



**BOARD OF SUPERVISORS**  
**DEWEY L. RITCHIE**  
 Election District No. 1  
**SALLIE WOLFE-GARRISON**  
 Election District No. 2  
**RICK L. CHANDLER**  
 Election District No. 3  
**WILLIAM B. KYGER, JR.**  
 Election District No. 4  
**MICHAEL A. BREEDEN**  
 Election District No. 5

**ROCKINGHAM COUNTY**

**BOARD OF SUPERVISORS MEETING**  
 March 24, 2021

6:00 P.M. CALL TO ORDER – CHAIRMAN RICK L. CHANDLER  
 INVOCATION – SUPERVISOR WILLIAM B. KYGER, JR.  
 PLEDGE OF ALLEGIANCE – COUNTY ATTORNEY THOMAS H. MILLER, JR.

1. Approval of Minutes –Regular Meeting of March 10, 2021
2. Report – Virginia Department of Transportation – Residency Administrator  
Donald F. Komara
3. FY 2021-2022 Budget Proposal – Rockingham County Public Schools –  
Dr. Oskar Scheikl, Division Superintendent
4. Intent to Adopt - Ordinance to amend Section 7-77 of the Rockingham County  
Code pertaining to the Food and Beverage Tax.
5. Intent to Adopt – New Ordinance to Chapter 7 of the Rockingham County  
Code, enacting a cigarette tax.
6. Staff Reports:
  - a. County Administrator – Stephen G. King
  - b. County Attorney – Thomas H. Miller, Jr.
  - c. Assistant County Administrator – Casey B. Armstrong
    - 1) Consideration – Overlook Produce and Farm Adventures Agriculture &  
Forestry Industries Development (AFID) Grant
  - d. Director of Finance – Patricia D. Davidson
  - e. Director of Public Works – Philip S. Rhodes
    - 1) Landfill Tipping Fees – Proposed Rate Increase
  - f. Director of Community Development – Rhonda H. Cooper
7. Committee Reports: Airport, Buildings and Grounds, Central Shenandoah  
Planning District Commission, Chamber of Commerce, Community Criminal  
Justice Board, Finance, Harrisonburg-Rockingham Metropolitan Planning  
Organization, Harrisonburg-Rockingham Regional Sewer Authority,  
Massanutten Regional Library, Public Works, Shenandoah Valley Partnership,  
Social Services, Technology, VACo Liaison, Chairman, Other
8. Committee Appointments:
  - a. Community Services Board

7:00 P.M. 9. Public Hearing – Proposed FY 2021-2022 Water and Sewer Rates

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*Recess for a meeting of the Countryside Sanitary District*

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10. Meeting of Countryside Sanitary District
  - a. Call to Order – Chair
  - b. Approval of Minutes – Meeting of February 24, 2021
  - c. Public Hearing – Proposed Rates, Fees
  - d. Adjourn

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*Reconvene Regular Meeting of the Board of Supervisors.*

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11. Public Hearings:

a. Agricultural-Forestal District Review (Ordinance Amendment)

OA/AFP21-032, The County of Rockingham has initiated a review of the Western Rockingham Agricultural & Forestal District (AFD) according to the Code of Virginia, §15.2-4300 through §15.2-4314. The County Agricultural-Forestal District Advisory Committee and Planning Commission have recommended adoption of an amendment to Chapter 17, Zoning Ordinance, Article V, Section 17-510, Western Rockingham AFD to revise the total acreage and renew the District for a 10-year period, with exiting conditions unmodified.

b. Special Use Permits:

SUP21-003, Bryan & Amy Duff, 769 Newdale School Road, Timberville VA for recreation inside a building located on property on the south side of Newdale School Road (Route 796) approximately 0.2 mile west of Interstate 81 in Election District 1. Zoned A-2-General Agricultural. Tax Map #53-(A)-45A2.

SUP21-036, Crystal Yoder, 7741 Mill Creek Church Road, Port Republic, VA for a school located on the east side of Arch Drive (private) approximately 144' south of Friedens Church Road (Route 682) in Election District 4. Zoned A-2-General Agricultural. Tax Map #138-(A)-L41.

12. Closed Meeting – Pursuant to Section 2.2-3711.A(5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community

13. Unfinished Business

\*\*\* ADJOURN \*\*\*

March 10, 2021

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, March 10, 2021, at 3:00 p.m., at the Rockingham County Administration Center, Harrisonburg, Virginia.

The following members were present:

- DEWEY L. RITCHIE, Election District #1
- SALLIE WOLFE-GARRISON, Election District #2
- RICK L. CHANDLER, Election District #3
- WILLIAM B. KYGER, JR., Election District #4
- MICHAEL A. BREEDEN, Election District #5

Also present:

- BRYAN F. HUTCHESON, Sheriff
- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- CASEY B. ARMSTRONG, Assistant County Administrator
- RHONDA H. COOPER, Director of Community Development
- PATRICIA D. DAVIDSON, Director of Finance
- PHILIP S. RHODES, Director of Public Works
- TAMELA S. GRAY, Deputy Clerk
- C. BURGESS LINDSEY, Assistant Residency Administrator  
Virginia Department of Transportation

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**CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
INVOCATION.**

Chair Chandler called the meeting to order at 3:02 p.m.

Chair Chandler provided the invocation, and County Attorney Miller led the Pledge of Allegiance.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the regular meeting of February 24, 2021.

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**SPOTTED LANTERNFLY PRESENTATION.**

David Gianino, Program Manager for the Office of Plant Industry Services, and Kyle Rhodes, Spotted Lanternfly Crew Supervisor, both from the Virginia Department of Agriculture and Consumer Services (VDACS), provided a slide presentation regarding the spotted lanternfly (SLF). The SLF was transported from China to Berks County, Pennsylvania in 2014. VDACS staff began studying the SLF when it was found in Winchester in 2018. VDACS is working with the United States Department of Agriculture (USDA) on a

management plan. They are also working with the Department of Forestry (VDOP), and local partners to mitigate the SLF's impact.

In 2020, SLF populations were found in Frederick, Warren, Clarke, Shenandoah, and Augusta counties in Virginia. Rockingham County does not currently have an infestation, but there is concern about agricultural commodities, such as apples and grapes. Mr. Rhodes indicated the SLF can also be a residential nuisance pest.

The VDACS has been working with businesses and property owners to help slow the spread of the SLF by surveying property, finding the SLF and reducing egg masses. The SLF does not move very far. Mr. Rhodes stated VDACS is most concerned about the spread of SLF by human-assisted movement, such as trains, trucks, and other motor vehicles. Mr. Rhodes stated a key factor in reducing the SLF is educating people regarding what the bug looks like, where it can be found, and the use of best management practices.

Mr. Gianino noted the VDACS Commissioner signed an emergency quarantine in 2019 for Frederick County and Winchester, which requires businesses moving regulated articles out of quarantined areas attend a training program, obtain a quarantine permit, and follow the terms of the permit. He said means of transport moving items out of the quarantine zone are inspected and must not have any SLF. Mr. Gianino said the quarantine will be expanded to Clarke and Warren counties on March 17, 2021, since they are close to main transportation routes.

Mr. Gianino said the majority of SLF in the United States are concentrated in the northeast. If a vehicle from a quarantined state travels out of that state, they will not be allowed to travel through other states without a quarantine permit that guarantees their truck has no SLF on any item.

Mr. Rhodes said if someone finds a bug believed to be a SLF in Rockingham County, they should kill it, keep it, and call VDACS to confirm it is a SLF. Vehicles should be inspected to ensure the SLF is not transported. Mr. Rhodes stated residents and localities can survey and report sightings of the SLF for early detection and a rapid response; when SLF was confirmed in Augusta County, the site was treated the next day.

The VDACS wants more partners to help slow the spread of the SLF. Current partners are the Virginia Department of Transportation, Department of Forestry, USDA, Cooperative Extension Offices, Virginia Polytechnical Institute, and numerous municipalities throughout the region.

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Supervisor Kyger attended a National Association of Counties (NACo) steering committee meeting three years ago where a member from Berks County, Pennsylvania brought the spotted lanternfly to the steering committee's attention. Supervisor Kyger has encouraged VDOT to cut down ailanthus trees (also called tree of heaven) they see as they are mowing and cutting brush along roads, and he has encouraged farmers to cut all trees along their fence rows. He said the trees need to be killed to take away SLF nesting and spawning. Supervisor Kyger indicated vineyards have been taking precautionary actions, but it is important for the community to be aware of the SLF and the possible harm to agricultural products.

Mr. Gianino responded to Supervisor Ritchie's questions about the SLF, indicating an adult SLF measures one inch to one and one-half of an inch from its head to the back of it. He noted SLF nymphs are about the size of the head of a straight pin. Mr. Gianino said very little natural predation of the SLF has been observed, but non-native praying mantises, and a few birds kill the SLF. Mr. Gianino noted when the climate is wet a particular fungus can attack the adult SLF, but it is not enough to control the SLF. Mr. Gianino reported that the SLF tends to feed on the trees of heaven but will feed on over 100 different species of trees, as well as plants found in the forest and urban areas, including wild grapes and maple trees, particularly red maple trees.

Mr. Gianino noted the SLF produces one generation a year. The nymphs will hatch out of their eggs at the end of April or beginning of May and will remain in the immature stage

until July. Mr. Gianino said the adult SLF is present from July until the first frost. They lay their eggs around September and the egg masses are in the environment from September until April.

Supervisor Breeden asked Ms. Cooper if a similar presentation could be arranged for the Blue Ridge Committee for Shenandoah Park Relations. Ms. Cooper indicated a committee member from Warren County could probably provide a presentation since Warren County is part of the Blue Ridge Committee. Ms. Cooper stated the importance of making industries aware of SLF, noting Josh Gooden is already working with Mr. Rhodes to provide educational information to railroad lines, industrial haulers, and farmers.

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**TRANSPORTATION DEPARTMENT.**

The Board heard Assistant Residency Administrator Lindsey’s report on the activities of the Transportation Department, including updates to recent bridge, road, and rural rustic projects.

Mr. Lindsey said VDOT fought the ash bore beetle a couple years ago and will look for the spotted lanternfly.

He noted the bridge project over Interstate 81 will include a spur lane at exit 247 East so motorists can travel to Linda Lane, near Lowes, without immediately merging across several lanes of traffic as they exit the interstate ramp onto East Market Street (Route 33).

Concerning the Rawley Pike (Route 33 West) project, Mr. Lindsey said attorneys who represent VDOT are talking with the United States Forest Service in an attempt to obtain the desired right-of-way.

Mr. Lindsey indicated the invoice for the turn-lane at Spotswood High School was sent to the County for approval.

Maintenance items included ditching, shoulder work, replacing pipes before summer paving begins, brush cutting, and spot grading dirt roads.

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Mrs. Davidson noted funds have been in the County’s fund reserve for a couple years awaiting execution of the Spotswood High School turn-lane improvement project. She requested that the Board appropriate these funds.

On behalf of the Finance Committee, on motion by Supervisor Kyger, seconded by Supervisor Breeden and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the following supplemental appropriation:

**GENERAL FUND**

**Spotswood High School Turn Lane**

The project will widen the turn-lane at the intersection of Route 33 and Blazer Drive, leading into Spotswood High School from the existing single-lane to a double turn-lane configuration. Funds are in the fund balance to cover this cost.

Supplemental Appropriation: \$350,431

- \$350,431 GL Code: 1001-00000-15201-000-352000-000 General Fund: Fund Reserve
- \$350,431 GL Code: 1001-09301-00000-000-509511-000 General Fund: Transfer to Capital Projects
- \$350,431 GL Code: 1101-09403-00000-000-503106-000 Capital: Spotswood Trail Project
- \$350,431 GL Code: 1101-00000-15102-000-351000-000 Capital: Transfer from General Fund

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Mrs. Davidson presented Mr. Lindsey with a \$350,431 check to cover the County’s allocation toward the Spotswood High School turn-lane improvement project.

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**RESOLUTION – SHENANDOAH MOUNTAIN NATIONAL SCENIC AREA.**

Supervisor Kyger provided a proposed resolution in support of the Shenandoah Mountain National Scenic Area (SMNSA), which is a Congressional Designation. The resolution included right-of-way protection for VDOT.

Supervisor Kyger stated he would like to ensure right-of-way protection for the Department of Transportation to support the Shenandoah Mountain National Scenic Area (SMNSA). VDOT requested a 200-foot buffer along Route 33 West. The resolution calls for a 350-foot buffer. Supervisor Kyger reviewed minor revisions made to the draft resolution to protect the County from viewshed requirements or development restrictions, and to protect the County’s land use ordinances and processes. Supervisor Kyger indicated the resolution also contains language that, if any governing body determines there are unintended consequences because of these designations, the local governing body would be put on notice that it would seek anything it could to resolve or mitigate those type of unintended consequences. Supervisor Kyger noted a lot of hard work and research went into this process over a number of years.

