



Before the
Colonial Beach Town Council

Held at
Colonial Beach Town Center
22 Washington Avenue, Colonial Beach, VA 22443

Wednesday, May 16, 2018 at 6:00 p.m.
Town Council Regular Meeting
AGENDA

1. Call To Order
2. Moment of Silence/Pledge of Allegiance
3. Roll Call of Members
4. Approval of the Agenda
5. Approval of Minutes
6. Council Announcements
7. Presentations
 - Proposed Basketball Court (Robertson) *(Tab A)*

 - Colonial Beach Schools ● Westmoreland County Supervisor ● Planning Commission
 - Downtown Colonial Beach ● Chamber of Commerce
8. Monthly Department Reports *(Tab B)*
9. Old Business
 - Discussion of FY 2018-2019 Budget (Robertson) *(Tab C)*

 - Discussion of proposed amendments to Zoning Ordinance, Article 12, Signs (Erard) *(Tab D)*

- Outline of steps to proceed forward with leasing re: Piers (Erard) *(Tab E)*

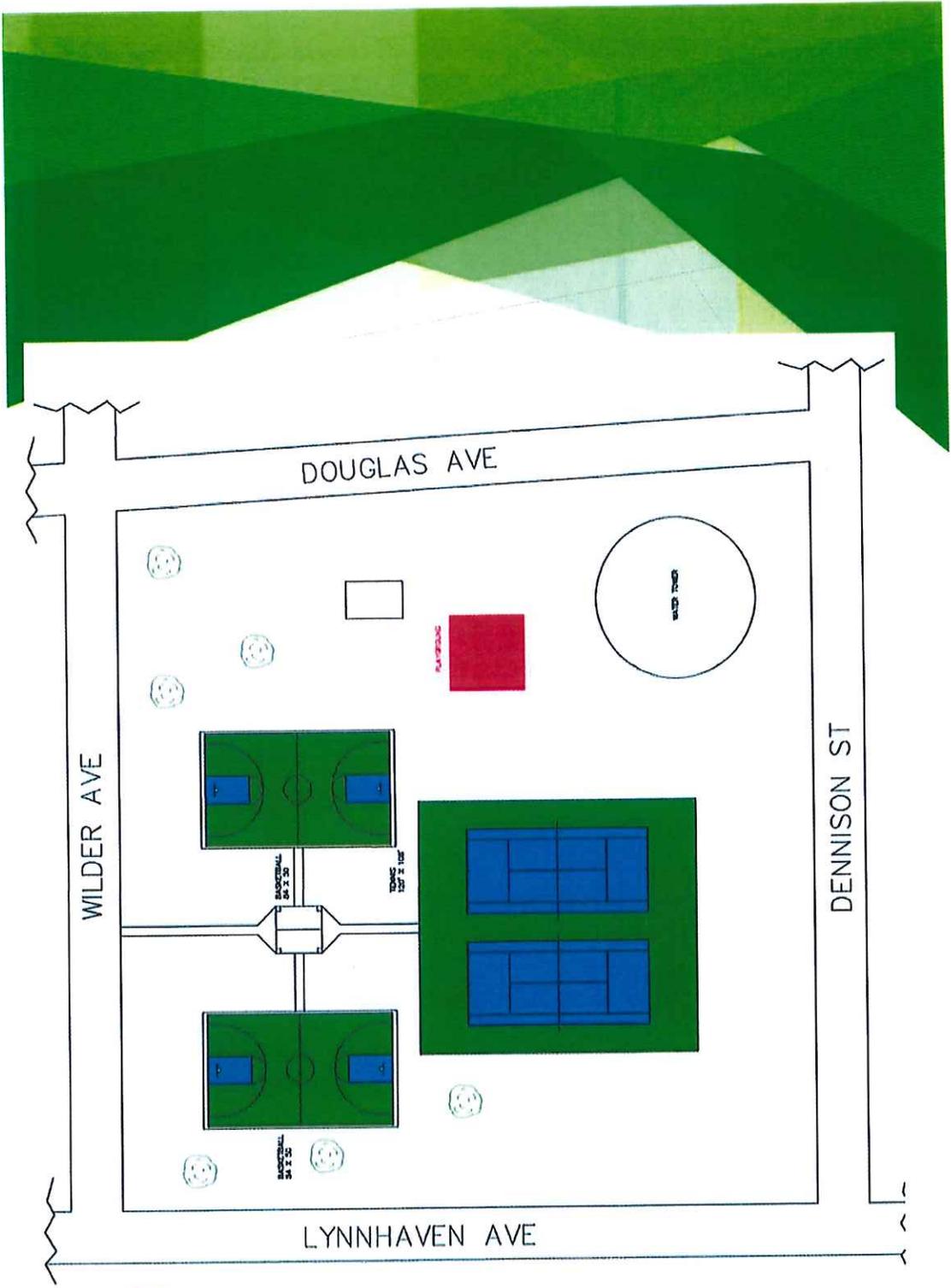
10. New Business
11. Citizen Input
12. Closed Meeting
13. Adjournment/Recess

Tab A

Colonial Beach Park & Recreation Project



SITE PLAN:



COPY OF THREE PAGE PROPOSAL:

Proposal

To: Mr. Quinn Robertson
Town of Colonial Beach
100 Haviborn Street
Colonial Beach, Va 22443

April 17, 2013

Re: Colonial Beach Park
Lynnhaven Ave.

2 coats of accent color for the free throw lanes. Layout and machine line all playing lines with one coat of seal-a-line and 2 coats of white line paint.

Totals \$183,000

Qualifications

- Dumpster figured for any debris removal
- No survey work or engineering figured
- Parking lot and individual spaces is existing and not figured.
- Soils assumed satisfactory.
- No pump trucks figured.
- Concrete must cure for minimum of 30 days prior to applying finishes.
- Windscreens and center rail not included.
- Fencing not included for basketball courts
- Tennis court installed in 2 pours. Tennis court to have one key-way and control joint between each court and caulked. No control joints for the basketball court.
- Lighting not included.
- Bathroom remodeling not included.
- Use of Water and electricity available and within close proximity to the courts
- Permit included for the pavilion structure, all other permits or fees, if required, are by others.
- Excavated soils to be used for backfill to pad, all other unused soils to remain on the site.
- All signage by others
- Demo and removal of all existing fencing and other improvements not figured.

Additional Items

Playground

- Install playground system with an area of 32 x 32
- See attached plan and rendition

Totals \$25,750

2. Basketball courts 84 x 50, and one (1) Battery Tennis Court, 108 x 132

Pad

- Layout of all corners of each court as shown on site plan. Excavate to grade, prep basketball courts with a 1% grade, and the tennis courts at a maximum grade of 1:10. Form each pad with #57 gravel base, provide vapor barrier, and wire reinforcement throughout. Prep each court for 4 basketball goal footings, and 4 footings for tennis post sleeves and net straps. Concrete slab to be 3500 psi and finisher to a medium broom finish.

Equipment

- Provide and install 4 fixed goals with 3.5' overhang. Goals to include regulation glass backboards and pole padding. Provide and install 4 tennis posts and nets.

Fencing

- Fencing of the tennis court at 10' height in black vinyl coated chain link. One gate at front entrance and one rear gate. Tension wire included.

Finished Coatings

- Coatings to be included: one coat of bonding agent applied to concrete surface, one coating of black resurfacer, 2 finished tennis court coatings of one color for the playing area of the tennis court and 2 finished coats of an accent color for the non-playing area, 2 coats of color for both basketball courts. an

Option 1

Concrete, sidewalk and 22 x 22 pad only

- Dig out, form and prep 4' sidewalk connecting parking area to each of the courts.
- Includes 4 footings in each corner for future pavilion
- Prep and pour a 480' square foot pad in center per plan, broom finish

Totals \$9,720

Option 2

Timber Post and Beam Pavilion

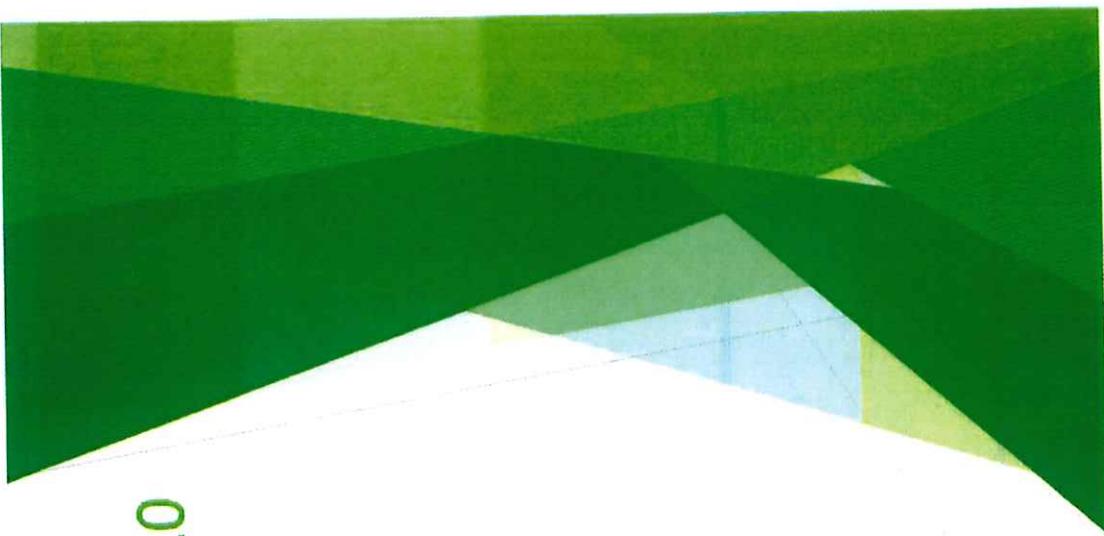
- Set necessary bolts to accommodate posts
- Provide a 18' x 18' Timber post and beam construction with a metal roof (see attached rendition, as an example)

Totals \$29,200

COURTS: 2 basketball courts that are 84 x 50



Plus One "Battery" Tennis Court that is 108 x 120

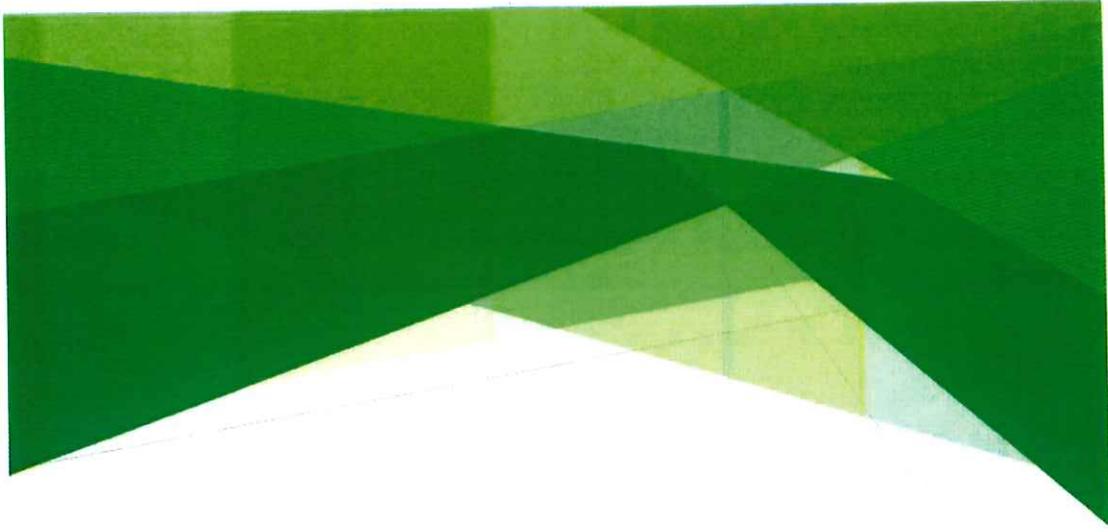
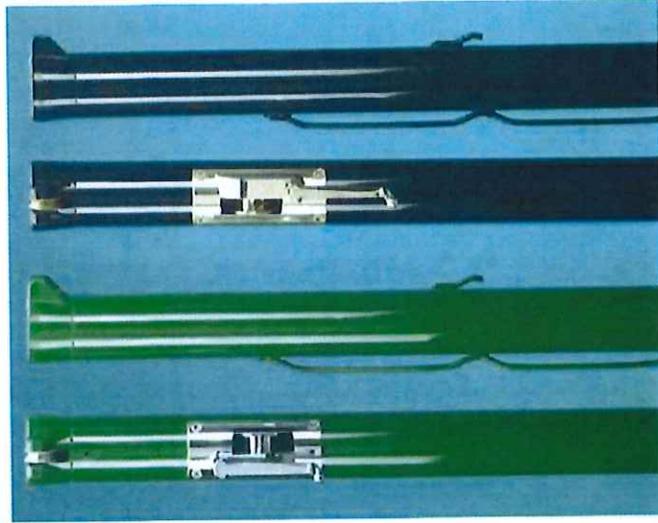
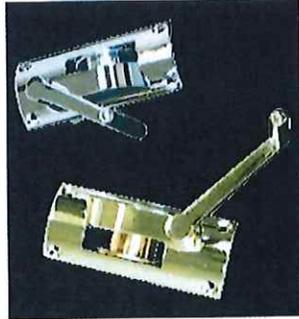


EQUIPMENT: 4 fixed basketball goals with 5' overhang.
Goals will include regulation glass backboards and pole padding. Tennis court will include 4 tennis posts and nets.



