

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
November 12, 2024

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, November 12, 2024, at 6:00 p.m. in the Board Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico County, Virginia.

Members of the Board Present:

Tyrone E. Nelson, Chair, Varina District
Daniel J. Schmitt, Vice-Chair, Brookland District
Roscoe D. Cooper, III, Fairfield District
Misty D. Roundtree, Three Chopt District
Jody K. Rogish, Tuckahoe District

Other Officials Present:

John A. Vithoukias, County Manager
Andrew R. Newby, County Attorney
Tanya N. Brackett, CMC, Assistant to the County Manager/Clerk to the Board
Michael Y. Feinmel, Deputy County Manager for Public Safety
W. Brandon Hinton, Deputy County Manager for Administration
Monica Smith-Callahan, Deputy County Manager for Community Affairs
Cari M. Tretina, Deputy County Manager/Chief of Staff
Steven J. Yob, Deputy County Manager for Community Operations
Ben A. Sheppard, Director of Public Relations

Will Clements, chaplain for the Henrico Police Division, delivered the invocation.

On motion of Mr. Cooper, seconded by Ms. Roundtree, the Board approved the minutes of the October 22, 2024, regular and special meetings, and the March 18 - 21, 2024, special meeting.

The vote of the Board was as follows:

Yes: Nelson, Schmitt, Cooper, Rogish, Roundtree

No: None

MANAGER'S COMMENTS

Mr. Vithoukias recognized Greg Revels on his 32-year career with Henrico, including 27 years as the Building Official. Prior to joining Henrico County, he worked for the State Department of Housing and Community Development as a Program Manager in the Code Development Office.

Greg received his Bachelor of Science in Fire Protection Engineering from Oklahoma State University. Greg is certified as a Building Official by the State of Virginia, and he is a member of the 2003 class of Leadership Metro Richmond. He has served in various leadership roles at the state and national level, including President of the Virginia Building Code Officials Association in 2000. He was also a member of the State Technical Review Board for over 10 years, serving as the Chairman for many of those years.

Greg and his wife, Linda, reside in Powhatan County. His son, Jarrett, and daughter-in-law Gabby, reside in Boston where Jarrett co-founded Beacon Biosignals and Gabby practices as a doctor.

In retirement, Greg plans on enjoying the backroad scenery on one of his two high performance motorcycles. On a personal note, the Manager stated his appreciation for Greg's handling of many questions and issues over the years.

Greg stated it has been an honor and a privilege to serve Henrico County. He highlighted his team, many of whom were in attendance for their excellent work. He thanked the Manager and the previous Manager and his staff for their support and what they have done for this County.

Mr. Vithoukias introduced Linda R. Melton as the 2024 Henrico Christmas Mother. He also recognized Tanya Brackett of the County Manager's Office and Rebecca Slough with Human Resources who are the chair and co-chair of the County Government Christmas Mother Program. Ms. Melton is the Community Outreach Officer for Fulton Bank and a member of the Richmond Alumnae Chapter of Delta Sigma Theta Sorority, the Richmond Chapter of the Links, Inc. and the Hanover Chapter of Virginia State University Alumni.

Ms. Melton holds a Master of Education and a Bachelor of Science from Virginia State University. She has been a member of the Henrico Christmas Mother Program since 2021, following in her mother's footsteps, the beloved Charlotte W. Melton who was the 2000 Christmas Mother.

Ms. Melton stated she was honored to serve as the 2024 Henrico Christmas Mother and the first legacy Henrico Christmas Mother. Ms. Melton invited the Board to come to the warehouse to see firsthand how the County's support is helping those in need.

For his final comment, the Manager recognized Terrell Hughes, Director of Public Works, Paul Smith, Jeff Sadler, and Mario Simms, who were recently recognized by the Asphalt Recycling & Reclaiming Association (ARRA).

ARRA has awarded Henrico County the 2025 Award for Excellence in Full Depth Reclamation – a national honor that celebrates outstanding efforts in road reclamation. This prestigious award is a testament to the County's commitment to advancing sustainable infrastructure improvements in Henrico County. We have used this innovative process to improve over 50 lane-miles of roadway, including Meadow Road, Kingsland Road, and most recently, Kain Road. All these roads were narrow and have been widened through this process, which mixes in the existing asphalt and stone on site with cement to build a strong road. The recycling and reclaiming method not only widens our roadways to improve safety but also aligns with Henrico's H.E.A.R.T. (Henrico's Environmental Action Resource

Team) initiatives by reusing the existing materials on-site, significantly reducing the environmental impacts of material production.

Compared to traditional road improvement costs, this method has saved the County tens of millions of dollars and is notably faster than conventional methods, reducing the duration of resident impacts by months.

Mr. Hughes thanked the Manager and the Board and explained it would not be possible without the support of the Board of Supervisors. He thanked his staff for how hard they work with the public in putting these new innovative efforts forward.

BOARD OF SUPERVISORS' COMMENTS

Mr. Schmitt recognized two teams at Glen Allen High School who are competing in finals tonight, the Glen Allen High School Volleyball Team and the Girls Field Hockey Team. He wished them the best of luck.

Mr. Nelson recognized Mark Coakley, Registrar. On behalf of the Henrico County Board of Supervisors, he recognized and extended deep gratitude to Mr. Coakley and the entire staff for their leadership and dedication throughout the 2024 election.

Under Mark's leadership, Henrico achieved an outstanding voter turnout in the 2024 election. Of the nearly 250,000 registered voters, more than 182,000 participated, a 73% turnout. A total of 91,000 voters cast their ballots on Election Day, while 65,000 voted early in person. Additionally, nearly 22,000 voters submitted absentee ballots by mail, and almost 4,000 utilized provisional ballots. It is an outstanding achievement that speaks to both the trust that our residents place in our election process and the hard work of our election staff. From early voting to Election Day, Mark and his staff ensure that our elections run smoothly, with the professionalism and efficiency that Henrico voters have come to expect.

In addition to managing the election process itself, Mark also stood up to defend the integrity of our election and our residents. When misinformation about the election process spread, particularly through social media, he stayed calm, composed, and unwavering in telling the truth. His prompt responses to the media helped to dispel false claims and reinforced the credibility of the way we run elections. Mark's leadership is a vital part of what makes Henrico an example of election integrity and public service. We are proud of the work he and his team have done, and we thank them for their efforts in ensuring that every voter had the opportunity to participate in a fair and secure election.

Mr. Coakley thanked the Chair, the members of the Board, and the Manager. After 20 years in Henrico County, he felt the most confident about this election.

RECOGNITION OF NEWS MEDIA

There was no media present for the meeting.

PRESENTATION

315-24 Resolution - Commending Carlehr Swanson.

On motion of Mr. Cooper, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.

Mr. Vithoukas recognized Carlehr Swanson, the current 2024 Miss Virginia.

Mr. Nelson presented a resolution recognizing Carlehr Swanson for her well-deserved accolades and offered her the best of luck in the Miss America Competition.

Ms. Swanson thanked the Board and the Chair for this prestigious honor and stated she is always proud to say she is from eastern Henrico and went to Highland Springs High School. She thanked God, her parents, and her friend Kia for all the support and the encouragement they give her every day. She also thanked her grandmother who encouraged her music career and encouraged her to run for Miss Virginia.

PUBLIC HEARINGS – REZONING CASES

316-24 BWS Enterprises LLC: Request to conditionally rezone from A-1
REZ-2024- Agricultural District to M-1C Light Industrial District (Conditional) Parcel
101019 795-745-9597 containing 5.028 acres located on the north line of Richmond
Fairfield Henrico Turnpike approximately 1,300' northeast of its intersection with
Azalea Avenue.

Mr. Vithoukas stated the applicant has withdrawn their application.

No one from the public spoke in opposition to this item.

Mr. Cooper explained there was an article in the newspaper today about this case, and he wanted to provide some clarity regarding the information that was posted. He asked Mr. Emerson a series of questions, confirming that the Planning Commission recommended denial of the case to rezone the A-1 property, but that surrounding properties were already zoned in a manner that allowed commercial and industrial uses, like data centers. He thanked the community for their involvement and engagement on this case, and he thanked the Planning Department for their work on this case.

No action is required of the Board for this item because the application was withdrawn by the applicant.

230-24 Joseph B McCutcheon Jr: Request to amend proffers accepted with C-72C-
REZ-2024- 83 on Parcel 805-737-7793 located on the west line of Valley Side Drive at
100950 its intersection with Farm Creek Drive.
Fairfield

Mr. Vithoukas announced the applicant has requested a deferral to the

second meeting in January 2025.

No one from the public spoke in opposition to this item.

On motion of Mr. Cooper, seconded by Mr. Rogish, and by unanimous vote, the Board deferred this item to the second meeting in January 2025.

The vote of the Board was as follows:

Yes: Nelson, Schmitt, Cooper, Rogish, Roundtree

No: None

288-24
REZ-2024-
101509
Three Chopt

Complete Automotive of Richmond, Inc: Request to amend proffers accepted with REZ2021-00063 on Parcel 746-760-6689 located on the north line of W. Broad Street (U.S. Route 250) approximately 700' west of its intersection with Dominion Boulevard.

Mr. Vithoukias announced the applicant has requested a deferral to the December 3, 2024, meeting.

No one from the public spoke in opposition to this item.

On motion of Ms. Roundtree, seconded by Mr. Schmitt, and by unanimous vote, the Board deferred this item to the December 3, 2024, meeting.

The vote of the Board was as follows:

Yes: Nelson, Schmitt, Cooper, Rogish, Roundtree

No: None

PUBLIC HEARINGS - OTHER ITEMS

317-24

Ordinance - To Amend and Reordain Sections 6-226 Titled "Definitions" and 6-227 Titled "Technology zone established; effective dates of incentives" of the Code of the County of Henrico to Establish the Greater Henrico Technology Zone and Provide Incentives for Businesses and Redevelopment in the Zone.

No one from the public spoke in opposition to this item.

On motion of Mr. Schmitt, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached ordinance.

318-24

Ordinance - To Amend and Reordain Section 20-81 Titled "Partial exemption for rehabilitated, renovated or replacement commercial and industrial structures" of the Code of the County of Henrico to Expand the Partial Tax Exemption.

No one from the public spoke in opposition to this item.

On motion of Ms. Roundtree, seconded by Mr. Cooper, and by unanimous vote, the Board approved this item – see attached ordinance.

319-24

Ordinance - To Add Article XII to Chapter 6 of the Code of the County of Henrico to Waive Building Permit Fees and Other Local Fees for Approved Affordable Housing Developments.

No one from the public spoke in opposition to this item.

Eric Leabough, Director of Community Revitalization, responded to questions from Mr. Nelson clarifying the parameters of the program.

On motion of Mr. Cooper, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached ordinance.

320-24

Ordinance - To Comply with Changes in State Law Regarding Short-Term Rental Registries By Amending and Reordaining Section 20-280 Titled "Short-term rental registry established; annual registration required; fee" of the Code of the County of Henrico.

No one from the public spoke in opposition to this item.

On motion of Ms. Roundtree, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached ordinance.

321-24

Ordinance - To Amend and Reordain Section 19-2204 Titled "Staff Review and Action," Section 19-2205 Titled "Post-Decision Actions and Limitations," Section 19-2304 Titled "Minor Subdivision," Section 19-3202 Titled "Street Access," Section 19-3402 Titled "Subdivision Access Points," Section 19-4101 Titled "Monuments," and Section 19-5102 Titled "Applicability" of the Code of the County of Henrico to Clarify, Correct, and Update the Provisions of the Subdivision Ordinance and to Conform to Changes in State Law.

No one from the public spoke in opposition to this item.

On motion of Mr. Cooper, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached ordinance.

322-24

Ordinance - To Amend and Reordain Sections of the Zoning Ordinance, Chapter 24 of the Code of the County of Henrico, to Clarify, Correct, and Update Its Provisions, to Add Titles to Untitled Sections, and to Conform to Changes in State Law.

No one from the public spoke in opposition to this item.

On motion of Ms. Roundtree, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached ordinance.

323-24 Resolution - Condemnation - Easements - Fall Line Trail Brook and Hilliard Road Phase - 7216 Brook Road - Fairfield District.

Curtis Anthony, Director of Real Property, responded to questions from Mr. Cooper regarding condemnation procedures and how the process works.

Andrew Newby clarified the County works to resolve condemnation proceedings with the homeowner and will continue to work with the homeowners even though we are going through condemnation.

No one from the public spoke in opposition to this item.

On motion of Mr. Cooper, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.

324-24 Ordinance - Vacation of Building Line - Wilhaven Subdivision - 1800 Lyndover Road - Fairfield District.

No one from the public spoke in opposition to this item.

On motion of Mr. Cooper, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached ordinance.

325-24 Ordinance - Vacation of Portion of Right-of-Way - Old Pump Road - The Preserve at John Rolfe Section 1 - Three Chopt District.

No one from the public spoke in opposition to this item.

On motion of Ms. Roundtree, seconded by Mr. Cooper, and by unanimous vote, the Board approved this item – see attached ordinance.

PUBLIC COMMENTS

There were no comments from the public.

GENERAL AGENDA

326-24 Resolution - Signatory Authority - Agreement with SupportWorks Housing

On motion of Mr. Cooper, seconded by Ms. Roundtree, and by unanimous vote, the Board approved this item – see attached resolution.

327-24 Resolution - Signatory Authority - Virginia Housing Strategic Initiatives Grant Agreement - Glenwood Farms.

On motion of Mr. Cooper, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached resolution.

328-24 Resolution - Signatory Authority - Acquisition of Portion of Real Property - 4700 Richmond Henrico Turnpike - Fairfield District.

On motion of Mr. Cooper, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.

329-24 Resolution - Approval of Acquisition - Permanent Sidewalk Easement - Church Road Sidewalk Project - 3300 Church Road - Three Chopt District.

On motion of Ms. Roundtree, seconded by Mr. Cooper, and by unanimous vote, the Board approved this item – see attached resolution.

330-24 Resolution - Approval of Acquisition - Permanent Sidewalk Easement - Church Road Sidewalk Project - 11100 Glen Hollow Court - Three Chopt District.

On motion of Ms. Roundtree, seconded by Mr. Schmitt, and by unanimous vote, the Board approved this item – see attached resolution.

331-24 Resolution - Award of Annual Contract - Drainage and Maintenance Projects.

On motion of Mr. Schmitt, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached resolution.

332-24 Resolution - Award of Contract - Strawberry Hill Pumping Station - Screw Pump No. 2 Replacement - Fairfield District.

On motion of Mr. Cooper, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached resolution.

333-24 Resolution - Award of Contract - Tuckahoe Creek Trunk Sewer - Phase II - Three Chopt District.

On motion of Ms. Roundtree, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached resolution.

334-24 Resolution - Award of Contract - West Ridge Subdivision Sewer and Water Improvements - Three Chopt District.

On motion of Ms. Roundtree, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached resolution.

335-24 Resolution - Award of Contract - Hanover Road and Early Street Sewer and Water Main Extension Phase II - Varina District.

On motion of Mr. Nelson, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached resolution.

336-24 Resolution - Signatory Authority - Award of Contract - Annual Contract for Emergency and Cold Weather In-Place Asphalt Concrete Paving Repairs.

On motion of Mr. Schmitt, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached resolution.

337-24

Resolution - Award of Contracts - Job Order Contracting Services for the County of Henrico - General Construction and Mechanical/Plumbing.

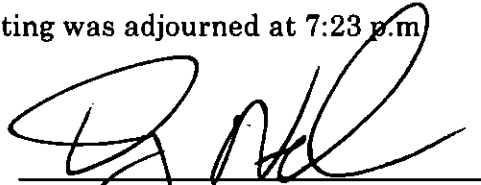
On motion of Mr. Rogish, seconded by Ms. Roundtree, and by unanimous vote, the Board approved this item – see attached resolution.

338-24

Resolution - Award of Contracts - Professional Engineering Services for Drainage Projects.

On motion of Mr. Schmitt, seconded by Mr. Rogish, and by unanimous vote, the Board approved this item – see attached resolution.

There being no further business, the meeting was adjourned at 7:23 p.m.



Chair, Board of Supervisors
Henrico County, Virginia



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 315-24
Page No. 1 of 2

Agenda Title: RESOLUTION - Commending Carlehr Swanson

For Clerk's Use Only: Date: <u>11/2/2024</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Cooper</u> Seconded by (1) <u>Schmitt</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Cooper, R.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Rogish, J.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Roundtree, M.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> </tbody> </table>		YES	NO	OTHER	Cooper, R.	✓	—	—	Nelson, T.	✓	—	—	Rogish, J.	✓	—	—	Roundtree, M.	✓	—	—	Schmitt, D.	✓	—	—
	YES	NO	OTHER																							
Cooper, R.	✓	—	—																							
Nelson, T.	✓	—	—																							
Rogish, J.	✓	—	—																							
Roundtree, M.	✓	—	—																							
Schmitt, D.	✓	—	—																							

WHEREAS, Carlehr Swanson is a graduate of Highland Springs High School; and

WHEREAS, Ms. Swanson developed a love of music at the young age of six, and her journey as a performer began in the church choir, learning to play classical piano at age seven, and playing drums in the Highland Springs High School drum line; and

WHEREAS, Ms. Swanson was crowned Miss Virginia 2024 at the Berglund Center in Roanoke on June 29, 2024; and

WHEREAS, she has won \$50,000 in scholarships during her participation in the Miss America and Miss America's Teen Competition; and

WHEREAS, as an accomplished musician, Ms. Swanson performed a piano and vocal rendition of a popular ballad in the Miss Virginia pageant; and

WHEREAS, Ms. Swanson is a fourth-year Ph.D. student at the University of Virginia, specializing in Critical and Comparative Studies in Music; she holds a Master's Degree in Critical and Comparative Studies in Music; a Master's Degree in Jazz Vocal Performance from the Frost School of Music at the University of Miami; and a Bachelor's Degree in Jazz Studies from George Mason University.

WHEREAS, as Miss Virginia, Ms. Swanson has supported education, advocacy, and community service, and provided young women the opportunity to express their talents; and

WHEREAS, Ms. Swanson is also a spokesperson for the Virginia Alcoholic Beverage Control Authority's Miss Virginia School Tour, where she promotes healthy choices and substance abuse prevention to elementary school students across Virginia; and

By Agency Head _____ By County Manager 

Copy to: _____
 Certified: _____
 A Copy Teste: _____ Clerk, Board of Supervisors
 Date: _____

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS**

Agenda Title: RESOLUTION – Commending Carlehr Swanson

WHEREAS, in January, Ms. Swanson will represent Virginia at the Miss America Competition at the Walt Disney Theater in Orlando, Florida.

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors celebrates and honors Carlehr Swanson for her remarkable achievements and contributions to the community.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors shall prepare a copy of this resolution for presentation to Carlehr Swanson commemorating her well-deserved accolades and offers her the best of luck in the Miss America Competition.

Resolution



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

Commending Carlehr Swanson

WHEREAS, Carlehr Swanson is a graduate of Highland Springs High School; and

WHEREAS, Ms. Swanson developed a love of music at the young age of six, and her journey as a performer began in the church choir, learning to play classical piano at age seven, and playing drums in the Highland Springs High School drum line; and

WHEREAS, Ms. Swanson was crowned Miss Virginia 2024 at the Berglund Center in Roanoke on June 29, 2024; and

WHEREAS, she has won \$50,000 in scholarships during her participation in the Miss America and Miss America's Teen Competition; and

WHEREAS, as an accomplished musician, Ms. Swanson performed a piano and vocal rendition of a popular ballad in the Miss Virginia pageant; and

WHEREAS, Ms. Swanson is a fourth-year Ph.D. student at the University of Virginia, specializing in Critical and Comparative Studies in Music; she holds a Master's Degree in Critical and Comparative Studies in Music; a Master's Degree in Jazz Vocal Performance from the Frost School of Music at the University of Miami; and a Bachelor's Degree in Jazz Studies from George Mason University.

WHEREAS, as Miss Virginia, Ms. Swanson has supported education, advocacy, and community service, and provided young women the opportunity to express their talents; and

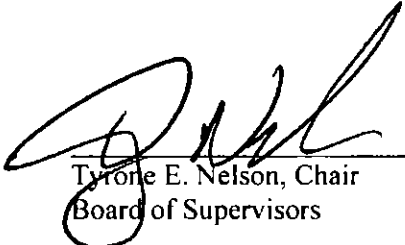
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Tyrone E. Nelson, Chair
Board of Supervisors

ORDINANCE — To Amend and Reordain Sections 6-226 Titled “Definitions” and 6-227 Titled “Technology zone established; effective dates of incentives” of the Code of the County of Henrico to Establish the Greater Henrico Technology Zone and Provide Incentives for Businesses and Redevelopment in the Zone

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 6-226 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 6-226. Definitions.

