COUNCIL MEETING MINUTES
JANUARY 13, 2025
7:25 P.M.

PRESENT

Mayor:	Roy M. Gladding
Vice Mayor:	Anita J. Latane
Council Members:	Kay Carlton
	Carolyn Barrett
	Fleet Dillard
	Kenneth A. Gillis
Town Manager:	Eric S. Pollitt
Assistant Town Manager:	James Knighton
Town Clerk:	Patsy K. Scates
Town Attorney:	M. Tolley Gwinn
Chief of Police:	Thomas Carter

ABSENT

Council Member:	Troy L. Balderson

VISITORS:

Lisa Andrews – EDA	Tyler Lowery
Ester Lumpkin	

- **CALLED TO ORDER**

Mayor Gladding called the meeting to order.

- **MINUTES APPROVED**

On motion of Carolyn Barrett, seconded by Kay Carlton, Council voted unanimously to approve the December 9, 2024, Joint Public Hearing meeting minutes, December 9, 2024, Public Hearing meeting minutes, December 9, 2024, regular Council meeting minutes.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

- **COMMITTEE REPORTS**

  - Water/Sewer Report

Wastewater Treatment Plant
Monthly Report

December 2024

-Treatment plant had an average daily Effluent flow of 0.292 MGD with a total Effluent Discharge of 9,065,000 Million Gallon processed.

-Decembers DMR will be completed and submitted before December 10th, 2025

-All effluent Nutrient samples for the month of December are within and under permit required limits.

-Second week of December the Town of Tappahannock experienced a sewer main break, this break was repaired and cleaned up in a timely manner.

-DEQ was sent the mandatory 5-day letter for the sewer break and has received no feedback on this matter.

-Plant has experienced no abnormal conditions during the month of December, we have small issues with some equipment during the cold weather months, but these issues are being dealt with as soon as they arise.

-I attended an advance management class beginning part of December and look forward to sending other employees that may be interested in these classes.

Public Works

Monthly Report

December 2024

The Public Works Department did not have anything to report.

Mayor Gladding recognized Council Member Gillis and asked if he had anything else to report.

Council Member Gillis did not have any comments.

- Public Facilities

Mayor Gladding stated that Council Member Balderson was not in attendance tonight and no public facilities report was provided.

- Historic Downtown Tappahannock

315 Duke Street, Tappahannock VA 22560 (804)443-4050

January 2025

Current Projects and Upcoming Events:

We have ordered two kiosk systems. One to be installed in Central Park, which will connect with the HDT website and app. Kiosk will allow visitors to receive information about town and local businesses to advertise on it.

In 2025, we also plan to integrate more local businesses and introduce a walking tour in partnership with the Essex Museum on the HDT app.

HDT has purchased two benches for Central Park. Should arrive by the end of January. Marty Carneal will handle getting them set up in the park.

We're excited to announce that **HDT Restaurant Week** will be expanded to include all of Essex County in April 2025. Date will be April 18-27, 2025.

HDT received a $10,000 grant with matching in December. We are seeking a county partner to help with the $5000 matching funds for the grant. We have contacted EDA and Essex Chamber. HDT needs to receive funding from a county partner to make this event possible.

We're also excited to announce that we also received a $2500 grant to help towards purchasing a stage for Winterfest in December 2025.

Downtown Dollars

HDT has successfully distributed all the free tourism dollars that we received. We will continue selling Downtown Dollar gift cards with no bonus money. We will partner with businesses to offer promotions to encourage shoppers to use the Downtown Dollars.
More to come.

Farmers' Market Update

HDT has wrapped up a successful season at the Farmers Market. This year, we adopted the Market Spread platform, and our vendors worked diligently to familiarize themselves with the new system. A big thank you goes out to the HDT staff as well, who navigated the leadership changes while supporting our vendors through multiple markets. Looking ahead, we will continue utilizing Market Spread in the upcoming season and will collaborate with vendors to help them make the most of its features.

Planning for the 2025 Farmers Market season will commence in January. An Earth

Day Celebration will occur during the April Farmers Market.

**Grants and programs **

HDT submitted an application for the Science on Main Street grant. The application was due 1/3/24. Notification will be sent out in February if we receive a grant.

HDT also submitted an application to be considered in Mission Elevation Cohort 7. The application was due 12/31/24. Notification will be sent out in February. This program will help the Executive Director and President work on establishing a strategic plan and build a fundraising strategy to help HDT grow.

Funding requests were sent to the town and county for the fiscal year 2025-26.

**Upcoming Work Sessions **

January 18 - Executive committee and staff will work to plan the 2025 events calendar.

