

January 25, 2017

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, January 25, 2017, at 6:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

- PABLO CUEVAS, Election District #1
- FREDERICK E. EBERLY, Election District #2
- RICKY L. CHANDLER, Election District #3
- WILLIAM B. KYGER, JR., Election District #4
- MICHAEL A. BREEDEN, Election District #5

Also present:

- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- GEORGE K. ANAS, II, Assistant County Administrator
- BARRY E. HERTZLER, Director of Public Works
- MICHELE S. BRIDGES, Economic Development and Tourism Manager
- RHONDA H. COOPER, Director of Planning
- JAMES B. MAY, Senior Planner
- JUSTIN S. MOYERS, Deputy Finance Director
- DIANA C. STULTZ, Zoning Administrator
- JESSICA G. KILBY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator  
Virginia Department of Transportation
- JOSHUA W. DUNLAP, Assistant Residency Administrator  
Virginia Department of Transportation
- C. BURGESS LINDSEY, Assistant Residency Administrator  
Virginia Department of Transportation

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**CALL TO ORDER.**

Chairman Chandler called the meeting to order at 6:00 p.m.

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**INVOCATION  
PLEDGE OF ALLEGIANCE.**

Chairman Chandler gave the Invocation and Assistant County Administrator Anas led the Pledge of Allegiance.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Kyger, seconded by Supervisor Eberly, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board approved the minutes of the regular meeting of January 11, 2017.

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## **INTRODUCTION OF STUDENTS.**

Students from Turner Ashby High School introduced themselves to the Board.

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## **TRANSPORTATION DEPARTMENT.**

The Board heard Mr. Komara's report on the activities of the Transportation Department.

He provided the following updates:

- Abutments are being poured on the Lee Highway/South Valley Pike (Route 11) bridge;
- Bids are still open on the Ottobine Road (Route 257) bridge;
- A preconstruction conference will be held in February with Plecker Construction Company regarding the Airport Road (Route 727) bridge project;
- The Grottoes sidewalk project will begin during the summer of 2017;
- Attended a preconstruction conference with Russell Standard to discuss surface treatment projects;
- The Commonwealth Transportation Board provided recommended funding scenarios for Smart Scale applications. Two of the three projects submitted by the County were selected for Smart Scale funding:
  - The Route 704 Realignment - Oakwood Drive and Cecil Wampler Road
  - The Route 682 Realignment - Friedens Church Road
- Recent maintenance activities include brush-cutting, gravel road spot-grading, and preparing for rural rustic improvements.

Mr. Komara reported that a decision has not been made regarding Administrator King's letter addressing Revenue Sharing procedures. Administrator King explained that localities are responsible for funding the difference on Revenue Sharing projects where the cost of the project increases due to unforeseen delays. He said there are uncertainties with any project and explained that it makes sense for VDOT to share the risk with localities, rather than localities bearing the risk alone.

Mr. Komara also reported that the right turn lane work from South Valley Pike (Route 11) onto Oakwood Drive (Route 704) will be complete this summer. The project received partial funding last year and will receive the remainder of the funding this year.

Supervisor Breeden reported that he spoke with a resident who lives along Stephen Conrad Road (Route 979) and is concerned about the road improvement and how it will affect her yard. Mr. Komara said he will contact the resident.

There was discussion regarding gravel road maintenance. Supervisor Eberly indicated it seems more cost effective to pave certain gravel roads rather than providing constant maintenance. Mr. Komara explained that gravel roads are paved based on traffic type and volume. He explained that heavy farm equipment traffic is better suited for gravel roads. When the equipment wears and sinks the road, gravel is added, opposed to a hard surface road that would require hot patching.

Supervisor Kyger brought attention to the ongoing traffic concerns in Mt. Crawford at the Exxon and Burger King. With Blue Ridge Christian School moving to this location, traffic will only increase, he said. He indicated a meeting with Mr. Holtzman regarding the entrance to the Exxon might be a good start. Mr. Komara mentioned this might be a good Revenue Sharing project to consider.

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**2016 BRENT BERRY FOOD DRIVE UPDATE.**

Chairman Chandler introduced James William “Bucky” Berry and his son Brent Berry, who provided an update regarding the 2016 Brent Berry Food Drive.

