

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
REGULAR MEETING
August 10, 2021

The Henrico County Board of Supervisors convened a regular meeting on Tuesday, August 10, 2021, at 7:00 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:

Daniel J. Schmitt, Chairman, Brookland District
Patricia S. O'Bannon, Vice-Chairman, Tuckahoe District
Thomas M. Branin, Three Chopt District
Tyrone E. Nelson, Varina District
Frank J. Thornton, Fairfield District

Other Officials Present:

John A. Vithoulikas, County Manager
J. T. (Tom) Tokarz, County Attorney
Tanya N. Brackett, CMC, Assistant to the County Manager/Clerk to the Board
W. Brandon Hinton, Deputy County Manager for Administration
Monica Smith-Callahan, Deputy County Manager for Community Affairs
Anthony E. McDowell, Deputy County Manager for Public Safety
Cari Tretina, Assistant to the County Manager/Chief of Staff
Steven J. Yob, Deputy County Manager for Community Operations
Benjamin A. Sheppard, Director of Public Relations

Mr. Schmitt called the meeting to order at 7:00 p.m.

Steven Boots, Chaplain for the Henrico Police Division, delivered the invocation.

On motion of Mr. Thornton, seconded by Mr. Nelson, and by unanimous vote, the Board approved the July 27, 2021, Regular and Special Meeting Minutes.

The vote of the Board was as follows:

Yes: Schmitt, O'Bannon, Branin, Nelson, Thornton

No: None

MANAGER'S COMMENTS

Mr. Vithoulikas announced Henrico County will be hosting a visit with the federal Secretary of Energy Jennifer M. Granholm, in which she will learn about the transformation of former Best Products headquarters into the world's largest living building.

Dr. Danny Avula, Director of the Health Department, updated the Board on the significant increase of cases in the COVID pandemic. Because of breakthrough infections, all persons are encouraged to wear a mask inside. The FDA is currently reviewing data and is expected to recommend booster shots starting in the fall.

BOARD OF SUPERVISORS' COMMENTS

Mr. Thornton noted the birthday of Mr. William LaVecchia who will be turning 95 years old this week. He also noted the passing of Mrs. Lucy Wells, a past President of the NAACP.

Mr. Schmitt thanked County agencies who turned out for National Night Out.

RECOGNITION OF NEWS MEDIA

There were no media representatives present.

PRESENTATION

249-21 Resolution - Expressing Appreciation to the Virginia Home for Boys and Girls.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

Mr. Schmitt presented the resolution to Claiborne Warner, President and CEO of Virginia Home for Boys and Girls.

RESIGNATION

250-21 Resolution - Resignation of Member - Local Emergency Planning Committee.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

PUBLIC HEARINGS – REZONING CASES AND PROVISIONAL USE PERMITS

251-21 Godsey Properties, Inc.: Request to conditionally rezone from A-1
REZ2021- Agricultural District to R-5AC General Residence District (Conditional)
00005 Parcels 804-726-5470 and 804-726-5470.001 containing 120.4 acres located
Fairfield on the north line of Creighton Road at its intersection with Gordon Lane
 (Glenwood Golf Club). The applicant proposes detached dwellings for sale.
 The R-5A District allows a maximum gross density of 6 units per acre. The
 uses will be controlled by zoning ordinance regulations and proffered
 conditions. The 2026 Comprehensive Plan recommends Traditional
 Neighborhood Development and Environmental Protection Area. The
 Planning Commission voted to recommend the Board of Supervisors **grant**
 the request.

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

On motion of Mr. Thornton, seconded by Mr. Branin, and by unanimous vote, the Board deferred this item to the September 14, 2021, meeting.

The vote of the Board was as follows:

Yes: Schmitt, O'Bannon, Branin, Nelson, Thornton

No: None

252-21
PUP2021-
00001
Fairfield

Godsey Properties, Inc.: Request for a Provisional Use Permit under Sections 24-13.4(c), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow adjustable side yard setbacks for lots within the R-5A General Residence District on Parcels 804-726-5470 and 804-726-5470.001 located on the north line of Creighton Road at its intersection with Gordon Lane (Glenwood Golf Club). The existing zoning is A-1 Agricultural District. The R-5A District is proposed for the A-1 District with REZ2021-00005. The 2026 Comprehensive Plan recommends Traditional Neighborhood Development and Environmental Protection Area. The Planning Commission voted to recommend the Board of Supervisors grant the request.

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

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board deferred this item to the September 14, 2021, meeting.

The vote of the Board was as follows:

Yes: Schmitt, O'Bannon, Branin, Nelson, Thornton

No: None

253-21
PUP2021-
00013
Three Chopt

MESA Commercial, LLC: Request for a Provisional Use Permit under Sections 24-58.2 (a), 24-120 and 24-122.1 of Chapter 24 of the County Code to allow a 24-hour operation of a veterinary hospital on part of Parcel 730-765-6508 located on the south line of W. Broad Street (U.S. Route 250), approximately 400' east of the Goochland County line. The existing zoning is B-2C Business District (Conditional). The 2026 Comprehensive Plan recommends Traditional Neighborhood Development. The site is in the West Broad Street Overlay District. The Planning Commission voted to recommend the Board of Supervisors grant the request.

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

On motion of Mr. Branin, seconded by Mr. Nelson, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item subject to the following conditions:

1. This permit shall apply only to a veterinary hospital and all

proffered conditions accepted with case REZ2020-00009 shall be made a part of this Provisional Use Permit.

2. Prior to 24-hour operation, the owner and/or operator of the establishment shall allow the crime Prevention Unit of the Division of Police to conduct a security survey of the location to identify potential security risks and to implement the mutually agreed upon security measures affecting the Property.
3. There shall be no boarding or kenneling, with the exception of animals post-surgery or receiving such medical treatment that they need to remain overnight for observation.
4. Any outdoor enclosures shall be screened with masonry material to match or complement the veterinary building, or as may otherwise be approved by the Director of Planning. Outdoor enclosures shall be shown on the plan of development.
5. Landscaping shall be provided along the southern boundary of the parking lot, as shown on Exhibit A (see case file), to shield residences to the south from vehicle headlights. At minimum the buffer shall be planted to a TB25 requirement, or as otherwise approved at the time of Plan of Development review.
6. Extended hours of operation shall not result in loitering, criminal activity, traffic or public nuisance in the area surrounding the business. In the event that evidence (i.e. police calls to the premises or complaints) indicates the extended hours of operation are having an adverse effect (i.e. increased public nuisance, loitering, excessive noise outside the building, criminal assault, traffic, etc.) on the surrounding area, the Board of Supervisors may hold a public hearing to consider revoking the provisional use permit. Trespassing enforcement authorization, including the placement of "no trespassing" signage, shall be provided to the Police Division on an annual basis.

The vote of the Board was as follows:

Yes: Schmitt, O'Bannon, Branin, Nelson, Thornton

No: None

254-21
REZ2021-
00034
Varina

Sauer Properties: Request to amend proffers accepted with REZ2020-00030 on Parcels 816-703-6131, -6947, 817-702-3619, 817-703-1130, -1244, -2007, -2352, 819-702-6318, 819-703-0614, -7516, 820-701-5432, 820-703-9721 and part of Parcel 819-700-9160 located on the east and west lines of S. Airport Drive (State Route 281) at the Pocahontas Parkway (State Route 895). The applicant proposes to amend proffers regarding greenbelts and transportation improvements. The existing zoning is M-1C Light Industrial District (Conditional). The 2026 Comprehensive Plan recommends Planned

Industry and Environmental Protection Area. The site is in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors grant the request.

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

On motion of Mr. Nelson, seconded by Mr. Thornton, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. Proffered Condition 4 of Case REZ2020-00030 is hereby deleted and replaced with the following:

Access. No truck traffic shall be permitted to use Miller Road unless and until the portion of Miller Road used by such truck traffic shall be improved as required by Proffered Condition 16.c.i. in Case REZ2020-00030, as amended herein.

2. Proffered Condition 5 of Case REZ2020-00030 is hereby deleted and replaced with the following:

Greenbelt.

- A. Generally. A landscaped greenbelt, which may include existing trees, shall be provided a minimum of 50 feet in width along both sides of South Airport Drive and a minimum of 25 feet in width along both sides of the future Olga Sauer Boulevard (as defined below).
- B. Between Street and Loading Bay. In locations where this greenbelt is located between a loading area of a building that faces the street and South Airport Drive, these specific locations may be supplemented with evergreen trees that will be at least 10 feet tall at maturity planted 12 feet on center as may be approved or required at the time of plan of development review. In locations where this greenbelt is located between a loading area on a building that faces the street and Olga Sauer Boulevard, these specific sections of the greenbelt shall be supplemented with additional landscaping within the greenbelt to address any gaps within the greenbelt created naturally or due to initial development activities as may be required at the time of plan of development review.
- C. Other Portions of the Greenbelt. In locations where this greenbelt is not located between a loading area of a building that faces the street and South Airport Drive or Olga Sauer Boulevard, then this portion of the greenbelt may be used, to the extent necessary or allowed, for entrance drives, utility easements, grading, drainage, Best Management Practice

facilities, fencing, decorative landscape walls, fountains and signage and other purposes permitted or required at the time of plan of development review and approval.

- D. Other Requirements. Within this greenbelt along South Airport Drive and Olga Sauer Boulevard, existing trees over 12 inches in diameter at four feet above grade shall be preserved except those which must be removed for entrance drives, utilities easements, grading, drainage, Best Management Practice facilities, fencing, decorative landscape walls, fountains, signage or other purposes permitted or required at the time of plan of development review and approval. Where existing trees are preserved, trimming and thinning consistent with accepted landscape practices shall be permitted along with the removal of dead, damaged or diseased vegetation. Any Best Management Practice facilities located within these greenbelts shall be designed to be an aesthetic amenity that is compatible with the spirit and intent of the greenbelt, as approved at the time of plan of development review and approval. No Best Management Practice facility may be located in areas of this greenbelt that are between a loading area of a building that faces the street and South Airport Drive.

3. Proffered Condition 6 of Case REZ2020-00030 is hereby deleted and replaced with the following:

Setback. No building or any portion thereof shall be constructed within 70 feet of South Airport Drive, and within 75 feet of the section of Miller Road south of Olga Sauer Boulevard and Olga Sauer Boulevard.

4. Proffered Condition 12 of Case REZ2020-00030 is hereby deleted and with the following:

Concept Road 174 Dedication. Upon written request from the County, the developer shall dedicate land a maximum of 66 feet in width for the extension of Concept Road 174 from its terminus, as established in Proffer 16.a.ii. below, to the property line shared with GPIN 820-702-5716, in the location generally shown on the Phasing Plan. Should the dedicated property not be used for its intended purpose within 12 years of the date of dedication, title to the dedicated property shall revert to the owner or its successors in interest.

5. Proffered Condition 16 b. i. of Case REZ2020-00030 is hereby deleted and with the following:

Olga Sauer Boulevard: Construct as a three-lane roadway between Laburnum Avenue and Airport Drive in the general

location shown on the Phase Plan and labeled as Olga Sauer Boulevard ("Olga Sauer Boulevard") with a left turn lane onto south bound Miller Road. Olga Sauer Boulevard shall be constructed prior to the issuance of a building permit within Phase 2.

6. Proffered Condition 16 b. ii. Of Case REZ2020-00030 is hereby deleted in its entirety.
7. Proffered Condition 16 b. iii. of Case REZ2020-00030 is hereby deleted in its entirety.
8. Proffered Condition 16 b. iv. of Case REZ2020-00030 is hereby deleted in its entirety.
9. The following new Proffered Condition is added to Case REZ2020-00030 as subsection 16 b. viii.:

Entrance on Seven Hills Boulevard: Construct one right-turn lane along east bound Seven Hills Boulevard into a new commercial entrance for a private pavement drive-aisle serving Phase 2.

10. The following new Proffered Condition is added to Case REZ2020-00030 as subsection 16 b. ix.:

Entrance on Proposed Olga Sauer Boulevard: Construct one right-turn lane along west bound Olga Sauer Boulevard into a new commercial entrance for a private pavement drive-aisle serving Phase 2.

11. Proffered Condition 16 c. i. of Case REZ2020-00030 is hereby deleted and replaced with the following:

Miller Road: Prior to the approval of a plan of development with an entrance onto Miller Road, the owner of the property shall widen Miller Road to a three-lane section between Olga Sauer Boulevard and Darbytown Road, which will provide a northbound left-turn lane and northbound right-turn lane at Olga Sauer Boulevard and a southbound left-turn lane at Darbytown Road.

The vote of the Board was as follows:

Yes: Schmitt, O'Bannon, Branin, Nelson, Thornton

No: None

255-21
REZ2021-
00032
Varina

Sauer Properties: Request to amend proffers accepted with C-51C-97 on Parcels 816-703-0009 and 816-704-5428 located at the southeast intersection of S. Laburnum Avenue and Seven Hills Boulevard. The applicant proposes to amend proffers regarding greenbelts, permitted uses,

setbacks, access, loading areas, and traffic signalization and add proffers related to hours of construction and parking lot lighting. The existing zoning is M-1C Light Industrial District (Conditional). The 2026 Comprehensive Plan recommends Planned Industry, Commercial Arterial, and Environmental Protection Area. The site is in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors grant the request.

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

On motion of Mr. Nelson, seconded by Mrs. O'Bannon, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. Proffered Condition 1 of Case C-51C-97 is hereby deleted and replaced with the following:

Building Materials. Exposed exterior wall surfaces of all individual buildings shall be constructed of decorative concrete block (including without limitation split face block, fluted block and ground face block), tilt-up or pre-cast concrete, brick, glass, metal (other than corrugated metal), stone, cast stone, granite, marble, stucco, synthetic stucco, glass block or ceramic tile, unless otherwise approved by the Planning Director at the time of plan of development review. No exposed exterior front or side wall surfaces on buildings facing South Laburnum Avenue shall be constructed of metal unless specifically approved by the Planning Director at the time of plan of development review. For purposes of these proffers, "wall surfaces" shall not be deemed to include columns, pilasters, trim or accent materials.

2. Proffered Condition 2 of Case C-51C-97 is hereby deleted and replaced with the following:

Greenbelt.

- (A) Generally. A landscaped greenbelt, which may include existing trees, shall be provided a minimum of 50 feet in width along South Airport Drive and 25 feet in width along Seven Hills Boulevard and Olga Sauer Boulevard (as defined in REZ2020-00030).
- (B) Between Street and Loading Bay. In locations where this greenbelt is located between a loading area on a building elevation that is more than 200 feet from the eastern right-of-way line for South Laburnum Avenue and that building elevation is parallel to and immediately adjacent to the South Laburnum Avenue right of way, these specific locations for loading bays may be supplemented with evergreen trees that will be at least 10 feet tall at maturity

planted 12 feet on center as may be approved or required at the time of plan of development review. For reference, see proffered condition 9 below for restriction on loading bays within 200 feet of the western right-of-way line for South Laburnum Avenue. In locations where this greenbelt is located between a loading area on a building that faces the street and Olga Sauer Boulevard, these specific sections of the greenbelt shall be supplemented with additional landscaping within the greenbelt to address any gaps within the greenbelt created naturally or due to initial development activities as may be required at the time of plan of development review.

- (C) Other Portions of the Greenbelt. In locations where this greenbelt is not located between a loading area of a building that faces the street and South Airport Drive or Olga Sauer Boulevard and for the greenbelt along Seven Hills Boulevard, this portion of the greenbelt may be used, to the extent necessary or allowed, for entrance drives, utility easements, grading, drainage, Best Management Practice facilities, fencing, decorative landscape walls, fountains and signage and other purposes permitted or required at the time of plan of development review and approval.
- (D) Other Requirements. Within the greenbelt along South Airport Drive, Olga Sauer Boulevard and Seven Hills Boulevard, existing trees over 12 inches in diameter at four feet above grade shall be preserved except those which must be removed for entrance drives, utilities easements, grading, drainage, Best Management Practice facilities, fencing, decorative landscape walls, fountains, signage or other purposes permitted or required at the time of plan of development review and approval. Where existing trees are preserved, trimming and thinning consistent with accepted landscape practices shall be permitted along with the removal of dead, damaged or diseased vegetation. Any Best Management Practice facilities located within these greenbelts shall be designed to be an aesthetic amenity that is compatible with the spirit and intent of the greenbelt, as approved at the time of plan of development review and approval. No Best Management Practice facility may be located in areas of this greenbelt that are between a loading area of a building that faces the street and South Laburnum Avenue.

- 3. Proffered Condition 3 of Case C-51C-97 is hereby deleted and replaced with the following:

Setback. No building or any portion thereof shall be constructed within (a) 100 feet of South Laburnum Avenue, and (b) 75 feet of

Seven Hills Boulevard.

4. Proffered Condition 5 of Case C-51C-97 is hereby deleted and replaced with the following:

Uses. No retail commercial use first permitted in B-1, B-2 or B-3 Districts, except as permitted in and regulated by the Office/Service District, shall be permitted within 2,000 feet of Seven Hills Boulevard; provided, however, that (1) hotel or motel uses shall be permitted together with accompanying uses thereto (freestanding or otherwise) including without limitation, barber shops, beauty parlors, dining rooms, exercise rooms, newsstands, restaurants (excluding drive-throughs), cocktail lounges, cafeterias, valet service, automobile rental office, travel agency, retail stores (excluding convenience stores), banks, and financial institutions; and (2) retail stores (excluding convenience stores) may be located within or adjacent to a building used for industrial uses. No more than one freestanding building for accessory uses shall be permitted in conjunction with any hotel or motel development or adjacent to a building used for industrial uses. In addition, the following principal uses shall not be permitted on the Property:

- (A) Structural steel fabricating plant.
- (B) Asbestos processing.
- (C) Candle or sperm oil manufacture.
- (D) Coal yards.
- (E) Crematory.
- (F) Forge or foundry works.
- (G) Match manufacturing.
- (H) Meat or fish products manufacturing.
- (I) Perfume manufacturing.
- (J) Poultry slaughtering and packing.
- (K) Racetracks, for the racing of animals.
- (L) Shoe blacking or polish or stove polish manufacturing.
- (M) Tar or asphalt manufacturing.
- (N) Tar distillation or manufacturing.

5. Proffered Condition 8 of Case C-51C-97 is hereby deleted and replaced with the following:

Access. No truck traffic shall use Miller Road unless and until the portion of Miller Road used by such truck traffic shall be improved as required by Proffered Condition 16.c.i. in Case REZ2020-00030, as amended herein. No truck traffic shall have direct access to South Laburnum Avenue.

6. Proffered Condition 9 of Case C-51C-97 is hereby deleted and replaced with the following:

Loading Areas. In the event a building elevation is located within 200 feet of the western right-of-way line for South Laburnum

Avenue and that building elevation is parallel to the South Laburnum Avenue right-of-way, no loading area shall be located on that building elevation, unless otherwise permitted at the time of plan of development review. If the building elevation is located more than 200 feet from the western right-of-way line for South Laburnum Avenue and that building elevation is parallel to the South Laburnum Avenue right-of-way, a loading area is permitted on that building elevation and subject to Proffered Condition 2(B) above, unless otherwise permitted at the time of plan of development review

7. Proffered Condition 11 of Case C-51C-97 is hereby deleted and replaced with the following:

Buffers. Any loading dock or street constructed within 200 feet of an occupied single-family dwelling shall be screened by a landscaped buffer at least 50 feet in width which shall include (i) a 10 foot high berm or (ii) a 6 foot high privacy fence supplemented with evergreen trees at least 10 feet tall planted approximately 12 feet on center, between the dwelling and the loading area or street; provided, however, that in the event the construction of a berm or fence would destroy an existing stand of trees, the existing trees may be preserved and/or supplemented with evergreen trees at least 10 feet tall planted approximately 12 feet on center as may be approved or required by the Planning Director at the time of plan of development review.

8. Proffered Condition 12 of Case C-51C-97 is hereby deleted and replaced with the following:

Hours of Construction. Any exterior construction located within 200 feet of an occupied single-family dwelling shall be conducted between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours, utility connections and right-of-way improvements.

9. The following Proffered Condition shall be added to Case C-51C-97 as Proffer Condition 13:

Parking Lot Lighting. Any parking lot lighting poles located within 200 feet of an occupied single-family dwelling shall not exceed thirty (30) feet in height as measured from the grade at the base of the lighting standard. Any parking lot lighting located within 200 feet of an occupied single-family dwelling shall be produced from concealed source style fixtures and shall be directed in a way to minimize glare on such properties.

The vote of the Board was as follows:

Yes: Schmitt, O'Bannon, Branin, Nelson, Thornton

No: None

256-21
REZ2021-
00033
Varina

Sauer Properties: Request to amend proffers accepted with C-55C-97 on Parcels 817-703-8751, 817-704-7926, 818-704-3451, 818-704-4435, 818-704-6139 located at the southwest intersection of S. Airport Drive (State Route 281) and Seven Hills Boulevard. The applicant proposes to amend proffers regarding greenbelts, setbacks, access, and traffic signalization and add proffers related to hours of construction and parking lot lighting. The existing zoning is M-2C General Industrial District (Conditional). The 2026 Comprehensive Plan recommends Planned Industry and Environmental Protection Area. The site is in the Airport Safety Overlay District. The Planning Commission voted to recommend the Board of Supervisors grant the request.

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

On motion of Mr. Nelson, seconded by Mr. Branin, and by unanimous vote, the Board followed the recommendation of the Planning Commission and approved this item with the following proffered conditions:

1. Proffered Condition 1 of Case C-55C-97 is hereby deleted and replaced with the following:

Building Materials. Exposed exterior wall surfaces of all individual buildings shall be constructed of decorative concrete block (including without limitation split face block, fluted block and ground face block), tilt-up or pre-cast concrete, brick, glass, metal (other than corrugated metal), stone, cast stone, granite, marble, stucco, synthetic stucco, glass block or ceramic tile, unless otherwise approved by the Planning Director at the time of plan of development review. For purposes of these proffers, "wall surfaces" shall not be deemed to include columns, pilasters, trim or accent materials.

2. Proffered Condition 2 of Case C-55C-97 is hereby deleted and replaced with the following:

Greenbelt.

- (A) Generally. A landscaped greenbelt, which may include existing trees, shall be provided a minimum of 50 feet in width along South Airport Drive and 25 feet in width along Seven Hills Boulevard and along future Olga Sauer Boulevard (as defined in REZ2020-00030).
- (B) Between Street and Loading Bay. In locations where this greenbelt is located between a loading area of a building that faces the street and South Airport Drive, these specific

locations may be supplemented with evergreen trees that will be at least 10 feet tall at maturity planted 12 feet on center as may be approved or required at the time of plan of development review. In locations where this greenbelt is located between a loading area on a building that faces the street and Olga Sauer Boulevard, these specific sections of the greenbelt shall be supplemented with additional landscaping within the greenbelt to address any gaps within the greenbelt created naturally or due to initial development activities as any be required at the time of plan of development review.

- (C) Other Portions of the Greenbelt. In locations where this greenbelt is not located between a loading area of a building that faces the street and South Airport Drive or Olga Sauer Boulevard and for the greenbelt along Seven Hills Boulevard, this portion of the greenbelt may be used, to the extent necessary or allowed, for entrance drives, utility easements, grading, drainage, Best Management Practice facilities, fencing, decorative landscape walls, fountains and signage and other purposes permitted or required at the time of plan of development review and approval.
- (D) Other Requirements. Within the greenbelt along South Airport Drive, Olga Sauer Boulevard and Seven Hills Boulevard, existing trees over 12 inches in diameter at four feet above grade shall be preserved except those which must be removed for entrance drives, utilities easements, grading, drainage, Best Management Practice facilities, fencing, decorative landscape walls, fountains, signage or other purposes permitted or required at the time of plan of development review and approval. Where existing trees are preserved, trimming and thinning consistent with accepted landscape practices shall be permitted along with the removal of dead, damaged or diseased vegetation. Any Best Management Practice facilities located within these greenbelts shall be designed to be an aesthetic amenity that is compatible with the spirit and intent of the greenbelt, as approved at the time of plan of development review and approval. No Best Management Practice facility may be located in areas of this greenbelt that are between a loading area of a building that faces the street and South Airport Drive.

- 3. Proffered Condition 3 of Case C-55C-97 is hereby deleted and replaced with the following:

Setback. No building or any portion thereof shall be constructed within 75 feet of Seven Hills Boulevard.

4. Proffered Condition 5 of Case C-55C-97 is hereby deleted and replaced with the following:

Uses. No retail commercial use first permitted in B-1, B-2 or B-3 Districts, except as permitted in and regulated by the Office/Service District, shall be permitted within 2,000 feet of Seven Hills Boulevard; provided, however, that (1) hotel or motel uses shall be permitted together with accompanying uses thereto (freestanding or otherwise) including without limitation, barber shops, beauty parlors, dining rooms, exercise rooms, newsstands, restaurants (excluding drive-throughs), cocktail lounges, cafeterias, valet service, automobile rental office, travel agency, retail stores (excluding convenience stores), banks, and financial institutions; and (2) retail stores (excluding convenience stores) may located within or adjacent to a building used for industrial uses. No more than one freestanding building for accessory uses shall be permitted in conjunction with any hotel or motel development or adjacent to a building used for industrial uses. In addition, the following principal uses shall not be permitted on the Property:

- (A) Structural steel fabricating plant.
- (B) Asbestos processing.
- (C) Candle or sperm oil manufacture.
- (D) Coal yards.
- (E) Crematory.
- (F) Forge or foundry works.
- (G) Match manufacturing.
- (H) Meat or fish products manufacturing.
- (I) Perfume manufacturing.
- (J) Poultry slaughtering and packing.
- (K) Racetracks, for the racing of animals.
- (L) Shoe blacking or polish or stove polish manufacturing.
- (M) Tar or asphalt manufacturing.
- (N) Tar distillation or manufacturing.