For purposes of this article, the following terms have the following meanings:

....

Qualifying Property includes all real property or portions thereof (i) actually used for a ~~Qualifying~~**Qualified** Business, or for which the ~~Qualifying~~**Qualified** Business is actively pursuing redevelopment or rezoning to be used for a ~~Qualifying~~**Qualified** Business, (ii) located entirely within a Technology Zone, and (iii) substantially in conformance with the comprehensive plan’s recommendations for the property.

2. That Section 6-227 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 6-227. Technology zone established; effective dates of incentives.

~~The Innsbrook Technology Zone is established, and its boundaries are the same as the Innsbrook Redevelopment Overlay District in section 24-3707 of this Code. The incentives under this article will be available for the Innsbrook Technology Zone only for complete applications received between July 1, 2022, and July 1, 2032, and incentives may not be authorized or fulfilled for applications received outside of those dates.~~
The Greater Henrico Technology Zone is established and encompasses all office use properties shown on the official Office Use Map of the county maintained by the director of finance as amended from time to time and in effect at the time of application. The incentives under this article will be available for the Greater Henrico Technology Zone only for complete applications received between November 13, 2024, and November 13, 2034, and incentives may not be authorized or fulfilled for applications received outside of those dates.

3. That this ordinance will be in full force and effect on and after its passage as provided by law.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 318-24

Page No. 1 of 1

Agenda Title: ORDINANCE — To Amend and Reordain Section 20-81 Titled “Partial exemption for rehabilitated, renovated or replacement commercial and industrial structures” of the Code of the County of Henrico to Expand the Partial Tax Exemption

for Clerk's Use Only: Date: <u>11/12/2024</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to:	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Roundtree</u> Seconded by (1) <u>Cooper</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	YES NO OTHER Cooper, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Nelson, T. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Rogish, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Roundtree, M. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Schmitt, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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The Board of Supervisors adopted the attached Ordinance after a duly advertised public hearing.

Comments: The Director of Finance and Executive Director of the Economic Development Authority recommend approval of the Board paper, and the County Manager concurs.

By Agency Head *Shub S. Mani* By County Manager *[Signature]*

Certified: _____
 A Copy Teste: _____ Clerk, Board of Supervisors
 Date: _____

ORDINANCE — To Add Article XII to Chapter 6 of the Code of the County of Henrico to Waive Building Permit Fees and Other Local Fees for Approved Affordable Housing Developments

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That sections 6-257 through 6-274 be reserved and Article XII of Chapter 6 of the Code of the County of Henrico be added as follows:

ARTICLE XII. FEE WAIVERS FOR AFFORDABLE HOUSING DEVELOPMENTS

Sec. 6-275. Purpose.

The purpose of this article is to incentivize the provision of affordable housing by § 501(c)(3) organizations and other private-sector entities by waiving certain building permit and other local fees for affordable housing developments meeting the criteria set forth in this article, pursuant to Code of Virginia, § 15.2-958.4.

Sec. 6-276. Definitions.

For purposes of this article, the following terms have the meanings given to them below:

Affordable Home means a single-family detached or attached dwelling in the county subject to conditions designed to ensure the dwelling serves the Target Population, is affordable for the Target Population, and is affordable for purchasers within the Target Population after the initial purchaser. A residential rental unit occupied by, or intended to be occupied by, one or more tenants pursuant to a lease or other rental agreement is not an Affordable Home.

Affordable Housing Development means the new construction of residential housing in the county that:

- (1) Consists of single-family detached or attached dwellings;**
- (2) Serves the Target Population;**
- (3) Reduces housing costs to levels affordable for the Target Population;**
- (4) Demonstrates commitment to ensure the affordability of Affordable Homes within the development beyond the initial purchasers of such Affordable Homes; and**

(5) is approved to receive Affordable Housing Trust funds or has been approved by the County Manager under criteria substantially similar to those used to determine eligibility for Affordable Housing Trust funds.

Residential rental units occupied by, or intended to be occupied by, one or more tenants pursuant to a lease or other rental agreement is not an Affordable Housing Development.

Affordable Housing Trust means the program, effective July 1, 2024, with funds appropriated by the board of supervisors for the purposes of expanding access to affordable housing in the county and administered by a third party on behalf of the county under the oversight of the Department.

Community Land Trust means the model of creating affordable housing by separating the ownership of the land underlying the dwelling unit from the dwelling unit itself.

Department means the department of community revitalization.

Developer means a § 501(c)(3) organization or other private-sector entity, including an organization operating under the Community Land Trust model.

Director means the director of the department of community revitalization.

Target Population means households with an income higher than 60% of the Area Median Income ("AMI") for the Richmond Metropolitan Statistical Area ("Richmond MSA"), as determined by the U.S. Department of Housing and Urban Development ("HUD"), and lower than 120% of the AMI.

Sec. 6-277. Eligibility for Application.

Any Developer of an Affordable Housing Development may apply for a waiver of the fees identified in section 6-279 to the extent the same are applicable to the Affordable Housing Development. Renovations or repairs made to an Affordable Home after the initial sale of the Affordable Home are not eligible for such waivers.

Sec. 6-278. Applications.

The Director will publish application forms for waivers under this article. The forms will require all information necessary to determine whether the development is an Affordable Housing Development. If the property to be developed has more than one owner, all owners must join in the application. A contract purchaser may apply with the written consent of all owners of the property to be developed.

Sec. 6-279. Waivers.

The following waivers are available for Affordable Housing Developments approved pursuant to section 6-280:

(1) Building permit fees. The fees in subsections (g)(3) — (6), (i)(1), (k), and (l) of section 6-3 of this Code will be waived for permits issued for approved Affordable Housing Developments.

(2) Planning application fees. The fees set out on the Planning Application Fee Schedule will be waived for planning applications for approved Affordable Housing Developments.

Sec. 6-280. Determination.

After receiving an application for fee waivers under this article, the Director or designee will determine whether the application is complete and whether the proposed development is an Affordable Housing Development. If the application is approved, the Department will provide the applicant a copy of the approval promptly after the applicant records the deed of restrictive covenants required pursuant to section 6-281. If the application is denied, the applicant will be notified of the reason for denial and required to pay all applicable building permit and planning application fees at the time such fees become due to the county.

Sec. 6-281. Deed of Restrictive Covenants.

Upon receipt of the first development approval for its Affordable Housing Development, the applicant, as the owner of the property to be developed as an Affordable Housing Development, must record in the county land records a deed of restrictive covenants to run with the land effective upon the date of recordation and ending no earlier than ten years from the date of the first sale of an Affordable Home within the Affordable Housing Development to a purchaser within the Target Population and in a form approved by the county. Such deed must ensure that the Affordable Housing Development will be completed and maintained as proposed in the approved application. If the applicant has not acquired ownership of the property to be developed as an Affordable Housing Development at the time the building permit or planning application fees identified in section 6-279 would be due, the applicant will be required to pay the applicable fees, subject to reimbursement by the county following recordation of the deed of restrictive covenants meeting the requirements of this section.

Sec. 6-282. Disqualification; Recapture.

If the applicant fails to complete the Affordable Housing Development within the time designated in any approval under item five of the definition of "Affordable Housing Development" (unless such failure is because of the applicant's inability

to obtain required development approvals notwithstanding diligent and good faith efforts by the applicant to obtain such approvals, as determined by the Director given the nature of the subject approval) or the development does not result in an Affordable Housing Development or conform to the approved application, the applicant must pay to the county, within 30 days of receiving notice of disqualification under this section, the full amount of all fees previously waived for the development under this article.

2. That this ordinance will be in full force and effect on and after its passage as provided by law.

3. The provisions of this ordinance are not severable. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remaining provisions or applications of this ordinance will be void.

BLACKLINE

ORDINANCE — To Comply with Changes in State Law Regarding Short-Term Rental Registries By Amending and Reordaining Section 20-280 Titled "Short-term rental registry established; annual registration required; fee" of the Code of the County of Henrico

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 20-280 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 20-280. Short-term rental registry established; annual registration required; fee.

There is hereby established a short-term rental registry in the county. Operators within the county are required to register annually with the director of the department of finance and provide (i) the complete name of the operator, and (ii) the address of each property in the locality offered for short-term rental by the operator, and (iii) an attestation that the property owner has granted permission for use of such property as a short-term rental if the operator is a lessee or sublessee. The operator must pay a fee of \$200.00 at the time of registration each year. Registrations are valid for one year from the date of registration. No operator may offer a property for short-term rental without a valid registration.

2. That this ordinance will be in full force and effect on and after its passage as provided by law.

ORDINANCE — To Amend and Reordain Section 19-2204 Titled “Staff Review and Action”, Section 19-2205 Titled “Post Decision Actions and Limitations,” Section 19-2304 Titled “Minor Subdivision,” Section 19-3202 Titled “Street Access,” Section 19-3402 Titled “Subdivision Access Points,” Section 19-4101 Titled “Monuments,” and Section 19-5102 Titled “Applicability” of the Code of the County of Henrico to Clarify, Correct, and Update the Provisions of the Subdivision Ordinance and to Conform to Changes in State Law

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 19-2204 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-2204. Staff Review and Action

••••

B. Decision by Planning Director

••••

4. The Planning Director may approve an exception allowing double frontage lots ~~on minor streets with right-of-way 60 feet or less in width~~, or stem lots that do not meet the minimum lot width and frontage requirements in Chapter 24 of the County Code, if the requirements in subsection 3 above are met and the lots comply with all other requirements of this Ordinance and Chapter 24 of the County Code.

••••

2. That Section 19-2205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-2205. Post Decision Actions and Limitations

••••

B. Revision and Resubmittal of Application after Disapproval

1. If the application is disapproved, the applicant may revise the application, in response to the specific reasons identified for the disapproval, and resubmit it to the Planning Director for reconsideration. After receipt of the resubmitted application, the Planning Director must review and either approve or disapprove the application. The Planning Director must approve the resubmitted application only on finding the following:
 - (a) All deficiencies identified in the previous review of the application have been corrected; and
 - (b) The application does not contain new deficiencies, based on the review standards in Article 2, Division 3, Specific Standards and Requirements for Subdivision Applications. ~~If the application involves real property used for~~

~~commercial or industrial purposes, only~~ **Only** new deficiencies resulting from the following will be considered:

- (1) Corrections made to address previously identified deficiencies;
- (2) Errors or omissions occurring after the initial submission of the application;
- (3) Material revisions of infrastructure or physical improvements from the earlier submission; or
- (4) Material revisions that create a new required review by the state Department of Transportation or other state agency.

2. The Planning Director must approve or disapprove a resubmitted application within 45 days of the date it was resubmitted. If the Planning Director identifies deficiencies on the resubmission, the Director must refer to specific ordinances, regulations or policies and must identify modifications or corrections that will permit approval. ~~If the application involves real property used for commercial or industrial purposes and~~ the Planning Director fails to approve or disapprove a resubmitted application within 45 days of the date it was resubmitted, the application will be deemed approved; however, any deficiency in the proposed plat that, if left uncorrected, would violate local, state, or federal law or regulations, mandatory state Department of Transportation Engineering and Safety requirements, or other mandatory engineering and safety requirements, will not be considered, treated, or deemed as having been approved.

3. That Section 19-2304 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-2304. Minor Subdivision

••••

E. Vacation of Lot Lines by Deed Exhibit

As an alternative to the process set forth in this section, the boundary lines of any lot shown on a recorded plat of subdivision or resubdivision may be vacated by recording a deed of vacation. The deed of vacation must be signed by all the owners of the affected lots, include an exhibit plat signed by the Planning Director, and be approved on its face by the Planning Director. No easements or utility rights-of-way located along any lot lines to be vacated may be extinguished or altered by this process. The word "owners" does not include lien creditors except those whose debts are secured by a recorded deed of trust or mortgage. The deed of vacation must be acknowledged in the manner of a deed and filed for record in the clerk's office.

4. That Section 19-3202 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-3202. Street Access

••••

B. Lots designated for use as single-family detached dwellings must not abut more than one public street except as follows:

1. Corner lots, which abut two streets at their intersection. Where the front yard of a corner lot abuts a local **minor** street and the street side yard abuts a street with a right-of-way greater than 60 feet in width, an easement ~~at least~~ **up to** 25 feet wide must be provided along the side street prohibiting access to the lot.
2. ~~Double frontage lots with front yards abutting a local street and rear yards abutting a street with a right-of-way width greater than 60 feet. An easement at least 25 feet wide must be provided along the rear of the lots prohibiting access to the lots. Within the easement, existing vegetation must be supplemented with trees and shrubs to meet the requirements of a Transitional Buffer 35 in accordance with Sec. 24-5310 of Chapter 24 of the County Code, to lessen the impact of traffic on the residential uses.~~
3. ~~Double frontage lots with front yards abutting a local street and rear yards abutting a street with a right-of-way 60 feet or less in width may be approved pursuant to Sec. 19-2204, B.4.~~ **In approving any application that would create or modify a double frontage lot, the Planning Director may require recordation of an easement prohibiting access to the lot along any lot frontage other than the primary access frontage identified on the plan or plat.**

••••

5. That Section 19-3402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-3402. Subdivision Access Points

••••

B. Access Point Location

1. ~~Vehicular entrances to a subdivision must not be located within 200 feet of the premises of any Educational Facility use, public park, religious institution, hospital, cultural facility, or institution for children or dependents, except when the parking lot is on the same premises.~~
21. Access points must be at least 150 feet from other access points along minor collector and major access streets, and at least 250 feet from other access points along major collector and arterial streets. The access points must be measured from the near edge of pavement of the existing access point or road to the centerline of the new access point.
32. On undivided streets, access points must be aligned with access points located across the street when the access points are within 150 feet from each other on minor collector and major access streets, and within 250 from each other on major collector and arterial streets.
4. ~~The nearest edge of an access point must be a minimum of 12.5 feet from any property line.~~

••••

6. That Section 19-4101 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-4101. Monuments

Monuments must be installed in all subdivisions at all block corners, angle points, ~~and~~ radial points of curves in **public** streets, and at intermediate points along **public** streets ~~or boundary lines~~ where monuments cannot readily be seen one from the other. The **materials, design, and** exact location of such monuments must be approved by the County Engineer. The monuments must be installed to approved grades where practicable ~~and must be either concrete blocks at least 20 inches long and six inches square with an iron corner, or granite stone with sharp, well-defined corners of the same dimensions~~. The replacement of any monuments removed or destroyed during the development of the subdivision will be the responsibility of the subdivider. Monuments are not required to be installed on block corners adjacent to townhouses that do not abut a public street.

7. That Section 19-5102 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 19-5102. Applicability

Lands ~~designated as Prime Agricultural and Rural Residential areas in the county's comprehensive plan,~~ and classified in the A-1, R-0, R-0A, or R-1 zoning districts, may be developed in accordance with this article.

8. That this ordinance will be in full force and effect on and after its passage as provided by law.

ORDINANCE — To Amend and Reordain Section 24-1203 Titled “Conflicts with State or Federal Law,” Section 24-2305 Titled “Planned Development,” Section 24-2306 Titled “Provisional Use Permit,” Section 24-2308 Titled “Conditional Use Permit,” Section 24-2314 Titled “Plan of Development,” Section 24-3105 Titled “Superseding Dimensional Standards,” Section 24-3403 Titled “CMU Community Mixed-Use District,” Section 24-3503 Titled “PD Master Plan and Terms and Conditions,” Section 24-3505 Titled “SMX-PD Suburban Residential Mixed Planned Development District,” Section 24-3506 Titled “TND-PD Traditional Neighborhood Development Planned Development District,” Section 24-3507 Titled “UMU-PD Urban Mixed-Use Planned Development District,” Section 24-3508 Titled “LI-PD Light Industrial Planned Development District,” Section 24-3803 Titled “Subdistricts Established,” Section 24-3805 Titled “Organization of FBA-O District Standards,” Section 24-3810 Titled “Streets and Sidewalks: Alleys,” Section 24-3819 Titled “Streets and Sidewalks: Typical Tertiary Street Sections,” Section 24-3825 Titled “Frontage Standards,” Section 24-3826 Titled “Mixed-Use Corridor Frontage Standards,” Section 24-3827 Titled “Mixed-Use Core Frontage Standards,” Section 24-3828 Titled “Walkable Corridor Frontage Standards,” Section 24-3829 Titled “Walkable Center Frontage Standards,” Section 24-3830 Titled “Neighborhood General Frontage Standards,” Section 24-3831 Titled “Connected Edge Frontage Standards,” Section 24-3832 Titled “Highway Edge Frontage Standards,” Section 24-3835 Titled “Parking Standards: Minimum Parking Standards,” Section 24-3837 Titled “Parking Standards: Parking Location and Access,” Section 24-3838 Titled “Standards for New Buildings: Primary Entrances,” Section 24-3840 Titled “Standards for New Buildings: Façade Transparency,” Section 24-3864 Titled “Brookfield Area Subdistrict: Additional Brookfield Area Standards,” Section 24-3867 Titled “Parham/Broad Area Subdistrict Regulating and Street Hierarchy Plan,” Section 24-3875 Titled “Virginia Center Commons (VCC) Area Subdistrict: Additional Standards,” Section 24-3875 Titled “Short Pump Town Center Subdistrict: Boundary,” Section 24-3876 Titled “Short Pump Town Center Subdistrict: Intent,” Section 24-3877 Titled “Short Pump Town Center Subdistrict: Regulating and Street Hierarchy Plan,” Section 24-3878 Titled “Short Pump Town Center Subdistrict: Additional Standards,” Section 24-4205 Titled “Principal Use Table,” Section 24-4306 Titled “Residential Uses: Household Living,” Section 24-4307 Titled “Public and Civic Uses: Community Services,” Section 24-4308 Titled “Public and Civic Uses: Day Care,” Section 24-4314 Titled “Public and Civic Uses: Utilities,” Section 24-4315 Titled “All Commercial Uses,” Section 24-4323 Titled “Commercial Uses: Retail Sales and Services,” Section 24-4330 Titled “Industrial Uses: Warehouse and Freight Management,” Section 24-4404 Titled “Uses and Structures Accessory to Certain Dwellings,” Section 24-4419 Titled “Accessory Home Occupation,” Section 24-4431 Titled “Accessory Short-Term Rental (as accessory to a dwelling),” Section 24-4435 Titled “Accessory Bulk Storage of Flammable Liquids,” Section 24-4505 Titled “Temporary Construction-Related Building, Structure, or Use,” Section 24-5103 Titled “Access and Circulation System,” Section 24-5104 Titled “Off-Street Parking Location, Entrances, and Exits,” Section 24-5106 Titled “Off-Street Parking Lighting, Landscaping, and Screening,” Section 24-5109 Titled “Dimensional

Standards for Parking Spaces and Aisles,” Section 24-5110 Titled “Minimum Number of Off-Street Parking Spaces,” Section 24-5116 Titled “Off-Site Parking,” Section 24-5204 Titled “Areas Counted Towards Set Aside,” Section 24-5303 Titled “Landscaping Plan Required,” Section 24-5310 Titled “Transitional Buffers,” Section 24-5311 Titled “Screening,” Section 24-5403 Titled “Location,” Section 24-5404 Titled “Height Standards,” Section 24-5405 Titled “Materials,” Section 24-5406 Titled “Finished Side and Landscaping,” Section 24-5407 Titled “Retaining Walls,” Section 24-5502 Titled “Applicability,” Section 24-5503 Titled “General Standards,” Section 24-5504 Titled “Lighting Standards for Specific Uses and Site Features,” Section 24-5508 Titled “Crime Prevention Through Environmental Design,” Section 24-5601 Titled “Purpose and Intent,” Section 24-5602 Titled “Applicability,” Section 24-5605 Titled “Building Form and Facades,” Section 24-5805 Titled “Chesapeake Bay Preservation: Exceptions,” Section 24-6203 Titled “Enlargement or Extension,” Section 24-6401 Titled “General Provisions,” Section 24-6402 Titled “Development of Nonconforming Lots,” Untitled Section 24-7101, Untitled Section 24-7201, Untitled Section 24-7202, Untitled Section 24-7203, Section 24-8101 Titled “Meanings and Intent,” Section 24-8201 Titled “Table of Abbreviations,” Section 24-8309 Titled “Measurement of Height,” Section 24-8403 Titled “Residential Use Classification,” 24-8404 Titled “Public, Civic, and Institutional Use Classification,” Section 24-8405 Titled “Commercial Use Classification,” Section 24-8406 Titled “Industrial Use Classification,” and Section 24-8501 Titled “Accessory Uses, Temporary Uses, and Other Terms,” of the Code of the County of Henrico to Clarify, Correct, and Update the Provisions of the Zoning Ordinance, to Add Titles to Untitled Sections, and to Conform to Changes in State Law