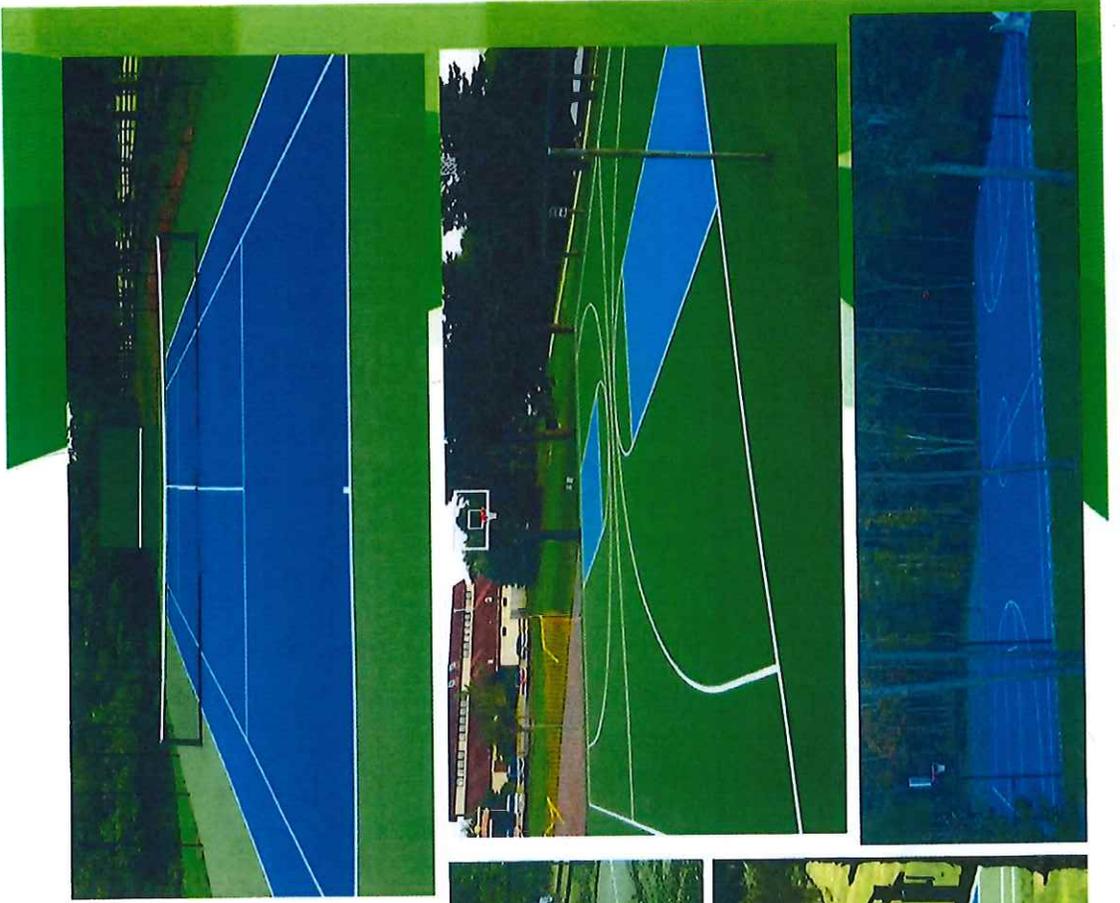
TENNIS NETS:

For more information on net vendor click here: http://www.douglas-sports.com/Images/Literature/Douglas_Tennis_Posts.pdf

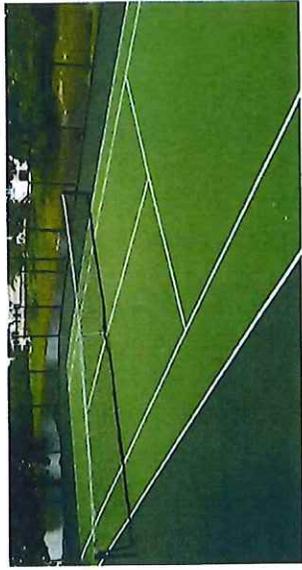


FENCING: Tennis court will be fenced with a black vinyl coated chain link, 10 feet high. One gate at front entrance and one rear gate.





FINISHED
COATINGS:



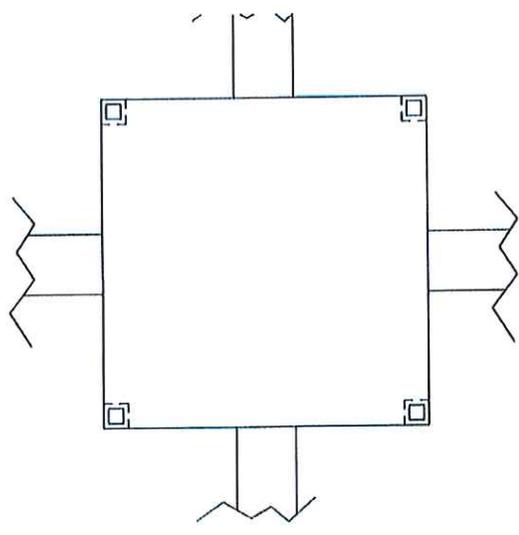


CONCRETE PAD, PAVILION and SIDEWALK:

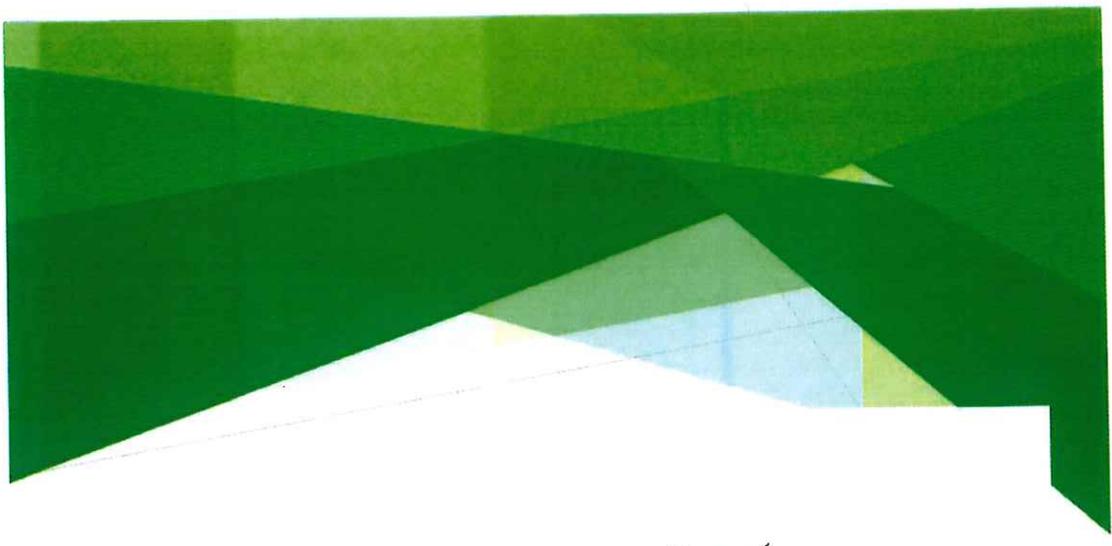
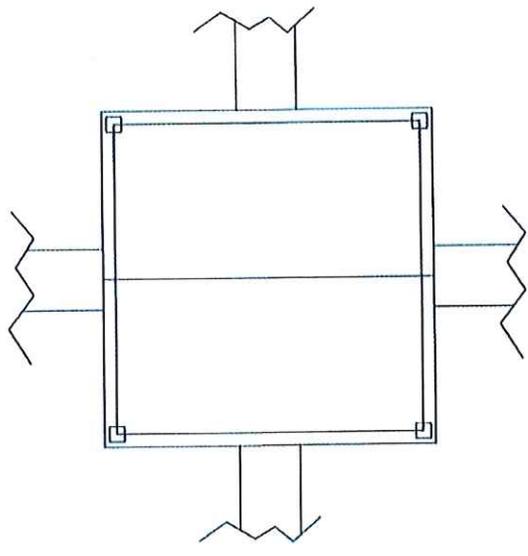


Pavilion Pad Options:

OPTION #1



OPTION #2



Tab B



Department Reports



- Agenda:**
- Introduction (Quinn)
 - Public Works (Rob Murphy)
 - Treasurer (Gladys)
 - Town Clerk (Kathy Flanagan)
 - Police Department (Danny Plott)

 - Town Manager & Special Reports (Quinn)

 - Mayor & Town Council Comments (Mayor Eddie Blunt)

 - Closing Comments



Department Reports

Introduction



Intro:

- Updates to previous reports
 - New Format (with Council Input)
 - Public Hearing (Budget) is ready to be scheduled
 - Financial forensics regarding the Yacht Club is pending (found late 80's to mid 90's paperwork, missing 1994-2005).
 - Cash Balances requested are in Departmental report
- Major Activities for June
 - Torrey Smith Rec Center
 - Klotz Bldg. demolition
 - Beach improvement activities (Public works)
 - Robin Grove Park clean up
 - Town Website publication

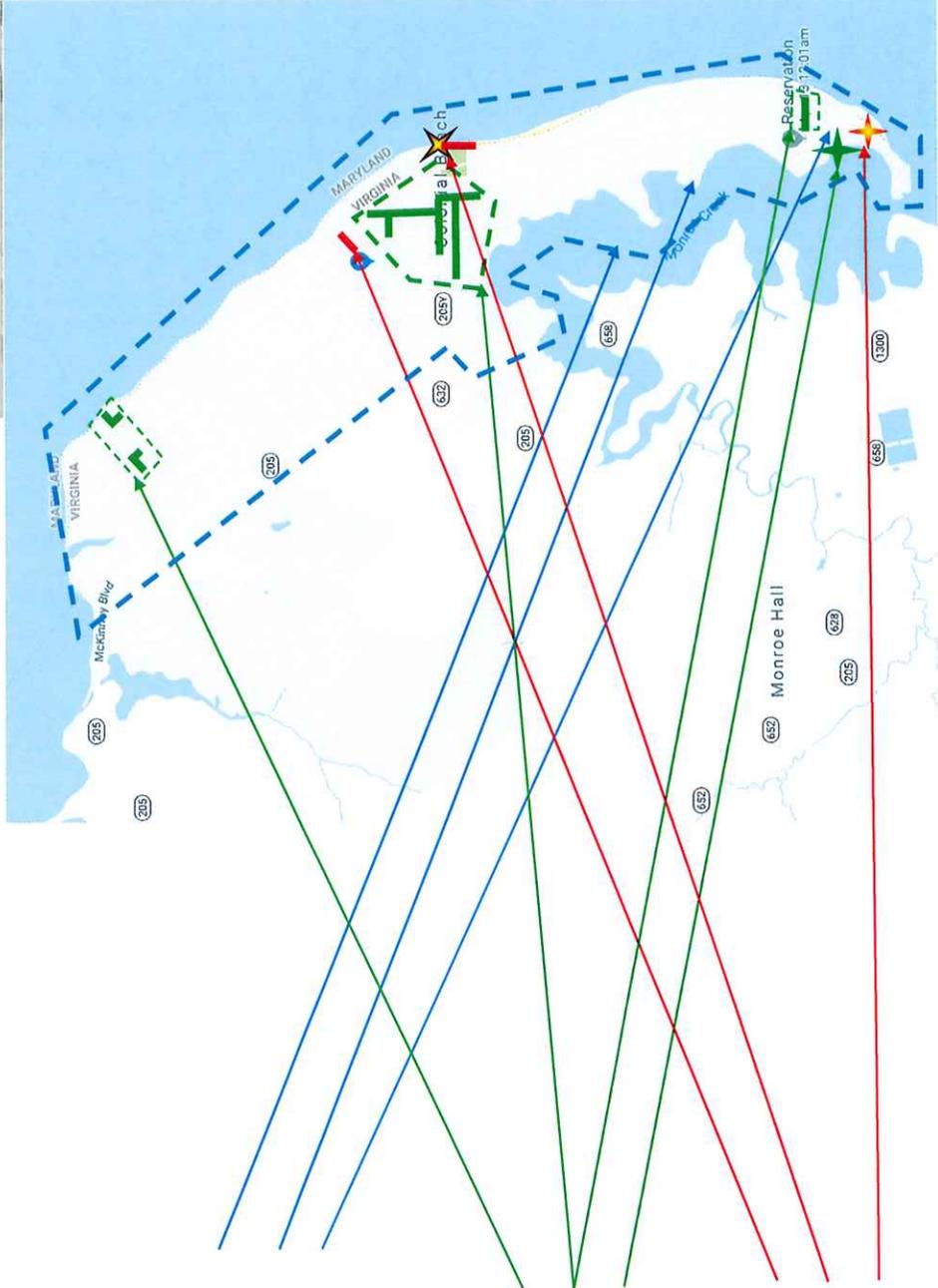


Department Reports Public Works Projects in Progress



Pipeline:

- **Working Projects:**
 - Water Meter System Installation -----
 - Robin Grove Water Facility Upgrade
 - Castlewood Playground Perimeter Fencing
- **Completed Projects**
 - Santa Maria Storm Drainage in ROW
 - Water Line Replacements -----
 - Public Boat Launch -----
- **Outstanding Projects:**
 - 1st Street Stormwater Piping -----
 - Pedestrian Plaza -----
 - Castlewood Parking Upgrade -----



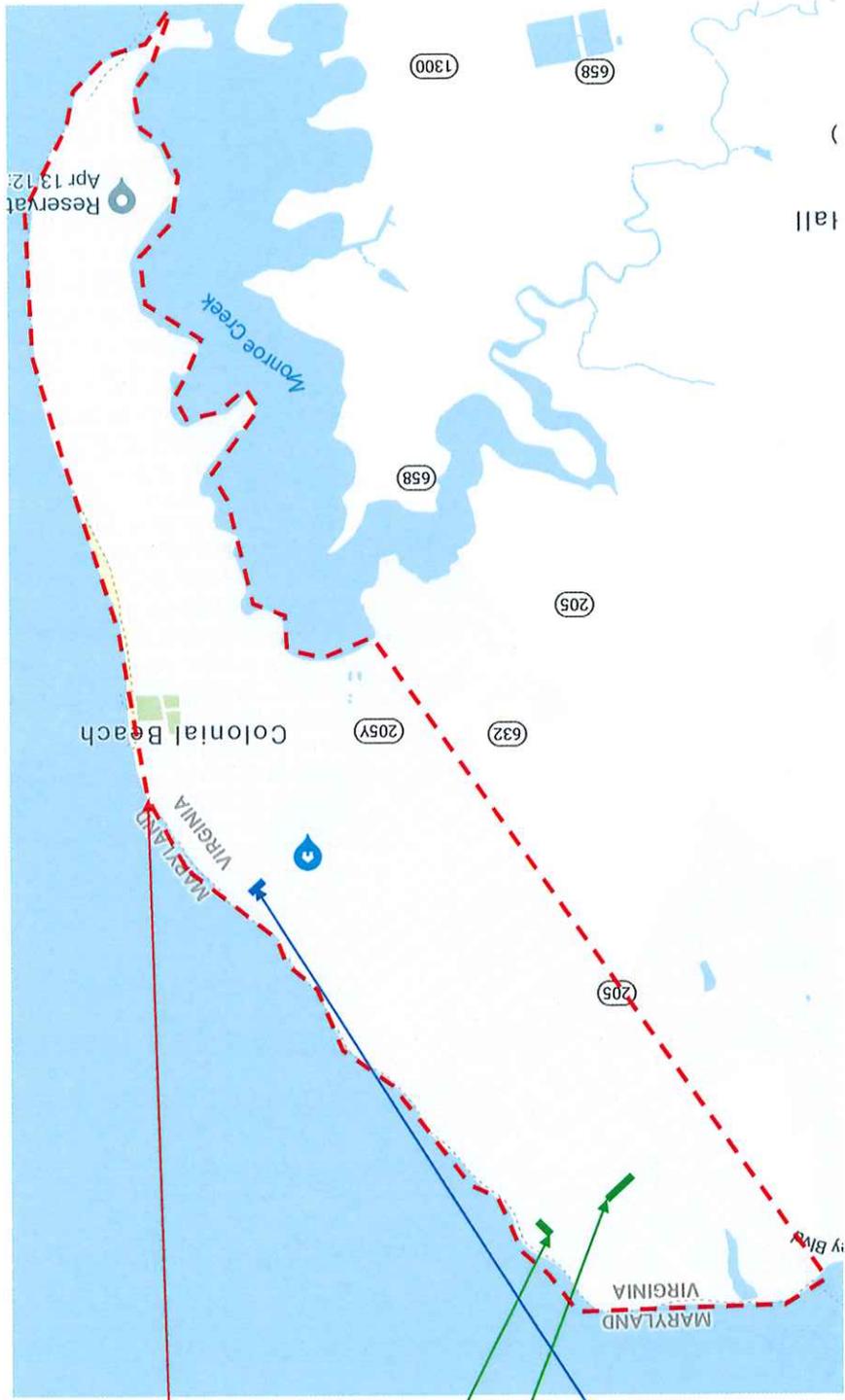


Department Reports Public Works (Drainage)



Intro:

- Pending Locations
 - Long Term Town-wide Reclamation of Pre-existing Drainage Areas
- Completed
 - Riverview @ Santa Maria
 - Santa Maria alley ROW Drainage
- Upcoming
 - Storm Piping 1st St



fall

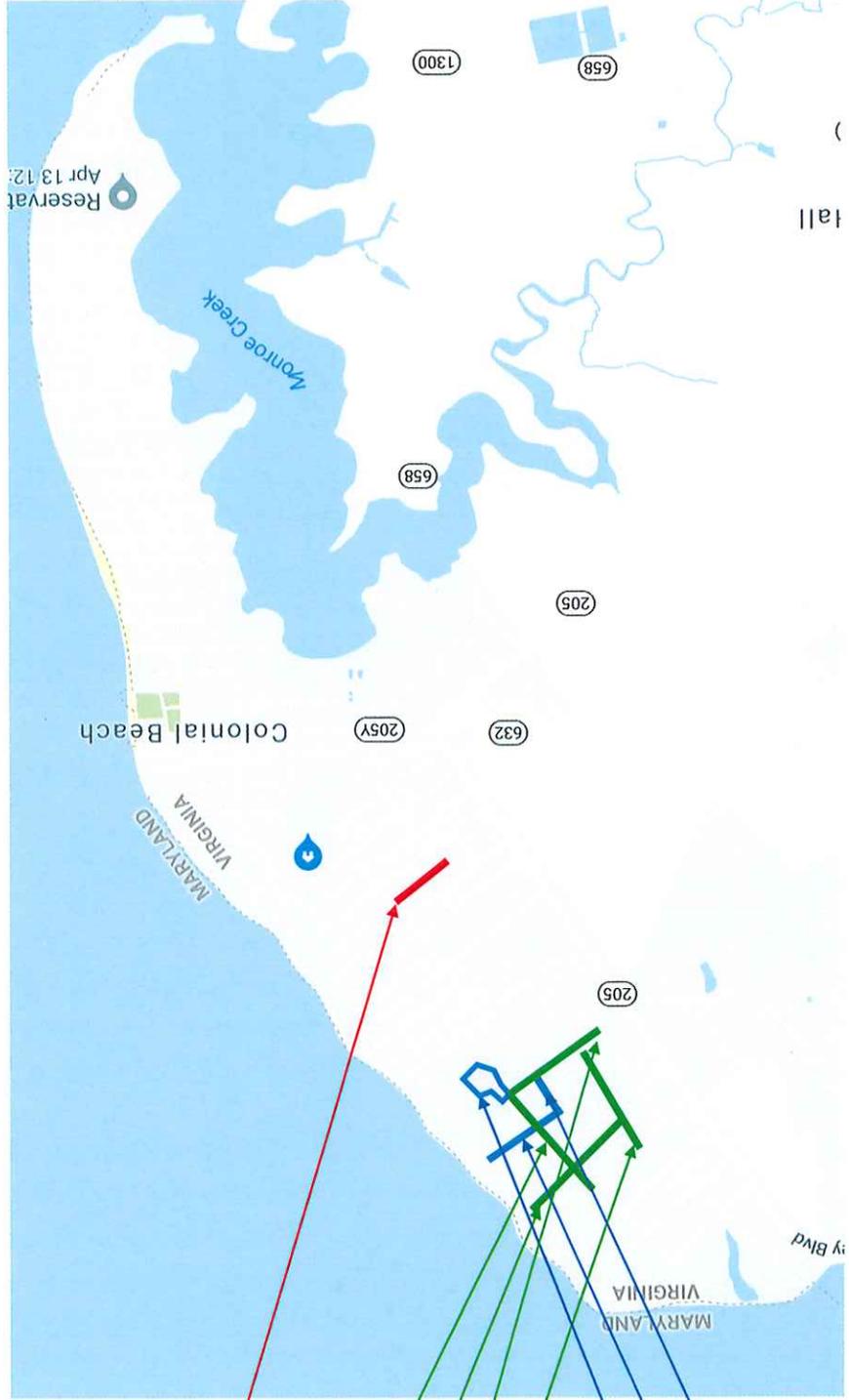


Department Reports Public Works (Town Roads)



Intro:

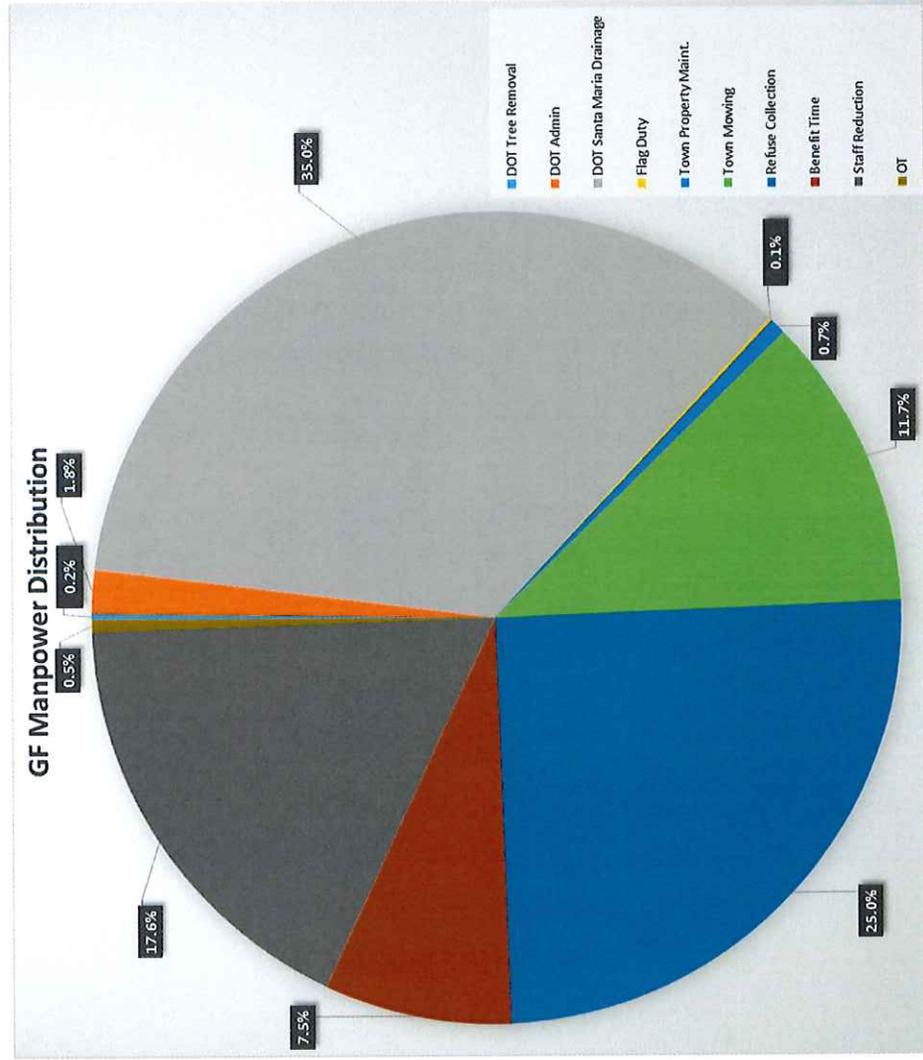
- **Pending Locations**
 - **Fifth St**
- **Completed**
 - Stratford
 - Azalea Rd
 - Forest
 - Wakefield
- **Upcoming**
 - Stratford Circle
 - Dogwood Ave
 - N. Dwight Ave



