

**FLUVANNA COUNTY BOARD OF SUPERVISORS**  
**AGENDA FOR REGULAR MEETING**  
Circuit Courtroom, Fluvanna Courts Building  
June 20<sup>th</sup>, 2012, 7:00 pm

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**TAB AGENDA ITEMS**

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**1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE**

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**2 - COUNTY ADMINISTRATOR'S REPORT**

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**3 - PUBLIC COMMENTS #1 (5 minutes each)**

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**4 - CONSENT AGENDA**

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- I Minutes of May 16<sup>th</sup>, 2012 – Mary Weaver, Clerk to the Board of Supervisors
- J Minutes of June 6<sup>th</sup>, 2012 – Mary Weaver, Clerk to the Board of Supervisors
- K FY12 Budget Supplement for the Registrar's Voting Equipment Reimbursement – Eric Dahl, Budget Analyst
- L FY12 Budget Supplement for the Clerk of the Circuit Court's Record Conservation Grant of \$5,614.00 – Eric Dahl, Budget Analyst
- M FY12 Budget Supplement for the Clerk of the Circuit Court's Record Conservation Grant of \$11,649.00 – Eric Dahl, Budget Analyst
- Mc FY12 Budget Supplement for Sheriff's Office Equipment Refund – Eric Dahl, Budget Analyst
- N Supplemental Appropriation for USDOJ Formula Grant Award – Eric Dahl, Budget Analyst
- O FSPCA Agreement - Steven M. Nichols, County Administrator

**5 - ACCOUNTS PAYABLE**

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None

**6 - PUBLIC HEARING**

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- P CPA 12:01, Fluvanna County – Comprehensive Plan Text Amendment – Amend the Vision chapter of the Comprehensive Plan, along with any other associated changes to the plan as a result of the additions. The existing text within the Vision chapter will be replaced with new text and illustrations prepared by the Board of Supervisors. The proposed amendment to the Comprehensive Plan adjusts the vision statement in order to better reflect the adopted goals of the Board of Supervisors and elaborate on the meaning of the County's vision statement. The amendment is generally consistent with other chapters of the Comprehensive Plan. – Andrew Pompei, Planner
- Q ZTA 12:01, Fluvanna County - Zoning Text Amendment – Amendment of the Fluvanna County Zoning Ordinance to update and strengthen regulations regarding tree protection, landscaping, and off-street parking (Chapter 22, Article 22: Definitions; Chapter 22, Article 24: Tree Protection; Chapter 22, Article 26: Off-Street Parking & Loading Spaces). – Andrew Pompei, Planner
- R ZTA 12:02, Fluvanna County - Subdivision Ordinance Amendment – Amendment of the Fluvanna County Subdivision Ordinance to update and strengthen regulations regarding landscaping and similar improvements (Chapter 19, Article 7: Subdivision Design Standards; Chapter 19, Article 8: Required Improvements). – Andrew Pompei, Planner

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**7 - PRESENTATIONS** (normally not to exceed 10 minutes each)

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- S Efficiency Study Overview from Fluvanna County Public Schools – Gena Keller, School Superintendent

**8 - ACTION MATTERS**

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- T Request for Additional Funding to meet FY 2012 Funding Level, Gena Keller, School Superintendent
- U Meals Tax Review and Options – Steven M. Nichols, County Administrator
- V VRS Contribution Options – Steven M. Nichols, County Administrator
- W Erosion and Sediment Control Position Review, Steven M. Nichols, County Administrator
- XYZ Scottsville EMS Mutual Aid - Steven M. Nichols, County Administrator
- Boards, Commissions and Committees – Mary L. Weaver, Clerk to the Board of Supervisors
- A Parks & Recreation Advisory Board, At Large Position, Student Term
- B Parks & Recreation Advisory Board, At Large Position, New Member Term
- C Parks & Recreation Advisory Board, At Large Position, Reappointment Term
- D Economic Development Commission (EDC), At Large Position
- E Youth Advisory Council (YAC), Citizen Representative Position

**9 - UNFINISHED BUSINESS**

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**10 - NEW BUSINESS**

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**11 - PUBLIC COMMENTS #2** (5 minutes each)

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**12 - CLOSED MEETING**

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Personnel Matters

**13 - ADJOURN**

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### **PLEDGE OF ALLEGIANCE**

I pledge allegiance to the flag  
of the United States of America  
and to the Republic for which it stands,  
one nation, under God, indivisible,  
with liberty and justice for all.

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### **ORDER**

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Board to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman and/or the County Administrator shall be the judge of such breaches, however, the Board may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

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**MOTION:** I move the regular meeting minutes of the Fluvanna County Board of Supervisors for Wednesday, May 16, 2012 be adopted.

**AGENDA BOARD OF SUPERVISORS DATE: JUNE 20, 2012**

**SUBJECT:** Adoption of the Fluvanna County Board of Supervisors regular meeting minutes.

**RECOMMENDATION:** Approval

**TIMING:** Routine

**FISCAL IMPLICATIONS:** None

**POLICY IMPLICATIONS:** None

**DISCUSSION:** None

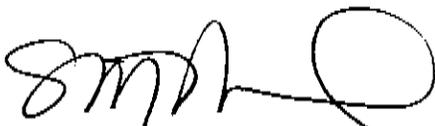
**LEGISLATIVE HISTORY:** None

Staff: Mary L. Weaver, Clerk to the Board of Supervisors

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County Administrator's Use Only

Comments:



Steven M. Nichols, County Administrator

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
May 16, 2012  
7:00 p.m.**

**MEMBERS PRESENT:** Shaun V. Kenney, Chairman (arrived at 7:21pm)  
Bob Ullenbruch, Vice-Chairman  
Mozell H. Booker  
Donald W. Weaver  
Joe Chesser

**ALSO PRESENT:** Steven M. Nichols, County Administrator  
Fred Payne, County Attorney  
Eric Dahl, Budget Analyst  
Andrew Pompei, Planner  
Steven Tugwell, Senior Planner  
Bobby Popowicz, Economic Development Director

**CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

Vice-Chairman Ullenbruch called the meeting of May 16, 2012, to order at 7:07 p.m., in the Circuit Courtroom in Palmyra, Virginia;

**MOTION:**

Mr. Weaver moved to adjourn the meeting and reconvene in the Auditorium of the Central Elementary School. Mr. Chesser seconded. The motion carried, with a vote of 4-0. AYES: Ullenbruch, Weaver, Chesser, and Booker. NAYS: None. ABSENT: Kenney

**ADJOURNED to Central Elementary at 7:10p.m.**

The Board adjourned at 7:10p.m. to the Auditorium at Central Elementary School.

**RECONVENED**

The Board reconvened at 7:21p.m.

Chairman Kenney reconvened the meeting of May 16, 2012, in the Auditorium at Central Elementary School in Palmyra, Virginia; the Pledge of Allegiance was recited, after which, Chairman Kenney called for a moment of silence.

**REPORTS**

**County Report**

Mr. Steven M. Nichols, County Administrator reported on the following topics:

- Recommendations of changes for meeting – move Tab M/Adoption of VRS Resolution for concurrence with the School Board's election and Tab Mc/Fluvanna County School board request for additional funding for FY 13 Budget to the beginning of the agenda

after public comments. Also recommended changing the time limit from five minutes to three minutes and set a time limit for speakers.

- County Administrator perspective – received 60 staff survey responses, putting together a group to talk about working with county staff, county agencies and constitutional officers. Working on a streamline organization, will present the before next meeting. Changing the 12 page performance form to a two page.
- Human Resource Manager – introduced new Human Resource Manager, Ms. Gail Parrish, started on May 9, 2012.
- Robinson, Farmer and Cox – have audit options, will discuss in New Business at end of meeting.
- Central Elementary Staff – Kudos to Ms. Barnabei and her staff for a great job get things organized for this meeting.

The Board moved the minute time limit for public comments be changed from five minutes to three for this meeting. The Board also agreed to move Tab M and Mc to the beginning of the agenda.

VRS Resolution for concurrence with the School Board's election to pay the VRS Board certified employer contribution rate for VRS non-“teacher” category employees in FY 2013

**MOTION:**

Mr. Weaver moved to adopt the resolution indicating local governing body concurrence with the school division electing to pay the Virginia Retirement System (VRS) Board certified rate employer contribution rate of 7.99% for the school division's non-“teacher” category employees in Fiscal Year 2013. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

Fluvanna County School Board request for additional funding for FY13 Budget – Ms. Gena Keller, School Superintendent presented the Board with a power point presentation and detailed information on this request.

**PUBLIC COMMENTS #1**

Chairman Kenney opened the floor for the first round of public comments.

- Emily Daidone, Cunningham District – addressed the Board in regards to JABA, supports level funding.
- Audrey Ophelia Whittington, Fork Union District – addressed the Board in regards to JABA, save program.
- Alese Payne, Palmyra District – addressed the Board in regards to JABA, support program.
- Theresa Scruggs, Cunningham District – addressed the Board in regards to reallocating funds from 911 to schools temporarily, start meals tax and raise property taxes.
- Dianna Wissinger, Palmyra District – addressed the Board in regards to raising taxes, meals tax and supports waterline for more business.
- Sam Patterson, Palmyra District – addressed the Board in opposition of raising taxes.
- Thelma Sotto, Fork Union District – addressed the Board in support of the JAUNT programs.

- Minor Eager, Palmyra District – addressed the Board in regards to out-of-control spending, asked for residents to donate to all county services.
- Florence Pugh, Fork Union District – addressed the Board in support of the JAUNT programs.
- Gloria Scharer – Cunningham District – addressed the Board in support of raising taxes, opposed to school cuts.
- Mike Lawson, Palmyra District – addressed the Board in regards to the Board of Supervisors and School Board working together.
- Francis Schutz, Palmyra District – addressed the Board in support of advertised tax rate and budget supplement to support services.
- Rebecca Newman, Rivanna District – addressed the Board in opposition of school program cuts, encourage students to be involved in budget process earlier, supports E-911 reallocation.
- Kim Rodriguez, Rivanna District – addressed the Board in regards to students with accessibility challenges, supports budget amendment.
- Olivia Staff, Rivanna District – addressed the Board in opposition of school cuts, supports full funding, urges county to look for alternative revenue sources.
- Dana Shepherd, Cunningham District – addressed the Board in opposition of school cuts, thanked those that support the schools over the years.
- Bryce Campanelli, Palmyra District – addressed the Board in opposition of school cuts youth should be #1 priority.
- Keegan Campanelli, Palmyra District – addressed the Board in regards to fully funding schools.
- Catherine Maguire, Palmyra District – addressed the Board in regards to fully funding schools.
- Aimee Wiersma, Columbia District – addressed the Board in support of the amendment request.
- Eric Thompson – addressed the Board in support of schools and should prepare for bad economic times coming in the future.
- Angela Davis, Cunningham District – addressed the Board in support of raising taxes, and reallocate money back to the schools.
- Gary Greenwood, Fork Union District – addressed the Board in regards to the Extended Education Program.
- Laurie & Jackson Brooks, Palmyra District – addressed the Board in regards to the Extended Education Program.
- Brandon Henning, Palmyra District – addressed the Board in support of adequate funding for the schools.
- Paul Seehaver, Palmyra District – addressed the Board in support of reallocation of E-911 funding for schools, responsibility of Board members to represent the residents.
- Ann Carter, Rivanna District – addressed the Board in support of .68 cent tax rate, and JABA and JAUNT.
- Jackie Peake, Cunningham District – addressed the Board in regards to proper protocol for budget adoption.
- Robert Peake, Cunningham District – addressed the Board in support of higher tax rate and fully funding schools.

- Madison Stafford, Fork Union District – addressed the Board in support of fully funding schools.
- Cheryl Gilliam, Palmyra District – addressed the Board in support of the schools.
- Suzy F. Morris, Columbia District – addressed the Board in regards to investing in the kids.
- Erin Small, Rivanna District – addressed the Board in support of fully funding the schools.
- Haden Parrish, Fork Union District – addressed the Board in support of fully funding the schools and funding JABA and JAUNT.
- Bridget Madison, Fork Union District – addressed the Board in support of reallocating E-911 funds temporarily and funding JABA and JAUNT.
- Rob Silverman, Cunningham District – addressed the Board in regards to how the Boards decisions will affect our county and support of reallocating E-911 funds temporarily
- Mary Ott, Cunningham District – addressed the Board in support of adult literacy program, support funding the schools.
- Perrie Johnson, Fork Union District – addressed the Board in support of fully funding the schools.
- Gina Proulx, Palmyra District – addressed the Board in support of fully funding the schools, JAUNT, JABA and reallocating the E-911 funds temporarily.
- Heather Chambers, Palmyra District – addressed the Board in support of fully funding the schools.
- Cheryl Daidone, Rivanna District – addressed the Board in support of fully funding the schools.
- Juan Rodriguez, Palmyra District – addressed the Board in support of fully funding the schools.
- Gary Osteen, Cunningham District – addressed the Board in support of fully funding the schools.
- Robert Bower, Palmyra District – addressed the Board in support of the .68 cent tax rate.
- Bill Sullivan, Palmyra District – addressed the Board in support of fully funding the schools and look at reallocating the E-911 funds temporarily.
- Jon Carrier, Rivanna District – addressed the Board in support of reallocating the E-911 funds temporarily and support JAUNT and JABA.
- Gequetta Murray-Key, Lake Monticello – addressed the Board in regards to volunteering and getting involved in the community, request for economic Development to create revenue.
- Christi Garrett, Troy – addressed the Board in regards to the unprofessionalism of the Board and supports the funding of the schools, JAUNT and JABA.
- Angela Washington – addressed the Board in support of fully funding the schools and reallocating the E-911 funds temporarily.
- Kandy Kovaleski, Fork Union District – addressed the Board in support of fully funding the schools, JABA and JAUNT.
- Carrie Farruggio, Palmyra District - addressed the Board in support of fully funding the schools, .68 cent tax rate and Economic Development.
- Jesse Clowater, Columbia District – addressed the Board in support of fully funding the JAUNT program.

- Nicole Scholes, Columbia District – addressed the Board in regards to the need for Economic Development.
- David McGlothlin, Palmyra District – addressed the Board in support of fully funding the schools, Board should be accountable for their actions.
- Tom Payne, Palmyra District – addressed the Board in regards to the separation of the Board of Supervisors and the School Board, support restoring the schools and the non-profit organizations.
- Sherry Winston, Palmyra District – addressed the Board in support of fully funding schools, technical classes at high school, need more than \$650,000.
- Jonathan Corbin, Palmyra District – addressed the Board in support of fully funding schools, keep promises.
- Dr. Theresa Carroll, Fork Union District – addressed the Board in support of fully funding schools, JAUNT, JABA and reallocating the E-911 funds temporarily.
- Sara Graziano, Rivanna District – addressed the Board in support of fully funding schools, higher tax rate.

## **EXTEND MEETING**

### **MOTION:**

Mr. Chesser moved to extend the Board of Supervisors meeting to 1:00am. Mrs. Booker seconded. The motion carried with a vote of 5-0. AYES: Kenney, Ullenbruch, Chesser, Booker and Weaver. NAYS: None. ABSENT: None.

- Angel Husted, Rivanna District – addressed the Board in support of fully funding schools, JAUNT, JABA and reallocating the E-911 funds temporarily.
- Len Bozza, Cunningham District – addressed the Board in regards to restoring the .68 tax rate, supports reallocate the E-911 funds temporarily.
- Lori Hoffman, - addressed the Board in regards to deep dismay of the Boards action and support of fully funding schools, JAUNT and JABA.

With no one else wishing to speak, Chairman Kenney closed the first round of public comments.

After the Board discussed the following motion was made:

### **MOTION:**

Mr. Weaver moved to amend the FY13 adopted budget by transferring \$650,000.00 to the Schools, resulting in a revised School funding amount of \$34,318,540.00, such transfer to consist of \$250,000.00 from FY12 Microfinance and Workforce Education funding carryover and \$400,000.00 from the General Fund Balance. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

### **MOTION:**

Mr. Weaver moved to amend FY13 Budget designating \$65,000.00 for JABA and \$65,000.00 for JAUNT non-profit agency support, such funds to consist of \$30,000.00 from FY13 County Administrator salary and benefit funding and \$100,000.00 from FY13 E-911 funding. Mr. Chesser seconded. The motion carried,

with a vote of 4-1. AYES: Chesser, Booker, Ullenbruch and Weaver. NAYS: Kenney. ABSENT: None.

**MOTION:**

Mrs. Booker moved to authorize a budget transfer of \$1,000,000.00 from FY13 E-911 funding to FY 13 Schools funding. Mr. Chesser seconded. The motion failed, with a vote of 2-3. AYES: Chesser and Booker. NAYS: Ullenbruch, Kenney and Weaver. ABSENT: None.

**CONSENT AGENDA**

The following items were approved under the consent agenda:

**MOTION:**

Mr. Weaver moved to approve the consent agenda, which consisted of:

- Regular Meeting Minutes from May 2, 2012.
- Extension of Fluvanna County Attorney Contract.
- Resolution Recognizing Michael McGowan Jones as an Eagle Scout.
- Rural Rustic Road Route 606, Hells Bend Road and Route 715, Stag Road

Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Ullenbruch, Booker, Kenney, Chesser and Weaver. NAYS: None. ABSENT: None.

**ACCOUNTS PAYABLE**

None

**RECESS**

The Board recessed at 11:33 p.m.

**RECONVENED**

The Board reconvened at 11:45 p.m.

**PUBLIC HEARING**

**CPA 12:01, Fluvanna County – Comprehensive Plan Text Amendment**

This is a request to amend the Vision chapter of the Comprehensive Plan, along with any other associated changes to the plan as a result of the additions. The existing text within the Vision chapter will be replaced with new text and illustrations prepared by the Board of Supervisors. The proposed amendment to the Comprehensive Plan adjusts the vision statement in order to better reflect the adopted goals of the Board of Supervisors and elaborate on the meaning of the County's vision statement. The amendment is generally consistent with other chapters of the Comprehensive Plan.

This request was deferred and will be readvertised for the June 20, 2012 Board of Supervisors meeting.

**ZMP 12:01, Southern Land Holdings, LLC – B-C with Amended Proffers**

An ordinance to amend the proffers associated with ZMP 01:01 of the Fluvanna County Zoning Map with respect to 1.43 acres of Tax Map 18B, Section 5, Parcel 1 to allow commercial

greenhouses to the uses permitted by-right within the B-C, Business, Convenience District. The affected property is located on the north side of Route 618 (Lake Monticello Road) approximately 1,000 feet west of its intersection with Route 600 (South Boston Road). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

Mr. Steve Tugwell, Senior Planner addressed the Board regarding this request.

Chairman Kenney opened the public hearing.

- Alex Pratts, Palmyra District – addressed the Board in opposition of the heavy machinery that is used.
- John Danna, Palmyra District – addressed the Board in regards to definition of greenhouse, in opposition of the request.
- Eddy Patterson, Palmyra District, Owner of Monticello Mulch – addressed the Board in regards to the history of Monticello Mulch.
- Henry Southworth, Cunningham District – addressed the Board in support of this request.
- John Carrier, Rivanna District – addressed the Board in support of this request.

No one else wishing to speak Chairman Kenney closed the public hearing.

Mr. Fred Payne, County Attorney reviewed the history of this request, the definition of commercial greenhouse and permitted uses within B-C districts.

After discussion the Board made the following motion;

MOTION:

Mr. Ullenbruch moved to approve ZMP 12:01, a request to amend ZMP 01:01 with respect to approximately 1.43 acres of Tax Map 18B, Section 5, Parcel 1 with the following 14 proffers:

1. Limit the uses to business and professional offices, veterinary clinic/boarding which may require a special use permit, and commercial greenhouses. All other uses would be prohibited.
2. The hours of operation shall be 8am to 4pm Monday-Friday and closed on Saturday and Sunday during the months of January and February.
3. The hours of operation shall be from 8am to 6pm Monday-Friday 8am to 4pm on Saturday and 11am to 4pm on Sunday during the months of March through October.
4. The hours of operation shall be 8am to 4pm Monday-Friday and closed on Saturday and Sunday from November 1 to November 15.
5. The hours of operation for Christmas tree sales shall be 8am to 8pm Monday-Friday on Saturday and Sunday 11am to 5pm from November 15 through December 24.
6. The business will be closed from December 25 through January 1.
7. Toggle switches shall be installed on the dump trucks so that the alarms can be deactivated while on premise.
8. After hours of operation, trucks shall be parked 648 feet from road (618) and dump trucks shall be parked in the wooded areas to help decrease their noise level in the mornings.
9. All electrical components of the on-premise sign shall be removed so that the sign can no longer be illuminated.

10. Six (6) Leyland Cypress shall be installed near the edge of property facing Route 618, 10 to 14 feet in height and 5ft to 6ft in diameter to provide a noise buffer and screening.
11. The customer loading area for our stone shall be moved back 150 feet to help lessen the noise.
12. Trucks shall not be loaded with rock or mulch before 8am.
13. Large dump truck (over 26,000 lbs gross vehicle weight) shall not operate before 8am.
14. There shall be no incoming mulch or rock deliveries on Saturday or Sundays.

Mr. Weaver seconded. The motion carried, with a vote of 4-0-1. AYES: Ullenbruch, Kenney, Chesser and Weaver. NAYS: None. ABSENT: None. ABSTAIN: Booker

### **PRESENTATIONS**

Economic Directors Approach for Economic Development – This presentation was deferred to the June 6, 2012 Board of Supervisors meeting.

### **ACTION MATTERS**

MOU between Board of Supervisors and Public Schools for use of existing well – Mr. Jonathan Hirst, Clerk of Works addressed regarding this request.

#### **MOTION:**

Mr. Weaver moved to adopt the “Memorandum of Understanding between the Fluvanna County Board of Supervisors and the Fluvanna County School Board” concerning the use of the existing well at Pleasant Grove as a water source. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Ullenbruch, Weaver, Chesser, Booker and Kenney. NAYS: None. ABSENT: None.

RFO for New Fork Union Fire Station – Mr. Robert Popowicz, Economic Development Director, addressed the Board regarding the Design-Build procedures.

#### **MOTION:**

Mr. Chesser moved to determine that, for the reasons set forth in the written determination, for the construction of the new Fork Union Fire Station, (i) a design-build contract is more advantageous than a competitive sealed bid construction contract; (ii) there is a benefit to the County by using a design-build contract; and (iii) competitive sealed bidding is not practical or fiscally advantageous; and to authorize the Chairman to sign the attached written determination. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Ullenbruch, Weaver, Chesser, Booker, and Kenney. NAYS: None. ABSENT: None

#### **MOTION:**

Mr. Chesser moved to authorize the County Administrator to appoint an Evaluation Committee to review the qualifications of the firms responding to the Request for Qualifications. The committee will make a recommendation to the Board of Supervisors of the two to five best qualified Design-Build firms

submitting qualifications for the project. Should the Board decide to accept the Committee's recommendation and authorize Request for Proposals, the selected firms will be notified to begin submittal of proposals for the Fork Union Fire Station. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Ullenbruch, Weaver, Chesser, Booker, and Kenney. NAYS: None. ABSENT: None

**MOTION:**

Mr. Chesser moved to authorize staff to advertise and receive Request for Qualifications for the purpose of selecting possible qualified design-build firms to solicit Requests for Proposals on the Fork Union Fire Station project. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Ullenbruch, Weaver, Chesser, Booker, and Kenney. NAYS: None. ABSENT: None

**UNFINISHED BUSINESS**

The Board **directed staff** to pursue adversarial audit with Robins Farmer and Cox for the County and Schools.

