



## Board of Supervisors

1800 Sandy Hook Road  
Goochland, VA 23063

Category: Ordinance Amendment NOT Appendix A or B

Meeting: 08/01/17 03:00 PM

Department: County Attorney

Prepared By: Christina Neale

Department Head: Tara A. McGee

### ADOPTED ORDINANCE

(ID # 2362)

✓ Vote Record - Ordinance 2362						
<input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn <input type="checkbox"/> Meeting Cancelled <input type="checkbox"/> Deferred <input type="checkbox"/> Denied <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Consensus of the Board <input type="checkbox"/> Tabled by Consensus <input type="checkbox"/> Approved as Amended						
			Yes/Aye	No/Nay	Abstain	Absent
	Susan Lascolette	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ned Creasey	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Manuel Alvarez	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Minnick	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ken Peterson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**AT A MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF GOOCHLAND, VIRGINIA, HELD ON AUGUST 1, 2017, IN THE GOOCHLAND COUNTY ADMINISTRATION BUILDING, 1800 SANDY HOOK RD., SUITE 250, GOOCHLAND, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:**

**An Ordinance to Amend Chapter 14 (Water and Sewers), Article V (Service districts), Sec. 14-251 (Tuckahoe Creek Service District) of the Goochland County Code to amend the boundaries of the Tuckahoe Creek Service District to include Tax Map Parcel 59-3-2-R-21 in the service district**

**WHEREAS**, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, enable a local governing body to adopt, amend, and codify ordinances or portions thereof; and

**WHEREAS**, in 2002, the Board of Supervisors created the Tuckahoe Creek Service District (TCSD) pursuant to § 15.2-2400 *et seq.* of the Code of Virginia, 1950, to provide water and sewer services to a designated area in the eastern portion of the County; and

**WHEREAS**, the Board has adopted a policy and procedures to adjust the boundaries of the TCSD by including and excluding parcels from the service district, as set forth in Goochland County Code § 14-251; and

**WHEREAS**, the County has received a written request from the owners of Tax Map Parcel 59-3-2-R-21, The Riverstone Group, LLC and PWC Properties, LLC, to amend the boundaries of the TCSD by including Tax Map Parcel 59-3-2-R-21 in the service district; and

**WHEREAS**, the Board believes that it is in the best interest of the County and the TCSD to expand the service district to include Tax Map Parcel 59-3-2-R-21; and

**WHEREAS**, this ordinance is required to serve the health, safety, and welfare of the citizens of Goochland County; and

**WHEREAS**, the full text of this proposed ordinance amendment was available for public

inspection in the Goochland County Administrator's Office, County Administration Building, 1800 Sandy Hook Road, Goochland, Virginia 23063; and

**WHEREAS**, a public hearing was conducted on Tuesday, August 1, 2017, at 7:00 p.m. at the Goochland County Administration Building, Board Meeting Room 250, 1800 Sandy Hook Road, Goochland, Virginia 23063 after proper advertisement was made, as required by law.

**NOW, THEREFORE, BE IT ORDAINED**, that the Goochland County Code is hereby amended and this ordinance is hereby enacted as follows:

**1. Chapter 14 (Water and Sewers) of the Goochland County Code is hereby amended as follows:**

## **ARTICLE V. SERVICE DISTRICTS**

### **Sec. 14-251. Tuckahoe Creek Service District.**

(a) *Establishment; boundaries; changes to the district.*

- (1) There is hereby established the Tuckahoe Creek Service District, which shall be referred to in this section as "the district." The district is generally bounded on the east by the Henrico County line, on the north by the Hanover County line, on the west by portions of Route 623 (Hockett Road), portions of Route 676 (Hermitage Road), and portions of Route 622 (Rockville Road) and on the south by State Route 6 (Patterson Avenue), and will include the following tax map parcels:

47-1-28, 47-1-31C, 47-1-33, 47-1-34, 47-1-35, 47-1-35A, 47-1-35B, 47-1-35C, 47-1-35D, 47-1-36, 47-1-39, 47-1-39A, 47-1-41, 47-1-41A, 47-1-41A1, 47-1-41B, 47-1-41C, 47-1-42, 47-1-43, 47-1-43A, 47-1-43B, 47-1-43C, 47-1-43C1, 47-1-43C2, 47-1-43D, 47-1-43F, 47-1-43G, 47-1-43H, 47-1-43J1, 47-1-43K, 47-1-43L, 47-1-43M, 47-1-43M1, 47-1-43M2, 47-1-43N, 47-1-43P, 47-1-43P1, 47-1-43P2, 47-1-43P3, 47-1-43Q, 47-1-44, 47-1-44B, 47-1-45, 47-1-46A, 47-1-47, 47-1-71, 47-1-73, 47-1-74, 47-1-74A, 47-1-78, 47-1-80, 47-1-80A, 47-1-80B, 47-1-80E, 47-1-80G, 47-1-80H, 47-1-81A1, 47-1-82, 47-1-83, 47-1-87, 47-1-91, 47-1-91A, 47-1-91B, 47-1-91C, 47-1-91D, 47-1-91E, 47-1-92B, 47-1-92C, 47-1-92D, 47-1-93, 47-1-97, 47-1-98, 47-1-98B, 47-1-98B1, 47-1-99, 47-1-100, 47-1-101, 47-1-104, 47-1-110, 47-1-112A, 47-3-A, 47-3-B, 47-3-B1, 47-3-C, 47-3-D, 47-3-D1, 47-3-E, 47-4-1A, 47-4-2, 47-4-3, 47-5-B, 47-13-D1, 47-19-1, 47-19-6, 47-21-1, 47-21-2, 47-21-3, 47-21-4, 47-21-5, 47-21-6, 47-21-7, 47-21-8, 47-21-9, 47-21-9A, 47-21-10, 47-21-11, 47-21-12, 47-21-13, 47-21-14, 47-21-15, 47-27-8, 47-27-8A, 47-27-8B, 47-27-9, 47-27-10, 47-31-7, 47-31-8, 47-32-14, 47-32-15, 47-32-17, 47-32-18, 47-32-19, 47-32-20, 47-32-21, 47-32-22, 47-32-23, 47-32-A, 48-1-7, 48-1-8D, 48-1-10, 48-1-10A, 48-1-11, 48-1-13, 48-1-13A, 48-1-13B, 48-1-13C, 48-1-13D, 48-1-13E, 48-1-13F, 48-1-13G, 48-1-13K, 48-1-13L, 48-1-13M, 48-1-15, 48-1-19, 48-1-20, 48-1-21, 48-1-21A, 48-1-21C, 48-1-22, 48-1-22A, 48-1-22B, 48-1-23, 48-1-24, 48-1-24A, 48-1-32, 48-1-32A, 48-1-33, 48-1-34, 48-1-35, 48-1-35A, 48-1-35A1, 48-1-35A2, 48-1-36, 48-1-37, 48-1-37A, 48-1-37B, 48-1-38, 48-1-39, 48-1-39A, 48-1-40, 48-1-40A, 48-1-41, 48-1-46, 48-1-47, 48-1-47B, 48-1-48, 48-1-49B, 48-1-50, 48-1-55, 48-1-55B, 48-1-56, 48-1-58, 48-1-58A, 48-1-58B, 48-1-59, 48-1-59A, 48-1-60, 48-1-62, 48-1-66, 48-1-67, 48-1-67B, 48-1-67C, 48-1-68, 48-1-69A, 48-1-71, 48-1-72, 48-1-73, 48-1-73B, 48-1-73C, 48-1-73D, 48-1-74, 48-2-A-2, 48-2-A-3, 48-2-A-4, 48-2-A-6,

