



**Town of Urbanna
Planning Commission Meeting
Tuesday, September 10, 2025 - 6:00pm
Town Council Chambers - 390 Virginia St., Suite B, Urbanna, Virginia**

AGENDA

1. Call to Order
2. Approval of Electronic Participation (if necessary)
3. Roll Call of Members
4. Review and Adoption of Agenda
5. Approval of Minutes
 - a. May 13, 2025
6. Public Hearing on 2025-SUP Application-02: Shawn Pickett; Ordinance 003-2025
 - a. Staff presentation
 - b. Applicant presentation
 - c. Open Public Hearing Comment Period
 - d. Close Public Hearing Comment Period
 - e. Applicant rebuttal
 - f. Commission discussion
 - g. Action on 2025-SUP Application-02
7. Other Matters
 - a. Bylaws Approval
8. Adjourn or Recess



PLANNING COMMISSION

Agenda Item Summaries – Opening the Meeting FOR ALL MEETINGS

Agenda Item: 1 – CALL TO ORDER

Chair calls the meeting to order at 6:00 p.m. or as close thereto as possible, but not before.

Agenda Item: 2 – ELECTRONIC PARTICIPATION (if necessary)

Chair: Commissioner _____ has requested to participate electronically in tonight's meeting due to [*state reason]. May I have a motion to approve?

Sample Motion: I move to approve Commissioner _____'s electronic participation in tonight's meeting due to [*state reason]. *Motion, Second, Discussion, Voice Vote*

*Allowed reasons for electronic participation per § 2.2-3708.3 of the Code of Virginia:

1. Temporary or permanent disability or medical condition that prevents their physical attendance.
2. Must provide care to a family member due to a medical condition or to a person with a disability at the time the public meeting is being held thereby preventing their physical attendance.
3. Principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.
4. Unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. (This reason cannot be used more than six times per year.)

If participation is approved, the minutes must state the remote location from which the member participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description.

Agenda Item: 3 – ROLL CALL (ATTENDANCE)

Chair determines a quorum then calls roll (or directs clerk to call roll) for attendance purposes.

Agenda Item: 4 – REVIEW AND ADOPTION OF AGENDA

Chair calls for changes to or adoption of the agenda.

Sample Adoption Motion: I move to adopt the agenda as presented.

Sample Change Motion(s): I move to [add, remove, move] the discussion of _____ as/to Item _____ on this agenda.

Motion, Second, Discussion, Voice Vote



PLANNING COMMISSION

Agenda Item Summary

SEPTEMBER 10, 2025

Agenda Item: 5 – APPROVAL OF MINUTES

a. May 13, 2025 Draft Minutes

Fiscal Impact: None

Staff Recommendation: Review the draft minutes and offer any amendments. Amendments can be made by consensus. Then, approve the minutes, either as presented or with the amendments discussed.

Action Requested: Yes

Sample Adoption Motion: I move to approve the May 13, 2025 minutes as presented [or, with the discussed amendments made by consensus].

Motion, Second, Discussion, Voice Vote

**DRAFT MINUTES
TOWN OF URBANNA PLANNING COMMISSION
MAY 13, 2025**

A meeting of the Planning Commission of the Town of Urbanna, Virginia, was held on the 13th day of May, 2025 beginning at 6:00 p.m. in the Council Chambers of Town Hall located at 390 Virginia Street, Suite B in Urbanna, VA.

AGENDA ITEM 1. CALL TO ORDER & ROLL CALL

Mr. Costin called the meeting to order at 6:00pm.

AGENDA ITEM 2. APPROVAL OF ELECTRONIC PARTICIPATION

Not necessary.

AGENDA ITEM 3. ROLL CALL OF MEMBERS

Mr. Costin called the roll.

Planning Commission Members

Susan Caskie	Absent
Merri Hanson	Present
Gari Lister	Present
Ricky Longest	Arrived at 6:28pm
Katie Wilson	Present

Others Present:

Ted Costin, Town Administrator
Christine Branch, Town Clerk
Zack Halinski, Applicant
Members of the public

AGENDA ITEM 4. REVIEW AND ADOPTION OF AGENDA

Ms. Hanson made a motion to approve the agenda as presented. Ms. Lister seconded. All were in favor with none opposed. Motion passed 3-0 with 2 absent

AGENDA ITEM 5. ORGANIZATIONAL MATTERS

Item 5.a. Election of Chair and Vice Chair

Ms. Hanson nominated Ms. Wilson as Chair. Ms. Wilson declined. Ms. Wilson nominated Ms. Hanson for Chair. Ms. Hanson agreed

Mr. Costin stated the motion of electing Ms. Hanson as Chair of the Planning Commission for the calendar year 2025. The members were polled. All were in favor with none opposed. Motion passed 3-0 with 2 absent

The Chair took over the meeting.

Ms. Lister nominated Ms. Wilson as Vice Chair. Ms. Wilson agreed.

Chair Hanson stated the motion of electing Ms. Wilson as Vice Chair of the Planning Commission for the calendar year 2025. The members were polled. All were in favor with none opposed. Motion passed 3-0 with 2 absent

Item 5.b. Establish Meeting Schedule

After discussion of member availability, **Chair Hanson made a motion to set the regular meetings of the Planning Commission to the 2nd Wednesday of each month at 6:00pm in the Council Chambers of Town Hall, currently located at 390 Virginia Street, Suite B in Urbanna, VA. Ms. Lister seconded. The Chair called for any discussion. All were in favor with none opposed. Motion passed 3-0 with 2 absent.**

AGENDA ITEM 6. APPROVAL OF MINUTES**Item 6.a. July 23, 2024****Item 6.b. November 12, 2024**

Chair Hanson made a motion to approve both sets of minutes as presented. Ms. Wilson seconded. The Chair called for any discussion. All were in favor with none opposed. Motion passed 3-0 with 2 absent.