Mr. Berry reported that the amount of food collected during the 2016 food drive will provide enough food for the local Salvation Army to feed needy families for one year. He was pleased to announce that Premier Auto Body donated \$5,000, along with numerous prepaid television advertisements. Mr. Berry expressed his sincere gratitude to many community members, schools, students, and the County for their support throughout the year.

In closing, Mr. Berry noted that the next food drive will be held on March 9, 2017. He also asked the Board to consider providing a contribution to the Salvation Army Shelter this year.

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**COUNTY ADMINISTRATOR’S STAFF REPORT.**

Administrator King recalled, at the January 11, 2017, Board meeting, that the Board received a copy of the 2017 Chairman’s Committee Appointments. He noted that the proposed appointments to the Central Shenandoah Planning District Commission and the Metropolitan Planning Organization require Board action.

On motion by Supervisor Eberly, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board appointed Supervisor Eberly to the Metropolitan Planning Organization; appointed Supervisor Breeden to serve as an alternate on the Metropolitan Planning Organization; and, appointed Supervisor Kyger to the Central Shenandoah Planning District Commission.

Administrator King recognized Senior Planner James May for his continued professionalism and for representing the County in such a positive manner.

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**COUNTY ATTORNEY’S STAFF REPORT.**

Mr. Miller reminded the Board of a memo he discussed on January 11, 2017, regarding Way-To-Go’s request for tax exemption. Mr. Miller stated that Way-To-Go’s request meets statutory requirements; however, it is up to the Board to grant the exemption. A public hearing will be held on February 8, 2017.

Mr. Miller recalled reviewing proposed Bylaws of the Rockingham County Recreation Commission at the December 14, 2016, Board meeting. He reported that Mrs. McQuain presented the Bylaw revisions to the Recreation Commission in January and received no changes.

On motion by Supervisor Kyger, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board adopted the following Bylaws of the Rockingham Recreation Commission:

## BYLAWS OF THE ROCKINGHAM COUNTY RECREATION COMMISSION

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The following Bylaws are adopted by the Rockingham County Board of Supervisors (the Board) for the Rockingham County Recreation Commission (the Commission) and are effective as of January 1, 2017.

The Commission was established by resolution of the Board on August 13, 1968, and continues operating at the pleasure of and under the authority of the Board and pursuant to Section 15.2-1806 *et seq.* of the Code of Virginia, 1950, as amended.

### Article I. Name.

The Name of this commission shall be the Rockingham County Recreation Commission.

### Article II. Purpose.

The purpose of the Commission is to work through the Director of the Department of Parks and Recreation (the Director) to serve as the advisory body to the Director and the Board in matters pertaining to recreation programs and projects in the County.

### Article III. Members

1. The Commission shall consist of five (5) members, one (1) from each election district, appointed by the Board. Pursuant to the Bylaws in effect prior to these December 14, 2016 Bylaws, the Commission consisted of ten (10) members. The five (5) member Commission shall be obtained by attrition as members' terms end. Each Commission member shall serve a four (4) year term and may be re-appointed for a succeeding four-year term.
2. All members of the Commission shall be compensated at a rate and within the guidelines established by the Board from time-to-time.
3. Members serve at the pleasure of the Board and may be removed at anytime by the Board.
4. Vacancies on the Commission shall be reported to the Clerk of the Board, and shall be filled for the unexpired term of office.
5. Commission members are required to attend a minimum of two-thirds (2/3) of the regular Commission meetings each calendar year.

### Article IV. Officers

1. The officers of the Commission shall be Chairman, Vice-Chairman and Secretary.
2. Officers shall be elected by the Commission members present at the January organizational meeting in even numbered years. The officer shall assume the office immediately and serve for a two (2) year term, or until a successor shall be elected and take office.
3. Vacancies in an officer position shall be filled at the next regular meeting by the Commission.

### Article V. Duties of Officers

1. The Chairman shall preside at all meetings and hearings and appoint special and standing committees, report any official communication at the next regular meeting, stay informed by the Director of the activities of the Department of Parks and Recreation (the Department), and carry out other duties as assigned by the Board and the Commission.
2. The Vice-Chairman shall stay well informed of the activities of the Chairman and the Department and assume the duties and responsibilities of the Chairman in the Chairman's absence or incapacity.
3. The Secretary shall maintain summary minutes of all meetings and hearings of the Commission and standing committees, and shall provide approved copies of all minutes to the Director. The Secretary shall ensure that the Commission complies with all public notification requirements for regular and special

meetings, and public hearings, of the Commission. The Secretary shall work with the Director to prepare and issue the official correspondence of the Commission, maintain the Commission documents, and certify any reports, records, or maps issued by the Commission.

Article VI. Committees

1. The following standing committees shall be appointed by the Chairman: personnel, football, softball, soccer, volleyball, basketball, seniors, cheerleading, recreational programs, appeals, parks, grounds, and buildings.
2. The term for committee appointments shall be two (2) years. Vacancies shall be filled by the Chairman for the unexpired term.
3. Special committees may be appointed by the Chairman for the purposes and terms stipulated by the Commission.

Article VII. Meetings

1. A combined organizational and regular meeting shall be held in January of each year. Regular meeting days and times shall be set at the organizational meeting for the remainder of the year. There shall be at least one meeting per calendar month, excluding June and December.
2. Special meetings may be called by the Chairman or by two (2) members of the Commission. Written notice shall be given to each member at least five (5) days in advance. Notice may be waived in writing or deemed waived by attendance.
3. Public hearings shall be scheduled and conducted by the Commission at the request of the Chairman, two (2) members, or the Board of Supervisors. Public notice in a manner agreed upon by the Commission shall be given by the Secretary at least one (1) week in advance.
4. Public Information
  - a. All meetings and hearings and their minutes, records, reports and accounts shall be open to the public and posted on the County website or other means of public notice.
  - b. The Commission may hold closed meetings in compliance with state law.
  - c. Public participation in Commission meetings and activities is encouraged.
5. A simple majority of total membership shall be deemed a quorum, and is required for any vote to be taken by the Commission.
6. Order
  - a. The agenda for the regular meeting shall be: Call to Order by the Chairman, Roll Call, Determination of Quorum, Approval of Agenda, Approval of Minutes, Citizen Input, Reports of Standing Committees, Matters to be presented by Commission members, Old Business, New Business, and Adjournment.
  - b. The number of votes necessary to carry a motion or resolution shall be a majority of those present. Voting may be by roll call, in which case a record will be kept as part of the minutes.
  - c. Commission meetings shall follow parliamentary procedure as set forth in Robert's Rules of Order.

Article IX. Bylaws

These Bylaws may be amended from time-to-time by the Board.

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**PUBLIC WORKS DIRECTOR'S STAFF REPORT.**

Mr. Hertzler pointed out that bids for the landfill cell expansion are to be received on January 31, 2017.

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## **COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Armstrong's staff report dated January 25, 2017.

Ms. Cooper provided a handout regarding Smart Scale projects in the Staunton District, how they were ranked, and the Commonwealth Transportation Board's review schedule.

### **REMOVAL FROM TABLE.**

On motion by Supervisor Kyger, seconded by Supervisor Eberly, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board removed from the table, SUP16-330 Shannon Dale Click, 7100 Community Center Road, Dayton 22821 for a motor vehicle repair shop on property located on the north side of Curry Drive approximately 490' west of Community Center Road, Election District #4, zoned A-2. Tax Map #103-(3)-E1. Property Address: 7098 Curry Drive.

Supervisor Kyger stated that the Board tabled the request on January 11, 2017, to provide an opportunity for Mr. Click to obtain a 20-foot right-of-way on his father's property and to revise the conditions of the special use permit. Supervisor Kyger reported that the right-of-way was obtained and the conditions were revised. Supervisor Kyger noted that Mr. Click is in agreement with the revised conditions, as are the neighbors who suggested the changes.

On motion by Supervisor Kyger, seconded by Supervisor Eberly, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board, with the following conditions, approved SUP16-330 Shannon Dale Click, 7100 Community Center Road, Dayton 22821 for a motor vehicle repair shop on property located on the north side of Curry Drive approximately 490' west of Community Center Road, Election District #4, zoned A-2. Tax Map #103-(3)-E1. Property Address: 7098 Curry Drive.

### **CONDITIONS:**

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained to convert the existing building to a commercial building.
3. No restroom facilities will be required as long as the operator of the business lives on the property and there are no employees.
4. In the future, should any employees be hired or should the operator of the business move from the property and still operate the business at that location, restroom facilities would be required in the building.
5. A new 20-foot right-of-way shall be constructed on property the applicant shall purchase from James Cook and shall front on Community Center Road. Entrance permit shall be obtained from VDOT and submitted to the Community Development Department prior to issuance of building permits and entrance shall be installed and approved by VDOT prior to issuance of a certificate of occupancy.
6. This permit is contingent upon the new right-of-way being properly documented by a deed conveying the 20' foot right of way by adjoining transfer to the applicant's property. Said deed is to be recorded in the Clerk's Office.

7. This permit is contingent upon a site plan being submitted to and approved by the County. No work shall be done on the property and no building permits shall be issued until such time as a site plan is approved.
8. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
9. There shall be no off-premise signs permitted unless all County and State regulations are met.
10. Parking shall comply with the Rockingham County Code.
11. All work shall be done inside the garage, and there shall be no outside storage of parts.
12. No junk, trash, or debris, including but not limited to junked vehicles, shall be allowed to accumulate on the property.
13. There shall be no more than six (6) vehicles waiting for repairs or waiting to be picked up located outside the building at any time.
14. As proffered by the applicant, the hours of operation shall be from 8 a.m. to 6 p.m. Monday through Friday.
15. All requirements of the Fire Prevention Code shall be met.
16. As proffered by the applicant an eight (8) ft. fence shall be erected between the building location and the properties fronting on Community Center Road. This fence shall be erected within one (1) year of the date of approval of the special use permit.
17. The business shall not begin operation until a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

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## **COMMITTEE REPORTS.**

The Board heard committee reports from Board members and staff.

## **COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)**

Supervisor Kyger said the next CCJB meeting will be January 30, 2017, at 4:00 p.m.

## **FINANCE**

### **Fire and Rescue Compensation**

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board authorized staff to make the following Fire and Rescue compensation policy modifications, effective February 5, 2017:

- 1) Modify policy to eliminate the prior to July 1, 2006, provision for overtime rate calculation. All staff Countywide will be compensated for overtime based on the Fair Labor Standards Act rate of one and one-half times the employee's regular hourly equivalent pay rate.
- 2) Adjust firefighter pay for 24-hour shifts based on hire date. In the rare case that an individual returns to a 12-hour shift, he or she will receive a corresponding decrease in pay. For a full-time hire date

- prior to July 1, 2006, 5% base salary increase,
- from July 1, 2006, through December 31, 2010, 4% base salary increase,
- from January 1, 2011, through December 31, 2015, 3% base salary increase,
- from January 1, 2016, through current, a 2% base salary increase.

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### **Vehicle Purchase**

Supervisor Breeden reported that the Fiscal Year 2017 budget includes \$28,000 to replace a vehicle in the Fire and Rescue department. Staff requested the purchase of a new vehicle for the Training Officer and the transfer of his current vehicle with 190,000 miles to be used as the department's back-up vehicle. Additionally, staff requested the current backup, a 1997 Jeep with 214,000 miles, to be declared surplus.

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board authorized staff to purchase a vehicle for the Fire and Rescue department from the State Contract for \$27,231 and declared the 1997 Jeep, used as a back-up vehicle, surplus.

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Supervisor Breeden reported the Public Works Committee and Finance Committee met with staff earlier in the day. He reviewed the following recommendations:

### **SCS Engineers Landfill Phase 5A Construction Quality Assurance (CQA) Work Order.**

Staff requested, and the Public Works Committee and Finance Committee recommend, that the Board approve SCS Engineers' Construction Quality Assurance (CQA) work order, at a cost not to exceed \$451,118.

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board approved SCS Engineers' Landfill Phase 5A Construction Quality Assurance (CQA) work order, at a cost not to exceed \$451,118.

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### **Landfill Financing for Phase 5A**

Staff requested, and the Public Works Committee and Finance Committee recommend, that the Board authorize staff to submit an application to the Virginia Resources Authority for an up to \$12.75M loan for the Landfill Phase 5A Cell project.

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board authorized staff to submit an application to the Virginia Resources Authority for an up to \$12.75M loan for the Landfill Phase 5A Cell project.

### **SHENANDOAH VALLEY PARTNERSHIP (SVP)**

Assistant County Administrator Anas brought attention to a recent article in the Daily News Record regarding Carrie Chenery, the Executive Director of the Shenandoah Valley Partnership. Consultant Connect named Ms. Chenery as one of the top 50 economic development professionals in North America. Mr. Anas applauded Ms. Chenery for this outstanding recognition.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger reminded staff of the Rural Caucus in Richmond on February 1 and Legislative Day for Local Governments on February 2.

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**CLOSED MEETING.**

On motion by Supervisor Kyger, seconded by Supervisor Breedon, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board recessed the meeting from 6:49 p.m. to 7:09 p.m., for a closed meeting pursuant to 2.2-3711. A (5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; and, (7), Consultation with legal counsel and staff members pertaining to actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County; and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

MOTION: SUPERVISOR KYGER                      RESOLUTION NO: 17-02  
SECOND: SUPERVISOR EBERLY                      MEETING DATE: JANUARY 25, 2017

**CERTIFICATION OF CLOSED MEETING**

WHEREAS, the Rockingham County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board of Supervisors.

VOTE:  
AYES:            BREEDEN, CHANDLER, CUEVAS, EBERLY, KYGER  
NAYS:            NONE  
ABSENT:

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**PUBLIC HEARING – REZONING REQUEST.**

At 7:09 p.m., Chairman Chandler opened the public hearing.

Senior Planner May advised that REZ16-329 was withdrawn by the applicant and read the following letter:

January 20, 2017

Dear James:

Upon consideration of the neighbors' concerns and evaluating how he would feel if he owned a home near by this proposed rezoning project, Butch Strawderman has decided to withdraw his requested rezoning.

Sincerely,

Richard Blackwell  
Senior Engineer  
Agent for Butch Strawderman

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Mr. May reviewed the following rezoning request:

REZ16-341 Surber Development and Consulting. LLC, 109 Holly Ridge Road, Glade Spring, VA 24340, to rezone TM # 125-(A)- L160, located east of Reservoir St (Route 710) and north of Fieldale Pl (Route 895), totaling 5.3 acres, from Medium Density Residential District (R-2) to General Residential District with Conditions (R-3C). The Comprehensive Plan identifies this area for Community Residential Development. Election District 3.

The Planning Commission recommended approval, concurring with staff's recommendation for approval, which stated:

*The development serves as an extension of an improved development providing greater density residential options within the urban development area as called for in the comprehensive plan.*

In response to a question from Supervisor Kyger, Senior Planner May indicated public transit is not proffered and would be an agreement separate from the rezoning request.

Supervisor Kyger stated that he foresees public transit becoming an issue in high-density areas of the County.

The applicant was not present during the public hearing.

No one spoke in favor or in opposition to the request.

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Chairman Chandler closed the public hearing at 7:16 p.m.

He acknowledged traffic concerns along with Fire and Rescue and the Sheriff's Department's concern of being able to provide adequate service.

Chairman Chandler noted that the property is currently zoned R-2. For clarification, he inquired about the permitted uses in R-2. Answering the question, Ms. Stultz advised that R-2 permits duplexes and single-family homes.

Chairman Chandler expressed his intent to table the request to allow time to address the concerns.

On behalf of Supervisor Chandler, on motion by Supervisor Kyger, seconded by Supervisor Eberly, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board tabled REZ16-341- Surber Development and Consulting. LLC, 109 Holly Ridge Road, Glade Spring, VA 24340, to rezone TM # 125-(A)- L160, located east of Reservoir St (Route 710) and north of Fieldale Pl (Route 895), totaling 5.3 acres, from Medium Density Residential District (R-2) to General Residential District with Conditions (R-3C). The Comprehensive Plan identifies this area for Community Residential Development. Election District 3.

**PUBLIC HEARING - ORDINANCE AMENDMENTS.**

At 7:17 p.m., Chairman Chandler opened the public hearing and Ms. Stultz reviewed the following proposed ordinance amendments.

