



AGENDA

WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, SEPTEMBER 14, 2023 AT 6:00 PM
COUNCIL CHAMBERS - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. **CALL TO ORDER - CHAIRMAN JOHN W. JONES, JR.**
2. **ESTABLISHMENT OF QUORUM - CHAIRMAN JOHN W. JONES, JR.**
3. **CONSENT AGENDA**
 - A. Minutes of the regular meeting of August 10, 2023 **(requires motion and vote)**
4. **CITIZENS' PERIOD**
5. **SUBDIVISION REQUEST**
 - A. Presentation/Staff Report of the Asbury Lane Subdivision Plat, Phase I, by Assistant Town Engineer/Land Surveyor Billy Anderson
 - B. Recommendation to the Town Council to approve/deny the Asbury Lane Subdivision Plat, Phase I **(requires motion and roll call vote)**
6. **OTHER BUSINESS**
 - A. Presentation of the draft Unified Development Ordinance (UDO), Special Provisions for Conditional Uses, by Planning Director John Woods
 - B. Presentation of the draft Unified Development Ordinance (UDO), Subdivision Standards, by Assistant Town Manager Elaine Holeyton
7. **ADJOURNMENT**
 - A. Additional Attachments - August 2023 Council Actions

3-A



MINUTES

WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, AUGUST 10, 2023 AT 6:00 PM
COUNCIL CHAMBERS - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. UNAPPROVED MINUTES

RE: ATTENDANCE

MEMBERS PRESENT:

Chairman John Jones, Jr., Vice-Chairman Brad Litton, Vice-Mayor Cathy Pattison, Mr. George Wittwer, Mr. David Schmidt, Ms. Lisa Anderson, Mr. Keith Jones

MEMBERS ABSENT:

None

OTHERS PRESENT:

Assistant Town Manager Elaine HOLETON, Chief Deputy Clerk Brandi Jones, Planning Director John Woods, Denise Clay, Audrey Bellan

RE: CALL TO ORDER

Chairman Jones called the meeting to order.

2. RE: ESTABLISHMENT OF QUORUM

Chairman Jones established that a quorum of Planning Commission members was present.

3. RE: CONSENT AGENDA

Chairman Jones presented the consent agenda consisting of the minutes of the regular meeting of July 13, 2023. He inquired if there was a motion to approve the consent agenda as presented.

Motion made by Mr. Wittwer, Seconded by Ms. Anderson.

Voting Yea: Chairman Jones, Jr., Vice-Chairman Litton, Vice-Mayor Pattison, Ms. Anderson, Mr. Schmidt, Mr. Tate, Mr. Wittwer.

4. RE: CITIZENS' PERIOD

Chairman Jones advised that the next agenda item is Citizens' Period. He inquired if anyone wished to address the Commission during Citizens' Period. There being none, he proceeded with the agenda.

5. RE: OTHER BUSINESS

A. RE: PRESENTATION OF THE DRAFT UNIFIED DEVELOPMENT ORDINANCE (UDO), SPECIAL PROVISIONS FOR CONDITIONAL USES

Chairman Jones advised that the next item on the agenda is the presentation of the draft Unified Development Ordinance (UDO), Special Provisions for Conditional Uses, by Planning Director John Woods. Planning Director Woods briefly reviewed Section 8.4 - Agritourism Venues with the Planning Commission.

Planning Director Woods discussed Section 8.6 - Child Day Care Centers and Private Preschools. Planning Director Woods stated that the changes in Section 8.6 include an outdoor play and exercise area, and it will require 75 square feet for each child in this area, a safety fence, it cannot be located in a front yard and it must be safely segregated from parking, loading or service areas. He advised that Section 8.6 states that parking areas must be designed to enhance the safety of children, minimal lot sizes, possible restricted hours of operation, etc. Mr. Keith Jones inquired if there are height requirements around playgrounds. Planning Director Woods noted that there are height requirements, and they are defined in the current Fence Ordinance. Vice-Chairman Litton inquired if someone keeping four to five children would be covered under these requirements. Planning Director Woods noted that they are not covered under this. He stated that there has to be five to twelve children before being considered a day care.

Planning Director Woods reviewed the proposed changes and requirements to Section 8.7 - Clinics and Medical Offices, Section 8.10 Funeral Homes in RB-2 Residential Zoning Districts and Section 8.12 Greenhouses, Large Commercial in A-1 Agricultural Zoning Districts. He inquired if there was any discussion regarding these sections. There being none, Planning Director Woods continued with the next section.

Planning Director Woods reviewed section 8.13 - Kennels and noted that this section covers Dog Runs, Private Kennels and Commercial Kennels. He noted that Private Kennels are only allowed in A-1 Agricultural Zoning Districts, must be located 500 feet from the lot line, soundproofed kennels must be 200 feet from the lot line and that a Special Exception Permit and soundproofing would be required for a kennel located closer than 200 feet from an adjacent residential zoned area. Planning Director Woods advised that Commercial Kennels will be permitted in A-1 Agricultural and M-1 and M-2 Industrial Zoning Districts, however, a Commercial Kennel can be permitted in RA Residential Artisan and B-2 Zoning Districts with a Special Exception Permit. Discussion was held regarding the proposed changes and requirements for Kennels. Assistant Town Manager Holeyton stated that she would advise that Staff review Section 8.13 - Kennels, again, before the next Planning Commission meeting. Mr. Keith Jones inquired about dog parks and their relation to a kennel. Planning Director Woods advised that kennels and dog parks are not directly related in this matter, however, Staff has recommended that dog parks be approved by a Special Exception Permit only. Mr. Wittwer inquired if there was any language that addresses the number of dogs allowed per square foot. Planning Director Woods stated that there is not any language that addresses this matter yet. He noted that in the State

Code, there is a section that addresses specific conditions of care for pets, kennels and similar facilities.

Planning Director Woods reviewed the proposed changes and requirements for Section - 8.14 Light Industrial Uses in RA Residential Artisan Zoning Districts regarding obnoxious odors, waste or dust, loud noises, mining or extracting, etc. Mr. Wittwer inquired if businesses would be required to build fences or buffer yards if the zoning was changed to RA Residential Artisan. Planning Director Woods stated that this would only apply if a new business came in next to existing residential areas. Mr. Schmidt inquired if the Noise Ordinance addresses the noise levels in decibels. Assistant Town Manager Holeton stated that she could not recall the Noise Ordinance addressing decibel levels. A brief discussion was held regarding the Noise Ordinance guidelines.

Planning Director Woods reviewed the proposed changes to Section 8.15 - Live/Work Dwellings, Section 8.18 - Multi Family Uses in the Residential Historic Zoning District and Professional Offices and Services in Residential-Business Zoning Districts, Section 8.19 - Retail and Personal Services in Residential-Business Districts, Section 8.20 - Schools, Primary and Secondary, Private and Section 8.26 - Veterinary Clinics. Vice-Chairman Litton inquired of Planning Director Woods if the five-acre limit for schools would disqualify the Granite Christian Academy private school under Section 8.20. Planning Director Woods stated that it would not because this school would be grandfathered under the old ordinance. Discussion ensued regarding private schools and the acreage requirements. Chairman Jones inquired if there were any other comments or questions for Planning Director Woods. There being none, he proceeded with the agenda.

B. RE: PRESENTATION OF THE DRAFT UNIFIED DEVELOPMENT ORDINANCE (UDO), SUBDIVISION REQUIREMENTS

Chairman Jones advised that the next item on the agenda is a presentation of the draft Unified Development Ordinance (UDO), Subdivision Requirements, by Assistant Town Manager Elaine Holeton. Assistant Town Manager Holeton advised that since the last meeting, Staff has made some additional changes to the Streets Section and the process for receiving Subdivision applications. She then briefly reviewed some of the other areas of the Subdivision Requirements of the UDO that Staff will revise by the next Planning Commission meeting. Assistant Town Manager Holeton stated that in their packets, the Planning Commission members received a comment from a citizen who is concerned about the Town's ability within the Subdivision Section to limit replatting in existing subdivisions. She noted that she had sent the Commission members a follow-up email with some guidance from the Land Use Handbook stating that the Town does not have enabled authority as a locality to reduce the number of times that lots are ever divided. Discussion continued regarding the concerns of the citizen and the Subdivision Requirements.

6. RE: ADJOURNMENT

There being no further business to be discussed, a motion was made, seconded and carried to adjourn the meeting. (7:11 p.m.)

John W. Jones, Jr., Chairman

Brandi N. Jones, Chief Deputy Clerk

5-A

ASBURY LANE 11 LOT MAJOR SUBDIVISION PHASE 1



L5	S 28°49'14" E	33
L6	S 28°49'14" E	12
L7	N 28°57'51" W	12
L8	N 23°08'27" E	12
L9	N 30°52'40" E	43
L10	S 65°13'29" E	64
L11	S 28°49'14" E	62
L12	S 53°23'15" W	13
L13	S 26°09'36" E	10
L14	N 65°13'29" W	10
L15	S 33°47'38" W	5
L16	N 62°30'10" W	9
L17	N 41°07'12" E	5
L18	N 16°41'57" E	7
L19	N 74°39'29" W	13
L20	N 18°36'44" E	11
L21	S 73°18'03" E	2
L22	S 73°18'03" E	11
L23	S 16°41'57" W	11
L24	N 14°25'22" E	12
L25	N 14°25'22" E	74
L26	S 59°32'21" E	12
L27	S 16°41'57" W	16
L28	N 16°41'57" E	2
L29	N 21°53'09" E	34
L30	S 69°45'20" E	49
L31	S 69°45'20" E	15
L32	S 19°31'11" W	12
L33	N 69°45'20" W	16
L34	N 21°53'09" E	12
L35	S 19°31'11" W	12
L36	N 73°18'03" W	15
L37	N 16°41'57" E	13
L38	S 16°41'57" W	12
L39	S 73°18'03" E	15
L40	S 19°31'11" W	14
L41	N 65°13'29" W	74
L42	N 16°41'57" E	89
L43	S 28°49'14" E	89
L44	S 60°06'19" W	41
L45	S 28°49'14" E	13
L46	S 61°10'46" W	7
L47	S 28°49'14" E	16
L48	N 61°10'46" E	7
L49	S 28°49'14" E	15
L50	S 28°49'14" E	69
L51	S 61°14'35" W	11
L52	N 28°22'28" W	11
L53	S 61°14'35" W	5
L54	S 28°45'25" E	14
L55	S 61°53'48" W	6
L56	S 64°01'37" W	2
L57	S 70°13'29" W	1
L58	S 70°13'29" W	83
L59	S 61°17'23" W	4
L60	S 61°17'23" W	99
L61	N 47°35'49" W	20
L62	N 63°33'35" E	13
L63	S 35°22'19" E	19
L64	N 63°33'35" E	11
L65	S 28°42'37" E	20
L66	N 63°33'35" E	16
L67	S 63°42'05" W	18
L68	N 42°42'43" E	25
L69	N 56°40'14" W	15
L70	N 34°31'30" W	16
L71	N 67°38'03" E	43
L72	N 67°38'03" E	15

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	184.00'	61.30'	61.02'	N 38°21'55" W	19°05'23"
C2	184.00'	55.60'	55.39'	N 56°34'03" W	17°18'53"
C3	73.00'	11.49'	11.48'	N 60°42'56" W	09°01'08"
C4	73.00'	83.55'	79.07'	N 16°05'26" W	65°34'44"
C5	25.00'	17.84'	17.46'	N 03°44'22" W	40°52'39"
C6	40.00'	64.40'	57.67'	N 21°56'50" E	92°15'04"
C7	25.00'	20.15'	19.61'	N 44°58'45" E	46°11'13"
C8	33.00'	47.18'	43.27'	S 24°15'46" E	81°55'27"
C9	224.00'	42.88'	42.81'	S 59°44'28" E	10°58'04"
C10	224.00'	99.45'	98.63'	S 41°32'20" E	25°26'12"
C11	50.00'	52.36'	50.00'	N 32°13'02" W	60°00'01"

Aug 22, 2023 - 11:48am \\sdr01\projects\2023\202301166\Survey\CAD\dwg\Phase 1 HG.dwg
 THIS SHEET IS INTENDED TO BE REPRODUCED AT 17"X22". REPRODUCTION OF THIS SHEET AT A DIFFERENT SIZE THAN INTENDED SHALL VOID THE SCALE SHOWN ON THE SHEET.

February 2, 2023

Wytheville Planning Commission

Re: Rezoning of Tax Map 25-70A – Asbury Dr.

I am very pleased present to the commission the opportunity to rezone the property recorded as Tax Map I.D. 25-70A from its current zoning of MA-1 to how it is currently used, R-1. My company, Fusion Holdings, has this parcel of land under contract for purchase and are in the study period for feasibility of the purchase. The rezoning of this property to what it is currently be used as is a critical component of our decision to continue with the purchase.

I the property currently has (9) residences that have been fully occupied by way of lease until January of 2023. The tenants were asked to vacate as the MA-1 zoning does not allow for residential leasing not related to the medical arts that the homes were built to serve. Of the (9) residential units, (8) single family homes and (1) duplex. We will request that the duplex be grandfathered as acceptable within the new R-1 zone of the property.

Fusion Holdings intent is to rezone the property to R-1, work with the Town of Wytheville and VDOT to make the existing road that serves the neighborhood public (this is our first choice, it is not a deal breaker), and subdivide the property into lots that would allow the existing homes to be sold and a few additional building lots to be added. I have submitted a preliminary plan of the idea we have for the proposed future lot lines.

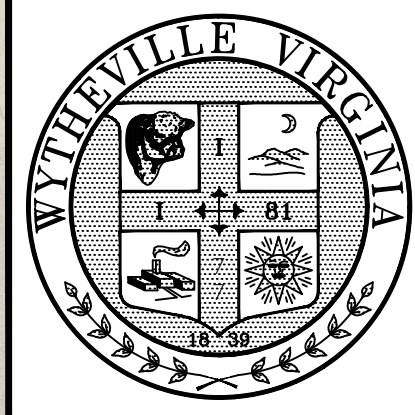
This is a very nice neighborhood with middle income, well built, brick homes that compliment the surrounding neighborhoods. These homes have been in place and in-use for more than twenty years. Some need minor repair, and we intend to execute those repairs once the rezoning is approved.

Fusion Holdings does not intend to further develop the property. In reality, we are just requesting that the property be zoned and subdivided in accordance with its use. Once the zoning, deeds, and all requirements are met to allow for sale of the properties, we intend to place them on the market so that they can be occupied again. With a few additional large acreage lots, there will be the opportunity for someone else to build a home that meets the R-1 requirements.

Sincerely,

Matthew J Clarke - Managing Director- Fusion Holdings, Inc





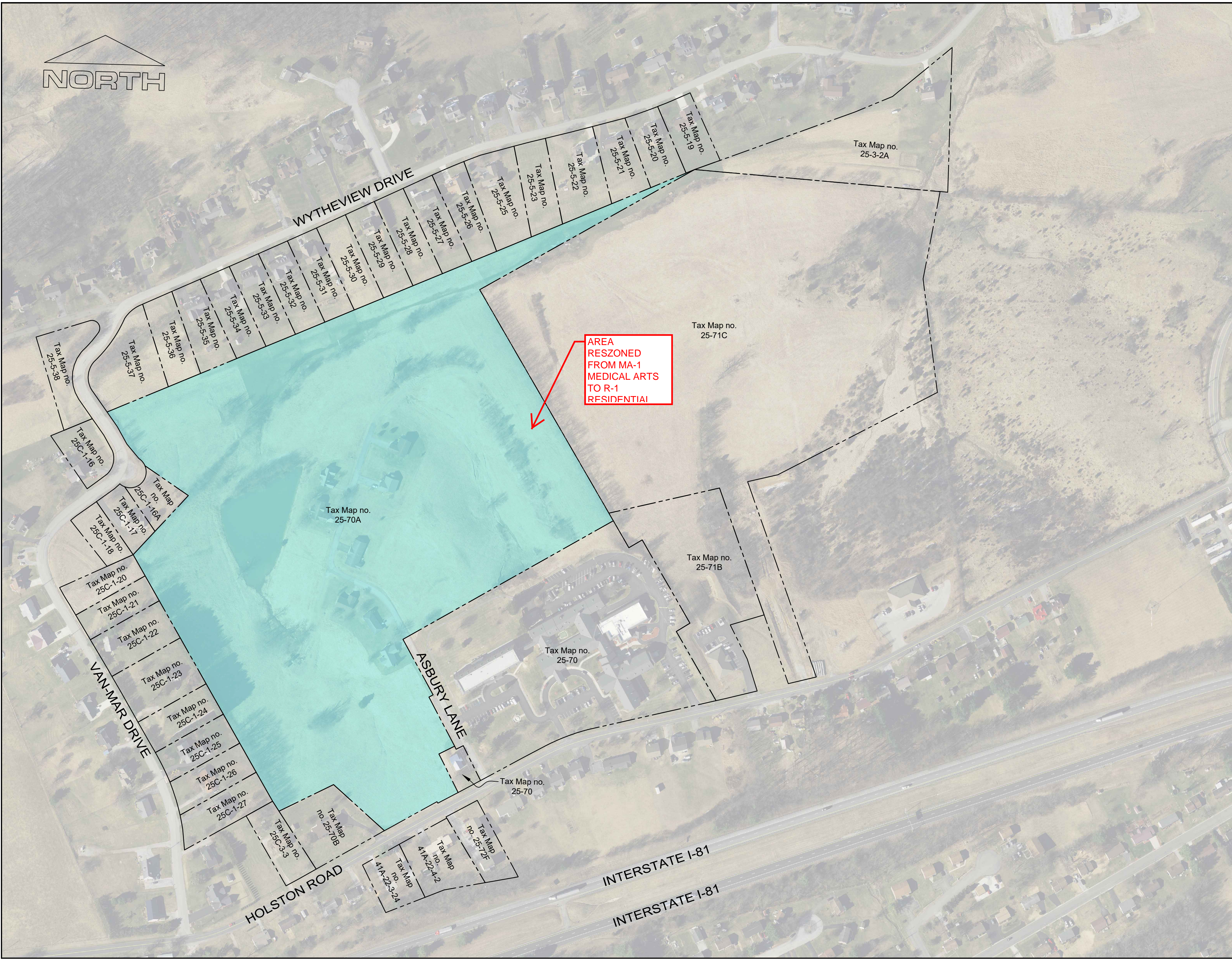
TOWN OF WYTHEVILLE

REZONING REQUEST APPLICATION FOR
PERMIT ZC-23-1

SHADED AREA = PARCEL
SUBJECT TO REZONING
REQUEST APPLICATION
ZC-23-1

Job Number: ZC-23-1
Drawn By: BJA
Date: 2-7-2023

Sheet
1 of 1



**REZONING APPROVAL
LETTER FROM MA-1
MEDICAL ARTS
TO R-1 LOW DENSITY
RESIDENTIAL**

Section 5, Item A.

TOWN OF WYTHEVILLE

COUNCIL-MANAGER FORM OF GOVERNMENT SINCE 1924

TOWN COUNCIL

MAYOR
BETH A. TAYLOR

VICE-MAYOR
CATHY D. PATTISON

COUNCIL MEMBERS
HOLLY E. ATKINS
GARY L. GILLMAN
CANDICE N. JOHNSON

TOWN ATTORNEY
MICHELLE WORKMAN CLAYTON
(276) 223-3393



Wytheville...there's only one!
P.O. BOX 533
150 EAST MONROE STREET
WYTHEVILLE, VIRGINIA 24382-0533
TELEPHONE (276) 223-3333
WWW.WYTHEVILLE.ORG

TOWN MANAGER
T. BRIAN FREEMAN
(276) 223-3450

ASSISTANT TOWN MANAGER
ELAINE R. HOLETON, AICP
(276) 223-3352

TOWN TREASURER
MICHAEL G. STEPHENS, MGT
(276) 223-3333

CLERK OF COUNCIL
SHERRY G. CORVIN, CMC
(276) 223-3349

Wednesday, March 15, 2023

Matthew Clarke
190 Nottingham Dr
Wytheville, VA 24382

BW Real Estate Holding LLC
4423 Pheasant Ridge Road
Roanoke, VA 24014-5300

RE: Zoning Map Amendment (Application No. ZC-23-1) for Tax Parcel 25-70A, rezoning said parcel from MA-1 Medical Arts to R-1 Residential.

Dear Mr. Clarke and representatives of BW Real Estate Holding LLC,

On March 13, 2023, the Council of the Town of Wytheville voted to approve a Zoning Map Amendment changing the zone district of Tax Map Parcel Number 25-70A from MA-1 Medical Arts to R-1 Residential.

Should you choose to proceed with the conceptual plan reviewed at the meeting, your next step in the process will be to submit your proposed subdivision plat for review and approval. The Planning and Zoning Office in coordination with the Engineering Department is preparing a subdivision plat submittal checklist for required elements and a list of specific items unique to this site that need to be addressed prior to plat review. Our goal is to provide this to you within the next week. At the time of plat or plan submittal the plans can be submitted for review and permitting by choosing the application type on the application platform <https://wythevilleva.viewpointcloud.com/>.

If you have any questions or concerns, feel free to contact us at any time.

We wish you well in your endeavors.

