

(To: Display Advertising (Classified Section))

Please run the following ad on **Tuesday, August 28, 2018 and Tuesday, September 4 2018** in the Zoom Section of the **Free Lance-Star**. with the usual format: bold border; Spotsylvania County seal; 2 columns wide; underline as shown; larger, darker print for underlined portions. (Ref. P O # 9518)

PUBLIC NOTICE

The Spotsylvania County Board of Supervisors will hold a public hearing at 6:30 p.m. on Tuesday, September 11, 2018 in the Board of Supervisors' Meeting Room in the R. E. Holbert Memorial Building, 9104 Courthouse Road, Spotsylvania, VA, 22553, to consider the following:

Rezoning(s):

R16-0009 Palmers Creek, LLC and Massaponax Land Company, L.L.C. (Ordinance No. RO16-0009): Request a rezoning of approximately 25.13 acres from Commercial 3 (C-3) and Rural (RU) to Mixed Use 5 (MU-5) with proffers to allow for a maximum of 400 multi-family units and a maximum of 40,000 square feet of commercial uses known as Palmers Creek. The property is located on the west side of Jefferson Davis Highway (Route 1) approximately one mile south of the Spotsylvania Parkway (Route 628) and Jefferson Davis Highway (Route 1) intersection. The property is located within the Primary Development Boundary. The property is identified for Mixed Use development on the Future Land Use Map of the Comprehensive Plan. Tax parcels 49-A-112, 49-A-114 and 49-A-114A(portion). Lee Hill Voting District.

Special Use(s):

SUP18-0006 Shirley P. Joseph (Columbia Gas of Virginia, Inc.): Requests special use permit approval to allow a public utility, light on Rural (RU) zoned property. Approval of the special use permit will allow the installation of a PIG insertion facility on a portion of TM# 4-10-6 (.32 acres). The property is located at 15213 Spotswood Furnace Road, which is located on the west side of Spotswood Furnace Road (Route 620) approximately .85 miles north of the Spotswood Furnace Road (Route 620) and Elys Ford Road (Route 610) intersection. The property is located outside the Primary Development Boundary. The property is identified for Rural Residential development on the Future Land Use Map of the Comprehensive Plan. Tax parcel 4-10-6. Chancellor Voting District.

Amendment(s):

CA18-0002 Spotsylvania County Planning Commission, Ordinance No. 23-176: An amendment of Spotsylvania County Code Chapter 23, Zoning, Article 4, Development Review Procedures, to amend Section 23-4.6. Zoning Map Amendments (Rezoning), as follows: Sec. 23-4.6.1. Purpose and applicability, to add "the availability of or plans for construction of necessary public utilities" and "development in an area" as considerations in the rezoning process, and to add "facilities and" between the terms 'public' and 'services'; Sec. 23-4.6.2, Initiation of amendment; application requirements for amendments; determination of completeness, to delete the sentence "preparation of the plan by a licenses architect, engineer or surveyor is required from subsection (d), and under subsection (d)(1) to add the requirement for computations with the site data summary table in (g), to add "graphic depiction" of the boundaries of any water bodies, etc. in (8) and to add "dam break inundation areas" to (8), to delete "cement" prior to sidewalk and add "bicycle or multi-use trails" to (10), to delete (13) and renumber (14) as (13) through (23) as (22), and to replace "professional person" with "the licensed architect, engineer, landscape architect, or surveyor" in renumbered (22); to add Sec. 23—4.6.3(c), which states:

“(c) Proffered dedications of land for public facilities must be pursuant to a project identified within the Capital Improvement Plan (CIP) or substantially in accord with the Comprehensive Plan in accordance with Virginia Code §15.2-2232. Proffered conditions that include land dedication, but not including right of way along existing roadways, shall be accompanied by the following:

(1) Topographical and boundary survey of the property to be proffered, including identification of resource protection areas (RPAs) and jurisdictional wetlands, known hazards, and preliminary geotechnical information;

(2) Phase I environmental site assessment;

(3) Phase I archaeological survey and report;

(4) Endangered species survey and report; and

(5) An appraisal report prepared by a Certified General Appraiser licensed by the Virginia Real Estate Appraiser Board accompanied by an affidavit from the appraiser certifying its compliance with the Uniform Standards of Professional Appraisal Practice, as amended, and meeting the following standards:

a. The appraised market value of the property shall be valued coincident with the date of the appraisal report;

b. The appraisal of the property shall be done as-is and free of hypothetical conditions; and

c. The appraisal shall not exceed the value for the highest and best use that is consistent with the existing zoning requirements and shall be for a use for which the property is adaptable and needed or likely to be needed in the reasonably near future, that considers factors including but not limited to, known hazards, slopes, resource protection areas, jurisdictional wetlands, floodplains, and soil conditions of the property and for which existing roads serving the property are sufficient to support the highest and best use proposed for the property.”