*Waterline Status* – Mr. Chesser mentioned to the Board that a new unsolicited proposal from Aqua Virginia for the waterline to Zion Crossroads.

The Board **directed staff** to receive and accept the Aqua PPEA subject to staff review for appropriateness, then post for public review.

**NEW BUSINESS**

None

**PUBLIC COMMENTS #2**

Chairman Kenney opened the floor for the second round of public comments.

- Mr. Mike Sheridan, Columbia District – addressed the Board in regards to the cuts to the schools.

With no one else wishing to speak, Chairman Kenney closed the second segment of public comments.

The Board **directed staff** to look into meals tax options.

**CLOSED MEETING**

None

**ADJOURN**

**MOTION:**

At 12:37a.m., Mr. Weaver moved to adjourn the meeting of Wednesday, May 16, 2012. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Mary L. Weaver, Clerk

\_\_\_\_\_  
Shaun V. Kenney, Chairman

DRAFT

Fluvanna County Resolution #17-2012

Local Governing Body Concurrence with School Division Electing to Pay the VRS Board-Certified Rate

(In accordance with the 2012 Appropriation Act Item 468(H))

Resolution

BE IT RESOLVED, that the FCBO5 [Locality Name] [employer code] does hereby acknowledge that the Fluvanna County [School Division Name] has made the election for its contribution rate to be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-143(D) resulting from the June 30, 2011 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the FCBO5 [Locality Name] [employer code] does hereby certify to the Virginia Retirement System Board of Trustees that it concurs with the election of the Fluvanna County [School Division Name] to pay the Certified Rate, as required by Item 468(H) of the 2012 Appropriation Act; and

NOW, THEREFORE, the officers of FCBO5 [Locality Name] [employer code] are hereby authorized and directed in the name of the FCBO5 [Locality Name] to execute any required contract to carry out the provisions of this resolution. In execution of any such contract which may be required, the seal of the FCBO5 [Locality Name], as appropriate, shall be affixed and attested by the Clerk.

Locality Board Chairman

CERTIFICATE

I, Mary L. Weaver, Clerk of the FCBO5 [Locality Name], certify that the foregoing is a true and correct copy of a resolution passed by the FCBO5 [Locality Name] and ratified by the FCBO5 [Locality Name] at a lawfully organized meeting of the FCBO5 [Locality Name] held at Fluvanna County, Virginia at 7:00 o'clock on May 16, 2012. Given under my hand and seal of the FCBO5 [Locality Name] this 16 day of May, 2012.

Mary L. Weaver
Clerk

This resolution must be passed prior to July 1, 2012 and received by VRS no later than July 10, 2012.

**Employer Contribution Rates for Counties, Cities,  
Towns, School Divisions and Other Political Subdivisions  
(In accordance with the 2012 Appropriation Act Item 462(1))**

**Resolution**

BE IT RESOLVED, that the Fluvanna County Public Schools 55532 does hereby acknowledge that its contribution rates effective July 1, 2012 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-14 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(1) resulting from the June 30, 2011 actuarial value of assets and liabilities (the "Certified Rate"); and

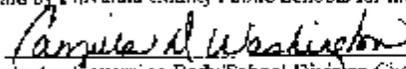
BE IT ALSO RESOLVED, that the Fluvanna County Public Schools 55532 does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2012:

(Check only one box)

The Certified Rate of 7.99%       The Alternate Rate of 5.59%; and

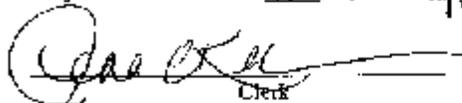
BE IT ALSO RESOLVED, that the Fluvanna County Public Schools 55532 does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, the officers of Fluvanna County Public Schools 55532 are hereby authorized and directed in the name of the Fluvanna County Public Schools to carry out the provisions of this resolution, and said officers of the Fluvanna County Public Schools are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by Fluvanna County Public Schools for this purpose.

  
Governor's Body/School Division Chairman

**CERTIFICATE**

I, Gene G. Keller, Clerk of the Fluvanna County Public Schools, certify that the foregoing is a true and correct copy of a resolution passed at a ~~legally~~ organized meeting of the Fluvanna County Public Schools held at Fork Union, Fluvanna County, Virginia at 7 p.m. o'clock on May 9, 2012. Given under my hand and seal of the Fluvanna County Public Schools this 11<sup>th</sup> day of May, 2012.

  
Clerk

**This resolution must be passed prior to July 1, 2012 and  
received by VRS no later than July 10, 2012.**



**BOARD OF SUPERVISORS  
County of Fluvanna  
Palmyra, Virginia**

**RESOLUTION**

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, May 16, 2012, in Palmyra, Virginia, the following action was taken:

---

<u>Present</u>	<u>Vote</u>
Shaun V. Kenney, Chairman	YEA
Robert Ullenbruch, Vice Chairman	YEA
Mozell H. Booker	YEA
Joseph Chesser	YEA
Donald W. Weaver	YEA

---

On a motion by Mr. Weaver, seconded by Mr. Chesser, and carried by a vote of 5-0, the following resolution was adopted.

**RESOLUTION**

**Recognizing Michael McGowan Jones Award of Eagle Scout Status**

**WHEREAS**, Michael McGowan Jones has completed all the requirements for becoming an Eagle Scout; and

**WHEREAS**, Michael has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout award; and

**WHEREAS**, Boy Scout Troop 138 will be convening a Eagle Scout Court of Honor on May 20, 2012 at 2:00 p.m. at Saints Peter and Paul Catholic Church, Palmyra, Virginia;

**NOW, THEREFORE BE IT RESOLVED** that the Fluvanna County Board of Supervisors joins Michael's family and friends in congratulating him on his achievements and the award of Eagle Scout status.

Adopted this 16<sup>th</sup>, day of May 2012  
by the Fluvanna County Board of Supervisors

ATTEST:

---

Shaun V. Kenney, Chairman

**FLUVANNA COUNTY, VIRGINIA  
BOARD OF SUPERVISORS  
RURAL RUSTIC ROAD PROJECT  
ROUTE 606, HELLS BEND ROAD**

The Board of Supervisors of Fluvanna County, in regular meeting on the 16<sup>th</sup> day of May, 2012, adopted the following:

**RESOLUTION**

**WHEREAS**, Section 33.1-70.1 of the *Code of Virginia*, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

**WHEREAS**, any such road must be located in a low-density development area and have no more than 1500 vpd; and

**WHEREAS**, the Board of Supervisors of Fluvanna County, Virginia (“Board”) desires to consider whether Route 606, Hells Bend Road, From: Route 608 To: Route 609 should be designated a Rural Rustic Road; and

**WHEREAS**, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

**WHEREAS**, the public has been made aware that this road may be paved with minimal improvements; and

**WHEREAS**, the Board believes that this road should be so designated due to its qualifying characteristics; and

**WHEREAS**, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

**NOW, THEREFORE, BE IT RESOLVED**, the Board hereby designates this road a Rural Rustic Road, and requests that the District Administrator for the Virginia Department of Transportation concur in this designation.

**BE IT FURTHER RESOLVED**, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the District Administrator for the Virginia Department of Transportation.

Recorded Vote 5-0  
Moved By: Mr. Weaver  
Seconded By: Mr. Chesser  
Yeas: 5  
Nays: 0

A Copy Teste:

Signed \_\_\_\_\_  
Printed Name Shaun Kenney  
Title Board of Supervisors, Chairman

**FLUVANNA COUNTY, VIRGINIA  
BOARD OF SUPERVISORS  
RURAL RUSTIC ROAD PROJECT  
ROUTE 715, STAG ROAD**

The Board of Supervisors of Fluvanna County, in regular meeting on the 16<sup>th</sup> day of May, 2012, adopted the following:

**RESOLUTION**

**WHEREAS**, Section 33.1-70.1 of the *Code of Virginia*, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

**WHEREAS**, any such road must be located in a low-density development area and have no more than 1500 vpd; and

**WHEREAS**, the Board of Supervisors of Fluvanna County, Virginia (“Board”) desires to consider whether Route 715, Stag Road, From: Route 694 To: End of State Maintenance should be designated a Rural Rustic Road; and

**WHEREAS**, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

**WHEREAS**, the public has been made aware that this road may be paved with minimal improvements; and

**WHEREAS**, the Board believes that this road should be so designated due to its qualifying characteristics; and

**WHEREAS**, this road is in the Board’s six-year plan for improvements to the secondary system of state highways.

**NOW, THEREFORE, BE IT RESOLVED**, the Board hereby designates this road a Rural Rustic Road, and requests that the District Administrator for the Virginia Department of Transportation concur in this designation.

**BE IT FURTHER RESOLVED**, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the District Administrator for the Virginia Department of Transportation.

Recorded Vote 5-0  
Moved By: Mr. Weaver  
Seconded By: Mr. Chesser  
Yeas: 5  
Nays: 0

A Copy Teste:

Signed \_\_\_\_\_  
Printed Name Shaun Kenney  
Title Board of Supervisors, Chairman

**MOTION:** I move the regular meeting minutes of the Fluvanna County Board of Supervisors for Wednesday, June 6, 2012 be adopted.

**AGENDA BOARD OF SUPERVISORS DATE: JUNE 20, 2012**

**SUBJECT:** Adoption of the Fluvanna County Board of Supervisors regular meeting minutes.

**RECOMMENDATION:** Approval

**TIMING:** Routine

**FISCAL IMPLICATIONS:** None

**POLICY IMPLICATIONS:** None

**DISCUSSION:** None

**LEGISLATIVE HISTORY:** None

Staff: Mary L. Weaver, Clerk to the Board of Supervisors

\*\*\*\*\*

County Administrator's Use Only

*Comments:*



Steven M. Nichols, County Administrator

**FLUVANNA COUNTY BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
Circuit Court Room  
June 6, 2012  
2:00 p.m.**

**MEMBERS PRESENT:** Shaun V. Kenney, Chairman  
Bob Ullenbruch, Vice-Chairman  
Mozell H. Booker  
Donald W. Weaver  
Joe Chesser

**ALSO PRESENT:** Steven M. Nichols, County Administrator  
Fred Payne, County Attorney  
Melissa Marks Senior Finance Assistant  
Robert Popowicz, Economic Development Director  
Mary L. Weaver, Clerk to the Board of Supervisors

**CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

Chairman Kenney called the meeting of June 6, 2012, to order at 2:00 p.m., in the Circuit Courtroom in Palmyra, Virginia; and the Pledge of Allegiance was recited, after which, Chairman Kenney called for a moment of silence.

**REPORTS**

**County Report**

Mr. Steven M. Nichols, County Administrator reported on the following topics:

- Staff Kudos – Parks & Recreation staff did a great job at the 7<sup>th</sup> Annual Kite Festival. 122 employees participated in a staff survey, putting together a Tiger Team to review the survey results and make recommendations.
- Fluvanna-Louisa Housing Foundation Letter – A letter from the Fluvanna-Louisa Housing Foundation was given to each Board member and entered into public record.
- EMS Mutual aid from Louisa County – On Monday, June 4, Louisa County Board of Supervisors voted unanimously to suspend all EMS mutual aid to Fluvanna County beginning July 5, 2012.
- Robinson, Farmer and Cox – Preliminary annual audit review has been delayed until August 13-17, 2012.
- Fire & EMS Study – A Fire & EMS study team from state is coming 29-30 June to meet all Fire, Rescue and Water Rescue personnel at the various units around the county. Town Hall Meeting will be held on Friday, June 29, 7:00 pm at Carysbrook Performing Arts Auditorium. Supervisors are welcome to sit in on the initial meeting that will be held on Friday, June 29, 2012 at 10:00 am in the County Administrator's office.
- Ongoing Reviews – reviewing the Boards, Commissions, and Committees List, the County Vehicle Fleet, Purchasing Procedures and time keeping procedures.

- County and Schools Audit – need to decide on purpose and scope of audit, “Agreed upon Procedures Audit” or “Adversarial Audit”. It will be a 90 day or less, time frame once they start.
- Recruiting Actions Update – Planning and Zoning Administrator, Ms. Allyson Finchum, started on May 30, 2012. Director of Parks and Recreation, Mr. Jason Smith, starts on June 13, 2012, Director of Finance, Ms. Barbara Horlacher, starts on June 18, 2012. The Director of Public Works position is pending.
- Blue Ridge Mass Appraisal – Short Sales are included in reassessment appraisals. Foreclosures are generally not included in reassessment appraisals unless the property has had significant market exposure and fall in typical pricing line with other regular sales.
- Animal Control Transfer/FSPCA Services – Animal Control will transfer to the Sheriff’s Department July 1, 2012. A new draft agreement for FSPCA “Pound Services” has been received. New agreement will require realignment of FY13 Animal Control funding.
- Gateway Health Termination Costs – Switching to Anthem Local Choice plan effective July 1, 2012. A termination letter sent to Gateway Health Administration Services. Termination and final services costs of \$10,850 will be required for standard termination services and to process run-out claims for 12 months.

### **PUBLIC COMMENTS #1**

Chairman Kenney opened the floor for the first round of public comments.

- Susan Seehaver, Rivanna District – addressed the Board in regards to schools being underfunded, restore funding to schools.
- Audrey Ophelia Whittington, Fork Union District – addressed the Board in regards to JABA, save program.
- Mike Lawson, Palmyra District – addressed the Board in regards to a survey that was completed by registered voters, gave each Board member a copy.
- Paul Seehaver, Rivanna District – addressed the Board in regards to restoring funding to schools, encourage Board members to spend a day with a teacher.
- Lesley Truex, Cunningham District – addressed the Board in regards to students being able to compete for colleges if required classes are not offered in high school.
- Walter Salanova, Owner of Vila Nova’s restaurant – addressed the Board in support of the new high school and opposed to meals tax.
- Bridgette Madison, Fork Union District – addressed the Board in regards to restoring funding to the schools. Invited Board members to PTO events.
- Kerry Murphy-Hammond, Columbia District – addressed the Board in regards to survey that was passed out; information was incorrect and misleading, please reallocate money for schools.
- Overton Mcghee, Fork Union District – addressed the Board in regards to debating politely, respectfully and in the open, transfer more money for schools
- Gena Proulx, Palmyra District – addressed the Board in regards to focusing on the problem, don’t let the children pay for bad financial decisions adults have made.
- Sam Patterson, Palmyra District – addressed the Board in regards to cutting spending, opposed to meals taxes and Aqua Virginia proposal.
- Perrie Johnson, President of Fluvanna Education Foundation – addressed the Board in regards to the reductions the teachers will be facing, restore funding to the schools.

- Rebecca Kuhns, Rivanna District – addressed the Board in regards to future of students at Fluvanna Schools, restore funding to schools.
- Adrian Miller, Rivanna District – addressed the Board in regards to setting up a venue to allow families to contribute donations to the schools, would like to see Capital Improvement projects approved by referendum, suggested the Board restrict minors from all BOS meetings.
- Harold Bear, Senior Pastor of Convent Church – addressed the Board in regards to the ROI and in support of bringing water to Zion Crossroads.
- Thomas Payne, Palmyra District – addressed the Board in regards to trust destroyed between the Board, School Board and citizens; taxes have been too little too long, support restoring funding to schools.
- Minor Eager, Palmyra District – addressed the Board in support of low tax rate.
- Angela Davis, Cunningham District – addressed the Board in regards to holding Board to higher standards.
- Stacey Williams, Cunningham District – addressed the Board in regards to the worth of teachers and what they can do.
- Daniel Markiewicz, Palmyra District – addressed the Board in regards to county not having a future business plan, finding a solution and supports schools.
- Theresa Carroll, Fork Union District – addressed the Board in regards to restoring funding the schools.
- Angela Davis, Cunningham District – addressed the Board in
- John Nunnley, Family Business on Better Living Drive – addressed the Board in support of water and sewer.
- Sherri Eshe, Palmyra District – addressed the Board in regards to asking the Board to help and support the schools.
- Len Bozza, Cunningham District – addressed the Board in regards to properly funding public school and a need to bring water up Rt. 53.
- Bob McConnell, Palmyra District – addressed the Board in support of water and sewer.
- Eva McGhee, Fork Union District – addressed the Board in support of funding schools.
- Jason Hartzog, Palmyra District – addressed the Board in regards keeping things up front; mean what you say, say what you mean.
- Grace Newman, Rivanna District – addressed the Board, doesn't understand how less is better.
- Tony O'Brien, Rivanna District – addressed the Board in regards to a direct correlation between the success of business, the success of properties and the success of schools.

### **CONSENT AGENDA**

The following items were pulled from the consent agenda:

- Minutes of May 16, 2012
- Memorandum of Understandings (MOUs) for Microfinance and Workforce Education (CIC , EDA & FEF)

### **Minutes of May 16, 2012**

The minutes were deferred for clarification of who spoke in the second public comments.

The following items were approved under the consent agenda:

**MOTION:**

Mr. Chesser moved to approve the consent agenda, which consisted of:

- FY 12 Budget Supplement for Library Telecommunications reimbursement.
- Approve issuance of RFP for Fork Union Station Design-Build Construction.

Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Ullenbruch, Booker, Kenney, Chesser and Weaver. NAYS: None. ABSENT: None.

**Memorandum of Understandings (MOUs) for Microfinance and Workforce Education (CIC , EDA & FEF)**

A revised motion was presented for this request to include an MOU for EDA & FEF. Mr. Nichols requested to defer the MOU for CIC to a later date.

**MOTION:**

Mrs. Booker moved to accept and enter into Memorandum of Understanding agreements with the Fluvanna Education Foundation (FEF) and the Economic Development Authority (EDA), and to disburse FY13 funds for Workforce Development to FEF in the amount of \$80,000 and to disburse FY13 funds for Micro-Finance Initiatives to EDA in the amount of \$35,000. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Ullenbruch, Booker, Kenney, Chesser and Weaver. NAYS: None. ABSENT: None.

**ACCOUNTS PAYABLE**

Ms. Melissa Marks, Senior Finance Assistant addressed the board regarding the accounts payable.

**MOTION:**

Mr. Weaver moved the Accounts Payable from April 25, 2012, through May 25, 2012, and Payroll for the month of April, 2012, in the amount of \$1,185,466.68, be ratified. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

General Fund	\$ 472,785.13
Capital Improvements	\$ 102,031.26
Sewer	\$ 1,560.86
Fork Union Sanitary District	<u>\$ 14,292.09</u>
Total Expenditures by Fund	\$ 591,669.34
Payroll – April	\$ 593,797.34
Total Payables & Payroll	<u>\$1,185,466.68</u>

**PUBLIC HEARING**

None

## **PRESENTATIONS**

VACO Update – Mr. Dean Lynch, Deputy Executive Director, updated the Board with what VACO is currently working on for Fluvanna and requested feedback on any issues they might want addressed.

Return on Investment Final Report – Mr. Steve Williams, Executive Director of the Thomas Jefferson Planning District Commission, reviewed with the Board the changes and adjustments that were made in the final draft report.

Economic Directors Approach for Economic Development – Mr. Robert Popowicz, Economic Development Director, presented to the Board an overview of the types of Economic Development and the recommended approach for Fluvanna County. Mr. Chesser reviewed with the Board that different options are being looked at to provide water to Zion Crossroads.

Meals Tax Review and Options – Mr. Steven Nichols, County Administrator, reviewed with the Board what would be required to initiate a meals tax. A referendum would be required; to put it on the November 6, 2012 initiative ballot it would need to be published by the Clerk of Circuit Court by August 17, 2012. The Board discussed and wanted to follow up with business owners and surrounding counties. The Board **directed staff** to put on the June 20, 2012 agenda as an action item and **directed the County Attorney** to begin working on the meals tax ordinance.

## **ACTION MATTERS**

Procedures for Boards, Commissions and Committees – Mr. Steven Nichols, County Administrator, reviewed with the Board that some of the Boards, Committees, and Commissions have representatives appointed by election district. The election districts were realigned to reflect the five district model it left some Boards, Committees, and Commissions with two representatives from the same district. This motion will set policy to allow elimination of second position or reassign position to At-Large.

### **MOTION:**

Mr. Ullenbruch moved to approve eliminating all second positions from the same election district on boards, commissions, or committees that require election district representation, or reassign those second positions as At-Large representatives, such changes to be made when duplicate election district positions are up for appointment/reappointment, to allow for only one appointed election district representative. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

### **Elimination-Reassign/Social Services Board, Rivanna District**

#### **MOTION:**

Mr. Chesser moved to eliminate the second Rivanna District position on the Social Services Board, currently held by Ms. Sharon Beeler, at the end of her current term on June 30, 2012. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

MOTION:

Mrs. Booker moved to reconsider the previous motion. Mr. Chesser seconded. After some discussion, the motion failed, with a vote of 1-4. AYES: Booker  
NAYS: Chesser, Ullenbruch, Kenney and Weaver. ABSENT: None.

Appointment-Reappointment/Library Board of Trustees, Palmyra District

MOTION:

Mr. Ullenbruch moved to appoint Ms. Pamela Ross to the Library Board of Trustees, Palmyra District position, with a term to begin July 1, 2012, and to terminate on June 30, 2016. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

Appointment-Reappointment/Planning Commission, Cunningham District

MOTION:

Mr. Weaver moved to reappoint Mr. Barry Bibb to the Planning commission, Cunningham District position, with a term to begin July 1, 2012, and to terminate on June 30, 2016. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

Appointment-Reappointment/Planning Commission, Palmyra District

MOTION:

Mr. Ullenbruch moved to appoint Mrs. Patricia Eager to the Planning Commission, Palmyra District position, with a term to begin July 1, 2012, and to terminate on June 30, 2016. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

Appointment-Reappointment/Agricultural/Forestral Advisory Committee

MOTION:

Mr. Chesser moved to reappoint Ms. Laura Lee and Mr. Kent Loving to the Agricultural/Forestral Advisory Committee, with a term to begin July 1, 2012, and to terminate on June 30, 2016. Mr. Weaver seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

Appointment-Reappointment/Agricultural/Forestral Advisory Committee

MOTION:

Mr. Chesser moved to appoint Mr. Andrew Sorrell to the Agricultural/Forestral Advisory Committee, with a term to begin immediately, and to terminate on June 30, 2016. This position will replace that of R. Easton Loving, who resigned. Mrs. Booker seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

Appointment-Reappointment/Economic Development Authority

MOTION:

Mr. Ullenbruch moved to appoint Mrs. Tammy Grigg to the Economic Development Authority, with a term to begin July 1, 2012, and to terminate on June 30, 2016. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

Reappointment/Court Green Committee

MOTION:

Mrs. Booker moved to reappoint Ms. Lora S. Payne and Ms. Judith Mickelson, to the Court Green Committee, with a term to begin July 1, 2012, and to terminate on June 30, 2015. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

Reappointment/JAUNT Board

MOTION:

Mr. Chesser moved to reappoint Ms. Catherine Palmer and Mr. David C. Feisner, as Fluvanna representatives to the JAUNT Board, with a term to begin July 1, 2012, and to terminate on June 30, 2015. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Chesser, Booker, Ullenbruch, Kenney and Weaver. NAYS: None. ABSENT: None.

