



**AGENDA**  
**POWHATAN COUNTY BOARD OF SUPERVISORS**  
**ORGANIZATIONAL AND REGULAR MEETING**  
**JANUARY 26, 2026**  
**6:00 PM CALL TO ORDER**

This meeting is being held in the Village Building and is open to the public to attend in person.

If you would like to watch in real-time, use this link: <http://powhatanva.gov/432/Live-Stream-of-Powhatan-County-Meetings>

If you would like to watch the meeting later, at your convenience, use this link: <http://powhatanva.gov/433/County-Meetings-and-Workshop-Videos-On-D>

Public comments may be made in person during the appropriate comment period or submitted to [administration@powhatanva.gov](mailto:administration@powhatanva.gov) or by leaving a voicemail at (804) 598-5612 prior to the meeting. Any comments received up until 12:00 PM of the day of the meeting shall be entered into the meeting minutes.



- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Invocation**
- 4. Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation**
- 5. Formal Approval of Agenda**
- 6. Organizational Items**
  - A. **Resolution R-2026-01** – Election of the Board of Supervisors 2026 Chair 5
  - B. **Resolution R-2026-02** – Election of the Board of Supervisors 2026 Vice-Chair 5
  - C. **Resolution R-2026-03** – Adoption of the Board of Supervisors 2026 Meeting Schedule and Calendar 8
  - D. **Resolution R-2026-04** – Adoption of the Board of Supervisors 2026 Rules of Procedure 12
  - E. **Resolution R-2026-05** – Adoption of the Board of Supervisors 2026 Code of Ethics 22
- 7. County Administrator Updates**
- 8. Board Updates**
- 9. Presentation**
  - A. Future Farmers of America (FFA) Nationals Award: Hippology
  - B. Future Farmers of America (FFA) Nationals Award: Agricultural Mechanics
  - C. Agriculture Structures Welding Regional Award
  - D. Junior Reserve Officer Training Corps (JROTC) Raider Meeting Award
- 10. Public Comment** (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)
- 11. Consent**
  - A. **Minutes** December 19, 2025 Regular Meeting 29



## 12. Board Member Appointments

- A. Capital Region Workforce Partnership Chief Local Elected Officials (CLEO) Consortium 42

## 13. New Business

- A. **Resolution R-2026-06** - Amending the Fiscal Year 2026 Powhatan County Operating Budget by Budgeting and Appropriating \$447,913 in the Grants Fund for Operation Cease Fire – Violent Crimes Detective 43
- B. **Resolution R-2026-07** - Amending the Fiscal Year 2026 Powhatan County Operating Budget by Budgeting and Appropriating \$223,588.90 in the School Fund for Behavioral Health and Developmental Services for students, and Professional Development for Teachers 45
- C. **Resolution R-2026-08** - Amending the Fiscal Year 2026 Powhatan County Operating Budget by Budgeting and Appropriating \$124,050.99 in the Grants Fund for Miscellaneous grants and donations 47
- D. **Resolution R-2026-09** - Amending the Fiscal Year 2026 Powhatan County Operating Budget by Budgeting and Appropriating \$3,391,746 in the Capital Projects Fund and to Unappropriate (\$5,000,000) in CVTA Fund for a Net Reduction of (\$1,608,254) 50
- E. **Resolution R-2026-10** - Authorizing the County Administrator to execute a contract with I.T.S. Maintenance, LLC in the amount of \$323,203 to construct the Education Connection Trail 53

## 14. Public Hearings

- A. **Ordinance O-2026-04 - Berk and ALP LLC - District 2/Powhatan Station (Case #5-20-REZ-C)**: Request to conditionally rezone a 7.19-acre portion of a 9.97-acre property from Commerce Center (CC) and General Commercial (C) to Light Industrial (I-1), with proffered conditions, on Tax Map Parcels 43-34 and 43-34A located at 1375 and 1377 Anderson Highway. The County’s 2021 Comprehensive Plan Future Land Use Map designates the property as Industrial, and within the Route 60 Corridor East Special Area Plan. 62
- B. **Ordinance O-2026-05 - Lighthouse Learning Academy - District 1/Flat Rock (Case #25-21-REZ)**: Request to rezone 2.1 acres from Light Industrial (I-1) to Commerce Center (CC) on Tax Map Parcel 42E-1-8 located on the south side of Carter Gallier Boulevard approximately 540 feet west of its intersection with Southcreek One. The County’s 2021 Comprehensive Plan Future Land Use Map designates the property as Gateway Business, and within the Route 60 Corridor East Special Area Plan. 100



- C. **Ordinance O-2026-03 - Countywide Zoning Ordinance Amendment – Motorsports Park (Case #25-19-ZA):** An Ordinance amending Powhatan County Code Chapter 83 (Zoning Ordinance), Section 83-162 (Conditional uses in A-10); to add “Motorsports Park” as a use allowable by conditional use permit in the Agricultural 10 (A-10) zoning district. 131
  
- D. **Ordinance O-2026-01 - Countywide Subdivision Ordinance Amendment – Single-Cut Subdivisions (Case #25-15-SA):** An Ordinance amending Powhatan County Code, Chapter 68 (Subdivision Ordinance) Sections 68-111 (Private Roads), 68-114 (Single cut subdivision), 68-107 (Minimum lot size), and 68-301 (Definitions) - to clarify the eligibility requirements for a “single cut” subdivision exception, which allows a one-time division of a single parcel of land into two parcels where the parent parcel has not been subdivided or altered since April 18, 1988. 136
  
- E. **Ordinance O-2026-02 - Countywide Zoning Ordinance Amendment – Minimum Lot Size Reference Chart (Case #25-16-ZA):** An Ordinance amending Powhatan County Code Chapter 83 (Zoning Ordinance) to remove the Minimum Lot Size Reference Chart in Section 83-107(b) due to inconsistencies and redundancies; to add “Single Cut Exception” references to the minimum lot size regulations in Sections 83-150 (Agricultural – 20), and 83-160 (Agricultural – 10) Districts; and to amend the Definition of “Parent Tract” in Section 83-521 (Definitions) to refer to the definition of the same term as provided in Section 68-301 (Definitions) of the Subdivision Ordinance. 136
  
- 15. **County Attorney Comments**
  
- 16. **County Administrator Comments**
  
- 17. **Board Comments**
  
- 18. **Closed Session**
  
- 19. **Adjournment**



Powhatan County  
Board of Supervisors  
Agenda Item

**Meeting Date:** January 26, 2026

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**Agenda Item Title:** Resolution electing the 2026 Chair and Vice-Chair of the Powhatan County Board of Supervisors

**Summary of Item:** Pursuant to Virginia Code § 15.2-1422, the Board of Supervisors is requested to elect one of its members to serve as 2026 Chair of the Board and one member to serve as 2026 Vice-Chair of the Board. In accordance with the Board's Rules of Procedure, the Chair and Vice-Chair are elected at the Board's annual meeting and serve for a one-year term.

**Motion:** I move that the Board adopt the Resolution electing the 2026 Chair and Vice-Chair of the Powhatan County Board of Supervisors.

**Attachments:** Resolution

AT A MEETING OF THE BOARD OF SUPERVISORS OF POWHATAN COUNTY, VIRGINIA, HELD ON JANUARY 26, 2026, IN THE POWHATAN COUNTY VILLAGE BUILDING, 3910 OLD BUCKINGHAM ROAD, POWHATAN COUNTY, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

**Resolution Electing the 2026 Chair of the Board of Supervisors**

**WHEREAS**, pursuant to Virginia Code § 15.2-1422, the Powhatan County Board of Supervisors is required to elect from among its members a Chair of the Board of Supervisors; and

**WHEREAS**, Virginia Code § 15.2-1422 allows the Board members to serve in the office of Chair for such period as may be determined by the Board of Supervisors; and

**WHEREAS**, the Board’s Rules of Procedures establish that the Chair serves for a one-year term.

**NOW, THEREFORE, BE IT RESOLVED** by the Powhatan County Board of Supervisors that \_\_\_\_\_ is hereby elected as Chair of the Powhatan County Board of Supervisors for a one-year term.

ADOPTED JANUARY 26, 2026.

ATTEST:

\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

\_\_\_\_\_, Chair  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	

AT A MEETING OF THE BOARD OF SUPERVISORS OF POWHATAN COUNTY, VIRGINIA, HELD ON JANUARY 26, 2026, IN THE POWHATAN COUNTY VILLAGE BUILDING, 3910 OLD BUCKINGHAM ROAD, POWHATAN COUNTY, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

**Resolution Electing the 2026 Vice-Chair of the Board of Supervisors**

**WHEREAS**, pursuant to Virginia Code § 15.2-1422, the Powhatan County Board of Supervisors is required to elect from among its members a Vice-Chair of the Board of Supervisors; and

**WHEREAS**, Virginia Code § 15.2-1422 allows the Board members to serve in the office of Vice-Chair for such period as may be determined by the Board of Supervisors; and

**WHEREAS**, the Board’s Rules of Procedures establish that the Vice-Chair serves for a one-year term.

**NOW, THEREFORE, BE IT RESOLVED** by the Powhatan County Board of Supervisors that \_\_\_\_\_ is hereby elected as Vice-Chair of the Powhatan County Board of Supervisors for a one-year term.

ADOPTED JANUARY 26, 2026.

ATTEST:

\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

\_\_\_\_\_, Chair  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



Powhatan County  
Board of Supervisors  
Agenda Item

**Meeting Date:** January 26, 2026

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**Agenda Item Title:** Resolution establishing the Board of Supervisors' 2026 Meeting Schedule

**Summary of Item:** In accordance with the requirements of Virginia Code § 15.2-1416, the Board of Supervisors is requested to establish the dates, times, and places of its regular meetings for the year.

**Motion:** I move that the Board adopt the Resolution establishing the Board of Supervisors' 2026 Meeting Schedule and Calendar as (presented / amended).

**Attachments:** Resolution and 2026 Meeting Schedule and Calendar

AT A MEETING OF THE BOARD OF SUPERVISORS OF POWHATAN COUNTY, VIRGINIA, HELD ON JANUARY 26, 2026, IN THE POWHATAN COUNTY VILLAGE BUILDING, 3910 OLD BUCKINGHAM ROAD, POWHATAN COUNTY, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

**Resolution Establishing the Board of Supervisors' 2026 Meeting Schedule**

**WHEREAS**, the Powhatan County Board of Supervisors wishes to schedule its meetings for the calendar year 2026 in accordance with Virginia Code § 15.2-1416; and

**WHEREAS**, the Board of Supervisors has considered the attached meeting schedule and finds it to be acceptable; and

**WHEREAS**, the Board also wishes to establish a Reserved Date pursuant to Virginia Code § 15.2-1416, at which a regular meeting can be continued if necessary, such that all hearings and other matters previously advertised may be conducted at the continued meeting without further advertisement.

**NOW, THEREFORE, BE IT RESOLVED** by the Powhatan County Board of Supervisors, that all regular meetings will be held in the Village Building beginning at 6:00 p.m. on the fourth Monday of each month, except as noted on the attached 2026 Meeting Schedule and except that regular meetings will begin at 5:00 p.m. when dinner workshops are published with the Board's regular meeting agenda.

**BE IT FURTHER RESOLVED** that, if necessary due to weather or other circumstances, the Board may continue any regular meeting to the Reserved Date of the following Monday, or other earliest convenient date publicized in advance, at which all hearings and other matters previously advertised may be conducted without further advertising.

ADOPTED JANUARY 26, 2026.

ATTEST:

\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

\_\_\_\_\_, Chair  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



## 2026 Powhatan County Board of Supervisors Meeting Schedule

- Board of Supervisors Meeting
- Budget Workshops
- Holiday
- Joint BOS SB Meetings
- Special Meeting
- Proposed Workshops

**BOS Meeting Location:**

The Village Building  
 3910 Old Buckingham Road  
 Powhatan, VA 23139

Holidays & Observances

- January 1 New Year's Day (obs)
- January 2 Additional Day
- January 19 Martin Luther King
- February 16 President's Day
- May 25 Memorial Day
- June 19 Juneteenth
- July 3 Independence Day (obs)
- September 7 Labor Day
- October 12 Columbus Day
- November 3 Election Day
- November 11 Veteran's Day
- November 25 Additional Day
- November 26 Thanksgiving Day
- November 27 Day after Thanksgiving
- December 24 Additional Day
- December 25 Christmas Day

JANUARY						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

MARCH						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Powhatan County Board of Supervisors 2026 Meeting Dates

All Meetings and Workshops will be held in the Village Building *unless noted*

Date	Day	Time	Event
1/6/2026	Tuesday	8:30 AM	Big Ticket Meeting
1/26/2026	Monday	6:00PM	Regular Meeting/ Organizational
2/12/2026	Thursday	3:00PM	Workshop
2/23/2026	Monday	6:00PM	Regular Meeting/CA Recommended Budget and CIP Release
3/5/2026	Thursday	3:00PM	Budget W/S: Introduce Financial Forecast, budget presentation, and discuss tax rates
3/11/2026	Wednesday	3:00PM	Joint Budget BOS/SB Workshop: Budget/CIP Discussion
3/12/2026	Thursday	3:00PM	Budget Workshop: Discuss Departmental Budgets and Personnel and Misc. Contributions/Joint Memberships
3/16/2026	Monday	3:00PM	Discuss CIP
3/23/2026	Monday	6:00PM	Regular Meeting
3/26/2026	Thursday	3:00PM	Budget Workshop: Discuss Budget Scenarios/ Decide What Budget to Advertise
4/6/2026	Monday	6:00PM	Special Meeting: Public Hearing on RE Tax Rate, Adopt RE and PP Tax Rates
4/20/2026	Monday	6:00PM	Special Meeting: Public Hearing on Budget and fee schedule
4/27/2026	Monday	6:00PM	Regular Meeting: Adopt the FY 2027 Budget and CIP
5/7/2026	Thursday	3:00PM	Joint Legislative Workshop <i>* held at PLC</i>
5/18/2026	Monday	6:00PM	Regular Meeting
6/22/2026	Monday	6:00PM	Regular Meeting
7/27/2026	Monday	6:00PM	Regular Meeting
8/6/2026	Thursday	3:00PM	Workshop (tentative)
8/24/2026	Monday	6:00PM	Regular Meeting
9/17/2026	Thursday	3:00PM	Workshop (tentative)
9/28/2026	Monday	6:00PM	Regular Meeting
10/8/2026	Thursday	3:00PM	Workshop (tentative)
10/26/2026	Monday	6:00PM	Regular Meeting
11/16/2026	Monday	6:00PM	Regular Meeting
12/14/2026	Monday	6:00PM	Regular Meeting
1/25/2027	Monday	6:00PM	Regular Meeting (Inc. Organizational Meeting)



# Powhatan County Board of Supervisors Agenda Item

**Meeting Date:** January 26, 2026

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**Agenda Item Title:** Resolution adopting the Board of Supervisors' 2026 Rules of Procedure

**Summary of Item:** Each year at its annual organizational meeting, the Board of Supervisors adopts its Rules of Procedure by which the Board conducts meetings, public hearings, and otherwise discharges its duties and responsibilities on behalf of the County. The Board is requested to consider and adopt its proposed 2026 Rules of Procedure. Two proposed revisions the Board has expressed interest in considering include:

- Shortening the agenda publication from 7 to 5 days prior to the meeting date (Item 2.8)
- Removing language barring citizens from commenting on any matter on the Board's Agenda (Item 4.2)

**Motion:** I move that the Board approve the Resolution establishing the Board of Supervisors' 2026 Rules of Procedure as (presented / amended).

**Attachments:** Resolution and 2026 Rules of Procedure

AT A MEETING OF THE BOARD OF SUPERVISORS OF POWHATAN COUNTY, VIRGINIA, HELD ON JANUARY 26, 2026, IN THE POWHATAN COUNTY VILLAGE BUILDING, 3910 OLD BUCKINGHAM ROAD, POWHATAN COUNTY, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

**Resolution Establishing the Board of Supervisors’ 2026 Rules of Procedure**

**WHEREAS**, the Board of Supervisors wishes to adopt the attached Rules of Procedure to enable the Board to discharge its duties and responsibilities effectively and efficiently and to facilitate the exercise of its authority and powers in conducting its Board meetings.

**NOW, THEREFORE, BE IT RESOLVED** by the Powhatan County Board of Supervisors that the attached 2026 Rules of Procedure are hereby adopted.

ADOPTED JANUARY 26, 2026.

ATTEST:

\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

\_\_\_\_\_  
, Chair  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



January 2026

BOARD OF SUPERVISORS  
Powhatan County, Virginia

Powhatan County

**RULES OF PROCEDURE**

The following Rules of Procedure shall govern the conduct of meetings of the Powhatan County Board of Supervisors. The Board adopts these Rules to enable it to discharge its duties and responsibilities effectively and efficiently, and to facilitate the exercise of its authority and power provided by the Virginia Code. These Rules, and any amendments, are valid for a period of one year until the next annual organizational meeting.

**ARTICLE 1. ORGANIZATIONAL MEETING**

- 1.1 **Annual Meeting.** The Board shall organize each year in January by electing a Chair and Vice-Chair to serve one-year terms until the next organizational meeting, all as provided for in Virginia Code § 15.2-1422. If sufficient interest is expressed by the members, fair consideration shall be given to rotating the offices of Chair and Vice-Chair among the members.
- 1.2 **Presiding Officer.** The Chair or, in the absence of the Chair, the Vice Chair, or in their absence the most senior member of the Board alphabetically, shall preside at all meetings of the Board, and on the appearance of a quorum, shall call the meeting to order. Once the meeting is called to order, the Board shall then proceed with its business.
- 1.3 **Decorum.** The presiding officer shall preserve order and decorum at all proceedings of the Board. The presiding officer may speak, make motions, and vote on all questions, and shall decide questions of order and procedure.
- 1.4 **Parliamentarian.** The Board's parliamentary procedures shall conform with the law, these Rules, and the Board's historical practices. The County Attorney shall act as parliamentarian to the Board. To the extent necessary to address any ambiguities in procedure, the County Attorney may consider the most recent edition of *Robert's Rules of Order, a Manual of General Parliamentary Law* for guidance.
- 1.5 **Clerk.** The Clerk of the Board shall conduct all official correspondence at the direction of the Board, publish all notices required by these Rules, keep all minutes of the Board's proceedings, and keep files on all matters that come before the Board.
- 1.6 **Documents.** At its annual meeting each year, the Board shall set the time, place, and dates of regular Board meetings for that year in accordance with Virginia Code § 15.2-1416. In addition, the Board will review, revise if necessary, and adopt both its Rules of Procedure and its Code of Ethics.

**ARTICLE 2. MEETINGS & AGENDAS**

- 2.1 **Regular Meetings.** The Board's regular meetings will be held in the Village Building, 3910 Old Buckingham Road, generally on the fourth Monday of each month, beginning at 6:00 p.m., unless otherwise noted on the Board's adopted meeting schedule. All meetings are open to the public and all business shall be conducted publicly, except certain specific exempt topics identified in Virginia Code § 2.2-3711, which may be discussed in closed meeting.
- 2.2 **Work Sessions.** Work sessions will be scheduled by the Chair or the Board as needed. Generally, the Board will take no action at work sessions. Matters may be referred for consideration of action during the regular meeting that same day or at a subsequent meeting.

- 2.3 Closed Meetings. Any item for discussion in closed session shall be clearly identified and any documents that will be considered or reviewed in the closed session shall be provided to the Board no less than 10 calendar days before the scheduled Board meeting. Any item not so timely identified shall not be discussed in closed session unless a minimum of 75% of the Board members present vote to permit discussion of an item not previously disclosed as required. All closed session information provided to the members of the Board shall be held as strictly confidential.
- 2.4 Special Meetings. The Board may hold a special meeting when requested in writing by at least two Board members or when called by the Chair at the request of the County Administrator. Special meetings may be called provided each Board member is duly notified, along with the County Attorney, or a reasonable attempt has been made to notify each member. Business that does not come within the purposes set forth in the call of the meeting shall not be transacted at any special meeting of the Board unless unanimous agreement is given to consider additional items of business and all members are present, as provided for in Virginia Code §§ 15.2-1417 and 15.2-1418.
- 2.5 Reserved Date. The Monday following a regular meeting date, or other earliest convenient date properly noticed, is established as a Reserved Date on which the Board may, at its option, hold a regular meeting if there is weather or other conditions which make it hazardous for Board members and the public to attend that month's regular meeting or there were public hearings advertised but not held at that month's regular meeting, either because they were not begun before the 11:00 p.m. deadline, or for another reason. Any public hearing originally publicized for that month's regular meeting may be carried over or moved to the Reserved Date without further advertising in accordance with Virginia Code § 15.2-1416.
- 2.6 Canceling Meetings. The Chair, in consultation with the County Administrator, may cancel any meeting because of inclement weather or other conditions which make it hazardous for Board members or the public to attend. A canceled meeting may be carried over to the following Monday or it may be rescheduled to the earliest possible convenient date without further advertising when the date and time of the rescheduled meeting is publicly announced at a preceding meeting in accordance with Virginia Code § 15.2-1416. Such finding shall be communicated to the members and the press as promptly as possible and all reasonable efforts shall be made to notify the public including, but not limited to, providing such notice on the County website or by other electronic means.
- 2.7 Sergeant at Arms. The Deputy Sheriff providing security at each Board meeting shall act as the sergeant at arms and if no deputy is present, then the Chair can designate a sergeant at arms to maintain order if needed.
- 2.8 Agenda Preparation. The Clerk, or Deputy Clerk under direction of the County Administrator and Chair, shall prepare and distribute an agenda for the forthcoming meeting together with the minutes of the previous meeting to members of the Board and the public ~~7-5~~ calendar days prior to a regularly scheduled meeting. Such agendas and materials will be made available to Board members by printed copy placed in their county mailboxes, and to the public and the media by posting on the County website.
- 2.9 Order of Business. These categories will be included at all regular Board meetings in any order and subject to modification by the Chair: (a) call to order; (b) invocation; (c) pledge of allegiance; (d) Chair comments; (e) county administrator comments; (f) requests to postpone agenda items and additions, deletions or changes in the order of presentation; (g) certificates of appreciation, special resolutions, and proclamations; (h) approval of minutes; (i) consent agenda; (j) appointments; (k) citizen comment period; (l) new business; (m) old business; (n) public hearings; (o) Board comments; (p) if needed, closed meeting and certification; and (q) adjournment.

- 2.10 Agenda Items. Any Board member may request items for inclusion on a future meeting agenda by sending the request with written summary of the topic to all Board members and the county administrator by the first Monday of the month for that month's meeting. No items may be added to the agenda once it has been published except by a 75% vote of the Board members present at the meeting.
- 2.11 Consent Agenda. Those items determined by the County Administrator, in consultation with the Chair, to be routine or administrative in nature may be placed on the consent agenda. The County Administrator shall give a brief overview of each consent agenda item prior to the Board's consideration and vote. The consent agenda can be acted on with a single motion and vote, or any Board member may request to remove an item for separate discussion and vote. Such requests shall be made at the time for "requests to postpone agenda items and additions, deletions or changes in the order of presentation." Any Board member intending to make such request shall notify the Chair and the County Administrator of their desire to move the item no later than 12:00 p.m. the day prior to the meeting. An email message shall suffice as adequate notice.
- 2.12 Minutes. The Clerk shall prepare and maintain adequate minutes of the proceedings of the Board in accordance with the requirements of the Virginia Code. Each recorded vote shall indicate how each member of the Board voted. Preparation of minutes will not include every aspect of the Board's meetings relating specifically to discussion and debate but will include all significant events relating to official action. Minutes shall not be read to the Board except for the purpose of corrections or omissions. An early procedural matter on the agenda shall be the adoption of the minutes of the previous meeting. The Board may correct its minutes after approval only upon a clear showing that a clerical or administrative mistake was made.

### ARTICLE 3. MOTIONS & VOTING

- 3.1 Quorum. A quorum shall consist of three Board members. A majority of a quorum shall be sufficient to carry any question except tax issues, incurring of debt, and appropriations more than \$500, all of which require a majority of the full Board for adoption in accordance with Virginia Code § 15.2-1428. Abstentions shall be counted as a vote for the purpose of determining a quorum.
- 3.2 Motions. All motions require a second to be considered by the Board. When a motion is under discussion, no additional motions may be made except a procedural motion to withdraw, defer, substitute, or amend. Procedural motions take precedence in the listed order. Only one substitute motion may be made for any principal motion.
- 3.3 Debate. Each Board member may participate in discussion of any issue only after being recognized by the Chair. The Chair shall not recognize a motion to "call the question" until every member desiring to speak has had a chance to speak. At the conclusion of debate, the question shall be called, and no further debate shall be in order.
- 3.4 Voting. Each Board member is entitled to cast one vote on any questions before the Board unless disqualification is required under Virginia Code § 2.2-3115(F). Voting shall be by voice, recorded in a statement that clearly indicates a member's intent, such as "aye" or "yes" in the affirmative, "nay" or "no" in the negative, or "abstain." Roll call votes are appropriate for all ordinances, closed session certifications, and when requested by any Board member.
- 3.5 Majority Vote. All questions submitted to the Board must be determined by a majority of the members voting in accordance with Virginia Code § 15.2-1420. When a motion is made to approve an application or request for a rezoning, conditional use permit, or other matter before the Board and the subject of a public hearing, the failure of such motion shall be deemed equivalent to the adoption of a resolution to deny the application, request, or other pending matter, and no further motion to deny need be

entertained.

- 3.6 Tie Vote. The Board has elected not to have a tiebreaker as provided for by Virginia Code § 15.2-1421. A tie vote on any motion defeats the motion and another motion on the question may be made; however, successive tie votes shall defeat the question, request, resolution, ordinance, or issue voted upon.
- 3.7 Reconsideration of Vote. Any vote by a Board member is final once cast. No ordinance, resolution or motion previously voted upon by the Board shall be brought forward for reconsideration during the same meeting of the Board and shall be final unless changed by the Board at a subsequent meeting in accordance with law.
- 3.8 Disqualifications. If disqualifications of Board members should occur because of the provisions of the State and Local Government Conflict of Interests Act, the remaining members shall have authority to act for the Board by majority vote, unless a unanimous vote of all members is required by law, in which case, authority to act shall require a unanimous vote of remaining members as provided in Virginia Code § 2.2-3112(D).
- 3.9 Zoning. If a majority of the Board is not re-elected, no appropriation for any capital project or operational program for a magisterial district or zoning case shall be considered by the Board of Supervisors after November 2, 2027, until the organizational meeting in January 2028; unless such delay for the zoning case would exceed 12 months. Without further action by the Board, rezoning applications (including conditional uses, conditional use planned developments and conditional zoning) are automatically referred to the Planning Commission for its recommendation upon completion of a zoning application with the Planning Department, as determined by the Planning Director.

#### ARTICLE 4. GENERAL CONDUCT AND DECORUM; PUBLIC COMMENTS

- 4.1 Decorum. The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. All persons attending or participating in a Board of Supervisors meeting are expected to conduct themselves in a professional and collegial manner that demonstrates respect for others and is not disruptive. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which is not in keeping with this policy. The use of abusive or profane language, personal attacks, or other forms of disruptive or inappropriate conduct will not be tolerated. The Chair will maintain proper order at all times during all meetings of the Board and shall effect the removal from any meeting of individuals violating this policy if the offending party fails or refuses to cease such conduct.

No one in attendance shall be allowed to voice remarks except as recognized by the Chair after audibly stating their name and address. Communications shall be directed to the Board as a whole and not to the individual members, the audience, or any other attendee. The Chair shall call the speaker to order, if out-of-order remarks, or other indecorous conduct persists, the Chair shall order the speaker from the lectern. The order with gavel, if not heeded, will then cause the Sergeant at Arms to carry out the order. Applause or outbursts during or after a speaker's comments is not appropriate and violates the Board's decorum policy

- 4.2 Public Comment Period. The Board will allocate at least 30-minutes at each regular meeting to citizens who wish to speak to the Board about unscheduled matters pertinent to the services or policies of Powhatan County. No person shall speak ~~to any matter on the Board's agenda nor~~ to any public hearing item to be scheduled before the Board or the Planning Commission. The Board may extend the 30-minute period to allow additional speakers by unanimous consent of the Board members present.

- 4.3 Speaking Time. Each person may speak once for up to 3 minutes and may not yield time to other speakers, thus allowing a maximum number of participants in the allocated time. If a citizen wishes to speak as a representative of a legally organized group, then he or she may extend their remarks up to 5 minutes provided at least three members of the group are present at the meeting and only the designated representative speaks. No presentations (video, audio, slides) may be made during the public comment period.
- 4.4 Sign-Up Sheet. Those seeking to address the Board during the public comment period must request time to do so by signing a speakers' form available at the entry to the meeting room providing their name and address. Those who sign in to speak will be recognized by the Chair in order of entry on the form. A person who has not signed the speakers' form may not be recognized by the Chair or allowed to speak. Only those present at the time of the public comment period may speak. Those wishing to submit comments to the Board to be recorded in the meeting minutes may do so no less than two hours before the beginning of the meeting.
- 4.5 Questions. Speaker questions will be responded to by appropriate county staff as soon as practicable after the meeting, provided the speaker provides his or her contact information to County staff at the meeting. Citizens are encouraged to work through problems at the department and/or administrative levels before coming to the Board. Board meetings are neither trials nor testimonials directed toward a Board member or individual employee. Persons wishing to discuss a personnel matter should contact the County Administrator. If someone wishes to discuss an issue concerning the County Administrator or County Attorney, then they should communicate with a Board member or members on an individual basis. Public participation at any special meeting shall be determined by the Board upon recommendation of the Chair.

## ARTICLE 5. PUBLIC HEARINGS

- 5.1 Proffer Submission Deadline. In the event rezoning applicants want to add, delete, or revise proffered conditions associated with their application, they must submit a signed revised proffer statement by the close of business 10 business days before the scheduled public hearing. If the applicant submits proffers after the deadline, deferral of the hearing is appropriate unless the Board waives the late submission deadline. Such deferral or waiver motion shall occur as the first order of business once the case is called. Staff will notify the Board of any untimely proffer submission. The Board retains the authority to accept proffer revisions made by the applicant at the public hearing if, in the Board's discretion, the proffer revisions positively address one or more areas of concern.
- 5.2 Order for Public Hearings. When conducting public hearings, the order outlined below may be observed. The Chair may alter the procedure and time limits as needed to assure that public hearings are conducted in an orderly, fair, and expeditious manner.
- Brief description and presentation of issue by County staff or other appropriate persons, and County staff analysis or recommendation
  - Presentation by the applicant or applicant's representative of up to 10 minutes
  - Comments by proponents and opponents, typically limited to 3 minutes per person, which may not include any presentations (video, audio, slides)
  - Rebuttal remarks by applicant or applicant's representative of up to 3 minutes
  - Decision of Board
- 5.3 Length of Time for Public Hearing Remarks. Individuals may speak one time for 3 minutes at any public hearing after audibly stating their name, address, and representation. No sign-up is required for public hearings. If an individual wishes to speak as the designated representative of a legally documented group, then he or she may extend their remarks up to 5 minutes provided at least three

members of the group are present at the meeting and only the designated representative speaks. Those wishing to speak should sit near the podium prior to speaking. No presentations (video, audio, slides) may be made during the public hearing. Speakers should address different issues and not be repetitive of points already made by other speakers.

5.4 Length of Meeting. It is the Board's intent not to begin any public hearing after 11:00 p.m., unless by unanimous consent of the Board members present. Any public hearing advertised for a regular meeting but not conducted can be carried over and heard on the Reserved Date or rescheduled to another earliest possible convenient date, without further advertising, when the date and time of the rescheduled meeting is publicly announced at the preceding meeting.

5.5 Written Statements and Presentations. The Board appreciates its citizens attending and participating in its meetings. Citizens may submit written statements or slide presentations for consideration to the Board by providing sufficient copies to the Clerk before or during the public hearing, or by submitting their statements, video files, audio files, or presentations electronically by email or through the County's website. A citizen not attending a meeting should not expect that another person will be permitted to read his/her statement to the Board during the public hearing, though the Chair may, in his or her discretion, choose to permit that to occur.

## ARTICLE 6. REMOTE PARTICIPATION POLICY

### 6.1 Participation by Electronic Communications.

A. A Board member may participate in a Board meeting through electronic communication means from a remote location that is not open to the public only as follows and subject to the requirements of subsection B below:

1. On or before the day of a meeting, a member of the Board notifies the Chair that the member is unable to attend the meeting due to an emergency or personal matter and identifies the nature of the emergency or personal matter, and upon receiving the request and qualifying information, the Chair approves the request. However, any member of the Board may challenge the Chair's decision and request a roll-call vote on the approval of the member's request as the first order of business.

If the member's participation from a remote location is disapproved by the Board because such participation would violate the policy contained in subsection B of this Rule, the disapproval shall be recorded in the minutes with specificity.

If a member participates remotely, the Board must record in its minutes the member participating remotely, the nature of the emergency or personal matter, and the remote location from which the member participated.

Remote participation by a Board member for an emergency or personal matter is limited each calendar year to two meetings or 25 percent of the meetings of the Board, whichever is greater.

2. If a member of the Board notifies the Chair that the member is unable to attend a meeting due to (i) a temporary or permanent disability or other medical condition, or (ii) a family member's medical condition that requires the member to provide care for such family member or (iii) the member is a caregiver who must provide care for a person with a disability at the time of the public meeting that prevents the member's physical attendance. The Board must record this fact and the remote location from which the member participated in its minutes.

- B. Participation by a Board member as authorized under subsection A shall occur only under the following conditions:
1. The Board adopts this written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this Rule. The policy contained in this Rule is adopted on behalf of all County boards and commissions and shall be applied strictly and uniformly, without exception, to the entire membership of the Board and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;
  2. A quorum of the Board is physically assembled at the primary meeting location. For purposes of determining whether a quorum is physically assembled, a remotely participating member counts toward the quorum if the member is participating remotely either because they are (i) a person with a disability, or (ii) a caregiver for a person with a disability; and
  3. The Board arranges for the voice of the member participating remotely to be heard at the primary meeting location.

#### ARTICLE 7. APPOINTMENTS, COMMITTEES, COMMUNICATIONS & STAFF

- 7.1 Appointments. Appointments to committees of the Board and to authorities, boards, and commissions shall be made only by motion or resolution adopted by a majority of the full Board. Prior to consideration of the nomination, nominees shall be notified to determine their willingness to serve and whether they meet the minimum qualifications for such appointment.
- 7.2 Committees. The Chair or the Board may create committees and shall appoint members to such committees in the same fashion in which the committee was created. Committees may hold hearings and perform such other duties as may be prescribed. A committee may be instructed concerning the form of any report it shall be requested to make, and a time may be fixed for submission of any report.
- 7.3 Boards and Commissions. Unless prohibited by law, it shall be the policy of the Board that any member of an appointed board or commission who is absent from any three consecutive meetings of that board or commission or is absent from any four meetings of that board or commission within an 12-month period shall be removed from office and a replacement member appointed to fill the remainder of the term of office.
- 7.4 Communications. All official Board business, to include that conducted with the County Administrator or his staff, must be done via the official email account/address assigned by the County's information technology department for each Board members' use.
- 7.5 County Administrator. The County Administrator has been delegated the task of managing and supervising county personnel. Board members are therefore prohibited from making any requests to perform tasks or providing any instruction to county staff directly without consultation with and approval of the Chair. Regardless, all such requests must be made directly to the County Administrator. Board members may make requests to county staff for copies of existing documents, data, and information allowing for reasonable turn-around for completion of the request.

As a direct employee of the Board, the County Administrator shall be available for consultation by all Board members with the understanding that all meetings requested by a Board member, whether in person or by telephonic means, be scheduled by appointment giving the County Administrator adequate

time to adjust his schedule to accommodate the requested time and to properly prepare for the meeting. The County Administrator shall provide all members of the Board equal access to all information, staff, and county resources to assist them in the performance of their duties as members of the Board.

7.6 County Attorney. The Board shall maintain an open-door policy with the County Attorney. Members may contact the County Attorney directly for advice or direction on matters related to County business. The County Attorney works at the Board's behest and is hired by them solely to provide advice on matters of law and to ensure all actions of the Board are done in accordance with State law and enacted County ordinances.

If the requesting Board member decides to take a legal opinion of the County Attorney to the Board for action, all of the members of the Board of Supervisors shall be provided with a copy of said opinion (if in writing) at least one week prior to the next regularly scheduled meeting of the Board.

The County Administrator may ask the County Attorney for a legal opinion on any issue concerning County business at any time. Any opinions issued by the County Attorney to the County Administrator shall not be forwarded (by the County Attorney) to the members of the Board of Supervisors unless specifically requested by a member of the Board.

#### ARTICLE 8. AMENDMENT

8.1 Amendments. These Rules may be amended at any regular Board meeting provided that notice of the proposed amendment is given to each Board member, the County Administrator, and the County Attorney in writing by the first Monday of the month so that the proposed changes can be included in the agenda packet.

8.2 Suspension of Rules. These Rules may be suspended in whole or in part only upon the majority vote of the Board members present and only when consistent with state law.

8.3 Procedural Issues. Only Board members have standing to raise noncompliance with these Rules, and only at the time of the violation. Failure of the Board to comply with these Rules does not invalidate any action taken by the Board. Procedural issues not covered by these Rules may be guided, first, by the Board's historical practice, then by the determination of the parliamentarian which will be generally based on the latest edition of Robert's Rules of Order. The failure, however, of the Board to comply with Robert's Rules of Order shall not invalidate any action taken by the Board.

ADOPTED: January 26, 2026



# Powhatan County Board of Supervisors Agenda Item

**Meeting Date:** January 26, 2026

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**Agenda Item Title:** Resolution adopting the Board of Supervisors' 2026 Code of Ethics

**Summary of Item:** Each year at its annual organizational meeting, the Board of Supervisors considers adopting a Code of Ethics by which the Board discharges its duties and responsibilities on behalf of the County. The proposed Code of Ethics will apply to not only the Board of Supervisors, but to all individuals serving on County boards, commissions, and committees. The Board is requested to adopt the proposed 2026 Code of Ethics.

**Motion:** I move that the Board approve the Resolution adopting the Board of Supervisors' 2026 Code of Ethics as (presented / amended).

**Attachments:** Resolution and 2026 Code of Ethics

AT A MEETING OF THE BOARD OF SUPERVISORS OF POWHATAN COUNTY, VIRGINIA, HELD ON JANUARY 26, 2026, IN THE POWHATAN COUNTY VILLAGE BUILDING, 3910 OLD BUCKINGHAM ROAD, POWHATAN COUNTY, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

**Resolution Establishing the Board of Supervisors’ 2026 Code of Ethics**

**WHEREAS**, recognizing that persons who hold public office have been given a public trust and that the stewardship of public office demands the highest levels of ethical and moral conduct, the Powhatan County Board of Supervisors wishes to adopt the attached 2026 Code of Ethics to guide the Board of Supervisors as well as the Board’s appointees to other County boards, commissions, and committees, in their duties and responsibilities.

**NOW, THEREFORE, BE IT RESOLVED** by the Powhatan County Board of Supervisors that the attached 2026 Code of Ethics is hereby adopted.

ADOPTED JANUARY 26, 2026.

\_\_\_\_\_  
, Chair  
Powhatan County Board of Supervisors

ATTEST:

\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



January 2026

**BOARD OF SUPERVISORS  
Powhatan County, Virginia**

Powhatan County

**CODE OF ETHICS**

**Preamble**

The citizens and businesses of Powhatan County, Virginia, are entitled to have fair, ethical, and accountable local government, which has earned the public's full confidence for integrity. The effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial, and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Powhatan County Board of Supervisors has adopted this Code of Ethics for members of the Board and of the County's boards, commissions, and committees, to assure public confidence in the integrity of local government and its effective and fair operation.

**1. Act in the Public Interest**

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Powhatan County and not for any private or personal interest, and they will assure fair and equitable treatment of all persons, claims, and transactions coming before the Powhatan County Board of Supervisors, boards, commissions, and committees.

**2. Comply with the Law**

Members shall comply with the laws of the nation, the Commonwealth of Virginia, and the County of Powhatan in the performance of their public duties. These laws include but are not limited to: the United States and Virginia constitutions; the Code of the County of Powhatan; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and County ordinances and policies.

**3. Conduct of Members**

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the Board of Supervisors, boards, commissions, and committees, the staff or public.

**4. Respect for Process**

Members shall perform their duties in accordance with the processes and rules of order established by the Board of Supervisors and boards, committees, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Board of Supervisors by County staff.

**5. Conduct of Public Meetings**

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

**6. Decisions Based on Merit**

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

**7. Communication**

Members shall publicly share substantive information that is relevant to a matter under consideration by the Board of Supervisors or boards, committees, and commissions, which they may have received from sources outside of the public decision-making process.

**8. Conflict of Interest**

To assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest and shall disclose any substantial organizational responsibility or personal or business relationship to the parties in any matter coming before them. This paragraph is not intended to unduly restrict members who have minor business or professional dealings with clients whose matters come before them.

In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts exist.

**9. Gifts and Favors**

A member should never accept for himself or herself or for family members, favors or benefits under circumstances which might reasonably be construed as influencing the performance of governmental duties. In accordance with the law, properly received and reported political contributions do not constitute such gifts, favors, or benefits.

**10. Confidential Information**

Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the County. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

**11. Use of Public Resources**

Members shall not use public resources that are not available to the public in general, such as County staff time, equipment, supplies or facilities, for private gain or personal purposes.

**12. Representation of Private Interests**

In keeping with their role as stewards of the public interest, members of the Board shall not appear on behalf of the private interests of third parties before the Board of Supervisors or any board, committee, commission, or proceeding of the County, nor shall members of boards, committees, or commissions appear before their own bodies or before the Board of Supervisors on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

**13. Advocacy**

Members shall represent the official policies or positions of the Board of Supervisors, boards, commissions, or committees to the best of their ability when designated as delegates for this purpose. When representing their individual opinions and positions, members shall explicitly state they do not represent their body or Powhatan County, nor will they allow the inference that they do.

**14. Policy Role of Members**

The Board of Supervisors determines the policies of the County with the advice, information, and analysis provided by the public, boards, commissions, and committees, and County staff. The Board of Supervisors delegates authority for the administration of the County to the County Administrator.

Members, therefore, shall not interfere with the administrative functions of the County or the professional duties of County staff; nor shall they impair the ability of staff to implement Board policy decisions. Inquiries to staff shall be made through the County Administrator or the appropriate department manager or director.

**15. Independence of Boards and Commissions**

Because of the value of the independent advice of boards, committees, and commissions to the public decision-making process, members of the Board of Supervisors shall refrain from using their positions to unduly influence the deliberations or outcomes of board, committee, or commission proceedings.

## **16. Positive Workplace Environment**

Members shall support the maintenance of a positive and constructive workplace environment for County employees and for citizens and businesses dealing with the County. Members shall recognize their special role in dealings with County employees and in no way create the perception of inappropriate direction to staff.

## **17. Implementation**

As an expression of the standards of conduct for members expected by the County, the Powhatan County Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for candidates for the Board of Supervisors, applicants to boards, committees, commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they have read and understood the Powhatan County Code of Ethics. In addition, the Board of Supervisors, boards, committees, and commissions, shall annually review the Code of Ethics and the Board of Supervisors shall consider recommendations from boards, committees, and commissions to update it as necessary.

## **18. Compliance and Enforcement**

The Powhatan County Code of Ethics expresses standards of ethical conduct expected of members of the Powhatan County Board of Supervisors, boards, committees, and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards, committees, and commissions and the Chair of the Board of Supervisors have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

The Board of Supervisors may impose sanctions on members whose conduct does not comply with the County's ethical standards, such as public or private reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Board of Supervisors also may remove members of Board-appointed boards, committees, and commissions from office.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Board of Supervisors, board, committee, or commission decision, nor provide a basis for any private right of action.

**MODEL OF EXCELLENCE  
POWHATAN COUNTY BOARD OF SUPERVISORS,  
BOARDS, COMMITTEES, AND COMMISSIONS  
MEMBER STATEMENT**

As a member of the Powhatan County Board of Supervisors, or of a Powhatan County board, committee, or commission, I agree to uphold the Code of Ethics for elected and appointed officials adopted by the County and conduct myself by the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, County staff, and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness, and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
- Avoid and discourage conduct which is divisive or harmful to the best interests of Powhatan County;
- Treat all people with whom I interact in the manner I wish to be treated.

I affirm that I have read and understand the Powhatan County Code of Ethics.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name (printed): \_\_\_\_\_

Office(s) held: \_\_\_\_\_



**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE VILLAGE BUILDING CONFERENCE ROOM, AT 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, ON DECEMBER 15<sup>th</sup>, 2025, AT 6:00 PM.**

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**Board of Supervisors Present:** William Donati, Jr, District 1,  
Steve W. McClung, District 2, Chair  
Robert Powers, District 3,  
Mark Kinney, District 4,  
Denise Morrissette, District 5,

**Board of Supervisors Absent:** None

**County Staff Present:** Will Hagy, County Administrator  
Kalli Jackson, County Attorney  
Katie Shifflett, Deputy Clerk  
Sarah Barnett, Deputy County Administrator  
Brian Haney, Seputy County Administrator  
John Wood, IT/GIS Director  
Ligon Webb, Director of Planning and Zoning  
Charla Schubert, Finance Director  
Melissa Lowe, Human Resources Director  
Meghan Carroll, Director of Social Services  
Karen Alexander, Director of Elections  
Megan Heatwole, Director of Parks and Recreation  
Toby Fritz, Goochland-Powhatan Community Services  
Director  
Angelia Jones, Victoria O'Neill, Hannah Salmon, and  
Alecia Dern; Parks and Recreation

**Constitutional Officers Present:** Jamie Timberlake, Commissioner of the Revenue  
Brad Nunnally, Sheriff

**Guests Present:** Bill Melton and Frank Flannagan, Electoral Board  
Jeremy Bennett, Virginia Association of Counties  
Dr. Teigen, Libby Kitten, and Barbara Adcock;  
Powhatan County Public Schools  
Mary Ellen Freer and Jane Lloyd, Community Matters  
Judy Cain-Oliver, Austin Schwartz, Alex Higgins, and  
Frank Flannagan; Parks and Recreation Advisory  
Commission  
Chris Banta; Brown, Edwards & Company, LLP  
Steven Lindsay, Virginia Department of  
Transportation



**1. Call to Order**

Chair Donati called the meeting to order.

**2. Pledge of Allegiance**

Mr. Powers led the pledge of allegiance.

**3. Invocation**

Chair Donati led the invocation.

**4. Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation**

None

**5. Formal Approval of Agenda**

Chair Donati requested a motion to approve the agenda.

Mr. Powers seconded the motion.

Mr. Powers, Mr. McClung, Mr. Kinney, Mrs. Morrisette, and Chair Donati all vote AYE

**MOTION PASSED**

**VOTE 5-0**

**6. Board Updates**

None

**7. County Administrator Updates**

Mr. Hagy welcomed several FFA students in attendance and noted that they have received multiple regional and national awards. He stated that their accomplishments will be formally recognized at the January Board of Supervisors meeting. Mr. Hagy also reviewed photos from the recent snow event and expressed appreciation to the Sheriff's Office, Fire and Rescue, Public Safety Communications, Public Works, and Parks and Recreation staff for their efforts in snow removal, emergency response, and preparing county facilities for safe reopening. He then highlighted photos from a push-in ceremony held Saturday to mark the arrival of a new fire engine at Company Four, explaining that the ceremony is a long-standing fire service tradition symbolizing the engine's official placement into service. Mr. Hagy concluded by reminding the Board that county offices



will be closed Wednesday through Friday of the following week in observance of Christmas.

## **8. Proclamation**

### **a. Proclamation P-2025-16 Recognizing Bill Melton's service on the Powhatan Electoral Board**

Chair Donati invited Mr. Flannagan and Ms. Alexander to speak on the proclamation.

Mr. Flannagan addressed the Board and noted that Mr. Melton had served on the Electoral Board for three years. He stated that upon joining the Board, Mr. Melton fulfilled his duties and responsibilities well and in accordance with applicable laws and procedures. Mr. Flannagan thanked Mr. Melton for his service and contributions to the citizens of Powhatan County and, on behalf of the Electoral Board and the Director of Elections, presented him with a token of appreciation and extended best wishes.

Ms. Alexander read the proclamation.

Mr. Melton thanked the Board for the proclamation and briefly reviewed his service on the Electoral Board and the Board of Supervisors. He expressed appreciation to the Board for providing the funding and resources necessary to support effective election operations. Mr. Melton recognized the Director of Elections, staff, and poll workers for their work in maintaining the integrity of the county's elections and concluded by thanking the Board and extending well wishes.

## **9. Presentations**

### **a. Virginia Association of Counties 2025 Best Achievement Award - Meaningful Watershed Educational Experience (MWEE)**

Mr. Hagy called on Mr. Bennett from the Virginia Association of Counties to come forward and present the 2025 best achievement award for the meaningful watershed educational experience.

Mr. Bennett introduced himself as the Director of Intergovernmental Affairs with the Virginia Association of Counties and provided a brief overview of the



organization and its mission. He presented Powhatan County with a VACO Achievement Award for the Watershed Educational Experience, noting that the program recognizes innovative and model local government initiatives. Mr. Bennett stated that the award was competitively selected as part of VACO's annual achievement awards program and highlighted that this marked the county's fourth award. He invited county and school representatives to share additional information about the program prior to the formal presentation of the award.

Dr. Teigen, Superintendent of Powhatan County Public Schools, addressed the Board and introduced the Watershed Educational Experience project submitted by Ms. Libby Kitten and Ms. Barbara Adcock. The speaker explained that the program is a student-led environmental education initiative that has been offered annually since 2018 and provides hands-on science instruction to fourth-grade students, led by high school environmental science students. The representative noted that the program has typically been held at Fighting Creek Park and then invited Ms. Kitten and Ms. Adcock to provide additional details.

Mrs. Kitten stated that the Watershed Educational Experience is a collaborative, student-led program involving high school students, younger students, and local community partners. The speaker noted that the program has been offered since 2018 and emphasized its value in bringing together schools and the broader community for hands-on environmental education.

A video featuring the program was shown.

**b. Virginia Recreation and Park Society (VRPS) Awards**

1. Best New Program – Capes over Vapes
2. Most Creative Marketing Piece - Capes Over Vapes Anti-Vape Commercial
3. Best Marketing Strategy - Community Matters Mobile Information Hub

Mr. Hagy announced that Powhatan County Parks and Recreation and Community Matters would be recognized for several statewide awards from the



Virginia Recreation and Park Society. He invited Parks and Recreation Staff, members of the Parks and Recreation Advisory Commission, and Community Matters to the front of the auditorium to receive recognition.

Dr. Oliver, Chair of the Parks and Recreation Advisory Commission, reported that Powhatan County Parks and Recreation received three statewide awards at the 72nd Annual Virginia Recreation and Park Society conference. The awards included Most Creative Marketing Piece and Best New Program for the “Capes Over Vapes” youth-led initiative, which promotes nicotine-free living through media campaigns and community events, and Best Marketing Strategy for the Community Matters mobile information hub. She highlighted the collaborative efforts of staff and community partners in developing these programs and invited representatives from Community Matters to speak.

Mary Ellen Freer provided an overview of the Community Matters program, which focuses on adults aged 55. She highlighted the program’s emphasis on lifelong learning, health and wellness, cultural activities, and social connections, noting that the calendar of events is available online. She concluded by extending holiday greetings on behalf of the Community Matters and Parks and Recreation teams.

Megan Heatwole, Director of Parks and Recreation, thanked the Board, staff, volunteers, and community members for their contributions in supporting the county’s parks, recreation, and public health programs.

**c. Presentation of the June 30, 2025, Annual Comprehensive Financial Report (ACFR) by Brown, Edwards & Company, LLP**

Mr. Hagy introduced Mr. Banta with Brown Edwards and Company to present the county's annual financial report.

Mr. Chris Banta, partner with Brown Edwards & Company, presented the results of Powhatan County’s annual financial audit. He commended the county staff for preparing the audit and reported that the audit resulted in an unmodified opinion, with no material weaknesses or significant deficiencies identified in the county’s



financial statements, internal controls, or state compliance testing. He noted that the federal awards portion of the audit is pending due to delayed guidance, but preliminary testing indicates no anticipated findings. He then invited questions from the Board, to which there were none.

**10. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)**

Chair Donati opened the floor to public comment.

[Ranjit Mazumdar, 4481 Cosby Road](#) of the Brooklyn Estates Homeowners Association, addressed the Board to request an update on the county's 2025–28 Strategic Plan. The speaker noted that many strategic priorities lack clearly defined accountabilities, deadlines, and measurable deliverables, and emphasized the importance of both planning and execution for strategic success. He requested that the Board provide a status update at the January 2026 meeting, including progress on priorities, resource allocation, accountability, and tracking systems, and asked whether regular updates could be provided to residents. The speaker concluded by posing questions about the Board's engagement and role in driving the strategic plan's implementation.

[Janet Newton, 2933 Lake Louise Drive](#) Mrs. Newton addressed the Board regarding issues at Lake Louise, including property damage, cave-ins, and loss of access to a dry hydrant caused by the actions of adjacent property owners. She noted that the owners have not complied with DEQ directives and have taken actions that threaten safety, water flow, and property boundaries. Mrs. Newton emphasized the impact on local homeowners, property values, and public safety, and urged the Board to take action to address the situation.

[Lori Phinney 270 Clayville Road.](#) Mrs. Phinney addressed the Board to raise concerns regarding actions taken by David Dunivan related to a property at 280 Clayville Road. The speaker alleged that the property was placarded as unsafe without proper notification or due process, that required communications with the Board and social services were not made, and that conflicting information was



provided to law enforcement and occupants. The resident described subsequent enforcement actions, including arrests and emergency orders, and requested that the Board investigate the matter, suggesting the establishment of an ethics review process.

Seeing no one else wished to speak, Chair Donati closed the public comment period.

## 11. Appointments

### a. Social Services Board

Mr. Hagy introduced the agenda item for appointments, noting one opening on the Social Services Advisory Board with two applications included in the agenda packet. Discussion ensued regarding whether both applicants could serve, and it was agreed that County Attorney Ms. Jackson would review the state law and by-laws for any restrictions. In the interim, Mr. Oswell's application would remain active.

Mr. Kinney **motioned** to reappoint Connie Thompson to the board representing District Four. Mr. Powers **seconded** the motion.

Mr. Kinney, Mr. McClung, Mrs. Morrissette, Mr. Powers, and Chairman Donati voted AYE

**MOTION PASSED**

**VOTE 5-0**

### b. Board of Equalization

Mr. McClung **nominated** Robert Blake for recommendation to serve on the Board of Equalization. Chair Donati **seconded** the nomination.

Mr. Kinney, Mr. McClung, Mrs. Morrissette, Mr. Powers, and Chairman Donati all voted AYE

**MOTION PASSED**

**VOTE 5-0**

Mr. Kinney **nominated** Carolyn Mayo to serve representing District Four.

Mr. Powers **seconded** the nomination.



Mr. Kinney, Mr. McClung, Mrs. Morrisette, Mr. Powers, and Chairman Donati  
all voted AYE

**MOTION PASSED**

**VOTE 5-0**

**12. Consent**

- A. Minutes November 17, 2025, Regular Meeting**
- B. Minutes March 6, 2025, Joint Legislative Workshop**
- C. Minutes November 18, 2024, Regular Meeting**
- D. Minutes October 28, 2024, Regular Meeting**
- E. Minutes October 17, 2024, Workshop**
- F. Minutes October 10, 2024, Joint Legislative Workshop**
- G. Minutes September 23, 2024, Regular Meeting**
- H. Resolution R-2025-77 Updating the Employee Handbook**

Mr. Powers **motioned** to approve the consent agenda as presented.

Mr. Kinney **seconded** the motion.

Mr. Kinney, Mr. McClung, Mrs. Morrisette, Mr. Powers, and Chair Donati all  
voted AYE

**MOTION PASSED**

**VOTE 5-0**

**13. New Business**

- A. Resolution R-2025-78 Permitting use of a private road to serve three (3)  
lots on Tax Map Parcels #27-46D, #27-46C, and 27-46H off Academy Road  
in District 3**

Mr. Webb presented Case 25-04 PR, a request to extend a private road to serve  
three lots (parcels 2747D, 2746C, 2746H). He explained that the extension would  
connect to an existing approved private driveway, avoiding additional cuts on  
Academy Road. Mr. Webb reviewed the proposed conditions for approval,  
including engineering certification, compliance with road construction standards,



a recorded private road maintenance agreement, and a three-year expiration for plat approval if construction is not completed. He then opened the floor for questions from the Board.

Mr. Kinney asked if the private road maintenance agreement would be included on all the deeds. Mr. Webb responded yes.

Mr. Powers asked how long ago the private road was previously approved administratively.

Mr. Webb responded that the private road was originally approved for up to two lots administratively, but the policy was later changed so that any road serving two or more lots must come before the Board.

Mr. Powers asked whether the road certification would be completed by a licensed professional and confirmed that the entrance would meet standard VDOT driveway requirements.

Mr. Webb responded yes.

Mr. Powers **motioned** to approve Resolution R-2025-78.

Mr. Kinney **seconded** the motion.

Mr. Kinney, Mr. McClung, Mrs. Morrisette, Mr. Powers, and Chair Donati all voted AYE

**MOTION PASSED**

**VOTE 5-0**

**14. Public Hearings**

**a. Resolution R-2025-81 Authorize Donation of County Right of Way to the Commonwealth of Virginia Department of Transportation for the Judes Ferry Road & U.S. Route 60 Smart Scale Project**

Mr. Hagy introduced Resolution R-2025-81, which proposes donating county right-of-way for the Judes Ferry Road Improvement Project. He noted that Deputy County Administrator Brian Haney and the VDOT team were present to provide details and answer any questions from the Board.

POWHATAN COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING  
DECEMBER 15<sup>TH</sup>, 2025 MINUTES



Mr. Haney provided an overview of the Judes Road Improvement Project, a SmartScale-funded project approved in 2019 to add an eastbound left-turn lane on Anderson Highway and an additional lane on Judes Ferry Road near Powhatan High School to address safety concerns. He noted that the project's estimated cost has increased to \$4.66 million, with the county's contribution remaining \$1.1 million, funded and set aside. Mr. Haney explained that VDOT is acquiring the necessary right-of-way, and the county has been asked to donate approximately 800 feet of right-of-way previously dedicated to the county. He recommended holding a public hearing and approving Resolution R-2025-81 to authorize the donation and execution of the required documents, and confirmed VDOT representatives were present to answer questions.

Mr. Powers asked what the estimated time frame for the construction will be. Mr. Haney said between 7-9 months from the summer of 2027 to sometime in 2028.

Mr. Kinney asked whether there is any reason the amber blinking left-turn arrow at the intersection cannot be removed immediately.

Mr. Lindsay from VDOT responded that the request to remove the amber blinking left-turn arrow would need to be reviewed by the traffic engineering group. He noted he was unsure if such a request had been previously submitted but offered to provide an answer once confirmed.

Chair Donati **opened** the floor for public comments, then **closed** it seeing as nobody wanted to speak.

Chair Donati **motioned** to approve the resolution.

Mr. Kinney **seconded** the motion.

Mr. Kinney, Mr. McClung, Mrs. Morrisette, Mr. Powers, and Chairman Donati all voted AYE

**MOTION PASSED**

**VOTE 5-0**



**15. County Attorney Comments**

Ms. Jackson wished everyone a Merry Christmas.

**16. County Administrator Comments**

Mr. Hagy wished everyone a happy and safe Holiday.

**17. Board Comments**

Mr. Kinney wished everyone a Merry Christmas and announced plans to hold a town hall in January or February regarding the upcoming budget. He invited residents to ask questions, provide suggestions, and have a discussion with County Administrator Mr. Hagy about the budget process.

Mr. McClung shared a story of a friend and co-worker to illustrate the importance of spending time with friends and family over the holiday season.

**18. Closed Session, Certification, and Action Items**

- a. Chair Donati **motioned** to convene in Closed Meeting in accordance with Virginia Code Sections 2.2-3711(A)(1), A(7), and A(8) for the following purposes:
  - i. To discuss the performance and duties of the county administrator and the county attorney;
  - ii. to discuss the performance and duties of the board of supervisors related to a potential code of ethics violation;
  - iii. to consult with legal counsel and staff pertaining to actual or probable litigation and other specific legal matters which require the provision of legal advice and where such consultation and open meeting would adversely affect the negotiating or litigating posture of the board of supervisors; such matters to include but not be limited to: Buch v. Powhatan County, Tri Hope Life Ministries, Inc. Et al v. Powhatan County, and the Powhatan County School Board's appeal of the demolition permit for the Pocahontas Landmark Center.

Mr. Powers **seconded** the motion.

Mr. Kinney, Mr. McClung, Mrs. Morrisette, Mr. Powers, and Chair Donati all voted AYE.



**MOTION PASSED**

**VOTE 5-0**

**b. Certification**

Immediately following the closed meeting, the Board reconvened in open meeting and took a Roll Call vote on the Freedom of Information Act Certification as follows: Pursuant to Virginia Code Section 2.2-3712(D), to the best of your knowledge, were only public business matters lawfully exempt from open meeting requirements under the Virginia Freedom of Information Act and only those matters as were identified in the closed meeting motion - heard, discussed, or considered during the closed meeting?

ROLL CALL VOTE

Mr. Donati	Aye
Mr. McClung	Aye
Mr. Powers	Aye
Mr. Kinney	Aye
Ms. Morrisette	Aye

**c. Post Closed Session Actions**

- (i) Chair Donati moved to authorize the County's legal counsel to sign the Settlement MOU, in substantial form as was presented in the Closed Session, in the Tri-Hope Life Ministries v. Powhatan County litigation matter pending in the United States Federal District Court in Richmond, Virginia.

Mr. Powers **seconded** the motion. Mr. Kinney, Mr. McClung, Mrs. Morrisette, and Chair Donati all voted AYE

**MOTION PASSED**

**VOTE 5-0**

- (ii) Chair Donati turned the floor over to Mr. Powers who offered an apology to a resident concerning a social media posting.

**19. Adjournment**

Chair Donati adjourned the meeting at 8:24pm.

POWHATAN COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING  
DECEMBER 15<sup>TH</sup>, 2025 MINUTES



**Attest:**

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**William Hagy, Clerk**  
**Powhatan County Board of Supervisors**

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**, Chair**  
**Powhatan County Board of Supervisors**

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



## Powhatan County Board of Supervisors Agenda Item

Meeting Date: January 26, 2026

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Agenda Item Title: One (1) appointment of a Board of Supervisor as a member of the CLEO Board.

Motion: Move to appoint \_\_\_\_\_ as the Board of Supervisors member of CLEO for a term expiring December 31<sup>st</sup> 2026.

Dates Previously  
Considered by Board: February 2024, January 2025

Summary of Item: The Capital Region Workforce Partnership, "CLEO" (Chief Local Elected Officials) Consortium, plan, direct, monitor and evaluate the area's One Stop Career Centers, and related programs and services. The Partnership is also responsible for appointing members to the Workforce Development Board and for ensuring the fiscal integrity of the Capital Area Training Consortium's programs.

The Capital Region is comprised of the jurisdictions of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, Powhatan, and Richmond City. Together, the Partnership and the Workforce Development Board bring together business and industry, education, economic development and other public entities striving to ensure adequate investment in today's workforce; and preparing tomorrow's workforce to ensure they have the skills to meet the demand of the region's growth sectors.

This is a one-year term with unlimited reappointments. County Administrator, Will Hagy and Economic Development Director, Roxanne Salerno, serve as Alternate members and can attend in place of the Board member when needed.

Comments: None

Budget/Fiscal Impact: None

Attachments: None

Staff/Contact: Will Hagy, County Administrator  
[whagy@powhatanva.gov](mailto:whagy@powhatanva.gov)



Powhatan County  
Board of Supervisors  
Agenda Item

Meeting Date: January 26, 2026

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Agenda Item Title: **Resolution R-2026-06** Amending the Fiscal Year 2026 Powhatan County Operating Budget by Budgeting and Appropriating \$447,913 in the Grants Fund for Operation Cease Fire – Violent Crimes Detective

Motion: Move to approve Resolution R-2026-06

Dates Previously  
Considered by Board: N/A

Summary of Item: This Grant was awarded in the amount of \$447,913.00 to Powhatan County to allow the Powhatan County Sheriff's Office to establish a Violent Crimes Detective position within the Criminal Investigations Division to enhance the agency's capacity to prevent, investigate, and respond to serious offenses such as homicides, aggravated assaults, sexual assaults, domestic violence and firearms related offenses. This initiative is designed to strengthen investigative quality, increase clearance rates, improve victim outcomes, and ultimately reduce the overall incidence of violent crime in the community. The grant funding covers salary and benefits to include a certain amount of overtime pay, costs associated with training and travel, and the costs to cover equipment and supplies to outfit the employee selected to fulfill this position (Computer, Cell Phone Payment, Body Armor, Office Furniture). The performance period of this grant is 01/01/2026 to 12/31/2028. The total amount of the funding must be expended during the performance period.

This resolution formally appropriates these grant funds.

Staff:                                  X   Approve                     Disapprove                     See Comments

Commission/Board:                  N/A   Approve                     Disapprove                     See Comments

Comments:                        None

Budget/Fiscal Impact:            \$447,913 in federal funds

Attachments:                     Resolution

Staff/Contact:                    Charla W. Schubert, Director of Finance, 804-598-5780,  
[cschubert@powhatanva.gov](mailto:cschubert@powhatanva.gov)

**RESOLUTION  
AMENDING THE FISCAL YEAR 2026 POWHATAN COUNTY OPERATING BUDGET  
BY BUDGETING AND APPROPRIATING \$447,913 IN THE GRANTS FUND FOR  
OPERATION CEASE FIRE – VIOLENT CRIMES DETECTIVE**

**WHEREAS**, on April 28, 2025, the Powhatan County Board of Supervisors adopted Resolution R-2025-20, which adopted the Fiscal Year 2026 Powhatan Operating Budget in the amount of \$171,043,191; and

**WHEREAS**, Virginia Code § [15.2-2507](#) states that any locality may amend its budget and must first hold a public hearing advertised in accordance with state law if any such amendment exceeds one percent of the total expenditures of the currently adopted budget; and

**WHEREAS**, this budget amendment in the amount of \$447,913 (0.262%) does not exceed one percent of the adopted budget and therefore a public hearing was not held.

**NOW, THEREFORE, BE IT RESOLVED**, the FY 2026 Powhatan County Operating Budget is hereby amended and the funds appropriated as shown:

**GRANTS FUND**

**REVENUES**

Operation Ceasefire - Violent Crimes	116-18-33010-0010	\$	447,913.00
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**EXPENDITURES**

Operation Ceasefire - Violent Crimes	116-30-31200-0007	\$	447,913.00
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**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON  
JANUARY 26, 2026.**

**ATTEST:**

\_\_\_\_\_  
**William Hagy, Clerk**  
**Powhatan County Board of Supervisors**

\_\_\_\_\_  
**, Chair**  
**Powhatan County Board of Supervisors**

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



Powhatan County  
Board of Supervisors  
Agenda Item

Meeting Date: January 26, 2026

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Agenda Item Title: **Resolution R-2026-07** Amending the Fiscal Year 2026 Powhatan County Operating Budget by Budgeting and Appropriating \$223,588.90 in the School Fund for Behavioral Health and Developmental Services for Students and Professional Development for Teachers

Motion: Move to approve Resolution R-2026-07

Dates Previously  
Considered by Board: N/A

Summary of Item: Approval is requested to accept the following federal and state grant funds totaling **\$223,588.90**:

- **\$108,935.71** in federal funding from the Department of Behavioral Health and Developmental Services to support mental health services in partnership with the Goochland–Powhatan Community Services Board;
- **\$75,000** in state ACSE grant funding to provide professional development for middle school teachers in integrating computer science and computational thinking in rural Virginia schools;
- **\$30,053.19** in state Competitive Clinical Faculty grant funding to be passed through to Virginia Commonwealth University (VCU) to support pre-service and beginning teachers, with Powhatan serving as fiscal agent for the Metropolitan Educational Alliance; and
- **\$9,600** in federal Title II funding to support recruitment and retention of educators in high-needs areas.

This resolution formally appropriates the additional funding received and authorizes its use in accordance with the applicable **federal and state grant program guidelines**.

Staff:   X   Approve      \_\_\_ Disapprove      \_\_\_ See Comments

Commission/Board:   N/A   Approve      \_\_\_ Disapprove      \_\_\_ See Comments

Comments: None

Budget/Fiscal Impact: \$118,535.71 in federal funds and \$105,053.19 in state funds

Attachments: Resolution

Staff/Contact: Charla W. Schubert, Director of Finance, 804-598-5780,  
[cschubert@powhatanva.gov](mailto:cschubert@powhatanva.gov)

*If Board members have questions, please call the staff / contact prior to the meeting.*

**RESOLUTION  
AMENDING THE FISCAL YEAR 2026 POWHATAN COUNTY OPERATING BUDGET  
BY BUDGETING AND APPROPRIATING \$223,588.90 IN THE SCHOOL FUND FOR  
BEHAVIORAL HEALTH AND DEVELOPMENT SERVICES FOR STUDENTS AND  
PROFESSIONAL DEVELOPMENT FOR TEACHERS**

**WHEREAS**, on April 28, 2025, the Powhatan County Board of Supervisors adopted Resolution R-2025-20, which adopted the Fiscal Year 2026 Powhatan Operating Budget in the amount of \$171,043,191; and

**WHEREAS**, Virginia Code § [15.2-2507](#) states that any locality may amend its budget and must first hold a public hearing which is advertised in accordance with state law if any such amendment exceeds one percent of the total expenditures of the currently adopted budget; and

**WHEREAS**, this budget amendment in the amount of \$223,588.90 (0.131%) does not exceed one percent of the adopted budget and therefore a public hearing was not held.

**NOW, THEREFORE, BE IT RESOLVED**, the FY 2026 Powhatan County Operating Budget is hereby amended and the funds appropriated as shown:

**SCHOOL FUND**

**REVENUES**

ACSE Grant	205-17-24020-0019	\$ 75,000.00
Mental Health Services Grant	205-18-33020-0043	108,935.71
Clinical Faculty Grant	205-17-24020-0009	30,053.19
Title II	205-18-33020-0026	9,600.00

**EXPENDITURES**

Instruction	205-60-61000-0001	\$ 84,600.00
Administration, Health and Attendance	205-60-62000-0001	138,988.90

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON  
JANUARY 26, 2026.**

**ATTEST:**

\_\_\_\_\_  
**William Hagy, Clerk  
Powhatan County Board of Supervisors**

\_\_\_\_\_  
**, Chair  
Powhatan County Board of Supervisors**

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



Powhatan County  
Board of Supervisors  
Agenda Item

Meeting Date: January 26, 2026

---

Agenda Item Title: **Resolution R-2026-08** Amending the Fiscal Year 2026 Powhatan County Operating Budget by Budgeting and Appropriating \$124,050.99 in the Grants Fund for Miscellaneous Grants and Donations

Motion: Move to approve Resolution R-2026-08

Dates Previously Considered by Board: N/A

Summary of Item: The County receives various grants and donations throughout the year to support a range of programs and services. Recently, the County received grant funding for the **Anti-Litter Grant** as well as other various grants and donations shown on the attached Resolution.

This resolution formally appropriates the donations and grant funds received.

Staff:   X   Approve           Disapprove           See Comments

Commission/Board:   N/A   Approve           Disapprove           See Comments

Comments: None

Budget/Fiscal Impact: \$15,413.84 in state funds and \$108,637.15 in donations

Attachments: Resolution

Staff/Contact: Charla W. Schubert, Director of Finance, 804-598-5780,  
[cschubert@powhatanva.gov](mailto:cschubert@powhatanva.gov)

**RESOLUTION  
AMENDING THE FISCAL YEAR 2026 POWHATAN COUNTY OPERATING BUDGET  
BY BUDGETING AND APPROPRIATING \$124,050.99 IN THE GRANTS FUND**

**WHEREAS**, on April 28, 2025, the Powhatan County Board of Supervisors adopted Resolution R-2025-20, which adopted the Fiscal Year 2026 Powhatan Operating Budget in the amount of \$171,043,191; and

**WHEREAS**, the Code of Virginia Section [15.2-2507](#) states that any locality may amend its budget and must first hold a public hearing which is advertised in accordance with state law if any such amendment exceeds one percent of the total expenditures of the currently adopted budget; and

**WHEREAS**, the amendment of the budget in this resolution in the amount of \$124,050.99 (0.073%) does not exceed one percent of the adopted budget and therefore a public hearing was not held.

**NOW, THEREFORE, BE IT RESOLVED**, the FY 2026 Powhatan County Operating Budget is hereby amended and the funds appropriated as shown:

**GRANTS FUND**

**REVENUES**

National Opioids Settlement	116-14-18990-0002	\$	36,488.67
Animal Shelter Donations	116-14-18990-0006		2,070.00
Sheriff Deputies Ancillary	116-14-18990-0009		69,550.00
JET Donations	116-14-18990-0015		500.00
P&R Scholarship	116-14-18990-0021		28.48
Anti-Litter Grant	116-17-24040-0010		15,413.84

**EXPENDITURES**

National Opioids Settlement	116-10-12100-0003	\$	36,488.67
Animal Shelter	116-30-35100-6023		2,070.00
Sheriff Deputies Ancillary	116-30-31212-6015		69,550.00
JET Program	116-32-32203-0001		500.00
P&R Scholarship	116-70-71110-0002		28.48
Anti-Litter Grant	116-80-83500-8215		15,413.84

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON  
JANUARY 26, 2026.**

**ATTEST:**

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**William Hagy, Clerk  
Powhatan County Board of Supervisors**

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**, Chair  
Powhatan County Board of Supervisors**

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



Powhatan County  
Board of Supervisors  
Agenda Item

Meeting Date: January 26, 2026

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Agenda Item Title: **Resolution R-2026-09** Amending the Fiscal Year 2026 Powhatan County Operating Budget by Budgeting and Appropriating \$3,391,746 in the Capital Projects Fund and Unappropriating (\$5,000,000) in CVTA Fund for a Net Reduction of (\$1,608,254)

Motion: Move to approve Resolution R-2026-09

Dates Previously  
Considered by Board: N/A

Summary of Item: The County issued additional debt in November 2025 to provide funding for the Pocahontas Elementary School HVAC project, Powhatan High School domestic water heater replacement, Powhatan High School roof repairs, and the Powhatan Elementary School air handling unit. The County also appropriated **\$5,000,000** in a CVTA grant for Route 13/60 road improvements; however, these funds will be paid directly to VDOT. Accordingly, this resolution unappropriates the CVTA grant funds and appropriates the bond proceeds, resulting in a **net budget reduction of \$1,608,254.**

Staff:                                  X   Approve                             Disapprove                             See Comments

Commission/Board:                  N/A   Approve                             Disapprove                             See Comments

Comments: None

Budget/Fiscal Impact: \$3,391,746 in bond proceeds and reduction in CVTA grant by \$5,000,000

Attachments: Resolution

Staff/Contact: Charla W. Schubert, Director of Finance, 804-598-5780,  
[cschubert@powhatanva.gov](mailto:cschubert@powhatanva.gov)

**RESOLUTION  
AMENDING THE FISCAL YEAR 2026 POWHATAN COUNTY OPERATING BUDGET  
BY BUDGETING AND APPROPRIATING \$3,391,746 IN THE CAPITAL PROJECTS  
FUND AND UNAPPROPRIATING (\$5,000,000) IN THE CVTA FUND FOR A NET  
REDUCTION OF (\$1,608,254)**

**WHEREAS**, on April 28, 2025, the Powhatan County Board of Supervisors adopted Resolution R-2025-20, which adopted the Fiscal Year 2026 Powhatan Operating Budget in the amount of \$171,043,191; and

**WHEREAS**, Virginia Code § [15.2-2507](#) states that any locality may amend its budget and must first hold a public hearing advertised in accordance with state law if any such amendment exceeds one percent of the total expenditures of the currently adopted budget; and

**WHEREAS**, this budget amendment results in a net budget reduction in the amount of (\$1,608,254) (-.940%), which does not exceed one percent of the adopted budget and therefore a public hearing was not held.

**NOW, THEREFORE, BE IT RESOLVED**, the FY 2026 Powhatan County Operating Budget is hereby amended and the funds appropriated as shown:

**CAPITAL PROJECTS FUND**

**REVENUES**

Bond Proceeds	301-19-41040-0001	\$ 3,391,746.00
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**EXPENDITURES**

POCES HVAC	301-60-62100-0010	\$ 2,534,454.00
PHS Domestic Water Heater Replacements	301-60-92100-0014	309,010.00
PowES Make Up Air Handling Units	301-60-92100-0013	148,037.00
PHS Roof	301-60-92100-0015	200,000.00
Bond Issuance Costs	301-94-94100-0001	200,245.00

**CVTA FUND**

**REVENUES**

CVTA Grant	111-17-22010-0001	\$ (5,000,000.00)
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**EXPENDITURES**

RT 13/60 Road Improvements	111-80-81100-8201	\$ (5,000,000.00)
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**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON JANUARY 26, 2026.**

**ATTEST:**

---

**William Hagy, Clerk**  
**Powhatan County Board of Supervisors**

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**,Chair**  
**Powhatan County Board of Supervisors**

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



Powhatan County  
Board of Supervisors  
Agenda Item

Meeting Date: January 26, 2026

---

Agenda Item Title: **Resolution R-2026-10** Authorizing the County Administrator to execute a contract with I.T.S. Maintenance, LLC in the amount of \$323,203.00 to construct the Education Connection Trail.

Motion: Move to approve Resolution R-2026-10

Dates Previously  
Considered by Board: N/A

Summary of Item: The Education Connection Trail connects the YMCA and library to the middle and elementary school with anticipated construction starting in mid-February and ending in July.

Powhatan County received a Fiscal Year 2022 Community Project Fund grant in the amount of \$150,153 from the U.S. Department of Housing and Urban Development for trail construction. In addition, the County appropriated \$200,000 of CVTA local funds in the Fiscal Year 2026 Capital Improvement Program (CIP) toward this Project.

Powhatan County posted an Invitation for Bids for the Project in accordance with all federal, State and local procurement laws. Bids for the project were received December 3<sup>rd</sup>, 2025 with the lowest responsive and responsible bidder, I.T.S. Maintenance, LLC, with a base bid price of \$322,203.00.

This Resolution authorizes the County Administrator to sign the contract with I.T.S. Maintenance to construct the Trail for \$322,203.00. The County Attorney has reviewed and approved the Contract as to legal form.

Staff:   X   Approve      \_\_\_ Disapprove      \_\_\_ See Comments

Commission/Board:   N/A   Approve      \_\_\_ Disapprove      \_\_\_ See Comments

Comments: None

Budget/Fiscal Impact: \$322,203 funded through non-local revenue sources, with no impact to local tax dollars

Attachments: Resolution

Staff/Contact: Will Hagy, County Administrator/ [whagy@powhatanva.gov](mailto:whagy@powhatanva.gov)

*If Board members have questions, please call the staff / contact prior to the meeting.*

**RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH I.T.S. MAINTENACE, LLC FOR THE CONSTRUCTION OF THE EDUCATION CONNECTION TRAIL FOR \$323,203.00**

**WHEREAS**, Powhatan County has been awarded \$150,153 through a Fiscal Year 2022 Community Project Fund grant from the U.S. Department of Housing and Urban Development for the construction of the Education Connection Trail (the “Project”); and

**WHEREAS**, in addition, Powhatan County has allocated \$200,000 in CVTA Local funds to complete the construction of the Education Connection Trail; and

**WHEREAS**, Powhatan County issued an Invitation for Bids for the Project in accordance with Federal, State and County procurement policies and applicable laws and regulations; and

**WHEREAS**, I.T.S. Maintenance, LLC has been identified as the most responsive and responsible bidder capable of constructing the Education Connection Trail at base bid price of \$323,203.00.

**NOW THEREFORE, BE IT RESOLVED**, the County Administrator is hereby authorized and directed to execute a contract with I.T.S. Maintenance, LLC for the construction of the Education Connection Trail with the terms and conditions set forth in the contract document attached hereto.

**BE IT FURTHER RESOLVED**, the County Administrator is further authorized to take and execute all actions and documents necessary to effectuate the contract and ensure the successful completion of the Project, including but not limited to, contract modifications within the approved budgetary limits.

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON JANUARY 26, 2026.**

**ATTEST:**

\_\_\_\_\_  
**Will Hagy, Clerk**  
**Powhatan County Board of Supervisors**

\_\_\_\_\_  
**, Chair**  
**Powhatan County Board of Supervisors**

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	

**POWHATAN COUNTY, VIRGINIA  
CONTRACT FOR CONSTRUCTION AND RELATED SERVICES  
GENERAL CONTRACTOR'S FIXED PRICE FORM  
("BUILDER'S AGREEMENT" OR "AGREEMENT")**

THIS AGREEMENT is made this 27 day of January, 2026 by **OWNER, Powhatan County**, Virginia, a political subdivision of the Commonwealth of Virginia, located at 3834 Old Buckingham Road, Powhatan, Virginia, 23139, and **GENERAL CONTRACTOR (or CONTRACTOR), I.T.S. Maintenance, LLC**, a Virginia limited liability company, having its principal place of business located at 1913 Haskin Rd. Goochland VA 23063.

**PROJECT IDENTIFICATION INFORMATION:**

Project Title: IFB 2026-PW04

Project Description: Education Connection Trail

**ADDRESSES and AUTHORIZED REPRESENTATIVES:** The addresses and authorized representatives of Owner, General Contractor and any Professional (e.g., Architect or Engineer) working with the County in connection with this Agreement are as follows:

**OWNER:**

Representative: Mark Piper, Director of Public Works  
Mailing Address: 2322 Skaggs Road, Powhatan, Virginia, 23139  
Telephone: 804.598.5697 x3004  
E-mail: mpiper@powhatanva.gov

**GENERAL CONTRACTOR:**

Representative: Michael Long  
Mailing Address: 1913 Haskin Rd. Goochland VA 23063  
Telephone: 804-350-5588  
E-mail: [mlong@itsmaintenace.net](mailto:mlong@itsmaintenace.net)  
General Contractor's License No. 2705121684  
FEIN/ SSN #: 39-2069173

**Engineer**

Representative: Lance Shields, PE  
Mailing Address: 1025 Boulders Parkway, Suite 310, Richmond, VA 23225  
Telephone: 804.495.2282  
E-mail: [lshields@dunbarstructural.com](mailto:lshields@dunbarstructural.com)

**WHEREAS**, Owner intends to complete the Project pursuant to certain Plans, Drawings, and Specifications, and is engaging General Contractor to perform certain labor, supervision and services and to provide certain equipment, goods and materials for the Project; and

WHEREAS, Owner and General Contractor each acknowledge that they will act in good faith in carrying out their duties and obligations; and

WHEREAS, Owner's engagement of the General Contractor is based upon General Contractor's representations to Owner that it: (i) is experienced in the type of labor and services Owner is engaging General Contractor to perform; (ii) is authorized and licensed to perform the type of labor and services for which it is being engaged to perform; (iii) is qualified, willing and able to perform labor and services for the Project; and (iv) has the expertise and ability to provide labor and services which will meet Owner's objectives and requirements, and which will comply with the requirements of all governmental, public and quasi-public authorities and agencies having or asserting jurisdiction over the Project; and

WHEREAS, General Contractor acknowledges that it has reviewed and familiarized itself with this Agreement, including the documents enumerated in Contract Documents, and agrees to be bound by the terms and conditions contained therein.

NOW, THEREFORE, for good and valuable consideration, the parties agree as follows:

1. APPLICABLE LAW. This Agreement and the services provided will be governed in all respects by the laws of Virginia, except its choice of law provisions. Venue for any litigation arising out of this Agreement will be brought only in the Powhatan County Circuit Court. Contractor shall comply with all applicable federal, state, and local laws and regulations.
2. CONTRACT AMOUNT. Owner shall pay and General Contractor shall accept as full and complete payment for General Contractor's timely and complete performance of its obligations under the Contract Documents the Contract Price (or Contract Sum) of \$332,203.00 (Three Hundred Thirty-Two Thousand Two Hundred Three Dollars). The Contract Price includes the aggregate amount of all allowances and any unit price items to be furnished or installed, except for those additional or contingent items specifically identified on the Bid Form as not included in the Base Bid.
3. CONTRACT DOCUMENTS. The Contract Documents consist of this Agreement and all attached documents and appendices, which include:
  - A. Powhatan County's General Terms and Conditions, Special Terms and Conditions for Federally Funded Contracts, Instructions to Bidders, and Invitation for Bids; the Commonwealth of Virginia's General Conditions of the Construction Contract (the "General Conditions", except that Powhatan's conditions shall prevail over any conflicting provisions, except for the Commonwealth's insurance requirements); and the Plans and Specifications consisting of 1) Trail Layout, Trail Details, and Bollard Detail; 2) Powhatan County Educational Trail Bridges; and 3) Staging and Access Permissions; and all attachments or addenda to any of the foregoing, all of which are attached as Exhibit A; and
  - B. the Contractor's Bid and other required documents submitted by General Contractor in response to the Invitation for Bids, attached as Exhibit B, and

- C. all written modifications to any of these documents, if any, all of which are incorporated herein and made a part hereof.

The provisions of this Agreement will govern in the event of any conflict with any other provisions of the Contract Documents. In like manner, Exhibit A will govern over Exhibit B. The Contract Documents constitute the entire and exclusive agreement between the parties and supersede any and all prior communications, discussions, negotiations, understandings, and agreements. Documents not included nor expressly contemplated nor incorporated by reference herein do not, and shall not, form any part of the Contract Documents.

4. ELECTRONIC RECORD. The parties agree that this Agreement can be executed through an electronic signature, and that an electronic record of this Contract is as valid and enforceable as an original.

5. ETHICS IN PUBLIC CONTRACTING. This Agreement incorporates by reference any applicable state or federal law related to ethics, conflicts of interest, or bribery, including the Virginia Conflict of Interests Act, the Virginia Governmental Frauds Act, and the Virginia Code. Contractor certifies that its offer is made without collusion or fraud and that it has not offered or received any kickbacks or inducements from any other offeror, supplier, manufacturer, or subcontractor in connection with this solicitation, and that it has not conferred on any public employee having official responsibility for this solicitation any payment, loan, subscription, advance, deposit of money, services, or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

6. POWHATAN COUNTY TAXES. Contractor shall pay all County taxes when due. County may offset the amounts of any County taxes which are due and owing against sums otherwise due to Contractor by paying such amounts to the County Treasurer on Contractor's behalf.

7. IMMIGRATION REFORM AND CONTROL ACT OF 1986. Contractor shall not knowingly employ an unauthorized alien as defined in the Federal Immigration Reform and Control Act of 1986.

8. INSURANCE AND BOND REQUIREMENTS. General Contractor agrees to provide and maintain insurance as required in Article 11 of the General Conditions. General Contractor also agrees to provide payment and performance bonds, approved as to form by the County Attorney, within 10 days of County's execution of this Agreement. Such bonds shall be included as part of this Agreement. The amount of the bond premiums shall be included in the Contract Price.

9. MODIFICATION OF CONTRACT DOCUMENTS. In addition to the provisions regarding modification in the General Conditions, this Agreement may be supplemented, modified, or amended by the mutual agreement of the parties hereto, set forth in writing. No supplement, modification or amendment shall be enforceable unless set forth within a writing signed by both Owner and General Contractor.

Notwithstanding the foregoing, the Contract Price may not be increased by more than twenty-five percent (25%) of the amount of the Contract Price or \$50,000, whichever is greater, without advance approval of the Powhatan County Board of Supervisors.

10. NO PERSONAL LIABILITY. Nothing herein shall be construed to create any personal liability on the part of any elected or appointed official, agent, or employee of Owner.

11. NON-WAIVER. No failure on the part of Owner to enforce any of the terms or conditions set forth in the Contract Documents shall be construed as or deemed to be a waiver of the right to enforce such terms or conditions. No waiver by Owner of any default or failure to perform by General Contractor shall be construed as or deemed to be a waiver of any other and/or subsequent default or failure to perform. The acceptance or payment of any rentals, fees and/or charges by Owner, and/or the performance of all or any part of the Work by Owner, for or during any period(s) following a default or failure to perform by General Contractor, shall not be construed as or deemed to be a waiver by Owner of any rights hereunder.

12. PARTIES' RELATIONSHIP. Contractor shall be legally considered an independent contractor, and neither Contractor nor its employees will, under any circumstances, be considered employees or agents of Owner. Owner shall not be legally responsible for any negligence or other wrongdoing by Contractor, its employees, or agents. Owner shall not withhold payments to Contractor for any federal or state unemployment taxes, federal or state income taxes, Social Security tax, or any other amounts for benefits to Contractor. Further, Owner shall not provide Contractor any insurance coverage or other benefits, including workers' compensation, normally provided by Owner for its employees.

13. PERSONNEL AND CONSULTANTS. General Contractor shall identify the Superintendent, Project Manager and Key Personnel as directed in the Bid Form. General Contractor shall promptly inform Owner in writing of any proposed replacements, the reasons therefor, and the name(s) and qualification(s) of proposed replacement(s). Owner shall have the right to reject any proposed replacement. Under no circumstances shall Owner be required to consent to a proposed replacement under circumstances where such replacement would result in an increase in the Contract Price.

General Contractor shall prepare and provide Owner and Architect a list of the General Contractor's Subcontractors and Suppliers as provided in Article 9 of the General Conditions, listing by name and general Project responsibility each Subcontractor and Supplier who will be utilized by General Contractor to provide goods or services with respect to the Project. General Contractor shall not enter into any agreement(s) with any Subcontractor(s) or Supplier(s) to which Owner raises a reasonable, timely objection. General Contractor shall promptly inform Owner in writing of any proposed replacements, the reasons therefor, and the name(s) and qualification(s) of proposed replacement(s). Owner shall have the right to reject any proposed replacement. Under no circumstances shall Owner be required to consent to a proposed replacement under circumstances where such replacement would result in an increase in the Contract Price.

Owner shall prepare and provide General Contractor a list, by name and general project duties, of each consultant retained by Owner to provide services with respect to the Project. Owner reserves the right to engage any other consultants which it may deem necessary or desirable.

14. SCOPE OF SERVICES. General Contractor shall furnish or cause to be furnished, and shall pay for out of the Contract Price: all management, supervision, financing, goods, products, materials, equipment, systems, labor, services, permits, licenses, construction machinery, transportation and other facilities necessary for proper execution and completion of the construction of the Project.

15. SEVERABILITY. In the event that any term, provision or condition of the Contract Documents, or the application thereof to any person or circumstances, shall be held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of the Contract Documents, and the application of any term, provision or condition contained herein to any person or circumstances other than those to which it has been held invalid or unenforceable, shall not be affected thereby.

16. TIME FOR PERFORMANCE.

A. Commencement of the Work. General Contractor shall commence Work on the Project within thirty (30) calendar days of Owner issuing the Notice to Proceed to General Contractor.

B. Substantial Completion shall be within 120 consecutive calendar days after the Notice to Proceed is issued.

C. Final Completion shall be within 30 consecutive calendar days after the date of Substantial Completion.

D. Time Is of The Essence. The parties hereto mutually understand and agree that time is of the essence in the performance of this Agreement and that Owner will incur damages if General Contractor's scope of the Work is not completed in accordance with the required dates of Substantial Completion and Final Completion. General Contractor shall, at all times, carry out its duties and responsibilities as expeditiously as possible and shall begin, perform and complete its services so that:

- (1) the Work commences as directed in the Notice to Proceed;
- (2) the Work progresses in accordance with the Construction Schedule and to meet the date for Substantial Completion; and
- (3) the Work is complete by the date of Final Completion.

E. General Contractor shall, not less than 15 days after Contract execution, prepare and submit a Construction Schedule to Owner and Architect, in accordance with the requirements of the General Conditions.

F. Liquidated Damages. Article 43 of the General Conditions governs the assessment and collection of liquidated damages by Owner for failure or delay by General Contractor in the completion of the Work. The daily amount of liquidated damages shall be \$500.00.

17. TRANSACTING BUSINESS IN VIRGINIA. Contractor must be authorized to transact business in Virginia as a domestic or foreign business entity if so required by Title 13.1 or Title 50 of the Virginia Code or as otherwise required by law. Contractor shall not allow its existence to lapse or its certificate of authority or registration to transact business in Virginia to be revoked or canceled at any time during this Agreement. Owner may void this Agreement if Contractor fails to remain in compliance with the provisions of this section.

18. WORKPLACE PROVISIONS. During performance of the Agreement, Contractor shall abide by the following workplace provisions. If Contractor engages any subcontractor or vendor to provide services hereunder, then Contractor shall include these provisions in every subcontract or purchase order over \$10,000:

- A. Contractor shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of Contractor. Contractor shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. Also, Contractor, in all solicitations or advertisements for employees placed by or on behalf of Contractor, will state that it is an equal opportunity employer.
- B. Contractor shall: (i) provide a drug-free workplace for Contractor's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in Contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition; and (iii) state in all solicitations or advertisements for employees placed by or on behalf of Contractor that Contractor maintains a drug-free workplace. For the purposes of this paragraph, "drug-free workplace" means a site for the performance of work done in connection with the Contract awarded to Contractor in accordance with this procurement transaction, where Contractor's employees are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession, or use of any controlled substance or marijuana during the performance of the Contract.
- C. Notices, advertisements, and solicitations placed in accordance with federal law, rule, or regulation will be deemed sufficient for the purpose of meeting the requirements of these sections.

**IN WITNESS WHEREOF**, the parties do hereby set forth their signatures, representing that the individuals who affix their signatures hereto have been duly authorized to bind each party to the terms and conditions of this Agreement:

[Signature page follows]

**OWNER:**

**Powhatan County, Virginia**

By: \_\_\_\_\_  
Will Hagy  
County Administrator

Date: \_\_\_\_\_

**GENERAL CONTRACTOR:**

**ITS Maintenance, LLC**

By: Michael Low

Name: MICHAEL LOW

Title: PRESIDENT

Date: 01/07/2026

Approved as to Form

Kalli E. Jackson  
Kalli E. Jackson  
Powhatan County Attorney



## Powhatan County Board of Supervisors Agenda Item

Meeting Date: January 26, 2026

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**Agenda Item Title:** Public Hearing on Berk and ALP LLC's request to rezone approximately 7.19 acres, identified as Tax Map Parcels 43-34 and 43-34A, located on the south side of Anderson Highway in Election District 2, from Commerce Center (CC) and General Commercial (C) to Light Industrial (I-1), subject to proffered conditions.

**Dates Previously Heard by Board:** None

**Motion:** Move to **approve/deny** the Ordinance to rezone 7.19 acres on Tax Map Parcels 43-34 and 43-34A from Commerce Center (CC) and General Commercial (C) to Light Industrial (I-1) subject to the proffered conditions as presented.

**Summary of Item:** Berk & ALP, LLC request to rezone approximately 7.19 acres of a 9.97-acre property located at 1375 and 1377 Anderson Highway to Light Industrial (I-1) with proffered conditions. The proposal includes reconfiguration of the property into three parcels, with the front parcel remaining Commerce Center and the two rear parcels rezoned to Light Industrial to accommodate self-storage and limited warehouse or other light industrial uses, as restricted by proffers.

The applicant's proffers limit the permitted uses, consolidate access through an existing shared entrance, and require demolition of existing structures, resulting in a more orderly site layout and improved visual conditions along the Anderson Highway corridor.

**Staff:**                      X   Approve                    \_\_\_\_\_ Disapprove                    \_\_\_\_\_ See Comments

**Planning Commission:**                      X   Approve                    \_\_\_\_\_ Disapprove                    \_\_\_\_\_ See Comments

**Attachments:** Ordinance with Attachment, Staff Report with Attachments

**Staff/Contact:** Ligon Webb: Planning Director  
(804) 598-5621 x2006  
[wwebb@powhatanva.gov](mailto:wwebb@powhatanva.gov)

*If Board members have questions, please call the staff / contact prior to the meeting.*

## Ordinance # O-2026-04

AT A MEETING OF THE POWHATAN COUNTY BOARD OF SUPERVISORS HELD ON JANUARY 26, 2026, IN THE VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD, POWHATAN, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

**Ordinance approving Case #25-20-REZ-C to rezone 7.19 acres from Commerce Center (CC) and General Commercial (C) to Light Industrial (I-1), with proffered conditions, on Tax Map No. 43-34 and 43-34A in Election District 2**

**WHEREAS**, Virginia Code §§ 15.2-2280, 15.2-2285, and 15.2-2286 enable the Powhatan County Board of Supervisors to adopt and amend its zoning ordinance including both a map showing the division of land into districts and text setting forth the regulations applying to each district, and Virginia Code § 15.2-2303 allows the Board of Supervisors to accept reasonable conditions proffered by an applicant in a rezoning; and

**WHEREAS**, Berk and Alp LLC filed an application requesting to conditionally rezone 7.19 acres from Commerce Center (CC) and General Commercial (C) to Light Industrial (I-1), with proffered conditions, on Tax Map Nos. 43-34 and 43-34A, located at 1375 and 1377 Anderson Highway in Election District 2; and

**WHEREAS**, the proposal includes the reconfiguration of the property into three parcels, with Parcel 1 fronting Anderson Highway to remain zoned Commerce Center (CC), and Parcels 2 and 3 proposed to be rezoned to Light Industrial (I-1), with proffered conditions; and

**WHEREAS**, the applicant has proffered 7 Conditions governing the use of the property which are found to be reasonable modifications of or additions to the requirements applicable to the property pursuant to the County Zoning Ordinance; and

**WHEREAS**, the County's Comprehensive Plan Future Land Use Map designates this property for Gateway Business; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Planning Commission advertised as required by law and held a public hearing on this application on January 6, 2026, and voted 4-0 to recommend approval; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Board of Supervisors advertised as required by law and held a public hearing on this application on January 26, 2026.

**NOW, THEREFORE, BE IT ORDAINED**, the Powhatan County Board of Supervisors hereby finds that granting this request is a matter of public necessity, convenience, general welfare, or good zoning practice.

**BE IT FURTHER ORDAINED**, this 26th day of January 2026, the Powhatan County Board of Supervisors hereby grants the zoning classification change to Light Industrial (I-1) for 7.19 acres identified as Tax Map Nos. 43-34 and 43-34A in Election District 2, subject to the following proffered conditions:

1. The Property shall be developed in substantial conformance with the Conceptual Layout Plan prepared by William Felts, PE/LS, dated December 2, 2025, as shown on Exhibit A.

## Ordinance # O-2026-04

2. The Property shall be reconfigured via a Boundary Line Adjustment (BLA) in general conformance with the Conceptual Layout Plan dated December 2, 2025 (see parcels 1, 2, and 3). The BLA shall be recorded prior to site plan approval.
3. As shown on the Conceptual Layout Plan, vehicular access to the Property shall be provided only through the existing entrance located on Tax Map Parcel 43-33 (the “Classic Granite and Marble” parcel). Any required access easements shall be recorded prior to site plan approval. No other access to Anderson Highway or any other public right-of-way shall be permitted.
4. Prior to site plan approval, the property owner shall dedicate to Powhatan County and/or VDOT all right-of-way required by the County’s Major Thoroughfare Plan and shall also dedicate right-of-way or record a public access easement of at least eight feet (8') in width within the required 50-foot front setback buffer (outside the VDOT right-of-way) for a future bicycle/pedestrian pathway parallel to U.S. Route 60 (Anderson Highway). The exact location of the pathway within this setback shall be determined at a later date. The property owner shall not be responsible for the design or construction of the future pathway.
5. All exterior off-street loading and service areas on the Property shall be located, designed, and screened from view from adjacent streets and properties in accordance with Sec. 83-465(b) of the Powhatan County Zoning Ordinance, together with the related landscaping and fencing standards in Secs. 83-461 and 83-466. Such screening shall consist of a combination of durable, sight-obscuring walls, fences, and/or dense evergreen vegetation with a minimum height of six feet (6') and shall be maintained in good condition for the life of the use.
6. Parcel 2 shall be limited to use as a self-storage facility, together with associated office, accessory, and site-improvement components customarily incidental to a self-storage operation. Parcel 3 shall be limited to the following permitted uses within the Light Industrial (I-1) district: contractor’s office; professional offices; lawn care, pool, or pest control service; self-storage facility; moving and storage establishment; woodworking; manufacturing, assembly, or fabrication, light; warehouse distribution or storage; and wholesale trade establishment. No other uses permitted within the Light Industrial (I-1) district shall be allowed on Parcels 2 or 3 unless approved through a subsequent proffer amendment.
7. The existing structures located on the Property shall be demolished as part of the redevelopment of the site. Demolition of the existing structures shall require a land disturbance permit and an approved site plan.

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON JANUARY 26, 2026.**

# Ordinance # O-2026-04

ATTEST:

\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

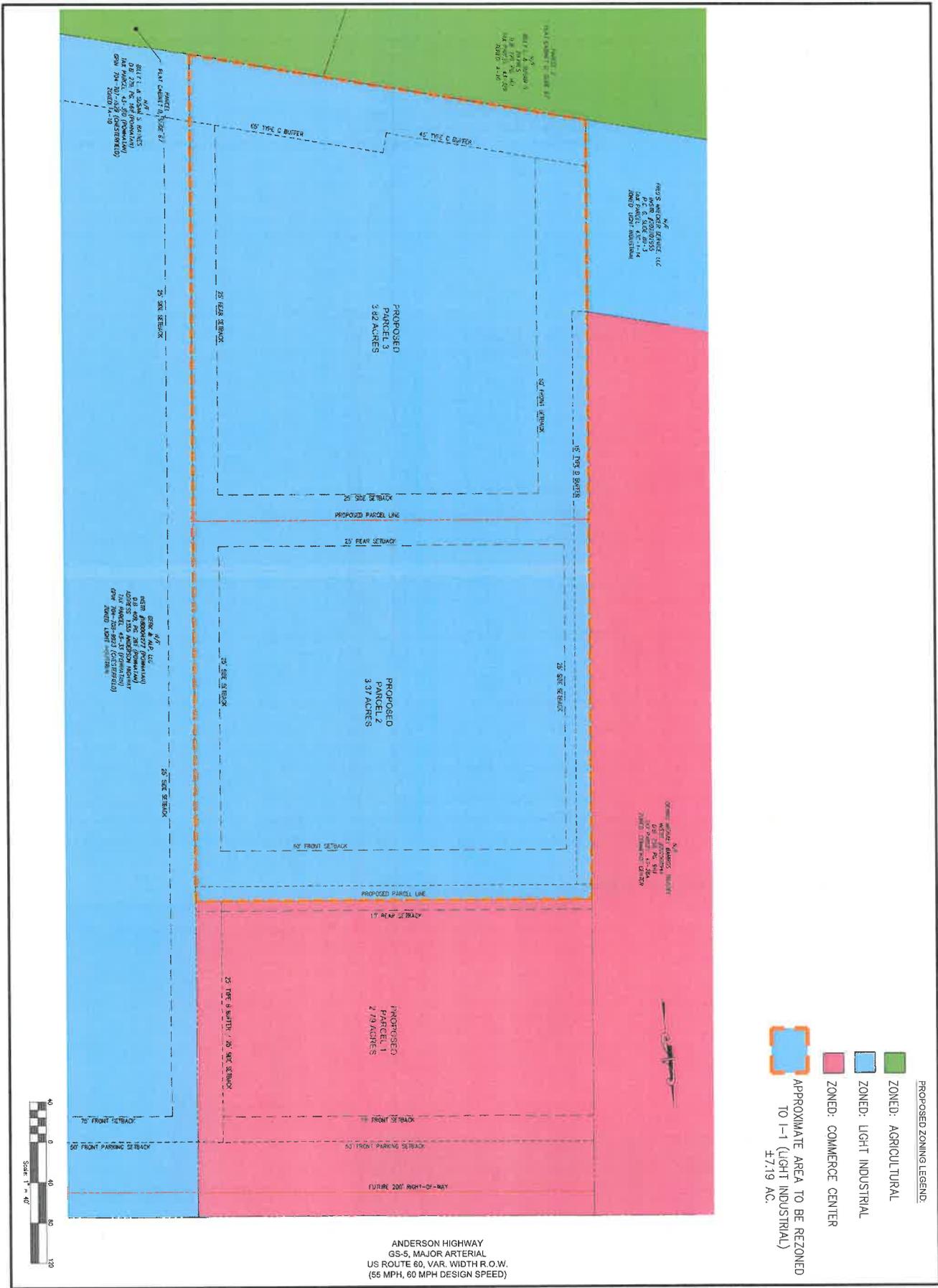
\_\_\_\_\_  
,Chair  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



# Exhibit A



Scale: 1" = 40'  
 Date: 12/20/2025  
 Job Number: 24-537  
 Designed by: VGF  
 Sheet Title:  
**PROPOSED ZONING AND LOT CONFIGURATION**  
 Sheet Number:  
**CS102**

**PROPOSED ZONING AND LOT CONFIGURATION**  
**1377 ANDERSON HIGHWAY**  
 TAX PARCEL 43-34 & 43-34A  
 POWHATAN COUNTY VIRGINIA **67**

**LRI LANDTECH RESOURCES, INC.**  
 ENGINEERING & SURVEYING, CPE  
 200-C Williams Building, 1000 University Blvd. #100  
 Ft. Worth, TX 76102  
 Ph: (757) 565-1877 Fax: (757) 565-0794  
 www.landtechresources.com



NO.	DATE	REVISION / COMMENT / NOTE



## Case #25-20-REZ-C: Berk and Alp LLC

Staff Report Prepared for the Board of Supervisors

January 15, 2026

Submitted by Ligon Webb, Planning Director

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### I. PUBLIC MEETINGS

Neighborhood Meeting Planning July 11, 2025

Commission: January 6, 2026

Board of Supervisors: January 26, 2026

### II. IDENTIFICATION AND LOCATIONAL INFORMATION

Request Requests to rezone approximately 7.19 acres of a 9.97 acres from Commercial (C) and Commerce Center (CC) to Light Industrial (I-1), with 2.79 acres to remain zoned Commerce Center

Existing Zoning Commerce Center (43-34) and Commercial (43-34A)

Parcel Size 9.97 acres (both parcels)

Parcel Tax Map 43-34 and 43-34A

Applicant Berk and Alp, LLC

Owner Berk and Alp, LLC

Location of Property The properties are located on the south side of Anderson Highway, roughly 1,300 ft east of Standing Ridge Drive; the properties are located directly west of Classic Granite & Marble and TM 34-34 contains addresses 1375 and 1377 Anderson Highway

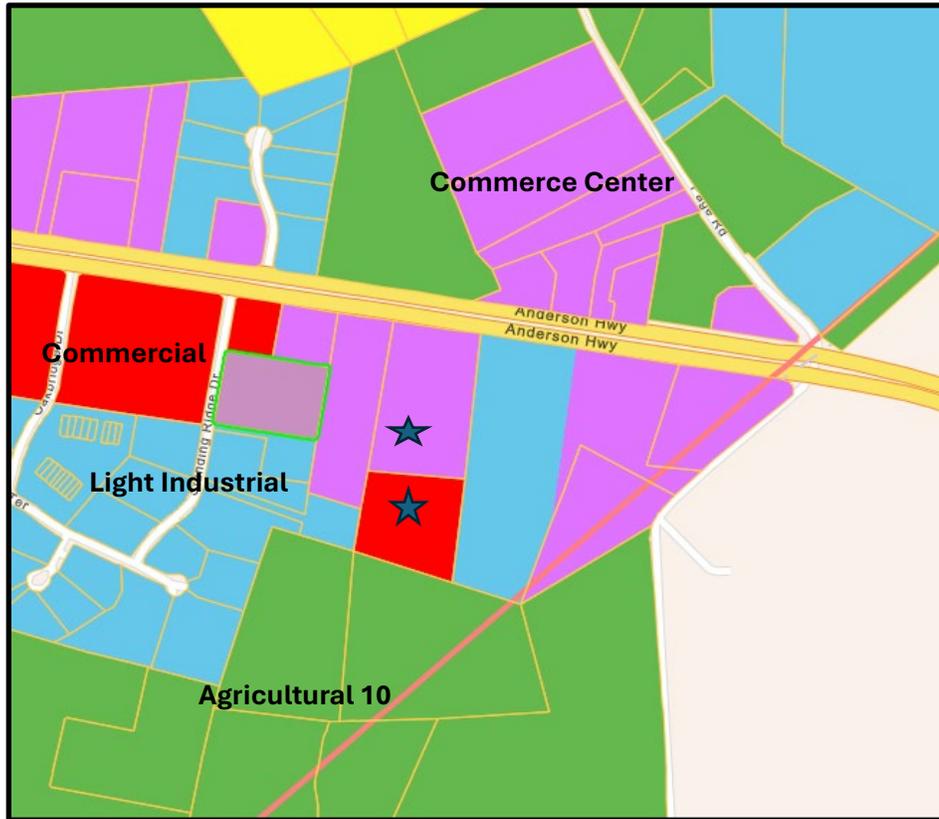
Electoral District District 2 (Powhatan Station)

2021 Future Land Use Plan Gateway Business and Natural Conservation

Adjacent Zoning North: Agricultural 10 (A-10)  
South: Agricultural 10 (A-10)  
East: Light Industrial (I-1)

West: Light Industrial (I-1) and Heavy Industrial (I-2)

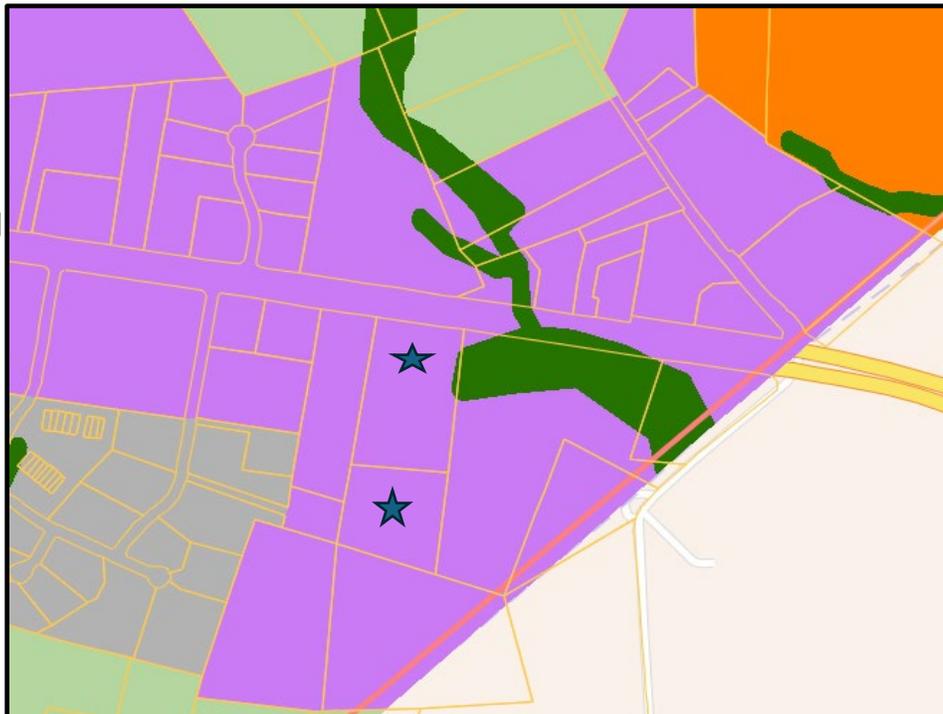
Current Zoning Map – Subject Parcel Identified with Star



Future Land Use Map – Subject Parcel Identified with Star

Future Land Use

- Economic Opportunity
- Gateway Business
- Industrial
- Natural Conservation
- Neighborhood Residential
- Public Lands
- Rural Areas
- Village



## Area Map



### III. EXECUTIVE SUMMARY

Berk & Alp, LLC has submitted a rezoning application (Case #25-20-REZ) requesting to rezone approximately 7.19 acres of a 9.97-acre property located at 1377 Anderson Highway (Tax Map Parcels 43-34 and 43-34A) from Commercial (C) and Commerce Center (CC) to Light Industrial (I-1), with the remaining 2.79 acres to remain zoned Commerce Center. The subject property is located on the south side of Anderson Highway (U.S. Route 60), directly west of Classic Granite & Marble, and is currently developed with a single-family dwelling and multiple accessory and storage structures. All existing structures would be removed as part of the proposed redevelopment. The property is designated Gateway Business on the County's 2021 Comprehensive Plan Future Land Use Map.

The application proposes to reconfigure the property into three parcels through a Boundary Line Adjustment in general conformance with the submitted Conceptual Layout Plan (**see attachment 1**). Parcel 1, fronting Anderson Highway, would remain zoned Commerce Center and does not have an identified end user at this time. Parcels 2 and 3, located to the rear of the site, would be rezoned to Light Industrial and developed with a self-storage facility and other light industrial or warehouse uses as limited by the applicant's proffers. Vehicular access to the site would be provided exclusively through the existing entrance on the adjacent Classic Granite & Marble property, with no new access points to Anderson Highway or any other public right-of-way.

The rezoning request is accompanied by a proffer statement that limits development to substantial conformance with the conceptual layout plan; restricts the range of permitted uses on Parcels 2 and 3; requires dedication of right-of-way and a public access easement for a future bicycle and pedestrian pathway along Anderson Highway; and mandates screening of loading and service areas in accordance with County standards. The proffers also require demolition of all existing structures prior to redevelopment. A traffic impact statement submitted with the application indicates that the proposed development would result in a net reduction in daily vehicle trips compared to the site's existing by-right commercial development potential.

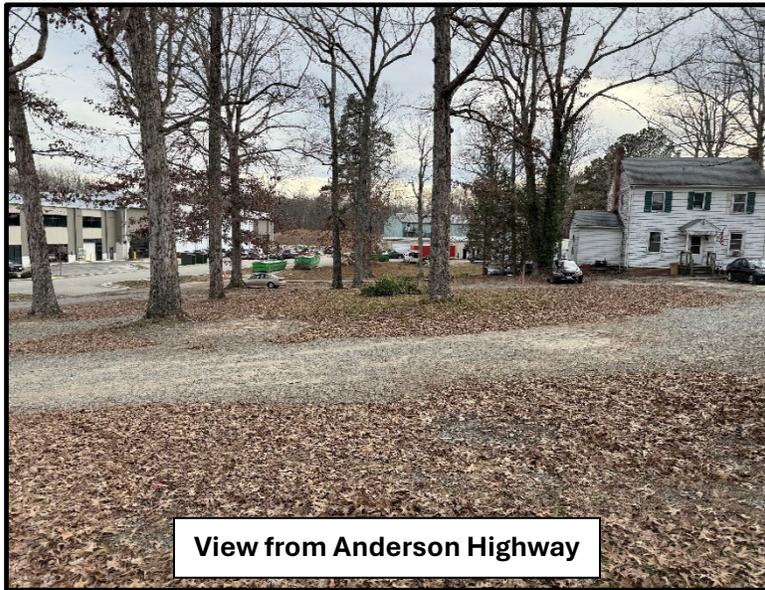
#### **IV. PROPERTY DESCRIPTION AND EXISTING CONDITIONS**

The subject property consists of two parcels, Tax Map Parcels 43-34 and 43-34A, totaling approximately 9.97 acres and located on the south side of Anderson Highway (U.S. Route 60). The front parcel, Tax Map Parcel 43-34, contains an existing single-family dwelling addressed as 1377 Anderson Highway, along with multiple accessory and storage structures with an additional address of 1375 Anderson Highway. The rear parcel, Tax Map Parcel 43-34A, is undeveloped and predominantly wooded.

A recent survey of the property completed by William Felts, LS, identifies a separate “L-shaped” area that, when combined with Tax Map Parcel 43-34A, results in an area of approximately three acres. This acreage aligns with the Commissioner of the Revenue’s current assessment of the rear portion (TM 43-34A) of the property as a single three-acre parcel, and the “L-shaped” area is therefore already accounted for within the property’s assessment.

As proposed, the applicant intends to reconfigure the property through a Boundary Line Adjustment in general conformance with the submitted Conceptual Layout Plan. If approved, the existing parcels and any internal lot configurations—including the identified “L-shaped” area—would be reconfigured into the three parcels shown on the conceptual plan. Accordingly, the existing internal configuration has no material effect on the rezoning request, and the application includes a clear and definitive zoning and lot configuration plan for the proposed redevelopment.

# Visuals



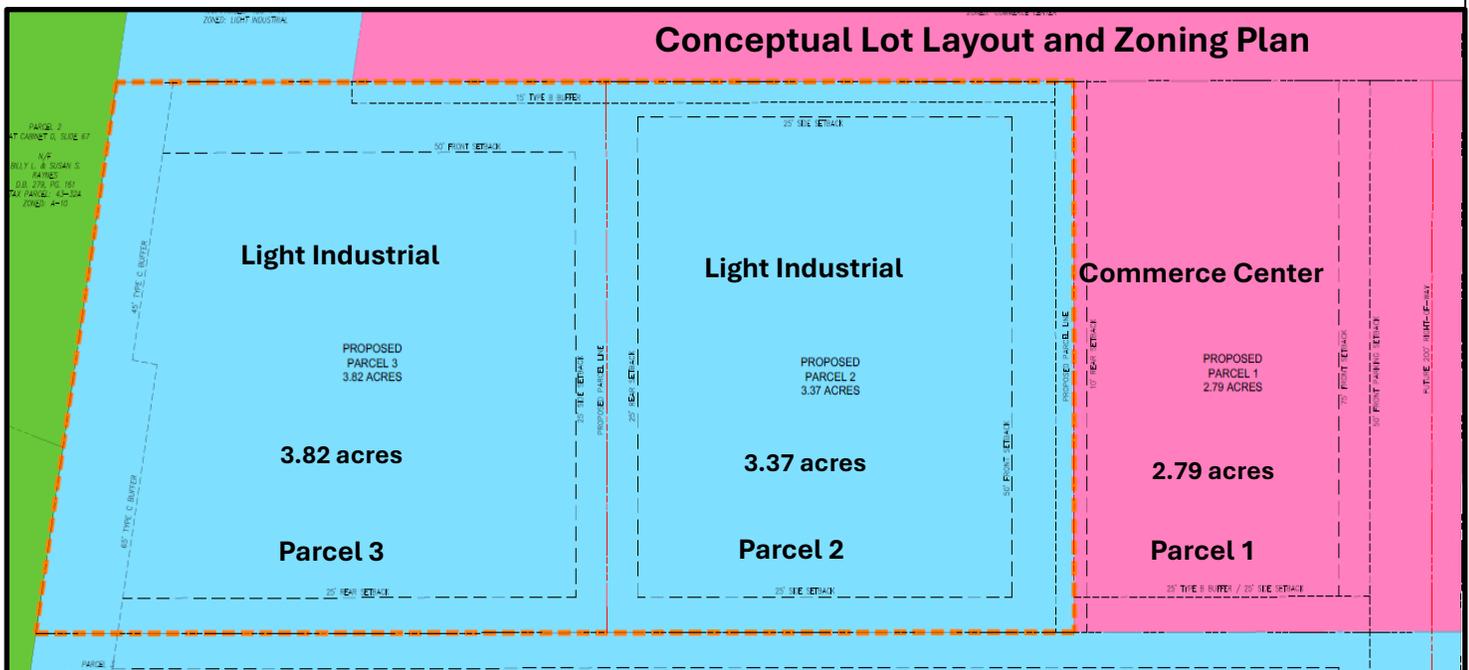


## V. LAND USE ANALYSIS

### Conceptual Lot Layout and Zoning Plan

The applicant has submitted a Proposed Zoning and Lot Configuration plan, which illustrates the reconfiguration of the subject property into three parcels through a Boundary Line Adjustment. As shown, Parcel 1 consists of approximately 2.79 acres fronting Anderson Highway and would remain zoned Commerce Center (CC). Parcels 2 and 3, consisting of approximately 3.37 acres and 3.82 acres respectively, are located to the rear of the site and proposed to be rezoned to Light Industrial (I-1). The zoning plan clearly delineates the proposed zoning boundaries and lot lines for each parcel following reconfiguration.

The proposed lot layout consolidates access through the existing entrance on the adjacent Classic Granite & Marble property, with no new access points to Anderson Highway or any other public right-

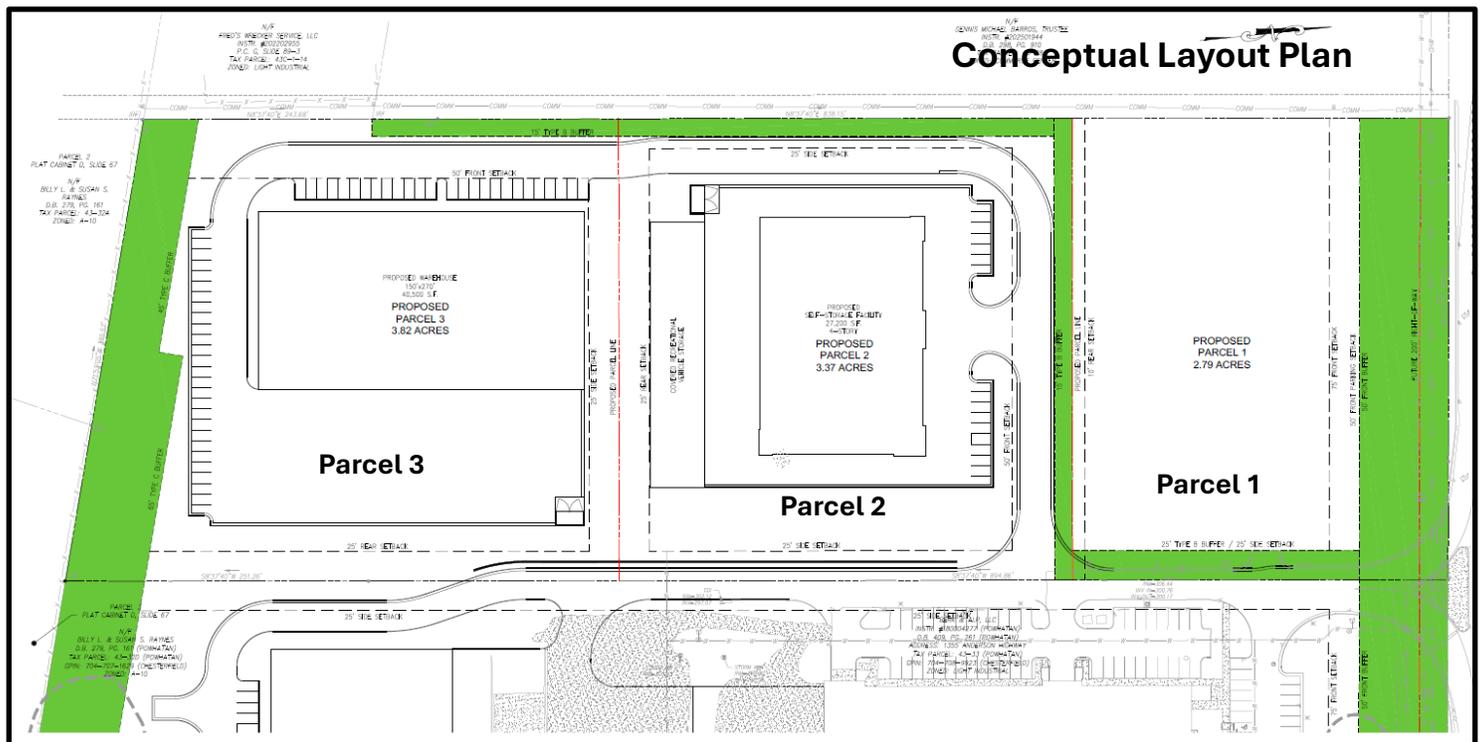


of-way. The plan also illustrates the general relationship between the parcels, internal circulation, and required buffering between adjacent properties. Upon approval, the Boundary Line Adjustment would supersede the existing parcel configuration, and the proposed zoning and lot layout would govern future development of the site.

### Conceptual Layout Plan

The applicant has also submitted a proffered Conceptual Layout Plan, which illustrates the anticipated development pattern within the proposed parcels. The plan depicts Parcel 2 with a four-story self-storage facility totaling approximately 27,000 square feet and Parcel 3 with a warehouse building measuring approximately 150 feet by 270 feet (approximately 40,500 square feet). Parcel 1 is shown as a future Commerce Center parcel with no specific end user identified at this time.

While the Conceptual Development Plan is proffered and establishes the general development framework, the specific building footprints, heights, and orientations shown are illustrative only and are not themselves proffered. The permitted uses on Parcels 2 and 3 are limited by the applicant's proffers. Final building placement, design, utilities, stormwater management, and landscaping will be subject to review and approval through the site plan process and must remain in substantial conformance with the proffered plans and conditions.



### Environmental Features

Based on the materials submitted with the application and the recent property survey, the approximately 9.97-acre subject property does not contain any mapped wetlands or perennial or intermittent streams. Accordingly, the proposed rezoning and conceptual development are not constrained by on-site water features or associated resource protection areas.

Notwithstanding the absence of identified wetlands or streams, any future development of the property will be subject to applicable land disturbance, erosion and sediment control, and stormwater management requirements at the time of site plan review. All such plans will be reviewed and

approved in accordance with County ordinances and applicable state and federal regulations prior to the commencement of land-disturbing activities.

### Land Use Analysis Summary

The proposed rezoning would reconfigure the subject 9.97-acre property into three parcels with a clear and logical distribution of zoning and land uses. A 2.79-acre parcel fronting Anderson Highway would remain zoned Commerce Center, while two rear parcels totaling approximately 7.19 acres would be rezoned to Light Industrial to accommodate self-storage and warehouse or other limited light industrial uses as restricted by the applicant's proffers. The submitted zoning plan and conceptual development plan establish defined zoning boundaries, lot configuration, and access arrangements that are consistent with the existing development pattern along the Route 60 corridor.

The Conceptual Development Plan provides a coherent framework for redevelopment of the site, illustrating building scale and general placement while preserving flexibility for final site design through the site plan process. The permitted uses on the Light Industrial parcels are expressly limited by proffer, and vehicular access is consolidated through an existing entrance, with no new access points to Anderson Highway. The plans provide useful visual context and clarity regarding the anticipated form and intensity of development without committing to specific building designs.

From a site characteristics perspective, the property contains no mapped wetlands or streams and is not constrained by on-site environmental features. Future development will remain subject to land disturbance, erosion and sediment control, and stormwater management requirements during site plan review. Overall, the Land Use Analysis reflects a structured redevelopment proposal with defined parameters that balance corridor access management, use limitations, and site flexibility.

## **VI. PUBLIC SERVICE ANALYSIS (Review by County Departments and State Agencies)**

### Building Department

Available County GIS mapping indicates that the entire subject property is located within an area containing moderate shrink-swell soils. Any new structure requiring a building permit shall be required to submit a geotechnical soil analysis and engineered foundation design that adequately addresses expansive soil conditions, in accordance with applicable building code requirements.

All proposed buildings shall be designed and constructed in full compliance with the Virginia Uniform Statewide Building Code (VUSBC), including but not limited to provisions related to construction type, occupancy classification, fire protection systems, means of egress, accessibility, and energy efficiency.

Prior to the issuance of any building permits, the applicant shall submit complete construction documents to the Building Inspections Department for review and approval. Plans shall clearly identify the proposed use(s), occupancy classification(s), construction type, and all required life-safety systems.

### Department of Public Works

The site is located within public utilities service district and would connect to both public water and sewer.

### Fire/Rescue

All buildings shall be required to be accessible to Fire Department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet from edge of pavement to edge of payment. Fire lanes and fire hydrants shall adhere to Chapter 5 of the Fire Prevention Code and the Public Facilities Manual. During the Site Plan submittal process, Fire/Rescue shall review the plan to ensure compliance with all fire access requirements, which includes hydrant placement and fire suppression.

### VDOT

See VDOT letter (attachment 3), dated December 24, 2025.

### VDH

If there are any existing private wells on the property to be developed, owner shall apply at the Health Department for an abandonment permit (one per well) for any wells that are required to be abandoned.

## **VII. TRANSPORTATION AND TRAFFIC ANALYSIS**

### General Introduction

The subject property is located along Anderson Highway (U.S. Route 60), a principal arterial roadway that serves both local and regional traffic through Powhatan County. The rezoning request proposes a change in zoning and land use mix that has the potential to affect traffic generation and access along this corridor. In support of the application, the applicant submitted a Traffic Impact Statement prepared and signed by William Felts, PE, of Landtech Resources, Inc., which evaluates anticipated traffic impacts associated with the proposed development compared to the site's existing by-right development potential.

### Existing Traffic Conditions

According to VDOT traffic count data, this segment of Anderson Highway (U.S. Route 60) carried an Annual Average Daily Traffic (AADT) volume of approximately 36,000 vehicles per day (eastbound and westbound combined) in 2023. The posted speed limit along this segment of Anderson Highway is 55 miles per hour, and the highest recorded peak hour volume was approximately 3,312 vehicles during the highest peak hour of the day, reflecting the function of Route 60 as a high-volume principal arterial.

Vehicular access to the subject property and the adjoining Classic Granite & Marble site is provided via an existing shared, channelized right-in/right-out entrance. The entrance includes a raised median island, a dedicated right-turn lane with an approximately 200-foot taper and a 200-foot storage lane for entering traffic, and an exiting acceleration lane of approximately 300 feet for westbound traffic. Because access is limited to right-turn movements only, available sight distance to the west is approximately 600 feet, which is generally considered adequate for safe turning movements along a 55-mile-per-hour roadway. This access configuration is already constructed, operational, and designed to accommodate traffic volumes associated with development along a principal arterial corridor.

As noted, the shared entrance currently serves a light manufacturing and showroom facility on the adjoining property that includes office, warehouse, production, and retail showroom components. Based on staff's planning-level review and consideration of employee counts and operational

characteristics, this existing use is estimated to generate on the order of approximately 500 to 600 vehicle trips per weekday, with peak-hour activity primarily associated with employee arrival and departure periods rather than continuous customer turnover. This context indicates that the existing access has already been operating under moderate daily traffic volumes and has functioned effectively under these conditions.

### Applicant's Traffic Analysis

The applicant's Traffic Impact Statement evaluates trip generation for the proposed development using Institute of Transportation Engineers (ITE) trip generation rates and compares the results to the site's existing by-right development potential under the Commercial (C) and Commerce Center (CC) zoning districts. Under the proposed rezoning scenario, the development program consists of an approximately 81,000-square-foot self-storage facility, a 50,000-square-foot manufacturing/warehouse building, and up to 20,000 square feet of retail space on the Commerce Center parcel. Based on ITE rates, the total estimated weekday trip generation for the proposed development is approximately 1,090 trips, with 122 trips during the AM peak hour and 146 trips during the PM peak hour.

The traffic analysis demonstrates that the majority of the projected weekday and peak-hour trips are attributable to the retail component of the proposed development. In contrast, the self-storage and manufacturing/warehouse uses account for a relatively small portion of the overall trip generation, as these uses are typically characterized by employee-based travel and limited customer activity. The analysis further notes that the type and intensity of retail use ultimately developed on the Commerce Center parcel could significantly influence the total number of trips generated, with some retail formats generating fewer trips than assumed under generalized ITE retail categories and others generating higher volumes.

### Staff Analysis and Additional Context

Staff notes that the proposed rezoning substantially reduces the amount of Commerce Center-zoned land and associated retail development potential compared to existing by-right conditions. Under current zoning, the site could accommodate a significantly greater amount of retail-oriented development, which would typically generate higher daily and peak-hour traffic volumes. Even under conservative assumptions regarding retail trip generation, the applicant's traffic analysis indicates a notable reduction in total weekday trips compared to the site's existing development potential.

Staff further notes that vehicular access to the site will remain consolidated through the existing shared, channelized entrance, with no new access points proposed along Anderson Highway. The existing turn lanes, storage capacity, and acceleration lane provide a robust access configuration consistent with corridor access management objectives for a principal arterial roadway. Any future development of the site will remain subject to detailed site plan review and coordination with VDOT, including verification of access design, drainage impacts, and operational performance.

### Conclusion

Based on the applicant's Traffic Impact Statement and staff review, the proposed rezoning and development are expected to result in a substantial reduction in daily and peak-hour vehicle trips

compared to the site's existing by-right development potential. While the retail component accounts for the majority of the estimated 1,090 weekday trips, overall traffic generation remains significantly lower than what could occur under current zoning, and the proposed self-storage and warehouse uses contribute only a limited share of total trips.

The subject property will continue to utilize the existing shared entrance serving the adjoining Classic Granite & Marble site, which currently accommodates light manufacturing, showroom, office, and warehouse traffic. The entrance's existing design—including a channelized right-in/right-out configuration, dedicated right-turn taper and storage lanes, and a westbound acceleration lane—represents a sufficient access improvement that has demonstrated effective operation under existing traffic conditions along a high-volume arterial corridor.

When considered together, the potential reduction in trip generation, the continuation of consolidated access, and the presence of existing turn and acceleration lane improvements support a finding that the rezoning request does not introduce adverse traffic impacts and is compatible with the function and capacity of Anderson Highway. Any future development of the site will remain subject to detailed site plan review and coordination with the VDOT, including verification of access design, operational performance, and compliance with applicable roadway standards.

## **VIII. PROFFER ANALYSIS**

The applicant's proffers establish a clear and enforceable framework governing future development of the property. They require redevelopment in substantial conformance with the submitted Conceptual Layout Plan, reconfiguration of the site into three parcels through a recorded Boundary Line Adjustment, and consolidation of all vehicular access through the existing shared entrance on the adjoining Classic Granite & Marble property. The proffers also provide for dedication of required right-of-way and an eight-foot public access easement for a future bicycle and pedestrian pathway along Anderson Highway.

In addition, the proffers place explicit limitations on permitted uses on the Light Industrial parcels, significantly narrowing the range of allowable activities compared to by-right zoning. They require screening of loading and service areas in accordance with County standards and mandate removal of all existing structures as part of redevelopment.

Collectively, the proffers limit development intensity, manage access, and ensure that redevelopment results in a more orderly site layout and improved visual conditions along the Anderson Highway corridor.

## **IX. STAFF RECOMMENDATION**

**Staff recommends approval of this rezoning request** based on the findings outlined in this report. The proposed rezoning is consistent with the 2021 Comprehensive Plan, including the Future Land Use Map designation of Gateway Business, which anticipates a mix of commercial and employment-oriented uses along major transportation corridors such as Anderson Highway. The request also aligns with the County's 2025–2028 Strategic Plan, particularly goals related to Economic Prosperity and the County's objective of maintaining a balanced 85/15 residential-to-commercial tax base.

The rezoning establishes a logical and orderly zoning pattern by retaining Commerce Center zoning along the Anderson Highway frontage while transitioning to limited Light Industrial uses on the rear parcels. This approach is compatible with the surrounding land uses, including nearby industrial and employment centers such as Oakbridge Industrial Park. The applicant's proffers further narrow the range of allowable industrial uses, ensuring future development remains lower-impact and compatible with adjacent properties.

Staff also notes that the proposal facilitates redevelopment of a site currently developed with a single-family dwelling and multiple accessory and storage structures. The proffers require removal of these existing structures and redevelopment in conformance with an approved site plan, resulting in a more cohesive site layout and improved visual conditions along the Anderson Highway corridor. From a transportation standpoint, the proposed rezoning is expected to reduce daily and peak-hour vehicle trips compared to existing by-right development potential and will continue to utilize the existing, well-designed shared entrance, subject to further review and approval by the VDOT at the site plan stage.

## **X. PLANNING COMMISSION**

On January 6, 2026, the Planning Commission voted 4-0 to recommend approval of the rezoning request.

## **ATTACHMENTS**

1. Rezoning Application with Exhibits (a. survey; b. existing site conditions; c. existing zoning; d. proposed rezoning and lot configurations; e. conceptual layout plan with lot configurations; f. trip/traffic impact memo conceptual development plan)
2. VDOT Letter – December 24, 2025

**END OF DOCUMENT**

# Attachment 1



**County of Powhatan,  
Virginia**  
Rezoning Application

**For Office Use Only**

Case Number	25-20-REZ-C
-------------	-------------

Powhatan County, Virginia  
Department of Community Development  
3834 Old Buckingham Road: Suite F  
Powhatan, VA 23139

Applicant Information	
Name of Applicant	Berk and ALP LLC
Mailing Address	1355 Anderson Highway Powhatan, VA 23139
Phone Number	804-658-9510
Email Address	Tkilic@classicgranite.com

Owner Information (Complete this section if the applicant is not the current property owner)	
Name of Owner	
Mailing Address	
Phone Number	
Email Address	

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the application (see form entitled *Consent of Owner(s) to Request Rezoning*).

If there are multiple owners, all owners must sign the application or provide other documentation consenting to the application (see form entitled *Ownership Disclosure*).

Applicant Representative (Complete this section if correspondence should be directed to someone other than the applicant)	
Name of Representative	William Felts, PE/LS
Mailing Address	Landtech Resources Inc 205 E. Bulifants Blvd Williamsburg, VA 23118
Phone Number	434-294-1364
Email Address	william@landtechresources.com

<b>Parcel Information</b>	
Tax Map Number	TM 43 - 34, TM 43 - 34A
Physical Address	1375, 1377 Anderson Highway
General Description of Property Location	The properties are located on the south side of Anderson Highway, roughly 1,300 ft east of Standing Ridge Drive; the properties are located west of Classic Granite & Marble.
Election District	District 2
Total Acreage	9.97 acres
Current Zoning	General Commercial (C) and Commerce Center (CC)
Requested Zoning	Light Industrial (I-1) 7.19 ac. and 2.79 to remain Commerce Center (CC) (see attached rezoning plan)
Acreage to Be Rezoned	7.19 ac.
Countywide Future Land Use: Land Use Designation	Gateway Business

<b>Proposed Use</b>	
Describe Proposed Use	The existing structures on the parcels would be removed, and the property lines would be reconfigured as shown on the attached conceptual layout plan. This would create three parcels—identified as Parcels 1, 2, and 3. Parcel 1 would remain zoned Commerce Center, while Parcels 2 and 3 would be rezoned to Light Industrial. Parcel 2 is proposed to be developed as a self-storage facility, and Parcel 3 as a warehouse—both uses are permitted within the Light Industrial district.
Amount of Dedicated Open Space (Acreage + % of Site)	
If this request is approved, will new lots be created?	Yes, the two existing lots would be reconfigured as shown on zoning and conceptual layout plan.
If this request is approved, will new structures be constructed?	Yes, parcel 1 is TBD, parcel 2 would contain self-storage facility, and parcel 3 would contain a warehouse facility.
Are there existing structures on the subject property?	Yes, there are multiple structures located on TM 43-34, these structures would be removed.
Will the proposed use connect to public water and/or sewer?	Yes

A conceptual plan that shows the general configuration of the proposed development, including land uses, general building types, density/intensity, resource protection areas, pedestrian and vehicular circulation, open space, public facilities, and phasing, should be submitted with the application.

**List of Adjacent Property Owners**

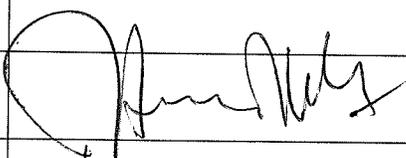
<b>Tax Map No.</b>	<b>Owner Name</b>	<b>Mailing Address</b>
43-28A	Sandcastle Enterprise	2576 Liberty Hill Rd Powhatan, VA 23139
43-32A	Billy L. Raynes	17920 West County Line Rd Midlothian, VA 23112
43-32D	Bill L. Raynes	17920 West County Line Rd Midlothian, VA 23112
43-38	Samuel A. Hardesty	14430 Sommerville CT # B Midlothian, VA 23113
43-39C	Seth Madison, LLC	1356 Anderson Highway Powhatan, VA 23139
43C-1-14	Fred's Wrecker Service	1371 King William Woods Rd Midlothian, VA 23113

Note: Adjacent properties include those across roadways, waterways, railroads, and municipal boundaries.

**Proffer Statement**

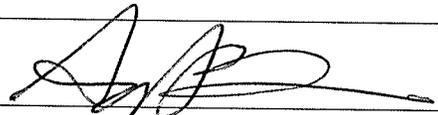
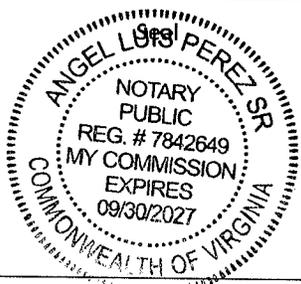
In accordance with § 15.2-2303 and Article II of the Powhatan County Zoning Ordinance, I do hereby voluntarily proffer, as the owner of record of the property or the applicant of this rezoning request, the conditions listed below. I hereby acknowledge that the rezoning of the subject property gives rise to the need for these conditions.

(Note: If text for all proffered conditions does not fit on this page, additional proffered conditions may be attached to the application as separate pages.)

Proffer #1	See attached proffers dated December 9, 2025
Proffer #2	
Proffer #3	
Proffer #4	
Signature of Applicant	
Name of Applicant (Printed)	HASAN KILIB

Commonwealth of Virginia  
County of Powhatan, to wit:

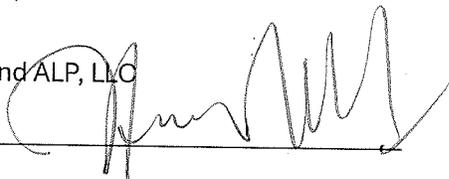
Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Hasan Kilib, whose name is signed to the above, on this 15<sup>th</sup> day of December 2025.

Notary Public		
Commission Expires	09/30/2027	
Notary Number	7842649	

**Case Number 25-20-REZ-C**  
**PROFFERED CONDITIONS**  
**December 9, 2025**

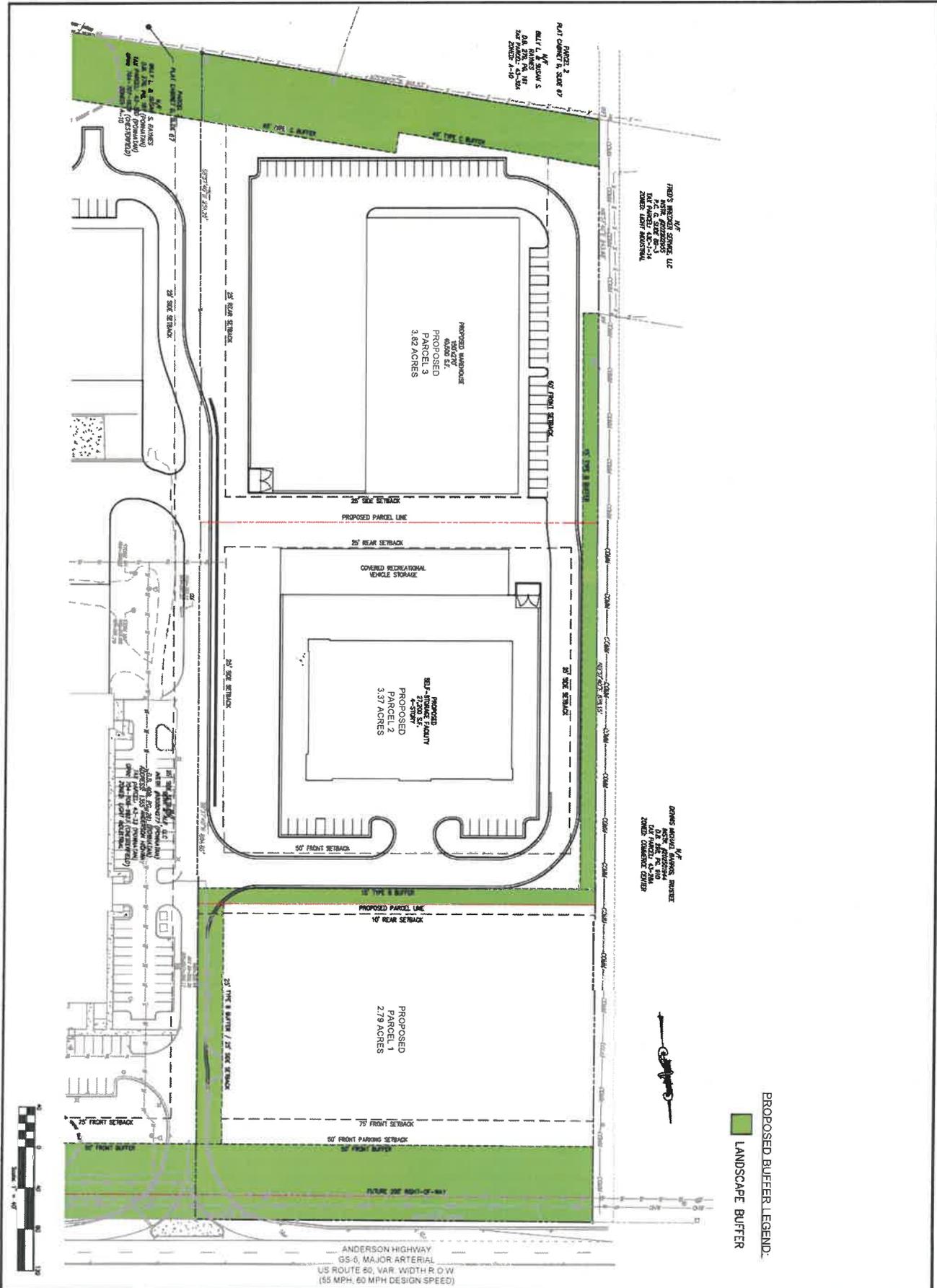
1. The Property shall be developed in substantial conformance with the Conceptual Layout Plan prepared by William Felts, PE/LS and dated December 2, 2025 (the "Concept Layout Plan"), see exhibit A.
2. The Property shall be reconfigured via a Boundary Line Adjustment (BLA) in general conformance with the Conceptual Layout Plan dated December 2, 2025 (see parcels 1, 2, and 3). The BLA shall be recorded prior to site plan approval.
3. As shown on the Conceptual Layout Plan, vehicular access to the Property shall be provided only through the existing entrance located on Tax Map No. 43-33 (the "Classic Granite and Marble" parcel). Any required access easements shall be recorded prior to Site Plan approval. No other access to Anderson Highway or any other public right-of-way shall be permitted.
4. Prior to site plan approval, the property owner shall dedicate to Powhatan County and/or VDOT all right-of-way required by the County's Major Thoroughfare Plan and shall also dedicate right-of-way or record a public access easement of at least eight feet (8') in width within the required 50-foot front setback buffer (outside the VDOT right-of-way) for a future bicycle/pedestrian pathway parallel to U.S. Route 60 (Anderson Highway). The exact location of the pathway within this setback shall be determined at a later date. The property owner shall not be responsible for the design or construction of the future pathway.
5. All exterior off-street loading and service areas on the Property shall be located, designed, and screened from view from adjacent streets and properties in accordance with the screening standards in Sec. 83-465(b) of the Powhatan County Zoning Ordinance, together with the related landscaping and fencing standards in Secs. 83-461 and 83-466. Such screening shall consist of a combination of durable, sight-obscuring walls, fences, and/or dense evergreen vegetation with a minimum height of six feet (6'), and shall be maintained in good condition for the life of the use.
6. Parcel 2 shall be limited to use as a self-storage facility, together with associated office, accessory, and site improvement components customarily incidental to a self-storage operation. Parcel 3 shall be limited to the uses defined in the I-1 district denoted as permitted uses (26) Contractor's office; (27) Professional offices; (35) Lawn care, pool, or pest control service; (36) Self-service storage facility; (51) Moving and storage establishment; (53) Woodworking; (56) Manufacturing, assembly, or fabrication, light; (62) Warehouse, distribution or storage; (65) Wholesale trade establishment. No other uses permitted within the Light Industrial (I-1) District shall be allowed on Parcels 2 or 3 unless approved through a subsequent proffer amendment.
7. The existing structures located on the property will be demolished as a part of the re-development of the properties. Demolition of the existing structures will require a land disturbance permit and approved site plan.

Berk and ALP, LLC



Hasan Kilic, Owner

December 9, 2025



PROPOSED BUFFER LEGEND:  
 LANDSCAPE BUFFER



ANDERSON HIGHWAY  
 GS-6, MAJOR ARTERIAL  
 US ROUTE 80, VAR. WIDTH R.O.W.  
 (55 MPH, 60 MPH DESIGN SPEED)

Scale: 1" = 40'  
 Date: 10/20/2020  
 Job Number: 24-337  
 Designed By: WAF  
 Drawn By: TBE  
 CONCEPTUAL LAYOUT  
 PLAN WITH LOT  
 CONFIGURATION  
 CS103

CONCEPTUAL LAYOUT PLAN WITH LOT CONFIGURATION  
**1377 ANDERSON HIGHWAY**  
 TAX PARCEL 43-34 & 43-34A  
 POWHATAN COUNTY VIRGINIA

**LRI LANDTECH**  
**RESOURCES, INC.**  
 ENGINEERS • SURVEYORS • GPS  
 204-E Bellvue Boulevard - Williamsburg, VA 23186  
 P.O. Box 1000-1077 - Fax: (757) 251-0088  
 www.landtechresources.com



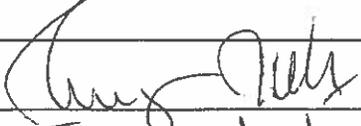
NO.	DATE	REVISION / COMMENT / NOTE

**Statement of Validity of Information**

Every applicant shall sign the following document to substantiate the validity of submitted information.

I, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will provide written certification from the owner granting me the right to submit this application.

I declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signature of Applicant	
Name of Applicant (Printed)	Tony Kolic

Commonwealth of Virginia  
County of Powhatan, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Tony Kolic, whose name is signed to the above, on this 15<sup>th</sup> day of August 2025.

Notary Public		
Commission Expires	09/30/2027	
Notary Number	7842649	

**Ownership Disclosure**

List below the names and addresses of all owners or parties in interest of the land subject to this request.

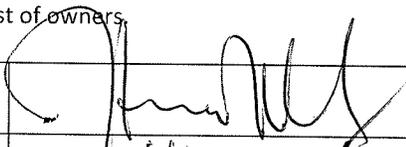
If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

Name	Address
<del>Tony Kilic</del> (100 percent owner) Hasan Kilic	1355 Anderson Highway, Powhatan, VA 23139

I, **Tony Kilic**, do hereby swear and affirm to the best of my knowledge and belief, the above information is true and that I am the applicant requesting rezoning for Tax Maps **43-34A & 43-34**.

If the information listed above changes at any time while this request is being considered, I will provide Powhatan County with an updated list of owners.

Signature of Applicant



Name of Applicant (Printed)

Hasan Kilic

Commonwealth of Virginia

County of Virginia, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Hasan Kilic, whose name is signed to the above, on this 15<sup>th</sup> day of December 2025.

Notary Public



Commission Expires

09/30/2027

Notary Number

7842649

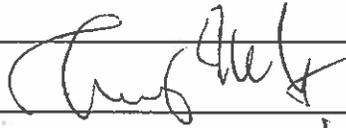


**Consent of Owner(s) to Rezoning Request**

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the rezoning application and that the applicant may submit proffered conditions on the property owner's behalf.

I, Tony Kelic, am the owner of the property subject to this rezoning request and consent to the request submitted by William S. Felts (Applicant) to rezone Tax Map 43-34 & 43-34A from CC & C (Current Zoning District) to CC & IL (Requested Zoning District).

Signature of Owner



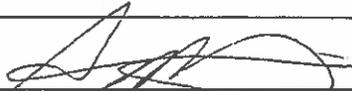
Name of Owner (Printed)

Tony Kelic

Commonwealth of Virginia  
County of Powhatan, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Tony Kelic, whose name is signed to the above, on this 15<sup>th</sup> day of August 2025.

Notary Public



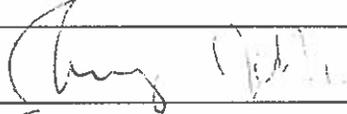
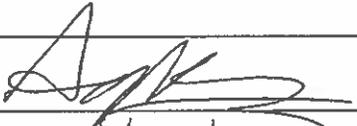
Commission Expires

09/30/2027

Notary Number

7842649



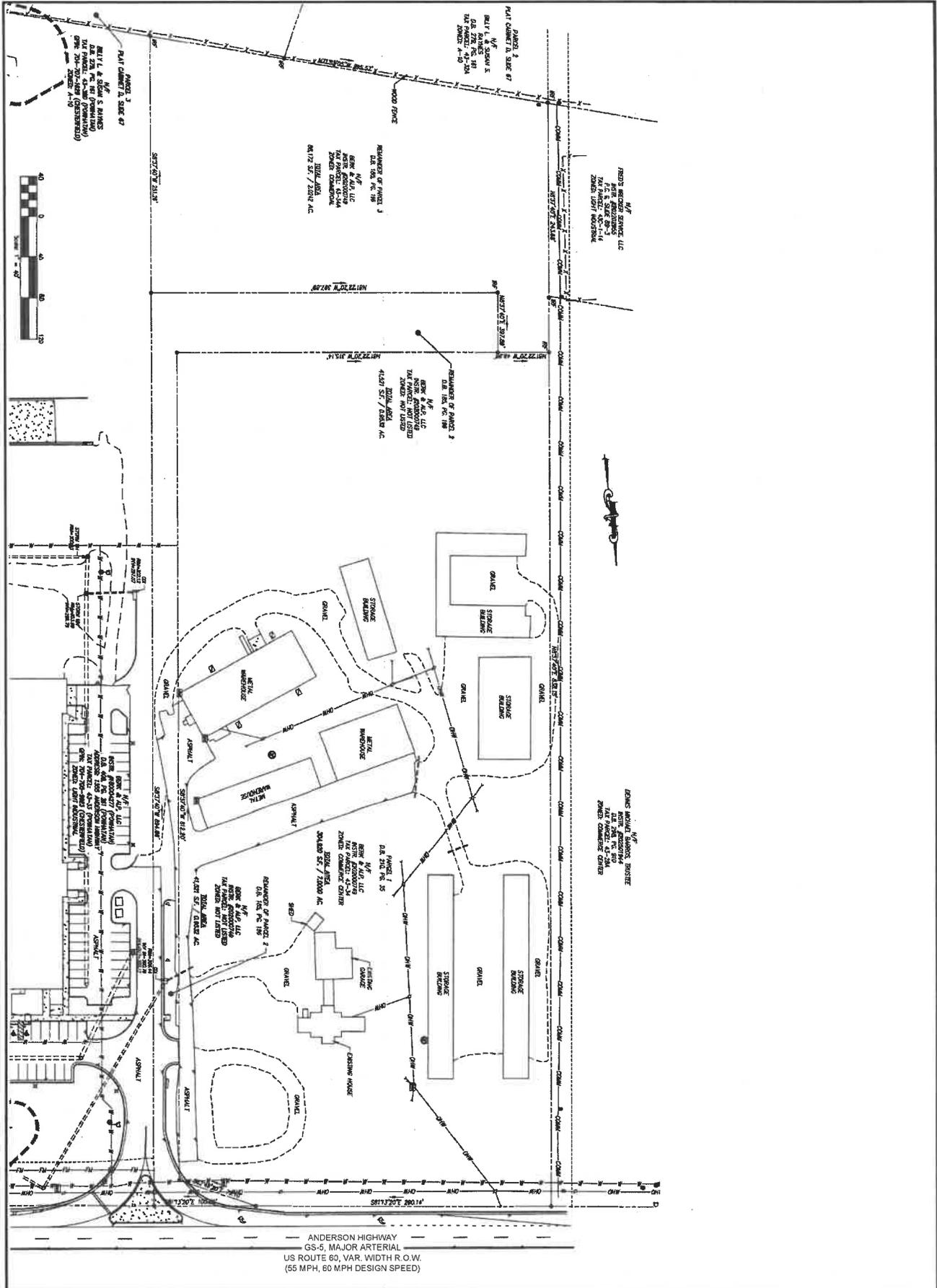
Applicant's Permission for Inspection of Property		
I, <u>Tony Klic</u> , hereby grant access to the Director of Community Development, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application.		
Signature of Applicant		
Name of Applicant (Printed)	Tony Klic	
Commonwealth of Virginia County of <u>Douhata</u> , to wit:		
Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by <u>Tony Klic</u> , whose name is signed to the above, on this <u>15<sup>th</sup></u> day of <u>August</u> 20 <u>25</u> .		
Notary Public		
Commission Expires	09/30/2027	
Notary Number	7842649	

# **Exhibits for Berk and ALP LLC, Rezoning (Case No. 25-20-REZ)**

- A. Property Survey
- B. Existing Site Conditions
- C. Existing Zoning
- D. Proposed Zoning and lot configurations
- E. Conceptual Layout Plan with lot configurations
- F. Trip/Traffic Impact Generation Memo



# B. Existing Site Conditions



SHEET NUMBER: VF-102  
 EXISTING SITE CONDITIONS  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

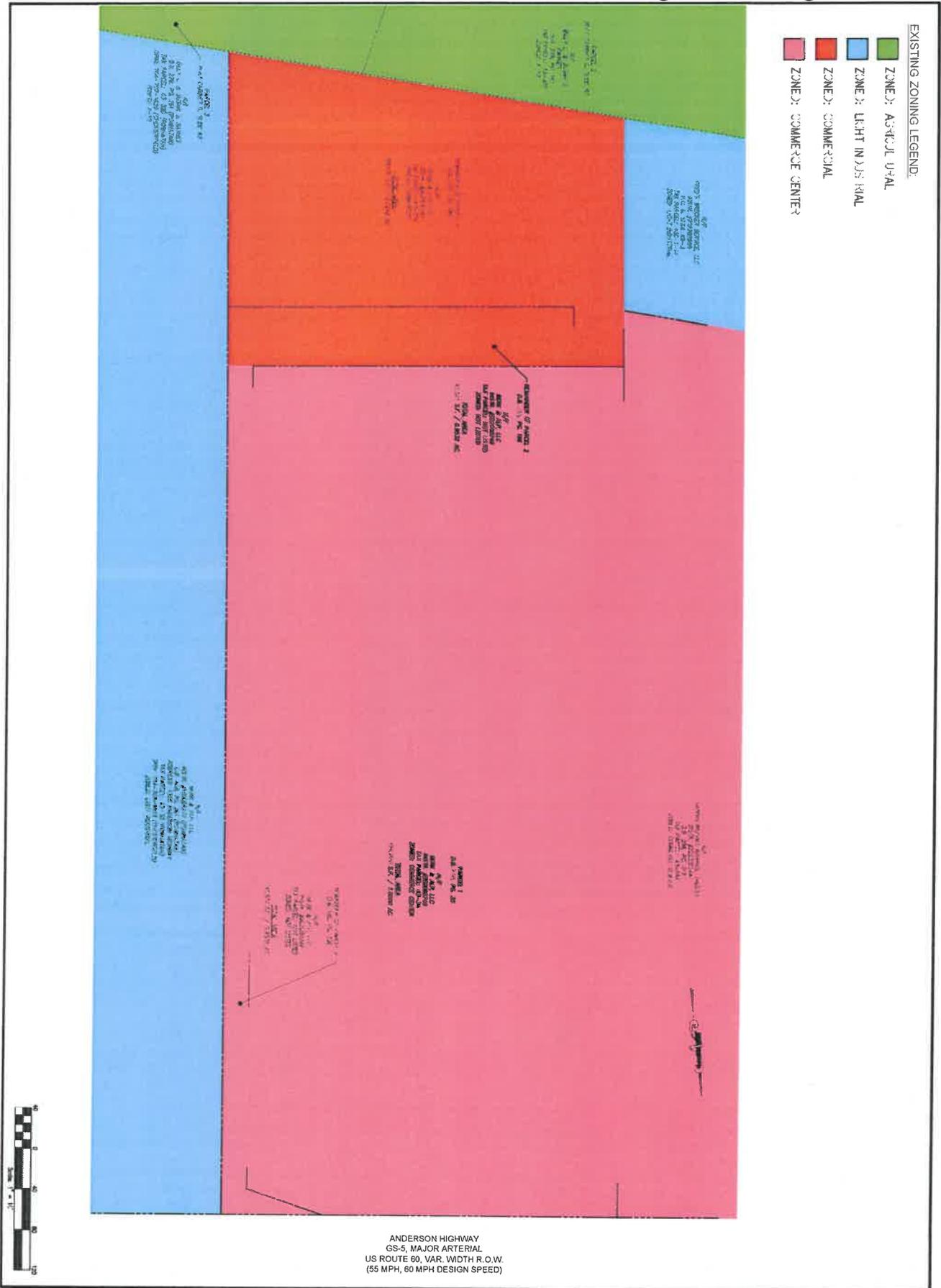
EXISTING SITE CONDITIONS  
**1377 ANDERSON HIGHWAY**  
 TAX PARCEL 43-34 & 43-34A  
 POWHATAN COUNTY VIRGINIA

**LRI LANDTECH**  
**RESOURCES, INC.**  
 ENGINEERING • SURVEYING • GPS  
 201-C Roberts Road • Mechanicsville, VA 23103  
 Ph: (757) 860-8877 Fax: (757) 860-8896  
 www.landtechresources.com



NO.	DATE	REVISION / COMMENT / NOTE

# C. Existing Zoning



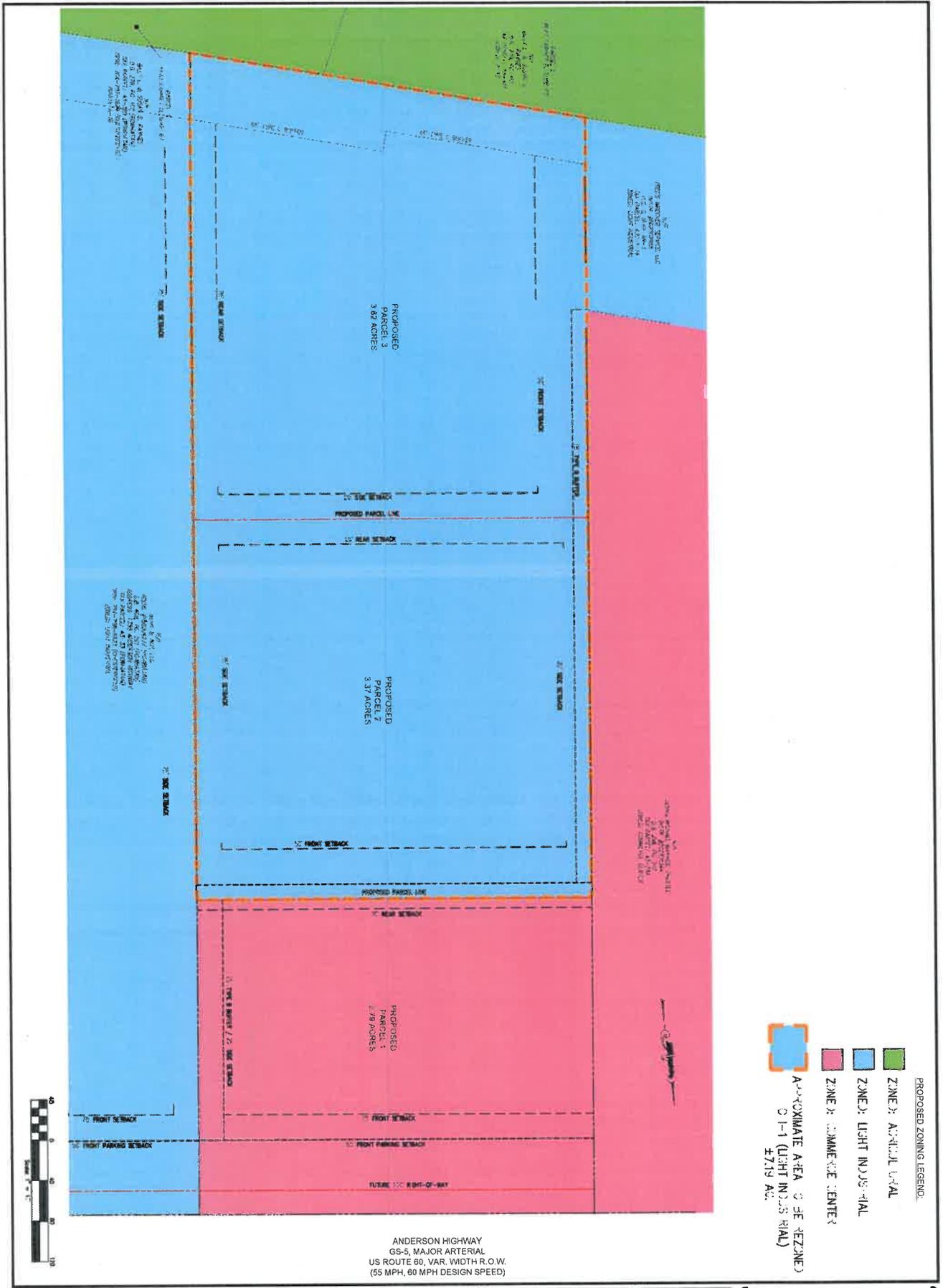
Scale: 1" = 400'  
 Date: 12/02/2023  
 Design: J. K. HARRIS  
 Drawn: J. K. HARRIS  
 Title: EXISTING ZONING MAP  
 Sheet Number: CS101

EXISTING ZONING MAP  
**1377 ANDERSON HIGHWAY**  
 TAX PARCEL 43-34 & 43-34A  
 POWHATAN COUNTY VIRGINIA



NO.	DATE	REVISION / COMMENT / NOTE

# D. Proposed Zoning and Lot Configuration



**PROPOSED ZONING LEGEND:**

- ZONE A: AGRICULTURAL
- ZONE D: LIGHT INDUSTRIAL
- ZONE X: COMMERCIAL CENTER

**APPROXIMATE AREA OF RE-ZONING**  
 C-1-1 (LIGHT INDUSTRIAL)  
 4.719 AC.

ANDERSON HIGHWAY  
 GS-5, MAJOR ARTERIAL  
 US ROUTE 60, VAR. WIDTH R.O.W.  
 (55 MPH, 60 MPH DESIGN SPEED)



PROPOSED ZONING AND LOT CONFIGURATION  
 SHEET NUMBER: CS102

PROPOSED ZONING AND LOT CONFIGURATION  
**1377 ANDERSON HIGHWAY**  
 TAX PARCEL 43-3 & 43-34A  
 POWHATAN COUNTY VIRGINIA

**LRI LANDTECH RESOURCES, INC.**  
 ENGINEERING - SURVEYING - GPS  
 800 E. Ruffin Boulevard • Suite 100 • Blacksburg, VA 24060  
 Ph: (540) 962-1377 Fax: (540) 962-3242  
 www.lri-landtech.com



NO.	DATE	REVISION / COMMENT / NOTE





# F. Trip Generation Memo

LANDTECH RESOURCES, INC.

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## Traffic Impact Statement

For

### **Berk and ALP, LLC Rezoning Application**

**Powhatan County, Virginia**

**Preparation Date:**

**December 2, 2025**

**Revision Date(s):**

**LRI Project No. 24-337**

## Traffic Statement

Berk and ALP, LLC is seeking to rezone the properties located at 1377 Anderson Highway, Powhatan, Virginia 23139. The proposed application calls to rezone 7.19-acres of existing land from its current zoning designation of Commercial and Commerce Center to Light Industrial. The proposed rezoning will make way for the construction of a proposed multi-story self-storage facility as well as warehouse building. Approximately 2.79-acres of the existing property will keep the zoning designation of Commerce Center fronting directly along Anderson Highway.

As the proposal seeks to drastically reduce the amount of Commerce Center zoned property, the anticipated drop in buildable retail related space that produces a higher net trip generation is approximately 40,000 SF. The proposal seeks to construct 81,000 SF of self-storage, and 50,000 SF of warehouse space. The remaining 2.79-acres of Commerce Center is project to house less than 20,000 SF of total retail space. A summary of the anticipated traffic impacts is below. Based on the proposed uses versus the currently allowed by right uses within the Commerce Center district a total trip per day reduction of approximately 1,400 trips is expected due to this rezoning and proposed construction.

### EXISTING TRAFFIC IMPACT:

#### RETAIL (±60,000 S.F.)

1. WEEKDAY TRIP GENERATION:	2,400
• AM PEAK HOUR	180
• PM PEAK HOUR	252

#### MANUFACTURING/WAREHOUSE (±20,000 S.F.)

1. WEEKDAY TRIP GENERATION:	80
• AM PEAK HOUR	20
• PM PEAK HOUR	20

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TOTAL WEEKDAY TRIP GENERATION:	2,480
• AM PEAK HOUR	200
• PM PEAK HOUR	272

### PROPOSED TRAFFIC IMPACT:

#### SELF STORAGE FACILITY (±81,000 S.F.)

1. WEEKDAY TRIP GENERATION:	90
• AM PEAK HOUR	12
• PM PEAK HOUR	12

#### MANUFACTURING/WAREHOUSE (±50,000 S.F.)

1. WEEKDAY TRIP GENERATION:	200
• AM PEAK HOUR	50
• PM PEAK HOUR	50

#### RETAIL (±20,000 S.F.)

1. WEEKDAY TRIP GENERATION:	800
• AM PEAK HOUR	60
• PM PEAK HOUR	84

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TOTAL WEEKDAY TRIP GENERATION:	1,090
• AM PEAK HOUR	122
• PM PEAK HOUR	146



## COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION  
RICHMOND DISTRICT  
2430 Pine Forest Drive  
COLONIAL HEIGHTS, VA 23834  
[www.VDOT.Virginia.gov](http://www.VDOT.Virginia.gov)

**Stephen C. Brich, P.E.**  
COMMISSIONER

Mr. Ligon Webb  
Planning Director  
Powhatan County  
3834 Old Buckingham Road, Suite F  
Powhatan, Virginia 23139-7051

December 24, 2025

**REFERENCE: 25-20-REZ-C – Berk & Alp – 1377 Anderson Highway  
(District #1: Manakin)  
Tax Map #43-34 & 43-34A  
Located off Anderson Highway (Rt. 60) at 1377 Anderson Hwy.  
Anderson Hwy. Rt. 60, Principal Arterial, ADT=36,000, 55 MPH  
Date VDOT Received: 12/10/25**

Dear Mr. Webb:

The Virginia Department of Transportation Chesterfield Residency Land Use has reviewed the request submitted by Berk/Alp, LLC. The application proposes to rezone two parcels (Tax Map 43-34 and 43-34A, totaling approximately 9.9 acres). These parcels are located immediately west of the Classic Granite & Marble site and would utilize the existing shared entrance currently serving Classic Granite (i.e., no new access to Anderson Highway).

The proposal includes demolition of all existing structures on the property and reconfiguration into three parcels, as shown on the Conceptual Layout Plan (Parcels 1, 2, and 3). Parcel 1 (±2.7 acres) would remain zoned Commerce Center (CC); at this time, no specific end user has been identified. Parcel 2 (±3.3 acres) would be rezoned to Light Industrial (I-1) for development of a four-story self-storage facility (27,200 sq. ft.). Parcel 3 (±3.8 acres) would also be rezoned to Light Industrial (I-1) and developed with a warehouse (150' x 270', approximately 40,500 sq. ft.).

VDOT concurs with Proffer 3. As Proffer 3 states, "As shown on the Conceptual Layout Plan, vehicular access to the Property shall be provided only through the existing entrance located on Tax Map No. 43-33 (the "Classic Granite and Marble" parcel). Any required access easements shall be recorded prior to Site Plan approval. No other access to Anderson Highway or any other public right-of-way shall be permitted."

**25-20-REZ-C Berk & Alp, LLC**

December 24, 2025

Page 2 of 2

A previous residential building built in 1776 is on Proposed Parcel 1 and it appears that it is to be demolished. The Historical Society shall be contacted for any comments or concerns associated with Proffer 7. Proffer 7 states, "The existing structures located on the property will be demolished as a part of the re-development of the properties. Demolition of the existing structures will require a land disturbance permit and approved site plan."

The Virginia Department of Transportation Chesterfield Residency Land Use supports the request for the rezoning of Parcel 2 and 3 Berk & ALP, LLC and offers the following comments:

GENERAL COMMENTS:

1. Site Plan shall be reviewed and approved by VDOT prior to Land Disturbance and shall include potential Drainage Impacts upon Anderson Highway Route 60.
2. A VDOT Land Use Permit shall be required for any work within the Right-of-Way of Anderson Highway Route 60.
3. Vehicular access to the Property shall be provided only through the existing entrance (Private Drive) located on Tax Map No. 43-33 (the "Classic Granite and Marble" parcel).
4. A previous residential (Now Commercial) building built in 1776 is on Proposed Parcel 1 and it appears that it is proposed to be demolished. The Historical Society shall be contacted for any comments or concerns

The Virginia Department of Transportation takes no position on this request for the proposed use of this property for rezoning of proposed Parcels 2 and 3.

Please contact me, at (804) 674-2906 by email [Paul.Bodie@vdot.virginia.gov](mailto:Paul.Bodie@vdot.virginia.gov), or Dustin Dunnagan at (804) 674-2384 by email [Dustin.Dunnagan@vdot.virginia.gov](mailto:Dustin.Dunnagan@vdot.virginia.gov), should you have any questions or concerns regarding this conditional use.

Sincerely,



Paul G. Bodie, P.E..

Trans. Engr. I/Chesterfield Residency Land Use

Virginia Department of Transportation

804-674-2906

[Paul.Bodie@VDOT.Virginia.gov](mailto:Paul.Bodie@VDOT.Virginia.gov)

CC: Jonus Eppert  
Sean Clendening  
Charity Gold  
Belk & ALP, LLC

- Powhatan Co. Env. Coord.  
- Powhatan County Planner I  
- Powhatan Co. Planner II  
- Applicant



## Powhatan County Board of Supervisors Agenda Item

Meeting Date: January 26, 2026

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**Agenda Item Title:** Public Hearing on Lighthouse Learning Academy's request to rezone approximately 2.1 acres, identified as Tax Map Parcel 42E-1-8, located on the south side of Carter Gallier Boulevard in Election District 1, from Light Industrial (I-1) to Commerce Center (CC).

**Dates Previously Heard by Board:** None

**Motion:** Move to **approve/deny** the Ordinance to rezone 2.1 acres on Tax Map Parcel 42E-1-8 from Light Industrial (I-1) to Commerce Center (CC).

**Summary of Item:** Lighthouse Learning Academy has identified itself as the end user, a private, nonprofit school serving neurodivergent children. However, the proposed use is not proffered, and approval of the rezoning would allow any use permitted by right within the Commerce Center zoning district. The proposed school is anticipated to serve approximately 60 students in its first year, expanding to a maximum of 90 students in grades kindergarten through eight.

The property was most recently rezoned on April 29, 2024, as part of a multi-parcel rezoning that changed the property from General Commercial (C) to Light Industrial (I-1). The requested rezoning to Commerce Center (CC) would allow a broader mix of commercial and institutional uses, with many similarities in scale and intensity to uses permitted in the Light Industrial district.

**Staff:**                      X   Approve                    \_\_\_\_\_ Disapprove                    \_\_\_\_\_ See Comments

**Planning Commission:**                      X   Approve                    \_\_\_\_\_ Disapprove                    \_\_\_\_\_ See Comments

**Attachments:** Ordinance with Attachment, Staff Report with Attachments

**Staff/Contact:** Ligon Webb: Planning Director  
(804) 598-5621 x2006  
[wwebb@powhatanva.gov](mailto:wwebb@powhatanva.gov)

*If Planning Commission members have questions, please call the staff / contact prior to the meeting.*

## **Ordinance # O-2026-05**

AT A MEETING OF THE POWHATAN COUNTY BOARD OF SUPERVISORS HELD ON JANUARY 26, 2026, IN THE VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD, POWHATAN, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

**Ordinance approving Case #25-21-REZ to rezone 2.1 acres from Light Industrial (I-1) to Commerce Center (CC), on Tax Map No. 42E-1-8 in Election District 1**

**WHEREAS**, Virginia Code §§ 15.2-2280, 15.2-2285, and 15.2-2286 enable the Powhatan County Board of Supervisors to adopt and amend its zoning ordinance including both a map showing the division of land into districts and text setting forth the regulations applying to each district, and Virginia Code § 15.2-2303 allows the Board of Supervisors to accept reasonable conditions proffered by an applicant in a rezoning; and

**WHEREAS**, Lighthouse Learning Academy has filed an application requesting to rezone 2.1 acres from Light Industrial (I-1) to Commerce Center (CC), on Tax Map No. 42E-1-8 in Election District 1; and

**WHEREAS**, the property is currently vacant land located on the south side of Carter Gallier Boulevard approximately 540 feet west of its intersection with Southcreek One; and

**WHEREAS**, the applicant intends to develop the property for a private school; however, there are no proffers to restrict the use of the property from any allowable use within the Commerce Center zoning district; and

**WHEREAS**, on February 10, 2003, the property was rezoned from Agricultural (A-1) and Residential Utility (R-U) to Commercial (C-1), with proffered conditions (Case # 03-01-REZ-C); and

**WHEREAS**, on April 29, 2024, the property was rezoned as part of a multi-lot rezoning from General Commercial (C), with proffered conditions, to Light Industrial (I-1), through Ordinance O-2024-11 (Case # 23-19-REZ); and

**WHEREAS**, the County's Comprehensive Plan Future Land Use Map designates this property for Gateway Business and Natural Conservation; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Planning Commission advertised as required by law and held a public hearing on this application on January 6, 2026, and voted 4-0 to recommend approval; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Board of Supervisors advertised as required by law and held a public hearing on this application on January 26, 2026.

**NOW, THEREFORE, BE IT ORDAINED**, the Powhatan County Board of Supervisors hereby finds that granting this request is a matter of public necessity, convenience, general welfare, or good zoning practice.

**BE IT FURTHER ORDAINED**, this 26th day of January 2026, the Powhatan County Board of Supervisors hereby grants the zoning classification change to Commerce Center (CC) for 2.1 acres identified as Tax Map No. 42E-1-8 in Election District 1.

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON JANUARY 26, 2026.**

ATTEST:

\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

\_\_\_\_\_  
, Chair  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	



## Case# 25-21-REZ: Lighthouse Learning Academy

Staff Report Prepared for the Planning Commission

January 15, 2026

Submitted by Ligon Webb, Planning Director

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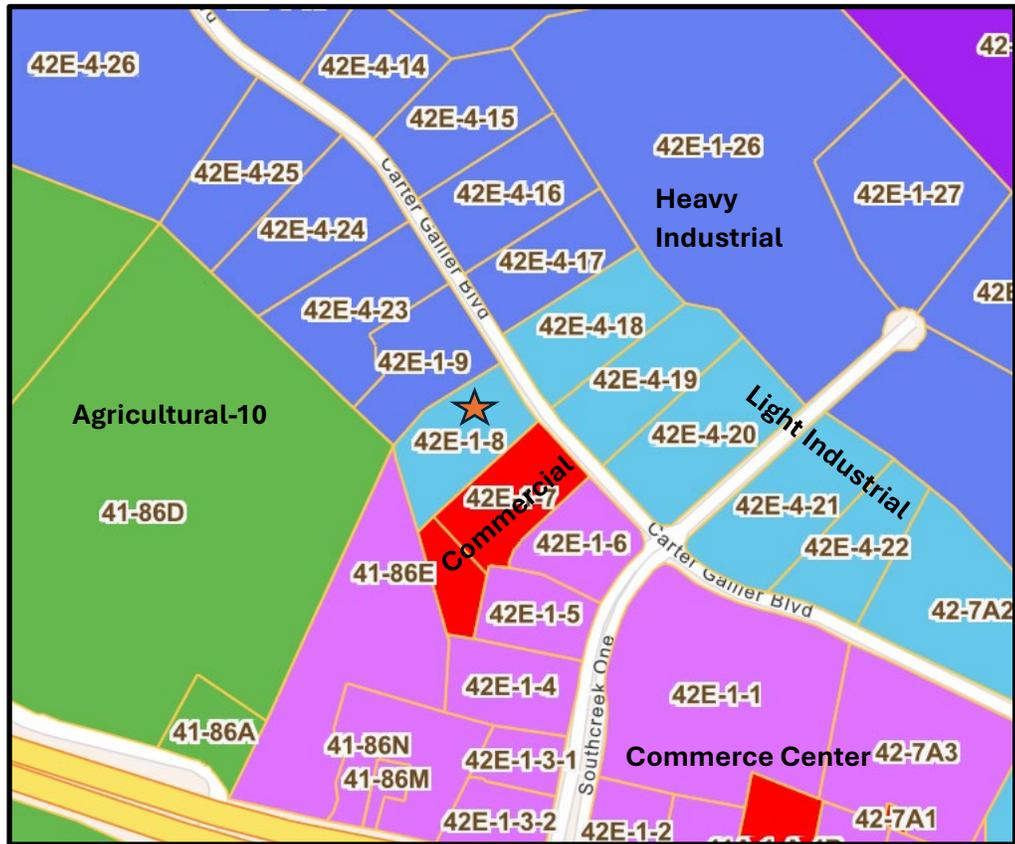
### I. PUBLIC MEETINGS

Neighborhood Meeting:	November 18, 2025	1959 Urbine Rd
Planning Commission:	January 6, 2026	Public Hearing
Board of Supervisors:	January 26, 2026	Public Hearing

### II. IDENTIFICATION AND LOCATIONAL INFORMATION

Request	Rezone 2.10 acres to Commerce Center (CC)
Existing Zoning	Light Industrial (I-1)
Parcel Size	2.10 acres
Parcel Tax Map	42E-1-8
Applicant	Lighthouse Learning Academy/Mathew Harrison
Owner	South Creek Properties, LLC
Location of Property	On the southern side of Carter Gallier Boulevard, approximately 540' west of the intersection of South Creek One and Carter Gallier Boulevard
Electoral District	District 1 (Flat Rock)
2021 Future Land Use Plan	Gateway Business and Natural Conservation
Adjacent Zoning	North: Light Industrial (I-1) South: Commerce Center (CC) East: Commercial (C) West: Heavy Industrial (I-2) and Agricultural-10 (A-10)

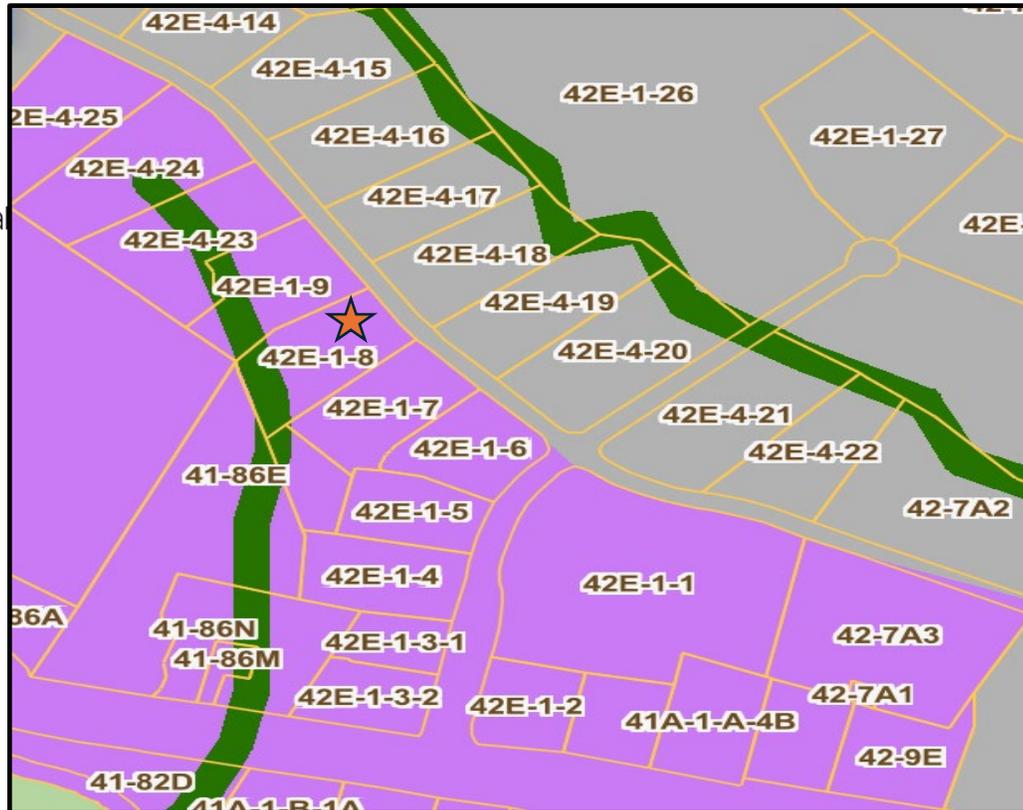
Current Zoning Map – Subject Parcel Identified with Star



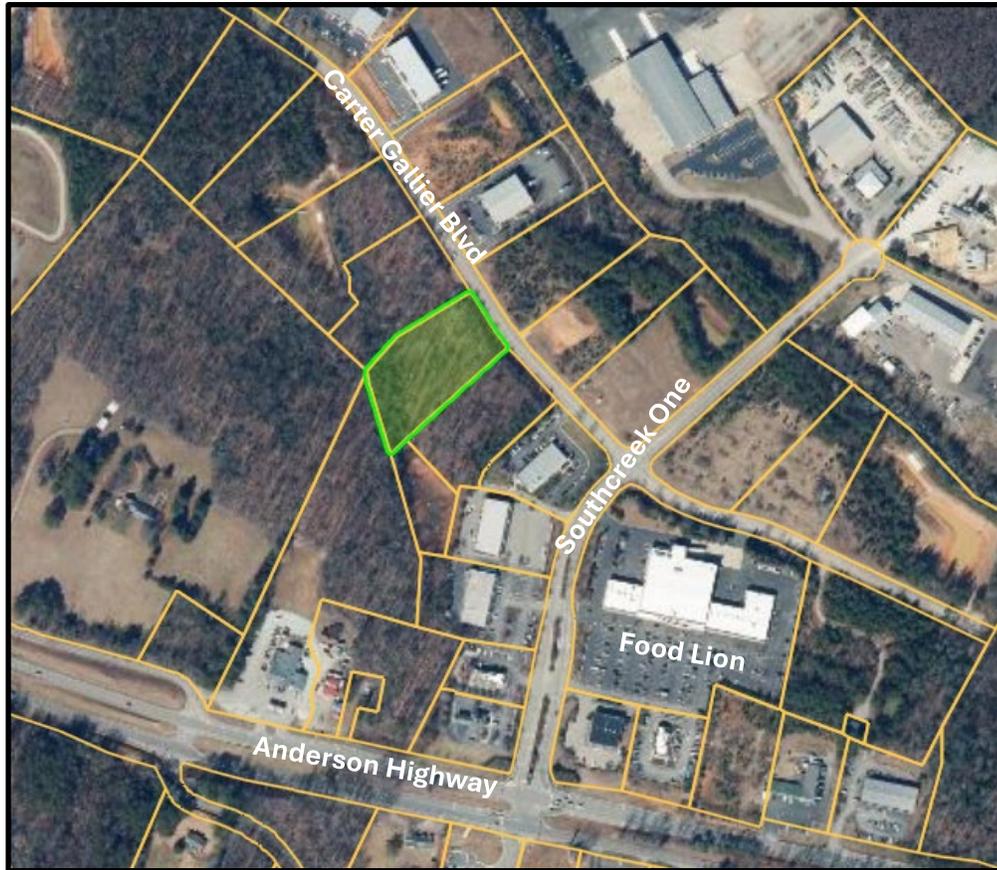
Future Land Use Map – Subject Parcel Identified with Star

Future Land Use

- Economic Opportunity
- Gateway Business
- Industrial
- Natural Conservation
- Neighborhood Residential
- Public Lands
- Rural Areas
- Village



## Area Map



### III. EXECUTIVE SUMMARY

Lighthouse Learning Academy requests to rezone approximately 2.10 acres of land, identified as Tax Map Parcel 42E-1-8, located on the south side of Carter Gallier Boulevard, from Light Industrial (I-1) to Commerce Center (CC). The rezoning is requested to accommodate a specified end user—a private school—which is not permitted within the I-1 zoning district.

The subject property was most recently rezoned on April 29, 2024, as part of a multi-lot rezoning approved by the Board of Supervisors under Ordinance O-2024-11 (see **Attachment 2**). That action rezoned approximately 19.796 acres, including the subject parcel, from General Commercial (C) with to Light Industrial (I-1). Ordinance O-2024-11 states that the rezoning was approved “from General Commercial (C) with proffered conditions to Light Industrial (I-1).”

The 2024 rezoning to Light Industrial (I-1) was approved without proffers, as no prior proffered conditions were carried forward. While the approval ordinance references the property’s former proffered zoning, those conditions are no longer in effect. Many of the infrastructure-related improvements tied to the earlier rezoning have already been satisfied.

Under the current zoning ordinance, the I-1 Light Industrial district allows a childcare center as a conditional use and allows vocational or trade schools as a permitted use by right. A general private school, such as the proposed Lighthouse Learning Academy, is not permitted within the I-1 zoning district but is a permitted use in the CC zoning district.

The rezoning application (see **Attachment 1**) includes the following materials: (1) a rezoning application with attachments, including (a) a boundary survey of the subject property; (b) a rezoning narrative describing the proposed use and operations; (c) a conceptual development plan illustrating the intended site layout; and (d) a traffic impact statement evaluating anticipated traffic effects associated with the proposed school use.

The proposed use of the property is Lighthouse Learning Academy, a 501(c)(3) nonprofit private school serving neurodivergent children. The school anticipates enrolling approximately 60 students during its first year of operation, with enrollment increasing gradually to a maximum of approximately 90 students in kindergarten through eighth grade. The applicant has indicated that, following approval of the rezoning, a detailed site plan is expected to be submitted for County review in the near term. All staff analysis contained within this report is based on the proposed development and operation of the site as a private school, as described in the application materials.

#### **IV. PROPERTY DESCRIPTION AND EXISTING CONDITIONS**

The 2.10 acres of land is heavily wooded with an intermittent stream running through the back of the property. There is a buffer setback from the stream of fifty (50) feet that cannot be disturbed. The site does not currently have an entrance or any improvements on it. There is approximately 193 feet of road frontage. The site is adjacent to similar commercial zonings to the east, and industrial zonings to the north across Carter Gallier and to the west. The industrial sites are currently being developed or plan to be developed soon.

##### **Visuals**



**View of the front of the lot**



**View facing west of Carter Gallier**



**View facing east of Carter Gallier**



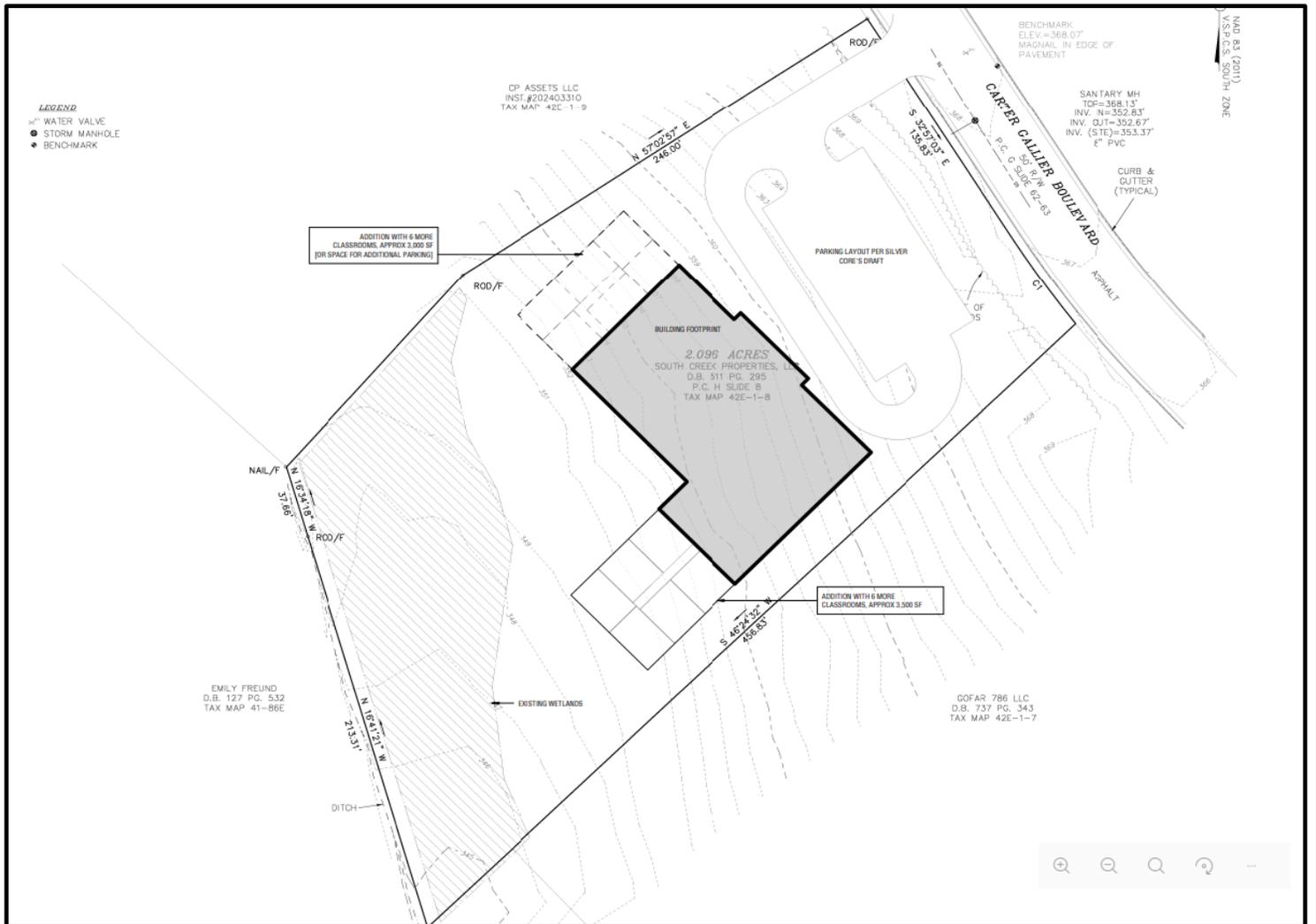
## V. LAND USE ANALYSIS

### Conceptual Development Plan

The applicant has submitted a Conceptual Development Plan (**see Attachment 1**) to illustrate the anticipated layout and development of the site. This plan is provided for illustrative purposes only and has not been proffered as part of the rezoning application; therefore, the final development of the property may differ from what is shown and would be subject to review and approval through the site plan process.

As depicted, the subject property fronts on Carter Gallier Boulevard, which has an existing 50-foot right-of-way. The plan illustrates a single approximately 12,000-square-foot school building with associated site improvements. The plan also identifies the potential for future building expansions of approximately 6,500 square feet, which could occur at a later, undetermined date, subject to applicable zoning requirements and site plan review.

## Conceptual Development Plan



### Intermittent Streams and Wetlands

An identified intermittent stream and associated wetlands are located along the rear portion of the subject property. As illustrated on the Conceptual Development Plan, development is concentrated toward the front of the site, with the rear portion remaining largely in its natural state. No buildings are shown within wetland areas, and the proposed future building is depicted outside of these features, indicating an intent to avoid direct disturbance. Any wetlands present on the site would be subject to applicable state and federal permitting requirements, including review by the Virginia Department of Environmental Quality (DEQ) and/or the U.S. Army Corps of Engineers, as applicable.

Development of the site would be required to comply with the riparian buffer standards set forth in Sec. 83-471 of the Powhatan County Code. A minimum 50-foot riparian buffer is required adjacent to intermittent streams, measured from the stream bank, with an additional 25-foot structural setback from the landward edge of the buffer, resulting in a minimum 75-foot setback from the stream bank, absent any approved modification. Required buffers must be maintained as vegetated areas. Final delineation of environmental features and confirmation of compliance with County, state, and federal regulations would occur during the site plan review and permitting process.

### Landscaping and Buffering Requirements

Landscaping and buffering for the subject property are governed by the County's zoning ordinance and would be reviewed in detail during the site plan process. Required buffer types and widths are based on the zoning of adjoining properties and the proposed nonresidential use. Along the western property line, where the site adjoins a Heavy Industrial (I-2) property (Tax Map Parcel 42E-1-9), a Type C buffer would be required to provide a higher level of visual screening. Along the eastern property line, adjacent to General Commercial (C) zoning (Tax Map Parcel 42E-1-7), a Type B buffer would generally be required to provide moderate screening and separation.

The property to the south (Tax Map Parcel 41-86E) is zoned Commerce Center (CC), where buffering requirements are typically reduced or may not be required due to the compatibility of office and institutional uses. In addition to perimeter buffers, landscaping would be required along Carter Gallier Boulevard and within parking and building areas in accordance with County standards. Final buffer widths, plant materials, and landscaping details would be subject to County review and approval during the site plan process.

### Separation from Certain Heavy Industrial Uses

The County's zoning ordinance includes use-specific separation standards for certain higher-impact industrial uses, which are written as limitations on the siting of those industrial uses rather than as setbacks imposed on schools or other sensitive land uses. Under the ordinance, select uses permitted in the Heavy Industrial (I-2) district are required to be located a minimum of 250 feet from any school. These standards apply only to specific higher-impact uses identified in Article VIII of the zoning ordinance—such as heavy equipment repair and servicing operations, contractor yards, industrial service establishments with outdoor operations, bulk material or equipment storage yards, and vehicle or equipment storage or impound yards—and do not apply broadly to all Heavy Industrial uses. It is also noted that the Light Industrial (I-1) district already allows certain educational or child-focused uses, including vocational or trade schools by right and childcare centers by conditional use permit, reflecting that instructional uses are contemplated within an industrial zoning context.

The property immediately west of the subject site (Tax Map Parcel 42E-1-9) is zoned Heavy Industrial and is currently undeveloped. Establishment of a school on the subject property may limit the siting of certain higher-impact industrial uses on nearby parcels to the extent required by existing separation standards; however, other Heavy Industrial uses not subject to such requirements—such as warehousing, indoor manufacturing, or distribution—would remain allowable.

### Summary

The land use analysis indicates that the subject property can accommodate the proposed private school use while concentrating development toward the front of the site and preserving environmentally sensitive features at the rear. An identified intermittent stream and associated wetlands are located in the rear portion of the property and would be protected in accordance with County riparian buffer requirements and applicable state and federal permitting standards. The conceptual development plan reflects avoidance of these areas, with final environmental compliance to be addressed during site plan review.

The property is adjacent to Heavy Industrial, General Commercial, and Commerce Center-zoned properties, with buffering and landscaping requirements—including Type C and Type B buffers—addressed through the site plan process in accordance with County standards. While certain higher-impact Heavy Industrial uses are subject to separation requirements from schools, these standards apply only to

specific uses and do not affect all permitted industrial activities. The requested rezoning to Commerce Center would allow the proposed institutional use and is consistent with the mixed office, service, and light industrial development pattern along the Carter Gallier Boulevard corridor. Approval of the rezoning would not alter the zoning of adjacent properties, and final site design and operational details would be reviewed through the site plan process.

## **VI. PUBLIC SERVICE ANALYSIS (Review by County Departments and State Agencies)**

### Building Department

Available County GIS mapping indicates that portions of the site may be located within a moderate shrink-swell soil area. Any new structure requiring a building permit shall require a geotechnical soil analysis and engineered foundation design addressing expansive soil conditions.

All proposed buildings shall be designed and constructed in full compliance with the Virginia Uniform Statewide Building Code (VUSBC), including but not limited to requirements related to construction type, occupancy classification, fire protection systems, means of egress, accessibility, and energy efficiency.

Prior to the issuance of any building permits, the applicant shall submit complete construction documents for review and approval by the Building Inspections Department. Plans shall clearly identify the proposed use(s), occupancy classification(s), construction type, and all required life-safety systems.

Additional comments may be provided upon submission and review of building permit applications.

### Department of Public Works

The site is located within public utilities service district and would be connected to both public water and sewer.

### Fire/Rescue

All buildings shall be required to be accessible to Fire Department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet from edge of pavement to edge of pavement. Fire lanes and fire hydrants shall adhere to Chapter 5 of the Fire Prevention Code and the Public Facilities Manual. During the Site Plan submittal process, Fire/Rescue shall review the plan to ensure compliance with all fire access requirements, which includes hydrant placement and fire suppression.

### VDOT

See VDOT letter (attachment 3), dated December 24, 2025.

### VDH

If there are any existing private wells on the property to be developed, owner shall apply at the Health Department for an abandonment permit (one per well) for any wells that are required to be abandoned.

## **VII. TRANSPORTATION AND TRAFFIC ANALYSIS**

The subject property fronts Carter Gallier Boulevard, which functions as a two-lane rural collector roadway carrying traffic in a northwest-southeast direction and serving a mix of institutional, office, and low-intensity commercial uses within this corridor. The roadway has an approximate pavement width of 32 feet and a posted speed limit of 25 miles per hour, providing a low-speed operating environment with

generous lane width and adequate capacity for two-way traffic flow, turning movements, and adequate ingress and egress associated with institutional uses.

All vehicular access to the site is proposed from Carter Gallier Boulevard via a single access point. From the proposed access location, the site benefits from excellent sight distance exceeding 500 feet in both the northwest and southeast directions, which supports safe ingress and egress movements along this segment of the roadway.

Carter Gallier Boulevard is planned to be fully connected in the future, linking the western segment where the subject property is located with the developed eastern portion of the corridor approximately three-quarters of a mile away. Once completed, this connection is expected to improve network connectivity and may result in increased overall traffic volumes along the corridor. However, the timing and funding for this roadway connection remain under development, and completion is not anticipated within the next decade. As such, staff finds it appropriate to evaluate the proposed rezoning based on existing roadway conditions and reasonably foreseeable traffic patterns.

#### Existing Traffic Conditions

VDOT has not conducted recent traffic counts for the approximately ½-mile segment of Carter Gallier Boulevard between Southcreek One and Old Church Road where the subject property is located. However, available traffic data for a similarly developed ½-mile segment of Carter Gallier Boulevard located to the east reflects an Average Annual Daily Traffic (AADT) volume of approximately 730 vehicles per day.

In the absence of site-specific traffic counts for the subject segment, staff believes it is reasonable to infer that the western segment of Carter Gallier Boulevard carries comparable traffic volumes, given the similarity in roadway classification, posted speed, pavement width, surrounding land-use patterns, and development intensity. When considered alongside the estimated traffic generation of the proposed school, the roadway appears capable of accommodating the additional trips without adverse impacts.

#### Applicant's Traffic Impact Analysis

The applicant's engineer submitted a traffic impact analysis (**see attachment 1**) in support of the rezoning request. While this submission does not constitute a full Traffic Impact Analysis (TIA) as defined by the VDOT, it provides a reasonable, planning-level assessment of anticipated traffic generation for the proposed school use and is considered adequate for rezoning-level review.

The analysis estimates that the proposed school, at full build-out of approximately 90 students, would generate on the order of 400 vehicle trips ends per weekday (includes staff). The school is proposed to operate from 8:30 a.m. to 2:00 p.m., Monday through Friday, with student drop-off and pick-up occurring at staggered times through an internal drop-off loop, thereby reducing the concentration of vehicles entering and exiting the site during any single peak hour.

#### Staff Analysis and Additional Context

Staff has reviewed the applicant's traffic impact analysis and finds the estimated 400 daily trip ends to be conservative when compared to commonly cited trip-generation benchmarks for similar uses. Industry reference data typically indicate that a small private or elementary-scale school serving approximately 90 students would generate fewer daily trips, even when accounting for staff activity. As such, the applicant's estimate provides a reasonable margin of safety for planning purposes.

For additional context, staff notes that approximately 400 daily trip ends is comparable to traffic volumes generated by other low-intensity uses commonly permitted by right in this and similar zoning districts, including small professional office buildings, daycare centers, neighborhood-scale medical or personal service uses, and other institutional uses. By way of comparison, a small professional office building of approximately 10,000 to 12,000 square feet would be expected to generate a similar number of daily vehicle trips.

Using the estimated 400 daily trip ends as a planning baseline, staff further notes that institutional and office-type uses typically experience approximately 20 to 30 percent of daily traffic during their highest peak hour, depending on operational characteristics. Applying this range, the proposed school would be expected to generate on the order of 80 to 120 vehicle trip ends during the AM peak hour, associated primarily with student arrival and staff access. PM peak-hour traffic is expected to be lower and more dispersed, potentially in the range of 40 to 80 vehicle trip ends, given staggered dismissal times, after-school arrangements, and the absence of overlap with traditional commuter peak hours. When viewed in the context of the existing roadway conditions along Carter Gallier Boulevard, these estimated peak-hour volumes are not anticipated to result in adverse impacts.

### Conclusion

Based on the applicant's traffic impact analysis, staff's review of comparable trip-generation data, the limited scale and operating characteristics of the illustrative private school use, the low posted speed limit, the available sight distance at the proposed access point, and the existing roadway capacity of Carter Gallier Boulevard, staff finds that the proposed rezoning is not expected to result in adverse traffic or transportation impacts under existing or foreseeable future conditions. While the traffic analysis and staff review are based on the development scenario presented by the applicant, any use developed on the property following rezoning—whether consistent with or different from the proposed school—would be subject to review and approval by County staff and the VDOT at the time of site-plan submittal. This process will provide an additional opportunity to evaluate access, internal circulation, and transportation impacts prior to development.

## **VIII. PROFFER ANALYSIS**

The applicant has not submitted any proffers in connection with this rezoning request. Approval of the request would constitute a straight rezoning to the Commerce Center (CC) zoning district, with development of the property governed by the standards and permitted uses of the CC district and other applicable provisions of the Zoning Ordinance.

Staff notes that the subject property was most recently rezoned in 2024 under Ordinance O-2024-11. That rezoning approved the property to the Light Industrial (I-1) district without proffers. Although the ordinance references the prior zoning as "General Commercial (C) with proffered conditions," no proffered conditions were adopted or re-affirmed as part of the 2024 rezoning. As a result, previously accepted proffers—originating with Case #03-01-REZC (2003) - are no longer applicable to the property. Staff also notes that many of the infrastructure-related improvements associated with those earlier proffers have already been satisfied through prior development and public improvements.

As illustrated on the Conceptual Development Plan, the applicant's example development scenario would involve removal of the previously proffered 200-foot building setback along Carter Gallier Boulevard, which is no longer in effect. Similar setback modifications have been approved elsewhere along the corridor, including on the eastern portion of Carter Gallier Boulevard. While the illustrative plan depicts a private school use, the proposed rezoning would not restrict the property to that use, as no proffers are offered. The site could be developed with any use permitted by right in the Commerce Center district, subject to applicable ordinance requirements, including riparian buffer standards, environmental regulations, and site plan review.

## **IX. COMPREHENSIVE PLAN ANALYSIS/COUNTY STRATEGIC PLAN (2025-2028)**

The 2021 Comprehensive Plan Future Land Use Map designates the subject property primarily as Gateway Business, with a small portion of the parcel also identified within the Natural Conservation designation. The Gateway Business designation is intended to accommodate employment-generating commercial and light industrial uses that support local economic development objectives, while also allowing institutional uses that are compatible in scale and intensity. Identified appropriate uses within this designation include offices, clean manufacturing, research and development, retail and service uses, lodging, and institutional uses such as schools, churches, public safety facilities, and similar uses. Under this designation, the illustrative private school concept presented by the applicant is consistent with the Comprehensive Plan's stated land-use intent.

The Natural Conservation designation is intended to protect environmentally sensitive features such as streams, wetlands, floodplains, and associated riparian areas. As discussed in this report, these features are located toward the rear of the property and are intended to remain largely undisturbed, with development concentrated toward the front of the site.

The proposed rezoning also aligns with the County's adopted Strategic Plan (2025–2028), particularly the priorities related to Economic Prosperity and Financial Stability and Efficiency, which emphasize strengthening the County's non-residential tax base and directing growth to designated corridors and activity centers. By allowing a broad range of commercial, office, institutional, and service-oriented uses, the Commerce Center district supports these objectives by maintaining flexibility for future development that can contribute to employment opportunities and local revenues.

While the applicant is a nonprofit organization, approval of the requested rezoning would not confer real estate tax exemption. Under Virginia law, nonprofit status alone does not automatically exempt property from local taxation, and any exemption would require a separate application and approval by the Board of Supervisors. Absent such action, the property would remain subject to real estate taxation in accordance with State law. Accordingly, evaluation of the rezoning focuses on land-use compatibility and policy alignment rather than assumptions regarding tax treatment or future revenue impacts.

## **X. STAFF RECOMMENDATION**

**Staff recommends approval** of the requested rezoning. The subject property is designated Gateway Business on the 2021 Comprehensive Plan Future Land Use Map, which supports a mix of commercial, institutional, and light industrial uses along key corridors. The proposed rezoning to Commerce Center (CC) is consistent with this designation and provides appropriate flexibility to accommodate compatible, employment-supporting uses along Carter Gallier Boulevard.

The surrounding corridor includes a mix of Commercial, Commerce Center, Light Industrial, and Heavy Industrial zoning, with existing development characterized by office, service, and other low- to moderate-intensity nonresidential uses. Within this context, the Commerce Center district is compatible with the existing and evolving development pattern and does not represent an out-of-scale land-use change. Staff also notes that many of the proffered conditions adopted under earlier rezonings have already been implemented through prior development and infrastructure improvements, with future development regulated by current zoning standards and the site plan process, including required riparian buffers, stream setbacks, and landscaping and buffering requirements.

Based on the Comprehensive Plan designation, corridor context, compatibility of the Commerce Center district, the implementation of prior proffers, and the ability to address environmental protection, access, buffering, and site design through site plan review, staff finds the request to be consistent with County policy and appropriate for the site and therefore recommends approval.

## **XI. PLANNING COMMISSION**

On January 6, 2026, the Planning Commission voted 4-0 to recommend approval of the rezoning request.

### **ATTACHMENTS**

1. Rezoning Application with Attachments (a. survey, b. rezoning narrative, c. conceptual development plan, d. traffic impact statement)
2. O-2024-11 (April 2024 rezoning approval ordinance)
3. VDOT Letter – December 24, 2025

**END OF DOCUMENT**



**County of Powhatan,  
Virginia**  
**Rezoning Application**

**For Office Use Only**

Case Number	25-21-REZ
-------------	-----------

Powhatan County, Virginia  
Department of Community Development  
3834 Old Buckingham Road: Suite F  
Powhatan, VA 23139

<b>Applicant Information</b>	
Name of Applicant	MATTHEW HARRISON / LIGHTHOUSE LEARNING ACADEMY
Mailing Address	3173 GULLANE COURT, POWHATAN, VA 23139
Phone Number	(804) 357-4086
Email Address	MHARRISON018@GMAIL.COM

<b>Owner Information</b> (Complete this section if the applicant is not the current property owner)	
Name of Owner	SOUTH CREEK PROPERTIES, LLC
Mailing Address	PO BOX 128, MIDLOTHIAN, VA 23113
Phone Number	(804) 647-7543
Email Address	ELIZABETHMEYER@TAYLORLONGPROPERTIES.COM

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the application (see form entitled *Consent of Owner(s) to Request Rezoning*).

If there are multiple owners, all owners must sign the application or provide other documentation consenting to the application (see form entitled *Ownership Disclosure*).

<b>Applicant Representative</b> (Complete this section if correspondence should be directed to someone other than the applicant)	
Name of Representative	LANE B. HARGRODER, PE / MSA
Mailing Address	2150 CARTER GALLIER BLVD SUITE C, POWHATAN, VA 23139
Phone Number	(417) 483-2160
Email Address	LANE.HARGRODER@MSA-RVA.COM

<b>Parcel Information</b>	
Tax Map Number	42E-1-8
Physical Address	NO SITE ADDRESS
General Description of Property Location	PROPERTY IS LOCATED ALONG CARTER GALLIER BLVD, SR 1343, APPROXIMATELY 500 LF WEST OF THE INTERSECTION WITH SOUTHCREEK ONE.
Election District	HUGUENOT
Total Acreage	2.10
Current Zoning	I-1, LIGHT INDUSTRIAL
Requested Zoning	CC, COMMERCE CENTER
Acreage to Be Rezoned	2.10
Countywide Future Land Use: Land Use Designation	GATEWAY BUSINESS

<b>Proposed Use</b>	
Describe Proposed Use	A PRIVATE SCHOOL IS PROPOSED; HOWEVER, APPLICANT DOES NOT WISH TO PRECLUDE BY PROFFER FUTURE USES PERMITTED BY RIGHT IN THE CC DISTRICT (see attached narrative)
Amount of Dedicated Open Space	0.315 AC [15% MINIMUM PER Sec. 83-470.(c)(1)b.]
If this request is approved, will new lots be created?	NO
If this request is approved, will new structures be constructed?	YES
Are there existing structures on the subject property?	NO
Will the proposed use connect to public water and/or sewer?	YES, BOTH

A conceptual plan that shows the general configuration of the proposed development, including land uses, general building types, density/intensity, resource protection areas, pedestrian and vehicular circulation, open space, public facilities, and phasing, should be submitted with the application.

**List of Adjacent Property Owners**

<b>Tax Map No.</b>	<b>Owner Name</b>	<b>Mailing Address</b>
42E-4-17	SIMPLE LEASING, L.L.C.	3856 WILDWOOD SHORES CT POWHATAN, VA 23139
42E-4-18	SOUTH CREEK PROPERTIES, LLC	PO BOX 128 MIDLOTHIAN, VA 23113
42E-4-19	RED DOOR MANAGEMENT, LLC	2100 CARTER GALLIER BLVD POWHATAN, VA 23139
42E-1-7	GOFAR 786, L.L.C.	12712 BAY HILL DR CHESTER, VA 23836
42E-1-9	CP ASSETS LLC	2305 N ROBERT BRUCE DR NORTH CHESTERFIELD, VA 23235
41-86D	SHIRLEY F BROWN	2206 BATTERSON RD POWHATAN, VA 23139
42E-1-5A	SOUTH CREEK PROPERTIES, LLC	1417 ANDERSON HWY POWHATAN, VA 23139
41-86E	EMILY CHRISTINA FREUND	2150 ANDERSON HWY POWHATAN, VA 23139

Note: Adjacent properties include those across roadways, waterways, railroads, and municipal boundaries.

**Statement of Validity of Information**

Every applicant shall sign the following document to substantiate the validity of submitted information.

I, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will provide written certification from the owner granting me the right to submit this application.

I declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signature of Applicant	<i>Matthew Harrison</i>
Name of Applicant (Printed)	MATTHEW HARRISON / LIGHTHOUSE LEARNING ACADEMY

Commonwealth of Virginia  
 County of Chesterfield to wit:  
 Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Matthew Harrison, whose name is signed to the above, on this 20 day of November 2025.

Notary Public	<i>K. Cook</i>	Seal <b>Kimberly Cook</b> Commonwealth of Virginia Notary Public Commission: 00386156 My Commission Expires: 11/30/2029
Commission Expires	<i>11/30/2029</i>	
Notary Number	<i>00386156</i>	

Seal  
**Kimberly Cook**  
 Commonwealth of Virginia  
 Notary Public  
 Commission: 00386156  
 My Commission Expires: 11/30/2029

MATTHEW HARRISON / LIGHTHOUSE LEARNING ACADEMY  
 Name of Applicant (Printed)  
 Commonwealth of Virginia  
 County of Chesterfield to wit:  
 Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Matthew Harrison, whose name is signed to the above, on this 20 day of November 2025.

Notary Public	<i>K. Cook</i>
Commission Expires	<i>11/30/2029</i>
Notary Number	<i>00386156</i>

**Ownership Disclosure**

List below the names and addresses of all owners or parties in interest of the land subject to this request.  
 If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

Name	Address
BEATRICE L. GALLIER	PO BOX 128, MIDLOTHIAN, VA 23113

I, MATTHEW HARRISON, do hereby swear and affirm to the best of my knowledge and belief, the above information is true and that I am the applicant requesting rezoning for Tax Map 42E-1-8.  
 If the information listed above changes at any time while this request is being considered, I will provide Powhatan County with an updated list of owners.

Signature of Applicant	<i>[Handwritten Signature]</i>
Name of Applicant (Printed)	MATTHEW HARRISON / LIGHTHOUSE LEARNING ACADEMY

Commonwealth of Virginia  
 County of Chesapeake, to wit:  
 Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Matthew Harrison, whose name is signed to the above, on this 20 day of November 2025.

Notary Public	<i>K. COOK</i>	Seal <b>Kimberly Cook</b> Commonwealth of Virginia Notary Public Commission: 00386156 My Commission Expires: 11/30/2029
Commission Expires	<i>11/30/2025</i>	
Notary Number	<i>00286156</i>	

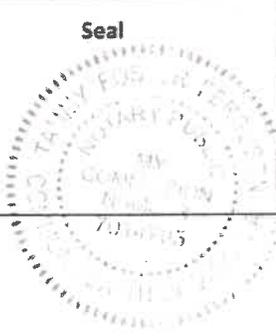
**Consent of Owner(s) to Rezoning Request**

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the rezoning application and that the applicant may submit proffered conditions on the property owner's behalf.

I, Beatrice L. Gallier, am the owner of the property subject to this rezoning request and consent to the request submitted by MATTHEW HARRISON OF LIGHTHOUSE LEARNING ACADEMY (Applicant) to rezone Tax Map 42E-1-8 from LIGHT INDUSTRIAL (I-1) (Current Zoning District) to COMMERCE CENTER (CC) (Requested Zoning District).

Signature of Owner	<u>Beatrice L. Gallier</u>
Name of Owner (Printed)	BEATRICE L. GALLIER / SOUTH CREEK PROPERTIES, LLC

Commonwealth of Virginia  
 County of HENRICO, to wit:  
 Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Beatrice Gallier, whose name is signed to the above, on this 20<sup>th</sup> day of November 2025.

Notary Public	<u>Tommy Foster, Jr.</u>	Seal 
Commission Expires	<u>Jan. 31, 2027</u>	
Notary Number	<u>7014705</u>	

**Applicant's Permission for Inspection of Property**

I, MATT HARRISON OF LIGHTHOUSE LEARNING ACADEMY, hereby grant access to the Director of Community Development, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application.

Signature of Applicant	<i>Matt Harrison</i>
Name of Applicant (Printed)	MATT HARRISON / LIGHTHOUSE LEARNING ACADEMY

Commonwealth of Virginia  
 County of Chesterfield to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Matt Harrison, whose name is signed to the above, on this 20 day of November 2025.

Notary Public	<i>K. Cook</i>	Seal <b>Kimberly Cook</b> Commonwealth of Virginia Notary Public Commission: 00386156 My Commission Expires: 1/30/2029
Commission Expires	<i>11/31/2029</i>	
Notary Number	<i>00386156</i>	

Notary Public	
Commission Expires	
Notary Number	

# Rezoning Application Attachments

25-21-REZ: Lighthouse Learning Academy/Matthew Harrison

- a. Survey
- b. Narrative
- c. Conceptual Development Plan
- d. Traffic Impact Statement



## B. Narrative – Lighthouse Learning Academy

### Rezoning Narrative

#### Lighthouse Learning Academy

#### Case #25-21-REZ

Lighthouse Learning Academy is a 501(c)(3) nonprofit educational learning center proposed to serve neurodivergent children, including students with diagnoses such as autism spectrum disorder, attention deficit hyperactivity disorder (ADHD), and sensory processing disorders. The Academy is designed to provide a structured, supportive learning environment tailored to the educational and developmental needs of these students.

The applicant requests to rezone approximately 2.1 acres from Light Industrial (I-1) back to Commerce Center (CC) to allow for the establishment and operation of the school. The subject property is located on the south side of Carter Gallier Boulevard, just over 500 feet west of its intersection with Southcreek One. A conceptual development plan has been submitted with the rezoning application to illustrate the intended layout of the site, including building placement, circulation, parking, outdoor play areas, and buffering.

The initial campus is anticipated to cover approximately 12,000 square feet. This initial phase would include the construction and occupancy of a single building, with potential expansion contemplated at a later, undetermined date, based on enrollment needs and program growth. Any future expansion would be subject to applicable site plan review and permitting requirements.

Lighthouse Learning Academy anticipates serving approximately 60 students during its first year of operation, with enrollment consisting of roughly 10 students per grade in kindergarten through fifth grade. Enrollment would increase gradually over time, with an additional 10 students added per year, up to a maximum enrollment of approximately 90 students in grades kindergarten through eighth grade, maintaining small class sizes of no more than 10 students per grade.

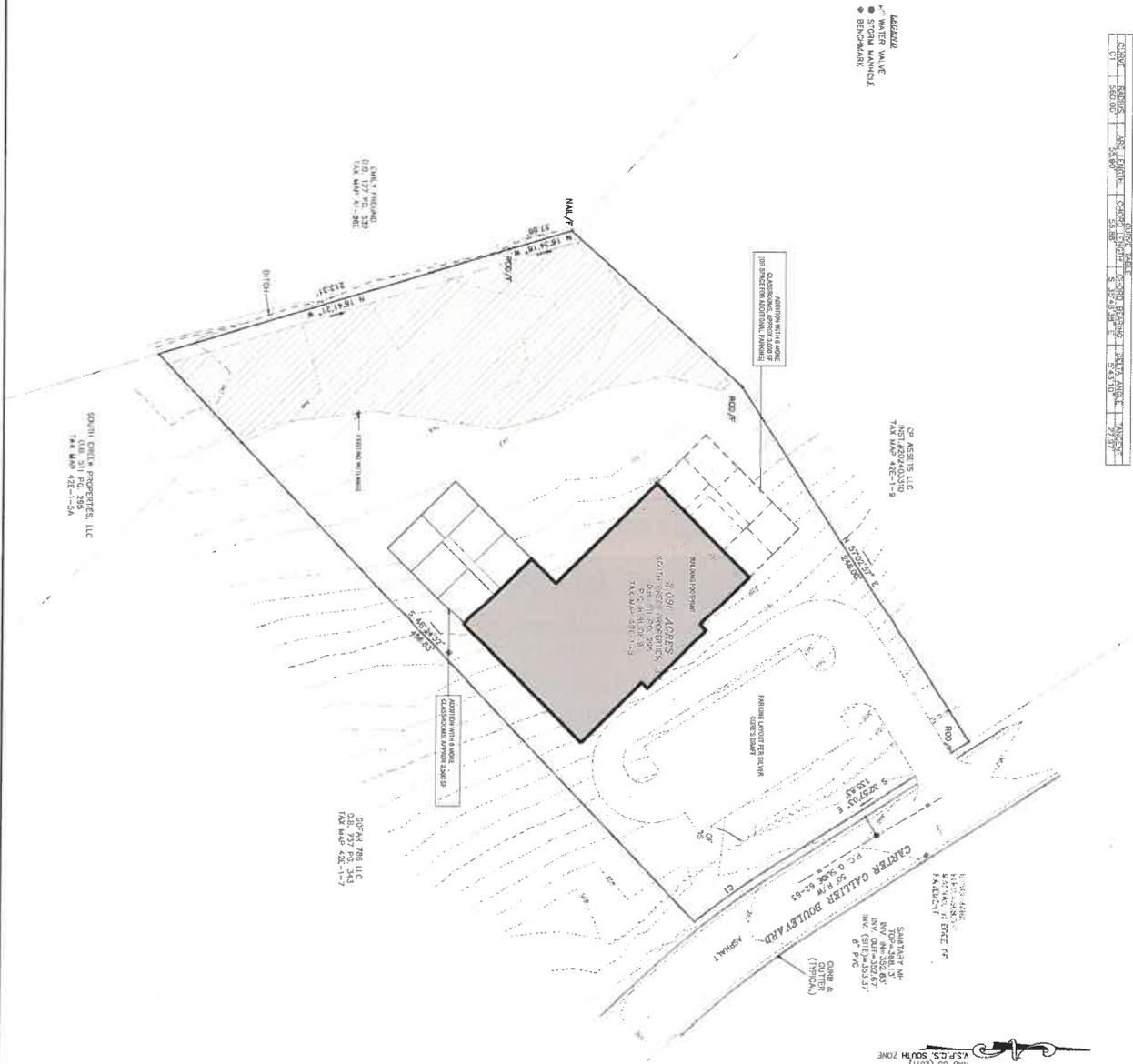
Hours of operation are expected to be from 8:30 a.m. to 2:00 p.m., Monday through Friday. Student drop-off and pick-up would occur through a designated front drop-off loop, with staggered arrival and departure times to minimize traffic impacts and ensure safe and orderly on-site circulation.

All outdoor play areas would be secured and designed to provide a safe, controlled environment appropriate for the student population. In addition, the overall campus would be designed with safety and security as a priority, including controlled access, clear internal circulation, and appropriate screening and buffering.

Development of the site would occur outside of all identified wetlands and intermittent streams, in accordance with County regulations and applicable standards. Any required environmental delineations and approvals would be addressed as part of the site plan review process.

The proposed use is consistent with the intent of the Commerce Center zoning district, which allows for institutional and educational uses in locations served by public infrastructure and designed to accommodate low-intensity daytime activity. The requested rezoning would enable Lighthouse Learning Academy to establish a permanent location that supports its mission while remaining compatible with surrounding uses and the developing Carter Gallier Boulevard corridor.

# C. Conceptual Development Plan



- NOTES:**
- 1) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
  - 2) THE PACE, SHOWS ACOORDINATES OF RECORD PLANS NOT BE SHOWN HEREON.
  - 3) HORIZONTAL AND VERTICAL CURVES ARE SHOWN ON FLOOD INSURANCE RATE MAP #3114202020.
  - 4) DATA - VERTICAL - HAND BE.
  - 5) THE CURVE HORIZONTAL - MAIN BS (2011) U.S.P.C.S. NORTH ZONE.
  - 6) NO UNDERGROUND UTILITIES ARE SHOWN HEREON.
  - 7) NO WETLAND INFORMATION IS SHOWN HEREON.

**GRAPHIC SCALE**

1" = 100'

**COMMONWEALTH OF VIRGINIA**  
 REGISTERED PROFESSIONAL SURVEYOR  
**KEE A. HENNING**  
 Lic. No. 55229

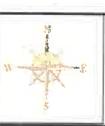
PROJECT NAME	252581
DATE	7/1/2023
SCALE	1" = 50'
DRAWN BY	KH
CHECKED BY	
DESIGNED BY	

**REVISIONS**

**TOPOGRAPHIC SURVEY OF TAX MAP 42E-1-8**

**126**

HUGUENOT DISTRICT POWHATAN COUNTY, VA



**ThomaSurveying**  
 Surveying and Consulting

2303 Darley Drive  
 Powhatan, VA  
 23139  
 804-239-5118

# D. Traffic Impact Statement

Traffic Impact Matrix for Rezoning(s) Without Specific User(s) Identified

Parcel ID	Site Information			Calculation of Daily Trips per Land Use (ITE, 11th Edition)				Remarks	
	Owner	Impacted Roads	Current AADT	Total Parcel Area (acres)	Total Parcel Area (sf)	Total Building Area (sf)	Private School (K-12) (LU 522) (Trip Ends)	Impacts	Comments
42E-1-8	SOUTH CREEK PROPERTIES, LLC	CARTER GALLIER BLVD	1,400	2.10	91,476	13,000	400	Development will be phased; only half of the trip generation is expected in near future	Comparable to other uses currently permitted by right

**Engineer's Certification:**

Signature  
  
 Lana B. Hagrider, PE

**VDOT Review:**

Approved with  
 No Comments \_\_\_\_\_  
 Approved with  
 Comments \_\_\_\_\_  
 Rejected with  
 Comments \_\_\_\_\_

**References:**

Powhatan County - Subdivision Ordinance, Article II, Sec. 68-175 - Access and circulation  
 Virginia Department of Transportation - 24VAC30-155 - Traffic Impact Analysis Regulations

## ORDINANCE O-2024-11

**AN ORDINANCE TO REZONE APPROXIMATELY 19.769 ACRES OF LAND, BEING TAX MAP PARCEL #42E-1-8, 42E-4-20, 42E-4-19, 42E-4-18, 42E-4-21, 42E-4-22, 42-7A2 OWNED BY SOUTH CREEK PROPERTIES LLC, FROM GENERAL COMMERCIAL (C) WITH PROFFERED CONDITIONS TO LIGHT INDUSTRIAL (I-1).**

**WHEREAS**, the applicant, South Creek Properties LLC, submitted a request (Case #23-19-REZ) to the Powhatan County Board of Supervisors to rezone approximately 19.769 acres of land, being Tax Map Parcels #42E-1-8, 42E-4-20, 42E-4-19, 42E-4-18, 42E-4-21, 42E-4-22, 42-7A2 owned by South Creek Properties LLC, from General Commercial (C) with proffered conditions (Case #23-19-REZ) to Light Industrial (I-1); and

**WHEREAS**, §15.2-1427 and §15.2-1433 of the *Code of Virginia*, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

**WHEREAS**, §15.2-2280, §15.2-2285 and §15.2-2286 of the *Code of Virginia*, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

**WHEREAS**, the Planning Commission advertised and held a public hearing on the proposed rezoning at its meeting on April 2, 2024, and all of those who spoke on this topic were heard; and

**WHEREAS**, public necessity, convenience, general welfare, and/or good zoning practice support approval of this rezoning; and

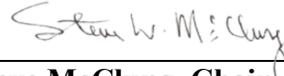
**WHEREAS**, the Powhatan County Board of Supervisors caused to be published a notice of public hearing on this matter; and

**WHEREAS**, the full text of this request was available for public inspection in the Powhatan County Administrator's Office, County Administration Building, 3834 Old Buckingham Road, Powhatan, Virginia 23139; and

**WHEREAS**, on April 29, 2024, the Powhatan County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

**NOW, THEREFORE, BE IT ORDAINED**, that the Powhatan County Board of Supervisors hereby approves Ordinance O-2024-11 to rezone approximately 19.796 acres of land, being Tax Map Parcels #42E-1-8, 42E-4-20, 42E-4-19, 42E-4-18, 42E-4-21, 42E-4-22, 42-7A2 owned by South Creek Properties LLC, from General Commercial (C) with proffered conditions (Case #23-19-REZ) to Light Industrial (I-1).

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON  
April 29, 2024.**



**Steve McClung, Chair**  
**Powhatan County Board of Supervisors**

**Recorded Vote:**

<i>Bill Donati Jr.</i>	<u>aye</u>
<i>Steve McClung</i>	<u>aye</u>
<i>Robert Powers</i>	<u>aye</u>
<i>Mark Kinney</i>	<u>aye</u>
<i>Denise Morrissette</i>	<u>aye</u>

**ATTEST:**



**Bret Schardein, Clerk**  
**Powhatan County Board of Supervisors**

# Attachment 3

December 24, 2025

RE: Lighthouse Learning Academy

Dear Mr. Clendenning:

The Virginia Department of Transportation Chesterfield Residency Land Use has reviewed the request submitted by Lighthouse Learning Academy, proposing to rezone 2.2 acres (TM 42E-1-8) from Light Industrial to Commerce Center. The undeveloped parcel is located on Carter Gallier Blvd, near its intersection with South Creek One. The undeveloped parcel is located on Carter Gallier Blvd, near its intersection with South Creek One.

The Virginia Department of Transportation Chesterfield Residency Land Use upon review of the Preliminary Layout Plan "South Creek School" dated 9/11/25 included the traffic Impact statement, Supports the request by Lighthouse Learning Academy for the rezoning and offers the attached letter dated 12/24/25 of comments.

**The Virginia Department of Transportation takes no exception to this request for the identified proposed use of this property.**

Please contact me, at (804) 674-2906 by email [Paul.Bodie@vdot.virginia.gov](mailto:Paul.Bodie@vdot.virginia.gov), or Dustin Dunnagan at (804) 674-2384 by email [Dustin.Dunnagan@vdot.virginia.gov](mailto:Dustin.Dunnagan@vdot.virginia.gov), should you have any questions or concerns regarding this rezoning.

Sincerely,  
Paul



**Paul G. Bodie, PE**  
*Engineer I / Land Use Engineer Supervisor*  
*Chesterfield Residency*  
Virginia Department of Transportation  
804-674-2906  
[Paul.Bodie@VDOT.Virginia.gov](mailto:Paul.Bodie@VDOT.Virginia.gov)



## Powhatan County Board of Supervisors Agenda Item

Meeting Date: January 26, 2026

---

**Agenda Item Title:** Public hearing for Countywide Zoning Ordinance Amendment to add *Motorsports Park* as a use allowable by Conditional Use Permit (CUP) within the Agricultural 10 (A-10) zoning district

**Dates Previously Heard by Board:** The Board adopted Resolution R-2025-71 on October 27, 2025, initiating and referring this zoning amendment to the Planning Commission for public hearing and recommendation.

**Motion:** Move to approve the Ordinance Amendment to add Motorsports Park as a use allowable by Conditional Use Permit in the Agricultural 10 (A-10) zoning district.

**Summary of Item:** This ordinance amendment proposes adding Motorsports Park as a use permitted by Conditional Use Permit (CUP) within the Agricultural-10 (A-10) zoning district. The CUP process allows the County to evaluate proposals on a case-by-case basis and impose reasonable conditions addressing site-specific factors such as scale, noise, traffic, buffering, and compatibility with surrounding agricultural and residential uses. The intent of the amendment is to establish a regulatory framework that balances recreational and economic opportunities with the preservation of rural character.

**Staff:**                      X   Approve                    \_\_\_\_\_ Disapprove                    \_\_\_\_\_ See Comments

**Planning Commission:**                    \_\_\_\_\_ Approve                      X   Disapprove                    \_\_\_\_\_ See Comments

**Attachments:** Ordinance, Staff Report, BoS referral

**Staff/Contact:** Ligon Webb: Planning Director  
(804) 598-5621 x2006  
[wwebb@powhatanva.gov](mailto:wwebb@powhatanva.gov)

*If Board members have questions, please call the staff / contact prior to the meeting.*

## Ordinance # O-2026-03

AT A MEETING OF THE POWHATAN COUNTY BOARD OF SUPERVISORS HELD ON JANUARY 26, 2026, IN THE VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD, POWHATAN, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

**An Ordinance Amending Chapter 83 (Zoning), Section 83-160 (Agricultural 10), Section 83-162 (Conditional Uses) to add number (61) Motorsports Park, as a use allowable by conditional use permit (CUP)**

**WHEREAS**, Virginia Code §§ 15.2-2280, 15.2-2285, and 15.2-2286 enable a local governing body to adopt and amend zoning ordinances; and

**WHEREAS**, the amendments update the use provisions in Zoning Ordinance Section 83-160 (Agricultural-10) and Section 83-162 (Conditional Uses) to add Motorsports Park as a use allowable by Conditional Use Permit; and

**WHEREAS**, the intent of the amendment is to allow the County to consider Motorsports Park proposals on a case-by-case basis and impose reasonable conditions to address potential impacts, while ensuring compatibility with surrounding agricultural and rural residential uses and preserving the rural character of the A-10 zoning district; and

**WHEREAS**, the Board of Supervisors initiated this ordinance amendment by referring it to the Planning Commission on October 27, 2025, with adoption of Resolution R-2025-71; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Planning Commission advertised as required by law and held a public hearing on the proposed zoning ordinance text amendment on December 2, 2025, and voted 4-0 to recommend denial; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Board of Supervisors advertised as required by law and held a public hearing on the proposed zoning ordinance text amendment on January 26, 2026; and

**WHEREAS**, the full text of the proposed ordinance amendment was available for public inspection in the Powhatan County Administration Office and the County Planning and Zoning Office, both located at 3834 Old Buckingham Road, Powhatan, Virginia, 23139.

**NOW THEREFORE BE IT ORDAINED**, the Powhatan County Board of Supervisors is empowered to amend the zoning ordinance pursuant to Zoning Ordinance section 83-162, and finds the proposed amendments are a matter of public necessity, convenience, general welfare, or good zoning practice.

**BE IT FURTHER ORDAINED**, the Powhatan County zoning ordinance (County Code Chapter 83) Section 83-162 is hereby amended and reenacted to add Motorsports Park as a conditional use in the Agricultural 10 (A-10) district, as follows:

1. Sec. 83-162. - Conditional uses.

The following uses are allowable as principal uses in the A-10 District only on approval of a conditional use permit and subject to any referenced use-specific standards and all other applicable regulations of this chapter:

...

(57) Heavy vehicle/equipment repair and servicing;

(58) Wood and stump recycling business;

(59) Contractor's storage yard;

(60) Minor meat processing;

**(61) Motorsports park.**

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON JANUARY 26, 2026.**

ATTEST:

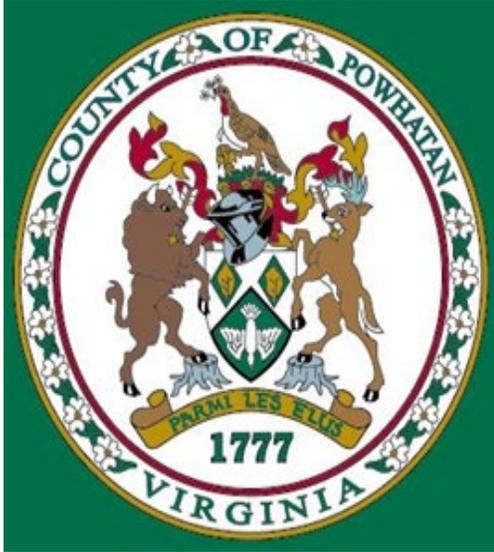
\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

\_\_\_\_\_  
, Chair  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve W. McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	

Amend Chapter 83 (zoning), Sections 83-160 (Agricultural 10), 83-162 (Conditional uses), and adding a number (61) Motorsports Park



# Case #25-19-ZA

## COUNTYWIDE ZONING ORDINANCE AMENDMENT

Amending Chapter 83 (Zoning), Section 83-160 (Agricultural 10), Section 83-162 (Conditional uses) to add the use Motorsports Park as a use allowable by conditional use permit.

Staff Report Prepared for the Board of Supervisors  
January 15, 2026

### I. PUBLIC MEETINGS

Board of Supervisors	October 27, 2025	Referral
Planning Commission	November 5, 2025	Work Session
Planning Commission	December 2, 2025	Public Hearing
Board of Supervisors	January 27, 2026	Public Hearing

### II. SUMMARY OF AMENDMENT

This amendment adds *Motorsports Park* as a use allowable by Conditional Use Permit (CUP) within the Agricultural-10 (A-10) zoning district. The amendment updates Chapter 83 (Zoning) by revising Section 83-162 (Conditional Uses) to include Motorsports Park as an eligible conditional use. The purpose of these amendments is to allow the County to evaluate motorsports proposals on a case-by-case basis while preserving rural character and ensuring compatibility with surrounding properties.

### III. TEXT OF ORDINANCE AMENDMENT

- Amend Chapter 83 (zoning), Section 83-160 (Agricultural 10), Section 83-162 (Conditional use), adding Motorsports Park as a use allowable by conditional use permit (**text to be added**):

#### Sec. 83-162. - Conditional uses.

The following uses are allowable as principal uses in the A-10 District only on approval of a conditional use permit and subject to any referenced use-specific standards and all other applicable regulations of this chapter:

...

- (57) Heavy vehicle/equipment repair and servicing;
- (58) Wood and stump recycling business;
- (59) Contractor's storage yard;

Amend Chapter 83 (zoning), Sections 83-160 (Agricultural 10), 83-162 (Conditional uses), and adding a number (61) Motorsports Park

(60) Minor meat processing;

**(61) Motorsports park.**

**IV. Staff Recommendation**

Staff **recommends approval** of the proposed zoning ordinance amendment to add Motorsports Park as a use allowable by Conditional Use Permit (CUP) in the A-10 zoning district. This amendment simply creates a procedural pathway for applicants to request consideration of such a use; it does not constitute a determination of the appropriateness of any specific motorsports facility at any specific location.

Any future CUP application for a Motorsports Park would be evaluated on a case-by-case basis, with the Planning Commission and Board of Supervisors retaining full discretion to impose conditions addressing noise, buffering, hours of operation, lighting, traffic, and other site-specific impacts.

Staff further notes that supplemental use regulations and performance standards may be developed or refined in the future to guide expectations related to operational impacts and to ensure compatibility with surrounding rural properties.

**V. On December 2, 2025, the Planning Commission voted 4-0 to recommend **denial** of the zoning ordinance amendment**



Powhatan County  
Board of Supervisors  
Agenda Item

Meeting Date: January 26, 2026

**Agenda Item Title:** **Ordinance O-2026-01 - Countywide Subdivision Ordinance Amendment – Single-Cut Subdivisions (Case #25-15-SA):** Amending Powhatan County Subdivision Ordinance to clarify the eligibility requirements for a “single cut” subdivision exception, which allows a one-time division of a single parcel of land into two parcels where the parent parcel has not been subdivided or altered since April 18, 1988.

**Ordinance O-2026-02 - Countywide Zoning Ordinance Amendment – Minimum Lot Size Reference Chart (Case #25-16-ZA):** Amending Powhatan County Zoning Ordinance to remove the Minimum Lot Size Reference Chart; to add “Single Cut Exception” references to the minimum lot size regulations in the Agricultural Districts, and to amend the Definition of “Parent Tract” to refer to the definition of the same term in the Subdivision Ordinance.

**Dates Previously Heard by the Board** On May 19, 2025, the Board adopted Resolution R-2025-29 referring single cut subdivision amendments to the Planning Commission.

**Summary of Item:** The proposed amendments will continue to allow 2-acre minimum single-cut exceptions to the subdivision ordinance for parcels unaltered since April 18, 1988, while ensuring consistency with existing ordinance requirements related to lot size and access. The amendments will allow access to subdivisions created under the single-cut exception provisions by way of a minimum 30-foot easement private road subject to approval by the Planning Director.

**Motion:** Move to **approve** O-2026-01 amending the subdivision ordinance to clarify the “single cut” subdivision exception criteria, as presented.

Move to **approve** O-2026-02 amending the zoning ordinance to remove the minimum lot size reference chart and other changes related to “single cut” exceptions, as presented.

**Staff Recommendation:**  Approve  Deny  See Comments

**Planning Commission:**  Approve  Deny  See Comments

**Attachments:** Ordinance O-2026-01, Ordinance O-2026-02, Staff Report

**Staff/Contact:** Charity Gold, Principal Planner  
(804) 598-5621 x2313  
[cgold@powhatanva.gov](mailto:cgold@powhatanva.gov)

*If members have questions, please call the staff / contact prior to the meeting.*

**ORDINANCE: O-2026-01**

**AT A MEETING OF THE POWHATAN COUNTY BOARD OF SUPERVISORS HELD ON JANUARY 26, 2026, IN THE VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD, POWHATAN, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:**

**An Ordinance amending Powhatan County Code, Chapter 68 (Subdivision Ordinance) Sections 68-111 (Private Roads), 68-114 (Single cut subdivision), 68-107 (Minimum lot size), and 68-301 (Definitions)**

**WHEREAS**, Virginia Code sections §§ 15.2-2240 and 15.2-2253 enable a local governing body to adopt and amend its subdivision ordinance; and

**WHEREAS**, this amendment clarifies the eligibility requirements for a “single cut” subdivision exception, which allows a one-time division of a single parcel of land into two parcels where the parent parcel has not been subdivided or altered since April 18, 1988; and

**WHEREAS**, this amendment is intended to ensure that future subdivisions of land promote the health, safety, convenience, order, prosperity, and welfare of the present and future residents of the County in accordance with Virginia Code Sections 15.2-2241 and 15.2-2242; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2253, the Powhatan County Board of Supervisors referred this subdivision ordinance amendment to the Planning Commission on May 19, 2025; and

**WHEREAS**, pursuant to Virginia Code sections 15.2-2251 and 15.2-2253, the Powhatan County Planning Commission held work sessions to discuss the proposed ordinance amendments on June 3, 2025, July 1, 2025, September 2, 2025, and October 24, 2025; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Planning Commission advertised as required by law and held a public hearing on this ordinance amendment on October 7, 2025; and voted 5-0 to defer the case for 60 days; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Planning Commission advertised as required by law and held a public hearing on this ordinance amendment on December 2, 2025; and voted 3-1 to recommend approval; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Board of Supervisors advertised as required by law and held a public hearing on this ordinance amendment on January 26, 2026;

**WHEREAS**, the full text of the proposed ordinance amendment was available for public inspection in the Powhatan County Administration Office and the County Planning and Zoning Office, both located at 3834 Old Buckingham Road, Powhatan, Virginia, 23139.

**NOW, THEREFORE, BE IT ORDAINED**, by the Powhatan County Board of Supervisors that the Powhatan County Subdivision Ordinance (County Code Chapter 68, sections 68-111 (Private Roads), 68-114 (Single cut subdivision), 68-107 (Minimum lot size), and 68-301 (Definitions)) are hereby amended and reenacted as included in Exhibit A attached hereto.

**APPROVED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON JANUARY 26, 2026.**

**ATTEST:**

\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

\_\_\_\_\_, Chair  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	

# Exhibit A

## CODE OF THE COUNTY OF POWHATAN, VIRGINIA CHAPTER 68. SUBDIVISION ORDINANCE

### ARTICLE II. – GENERAL PROVISIONS

#### Sec. 68-107. - Minimum lot size.

Minimum lot sizes shall comply with ~~section 83-107(b);~~ the minimum lot size of the applicable zone as described in the zoning ordinance. Any right-of-way area shall be excluded from the calculation of minimum lot area.

#### Sec. 68-111. – Private roads.

(b) Eligibility.

(1) The director may approve the use of a private road subject to certification and recordation of a road maintenance agreement, compliant with this chapter, for the following:

a. Family divisions of no more than ten lots; or

a-b. A single-cut exception; or

b-c. Internal access roads for a commercial, business or industrial park.

#### Sec. 68-114. ~~–~~ Single cut ~~subdivision~~exception.

(a) ~~Purpose.~~ The ~~provisions of this article shall apply to single cut subdivisions.~~ purpose of this exception is to allow a one-time division of no less than two (2) acres from a qualifying parcel of record. A single-cut exception taken from a qualifying parcel of record shall not count as a division towards the property owner's division rights. It is intended that platting and approval requirements for such subdivisions be restricted to the minimum necessary to ensure compliance with minimum lot size requirements of the zoning ordinance.

(b) ~~Access.~~ A single cut ~~exception parcel~~subdivision and its residual parcel shall ~~may be accessed by a private road approved by the Director pursuant to Section 68-111. either abut a public road by a minimum of 30 feet or have access to a public road via a dedicated access right-of-way or easement at least 30 feet in width.~~ Single cut ~~exceptions~~subdivisions shall be prohibited on existing private roads ~~where the main parcel does not front on a public road, unless provided in accordance with article II, section 68-111(b).~~

(c) ~~Charitable division~~Standards. A division of one parcel of land may be permitted ~~for conveyance to a bona fide charitable organization~~ subject to the following:

(1) May only be taken from a lot or parcel which was lawfully recorded by a plat of subdivision and/or deed(s) in the office of the clerk of the circuit court of Powhatan County prior to April 18, 1988.

(2) May only be taken from agricultural-zoned parcels;

# Exhibit A

~~(1) Shall be a minimum of two (2) acres in size and shall produce a residual parcel of not less than ten (10) acres in size; and May only be taken from agricultural-zoned parcels;~~

~~(3)~~

~~(4) Shall comply with all other dimensional and development standards found in the applicable zone as described in chapter 83 (zoning ordinance) and this chapter. A charitable division taken from a parent tract shall not count as a division towards the property owner's division rights;~~

~~A charitable division parcel shall be a minimum of two acres in size and shall produce a residual parcel of not less than ten acres in size. All other lot requirements shall follow the zoning ordinance provisions; and~~

~~No application fee shall be charged for review and/or approval of the plat.~~

(d) *Expiration.* Approval shall expire if the plat is not recorded with the office of the clerk of the circuit court:

(1) Within six months after the date of the approval; or

(2) Within an extension of the applicable time period. (Ord. No. 0-2016-50, § 1, 1-23-17)

## ARTICLE V. – DEFINITIONS

### Sec. 68-301. Definitions

*Parent tract* means, ~~with respect to the right to a single cut under this chapter, the term parent tract shall mean~~ any lot or parcel which was lawfully recorded by a plat of subdivision, ~~and/or~~ deed(s) in the office of the clerk of the circuit court of Powhatan County, ~~prior to April 18, 1988. In all other cases, Parent tract shall mean the whole of the property from which a new parcel is being made or subdivided.~~

*Subdivision, sSingle cut exception* means a ~~subdivision of only two lots created by a single division of land from a parent tract~~ one-time division of not less than two (2) acres from a lot or parcel which was lawfully recorded by a plat of subdivision and/or deed(s) in the office of the clerk of the circuit court of Powhatan County prior to April 18, 1988. See Section 68-114.

# Exhibit A

## CODE OF THE COUNTY OF POWHATAN, VIRGINIA CHAPTER 68. SUBDIVISION ORDINANCE

### ARTICLE II. – GENERAL PROVISIONS

#### Sec. 68-107. - Minimum lot size.

Minimum lot sizes shall comply with the minimum lot size of the applicable zone as described in the zoning ordinance. Any right-of-way area shall be excluded from the calculation of minimum lot area.

#### Sec. 68-111. – Private roads.

(b) Eligibility.

(1) The director may approve the use of a private road subject to certification and recordation of a road maintenance agreement, compliant with this chapter, for the following:

- a. Family divisions of no more than ten lots; or
- b. A single-cut exception; or
- c. Internal access roads for a commercial, business or industrial park.

#### Sec. 68-114. – Single cut exception.

- (a) *Purpose.* The purpose of this exception is to allow a one-time division of no less than two (2) acres from a qualifying parcel of record. A single-cut exception taken from a qualifying parcel of record shall not count as a division towards the property owner's division rights.
- (b) *Access.* A single cut exception parcel and its residual parcel may be accessed by a private road approved by the Director pursuant to Section 68-111. Single cut exceptions shall be prohibited on existing private roads.
- (c) *Standards.* A division of one parcel of land may be permitted subject to the following:
  - (1) May only be taken from a lot or parcel which was lawfully recorded by a plat of subdivision and/or deed(s) in the office of the clerk of the circuit court of Powhatan County prior to April 18, 1988.
  - (2) May only be taken from agricultural-zoned parcels;
  - (3) Shall be a minimum of two (2) acres in size and shall produce a residual parcel of not less than ten (10) acres in size; and;
  - (4) Shall comply with all other dimensional and development standards found in the applicable zone as described in chapter 83 (zoning ordinance) and this chapter.
- (d) *Expiration.* Approval shall expire if the plat is not recorded with the office of the clerk of the circuit court:
  - (1) Within six months after the date of the approval; or
  - (2) Within an extension of the applicable time period. (Ord. No. 0-2016-50, § 1, 1-23-17)

# Exhibit A

## ARTICLE V. – DEFINITIONS

### Sec. 68-301. Definitions

*Parent tract* means, any lot or parcel which was lawfully recorded by a plat of subdivision, or deed(s) in the office of the clerk of the circuit court of Powhatan County.

*Single cut exception* means a one-time division of not less than two (2) acres from a lot or parcel which was lawfully recorded by a plat of subdivision and/or deed(s) in the office of the clerk of the circuit court of Powhatan County prior to April 18, 1988. See Section 68-114.

**ORDINANCE: O-2026-02**

**AT A MEETING OF THE POWHATAN COUNTY BOARD OF SUPERVISORS HELD ON JANUARY 26, 2026, IN THE VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD, POWHATAN, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:**

**An Ordinance amending Powhatan County Code, Chapter 83 (Zoning Ordinance) to remove the Minimum Lot Size Reference Chart in Section 83-107(b) due to inconsistencies and redundancies; to add “Single Cut Exception” references to the minimum lot size regulations in Sections 83-150 (Agricultural – 20), and 83-160 (Agricultural – 10) Districts; and to amend the Definition of “Parent Tract” in Section 83-521 (Definitions) to refer to the definition of the same term as provided in Section 68-301 (Definitions) of the Subdivision Ordinance**

**WHEREAS**, Virginia Code sections §§ 15.2-2280, 15.2-2285, and 15.2-2286 enable a local governing body to adopt and amend its zoning ordinance; and

**WHEREAS**, this amendment is a clean-up to the zoning ordinance to align with amendments to the “single cut” subdivision exception in the subdivision ordinance; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2285, the Powhatan County Board of Supervisors referred this zoning ordinance amendment to the Planning Commission on May 19, 2025; and

**WHEREAS**, the Powhatan County Planning Commission held work sessions to discuss the proposed ordinance amendments on June 3, 2025, July 1, 2025, September 2, 2025, and October 24, 2025; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Planning Commission advertised as required by law and held a public hearing on this ordinance amendment on October 7, 2025; and voted 5-0 to defer the case for 60 days; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Planning Commission advertised as required by law and held a public hearing on this ordinance amendment on December 2, 2025; and voted 3-1 to recommend approval; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Powhatan County Board of Supervisors advertised as required by law and held a public hearing on this ordinance amendment on January 26, 2026;

**WHEREAS**, the full text of the proposed ordinance amendment was available for public inspection in the Powhatan County Administration Office and the County Planning and Zoning Office, both located at 3834 Old Buckingham Road, Powhatan, Virginia, 23139.

**NOW THEREFORE BE IT ORDAINED**, the Powhatan County Board of Supervisors is empowered to amend the zoning ordinance pursuant to Zoning Ordinance section 83-162, and finds the proposed amendments are a matter of public necessity, convenience, general welfare, or good zoning practice.

**BE IT FURTHER ORDAINED**, the Powhatan County zoning ordinance (County Code Chapter 83) Sections 83-107(b), 83-150, 83-160, and 83-521 are hereby amended and reenacted as included in **Exhibit A** attached hereto.

**APPROVED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON  
JANUARY 26, 2026.**

**ATTEST:**

\_\_\_\_\_  
William Hagy, Clerk  
Powhatan County Board of Supervisors

\_\_\_\_\_  
,Chair  
Powhatan County Board of Supervisors

**Recorded Vote:**

<i>William Donati, Jr.</i>	
<i>Steve McClung</i>	
<i>Robert Powers</i>	
<i>Mark Kinney</i>	
<i>Denise Morrissette</i>	

# Exhibit A

## CODE OF THE COUNTY OF POWHATAN, VIRGINIA CHAPTER 83. ZONING ORDINANCE

### ARTICLE I. – GENERAL PROVISIONS

#### Sec.83-107. Use districts.

~~(a)~~ For the purpose of this chapter, Powhatan County is divided into 24 districts which shall be designated as follows:

(1) Agricultural-20	A-20
(2) Agricultural-10	A-10
(3) Agricultural/Animal Confinement	A-C
(4) Rural Residential	R-R
(5) Rural Residential-5	RR-5
(6) Crossroads	CR
(7) Single-family Residential	R-2
(8) Village Residential	VR
(9) Village Center	VC
(10) Commerce Center	CC
(11) Light Industrial	I-1
(12) Heavy Industrial	I-2
(13) Mining and Mineral Extraction	M
(14) Village Residential Planned Development	VR-PD
(15) Village Center Planned Development	VC-PD
(16) Commerce Center Planned Development	CC-PD
(17) Route 711 Village Special Area Plan Overlay 711	VSAPO
(18) Residential Utility	R-U
(19) Residential Commercial	R-C
(20) Office	O
(21) General Commercial	C
(22) Courthouse Square Center	CHSC
(23) Historic Overlay	H
(24) Floodplain Overlay	FP

# Exhibit A

~~(b) Minimum lot size.~~

<del>Minimum Lot Size Reference Chart</del>	
<del>Scenario</del>	<del>Result</del>
<del>Minimum Lot Size (A-10 District)</del>	<del>10 acres</del>
<del>Lot Line Adjustment (A-10 District)</del>	<del>2 acres for parent tract on a public road; 10 acres for all other parcels; the result of the lot line adjustment may not create any additional non-conforming parcels</del>
<del>Lot Line Adjustment (RR District)</del>	<del>10 acres; parcels less than 10 acres may be increased but not decreased in size by the lot line adjustment</del>
<del>Single cut subdivision exception; main parcel on public road (A-10 District)</del>	<del>2 acres for the single cut parcel plus 2 acres for the residual parcel (4 acres total)</del>
<del>Single cut subdivision exception; main parcel on private road (A-10 District)</del>	<del>2 acres for the single cut parcel plus 10 acres for the residual parcel (12 acres total); private road must be upgraded to state specifications from the state road to the single cut parcel; minimum lot size to be computed outside the 50' right-of-way</del>
<del>Family member division (A-10 District)</del>	<del>2 acres for the family division parcel plus 4 acres for the residual parcel (6 acres total)</del>
<del>Family member division (RR District)</del>	<del>2 acres for the family division parcel plus 4 acres for the residual parcel (6 acres total)</del>
<del>Family member division (R-2 District)</del>	<del>2 acres for the family division parcel plus 2 acres for the residual parcel (4 acres total)</del>
<del>Family member division (R-U District)</del>	<del>2 acres for the family division parcel plus 2 acres for the residual parcel (4 acres total)</del>
<del>Large lot subdivision exception (A-10 District)</del>	<del>10-acre minimum lot size; if on a private road, minimum lot size is to be computed outside the 50' right-of-way</del>
<del>Charitable exception (A-10 District)</del>	<del>2 acres for the charitable exception parcel plus 10 acres for the residual parcel</del>
<del>Second dwelling for family member (per conditional use permit in A-10 District); main</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if</del>

# Exhibit A

<del>parcel on public road</del>	<del>dwelling is for an elderly or infirmed family member</del>
<del>Second dwelling for guest house or non family member (per conditional use permit in A-10 District)</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member</del>
<del>Second dwelling on 2 lot private road (regardless of occupant, per conditional use permit in A-10 District)</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member</del>
<del>Second dwelling on 3-10 lot private road (regardless of occupant, per conditional use permit in A-10 District)</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member</del>
<del>Second dwelling on lot in any private road subdivision that is eligible for a single cut (per conditional use permit in A-10 District)</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member</del>

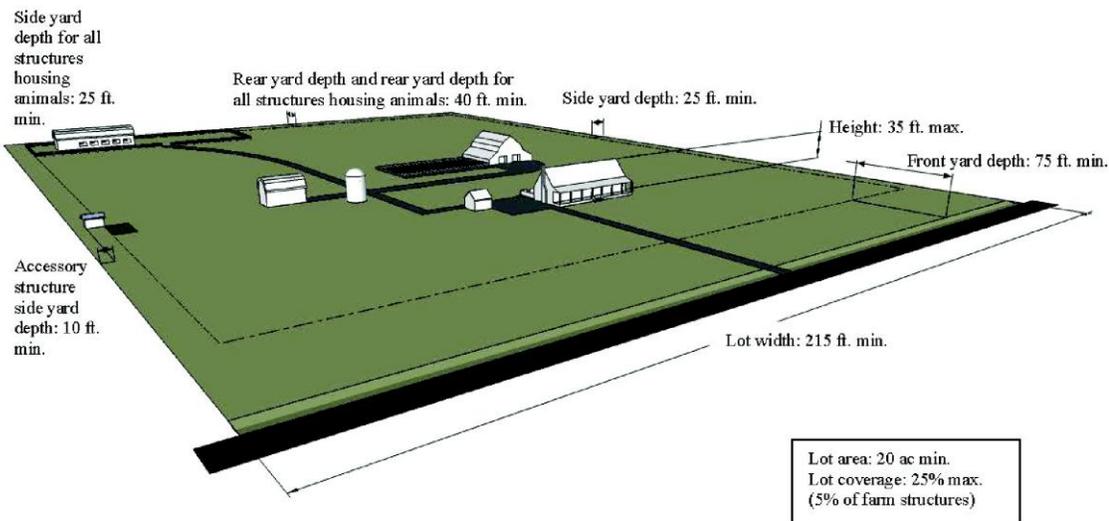
# Exhibit A

## Sec. 83-150. Agricultural-20 (A-20) District.

A. Purpose.		Typical Development Form.
<p>The Agricultural-20 (A-20) District is a voluntary district whose purpose is to conserve and protect active farmlands and forestlands within areas designated as rural preservation areas in the comprehensive plan. No land in the county shall be classified A-20 unless the classification is requested by the landowner.</p>		
B. Use Standards.		
<p>See use specific standards in Article VII (Use Standards).</p>		
C. Intensity and Dimensional Standards. <sup>1, 2</sup>		
Lot area, minimum		20 ac <sup>3</sup>
Lot width, minimum		215 ft.
Density, maximum		1 du/20 ac <sup>4</sup>
Lot coverage, maximum (% of lot area)		25% <sup>5</sup>
Structure height, maximum		35 ft.
		Typical Lot Layout
Front yard depth, minimum	Along limited access and arterial roads	100 ft. <sup>6</sup>
	Along collector and local roads	75 ft. <sup>6</sup>
Side yard depth, minimum		25 ft. <sup>7, 8</sup>
Rear yard depth, minimum		40 ft. <sup>8, 9</sup>
Corner lot yard depth, minimum		40 ft.
<p>Notes: ac = acre(s) ft. = feet</p> <p>1. See measurement rules and allowed exceptions/variations in Article XII (Interpretations).</p> <p>2. For conservation subdivisions, see Powhatan County Code Chapter 68 (Subdivisions) for applicable lot area, lot width, lot coverage, and yard depth standards.</p> <p>3. See Powhatan County Code chapter 68 (Subdivisions) for variations applicable to family divisions and <a href="#">large-lotsingle-cut subdivisionsexception</a>.</p> <p>4. For conservation subdivisions, see Powhatan County Code Chapter 68 (Subdivisions) for applicable density bonus for additional open space.</p> <p>5. Five percent for all farm structures and accessory structures.</p> <p>6. Thirty-five ft. for flag lots.</p> <p>7. Twenty-five ft. for principal structures, accessory dwelling units, or accessory structures housing animals.</p> <p>8. Ten ft. for accessory structures (other than those housing animals).</p> <p>9. Forty ft. for principal structures, accessory dwelling units, or accessory structures housing animals.</p>		
D. Development Standards.		
<p>See Development Standards in Article VIII (Development Standards).</p>		

# Exhibit A

## Typical Development Configuration



# Exhibit A

## Sec. 83-160. Agricultural-10 (A-10) District.

A. Purpose.		Typical Development Form	
<p>The purpose of the Agricultural-10 (A-10) District is to maintain the agrarian and low-density rural character of the county that optimizes economic use of the county's prime farmland and forest land resources and defines the countryside appearance and rural character of areas designated as rural preservation areas in the comprehensive plan. Specifically, the district is intended to accommodate and encourage agriculture, agri-business, agricultural and rural tourism, silviculture, and related uses and development. It is also intended to accommodate limited low-density single-family detached homes on lots of ten or more acres—primarily in the form of conservation subdivisions that conserve substantial open space and natural resources.</p>			
<p><b>B. Use Standards.</b></p>			
<p>See use table and use-specific standards in Article VII (Use Standards).</p>			
<p><b>C. Intensity and Dimensional Standards.</b><sup>1, 2</sup></p>		<p><b>Typical Lot Layout</b></p>	
<p>Lot area, minimum</p>	<p>10 ac<sup>3</sup></p>		
<p>Lot width, minimum</p>	<p>215 ft.<sup>4</sup></p>		
<p>Density, maximum</p>	<p>1 du/10 ac<sup>5</sup></p>		
<p>Lot coverage, maximum</p>	<p>25%<sup>6</sup></p>		
<p>Structure height, maximum</p>	<p>Lesser of 3 stories or 35 ft.</p>		
<p>Front yard depth, minimum</p>	<p>Along limited access/arterial roads</p>	<p>100 ft.<sup>7</sup></p>	
	<p>Along collector and local roads</p>	<p>75 ft.<sup>7</sup></p>	
<p>Side yard depth, minimum</p>	<p>25 ft.<sup>8, 9</sup></p>		
<p>Rear yard depth, minimum</p>	<p>40 ft.<sup>9, 10</sup></p>		
<p>Corner lot yard depth, minimum</p>	<p>40 ft.</p>		

# Exhibit A

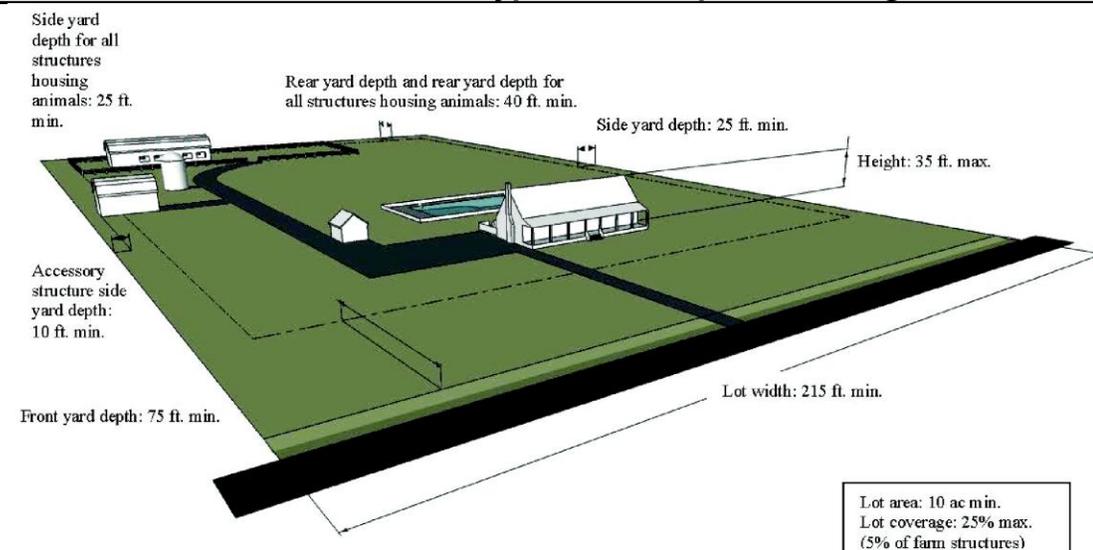
Notes: ac = acre(s) ft. = feet

1. See measurement rules and allowed exceptions/exceptions in Article XII (Interpretations).
2. For conservation subdivisions, see Powhatan County Code Chapter 68 (Subdivisions) for applicable lot area, lot width, lot coverage, and yard depth standards.
3. See chapter 68 (Subdivisions) for variations applicable to ~~charitable single-cut exception subdivisions~~ and family divisions.
4. One hundred fifty ft. for family divisions.
5. For conservation subdivisions, see chapter 68 (Subdivisions) for applicable density bonus for additional open space.
6. Five percent for farm structures and accessory structures.
7. Thirty-five ft. for flag lots.
8. Twenty-five ft. for principal structures, accessory dwelling units, or accessory structures housing animals.
9. Ten ft. for accessory structures (other than those housing animals).
10. Forty ft. for principal structures, accessory dwelling units, or accessory structures housing animals.

## D. Development Standards.

See development standards in Article VIII (Development Standards).

### Typical Development Configuration



## Sec. 83-521. Definitions

~~Parent tract, means any lot or parcel which was lawfully recorded by a plat of subdivision and/or deed(s) in the Office of the Clerk of the Circuit Court of Powhatan County prior to April 18, 1988-see definition for "Parent tract" in (See: Powhatan County Code, chapter 68 (Subdivision Ordinances), section 301 (Definitions) of the subdivision ordinance.~~

## 25-15-ZA and 25-16-ZA COUNTYWIDE SUBDIVISION AND ZONING ORDINANCE AMENDMENTS



Amending Chapter 68 (Subdivision Ordinance) Sections 68-111 (Private Roads), 68-114 (Single cut subdivision), 68-107 (Minimum lot size), and 68-301 (Definitions) to clarify the eligibility requirements for a “single cut” subdivision exception, and Chapter 83 (Zoning Ordinance) to remove the Minimum Lot Size Reference Chart in Section 83-107(b); to add “Single Cut Exception” references to the minimum lot size regulations in Sections 83-150 (Agricultural – 20), and 83-160 (Agricultural – 10) Districts; and to amend the Definition of “Parent Tract” in Section 83-521 (Definitions).

### I. PUBLIC MEETINGS

Board of Supervisors	May 19, 2025	Referral
Planning Commission	June 3, 2025	Work Session
Planning Commission	July 1, 2025	Work Session
Planning Commission	September 2, 2025	Work Session
Planning Commission	October 7, 2025	Public Hearing
Planning Commission	October 24, 2025	Workshop Meeting
Planning Commission	December 2, 2025	Public Hearing
Board of Supervisors	January 26, 2026	Public Hearing

### II. BACKGROUND

On September 28, 2020, the Powhatan County Board of Supervisors (BOS) adopted ordinance O-2020-13 amending the county’s subdivision and zoning ordinance to eliminate and remove all references to single cut subdivisions and remove references to April 18, 1988, as the parent tract date. In 2025, this ordinance was invalidated effectively reinstating the eliminated items. On May 19, 2025, the BOS adopted resolution R-2025-29 referring amendments to the subdivision and zoning ordinances to the Planning Commission to allow single-cut subdivisions when certain criteria are met and to reinstate the April 18, 1988 parent tract date.

Over the course of four workshops and two public hearing staff and the planning commission discussed revisions to update the single cut provisions to align with other provisions in the subdivision and zoning ordinances, many of which had been amended since the single cut provisions had been removed. On October 7, 2025, the Planning Commission deferred the item to update parent track definition and clarify single cut acreage size in the zoning ordinance. On December 2, 2025, the Planning Commission held a public hearing and recommended approval of the proposed amendments.

### III. SUMMARY OF AMENDMENT

With the reinstatement of the single cut subdivision language, the subdivision ordinance currently allows an exception to the access, width, and acreage requirements for subdivisions within the agricultural zones. This exception is limited to parcels that have not been altered since April 18, 1988. See O-2020-13 for the removed language, which for the most part has been added back to the codified ordinances.

The Board of Supervisors requested to limit single cuts to the A-10 zone, require a minimum 10-acre parent tract, require a minimum 2-acre “single-cut”, to reinstate the April 18, 1988 parent tract date, and to continue allowing for charitable contributions (R-2025-29).

The Planning Commission and staff recommended revisions would continue to allow the single cut exception from the subdivision ordinance with the following provisions.

1. Require residue parcel to be a minimum of 10 acres.
2. Require compliance with all other subdivision and zoning ordinance requirements.
3. Allow for Director approval of a private road for single-cut exceptions.
4. Reinstate April 18, 1988 as the qualifying parcel date for single cut eligibility.
5. Continue to allow for charitable contributions as land ownership is unrelated to subdivision regulations.

The proposed amendments will ensure consistency with existing ordinance requirements related to lot size and access while allowing access by way of a newly created private road subject to approval by the Planning Director.

#### **IV. PLANNING COMMISSION RECOMMENDATION**

On December 2, 2025, the Planning Commission voted 3-1, one absent to recommend approval of the ordinance amendment.

#### **V. STAFF RECOMMENDATION**

Staff **recommends approval** of the proposed zoning and subdivision ordinance amendments.