Warm Regards,

John D. Woods, Ph.D., RLA, CZA
Director of Planning
Town of Wytheville
Office: 276-223-3361

Cc: Billy Anderson, Engineering and GIS Department
Timothy Spraker, Building Official
Brandi Jones, Deputy Town Clerk

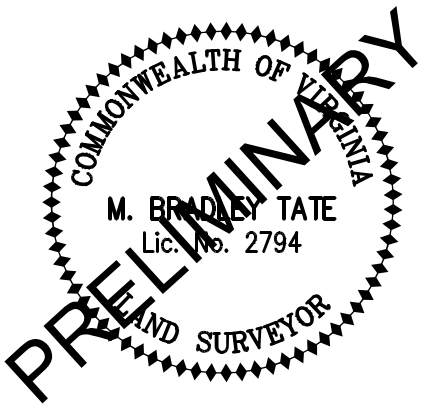


HURT & PROFFIT

INSPIRED / RESPONSIVE / TRUSTED

PLAT SHOWING MAJOR DIVISION FOR THE PROPERTY OF FUSION HOLDINGS, LLC. TOWN OF WYTHEVILLE, WYTHE COUNTY, VIRGINIA

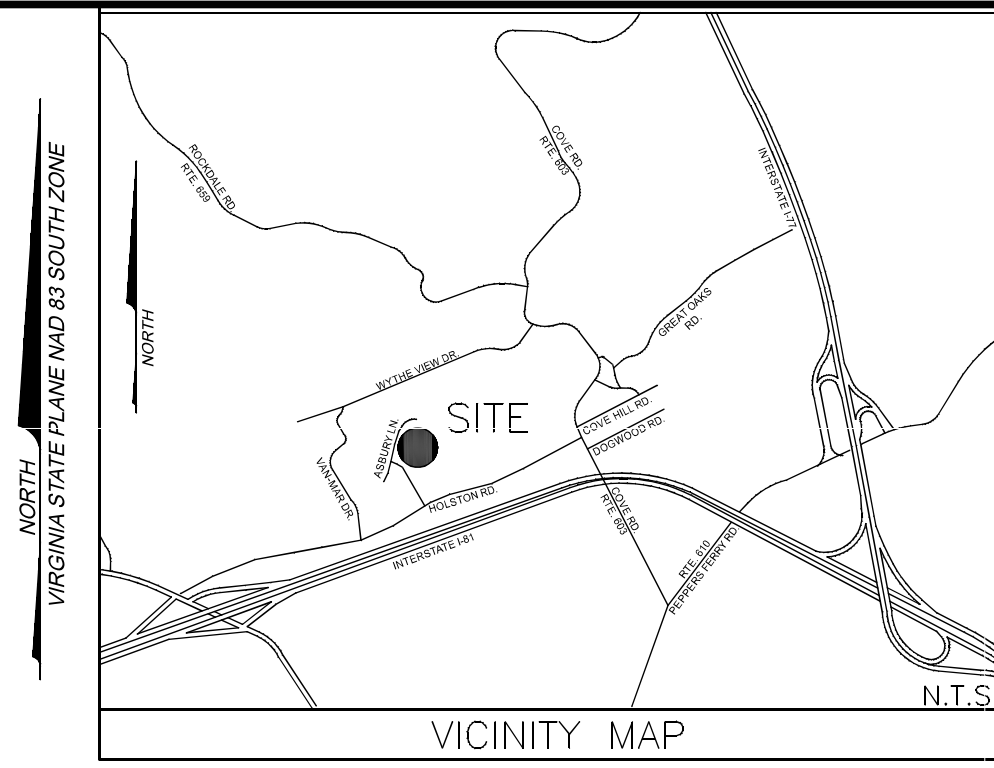
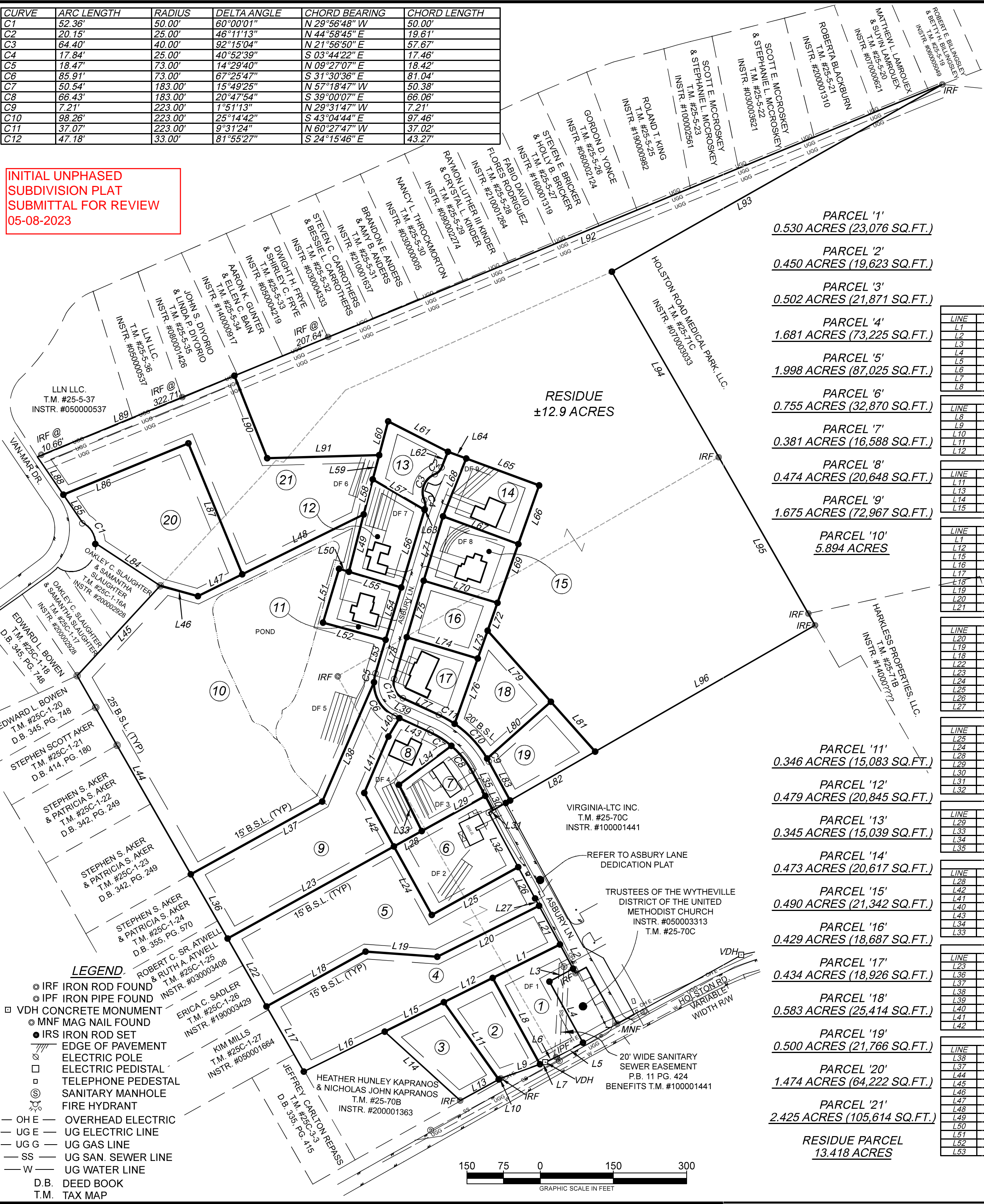
PROJECT NO.	20230156
FILE NO.	
LAT.	36.966738°
LONG.	-81.089896°
DATE:	05/08/2023
DRAWN BY:	JHG
CHECKED BY:	MBT



SHEET NO.	REV.
1 OF 2	

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	52.36'	50.00'	60°00'01"	N 29°56'48" W	50.00'
C2	20.15'	25.00'	46°11'13"	N 44°58'45" E	19.61'
C3	64.40'	40.00'	92°15'04"	N 21°56'50" E	57.67'
C4	17.84'	25.00'	40°52'39"	S 03°44'22" E	17.46'
C5	18.47'	73.00'	14°29'40"	N 09°27'07" E	18.42'
C6	85.91'	73.00'	67°25'47"	S 31°30'36" E	81.04'
C7	50.54'	183.00'	15°49'25"	N 57°18'47" W	50.38'
C8	66.43'	183.00'	20°47'54"	S 39°00'07" E	66.06'
C9	7.21'	223.00'	1°51'13"	N 29°31'47" W	7.21'
C10	98.26'	223.00'	25°14'42"	S 43°04'44" E	97.46'
C11	37.07'	223.00'	9°31'24"	N 60°27'47" W	37.02'
C12	47.18'	33.00'	81°55'27"	S 24°15'46" E	43.27'

INITIAL UNPHASED
SUBDIVISION PLAT
SUBMITTAL FOR REVIEW
05-08-2023



- PARCEL '1'
0.530 ACRES (23,076 SQ.FT.)
- PARCEL '2'
0.450 ACRES (19,623 SQ.FT.)
- PARCEL '3'
0.502 ACRES (21,871 SQ.FT.)
- PARCEL '4'
1.681 ACRES (73,225 SQ.FT.)
- PARCEL '5'
1.998 ACRES (87,025 SQ.FT.)
- PARCEL '6'
0.755 ACRES (32,870 SQ.FT.)
- PARCEL '7'
0.381 ACRES (16,588 SQ.FT.)
- PARCEL '8'
0.474 ACRES (20,648 SQ.FT.)
- PARCEL '9'
1.675 ACRES (72,967 SQ.FT.)
- PARCEL '10'
5.894 ACRES
- PARCEL '11'
0.346 ACRES (15,083 SQ.FT.)
- PARCEL '12'
0.479 ACRES (20,845 SQ.FT.)
- PARCEL '13'
0.345 ACRES (15,039 SQ.FT.)
- PARCEL '14'
0.473 ACRES (20,617 SQ.FT.)
- PARCEL '15'
0.490 ACRES (21,342 SQ.FT.)
- PARCEL '16'
0.429 ACRES (18,687 SQ.FT.)
- PARCEL '17'
0.434 ACRES (18,926 SQ.FT.)
- PARCEL '18'
0.583 ACRES (25,414 SQ.FT.)
- PARCEL '19'
0.500 ACRES (21,766 SQ.FT.)
- PARCEL '20'
1.474 ACRES (64,222 SQ.FT.)
- PARCEL '21'
2.425 ACRES (105,614 SQ.FT.)
- RESIDUE PARCEL
13.418 ACRES

LINE	BEARING	DISTANCE
L1	N 63°33'35" E	153.87'
L2	S 28°22'28" E	56.30'
L3	S 61°14'35" W	55.08'
L4	S 28°45'25" E	142.67'
L5	S 67°53'48" W	62.35'
L6	S 61°13'29" W	25.24'
L7	S 70°13'29" W	12.01'
L8	N 28°42'37" W	201.42'
L9	S 28°42'37" E	201.42'
L10	S 61°17'23" W	4.81'
L11	N 35°22'19" W	193.91'
L12	N 63°33'35" E	111.60'
L13	S 35°22'19" E	193.91'
L14	S 61°17'23" W	90.00'
L15	N 47°35'49" W	209.23'
L16	N 63°33'35" E	135.34'
L17	S 63°33'35" W	153.87'
L18	S 63°33'35" W	111.60'
L19	S 63°33'35" W	135.34'
L20	S 63°42'05" W	184.79'
L21	N 29°47'14" W	153.76'
L22	N 61°02'09" E	231.95'
L23	S 88°53'04" E	147.11'
L24	N 63°25'14" E	233.13'
L25	S 28°22'28" E	90.00'
L26	S 61°02'09" W	202.13'
L27	N 28°57'51" W	160.27'
L28	N 61°02'09" E	65.10'
L29	N 61°02'09" W	148.80'
L30	S 28°36'10" E	33.52'
L31	S 60°06'19" W	10.26'
L32	S 28°22'28" E	126.59'
L33	S 61°02'09" W	148.80'
L34	N 26°09'36" W	105.57'
L35	N 53°23'15" E	133.68'
L36	S 28°36'10" E	58.19'
L37	S 61°02'09" W	65.10'
L38	N 28°57'51" W	125.31'
L39	N 23°08'27" E	125.54'
L40	N 30°52'40" E	43.96'
L41	S 65°13'29" E	70.60'
L42	S 53°23'15" W	133.68'
L43	S 26°09'36" E	105.57'
L44	S 23°28'26" W	286.47'
L45	S 61°02'09" W	307.44'
L46	N 29°47'14" W	151.53'
L47	N 63°45'31" E	101.22'
L48	N 63°45'31" E	277.25'
L49	S 14°25'22" W	121.19'
L50	N 73°18'03" W	21.12'
L51	S 16°36'44" W	115.04'
L52	S 74°39'29" E	132.88'
L53	S 16°41'57" W	71.70'
L54	N 74°39'29" W	132.88'
L55	N 16°36'44" E	115.04'
L56	S 73°18'03" E	21.12'
L57	S 73°18'03" E	111.89'
L58	S 16°41'57" W	111.89'
L59	N 14°25'22" E	121.19'
L60	N 14°25'22" E	74.16'
L61	S 59°32'21" E	123.19'
L62	S 16°41'57" W	163.89'
L63	N 59°32'21" W	123.19'
L64	N 14°57'35" E	51.42'
L65	N 14°57'35" E	71.53'
L66	S 63°01'30" E	137.18'
L67	S 21°53'09" W	34.57'
L68	S 16°41'57" W	2.24'
L69	S 69°45'20" E	159.05'
L70	S 19°31'11" W	127.53'
L71	N 69°45'20" W	164.32'
L72	N 21°53'09" E	127.59'
L73	S 73°18'03" E	157.72'
L74	S 19°31'11" W	127.65'
L75	N 73°18'03" W	157.72'
L76	N 16°41'57" E	137.63'
L77	S 73°18'03" E	157.72'
L78	S 19°31'11" W	141.74'
L79	N 65°13'29" W	81.14'
L80	N 16°41'57" E	89.27'
L81	S 73°18'03" E	151.77'
L82	S 19°31'11" W	141.74'
L83	N 65°13'29" W	81.14'
L84	N 16°41'57" E	89.27'
L85	S 63°45'31" W	101.22'
L86	N 74°32'49" W	80.06'
L87	N 56°40'14" W	158.35'
L88	N 34°31'30" W	69.38'
L89	N 67°39'36" E	276.77'
L90	S 21°39'45" E	181.71'
L91	N 88°24'55" E	229.40'
L92	S 14°67'35" W	51.42'
L93	S 14°29'22" W	74.16'
L94	N 21°39'45" W	181.71'
L95	N 19°31'11" E	1567.53'
L96	S 60°28'19" W	777.87'
L97	S 29°58'02" E	438.33'
L98	S 29°47'05" E	396.02'
L99	S 80°36'19" W	519.21'
L100	N 41°38'45" W	136.55'
L101	N 41°38'45" W	194.83'
L102	N 19°31'11" E	60.45'
L103	N 19°31'11" E	127.65'
L104	N 19°31'11" E	127.53'
L105	N 69°45'20" W	159.05'
L106	N 69°45'20" W	40.02'
L107	N 63°01'30" W	137.18'
L108	S 14°57'35" W	71.53'
L109	S 88°24'55" W	229.40'



TOWN OF WYTHEVILLE

COUNCIL-MANAGER FORM OF GOVERNMENT SINCE 1924

TOWN COUNCIL

MAYOR
BETH A. TAYLOR

VICE-MAYOR
CATHY D. PATTISON

COUNCIL MEMBERS
HOLLY E. ATKINS
GARY L. GILLMAN
CANDICE N. JOHNSON



Wytheville...there's only one!

P.O. BOX 533
150 EAST MONROE STREET
WYTHEVILLE, VIRGINIA 24382-0533
TELEPHONE (276) 223-3333
WWW.WYTHEVILLE.ORG

TOWN MANAGER
T. BRIAN FREEMAN
(276) 223-3450

ASSISTANT TOWN MANAGER
ELAINE R. HOLETON, AICP
(276) 223-3352

TOWN TREASURER
MICHAEL G. STEPHENS, MGT
(276) 223-3333

CLERK OF COUNCIL
SHERRY G. CORVIN, CMC
(276) 223-3349

June 13, 2023

Fusion Holdings, LLC
Attn: Matthew Clarke
190 Nottingham Dr.
Wytheville, Va. 24382

RE: Asbury Lane Major Subdivision Request for Variance to Town of Wytheville Subdivision Ordinance Requirements.

Mr. Clarke,

At the June 12, 2023 Town of Wytheville Council Meeting, a motion was presented and approved by Town Council for the following variance to the current Town of Wytheville Subdivision requirements;

- Section 5-22.3; requirement to have 30' of paved surface along new streets being proposed for acceptance by the Town of Wytheville.
- Section 5-22.4; requirement to install Curb and Gutter along new streets being proposed for acceptance by the Town of Wytheville.
- Section 5-21.1; requirement to dedicate a minimum right-of-way width of 50' for new streets being proposed for acceptance by the Town of Wytheville.

Please retain this letter as proof of approval of the variances requested which are associated with the proposed subdivision of the property acquired by Fusion Holdings, LLC along Asbury Lane. If you have any questions, please do not hesitate to call or email.

Sincerely,

Billy J. Anderson; LS, Assistant Town Engineer

CC; Elaine Holeyton; Assistant Town Manager
F. Trevor Hackler; Town Engineer

NOTES:

- THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.
- THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT, THEREFORE, NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- THE AREA SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE 'X' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'A' FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL MAP #51197C0204D & MAP #51197C0204D DATED 05-02-2008.
- NEW LOTS 1 THROUGH 8 ARE SERVED BY PUBLIC WATER AND PRIVATE SANITARY SEWER. NEW LOTS 9 THROUGH 11 WILL BE SERVED BY PUBLIC WATER AND PUBLIC SANITARY SEWER.
- THE ORIGINAL ACREAGE FOR T.M. #25-70A IS 36.627 ACRES. THE ORIGINAL ACREAGE FOR T.M. #25-70 IS 10.071 ACRES (RECORD). THE INTENT OF THIS PLAT IS TO CREATE ELEVEN (11) NEW LOTS AND TWO RESIDUAL LOTS FROM THE FOUR (4) EXISTING LOTS.
- THE SUBJECT PROPERTY IS CURRENTLY ZONED R-1 (RESIDENTIAL). REFER TO ARTICLE VI (RESIDENTIAL R-1) OF THE CURRENT TOWN OF WYTHEVILLE ZONING ORDINANCE, WHICH STATES FRONT BUILDING SETBACK LINE IS A MINIMUM OF 20' BUT SHALL FOLLOW THE STREET LINE OF THE FRONT WALL OF NEIGHBORING HOUSES, REAR SETBACK LINE IS 25', AND SIDE SETBACK LINE IS 15'.
- SUBJECT PROPERTY WAS GRANTED VARIANCES TO THE CURRENT TOWN OF WYTHEVILLE SUBDIVISION ORDINANCES AT THE JUNE 12, 2023 TOWN OF WYTHEVILLE COUNCIL MEETING.
- THE FOLLOWING LOTS SHALL HAVE A BLANKET SANITARY EASEMENT TO HAVE EGRESS/INGRESS TO REPAIR, MAINTAIN, OR REPLACE SEPTIC DRAINFIELDS AND SANITARY SERVICE LINES. LOT 4 SHALL BENEFIT FROM A BLANKET SANITARY EASEMENT THAT ENCUMBERS LOT 5 AND THE RESIDUAL PARCEL 'A'. LOT 8 SHALL BENEFIT FROM A BLANKET SANITARY EASEMENT THAT ENCUMBERS THE RESIDUAL PARCEL 'A'.
- LOTS 1-8 HAVE PERMITTED SEPTIC DRAINFIELD PERMITS.
- WATER, ELECTRIC, AND TELEPHONE SERVICE CONNECTIONS WILL BE ALONG ASBURY LANE.
- 15' WIDE PUBLIC UTILITY EASEMENTS ALONG ASBURY LANE HEREBY CREATED.
- ALL EXISTING INTERIOR TRACT LINES ARE HEREBY VACATED AND SHOWN HEREON.
- THERE IS HEREBY CREATED A 15' WIDE DRAINAGE EASEMENT CENTERED ON THE EXISTING STORM PIPE AND SAID EASEMENT SHALL BENEFIT T.M. #25-70 AND ENCUMBERS LOT 1, LOT 2, AND THE RESIDUAL PARCEL 'A'.
- 40' WIDE R/W PARCEL 'A' SHOWN HEREON IS PART OF A LOT LINE REVISION AND RIGHT OF WAY DEDICATION. THE CROSS HATCHED AREA REPRESENTS THE AREA TO BE DEDICATED FROM T.M. #25-70A AND CONSISTS OF 0.029 ACRES (1,259 SQ.FT.). THE REMAINDER OF THE PARCEL IS BEING DEDICATED FROM T.M. #25-70 AND CONSISTS OF 0.446 ACRES (19,416 SQ.FT.). 40' WIDE R/W PARCEL 'B' SHOWN HEREON IS PART OF A MAJOR SUBDIVISION AND RIGHT OF WAY DEDICATION. THE TOTAL ACREAGE BEING DEDICATED CONSISTS OF 1.283 ACRES.
- DRAINFIELD 1 IS AN ABANDONED DRAINFIELD THAT IS NO LONGER IN USE.
- THERE IS HEREBY CREATED A 15' WIDE DRAINAGE EASEMENT CENTERED ON THE EXISTING STORM DRAINAGE AND SAID EASEMENT SHALL BENEFIT THE TOWN OF WYTHEVILLE AND ENCUMBERS THE RESIDUAL PARCEL 'A'.
- THE SOLID HATCHED AREA CONSISTING OF 0.039 ACRES IS TO BE CONVEYED AND COMBINED TO T.M. #25-70A FROM T.M. #25-70. SEE DETAIL ON SHEET 1 OF 2 FOR CLARITY.
- THERE IS HEREBY CREATED A 15' WIDE BLANKET DRAINAGE EASEMENT. SAID EASEMENT SHALL BENEFIT RESIDUAL PARCEL 'B' AND ENCUMBERS THE RESIDUAL PARCEL 'A' AND LOCATION OF SAID EASEMENT TO BE DETERMINED AT A FUTURE DATE.