fall



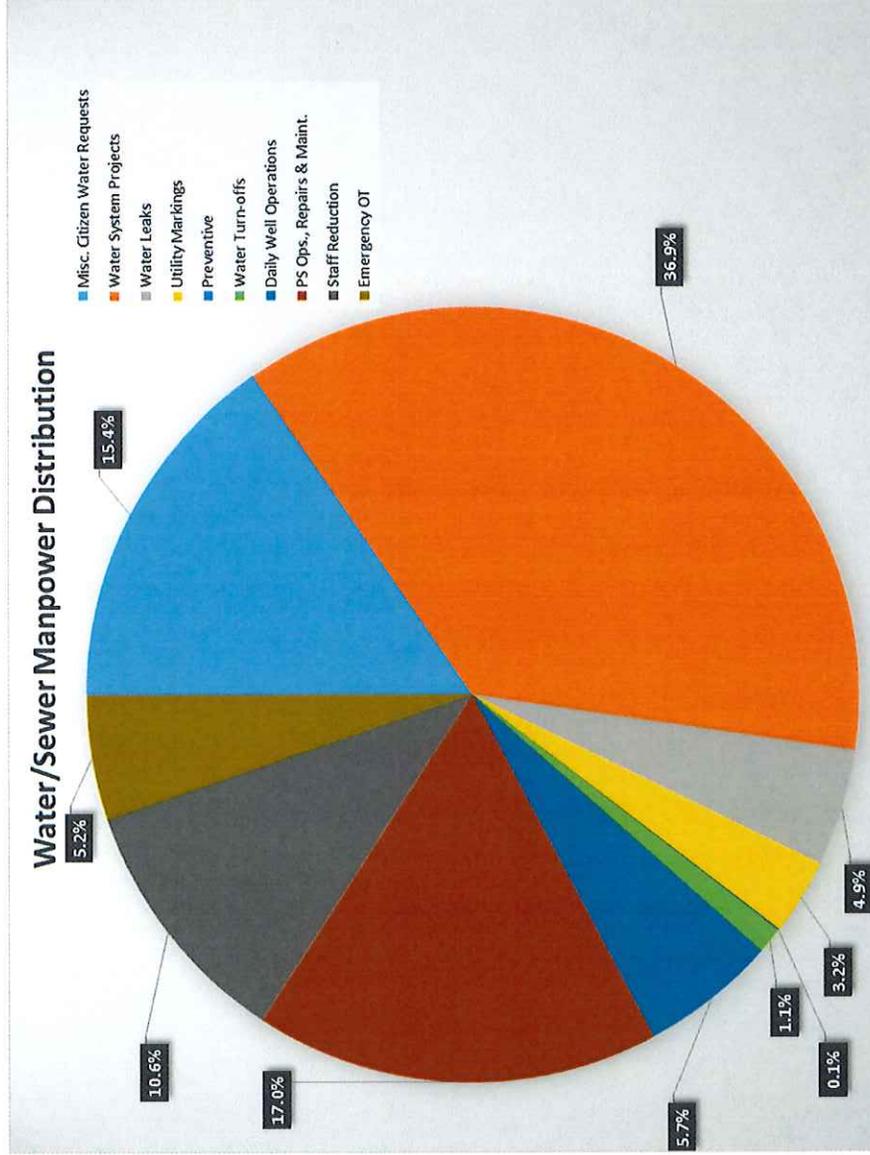
Department Reports Public Works GF Work Distribution





Department Reports

Public Works Utility Work Distribution





Department Reports

Finance Department



Fund Description	Approved Budget FY18	Appropriated Amount FY18	Current April 2018	Y-T-D as of 4/30/2018	ENC	Remaining Balance FY18	% Remaining
100 General Fund Revenue	7,767,556	8,350,306	187,566.69	4,472,742.37		3,877,563.63	46.43%
410 Bus Sale Fund Revenue	-	-	0.69	6.97		(6.97)	-100.00%
Total General Fund Revenue	7,767,556	8,350,306	187,567.38	4,472,749.34		3,877,556.66	46.44%
100 General Fund Expenditures	7,767,556	8,350,306	354,575.47	6,399,129.57	25,665.03	1,925,511.40	23.05%
Net change - General Fund	-	-	(167,008.09)	(1,926,380.23)	(25,665.03)		
330 Capital Projects Revenue	-	382,750	14,929.02	32,992.52		349,757.48	91.38%
330 Capital Projects Expenditures	-	382,750	-	382,750.00	-	-	0.00%
Net change - Capital Project Fund	-	-	14,929.02	(349,757.48)	-		
501 Sewer & WWTP Fund Revenue	1,917,490	1,917,490	46,632.01	1,474,525.78		442,964.22	23.10%
501 Sewer & WWTP Fund Expenditures	1,917,490	1,917,490	103,494.89	1,348,089.67	75,188.41	494,211.92	25.77%
Net change - Sewer & WWTP Fund	-	-	(56,862.88)	126,436.11	(75,188.41)		
503 Water Fund Revenue	764,929	764,929	16,844.99	2,298,123.99		(1,533,194.99)	-200.43%
503 Water Fund Expenditures	764,929	764,929	328,362.09	2,642,921.82	68,844.78	(1,946,837.60)	-254.51%
Net change - Water Fund	-	-	(311,517.10)	(344,797.83)	(68,844.78)		
205 School Fund Revenue	6,947,038	6,949,538	463,553.32	5,910,980.80		1,038,557.20	14.94%
205 School Fund Expenditures	6,947,038	6,949,538	513,339.12	4,887,937.78	-	2,061,600.22	29.66%
Net change - School Fund	-	-	(49,785.80)	1,023,043.02	-	(135,106.48)	-56.11%
216 School Food Fund Revenues	240,759	240,759	44,710.16	375,865.48		(135,106.48)	-56.11%
216 School Food Fund Expenditures	240,759	240,759	26,421.45	341,295.85	-	(100,536.85)	-41.75%
Net change - School Food Fund	-	-	18,288.71	34,569.63	-		
210 School CIP Fund Revenue	959,006	1,724,506	-	767,680.41		956,825.59	55.48%
210 School CIP Fund Expenditures	959,006	1,724,506	-	631,474.30	-	1,093,031.70	63.38%
Net change - School CIP Fund	-	-	-	136,206.11	-		

• Reports ran on Monday, May 14 and reflect payments received through Friday May 11, 2018

Delinquent Accounts *

- Personal Property - \$108,677.91
✓ Only can collect prior 5 years
- Real Estate 2017 & prior - \$63,128.70
✓ If 2 years late, can do tax sale
- Real Estate 2018 (Dec only) - \$38,441.15
- Real Estate 2018 (June) - not delinquent

	1st 2018 RE Bill	2nd 2018 RE Bill
Annual Tax Bill	3,369,885.10	3,360,363.45
One-half due Dec 1 2017	1,684,942.55	1,673,302.30
One-half due June 1 2018	1,684,942.55	1,673,302.30
Current Year Credits	(103,511.80)	(54,634.84)
Delinquent Taxes	172,584.67	145,311.94
Total (Due - 12/5/17)	1,754,015.42	1,778,011.25
Annual Tax Bill		3,360,363.45
One-half due Dec 1 2017		1,673,302.30
One-half due June 1 2018		1,673,302.30
Current Year Credits		(54,634.84)
Delinquent Taxes		145,311.94
Total (Due - 6/6/18)		1,778,011.25



Department Reports

Finance Department



Month	GF 100 Total Revenue FY18	GF 100 Total Revenue FY17
July	\$ 236,449.00	\$ 260,132.91
August	\$ 475,430.26	\$ 435,166.32
September	\$ 340,998.55	\$ 411,669.45
October	\$ 391,756.72	\$ 235,906.43
November	\$ 1,018,639.69	\$ 888,341.26
December	\$ 1,651,342.65	\$ 1,430,750.09
January	\$ (305,481.05)	\$ 125,682.82
February	\$ 253,663.49	\$ 203,145.75
March	\$ 222,376.37	\$ 502,146.64
April	\$ 187,566.69	\$ 210,858.58

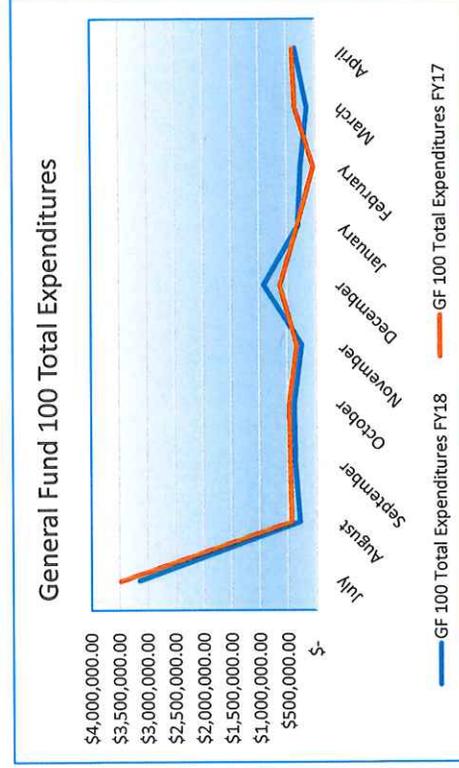
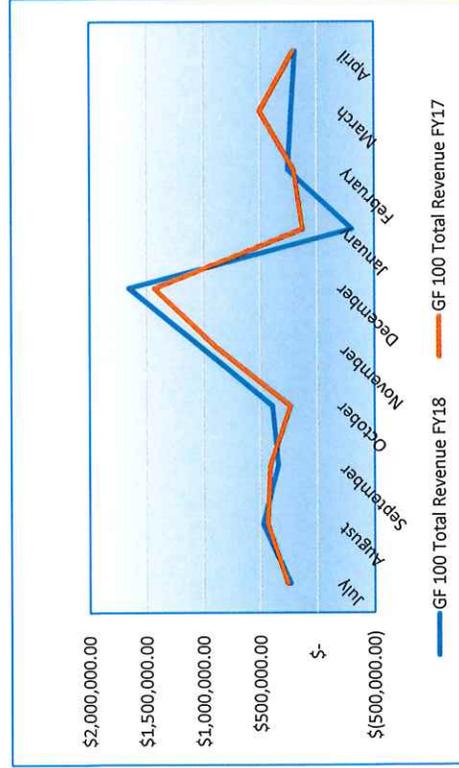
Revenue

- Real Estate is billed/collected 2x a year in Dec/June
- Personal Property is billed/collected 1x year in Dec
- Prior year revenue accruals reversals reflected
- Total Revenue includes Grants (i.e. SRTS, Downtown Revitalization and Pedestrian Plaza) as well as Transfers In (Water, Sewer and Capital Projects Fund)

Expenditures

- The Contribution to CBPS is made each July.
- Prior year expenditure accruals reversals reflected
- Total Expenditures include Grants and Transfers Out (Capital Projects Fund)

Month	GF 100 Total Expenditures FY18	GF 100 Total Expenditures FY17
July	\$ 3,144,273.57	\$ 3,475,641.17
August	\$ 282,599.77	\$ 435,166.32
September	\$ 366,677.56	\$ 451,950.30
October	\$ 383,099.06	\$ 474,659.65
November	\$ 244,189.69	\$ 343,656.59
December	\$ 915,580.44	\$ 632,869.46
January	\$ 308,486.83	\$ 326,265.27
February	\$ 255,371.84	\$ 38,076.07
March	\$ 144,275.34	\$ 355,892.22
April	\$ 354,575.47	\$ 404,787.87