5. Proffered Condition 8 of Case C-55C-97 is hereby deleted and replaced with the following:

Access. No truck traffic shall be permitted to use Miller Road unless and until the portion of Miller Road used by such truck traffic shall be improved as required by Proffered Condition 16.c.i. in Case REZ2020-00030, as amended herein.

6. Proffered Condition 10 of Case C-55C-97 is hereby deleted and replaced with the following:

Buffers. Any loading dock or street constructed within 200 feet of an occupied single-family dwelling shall be screened by a landscaped buffer at least 50 feet in width which shall include either (i) a 10 foot high berm or (ii) a 6 foot high privacy fence

supplemented with evergreen trees at least 10 feet tall planted approximately 12 feet on center, between the dwelling and the loading area; provided, however, that in the event the construction of a berm or fence would destroy an existing stand of trees, the existing trees may be preserved and/or supplemented with evergreen trees at least 10 feet tall planted approximately 12 feet on center as may be approved or required by the Planning Director at the time of plan of development review.

7. Proffered Condition 11 of Case C-55C-97 is hereby deleted and replaced with the following:

Hours of Construction. Any exterior construction located within 200 feet of an occupied single-family dwelling shall be conducted between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours, utility connections and right-of-way improvements.

8. The following new Proffered Condition shall be added to Case C-55C-97 as Proffered Condition 13:

Parking Lot Lighting. Any parking lot lighting poles located within 200 feet of an occupied single-family dwelling shall not exceed thirty (30) feet in height as measured from the grade at the base of the lighting standard. Any parking lot lighting located within 200 feet of an occupied single-family dwelling shall be produced from concealed source style fixtures and shall be directed in a way to minimize glare on such properties.

The vote of the Board was as follows:

Yes: Schmitt, O'Bannon, Branin, Nelson, Thornton

No: None

PUBLIC HEARINGS - OTHER ITEMS

- 257-21 Ordinance - To Amend and Reordain Section 4-31 Titled "Hours of operation," Section 4-34 Titled "Penalty; revocation of provisional use permit," Section 10-28 Titled "Definitions," Section 10-32 Titled "Components of environmental compliance plan," Section 10-33 Titled "Environmental site assessment component of environmental compliance plans," Section 10-39 Titled "Information regarding Chesapeake Bay Preservation Areas in the ECP," Section 13-56 Titled "Commercial district defined," Section 23-1 Titled "Definitions," Section 23-33 Titled "Maintenance of sewage disposal system; pump-out requirement," and Section 23-58 Titled "Septic tank permit" of the Code of the County of Henrico to Update Cross-References to the New Zoning and Subdivision Ordinances.

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

On motion of Mr. Branin, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached ordinance.

- 258-21 Ordinance - To Add Article VII Titled "Repair or removal of defacement, criminal blight, and bawdy houses" to Chapter 6; to Repeal Article I of Chapter 10 Titled "In general"; and to Amend and Reordain Section 10-100 Titled "Unlawful storage or accumulation of refuse," Section 10-102 Titled "Cleanup of premises by county; lien for unpaid charges," and Section 22-6 Titled "Reserved" of the Code of the County of Henrico, To Transfer Code Sections to Different Chapters of the County Code, Amend the Definition of Criminal Blight, and Require Removal of Clutter from Certain Properties.

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

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

- 259-21 Ordinance - To Add a New Article I Titled "Floodplain management" to Chapter 10 of the Code of the County of Henrico to Regulate Floodplains in the County.

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

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

- 260-21 Resolution - POD2021-00237 - Approval of a Master Plan of Development for Taylor Farm Park - Varina District.

Dustin and Lori Carpenter, residents of the Varina District, stated they would prefer that the parking for the neighborhood activity area not be on the side that backs to the Lee Park or Anderson Mill subdivisions.

Mr. Nelson clarified the neighborhood activity area is not just for the neighborhood and will be used for everyone. He understands the concerns of the neighborhood and also the need to ensure access by others.

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

- 261-21 Ordinance - Vacation of Portion of Unimproved Right-Of-Way - Lakeside Terrace - Fairfield District.

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

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

262-21 Ordinance - Vacation of Building Line - Farmington Subdivision - Tuckahoe District.

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

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached ordinance.

263-21 Ordinance - To Amend and Reordain Section 9-2 Titled “Precincts and polling places” of the Code of the County of Henrico by Changing the Polling Place of the Westwood Precinct to Libbie Mill Library in the Brookland District.

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

On motion of Mrs. O'Bannon, seconded by Mr. Nelson, and by unanimous vote, the Board approved this item – see attached ordinance.

264-21 Ordinance - To Add a New Section 9-4 Titled “Voter satellite offices” of the Code of the County of Henrico to Establish a Voter Satellite Office at the Varina Library in the Varina District.

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

PUBLIC COMMENTS

Margaret Ellis, a resident of the Fairfield District, expressed concern about the noise of fireworks at night near her neighborhood since the Fourth of July weekend. She has contacted the Police Division without relief.

Pearl Hopewell, a resident of the Fairfield District, echoed Ms. Ellis and requested that the Board look into the problem.

GENERAL AGENDA

265-21 Resolution - Signatory Authority - Contract Amendment for Construction Services - Circuit Court Renovations - Brookland District.

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

266-21 Resolution - Architectural and Engineering Services - Eastgate/Newbridge Firehouse 23 - Varina District.

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

267-21 Resolution - Approval of FY 2022 and FY 2023 Community Services Board Performance Contract - Virginia Department of Behavioral Health and

Developmental Services and Henrico Area Mental Health & Developmental Services Board.

On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

268-21 Resolution - Declaration of Surplus Property, Request for Sealed Bids, and Contract - Old Pump Road - Three Chopt District.

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

269-21 Resolution - Approval of Cross-Section Pavement Design Standards and Defect Bond Specifications.

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

270-21 Resolution - Change Orders to Construction Contract - Woodman Road Roundabout - Brookland and Fairfield Districts.

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

271-21 Resolution - Authorization to Submit Application - Virginia Community Flood Preparedness Fund - Fairfield District.

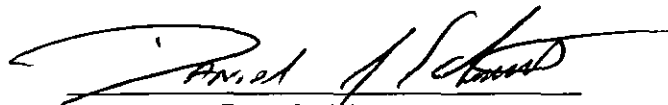
On motion of Mr. Thornton, seconded by Mrs. O'Bannon, and by unanimous vote, the Board approved this item – see attached resolution.

272-21 Resolution - Approval - 2021 Henrico County Local Resilience Plan.

On motion of Mrs. O'Bannon, seconded by Mr. Thornton, and by unanimous vote, the Board approved this item – see attached resolution.

Mr. Thornton encouraged residents to continue speaking to the Board and stated the Board hears their concerns and are working on them.

There being no further business, the meeting was adjourned at 8:49 p.m.


Chairman, Board of Supervisors
Henrico County, Virginia



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 249-21

Page No. 1 of 2

Agenda Title: RESOLUTION - Expressing Appreciation to the Virginia Home for Boys and Girls

For Clerk's Use Only:

Date: 8/10/2021

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Shurtz
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, Virginia Home for Boys and Girls (VHBG) was originally founded in 1846 as the Richmond Male Orphan Society chartered by the General Assembly of Virginia; and

WHEREAS, over the years, VHBG changed its name several times to reflect changes in its programs and the young people it serves; and

WHEREAS, in 1957, VHBG moved from the City of Richmond to its present-day site in Henrico County; and

WHEREAS, VHBG has evolved to meet the changing needs of its students with a trauma-informed approach to transitional living services, specialized K-12 education in the John G. Wood School, and therapeutic resources for students with emotional and behavioral health issues; and

WHEREAS, in 1978, its Youth Emergency Shelter opened to serve boys and girls needing crisis care; and

WHEREAS, in 1998, VHBG adopted the Teaching-Family Model of care for its residential program; and

WHEREAS, in 2003, girls were admitted to the residential program for the first time; and

WHEREAS, in 2018, VHBG expanded to include an Independent Living Arrangement program to serve students between the ages of 17 and 21 who were aging out of the foster care system; and

WHEREAS, in 2020, VHBG created a Pride Place to serve LGBTQ+ adults ages 18-25 facing homelessness; and

By Agency Head

By County Manager

Certified:

A Copy Teste:

Copy to:

Clerk, Board of Supervisors

Date:

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

Agenda Title: RESOLUTION – Appreciation to the Virginia Home for Boys and Girls

WHEREAS, in 2021, the Commonwealth of Virginia's Department of Social Services Division of Family Services approved VHBG as a Qualified Residential Treatment Program (QRTP).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Henrico, Virginia recognizes the important role that the Virginia Home for Boys and Girls plays in the care of young people in the region.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Henrico, Virginia does hereby express its appreciation to the Virginia Home for Boys and Girls for its dedication and perseverance in serving youth in crisis for the past 175 years.

Resolution



OF THE BOARD OF SUPERVISORS OF HENRICO COUNTY, VIRGINIA

Expressing Appreciation to the Virginia Home for Boys and Girls

WHEREAS, Virginia Home for Boys and Girls (VHBG) was originally founded in 1846 as the Richmond Male Orphan Society chartered by the General Assembly of Virginia; and

WHEREAS, over the years, VHBG changed its name several times to reflect changes in its programs and the young people it serves; and

WHEREAS, in 1957, VHBG moved from the City of Richmond to its present-day site in Henrico County; and

WHEREAS, VHBG has evolved to meet the changing needs of its students with a trauma-informed approach to transitional living services, specialized K-12 education in the John G. Wood School, and therapeutic resources for students with emotional and behavioral health issues; and

WHEREAS, in 1978, its Youth Emergency Shelter opened to serve boys and girls needing crisis care; and

WHEREAS, in 1998, VHBG adopted the Teaching-Family Model of care for its residential program; and

WHEREAS, in 2003, girls were admitted to the residential program for the first time; and

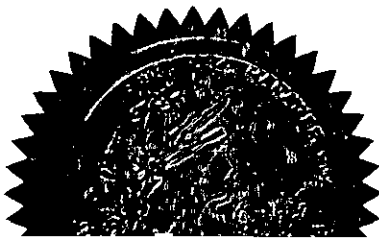
WHEREAS, in 2018, VHBG expanded to include an Independent Living Arrangement program to serve students between the ages of 17 and 21 who were aging out of the foster care system; and

WHEREAS, in 2020, VHBG created a Pride Place to serve LGBTQ+ adults ages 18-25 facing homelessness; and

WHEREAS, in 2021, the Commonwealth of Virginia's Department of Social Services Division of Family Services approved VHBG as a Qualified Residential Treatment Program (QRTP).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Henrico, Virginia recognizes the important role that the Virginia Home for Boys and Girls plays in the care of young people in the region.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Henrico, Virginia does hereby express its appreciation to the Virginia Home for Boys and Girls for its dedication and perseverance in serving youth in crisis for the past 175 years.





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 250-21

Page No. 1 of 1

Agenda Title: RESOLUTION – Resignation of Member – Local Emergency Planning Committee

For Clerk's Use Only:

Date: 8/10/2021

(☒) Approved

() Denied

() Amended

() Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Thornton
(2) (2)

REMARKS

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmitt, D. ☒ ☐ ☐

Thornton, F. ☐ ☐ ☐

WHEREAS, on January 12, 2021, David S. Calkins was reappointed to the Local Emergency Planning Committee for a two-year term expiring December 31, 2022; and

WHEREAS, Mr. Calkins submitted his resignation by correspondence dated July 28, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Henrico County, Virginia hereby accepts the resignation of David S. Calkins from the Local Emergency Planning Committee as the Public Health Representative.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:

Brackett, Tanya

From: Yob, Steven
Sent: Wednesday, July 28, 2021 2:56 PM
To: Brackett, Tanya
Subject: FW: Transitioning to a New Role

Tanya

Mr. Calkins has moved on from Health and may need to come off the LEPC.

Sincerely yours

Steven J. Yob, P.E.
Deputy County Manager for Community Operations
Henrico County, Virginia
Phone (804)501 5470; Mobile (804) 349 2298

From: Calkins, David <david.calkins@vdh.virginia.gov>
Sent: Wednesday, July 28, 2021 2:19 PM
To: david.calkins@central-region.org
Subject: Transitioning to a New Role

Good afternoon everyone,

I am excited to announce that I will be transitioning to a new role in Public Health Emergency Preparedness and Response beginning September 1st. I will be joining the Central Virginia Healthcare Coalition as the Hospital Readiness and Response Coordinator. My last day with the Henrico County Health Department will be Friday, August 6th.

It has been a pleasure working with you in this role, and I hope that we will continue to cross paths in the future. Thank you for your hard work, guidance, support, and friendship over the last several years.

My new email address is david.calkins@central-region.org. My cell phone number is 804-366-5042.

We are working on finalizing a coverage plan beginning August 6th through the hiring of the next Local Health Emergency Coordinator. If you have any questions or need any public health emergency preparedness and response support, please contact Patrick Holland at patrick.holland@vdh.virginia.gov or 804-525-0553. He will be able to direct you to the right person to assist you.

Thank you again. I wish you lots of success and happiness, and hope you will keep in touch.

Respectfully,
David

David Calkins, MPA
Local Health Emergency Coordinator
Virginia Department of Health - Henrico Health District
8600 Dixon Powers Drive
Henrico, Virginia 23228
Office: (804) 501-7250
Mobile: (804) 338-4424



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 257-21
Page No. 1 of 1

Agenda Title: ORDINANCE — To Amend and Reordain Section 4-31 Titled "Hours of operation," Section 4-34 Titled "Penalty; revocation of provisional use permit," Section 10-28 Titled "Definitions," Section 10-32 Titled "Components of environmental compliance plan," Section 10-33 Titled "Environmental site assessment component of environmental compliance plans," Section 10-39 Titled "Information regarding Chesapeake Bay Preservation Areas in the ECP," Section 13-56 Titled "Commercial district defined," Section 23-1 Titled "Definitions," Section 23-33 Titled "Maintenance of sewage disposal system; pump-out requirement," and Section 23-58 Titled "Septic tank permit" of the Code of the County of Henrico to Update Cross-References to the New Zoning and Subdivision Ordinances

For Clerk's Use Only:

Date: 8/10/2021

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Branin (2) Seconded by (1) O'Bannon (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	✓		
Nelson, T.	✓		
O'Bannon, P.	✓		
Schmitt, D.	✓		
Thornton, F.	✓		

After a duly advertised public hearing, the Board of Supervisors of Henrico County, Virginia, adopted the attached ordinance.

Comments: The County Attorney recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:

BLACKLINE

ORDINANCE – To Amend and Reordain Section 4-31 Titled “Hours of operation,” Section 4-34 Titled “Penalty; revocation of provisional use permit,” Section 10-28 Titled “Definitions,” Section 10-32 Titled “Components of environmental compliance plan,” Section 10-33 Titled “Environmental site assessment component of environmental compliance plans,” Section 10-39 Titled “Information regarding Chesapeake Bay Preservation Areas in the ECP,” Section 13-56 Titled “Commercial district defined,” Section 23-1 Titled “Definitions,” Section 23-33 Titled “Maintenance of sewage disposal system; pump-out requirement,” and Section 23-58 Titled “Septic tank permit” of the Code of the County of Henrico to Update Cross-References to the New Zoning and Subdivision Ordinances

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

1. That Section 4-31 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 4-31. Hours of operation.

It ~~shall be~~ is unlawful for any person owning, managing, or operating a billiard parlor, as defined and referred to in section 24-3 24-8405.F as a “pool or billiard hall,” to keep open or operate such billiard parlor on any day between the hours of midnight and 6:00 a.m. of the following day, except on Sunday, when it ~~shall be~~ is unlawful to open or operate a billiard parlor before 1:00 p.m. and after midnight, unless the operation of such establishment and hours of operation are specifically authorized by a provisional use permit approved by the board of supervisors in accordance with ~~section 24-122.1~~ chapter 24. It ~~shall be~~ is unlawful for any person, except its employees, to enter a billiard parlor during the hours in which it is closed.

2. That Section 4-34 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 4-34. Penalty; revocation of provisional use permit.

Violation of any provision of this article ~~shall be~~ is grounds for revocation of the any provisional use permit for the operation of the billiard parlor by the board of supervisors in accordance with section 24-122.1(b) 24-2306.C.7.(b). Violations of sections 4-31 and 4-32 shall be class 3 misdemeanors.

3. That Section 10-28 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-28. Definitions.

The following words, terms, and phrases, when used in this article, have the meanings ascribed to them in this section, except where the context indicates a different meaning:

• • • •

Chesapeake Bay Preservation Area or *CBPA* means any land as defined in § ~~24-3~~ **24-5802.B** of the Code. Chesapeake Bay Preservation Areas shall consist of a resource protection area and a resource management area.

• • • •

100-year floodplain means the special flood hazard area as defined in § 24-3 **10-4** of the Code.

• • • •

Resource management area or *RMA* means that component of Chesapeake Bay Preservation Areas defined in §§ ~~24-3 and 24-106.3~~ **24-5802.B and article 8, division 5, General Definitions, of chapter 24** of the Code.

Resource protection area or *RPA* means that component of a Chesapeake Bay Preservation Areas ~~comprised of lands adjacent to water bodies with perennial flow that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation to the quality of state waters~~ **defined in § 24-5802.B and article 8, division 5, General Definitions, of chapter 24 of the Code.**

• • • •

Subdivision means a division of land as defined in § 19-2 **19-7301** of the Code.

4. That Section 10-32 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-32. Components of environmental compliance plan.

The ECP shall **must** contain the following components:

(a) General information

• • • •

- (3) A tree protection plan which complies with § ~~24-106.2~~ **24-5313.C** of the Code;

• • • •

• • • •

5. That Section 10-33 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-33. Environmental site assessment component of environmental compliance plans.

- (a) The environmental site assessment component of the ECP shall must indicate whether the following features are present on the site:

• • • •

- (3) Resource protection area features ~~as described in § 24-106.3(b)(1) of the Code~~, including:

• • • •

- (4) Resource management area features ~~as described in § 24-106.3(b)(2) of the Code~~, including:

- a. Special flood hazard areas as defined in § ~~24-3~~ **10-4** of the Code that are contiguous to resource protection areas;

• • • •

• • • •

6. That Section 10-39 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-39. Information regarding Chesapeake Bay Preservation Areas in the ECP.

The ECP shall must include the following features:

• • • •

- (c) An acknowledgment that the owner is subject to the CBPA requirements of ~~§ 24-106.3~~ **article 5, division 8, Chesapeake Bay Preservation, of chapter 24** of the Code.

7. That Section 13-56 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 13-56. Commercial district defined.

As used in this article, the term "commercial district" shall mean any business, office, or office service, ~~or institutional~~ district as so classified and defined by chapter 24.

8. That Section 23-1 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-1. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

• • • •

Chesapeake Bay Preservation Areas means resource protection areas and resource management areas, as defined in section ~~24-106.3~~ **24-5802.B and article 8, division 5, General Definitions, of chapter 24.**

• • • •

9. That Section 23-33 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-33. Maintenance of sewage disposal system; pump-out requirement.

It ~~shall be~~ **is** unlawful for any owner, tenant or lessee of premises supplied with a sanitary privy, flush toilet or other approved device for the disposal of human excrement to allow it or cause it to be unsanitary. In addition, owners of all private sewage disposal systems and septic tank systems in the Chesapeake Bay Preservation Areas (as defined in section ~~24-3~~ **24-5802.B**) must, at least once every five years, either pump out their septic tanks and submit documentation thereof or submit documentation, certified by an operator or on-site soil evaluator licensed or certified under chapter 23 of Title 54.1 of the Code of Virginia as being qualified to operate, maintain, or design on-site sewage systems, that the septic system has been inspected within the last five years, is functioning properly, and the tank does not need to have the effluent pumped out of it. All documentation ~~shall be~~ **must** be submitted to the director of public works.

10. That Section 23-58 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 23-58. Septic tank permit.

• • • •

- (b) Determination by health officer. Upon receipt of a permit application and a fee of \$50.00, the health officer shall will determine whether the land is suitable for installation and use of a septic tank system. The health officer shall will follow the sewage handling and disposal regulations of the state board of health. In addition, the health officer shall will ensure that septic systems are not located within ten feet of any wetlands, resource protection areas as defined in section ~~24-106.3~~ **24-5802.B and article 8, division 5, General Definitions, of chapter 24**, reserve drainfields required by section 23-64, or buffers required by zoning proffers or section ~~24-106.2~~ **chapter 24**.

• • • •

11. That this ordinance will be in full force and effect on and after September 1, 2021.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 258-21

Page No. 1 of 1

Agenda Title: ORDINANCE — To Add Article VII Titled “Repair or removal of defacement, criminal blight, and bawdy houses” to Chapter 6; to Repeal Article I of Chapter 10 Titled “In general”; and to Amend and Reordain Section 10-100 Titled “Unlawful storage or accumulation of refuse,” Section 10-102 Titled “Cleanup of premises by county; lien for unpaid charges,” and Section 22-6 Titled “Reserved” of the Code of the County of Henrico, To Transfer Code Sections to Different Chapters of the County Code, Amend the Definition of Criminal Blight, and Require Removal of Clutter from Certain Properties

For Clerk's Use Only:

Date: 8/10/2021

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Branin Seconded by (1) Nelson
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

After a duly advertised public hearing, the Board of Supervisors of Henrico County, Virginia, adopted the attached ordinance.

Comments: The Director of Community Revitalization and the Building Official recommend approval of the Board paper, and the County Manager concurs.

By Agency Head

jm

By County Manager

Certified:

A Copy Teste:

Copy to: _____

Clerk, Board of Supervisors

Date: _____

ORDINANCE — To Add Article VII Titled “Repair or removal of defacement, criminal blight, and bawdy houses” to Chapter 6; to Repeal Article I of Chapter 10 Titled “In general”; and to Amend and Reordain Section 10-100 Titled “Unlawful storage or accumulation of refuse,” Section 10-102 Titled “Cleanup of premises by county; lien for unpaid charges,” and Section 22-6 Titled “Reserved” of the Code of the County of Henrico, To Transfer Code Sections to Different Chapters of the County Code, Amend the Definition of Criminal Blight, and Require Removal of Clutter from Certain Properties

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

1. That Article VII be added to Chapter 6 of the Code of the County of Henrico as follows:

ARTICLE VII. REPAIR OR REMOVAL OF DEFACEMENT, CRIMINAL BLIGHT, AND BAWDY HOUSES

Sec. 6-150. Repair or removal of defacement of buildings, walls, fences, and other structures.

(a) The building official is hereby authorized to repair or remove defacement of the following if the property owner fails to remove or repair the defacement within 30 days of the mailing of written notice to the owner's address shown on the real property records of the county.

(1) Any public building, wall, fence or other structure; or

(2) Any private building, wall, fence or other structure if the defacement is visible from a public right-of-way.

(b) The building official may have the defacement removed or repaired by county employees or agents at county expense.

Sec. 6-151. Repair, removal or securing of buildings and other structures harboring illegal drug use or other criminal activity.

(a) Definitions. For the purpose of this section, the following terms have the following meanings:

Affidavit means the affidavit sworn to under oath in accordance with subsection (c).

Commercial sex acts means any specific activities that would constitute a criminal act under Code of Virginia, title 18.2, ch. 8, art. 3 (Code of Virginia, § 18.2-344 et seq.) or a substantially similar local ordinance if a criminal charge were to be filed against the individual perpetrator of such criminal activity.

Controlled substance means illegally obtained controlled substances or marijuana, as defined in Code of Virginia, § 54.1-3401.

Corrective action means (i) taking specific actions with respect to the buildings or structures on property that are reasonably expected to abate criminal blight on such real property, including the removal, repair, or securing of any building, wall, or other structure, or (ii) changing specific policies, practices, and procedures of the real property owner that are reasonably expected to abate criminal blight on real property. A local law-enforcement official will prepare an affidavit on behalf of the locality that states specific actions to be taken on the part of the property owner that the locality determines are necessary to abate the identified criminal blight on such real property and that do not impose an undue financial burden on the owner.

Criminal blight means a condition existing on real property that endangers public health or the safety of county residents and is caused by (i) the regular presence of persons in possession or under the influence of controlled substances; (ii) the regular use of the property for the purpose of illegally possessing, manufacturing, or distributing controlled substances; (iii) the regular use of the property for the purpose of engaging in commercial sex acts; or (iv) the discharge of a firearm that would constitute a criminal act under Code of Virginia, title 18.2, ch. 7, art. 4 (Code of Virginia, § 18.2-279 et seq.) or a substantially similar local ordinance if a criminal charge were to be filed against the individual perpetrator of such criminal activity.

Law-enforcement official means an official designated to enforce criminal laws within a locality, or an agent of such law-enforcement official. The law-enforcement official will coordinate with the building or fire code official of the locality as otherwise provided under applicable laws and regulations.

Owner means the record owner of real property.

Property means real property.

(b) Abatement authorized. The building official is hereby authorized to take reasonable steps to abate criminal blight on real property, such as removal, repair or securing of a building, wall or other structure, after complying with the notification provisions of this section.