**UNFINISHED BUSINESS**

Noise Ordinance – Mr. Andrew Pompei, Planner, reviewed with the Board various localities noise ordinances in response to a citizen’s concern. Mr. Fred Payne, County Attorney, explained there are specific rules that would need to be put in place.

VRS Contribution Options – Mr. Steven M. Nichols, County Administrator, reviewed with the Board the different options available to comply with the VRS Contribution regulations. The Board **directed staff** to put VRS Contribution Options in resolution form and present at the June 20, 2012 meeting.

Mrs. Booker asked Mr. Fred Payne to clarify what the Board can and can’t do with the budget. Mrs. Booker updated the Board with the programs that JABA will/will not be able to offer. Mrs. Booker would like to appropriate funding to the school and non-profits that were cut. Chairman Kenney suggested Mrs. Booker to get with Mr. Nichols to propose some language for this proposal and put on the agenda for June 20, 2012.

**NEW BUSINESS**

Citizens Review Committee – The Board discussed if there was a need to create a Citizens Review Committee.

**EXTEND MEETING**

**MOTION:**

Mrs. Booker moved to extend the Board of Supervisors meeting to 7:00 p.m. Mr. Weaver seconded. The motion carried with a vote of 5-0. AYES: Kenney, Ullenbruch, Chesser, Booker and Weaver. NAYS: None. ABSENT: None.

**PUBLIC COMMENTS #2**

Chairman Kenney opened the floor for the second round of public comments.

- Mr. Len Bozza, Cunningham District – addressed the Board in regards to the Return of Investment presentation. What would the shortfall be if it was at the \$0.68 tax rate?
- Mr. Adrian Miller, Rivanna District – addressed the Board in regards to the waterline issues; opposed to taking funds out of the E-911 line; Capital projects should go through referendum; suggested restricting minors from the BOS meetings; find a method to allow citizens to donate to the schools.
- Rebecca Kuhns, Rivanna District – addressed the Board in regards to the county rescue squad staff.
- Mr. Dennis Holder, Columbia District – addressed the Board in regards to the Return on Investment presentation.
- Mr. Bryant – addressed the Board in regards to properly funding our schools, find creative ways to invest in our future.
- Mr. Robert Flood, Rivanna District – addressed the Board in regards to funding the school and supporting Economic Development.
- Ms. Elizabeth Franklin, Columbia District – addressed the Board in regards to the Return of Investment presentation.

With no one else wishing to speak, Chairman Kenney closed the second segment of public comments.

**CLOSED MEETING**

**MOTION TO ENTER INTO A CLOSED MEETING:**

At 6:25 p.m., Mr. Weaver moved the Fluvanna County Board of Supervisors enter into a closed session, pursuant to the Virginia Code Section 2.2-3711-A-1 and 2.2-3711-A-7 of the Code of Virginia, 1950, as amended for the purpose of discussing personnel matters and consultation with legal counsel. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

**MOTION TO EXIT A CLOSED MEETING & RECONVENE IN OPEN SESSION:**

At 7:22 p.m., Mr. Weaver moved the closed meeting be adjourned and the Fluvanna County Board of Supervisors reconvene again in open session. Mr. Ullenbruch seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

**MOTION:**

At 7:23 p.m., the following resolution was adopted by the Fluvanna County Board of Supervisors, following a closed meeting held Wednesday, June 6, 2012 on

motion of Mr. Weaver, seconded by Mrs. Booker, and carried by the following vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver, and Chesser. NAYS: None. ABSENT: None.

“**BE IT RESOLVED** to the best of my knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting.”

**EXTEND MEETING**

**MOTION:**

Mr. Chesser moved to extend the Board of Supervisors meeting to 7:30 p.m. Mrs. Booker seconded. The motion carried with a vote of 5-0. AYES: Kenney, Ullenbruch, Chesser, Booker and Weaver. NAYS: None. ABSENT: None.

**MOTION:**

Mrs. Booker moved to approve the following staff realignment, pay raise, and one-time additional duty stipends, such actions to be effective June 17, 2012; --realigned Mr. Robert Popowicz from Economic Development Coordinator, Pay Band 19, annual salary of \$65,000.00, to Director of Community Planning and Development, Pay Band 23, annual salary of \$70,000.00

--provided one-time, additional duty stipends to the following staff members:

Mr. Eric Dahl, Finance/Budget, \$5,000

Mr. Robert Popowicz, Admin & Public Works, \$2,500

Mr. William Tugwell, Planning, \$2,000

Mr. William Ford, Public Works, \$2,000

Ms. Mary Weaver, Human Resources, \$1,750

Mr. Aaron Spitzer, Parks & Recreation, \$1,750

Ms. Nicole Carter, Human Resources, \$1,500

Mr. Chesser seconded. The motion carried with a vote of 4-1. AYES: Ullenbruch, Chesser, Booker and Weaver. NAYS: Kenney. ABSENT: None.

**ADJOURN**

**MOTION:**

At 7:25 p.m., Mr. Ullenbruch moved to adjourn the meeting of Wednesday, June 6, 2012. Mr. Chesser seconded. The motion carried, with a vote of 5-0. AYES: Kenney, Ullenbruch, Booker, Weaver and Chesser. NAYS: None. ABSENT: None.

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

\_\_\_\_\_  
Mary L. Weaver, Clerk

\_\_\_\_\_  
Shaun V. Kenney, Chairman

K

MOTION: I move the Board of Supervisors approve a supplemental appropriation of \$1,000.00 to the FY12 Registrar's Budget to reflect voting equipment reimbursement funding.

The following budget lines would increase 10000033 333001 and 10017000 408101.

**AGENDA BOARD OF SUPERVISORS June 20, 2012**

SUBJECT: FY12 Budget Supplement for the Registrar's Voting Equipment Reimbursement.

RECOMMENDATION: I recommend approval of the supplemental appropriation as stated above.

TIMING: Routine

FISCAL IMPLICATIONS: The FY12 General Fund Budget will increase by \$1,000.00

POLICY IMPLICATIONS: None.

DISCUSSION: The State Board of Elections provided reimbursement funding for the purchase of voting equipment from redistricting, allowing greater polling place accessibility.

Staff: Eric Dahl, Budget Analyst

Copy: Joyce Pace, General Registrar

Attachments: Commonwealth of Virginia EDI Remittance

.....  
For County Administrator's Use Only:

Comments:



Steven M. Nichols, County Administrator

# Commonwealth of Virginia

## EDI Remittance Detail

Total Amount: 58,564.93

Deposit Date: 12/23/2011

Trace Number T2178629

Agy No	Amount	Offset Amount	Invoice Number	Invoice Date	Customer Number	Voucher Number	Description
* 132	1,000.00	0.00	R 272			5000271	POLL PL ACCESSIBILITY *
Tot 132	1,000.00						
136	4,698.34	0.00	E911JUL11F	12/06/2011		0348519N	MONTHLY E911 PSAP
136	4,698.34	0.00	E911AUG11F	12/06/2011		0348643N	MONTHLY E911 PSAP
136	4,698.34	0.00	E911SEP11F	12/06/2011		0348767N	MONTHLY E911 PSAP
Tot 136	14,095.02						
157	253.69	0.00	1111			00003514	NOV CLERK CT VRS RETIR
157	907.54	0.00	1112			00003514	NOV CLERK CT FICA
157	34.16	0.00	1114			00003514	NOV CLERK CT GLI
157	18,296.74	0.00	1123			00003514	NOV CLERK CT PERM
157	2,541.67	0.00	2200			00003514	NOV CLERK CT EQUIP-IT
157	332.27	0.00	1111			00003632	NOV COM ATTY VRS RETIR
157	1,355.83	0.00	1112			00003632	NOV COM ATTY FICA
157	44.72	0.00	1114			00003632	NOV COM ATTY GLI
157	15,974.41	0.00	1123			00003632	NOV COM ATTY PERM
157	2,127.33	0.00	1141			00003632	NOV COM ATTY TEMP
157	407.80	0.00	1312			00003632	NOV COM ATTY OFFC EXP
Tot 157	42,276.16						
194	1,193.75	0.00	L00038	12/01/2011	DGS	1206477N	L00038 12/2011
Tot 194	1,193.75						

L

MOTION: I move the Board of Supervisors approve a supplemental appropriation of \$5,614.00 to the FY12 Clerk of the Circuit Courts Budget to reflect Record Conservation Grant funding.

The following budget lines would increase 10000024 324003 and 10023000 403 150 RECPR.

**AGENDA**

**BOARD OF SUPERVISORS**

**June 20, 2012**

SUBJECT: FY12 Budget Supplement for Clerk of the Circuit Court's Record Conservation Grant of \$5614.00

RECOMMENDATION: I recommend approval of the supplemental appropriation as stated above, as this maintains the accuracy of the FY12 budget.

TIMING: Routine

FISCAL IMPLICATIONS: The FY12 General Fund Budget will increase by \$5,614.00.00

POLICY IMPLICATIONS: None.

DISCUSSION: This is a grant from the Library of Virginia that provides funding to preserve the Clerk of the Circuit Court's record books. No additional funding is required by the County

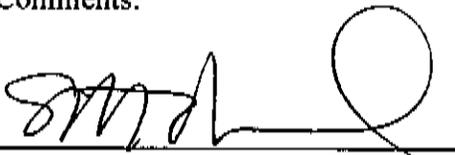
Staff: Eric Dahl, Budget Analyst

Copy: B.E. Peterson, Clerk of the Circuit Court

Attachments: Grant Agreement from the Library of Virginia

.....  
For County Administrator's Use Only:

Comments:



Steven M. Nichols, County Administrator



# LIBRARY OF VIRGINIA

Sandra Gioia Treadway  
Librarian of Virginia

June 1, 2011

Mr. Bouson E. Peterson  
Clerk of the Circuit Court  
Fluvanna County  
P. O. Box 550  
Palmyra VA 22963

Grant Agreement Number: 2011B-20

Dear Mr. Peterson,

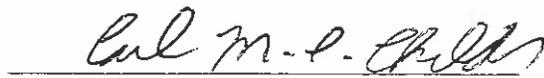
It is our pleasure to inform you that your Item Conservation grant application to the Virginia Circuit Court Records Preservation Program has been approved, in whole or in part, by the review board, subject to the stated amount, availability of funds, and any provisos stated in the grant agreement, sections 2 and 3. **Please review these provisos carefully to determine the scope and/or limitations of the project.**

You will find the grant agreement enclosed. This agreement, along with the original grant application spells out, in detail, the term of your project, the portion of your project supported with grant funds, and the specific work that is to be accomplished. It will also indicate your fiscal and program reporting requirements. Please read the agreement carefully. When this agreement is signed and returned to the Grant Coordinator's office at the Library of Virginia, along with any applicable documentation, funds will be released to your locality's fiscal office as scheduled in the agreement. If you have any questions regarding this award or agreement, please contact Carl Childs at (804) 692-3739.

Please accept our congratulations on the approval of your application. We appreciate your interest in preserving Virginia's documentary heritage and extend our best wishes for a successful project.

Sincerely,

  
Sandra G. Treadway  
Librarian and State Archivist of Virginia

  
Carl M. C. Childs  
Director, Local Records Services

  
Frank D. Hargrove Jr.  
President, Virginia Court Clerks' Association

800 East Broad Street  
Richmond, Virginia 23219

[www.lva.virginia.gov](http://www.lva.virginia.gov)

804.692.3500 phone  
804.692.3976 tty

VIRGINIA CIRCUIT COURT RECORDS PRESERVATION PROGRAM

A STATEWIDE PROGRAM OF ASSISTANCE AND GRANTS FOR  
VIRGINIA'S CIRCUIT COURT CLERKS' OFFICES

\*\*\*\*\*

Promoting Effective Protection for  
Fluvanna County's Circuit Court Records

\*\*\*\*\*

GRANT AGREEMENT NUMBER: 2011B-20

PROJECT TYPE: Item Conservation

\*\*\*\*\*

Grant Agreement Packet

Includes:

- I. Grant Agreement
- II. Payment Transfer Information
- III. Fiscal Office Notification Sheet
- IV. Instructions - Project Status  
and Financial Expenditure Reports
- IV-a. Project Status Report
- IV-b. Financial Expenditure Report

\*\*\*\*\*

Virginia Circuit Court Records Preservation Program  
Library of Virginia  
800 East Broad Street  
Richmond, Va., 23219

(804) 692-3739 P  
(804) 692-2277 F

COMMONWEALTH OF VIRGINIA  
Library of Virginia  
Virginia Circuit Court Records Preservation Program

Agreement between the Library of Virginia  
and the Circuit Court Clerk's office of Fluvanna County

THIS AGREEMENT is made and entered into by and between the Commonwealth of Virginia, Library of Virginia, hereinafter referred to as the LVA, and the Circuit Court Clerk of Fluvanna County, hereinafter referred to as the CLERK.

WHEREAS, the LVA, in the exercise of its lawful duties and in cooperation with the commonwealth's circuit court clerks, pursuant to the *Code of Virginia* § 17.1-275(A)(2), is the administrator of state funds provided through the Virginia Circuit Court Records Preservation Program (CCRP), and

The CLERK, acting under the authority vested in that office by the *Code of Virginia*, Title 17.1 and section 42.1-87, to preserve the permanent records of circuit court, has applied to the CCRP for records preservation funds; and

The CCRP grants review board has approved said application, in whole or in part, which said application, numbered 2011B-20 is, by reference, made a part of this agreement.

THEREFORE, the LVA and the CLERK hereby execute this agreement and agree to cooperate in implementing the circuit court records preservation project referenced in the approved grant application, according to the following terms and conditions:

1. The term of this project shall be July 1, 2011 - December 1, 2011, or the completion of the project, whichever comes first.
2. The CLERK agrees to:
  - A. To carry out the project as approved in the grant application and/or any provisos thereto stipulated by the grant review board, which consist of the following:
    - 1) Sign and return this grant agreement to the LVA, attention: Carl Childs.
    - 2) Notify the locality's Treasurer, Director of Finance, and/or other appropriate fiscal officer(s) of the forthcoming grant disbursement using the GRANT PAYMENT NOTIFICATION SHEET found in Section III of this agreement.
    - 3) award to Brown's River Marotti for \$5614.00 at clerk's request.
  - B. Contact the awarded contractor (if a contractor is required for this project) to order the products and/or services stipulated in the grant application.
  - C. Complete the project, spending or obligating all grant funds, by the end of the project term indicated in section 1, above. Subject to the notification requirements of subparagraph F below and with the approval of the Grants Coordinator, the Clerk shall have the flexibility to shift funds from one line item to another, as determined by the Clerk to be necessary for the efficient completion of the project.

- D. Return any unexpended or unobligated funds to the LVA within thirty (30) days following the end of the project for repayment to the Commonwealth of Virginia, Circuit Court Records Preservation Grant Program. (In the event a grant that is a continuation of this project is approved and implemented, any funds not spent by the end of this project may be carried over, with the Grants Coordinator approval, into the subsequent project.)
  - E. Submit the required Project Status and Financial Expenditure Report(s), and any other specified reports as scheduled in this agreement, using the forms included herewith and within the time specified, with the understanding that continued funding and/or satisfactory completion of the project are subject to the receipt and approval of these reports, and that failure to satisfactorily submit these reports will render this office ineligible to apply for further grant funding.
  - F. Immediately notify the Grants Coordinator, in writing or by e-mail, of any events impacting the grant project, including its line-item budget, such as:
    - 1) Problems, delays or adverse conditions which will impair attainment of the project objectives, along with a statement of contemplated action and/or assistance, if any, needed to resolve the situation;
    - 2) Favorable developments which will shorten the time scheduled to complete project objectives, produce greater benefits than anticipated, or decrease project costs.
  - G. Maintain all financial, programmatic, procurement, and inventory records, reports, and supporting documents for a period of three (3) years after completion of project as required under the General Schedule GS-02, promulgated by the Records Management Program of the LVA.
  - H. Provide to his/her locality's independent financial auditor, the LVA, and/or any of their authorized representatives, access to the books, documents, papers, and/or other records which are pertinent to the grant, for audit, examination, and to make any necessary excerpts and/or transcripts. Support accounting records by such source documentation as canceled checks, paid bills, and payrolls.
  - I. Comply with state laws, Department of Accounts and Auditor of Public Accounts rules, regulations, policies, procedures, and standards as they relate to the acceptance and use of funds for this state-assisted project. Procure supplies through state contracts or through approved locality procurement procedures.
  - J. Grant permission, if this is a reformatting project, to the Library of Virginia to duplicate and distribute, whether by microfilm, digital image, or other media, any records that are the subject of this grant agreement.
  - K. Accept the financial and logistical responsibility of maintaining, repairing, and/or replacing, as needed, any equipment purchased through this grant-funded project.
3. The LVA agrees to:
- A. Transfer to the CLERK, through the locality's fiscal office, an amount not to exceed that which is set forth in 4.E. below, contingent upon the availability of state funds and the timely submission of any appropriate, completed project reports.

- B. Monitor the activities performed pursuant to this agreement and conduct periodic evaluations to assess the progress toward completion of the project.
  - C. Provide information, consultation, assistance, and forms.
  - D. Review all proposed changes to the project to assure that such changes are consistent with applicable statutes and regulations.
4. The Clerk and the LVA agree that:
- A. Upon the LVA of unsatisfactory compliance with this agreement, and allowing reasonable time for a response, the agreement will be terminated. Such termination will be by written notice to the CLERK and the local fiscal office using certified or registered mail, with return receipt requested.
  - B. The CLERK has the right, at any time and with written notice, to request that the LVA terminate and cancel this agreement.
  - C. If this agreement is terminated and canceled, unused funds will be returned for redeposit into the circuit court records preservation account. Likewise, if, after audit, it is determined that any funds were expended for any purpose not specified in the project agreement, such funds must be returned for redeposit in the said account.
  - D. This agreement supersedes all prior agreements and understandings, both oral and written, with respect to the specified project as covered by the grant application and/or any amendments thereto.
  - E. Payment(s) by the LVA to the fiscal office of Fluvanna County, via electronic transfer(s), shall be made according to the following schedule:

A maximum of \$5,614.00 will be paid on or after the following date(s), pursuant to the timely return of this grant agreement, responses to the provisos, and, if applicable, subsequent reports:

July 1, 2011

ATTEST:

Bouson E. Peterson, Jr., CLERK  
Bouson E. Peterson, Jr.  
Clerk of the Circuit Court  
Fluvanna County

JUNE 8, 2011  
Date

Commonwealth of Virginia  
Library of Virginia

---

Carl M. C. Childs  
Grants Coordinator  
Circuit Court Records Preservation Program

---

June 3, 2011  
Date

MOTION: I move the Board of Supervisors approve a supplemental appropriation of \$11,649.00 to the FY12 Clerk of the Circuit Courts Budget to reflect Record Conservation Grant funding.

The following budget lines would increase 10000024 324003 and 10023000 403150 RECPR.

**AGENDA BOARD OF SUPERVISORS June 20, 2012**

SUBJECT: FY12 Budget Supplement for Clerk of the Circuit Court's Record Conservation Grant of \$11,649.00

RECOMMENDATION: I recommend approval of the supplemental appropriation as stated above, as this maintains the accuracy of the FY12 budget.

TIMING: Routine

FISCAL IMPLICATIONS: The FY12 General Fund Budget will increase by \$11,649.00.00

POLICY IMPLICATIONS: None.

DISCUSSION: This is a grant from the Library of Virginia that provides funding to preserve the Clerk of the Circuit Court's record books. No additional funding is required by the County

Staff: Eric Dahl, Budget Analyst

Copy: B.E. Peterson, Clerk of the Circuit Court

Attachments: Grant Agreement from the Library of Virginia

.....  
For County Administrator's Use Only:

Comments:



Steven M. Nichols, County Administrator

COMMONWEALTH OF VIRGINIA  
Library of Virginia  
Virginia Circuit Court Records Preservation Program

Agreement between the Library of Virginia  
and the Circuit Court Clerk's office of Fluvanna County

THIS AGREEMENT is made and entered into by and between the Commonwealth of Virginia, Library of Virginia, hereinafter referred to as the LVA, and the Circuit Court Clerk of Fluvanna County, hereinafter referred to as the CLERK.

WHEREAS, the LVA, in the exercise of its lawful duties and in cooperation with the commonwealth's circuit court clerks, pursuant to the *Code of Virginia* § 17.1-275(A)(2), is the administrator of state funds provided through the Virginia Circuit Court Records Preservation Program (CCRP), and

The CLERK, acting under the authority vested in that office by the *Code of Virginia*, Title 17.1 and section 42.1-87, to preserve the permanent records of circuit court, has applied to the CCRP for records preservation funds; and

The CCRP grants review board has approved said application, in whole or in part, which said application, numbered 2012A-10 is, by reference, made a part of this agreement.

THEREFORE, the LVA and the CLERK hereby execute this agreement and agree to cooperate in implementing the circuit court records preservation project referenced in the approved grant application, according to the following terms and conditions:

1. The term of this project shall be January 16, 2012 - July 16, 2012, or the completion of the project, whichever comes first.
2. The CLERK agrees to:
  - A. To carry out the project as approved in the grant application and/or any provisos thereto stipulated by the grant review board, which consist of the following:
    - 1) **Sign and return this grant agreement to the LVA, attention: Carl Childs.**
    - 2) **Notify the locality's Treasurer, Director of Finance, and/or other appropriate fiscal officer(s) of the forthcoming grant disbursement using the GRANT PAYMENT NOTIFICATION SHEET found in Section III of this agreement.**
    - 3) **Award partial funding for Deed Books 6,13, 15, 18, 19 to Brown's River Marotti.**
  - B. Contact the awarded contractor (if a contractor is required for this project) to order the products and/or services stipulated in the grant application.
  - C. Complete the project, spending or obligating all grant funds, by the end of the project term indicated in section 1, above. Subject to the notification requirements of subparagraph F below and with the approval of the Grants Coordinator, the Clerk shall have the flexibility to shift funds from one line item to another, as determined by the Clerk to be necessary for the efficient completion of the project.

