



**FLUVANNA COUNTY PLANNING COMMISSION**  
**WORK SESSION AGENDA**  
Circuit Courtroom, Fluvanna Courts Building  
March 23, 2016 at 6:00 pm

**PLANNING COMMISSION WORK SESSION**

1. **Open the Work Session** (Mr. Barry Bibb, Chairman)
2. **Planning Director comments**
3. **Public Comment** (Limited to Three (3) Minutes per Speaker)
4. **Columbia Zoning Discussion** (James Newman)
5. **Adjourn**



**FLUVANNA COUNTY PLANNING COMMISSION**  
**REGULAR MEETING AGENDA**  
Circuit Courtroom, Fluvanna Courts Building  
March 23, 2016 at 7:00 pm

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**TAB AGENDA ITEMS**

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**1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE**

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**3 - DIRECTOR'S REPORT** (February & March)

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**4 - PUBLIC COMMENTS #1** (3 minutes each)

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**5 - APPROVAL OF MINUTES**

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Minutes of January 20, 2016 Joint PC/BOS Meeting

Minutes of January 27, 2016

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**6 - PUBLIC HEARINGS**

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**SUP 16:03**– Eric A. Mackinnon – A request for a Special Use Permit (SUP) to operate a small home industry with respect to 2 acres of Tax Map 11, Section 13, Parcel 8. The property is zoned A-1, Agricultural, General, and is located on the west side of Bybees Church Road (Route 613), approximately one-half mile northeast of its intersection with Barnaby Road. The property is located in the Columbia Election District and is within the Rural Residential Planning Area.

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**7 - PRESENTATIONS**

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-TJPDC Updates- Will Cockrell, Director of Planning-TJPDC

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**8 - SITE DEVELOPMENT PLANS**

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SDP 16:04 – County of Fluvanna - Approval of a sketch plan to construct a 195' self-support lattice tower and peripheral ground-equipment with respect to a portion of 196 acres of Tax Map 30, Section A, Parcel 3. The property is zoned A-1, Agricultural, General and is located on the north side of Thomas Jefferson Parkway (Route 53) approximately ¾ miles northwest of its intersection with James Madison Highway (Route 15). The property is located in the Fork Union Election District and is within the Rural Residential Planning Area.

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**9 - SUBDIVISIONS**

-None

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**10 - UNFINISHED BUSINESS**

-None

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**11 - NEW BUSINESS**

**Houchens Place-** A variation to the sidewalk regulations as required by Sec. 19-8-8 of the subdivision ordinance.

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**12 – OLD BUSINESS**

- None

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**13 - PUBLIC COMMENTS #2 (3 minutes each)**

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**14 - ADJOURN**

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Planning/Zoning Administrator Review

**Jason Stewart**

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**PLEDGE OF ALLEGIANCE**

I pledge allegiance to the flag  
of the United States of America  
and to the Republic for which it stands,  
one nation, under God, indivisible,  
with liberty and justice for all.

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**ORDER**

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman and/or the County Planner shall be the judge of such breaches, however, the Commission may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

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**Fluvanna County Planning Commission  
PUBLIC HEARING RULES OF PROCEDURE**

**1. Purpose:**

The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action. A hearing is not a dialog or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.

**2. Speakers:**

*For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.  
For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 591-1910.*

- Speakers should approach the lectern so they may be visible and audible to the Commission.
- Each speaker should clearly state his/her name and address.
- All Comments should be directed to Commission.
- Each speaker is limited to three minutes and time may not be donated from other audience members.
- All questions should be directed to the Chairman. Members of the Commission are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion. Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
- Speakers with questions are encouraged to contact County staff prior to the public hearing.
- Speakers should be brief and avoid repetition of previously presented comments.
- County residents and taxpayers may be given priority in speaking order.

3. Action:

At the conclusion of the public hearing on each item, the Chairman will close the public hearing. The Commission will proceed with its deliberations and will act on or formally postpone action on such item prior to proceeding to other agenda items. Further public comment after the public hearing has been closed generally will not be permitted.



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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

To: Fluvanna County Planning Commission  
From: Jason Stewart, AICP  
Date: February 17, 2016  
Re: Planning Director's Report

1. Board of Supervisors Actions:

February 3, 2016:

*None.*

February 17, 2016:

**Approved - SUP 15:10 – St. Peter & Paul Catholic Church** - A request for a Special Use Permit (SUP) to allow for an educational facility with respect to a portion of 29 acres of Tax Map 18, Section A, Parcels 7 & 7A. The affected property is located on the west side of Route 53 (Thomas Jefferson Parkway), approximately 1,380 feet northwest of its intersection with Route 600 (South Boston Road). The property is located in the Cunningham Election District and is within the Rivanna Community Planning Area.

2. Board of Zoning Appeals Actions:

*No February meeting.*

3. Technical Review Committee:

**SUP 16:03 – Eric A. Mackinnon** – A request for a Special Use Permit (SUP) to operate a small home industry with respect to 2 acres of Tax Map 11, Section 13, Parcel 8. The property is zoned A-1, Agricultural, General, and is located on the west side of Bybees Church Road (Route 613), approximately one-half mile northeast of its intersection with Barnaby Road. The property is located in the Columbia Election District and is within the Rural Residential Planning Area.





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## COUNTY OF FLUVANNA

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To: Fluvanna County Planning Commission  
From: Jason Stewart, AICP  
Date: March 17, 2016  
Re: Planning Director's Report

1. Board of Supervisors Actions:

March 2, 2016:

*None.*

March 16, 2016:

*None.*

2. Board of Zoning Appeals Actions:

*No March meeting.*

3. Technical Review Committee:

- I. **SUP 16:04 – Raymond Bunch** – A request for a Special Use Permit (SUP) to operate a small home industry with respect to 2.049 acres of Tax Map 27, Section 10, Parcel 4. The property is zoned A-1, Agricultural, General, and is located on the south side of Branch Road (Route 761), approximately one-third of a mile northeast of its intersection with Rolling Road South (Route 620). The property is located in the Cunningham Election District and is within the Rural Preservation Planning Area.
- II. **SDP 16:02 – Central Virginia Electric Cooperative** - A site development plan request to construct a 9,961 +/- square foot office building, and a 10,037 square foot truck bay with respect to 41.815 acres of Tax Map 10, Section A, Parcel 32. The property is zoned B-1, Business, General, and is located on the east side of Salem Church Road (Route 644), approximately ¼ mile south of its intersection with Union Mills Road (Route 616). The property is located in the Columbia Election District and is within the Rural Residential Planning Area.
- III. **SDP 16:03 – Fork Union Military Academy** - A site development plan request to construct new parking facilities, and a new entrance off of Academy Road with respect to a portion of Tax Map 51, Section A, Parcel 117, and Tax Map 51-A-121. The property is zoned B-1, Business, General, and A-1, Agricultural, General and is located at the intersection of Academy Road (Route 652), and James Madison Highway (Route 15) in the Fork Union Election District and is within the Fork Union Community Planning Area.



**FLUVANNA COUNTY BUILDING INSPECTIONS  
MONTHLY BUILDING INSPECTION REPORT  
JANUARY 2016**

| USE                      | Jan-15    | VALUE            | YTD 15    | VALUE            | Jan-16    | VALUE            | YTD 16    | VALUE            | Jan/Diff  | VALUE          | YTD       | VALUE          |
|--------------------------|-----------|------------------|-----------|------------------|-----------|------------------|-----------|------------------|-----------|----------------|-----------|----------------|
|                          |           |                  |           |                  |           |                  |           |                  |           |                | PERMITS   |                |
| New Homes                | 4         | 650,000          | 4         | 650,000          | 11        | 1,591,517        | 11        | 1,591,517        | 7         | 941,517        | 7         | 941,517        |
| Duplex                   | 0         | 0                | 0         | 0                | 0         | -                | 0         | -                | 0         | -              | 0         | -              |
| Single Family (Attached) | 2         | 423,000          | 2         | 423,000          | 0         | -                | 0         | -                | -2        | (423,000)      | -2        | (423,000)      |
| Adds&Alterations         | 21        | 134,631          | 21        | 134,631          | 13        | 98,464           | 13        | 98,464           | -8        | (36,167)       | -8        | (36,167)       |
| Garages & Carports       | 2         | 40,500           | 2         | 40,500           | 1         | 25,000           | 1         | 25,000           | -1        | (15,500)       | -1        | (15,500)       |
| Accessory Buildings      | 0         | 0                | 0         | -                | 1         | 8,500            | 1         | 8,500            | 1         | 8,500          | 1         | 8,500          |
| Single Wide MH           | 0         | 0                | 0         | -                | 0         | -                | 0         | -                | 0         | -              | 0         | -              |
| Swimming Pools           | 1         | 36,500           | 1         | 36,500           | 0         | -                | 0         | -                | -1        | (36,500)       | -1        | (36,500)       |
| Recreational Bldgs       | 0         | 0                | 0         | -                | 0         | -                | 0         | -                | 0         | -              | 0         | -              |
| Business Bldgs           | 0         | 0                | 0         | -                | 0         | -                | 0         | -                | 0         | -              | 0         | -              |
| Industrial Bldgs         | 0         | 0                | 0         | -                | 0         | -                | 0         | -                | 0         | -              | 0         | -              |
| Other Buildings          | 2         | 100,000          | 2         | 100,000          | 1         | 94,500           | 1         | 94,500           | -1        | (5,500)        | -1        | (5,500)        |
| <b>TOTALS</b>            | <b>32</b> | <b>1,384,631</b> | <b>32</b> | <b>1,384,631</b> | <b>27</b> | <b>1,817,981</b> | <b>27</b> | <b>1,817,981</b> | <b>-5</b> | <b>433,350</b> | <b>-5</b> | <b>433,350</b> |

| FEES                    | Jan-15             | PREV TOT | YTD 15          | Jan-16              | PREV TOT    | YTD 16              | DIFFERENCE         | DIFFERENCE YTD  |
|-------------------------|--------------------|----------|-----------------|---------------------|-------------|---------------------|--------------------|-----------------|
| Building Permits        | \$ 6,731.09        | -        | 6,731.09        | \$ 11,850.19        | \$ -        | \$ 11,850.19        | 5,119.10           | 5,119.10        |
| Land Disturb Permits    | \$ 1,775.00        | -        | 1,775.00        | \$ 3,200.00         | \$ -        | \$ 3,200.00         | 1,425.00           | 1,425.00        |
| Zoning Permits/Proffers | \$ 1,200.00        | -        | 1,200.00        | \$ 1,150.00         | \$ -        | \$ 1,150.00         | (50.00)            | (50.00)         |
| <b>TOTALS</b>           | <b>\$ 9,706.09</b> | <b>-</b> | <b>9,706.09</b> | <b>\$ 16,200.19</b> | <b>\$ -</b> | <b>\$ 16,200.19</b> | <b>\$ 6,494.10</b> | <b>6,494.10</b> |

| INSPECTIONS | Jan-15 | PREVIOUS | YTD 15 | Jan-16 | PREVIOUS | YTD 16 |    |    |
|-------------|--------|----------|--------|--------|----------|--------|----|----|
| INSPECTIONS | 105    | 0        | 105    | 116    |          | 116    | 11 | 11 |

*Darius S. Lester*

Darius S. Lester  
Building Official

( ) represents a negative

## Monthly Approval Report January 2016

| <i>District</i> | <i>Action</i>   | <i>ID#</i> | <i>Description</i>             | <i>Tax Map</i> | <i>Parcels</i> | <i>Total Acreage</i> | <i>Number of Lots</i> |
|-----------------|-----------------|------------|--------------------------------|----------------|----------------|----------------------|-----------------------|
|                 | <i>Approved</i> |            |                                |                |                |                      |                       |
|                 |                 | SUP 15-012 | Construct a raw water pipeline | MUL            | MULTIPLE       | 0                    |                       |
| <b>Columbia</b> | <i>Approved</i> |            |                                |                |                |                      |                       |
|                 |                 | SUP 15-011 | Build raw water supply system  | MUL            | MULTIPLE       | 329.7                |                       |

|   |  |
|---|--|
| <i>AFD - Agricultural Forestal District</i>     | <i>BSP - Boundary Survey Plat</i>        |
| <i>BZA - Board of Zoning Appeals (Variance)</i> | <i>CCE - Code Compliance Enforcement</i> |
| <i>CPA - Comprehensive Plan Amendment</i>       | <i>SDP - Site Development Plan</i>       |
| <i>SUB - Subdivisions</i>                       | <i>SUP - Special Use Permits</i>         |
| <i>ZMP - Zoning Map Proposal (Rezoning)</i>     | <i>ZTA - Zoning Text Amendment</i>       |

## Monthly Approval Report February 2016

| <i>District</i>   | <i>Action</i>   | <i>ID#</i> | <i>Description</i>                        | <i>Tax Map</i> | <i>Parcels</i>       | <i>Total Acreage</i> | <i>Number of Lots</i> |
|-------------------|-----------------|------------|---|----------------|----------------------|----------------------|-----------------------|
| <b>Cunningham</b> |                 |            |   |                |                      |                      |                       |
|                   | <i>Approved</i> |            |   |                |                      |                      |                       |
|                   |                 | BSP 16-001 | physical survey plat of three (3) parcels | 17             | (A)26, 52A, & 17-8-B | 0                    |                       |
|                   |                 | SUP 15-010 | Preschool/Aftercare                       | 18             | (A) 7                | 29                   |                       |
| <b>Palmyra</b>    |                 |            |   |                |                      |                      |                       |
|                   | <i>Approved</i> |            |   |                |                      |                      |                       |
|                   |                 | ZMP 15-006 |   | 9              | (A) 9                | 13.4                 |                       |

Wednesday, March 16, 2016

Page 1 of 1

|   |  |
|---|--|
| <i>AFD - Agricultural Forestal District</i>     | <i>BSP - Boundary Survey Plat</i>        |
| <i>BZA - Board of Zoning Appeals (Variance)</i> | <i>CCE - Code Compliance Enforcement</i> |
| <i>CPA - Comprehensive Plan Amendment</i>       | <i>SDP - Site Development Plan</i>       |
| <i>SUB - Subdivisions</i>                       | <i>SUP - Special Use Permits</i>         |
| <i>ZMP - Zoning Map Proposal (Rezoning)</i>     | <i>ZTA - Zoning Text Amendment</i>       |

**CODE COMPLIANCE VIOLATION STATISTICS**

**January - 2016**

Scott B. Miller, Code Compliance Officer

| Complaint Number  | Tax Map Number | Property Owner        | Address                  | Date of Complaint | Violation Type          | Status   | Deadline          | District   |
|---|----------------|-----------------------|--------------------------|-------------------|-------------------------|--|-------------------|------------|
| 1503-04   | 51A-(A)-22     | JWS Enterprises, LLC. | 4985 James Madison Hwy.  | 9/16/2014         | Improper Use            | Court Conviction                                       | Pending Abatement | Fork Union |
| 1503-14   | 4-(A)-109A     | Bahr, Kenneth         | Richmond Rd. (Vacant)    | 3/23/2015         | Improper Use            | Pending (2nd)  | 02/20/2016        | Columbia   |
| 1511-03   | 18-(A)-25B     | Stevens, Roger        | Thomas Farm La. (Vacant) | 11/9/2015         | Junk/Inoperable Vehicle | Extended   | 02/20/2016        | Palmyra    |
| 1601-01   | 11-(1)-4       | Harrison, Robert      | 671 Troy Rd.             | 1/5/2016          | Trash, Burning          | Cleared  | 02/05/2016        | Columbia   |
| 1601-02   | 21-(10)-1      | Stringer, Nancy       | 642 Mountain Laurel Rd.  | 1/11/2016         | Trash, Debris           | Cleared  | 02/11/2016        | Columbia   |
| 1601-03   | 54-(A)-20, 25  | VATN LLC.             | 2214 Stage Junction Rd.  | 1/21/2016         | Tires                   | Extended   | 02/21/2016        | Columbia   |
| 1601-04   | 47-(8)-5       | Sprouse Land Trust    | 599 Beals Ln.            | 1/28/2016         | Trash, Junk             | Extended   | 02/28/2016        | Cunningham |
|   |                |                       |                          |                   |                         |  |                   |            |
|   |                |                       |                          |                   |                         |  |                   |            |
|   |                |                       |                          |                   |                         |  |                   |            |
|   |                |                       |                          |                   |                         |  |                   |            |
|   |                |                       |                          |                   |                         |  |                   |            |
|   |                |                       |                          |                   |                         |  |                   |            |
| <b>MISCELLANEOUS</b>  |                |                       |                          |                   | <b>STATUS</b>           | <b>DEFINITIONS</b>                                     |                   |            |
| Biosolids Applied and Signs Displayed (37 properties)   |                |                       |                          |                   | Court Pending:          | Summons to be issued                                   |                   |            |
| Compliance with Tenaska Virginia Sound Levels 01/14/2016  |                |                       |                          |                   | Court:                  | Case is before Judge                                   |                   |            |
| Placed Thirteen (13) Public Hearing Signs   |                |                       |                          |                   | Pending:                | Violation Notice Sent                                  |                   |            |
| Removed Thirteen (13) Public Hearing Signs  |                |                       |                          |                   | Permit Pending:         | Applied for Permit to Abate Violation                  |                   |            |
| Fifty One (51) Signs Removed From Public Rights-Of-Way  |                |                       |                          |                   | Extended:               | Extension Given/Making Progress to Abate Violations    |                   |            |
| Deliver packets to BOS, PC Members and Library  |                |                       |                          |                   | Board:                  | Case is pending Board Approval                         |                   |            |
| Survey Research - Pleasant Grove House Site and Cemetery  |                |                       |                          |                   | Cleared:                | Violation Abated                                       |                   |            |
| Survey portion of Lot 44, Section III, Fox Hollow (Gene Ott) to determine possible encroachment by adjoining neighbor |                |                       |                          |                   | Rezoning:               | Property is in Rezoning Process                        |                   |            |
|   |                |                       |                          |                   | SUP Pending:            | Special Use Permit Application made to Abate Violation |                   |            |
|   |                |                       |                          |                   |                         |  |                   |            |

**CODE COMPLIANCE VIOLATION STATISTICS**

**February-2016**

Scott B. Miller, Code Compliance Officer

| Complaint Number   | Tax Map Number | Property Owner                  | Address                     | Date of Complaint | Violation Type          | Status   | Deadline          | District   |
|--|----------------|---------------------------------|-----------------------------|-------------------|-------------------------|--|-------------------|------------|
| 1503-04  | 51A-(A)-22     | JWS Enterprises, LLC.           | 4985 James Madison Hwy.     | 9/16/2014         | Improper Use            | Court Conviction                                       | Pending Abatement | Fork Union |
| 1503-14  | 4-(A)-109A     | Bahr, Kenneth                   | Richmond Rd. (Vacant)       | 3/23/2015         | Improper Use            | Pending (2nd)  | 03/23/2016        | Columbia   |
| 1511-03  | 18-(A)-25B     | Stevens, Roger                  | Thomas Farm La. (Vacant)    | 11/9/2015         | Junk/Inoperable Vehicle | Extended   | 03/20/2016        | Palmyra    |
| 1601-03  | 54-(A)-20, 25  | VATN LLC.                       | 2214 Stage Junction Rd.     | 1/21/2016         | Tires                   | Cleared  | 02/21/2016        | Columbia   |
| 1601-04  | 47-(8)-5       | Sprouse Land Trust              | 599 Beals Ln.               | 1/28/2016         | Trash, Junk             | Extended   | 02/28/2016        | Cunningham |
| 1602-01  | 26-(17)-34     | Law, Phillip e. & Jennifer A.   | 124 & 178 Antioch Ridge Dr. | 2/10/2016         | Violate Single Family   | Cleared  | 03/10/2016        | Cunningham |
| 1602-02  | 7-(1)-7        | Morris, T. Keith                | 3950 Boston Creek Dr.       | 2/11/2016         | Excavation              | Cleared  | 03/11/2016        | Cunningham |
| 1602-03  | 4-(23)-16      | Crawford, Richard C. & Linda J. | 1470 Oliver Creek Rd.       | 2/22/2016         | Junk                    | Extended   | 03/22/2016        | Palmyra    |
| 1604-04  | 36-(A)-68      | Putnam, Palmer                  | 1784 W. River Rd.           | 2/25/2016         | Trash, Debris           | Extended   | 03/25/2016        | Cunningham |
|  |                |                                 |                             |                   |                         |  |                   |            |
|  |                |                                 |                             |                   |                         |  |                   |            |
|  |                |                                 |                             |                   |                         |  |                   |            |
| <b>MISCELLANEOUS</b>   |                |                                 |                             |                   | <b>STATUS</b>           | <b>DEFINITIONS</b>                                     |                   |            |
| Biosolids Applied and Signs Displayed (36 properties)                          |                |                                 |                             |                   | Court Pending:          | Summons to be issued                                   |                   |            |
| Compliance with Tenaska Virginia Sound Levels 02/18/2016                       |                |                                 |                             |                   | Court:                  | Case is before Judge                                   |                   |            |
| Fifty One (43) Signs Removed From Public Rights-Of-Way                         |                |                                 |                             |                   | Pending:                | Violation Notice Sent                                  |                   |            |
| Deliver packets to BOS, PC Members and Library                                 |                |                                 |                             |                   | Permit Pending:         | Applied for Permit to Abate Violation                  |                   |            |
| Facilitate communication with property owners regarding JRWA                   |                |                                 |                             |                   | Extended:               | Extension Given/Making Progress to Abate Violations    |                   |            |
| Meetings with Building Insp. Dept. and Dominion Va. Power-Bremo                |                |                                 |                             |                   | Board:                  | Case is pending Board Approval                         |                   |            |
| Attend proceedings in Circuit Court regarding TM.22-(13)-7, Jones living Trust |                |                                 |                             |                   | Cleared:                | Violation Abated                                       |                   |            |
| Removed two (2) public hearing signs   |                |                                 |                             |                   | Rezoning:               | Property is in Rezoning Process                        |                   |            |
|  |                |                                 |                             |                   | SUP Pending:            | Special Use Permit Application made to Abate Violation |                   |            |
|  |                |                                 |                             |                   |                         |  |                   |            |

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## *Transmittal Report January 2016*

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| <i>Line Number</i> | <i>Code</i> | <i>Name</i> | <i>ID#</i> | <i>Amount Received</i> |
|--------------------|-------------|-------------|------------|------------------------|
|--------------------|-------------|-------------|------------|------------------------|

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*Variances*

|  |          |            |
|--|----------|------------|
|  | ZUP16001 | \$4,000.00 |
|  | ZUP16003 | \$4,000.00 |
|  | ZUP16002 | \$4,000.00 |

*SUBDIV Subdivision & Plat Review*

|  |             |             |
|--|-------------|-------------|
|  | BSA16001    | \$50.00     |
|  | BSP16002    | \$50.00     |
|  | <i>Sum:</i> | \$12,100.00 |

**10000013-318316**

*REZON Rezoning*

|  |             |            |
|--|-------------|------------|
|  | ZMP16002    | \$4,000.00 |
|  | ZMP16001    | \$4,000.00 |
|  | <i>Sum:</i> | \$8,000.00 |

**10000013-318338**

*VARINC Variances*

|  |             |          |
|--|-------------|----------|
|  | BZA16001    | \$640.00 |
|  | <i>Sum:</i> | \$640.00 |

**10000013-318341**

*SUBDIV Subdivision & Plat Review*

|  |               |             |
|--|---------------|-------------|
|  | SUB16001      | \$225.00    |
|  | SUB16002      | \$300.00    |
|  | <i>Sum:</i>   | \$525.00    |
|  | <i>Total:</i> | \$21,265.00 |

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## *Transmittal Report February 2016*

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| <i>Line Number</i>     | <i>Code</i>   | <i>Name</i>                          | <i>ID#</i>    | <i>Amount Received</i> |
|------------------------|---------------|--------------------------------------|---------------|------------------------|
| <b>10000013-318337</b> |               |                                      |               |                        |
|                        | <i>SITEPL</i> | <i>Site Plan Review</i>              |               |                        |
|                        |               |                                      | SDP16001      | \$150.00               |
|                        |               |                                      | SDP16002      | \$1,100.00             |
|                        |               |                                      | <b>Sum:</b>   | \$1,250.00             |
| <b>10000013-318340</b> |               |                                      |               |                        |
|                        | <i>MISC</i>   | <i>Miscellaneous</i>                 |               |                        |
|                        |               |                                      | MSC16001      | \$155.00               |
|                        |               |                                      | MIS16001      | \$155.00               |
|                        |               |                                      | MSC16002      | \$155.00               |
|                        |               |                                      | <b>Sum:</b>   | \$465.00               |
| <b>10000013-318341</b> |               |                                      |               |                        |
|                        | <i>SUBDIV</i> | <i>Subdivision &amp; Plat Review</i> |               |                        |
|                        |               |                                      | SUB16003      | \$300.00               |
|                        |               |                                      | SUB16004      | \$100.00               |
|                        |               |                                      | <b>Sum:</b>   | \$400.00               |
| <b>10000013-318342</b> |               |                                      |               |                        |
|                        | <i>SPUSEP</i> | <i>Special Use Permits</i>           |               |                        |
|                        |               |                                      | SUP16003      | \$890.00               |
|                        |               |                                      | <b>Sum:</b>   | \$890.00               |
|                        |               |                                      | <b>Total:</b> | \$3,005.00             |



**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
January 20, 2016  
Regular Meeting 7:00pm**

**BOARD OF SUPERVISORS****MEMBERS PRESENT:**

Mozell Booker, Fork Union District, Vice Chair  
Patricia Eager, Palmyra District  
Tony O'Brien, Rivanna District  
Donald W. Weaver, Cunningham District

**BOARD OF SUPERVISORS****MEMBERS ABSENT:**

Mike Sheridan, Columbia District, Chair

**PLANNING COMMISSION****MEMBERS PRESENT:**

Barry Bibb, Cunningham District, Chair  
Ed Zimmer, Columbia District, Vice Chair  
Donald Gaines, Rivanna District (*Arrived at 7:32pm*)  
Lewis Johnson, Fork Union District  
Howard Lagomarsino, Palmyra District

**ALSO PRESENT:**

Steven M. Nichols, County Administrator  
Fred W. Payne, County Attorney  
Kelly Belanger Harris, Clerk to the Board of Supervisors  
Jason Stewart, Planning and Zoning Director  
Steve Tugwell, Senior Planner  
Joann Rawls, Senior Program Assistant, Planning (TMP)

**CALL TO ORDER**

At 7:00 pm, Board of Supervisors (*BOS*) Vice Chair Booker called the Regular Meeting of January 20, 2016 to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

**ADOPTION OF AGENDA****MOTION**

Supervisor Weaver moved to accept the Agenda for the January 20, 2016 Regular Meeting of the Board of Supervisors, as presented. Supervisor O'Brien seconded and the Agenda was adopted by a vote of 4-0. AYES: Booker, Eager, O'Brien, and Weaver. NAYS: None. ABSENT: Sheridan.

**COUNTY ADMINISTRATOR'S REPORT**

Mr. Nichols reported on the following:

- Better Living
  - Now doing all area deliveries from its Troy location
- Fluvanna Radio Project Team traveled to Schaumburg, Ill.
  - Ran tests for our new public safety radio system
  - As the tower sites are available, this equipment will be installed in the County
  - The anticipated completion date is late 2016/early 2017. Along with the Fluvanna team in the picture are the Motorola project management team and the Motorola engineers who built our system.
- DEQ is developing a TMDL Project for Cunningham Creek and its tributaries in Fluvanna County.
  - Preliminary meeting: Fluvanna County Library on Jan 25 at 3:00pm, Roger Black will attend as the Fluvanna County Representative
    - Topics: Introduction of the TMDL process and timeline, details of the impairments in the stream DEQ wishes to gather feedback from representatives of Local and Regional government that have a stake in the process, and to also gather input as to the best way to introduce the project to the general public in the area
- Ms. Candace Stanford, New IT Systems Engineer started Monday, Jan 11th
- BOS Leadership Planning Retreat: Saturday, January 23, 8:30 am – 5:00 pm, Fluvanna Community Center, Fork Union; Weather date, January 30, 2016.
- Upcoming Meetings
  - Wednesday, February 3, 4:00 pm – Regular Meeting, 7:00 pm - Budget Work Session - Revenue/Exp. & Agency Briefs
  - Wednesday, February 10, 7:00 pm - Budget Work Session - Non-Profit Presentations
  - Wednesday, February 17, 4:00 pm – Budget Work Session - Constitutional Officers, 7:00 pm – Regular Meeting
  - Wednesday, February 24, 7:00 pm - Budget Work Session - Adopted School Budget Brief

**BOARD OF SUPERVISORS' UPDATES**

*Booker*—Interagency Council, New Supervisors Forum, Louisa Reentry Council, JABA, Kents Store FVD Annual Awards, Fluvanna-Louisa Housing Foundation.