(c) Initial notification procedures. Before any corrective action is taken, the chief of police will execute and send the building official an affidavit that cites Code of Virginia, § 15.2-907, and states the following:

- (1) Criminal blight exists on the property;
- (2) The grounds for determining that criminal blight exists on the property;
- (3) The police division has been unable to abate the criminal blight despite diligent efforts to do so; and
- (4) The criminal blight constitutes a present threat to the public's health, safety or welfare.

The building official will send a copy of the affidavit by (i) certified mail, return receipt requested; (ii) hand delivery; or (iii) overnight delivery by a commercial service or the United States Postal Service, to the owner of the property at his current address in the county's assessment records along with a notice stating that the owner has 30 days from the date of the notice to take corrective action and that, upon the owner's request, the county will assist the owner in determining and coordinating the corrective action. If the owner notifies the county in writing within the 30-day period that additional time to complete the corrective action is needed, the county will allow such owner an extension for an additional 30-day period to take such corrective action.

(d) Additional notification. If no corrective action is taken during the 30-day period, or during the extension if such extension is granted by the county, the building official will send an additional notice to the owner by certified mail, return receipt requested, at the address stated in subdivision (c). The notice will state the date on which the county may commence (i) corrective action to abate the criminal blight or (ii) legal action in a court of competent jurisdiction to obtain a court order to require that the owner take such corrective action or, if the owner does not take corrective action, a court order to revoke the certificate of occupancy for such property, which date must be no earlier than 15 days after the date of mailing of the additional notice. The notice must also describe the county's contemplated corrective action and state that the costs of corrective action taken by the county will be charged to the owner. Upon reasonable notice to the county, the owner may seek judicial relief, and the county may not take corrective action during the pendency of a proper petition for relief in a court of competent jurisdiction.

(e) Costs of corrective action. If the county takes corrective action after complying with the requirements of this section, the county may charge the costs and expenses of the corrective action to the owner and may collect them as taxes are collected. Every charge authorized by this section that remains unpaid constitutes a lien against the property with the same priority as liens for unpaid local real estate taxes and is enforceable in the same manner as provided in Code of Virginia, title

58.1, ch. 39, arts. 3 (Code of Virginia, § 58.1-3940 et seq.) and 4 (Code of Virginia, § 58.1-3965 et seq.).

(f) *Corrective action by owner.* If the owner of the property takes timely and effective corrective action pursuant to the provisions of this section, the building official will deem the criminal blight abated, close the proceedings without any charge or costs to the owner, and promptly provide a written notice to the owner that the proceeding has been terminated satisfactorily. The closing of a proceeding does not bar the county from initiating a subsequent proceeding if the criminal blight recurs.

(g) *Owner's rights preserved.* Nothing in this section will be construed to abridge, diminish, limit, or waive any rights or remedies of an owner of property at law or any permits or nonconforming rights the owner may have under Code of Virginia, title 15.2, ch. 22 (Code of Virginia, § 15.2-2200 et seq.) or under the Code. If an owner in good faith takes corrective action, and despite having taken such action, the specific criminal blight identified in the affidavit persists, such owner will be deemed in compliance with this section. Further, if a tenant of a rental dwelling unit, or a tenant on a manufactured home lot, is the cause of criminal blight on such property and the owner in good faith initiates legal action and pursues the same requesting a final order by a court of competent jurisdiction, as otherwise authorized by the Code of Virginia, against such tenant to remedy such noncompliance or to terminate the tenancy, such owner will be deemed in compliance with this section.

Sec. 6-152. Repair, removal or securing of buildings and other structures harboring a bawdy place.

(a) *Definitions.* For the purpose of this section, the following terms have the following meanings:

Affidavit means an affidavit prepared in accordance with subsection (c) of this section.

Bawdy place means the same as that term is defined in Code of Virginia, § 18.2-347.

Corrective action means the taking of steps which are reasonably expected to be effective to abate a bawdy place on real property, such as removal, repair or securing of any building, wall or other structure.

Owner means the record owner of real property.

(b) *Abatement authorized.* The building official is hereby authorized to take reasonable steps to abate a bawdy place on real property, such as removal, repair

or securing of a building, wall or other structure, after complying with the notification provisions of this section.

(c) *Initial notification procedures.* Before any corrective action is taken, the chief of police will execute and send the building official an affidavit that cites Code of Virginia, § 15.2-908.1, and states the following:

(1) A bawdy place exists on the property and in the manner described therein;

(2) The police division has been unable to abate the bawdy place despite diligent efforts to do so; and

(3) The bawdy place constitutes a present threat to the public's health, safety or welfare.

The building official will send a copy of the affidavit by regular mail to the owner of the property at his current address in the county's assessment records along with a notice stating that the owner has 30 days from the date of the notice to take corrective action to abate the bawdy place and that, upon the owner's request, the county will assist the owner in determining and coordinating the corrective action.

(d) *Additional notification.* If no corrective action is taken during the 30-day period, the building official will send an additional notice to the owner by regular mail. The notice must state that the county may take corrective action to abate the bawdy place after 15 days from the date of the additional notice, and it must describe the county's contemplated corrective action. The notice must also state that the costs of corrective action taken by the county will be charged to the owner. Upon reasonable notice to the county, the owner may seek equitable relief, and the county may not take corrective action during the pendency of a proper petition for relief in a court of competent jurisdiction.

(e) *Costs of corrective action.* If the county takes corrective action after complying with the requirements of this section, the county may charge the costs and expenses of the corrective action to the owner and may collect them as taxes are collected. Every charge authorized by this section which remains unpaid constitutes a lien against the property with the same priority as liens for unpaid local real estate taxes and is enforceable in the same manner as provided in Code of Virginia, title 58.1, ch. 39, arts. 3 (Code of Virginia, § 58.1-3940 et seq.) and 4 (Code of Virginia, § 58.1-3965 et seq.).

(f) *Corrective action by owner.* If the owner of the property takes timely and effective corrective action, the building official will deem the bawdy place abated, close the proceedings without any charge or costs to the owner, and promptly provide a written notice to the owner that the proceeding has been terminated

satisfactorily. The closing of a proceeding does not bar the county from initiating a subsequent proceeding if the bawdy place recurs.

(g) Owner's rights preserved. Nothing in this section will be construed to abridge or waive any rights or remedies of an owner of property at law or in equity.

2. That Article I of Chapter 10 of the Code of the County of Henrico is repealed in its entirety.

3. That Section 10-100 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-100. Unlawful storage or accumulation of refuse.

(a) *Prohibited storage or accumulation.* It shall be unlawful for any owner of property to allow the storage or accumulation of trash, garbage, refuse, litter, clutter, except on land zoned for or in active farming operation, and other substances ~~which~~ that might endanger the health or safety of other residents of the county. For purposes of this section, "clutter" includes mechanical equipment, household furniture, containers, and similar items that may be detrimental to the well-being of a community when they are left in public view for an extended period or are allowed to accumulate.

(b) *Use of containers required.* All garbage, trash, refuse, and litter, clutter, except on land zoned for or in active farming operation, and other debris shall be placed in watertight containers and be kept covered until transported to the county landfill or until taken from the premises by trash or garbage collectors or otherwise disposed of as permitted by law.

• • • •

4. That Section 10-102 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 10-102. Cleanup of premises by county; lien for unpaid charges.

If the owner refuses or fails to clean up the property after receiving the notice required by section 10-101, the county inspector may issue a summons and the county's agents or employees may remove trash, garbage, refuse, litter, clutter, except on land zoned for or in active farming operation, ~~or and~~ other substances ~~which~~ that might endanger the health of other residents of the county, and the cost and expenses of removal shall be charged to the owner. Such costs and expenses may be collected by the county as taxes and levies are collected. Every charge to the owner and lienholder under this section which remains unpaid shall constitute a lien against such property on a parity with liens for unpaid local real estate taxes.

5. That Section 22-6 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 22-6. Reserved Keeping inoperable motor vehicles.

(a) Restrictions. It is unlawful to keep more than one inoperable motor vehicle outside a fully enclosed building or structure on property zoned or used for residential purposes, or any property zoned for commercial or agricultural purposes. For purposes of this section, the term "inoperable motor vehicle" means any motor vehicle, trailer or semitrailer, as defined in Code of Virginia, § 46.2-100, which:

(1) Is not in operating condition;

(2) Does not display valid license plates;

(3) Does not display an inspection decal that is valid; or

(4) Displays an inspection decal that has been expired for more than 60 days.

(b) Shielding or screening required. One inoperable motor vehicle may be kept outside a fully enclosed building or structure if it is shielded or screened from view. As used in this section, the term "shielded or screened from view" means not visible to someone standing at ground level from outside of the property on which the subject vehicle is located.

(c) Exceptions. This section does not apply to a licensed business that is regularly engaged in business as an automobile dealer, salvage dealer, or scrap processor.

(d) Enforcement. The director of community revitalization is responsible for enforcement of this section.

(e) Penalty. A violation of this section is punishable by a fine or imprisonment not exceeding the penalty provided in general law of the Code of Virginia for the violation of a class 1 misdemeanor.

6. That this ordinance will be in full force and effect on and after September 1, 2021.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 259-21

Page No. 1 of 1

Agenda Title: ORDINANCE — To Add a New Article I Titled "Floodplain management" to Chapter 10 of the Code of the County of Henrico to Regulate Floodplains in the County

For Clerk's Use Only:

Date: 8/10/2021

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Branin Seconded by (1) Nelson
(2) (2)

REMARKS:

APPROVED
Effective September 1, 2021

YES NO OTHER

Branin, T.

☒

Nelson, T.

☒

O'Bannon, P.

☒

Schmitt, D.

☒

Thornton, F.

☒

After a duly advertised public hearing, the Board of Supervisors of Henrico County, Virginia, adopted the attached ordinance.

Comments: The Director of Public Works recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date:

Article I. FLOODPLAIN MANAGEMENT

Division 1: Purpose and Applicability

Sec. 10-1. Purpose and Applicability

The purpose of this article is to promote and protect the health, safety, and general welfare of county residents and to minimize losses due to flood hazards through provisions designed to:

- (a) prevent development and land disturbing activities from increasing flood or drainage hazards;
- (b) protect new buildings and major improvements to buildings from flood damage;
- (c) protect human life and health from the hazards of flooding;
- (d) lessen the burden on taxpayers for future flood and drainage control projects, repairs to flood-damaged public facilities and utilities and flood rescue and relief operations; and
- (e) make federally subsidized flood insurance available for property within the county.

This article shall apply to privately and publicly owned lands within areas designated as a Special Flood Hazard Area (SFHA) and areas adjacent to SFHAs, as outlined in this article. These areas are shown on the county's current Floodplain Maps. No development shall occur within these areas except in accordance with the provisions of this article.

State law reference: Code of Virginia § 15.2-984.

Sec. 10-2. Compliance and Liability

- (a) No land shall hereafter be developed, and no structure shall be located, relocated, constructed, reconstructed, enlarged, or structurally altered, except in full compliance with the provisions of this article and any other applicable laws and regulations.
- (b) The degree of flood protection sought by this article is deemed reasonable for regulatory purposes and is based on acceptable engineering study methods. However, compliance with this article will not guarantee total protection from flooding or flood damages due to heavy rainfalls, increases in flood heights due to man-made or natural causes such as debris blockage of bridge openings, or other causes.
- (c) The county and its officers and employees shall not be responsible for flood damages that result from reliance on this article or any administrative decision related to its enforcement.

Division 2. Definitions

Sec. 10-3. Definitions

500-year Floodplain: The land at risk for flooding from a 0.2 percent (500-year) flood in any given year. This area may be identified as a Shaded X Zone or Shaded X5 Zone on the Floodplain Maps.

Accessory or Appurtenant Structure: A structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. An accessory structure is considered nonresidential for the purposes of this article and may include detached garages, sheds, barns, or greenhouses.

Addition: An extension or increase in the floor area or height of an existing building or structure.

Agricultural Structure: A structure that is used exclusively in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, including aquatic animals or plants associated with aquaculture activities. An agricultural structure does not include any structure used for human habitation.

Alteration of a Watercourse: A dam, impoundment, channel relocation, change in channel alignment, channelization, change in cross-sectional area of the channel or the channel capacity, or any other change associated with development which may increase the base flood elevation.

ASCE 24: Published by the American Society of Civil Engineers (ASCE), ASCE 24, *Flood Resistant Design and Construction* is a referenced standard in the Uniform Statewide Building Code that provides minimum requirements and expected performance for the siting, design, and construction of buildings and structures in flood hazard areas that are subject to building code requirements.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year. This may also be referred to as the 100-year flood.

Base Flood Elevation (BFE): The water surface elevation of the base flood as shown either on (1) the most recent Federal Emergency Management Agency Flood Insurance Rate Map or Flood Insurance Study or (2) the county's most recent Comprehensive Drainage Map, whichever is higher. For areas without mapped base flood elevations, the developer shall use the 100-year flood elevations and floodway information from federal and state sources when available or, if such information is not available, flood elevations derived from sufficiently detailed hydrologic and hydraulic computations by a professional engineer who certifies the correct use of currently accepted technical concepts.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Community Special Flood Hazard Area: Also referred to as the Community SFHA, the land subject to a one percent or greater chance of flooding in any given year, based on 100-acre drainage areas or less, as identified on the county's current Comprehensive Drainage Maps. These areas do not include and are in addition to FEMA Special Flood Hazard Areas.

Conditional Letter of Map Revision (CLOMR): Either (1) a formal review and comment from FEMA stating that a proposed project complies with the minimum NFIP requirements for the project with respect to delineation of FEMA SFHAs or (2) a letter from the county engineer that provides conditional approval of a study, based on as-built conditions, that changes the location of the Community SFHA. A CLOMR does not revise the Floodplain Maps.

County Comprehensive Drainage Map. The most recent map approved by and maintained by the county engineer on the county's GIS designating the 100-year floodplain in the county. The county engineer may amend the County Comprehensive Drainage Map at any time upon review of additional engineering studies of floodplain areas.

Critical Facility: A structure or other improvement that, because of its function, size, service area, or uniqueness, has the potential to result in serious bodily harm, extensive property damage, or disruption of vital socioeconomic activities if it is destroyed or damaged or if its functionality is impaired. Critical facilities include health and safety facilities, utilities, government facilities, and hazardous materials facilities.

Dam Break Inundation Zone: The area downstream of a dam that would be inundated or otherwise directly affected by the failure of the dam. A dam's dam break inundation zone shall be as shown on the dam break inundation zone map for that dam filed with the Virginia Department of Conservation and Recreation.

Dam: A manmade structure across a watercourse used to restrain water.

Development: Any man-made change to improved or unimproved real estate, including buildings or other structures, as well as mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.

Dry Floodproofing: A combination of measures that results in a structure and its attendant utilities and equipment being watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.

Elevated Building: A non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, or columns, such as posts and piers.

Encroachment: The advance or infringement of uses, fill, excavation, buildings, permanent structures, or development into a floodplain which may impede or alter the flow capacity of a floodplain. Building renovations within the existing building footprint area are not considered an Encroachment.

Erosion: The process of the gradual wearing away of land masses.

FEMA: Federal Emergency Management Agency.

FEMA Special Flood Hazard Area: Also referred to as the FEMA SFHA, the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year as designated by FEMA. The area may be designated on a Flood Insurance Rate Map as Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE, or V.

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal Insurance Administrator has delineated both the FEMA SFHAs and the risk premium zones

applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study (FIS): An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (*i.e.*, mudflow) and/or flood-related erosion hazards.

Flood or Flooding: Defined as either:

(a) a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of inland or tidal waters, (2) the unusual and rapid accumulation or runoff of surface waters from any source, or (3) mudslides (*i.e.*, mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in a partial or complete inundation of normally dry land.

Flood Damage-Resistant Materials: Any construction materials capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Floodplain Administrator: The person appointed to administer, implement, and enforce the provisions of this article. This person is also known as the Floodplain and Dam Safety Manager.

Floodplain Management: The operation of an overall program of corrective and preventive measures for reducing flood damage, including emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain Maps: The current Flood Insurance Rate Maps and Flood Insurance Study for Henrico County prepared by the Federal Emergency Management Agency, Federal Insurance Administration, effective December 18, 2007, and the current County Comprehensive Drainage Map, effective December 18, 2007, and subsequent revisions or amendments thereto.

Floodplain or Flood-Prone Area: Any land area susceptible to being inundated by water from any source other than a dam break.

Floodproofing: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or prevent flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation. The Floodway is part of the SFHA. This may also be referred to as the Regulatory Floodway.

Freeboard: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Functionally Dependent Use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term only includes docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

GIS: Geographic Information System.

Habitable Building: A structure designed primarily for or used for human habitation. This includes houses, condominiums, townhomes, restaurants, retail establishments, manufacturing buildings, commercial buildings, office buildings, manufactured homes, and similar uses. It does not include Accessory Structures.

Highest Adjacent Grade: The highest natural elevation of the ground surface next to the walls of a proposed structure prior to construction.

Historic Structure: Any structure that is: (a) listed individually in the National Register of Historic Places maintained by the U. S. Department of Interior or preliminarily determined by the U. S. Secretary of the Interior as meeting the requirements for individual listing on the National Register, or (b) certified or preliminarily determined by the U. S. Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district, or (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the U. S. Secretary of the Interior, or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) by an approved state program as determined by the U. S. Secretary of the Interior or (2) directly by the U. S. Secretary of the Interior in states without approved programs.

Hydrologic and Hydraulic Engineering Analysis: Analyses performed by a licensed professional engineer in accordance with standard engineering practices to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.

Impounding Structure: A dam across a watercourse or a manmade structure outside a watercourse used or to be used to retain or store waters or other materials as defined by Code of Virginia § 10.1-604. The term includes (i) all dams that are 25 feet or greater in height and that create

an impoundment capacity of 15 acre-feet or greater and (ii) all dams that are six feet or greater in height and that create an impoundment capacity of 50 acre-feet or greater. The term "impounding structure" does not include: (a) dams licensed by the State Corporation Commission that are subject to a safety inspection program, (b) dams owned or licensed by the United States government, (c) dams operated primarily for agricultural purposes which are less than 25 feet in height or which create a maximum impoundment capacity smaller than 100 acre-feet, (d) water or silt retaining dams approved pursuant to Code of Virginia § 45.1-222 or § 45.1-225.1, or (e) obstructions in a canal used to raise or lower water.

Increased Cost of Compliance (ICC) Coverage: Covers expenses that a property owner must incur above the cost to repair physical damage a building actually sustains from a flooding event to comply with mitigation requirements of state or local floodplain management ordinances or laws. Acceptable mitigation measures are higher elevation, greater floodproofing, relocation, demolition, or any combination thereof.

Land Disturbing Activity: Any clearing, grading, excavating, transporting, or filling of land.

Letter of Map Amendment (LOMA): An amendment to the Flood Insurance Rate Map approved by FEMA based on technical data that establishes that a specific property is not located in a FEMA SFHA. However, a LOMA is site specific and is not shown on the Floodplain Maps.

Letter of Map Change (LOMC): A Letter of Map Change is (1) an official FEMA letter that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study or (2) an official county letter that amends or revises the most recent County Comprehensive Drainage Map.

Letter of Map Revision (LOMR): A revision to the Floodplain Maps based on technical data that shows a change or changes to flood zones or flood elevations or floodplain and floodway delineations or planimetric features. This includes (1) a revision approved by FEMA to revise a FEMA SFHA on a Flood Insurance Rate Map or Flood Insurance Study or (2) a revision approved by the county engineer to revise a Community SFHA on the most recent County Comprehensive Drainage Map.

Levee System: A flood protection system which consists of a levee or levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Levee: A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water to provide protection from temporary flooding.

Lowest Adjacent Grade: The lowest natural elevation of the ground surface next to the walls of a structure.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor if such enclosure does not violate the applicable enclosure requirements in Sec. 10-10(c) of this article.

Manufactured Home: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term Manufactured Home does not include a recreational vehicle. A Manufactured Home may be considered a Residential or Non-Residential Building depending on its use.

Market Value: The value of a building, excluding land value, that is determined by an appraiser certified in Virginia. The tax value of the building may be used for this value.

Mean Sea Level: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood elevations shown on a community's Floodplain Maps are referenced.

Mechanical Equipment: Includes electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities.

Mixed-Use Building: A building that has both residential and non-residential uses.

Mudslide: A condition where there is a river, flow, or inundation of liquid mud down a hillside usually as a result of a loss of brush cover and the subsequent accumulation of water on the ground preceded by a period of unusually heavy or sustained rain. A Mudslide (*i.e.*, mudflow) may occur as a distinct phenomenon while a landslide is in progress and will be recognized as such by the Administrator only if the mudflow, and not the landslide, is the proximate cause of damage that occurs.

New Construction: For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NFIP: National Flood Insurance Program.

Non-Residential Building: A building or accessory structure where the primary use is commercial or not for human habitation.

No-Rise Certification: A certification statement signed by a professional engineer licensed to practice in the Commonwealth of Virginia certifying that a proposed project will not increase the base flood elevations in the community.

Post-FIRM: Construction or other development for which the "start of construction" occurred on or after the effective date of the initial Flood Insurance Rate Map.

Pre-FIRM: Construction or other development for which the "start of construction" occurred before the effective date of the initial Flood Insurance Rate Map.

Principally Above Ground: At least fifty-one percent of the actual cash value of the structure, less land value, is above ground.

Prolonged Contact with Floodwaters: Partial or total inundation by floodwaters for 72 hours or more.

Recreational Vehicle: A vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily for use as temporary living quarters for recreational, camping, travel, or seasonal use rather than as a permanent dwelling.

Repetitive Loss Structure: A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions in a 10-year period for which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each flood event and at the time of the second flood event had increased costs of compliance coverage in the contract for flood insurance.

Residential Building: A non-commercial building designed for habitation by one or more families or a mixed-use building, including any building or portion of a building occupied or designed to be occupied exclusively for residential purposes. The term includes guesthouses, cabins, and sleeping units but does not include a tent, recreational vehicle, hotel or motel, boardinghouse, hospital, or other accommodation used for transient occupancy.

Riverine: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Severe Repetitive Loss Structure: A structure that is covered under a contract for flood insurance made available under the NFIP and has incurred flood related damage for which four or more separate claims payments have been made under flood insurance coverage with each such claim exceeded \$5,000 and the cumulative amount of such claims payments exceeded \$20,000. The term also includes a structure covered by flood insurance made available under the NFIP for which at least two separate claims payments have been made under such coverage and the cumulative amount of such claims payments exceeds the market value of the insured structure.

Special Flood Hazard Area (SFHA): Land subject to a one percent or greater chance of flooding in any given year. This area includes both FEMA Special Flood Hazard Areas and Community Special Flood Hazard Areas and may also be referred to as the 100-year floodplain.

Start of Construction: The date the building permit is issued for construction, repair, reconstruction, rehabilitation, addition placement, or other improvements, provided the actual start of such activity was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling, or the installation of streets and/or walkways. It also does not include excavation for a basement, footings, piers, or foundations, the erection of temporary forms, or the installation on the property of accessory buildings, such as garages or sheds that are not occupied as dwelling units or as parts of the main structure. For a substantial improvement, the actual start of

construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. This definition does not apply to new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348).

Structure: A walled and roofed building that is principally above ground. Walled is considered “two or more outside rigid walls” and roofed is “a fully secured roof.” This may also be referred to as a building.

Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the Start of Construction of the improvement. This term includes improvements to structures which have incurred Substantial Damage, regardless of the amount of the actual repair work performed. For the purposes of this article, the relocation of a residential structure within the SFHA is deemed a substantial improvement. This term does not, however, include any improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum improvements necessary to assure safe living conditions.

Substantially Impermeable: Use of flood damage-resistant materials and techniques for dry floodproofing portions of a structure, which result in a space free of cracks, openings, or other channels that permit unobstructed passage of water and seepage during flooding and which results in a maximum accumulation of 4 in. of water depth in such space during a period of 24 hours.

Uniform Statewide Building Code (USBC): The current edition of the Virginia Uniform Statewide Building Code as authorized by the Code of Virginia, § 36-98.

Variance: A grant of relief from any requirement of this article. Variances may only be granted in compliance with the provisions of Division 5 of this article.

Violation: The failure of a structure or other development to be fully compliant with this article.

Water Surface Elevation (WSE): The height of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas. These heights are shown on maps by reference to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified),

Watercourse: A lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Wet Floodproofing: Floodproofing method that relies on the use of flood damage-resistant materials and construction techniques in areas of a structure that are below the elevation required by this article and are intentionally allowed to flood.

Division 3: Administration and Interpretation

Sec. 10-4. Designation of the Floodplain Administrator

The Floodplain Administrator is responsible for administering and implementing this article. However, the Floodplain Administrator may implement this article by:

- (a) delegating his or her duties and responsibilities in this article to qualified technical personnel, plan examiners, inspectors, and other employees.
- (b) entering into a written agreement or written contract with a community or private sector entity to carry out specific provisions of these requirements. Administration of any part of this article by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. 59.22.

Sec. 10-5. Duties and Responsibilities of the Floodplain Administrator

The duties and responsibilities of the Floodplain Administrator shall include:

- (a) reviewing applications for permits to determine whether proposed activities will be located in the SFHA.
- (b) interpreting floodplain boundaries and providing available BFE and flood hazard information.
- (c) reviewing applications to determine whether proposed activities will be reasonably safe from flooding and requiring new construction and substantial improvements to meet the requirements of these requirements.
- (d) reviewing applications to determine whether all necessary permits have been obtained from the federal, state, or local agencies from which prior or concurrent approval is required. These permits shall include permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross-section of a stream or body of water, including any change to the 100-year frequency floodplain of free-flowing non-tidal waters of the Commonwealth.
- (e) verifying that applicants proposing an alteration of a watercourse have notified impacted adjacent communities, the Virginia Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies, such as the Virginia Department of Environmental Quality and the U.S. Army Corps of Engineers, and have submitted copies of such notifications to FEMA.
- (f) approving applications and issuing permits to develop in the SFHA if the requirements of this article have been met.
- (g) inspecting, or causing to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these requirements.