AGENDA ITEM 7. PUBLIC HEARING ON 2025-SUP APPLICATION-01**Item 7.a. Staff Presentation**

Mr. Costin said the application requested construction of an Additional Dwelling Unit (ADU) above a storage area in a detached 26'x26' accessory structure, anticipating construction of a single-family primary residence on Tax Map No. 20A-27-C, located in the R-1 zoning district. Finding that the proposed use would not have an adverse effect on the surrounding neighborhood, he recommended approval of the SUP with five conditions. Mr. Costin also noted the staff report incorrectly referenced Kent Street, which should be West Avenue.

Chair Hanson asked if this were an ADU application. Mr. Costin said yes. Chair Hanson said it was her understanding that their needs to be a Dwelling Unit before you can have an ADU. Mr. Costin said the proposal is for two structures, possibly going up at the same time. Chair Hanson asked if that were permissible. Mr. Costin said there is no residence there now, therefore the first dwelling unit built would be the primary, and the second would be the additional. Chair Hanson asked if there was a square footage limit in state code. Mr. Costin said he was not aware of any.

Mr. Costin confirmed the building currently on the property was not a dwelling unit and would be removed.

Item 7.b. Applicant Presentation

Mr. Lapinski with Hallinski Properties, LLC said the Town's Zoning Ordinance dictates setbacks, which his plan complies with, and height standards not to exceed three stories or 35' in height, whichever is less. There is no square footage limit. He agreed with Mr. Costin that whatever is built first is considered the primary dwelling, and the second is considered the ADU. He said his application is to be able to add a second dwelling unit to the property, which requires a Special Use Permit. His primary residence (the first dwelling built) is a by-right use in the R-1 district. Because he is unsure of the exact timing of construction, he is addressing the SUP now so they will be able to act when ready.

(Mr. Longest arrived at 6:28pm)

Chair Hanson asked the intended use of the ADU. Mr. Lapinski said he is willing to proffer that the ADU would not be rented for less than 30-days. In other words, the ADU would not be used as a short-term rental. Mr. Costin said this should be added as Condition 4 to the current list of conditions:

1. All federal, state and local laws shall be observed at all times with particular reference to second floor ingress and egress for the additional dwelling unit.
2. No ingress/egress will be added to the Cross Street side of the property.
3. The property shall be maintained in a clean and orderly manner at all times.
4. The Additional Dwelling Unit shall not be rented out for less than 30 days (not be used as a short-term rental unit).
5. If owner and/or applicant violates any of the conditions above or fails to adhere to the representations set forth in the application and supporting materials, this special use permit may be terminated upon notice being given the applicant and hearing by the Town Council.
6. This Ordinance shall be recorded in the Middlesex County Clerk's Office by the property owner; the property owner shall provide a stamped copy of the recorded Ordinance to the Town Administrator.

Ms. Wilson asked about taxes. Mr. Lapinski said he would still be paying real estate taxes on both dwelling units, regardless of their use, because all finished square footage is taxable. He confirmed again that he would be tearing down the existing non-conforming building on the property. Mr. Lapinski said he is not willing to give up his by-right use of the primary dwelling unit as a short-term rental and said this is the same right every other R-1 land owner has. He noted that, if he did choose to use the primary dwelling unit as a short-term rental, he would have to apply for a permit and a business license and follow all other short-term rental regulations, just as any other homeowner would.

Item 7.c. Open Public Comment Hearing Period

Chair Hanson opened the Public Hearing.

Lisa Powers of 210 Colorado Avenue said she is concerned about there being a big garage with an apartment on top of it. She said she has spoken with Mr. Lapinski and was surprised by the mention of a second dwelling unit.

Lisa Wiggins of 190 Colorado Avenue said she is concerned about there being two buildings and only one parking area. She said things have changed since she first spoke to Mr. Lapinski. She said she did not receive a certified letter notifying her of this hearing.

Vicki Satterwhite of 150 Colorado Avenue said she does not agree that it will not have an adverse effect on the surrounding neighborhood because it will increase traffic. She said there are currently short-term rental properties there and the guests don't follow Town laws.

Patsy Panis of 191 Taylor Avenue said she is not an adjoining property owner but is concerned about congestion. She said the speed limit is not enforced. She said she is concerned about more rental properties and that the Town is not making any money on it. She is also concerned because the ultimate outcome is not known.

Item 7.d. Closed Public Comment Hearing Period

There being no further speakers, Chair Hanson closed the Public Hearing.

Item 7.d.1 Applicant Rebuttal

Mr. Lapinski said the minimum setback should alleviate any parking concerns and his plan meets VDOT's four car off-street parking requirement.

He noted again that he cannot use the property as an Air BnB without first coming back before Council.

He said he still has to follow state code, the Town Zoning Ordinance, and fire code when planning and building the dwellings.

Mr. Costin said the roads are state maintained and residents should contact the State Police or Middlesex Sheriff's Office to address enforcement.

Mr. Costin said there is a business license fee for STRs plus a percentage on total rental income. There is no economic benefit to the town for long-term rentals.

Mr. Costin said the county's GIS system was used to identify adjacent property owners and certified letters were sent to all. He said the code requirements are very explicit and all were followed. He noted that participation in the hearing negates not getting notice.

Item 7.e. Commission Discussion

Mr. Longest asked how many bathrooms were planned. Mr. Lapinski said 1.5. Mr. Longest said there are three large homes currently being built in town and asked if HRSD had any concerns on capacity. Mr. Costin said he contacted HRSD and other agencies for comments on this case and no comments outside routine development requirements were received. Mr. Lapinski said he also followed-up with HRSD and was told there is no problem on their end.

After additional discussion, Chair Hanson made a motion to recommend approval of 2025-SUP Application-01 granting a special use permit to Zack Lapinski, Hallinski Properties, LLC for construction of an Additional Dwelling Unit above storage area in a detached 26'x26' accessory structure anticipating construction of a single-family primary residence - Tax Map No. 20A-27-C consisting of 0.270 acres located in Zoning District R-1 with the recommended six conditions. Ms. Lister seconded. The Chair called for any discussion.

Chair Hanson said this is the first mention of a storage area. Mr. Lapinski said the approval should just be for the SUP and not all the detail. Chair Hanson withdrew her motion and Ms. Lister withdrew her second. Additional discussion clarifying the issue occurred.

