled out of order.
 - In the event of a large number of speakers resulting in the continuation of the hearing, any persons not heard at the initial Public Hearing will be the first to speak at the continued hearing.
 - Speakers are requested to leave written statements and/or comments with the Clerk of Council.

- The Council shall have the discretion to act on a matter appearing in a public hearing; or the Council, by majority vote, may defer the matter to the next regular meeting of the Council. It shall be the policy of the Council to leave the record open to receive written comments following a public hearing up until the time that a vote is taken.

Council Comments

This time at the regular or workshop meeting is generally used for individual Council members to share information with other members of the Council and public. Items presented under this heading requiring action will be for a future meeting agenda or to request additional information from staff members. No item presented under this heading shall be acted upon at the meeting at which the item is presented unless it is the unanimous vote of all council members present that the item be put on the floor for action. Prior to the agenda prepared, members of the Council are encouraged to contact the Clerk of Council and have an item included under this heading. The Clerk of Council shall prepare a memorandum that will inform other members of the Council of the particulars pertaining to this matter.

Pending Matters

This section of the agenda is non-action section of the meeting agenda which shall list all matters that have come before the Council and that the Council has assigned to or referred to one of its standing committees or staff for additional information or recommendation.

Adjournment of Meetings

Regular meetings of the Council shall adjourn no later than 8:30 p.m. If the Council desires to extend the meeting, a motion unanimously adopted by the members present shall be required. Any items not acted on prior to the 8:30 P.M. deadline shall be deferred to the next regular meeting or an adjourned meeting of the Council.

SECTION F: RECONSIDERATION OF MOTIONS

At any meeting of the Council, when any vote upon any motion, resolution, ordinance, or question has been announced, it shall be in order for any member of the Council voting with the prevailing side or who has not voted on the motion, resolution, ordinance, or question to offer a motion for reconsideration thereof during the same or succeeding meeting.

SECTION G: CONFLICT OF INFORMATION ACT

The Town Council will follow the Virginia State and Local Government Conflict of Interest Act (COIA) which regulates the behavior of public officials and employees to

prevent conflicts of interest. The act aims to ensure that public servants' judgement is not affected by conflicts between their personal interests and their official duties.

SECTION H: CONDUCT OF THE PUBLIC

The efficient and dignified conduct of public business is the ultimate concern of the Council. Accordingly, it is the policy of the Council that its meetings be conducted with the highest degree of order and decorum. The Council's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Council will permit no behavior which is not keeping with this policy. Prohibited conduct at meetings shall include:

1. Campaigning for public office
2. Soliciting of funds
3. Promoting private business ventures
4. Using profanity, vulgar language, or gestures
5. Using language which insults or demeans any person or which, when directed at a public official or employee, is not related to his official duties.
6. Making non-germane or frivolous statements
7. Discussions of a sectarian or partisan nature
8. Addressing questions or statements to anyone other than the Mayor (Questions shall be presented to the Mayor, who will, at his discretion, solicit a response from the appropriate board or staff member.)
9. Standing in the back or side isles of the Council Room as long as there are sufficient seats available (except for law enforcement personnel)
10. Persons in attendance at the meeting addressing the Council while members of the Council are considering any motion, resolution, or ordinance preliminary to vote on the same, except at the discretion of the Mayor.
11. Any persons addressing comments or questions to someone other than the Mayor.
12. Wearing hats, caps, or other types of headgear
13. Applause is permitted only during presentation, awards, proclamations, and special recognition periods.

The Mayor shall preserve order and decorum at all meetings. The Mayor may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder

SECTION I: MISCELLANEOUS

Dissemination of Requested Information

All members including the Town Manager will receive a copy of all requested information by the Mayor and Town Council Members.

Reserved Area

Only members of the Council, the Town Manager, Clerk of Council, Town Attorney, administrative staff, and other persons expressly invited shall be entitled to enter the area behind the Council Dais.

Press

Camera from the press shall be limited to the north side of the council chambers. Members from the press shall not interview the public or staff in the Council Chambers while meetings are in session.

Amendment of Rules

These rules of procedure may be amended by the majority vote of the entire membership. No notice shall be required of the adoption of any amendments. This policy should be provided to each Council member at the January Council meeting and reviewed.

Revised and adopted: 03/09/26

Reviewed and approved by Council: 03/09/26

Attest: _____
Dianne Tanner, Deputy Town Clerk

File Attachments for Item:

2. Public hearing on a proposed amendment to Chapter 28 ("Subdivisions") of the Town Code, which amendment removes certain minimum lot size requirements for lots served by public water and/or public sewer systems to avoid potential conflict with similar provisions in other portions of the Town Code.

TO THE CITIZENS OF THE TOWN OF APPOMATTOX

PLEASE TAKE NOTICE that at its meeting to be held on March 3, at 6 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, pursuant to VA. CODE ANN. §15.2-2285, the Appomattox Town Planning Commission will conduct a public hearing on a proposed amendment to Chapter 28 (“Subdivisions”) of the Town Code, which amendment which remove certain minimum lot size requirements for lots served by public water and/or public sewer systems to avoid potential conflict with similar provisions in other portions of the Town Code, and a proposed amendment to Chapter 36 (“Zoning”) of the Town Code, which amendment will add townhouses to the permitted uses in the R-3 General Residential District, subject to provisions related to density, lot area, setbacks, and other requirements applicable to such townhouses. The Planning Commission will make its recommendation with respect thereto to the Appomattox Town Council for its consideration at its meeting to be held on March 9, at 6:30 p.m.

PLEASE TAKE FURTHER NOTICE that at its meeting to be held on March 9, at 6:30 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Council will consider recommendations of the Planning Commission with respect to the above-described amendments to Chapter 28 (“Subdivisions”) and Chapter 36 (“Zoning”) of the Town Code. The Town Council will have said amendments to its ordinance proposed for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

The entire text of the above-noted amendments is on file in the Town Office, 210 Linden Street, Appomattox, Virginia, and can be examined there between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

The public is invited to attend and make their views known.