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA:

1. That Section 24-1203 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-1203. Conflicts with State or Federal Law

If a provision of this Ordinance is inconsistent with a provision found in the law or regulations of the Commonwealth of Virginia or federal government, the more restrictive provision will govern, to the extent permitted by law. **A reasonable accommodation is allowed regardless of the specific provision of this Ordinance that would otherwise preclude it when such reasonable accommodation is necessary to afford a person with a disability equal opportunity to use a dwelling.**

2. That Section 24-2305 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-2305. Planned Development

••••

C. Planned Development Procedure

••••

2. Submittal, Acceptance, and Withdrawal of Applications

The common procedures in Sec. 24-2203 apply, subject to the following additions or modifications. In addition to the general application requirements, the application must include:

••••

(b) A proposed PD Master Plan and PD Terms and Conditions Document for the planned development in accordance with Sec. 24-3503, PD Master Plan and Terms and Conditions. **Once approved, the PD Master Plan and PD Terms and Conditions Document will have the same force and effect as other zoning regulations.**

••••

7. Post-Decision Actions and Limitations

The common procedures in Sec. 24-2208 apply, subject to the following additions or modifications:

••••

(b) The landowner must record ~~the ordinance adopting the PD District, along with the PD Master Plan and PD Terms and Conditions Document,~~ **the approved covenants, conditions, and restrictions** in the land records with the deed, within 90 days after adoption **approval.**

••••

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3. That Section 24-2306 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-2306. Provisional Use Permit

••••

C. Provisional Use Permit Procedure

••••

6. Decision by Decision-Making Body

••••

(b) In approving a provisional use permit, the Board of Supervisors may impose reasonable conditions to accomplish the objectives of this section with respect to use, screening, lighting, hours of operation, noise control, maintenance, operation, or other requirements **and may limit the duration of a permit. In the case of a provisional use permit for a residential project, the duration of the permit must be at least three years. Initial approval of a provisional use permit for a solar array or energy storage project must provide a minimum of three years to commence the project.** The following conditions apply to all provisional use permits approved by the Board of Supervisors, unless expressly waived or modified in the provisional use permit approval:

••••

••••

7. Post-Decision Actions and Limitations

The common procedures in Sec. 24-2208 apply, subject to the following additions or modifications:

(a) A provisional use permit will terminate in accordance with any conditions established and included in the permit approval, subject to the vesting provisions of the Code of Virginia. ~~A provisional use permit will automatically expire if the subsequent permit or development approval (building permit or site plan, whichever is required first) required by this Ordinance is not obtained within two years from the date of approval of the provisional use permit, or if no subsequent approval is required, the development is not completed and operational within two years, subject to the vesting provisions under Virginia law, or such other time limit as may be prescribed in the permit approval.~~

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4. That Section 24-2308 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-2308. Conditional Use Permit

••••

C. Conditional Use Permit Procedure

••••

6. Decision by Decision-Making Body

••••

(b) The BZA may impose conditions relating to the use for which a conditional use permit is granted as it deems necessary in the public interest, including limiting the duration of a permit, and it may require a guarantee or bond to ensure compliance with the conditions imposed. **However, in the case of a conditional use permit for a residential project, the duration of the permit must be at least three years.**

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5. That Section 24-2314 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-2314. Plan of Development

••••

C. Plan of Development Procedure

••••

5. Post-Decision Actions and Limitations

The common procedures in Sec. 24-2208 apply, subject to the following additions or modifications:

(a) Revision and Resubmittal of Application after Disapproval

(1) If the application is disapproved, the applicant may revise the application, responding to the specific reasons identified for the disapproval and the identified modifications or corrections necessary to obtain approval, and resubmit it to the Planning Director. After review of the resubmitted application, the Planning Director must review and either approve or disapprove the application. The Planning Director must approve the resubmitted application only on finding the following:

- A.** All deficiencies identified in the previous review of the application have been corrected; and
- B.** The application does not contain new deficiencies, based on the review standards in Article 2, Division 3, Specific Standards and Requirements for Development Applications. ~~If the application involves real property used for commercial~~

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~~or industrial purposes, only~~ **Only** new deficiencies resulting from the following will be considered:

1. Corrections made to address previously identified deficiencies;
2. Errors or omissions occurring after the initial submission of the application;
3. Material revisions of infrastructure or physical improvements from the earlier submission; or
4. Material revisions that create a new required review by the state Department of Transportation or other state agency.

(2) The Planning Director must approve or disapprove a resubmitted application within 45 days of the date it was resubmitted. ~~If the application involves real property used for commercial or industrial purposes, if the~~ Planning Director fails to approve or disapprove a resubmitted application within 45 days of the date it was resubmitted, the application will be deemed approved; however, any deficiency in the proposed plan of development that, if left uncorrected, would violate local, state, or federal law or regulations, mandatory state Department of Transportation Engineering and Safety requirements, or other mandatory engineering and safety requirements, will not be considered, treated, or deemed as having been approved.

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6. That Section 24-3105 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3105. Superseding Dimensional Standards

••••

E. Dimensional Standards for Lots Created Prior to January 1, 1960, and Nonconforming Single-Family Residential Lots

The following standards apply to any single-family residential lot in an Agricultural or Residential zoning districts, any lot created prior to January 1, 1960, and to other nonconforming single-family residential lots, including lots in R-5, R-6, or RTH districts created between 1960 and 1992 and lots created through the controlled density development process between 1969 and 2000 will be subject to the following standards. Where the setbacks required by Sec. 24-3204 through Sec. 24-3314 are greater than the setbacks of this subsection, the setbacks will be reduced (but not increased) as

follows. (See also Sec. 24-6402, Development of Nonconforming Lots, for lot area and width regulations for nonconforming lots.)

••••

- 4. For a corner lot where the rear lot line adjoins the side lot line of the adjoining **single-family residential** lot (directly or across an alley **or common area less than 30 feet wide**), the street side setback will be reduced to 36 percent of the lot width (rounded down to the next lowest foot) or 25 feet, whichever is less.

••••

- 6. If the dwelling will be served by an individual well or onsite sewage disposal system, the lot must **include a primary drainfield with a 100% reserve drainfield area, and must** meet current requirements of the Virginia Department of Health in addition to the requirements of this subsection.

••••

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- 7. That Section 24-3403 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3403. CMU Community Mixed-Use District

••••

D. CMU District Dimensional and Intensity Standards

••••			
Lot coverage, minimum maximum (% of net lot area)	50 100	65 100	
••••			
Front yard, minimum (feet)	0	0	
••••			

••••

E. Other District Standards

••••

- 6. **Off-Street Parking**

••••

(b) Maximum Off-Street Vehicle Parking Spaces

The number of off-street surface vehicle parking spaces must not exceed 125 percent of the minimum requirements in Sec. 24-5110, Minimum Number of Off-Street Parking Spaces, ~~in structured~~, **Parking spaces in structured** parking facilities do not count toward the maximum allowed, subject to any alternative parking plan approved in accordance with Sec. 24-5120, Reduced Parking Standards for Parking Demand Reduction Strategies.

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8. That Section 24-3503 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3503. PD Master Plan and Terms and Conditions

Before approving a planned development zoning district, the Board of Supervisors must find that the application for the planned development zoning district classification, as well as the Planned Development Master Plan ("PD Master Plan") and Planned Development Terms and Conditions Document ("PD Terms and Conditions Document"), comply with the following standards. **Once approved, the PD Master Plan and PD Terms and Conditions Document will have the same force and effect as other zoning regulations**

••••

9. That Section 24-3505 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3505. SMX-PD Suburban Residential Mixed Planned Development District

••••

B. Area and Intensity Standards

••••

Residential density, maximum (averaged over residential land area of the district)	4 dwelling units per acre
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10. That Section 24-3506 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3506. TND-PD Traditional Neighborhood Development Planned Development District

••••

B. Area and Intensity Standards

••••

	Area of District	
	Between 8 and 40 Acres	Greater than 40 Acres
Residential density, maximum (averaged over residential land area of the district)	8.0 dwelling units per acre	10.0 dwelling units per acre

••••

••••

11. That Section 24-3507 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3507. UMU-PD Urban Mixed-Use Planned Development District

••••

B. Area and Intensity Standards

	Minimum	Maximum
Residential density, dwelling units per acre, averaged over residential land area of the district	10	60

••••

C. Use Standards

••••

- There must be a minimum of ~~three~~ **two** different residential housing types, one of which must be upper story dwellings. Each housing type must constitute a minimum of 15 percent of the dwelling units in the district at build-out.

••••

12. That Section 24-3508 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3508. LI-PD Light Industrial Planned Development District

••••

B. Area and Intensity Standards

••••

Residential density, maximum (averaged over residential land area of the district)	60.0 dwelling units per acre
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13. That Section 24-3803 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3803. Subdistricts Established

The FBA-O District is hereby established and composed of FBA-O subdistricts established in this section.

••••

E. The Short Pump Town Center Subdistrict (see Sec. 24-~~3875~~**3876**).

14. That Section 24-3805 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3805. Organization of FBA-O District Standards

The FBA-O District standards are organized as follows:

••••

G. Subdistrict Standards. These sections establish additional standards that apply to individual subdistricts within the FBA-O District and provide an illustrative plan for development in each subdistrict:

••••

- 4. Virginia Center Commons (VCC) Area Subdistrict Standards (Sec. 24-3872 through 24-~~3874~~**3875**); and
- 5. Short Pump Town Center Subdistrict Standards (Sec. 24-~~3875~~**3876** through 24-~~3878~~**3879**).

15. That Section 24-3810 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3810. Streets and Sidewalks: Alleys

••••

B. Alleys must comply with the required alley dimensions in Table 3810: Required Alley Dimensions.

Table 3810: Required Alley Dimensions		
Uses Served by Alley	Right-of-Way Alley Width (Max.)	Pavement Width^[1]
Residential	24'	12' – 18'
Nonresidential or Mixed-Use		18' – 20'

[1] Greater pavement width may be approved where required to meet fire lane standards.

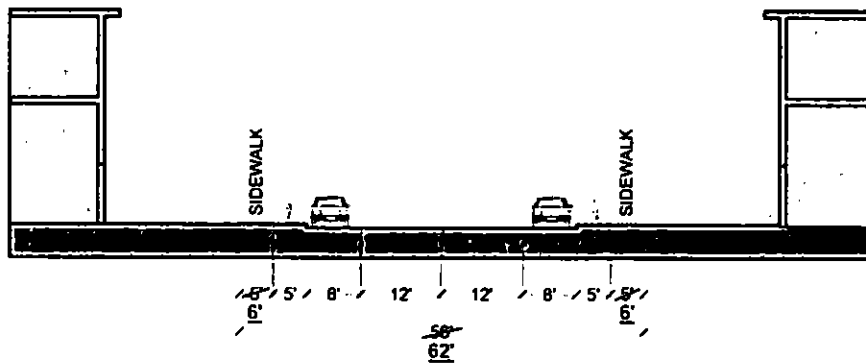
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16. That Section 24-3819 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3819. Streets and Sidewalks: Typical Tertiary Street Sections

A. Tertiary Street 1

••••



••••

••••

17. That Section 24-3825 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3825. Frontage Standards

....

Table 3825: Summary of Frontage Standards

Frontage Standards	Development Area						
	Mixed-Use (Core-ED)	Walkable (Core-ED)	Walkable Center	Neighborhood General	Connected Edge	Highway Edge	
Heights ¹							
First Floor Height ³	<u>Com: 13' min</u> <u>Res: 11' min</u>	<u>Com: 13' min</u> <u>Res: 11' min</u>	<u>Com: 13' min</u> <u>Res: 11' min</u>	<u>Com: 13' min</u> <u>Res: 11' min</u>	<u>Com: 13' min</u> <u>Res: 11' min</u>	<u>Com: 13' min</u> <u>Res: 11' min</u>	<u>Com: 13' min</u> <u>Res: 11' min</u>
Ground Finished Fl. ⁴	Com: 0' min Res: 2' min	Com: 0' min Res: 2' min	Com: 0' min Res: 2' min	Com: 0' min Res: 2' min	Com: 0' min Res: 2' min	<u>Com: 0' min</u> Res: 2' min	Com: 0' min Res: 2' min

....

....

4. Measured above average grade of frontage sidewalk.

....

18. That Section 24-3826 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3826. Mixed-Use Corridor Frontage Standards

Building Heights	
....	
B	First Floor Height (floor to floor) Commercial: 13' minimum Residential: 11' minimum
C	Ground Finished Floor above <u>average grade of frontage sidewalk or finished grade</u> Commercial: 0' min Residential: 2' min
....	

19. That Section 24-3827 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3827. Mixed-Use Core Frontage Standards

Building Heights	
....	
B	First Floor Height (floor to floor) Commercial: 13' minimum Residential: 11' minimum
C	Ground Finished Floor above <u>average grade of frontage sidewalk or finished grade</u> Commercial: 0' min Residential: 2' min

....

20. That Section 24-3828 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3828. Walkable Corridor Frontage Standards

Building Heights		
....		
B	First Floor Height (floor to floor)	Commercial: 13' minimum Residential: 11' minimum
C	Ground Finished Floor above <u>average grade of frontage</u> sidewalk or finished grade	Commercial: 0' min Residential: 2' min
....		

21. That Section 24-3829 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3829. Walkable Center Frontage Standards

Building Heights		
....		
B	First Floor Height (floor to floor)	Commercial: 13' minimum Residential: 11' minimum
C	Ground Finished Floor above <u>average grade of frontage</u> sidewalk or finished grade	Commercial: 0' min Residential: 2' min
....		

22. That Section 24-3830 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3830. Neighborhood General Frontage Standards

Building Heights		
....		
B	First Floor Height (floor to floor)	Commercial: 13' minimum Residential: 11' minimum
C	Ground Finished Floor above <u>average grade of frontage</u> sidewalk or finished grade	Commercial: 0' min Residential: 2' min
....		

23. That Section 24-3831 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3831. Connected Edge Frontage Standards

Building Heights		
....		
B	First Floor Height (floor to floor)	Commercial: 13' minimum Residential: 11' minimum
C	Ground Finished Floor above <u>average grade of frontage sidewalk or finished grade</u>	Commercial: 0' min Residential: 2' min
....		

24. That Section 24-3832 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3832. Highway Edge Frontage Standards

Building Heights		
....		
B	First Floor Height (floor to floor)	Commercial: 13' minimum Residential: 11' minimum
C	Ground Finished Floor above <u>average grade of frontage sidewalk or finished grade</u>	Commercial: 0' min Residential: 2' min
....		

25. That Section 24-3835 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3835. Parking Standards: Minimum Parking Standards

....

- C.** Parking spaces required by subsection A above may include on-street parking spaces adjacent to the property. The on-street parking must be within 300 feet of the front of the building for which the parking is it is intended to serve.

26. That Section 24-3837 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3837. Parking Standards: Parking Location and Access

....

- D.** Where parking accessed by a residential alley is visible from an adjacent street, the parking must be screened from view from the adjacent street by an opaque

wall or architecturally compatible screening at least 5 feet in height, supplemented with landscaping.

27. That Section 24-3838 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3838. Standards for New Buildings: Primary Entrances

The primary entrance of every building that provides access to a principal use must face a street or a public space. A public space may include a central garden or courtyard that opens directly onto the primary street.

28. That Section 24-3840 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3840. Standards for New Buildings: Façade Transparency

••••

Table 3840A: Minimum Façade Transparency
••••
NOTES:
[1] Measure of the amount of transparent window area, or door openings, <u>or substantial variations in depth, finish, texture, or architectural embellishment approved by the Planning Director</u> in the façade of a building relative to the overall surface area of the façade. The percentage of transparency per story is calculated within the area between finished floors and is a total percentage of doors and windows along that portion of the façade.

••••

29. That Section 24-3864 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3864. Brookfield Area Subdistrict: Additional Brookfield Area Standards

A. Monument Signs

Monument Signs are permitted along West Broad Street.

B. Mixed Use Requirement

- 1. In the Mixed-Use Core Development Area of the Brookfield Area Subdistrict, a minimum of 25 percent of the building floor area must be developed or reserved for nonresidential uses.**

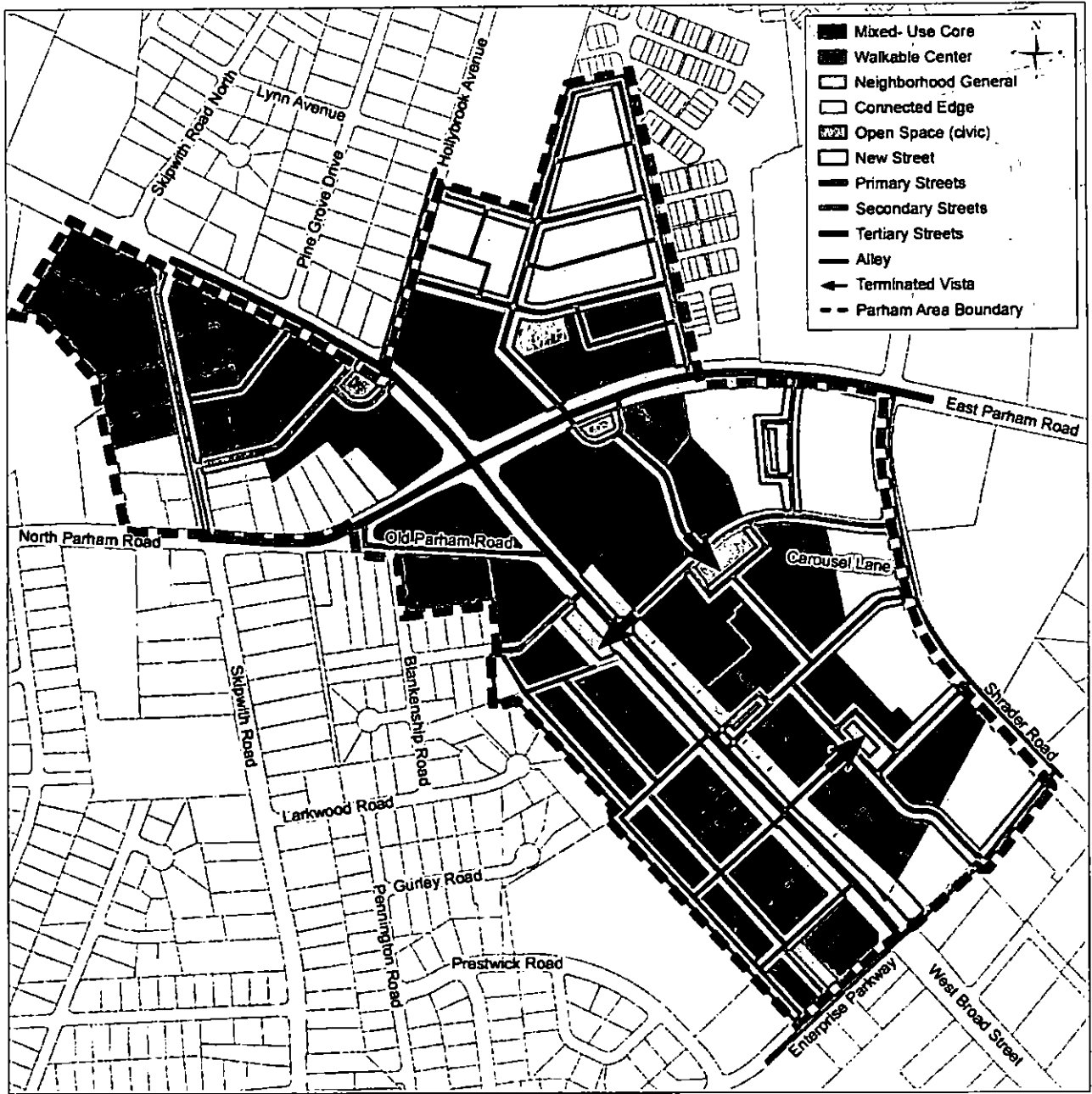
2. In the Brookfield Area Subdistrict overall, a minimum of 10 percent of the building floor area must be developed or reserved for nonresidential uses.