- D. Return any unexpended or unobligated funds to the LVA within thirty (30) days following the end of the project for repayment to the Commonwealth of Virginia, Circuit Court Records Preservation Grant Program. (In the event a grant that is a continuation of this project is approved and implemented, any funds not spent by the end of this project may be carried over, with the Grants Coordinator approval, into the subsequent project.)
  - E. Submit the required Project Status and Financial Expenditure Report(s), and any other specified reports as scheduled in this agreement, using the forms included herewith and within the time specified, with the understanding that continued funding and/or satisfactory completion of the project are subject to the receipt and approval of these reports, and that failure to satisfactorily submit these reports will render this office ineligible to apply for further grant funding.
  - F. Immediately notify the Grants Coordinator, in writing or by e-mail, of any events impacting the grant project, including its line-item budget, such as:
    - 1) Problems, delays or adverse conditions which will impair attainment of the project objectives, along with a statement of contemplated action and/or assistance, if any, needed to resolve the situation;
    - 2) Favorable developments which will shorten the time scheduled to complete project objectives, produce greater benefits than anticipated, or decrease project costs.
  - G. Maintain all financial, programmatic, procurement, and inventory records, reports, and supporting documents for a period of three (3) years after completion of project as required under the General Schedule GS-02, promulgated by the Records Management Program of the LVA.
  - H. Provide to his/her locality's independent financial auditor, the LVA, and/or any of their authorized representatives, access to the books, documents, papers, and/or other records which are pertinent to the grant, for audit, examination, and to make any necessary excerpts and/or transcripts. Support accounting records by such source documentation as canceled checks, paid bills, and payrolls.
  - I. Comply with state laws, Department of Accounts and Auditor of Public Accounts rules, regulations, policies, procedures, and standards as they relate to the acceptance and use of funds for this state-assisted project. Procure supplies through state contracts or through approved locality procurement procedures.
  - J. Grant permission, if this is a reformatting project, to the Library of Virginia to duplicate and distribute, whether by microfilm, digital image, or other media, any records that are the subject of this grant agreement.
  - K. Accept the financial and logistical responsibility of maintaining, repairing, and/or replacing, as needed, any equipment purchased through this grant-funded project.
3. The LVA agrees to:
- A. Transfer to the CLERK, through the locality's fiscal office, an amount not to exceed that which is set forth in 4.E. below, contingent upon the availability of state funds and the timely submission of any appropriate, completed project reports.

- B. Monitor the activities performed pursuant to this agreement and conduct periodic evaluations to assess the progress toward completion of the project.
  - C. Provide information, consultation, assistance, and forms.
  - D. Review all proposed changes to the project to assure that such changes are consistent with applicable statutes and regulations.
4. The Clerk and the LVA agree that:
- A. Upon the LVA of unsatisfactory compliance with this agreement, and allowing reasonable time for a response, the agreement will be terminated. Such termination will be by written notice to the CLERK and the local fiscal office using certified or registered mail, with return receipt requested.
  - B. The CLERK has the right, at any time and with written notice, to request that the LVA terminate and cancel this agreement.
  - C. If this agreement is terminated and canceled, unused funds will be returned for redeposit into the circuit court records preservation account. Likewise, if, after audit, it is determined that any funds were expended for any purpose not specified in the project agreement, such funds must be returned for redeposit in the said account.
  - D. This agreement supersedes all prior agreements and understandings, both oral and written, with respect to the specified project as covered by the grant application and/or any amendments thereto.
  - E. Payment(s) by the LVA to the fiscal office of Fluvanna County, via electronic transfer(s), shall be made according to the following schedule:

A maximum of \$11,649.00 will be paid on or after the following date(s), pursuant to the timely return of this grant agreement, responses to the provisos, and, if applicable, subsequent reports:

January 16, 2012

ATTEST:

Bouson E. Peterson, Jr., CLERK

Bouson E. Peterson, Jr.  
Clerk of the Circuit Court  
Fluvanna County

DECEMBER 12, 2011  
Date

Commonwealth of Virginia  
Library of Virginia

Carl M. C. Childs

Carl M. C. Childs  
Grants Coordinator  
Circuit Court Records Preservation Program

December 1, 2011

Date

me

MOTION: I move the Board of Supervisors approve a supplemental appropriation of \$333.54 to the FY12 Sheriff's Budget to reflect a personal property tax refund on office equipment.

The following budget lines would increase 10000018 319831 and 10031000 405410.

**AGENDA BOARD OF SUPERVISORS June 20, 2012**

SUBJECT: FY12 Budget Supplement for Sheriff's Office Equipment Refund.

RECOMMENDATION: I recommend approval of the supplemental appropriation as stated above.

TIMING: Routine

FISCAL IMPLICATIONS: The FY12 General Fund Budget will increase by \$333.54

POLICY IMPLICATIONS: None.

DISCUSSION: The Sheriff's Office received a refund for excess property taxes paid on a copier from a prior fiscal year. After closing the account in FY11, GE Capital discovered a billing error which they are now refunding in the amount of \$333.54

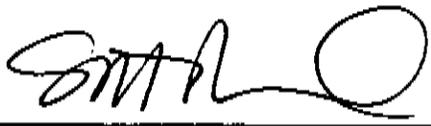
Staff: Eric Dahl, Budget Analyst

Copy: Sheriff Ryant Washington

Attachments: Copy of refund check from GE Capital

.....  
For County Administrator's Use Only:

Comments:



Steven M. Nichols, County Administrator



GE CAPITAL CORPORATION  
 1010 THOMAS EDISON BOULEVARD SW  
 CEDAR RAPIDS IA 52404

INITIALS: **A2C** DEPARTMENT CODE: **PROTAX**

**251919**

ACCOUNT NO.	INVOICE		DESCRIPTION	NET AMOUNT
	DATE	NUMBER		
7280277001	00-00-0000		RFND OF EXCESS PTAX COLLECTED-CLOSED ACCOUNT	333.54

DETACH BEFORE DEPOSITING

CUSTOMER SERVICE(888) 652-2279

TOTAL NET AMOUNT

\$ 333.54



GE CAPITAL CORPORATION  
 1010 THOMAS EDISON BOULEVARD SW  
 CEDAR RAPIDS IA 52404

VOUCHER NO. **251919**

64-1278  
611

Pay in the amount of:

05-16-2012  
DATE

CEDAR RAPIDS  
CITY

V2N5  
LOCATION NO.

Three Hundred Thirty-Three and 54/100 Dollars

(\$ 333.54)

Void After 180 Days

Bank of America  
Controlled Disbursement

Pay to: FLUVANNA COUNTY SHERIFFS OFFIC  
P.O. BOX 113

PALMYRA

VA 22963-0000

BY Pamela Weber



⑈00251919⑈ ⑆061112788⑆ 3299051344⑈

N

MOTION: I move that the Board of Supervisors approve a supplemental appropriation in the amount the \$1,666.25 awarded from the US Department of Justice, Bureau of Justice Assistance Bullet Proof Vest Program for the Sheriff's Office to purchase bulletproof vests.

**AGENDA**

**BOARD OF SUPERVISORS**

**June 20, 2012**

SUBJECT: USDOJ, Bureau of Justice Assistance (BJA) grant.

RECOMMENDATION: Approve.

TIMING: Action for FY 2012.

FISCAL IMPLICATIONS: None. This is a grant that reimburses 50% of the purchase price of bulletproof vests. The funds are currently recorded in fund 100. Once appropriated by this Board action, the funds will then be transferred to fund 202 beginning in FY 13. Account codes will be assigned by Finance.

POLICY IMPLICATIONS: Bullet proof vests provide essential personal protection equipment for Fluvanna's Deputies. Only law enforcement officers may receive vests through this USDOJ BJA program.

DISCUSSION: The USDOJ BJA sponsors this grant program annually, presumably contingent upon federal funding being available. The percent of reimbursement may vary annually. This year BJA funded rural areas at 50% of costs.

Staff: Pat Groot, Grants Administrator

CC: Lt. Aaron Hurd  
Sheriff Ryant Washington



\*\*\*\*\*

County Administrator's Use Only  
Recommendation:



Steven M. Nichols, County Administrator

**MOTION:**

I move that the Fluvanna County Board of Supervisors approve the proposed contractual agreement with the Fluvanna SPCA for pound services to be effective July 1, 2012, annual cost of which shall be \$5.00 per capita based on official 2010 U.S. Census Bureau figures.

**AGENDA**                      **BOARD OF SUPERVISORS**                      **DATE:** June 20, 2012

**SUBJECT:** Fluvanna County SPCA agreement for providing pound and animal care services.

**RECOMMENDATION:** Approval.

**TIMING:** Current agreement expires on June 30, 2012.

**FISCAL IMPLICATIONS/LEGISLATIVE HISTORY:**

Monthly cost of \$10,704.58 (Annual - \$128,455.00)  
(At \$5.00 per capita based on 2010 U.S. Census Bureau figures of 25,961).

**POLICY IMPLICATIONS:** None

**DISCUSSION:**

**LEGISLATIVE HISTORY:** None

Staff: Steven M. Nichols, County Administrator

Enclosures:

\*\*\*\*\*

County Administrator's Use Only

Comments:



\_\_\_\_\_  
Steven M. Nichols, County Administrator



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# COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

## STAFF REPORT

**To:** Fluvanna County Board of Supervisors  
**Case Number:** CPA 12:01

**From:** Andrew Pompei  
**Date:** June 20, 2012

**General Information:** This request is to be heard by the Board of Supervisors on Wednesday, June 20, 2012 at 7:00 pm in the Circuit Courtroom in the Fluvanna County Courts Building.

**Applicant/Representative:** Fluvanna County Board of Supervisors

**Requested Action:** A request for a Comprehensive Plan Amendment to revise the *Vision* chapter to better reflect the adopted vision statement of the current Board of Supervisors.

**Location:** Not Applicable

**Zoning History:** Not Applicable

### Analysis

The Comprehensive Plan is a guide to future growth and development in Fluvanna County. It describes the county's goals and vision for the next twenty years, and includes strategies that may be used to achieve that vision. State law requires every locality to adopt a comprehensive plan (VA Code § 15.2-2223). The current Comprehensive Plan was adopted on March 18, 2009, after several months of public input.

On February 15, 2012, the Board of Supervisors adopted a resolution initiating a Comprehensive Plan Amendment (CPA 12:01). The Board of Supervisors has proposed amending the *Vision* chapter of the Comprehensive Plan to include its newest Vision Statement, which was developed at the Board Retreat on January 6, 2012. The amendment is intended to clarify the goals and policies endorsed by the current Board of Supervisors.

The Comprehensive Plan may, at the discretion of the Board of Supervisors, be amended (VA Code § 15.2-2229). The *Plan Process and Implementation* section of the Comprehensive Plan describes the criteria that should be considered when determining the appropriateness of a proposed amendment (page 250). For a Comprehensive Plan amendment application to be accepted, one or more of the following criteria should be met:

1. The request must be a creative idea or concept that will benefit the community and that was unforeseen during the planning process for the comprehensive plan;
2. The subject property or concept was misinterpreted or overlooked in the comprehensive plan;
3. Conditions have changed substantially since the last comprehensive plan update, necessitating a change (e.g. changes in surrounding land use or economic conditions);
4. An undue hardship exists that substantially limits the use of the subject property; and/or
5. The amendment will effectively aid in the implementation of other goals of the comprehensive plan or the community vision.

Comprehensive Plan amendments should be carefully considered by the Board of Supervisors. These amendments should be based upon established goals and sound planning principles. Occasional revision is essential if the plan is to continue to serve as a reliable guide for community growth; however, constant amendment of the plan undermines and limits its effectiveness. Since its adoption in 2009, the Board of Supervisors has only approved three amendments to the current Comprehensive Plan (Table 1).

**Table 1: Approved Amendments to the Current Comprehensive Plan**

<b>Applicant Name</b>	<b>Description</b>	<b>Date Approved</b>
Steven L. Peters	Addition of Tax Map 8-A-A14A to the Rivanna Community Planning Area	January 20, 2010
Fluvanna County	Addition of the Financial Sustainability Chapter	February 17, 2010
Fluvanna County	Revisions to the Urban Development Area (UDA) and Telecommunications sections of the Comprehensive Plan.	November 16, 2011

Due to changing political and economic conditions, it may be appropriate to amend the Comprehensive Plan (see Criteria #3 above). Only two of the five current Board members (Ms. Booker and Mr. Weaver) were on the Board of Supervisors at the time of the plan’s adoption.

Per state requirements, the Comprehensive Plan must be reviewed at least once every five years (VA Code § 15.2-2230). The next in-depth review of the Comprehensive Plan will begin in 2013 and be complete by early 2014.

Relationship to the Other Chapters of the Comprehensive Plan

The Comprehensive Plan is divided into thirteen interrelated subject areas. The *Vision* chapter, which describes the adopted vision statement, is deeply connected with these subject areas. Below is an explanation of how the proposed amendment addresses each of these subject areas, and its consistency with rest of the Comprehensive Plan (Table 2).

**Table 2:** Summary of Proposed Amendment & Comparison with Other Chapters of the Comprehensive Plan

<b>Subject Area</b>	<b>Summary of Proposed Amendment</b>	<b>Comparison with Other Chapters of the Comprehensive Plan</b>
Natural Environment	Fluvanna County’s natural resources should be preserved, when practical. Water and sewer systems should have a minimal impact on water quality, and the protection of the Rivanna River should remain a priority.	The proposed amendment is generally consistent with the <i>Natural Environment</i> chapter.
Land Use	Growth is directed to existing development areas, and the rural character of much of the county should be retained. Development areas should have adequate infrastructure, both public and private.	<p>The proposed amendment is generally consistent with the <i>Land Use</i> chapter, but there are some discrepancies.</p> <p>The proposed amendment calls for new economic development in the Kents Store/Fernclyff area, which is currently designated as a rural preservation area. The amendment does not specifically address growth in the Palmyra area, an important development node.</p>
Community Design	The proposed amendment does not thoroughly address community design. Specific land use concepts are described for most of the community planning areas, but design elements are not described in detail.	The proposed amendment does not thoroughly address the concepts presented in the <i>Community Design</i> chapter.
Infrastructure	Development areas should have adequate infrastructure, both public and private. The Fork Union Sanitary District (FUSD) should be repaired and adequately maintained. Local roads should also be well-maintained, and a multi-use trail network at Pleasant Grove accommodates bicyclists and pedestrians. By 2032, all residents should have broadband access.	The proposed amendment is generally consistent with the <i>Infrastructure</i> chapter.

<b>Subject Area</b>	<b>Summary of Proposed Amendment</b>	<b>Comparison with Other Chapters of the Comprehensive Plan</b>
Transportation	Local roadways are well-maintained, and safety upgrades are improving travel in rural areas. Roundabouts are installed in-lieu of traffic signals. A network of biking and walking trails at Pleasant Grove compliments the biking facilities located along U.S. Bicycle Route 76.	The proposed amendment is generally consistent with the <i>Transportation chapter</i> .
Economic Development	Fluvanna County will be able to attract a variety of businesses, due to the area's well-educated workforce, well-built infrastructure, and proximity to Interstate 64. New businesses are encouraged to locate to the area, due to limited regulation. Agri-tourism and other home-based businesses are fostered.	The proposed amendment is generally consistent with the <i>Economic Development chapter</i> .
Historic Preservation	Historic resources should be preserved and promoted as a means of encouraging tourism. Historians are encouraged to collect and share stories of Fluvanna County's past, and the Board of Supervisors will commission its own historical narrative.	The proposed amendment is generally consistent with the <i>Historic Preservation chapter</i> .
Parks & Recreation	Pleasant Grove is developed as a destination for tourism, recreation, hiking, fishing, and other outdoor events. A trail system will connect Pleasant Grove with Palmyra and Lake Monticello.	The proposed amendment is generally consistent with the <i>Parks &amp; Recreation chapter</i> .
Housing	Residential development will be directed to the community planning areas, where there is adequate infrastructure capable of handling new growth. A variety of housing types offer affordable options for retirees, families, and couples.	The proposed amendment is generally consistent with the <i>Housing chapter</i> .

<b>Subject Area</b>	<b>Summary of Proposed Amendment</b>	<b>Comparison with Other Chapters of the Comprehensive Plan</b>
Human Services	The Department of Social Services will work with other agencies to promote self-sufficiency and self-reliance. Workforce development and continuing education promote financial independence.	The proposed amendment is generally consistent with the <i>Human Services</i> chapter.
Education	Fluvanna County's schools are among the top in the state in virtually all areas of academic achievement. Educators emphasize workforce development, which is the focus of a vocational training center. By 2032, the county will invest in significant technology upgrades, as well as a new upper elementary school.	The proposed amendment is generally consistent with the <i>Education</i> chapter.
Public Safety	Public safety personnel are fully-integrated and fully meet the county's needs. Emergency service personnel are well-paid, working in partnership with volunteers.	The proposed amendment is generally consistent with the <i>Public Safety</i> chapter.
Financial Sustainability	Property taxation rates remain below the regional average. A healthy mix of residential and commercial growth helps the county aggressively pay down its debt service. A healthy cash reserve helps the county obtain a triple-A bond rating.	The proposed amendment is generally consistent with the <i>Financial Sustainability</i> chapter.

Overall, the proposed amendment is generally consistent with the rest of the Comprehensive Plan. There are a few minor deviations from the concepts described in the rest of the Comprehensive Plan, but there are no significant inconsistencies (see Table 2).

The *Vision* chapter heavily influences the rest of the Comprehensive Plan, so it should be based upon sound planning principles. As one of the first sections of the document, it is the initial impression readers will get of Fluvanna County, and it sets the tone for subsequent chapters. The *Vision* chapter should be clear, concise, and logically organized, so that citizens and decision-makers are able to fully understand the concepts presented.

## **Technical Review Committee**

The Technical Review Committee Meeting was held on March 15, 2012. No agencies commented on the request.

## **Planning Commission**

The Planning Commission considered this request at its regular meeting on April 25, 2012.

Although there were no public comments, the Planning Commission thoroughly discussed this request. The Planning Commission supported the revised Vision Statement itself, but recommended that no other changes be made to the *Vision* chapter. Commissioners commented that the proposed language was wordy and unclear. They did not understand the meaning of several statements made within the amendment; they described these statements as “talking points,” which did not clearly describe the County’s vision. The amount of public input that was received was questioned.

*The Planning Commission recommended that the Comprehensive Plan be amended to replace the existing Vision Statement with the proposed Vision Statement, but does not recommend any further amendments to the Vision chapter of the Comprehensive Plan (Vote: 5-0).*

## **Board of Supervisors**

The Board of Supervisors deferred this request at its regular meeting on May 16, 2012.

## **Conclusion**

The Board of Supervisors should consider whether or not the proposed amendment is appropriate, based on the criteria described within the Comprehensive Plan itself. Any amendment should build upon sound planning practices and the community’s established goals. Although the Planning Commission supports amendment of the Vision Statement itself, it does not believe that the supporting description clearly describes the County’s vision.

The proposed amendment to the *Vision* chapter of the Comprehensive Plan is generally consistent with current County policies, as well as the rest of the plan. Overall, the amendments do not introduce new concepts, but reflect policies adopted by the current Board of Supervisors.

## **Suggested Motion**

I move that the Board of Supervisors [approve/deny] CPA 12:01, an amendment to Chapter 4, *Vision*, of the 2009 Comprehensive Plan, as originally proposed by the Board of Supervisors.

## **Attachments**

A: Application

B: Board Initiation

C: Proposed Amendment

D: Current *Vision* Chapter

E: Summary of Each Comprehensive Plan Subject Area



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for
Comprehensive Plan Amendment

Resolution of Intent to Amend the Comprehensive Plan

[X] Amendment to Text [ ] Amendment to Map [ ] Other (Please specify)

Applicant/Contact: Fluvanna County Owner(s) of Record:

E911 Address: 132 Main Street (P.O. Box 540), Palmyra, VA 22963 E911 Address:

Phone: (434) 591-1910 Fax: (434) 591-1911 Phone: Fax:

Email: dcoffey@co.fluvanna.va.us Email:

Project Name: N/A

Tax Map and Parcel(s): N/A District: N/A Zoning: N/A

Location of property: (landmarks, intersections, or other) N/A

Proposed amendment to the Comprehensive Plan: (attach additional sheets as necessary)
If the amendment proposes to replace existing text, please provide a full copy of the existing text for the affected section.

Amend the Vision chapter of the 2009 Comprehensive Plan to more accurately reflect the Board of Supervisor's established direction for Fluvanna County in terms of its adopted Vision Statement.

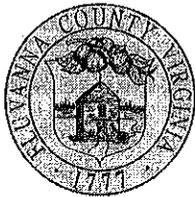
Amendment

Requested: The Board of Supervisors adopted a resolution initiating a Comprehensive Plan Amendment to amend the Vision chapter of the Comprehensive Plan, along with any other associated changes to the plan as a result of the additions, at its meeting on February 15, 2012.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, the Board of Supervisors, and the Board of Zoning Appeals during the normal discharge of their duties in regard to this request.

Date: 2/17/2012 Signature of Owner(s)/Applicant: [Signature]

Table with 2 columns: Planning Commission and Board of Supervisors. Rows include: OFFICE USE ONLY, Date Received, Text - \$750.00/fee paid, Resolution of Intent Adopted, Public Hearings, Advertisement Dates, APO Notification, Date of Hearing, Decision.



**PLANNING COMMISSION**  
**County of Fluvanna**  
**Palmyra, Virginia**

**RESOLUTION**  
**Comprehensive Plan Amendment – Vision Chapter Amendments**

At a regular monthly meeting of the Fluvanna County Board of Supervisors held on Wednesday, February 15, 2012, in Palmyra, Virginia, the following action was taken:

---

<u>Present</u>	<u>Vote</u>
Shaun V. Kenney, Chairman	YEA
Robert Ullenbruch, Vice-Chairman	YEA
Donald W. Weaver	YEA
Mozell H. Booker	YEA
Joseph C. Chesser	YEA

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On a motion by Mr. Chesser, seconded by Mr. Weaver, and voted in the affirmative (5-0), the following resolution was adopted:

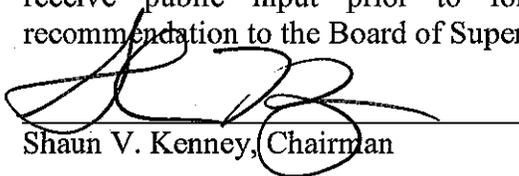
WHEREAS, the Fluvanna County Board of Supervisors approved and adopted the Comprehensive Plan on March 18, 2009; and,

WHEREAS, the Board of Supervisors adopted a new Vision statement for the County at their January 18, 2012 meeting; and,

WHEREAS, this Vision statement was directly derived from the Board Retreat on January 6, 2012 and necessitates the need to change the entire *Vision* chapter of the Comprehensive Plan; and,

WHEREAS, an amendment to the Comprehensive Plan is considered by the Planning Commission with the adoption of a resolution of intent to amend the Comprehensive Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Fluvanna County Board of Supervisors directs staff to initiate a Comprehensive Plan Amendment to amend the *Vision* chapter of the Comprehensive Plan, along with any other associated changes to the plan as a result of the revisions; and to schedule a public hearing on April 25, 2012 to receive public input prior to formal Planning Commission consideration and recommendation to the Board of Supervisors.

  
Shaun V. Kenney, Chairman

# VISION 2032

## *Vision Statement*

Fluvanna County through self-reliance, self-sufficiency, and self-government is the ideal place to raise families, foster entrepreneurship, and do business in the Commonwealth.

