The regular meeting of the King George County Planning Commission (KG CPC) was called to order at 7:01 PM by Chairman Kristofer Parker in the Board Room of the Revercomb Building, located at 10459 Courthouse Drive King George, VA 22485.

**Staff Present:**
Heather Hall, Zoning Administrator
Louis Pancotti, Planner
Jaci Fish, Recording Secretary

**Members Present:**
Chairman, Kristofer Parker
Vice Chairman, Ross Devries
Josh Colwell
Joseph Dacorta
Joseph Gaborow
Gary Kendrick
Kevin Myers
Tara Patteson
Donald Watkins Jr.

**Members Absent:**
Jason Williams

**Quorum:**
Chairman Parker called the meeting to order at 7:01 PM and noted there was a quorum. Following the pledge of allegiance, Ms. Patteson led an invocation.

**Approval of Minutes:**
Approval of King George County Planning Commission meeting minutes included: February 11, 2020.
- Vice Chairman Devries stated on Page 4, first bullet, sponge pool needs to be revised to plunge pool.

After review, Chairman Parker called for a motion. A motion from Ms. Patteson to approve the February 11, 2020 KG CPC meeting minutes, with amendment, was made. Seconded by Vice Chairman Devries, and carried by a vote of 8-0-1. Each member voting as follows: Chairman Parker, Abstain; Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Aye; Mr. Gaborow, Aye; Mr. Kendrick, Aye; Mr. Myers, Aye; Ms. Patteson, Aye, and Mr. Watkins, Aye.

**Public Comment:** Chairman Parker opened the floor for the public forum. Chairman Parker called for the public to comment. No public comments noted.

**Report of the Community Planning Liaison Officer, Naval Support Activity South Potomac, Dahlgren:** No news to report.

**Plan Review:** No new plan review.
Public Hearings:
a. Case Number 19-12-S01: Amendment to the KGC Subdivision Ordinance (KGCSO) to comply with the Chesapeake Bay Preservation Act (CBPA) as recommended by the Department of Environmental Quality (DEQ). Amendment to Sections 1.4, 3.9, 6.2, and 7.1.

Mr. Louis Pancotti, Planner with King George Department of Community Development (KGCDCD) presented.

- Mr. Pancotti stated on November 6, 2019 the DEQ issued a Compliance Review of KGC CBPA program with recommended conditions. Recommendation Condition number 3 of the Draft Corrective Action Plan stated that the “DEQ staff recommends that the County ensure compliance with the requirement to include, prior to approval, notations on plats indicating that: (1) undisturbed and vegetated 100-foot wide RPA buffer areas are to be retained; (2) onsite septic systems are pumped out every five years; 100% reserve drain fields are required for on-site septic systems, and (3) permitted development in RPAs is limited to water dependent facilities or redevelopment.” It was recommended that this exact language be required on plats prior to approval. Text Amendments to the subdivisions Ordinance are needed to require the change in language.

- Mr. Pancotti reviewed Zoning Text Amendment:
  - Amendment to: (Subdivisions) Section 1.4.2 Compliance with Zoning Ordinance (b)-6; (Major Subdivisions) Section 3.9 Final Record Plat (n)-1; (Minor Subdivisions) Section 6.2.1 Requirements for Three Lots-7; (Family Subdivisions) Section 7.1 Subdivision of Land for Family Members (k)-1:
    - All four sections will be amended to contain required notes, as seen below.
      - CBPA designated RPA may not be disturbed without review and approval per CBP Overlay District, KGCO.
        - a. Undisturbed and vegetated 100-foot wide RPA buffer areas are to be retained.
        - b. Permitted development in RPAs is limited to water dependent facilities.

Mr. Pancotti stated it is the recommendation of KGDCD staff that KGPC forward Case Number 19-12-S01: Amendment to the KGC Subdivision Ordinance (KGCSO) to comply with the Chesapeake Bay Preservation Act (CBPA) as recommended by the Department of Environmental Quality (DEQ). Amendment to Sections 1.4, 3.9, 6.2, and 7.1 to King George County Board of Supervisors (KGCBOS) with recommendation of approval.

Chairman Parker opened the floor for public comments. No public comments noted.
Chairman Parker closed the floor for public comments.

Chairman Parker opened the floor for Board Comments.