Since the Congressional Designation lies within District 4, Supervisor Kyger made a motion to adopt the resolution as revised. Supervisor Wolfe-Garrison seconded the motion. By a roll call vote 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board adopted the following resolution:

**Shenandoah Mountain National Scenic Area (Proposed)  
Resolution in Support of Congressional Designation**

**WHEREAS**, Friends of Shenandoah Mountain, a local broad-based coalition of organizations, businesses, faith groups, and individuals, has proposed Congressional designation of a 90,000-acre tract of George Washington National Forest (GWNF) land on Shenandoah Mountain between Route 33 and Route 250 as a National Scenic Area with four embedded Wilderness areas;

**WHEREAS**, 38,650 acres of the Proposal lie within Rockingham County, with 33,422 acres proposed for National Scenic Area designation and approximately 5,200 acres proposed for Wilderness designation;

**WHEREAS**, the Board supports protection of high-quality water resources on the GWNF;

**WHEREAS**, the Proposal area on Shenandoah Mountain supplies pure drinking water for Bridgewater, Harrisonburg, and parts of Rockingham County, and includes the watershed for Switzer Dam;

**WHEREAS**, Wilderness designation of Skidmore Fork, the watershed for Switzer Reservoir, would provide the strongest protection for critical water resources for the City of Harrisonburg and some Rockingham County residents;

**WHEREAS**, Proposal boundaries will be set back from Harrisonburg’s Switzer Reservoir, and access road, which are located in part on City land and in part on National Forest land, at a distance recommended by the City to allow for flexibility to meet future needs;

**WHEREAS**, Harrisonburg’s Dry Run Reservoir and its access road, located in part on City land and in part on National Forest land, will be completely excluded from the SMNSA Proposal;

**WHEREAS**, designation of the Shenandoah Mountain National Scenic Area (SMNSA) would protect the headwaters of the Dry River, Gum Run, Black Run, Skidmore Fork, Hone Quarry Run, and Briery Branch streams, which are a regional stronghold for native brook trout;

**WHEREAS**, the Board supports outdoor recreational activities in the National Forest, including hunting, fishing, camping, hiking, mountain biking, scenic driving, nature study, rock climbing, and horseback riding;

**WHEREAS**, in a letter dated 03/15/2012, the Board endorsed the collaboration of the George Washington National Forest stakeholder group, which has recommended the proposed SMNSA and four embedded Wilderness areas for Congressional designation, in conjunction with an increase in active management across the National Forest;

**WHEREAS**, the GWNF Land and Resources Management Plan recommends the SMNSA for Congressional designation;

**WHEREAS**, the SMNSA Proposal has been endorsed by over 400 businesses and organizations and by numerous neighboring landowners, many of which are in Rockingham County;

**WHEREAS**, all current access roads within the Proposal area would remain open and maintained, to the extent possible;

**WHEREAS**, the proposed boundaries of the SMNSA will be adjusted by 350 feet to allow for widening and improvement of Route 33;

**WHEREAS**, Route 924, the state-maintained access road to the crest of Shenandoah Mountain, would continue to be maintained by VDOT and, if necessary, realigned;

**WHEREAS**, the National Scenic Area legislation will be written to support:

- maintenance of and improvements to existing dams and reservoirs within the Proposal, including Briery Branch and Hone Quarry reservoirs in Rockingham County,
- tapping into existing reservoirs for municipal use, and
- establishment of new reservoirs, if needed, for the public good;

**WHEREAS**, recreational facilities, such as Hone Quarry Picnic Area and Campground, and historic structures of cultural significance (High Knob Fire Tower, built by the Civilian Conservation Corps (CCC) and World I Veterans, and Hone Quarry Picnic Shelter, built by the CCC could be maintained;

**WHEREAS**, trails will be maintained, and new trails constructed, either by the GWNF or by volunteer groups;

**WHEREAS**, prescribed fires may be conducted in the SMNSA;

**WHEREAS**, wildlife clearings in the SMNSA may be maintained and some new clearings may be added;

**WHEREAS**, pests and non-native invasive species may be controlled, as determined necessary by the Forest Service;

**WHEREAS**, fire and rescue procedures and policies that would pertain to the Skidmore Fork Wilderness have been reviewed by the Rockingham County Fire Chief and deemed acceptable;

**WHEREAS**, members of the public may continue to gather firewood in the National Scenic Area with a National Forest permit;

**WHEREAS**, designation of the SMNSA pertains to National Forest land only and would in no way restrict private property rights of landowners adjacent to or within the area;

**WHEREAS**, designation of the SMNSA would support and enhance the local tourism economy and quality of life for county residents;

**WHEREAS**, designation of the SMNSA would not adversely affect Rockingham County's ability to receive payments in lieu of taxes (PILT) payments;

**WHEREAS**, Rockingham County will not be subject to any viewshed requirements or development restrictions on lands not under management of the GWNF; and that all zoning and land use ordinances of Rockingham County for lands not under the management of the GWNF remain solely the authority and discretion of the local governing body;

**WHEREAS**, should, at some future date, the local governing body determine that negative, unintended consequences are occurring because of these designations, the local government body has the authority and right to seek removal of these designations by all means at their disposal.

**NOW, THEREFORE, BE IT RESOLVED**, that the Rockingham County Board of Supervisors supports Congressional designation of the Shenandoah Mountain National Scenic Area and embedded Skidmore Fork Wilderness.

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**COUNTY ADMINISTRATOR'S STAFF REPORT.**

Administrator King recognized two key members of the Technology team, Dusty Moyers and Michael Krone; and he complemented the Technology staff for doing a great job.

Administrator King indicated over the past month, Chief Holloway and fire and rescue staffs' lives have revolved around the vaccination process. Mr. King stated he is very proud of the group, as they have demonstrated respect, dignity, compassion, and professionalism to the citizens receiving their vaccines.

Supervisor Chandler agreed that the vaccine distribution has been an extremely smooth operation and noted that the Board members continue to receive positive comments and appreciation for the County assisting with the vaccination clinics.

Supervisor Kyger stated improvements may be needed at the Fairgrounds in case the County and Fairgrounds need to be prepared for another unforeseen emergency situation in the future.

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**ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.**

The Board received and reviewed Mr. Armstrong's staff report dated March 10, 2021.

Mr. Armstrong informed the Board of a \$15,000 Agriculture Forestry and Industrial Development (AFID) grant request from Overlook Produce and Farm Adventures, which started as a roadside produce stand that Joseph and Janice Ulmer began operating in the Dayton area in 2012. The Ulmers recently purchased property along Friedens Church Road (Route 682) off Interstate 81 at Exit 240, to expand their farm market operations. With this expansion, the Ulmers will invest approximately \$850,000 into the property and create six new jobs over the next three years. Approximately 70 percent of the products sold will be grown in Virginia, Mr. Armstrong said.

Mr. Armstrong asked the Board members to consider supporting Overlook Produce and Farm Adventures, and possibly take action at the March 24, 2021 Board meeting.

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**FINANCE DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Davidson's staff report dated March 10, 2021.

Mrs. Davidson announced that public hearings will be held on March 24, 2021 for several proposed items but stated the budget public hearing will be held on April 14, 2021.

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**FINANCE COMMITTEE.**

Mrs. Davidson noted that procurement for the Rockingham Park Pavilion II was listed on her staff report as not needing action. Since preparing her staff report, the County has received six responses to construct the pavilion, with the low bid submitted by Stoneburner, Inc. at a cost not to exceed \$37,500.

On behalf of the Finance Committee, on motion by Supervisor Kyger, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board authorized staff to accept the bid for the Rockingham Park Pavilion II construction from Stoneburner, Inc. at a cost not to exceed \$37,500.

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On behalf of the Finance Committee, on motion by Supervisor Kyger, seconded by Supervisor Breeden, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the following supplemental appropriation:

**GENERAL FUND**

**Recreation Tractor**

The Recreation department has been using a loaner tractor at the Rockingham Park at the Crossroads for the last several months. The tractor is used for turf work, seeding of open play areas, regrading of infields, hauling dirt and debris, carrying, and placing park equipment, digging post holes, mowing, and other tasks. Staff is concerned about the ability to continually use the loaned equipment.

Three bids were received for a tractor to be used at Rockingham Park. The low bid of \$37,100 for a new John Deere tractor was available at the State Contract price, Mrs. Davidson reported. Funds are available in the contingency account to cover the purchase.

On behalf of the Finance Committee, on motion by Supervisor Kyger, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board authorized the transfer of funds to purchase a new tractor at a cost of \$37,100 for use at Rockingham Park.

Supplemental Appropriation: \$37,100

\$37,100	GL Code: 1001-09110-00000-000-505800-000	General Fund: Contingency
(\$37,100)	GL Code: 1001-07105-00000-000-508005-000	Recreation Equipment

In response to questions from Supervisor Wolfe-Garrison, it was noted that the tractor was purchased locally from John Deere and James River Equipment and will be housed securely.

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Administrator King announced that Rockingham County Public Schools Superintendent Dr. Oskar Schiekl will attend the March 24, 2021 Board meeting to present the Schools proposed budget. Mr. King noted he and Mrs. Davidson had a productive meeting with Dr. Schiekl and Schools' Chief Financial Officer Cheryl Mast earlier in the day. He anticipates Schools' request will be consistent with what has been approved in the budget and presented to the Board. School staff does not yet know the amount of funding they will

receive from the State of Virginia. During the meeting, the group discussed developing a funding formula in the next six months, along with input from the Board, to be followed annually. Mr. King said the formula Mrs. Davidson had developed was very close to the amount of funding Schools and the County had in mind for this year.

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**HUMAN RESOURCES DIRECTOR’S STAFF REPORT.**

The Board received and reviewed Mrs. Mongold’s staff report dated March 10, 2021.

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**PUBLIC WORKS STAFF REPORT.**

The Board received and reviewed Mr. Rhodes’ staff report dated March 10, 2021. He noted his report includes the new capacity at the Harrisonburg-Rockingham Regional Sewer Authority, which increases the County’s allocation from 4.6 million gallons to 5.6 million gallons.

In response to a question from Supervisor Breeden, Mr. Rhodes reported that the McGaheysville lagoon is 70 percent complete, and they are trying to remove more sludge from the eastern lagoon.

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**COMMUNITY DEVELOPMENT DIRECTOR’S STAFF REPORT.**

The Board received and reviewed Ms. Cooper’s staff report dated March 10, 2021.

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On motion by Supervisor Kyger, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board removed from the table REZ20-306, Mike Nacarato, 519 New Paul Road, Lavergne, TN 37086. Request location: West side of Walton Way (VA 950), 0.2 miles north of Friedens Church Road (VA 682). Request to rezone Tax Map Parcel 137-(A)-L86 and a 20.59-acre portion of an 84.956-acres of TM 137-(A)-L85, totaling approximately 26.8 acres, from B-1 (General Business) and A-1 (Prime Agricultural) to I-1 (Industrial). Election District 4.

Supervisor Kyger reminded the Board that following the public hearing on January 27, 2021, Ed Blackwell from Blackwell Engineering requested the rezoning request be tabled, because the seller had contractual matters to address. Since the applicant resolved issues with Walmart concerning their entrance, the use of Walton Way, and access to that property, Supervisor Kyger made a motion to approve REZ20-306 for Mike Nacarato.

The motion was seconded by Supervisor Breeden and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved REZ20-306, Mike Nacarato, 519 New Paul Road, Lavergne, TN 37086. Request location: West side of Walton Way (VA 950), 0.2 miles north of Friedens Church Road (VA 682). Request to rezone Tax Map Parcel 137-(A)-L86 and a 20.59-acre portion of an 84.956-acres of TM 137-(A)-L85, totaling approximately 26.8 acres, from B-1 (General Business) and A-1 (Prime Agricultural) to I-1 (Industrial). Election District 4.

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**TECHNOLOGY DIRECTOR’S STAFF REPORT.**

The Board received and reviewed Mrs. Perry’s staff report dated March 2021.

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**FIRE AND RESCUE CHIEF'S STAFF REPORT.**

The Board received and reviewed Chief Holloway's staff report dated March 2021.

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**PARKS AND RECREATION DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Dean's staff report dated March 4, 2021.

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**COURT SERVICES DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Freeman's staff report dated March 10, 2021.

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**COMMITTEE REPORTS.**

The Board heard the following committee reports from Board members and staff.

AIRPORT

Supervisor Kyger indicated a local organization will be working with Mr. Heatwole and the airport to provide better signage along the interstate and roads leading to the airport.

COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

Chair Chandler reported that the CCJB met on March 1, 2021. He was elected as chair and Laura Dent, Harrisonburg City Council member, was elected vice-chair. With assistance from Mr. Miller, the CCJB bylaws will be reviewed and reorganized to ensure they reflect what is transpiring on the CCJB, he said.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger noted the VACo Certified Supervisor's program will be provided March 12, 2021, and the quarterly NACo Board of Directors meeting will be held virtually on March 18, 2021.

OTHER

Supervisor Wolfe-Garrison stated Community Development staff and the Solar Committee members have been incredibly busy and dedicated with weekly Solar Committee meetings. They are being very thorough with this difficult and complex issue. They are working diligently to meet the deadline put before them, she said.

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**COMMITTEE APPOINTMENTS.**

On behalf of Chair Chandler, on motion by Supervisor Wolfe-Garrison, seconded by Supervisor Kyger, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board:

- Recommended Jon D. Ritenour (District 3) for appointment by the Circuit Court to the Board of Zoning Appeals for a term to expire June 30, 2025; and,

- Appointed Attorney A. Gene Hart, Jr. to the Community Criminal Justice to fill an unexpired term through December 31, 2023.

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**RECESSED FOR THE LILLY SUBDIVISION SANITARY DISTRICT MEETING.**

At 4:10 p.m., Chair Chandler declared the regular meeting recessed for a meeting of the Lilly Subdivision Sanitary District.

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**RECESSED FOR THE MASSANUTTEN WATER AND SEWER AUTHORITY MEETING.**

At 4:12 p.m., Chair Chandler declared the regular meeting recessed for a meeting of the Massanutten Water and Sewer Authority.

Mr. King announced to those viewing the meeting via web broadcast that the broadcast would be discontinued. No action was anticipated after the Massanutten Water and Sewer Authority’s Closed Meeting. The Board would resume the regular meeting and immediately enter a Closed Meeting of the Rockingham County Board of Supervisors, after which no public discussion or action was anticipated, and there were no remaining items on the Agenda.

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**RECONVENE MEETING.**

At 4:43 p.m., Chair Chandler called the regular meeting back to order.

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**CLOSED MEETING.**

On motion by Supervisor Kyger, seconded by Supervisor Ritchie, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board recessed the meeting from 4:44 p.m. to 5:14 p.m., for a closed meeting pursuant to Section 2.2-3711.A(5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business’ or industry’s interest in locating or expanding its facilities in the community.

MOTION: SUPERVISOR WOLFE-GARRISON  
SECOND: SUPERVISOR KYGER

RESOLUTION NO: 21-05  
MEETING DATE: March 10, 2021

**CERTIFICATION OF CLOSED MEETING**

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

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

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

VOTE:  
AYES: BREEDEN, CHANDLER, KYGER, RITCHIE, WOLFE-GARRISON  
NAYS: NONE  
ABSENT:

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**ADJOURN.**

Chair Chandler declared the meeting adjourned at 5:15 p.m.

\_\_\_\_\_,  
Chair

DRAFT

**PUBLIC NOTICE**  
**ROCKINGHAM COUNTY**  
**FOOD AND BEVERAGE TAX**

The Board of Supervisors of Rockingham County gives notice of its intent to adopt an ordinance to amend Section 7-77 of the Rockingham County Code pertaining to the Food and Beverage Tax, at its regular meeting on March 24, 2021, beginning at 6:00 p.m. at the Rockingham County Administration Center, 20 East Gay Street, Harrisonburg, Virginia.

Pursuant to authority granted in Section 58.1-3833 of the Code of Virginia (1950), as amended, the proposed amendment will increase the tax from four percent to six percent of the gross amount paid for all prepared food and beverages sold ready for human consumption by all restaurants and food establishments, as defined in state code.