- (h) reviewing Elevation Certificates and Floodproofing Certificates and requiring incomplete or deficient certificates to be corrected.
- (i) submitting to FEMA, or requiring applicants to do so, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for the county, within six months after such data and information becomes available if the analyses indicate changes in BFEs or boundary changes.
- (j) maintaining and permanently keeping records that are necessary for the administration of these requirements, including:
 - (1) FISSs, FIRMs, and LOMCs; and
 - (2) Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation to which structures have been floodproofed, inspection records, required design certifications, variances, and records of enforcement actions taken to correct violations of these requirements.
- (k) enforcing the provisions of these requirements, investigating violations, issuing notices of violations or stop work orders, and requiring permit holders to take corrective action as needed to comply with this article.
- (l) creating, and amending as necessary, a Technical Guidance Manual to help explain the application of this article using charts and other written materials.
- (m) advising the county engineer, county manager, board of supervisors, and others regarding the intent of these requirements.
- (n) administering the requirements related to proposed work on existing buildings that may be substantially damaged:
 - (1) making determinations as to whether damaged structures in the SFHA are substantially damaged.
 - (2) coordinating with federal, state, and local agencies to assist with substantial damage determinations.
 - (3) making reasonable efforts to notify owners of substantially damaged structures of their need to obtain permits to repair, rehabilitate, or reconstruct.
 - (4) prohibiting the non-compliant repair of substantially damaged buildings except for emergency measures to secure a property or temporarily stabilize a building or structure to prevent additional damage.
- (o) issuing public service announcements and other information related to permit requests and repair of damaged structures.
- (p) providing owners of damaged structures information about the proper repair of damaged structures in SFHAs.
- (q) assisting property owners with documentation required to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.
- (r) notifying FEMA when the corporate boundaries of the county have been modified.
- (s) completing and submitting a report concerning participation in the NFIP at the request of FEMA.
- (t) considering known flood, mudslide, and flood-related erosion hazards in official actions regarding land management and use throughout the county, even if those hazards have not been specifically delineated via mapping or surveying.

- (u) maintaining records of all variance actions, including notifications and justifications for the granting of variances. All issued variances shall be recorded in the annual or biennial report as requested by FEMA.

Sec. 10-6. Use and Interpretation of Floodplain Maps

The county's Floodplain Maps shall include the current effective FEMA FIRMs and the current effective County Comprehensive Drainage Maps in the county's online GIS. The Floodplain Administrator shall make interpretations, where needed, as to the exact location of SFHAs, floodplain boundaries, floodway boundaries, and BFEs.

The following shall apply to the use and interpretation of floodplain maps and data:

- (a) Where available topography information, such as GIS maps, LiDAR, and field surveys, indicates that adjacent ground elevations:
 - (1) are below the BFE, even in areas not delineated as SFHA, the area shall be considered as SFHA and subject to the requirements of this article;
 - (2) are above the BFE and the area is labelled as SFHA on the floodplain maps, the area shall be regulated as SFHA unless the applicant obtains an approved LOMC.

The Floodplain Administrator may require field survey information to verify adjacent ground elevations from a licensed land surveyor or professional engineer.
- (b) Where BFE and floodway data have not been identified, including in areas where SFHAs have not been identified, any other reasonable flood hazard data available from a federal, state, or other source shall be reviewed and used. The Floodplain Administrator is authorized to require the applicant to determine the BFE and/or floodway in accordance with accepted hydrologic and hydraulic engineering practices, and the determination must be made by a licensed professional engineer.
- (c) BFEs and designated floodplain or floodway boundaries for effective SFHAs that are more restrictive shall take precedence over BFEs and floodplain or floodway boundaries created by any other source unless a CLOMR has been approved. Other sources of data shall be reasonably used if such sources show increased BFEs and/or wider floodplain or floodway boundaries than have been adopted for the effective SFHA.
- (d) If a Preliminary FIRM and/or a Preliminary Flood Insurance Study has been provided by FEMA:
 - (1) Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the effective SFHA for the purposes of administering these regulations.
 - (2) Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to Sec. 10-6(b) and used where no BFEs and/or floodplain or floodway areas are provided on the effective Floodplain Maps.

- (3) Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary BFEs, floodplain or floodway areas exceed the BFEs and/or designated floodplains or floodway widths on the effective Floodplain Maps. Such preliminary data may be subject to change and/or appeal to FEMA.

Sec. 10-7. SFHA Boundary Changes

The county may revise the delineation of any SFHA when (1) natural or man-made changes have occurred, (2) detailed studies have been conducted by the U. S. Army Corps of Engineers or another qualified entity, or (3) an owner or developer documents the need for a boundary change. The revision must be documented in an approved LOMR.

Division 4: Permit and Development Standards

Sec. 10-8. Floodplain Development Permit Requirements

A Floodplain Development Permit is necessary for any use, activity, or development within a SFHA. All development must strictly comply with this article and other applicable requirements. The application must show compliance with all legal requirements before issuance of such permit, and the Floodplain Administrator shall review all sites to verify they are reasonably safe from flooding. Under no circumstances may any use, activity, or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.

The following specific requirements must be met before any development in the floodplain occurs:

- (a) The applicant shall submit the application fee, application form, and required information for a Floodplain Development Permit to the Floodplain Administrator. All applications must state the elevation of the lowest floor for all structures to be elevated or the elevation to which the structures will be floodproofed in an Elevation Certificate (FEMA Form 086-0-33).
- (b) On receiving the application, the Floodplain Administrator shall determine whether the application is complete. If the Floodplain Administrator determines the application is incomplete, the Floodplain Administrator shall provide written notice of the submission deficiencies and shall not process the application further. When the Floodplain Administrator determines that the application is complete, the Floodplain Administrator shall review the application for compliance with this article.
- (c) The Floodplain Administrator must issue a Floodplain Development Permit and include any conditions necessary to ensure compliance with this article.

Sec. 10-9. Development Standards – General

The following provisions shall apply to all permitted development:

- (a) Development shall not cause an increase in the BFE, reduce the flood-carrying capacity of any watercourse, drainage ditch, or other drainage facility or system, or similar adverse impacts. The applicant shall submit a No-Rise Certificate, signed and sealed by a licensed professional engineer, with sufficient supporting technical data such as a hydrologic and hydraulic analysis, as determined by the Floodplain Administrator. Compensatory storage may be utilized to satisfy the no rise requirement for any type of development if engineering data shows the site is hydraulically equivalent and the Floodplain Administrator approves the plans for each compensatory storage area.
- (b) Fill may not be placed in the SFHA, including the placement of fill to remove a lot from the SFHA in order to construct a building or structure.
- (c) Mechanical equipment shall be designed and/or located to prevent water from entering or accumulating within its components during conditions of flooding.
- (d) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (e) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
- (f) On-site waste disposal systems shall be located and constructed to avoid their impairment or contamination during flooding.
- (g) Any repair, replacement, or reconstruction of a damaged or destroyed building or structure must comply with the requirements of Sec. 10-13.
- (h) An owner or developer must obtain a permit from the U. S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (as applicable) prior to any proposed alteration or relocation of any channel or watercourse within the county. Furthermore, the applicant shall notify all affected adjacent jurisdictions, the Virginia Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and FEMA.
- (i) Any alteration or relocation of any channel or watercourse must maintain the flood carrying capacity of the channel or watercourse.
- (j) There shall be no encroachment, including fill, new construction, substantial improvements, or other development within the floodway unless hydrologic and hydraulic analysis performed in accordance with standard engineering practices show the encroachment will not result in any increase to the BFE. The Floodplain Administrator may require a CLOMR and/or a LOMR.
- (k) New or substantially improved Critical Facilities and new or substantially improved residential structures may not be located inside the SFHA.
- (l) A new Critical Facility may be located in the 500-year floodplain if the building or structure is outside the SFHA and its lowest floor is elevated to either the BFE plus two feet or the 500-year flood elevation plus one foot, whichever is greater.
- (m) New or substantially improved residential structures may not be located closer to a SFHA than 15 feet.

- (n) New buildings or structures other than Critical Facilities or residential structures may be constructed in the SFHA if the elevation of the lowest floor, including mechanical equipment, is a minimum of two feet above the BFE.
- (o) New construction or substantial improvements located in the 500-year floodplain or that are closer to the SFHA than 40 feet shall have the lowest floor, including mechanical equipment, elevated a minimum of one foot above the BFE.

Sec. 10-10. Elevation and Construction Standards

- (a) New construction and substantial improvements, including manufactured homes, shall be:
 - (1) built in accordance with this article and the USBC, and anchored to prevent flotation, collapse, or lateral movement of the structure,
 - (2) constructed with materials and utility equipment resistant to flood damage, and
 - (3) constructed with methods and practices that minimize flood damage.
- (b) *Enclosures Below the Lowest Floor*: Fully enclosed areas of new construction or substantially improved structures which are below the lowest floor shall:
 - (1) not be designed or used for human habitation,
 - (2) be used solely for parking of vehicles, building access, or limited storage of maintenance equipment for the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).
 - (3) be constructed entirely of flood resistant materials;
 - (4) include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, flood openings must meet the following minimum design criteria:
 - a. there must be a minimum of two openings on different sides of each enclosed area subject to flooding.
 - b. the total net area of all openings must be at least one square inch for each square foot of enclosed area subject to flooding.
 - c. there must be openings to allow floodwaters to automatically enter and exit each enclosed area if a building has more than one enclosed area.
 - d. the bottom of all required openings shall be no higher than one foot above the adjacent grade.
 - e. openings may be equipped with screens, louvers, or other opening coverings or devices that permit the automatic flow of floodwaters in both directions without manual operation or human intervention.
- (c) *Accessory Structures*: Detached accessory structures used only for parking of vehicles and/or storage may be permitted with the lowest floor below the BFE if the following conditions are met:

- (1) the structure is not larger than 600 square feet - approximately the size of a one-story two-car garage and walls.
 - (2) the structure has flood openings in compliance with the requirements Sec. 10-10(c) to protect the structure from hydrostatic pressure.
 - (3) the structure is anchored to resist flotation, collapse, and lateral movement.
 - (4) flood damage-resistant materials are used below the BFE.
 - (5) mechanical, electrical, and utility equipment is elevated or dry-floodproofed to or above the BFE. Dry-floodproofing must be certified by a licensed professional engineer or architect.
- (d) *Elevation Certificates:* An Elevation Certificate (FEMA Form 086-0-33) must be submitted and approved by the Floodplain Administrator after the lowest floor of a new building or structure has been completed and before further construction has begun. In addition, an Elevation Certificate must be submitted and approved by the Floodplain Administrator after construction is completed to ensure compliance with this article prior to the issuance of a certificate of occupancy or temporary certificate of occupancy. Another certification may be required to certify corrected as-built construction. Failure to submit the Elevation Certificate or failure to make required corrections shall be cause to withhold the issuance of a certificate of occupancy or temporary certificate of occupancy.
- (e) *Recreational Vehicles:* Recreational vehicles may not be parked within the SFHA for more than 180 consecutive days and must be fully licensed and ready for highway use. For purposes of this subsection, a recreational vehicle is ready for highway use if it is on wheels or a jacking system, is attached to the site only by quick disconnect-type utilities and security devices, and has no permanently attached additions.
- (f) *Storage of Materials and Equipment:* Storage of hazardous materials is prohibited in the SFHA. Storage of other materials and equipment may be permitted in the SFHA if the materials and equipment will not become debris during a flood by being elevated at or above the BFE or anchored to resist flotation or located in an enclosure or being removable from the site prior to a flood. To treat the materials or equipment as being removable from the site, the owner must provide (1) a copy of the contract with a trucking company to ensure the availability of removal equipment when needed, or (2) evidence of removal equipment on the property if a trucking company will not be used. In either case, the owner must provide a written designation of a location outside the SFHA to which the materials or equipment will be removed.
- (g) *Dryland Access:* New roads, driveways, and parking areas located in the SFHA must be designed and constructed so that they will not be overtopped by more than six inches of water during the 100-year flood.
- (h) *Swimming Pools:* Accessory swimming pools may be permitted in the SFHA if they are constructed in accordance with this article, the USBC, and ASCE 24.
- (i) *Tanks:* The placement of gas and liquid storage tanks must be in compliance with the USBC and ASCE 24.

- (j) *Stormwater Management Facilities:* New stormwater management facilities may not be constructed within the SFHA. Stormwater management facilities located adjacent to the SFHA that discharge into it must meet the requirements in Sec. 10-9(a).
- (k) *Temporary Structures:* Before issuance of a Floodplain Development Permit by the Floodplain Administrator for a temporary structure, all applicants must submit a plan for removal of the structure in the event of a flood-related severe weather notification (hurricane, tropical storm, flood, flash flood, etc.) which includes the following information:
 - (1) certification that the requirements of Sec. 10-9(a) and Sec. 10-9(b) have been met;
 - (2) a specified time period for the temporary use. The time period may not exceed three months and is renewable for up to one year;
 - (3) the name, address, and phone number of the individual responsible for the removal of the structure;
 - (4) the amount of time prior to the event when the structure will be removed;
 - (5) a copy of a contract with a trucking company to ensure the availability of removal equipment when needed or evidence of removal equipment on the property if a trucking company will not be used. In either case, the owner must provide a written designation of a location outside the SFHA to which the structure will be removed.
- (l) *Temporary Encroachments:* Temporary encroachments into the SFHA may be exempt from the requirements of Sec. 10-9(a) and Sec. 10-9(b) if a Floodplain Development permit is issued. Temporary encroachments include sediment control devices, temporary stream crossings, haul roads and construction entrances, storage of equipment, and soil stockpiling. The following conditions must be met to qualify for the exemption:
 - (1) The proposed temporary encroachment shall not be in place more than three months and is renewable for up to one year with written approval from the Floodplain Administrator. Temporary sediment control devices may be kept in place longer than one year if required by the appropriate regulatory agency, and,
 - (2) Supporting documentation, including a hydrologic and hydraulic analysis (if required by the Floodplain Administrator) must be submitted by a licensed professional engineer indicating that the proposed project will not impact any existing buildings or overtop any roadway surfaces.

Sec. 10-11. Dams and Other Water-Impounding Structures

Construction of a dam or other water-impounding structure to impound water shall comply with the following requirements:

- (a) The construction's effect upon the BFE above the dam or water-impounding structure shall not endanger human life or property.
- (b) The dam or water-impounding structure shall be designed and constructed in accordance with the requirements of the Virginia Dam Safety Act, § 10.1-604 et seq.

of the Code of Virginia, as amended, its implementing regulations, and any requirements of the county engineer to minimize hazards below the dam resulting from failure of the dam or water-impounding structure.

Sec. 10-12. Subdivision Proposals

- (a) Any subdivision proposal or other proposed development that exceed 50 lots or five acres, whichever is less, in an area where BFE data is not available or the SFHA has not been delineated shall include data using detailed methodologies, including a hydraulic and hydrologic analysis, comparable to those contained in a FIS. Once identified, those areas shall be subject to the requirements of this article.
- (b) Any proposed subdivision in a SFHA shall include measures to reduce flood damage.
- (c) Any proposed subdivision in a SFHA shall ensure that public utilities and facilities, such as sewer, gas, electrical and water systems, are located and constructed to minimize flood damage.
- (d) Any proposed subdivision in a SFHA shall provide adequate drainage to reduce exposure to flood hazards.

Sec. 10-13. Existing Structures and Uses

- (a) A structure or use that lawfully existed before the adoption of this article but does not satisfy the current requirements of this article may continue.
- (b) An existing structure in the floodway may not be expanded or enlarged if the proposed expansion or enlargement would result in an increase in the BFE.
- (c) If a modification, alteration, repair, reconstruction, or improvement to a structure in a floodplain would cost less than 50 percent of the market value of the structure, the modification, alteration, repair, reconstruction, or improvement must be designed to minimize flood damage. If such structure does not comply with the current requirements of this article, the modification, alteration, repair, reconstruction, or improvement must not increase the amount of nonconformity.
- (d) A substantial improvement must meet the requirements of this article for new construction, and the entire structure must conform with the current USBC after the substantial improvement is completed. If a substantial improvement will be located in the 500-year floodplain or will be between 15 and 40 feet from the SFHA, the lowest floor of the substantial improvement, including mechanical equipment, must be elevated a minimum of one foot above the BFE.
- (e) An existing residential structure may not be enlarged if any part of the enlarged structure will be in, or within 15 feet of, the SFHA.
- (f) A residential structure may be relocated only if the new location of the structure is entirely outside the SFHA and the new location does not violate the provisions of this article.

Division 5. Appeals and Variances

Sec. 10-14. Variance Application Process

Applicants may seek a variance from the county engineer under Sec. 10-16 or an administrative variance from the Floodplain Administrator under Sec. 10-17.

Applications for variances shall be submitted to the county engineer and filed with the Floodplain Administrator. The Floodplain Administrator shall not accept any application without the required fee. If a variance application is filed because of a natural disaster that is the subject of a federal emergency declaration, the Floodplain Administrator may waive application and advertising fees and give the application expedited processing.

Sec. 10-15. Variance Requirements

No variance shall be granted unless the following minimum requirements are met:

- (a) a showing of good and sufficient cause;
- (b) a determination that failure to grant the variance would result in exceptional hardship to the applicant;
- (c) a determination that such variance will not create or result in:
 - (1) unacceptable or prohibited increases in flood heights;
 - (2) additional threats to public safety;
 - (3) extraordinary public expense;
 - (4) nuisances;
 - (5) fraud or victimization of the public; or
 - (6) conflicts with other existing laws or ordinances;
- (d) the granting of the variance will not be detrimental to other property in the vicinity;
- (e) the circumstances giving rise to the variance application are not of a general or recurring nature;
- (f) the need for the variance arises from the physical character of the property or from the use or development of adjacent property and not from the personal or financial situation of the applicant; and,
- (g) the variance shall be the minimum necessary to provide relief.

Sec. 10-16. County Engineer Variance

The county engineer may grant a variance from the requirements of this article when strict application of this article would effectively prohibit or unreasonably restrict the use of the subject property. The variance may include reasonable conditions to obtain compliance with this article to the maximum extent practicable. Variances may be granted for a functionally dependent use if the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety. Variances for repair or rehabilitation of historic structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude

the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

However, the county engineer may not grant a variance for a proposed use, development, or activity within a floodway that will cause an increase of the BFE unless FEMA or the county engineer has issued a CLOMR.

Before granting a variance, the county engineer must determine that the variance application satisfies the requirements of Sec. 10-15 and consider the following additional factors:

- (a) the danger to life and property due to increased flood heights or velocities caused by encroachments.
- (b) the risk of injury to others if materials are swept onto other lands or transported in floods.
- (c) the water supply and sanitation system proposed for the development and their ability to prevent disease, contamination, and unsanitary conditions.
- (d) the susceptibility of the proposed facility to flood damage and the effect of such damage on individual owners.
- (e) the importance to the community of the services that will be provided by the proposed facility.
- (f) the availability of alternative locations for the proposed use that are not subject to flooding.
- (g) the compatibility of the proposed use with existing reasonably anticipated development.
- (h) the compatibility of the proposed use with the comprehensive plan and county floodplain management program.
- (i) vehicular access to the property during floods.
- (j) the expected heights, velocity, duration, rate of rise, and sediment transport of foreseeable flood waters on the property.
- (k) any other factors particularly relevant to the purposes of this article.

Sec. 10-17. Administrative Variance

The Floodplain Administrator may grant administrative variances for the following uses, development, or redevelopment:

- (a) minor filling in the SFHA necessary to protect or restore natural floodplain functions or to stabilize stream banks to protect public roads and utilities. The requirements of Sec. 10-9 must be met.
- (b) dry-floodproofing of nonresidential structures in lieu of requiring higher elevation of the structure if the following conditions apply:
 - (1) elevating the structure is not reasonably feasible because of the nature of the lot and/or the use of the structure, and

- (2) all areas of the building components below the elevation corresponding to the BFE plus three feet must be watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy; this must be designed and constructed in accordance with the VA USBC and ASCE 24 and be certified by a professional engineer or architect. The following is required regarding the certification:
 - a. a Floodproofing Certificate (*FEMA Form 086-0-34*) with supporting data and an inspection and operational plan that includes, but is not limited to, installation, exercise, and maintenance of floodproofing measures must be provided, and
 - b. said certification, operational plan, and inspection and maintenance plan shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, operational plan, and inspection and maintenance plan submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make said corrections required shall be cause to withhold the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy.
- (c) rebuilding of a residential structure within the SFHA or setback area that has been substantially damaged by some cause other than flooding if there is no site outside of the SFHA or setback area for relocation of the structure and the lowest floor, including mechanical equipment, is elevated to the BFE plus two feet. If the structure has an enclosure below the lowest floor, the requirements in Sec. 10-10(c) must be met.
- (d) locating stormwater management facilities in the SFHA if a location outside of the SFHA is not feasible, and the following conditions have been met:
 - (1) the requirements in Sec. 10-9(a) and Sec. 10-9(b) have been met.
 - (2) engineering data shows that the proposed stormwater management facility will operate effectively for its intended purpose during a 10-year flood event or the required design storm for the project, whichever is greater, and will have structure stability during a 100-year flood event.

Sec. 10-18. Notification

If a variance is granted to construct a structure below the BFE, the Floodplain Administrator shall notify the applicant in writing that construction below the BFE will result in increased premium rates for flood insurance and increase risks to life and property.

Sec. 10-19. Appeal of Variance Decisions

An applicant aggrieved by a decision of the Floodplain Administrator may appeal the decision to the county engineer within 30 days of the decision. The county engineer may modify, reverse, or affirm the Floodplain Administrator's decision.

An aggrieved applicant may appeal a variance decision of the county engineer within 30 days of the county engineer's decision to the Henrico County Circuit Court.

Division 6. Enforcement

Sec. 10-20. Inspections

The Floodplain Administrator, or designee, is authorized to conduct inspections and conduct other investigations to determine whether the property and the use thereof conforms to the requirements of this article. Such inspections shall comply with constitutional search and seizure requirements.

Sec. 10-21. Violations

Violations of this article are unlawful, and any person convicted of a violation of this article shall be subject to the provisions of Sec. 1-13 of this Code. In addition, the county may declare any structure constructed, reconstructed, enlarged, altered, or relocated in noncompliance with this article to be a nuisance subject to abatement.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 260-21
Page No. 1 of 4

Agenda Title: RESOLUTION — POD2021-00237 — Approval of a Master Plan of Development for Taylor Farm Park — Varina District

For Clerk's Use Only:

Date: 8/10/2021

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) O'Bannon
(2) (2)

REMARKS

APPROVED

YES NO OTHER

Branin, T.	✓	—	—
Nelson, T.	✓	—	—
O'Bannon, P.	✓	—	—
Schmitt, D.	✓	—	—
Thornton, F.	—	—	—

WHEREAS, Sections 24-11(b) and 24-106 of the Henrico County Code require the submission of applications for plans of development for public facilities to the Board of Supervisors; and,

WHEREAS, an application has been submitted for approval of POD2021-00237, a master plan of development to construct a County park; and,

WHEREAS, the proposed facilities include trail systems, an interpretive area, playgrounds, open areas, a memorial garden, a skate park, a splash pad, a bike pump track, an off-road bike trail, shelters, restrooms, and parking facilities; and,

WHEREAS, the 99.209-acre site is located approximately 650 feet south of E. Williamsburg Road, on the west line of Whiteside Road, on Parcel 832-712-4772; is zoned A-1, Agricultural District and ASO, Airport Safety Overlay District, and is located in the Varina District; and,

WHEREAS, the County Administration, including the Division of Recreation and Parks, the Department of Planning, the Department of Public Works, the Department of Public Utilities, the Division of Fire, the Police Division, and Building Inspections, has reviewed the application and the Administration recommends approval, subject to the staff recommendations and the staff plan dated August 10, 2021; and,

WHEREAS, on August 10, 2021, the Board of Supervisors held a public hearing to receive comments on the application for approval.

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. 260-21
Page No. 2 of 4

Agenda Title: RESOLUTION — POD2021-00237 — Approval of a Master Plan of Development for Taylor Farm Park — Varina District

NOW, THEREFORE, BE IT RESOLVED that the Henrico County Board of Supervisors hereby approves the application, subject to the following conditions:

1. The Director of Public Utilities shall approve the construction plans for public water and sewer prior to beginning any construction of these utilities. The Department of Public Utilities shall be notified at least 24 hours prior to the start of any County water or sewer construction.
2. The parking lot shall be subject to the requirements of Section 24-98 of the Henrico County Code.
3. The parking spaces shall be marked on the pavement surface with four-inch wide white painted traffic lines. All lane lines and parking lines shall be white in color with the exception that those dividing traffic shall be yellow.
4. Sufficient, effective usable parking shall be provided. If experience indicates the need, additional parking shall be provided.
5. Curb and gutter and necessary storm sewer shall be constructed as shown on approved plans.
6. The plan of development shall be revised as annotated on the staff plan dated August 10, 2021, which shall be as much a part of this approval as if its details were fully described herein. Nine (9) sets of revised plans, including the detailed drainage, erosion control, and utility plans shall be submitted by the design engineer who prepared the plans to the Department of Planning for final review. Upon notice from the Department of Planning that all comments have been addressed, a minimum of fourteen (14) sets of final plans for signature shall be submitted to the Department of Planning for approval signatures. Two (2) sets of the approved plan shall be attached to the building permit application.
7. The Department of Public Works shall be notified at least 24 hours prior to the start of any construction.
8. A detailed landscaping plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any occupancy permits.
9. All ground cover and landscaping shall be properly maintained in a healthy condition at all times. Dead plant materials shall be removed within a reasonable time and replaced during the normal planting season.
10. Prior to the approval of an electrical permit application and installation of the site lighting equipment, a plan including light spread and intensity diagrams and fixture specifications and mounting height details shall be submitted for Department of Planning review and approval.
11. All exterior lighting shall be designed and arranged to direct the light and glare away from nearby residential property and streets.
12. The site including the parking areas shall be kept clean of litter and debris on a daily basis. Trash container units, litter receptacles, and recycling containers shall be maintained with scheduled regular pickups and shall be screened properly on all four sides. The gate(s) shall remain closed except when the receptacle(s) are being filled or serviced and shall be repaired or replaced as necessary. Details shall be included with the final site plan or required landscape plan review and approval.
13. Required fire lanes shall be marked and maintained in accordance with the Virginia Statewide Fire Prevention Code.