- Vice Chairman Devries inquired about the difference in language on slides presented by Mr. Pancotti, i.e., permitted development in RPAs is limited to water dependent facilities or redevelopment vs. permitted development in RPAs is limited to water dependent facilities.
  - Mr. Pancotti stated he left out “or redevelopment” and can revise language to include “or development”.
  - Vice Chairman Devries inquired what “or development” means, e.g., redevelopment of water dependent facilities.
    - Mr. Pancotti stated he will ask DEQ for further details.
Mrs. Hall stated redevelopment is when one has already built inside the RPA. Mrs. Hall stated DEQ further explains in the ordinance about steps to redevelop and what one has to do for redevelopment, e.g., mitigation, etc... Mrs. Hall stated redevelopment is permitted within the RPA.

- Vice Chairman Devries inquired if language will be reviewed.
  - Mr. Pancotti stated he will review and make amendments to the language.

- Mr. Myers inquired on Boundary Line Adjustments (BLA), i.e., If one has an old subdivision, and it was platted before 1987, will it be required to follow “(2) .... 100% reserve drain fields are required for on-site septic systems.”
  - Mrs. Hall stated no, when a BLA is completed KGCDCD makes sure that the BLA does not create a non-conformity, e.g., meeting setbacks, placing ones drain field on another’s property, etc....Though, when property is subdivided the notes on the primary reserve drain field is a requirement. This will be a requirement on any new lot created.
  - Mr. Myers stated there are some instances where a BLA is better for the County.
    - Mrs. Hall stated instances are taken into consideration when KGCDCD reviews each case and that is why the clause, “the determination is up to the Zoning Administrator” is included. If KGCDCD feels there is a need for a primary reserve drain field, then it would be a requirement before a BLA is created.
    - If a lot was platted before 1987, the owner still has to look for a primary reserve drain field if the lot owner is building a new house and putting in a new drain field. If the owner does not have a drain field, it does not stop the owner from building.
    - As where a new subdivision being built, has to show a primary and reserve drain field. Those notes have to be on the plat.

- Chairman Parker inquired about septic systems that do not require an effluent filter, “(2) onsite septic systems are pumped out every five years”.
  - Mrs. Hall stated within the CBA ordinance, it discusses systems that do not have the effluent filter that do not require a pump out. These septic systems are part of the exemptions.

After review of Case Number Case Number 19-12-S01: Amendment to the KGC Subdivision Ordinance (KGCSO) to comply with the Chesapeake Bay Preservation Act (CBPA) as recommended by the Department of Environmental Quality (DEQ). Amendment to Sections 1.4, 3.9, 6.2, and 7.1. Chairman Parker called for a motion. Vice Chairman Devries motioned to forward Case Number 19-12-S01, to KGCBOS with recommendation of approval, seconded by Mr. Colwell and carried by a unanimous vote of 9-0-0. Each member voting as follows: Chairman Parker, Aye; Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Aye; Mr. Gaborow, Aye; Mr. Kendrick, Aye; Mr. Myers, Aye; Ms. Patteson, Aye, and Mr. Watkins, Aye.

**Old Business:** No Old Business.

**New Business:**
1. Mrs. Hall stated the KGC Zoning Ordinance (KGCZO) will be under review by the KGCDCD, as it is outdated. Mrs. Hall stated several new permitted uses have been approved and will need to be implemented into KGCZO, e.g., microbreweries & breweries, keeping of chickens, keeping of bees, etc....Mrs. Hall stated if it is not listed as a permitted use, then
KGCDCD cannot allow it; therefore, the KGZCO needs to be updated to reflect new permitted uses, etc.…

- Mrs. Hall is requesting KGPC to review KGZCO, specifically sections: Permitted Uses and Definitions.
- Chairman Parker stated while the KGPC is reviewing the KGZCO to look for outdated items, such as: video stores, coin operated machines (arcades), etc.… so outdated items are reviewed and either removed and/or revised.
- Mrs. Hall stated after KGPC has reviewed the KGZCO, there can be a joint meeting between the KGCBOS & KGPC.
- Mr. Colwell inquired if there is a model ordinance that the KGPC should review.
  - Mrs. Hall stated KGCDCD pulls ordinances from surrounding counties to compare to, i.e. what ordinances other counties have, do not have, what KGC may want to implement, etc.…
- Mrs. Hall stated for the KGPC to have notes turned into the KGCDCD by the next KGPC meeting, April 14, 2020.