It is proposed that the new tax rate be effective commencing July 1, 2021.

A copy of the ordinance is available for review in the County Administrator's Office, 20 East Gay Street, Harrisonburg, Virginia, or on the County's website: [www.rockinghamcountyva.gov](http://www.rockinghamcountyva.gov)

By order of the Board of Supervisors of Rockingham County, Virginia

**PUBLIC NOTICE**  
**ROCKINGHAM COUNTY**  
**CIGARETTE TAX**

The Board of Supervisors of Rockingham County gives notice of its intent to adopt a new ordinance to Chapter 7 of the Rockingham County Code, enacting a cigarette tax, at its regular meeting on March 24, 2021, beginning at 6:00 p.m. at the Rockingham County Administration Center, 20 East Gay Street, Harrisonburg, Virginia.

Pursuant to authority granted in Sections 58.1-3830 and 58.1-3832 of the Code of Virginia (1950), as amended, the proposed ordinance will enact a cigarette tax in the amount of up to \$0.02 per cigarette.

It is proposed this tax be effective commencing July 1, 2021.

The proposed ordinance is available for review in the Office of the County Administrator, 20 East Gay Street, Harrisonburg, Virginia and on the County's website:  
[www.rockinghamcountyva.gov](http://www.rockinghamcountyva.gov)

By order of the Rockingham County Board of Supervisors



# Finance Department Staff Report

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March 24, 2021

**2022 Reassessment Update** -The 2022 reassessment process is going well. Pearson Appraisal Service has completed 36,281 parcels to date out of approximately 48,237 parcels. Their staff is currently working in all areas of the County.

## **Procurement:**

### **Action:**

#### **Rockingham Park at the Crossroads Concession Operator-**

Rockingham County is seeking proposals from concession operators to provide food services at Rockingham Park at the Crossroads. Proposals were due Friday, March 5. One proposal was received. We are asking the Board to award the contract to Crossroads Café and Catering. The initial term is for 1 year with an option to renew for (4) additional 1 year terms. For the first \$50,000 in sales the County will receive an 8% rental fee. For all sales above \$50,000 the County will receive a 10% rental fee.

### **No Action:**

**Mowing- General Lots and Fields-** Rockingham County is seeking bids to establish a contract for mowing services for various County Properties. Bids were due on Thursday, March

18 at 2:00 PM. We received 10 bids and are currently evaluating them.

**Landscaping Services- SRI and Innovation Village-** Rockingham County is seeking bids to establish a contract for landscaping services at SRI and Innovation Village. Bids were due on Thursday, March 18 at 2:00 PM. We received 4 bids and are currently evaluating them.

**General Engineering Services-** Rockingham County is seeking proposals from qualified professional engineering firms to provide general and specialized engineering services. Proposals are due on Friday, April 16 at 2:00 PM.

**Wood, Waste and Stump Grinding Services-** Rockingham County is seeking bids to establish a contract for wood, waste and stump grinding services at the Rockingham County Landfill. Bids are due on Friday, April 9 at 2:00 PM.

Rockingham County  
FY21-22 Budget Calendar

December 4 – Issue budget memo and forms

January 8 – Department Budget Requests due to Finance

January 11 – Revenue review with Stephen, Casey and Trish

January 11 – January 22 – Budget meetings with Department Heads

February 4/5 – Finance Committee Review (tentative)

February 12 – Memo with Recommendations to BOS

February 15/16 – Board Work Sessions

February 24 – Advertise Public Hearing on tax rates (30-day notice required if increasing tax rate)

March 24 - Public Hearing on FY 2021-22 budget at Rockingham County Administration Board Room

Public Hearing and action on proposed water/sewer rate changes

Intent to Adopt and action on proposed tax changes

April 14 – Adoption of Budget and Tax Rates

Public Hearing on Proposed Budget

April 28 – Adoption and Appropriation of FY22 Budget

March 24, 2021

**TO:** Public Works Committee  
Board of Supervisors  
County Administrator

**FROM:** Director of Public Works

**SUBJECT: Landfill tipping Fees**

**1. Landfill tipping fees – rate increase**

Public Works and Finance Staff maintain a Solid Waste Fund spreadsheet that is reviewed throughout each year and updated annually. The spreadsheet projects revenues and expenses for a period extending out for 20 years and includes estimated costs for normal operations and maintenance as well as capital projects/expenses. The Rockingham County Landfill will be starting the design and phase 1 closure (\$6M) of the Phase 1-4 cells of the landfill within the next 12-24 months. This project, along with future closure phases, proposed cell expansion (\$5M), and increasing operations and maintenance costs are projecting the Solid Waste Fund to operate in a negative cash flow for several years. The Solid Waste Fund is an enterprise fund and staff is tasked with ensuring adequate monies are available to continue operating without the need for general tax dollars. The Fund currently has loans that covered constructions costs for the Landfill entrance and Phase 5A construction. Staff is recommending an increase to the landfill tipping fees in hopes of building our reserves to a level that loans will not be required for all of the future projects listed above.

**Action: Staff requests that the Public Works Committee recommend to the Board of Supervisors an increase in the Rockingham County Landfill tipping fees from \$52/ton to \$54/ton for Commercial, Industrial, and Residential Waste and from \$58/ton to \$60/ton for Construction and Wood Debris effective July 1, 2021.**

Please let me know if you have any questions or need additional information regarding these matters.

Respectfully Submitted  
Philip Rhodes  
Director Public Works

March 24, 2021

## STAFF REPORT: COMMUNITY DEVELOPMENT DEPARTMENT

### BOARD ACTION REQUESTED

None.

### PROJECTS AND REPORTS

#### TRANSPORTATION PROJECT APPLICATIONS (Bradford Dyjak)

The Commonwealth Transportation Board is expected to take action on the following in June:

Project # & Name	Location	Project Scope	Funding Program & Status	Cost
<b>#7125 Smithland Road (Route 720) Widening</b>	Between US-11 in and Rt. 718 in the City (approx. 0.8 miles)	Widen Rt. 720 to add a minimum 4-ft shoulder and increase lane width from 10-ft to 12-ft where possible.	SMART Scale Application submitted 8/17/20; VDOT staff recommended funding to the Commonwealth Transportation Board 1/2021.	<b>\$2.503m(no cost to County)</b>
<b>#7157 Mt. Crawford Park &amp; Ride Expansion</b>	VA 257 at I-81 Exit 240	Expansion of the existing Mt. Crawford Park and Ride at I-81, Exit 240	SMART Scale Application submitted by HRMPO 8/17/20; VDOT staff recommended funding to the Commonwealth Transportation Board 1/2021.	<b>\$2.48m</b>

### PLANNING COMMISSION ACTIONS

The Planning Commission met on March 2, and next meets April 6, which will include hearing one rezoning case.

Item	Description	Comments/ Recommendations
<b>OA/AFP21-032</b>	Review and renewal of the <b>Western Rockingham Agricultural &amp; Forestal District (AFD)</b> .	PC recommended approval 5-0 on 3/2 meeting. <b>To be heard by BOS 3/24.</b>
<b>REZ20-333</b>	<b>Baum Investments, LLC.</b> c/o George Daugherty. Request to rezone 5.69 acres <b>from A-2 to PMF and B-1</b> including a master plan proposing office uses, internally-accessed mini-storage facility and apartments. Northwest corner of Port Republic Road (VA 254) at Boyers Road (VA 704). TM # 125-(A)- L20D1. Election District 3.	Postponed by applicant 1/28 after initially being scheduled for 2/2 PC Meeting. <b>Scheduled for 4/6 PC Meeting.</b>

**PRIORITY PROJECTS UNDERWAY BY STAFF**

<b>Projects &amp; Committees</b>	<b>Staff Lead(s)</b>	<b>Status</b>	<b>Target Date</b>
<b>Lake Shenandoah Stormwater Authority</b>	Casey, Adam, & Ross	December stormwater fee bills were mailed.	N/A
<b>Building Permits Fee Schedule</b>	Joe	A new, simplified means of calculating fees is being created for clarity and to minimize the potential for error.	March 2021
<b>Implementation of New Permitting Software</b>	CD & IT Depts.	CD & IT staff held first implementation meeting 3/9 with Infovision. Weekly virtual implementation meetings to continue each Thursday.	Implementation throughout 2021 beginning March 9
<b>US 33 Arterial Management Plan</b> (from East City Line to Elkton Plaza)	Rhonda	Stakeholder interviews in April. Future trip demand forecasting meeting held 2/22. Meeting held 1/29 with VDOT & consultants.	Study to conclude by late 2021.
<b>Rockingham Bicycle Advisory Committee</b>	Bradford	Member appointments/reappointments pending at April Board meeting. RBAC will review potential updates to the County Bicycle & Pedestrian Plan and finalize Annual Work Plan at next meeting.	Next meeting in April
<b>Capital Improvements Program (CIP) Annual Update</b>	Bradford & Trish	Both CIP Advisory Subcommittee and Planning Commission recommended approval.	Present to BOS in early 2021. Adopt in April 2021
<b>Solar Facility Study Committee</b>	Rhonda	Final meeting scheduled 3/30. During the 3/16 meeting, committee continued review of staff draft recommendations for ordinance and policy considerations.	Presentation to Board in April 2021
<b>Ongoing Review/Tasks</b>	<b>Staff Lead(s)</b>	<b>Status</b>	
<b>Deed Review</b>	Diane	17 deeds under review as of 3/16/21: 4 pending review, 13 awaiting revision.	
<b>Violations</b>	Kelly	64 active complaints, 23 cases pending legal action as of 3/17/21	
<b>Environmental (E&amp;S/Stormwater) Plan Review</b>	Adam	17 plans under review, 55 approved and awaiting permit issuance, as of 3/17/2021	
<b>Environmental Inspections</b>	Adam	325 inspections conducted as of 3/2/2021	
<b>Building Inspections/Plan Review</b>	Joe	1,765 inspections conducted in February; 46 plans under review as of 3/17/21	

## UPCOMING PUBLIC HEARINGS

March 24 Board of Supervisors Meeting at 7:00 p.m.

### AGRICULTURAL-FORESTAL DISTRICT REVIEW

**OA/AFP21-032**, Review of the **Western Rockingham Agricultural & Forestal District (AFD)** according to the Code of Virginia, §15.2-4300 through §15.2-4314. The County Agricultural-Forestal District Advisory Committee and Planning Commission have recommended adoption of an amendment to Chapter 17, Zoning Ordinance, Article V, Section 17-510. Western Rockingham AFD, to revise the total acreage and renew the District for a 10-year period, with existing conditions unmodified.

### SPECIAL USE PERMITS

**SUP21-003 Bryan & Amy Duff**, 769 Newdale School Road, Timberville VA for recreation inside a building located on property on the south side of Newdale School Road (Rt. 796) approximately 0.2 mile west of Interstate 81 in Election District 1. Zoned A-2-General Agricultural, Tax Map #53-(A)-45A2.

**SUP21-036 Crystal Yoder**, 7741 Mill Creek Church Road, Port Republic, VA for a school located on the east side of Arch Drive (private) approximately 144' south of Friedens Church Road (Rt. 682) in Election District 4. Zoned A-2-General Agricultura, Tax Map #138-(A)-L41.

## REQUESTS TABLED BY BOARD OF SUPERVISORS

SPECIAL USE PERMIT APPLICATION(S)					
Year Tabled	Date Tabled	Case #	Applicant	Request	Election District
2020	1/8/20	19-286	Soil Health Technologies	Composting site (like use to refuse and recycling center)	2
2020	9/9/20 & 10/28/20	20-127	Caden Energix	Large-scale solar facility	1
2020	12/9/20	20-297	Todd White	Two additional dwellings	3
REZONING REQUEST(S)					
Year Tabled	Date Tabled	Case #	Applicant	Request	Election District
-	-	-	N/A	N/A	-
ORDINANCE AMENDMENT(S)					
Year Tabled	Date Tabled	OA #	Applicant	Request	
2020	1/8/20	19-267	Staff-generated	Section 17-201 & 17-607 using semi-trailers for storage	