*Weaver*—January School Board Meeting.

*Sheridan*— Absent.

*O'Brien*—None.

*Eager*—Region Ten, CAARS Banquet, Kent Store VFD Annual Award, New Supervisors Forum.

**PUBLIC COMMENTS #1**

At 7:11 pm BOS Vice Chair Booker opened the first round of Public Comments.

- Brenda Beasley, Dogwood Drive, spoke regarding the amount of trash on County roadways.

With no one else wishing to speak, BOS Vice Chair Booker closed the first round of Public Comments.

**PUBLIC HEARINGS**

At 7:17pm Planning Commission (PC) Chair Bibb called the Planning Commission Special Meeting of January 20, 2016 to order.

BOS Vice Chair Booker announced the topics to be heard.

*SUP 15:11 James River Water Authority*—Jason Stewart, Planning and Zoning Administrator

*SUP 15:12 Louisa County Water Authority*—Jason Stewart, Planning and Zoning Administrator

*SUP 15:11 James River Water Authority*—Jason Stewart, Planning and Zoning Administrator, apprised the Board and Planning Commission of a request for a Special Use Permit to allow for Major Utilities, to construct a raw water supply system which includes a raw water intake and pump station. Mr. Stewart noted the history of these requests, having been previously deferred (BOS 2015-11-17), and denied (BOS 2015-12-02.)

Mr. Payne, County Attorney noted a typo in the Staff Report, in Condition 5, it erroneously reads "...and a mediation.." and should read, "...and remediation.."

Staff recommends the following ten (10) conditions:

1. Construction, operation, and maintenance of the raw waterline major utility shall comply with all local, State, and Federal requirements.
2. The project shall comply with all Virginia erosion and sediment control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook as amended.
3. For construction of the raw waterline major utility occurring adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on the adjacent property. It is intended that the present and future results of the proposed raw waterline major utility not create adverse effects on the public health, safety, comfort, or convenience, or value of the surrounding property and uses thereon.
4. Vehicular access to all residences along the affected right-of-ways shall be maintained at all times.
5. Except in cases of emergencies including prevention of danger to public health, safety, and welfare and remediation of soil erosion and as requested by VDOT in the case of work done on public highways, all construction activity for the raw waterline major utility shall occur between 7:00 a.m. and 5:00 p.m. Monday through Saturday. Applicant shall comply with VDOT standards for performing open-cut sections on affected roadways.
6. The applicant shall avoid removing trees and bushes along the raw waterline major utility corridor, except as necessary in order to facilitate the utility. Trees and bushes damaged during construction shall be replaced with a tree or bush of equal type as approved by the Planning Director.
7. Any areas or land associated with this project that may become disturbed as a result of construction of the raw waterline major utility shall be restored to its original condition or better prior to the pipe crew's departure of the respective areas and/or land. This includes restoration of any/all areas of erosion.
8. Withdrawal and pumping facilities shall be so designed and built as to minimize sound propagation beyond the limits of buildings and other structures, to the maximum extent reasonably feasible.
9. The use that is permitted with this special use permit is limited to the raw water intake structure, raw water pumping facility and ancillary raw water pipelines, fittings and appurtenances, including reasonable temporary access routes for construction and permanent access roads for ongoing operations and maintenance.
10. In no event shall any of the foregoing conditions be construed to be duplicative of, contradictory to or inconsistent with any statute, rule, regulation or condition imposed under the authority of State or federal law; but all such conditions shall, on the contrary, be construed as arising out of the police power of the County pursuant to Title 15.2 of the Virginia Code (1950), as amended.

*SUP 15:12 Louisa County Water Authority*—Jason Stewart, Planning and Zoning Administrator, brought forward a request for a special use permits to allow for major utilities to construct a raw water pipeline to support a raw water supply system. Mr. Stewart reviewed the history of the request, noting that a similar SUP was deferred on Nov 17, 2016 by the Board, and during a Special Meeting on Dec 2, 2016, was denied. Mr. Stewart also reviewed amendments to the Comprehensive Plan, adopted in 2012 by the Board of Supervisors, that specifically address these types of structures.

Mr. Nichols noted one typo in the presentation; the LCWA pipeline in located in the Columbia District only.

Staff recommends the following nine (9) conditions:

1. Construction, operation, and maintenance of the raw waterline major utility shall comply with all local, State, and Federal requirements.
2. The project shall comply with all Virginia erosion and sediment control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook as amended.
3. For construction of the raw waterline major utility occurring adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on the adjacent property. It is intended that the present and future results of the proposed raw waterline major utility not create adverse effects on the public health, safety, comfort, or convenience, or value of the surrounding property and uses thereon.
4. Vehicular access to all residences along the affected right-of-ways shall be maintained at all times.
5. Except in cases of emergencies including prevention of danger to public health, safety, and welfare and remediation of soil erosion and as requested by VDOT in the case of work done on public highways, all construction activity for

the raw waterline major utility shall occur between 7:00 a.m. and 5:00 p.m. Monday through Saturday. Applicant shall comply with VDOT standards for performing open-cut sections on affected roadways.

6. The applicant shall avoid removing trees and bushes along the raw waterline major utility corridor, except as necessary in order to facilitate the utility. Trees and bushes damaged during construction shall be replaced with a tree or bush of equal type as approved by the Planning Director.
7. Any area or land associated with this project that may become disturbed as a result of construction of the raw waterline major utility shall be restored to original condition or better prior to the pipe crew's departure from the affected area and/or land or as soon thereafter as conditions permit. This includes restoration of any/all areas of erosion.
8. The use that is permitted with this special use permit is limited to the raw water pipelines, fittings and appurtenances as currently proposed by the applicant, including reasonable roads and other access for construction and ongoing maintenance.
9. In no event shall any of the foregoing conditions be construed to be duplicative of, contradictory to or inconsistent with any statute, rule, regulation or condition imposed under the authority of State or federal law; but all such conditions shall, on the contrary, be construed as arising out of the police power of the County pursuant to Title 15.2 of the Virginia Code (1950), as amended.

BOS Vice Chair Booker called for questions from the Planning Commission and the Board of Supervisors.

Mr. Nichols provided a detailed history of the project, and outlined the historical time-line of discussion and planning for the water project, noting that in the last 18 months there have been fourteen (14) community information meetings of the James River Water Project. Mr. Nichols highlighted the proposed and researched locations for the intake structure, engineering considerations, and noted that the pipeline is routed in existing easements for the majority of the project route.

Bringing attention to long-term water concerns for the County, Mr. Nichols provided an overview of differences and overlap between the James River Water Project and the Zion Crossroads Water and Sewer Project, and spoke briefly about limitations and prospects for the Fork Union Sanitation District.

PC Chair Bibb inquired about a Board action on September 18, 2013 that directed the Planning Commission to amend the Comprehensive Plan to allow for the construction of major utilities related to this project. Mr. Nichols affirmed that this action was a requirement of the Interjurisdictional Agreement.

Further discussion touched on known and potential costs, expected outcomes, and existing and potential revenue streams.

BOS Vice Chair Booker Opened joint public hearing, first reading the *Public Hearing Rules of Procedure*.

- Barbara Seay, Point of Fork Farm, spoke against the JRWP.
- Elizabeth Franklin, Columbia District, Spoke against the proposed lawsuit by Louisa County and against the JRWP.
- George Bialkowski, 1215 Point of Fork Rd, noting that he hopes the SUP is denied, would like to note that the residents of Point of Fork recommend Site B, R3 joining R1 (as displayed in the presentation for the SUP.) Mr. Bialkowski further asked that the Board consider a different location for the intake.
- Dennis Holder, Kents Store, spoke against the JRWP.
- Dave Thomas, 610 Bell Farms Lane, spoke against the JRWP.
- Wayne Griffin, 3474 Coverdell Rd, spoke against the JRWP.
- Louis Cable, 651 West River Rd, spoke against the JRWP and expressed that the decision should have been put to a referendum.
- Perrie Johnson, 5039 James Madison Highway, speaking on her own behalf, and not as a School Board member, spoke in support of the JRWP.
- Roger Bowles, 5520 James Madison Highway, spoke against the JRWP.
- Helen Cauthen, CVPED, spoke in support of the JRWP.
- Frank Hardy, Columbia Rd, spoke against the JRWP and advocated a public referendum.
- Jim Summers, 1841 Columbia Rd, spoke against the JRWP.
- Fred Hardy, 7091 Columbia Rd, indicated that he is not a Fluvanna County resident, and spoke against the JRWP.
- Kathleen Swenson-Miller, 94 Fairview Lane, spoke in support of the JRWP.
- Snead Gillam, Rassawek, asked for clarification on several points, and spoke against the JRWP.
- Rhett Townsend, Goldsborough Lane, spoke against the JRWP.
- Sandra Patterson, Palmyra, VA, asked for clarification on the duration of the project and the positive impact on citizens.
- Elizabeth Tanner, 11732 James Madison Highway, is a Fluvanna native, and spoke in support of improving the County and the JRWP.
- Bob Dorsey, 6 Dover Ct, spoke against the JRWP.
- Minor Eager, 1107 Mechunk Creek Drive, spoke against the JRWP.
- Patricia Burkett, Palmyra, spoke in support of the JRWP.
- John Carrier, Overlook Circle, spoke in support of the JRWP.
- Lindsay Nolting, 1317 Stage Junction Rd, spoke against the JRWP.

At 9:53pm, BOS Vice Chair Booker closed the Public Hearing.

At 9:53pm, PC Chair Bibb opened discussion among the Planning Commission members. After opening discussion, PC Chair Bibb voiced concerns regarding the James River Water Project and the involvement and processes of the Planning Commission with regards to this SUP.

Planning Commissioners discussed the number and location of the sites, as well as the appropriateness of the proposed sites. Commissioner Zimmer asked if this SUP places the Interjurisdictional Agreement (IA) in conflict with the Comprehensive Plan.

Mr. Payne noted that the Interjurisdictional Agreement does not improperly address the Comprehensive Plan, and finds no conflict. PC Chair Bibb asked if the IA has been terminated; Mr. Payne affirmed that the IA is still in effect.

MOTION

Commissioner Johnson moved that the Planning Commission recommend approval of SUP 15:11, a special use permit request to allow construction of raw water supply system major utility, including a raw water river intake, a SITE A pump station on an approximately 2 acres, and a ROUTE 1 raw water pipeline, within a portion of 330 acres of Tax Map Parcels 53-A-62, 53-A-62C, 53-A-61, 53-11-5, and 53-11-19, and 61-A-4, subject to the ten (10) conditions (*as above*) listed in the staff report. Commissioner Gaines offered a second and the motion passed 5-0. AYE: Bibb, Gaines, Johnson, Lagomarsino, Zimmer. NAY: None. ABSENT: None.

BOS Vice Chair Booker opened discussion among the Board.

Supervisor Eager brought to the attention of the public that the Board received additional advice from outside counsel. Supervisor Weaver indicated that the contract and agreement was made two years ago. Noting that he voted against it, Supervisor Weaver reiterated that the contract is nevertheless binding. Citing his concerns with the amount of debt that will be incurred if the County moves forward, Supervisor Weaver enumerated further concerns with the project.

Supervisor Weaver, reading from a prepared statement and speaking extemporaneously shared these thoughts.

"As many of you are aware, the James River Water Project has been years in development. And it has. We have had many, many public meetings. But we are tied into three people. It seems like, that you the people, never really get listened to. And that's what's bothers me over the year. We have done some things that have put this county in the hole, and that's where we are today. We have started and stopped the process numerous times in the past two decades, and it has taken those years and hundreds of meetings to get to this point. A public works project such as this one is a complex undertaking. Project development and review has required a good many players to be successful, and many Board members, staff members, contractors, and citizens from Fluvanna County and Louisa have contributed.

As part of our due diligence process and as we have occasionally done in the past, the Fluvanna County Board of Supervisors recently sought additional legal advice regarding this project to add to that already rendered by our County Attorney. In other words, again, we're saying, "Trust and verify." That's what this Board has been doing. They have been doing their homework since the last vote in December. We engaged a specialized firm to look at the broad range of contractual and constitutional aspects of the project agreements. I can tell you that the information and opinions presented to myself and the other Board members, was strongly worded and compelling.

We do want to collaborate and to work closely with regional partners in this world that is becoming increasingly more complex and more expensive. Did you ever want to do something, or did you ever not want to do something, but you had to do it? Did you ever find yourself in a situation like that? That's where I am, tonight. This county will be put to its knees under the circumstances we're now presented with. My dedication isn't to me, it's dedicated to the people of this county. I cannot stick my head in the sand, or cut off my nose to spite to my face; I have to go beyond what I want, and what I feel. I have to do what I think is best for this county, and the vote I make tonight, that vote will be what I consider to keep this county afloat. Because we are, we have been out of control in the past, as far as I'm concerned. We've spent money here and there, and it never seems to cease. And we're ready for another budget period. But that we're standing, we're here where we are here tonight, and we have to make a decision on that. So, when the votes are ready and people have spoken, I will make a decision, that will, in my opinion, do less damage to the county, than what it would do otherwise."

Mr. O'Brien reiterated that the Board is charged with being accountable to all Fluvanna tax payers, and that moving forward with this project is indeed in the best interest of the County.

Supervisor Eager indicated that her personal feelings about the project run contrary to what she feels the Board must do for the betterment of the County.

Supervisor Weaver stated that offering the public a chance to be heard, through the use of referenda, is a good idea.

MOTION

Mr. O'Brien moved that the Board of Supervisors approve SUP 15:11, a special use permit request to allow construction of raw water supply system major utility, including a raw water river intake, a SITE A pump station on an approximately 2 acres, and a ROUTE 1 raw water pipeline, within a portion of 330 acres of Tax Map Parcels 53-A-62, 53-A-62C, 53-A-61, 53-11-5, and 53-11-19, and 61-A-4, subject to the ten (10) conditions listed in the staff report (*as above*.) Mr. Weaver seconded and the motion passed 4-0. AYE: Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: Sheridan.

BOS Vice Chair Booker called for a short recess.

At 10:48pm, BOS Vice Chair called the meeting back to order.

BOS Vice Chair Booker opened the joint public hearing for SUP 15:12 Louisa County Water Authority. Noting that many citizens who had signed up to speak, were no longer in attendance, BOS Vice Chair Booker invited those still in attendance to speak.

- Louis Cable, West River Rd, appealed to the Board to be careful stewards of the newly approved JRWA project. Mr. Cable also noted that any businesses that might be attracted to the County, can be encouraged to be active partners in the stewardship of the County.
- Bob Dorsey, 6 Dover Ct, spoke regarding the actions of the Board tonight.

At 10:54, Vice Chair Booker closed the public hearing.

At 10:54pm Supervisors O'Brien moved to extend the meeting until 1:00am. Supervisor Weaver seconded and the motion passed 4-0. AYE: Booker, Eager, O'Brien, & Weaver. NAY: None. ABSENT: Sheridan.

PC Chair Bibb opened the discussion among Planning Commission members.

After brief discussion,

MOTION

Planning Commissioner Gaines moved that the Planning Commission recommend approval of SUP 15:12, a request for a special use permit to allow for major utilities with respect to the construction of a raw water pipeline from near Route 6 along the James River north to the Louisa County and Fluvanna County border with respect to the attached list of Tax Map & Parcel Numbers, subject to the nine (9) conditions (*as above*) listed in the staff report.

Commissioner Zimmer offered second and the motion passed 5-0. AYE: Bibb, Zimmer, Gaines, Johnson, Lagomarsino. NAY: None. ABSENT: None.

BOS Vice Chair Booker opened the discussion among the Board.

After brief discussion, and with Supervisor O'Brien acknowledging the dedicated work by staff and collaboration with Louisa County,

MOTION:

Supervisor O'Brien moved that the Board of Supervisors approve SUP 15:12, a special use permit request to allow construction of raw water supply system major utility, including a raw water pipeline, from near Route 6 in southeastern Fluvanna County and north to the Fluvanna County and Louisa County border near Ferncliff, within a portion of the attached list of Tax Map Parcel numbers, subject to the nine (9) conditions listed in the staff report (*as above*.) Supervisor Weaver seconded and the motion passed 4-0. AYE: Booker, Eager, O'Brien, and Weaver. NAY: None. ABSENT: Sheridan.

At 11:05pm, PC Chair Bibb adjourned the Planning Commission.

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Barry A. Bibb, Chairman  
Fluvanna County Planning Commission

DRAFT

**FLUVANNA COUNTY PLANNING COMMISSION  
2016 ORGANIZATIONAL and  
REGULAR MEETING MINUTES  
Circuit Court Room--Fluvanna County Courts  
January 27, 2016  
7:00 p.m.**

**MEMBERS PRESENT:** Barry Bibb, Chairman  
Donald Gaines – (arrived @ 7:11)  
Lewis Johnson  
Howard Lagomarsino  
Tony O'Brien, Board of Supervisors Representative

**Absent:** Ed Zimmer, Vice Chairman

**ALSO PRESENT:** Jason Stewart, Planning and Zoning Administrator  
Steven Tugwell, Senior Planner  
James Newman, Planner  
Frederick Payne, Fluvanna County Attorney  
Joann Rawls, Senior Program Support Asst. (TMP)

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Planning and Zoning Administrator, Jason Stewart, called the meeting to order at 7:03p.m., followed by reciting the Pledge of Allegiance.

**2016 Organizational Meeting of the Fluvanna County Planning Commission**

➤ **Election of Chairman**

Mr. Johnson moved to elect Barry Bibb as Chairman of the Fluvanna County Planning Commission for the 2016 calendar year. Mr. Lagomarsino seconded the motion and the vote carried with a vote of 3-0-0.

➤ **Election of Vice Chairman**

Mr. Johnson moved to elect Ed Zimmer as Vice Chairman of the Fluvanna County Planning Commission for the 2016 calendar year. Mr. Lagomarsino seconded the motion and carried by a vote of 3-0-0.

➤ **Selection of Dates for the Commission Meetings**

Mr. Lagomarsino moved to accept the selected dates of the Fluvanna County Planning Commission meetings for the 2016 calendar year. Mr. Johnson seconded and the motion carried by a vote of 3-0-0

➤ **Resolution entitled "Organizational Meeting of the Fluvanna County Planning Commission 2016"**

**On a motion by Johnson, seconded by Lagomarsino and carried by a vote of 3-0-0**

**The "Organizational Meeting of the Fluvanna County Planning Commission 2016" resolution was adopted.**

➤ **Adoption of the Planning Commission By-Laws and Rules of Procedure**

**Mr. Lagomarsino moved to adopt the Fluvanna County Planning Commission By-Laws and Rules of Procedure for 2016 as is. Mr. Johnson seconded the motion and the carried by a vote of 3-0-0.**

***\*Mr. Donald Gaines entered the meeting at this point and participated in voting thereafter\****

**PLANNING DIRECTOR'S REPORT (Mr. Stewart)**

1. Board of Supervisors Actions:

➤ January 6, 2016: None

➤ January 20, 2016:

**Approved - SUP 15:11 – James River Water Authority** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water supply system which includes a raw water intake and pump station at the subject properties denoted by Tax parcel Numbers: 53-A-62, 53-A-62C, 53-A-61, 53-11-5, 53-11-19, and 61A-4. The properties are currently zoned A-1 (Agricultural General) and the properties are located in the Columbia and Fork Union Election Districts and encompass approximately 330 acres. The proposed raw water intake and pump station structures will encompass approximately 2 acres.

**Approved - SUP 15:12 – Louisa County Water Authority** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water pipeline from near Route 6 along the James River north to the Louisa County and Fluvanna County border. The properties are currently zoned A-1 (Agricultural General) and the properties are located in the Columbia & Fork Union Election Districts. The Tax Parcel Numbers of the properties affected by the proposal are as follows: 67-12-A3, 14-9-4, 14-A-14, 14-A-20A, 14-A-14A, 14-A-13, 14-A-20, 23-A-51, 23-A-61, 23-A-50, 23-A-62, 23-12-D, 23-12-A, 23-A-66, 23-A-67, 23-A-72B, 23-A-70, 23-A-96, 23-A-97, 23-A-99, 23-A-101, 23-A-102, 23-A-103, 23-A-37, 23-A-36E, 23-A-36A, 34-A-2, 34-A-4, 34-3-A, 34-3-B1, 34-3-B3, 34-3-C, 34-3-C1, 34-3-B2, 34-2-A, 34-A-17, 34-A-16, 34-A-18, 34-1-1, 34-1-3, 34-1-5, 34-1-4, 33-A-30A, 44-A-46, 44-A-46A, 44-3-1, 44-3-2, 44-2-3, 44-2-5, 44-2-4, 44-2-2, 44-2-1, 44-A-15, 44-A-17, 44-A-18, 44-A-31, 44-1-2, 44-1-3B, 54-A-10A, 54-A-14A, 54-1-1A, 54-6-C, 54-1-1, 54-2-1, 54-A-41, 54-A-43, 54-11-Z, 54-11-Y, 54-11-X, 53-11-27, 53-11-26, and 53-11-19.

2. Board of Zoning Appeals Actions:

*No January meeting.*

3. Technical Review Committee:

**Approved - SUP 15:11 – James River Water Authority** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water supply system which includes a raw water intake and pump station at the subject properties denoted by Tax parcel Numbers: 53-A-62, 53-A-62C, 53-A-61, 53-11-5, 53-11-19, and 61A-4. The properties are currently zoned A-1 (Agricultural General) and the properties are located in the Columbia and Fork Union Election Districts and encompass approximately 330 acres. The proposed raw water intake and pump station structures will encompass approximately 2 acres.

**Approved - SUP 15:12 – Louisa County Water Authority** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water pipeline from near Route 6 along the James River north to the Louisa County and Fluvanna County border. The properties are currently zoned A-1 (Agricultural General) and the properties are located in the Columbia & Fork Union Election Districts. The Tax Parcel Numbers of the properties affected by the proposal are as follows: 67-12-A3, 14-9-4, 14-A-14, 14-A-20A, 14-A-14A, 14-A-13, 14-A-20, 23-A-51, 23-A-61, 23-A-50, 23-A-62, 23-12-D, 23-12-A, 23-A-66, 23-A-67, 23-A-72B, 23-A-70, 23-A-96, 23-A-97, 23-A-99, 23-A-101, 23-A-102, 23-A-103, 23-A-37, 23-A-36E, 23-A-36A, 34-A-2, 34-A-4, 34-3-A, 34-3-B1, 34-3-B3, 34-3-C, 34-3-C1, 34-3-B2, 34-2-A, 34-A-17, 34-A-16, 34-A-18, 34-1-1, 34-1-3, 34-1-5, 34-1-4, 33-A-30A, 44-A-46, 44-A-46A, 44-3-1, 44-3-2, 44-2-3, 44-2-5, 44-2-4, 44-2-2, 44-2-1, 44-A-15, 44-A-17, 44-A-18, 44-A-31, 44-1-2, 44-1-3B, 54-A-10A, 54-A-14A, 54-1-1A, 54-6-C, 54-1-1, 54-2-1, 54-A-41, 54-A-43, 54-11-Z, 54-11-Y, 54-11-X, 53-11-27, 53-11-26, and 53-11-19.

(Approval of Minutes delayed until arrival of Commissioner Gaines)

**PUBLIC COMMENTS #1**

Chairman Bibb opened the floor for the first section of public comments.

With no one wishing to speak, Chairman Bibb closed the first public comment section.

**PUBLIC HEARINGS:** None

**PRESENTATIONS:**

**Senior Planner Steve Tugwell** conducted a brief presentation and addressed the Board.

**SITE DEVELOPMENT PLANS:**

**SDP 15:19 – Ja-Zan, LLC** - A site development plan request to construct a 20,000 square foot warehouse building with respect to 1.463 acres of Tax Map 5, Section 24, Parcel 8. The property is zoned I-1, Industrial, Limited and is located on the north side of Zion Station Drive, approximately 400 feet northeast of Route 250 (Richmond Road). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.

Questions ensued regarding the need for sidewalks. Explanation: No other sidewalks have been installed on the cul-de-sac; therefore sidewalks should not be installed on this property.

**Motion:**

Mr. Gaines moved to recommend approval of SDP 15:19 – Ja-Zan, LLC, and seconded by Mr. Johnson. The motion carried with a vote of 3-0-1: Ayes, Bibb, Johnson, Gaines, NAYS: None. Abstain, Lagomarsino

**SUBDIVISIONS:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**OLD BUSINESS:**

**Senior Planner Steve Tugwell** conducted a brief presentation and addressed the Board.

**ZMP 15:06 – Gardner Trust** - An ordinance to amend the Fluvanna County Zoning Map with respect to 13.4 acres of Tax Map 9, Section A, Parcel 9 to rezone the same from A-1, Agricultural, General to B-1, Business, General (conditional). The affected property is located on the south side of State Route 618 (Lake Monticello Road) approximately ½ mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

**Commission comments and discussion:**

Mr. Bibb referenced his comments from the December 14, 2015 meeting siting other possible options for use of this property. No further commissioners comments.

**MOTION:**

**Mr. Gaines moved to** recommend approval of ZMP 15:06 – Gardner Trust, seconded by Mr. Lagomarsino. The motion carried with a vote of 3-0-1: Ayes, Bibb, Gaines, NAYS: None. Abstain, Johnson.

**NEW BUSINESS:** None

**PUBLIC COMMENTS #2**

Chairman Bibb opened the floor for the second section of public comments.

With no one wishing to speak, Chairman Bibb closed the second public comment section.

**APPROVAL OF MINUTES:**

**Mr. Johnson moved to accept the minutes of December 14, 2015, Mr. Gaines seconded. The motion carried with a vote of 3-0-1 (Mr. Lagomarsino not voting).**

**ENGINEERING REPORT:**

Justin Shimp, Shimp Engineering, gave an update on the Round-About to be constructed at the intersection of Highway 15 and 53.



**ADJOURN**

There being no further business, Chairman Bibb adjourned the Planning Commission meeting of January 27, 2016 at 7:36 p.m.

Minutes recorded by Joann Rawls

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Barry A. Bibb, Chairman  
Fluvanna County Planning Commission

DRAFT



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# COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

## STAFF REPORT

**To:** Fluvanna County Planning Commission  
**Case Number:** SUP 16:03  
**Tax Map:** Tax Map 11, Section 13, Parcel 8

**From:** Steve Tugwell  
**District:** Columbia  
**Date:** March 23, 2016

**General Information:** This request is to be heard by the Planning Commission on Wednesday, March 23, 2016 at 7:00 p.m. in the Morris Room of the County Administration Building.