3. The Board of Supervisors may reduce or waive the requirements of this subsection through approval of a provisional use permit in accordance with Sec. 24-2306, Provisional Use Permit.

30. That Section 24-3867 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3867. Parham/Broad Area Subdistrict Regulating and Street Hierarchy Plan

••••



••••

31. That Section 24-3875 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-3875. Virginia Center Commons (VCC) Area Subdistrict: Additional Standards

A. Mixed Use Requirement

- 1. In the Mixed-Use Core Development Area of the Virginia Center Commons Area Subdistrict, a minimum of 25 percent of the building floor area must be developed or reserved for nonresidential uses.**
- 2. In the Virginia Center Commons Area Subdistrict overall, a minimum of 10 percent of the building floor area must be developed or reserved for nonresidential uses.**
- 3. The Board of Supervisors may reduce or waive the requirements of this subsection through approval of a provisional use permit in accordance with Sec. 24-2306, Provisional Use Permit.**

Sec. 24-38753876. Short Pump Town Center Subdistrict: Boundary

••••

32. That Section 24-3876 of the Code of the County of Henrico be renumbered as follows:

Sec. 24-38763877. Short Pump Town Center Subdistrict: Intent

••••

33. That Section 24-3877 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-38773878. Short Pump Town Center Subdistrict: Regulating and Street Hierarchy Plan

The regulating and street hierarchy plan for the Short Pump Town Center Area Subdistrict is set out in Figure 38773878.

••••

Figure 38773878: Short Pump Town Center Regulating and Street Hierarchy Plan

34. That Section 24-3878 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-~~3877~~3879. Short Pump Town Center Subdistrict: Additional Standards

A. Primary Streets

Primary Streets identified on Figure ~~3877~~ 3878 may be pedestrian only streets where vehicles are not allowed. Such streets must be at least 20 feet wide.

B. Mixed Use Requirement

- 1. In the Mixed-Use Core Development Area of the Short Pump Town Center Area Subdistrict, a minimum of 25 percent of the building floor area must be developed or reserved for nonresidential uses.**
- 2. In the Short Pump Town Center Area Subdistrict overall, a minimum of 10 percent of the building floor area must be developed or reserved for nonresidential uses.**
- 3. The Board of Supervisors may reduce or waive the requirements of this subsection through approval of a provisional use permit in accordance with Sec. 24-2306, Provisional Use Permit.**

35. That Section 24-4205 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4205. Principal Use Table

Table 4205: Principal Use Table

R=Permitted by right | C=Allowed subject to conditional use permit | P=Allowed subject to provisional use permit
 - =Prohibited | A=Allowed subject to an approved PD Master Plan and PD Terms and Conditions Document

Use Category Click on category to jump to definitions	Use Type	C&A	Residential												Nonresidential & Mixed-Use					PD			FBA-O Dev. Area					Use-Specific Standards Click on section number to jump to regulations									
		C-1	A-1	R-0	R-0A	R-1	R-1A	R-2	R-2A	R-3	R-3A	R-4	R-4A	R-5A	R-5	R-6	RTH	CMU	O-1	O-2	O-3	O/S	B-1	B-2	B-3	M-1	M-2		M-3	SMX-PD	TND-PD	UMU-PD	LI-PD	Mixed-use Corridor	Mixed-use Core	Walkable Corridor	Walkable Center
....																																					
Warehouse and Freight Movement	Warehouse (Distribution)																																Sec. 24-4330.E Sec. 24-4330.F			
	Warehouse (Storage)																																Sec. 24-4330.E Sec. 24-4330.F			
....																																					

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36. That Section 24-4306 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4306. Residential Uses: Household Living

••••

C. Dwelling, Multifamily

••••

6. Multifamily development **Apartment buildings** must provide centralized collection of trash and recyclable materials adequate to serve the number of dwelling units and meeting the requirements of Sec. 24-4428, Accessory Recycling and Refuse Collection Area, Outdoor, and Sec. 24-5103.G, Access to Shared Facilities.

••••

••••

F. Dwelling, Single-Family on Zero Lot Lines

••••

5. Exterior doors are prohibited on the zero-lot-line wall. Roof overhangs and ornamental features are prohibited from extending over the zero lot line unless specifically authorized by the recorded construction, drainage, and maintenance easement.

••••

G. Dwelling, Townhouse

••••

2. Each interior townhouse must occupy the full width of the lot. Each end unit must have a side yard a minimum of ten feet in width. Each end unit ~~on the~~ abutting a parking lot or street side of a corner lot must have a total building setback of 20 feet from the public right-of-way, ~~or private~~ access drive, common walk, or parking space ~~or walkway.~~

••••

4. Townhouse lots fronting on public streets must not have front-loaded garages, served by individual driveways, or parking spaces facing the public street.

••••

H. All Household Living Uses

A lot may be occupied by no more than one single-family, duplex, manufactured home, or townhouse dwelling. A dwelling unit in the Household Living use category may be occupied by one of the following, subject to the other terms of this Ordinance:

- 1. Two or more persons related by blood or marriage and their dependent children (natural, step, adopted, foster, or in kinship care);**
- 2. One or two persons and their dependent children (natural, step, adopted, foster, or in kinship care);**
- 3. Not more than four persons not related by blood or marriage, living together as a single, stable household, except as otherwise provided in this subsection H: or**
- 4. A group home.**

37. That Section 24-4307 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4307. Public and Civic Uses: Community Services

••••

C. Radio or Television Station

In the CMU Community Mixed Use District, O-2 Office District, and B-1 Business District, a radio or television station that includes any antennae taller than 50 feet or greater than 1 meter in diameter is allowed only upon approval of a provisional use permit by the Board of Supervisors in accordance with Sec. 24-2306, Provisional Use Permit.

D. Religious Institution

••••

38. That Section 24-4308 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4308. Public and Civic Uses: Day Care

A. Childcare Center

••••

5. Parking areas and vehicular circulation for the childcare center must be designed to enhance the safety of children as they arrive at and leave the facility. The center must provide a designated pickup and ~~delivery~~ **drop-off** area that includes at least **the equivalent area of one parking space per 20 children** ~~and is~~ **. The designated area may be a combination of pull-off area and required parking spaces** located adjacent to the childcare center in such a way that children do not have to cross vehicular travel ways to enter or exit the center.

39. That Section 24-4314 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4314. Public and Civic Uses: Utilities

••••

B. Utility, Major

••••

2. An electric substation ~~as a principal use~~ **servicing a community- or region-wide area** must not be located within 100 feet of any lot in a Residential district, or within 20 feet of any lot in any other district.

••••

C. Utility, Minor

••••

4. **An electrical substation serving a specific use or project must not be located within 50 feet of any lot in a Residential district or any other lot where the principal use is a dwelling.**

••••

F. Wireless Communications Tower, Freestanding

1. Height

- ~~(a) A freestanding wireless communications tower in a Residential district or within 200 feet of a dwelling must not exceed 50 feet in height, except~~

that a greater height may be approved in accordance with Sec. 24-2306, Provisional Use Permit.

~~(b) A freestanding wireless communications tower that is not located in a Residential district or within 200 feet of a dwelling must not exceed 50 feet in height unless the tower, and any accessory structure, is camouflaged to fit into the surrounding area (through use of paint colors and surface materials, incorporation into architectural design and structure, or by other means), in which case it must not exceed 100 feet in height. A tower greater than 100 feet in height may be approved in accordance with Sec. 24-2306, Provisional Use Permit.~~

A freestanding wireless communications tower is allowed by right up to the maximum height listed in Table 4314F below. A greater height may be approved by the Board of Supervisors in accordance with Sec. 24-2306, Provisional Use Permit.

Table 4314F: Maximum Tower Height	
Tower location and description	Maximum height (feet)
<u>In a Residential district or within 200 feet of a dwelling</u>	<u>50</u>
<u>All other locations, not camouflaged¹</u>	<u>50</u>
<u>All other locations, camouflaged¹</u>	<u>100</u>
<u>1. "Camouflaged" means the use of paint colors and surface materials, architectural design and structure, or other means approved by the Planning Director to fit the surrounding area.</u>	

2. Additional Application Requirements for Provisional Use Permit

An application for a provisional use permit in accordance with subsection F.1. above must include the following certifications and evidence, in addition to all other application materials required by this Ordinance:

~~(a) Certification, to the satisfaction of the Building Code Official, by the manufacturer or a structural engineer registered in the Commonwealth of Virginia that the height, design, installation, and total anticipated capacity of the structure meet all requirements and safety considerations set forth in the BOCA Basic Building Code and section 222(D) of the standards adopted by the Electronics Industries Association, as amended. The certification must state the number and type of antennas that the tower can accommodate.~~

~~(b) Certification from a licensed professional engineer primarily experienced with the design and operation of communication towers and antennas that the nonionizing electromagnetic radiation (NIEER) emitted from the facility will not result in a level of exposure at any point beyond the property line of the facility which exceeds the lowest applicable exposure standards established by any regulatory agency of the federal government or by the American National Standards Institute. Exceptions to this requirement may be authorized by the Planning Director for low power transmission facilities such as two-way radio, telephone (cellular and VHF), microwave, government communication equipment, and similar type transmitters.~~

~~(c) Verifiable evidence that there is not sufficient space on suitable existing towers, buildings, or other structures to locate the proposed antenna(s).~~

~~3.2. Minimum Distance~~

••••

~~4.3. Other Standards~~

••••

40. That Section 24-4315 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4315. All Commercial Uses

••••

C. In the R-6 District, Commercial uses are allowed within a master planned community in accordance with the following requirements:

••••

8. Between the hours of 12:00 midnight and 6:00 am, any Commercial use other than a hotel or motel must not be open to the public and activity must not be conducted outside of an enclosed building unless expressly authorized by a provisional use permit issued in accordance with Sec. 24-2306. Provisional Use Permit.

••••

41. That Section 24-4323 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4323. Commercial Uses: Retail Sales and Services

••••

F. Vaping Shops

A vaping shop must not be located within 1,000 feet of a school or within 2,000 feet of a religious institution, childcare center, public park, or an existing vaping shop.

42. That Section 24-4330 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4330. Industrial Uses: Warehouse and Freight Management

••••

B. Mini-warehouse

••••

5. A mini-warehouse site must include a Transitional Buffer 35 **(or greater if required by Table 5310A)** along any property line that abuts any use other than an Industrial use.

••••

••••

E. Truck or Freight Terminal, Warehouse (Distribution), or Warehouse (Storage)

••••

4. A freight terminal or warehouse that exceeds 400,000 square feet of floor area must have access to an arterial or major access road without passing through a residential neighborhood.

~~F. Bulk Storage of Flammable Liquids~~

~~5.~~ Bulk storage of flammable liquids as a principal use is allowed only in the Industrial Districts, subject to the setbacks and limitations below.

~~1-(a)~~ In the M-1 District, bulk storage of flammable liquids must be underground, must be located a minimum of 200 feet from all Residential districts, and must not exceed 30,000 gallons.

~~2-(b)~~ In the M-2 District, bulk storage of flammable liquids that does not meet the limitations of subsection 1 must be located a minimum of 600 feet from all Residential districts and must not exceed 80,000 gallons.

~~3-(c)~~ In the M-3 District, bulk storage of flammable liquids that does not meet the limitations of subsection 1 must be located a minimum of 600 feet from all districts other than Industrial districts.

43. That Section 24-4404 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4404. Uses and Structures Accessory to Certain Dwellings

- A.** Accessory uses and structures that are accessory to and not attached to a single-family detached or single-family attached dwelling, manufactured home dwelling, duplex dwelling, or townhouse must comply with the following standards (see also Sec. 24-4424.B, Accessory Outdoor Storage):

••••

- 9. On double frontage lots, accessory structures must meet the front yard setback at the rear of the principal dwelling unless a planting strip easement is provided in accordance with Chapter 19 of the County Code. **If the front yard of a single-family dwelling adjoins either side of the rear yard of the subject lot, accessory structures may be located no closer to the right-of-way than the rear plane of the adjacent dwellings.**

••••

- D. ~~Except in the RTH Residential Townhouse District,~~ **Accessory to a single-family detached dwelling, single-family attached dwelling, manufactured home dwelling, or duplex dwelling, but not a townhouse dwelling,** noncommercial trailers, boats, and recreational vehicles may be stored in completely enclosed buildings, or may be stored outside as follows (see also Sec. 24-4425, Accessory Parking of Trucks and Commercial Vehicles (as accessory to a dwelling)):

••••

44. That Section 24-4419 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4419. Accessory Home Occupation

Home occupations must comply with the standards in this section, as applicable.

A. General Requirements Applicable to All Home Occupations

All home occupations must comply with the following standards:

••••

- 2. All persons who work at a dwelling must reside in the dwelling. **Employees who live outside the dwelling must not park at the dwelling or report to the dwelling for work.**

••••

- 4. A home occupation must not result in adverse noise, vibration, odor, glare, or fumes that can be detected by normal human senses off the premises. **There must be no evidence visible from off the premises that the dwelling is used for a business except for a sign as provided in Sec. 24-5703.D.**

••••

••••

45. That Section 24-4431 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4431. Accessory Short-Term Rental (as accessory to a dwelling)

••••

- B.** *Principal residence and ownership required.* Only a dwelling that is occupied by the ~~property owner~~ **resident** for at least 185 days per year may be offered for short-term rental. Prior to offering any property as a short-term rental, the ~~property owner~~ **resident** must certify, on a form provided by the Planning Director, that ~~the property owner occupies~~ **the resident occupies** the property for at least 185 days per year. ~~For purposes of this section, ownership includes, among other forms, a dwelling (1) held by a person alone or in conjunction with his spouse as tenant or tenants for life or joint lives, (2) held in a revocable inter vivos trust over which a person or a person and his spouse hold the power of revocation, or (3) held in an irrevocable trust under which a person alone or in conjunction with his spouse possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support. However, ownership does not include a dwelling held under a leasehold or term of years.~~

••••

46. That Section 24-4435 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4435. Accessory Bulk Storage of Flammable Liquids

Bulk storage of flammable liquids as an accessory use to any use other than an automobile filling station (fuel only) or for emergency generators at a hospital or similar facility must comply with the standards in ~~Sec. 24-4330.F, Bulk Storage of Flammable Liquids~~ **Sec. 24-4330.E.5.**

47. That Section 24-4505 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-4505. Temporary Construction-Related Building, Structure, or Use

- A.** The temporary building, structure, or use must not be moved onto the project site prior to the issuance of a **temporary use permit and any required** building permit for the related project and must be removed within 30 days after either (i) the expiration of the building permit, or (ii) the issuance of the final certificate of occupancy for the building or completed development, at which time the temporary use permit will expire.

••••

48. That Section 24-5103 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5103. Access and Circulation System

••••

C. Vehicular Cross-Access between Adjoining Development

••••

3. ~~All nonresidential development must have access to a public street without crossing private property in a Residential District.~~
4. The Planning Director may modify the requirement for vehicular cross-access established in this subsection on determining that such cross-access is impractical or undesirable due to the presence of topographic conditions, natural features, vehicular safety factors, land use conflicts, site-specific security concerns, or existing development on adjacent lands that precludes the cross-access. If the Planning Director does not require cross-access because of land use conflicts or existing development that precludes cross-access but determines that cross-access may be provided in the future, the applicant must record easements to allow for future cross-access having a minimum width required by subsection C.1 above between the development and adjacent lands.

••••

D. Pedestrian Cross-Access Between Adjoining Development

1. Multifamily, nonresidential, or mixed-use development subject to the requirements of this division must establish an internal pedestrian circulation system that is designed to allow for pedestrian walkway cross-access between the development's buildings and parking areas and those on adjoining lots containing multifamily, nonresidential, or mixed-use development, and to lands zoned for such uses or designated for such uses on the comprehensive plan future land use map. Each required cross-access must consist of sidewalk at least 6.5 feet wide that is ADA accessible and lighted in accordance with Sec. 24-5504.C, Pedestrian Areas.

••••

E. Access to Private Cemetery or Graveyard

When development is proposed adjacent to or encompassing a private cemetery or graveyard, access must be provided by either a public right-of-way or a private accessway at least 20 feet in width extending from the cemetery or graveyard to a public street. The access must be improved with an all-weather surface at least 5 feet in width and compatible with the proposed development. The proposed development must be separated from the cemetery or graveyard by a fence between 36 and 42 inches in height meeting the requirements of Article 5, Division 4, Fences and Walls. In the R-5A District, the nearest residential lot must be at least 20 feet from the cemetery or graveyard.

F. Access to Nonresidential Development

All nonresidential development must provide its primary access to a public street without crossing private property in a Residential District. The Planning Director may approve secondary or emergency access across private property in a

Residential District where such access will not have a detrimental impact on the residential property.

G. Access to Shared Facilities

The following requirements apply to all new development that includes shared facilities for common use such as a consolidated mail delivery point or a recycling and refuse collection area (for additional requirements for refuse and recycling collection areas, see Sec. 24-4428).

1. An accessible pedestrian path must be provided from each facility to every dwelling or unit to be served, or an accessible sidewalk provided from each facility to an adjacent dedicated parking lot.
2. The shared facilities must be illuminated to the standards of Section 24-5503, General Standards. For site features or facilities not listed in Section 24-5503, the average illumination must be at least 0.5 foot candles.
3. Where consolidated mail delivery facilities are required by the United States Postal Service, they must be identified and approved on a plan of development, site plan, or subdivision construction plan prior to construction. Shared mail delivery facilities must be located such that every dwelling or unit to be served by each facility is within 1,400 linear feet, as measured along the most direct pedestrian or vehicular way. Construction of the facilities must be completed prior to issuance of a final certificate of occupancy for a dwelling or unit to be served by them.

49. That Section 24-5104 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5104. Off-Street Parking Location, Entrances, and Exits

A. Location

••••

2. For townhouse developments, parking lots must be set back at least 15 feet from any existing or proposed public right-of-way (see also Sec. 24-5312.B, Perimeter Landscaping). Individual townhouse dwelling **lots** fronting on public streets must not have front-loaded garages, ~~served by individual driveways,~~ **or parking spaces facing the public street**. For individual townhouse dwelling **lots** fronting on a private access, parking must not be located in a front yard except as a driveway serving a permitted front-loaded garage (one driveway space for each garage space). Such parking must be at least 18 feet deep by 9 feet wide exclusive of sidewalks and easements.
3. In all Office, Business, and Industrial Districts, parking **lots** must be set back at least 15 feet from any existing or proposed public right-of-way (see also Sec. 24-5312.B, Perimeter Landscaping).

••••

6. For single-family detached dwellings, the width of the driveway must not exceed 50 percent of the lot width or ~~45~~**30** feet, whichever is less.

....

50. That Section 24-5106 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5106. Off-Street Parking Lighting, Landscaping, and Screening

....

C. Protected Walkway

Adequate and safe pedestrian access by a walkway protected by a curb separation and elevation from the street grade must be provided to connect parking areas and the primary pedestrian entrances to the uses served by the parking, **and to the public sidewalk if one abuts the property. Walkways must not conflict with parking space area, depth, or width, including private driveways.**

....

51. That Section 24-5109 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5109. Dimensional Standards for Parking Spaces and Aisles

A. General Requirements

Except as otherwise provided in subsections C or D below, standard vehicle parking spaces and aisles must comply with the minimum dimensional standards established in Table 5109: Dimensional Standards for Parking Spaces and Aisles. See Figure 5109A: Measurement of Parking Space and Aisle Dimensions and Figure 5109B: Measurement of Parallel Parking Space and Aisle Dimensions. **Parking lots must include raised curb and gutter separating vehicular travel lanes from adjacent parking areas and walkways unless the County Engineer approves a stormwater management design for the parking lot that promotes the absence of raised curb and gutter. On-street parking bays that terminate at intersections must be protected by raised curb and gutter defining the full width and depth of the parking bay outside of adjacent travel lanes.**

Table 5109: Dimensional Standards for Parking Spaces and Aisles [1] [2]				
PARKING ANGLE (DEGREES)	STALL WIDTH (FT)	STALL DEPTH PERPENDICULAR TO CURB (FT)	 AISLE WIDTH (FT)[2]	STALL LENGTH ALONG CURB (FT)
....				