## COUNTY-INITIATED ORDINANCE AMENDMENTS

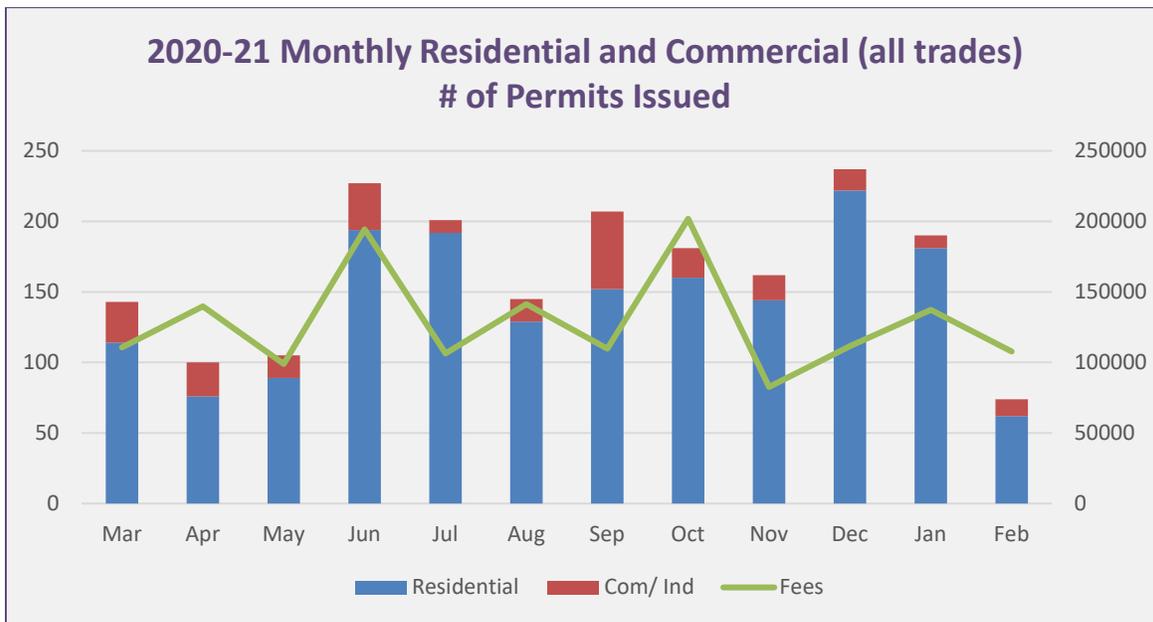
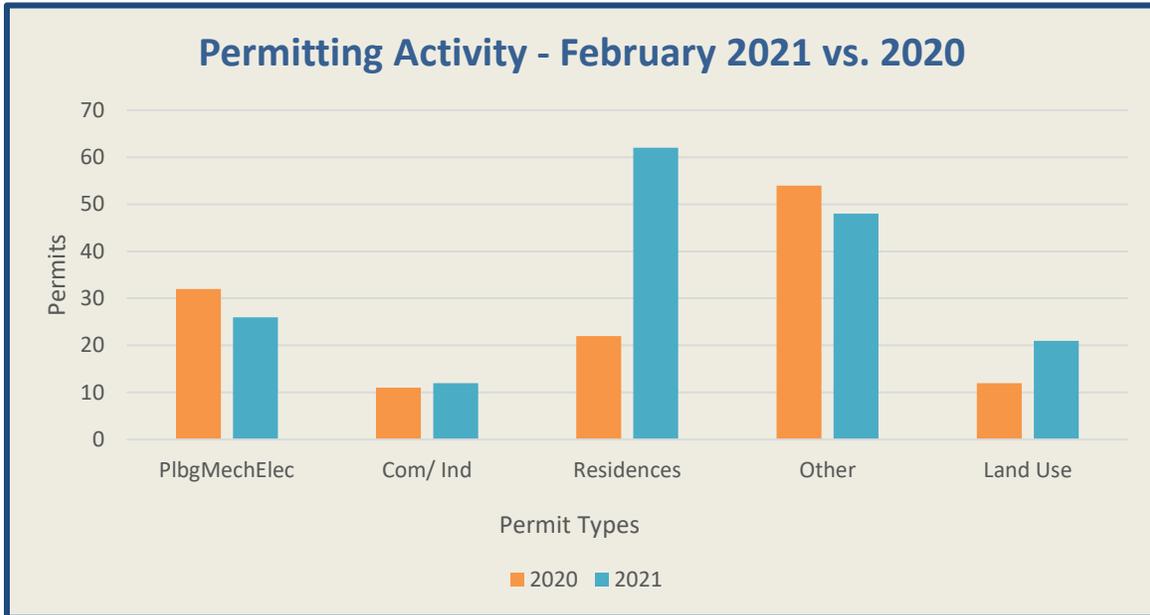
Amendment (OA#)	Chapter/Section	Reason & Scope	Status
1. Wireless Telecommunications Facilities	17-201 and to Table 17-606	Review Section 17-607 supplemental standards to ensure consistency with Code of Virginia.	Staff drafting of ordinance underway.

## SITE PLAN SUBMITTALS (Patrick Wilcox)

Project Name	Location	Proposed Use	Description	Status	Election District
Shenandoah Valley Organics Live Haul Shed	East side of Kratzer Road (VA 753), directly across from intersection with Friendship Dr. (VA 901)	Truck terminal	Truck staging area; equipment storage shed	Approved	2
Congers Creek Townhomes, Phase 2	End of Congers Creek Road, behind Congers Creek Apartments and Phase 1 of townhomes.	Rowhouse dwellings	133 units	Under Review	3
Preston Lake Hillside	Preston Lake development, along Boyers Road (VA 704)	Duplex lots	44 dwelling units	Under Review	3
Stone Spring Storage	Southeast side of Ridgedale Road (VA 710), along M & N Dr and Naomi's Way	Mini-storage facility	About 2.0 acres; three buildings total	Under Review	4
Preston Lake Townhouses, Phase 3	Southwest side of Preston Lake Blvd, bordering northwest side of Massanetta Springs Road (VA 687).	Rowhouse dwellings	64 rowhouse dwellings	Awaiting Corrections and Resubmittal	3
Island Ford Road Subdivision	Northeast side of Island Ford Road (VA 649), about 0.2 mile south of McGaheysville Road (VA 996)	Single-family	50 lots	Awaiting Corrections and Resubmittal	5
Mellow Mushroom	Stone Spring Road (VA 280), 0.1 mile west of Will Spring Road	Restaurant	5,704-sq. ft. restaurant with 96-space parking lot	Awaiting Corrections and Resubmittal	4
Kyger Funeral Home Addition	115 Nicholson Road, Elkton	Funeral home	6,300 square foot addition.	Awaiting Corrections and Resubmittal	5
Highview Estates	Just beyond north City line on east side of Rt. 42 N.	Single-family & duplex lots	34 lots	Awaiting Corrections and Resubmittal	2

**BUILDING SERVICES DIVISION & PERMITTING ACTIVITY (Joe Shifflett)**

The totals of permit types through February are represented in the first table below. The second table tracks monthly residential and commercial building permits and fees collected.



**Significant Plans Submitted:**

**April 2020: Interchange Permit**

**June 2020: South Peak Subdivision**

**July 2020: Sunset Spring Subdivision & South Peak Subdivision**

**September 2020: Congers Creek Apartments & Preston Lake Apartments**

**NOTICE OF PUBLIC HEARING  
ROCKINGHAM COUNTY  
WATER AND SEWER RATES**

Notice is hereby given that the Board of Supervisors of Rockingham County will hold a public hearing on March 24, 2021 at 7:00 p.m., in the Board of Supervisors Meeting Room, 20 East Gay Street, Harrisonburg, Virginia, pursuant to authority granted in Section 15.2-2119 of the Code of Virginia (1950), as amended, to receive public comment on the following proposed water and sewer rate increases to become effective for usage after July 1, 2021:

<b><u>Water</u></b>	<b><u>Current Rate</u></b>	<b><u>Proposed Rate</u></b>	<b><u>% Increase</u></b>
Base Rate (up to 3.5kgal)	\$ 12.50	\$ 15.00	20%
*Note: changing base from 3.5kgal to 4.0kgal			
Over 4,000 gallons	0 .8 \$ 3	\$ 4.00	5%
<b><u>Sewer</u></b>	<b><u>Current Rate</u></b>	<b><u>Proposed Rate</u></b>	<b><u>% Increase</u></b>
Base Rate (up to 1kgal)	\$6.00	\$7.00	17%
Per 1,000 gallons	\$ 5.15	\$ 5.40	5%

The typical bill for a residential water & sewer user will increase \$2.80 per month from \$44.80 to \$47.60.

Rockingham County Board of Supervisors

February 24, 2021

A Meeting of the Board of Directors of the Countryside Sanitary District was held at 6:00 p.m. on Wednesday, February 24, 2021, at the Rockingham County Administration Center, Harrisonburg, Virginia.

Present:

DEWEY L. RITCHIE, Election District #1  
SALLIE WOLFE-GARRISON, Election District #2  
RICK L. CHANDLER, Election District #3  
WILLIAM B. KYGER, JR., Election District #4  
MICHAEL A. BREEDEN, Election District #5

Also, present:

STEPHEN G. KING, County Administrator  
THOMAS H. MILLER, JR., County Attorney  
CASEY B. ARMSTRONG, Assistant County Administrator  
PATRICIA D. DAVIDSON, Director of Finance  
PHILIP S. RHODES, Director of Public Works  
JESSICA G. KILBY, Deputy Clerk

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**CALL TO ORDER.**

Chairman Chandler called the Meeting to order at 6:29 p.m.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Kyger, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the reorganizational meeting held on January 13, 2021.

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**TAX RATE AND USER FEE DISCUSSION.**

Mrs. Davidson reported that there had been discussion during the budget work session about how to address the rate structure of the Countryside Sanitary District, in order for the District to cover its monthly debt service payment. After a review of the debt service due on an annual basis, which is to be paid by real estate tax revenue of the District, staff recommended a real estate tax increase from \$0.29 to \$0.35 per \$100.00 of assessed value. Mrs. Davidson explained that the increase would generate enough revenue over the course of a year to make the annual debt service payment. Additionally, she said staff had recommended increasing the water rate from \$20 to \$55 for the minimum and from \$5 to 13.75 per 1,000 gallons above the 4,000-gallon base rate. After discussions at the budget work session and with the Finance Committee, Mrs. Davidson said it was recommended that the County's water and sewer fund pay off the District's \$59,000 debt, which would eliminate the District's tax rate. An increase in usage fees would still be necessary to cover costs, she said.

On behalf of the Finance Committee, Supervisor Kyger recommend paying off the District's debt service with the County's water and sewer fund, eliminate the tax rate charged to the District, and increase the water rate enough to cover the cost of the water needed.

Administrator King recognized that though the proposed increase in fees is significant, the adjustment is necessary solely to pay the District's bills.

Supervisor Kyger pointed out that the District purchases its water from the Town of Bridgewater. He said the Town has had numerous rate increases for water usage, which the Countryside Sanitary District has not passed on to its residents since its inception. The District is in no position to absorb the costs any longer, he said.

By consensus, the Board directed staff to advertise a public hearing to be held on March 24, 2021, to receive public comment on the proposed water and sewer rate increase for the Countryside Sanitary District.

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**ADJOURN.**

Chairman Chandler adjourned the meeting at 6:38 p.m.

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Chair

**NOTICE OF PUBLIC HEARING  
COUNTRYSIDE SANITARY DISTRICT  
RATES, FEES AND CHARGES**

Notice is hereby given that the Board of Directors of the Countryside Sanitary District will hold a public hearing on March 24, 2021 at 7:00 p.m., in the Board of Supervisors Meeting Room, 20 East Gay Street, Harrisonburg, Virginia, pursuant to authority granted in Section 21-188(5) and 21-118.4(e) of the Code of Virginia (1950), as amended, to receive public comment on the following proposed water and sewer rate increases to become effective for usage after July 1, 2021:

<b><u>Water</u></b>	<b><u>Current Rate</u></b>	<b><u>Proposed Rate</u></b>	<b><u>% Increase</u></b>
Base Rate (up to 4kgal)	\$ 20.00	\$ 55.00	175%
Over 4,000 gallons	\$ 5.00	\$ 13.75	175%

The typical bill for a residential water & sewer user will increase \$43.75 per month from \$25.00 to \$68.75.

Additionally, the Board of Directors of the Countryside Sanitary District will consider a proposal to reduce the current tax rate from \$0.29 per \$100.00 of assessed value to \$0.00. For the typical \$200,000 assessed value home, that would equate to a reduction of \$580 in real estate taxes for the year, or \$48.33 per month.

Rockingham County Board of Supervisors



**ROCKINGHAM COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
Planning Commission Agenda Item**

To: Rockingham County Board of Supervisors  
From: Bradford Dyjak, Director of Planning  
CC: Dwight Newman, Chair of the Agricultural-Forestal Advisory Committee  
Meeting Date: March 24, 2021  
Subject: **Western Rockingham Agricultural-Forestal District Renewal**

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**Overview:**

The Code of Virginia §15.2-4311 provides periodic opportunities for the local governing body to determine whether a review of an existing agricultural and forestal district is necessary. At its December 9, 2020, regular meeting, the Board of Supervisors determined the review of the district would commence with the existing conditions unmodified for another 10-year term until March 29, 2031.

**Summary:**

Existing landowners within the district were notified of the term renewal and given the option of remaining within the district for another term or withdrawing without fee or justification. Members wishing to withdraw from a District were required to submit in writing their request, of which 7 landowners covering 17 parcels submitted such requests. No requests for addition to the district were received and the summary of actions is shown in the table below and on the attached map.

<b>Western Rockingham District</b>		
	<b>Parcels</b>	<b>Acres</b>
<b>Existing District</b>	155	6,094.33
<b>Withdrawals Requested</b>	17	627.31
<b>Revised Resulting District</b>	<b>138</b>	<b>5,467.02</b>

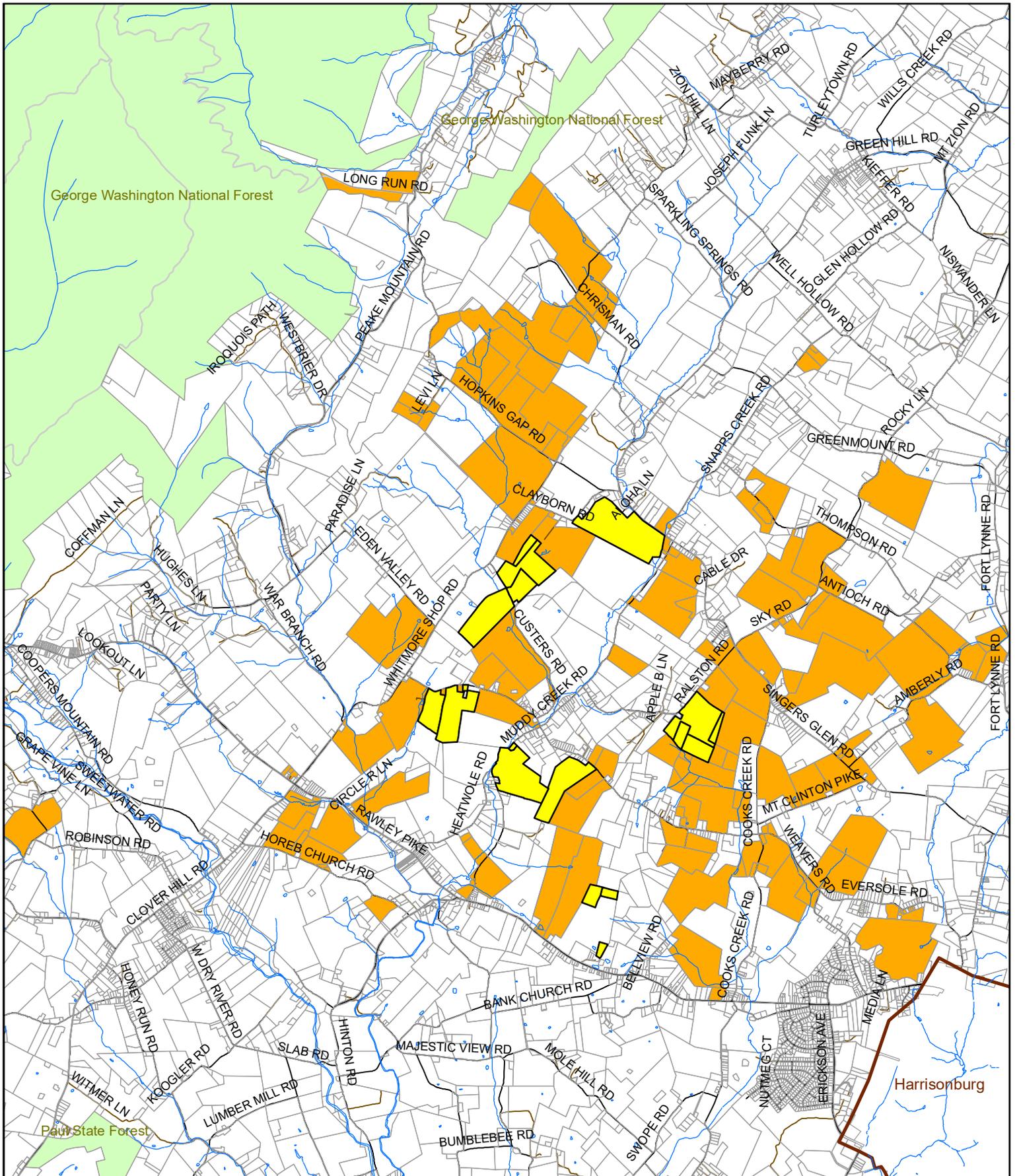
**Attachments:**

1. Ordinance #OA/AFP21-032
2. Corresponding District Map of Existing & Withdrawing Parcels

**Recommendation & Action:**

The Advisory Committee was consulted and recommended the Planning Commission concur with the revised parcel composition and recommend adoption of the ordinance, which would also renew the existing conditions unmodified and extend the term until March 29, 2031. The Commission subsequently held a public hearing March 2 unanimously concurring with the Committee to **recommend the Board adopt the ordinance and resulting extension of both the term and conditions.**