— *Fluvanna County Board of Supervisors (2012)*

Fluvanna County's vision is based on the following key principles, which are used as guides for future development, governance, and land use policies for the county:

- That good government is no substitute for self government,
- That our government should reflect the values and principles of the people,
- That solidarity and prosperity are the proper means of fostering communities,
- That people forge economies and communities,
- That our rural character and natural resources are part of Fluvanna's unique heritage, and should be preserved where practical,
- That the individual citizens and taxpayers of Fluvanna consist of our community, and that their individual interests and rights subordinate the collective desires of our government,
- That a comprehensive, accessible, and quality system of education enabling a modern, highly skilled 21st century workforce is to be fostered,
- That future development be fiscally prudent while respecting individual property rights,
- That our infrastructure requirements are maintained and first-class,
- That our public safety personnel are properly equipped and compensated in a manner and means that respects their sacrifice,
- That Fluvanna's rich community heritage and our history be the cornerstones of our shared identity moving forward into the 21st century,
- That our rights as enumerated in the Virginia Declaration of Rights and the Virginia Constitution are to be maintained both in letter and in spirit.

In our vision, Fluvanna County will look like this over the next 20 years:

## **OVERVIEW**

Fluvanna County by 2032 will sit along a thriving I-64 corridor between metropolitan Richmond and Charlottesville. No longer a bedroom community, Fluvanna County's mixed use development project at Zion Crossroads has landed at least one major anchor, as well as having become its own population center in its own right.

Fluvanna County's objectives in retaining its rural setting will have been overwhelmingly successful, with small home-oriented businesses complimenting large farms and tracts of forestry

as well. Lake Monticello and Pleasant Grove are neatly aligned, while popular tourism becomes a growing pastime among those seeking what "Thomas Jefferson's Virginia" may have looked and how Fluvanna's unique rural heritage appears and is preserved today.

Towns and villages such as Fork Union, Palmyra, and Zion Crossroads remain convenient places to spend an afternoon, while the Town of Columbia's revitalization effort completes its process and begins to rejuvenate Virginia's oldest incorporated town as a point of interest.

Property taxation rates remain remarkably beneath the regional average, while the public education system enjoys a large degree of harmony with private, charter, and home schooling efforts. Housing prices, though modestly above average for the region, remain affordable for retirees, families, and couples through a wide variety of housing options. Moreover, previously successful efforts at fostering economic development within Fluvanna and around Lake Monticello are now complimented and eclipsed by Zion Crossroads and the green shoots of mixed use development near Ferncliff and Columbia.

This healthy mix of residential and commercial/industrial growth finally begins to aggressively pay down the old high school debt service, enabling Fluvanna to go beyond meeting the required services for the growing population at Zion Crossroads. By this time, Fluvanna has invested once again in cost-effective measures to accommodate the increased number of students, looking towards a new upper elementary school and significant technology upgrades at the existing school buildings. Proffers over the last two decades have allowed Pleasant Grove to become much more than a park, having now become a destination for tourism, recreation, hiking, fishing along the Rivanna River, and other outdoor events. Such foresight and investment continues to earn the admiration and imitation of other localities in the Commonwealth.

## **Population and Taxation**

Fluvanna's population will approach 36,000 people by 2032 as new residents, eager for the opportunities 21st century workspaces and work environments afford, come to Zion Crossroads to work, live, shop, and play near the I-64 corridor.

Thanks to investments on behalf of the Commonwealth, both the I-64 corridor and the rail system along the James have become ideal paths for commuters to and from Richmond. Routes 15 and 53 are modern, safe, and effective means of transport, while Route 6 remains a scenic byway.

Most of Fluvanna's population are white collar workers, with a sizable portion of the population being blue or green collar skilled workers. Fluvanna's continued successes with entrepreneurship and public education have gained Fluvanna the reputation of generating skilled individuals ready to immediately participate in an innovation economy.

Tax rates continue to be far lower than the surrounding region thanks to early investment in commercial and industrial growth inside the urban planning areas. Though there is an aversion to incurring public debt, Fluvanna County maintains a healthy cash reserve to support its long-established capital reserve, thus enabling Fluvanna to hold and maintain a triple-A rating.

Thanks to an aggressive and early policy of fostering workforce development and entrepreneurship, both Fluvanna's median salary and per capita salaries remain well above the regional average.

## **Infrastructure**

Basic infrastructure such as water, sewer, and roads have all been identified as key areas of improvement over the last three decades. As a result, both the I-64 corridor as well as Lake Monticello-Pleasant Grove-Palmyra possess the basic core infrastructure to support their respective capacities free of public subsidy.

Universal broadband has long been in place in Fluvanna as digital bandwidth has been reapplied, offered both privately and through "hot spots" of public access in key areas of Fluvanna. Every homeowner in Fluvanna has the option of either purchasing or using some form of broadband access.

Roads in Fluvanna are maintained and clear, with adequate paths for biking along Route 76 to complement Fluvanna's bike trails and walking paths along Pleasant Grove. Roundabouts, where applicable, have been substituted for traffic signals, and improvements have mitigated some of Fluvanna's more treacherous roads in rural parts of the county.

Pleasant Grove has integrated most parts of the center of the county for the better part of a decade. Biking and walking trails enable one in the summer to travel from Lake Monticello early the morning, spend the lunch hour in Palmyra, then travel back to Pleasant Grove in the afternoon for weekly events before making one's way back to Lake Monticello that evening. Of particular interest are the old canal locks, including parts of the Rivanna Canal near the old town of Bernardsberg, where tourists as well as Fluvanna residents can view the well-preserved remnants of Thomas Jefferson's canal.

## **Education**

Fluvanna's public education systems continues to preserve its upper quartile standing in virtually all areas of academic achievement. The old Fluvanna High School, now approaching its 20th anniversary, still continues to produce some of the best educated students in the Commonwealth, with students matriculating to the best Virginia public and private colleges, including quality universities out of state. Alumni returning to Fluvanna offer some of the best opportunities for economic activity, as doctors, lawyers, entrepreneurs, and others bring their skills back to raise their own families in the community they call home.

One of Fluvanna's key strengths in public education is its attention to workforce development, both within the high school and once students graduate from the high school. Fluvanna students are instantly prepared to enter the workforce should they choose, with a fully staffed and funded vocational training center as well as educational opportunities working with Piedmont Valley Community College.

Fluvanna's pilot initiatives concerning workforce development have borne fruit, as incoming businesses cite the flexibility of the workforce as one of the reasons businesses locate to and start in Fluvanna. This emphasis on a skilled workforce continues to compliment the public education system in Fluvanna as yet another tool making Fluvanna a great place for families to live.

## **Economic Development**

Fluvanna's destination as a well-supported locality to do business allows Zion Crossroads to be in a position to bring practically any commercial or industrial firm, thanks to the flexibility and the robust nature of the regional workforce.

Infrastructure along the I-64 corridor remains robust and strong, while the availability of broadband allows many start-ups and other innovation-oriented firms to jumpstart themselves at Zion Crossroads.

Fluvanna's early start in microfinance has earned the county a reputation as a regional incubator for entrepreneurial ideas. Fluvanna continues to find new ways protect this status versus competing localities — not with further incentives — but with fewer regulations and red tape to allow small firms the head start they need to develop, all run through a well-staffed and motivated Office of Economic Development.

Agri-tourism and other home-based businesses continue to proliferate in Fluvanna County. Local produce and other small scale industries and agriculture enjoy a friendly government that treats them in a similar manner to every other enterprise in Fluvanna, making significant allowances for property improvements that do not adversely impact viewsheds or quality of life.



*Figure V-1: Farmers' Market at Pleasant Grove*

## **Public Safety**

Fluvanna County's public safety personnel are fully integrated and fully meet the needs of Fluvanna County. Emergency services personnel are well paid, working in partnership with a first-class volunteer network.

## **Social Services**

The Fluvanna County Department of Social Services is a leader in collaboration with other community agencies, promoting self-reliance, opportunity, well-being, and the best possible quality of life for county citizens and taxpayers. Affordable housing opportunities, as well as access to workforce development and adult-education classes, offer paths to independence rather than dependence.

## Tourism & Agriculture

Tourism remains a part of the economic renaissance over the last two decades, as the link between Fluvanna's heritage and history meets the opportunities Fluvanna enjoys along the I-64 corridor. Tourists come from as far away as Washington, Staunton, Hampton Roads and Danville to enjoy a weekend along the trails at Pleasant Grove's Heritage Museum, or to drive the circuit from Palmyra to Monticello and back. Working with the Fluvanna Historical Society, the rich heritage of Fluvanna's history from the Revolutionary War to the modern day offers a visitor a glimpse at what early America was like, what early America became, and perhaps an opportunity to both do business in — and possibly move to — Fluvanna County.

## Land Use

Fluvanna's land use practices ensure the rural appearance of the county is not substantially different than it was 20 years ago, even though Fluvanna now has a larger population and a healthier economic base.

Land use is directly related to quality of life. Natural resources are protected, ensuring that our rivers and streams are clean and full of life. The land's relationship to the availability of clean and adequate water, clean air, and successful forestry and agriculture production -- both large scale and small scale -- are just a few of the factors considered in planning decisions.

Other land use planning decisions include the direction of residential and commercial/industrial growth to areas that have facilities and adequate infrastructure, both public and private. Areas of service include Columbia, Fork Union, Palmyra, Lake Monticello, and Zion Crossroads. Water and sewer systems will have a minimal, if not negligible, impact on local streams, rivers, and groundwater.

The continued protection of the Rivanna River remains a priority as a scenic river. Zoning and subdivision regulations provide for the preservation of a significant amount of open space, particularly within designated rural residential and rural preservation areas.

Agriculture, open space, and forestry continue to be important land uses over the next two decades. Networks and infrastructure for local farm and forest products and the expansion of diversified local and speciality markets continue to strengthen. Farmers and other large landowners will have local and state guidance in successfully navigating the challenges of increasing costs for energy, fertilizer, and other inputs.



*Figure V-2: Agricultural Land*

## Lake Monticello

Lake Monticello continues to be the center of gravity for the county population, now being serviced with a collection of small shops as well as a completed set of biking trails and walking paths leading south to Pleasant Grove and Palmyra. Fire and rescue services continue to be well

maintained, and Lake Monticello as a place to live and raise families continues to enjoy the broad support of Fluvanna County's government.

### *Zion Crossroads*

As an emerging mixed use development based along the Urban Development Area's (UDA's) guidelines, Zion Crossroads will have an eclectic but well planned mix of large box stores, small boutiques, bookstores, walkable communities, high-tech industries, government and contracting firms, light manufacturing, an appropriate mixture of residential buildings, as well as having landed a major anchor for the UDA.

### *Fork Union*

Fork Union Military Academy continues to be the major highlight of the area, as improvement to the village with sidewalks and other amenities continue to make Fork Union a well-maintained and visually appealing community. Repair and maintenance of the Fork Union Sanitary District (FUSD) allows the opportunity for at least one mid-level firm to relocate nearby.

### *Columbia*

After having been neglected for many years, Columbia's revitalization efforts has finally come to a completion, relocating a major portion of the town to the heights just west along Route 6 — allowing for a view of the James River while incorporating historical markers within the flood plain, a self-guided walking tour, a sustainable and walkable community, and storefront opportunities within the new town.

### *Scottsville*

The picturesque quality of the southwestern part of Fluvanna remains one of our hidden jewels, with motorists enjoying the trip from Columbia to Fork Union and through to Scottsville being the lucky few to enjoy the trip.

### *Kents Store*

Kents Store remains as it has for over 50 years, with a fire station and rescue station to serve the northeastern part of the county. Ferncliff just four miles away begins to see the first green shoots of economic activity, while planners and leaders begin to plot out how the Ferncliff area should be developed in a manner consistent with the successes of the previous two decades.

## **Community**

Fluvanna's rich heritage and history are found in its people, and nowhere is this story better told or best lived than among the many communities and churches that dot the rural landscape.

The Fluvanna Board of Supervisors, following many of its peers during the late 1960s and early

1970s, commissions an authoritative and exhaustive history of Fluvanna leading up to the turn of the century. This exercise helps define the narrative of Fluvanna leading into the rapid changes of the early 21st century, and becomes the one-volume centerpiece for those coming to and experiencing Fluvanna for the first time.

Pleasant Grove continues to serve as a historical portrait of Fluvanna, with the Rivanna Canal locks and the Heritage Museum playing key roles in how this story is told.

Fluvanna's churches and their rich history are collected and shared by local historians, adding to the patchwork quilt that makes Fluvanna what it is today.



*Figure V-3: Currin's Tavern*

Local modes of economy are encouraged and established, allowing communities to find the nearby mechanic, technician, farmer, butcher, developer, carpenter, mason, or plumber to assist them with their needs.

Fluvanna continues to have a robust and active system of non-profits who perform various activities, some of which are assisted directly by the public trust with an eye towards self-sufficiency in the future.

The civic virtues of self-reliance, self-sufficiency, and self-governance continue to be emphasized by example in Fluvanna, thus creating the solidarity, community, and prosperity in which families, ideas, and businesses can live and thrive.

## VISION 2029

Fluvanna County is the most livable and sustainable community in the United States.

—*Fluvanna County Board of Supervisors*

The Fluvanna County vision is based on the following key goals, which are used as guides for future development and land use policies of the county:

- To preserve natural resources.
- To preserve rural character.
- To manage growth by concentrating development in designated areas.
- To approve development that is fiscally self-sustaining and has a clear financial benefit to county taxpayers.
- To provide adequate infrastructure to support the needs of the county.
- To promote economic development
- To provide excellent educational opportunities.
- To protect individual property rights.
- To provide excellent safety and security for citizens.
- To provide safe and adequate transportation infrastructure.

In our vision, Fluvanna County will look like this over the next twenty years:

The county's land-use practices strive to ensure that the rural appearance of the county is not significantly different than it was twenty years ago, even though Fluvanna now has a larger population and a healthier economic base. Land use is recognized as directly



*Figure V-1, Currin's Tavern*

related to quality of life. Natural resources are protected: rivers are clean and full of life. The land's relationship to the availability of clean and adequate water supplies, clean air, and successful agricultural and forestry production are just a few of the factors routinely considered in planning decisions. Other land-use planning decisions include the direction of residential and commercial/industrial growth to community planning areas that have public facilities and adequate infrastructure. Areas of service for water

and sewer include Fork Union, Palmyra, Zion Crossroads, and other community planning areas. Water and sewer systems are designed, maintained, and operated to minimize negative impacts on local streams, rivers, and groundwater. Similarly, the continued protection of the Rivanna River remains a community priority, particularly since it's

Virginia's first designated scenic river. Zoning and subdivision regulations provide for the preservation of a significant amount of open space, particularly within designated rural residential and rural preservation areas.

Agriculture, open space, and forestry continue to be important land uses. Networks and infrastructure for local farm and forest products and the expansion of diversified, local, and specialty markets continue to strengthen. Demand for biofuels and other uses of bulk farm commodities such as corn, soybeans, and timber as sources of energy continues to increase and diversify, and these commodities are managed in an environmentally sustainable manner. Farmers and other large landowners have local and state support to successfully navigate the challenges of increasing costs for energy, fertilizer, and other inputs. Incentives also exist to help farmers and foresters, by assisting their business endeavors, maintain their property as farms, managed forest, and other viable open spaces.



*Figure V-2, Agricultural Land*

The county promotes phased residential and economic growth in the Zion Crossroads urban development area as well as other growth areas. These growth areas, locally referred to as community planning areas, offer high-quality living and business environments that are well buffered and attractive. The existing and planned infrastructure provides a safe and healthy environment for the community planning areas.



*Figure V-3, Fork Union Military Academy  
Pedestrian Crosswalk*

Desirable business and industrial uses are attracted to the county's community planning areas, particularly the Zion Crossroads urban development area, where they are integrated appropriately with a variety of residential choices. Many employment opportunities are available to our citizens. Through careful planning, the county seeks to achieve a healthy balance between residential and business tax revenues. One-third of tax revenues come from the business base, as is common in most economically viable communities.

Tourism has established itself as a significant contributor to the county's economy. This is primarily due to recreational resources such as fishing, hunting, trails, golfing, and our many historic structures and areas. These amenities have spawned new restaurants, bed and breakfasts, and other tourism-oriented businesses.

In the community planning areas, subdivisions and businesses are linked by greenways and hard surface paths so that bicycling and walking are a practical means of transportation between residential and commercial areas. Pedestrian and bicycle access are provided in appropriate settings. In addition, there is a good mix of public and private transportation options. Numerous park-and-ride facilities exist around the county. Areas in proximity to Interstate 64 and Lake Monticello are particularly well suited to these facilities. The county and the Virginia Department of Transportation (VDOT) work together to ensure safe and adequate transportation. Primary roads that have heavy commercial, industrial, and residential traffic are designed and constructed to handle the traffic. Secondary roads in the county are improved without losing their rural character. Dangerous curves and acute-angle intersections are eliminated. New roads have been built to accommodate the county's transportation needs. Properly designed private roads continue to be a part of the transportation system.

The county provides an excellent education in a healthy, nurturing, safe, and intellectually stimulating environment. The outstanding curriculum includes life skills, the arts, civics, finance, economics, and technology skills that help children with real-world challenges. Higher-level classes are offered to prepare children for post-high school education. Schools strive to keep class size to twenty or fewer students, allowing teachers to meet the special needs of an individual child. Schools provide cooperative work/school programs for students. Partnerships



*Figure V-4, Carysbrook*

continue to exist and expand with area institutions of higher learning and community programs. Schools provide the most current technology to their students. Classrooms are networked with other schools and educational sites. In addition, wide area networks are available for educational purposes for all residents of the county. Homeschooled populations retain the freedom to attend public classes and extracurricular activities, and have access to virtual classrooms that can provide a high-school diploma. Private schools continue to offer quality educational opportunities as well. Adult-education classes have their own center and cooperate with the county extension services in an outreach program.

The Department of Public Safety offers integrated, professional emergency management services that fully meet the needs of Fluvanna County. Fluvanna has well-paid personnel in fire and rescue stations, working in partnership with invaluable volunteers. Fork Union and Kents Store have new fire stations.

The Fluvanna County Department of Social Services is a leader in collaboration with other community agencies, promoting self-reliance, well-being, and the best possible quality of life for county citizens. Services that affect county residents include housing,

education, and health services. Affordable housing programs are integrated into all aspects of planning and development, resulting in housing for a wide variety of incomes, located in safe, healthy, and walkable environments.

Through thoughtful planning, Fluvanna County offers its residents the benefit of a rural environment while retaining a strong sense of community. Residents live in small villages of historic importance, open lands with forests and farms, small lots clustered to form a planned community, or more urban, mixed-use neighborhoods. These livable places, combined with the citizens' sense of place and history, make Fluvanna the most sustainable and livable community in the country.

**Summary of Subject Areas**  
2009 Comprehensive Plan

Subject Area	Summary
Natural Environment	Natural resources should be protected, particularly the area's waterways. Compact development utilizes green infrastructure, and sustainable technologies limit the environmental impacts of new development.
Land Use	<p>New development should be directed to community planning areas, which have the infrastructure needed for population growth and sustainable development. Community planning areas cover less than 25% of the county, but will attract over 70% of its new development. Development strategies within each area are reflective of that community's values and character. Each community planning area accommodates mixed-use development that caters to a variety of income levels.</p> <p>Identified rural preservation areas are protected. The preservation of the county's historic and environmental resources helps the area retain its rural character.</p>
Community Design	New development is designed to protect the area's "sense of place." Fluvanna County's rural character is preserved, while new mixed-use development in the growth areas is designed to be interconnected, walkable, and appealing to residents of different income levels.
Infrastructure	Community planning areas are served by water and sewer. A comprehensive communications network ensures the reliability of public safety, wireless, and broadband services. Alternative modes of travel are an important part of the transportation system. The effective utilization of green infrastructure protects the area's natural and historic resources.
Transportation	Roadways are well-maintained through a combination of state and local funding sources. Alternative transportation systems, including bike paths, sidewalks, and mass transit, are expanded. Substantial road upgrades are paid for by the causal development.
Economic Development	Fluvanna County is a business-friendly community. The county attracts businesses that diversify the tax base and bring value-added services to the region. These businesses are supported by a safe and stable environment, an educated workforce, and favorable policies. Tourism is a significant contributor to the county's economy.

Subject Area	Summary
Historic Preservation	Historic structures and places are preserved and studied, providing practical, educational, and economical benefits for Fluvanna County’s residents.
Parks & Recreation	Fluvanna County has maintained its standard of living by protecting its natural resources and open space; providing outdoor recreation opportunities; and offering enhanced walking, hiking, and biking opportunities in parks, neighborhoods, and commercial areas. Pleasant Grove is developed according to its master plan, using grants, public/private partnerships, and local dollars. Cultural events contribute to the area’s identity.
Housing	There are a wide range of housing opportunities for all residents. The community planning areas specifically encourage a mixture of uses and residential units of varying sizes to serve a mixed-income population.
Human Services	A strong economic base generates the revenue needed to support the community’s human service programs and needs. Resources are maximized to effectively meet the changing needs of a diverse citizenry. Individuals and families are generally self-sustaining, and are part of communities that are actively caring.
Education	A diverse curriculum prepares students for real-world challenges. Higher-level classes and work/school programs prepare students for post-graduation opportunities. Schools are equipped with the most current technology. Adult-education classes have their own center.
Public Safety	The Department of Public Safety offers integrated, professional emergency management services that fully meet the needs of Fluvanna County. Fluvanna has well-paid personnel, who work in partnership with volunteers.
Financial Sustainability	Fluvanna County manages its resources in a financially-sustainable manner. There is a desire to maintain a proper balance between existing obligations, the delivery of services to citizens, and necessary new capital projects. Balancing budgets and not obligating future generations to excessive debt are integral to financial sustainability.



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# COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

## STAFF REPORT

**To:** Fluvanna County Board of Supervisors  
**Case Number:** ZTA 12:01

**From:** Andrew Pompei  
**Date:** June 20, 2012

*General Information:* This request is to be heard by the Board of Supervisors on Wednesday, June 20, 2012 at 7:00 pm in the Circuit Courtroom in the Courts Building.

*Applicant/Representative:* Fluvanna County

*Requested Action:* Amend the Fluvanna County Zoning Ordinance to update and strengthen regulations regarding tree protection, landscaping, and off-street parking (Chapter 22, Article 22: *Definitions*; Chapter 22, Article 24: *Tree Protection*; Chapter 22, Article 26: *Off-Street Parking and Loading Spaces*).

### Analysis

The applicant is proposing to amend several portions of the Fluvanna County Zoning Ordinance to update and strengthen regulations regarding tree protection, landscaping, and off-street parking (Attachment A). The proposed amendment is intended to:

- Ensure that new development is compatible with existing development and the rural character of Fluvanna County;
- Provide greater design flexibility for developers and business owners;
- Minimize the impacts of new development on local air and water quality;
- Provide shade to those living, working, and visiting Fluvanna County;
- Provide habitat for native wildlife; and
- Help protect the safety of pedestrians, bicyclists, and motorists.

The amendment would affect Chapter 22, Article 22: *Definitions*; Chapter 22, Article 24: *Tree Protection*; and Chapter 22, Article 26: *Off-Street Parking and Loading Spaces* (Attachment B).

### Project History

Over the past year, the Planning Commission and Department of Planning and Community Development have worked together to amend the zoning and subdivision ordinances, so that

these policies are consistent with the intent of the current Comprehensive Plan. Since late 2011, the Planning Commission has considered changes to the *Tree Protection* and *Off-Street Parking and Loading* sections of the zoning ordinance, and related changes to the subdivision ordinance. Possible amendments were discussed at the Planning Commission work sessions in January, February, and March.