....

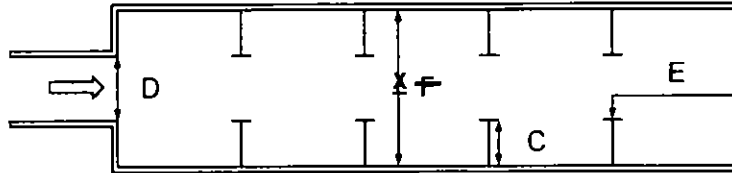


Figure 5109B: Measurement of Parallel Parking Space and Aisle Dimensions

.....

D. Compact Parking

Up to 20 percent of required off-street parking spaces may be designated for use by compact cars. The dimensions of such designated off-street parking spaces may be reduced to a width of eight feet and a depth of 16 feet. **If angled parking is reduced to compact size, aisle width must be no less than 24 feet.** Parallel parking spaces may not be reduced to compact parking spaces.

.....

52. That Section 24-5110 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5110. Minimum Number of Off-Street Parking Spaces

.....

Table 5110: Minimum Number of Off-Street Parking Spaces		
Principal Use Category	Principal Use Type	Minimum Off-Street Parking Spaces ^[1, 2]
.....
Industrial Services
	Industrial training facility	2.0 per 1,000 sf
.....

[3] Where mail is delivered to freestanding cluster or community mailboxes, one additional parking space per every 30 dwellings served by the mailboxes must be provided in close proximity. **The Planning Director may approve on-street parking for cluster or community mailboxes.**

.....

53. That Section 24-5116 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5116. Off-Site Parking

An applicant may propose an alternative parking plan to meet a portion of the minimum number of off-street parking spaces required for that use through off-site parking ~~at a separate parking lot~~ **located on a different lot from the use it serves**. Such use of off-site parking will be subject to the following standards:

••••

54. That Section 24-5204 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5204. Areas Counted Towards ~~Set Aside~~Required Open Space

A. Qualifying Types of Open Space

The features and areas identified as counting towards ~~g~~ required open space in Table 5204: Required Open Space Features, will be credited towards compliance with the amount of open space required by Sec. 24-5203 above if designed and maintained in accordance with Table 5204.

••••

55. That Section 24-5303 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5303. Landscaping Plan Required

••••

B. Alternative Landscaping Plan

••••

2. The Planning Director or, at the request of ~~the applicant or~~ the Planning Director, the Planning Commission may approve the alternative landscaping plan upon determining that the plan meets the standards of subsection 1 above.

56. That Section 24-5310 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5310. Transitional Buffers

A. Applicability

....

3. Where a proposed use abuts the adjacent zoning district or is separated from the adjacent zoning district by a transitional buffer is required abutting a public right-of-way 80 feet or less in width or abutting the right-of-way of a controlled-access road, the transitional buffer indicated by Table 5310A is required. However, if a proposed use and the adjacent zoning district are separated by a transitional buffer is not required abutting a public right-of-way greater than 80 feet in width (other than a controlled-access road), a transitional buffer is not required.

....

B. Transitional Buffer Standards

....

Table 5310A: Buffer Type Assignment

Proposed Use [1, 2]	Adjacent Controlled Access Road or Zoning District [3]					
	Controlled-Access Road	A-1, R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, R-4A	R-5A, R-5, R-6, RTH	CMU, O-1, O-2, O-3, O/S	B-1, B-2, B-3	M-1, M-2, M-3
Commercial uses greater than 15,000 sf	Transitional Buffer 35	Transitional Buffer 50	Transitional Buffer 50	Transitional Buffer 35		
Commercial and Major Utilities , Industrial uses greater than 15,000 sf	Transitional Buffer 35	Transitional Buffer 50	Transitional Buffer 50	Transitional Buffer 35	Transitional Buffer 25	

....

57. That Section 24-5311 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5311. Screening

Except on This section will not apply to lots where the principal use is an Agricultural or Residential uses or to dwellings in a One-Family Residence District. For other districts and uses, the following objects and areas must be screened from public view at ground level, both on and off the premises, in accordance with this section. “Public view” means plainly visible to a person on any public right-of-way, any property adjacent to the subject property, or anywhere on the subject property open to the general public (e.g., customers). For Multifamily and Townhouse

dwellings, see Sec. 24-4306, Residential Uses: Household Living. For Recycling and Refuse Collection Areas, see Sec. 24-4428, Accessory Recycling and Refuse Collection Area, Outdoor.

A. Areas to be Screened by Buildings, ~~or~~ Walls, or Fences:

The following areas must be screened by the principal buildings on the site, or architecturally integrated building elements, or opaque walls or fences of approved **height**, **design**, and materials compatible with the principal buildings:

••••

B. Areas to be Screened by Walls, Fences, or Landscaping:

The following areas must be screened by opaque walls or fences of approved **height**, **materials**, and **design**, or as approved on an Alternative Landscaping Plan (see Sec. 24-5303.B, Alternative Landscaping):

••••

58. That Section 24-5403 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5403. Location

••••

G. Fences and walls ~~must not be taller than 42 inches within 15 feet of any street right-of-way, and must not obstruct vision at any height between 30 inches and eight feet above grade in the following locations:~~ **sight distance triangles as described below:**

••••

~~3. Fences and walls must not obstruct vision within sight lines and easements identified on an approved plan of development, site plan, or subdivision plan.~~

H. Fences and walls, and any associated landscaping, must not obstruct vision within sight lines and sight easements identified on an approved plan of development, site plan, or subdivision plan.

59. That Section 24-5404 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5404. Height Standards

A. General

Except as otherwise provided in subsection B below, or unless ~~excess~~ **additional** height for a wall or fence is permitted as part of a transitional buffer in accordance with Sec. 24-5310, Transitional Buffers, or required screening in accordance with Sec. 24-5311, Screening, fences and walls must ~~comply with the following:~~ **not exceed the maximum height listed in Table 5404, below.**

- ~~1. A fence or wall in the front yard or street side yard of a single-family dwelling, or the minimum required front yard or street side yard on a lot that contains any other use or is vacant, must not exceed three feet, six inches in height.~~
- ~~2. A fence or wall in a side yard or a rear yard must not exceed ten feet in height for uses in the Commercial or Industrial classification, uses in the Government Facilities category, and major utility uses, and seven feet in height for all other uses.~~

Table 5404: Maximum Fence or Wall Height		
<u>Principal Use and Fence or Wall Location</u>	<u>Maximum height allowed by right</u>	<u>Maximum alternative fence height ⁴</u>
<u>Single-family dwellings, duplex dwellings, manufactured home dwellings</u>		
<u>Front yard ¹</u>	<u>3'-6"</u>	<u>7'-0"</u>
<u>Street side yard less than 10 feet from right-of-way</u>	<u>3'-6"</u>	<u>7'-0"</u>

Street side yard, 10 feet or more from right-of-way (see also Sec. 24-5406.B.1)	7'-0"	10'-0"
Interior side yard or rear yard	7'-0"	10'-0"
All other dwellings, Agricultural uses, Public, Civic, and Institutional uses other than Government Facilities and Major Utilities, unimproved lots		
Required front yard or street side yard setback ^{2, 3}	3'-6"	10'-0"
Interior side yard or rear yard ²	7'-0"	10'-0"
Major Utilities, Commercial uses, Industrial uses		
Required front yard or street side yard setback ²	3'-6"	10'-0"
Interior side yard or rear yard	10'-0"	n/a
NOTES		
1. Actual front yard between the front lot line and the nearest part of the dwelling		
2. Minimum required front yard or street side yard (see Article 3)		
3. See Sec. 24-5402.A.7 for exemptions for certain agricultural fences		
4. See Sec. 24-5404.B.5, Alternative Fence Height		

B. Exceptions

• • • •

3. Where the side lot line of a residential lot adjoins the rear lot line of the adjoining lot, or when the side lot line and rear lot line are separated by an alley, a seven-foot-high fence, or wall or hedge may be permitted along either of the abutting or adjacent side and rear lot lines **to within 10' of the front lot line.**
4. On double frontage lots where a planting easement is required in accordance with Sec. 19-3202 of Chapter 19 of the County Code, a fence or wall up to ten feet in height may be approved within a side yard or a rear yard as part of a landscaping plan. **Where the side lot line of a residential lot adjoins the side lot line of an adjacent residential lot, a fence up to 7' in height may be permitted along the common side lot line on either lot to the actual front yard of either lot.**
5. **Alternative Fence Height:** The Planning Director, or at the request of the Planning Director, the Planning Commission if review of an alternative landscaping plan by the Planning Commission is requested (see Sec. 24-5303.B, Alternative Landscaping), will permit fences or walls identified on a landscaping plan or alternative landscaping plan up to ten feet in **the maximum** height **listed in Table 5404** upon finding that the fences and or walls:
 - (a) would be compatible with the size, configuration, and topography of the site;**
 - (b) would be compatible with the height, location, and materials of any existing buildings and structures;**
 - (c) would** comply with the sight distance requirements in Sec. 24-5403; location, and do **the landscaping requirements of Sec. 24-5406.B;** and
 - (d) would** not adversely affect: the
 - ~~(a)~~ The health, safety, or welfare of persons residing on or working on the premises; **the**
 - ~~(b)~~ The visibility of or value of **access to** abutting and adjacent properties **from the street; the**
 - ~~(c)~~ The adequate supply of light and air to adjoining property; and

~~(d)~~ Traffic **traffic** or pedestrian safety; **or the character of the surrounding area.**

••••

60. That Section 24-5405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5405. Materials

A. Permitted Fence and Wall Materials

1. Fences and walls must be constructed of durable all-weather materials such as masonry, stone, wrought iron, welded steel, electroplated aluminum, pressure-treated or rot-resistant lumber, composite materials designed to appear as wood or masonry, vinyl, or similar customary fencing materials.
2. Except in the C-1, A-1, and M-3 districts, or in conjunction with a single-family or two-family dwelling or a school playground or athletic field, chain-link fences must be vinyl-clad and must be supplemented with landscaped screening consisting of the types and spacing of plantings required by Sec. 24-5406.B, Fence and Wall Landscaping, along the side of the fence facing the exterior of the lot.

B. Prohibited Fence and Wall Materials

The following materials are specifically prohibited for use in walls or fences:

••••

2. Chicken wire, corrugated metal, fabric materials **(except windscreen or sunscreen for athletic facilities)**, slats inserted into chain-link fences, fiberboard, garage door panels, plywood, rolled plastic, sheet metal, debris, junk, or waste materials; and

••••

61. That Section 24-5406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5406. Finished Side and Landscaping

••••

B. Fence and Wall Landscaping

1. Except as provided in subsection 3 below, portions of fences or walls taller than ~~four~~ feet **3 feet 6 inches** in height located within 20 feet of a street right-of-way must

be supplemented with landscaped screening in accordance with the following standards (see Figure 5406B: Fence and Wall Landscaping):

••••

••••

3. The Planning Director may modify the landscaping requirements of this subsection B on determining that:
 - (a) the proposed fence or wall provides a similar degree of screening through the use of alternative landscape materials, horizontal offsets, variation of height, opacity, variation of materials, decorative features, or other design features; **or**
 - (b) the approval of an alternative fence height warrants additional or alternative landscaping materials to ensure compatibility of the fence or wall in accordance with Sec. 24-5404.B.5.**

62. That Section 24-5407 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5407. Retaining Walls

Retaining walls must comply with the following standards: **The Planning Director may reduce or waive these requirements subject to the standards for review of alternative fence height (see Section 24-5404.B.5).**

- A. If the elevation at the top of a retaining wall is more than six feet higher than the elevation at the nearest property line, the Any retaining wall must comply with located within the front or street side yard setbacks for the principal use in the zoning district in which it is located must not be taller than six feet. A change in elevation greater than six feet may be terraced in six-foot sections as provided in subsection D below.**
- B. If the elevation at the top of a retaining wall, including a terraced retaining wall, is more than six feet higher than a street right-of-way located property line within 20 feet, or is more than ten feet higher than a street right-of-way located property line within 50 feet or an abutting parcel, the base of the retaining wall must be screened supplemented with landscaping in accordance with Sec. 24-5406.B, Fence and Wall Landscaping.**
-
- D. Terraces created between retaining walls must be permanently landscaped with native vegetation in accordance with Sec. 24-5406.B, Fence and Wall Landscaping. Two vertical retaining walls that are each less than six feet in height must be separated by a terrace with a minimum width of three feet. Two vertical retaining walls, one or both of which is greater than six feet in height, must be separated by a terrace with a minimum width of five feet.**
- E. A retaining wall facing a street or adjacent parcel, where not subject to the provisions of subsection B of this section, must be screened in accordance with Sec. 24-5406.B,**

Fence and Wall Landscaping, unless the wall is **finished or** faced with stone, brick, or earth-colored materials similar to the surrounding natural landscape.

••••

H. Except for shared retaining walls along the property lines of two parcels, a retaining wall must be set back at least five feet. Where common retaining walls or their tiebacks **or other components abut or** encroach on residential **adjacent** property, a maintenance easement must be recorded and the **any necessary** declaration of covenants **or agreements associated with the easement** must provide for notice of the easement to be provided to prospective property owners. Tieback distances must be shown on the plan of development construction and landscaping plans.

63. That Section 24-5502 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5502. Applicability

A. General

Unless exempted in accordance with subsection B below, the standards in this division apply to:

1. All new development;
2. Any extension, enlargement, or reconstruction of a building, structure, or parking lot, but only regarding the extended, enlarged, or reconstructed portions of the building, structure, or parking lot; and
3. **Replacement of outdoor lighting fixtures that were approved before September 1, 2021, but only regarding the new fixtures, which may be replaced at the same location and height; and**
4. Any change of use where the new use requires lighting or a CPTED plan under this division.

B. Exemptions

••••

7. Temporary lighting of construction sites, provided such lighting is discontinued upon completion of the construction activity; **and**
8. Temporary lighting for emergency situations, provided such lighting is discontinued upon abatement of the emergency situation; ~~and~~
9. ~~Outdoor lighting fixtures that do not comply with provisions of this division on September 1, 2021, provided they are brought into compliance with this division when they are replaced.~~

••••

64. That Section 24-5503 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5503. General Standards

••••

Table 5503A: Average Illuminance (Minimum and Maximum)		
Site Feature	Minimum (foot candles)	Maximum (foot candles)
<u>Residential cluster mailboxes, bicycle parking, and recycling and refuse collection areas</u>	0.5	2
...		
Pedestrian pathway for multifamily and nonresidential development	1.0 0.5	3
Surface parking lot, other than other than 24-hour nonresidential uses ⁽¹⁾	1	3
...		
[1] Including cluster mailboxes, bicycle parking, service areas, loading bays, and recycling and refuse collection areas, whether or not attached to a parking lot		

••••

C. Hours of Illumination

- Public, Civic, and Institutional uses, Commercial uses, Industrial uses, and mixed-use developments that are adjacent to existing residential development must extinguish all exterior lighting by ~~11 PM or~~ within one hour of closing, ~~whichever is earlier,~~ except the minimum amount of exterior lighting necessary for security or emergency purposes.

••••

••••

65. That Section 24-5504 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5504. Lighting Standards for Specific Uses and Site Features

A. Off-Streets and Parking Areas

~~Lighting fixtures for off-street parking areas must be activated by a timer or photo-cell.~~ **1. Required lighting for off-street parking areas must be provided during hours of operation.**

2. Lights for streets and parking areas must be provided by full cut-off fixtures mounted on non-corrosive poles served by underground wiring.
3. In a parking lot or within 8 feet of the vehicular travel lane of a street or alley, any light pole over 15 feet in height must have a concrete base or equivalent structural support; direct-embedded construction without structural support is prohibited.
4. The poles, fixtures, and light color of streetlights in an individual subdivision or development must be consistent throughout the subdivision or development.
5. Streetlight poles must be designed and placed in accordance with VDOT or County standards.

••••

D. Streetlights

- ~~1. All streetlights must be located inside full cut-off fixtures mounted on non-corrosive poles served by underground wiring.~~
- ~~2. The streetlight pole must have a concrete base; direct-embedded construction is prohibited.~~
- ~~3. The light structure and light color of streetlights in an individual subdivision or development must be consistent throughout the subdivision or development.~~
- ~~4. Streetlight poles must be designed and placed in accordance with VDOT or County standards. Streetlight poles must be placed on or near the side property lines of residential dwelling units.~~

66. That Section 24-5508 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5508. Crime Prevention Through Environmental Design

••••

B. Specific Uses Requiring a CPTED Plan

••••

7. Vaping shops; ~~and,~~
8. Video game rooms; **and**
9. **Visitor Accommodations uses.**

••••

67. That Section 24-5601 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5601. Purpose and Intent

The purpose of these neighborhood compatibility standards is to provide a proper transition from and ensure compatibility between single-family detached dwellings ~~in the single-family residential~~ **and** zoning districts and more intense forms of development. More specifically, it is the intent of these standards to:

••••

68. That Section 24-5602 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5602. Applicability

A. General

••••

2. For the purposes of this division, single-family residential lots include **all residential subdivision lots developed or intended to be developed for single-family attached, single-family detached, or duplex dwellings.**
 - (a) ~~Lots where an existing single-family detached, or duplex dwelling is the principal use; and~~
 - (b) ~~Undeveloped land in the R-0, R-0A, R-1, R-1A, R-2, R-2A, R-3, R-3A, R-4, R-4A, and R-5A districts.~~
3. For the purpose of this division, multifamily, nonresidential, or mixed-use development includes the following:

••••

- (e) Uses in the Public, Civic, and Institutional use classification (except for **public schools and** uses in the Community Service, **Government Facilities,** and Utilities use categories);

••••

B. Exemptions

The following are exempt from these standards:

••••

3. **Public schools and** ~~Uses~~ in the Community Service, **Government Facilities,** and Utilities use categories.

••••

69. That Section 24-5605 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5605. Building Form and Facades

A. All buildings subject to these standards must:

1. Orient porches and balconies away from the rear yards of single-family residential lots within 75 feet;

••••

••••

70. That Section 24-5805 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-5805. Chesapeake Bay Preservation: Exceptions

••••

B. Request to County Engineer

••••

5. Existing uses rendered nonconforming on November 15, 1991, and uses vested by law as of November 15, 1991, will not be subject to the requirements of Secs. ~~24-5901~~ 24-5801 through 24-5906 24-5806 in accordance with state law. In addition, this division will not be applied so as to constitute an unconstitutional taking of property.

71. That Section 24-6203 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-6203. Enlargement or Extension

••••

C. A nonconforming single-family dwelling or duplex dwelling in the R-5 or R-6 General Residence District or the RTH Residential Townhouse District may be enlarged provided the enlargement does not extend further into the required yard than the existing nonconforming dwelling.

72. That Section 24-6401 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-6401. General Provisions

Nonconforming lots of record are lots that were platted and recorded prior to September 1, 2021, and complied with the dimensional standards in effect at the time they were recorded but do not comply with the dimensional standards of the zoning district in which they are located. Such lots may be developed in accordance with this Division. (See also Sec. 24-3501.E, Dimensional Standards for Lots Created Prior to January 1, 1960, and Nonconforming Single-Family Residential Lots.)

••••

- C. If a an existing dwelling ~~was built across~~ **is located on** a common lot line, or so close to the lot line that it would only have met the requirements in effect at the time **it was constructed** if the two lots were consolidated **treated as a single lot**, they will be considered to have been consolidated and will not be considered separate lots under this Ordinance ~~unless both lots are brought into compliance with the standards of this Ordinance.~~
- D. An existing dwelling on a lot that is conforming as to use but nonconforming with respect to the lot area, lot width, or public street frontage requirement may be replaced with a new dwelling provided the new dwelling complies with the applicable setbacks of this Ordinance. **The replacement dwelling must be constructed within four years of the demolition of the nonconforming dwelling.**

73. That Section 24-6402 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-6402. Development of Nonconforming Lots

New development will be allowed on a nonconforming lot in accordance with subsections A through D below. Except as otherwise provided in subsection A below, neither the nonconforming lot nor any portion of it ~~must~~ **may** have been held in common ownership with any adjacent lot so that the combined property holdings of the landowner form a lot of sufficient width and area to conform to the requirements of this Ordinance at any time during the period of common ownership.

