

**TOWN OF WEST POINT
TOWN COUNCIL
MINUTES
June 30th, 2015**

I. CALL TO ORDER

The West Point Town Council held its regular monthly meeting on Tuesday, June 30th 2015. The Honorable James H. Hudson III called the meeting to order at 6:30 p.m. The Invocation was given followed by the Pledge of Allegiance.

Members Present: Mayor, Jim Hudson; Vice Mayor, Deborah Ball; Wayne Healy; Jack Lawson; Bub Shreaves and Chris Vincent.

Members Absent: Tina Gulley and Paul Kelley.

Also Present: Timothy Sawyer, Acting Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; Chief of Police Bobby Mawyer, WPPD; TC Moore, Town Treasurer; Walt Feurer, Director of Public Works; Holly McGowan, Director of Community Development; Donna Pauley, Human Resource Officer and other interested persons.

II. CITIZENS ADDRESS TO COUNCIL

A. Public Hearing – Ordinance 01-2015 / Minor Subdivision Approval by the Zoning Administrator

Mayor Hudson read the advertisement and asked the Town Clerk if anyone requested a copy of the ordinance or for assistance to attend the meeting.

The Town Clerk advised that no requests were received.

Mayor Hudson opened the floor for Citizens to comment on ordinance 01-2015. There being none, the public hearing was closed.

1 Action

Mr. Lawson made a motion that Town Council approve Ordinance 01-2015, Minor Subdivisions to allow minor subdivisions to be approved by the Zoning Administrator. Seconded by Mrs. Ball, upon roll call Mrs. Ball, Mr. Healy, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

B. Public Hearing – Ordinance 03-2015 / Floodplain

Mayor Hudson read the advertisement and asked the Town Clerk if anyone requested a copy of the ordinance or for assistance to attend the meeting.

The Town Clerk advised that no requests were received.

1 Action

Mrs. Ball made a motion that Town Council approve Ordinance 03-2015, the Floodplain to reflect the changes per the State and the adoption of the new floodplain maps. Seconded by Mr. Shreaves, upon roll call Mrs. Ball, Mr. Healy, Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

Mr. Lawson asked if the Town can place a link to the Floodplain information on the Town web site for use by the public so research can be done to see if a property is located in the new Floodplain area.

C. Citizens Address to Council

Mr. Hudson opened the floor for citizens to address Town Council on any Town related business. There being none, Mr. Hudson closed the Citizens Address.

III. COUNCIL RESPONSE

None was noted.

IV. AGENDA CHANGES

Mr. Lawson made a motion to adopt the agenda, seconded by Mrs. Ball. Upon roll call Mrs. Ball, Mr. Healy; Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

V. ADOPTION OF CONSENT AGENDA

Mrs. Ball made a motion to adopt the following consent agenda, seconded by Mr. Vincent. Upon roll call Mrs. Ball, Mr. Healy; Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

- 1) Minutes of May 26th, 2015 Town Council Meeting.
- 2) Cash Reports
 - a) General Fund
Cash on hand as of May 31st, 2015, \$4,447,623.86
 - b) Water Fund
Cash on hand as of May 31st, 2015, \$140,575.93
 - c) CIP
Cash on hand as of May 31st, 2015, \$138,109.49
 - d) Solid Waste
Cash on hand as of May 31st, 2015, \$225,690.69
- 3) Monthly Budget Report
- 4) School Fund Cash Report
 - a) Cash on hand as of May 31st, 2015, \$152,681.55
- 5) West Point Monthly Police Activity Report
- 6) Building Official Monthly Report
- 7) Public Works Monthly Permit Report
- 8) Community Development Monthly Permit Report
- 9) Treasurer Monthly Report
- 10) Human Resource Monthly Report

VI. COMMITTEE REPORTS

A. Economic and Community Development – Mr. Lawson reported for the Committee

1 Referral of Temporary Healthcare Structures to Planning Commission

Mr. Lawson made a motion that Town Council refer temporary family health care structures to the Planning Commission and to report back with a recommendation. Seconded by Mr. Healy. upon roll call Mrs. Ball, Mr. Healy; Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

B. Education Committee – Mr. Shreaves reported for the Committee

Mr. Shreaves advised there was nothing to report.

C. Finance Committee – Mrs. Ball reported for the Committee

1 PPTRA Resolution

Mrs. Ball made a motion to adopt the attached PPTRA Resolution setting the personal property tax percentage at 66.8% of the first \$20,000 of market value for qualifying vehicles. Seconded by Mr. Shreaves, upon roll call Mrs. Ball, Mr. Healy; Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted "Aye".

2 Re-appointments to the Board of Building Code of Appeals

Mrs. Ball made a motion for Town Council to re-appoint Chase Evans and David Layne to the Board of Building Code of Appeals for a 4 year term commencing October 1, 2015 through September 30th 2019. Seconded by Mr. Shreaves, upon roll call Mrs. Ball, Mr. Healy; Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

D. Public Safety

Mr. Hudson advised that there was nothing to report.

E. Public Works – Mr. Vincent reported for the Committee

1 Request to Authorize Advertisement for a Public Hearing for Final Subdivision Approval / Magnolia Meadows

Mr. Vincent made a motion that Town Council authorizes advertisement for the July 21st 2015 Town Council meeting for Magnolia Meadows/Paul White, Final Subdivision Approval of Magnolia Meadows, Section 2, consisting of 9 lots, as shown on a plat prepare by Frederic Young, dated February 27 2015. Seconded by Mr. Healy, upon roll call Mrs. Ball, Mr. Healy; Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

2 Pump and Haul Agreement

Mr. Vincent made a motion that Town Council authorize the Mayor or Town Manager to enter into an agreement with a potential commercial client to operate a Pump and Haul facility and the performance bond for such an agreement to be set at \$1,500.00. Seconded by Mrs. Ball, upon roll call Mrs. Ball, Mr. Healy; Mr. Lawson, Mr. Shreaves and Mr. Vincent all voted “Aye”.

VII. TOWN MANAGER’S ITEMS

VIII. OLD BUSINESS

There was nothing available for discussion under Old Business.

IX. NEW BUSINESS

There was nothing available for discussion under New Business.

X. ADJOURNMENT

There being no further business, Mr. Lawson made a motion at 6:55 p.m. to adjourn the meeting, seconded by Mrs. Ball. Upon a unanimous vote the motion was adjourned.