48-2-B-1, 48-2-B-2, 48-2-B-3, 48-2-B-4, 48-2-B-5, 48-2-B-6, 48-2-C-1, 48-2-C-2, 48-2-C-3, 48-2-C-4, 48-2-C-5, 48-2-C-6, 48-2-C-7, 48-2-C-8, 48-2-C-9, 48-2-C-10, 48-2-E-1, 48-2-E-2, 48-2-E-3, 48-2-F-4, 48-2-F-5, 48-3-D-1, 48-3-D-2, 48-3-D-3, 48-3-D-4, 48-3-G-1, 48-3-H-4, 48-3-H-5, 48-4-A, 48-4-A1, 48-4-B, 48-4-C, 48-5-1C, 48-5-2, 48-6-1, 48-6-2, 48-7-A, 48-8-1, 48-8-2, 48-8-3, 48-8-4, 48-8-4A, 48-8-5, 48-8-6, 48-10-A, 48-10-B, 48-10-B1, 48-10-C, 48-10-C1, 48-13-B, 48-13-C, 48-13-D1, 48-13-F, 48-14-A, 48-14-1, 48-14-2, 48-14-3, 48-14-4, 48-14-5, 48-14-6, 48-14-9, 48-14-10, 48-14-11, 48-14-12, 48-14-13, 48-14-16, 58-1-0-60, 58-1-30A, 58-1-86A, 58-1-87, 58-1-89, 58-1-90, 58-1-91, 58-1-93, 58-1-94, 58-1-100, 58-1-101, 58-1-102, 58-1-103, 58-1-109, 58-1-110, 58-1-112A, 58-2-1, 58-2-2, 58-2-3, 58-2-4, 58-2-5, 58-2-6, 58-2-8, 58-2-9, 58-2-10, 58-2-11, 58-2-12, 58-2-12A, 58-2-13, 58-2-14, 58-2-15, 58-2-17, 58-2-18, 58-2-19, 58-2-20, 58-2-21, 58-2-22, 58-2-23, 58-2-24, 58-2-25, 58-2-27, 58-2-28, 58-2-29, 58-2-32, 58-2-33, 58-2-34, 58-2-35, 58-2-36, 58-2-37, 58-3-A-2, 58-3-A-4, 58-3-A-5, 58-3-A-6, 58-3-A-7, 58-3-A-8, 58-3-A-9, 58-3-A-10, 58-3-A-11, 58-3-A-12, 58-3-A-13, 58-3-A-14, 58-3-A-15, 58-3-A-16, 58-3-A-17, 58-3-A-18, 58-3-A-19, 58-3-A-20, 58-3-A-21, 58-3-A-22, 58-3-A-23, 58-3-A-24, 58-3-A-25, 58-3-A-25A, 58-3-A-26, 58-3-A-27, 58-3-B-1, 58-3-B-2, 58-3-B-3, 58-3-B-4, 58-3-B-5, 58-3-B-6, 58-3-B-7, 58-3-B-8, 58-3-C-1, 58-3-C-2, 58-3-C-3, 58-3-C-4, 58-3-C-5, 58-3-C-6, 58-3-C-7, 58-3-D-1, 58-3-D-2, 58-3-D-3, 58-3-D-4, 58-5-1, 58-5-1A, 58-5-1B, 58-5-2, 58-6-1, 58-6-5, 58-12-A, 58-12-B, 58-12-C, 58-31-1, 58-31-4, 58-32-3-31, 58-32-3-32, 58-32-3-33, 58-32-3-43, 58-32-3-48, 58-32-3-49, 58-32-3-50, 58-32-3-52, 58-32-3-53, 58-33-2-W1, 58-33-2-W2, 58-33-2-54, 58-33-2-55, 58-33-2-56, 58-33-2-57, 58-33-2-58, 58-33-2-59, 58-33-2-60, 58-33-2-61, 58-33-2-62, 58-33-2-63, 58-33-2-64, 58-33-2-65, 58-33-3-66, 59-1-1, 59-1-3, 59-1-4, 59-1-5, 59-1-6, 59-1-8, 59-1-8A, 59-1-9, 59-1-10, 59-1-11, 59-1-14, 59-1-15, 59-1-17, 59-1-17A, 59-1-18, 59-1-19, 59-1-19A, 59-1-20, 59-1-21, 59-1-21A, 59-1-22, 59-1-23, 59-1-23A, 59-1-23B, 59-1-23C, 59-1-23D, 59-1-29, 59-1-31, 59-1-32, 59-1-33, 59-1-35, 59-1-38A, 59-1-39, 59-1-41, 59-2-H-1, 59-2-H-2, 59-2-H-3, 59-3-2-FP7, 59-3-2-R-21, 59-3-2-W6, 59-3-2-W7, 59-3-2-W8, 59-3-2-75, 59-3-2-76, 59-3-2-77, 59-3-2-78, 59-3-2-79, 59-3-2-80, 59-3-2-81, 59-3-2-82, 59-3-2-83, 59-3-2-84, 59-3-2-85, 59-3-2-86, 59-3-2-87, 59-3-2-88, 59-3-2-89, 59-3-2-90, 59-3-2-91, 59-3-2-92, 59-3-2-93, 59-3-3-W3, 59-3-3-W4, 59-3-3-W5, 59-3-3-67, 59-3-3-68, 59-3-3-69, 59-3-3-70, 59-3-3-71, 59-3-3-72, 59-3-3-73, 59-3-3-74, 63-1-146, 63-1-147, 63-1-153, 63-1-154, 63-1-155, 63-1-156, 63-1-160, 63-1-160A, 63-1-161A, 63-1-174, 63-1-175, 63-1-180, 63-1-180B, 63-4-7, 63-4-8, 63-8-1, 63-11-A, 63-14-A, 63-14-A4, 63-14-B, 63-14-B1, 63-29-A1, 63-37-1-2, 63-37-1-3, 63-37-1-4, 63-37-1-5, 63-37-1-5A, 63-37-1-8, 63-37-1-9, 63-37-1-9G, 63-37-1-10, 63-37-3-27, 63-37-3-28, 63-37-3-29, 63-37-3-30, 64-1-41, 64-1-44, 64-1-44A, 64-1-74A, 64-1-74B, 64-1-78, 64-1-78A, 64-1-78B, 64-3-3-1, 64-3-3-2, 64-3-3-3, 64-3-3-4, 64-3-3-5, 64-3-3-6, 64-3-3-7, 64-3-3-8, 64-3-3-9, 64-3-3-10, 64-3-3-11, 64-3-3-12, 64-3-3-13, 64-3-3-14, 64-3-3-15, 64-3-3-16, 64-3-3-17, 64-3-3-17A, 64-3-3-17B, 64-3-3-18, 64-3-3-19, 64-3-3-20, 64-3-3-21, 64-3-3-22, 64-3-3-23, 64-3-3-24, 64-3-3-25, 64-3-3-26, 64-3-3-27, 64-3-3-28, 64-3-3-29, 64-3-3-30, 64-3-3-31, 64-3-3-32, 64-3-3-33, 64-3-3-34, 64-3-3-35, 64-3-3-36, 64-3-3-37, 64-3-3-38, 64-3-3-39, 64-3-3-40, 64-3-3-41, 64-3-3-42, 64-3-3-43, 64-3-3-44, 64-3-3-45, 64-3-3-46, 64-3-3-47, 64-3-3-48, 64-3-3-49, 64-3-3-50, 64-3-3-51, 64-3-3-52, 64-3-3-52A, 64-3-3-53, 64-3-3-53A, 64-3-3-54, 64-3-3-55, 64-4-1-1, 64-4-1-2, 64-4-1-3, 64-4-1-3A, 64-4-1-4, 64-4-1-5, 64-4-1-6, 64-4-1-7, 64-4-1-8, 64-4-1-9, 64-4-1-10, 64-4-1-10A, 64-4-1-11, 64-4-1-12, 64-4-1-13, 64-4-1-14, 64-4-1-15, 64-4-1-16, 64-4-1-17, 64-4-1-18, 64-4-1-19, 64-4-1-20, 64-4-1-21, 64-4-1-22, 64-4-1-23, 64-4-1-24, 64-4-1-25, 64-4-1-26, 64-4-1-27, 64-4-1-28, 64-4-1-29, 64-4-1-30, 64-4-1-31, 64-4-1-32, 64-4-1-33, 64-4-1-34, 64-