###



# Western Rockingham Ag-Forestal District

West Rockingham  
 627.31 Acres Withdrawn  
 Forest Boundaries  
 Corporate Boundaries  
 Property Lines

**6094.33 Total Acres**  
**5467.02 Acres After Removal**



3,000 1,500 0 3,000 Feet



20 East Gay Street  
Harrisonburg, VA 22802

**ORDINANCE  
REPEALING AND RE-ENACTING  
SECTION 17-510  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

**That Section 17-510. - Western Rockingham Agricultural and Forestal district be repealed and re-enacted as follows:**

**Sec. 17-510.01. - Creation.**

Pursuant to the Agricultural and Forestal Districts Act of the Commonwealth of Virginia, the Western Rockingham Agricultural and Forestal district (hereinafter referred to as district) is hereby created subject to the conditions and district term set forth in this division and as otherwise provided by sections 15.2-4300 through 15.2-4314 of the Code of Virginia, mutatis mutandis, the provisions of which, except as specifically modified herein, are adopted and incorporated herein by reference.

**Sec. 17-510.02. - Description of District.**

The Western Rockingham Agricultural and Forestal district shall consist of the following land: ~~one hundred fifty five (155)~~ **one hundred thirty-eight (138)** parcels spanning ~~six thousand ninety four (6,094)~~ **five thousand four hundred sixty-seven (5,467)** acres generally located north of Rawley Pike (Route 33) and south of Greenmount Road (Route 772), west of the Harrisonburg city limits and east of the George Washington National Forest. The following parcels shown on county real estate maps, as of the effective date of this district, are numbered as:

61-(2)- L3, 61-(A)- L34, 61-(A)- L56, 76-(2)- L1, 76-(2)- L2, 76-(3)- L9, ~~76-(A)-L37, 76-(A)-L38A, 76-(A)-L39, 76-(A)-L39A,~~ 76-(A)- L40, 76-(A)- L40A, 76-(A)- L41, 76-(A)- L41B, 76-(A)- L42, 76-(A)- L43, 76-(A)- L45, 76-(A)- L45A, 76-(A)- L45B, 76-(A)- L47A, 76-(A)- L54, 76-(A)- L57, 76-(A)- L57B, 76-(A)- L57D, 77-(4)- L1, 77-(A)- L1, 77-(A)- L3, 77-(A)- L3A1, 77-(A)- L4A, 77-(A)- L5B, 77-(A)- L5B1, 77-(A)- L13A, ~~77-(A)-L21,~~ 77-(A)- L21C, 77-(A)- L23B, 77-(A)- L23B3, 77-(A)- L28, 77-(A)- L29, 77-(A)- L36, 77-(A)- L55, 77-(A)- L101, 77-(A)- L101B, 77-(A)- L101B1, 77-(A)- L119, 77-(A)- L119C, 77-(A)- L128, 77-(A)- L129, 77-(A)- L131A, 77-(A)- L132, 78-(A)- L27, 90-(A)- L67, 91-(A)- L4, 91-(A)- L13, 91-(A)- L17, 91-(A)- L18, 91-(A)- L19, 91-(A)- L29, 91-(A)- L39, 91-(A)- L40, 91-(A)- L42, 91-(A)- L47, 91-(A)- L47A, 91-(A)- L48, 91-(A)- L48A, 91-(A)- L48A1, 91-(A)- L49A, 91-(A)- L61, 91-(A)- L121A, 91-(A)- L129, ~~91-(A)-L131,~~ 91-(A)- L131A, ~~91-(A)-L132,~~ 91-(A)- L132B, 91-(A)- L134, 91-(A)- L135, 91-(A)- L139, 91-(A)- L139A, 91-(A)- L154A, 91-(A)- L158, ~~91-(A)-L178, 91-(A)-L179,~~ 91-(A)- L184B, 91-(A)- L194, 91-(A)- L194A, 91-(A)- L210, 91-(A)- L211, 91-(A)- L212, ~~92-(2)-L1, 92-(2)-L2, 92-(2)-L4,~~ 92-(6)- L2, 92-(9)- L3, 92-(9)- L4A1, 92-(9)- L4B, 92-(A)- L4, 92-(A)- L34, 92-(A)- L43, 92-(A)- L47, 92-(A)- L47E, ~~92-(A)-L47F,~~ 92-(A)- L55, ~~92-(A)-L63, 92-(A)-L64, 92-(A)-L70,~~ 92-(A)- L75A, 92-(A)- L82, 92-(A)- L84, 92-(A)- L85, 92-(A)- L91, 92-(A)- L103, 92-(A)- L112, 92-(A)- L112A, 92-(A)- L113, 92-(A)- L114, 92-(A)- L115, ~~92-(A)-L116,~~ 92-(A)- L117, 92-(A)- L118, 92-(A)- L119, 92-(A)- L124, 92-(A)- L125, 92-(A)- L142, 92-(A)- L144A, 92-(A)- L144A2, 92-(A)- L148, 92-(A)- L149, 92-(A)- L154, 92-(A)- L154A, 92-(A)- L165, 92-(A)- L170, 92-(A)- L171, 92-(A)- L173, 92-(A)- L174, 93-(A)- L1, 93-(A)- L2, 93-(A)- L2B, 93-(A)- L3, 93-(A)- L4,

93-(A)- L4B, 93-(A)- L10, 93-(A)- L11A5, 93-(A)- L17, 93-(A)- L17B, 93-(A)- L23, 93-(A)- L45, 93A-(4)- L9, 93A-(5)- L6, 93A-(5)- L7, 93A-(5)- L9, 93A-(5)- L10, 93A-(5)- L11, 93A-(6)- L5, 107-(A)- L51A, 107-(A)- L52, and 108-(A)- L20.

**Sec. 17-510.03. - Conditions.**

The intent of these conditions is to strengthen the existing agricultural community in order to ensure its continued economic viability. The Western Rockingham Agricultural and Forestal district shall comply with the following conditions:

(a) Uses, structures, and accessory businesses shall be permitted on a parcel in compliance with the regulations that apply to the zoning of that parcel. However, the following uses shall be prohibited throughout the district:

- (1) Golf courses;
- (2) Golf driving ranges;
- (3) Campgrounds;
- (4) Shooting ranges;
- (5) Auto graveyards or junkyards;
- (6) Recreational or amusement enterprises operating outside a building for profit.

(b) All parcels included in the district must be located fully within the district; no portion of a district parcel shall lie outside the district.

(c) Parcels of land, as now defined in the county real estate records, within the district may be sold in their entirety but not subdivided to a nonfamily member during the term of district status. However, the parcel under new ownership shall remain in district status at least until the time of the next scheduled district renewal.

(d) Parcels of land, as now defined in the county real estate records, within the district may only be subdivided by purchase or gift to immediate family members. However, this family subdivision shall remain in district status for at least as long as the parent parcel remains in the district. Residences for persons who earn a substantial part of their livelihood from agricultural or forestal operations on the same property, or for members of the immediate family of the owner, shall be permitted in accordance with the County Code.

**Sec. 17-510.04. - Term review.**

The district shall be in effect for ten (10) years, from March 29, ~~2011~~ 2021, to March 29, ~~2021~~ 2031. A review of the district, including any additions to the district, may be made by the board of supervisors as provided by, and in accordance with sections 15.2-4309 through 15.2-4312 of the Code of Virginia.

**This ordinance shall be effective from the \_\_\_\_ day of \_\_\_\_\_, 2021.**

**Adopted the \_\_\_\_ day of \_\_\_\_\_, 2021.**



**Community Development  
Special Use Permit Report  
SUP21-003**

**Meeting Date: March 24, 2021**

**Applicant: Bryan & Amy Duff**

**Mailing Address: 769 Newdale School Road, Timberville VA**

**Property Address: same**

**Phone #/Contact: (540) 476-2323/Bryan Duff**

**Tax Map #:53-(A)-L45A2**

**Zoning: A2-General Agricultural**

**Requested Use: Recreation inside a building**

**Location: South side of Newdale School Road (Rt. 796) approximately 0.2 mile west of Interstate 81.**

**Acreage in parcel: 7.2**

**Acreage in request: approximately 1.0**

**Election District: 1**

**Comprehensive Plan: Agricultural Reserve**

Placing conditions on the request is neither a recommendation for approval or for denial. It is simply stating that if approved, these are the minimum conditions that should be placed on the permit. If approved, the Board of Supervisors may change these conditions or add new conditions as deemed necessary.

If the request is approved by the Board, at a minimum the following conditions apply:

1. Use shall be in substantial accordance with the submitted site plan.
2. The use and structures shall comply with all applicable federal, state, and local regulations.

**SUBMISSION JUSTIFICATION:**

Table 17-606 of the County Zoning Ordinance allows for special use permit application for recreation inside a building.

**BACKGROUND**

The applicants operate a contracting business on the adjacent property. Over the last several years they have been involved with youth sports and other local sports programs. When facilities started being closed by COVID restrictions they decided they wanted to have their own place for local teams and athletes to train and practice.

**Adjoining Properties and Special Uses**

Direction From Site	Zoning	Request	Decision
North	A2	Contractor's Business	approved
East			
South			
West			

**ZONING AND EXISTING LAND USE**

**Adjoining Properties and Uses**

Direction From Site	Zoning	Existing Land Use
North	A2	Commercial
East	A2	Home site
South	A2	Wooded
West	A2	Home site

**STAFF AND AGENCY ANALYSIS**

**UTILITIES**

Virginia Department of Health

The applicant was informed they would need to work with a private sector evaluator/designer to pursue approval of a septic system to serve the building if it is open for more than their personal use. The health department will review a design submittal once an application is received and issue a permit. A water supply serving 25 or more persons 60 days or more a year needs to be regulated as a waterworks by the VDH Office of Drinking Water Lexington Field Office (540-463-7136).

Public Works

SUP 21-003 this parcel lies outside the County Utilities service area and Public Works has no further comment.

**ENVIRONMENTAL**

Environmental Services:

No comments at this time, will review at site plan level.

**PUBLIC FACILITIES**

Emergency Services

SUP21-003 is located within the Timberville Volunteer Fire Department and New Market Volunteer Rescue Squad's respective first due area. This project will have to meet the requirements of the Rockingham County Fire Prevention Code.

Building Official

The Duff proposal will require a site visit to verify all applicable building code requirements to ensure the structure is compliant.

Planning

Comprehensive Plan Designation: The parcel is designated as Agricultural Reserve in the Comprehensive Plan.

While primarily planned for agricultural use, other uses in areas of the County designated as Agricultural Reserve may be appropriate that could provide supplemental income to the farm. These uses could include: bed and breakfast enterprises, country inns, rural retreats, riding academies and camps, farm camps, history camps, demonstration farms, crop mazes, battlefield reenactment parks, and similar uses.

- i. Section II-B-Goals:
  - 1. Goal 3. Preserve Agricultural Industry and Economy

- a. Policy #3.1.7 – Promote innovation, expansion and enhancement of agriculture and agricultural support businesses and markets through economic development strategies, including alternative agricultural products and methods and alternative rural economic development (such as agri-tourism, eco-tourism, home-based business and telecommuting)
- 2. Goal 13. Achieve a Rich and Diverse Community of Arts, Culture and other features of the “life beyond work”
  - a. Strategy 13.1 – Promote and support community volunteer and private sector efforts to enhance cultural activities, including recreation.

#### Site Plan Requirements

##### General Site Plan Details

- i. If approved, a site plan will be required before building permit issuance.
- ii. Site Plan requirements will need to be consistent with Chapter 17, Article VII “Development Standards” and Article X “Procedures” after issuance of the special use permit.
- iii. The SUP application states that there will be no signs associated with this project.
- iv. Any outdoor lighting would need to be shown on the site plan and also comply with Article VII.

##### Parking and Landscaping Requirements

- i. The 15-space parking area would suffice based on the information provided, as the proposed use will be considered “Sports Complex” for the purposes of determining required parking spaces.
  - a. As such, the final amount would be determined upon site plan review.
  - b. The parking spaces will have to conform to County parking requirements and meet all required accessibility requirements such as handicap parking spaces and travel ways.
- ii. Due to the number of parking spaces, County parking area landscaping requirements will apply, including the requirement that 3% of total parking area be landscaped.
- iii. Detailed parking area dimensions shall be provided on the site plan, including drive aisles and directional signage.
- iv. At least 1 accessible parking space is required and shall be served by a suitable hard-surfaced travel aisle shall be provided to connect to the medical office main entrance.
- v. Parking spaces shall be 9’ x 18’ set a minimum of 10’ from street with a minimum 24’-wide travel aisle for two-way traffic.

## **TRANSPORTATION**

### Virginia Department of Transportation

The property is served by an existing paved private driveway which currently has two residences and a business using it. The entrance is adequate to serve as a low volume commercial entrance, which is limited to a cumulative fifty (50) vehicle trips per day (entering and exiting). Limited use as a training facility is not expected to exceed the fifty (50) trip threshold; however, if the facility’s operation grows to a point where additional trips are expected, VDOT must be notified in order to evaluate the entrance. A moderate volume entrance could serve up to two-hundred (200) vehicles per day but requires a more stringent sight distance requirement for which an operating speed analysis of the roadway may be required in order to determine validity.