The amendments include edits related to punctuation, capitalization, internal consistency, and wording changes to enhance clarity to Sec. 23-4.6.1 through Sec. 23-4.6.11.

CA18-0003 Spotsylvania County Planning Commission, Ordinance No. 23-177: An amendment of Spotsylvania County Code Chapter 23, Zoning, Article 2, Definitions and Rules of Construction, Sec. 23-2.1.4. Definitions, and Article 4, Development Review Procedures, Section 23-4.11. Site Plan Review, as follows: Sec. 23-2.1.4, to define Applicant as “any person submitting any application required or permitted pursuant to any of the provisions of this Chapter, including its successors and assigns”, add the following sentence to the definition of Open Space, “In cluster subdivisions, the limitations related to slopes and to vehicular surfaces for the purpose of access to the cluster development shall not apply”, to add the underlined portion to the definition of Site Plan, as follows:

Site plan means the proposal for a development or subdivision, except:

(i) Individual single-family detached dwellings, and

(ii) Accessory structures where the land disturbance is less than two thousand five hundred (2,500) square feet, including all covenants, grants or easements and other conditions relating to use location and bulk of buildings, density of development, common open space, public facilities and other information as required by the zoning ordinance to which the proposed development is subject.

(iii) Building or structure additions that disturb less than 2,500 square feet unless it amends other site features or utilities, which shall require a minor site plan.

Site plan, building addition is a plan for modification to an existing building or structure that disturbs less than 2,500 square feet, and does not require amendments to parking, landscaping, or the extension

of public water or sewer lines and may be completed with approval of building plans, zoning use approval, and meeting the Chesapeake Bay water quality standards.

Site plan, linear trail is a plan for land disturbance of equal to or greater than 2,500 square feet exclusively for trail construction. A plan that includes parking or accessory structures shall be submitted as a Site Plan, major or minor.

Site Plan, infrastructure is a plan which demonstrates that all required infrastructure is feasible within the proposed project and that shows the location of all property lines, topography, and monuments and the possible locations of rights-of-way, water and sewer lines, and vehicle and pedestrian access.

Site plan, major is a plan for development, redevelopment, or accessory structures where the land disturbance is equal to or greater than 10,000 square feet.

Site plan, minor is a plan for development, redevelopment, or accessory structures where the land disturbance is equal to or greater than 2,500 square feet but less than 10,000 square feet and for development projects proposing modification to public water and sewer lines, access onto a public right-of-way, or parking.

To amend Sec. 23-4.11.1, Purpose and applicability, subsection (b) to clarify that Site Plan approval shall be a prerequisite to any development or redevelopment, and add (c), as follows:

(c) Site Plan review and approval is applicable to:

- (1) Single family detached dwellings or accessory structures. Agreement in Lieu of Plan Approval may be substituted for Site Plan approval in accordance with Section 23-4.1.1.(i);
- (2) Site Plan, major;
- (3) Site Plan, minor;
- (4) Site Plan, linear trail; and
- (5) Site Plan, infrastructure.

To amend Sec. 23-4.11.2(c), which lists Site Plan requirements, to renumber using Roman Numerals and to reorder the listed items identify which items are required on the Title Page and on the Plan Sheets, and to add requirements to subsection (2)(xxi) to identify the 100 year floodplain limits and dam break inundation zone limits, and to (2)(xxviii) for a legend for all symbols shown on the plan.

To amend Sec. 23-4.11.2(h) to require a complete plat application for any required public or private easements and right-of-way dedication prior to site plan approval, removing the requirement that the plat be approved and recorded prior to side plan approval.

To amend Sec. 23-4.11.7. Submission of revised Site Plan, construction drawings and performance guarantees, subsection (b) to remove the clause requiring the payment of all fees prior to the site plan being considered approved and replacing it with a requirement that the payment of all associated permit fees occur within six (6) months of approval of the Site Plan or the Site Plan will be void and a new application and fees will be required; and to amend Sec. 23-4.11.7(c) to require the approval and recordation of required plats and deeds prior to issuance of Final Zoning Certification and Occupancy Permit.

The amendments include edits related to punctuation, capitalization, internal consistency, and wording changes to enhance clarity to Sec. 23-4.11.1 through Sec. 23-4.11.9.

Persons interested may appear and present their views at the public hearing described above. Any public hearing cases, including any ordinances as applicable, are on file and available in the Planning Department, located at 9019 Old Battlefield Blvd, 3rd Floor, Spotsylvania, Virginia, 22553, and may be inspected between 8:00 a.m. and 4:30 p.m., Monday through Friday. The Board of Supervisors

encourages the participation of all interested County citizens. For those with special needs, please notify the Office of the County Administrator of any accommodations you may require at least five days before the meeting you wish to attend.

By the Spotsylvania County Board of Supervisors

_____ Wanda
_____ Kimberly
_____ Leon