February 8 - HDT Board and staff will have a work session with Main Street representative Kyle Meyers to review strategic plan and implementation.

Council Member Barrett congratulated the Historic Downtown Tappahannock on being awarded the $10,000.00 match grant and asked if she knew if Essex County Chamber of Commerce or Essex County was sharing the grant funds match with the Town of Tappahannock.

Jovita Kelly, Historic Downtown Tappahannock stated the Historic Downtown Restaurant Week has been expanded to include all of Essex County restaurants and they need to receive funding from a county partner to make the Historic Downtown Restaurant Week event possible.

Lisa Andrews, EDA stated that the EDA will provide the $1,500.00 of the grant match on the condition that the Historic Downtown Tappahannock is able to raise the other $8,500.00 and the restaurants in Essex County are included.

- Finance

Mayor Gladding recognized Vice Mayor Latane.

Vice Mayor Latane reported she met with Town Manager Pollitt and reviewed the financial report. She reported the revenue for the business license is coming in and the collection of the real estate and personal property taxes were good. She reported the revenue for the meals and lodging taxes are on track and the department heads are staying on track with their budget. She stated the water and sewer funds are in good shape and the since the Town increased the cigarette tax rate then the Town should start to see an increase in revenue in February 2025.

- Town Manager Report

MEMORANDUM

Town Manager Report 1/13/2025

Ongoing Major Council Initiative Projects

1. Central Park Project – The plan set for Phase 2 of the project which includes design for all five structures: bathrooms & covered seating, larger pavilion for entertainment, and three smaller pavilions was approved by Essex County in December.

2. Hoskins Creek
   i. Boating Infrastructure Grant (BIG Grant) –The Town Staff and engineers met with the Army Corps of Engineers in early December to discuss the docks.
   ii. Shoreline Restoration –The substantial infrastructure aspects of the project are complete. After reviewing current and predicted future weather conditions, the wetland plantings will be installed early next spring.
   iii. Rec. Access Rd. – Changes to the road plan are in progress after VDOT staff's review. We anticipate publishing an RFP for construction early 2025.
   iv. The old house was removed and backfilled last month. Staff will be working on removing brush, invasive growth, etc. this coming winter.
   v. Town Staff are meeting with Randy Pack (Pack Brothers Hospitality) in January to begin planning for the hospitality building (restaurant and short-term stays).

3. Sewer Rehab Phase 2 Project – CHA is drafting a Phase 2 report for our sewer infrastructure needs. This will include a variety of upgrades such as completing the lining and manhole work for downtown, and pump station repairs with electrical upgrades. Engineering design is anticipated to be finished in 2025, with a funding application to USDA-RD for grant and loan assistance. Construction for the next phase is expected to start in 2026.

4. Old Airport Development
   i. Site Design VEDP – We received feedback for a first round of plan review by VDOT for the site.
   ii. A public hearing is required for donation/selling of land before Council may act. This will take place at the February Council Meeting.
   iii. Town Staff are working with the MPPDC on a federal earmark funding request to help fund the project. Money would not be available until October 2025 at the earliest and would need to be spent in 12 months' time. Town Staff are researching other funding options for construction.

Other Initiatives in Progress

1. The Fall Retreat was facilitated by retired Manager/Administrator Kim Payne from the Berkley Group. The work plan for the Council and Town Manager for the next few years will be ready by the January Council meeting.

2. Davenport Financial will be at the January Council meeting to discuss financial policies and financing for upcoming capital projects.

3. Sands Anderson will have a representative at the January Council meeting to discuss the benefits of EDAs and why the Council should consider forming its own.

4. Water System Mapping – The initial inventory was completed and submitted to VDH as required. Over the coming year, we will continue to update the inventory as additional field data is gathered to eliminate the remaining unknowns. We will also complete the water system mapping and use this to develop a hydraulic model.

5. USDOT RAISE Grant – Town Staff will begin developing the RFP for professional services in the new year.

6. Virginia's River Realm – Town Staff hosted a meeting for tourism-related businesses on December 17th. At this meeting, we announced the Town's partnership with Virginia's River Realm (VRR). A VRR videographer filmed footage throughout Town, which was shared with attendees and on the visittappahannock.com social media channels.
   i. Additionally, VRR's Restaurant Week is this upcoming January. This will be the first initiative the Town will participate in as a new member.

7. Town Code and Zoning Text Updates – Staff will begin working on updates to our zoning text and sections of Town Code. Summit Design will be assisting us throughout the process. We aim to have these changes adopted in 2025 or early 2026.