The proposed amendments are based on input from the Planning Commission, local landscape architects, real estate developers, and non-profit organizations, and were influenced by similar regulations adopted by neighboring localities.

### Text Amendments

The proposed regulations address several different aspects of Fluvanna County's landscaping and tree protection regulations, and include:

- **Minimum Size of Plant Materials at Installation**

The minimum size requirements for new plantings have been reduced. Smaller plants are typically priced lower than larger specimens, and they are better able to acclimate to new growing conditions; this leads to a higher survival rate.

- **Riparian Protection Areas**

All site plans and major subdivisions must reserve a riparian protection area along both sides of intermittent and perennial streams (50' along intermittent streams; 75' along perennial streams; and 100' along the Hardware, Rivanna, and James rivers). Existing vegetation within the riparian protection area must be retained to the greatest extent possible; certain exceptions are clearly specified.

- **Tree Canopy Requirements**

All new commercial, industrial, and multi-family residential projects must have a certain portion of their area under tree canopy. Ten years after planting, the tree canopy must cover at least ten percent (10%) of commercial and industrial sites and at least fifteen to twenty percent (15 – 20%) of multi-family residential sites, depending on the density. Developers may receive bonus credit towards the tree canopy requirements for preserving existing trees.

- **Street Trees**

Street trees are required along existing or proposed streets within or adjacent to any site that is subject to site plan approval, and all major subdivisions with an average lot size of one acre or less. One shade tree is required for every fifty feet (50') of road frontage, or one medium shade tree is required for every forty feet (40') of road frontage. The existing ordinance does not require street trees to be planted within single-family residential subdivisions, but does require street trees to be planted adjacent to non-residential developments subject to site plan approval.

- Parking Lot Landscaping

More landscaping is required within, and adjacent to, parking areas. The size of parking islands has increased, and the amount of landscaping required within each island has increased. Developers may choose from one of four screening options, each of which consists of a different palette of plantings.

- Screening

Developers may choose from one of five screening options, each of which consists of a different palette of plantings. Dumpsters and other refuse areas within commercial, industrial, and multi-family residential developments must be screened from view by a masonry wall or similar structure.

- Maintenance

Proposed maintenance provisions require the landowner to properly maintain all required landscaping. Landscaped beds must be kept mulched and free from trash, plant material must be pruned, and turf areas must be mowed.

- Bonding

Per the proposed amendments, developers must submit a landscaping maintenance bond that will be retained for three (3) years following initial planting. The maintenance bond must be equal to one-third (1/3) of the value of the required landscaping. This provision would enable the County to better enforce the current requirement that landscaping be maintained in healthy condition for at least three years after installation; the County would be able to use the bond to replace dead vegetation required by the ordinance.

The revised regulations also address several different aspects of Fluvanna County's off-street parking regulations, including:

- On-Street Parking

On-street parking may be used to satisfy the minimum parking requirements, provided that it is located within 150 feet of the designated use and, if located on a public roadway, is approved by the Virginia Department of Transportation (VDOT).

- Dimensional Standards

While the previous regulations only specified stall sizes for perpendicular (90°) parking spaces, the proposed revisions specify the stall sizes for angled parking and compact car spaces. The minimum stall depth requirements for perpendicular parking spaces may be reduced by up to two feet, if the parking spaces are adjacent to planting strips that can accommodate vehicle overhang.

- Compact Cars

Parking areas containing thirty (30) or more spaces may reserve up to twenty percent (20%) of the minimum required parking spaces for compact cars.

- Access & Interconnectivity

Minimum spacing requirements for access points are established, ensuring there is adequate spacing between driveways. Where possible, parking lots must be designed to connect with parking facilities on adjacent parcels.

- Pedestrian Facilities

Within parking lots, sidewalks built to VDOT standards must be provided to accommodate safe pedestrian movement.

- Maximum Parking Requirements

Developers may only exceed the minimum parking requirements if they utilize porous paving materials or install additional landscaping. These measures are intended to offset the higher runoff rates generated by increased impervious surfaces.

- Reduction in Minimum Parking Requirements

The minimum parking requirements are intended to ensure the construction of adequate parking facilities that can safely accommodate patrons. Some of the minimum parking requirements were reduced, based on the requirements of neighboring localities and recommendations from non-profit organizations. Applicants may ask the Zoning Administrator for a reduction in the minimum parking requirements in specific instances. Additional uses are specified within the off-street parking schedule.

To better clarify the provisions set forth in the proposed regulations, the following definitions have been added to Article 22 (Definitions) of the zoning ordinance:

- |                             |                            |                      |
|-----------------------------|----------------------------|----------------------|
| • Berm                      | • Natural Meadow           | • Tree Canopy        |
| • Bicycle Parking           | • Parking Bay              | • Tree, Evergreen    |
| • Bioretention Area         | • Riparian Protection Area | • Tree, Large Shade  |
| • Caliper                   | • Shrub                    | • Tree, Mature       |
| • Diameter at Breast Height | • Stream, Intermittent     | • Tree, Medium Shade |
| • Dripline                  | • Stream, Natural          | • Tree, Ornamental   |
| • Low-Impact Development    | • Stream, Perennial        | • Tree, Street       |

These definitions will help developers understand the County's existing and proposed regulations, and will help the Zoning Administrator enforce the provisions of the zoning ordinance.

These regulations are consistent with a related amendment to the subdivision ordinance (Chapter 19, Article 7: *Subdivision Design Standards*; Chapter 19, Article 8: *Required Improvements*), which is being considered concurrently (ZTA 12:02).

### Comprehensive Plan

The Comprehensive Plan encourages “well-planned, compact development, that efficiently utilizes green infrastructure, creating interconnected, walkable, and fiscally-sustainable communities that employ the latest in environmental controls” (page 8). The proposed regulations are intended to promote environmentally-sensitive, aesthetically-pleasing development that safely accommodates pedestrians, bicyclists, and automobiles.

The proposed amendment is consistent with the following goals of the Comprehensive Plan:

- Develop land-use policies and regulations that will preserve and enhance the county’s natural environment (*Natural Environment: Goal 1*).
- Protect environmental resources (*Natural Environment: Goal 2*).
- Manage and protect surface water and groundwater resources (*Natural Environment: Goal 3*).
- Promote energy efficiency throughout the county to improve air quality and reduce the County’s dependence on fossil fuels (*Natural Environment: Goal 4*).
- Enable well-planned, coordinated, and sustainable development to occur throughout the County (*Land Use: Goal 2*).
- Preserve and enhance Fluvanna’s unique identity and rural character (*Community Design: Goal 1*).
- Develop higher-density, walkable, mixed-use communities in the identified growth areas of the County (*Community Design: Goal 2*).
- Improve pedestrian and bicycle access to roads and provide off-road trails and walkways (*Transportation: Goal 3*).

The proposed amendment will help the County implement several of the strategies described within the Comprehensive Plan:

- Review zoning and subdivision regulations to maximize environmental benefits through best management practices such as low-impact development, dark-sky lighting, quality and quantity stormwater controls, adequate buffering/screening, native landscaping, pervious surfaces, and walkability (*Natural Environment: Goal 1, Strategy 6*).

- Require aesthetic landscaping to buffer residential, business, and industrial development from public highways and adjacent rural and residential areas (*Natural Environment: Goal 1, Strategy 10*).
- Promote development projects that minimize environmental impact through the effective utilization of green infrastructure, low-impact development practices, and other innovative sustainable development practices (*Natural Environment: Goal 2, Strategy 1*).
- Require riparian buffers adjacent to waterways to protect local and regional water resources such as perennial streams, floodplains, wetlands, steep slopes, and highly-erodible soils (*Natural Environment: Goal 2, Strategy 8*).
- Promote BMPs, particularly those recommended by the Rivanna River Basin Commission, to reduce non-point source pollution from development, farming, and other sources (*Natural Environment: Goal 3, Strategy 3*).
- Enhance the County’s alternative transportation systems through the development process (*Community Design: Goal 1, Strategy 5*).
- Maintain and enhance primary gateways to ensure a positive identity (*Community Design: Goal 1, Strategy 10*).
- Integrate a variety of transportation options, including pedestrian, bicycle, and vehicular (*Community Design: Goal 2, Strategy 4*).
- Development along state Scenic Byways and bicycle routes should be carefully screened to ensure that development is compatible with the scenic character and tourist value of the route (*Transportation: Goal 1, Strategy 5*).
- Provide secure bicycle storage shelters at all public facilities, and require or give parking space credits for commercial development (*Transportation: Goal 4, Strategy 9*).

### **Technical Review Committee**

The Technical Review Committee Meeting was held on May 10, 2012. Several agencies commented on the request:

- The Virginia Department of Forestry (VDOT) commented that arborists should be certified by the International Society of Arboriculture (ISA), and that plantings should be maintained following ISA standards. Like large shade trees, medium shade and ornamental trees should be at least 1.5” caliper at planting; it results in a minimal cost increase (Note: VDOT was unable to attend the meeting, but commented on May 8, 2012 in person.)
- The Fire Department stated that there have been issues with overgrown plants blocking street signs, which hinders the efforts of emergency personnel responding to calls.

- The Health Department stated that the proposed regulations will have no apparent impact on health regulations (Attachment C).

### **Planning Commission**

The Planning Commission received initial research regarding changes to the landscaping and off-street parking regulations in December 2011. Work sessions were held in January, February, and March discussing these issues. The Planning Commission initiated the proposed amendment at its regular meeting on April 25, 2012.

The Planning Commission held a public hearing regarding this request on May 23, 2012. One local business owner (Debra Kurre) commented on the proposed amendment. She asked about the amount of public input received, and commented on the relationship between landscape design and safety.

The Planning Commission **recommended approval** with a vote of 4-0 (Dr. Babbitt was absent).

### **Conclusion**

The proposed amendment to the zoning ordinance will help ensure that adequate landscaping is installed within new developments, protecting Fluvanna County's economic and environmental health, as well as the quality-of-life of its citizens. The amendment will also ensure that safe, functional parking facilities are provided within new developments, while limiting the impact of impervious cover on water quality and the area's rural character. This proposal is intended to balance the environmental, aesthetic, and transportation needs of the community with those of local businesses.

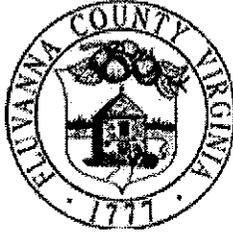
### **Suggested Motion**

I move that the Board of Supervisors [approve/deny] ZTA 12:01, a request to amend the Fluvanna County Zoning Ordinance (Article 22: *Definitions*; Article 24: *Tree Protection*; and Article 26: *Off-Street Parking & Loading Spaces*) to update and strengthen regulations regarding tree protection, landscaping, and off-street parking.

### **Attachments**

- A: Application
- B: Proposed Text
- C: TRC Comments (Health Department)
- D: Comparison of Existing & Proposed Landscaping Regulations with Other Virginia Localities
- E: Comparison of Existing & Proposed Parking Regulations with Other Virginia Localities
- F: Explanation of Proposed Changes to the Zoning Ordinance

Copy:  
Applicant/Representative: Fluvanna County



# COMMONWEALTH OF VIRGINIA COUNTY OF FLUVANNA Application for Zoning Text Amendment

**Owner of Record:** Fluvanna County

E911 Address: 132 Main Street, Palmyra, VA 22963

Phone: (434) 591-1910 Fax: (434) 591-1911

Email: apompei@co.fluvanna.va.us

**Representative:** Andrew Pompei (Planner)

E911 Address: 132 Main Street, Palmyra, VA 22963

Phone: (434) 591-1910 Fax: (434) 591-1911

Email: apompei@co.fluvanna.va.us

**Applicant of Record:** Fluvanna County

E911 Address: 132 Main Street, Palmyra, VA 22963

Phone: (434) 591-1910 Fax: (434) 591-1911

Email: apompei@co.fluvanna.va.us

**Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.**

Proposed amendment to the Zoning Ordinance: (attach additional sheets as necessary)

If the amendment proposes to replace existing text, please provide a full copy of the existing text for the affected section.

Location of Parcel: N/A

Section: \_\_\_\_\_

Amendment of the Fluvanna County Zoning Ordinance to update and strengthen regulations regarding tree protection, landscaping, and off-street parking (Chapter 22, Article 22: Definitions; Chapter 22, Article 24: Tree Protection; Chapter 22, Article 26: Off-Street Parking & Loading Spaces)

Proposed Text:

The proposed amendment was initiated by the Planning Commission on April 25, 2012.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, the Board of Supervisors, and the Board of Zoning Appeals during the normal discharge of their duties in regard to this request.

Date: 4/30/12 Signature of Owner/Applicant: Andrew Pompei

Subscribed and sworn to before me this 30<sup>th</sup> day of April, 2012 Register # 7509714

My commission expires: 3/31/2015 Notary Public: Laura M. Ruppel

Date Received:	Pre-Application Meeting:	PH Sign Deposit Received:	Application #: <u>ZTA 12: 01</u>
\$550 fee paid:			
Advertisement Dates: <u>May 10<sup>th</sup> + 17<sup>th</sup></u>	Advertisement Dates: <u>June 7<sup>th</sup> + 14<sup>th</sup></u>		
APO Notification: <u>May 9, 2012</u>	APO Notification: <u>June 6, 2012</u>		
Date of Hearing: <u>May 23, 2012</u>	Date of Hearing: <u>June 20, 2012</u>		
Decision:	Decision:		

**AN ORDINANCE TO AMEND AND RE-ENACT PORTIONS OF CHAPTER 22,  
ARTICLE 22 “DEFINITIONS;” CHAPTER 22, ARTICLE 24 “TREE PROTECTION;”  
AND CHAPTER 22, ARTICLE 26 “OFF-STREET PARKING AND LOADING SPACES”  
OF THE FLUVANNA COUNTY CODE**

BE IT ORDAINED BY THE FLUVANNA COUNTY BOARD OF SUPERVISORS, pursuant to Virginia Code Section 15.2-2285, that the Fluvanna County Code be, and it is hereby, amended, by the revisions there to of Section 22-22, Section 22-24, and Section 22-26, as follows:

***Article 22. Definitions***

**Sec. 22-22-1. Rules of construction; definitions.**

The following terms shall have the meanings assigned to them as hereinafter set forth. Except as expressly otherwise defined herein, all terms used in this chapter shall have their ordinary and established meanings, as the context may require. A word importing the masculine gender only may extend and be applied to females and to corporations as well as males. A word importing the singular number only may extend and be applied to several persons or things, as well as to one person or thing; and a word importing the plural number only may extend and be applied to one person or thing as well as to several persons or things.

**ACCESSORY USE:** A use or structure subordinate to the main use or structure on the same lot and serving a purpose naturally incidental to the main use or structure. When an accessory structure is attached to the main structure in a substantial manner, as by a wall or roof, such accessory structure shall be considered a part of the main structure.

**ADULT RETIREMENT COMMUNITY:** A planned development providing residences for elderly persons that emphasizes social and recreational activities but may also provide personal services, limited health facilities, and transportation.

**AGRICULTURAL ENTERPRISE:** Agricultural related use that provides an agricultural service or produces goods from agricultural resources. These include processes that are a direct outgrowth, yet more intensive, of the products derived through agriculture, as defined. Related uses include sawmill, winery and other similar facilities.

**AGRICULTURE:** The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, aquaculture, horticulture, floriculture, viticulture, forestry, livestock, and poultry and the necessary accessory uses for packing, treating, or storing the produce.

**AGRICULTURAL SALES, WHOLESALE:** The wholesale distribution of agricultural related products including, but not limited to, farm tools and implements, tack, animal care products, and other farm supplies. This definition excludes the sale of large implements, such as tractors and combines, but shall include harnesses, saddles, and other related equine equipment.

**ALLEY:** A service roadway providing a secondary means of access to abutting property and not intended for general traffic circulation.

**ALTERATION:** Any change in the total floor area, use or adaptability of an existing structure.

**AMUSEMENT, COMMERCIAL:** The provision of entertainment or games of skill to the general public for a fee, as permitted by general law.

**AMUSEMENT, PUBLIC:** Fund-raising activities including those activities sponsored by charitable organizations for which remuneration must be paid by sponsor.

**ASSISTED LIVING FACILITY:** A publicly or privately operated long-term care alternative for persons aged 55 and over, or persons with disabilities, as defined by the Federal Americans with Disabilities Act, that provides the availability of professionally managed personal and health care services to occupants on premises. These premises are designed for this population; are residential in character and appearance; may include cooking facilities; and in all respects are intended to enable residents to age in place in a home-like environment. The facility operation shall have the capacity to provide residents with an array of services supporting Activities of Daily Living (ADL's) that may include, but are not necessarily limited to, meals, personal care housekeeping, transportation, and supervision of self-administered medication, while optimizing their physical and psychological independence. Such facility shall be deemed a single unit for purpose of calculating density.

**AUCTION HOUSE:** A place where objects of art, furniture, and other goods are offered for sale to persons who bid on the object in competition with each other, with all events and storage of inventory entirely enclosed in a building or structure.

**AUTOMOBILE GRAVEYARD:** Any lot or place which is exposed to the weather and upon which more than five (5) motor vehicles of any kind that are incapable of being operated, and which it would not be economically practical to make operative, are placed, located or found. See *Salvage and scrap yard* use.

**AUTOMOBILE REPAIR SERVICE ESTABLISHMENT:** A facility for the general repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, or providing collision services, including body, frame, or fender repair, and overall painting.

**AUTOMOBILE SALES:** The use of any building, land area or other premises for the display of new and used automobiles, trucks, vans, or motorcycles for sale or rent, including any warranty repair work and other repair service conducted as an accessory use.

**AVIATION FACILITY:** Facilities for the take-off and landing of aircraft, including runways, aircraft storage buildings, helicopter pads, air traffic control facilities, informational facilities and devices, terminal buildings, aircraft maintenance facilities, aviation instruction facilities, and heliports.

**BAKERY:** A place for preparing, cooking, baking, and selling of products on the premises.

**BASE FLOOD/ONE-HUNDRED YEAR FLOOD:** A flood that, on the average, is likely to occur once every 100 years (i.e., that has a one (1) percent chance of occurring each year, although the flood may occur in any year).

**BASEMENT:** Any area of the building having its floor sub-grade (below ground level) on all sides.

**BED AND BREAKFAST:** A transient lodging establishment, within an owner occupied property, primarily engaged in providing overnight or otherwise temporary lodging for the general public and may provide meals for compensation.

*BERM: A mound of earth, usually linear in form, used to shield, screen, or buffer views; separate land uses; provide visual interest; or block noise, lights, or glare.*

*BICYCLE PARKING: Bicycle racks and similar structures, permanently affixed to the ground, designed and used for storing bicycles in a secure, upright position.*

*BIOTENTION AREA: A vegetated depression engineered to collect, store, and infiltrate runoff generated on-site.*

**BOARD OF ZONING APPEALS:** The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance.

**BOARDING HOUSE:** A building where, for compensation, lodging and meals are provided for at least five (5) and up to fourteen (14) persons.

**BUILDING:** Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or property.

**BUILDING MASS:** The height, width, and depth of a structure

**BUILDING, HEIGHT OF:** The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof.

**BUILDING, MAIN:** The principal building or one of the principal buildings on a lot, or the building or one of the principal building housing the principal use on the lot.

**BUTCHER SHOP:** A shop in which meat, poultry, and fish are processed and sold.

**CABARET, ADULT:** A building or portion of a building regularly featuring dancing or other live entertainment if the dancing or entertainment that constitutes the primary live entertainment is distinguished or characterized by an emphasis on the exhibition of specified sexual activities or specified anatomical areas for observation by patrons therein. See *Entertainment establishment, adult use*.

*CALIPER: A measure of tree size, determined by measuring the diameter of a tree at a point six inches (6") above the root ball at the time of planting, or twelve inches (12") above the ground for established vegetation.*

**CAMP:** A tract of land, complete with all necessary and accessory uses and structures, used for organized recreational activities under trained supervision. Seasonal accommodations may be provided and such uses shall include boarding camps, day camps and summer camps.

**CAMPGROUND:** An area to be used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar transportable or temporary sleeping quarters of any kind. For purposes of this definition, transient shall be for no more than 120 days.

**CAR WASH:** Facilities for the washing and cleaning of vehicles, including automatic and self-service car washes.

**CELLAR:** The portion of the building partly underground, having half or more than half of its clear height below the average grade of the adjoining ground.

**CEMETERY, COMMERCIAL:** A place where human remains are interred, above or below ground, and where plots are sold for that purpose, and perpetual care of the graves is furnished. Such uses shall also allow for cemeteries for the burial of domestic animal remains.

**CEMETERY, NON-COMMERCIAL:** A place where human remains are interred above or below ground and where plots are not sold. Such uses shall also allow for cemeteries for the burial of domestic animal remains.

**CENTRAL SEWERAGE SYSTEM:** A sewerage system consisting of pipelines or conduits, pumping stations, force mains or sewage treatment plants, including, but not limited to, septic tanks and/or drain fields, or any of them designed to serve three or more connections, used for conducting or treating sewage which is required to be approved by the board of supervisors pursuant to Title 15.1, Chapter 9, Article 9 of the Code of Virginia. See *Utilities, major* and *minor* uses.

**CENTRAL WATER SUPPLY:** A water supply consisting of a well, springs or other source and the necessary pipes, conduits, mains, pumping stations and other facilities in connection therewith, to serve or to be capable of serving three or more connections, which is required to be approved by the board of supervisors pursuant to Title 15.1, Chapter 9, Article 7 of the Code of Virginia. See *Utilities, major* and *minor* uses.

**CLUSTER DEVELOPMENT:** A development design technique that concentrates buildings on a portion of the site to allow the remaining land to be used for recreation, open space, or the preservation of historically or environmentally sensitive features.

**COMMISSION, THE:** The Planning Commission of Fluvanna County, Virginia.

**COMMUNICATIONS SERVICE:** Establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and

telephonic mechanisms. Excluded from this use type are facilities classified as major utilities or telecommunication facilities. Typical uses include, but are not limited to, television studios, telecommunication service centers, radio stations, or film and sound recording facilities.

**COMPREHENSIVE PLAN:** The Fluvanna County Comprehensive Plan.

**CONDOMINIUM:** A building or group of buildings in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportionate undivided basis.

**CONDOMINIUM ASSOCIATION:** The community association that administers and maintains the common elements of a condominium.

**CONNECTION, WATER OR SEWER:** The provision of water and/or sewerage services to any dwelling unit or commercial or industrial establishment.

**CONSERVATION AREA:** Any parcel or area of substantially undeveloped land conserved in its natural state to preserve or protect endangered species, critical environment features, viewsheds, or other natural elements including, but not limited to, preserves, wildlife management areas and refuges, open spaces and habitat protection areas.

**CONTRACTOR'S STORAGE YARD:** Storage yards operated by, or on behalf of, a contractor for storage of large equipment, vehicles, or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as offices and repair facilities.