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

Agenda Item No. 260-21

Page No. 3 of 4

Agenda Title: RESOLUTION — POD2021-00237 — Approval of a Master Plan of Development for Taylor Farm Park — Varina District

14. Traffic control signs shall be provided as indicated on the Department of Planning staff plan. All signs shall be fabricated as shown in The National Manual on Uniform Traffic Control Devices for Streets and Highways and The Virginia Supplement to The Manual on Uniform Traffic Control Devices for Streets and Highways.
15. The assigned property number shall be displayed so it is easily readable from the street. If assistance is needed with the address, please contact the Department of Planning at 501-4284. The Department of Planning must assign all property addresses.
16. The contractor shall have a set of plans approved by the Director of Public Works, Director of Public Utilities, and the County Manager available at the site at all times when work is being performed. A designated responsible employee shall be available for contact by County inspectors.
17. The property shall be developed generally as shown on the plan filed with the case and no major changes or additions to the layout shall be made without the approval of the Board of Supervisors.
18. Upon completion of the improvements and prior to the certification of the permanent occupancy permit, the engineer or land surveyor who prepared the POD plan shall furnish a statement to the effect that all construction, including water and sewer, is in conformance with the regulations and requirements of the POD.
19. The developer shall provide fire hydrants as required by the Department of Public Utilities and Division of Fire.
20. Insurance Service Offices (ISO) calculations should be included on the final construction plans for approval by the Department of Public Utilities prior to issuance of a building permit.
21. Any necessary offsite drainage easements must be obtained in a form acceptable to the County Attorney prior to final approval of the construction plans by the Department of Public Works.
22. Deviations from County standards for pavement, curb, or curb and gutter design shall be approved by the County Engineer prior to final approval of the construction plans by the Department of Public Works.
23. Vehicles shall be parked only in approved and constructed parking spaces.
24. The construction shall be properly coordinated to ensure that safe access, circulation, and adequate parking is provided for the facility. A plan to indicate the phasing of improvements and the handling of traffic (construction and employees) shall be submitted to the Department of Planning prior to the issuance of a building permit.
25. The right-of-way for widening of Whiteside Road as shown on approved plans shall be dedicated to the County prior to any occupancy permits being issued. The right-of-way dedication plat and any other required information shall be submitted to the County Real Property Agent prior to approval of construction plans.
26. Approval of the construction plans by the Department of Public Works does not establish the curb and gutter elevations along the Henrico County maintained right-of-way. The elevations will be set by Henrico County.
27. The conceptual master plan, as submitted with this application, is for planning and information purposes only. All subsequent detailed plans of development and construction needed to implement this conceptual plan may be administratively reviewed and approved and shall be subject to all regulations in effect at the time such subsequent plans are submitted for review/ approval.

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

Agenda Item No. *260-21*

Page No. 4 of 4

Agenda Title: RESOLUTION — POD2021-00237 — Approval of a Master Plan of Development for Taylor Farm Park — Varina District

COMMENTS: The Director of Planning has reviewed the plans submitted by Timmons Group and recommends approval, and the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 261-21

Page No. 1 of 2

Agenda Title: **ORDINANCE — Vacation of Portion of Unimproved Right-Of-Way — Lakeside Terrace — Fairfield District**

For Clerk's Use Only:

Date: 8/10/2021

- (☒) Approved
() Denied
() Amended
() Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Thornton Seconded by (1) Branin
(2) _____ (2) _____

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	_____	_____
Nelson, T.	<input checked="" type="checkbox"/>	_____	_____
O'Bannon, P.	<input checked="" type="checkbox"/>	_____	_____
Schmitt, D.	<input checked="" type="checkbox"/>	_____	_____
Thornton, F.	<input checked="" type="checkbox"/>	_____	_____

WHEREAS, the County owns dedicated unimproved right-of-way shown as Henrico Place on the Lakeside Terrace subdivision plat recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia in Plat Book 11, Page 228; and,

WHEREAS, John Christopher Gupton owns property adjoining the unimproved right-of-way and has requested the County to vacate the portion of right-of-way shown on Exhibit A; and,

WHEREAS, this Ordinance was advertised pursuant to Va. Code § 15.2-2204, and the Board held a public hearing on August 10, 2021; and,

WHEREAS, it appears to the Board that no owner of any land adjoining this portion of unimproved right-of-way will be irreparably damaged by this vacation; and,

WHEREAS, no public necessity exists for the continuance of this portion of unimproved right-of-way.

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

(1) the portion of the right-of-way shown on Exhibit A is vacated in accordance with Va. Code § 15.2-2272(2);

(2) a 20-foot-wide utility easement, measuring 10 feet on either side of the existing sewer main shown on Exhibit A, shall be retained by the County;

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. **261-21**

Page No. 2 of 2

Agenda Title: **ORDINANCE — Vacation of Portion of Unimproved Right-Of-Way — Lakeside Terrace — Fairfield District**

- (3) this Ordinance shall become effective 30 days after its passage as provided by law;
- (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;
- (5) 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 JOHN CHRISTOPHER GUPTON; and,
- (6) the Clerk shall note this vacation as provided in Va. Code § 15.2-2276.

Comments: The Real Property Department has processed the requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection, and the Deputy County Manager for Community Operations and Director of Public Works recommend approval of the Board paper.

EXHIBIT A





COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 26 2-21

Page No. 1 of 2

Agenda Title: ORDINANCE — Vacation of Building Line — Farmington Subdivision — Tuckahoe District

For Clerk's Use Only:

Date: 8/10/2021

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Thorne
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ✓

Nelson, T. ✓

O'Bannon, P. ✓

Schmitt, D. ✓

Thornton, F. ✓

WHEREAS, the owners of Lot 5 in Block AA, Section E of Farmington subdivision, Robin P. Wine and Barbara L. Wine, have asked the County to vacate the 40' front building line across their property; and,

WHEREAS, the plat is recorded in the Clerk's Office of the Circuit Court of Henrico County (the "Clerk's Office") in Plat Book 29, Page 61; and,

WHEREAS, this Ordinance was advertised pursuant to Va. Code § 15.2-2204, and the Board held a public hearing on August 10, 2021; and,

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

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

- 1) the front building line on Lot 5, Block AA, Section E of Farmington subdivision, which is labeled "Proposed Front Building Line Vacation" on Exhibit A, is vacated in accordance with Va. Code § 15.2-2272(2);
- 2) this Ordinance shall become effective 30 days after its passage as provided by law;

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. *262-21*

Page No. 2 of 2

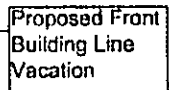
Agenda Title: ORDINANCE — Vacation of Building Line — Farmington Subdivision — Tuckahoe District

- 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;
- 4) the Clerk is further authorized to index the Ordinance on the grantor and grantee sides of the general index to deeds in the names of Robin P. Wine and Barbara L. Wine; and,
- 5) the Clerk shall note this vacation as provided in Va. Code § 15.2-2276.

Comments: The Real Property Department has processed the requested vacation through the Departments of Planning, Public Works, and Public Utilities without objection. The Deputy County Manager for Community Operations recommends approval of the Board paper; the County Manager concurs.

NEARBY MAP

E. William Miller



The subdivision of lots shown on this map was designated as "WASHINGTON STREET" by the Free Will and Endowment Association with the consent of the interested owners. The roads and easements are dedicated to the extent they actually appear on the map. All easements are for surface or underground transmission of gas or underground utilities. The easements may be taken over, without cost by the appropriate public authority for any purpose. There is no mortgage on this property.

James Hammond - - - - - RESIDENT
Harry Green - - - - - SEWELL

James Hammond
Harry S. Truman

STATE OF MISSISSIPPI
 I, John P. Thompson, Clerk of
 the County of Hancock, do hereby certify that the
 City of Thibodaux is the seat of justice for the
 Parish of St. Charles, Louisiana.
 Signed and attested
 at Thibodaux, Louisiana
 this 10th day of January, 1904.
 John P. Thompson, Clerk
 My Comm. expires Jan 10, 1905

2-31(X)
FARMINGTON - SECTION E
TUCKAHOE DISTRICT
HENRICO COUNTY, VIRGINIA
SCALE: 1"=100' SEPTEMBER 2, 1958

FOSTER & MILLER
ENGINEERS - SURVEYORS
RICHMOND, VA



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 263-21

Page No. 1 of 1

Agenda Title: ORDINANCE — To Amend and Reordain Section 9-2 Titled "Precincts and polling places" of the Code of the County of Henrico by Changing the Polling Place of the Westwood Precinct to Libbie Mill Library in the Brookland District

For Clerk's Use Only:

Date: 8/10/2021

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Nelson
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

After a duly advertised public hearing, the Board of Supervisors of Henrico County, Virginia, adopted the attached ordinance.

Comments: The Electoral Board requested the change at its meeting on July 2, 2021. The Registrar recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

m

By County Manager

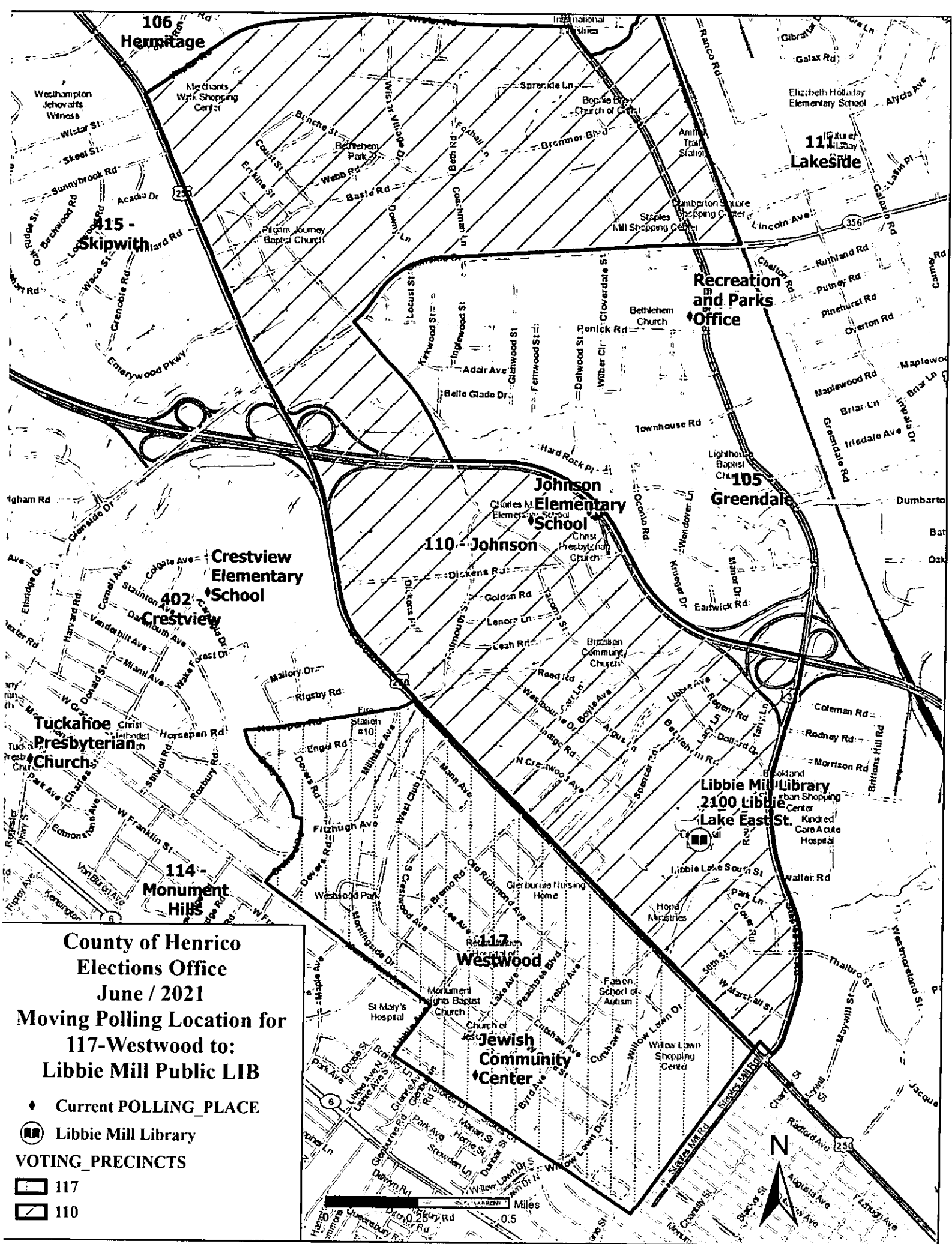
Certified:

A Copy Teste:

Copy to: _____

Clerk, Board of Supervisors

Date: _____



BLACKLINE

ORDINANCE — To Amend and Reordain Section 9-2 Titled “Precincts and polling places” of the Code of the County of Henrico by Changing the Polling Place of the Westwood Precinct to Libbie Mill Library in the Brookland District

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

1. That Section 9-2 of the Code of the County of Henrico be amended and reordained as follows:

Sec. 9-2. Precincts and polling places.

The following ~~shall be~~ are the precinct boundaries and polling places for the magisterial districts in the county.

(1) Brookland Magisterial District.

• • • •

n. *Westwood Precinct.* Beginning at the intersection of the boundary line of the City of Richmond and Henrico County and West Broad Street; thence northwestwardly along West Broad Street to its intersection with Horsepen Road; thence westwardly along Horsepen Road to its intersection with Betty Lane; thence southwardly along Betty Lane to its intersection with Fitzhugh Avenue; thence eastwardly along Fitzhugh Avenue to its intersection with Orchard Road; thence southwestwardly along Orchard Road to its intersection with Monument Avenue; thence southeastwardly along Monument Avenue to its intersection with Libbie Avenue; thence southwestwardly along Libbie Avenue to its intersection with the boundary line of the City of Richmond and Henrico County; thence eastwardly and northwardly along the boundary line of the City of Richmond and Henrico County to its intersection with West Broad Street and the point of beginning. The polling place for Westwood Precinct ~~shall be~~ is the Jewish Community Center, 5403 Monument Avenue **Libbie Mill Library, 2100 Libbie Lake East Street.**

• • • •

2. That the remaining provisions of Section 9-2 of the Code of the County of Henrico remain unchanged and in full force and effect.

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

4. That the Clerk of the Board is directed to send a certified copy of this ordinance to the Henrico County Electoral Board, the State Board of Elections, and the Division of Legislative Services.

5. That the County Attorney is directed to submit a certified copy of this ordinance, including map(s) showing the location of the polling place, to the Attorney General of the Commonwealth of Virginia for issuance of a certification of no objection pursuant to Code of Virginia Section 24.2-129.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 204-21

Page No. 1 of 1

Agenda Title: ORDINANCE — To Add a New Section 9-4 Titled “Voter satellite offices” of the Code of the County of Henrico to Establish a Voter Satellite Office at the Varina Library in the Varina District

For Clerk's Use Only:

Date: 8/10/2021

☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) Thorne
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T.	✓		
Nelson, T.	✓		
O'Bannon, P.	✓		
Schmitt, D.	✓		
Thornton, F.	✓		

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

1. That Section 9-4 be added to the Code of the County of Henrico as follows:

Sec. 9-4 Voter Satellite Offices.

Varina Library, 1875 New Market Road, is established as a voter satellite office.

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

Comments: The Electoral Board requested the establishment of the voter satellite office at its meeting on July 2, 2021. The Registrar recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Certified:

A Copy Tests:

Copy to:

Clerk, Board of Supervisors

Date:

ORDINANCE — To Add a New Section 9-4 Titled “Voter satellite offices” of the Code of the County of Henrico to Establish a Voter Satellite Office at the Varina Library in the Varina District

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

1. That Section 9-4 be added to the Code of the County of Henrico as follows:

Sec. 9-4 Voter Satellite Offices.

Varina Library, 1875 New Market Road, is established as a voter satellite office.

2. 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. 265-21

Page No. 1 of 1

**Agenda Title: RESOLUTION — Signatory Authority — Contract Amendment for Construction Services
— Circuit Court Renovations — Brookland District**

For Clerk's Use Only: Date: <u>8/10/2021</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>O'Bannon</u> Seconded by (1) <u>Nelson</u> (2) _____ (2) _____ REMARKS: <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">APPROVED</div>	<table style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">YES</th> <th style="text-align: center;">NO</th> <th style="text-align: center;">OTHER</th> </tr> <tr> <td>Branin, T.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Nelson, T.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>O'Bannon, P.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Schmitt, D.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> <tr> <td>Thornton, F.</td> <td style="text-align: center;">✓</td> <td></td> <td></td> </tr> </table>		YES	NO	OTHER	Branin, T.	✓			Nelson, T.	✓			O'Bannon, P.	✓			Schmitt, D.	✓			Thornton, F.	✓		
	YES	NO	OTHER																							
Branin, T.	✓																									
Nelson, T.	✓																									
O'Bannon, P.	✓																									
Schmitt, D.	✓																									
Thornton, F.	✓																									

WHEREAS, on November 13, 2018, the Board awarded a contract for \$4,834,900 to Virtexco Corporation for the Circuit Court Renovations project; and,

WHEREAS, twelve contract amendments have increased the contract amount to \$5,547,805.58; and,

WHEREAS, it is necessary to obtain additional construction services to continue the renovations; and,

WHEREAS, a lump sum fee of \$15,000 has been negotiated for the additional work, and the Board's approval is required because the amendment would increase the contract amount by more than 15%.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Manager is authorized to execute the contract amendment in a form approved by the County Attorney for additional construction services by Virtexco Corporation.

Comments: Funding for the contract amendment is available within the project budget. The Director of General Services and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

By Agency Head _____

By County Manager _____

Certified:
A Copy Teste: _____

Copy to: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 266-21

Page No. 1 of 1

Agenda Title: RESOLUTION — Architectural and Engineering Services — Eastgate/Newbridge
Firehouse 23 — Varina District

For Clerk's Use Only: Date: <u>8/10/2021</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>Wilson</u> Seconded by (1) <u>Shaw</u> (2) _____ (2) _____ REMARKS: APPROVED	YES NO OTHER Branin, T. <input checked="" type="checkbox"/> _____ Nelson, T. <input checked="" type="checkbox"/> _____ O'Bannon, P. <input checked="" type="checkbox"/> _____ Schmitt, D. <input checked="" type="checkbox"/> _____ Thornton, F. <input checked="" type="checkbox"/> _____
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WHEREAS, on May 19, 2021, the County received 11 proposals in response to RFP No. 21-2150-4JOK for architectural and engineering services to design Eastgate/Newbridge Firehouse 23; and,

WHEREAS, based upon review of the written proposals, the evaluation committee interviewed the following firms:

BKV Group DC PLLC (BKV Group)
Moseley Architects, P.C.
Samaha Associates, P.C.

WHEREAS, the evaluation committee selected BKV Group as the top-ranked firm and negotiated a fixed-price contract in the amount of \$770,450.

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

1. A contract to provide architectural and engineering services to design Eastgate/Newbridge Firehouse 23 is awarded to BKV Group for \$770,450 in accordance with RFP No. 21-2150-4JOK, the BKV Group proposal dated May 19, 2021, and the BKV Group fee proposal dated July 27, 2021.
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 contract amendments within the scope of the project budget not to exceed 15% of the original contract amount.

Comment: Funding was approved by the voters in the 2016 bond referendum. The Director of General Services, the Fire Chief, and the Purchasing Director recommend approval of the Board paper, and the County Manager concurs.

By Agency Head [Signature]

By County Manager [Signature]

Certified:
A Copy Teste:

Copy to: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 267-24

Page No. 1 of 2

Agenda Title: **RESOLUTION — Approval of FY 2022 and FY 2023 Community Services Board Performance Contract — Virginia Department of Behavioral Health and Developmental Services and Henrico Area Mental Health & Developmental Services Board**

For Clerk's Use Only: Date: <u>8/10/2021</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>J. Hout</u> Seconded by (1) <u>O'Bannon</u> (2) _____ (2) _____ REMARKS: APPROVED	<table><thead><tr><th></th><th>YES</th><th>NO</th><th>OTHER</th></tr></thead><tbody><tr><td>Branin, T.</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>O'Bannon, P.</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><tr><td>Thornton, F.</td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr></tbody></table>		YES	NO	OTHER	Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		YES	NO	OTHER																						
Branin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							
Nelson, T.	<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"/>																							
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																							

WHEREAS, Va. Code § 37.2-508 requires that a performance contract negotiated between the Virginia Department of Behavioral Health and Developmental Services (the Department) and the Henrico Area Mental Health & Developmental Services Board (HAMHDS) be submitted for approval by the governing body of each political subdivision that established HAMHDS; and,

WHEREAS, Henrico County, Charles City County, and New Kent County established HAMHDS in 1973; and,

WHEREAS, on June 21, 2021, the Department provided a Letter of Notification about the amount of state and federal funding that would be available to HAMHDS during FY 2022; and,

WHEREAS, HAMHDS and the Department have negotiated a FY 2022 and FY 2023 Community Services Board Performance Contract (Contract); and,

WHEREAS, on July 22, 2021, HAMHDS approved the Contract and recommended it to the governing bodies of Henrico County, Charles City County, and New Kent County; and,

WHEREAS, the Contract is based on the requirements of § 37.2-508, the FY 2022-2023 budget approved by the Henrico County Board of Supervisors on April 13, 2021, on the Letter of Notification to HAMHDS for FY 2022, and on appropriations by Charles City County and New Kent County.

By Agency Head

James Ditty

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. 267-21

Page No. 2 of 2

Agenda Title: **RESOLUTION — Approval of FY 2022 and FY 2023 Community Services Board Performance Contract — Virginia Department of Behavioral Health and Developmental Services and Henrico Area Mental Health & Developmental Services Board**

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Henrico County that the Contract between the Virginia Department of Behavioral Health and Developmental Services and Henrico Area Mental Health & Developmental Services Board is approved.

Comment: The Executive Director of HAMHDS recommends approval of the Board paper; the County Manager concurs.



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 268-21

Page No. 1 of 1

Agenda Title: RESOLUTION – Declaration of Surplus Property, Request for Sealed Bids, and Contract –
Old Pump Road – Three Chopt District

For Clerk's Use Only:

Date: 8/10/2021

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Brani Seconded by (1) Nelson
(2) (2)

REMARKS

APPROVED

YES NO OTHER

Branin, T. ✓
Nelson, T. ✓
O'Bannon, P. ✓
Schmitt, D. ✓
Thornton, F. ✓

WHEREAS, in January 2005, the County acquired 12.39 acres of real property on Old Pump Road identified as GPIN 739-755-4897 (the "Property"); and,

WHEREAS, the property is vacant, and there is no current or anticipated County need for the Property; and,

WHEREAS, the County believes that there may be potential buyers for the Property; and,

WHEREAS, the County desires to sell the Property to the highest responsive bidder by advertising the request for bids.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that (1) the Property is declared surplus, (2) the Purchasing Director is authorized to request sealed bids for sale of the Property, and (3) the County Manager, or his designee, is authorized to enter into a contract with the highest responsive bidder for sale of the Property.

Comments: The Deputy County Manager for Community Operations recommends 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. 269-21
Page No. 1 of 1

Agenda Title: RESOLUTION – Approval of Cross-Section Pavement Design Standards and Defect Bond Specifications

For Clerk's Use Only:

Date: 8/10/2021

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Nelson Seconded by (1) O'Bannon
(2) (2)

REMARKS:

APPROVED

Branin, T.	✓	—	—
Schmitt, D.	✓	—	—
Nelson, T.	✓	—	—
O'Bannon, P.	✓	—	—
Thornton, F.	—	—	—

WHEREAS, the County's new subdivision ordinance requires compliance with the Department of Public Works' design standards and specifications for road construction in the County; and,

WHEREAS, the Board of Supervisors reviewed the current "Cross-Section Pavement Design Standards" on January 22, 2002; and,

WHEREAS, the Department of Public Works has revised the design standards and specifications as provided in the attached exhibit entitled "Cross-Section Pavement Design Standards and Defect Bond Specifications" dated September 1, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors approves the "Cross-Section Pavement Design Standards and Defect Bond Specifications" dated September 1, 2021.

BE IT FURTHER RESOLVED that the "Cross-Section Pavement Design Standards and Defect Bond Specifications" shall be applicable to all development plans submitted on and after September 1, 2021.