ROBERT FOWLER
Director of Community Development & Planning



TOWN OF APPOMATTOX TOWN COUNCIL ACTION FORM

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Amend Town Code to remove certain minimum lot size requirements for lots served by public water and/or public sewer.

ISSUE: This amend of the Town Code is to remove certain minimum lot size requirements for lots served by public water and/or public sewer systems to avoid potential conflict with similar provisions in other portions of the Town Code.

RECOMMENDATION: Striking the lot requirement language contained in the Town Code under Chapter 28 “Subdivisions” under Article V. Required Improvements, Division 1. Generally, Sec. 28-211. Water facilities generally.

TIMING:

BACKGROUND:

ENCLOSED DOCUMENTS: Chapter 28 Subdivisons, Article V. Required Improvements, Division I. Generally, Sec. 28-211 Water facilities generally, with proposed language to be struck from the Town Code.

STAFF/SPONSOR: Robert Fowler, Community Development and Zoning Director

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call**SUMMARY:**

Y N

- Councilor Timothy W. Garrett
- Councilor Jack Hensley
- Councilor James Boyce, Sr.
- Councilor McKinley Cardwell

Y N

- Councilor Danielle Ulmer
- Councilor Mary Lou Spiggle
- Mayor Richard Conner (If required)

- (6) *Separate ownership.* Where the land covered by a subdivision includes two or more parcels in separate ownership and lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to single ownership, simultaneously with the recording of the final plat. Such deed is to be deposited with the clerk of the court and held with the final plat until the subdivider is ready to record same, and they both shall be recorded together.
- (7) *Business or industrial uses.* Lots intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.

(Code 2003, § 171-30)

Sec. 28-185. Blocks.

Where created by the subdivision of land, all new blocks shall be of modern design and shall comply with the following general requirements:

- (1) *Length.* Generally, the maximum length of blocks shall be 1,200 feet and the minimum length of blocks upon which lots have frontage shall be 500 feet.
- (2) *Width.* Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets, unless prevented by topographical conditions or size of the property, in which case the agent may approve a single tier of lots of minimum depth.
- (3) *Orientation.* Where a proposed subdivision will adjoin a major road, the agent may require that the greater dimension of the block shall front or back upon such major thoroughfare to avoid unnecessary ingress or egress.

(Code 2003, § 171-31)

Secs. 28-186-28-208. Reserved.

ARTICLE V. REQUIRED IMPROVEMENTS

DIVISION I. GENERALLY

Sec. 28-209. Requirements.

All required improvements shall be installed by the subdivider at the cost of the subdivider. In cases where specifications have been established either by the state department of transportation for streets, curbs, etc., or by local ordinances and codes, such specifications shall be

followed. The subdivider's bond shall not be released until construction has been inspected and approved by the appropriate engineer. All improvements shall be in accordance with the requirements of this chapter.

(Code 2003, § 171-32)

Statelaw reference-Release of performance guarantee, Code of Virginia, § 15.2-2241 et seq.

Sec. 28-210. Streets.

All streets in the proposed subdivision shall be designed and constructed in accordance with the following minimum requirements by the subdivider at no cost to the locality. The streets shall meet the minimum requirements of the state department of transportation's policy, unless they are less restrictive than this chapter.

- (1) *Alignment and layout.* The arrangement 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. Where, in the opinion of the agent, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary line of such property. Half streets along the boundary of land proposed for subdivision may not be permitted. Wherever possible, streets should intersect at right angles. In all hillside areas, streets running with contours shall be required to intersect at angles of not less than 60 degrees, unless approved by the agent upon recommendation of the highway engineer.
- (2) *Service drives.* Whenever a proposed subdivision contains or is adjacent to a limited access highway or expressway, provision shall be made for a service drive or marginal street approximately parallel to such right-of-way at a distance suitable for an appropriate use of the land between such highway and the proposed subdivision. Such distances shall be determined with due consideration of the minimum distance required for ingress and egress to the main thoroughfare. The right-of-way of any major highway or street 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.
- (3) *Approach angle.* Major streets shall approach major or minor streets at an angle of not less than 80 degrees, unless the agent, upon recommendation of the highway engineer, shall approve a lesser angle of approach for reasons of contour, terrain or matching of existing patterns.
- (4) *Minimum widths.* The minimum width of proposed streets, measured from lot line to lot line, shall be as shown on the major street plan, or, if not shown on such plan, shall be

a minimum of 50 feet. Local service drives or other minor streets which cannot be extended in the future shall be not less than 50 feet in width; alleys, if permitted, shall not be less than 20 feet nor more than 28 feet in width.

- (5) *Construction requirements.* In cases where state department of transportation specifications are lacking or less restrictive than the requirements of this chapter, this chapter shall prevail. The grades of streets submitted on subdivision plats shall be approved by the agent upon recommendation of the highway engineer prior to final action by the agent. Wherever feasible, street grades shall not exceed ten percent.
- (6) *Culs-de-sac.* Generally, minor terminal streets (culs-de-sac) designed to have one end permanently closed shall be no longer than 400 feet to the beginning of the turnaround. Each cul-de-sac must be terminated by a turnaround of not less than 100 feet in diameter.
- (7) *Alleys.* Alleys should be avoided wherever possible. Dead-end alleys, if unavoidable, shall be provided with adequate turnaround facilities as determined by the agent.
- (8) *Private streets and reserve strips.* There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets.
- (9) *Names.* 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 approved by the agent. Names of existing streets shall not be changed except by approval of the council.
- (10) *Identification signs.* Street identification signs of a design approved by the agent shall be installed at all intersections.