Chair Hanson made a motion to recommend approval of 2025-SUP Application-01 granting a special use permit to Zack Lapinski, Hallinski Properties, LLC for construction of an Additional Dwelling Unit - Tax Map No. 20A-27-C consisting of 0.270 acres located in Zoning District R-1 with the recommended six conditions. Ms. Lister seconded. The Chair called for any discussion. The members were polled:

Susan Caskie	Absent
Merri Hanson	Yes
Gari Lister	Yes
Ricky Longest	Abstain
Katie Wilson	Yes

The motion passed 3-0 with 1 abstaining and 1 absent

AGENDA ITEM 8. OTHER MATTERS

Mr. Costin asked the members to review the draft bylaws submitted by the Town Clerk. He also pointed out that a contact list of members was at their seat.

AGENDA ITEM 9. ADJOURN

Chair Hanson made a motion to adjourn. All were in favor with none opposed.

The meeting was adjourned at 7:20pm.

Respectfully Submitted,
Christine H. Branch

Minutes approved by the Planning Commission on _____.

ATTEST:

Christine H. Branch, Town Clerk



PLANNING COMMISSION

Agenda Item Summary

SEPTEMBER 10, 2025

Agenda Item: 6 – PUBLIC HEARING

Public Hearing on 2025-SUP Application-02, Ordinance 003-2025: A request to amend the conditions imposed by 2024-SUP-01 regarding hours of operation and seating at the restaurant.

- a. Staff presentation
- b. Applicant presentation
- c. Open Public Hearing Comment Period
- d. Close Public Hearing Comment Period
- e. Applicant Rebuttal
- f. Commission Discussion
- g. Action on 2025-SUP Application-01

Action Requested: Yes

Sample Adoption Motion: I move to recommend approval of revisions to Conditions 3 and 5 originally imposed with the granting of Special Use Permit 2024-01, as recommended by staff.

Motion, Second, Discussion, Voice Vote

Staff Report
2025-SUP Application-02 (Ordinance 003-2025)
 Revise Conditions associated with 2024-SUP-01

Location: 161 Cross Street

Property Owner: Pickett Homes, LLC

Lessor: N/A

Applicant: Shawn Pickett

Request: Revise Conditions associated with 2024-SUP-01 which was granted to allow for retail sales of food and drink together with arcade and board game access permitted with a special use permit by and subsequently a restaurant permitted with a special use permit

Acreage: +/- .171 acres

Map: 20A-17-8

Zoning District: B-1

Overlay District(s): Chesapeake Bay

Use: Two-story historically mixed-use building

Adjacent Composition: Mix of Commercial and Residential Zoned

Environmental: This is a developed site and no exterior alterations are proposed that would alter the land as it exists requiring any concerns to be addressed.

Comprehensive Plan: General, Retail and Services

Supporting language for this request aligning to this designation follows:

Economic Goals and Objectives Goal: Expand the economic activities commensurate with the existing character and lifestyle of the local community.

Objectives: ... 2. Encourage a diversified, vibrant environment through mixed-use development, which combines residential, commercial and recreational functions. This follows a concept of a higher density, mixed use waterfront development. 3. Encourage light industrial uses (no nuisance problems) and commercial operations, especially those related to water and tourism related activities, in areas so designated on the Future Land Use Exhibit G. 5. Provide an environment for the types of employment that will sustain the local work force through their working years.

Zoning Compliance: There are no setbacks or minimum lot sizes in the B-1 district. There is a 35-foot height restriction which a two-story building does not exceed. Various state agencies and contractors were contacted for comments on this case and only the Health Department commented. Their comment was that outside seating would not alter the Certificate of Occupancy permitted.

The ordinance does not list specific concerns to consider when reviewing a Special Use Permit (light, noise, odor, etc.). However, the ordinance recognizes the authority to impose conditions to mitigate adverse

situations related to the general health, safety, and welfare of those on and about the property. The general health, safety, and welfare extends to the nature and condition of all adjacent uses and structures and the effect upon them by the use proposed. As this is an existing mixed-use area the proposed use can be considered generally compatible. Thus, most conditions imposed were done so as to avoid nuisances such as Condition 5 (noise) and Condition 3 (hours of operation) the focus of this revision request.

No complaints have been received concerning the operation since its initiation in any regard. Therefore, the determination to alter the conditions is to be made considering the mitigation of adverse situations related to the general health, safety, and welfare of those on and about the property.

Condition Imposed: Hours of operation shall be between noon and 9:00PM three days a week, Thursdays through Saturdays and on Sundays between noon and 6:00PM.

Requested: Hours of operation: Sunday 9a-9p, Monday 12 (noon) – 10p, Tuesday – Saturday 9a-9p.

Condition Imposed: The uses permitted by this Special Use Permit are only permitted on the inside of the existing structure. There shall be no outside food or drink service or consumption and no outside service seating shall be permitted. Likewise, no outdoor speaker system may be utilized and there shall be no noise from inside of the structure that is audible outside of the structure.

Requested: Outside Service: No more than four served on the front patio with rear patio service allowable at some future date.

The hours of operation changes will result in approximately 50 additional hours of activity. Regardless of total hours of operation or the hour and day, the occupancy limitation of 20 will serve to limit nuisances. Staff therefore suggests altering existing Condition 3 as follows: *Hours of operation shall be Sunday 9a-9p, Monday 12 (noon) – 10p, Tuesday – Saturday 9a-9p.*

Also, because of the occupancy limitation, there will be no additional crowd size associated with the proposed change. However, serving patrons outside; especially in the front, might encourage other patrons or those passing by to linger and create some nuisance. Therefore, staff would recommend this condition only be amended to allow at some future date determined by the owner, rear patio service. To this end, staff suggests altering existing Condition 5 as follows: *The uses permitted by the Special Use Permit are only permitted on the inside of the existing structure so that there shall be no outside food or drink service or consumption and no outside service seating shall be permitted on the front patio. Rear patio service may be initiated by the owner when deemed viable with notice to the town. However, in no case will outside seating alter the occupancy limit established by regulatory authorities. Likewise, no outside speaker system may be utilized and there shall be no noise from inside of the structure that is audible outside the structure.*

For reference, the original conditions-imposed follow.