- A.** Any nonconforming lot in the A-1, Agricultural District, or any of the Residential zoning districts may be developed for a single-family dwelling if it meets the following requirements.

••••

- 3.** The dwelling must meet the minimum setback requirements of Sec. 24-3105.E, Dimensional Standards for Lots Created Prior to January 1, 1960, **and Nonconforming Single-Family Residential Lots.**
- 4.** If the dwelling will be served by an individual well or onsite sewage disposal system, the lot must **include a primary drainfield with a 100% reserve drainfield area, and must** meet current requirements of the Virginia Department of Health ~~or the minimum~~ **in addition to the requirements** in Table 6402, ~~whichever is greater.~~

••••

••••

74. That Section 24-7101 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-7101. Purpose and Intent

This article establishes procedures by which the County seeks to ensure compliance with the provisions of this Ordinance and to obtain corrections for Ordinance violations. It also sets forth the remedies and penalties that apply to violations of this Ordinance. The provisions of this article are intended to encourage the voluntary correction of violations where possible.

75. That Section 24-7201 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-7201. Who Must Comply

Compliance with all the procedures, standards, and other provisions of this Ordinance is required by any person owning, developing, managing, using, or occupying land or structures in the County.

76. That Section 24-7202 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-7202. *Timing of Permits and Approvals*

All permits and development approvals required by this Ordinance must be obtained prior to development.

77. That Section 24-7203 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-7203. *Limitation of Permits and Approvals*

Each permit or development approval authorizes only the development set forth in that permit or development approval.

78. That Section 24-8101 of the Code of the County of Henrico be amended and reordained as follows:

DIVISION 1. GENERAL RULES FOR INTERPRETATION

~~The rules in this division will apply for construing or interpreting the terms and provisions of this Ordinance.~~

Sec. 24-8101. *Meanings and Intent*

The rules in this division will apply for construing or interpreting the terms and provisions of this Ordinance. All provisions, terms, phrases, and expressions contained in this Ordinance will be interpreted in accordance with the general purposes set forth in Sec. 24-1104, General Purpose and Intent, and the specific purpose statements set forth throughout this Ordinance. When a specific section of these regulations gives a different meaning than the general definition provided in this article, the specific section's meaning and application of the term will govern.

79. That Section 24-8201 of the Code of the County of Henrico be amended and reordained as follows:

DIVISION 2. TABLE OF ABBREVIATIONS

~~Table 8200: Abbreviations, includes abbreviations and their corresponding terms.~~

Sec. 24-8201. *Table of Abbreviations*

Table 8201: Abbreviations, includes abbreviations and their corresponding terms.

Table ~~8200~~8201: Abbreviations

....

80. That Section 24-8309 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8309. Measurement of Height

A. Measurement of Building Height

....

2. The deck line of a **gambrel or** mansard roof; or
3. The midpoint between the eaves and the ridge for a gable, hip, cone, ~~gambrel,~~ or shed roof (see Figure 8301B: General Building Height Measurement). **Where dormers extend, in the aggregate, one-third of the length of the roof or less, they will not be considered in the measurement of building height. Where dormers extend, in the aggregate, more than one-third of the length of the roof, the height of the building will be measured up to the midpoint between the eaves of the dormers and the ridge of the roof.**

....

....

81. That Section 24-8403 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8403. Residential Use Classification

A. Household Living

The Household Living use category includes use types providing for the residential occupancy of a dwelling unit by a single family **household**. Tenancy is generally arranged on a month-to-month or longer basis. Use types include: duplex dwelling; live/work dwelling; manufactured home dwelling; multifamily dwelling; single family attached dwelling; single family detached dwelling; townhouse dwelling; and upper story dwelling. Group homes (see **meeting the definition in** Article 8, Division 5, General Definitions) ~~and assisted living homes for eight or fewer residents~~ are considered residential occupancy by a single family **household** under this Ordinance in accordance with § 15.2-2291 of the Code of Virginia. The Household Living use category does not include residential use types that generally involve some level of managed personal care for a larger number of residents (e.g., assisted living facilities), which are categorized as Group Living Use category. Accessory uses common to Household Living Uses include recreational activities, gardening, raising of domestic pets, hobbies, swimming pools, and parking of the occupants' vehicles. Some accessory uses (e.g., home occupations and accessory dwelling units) are subject to additional regulations.

• • • •

Dwelling, upper story

A building containing one or more dwelling units and having only nonresidential uses, including Eating Establishments, Offices, and Retail Sales and Services uses, on its street level.

Group home

A residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident or nonresident staff persons, for which the Virginia Department of Behavioral Health and Developmental Services is the licensing authority under the Code of Virginia; or a residential facility in which no more than eight aged, infirm, or disabled persons reside, with one or more resident counselors or other staff persons, for which the Virginia Department of Social Services is the licensing authority under the Code of Virginia.

B. Group Living

The Group Living use category includes use types providing for the residential occupancy of a group of living units by persons who typically do not constitute a single family or housekeeping unit (but not always) **household** and who may receive some level of personal care. Individual living units often consist of a single room or group of rooms without cooking and eating facilities and are generally occupied on a monthly or longer basis. Use types include: boarding-house, children’s residential facility, **and** dormitory, ~~and group home~~. This use category does not include use types where persons generally occupy living units for periods of less than 30 days (e.g., hotels or motels), which are categorized as Visitor Accommodations use category. It also does not include use types where residents or inpatients are routinely provided health care services (e.g., nursing homes), which are categorized in the Health Care Facilities use category. Accessory uses common to group living use include recreational facilities, administrative offices, and food preparation and dining facilities.

Boardinghouse

~~A building other than a group home, hotel, motel, bed and breakfast home, or short-term rental, where lodging is provided for compensation for three or more, but not exceeding nine, residents.~~
A dwelling occupied by eight or fewer residents not meeting the limitations for a household in Section 24-4306, Residential Uses: Household Living. This does not include any use in the Visitor Accommodations use category.

• • • •

~~Group home~~

~~A congregate service licensed by the Commonwealth of Virginia to provide 24-hour supervision in a community based home having eight or fewer residents. Services include supervision, support, counseling, and training in activities of daily living based on an individualized services plan, in accordance with Title 12, Agency 35, Chapter 105 of the Virginia Administrative Code.~~

82. That Section 24-8404 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8404. Public, Civic, and Institutional Use Classification

••••

F. Health Care Facilities

••••

Assisted living facility

Has the meaning provided in Code of Virginia § 63.2-100. ~~An assisted living home for eight or fewer residents is treated as a single family dwelling.~~

••••

Hospital

Has the meaning provided in Code of Virginia § 32.1-123. **A facility other than a group home offering inpatient treatment for substance abuse disorders, eating disorders, or other similar conditions will be allowed in the same districts as a hospital and with the same parking requirement but are not subject to the use-specific standards of Sec. 24-4311.C.**

••••

••••

I. Utilities

••••

Utility, major

A structure or facility that is a relatively important component central to the functioning of an infrastructure system that provides community- or region-wide utility services. Examples of major utility facilities include potable water treatment plants, water towers, wastewater treatment plants, solid waste facilities, gas compressor stations, energy storage facilities, and electrical substations ~~as a principal use~~ **servicing a community- or region-wide area.**

Utility, minor

A structure or facility that by itself is a relatively small component peripheral to the functioning of an infrastructure system that provides community- or region-wide utility

services and that needs to be in or near the neighborhood or use type where the service is provided. Examples of minor utility facilities include water and sewage pump stations, stormwater retention and detention facilities, telephone local exchanges, electric transformers, and bus stops and shelters, and electrical substations serving a specific use or project.

••••

83. That Section 24-8405 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8405. Commercial Use Classification

••••

C. Eating Establishments

••••

Microbrewery

A business licensed by the Commonwealth to brew beer or distill spirits that brews no more than 3,000 barrels of beer or distills no more than 5,000 gallons of distilled spirits per calendar year for sale primarily at a restaurant or retail business on the same premises where the beer or spirits is brewed.

••••

••••

H. Retail Sales and Services

••••

Vaping Shop

A retail establishment, including a portable or mobile establishment or display, that sells e-cigarettes and related equipment, materials, and products as its primary business, including any establishment that dedicates 15% or more of its display space to such items and establishments that allow on-premises smoking or vaping. The term does not include convenience stores or other establishments that sell e-cigarettes and related equipment, materials, and products incidental to their principal business, provided that less than 15% of their display space is dedicated to such items.

••••

84. That Section 24-8406 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8406. Industrial Use Classification

••••

B. Industrial Services

••••

Heavy equipment sales, rental, and service

••••

Industrial Training Facility

A public or private school that offers vocational or trade instruction of a heavy commercial or industrial character, such as apprenticeship programs, commercial driver training, or other vocational training that occurs outdoors or involves internal combustion engines, heavy-duty trucks, construction machinery, heavy-duty materials handling equipment or similar vehicles and equipment.

Laundry, dry cleaning, and carpet cleaning plants

••••

••••

85. That Section 24-8501 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 24-8501. Accessory Uses, Temporary Uses, and Other Terms

The following terms will have the meanings assigned below.

••••

Build-to Line

The distance from the front lot line **or reference line designated on an approved plan of development** along which the principal vertical plane of the building's primary facades must be erected.

••••

Dwelling unit

Within a dwelling, one or more rooms connected together and constituting a single housekeeping unit, with independent cooking, bathroom, and sleeping facilities, designed or used for occupancy by a single

~~family or housekeeping unit~~ **household**, for owner occupancy or rental for periods of 30 consecutive days or more, and separate from any other dwelling units or rooms in the same building.

••••

Family

~~A person living alone or any number of persons living together as a single housekeeping unit including domestic servants, caregivers, foster children and adults, and supervisory personnel in a group care facility. The term "family" will not include the members of a social club; the residents of a convalescent or nursing home, retirement home, assisted living, or memory care facility; the residents of a boardinghouse; the guests of a hotel, motel, or bed and breakfast home; or short-term renters.~~

••••

Floor area, gross

See Sec. 24-8304, Measurement of Floor Area.

Frontage build-out

Where build-to zones apply, the percentage of the build-to zone along the respective frontage that is occupied by buildings.

Front building line

••••

Group home

~~A residential facility licensed by the Commonwealth in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident or nonresident staff persons **for which the Virginia Department of Behavioral Health and Developmental Services is the licensing authority under the Code of Virginia**; or, a residential facility in which no more than eight aged, infirm, or disabled persons reside, with one or more resident counselors or other staff persons, **for which the Virginia Department of Social Services is the licensing authority under the Code of Virginia** as specified in Virginia Code § 15.2-2291. Group homes are considered residential occupancy by a single family **household** under this Ordinance in accordance with Virginia Code § 15.2-2291.~~

••••

Lot, double-frontage

A lot, other than a corner lot, that has a frontage on two ~~more or less parallel~~ streets.

••••

86. That this ordinance be in full force and effect on and after its passage as provided by law.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. **323-24**

Page No. 1 of 2

Agenda Title: RESOLUTION — Condemnation — Easements — Fall Line Trail Brook and Hilliard Road Phase — 7216 Brook Road — Fairfield District

<p>For Clerk's Use Only:</p> <p>Date: <u>11/12/2024</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to:</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Cooper</u> Seconded by (1) <u>Schmitt</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Cooper, R.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Rogish, J.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Roundtree, M.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Schmitt, D.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Cooper, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rogish, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Roundtree, M.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, it is necessary for construction of the Fall Line Trail Brook and Hilliard Road Phase project (the "Project") that the County acquire 2,297 square feet of permanent VDOT utility easement and 425 square feet of temporary construction easement (the "Easements") across the property located at 7216 Brook Road, identified as Tax Map Parcel 784-751-6844, and owned by Exchangeright Net Leased Portfolio 31 DST (the "Owner"); and,

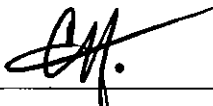

WHEREAS, the County has offered the Owner \$24,125 as compensation for the Easements, the affected improvements, and the cost to cure, but the parties cannot reach an agreement on the acquisition of the Easements; and,

WHEREAS, the Board of Supervisors desires to exercise the authority granted by the Code of Virginia (the "Code") to acquire title, to enter upon and to take possession of the Easements, and to construct the Project prior to or during the condemnation proceedings; and,

WHEREAS, after advertisement in the *Richmond Times-Dispatch*, the Board held a public hearing pursuant to §§ 15.2-1903 and 15.2-1905 of the Code, at which time the Board declared its intent to enter and take the Easements for the Project across portions of the Owner's property.

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The Board directs the County Manager to take the necessary steps to acquire the Easements over, under, upon, across, and through the property of the Owner, as shown on a plat made by Robert Setzer of Henrico County Department of Public Works dated August 17, 2023, a reduced size copy of which is attached and marked Exhibit "A" as well as on Sheet Nos. 7 and 8 dated August 21, 2023, of Fall Line Trail Brook and Hilliard Road Phase project, reduced sized copies of which are attached and marked as Exhibits "B" and "C;" and,

By Agency Head  By County Manager 

Certified: _____
A Copy Teste: _____
Clerk, Board of Supervisors

Copy to: _____

Date: _____

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 323-24

Page No. 2 of 2

Agenda Title: RESOLUTION — Condemnation — Easements — Fall Line Trail Brook and Hilliard Road Phase — 7216 Brook Road— Fairfield District

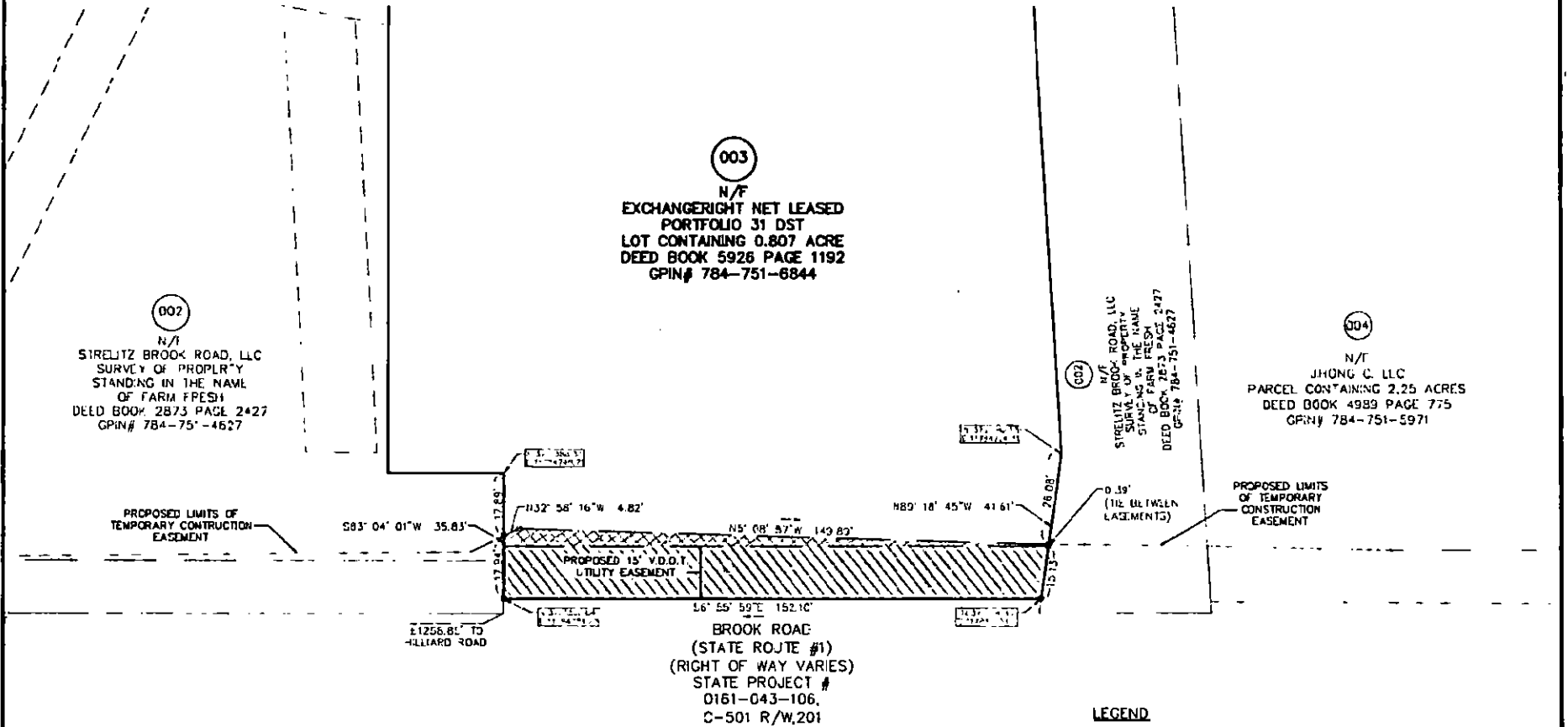
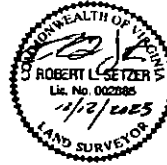
- (2) The Board deems it necessary to enter upon the property and take possession of the Easements to construct the Project prior to or during condemnation proceedings in accordance with the Code; and,
- (3) The Board finds a necessity exists to institute condemnation proceedings pursuant to the Code to acquire the Easements for the public use of constructing, operating, and maintaining the Project and to determine the amount of compensation and damages, if any, caused by the taking, possession, and acquisition of the Easements; and,
- (4) The Board authorizes the County Attorney to institute and conduct condemnation proceedings to acquire the Easements in accordance with the Code; and,
- (5) The Board authorizes and directs the County Manager to continue to seek a voluntary acquisition of the Easements, to take all steps necessary to acquire the Easements, and to enter on and take possession of the required Easements in accordance with the Code.

Comments: The Real Property Division has been unsuccessful in negotiating an agreement for the acquisition of the Easements. Therefore, the Directors of Public Works and Real Property recommend approval of this Board paper; the County Manager concurs.

EXHIBIT "A"

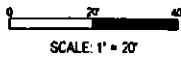
NOTES

1. THIS PLAT WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF ROBERT L. SETZER, L.S. FROM AN ACTUAL FIELD SURVEY UNDER MY SUPERVISION. THAT THE BAGERY AND/OR ORIGINAL DATA WAS OBTAINED ON FEBRUARY 28, 2023; AND THAT THIS PLAT, MAP, OR DIGITAL GEOSPATIAL DATA INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT.
2. THE PURPOSE OF THIS PLAT IS TO SHOW A PROPOSED VDOT JOINT USE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT.
3. TOTAL AREA OF V.D.O.T. UTILITY EASEMENT IS 2298 SQ. FT. OR 0.052 ACRE.
4. TOTAL AREA OF TEMPORARY CONSTRUCTION EASEMENT IS 2722 SQ. FT. OR 0.062 ACRE.
5. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT.
6. PROPERTY SHOWN ON THIS PLAT APPEARS TO FALL IN FLOOD ZONE A SHOWN ON FRM PANEL 0130C, COMMUNITY # 81067C, EFFECTIVE DATE DECEMBER 18, 2007.
7. HORIZONTAL DATUM IS BASED ON NAD83 (SOUTH ZONE)



LEGEND

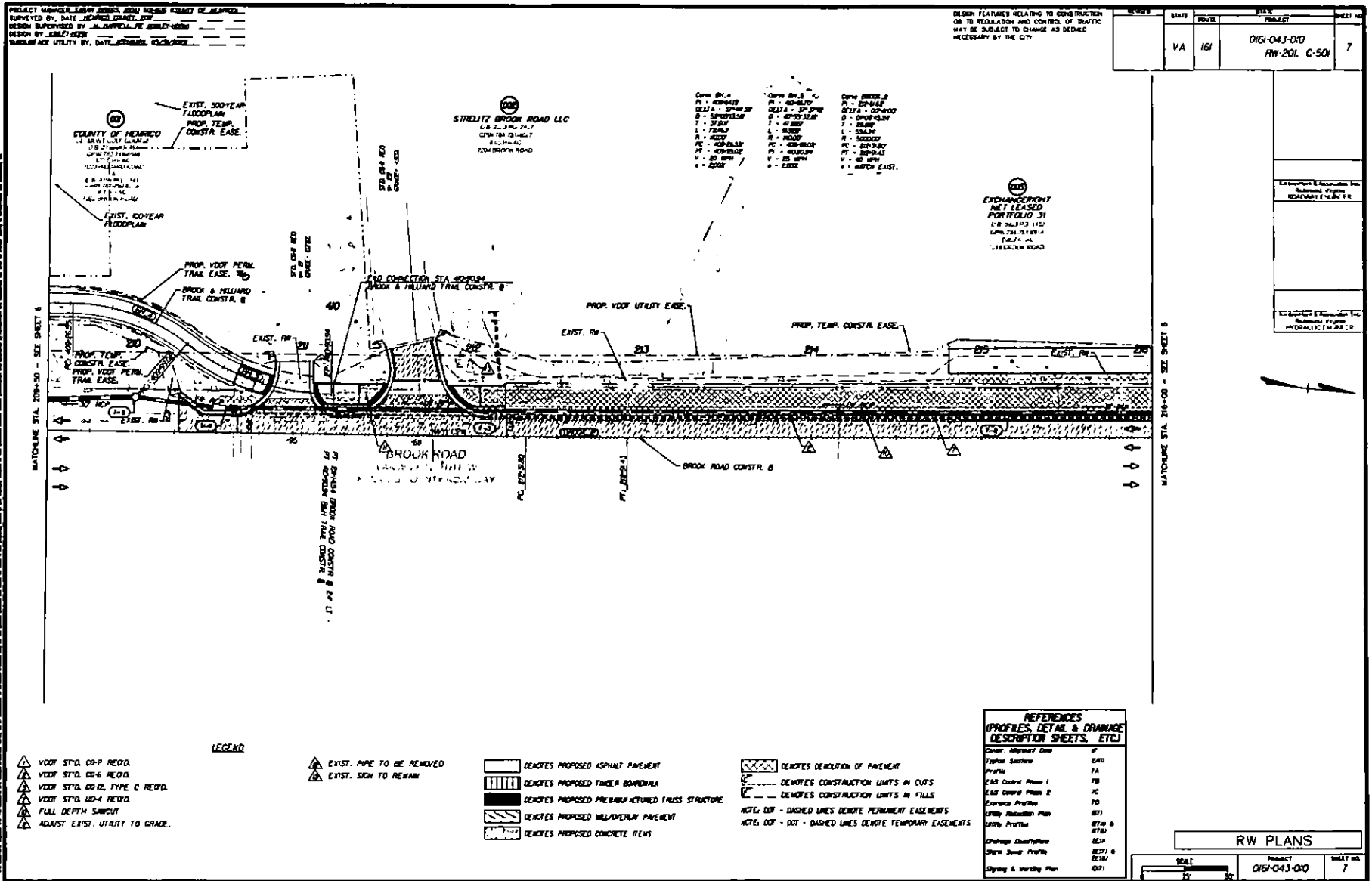
SYMBOL	DEFINITION
	PROPOSED VARIABLE WITH TEMPORARY CONSTRUCTION EASEMENT AREA 425 SQ. FT. OR 0.01 ACRE
	PROPOSED VARIABLE WITH TEMPORARY CONSTRUCTION EASEMENT AREA 2298 SQ. FT. OR 0.052 ACRE



SHEET 1 OF 1

	COUNTY OF HENRICO DEPARTMENT OF PUBLIC WORKS	TITLE: PLAT SHOWING PROPOSED VDOT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT ON CPN # 784-751-6844
	DISTRICT: FAIRFIELD DATE: 8/11/2023 SCALE: 1" = 20'	PROJECT #: 202041

EXHIBIT "B"



PROJECT MANAGER: LARRY JONES FROM: HENRICO COUNTY OF HENRICO
 SURVEYED BY: DATE: JAMES SPANGLER, P.E.
 DESIGN PURCHASED BY: J.L. BARNETT, P.E. JAMES SPANGLER, P.E.
 DESIGN BY: JAMES SPANGLER, P.E.
 SUBMITTER: ACE UTILITY BY: DATE: APPROXIMATE: 02/20/2016

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE CITY.

STATE	ROUTE	PROJECT	SHEET NO.
VA	161	0161-043-010 RW-201, C-SOV	7

- | | | |
|--|--|--|
| CURB 20" x 4"
P - ASPHALT
OEF1 - 3" SP-10
B - 3" SP-10
T - 3" SP-10
L - 3" SP-10
R - 3" SP-10
PC - 3" SP-10
V - 3" SP-10
S - 3" SP-10 | CURB 20" x 4"
P - ASPHALT
OEF1 - 3" SP-10
B - 3" SP-10
T - 3" SP-10
L - 3" SP-10
R - 3" SP-10
PC - 3" SP-10
V - 3" SP-10
S - 3" SP-10 | CURB 20" x 4"
P - ASPHALT
OEF1 - 3" SP-10
B - 3" SP-10
T - 3" SP-10
L - 3" SP-10
R - 3" SP-10
PC - 3" SP-10
V - 3" SP-10
S - 3" SP-10 |
|--|--|--|

- LEGEND**
- ▲ VDOT STD. 02-2 REQ'D
 - ▲ VDOT STD. 02-6 REQ'D
 - ▲ VDOT STD. 02-12, TYPE C REQ'D
 - ▲ VDOT STD. 02-4 REQ'D
 - ▲ FULL DEPTH SAWCUT
 - ▲ ADJUST EXIST. UTILITY TO GRADE.
 - ▲ EXIST. PIPE TO BE REMOVED
 - ▲ EXIST. SIGN TO REMAIN

- [Pattern] DENOTES PROPOSED ASPHALT PAVEMENT
- [Pattern] DENOTES PROPOSED TRAFFIC BOARDWALK
- [Pattern] DENOTES PROPOSED PRECAST/PREFABRICATED TRUSS STRUCTURE
- [Pattern] DENOTES PROPOSED MILL/PAVEMENT PAVEMENT
- [Pattern] DENOTES PROPOSED CONCRETE ITEMS

- [Pattern] DENOTES DEMOLITION OF PAVEMENT
- [Pattern] DENOTES CONSTRUCTION LIMITS IN CUTS
- [Pattern] DENOTES CONSTRUCTION LIMITS IN FILLS
- NOTE: DDT - DASHED LINES DENOTE PERMANENT EASEMENTS
- NOTE: DDT - DASHED LINES DENOTE TEMPORARY EASEMENTS

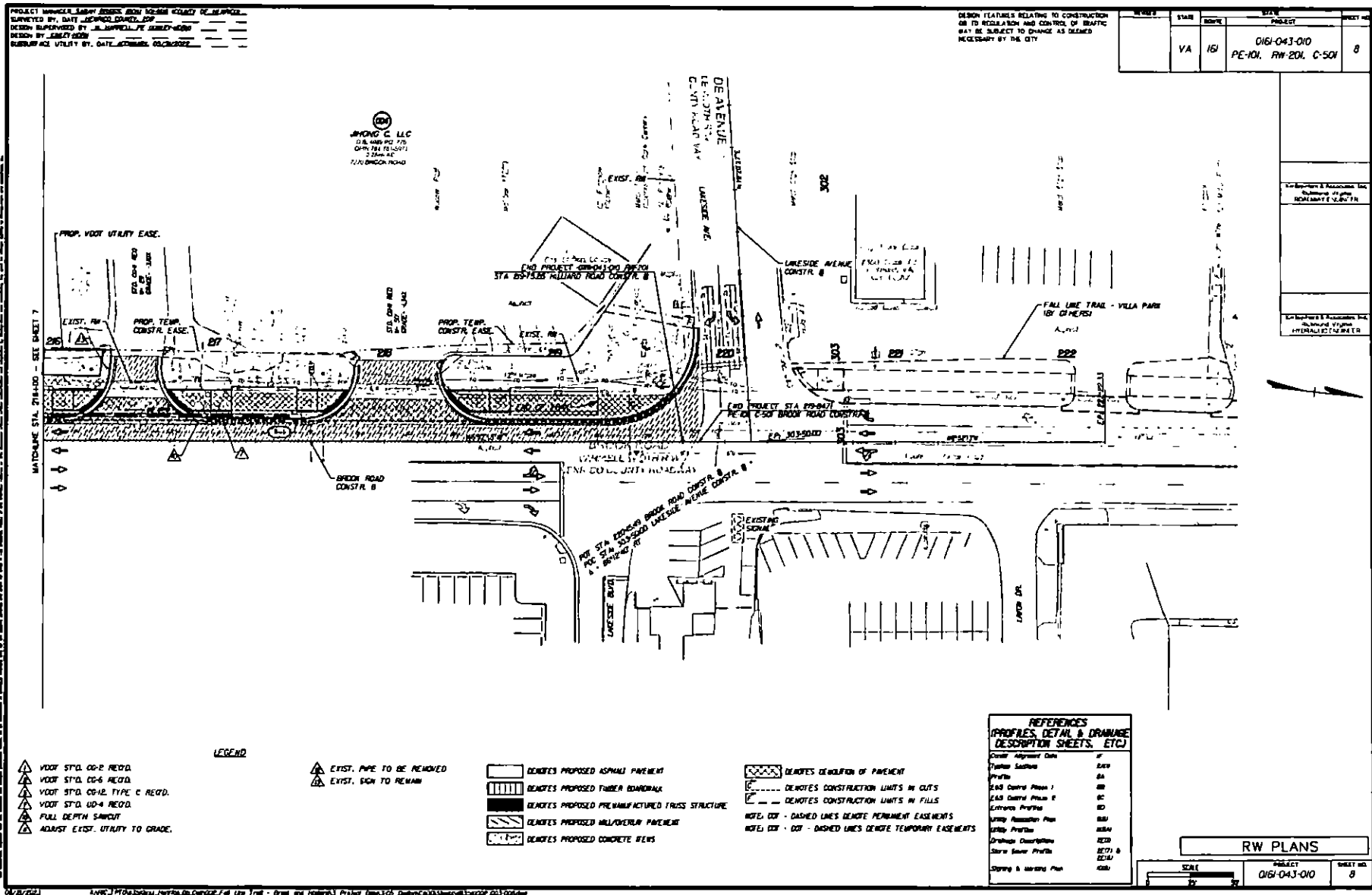
REFERENCES
 (PROFILES, DETAILS & DRAINAGE DESCRIPTION SHEETS, ETC.)

Center Alignment Case	01
Typical Section	02A
Profile	1A
EMM Control Phase 1	1B
EMM Control Phase 2	1C
Entrance Profile	1D
Utility Installation Plan	011
Utility Profile	011A & 011B
Drainage Description	021A
Storm Sewer Profile	021B & 021C
Signing & Marking Plan	001

RW PLANS

SCALE	PROJECT	SHEET NO.
1" = 40'	0161-043-010	7

EXHIBIT "C"



02/28/2022
 JAMES DAVIS

1:\proj\0161-043-010\Drawings\PE-101.dwg



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 324-24
Page No. 1 of 2

Agenda Title: ORDINANCE — Vacation of Building Line — Wilhaven Subdivision — 1800 Lyndover Road — Fairfield District

For Clerk's Use Only: Date: <u>11/12/2024</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Cooper</u> Seconded by (1) <u>Rogish</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Cooper, R.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Rogish, J.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Roundtree, M.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">✓</td> <td></td> <td></td> </tr> </tbody> </table>		YES	NO	OTHER	Cooper, R.	✓			Nelson, T.	✓			Rogish, J.	✓			Roundtree, M.	✓			Schmitt, D.	✓		
	YES	NO	OTHER																							
Cooper, R.	✓																									
Nelson, T.	✓																									
Rogish, J.	✓																									
Roundtree, M.	✓																									
Schmitt, D.	✓																									

WHEREAS, Pirun M. Pratt, the owner of Lot 19, Block I in the Wilhaven subdivision in the Fairfield District, also known as 1800 Lyndover Road, has asked the County to vacate the 15-foot building line running along the side of the property, parallel to Wilmont Drive ("Building Line"); and,

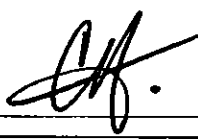

WHEREAS, the plat showing the Building Line is recorded in the Clerk's Office of the Circuit Court of Henrico County (the "Clerk's Office") in Plat Book 23, page 186, attached as Exhibit A and shown highlighted; and,

WHEREAS, this Ordinance was advertised pursuant to Va. Code § 15.2-2204, and the Board held a public hearing on November 12, 2024; and,

WHEREAS, it appears that no owner of any lot shown on the plat will be irreparably damaged by the vacation.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors that:

- 1) The 15-foot building line running along the side of Lot 19, Block I, Wilhaven subdivision, shown on the plat recorded in Plat Book 23, page 186, is vacated in accordance with Va. Code § 15.2-2272(2);
- 2) This Ordinance will become effective 30 days after its passage as provided by law;
- 3) The Clerk of the Circuit Court of Henrico County (the "Clerk"), is authorized, upon receipt of payment therefor, to record a certified copy of this Ordinance in the Clerk's Office after the expiration of 30 days from its passage, provided no appeal has been taken to the Circuit Court;

By Agency Head  By County Manager 

Certified: _____
 A Copy Teste: _____
 Copy to: _____
 Date: _____
 Clerk, Board of Supervisors

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 324-24

Page No. 2 of 2

**Agenda Title: ORDINANCE — Vacation of Building Line — Wilhaven Subdivision — 1800
Lyndover Road — Fairfield District**

- 4) The Clerk is further authorized to index the Ordinance on the grantor and grantee sides of the general index to deeds in the name of Pirun M. Pratt; and,
- 5) The Clerk will note this vacation as provided in Va. Code § 15.2-2276.

Comments: The Real Property Division processed the requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection. The Director of Real Property recommends approval of the Board paper; the County Manager concurs.

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 325-24

Page No. 2 of 2

**Agenda Title: ORDINANCE — Vacation of Portion of Right-of-Way — Old Pump Road —
The Preserve at John Rolfe Section 1 — Three Chopt District**

WHEREAS, it appears that the owners of the property which has been developed or is to be developed in accordance with the approved site plan will not be irreparably damaged by the vacation; and,

WHEREAS, notice of this public hearing was given as required by Va. Code §§ 15.2-2204 and 15.2-2270; and,

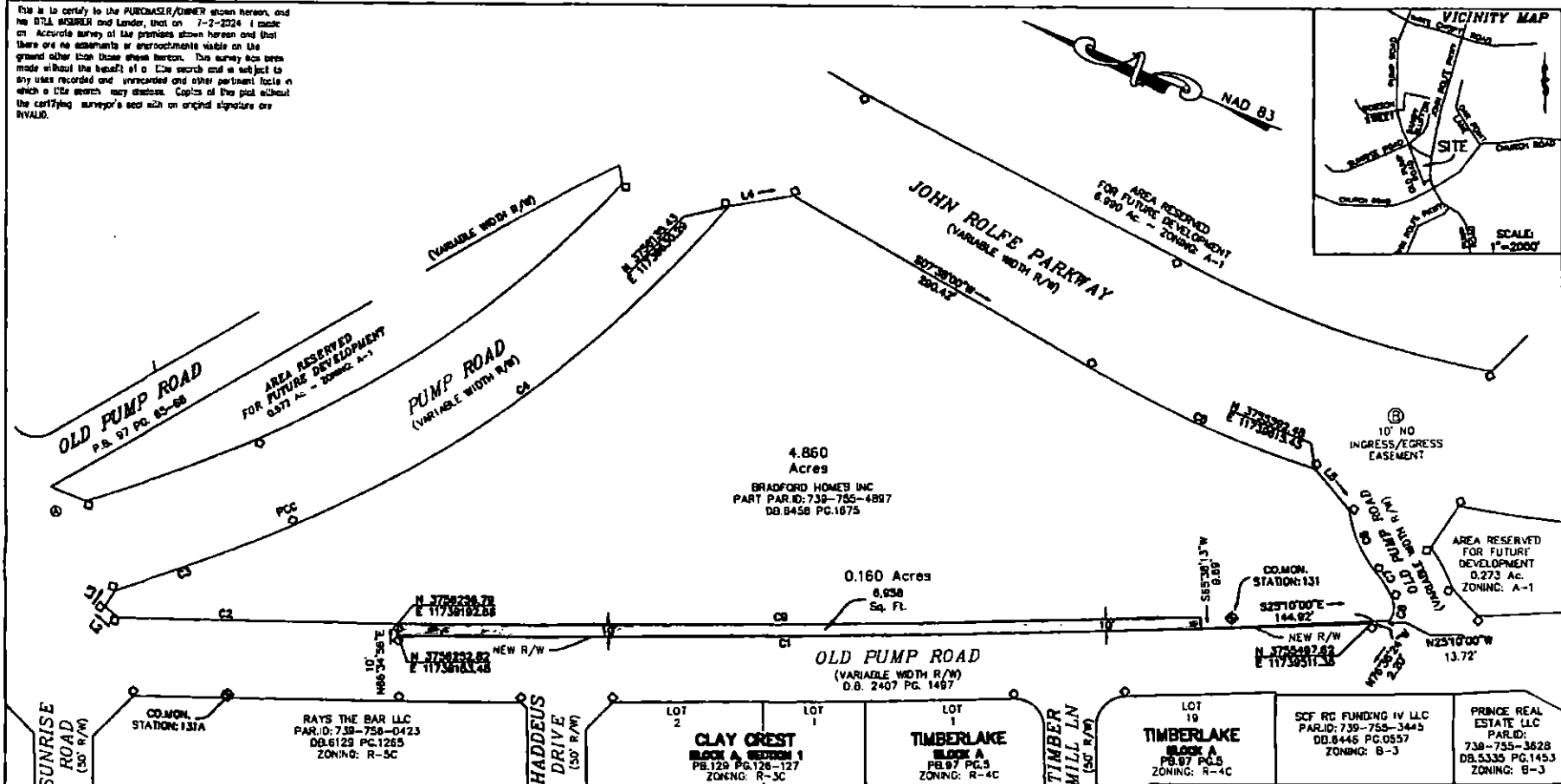
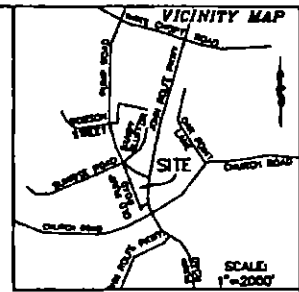
WHEREAS, no public necessity for the portion of the Right-of-Way to be vacated exists.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors that:

- (1) the portion of Right-of-Way labeled “0.160 Acres” on Exhibit A is vacated in accordance with Va. Code § 15.2-2270(2);
- (2) this Ordinance will become effective 30 days after its passage as provided by law;
- (3) pursuant to Va. Code § 15.2-2270(2), the execution and recordation of this ordinance of vacation will destroy the effect of the instrument that created the County’s interest so vacated, divest all public rights in and to the subject property, and vest title in the subject property in Bradford Homes, Inc., a Virginia corporation;
- (4) the Clerk of the Circuit Court of Henrico County (the “Clerk”) is authorized, upon receipt of payment therefor, to record a certified copy of this Ordinance in the Clerk's Office after the expiration of 30 days from its passage, provided no appeal has been taken to the Circuit Court; and,
- (5) the Clerk is further authorized to record the certified copy of this Ordinance as deeds are recorded and to index it in the name of the County of Henrico, Virginia.

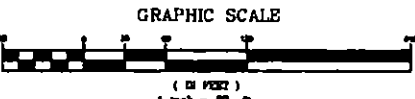
Comment: The Real Property Division has processed the requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection, and the Directors of Public Works and Real Property recommend approval of the Board paper; the County Manager concurs.

This is to certify to the PURCHASER/DOWNER shown herein, and his DULY AGENT and Lender, that on 7-2-2024 I made an Accurate Survey of the premises shown herein and that there are no encumbrances or encroachments visible on the ground other than those shown hereon. This survey has been made without the benefit of a title search and is subject to any uses recorded and unrecorded and other pertinent facts in which a title search may station. Copies of this plat without the certifying surveyor's seal with an original signature are INVALID.



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CH. BEARING	CHORD	TAN
C1	623.36	17163.73	2°44'34"	S23°28'05"E	623.31	411.77
C2	237.70	17155.73	0°47'35"	N21°41'44"W	237.70	118.85
C3	183.08	1843.72	8°41'04"	S43°04'43"E	183.01	81.81
C4	482.60	984.63	28°38'04"	S59°14'17"E	486.33	235.81
C5	206.28	1013.83	11°48'11"	S01°44'54"W	207.82	104.31
C6	87.08	107.00	30°34'17"	S44°55'58"W	84.42	28.24
C7	25.78	130.00	11°21'47"	N35°19'22"E	25.74	12.83
C8	21.42	20.00	81°21'07"	S71°40'49"W	20.41	11.88
C9	878.84	17155.73	2°16'12"	S23°13'41"E	379.82	339.87

LINE TABLE		
LINE	BEARING	LENGTH
L2	N18°48'43"E	14.79
L3	S79°30'00"E	18.88
L4	S32°27'27"E	84.04
L5	S28°35'14"W	48.04



MAP SHOWING A STRIP OF LAND TO BE VACATED ALONG THE EASTERN LINE OF OLD PUMP ROAD
THREE CHOPT DISTRICT HENRICO COUNTY, VIRGINIA

VIRGINIA SURVEYS
P.O. BOX 118
CHESTERFIELD VA 23632
804-748-9481

DATE: JULY 2, 2024
SCALE: 1" = 60'
DRAWN BY: JAF
CHECKED BY: EAF
230815818

SHEET 1 of 1

RECORDED _____ P.B. _____ P.L. _____



CUT LINE



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 328-24

Page No. 1 of 1

**Agenda Title: RESOLUTION — Signatory Authority — Acquisition of Portion of Real Property —
4700 Richmond Henrico Turnpike — Fairfield District**

<p>For Clerk's Use Only:</p> <p>Date: <u>11/14/2024</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to: _____</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Cooper</u> Seconded by (1) <u>Schmitt</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS:</p> <p align="center">APPROVED</p>	<table border="0"> <tr> <td></td> <td>YES</td> <td>NO</td> <td>OTHER</td> </tr> <tr> <td>Cooper, R.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Rogish, J.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Roundtree, M.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> </table>		YES	NO	OTHER	Cooper, R.	✓	—	—	Nelson, T.	✓	—	—	Rogish, J.	✓	—	—	Roundtree, M.	✓	—	—	Schmitt, D.	✓	—	—
	YES	NO	OTHER																							
Cooper, R.	✓	—	—																							
Nelson, T.	✓	—	—																							
Rogish, J.	✓	—	—																							
Roundtree, M.	✓	—	—																							
Schmitt, D.	✓	—	—																							

WHEREAS, Richmond International Raceway, LLC (“Owner”) owns a 45.37-acre parcel of land located at 4700 Richmond Henrico Turnpike, GPIN 795-743-1283; and,

WHEREAS, the Board of Supervisors desires to acquire a portion of the parcel consisting of approximately 18.5 acres as shown on Exhibit A (the “Property”) for future construction of a new fire station to replace the existing Station #1 and a new fire training facility; and,

WHEREAS, the Owner of the Property has agreed to sell the Property for \$1,500,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that:

- (1) the County Manager is authorized to execute the purchase agreement and accept the deed, both in a form approved by the County Attorney, to acquire the Property; and,
- (2) the County Manager, or the Real Property Director, is authorized to execute all other documents necessary to complete the County’s due diligence and to close the transaction; and,
- (3) the County Manager and County Attorney are authorized to undertake all other actions necessary to complete the acquisition by the County.

Comments: The Fire Chief and Director of Real Property recommend approval of the Board paper; the County Manager concurs.

By Agency Head By County Manager

Certified: _____
A Copy Teste: _____
Clerk, Board of Supervisors

Copy to: _____

Date: _____



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 329-24

Page No. 1 of 2

Agenda Title: RESOLUTION — Approval of Acquisition — Permanent Sidewalk Easement — Church Road Sidewalk Project — 3300 Church Road — Three Chopt District

For Clerk's Use Only: Date: <u>11/12/2024</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Roundtree</u> Seconded by (1) <u>Cooper</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> <th>OTHER</th> </tr> </thead> <tbody> <tr> <td>Cooper, R.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Rogish, J.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Roundtree, M.</td> <td align="center">✓</td> <td></td> <td></td> </tr> <tr> <td>Schmitt, D.</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		YES	NO	OTHER	Cooper, R.	✓			Nelson, T.	✓			Rogish, J.	✓			Roundtree, M.	✓			Schmitt, D.			
	YES	NO	OTHER																							
Cooper, R.	✓																									
Nelson, T.	✓																									
Rogish, J.	✓																									
Roundtree, M.	✓																									
Schmitt, D.																										

WHEREAS, on January 24, 2023, the Board authorized condemnation proceedings to 769 square feet of permanent sidewalk easement and 1,416 square feet of temporary construction easement (the "Easements") across the property located at 3300 Church Road, identified as Tax Map Parcel 746-757-6463, and owned by ZP No. 14, LLC (the "Owner") for the construction of the Church Road Sidewalk Project (the "Project"); and,

WHEREAS, on March 1, 2023, the Board filed a Certificate of Take and deposited \$6,600 with the Clerk of the Henrico County Circuit Court (the "Court Clerk") to acquire the Easements in accordance with state law; and,


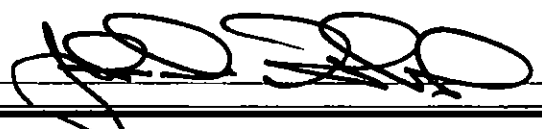
WHEREAS, on August 15, 2023, the Board filed a Petition for Condemnation with the Court Clerk to institute condemnation proceedings for the determination of just compensation; and,

WHEREAS, on November 29, 2023, the Board recorded a Certificate of Completion and Termination of Temporary Construction Easement with the Court Clerk, thereby terminating the temporary construction easement; and,

WHEREAS, following negotiations between the parties, the Owner is willing to accept \$25,000 as just compensation for the Easements, adjustment costs, and costs to cure, and damages to the remainder, if any; and,

WHEREAS, upon completion of the acquisition, the condemnation proceedings will be dismissed; and,

WHEREAS, County staff have prepared the necessary documents to memorialize the agreement of the parties and to complete the acquisition.

By Agency Head  By County Manager 

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Copy to: _____

Date: _____

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 329-24

Page No. 2 of 2

**Agenda Title: RESOLUTION — Approval of Acquisition — Permanent Sidewalk Easement —
Church Road Sidewalk Project — 3300 Church Road — Three Chopt District**

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The County Manager is authorized to execute the documents and take all steps necessary for acquisition of the permanent sidewalk easement.
- (2) The County Attorney is authorized to file the necessary documents in the Henrico County Circuit Court to complete the acquisition of the permanent sidewalk easement and to dismiss the condemnation proceedings.

Comment: The Deputy County Manager for Community Operations and the Director of Real Property recommend approval of the Board paper; the County Manager concurs.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 330-24

Page No. 1 of 2

Agenda Title: RESOLUTION — Approval of Acquisition — Permanent Sidewalk Easement — Church Road Sidewalk Project — 11100 Glen Hollow Court — Three Chopt District

For Clerk's Use Only: Date: <u>11/2/2021</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Roundtree</u> Seconded by (1) <u>Schmitt</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; text-align: center; border: 1px solid black; padding: 5px;">APPROVED</div>	YES NO OTHER Cooper, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Nelson, T. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Rogish, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Roundtree, M. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Schmitt, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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WHEREAS, on January 24, 2023, the Board authorized condemnation proceedings to 396 square feet of permanent sidewalk easement and 1,950 square feet of temporary construction easement (the "Easements") across the property located at 11100 Glen Hollow Court, identified as Tax Map Parcel 746-756-3498, and owned by Walid A. Saleh and Nermine A. Saleh (the "Owners") for the construction of the Church Road Sidewalk Project (the "Project"); and,

WHEREAS, on March 1, 2023, the Board filed a Certificate of Take and deposited \$3,600 with the Clerk of the Henrico County Circuit Court (the "Court Clerk") to acquire the Easements in accordance with state law; and,

WHEREAS, on August 15, 2023, the Board filed a Petition for Condemnation with the Court Clerk to institute condemnation proceedings for the determination of just compensation; and,



WHEREAS, on November 29, 2023, the Board recorded a Certificate of Completion and Termination of Temporary Construction Easement with the Court Clerk, thereby terminating the temporary construction easement; and,

WHEREAS, following negotiations between the parties, the Owners are willing to accept \$36,000 as just compensation for the Easements, adjustment costs, and costs to cure, and damages to the remainder, if any; and,

WHEREAS, as additional consideration, the Board will pay to and will replace the existing fence on the side of the Owners' property that abuts the public sidewalk along Church Road; and,

WHEREAS, upon completion of the acquisition, the condemnation proceedings will be dismissed; and,

WHEREAS, County staff have prepared the necessary documents to memorialize the agreement of the parties and to complete the acquisition.

By Agency Head  By County Manager 

Certified: _____
 A Copy Teste: _____
 Clerk, Board of Supervisors

Copy to: _____

Date: _____

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 330-24

Page No. 2 of 2

**Agenda Title: RESOLUTION — Approval of Acquisition — Permanent Sidewalk Easement —
Church Road Sidewalk Project — 11100 Glen Hollow Court — Three Chopt District**

NOW, THEREFORE, BE IT RESOLVED that:

- (1) The County Manager is authorized to execute the documents and take all steps necessary for acquisition of the permanent sidewalk easement.
- (2) The County Attorney is authorized to file the necessary documents in the Henrico County Circuit Court to complete the acquisition of the permanent sidewalk easement and to dismiss the condemnation proceedings.

Comment: The Deputy County Manager for Community Operations and the Director of Real Property recommend approval of the Board paper; the County Manager concurs.



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**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 331-24

Page No. 1 of 1

Agenda Title: RESOLUTION — Award of Annual Contract — Drainage and Maintenance Projects

<p>For Clerk's Use Only:</p> <p>Date: <u>11/12/2024</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to:</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Schmitt</u> Seconded by (1) <u>Rogish</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Cooper, R.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Nelson, T.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Rogish, J.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Roundtree, M.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> <tr> <td>Schmitt, D.</td> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>		YES	NO	OTHER	Cooper, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rogish, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Roundtree, M.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Rogish, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Roundtree, M.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, the County received two bids on October 10, 2024, in response to ITB No. 24-2742-8EAR, for labor, supervision, materials, supplies, and equipment for drainage and maintenance projects throughout the County as needed and requested by the County; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Talley & Armstrong, Inc. (Henrico, VA)	\$2,482,634.60
Blakemore Construction Corporation (Rockville, VA)	\$2,840,972.85

WHEREAS, each bid amount was calculated by multiplying the estimated unit quantities listed in the bid documents by the unit prices set out in the bid; and,

WHEREAS, after a review and evaluation of the bids, it was determined that Talley & Armstrong, Inc. is the lowest responsive and responsible bidder for the unit price contract; and,

WHEREAS, the cost of each project assigned under the contract will be determined upon completion of the project by multiplying the unit quantities authorized by the County by the unit prices in the contractor's bid.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

1. Pursuant to ITB No. 24-2742-8EAR, and the bids submitted in response thereto, an annual contract is awarded to Talley & Armstrong, Inc. for the period of one year, with an option for the County to renew the contract for up to two additional one-year terms.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget.

Comments: The Director of Recreation and Parks and Purchasing Director recommend approval of this Board paper, and the County Manager concurs.

By Agency Head *John Curran*

By County Manager *[Signature]*

Certified:
A Copy Teste: _____
Clerk, Board of Supervisors

Copy to: _____

Date: _____

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 332-24

Page No. 2 of 2

**Agenda Title: RESOLUTION – Award of Contract – Strawberry Hill Pumping Station –
Screw Pump No. 2 Replacement – Fairfield District**

2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: The Directors of Public Utilities and Purchasing recommend approval of the Board paper, and the County Manager concurs.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 333-24

Page No. 1 of 2

**Agenda Title: RESOLUTION – Award of Contract – Tuckahoe Creek Trunk Sewer – Phase II –
Three Chopt District**

<p>For Clerk's Use Only:</p> <p>Date: <u>11/12/2024</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to:</p> <p>_____</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Roundtree</u> Seconded by (1) <u>Rowse</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS</p> <p align="center">APPROVED</p>	<p>YES NO OTHER</p> <p>Cooper, R. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Nelson, T. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Rogish, J. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Roundtree, M. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Schmitt, D. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>
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WHEREAS, the County received three bids on October 22, 2024, in response to ITB 24-2751-9JOK and Addendum No. 1 for construction of the Tuckahoe Creek Trunk Sewer - Phase II project; and,

WHEREAS, the project consists of furnishing all materials, equipment, and labor necessary for the installation of approximately 4,280 linear feet of 12- and 16-inch gravity sanitary sewer main from Stonehurst Estates Terrace to Kain Road, including 24 manholes, new site inspection ports and service lateral installations, and all associated clearing and grubbing, erosion control, and surface restoration; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
G. L. Howard, Inc. (Rockville, VA)	\$4,858,650
Sagres Construction Corporation (Alexandria, VA)	\$8,967,450
Tidewater Utility Construction, Inc. (Suffolk, VA)	\$14,415,000

WHEREAS, after a review and evaluation of the bids, it was determined that G. L. Howard, Inc. is the lowest responsive and responsible bidder for the fixed price contract with a bid of \$4,858,650.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

- The contract for \$4,858,650 is awarded to G. L. Howard, Inc., the lowest responsive and responsible bidder, pursuant to ITB 24-2751-9JOK, Addendum No. 1, and the base bid submitted by G. L. Howard, Inc.

By Agency Head By County Manager

Certified: _____
A Copy Teste: _____
Clerk, Board of Supervisors

Copy to: _____

Date: _____

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 333-24

Page No. 2 of 2

**Agenda Title: RESOLUTION – Award of Contract – Tuckahoe Creek Trunk Sewer – Phase II –
Three Chopt District**

2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: The Directors of Public Utilities and Purchasing recommend approval of the Board paper, and the County Manager concurs.

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 334-24

Page No. 2 of 2

Agenda Title: RESOLUTION – Award of Contract – West Ridge Subdivision Sewer and Water Improvements – Three Chopt District

3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: The Directors of Public Utilities and Purchasing recommend approval of the Board paper, and the County Manager concurs.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 335-24

Page No. 1 of 2

Agenda Title: RESOLUTION – Award of Contract – Hanover Road and Early Street Sewer and Water Main Extension Phase II – Varina District

<p>For Clerk's Use Only:</p> <p>Date: <u>11/12/2024</u></p> <p><input checked="" type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p> <p><input type="checkbox"/> Amended</p> <p><input type="checkbox"/> Deferred to: _____</p>	<p>BOARD OF SUPERVISORS ACTION</p> <p>Moved by (1) <u>Nelson</u> Seconded by (1) <u>Rogish</u></p> <p>(2) _____ (2) _____</p> <p>REMARKS: APPROVED</p>	<p align="center">YES NO OTHER</p> <p>Cooper, R. <input checked="" type="checkbox"/> _____</p> <p>Nelson, T. <input checked="" type="checkbox"/> _____</p> <p>Rogish, J. <input checked="" type="checkbox"/> _____</p> <p>Roundtree, M. <input checked="" type="checkbox"/> _____</p> <p>Schmitt, D. <input checked="" type="checkbox"/> _____</p>
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WHEREAS, the County received four bids on October 14, 2024, in response to ITB 24-2748-9JOK and Addendum No. 1 for construction of the Hanover Road and Early Street Sewer and Water Main Extension Phase II project; and,

WHEREAS, the project consists of installing approximately 4,020 linear feet of 8-inch sanitary sewer main along Early Street and Meadow Road; installing approximately 23 sanitary sewer laterals and 13 manholes, including one doghouse manhole; installing approximately 75 linear feet of 20-inch force main; installing approximately 1,865 linear feet of 8-inch water main; installing approximately 14 water services and three fire hydrants; and providing site and pavement restoration; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Shield Contracting, LLC (Ashland, VA)	\$2,497,828.00
Piedmont Construction Co., Inc. (Oilville, VA)	\$3,027,927.50
G. L. Howard, Inc. (Rockville, VA)	\$3,060,300.00
Tidewater Utility Construction, Inc. (Suffolk, VA)	\$8,738,750.00

WHEREAS, after a review and evaluation of the bids, it was determined that Shield Contracting, LLC is the lowest responsive and responsible bidder for the fixed price contract with a bid of \$2,497,828.

By Agency Head  By County Manager 

Copy to: _____

Certified: _____
A Copy Teste: _____
Clerk, Board of Supervisors

Date: _____

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 335-24

Page No. 2 of 2

Agenda Title: RESOLUTION – Award of Contract – Hanover Road and Early Street Sewer and Water Main Extension Phase II – Varina District

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

1. The contract for \$2,497,828 is awarded to Shield Contracting, LLC, the lowest responsive and responsible bidder, pursuant to ITB 24-2748-9JOK, Addendum No. 1, and the base bid submitted by Shield Contracting, LLC.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: The Directors of Public Utilities and Purchasing recommend approval of the Board paper, and the County Manager concurs.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 336-24

Page No. 1 of 2

**Agenda Title: RESOLUTION – Signatory Authority – Award of Contract – Annual Contract for
Emergency and Cold Weather In-Place Asphalt Concrete Paving Repairs**

For Clerk's Use Only: Date: <u>11/12/2024</u> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Amended <input type="checkbox"/> Deferred to: _____	BOARD OF SUPERVISORS ACTION Moved by (1) <u>Schmitt</u> Seconded by (1) <u>Rogish</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; text-align: center;">APPROVED</div>	<table border="0"> <tr> <td></td> <td align="center">YES</td> <td align="center">NO</td> <td align="center">OTHER</td> </tr> <tr> <td>Cooper, R.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Nelson, T.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Rogish, J.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Roundtree, M.</td> <td align="center">✓</td> <td align="center">—</td> <td align="center">—</td> </tr> <tr> <td>Schmitt, D.</td> <td align="center">—</td> <td align="center">—</td> <td align="center">—</td> </tr> </table>		YES	NO	OTHER	Cooper, R.	✓	—	—	Nelson, T.	✓	—	—	Rogish, J.	✓	—	—	Roundtree, M.	✓	—	—	Schmitt, D.	—	—	—
	YES	NO	OTHER																							
Cooper, R.	✓	—	—																							
Nelson, T.	✓	—	—																							
Rogish, J.	✓	—	—																							
Roundtree, M.	✓	—	—																							
Schmitt, D.	—	—	—																							

WHEREAS, the County received two bids on October 2, 2024, in response to ITB No. 24-2722-7EAR, for annual construction services for emergency and cold weather in-place asphalt concrete paving and repairs; and,

WHEREAS, the annual contract consists of furnishing all tools, labor, materials, equipment, software, and supervision necessary for emergency and cold weather in-place asphalt concrete paving repairs in the County of Henrico when requested; and,

WHEREAS, the bids were as follows:

<u>Bidders</u>	<u>Bid Amounts</u>
Blakemore Construction Corporation (Rockville, VA)	\$374,800
Finley Asphalt and Sealing, Inc. (Bristow, VA)	\$2,985,000

WHEREAS, the bid amount was calculated by multiplying the estimated unit quantities listed in the bid documents times the unit prices set out in the bid; and,

WHEREAS, after a review and evaluation of the bids, it was determined that Blakemore Construction Corporation is the lowest responsive and responsible bidder for the unit price contract; and,

WHEREAS, the cost of each project assigned under the contract will be determined upon completion of the project by multiplying the unit quantities authorized by the County by the unit prices submitted in the contractor's bid.

By Agency Head [Signature] By County Manager [Signature]

Copy to: _____

Certified: _____
 A Copy Teste: _____
 Clerk, Board of Supervisors

Date: _____

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 336-24

Page No. 2 of 2

**Agenda Title: RESOLUTION – Signatory Authority – Award of Contract – Annual Contract for
Emergency and Cold Weather In-Place Asphalt Concrete Paving Repairs**

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

1. Pursuant to ITB No. 24-2722-7EAR and the bids submitted in response thereto, an annual contract is awarded to Blakemore Construction Corporation for the period of one year, with an option for the County to renew the contract for up to two additional one-year terms.
2. The County Manager is authorized to execute the contract in a form approved by the County Attorney.
3. The County Manager, or the Purchasing Director as his designee, is authorized to execute change orders within the scope of the project budget.

Comment: The Directors of Public Utilities and Purchasing recommend approval of this Board paper, and the County Manager concurs.

**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE**

Agenda Item No. 337-24

Page No. 2 of 2

**Agenda Title: RESOLUTION – Award of Contracts – Job Order Contracting Services for
the County of Henrico – General Construction and Mechanical/Plumbing**

2. Compensation for services will be based upon the fixed-price Construction Task Catalog and price adjustment factors contained in the contracts.
3. Fees for each contract will not exceed \$1,000,000 for any single job order or \$10,000,000 in each one-year term.
4. The County Manager is authorized to execute contracts in a form approved by the County Attorney.

Comment: The Director of General Services and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