(Code 2003, § 171-33)

State law reference-Grading streets, Code of Virginia, title 15.2, ch. 20.

Sec. 28-211. Water facilities generally.

Where public water is available, the service shall be extended to all lots within a subdivision, including fire hydrants, by the subdivider in accordance with the design standards and specifications for water, construction and improvements in the town and meeting the approval of the agent. Every subdivision containing 25 or more lots to which public water cannot or will not be provided shall be supplied by the subdivider with a complete central water supply and distribution system to serve each and every lot ~~containing less than 20,000 square feet per lot.~~

(Code 2003, § 171-34)

Sec. 28-212. Sewerage facilities generally.

Where public sewerage facilities are available, the service shall be extended to all lots within a subdivision and septic tanks will not be permitted. Every subdivision shall be provided by the subdivider with a satisfactory and sanitary means of sewage collection and disposal in accordance with the design standards and specifications for sewerage construction and improvements, in accordance with state health department specifications and meeting the approval of the agent, provided the average prevailing lot size is less than 20,000 square feet. In the case of a subdivision in which the size of lots are 20,000 square feet or more in area, an individual sewage disposal system for each lot may be provided by the subdivider, subject to the approval by the health officer.

(Code 2003, § 171-35)

Sec. 28-213. Private water and/or sewerage facilities.

Nothing in this chapter shall prevent the installation of privately owned water and/or sewerage facilities in areas where public water and/or sewerage facilities are not available; provided, however, that such installations must meet all the requirements of the state water control board, the state health department and any other state or local regulation having authority over such installation.

(Code 2003, § 171-36)

State law reference-State water control board, Code of Virginia, § 62.1-44.7 et seq.

Sec. 28-214. Storm drainage.

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 and flood control devices. The subdivider shall also provide plans for all such improvements together with a properly qualified certified engineer's or surveyor's statement that such improvements, when properly installed, will be adequate for proper development. The highway engineer shall then approve or disapprove the plans. The subdivider shall also provide any other information required by the highway engineer.

(Code 2003, § 171-37)

State law reference-Local stormwater management program, Code of Virginia, §§ 10.1-603.3, 15.2-2114.

Sec. 28-215. Fire protection.

The installation of adequate fire hydrants in a subdivision at locations approved by the agent may be required, provided necessary public water is available. The agent shall consult with the proper authority before approving such location.

(Code 2003, § 171-38)

Sec. 28-216. Easements.

The agent may require that easements for drainage through adjoining property be provided by the subdivider. Easements of not less than ten feet in width shall be provided for water, sewer, power lines and other utilities in the subdivision when required by the agent.

(Code 2003, § 171-39)

Sec. 28-217. Submission of plans.

Two blue or black line prints of the plans and specifications for all required physical improvements to be installed shall be prepared by an engineer and shall be submitted to the agent for approval or disapproval within 45 days. If approved, one copy bearing certification of such approval shall be returned to the subdivider. If disapproved, all papers shall be returned to the subdivider with the reason for disapproval in writing. If no action is taken in 45 days, such subdivision shall be deemed approved.

(Code 2003, § 171-40)

Secs. 28-218---28-242. Reserved.

DMSION 2. MONUMENTS

Sec. 28-243. Installation and inspection requirements.

As required by this chapter, all monuments must be installed by the subdivider and shall meet the minimum specifications. Upon completion of subdivision streets, sewers and other improvements, the subdivider shall make certain that all monuments required by the agent are clearly visible for inspection and use. Such monuments shall be inspected and approved by the agent before any improvements are accepted by the council.

(Code 2003, § 171-41)

Sec. 28-244. Concrete.

Concrete monuments four inches in diameter or square and three feet long, with a flat top, shall be placed at all street corners, at all points where the street line intersects the exterior boundaries of the subdivision and at appropriate points as determined by the subdivision administrator along the rear lot lines, but in no instance shall there be less than three monuments in any given site distance. The top of the monument shall have an appropriate mark to properly identify the location and shall be set flush with finished grade.

(Code 2003, § 171-42)

Sec. 28-245. Iron pipe.

All lot corners other than those specified in section 28-244 shall be marked with iron pipe less than three-fourths of an inch in diameter and 24 inches long and driven so as to be flush with

the finished grade. When rock is encountered, a hole shall be drilled four inches deep in the rock, into which shall be cemented a steel rod one-half-inch in diameter, the top of which shall be flush with the finished grade line.

(Code 2003, § 171-43)

Secs. 28-246-28-268. Reserved.

ARTICLE VI. ROAD SPECIFICATIONS

Sec. 28-269. Compliance with state requirements; additional standards and specifications required.

The intent of the council is to require the necessary street and highway construction requirements needed to make all subdivision roads eligible for acceptance into the secondary road system of the state department of transportation. Before approval of the roads in any final subdivision plat shall be given, the highway resident engineer for the county shall submit in writing that all requirements and specifications of the state department of transportation for acceptance into the secondary road system have been met. This approval does not indicate, however, that such roads will be immediately accepted into the secondary road system of the state department of transportation. The roads must render a public service, that is, from a standpoint of occupied dwellings and continuing traffic service to the same. After the effective date of the ordinance from which this chapter was originally derived, all subdivisions shall incorporate the following requirements, standards and specifications:

- (1) Right-of-way width shall be not less than 50 feet.
- (2) Roadway graded to 30 feet exclusive of side ditches.
- (3) The following requirements concerning drainage shall apply:
 - a. Drainage structures including culverts approved by the state department of transportation shall be provided.
 - b. Drainage easements within subdivisions and easements for drainage outlets leaving subdivisions are to be shown on recorded plat of subdivision.
- (4) Aggregate base for pavement shall be a minimum of 20 feet in width and five inches in depth and shall be of satisfactory stabilizing material meeting the requirements of the current state department of transportation specifications.
- (5) Pavement shall be a minimum width of 20 feet consisting of a prime and double seal treatment of bituminous material and aggregate. The rates of application and the material shall meet the requirements of the current state department of transportation specifications.