James H. Hudson, III
Mayor

ATTEST:

Karen M. Barrow
Town Clerk

Adopted: June 30th 2015

Ordinance 01-2015

• **ARTICLE I. - IN GENERAL**

• **Sec. 54-1. - Purpose of chapter.**

The purpose of this chapter is to establish subdivision standards and procedures for the town. These regulations are part of a long-range general plan to guide and facilitate orderly, beneficial growth of the community and to promote the public health, safety, convenience, comfort, prosperity and general welfare. More specifically, but not in limitation, the purpose of these standards and procedures is to provide for:

- (1) The coordination and beneficial design of streets;
- (2) Adequate open spaces for traffic, recreation, light and air;
- (3) A distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, comfort, prosperity and general welfare;
- (4) Adequate public services in a healthy, safe, efficient and assured manner.

(Ord. No. 06-03, 4-28-03)

• **Sec. 54-2. - Territorial application of chapter.**

This chapter shall apply to the subdivision, as herein defined, of any land within the corporate limits of the town and within the environs of the town as may come under the jurisdiction of the town in accordance with the Code of Virginia.

(Ord. No. 06-03, 4-28-03)

• **Sec. 54-3. - Effect of chapter on private agreements or other ordinances, rules, etc.**

- (a) The standards and procedures contained in this chapter are declared to meet the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare. This chapter is not intended to interfere with, abrogate or annul any easement, covenant, restriction on any other agreement between parties; provided, that where this chapter imposes a greater restriction upon the use of buildings or land or imposes additional standards or requires additional improvements or larger open spaces than are imposed or required by other resolutions, ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this chapter shall govern.
- (b) Anything in this chapter to the contrary notwithstanding, where there is or appears to be conflict between the provisions of this chapter and the zoning ordinance of the town, the provisions of the zoning ordinance shall govern.

(Ord. No. 06-03, 4-28-03)

Cross reference— Zoning ordinance, Ch. 70.

• **Sec. 54-4. - Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Agent: The Town Manager or his designee.

Alley: A permanent service way providing secondary means of access to abutting properties.

Approve: The word "approve" shall be considered to be followed by the words "or disapproved."

Boundary line adjustment: To relocate, vacate, or otherwise alter the boundary line of any lot or parcel without creating additional building sites or parcels.

Buffers: Fencing, plants, and trees used for the purpose of shielding.

Building: Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels.

Building setback line: A line showing the minimum distance by which any structure, exclusive of steps, must be separated from the front line of a lot.

Common open space: The area of a subdivision which is not covered by residential buildings or structures and is not devoted to parking areas, driveways or other vehicular maneuvering areas, except for those improvements necessary to provide active or passive recreational opportunities for inhabitants of the subdivision.

Cul-de-sac: A street with only one outlet and having an appropriate turnaround for safe and convenient reverse traffic movement.

Easement: A grant, running with the land, by a property owner of the use of land for a specific purpose.

Engineer: An engineer licensed by the Commonwealth of Virginia.

Frontage: The shortest side fronting upon a street.

Health official: The health director or designee serving the town.

Highway engineer: The resident engineer or designated deputy of the Virginia Department of Transportation, serving the town.

Lot: A numbered and recorded portion of a subdivision intended for transfer of ownership or for the building of a single building and its accessory buildings. The word "lot" includes the words "plot" and "parcel." Lot square footage will be as required by zones R-1, R-2, R-3, R-4, R-5 and SD-1 with lots diminished by not more than ten percent by easements and resource protection areas unless easements are included in required yards.

Lot, depth of: The mean horizontal distance between the front and rear lot lines.

Lot, double frontage: An interior lot having frontage on two streets.

Lot, interior: A lot other than a corner lot.

Lot of record: A lot which has been recorded in the office of the clerk of the appropriate court.

Lot, width of: The mean horizontal distance between the side lot lines.

Secretary: The secretary of the planning commission of the town.

Street: The publicly owned, principal means of access to any lot in a subdivision. The term street shall include road, lane, drive, place, avenue, highway, boulevard or any other thoroughfare used for a similar purpose.

Street, major: Any existing or future street designated as a major street on an adopted comprehensive plan and that carries a large volume of traffic, or anticipated traffic, exceeding 500 vehicles per day.

Street, minor: A street that is used primarily as a means of public access to the abutting properties with anticipated traffic of less than 500 vehicles per day.

Street width: The total width of the strip of land dedicated or reserved for public travel, including roadway, curbs, gutters, sidewalks and planting strips.

Subdivider: Any person owning a tract or parcel of land to be subdivided, or any person acting pursuant to valid power of attorney given by the owner.

Subdivision, or resubdivision: Any division of a parcel or tract of land into two or more parts or lots of any size for the purpose of transferring ownership of any part or for the purpose of building development on

any part. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdivision or the land subdivided.

The following specific classes of subdivisions are hereby established for The Town of West Point:

Subdivision, major: Any subdivision of land into ~~five~~ **four** or more lots or parcels, **shall meet all requirements of the subdivision and zoning ordinance except that such subdivision review and approval shall be by Town Council after reviewed and a recommendation has been made by the Planning Commission.**

Subdivision, minor: Any subdivision of land into **three or fewer** lots or parcels, **shall meet all requirements of the subdivision and zoning ordinance except that such subdivision review and approval shall be by the zoning administrator.**

Surveyor: A land surveyor licensed by the Commonwealth of Virginia.

Zoning ordinance: Zoning ordinance of the town.

(Ord. No. 06-03, 4-28-03; Ord. No. 04-05, 8-29-05)

Cross reference— Definitions and rules of construction generally, § 1-2; zoning ordinance, Ch. 70.

- **Sec. 54-5. - Violations of chapter generally.**

- (a) It shall constitute a violation of this chapter for any person or agent to disobey, neglect or refuse to comply with or resist the enforcement of any of its provisions.
- (b) Any violation of this chapter shall be a misdemeanor punishable by a fine of not less than \$10.00 no more than \$1,000.00 for each violation and/or for each lot or parcel of land subdivided, transferred or sold. If the violation is uncorrected at the time of the conviction, the court may order the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not less than \$10.00 nor more than \$1,000.00, and any such failure during any succeeding ten-day period shall constitute a separate misdemeanor offense for each ten-day period punishable by a fine of not less than \$100.00 nor more than \$1,500.00.
- (c) All departments, officials and public employees of the town vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter. Any such permit or license, if issued in conflict with the provisions of this chapter, shall be null and void.
- (d) Where there has been a violation of this chapter, the town may, notwithstanding the imposition of any fine in accordance with this section, seek equitable relief to enjoin any violation, in any court of competent jurisdiction.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-6. - False statements made for purpose of complying with chapter.**

Any person who knowingly and intentionally makes any false statement relating to a material fact for the purpose of complying with the requirements of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished in accordance with the provisions of [section 1-10](#) of this Code.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-7. - Agent designated; general powers and duties of agent.**

- (a) *Designation.* The zoning administrator is hereby designated the agent of the town council and is authorized and directed to administer this chapter.
- (b) *Duties generally.* The agent and designated representatives shall perform their duties as regards to subdivisions and subdividing in accordance with this chapter and the Code of Virginia.
- (c) *Administrative rules and procedures.* In addition to the requirements herein contained for the platting of subdivisions, the agent may establish such administrative rules and procedures, including appropriate forms, deemed necessary to administer this chapter properly.