OWNER'S CONSENT
THIS IS TO CERTIFY THAT THIS MAJOR SUBDIVISION AS SHOWN HEREON HAS BEEN PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

REPRESENTATIVE OF VIRGINIA-LTC INC. - GIBSON SATTERWHITE, SVP, ASSET MANAGEMENT

AT LARGE TO WIT: State of California
County of Orange
On _____, before me, _____ personally appeared

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.
Signature _____ (SEAL)

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT ALL OF THE REQUIREMENTS OF THE TOWN COUNCIL AND THE ORDINANCES OF TOWN OF WYTHEVILLE, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITH THE TOWN HAVE BEEN MET. I ALSO CERTIFY THAT THE SOURCE OF TITLE SHOWN FOR THE SUBJECT PARCEL IS THE LAST INSTRUMENT IN THE CHAIN OF TITLE.

BRADLEY TATE, L.S. NO. 2794 DATE _____

TOWN OF WYTHEVILLE CERTIFICATE OF APPROVAL:
THIS MAJOR DIVISION AND DEDICATION OF RIGHT-OF-WAY AS SHOWN HEREON IS APPROVED BY THE UNDERSIGNED AND IS NOT EXEMPT FROM THE PROVISIONS OF THE TOWN OF WYTHEVILLE SUBDIVISION ORDINANCE EXCEPT AS INDICATED ON THE PLAT AND MAY BE ADMITTED TO RECORD.

AGENT TOWN OF WYTHEVILLE

TOWN OF WYTHEVILLE SUBDIVISION AGREEMENT
THIS MAJOR DIVISION IS SUBJECT TO A SUBDIVISION AGREEMENT BETWEEN FUSION HOLDINGS, LLC. AND THE TOWN OF WYTHEVILLE AS RECORDED IN INSTR. # _____ IN THE CLERK OF COURT OF WYTHE COUNTY, VIRGINIA.

SOURCE OF TITLE: T.M. #25-70A
THE AREA SHOWN WAS ACQUIRED BY FUSION HOLDINGS, LLC. FROM BW REAL ESTATE HOLDING, LLC. BY DEED DATED MARCH 20, 2023 AS RECORDED IN INSTR. #230000691 OF THE CIRCUIT COURT CLERKS OFFICE OF WYTHE COUNTY, VIRGINIA.

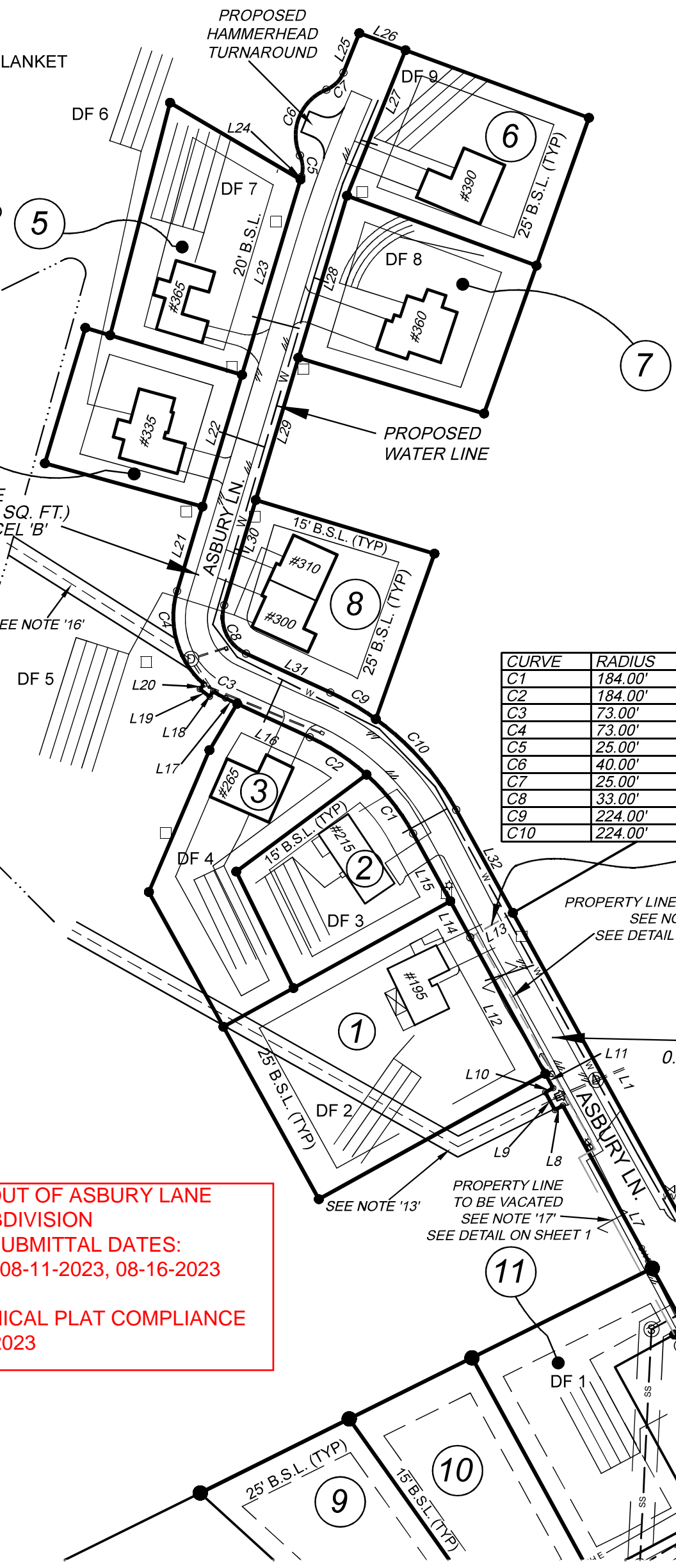
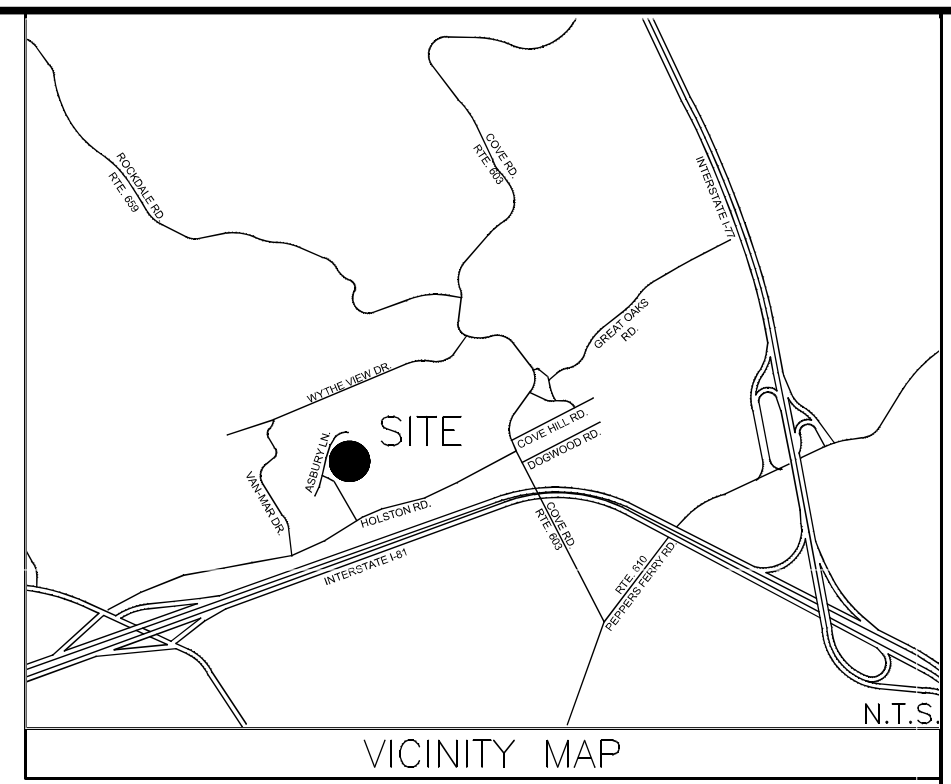
SOURCE OF TITLE: T.M. #25-70
THE AREA SHOWN WAS ACQUIRED BY VIRGINIA-LTC INC. FROM WYTHEVILLE HEALTHCARE PROPERTIES I, LLC. BY DEED DATED JUNE 1, 2010 AS RECORDED IN INSTR. #100001441 OF THE CIRCUIT COURT CLERKS OFFICE OF WYTHE COUNTY, VIRGINIA.

OWNER'S CONSENT
THIS IS TO CERTIFY THAT THIS MAJOR SUBDIVISION AS SHOWN HEREON HAS BEEN PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

REPRESENTATIVE OF FUSION HOLDINGS, LLC. - MATTHEW CLARKE

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA
COUNTY/CITY OF _____
I, _____, A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS/REPRESENTATIVES WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS _____ DAY OF _____, 20____.
MY COMMISSION EXPIRES: _____.

NOTARY PUBLIC



LINE	BEARING	DISTANCE
L1	S 28°49'14" E	329.61'
L2	S 46°52'39" E	47.15
L3	S 28°45'25" E	131.63'
L4	S 61°02'01" W	40.00'
L5	N 28°45'25" W	131.78'
L6	S 61°14'35" W	14.61'
L7	N 28°49'14" W	217.43'
L8	S 61°10'46" W	7.26'
L9	N 28°49'14" W	16.30'
L10	N 61°10'46" E	7.26'
L11	N 28°49'14" W	13.18'
L12	N 28°49'14" W	126.71'
L13	N 60°06'19" E	40.01
L14	N 28°49'14" W	33.56'
L15	N 28°49'14" W	62.83'
L16	N 65°13'29" W	64.97'
L17	N 65°13'29" W	10.54'
L18	S 33°47'38" W	5.16'
L19	N 52°30'10" W	9.99'
L20	N 41°07'12" E	5.16'
L21	N 16°41'57" E	71.70'
L22	N 16°41'57" E	111.89'
L23	N 16°41'57" E	165.89'
L24	N 16°41'57" E	2.24'
L25	N 21°53'09" E	34.57'
L26	S 69°45'20" E	40.02'
L27	S 21°53'09" W	127.59'
L28	S 16°41'57" W	137.63'
L29	S 16°41'57" W	120.76'
L30	S 16°41'57" W	89.27'
L31	S 65°13'29" E	75.51'
L32	S 28°49'14" E	95.64'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	184.00'	61.30'	61.02'	N 38°21'55" W	19°05'23"
C2	184.00'	55.60'	55.39'	N 56°34'03" W	17°18'53"
C3	73.00'	11.49'	11.48'	N 60°42'56" W	09°01'08"
C4	73.00'	83.55'	79.07'	N 16°05'26" W	65°34'44"
C5	25.00'	17.84'	17.46'	N 03°44'22" W	40°52'39"
C6	40.00'	64.40'	57.67'	N 21°56'50" E	92°15'04"
C7	25.00'	20.15'	19.61'	N 44°58'45" E	46°11'13"
C8	33.00'	47.18'	43.27'	S 24°15'46" E	81°55'27"
C9	224.00'	42.88'	42.81'	S 59°44'28" E	10°58'04"
C10	224.00'	99.45'	98.63'	S 41°32'20" E	25°26'12"

L13 REPRESENTS THE EXISTING PROPERTY LINE BETWEEN T.M. #25-70 & #25-70A. EXISTING PROPERTY LINE IS HEREBY VACATED AS PER THIS PLAT.

DRAIN FIELD PERMIT NUMBERS

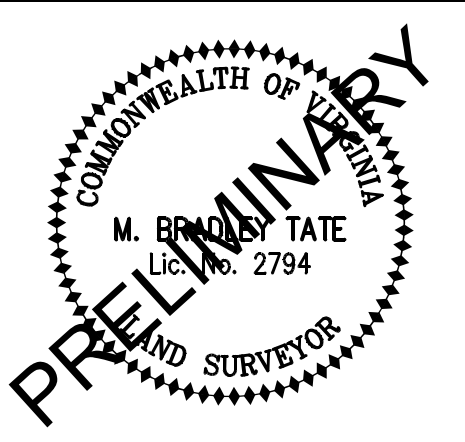
- DF 1 #90-198-274
- DF 2 #99-198-391
- DF 3 #97-198-247
- DF 4 #92-198-1536
- DF 5 #98-198-148
- DF 6 #92-198-1465
- DF 7 #87-198-147
- DF 8 #06-198-094 (#07-198-098)
- DF 9 #98-198-025

FINAL LAYOUT OF ASBURY LANE MAJOR SUBDIVISION
REVISION SUBMITTAL DATES:
08-01-2023, 08-11-2023, 08-16-2023
08-22-2023.
MET TECHNICAL PLAT COMPLIANCE ON 08-025-2023

HURT & PROFFIT
INSPIRED / RESPONSIVE / TRUSTED
Section 5, Item A.
HAND.P.C
WYTHEVILLE, VA. 24
276.228.0008
370 S 4TH STREET
ENGINEERING • SURVEYING • LAND DEVELOPMENT • ENVIRONMENTAL
GEOTECHNICAL • CONSTRUCTION TESTING & INSPECTION • CULTURAL RESOURCE

PLAT SHOWING
PHASE 1 OF ASBURY LANE SUBDIVISION
MAJOR SUBDIVISION FOR THE PROPERTY OF
FUSION HOLDINGS, LLC. & VIRGINIA-LTC INC.
EAST WYTHEVILLE MAG. DISTRICT, TOWN OF WYTHEVILLE, VIRGINIA

PROJECT NO.	20230156
FILE NO.	
LAT.	36.966738°
LONG.	-81.089896°
DATE:	08/22/2023
DRAWN BY:	JHG
CHECKED BY:	MBT



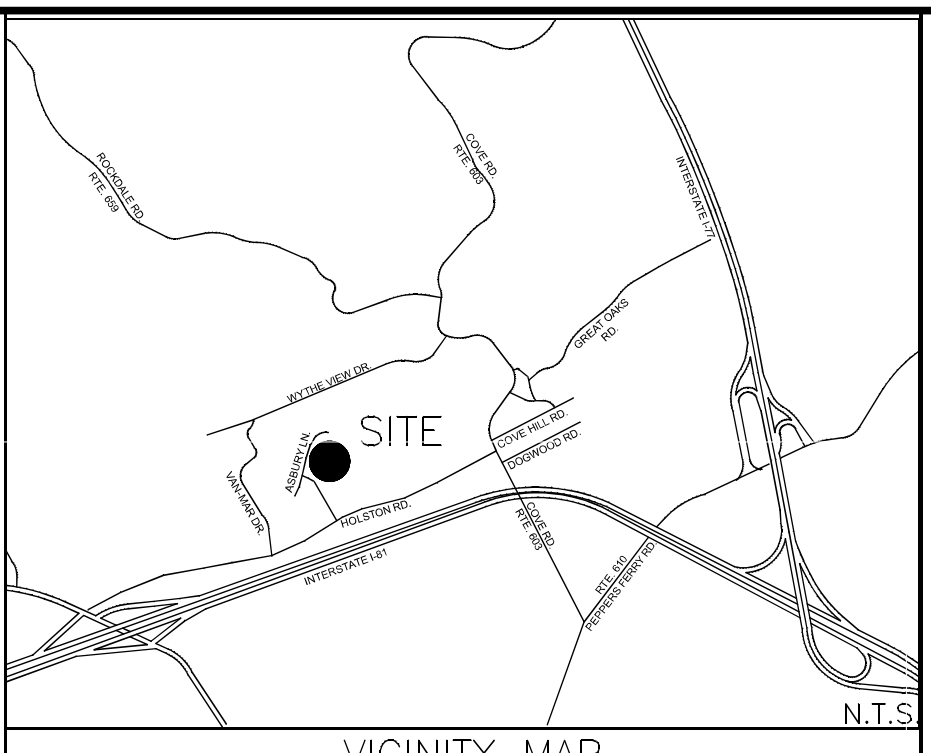
SHEET NO.	REV.
2 OF 2	14

DETAIL SCALE = 1"=80'



DETAIL LINE TABLE

LINE	BEARING	DISTANCE
L1	N 28°22'28" W	163.34'
L2	N 61°37'32" E	9.02'
L3	S 28°49'14" E	173.88'
L4	S 61°14'35" W	10.38'
L5	N 28°22'28" W	10.60'
L6	N 28°49'14" W	43.55'
L7	S 61°10'46" W	7.26'
L8	N 28°49'14" W	16.30'
L9	N 61°10'46" E	7.26'
L10	N 28°49'14" W	139.89'
L11	N 60°06'19" E	5.45'
L12	S 28°58'10" E	199.90'
L13	S 61°37'32" W	5.97'



VICINITY MAP

LINE	BEARING	DISTANCE
L1	S 61°02'09" W	210.58'
L2	N 28°57'51" W	160.27'
L3	N 61°02'09" E	65.10'
L4	N 61°02'09" E	145.88'
L5	S 28°49'14" E	33.56'
L6	S 28°49'14" E	126.71'
L7	N 28°57'51" W	125.31'
L8	N 23°08'27" E	125.54'
L9	N 30°52'40" E	43.96'
L10	S 65°13'29" E	64.97'
L11	S 28°49'14" E	62.83'
L12	S 53°23'15" W	132.08'
L13	S 26°09'36" E	105.57'
L14	N 65°13'29" W	10.54'
L15	S 33°47'38" W	5.16'
L16	N 52°30'10" W	9.99'
L17	N 41°07'12" E	5.16'
L18	N 16°41'57" E	71.70'
L19	N 74°39'29" W	132.88'
L20	N 16°36'44" E	115.04'
L21	S 73°18'03" E	21.12'
L22	S 73°18'03" E	111.89'
L23	S 16°41'57" W	111.89'
L24	N 14°25'22" E	121.19'
L25	N 14°25'22" E	74.16'
L26	S 59°32'21" E	123.19'
L27	S 16°41'57" W	165.89'
L28	N 16°41'57" E	2.24'
L29	N 21°53'09" E	34.57'
L30	S 69°45'20" E	40.02'
L31	S 69°45'20" E	159.05'
L32	S 19°31'11" W	127.53'
L33	N 69°45'20" W	164.32'
L34	N 21°53'09" E	127.59'
L35	S 19°31'11" W	127.65'
L36	N 73°18'03" W	157.72'
L37	N 16°41'57" E	137.63'
L38	S 16°41'57" W	120.76'
L39	S 73°18'03" E	151.77'
L40	S 19°31'11" W	142.76'
L41	N 65°13'29" W	75.51'
L42	N 16°41'57" E	89.27'
L43	S 28°49'14" E	95.64'
L44	S 60°06'19" W	40.01'
L45	S 28°49'14" E	13.18'
L46	S 61°10'46" W	7.26'
L47	S 28°49'14" E	16.30'
L48	N 61°10'46" E	7.26'
L49	S 28°49'14" E	150.94'
L50	S 28°49'14" E	66.49'
L51	S 61°14'35" W	10.38'
L52	N 28°22'28" W	10.60'
L53	S 61°14'35" W	55.08'
L54	S 28°45'25" E	142.67'
L55	S 61°53'48" W	62.35'
L56	S 64°01'37" W	24.28'
L57	S 70°13'29" W	12.01'
L58	S 70°13'29" W	85.24'
L59	S 61°17'23" W	4.81'
L60	S 61°17'23" W	90.00'
L61	N 47°35'49" W	209.23'
L62	N 63°33'35" E	135.34'
L63	S 35°22'19" E	193.91'
L64	N 63°33'35" E	111.60'
L65	S 28°42'37" E	201.42'
L66	N 63°33'35" E	163.74'
L67	S 83°42'05" W	184.79'
L68	N 42°42'43" E	250.70'
L69	N 56°40'14" W	158.35'
L70	N 34°31'30" W	163.45'
L71	N 67°38'03" E	436.41'
L72	N 67°38'03" E	1567.53'

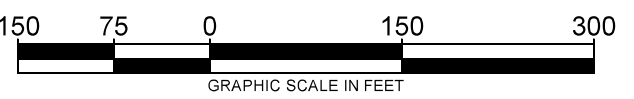
- PARCEL '1'
0.776 ACRES (33,782 SQ.FT.)
- PARCEL '2'
0.373 ACRES (16,252 SQ.FT.)
- PARCEL '3'
0.473 ACRES (20,606 SQ.FT.)
- PARCEL '4'
0.346 ACRES (15,083 SQ.FT.)
- PARCEL '5'
0.479 ACRES (20,845 SQ.FT.)
- PARCEL '6'
0.473 ACRES (20,617 SQ.FT.)
- PARCEL '7'
0.490 ACRES (21,342 SQ.FT.)
- PARCEL '8'
0.435 ACRES (18,946 SQ.FT.)
- PARCEL '9'
0.502 ACRES (21,871 SQ.FT.)
- PARCEL '10'
0.450 ACRES (19,623 SQ.FT.)
- PARCEL '11'
0.545 ACRES (23,750 SQ.FT.)