8. Town Staff are meeting with contractors about the cleaning up of landscape at the Rappahannock River Park, with anticipation of removing the house this upcoming Spring.

9. Fleet Management – The new pump truck for the General Services Department was delivered in late December.

Mayor Gladding recognized Town Manager Pollitt and asked if he had any additional comments.

Town Manager Pollitt did not have any additional comments.

- Community Development Report

Monthly Report – January 2025
Community Development and Zoning Administration

PLANNING COMMISSION (PC)

- The PC met on January 8th and discussed development of food truck ordinance.
- Staff anticipates draft food truck language to be presented to Council in February or March.
- Staff anticipate draft CC-1 language to be presented to Council and the PC in February or March.

BOARD OF ZONING APPEALS (BZA)

- The BZA will not meet in January.

LARGER PROJECTS

- Town/County Boundary – At the TC meeting on February 12th TC approved the recommended "pink" boundary line as the acceptable town/county boundary line. It is the goal to ensure that the original town boundaries, as reflected on the Official Zoning Map dated September 16, 1993, are honored, and maintained. On February 13, 2024, Essex County's agenda included the discussion of the town/county boundary clarification. At this meeting the County did not take action, asking staff and the County Attorney to clarify a few questions. During this review further research has been taken to evaluate the September 29, 1975, Annexation document (Reference Law Order Book 14 pgs. 97+). This review is on-going. County has indicated a desire to wait until after July 1, 2024, to resume these discussions. Still awaiting response from County.
- Public Maintenance Facility/Access Roads – Staff has received the DRAFT plat and tentatively approved the proposed plat of boundary line adjustment pending receipt of the final plat `with signatures.
- VEDP Grant - Staff continues to coordinate with TRC, the Town's consultant engineers. Site design plans are completed and have been sent to various agencies for review. Staff has started the process for grant closeout and begun looking for potential funding sources for site construction.
- FEMA – The FEMA Community Action Visit (CAV) was conducted March 19-21. A summary report from FEMA has been received outlining the corrective action plan with a requirement to respond 60 days from April 24, 2024. The Town's legal counsel and staff have worked with the Berkley Group to form a response to FEMA and provide service to the Town for administration of the Town's Floodplain Ordinance. An initial meeting was held with FEMA, the Berkley Group and Town staff on October 31, 2024 to provide updates to FEMA about the Town's progress related to the CAV. Violation notice and correction orders were sent the week before Thanksgiving. Contact has been made with property owners. One property owner has come into compliance, progress continues to be made with the other.
- Berkley Group –The short term rental ordinance is set for a public hearing. The Berkley Groups main focus now is assisting the Town with management and administration of the Town's Floodplain Ordinance and development of a food truck ordinance.
- Summit- Summit Design and Staff have kicked off the process for revising the existing zoning ordinance. The first task is centered around the Downtown Tappahannock area and the CC-1 zoning district. Staff anticipates language to be presented to the Planning Commission and Town Council in the beginning of 2025.

COORDINATION WITH OUTSIDE AGENCIES

- MPPDC - The Monthly planners' meeting was not held in December 2024.

NEW ACTIVITY

- Starbucks – Interior work is continuing to progress. Site contractor has experienced delays and anticipates a mid February opening date.
- Fitzgerald's Sports Bar – Zoning and Sign permits have been issued. Waiting on revised plumbing plan to show inclusion of dishwasher and dishwasher drain line being routed through the grease interceptor. No further update on progress at this site. No building permits have been issued at this time.
- A new site plan had been received for the Primis Bank property located at 307 S Church Ln. The proposed use is a Convenience store. Initial review of the site plan has been completed with revisions requested. VDOT has responded to the traffic impact analysis and received the requested additional information from the designer. VDOT has issued Exceptions for the location of the entrances to this site. Staff is still waiting on requested revision to be addressed which should come once VDOT approval is achieved.

Mayor Gladding recognized Assistant Town Manager Knighton and asked if he had any comments or questions.

Assistant Town Manager Knighton informed the council members that the Town will begin working with Summitt Design on updates to the Tappahannock Zoning Ordinance in the coming months.

- Tappahannock Police Department

Chief Thomas Carter informed the council members that they will be receiving a Year End Crime Report from the Tappahannock Police Department.

- **APPROVAL OF THE FINANCIAL REPORT FOR DECEMBER 2024**

On motion of Fleet Dillard, seconded by Carolyn Barrett, Council voted unanimously to approve the financial report for the month of December 2024.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

- **ESSEX HIGH SCHOOL FOOTBALL PROCLAMATION**

Agenda Item 5.1. Essex High School Football Proclamation has been moved to the February 10, 2024, Town Council meeting.