- OA16-351 Amendment to Rockingham County Code, Chapter 17 (zoning), Section 17-703.03.A Parking area landscaping to remove the requirements for setbacks from property lines for parking area in the parking area landscaping regulations.
- OA16-354 Amendment to Rockingham County Code, Chapter 17 (zoning), Section 17-1005.03(b) to decrease the number of paper copies of a site plan to be submitted from nine (9) to six (6) and to require the electronic copy to be submitted following final approval.
- OA16-355 Amendment to the Rockingham County Code, Chapter 16 (subdivision), Section 16-29(c) to reduce the number of preliminary plats required to be submitted from eleven (11) to six (6) and to remove the requirement for one (1) copy in digital form.
- OA16-356 Amendment to the Rockingham County Code, Chapter 16 (subdivision), Section 16-37(b) to reduce the number of final plats required to be submitted from eleven (11) to two (2) and to remove the requirement of an original transparency of scale true material.
- OA16-357 Amendment to the Rockingham County Code, Chapter 16 (subdivision), Section 16-39 to increase the allowable size of the final plat from eight and one-half (8 1/2) inches x fourteen (14) inches to eleven (11) inches x seventeen (17) inches.

No one spoke in favor or in opposition to any of the five proposed ordinance amendments.

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Chairman Chandler closed the public hearing at 7:22 p.m.

On motion by Supervisor Kyger, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the board adopted the following ordinance amendment:

**ORDINANCE REPEALING  
AND  
RE-ENACTING  
SUB-SECTION 17-703.03(a)  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Sub-section 17-703.03(a) Parking area landscaping be and hereby is repealed and re-enacted as follows:

**Section 17-703.03 Parking area landscaping**

- (a) The requirements of this section shall be applicable to all off-street parking areas exceeding four thousand five hundred (4,500) square feet in area. For purposes of this section, the area of an off-street parking area shall be that portion of a lot which is paved or otherwise improved for the purpose of parking vehicles, including all parking spaces, access aisles, driveways, loading and unloading spaces, and vehicle stacking areas and maneuvering spaces. The parking area shall be separated from any streets by a minimum of ten (10) feet; this area shall not count toward any parking area landscaping.

All other sub-sections of Section 17-703.03 remain as before.

This ordinance shall be effective from the 25<sup>th</sup> day of January, 2017.

Adopted the 25th day of January, 2017.

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On motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the board adopted the following ordinance amendments:

**ORDINANCE REPEALING  
AND  
RE-ENACTING  
SECTION 17-1005.03(b)  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Sub-section 17-1005.03(b) Site plan review requirements be and hereby is repealed and re-enacted as follows:

**Section 17-1005.03 Site Plan review requirements**

- (b) Six (6) paper copies of the site plan, drawn to scale, shall be submitted by the applicant and approved by the Zoning Administrator. Following notification of approval of the site plan, one (1) electronic copy shall be submitted to the Community Development Department. The Zoning Administrator may decrease the required number of paper copies as the project warrants. Each site plan shall contain, at a minimum, the following:
  1. Vicinity map showing the location of the tract or lot showing roads, route numbers, road names, streams, and bodies of water, towns or cities, or other landmarks sufficient to clearly identify the location of the property;
  2. Project name, landowner, owner's agent (if applicable) and contact telephone number, address, and seal of licensed engineer, architect or land surveyor (if applicable);
  3. A narrative description of the specific use on site, sufficient to determine if the proposed use is permitted by the zoning district;

4. Tax map number, address of the site, zoning, scale of drawing and north arrow;
5. A boundary survey of the tract or lot;
6. All requirements specified by a planned district and as shown on the approved master plan;
7. Existing and proposed buildings, outside display and storage areas on subject property, showing the location, dimensions, including structure height, statewide uniform building code use group, number of floors, proposed floor plan and area, distances to property lines from buildings, and building restriction and setback lines;
8. All existing and proposed streets, including names, numbers and widths,
9. All on-site easements, including those for utilities and storm drainage, if applicable;
10. Utilities, including type, grades, (may be on separate sheet), dimensions (may be on separate sheet), pipe sizes (may be on separate sheet), and authorization to connect to existing public water and sewer systems or install private water and sewer systems;
11. Location of existing and proposed fire hydrants within one thousand (1,000) feet of site, location of fire lanes, ISO fire flow calculations, and any other requirements of the fire marshal;
12. Ownership, zoning, and use of all adjoining property;
13. Existing and proposed off-street parking, including: parking calculations showing how the numbers were generated, dimensions of each parking space, design, dimensions of the parking lot or area, loading spaces, handicap parking and type of surfacing;
14. Location, design, sight distance, and dimensions of all vehicular entrances and exits to the site;
15. Provisions for adequate disposition of natural and storm water (may be on separate sheet) as required by local or state code, indicating all proposed temporary and permanent control measures;
16. Proposed erosion and sediment control measures (may be on separate sheet) as required by local or state code, indicating all proposed temporary and permanent control measures;
17. The flood zone classification and flood plain boundaries from the flood insurance rate maps of the Federal Emergency Management Agency on site or as determined by a site survey;
18. Provision for adequate screening for uses not conducted within a completely enclosed structure, areas of storage of any materials or any screening as required by the County Code.
19. Provision for landscaping.
20. General location of solid waste and recycling storage containers.
21. Any provisions for outdoor lighting.
22. If the site is permitted by special use permit, rezoning, or variance, the permit number and conditions shall be included.
23. Other information needed to process the site plan application may be requested.