RESIDUAL PARCEL 'A'
30.467 ACRES
REMAINDER OF T.M. #25-70A

RESIDUAL PARCEL 'B'
9.596 ACRES (RECORD)
REMAINDER OF T.M. #25-70

L44 REPRESENTS THE EXISTING PROPERTY
LINE BETWEEN T.M. #25-70 & #25-70A.
EXISTING PROPERTY LINE IS HEREBY
VACATED AS PER THIS PLAT.

- LEGEND**
- IRF IRON ROD FOUND
 - IPF IRON PIPE FOUND
 - VDH CONCRETE MONUMENT
 - MNF MAG NAIL FOUND
 - IRS IRON ROD SET
 - EDGE OF PAVEMENT
 - ELECTRIC POLE
 - ELECTRIC PEDISTAL
 - TELEPHONE PEDESTAL
 - SANITARY MANHOLE
 - FIRE HYDRANT
 - OH E OVERHEAD ELECTRIC
 - UG E UG ELECTRIC LINE
 - UG G UG GAS LINE
 - SS UG SAN. SEWER LINE
 - W UG WATER LINE
 - D.B. DEED BOOK
 - T.M. TAX MAP
 - ⊙ STORM MANHOLE



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	184.00'	61.30'	61.02'	N 38°21'55" W	19°05'23"
C2	184.00'	55.60'	55.39'	N 56°34'03" W	17°18'53"
C3	73.00'	11.49'	11.48'	N 60°42'56" W	09°01'08"
C4	73.00'	83.55'	79.07'	N 16°05'26" W	65°34'44"
C5	25.00'	17.84'	17.46'	N 03°44'22" W	40°52'39"
C6	40.00'	64.40'	57.67'	N 21°56'50" E	92°15'04"
C7	25.00'	20.15'	19.61'	N 44°58'45" E	46°11'13"
C8	33.00'	47.18'	43.27'	S 24°15'46" E	61°55'27"
C9	224.00'	42.88'	42.81'	S 59°44'28" E	10°58'04"
C10	224.00'	99.45'	98.63'	S 41°32'20" E	25°26'12"
C11	50.00'	52.36'	50.00'	N 32°13'02" W	60°00'01"

Section 5, Item A.

HURT & PROFFIT
INSPIRED / RESPONSIVE / TRUSTED

HAND.P.C
WYTHEVILLE, VA. 24
276.228.0008
370 S 4TH STREET

ENGINEERING • SURVEYING • LAND DEVELOPMENT • ENVIRONMENTAL
GEOTECHNICAL • CONSTRUCTION TESTING & INSPECTION • CULTURAL RESOURCE

PLAT SHOWING
PHASE 1 OF ASBURY LANE SUBDIVISION
MAJOR SUBDIVISION FOR THE PROPERTY OF
FUSION HOLDINGS, LLC. & VIRGINIA-LTC INC.
EAST WYTHEVILLE MAG. DISTRICT, TOWN OF WYTHEVILLE, VIRGINIA

PROJECT NO.	20230156
FILE NO.	
LAT.	36.966738°
LONG.	-81.089896°
DATE:	08/22/2023
DRAWN BY:	JHG
CHECKED BY:	MBT



SHEET NO.	REV.
1 OF 2	

THIS SHEET IS INTENDED TO BE REPRODUCED AT 17"x22". REPRODUCTION OF THIS SHEET AT A DIFFERENT SIZE THAN INTENDED SHALL VOID THE SCALE SHOWN ON THE SHEET.



Town of Wytheville Subdivision Review SUBD-ASBURY

Has the Subdivision review fee been paid ___(NO) ___X (YES)

(Subsequent recording fees will be required after final approval prior to final recordation.

Recording fees will consist of \$26.00 per sheet included within approved plan set)

All comments in red represent departmental suggestions based on current Town of Wytheville ordinances which will be presented to planning committee for consideration during the initial review process prior to any recommendations made to Town Council for final approval/rejection.

Name of Subdivision: **Plat showing Phase 1 of Asbury Lane Subdivision Major Division for the Property of Fusion Holdings, LLC & Virginia-LTC INC.**

Name of Reviewer: Billy J. Anderson L.S., Assist. Town Engineer

Reviewing Department: Engineering

Submittal Date: 08-22-2023

Location of Subdivision: North of Holston Road, north and west of the Carrington Center along Asbury Lane and east of Van-Mar Drive.

Tax map no. of involved parcels: Tax map no. 25-70A & 25-70

Is the existing tax parcel under any land use classifications: No

Number of Existing Lots: 4 existing lots

Number of Proposed Lots: 11 New Lots ranging and 2 revised existing parcels

Proposed Use: Residential Present Use: Residential Conforming Use: Yes

Other Regulatory Agencies Involved: VDOT (Road layout and design is acceptable for introduction into Urban Maintenance Inventory System) Civil Design is being developed and reviewed for this project by a third-party Engineer.

Intended Water Supply: Public (infrastructure installation to Town standards required, current water source is connected into Carrington Center and will require disconnection, application of

new connection, design and installation of new water line water service laterals, valves, hydrant assemblies etc. prior to final approval of developments, appropriate sureties will be required for infrastructure construction.) Civil Design is being developed and reviewed for this project by a third-party Engineer. Lots 9-11 will be served by existing water services located along Holston Road. Applications for water availability will be required for each lot.

Intended Sanitary Sewer Disposal:

Lots 9-11 will be served by existing sanitary sewer services located along Holston Road, Applications for sanitary sewer availability will be required for each lot.

Lots 1-8 will be served by existing private sewage systems.

Date of plat submitted: 08-22-2023 Date of submittal: 08-22-2023

Submittal phase: **Fifth draft (preliminary)**

Number of sheets in set: 2

If more than one sheet is required in a set, is a sheet index provided: Yes

Name of Owner/Subdivider: Fusion Holdings, LLC

Name of Surveyor/Engineer: Hurt and Proffitt, Bradley Tate, RLS

Magisterial District/Locality Designation: East Wytheville Mag. District.

Will this subdivision require planning commission & town council approval prior to final approval and recordation of submitted subdivision plat: Yes

Will this subdivision require a subdivision agreement between the Town and Developer prior to final approval and recordation of submitted subdivision plat: Yes

REQUIRED PLAT ITEMS:

Plat scale shown: 1" = 75' & 1" = 100'

North arrow shown: Yes

Vicinity map shown: Yes

Current zone designation shown: R-1 Residential Rezoning requested/required: No

Owners consent statement shown: Yes

Owners consent notary's statement shown: Yes

Source of title statement shown: Yes

Surveyors certificate shown: Yes

Town approval statement shown: Yes

Subdivision agreement statement shown: Yes

Statement of Intent Shown: Yes (note 5)

Is information shown for all adjoining properties: Yes

Do any portions of the proposed lots fall within a FEMA special flood hazard area: No

Are applicable designated flood zones shown: NA

Is applicable designated flood zone panel information shown: Yes

Is the exterior boundary of subdivision shown in bold lines: Yes

Location, alignment, width, name of existing street shown: Yes (shown as 18')

Location, alignment, width of existing street right of way shown: Yes

Will additional street infrastructure installed by the developer be required: Yes (additional work will be required along Asbury Lane to become compliant with VDOT standards and Specifications (See VDOT requirements) Civil Design is being developed and reviewed for this project by a third party Engineer.

Will additional street right of ways dedicated by the developer be required: Yes

Are all existing/proposed street right of ways 50' or greater: No (a variance to this section of the Town of Wytheville Subdivision Ordinance has been applied for and approved, along with a variance for reduction in paved surface width and a variance for installation of curb and gutter).

Will on-site storm water management be provided: Yes, (Additional facilities/structures may be required).

Location, alignment, width of all existing alley way shown: N/A

Location, alignment, width of existing easements shown: Yes (infrastructure located along Asbury lane. Please show all infrastructure and any associated easements for this utility and any other utility within this project. Some utilities may fall outside of the proposed 15' PUE.)

Minimum building setback lines shown: Yes

Minimum building setback lines listed: Yes

Minimum building setback lines conform: Yes

Existing buildings shown: Yes

Do existing buildings meet setback requirements after subdivision: Yes

Layout, dimension, bearings of lot lines shown/conform: Yes

Lot areas shown/conform: Yes

Minimum lot width shown/conform: Yes

Are permanent lot corners indicated: Yes

Are VA. State Plane Coordinates on at least 4 lot corners shown: Yes

Will lots within this subdivision be served by private water systems: No

Will lots within this subdivision be served by private sanitary sewer systems: Yes: (some lots will be served by existing private septic systems)

Are all lots currently served by existing public water and sanitary sewer systems: Yes (but the system is passed through the current Carrington Center 4" meter located along Holston Road and will require disconnection and installation of new water infrastructure) Civil Design is being developed and reviewed for this project by a third party Engineer.

Is the location of all existing utilities shown: Yes (Proposed water line improvements, underground power shown.)

Will additional water infrastructure installed by the subdivider be required: Yes

Will additional sanitary sewer infrastructure installed by the subdivider be required: No

Do all lots have direct available access to an existing/proposed public road system: No (Asbury Lane is currently being assessed for acceptance after revisions/repairs are made.)

The Plat as submitted dated 08-22-2023 meets all technical specifications as required by the current Town of Wytheville Subdivision Ordinance. The plat as presented will be placed on the next Town of Wytheville Subdivision Council meeting for consideration and review. Additional supporting civil site plans are being reviewed for this project. If you have any questions or comments, please feel free to contact me at 276-223-3434 or by email at billy.anderson@wytheville.org.

Sincerely,



Billy J. Anderson, LS
Assistant Town Engineer

6-A

8.6. Assembly Halls and Special Activity Clubs

A. Purpose

1. To promote the public safety, health, and welfare and to protect public and private investment, the supplemental regulations of this section are intended to regulate the development of assembly halls, private clubs, and similar entertainment activity venues to protect the quality of life of adjoining properties.

B. Application Requirements

1. Assembly halls and special activity clubs require a Special Exception Permit.
2. A scaled site plan for the facility shall be submitted as part of the application. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan. The applicant will be provided with a minimum of two weeks to respond to those comments before the Special Exception Permit Hearing will be scheduled. Applicants must allow for the time required for plan review and the applicant's response to the review process.
3. Applicants shall submit a narrative plan and/or assessment that explains the proposed hours of operation, types of activities that will occur onsite, crowd management strategies, parking and traffic analysis, and noise control/mitigation strategies that will be in place when the facility is in use, either by guests or by employees.
4. A parking analysis is required showing the anticipated parking needs for the facility or special event. See Article 7, Section 7.7.F for more information on parking analysis requirements.

C. Additional Standards for Facilities Located in the A-1 Agricultural District

1. Permanent paved parking facilities, including those paved with crushed stone or gravel, shall be set back from adjoining residential uses by a minimum of 100 feet, and shall be screened from view from both public rights-of-way and adjoining residential dwellings.
2. Parking for special event style uses not exceeding two months duration or four months per year may provide parking in temporary parking facilities. Temporary seasonal parking facilities located on grassy surfaces or on reinforced grass pavers are exempt from landscape screening requirements.

1. Automobile Graveyards, Towing and Recovery Storage Yards, Auto Repair Storage Areas, Recycling Centers, and Junkyards

A. Purpose

1. To promote the public safety, health, and welfare and to protect public and private investment, the supplemental regulations of this section are intended to regulate the development of automobile graveyards, towing and recovery storage yards, auto repair storage areas, recycling centers, and junkyards.
2. To protect the quality of life and visual character of adjoining properties, streets, and neighborhoods.

B. Application Requirements

1. Automobile graveyards, towing and recovery storage yards, auto repair storage areas, recycling centers, and junkyards require a Special Exception Permit.
2. An application for a Special Exception Permit for an automobile graveyard, junkyard, towing and recovery storage yard, or recycling center shall provide a site analysis with the following information:
 - a. A vicinity plan showing adjacent land uses, viewsheds, and potential nuisance issues with proposed mitigation techniques.
 - b. A description of natural features, including streams, rivers, lakes, wetlands, and major topographical features, located within three hundred fifty (350) feet of the site.
 - c. A description of the site development proposal and how it compares to land uses within three hundred fifty (350) feet of the site. (This may be included as part of the required site plan as described in Item 3 below.)
 - d. A description of any potential environmental hazard due to existing or proposed land uses, including soil, water, and air contamination.
 - e. A sound attenuation plan describing sources of sound and indicating conformance with all applicable sound and noise regulations including the Town of Wytheville Noise Ordinance.
 - f. A drainage plan for stormwater management and runoff which includes a narrative explaining how water quality will be protected.
 - g. A traffic plan describing the number of truck trips the proposal will generate and the principal access routes to the facility, including a description of the facility's traffic impact on the surrounding area.
3. A scaled site plan for the facility shall be submitted as part of the application. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan. The applicant will be provided with a minimum of two weeks to respond to those comments before the Special Exception Permit Hearing will be scheduled. Applicants must allow for the time required for plan review and the applicant's response to the review process.

4. Applicants shall submit a narrative plan and/or assessment that explains the proposed hours of operation, types of activities that will occur onsite, parking and traffic analysis, and noise control/mitigation strategies that will be in place when the facility is in use, either by guests or by employees.
5. A parking analysis is required showing the anticipated parking needs for the facility or special event. See Article 7, Section 7.7.F for more information on parking analysis requirements.

C. Applicability to Existing Facilities

1. Automobile graveyards, towing and recovery storage yards, and junkyards legally existing at the time of the adoption of this section are to be considered as nonconforming uses. **The use may continue legally only if visual screening of the operation from adjoining residential uses and streets is provided. They shall be allowed up to twelve (12) months after date of adoption of this ordinance to bring the facility into compliance with the screening requirements herein.** Facilities subject to this provision must be screened from view of all public or private streets, and on all sides that are adjacent to existing residential uses or undeveloped land that is zoned for any residential use including mixed use developments. Existing natural growth may be preserved and maintained to achieve the required screening. The visual screening shall be provided in accordance with the standards for a full buffer yard plus architectural screen as found in Article 7, Section 7.5.E of this Ordinance. **An exception to the twelve-month screening requirement for existing facilities may be granted where topographic conditions cause traditional screening methods to be ineffective, as determined by the Zoning Administrator. In those cases, planting of tall evergreen trees may be required that will provide future screening as those trees mature.**
2. Expansion or intensification of existing facilities requires a new Special Exception Permit. Expansion or intensification shall include any increase in land area or building footprint; or the addition or replacement of any shredding, grinding, baling, or packing equipment for the handling of scrap or salvage materials.

D. Minimum Development Standards for New Facilities Seeking Special Exception Permits

1. Businesses operating under this provision shall maintain all applicable DMV licensing requirements for salvage and/or towing and recovery operations.
2. Paving Materials: Surface materials and design for access roads, on-site roads, parking, and other vehicle facilities shall be designed to maintain a dust free environment.
3. Dust, Odors, and Pests: A plan for the control of dust, odors, and pests, including insects and rodents, shall be submitted with the application for a Special Exception Permit. All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects, or other vermin. Where necessary, this shall be accomplished by enclosure in containers, the raising

- of materials above the ground, separation of types of materials, preventing the collection of stagnant water, extermination procedures, or other means. Professional monthly exterminating services shall be required, and a log indicating the dates and findings of such professional services shall be maintained on the premises.
4. Noise: Noise levels generated by the operation shall comply with the noise ordinance of the Town of Wytheville as currently amended.
 5. Hours of Operation: Hours of operation may be restricted to assure the peaceable enjoyment of residential properties where topography and atmospheric conditions may cause sound to project beyond the boundaries of the site.
 6. Stream Protection: Separation/setback from streams and other waterbodies may be established for each site on a case-by-case basis to prevent contamination of lakes, streams, and groundwater by chemicals and oils leaking from stored vehicles.
 7. Visual Screening: No vehicle shall be located on any portion of such property so as to be visible from any public road or any residential property and shall be limited to locations designated on the approved site plan. Site screening shall be sufficient to ensure no more than minimal visual impact on adjacent uses. Plans for screening the site shall be indicated in the required site plan. Required screening may include, but is not limited to, fencing, berming, preservation of existing vegetation, installation of additional vegetation, entrance design and location, and the design, bulk, and height of structures.
 8. Topography and Viewshed: If the topography of the proposed site is such that it is not possible to effectively screen the operation from nearby roadways or adjoining properties, the use is not allowed on the site.
 9. Separation from Residential Uses: No structure, storage area or other part of the operation shall be located closer than three hundred (300) feet to any existing dwelling or adjacent lot line of a parcel zoned for any residential use, including mixed uses that include a residential component.
 10. Access: Facilities shall have direct access to a State or Town maintained road, with adequate capacity to serve the traffic generated by the operation. On-site access including drives, alleys, aisles, and other accessways shall be maintained in a safe manner that is clear of obstructions.
 11. Hazardous Chemicals: No on-site disposal of fuel, chemicals or hazardous materials is permitted. Any such materials shall be disposed of at a site permitted to receive such materials. Dumping of such chemicals and oils on the soil or into waterways is strictly prohibited.
 12. In considering a special exception permit for such uses, the Planning Commission may recommend, and Town Council may impose additional standards deemed necessary to address site specific conditions.

E. Additional Standards for Towing and Recovery Storage Facilities

1. The minimum lot area for a towing and recovery storage yard is 20,000 square feet.
2. No body or mechanical work, painting, maintenance, servicing, disassembling, salvage or crushing of vehicles shall be permitted in a dedicated towing and recovery storage yard. This provision shall not prohibit auto service and repair activities occurring within an adjacent enclosed structure in a legally established auto repair or auto-body repair shop.
3. No motor vehicle or trailer shall be stored outside of a fully enclosed structure for more than 120 days unless documentation can be provided that said vehicle or trailer is the subject of a law enforcement or insurance related investigation; or is the subject of other legal proceedings. The operator of the facility shall seek resolution of said legal proceedings expeditiously to facilitate removal of vehicles in a timely manner.

F. Additional Standards for Auto Repair Storage Facilities

1. No body or mechanical work, painting, maintenance, servicing, disassembling, salvage or crushing of vehicles shall be permitted in an auto repair storage facility. All auto service and repair activities shall be conducted within an enclosed structure in a legally established auto repair or auto-body repair shop.
2. Vehicles used for parts and/or salvage shall not be stored in an outdoor storage yard. Storage of such salvage vehicles shall be located in a fully enclosed structure or at an approved automobile graveyard.
3. Inoperative vehicles awaiting repair shall be stored either in a fully enclosed structure or within a storage yard that meets the screening requirements of Subsection C.6 above.

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8.8. Campgrounds and RV Parks

A. Purpose

1. To guide development of campgrounds and RV Parks.
2. To assure that campgrounds and RV Parks meet the standards required by the Virginia Department of Health.

B. Application Requirements

1. Campgrounds require a Special Exception Permit.
2. A scaled site plan for the facility shall be submitted as part of the application. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan. The applicant will be provided with a minimum of two weeks to respond to those comments before the Special Exception Permit Hearing will be scheduled. Applicants must allow for the time required for plan review and the applicant's response to the review process.
3. Applicants shall submit a narrative plan and/or assessment that explains the proposed hours of operation, types of activities that will occur onsite, crowd management strategies, parking and traffic analysis, and noise control/mitigation strategies that will be in place when the facility is in use, either by guests or by employees.
4. A parking analysis is required showing the anticipated parking needs for the facility or special event. See Article 7, Section 7.7.F for more information on parking analysis requirements.

C. Development Standards

1. All campgrounds and RV parks shall comply with the licensing, regulatory, and inspection requirements of the Code of Virginia Administrative Code, [Chapter 450. Rules and Regulations Governing Campgrounds](#) as amended.
2. All campground and RV park facilities shall be served by public sewer and water.
3. Primitive campsites are not permitted within the Town Limits of the Town of Wytheville.
4. Campsites, active recreation areas, offices, lodges, and similar structures or activity areas shall have a minimum of 150-foot setback from adjoining properties.
5. All areas accessible to campers or guests shall be enclosed by a fence of at least 4 feet in height. Fences facing public rights-of-way shall be constructed with decorative or ornamental materials.

8.9. Cemeteries

A. Purpose

- 1. To guide development of cemeteries and to protect the safety and enjoyment of adjoining properties.

B. Development Standards

- 1. Development of new cemeteries and similar burial plots shall conform to all applicable provisions of the Code of Virginia Title 57, Chapter 3. Cemeteries as currently amended. If said code is amended in the future causing this ordinance to be in conflict with the code, the more restrictive provision shall govern.
- 2. Cemeteries shall be located at least 250 yards from any residence. An exception may be granted with express written consent of the owner or equitable title holder of each residence located less than 250 yards from the proposed cemetery, or if the proposed cemetery is located across a state-maintained roadway.
- 3. Areas where interment is planned to occur shall be located at least 300 yards from any public or private potable water well.
- 4. The maximum land area permissible for a cemetery is 300 acres.