**Owner/Applicant:** Eric & Barbara MacKinnon

**Representative:** Eric & Barbara MacKinnon

**Requested Action:** Request for a special use permit to operate a small home industry with respect to 2 acres of Tax Map 11, Section 13, Parcel 8. (Attachment A)

**Location:** The affected property is located on the west side of Bybees Church Road (Route 613), approximately one-half mile northeast of its intersection with Barnaby Road. (Attachment B)

**Existing Zoning:** A-1, Agricultural, General

**Existing Land Use:** Single-family dwelling

**Planning Area:** Rural Residential Planning Area

**Adjacent Land Use:** Adjacent properties are all zoned A-1, Agricultural, General.

**Zoning History:** None

## **Comprehensive Plan:**

### **Land Use Chapter:**

The Comprehensive Plan designates this property as within the Rural Residential Planning Area. According to this chapter, “*Some mixed-use development may be possible at a very small, rural neighborhood scale, but most development is single-family or two-family residential projects with limited commercial uses*”. Additionally, “*structures do not exceed two stories, and residential density is up to one unit every two acres gross (i.e., counting the acreage for the whole parcel), or six units per acre net (i.e., just the developable area, not including the permanent open space).*”

### **Analysis:**

This is a special use permit application to operate a small home industry, specifically for two (2) businesses, “Reiki Healing of Palmyra”, and “Healthy 4 Life, LLC”. The Zoning Ordinance defines a small home industry as, “*small commercial, professional, or light industrial uses which do not in any way detract from adjacent agricultural or residential uses and while clearly excluding large scale industrial and commercial uses and that are located within the same parcel as the residence of the owner and within 500 feet of said residence*”. Small home industries are permitted by special use permit in the A-1 zoning district, and are subject to an approved site development plan. The detail of the site development plan that is required is at the discretion of the Planning Director, and many times the sketch plan provided with the SUP application is sufficient.

In accordance with the application, the applicant has stated they intend on building a 20’x30’x12’ building that will be divided into two (2) rooms, one for each of the business operations that are proposed. One room will serve as a meeting room for “Healthy 4 Life, LLC, and the other room will host clients to perform Reiki sessions. The applicant has volunteered to make sure the building’s exterior matches the color of the main house, and will be located within 500 feet of the main house as the ordinance requires.

Healthy 4 Life, LLC “is a blanket title for a healthy living company”. According to the applicant, this business is a network marketing, franchise of the juice plus+ company. They will sell juice plus+, capsules, shakes, gummies, bars, and tower gardens. All of the shipping is done from their website, and the only on-site products are for demonstration purposes. The proposed building would facilitate product display through use of a video projector for presentations. They are not expecting more than between 1-3 clients present at one time. Hours of operation are planned to be 10 a.m. through 7 p.m. Monday through Saturday, and closed on Sundays.

Reiki Healing of Palmyra, LLC “*is devoted to the healing touch through the practice of Reiki, a 3,000 year old Eastern healing technique*”. Neither of the proposed businesses will have outside employees, and new clients will be seen on Saturdays to limit evening traffic. (Attachment C)

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

**First, the proposed use should not tend to change the character and established pattern of the area or community.**

The subject property is located within the Rural Residential Planning Area, within close proximity of existing agricultural and residential zoning and uses. The nearest residence is approximately one-hundred twenty (170) feet away from the southwestern property line. The proposed businesses would operate on a 2-acre parcel surrounded by a fair amount of existing vegetation and trees. It does not appear that the small home industry as proposed would change the character and established pattern of the area.

**Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use/or value of neighboring property.**

Small home industries are allowed by SUP in the A-1 district. By-right uses that are similar, in operation or size of structures, to this application may include home occupations, equestrian facilities, farm sales, non-commercial greenhouses, and accessory dwellings. The zoning ordinance allows for one accessory dwelling unit per subject property, similar to locating a garage behind a primary dwelling. In general, small home industries differ from home occupations in that non-family employees can be hired and the business may take up more than 25% of the gross floor area of the dwelling. No outside employees are proposed with either one of these businesses.

Sec. 22-1-2 of the zoning ordinance states that the purpose of the zoning ordinance is “to protect against over-crowding of land”. Furthermore, the zoning ordinance states its purpose is to “facilitate the creation of a convenient, attractive and harmonious community” requiring the upkeep of the property, free from debris. Additionally, the zoning ordinance states its purpose as “*encouraging economic development activities*”. The applicants may provide a service to the community by providing their clients with services they would have to drive a further distance to acquire.

**Neighborhood Meeting:**

Including staff and the applicant, there were seven (7) attendees at the February 10, 2016 Neighborhood meeting. As part of the initial application, the applicant had originally also wanted to have a classroom for victims of domestic abuse, but requested to remove that proposed use from further consideration after the neighborhood meeting on February 10<sup>th</sup>, 2016. (Attachment D)

**Technical Review Committee:**

The following comments were generated from the February 10, 2016 Technical Review Committee meeting:

1. VDOT stated that they conducted a site visit and reviewed the existing gravel private entrance that currently serves the residence at 1677 Bybees Church Road Road (Rte. 613).
  - The private entrance is located near the high point on a crest vertical curve and it is lined up across road from Beechwood Lane.
  - The functional classification of Rte. 613 is a Rural Local Road.
  - The proposed home business is located on the segment of Bybees Church Road between Rte. 608 and Rte. 632 and it has an AADT of 290.
  - Based on the nature of the proposed home business and the low volume of traffic on this segment of Rte. 613 the existing private entrance should adequate to serve as a low volume commercial entrance (generating 50 vehicles per day or less, i.e. 25 vehicles entering and 25 vehicles exiting or less);
2. The Fire Chief stated they have no comments on this application;
3. The County Engineer stated that he has no comments on this application;
4. The Health Dept. stated that they reviewed this request and assumed that there will be plumbing to the proposed building. If so, they will need the services of an AOSE (private consultant licensed by the State of Va.) to perform a soil evaluation and design a waste disposal system to accommodate their proposed use.
5. Planning staff advised the applicant to check to see if there are any covenants or deed restrictions for the Ballenger subdivision that talk about having a home-based business.

(Attachment E)

**Conclusion:**

The Planning Commission should consider any potential adverse impacts, such as traffic entering and exiting the property, noise, dust, vibration, or visual clutter.

**Recommended Conditions:**

If approved, Staff recommends the following conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet the requirements set forth by the Virginia Department of Health.
4. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
5. Hours of operation shall be Monday through Saturday 10:00 a.m. to 7:00 p.m.

6. The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time.
7. A business sign will require a separate sign permit from the planning dept.
8. Any noise generated by the activity on this site shall be limited to the maximum decibel level allowed by Sec. 15.1-9 A. d. of the County Code.
9. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.

**Suggested Motion:**

I move that the Planning Commission recommend approval/denial of SUP 16:03, a request to allow for a small home industry with respect to 2 acres of Tax Map 11, Section 13, Parcel 8, [if approved] subject to the nine (9) conditions listed in the staff report.

**Attachments:**

A – Application, and APO letter

B – Aerial Vicinity Map

C – Applicant’s sketch and emails clarifying the proposed uses

D – Neighborhood meeting sign-in sheet, notes from the meeting, and email from applicant requesting to remove the classroom part of the application

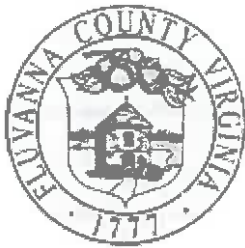
E - TRC comment letter, and email from the Health Dept., VDOT, and the county engineer

Copy: Eric & Barbara MacKinnon via email - [owner@reikihealingofpalmyra.com](mailto:owner@reikihealingofpalmyra.com)

The Planning Commission - [planningcommission@fluvannacounty.org](mailto:planningcommission@fluvannacounty.org)

Mr. Fred Payne, Esquire via email - [fpayne@fluvannacounty.org](mailto:fpayne@fluvannacounty.org)

File



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA  
Application for Special Use Permit (SUP) planning Dept.

**Owner of Record:** ERIC & BARBARA Mac KINNON **Applicant of Record:** HEALTHY4LIFE, LLC  
REIKI HEALING OF PALMYRA, LLC  
 E911 Address: 1677 BYBEES CHURCH RD, PALMYRA 22963 E911 Address: 1677 BYBEES CHURCH RD, PALMYRA 22963  
 Phone: 434 249 7006 Fax: \_\_\_\_\_ Phone: 434 249 7006 Fax: \_\_\_\_\_  
 Email: OWNER@REIKIHEALINGOFPALMYRA.COM Email: OWNER@REIKIHEALINGOFPALMYRA.COM

**Representative:** ERIC MacKINNON  
 E911 Address: 1677 BYBEES CHURCH RD, PALMYRA 22963  
 Phone: 434 249 7006 Fax: \_\_\_\_\_  
 Email: OWNER@REIKIHEALINGOFPALMYRA.COM

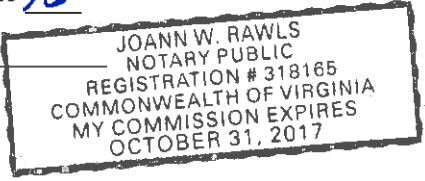
**Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.**

**Tax Map and Parcel(s):** LOT B, BALLENGER/11138 **Deed Book Reference:** 342, pg 102 / Book L, pg 87  
**Acreeage:** 2 ac **Zoning:** A-1 **Deed Restrictions?**  No  Yes (Attach copy)

**Request for a SUP in order to:** operate a small home industry **Proposed use of Property:** ACCESSORY BUILDING 20x30x12'  
 \*Two copies of a plan must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

Date: 1.29.16 Signature of Owner/Applicant: Eric Mackinnon  
 Subscribed and sworn to before me this 29th day of January, 2016  
 Notary Public: Joann W. Rawls Register # \_\_\_\_\_  
 My commission expires: 10-31-2017  
 Certification Date: 318165  
 Zoning Administrator: \_\_\_\_\_



**All plats must be folded prior to submission to the Planning Department for review. Rolled plats will not be accepted.**

**OFFICE USE ONLY**

| Date Received: <u>2-3-16</u>                                     | Pre-Application Meeting:                | PH Sign Deposit Received: <u>2-3-16</u>  | Application #: SUP <u>16</u> : <u>003</u> |
|--|---|--|---|
| \$800.00 fee plus mailing costs paid: <u>890-</u>                |   | Mailing Costs: \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified Mail |   |
| Amendment of Condition: \$400.00 fee plus mailing costs paid:    |   |  |   |
| Telecommunications Tower \$1,500.00 fee plus mailing costs paid: |   | \$5,500 w/Consultant Review paid:  |   |
| Election District: <u>Columbia</u>                               | Planning Area: <u>Rural Residential</u> |  |   |
| Public Hearings  |   |  |   |
| Planning Commission  |   | Board of Supervisors   |   |
| Advertisement Dates:   | Advertisement Dates:                    |  |   |
| APO Notification:  | APO Notification:                       |  |   |
| Date of Hearing:   | Date of Hearing:                        |  |   |
| Decision:  | Decision:                               |  |   |

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

ADD STEEL BLDG 20'X30'X12'. FASCIAE AND REAR WILL BE FINISHED IN PANELING + COLOR OF HOUSE WITH REST OF BLDG. PAINTED SAME COLOR OF HOUSE. BLDG WILL BE DIVIDED INTO 2 RMS. 1 RM FOR HAVING MEETINGS W/CLIENTS FOR HEALTHY 4 LIFE, LLC. RM 2 FOR PERFORMING REIKI SESSIONS ON CLIENTS FOR REIKI HEALING OF PALMYRA, LLC. ALSO USE AS A CLASS ROOM FOR VICTIMS OF DOMESTIC ABUSE.

**NECESSITY OF USE:** Describe the reason for the requested change.

ALLOW BOTH HOME-BASED BUSINESSES SPACE TO CONDUCT BUSINESS. WE HAVE MULTIPLE CATS & DOGS & SO MANY PEOPLE ARE ALLERGIC, SO HAVING A PLACE TO DO BUSINESS IS PARAMOUNT. I'M DISABLED. IT WILL ALLOW ME TO MAKE MONEY TO SUPPLEMENT PAYMENTS. BOTH LLC'S ARE INVOLVED IN CHARITY WORK FOR DOMESTIC VIOLENCE VICTIMS. WE WOULD BE ABLE TO HOLD CLASSES FOR CAREERS, JOB INTERVIEWING, WORKPLACE SKILLS, RESUME, ETC. ALONG WITH HEALTHY 4 LIFE, LLC PROVIDING MARKETING & NETWORK MARKETING.

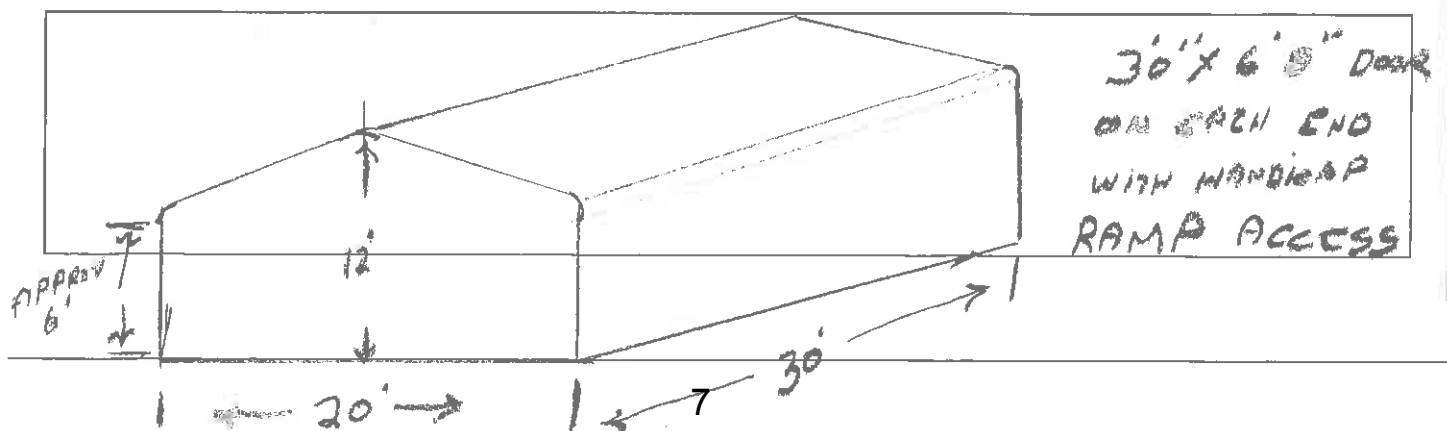
**PROTECTION OF ADJOINING PROPERTY:** Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

THIS WOULD COME FROM THE BUILDING'S APPEARANCE. IT WOULD BLEND WITH THE COLOR OF THE HOUSE & HAVE SAME STYLE.

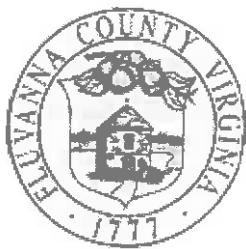
**ENHANCEMENT OF COUNTY:** Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

ALLOW SOMEONE DISABLED THE ABILITY TO DO A TRADE, TO HELP A FEMALE-OWNED BUSINESS TO FLOURISH. TO ALLOW VICTIMS OF DOMESTIC VIOLENCE A PLACE TO COME FOR TRAINING.

**PLAN:** Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application. Remarks:







COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
 Public Hearing Sign Deposit

Name: ERIC MacKINNON

Address: 1677 BYBEES CHURCH RD

City: PALMYRA

State: VA Zip Code: 22963

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

Eric MacKinnon 1.27.2016  
 Applicant Signature Date

\*Number of signs depends on number of roadways property adjoins.

| OFFICE USE ONLY   |                                  |
|---|----------------------------------|
| Application #: BZA _____ : _____ CPA _____ : _____ SUP <u>16</u> : <u>003</u> ZMP _____ : _____ ZTA _____ : |                                  |
| \$90 deposit paid per sign*:  | Approximate date to be returned: |

# Memorandum

DATE: March 8, 2016  
RE: Planning Commission APO Letter  
TO: Jason Stewart  
FROM: Deidre Creasy

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the March 23, 2016 Planning Commission Meeting.




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## COUNTY OF FLUVANNA

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### NOTICE OF PUBLIC HEARING

March 7, 2016

«Owner»

«Address»

«City\_State» «Zip\_Code»

TMP# «TMP»

#### Re: Public Hearing on SUP 16:03

Dear «Owner»:

This letter is to notify you that the Fluvanna County Planning Commission will hold a public hearing on the above referenced item on **Wednesday, March 23, 2016** at **7:00 PM** in the Morris Room in the County Administration Building in Palmyra, VA. The request is described as follows:

***SUP 16:03 – Eric A. Mackinnon** – A request for a Special Use Permit (SUP) to operate a small home industry with respect to 2 acres of Tax Map 11, Section 13, Parcel 8. The property is zoned A-1, Agricultural, General, and is located on the west side of Bybees Church Road (Route 613), approximately one-half mile northeast of its intersection with Barnaby Road. The property is located in the Columbia Election District and is within the Rural Residential Planning Area.*

The applicant or applicant’s representative must be present at the Planning Commission meeting. The tentative agenda and staff report will also be available for review by the public in the Fluvanna County Planning and Community Development Department during working hours (8:00 a.m. – 5:00 p.m., Monday through Friday). If you have any questions, please feel free to contact me at 434–591–1910.

Sincerely,

Steven Tugwell  
Senior Planner

## SUP 16:03 APOS

| TMP      | Name                       | Address               | City, State | Zip   |
|----------|----------------------------|-----------------------|-------------|-------|
| 11 13 7  | Franklin & Angela Sheppard | 1631 Bybees Church Rd | Palmyra, VA | 22963 |
| 11 13 8  | Eric & Barbara Mackinnion  | 1677 Bybees Church Rd | Palmyra, VA | 22963 |
| 11 13 9  | Shannon & Tonya Gentry     | 2614 Ridge Rd         | Palmyra, VA | 22963 |
| 11 13 21 | Malcolm & Nancy Dunston    | 199 Ballenger Ln      | Palmyra, VA | 22963 |
| 20 15 3  | Oscar & Nancy Jefferson    | 60 Beechwood Ln       | Palmyra, VA | 22963 |

1677 Bybees Church Rd

Overhead view with 10'x20' tarp garage to right of existing garage. Building would take the place of that.



Scale: 1:1128.497176

Date: 01/28/2016

Printed By: Eric MacKinnon

Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).

**Steven Tugwell**

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**From:** Eric MacKinnon <owner@reikihealingofpalmyra.com>  
**Sent:** Wednesday, March 09, 2016 11:51 AM  
**To:** Steven Tugwell  
**Subject:** RE: Next meeting

**Healthy 4 Life, LLC** is a blanket title for a healthy living company. We are a Network Marketing, Franchisee of the Juice Plus+ Company. We sell Juice Plus+ Capsules, Shakes, Gummies, Bars, and Tower Gardens. All of our ordering and shipping is done from our website. No product is on the property except for demonstration purposes.

As far as individuals from off the property, they would be prospects to join our network or to be customers. Our building room would be used to show product through the use of a display and a video projector/screen combination would be used to watch promotional videos during our presentations.

In terms of numbers, I do not anticipate any more than 1-3 at any given time, which would be infrequently as this is not a concentrated market. Most of our prospecting and such will be done via online methods.

Hours for clients would be 10am-7pm at the latest. Saturday may be our "busy" day with daytime hours anticipated.

With respect to the dogs, we can put them up prior to and let them out after the presentation time as they typically last an hour or less.

**Reiki Healing of Palmyra, LLC** is devoted to the healing touch through the practice of Reiki, a 3,000 year old Eastern healing technique. I am a Master Practitioner in the Usui Holy Fire vein of the practice. I have been practicing, with remarkable results, since April of 2014.

Since I anticipate working on very few clients, I have health issues, my hours of operation would be limited to mornings and early evenings with a cut off time for sessions beginning at 7pm. Sessions last from the initial session of 1.5 hours to 1 hr for established clients. New clients would be seen on Saturdays to limit evening traffic.

No outside "employees" are involved at all with either enterprise. This is strictly a mom & pop operation.

I hope I have answered your questions. I have tried to the best of my ability to do so. If you have further questions, feel free to contact me using the information below.

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Wednesday, March 9, 2016 10:17 AM  
**To:** Eric MacKinnon  
**Subject:** RE: Next meeting  
**Importance:** High

Hi Mr. MacKinnon,

In order to make the staff report to the Planning Commission as complete and accurate as possible, I have a few questions for you please. If you could answer these questions by Friday of this week that would be helpful.

1. Please explain "Healthy 4 Life, LLC as to exactly what it is, and how the business will operate. Will you have clients visit the property? Will you have outside employees other than people who reside in the home, what will your hours of operation be?
2. Please detail the same information in question 1 for the reiki business.

I have a pretty good idea about both, but we typically place conditions of approval on things such as hours of operation and number of employees, so I'd like to hear that information directly from you.

Thanks!  
Steve

---

**From:** Eric MacKinnon [<mailto:owner@reikihealingofpalmyra.com>]  
**Sent:** Monday, March 07, 2016 12:19 PM  
**To:** Steven Tugwell  
**Subject:** RE: Next meeting

Thanks Steven I appreciate that. I officially separated from the Commonwealth of Virginia, Department of Juvenile Justice on February 8<sup>th</sup>. I am officially on disability.

Since we will be having no classroom or classes as previously mentioned, the needs for a stand-alone bathroom may not be there.

I thank you again for all your assistance. Have a great day.

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Monday, March 7, 2016 10:40 AM  
**To:** Eric MacKinnon  
**Subject:** RE: Next meeting  
**Importance:** High

Hi Mr. MacKinnon,

Attached is the comment letter from the February 11<sup>th</sup> Technical Review Committee meeting. I don't believe there are any surprises here- however you may want to follow up with Charles Miller in the Health Dept. if you plan on adding a bathroom. I will be working on the staff report this week in preparation for the March 23<sup>rd</sup> Planning Commission meeting, so I may call you with a question or two to clarify things. Once the staff report is complete, I will email you your copy.

The Planning Commission meeting will be held in the Morris Room of the County Administration Building on Wednesday, March 23<sup>rd</sup> at 7 p.m.

Thanks, and let me know if you have any questions.

Thanks!  
Steve

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**From:** Eric MacKinnon [<mailto:owner@reikihealingofpalmyra.com>]  
**Sent:** Friday, March 04, 2016 5:10 PM

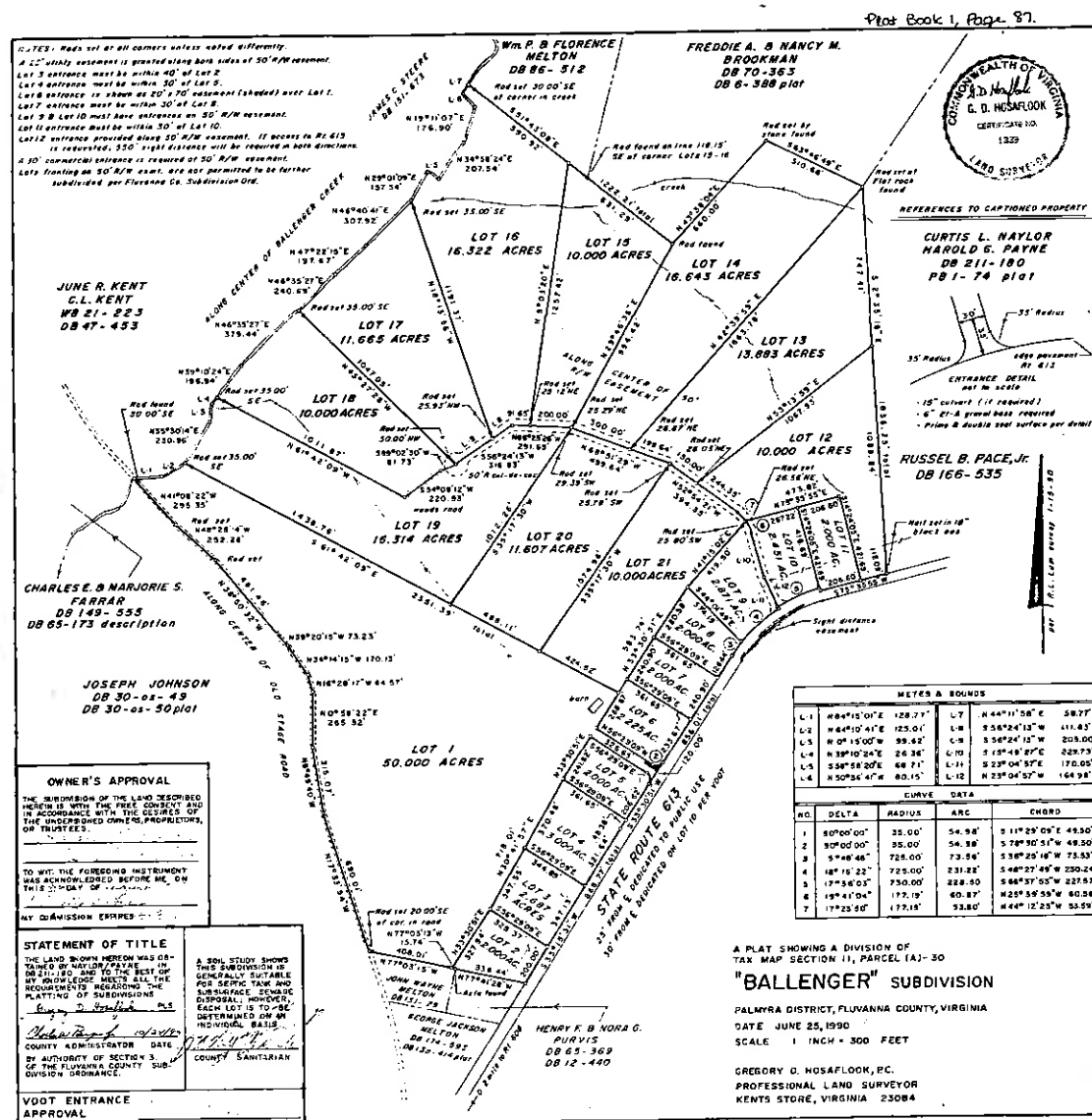


**To:** Steven Tugwell  
**Subject:** Next meeting

Am I correct in that the next meeting is on the 23<sup>rd</sup> of March?

Eric MacKinnon, Owner  
Reiki Healing of Palmyra, LLC  
"Reiki in the comfort of your own home"  
(434) 249-7006  
[www.reikihealingofpalmyra.com](http://www.reikihealingofpalmyra.com)





Received  
JAN 29 2016  
Planning Dept.

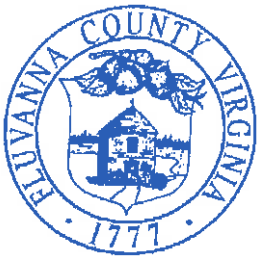
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*Sign-in sheet for the***February 10, 2016 Neighborhood Meeting**

**SUP 16:03 – Eric A. Mackinnon** – A request for a Special Use Permit (SUP) to operate a small home industry with respect to 2 acres of Tax Map 11, Section 13, Parcel 8. The property is zoned A-1, Agricultural, General, and is located on the west side of Bybees Church Road (Route 613), approximately one-half mile northeast of its intersection with Barnaby Road. The property is located in the Columbia Election District and is within the Rural Residential Planning Area.

**Please Print Your Name & Address:**

1. MALCOLM DUNSTON 199 BALLINGER LN
2. ALENE BAKER 1802 BYBLES CHURCH RD
3. ROBERT BAKER " " " "
4. Jan Narciso 211 BEECHWOOD LAWE (OPPOSITE PROPOSED BUSINESS)
5. W. 16th W. Drive 211 BEECHWOOD LN
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_



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## COUNTY OF FLUVANNA

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*P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.fluvannacounty.org](http://www.fluvannacounty.org)*

**Re: February 10, 2016 Neighborhood Meeting Comments/Questions**  
For SUP 16:03 Eric and Barbara MacKinnon

1. Would like clarification about the nature of the proposed business.
2. Will you build a new building?
3. What is "healthy 4 life?"
4. How many clients do you have?
5. Are you licensed to do this kind of work?
6. Will you place signs out on the road?
7. How many people will be coming per hour?
8. Is healthy 4 life a "juice type thing"?
9. Will products be distributed on-site?
10. Will there be overnight guests?
11. Will you maintain your dog shelter?
12. Afraid that the dog barking will be exacerbated by the client traffic.
13. Dogs have been a nuisance.