**CORPORATE OFFICE:** An establishment primarily engaged in providing internal office administration services as opposed to customer service. Such uses generally include the headquarters, regional offices or administrative offices for a corporation.

**CORRECTIONAL FACILITY:** A public or privately operated use providing housing and care for individuals legally confined, designed to isolate those individuals from a surrounding community.

**CUL-DE-SAC:** The turnaround at the end of a dead-end street.

**CULTURAL SERVICES:** A library, museum, or similar public or quasi-public use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts or sciences.

**CURVILINEAR STREET SYSTEM:** A pattern of streets that is primarily curved.

**DANCE HALL:** Establishments in which more than ten (10) percent of the total floor area is designed or used as a dance floor, or where an admission fee is directly collected, or some other

form of compensation is obtained for dancing, except when sponsored by civic, charitable, or nonprofit groups.

**DAYCARE CENTER:** A facility operated for the purpose of providing care, protection and guidance to ten (10) or more individuals during only part of a 24-hour day. This term includes nursery schools, preschools, daycare centers, and other similar uses but excludes public and private educational facilities or any facility offering care to individuals for a full 24-hour period.

**DEVELOPMENT:** Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

***DIAMETER AT BREAST HEIGHT:** A measure of tree size, determined by measuring the diameter of a tree at a point four and one-half feet (4.5') above the ground.*

**DORMITORY:** A residence hall providing rooms for individuals or for groups usually without private baths. Also, a large room containing numerous beds.

***DRIPLINE:** A vertical projection to the ground surface from the furthest lateral extent of a tree's leaf canopy.*

**DRIVE-IN WINDOW:** A facility designed to provide access to commercial products and/or services for customers remaining in their automobiles.

**DWELLING:** Any structure which is designed for use for residential purposes, except hotels, boarding houses, lodging houses, tourist cabins, mobile homes, and travel trailers.

**DWELLING, ACCESSORY:** A separate, independent dwelling unit located on the same property as the primary dwelling unit subject to the following: (1) A dwelling unit contained within a single-family dwelling that may equal the existing finished square footage of the primary dwelling, such as a basement, attic, or additional level; or (2) A dwelling unit attached to the primary single-family dwelling, or as a dwelling unit contained within a detached accessory unit; that shall be no more than one-half the size of the finished square footage of the primary dwelling unit located on the subject property. One accessory dwelling shall be permitted per property plus one additional accessory dwelling for each 50 acres of contiguous property. Accessory dwelling units shall be subject to the setback requirements for primary structures.

**DWELLING, MULTI-FAMILY:** A building or portion thereof which contains two or more dwelling units for permanent occupancy, regardless of the method of ownership. Included in the use type would be garden apartments, low and high rise apartments, apartments for elderly housing and condominiums.

**DWELLING, SINGLE-FAMILY ATTACHED:** Two or more single family dwellings sharing two or more common walls, each on its own individual lot. Attached dwellings are not vertically stacked.

**DWELLING, SINGLE-FAMILY DETACHED:** A building designed for occupancy by one family which has no connection by a common party wall to another building or structure similarly designed.

**DWELLING, TOWNHOUSE:** A single-family attached dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

**DWELLING, TWO-FAMILY:** A building designed as a single structure, containing two separate living units, each of which is designed to be occupied as a separate permanent residence for one family.

**DWELLING UNIT:** Any building or portion of building intended to be used for residential purposes by a single family and designed or arranged in such a manner that none of the facilities or areas customarily provided for cooking, sleeping, eating sanitation, or other residential functions is shared by any other family or persons residing in the same structure.

**EDUCATIONAL FACILITY:** A public or private institution for the teaching of children or adults including primary and secondary schools, colleges, and similar facilities.

**EGRESS:** An exit.

**ELEVATED BUILDING:** A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

**ENTERTAINMENT ESTABLISHMENT, ADULT:** Any adult cabaret, adult motion picture theater, or adult video-viewing or arcade booth.

**EQUESTRIAN FACILITY:** Facilities designed and used primarily for equestrian related activities including, but not limited to: riding schools, horse exhibition facilities, polo fields, and pack stations. This includes barns, stables, corrals, and paddocks accessory and incidental to the above uses.

**EVERGREEN:** A plant with foliage that remains year-round.

**FAMILY:**

- (1) An individual; or
- (2) Two (2) or more persons related by blood, marriage, adoption, or guardianship, plus not more than (2) unrelated persons living together as a single housekeeping unit in a dwelling or dwelling unit; or
- (1) A group of not more than four (4) persons not related by blood, marriage, adoption or guardianship living together as a single housekeeping unit in a dwelling or dwelling unit.

- (2) A group home of eight (8) or fewer people residing in a single-family residence as described in Section 15.2-2291 of the Code of Virginia.

**FAMILY DAYCARE HOME:** A single-family dwelling in which more than five (5) but less than thirteen (13) individuals are received for care, protection, and guidance during only part of a twenty-four (24) hour day. Individuals related by blood, legal adoption, or marriage to the person who maintains the home shall not be counted towards this total. The care of five (5) or fewer individuals for portions of a day shall be considered as a home occupation.

**FARM:** One or more parcels of land used for the primary purpose of agricultural production.

**FARM TENANT HOUSING:** A dwelling located on a farm for the purpose of housing an employee of that farm operation and his/her family. Also included in this use type would be multi-family dwelling(s) for seasonal employees in connection with an orchard or other agricultural use which relies on seasonal employees who must be housed.

**FARM SALES:** The sale of agricultural produce or merchandise produced primarily by the resident operator on his farm.

**FINANCIAL INSTITUTION:** An establishment where the principal business is the receipt, disbursement or exchange of funds and currencies, such as: trust companies, savings banks, industrial banks, savings and loan associations, building and loan associations, commercial banks, credit unions, federal associations, and investment companies.

**FLEA MARKET:** A market held in an open area or building where goods are offered for sale to the public by individual sellers, generally on an occasional or periodic basis.

**FLOOD:** A general or temporary condition of partial or complete inundation of normally dry land areas.

**FLOOD, BASE:** The flood having a one percent chance of being equaled or exceeded in any given year.

**FLOOD ELEVATION, BASE:** The Federal Emergency Management Agency designated one hundred (100)-year water surface elevation.

**FLOOD HAZARD AREA, SPECIAL:** The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article 3, Section 3.2 of this ordinance.

**FLOODPLAIN:** Any land area susceptible to being inundated by water from any source.

**FLOODPLAIN ENCROACHMENT:** The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

**FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**FLOOR AREA RATIO:** The gross floor area of all buildings or structures on a lot divided by the total lot area.

**FOOTCANDLE:** A quantitative unit of measure referring to the measurement of illumination incident at a single point. One footcandle is equal to one lumen uniformly distributed over an area of one square foot.

**FRONTAGE:** The continuous uninterrupted distance along which a parcel abuts a single adjacent road or street.

**FUNERAL HOME:** A facility for the preparation of the deceased for burial and display of the deceased and rituals connected therewith before burial or cremation. Typical uses include funeral homes or mortuaries.

**GAS STATION:** Any place of business used primarily for the storage, dispersal, sale, or offering of fuels and oils for motor vehicles. Such uses may also include the retail sale of convenience items as a secondary activity. Any use associated with automobile fuel sales shall be considered a gas station.

**GOVERNING BODY:** The Board of Supervisors of Fluvanna County, Virginia.

**GREENHOUSE, COMMERCIAL:** A greenhouse operation in which plants and other related products are offered for sale to the public, either at wholesale or at retail.

**GREENHOUSE, NON-COMMERCIAL:** A greenhouse operation in which no product is offered for sale to the public.

**GREENWAY:** (1) A linear open space established along either a natural corridor, such as a riverfront, stream valley, or ridge line, or over land along a railroad right-of-way converted to recreational use, a canal, a scenic road, or other route; (2) any natural or landscaped course for pedestrian or bicycle passage; (3) an open space connector lining parks, natural reserves, cultural features, or historic sites with each other and with populated areas; and (4) locally, certain strip or linear parks designated as a parkway or greenbelt.

**GROCERY STORE:** A retail business primarily engaged in the sale of unprepared food for personal or household preparation and consumption. Such a facility may also engage in incidental sales of prepared foods for personal consumption on- or off-site.

**GROUP HOME:** A licensed residential facility in which no more than eight mentally ill, mentally retarded, or developmentally disabled persons reside, with one or more resident counselors or other staff persons, shall be considered a residential occupancy by a single family. Mental illness and developmental disability shall not include current illegal use of or addiction to

a controlled substance. Such facility shall be licensed by the Commonwealth of Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services, in order to qualify as a single-family use.

**GUIDANCE SERVICES:** A use providing counseling, guidance, recuperative, or similar services for person requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar conditions for only part of a twenty-four hour day.

**HALFWAY HOUSE:** An establishment providing accommodations, supervision, rehabilitation, counseling, and other guidance services to persons suffering from alcohol or drug addiction, to person re-entering society after being released from a correctional facility or other institution, or to persons suffering from similar disorders.

**HEALTH OFFICIAL:** The legally designated health authority of the State Board of Health for Fluvanna County or his authorized representative.

**HISTORICAL AREA:** As indicated on the zoning map to which the provisions of this chapter apply for protection of a historical heritage.

**HISTORIC STRUCTURE:** Any structure that is (1) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (2) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (3) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (a) by an approved state program as determined by the Secretary of the Interior; or (b) directly by the Secretary of the Interior in states without approved programs.

**HOME OCCUPATION:** An occupation carried on by the occupant of a dwelling as a secondary use in connection with which there is no display, no one is employed other than members of the family residing on the premises, there is no substantial increase in traffic, and provided that not more than 25% of the gross floor area of such dwelling shall be used for such occupation.

**HOMEOWNERS ASSOCIATION:** A community organization, other than a condominium association, that is organized in a development in which individual owners share common interests and responsibilities for costs and upkeep of common open space or facilities.

**HOSPITAL:** An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medial offices, and staff residences.

**HOTEL:** A building or group of attached or detached buildings containing lodging units intended primarily for rental or lease to transients by the day, week or month. Such uses generally provide additional services such as daily maid service, restaurants, meeting rooms and/or recreation facilities. Such uses include hotels, motels, motor lodges, and motor courts.

**HUNT CLUB:** Areas reserved to members of the club for private hunting of wildlife, fishing, and accessory uses in support of those activities.

**HUNTING PRESERVE:** An area licensed by the commonwealth for public or private hunting of wildlife, fishing, and accessory uses in support of those activities.

**IMPERVIOUS SURFACE:** Any material that prevents absorption of stormwater into the ground.

**INDOOR ENTERTAINMENT:** Predominantly spectator uses conducted within an enclosed building, but not including public facilities. Typical uses include, but are not limited to, motion picture theaters, and concert or music halls.

**INDOOR RECREATION FACILITY:** Predominantly participant uses conducted within an enclosed building, but not including public facilities. Typical uses include bowling alleys, ice and roller skating rinks, indoor racquetball, swimming, and/or tennis facilities.

**INOPERABLE MOTOR VEHICLE:** (i) any motor vehicle which is not in operating condition; (ii) any motor vehicle which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle; or (iii) any motor vehicle on which there are displayed neither valid license plates nor a valid inspection decal.

**JUNK:** Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

**JUNKYARD:** An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills. See *Salvage and scrap yard* use.

**KENNEL, COMMERCIAL:** A place designed and used to house, board, breed, handle or otherwise keep or care for dogs, cats, or other household pets for the specific intent of sale or in return for compensation.

**KENNEL, PRIVATE:** The keeping, breeding, raising, showing, or training of four (4) or more dogs, cats, or other household pets over six months of age for personal enjoyment of the owner or occupants of the property, and for which commercial gain is not the primary objective.

**LAUNDROMAT:** A building where clothes or other household articles are washed in self service machines and where such washed clothes and articles may also be dried or ironed.

**LAUNDRY:** Establishments primarily engaged in the provision of laundering, cleaning, or dyeing services other than those classified as Personal Service Establishments. Typical uses include, but are not limited to, bulk laundry and cleaning plants, diaper services, or linen supply services.

**LEVEL OF SERVICE:** A description of traffic conditions along a given roadway or at a particular intersection.

**LIVESTOCK FEED LOT, COMMERCIAL:** A commercial establishment where livestock is fattened for sale and where feed is transported from other places.

**LIVESTOCK SALE YARD, COMMERCIAL:** A commercial establishment wherein livestock is collected for sale or auctioning.

**LODGE:** A facility, owned or operated by a corporation, association, person or persons, for social, educational or recreational purposes, to which membership is required for participation and not primarily operated for profit nor to render a service that is customarily carried on as a business. A lodge does not include facilities for members to reside.

**LOT:** A parcel of land, including a residue, described by metes and bounds or otherwise or shown on a plat, and intended as a unit of real estate for the purpose of ownership, conveyance or development.

**LOT, CORNER:** A lot abutting upon two (2) or more street rights-of-way at their intersection. Of the two sides of a corner lot, in the absence of evidence to the contrary based on actual development, the front shall be presumed to be the shorter of the two sides fronting on streets.

**LOT, DEPTH OF:** The average horizontal distance between the front and rear lot lines.

**LOT, DOUBLE FRONTAGE:** An interior lot having frontage on two (2) streets.

**LOT, INTERIOR:** Any lot other than a corner lot.

**LOT, PIPESTEM:** A large lot not meeting minimum frontage requirements and where access to the public road is by a narrow private right of way or driveway.

**LOT, REVERSE FRONTAGE:** A through lot that is not accessible from one of the parallel or nonintersecting streets upon which it fronts.

**LOT, THROUGH:** A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot.

**LOT, WIDTH OF:** The average horizontal distance between side lot lines.

**LOT OF RECORD:** A lot, a plat or description of which has been recorded in the clerk's office of the Circuit Court.

*LOW-IMPACT DEVELOPMENT: A design strategy with the goal of maintaining or replicating the pre-development hydrologic regime through the use of design techniques to create a functionally-equivalent site design. Hydrologic functions of storage, infiltration and groundwater recharge, as well as the volume and frequency of discharges, are maintained through the use of integrated and distributed micro-scale stormwater retention and detention areas; the reduction of impervious surfaces; and the lengthening of runoff flow paths and flow time. Examples of low-impact development techniques include, but are not limited to, the use of permeable paving materials, rain gardens, bioswales, infiltration trenches, and tree box filters.*

**LOWEST FLOOR:** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.

**LUMBERYARD:** An area used for the storage, distribution, and sale of finished or rough-cut lumber and lumber products, plywood, drywall, paneling, concrete masonry unit (CMU) blocks and other concrete products, but not including the manufacture of such products.

**MACHINE SHOP:** Shops where lathes, presses, grinders, shapers, and other wood and metal working machines are used such as blacksmith, tinsmith, welding, and sheet metal shops; plumbing, heating, and electrical repair shops; and overhaul shops.

**MANUFACTURED HOME:** A factory-built, single-family structure that is manufactured under the authority of the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis, and is used as a place of human habitation; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axles permanently attached to its body or frame. Also referred to as mobile homes.

**MANUFACTURED HOME SALES:** Establishments primarily engaged in the display, retail sale, rental, and repair of new and used manufactured homes, modular homes, parts, and equipment.

**MANUFACTURING, HEAVY:** The manufacture or compounding process of raw materials. These activities or processes would necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process.

**MANUFACTURING, LIGHT:** The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing and custom manufacturing.

**MANUFACTURING, MEDIUM:** The processing and manufacturing of materials or products predominantly from extracted or raw materials. These activities do not necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process.

**MARINA, COMMERCIAL:** A marina designed and operated for profit or operated by any club or organized group where hull and engine repairs, boat and accessory sales, packaged food sales, restaurants, personal services, fueling facilities, storage and overnight guest facilities or any combination of these are provided.

**MARINA, PRIVATE:** A marina, including a dock for the use of a single parcel, designed and intended to be used for mooring of boats owned by residents of the general neighborhood with no commercial facilities other than those necessary for minor servicing and repairs.

**MEDIA, ADULT:** Magazines, books, videotapes, movies, slides, CD-ROMs or other devices used to record computer images, or other media that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. See *Retail store, adult use*.

**MEDICAL CLINIC:** A facility providing medical, psychiatric, or surgical service for persons exclusively on an out-patient basis including emergency treatment, diagnostic services, training, administration and services to outpatients, employees, or visitors. The term, “medical clinic” includes immediate care facilities, where emergency treatment is the dominant form of care provided at the facility.

**MINING:** The breaking or disturbing of the surface soil or rock in order to facilitate or accomplish the extraction or removal of minerals; any activity constituting all or part of a process for the extraction or removal of minerals so as to make them suitable for commercial, industrial, or construction use; but shall not include those aspects of deep mining not having significant effect on the surface, and shall not include excavation or grading when conducted solely in aid of on-site farming or construction. Nothing herein shall apply to mining of coal. This definition shall not include, nor shall this title, chapter, or section be construed to apply to the process of searching, prospecting, exploring or investigating for minerals by drilling (Virginia Code Section 45.1-180). See *Resource extraction use*.

**MOBILE HOME:** See *Manufactured home*.

**MANUFACTURED HOME PARK:** Any site, lot, field or tract of land which is held out for the locations of occupied trailers which trailers or lots are intended for use by a person or persons other than the property owner, except as otherwise permitted in this chapter.

**MODULAR HOME:** A dwelling unit primarily manufactured off-site in accordance with the Virginia Uniform Statewide Building Code standards and transported to the building site for final assembly on a permanent foundation.

**MOTION PICTURE THEATER, ADULT:** An establishment that shows sexually oriented movies, distinguished or characterized by an emphasis on the exhibition of specified sexual activities or specified anatomical areas as a significant part of its business. See *Entertainment establishment, adult* use.

**MURAL:** A work of art (as a painting) applied to and made integral to a building wall, fence, etc., that is prepared by, or under the direction of, a skilled artist and shows imaginative skill in arrangement or execution and specifically not attempt to advertise any specific business, product or service.

**NATURAL MEADOW:** *A continuous area designated on a landscape plan that is planted with grasses and wildflowers native to Virginia that are allowed to grow in their natural habit. Such areas are actively managed to prevent the growth of woody vegetation and invasive species.*

**NONCONFORMING ACTIVITY, NONCONFORMING USE:** The otherwise legal use of a building or structure or of a tract of land that does not conform to the use regulations of this ordinance for the district in which it is located.

**NONCONFORMING LOT:** An otherwise legally platted lot that does not conform to the minimum area or width requirements of the ordinance for the district in which it is located.

**NONCONFORMING STRUCTURE:** An otherwise legal building or structure that does not conform with the lot area, yard, height, lot, coverage, or other area regulations of this ordinance, or is designed or intended for a use that does not conform to the use regulations of this ordinance for the district in which it is located.

**NURSERY:** A place where plants are grown commercially, either for retail or wholesale distribution. See *Farm sales* use.

**NURSING HOME:** Any place or institution, other than a hospital, for the aged, infirm, senile, chronically ill, or convalescent established to render domiciliary care, custodial care, treatment or lodging to three (3) or more nonrelated persons.

**OFFICE:** A room, suite of rooms, or building used for conducting the affairs of a business, profession, service industry, or government.

**OFF-STREET PARKING AREA:** Space provided for vehicular parking outside the dedicated street right of way as required by Article 26 (Sec. 22-26-1 through 22-26-8) of this chapter.

**OUTDOOR ENTERTAINMENT:** Predominantly spectator uses conducted in open or partially enclosed or screened facilities, but not including public facilities. Typical uses include, but are not limited to, sports arenas, motor vehicle or animal racing facilities, and outdoor amusement parks.

**OUTDOOR GATHERING:** Any temporary organized gathering expected to attract 200 or more people at one time in open spaces outside an enclosed structure. Included in this use type would

be entertainment and music festivals, church revivals, carnivals and fairs, and similar transient amusement and recreational activities not otherwise listed in this section. Such activities held in public parks or on public school property shall not be included within this use type.

**OUTDOOR RECREATION FACILITY:** Predominantly participant uses conducted in open or partially enclosed or screened facilities, but not including public facilities. Typical uses include, but are not limited to, golf courses, driving ranges, tennis courts, motorized cart and motorcycle tracks, paintball facilities, swimming pools, athletic ball fields.

**PACKAGE TREATMENT PLANT:** Small, self contained sewage treatment facility built to serve designated service areas. See *Utility, major* use.

**PARKING AREA:** Any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets.

*PARKING BAY: A continuous row of parking, containing twenty (20) parking spaces or less, bounded on both ends by a parking island, as specified in Article 22 of this chapter.*

**PARKING FACILITY:** A site for surface parking or a parking structure use which provides one or more parking spaces together with driveways, aisles, turning and maneuvering areas, incorporated landscaped areas, and similar features meeting the requirements established by this ordinance. This use type shall not include parking facilities accessory to a permitted principal use. This use type excludes temporary parking facilities permitted by county code.

**PAVERS:** Preformed paving blocks that are installed on the ground to form patterns while at the same time facilitate pedestrian and vehicular travel.

**PERSONAL IMPROVEMENT SERVICES:** Establishments primarily engaged in the provision of informational, instructional, personal improvements and similar services. Typical uses include, but are not limited to, driving schools, health or physical fitness studios, dance studios, handicraft and hobby instruction.

**PERSONAL SERVICE ESTABLISHMENT:** An establishment or place of business engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include, but are not limited to, beauty and barber shops; dry cleaners; and seamstresses, tailors, and shoe repair.

**PERVIOUS SURFACE:** Any material that permits full or partial absorption of stormwater into previously unimproved land.

**PETROLEUM DISTRIBUTION FACILITY:** A facility for the storage and distribution of fuels or other volatile products.

**PHARMACY:** An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.

**PLAT:** A schematic representation of a parcel or subdivision.

**PLAT, PRELIMINARY:** A plat showing the existing boundaries and certain existing features of a parcel to be subdivided, together with the property lines or proposed lots and certain proposed features and improvements.

**PLAT, FINAL:** A plat showing the new property lines and certain features and improvements installed pursuant to the preliminary plat, showing their location as built, and prepared for recordation. Final plat approval gives the subdivider the right to record such plat with the Clerk of the Circuit Court and to convey the individual lots shown thereon.

**PROFESSIONAL SCHOOL:** A specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills, or other similar activity or occupational pursuit, but not including educational facilities.

**PROPERTY OWNERS' ASSOCIATION:** An entity established, pursuant to Section 55-508 et set. of the Code of Virginia, or otherwise, for the purpose of maintaining land or property owned in common by the owners of property in a subdivision.

**PUBLIC ASSEMBLY:** Facilities that accommodate public assembly for purposes such as sports, amusements, or entertainment. Typical uses include, but are not limited to, auditoriums, sports stadiums, convention facilities, and incidental sales and exhibition facilities.

**PUBLIC PARK AND RECREATIONAL AREA:** Publicly owned and operated parks, picnic areas, playgrounds, indoor/outdoor athletic or recreation facilities, indoor/outdoor shelters, amphitheaters, game preserves, open spaces, and other similar uses but not including public recreation assembly.

**PUBLIC RECREATION ASSEMBLY:** Publicly owned and operated community, civic, or recreation centers, year-round swimming facilities, or indoor performing arts/auditoriums.