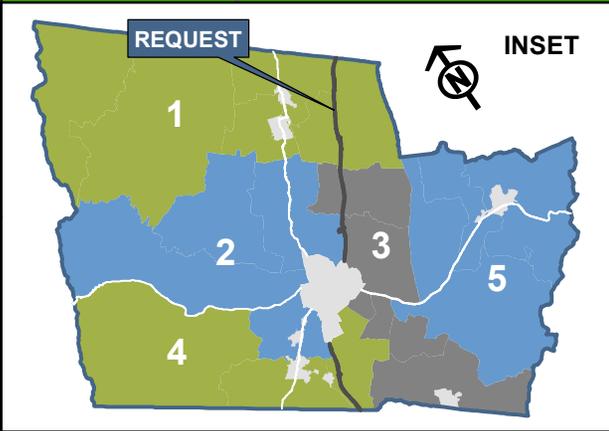


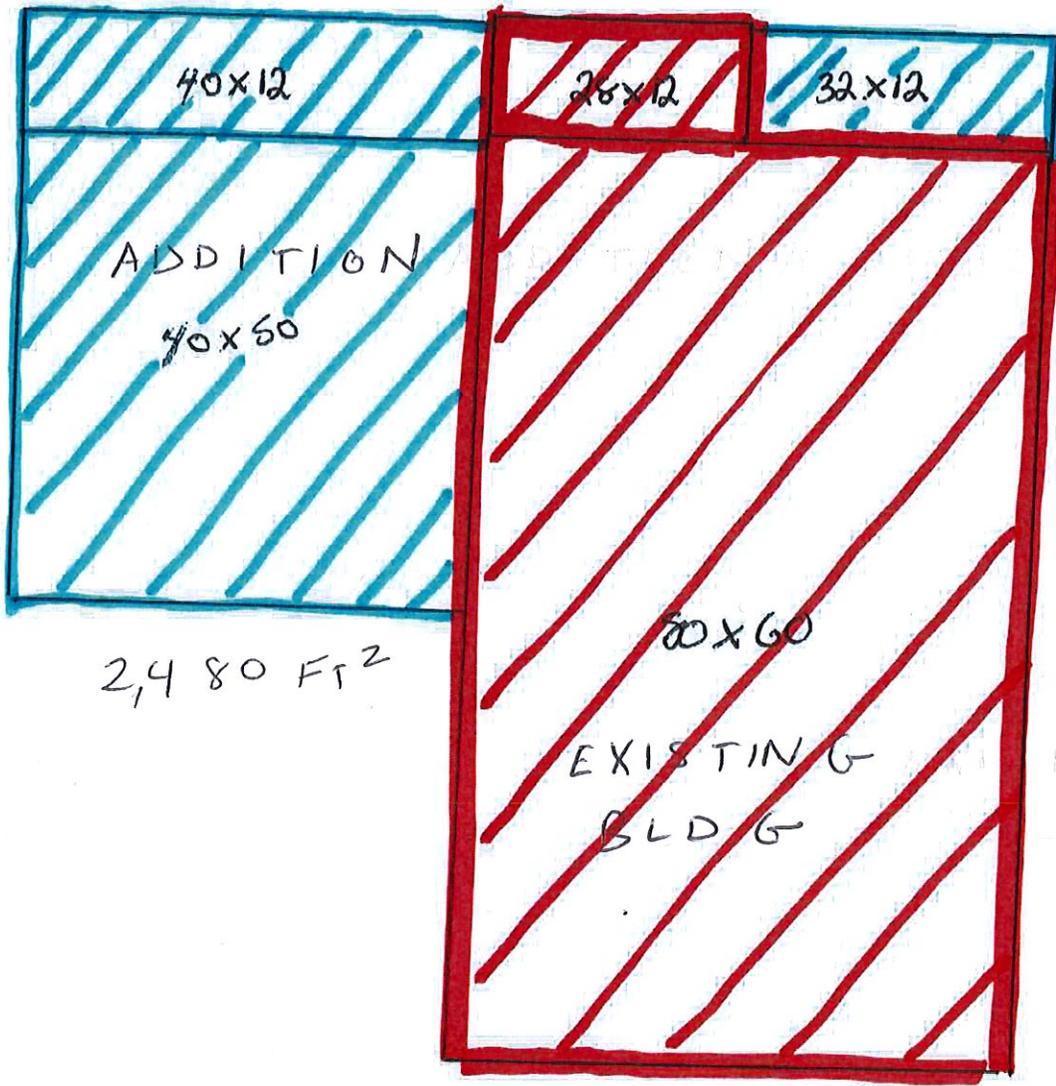
# Bryan & Amy Duff Special Use Permit Request



3/24/2021

SUP#21-003

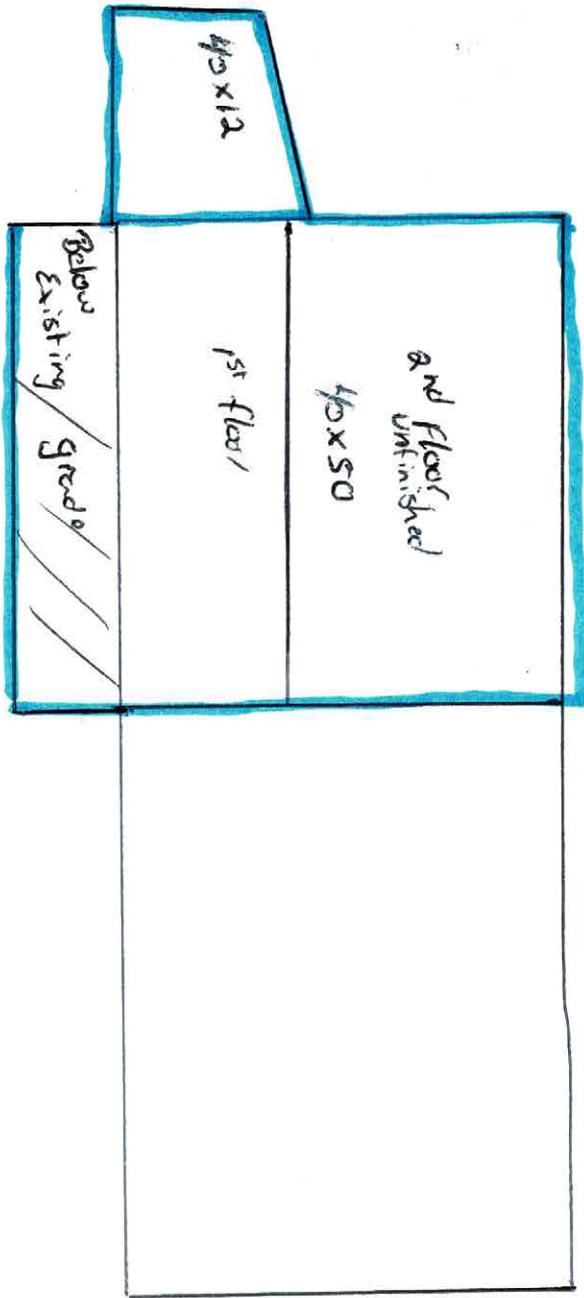


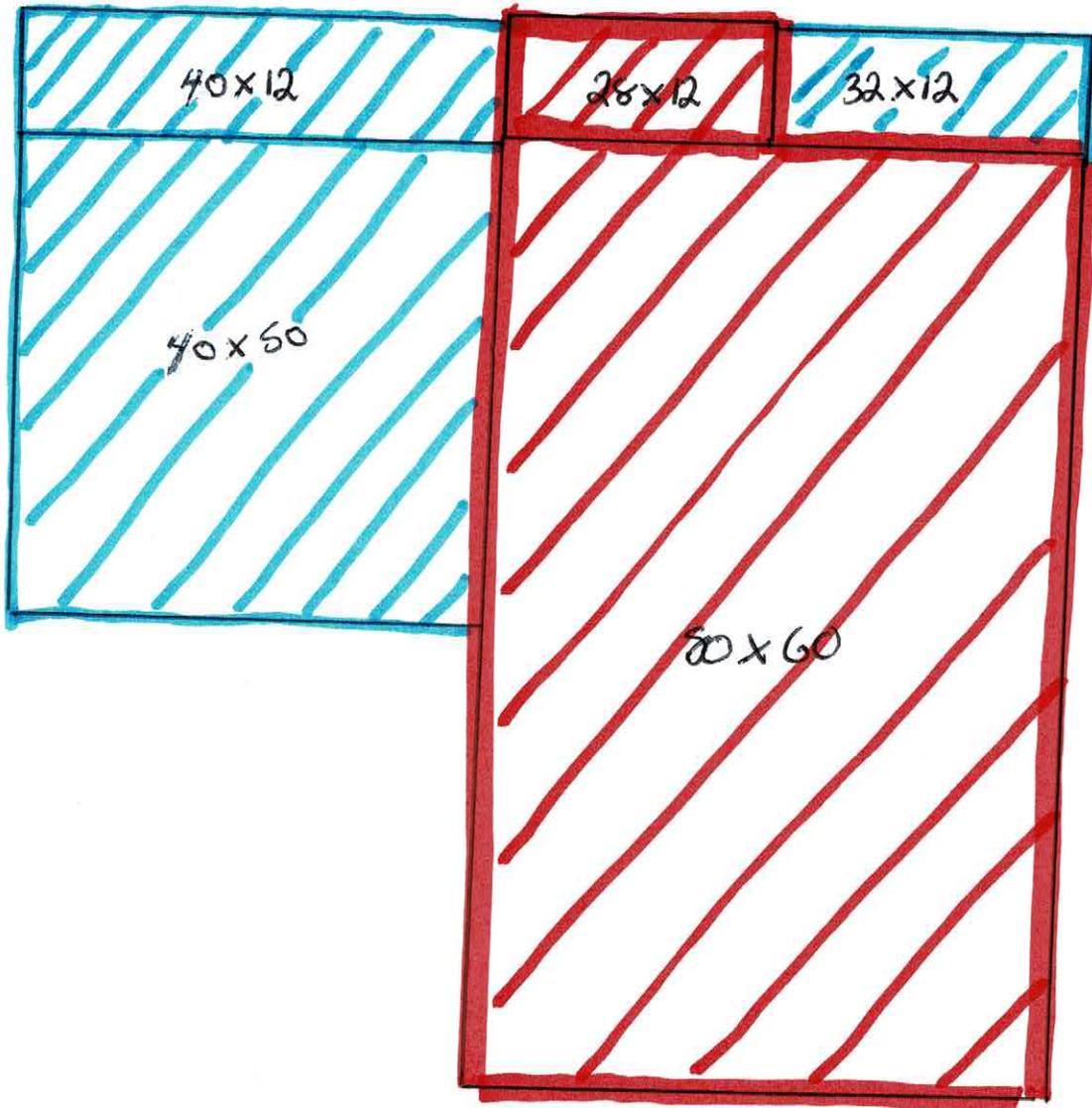


2,480 FT<sup>2</sup>

5,520 FT<sup>2</sup>

8,000 FT<sup>2</sup>





# ROCKINGHAM COUNTY SPECIAL USE PERMIT APPLICATION

**CHECKLIST:** Before this application can be accepted for processing, the following must be done

- A. Complete the application in full and sign. (If not landowner, the landowner must also sign).
- B. Enclose sketch as required in application. The sketch must be to scale and no larger than 8-1/2" x 11"
- C. Please contact the Zoning Administrator (564-3030) for appointment to review the completed application.  
If application is not complete, it will not be accepted.

### FOR OFFICE USE ONLY

FEE: \$550.00	DEADLINE DATE: _____
RECEIPT # _____	HEARING DATE: <u>MAR 24, 2021</u>
DATE REC: <u>1/5/21</u>	<u>24</u>
TAXES PAID: <input checked="" type="checkbox"/>	SUP # <u>21-003</u>

APPLICANT: owner - Bryan + Amy Duff  
Indicate owner purchaser other

MAILING ADDRESS: 769 Newdale School Road Daytime Phone: 540-476-2323  
Timberville VA 22853 Bryan Duff  
City/Town State Zip Contact Person

PROPERTY ADDRESS: 769 Newdale School Road Timberville VA 22853

EMAIL ADDRESS: fourdsports@yahoo.com

USE APPLIED FOR: Special Use Permit RECREATION INSIDE A BLDG

LOCATION: (N ~~S~~ W) side of (Road Name) Newdale School, Route # 796 approximately 0.2 miles/feet  
(N S E W) of (Road Name) 1-81 Route # 111 in Election District # 105

ACREAGE IN PARCEL: <sup>ADDED</sup> 1.057 ZONING: A2 TAX MAP NO: 53-A-45A2

ACREAGE (OR SQUARE FOOTAGE) TO BE USED: 1.057

**COMPLETE SIZE INFORMATION BELOW PERTINENT TO THE USE FOR WHICH YOU ARE APPLYING:**

- SIZE AND HEIGHT OF EXISTING AND/OR PROPOSED BUILDING OR STRUCTURE:  
80' x 60' x 20' + 12' x 28' x 10' 8,000 FT<sup>2</sup> TOTAL
- SIZE AND HEIGHT OF SIGNAGE: No sign

**REQUIRED INFORMATION**

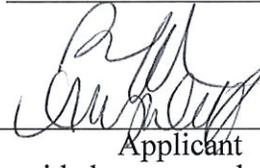
Section 15.2-2284 of the Code of Virginia states that, "Zoning ordinances and districts shall be drawn and applied with reasonable consideration for the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth and change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of

**SPECIAL USE PERMIT APPLICATION (Continued)**

NAMES AND COMPLETE MAILING ADDRESSES (INCLUDING HOUSE #, STREET NAME & CITY/TOWN) OF ALL ADJACENT LANDOWNERS, INCLUDING LANDOWNERS ACROSS ANY ROAD. (May use back if necessary.) **Names of owners may be found in Real Estate and Land Use Office located in the Rockingham County Administration Center. Complete mailing addresses are listed in Land Use books in front of the Treasurers office (located next to the Land Use Office).**

**REMEMBER: SHOULD THE PROPERTY IN REQUEST BE ADJACENT TO THE CITY OF HARRISONBURG OR ANOTHER COUNTY, IT IS YOUR RESPONSIBILITY TO SUPPLY THIS OFFICE WITH THOSE NAMES AND CURRENT ADDRESSES WITHIN THE CITY OR COUNTY.**

NAME	ADDRESS
* Tom Holsinger	853 Newdale School Rd Timberville VA 22853
✓ Susan Nazelrodt	671 Newdale School Rd Timberville VA
- Everette Driver	540 Feed Rd, Timberville VA 22853
* L.R. Moomaw	1465 Kagey Rd. Broadway, VA 22815
* Thomas Good	98 Tenth Legion Rd, Broadway VA 22815
✓ Roger Duff	773 Newdale School Rd Timberville VA 22853
* J. Delaughter	541 Feed Rd. Timberville VA 22853
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____


 BRYAN DUFF  
 AMY DUFF  
 Applicant

AS APPLICANT FOR THIS SPECIAL USE PERMIT, I

hereby acknowledge that I have faithfully and correctly provided names and complete mailing addresses of all my adjoining property owners and those directly across the street or road. I understand that failure to do so will leave me liable for additional costs for readvertising and that my request could be delayed until proper notification has been given to all adjoining property owners and those property owners directly across that street or road.