- **REAPPOINTMENT OF DIANNA CARNEAL TO THE TAPPAHANNOCK PLANNING COMMISSION**

On motion of Fleet Dillard, seconded by Anita J. Latane, Council voted unanimously to reappoint Dianna Carneal to the Tappahannock Planning Commission for term of four years expiring on February 9, 2029.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

- **REAPPOINTMENT OF TIMOTHY BRADSHAW TO THE TAPPAHANNOCK PLANNIING COMMISSION**

On motion of Fleet Dillard, seconded Anita J. Latane, Council voted unanimously to reappoint Timothy Bradshaw to the Tappahannock Planning Commission for a term of four years expiring on February 9, 2029.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

- **SGT MALTESE RECONIZED FOR M.A.D.D. Mothers Against Drunk Driving AWARD**

Chief Thomas Carter gave the council members some statics on traffic deaths involving drunk driving. He stated the M.A.D.D award ceremony was held in Richmond and Sgt. Maltese and other law enforcement officers were recognized for their work on traffic enforcement resulting in the arrest of drunk drivers. He recognized Sgt. Maltese for his MADD award.

- **COUNCIL RETREAT WORK PLAN**

On motion of Fleet Dillard, seconded by Carolyn Barrett, Council voted to adopt the 2024 Council Retreat Work plan as presented.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

- **RIVER REALM AGREEMENT**

On motion of Carolyn Barrett, seconded by Anita J. Latane, Council voted to adopt the River Realm Agreement as presented.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

- **MOTION TO ADOPT SHORT TERM RENTAL -AMENDMENT TO THE TAPPAHANNOCK ZONING ORDINANCE.**

On motion of Kenneth A. Gillis, seconded by Kay Carlton, Council voted unanimously to adopt and amend the Tappahannock Zoning Ordinance Article II Sec. 22-15.3 Specific definitions for Short Term Rentals Type A partial house rental and Short Term Rental Type B whole house rental, amend Article XI Supplementary Use Regulations Sec. 22-128.1 Short Term Rental Type A or Partial Houe Rental, add Sec-128.2 Short Term Rental Type B or Whole House Rental and amend Article X, Sec. 22-125 to update the permissible use table to include Short Term Rental Type A partial house rental and Short Term Rental Type B whole house rental. This amendment proposes to establish two different types of short-term rentals, and the zoning districts short term rentals are permitted as a matter of right or special exception as well as supplemental regulations governing short term rentals.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

Sec. 22-125. Permissible Uses Tables.

a. *More specific use controls.* Whenever a development could fall within a more than one use classification in the Table of Permissible Uses, the classification that most closely and most specifically describes the development controls. For example, a small doctor's office or clinic clearly falls within the 3.110 classification (office and service operations conducted entirely indoors and designed to attract customers or clients to the premises). However, classification 3.130, "office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area" more specifically covers this use and therefore is controlling.

b. *Table of Permissible Uses (see following).*

Alphabetical List of Uses from Section 22-125 Table of Permissible Uses

Use Number	Uses Description	Article XI Reference
4.05.200	Airport/Air Park, Private Use	
7.01.500	Alcoholic Beverage Manufacturing	
5.02.300	Animal Boarding Places-Kennels, Veterinarians and Veterinary Hospitals	Section 22-126
4.06.300	Antennas and Towers more than 50 feet tall	Section 22-132
4.06.400	Antennas and Towers 50 feet tall or less	
6.01.113	Antique Shops, Art Galleries	
7.01.900	Asphalt Plants/Concrete Plants, Sand and Gravel Washing, Screening, Crushing	
7.02.100	Automobile Parking Garages	
7.01.100	Baker, Printing Publishing, Dry Cleaning Plants, Electronic Assembly	
5.01.114	Banks and Financial Institutions	
7.01.200	Blacksmith Shops, Welding Shops, Ornamental Iron Works, Machine Shops and Sheet Metal Shop	
3.04.100	Boardinghouses, Bed and Breakfast, Country Inns	Section 22-128
7.01.300	Bottling, Confectionery, Food Products	
7.01.800	Brick or Block Manufacturing	
5.01.115	Business Services	
4.09.100	Bus Station	
4.08.000	Cemetery and Crematorium (Municipal)	
3.03.210	Child or Elderly Day Care Home (having fewer than 7 care recipients)	
3.03.220	Child or Elderly Day Care Center Section 22-129 (between 7 and 30 care recipients)	
4.01.200	Churches, Synagogues, and Temples	
4.02.130	Coliseums, Stadiums	
4.01.130	Colleges, Universities, Community Colleges (Private)	
3.02.300	Commercial Apartment	
1.02.000	Commercial Greenhouse Operation	
5.01.100	Construction Services and Supplies	