COMMENT: The Director of Public Works recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Copy to: _____

A Copy Teste: _____

Clerk, Board of Supervisors

Date: _____

Henrico County Department of Public Works

Cross-Section Pavement Design Standards and Defect Bond Specifications

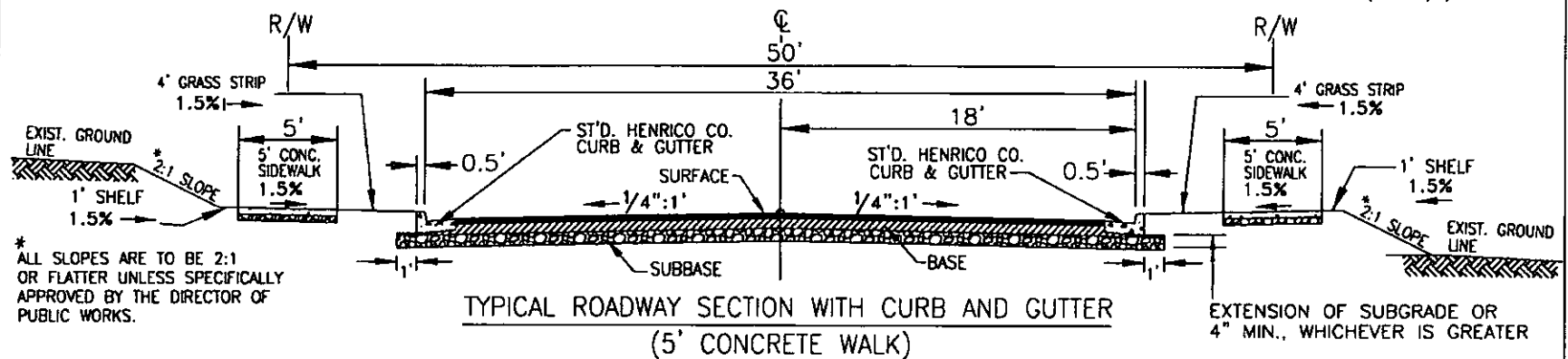
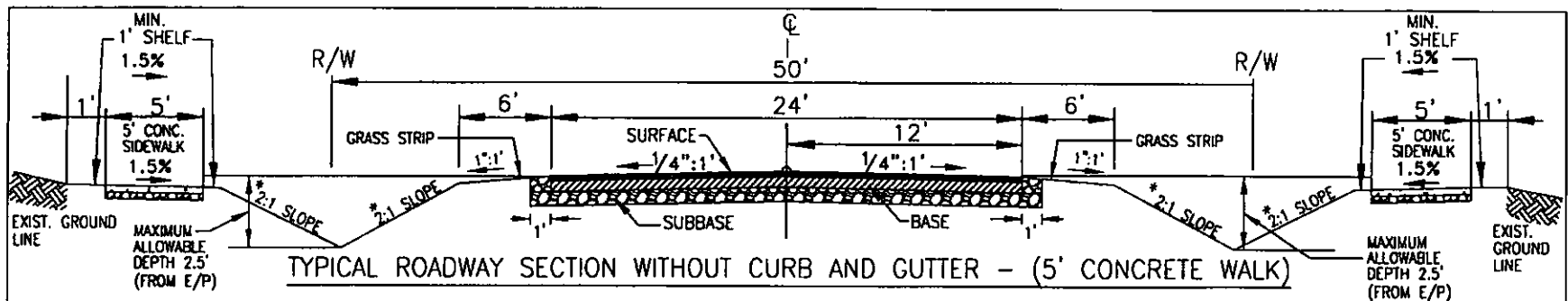
September 1, 2021



County of Henrico, Virginia
P.O. Box 90775
Henrico, Virginia 23273-0775
(804) 501-4393
<http://henrico.us/works>

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Roadway Defect Bond	20



* ALL SLOPES ARE TO BE 2:1 OR FLATTER UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, ROAD-SIDE DITCH, AND/OR SIDEWALK, WHERE REQUIRED BY THE COUNTY.
2. THE PAVEMENT DEPTHS ARE MINIMUM COMPACTED DEPTHS.
3. THE PAVEMENT DESIGN REQUIRED IS BASED ON A MINIMUM CBR VALUE OF 10. INCREASES TO THE DESIGN MAY BE REQUIRED BASED ON SOIL CONDITIONS AT THE TIME OF CONSTRUCTION. FINAL PAVEMENT DESIGNS MUST BE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
4. UNDERDRAINS SHALL BE INSTALLED ON ALL ROADWAYS IN ACCORDANCE WITH VDOT SPECIFICATIONS AND THE REQUIREMENTS OF THIS MANUAL.
5. MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE VDOT ROAD AND BRIDGE SPECIFICATIONS AND STANDARDS, EXCEPT WHERE COUNTY STANDARDS ARE APPLICABLE.

6. IF AN IRRIGATION SYSTEM IS PROPOSED WITHIN THE RIGHT-OF-WAY LIMITS, A MAINTENANCE AGREEMENT MUST BE PROVIDED BETWEEN THE DEVELOPER AND THE COUNTY OF HENRICO.
7. A UNIFORM CROSS SECTION SLOPE AND PAVEMENT DESIGN ARE REQUIRED FOR ALL ROADWAYS. SLOPES WHICH EXTEND BEYOND THE RIGHT OF WAY SHALL BE IN PERMANENT EASEMENTS.
8. ALL ROADSIDE DITCHES SHALL BE SEEDED AND HAVE A PERMANENT STAND OF GRASS AS A MINIMUM. WHERE THE 10-YEAR DESIGN VELOCITY EXCEEDS FOUR (4) FEET PER SECOND, JUTE MESH OR OTHER CHANNEL LINING SHALL BE INSTALLED. IF THE 10-YEAR DESIGN VELOCITY EXCEEDS SEVEN (7) FEET PER SECOND, THE ROADSIDE DITCH SHALL BE LINED WITH EITHER RIPRAP OR CONCRETE. ALTERNATE CHANNEL LININGS MAY BE ACCEPTABLE BASED UPON SOIL SAMPLES AND CERTIFIED DESIGN BY A LICENSED PROFESSIONAL ENGINEER UPON APPROVAL BY THE COUNTY ENGINEER.
9. CURB BUMPOUTS WILL BE REQUIRED AT ALL INTERSECTIONS. SEE DETAIL B-4 & B-5.
10. FOR MINIMUM PAVEMENT DESIGN REQUIREMENTS FOR TYPICAL SECTION CLASSIFICATIONS I-IV REFER SHEET B3 IN APPENDIX B.



TYPICAL SECTION - CLASSIFICATION I-IV

SEPTEMBER 1, 2021

County of Henrico
Department of Public Works

FHENTYPSEC-CL-1 thru 4-5SW-PUB-RW.DWG

TYPICAL SECTION - CLASSIFICATION I (0-250 VPD)

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
6" AGGREGATE SUBBASE MATERIAL	2" ASPHALT INTERMEDIATE BASE COURSE	2" ASPHALT SURFACE COURSE

TYPICAL SECTION - CLASSIFICATION II (251-400 VPD)

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
6" AGGREGATE SUBBASE MATERIAL	2" ASPHALT INTERMEDIATE BASE COURSE	2" ASPHALT SURFACE COURSE

TYPICAL SECTION - CLASSIFICATION III (401-750 VPD)

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
7" AGGREGATE SUBBASE MATERIAL	2" ASPHALT INTERMEDIATE BASE COURSE	2" ASPHALT SURFACE COURSE

TYPICAL SECTION - CLASSIFICATION IV (751-1000 VPD)

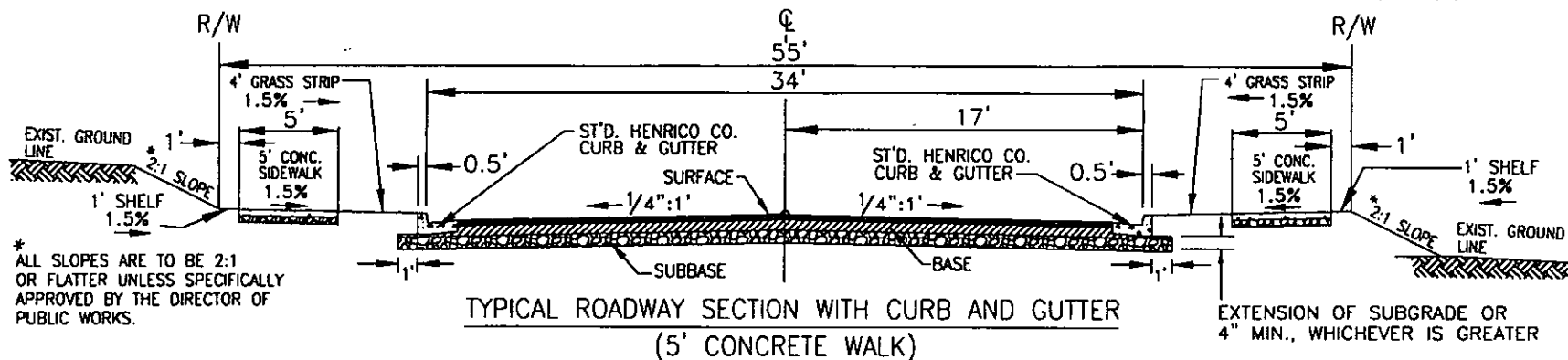
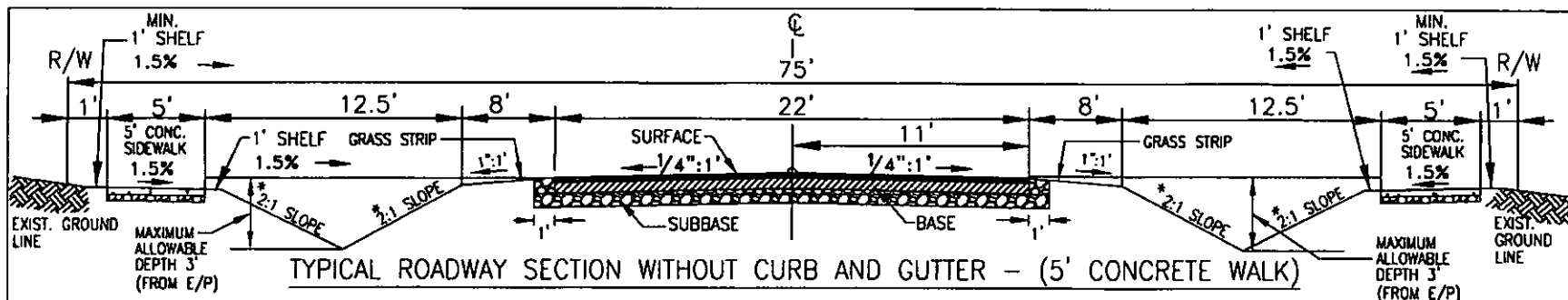
MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
8" AGGREGATE SUBBASE MATERIAL	2" ASPHALT INTERMEDIATE BASE COURSE	2" ASPHALT SURFACE COURSE



County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

PHENTYPSEC-CL-1 thru 4-5SW-PUB-RW-TABLE.DWG



* ALL SLOPES ARE TO BE 2:1 OR FLATTER UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
8" AGGREGATE BASE MATERIAL	4" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
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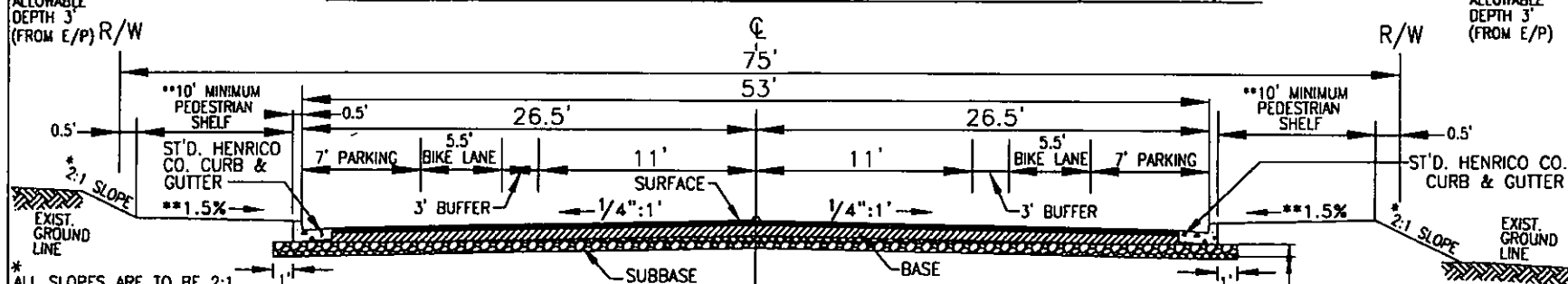
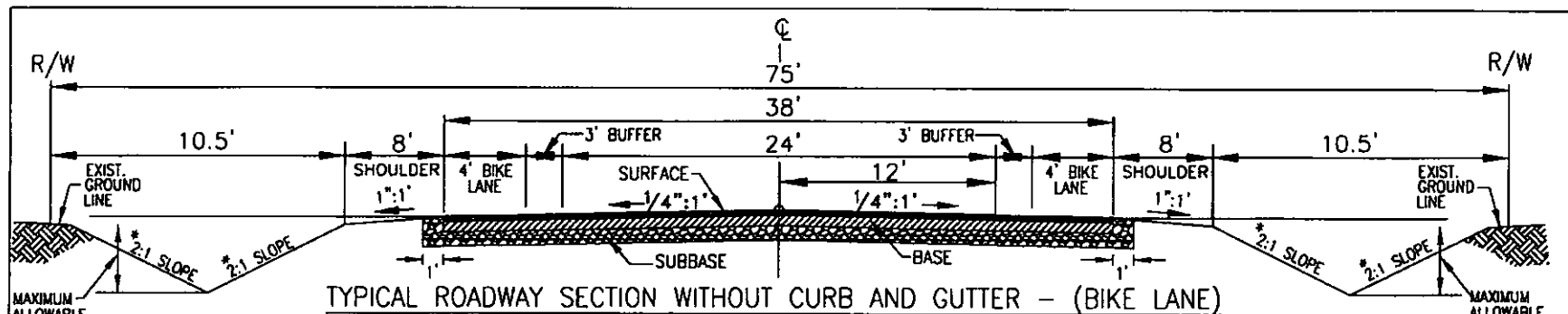
TYPICAL SECTION - CLASSIFICATION V (1001-5000 VPD)

(5' CONCRETE WALK WITHIN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

HENTYPSEC-CL-5-5SW-PUB-RW.DWG



* ALL SLOPES ARE TO BE 2:1 OR FLATTER UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

TYPICAL ROADWAY SECTION WITH CURB AND GUTTER - (BIKE LANE)

** - 10' MINIMUM PEDESTRIAN SHELF INCLUDES THE FOLLOWING: 4' GRASS STRIP, 5' SIDEWALK, AND 1' SHELF DIRECTLY BEHIND THE SIDEWALK

EXTENSION OF SUBGRADE OR 4" MIN., WHICHEVER IS GREATER

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
8" AGGREGATE BASE MATERIAL	4" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
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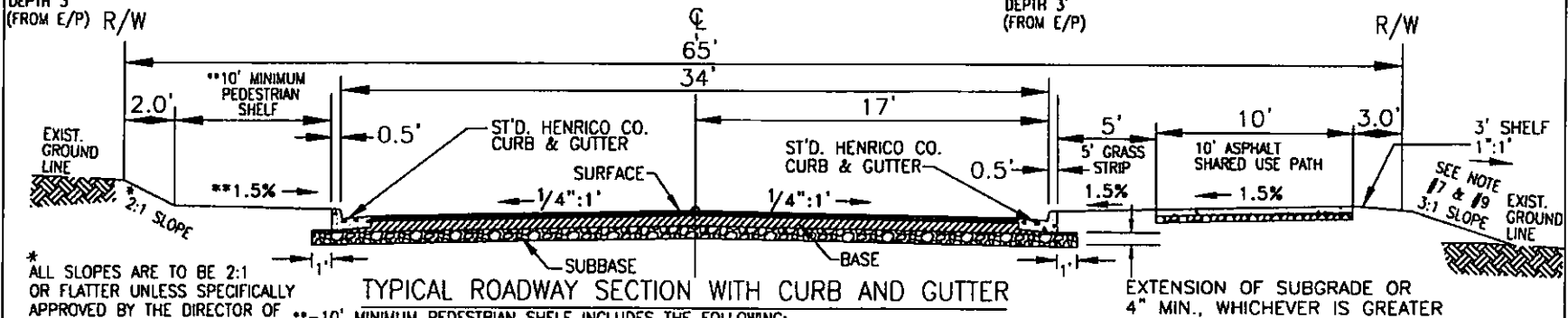
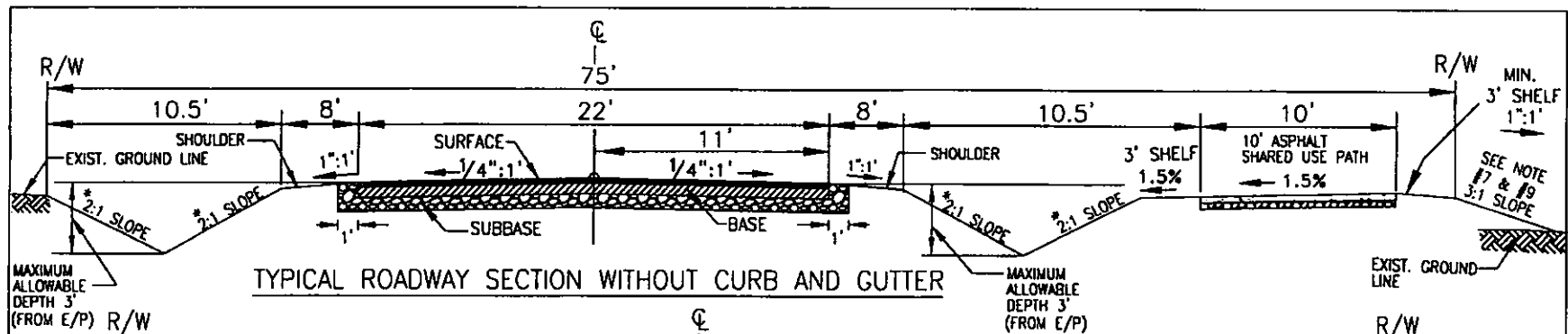


TYPICAL SECTION - CLASSIFICATION V (1001-5000 VPD)

(BIKE LANE WITHIN PUBLIC RIGHT-OF-WAY)
County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-5-BL-PUB-RW.DWG



* ALL SLOPES ARE TO BE 2:1 OR FLATTER UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

**10' MINIMUM PEDESTRIAN SHELF INCLUDES THE FOLLOWING:
4' GRASS STRIP, 5' SIDEWALK, AND 1' SHELF DIRECTLY BEHIND THE SIDEWALK

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
8" AGGREGATE BASE MATERIAL	4" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL OR HANDRAIL, WHERE NEEDED.
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9. FOR SLOPE HEIGHTS GREATER THAN 6' OR STEEPER THAN 3:1 AN APPROVED SAFETY RAIL SHALL BE REQUIRED.
10. BUMPOUTS SHALL BE REQUIRED WITHIN RESIDENTIAL NEIGHBORHOODS. SEE DETAIL B-4 & B-5.



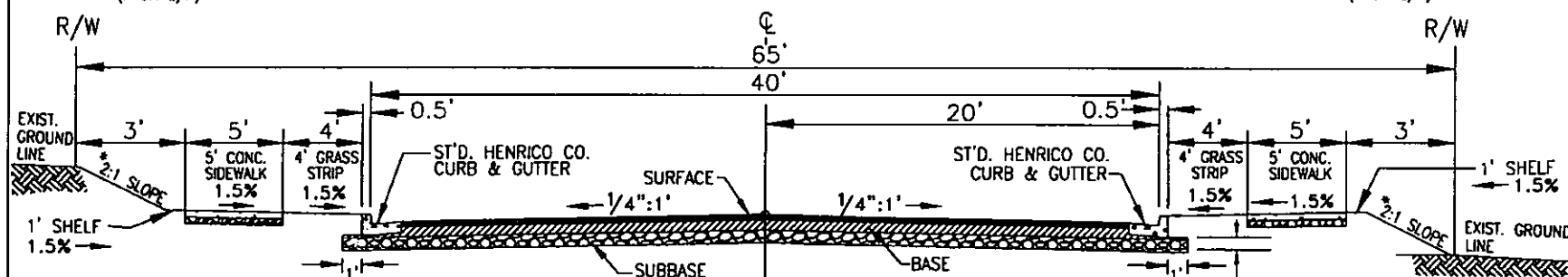
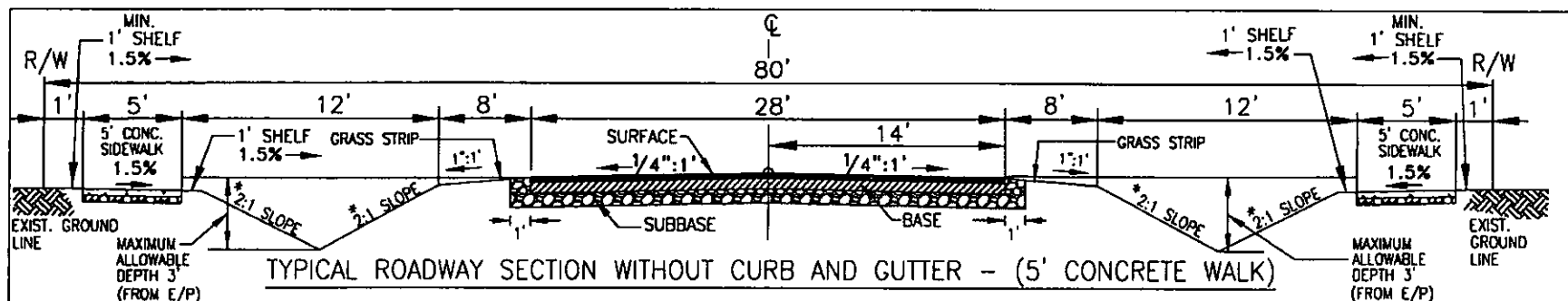
TYPICAL SECTION - CLASSIFICATION V (1001-5000 VPD)

(10' SHARED USE ASPHALT PATH IN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-5-10SU-PUB-RW.DWG



* ALL SLOPES ARE TO BE 2:1 OR FLATTER UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
9" AGGREGATE BASE MATERIAL	5" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
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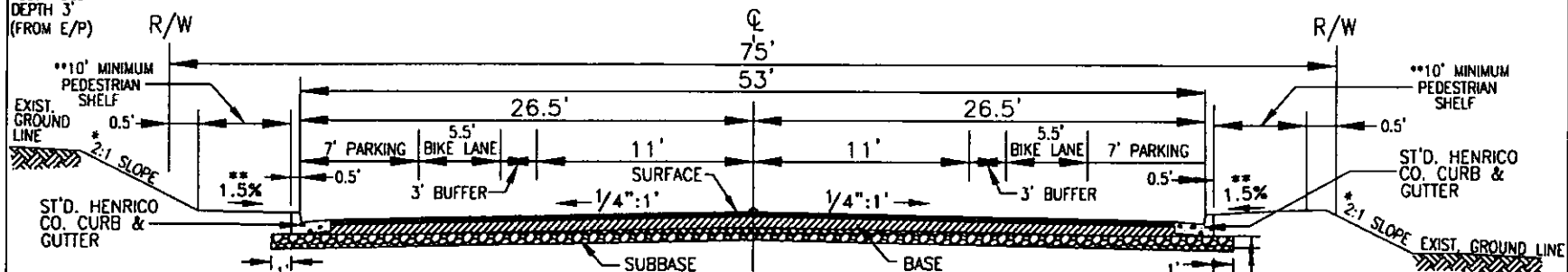
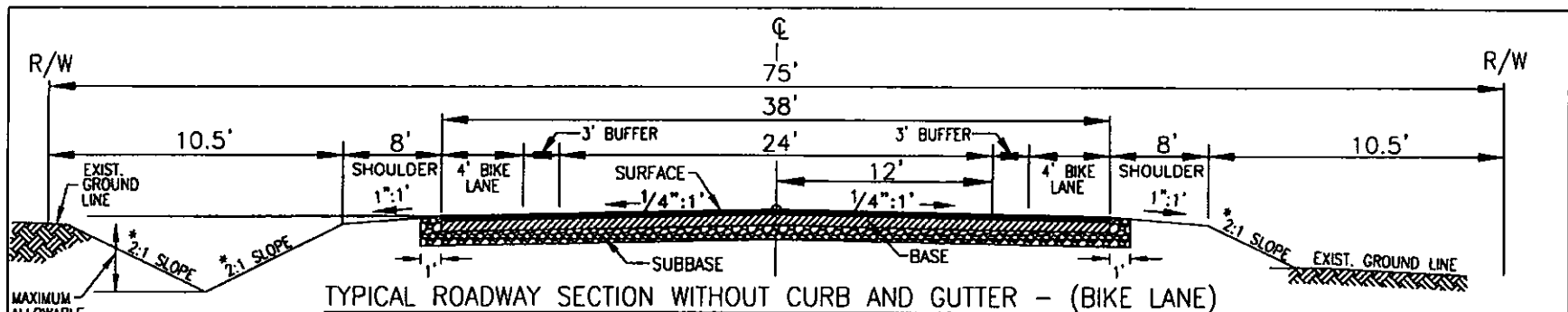
TYPICAL SECTION - CLASSIFICATION VI (5001-14000 VPD)

(5' CONCRETE WALK WITHIN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-6-5SW-PUB-RW.DWG