 \_\_\_\_\_  
 Signature of Applicant

1-5-21  
 \_\_\_\_\_  
 Date

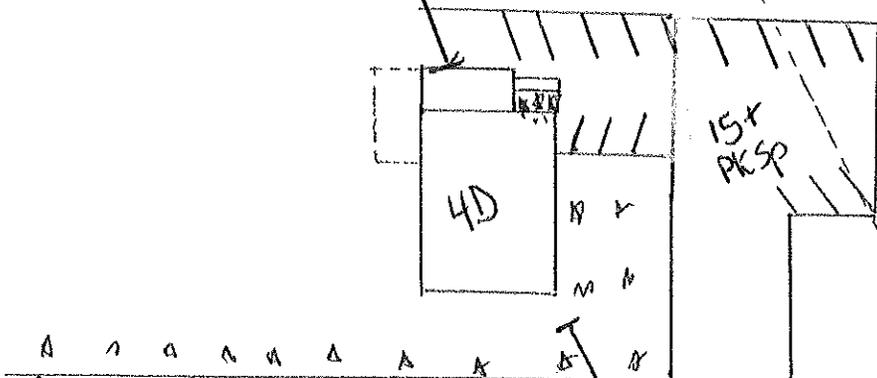
I-81

Good property

1000+

Roger Duff

Bryan  
7+ Ac

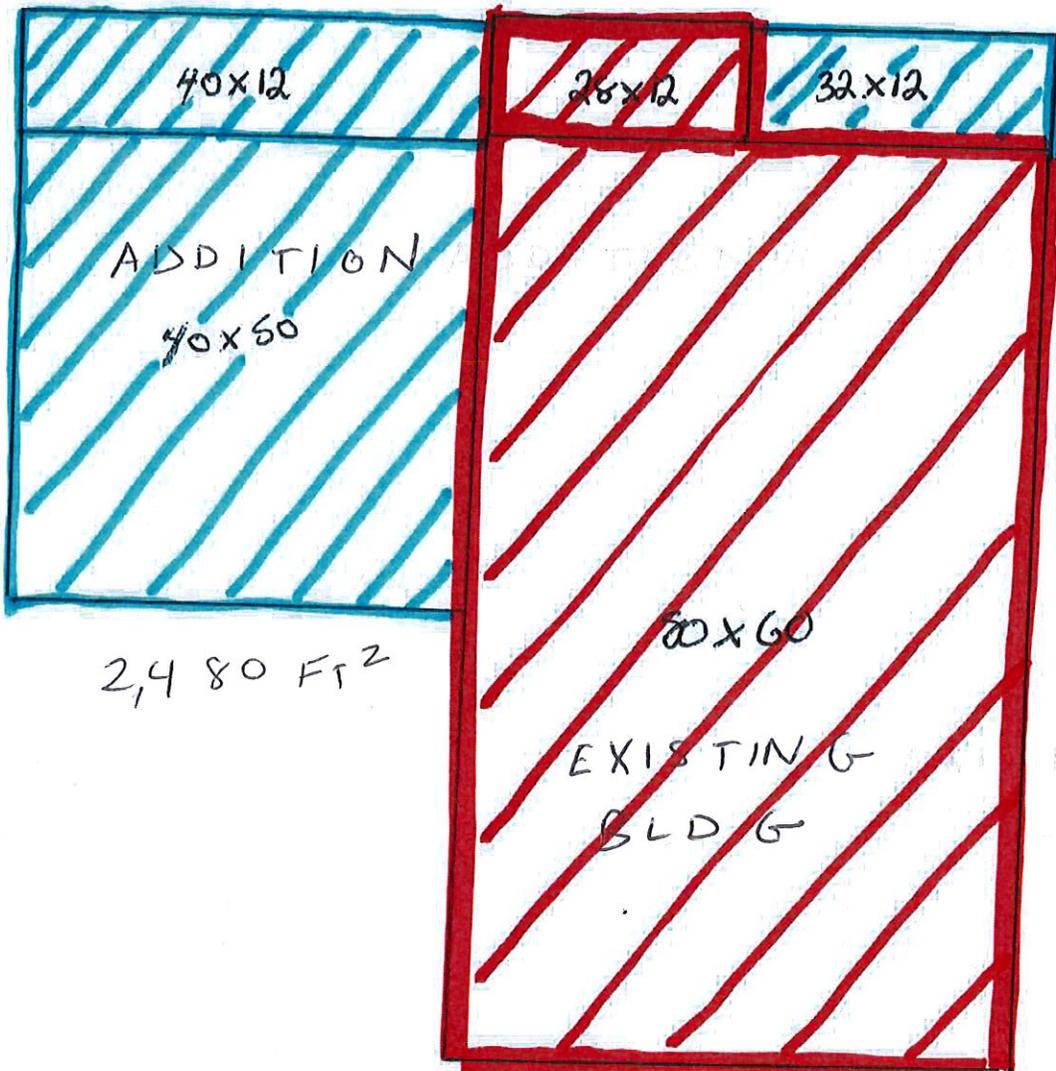


Bryan  
& Amy

A & D

Roger  
Duff

Right of way



2,480 FT<sup>2</sup>

5,520 FT<sup>2</sup>

8,000 FT<sup>2</sup>

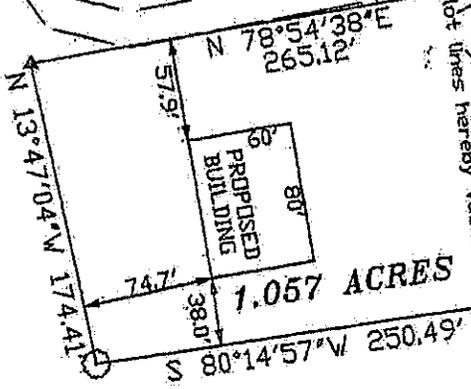
STATE ROUTE 11

20' R.O.F.

EXISTING SHOP

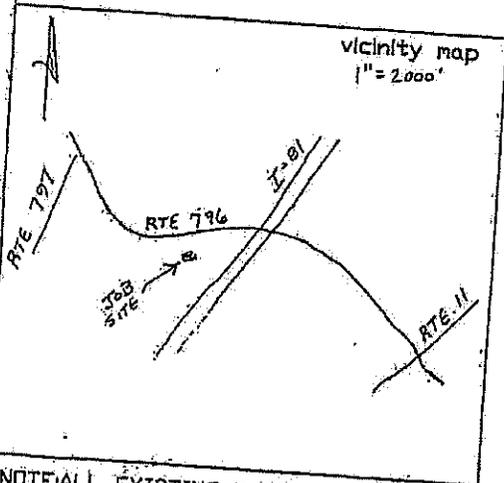
PROPOSED BUILDING  
60' x 80'

1.057 ACRES



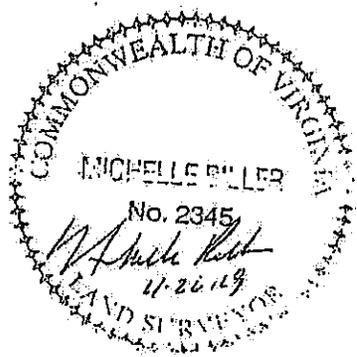
BRYAN D. AND  
AMY D. DUFF  
3549/135  
T.M. 53-A-45A2

RESIDUE OF T.M. 53-A-45A



NOTE: ALL EXISTING BUILDINGS MEET THE MINIMUM REQUIRED SETBACK DISTANCE

NOTE: THE 1.057 ACRE TRACT OF LAND IS A PORTION OF TAX MAP 53-A-45A, IS ZONED A2 AND IS TO BE ADDED TO THE CONTIGUOUS REAL ESTATE OF TAX MAP 53-A-45A2 PER SECTION 16-9(a)(1)

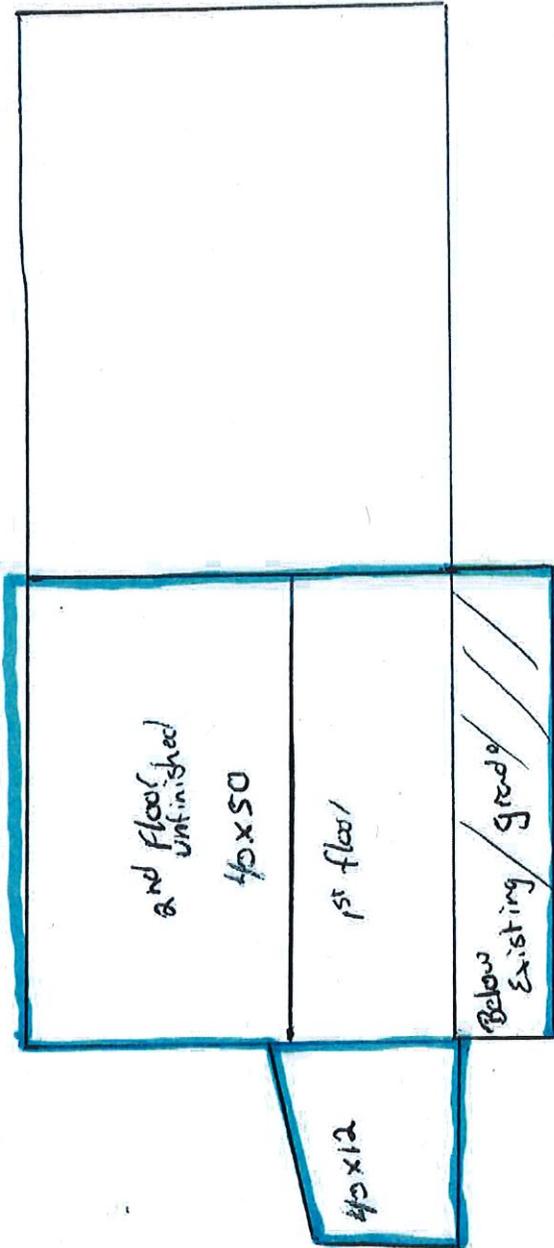


### DIVISION OF LAND

PLAT SHOWING A BOUNDARY SURVEY OF A PORTION OF THE ROGER G. DUFF PROPERTY, AS RECORDED IN DEED BOOK #393, PAGE #780.

PLAINS MAGISTERIAL DISTRICT  
**ROCKINGHAM COUNTY, VIRGINIA**

NOVEMBER 26, 2019
PREPARED BY: VALLEY SURVEYING, P.L.L.C. 7911 SENEDO ROAD MT. JACKSON, VIRGINIA 22842 PHONE: (540) 477-3600





**Community Development  
Special Use Permit Report  
SUP21-036**

**Meeting Date: March 24, 2021**

**Applicant: Crystal Yoder (New Beginnings Montessori School)**

**Mailing Address: 7741 Mill Creek Church Road, Port Republic VA**

**Property Address: 7021 Arch Drive, Mount Crawford VA**

**Phone #/Contact: (540) 908-7565**

**Tax Map #: 138-(A)-L41**

**Zoning: A2-General Agricultural**

**Requested Use: School**

**Location: East side of Arch Drive approx. 144' south of Friedens Church Road.**

**Acreage in parcel: 20.924**

**Acreage in request: 1.0**

**Election District: 4**

**Comprehensive Plan: Agricultural Reserve**

Placing conditions on the request is neither a recommendation for approval or for denial. It is simply stating that if approved, these are the minimum conditions that should be placed on the permit. If approved, the Board of Supervisors may change these conditions or add new conditions as deemed necessary.

If the request is approved by the Board, at a minimum the following conditions apply:

1. Use shall be in substantial accordance with the submitted site plan.
2. The use and structures shall comply with all applicable federal, state, and local regulations.

**SUBMISSION JUSTIFICATION:**

Table 17-606 allows for special use permit application for schools in the A2 zoning district.

**BACKGROUND**

The applicant, Crystal Yoder, has 15 years of experience in Montessori schools and would like to start a new school in the county.

**Adjoining Properties and Special Uses**

Direction From Site	Zoning	Request	Decision
North			
East			
South			
West	A2	SUP20-045 Sawmill expansion	Approved

**ZONING AND EXISTING LAND USE**

**Adjoining Properties and Uses**

Direction From Site	Zoning	Existing Land Use
North	A2	Home site
East	A2	Home site
South	A2	Home site, pasture
West	A2	Pasture, wooded

**STAFF AND AGENCY ANALYSIS****UTILITIES**Virginia Department of Health

The applicant will need to work with the system designer or another Professional Engineer to determine if the existing sewage disposal system is safe, adequate, and proper for the proposed business. Findings will need to be submitted to the health department.

It is my understanding that no food preparation or meal service is proposed. Foodservice would require a permit from the health department.

A well serving "25 or more persons 60 days or more a year" warrants regulation as a waterworks by the Office of Drinking Water Lexington Field Office (540-463-7136). The application appears to reflect just under the 25-person threshold, but I suggest the applicant contact the Office of Drinking Water to discuss. If it is determined that the supply does not warrant regulation as a waterworks at this time, then the private well could serve the business. Annual testing of the private well for bacteria and nitrate are required as part of the health department's courtesy inspection process for social services.

Public Works

This parcel lies outside the County utility service area and Public Works has no further comment.

**ENVIRONMENTAL**Environmental Services:

If there are no new structures or other excavation our office has no comment.

**PUBLIC FACILITIES**Emergency Services

SUP21-036 is located within the Bridgewater Volunteer Fire Company and Bridgewater Volunteer Rescue Squad's respective first due area. This project will have to meet the requirements of the Rockingham County Fire Prevention Code. We have already stated working with the applicant to meet these requirements.

Building Official

Based on dialogue in pre-app meeting, I do not have comments at this time. My department is planning a courtesy site visit/inspection to verify building code compliance.