Department Reports

Finance Department



#100 GENERAL FUND					
000100-0001	CASH IN FUND				45,926.18
000100-0003	UNION BK - SCH CONSTR DOMS -				102,879.44
000100-0004	RESTR	3,511.46			148,805.62
000100-0008	UB&T RESERVE CD	554,237.21			
000100-1011	REVOLVING LOAN FUND	2,360.20			
	PETTY CASH	792.93			
	TOTAL GENERAL FUND	273,304.70			
#410 BUS SALE FUND					
000100-0001	CASH IN FUND				89,113.99
#330 CAPITAL PROJECTS FUND					
000100-0001	CASH IN FUND				614,723.64
#400 EROSION FUND					
000100-0001	CASH WITH TREASURER				284,625.06
					899,348.70
<p>Pooled Cash is highlighted in Red BOLD.</p> <p>All balances are as of 4/30/2018.</p>					
#501 SEWER AND WWTP FUND					
000100-0001	CASH IN FUND				45,926.18
000100-1002	WD HOME RES SAVINGS				102,879.44
	TOTAL SEWER AND WWTP FUND				148,805.62
#502 UTILITIES/CAPITAL PROJECTS					
000100-0001	CASH IN FUND				89,113.99
	TOTAL UTILITIES/CAP PROJ FUND				89,113.99
#503 WATER FUND					
000100-0001	CASH IN FUND				614,723.64
000100-1006	UB&T WATER BOND RESERVE FUND				284,625.06
	TOTAL WATER FUND				899,348.70
#205 SCHOOL FUND					
000100-0001	CASH IN FUND				1,456,758.12
000100-1011	PETTY CASH				500.00
	TOTAL SCHOOL FUND				1,457,258.12
#206 STATE TRANSFER- SCHOOL					
000100-0001	CASH IN FUND				(11,147.93)
#210 SCHOOL CIP FUND					
000100-0001	CASH IN FUND				110,912.87
000100-0002	RESTRICTED CASH - SNAP11163-000				0.00
	TOTAL SCHOOL CIP FUND				110,912.87
#216 SCHOOL FOOD FUND (CAFETERIA)					
000100-0001	CASH IN FUND				95,488.21
#217 SCHOOL CONSTRUCTION					
000100-0001	CASH IN FUND				34,008.31



Department Report

Police Department

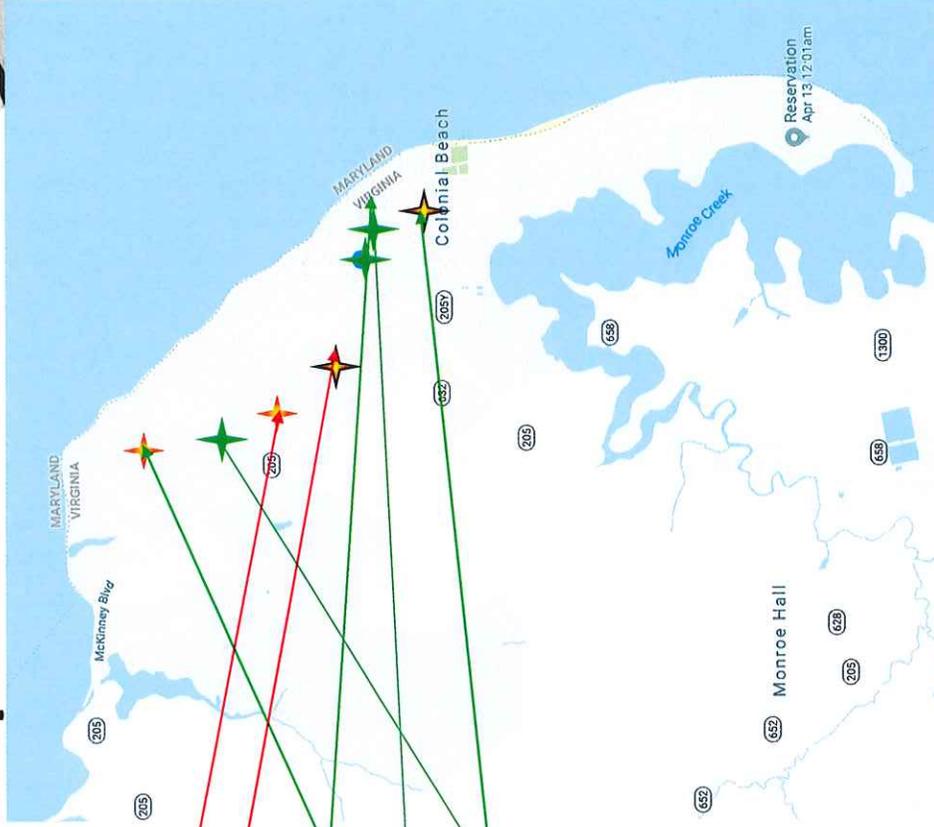


• Significant Activities:

- **KKK Flyers/DVDs**
multiple streets

• On-going Investigations:

- **Suspicious Death 00 block**
Colonial Av
- **Assault & Battery-600 blk Jackson**
St & 900 blk of Bryant Ave
- **Breaking & Entering-200 blk**
Wilder Av & 200 blk Santa Maria
Dr





Department Reports Police Blotter



- 4/2/18 CBPD Officers responded to the 100 Block of Locust Avenue in reference to a **drug overdose**. Subject was subsequently transported to the hospital.
- 4/6/18 CBPD Officers responded to 1500 Block of Irving Avenue reference to a **larceny**.
- 4/7/18 CBPD Officers responded to the Dollar General in reference to **shoplifting**.
- 4/8/18 CBPD Officers responded to the 600 Block of Jackson Street for **Assault and Battery**.
- 4/11/18 CBPD Officers responded to the 200 Block of Santa Maria for a **Breaking and Entering**.
- 4/14/18 CBPD Officers received phone calls from a subject who stated he was raped at a residence on the 1000 Block of Bancroft Avenue 15 years ago.
- 4/14/18 CBPD Officers responded to several residences on 9th Street in reference to **KKK flyers** and **DVD's**. ALSO 2nd Street, 7th Street, Garfield, Washington and Franklin Streets.
- 4/15/18 CBPD Officers responded to the 300 Block of Riverwood Drive in reference to **DOA**.
- 4/19/18 CBPD Officers responded to the 300 Block of Douglas Avenue in reference to **property damage**.
- 4/20/18 CBPD Officers responded to the 1400 Block of McKinney Blvd. in reference to an **Assault and Battery**.
- 4/21/18 CBPD Officers responded to 29 Colonial Avenue for an **Infants Death**.
- 4/24/18 CBPD Officers responded to the 200 Block of 3rd Street in reference to a **Larceny**.
- 4/26/18 CBPD Officers responded to the 100 Block of 12th Street in reference to a **Missing Person**.
- 4/28/18 CBPD Officers responded to the 900 Block of Bryant Avenue in reference to an **Assault and Battery**.
- 4/28/18 CBPD Officers responded to the 200 Block of Wilder Avenue in reference to a **Breaking and Entering**.



Department Reports

Town Clerk



BLUF: Current operations are above operational bandwidth however, it's anticipated that June will provide adequate time to "catch-up" on all activities.

Status(s):

- Minutes: On-going, projected completion: 3 months

Current & Ongoing Activities

- FOIA activities significantly increased and will continue to impede operational fluidity (Currently 7 FOIA's in process)
- Closing of 10N Irving Ave (closing occurred 14 MAY 18)
- Normal Agenda preparatory activities
- Research for Department Heads and/or projects



Town Manager & Special Reports



- Town's website is near completion. Additional input from council and department heads for finalization (Pictures, verbiage, forms and documents, etc.)
- Comprehensive Parking Plan will be accelerated provided council approval
- Events (processes & procedures) are being modified for revenue capture purposes. This is an evolutionary process which will endure through multiple FY's.
- Financial Outlook: *Pending Budget approval, FY19 is assessed to be an "recovery period" in order to "flatline" operations thus, focusing on actual expenditure necessities while aggressively pursuing additional revenues stream yet unrealized.*
- Previously funded CIP projects will continue to ensue while additional property sales could assist in the rebuilding of "cash reserve"



Mayor & Council Comments



Mayor:

Council:



Closing



Alibies, Comments, Concerns:

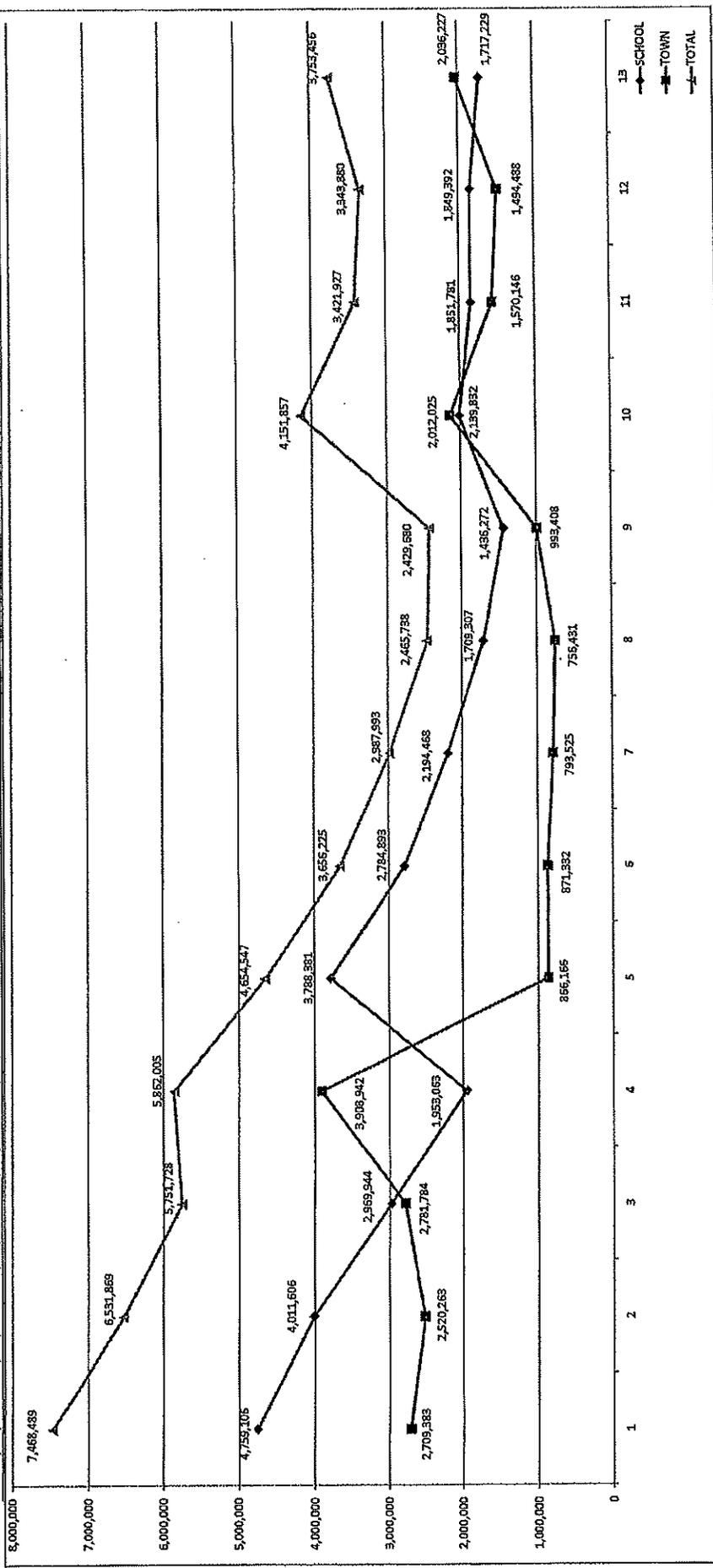
Closing

Tab C

RECONCILING CASH IN INDIVIDUAL FUNDS TO
TREASURER'S ACCOUNTABILITY FUND
March 31, 2018

			CORRESPONDING CASH ACCOUNT IN FUND 999 TREASURER'S ACCOUNTABILITY FUND	CORRESPONDING FUND BALANCE ACCOUNT IN FUND 999 TREASURER'S ACCOUNTABILITY FUND
#100 GENERAL FUND				
000100-0001	CASH IN FUND	(345,147.76)		
000100-0003	UNION BK - SCH CONSTR DON8 - RESTR	3,511.46	3,511.46	
000100-0004	UB&T RESERVE CD	553,536.72	553,536.72	
000100-0005	CASH/CREDIT CARD PARKING ACCOUNT	30,339.34	30,339.34	
000100-0006	UNION BANK BOND ACCOUNT	183,839.15	183,839.15	
000100-0008	REVOLVING LOAN FUND	2,360.20		
000100-1011	PETTY CASH	792.93	792.93	
	TOTAL	<u>429,232.04</u>	<u>772,019.60</u>	<u>(429,232.04)</u>
#205 SCHOOL FUND				
000100-0001	CASH IN FUND	1,505,755.92		
000100-1011	PETTY CASH	500.00		
	TOTAL	<u>1,506,255.92</u>		<u>(1,506,255.92)</u>
#206 STATE TRANSFER- SCHOOL				
000100-0001	CASH IN FUND	(11,147.93)		
	TOTAL	<u>(11,147.93)</u>		<u>11,147.93</u>
#210 SCHOOL CIP FUND				
000100-0001	CASH IN FUND	110,912.87		
000100-0002	RESTRICTED CASH - SNAP11163-000	0.00	0.00	
	TOTAL	<u>110,912.87</u>		<u>(110,912.87)</u>
#216 SCHOOL FOOD FUND (CAFETERIA)				
000100-0001	CASH IN FUND	77,199.50		
	TOTAL	<u>77,199.50</u>		<u>(77,199.50)</u>
#217 SCHOOL CONSTRUCTION				
000100-0001	CASH IN FUND	34,008.31		
	TOTAL	<u>34,008.31</u>		<u>(34,008.31)</u>
#330 CAPITAL PROJECTS FUND				
000100-0001	CASH IN FUND	175,536.10		
	TOTAL	<u>175,536.10</u>		<u>(175,536.10)</u>
#400 EROSION FUND				
000100-0001	CASH WITH TREASURER	135,068.17		
	TOTAL	<u>135,068.17</u>		<u>(135,068.17)</u>
#410 BUS SALE FUND				
000100-0001	CASH IN FUND	8,401.86	8,401.86	
	TOTAL	<u>8,401.86</u>		<u>(8,401.86)</u>
#501 SEWER AND WWTP FUND				
000100-0001	CASH IN FUND	(48,834.67)		
000100-1002	WD HOME RES SAVINGS	102,870.98	102,870.98	
	TOTAL	<u>54,036.31</u>		<u>(54,036.31)</u>
#502 UTILITIES/CAPITAL PROJECTS				
000100-0001	CASH IN FUND	89,113.99		
	TOTAL	<u>89,113.99</u>		<u>(89,113.99)</u>
#503 WATER FUND				
000100-0001	CASH IN FUND	860,585.72		
000100-1006	UB&T WATER BOND RESERVE FUND	284,253.27	284,253.27	
	TOTAL	<u>1,144,838.99</u>		<u>(1,144,838.99)</u>
0-999-000100-0001	UNION BANK & TRUST COMPANY		(214,882.66)	
0-999-000120-0210	UNION BANK & TRUST COMPANY- REPO		2,800,793.08	
	GRAND TOTAL	<u>3,753,456.13</u>	<u>3,753,456.13</u>	<u>(3,753,456.13)</u>

	March 31, 2017	April 30, 2017	May 31, 2017	June 30, 2017	July 31, 2017	August 31, 2017	September 30, 2017	October 31, 2017	November 30, 2017	December 31, 2017	January 31, 2018	February 28, 2018	March 31, 2018
SCHOOL	4,759,106	4,011,606	2,569,944	1,953,063	3,788,391	2,784,893	2,194,468	1,709,307	1,436,272	2,012,025	1,851,781	1,849,392	1,717,229
TOWN	2,709,383	2,520,263	2,781,784	3,508,942	866,166	871,332	793,525	756,431	993,408	2,139,832	1,570,146	1,494,488	2,036,227
TOTAL	7,468,489	6,531,869	5,351,728	5,462,005	4,654,547	3,656,225	2,987,993	2,465,738	2,429,680	4,151,857	3,421,927	3,343,880	3,753,456



Tab D

E

The Law Office of
Andrea G. Erard, Esq.

MEMORANDUM

TO: The Honorable Mayor of the Colonial Beach Town Council
The Honorable Members of the Colonial Beach Town Council

FROM: Andrea G. Erard, Town Attorney

RE: Sign Ordinance

DATE: May 8, 2018

I enclose a draft sign Ordinance for your consideration. This draft includes some of the suggested changes made by Ms. DeJesus. Council may wish to authorize advertisement of a public hearing for this Ordinance to move this matter forward. In the alternative, Council may wish to ask Mrs. Finchum, the new Director of Community Planning and Development to review this Ordinance prior to advertising for a public hearing.

WHEREAS, the Council finds that public necessity, convenience, general welfare, and good zoning practices require adoption of this Ordinance;

BE IT ORDAINED by the Colonial Beach Town Council that the Colonial Beach Zoning Ordinance, Article 20, "Definitions" shall be amended to read, in part, as follows:

"Murals: a commercial or non-commercial painting or other work of art attached or painted to a wall.

Signs, Yard or Lawn: small advertising signs that can be placed on a street-facing lawn or elsewhere on a property, typically these signs are made of corrugated plastic with metal or wood stakes;"

BE IT FURTHER ORDAINED by the Colonial Beach Town Council that the Colonial Beach Zoning Ordinance, Article 12, "Signs" shall be amended to read in its entirety as follows:

"ARTICLE 12 SIGNS

Statement of Intent

The purpose of this Article is to regulate the size, location, height and construction of all signs; to protect the public health, safety, convenience and general welfare; to facilitate the creation of a convenient, attractive, and harmonious community; to protect property values; and to further the goals, objectives and policies of the Comprehensive Plan.

This Article is intended to promote signs that are:

- Properly designed, constructed, installed and maintained, in order to limit driver and pedestrian distraction and otherwise to promote general public safety;
- Legible, relevant and appropriate to the activity to which they pertain;
- Limited in size, placement and frequency, so as to provide a fair avenue for advertisement while maintaining the general value of property.

12-1 Administration

- A. The application and enforcement of this Article shall be the responsibility of the Director of the Department of Planning & Community Development or his or her designee.
- B. The Planning Director shall have the authority to cause the immediate removal of any signs which are not constructed and maintained in accordance with the provisions of this Article or in accordance with the applicable provisions of the Virginia Uniform Statewide Building Code (USBC).

12-2 General Provisions

- A. *Definitions.* Definitions are set forth in the *Definitions* section of this Zoning Ordinance.
- B. *Applicability.* The standards, procedures, exemptions and other requirements of this article shall apply to all signs constructed, erected, moved, enlarged, illuminated, or substantially altered within the municipal limits of the Town.
- C. *Construction.* In addition to the standards set forth in this article, all signs and their structures shall conform to all applicable provisions of the USBC and all amendments thereto.
- D. *Maintenance.* All signs, and their structural and/or electrical components, shall be kept in a generally maintained state at all times.
- E. *Comprehensive Plan.* This article shall be in accordance with the Goals and Objectives of the Comprehensive Plan, notably the objective to "Improve the Town's aesthetic quality to make a positive and lasting impression on visitors to the community and enhance the quality of life for residents."
- F. *Conflict.* In the case of conflicting regulations, the most restrictive standard shall apply.

12-3 Permit Required for Signs

- A. Except for signs exempted from regulation, every sign shall be constructed, erected, moved, enlarged, illuminated or substantially altered only in accordance with a sign permit issued by the Director of Planning & Community Development or his or her designee.
- B. Prior to the issuance of any sign permit, an application for a sign permit shall be submitted to the Department of Planning and Community Development for review. The application shall be accompanied by a rendering, or "cut sheets," of the sign face, and a scaled drawing or survey which shows the following information:
 - 1. All dimensions of the sign and its structure, if applicable;
 - 2. The area of the actual sign face;
 - 3. The proposed location of the sign in reference to property lines, existing structures and other site characteristics;
 - 4. Proposed manner of illumination, if applicable; and
 - 5. Method of construction, if applicable, to meet the requirements of the USBC.
- C. A sign permit shall become null and void if the sign is not erected within six (6) months after the date of issuance. Upon written request and for good cause shown, one (1) six-month extension may be granted, pursuant to any required permit renewal fee.

12-4 Signs Excluded from Regulation

The following signs are excluded from regulation and permit requirements under this article:

- A. Signs of a duly constituted governmental body, such as, but not limited to, traffic, warning, directional, street, regulatory signs, Red Cross (as prescribed in § 33.1-355 of the Code of Virginia, as amended), or governmental signs which are directly related to the health, safety, convenience or welfare of the community;
- B. Signs with a total area of four (4) ft² or less [provided the signs conform to the provisions set forth in section 12-7 and] provided that multiples of such signs are not installed in a manner which resembles a larger sign;
- C. Bulletin boards, such as those commonly found at community centers, churches, and the like, as well as menu/daily special signs for eating establishments, provided they are no more than twelve (12) ft² in total area, are affixed to a building façade, are not illuminated, and only one is erected per property;
- D. Flags of the Town of Colonial Beach, Commonwealth of Virginia, United States of America, and any other flag of a government entity flown for noncommercial purposes, or a single flag displaying only a corporate logo, and any other horizontally-oriented flags which are purely ornamental and do not promote a commercial activity;
- E. Seasonal displays or decorations which do not advertise products or services;
- F. Signs not visible from a public right-of-way;
- G. Signs on a currently licensed truck, bus or other vehicle while in the normal course of business and provided that such is not parked for display purposes;
- H. Window signs taking up no more than 30% of the total window area.

The following signs are exempt from permit requirements but *must* conform to the regulations of this Article:

- I. Secondary freestanding signs shall be exempt from permit requirements, but shall conform to all other applicable provisions in this article

12-5 Off-Premise Signs

- A. Off-premise signs shall be permitted.
- B. The off-premise sign shall not exceed to four (4) ft² in area and no more than four (4) feet in height.
- C. The sign shall be located at least five (5) feet from the public right-of-way(s) and shall not interfere with any required sight triangles for property entrance(s) or adjacent roadways.
- D. A zoning permit is required for such signs.
- E. A notarized letter from the property owner(s) is to accompany the permit application indicating the property owner's permission to erect the directional sign on their property.

12-6 Signs on Property Zoned Residential

- A. One (1) sign provided that such sign is located on the premises, is non-illuminated and does not exceed six (6) ft² in area. No more than five (5) yard signs shall be permitted on any residential property at one time;

B. Signs shall be setback a minimum of three (3) feet from any property line(s) and shall not interfere with any required sight triangles for property entrance(s) or adjacent roadways; and

C. Signs shall not exceed eight (8) feet in height.

12-7 Temporary Signs and Banners

- A. In addition to the provisions set forth in sections 12-4 and 12-7, temporary signs and banners are permitted provided such signs conform to the following provisions:
1. Temporary signs and banners are subject to a zoning permit fee;
 2. Not more than one (1) such sign shall be located on any lot, except when such lot contains multiple establishments or uses, one (1) temporary sign or banner shall be permitted for each separately identifiable establishment or use located on the property;
 3. In cases where there are multiple businesses there shall not be more than 1 temporary sign per 25-feet of road frontage with a maximum number of six (6) temporary signs;
 4. No single temporary sign shall exceed thirty-two (32) ft² in total area nor shall the sum of all temporary signs exceed fifty (75) ft²;
 5. Permitted temporary signs or banners may be erected for a period of no more than thirty (30) consecutive days, and no establishment or use may erect six (6) temporary signs or banners in a calendar year;
 6. The temporary sign shall not be illuminated;
 7. The minimum setback distance shall be ten (10) feet from the right-of-way of any state primary route; this distance shall be a minimum of three (3) feet from the right-of-way of all other roadways;
 8. Temporary signs shall be maintained in a neat, clean and orderly fashion. Tattered and torn temporary signs shall not be permitted;
 9. The sign meets all other applicable provisions of this article.

