

AGENDA
REGULAR MEETING
BOARD OF SUPERVISORS
DECEMBER 18, 2007

12:00 P.M. LUNCH

1:00 P.M. CALL TO ORDER
 ROLL CALL OF MEMBERS

PRESENTATION OF A PROCLAMATION TO BARBARA KIRBY FOR HER SERVICE ON THE PLANNING COMMISSION

PRESENTATION BY STAFFORD SENIOR HIGH SCHOOL CHAPTER OF DECA ON CONNECTING YOU: IN CASE OF EMERGENCY

ADDITIONS/DELETIONS TO THE REGULAR AGENDA

CONSENT AGENDA: (ITEM 1 THRU 14)

1. LEGISLATIVE; APPROVE MINUTES OF BOARD MEETING

a. [Regular Meeting of November 20, 2007](#)

2. [LEGISLATIVE; RECOGNIZE AND COMMEND BARBARA KIRBY FOR HER SERVICE ON THE PLANNING COMMISSION](#)

a. Proposed Proclamation P07-35

BACKGROUND SUMMARY: Recognizes individual.

3. [FINANCE; APPROVE EXPENDITURE LISTING](#)

a. Proposed Resolution R07-483

BACKGROUND SUMMARY: Authorizes payments over \$100,000.

4. [TRANSPORTATION; PETITION VDOT TO INCLUDE BROWNFIELD DRIVE, TURNER FIELD COURT, NEWINGTON COURT, NEABSCO DRIVE, RIXEY COURT AND HUNTON DRIVE WITHIN LEELAND STATION SUBDIVISION, SECTION 3, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS](#)

a. Proposed Resolution R07-482 Falmouth

BACKGROUND SUMMARY: Accepts streets into the secondary road system.

5. TRANSPORTATION; PETITION VDOT TO INCLUDE CENTREPORT PARKWAY, PHASES I AND II, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

a. Proposed Resolution R07-481 Hartwood

BACKGROUND SUMMARY: Accepts Parkway into the secondary road system.

6. ECONOMIC DEVELOPMENT AND LEGISLATIVE AFFAIRS; CONSIDER ENDORSING LEGISLATIVE INITIATIVES PROPOSED BY VACo REGION 7 – NORTH CENTRAL VIRGINIA LOCALITIES FOR THE 2008 GENERAL ASSEMBLY

a. Proposed Resolution R07-495

BACKGROUND SUMMARY: Endorses initiatives.

7. ECONOMIC DEVELOPMENT AND LEGISLATIVE AFFAIRS; SUPPORT A LEGISLATIVE INITIATIVE IN THE 2008 VIRGINIA GENERAL ASSEMBLY TO ALLOW ONE-HALF OF OVERWEIGHT TRUCK FINES TO BE RETURNED TO LOCALITIES

a. Proposed Resolution R07-490

BACKGROUND SUMMARY: Supports initiative.

8. PLANNING AND ZONING; REFER A ZONING ORDINANCE AMENDMENT TO THE PLANNING COMMISSION THAT ESTABLISHES A HERITAGE PROTECTION (HP) ZONING DISTRICT

a. Proposed Resolution R07-488

BACKGROUND SUMMARY: Considers new zoning district.

9. PLANNING AND ZONING; AUTHORIZE THE INITIATION OF RECLASSIFICATION OF ASSESSOR'S PARCELS 54-93, 54-93A, 54-91, 54-92, AND 54-92A ON GEORGE WASHINGTON'S FERRY FARM AND FERRY FARM FROM A-1 TO B-2 TO THE HERITAGE PROTECTION (HP) DISTRICT

a. Proposed Resolution R07-489

George

Washington

BACKGROUND SUMMARY: Considers reclassification.

10. UTILITIES; APPROVE CONSTRUCTION-PHASE ENGINEERING AND INSPECTION SERVICES FOR THE AQUIA WASTEWATER TREATMENT FACILITY NUTRIENT REMOVAL UPGRADE PHASE 1

Aquia

a. Proposed Resolution R07-511

BACKGROUND SUMMARY: Approves \$163,498 from Utilities Fund.

11. PARKS AND RECREATION; APPROVE MASTER PLAN FOR PATAWOMECK PARK

Griffis-Widewater

a. Proposed Resolution R07-451

BACKGROUND SUMMARY: Requests approval of final plan.

12. HUMAN RESOURCES; AMEND THE POLICY AND PROCEDURES REGARDING EMPLOYEE ANNUAL LEAVE CARRYOVER DATES

a. Proposed Resolution R07-496

BACKGROUND SUMMARY: Considers change.

13. TRANSPORTATION; REQUEST THE BOARD SUPPORT THE COUNTY ADMINISTRATOR AND COUNTY ATTORNEY IN THEIR PURSUIT TO OPEN PRIMMER HOUSE ROAD Falmouth

a. Proposed Resolution R07-513

BACKGROUND SUMMARY: Considers opening new public road.

14. FINANCE; APPROVE FY2008 BUDGET AMENDMENT

a. Proposed Resolution R07-514

BACKGROUND SUMMARY: Approves FY2008 adjustments.

END OF CONSENT AGENDA

OTHER BUSINESS:

15. PLANNING AND ZONING; APPEAL THE PLANNING COMMISSION DECISION TO DENY A COMPREHENSIVE PLAN COMPLIANCE REVIEW FOR SMITH LAKE POINTE (Deferred at 08-21-07 Meeting) Aquia

a. Proposed Resolution R07-254

b. Proposed Resolution R07-255

BACKGROUND SUMMARY: Considers request.

16. UTILITIES; AUTHORIZE A NON-SUBSIDIZED PUMP AND HAUL AT 29 MYNELL STREET (Deferred at 12-04-07 Meeting) Griffis-Widewater

a. Proposed Resolution R07-341

b. Proposed Resolution R07-342

BACKGROUND SUMMARY: Considers pump and haul service.

17. PLANNING; CONSIDER A CONDITIONAL USE PERMIT TO ALLOW TWO STREET CROSSINGS IN A FLOOD HAZARD OVERLAY DISTRICT ON HULLS CHAPEL ROAD (Deferred at 12-04-07 Meeting) Hartwood

a. Proposed Resolution R07-458

b. Proposed Resolution R07-459

BACKGROUND SUMMARY: Considers use.

18. UTILITIES; WAIVE MANDATORY WATER AND SEWER CONNECTIONS FOR BEVERLY HILLS; FLINN; MCCARTY FOREST; WILLIAMS; ELLISON ESTATES, SECTION 2; AND AQUIA OVERLOOK, SECTION 3.

SUBDIVISIONS

Falmouth, Hartwood, Washington, Griffis-

Widewater

- a. Proposed Resolution R07-499 (Beverly Hills Subdivision)
- b. Proposed Resolution R07-500
- c. Proposed Resolution R07-501 (Flinn Subdivision)
- d. Proposed Resolution R07-502
- e. Proposed Resolution R07-503 (McCarty Forest Subdivision)
- f. Proposed Resolution R07-504
- g. Proposed Resolution R07-505 (Williams Subdivision)
- h. Proposed Resolution R07-506
- i. Proposed Resolution R07-507 (Ellison Estates, Section 2)
- j. Proposed Resolution R07-508
- k. Proposed Resolution R07-509 (Aquia Overlook, Section 3)
- l. Proposed Resolution R07-510

BACKGROUND SUMMARY: Requests waiver from requirement to use public water and/or public sewer.

19. LEGISLATIVE; DISCUSS THE FOLLOWING:

- a. TAX RELIEF FOR THE ELDERLY AND DISABLED (Deferred at 12-04-07 Meeting)

- Mr. Milde
- Mr. Schwartz

- b. AT LARGE CHAIRMAN POSITION FOR THE BOARD OF SUPERVISORS IN THE 2009 ELECTIONS

- Mr. Milde

- c. ZONING TEXT AMENDMENT TO ALLOW STONE AND MULCH SALES IN A-1 DISTRICT BY RIGHT

- d. SYNTHETIC TURF ATHLETIC FIELDS AT SMITH LAKE PARK

- Mr. Gibbons

END OF OTHER BUSINESS

CLOSED MEETING

7:00 P.M. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS BY THE PUBLIC

7:00 P.M. PUBLIC HEARINGS:

20. PLANNING AND ZONING; REZONE 372.85 ACRES FROM A-1, AGRICULTURAL, TO R-1, SUBURBAN RESIDENTIAL, AT 134 DEN RICH ROAD FOR BRENTSMILL, LLC Griffis-Widewater

a. Proposed Ordinance O07-11

b. Proposed Resolution R07-30

BACKGROUND SUMMARY: Considers rezoning.

21. PLANNING AND ZONING; AMEND AND REORDAIN THE ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY ASSESSOR'S PARCELS 38-76A, 38-76B(portion), 38-76C, 38-76E, 38-76F, AND 38-76G FROM A-1, AGRICULTURAL ZONING DISTRICTS TO M-1, LIGHT INDUSTRIAL ZONING DISTRICT

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a. Proposed Ordinance O07-82

b. Proposed Resolution R07-479

BACKGROUND SUMMARY: Requests reclassification.

22. PLANNING AND ZONING; CONSIDER AN AMENDMENT TO PROFFERED CONDITIONS AT 3050 JEFFERSON DAVIS HIGHWAY

Aquia

a. Proposed Ordinance O07-79

b. Proposed Resolution R07-453

BACKGROUND SUMMARY: Allows automotive dealership.

23. PLANNING AND ZONING; CONSIDER A CONDITIONAL USE PERMIT AT 3050 JEFFERSON DAVIS HIGHWAY

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a. Proposed Resolution R07-447

b. Proposed Resolution R07-448

BACKGROUND SUMMARY: Allows motor vehicle sales service and repair.

24. PLANNING AND ZONING; AMEND SECTION 22-5, FAMILY AND MINOR SUBDIVISIONS; AND SECTION 22-176, PRIVATE ACCESS EASEMENT, OF THE SUBDIVISION ORDINANCE

a. Proposed Ordinance O07-58

b. Proposed Ordinance O07-71

BACKGROUND SUMMARY: O07-58 considers minimum width for roadway easement in

family and minor subdivisions; O07-71 limits a minor subdivision to one private access easement.

25. PLANNING AND ZONING; AMEND SECTION 28-25 DEFINITIONS OF SPECIFIC TERMS; SECTION 28-35, TABLE OF USES AND STANDARDS; TABLE 3.1, DISTRICT USES AND STANDARDS; SECTION 28-39, SPECIAL REGULATIONS; TABLE 3.2(f), CULTURAL/ENTERTAINMENT USES WITHIN TRANSECT ZONES; TABLE 3.2(g), AGRICULTURAL USES WITHIN TRANSECT ZONES; TABLE 3.4(b), OPEN AND PARK SPACE; TABLE 3.5(a), ALLOCATION OF TRANSECT ZONES; TABLE 3.5(b), BASE RESIDENTIAL DENSITY; TABLE 3.5 (d) SETBACKS, MAIN BUILDINGS; AND, TABLE 3.5(f), HEIGHTS/NUMBER OF STORIES; AND TABLE 7.1 REQUIRED PARKING SPACES, OF THE ZONING ORDINANCE

a. Proposed Ordinance O07-77

b. Proposed Ordinance O07-78

BACKGROUND SUMMARY: O07-77 considers maximum height, density and track size; removes requirements for residential units. O07-78 deletes requirement for a CUP for an industrial school in the HCOD.

26. (1) PLANNING AND ZONING; AMEND AND REORDAIN THE ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY ASSESSOR'S PARCELS 21-49 (portion), 21-49H, 21-49J AND 21-49Q FROM B- 2, URBAN COMMERCIAL ZONING DISTRICTS TO P-TND, PLANNED TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICT AT AQUIA TOWNE CENTER; (2) REQUEST FOR DEVIATION FROM TABLE 3.5(a) AND TABLE 3.5(c) OF THE ZONING ORDINANCE FOR THE RECLASSIFICATION OF THE TOWN CENTER OF AQUIA

a. Proposed Ordinance O07-76

Aquia

b. Proposed Resolution R07-434

c. Proposed Resolution R07-491

d. Proposed Resolution R07-492

e. Proposed Resolution R07-493

f. Proposed Resolution R07-494

BACKGROUND SUMMARY: Considers mixed use retail, office, entertainment and residential center and considers variations of TND.

27. COUNTY ADMINISTRATION; CONSIDER ENTERING INTO AN AGREEMENT WITH VDOT FOR THE REMOVAL OF ILLEGAL ADVERTISEMENTS

a. Proposed Resolution R07-466

BACKGROUND SUMMARY: Considers initiating a sign removal program.

28. COUNTY ADMINISTRATION; CONSIDER AMENDING CHAPTER 21 OF THE COUNTY CODE GOVERNING THE DISPOSAL OF SOLID WASTE

Aquia

a. Proposed Ordinance O07-80

BACKGROUND SUMMARY: Removes County Landfill reference and inserts Rappahannock Regional Solid Waste Management Board as operator.

29. PARKS AND RECREATION; AUTHORIZE CONVEYANCE OF A SANITARY SEWER EASEMENT AND A STORM DRAINAGE EASEMENT ON COUNTY-OWNED PROPERTY AT SMITH LAKE PARK Aquia

a. Proposed Resolution R07-478

BACKGROUND SUMMARY: Considers conveyance of property easements.

30. UTILITIES; VACATE A SANITARY SEWER EASEMENT ON A/P 44N-2-13 IN HERITAGE COMMERCE CENTER Hartwo

od

a. Proposed Resolution R07-474

BACKGROUND SUMMARY: Considers vacating of easement.

31. TRANSPORTATION; VACATE AND ABANDON A PUBLIC RIGHT-OF-WAY AS A FUTURE CONNECTION IN LOCKLEAR’S LANDING SUBDIVISION Rock Hill

a. Proposed Ordinance O07-74

b. Proposed Resolution R07-512

BACKGROUND SUMMARY: Considers abandonment or discontinuance of right-of-way.

MEDIA TIME

ADJOURNMENT

THIS AGENDA MAY BE AMENDED ON THE DAY OF THE MEETING. PARTICIPATION OF ALL CITIZENS IS ENCOURAGED. FOR THOSE INDIVIDUALS WITH SPECIAL NEEDS, PLEASE NOTIFY THE COUNTY ADMINISTRATOR OF ANY ACCOMMODATION REQUIRED AT LEAST 24 HOURS BEFORE THE MEETING.

AGENDA
CLOSED MEETING

- 1. Legal Advice Crow’s Nest property acquisition, condemnation, and related litigation
Joseph L. Howard, Jr.
Gifford R. Hampshire

Section 2.2-3711 A.3
Section 2.2-3711 A.7
Code of Virginia

2. Legal Advice Charles and Wendy Harrison
Claim for Damages

Joseph L. Howard, Jr. Mike Neuhard

Section 2.2-3711 A.7
Code of Virginia

DEFERRED BUSINESS: (FOR INFORMATION ONLY).

1. PLANNING AND ZONING; AMEND THE SUBDIVISION ORDINANCE REGARDING STREET ACCESS (Deferred at 09-21-04 Meeting)
STATUS: Awaiting to be scheduled for future Board meeting

2. UTILITIES; AUTHORIZE A PUBLIC HEARING TO AMEND AND REORDAIN THE COUNTY CODE BY AMENDING SECTION 25-165, TYPE, LOCATION, ETC., REGARDING PRIMARY AND RESERVE DRAINFIELDS
STATUS: Awaiting information

3. LEGISLATIVE; DISCUSS STORMWATER ORDINANCE AMENDMENT. (Deferred at 02-07-06 Meeting)
STATUS: Awaiting information

4. PLANNING AND ZONING; AMEND AND REORDAIN THE SUBDIVISION ORDINANCE REGARDING RESERVE DRAINFIELDS (Deferred at 03-21-06 Meeting)
STATUS: Referred to the Planning Commission

5. PLANNING AND ZONING; CONSIDER AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCE:
a. SECTION 28-185, CONDITIONAL USE PERMIT; SECTION 28-203, SUBMISSION; SECTION 28-248, SUBMISSION REQUIREMENTS FOR MAJOR SITE DEVELOPMENT PLANS OF THE ZONING ORDINANCE AND SECTION 22-57, FILING OF THE SUBDIVISION ORDINANCE (Proposed O06-47 was deferred at 06-20-06 Meeting)
STATUS: O06-47 in Board Committee of Mr. Fields and Mr. Milde

6. PLANNING AND ZONING; AMEND SECTION 28-25, DEFINITIONS OF SPECIFIC TERMS; AND SECTION 28-39, SPECIAL REGULATIONS, OF THE ZONING ORDINANCE (Proposed Ordinance O06-75 was deferred at 12-05-06 Meeting)
STATUS: Awaiting information from Planning Commission

7. TRANSPORTATION; AMEND AND REORDAIN SECTION 17-31(A)(2) OF THE COUNTY CODE ENTITLED "NO WAKE AREAS ON AQUIA CREEK"
(Proposed Resolution R07-07 was deferred at 01-09-07 Meeting)
STATUS: In Board Committee of Milde

8. PLANNING; GRANT EXEMPTION TO SECTION 22-5 OF THE SUBDIVISION ORDINANCE FOR A FAMILY SUBDIVISION OF ASSESSOR'S PARCEL 18V-4B (Proposed Resolution R07-31 was deferred at 01/23/07 Meeting)

STATUS: In Board Committee

9. PLANNING; REZONE 372.85 ACRES FROM A-1, AGRICULTURAL, TO R-1, SUBURBAN RESIDENTIAL, AT 134 DEN RICH ROAD FOR BRENTSMILL, LLC (Proposed Ordinance O07-11 was deferred at 03-20-07 Meeting)

STATUS: Scheduled for public hearing on 12-18-07

10. PLANNING; DISCUSS WATER RESOURCE PROTECTION OVERLAY DISTRICT ORDINANCE (FORMERLY SENSITIVE RESOURCE OVERLAY DISTRICT) STATUS: (Referred to the Planning Commission at 06-05-07 Meeting)

11. PLANNING AND ZONING; AMEND SECTION 28-135, REPAIR AND REMOVAL OF SIGNS, OF THE ZONING ORDINANCE (Proposed Ordinance O07-46 was deferred at 09-04-07 Meeting)

STATUS: In Board Committee of Mr. Milde and Mr. Schwartz

12. PLANNING AND ZONING; CONSIDER A CONDITIONAL USE PERMIT AT 135 CLIFT FARM ROAD (Deferred at 10-16-07 Meeting)

STATUS: Proposed Resolution R07-386 was deferred indefinitely

END OF DEFERRED BUSINESS.