* ALL SLOPES ARE TO BE 2:1 OR FLATTER UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

** - 10' MINIMUM PEDESTRIAN SHELF INCLUDES THE FOLLOWING: 4' GRASS STRIP, 5' SIDEWALK, AND 1' SHELF DIRECTLY BEHIND THE SIDEWALK

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
9" AGGREGATE BASE MATERIAL	5" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
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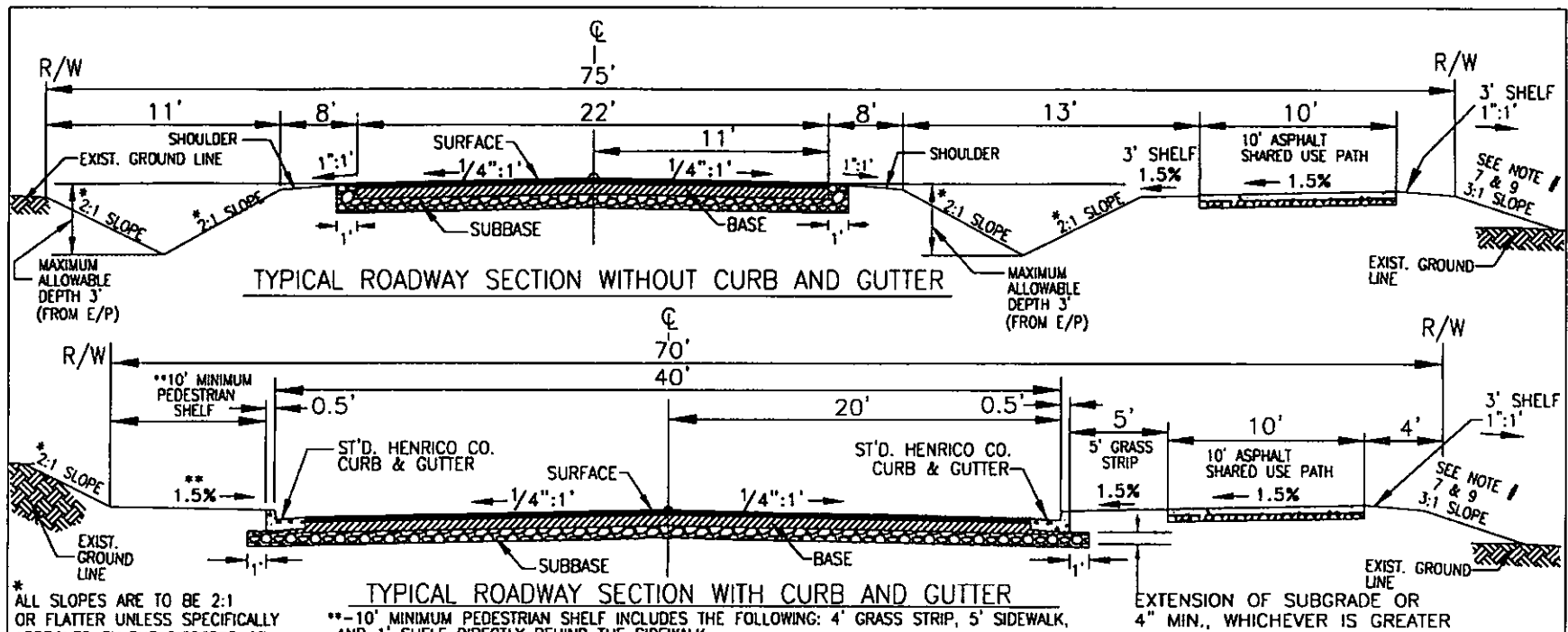


TYPICAL SECTION - CLASSIFICATION VI (5001-14000 VPD)

(BIKE LANE WITHIN PUBLIC RIGHT-OF-WAY)
County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-6-BL-PUB-RW.DWG



* ALL SLOPES ARE TO BE 2:1 OR FLATTER UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
9" AGGREGATE BASE MATERIAL	5" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL OR HANDRAIL, WHERE NEEDED.
2. THE PAVEMENT DEPTHS ARE MINIMUM COMPACTED DEPTHS.
3. THE PAVEMENT DESIGN REQUIRED IS BASED ON A MINIMUM CBR VALUE OF 10. INCREASES TO THE DESIGN MAY BE REQUIRED BASED ON SOIL CONDITIONS AT THE TIME OF CONSTRUCTION. FINAL PAVEMENT DESIGNS MUST BE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
4. UNDERDRAINS SHALL BE INSTALLED ON ALL ROADWAYS IN ACCORDANCE WITH VDOT SPECIFICATIONS AND THE REQUIREMENTS OF THIS MANUAL.

5. MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE VDOT ROAD AND BRIDGE SPECIFICATIONS AND STANDARDS, EXCEPT WHERE COUNTY STANDARDS ARE APPLICABLE.
6. IF AN IRRIGATION SYSTEM IS PROPOSED WITHIN THE RIGHT-OF-WAY LIMITS, A MAINTENANCE AGREEMENT MUST BE PROVIDED BETWEEN THE DEVELOPER AND THE COUNTY OF HENRICO.
7. A UNIFORM CROSS SECTION SLOPE AND PAVEMENT DESIGN ARE REQUIRED FOR ALL ROADWAYS. SLOPES WHICH EXTEND BEYOND THE RIGHT OF WAY SHALL BE IN PERMANENT EASEMENTS.
8. ALL ROADSIDE DITCHES SHALL BE SEEDED AND HAVE A PERMANENT STAND OF GRASS AS A MINIMUM. WHERE THE 10-YEAR DESIGN VELOCITY EXCEEDS FOUR (4) FEET PER SECOND, JUTE MESH OR OTHER CHANNEL LINING SHALL BE INSTALLED. IF THE 10-YEAR DESIGN VELOCITY EXCEEDS SEVEN (7) FEET PER SECOND, THE ROADSIDE DITCH SHALL BE LINED WITH EITHER RIPRAP OR CONCRETE. ALTERNATE CHANNEL LININGS MAY BE ACCEPTABLE BASED UPON SOIL SAMPLES AND CERTIFIED DESIGN BY A LICENSED PROFESSIONAL ENGINEER UPON APPROVAL BY THE COUNTY ENGINEER.
9. FOR SLOPE HEIGHTS GREATER THAN 6' OR STEEPER THAN 3:1 AN APPROVED SAFETY RAIL SHALL BE REQUIRED.



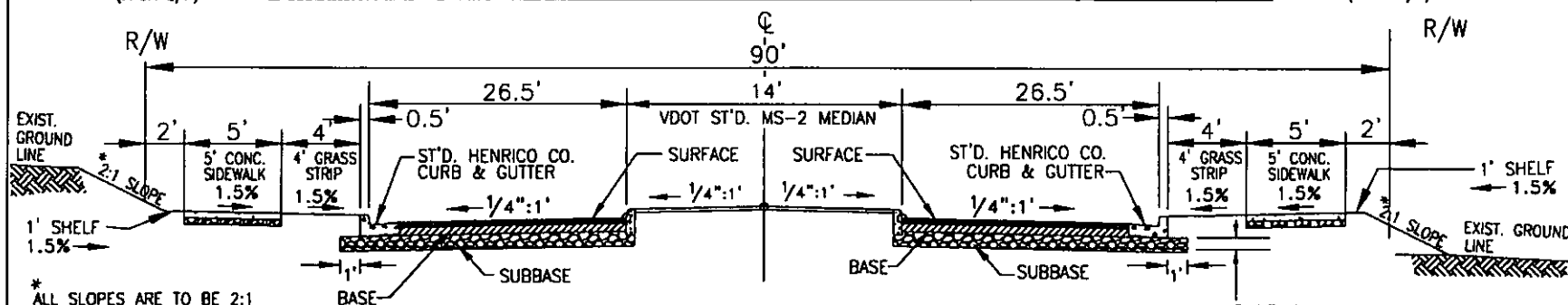
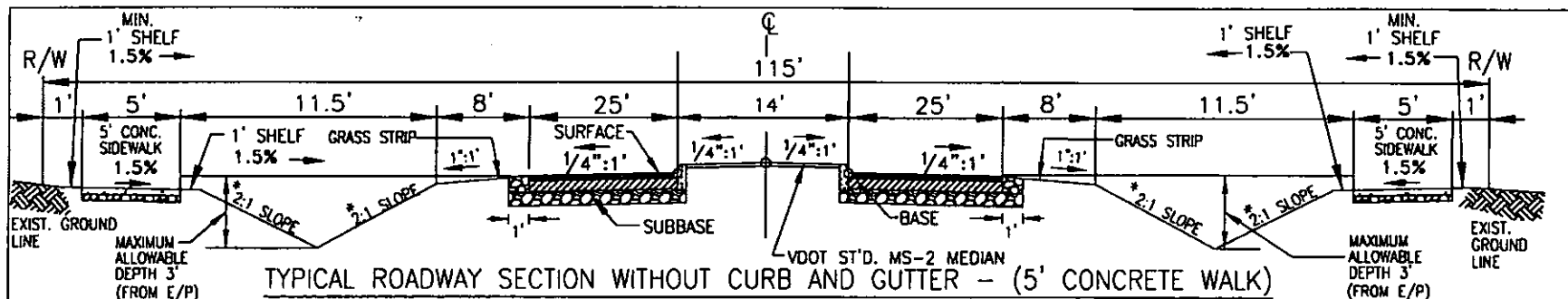
TYPICAL SECTION - CLASSIFICATION VI (5001-14000 VPD)

(10' SHARED USE ASPHALT PATH IN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-6-10SU-PUB-RW.DWG



* ALL SLOPES ARE TO BE 2:1 OR FLATTER UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
11" AGGREGATE BASE MATERIAL	6" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
2. THE PAVEMENT DEPTHS ARE MINIMUM COMPACTED DEPTHS.
3. THE PAVEMENT DESIGN REQUIRED IS BASED ON A MINIMUM CBR VALUE OF 10. INCREASES TO THE DESIGN MAY BE REQUIRED BASED ON SOIL CONDITIONS AT THE TIME OF CONSTRUCTION. FINAL PAVEMENT DESIGNS MUST BE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
4. UNDERDRAINS SHALL BE INSTALLED ON ALL ROADWAYS IN ACCORDANCE WITH VDOT SPECIFICATIONS AND THE REQUIREMENTS OF THIS MANUAL.

5. MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE VDOT ROAD AND BRIDGE SPECIFICATIONS AND STANDARDS, EXCEPT WHERE COUNTY STANDARDS ARE APPLICABLE.
6. IF AN IRRIGATION SYSTEM IS PROPOSED WITHIN THE RIGHT-OF-WAY LIMITS, A MAINTENANCE AGREEMENT MUST BE PROVIDED BETWEEN THE DEVELOPER AND THE COUNTY OF HENRICO.
7. A UNIFORM CROSS SECTION SLOPE AND PAVEMENT DESIGN ARE REQUIRED FOR ALL ROADWAYS. SLOPES WHICH EXTEND BEYOND THE RIGHT OF WAY SHALL BE IN PERMANENT EASEMENTS.
8. ALL ROADSIDE DITCHES SHALL BE SEEDS AND HAVE A PERMANENT STAND OF GRASS AS A MINIMUM. WHERE THE 10-YEAR DESIGN VELOCITY EXCEEDS FOUR (4) FEET PER SECOND, JUTE MESH OR OTHER CHANNEL LINING SHALL BE INSTALLED. IF THE 10-YEAR DESIGN VELOCITY EXCEEDS SEVEN (7) FEET PER SECOND, THE ROADSIDE DITCH SHALL BE LINED WITH EITHER RIPRAP OR CONCRETE. ALTERNATE CHANNEL LININGS MAY BE ACCEPTABLE BASED UPON SOIL SAMPLES AND CERTIFIED DESIGN BY A LICENSED PROFESSIONAL ENGINEER UPON APPROVAL BY THE COUNTY ENGINEER.
9. SOLID CONCRETE MEDIAN, ST'D. MS-1 REQUIRED WHERE THE MEDIAN WIDTH IS 6'-0" OR LESS.



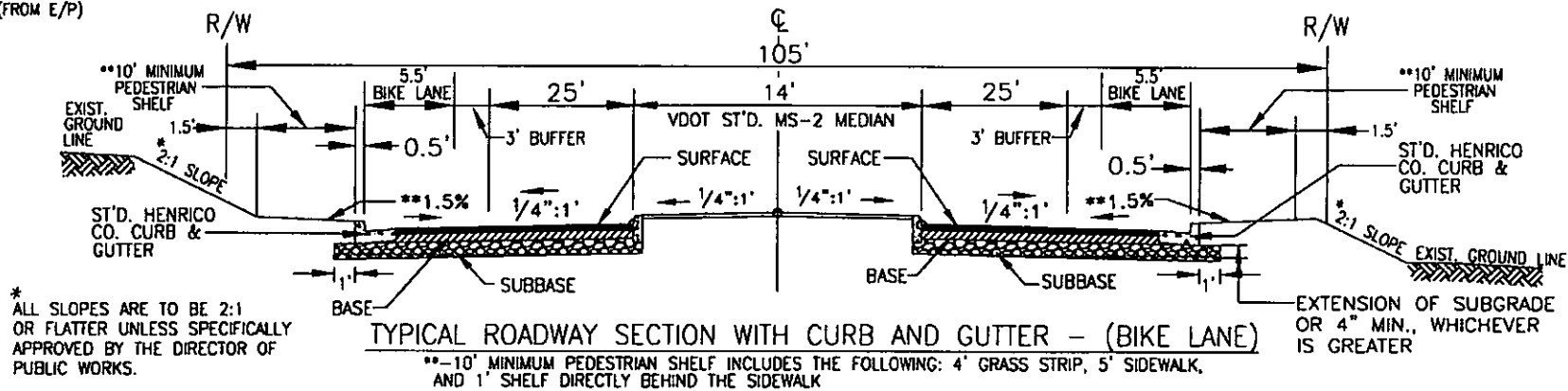
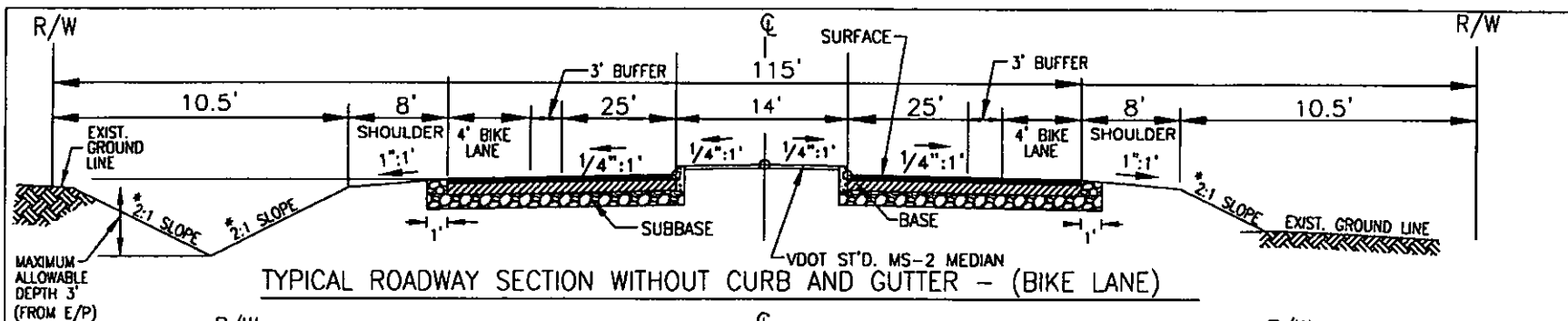
TYPICAL SECTION - CLASSIFICATION VII (14001-30000 VPD)

(5' CONCRETE WALK WITHIN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-7-5SW-PUB-RW-rev.DWG



* ALL SLOPES ARE TO BE 2:1 OR FLATTER UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

** - 10' MINIMUM PEDESTRIAN SHELF INCLUDES THE FOLLOWING: 4' GRASS STRIP, 5' SIDEWALK, AND 1' SHELF DIRECTLY BEHIND THE SIDEWALK

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
11" AGGREGATE BASE MATERIAL	6" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
2. THE PAVEMENT DEPTHS ARE MINIMUM COMPACTED DEPTHS.
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6. IF AN IRRIGATION SYSTEM IS PROPOSED WITHIN THE RIGHT-OF-WAY LIMITS, A MAINTENANCE AGREEMENT MUST BE PROVIDED BETWEEN THE DEVELOPER AND THE COUNTY OF HENRICO.
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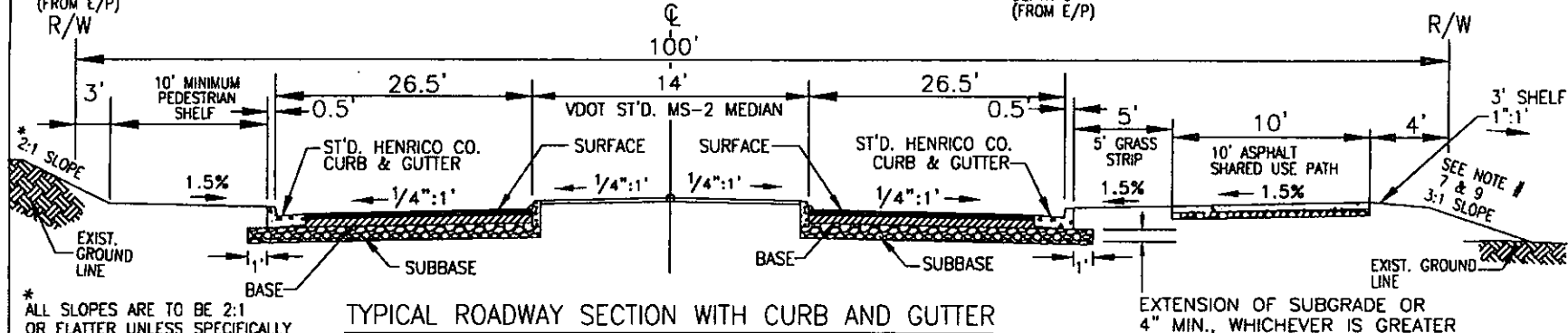
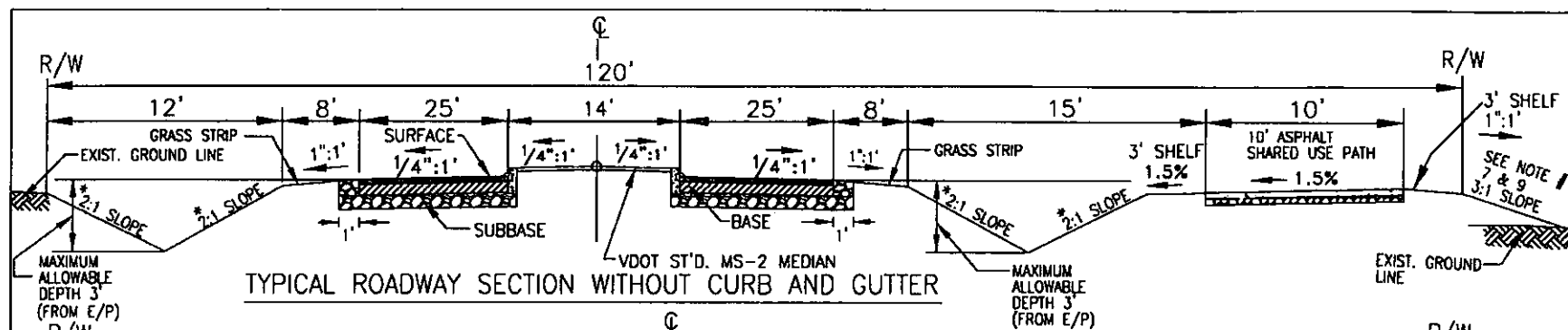
TYPICAL SECTION - CLASSIFICATION VII (14001-30000 VPD)

(BIKE LANE WITHIN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTPSEC-CL-7-BL-PUB-RW-rev.DWG



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MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
11" AGGREGATE BASE MATERIAL	6" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
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9. FOR SLOPE HEIGHTS GREATER THAN 6' OR STEEPER THAN 3:1 AN APPROVED SAFETY RAIL MAY BE REQUIRED.
10. SOLID CONCRETE MEDIAN, ST'D. MS-1 REQUIRED WHERE THE MEDIAN WIDTH IS 6'-0" OR LESS.



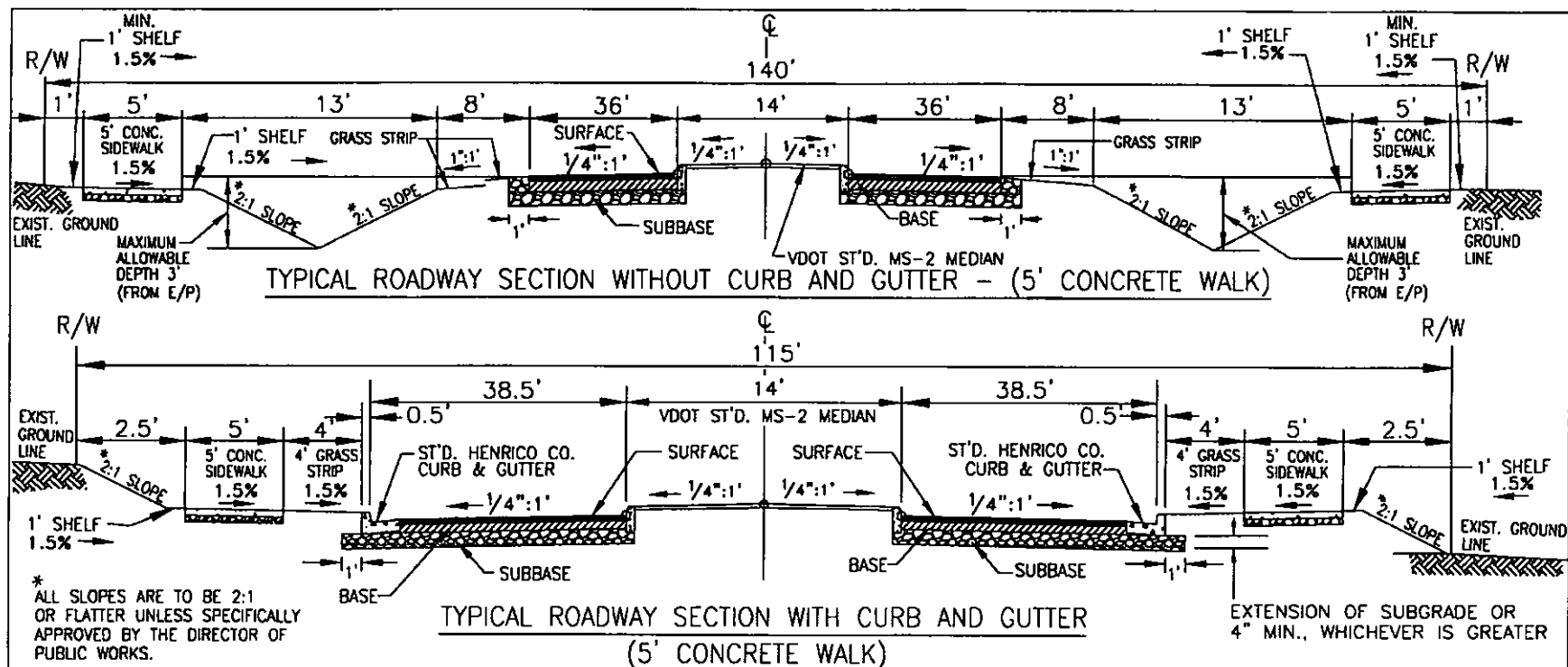
TYPICAL SECTION - CLASSIFICATION VII (14001-30000 VPD)

(10' SHARED USE PATH IN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-7-10SU-PUB-RW-rev.DWG



MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
SPECIAL DESIGN	***SPECIAL DESIGN***	***SPECIAL DESIGN***

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
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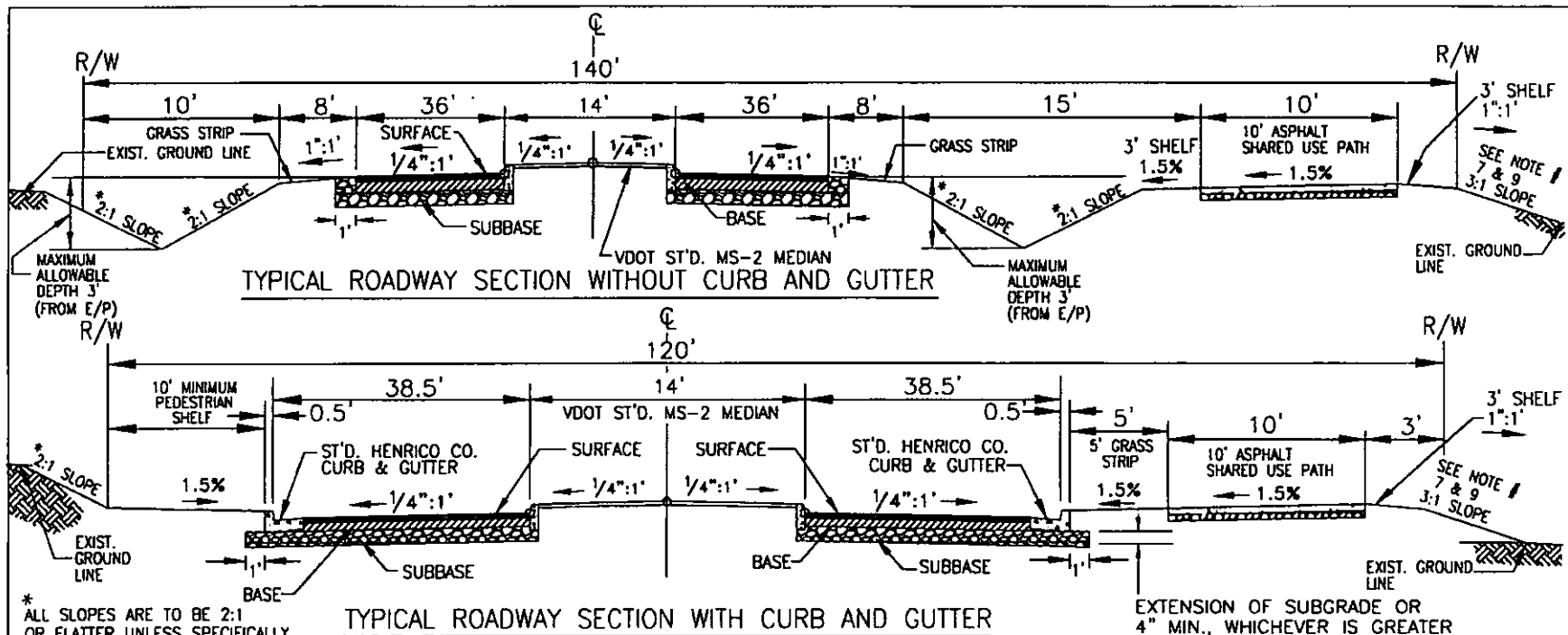
TYPICAL SECTION - CLASSIFICATION VIII (30001 + VPD)

(5' CONCRETE WALK WITHIN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-8-5SW-PUB-RW-rev.DWG



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MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
SPECIAL DESIGN	***SPECIAL DESIGN***	***SPECIAL DESIGN***

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
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9. FOR SLOPE HEIGHTS GREATER THAN 6' OR STEEPER THAN 3:1 AN APPROVED SAFETY RAIL MAY BE REQUIRED.
10. SOLID CONCRETE MEDIAN, ST'D. MS-1 REQUIRED WHERE THE MEDIAN WIDTH IS 6'-0" OR LESS.