12-8 Signs Prohibited

Notwithstanding any other provision of this article, the following signs are prohibited and subject to immediate removal by the Town:

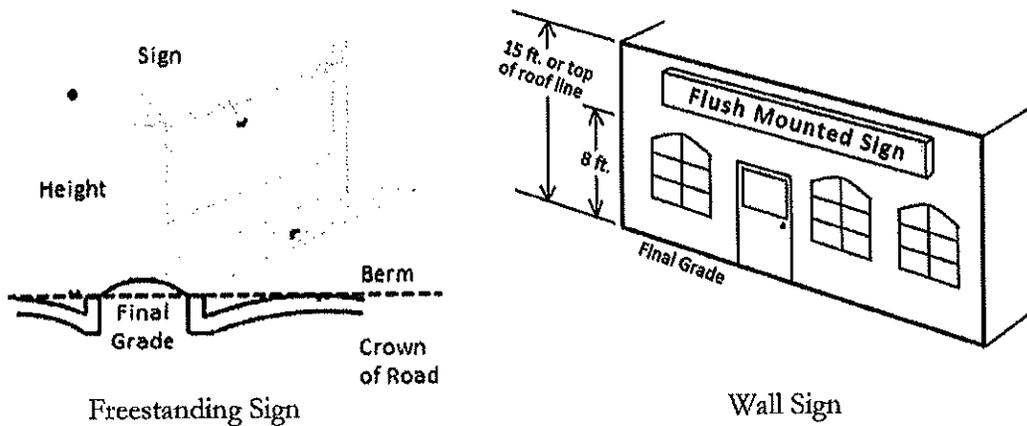
- A. Signs that flutter, rotate, or otherwise move for the purpose of attracting attention, or those which produce sound, odor, liquid or visible matter such as smoke or vapor;
- B. Signs that imitate or obscure those of a duly constituted governmental body;
- C. Any sign that is displayed on a stationary motor vehicle or trailer when the vehicle or trailer is used primarily for the purpose of, and serving the function of, a portable sign;
- D. Signs located in any public right-of-way or attached to any utility pole or structure;
- F. Signs which are placed or located so as to impede vision or contravene other requirements of applicable traffic ordinances or statutes;
- G. Signs, not being an integral part of the building design, which are fastened to, supported by, or on the roof of a building;
- H. Signs that extend over or above the roof line or parapet wall of a building;
- I. Portable signs except as allowed for temporary signs;

- J. Signs which blink, flash or are animated by lighting in any fashion that would cause such signs to have the appearance of traffic safety signs and lights or municipal vehicle warnings from a distance; and
- K. All other signs not expressly permitted in this ordinance.

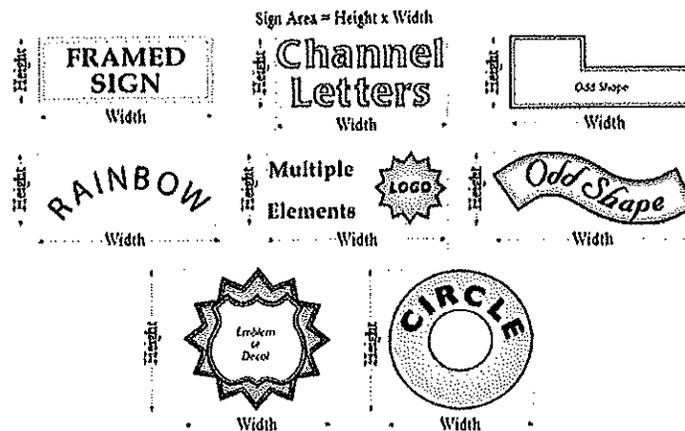
12-9 Calculation of Sign Dimensions

A. General Dimensional Standards:

1. *Height.* The height of a sign shall be measured from the final grade around the sign to the highest physical point of the sign excluding supporting structure, framework, base, or bracing.

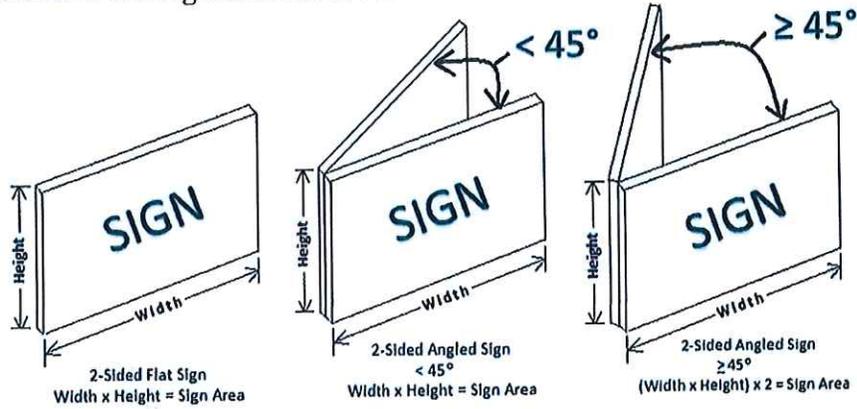


2. *Area.* The area of a sign face shall be established by determining the square footage of all text, representations, colors, emblems, and other displays contained in a sign. The area shall not include any supporting structure, framework, base, or bracing.

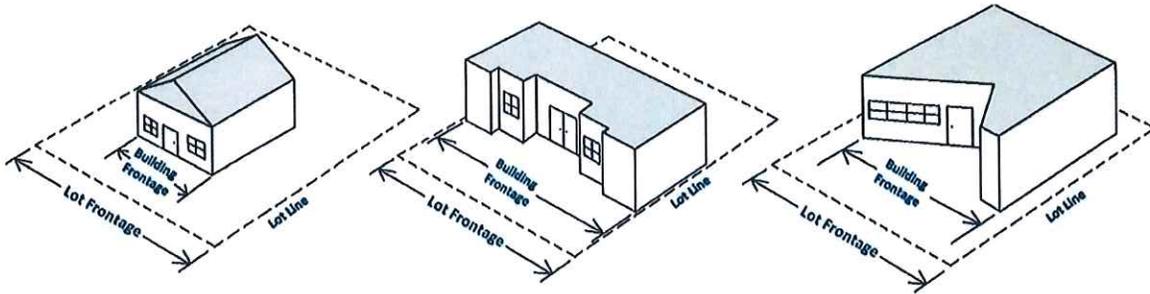


3. *Faces.* Where the sign faces of a double-faced sign are parallel, or the interior angle formed by the faces is less than 45°, only one (1) display face shall be used to compute the sign area. If the angle is greater than or equal to 45°, the area of both sign faces shall

be used to compute the sign area. If the two (2) faces of a double faced sign unequal in area, the area of the larger face shall be used.



4. *Building/Lot Frontage.* A building's frontage is the horizontal length of a building on the side containing the primary entrance. If the wall is straight, then the frontage shall be the length of the wall. If the wall is not straight, the frontage shall be measured as a straight line from corner to corner of the front building face. The lot frontage is the linear distance between points where the side property lines meet the street right-of-way.



12-10 Sign Types

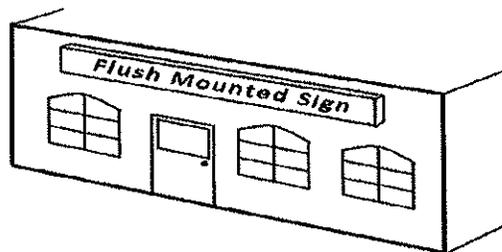
A. *Wall Signs.* Permitted variations of wall signs include: flush mounted, suspended, marquee, and canopy/awning. See 12-10.C for Murals.

1. *General Standards.*

- a. Such signs are permitted on the wall(s) of the building frontage which are visible from a public right-of-way;
- b. A building frontage may have up to two (2) of the permitted wall sign types, so long as the total aggregate sign area per frontage does not exceed seventy-five (75) ft² per establishment;
- c. On a multi-occupancy building, each occupant with a separate outside entrance to the general public may be permitted to have one (1) separate wall sign above said entrance provided the total sign area does not exceed 75 ft²;
- d. Roofing elements within 30° of vertical, e.g. a "mansard" roof, may be considered a wall for the purposes of this ordinance;
- e. A wall sign and/or its supporting structure may project into or above a public right-of-way no more than three (3) feet, but shall not project into or over any roadway;
- f. Such signs shall be constructed of materials and in a manner that represents a finished appearance, e.g. no unfinished raw materials, exposed fasteners, unpainted surfaces or those otherwise unprotected from the elements, or any other aspect that may signify incomplete construction.

2. *Flush Mounted Wall Signs.* General standards for flush mounted wall signs are as follows:

- a. The area of an individual flush mounted wall sign shall be one (1) ft² for every one (1) linear foot on building frontage, up to a maximum of seventy-five (75) ft²;
- b. No such sign may project outward more than one (1) foot from the building façade on which it is attached.



Zoning / Land Use	Flush Mounted Wall Signs			
	Permitted?	Maximum Sign area	Minimum Height	Maximum Height
R-1, R-2, R-2A, R-3, R-4*	✓	3 ft ²	4 ft.	8 ft.
CR	✓	75 ft ²	8 ft.	15 ft.
RC	✓	75 ft ²	8 ft.	15 ft.
C-1, C-2	✓	75 ft ²	8 ft.	15 ft.
MC	✓	75 ft ²	8 ft.	15 ft.

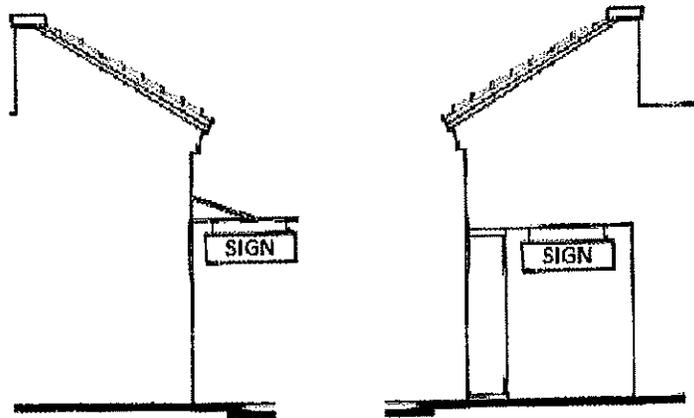
* Single-family homes are permitted one (1) wall sign only in accordance with an approved home occupation permit.

3. *Projecting Wall Signs.* General standards for projecting signs are as follows:

- a. No part of any projecting sign shall be lower than eight (8) feet from final grade;
- b. No part of any projecting sign shall project farther than three (3) feet from the building façade on which it is attached.

i. *Suspended Signs.*

- a) All suspended blade signs shall be installed 90° from the building façade on which they are attached.



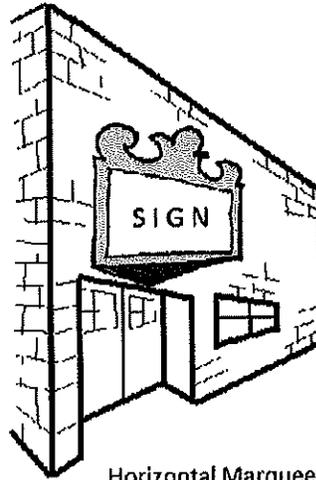
Zoning / Land Use	Suspended Signs			
	Permitted?	Maximum Sign area	Minimum Height	Maximum Height
CR	✓	15 ft ²	8 ft.	15 ft.
RC	✓	15 ft ²	8 ft.	15 ft.
C-1, C-2	✓	15 ft ²	8 ft.	15 ft.
MC	✓	15 ft ²	8 ft.	15 ft.

ii. *Marquee Signs.*

- a) All vertical marquee signs shall be installed 90° from the building façade on which it is attached.



Vertical Marquee Sign

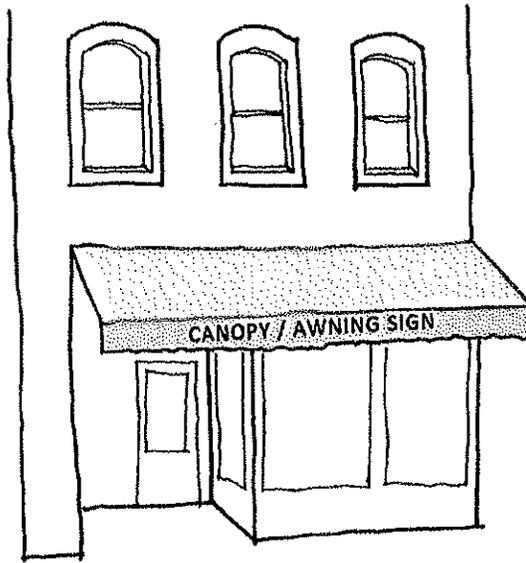


Horizontal Marquee Sign

Zoning / Land Use	Vertical Marquee Signs				Horizontal Marquee Signs			
	Permitted?	Maximum Sign area	Minimum Height	Maximum Height	Permitted?	Maximum Sign area	Minimum Height	Maximum Height
RC	✓	15 ft ²	8 ft.	15 ft.	✓	75 ft ²	8 ft.	15 ft.
C-1, C-2	✓	15 ft ²	8 ft.	15 ft.	✓	75 ft ²	8 ft.	15 ft.

iii. *Canopy/Awning Signs.*

- a) Any lettering and/or images comprising the sign area on an awning or canopy shall be located on the face of the awning or canopy, parallel to the building;
- b) Internal illumination is not permitted on canopy/awning signs.