8.16. Heavy Industrial Uses

A. Purpose

1. To guide the permitting of heavy industrial uses in the M-2 Zoning District.

B. Application Requirements

1. Heavy industrial uses require a Special Exception Permit in the M-1 Zoning District and are prohibited elsewhere.
2. A scaled site plan for the facility shall be submitted as part of the application. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan. The applicant will be provided with a minimum of two weeks to respond to those comments before the Special Exception Permit Hearing will be scheduled. Applicants must allow for the time required for plan review and the applicant's response to the review process.
3. Applicants shall submit a narrative plan and/or assessment that addresses the following:
 - a. Proposed hours of operation.
 - b. Types of activities that will occur onsite.
 - c. Parking and traffic analysis.
 - d. Noise control/mitigation strategies that will be in place when the facility is in use,
 - e. Mitigation strategies for other potential nuisances, such as smoke, dust, odors, or other types of nuisances that may be relevant to the specific industry that is being proposed.
4. A parking analysis is required showing the anticipated parking needs for the facility. See Article 7, Section 7.7.F for more information on parking analysis requirements.

8.22. Manufactured Homes

A. Purpose

1. To provide standards for the placement of manufactured homes in certain residential business districts in a way that protects the quality of life and enjoyment of nearby residential uses.

B. Applicability

1. This section shall apply to manufactured housing units located in the RA and RB Zoning Districts. This section shall also serve as a minimum standard for manufactured housing units to be located in the R-2 and R-3 Residential Zoning Districts by Special Exception Permit. For Special Exception Permits, the Planning Commission may recommend, and Town Council may impose additional requirements, such as, but not limited to, minimum roof pitch requirements, or siding and roof material standards.

C. Development Standards

1. Manufactured homes in the zoning districts covered by this section shall be of doublewide configuration as a minimum.
2. Vinyl and aluminum skirting are prohibited. Manufactured homes installed under the provisions of this section shall be installed using one of the following foundation treatments:
 - a. A masonry foundation of brick, block, or stone.
 - b. Decorative cementitious panel skirting that provides the appearance of stone, brick, or similar attractive foundation material.
 - c. Other plain or lightly textured cementitious panel skirting that shall be painted black, dark brown, or similar dark color, to reduce the visual dominance of the foundation wall of the structure.

8.25. Nursing Homes and Physical Rehabilitation Facilities

A. Purpose

1. To guide the permitting of nursing homes and physical rehabilitation facilities in certain agricultural, residential business, or downtown commercial zoning districts.

B. Application Requirements

1. Nursing homes and physical rehabilitation facilities require a Special Exception Permit in the AG, RB 1, RB 2, B2 DT, DTB 1, DTB 2, and DTB 3 Zoning Districts.
2. A scaled site plan for the facility shall be submitted as part of the application. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan. The applicant will be provided with a minimum of two weeks to respond to those comments before the Special Exception Permit Hearing will be scheduled. Applicants must allow for the time required for plan review and the applicant's response to the review process.
3. Applicants shall submit a narrative plan and/or assessment that addresses the following:
 - a. How the facility will fit with the character of the existing neighborhood.
 - b. Proposed hours of operation.
 - c. Types of activities that will occur onsite.
 - d. Crowd management strategies.
 - e. Parking and traffic analysis.
 - f. Noise control/mitigation strategies that will be in place when the facility is in use,
4. A parking analysis is required showing the anticipated parking needs for the facility. See Article 7, Section 7.7.F for more information on parking analysis requirements.

8.28. Public Utilities, Major

A. Purpose

1. To guide the permitting of major public utility facilities within the Town of Wytheville.

B. Application Requirements

1. Major public utility facilities require a Special Exception Permit in the A-1, B-1, B-2, BMX, BTS, M-1, and M-2 Zoning Districts.
2. A scaled site plan for the facility shall be submitted as part of the application. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan. The applicant will be provided with a minimum of two weeks to respond to those comments before the Special Exception Permit Hearing will be scheduled. Applicants must allow for the time required for plan review and the applicant's response to the review process.
3. Applicants shall submit a narrative plan and/or assessment that explains the following:
 - a. How the facility will fit with the character of the existing neighborhood.
 - b. Proposed hours of operation.
 - c. Types of activities that will occur onsite.
 - d. Parking and traffic analysis.
 - e. Noise control/mitigation strategies that will be in place when the facility is in use,
 - f. Mitigation strategies for other potential nuisances, such as smoke, dust, odors, or other types of nuisances that may be relevant to the specific industry that is being proposed.
4. A parking analysis is required showing the anticipated parking needs for the facility. See Article 7, Section 7.7.F for more information on parking analysis requirements.

8.35. Temporary Uses (Temporary Structures, Events, Tents, Etc.)

A. Purpose

- 1. To provide for and regulate the use of temporary structures such as tents, for special events and other activities.

B. Conditional Use Standards

- 1. Use for three days (36 Hours) or less and designed for private or family-related events including but not limited to weddings and estate sales.
- 2. Uses for four or more days, but not to exceed 90 days may be approved on a case-by-case basis by the Zoning Administrator. For these longer duration events, the applicant shall provide a site plan that indicates how parking needs will be addressed and how the site will function safely for the proposed activities and during inclement weather.
- 3. Parking shall occur on the subject parcel and adequate sanitation facilities shall be provided.

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A. Purpose

- 1. To provide for and regulate the use of temporary structures such as tents, for special events and other activities.

B. Conditional Use Standards

- 1. Use for three days (36 Hours) or less and designed for private or family-related events including but not limited to weddings and estate sales may be approved by the Zoning Administrator and the Building Official if relevant safety and crowd management issues are sufficiently addressed.
- 2. Uses for four or more days, but not to exceed 90 days may be approved on a case-by-case basis by the Zoning Administrator and the Building Official. For these longer duration events, the applicant shall provide a site plan that indicates how parking needs will be addressed and how the site will function safely for the proposed activities and during inclement weather.
- 3. Parking shall occur on the subject parcel and adequate sanitation facilities shall be provided.

6-B

Article 1. Subdivision Standards- 9/14/23 Draft

1.1. Introduction

1. This article provides guidance on how to subdivide land and/or modify lot lines. The subdivision and site development standards as shown in this Article are hereby considered the Town of Wytheville Subdivision Ordinance.

1.2. Intent

1. It is the intent of this section to create an orderly pattern for the creation and modification of lots in the Town of Wytheville. The term subdivision means the division of property for the creation of new lots and/or modification to existing lot lines. The vacate of plats, streets and alleyways are covered in this Article.

1.3. Applicability

1. This article shall apply to all division, redivisions and consolidations of land, the vacation of recorded subdivision plats or parts thereof, and the relocation of boundary lines. The article does not apply to divisions of land resulting from an order entered by a court of equity requiring that land be partitioned, or from the exercise of the power of eminent domain by any public agency.

1.4. Enabling Authority

1. In accordance with Code of Virginia § 15.2-2240 the Town of Wytheville is required to have a Subdivision Ordinance. The Code of Virginia § 15.2-2240 through § 15.2-2279 provides the enabling statutes for the Town of Wytheville's Subdivision Ordinance.

1.5. Purpose

The subdivision and site development standards are designed to:

1. Establish an orderly process for new lots to be created, modified in size, or located or vacated.
2. Ensure that subdivision lots are created in a manner that compliments the zoning requirements for zone districts and to integrate subdivision design with other types of land development guidelines.
3. Provide guidance on the processes required for the submittal of subdivision plats for review and approval.
4. Ensure that proper legal descriptions, notes, and best practices for plat development and survey techniques are used for orderly development.
5. Encourage design for public health, safety, and wellbeing and to make possible the provision of public services in a safe, adequate, and efficient manner.

6. Provide subdivision standards for street access, street development, utility development, drainage and design elements that are essential to creating safe and harmonious communities and neighborhoods.
7. Facilitate the transfer, dedication and/or acceptance of public infrastructure, right of ways and easements by establishing guidelines for these conveyances as part of new subdivision development.
8. Establish guidelines for the vacate of plats, lot lines and other types of vacate processes such as the vacate of public right of ways.

1.6. Acts Prohibited

In accordance with Code of Virginia 15.2-2254 the following provisions shall be effective and enforceable by the Subdivision Agent acting on behalf of the Town Council.

1. No person shall subdivide land without making and recording a plat of the subdivision and without fully complying with the provisions of this article.
2. No plat of any subdivision shall be recorded unless and until it has been submitted to and approved by the duly authorized agent, or governing body of the Town of Wytheville.
3. No person shall sell or transfer any land of a subdivision, before a plat has been duly approved and recorded as provided herein, unless the subdivision was lawfully created.
4. Any person violating the foregoing provisions of this Article shall be subject to a fine of not more than \$500 for each lot or parcel of land so subdivided, transferred or sold and shall be required to comply with all provisions of this article and ordinance. The description of the lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from the penalties or remedies herein provided.
5. No clerk of any court shall file or record a plat of a subdivision required by this article to be recorded until the plat has been approved as required herein. The penalties provided by Code of Virginia 17.1-223 shall apply to any failure to comply with the provisions of this section.

1.7. Role of the Applicant or Developer

1. The owner of the parcel(s) for which a subdivision application is submitted shall be considered the applicant and developer. A landowner can delegate responsibility to another person to serve as an agent on his/her behalf, however, the legal responsibility for adhering to this Ordinance resides with the landowner. It is the responsibility of the landowner, and developer, to meet the requirements of this Article, including the responsibilities associated with providing adequate street access, street design, stormwater infrastructure, utility infrastructure and all other required site elements associated with land development and subdivision.

1.8. Town Not Obligated

1. Nothing herein shall be construed as creating an obligation on behalf of the Town to construct, maintain or otherwise provide any subdivision improvements required by this ordinance and/or proposed by a developer. The cost of any improvement shall be at the expense of the developer. If the Town Council determines that a project is advantageous to the community at large and the project is critical to meeting the overall goals of the Town, the Town Council may, at its' own discretion, determine that it is in the community's best interest to assist with specific infrastructure needs which are related to the proposed development. Any such determination by the Town Council will be communicated to the developer in writing prior to final subdivision plat development and the decision shall be included in Town Council minutes for any such decision to be valid.

1.9. Approval of Subdivision by Town

1. Any division of property or a modification to a property line of any parcel located in the Town of Wytheville, shall be approved by the Town prior to recordation. Approval shall be shown by the signature of the Subdivision Agent, Town Manager, Mayor of Town Council and/or other town official delegated by the Town Council to act in this behalf and the approval signature shall be shown on the face of the subdivision plat. Prior to final plat approval the Town of Wytheville may require subdivision plat or site plan approvals by other local, state and/or federal agencies, when such approval is related to the project.

1.10. Recordation

1. The applicant for subdivision, shall fully cooperate with the agent, who may require forms, signatures, processes, fees and/or other legal instruments which may be required to complete the recordation process and finalize the subdivision. The Subdivision Agent will record any Town approved plat at the Wythe County Clerk of Court. The act of recordation will finalize the subdivision process and legally establishes the subdivision and any new lots.

1.11. Lots on Record

1. For the purpose of this ordinance a "lot on record" is a tract of land which has been assigned a Wythe County Tax Map Parcel Number by the Wythe County Commissioner of Revenue Office. The tax map number is assigned to a parcel after the recordation of a survey plat/subdivision plat which creates the new parcel(s). The Town of Wytheville does not assign new tax map numbers and this role is reserved by law to the Commissioner of Revenue. Questions about tax map numbers shall be directed to the Wythe County Commissioner of Revenue Office.

1.12. Mitigation Surveys

1. In some instances, historical issues, court orders, and takings may have created lots that are not usable due to mistakes, improper conveyances,

outliers and remnants from historic conveyances. The Town seeks to fix these historic issues, where possible, to create usable lots and physical order. The Subdivision Agent is authorized to approve mitigation surveys that seek to address historic mapping issues and remnant lots that are considered unusable or unable to meet current subdivision standards. The Wythe County Commissioner of Revenue office, the Town Manager and the Town Engineer must also approve these mitigation surveys prior to recordation. Mitigation surveys shall be approved by the landowner as shown on the face of the plat.

1.13. Town Geographic Information System (GIS)

1. The Town of Wytheville Geographic Information System is maintained by the Engineering Department and is used to reflect “best available data” for tax map parcels located in the Town. The Town GIS is for reference only. Historic properties which have not been surveyed may not be accurate. Any errors to the Town GIS can be reported to the Engineering Department. To correct an error a legal survey must be presented or prepared by a licensed surveyor and presented to the Engineering Department for correction of the GIS.
2. New subdivisions or modifications to lot lines will be reflected on the Town GIS after recordation of the survey plat in the Clerk of Court.

1.14. Property Tax Cards and Ownership

1. The Wythe County Commissioner of Revenue office shall be contacted for questions related to Property Tax Cards or property ownership.

1.15. Application Submittal and Review

1. The process for subdivision application review and approval is specified in Article 3 of this Ordinance. The role of the Subdivision Agent, the Planning Commission and the Town Council in reviewing and approving subdivision applications and affiliated processes is covered in Article 2.

1.16. Subdivision Classifications

1. The Town of Wytheville has three (3) subdivision classification types. This includes minor subdivisions, major subdivisions and the vacate of a plat, street or alleyway. The classification types are used to distinguish the various applications and processes related to review and approval, in addition to specific standards and expectations for design. The Subdivision Agent reserves the right to interpret which classification type shall be used in reference to specific projects. In general, the classification types include the following;
 - a. Minor Subdivision Classification: This classification includes those subdivision application types that seek to adjust boundary lines between lots on record (Boundary Line Adjustments), vacate boundary lines between lots on records (Boundary Line Vacations), and/or achieve a single division of property (Create Additional Lot) and/or be used for projects that substantially affect or create a number of new lots that is less than three lots (Create or Affect Less than Three Lots). This

classification shall not include any project that seeks to install new public utility lines or public streets for town acceptance, create new private streets and/or is reliant on phased development to achieve more than two (2) lots over time. This classification shall not be used with any project that involves homeowner associations or arrangements with long term maintenance of common areas, infrastructure or maintenance agreements.

- b. Major Subdivision Classification: This classification includes those subdivision application types that seek to create the addition of three (3) new lots or more. New lots are defined as lots that will have new tax map parcel numbers and does not include the original parent parcel on record. Projects defined as planned unit developments and/or other types of projects that facilitate a planned development with common ownership and/or shared spaces shall also be considered a major subdivision. Any project that seeks to install new public infrastructure to serve the development, such as new utility main line extensions and/or new public streets shall be considered a major subdivision. Projects that are phased to create multiple lots over various phases is considered a Major Subdivision.
- c. Vacate Classification: This classification includes those applications that seek to vacate a plat, street or alleyway. Vacate classification shall include any action to vacate a plat, street or alleyway directed by the Town, initiated by the Town and/or any landowner.

1.17. Changes to Subdivision Plats.

- 1. Prior to the final approval and recordation of a subdivision, any changes can be submitted to the Subdivision Agent for review. Proposed changes shall be shown on the final plat and development plan set and reviewed in accordance with this Ordinance. The landowners with property shown on the plat must be in agreement and will be required to sign the final plat. Costs associated with any change shall be at the expense of the landowner.
- 2. After the recordation of a survey plat, any proposed changes to a subdivision plat on record shall be submitted to the Subdivision Agent for review. The Subdivision Agent shall determine if there is a need to require a vacate of the original plat based on whether there is “significant change” that will affect the other landowners in the “same subdivision”. The existing of common master plans or other variables that may require a vacate of a plat shall also be considered.
- 3. In conducting this evaluation, “same subdivision” is generally defined as a common plan, or plat with the same land area or lots, which is also shown on the original recorded plat and reasonably expected to be the same subdivision as defined by common denominators such as HOA bylaws, restrictive covenants, access streets, stormwater and other elements tied to that same development. Those subdivisions with multiple phases which are shown on separate plats and/or developed in separate phases in distinct areas may not be considered the same subdivision if it can be proved that the subdivisions were intended to be developed as separate projects, at separate times, and under separate expectations.

4. Significant change. In those situations where the subdivision agent determines that a “significant change” is proposed, the Subdivision Agent will require that the original plat be vacated, and that a new plat be developed to replace the original plat. Significant change is generally defined as; any proposed change that will substantially affect the other lot owners with ownership of property in the same subdivision. Examples of significant change include changes that substantially affect the look or feel of the subdivision by reason of the types of development proposed, the location of public or private streets that serve the subdivision, common easements, and common utilities intended to serve the property owners shown on the same subdivision plat and/or when there are recorded HOA/private agreements which relate to the common plat on record and relate to the same land owners in deeded instruments.
5. Insignificant change. Insignificant changes to subdivisions that do not substantially affect other property owners, such as minor modifications to lot lines between two owners, can be approved by the subdivision agent when it can be shown that all other requirements of this ordinance can be met. The property owner must prepare and submit a plat that meets the ordinance.
6. Further subdivision of a recorded subdivision. The local governing body has no authority to further restrict the subdivision when the proposed division meets all other requirements of the ordinance. The Town will not enforce private restrictive covenants or other private agreements as it relates to restricting further division and any development that seeks to restrict future subdivision must do so independent of this ordinance.

1.18. Vacate of Plat, Street or Alley

1. Purpose. The purpose of this section is to outline the process for the vacate of a subdivision plat that has been recorded at the Clerk of Court. The Code of Virginia 15.2-2271-2274 provides guidance on the vacate of plat process for localities in Virginia. The application to vacate can be submitted by property owners or the process can be initiated by the Town Council through an ordinance of vacation. The vacate of a street or alley and related processes is covered at the end of this Article.
2. Vacation of plat before sale of lot therein; by the owners.
 - a. The owners, proprietors and trustees, if any, who signed the statement of consent to subdivide on the final recorded subdivision plat of any subdivision, may apply in writing for the vacation of the recorded plat or part thereof. The agent shall refer the application to the Planning Commission, which shall review the application for its consistency with the Comprehensive Plan. The Planning Commission shall forward the application, with its recommendation, to the Town Council for action.
 - b. With the consent of the Town Council, the owners, proprietors and trustees shall duly execute, acknowledge and record in the Wythe County Circuit Court Clerk's office a written instrument declaring the plat or part thereof to be vacated. The Town Council's consent shall appear on the face of the instrument, by the signature of the mayor or agent. The effect of recording this instrument shall be to divest all public rights in, and to reinvest the owners, proprietors and trustees, if any, with the title to the

streets, alleys, easements for public passage and other public areas laid out or described in the plat.

3. Vacation of plat before sale of lot therein; ordinance of vacation.
 - a. The Town Council may adopt an ordinance vacating a recorded plat, or part thereof, where no lot has been sold. The Town Council may refer the ordinance to the Planning Commission for a review and recommendation in light of the Town's Comprehensive Plan.
 - b. The ordinance shall not be adopted until after notice has been given as required by Virginia Code, 1950, as amended § 15.2-2204. The notice shall clearly describe the plat or portion thereof to be vacated and state the time and place of the meeting of the governing body at which the adoption of the ordinance will be voted upon. Any person may appear at the meeting for the purpose of objecting to the adoption of the ordinance.
 - c. An appeal from the adoption of the ordinance may be filed with the Wythe County Circuit Court within thirty days of the adoption of the ordinance. Upon appeal the court may nullify the ordinance if it finds that the owner of the property shown on the plat will be irreparably damaged.
 - d. If no appeal from the adoption of the ordinance is filed within the time above provided or if the ordinance is upheld on appeal, a certified copy of the ordinance of vacation may be recorded in the Wythe County Circuit Court Clerk's office.
 - e. The execution and recordation of the ordinance of vacation shall operate to destroy the force and effect of the recording of the plat, or any portion thereof, so vacated, and to divest all public rights in and to the property and reinvest the owners, proprietors and trustees, if any, with the title to the streets, alleys, and easements for public passage and other public areas laid out or described in the plat.
4. Vacation of Plat after sale of lot; consent of all owners.
 - a. The owners of all lots shown on a subdivision plat may apply in writing for the vacation of the recorded plat or part thereof. For the purposes of this section, the word "owners" shall not include lien creditors except those whose debts are secured by a recorded deed of trust or mortgage and shall not include a consort of an owner.
 - b. In cases involving drainage easements or street rights-of-way where the vacation does not impede or alter drainage or access for any lot owners other than those lots owners immediately adjoining or contiguous to the vacated area, only the signature of those lot owners immediately adjoining or contiguous to the vacated area shall be required.
 - c. The agent shall refer the application to the Planning Commission, which shall review the application for its consistency with the Comprehensive Plan. The Planning Commission shall forward the application, with its recommendation, to the Town Council for action.