File Attachments for Item:

3. Public hearing for the proposed amendment to Town Code, Chapter 36 ("Zoning"), which amendment will add townhouses to the permitted uses in the R-3 General Residential District, subject to provisions related to density, lot area, setbacks, and other requirements applicable to such townhouses.

TO THE CITIZENS OF THE TOWN OF APPOMATTOX

PLEASE TAKE NOTICE that at its meeting to be held on March 3, at 6 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, pursuant to VA. CODE ANN. §15.2-2285, the Appomattox Town Planning Commission will conduct a public hearing on a proposed amendment to Chapter 28 (“Subdivisions”) of the Town Code, which amendment which remove certain minimum lot size requirements for lots served by public water and/or public sewer systems to avoid potential conflict with similar provisions in other portions of the Town Code, and a proposed amendment to Chapter 36 (“Zoning”) of the Town Code, which amendment will add townhouses to the permitted uses in the R-3 General Residential District, subject to provisions related to density, lot area, setbacks, and other requirements applicable to such townhouses. The Planning Commission will make its recommendation with respect thereto to the Appomattox Town Council for its consideration at its meeting to be held on March 9, at 6:30 p.m.

PLEASE TAKE FURTHER NOTICE that at its meeting to be held on March 9, at 6:30 p.m. in the Town Council Meeting Room, Appomattox Town Office, 210 Linden Street, Appomattox, Virginia, the Appomattox Town Council will consider recommendations of the Planning Commission with respect to the above-described amendments to Chapter 28 (“Subdivisions”) and Chapter 36 (“Zoning”) of the Town Code. The Town Council will have said amendments to its ordinance proposed for passage and will hold a public hearing thereon, pursuant to the same statutory authority.

The entire text of the above-noted amendments is on file in the Town Office, 210 Linden Street, Appomattox, Virginia, and can be examined there between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

The public is invited to attend and make their views known.

ROBERT FOWLER
Director of Community Development & Planning



TOWN OF APPOMATTOX TOWN COUNCIL ACTION FORM

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Amend Town Code to add townhomes to the permitted uses in the R-3 General Residential District.

ISSUE:

RECOMMENDATION: Adding townhomes in the Town Code as a permitted use in the R-3 General Residential District under Sec. 36-214. Permitted uses.

TIMING:**BACKGROUND:**

ENCLOSED DOCUMENTS: Article V. Residential District, General, R-3 with use included in Section 36-241. Permitted uses.

STAFF/SPONSOR: Robert Fowler, Community Development and Zoning Director

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call**SUMMARY:****Y N**

- Councilor Timothy W. Garrett
- Councilor Jack Hensley
- Councilor James Boyce, Sr.
- Councilor McKinley Cardwell

Y N

- Councilor Danielle Ulmer
- Councilor Mary Lou Spiggle
- Mayor Richard Conner (If required)

Sec. 36-186. Square footage requirements.

(a) Dwellings shall have a minimum of 1,200 square feet exclusive of porches and garages. Additionally, multistory dwellings must contain at least 800 square feet on the main level, and below-ground levels cannot be used to meet the required minimum area of 1,200 square feet.

(b) In addition to the requirements of subsection (a) of this section, all dwellings shall have 100 square feet of enclosed storage space. The storage space may be an integral part of the dwelling, or it may be in the form of an accessory building meeting the requirements of this chapter and all other applicable laws.

(Ord. of 8-12-2013; Ord. of 12-12-2022, §§ 1, 2(195-32.6))

Sec. 36-187. Landscaping requirements.

(a) *Trees, shrubs, landscaping treatments.* The yards of village homes shall be landscaped and shall include, at a minimum, the installation of one shade tree and three evergreen shrubs or decorative trees and at least one of the following three landscaping or architectural treatments:

- (1) A front yard raised above the grade of the sidewalk by at least three inches and four flowering or evergreen shrubs.
- (2) Two decorative trees, a hedge consisting of at least 20 plants, and ten flowering or evergreen shrubs or, alternatively, 20 flowering or evergreen shrubs.
- (3) A berm or earth mound averaging 18 inches above the average grade of the rest of the yard and covering 20 percent of the lot not covered by the dwelling or other structures. The berm or earth mound shall be covered with grass or ground cover and must be planted with at least four decorative trees or evergreen shrubs.

(b) *Standards.* The requirements of this section shall be met prior to issuance of an occupancy permit for any dwellings permitted under this chapter.

(Ord. of 8-12-2013; Ord. of 12-12-2022, §§ 1, 2(195-32.7))

Secs. 36-188---36-212. Reserved.**ARTICLE V. RESIDENTIAL DISTRICT, GENERAL, R-3****Sec. 36-213. Statement of intent.**

The R-3 General Residential District is composed of certain medium-to-high concentrations of residential uses, ordinarily located between residential and commercial areas, plus certain open areas where similar development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life composed of an adult population with some children, and to permit

certain commercial uses of a character unlikely to develop general concentration of traffic, crowds of customers and general outdoor advertising. To these ends, retail activity is sharply limited and this district is protected against encroachment of general commercial or industrial uses. Appropriate residential types of structures for both permanent and transient occupancy and including institutions are permitted, plus structures for commercial uses conforming to the pattern of the district. This residential district is not completely residential as it includes public and semipublic, institutional and other related uses. However, it is basically residential in character and, as such, should not be spotted with commercial and industrial uses.

(Code 2003, § 195-38; Ord. of 5-13-2019; Ord. of 8-12-2013)

Sec. 36-214. Permitted uses.

In the R-3 General Residential District, structures to be erected or land to be used shall be for one or more of the following uses:

- (1) Single-family dwellings.
- (2) Multiple-family dwellings and apartment houses, including screening or landscaping, playground area, on-site resident manager, entrance approvals pursuant to state department of transportation requirements, a limited number of units per acre, and other conditions, as required by a conditional use permit.
- (3) Rooming houses and boardinghouses.
- (4) Bed and breakfasts.
- (5) Schools, including day care centers.
- (6) Churches, including day care centers; with conditional use.
- (7) Rest homes, adult care residence, with conditional use.
- (8) Hospitals, nursing homes and dwelling units for retirement developments with conditional use.
- (9) Clubs and lodges, with a conditional use permit.
- (10) Parks and playgrounds.
- (11) Professional offices.
- (12) Home occupations, as defined in section 36-1, conducted by the occupant.
- (13) Travel trailers, as defined in section 36-1.
- (14) Off-street parking as required by article XII of this chapter.
- (15) Accessory buildings permitted as defined in section 36-1; however, garages or other accessory structures such as carports, porches and stoops attached to the main building shall be considered part of the main building. No accessory building may be closer than five feet to any property line.

(16) Public utilities; poles, line, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewage facilities.

(17) Family care homes, foster homes or group homes serving physically disabled, mentally ill, intellectually disabled or other developmentally disabled persons, not related by blood or marriage.

(18) Short-term rentals.

(19) **Townhomes.**

(Code 2003, § 195-39; Ord. of 3-29-2022(2), § 2; Ord. of 8-12-2013)

Sec. 36-215. Inoperable, junk or scrap motor vehicles.

(a) No inoperable, junk or scrap motor vehicle may be kept stored or parked on lots in an R-3 district; provided that nothing in this section shall be construed to apply to a collector of antique or vintage vehicles, who may keep such vehicles on the lot of said collector within the R-3 district, provided the vehicles are stored in the rear of the property out of view in a fully enclosed building or surrounded by an approved blind or screen so as to be out of view by surrounding property owners. An antique vehicle that is inoperative, unless junk or scrap, shall have a town license affixed, and the current personal property tax thereon shall have been paid.

(b) Any owner of a vehicle that bears an expired state inspection sticker, local license tag or state license tag, has not been moved for a period of 180 days and matches the definition of "inoperable, junk or scrap motor vehicle" in section 36-1 shall move such vehicle from the premises of said owner within ten days of notification. If, after reasonable notice, the owner fails to comply, the town may have the vehicle removed, and the cost of removal and disposal shall be charged to the owner of the property. When the owner of the property shall have been assessed such costs, the assessment shall constitute a lien against the property from which the vehicle was removed. The lien shall continue until actual payment of costs shall have been made to the town.

(Code 2003, § 195-40; Ord. of 8-12-2013)

Sec. 36-216. Lot area.

(a) For lots in the R-3 General Residential District containing or intended to contain a single permitted use served by public water and sewage disposal, the minimum lot area shall be 15,000 square feet.

(b) For lots in the R-3 General Residential District containing or intended to contain a single permitted use served by public water systems, but having individual sewage disposal, the minimum lot area shall be 15,000 square feet.

(c) For lots in the R-3 General Residential District containing or intended to contain more than a single permitted use served by public water and sewage disposal systems, the minimum lot area shall be, for two units, 15,000 square feet or more; for three units, 20,000 square feet or more; and for each additional unit above three, an additional 2,000 square feet per unit. However, the overall density shall not exceed ten dwelling units per acre.

(d) For permitted uses in the R-3 General Residential District utilizing individual sewage disposal systems, the required area for any such use shall be approved by the health official. The administrator may require a greater area if considered necessary by the health official.
(Code 2003, § 195-41; Ord. of 8-12-2013)

Sec. 36-217. Setback.

Structures in the R-3 General Residential District shall be located 35 feet or more from any street right-of-way line; except that signs advertising sale or rent of property may be erected up to the property line. This shall be known as the setback line.
(Code 2003, § 195-42; Ord. of 8-12-2013)

Sec. 36-218. Frontage and lot width regulations.

(a) For permitted uses in the Residential District R-3, the minimum road frontage shall be 80 feet, and for each additional permitted use in Residential District R-3, there shall be ten feet of additional lot width at the road.

(b) For permitted uses in the R-3 General Residential District, the minimum lot width at the building line shall be 80 feet or more, and for each additional permitted use in the R-3 General Residential District, there shall be at least ten feet of additional lot width at the building line.
(Code 2003, § 195-43; Ord. of 8-12-2013; Ord. of 9-11-2023)

Sec. 36-219. Yard regulations.

Yard regulations in the R-3 district shall be as follows:

- (1) *Side yards.* The minimum side yard for each main structure shall be ten feet, and the total width of the two required side yards shall be 20 feet or more.
 - (2) *Rear yard.* Each main structure shall have a rear yard of 25 feet or more.
- (Code 2003, § 195-44; Ord. of 8-12-2013)

Sec. 36-220. Height regulations.

Buildings in the R-3 General Residential District may be erected up to 35 feet in height from grade, except that:

- (1) The height limit for dwellings may be increased ten feet and up to three stories, provided there are two side yards for each permitted use, each of which is ten feet or more, plus one foot or more of side yard for each additional foot of building height over 35 feet;

- (2) A public or semipublic building such as a school, church, library or hospital may be erected to a height of 60 feet from grade, provided that required front, side and rear yards shall be increased one foot for each foot in height over 35 feet;
- (3) Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest;
- (4) No accessory building which is within five feet of any party lot line shall be more than one story high. All accessory buildings shall be less than the main building in height.
(Code 2003, § 195-45; Ord. of 8-12-2013)

Sec. 36-221. Special provisions for corner lots.