Zoning / Land Use	Canopy/Awning Signs			
	Permitted ?	Maximum Sign area	Minimum Height	Maximum Height
CR	✓	15 ft ²	8 ft.	15 ft.
RC	✓	15 ft ²	8 ft.	15 ft.
C-1, C-2	✓	15 ft ²	8 ft.	15 ft.
MC	✓	15 ft ²	8 ft.	15 ft.

B. *Freestanding Signs.* Permitted variations of primary freestanding signs include: double pole, hanging blade and monument. Permitted variations of secondary freestanding signs include: “a-frame” and “h-frame” as well as vertical flag signs.

1. *General Standards.*

- a. Such signs may be double-sided, but the sides shall be identical;
- b. The setback distance shall be a minimum of three (3) feet from the property line, except along a state primary route for which the minimum shall be five (5) ten feet, and adequate to clear sight triangles for the property entrance(s);
- c. No part of any freestanding sign or its supporting structure may project into or above any public right-of-way;
- d. Such signs shall be constructed of materials and in a manner that represents a finished appearance, e.g. no unfinished raw materials, exposed fasteners, unpainted surfaces or those otherwise unprotected from the elements, or any other aspect that may signify incomplete construction.

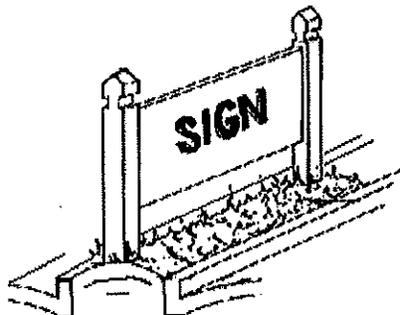
2. *Primary Freestanding Signs.*

- a. No property shall be permitted more than one (1) primary freestanding sign, except if the property has a secondary entrance on a separate public road. Such a

property may have one (1) additional primary freestanding sign for the secondary entrance, provided that the secondary lot frontage is at least as long as the primary lot frontage;

- b. All primary freestanding signs shall be located in a mulched and landscaped bed, exclusive of any landscaping required in Article 24 of this Ordinance;
- c. Outparcels located in shopping centers shall not have a primary freestanding sign.

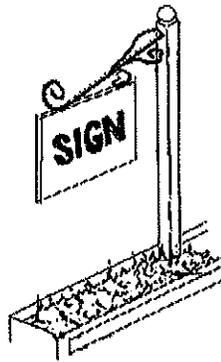
i. *Double Pole Signs.*



Zoning / Land Use	Double Pole Signs		
	Permitted?	Maximum Sign area	Maximum Height
Multi-Family Use*	✓	24 ft ²	6 feet
Church / Institutional	✓	32 ft ²	12 feet
CR	✓	32 ft ²	12 feet
RC	✓	32 ft ²	12 feet
C-1, C-2	✓	32 ft ²	12 feet
MC	✓	32 ft ²	12 feet
A-1, M-1	✓	32 ft ²	12 feet

** Such signs shall only be permitted to identify the business*

ii. *Hanging Blade Signs.*

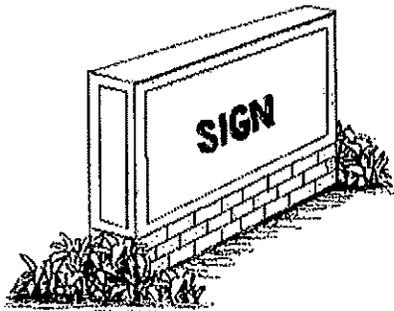


Zoning / Land Use	Hanging Blade Signs		
	Permitted?	Maximum Sign area	Maximum Height
Multi-Family Use*	✓	24 ft ²	6 feet
Church / Institutional	✓	24 ft ²	8 feet
CR	✓	24 ft ²	8 feet
RC	✓	24 ft ²	8 feet
C-1, C-2	✓	24 ft ²	8 feet
MC	✓	24 ft ²	8 feet
A-1, M-1	✓	24 ft ²	8 feet

** Such signs shall only be permitted to identify the business*

iii. Monument Signs.

- a) Such signs shall be constructed with a masonry base and/or supporting structure. The materials used shall reflect the architecture of the principal structure(s) on the property.



Zoning / Land Use	Monument Signs		
	Permitted?	Maximum Sign area	Maximum Height
Multi-Family Use	✓	32 ft ²	8 feet
Major Subdivision	✓	32 ft ²	8 feet
Church / Institutional	✓	32 ft ²	8 feet
PUD-R	✓	64 ft ²	8 feet
CR	✓	32 ft ²	8 feet
RC	✓	32 ft ²	8 feet
C-1, C-2*	✓	32 ft ²	8 feet
MC	✓	32 ft ²	8 feet
A-1, M-1	✓	32 ft ²	8 feet

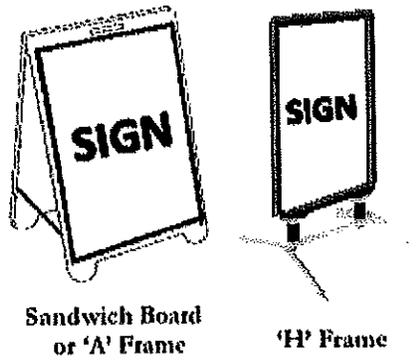
** Shopping centers in these districts may have a monument sign with a max. height of 12 feet and a max sign area of 60 ft².*

3. *Secondary Freestanding Signs.* General standards for all secondary freestanding signs are as follows:

- a. An individual property may be permitted one (1) secondary freestanding sign in addition to any primary freestanding sign as specified in part d –(i) below;
- b. Such signs ~~shall be exempt from permit requirements,~~ but shall conform to all other applicable provisions in this article;
- c. Such signs shall not be illuminated;
- d. Such signs shall be removed at the end of each business day.

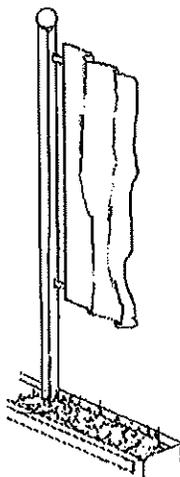
i. A-Frame & H-Frame Signs.

- a) Each tenant within a shopping center may erect one (1) A-Frame or H-Frame sign, provided the sign is located in front of the business, does not occupy any required parking space and provides at least thirty-six (36) inches of clearance for pedestrians.



Zoning / Land Use	A-Frame & H-Frame Signs		
	Permitted?	Maximum Sign area	Maximum Height
Multi-Family Use	✓	8 ft ²	4 feet
Major Subdivision	✓	8 ft ²	4 feet
Church / Institutional	✓	8 ft ²	4 feet
CR	✓	8 ft ²	4 feet
RC	✓	8 ft ²	4 feet
C-1, C-2	✓	8 ft ²	4 feet
MC	✓	8 ft ²	4 feet

- ii. *Vertical Flag Signs.*
- a) Shopping centers are permitted as provided in Section 12-7 of this article.



Zoning / Land Use	Vertical Flag Signs		
	Permitted?	Maximum Sign area	Maximum Height
CR	✓	24 ft ²	12 feet
RC	✓	24 ft ²	12 feet
C-1, C-2	✓	24 ft ²	12 feet
MC	✓	24 ft ²	12 feet

C. *Murals (Commercial and Non-Commercial)*. General standards for murals are as follows:

1. Murals shall be maintained in good repair, free from peeling paint or damage due to age;
2. Murals that are primarily non-commercial in nature are not subject to any size restrictions relative to the surface on which that are painted or adhered;
3. Murals that are primarily commercial in nature are subject to the same size restrictions as other commercial signage contained herein.
4. *Non-commercial murals shall not be included in the computation of permitted sign area.*

12-11 Maximum Aggregate Sign Area

- A. The maximum aggregate sign area of all permitted sign types on a single property shall be seventy-five (75) ft², except as provided for in Section 12-12. For multi-occupancy buildings and shopping centers, this maximum area shall be per business or occupant, exclusive of any respective sign area on a shared sign structure.

12-12 Changeable Copy Signs

- A. Any primary freestanding sign may have up to an additional fifty (50) percent of its sign area as traditional changeable copy.
- B. Any secondary freestanding sign(s) are not permitted except as provided in Section 12-10 Section B-3, d, i & ii.
- C. Digital changeable copy or digital billboard type signs shall be incorporated into a monument sign as specified in section 12-10, Section B-2-c-iii.

12-13 Sign Illumination

- A. No flashing or intermittent illumination shall be used on any sign or structure. Scrolling text may be permitted on a digital sign in accordance with Article 12-12 above.
- B. Any sign permitted by this Article may be internally or externally illuminated, provided the illumination is installed in such a manner as to prevent the undiffused light rays from being cast upon adjacent properties, upon any public right-of-way or the night sky.
- C. Illuminated signs shall require an electrical permit in addition to a standard zoning permit.

12-14 Removal of Vegetation Around Signs

- A. No person shall destroy or remove or trim any trees, shrubs or other vegetation for the purpose of increasing or enhancing the visibility of any sign if the subject vegetation is:
 1. Within any public right-of-way, unless the work is done by an agency having jurisdiction over such area;
 2. On property that is not under the ownership or control of the person responsible for such work, unless authorization is provided by the property owner where the subject vegetation is located;

3. Required landscaping, as prescribed in the *Landscaping* article of this Zoning Ordinance;
 4. Regulated or otherwise protected under the provisions of the *Chesapeake Bay Preservation Area Overlay District* article of this Zoning Ordinance.
- B. Limbs on the underside of any tree may be pruned, i.e. "up-limbed", to a maximum height of twelve (12) feet in order to enhance visibility of any sign.
- C. No tree may be "topped," i.e. have its upper limbs removed, in order to enhance visibility of any sign.

12-15 Nonconforming Signs

- A. Any sign lawfully in existence on the date of enactment of this Article may be maintained as nonconforming until the related building occupant or use ceases operations in the space.
- B. No nonconforming sign may be enlarged or altered in such a manner as to expand the nonconformity, nor may illumination be added to any nonconforming sign.
- C. A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this article.
- D. A nonconforming sign destroyed by any cause may not be repaired, reconstructed or replaced except in conformity with this article. For the purposes of this section, a nonconforming sign is destroyed if damaged to an extent that the cost of repairing the sign to its former condition or replacing it with an equivalent sign equals or exceeds the value of the sign so damaged."

Tab E

E

The Law Office of
Andrea G. Erard

TO: The Honorable Mayor of the Town of Colonial Beach
The Honorable Members of the Colonial Beach Town Council

FROM: Andrea G. Erard, Town Attorney

RE: Leasing of Piers

DATE: May 9, 2018

This is a follow up to my Memo of April 11, 2018 regarding the leasing of piers.

Here are the steps (as I see them) to leasing piers:

1. Have citizens submit a pier lease application with a copy of the plats submitted to VMRC. (For existing piers, we can assist citizens who no longer have access to the plats they submitted to VMRC.) Staff sends this to the Town Attorney to verify there are no issues with the legal description.
2. Town staff verifies that all appropriate state permits are in place.
3. Town Attorney prepares an advertisement for a public hearing for Town Council. (I know the discussion was to do all of them at once-please consider doing either a minimum of ten at a time or maybe quarterly, so people don't have to wait.) The ad only needs to run once, at least 7 days before the public hearing.
4. Immediately following the public hearing, the lease agreement(s) can be executed.

I have asked Kathy Flanagan to send me any pier applications that have already been submitted. Once I receive those I will review them to make sure I can pull a legal description for the lease. This is not hard. So, from my vantage point we are ready to roll.