All other sub-sections of Section 17-1005.03 remain as before.

This ordinance shall be effective from the 25th day of January, 2017.

Adopted the 25<sup>th</sup> day of January, 2017

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**ORDINANCE REPEALING  
AND  
RE-ENACTING  
SUB-SECTION 16-29(c)  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Sub-section 16-29(c) Preliminary Plat Generally be and hereby is repealed and re-enacted as follows:

**Division 2. Preliminary Plat**

**Section 16-29. Generally**

- (c) The subdivider shall submit six (6) copies of the preliminary plat. One (1) copy, with the action of the agent noted thereon shall be returned to the subdivider.

All other sub-sections of Section 16-29 remain as before.

This ordinance shall be effective from the 25th day of January, 2017.

Adopted the 25<sup>th</sup> day of January, 2017.

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**ORDINANCE REPEALING  
AND RE-ENACTING  
SECTION 16-37(b)  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Sub-section 16-37(b) Final plat, Generally be and hereby is repealed and re-enacted as follows:

**Division 4. Final Plat**

**Section 16-37. Generally**

- (b) A subdivider shall file two (2) copies of the final plat, including the supportive data herein, with the agent.

All other sub-sections of Section 16-37 remain as before.

This ordinance shall be effective from the 25th day of January, 2017.

Adopted the 25th day of January, 2017.

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**ORDINANCE REPEALING  
AND  
RE-ENACTING  
SECTION 16-39  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Section 16-39 Method of preparation; scale; contents be and hereby is repealed and re-enacted as follows:

**Division 4. Final Plat**

**Section 16-39. Method of preparation; scale; contents**

The plat shall be drawn to the scale of one (1) inch equals one hundred feet, unless otherwise approved by the agent, and the sheet size shall not exceed eleven (11) inches by seventeen (17) inches with at least a one-quarter (1/4) inch border on all sides. More than one (1) sheet may be used; and if shown on more than one (1) sheet, match lines shall clearly indicate where the multiple sheets join. The final plat shall adhere to the Virginia Public Records Act under subsection 42.1-82 of the State Code or any successor statute thereto and, in addition to the requirements of this chapter for a preliminary plat, shall include the following:

- (1) The boundary lines of the area being subdivided shall be determined by an accurate field survey with bearings shown in degrees, minutes and seconds to the nearest ten (10) seconds and dimensions to be shown in feet to the nearest hundredth of a foot to the accuracy of one (1) in ten thousand (10,000). Total acres in each proposed use plus 100-year floodplain delineation shall be shown. The location and material of permanent reference monuments shall be shown. A definite bearing and distance tie shown between not less than two (2) permanent monuments on the exterior boundary of the subdivision and further tie to existing street intersection where possible and reasonably convenient.
- (2) Streets shall be named but not duplicate existing or platted street names unless the new street is a continuation of an existing or platted street. All dimensions both linear and angular for location of lots, streets, alleys, public easements, and private easements shall be expressed in feet to the hundredths of a foot, and all angular measurements shall be expressed by bearings or angles expressed to the nearest ten (10) seconds. All curves shall be defined by their radius, central angle, tangent length, chord bearings and chord and arc lengths. Such curve data shall be expressed for all curves in a tabulated form and numbered to correspond with the curve shown on the plat.

- (3) Lot numbers and block identification.
- (4) Location of all minimum building setback lines specified in chapter 17 (zoning) of this Code, with the area, in square feet or acres, of lots indicated for each individual parcel.

This ordinance shall be effective from the 25th day of January, 2017.

Adopted the 25th day of January, 2017.

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**ADJOURNMENT.**

Chairman Chandler declared the meeting adjourned at 7:23 p.m.

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Chairman