1. All federal, state and local laws shall be observed at all times.
2. This Ordinance shall be recorded in the Middlesex County Clerk's Office by the property owner; the property owner shall provide a stamped copy of the recorded Ordinance to the Town Administrator.
3. Hours of operation shall be between noon and 9:00PM three days a week, Thursdays through Saturdays and on Sundays between noon and 6:00PM.

4. No game shall be offered that results in the award of monetary prizes of any type, including, but not limited to, cash, gift cards, or credit.
5. The uses permitted by this Special Use Permit are only permitted on the inside of the existing structure. There shall be no outside food or drink service or consumption and no outside service seating shall be permitted. Likewise, no outdoor speaker system may be utilized and there shall be no noise from inside of the structure that is audible outside of the structure.
6. Outside lighting shall be utilized only to the extent necessary to allow safe egress and ingress; lighting of signage visible to the outside shall not exceed 450 lumens (40w).
7. Signage shall be limited to 100 square feet total and must be attached or painted on the structure. There shall be no other signage.
8. The property shall be maintained in a clean and orderly manner at all times.
9. Privacy fencing shall be constructed around the perimeter of the commercial property except for areas that are subject to an easement. The fencing shall be a minimum of six (6) feet in height and made of uniform material, which shall be pressure treated wood or vinyl) with sections/slats that are flush to each other or with support posts where the finished side faces the outside of the property.
10. Trash containers shall be stored in the rear of the property and shielded from public view. Trash cans shall be securely covered at all times.
11. All vendor service deliveries shall be performed between the hours of 8:00 AM and 6:00 PM. Delivery vehicles shall park on the street and goods shall be carried into the structure.
12. Pursuant to Section 17-6.1 and 17-6.2 (1) the use is relieved of on-site parking space requirements.
13. If owner and/or applicant violates any of the conditions above or fails to adhere to the representations set forth in the application and supporting materials, this special use permit may be terminated upon notice being given the applicant and hearing by the Town Council.

Suggested Motion:

Planning Commission: I move to recommend approval of revisions to Conditions 3 and 5 originally imposed with the granting of Special Use Permit 2024-01, as recommended by staff.

Town Council: I move to approve Ordinance 003-2025 granting revisions to Conditions 3 and 5 originally imposed by Special Use Permit 2024-01, as recommended by staff.

Other motion options are available.

Town of Urbanna, Virginia

Application for Special Use Permit – Standard Form

If so, explain the amendment(s).

Describe the proposed change in use or change in structure(s) for the property.

We would like to serve on the small little patio in front. There is room for 2-4 people. IF things work out we would eventually like to open the back up for extra outdoor seating. (At least 2-3 years away) Also we would like to change hours of operation from Sunday to Saturday 9am - 10pm. @

Maximum Building Height(s) with Proposed Change NA

Number of Dwelling Units/Density Calculations _____

Proffers, Restrictive Covenants, Deed Restrictions and Other Special Considerations

Currently we are not allowed to serve outside, but our ABC license will allow this.

We would like to change our hours as follows Sunday 9-9 Monday 12-10 pm Tuesday 12-10 pm Wednesday 12-10 pm Thursday 12-10 pm Friday 12-10 pm Saturday 9-9 pm

Does this property have any conditions attached to it from a previous application for a special use permit? If so, please list them here.

No one is permitted outside to eat or drink.

Our approved hours are: Sunday 12-6p, Mon/Tue closed, Wed 12p-9p, Thu 12p-9pm, Fri 12p-9p

Demonstrate how the proposed special use will not negatively impact the surrounding properties or detract from the neighborhood character in terms of public health, safety, and welfare. How will such impacts be mitigated or avoided?

Safety is our first priority. Since we have opened we have been respectful to neighbors, and are contributing to help revitalizing Urbana. I believe when ready this will only add positive things to the town.

Attach a site plan / plot plan / survey plat showing location(s) of existing and proposed structures to be erected and applicable setback lines and distances including all zoning district requirements.

Notes

- (1) Special use permits are issued subject to approval of a site plan. Permits may be issued for either a limited or indefinite period of time and shall be revocable by the Town Council for failure to adhere to the applicable conditions. Unless otherwise specified, work must begin within one year and be completed within 2 and one-half years.
- (2) The Town Council may include, as part of the ordinance granting any special use permit, suitable regulations and safeguards as it may deem appropriate. Once a special use permit is approved subject to such conditions, they shall be deemed to be a part of the zoning ordinance and may be enforced by the zoning administrator. Conditions attached to a special use permit may only be amended or deleted by subsequent application for the purpose.
- (3) This permit shall expire and may be revoked if the work performed does not conform to the approved site plan and application (drawings/site plan/elevations), the conditions attached thereto, or other applicable regulations. The permit shall be revoked if the use made of the property does not conform to the use applied for and approved hereby.

- (4) This application for a special use permit must be accompanied by three (3) copies of any required site plans or plot plans. Plans are to be drawn to scale, showing actual dimensions of all existing and proposed structures/alterations.

Attach the Names and Addresses of All Adjacent Property Owners to this Application: *Please include lot numbers*

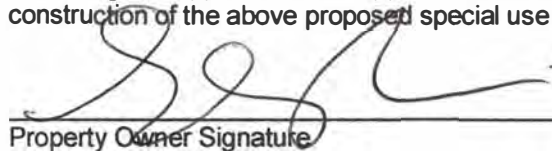
Applicant(s) Remarks:

Use a separate sheet if necessary.

Bill Breeden 151 Cross St.
Zach Lepinski 167 Cross St.

Application Fee: A \$300.00 application fee for Level 1 applicants or \$1500 fee for Level 2 applicants must be paid to the Town of Urbanna. In addition, the applicant is responsible for the cost of advertising and for expenses of notifying the adjacent property owners. The application fee must be paid before any action is taken. The fee is non-refundable.