- d. With the consent of the Town Council, the owners shall duly execute, acknowledge and record in the Wythe County Circuit Court Clerk's office a written instrument declaring the plat or portion thereof to be vacated. The Town Council's consent shall appear on the face of the instrument, by the signature of the mayor or agent. The effect of recording this instrument shall be to divest all public rights in, and to reinvest the owners, proprietors and trustees, if any, with the title to the streets, alleys, easements for public passage and other public areas laid out or described in the plat.
5. Vacation of plat after sale of lot; ordinance of vacation.
- a. The Town Council may adopt an ordinance vacating a recorded plat, or part thereof, where a lot has been sold. The ordinance may be initiated by motion of one of the Town Council members or on the application of any interested person. The Town Council may refer the ordinance to the Planning Commission for a review and recommendation. The Planning Commission shall consider the Town's Comprehensive Plan and whether the proposed vacation would irreparably damage the owner of any lot shown on the plat.
 - b. The ordinance shall not be adopted until after notice has been given as required by Virginia Code, 1950, as amended § 15.2-2204. The notice shall clearly describe the plat or portion thereof to be vacated and state the time and place of the meeting of the governing body at which the adoption of the ordinance will be voted upon. Any person may appear at the meeting for the purpose of objecting to the adoption of the ordinance.
 - c. An appeal from the adoption of the ordinance may be filed with the Wythe County Circuit Court within thirty days of the adoption of the ordinance. Upon appeal the court may nullify the ordinance if it finds that the owner of the property shown on the plat will be irreparably damaged.
 - d. If no appeal from the adoption of the ordinance is filed within the time above provided or if the ordinance is upheld on appeal, a certified copy of the ordinance of vacation may be recorded in the Wythe County Circuit Court Clerk's office.
 - e. The execution and recordation of the ordinance of vacation shall operate to destroy the force and effect of the recording of the plat, or any portion thereof, so vacated, and to divest all public rights in and to the property and reinvest the owners, proprietors and trustees, if any, with the title to the streets, alleys, and easements for public passage and other public areas laid out or described in the plat.
6. Effect of vacation of plat after lot has been sold.
- The recordation of the instrument shall operate to destroy the force and effect of the recording of the plat or part thereof so vacated, and to vest fee simple

title to the centerline of any streets, alleys or easements for public passage so vacated in the owners of abutting lots free and clear of any rights of the public or other owners of lots shown on the plat, but subject to the rights of the owners of any public utility installations which have been previously erected therein. If any street, alley or easement for public passage is located on the periphery of the plat, the title for the entire width thereof shall vest in the abutting lot owners. The fee simple title to any portion of the plat so vacated as was set apart for other public use shall be re-vested in the owners, proprietors and trustees, if any, who signed the statement of consent to the subdivision, on the final recorded subdivision plat, free and clear of any rights of public use in the same.

7. Notation on vacated plat.

Immediately upon the vacation of a recorded subdivision plat, or part thereof, the clerk of the circuit court shall write in plain legible letters across such plat or part thereof, the word, "VACATED" and also make a reference on the same to the volume and page in which the instrument of vacation is recorded. The agent shall cause similar notations to be made on the Town's official copy of the plat.

8. Request to alter or vacate a public street, public alley or public way.

- a. In accordance with Code of Virginia 15.2-2006, the town has established a policy and procedure to consider the request to vacate or alter a public right of way, street or alley. Such request shall be submitted by using the Town's application process and by following the respective policy.
- b. In accordance with Code of Virginia 15.2-2008 the town requires that as a condition of the vacation of a public right of way, alley or street, that the abutting landowners purchase the right of way or easement by equal fractional portion of that which is to be vacated. The value of the land shall be that which is assessed as the fair market value in accordance with the most recent tax valuation on record at the Commissioner of Revenue office and tabulated in dollars per square feet. The payment shall be made prior to the recordation of the ordinance for vacation. The Town council may in it's sole discretion waive the dollar value payment for the right of way, when it can be shown that the general benefit to the community warrants the waiver of the payment.
- c. A public hearing shall be held and advertised in accordance with Code of Virginia 15.2-2006 prior to consideration by the Town Council. The public hearing shall be set by the Town Council. and at their discretion they may appoint three (3) to five (5) "viewers", as either a committee of the council or comprised of other qualified persons to review the request and prepare a report that outlines any inconvenience that would result from discontinuing the right of way. At their discretion the council can pay the viewers up to \$50 for their service.
- d. When an applicant requests a vacation to accommodate expansion or development of an existing or proposed business, the Town Council may condition the vacation upon commencement within a specified period of

time and failure to meet this condition may void the vacation. A conditional vacation shall not be recorded until a condition has been met.

- e. The Town Council will consider the application to vacate based on variables which includes but is not limited to; ability to provide and maintain current and proposed future utilities that would use the public way, use of the right of way by the town and the citizenry, ability of all adjacent landowners to agree with the request, comments heard during the public hearing or other concerns by citizens, cost savings to the town, ability of emergency vehicles to access the site or surrounding areas, and any negative impacts associated with the vacation.
- f. If the Town Council agrees with the request to vacate a public way, they may enact an ordinance to vacate by majority vote of the membership.
- g. The Town Council may initiate a vacate proceeding on it's own accord, subject to the public hearing requirements and the drafting of an ordinance.
- h. Any appeal of a vacate of a public way shall be filed within sixty days of adoption of the ordinance with the Wythe County Circuit Court.

1.19. Subdivision Variations and Exceptions

- 1. The Town of Wytheville may grant subdivision variations or exceptions to the general regulations of this Article upon reasonable finding that such variation or exception is warranted due to unusual situations or when strict adherence to the general regulations would result in substantial injustice or hardship.
- 2. Upon receiving an application for a subdivision variation or exception, the Planning Commission shall consider the application and make a recommendation to the Town Council. The Town Council shall determine whether a subdivision variation or subdivision exception can be issued. A request for a subdivision variance or exception shall be submitted as a separate application for review. The request shall specify the specific article of this ordinance that the variation or exception is requested of, along with the justification for the request. Any variance or exception approval shall be granted by the Town Council, prior to the submittal of the final plat. Application for Subdivision Variation or Exception is covered in Article 3.

1.20. Direct Language from Code of Virginia 15.2-2265

- 1. The recordation of an approved plat shall operate to transfer, in fee simple, to the respective localities in which the land lies the portion of the premises platted as is on the plat set apart for streets, alleys or other public use and to transfer to the locality any easement indicated on the plat to create a public right of passage over the land. The recordation of such plat shall operate to transfer to the locality, or to such association or public authority as the locality may provide, such easements shown on the plat for the conveyance of stormwater, domestic water and sewage, including the installation and maintenance of any facilities utilized for such purposes, as the locality may require. Nothing contained in this article shall affect any right of a subdivider

of land heretofore validly reserved. The Clerk of Court shall index in the name of all the owners of property affected by the recordation in the grantor's index any plat recorded under this section. Nothing in this section shall obligate the locality, association or authority to install or maintain such facilities unless otherwise agreed to by the locality, association or authority.

2. When the authorized officials of a locality within which land is located, approves in accordance with the subdivision ordinances of the locality a plat or replat of land therein, then upon the recording of the plat or replat in the circuit court clerk's office, all rights-of-way, easements or other interest of the locality in the land included on the plat or replat, except as shown thereon, shall be terminated and extinguished, except that an interest acquired by the locality by condemnation, by purchase for valuable consideration and evidenced by a separate instrument of record, or streets, alleys or easements for public passage subject to the provisions of § 15.2-2271 or 15.2-2272 shall not be affected thereby. All public easements, except those for public passage, easements containing improvements, those that contain private utility facilities, common or shared easements for the use of franchised cable operators and public service corporations, may be relocated by recordation of plat or replat signed by the owner of the real property, approved by an authorized official of a locality, regardless of the manner of acquisition or the type of instrument used to dedicate the original easement. In the event the purpose of the easement is to convey stormwater drainage from a public roadway, the entity responsible for the operation of the roadway shall first determine that the relocation does not threaten either the integrity of the roadway or public passage. The Clerk of Court shall index the locality as grantor of any easement or portion thereof terminated and extinguished under this section.

1.21. Survey Plat Standards

1. Survey plats submitted for Town review shall contain the following minimum information:
2. The text and graphics as required in this Ordinance.
3. The name of subdivision, property owner, developer if different, surveyor or engineer, date of drawing, and number of sheets.
4. The Zoning District in which the property is located.
5. The Magisterial District in which the property is located.
6. The FEMA designated flood zone(s) in which the property is located and the associated Flood Insurance Rate Map, and when applicable any other requirements for floodplain development as required by the National Flood Insurance Program and Federal Emergency Management Agency.
7. A north arrow, legend, title block, reference datum, vicinity map. Plats shall be to scale and shall include a graphic scale and a written scale. Plats shall use a 1 : 2000 standard.
8. Name of existing subdivision in which the lots are located, if applicable.
9. The benchmark from which all measurements are taken (point of beginning).

10. All existing platted and proposed streets with names, numbers, pavement width, and right-of-way or easement widths.
11. Location of any grave or structure marking the location of a human burial.
12. Adjacent property tax map numbers and owners. Show current title reference.
13. All parcels and proposed conveyances to be dedicated for public use or as common space.
14. Curve and line data and dimensions by bearings and distances of boundaries of all proposed and existing lot lines and rights-of-way or easements.
15. Accuracy of not less than one (1) in ten thousand (10,000).
16. Watercourses, their names, and any applicable information, and when applicable drainage districts and mapped dam break inundation zones.
17. Show area of all proposed and existing lots in acreage units. Lots of less than one acre in size shall also be shown in square feet.
18. Linear feet of street/road frontage for all existing and proposed affected lots.
19. Any existing or proposed easements located on the subject property.
20. Any existing and proposed utilities located on the subject property.
21. Existing or proposed onsite septic or onsite well/other water source locations.
22. When needed for the VDH approval of onsite systems, appropriate system information, related contours, and any other information required by the VDH and/or specified in the Town of Wytheville Guidelines for VDH Review of Subdivision Plats.
23. Any existing and proposed development or buildings located on the subject property(s). When setbacks of existing or proposed structures are less than 50 feet to property lines, plat shall show the distance in linear feet for all structures from the building line to any current and/or proposed property lines.
24. The 911 street addresses of related structures shown on the plat. If 911 street addresses have not been designated yet, use TBD and street name.
25. Original seal from the surveyor or engineer certifying the plat; which shall be prepared by a certified professional engineer or land surveyor.
26. When the plat is of land acquired from more than one source of title, the outlines of parent parcels shall be indicated upon the plat. Source of title shall be clearly associated with each parent parcel.
27. Vacated lot lines shall be clearly marked as such. When lots are to be combined this shall be shown and stated on the plat. Combined lots shall ensure that the proposed combination of lots does not violate zone district or other zoning requirements.
28. Vacated plats, easements, right of ways shall be clearly identified and indicate approval dates of Town Council actions. The process for vacating plats and public right of ways shall be in accordance with this Article 3.
29. Acreage table showing pre-subdivision lot areas of all affected tax map numbers and after subdivision lot areas of all affected tax map numbers.

- 30. Plat Notes. Notes on the plat shall be accurate. The Subdivision Agent reserves the right to require note corrections or the addition of notes, when needed to satisfy the intent of this ordinance. At a minimum the following plat notes shall be on the face of the plat;
 - a. The shown properties are located in the Town of Wytheville. Proposed development shall meet the requirements of the Town of Wytheville Unified Development Ordinance.
 - b. (Indicate if properties are currently served by public water and/or sewer or onsite water and septic services, if public utilities are proposed please specify as proposed not currently served)
 - c. (Status of street or access) Properties are located on a public street maintained by the Town of Wytheville. (or) Properties are located on a private street and are not maintained by the Town of Wytheville.

- 31. The plat shall contain any other information, as determined by the Subdivision Agent to meet the intent of this ordinance.

1.22. General Requirements

- 1. The requirements below shall apply to all subdivision applications.
- 2. **Monuments:** Concrete monuments or iron pins shall be set for all corners, angle points, radial points, and at intermediate points along streets or boundary lines where monuments cannot readily be seen from one another. The monuments shall be installed per Code of Virginia requirements. Any monument removed, moved, or destroyed during the development of any property shall be replaced by the person responsible for the removal or damage.
- 3. **Public and Private Utility Easements:** When easements are required, the proposed area with easement width and type shall be shown as listed in the Town of Wytheville Water and Sewer Utility Standards or as required by the utility. Notes on the plat or separate deeds of conveyance shall cover long term maintenance responsibility of the easement areas. Pre-existing public and private utility easements, with associated details shall be shown on the plat with reference to the recorded instruments.
- 4. **Stormwater/ Drainage Infrastructure and Easements:** The area of stormwater/ drainage easements and any areas needed to preserve open space, access and provide maintenance to stormwater management facilities shall be shown on the plat. The minimum width of access and maintenance easements for stormwater pipes, swales and drainage areas shall be 15' wide. Stormwater ponds, BMP areas and open space requirements which are shown and/or related to a required SWM plan, shall be surveyed out and the metes and bounds of the boundaries shall be shown. Notes on the plat or separate deeds of conveyance shall state the long term maintenance responsibility of stormwater infrastructure and areas. Pre-existing or proposed drainage and/ or stormwater easements with associated details shall be shown on the plat with reference to any recorded instruments on file at the Wythe County Clerk of Court.

5. **Public Use Access Easements/Right of Ways:** The required width and type of right of way and/or easement for the public use and maintenance of new public streets, sidewalks, and any other public access infrastructure shall be shown on the plat. Notes on the plat or separate deeds of conveyance shall cover long term maintenance responsibility. Adequate width, type and exclusive or non-exclusive use shall be listed. Any pre-existing access easements, alleys and right of ways shall also be shown on the plat with appropriate detail of these conveyances and reference to the recorded instruments. New right of ways shall only be allowed for public streets, sidewalks and areas which are specifically noted as those areas which are intended for conveyance to the Town and to be maintained by the town in perpetuity.
6. **Temporary Construction Easements:** Temporary easements required for construction and other temporary activities shall be shown on the plat and described as such. If needed, separate agreement documents may be required between the grantee and the grantor.
7. **Professional Seal:** Subdivision plats shall be prepared by a professional engineer or land surveyor registered in the Commonwealth and shall be signed and sealed with original ink indicating as such.
8. **Development Site Plans:** Site plans which are required for any new construction, development or redevelopment shall be in the form of stamped engineered site plans and the plans shall mirror the property conveyance needs as shown on the subdivision plat. In the event that the Subdivision Agent determines that a minor subdivision does not justify the need for an engineered site plan a conceptual plan may be submitted in lieu of an engineered site plan at the time of subdivision review. The key design elements of a site, such as; site access, streets, public and private utilities, stormwater, sidewalks and the development standards required in Article 7 and Article 8 of this ordinance shall be shown as required on the site plan. The Town Code, The Town Water and Sewer Standards, and any applicable local, state and federal guidance for development standards shall be shown. It is the responsibility of the developer to ensure that the site plan can be approved by the Town Engineer, the Town Zoning Administrator and the Town Subdivision Agent, prior to final subdivision plat approval. If state agency approval is required the site plans shall be approvable by those agencies prior to final subdivision approval.
9. **Survey Extents:** Survey extents showing the proposed changes to subject properties, shall be relative to the project when it is reasonable to do so. Remainder of tracts not shown on the survey shall be called out. The Subdivision Agent reserves the right to either require a field survey of an entire property or the showing of the extents of an entire property, when it is needed to indicate that all requirements of this ordinance can be met. If a previously recorded plat is used in lieu of a property survey, the deed book and page shall be referenced, and a sketch of the property boundaries taken from the recorded plat shall be included on the plat. Acreage and square footage changes to tax map numbers must be shown.
10. **Coordinate System:** All plats should be surveyed on the NAD 1983 State Plane Virginia South Coordinate System. For major subdivisions, the

surveyor acting on behalf of the developer shall be required, after final plat recordation, to submit the final and approved subdivision in a digital GIS shapefile compatible with the Town GIS system.

11. **Fire Hydrants and Fire Protection:** Any developer of a new subdivision, commercial, industrial, or multi-family site who conducts any of these activities shall be responsible for installing adequate fire protection. This shall include any developer who pursues new greenfield development, redevelopment of an existing site to a new use that requires additional fire protection, extends a new main waterline, constructs a new public or private street for a subdivision, or creates three or more new residential lots. This developer shall be responsible for providing fire hydrants and fire protection for all proposed lots or sites. All site developers of either subdivisions or multi-family, commercial or industrial sites shall consult with the Town Engineer and Town Fire Chief prior to project development to ensure that fire flow water quantity and pressure is sufficient for water related fire suppression needs of the proposed subdivision, to include known future development or phases, to be served by the system. New development and/or new major subdivisions are required to upgrade main water supply lines to the size required for fire flows and shall install new hydrants to meet fire protection standards for the type of proposed development. Fire hydrants shall be located at every intersection and every 1000' in linear distance thereafter. Hydrant placement in relationship to the street and hydrant/valve types shall meet the requirements of the Town Water and Sewer Standards. The cost of required fire protection shall be borne by the developer. In such areas where public water is not reasonably available or adequate, the Fire Chief may require such alternate provisions as deemed reasonably necessary to provide adequate fire protection and development. Proposed development may be denied if adequate fire protection is not available due to limited public water supply.
12. **Emergency Vehicle Site Access and Fire Apparatus Design Standards:** Site access to building lots, subdivisions, new development and re-development shall meet emergency vehicle and fire apparatus design standards. Minimum design standards for streets shall be met as shown in this ordinance. Minimum pavement width and turn radius design standards for site access shall be in accordance with the VDOT Access Management Design Standards and based on the type of development. Unobstructed vertical clearances of at least 14' tall, and horizontal clearances of at least 20' wide shall be maintained. Site access grades shall not exceed 10% and cross slope of any surface used for access shall not exceed 5%. Locked gates shall have an emergency vehicle knock box installed and shall meet all other requirements of the International Fire Code. All lots under construction and finished structures shall have address markers placed at each entrance and visible from both directions of travel on the road. Multiple addresses mounted on a single post at end of driveway with additional markers where driveways divide is required. Driveways in excess of 150' in length shall have adequate turn-around that meets fire apparatus requirements. Driving surfaces and bridges must be weight rated to carry fire apparatus equipment. No parking signs for fire lanes and limited width streets shall be installed. The following projects shall have two (2) fire apparatus access roads; buildings exceeding three stories or 30 feet in height, buildings with a gross sq feet exceeding

62,000 sq. feet, multiple family or single-family subdivision and/or residential projects exceeding 30 dwelling units. Any new structure over 30' tall must also provide an aerial fire apparatus access road that meets the International Fire Code. Any exceptions to fire apparatus road requirements shall be based on the specific type of building fire suppression proposed and exceptions may be granted by the Fire Chief in accordance with the International Fire Code.

13. **Conveyance to the Town:** In accordance with the Code of Virginia 15.2-2265, the recordation of an approved plat shall operate to transfer, in fee simple to the town, any easement indicated on the plat to create a public right of passage over the land. Public passage shall include streets, alleys, sidewalks and any other type of public way. Public use easements shown on the recorded plat for conveyance of stormwater, domestic water and sewage, including the installation and maintenance of any facilities utilized for such purposes as the locality may require, shall also serve to convey these areas to the town. Nothing shall obligate the locality to install or maintain such facilities unless otherwise agreed to by the locality, in writing.
14. **Jurisdictional Lines:** The creation of new lots and/or amendments to lots platted under the provisions of this Ordinance, to the best extent which is possible based on available data, shall draw new lot lines in agreement with jurisdictional boundaries. Proposed changes to those lots which are located in more than one jurisdiction shall be approved by both the Town and the respective adjacent jurisdiction and agreed to by the Wythe County Commissioner of Revenue's office prior to recordation.
15. **Zone District Agreement:** A proposed subdivision must have zone district agreement and a lot shall not be split zoned. If proposed lots are not of the same zone district, a rezone application shall be submitted and approved prior to subdivision plat review and approval. As part of the rezone application, a preliminary subdivision plat, submitted by a licensed surveyor and showing that the boundary line adjustment or vacation can meet all other requirements of this article shall be submitted for consideration. A proffered agreement by the developer, to record the subdivision plat within six months of the rezone approval shall be submitted at the time of the rezone application. If a rezone is approved, the subdivision plat that meets all other requirements of the ordinance can be recorded.
16. **New Access and New Streets:** When new streets and/or new access points are required for a subdivision, the Virginia Department of Transportation (VDOT) Urban Construction and Maintenance Guidance, VDOT Access Management Guidelines and any required Traffic Impact Analysis shall be used to determine the best access points of new streets. In the interest of hazard mitigation planning, adequate travelways to evacuate an area must be installed. Fire apparatus road requirements shall be met for the type of new development. The approval of the plat is reliant on the ability of the developer to meet the needs of this ordinance for site access and transportation infrastructure requirements.
17. **Modifications to Existing Access and Existing Streets:** When required as part of a traffic impact study or required in relationship to the approval of a new land development, the modification to existing access points or existing streets located within the parameters of subdivision may apply. Street

modifications and access modifications shall meet the street and access standards as shown in this ordinance and affiliated town codes.

18. **Erosion and Sediment Control and Stormwater Management:** If the proposed subdivision and type of subdivision development meets the threshold requirement for either a Town Erosion and Sediment Control Plan and Permit and/or a Department of Environmental Quality (DEQ) Stormwater Management Plan and Permit, the preliminary site plans for this type of development must be submitted prior to or at the same time as the preliminary subdivision plat. The DEQ Common Plan of Development is defined as “a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules”. These types of developments will require a SWM Plan and Permit for the proposed land disturbing activity. The DEQ and local E&S and zoning site plan approvals or the ability to achieve site plan approvals shall be required prior to the final subdivision plat approval.

Drainage shall be considered as part of the plat design and sites shall plan to accommodate potential runoff from the entire upstream drainage area. The plat shall indicate those areas that need to be reserved for stormwater drainage easements through abutting properties and development areas. Lot sizes shall be designed to accommodate adequate stormwater infiltration, drainage areas on the lot. Sufficient areas shall be reserved for community based retention and detention areas when needed. Infrastructure shall be sized appropriately for the conveyance of proposed drainage and stormwater.