7.02.300	Contractor's Yard	
6.01.110	Convenience Stores	
3.03.200	Day Care	
5.01.113	Dry Cleaning/Laundry and Laundromats	
7.01.700	Duplex	Section 22-143.1
3.04.101	Emergency Homeless Shelter (Town Council Adopted on 4-8-2019)	Section 22-138.1
7.01.700	Fertilizer Mixing Plants	
4.04.000	Fire Stations, Rescue Squad, and/or Ambulance Service	
6.01.300	Flea or Open Markets	Section 22-130
5.02.200	Funeral Homes, Cemetery	
5.01.111	General Offices	
4.02.230	Golf Driving Ranges, Par 3 Golf Course, Miniature Golf Courses, Skateboard Parks, Water Slides, Batting Cages	Section 22-132
3.03.100	Group Homes for not more than 8 persons	
4.05.300	Helicopter Facilities	
5.01.117	Home Occupation	Section 22-134
4.03.100	Hospitals and Inpatient Medical Facilities	
3.04.200	Hotels and Motels	Section 22-135
4.01.300	Libraries, Museums, Art Centers (Private)	
2.01.0	Marina	
7.02.230	Mini-warehouse	Section 22-137
6.03.100	Motor vehicle Sales or Rental; Mobile Home Sales, Farm Equipment Sales	
6.03.200	Motor Vehicle Repair and Maintenance, Fuel Sales, Car Wash, Vehicle Painting, Auto-body Work, Parts Sales and Installation	
4.02.121	Movie Theatres, Theatres, seating capacity of not more than 300	
4.02.122	Movie Theatres, Theatres, seating capacity Up to 1,000	
4.06.100	Neighborhood Essential Service	
3.03.400	Nursing/Elderly Care Homes	
3.03.410	Nursing/Elderly Care Homes, 1-8 people	Section 22-138
3.03.420	Nursing/Elderly Care Homes, 9 people and above	Section 22-138
1.01.0	Open-air markets, Farm and Craft Markets, Agricultural and Horticultural, Home and Garden Shop	
4.09.200	Park and Ride Facilities	
5.01.112	Personal Services	
6.01.112	Pet Shops	Section 22-139
4.05.110	Post Office, Local	
4.05.120	Post Office, Regional	
5.01.118	Printing and Publishing	
5.01.116	Professional Office	
4.06.200	Public Utility Buildings and Structures	Section 22-141
4.02.100	Recreation, Amusement, Entertainment, activity conducted entirely within building or substantial structure	
4.02.210	Recreation Facilities, privately owned and not	
4.02.211	constructed pursuant to a permit authorizing the	
4.02.212	construction of some residential development	
4.02.220	Recreation Facilities, privately owned approved as part of a residential development	Section 22-131
4.02.110	Recreation, Indoor	
7.03.000	Research Facilities, Laboratories	
3.01.200	Residence—Class A Mobile Home	Section 22-136

3.01.300	Residence—Class B Mobile Home	Section 22-136
3.01.400	Residence—Duplex	Section 22-143.1
3.02.000	Residence-Multi-Family	Section 22-144
3.03.400	Residence-Multi-Family Conversion	Section 22-143
3.01.500	Residence-Primary, with Accessory Apartment	Section 22-140
3.01.100	Residence-Single Family, Detached	
3.02.200	Residence-Townhouse	Section 22-145
6.02.000	Restaurants	
6.01.114	Retail establishments in Office Buildings	Section 22-142
6.01.111	Retail Stores and Shops	
3.03.500	Retirement Housing Complex	
4.07.000	Satellite Dish	
7.01.400	Saw Mills	
4.01.110	School, Private (Elementary and Secondary)	
2.04.200	Seafood Processing, products raised on the premises	
2.04.100	Seafood Processing, products raised or harvested off-site	
4.02.120.1	Sexually Oriented Business (Town Council Adopted on 9-14-2009)	Town Code 15-1
7.01.210	Shop for Furniture Construction, finishing, refinishing, and assembly	Section 22-147
3.04.300	Short-Term Rentals Type A & Type B (Town Council Adopted on 1-11-2021; Town Council Amended on 5-10-2021)	Section 22-128.1 Section 22-128.2
4.01.400	Social, Fraternal Clubs and Lodges, Union Halls, Meeting Halls	
7.02.000	Storage and Parking	
7.02.240	Storage of Petroleum Products	
7.02.210	Storage within completely enclosed structure	
5.01.110	Tattoo Parlors or Schools-Body piercing	Section 22-147.1
4.01.120	Trade or Vocational Schools	
7.02.220	Warehouse	
7.01.600	Winery	
6.01.200	Wholesale Sales	