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Tax map parcels not identified above, but included in the district are #48-1-69B and #48-1-69C, which were created on April 12, 2002, #47-1-42B, which was created on December 31, 2002, and #58-28-1A, which was created on December 26, 2002, #63-1-161A, which was reconfigured on November 8, 2006, #47-1-42A1 and #47-1-42A2, which were created on November 7, 2006, #59-3-3-26, as configured on August 8, 2006, and 64-1-85, which was acquired from VDOT as described in a deed and plat recorded on December 20, 2006.

Tax map parcels not identified above are excluded from the district. Also excluded are Tax Map Parcel #48-1-67D, which was created on April 3, 2002, Tax Map Parcel #48-1-47D, which was created on December 19, 2003, and Tax Map Parcel #48-1-7B, which was created on October 21, 2005, and reconfigured on March 20, 2006.

- (2) Unless stated otherwise, the tax map and parcel numbers used in this section refer to those property identifiers assigned by the local assessing officer as of January 1, 2002. Any tax map parcel created by legal subdivision or combination by vacation or lot line adjustment or otherwise of the parcels described above, shall remain included or excluded, as appropriate, notwithstanding such subdivision, vacation or adjustment.
- (3) Upon receiving a written request from a landowner seeking to add a parcel of land to or to exclude a parcel from the service district, the parcel in question may be added to or excluded from the service district by the board of supervisors following an appropriate notice and public hearing held in accordance with state law. The board of supervisors shall consider requests for addition to the district at any time, and shall consider requests for exclusion from the district only once every two (2) years beginning in September 2016. A request for exclusion from the district shall only be considered for parcels of land containing a dwelling that do not receive either public water or public sewer service at the time of the request. No such parcel shall be excluded from the service district unless such exclusion is offset by the inclusion of parcel(s) subject to taxation of equal or greater assessed value at the time of inclusion that were added to the district within the preceding two (2) years of the request. Any improved residential real property receiving either public water or public sewer service and all commercial property shall not be eligible for exclusion from the service district. Any parcel of land that is removed or excluded from the district shall not be eligible for rejoining the district for a period of five (5) years after the date of its exclusion from the district. Upon rejoining the district, such parcels shall thereafter be subject to the additional connection fees required in sections 14-87(3) and 14-142(3). Nothing in this section shall obligate the board of supervisors to approve requests for exclusion, based on the

financial challenges facing the district.