Planning

Comprehensive Plan Designation: The parcel is designated as Agricultural Reserve in the Comprehensive Plan.

While primarily planned for agricultural use, other uses in areas of the County designated as Agricultural Reserve may be appropriate that could provide supplemental income to the farm. These uses could include: bed and breakfast enterprises, country inns, rural retreats, riding academies and camps, farm camps, history camps, demonstration farms, crop mazes, battlefield reenactment parks, and similar uses.

## Section II-B-Goals:

1. Goal 3. Preserve Agricultural Industry and Economy
2. Policy #4.1.5 Retain and expand the existing industries and businesses now operating in the County.

3. Goal 6. Achieve a Balance of Compatible Land Uses and Communities in which people can live, work and play.

Site Plan Requirements

General Site Plan Details

- i. If approved, a site plan will be required before building permit issuance.
- ii. Site Plan requirements will need to be consistent with Chapter 17, Article VII "Development Standards" and Article X "Procedures" after issuance of the special use permit.
- iii. The SUP application states that there will be no signs associated with this project.
- iv. Any outdoor lighting would need to be shown on the site plan and also comply with Article VII.

Parking and Landscaping Requirements

- i. The 15-space parking area would suffice based on the information provided, as the proposed use will be considered "Daycare, child" for the purposes of determining required parking spaces.
  - a. As such, only one (1) space per employee, one (1) visitor space shall be provided for each twenty (20) spaces. Since only 3 teachers are employed at this time, it may be worthwhile to consider a reduction in parking spaces if the applicant wishes to avoid triggering the minimum parking landscaping requirement.
  - b. The parking spaces will have to conform to County parking requirements and meet all required accessibility requirements such as handicap parking spaces and travel ways.
- ii. Due to the number of parking spaces, County parking area landscaping requirements will apply, including the requirement that 3% of total parking area be landscaped.
  - a. For each one hundred fifty (150) square feet of landscaped area, or portion thereof, at least three (3) shrubs shall be planted in a landscaped area.
  - iii. Detailed parking area dimensions shall be provided on the site plan, including drive aisles and directional signage.
- iv. At least 1 accessible parking space is required and shall be served by a suitable hard-surfaced travel aisle shall be provided to connect to the medical office main entrance.
- v. Parking spaces shall be 9' x 18' set a minimum of 10' from street with a minimum 24'-wide travel aisle for two-way traffic.

**TRANSPORTATION**

Virginia Department of Transportation

The existing commercial entrance accesses Arch Drive (privately maintained). The intersection of Arch Drive and Friedens Church Road (Rt. 682) is adequate to support the applicant's proposed use.

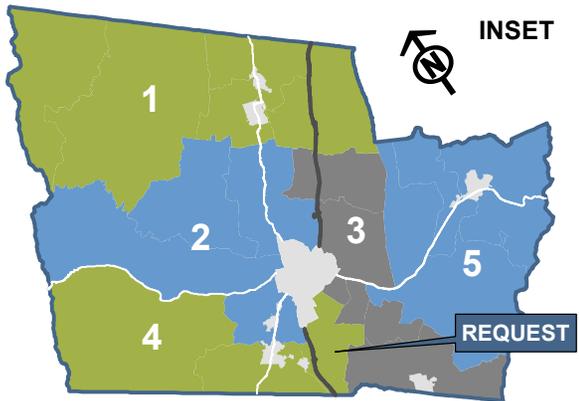
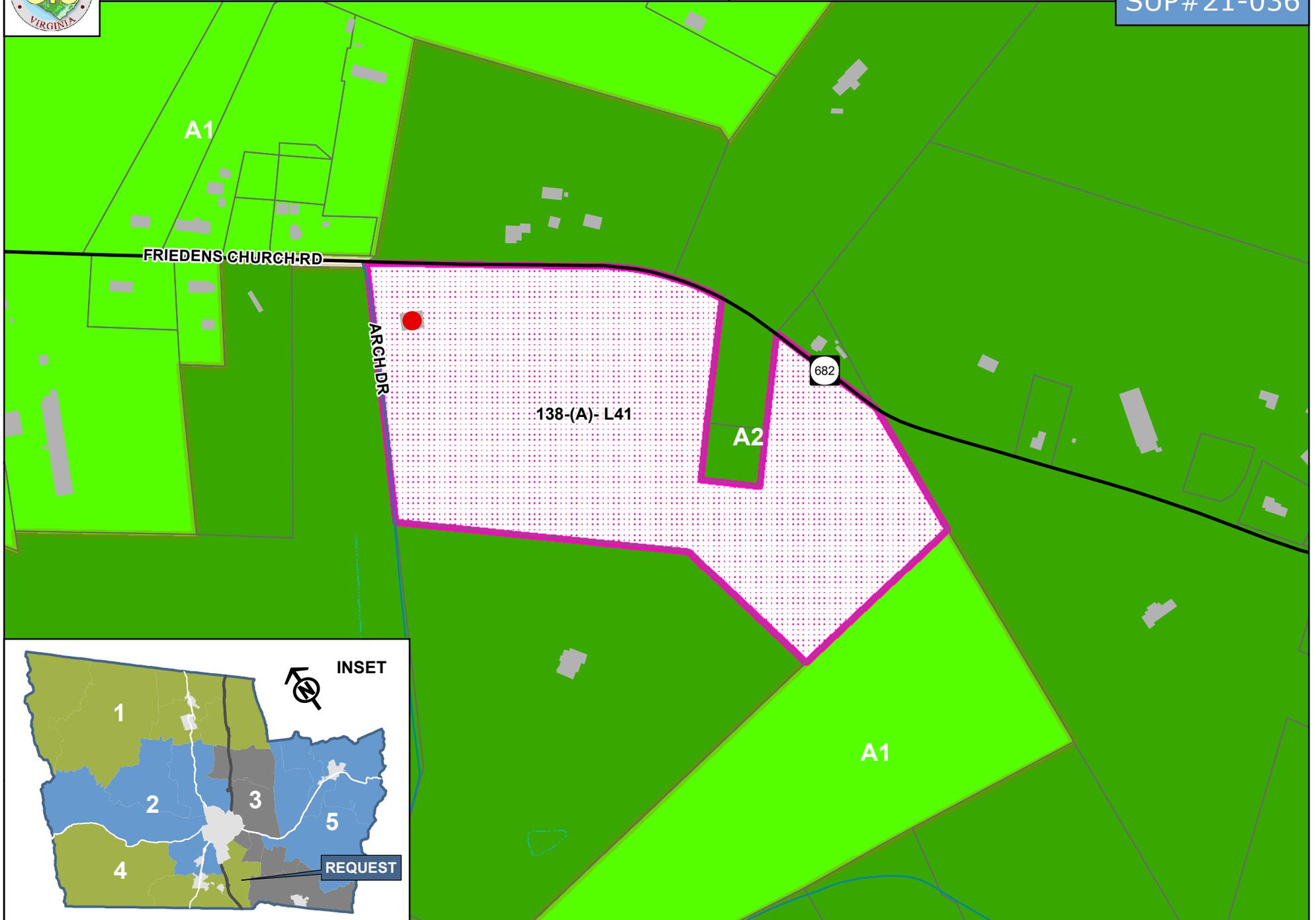


# Crystal Yoder Special Use Permit Request



3/24/2021

SUP#21-036



**ROCKINGHAM COUNTY  
SPECIAL USE PERMIT APPLICATION**

- CHECKLIST:** Before this application can be accepted for processing, the following must be done
- A. Complete the application in full and sign. (If not landowner, the landowner must also sign).
  - B. Enclose sketch as required in application. The sketch must be to scale and no larger than 8-1/2" x 11"
  - C. Please contact the Zoning Administrator (564-3030) for appointment to review the completed application. **If application is not complete, it will not be accepted.**

**FOR OFFICE USE ONLY**

FEE: <u>\$550.00</u>	DEADLINE DATE: _____
RECEIPT # _____	HEARING DATE: <u>MARCH 24, 2021</u>
DATE REC <u>2/24/21</u>	
TAXES PAID <input checked="" type="checkbox"/>	SUP # <u>21-036</u>

APPLICANT: Crystal Yoder  
Indicate owner purchaser  other

MAILING ADDRESS: 7741 Mill Creek Church Rd. Daytime Phone: (540) 908-7565  

<u>Port Republic</u>	<u>Va</u>	<u>24471</u>	<u>Crystal Yoder</u>
City/Town	State	Zip	Contact Person

PROPERTY ADDRESS: 7021 Arch Dr. Mount Crawford, Va 22841

EMAIL ADDRESS: newbeginningsmont@gmail.com

USE APPLIED FOR: Educational/business

LOCATION: (N S E W) side of (Road Name) Arch Drive, Route # n/a approximately 144 feet miles/feet  
(N S E W) of (Road Name) Friedens Church Route # 682 in Election District # 5

ACREAGE IN PARCEL: 1 acre ZONING: A-2 TAX MAP NO: 138-(A)-L41

ACREAGE IN REQUEST: 1 acre

SIZE AND HEIGHT OF EXISTING OR PROPOSED BUILDING: Size: 60' X 40' Height: 16'

**REQUIRED INFORMATION**

Section 15.2-2284 of the Code of Virginia states that, "Zoning ordinances and districts shall be drawn and applied with reasonable consideration for the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth and change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality."

Please answer the following questions and where required, attach additional information to this application. The information provided will be reviewed by the staff in their analysis of your request. An application for a special U:\Planning & Zoning\Special Use Permits\forms\Special Use Permit App., 4-24-13.doc



use permit shall be considered incomplete when an applicant fails to provide the following required information. Based upon the size, scale, complexity and impact of the proposed use, the zoning administrator may waive or modify certain requirements of this application. Any waivers or modifications shall be expressed in writing by the zoning administrator and shall be provided, by the applicant, as part of this application.

**A. Please indicate method of water supply:**

County Water \_\_\_\_\_  
City Water \* \_\_\_\_\_  
Community System \_\_\_\_\_  
Well  \_\_\_\_\_  
Cistern \_\_\_\_\_

**B. Please indicate method of sewage disposal:**

County Sewer \_\_\_\_\_  
City Sewer \* \_\_\_\_\_  
Community System \_\_\_\_\_  
Septic System  \_\_\_\_\_  
Alternative (Specify) \_\_\_\_\_

*\*If City water and/or sewer are selected, applicant must have full approval by City and County prior to submitting this application.*

**F. Are there any historical features, listed on a national or state registry, located on the property? If so, please provide documentation.** No

**G. Are there any wetlands or sinkholes, as delineated by a professional engineer, located on the property? If so, please provide documentation.** No

**H. Are there any known cemeteries located on the property?** No

**I. Is the property located in the Cross Keys and Port Republic Battlefield Study Area, Core Area, or Field of Fire?** No

**J. Is the property currently in an Agricultural and Forestal District? If so, please indicate which District.**  
Agricultural

**K. Explain in detail your proposal, hours of operation, number of employees, customer trips expected, etc.**  
A detailed proposed plan is attached

**If the applicant wishes to offer any conditions for this special use request, please provide a copy of the of those conditions signed by those property owners listed on the deed of ownership.**

**FURNISH ON 8 1/2" X 11 PAPER, ONE (1) COPY OF A DRAWING SHOWING:**

- (1) Size and shape of parcel of land where use or building is to be located.
- (2) Location of use of proposed and/or existing buildings---distance from public highways, from adjoining property.
- (3) Size and shape of proposed and/or existing buildings.
- (4) Access to and from property.
- (5) Relation to street and highway intersections.
- (6) Any planned screening or landscaping.
- (7) Number and location of off-street parking spaces.
- (8) Specify proposed use of area (if not contained in building).

Crystal Goder  
Applicant Signature

  
Landowner's Signature  
(if different from applicant)

**NOTE: ALL APPLICANTS OR LANDOWNERS MUST SIGN THE APPLICATION.**





"The greatest gifts we can give our children are the roots of responsibility and the wings of independence."

-Maria Montessori



# new Beginnings

MONTESSORI



## Proposed Plan:

The proposed plan for 7021 Arch Drive is to create a full day, early childhood program in the facility. Utilizing the indoor space with a large, beautiful classroom as well as developing the outdoor areas into a large natural playground and outdoor classroom.

New Beginnings Montessori School LLC is a high end, yet affordable Montessori School. We provide a large, multi-aged classroom enrolling children from ages 3-6 years, accepting no more than 20 children into our program. The multi-age classroom re-creates a family structure. Older students become mentors and role models. Younger children feel supported and gain confidence about the challenges ahead.

Our school is open Monday-Friday. Our doors open at 8:00am and our latest student pick-up is at 5:30. We offer two pick-up options: Full Day 3:30 and Extended Day 5:30. Customer trips (parent pick up and drop off) are the only times people will be entering and exiting the building. Our plan for the 2021-2022 academic year begins September 1<sup>st</sup> and we conclude our year on June 8<sup>th</sup>.

We have 3 teachers working at New Beginnings. Our team consists of certified and dedicated teachers that offer a loving, encouraging and peaceful atmosphere. Crystal Yoder, Lead Teacher and Director of New Beginnings, has 15 years of Montessori classroom experience. Our supporting teachers have worked with Crystal for many years in a Montessori classroom environment. Our teachers model respect, loving kindness and peaceful conflict resolution. Our team is committed to inspiring the minds of children through the philosophy of Maria Montessori.

Dr. Montessori was a visionary educator who founded the philosophy. She believed in individually paced education that fosters a joy of learning. Each child is valued as a unique individual. Montessori education recognizes that children learn in different ways and accommodates all learning styles. Students learn at their own pace, guided by the teacher and an individualized learning plan. With this method a self-confident, inquisitive and creative child emerges.

Our vision is to create a school family that desires a connection to our local community as well as an appreciation for broader world cultures. Through peace building activities and cultural education, we provide a valuable understanding of the world around us and encourage children to live in harmony with one another.

Our thoughtfully designed classroom is beautiful, organized and spacious. The prepared environment is dedicated to developing concentration, coordination and order. Our developmentally appropriate materials are designed to provide a hands on learning experience that encourages curiosity and follows the child's interests. The classroom experience provides academic advancement and valuable life skills.

Our program offers activity specials such as: gardening adventures as we plan to plant a garden on the property, music education with hands on experimentation with instruments and a Spanish curriculum that is tailored to each age group.

Our team's desire is to bring a fresh style of Montessori education to the area in the heart of beautiful farm land. We can offer a joyful environment that nurtures independence and enriches a child's love of learning.