

**HENRICO COUNTY
NOTICE OF SPECIAL MEETING
BOARD OF SUPERVISORS**

Please take notice that a special meeting of the Board of Supervisors will be held on **Tuesday, July 12, 2022, at 5:30 p.m.** in the County Manager's Conference Room on the Third Floor of the Administration Building at the Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

The matters to be reviewed by the Board at this time are:

5:30 - 6:15 p.m. School's Security Update

6:15 - 6:30 p.m. Community Outreach to Name the Animal Adoption Center

6:30 - 6:45 p.m. **Closed Meeting** Pursuant to Section 2.2-3711(A)(3) & (A)(5) of the Code of Virginia of 1950, as amended, for a briefing of the members of the Board and discussion concerning: (1) the acquisition of real property for a public purpose, including possible uses of the property, the value of the property, and process for acquisition of the property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board;(2) the expansion of an existing business in Henrico County, including possible new infrastructure and capital investments, where no previous announcement has been made of the business's interest in expanding its facilities; and(3) five prospective businesses, including the nature of the businesses, status of discussions, and possible new infrastructure and capital investments, where no previous announcement has been made of the businesses' interest in locating their facilities in Henrico County."

6:45 - 6:55 p.m. Review of Regular Meeting Agenda Items

Tanya N. Brackett

Tanya N. Brackett, CMC
Clerk, Henrico County Board of Supervisors
July 7, 2022

COUNTY OF HENRICO, VIRGINIA
Henrico County Board Room
Board of Supervisors' Agenda
July 12, 2022
7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES – June 28, 2022, Regular and Special Meeting

MANAGER'S COMMENTS

BOARD OF SUPERVISORS' COMMENTS

RECOGNITION OF NEWS MEDIA

PRESENTATIONS

Proclamation - Pretrial, Probation, and Parole Supervision Week – July 17 - 23, 2022.

Keep Henrico Beautiful Committee Land Lover and Clean Business Awards.

PUBLIC HEARINGS – REZONING CASES

22-22 Atlantic Crossing, LLC: Request to conditionally rezone from A-1 Agricultural
REZ2021- District to M-2C General Industrial District (Conditional) Parcels 841-712-
00056 8524, 842-712-1529, 842-712-5063, 843-711-6375, 843-712-6388, and 844-709-
Varina 3698 containing 530.47 acres located on the north and south lines of E.
Williamsburg Road (U.S. Route 60) at its intersection with Technology
Boulevard. The applicant proposes industrial and distribution uses. The uses
will be controlled by zoning ordinance regulations and proffered conditions.
The 2026 Comprehensive Plan recommends Office, Office/Service, Commercial
Concentration, Traditional Neighborhood Development, and Environmental
Protection Area. Part of the site is in the Airport Safety Overlay District. The
Planning Commission voted to recommend the Board of Supervisors **grant**
the request. **(Deferred from the May 10, 2022, meeting.)**

115-22 Markel | Eagle Advisors, LLC: Request to conditionally rezone from A-1
REZ2022- Agricultural District to R-5AC General Residence District (Conditional) part of
00002 Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres located at the
Three Chopt southwest intersection of Pouncey Tract Road (State Route 271) and
Wyndham West Drive. The applicant proposes a single-family residential
development. The R-5A District allows a maximum gross density of 6 units per
acre. The use will be controlled by zoning ordinance regulations and proffered
conditions. The 2026 Comprehensive Plan recommends Rural Residential,
density should not exceed 1 unit per acre. The Planning Commission voted to
recommend the Board of Supervisors **grant** the request. **(Deferred from the
May 10, 2022, meeting.)**

PUBLIC HEARINGS – OTHER ITEMS

198-22 Ordinance - To Grant Verizon Virginia LLC the Right and Privilege to
Construct, Operate, and Maintain a Cable System in the County.

199-22 Resolution - Signatory Authority - Conveyance of Temporary Construction Easements to the City of Richmond - Fairfield District.

PUBLIC COMMENTS

GENERAL AGENDA

200-22 Introduction of Ordinance - To Amend and Reordain Section 20-625 Titled “Persons other than small loan companies lending money for purchase of chattels secured by liens; purchasers of conditional sale contracts” of the Code of the County of Henrico to Conform to 2022 Changes in State Law Regarding Local Business License Taxes.

201-22 Introduction of Ordinance - To Amend and Reordain Section 20-59 Titled “Agricultural, horticultural, forest and open space uses” of the Code of the County of Henrico to Conform to 2022 Changes in State Law Regarding Land Use Assessments.