In making this application, the Applicant requests that the Town of Urbanna approve the location, modifications, or construction of the above proposed special use on the property described above.

 7/8/2025
Property Owner Signature Date Applicant Signature (If Not Property Owner) Date

If this application is not signed by the property owner, Agent hereby swears and affirms that he has legally sufficient power of attorney to obligate the owner for all matters relating to this application.

Agent Signature Date

For Office Use by the Urbanna Zoning Administrator and the Planning Commission

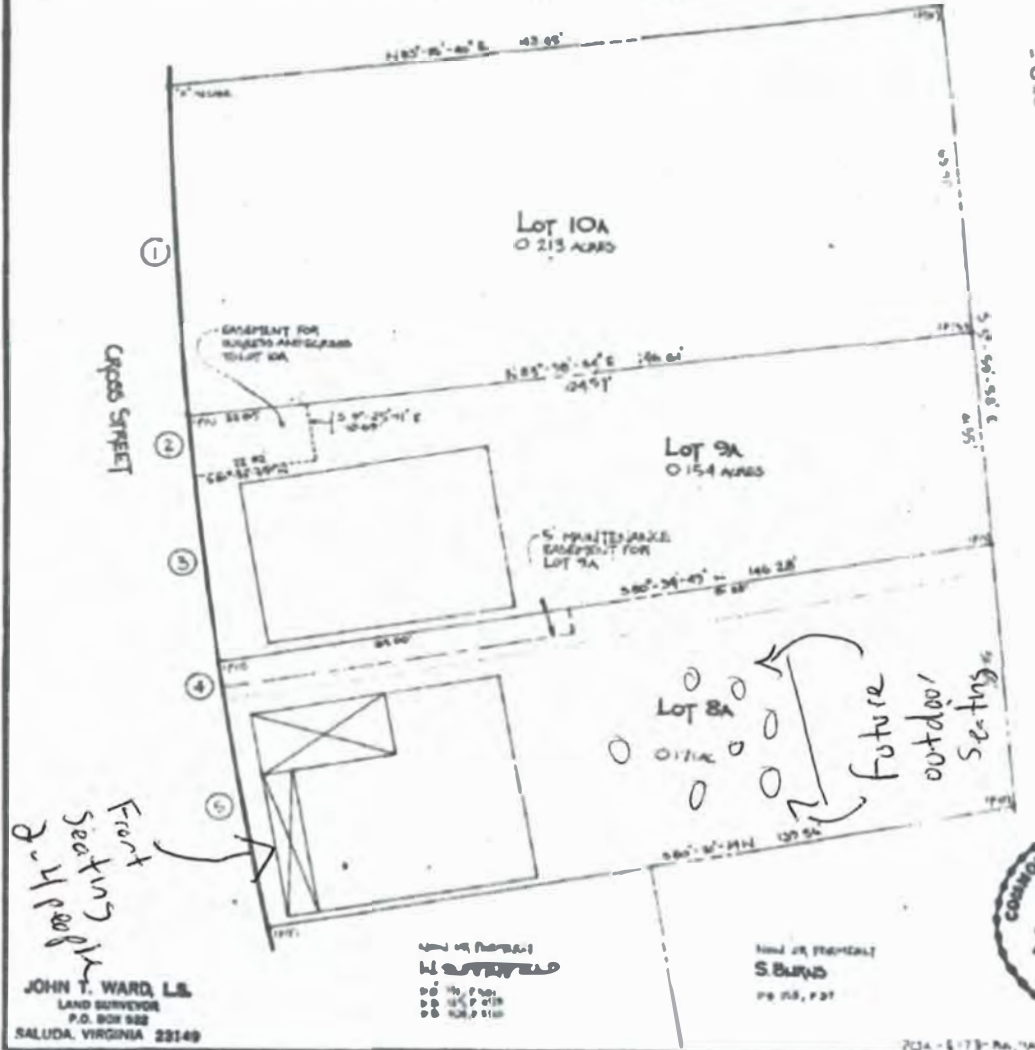
	7/11/2025
Town Official Receiving Application	Date
Permit Level _____	Fee paid \$300 ✓ #3/25
	7/11/2025 Date Paid/Received by
Actions Taken:	7/11/2025
	SUP 02-2025
Application returned for correction/additional information	Special Use Permit Application Number
Public Hearing advertised	Date
Adjacent property owner notifications mailed	Date
Action by Planning Commission	Date
Action by Town Council	Date
Additional Action - Describe	Date
Additional Action - Describe	Date