In the R-3 General Residential District:

- (1) The side yard on the side facing the side street shall be 35 feet or more from the street right-of-way line for both main and accessory buildings.
- (2) Landscaping of corner lots shall be limited to plantings, fences or other landscaping features of no more than three feet in height within the space between the setback line and the property line on the street side of the lot.
(Code 2003, § 195-46; Ord. of 8-12-2013)

Secs. 36-222-36-250. Reserved.

ARTICLE VI. MOBILE HOME PARK DISTRICT, MHP-1

Sec. 36-251. Statement of intent.

The MHP-1 Mobile Home Park District covers that portion of the community intended for the location of mobile home parks so that opportunities for additional housing choice and better recreation may be provided in an atmosphere of health and safety for occupants of mobile homes and their property. The regulations for this district are formulated to encourage the design and layout of a mobile home development to the particular park site in a manner consistent with the preservation of the natural environment and the property values of adjoining areas. To this end, this district is limited to the development of mobile home parks, including the accessory uses therein.

(Code 2003, § 195-47; Ord. of 8-12-2013)

Sec. 36-252. Use regulations.

In the MHP-1 Mobile Home Park District, structures to be erected or land to be used shall be for one or more of the following uses with a conditional use permit:

- (1) Mobile homes, including double-wides.

- (2) Park management office.
 - (3) Child care centers.
 - (4) Laundry facilities.
 - (5) Recreational facilities.
 - (6) Off-street parking, as required by article XII of this chapter.
 - (7) Public utilities, such as poles, lines, distribution transformers, pipes, meters, and/or other facilities necessary for the provisions and maintenance, including water and sewerage facilities.
 - (8) Business signs only to advertise the mobile home park.
 - (9) Directional signs.
 - (10) Accessory buildings or structures as defined in section 36-1, provided that such buildings and structures meet the following requirements:
 - a. All mobile home accessory structures must meet the plumbing, electrical connection wiring, construction and other applicable requirements of the town building code.
 - b. Mobile home accessory structures, except ramadas, shall not exceed the height of the mobile home.
 - c. No accessory structure shall be erected or constructed on any mobile home lot except as an accessory to a mobile home.
 - d. Porches may be placed adjacent to mobile homes, provided they are constructed in accordance with the provisions of the town building code.
 - e. No accessory building or structure may be closer than two feet to any property line or mobile home lot line.
- (Code 2003, § 195-48; Ord. of 8-12-2013)

Sec. 36-253. Mobile home requirements.

(a) All mobile homes shall meet the plumbing requirements and the electrical wiring and connection requirements of the building code and the construction, blocking and anchoring requirements of the state corporation commission and shall display the seal of a testing laboratory approved by the commonwealth.

(b) All mobile home units shall be completely enclosed with metal skirts, concrete blocks, ornamental wood, stone, or other similar material, in such a manner that no part of the undercarriage shall be visible to a casual observer, in accordance with methods and materials approved by the building inspector.

(c) No permanent or semipermanent structure shall be affixed to any mobile home as an addition to such mobile home. The prohibition in this subsection against any addition or accessory to a mobile home shall not apply to a canopy or awning designed for use with a mobile home, nor to any expansion unit or accessory structures specifically manufactured for mobile homes.

(d) All mobile homes must use and be secured with proper tiedown equipment.
(Code 2003, § 195-49; Ord. of 8-12-2013)

Sec. 36-254. Mobile home park area requirements.

(a) The minimum area for each mobile home park shall be ten acres with a minimum of 25 mobile home stands and a maximum of five mobile home stands per acre; and the minimum lot width for the portion used for the entrance and exit to a public road shall be 50 feet.

(b) The minimum lot area of each individual mobile home lot shall be 3,600 square feet for single-wide units and 6,000 square feet for double-wide units.

(c) No mobile home and an accessory building shall occupy more than 30 percent of the area of the lot on which it is situated.

(d) The minimum length of a mobile home lot shall be 90 feet; the minimum width shall be 40 feet. On all lots larger than the minimum, the ratio of length to width shall not exceed 2.25 to 1.0.

(e) No more than one detached mobile home accessory structure shall be permitted on any mobile home lot.
(Code 2003, § 195-50; Ord. of 8-12-2013)

Sec. 36-255. Mobile home park setback requirements.

(a) No mobile home unit, management office, or other structure except decorative fencing, lighting, wall, entrance or other decorative feature shall be located closer than 35 feet to a street right-of-way line of a public road with a right-of-way of 50 feet or greater, nor closer than 60 feet to the centerline of a public road with a right-of-way of less than 50 feet.

(b) No main or accessory structure shall be located closer than 25 feet to the property line of the mobile home park.

(c) No mobile home shall be placed within 20 feet of another mobile home nor closer than ten feet to the mobile home lot line.
(Code 2003, § 195-51; Ord. of 8-12-2013)

Sec. 36-256. General requirements for mobile home parks.

(a) No mobile home park may be a closed park where entry is denied anyone who has not purchased a home from the dealer, park owner or operator. No mobile home park may also serve as a general retail or wholesale and demonstration or storage area for mobile homes.

(b) All mobile homes will be parked on a pad of concrete or bituminous material.

(c) Every mobile home lot shall be clearly defined on the ground by permanent markers. There shall be posted and maintained in a conspicuous place on each lot a number corresponding to the number of each lot as shown on the site plan submitted so that each lot may be easily identified.

(d) An internal street system shall be provided to furnish convenient access to mobile home lots, and other facilities in the park shall be designed such that connection to existing drainage and utility systems is convenient, and shall meet the following requirements in addition to such other reasonable standards and requirements as may be recommended by the resident engineer:

- (1) All internal streets shall be permanently paved with plant bituminous material or other hard, durable surface which shall be maintained free of cracks and holes and the edges of which shall be protected from raveling. Minimum pavement widths shall be 24 feet for streets providing access to 40 or more mobile home lots, and 18 feet for streets providing access to less than 40 mobile home lots. Widths shall be measured from curb face to curb face.
- (2) No on-street parking shall be permitted.
- (3) Dead-end streets shall be limited in length to 400 feet, shall be provided with culs-de-sac with turning areas of not less than 40 feet in radius, or with "T" or "Y" turning areas, and shall provide access to no more than 20 mobile home lots.
- (4) Streets shall be approximately at right angles at and within 100 feet of street intersections. Offsets at intersections of less than 125 feet from centerline to centerline and intersections of more than two streets at one point shall be avoided.
- (5) Streets shall be adapted to the topography, shall follow the contours of the land as nearly as possible, and shall have safe grade and alignments. No grade shall exceed 12 percent or no curve shall have an outside radius of less than 80 feet.
- (6) Lighting shall be provided in such a way as to produce a minimum of 0.1 footcandles at street level throughout the system, with at least 0.3 footcandles at street intersections, park entrances, and other potentially hazardous locations in or around the park.
- (7) Entrances shall be provided in sufficient numbers to ensure safe and convenient ingress and egress. Where the proposed park adjoins two or more public roads, entrances shall

be provided on at least two public roads where possible, provided that the internal street system shall be so designed as to discourage through traffic. Entrances shall be no closer than 125 feet from an existing public road intersection.

(e) An adequate supply of water approved by the state health department shall be furnished from a public water supply system, or from a private water system conforming to all applicable laws, regulations, resolutions and ordinances with water connections located on each mobile home lot. All water lines shall be made frost-free.

(f) In each mobile home park, all wastewater from a faucet, toilet, tub, shower, sink, slopsink, drain, washing machine, garbage disposal unit or laundry shall empty into a sewer system approved by the health department.

(g) Each mobile home park shall provide door-to-door garbage pickup for disposal in approved containers at a central location within the mobile home park or provide an adequate number of trash containers as specified by the town manager, so located to allow the town to collect and dispose of the solid waste generated by park residents only or by private contract for disposal in accordance with applicable state and local ^{1/4}tvr □

(h) There shall be provided a minimum of 30,000 square feet of developed recreational area, exclusive of required setback and yard requirements, per each 25 mobile home lots or multiple or fraction thereof.

(i) All utilities shall be underground, except control instrumentation and substations which must be screened by planting or ornamental walls. No overhead wires are permitted within the park.

G) Fencing or vegetative screening shall be provided to a height of six feet and such a density that no mobile home or mobile home accessory structure shall be visible to a casual observer on any side of a mobile home park abutting the back yard of a residential structure or the side yard of a residential structure, provided the screening does not extend beyond the setback line of the structure, provided that, where natural features such as topography or natural vegetation are prescribed and prevent the park from being casually visible from adjoining properties, requirements for screening may be waived. Fencing where required shall be maintained in a safe condition, shall be painted and shall be kept in good repair.

(Code 2003, § 195-52; Ord. of 8-12-2013)

Sec. 36-257. Park management.

(a) The minimum number of mobile home lots and stands completed and ready for occupancy before the first occupancy is permitted shall be 12, and no lot or stand shall be rented for a period of less than 60 days. Prior to the first occupancy, a certified statement of compliance shall be obtained from the zoning administrator.

(b) Permanent buildings housing management offices, child care centers, laundry facilities, or indoor recreational facilities or other service facilities may be permitted in mobile home parks, provided such facilities:

- (1) Shall meet parking requirements for such facilities as specified in this chapter;
- (2) Shall be subordinate to the residential use and character of the park;
- (3) Shall be located, designed and intended to serve the service needs of persons residing in the park;
- (4) Shall present no visible evidence of their nonresidential character to any area outside the park;
- (5) Shall meet all applicable federal, state and local requirements pertaining to such uses; and

(6) Shall not occupy more than ten percent of the area of the park.

(Code 2003, § 195-53; Ord. of 8-12-2013)

Sec. 36-258. Mobile home park site plan.

(a) Site plans shall be submitted at a scale of not less than one inch equals 100 feet.

(b) Two clearly legible blue line or black line copies of the site plan shall be submitted. Additional copies may be requested as deemed necessary.

(c) The names and addresses of the owner and developer and a scale and north arrow shall be included on all maps. The site plan shall also include:

- (1) The names and addresses of the owners of record of all adjacent properties;
- (2) Current zoning boundaries, including surrounding areas to a distance of 300 feet;
- (3) Erosion control measures as regulated by chapter 18, article II;
- (4) The location and size of proposed buildings and uses thereof;
- (5) The proposed topography;
- (6) The layout of off-street parking;
- (7) The location of proposed utility lines, indicating where they already exist;
- (8) Proposed storm and sanitary drainage systems, both surface and subsurface, showing pipe sizes, grades, flow and design loads;
- (9) The proposed location, direction of power, and time and use of outdoor lighting;
- (10) The location, size and design of proposed signs;
- (11) Facilities for disposal of trash and other solid wastes; and
- (12) The elevations of buildings to be built or altered on-site.

(d) The name of the proposed park shall be included on the site plan and shall not closely approximate that of any existing mobile home park or subdivision in the town or in the county.

(e) The location and dimensions of all existing streets and street rights-of-way, easements, water, sewerage, drainage facilities and other community facilities and utilities adjacent to the proposed park shall be included on the site plan.

(f) All existing significant natural and historical features on or adjacent to the proposed park, including, but not limited to, views from the property and views from adjoining properties that might be affected by the proposed park, shall be included on the site plan.

(g) The proposed layout shall include:

- (1) Interior streets with dimensions and such typical street cross sections and centerline profiles as may be required in evaluating the street layout;
- (2) Interior monuments and lot lines, dimensions, and areas of mobile home lots, common open space and recreation areas, common parking areas and other common areas;
- (3) Locations and dimensions of mobile home stands and parking spaces, management offices, laundry facilities, recreation buildings and other permanent structures;
- (4) Location and nature of firefighting facilities, including hydrants, fire extinguishers and other firefighting equipment;
- (5) Location of fuel storage facilities and structures of high flammability; and
- (6) Location and dimensions of landscaping amenities, including streetlights, sidewalks, planted areas, significant natural features to be retained and fencing and screening.

(h) A narrative statement shall be included describing how the standards and requirements set forth herein are to be met; a statement from the health department certifying approval of the proposed site plan; and a statement from the resident engineer certifying that all ingress and egress to and from public streets and alleys meet the specifications of Code of Virginia,

§ 33.1-198, and the minimum standards of entrances to state highways.

(i) A vicinity map at a scale no smaller than 600 feet to one inch, showing all streets and property within 1,000 feet of the property for which the application is made shall be included on the site plan. All properties owned or controlled by the applicant in this area shall be identified. (Code 2003, § 195-54; Ord. of 8-12-2013)

Secs. 36-259--36-279. Reserved.

File Attachments for Item:

5. Council review and approval of the Town Manager's request for tuition reimbursement for doctoral coursework.



TOWN OF APPOMATTOX TOWN COUNCIL ACTION FORM

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Town Manager Tuition Reimbursement.

ISSUE: The Town Manager requests Council approval of tuition reimbursement for doctoral coursework. Because the Town Manager is the approving authority for employee reimbursements, **Council action is requested to avoid an actual or perceived conflict of interest.**

RECOMMENDATION: The Town Manager requests approval of reimbursement.

TIMING: Requested for consideration at the 3/9/2026 Town Council meeting to align with enrollment for the 2026 and 2027 academic terms.

BACKGROUND: The Town Manager has completed an MBA in Finance and intends to pursue a doctoral program aligned with the duties of the Town Manager role (examples: Doctor of Public Administration, Executive Leadership, Public Policy, or related field). The purpose is to strengthen executive leadership capacity, public-sector management skills, and policy/financial decision-making that directly support Town operations and strategic objectives.

ENCLOSED DOCUMENTS: Please see attached document for details.

STAFF/SPONSOR: Michael Campbell – Town Manager

FOR IN MEETING USE ONLY

MOTION: _____

Roll Call**SUMMARY:****Y N**

- Councilor Timothy W. Garrett
- Councilor Jack Hensley
- Councilor James Boyce, Sr.
- Councilor McKinley Cardwell

Y N

- Councilor Danielle Ulmer
- Councilor Mary Lou Spiggle
- Mayor Richard Conner (If required)

Town Manager Tuition Assistance Request Summary

Town of Appomattox, Virginia

Purpose

This document provides supporting information for the Town Manager's request for tuition assistance related to doctoral level coursework aligned with the responsibilities of the Town Manager position. The request is presented for Town Council consideration to avoid any actual or perceived conflict of interest, as the Town Manager would otherwise be involved in administrative approval of reimbursement requests.

Educational Objective

The Town Manager has completed an MBA in Finance and seeks to pursue doctoral education that strengthens executive public-sector leadership and directly supports Town operations. Programs under consideration include:

- Doctor of Public Administration (DPA)
- Doctor of Executive Leadership (DEL)
- Public Policy (PhD or related doctoral program)
- Other closely related doctoral programs that support executive leadership and public administration practice

Relevance to Town Operations and Governance

Doctoral-level study may enhance the Town Manager's ability to lead complex municipal operations and advance Council priorities through stronger capability in:

- Executive leadership and organizational performance
- Public finance, budgeting, and long-term fiscal sustainability
- Policy analysis, implementation, and program evaluation
- Economic development strategy and intergovernmental coordination
- Risk management, compliance, and administrative best practices
- Workforce development, retention, and succession planning
- Grant strategy, program implementation, and performance measurement

Tuition Assistance Guidelines

The following guidelines define the requested standard for tuition assistance associated with doctoral-level coursework:

1) Academic Performance and Completion Standard

Tuition assistance will be provided upon successful course completion, defined as:

- A grade of **B (3.0) or its equivalent**, or
- A **Pass** in a pass/fail course format, and
- Continued **good standing** in the doctoral program as defined by the institution.

2) Satisfactory Progress and Doctoral Program Structure

Doctoral programs operate on varying schedules and may include residencies, seminars, research milestones, and dissertation-related credit structures. The Town Manager will maintain **satisfactory academic progress** as defined by the institution and program. Tuition assistance is intended to align with the academic structure of the doctoral program rather than a standardized course-load model.

3) Eligible Expenses

Eligible expenses may include:

- **Tuition**, and
- **Required program fees** that are customary and necessary for enrollment and participation.
Optional expenses such as travel, lodging, meals, parking, and non-required materials are excluded unless specifically authorized.

4) Documentation Requirements

Tuition assistance requests will be supported by:

- An itemized tuition and fee statement or invoice,
- Proof of payment (if applicable to the Town's reimbursement process), and
- Proof of successful completion (final grade report, transcript, or institutional confirmation of completion or "Pass").

5) Financial Controls and Cost Reasonableness Standard

Tuition assistance will be provided in an amount **generally consistent with in-state tuition rates at Virginia public universities for comparable doctoral-level coursework**, subject to annual budget availability and appropriation.

Administrative Oversight and Ethics Safeguard

This request is presented under Town Council oversight due to the Town Manager's role within the organization and is intended to avoid any actual or perceived conflict of interest. Any approved tuition assistance will be processed using standard financial controls and documentation expectations.

Summary

This request supports the Town's interest in continuous executive development and stronger long-term organizational capacity, **and the Town Manager remains accountable for performance expectations under the employment agreement**. The proposed standard preserves accountability through completion and documentation requirements while remaining flexible and appropriate for doctoral-level programs and schedules.