- (b) *Establishment as service district; powers of board of supervisors; levy and collection of special taxes.* The district is established as a service district pursuant to Section 15.2-2400 of the Code of Virginia of 1950, as amended. The board of supervisors may exercise the powers set forth in Section 15.2-2403 of the Code of Virginia of 1950, as amended, for the purposes set forth therein, including imposing an ad valorem special tax on the assessed values of the tax map parcels in the service district to pay the costs of the district under the plan. Properties within the service district that participate in the special assessment for land preservation program shall be taxed at the full assessed value notwithstanding such participation in the land preservation program. Annually, the board of supervisors may set the rate for any special tax to be levied on property within the district by conducting a public hearing on the matter, separate from the public hearing on the county budget. The treasurer shall collect any special taxes levied within the district in the same manner as he or she collects other county property taxes. All taxes levied and collected pursuant to this article are pledged to finance the costs of the proposed facilities and services set forth in subsection (c) hereof. Subject to future appropriation, the board of supervisors will use the special taxes solely for the purposes described herein, and use the following revenue streams to pay current debt service:

- (1) Fifty-five (55) percent of the increase in general real estate levy revenues on properties within the district, except properties used or zoned for residential purposes, other than the Kinloch subdivision, as measured from the base year of 2004; and
- (2) Interest earnings on any separate reserve funds resulting from the borrowing and/or refunding of the water and sewer revenue bonds for the service district.

- (c) *Purpose; proposed district facilities and services.* The purpose of the district is to fund and finance capital improvements to the City of Richmond sanitary sewer system, the Henrico County water and sanitary sewer systems to allow their use by the service district, to pay expenses to connect to such systems, to install sanitary sewer trunk collector lines and major water distribution lines and associated facilities both within the district and in the City of Richmond and Henrico County connecting Goochland County lines to the City of Richmond and Henrico County systems (collectively, the "district facilities"), and other water and sewer improvements, in order to make available public water and sewer to serve properties within the district (the "district services") and to provide transportation and transportation services, including but not limited to road construction, including any new roads or improvements to existing roads, rehabilitation and replacement of existing transportation facilities or systems, and to provide other services, events or activities that will enhance the public use and enjoyment of and the public safety, public convenience, and public well-being within the district. The county will obtain water and sewer capacity and make it generally available within the district via major trunk lines (water distribution lines and sanitary sewer lines) and related facilities. Unless otherwise authorized pursuant to a developer's agreement, no minor collector or distributor lines or lateral lines will be provided under this plan. Any such facilities needed to connect to the county systems shall remain the responsibility and expense of the developer or property owner. Subject to the availability of sufficient capacities of water and wastewater, the district taxpayers shall have their water and wastewater needs met, provided service is in compliance with district policies and the ordinances of the county related to water and wastewater service. Notwithstanding the foregoing, in instances of development where water or wastewater demands are expected to exceed three hundred thousand (300,000) gallons per day or

existing capacity is limited, special evaluation will be made by the board in order to assess the impact of the development on the district and determine appropriate action regarding the requested service.

- (d) *District facilities.* The district facilities shall be owned by and under the management of the Goochland County Public Utilities Department and connected to the Henrico County water system and the Henrico County and City of Richmond sanitary sewer systems.
- (e) *Benefits.* The district facilities and district services are intended to primarily benefit the landowners within the district, and as an ancillary matter, all the citizens of Goochland County. They are intended to spur business, commercial and industrial growth and economic development within the district, increase property values for the district landowners, begin implementation of the county's eastern growth management and conservation plan and comprehensive plan, and protect the health and safety of the residents in the district.

**2. Except as amended herein, all chapters, articles, sections, paragraphs and provisions of the Goochland County Code are readopted in their entirety as if set forth herein.**

**3. This ordinance shall be effective immediately upon adoption.**

A COPY ATTEST:

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John A. Budesky, County Administrator  
Goochland County Board of Supervisors