- (d) *Obtaining opinions.* In the performance of these duties, the agent may call for recommendations, either oral or written, from other departments of the town or state government in considering details of any submitted plan.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-8. - Waiver of chapter provisions.**

Anything in this chapter to the contrary notwithstanding, for minor subdivisions, the agent on request of the subdivider, may waive any requirement of this chapter if:

- (1) A plat or survey of such subdivision deemed adequate by the agent has been prepared in a form suitable for recordation and is recorded with the deed of subdivision; and the plan shall contain the following restrictions:
 - a. No public service shall be rendered beyond that point that joins an existing public right-of-way, except as required under this chapter for connections to public water and sewer facilities;
 - b. Further subdivision of a lot shall require all physical improvements as specified in this chapter; and
- (2) A right-of-way for ingress and egress to a dedicated recorded public street or thoroughfare from each part of such subdivision is granted by the subdivider at a width of no less than 20 feet if a public highway does not abut each part; and
- (3) If any part of the subdivision is located within 500 feet of public sewerage facilities, each lot within the subdivision shall be served by a connection provided for by the subdivider or developer to those facilities; and
- (4) The subdivision is for the purpose of sale or gift to an immediate family member, subject to any express requirement contained in the Code of Virginia and the following provisions:
 - a. For the purposes of this section, "family member" is defined as any person who is a natural or legally defined child, spouse, or parent of the owner;
 - b. Only one such division shall be allowed per family member/grantor;
 - c. The grantor must have held the property for a period of three years prior to subdivision;
 - d. The grantee of any such sale or gift must hold the property sold or given by the grantor under the provisions of this section for a period of two years before leasing, reselling, or gifting it to another person; and,
- (5) The intent of this chapter will not be circumvented by such subdivision, including family subdivision, or by the cumulative effect of a series of such subdivisions.

(Ord. No. 06-03, 4-28-03; Ord. No. 04-05, 8-29-05)

- **Sec. 54-9. - Variances from chapter requirements.**

The requirements of this chapter shall ordinarily be observed. However, these requirements may be varied in specific cases if the agent determines that a unique situation exists which makes it necessary or desirable to vary one or more of the requirements. Variations not in keeping with the public welfare shall not be allowed. Any variance allowed shall be noted on the final plat and the variance and the reasons therefore shall be approved by the agent and recorded in writing in the minutes of the planning commission.

Sale or exchange of parcels between adjoining property owners where such sale or exchange does not create additional building sites or lots or new roads or means of access shall not be considered a subdivision of land and the requirements of this chapter shall not apply. In all such cases, a boundary line adjustment shall be required, and shall be reviewed and approved by the zoning administrator.

The intent of this chapter will not be circumvented by such sale or exchange, or by the cumulative effect of a series of such sales or exchanges.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-10. - Compliance with zoning ordinance.**

The creation of a subdivision shall in no way exempt the land included within it from the provisions of the zoning ordinance.

(Ord. No. 06-03, 4-28-03)

Cross reference— Zoning ordinance, Ch. 70.

- **Sec. 54-11. - Appeals to council from agent's action or inaction.**

Any person aggrieved by any interpretation, administration or enforcement of this chapter by the agent or the failure of the agent to act under [section 54-48](#) may appeal to the council. The council may approve, disapprove or amend the action of the agent or act in the absence of action by the agent. An appeal to council shall not deprive the aggrieved person of his right of appeal under the Code of Virginia.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-12. - Fees.**

To compensate the town for costs incurred for administration, examining plans, making investigations, advertising, travel and other work incidental to the approval of plans, the following fees are payable to the town treasurer for deposit in the general fund:

- (1) Upon submission of the preliminary plat, a fee of \$300.00 plus \$50.00 per lot for preliminary review. In addition, a fee of ~~\$300.00~~ **\$500.00** shall accompany submission of the final plat.
- (2) Revised, vacated or amended plats must be accompanied by a fee of \$100.00 and each request for a waiver or variance from the requirements of this chapter must be accompanied by a fee of ~~\$225.00~~ **\$300.00**.
- (3) For health and engineering studies required under this chapter, a fee may be required by the agent that is equal to the actual cost incurred by the town or other governmental agencies. Such costs shall be estimated in advance in writing by the agent, and a 20 percent deposit shall be paid to the town treasurer. An adjustment to the actual cost shall be made promptly upon final determination of actual cost.

No fee paid pursuant to this section shall be refunded unless a written request for withdrawal of the application is received by the zoning administrator within ten working days after the date of application.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-13. - Dedication and reservation of land.**

- (a) The subdivider shall dedicate to the town all land required for streets and alleys and utility easements and those utilities constructed or installed by the subdivider therein as provided for in this chapter.
- (b) In subdivisions of 15 or more lots, the subdivider shall reserve ten percent of the total land area of the subdivision for common open space. The subdivider shall form a homeowner's association for the maintenance of the space, and submit the homeowner's association documents to the agent for approval prior to approval of the final plat.
- (c) Buffers shall be provided to screen subdivisions from adjacent developed buildings and developed uses in order to protect the privacy and promote the general welfare of the community.
- (d) The size, location, and character of land dedicated or reserved shall be determined by the agent after:
 - (1) Joint consultation with the planning commission and the subdivider;
 - (2) Consideration of the purpose of this chapter;
 - (3) Consideration of any related objective approved by the town council; and
 - (4) Consideration of the comprehensive plan.

(Ord. No. 06-03, 4-28-03; Ord. No. 04-05, 8-29-05)

- **Secs. 54-14—54-23. - Reserved.**

DIVISION 1. - GENERALLY

- **Sec. 54-24. - Persons authorized to prepare plat.**

A preliminary plat shall be prepared by a professional engineer or a land surveyor licensed in the Commonwealth of Virginia. A final plat shall be prepared by a land surveyor licensed in the Commonwealth of Virginia.