19. **Karst, Wetlands, Waterways, Floodplains and Unconsolidated Fill.** Development in karst areas, in wetlands, in floodplains and on unconsolidated fill can create hazards for future owners and users of property. The purpose of this section is to highlight the importance of appropriate design when known variables indicate the likelihood of these conditions on a site which is planned for development. The Town of Wytheville is committed to the stewardship of water resources and encourages site design and subdivision planning to minimize impact to this valuable resource. Appropriate planning and development that minimizes the hazards associated with development within close proximity to waterways, floodplains, wetlands and karst terrain shall be used. New development shall be designed to mitigate future hazards such as sinkhole subsidence, flooding and groundwater contamination.

Any major subdivision, multi-family, commercial and/or industrial development which is located within 100 feet of a known waterbody, karst geologic system (sinkholes, caves, sinking creeks), wetland and/or FEMA designated floodplain, and/or located on areas of unconsolidated fill, may be required to provide appropriate geotechnical, hydraulic/hydrologic studies that show how the development can be safely built. Voluntary performance standards that show how the development can be responsibly located on or near these environmentally sensitive and potentially hazardous areas must be submitted by the developer, at the time of site plan review, to indicate how the development can work within these natural and manmade constraints.

Floodplain development must follow the floodplain zoning overlay standards of this ordinance. Design techniques such as setbacks to

waterways/wetlands/karst, designation of common areas/vegetated/natural areas for long term protection of these resources and other measures that reduce impact to these resources are highly encouraged. Development plans shall ensure that the integrity of natural onsite water resources remains largely undisturbed so that natural functions for water protection remain intact. The subdivision agent and/or governing body may approve a variation to any requirement of this ordinance, when it can be shown that such measure is needed by the developer to mitigate hazards and protect water resources.

20. **Offsite Improvements:** Any developer may voluntarily fund off-site improvements associated with a proposed development, when it can be shown to the satisfaction of the Town Engineer and the Town Manager, that the off-site improvements can be safely installed and meet the town specifications and standards for development. As part of a rezone application, a developer may proffer offsite improvements. The locality may, at it's discretion ,enter into an agreement with a developer for offsite improvements subject to the requirements of Code of Virginia 15.2-2242 and 15.2-2243. Any such agreement shall be in place prior to the consideration of the site plan and final subdivision plat.
21. **Public Water and Public Sewer Connection Required:** In accordance with Code of Virginia 15.2-2121, the Town requires that any proposed subdivision lot, must provide public water and public sewer by the extension of and connection to abutting or adjacent public water and public sewer systems. The cost and completion of these connections to proposed lots associated with the subdivision shall be at the expense of the developer. In the event that a connection to public water and/or public sewer is not possible due to limitations of the property by virtue of extreme location, topography, or other geographic constraints, the developer can apply for a subdivision exception of this connection requirement. The request must be made prior to final subdivision plat submittal. If approved, the proposed subdivision must show the ability to provide onsite systems and provide the required Virginia Department of Health (VDH) approval for the use of onsite systems on each proposed new lot.
22. **Required Easements:** Public utility easements (PUE) shall be required for the future connection of the subject property and adjacent properties to public water and public sewer utilities. Easement location and width shall also consider long term maintenance of these utilities, and may require additional easement area in locations with steep terrain, sensitive areas or unusually deep utility line locations. The minimum required PUE width is 15' wide on all exterior lines of the lot, unless it can be shown that adequate easements are in place or service lines and easements are already meeting the needs of the community for public utility to the extent that new public utility easements are unnecessary. The Town Engineer shall have the final say on any decision to exempt a new parcel from the required public utility easement. Additional easements may be required to provide electrical power, telecommunications and other utilities such as natural gas, when it is the intent of the developer to provide said utilities to new lots/new sites.
23. **Public Water and Sewer Utilities:** In providing the extension of on-site public or private water and sewer infrastructure to meet the needs of the

subdivision or site plan, the developer shall follow the standards and the specifications of the Town of Wytheville Water and Sewer Standards. In accordance with Code of Virginia 15.2-2121 the design and installation of water and sewer utilities to meet Town Water and Sewer Standards is a requirement of plat or plan approval. The water source and size of system shall be capable of meeting the needs of the eventual inhabitants. Sewerage systems must be compatible with town conveyance needs, pump stations and requirements for protection of the public sewerage system.

The type of proposed water and sewer public utilities serving the subdivision, the owner of the utility and any notes needed to convey that either private or public water and/or public sewer service is available to serve each lot shall be shown on the plat. The location and type of both proposed and any in place utility infrastructure shall also be shown on the plat or plan, such as other existing lines, meter bases, manholes, cleanouts etc..

24. **Onsite Systems:** Subdivision plats with proposed lots that are reliant on onsite wells or onsite septic systems for water and sewer needs, shall meet the Virginia Department of Health requirements for system setbacks, separation distances and other applicable standards for the required operation, health, and safety of onsite systems. Evidence that the Virginia Department of Health (VDH) standards can be met must be submitted prior to subdivision plat review and approval. For any subdivision that proposes the use of onsite systems, the VDH Statement and signature by VDH authority shall be shown on the face of the plat. Additional information on the VDH requirements for the review of subdivision plats is available at the office of the Subdivision Agent.
25. **Performance Agreement Required:** For any subdivision project that requires the installation, improvement, construction or maintenance of any physical improvement, such as streets and public utilities, a Performance Agreement on the form prescribed by the town, must be submitted by the developer prior to final plat submittal. The agreement must indicate each type of improvement, the timeline for action and the assurance that the developer is aware of the ordinance requirements and committed to completing the improvements. The items listed on the agreement must match the required site plan and subdivision plat, and when needed engineers estimate and surety value. (site development and/or subdivision agreement)
26. **Surety:** In rare circumstances, the town may consider approving a final subdivision plat prior to the installation of infrastructure improvements. As a condition of approval the owner or developer must guarantee the completion of infrastructure and/or site-related improvements which are shown on approved site plans and survey. If a request is made by the developer for the locality to approve a subdivision plat or plan prior to all improvements being physically installed and inspected to the satisfaction of the Town, the developer can request to post a surety for the remaining improvements. A performance agreement, engineers estimate for remaining improvements, type of surety and required forms shall be submitted in accordance with the Town of Wytheville Surety Policy.
27. **Preliminary Subdivision Plat:** The preliminary subdivision plat review and approval method is optional for any developer who requires assurance of

Town approval of the subdivision plan, prior to making investments related to site improvements or the development of the final subdivision plat.

- 28. **Other Agreements:** Developers of subdivisions that are reliant on Homeowner Associations or other types of shared space agreements for the management of common areas and critical infrastructure shall develop the appropriate documents in a draft form at the time of subdivision plat review. If the subdivision approval is based on these types of agreements to provide the critical infrastructure or maintenance of critical infrastructure needed of the subdivision, the developer will be required to sign a subdivision performance agreement which obligates the developer to finalize the recording of any homeowners' agreements, bylaws, and/or other documents needed to formally establish the association or legal arrangement within thirty (30) days of the recording of the subdivision plat.
- 29. **Zone District and Site Development Standards:** It shall be the responsibility of the developer to design new lots, or modification of lots in such a manner that the lots can meet all other zoning requirements of the Unified Development Ordinance. Existing and proposed structure setbacks, lot sizes, and lot frontage requirements as shown for the respective zone district must be met. Landscaping, street lights, parking and other improvements associated with a new subdivision shall meet the development standards of the Unified Development Ordinance.
- 30. **Lot Identification, Orientation and Arrangement:** The lots shall be numbered or identified on the plat for reference. The arrangement of the lots shall be designed so that the practical installation of access locations, required infrastructure, and intended structures can be physically constructed on the space as it relates to geography and other limiting factors. Preferred orientation shall be to the front street line, unless it can be shown that alternate orientations are needed for reasons outside of the control of the developer and that the layout is arranged in a harmonious manner with the surrounding community and landscape.
- 31. **Remnants Not Allowed:** Residual tracts that are below a usable minimum lot size shall not be allowed and these areas shall be combined with other lots. Excessive right of way or public easements that have no value to the town or the general public will not be accepted by the Town.
- 32. **Subdivision and Street Names:** The developer shall submit subdivision names and any new street name for review and consideration by the Subdivision Agent. Proposed names that bear a close resemblance to other established subdivisions or streets and/or names that create unintentional confusion will not be allowed. Street naming guidelines that meet emergency management and industry standards shall be used.

1.23. Plat Statements Required

The following signed statements shall be on every plat submitted for subdivision review and approval.

1. Surveyor's Statement

All plats shall include a Certification and Source of Title Statement, with signature line for the surveyor.

“This is to certify that the property shown hereon is the property acquired by (property owner) by an instrument dated _____ and recorded as (Deed Book and Page) and (Land Record number) and recorded in the Clerk’s office of the Circuit Court of Wythe County, Virginia. Said land records being the last instrument in the chain of title to said property.”

“I hereby certify that this survey, to the best of my knowledge and belief, is correct and complies with the requirements of the Town of Wytheville Unified Development Ordinance. Given under my hand this _____ day of _____.”
_____(signed name)

2. Owner’s Statement

The owner’s statement with a signature of all the owners of any applicable parcels subject to the subdivision, and dated for each owner shall be on the plat.

“The platting or dedication of the following described land (insert a correct description of the land subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors, and trustees, if any.”

_____ Owner Name _____ Date

(A notary statement for each signed owner must be on the plat)

3. Town Approval Statement

All plats shall contain the following statement with a signature and date line for the Subdivision Agent’s Approval.

“This subdivision plat meets all of the requirements of the Town of Wytheville Unified Development Ordinance as of the date this plat was approved and signed.” _____(name) _____(date)

When it is necessary for a Major Subdivision to be heard by the Planning Commission or Town Council for final approval a statement indicating the date of approval shall be on the face of the plat.

“The Planning Commission approved this plat at the xx/xx/xx meeting, as shown on the approved meeting minutes.”

4. Water and/or Sewer

If a plat contains lots which are not already connected to public water or sewer, or if lots have not been approved for public water and sewer connection, by the Town Engineer, the plat shall contain the following statement:

“Lot ___ as shown herein, is not connected to public water and/or sewer and the lot(s) have not been evaluated to determine the feasibility of a public utility connection or identified way to access public water or public sewer.”

If a plat contains lots that are already connected to or public water and/or

sewer, or the lots are already approved to be connected to public water and/or sewer by the Town Engineer, including all needed easements and right of ways, the completed inspections of said systems and the final approval to connect said systems, the nature of such shall be specified on the plat and a signature line for the Town Engineer to indicate his/her approval shall be shown on the face of the plat.

“Lot ____ as shown herein, have an existing connection to public water and/or sewer” or “Lot _____ as shown herein have been evaluated by the Town Engineer for connection to public water and/or sewer and such connection is possible upon application and required payment for connection/required equipment to connect by the lot owner.”

If a plat contains lots that are reliant on the use of onsite systems for water and/or sewer, the following shall be shown on the plat.

“ Lot _____ as shown herein, is reliant on the use of onsite well/spring/etc for water supply and/or the use of onsite septic.”

1.24. Plat Statements When Required

When applicable to the subdivision, the following statements shall be on the face of the subdivision plat.

1. Private Street Statement

If a private street is used to access a lot, the plat shall contain the following statement:

“Access to the lot(s) shown on this plat is privately owned and maintained and does not meet the standards necessary for inclusion in the public street system, will not be maintained by the Virginia Department of Transportation or the Town of Wytheville, and are not eligible for rural addition funds, as defined in § 33.-335, or any other funds appropriated by the General Assembly and allocated by the Commonwealth Transportation Board. Under no circumstances shall Town of Wytheville or VDOT be required to make any improvements or be responsible for any maintenance of the roadway. The private owners shall be entirely responsible for all maintenance, repairs, and improvements, to include vegetative control, litter management, snow plowing and regular repairs to the street infrastructure, shoulders and access easement. The Town of Wytheville police will not enforce traffic control or parking on private streets.”

2. Shared Use Access Statement

If a proposed lot or site plan is approved based on the use of shared access, the plat shall contain the following statement:

“ The lots as shown on this plat are reliant on a shared use or shared driveway access and maintenance agreement on file at the Wythe County Office of Circuit Court. The Town is not responsible for enforcing this agreement and any dispute shall be heard as a civil matter between the parties subject to this agreement. The Town is not responsible for maintenance of any shared driveway and shall not cut vegetation, snow plow or otherwise maintain these areas. ”

3. VDH Signature

When a subdivision plat requires a VDH signature line to verify VDH approval as it relates to onsite septic systems, it shall contain the following statement, or similar statement provided by VDH, with a VDH signature line and date line:

“This subdivision is approved for individual onsite sewage systems in accordance with the provisions of the Code of Virginia, and the Sewage Handling and Disposal Regulations (12 VAC 5-610-10 et seq., the “Regulations”), and the Town of Wytheville Unified Development Ordinance.

This subdivision was submitted to the Health Department for review pursuant to § 32.1-163.5 of the Code of Virginia which requires the Health Department to accept private soil evaluations and designs from an Authorized Onsite Soil Evaluator (AOSE) or a Professional Engineer working in consultation with an AOSE for residential development. The Department is not required to perform a field check of such evaluations. This subdivision was certified as being in compliance with the Board of Health’s regulations by: (AOSE/PE name, certification or license #, phone #). This subdivision approval is issued in reliance upon that certification.

Pursuant to § 360 of the Regulations, this approval is not an assurance that Sewage Disposal System Construction Permits will be issued for any lot in the subdivision unless that lot is specifically identified as having an approved site for an onsite sewage disposal system, and unless all conditions and circumstances are present at the time of application for a permit as are present at the time of this approval. This subdivision may contain lots that do not have approved sites for onsite sewage systems.

This subdivision approval is issued in reliance upon the certification that approved lots are suitable for “traditional systems” however actual system designs may be different at the time construction permits are issued.”

(Place VDH signature line and date at the bottom of the statement)

4. Stormwater Management Note.

“ The maintenance, repair, and operation of any stormwater management improvements and conveyance systems , as shown on this plat, are the private responsibility of the current and future land owners of the property shown herein and shall not become a public responsibility unless formally dedicated to and expressly accepted by Town of Wytheville or other public agency.”

5. Homeowner Association, Restrictive Covenants and other Private Agreements.

If a project/plan or plat is approved by the Town, and the plat or plan is based on the intent that either private restrictive covenants, shared use agreements, homeowner's association arrangements, etc... are legally established and in place to provide common access, long term maintenance and other established private agreements, a statement shall be placed on the face of the plat that indicates and calls out the respective areas controlled by these agreements and the source of recorded instruments in the Clerk of Court. A statement shall be shown on the face of the plat that "Private agreements and/or restrictive covenants are not enforced by the Town of Wytheville and are subject to enforcement by the parties specified within the agreement."

For private and public streets and other common areas which are essential to the health, safety and welfare of a community, the Town may require that the development have a proposal in place to address long term maintenance, such as restrictive covenants or formation of a Homeowners Association.

1.25. Streets, Sidewalks, Site Access, and General Transportation Guidelines (This section may be moved to Article 7)

1. **Applicability:** These standards shall apply to subdivision development, new site development and/or re-development of sites, access points, traffic control, streets, alleys, and general transportation networks which includes sidewalks, pathways and other forms of travel ways.
2. **Purpose:** The purpose of the standards is to meet the zoning objectives of Code of Virginia 15.2-2283 to provide for convenience of access, to reduce or prevent congestion in the public streets, to facilitate creating a convenient, attractive and harmonious community, to facilitate the providing of adequate transportation networks and to protect against danger and congestion in travel and transportation.
3. **Relationship to Subdivision and Site Plan Review:** The standards in this article shall be used to design and develop new site access, traffic control, streets, sidewalks and other manners of transportation networks as it relates to the development of subdivisions and site plans for new development or redevelopment of a site. The intent of this Article is to full fill the mandatory and optional subdivision ordinance requirements of Code of Virginia 15.2-2241 and 15.2-2242 for street and transportation standards.
4. **Relationship to VDOT Standards.** It is the intent of this section to specifically state any local standard which is more stringent than a VDOT reference standard. In the event that there is a conflict with any VDOT reference, the listed local standard shall apply. The Town Engineer is enabled to make any interpretation or determination regarding conflicting or contradicting standards as it relates to street and transportation guidelines.
5. **Virginia Department of Transportation (VDOT) Urban Construction and Maintenance Program:** The Town maintains and operates public streets and public right of ways within the incorporated limits of the Town. In return for maintaining it's own streets, the Town receives maintenance funds by the Commonwealth of Virginia for the operations and maintenance of public streets and travel ways. To qualify for maintenance payments, municipal

roads must meet the criteria for street design as shown in Code of Virginia 33.2-319 and reflected in the VDOT Urban Construction and Maintenance Program Manual (Urban Manual). The guidance in this Article is intended to reflect the mandatory requirements for public street design. In unusual situations where flexibility is needed due to unforeseen or extraordinary situations, some latitude may be given, at the discretion of the VDOT representative in accordance with the guidelines of the Urban Manual and with the concurrence of the Town Manager and when it can be shown that the street can still meet urban inventory criteria.

6. **Inspection Requirements for Public Streets.** New public streets and/or improvements to public streets associated with new development, redevelopment or subdivisions shall be built to the standards of this Article and shall have qualified third party inspections, inspection reports, and a final certification letter regarding the work in the right of way. When not otherwise pre-specified by the Town Engineer the inspection process shall follow the latest version of the VDOT Land Inspection and Documentation Manual. The Town reserves the right to conduct their own inspections and/or request assistance from VDOT in performing any type of plan review and/or inspections as it relates to public streets.
7. **Acceptance of New Streets and Public Right of Ways:** At the time of recordation, the plat transfers the streets, right of ways and public right of passage easements as shown on the survey plat, to the town in fee simple. Unless otherwise noted as part of a subdivision or site plan agreement, the approval signature by the Subdivision Agent, the Town Manager, or the Mayor, as shown on the face of the plat shall serve to transfer the public right of way or easement to the Town of Wytheville. Upon acceptance, the Town shall add the new public street to the urban maintenance inventory. The Town may require a one year maintenance and warranty surety for any new street in accordance with the Town Surety Policy.
8. **Traffic Impact Analysis, Traffic Control, Turn Lanes and Traffic Signalization:** In recognition that major subdivisions and major site development can create impact to existing traffic corridors, which may cause the need for additional traffic control, turn lanes and traffic signalization, any major subdivision or new development that is identified as a generator of 200 ADT shall be required to submit a Traffic Impact Analysis (TIA). When a TIA determines that onsite traffic control and improvements are required, the site plan and/or subdivision plat shall reflect the appropriate improvements needed to address the traffic volume, vehicle type, mode of transportation and any safety improvements such as appropriate turn lanes, turn radius and other improvements needed to safely accommodate the new development. The Zoning Administrator or Subdivision Agent shall determine if a project meets the ADT threshold for TIA requirement by evaluation of the proposed uses and available trip generation data along with information provided with the application.
9. **Minimum Right of Way:** All new public streets shall meet the VDOT Urban Manual Design Guidelines for Urban Inventory. Streets shall have a minimum right of way of 50' wide. The right of way shall be shown and clearly marked on the survey plat as dedicated to the Town of Wytheville for public use.

10. **Geometric Design:** The geometric design of streets and access locations shall be in accordance with the most recent version of the AASHTO Book A Policy on Geometric Design of Highways and Streets, commonly referred to as the "Green Book". Information published as part of the VDOT Road and Bridge Standards or VDOT Subdivision Street Guidelines may also be used to design and calculate sight distances, cross sections and profiles as needed. Geometric designs that are not safe, due to topography, slope, line of sight and inability of emergency vehicles to access a site will not be approved.
11. **Public Street Surface:** All new public streets shall have a minimum width of at least 30' of hard surface. The standard details, surface type and depth, sub-base, all other requirements shall meet the current version of the VDOT Road and Bridge Design Manual. Street design shall be based on the criteria listed in this Article to include listed speed limit, volume and type of traffic and shall meet the minimum standards for urban maintenance inventory.
12. **One Way Public Streets, Loop Roads, School Bus Entrances and Frontage/Service Roads:** These types of public streets will be allowed, if constructed to a pavement width of 16' wide, with a right of way width of not less than 40' wide and with pre-approval by the VDOT representative responsible for urban inventory and maintenance funds. VDOT approval shall be received in writing prior to site plan development or subdivision plat development. The developer must show that the street can accommodate proposed vehicle trips per day and will be required to the satisfaction of the subdivision agent that the need is justified.
13. **Private Shared Driveways and shared access.** The Town will allow the development of shared driveways to access three or fewer new or existing lots, when it can be shown by an approved engineered site plan that the shared driveway can meet the following conditions;
 - (1) No more than three lots can use the driveway for access and further subdivision shall not be allowed unless other approved forms of access are used;
 - (2) An adequate easement width is dedicated on the plat. Legal instruments are prepared and recorded for each user;
 - (3) The new shared access intersection point with the public road is located in a safe location, in accordance with VDOT access management standards, adequate spacing distance to other conflict points and line of sight requirements must be met,
 - (4) The private shared driveway access has an appropriate width and turn radius to safely allow emergency vehicles to ingress and egress from the shared driveway, the minimum driveway surface is 18' wide and all other requirements for emergency vehicle and fire apparatus access as shown in this ordinance shall be met;
 - (5) The shared access statement shall be on the face of the subdivision plat and a long term use and maintenance agreement shall be recorded at the Clerk of Court. Maintenance of the access shall be ongoing and activities such as mowing, snow plowing, maintenance of the pavement shall be at the expense of the landowners sharing the access.