**Steven Tugwell**

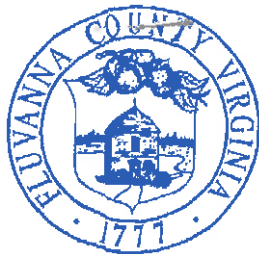
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**From:** Eric MacKinnon <owner@reikihealingofpalmyra.com>  
**Sent:** Wednesday, February 10, 2016 5:44 PM  
**To:** Steven Tugwell  
**Subject:** SUP

Please take the classroom use for the victims of domestic abuse out of the proposal. After speaking with my wife after the meeting, that seemed to be the main concern. Rather than argue for use of the building for that purpose, we'd like to just keep it for our two LLCs – Healthy 4 Life, LLC & Reiki Healing of Palmyra, LLC.

If you have any questions, please contact me using the information below.

Eric MacKinnon, Owner  
Reiki Healing of Palmyra, LLC  
"Reiki in the comfort of your own home"  
(434) 249-7006  
[www.reikihealingofpalmyra.com](http://www.reikihealingofpalmyra.com)




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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

February 16, 2016

Eric & Barbara Mackinnon  
1677 Bybees Church Road  
Palmyra, VA 22963

Delivered via mail

**Re: SUP 16:03 Eric A. Mackinnon special use permit request for a small home industry**  
**Tax Map: 11, Section 13, Parcel 8**

Dear Mr. & Mrs. Mackinnon:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, February 11, 2016.

1. VDOT stated that they conducted a site visit and reviewed the existing gravel private entrance that currently serves the residence at 1677 Bybees Church Road Road (Rte. 613).
  - The private entrance is located near the high point on a crest vertical curve and it is lined up across road from Beechwood Lane.
  - The functional classification of Rte. 613 is a Rural Local Road.
  - The proposed home business is located on the segment of Bybees Church Road between Rte. 608 and Rte. 632 and it has an AADT of 290.
  - Based on the nature of the proposed home business and the low volume of traffic on this segment of Rte. 613 the existing private entrance should adequate to serve as a low volume commercial entrance (generating 50 vehicles per day or less, i.e. 25 vehicles entering and 25 vehicles exiting or less);
2. The Fire Chief stated they have no comments on this application;
3. The County Engineer stated that he has no comments on this application;
4. The Health Dept. stated that they reviewed this request and assumed that there will be plumbing to the proposed building. If so, they will need the services of an AOSE (private consultant licensed by the State of Va.) to perform a soil evaluation and design a waste disposal system to accommodate their proposed use.
5. Planning staff advised the applicant to check to see if there are any covenants or deed restrictions for the Ballenger subdivision that talk about having a home-based business.

The Planning Commission will have a meeting to discuss this item at their Wednesday, March 23, 2016 meeting. Your attendance is required at this meeting.

If you have any questions or need additional information, please contact me at 434-591-1910.

Sincerely,



Steve Tugwell

Senior Planner

Dept. of Planning & Community Development

Cc: Eric & Barbara Mackinnon via email - [owner@reikihealingofpalmyra.com](mailto:owner@reikihealingofpalmyra.com)

File

**Steven Tugwell**

---

**From:** Miller, Charles (VDH) <Charles.Miller@vdh.virginia.gov>  
**Sent:** Tuesday, February 09, 2016 11:03 AM  
**To:** Steven Tugwell  
**Subject:** RE: 2-11-2016 TRC agenda

Steve,

I have reviewed this request and I assume that there will be plumbing to the proposed building. If so, they will need the services of an AOSE (private consultant licensed by the State of Va.) to perform a soil evaluation and design a waste disposal system to accommodate their proposed use.

Charles

**m:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]

**Sent:** Tuesday, February 09, 2016 10:39 AM

**To:** Alyson Sappington; Andrea Gaines; Andy Wills; Barry Bibb; Brad Sheffield; Miller, Charles (VDH); Wright, Chuck (DOF); Deidre Creasy; Donald Gaines; Ed Zimmer; Jason Stewart; Jay Lindsay; Lewis Johnson; Lucas Lyons; Wood, Mark, P.E., L.S (VDOT); Brent, Mike; Patricia Eager; Robert Popowicz; Roger Black; [solson@forcvec.com](mailto:solson@forcvec.com); Tony O'Brien; Wayne Stephens

**Cc:** [owner@reikihealingofpalmyra.com](mailto:owner@reikihealingofpalmyra.com)

**Subject:** 2-11-2016 TRC agenda

Please see attached and let me know if you have any questions.

Thanks!  
 Steve

**Steve Tugwell**  
 Senior Planner  
 Dept. of Planning & Community Development  
 Fluvanna County, VA  
 434-591-1910  
[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)

 please conserve, do not print this e-mail unless necessary

## Steven Tugwell

---

**From:** Wood, Mark, P.E., L.S (VDOT) <James.Wood@VDOT.virginia.gov>  
**Sent:** Thursday, March 03, 2016 6:42 PM  
**To:** Steven Tugwell  
**Cc:** Reed, James M. (VDOT); Wolfrey, Sharon A. (VDOT)  
**Subject:** RE: Comments from February 11, 2016 TRC meeting  
  
**Importance:** High

Steve,

**SDP 16:03 – Eric A. Mackinnon (Tax Map 11, Section 3, Parcel 8), Fluvanna County (home based business, Rte. 613, Bybees Church Road)**

VDOT has made a site visit and reviewed the existing gravel private entrance that currently serves the residence at 1677 Bybees Church Road Road (Rte. 613). The private entrance is located near the high point on a crest vertical curve and it is lined up across road from Beechwood Lane. The functional classification of Rte. 613 is a Rural Local Road. The proposed home business is located on the segment of Bybees Church Road between Rte. 608 and Rte. 632 and it has an AADT of 290. Based on the nature of the proposed home business and the low volume of traffic on this segment of Rte. 613 the existing private entrance should adequate to serve as a low volume commercial entrance (generating 50 vehicles per day or less, i.e. 25 vehicles entering and 25 vehicles exiting or less).

J. Mark Wood, P.E., L.S.  
 Area Land Use Engineer  
 Virginia Department of Transportation  
 Land Development – South  
 P.O. Box 2194  
 Louisa, VA 23093  
 Phone: (540) 967-3708  
 Cell: (540) 223-5240  
 Email: [Mark.Wood@VDOT.Virginia.gov](mailto:Mark.Wood@VDOT.Virginia.gov)

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Friday, February 26, 2016 3:54 PM  
**To:** Wood, Mark, P.E., L.S (VDOT)  
**Subject:** February 11, 2016 TRC meeting

Mark,

Did you have any TRC comments for the February 11<sup>th</sup> meeting? See attached.

Thanks,  
Steve

**Steve Tugwell**  
**Senior Planner**



**Steven Tugwell**

---

**From:** Wayne Stephens  
**Sent:** Tuesday, February 09, 2016 10:41 AM  
**To:** Steven Tugwell  
**Subject:** RE: 2-11-2016 TRC agenda

Steve,

I have no comments on this application.

Wayne

Wayne Stephens  
Fluvanna County

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**From:** Steven Tugwell  
**Sent:** Tuesday, February 09, 2016 10:39 AM  
**To:** Alyson Sappington; Andrea Gaines; Andy Wills; Barry Bibb; Brad Sheffield; [charles.miller@vdh.virginia.gov](mailto:charles.miller@vdh.virginia.gov); [chuck.wright@dof.virginia.gov](mailto:chuck.wright@dof.virginia.gov); Deidre Creasy; Donald Gaines; Ed Zimmer; Jason Stewart; Jay Lindsay; Lewis Johnson; Lucas Lyons; Mark Wood; Mike Brent; Patricia Eager; Robert Popowicz; Roger Black; [solson@forcvec.com](mailto:solson@forcvec.com); Tony O'Brien; Wayne Stephens  
**Cc:** [owner@reikihealingofpalmyra.com](mailto:owner@reikihealingofpalmyra.com)  
**Subject:** 2-11-2016 TRC agenda

Please see attached and let me know if you have any questions.

Thanks!  
Steve

**Steve Tugwell**  
**Senior Planner**  
**Dept. of Planning & Community Development**  
**Fluvanna County, VA**  
**434-591-1910**  
[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)

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## Memorandum

To: Fluvanna Planning Commission  
From: Wood Hudson– TJPDC, Director of Planning  
Date: March 16, 2016  
Re: 2016 Rural Long Range Transportation Planning Effort

**Purpose:** To inform Fluvanna Planning Commission members on current Rural Long Range Transportation Planning activities in Fluvanna County and solicit feedback from the commission. TJPDC staff is asking the Planning Commission to review the attached map and project list and provide feedback on the inclusion and exclusion of transportation projects in the County. Planning Commission recommendations will help shape the plan update.

**Background:** Several years ago, VDOT partnered with the 20 Planning District Commissions with rural transportation programs. The effort focused on developing Long Range Transportation Plans for rural areas of the State, to complement the transportation plans in urbanize areas (MPOs). Overall, the RLRP was intended to serve several functions, including to:

- Identify transportation deficiencies and recommendations;
- Assist with comprehensive plan updates and traffic impact studies (Chapter 527);
- Evaluate the effects of land use and development on the surrounding network;
- Establish programming of transportation improvements; and,
- Provide content and guidance for statewide transportation plans.

**Summary:** Since the RLRP was last adopted in 2010, staff recently began the process for a 5-year update. This effort will include several improvements from the previous version, bringing additional value to the document. Specifically, the plan will serve as a valuable tool that helps our member localities navigate through the changing environment of State statutes and dwindling transportation funds. The rural communities, already at a disadvantage for funding, will need to be more prepared than ever before to compete for limited resources. This plan will be dedicating to that purpose of rural preparation.

Staff have been working with local planning staff and VDOT through the Rural Technical Committee to develop and apply a project evaluation methodology that is aligned with the methodologies being employed by the State's HB2 process. At this juncture staff are bringing a draft of the project list

Before staff moved forward with the plan, the first step was a series of meetings with local planning commissions. Staff thought that local commissions would be ideal focus groups, as they are intended to concentrate on planning. To best interact with these officials, staff went into these meetings with a blank slate, letting the commissioners dictate their needs.

**Actions:** At this time, staff is looking for feedback on the attached draft project lists, feedback on the process and if there are additional local priorities that need to be included in the project lists. If any Commissioners have questions or comments about this project, please contact me at [whudson@tjpd.org](mailto:whudson@tjpd.org) or (434)979-7310 x101.

## Attachment 1: Project List and Map

The map below highlights the status of transportation projects being considered for inclusion in the 2016 RLRP. Projects from the 2010 plan were re-evaluated along with additional priority areas that were identified by the evaluation process. Projects fall into one of three categories.

- 1- New projects. These projects address a newly identified transportation deficiency such as safety or congestion.
- 2- Existing projects for visioning list. These projects were included in the 2010 RLRP but don't overlap with any current priority areas (based on TJPDC analyses to date). These projects will be moved from the recommendations section of the plan to the 'visioning list' section
- 3- Existing projects to be included. These are projects that were identified in the 2010 RLRP and overlap with current priority areas and will be included in the recommendations section of the 2016 plan

### RLRP Projects List

**Table 1: Existing Projects Remaining in Plan**

| MAP KEY | LOCATION INFORMATION  | Map Code | RECOMMENDATION -- PLAN DOCUMENT TEXT   |
|---------|---|----------|--|
| 4       | US 6 Over Hardware River  | 8        | Short-term replace bridge.   |
| 5       | VA 620 from VA 6 to VA 639  | 7        | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).                         |
| 12      | US 15 from VA 673 to VA 6 East                                    | 4        | <b>Local Priority.</b> Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 13      | US 15 from VA 632 to VA 637                                       | 4        | <b>Local Priority.</b> Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 14      | US 15 from VA 616 to VA 632                                       | 4        | <b>Local Priority.</b> Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 15      | US 15 from Louisa County Line to VA 616                           | 4        | <b>Local Priority.</b> Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 16      | VA 649 from VA 673 (Bethel Church Road) to US 15                  | 4        | Long-term widen road to increase capacity and accommodate existing and future travel demand.                                     |
| 17      | VA 53 at US 15  | 1        | <b>Local Priority.</b> Long-term construct a roundabout.   |
| 18      | VA 1001 (Main St) from US 15 South to VA 1003                     | 7        | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).                         |
| 19      | VA 1003 from VA 1001 to US 15                                     | 7        | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).                         |
| 21      | US 15 at VA 1003  | 1        | Long-term construct a roundabout.  |
| 22      | VA 53 from Albemarle County Line to VA 636                        | 4        | <b>Local Priority.</b> Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 23      | VA 53 from VA 636 to VA 660                                       | 4        | <b>Local Priority.</b> Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 24      | VA 53 from VA 660 to US 15  | 4        | <b>Local Priority.</b> Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 25      | VA 53 (Thomas Jefferson Parkway) at VA 618 (Martin Kings Road)    | 2        | Short-term maintenance and replace signage.  |
| 26      | VA 53 (Thomas Jefferson Parkway) at VA 618 (Lake Monticello Road) | 2        | <b>Local Priority.</b> Mid-term add turn lanes and consider a roundabout; Long-term reconstruct roadway to lower vertical curve. |

|    |   |   |  |
|----|---|---|--|
| 27 | VA 600 at VA 53                                     | 1 | <b>Local Priority.</b> Long-term construct a roundabout.   |
| 28 | VA 600 from US 53 to VA 618 (Lake Monticello Road)  | 4 | <b>Local Priority.</b> Long-term widen to four lanes.  |
| 29 | VA 600 from VA 618 (Lake Monticello Road) to VA 616 | 4 | <b>Local Priority.</b> Long-term widen to four lanes.  |
| 30 | VA 600 at VA 618                                    | 1 | <b>Local Priority.</b> Mid-term add turn lanes and consider a roundabout; Long-term reconstruct roadway to lower vertical curve. |
| 31 | VA 616 (Union Mills Road) at VA 600 (Boston Road)   | 1 | <b>Local Priority.</b> Long-term consider roundabout or signalization and addition of turn lanes.                                |
| 32 | VA 616 from VA 600 to Albemarle County Line         | 4 | <b>Local Priority.</b> Long-term widen to four lanes.  |

**Table 2: New Projects to be Added**

| MAP KEY | LOCATION INFORMATION  | Map Code | RECOMMENDATION -- PLAN DOCUMENT TEXT |
|---------|---|----------|--------------------------------------|
| N1      | VA 6 from Fluvanna Town line to State Route 675   | 5        |                                      |
| N2      | VA671 from Antioch Springs Ln to Middle Fork Road   | 5        |                                      |
| N3      | VA 53 (Thomas Jefferson Parkway) at VA 636 (Turkeysag Tr)   | 2        |                                      |
| N4      | VA 618 (Lake Monticello Road) from VA 53 (Thomas Jefferson Parkway) to VA 600 (South Boston Road) | 5        |                                      |
| N5      | VA 600 (S Boston Road) North of Broken Island Road  | 5        |                                      |
| N6      | US 15 (James Madison Hwy) at VA 6 (W River Road)  | 2        |                                      |
| N7      | US 15 (James Madison Hwy) at Bethel Church Rd   | 2        |                                      |
| N8      | US 250 (Richmond Road at Field Stone Drive  | 2        |                                      |
| N9      | US 15 (James Madison Hwy) at (VA631) Troy Road  | 2        |                                      |

**Table 3: Projects for Visioning List**

| MAP KEY | LOCATION INFORMATION   | Map Code | RECOMMENDATION -- PLAN DOCUMENT TEXT   |
|---------|--|----------|--|
| 1       | VA 637 from VA 6 to Fluvanna City Limit                                | 7        | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders). |
| 2       | VA 637 (Poplar Spring Road) from Albemarle County Line to VA 773 South | 7        | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders). |

|    |   |   |   |
|----|---|---|---|
| 3  | VA 669 from VA 773 to VA 669                                    | 7 | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 6  | VA 649 from VA 6 to VA 673                                      | 7 | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 7  | US 15 from Buckingham County Line to VA 695                     | 4 | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 8  | US 15 from VA 695 to VA 652                                     | 4 | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 9  | US 15 from VA 652 to VA 702                                     | 4 | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 10 | US 15 from VA 702 to VA 6 East                                  | 4 | Local Priority. Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders). Seek to reserve rights-of-way (through setbacks) in order to allow for potential widening to four lanes with a median. |
| 11 | US 15 at VA 6   | 3 | Long-term reconstruct intersection as one-lane roundabout.  |
| 20 | VA 601 (Courthouse Road) from US 15 to VA 663 (Courthouse Road) | 7 | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 33 | VA 631 (Troy Road) from US 15 to VA 633                         | 7 | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 34 | VA 250 from Albemarle County Line to VA 600                     | 4 | <b>Local Priority.</b> Long-term widen to four lanes with median.   |
| 35 | VA 250 from VA 600 to Louisa County Line                        | 4 | <b>Local Priority.</b> Long-term widen to four lanes with median.   |
| 36 | VA 600 from VA 634 to US 250                                    | 7 | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |
| 37 | I-64 from Albemarle County Line to Louisa County Line           | 4 | Long-term widen road to increase capacity and/or accommodate travel demand on alternative corridors or modes.   |
| 38 | US 6 Over Rivanna River   | 8 | Short-term replace bridge.  |
| 39 | VA 659 from VA 601 to US 250                                    | 7 | Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).  |

### **Map Code Key**

**1: Operation Deficiency (Intersection)**

**2: Safety Deficiency (Intersection)**

**3: Both Deficiencies (Intersection)**

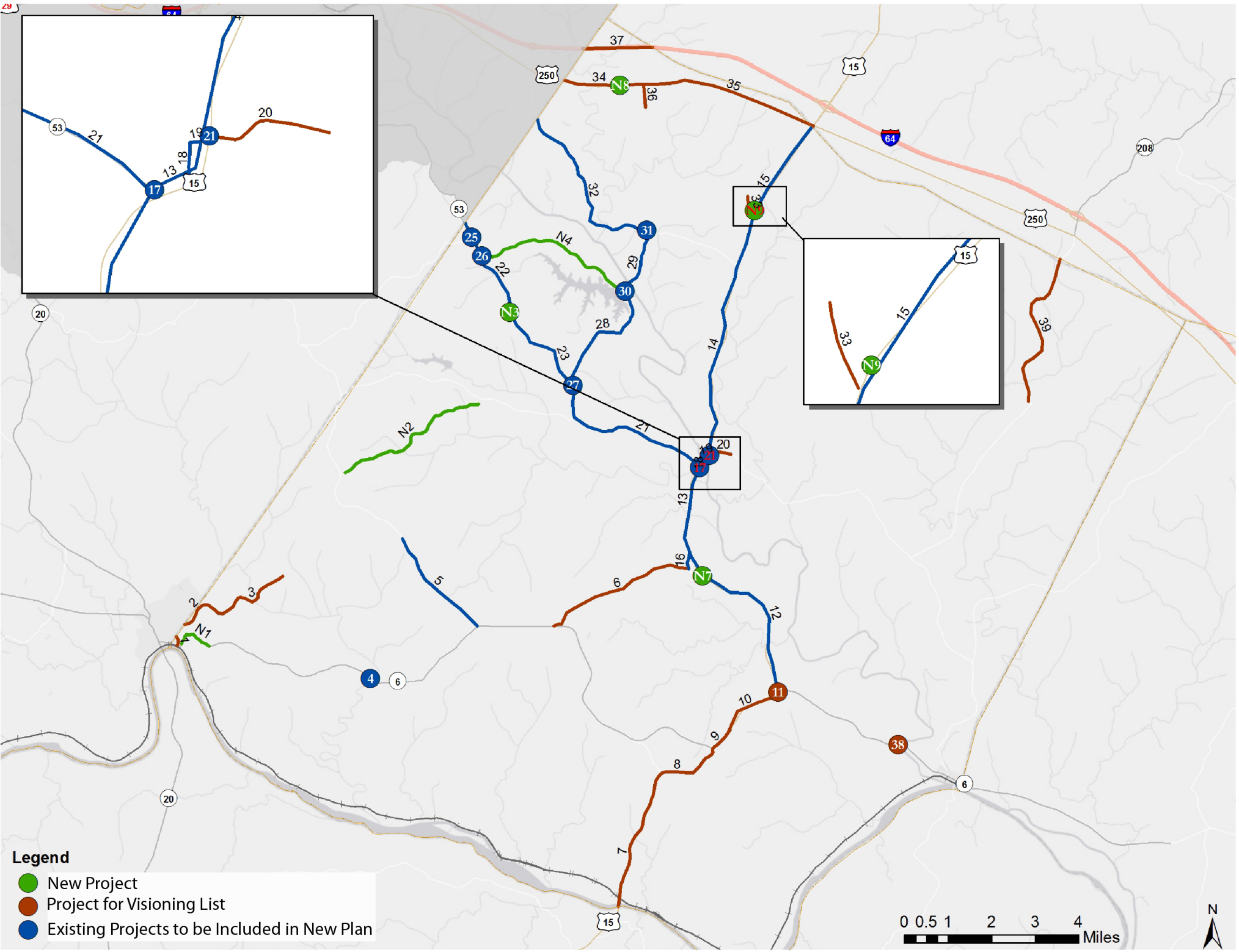
**4: Operation Deficiency (Segment)**

**5: Safety Deficiency (Segment)**

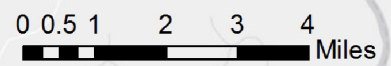
**6: Both Deficiencies (Segment)**

**7: Geometric Deficiency**

**8: Others**



- Legend**
- New Project
  - Project for Visioning List
  - Existing Projects to be Included in New Plan





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# COUNTY OF FLUVANNA

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## STAFF REPORT

**To:** Fluvanna County Planning Commission

**Case Number:** SDP 16:04

**Tax Map:** Tax Map 30, Section A, Parcel 3

**From:** Steve Tugwell

**District:** Fork Union

**Date:** March 23, 2016

**General Information:** This item is scheduled to be heard by the Planning Commission on Wednesday, March 23, 2016 at 7:00 p.m. in the Morris Room of the County Administration Building.

**Owner:** County of Fluvanna, VA

**Applicant/Representative:** Steven M. Nichols/ Cheryl Elliott

**Requested Action:** Approval of a sketch plan to construct a 195' self-support lattice tower and peripheral ground-equipment with respect to a portion of 196 acres of Tax Map 30, Section A, Parcel 3. (Attachment A)

**Location:** The subject property is located on the north side of Thomas Jefferson Parkway (Route 53) approximately ¾ miles northwest of its intersection with James Madison Highway (Route 15). (Attachment B)

**Existing Zoning:** A-1, Agricultural, General

**Existing Land Use:** Fluvanna County Sheriff's Office

**Adjacent Land Uses:** Adjacent properties are zoned A-1, Agricultural, General

**Comprehensive Plan:** Rural Residential Community Planning Area

**Zoning History:** A site development plan (SDP 01:08), for a public safety building was approved for this property on November 26, 2001.

**Analysis:**

In accordance with Sec. 22-27-10 (3), and Sec. 22-27-10.3 (2), of the telecommunications facilities ordinance, the applicant is requesting sketch plan approval to construct a 195' self-support lattice tower and peripheral ground-equipment on a portion A-1 zoned property, approximately 196 acres in size. According to the submitted sketch plan, the applicant is proposing to construct a 195' tall self-supported lattice-style tower in support of the County Emergency Services Communication System. Along with the tower, a 12'x24' pre-fabricated concrete shelter is proposed to house the ground equipment required to operate the tower, and all will be located within a 75x75 tower and equipment compound area. Within the compound, there is also a future lease area.

The proposed tower is an integral part of the County's comprehensive Emergency Services Communication System, however the tower will be designed for three (3) future co-locations also. In accordance with Sec. 22-27-1, (8), (13), and (14), the proposed lattice tower will;

- accommodate the growing need and demand for telecommunications services;
- Encourage the use of public lands, buildings, and emergency services facilities as locations for telecommunications infrastructure demonstrating where possible concealed technologies and revenue generating methodologies; while in
- Consideration of and compatibility with the goals and objectives of the County's Comprehensive Plan.

(Attachment C)

**Sec. 22-27-3. Exempt telecommunications antenna support facilities.**

Sec. 22-27-3.(2)B. of the County Telecommunications Facilities Ordinance states, "A government-owned Telecommunications Antenna Support Facility (TASF) is exempt from the provisions of this article if, "erected for the purposes of installing antenna(s) and ancillary equipment necessary to provide telecommunications for public health and safety". Therefore, the Zoning Administrator has determined that the proposed lattice tower is exempt from the Special Use Permit process on the qualifier that its purpose is for public health and safety.

**Sec. 22-27-13.(1) Publicly-owned property.**

*"Pursuant to applicable law, the County may contract with a third party to administer publicly-owned sites for purposes of developing the sites as part of a master telecommunications plan, consistent with the terms of this Article. Except as specifically provided herein, the terms of this Article, and the requirements established thereby, shall be applicable to all TASF's to be developed or collocated on County-owned sites."*

(Attachment D)

In accordance with Sec. 22-27-9.8B.(2), the nearest dwelling would be located approximately 1,500 feet southeast of the tower. (Attachment E)



### *Parking/Roads*

Site access is proposed via a 15-foot wide gravel access easement from the existing parking lot at the Sheriff's office. Per Sec. 22-27-9.8(12), one (1) parking space is required for each TASF development area. The space shall be provided within the leased area, or equipment compound or the development area as defined on the site plan.

### *Landscaping/Screening*

In accordance with Sec. 22-27-9.8. (4), (5) and (6), "*cabinets shall not be visible from pedestrian views. Cabinets may be provided within the principal building, behind a screen on a rooftop, or on the ground within the fenced-in and screened equipment compound*". Also, "*all equipment compounds shall be enclosed with an opaque fence. Alternative equivalent screening may be approved through the site plan approval process described in "Buffers". Buffers shall be provided as described in Article 24 of the this ordinance*". The applicant has been advised that ground equipment should be screened, and screening in accordance with the ordinance may be demonstrated on the final site development plan.

### *Stormwater Management*

An erosion and sediment control plan would also be required for review and approval prior to the issuance of any land disturbing permit.

### **Conclusion:**

The submitted sketch plan appears to meet the sketch plan requirements of Section 22-23-8.A of the Fluvanna County Zoning Ordinance. Prior to final approval, a site development plan that meets the requirements of Sections 22-23, 24, 25 and 26 of the Fluvanna County Zoning Ordinance must be submitted for staff review and approval.

### **Recommended Conditions:**

1. Meeting all final site plan requirements which include, but are not limited to, providing parking and screening,
2. Meet all required Erosion and Sedimentation Control regulations.

### **Suggested Motion:**

I move to approve SDP 16:04, a sketch plan to construct a 195' self-support lattice tower and peripheral ground-equipment with respect to a portion of 196 acres of Tax Map 30, Section A, Parcel 3 subject to the conditions listed in the staff report.

**Attachments:**

A – Application

B – Aerial Vicinity Map

C - Site sketch plan

D – Sec. 22-27-3.(2)B., and Sec. 22-27-13 (1) of the Telecommunications Facilities Ordinance

E – Photo simulations

Copy:

Owner: County of Fluvanna Emergency Services Coordinator – representative Cheryl Elliott

File



COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
 Site Development Application

**Owner of Record:** County of Fluvanna, VA **Applicant of Record:** Steven M. Nichols  
 E911 Address: 132 Main Street, Palmyra, VA 22963 E911 Address: 132 Main Street  
 Phone: 434-591-1910 Fax: 434-591-1913 Phone: 434-591-1910 Fax: 434-591-1913  
 Email: celllott@fluvannacounty.org Email: snichols@fluvannacounty.org  
**Representative:** Robert Kirk **Note:** If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.  
 E911 Address: 2712 Mattlyn Ct., Raleigh, NC 27163 Is property in Agricultural Forestal District?  No  Yes  
 Phone: 919-624-1212 Fax: N/A If Yes, what district: \_\_\_\_\_  
 Email: Bkirk@mhcinc.net  
**Tax Map and Parcel(s):** 30-A-3 **Deed Book Reference:** DB276 PG 855  
**Acreage:** 196.0 **Zoning:** CP - District 4 **Deed Restrictions?**  No  Yes (Attach copy)  
 Location: 160 Commons Blvd, Palmyra, VA 22963

Description of Property: Property sits adjacent to the Fluvanna County Sheriff's Office

**Proposed Structure:** 195' Self Support Tower for the Emergency Services Communication System  
**Dimensions of Building:** Will install a 195' self support tower, a 12'X24" pre-fabricated concrete shelter, a 50KW **Lighting Standards on Site:**  No  Yes  
**# of Employees:** 0 **# of Parking Spaces:** 0  
**Noise Limitations:** None

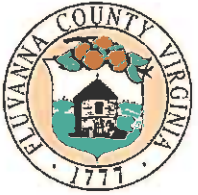
I declare that the statements made and information given on this application are true, full and correct to the best of my knowledge and belief. I agree to conform fully to all terms of any certificate or permit which may be issued on account of this application.

