



Office of the Town Manager  
Frank Cassidy

# STAFF REPORT

## Warrenton Town Council

Carter Nevill, Mayor  
Roy Francis, Ward 1  
William Semple, Ward 2 Vice Mayor  
Larry Kovalik, Ward 3  
Michele O'Halloran, Ward 4  
Eric Gagnon, Ward 5  
Paul Mooney, At Large  
David McGuire, At Large

<b>Council Meeting Date:</b>	April 21 <sup>st</sup> , 2025
<b>Agenda Title:</b>	A work session to discuss the Arrington Voluntary Settlement Agreement with Fauquier County and consideration of an Ordinance.
<b>Requested Action:</b>	Discuss the VSA and the Ordinance
<b>Department / Agency Lead:</b>	Town Council
<b>Staff Lead:</b>	Frank Cassidy

## EXECUTIVE SUMMARY

At the March Meeting, Ordinance 2025-02 was proposed with edits for consideration. The vote on that ordinance has been requested to be reconsidered by the Town Council.

At the February 25<sup>th</sup>, 2025, Special Town Council meeting, The Town Council voted to consider an Ordinance at the March 11<sup>th</sup>, 2025, Regular Town Council meeting. The Ordinance being considered would repeal Ordinance 2024-17 in support of the Voluntary Settlement Agreement.

At the February 11<sup>th</sup>, 2025, Regular Town Council Meeting work session, a special meeting was called to discuss the Arrington Voluntary Settlement agreement and to determine if it would be necessary by the Currently seated council to consider an Ordinance that would appeal the Ordinance passed at the December meeting in support of the annexation.

## RECENT BACKGROUND

At the January 14<sup>th</sup>, 2025, Regular Town Council Meeting the Town Council received a presentation by VanMetre on the Arrington development.

At the December 10<sup>th</sup>, 2025, Regular Town Council meeting, The Town Council voted to adopt an Ordinance in support of the Voluntary Settlement agreement with Fauquier County. That has been filed with the Courts and a three judge Panel has been appointed to consider the Agreement on April 24<sup>th</sup>, 2025.

The Commission on Local Government met with Town Staff, Fauquier County Staff, and the Developer at a Joint meeting on Monday, September 16<sup>th</sup>, 2024. The Commission toured the site and the Town. The Developer presented its proposal for the use of the site and the Commission held a public hearing on that same day.

The Council received updates on this VSA at its April 9<sup>th</sup> and May 14<sup>th</sup>, 2024, Regular Town Council meetings. At the May meeting, the Council adopted a resolution authorizing the Town Manager and Town Attorney to initiate the process of Voluntary Settlement Agreement. Prior to that meeting, the Council approved a preliminary draft of the VSA at its March 12<sup>th</sup>, 2024, regular meeting.

At its April 11<sup>th</sup>, 2024, meeting, the Fauquier County Board of Supervisors likewise approved moving forward on the VSA.

## **PRIOR HISTORY**

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Prior to the VSA now under consideration, the Town and County had taken preliminary steps regarding development of the Arrington property, as detailed below:

At the December 12th, 2023, Regular Town Council Meeting, a Resolution was passed in support of application for a Citizen initiated petition for an annexation or boundary line adjustment with Fauquier County.

On November 12, 2015, the Fauquier County Board of Supervisors approved several applications related to the development of Arrington. These included a Comprehensive Plan Amendment (COMA-15-003473), Rezoning (REZN-15-003477), a Category 20 Special Exception to allow for a Sewer Treatment Facility, a Category 30 Special Exception to Waive the Requirement for Public Sewer (SPEX-15-003479), a Category 20 Special Exception for a Floodplain Crossing (SPEX-15-003481), and a Preliminary Plat (PREP-15-003482). Additionally, a Joint Planning and Water Service Agreement (Town of Warrenton, Fauquier County, and Applicants), which outlined the terms in which the Town of Warrenton would provide public water service to the project was executed.

The 2015 approvals allowed the Arrington project to be primarily developed as an age-restricted community with an emphasis on preservation of natural open spaces and a compact traditional design form which is compatible with the historic portions of Warrenton. The Planned Residential District (PRD) portions of the project were limited to 217 residential lots for active adult residents over the age of 55. The Arrington approvals also permit 10 rural residential lots, in the RA zoned portions of the property and one residential (R-1) lot. The Rezoning approval included a Proffer Statement, Concept Development Plan (CDP), and Code of Development (COD). The CDP and COD regulate the site design and development and ensure that the property is developed in conformance with the County's PRD regulations.

On August 8, 2018, the Board of Supervisors held a public hearing on REZN-19-011151, which was seeking to amend portions of the Arrington Proffer Statement associated with REZN-15-03477. No action was taken at the public hearing, and subsequently the application was placed on hold and then closed.

On February 10, 2022, the Board of Supervisors approved a Comprehensive Plan Amendment to add approximately 27.9 acres to the Warrenton Service District, changing the land use from Rural to Open Space/Park. The Comprehensive Plan Amendment restored the Warrenton Service District boundary to its location prior to approval of the Comprehensive Plan Amendment in 2015. Specifically, it allowed for a redesign of the wastewater treatment facility associated with the residential development to include a larger dispersal field area to better comply with regulatory recommendations and requirements. At the time of the request, the Applicant indicated that the change was not to support any additional density within Arrington or to be used for any habitable vertical improvements. Additionally, the Comprehensive Plan Amendment expanded the Urban Development Area (UDA) to include the 27.9 acres that were added back into the Warrenton Service District.

**\*Background taken from Fauquier County's staff report presented to the Board of Supervisors on November 9, 2023.**

## **STAFF RECOMMENDATION**

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Staff recommends that the Council Discuss the Voluntary Settlement Agreement and consider the proposed Ordinance.

## **Policy Direction/Warrenton Plan 2040**

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**H-1:** Ensure equitable, attainable housing opportunities across residents of all ages, incomes, and abilities by catering to the needs of a diverse community, including young families, professionals early in their careers, essential workforce, and those entering retirement.

**H-2:** Character Districts will accommodate a balance of available housing typologies that are compatible to existing neighborhoods in scale, character, and transition.

**H-3:** Preserve existing neighborhoods and promote infill that supports the character and heritage of Warrenton.

**H-4:** Create regional partnerships to address and enhance attainable housing supply.

## **Financial Impact**

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The developer has offered proffers towards the Town's infrastructure.

## **Legal Impact**

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The Voluntary settlement agreement is a multi-jurisdictional request for annexation. This item is being considered by the Town Council, Fauquier County Board of Supervisors, The Commission of Local Governments and a Three Judge panel.

## **ATTACHMENTS**

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1. Previous Staff reports and agenda items.
2. VSA
3. Commission on Local Government Report
4. Ordinance 2024-17