Sec. 22-125. Permissible Uses Tables.

b. *Table of Permissible Uses (see following).* ***(*See Attached)***

Sec._22_125.___Permissible_Uses_Table

Short-term Rentals, Partial Unit (Type A). ~~The provision of room(s) or space(s) that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days in exchange for occupancy~~. A residential dwelling unit, where the owner is present, as his/her primary residence, and the unit is partially used to rent for transient occupancy in increments of fewer than 30 consecutive days. This use type does not include bed-and-breakfast establishments and does not apply to month-to-month extensions following the completion of a year's lease. A transient lodging tax will be collected, and a business license required.

Short Term Rental, Whole Unit (Type B). A residential dwelling unit, where the owner is not present, and the unit is advertised for rent for transient occupancy in increments of fewer than 30 consecutive days. This use type does not include bed-and-breakfast establishments and does not apply to month-to-month extensions following the completion of a year's lease. A transient lodging tax will be collected, and a business license required.

Short Term Rental Operator. means the proprietor of any dwelling, lodging, or sleeping accommodation offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

Sec. 22-128.1. Short-Term Rental (3.04.300). Type A or Partial House Rental

The ~~Board of Zoning Appeals~~ Zoning Administrator may permit a Short-Term Rental ~~as a Special Exception with Conditions~~ in the CC-1, R-2, R-3 R-4 Residential Zoning Districts subject to the following:

a. No property owner shall operate or advertise a residential property for a short-term rental without a Short-Term Rental Permit issued by the Zoning Administrator or their designee. A Short-Term Rental Permit is required at a price set by Town Council or their designee.

~~a.~~ b. ~~After approval of rental shall~~ The property owner shall register the property according to the regulations set forth in Town Code Chapter 62.

~~d. Rentals are limited to owner-occupied single-family detached dwelling and duplexes.~~

~~e. No property being used as a residential rental property may be sublet to be used as a short-term rental.~~

c. The property owner must be living on site as his/her primary residence.

d. The short term rental shall be limited to 2 bedrooms rented out, and a maximum occupancy is 2 persons per bedroom.

e. The short term rental shall provide (1) one parking space per bedroom. Parking space requirements shall meet all town standards.

f. Short Term Rentals shall not be used as an event venue unless permitted as such.

g. Noise shall be in compliance with Town Code Section Chapter 22 Article II Sound Control.

h. Lighting shall be in compliance with the Town's zoning standards.

~~f. Short-term rentals may not be occupied by the same transient visitors for a period of no more than 30 days during any calendar year.~~

~~i.~~g. Applicable provisions of the current Uniform Statewide Building Code, and all other applicable laws and regulations shall be met, including the Virginia Department of Health wastewater provisions. Shall provide a certificate of compliance from the Essex County Building Official.

~~j.~~ ~~Owners shall keep a register for two years which shall include name, address and a copy of a photo~~ ~~identification of all transient visitors.~~

~~j~~i. No sign(s) advertising the conduct of short-term rental is allowed on the outside of the property.

~~j.~~ ~~A fully functional smoke detector and carbon monoxide detector shall be installed on each floor of the dwelling.~~

k. The Zoning Administrator shall have the authority to revoke a Short-Term Rental Permit if there are three
(3) or more substantiated complaints, zoning or building violations. or any illegal activities within a twelve
(12) month time period.

~~k. Shall be located on or adjoining a state-maintained road. Entrance drivers shall be equal to the State construction specifications of the adjoining State Road.~~

~~l. The furnishing of prepared meals and service shall be approved and certified by the local health department.~~

(Town Council Adopted on 1-11-2021; Town Council Amended on 5-10-2021)

Sec. 22-128.2. Short-Term Rental (3.04.300). Type B or Whole House Rental

The Board of Zoning Appeals may permit a Short-Term Rental as a Special Exception with Conditions in the CC-1, R2, R-3 R-4 Residential Zoning Districts, and shall be subject to the following:

a. If the operator of a short-term rental does not live within 30 miles of the Town, they must designate a responsible local agent to contact in case of emergencies when they apply for the Business License Clearance. If the party responsible changes, no rentals shall occur until the Town of Tappahannock is notified and acknowledges receipt of such a change.

b .Events and activities, including luncheons, banquets, parties, weddings, meetings, fund raising, commercial or advertising activities, and any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation, are prohibited in association with any short-term lodging at the subject location.

c. The property owner shall register the property according to the regulations set forth in Town Code Chapter 62 Short Term Rental Registration.

d. The short term rental operator shall provide record of ownership ,or permission from the owner, if applicable, and a copy of current general liability insurance.

e. Applicable provisions of the current Uniform Statewide Building Code, and all other applicable laws and regulations shall be met, including the Virginia Department of Health wastewater provisions. Shall provide a certificate of compliance from the Essex County Building Official.

f. The short term rental shall be limited to 5 bedrooms, with a maximum occupancy of 10 persons.

g. No sign(s) advertising the conduct of short-term rental is allowed on the outside of the property.

h. Noise shall be in compliance with Town Code Section Chapter 22 Article II Sound Control.

i. Lighting shall be in compliance with the Town's zoning standards.

j. The short term rental shall provide (1) one parking space per bedroom. Parking space requirements shall meet all town standards.

k. The Zoning Administrator shall have the authority to revoke a Short-Term Rental Permit if there are three
(3) or more substantiated complaints, zoning or building violations. or any illegal activities within a twelve
(12) month time period.

- **MOTION TO ADOPT – SHORT TERM RENTAL – AMENDMENT TO THE TAPPAHANNOCK TOWN CODE.**

On motion of Anita J. Latane, seconded by Carolyn Barrett, Council voted unanimously to adopt amendment to the Tappahannock Town Code To add Chapter 62. Short Term Rental Registration to the Tappahannock Town Code. This addition to the Town Code would require owners or operators of short-term rentals within the Town limits to register the short-term rental annually and verify compliance with other regulations this amendment seeks to impose.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

- **Chapter 62. – Short Term Rental Registration**

Article I. In General

Section 62-1. Owner/Operator

The owner or operator of any dwelling, lodging or sleeping accommodation who offers, for a charge, or rents such to persons for short term rental must register annually with the department of finance on the town's short-term rental registry.

Section 62-2. Administrative.

The registration shall state the name, residence, business address of the owner and/or operator and the addresses of all properties within the town offered for short-term rental. There shall be no fee for such registration. After initial registration, registration shall be renewed by January 1 of each year.

Section 62 – 3. Exceptions.

Any person who is (1) licensed by the real estate board or is a property owner who is represented by a real estate licensee; (2) registered pursuant to the Virginia Real Estate Time Share Act, Code of Virginia § 55-360 et seq., or (3) licensed with the department of health related to the provision of room or space for lodging shall present evidence of such other licensing or registering to the

director and be exempt from registering under this chapter. Should such registration or licensing cease, the person shall forthwith register with the director on the town's short-term rental registry.

Article II. Registry Requirements

Section 62 – 4. Business license. A Town business license must be valid for the property use as short term rental. The business licensing shall follow all applicable town and county regulations.

Section 62 – 5. Transient Lodging Tax shall be submitted to the Town Treasurer and all other Town and County taxes shall be up to date.

Section 62- 6. Record Keeping. A record of all Ledger including dates and cost of stay of all tenants to be supplied to the Town annually.

Section 62 – 7 Inspections. Inspections by the County building official shall be allowed within 48 hours notice and the structure must be in compliance will all building code requirements. Zoning inspectiong by the Town of Tappahannock Zoning administrator or designee shall be allowed within 48 hours notice.

Section 62 – 8 Food Preparation. The owner or operator of the building shall not prepare and/or serve food to guests.

Section 62 -9. Building Code. The structure must adhere to all building code requirements including fire suppression and carbon monoxide monitoring.

Article III. Enforcement.

Section 62 – 10. Failure to Register. Any owner and/or operator who is required to register under this chapter who fails to register within 30 ays of offering a property for rent or renting said property shall be subject to a fine of $500.00. Unless and until the owner/operator pays the fine and registers the property, such person shall not continue to offer any property for short term rental.

Section 62 – 11. Prohibitions. Any owner or operator required to register under this chapter may be prohibited from offering a specific property in the town upon multiple violations on more than three occasions of applicable state and local laws, ordinances, and regulations, as they relate to short-term rental, including any applicable Town transient occupancy taxes or meals taxes.

- **REZONING REQUEST**

Mayor Gladding stated Council should consider the recommendation from the Tappahannock Planning Commission regarding the rezoning request for a lot known as tax parcel 32B 1 74. The lot is approximately 13 acres and is located at the corner of Warner St. and Pegram Ln. in the Town of Tappahannock. The applicant is requesting to rezone the property from CG-2 General Commercial to R-4 Multi-Family Residential.

Assistant Town Manager Knighton advised that the applicant has submitted proffer statement and traffic analysis which was included in the council member's packet. He reminded the council members that one of the Planning Commission members resigned at the Joint Public Hearing last month so now they have four voting members instead of five. He advised the Planning Commission voted to recommended approval of this rezoning request but the vote was two to two so the motion failed. He advised he did not want the commission members to table the vote because he does not have anyone to recommend to the council members for a planning commission appointment.

Assistant Town Manager Knighton stated the proffer statement was signed by the Trustee of the current property owner and that is required by law. He stated the proffers will be rooted into the zoning law so they will be a separate set of regulations that will govern the property just like the zoning regulations would. He stated that it does not matter who the owner is the proffers will be in place on the property until they are changed at the time of the public hearing should the council members adopt them as part of the rezoning.

Council Member Barret stated that there are two trustees for this property.

Assistant Town Manager Knighton stated these were the proffers provided by the applicant. He stated he does not know if Ester M. Lumpkin has the power of attorney to sign for both trustees.

Town Attorney Gwinn stated the Town should have some evidence of who owns the property and make sure the Town has the appropriate signatures.

- **TABLE REZONING REQUEST**

On motion of Kay Carlton, seconded by Anita Latane, the Council voted unanimously to table the rezoning request for a lot known as tax parcel 32B 1 74. from CG-2 General Commercial to R-4 Multi-Family Residential the lot is approximately 13 acres and is located at the corner of Warner St. and Pegram Ln. in the Town of Tappahannock until the evidence is provided if one or both trustees can act and what capacity they can sign on the proffer statement.

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

Ester Lumpkin stated to the council members that she will provide the documentation needed by the next meeting.

Council Member Barrett stated she had some concerns regarding the application such as the spelling of Warner Street and the affidavit being on the Town's letter head. She does not feel the affidavit should be on the Town's letterhead because it appears the Town may be advocating the request before it has been reviewed.

- **YEAR END REVIEW 2024 PRESENTATION**

Town Manager Pollitt reviewed what the Town accomplished in 2024 such as Downtown Sewer Rehab Project Phase 1 complete, Central Park Project Phase 1 complete, Central Park Project Phase 2 structure and designs completed and approved by Essex County and the Town Comprehensive Plan has been updated. He discussed the major upcoming initiatives such as Hoskins Creek Waterfront Access projects, zoning text update, update Town ordinance and enhance tourism program through River Realm partnership, Old Airport redevelopment projects and seer funding for phase 2 of sewer rehab projects.



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- **BUDGET CALENDAR**

Town Manager Pollitt presented the council members with a budget calendar.



1-FY26 Budget Calendar - Final.xlsx

Mayor Gladding recognized Straton Beamer and stated the council members received her letter regarding the rezoning request. He asked her if she would like to make any comments.

Straton Beamer stated since the rezoning request was tabled, she will make her comments at the February 10, 2025, council meeting.

Mayor Gladding recognized Robert "Tyler" Lowery.

Tyler Lowery stated he attended the planning commission meeting last week and there was some discussion regarding the rezoning request. He stated the focus of the discussion was the traffic issues and the need for improvement at the intersection of Warner and Essex Street where the stop sign sits. He encouraged the Chief of Police to ask the Town's law enforcement officers to patrol the Cralle Avenue and Daingerfield area.

- **MOTION TO CONVENE IN CLOSED SESSION**

On motion of Fleet Dillard, seconded by Anita J. Latane, Council voted unanimously to convene into closed session to discuss two subjects The first subject matter of the closed session shall be the revisions to the contract for the Town Manager. The purpose of the closed session is to consult with the Town's legal counsel regarding the terms of the contract, pursuant to 2.2-3711(a) (8)

The second subject matter of the closed session shall be to discuss the collection of delinquent meals taxes. The purpose of the closed session is to consult with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to 2.2-3711(A)(8).

Votes were cast as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Aye		

- **MOTION FOR CERTIFICATION**

On motion of Carolyn Barrett, seconded by Anita J. Latane, Council voted by roll call vote, that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

Certification as follows:

Kay Carlton:	Aye	Kenneth Gillis:	Aye
Carolyn Barrett:	Aye	Anita J. Latane:	Aye
Fleet Dillard:	Not present		

Town Attorney Gwinn asked that the minutes reflect that Council Member Dillard abstained because of the conflicts with the delinquent meals tax subject matter.

- **ADJOURNED**

There being no further business, the meeting was adjourned at 8:45 p.m.

Roy M. Gladding, Mayor

Patsy K. Scates, Town Clerk