



COUNTY OF PRINCE WILLIAM

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PLANNING
OFFICE

Christopher M. Price, AICP
Director of Planning

July 3, 2014

STAFF REPORT

Public Facility Review #PLN2014-00358, Sewer Extension to Kettle Run Road
(Brentsville Magisterial District)

Planning Commission Public Hearing: July 16, 2014

Staff Recommendation: Denial

I. Background:

- A. Request – This is a request for a public facility review (PFR) under §15.2-2232 Code of Virginia requesting connection to public sewer service in the Rural Area for a vacant property along Kettle Run Road. The applicant cannot construct a home larger than three bedrooms without sanitary sewer, and they would like to construct a home with four to five bedrooms.
- B. Location – The property is located 600' southeast of the intersection of Kettle Run Road and Vint Hill Road. The property can be identified on County Mapper as GPIN: 7495-60-6618. See Attachment A for the reference maps.
- C. Comprehensive Plan – The site is designated AE, Agricultural or Estate on the Long-Range Land Use Map and is within the Rural Area. The Zoning Ordinance prohibits extension of public sewer into the Rural Area except under special circumstances specifically enumerated in the Comprehensive Plan that maintains the land use densities delineated in the Long-Range Land Use Map. This application does not meet any of those special circumstances. See Attachment A for the Long-Range Land Use Map.
- D. Zoning/Acreage – The site is zoned A-1, Agricultural and is shown in Attachment A for the Zoning Map. Section 32-250.75 of the Zoning Ordinance states that residential and nonresidential uses within the rural areas (as defined in the Comprehensive Plan) shall not connect to the public sewer system, except in accordance with the Comprehensive Plan.

- E. Availability of Sewer – Public sewer is available nearby along Kettle Run Road, and it was constructed as a necessary infrastructure improvement in order to eliminate the Nokesville Sewage Treatment Plant.

II. Current Situation:

- A. Planning Office Recommendation – The Planning Office recommends that the request be found not substantially in accord with the Comprehensive Plan and therefore deny the request for the extension of public sewer to this site.
- B. Planning Commission Public Hearing – A public hearing before the Planning Commission has been properly advertised for July 16, 2014.

III. Issues:

- A. Comprehensive Plan – How is the location, character, and extent of the proposed sewer extension to be (not to be) substantially in accord with applicable Comprehensive Plan policies?
- B. Community Input – Have members of the community raised any issues?
- C. Legal Uses of the Property – What uses are allowed on the property? How are legal issues resulting from Planning Commission action to be addressed?
- D. Timing – When must the Planning Commission take action on this application?

IV. Alternatives beginning with the staff recommendation are as follows:

- A. Find PFR #PLN2014-00358, Sewer Extension to Kettle Run Road, is not substantially in accord with the Comprehensive Plan.
 - 1. Comprehensive Plan – A finding that the request is not substantially in accord with the Comprehensive Plan upholds the purpose of the AE, Agricultural or Estate, land use designation, which is to protect existing agricultural lands and open space to maintain the land use densities in the Rural Area. Such a finding is also consistent with Sanitary Sewer Plan Policy #3 of prohibiting the extension of public sewer into the Rural Area except under special circumstances; none of which apply to this case. Further, the Sanitary Sewer chapter of the Comprehensive Plan states that “all new development within the Rural Area shall be served by individual-lot, on-site sewerage systems”. This finding would allow development in accordance with the existing zoning that can be served by individual septic systems.

2. Community Input – Notice of the application has been transmitted to adjacent property owners within 200 feet of the properties. As of the date of this staff report, the Planning Office has not received any comments on the case.
3. Legal Uses of the Property – The site can be used for purposes identified in A-1, Agricultural zoning district. The decision of the Planning Commission can be appealed to the Board of County Supervisors. Legal issues resulting from Planning Commission action are appropriately addressed by the County Attorney's Office.
4. Timing – The Planning Commission must take action on this case no later than September 14, 2014 in order to meet the 60-day deadline. This 60-day deadline is 60 days from the date of the Planning Commission Hearing, and this case is scheduled to be heard at the July 16, 2014 Planning Commission Hearing. Failure of the commission to act within that time frame will be deemed a finding of consistency.

B. Find PFR #PLN2014-00358, Sewer Extension to Kettle Run Drive, to be substantially in accord with the Comprehensive Plan.

1. Comprehensive Plan – A finding that the request is substantially in accord with the Comprehensive Plan would allow the property to connect to public sewer, which is inconsistent with the Comprehensive Plan, and specifically, inconsistent with Sanitary Sewer Plan Policy #3 of prohibiting the extension of public sewer into the Rural Area.
2. Community Input – Notice of the application has been transmitted to adjacent property owners within 200 feet of the properties. As of the date of this staff report, the Planning Office has not received any comments on the case.
3. Legal Uses of the Property – The proposed extension of sewer service would allow development of a use requiring sewer service. Legal issues resulting from Planning Commission action are appropriately addressed by the County Attorney's Office.
4. Timing – The Planning Commission must take action on this case no later than September 14, 2014 to meet the 60-day deadline. The 60-day deadline is 60 days from the July 16, 2014 Planning Commission Hearing date. Failure of the commission to act within that time frame will be deemed a finding of consistency.