Plat Map

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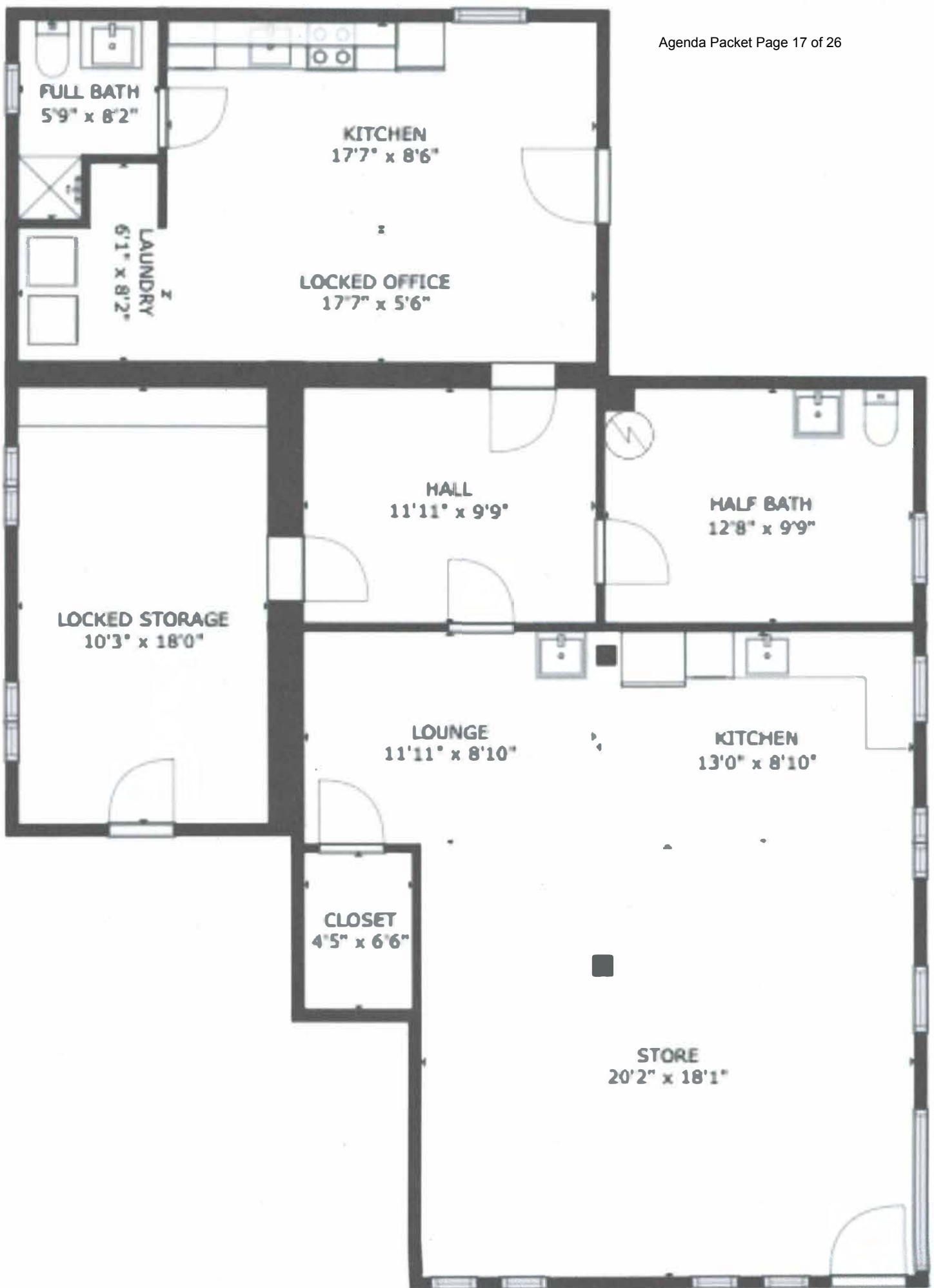
191-558

CURVE DATA TABLE						
#	DELTA	RADIUS	LENGTH	TANGENT	CHORD	C BEARING
1	3° 16' 31"	929.12'	65.92'	31.97'	65.91'	N 8° 09' 51" W
2	0° 44' 30"	929.12'	12.03'	6.02'	12.03'	N 5° 30' 21" W
3	2° 20' 35"	929.12'	37.98'	19.00'	37.98'	N 7° 05' 08" W
4	0° 25' 43"	929.12'	6.96'	3.48'	6.96'	N 9° 45' 43" W
5	2° 47' 33"	929.12'	45.28'	22.65'	45.28'	N 14° 11' 10" W



JOHN T. WARD, L.S.
LAND SURVEYOR
P.O. BOX 982
SALUDA, VIRGINIA 23149

706 OFFICE, 121-100







PLANNING COMMISSION

Agenda Item Summary

SEPTEMBER 10, 2025

Agenda Item: 7 – OTHER MATTERS

a. Bylaws Approval

Background: In accordance with the Code of Virginia §15.2-2217, the local planning “commission shall adopt rules for the transaction of business and shall keep a record of its transactions which shall be a public record.” The bylaws presented, upon adoption, will become the rules for the Urbanna Planning Commission’s transaction of business.

Fiscal Impact: None

Staff Recommendation: Review the draft bylaws and offer any amendments. Amendments can be made by consensus. Then, approve the bylaws, either as presented or with the amendments discussed.

Action Requested: Yes

Sample Adoption Motion: I move to approve the 2025 Planning Commission Bylaws as presented [or, with the discussed amendments made by consensus].

Motion, Second, Discussion, Voice Vote



THE TOWN OF URBANNA, VIRGINIA

PLANNING COMMISSION

BYLAWS & RULES OF PROCEDURE

Adopted _____, 2025

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SECTION 1 – AUTHORIZATION, PURPOSE, & DUTIES

Section 1-1 Authorization

The Town of Urbanna Planning Commission (the “Commission”) was established by Town Council in 1989 in accordance with the provisions of §15.2- 2210 & §15.2-2212, of the Code of Virginia (1950) as amended.

Section 1-2 Purpose & Duties

The purpose of the Commission is to promote the orderly development of the Town and its environs with the intent to improve the public health, safety, convenience, and welfare of its citizens. The intent is to plan for the future development of communities to the end that transportation systems be carefully planned; that new community centers be developed with adequate highway, utility, health, educational, and recreational facilities; that the need for mineral resources and the needs of agriculture, industry, and business be recognized in future growth; that residential areas be provided with healthy surroundings for family life; that agricultural and forestal land be preserved; and that the growth of the community be consonant with the efficient and economical use of public funds. (Code of Virginia §15.2-2210)

To accomplish the objectives, the Commission serves in an advisory capacity to the Town Council (the “Council”) by preparing and presenting plans, ordinances, and other documents to the Council, and by carrying out all activities as designated by the Council. These activities include, but are not limited to:

- Preparing the Town’s Comprehensive Plan in accordance with Code of Virginia §15.2- 2225, including revisions every five years.
- Preparing an annual five-year Capital Improvement Plan for use in conjunction with the Town’s annual budget.
- Recommending amendments to the Town’s Zoning Ordinance.
- Reviewing any application for subdivisions, conditional use permits, special use permits, and zoning variances and making recommendations to Council.

SECTION 2 – MEMBERSHIP & OFFICERS

Section 2-1 Membership

The Commission shall be composed of four citizen members, serving staggered four-year terms, and one member of Town Council, serving a term concurrent with their term on Council, each with equal standing and voting rights. All members are appointed by the Town Council; all shall be residents of the locality, qualified by knowledge and experience to make decisions on questions of community growth and development; and at least one-half of the members shall be owners of real property. The Council shall appoint successors, and the Council shall fill all vacancies. Vacancies shall be filled for an unexpired term only. Members of the Commission shall be eligible for reappointment.

