

# “Administrative oversight” delays Swift Creek plan

By Greg Pearson  
STAFF WRITER

The planning commission forwarded an incomplete revised Upper Swift Creek Plan (USCP) to the county's board of supervisors last week with a recommendation not to adopt it. The unusual request follows “an administrative oversight” when instructions were sent from the board to the commission without specifying a date the revised plan was to be sent back to the board. Without a specific date, state law requires the plan to be returned to the board within 60 days. That didn't provide the commission enough time to properly review and make recommendations for the USCP.

Last week at the commission meeting, both Planning Commission Chair Russ Gulley and Planning Director Kirk Turner went to great lengths explaining the legal problem. In January, the board sent the plan and amendments to the commission, asking it to expand levels of service (LOS) for roads and schools to include public safety, economic development, water quality and land use. LOS would allow the supervisors to deny a residential rezoning in the USCP area if the proposed development would tax nearby schools, roads and other services. The USCP area encompasses 57 square miles, starting at the intersection of routes 288/360 and going north and west.

The commission has already initiated its own revision of the USCP with a public hearing scheduled on May 20 before it goes to the supervisors perhaps as early as June. While LOS is only being studied in the plan area, it's likely LOS standards could become the rule countywide.

During the public hearing on the incomplete plan last week, county activist Brenda Stewart

told the commission that LOS “would destroy property values” for those persons with undeveloped acreage who may want to sell it in the future. “More public discussion is needed,” she said. Other property owners who hope to sell their land and use the proceeds to retire have voiced the same concerns earlier.

A majority of the supervisors seems to favor denying residential rezonings in rural areas where services – good roads, adequate capacity for school children and response times for police, fire and EMS – are lacking. LOS will provide additional legal justification for denying a rezoning and give the development community a better idea of the emerging new standards.

Developers are fearful that water quality standards will be so strict that it will effectively become a moratorium on growth. The commission's current draft reinstates the .16 pounds per acre per year limit for phosphorous runoff – the same amount forested land without any development generates naturally. Since office and retail development includes more impervious surfaces like sidewalks and parking lots, the business community and many county leaders acknowledge new business growth in the plan area won't be able to meet the .16 standard.

“I have a committee working on water quality issues, and one of the members is adding new insight,” said Matoaca Planning Commissioner Wayne Bass. “We have a good possibility of coming to a new solution on the water quality issue.”

Asked if the phosphorous limit might be higher than the current .16 standard, Bass responded, “I hope so. We don't want to shut down the whole upper Swift Creek watershed.”



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The county is considering enacting levels of service to protect the health of the Swift Creek Reservoir, which provides a portion of Chesterfield's drinking water.

## Public facilities

The commission plans to hold a public hearing on its proposed Public Facilities Plan on May 20. The plan will guide the number and locations of new county buildings and parks for the 2012 bond referendum when voters will be asked to approve borrowing to build new schools, police and fire stations, parks and libraries. Specific road improvements will also likely be on the ballot. The plan is scheduled to be updated in 2011, leading into the political season for supervisor and school board races.

Though the school board takes the position that the conversion of Clover Hill High

School (CHHS) to a middle school is its decision, the county says that turf issue belongs to the county government. Responding to a question posed by Gulley, Assistant County Attorney Rob Robinson said the conversion “would require substantial accord,” which is determined by the county board after drafting by the planning staff, consultation with various departments including the school system and a recommendation by the commission.

School Board Chair Dianne Pettitt has written Gulley saying it will cost about \$8 million to convert CHHS after students move

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