- (6) Final inspection and approval of the shared access shall be by the Town Engineer. Site development or subdivision approval shall not occur until all improvements are in place or surety is posted.
- 14. **Private Streets:** The purpose of this section is to allow flexible design to address site access needs for low volume streets that will be controlled, owned and maintained by private parties and not maintained by the Town of Wytheville. A private street serves and provides access to four or more lots, anything under this threshold shall be considered a shared driveway. Further subdivision on new or existing private streets shall not be allowed when the maximum number of lots or residences served by the subdivision private street is met. Further subdivision on existing private streets which do not meet these design standards shall not be allowed until it can be shown that the private street can be brought up to these standards. Design standards and requirements for private streets shall include;

 - (1) An engineered site plan, that meets the design standards of this ordinance must be submitted and approved prior to final subdivision review. The site plan shall include any stormwater management and erosion and sediment control plan elements and utility infrastructure details that meet the Town of Wytheville standards.
 - (2) No more than 1000 linear feet of total private street length shall be allowed. Additional street development on existing private streets that exceed 1000 linear feet shall not be allowed. Private streets shall not serve more than 10 lots or 30 new residential units.
 - (3) The minimum private street easement width is 40' wide. Easement shall include public utility needs, drainage easements, stormwater conveyance and adequate shoulders for safety. Legal instruments shall be drafted and recorded with expectations for long term use and shared maintenance of the easements. Private drainage easements shall be platted and dedicated to the homeowner's association. Public drainage easements shall be platted and dedicated for public use. Width and location of public and private utility easements shall be determined by the appropriate utility company.
 - (4) To ensure long term maintenance of the private street and affiliated vegetated easements, a legally established homeowner association and/or planned unit development shall be in place and operational. The town will not maintain private streets. The private street statement shall be on the face of the subdivision plat.
 - (5) The access point of the private street shall meet VDOT Access Management Standards for the proposed ADT of the development. Any onsite street improvements at the point of access such as turn lanes, traffic control and any required signage shall be at the expense of the developer.
 - (6) Signage shall meet the Manual on Uniform Traffic Control Devices. The developer shall submit the private street name for review and approval by the agent prior to sign placement. It is the responsibility of the developer or the development to purchase and install the private street sign and to maintain the street sign for perpetuity.

- (7) The developer shall be responsible for lot/site entrances along the private street, to include culvert placement which is adequate for stormwater and drainage.
 - (8) Parking on private streets is prohibited, unless the private street is designed with a 24' wide road surface.
 - (9) Consideration for package delivery, mail service and school bus pick up must be in the site design.
 - (10) Sidewalks, crosswalks and areas of pedestrian and bicycle movement shall be considered in the design of the private street. If the developer chooses not to install sidewalks or multi-modal paths, a request must be submitted for review and approval in accordance with Article XX.
 - (11) Private roads shall meet the Fire apparatus and emergency vehicle access design standards of this ordinance. Minimum pavement width of 18' wide. Surface shall be asphalt designed in accordance with the VDOT Road and Bridge Standards. The travel way to include shoulders shall be a minimum of 24' wide. Adequate turnaround of 96' diameter cul de sac or appropriate design of hammerhead or Y turnaround shall be provided at the end of the street.
 - (12) Prior to final site plan approval or final subdivision plat approval, the private road and related improvements shall be installed and inspected by a certified third party inspector at the expense of the developer. A final report and as built drawings shall be submitted to the Town.
15. **Private Alleys:** The development of new private alleys, as part of a site plan or subdivision, may be allowed when it can be shown by the developer that the alley is essential to the development and other types of primary site access are planned or in place. In considering the approval of the alley the following items must be submitted for review:
- (1) The function of the alley in the neighborhood or other area;
 - (2) Length and width of the alley;
 - (3) Level of improvement of the alley;
 - (4) Utilities, easements and other uses of the alley;
 - (5) Function of the alley in the overall transportation network;
 - (6) New traffic anticipated to be generated by the proposed use;
 - (7) Whether or not additional traffic will have a negative impact on the surrounding neighborhood or area;
 - (8) Site plan and construction methods;
 - (9) Safety of using the alley for the proposed use; or
 - (10) Any additional improvements needed for the proposed use, as determined by the Administrator, based on the impact of the proposed use of the alley and the standard needed to support the existing and proposed uses of the alley.

New alleys must meet the minimum design criteria required for emergency vehicle access if it will serve as a fire apparatus road. Design standards for the alley shall be based on the proposed quantity and type of traffic. Utility easements may be required for proposed and existing utilities. The applicant

must develop and record legal instruments outlining the long term use and maintenance agreements between all parties using the alley.

16. **Coordination and Extension of Streets:** All streets within a development shall be coordinated as to location, width, grades and drainage with other streets, as follows: (i) by coordinating with existing or planned streets within the general area of the development, including but not limited to existing or future adjacent subdivisions or developments, or subdivisions or developments contiguous to adjacent subdivisions or developments; and (ii) by continuing the streets to planned, existing, or platted streets into adjoining areas by dedication or reservation of right of way which is adequate to accommodate continuation of the streets. All streets within a development shall be extended and constructed to the abutting property lines to provide vehicular and pedestrian interconnections to future development on adjoining lands, terminating within the development with a temporary turnaround. The arrangement of the streets shall provide adequate access to adjoining lands within the development where necessary to provide for the orderly development of the town including, but not limited to, reserving temporary construction easements of sufficient area to accommodate the future completion of the street when the adjoining lands are developed.
17. **Culs-de-sac and Turnarounds:** The Town encourages connectivity of streets to meet the transportation objectives of the town. Cul de sacs and turnarounds will only be allowed in limited situations when it can be shown that there is no ability to connect to adjacent parcels or streets. Cul de sacs and turn-around design shall meet the minimum design guidelines of the latest edition of the VDOT Subdivision Street Design Guidelines.
18. **Bridges:** Bridge design related to a site plan or subdivision shall be submitted by a licensed engineer and the design shall meet the current version of the VDOT Road and Bridge Standards for the projected traffic. The bridge shall be rated for weight capacity, with appropriate signage installed and the bridge shall be capable of accommodating emergency vehicle and fire apparatus equipment. All bridges shall be reviewed and approved by the Town Engineer or consulting engineer prior to overall site design.
19. **Use of the Street Right of Way for Underground and Overhead Utilities:** Any request to use an existing street or public right of way for underground or overhead utilities, shall be submitted as a Town of Wytheville Land Use Permit Application. Approval for the use of the right of way shall be granted prior to subdivision or site plan design.

The installation of new underground utilities shall be located outside of the travel lanes and pavement areas and located in appropriate areas as approved by the Town Engineer. Cross street conduits to facilitate the placement of future underground utilities may be required for phased developments and when required by the Town Engineer. Deviations from this standard may be granted by the Town Engineer in extenuating circumstances outside of the control of the developer.
20. **Underground Utilities Required:** All new major subdivisions, commercial, industrial and multi-family sites shall install underground utilities to serve any new development. Conduit should be sized and located to aggregate and co-

locate, where possible, all required electrical power, telecommunications, cable and other utility needs.

- 21. **Bicycle and Pedestrian Accommodations:** The Town of Wytheville is committed to creating walkable and bikeable communities. New site and subdivision development and re-development of multi-family, commercial and industrial projects shall be required to provide accommodations for non-vehicular multi-modal connectivity and shall show as part of the site design how connectivity will be achieved.

When the provision of a sidewalk, the need for which is substantially generated and is reasonably required in relationship to the proposed development, or when the location of the development is in an area identified as in need of multi-modal connections in accordance with the locality's adopted comprehensive plan, the town will require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed. All new residential subdivisions or major site plans that are adjacent to existing sidewalks, trails or paths shall connect and extend the trail, sidewalk or path connection to the adjacent properties and connect through the subject property. New residential subdivisions shall incorporate adequate connectivity or trails as part of the project. Sidewalk, trail and bike path design and construction standards shall follow the standards shown in the VDOT Road Design Manual or VDOT Subdivision Street Guidelines.

Sidewalk and other corridors that are intended to be transferred to the town for public use and for long term maintenance shall show on the plat and the site plan the dedicated area needed and required for this acceptance.

Connectivity Exception: In some limited circumstances a project may be located in an area that is not conducive to pedestrian connectivity and the application of such may create traffic hazards and/or not be achievable due to topography or other physical elements of the site. In these rare instances, the town will consider granting a connectivity exception. The applicant shall apply for the connection exception by submitting a narrative explaining the justification for the exception and a conceptual site plan showing the project limitations. The Zoning Administrator is enabled to grant exceptions to the connectivity requirements when it can be shown that the requirement will create undue hardship, create safety issues, and/or is not feasible or practical for advancing connectivity in Town.

- 22. **Pavement Markings, Pedestrian Crosswalks, Traffic Calming Devices and Street Signage:** Pavement markings and street signage shall be provided on any new street or development at the expense of the developer. Pedestrian crosswalks shall be required at identified crossing locations, such as street intersections in relationship to sidewalks and/or site access from parking areas. Traffic calming devices, when identified as needed by the developer or the Zoning Administrator, shall be installed. Raised medians, chicanes, raised crosswalks and curb extensions may be required for traffic calming needs and when street tangent lengths exceed 500 feet or high tendency to speed is projected due to location or slope. These improvements shall meet the latest version of the Manual on Uniform Traffic Control Devices

(MUTCD) and the Virginia Supplement to the MUTCD and when needed the VDOT Subdivision Street Guidelines or Road Design Manual.

- 23. **Drainage Infrastructure:** Drainage infrastructure, pipe, end walls, grates, drop inlets, culverts, etc.. shall be sized appropriately, located in identified areas to serve the drainage needs of the site and installed in accordance with the approved stormwater management plan, erosion and sediment control plan and/or the latest version of the VDOT Drainage Manual and/or VDOT Road and Bridge Standards.

Drainage infrastructure that is intended to be accepted into the urban inventory for Town maintenance shall be inspected prior to acceptance. Appropriate limits of public right or way or drainage easements shall be identified on the site plan and the subdivision plat and shown as dedicated to the Town for drainage. When needed, to facilitate adequate site drainage the Subdivision Agent may require the dedication of private drainage easements for subdivision plats and site plans under review. Recorded legal instruments may be required to protect the long term preservation of these areas to convey stormwater and other drainage needs.

- 24. **Low Impact Development (LID).** Systems and practices that use or mimic natural processes to promote infiltration, evapotranspiration, or the use of stormwater in manners that protect water quality and associated aquatic habitat is strongly encouraged. Projects that propose LID systems to improve water quality and mitigate impacts from stormwater may qualify for density bonuses, waiver of fees and other incentives at the discretion of the Town Council. Any developer who seeks to use LID in exchange for waiver of fees or incentives shall submit a letter of request to the Town Manager.

- 25. **Guardrails, Medians and other Traffic Elements Not Listed:** When needed to serve a development and functionally required, all guardrails, medians and other traffic elements not specifically listed shall be designed and installed in accordance with the latest version of the VDOT Road and Bridge Standards or Subdivision Street Standards.

- 26. **Steps, Stairs, Handrails, Retaining Walls:** Shall be appropriately located, designed and permitted in accordance with the Town of Wytheville Building Code.

- 27. **Mail Delivery, Delivery Services, Refuse Collection, Bus Service:** The developer shall consult with the appropriate entities responsible for these services and design new infrastructure to accommodate the vehicle needs/service delivery needs as required. In rare circumstances beyond the control of the developer and when the design is unable to accommodate these needs, alternate arrangements shall be in place and a statement shall indicate that these services are not provided on the face of the subdivision plat or site plan.

- 28. **Traffic Control Plans:** Site work associated with new development or with subdivisions shall obtain a Town of Wytheville Land Use Permit for work in the Town right of ways. The developer will be required to use a traffic control plan and operate in accordance with the Virginia Work Area Protection Manual.

- 29. **Replacement and Maintenance of Infrastructure.:** The long-term replacement and maintenance needs of an improvement shall be considered as part of the approval process. The ability to access the improvements, maintain and replace the infrastructure over time, maintain any associated vegetative growth around infrastructure and other future maintenance needs shall be considered as part of the site plan and subdivision review process. Any improvement that is to become public shall be designed and located to accommodate the town's future maintenance needs.
- 30. **Landscaping and Streetscaping:** The developer is responsible for installing landscaping and streetscaping that meets the requirements of this ordinance as shown in Article 7.
- 31. **On-Street Parking:** On-Street Parking shall only be allowed on those streets that can safely accommodate on street parking and adequately sized for the proposed traffic type, volume and speed. If a street is not designed for on street parking, the developer shall install the approved type of no parking signage at the required intervals and locations. No on-street parking shall be allowed in cul de sacs, turn-arounds, near intersections, fire hydrants or in areas that block line of sight for ingress or egress.
- 32. **Curb and Gutter:** To match and enhance the character of those existing neighborhoods with curb/ gutter and appropriate stormwater conveyance systems, the new installation of and replacement of substandard curb and gutter shall be required for all new site development, site redevelopment and subdivisions locations within those areas mapped as Curb and Gutter Zones.

When required the curb and gutter design shall match the existing curb and gutter design of the neighborhood by using an appropriate standard from the latest version of the VDOT Subdivision Street Guidelines. Sites with existing or proposed sidewalks must install VDOT standard curb ramps at all street intersections for use by persons with mobility impairments.

For all other areas outside of the Curb and Gutter Zone, the installation of curb and gutter is optional dependent on the stormwater conveyance needs of the site. All new subdivisions and site development shall incorporate an appropriate manner of edge of pavement protection and transition areas to all adjoining property. Stormwater needs shall be reviewed in conjunction with edge of pavement and curb and gutter designs.
- 33. **Shoulder and Ditch Design.** The type of shoulder and ditch design shall be appropriate for the development. When required or needed, pedestrian and bike multimodal transportation needs should be incorporated with this design. Shoulder and ditch design shall meet the requirements of the latest version of the VDOT Subdivision Street Guidelines.
- 34. **Transitions, Merging Tapers and Speed Change Lengths.** When required or needed, the design of transitions, merging tapers and speed change lengths shall meet the latest version of the VDOT Subdivision Street Guidelines. Appropriate signage shall be provided by the developer in accordance with the MUTCD.
- 35. **Site Access:** Article 7

36. **Block Spacing, Street Intersection Design, Street Turn Radius and Concentric Placement:** Neighborhood blocks shall be designed in accordance with the street connectivity needs and intersection spacing needs of the new streets. Block lengths of 250 to 500 feet shall be used. Street intersection design, intersection spacing and minimum turn radii at intersections shall follow the latest version of the VDOT Subdivision Street Guidelines for the type of vehicles proposed for the site. Adequate consideration for traffic control, conflict points, line of sight and other safety variables shall be incorporated into the design of intersections. The concentric placement of the street in the center of the right of way is required, unless it can be shown that an offset is justified and travel lane widths are adequate.
37. **Roadway Lighting:** The installation, maintenance and operating expenses of outdoor and roadway lighting shall be provided by and at the sole expense of the developer or Homeowner Association. Development site plan outdoor lighting shall follow the standards of Article 7. Roadway light pole design, intervals, placement and type shall match existing design standards of poles in the vicinity of the development. Luminaires shall be Dark Sky Approved or shielded to prevent light pollution. Roadway lighting affiliated with any new proposed public street shall have an approved design and be inspected and accepted into the Town maintenance inventory with approval by the Town Engineer. Any roadway lighting that seeks to deviate from the existing character of the neighborhood or nearby community shall be submitted for review and is subject to approval by the Town Engineer.

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COUNCIL ACTION LETTER

Staff Assignments and Information

August 14, 2023

Number 574

ACTIONS TAKEN OR DISCUSSED

STAFF ASSIGNMENTS

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| <ol style="list-style-type: none"> 1. Approved the meeting agenda, as amended. 2. Approved the consent agenda consisting of the minutes of the regular meeting of July 24, 2023. 3. Requested the Town Manager to schedule a meeting with the Town representatives, Virginia Organizing and Hope, Inc. to discuss the issue of homelessness. 4. Approved applications from the Wythe Arts Council and from the Millwald Theatre to use the sidewalks on Main Street for an Apple Atcha Festival - Arts at the Crossroads Event on Saturday, September 23, 2023, from 10:00 a.m. to 4:00 p.m. 5. Approved an application from the Wytheville Fire and Rescue Department for a rolling closure of Main Street for the annual Wytheville Fire Prevention Parade on Saturday, October 14, 2023, from 6:00 p.m. to 8:00 p.m. 6. Approved amendments to the Willow Brook Jackson/Umberger Homestead Museum Advisory Board Rules for Transaction of Business to increase the number of appointed Board members from five to six and to change the frequency of the meetings to bi-monthly. 7. Adopted a resolution supporting a Virginia Department of Transportation Smart Scale Project for the Monroe Street Detour. 8. Approved the request of the Wytheville Police Department to appropriate funds for Asset Forfeitures. 9. Approved the Town applying for a grant through the Wythe-Bland Foundation for a Community Bicycle Safety Grant. | <ol style="list-style-type: none"> 3. Town Manager – schedule meeting 4. Assistant Town Manager – advise applicants of approval 5. Assistant Town Manager – advise Fire and Rescue Department of approval 6. Town Clerk - revise Rules for Transaction of Business 7. Planning Director – forward resolution to VDOT 8. Town Treasurer – appropriate funds in Town Budget 9. Fire Chief – make application for grant |
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- 10. Approved an allocation of \$5,000 for the Town's Volunteer Appreciation Event scheduled for Tuesday, October 24, 2023, from 6:00 p.m. to 7:30 p.m. at the Wytheville Meeting Center.
 - 11. Reappointed Ms. Gay Hawkins and Mr. Tommy Hundley to the Wytheville Redevelopment and Housing Authority (terms expire September 8, 2027).
 - 12. Recommended to the Wythe County Circuit Court the reappointment of Mr. John Jones, Jr. to the Board of Zoning Appeals (term expires September 10, 2028).
 - 13. Appointed Mr. James Cohen to the Wytheville Tree Advisory Committee (term expires May 14, 2027).
 - 14. Appointed Ms. Jessenia Cohen as a youth member to the Wytheville Recreation Commission (term expires August 1, 2024).
 - 15. Scheduled a Work Session for 4:00 p.m. for August 28, 2023, prior to the Town Council meeting.
 - 16. Held a Closed Meeting pursuant to §2.2-3711(A).(7.) Consultation with legal counsel about possible litigation regarding clutter cases; §2.2-3711(A).(1.) Interview with candidate for Town Attorney position; §2.2-3711(A).(3.) Discussion regarding the acquisition/disposition of real property used for a public purpose; and, §2.2-3711(A).(1.) to discuss the performance and salaries of appointed employees. Council certified the Closed Meeting.
- 10. **Town Treasurer** – make allocation of funds
 - 11. **Town Clerk** – advise applicants of reappointment
 - 12. **Interim Town Attorney** – send reappointment order to the Circuit Court
 - 13. **Town Clerk** – advise applicant of appointment
 - 14. **Town Clerk** – advise applicant of appointment
 - 15. **Deputy Clerk** – prepare Work Session agenda

COUNCIL ACTION LETTER

Staff Assignments and Information

August 28, 2023

Number 574

ACTIONS TAKEN OR DISCUSSED

STAFF ASSIGNMENTS

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| <ol style="list-style-type: none"> 1. Approved the meeting agenda. 2. Approved the consent agenda consisting of the minutes of the regular meeting of August 14, 2023. 3. Approved a resolution for a Virginia Department of Transportation (VDOT) Transportation Alternatives Grant application for the Peppers Ferry Road Sidewalk Gap Project. 4. Approved a resolution for a Virginia Department of Transportation (VDOT) Transportation Alternatives Grant application for the Peppers Ferry Road ADA Sidewalk Upgrade Project. 5. Appointed Mr. James Spraker to the Willow Brook Jackson/Umberger Homestead Museum Advisory Board (term expires July 31, 2028). 6. Appointed Ms. Betsy Trevillian to the Willow Brook Jackson/Umberger Homestead Museum Advisory Board (term expires July 31, 2028). 7. Approved sending a letter of opposition regarding H.R. Bill 3372 opposing the increased weight limit for heavy trucks. 8. Approved canceling the October 10, 2023, Town Council meeting due to the date conflicting with the Virginia Municipal League Conference. 9. Scheduled a Work Session for 4:00 p.m. on Monday, September 11, 2023, to discuss a Highway Safety Improvement Program (HSIP) application regarding traffic calming on Peppers Ferry Road/Monroe Street. 10. Appropriated \$1,320.50 to the Mountain Empire Airport Runway Painting Project. | <ol style="list-style-type: none"> 3. Planning Director – send resolution to VDOT 4. Planning Director – send resolution to VDOT 5. Town Clerk – advise applicant of appointment 6. Town Clerk – advise applicant of appointment 7. Town Clerk – prepare letter to be sent to GoRail 8. Town Clerk – notify media of canceled meeting 9. Deputy Clerk – prepare Work Session agenda 10. Town Treasurer – forward payment to Mountain Empire Airport |
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- 11. Held a Closed Meeting pursuant to §2.2-3711(A)(1.) To discuss the Town Attorney position; §2.2-3711(A)(3.) Discussion regarding the acquisition/disposition of property used for a public purpose; and, §2.2-3711(A)(1.) To discuss the performance and salaries of appointed employees. Council certified the Closed Meeting.