2. Mrs. Hall discussed Final Plat Review (FPR) and if an FPR should come before the KGPC for approval.
   - Mrs. Hall stated if an FPR being reviewed by the KGCDCD has to come before the KGPC for approval, it is an extra step in the process that may or may not be needed.
   - Previously an FPR went to the KGPC, then KGCBOS for approval; now only to the KGPC for approval.

**Director’s Report:** Mrs. Heather Hall, Zoning Administrator with KGCDCD reported.

- Mrs. Hall stated Case Number 19-11-Z04: Amendment to the KGZCO to replace “courthouse primary settlement area” with “Courthouse West” and “Route 3/301” primary settlement areas to the applicability of the Mixed-Use Development District. Amendment to Section 14.2 was approved (unanimously) by the KGCBOS.
- Mrs. Hall stated on March 17, 2020 the KGCBOS will review Case Number 19-03-Z02: Request by Darrell Hertenstein, Hertenstein Investment Group, on behalf of Beverley C. Coates, David F. Clare and Alyce Jeter Jones (Villages at King George Crossroads) to rezone with proffers Tax Map 33 Parcels 74 and Tax Map 33 Parcels 78 & 79 from Rural Agricultural (A-2) to General Trade (C-2 Total 17.65 acres) and Multifamily dwelling District (R-3 Total 92.67 acres). Total project area of 110.32 acres. General Development plan, which is subject to modification, proposes to construct a maximum of 450 dwelling units with a proffer of no more than 450 units (a minimum of 100 units being age restricted) noted as “Landbay C” with 92.67 acres proposed to be zoned Multifamily Dwelling District (R-3), “West Village Landbay A”, 8.45 acres of C-2, proposing Medical Office (14,300 sq. ft. pad), “West Village Landbay B” proposing 6.31 acres of C-2, 7,500 sq. ft. pad, 2,500 sq. ft. pad and a 2,500 sq. ft. pad. The property is currently zoned Rural Agricultural (A-2); the minimum lot size in the Agricultural Zoning District is two (2) acres. The requested zoning is Multifamily dwelling (R-3) and General Trade (C-2). The minimum lot size in R-3 with both public water and public sewer is 15,000 square feet and townhomes 1,500 square foot minimum. The minimum lot size in C-2, with both public water and public sewer is 5,000 square feet. Per the King George Comprehensive Plan (2013), the property is located in the Courthouse Primary Settlement Area.
• Mrs. Hall stated KGCBOS will review Case #19-08AS01 Sedgewick Crossing Subdivision: Appeal to the Notice of Violation of Subdivision Section 3.8.7 Maintenance of Roads and Section 2.7 Violations and Penalties. Appeal by Robert S. Gollahon, developer of Sedgewick Crossing Subdivision, Tax Map 12 (5) Parcels 28 (Now lots 1 through 35) at a later date, tentatively April 07, 2020.

• Mrs. Hall stated in reference to Case #19-08AS01 Sedgewick Crossing Subdivision, Mr. Seay (Sedgewick Crossing Subdivision homeowner) recorded the easement plats on his own accord.
  o Mrs. Hall stated the lender consents were reviewed by the KGC Clerk of Court (March 11, 2020). Not all original signatures were obtained, therefore, lender consents were sent back to Mr. Leming (Attorney for Robert S. Gollahon) office.
  o Mrs. Hall stated KGDCDC received the engineers cost estimate which was approximately $93,000.

Other Business: No Other Business.

Adjournment:
Having completed their agenda, Chairman Parker called for a motion to adjourn. Vice Chairman Devries motioned to adjourn, seconded by Mr. Myers, and carried by a unanimous vote of 9-0-0. Each member voting as follows: Chairman Parker, Aye; Vice Chairman Devries, Aye; Mr. Colwell, Aye; Mr. Dacorta, Aye; Mr. Gaborow, Aye; Mr. Kendrick, Aye; Mr. Myers, Aye; Ms. Patteson, Aye, and Mr. Watkins, Aye. The King George Planning Commission adjourned their meeting at 07:29 PM.