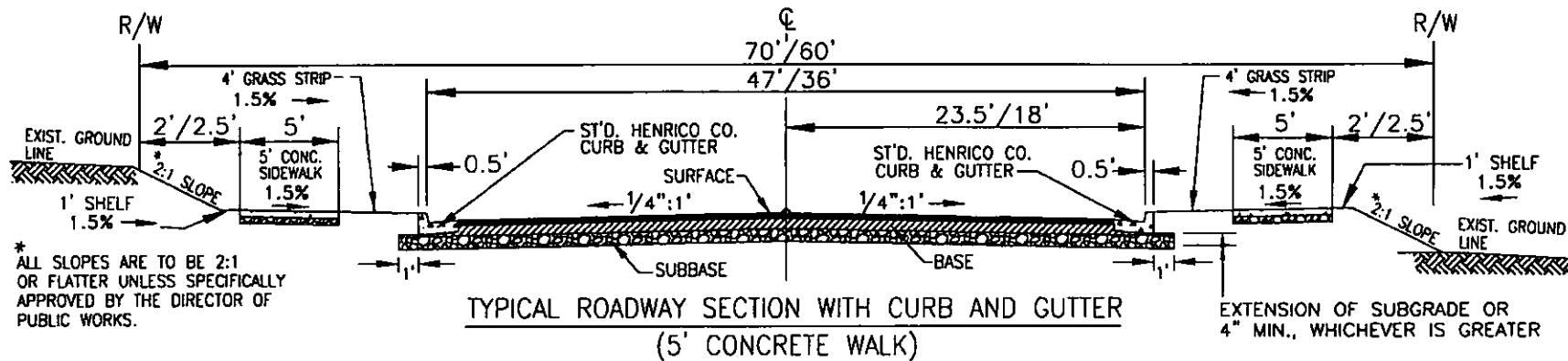
TYPICAL SECTION - CLASSIFICATION VIII (30001 + VPD)

(10' SHARED USE PATH IN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-8-10SU-PUB-RW-rev.DWG



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MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
SPECIAL DESIGN	***SPECIAL DESIGN***	***SPECIAL DESIGN***

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
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9. A RIGHT-OF-WAY OF 70' SHALL BE USED ON THROUGH STREETS, CONNECTORS TO ARTERIALS OR ROADS PROVIDING DIRECT PUBLIC ACCESS. A 60' RIGHT-OF-WAY MAYBE USED ON CUL-DE-SACS, NON-THROUGH ROADS OR INTERNAL CONNECTOR ROADWAYS.



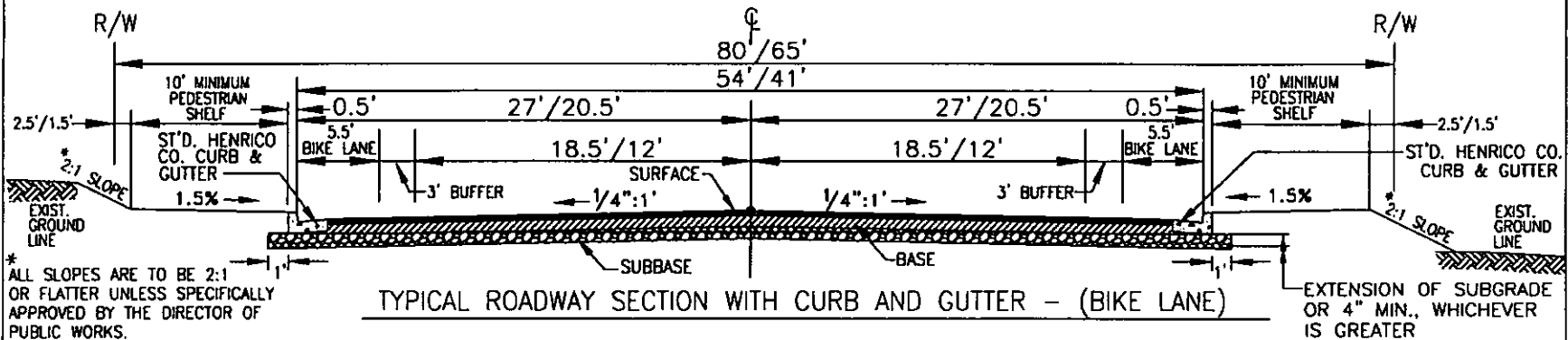
TYPICAL SECTION COMMERCIAL/INDUSTRIAL DEVELOPMENT

(5' CONCRETE WALK WITHIN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-10-5SW-PUB-RW.DWG



MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
SPECIAL DESIGN	***SPECIAL DESIGN***	***SPECIAL DESIGN***

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) OR PEDESTRIAN SHELF (CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
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9. A RIGHT-OF-WAY OF 80' SHALL BE USED ON THROUGH STREETS, CONNECTORS TO ARTERIALS OR ROADS PROVIDING DIRECT PUBLIC ACCESS. A 70' RIGHT-OF-WAY MAYBE USED ON CUL-DE-SACS, NON-THROUGH ROADS OR INTERNAL CONNECTOR ROADWAYS.



TYPICAL SECTION COMMERCIAL/INDUSTRIAL DEVELOPMENT

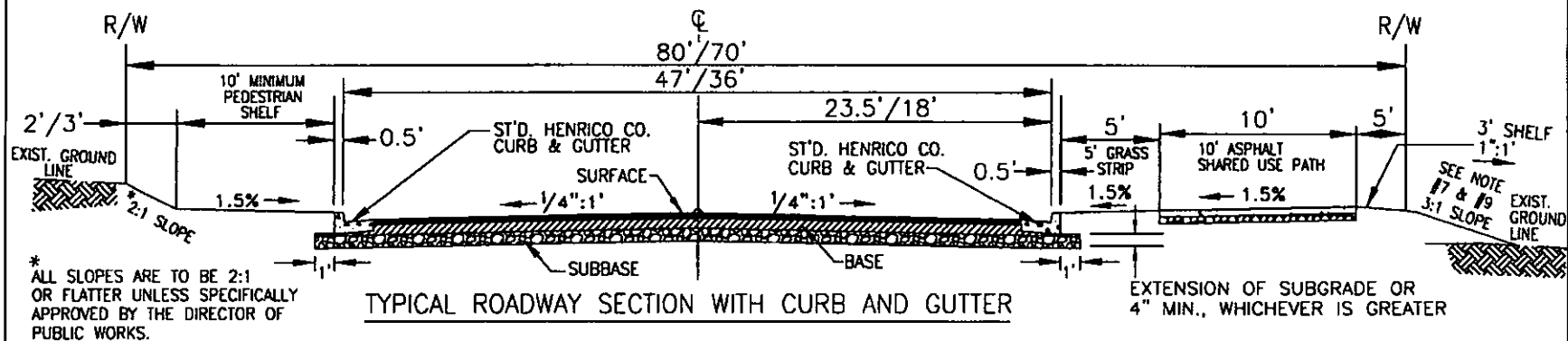
(BIKE LANE WITHIN PUBLIC RIGHT-OF-WAY)

County of Henrico

Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-10-BL-PUB-RW.DWG



MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
SPECIAL DESIGN	***SPECIAL DESIGN***	***SPECIAL DESIGN***

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9. FOR SLOPE HEIGHTS GREATER THAN 6' OR STEEPER THAN 3:1 AN APPROVED SAFETY RAIL MAY BE REQUIRED.
10. A RIGHT-OF-WAY OF EIGHTY FEET SHALL BE USED ON THROUGH STREETS, CONNECTORS TO ARTERIALS OR ROADS PROVIDING DIRECT PUBLIC ACCESS. A SEVENTY FOOT RIGHT-OF-WAY MAYBE USED ON CUL-DE-SACS, NON-THROUGH ROADS OR INTERNAL CONNECTOR ROADWAYS.



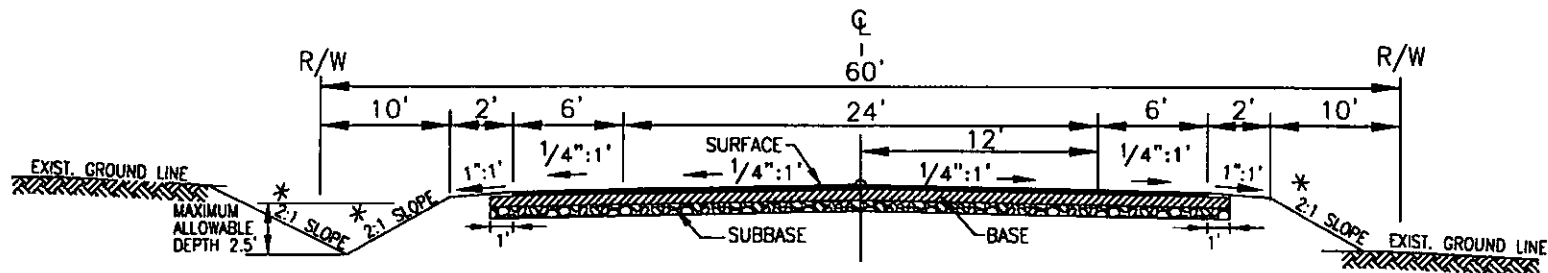
TYPICAL SECTION COMMERCIAL/INDUSTRIAL DEVELOPMENT

(10' SHARED USE ASPHALT PATH IN PUBLIC RIGHT-OF-WAY)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-CL-10-10SU-PUB-RW.DWG



TYPICAL RURAL 2-LANE ROADWAY SECTION WITHOUT CURB AND GUTTER

MINIMUM PAVEMENT DESIGN REQUIREMENT		
SUBBASE	BASE	SURFACE
9" AGGREGATE BASE MATERIAL	5" ASPHALT BASE COURSE	2" ASPHALT SURFACE COURSE

1. THE SHOULDER WIDTH (NON CURB AND GUTTER SECTION) WILL BE REQUIRED TO BE EXTENDED BEYOND THE RIGHT-OF-WAY, WITH A PERMANENT EASEMENT PROVIDED, TO ACCOMMODATE THE INSTALLATION OF GUARDRAIL, WHERE NEEDED.
2. THE PAVEMENT DEPTHS ARE MINIMUM COMPACTED DEPTHS.
3. THE PAVEMENT DESIGN REQUIRED IS BASED ON A MINIMUM CBR VALUE OF 10. INCREASES TO THE DESIGN MAY BE REQUIRED BASED ON SOIL CONDITIONS AT THE TIME OF CONSTRUCTION. FINAL PAVEMENT DESIGNS MUST BE APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.
4. UNDERDRAINS SHALL BE INSTALLED ON ALL ROADWAYS IN ACCORDANCE WITH VDOT SPECIFICATIONS AND THE REQUIREMENTS OF THIS MANUAL.
5. MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE VDOT ROAD AND BRIDGE SPECIFICATIONS AND STANDARDS, EXCEPT WHERE COUNTY STANDARDS ARE APPLICABLE.
6. CENTERLINE AND EDGE LINE RUMBLE STRIPS ARE REQUIRED.
7. IF AN IRRIGATION SYSTEM IS PROPOSED WITHIN THE RIGHT-OF-WAY LIMITS, A MAINTENANCE AGREEMENT MUST BE PROVIDED BETWEEN THE DEVELOPER AND THE COUNTY OF HENRICO.
8. A UNIFORM CROSS SECTION SLOPE AND PAVEMENT DESIGN ARE REQUIRED FOR ALL ROADWAYS. SLOPES WHICH EXTEND BEYOND THE RIGHT OF WAY SHALL BE IN PERMANENT EASEMENTS.
9. ALL ROADSIDE DITCHES SHALL BE SEEDED AND HAVE A PERMANENT STAND OF GRASS AS A MINIMUM. WHERE THE 10-YEAR DESIGN VELOCITY EXCEEDS FOUR (4) FEET PER SECOND, JUTE MESH OR OTHER CHANNEL LINING SHALL BE INSTALLED. IF THE 10-YEAR DESIGN VELOCITY EXCEEDS SEVEN (7) FEET PER SECOND, THE ROADSIDE DITCH SHALL BE LINED WITH EITHER RIPRAP OR CONCRETE. ALTERNATE CHANNEL LININGS MAY BE ACCEPTABLE BASED UPON SOIL SAMPLES AND CERTIFIED DESIGN BY A LICENSED PROFESSIONAL ENGINEER UPON APPROVAL BY THE COUNTY ENGINEER.
10. IF TRAFFIC VOLUME EXCEEDS 14000 VPD, THEN 4-LANES ARE REQUIRED.
11. FOR MINIMUM PAVEMENT DESIGN REQUIREMENTS FOR TYPICAL SECTION CLASSIFICATIONS I-IV REFER SHEET B3 IN APPENDIX B.



TYPICAL SECTION - RURAL 2-LANE (5001-14000 VPD)

County of Henrico
Department of Public Works

SEPTEMBER 1, 2021

FHENTYPSEC-RURAL-2-LANE.DWG

Roadway Defect Bond

Standard

The Construction Division will perform a final inspection of a road or roads, when requested to do so by the developer. If the construction is found acceptable, the developer will be notified in writing. Prior to acceptance of the streets into the County system for maintenance, the developer shall submit a Defect Bond to the Department of Public Works and the County Attorney's Office. The purpose of this bond is to insure correction of any unknown defects in the road, curb and gutter, drainage entrances, storm sewer, shoulders, roadside ditches or other improvements that may occur in public right-of-way or public drainage easements for a period of one year.

The Defect Bond may be cash, letter of credit or surety bond acceptable to the County Attorney's Office and the Director of Public Works. The Defect Bond is held by the Department of Public Works for the period of one year commencing with the Board of Supervisors road acceptance approval. Prior to returning the Defect Bond to the developer, the roadways are re-inspected and any defects are identified. If defects are found, a letter will be sent to the developer identifying the defects. The developer will have until the bond expires to correct the defects. If the defects are not corrected in this time frame, the County will utilize the bond to make the corrections and/or repairs.

The Defect Bond amount is:

- \$3,000 for each tenth of a lane mile, and any portion thereafter.

For example, a two-lane road that is 1.22 miles long would have a bond amount of:

- Two lanes x 1.22 miles = 2.44 miles x 10 (tenths per mile) = 24.4 tenths (rounded up to 25)
- 25 times \$3,000 per lane mile = \$75,000

The County of Henrico has the ability to adjust the amount on an annual basis. This amendment of the defect bond amount would be based upon changes in the producer price index for street construction materials. The bond amount cannot be greater than \$5,000 per tenth of a lane mile.

Applicability of the Standard

This standard applies to all types of development, including subdivisions and PODs.

Design Requirements

N/A



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 270-21

Page No. 1 of 1

Agenda Title: RESOLUTION — Change Order to Construction Contract — Woodman Road Roundabout
— Brookland and Fairfield Districts

For Clerk's Use Only:

Date: 8/10/2021

- ☒ Approved
☐ Denied
☐ Amended
☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Whom Seconded by (1) Nelson
(2) (2)

REMARKS

APPROVED

YES NO OTHER

Brannin, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nelson, T.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O'Bannon, P.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmitt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thornton, F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, on December 10, 2019, the Board approved a contract with Abernathy Construction Corporation for \$3,561,238.25 for construction of the Woodman Road roundabout; and,

WHEREAS, Abernathy Construction Corporation and the Department of Public Works have previously negotiated change orders totaling \$483,034.43 for the removal of unsuitable soils, waterline modifications, soil stabilization fabric, and a waterline connection to a residence impacted by the project; and,

WHEREAS, further work is necessary to remove additional unsuitable soil; and,

WHEREAS, the Department of Public Works has negotiated a change order for the additional work for \$1,001,268.84; and,

WHEREAS, Board approval is required because this change order, when added to previous change order amounts, exceeds 15% of the original contract amount.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors approves the final change order to the contract with Abernathy Construction Corporation in a form approved by the County Attorney.

COMMENT: Funding to support the contract is available within the project's budget. The Director of Public Works recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Copy to: _____

Clerk, Board of Supervisors

Date: _____



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 271-21

Page No. 1 of 1

Agenda Title: RESOLUTION – Authorization to Submit Application – Virginia Community Flood Preparedness Fund – Fairfield District

For Clerk's Use Only:

Date: 8/10/2021

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) Thout Seconded by (1) O'Bannon
(2) (2)

REMARKS

APPROVED

Branin, T.	<input checked="" type="checkbox"/>	—
Schmitt, D.	<input checked="" type="checkbox"/>	—
Nelson, T.	<input checked="" type="checkbox"/>	—
O'Bannon, P.	<input checked="" type="checkbox"/>	—
Thornton, F.	<input checked="" type="checkbox"/>	—

WHEREAS, the Virginia Community Flood Preparedness Fund ("Fund") allocates grants for implementing flood prevention and protection projects and studies in areas that are subject to recurrent flooding; and,

WHEREAS, the Fund requires a local match up to 50%, depending on project type and location; and,

WHEREAS, the County must submit an application through the Virginia Department of Conservation and Recreation; and,

WHEREAS, the application would seek a grant for development and implementation of a pilot flood-prone structure acquisition program in the Lakeside area that may include rent-back options for low-income residents.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the Director of Public Works to apply for a Fund grant for the project described above.

Comment: The Director of Public Works recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Copy to: _____

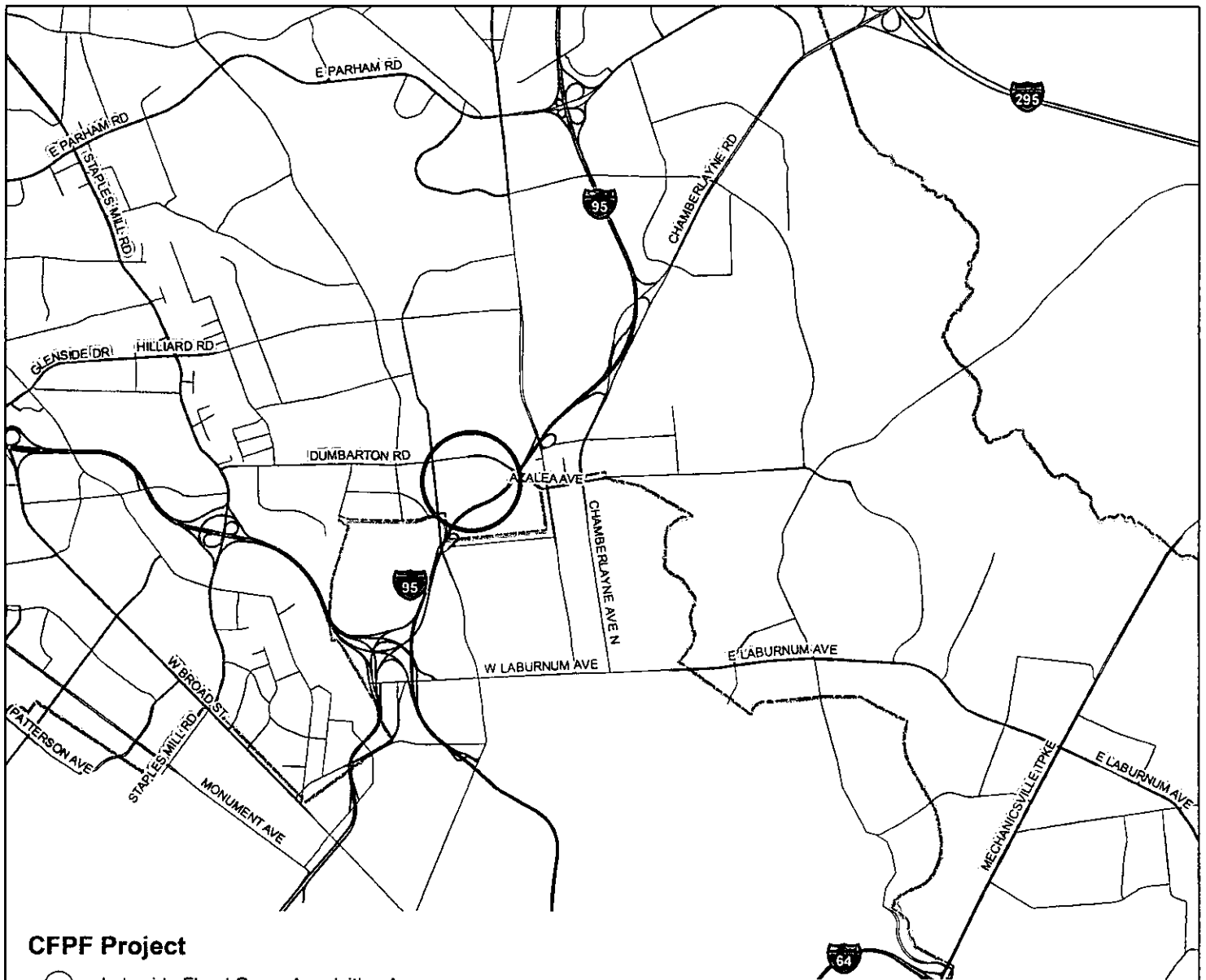
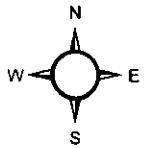
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Clerk, Board of Supervisors


Date: _____







Virginia Community Flood Preparedness Fund, Fiscal Year 2021



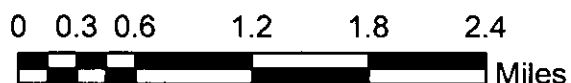
CFPF Project

-  Lakeside Flood-Prone Acquisition Area

Magisterial Districts

-  Brookland
-  Fairfield
-  Three Chopt
-  Tuckahoe
-  Varina

1 in = 1 miles



RESOLUTION - AUTHORIZATION TO SUBMIT
APPLICATION - VIRGINIA COMMUNITY FLOOD
PREPAREDNESS FUND, FISCAL YEAR 2021

DISTRICT: FAIRFIELD
DATE: AUGUST 10, 2021



COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
MINUTE

Agenda Item No. 272-21

Page No. 1 of 1

Agenda Title: RESOLUTION — Approval — 2021 Henrico County Local Resilience Plan

For Clerk's Use Only:

Date: 8/10/2021

☒ Approved

☐ Denied

☐ Amended

☐ Deferred to:

BOARD OF SUPERVISORS ACTION

Moved by (1) O'Bannon Seconded by (1) Shoute
(2) (2)

REMARKS:

APPROVED

YES NO OTHER

Branin, T. ☒ ☐ ☐

Nelson, T. ☒ ☐ ☐

O'Bannon, P. ☒ ☐ ☐

Schmitt, D. ☒ ☐ ☐

Thornton, F. ☒ ☐ ☐

WHEREAS, the Virginia Community Flood Preparedness Fund ("Fund") is administered by the Virginia Department of Conservation and Recreation; and,

WHEREAS, the purpose of the Fund is to implement flood prevention and protection projects and studies in areas that are subject to recurrent flooding; and,

WHEREAS, eligible projects could include acquiring flood-prone structures, implementing nature-based solutions to restore natural floodplains, and conducting engineering studies to create or update available flood data; and,

WHEREAS, the Fund requires localities to adopt a local resilience plan to be eligible for project funding; and,

WHEREAS, the Department of Public Works has prepared the 2021 Henrico County Local Resilience Plan in preparation for submitting grant applications to the Fund.

NOW, THEREFORE, BE IT RESOLVED that the Board adopts the 2021 Henrico County Local Resilience Plan as the basic plan for flood resilience in the County, as required by the 2021 Virginia Community Flood Preparedness Fund.

Comments: The Director of Public Works recommends approval of the Board paper, and the County Manager concurs.

By Agency Head

By County Manager

Certified:

A Copy Teste:

Clerk, Board of Supervisors

Copy to:

Date: