



Loudoun County, Virginia

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Office of the County Administrator

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At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Wednesday, July 7, 2010 at 9:00 a.m.

IN RE: TRANSPORTATION AND LAND USE COMMITTEE REPORT:  
SPEX 2008-0061 & SPEX 2008-0062, WHITE'S FORD PARK

Mrs. Burk moved that the Board of Supervisors forward SPEX 2008-0061 and SPEX 2008-0062, White's Ford Park, to a Transportation and Land Use Committee meeting for further discussion.

Seconded by Mr. Delgaudio.

(This motion did not receive a vote.)

Mrs. Kurtz moved that the Board of Supervisors approve SPEX 2008-0061 & SPEX 2008-0062, White's Ford Park, subject to the attached Conditions of Approval dated July 7, 2010, as amended at the July 7, 2010 Business Meeting, and the attached Findings dated March 8, 2010 included in the staff report.

Seconded by Ms. McGimsey.

Voting on the Motion: Supervisors Buckley, Kurtz, McGimsey, Miller, and Waters – Yes; Supervisors Burk, Delgaudio and York – No; Supervisor Burton – Absent for the Vote.

A COPY TESTE:

DEPUTY CLERK FOR THE LOUDOUN  
COUNTY BOARD OF SUPERVISORS

(8-TRANSPORTATION AND LAND USE COMMITTEE REPORT: SPEX 2008-0061 & SPEX 2008-0062, WHITE'S FORD PARK) (Documents associated with this application are filed in Planning Department's folders – SPEX 2008-0061 & SPEX 2008-0062, WHITE'S FORD PARK)

## **FINDINGS (March 8, 2010)**

### **Special Exception 2008-0061 (Boat Launch and Ramp in Floodplain)**

1. The proposal for a regional park is consistent with the policy guidance of the Revised General Plan (Rural Policy Area), which supports the designated area as rural economy uses and limited residential development at a density of 1 dwelling unit per 20 acres.
2. The proposal for boat rental facility with incidental structures is consistent with the policy guidance of the Revised General Plan that recognizes "Open Space Assets" such as regional and county parks as important man-made open space assets of the Green Infrastructure that not only serve their passive and active recreational purposes, but also provide a link between communities and other Green Infrastructure elements.
3. The conditioned proposal is consistent with the policies of the Revised Countywide Transportation Plan.
4. The proposed use is consistent with the applicable requirements of the Revised 1993 Zoning Ordinance.
5. The Conditions of Approval, particularly those regarding transportation improvements and environmental sensitivity mitigate the impacts of the proposed use on surrounding properties and will help ensure compatibility with the other uses in the vicinity.

### **Special Exception 2008-0062 (Camping)**

1. The proposal for a campground is consistent with the Rural Economic Policies of the Revised General Plan.
2. The conditioned proposal is consistent with the policies of the Revised Countywide Transportation Plan.
3. The proposed campground use is consistent with the applicable requirements of the Revised 1993 Zoning Ordinance.
4. The Conditions of Approval, particularly those regarding transportation improvements and environmental sensitivity mitigate the impacts of the proposed use on surrounding properties and will help ensure compatibility with the other uses in the vicinity.

**SPEX 2008-0061: Boat launch ramp and rental facility in the floodplain**  
**Conditions of Approval**  
**July 7, 2010**

1. Special Exception Plat. The proposed Special Exception Uses, boat launch ramp, rental facility and incidental structures, shall be developed in substantial conformance with the Special Exception Plat ("White's Ford Park Special Exception Plat SPEX 2008-0061 SPEX 2008-0062"), Sheets 1, 4 and 5, prepared by Christopher Consultants, dated November 26, 2008, as revised through September 28, 2009, (the "Plat"), and the Revised 1993 Loudoun County Zoning Ordinance. Approval of this application for Tax Map #: /31/////////5/ (PIN# 077-36-5320) (the "Property") shall not relieve the Applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
  2. Uses Permitted (SPEX 2008-0061). Approval of this Special Exception application grants approval for a boat launch ramp and boat rental facility with incidental structures in a regional park, as defined by the Revised 1993 Loudoun County Zoning Ordinance, within the Floodplain Overlay District (FOD) zoning district, on the subject property as depicted on the Plat.
    - a. Use of the boat launch ramp shall be restricted to non-motorized vessels.
    - b. Jet skis shall be prohibited.
    - c. The boat rental facility shall rent only non-motorized boats.
- 2A. Phased Development. The public park use shall be developed in two phases, Phase I and Phase II:
- (i) Phase 1 shall include such uses as hiking and wildlife viewing; shore launching of canoes and kayaks from a sand or gravel launch area; a portable rental facility for non-motorized boats;; and tenant occupancy of the existing house; and
  - (ii) Phase II shall include additional uses, specifically: a poured concrete boat ramp; two picnic shelters (for a total of two (2)); a total of forty (40) campsites, ten (10) total of which may be cabins; a group camping area, developed in the general camp site area, not in the major floodplain; horse trailer parking; and special group camping events limited to 20 events per year with no more than 50 people and 5 events per year with no more than 100 people.
    - a. If the applicant anticipates 50 or more cars for any of the 5 (five) permitted special events, the applicant agrees that a staff member will be on site for the duration of the event.

- b. The applicant shall not provide any rental storage for boats, RV's, or trailers.

3. Transportation.

- a. Hibler Road Improvements. Phase I uses which allow birders, hikers, boaters who launch from the shore and rental of boats, rental house tenant, and general visitors will be accompanied by an area adequate for vehicles, including recreational, to turn around on Park property at the main entrance to the Park.

The applicant will describe on its website and in giving directions to the Park, the two gravel roads (Hibler Rd. and Limestone Rd.) advising of shared road use with agricultural machinery and a low driving speed. The applicant shall not describe nor give directions to the Park by referencing its proximity to Temple Hall Farm Regional Park. The applicant will also conduct a traffic study and application to VDOT requesting Hibler Road be reduced to a posted 25 mile per hour speed limit.

Phase II , subject to VDOT approval and prior to the development of any use included in Phase II, the applicant shall improve Hibler Road from Limestone School Road to the main Park entrance using VDOT's Rural Rustic Road Standards with the width of the road to be 18 feet, the surface gravel, and with all work to be completed within existing VDOT right of way and prescriptive easement offsite of the Property, and shall improve the vertical sight distance on Hibler Road near the Limestone School Road intersection, including the hill .4 mile (4/10 mile) from the intersection based on a 35-mph operating speed by either lowering the grade and/or increasing the road width in this area.

The applicant shall not open Phase 2 uses to the public until the Hibler Road improvements are constructed and open to traffic. Where the applicant owns property on both sides of Hibler Road it shall grant 50 feet of right-of- way centered on the existing centerline of the travelway along Hibler from the western property boundary to the main park entrance. Where the applicant owns property only on one side of the roadway it will grant 25 feet of right-of- way from said center-line. If any of the improvements described herein have been completed by others prior to Phase II, NVRPA will be relieved of those road improvement responsibilities.

- b. Route 15 and Spinks Ferry Road Intersection Improvements

The applicant shall complete a traffic study for the Route 15/Spinks Ferry Road intersection and shall include in the study the projected future traffic for the park, including the proposed Phase II uses, and other planned development in the area. In addition, the traffic study shall include counts taken over a seven (7) day (24 hours per day) period. The traffic study shall be submitted by the applicant to VDOT with a request that VDOT determine

whether a traffic signal is warranted at the intersection (including an analysis of all applicable warrants). The applicant shall also complete a cost estimate to determine the cost to construct a right turn lane on northbound Route 15 at the Spinks Ferry Road intersection and shall have the estimate verified by a third party. The applicant shall make a cash contribution to Loudoun County equal to the estimated turn lane cost, which the County may use in its sole discretion to construct the traffic signal, if warranted, or make other improvements at the Route 15 and Spinks Ferry Road intersection (or in its vicinity) if the signal is not warranted, such as a roundabout, if appropriate and full funding is available. The applicant may open Phase I of the park to the public when the traffic study and traffic signal determination request have been submitted to VDOT and when the cash contribution has been paid to the County.

- c. Internal Travelways and Parking. The Applicant shall utilize a pervious surface, such as gravel, where possible for all non-ADA vehicular travelways and parking areas internal to the site. If a gravel surface is to be used, stormwater management techniques and best management practices shall be employed to reduce the peak rate of runoff and reduce the volume of pollutants created by proposed impervious surfaces. Proposed facilities may include infiltration swales, bioretention basins with underdrains, or other low impact development techniques, which will treat and contain the first inch of storm runoff from proposed impervious surfaces.
  - d. Boat Trailers. Motorized boats shall be prohibited from utilizing the boat launch ramp at White's Ford Park and users of the Park shall be prohibited from using trailers to bring boats to the Property. Notwithstanding the foregoing, NVRPA may trailer non-motorized boats to and from the Park.
  - e. Spinks Ferry Road. Subject to VDOT approval and prior to the opening of the park, the Applicant shall install signs directing park visitors to enter and exit via Spinks Ferry Road.
4. Lighting. Lighting on the subject property shall be designed and constructed to preclude light trespass onto adjoining properties, glare to passersby, skyglow, and deterioration of the nighttime environment. Any lighting installed as part of the boat launch ramp or boat rental facility shall be adjacent to the use or attached to a related building and shall have fixtures that are full cutoff and fully shielded.
  5. Noise. General park operations (uses other than camping) shall be limited to daylight hours.
  6. Signage. The Applicant shall install signage in appropriate locations along the Property's boundary to alert patrons as to the limits of the Park, prior to first Site Plan approval.

7. Jurisdictional Waters. To minimize impacts to jurisdictional waters, all trail stream crossings shall be constructed as raised wooden boardwalks and/or footbridges, except for equestrian and vehicular crossings, subject to approval by the Virginia Outdoors Foundation.
8. Fire & Rescue.
  - a. The Applicant shall provide Fire & Rescue details regarding the internal roadway network at the time of site plan review.
  - b. Prior to opening the park to the public, the Applicant shall work with County Police and Fire, Rescue and Emergency Management to develop an emergency management plan for the park.
  - c. For all special events, the Applicant shall follow the special events notification procedures of the County Fire, Rescue and Emergency Management Department.
9. Friends Group. The Applicant shall invite Park patrons and neighbors to join a Friends Group that will meet regularly (at least twice a year) to discuss general park operations.
10. Restroom Facilities. The Applicant shall install low flow toilets and waterless urinals in all constructed restrooms on-site. This condition shall not apply to the Colonel White House.
11. Trashcan. The Applicant shall install a trash receptacle proximate to the boat launch ramp.
12. Riparian Buffer. The Virginia Outdoors Foundation easement establishes a 100-foot riparian buffer along the Potomac. The Applicant shall apply those same limitations to an additional 100 feet of land to create a 200-foot riparian buffer, provided that trails, the boat launch ramp, access road, and temporary facilities are all permitted within the expanded buffer.

The applicant shall comply with the by-right provisions of the Floodplain Overlay District (FOD), Section 4-1500 of the Revised 1993 Zoning Ordinance regarding structures.

Additionally the applicant shall protect the riparian buffer by:

- a. Post signage educating the public about the fragile bank areas and functions of a riparian buffer.

- b. Post signage notifying public of restriction from fishing at 750 feet from the northern property line and 200 feet from southern property line.
  - c. The applicant shall limit access to the water line to no more than two clearly signed stabilized pervious trails
  - d. The applicant shall complete a habitat suitability survey for all threatened or endangered species, including the Eastern Wood Turtle (*Clemmys insculpta*), that may be associated with the property as identified by the Virginia Department of Game and Inland Fisheries Fish and Wildlife Information Service. The survey shall be submitted to VDGIF for review. Prior to any land disturbance activities in areas that have been found to contain suitable habitat for a threatened or endangered species, the applicant shall complete a species specific survey. In the event a threatened or endangered specie is identified, the applicant shall follow VDGIF guidelines for habitat protection.
13. Energy Efficiency – As part of the submission for Zoning Permit, the Applicant shall provide a details sheet demonstrating that all possible appliances, lighting and thermostats have received an "Energy Star" label, as provided by the U.S. Department of Energy and U.S. Environmental Protection Agency's joint program referred to as the Energy Star program. This condition shall not apply to the Colonel White House.
14. Historic and Archaeological Resources. The Applicant shall maintain a sign or gate at the existing driveway entrance leading to the Colonel White House to discourage general park traffic from using that driveway.

The applicant shall conduct an archeological study focused on Civil War significance.

The applicant agrees to refurbish the Colonel White House and provide interpretation about the site's Civil War significance.

Prior to impacting any area to depths greater than those specified in the Phase 1 archeological study as containing a high level of artifacts, having archeological probability or being recommended for avoidance, the applicant shall initiate a Phase II study for the area being impacted.

NOTE: The Applicant has agreed to provide a one-time fire and rescue contribution to the County in the amount of \$0.10 per square foot of non-residential floor area construction for equal distribution between the primary servicing fire and rescue companies. This contribution shall be made at the time of issuance of the first zoning permit for the boat rental facility and incidental structure use. The contribution shall escalate annually on January 1 of each year following County approval of the Special

Exception Applications, in accordance with the Consumer Price Index for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted), base year of 1988, as published by the Bureau of Labor Statistics, U.S. Department of Labor.