202-22 Introduction of Ordinance - To Amend and Reordain Section 22-36 Titled “Unnecessary noise in operation of vehicle” of the Code of the County of Henrico to Conform to 2022 Changes in State Law and Regulate Vehicle Exhaust Noise.

203-22 Introduction of Ordinance - To Amend and Reordain Section 5-1 Titled “Definitions” and Repeal and Reserve Section 5-30 Titled “Control of dangerous or vicious dogs” and Section 5-31 Titled “Vicious dogs” of the Code of the County of Henrico to Rely on State Regulations of Dangerous and Vicious Dogs as Amended by the General Assembly.

204-22 Resolution - Signatory Authority - Lease Amendment - Henrico Area Mental Health and Developmental Services - Providence Forge.

205-22 Resolution - Acceptance of Roads - Fairfield, Brookland and Varina Districts.



**COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS' RESUME
July 12, 2022**

PRESENTATIONS

PROCLAMATION - Pretrial, Probation, and Parole Supervision Week - July 17 - 23, 2022.

The American Probation and Parole Association annually designates a week during the month of July as Pretrial, Probation, and Parole Supervision Week to acknowledge the important work of community corrections and supervision professionals at all levels throughout the United States. This proclamation recognizes July 17 - 23, 2022, as Pretrial, Probation, and Parole Supervision Week in Henrico County; salutes the men and women who have contributed to the success of the County's community corrections system; and calls to the attention of Henrico residents how these community corrections professionals are working daily to change lives and provide a safer community for all.

Keep Henrico Beautiful Committee Land Lover and Clean Business Awards.

Several members of the Keep Henrico Beautiful Committee will join members of the Board of Supervisors at the July 12, 2022, Board meeting to recognize the winners of this year's Land Lover and Clean Business Awards Program. One residential property owner from each of the County's five magisterial districts and one county-wide Clean Business will receive an award for their beautification and sustainability efforts.

PUBLIC HEARINGS – REZONING CASES

REZ2021-00056 Varina	Atlantic Crossing, LLC: Request to conditionally rezone from A-1 Agricultural District to M-2C General Industrial District (Conditional) Parcels 841-712-8524, 842-712-1529, 842-712-5063, 843-711-6375, 843-712-6388, and 844-709-3698 containing 530.47 acres located on the north and south lines of E. Williamsburg Road (U.S. Route 60) at its intersection with Technology Boulevard. The applicant proposes industrial and distribution uses. The uses will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Office, Office/Service, Commercial Concentration, Traditional Neighborhood Development, and Environmental Protection Area. Part of the site is in the Airport Safety Overlay District. Acting on a motion by Mr. Mackey, seconded by Mrs. Thornton, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors grant the request because it conforms with the objectives and intent of the County's Comprehensive Plan. (Deferred from the May 10, 2022, meeting.)
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REZ2022-00002
Three Chopt Markel | Eagle Advisors, LLC: Request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional) part of Parcels 733-778-7649 and 734-777-3893 containing 46.599 acres located at the southwest intersection of Pouncey Tract Road (State Route 271) and Wyndham West Drive. The applicant proposes a single-family residential development. The R-5A District allows a maximum gross density of 6 units per acre. The use will be controlled by zoning ordinance regulations and proffered conditions. The 2026 Comprehensive Plan recommends Rural Residential, density should not exceed 1 unit per acre. Acting on a motion by Mrs. Thornton, seconded by Mr. Mackey, the Planning Commission voted 5-0 (one abstention) to recommend the Board of Supervisors **grant** the request because it would permit development of the land for residential use in an appropriate manner and the proffered conditions will provide appropriate quality assurances not otherwise available. **(Deferred from the May 10, 2022, meeting.)**

PUBLIC HEARINGS - OTHER ITEMS

ORDINANCE - To Grant Verizon Virginia LLC the Right and Privilege to Construct, Operate, and Maintain a Cable System in the County.

This Board paper grants Verizon Virginia LLC the right and privilege to construct, operate, and maintain a cable system in the County, pursuant to a renewal of its cable television franchise for a five-year term.

The County originally approved a 15-year franchise agreement with Verizon on June 13, 2006. The Board of Supervisors approved negotiations to renew the franchise agreement by resolution on September 10, 2019. Following nearly three years of negotiations and two extensions of the original franchise term, Verizon and County staff are prepared to present a new franchise agreement for the Board's consideration.