Members of the Commission may be removed by the Council for malfeasance in office or poor attendance. A Commissioner may be dismissed without limitation in the event that the Commission member is absent from any three consecutive meetings of the Commission or is absent from any four meetings of the Commission within any twelve-month period.

No one member of the Commission shall direct the Commission, Zoning Administrator, or any Town staff member to take any action on behalf of the Commission without a majority consensus of the Commission.

No Commission member shall unduly burden Town employees with requests or contacts outside of normal working hours or meetings. Email requests made to staff should also be copied to the Zoning Administrator and Chair (at a minimum).

Section 2-2 Officers

The officers of the Commission shall consist of a Chair and Vice-Chair who shall be elected by the membership. Terms of office shall be for one year or until a successor takes office. The Secretary of the Commission shall be the Zoning Administrator. The Chair and Vice-Chair can succeed themselves, however, only two successive yearly terms are allowed. Officers shall take office upon election.

2-2a Selection of Officers

Nomination and election of officers shall be done at the organizational meeting, which shall be the first regular meeting of the Commission annually, normally the second Wednesday of January. The candidate receiving a majority vote of the entire membership of the Commission shall be declared elected. Vacancies in the offices of Chair or Vice-Chair shall also be filled by a majority vote of the Commission.

2-2b Duties of Officers

The Chair shall preside at all meetings and rule on all procedural questions, subject to a reversal by a majority vote of the members present. When presiding at a meeting of the Commission, the Chair may, without vacating the Chair, give reasons for any decision made on any point of order, and such decision shall be made without debate.

The Vice Chair shall assume the full powers of the Chair in the absence or inability of the Chair. Should the Chair and Vice-Chair be absent at any meeting, the Commission shall elect a temporary Chair to serve at the meeting.

The Secretary shall record attendance at all meetings, keep minutes of the Commission and retain in accordance with the Virginia Public Records Act, and give notice and be responsible for publishing public notices of all Commission public hearings and public meetings.

SECTION 3 - MEETINGS

The regular meeting of the Commission shall be held on the second Wednesday of each month at 6:00pm in the Council Chambers of Town Hall, currently located at 390 Virginia Street, Suite B, Urbanna, VA 23175.

When a meeting date falls on a legal holiday, the meeting shall be held the following week unless otherwise designated by the Commission.

If the Chair, or the Vice Chair if the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for commission members to attend a regularly scheduled meeting, the meeting shall be continued to the following Tuesday at 6:00pm. Such finding shall be communicated to the members of the Commission and the press and posted on the Town website as promptly as possible. All hearing and other matters previously advertised shall be conducted at the continued meeting, and no further advertisement is required.

Additional meetings shall be called as needed and required to conduct the business of the Commission.

All meetings, records, and accounts shall be open to the public except those meetings subject to the rules of executive session as set forth in the Virginia Freedom of Information Act.

In accordance with Code of Virginia §15.2-2215, a majority of the members shall constitute a quorum and no action of the Commission shall be valid unless authorized by a majority vote of those present and voting.

The Commission follows the same Policy for Electronic Meetings and Remote Participation as the Town Council in accordance with the Virginia Freedom of Information Act.

Section 3-1 Meeting Agendas

3-1a Agenda Preparation

All requests for inclusion of items on a Commission agenda must be made in writing and must be in the office of the Town Clerk by 12:00 p.m. (Noon) no later than seven calendar days prior to the date of the Commission meeting. A written item summary, along with electronic copies of any other documentation or presentations to be made, must be provided for inclusion in the agenda packet.

Requests received after the deadline may be considered for a proposed amendment to the current agenda or be placed on a future agenda at the discretion of the Commission, either by consensus or by a formal vote of the majority.

3-1b Agenda Release

For all meetings of the Commission, the Town Clerk shall cause to be prepared and provided to each member of the Commission at least five calendar days in advance of such meeting, an electronic copy of the final agenda packet listing all matters to be considered at such meeting. The Clerk shall make the final agenda packet available to the public in the Town Hall and on the Town website at the same time it is provided to the Commission. The Clerk shall have copies of the agenda only available at each meeting.

Any member of the Commission desiring a printed packet of the agenda materials must inform the Clerk by 12:00 p.m. (Noon) at least three calendar days prior to the council meeting. In an effort to conserve resources, the agenda materials will be shown on the screen during each meeting, when possible.

Section 3-1.1 Commission Member Agenda Review and Preparation

Not less than 48 hours in advance of each meeting, Commission members should thoroughly review all matters on the agenda. The addition, deletion, or change of items on the agenda may be offered by motion during the Review and Adoption of Meeting Agenda. Changes to minutes may be offered by motion during the Approval of Minutes. Any item not on the adopted agenda shall not be acted upon at the present meeting unless it is with the unanimous consent of the Commission that the item be put on the floor for action.

Section 3-2 Order of Business

Except as provided herein, no regular, special, or closed meeting or public hearing of the Commission shall continue after 9:00pm, but such meeting or public hearing shall be continued or adjourned to another date, time, and place established by a majority vote of those members present. Any agenda item or public hearing matter under consideration by the Commission at 9:00pm may proceed and be acted upon prior to the adjournment of the meeting or public hearing. After 9:00pm, the Commission may consider and act upon any or all of the matters remaining on the meeting or public hearing agenda but not yet considered upon a majority vote of those members present.

At all regular or called meetings of the Commission, the order of business shall generally be as follows:

1. Call to Order
2. Approval of Participation of Member(s) by Electronic Means (if necessary)
3. Roll Call of Members
4. Review and Adoption of Meeting Agenda
5. Approval of Minutes
6. Scheduled Public Hearings
7. Other Matters (if any)
8. Closed Meeting (if needed)
9. Adjourn or Recess

Section 3-3 Motions

No proposition for action by the Commission shall be entertained by the Chair until a motion for the same has been duly made and seconded, except as specifically noted elsewhere.

Section 3-4 Suspending Rules

The rules of the Commission may be suspended with the unanimous concurrence of the members present.

Section 3-5 Robert's Rules of Order

The proceedings of the Commission, except as otherwise provided in these rules and by applicable State law or Town Charter, shall be governed by the most current edition of Robert's Rules of Order applicable to small bodies, or by standard practices typically followed by town Planning Commissions.

Section 3-6 Confidential and Privileged Information

Documents, information, and discussions from a closed session, attorney-client privileged communication, or any other confidential and/or privileged information shall not be disclosed without the approval of the Town Council. In addition, the Council may, in its discretion, sanction or censure a Commission member for improper disclosure of confidential or privileged information. No recording device shall be used during any Closed Meeting of the Commission. Minutes will not be taken during any Closed Meeting of the Commission unless required by law.

SECTION 4 – PUBLIC HEARINGS

In addition to those required by law, the Commission may, at its discretion, hold public hearings when it deems that a hearing is in the public interest. Notice of a hearing shall be published in a newspaper having general circulation in the area as set forth in the Code of Virginia. Non legal matters, or informational meetings not covered by the Code of Virginia, but called by the Commission, may be advertised once in any paper deemed appropriate by the Commission for the meeting purpose. A record shall be kept of those speaking before the Commission.

Records or statements shall be recorded or sworn to, as evidence in any court of law, only after notice is given to the interested parties.

Section 4-1 Public Hearing Order of Business

The order of business for public hearings shall be:

- staff presentation
- applicant's presentation (if any, in land use matters)
- open public hearing, receive public hearing comments, close public hearing
- applicant's rebuttal (if any)
- commission discussion
- action (if appropriate)

Section 4-2 Speakers

Speakers may only address matters pertaining to or germane to the issue for which the public hearing is being held. If any written or printed materials not already included in the agenda packet are presented to the Commission, a copy shall also be submitted to the Clerk for entry into the public record. No speaker is to engage in political statements; personal attacks upon Commission members, Town employees or officials, or any other person; use abusive language; or discuss matters outside the issue for which the public hearing is being held.

Those wishing to speak during Public Hearing comment periods must sign up on the form provided at the meeting site, and the Chair shall verify that all such registration has been completed before beginning the hearing. Speakers will be called in the order

they sign up. All speakers, except as hereinafter provided, shall limit their remarks to five (5) minutes and all remarks shall pertain only to the Public Hearing matter under consideration. Speakers may not yield any unused portion of their speaking time to others. Each speaker shall be limited to one appearance at each public hearing, except at the discretion of the Chair, and only after all other speakers have been given an opportunity to be heard on the subject being considered. Written comments on public hearing matters submitted to the Town Clerk by 12:00 p.m. (Noon) on the day of the meeting will be provided to the Commission at or before the time of the meeting.

Section 4-3 Staff & Applicant Presentations

Staff presentations on public hearing matters should be concise and normally limited to no more than ten (10) minutes except when necessary to properly inform the public of the issue before the Commission. The applicant in a land use case or their representative(s) shall be allowed a maximum of ten (10) minutes to present their case. If any written or printed materials not already included in the agenda packet are presented to the Commission, a copy shall also be submitted to the Clerk for entry into the public record.

Section 4-4 Commission Member Participation

Commission members may ask questions of speakers or staff for clarification; however, members shall limit their comments during public hearings to ensure participation by the public can occur without interference.

Section 4-5 Close of Hearing

When a public hearing shall have been closed by the order of the Chair, no further public comments are in order.

SECTION 5 - CORRESPONDENCE AND APPLICATION INFORMATION

All information from the applicant for a given activity, whether it is for consideration of a rezoning, subdivision, or site plan, shall be submitted to the Zoning Administrator by the first business day of the month preceding the meeting. The Commission may rule that if information is received after the aforementioned date, the information shall not be utilized and the application may be denied or tabled as appropriate. All official papers and plans involving the authority of the Commission shall bear the signature of the Zoning Administrator.

SECTION 6 - ADOPTION AND AMENDMENT OF BY-LAWS

Section 6-1 Adoption

Upon adoption, the provisions of these rules of order shall supersede any previous rules of order, shall take effect immediately, and shall continue until amended and formally readopted. The full text of these rules shall be made part of the minutes of the meeting at which they were adopted. The Clerk shall provide a copy of these rules and any amendment thereto to all Commission members and the public within thirty (30) days of adoption.

Section 6-2 Amendment

These bylaws may be changed by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days prior notice to membership. Such notice shall include the proposed language for the amendment. Unless otherwise specified, any amendment is effective upon adoption; no amendment shall be made retroactively effective. The full text of an amendment shall be made part of the minutes of the meeting at which they were adopted.

Section 6-3 Savings Clause

If any provision of these Bylaws and Rules of Procedure be found inconsistent with the provisions of Virginia law, the Town Charter, Town Code, or any other law or statute, it shall be deemed void. In this event, all remaining provisions shall remain in effect.

Section 6-4 Interpretation and Nature of Bylaws and Rules of Procedure

These Bylaws and Rules of Procedure are rules of parliamentary procedure and are for the convenience of the Town's Planning Commission members only. They do not have the force of law. Only Commission members or the Parliamentarian have standing to raise a point of order or to challenge a ruling of the Chair or other action of the Commission on the basis of compliance or non-compliance with these Bylaws and Rules of Procedure or, if the questioned action is not expressly covered by these procedures, by Robert's Rules of Order as provided in Section 3-14. In no event may questions over compliance herewith be raised judicially. Non-compliance with these Bylaws and Rules of Procedure must be raised at the time of the noncompliance, prior to continued debate or a vote. If a challenge is raised in a timely manner, the only relief shall be the correction of the error in conformance with the Bylaws and Rules of Procedure. If a challenge is not timely made, the right to challenge the noncompliance is waived. In no event will a violation hereof result in the voiding or overturning of any action of the Planning Commission. Failure to comply with these Bylaws and Rules of Procedure or Robert's Rules of Order shall not invalidate Commission action otherwise valid by law.

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