PFR #PLN2014-00358, Sewer Extension to Kettle Run Road

July 3, 2014

Page 4

- V. **Recommendation** is that the Planning Commission concur with Alternative A and determine that PFR #PLN2014-00358, Sewer Extension to Kettle Run Road, is not substantially in accord with the Comprehensive Plan and therefore deny the request for the extension of public sewer to this property.

Staff: David McGettigan, 703-792-7189

Attachments:

- A. Maps

VICINITY MAP

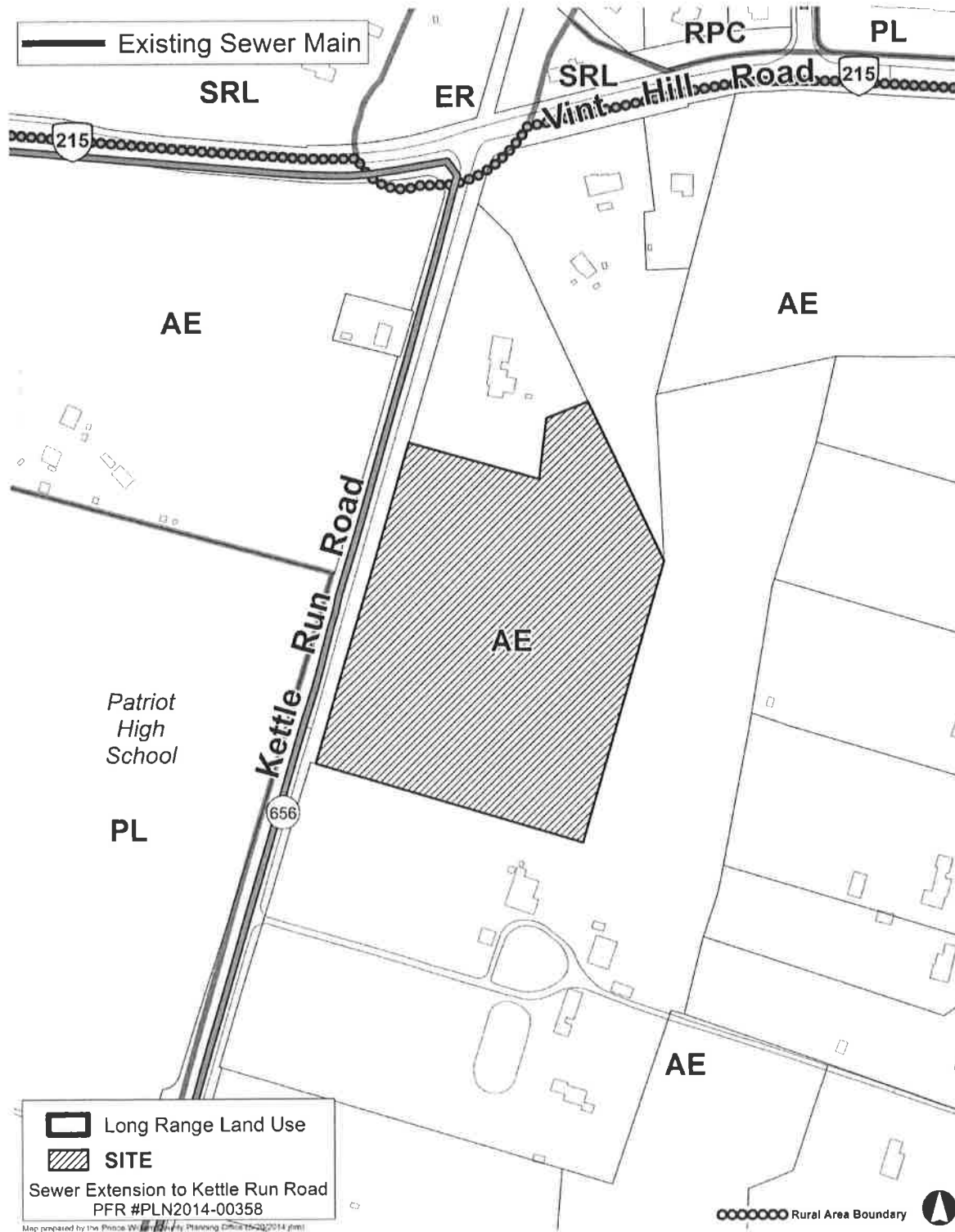


Sewer Extension to Kettle Run Road
PFR #PLN2014-00358

AERIAL MAP



LONG-RANGE LAND USE MAP



ZONING MAP