The Director of General Services recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Conveyance of Temporary Construction Easements to the City of Richmond - Fairfield District.

This Board paper would authorize the Chairman to execute a compensation agreement and an agreement for temporary construction easements with the City of Richmond for their replacement of an existing sewer line that lies within Upham Brook in the Bloomingdale Subdivision. The easements will not interfere with the County's use of land.

The Directors of Public Utilities, Public Works, and Real Property recommend approval of the Board paper; the County Manager concurs.

PUBLIC COMMENTS

GENERAL AGENDA

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 20-625 Titled “Persons other than small loan companies lending money for purchase of chattels secured by liens; purchasers of conditional sale contracts” of the Code of the County of Henrico to Conform to 2022 Changes in State Law Regarding Local Business License Taxes.

This Board paper introduces for advertisement and a public hearing on August 9, 2022, a proposed ordinance to update the County Code to reflect changes in state law regarding local business license taxes that took effect on July 1, 2022. The change exempts directors of bank or trust companies from local business license taxes. This change is not expected to have a significant effect on County revenues.

The Director of Finance recommends approval of the Board paper, and the County Manager concurs.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 20-59 Titled “Agricultural, horticultural, forest and open space uses” of the Code of the County of Henrico to Conform to 2022 Changes in State Law Regarding Land Use Assessments.

This Board paper introduces for advertisement and a public hearing on August 9, 2022, a proposed ordinance to update the County Code to reflect changes in state law regarding land use assessments that took effect on July 1, 2022. The changes direct the state department of taxation to prepare uniform forms for the annual revalidation of land use assessment applications. The changes also allow the owner of an undivided interest in real property to apply for land use assessment on behalf of all owners of the property.

The Director of Finance recommends approval of the Board paper, and the County Manager concurs.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 22-36 Titled “Unnecessary noise in operation of vehicle” of the Code of the County of Henrico to Conform to 2022 Changes in State Law and Regulate Vehicle Exhaust Noise.

This Board paper introduces for advertisement and a public hearing on August 9, 2022, a proposed ordinance to update the County Code to reflect changes in state law regarding vehicle exhaust noise that took effect on July 1, 2022. The change in state law repealed the County’s authority to regulate motorcycle, moped, or motorized skateboard or scooter noise, but allows the County to enact an ordinance to regulate exhaust noise from vehicles driven on a highway within the County.

The Chief of Police recommends approval of the Board paper, and the County Manager concurs.

INTRODUCTION OF ORDINANCE - To Amend and Reordain Section 5-1 Titled “Definitions” and Repeal and Reserve Section 5-30 Titled “Control of dangerous or vicious dogs” and Section 5-31 Titled “Vicious dogs” of the Code of the County

of Henrico to Rely on State Regulations of Dangerous and Vicious Dogs as Amended by the General Assembly.

This Board paper introduces for advertisement and a public hearing on August 9, 2022, a proposed ordinance repealing local regulations of dangerous and vicious dogs and relying instead on state regulations as amended by the General Assembly. Reliance on state regulations promotes public safety by allowing for consistent enforcement of uniform regulations across the Commonwealth. State regulations also allow for increased penalties in serious cases involving vicious dogs.

The Chief of Police recommends approval of the Board paper, and the County Manager concurs.

RESOLUTION - Signatory Authority - Lease Amendment - Henrico Area Mental Health and Developmental Services - Providence Forge.

This Board paper would authorize the County Manager to execute a lease amendment for office space in the Forge Professional Building in Providence Forge for delivery of mental health services to residents of New Kent County and Charles City County under a cooperative agreement.

Henrico Area Mental Health and Developmental Services has occupied the space since 1988, and the amendment will extend the lease for a five-year term ending on June 30, 2027. The current monthly rent of \$3,134.46 will continue for the first year and increase 3% each year thereafter.

This lease is subject to annual appropriation. The Directors of Henrico Area Mental Health and Developmental Services and Real Property recommend approval of this Board paper; the County Manager concurs.

RESOLUTION - Acceptance of Roads - Fairfield, Brookland and Varina Districts.

This Board paper would accept the following named and described sections of roads into the County road system for maintenance.

0.78 miles of Woodman Road and Magnolia Ridge Drive – Fairfield District

0.27 miles of Britlyn North – Brookland District

0.41 miles of Dorey Park Access Road – Varina District

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