Steven M. Nichols

SM Nichols 2/17/16  
 Applicant Signature and Date

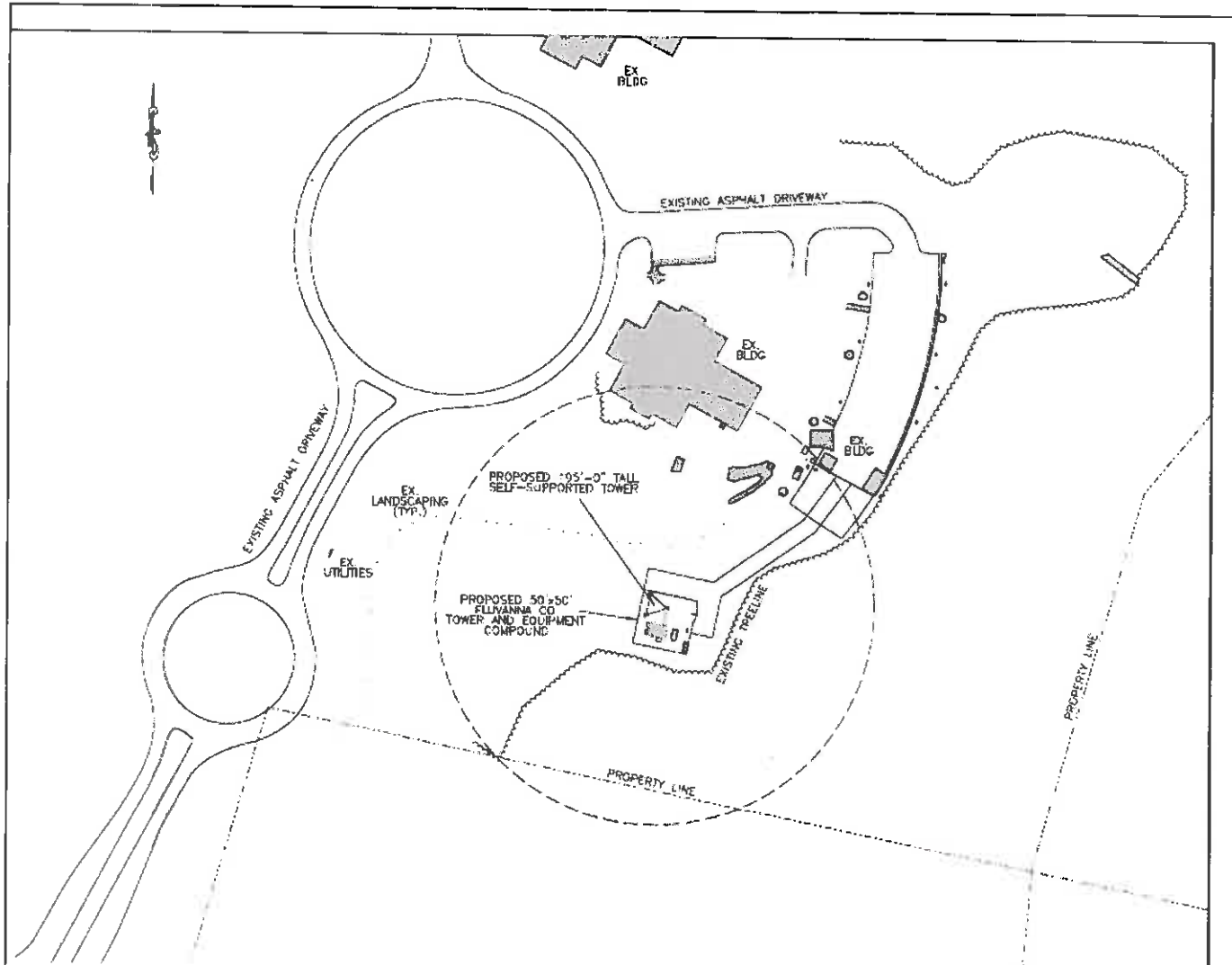
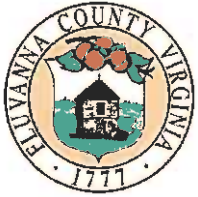
Applicant Name (Please Print)

| OFFICE USE ONLY                              |   |                                  |
|--|---|----------------------------------|
| Date Received: <u>03-03-16</u>               | Fee Paid: <u>Waived</u>                 | Application #: <u>SDP 16:004</u> |
| Election District: <u>Fourth Urban</u>       | Planning Area: <u>Rural Residential</u> | Number of Lots: _____            |
| <b>Total Fees Due at Time of Submittal</b>   |   |                                  |
| Sketch Plan: \$150.00                        | Minor Plan: \$550.00                    | Major Plan: \$1,100.00           |
| <b>Additional Fees Due at Time of Review</b> |   |                                  |
| Health Department Subdivision Review:        | \$250.00 + \$25.00 per lot              | Existing System Review \$50.00   |
| Street Sign Installation:                    | \$200.00 Per Intersection               |                                  |
| Amendment of Plan                            | \$150.00                                |                                  |
| Outdoor Lighting Plan Review*                | \$ 50.00                                |                                  |
| Landscape Plan Review*                       | \$ 50.00                                |                                  |
| Tree Protection Plan Review*                 | \$ 50.00                                |                                  |
| * If not part of a Site Plan Review          |   |                                  |

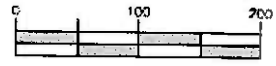


## Sheriff's Site Tower

- **How footers designed depends on results from soil testing (borings)**
  - IF PIERS, each leg will be on a +/- 25' deep pier and a minimum of 3' in diameter.
  - IF PAD AND PIER FOOTING ,1.5' to 2' deep pad (slab) buried +/- 4-6' down with 3' diameter pier for each leg. (Piers are attached to the pad; all poured at the same time.)
  - Final Design is based on the recently completed Soil Borings and soon to be completed Geotechnical report.
- **These towers are designed to withstand 100 mph winds.**
- **To come down, the tower would have to take a direct tornado hit. The sheriff's office roof (and possibly building) would be gone beforehand.**
- **Circle on site plan represents potential fall zone.**

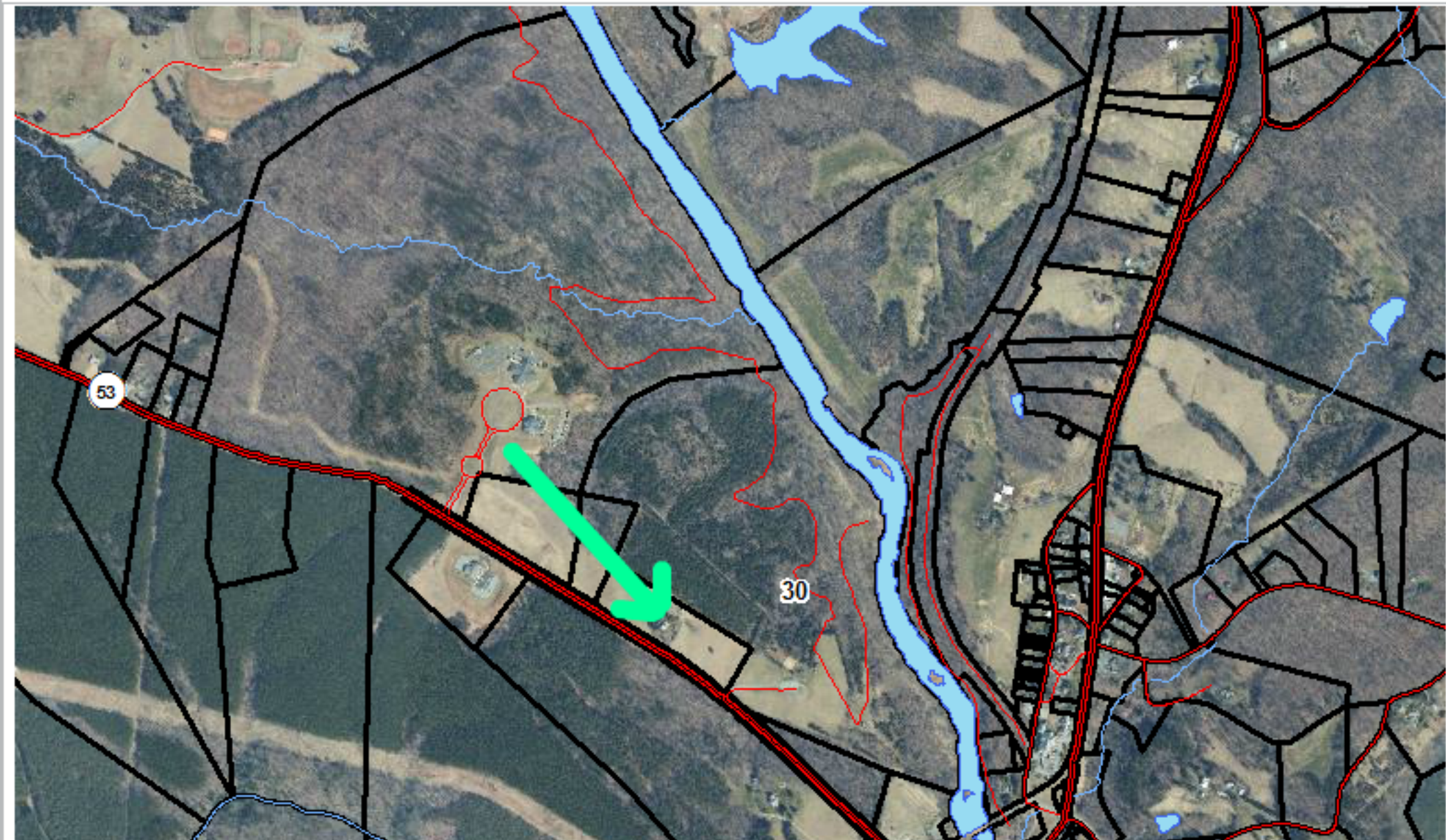


1  
C-2 **SITE PLAN**  
SCALE 1" = 100'-0"



|   |  |                     |            |            |     |              |                 |               |  |  |   |             |
|---|--|---------------------|------------|------------|-----|--------------|-----------------|---------------|--|--|---|-------------|
| <p><b>MOTOROLA SOLUTIONS</b><br/>MOTOROLA SOLUTIONS, INC.<br/>7051 COLUMBIA GATEWAY DR.,<br/>3RD FLOOR<br/>COLUMBIA, MARYLAND 21048<br/>CONTACT: GARY SMITH<br/>PHONE: (301) 775-2509</p> | <p><b>SHERIFF'S OFFICE</b><br/>160 COMMONS BLVD.<br/>PALMYRA, VIRGINIA 22963<br/>FLUVANNA COUNTY, VA</p> <table border="1"> <tr> <td>DATE OF ORIGINATION</td> <td>08/01/2015</td> </tr> <tr> <td>DRAWN BY :</td> <td>TNW</td> </tr> <tr> <td>CHECKED BY :</td> <td>KC# 0214-7853-J</td> </tr> <tr> <td>APPROVED BY :</td> <td></td> </tr> </table> | DATE OF ORIGINATION | 08/01/2015 | DRAWN BY : | TNW | CHECKED BY : | KC# 0214-7853-J | APPROVED BY : |  | <p>FLUVANNA COUNTY VA<br/>DEPT. OF PLANNING AND<br/>COMMUNITY DEVELOPMENT<br/>132 MAIN ST.<br/>P.O. BOX #540<br/>PALMYRA, VA 22963<br/>PHONE: (434) 591-1910</p> | <p><b>SITE PLAN<br/>AND NOTES</b></p> <p><b>C-2</b></p> | <p>SEAL</p> |
| DATE OF ORIGINATION   | 08/01/2015   |                     |            |            |     |              |                 |               |  |  |   |             |
| DRAWN BY :  | TNW  |                     |            |            |     |              |                 |               |  |  |   |             |
| CHECKED BY :  | KC# 0214-7853-J  |                     |            |            |     |              |                 |               |  |  |   |             |
| APPROVED BY :   |  |                     |            |            |     |              |                 |               |  |  |   |             |





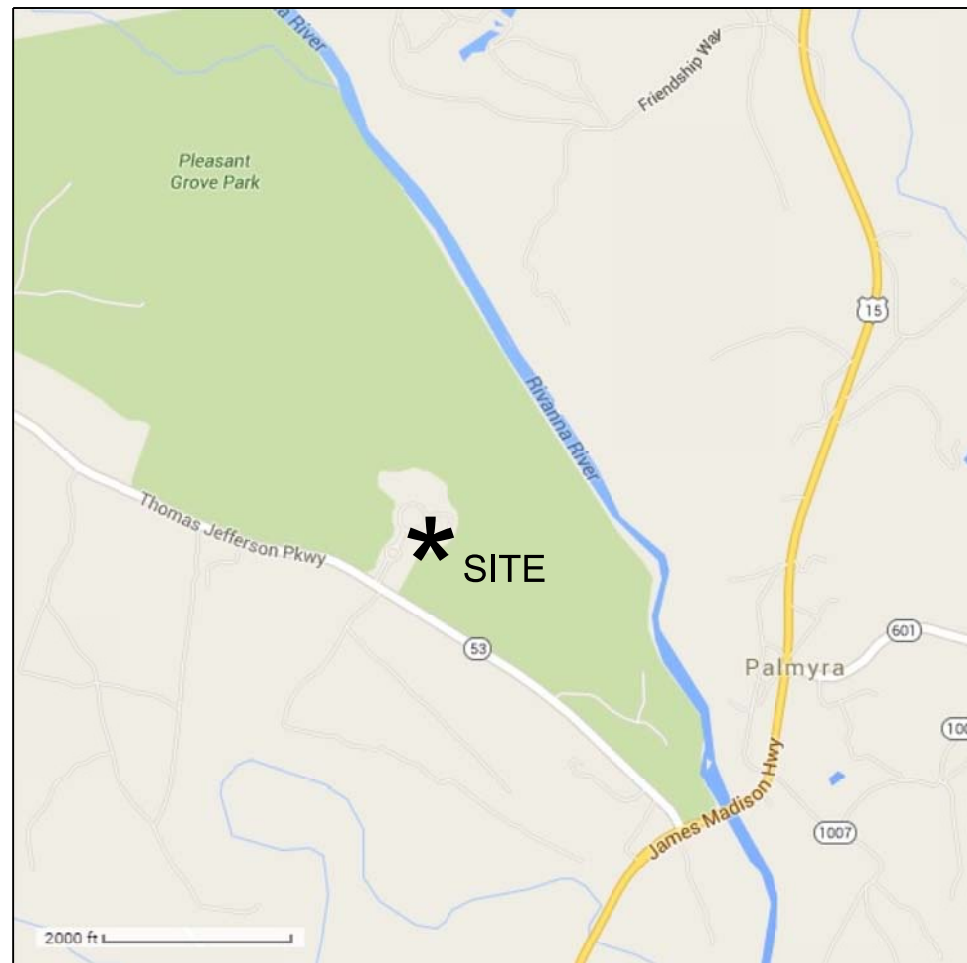
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Date: 03/18/2016

Printed By:

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FLUVANNA COUNTY, VA  
 DEPT. OF PLANNING AND  
 COMMUNITY DEVELOPMENT  
 132 MAIN ST.  
 P.O. BOX #540  
 PALMYRA, VA 22963  
 PHONE: (434) 591-1910

# SHERIFF'S OFFICE

160 COMMONS BLVD.  
 PALMYRA, VIRGINIA 22963  
 LAT: 37° 51' 51.96"N  
 LONG: 79° 39' 36.32"W

PROPOSED 195'-0" TALL SELF-SUPPORTED TOWER  
 HIGHEST APPURTENANCE = 199'-0"

**SITE CONTACT:**

PROJECT MANAGER:  
 GARY SMITH  
 7031 COLUMBIA GATEWAY DR., 3rd FLOOR  
 COLUMBIA, MARYLAND 21046  
 PHONE: (301) 775-2509

**UTILITY CONTACTS:**

ELECTRIC:  
 CENTRAL VIRGINIA ELECTRIC COOPERATIVE  
 32 COOPERATIVE WAY  
 PALMYRA, VA 22963  
 PHONE: (434) 589-8342

CALL BEFORE YOU DIG: MISS UTILITY OF VIRGINIA  
 LAW REQUIRES THAT THE CONTRACTOR NOTIFY  
 THE APPROVED NOTIFICATION CENTER NOT LESS  
 THAN TWO (2) WORKING DAYS PRIOR, BUT NOT  
 MORE THAN TEN (10) WORKING DAYS PRIOR TO  
 EXCAVATION OR DEMOLITION ACTIVITIES.  
 VIRGINIA: 1-800-552-7001 OR 811

**PROPERTY OWNER:**

COUNTY OF FLUVANNA, VA.  
 P.O. BOX 299  
 PALMYRA, VA 22963

**PARCEL INFORMATION:**

JURISDICTION: COUNTY OF FLUVANNA, VA  
 PARCEL ID NUMBER: 30-A-3  
 PARCEL REFERENCE: DB276 PG 855  
 PARCEL ACREAGE: 196.0 ACRES  
 PARCEL ZONING: CP  
 PARCEL DISTRICT: 04  
 CURRENT USE: COUNTY EMERGENCY SERVICES

USE: UNMANNED EMERGENCY 911 TELECOMMUNICATIONS  
 RELAY TOWER, ONE 11'-8" x 16'-6" EQUIPMENT AND  
 STORAGE BUILDING, PARKING AND TURN-AROUND AREA.

**ENGINEER:**

KCI TECHNOLOGIES, INC.  
 4601 SIX FORKS RD., SUITE 220  
 RALEIGH, NC 27609  
 (919) 783-9214  
 ERIC S. KOHL, VA LICENSE #35675

**NOTES:**

CONTRACTOR SHALL NOTIFY OWNER FOR ACCESS TO SITE.  
 KEEP GATES AND/OR DOORS LOCKED AT ALL TIMES.

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING  
 DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL  
 IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY  
 DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR  
 BE RESPONSIBLE FOR SAME.

- T-1 COVER SHEET
- T-2 GENERAL REQUIREMENTS
- C-1 SITE OVERVIEW
- C-2 SITE PLAN AND NOTES
- C-3 COMPOUND PLAN
- C-4 TOWER ELEVATION AND NOTES
- D-1 CONSTRUCTION DETAILS
- D-2 CONSTRUCTION DETAILS
- D-3 CONSTRUCTION DETAILS
- D-4 CONSTRUCTION DETAILS
- D-5 CONSTRUCTION DETAILS
- D-6 CONSTRUCTION DETAILS
- A-1 ANTENNA DETAILS
- A-2 ANTENNA DETAILS
- E-1 ELECTRICAL PLAN AND NOTES
- E-2 GROUNDING PLAN AND NOTES
- E-3 ELECTRICAL AND GROUNDING DETAILS
- E-4 ELECTRICAL AND GROUNDING DETAILS
- E-5 ELECTRICAL AND GROUNDING DETAILS
- E-6 ELECTRICAL AND GROUNDING NOTES

| NO. | DATE       | REVISION                          |
|-----|------------|-----------------------------------|
| 90% | 10/02/2015 | 90% SITE PLAN DRAWINGS SUBMISSION |
| 95% | 12/11/2015 | 95% SITE PLAN DRAWINGS SUBMISSION |
|     |            |                                   |
|     |            |                                   |
|     |            |                                   |
|     |            |                                   |

SUITE 220, LANDMARK CENTER II,  
 4601 SIX FORKS ROAD  
 RALEIGH, NORTH CAROLINA 27609  
 (919) 783-9214  
 ENGINEERS • PLANNERS • ECOLOGISTS

MOTOROLA SOLUTIONS, INC.  
 7031 COLUMBIA GATEWAY DR.,  
 3rd FLOOR  
 COLUMBIA, MARYLAND 21046  
 CONTACT: GARY SMITH  
 PHONE: (301) 775-2509

**SHERIFF'S OFFICE**  
 160 COMMONS BLVD.  
 PALMYRA, VIRGINIA 22963  
 FLUVANNA COUNTY, VA

DATE OF ORIGATION : 08/01/2015

DRAWN BY : TNW      APPROVED BY :

CHECKED BY :      KCI# : 0214-7855-J

FLUVANNA COUNTY, VA  
 DEPT. OF PLANNING AND  
 COMMUNITY DEVELOPMENT  
 132 MAIN ST.  
 P.O. BOX #540  
 PALMYRA, VA 22963  
 PHONE: (434) 591-1910

**COVER SHEET**

**T-1**

SEAL:

**GENERAL REQUIREMENTS:**

1. GENERAL
  - 1.1 SUMMARY OF WORK
    - A. THE WORK SHALL CONSIST OF, BUT NOT BE LIMITED TO, THE INSTALLATION OF NEW TELECOMMUNICATIONS TOWER AND EQUIPMENT SHELTER WITHIN A FENCED EQUIPMENT COMPOUND, ANTENNAS AND LINES, GROUNDING AND ELECTRICAL WORK, ETC., ASSOCIATED WITH THE SHELTER AS INDICATED ON DRAWINGS AND AS SPECIFIED HEREIN. CONTRACTOR SHALL SUPPLY ALL PERMANENT MATERIALS OR EQUIPMENT REQUIRED AND ALL LABOR, EQUIPMENT, TOOLS, UTILITIES, MINOR HARDWARE MATERIALS, TRANSPORTATION AND FACILITIES NECESSARY FOR PROPER EXECUTION AND COMPLETION OF SERVICES AND INSTALL WORK, WHETHER TEMPORARY OR PERMANENT. CONTRACTOR SHALL BE OBLIGATED TO PERFORM ALL THE WORK OUTLINED IN THESE DRAWINGS IN ACCORDANCE WITH THE CONTRACT AGREEMENT, FEDERAL REGULATIONS, STATE REQUIREMENTS, LOCAL CODES, COMMERCIAL/INDUSTRY STANDARDS, DETAILED IN THE LISTED DOCUMENTS REGARDING STANDARDS OF WORK, THE MORE STRINGENT CRITERIA SHALL APPLY. ANY ADDITIONAL COSTS OR DELAYS RESULTING FROM CORRECTION OF THE WORK TO COMPLY WITH THE ABOVE REQUIREMENT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
    - B. THE TOTAL DISTURBED AREA IS 6,765.95sf.
  - 1.2 SITE VISIT
 

CONTRACTOR SHALL VISIT THE SITE AND FAMILIARIZE ITSELF WITH THE SCOPE OF WORK REQUIRED PER THE DRAWINGS AND ALL LOCAL CONDITIONS AND LAWS AND REGULATIONS THAT MAY IN ANY MANNER AFFECT THE PRICE, PROGRESS AND PERFORMANCE OF WORK, INCLUDING ANY COSTS ASSOCIATED WITH IT. THE CONTRACTOR ALSO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND NOTIFY THE MOTOROLA REPRESENTATIVE OF ANY DISCREPANCIES OR INTERFERENCES WHICH AFFECT THE WORK OF THIS CONTRACT.
  - 1.3. STANDARDS AND CODES
 

THE FOLLOWING DOCUMENTS (LATEST REVISION) SHALL BE CONSIDERED TO BE SPECIFICATION AND ARE INCORPORATED HEREIN BY REFERENCE. IN THE EVENT OF CONFLICT BETWEEN THE REQUIREMENTS OF THIS SPECIFICATION AND THE REQUIREMENTS OF THE REFERENCED DOCUMENTS, THE STRICTER SPECIFICATION SHALL GOVERN. WHERE PROVISIONS OF THE CODES AND STANDARDS ARE IN CONFLICT WITH THE BUILDING CODE IN FORCE FOR THIS PROJECT, THE BUILDING CODE SHALL GOVERN.

    - A. AMERICAN CONCRETE INSTITUTE:
      - \* ACI 301 "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS"
      - \* ACI 305 "HOT WEATHER CONCRETING"
      - \* ACI 306 "COLD WEATHER CONCRETING"
      - \* ACI 318 "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE"
      - \* ACI 614 "RECOMMENDED PRACTICE FOR MEASURING, MIXING AND PLACING CONCRETE"
      - \* ACI 311 "RECOMMENDED PRACTICE FOR CONCRETE INSPECTION"
      - \* ACI 315 "MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES"
      - \* ACI 613 "RECOMMENDED PRACTICE FOR SELECTING PROPORTIONS FOR CONCRETE"
    - B. AMERICAN NATIONAL STANDARDS INSTITUTE:
      - \* ANSI Z359 REQUIREMENTS FOR PERSONAL FALL ARREST SYSTEMS, SUBSYSTEMS, AND COMPONENTS
      - \* ANSI Z87.1 OCCUPATIONAL AND EDUCATIONAL EYE AND FACE PROTECTION
      - \* ANSI Z89.1 PROTECTIVE HEADWEAR FOR INDUSTRIAL WORKERS - REQUIREMENTS
      - \* ANSI/IEEE C95.1 SAFETY LEVELS WITH RESPECT TO HUMAN EXPOSURE TO RADIO FREQUENCY ENERGY
      - \* ANSI/TIA/EIA STANDARD 222: STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES.
    - C. AMERICAN INSTITUTE OF STEEL CONSTRUCTION:
      - \* AISC MANUAL OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION: LATEST EDITION
    - D. AMERICAN SOCIETY FOR TESTING AND MATERIALS:
      - \* ASTM A615 - "SPECIFICATION FOR DEFORMED AND PLAIN BILLET STEEL BARS FOR CONCRETE REINFORCEMENT"
      - \* ASTM C94-80 - "SPECIFICATION FOR READY-MIX CONCRETE"
      - \* ASTM C39-77 - "SPECIFICATION FOR TEST FOR COMPREHENSIVE STRENGTH OF CYLINDRICAL CONCRETE SPECIMEN"
      - \* ASTM C33 - "SPECIFICATION FOR CONCRETE AGGREGATES"
      - \* ASTM C150 - "SPECIFICATION FOR PORTLAND CEMENT"
      - \* ASTM C172 - "SAMPLING FRESH CONCRETE"
      - \* ASTM C143 - "SLUMP OF PORTLAND CEMENT CONCRETE"
      - \* ASTM D698-91 - "TEST METHOD FOR LABORATORY COMPACTION CHARACTERISTICS OF SOIL USING STANDARD EFFORT"
      - \* ASTM D1556-64 - "DENSITY OF SOIL IN PLACE BY THE SAND-CONE METHOD"
      - \* ASTM D1557 - "TEST FOR MOISTURE-UNIT WEIGHT RELATIONS OF SOILS AND SOIL-AGGREGATE MIXTURES USING 10-LB. HAMMER AND 18-IN. DROP" PROCEDURE C.
      - \* ASTM D2487 - "STANDARD CLASSIFICATION OF SOILS FOR ENGINEERING PURPOSES (UNIFIED SOIL CLASSIFICATION SYSTEM)"
      - \* ASTM D2922 - "DENSITY OF SOIL AND SOIL AGGREGATE IN PLACE BY NUCLEAR METHODS SHALLOW DEPTH"
      - \* ASTM D2940 - "STANDARD SPECIFICATION FOR GRADED AGGREGATE MATERIAL FOR BASES OR SUB-BASES FOR HIGHWAYS OR AIRPORTS"
    - E. AMERICAN WELDING SOCIETY:
      - \* AWS D12.1 - "RECOMMENDED PRACTICES FOR WELDING REINFORCING STEEL, METAL INSERTS AND CONNECTIONS IN REINFORCED CONCRETE CONSTRUCTION"
    - F. CONCRETE REINFORCING STEEL INSTITUTE:
      - \* "MANUAL OF STANDARD PRACTICE"
    - G. FEDERAL AVIATION ADMINISTRATION:
      - \* DEPARTMENT OF TRANSPORTATION - FEDERAL AVIATION ADMINISTRATION ADVISORY CIRCULAR, AC 70/7460-1K: OBSTRUCTION MARKING & LIGHTING.
      - \* DEPARTMENT OF TRANSPORTATION - FEDERAL AVIATION ADMINISTRATION ADVISORY CIRCULAR, 150-5345-43, FAA/ DOD SPECIFICATION L-864: FLASHING RED OBSTRUCTION LIGHTING.
    - H. FEDERAL COMMUNICATIONS COMMISSION:
      - \* FEDERAL COMMUNICATIONS COMMISSION - RULES AND REGULATIONS PART 17: CONSTRUCTION, MARKING AND LIGHTING OF ANTENNA STRUCTURES.
    - I. STRUCTURAL STEEL PAINTING COUNCIL:
      - \* SPCC-SP-1-63: SPECIFICATION FOR PAINTING STEEL STRUCTURES.
    - J. MOTOROLA R56 STANDARDS AND GUIDELINES FOR COMMUNICATIONS SITES (LATEST REVISION).
    - K. MOTOROLA'S CIVIL WORKS BID SPECIFICATIONS
    - L. NATIONAL FIRE PROTECTION ASSOCIATION:
      - \* NFPA 1 - FIRE PREVENTION CODE
      - \* NFPA 70 - NATIONAL ELECTRICAL CODE
      - \* NFPA 101 - LIFE SAFETY CODE
      - \* NFPA 111 - STANDARD ON STORED ELECTRICAL ENERGY, EMERGENCY AND STANDBY POWER SYSTEMS
      - \* NFPA 780 - STANDARD FOR THE INSTALLATION OF LIGHTNING PROTECTION SYSTEMS
    - M. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION:
      - \* OSHA 1926
      - \* OSHA DIRECTIVES CPL 2-1.29 - INTERIM INSPECTION PROCEDURES DURING COMMUNICATION TOWER CONSTRUCTION ACTIVITIES.
    - N. STANDARD BUILDING CODE:
      - \* SCC SECTION 1607 EARTHQUAKE LOADS. ASCE-7 MAP MAY BE USED IN DETERMINING COEFFICIENT VALUES FOR A, AND AV.
    - O. VIRGINIA UNIFORM STATEWIDE BUILDING CODE (LATEST EDITION).

- 1.4. NOTICE TO PROCEED
 

WHEN THE SITE IS READY FOR INSTALLATION, MOTOROLA SHALL ISSUE A NOTICE TO PROCEED TO THE CONTRACTOR. UPON RECEIPT OF THE NOTICE TO PROCEED, THE CONTRACTOR SHALL SUBMIT TO MOTOROLA A SCHEDULE REFLECTING THE WORK PLAN. THE CONTRACTOR SHALL ADVISE THE MOTOROLA REPRESENTATIVE IMMEDIATELY OF ANY SCHEDULE CHANGES. THE CONTRACTOR SHALL ADJUST HIS WORK, AS REQUIRED, TO COORDINATE WITH THE MOTOROLA INSTALLATION TEAM IF THE SCHEDULES OVERLAP.
- 1.5. MOTOROLA REPRESENTATIVE:
 

MOTOROLA SHALL DESIGNATE A REPRESENTATIVE. THIS PERSON IS THE ONLY CONTACT POINT AUTHORIZED TO MAKE ANY CHANGES TO THE CONTRACT PROVISIONS OR THE PLANS AND SPECIFICATIONS. ANY CHANGES MADE BY THE CONTRACTOR ARE AT THE CONTRACTOR'S RESPONSIBILITY AND RISK.
- 1.6. CONTRACTORS FIELD REPRESENTATIVE
 

CONTRACTOR SHALL ASSIGN A FIELD REPRESENTATIVE WHO IS FAMILIAR WITH THESE SPECIFICATIONS AND WILL REPRESENT THE CONTRACTOR AND HAVE THE AUTHORITY TO ACT FOR THE CONTRACTOR AND SUPERVISE ALL CONSTRUCTION ACTIVITIES. THE FIELD REPRESENTATIVE SHALL BE AVAILABLE WHEN CONSTRUCTION ACTIVITIES BEGIN. THE FIELD REPRESENTATIVE SHALL BE THE PRIMARY POINT OF CONTACT FOR MOTOROLA DURING THE CONSTRUCTION PHASE OF THE WORK.
- 1.7. PROJECT MEETINGS
 

THE CONTRACTOR SHALL CONDUCT THE INITIAL (PRE-CONSTRUCTION) MEETING (INCLUDING ALL SUB-CONTRACTORS) WITH THE MOTOROLA REPRESENTATIVE WITHIN TWO WEEKS AFTER AWARD OF THE CONTRACT. SUBSEQUENTLY, THE CONTRACTOR SHALL PROVIDE PROGRESS SCHEDULE UPDATES TO MOTOROLA ON A WEEKLY BASIS.
- 1.8. MATERIALS
 

CONTRACTOR SHALL FURNISH AND INSTALL ALL MATERIAL AS REQUIRED FOR COMPLETE SYSTEMS INCLUDING: ALL PARTS OBVIOUSLY OR REASONABLY INCIDENTAL TO A COMPLETE INSTALLATION, WHETHER SPECIFICALLY INDICATED OR NOT. ALL SYSTEMS SHALL BE COMPLETELY ASSEMBLED, TESTED, ADJUSTED AND DEMONSTRATED TO BE READY FOR OPERATION PRIOR TO MOTOROLA'S ACCEPTANCE.

MATERIALS AND WORKMANSHIP SHALL BE THE BEST OF THEIR RESPECTIVE KINDS (AS DEFINED BY INDUSTRY STANDARDS), FREE OF DEFECTS AND ALL MATERIALS SHALL BE NEW AND UNUSED IN ALL CASES, UNLESS OTHERWISE SPECIFIED. WHERE THE NAME OF A CONCERN OR MANUFACTURER IS MENTIONED ON DRAWINGS OR IN SPECIFICATIONS IN REFERENCE TO A REQUIRED SERVICE OR PRODUCT, AND NO QUALIFICATIONS OR SPECIFICATION OF SUCH IS INCLUDED, THEN THE MATERIAL SPECIFICATIONS, DETAILS OF MANUFACTURE, FINISH, ETC., SHALL BE IN ACCORDANCE WITH MANUFACTURER'S STANDARD PRACTICE, DIRECTION OR SPECIFICATIONS. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO THE MANUFACTURER'S / VENDOR'S SPECIFICATIONS UNLESS NOTED OTHERWISE OR WHERE LOCAL CODES OR ORDINANCES TAKE PRECEDENCE.
- 1.9. VERIFICATION OF EXISTING CONDITIONS
 

BEFORE STARTING ANY OPERATION, THE CONTRACTOR SHALL EXAMINE EXISTING WORK PERFORMED BY OTHERS, TO WHICH ITS WORK IS TO ADJOIN OR BE APPLIED, AND SHALL REPORT TO MOTOROLA PROJECT MANAGER ANY CONDITIONS THAT WILL PREVENT SATISFACTORY ACCOMPLISHMENT OF HIS WORK. PRIOR TO COMMENCING ANY EXCAVATION OR GRADING, THE CONTRACTOR SHALL SATISFY HIMSELF AS TO THE ACCURACY OF ALL SURVEY DATA AS INDICATED IN THE PLANS AND SPECIFICATIONS AND / OR AS PROVIDED BY MOTOROLA. SHOULD THE CONTRACTOR DISCOVER ANY INACCURACIES, ERRORS, OR OMISSIONS IN THE SURVEY DATA, HE SHALL IMMEDIATELY NOTIFY THE MOTOROLA REPRESENTATIVE IN ORDER THAT PROPER ADJUSTMENTS CAN BE ANTICIPATED AND ORDERED. FAILURE TO NOTIFY THE MOTOROLA REPRESENTATIVE OF DEFICIENCIES, ERRORS OR FAULTS PRIOR TO COMMENCEMENT OF WORK SHALL CONSTITUTE ACCEPTANCE THEREOF AND WAIVER OF ANY CLAIMS OF UNSUITABILITY, ERRORS, OMISSIONS OR INACCURACIES.

THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, EASEMENTS, ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK THE CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR PRESERVING ALL ESTABLISHED SURVEY CONTROL POINTS. IF THE CONTRACTOR OR ANY OF HIS SUB-CONTRACTORS MOVE OR DESTROY ANY SURVEY CONTROL POINTS, THE COST INCURRED BY THE LAND OWNER OR MOTOROLA TO RE-ESTABLISH THEM WILL BE BORNE BY THE CONTRACTOR.
- 1.10. PERMITS
 

THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES BEARING ON THE PERFORMANCE OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS WHICH MAY BE REQUIRED FOR THE WORK BY THE STATE, COUNTY OR LOCAL GOVERNMENT AUTHORITY. THE WORK PERFORMED ON THE PROJECT AND THE MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. THE CONTRACTOR SHALL MEET ALL OF THE REGULATORY REQUIREMENTS OF THE JURISDICTION GOVERNING CONSTRUCTION.
- 1.11. SITE INSPECTION BY MOTOROLA
 

THE CONTRACTOR SHALL HAVE THE RESPONSIBILITY FOR ARRANGING WITH MOTOROLA FOR AN INSPECTION PRIOR TO COVERING UP ALL WORK THAT WILL BE COVERED IN FINISHED CONDITION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MANAGE THE SEQUENCE OF WORK AND REQUEST THE INSPECTIONS IN A TIMELY MANNER. THE CONTRACTOR SHALL NOT REQUEST AN INSPECTION UNLESS ALL OF THE RELATED WORK HAS BEEN COMPLETED. WORK SHALL NOT PROCEED TO THE NEXT STEP UNTIL THE PREVIOUS STEP HAS BEEN INSPECTED AND APPROVED BY THE LOCAL INSPECTORS AND THE MOTOROLA REPRESENTATIVE. THE PRESENCE OF THE OWNER OR MOTOROLA REPRESENTATIVE ON THE JOB SITE IN NO WAY RELIEVES THE CONTRACTOR OF THE ASSOCIATED RESPONSIBILITIES OF THE JOB. ANY WORK WHICH DOES NOT MEET THE REQUIREMENTS OF THE CONTRACT DOCUMENTS WILL BE CORRECTED OR REMOVED SOLELY AT THE CONTRACTOR'S EXPENSE.

THE FOLLOWING INFORMATION IS INCLUDED AS A GUIDE TO THE CONTRACTOR TO ASSIST IN DETERMINING THE TYPE AND FREQUENCY OF INSPECTIONS. THE LISTED INSPECTIONS REPRESENT THOSE REQUIRED FOR SMALL OR SIMPLE PROJECTS. LARGE OR COMPLEX PROJECTS MAY REQUIRE ADDITIONAL INSPECTIONS DEPENDING ON THE SEQUENCE OF WORK.

  - \* FOUNDATIONS EXCAVATION AND REBAR: TO BE MADE AFTER TRENCHES ARE EXCAVATED AND FORMS ERECTED, REINFORCEMENT PLACED, COMPACTION TESTED, SOIL TREATED, VAPOR BARRIER PLACED, AND ESSENTIALLY READY FOR CONCRETE PLACEMENT.
  - \* GROUNDING: TO BE MADE AFTER THE BELOW GROUND CADWELD CONNECTIONS HAVE BEEN COMPLETED, PRIOR TO COVERING UP TRENCHES.
  - \* ELECTRICAL WORK WITHIN WALLS: TO BE MADE AFTER THE ROOF, FRAMING, FIREBLOCKING AND BRACING IS IN PLACE PRIOR TO INSTALLATION OF INSULATION OR WALL/CEILING MEMBRANES.

AS A GENERAL RULE, THE CONTRACTOR SHALL PROVIDE ADVANCE NOTICE TO MOTOROLA FOR INSPECTION OF ALL WORK PRIOR TO CONCEALMENT. THE CONTRACTOR HAS RESPONSIBILITIES RELATIVE TO ALL TYPES OF INSPECTIONS AND IS RESPONSIBLE FOR CONTACTING ALL OF THE INSPECTING ENTITIES TO DETERMINE HIS RESPONSIBILITIES. ALL OF THESE INSPECTING ENTITIES HAVE UNIQUE AND SEPARATE RESPONSIBILITIES. ONE INSPECTION FROM AN ENTITY WILL NOT SUBSTITUTE FOR AN INSPECTION FROM ANOTHER ENTITY.
- 1.12. SAFETY
 

THE CONTRACTOR, HIS EMPLOYEES, ANY SUB-CONTRACTORS, VENDORS, THEIR RESPECTIVE EMPLOYEES AND CONTRACTOR'S VISITORS SHALL COMPLY WITH ALL SAFETY STANDARDS, ACCIDENT PREVENTION REGULATIONS AND ENVIRONMENTAL REGULATIONS PROMULGATED BY FEDERAL, STATE OR LOCAL AUTHORITIES HAVING JURISDICTION AND SHALL AT ALL TIMES CONDUCT ALL OPERATIONS UNDER THE CONTRACT IN A MANNER TO AVOID THE RISK OF ANY SAFETY PROGRAMS AND/OR RULES PROMULGATED BY OWNER AND/OR MOTOROLA.

**Attachment C**

- 1.13. ELECTROMAGNETIC EMISSIONS
 

THE CONTRACTOR SHALL ACKNOWLEDGE ALL OR PORTIONS OF THE WORK MAY INVOLVE POSSIBLE EXPOSURE OF CONTRACTOR, SUB-CONTRACTORS, AND THEIR RESPECTIVE EMPLOYEES, AGENTS, INVIETES, LICENSEES AND OTHER VISITORS TO THE JOBSITE AND/OR MOTOROLA PREMISES TO ELECTRO-MAGNETIC ENERGY ("EME") WHILE PERFORMING WORK UNDER THIS CONTRACT, ESPECIALLY IF WORK IS PERFORMED ON EXISTING ANTENNA TOWERS OR BUILDING TOPS WHERE ANTENNAS ARE LOCATED. THE CONTRACTOR REPRESENTS THAT CONTRACTOR, SUBCONTRACTORS, AND ALL OF THEIR RESPECTIVE EMPLOYEES, AGENTS, INVIETES, LICENSEES, AND OTHER AUTHORIZED REPRESENTATIVES WHO ARE PERFORMING SERVICES UNDER THIS AGREEMENT WILL COMPLY WITH ALL ANSI AND ANY OTHER APPLICABLE EME STANDARDS, RULES OR REGULATIONS, INCLUDING, BUT NOT LIMITED TO THOSE RULES OR REGULATIONS IMPOSED OR SUGGESTED BY MOTOROLA, IF ANY.

THE CONTRACTOR SHALL ADHERE TO ALL OSHA RULES, REGULATIONS AND ADOPTED POLICIES. ALL CONTRACTOR PERSONNEL SHALL HAVE UNDERGONE ELECTROMAGNETIC ENERGY (EME) TRAINING FOR PERSONNEL WORKING IN THE VICINITY OF ACTIVE ANTENNAS. AS SUCH IT IS RECOMMENDED THAT RF MONITORS BE USED BY THE TOWER PERSONNEL TO MONITOR EXPOSURE LEVELS. IF EME LEVELS AT THE SITE EXCEED THE MAXIMUM PERMISSIBLE EXPOSURE LIMITS, THE CONTRACTOR SHALL COORDINATE WITH THE INDIVIDUALS RESPONSIBLE FOR USE OF THE TRANSMITTER TO MAKE SURE THAT THE EQUIPMENT IS DEACTIVATED BEFORE WORK CAN BE RESUMED, WITHOUT CAUSING A SERIOUS DISRUPTION OF THE SERVICE.
- 1.14. SITE CLEANUP
 

THE CONTRACTOR SHALL KEEP THE GENERAL WORK AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS, VEGETATION, AND RUBBISH, AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. WHENEVER THE WORK-SITE IS LEFT UNATTENDED, THE CONTRACTOR SHALL BLOCK THE OPENING WITH WARNING TAPE TO DISCOURAGE TRESPASSING. THE PREMISES SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE AT THE CONCLUSION OF SITE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LANDSCAPE GRADING AND SEEDING OF THE DISTURBED SOIL. THE CONTRACTOR SHALL USE LOCAL GRASS SEED TO STABILIZE SOIL AND SHALL COVER DISTURBED AREAS WITH HAY MULCH TO REDUCE RUNOFF OF SEDIMENT TO DOWNSTREAM AREAS. THE CONTRACTOR SHALL RESTORE THE SITE TO ITS ORIGINAL CONDITION. ALL SLOPES AND DISTURBED AREAS NOT RECEIVING AGGREGATE SURFACING ARE TO BE PREPARED AND BROADCAST SEEDED AND FERTILIZED FOR EROSION PROTECTION. SEEDING FOR AREAS DISTURBED SHALL BE ESTABLISHED SEASONALLY AS REQUIRED BY LOCAL CODES.

THE CONTRACTOR SHALL EXERCISE ALL CARE TO AVOID DAMAGE OR INTERRUPTION OF EXISTING UNDERGROUND OR OVERHEAD ELECTRIC SERVICES, UNDERGROUND GROUNDING AND FUEL LINES, EQUIPMENT AND BUILDINGS ON THE SITE, PLUS OFF SITE SERVICES, BURIED OR OVERHEAD, SURROUNDING THE EXISTING OR EXPANDED COMPOUND. ANY PROPERTY DAMAGE CAUSED BY THE CONTRACTOR OR HIS OPERATIONS SHALL BE CORRECTED AND/OR RESTORED TO THE SATISFACTION OF THE PROPERTY OWNER(S) AND MOTOROLA AT NO ADDITIONAL COST TO THE PROPERTY OWNER OR MOTOROLA.
- 1.15. FACILITY STARTUP & COMMISSIONING
 

THE CONTRACTOR AND/OR SUB-CONTRACTORS SHALL DEMONSTRATE TO MOTOROLA THAT ALL SYSTEMS AND SUB-SYSTEMS INSTALLED UNDER THIS CONTRACT, OPERATE PROPERLY PRIOR TO THE FINAL ACCEPTANCE INSPECTION. PROVIDE THE OPERATIONS AND MAINTENANCE MANUALS AT THIS TIME.
- 1.16. AS-BUILT DRAWINGS
 

THE CONTRACTOR SHALL KEEP UP-TO-DATE MARKED UP PRINTS OF THE PROJECT DRAWINGS. UPON COMPLETION OF WORK AT THE SITE, THE CONTRACTOR SHALL REVIEW THE COMPLETE AS-BUILT DRAWINGS, AND ASCERTAIN THAT ALL DATA FURNISHED ON THE DRAWINGS IS ACCURATE AND TRULY REPRESENTS THE WORK AS ACTUALLY INSTALLED. MARKING INDICATING CHANGES TO THE DRAWINGS SHALL BE RED OR GREEN AND CLEARLY VISIBLE. TWO (2) SETS OF "AS-BUILT" DRAWINGS SHALL BE FURNISHED TO THE MOTOROLA REPRESENTATIVE AT THE COMPLETION OF THE PROJECT. THESE DRAWINGS SHALL ALSO SHOW THE FOLLOWING:

  - \* MODIFICATIONS TO SITE LAYOUT
  - \* GROUNDING SYSTEM LAYOUT
  - \* UNDERGROUND FUEL LINE RUN
  - \* UNDERGROUND TELCO CABLE RUN
  - \* UNDERGROUND ELECTRICAL RUN

WHERE THE CONTRACTOR IS RESPONSIBLE FOR SUPPLYING THE SITE EQUIPMENT (SHELTER, ISOLATION TRANSFORMER, GENERATOR, ETC.) THAT REQUIRES PERIODIC MAINTENANCE, THE CONTRACTOR SHALL INCLUDE ALL OPERATION AND MAINTENANCE MANUALS AND ALL AS-BUILT DRAWINGS WHICH FULLY DESCRIBE THE ACTUAL INSTALLED EQUIPMENT.
- 1.17. TEST PROCEDURES AND RESULTS
 

THE CONTRACTOR IS REQUIRED TO SUBMIT THE RESULTS OF ALL TESTS REQUIRED BY THE PROJECT SPECIFICATIONS AND DRAWINGS THAT FALL WITHIN THE SCOPE OF WORK TO THE MOTOROLA REPRESENTATIVE WITHIN FIVE (5) DAYS OF THE TEST. THE CONTRACTOR IS REQUIRED TO SUBMIT TEST PROCEDURES NINETY (90) DAYS PRIOR TO THE TESTS BEING CONDUCTED. IN GENERAL, THE CONTRACTOR SHALL SUBMIT THE FOLLOWING TEST RESULTS:

  - \* CONCRETE COMPRESSION TEST FOR ALL CONCRETE WORK.
  - \* TIME DOMAIN REFLECTOMETER (TDR)/SWEEP TEST FOR ANTENNA AND TRANSMISSION LINE INSTALLATION WORK.
  - \* FUEL LINE LEAKAGE TEST FOR FUEL TANK AND PIPING INSTALLATION WORK.
  - \* SLUMP TEST FOR CONCRETE WORK.
  - \* GROUNDING RESISTANCE TEST FOR GROUNDING WORK.
  - \* ANY OTHER TEST THAT MAY BE REQUIRED.
- 1.18. CONTRACT CLOSEOUT
 

THE MOTOROLA REPRESENTATIVE WILL PROVIDE A CERTIFICATE OF COMPLETION AND APPROVE FINAL PAYMENT WHEN ALL PUNCH-LIST ITEMS HAVE BEEN CORRECTED AND ALL SYSTEMS ARE ACCEPTABLE. AFTER FINAL PAYMENT, CONTRACTOR WILL SIGN A RELEASE OF LIEN.
- 1.19. WARRANTY
 

ALL WORK PERFORMED BY THE CONTRACTOR IN COMPLETING THE SCOPE IDENTIFIED ON THE DRAWINGS SHALL BE GUARANTEED BY THE CONTRACTOR FOR A PERIOD OF ONE YEAR FROM THE DATE OF FINAL COMPLETION OF THE PROJECT. THIS GUARANTEE SHALL COVER ALL MATERIALS, EQUIPMENT OR WORKMANSHIP WHICH IN THE OPINION OF MOTOROLA IS RENDERED DEFECTIVE OR INFERIOR OR NOT IN ACCORDANCE WITH THE TERMS OF THE CONTRACT DURING THE GUARANTEE PERIOD. IF, WITHIN THE GUARANTEE PERIOD, REPAIRS OR CHANGES ARE REQUIRED TO CORRECT THE GUARANTEE WORK THEN UPON RECEIPT OF NOTICE, THE CONTRACTOR SHALL PROMPTLY AND WITHOUT EXPENSE TO MOTOROLA OR THE CITY OF SUFFOLK, PROCEED TO:

  - \* PLACE IN SATISFACTORY CONDITION ALL OF SUCH GUARANTEED WORK AND CORRECT ALL DEFECTS THEREIN;
  - \* MAKE GOOD ALL DAMAGES TO THE STRUCTURE OR SITE OR EQUIPMENT OR CONTENTS THEREOF, WHICH, IN THE OPINION OF MOTOROLA, IS THE RESULT OF THE USE OF MATERIALS, EQUIPMENT, OR WORKMANSHIP WHICH ARE INFERIOR, DEFECTIVE, OR NOT IN ACCORDANCE WITH THE TERMS OF THE CONTRACT.
  - \* MAKE GOOD ANY WORK, MATERIALS OR EQUIPMENT, AND ADJACENT STRUCTURES DISTURBED IN FULFILLING THE GUARANTEE.

| NO. | DATE       | REVISION                          |
|-----|------------|-----------------------------------|
| 90% | 10/02/2015 | 90% SITE PLAN DRAWINGS SUBMISSION |
| 95% | 12/11/2015 | 95% SITE PLAN DRAWINGS SUBMISSION |
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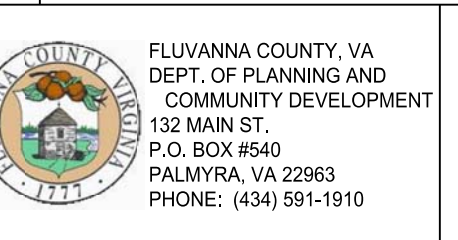
SHERIFF'S OFFICE

160 COMMONS BLVD.  
PALMYRA, VIRGINIA 22963  
FLUVANNA COUNTY, VA

DATE OF ORIGATION : 08/01/2015

DRAWN BY : TNW      APPROVED BY :

CHECKED BY :      KCI# : 0214-7855-J



FLUVANNA COUNTY, VA  
DEPT. OF PLANNING AND  
COMMUNITY DEVELOPMENT  
132 MAIN ST.  
P.O. BOX #540  
PALMYRA, VA 22963  
PHONE: (434) 591-1910

SEAL:

**GENERAL REQUIREMENTS**

**T-2**



**GENERAL NOTES:**

1. ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED.
2. HORIZONTAL DATUM IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM OF 1983 IN US FEET.
3. VERTICAL DATUM IS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988.
4. REFERENCE: DEED BOOK 276, PAGE 855.
5. THIS PLAN DOES NOT REPRESENT A TITLE SURVEY OF THE PARENT TRACT.
6. FLOOD INSURANCE RATE MAP: 51065C0160C, ZONE X.
7. INFORMATION SHOWN HEREON BASED ON AERIAL PHOTOGRAPHY AND INFORMATION CONTAINED IN THE PUBLIC RECORDS OF THE FRANKLIN CO. REGISTER OF DEEDS AND TAX ASSESSORS OFFICES.
8. LANDOWNER INFORMATION:  
COUNTY OF FLUVANNA, VA.  
P.O. BOX 299  
PALMYRA, VA 22963

**CENTERLINE  
TOWER DATA**

LAT 37° 51' 51.96" (NAD '83)  
LON 78° 16' 36.32" (NAD '83)

AVERAGE GROUND ELEVATION AT  
CENTERLINE OF PROPOSED TOWER  
ELEV. = @ 334.65' (NAVD '88)

N/F PACE, NANCY WALTON  
PARCEL ID#: 30-A-2  
WB 60 PG 745  
9.244 ACRES  
ZONING: A-1

N/F ANDERSON, EARL C.  
AND FAYE B.  
PARCEL ID#: 30-A-2A  
DB 152 PG 168  
2.148 ACRES  
ZONING: A-1

N/F NEWTON, ELEANOR T.  
PARCEL ID#: 30-1-A1  
DB 246 PG 292  
1.18 ACRES  
ZONING: A-1

N/F FLUVANNA CO.  
PARCEL ID#: 30-A-1  
DB 276 PG 855  
500 ACRES  
ZONING: CP

N/F HOTEL STREET CAPITAL LLC  
PARCEL ID#: 30-A-110  
DB 589 634  
222.003 ACRES  
ZONING: R-3

N/F TALLEY, WILLIAM A JR.  
PARCEL ID#: 30-A-112  
DB 882 408  
67.744 ACRES  
ZONING: A-1

N/F TALLEY, WILLIAM A JR.  
PARCEL ID#: 30-A-113  
WB 59 504  
40.0 ACRES  
ZONING: A-1

N/F FLUVANNA CO.  
PARCEL ID#: 30-A-3  
DB 276 PG 855  
196 ACRES  
ZONING: CP

N/F FLUVANNA CO.  
PARCEL ID#: 30-A-8  
DB 276 PG 855  
76.46 ACRES  
ZONING: CP

N/F FLUVANNA CO.  
PARCEL ID#: 30-A-4  
DB 276 PG 855  
7.80 ACRES  
ZONING: CP

N/F RICHARDS, RAYMOND LEE  
AND EDMUND V.  
PARCEL ID#: 30-A-5  
DB 644 PG 871  
4.352 ACRES  
ZONING: A-1

**CONTRACTOR NOTES**

CONTRACTOR SHALL CONTACT A SUBSURFACE UTILITY LOCATOR FOR LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL VERIFY EXISTING UTILITY LOCATIONS BY TEST PIT AS NECESSARY. LOCATION OF UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE AND FOR PLANNING PURPOSES ONLY.

ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH ALL STATE AND LOCAL CODES AND ORDINANCES, THE LATEST EDITION THEREOF.

CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR THIS PROJECT FROM ALL APPLICABLE GOVERNMENT AGENCIES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ABIDING BY ALL CONDITIONS AND REQUIREMENTS OF THE PERMITS.

CONTRACTOR SHALL COORDINATE ALL UTILITY CONNECTIONS WITH APPROPRIATE UTILITY OWNERS.

THESE PLANS ARE NOT FOR RECORDATION OR CONVEYANCE.

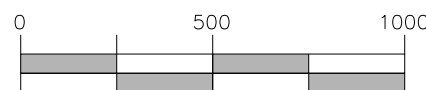
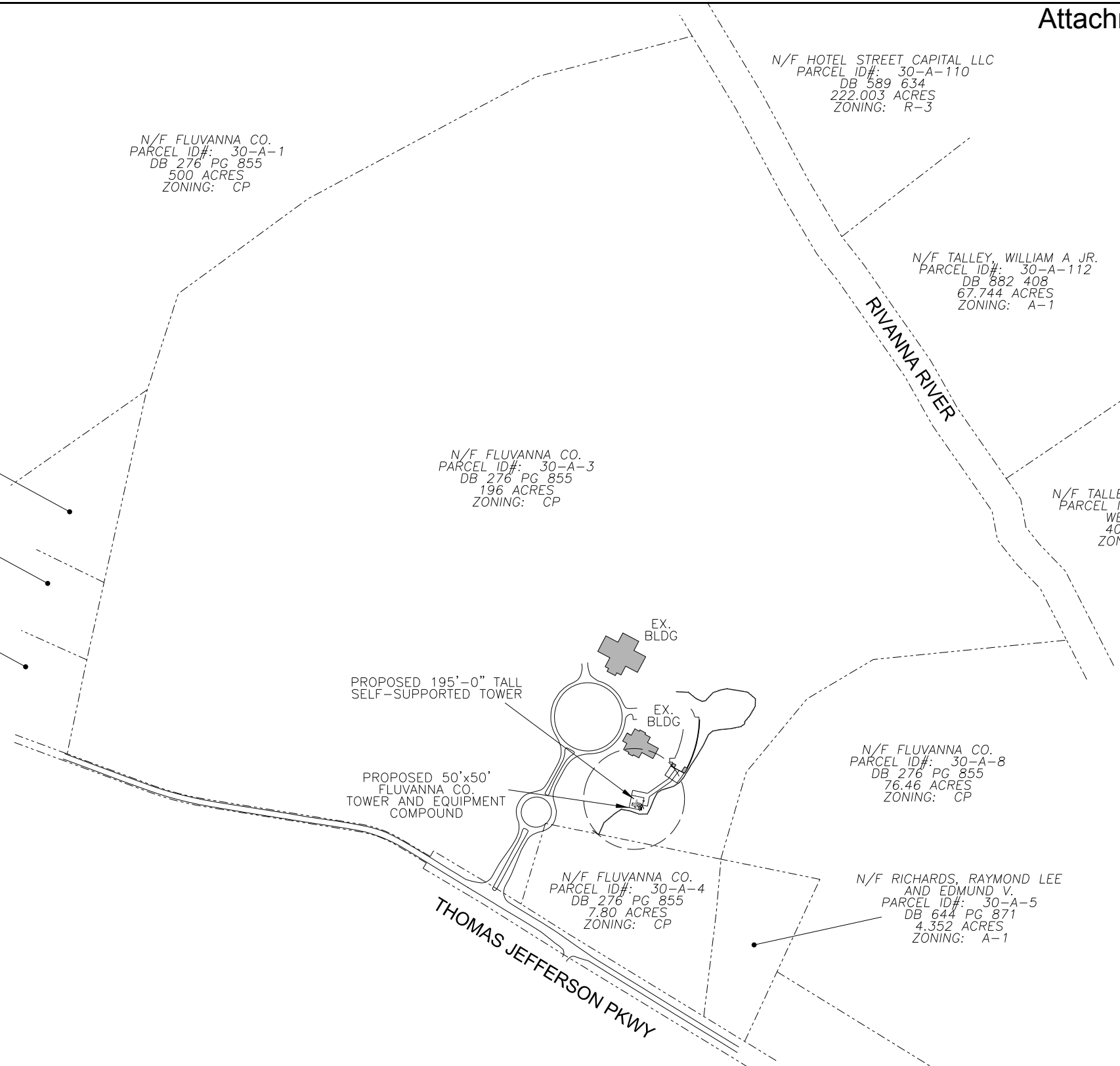
EXISTING PAVEMENT AND OTHER SURFACES DISTURBED BY CONTRACTOR (WHICH ARE NOT TO BE REMOVED) SHALL BE REPAIRED TO PRECONSTRUCTION CONDITIONS BY THE CONTRACTOR.

DAMAGE TO UTILITIES OR PROPERTY OF OTHERS BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE REPAIRED TO LIKE-NEW CONDITION.

NOTIFY "MISS UTILITY OF VIRGINIA" AT 811 OR 1-800-552-7001 - 48 HOURS PRIOR TO DOING ANY EXCAVATION IN THIS AREA.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE.

THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.



1  
C-1

**SITE OVERVIEW**

SCALE: 1" = 500'-0"

| NO. | DATE       | REVISION                          |
|-----|------------|-----------------------------------|
| 90% | 10/02/2015 | 90% SITE PLAN DRAWINGS SUBMISSION |
| 95% | 12/11/2015 | 95% SITE PLAN DRAWINGS SUBMISSION |
|     |            |                                   |
|     |            |                                   |
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**SHERIFF'S OFFICE**

160 COMMONS BLVD.  
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FLUVANNA COUNTY, VA

DATE OF ORIGATION : 08/01/2015

DRAWN BY : TNW      APPROVED BY :

CHECKED BY :      KCI# : 0214-7855-J

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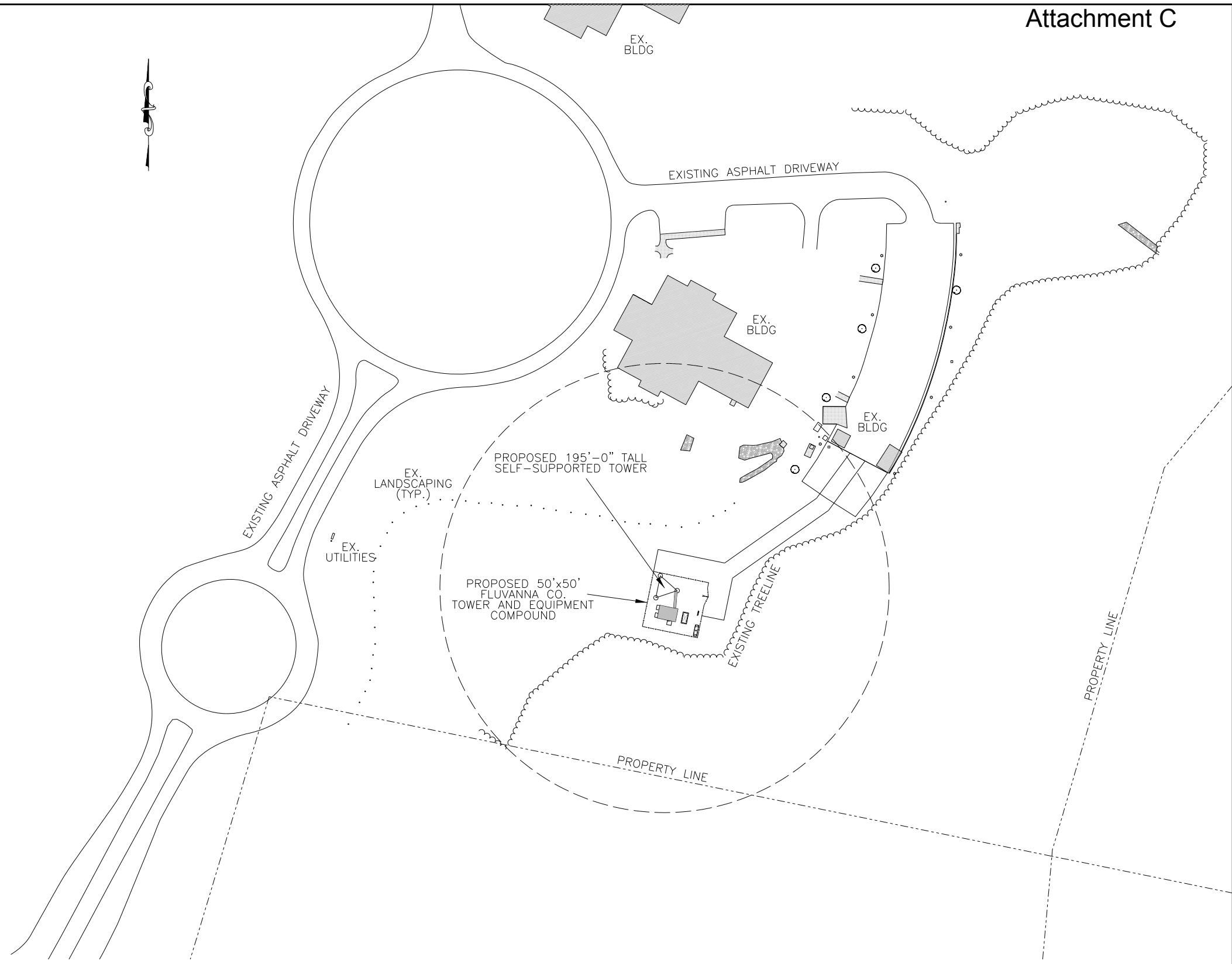
**SITE OVERVIEW**

**C-1**

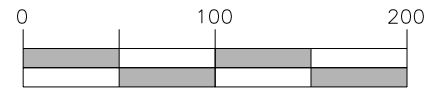
SEAL:

# CONSTRUCTION NOTES

1. PRIOR TO COMMENCING ANY EXCAVATION OR GRADING, THE CONTRACTOR SHALL SATISFY HIMSELF AS TO THE ACCURACY OF ALL SURVEY DATA AS INDICATED IN THE PLANS AND SPECIFICATIONS AND/OR AS PROVIDED BY MOTOROLA.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRESERVING ALL ESTABLISHED SURVEY CONTROL POINTS. IF THE CONTRACTOR OR ANY OF ITS SUBCONTRACTORS MOVE OR DESTROY ANY SURVEY CONTROL POINTS, THE COST INCURRED BY THE OWNER OR MOTOROLA TO RE-ESTABLISH THEM WILL BE BORNE BY THE CONTRACTOR.
3. BEFORE CLEARING, THE CONTRACTOR SHALL ENSURE THAT THE AREA TO BE CLEARED HAS BEEN PROPERLY MARKED BY THE SURVEYORS AND ANY APPROVALS REQUIRED FROM THE LOCAL AUTHORITIES HAVE BEEN OBTAINED.
4. THE CONTRACTOR SHALL ENSURE THAT ALL THE TREES, SHRUBS, STUMPS AND OTHER SURFACE OBSTRUCTIONS ARE REMOVED AND DISPOSED OF AT AN APPROVED DUMPSITE.
5. THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES BEARING ON THE PERFORMANCE OF THE WORK. THE WORK PERFORMED ON THE PROJECT AND THE MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES.
6. THE SCOPE OF WORK SHALL INCLUDE FURNISHING ALL MATERIALS AND EQUIPMENT NOT SHOWN IN THE BILL OF MATERIALS AS OWNER FURNISHED, AND ALL LABOR DEEMED NECESSARY TO COMPLETE THE WORK/PROJECT AS DESCRIBED HEREIN.
7. THE CONTRACTOR SHALL VISIT THE JOB SITE PRIOR TO PERFORMING WORK TO FAMILIARIZE THEMSELVES WITH THE FIELD CONDITIONS AND TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES OR INTERFERENCES WHICH AFFECT THE WORK OF THIS CONTRACT.
8. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO THE MANUFACTURER'S/VENDOR'S SPECIFICATIONS UNLESS NOTED OTHERWISE OR WHERE LOCAL CODES OR ORDINANCES TAKE PRECEDENCE.
9. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, EASEMENTS, PAVING, CURBING, ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK, THE CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
10. THE CONTRACTOR SHALL KEEP THE GENERAL WORK AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS, VEGETATION, AND RUBBISH, AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. PREMISES SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE.
11. SEED AND MULCH ALL DISTURBED AREAS NOT COVERED BY OTHER MATERIALS IN ACCORDANCE WITH THE SPECIFICATIONS.
12. ANY PROPERTY DAMAGE CAUSED BY THE CONTRACTOR OR HIS OPERATIONS SHALL BE CORRECTED AND/OR RESTORED TO THE SATISFACTION OF THE PROPERTY OWNER(S) AND MOTOROLA AT NO ADDITIONAL COST TO THE PROPERTY OWNER OR MOTOROLA.
13. WHERE POSSIBLE BY THE LOCAL CODES, AN EPA APPROVED HERBICIDE SHALL BE APPLIED TO ALL AREAS PRIOR TO LAYING DOWN THE GEOTEXTILE FABRIC, THE RATE OF APPLICATION OF THIS HERBICIDE SHALL BE A MIN. OF 10 lbs. OF PRODUCT PER ACRE, UNLESS OTHERWISE REQUIRED BY LOCAL CODES OR MANUFACTURER'S RECOMMENDATIONS. THE CONTRACTOR SHALL CHECK THE LOCAL CODES PRIOR TO APPLYING DEFOLIANT. SUBSTANCE SHALL NOT BE APPLIED IF GROUND IS FROZEN OR IF DANGER OF DEFOLIANT BEING WASHED BEYOND THE INTENDED AREA IS PRESENT.



1 SITE PLAN  
C-2 SCALE: 1" = 100'-0"



| NO. | DATE       | REVISION                          |
|-----|------------|-----------------------------------|
| 90% | 10/02/2015 | 90% SITE PLAN DRAWINGS SUBMISSION |
| 95% | 12/11/2015 | 95% SITE PLAN DRAWINGS SUBMISSION |
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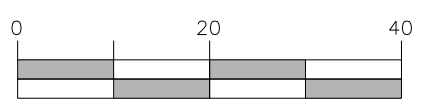
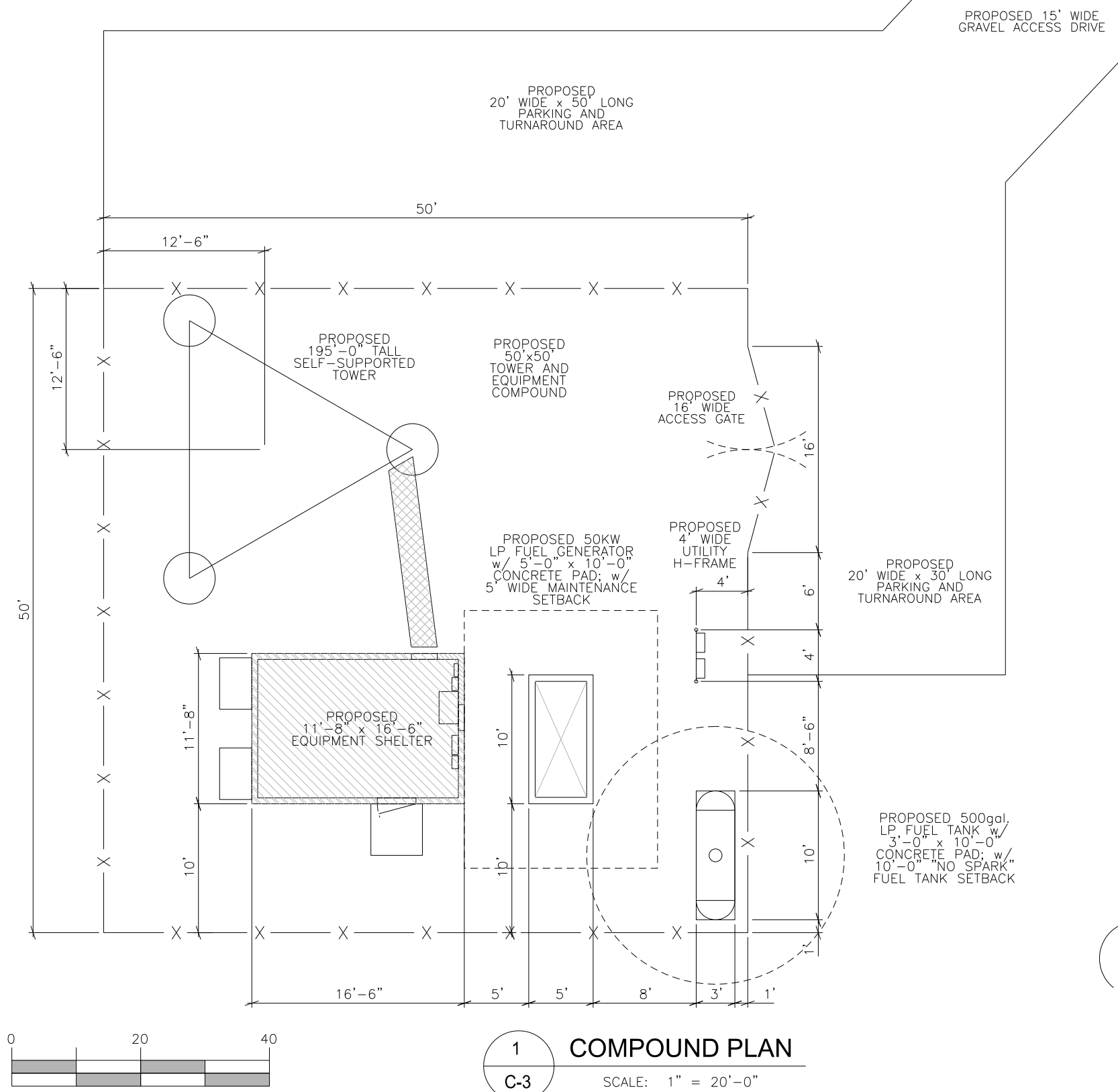
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FLUVANNA COUNTY, VA  
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**SITE PLAN AND NOTES**

**C-2**

SEAL:



1 COMPOUND PLAN  
C-3 SCALE: 1" = 20'-0"

| NO. | DATE       | REVISION                          |
|-----|------------|-----------------------------------|
| 90% | 10/02/2015 | 90% SITE PLAN DRAWINGS SUBMISSION |
| 95% | 12/11/2015 | 95% SITE PLAN DRAWINGS SUBMISSION |
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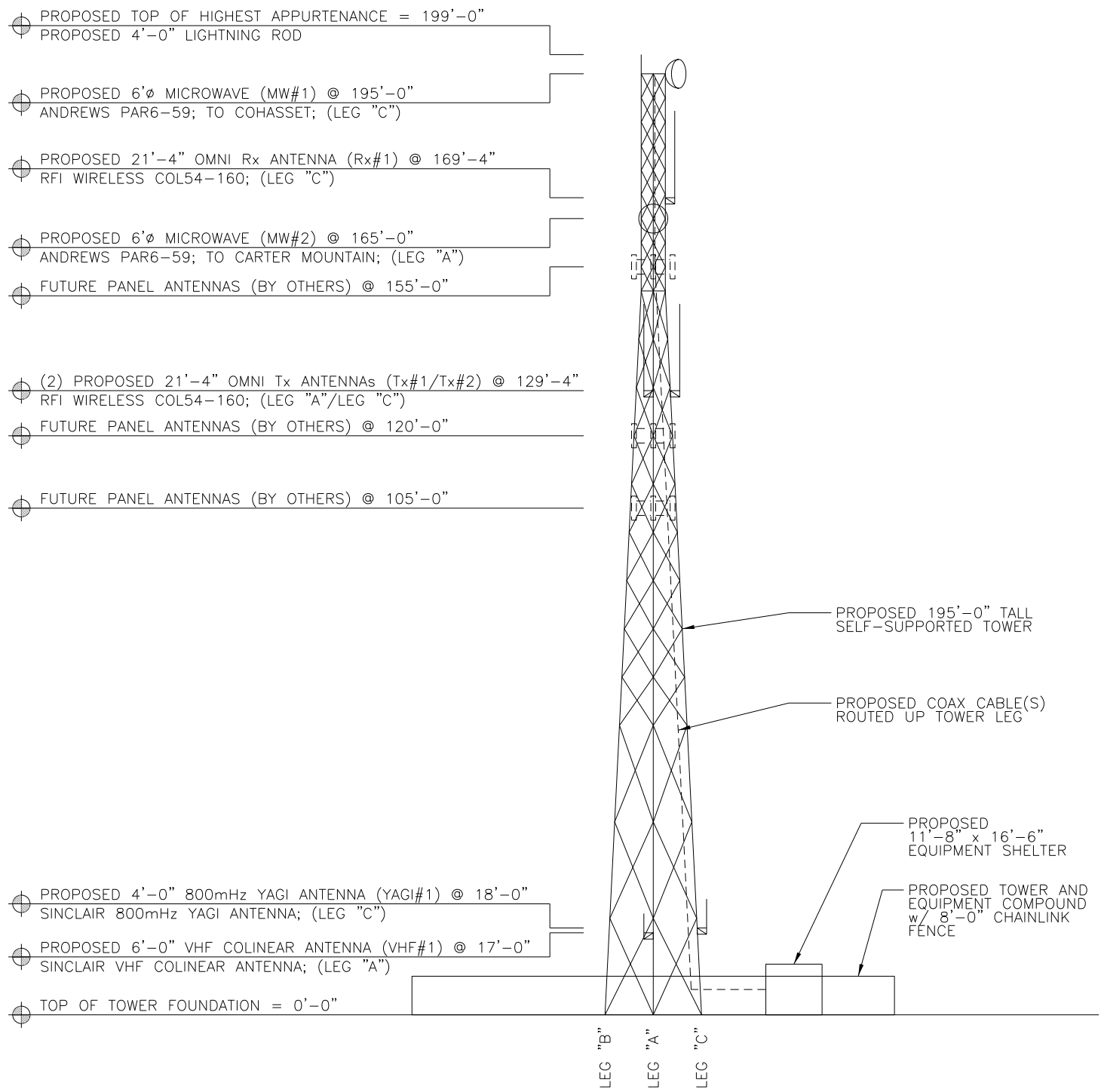
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**FLUVANNA COUNTY VIRGINIA**  
 FLUVANNA COUNTY, VA  
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 132 MAIN ST.  
 P.O. BOX #540  
 PALMYRA, VA 22963  
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COMPOUND PLAN  
**C-3**  
 SEAL:



**1**  
C-4  
**TOWER ELEVATION**  
SCALE: 1" = 30'-0"

| PROPOSED EQUIPMENT AND COAXIAL CABLE SCHEDULE |         |        |        |        |        |
|---|---------|--------|--------|--------|--------|
| ANTENNA                                       | ACRONYM | BAND 1 | BAND 2 | BAND 3 | BAND 4 |
| PROPOSED Rx OMNI ANTENNA                      | Rx#1    | GREEN  | GREEN  |        |        |
| PROPOSED Rx OMNI ANTENNA TOWER TOP AMPLIFIER  | TTA#1   | GREEN  | GREEN  | GREEN  |        |
| PROPOSED Tx OMNI ANTENNA                      | Tx#1    | RED    | RED    |        |        |
| PROPOSED Tx OMNI ANTENNA                      | Tx#1    | RED    | RED    | RED    |        |
| PROPOSED 800MHz YAGI ANTENNA                  | YAGI#1  | ORANGE | ORANGE |        |        |
| PROPOSED VHF COLINEAR ANTENNA                 | VHF#1   | PURPLE | PURPLE |        |        |
| PROPOSED MICROWAVE #1 (TO COHASSET)           | MW#1    | BLUE   | GREEN  |        |        |
| PROPOSED MICROWAVE #2 (TO CARTER'S MOUNTAIN)  | MW#2    | BLUE   | RED    |        |        |
|   |         |        |        |        |        |
|   |         |        |        |        |        |

**GENERAL CONSTRUCTION NOTES**

1. ALL VERTICAL TRANSMISSION LINE RUNS FROM THE ANTENNAS SHALL BE GROUNDED NEAR THE TOP AND BOTTOM OF THE TOWER (BEFORE THE CABLE MAKES HORIZONTAL TRANSITION AND NEAR THE ENTRY PORT ON THE SHELTER. ADDITIONAL TRANSMISSION LINE GROUND KITS SHALL BE INSTALLED AS NEEDED TO LIMIT THE DISTANCE BETWEEN GROUND KITS TO A RANGE OF 50FT (MIN.) TO 65FT (MAX.). TOWER TOP AMPLIFIER SHALL BE GROUNDED TO TOWER TOP GROUND BAR.
2. THE CONTRACTOR SHALL CONDUCT A SWEEP TEST ON ALL THE NEWLY INSTALLED TRANSMISSION LINES TO DETERMINE THE CABLE CONDUCTOR RESISTANCE, CABLE INSERTION LOSS, REFLECTION AND STIMULUS RESPONSE MEASUREMENTS.
3. DRIP LOOPS SHALL BE INCORPORATED IN CABLE RUNS TO PREVENT WATER FROM TRICKLING DOWN THE LINES INTO THE BUILDING.
4. ALL TRANSMISSION LINES SHALL BE MARKED WITH APPROPRIATE COLOR TAPE BANDS (ONE INCH WIDE COLOR TAPE) FOR IDENTIFICATION NEAR THE ANTENNA, AT THE BOTTOM OF VERTICAL RUN, JUST BEFORE ENTERING THE BUILDING AS WELL AS INSIDE THE BUILDING, BEFORE CONNECTING TO THE SURGE SUPPRESSORS. FOR COLOR CODING SCHEME, SEE EQUIPMENT AND CABLE SCHEDULE.

| NO. | DATE       | REVISION                          |
|-----|------------|-----------------------------------|
| 90% | 10/02/2015 | 90% SITE PLAN DRAWINGS SUBMISSION |
| 95% | 12/11/2015 | 95% SITE PLAN DRAWINGS SUBMISSION |
|     |            |                                   |
|     |            |                                   |
|     |            |                                   |
|     |            |                                   |

SUITE 220, LANDMARK CENTER II,  
4601 SIX FORKS ROAD  
RALEIGH, NORTH CAROLINA 27609  
(919) 783-9214  
ENGINEERS • PLANNERS • ECOLOGISTS

MOTOROLA SOLUTIONS, INC.  
7031 COLUMBIA GATEWAY DR.,  
3rd FLOOR  
COLUMBIA, MARYLAND 21046  
CONTACT: GARY SMITH  
PHONE: (301) 775-2509

**SHERIFF'S OFFICE**  
160 COMMONS BLVD.  
PALMYRA, VIRGINIA 22963  
FLUVANNA COUNTY, VA

DATE OF ORIGATION : 08/01/2015

DRAWN BY : TNW      APPROVED BY :

CHECKED BY :      KCI# : 0214-7855-J

FLUVANNA COUNTY, VA  
DEPT. OF PLANNING AND  
COMMUNITY DEVELOPMENT  
132 MAIN ST.  
P.O. BOX #540  
PALMYRA, VA 22963  
PHONE: (434) 591-1910

**TOWER ELEVATION  
AND NOTES**

**C-4**

SEAL:

12-31-08

**Sec. 22-27-3. Exempt telecommunications antenna support facilities.**

The following items are exempt from the provisions of this Article; notwithstanding any other provisions:

- (1) Satellite earth stations that are one meter or less in diameter in all residential zoning districts and two meters or less in all other zoning districts; and
- (2) A government-owned TASF:
  - A) upon the declaration of a state of emergency by federal, state, or local government, and a written determination of public necessity by the County designee; except that such facility must comply with all federal and state requirements; and
  - B. erected for the purposes of installing antenna(s) and ancillary equipment necessary to provide telecommunications for public health and safety;
- (3) A temporary, commercial antenna support facility, upon the declaration of a state of emergency by federal, state, or local government, or determination of public necessity by the County and approved by the County; except that such facility must comply with all federal and state requirements. The telecommunications antenna support facility may be exempt from the provisions of this division up to three (3) months after the duration of the state of emergency; and
- (4) A temporary, commercial antenna support facility, for the purposes of providing coverage of a special event such as news coverage or sporting event, subject to administrative zoning approval by the County, except that such facility must comply with all federal and state requirements. Said telecommunications antenna support facility will be exempt from the provisions of this division up to one week after the duration of the special event. (Ord. 9-21-11)

**Sec. 22-27-4. Applicability.**

This Article shall apply to the development activities including installation, construction, or modification of all TASFs including but not limited to:

- (1) Antenna support facilities used for amateur radio station antennas;
- (2) Existing TASFs;
- (3) Proposed TASFs (concealed and non-concealed);

12-31-08

facilities will not cause radio frequency interference with the County's public safety telecommunications equipment and will implement appropriate technical measures, as described in antenna element replacements, to attempt to prevent such interference.

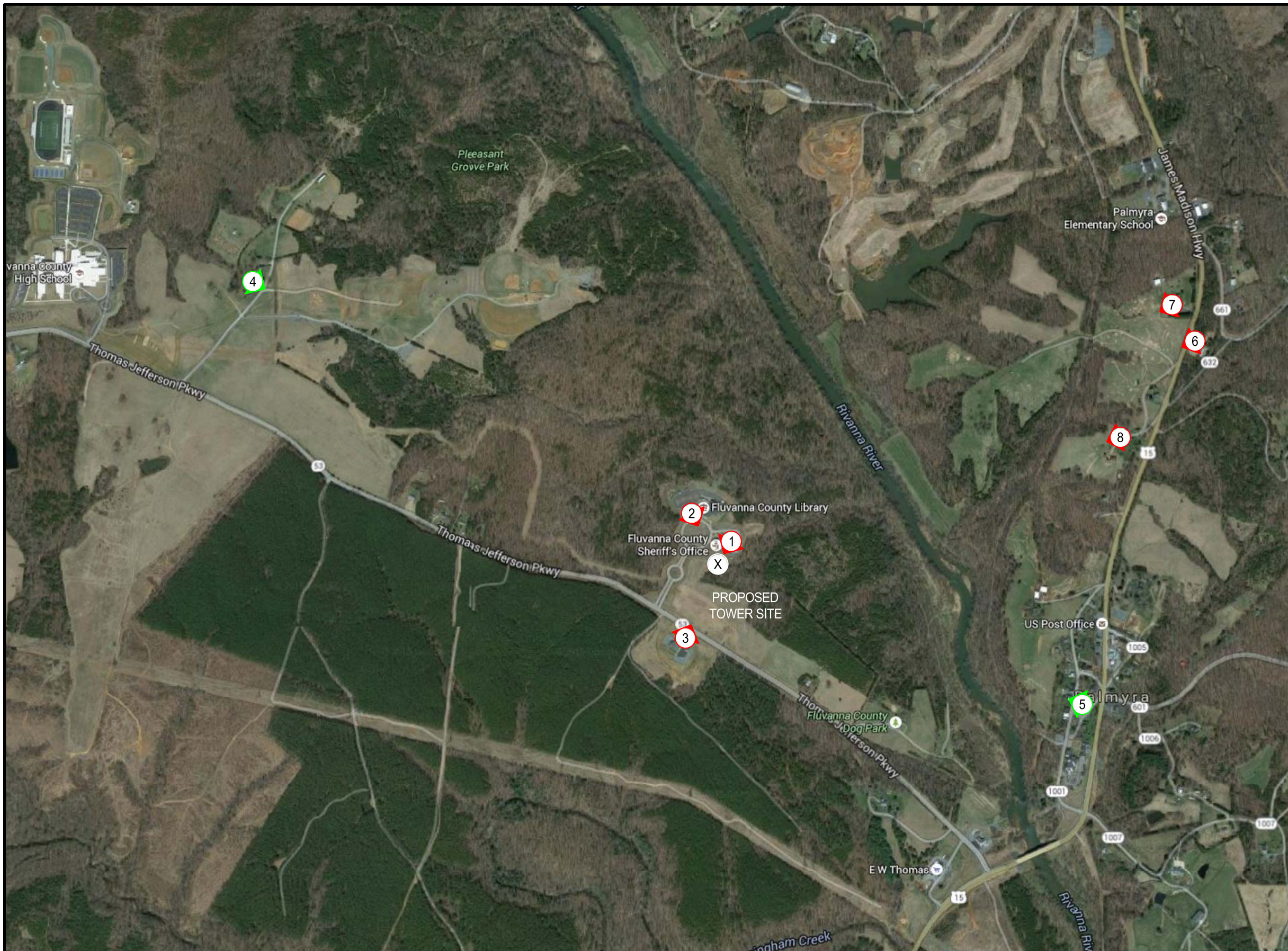
- (4) Whenever the County has encountered radio frequency interference with its public safety telecommunications equipment, and it believes that such interference has been or is being caused by one or more antenna arrays, the following steps shall be taken:
- (a) The County shall provide notification to all wireless service providers operating in the County of possible interference with the public safety telecommunications equipment, and upon such notifications, the owners shall use their best efforts to cooperate and coordinate with the County and among themselves to investigate and mitigate the interference, if any, utilizing the procedures set forth in the joint wireless industry-public safety "Best Practices Guide," released by the FCC in February 2001, including the "Good Engineering Practices," as may be amended or revised by the FCC from time to time.
  - (b) If any equipment owner fails to cooperate with the County in complying with the owner's obligations under this section or if the FCC makes a determination of radio frequency interference with the County public safety telecommunications equipment, the owner who failed to cooperate and/or the owner of the equipment which caused the interference shall be responsible, upon FCC determination of radio frequency interference, for reimbursing the County for all costs associated with ascertaining and resolving the interference, including but not limited to any engineering studies obtained by the County to determine the source of the interference. For the purposes of this subsection, failure to cooperate shall include failure to initiate any response or action as described in the "Best Practices Guide" within twenty-four (24) hours of County's notification.

(Ord. 9-21-11)

**Sec. 22-27-13. Publicly-owned property.**


- (1) Pursuant to applicable law, the County may contract with a third party to administer publicly-owned sites for purposes of developing the sites as part of a master telecommunications plan, consistent with the terms of this Article. Except as specifically provided herein, the terms of this Article, and the requirements established thereby, shall be applicable to all TASFs to be developed or collocated on County-owned sites.





| PHOTO LOCATION INDEX |  |
|----------------------|--|
| No.                  | DESCRIPTION                            |
| X                    | PROPOSED "SHERIFF'S OFFICE TOWER" SITE |
| 1                    | REAR OF SHERIFF'S OFFICE               |
| 2                    | FLUVANNA CO. PUBLIC LIBRARY            |
| 3                    | GRACE AND GLORY LUTHERAN CHURCH        |
| 4                    | PLEASANT GROVE HISTORIC HOUSE          |
| 5                    | OLD COURTHOUSE                         |
| 6                    | 14218 JAMES MADISON HWY                |
| 7                    | 14307 JAMES MADISON HWY                |
| 8                    | 14085 JAMES MADISON HWY                |

| NO. | DATE     | DESCRIPTION               |
|-----|----------|---------------------------|
| 0   | 11/13/15 | 100% PHOTO SIMULATION MAP |


**KCI**  
 TECHNOLOGIES  
 KCI TECHNOLOGIES, INC.  
 4601 Six Forks Rd., Suite 220  
 Raleigh, NC 27609  
 Phone: 919-783-9214


**SHERIFF'S OFFICE TOWER**  
 160 COMMONS BLVD.  
 PALMYRA, VA 22963

ENGINEER:  
 ERIC S. KOHL, PE  
 VA LICENSE NO.: 35675  
THIS DOCUMENT IS THE CREATION, DESIGN, PROPERTY AND COPYRIGHTED WORK OF VERIZON. ANY DUPLICATION OR USE WITHOUT EXPRESS WRITTEN CONSENT IS STRICTLY PROHIBITED.  
 SCALE: AS NOTED  
 DATE: 11/18/2015  
 KCI JOB NUMBER: 02159087-A

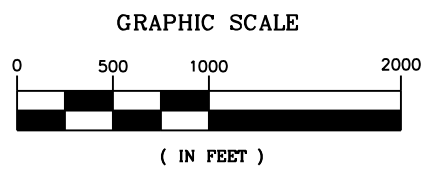
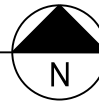





PHOTO SIMULATION MAP  
 SCALE: 11X17: 1" = 1000'  
 24X36: 1" = 500'  


-  PROPOSED TOWER SITE
-  PHOTO LOCATION - PROPOSED TOWER VISIBLE
-  PHOTO LOCATION - PROPOSED TOWER NOT VISIBLE

SHEET TITLE  
 PHOTO SIMULATION MAP  
 SHEET  
 PS-1





**PROPOSED SHERIFF'S OFFICE TOWER PHOTO SIMULATION**  
**PROPOSED 195'-0" SELF-SUPPORT TOWER**  
**PHOTO #1 - FLUVANNA CO. SHERIFF'S OFFICE**  
**TOWER VISIBLE**

For visual reference only. Actual visibility is dependent upon weather conditions, season, sunlight and viewer location.





**PROPOSED 195'  
SELF-SUPPORT TOWER**

2015.10.30 11:44

**PROPOSED SHERIFF'S OFFICE TOWER PHOTO SIMULATION  
PROPOSED 195'-0" SELF-SUPPORT TOWER  
PHOTO #2 - FLUVANNA CO. PUBLIC LIBRARY  
TOWER VISIBLE**

For visual reference only. Actual visibility is dependent upon weather conditions, season, sunlight and viewer location.





**PROPOSED SHERIFF'S OFFICE TOWER PHOTO SIMULATION  
PROPOSED 195'-0" SELF-SUPPORT TOWER  
PHOTO #3 - GRACE AND GLORY LUTHERAN CHURCH  
TOWER VISIBLE**

For visual reference only. Actual visibility is dependent upon weather conditions, season, sunlight and viewer location.





**PROPOSED TOWER  
NOT VISIBLE**

2015.10.30 12:04

**PROPOSED SHERIFF'S OFFICE TOWER PHOTO SIMULATION  
PROPOSED 195'-0" SELF-SUPPORT TOWER  
PHOTO #4 - PLEASANT GROVE HISTORIC HOUSE  
TOWER NOT VISIBLE**

For visual reference only. Actual visibility is dependent upon weather conditions, season, sunlight and viewer location.





**PROPOSED TOWER  
NOT VISIBLE**

2015.10.30 12:50

**PROPOSED SHERIFF'S OFFICE TOWER PHOTO SIMULATION  
PROPOSED 195'-0" SELF-SUPPORT TOWER  
PHOTO #5 - OLD COURTHOUSE  
TOWER NOT VISIBLE**

For visual reference only. Actual visibility is dependent upon weather conditions, season, sunlight and viewer location.





**PROPOSED 195'  
SELF-SUPPORT TOWER**

2015.10.30 12:23

**PROPOSE SHERIFF'S OFFICE TOWER PHOTO SIMULATION  
PROPOSED 195'-0" SELF-SUPPORT TOWER  
PHOTO #6 - 14218 JAMES MADISON HWY  
TOWER VISIBLE**

For visual reference only. Actual visibility is dependent upon weather conditions, season, sunlight and viewer location.





**PROPOSED 195'  
SELF-SUPPORT TOWER**

**PROPOSED SHERIFF'S OFFICE TOWER PHOTO SIMULATION  
PROPOSED 195'-0" SELF-SUPPORT TOWER  
PHOTO #7 - 14307 JAMES MADISON HWY  
TOWER VISIBLE**

For visual reference only. Actual visibility is dependent upon weather conditions, season, sunlight and viewer location.





**PROPOSED 195'  
SELF-SUPPORT TOWER**

**PROPOSED SHERIFF'S OFFICE TOWER PHOTO SIMULATION  
PROPOSED 195'-0" SELF-SUPPORT TOWER  
PHOTO #8 - 14085 JAMES MADISON HWY  
TOWER VISIBLE**

For visual reference only. Actual visibility is dependent upon weather conditions, season, sunlight and viewer location.





# COUNTY OF FLUVANNA

*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

## STAFF REPORT

**To:** Fluvanna County Planning Commission  
**Case Number:** SUB 14:20  
**Tax Map:** Tax Map 18, Section A, Parcel 46

**From:** Steve Tugwell  
**District:** Palmyra  
**Date:** March 23, 2016

**General Information:** This is a request under "*new business*" to be considered by the Planning Commission on Wednesday, March 23, 2016 at 7:00 pm in the Morris Room of the County Administration Building.

**Proposed Sub. Name:** Houchens Place

**Applicant/Owner:** Oscar Houchens

**Representative:** Fluvanna County Habitat for Humanity (Mike Himes)

**Requested Action:** A variation to the sidewalk regulations as required by Sec. 19-8-8 of the subdivision ordinance.

**Subdivision Ordinance:** Sec. 19-8-8 – Sidewalks, and Sec.19-8-8.1. Sidewalk variation

**Location:** The subject property is located on the south side of River Run Drive, approximately .20 miles from Route 618 (Lake Monticello Road).

**Existing Zoning:** A-1, Agricultural, General

**Total Area of Development:** 64.154 acres (12.15 acres in lots, 3.85 acres in right-of-way, and 48.11 acres in open space, or 75%).

**Total Number of Lots Proposed:** 27 residential, including 1 open space lot

**Average Lot Size:** 0.45 acres

**Existing Land Use:** Vacant land

**Adjacent Land Use:** Adjacent properties are zoned A-1 (Agricultural, General).  
**Comprehensive Plan:** Rivanna Community Planning Area



**Zoning History:**

A Boundary Line Adjustment (SUB 04:30) was approved on June 15, 2004, a physical survey plat (BSP 05-16) was approved September 22, 2005.

**Analysis:**

Sec. 19-8-8 of the subdivision ordinance states “*for all major subdivisions within all zoning districts, sidewalks shall be provided along both sides of all proposed public roads with a sidewalk compliant with current VDOT standards. Sidewalks shall also provide connections to active or passive open space, schools, or to adjacent commercial and residential developments.*”

*And that, Sidewalks may be paved using hard-surfaced pervious paving materials, such as porous asphalt, porous concrete, or block pavers, as a method for stormwater management, provided that the use of such materials does not compromise the safety of pedestrians”.*

Sec. 19-8-8.1. of the subdivision ordinance states “A variation to the sidewalk regulations may be granted by the Planning Commission for projects where:

- a) The Virginia Department of Transportation prohibits the construction of sidewalks;
- b) The physical conditions on the lot or adjoining lots, including but not limited to, existing structure and parking areas, existing utility easements, environmental features, or the size and shape of the lot, make it impossible or unfeasible to provide the required sidewalks;
- c) The application of the before mentioned requirements would not further the goals of the Comprehensive Plan or otherwise serve the greater public’s health, safety, and welfare. (Attachment A)

The applicant has provided a written request for a variation to the sidewalk requirements for this subdivision. (Attachment B)

The requirement for sidewalks was an ordinance requirement in 2014 when the sketch was reviewed by the Planning Commission, however the request to waive the sidewalk requirement was not requested at that time.

Based on the applicant’s justification, staff is inclined to agree with them in this particular scenario to not construct sidewalks, due to the walking trail amenity, and the general rural character of the subdivision. (Attachment C)

**Suggested Motion:**

In accordance with Section 19-8-8-1., I move that the Planning Commission grant a variation to the sidewalk regulations based on the justification provided by the applicant.

**Attachments:**

A – Sec. 19-8-8 and Sec. 19-8-8.1 of the subdivision ordinance

B – Applicant’s request for a variation

C – Applicant’s sketch plan that shows walking/jogging trail and recreational area

Copy:

Applicant/Owner: Mr. Oscar Houchens, P.O. Box 218, Lanexa, VA 23089

Representative: Mr. Mike Himes, Fluvanna County Habitat for Humanity, 105 Crofton Place, Suite #9, Palmyra, VA 22963

File

**Section 19-8-7. Utilities.**

For major and minor subdivisions, all utilities including, but not limited to, wires, cables, pipes, conduits and appurtenant equipment for electric, telephone, gas, cable television, or similar services shall be placed underground except, however, the following shall be permitted above ground.

- (a) Electric transmission lines and facilities in excess of 50 kilovolts.
- (b) Equipment, including electric distribution transformers, switch gear, meter pedestals, telephone pedestals, streetlighting poles or standards, radio antennae, traffic control devices, and associated equipment which is, in conformance with accepted utility practices, normally installed above ground.
- (c) Meters, service connections and similar equipment normally attached to the outside wall of a customer's premises.
- (d) Temporary above ground facilities required in conjunction with an authorized construction project.
- (e) Existing utilities located above ground in proposed subdivisions may be maintained, repaired or upgraded to maintain current levels of service.
- (f) Whenever any existing above ground utilities internal to a major subdivision require relocation for any reason they shall be placed underground. (Ord. 8-1-12)

**Sec. 19-8-8. Sidewalks.**

For all major subdivisions within all zoning districts, sidewalks shall be provided along both sides of all proposed public roads and private roads with a sidewalk compliant with current VDOT standards.

Sidewalks shall also provide connections to active or passive open space, schools, or to adjacent commercial and residential developments.

Sidewalks may be paved using hard-surfaced pervious paving materials, such as porous asphalt, porous concrete, or block pavers, as a method of stormwater management, provided that the use of such materials does not compromise the safety of pedestrians. (Ord. 5-4-11; Ord. 8-1-12)

**Sec. 19-8-8.1. Sidewalk variation.**

A variation to the sidewalk regulations may be granted by the Planning Commission for projects where:

- a) The Virginia Department of Transportation prohibits the construction of sidewalks;

- b) The physical conditions on the lot or adjoining lots, including but not limited to, existing structure and parking areas, existing utility easements, environmental features, or the size and shape of the lot, make it impossible or unfeasible to provide the required sidewalks;
- c) The application of the before mentioned requirements would not further the goals of the Comprehensive Plan or otherwise serve the greater public's health, safety, and welfare.

The applicant shall file a written request with the Department of Planning and Community Development stating why application of a sidewalk variation is necessary and how the before mentioned circumstances may apply to the property.

The Planning Commission shall act on the variation request in conjunction with the county's action on the site plan, subdivision plat or special use permit or, if no such action is required, within sixty (60) days of the date the application was submitted and determined to be complete. The Planning Commission may grant the variation if it determines that one or more applicable circumstances exist. In granting a variation, the Planning Commission may impose conditions deemed necessary to protect the public health, safety, or welfare.

The denial of a variation, or the approval of a variation with conditions objectionable to the applicant, may be appealed to the Board of Supervisors. In considering a variation on appeal, the Board of Supervisors may grant or deny the variation based upon its determination of whether one or more applicable circumstances exist, amend any condition imposed by the Planning Commission, or impose any conditions deemed necessary to protect the public health, safety, or welfare. (Ord. 8-1-12)

#### **Section 19-8-9. Street trees.**

Street trees shall be required along existing or proposed public streets within or adjacent to any major subdivisions within an average lot site of one (1) acre or less. The placement of street trees shall be in accordance with Virginia Department of Transportation (VDOT) standards and shall not be located within any sight triangle. The required plantings shall be located either within the right-of-way itself or within a ten-foot (10') strip continuous to such right-of-way. Existing trees within a caliper of eight inches (8") or greater located within ten feet (10') of the right-of-way may be used to satisfy the planting requirement, provided the trees are protected in accordance with the standards contained in the Virginia Erosion and Sediment Control Handbook. Appropriate provisions shall be made for the permanent maintenance and preservation of the required street trees, to the reasonable satisfaction of the county attorney. Such provisions may include a landscape easement dedicated to the property owners' association or other entity approved by the county attorney. The street trees shall be planted at the following rate:

- (a) One (1) large shade tree shall be required for every fifty (50) feet of road frontage;  
or
- (b) One (1) medium shade tree shall be required for every forty (40) feet of road frontage. (Ord. 8-1-12)



March 17, 2016

Mr. Jason Stewart, Planning Director  
 Department of Planning & Community Development  
 Fluvanna County, Virginia

**Regarding: SUB 14:20 Houchens Place Rural Cluster Major Subdivision  
 Tax Map 18 Section A Parcel 46  
 Request For Variation**

Dear Mr. Stewart,

In accordance with Section 19-8-8.1 (Paragraph C) of the Fluvanna County Zoning Ordinance, the Applicant understands that sidewalk waiver can be requested.

***Sec. 19-8-8.1. Sidewalk Variation.***

*A variation to the sidewalk regulations may be granted by the Planning Commission for Projects where:*

- a) The Virginia Department of Transportation prohibits the construction of sidewalks;*
- b) The physical conditions on the lot or adjoining lots, including but not limited to, existing structure and parking areas, existing utility easements, environmental features, or the size and shape of the lot, make it impossible or unfeasible to provide the required sidewalks;*
- c) The application of the before mentioned requirements would not further the goals of the Comprehensive Plan or otherwise serve the greater public's health, safety, and welfare.*

**Justification for Sidewalk Waiver Request:**

On November 24, 2014, the Applicant presented the Sketch Plan for Houchen's Place before the Planning Commission. This plan detailed the current layout of the subdivision. This layout included specific items that were unique to the subdivision, specifically a three acre recreational area to serve the community and a walking trail to provide safe pedestrian access to the main road and within the subdivision. The Applicant specifically discussed these items at the hearing, and the plan was unanimously approved. Due to this approval, the Applicant assumed that the approved plan met Fluvanna County's standards for subdivisions and that this approval suggested that the Commission had granted a sidewalk variation per 19-8-8.1(C). Although the applicant did not receive an official variation waiver at the time, the details regarding the variation were discussed at the time and the applicant now wishes to officially request a sidewalk variation.

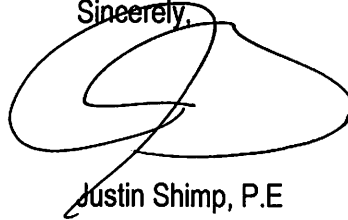
During the sketch plan review, the Applicant pointed out to the commission that the oversized recreational area will provide space for the residents to socialize, exercise, and enjoy a safe outdoor area. The trail will complement the existing rural layout of the land. This proposal is consistent with the character of this property

and the surrounding property while serving the residents. The addition of sidewalks would remove the rural character of the site and would require additional maintenance, which would make it a burden rather than a resource. The Applicant believes that the walking trail adequately serves the goal of the ordinance to provide safe pedestrian access through the subdivision to the main road with as much sufficiency as the addition of sidewalks.

The Applicant believes that the current layout better aligns with public health and welfare than sidewalks, as had been discussed in prior meetings with the Commission. The Applicant requests the Planning Commission grant approval to a sidewalk variation as per Sec. 19-8-8.1(C).

Please feel free to contact me at [justin@shimp-engineering.com](mailto:justin@shimp-engineering.com) or by phone at 434-227-5140 with any further questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to be 'Justin Shimp', written over the word 'Sincerely,'.

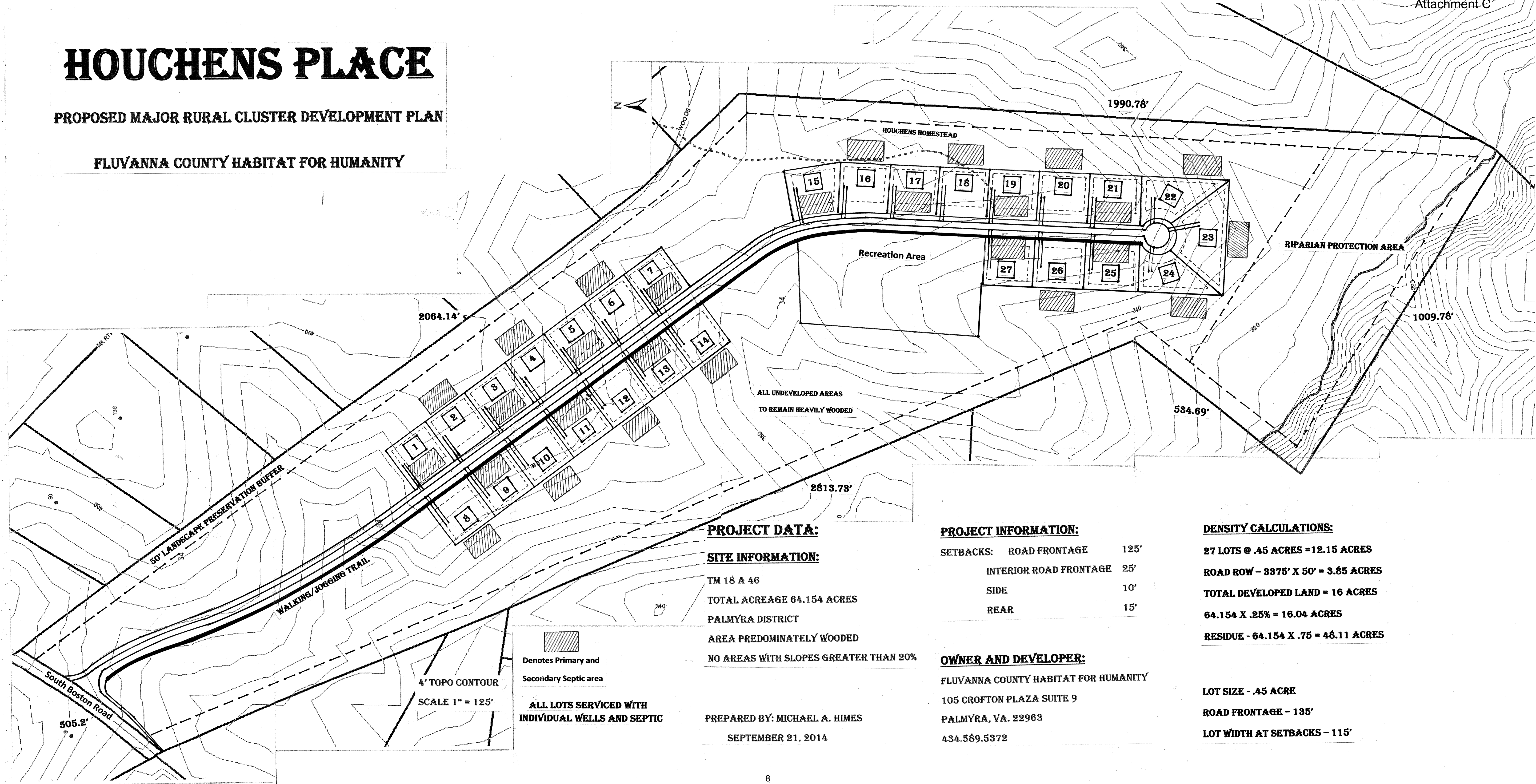
Justin Shimp, P.E



# HOUCHENS PLACE

PROPOSED MAJOR RURAL CLUSTER DEVELOPMENT PLAN

FLUVANNA COUNTY HABITAT FOR HUMANITY



**PROJECT DATA:**

**SITE INFORMATION:**

TM 18 A 46  
 TOTAL ACREAGE 64.154 ACRES  
 PALMYRA DISTRICT  
 AREA PREDOMINATELY WOODED  
 NO AREAS WITH SLOPES GREATER THAN 20%

**PROJECT INFORMATION:**

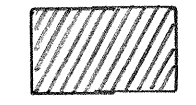
|           |                        |      |
|-----------|------------------------|------|
| SETBACKS: | ROAD FRONTAGE          | 125' |
|           | INTERIOR ROAD FRONTAGE | 25'  |
|           | SIDE                   | 10'  |
|           | REAR                   | 15'  |

**DENSITY CALCULATIONS:**

27 LOTS @ .45 ACRES = 12.15 ACRES  
 ROAD ROW - 3375' X 50' = 3.85 ACRES  
 TOTAL DEVELOPED LAND = 16 ACRES  
 64.154 X .25% = 16.04 ACRES  
 RESIDUE - 64.154 X .75 = 48.11 ACRES

**OWNER AND DEVELOPER:**

FLUVANNA COUNTY HABITAT FOR HUMANITY  
 105 CROFTON PLAZA SUITE 9  
 PALMYRA, VA. 22963  
 434.589.5372

 Denotes Primary and Secondary Septic area  
**ALL LOTS SERVICED WITH INDIVIDUAL WELLS AND SEPTIC**

4' TOPO CONTOUR  
 SCALE 1" = 125'