

**A RESOLUTION BY THE BOARD OF SUPERVISORS OF
RAPPAHANNOCK COUNTY, VIRGINIA,
PROPOSING AMENDMENTS TO THE ZONING CHAPTER
OF THE RAPPAHANNOCK COUNTY CODE**

The Board of Supervisors of Rappahannock County, Virginia, finding that the public necessity, convenience, general welfare and good zoning practice so require, and for the general purpose of promoting the health, safety, and welfare of the public through:

- the continued viability of agriculture and tourism in years to come;
- the preservation of property values and the marketability of real estate;
- restricting commercial activities in the zoning districts of Rappahannock County in which the predominant activity is agricultural in nature;
- allowing the processing and sale of agricultural products near the site of their production,

proposes to adopt amendments to Chapter 170, "Zoning," of the Rappahannock County Code, as follows (revised language shown in *italics*):

§170-8 Add new definitions, as follows:

SEWAGE TREATMENT Facility-A facility which uses physical, chemical and/or biological processes to remove contaminants from wastewater, rendering it suitable for reuse or discharge into the environment. A sewage treatment facility shall not include such processes permitted as a matter of right by the Virginia Department of Health and/or Virginia Department of Environmental Quality

Temporary Family Health Care Structures-a transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person, that (i) is primarily assembled at a location other than its site of installation, (ii) is limited to one occupant who shall be the mentally or physically impaired person, (iii) has no more than 300 gross square feet, and (iv) complies with applicable provisions of the Industrialized Building Safety Law (§ 36-70 et seq.) and the Uniform Statewide Building Code (§ 36-97 et seq.).

§170-63I

Replace existing language in section (1) to read as follows:

(1) Uses proposed in conjunction with places of worship shall be subject to regulations applicable to such uses (e.g., schools, athletic facilities and such other facilities as determined by the zoning administrator), except that cemeteries and/or residence of the minister, priest, rabbi or other celebrant shall be allowed as accessory uses.

§170-64 H

Replace existing language in section (1) to read as follows:

(1) Private sewage treatment Facilities shall be allowed only when, in the opinion of the Board, the public interest is best served by the approval of a central sewerage facility, rather than through installation of individual private systems, or connection to an existing public central sewerage system.

§170-66 K.

Replace existing language in section (4) to read as follows:

(4) In A and C zones the minimum acreage requirement shall be 10 acres, which may include both the parcel that is the subject of the application and/or adjacent property under the same ownership or owned jointly with the owner or owners of the subject property.

§170-70 B

Add a new Section to read as follows:

(29) Temporary Family Health Care Structure, subject to the standards of §15.2292.1 of the Code of Virginia, 1950 , as amended.

§170-127

Add at then end of the existing section, the following:

The Zoning Violation or written order shall include the applicable appeal fee and a reference to where additional information may be obtained regarding the filing of an appeal.

§170-130

Add at the end of the existing section, the following:

The fee for filing an appeal shall not exceed the costs of advertising the appeal for public hearing and reasonable costs.

§170-140 J.

Replace existing language in Section J. to read as follows:

Decisions subject to judicial review. All decisions of the BZA shall be final decisions, but shall in all instances be subject to judicial review in the manner provided by §15.2-2314 of the Code of Virginia, 1950, as amended.

The proposed amendments shall supercede any provisions of the County Code inconsistent therewith.

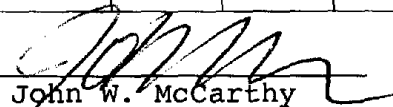
The proposed amendments shall be considered by the Board of Supervisors at a Public Hearing to be held on Wednesday, July 7, 2010, at 7:00 PM at the Courthouse in Washington, VA. Any member of the public may appear and speak at that time, or may submit written comments to the Rappahannock County Administrator, P.O. Box 519, Washington, Virginia 22747.

The Planning Commission is hereby requested to hold a public hearing and make its recommendation as to the proposed amendments at their June 16, 2010 meeting. The Zoning Administrator is authorized to transmit this resolution to the Planning Commission, and to cause to be published all necessary notices to the public of said hearings.

This Resolution was passed by a majority vote of the Board of Supervisors of Rappahannock County, Virginia at a regular monthly public meeting on June 7, 2010, by the following roll-call vote:

	AYE	NAY	Motion	Second	Absent
Roger A. Welch	X				
Ronald L. Frazier	X				
S. Bryant Lee	X				
Michael Biniek	X			x	
I. Chris Parrish	x		x		

A COPY TESTE:


John W. McCarthy
County Administrator