(Ord. No. 06-03, 4-28-03)

- **Secs. 54-25—54-28. - Reserved.**

DIVISION 2. - PRELIMINARY PLAT

- **Sec. 54-29. - Preliminary conference with agent.**

(a) Any person proposing a subdivision of land or the preparation of a preliminary plat under this chapter shall first participate in a preliminary conference with the agent for a minor subdivision. The purpose of such a conference is to assure that the applicant is made aware of the requirements and ordinances existing at the time of the subdivision plan preparation.

(b) Any person proposing a subdivision of land or the preparation of a preliminary plat under this chapter shall first participate in a preliminary conference with the agent, a member of the West Point Town Council, and a member of the West Point Planning Commission, provided that the member of the town council and the member of the planning commission shall not be the same individual, ***for a major subdivision***, prior to the payment of any fees. The purpose of such a conference is to assure that the applicant is made aware of the requirements and ordinances existing at the time of the subdivision plan preparation.

(c) Next, the subdivider shall submit to the agent five copies of a conceptual plan showing the general design and layout of the area proposed to be subdivided. The purpose of this requirement is to enable the subdivider to ascertain whether his plans are in general accordance with the provisions of this chapter and to obtain general approval of his proposal. The agent shall state in writing to the subdivider this general approval and shall provide copies of this general approval to each member of the West Point Town Council and each member of the West Point Planning Commission.

(Ord. No. 06-03, 4-28-03; Ord. No. 04-05, 8-29-05)

State law reference— Authority to require preliminary plats, Code of Virginia, § 15.2-2260.

- **Sec. 54-30. - Required.**

Whenever an owner or developer desires to subdivide land, he shall submit a preliminary plat meeting the requirements of this chapter and other chapters of this Code in effect at the time the plat is submitted. The subdivider shall submit the number of copies required by this chapter along with an application for conditional approval by the planning commission.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-31. - Copies to be submitted.**

A subdivider shall submit 5 copies of a preliminary plat of a minor subdivision to the agent for review by the agent.

A subdivider shall submit 15 copies of a preliminary plat of a major to the agent for review by the agent and the planning commission. The agent shall promptly deliver all copies of preliminary plans to the planning commission.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-32. - Form; scale; contents.**

(a) The preliminary plat shall adhere to the following requirements:

- (1) It shall be legibly drawn and may be on one or more numbered sheets.
- (2) The scale shall be one inch equals 100 feet or less.

(b) The preliminary plat shall show the following information:

- (1) Date of the plat and name of the surveyor or engineer preparing the same.
- (2) Scale.
- (3) Number of sheets comprising the plat.
- (4) North meridian, designated and referenced, and each sheet comprising the plat shall be so oriented.
- (5) Name and signature of the owner.
- (6) Name of the subdivision. The name shall not duplicate nor too closely approximate that of any existing subdivision in the town or neighboring counties.
- (7) Sources of data used in preparing the plat, particularly the deed book and page number of the last instrument in the chain of title.
- (8) Names of all adjoining and adjacent property owners and the location of their common boundaries.
- (9) All pertinent natural and historical features and landmarks.
- (10) The boundary lines of the proposed subdivision and of any larger tract of which the subdivision forms a part, shown on a reduced scale insert.
- (11) All adjoining roads and streets with their numbers and/or names.
- (12) Boundary lines and total acreage of the proposed subdivision and the acreage remaining in the original tract, if any. In case only a part of a tract of land is proposed for subdivision, the agent may require the preliminary plat to show a proposed future subdivision of such remaining acreage or a part thereof to make certain that proper orientation of future streets may be developed with the platted streets.
- (13) Location of existing buildings within the subdivision and within 200 feet thereof.
- (14) Location and description of all existing monuments and easements.
- (15) Proposed drainage, water, and sewer facilities, including drainage easements and means of transporting the drainage to a well-defined open stream which is considered natural drainage.
- (16) Proposed locations, widths and names of all streets.
- (17) The approximate location, number, area, and proposed use of all lots and other areas, including watercourses, marshes, impoundments, lakes and those areas to be used for parking, recreation, commercial purposes or for public or governmental use and existing utility installation.
- (18) Proposed lot numbers and block letters.
- (19) If the proposed subdivision consists of land acquired from more than one source of title, the outlines of the several tracts shall be included on the preliminary plat by broken lines and identification of such respective tracts shall be shown on the preliminary plat.
- (20) A statement by the health official that the subdivider has consulted with him with respect to providing water supply and sewerage handling facilities and a tentative proposal for providing each building lot with a safe water supply and an adequate means of sewerage.
- (21) A statement by the highway engineer that the subdivider has consulted with him as to the plans and specifications of any streets or public parking areas that are included in the subdivision and as to any special treatment which will be required in their construction, including the drainage system which will be required.
- (22) A location map tying the subdivision into the present road system, either by aerial photographs or topographic maps of the U.S. Department of Interior.
- (23) The course, distances and curve data of all present and proposed streets, alleys and ways within and abutting the subdivision.
- (24) To eliminate the necessity of many separate documents, plans and sketches, the subdivider may incorporate into a single document plans and sketches, in support of the preliminary plan or plat, all or any part of the additional information required herein provided the sheet sizes specified are adhered to.
- (25) A statement by the subdivider as to whether or not he proposes to dedicate or reserve land, other than for streets, for public use or for the common use of future property owners in the subdivision and, if so, a statement giving an outline of the terms proposed and acreage involved.
- (26) A statement summarizing proposed restrictive covenants and reservations.
- (27) A check payable to the Town of West Point to cover the required fees.

- (c) Petitions for preliminary approval shall be filed a minimum of 30 days prior to the planning commission's meeting at which the developer requests consideration. The petition shall be filed with the director of community development for addition to the planning commission's agenda.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-33. - Reserved.**

Sec. 54-34. - Public hearing—Notification of adjoining and adjacent property owners.

The planning commission shall conduct a public hearing before make any decisions on the preliminary plat of ~~any~~ **proposed major** subdivisions. The planning commission shall cause notice of such hearing to be advertised once a week for two successive weeks in a newspaper having general circulation in the town.

Upon receipt of a preliminary plat, the agent shall post notification of the intent to subdivide on the property and shall notify all adjoining and adjacent property owners in writing of the request for subdivision approval.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-35. - Conditional approval generally.**

The local planning commission shall complete a recommendation on the preliminary plat within 60 days of a complete submission. However, if approval of a feature or features of the preliminary plat by a state agency is necessary, the commission/agent shall forward the preliminary plat to the appropriate state agency or agencies for review. If the commission does not recommend conditional approval of the preliminary plat, the commission shall set forth in writing the reasons for such denial and shall state what corrections or modifications will permit a recommendation of conditional approval by the commission.

The commission shall not be required to approve a preliminary subdivision plat in less than 60 days from the date of its original submission to the commission, and all actions on preliminary subdivision plats shall be completed by the commission and, if necessary, state agencies, within a total of 90 days of submission to the commission.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-36. - Approval not to guarantee approval of final plat.**

Conditional approval of the preliminary plat does not constitute a guarantee of approval of the final plat. It approves the layout of the preliminary plat for use in preparation of the final plat, and the final plat must conform to the preliminary plat as approved.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-37. - Disposition of copies after action by agent.**

One copy of the preliminary plat with the action of the agent noted thereon shall be returned to the subdivider, and an annotated copy shall be kept by the agent for comparison with future plats submitted by the subdivider.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-38. - Environmental site assessment.**

A Phase I Environmental Site Assessment (ESA) shall be required on all major subdivisions. A Phase II ESA shall be required on any site where environmental hazards are already known to exist. All assessments shall conform to applicable ASTM (American Society for Testing and Materials) standards. If the Phase I ESA identifies any recognized environmental conditions or any possible threat to prospective occupants of the site or the environment, then a Phase II investigation shall be performed in order to identify and or characterize the presence or absence of any adverse environmental conditions. If the Phase II investigation documents the

presence of adverse environmental conditions, the developer must prepare a detailed plan for effectively remediating the site. Remediation shall be required before development may proceed.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-39. - Chesapeake Bay preservation.**

All submittals made pursuant to this chapter shall conform with the requirements of [chapter 70](#) of this Code. No preliminary or final plat shall be approved unless the proposed development is in compliance with all of the state and local requirements of the Chesapeake Bay Preservation Act (Code of Virginia, § 10.1-2100 et seq.).

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-40. - Construction plans**

Following conditional approval of the preliminary plat by the planning commission, the subdivider shall file an application form, construction plans for improvements, and the final subdivision plat prepared by a professional engineer or registered land surveyor authorized to do business in Virginia. The construction plans and final subdivision plat shall meet all requirements of this chapter and this Code in effect at the time they are submitted. Construction plans shall include plan, profile, and cross-section views of the elements listed below. Plans, profiles, and cross-sections shall indicate construction grades and shall be shown on standard 24-inch by 36-inch sheets. Vertical and horizontal scale shall be shown as appropriate to the size of the project and as required to be legible. All elevations shall be referenced to NGVD 1929, unless project site is greater than one mile from geodetic control monumentation.

- (1) Proposed streets.
- (2) The proposed water supply and water distribution system, showing existing water mains, pipe sizes, location of valves and fire hydrants, or other system of water supply.
- (3) Wastewater collection and treatment system, including existing sanitary sewers as applicable.
- (4) Storm drains, culverts, channels and other stormwater management facilities.

Construction plans shall also include:

- (5) Plans for any proposed street lighting system, showing location, type, wattage, height and other pertinent information.
- (6) Location, type and height of buffers and proffered conditional zoning.
- (7) Lot lines, lot areas, right-of-way lines, and building setbacks.
- (8) Lot grading and drainage plan indicating provisions for each lot in subdivision.
- (9) Location and dimensions of all easements.
- (10) Alignment, grade and depth of all proposed utilities to be placed underground within the street right-of-way to be shown on the street plans.
- (11) Delineation of Chesapeake Bay Preservation Areas and water quality impact assessment as applicable.
- (12) An erosion and sedimentation control plan in accordance with [chapter 26](#) of this Code.

(Ord. No. 06-03, 4-28-03)

- **Secs. 54-41, 54-42. - Reserved.**

- **DIVISION 3. - FINAL PLAT**

- **Sec. 54-43. - Required.**

From and after the effective date of the ordinance from which this chapter is derived, any owner or proprietor of any tract of land within the area to which this chapter applies, who subdivides the same as herein provided, shall cause a final plat of such subdivision to be made in accordance with the regulations set forth in this chapter and in the Code of Virginia.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-44. - Time limit for filing final subdivision plat.**

Once a preliminary subdivision plat is approved, it shall be valid for a period of one year. Failure to submit a final subdivision plat for the property within one year of such approval shall make preliminary approval null and void. The agent may, on written request by the subdivider, grant an extension of this time limit.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-45. - Copies to be submitted.**

After approval of the preliminary plat by the agent, six copies of the final plat drawn in accordance with [section 54-46](#) shall be submitted to the agent. Such copies shall be photographic copies of original tracings and shall be of semi permanent quality.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-46. - Preparation; form; scale; contents.**

- (a) The final plat shall adhere to the requirements set out in this section.
- (b) The final plat shall be prepared by a surveyor, who shall endorse upon such plat a certificate signed by him setting forth the source of title of the land subdivided and the place of record of the last instrument in the chain of title.
- (c) The final plat shall be substantially in accordance with the preliminary plat, together with any changes or additions required by the agent as a condition for its approval; except, that a final plat may include all or any part of the area covered by the preliminary plat.
- (d) The final plat shall be legibly and accurately drawn upon sheets having a size of 18 inches by 24 inches. The plat shall be drawn at a scale of one inch equals 100 feet or less. If the subdivision is shown on more than one sheet, the sheet number, total number of sheets and subdivision name shall be shown on each sheet, and match lines shall clearly indicate where the several sheets join.
- (e) The final plat shall show the following details:
 - (1) A boundary survey.
 - (2) Location and dimensions of all lot and street lines and centerlines of all streets, both within and adjoining the subdivision; names and widths of all streets; and boundaries of all easements, school sites, parks or other public areas.
 - (3) Area of each lot in square feet to the closest 1/100 of a square foot.
 - (4) All dimensions shown in feet and decimals of a foot to the closest 1/100 of a foot; and all bearings and degrees, minutes and seconds to the nearest ten seconds.
 - (5) Curve data showing radius, delta, tangent, chord, chord bearing, and are either at the curve or in a curve data table.
 - (6) Location and approximate bearing of all property lines intersecting the subdivision perimeter boundary.
 - (7) Number of each lot and letter of each block.
 - (8) Location of all monuments, both concrete and iron pipe.
- (f) If any land or water areas are being dedicated or reserved for streets, parking space, or for other public use, or for the common use of future property owners of the subdivision, the final plat shall so state and indicate which.
- (g) The final plat shall have appended to it an unexecuted copy of a proposed certificate of owners' consent to subdivision suitable for recording, containing a statement to the effect that the subdivision is with the free consent and in accordance with the desire of the owners, proprietors, trustees and lien holders thereof, as applicable, and setting forth in full all restrictive covenants, reservations and dedications applicable to the proposed subdivision.
- (h) The final plat shall provide on the first sheet space for:
 - (1) The surveyor's certificate, as to title.
 - (2) The surveyor's certificate, as to monuments.
 - (3) All restrictive covenants or reference thereto.
 - (4) Space for approval of the agent, Virginia Department of Health, and Virginia Department of Transportation. A form for the above may be obtained from the agent.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-47. - Accompanying documents.**

When delivered to the agent, all final plats shall be accompanied by the following:

- (1) If all improvements required under this chapter are not completed, a cash bond, certified check, letter of credit, or surety performance bond equal to a total of one and one-half the amount calculated by the developer to secure the completion of the required improvements in a workmanlike manner, and in accordance with specifications and construction schedules established or approved by the appropriate engineer, which bond shall be payable to and held by the governing body. All calculations shall be subject to review and approval by the agent.
- (2) A check payable to the treasurer to cover all required fees, including water and sewer connection fees for each lot in the subdivision.
- (3) An unexecuted copy of the proposed deed of dedication, accompanied by a certificate signed by the subdivider and duly acknowledged before some officer authorized to take acknowledgements of deeds to the effect that this is a true copy of the proposed deed of dedication which will be presented for recordation. Such copy shall:
 - a. Contain a correct description of the land subdivided and state that such subdivision is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any.
 - b. Contain language such that when the deed is recorded it shall operate to transfer in fee simple to the town such portion of the platted premises as is on such plat set apart for streets, alleys, easements or other public use and to create a public right of passage over same and convey to the town all utilities installed or constructed by the subdivider within such areas.
 - c. Contain all protective or restrictive covenants, including those referred to in [section 54-46](#)
- (4) The following statement must be contained on all final subdivision plats: "No lot shown hereon can be further subdivided without improvements required by [Chapter 54](#) of the West Point Town Code."

(Ord. No. 06-03, 4-28-03)

Cross reference— Erosion and sediment control, Ch. 26.

- **Sec. 54-48. - Approval or disapproval generally.**

Within 30 days after any final plat and the accompanying documents required by this chapter shall have been received by the agent, the agent shall determine whether they comply with the provisions of this chapter. When such determination has been made, the agent shall act to recommend approval or disapproval of the final plat to town council, which shall make the final decision whether to approve or disapprove the final subdivision plat.

(Ord. No. 06-03, 4-28-03; Ord. No. 04-05, 8-29-05)

- **Sec. 54-49. - Disposition of copies after approval or disapproval.**

- (a) Following approval, two copies of the final plat shall be returned to the subdivider. One additional copy of the full-size plat shall be delivered to the treasurer of the town, and the remaining copies thereof, with the accompanying documents, shall be retained in the files of the agent. Any surety bond to be posted by the subdivider pursuant to the requirements of this chapter shall be delivered to, and approved by, the agent. The cash bond, check, or letter of credit, if any, shall be delivered to the treasurer.
- (b) Following disapproval of a plat, all copies of the plat and accompanying documents shall be returned to the subdivider. The agent shall notify him in writing of the reasons for disapproval.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-50. - Recordation.**

- (a) A copy of the final subdivision plat shall be recorded in the office of the clerk; provided that no such plat shall be recorded unless and until it has been submitted to and approved by the agent, as provided in this division.

- (b) A final plat shall become null and void if it is not recorded in the office of the clerk within 60 days from the date of approval by the agent.
- (c) Recordation of the final plat of a subdivision shall not be deemed to be the acceptance by the town of any street or road or other public place shown on the plat for maintenance, repair or operation thereof.
- (d) Within 30 days after recordation of the approved final plat, the subdivider shall file a copy thereof in the office of the ~~town treasurer~~ **Director of Community Development**.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-51. - Approval and recordation prerequisites to sale of land and issuance of permits.**

- (a) No parcel of land in a subdivision created after the effective date of the ordinance from which this chapter was derived shall be transferred, sold or offered for sale until a final plat has been approved and recorded as provided for in this chapter.
- (b) No official of the town shall issue any zoning permit, building permit or occupancy permit for any structure on any land subdivided after the effective date of the ordinance from which this chapter is derived until a final plat has been approved and recorded as provided in this chapter.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-52. - Vacation.**

Any plat of record may be vacated in accordance with the provisions of Code of Virginia, § 15.2-2271 et seq.

(Ord. No. 06-03, 4-28-03)

- **Secs. 54-53—54-62. - Reserved.**

- **ARTICLE III. - DESIGN STANDARDS**

- **Sec. 54-63. - Suitability of land.**

- (a) Land encumbered by any of the following characteristics may be deemed by the agent as being generally unsuitable for subdivision:
 - (1) Land subject to periodic flooding, such as wetlands, as defined by the Virginia Wetlands Act of 1972 (Code of Virginia, § 28.2-1300 et seq.), or floodplains.
 - (2) Land having physical characteristics, such as poor drainage, excessive slope, etc., the subdivision of which would increase danger to health, life or property or aggravate erosion or flood hazard.
- (b) The agent may allow the subdivision of any land which falls under subsection (a) of this section; provided, that:
 - (1) Sufficient land is provided in each lot to provide a building site free from flood or other danger.
 - (2) The developer installs land preservation improvements as may be required by the agent to prevent increased danger to health, life or property and to render the land safe and otherwise acceptable for development.
- (c) In connection with this section, the agent may require the subdivider to furnish topographical maps, elevations, flood profiles and other relevant data as necessary.

(Ord. No. 06-03, 4-28-03)

Cross reference— Wetlands, Ch. 66.

- **Sec. 54-64. - Streets.**

- (a) Streets shall connect with existing streets and shall provide access to adjoining subdivisions as required by the agent.
- (b) Curvilinear streets shall be encouraged, but streets shall intersect at or as near right angles as practical. Offsets or jogs shall be avoided. To increase public safety, no street shall intersect another street at an angle of less than 80 degrees, unless such street is designated as one-way and right turn only.

- (c) Where the agent deems it desirable or necessary to provide access to adjacent tracts not presently subdivided, proposed streets in the subdivision shall be extended to the boundary lines with such adjacent tracts. Temporary turnarounds shall be provided at the ends of such streets by means of temporary easements or otherwise.
- (d) When lots in a subdivision abut on one side of a public right-of-way, the subdivider shall be required to dedicate enough land so that the distance as measured from the centerline of the right-of-way to the subdivision property line shall be one-half of the standard width of the right-of-way. The standard width of the right-of-way shall be based on the standards of the Virginia Department of Transportation and the comprehensive plan of the town. The subdivider shall not be responsible for grading or surfacing any such right-of-way required above.
- (e) Half-streets along the boundary of land proposed for subdivision shall not be permitted.
- (f) 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 governing body.
- (g) Streets shall have a minimum right-of-way of 50 feet and may be wider if required by future traffic counts or the comprehensive plan. Alleys shall not be permitted.
- (h) Dead end streets and culs-de-sac, designed to have one end permanently closed, shall be no longer than 1,200 feet and shall be provided with a permanent turnaround terminal. The radius of the right-of-way shall be a minimum of 60 feet and the radius of the pavement shall be a minimum of 45 feet, as measured to the face of curbing or edge of paving as applicable.
- (i) All streets and their drainage facilities shall be designed in compliance with the requirements of the Virginia Department of Transportation and the town.

(Ord. No. 06-03, 4-28-03)

Cross reference— Streets generally, Ch. 50.

- **Sec. 54-65. - Lots.**

- (a) The lot arrangement, design and shape shall be such that lots will provide satisfactory and desirable sites for buildings, be properly related to topography and conform to requirements of this chapter. Lots shall not contain peculiarly shaped elongations solely to provide necessary square footage of area which would be unusable for normal purposes.
- (b) Excessive lot depth in relation to lot width shall be avoided. A ratio of depth to width of two to one shall be considered a desirable maximum in all lots except cul-de-sac lots.
- (c) Each lot shall abut on a street dedicated by the subdivision plat or on an existing publicly dedicated street.
- (d) Corner lots shall have extra width so that the setback and yard lines required by the zoning ordinance are met.
- (e) Side lines of lots shall be approximately at right angles or radial to the right-of-way line.
- (f) All remnants of lots below minimum size left over after the subdividing of a tract must be added to adjacent lots or otherwise disposed of rather than allowed to remain as unusable parcels.
- (g) 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 then be recorded together.
- (h) In the case of lots for commercial, industrial or other nonresidential use, the lot area, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated, in accordance with the requirements of any existing zoning or other applicable ordinance, and adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-66. - Blocks.**

- (a) 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.
- (b) 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.
- (c) 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.

(Ord. No. 06-03, 4-28-03)

- **Sec. 54-67. - Easements.**

- (a) Easements for utilities shall be provided in the location and to the width designated by the agent after receiving recommendations from the appropriate utility companies.
- (b) Where a subdivision is traversed by a stream or other natural drainage way, the agent may require the subdivider to dedicate a suitable right-of-way or easement for stormwater drainage or to construct adequate water drains.

(Ord. No. 06-03, 4-28-03)

- **Secs. 54-68—54-77. - Reserved.**

- **ARTICLE IV. - REQUIRED IMPROVEMENTS**

- **Sec. 54-78. - Completion or guarantee thereof required; costs; approval to commence construction.**

The agent shall require the subdivider to complete or guarantee the completion of the improvements provided for in this chapter. All improvements shall be installed at the cost of the developer. No subdivider shall commence the construction of any required improvement without obtaining written approval from the agent.

(Ord. No. 06-03, 4-28-03; Ord. No. 07-10, 12-20-10)

- **Sec. 54-79. - Monuments.**

- (a) All lot corner monuments shall be iron pipe or iron rod not less than three-fourths inch in diameter and 24 inches long and driven so as to be flush with the finished grade.
- (b) All monuments shall be inspected and approved by the agent before any improvements are accepted by the town.

(Ord. No. 06-03, 4-28-03; Ord. No. 07-10, 12-20-10)

- **Sec. 54-80. - Streets generally.**

- (a) All streets shall be constructed in compliance with the requirements of the Virginia Department of Transportation and the town and all developments shall be designed and constructed in a manner which clearly considers the potential need for safe and convenient access by alternative transportation modes, specifically pedestrian, bicycle and transit service.
- (b) Curbs and gutters shall be required in all major subdivisions having a minimum lot size of 33,000 square feet or less; provided however, that the agent may waive or modify the requirement for curbs and gutters for infill lots created along an existing street which has been developed without curb and gutter.
 - (1) Where the minimum lot size exceeds 33,000 square feet, curb and gutter streets shall be required in any subdivision where the longitudinal slope (flow line slope) of any roadside ditch is less than eight tenths of one percent or the depth exceeds three feet. The depth of ditches shall be measured from the invert elevation to the adjacent existing or finished grade of the road shoulder or ditch back slope, whichever shall yield the greatest depth. However, the agent may permit this ditch depth to be exceeded where the natural topography is so severe, exceptional or extraordinary as to make other options impractical

or infeasible based on sound engineering practice and principles. Any request for such consideration shall be made in writing and be accompanied by supporting information to substantiate the request for the modification to the ditch depth requirement.

- (2) The subdivider of any subdivision exempted from the requirements for curb and gutter established above shall provide a subsurface soil report certified by a licensed engineer. The soil report shall indicate and describe the various soil strata encountered, specify the soil types based on the unified soil classification system, indicate the elevation of the seasonal high water table, and indicate the presence of perched water table conditions. Such report shall further indicate the probability that the proposed roadside ditch system will intercept flowing groundwater or springs, or will contain water as a result of the seasonal high water table or tidal flows. If either of these situations is found to have a high probability of occurrence, curb and gutter shall be required.
 - (3) If curb and gutter is required for any portion of a subdivision, it shall be required for the entire subdivision.
 - (4) Where curb and gutter is required, the minimum longitudinal slope shall be three-tenths of one percent.
- (c) Streets with curb and gutter shall have a minimum width of 36 feet as measured from face of curb to face of curb.
- (d) If one or more public streets within a subdivision are proposed for dedication or have been dedicated for public use and the street or streets, due to factors other than quality of construction, is not acceptable into the secondary system of state highways, the subdivider shall, prior to approval of the final plan or prior to the final release of surety, provide surety for the maintenance of the street or streets as provided herein:
- (1) The subdivider shall furnish to the agent a certified check, bond with surety satisfactory to the town, or a letter of credit satisfactory to the town, in an amount sufficient and conditioned upon the maintenance of the street or streets until it is accepted into the secondary system of state highways, and assume the subdivider's liability for maintenance of the street or streets. The form and the type of the surety shall be to the satisfaction of and be approved by the town attorney.
 - (2) For the purposes of this section, "maintenance" means maintenance of the streets, curb, gutter, drainage facilities, utilities or other street improvements, including the reconstruction and repaving of any public street or private road which is required by VDOT before the road may be accepted into the secondary system of state highways, and the correction of defects or damage, and the removal of snow, water or debris so as to keep the road reasonably open for public usage.
 - (3) The amount of the surety shall be equal to 100 percent of the cost of construction of the streets, curb and gutter, and storm drainage. Surety shall be maintained until roads are accepted into the VDOT system.
- (e) Bicycle and pedestrian accommodations shall be provided in all developments that include five or more new lots. Such accommodations shall include safe and convenient pedestrian and bicycle circulation and access.

(Ord. No. 06-03, 4-28-03; Ord. No. 07-10, 12-20-10)

Cross reference— Streets and sidewalks, ch. 50.

• **Sec. 54-81. - Street signs.**

The subdivider shall install street identification signs approved by the agent at all street intersections. The subdivider shall install traffic control signage as directed by the VDOT resident engineer.

(Ord. No. 06-03, 4-28-03; Ord. No. 07-10, 12-20-10)

Cross reference— Streets and sidewalks, ch. 50.

• **Sec. 54-82. - Streetlights.**

Streetlights shall be provided at street intersections and at regular intervals throughout the subdivision. Streetlights shall have a maximum height of 25 feet and be placed 200 to 300 feet apart at property

intersections where possible. The location, style and illumination levels of such lights shall be approved by the agent. The operating costs of the lights after installation shall be the responsibility of the town.

(Ord. No. 06-03, 4-28-03; Ord. No. 04-05, 8-29-05; Ord. No. 07-10, 12-20-10)

Cross reference— Streets and sidewalks, ch. 50.

- **Sec. 54-83. - Drainage.**

A drainage system shall be provided for by means of curbs and gutters, culverts, ditches, catch basins and any other facilities that are necessary to provide adequate drainage and disposal of surface and stormwaters from and across all streets and adjoining property. Such drainage system shall be in compliance with all state and local regulations.

(Ord. No. 06-03, 4-28-03; Ord. No. 07-10, 12-20-10)

- **Sec. 54-84. - Utility structures.**

All new utilities shall be installed underground.

(Ord. No. 06-03, 4-28-03; Ord. No. 04-05, 8-29-05; Ord. No. 07-10, 12-20-10)

- **Sec. 54-85. - Water service; fire hydrants.**

(a) Where public water is available within 500 feet of any property line, the service shall be extended to all lots within the subdivision by the subdivider or developer. Where this is not possible and the town chooses not to extend service within the construction timeframe, the subdivider or developer may propose individual wells. No subdivision or development shall be approved without an acceptable water supply plan, which provides water service to each lot.

(b) In all subdivisions fire hydrants shall be installed at each intersection and at intervals not to exceed 600 feet along any street.

(c) All water distribution facilities shall conform to applicable Virginia Department of Health regulations.

(Ord. No. 06-03, 4-28-03; Ord. No. 07-10, 12-20-10)

Cross reference— Water, sewers and sewage disposal, ch. 62.

- **Sec. 54-86. - Sewerage service.**

Where public sewerage facilities are available within 500 feet of any property line, the service shall be extended by the subdivider or developer to all lots and individual septic tanks shall not be permitted. Where such tap-on is not possible and the town or the Hampton Roads Sanitation District chooses not to extend service within the construction timeframe, the subdivider shall provide sufficient technical information to allow the determination that each and every lot is suitable for an individual septic tank. No subdivision or development shall be approved without an acceptable sewerage facilities plan, which provides sewerage service to each lot. All facilities shall be designed in conformance with the sewage collection and treatment regulations of the Virginia Department of Health or the Hampton Roads Sanitation District, as applicable.

(Ord. No. 06-03, 4-28-03; Ord. No. 04-05, 8-29-05; Ord. No. 07-10, 12-20-10)

Cross reference— Water, sewers, and sewage disposal, ch. 62.

Those members voting:

James H. Hudson, III
Mayor

ATTEST:

Karen M. Barrow
Town Clerk

James H. Hudson	N/A
Deborah Ball	Aye
Tina Gulley	Absent
Wayne Healy	Aye
Paul Kelley	Absent
Joshua Lawson	Aye
Otto Shreaves	Aye
Christopher Vincent	Aye



TOWN OF WEST POINT
**Resolution Setting the Personal Property Tax
Relief Percentage for the Personal Property 2015
Billing in Accordance with the 2004-2005 Changes
To the Personal Property Tax Relief Act of 1998**

WHEREAS, the Personal Property Tax Relief Act of 1998, Virginia Code 58.1-3523, et seq. (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session 1 (Senate Bill 5005), and the provisions of item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-2006 Appropriations Act, hereinafter cited as the “2005 Appropriations Act”); and

WHEREAS, these legislative enactments required the Town of West Point to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, these legislative enactments provide for the appropriations to the Town of West Point of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax on such vehicles; and

WHEREAS, the Town of West Point enacted Ordinance Number 17-05. An Ordinance implementing the 2004-2005 changes to the Personal Property Tax Relief Act of 1998, in response to these legislative enactments; and

WHEREAS, the Town Treasurer has received the amount of relief in the County’s block grant from the State, and made a projection based upon the Town’s historical growth in personal property tax values of the level necessary to fully exhaust the PPTRA relief fund provided to the Town by the Commonwealth, as called for in the ordinance; and

WHEREAS, it is necessary to set by Resolution the Personal Property Tax Relief Percentage for the personal property tax billing of 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of West Point, Virginia that the Personal Property Tax Relief Percentage be set at 66.8% of the first \$20,000 of market value for qualifying vehicles valued at over \$1,000 in accordance with Ordinance 17-05.

Certified to be a true copy of a resolution adopted by the Town Council of the Town of West Point at its regular monthly meeting held June 30, 2015 at which meeting a quorum was present and voted throughout.

James H. Hudson, III
Mayor, Town of West Point

Adopted this 30th day of June, 2015

ATTEST:

Karen M. Barrow
Town Clerk

Those members voting:

James H. Hudson	N/A
Deborah Ball	Aye
Tina Gulley	Absent
Wayne Healy	Aye
Paul Kelley	Absent
Joshua Lawson	Aye
Otto Shreaves	Aye
Christopher Vincent	Aye