**SPEX 2008-0062: Camping**  
**Conditions of Approval**  
**July 7, 2010**

1. Special Exception Plat. The proposed Special Exception Use, campground, shall be developed in substantial conformance with the Special Exception Plat ("White's Ford Park Special Exception Plat SPEX 2008-0061 SPEX 2008-0062"), Sheets 1, 3 and 5, prepared by Christopher Consultants, dated November 26, 2008, as revised through September 28, 2009, (the "Plat"), and the Revised 1993 Loudoun County Zoning Ordinance. Approval of this application for Tax Map #: /31/////////5/ (PIN# 077-36-5320) (the "Property") shall not relieve the Applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
  
2. Uses Permitted (SPEX 2008-0062). Approval of this Special Exception application grants approval for an individual/family campground with up to forty (40) campsites, of which up to ten (10) may be cabins. In addition, up to twenty (20) group camping events each with an attendance of up to fifty (50) people and five (5) group camping events each with an attendance of up to one hundred (100) people shall be permitted per calendar year.
  - a. Campsite rentals shall be limited to no more than 14 consecutive nights by the same user.
  - b. An employee of the Northern Virginia Regional Park Authority shall be on-site from dusk until dawn when the campground is occupied.
  - c. The five (5) permitted special events and the five (5) permitted one-hundred (100) group person camping events shall be prohibited during the Temple Hall Maize season.
  
- 2A. Phased Development. The public park use shall be developed in two phases, Phase I and Phase II:
  - (i) Phase 1 shall include such uses as hiking and wildlife viewing; shore launching of canoes and kayaks from a sand or gravel launch area; a portable rental facility for non-motorized boats;; and
  - (ii) Phase II shall include additional uses, specifically: a poured concrete boat ramp; two picnic shelters (for a total of two (2)); a total of forty (40)

campsites, ten (10) total of which may be cabins; a group camping area, developed in the general camp site area, not in the major floodplain; horse trailer parking; and special group camping events limited to 20 events per year with no more than 50 people and 5 events per year with no more than 100 people.

- a. If the applicant anticipates 50 or more cars for any of the 5 (five) permitted special events, the applicant agrees that a staff member will be on site for the duration of the event.
- b. The applicant shall not provide any rental storage for boats, RV's, or trailers.
- c. The group camping area shall be located outside of the major floodplain.

3. Transportation.

- a. Hibler Road Improvements. Phase I uses which allow birders, hikers, boaters who launch from the shore and rental of boats, rental house tenant, , and general visitors will be accompanied by an area adequate for vehicles, including recreational, to turn around on Park property at the main entrance to the Park.

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d. Boat Trailers. Motorized boats shall be prohibited from utilizing the boat launch ramp at White's Ford Park and users of the Park shall be prohibited from using trailers to bring boats to the Property. Notwithstanding the foregoing, NVRPA may trailer non-motorized boats to and from the Park.

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4. Lighting. Lighting on the subject property shall be designed and constructed to preclude light trespass onto adjoining properties, glare to passersby, skyglow,

and deterioration of the nighttime environment. Any lighting installed as part of the campground shall be adjacent to the use or attached to a related building and shall have fixtures that are full cutoff and fully shielded.

5. Noise. General park operations (uses other than camping) shall be limited to daylight hours.
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- a. Post signage educating the public about the fragile bank areas and functions of a riparian buffer.
  - b. Post signage notifying public of restriction from fishing at 750 feet from the northern property line and 200 feet from southern property line.
  - c. The applicant shall limit access to the water line to no more than two clearly signed stabilized pervious trails.
  - d. The applicant shall complete a habitat suitability survey for all threatened or endangered species, including the Eastern Wood Turtle (*Clemmys insculpta*), that may be associated with the property as identified by the Virginia Department of Game and Inland Fisheries Fish and Wildlife Information Service. The survey shall be submitted to VDGIF for review. Prior to any land disturbance activities in areas that have been found to contain suitable habitat for a threatened or endangered species, the applicant shall complete a species specific survey. In the event a threatened or endangered specie is identified, the applicant shall follow VDGIF guidelines for habitat protection.
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Prior to impacting any area to depths greater than those specified in the Phase 1 archeological study as containing a high level of artifacts, having archeological

probability or being recommended for avoidance, the applicant shall initiate a Phase II study for the area being impacted.

NOTE: The Applicant has agreed to provide a one-time fire and rescue contribution to the County in the amount of \$0.10 per square foot of non-residential floor area construction for equal distribution between the primary servicing fire and rescue companies. This contribution shall be made at the time of issuance of the first zoning permit for the campground. The contribution shall escalate annually on January 1 of each year following County approval of the Special Exception Applications, in accordance with the Consumer Price Index for all urban consumers (CPI-U), 1982-1984=100 (not seasonally adjusted), base year of 1988, as published by the Bureau of Labor Statistics, U.S. Department of Labor.