**PUBLIC SAFETY FACILITY:** Public agency facilities that provide public safety and emergency services including fire, rescue squad, and police stations and related administrative facilities. See *Public use*.

**PUBLIC USE:** Uses, structures, and facilities made available for public service including, but not limited to, parks, playgrounds, libraries, public safety and emergency facilities, and administrative buildings.

**PUBLIC WATER AND SEWER SYSTEM:** A water or sewer system owned and operated by a municipality, county or other political subdivision of the Commonwealth.

**PUMPING STATION:** A building or structure containing the necessary equipment to pump a fluid to a higher level.

**RAILROAD FACILITY:** Railroad yards, equipment servicing facilities, and terminal facilities.

**RECREATION, ACTIVE:** Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields.

**RECREATION, PASSIVE:** Activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, and table games.

**RECREATIONAL VEHICLE:** A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projects; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational camping, traveling, or seasonal use.

**RECREATIONAL VEHICLE SALES:** Retail sales of recreational vehicles and boats, including service and storage of vehicles and parts and related accessories.

**RECTILINEAR STREET PATTERN:** A pattern of streets that is primarily characterized by right-angle roadways, grid pattern blocks, and four-way intersections.

**RELIGIOUS ASSEMBLY:** A use providing regular organized religious worship or related incidental activities, except primary or secondary schools and day care facilities.

**RESEARCH LABORATORY:** A facility for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

**RESIDENTIAL AREA (GROSS):** The total area of land and water within a residential development.

**RESIDENTIAL AREA (NET):** That area of land and water within a development designed for residential purposes and unoccupied by streets, open space or parking areas; provided that individual private driveways accessory to residential uses shall not be considered streets or parking areas.

**RESIDENTIAL DENSITY (GROSS):** The total number of dwelling units within a development divided by the gross residential area and expressed in dwelling units per acre.

**RESIDENTIAL DENSITY (NET):** The total number of dwelling units within a development divided by the net residential area and expressed in dwelling units per acre.

**RESIDUE:** The remainder of a lot after a subdivision has detached one or more lots, which residue shall be deemed, for purposes of this chapter, to be a new lot.

**RESOURCE EXTRACTION:** A use involving on-site extraction of surface or subsurface mineral products or natural resources. Typical uses are quarries, borrow pits, sand and gravel operation, mining, and soil mining. Specifically excluded from this use type shall be grading and

removal of dirt associated with an approved site plan or subdivision, or excavations associated with, and for the improvement of, a bona fide agricultural use.

**RESTAURANT, FAST FOOD:** An establishment primarily engaged in the preparation of food and beverages, for either take-out, delivery, or consumption on the premises, served in disposable containers at a counter or to drive-up or drive-thru customers in motor vehicles.

**RESTAURANT, GENERAL:** An establishment engaged in the preparation of food and beverages containing more than 2,000 gross square feet and characterized primarily by table service to customers in non-disposable containers.

**RESTAURANT, SMALL:** An establishment engaged in the preparation of food and beverages containing no more than 2,000 gross square feet and typically characterized by table service to customers.

**RETAIL STORE, ADULT:** An establishment that: offers for sale or rent items from any of the following categories: (a) adult media, (b) sexually oriented goods, or (c) goods marketed or presented in a context to suggest their use for specified sexual activities; and the combination of such items constitutes more than 15 percent of its stock in trade or occupies more than 15 percent of its gross public floor area; and where there is no on-site consumption of the goods, media, or performances for sale or rent.

**RETAIL STORE, GENERAL:** A retail sales establishment offering the sale or rental of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by definition.

**RETAIL STORE, LARGE-SCALE:** A retail sales establishment of more than 30,000 square feet of gross floor area engaged in the sale or rental of goods for consumer or household use.

**RETAIL STORE, NEIGHBORHOOD CONVENIENCE:** A retail sales establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as, but not limited to, prepackaged food and beverages, limited household supplies and hardware, and limited food preparation and service. Such uses that include fuel pumps or the selling of fuel for motor vehicles shall be considered gas stations.

**RETAIL STORE, SPECIALTY:** A retail sales establishment of not more than 4,000 square feet that specializes in one type or line of merchandise or service including, but not limited to, antique stores, bookstores, shoe stores, stationary stores, jewelry stores, auto parts stores, and hardware stores.

**RIGHT-OF-WAY:** A strip or other portion of a parcel of land conveyed to a person, a partnership, a property owners' association, a corporation, or a government agency for the purpose of constructing and maintaining a road or utility facility, or similar use.

***RIPARIAN PROTECTION AREA:** A vegetated zone adjacent to an intermittent or perennial stream where development is restricted or controlled to minimize the effects of development on*

*local water quality. Indigenous vegetation, including existing ground cover, is preserved to the maximum extent possible.*

**SALVAGE AND SCRAP YARD:** Facilities engaged in the storage, sale, dismantling or other processing of uses or waste materials which are not intended for reuse in the original forms. Typical uses include, but are not limited to, paper and metal salvage yards, automotive wrecking yards, junk yards, used tire storage yards, or retail and/or wholesale sales of used automobile parts and supplies.

**SANITARY LANDFILL:** A place for the disposal of solid wastes approved in accordance with the regulations of the Department of Environmental Quality (DEQ).

**SAWMILL, PERMANENT:** A permanent facility where logs or lumber are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products.

**SAWMILL, TEMPORARY:** A portable sawmill located on private property for not more than 60 days unless used for the processing of timber cut only from that property or the property immediately contiguous thereto.

**SELF-STORAGE FACILITY:** A structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time.

**SETBACK:** The minimum distance by which any building or structure must be separated from the front lot line.

~~**SHADE TREE:** A tree, usually deciduous, planted primarily for overhead canopy.~~

**SHELTERED CARE FACILITY:** A facility providing temporary sheltering for the homeless or for victims of crime or abuse including emergency housing during crisis intervention for individuals, such as victims of rape, child abuse, or physical beatings.

**SHOOTING, PRIVATE RECREATIONAL:** The use of land for target shooting and other recreational activities, other than hunting, involving the use of firearms or other projectiles by the owner or occupant of a parcel and their guests, not in return for compensation. Associated facilities shall be subject to approval by the zoning administrator in accordance with safety guidelines issued by the National Rifle Association (NRA) or other recognized authority.

**SHOOTING RANGE, INDOOR:** The use of a structure for firearms or other projectiles for the purpose of target practice or competitions, and in return for compensation.

**SHOOTING RANGE, OUTDOOR:** The use of land for shooting clubs and other facilities for the discharge of firearms or other projectiles for the purposes of target practice, skeet and trap shooting, mock war games, or formal competitions, or in return for compensation.

***SHRUB:** A low woody plant, with multiple shoots or stems from the base, which attains a mature height of less than fifteen (15) feet.*

**SIGN:** Any object, device, display, or structure that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, projected images, or any combination thereof.

**SIGN, AUCTION:** A sign, not illuminated, advertising an auction to be conducted on the lot or premises upon which it is situated, such signs shall not exceed 20 square feet in area and may be erected not more than one (1) month before the date of the auction advertised and shall be removed within forty-eight (48) hours of its conclusion.

**SIGN, AWNING:** A sign that is painted or otherwise applied on or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, or window of a building.

**SIGN, BANNER:** A temporary sign, not exceeding 32 square feet, made of fabric or other flexible material, suspended from a fixed structure, rope, wire, string, or cable. Banner signs are for the advertising of a special event, product, or group and are not to be displayed for a period of more than thirty (30) consecutive days, and not more than sixty (60) days total in a calendar year.

**SIGN, BUSINESS:** A sign which directs attention to a product, commodity, or service available on the premises including professional offices or institutional use.

**SIGN, CANOPY:** A type of wall sign that is attached to the fascia of a canopy.

**SIGN, CONSTRUCTION:** A temporary sign that identifies an architect, engineer, contractor, subcontractor, or material supplier who participates in construction on the property on which the sign is located. Such signs shall not exceed 32 square feet in area and eight (8) feet in height, and may be erected once the land disturbance permit has been issued for the property and must be removed upon issuance of a final certificate of occupancy.

**SIGN, DIRECTIONAL:** A sign, not to exceed four (4) square feet, providing on-premise directions for pedestrian and vehicular traffic including, but not limited to, entrance/exit signs, parking areas, loading zones, and circulation direction.

**SIGN, DIRECTORY:** A sign that lists the names, uses, or locations of the businesses or activities conducted within a building or group of buildings of a development.

**SIGN, ELECTRONIC MESSAGE:** A monument sign or portion thereof in which the copy is composed of a series of lights that may be changed through electronic means. The total area of the electronic message display area for such signs shall not exceed 30% of the total area of the sign area permitted for that site.

**SIGN, ESTATE:** An on-premise sign that identifies the name, occupant, and/or street address of a private residence, property, or farm. Such signs shall not exceed nine (9) square feet.

**SIGN FACE:** The area or display surface used for the message.

**SIGN, FLASHING:** An illuminated sign of which all or part of the illumination is flashing or intermittent, or changing in degrees of intensity, brightness or color. Electronic message signs that meet the requirements this Article and Sec. 22-15 shall not be considered flashing signs.

**SIGN, FREESTANDING:** A sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports, and not attached to or dependent for support from any building.

**SIGN, HOME OCCUPATION:** A sign containing only the name and occupation of a permitted home occupation on the premises.

**SIGN, ILLUMINATED:** A sign, or any part of a sign, which is externally or internally illuminated or otherwise lighted from a source specifically intended for the purpose of such illumination or lighting.

**SIGN, INFLATABLE:** Any display capable of being expanded by air or other gas and used on a permanent or temporary basis to advertise a product or event.

**SIGN, MONUMENT:** A sign affixed to, and made an integral part of, a structure built on grade that does not involve the use of poles as its major support.

**SIGN, MOVING:** A sign, any part of which moves by means of an electrical, mechanical, or other device, or that is set in motion by wind.

**SIGN, NONCONFORMING:** A sign lawfully erected and maintained prior to the adopting of this ordinance that does not conform with the requirements of this ordinance.

**SIGN, OFF-PREMISE:** A sign that directs attention to a business, product, service or establishment, conducted, sold or offered at a location other than the premises on which the sign is erected.

**SIGN, ON-PREMISE:** Any sign identifying or advertising a business, person, property, activity, goods, products, or services, located on the premises where the sign is installed and maintained.

**SIGN, PENNANT:** A sign, with or without a logo, made of flexible materials suspended from one or two corners, used in combination with other such signs to create the impression of a line, such as streamers.

**SIGN, POLITICAL:** A sign expressing or implying the opinion or opinions of an individual or group intended to influence the election or appointment of government officials and/or to influence the actions, policies and /or conduct of government. (Ord. 10-18-00)

**SIGN, PORTABLE:** A sign that is not permanently affixed to the ground or to a permanent structure, or a sign that can be moved to another location including, but not limited to, signs with

attached wheels, signs mounted upon or applied to a trailer, or signs mounted on or applied to a vehicle that is parked and visible from the public right-of-way.

**SIGN, PROJECTING:** A sign, attached to and supported by a building or wall, that projects out perpendicularly from that wall more than twelve (12) inches but not more than four (4) feet.

**SIGN, PUBLIC:** A sign that is erected and maintained by a federal, state, or local government agency.

**SIGN, REAL ESTATE:** A sign pertaining to the sale or lease of the premises on which the sign is located. Such signs shall not exceed nine (9) square feet.

**SIGN, ROOF:** A sign that is mounted on the roof of a building or which extends above the top edge of the wall of a flat-roofed building, above the eave line of a building with a hip, gambrel, or gable roof, or the deck line of a building with a mansard roof.

**SIGN STRUCTURE:** The supports, uprights, bracing and/or framework of any structure, be it single-faced, double-faced, v-type or otherwise exhibiting a sign.

**SIGN, SUBDIVISION:** A monument sign erected at the entrance of a residential, commercial, or industrial development that identifies the development.

**SIGN, TEMPORARY:** A sign for the advertising of a special event, product, group, or seasonal activity and not intended or designed for permanent display. Such signs shall not exceed 12 square feet and are not to be displayed for a period of more than thirty (30) consecutive days, and not more than sixty (60) days total in a calendar year.

**SIGN, TEMPORARY DIRECTIONAL:** A sign directing individuals to the location of a special event or gathering. Such signs shall not exceed twelve (12) square feet and shall not be posted more than seven (7) days prior to the event and must be removed within seven (7) days after the event.

**SIGN, TEMPORARY SUBDIVISION ADVERTISING:** A sign erected on a parcel or at the entrance to a residential, commercial, or industrial subdivision that identifies the name of the development and advertises for sale lots within the development. Such signs shall be permitted for six-month increments, with a letter requesting renewal from the applicant for additional six-month increments and to be removed upon issuance of a permit for the placement of a permanent subdivision sign.

**SIGN, WALL:** A sign mounted flat against, or painted on, the exterior wall of a building or structure and not projecting more than twelve (12) inches from the surface of the building, unless on the mansard portion of a roof.

**SIGN, WARNING:** A sign, not exceeding four (4) square feet, located on a property for warning or prohibitions on parking, trespassing, hunting, fishing, swimming, or other activity.

**SIGN, WINDOW:** A permanent or temporary sign affixed to the interior or exterior of a window or door, or within three (3) feet of the interior of the window or door; provided that the display of goods available for purchase on the premises is not a window sign. Such signs shall not exceed 25% of the total area of the window or door on which it is located.

**SKETCH PLAN:** An informal conceptual map of a proposed subdivision or site plan of sufficient accuracy to be used for the purpose of discussion.

**SLAUGHTERHOUSE:** A commercial facility where livestock is slaughtered, processed, and prepared for distribution to butcher shops or retail establishments such as grocery stores.

**SMALL HOME INDUSTRY:** Small commercial, professional, or light industrial uses which do not in any way detract from adjacent agricultural or residential uses and while clearly excluding large scale industrial and commercial uses and that are located within the same parcel as the residence of the owner and within 500 feet of said residence.

**SOLID WASTE MATERIAL RECOVERY FACILITY:** A solid waste management facility which may receive municipal solid waste and recyclables from off premises for processing and consolidation and shipment out of the county for further processing or disposal.

**SOLID WASTE COLLECTION FACILITY:** Any storage or collection facility which is operated as a relay point for recyclables or municipal solid waste which ultimately is to be shipped for further processing or disposal. No processing of such items occurs at such facility.

**SOURCE SHIELDED ILLUMINATION:** A source of illumination shielded to prevent direct viewing of the light source, including bulbs, lenses or any portions thereof. The only light that can be seen is that reflected from the sign.

**SPECIAL USE PERMIT:** A permit issued by the governing body for a use which is only permitted upon such permit; a special exception. See Article 17 of this chapter.

**SPECIFIED ANATOMICAL AREAS:**

- (1) Less than completely and opaquely covered: human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; or
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**SPECIFIED SEXUAL ACTIVITIES:** Human genitals in a state of sexual stimulation or arousal or acts of human masturbation, sexual intercourse, sodomy, or fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

**STORY:** That portion of building, other than the basement, included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, the space between the floor and the ceiling next above it.

**STORY, HALF:** A space under a sloping roof, which has the line of intersection of roof decking and wallface more than three (3) feet above the floor level, and in which space not more than two-thirds (2/3) of the floor area is finished for use.

*STREAM, INTERMITTENT:* A natural stream or portion of a natural stream containing flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow. Such streams are defined as a dotted blue line on the 1:24,000 USGS topographic maps.

*STREAM, NATURAL:* A non-tidal waterway that is part of the natural topography, which typically maintains a continuous, seasonal, or intermittent flow during the year, and which is characterized as being irregular in cross-section with a meandering course. A constructed channel such as a drainage ditch or swale is not a natural stream.

*STREAM, PERENNIAL:* A natural stream or portion of a natural stream containing flowing water year-round during a year of normal precipitation. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow. Such streams are defined as a solid blue line on the 1:24,000 USGS topographic maps.

**STREET (ROAD):** Any vehicular way that: (1) is an existing state roadway; (2) is shown upon a plat approved pursuant to the subdivision ordinance that is duly filed and recorded.

**STRUCTURE:** Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground. This includes, among other things, dwellings and buildings, etc.

**STRUCTURE, MAIN:** A building in which is conducted the principal use of the lot.

**STUDIO, FINE ARTS:** A building, or portion thereof, used as a place of work by a sculptor, artist, or photographer; or used as a place to exhibit and offer for sale works of the visual arts (other than film).

**SUBDIVIDER:** Any individual, partnership, corporation or other entity or association thereof owning or having an interest in land, or representing the owners of any land and proposing to subdivide such land.

**SUBDIVISION:** The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer, or ownership, or building or lot development. The term shall include the resubdivision of land.

**SUBDIVISION AGENT:** The individual appointed and authorized by the Fluvanna County Board of Supervisors to administer and enforce this chapter.

**SUBDIVISION, FAMILY:** A single division of a lot or parcel for the purpose of a gift or sale to any natural or legally defined offspring, spouse, sibling, grandchild, grandparent, or parent of the property owner.

**SUBDIVISION, MAJOR:** The division of a parcel of land into six or more lots, and not a family subdivision. A subdivision shall be deemed to be a major subdivision if the parcel from which such subdivision is divided was, within five years next preceding the application, divided into an aggregate of five or more lots or divided in such a way as to create a new public or central water or sewer system or one or more public streets.

**SUBDIVISION, MINOR:** Any division of a parcel of land creating fewer than six lots, and not a family subdivision.

**SUBSTANTIAL DAMAGE:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT:** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either: (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

**TAXIDERMIST:** Establishments for conducting the business of preparing, stuffing, and mounting the skins of animals to make them appear life-like.

**TELECOMMUNICATIONS FACILITY:** A tower, pole or similar structure, 125 feet or greater in height, that transmits and/or receives electromagnetic signals for the purpose of transmitting analog or digital voice or data communications. Includes antennas, microwave dishes, horns, and all equipment and structures necessary to support said equipment.

**TRAFFIC IMPACT STUDY:** A report analyzing anticipated roadway conditions.

**TRAILER:** See *Manufactured home*.

**TRANSPORTATION TERMINAL:** A facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express between modes of ground transportation, including bus terminals, railroad stations, and public transit facilities.

**TRAVEL TRAILER:** A vehicular, portable structure built on chassis and designed to be used for temporary occupancy for travel, recreational or vacation use; with the manufacturer's permanent

identification "travel trailer" thereon; and when factory equipped for the road. See *Recreational vehicle*.

*TREE CANOPY: All areas of coverage by plant material exceeding ten (10) feet in height at a maturity of ten (10) years after planting, in accordance with Article 22 of this chapter.*

*TREE, EVERGREEN: A tree with foliage year-round, planted primarily for screening or ornamental purposes, which attains a mature height of at least fifteen (15) feet.*

*TREE, LARGE SHADE: A tree, usually deciduous, planted primarily for overhead canopy, which attains a mature height of at least forty (40) feet.*

*TREE, MATURE: An existing tree with a diameter at breast height (DBH) of twelve inches (12") or greater, which is in healthy condition as determined by a certified landscape architect or arborist.*

*TREE, MEDIUM SHADE: A tree, usually deciduous, planted primarily for overhead canopy, which attains a mature height of twenty-five (25) to forty (40) feet.*

*TREE, ORNAMENTAL: A tree, either single-stemmed or multi-stemmed, noted for its flowers, leaves, bark, form, shape, and/or other aesthetic characteristics, which attains a mature height of ten (10) to thirty (30) feet.*

*TREE, STREET: A shade tree planted along an existing or proposed public street, either within the right-of-way itself or within a landscape strip continuous to such right of way.*

**TRUCK TERMINAL:** A facility for the receipt, transfer, short-term storage, and dispatching of good transported by truck. Included in the use type would be express and other mail and package distribution facilities, including such facilities operated by the U.S. Post Office.

**UNDERGROUND UTILITIES:** The placement of electric, telephone, cable, and other utilities customarily carried on poles in underground vaults or trenches.

**UPHOLSTERY SHOP:** A business that repairs and replaces upholstery to household and office furnishings.

**UTILITY:** All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and includes facilities for the generation of electricity.

**UTILITY, MAJOR:** Facilities for the distribution, collection, treatment, production, transmission and generation of public, private and central utilities including, but not limited to, transmission lines, production plants, electrical substations, pumping stations, treatment facilities, and communication facilities.

**UTILITY, MINOR:** Facilities for the distribution and collection of public, private and central utilities including poles, lines, transformers, pipes, meters, and communication distribution lines.

**VARIANCE:** A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure of size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or adjoining zoning districts.

**VEHICLE TRIP:** A motor vehicle moving from an origin point to a destination point.

**VENDING CART:** The vending of food, beverages, or merchandise from a movable stand or trailer that is located as an accessory use on the same lot as a permitted use.

**VETERINARY OFFICE:** An establishment for the care and treatment of animals and where the boarding of said animals is prohibited except when necessary in the medical treatment of the animal.

**VIDEO-VIEWING BOOTH OR ARCADE BOOTH, ADULT:** An enclosure designed for occupancy by no more than five persons, used for presenting motion pictures or viewing publications by any photographic, electronic, magnetic, digital, or other means or media, or live performances or lingerie modeling, for observation by patrons therein. See *Entertainment establishment, adult* use.

**VILLAGE:** A small, compact center of predominantly residential character but with a core of mixed-use commercial, residential, and community services whether or not incorporated as a municipality.

**WAREHOUSE, WHOLESALE:** Facilities for the display, storage, and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment, including moving and storage facilities, warehouses, storage activities, and distribution centers.

**WATERCOURSE:** A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

**WOODSTORAGE, TEMPORARY:** A lot utilized for the temporary (30, 60, 90 days) storage/loading of forestry products transported from some other location.

**YARD:** An open space on a lot other than a court unoccupied and unobstructed from the ground upward by structures except as otherwise provided herein.

**FRONT:** An open space on the same lot as a building between the front line of the building (excluding steps and ramps affording pedestrian and wheelchair access) and the front line and the rear line of the lot and extending the full width of the lot.

**REAR:** An open, unoccupied space on the same lot as a building between the rear line of the building (excluding steps and ramps affording pedestrian and wheelchair access) and the rear line of the lot, and extending the full width of the lot.

**SIDE:** An open, unoccupied space on the same lot as a building between the side line of the building (excluding steps and ramps affording pedestrian and wheelchair access) and the side line of the lot, and extending from the front yard line to the rear yard line.

**ZONING ADMINISTRATOR:** The official charged with the enforcement of the zoning ordinance. The administrator may be any appointed or elected official who is by formal resolution designated to the position by the governing body. The administrator may serve with or without compensation as determined by the governing body.

**ZONING DISTRICT:** A division of territory within Fluvanna County for the purposes of regulation of its use under the provisions of this chapter.

**ZONING PERMIT:** Any permit issued by the zoning administrator in accordance with this ordinance.

(Ord. 6-19-96; Ord. 10-18-00; Ord. 9-17-08; Ord. 10-15-08; Ord. 10-21-09; Ord. 6-16-10; Ord. 11-3-10)

## **Article 24. Tree Protection**

### **Sec. 22-24-1. Landscape plan -- General provisions for landscaping.**

The purpose of this section is to provide guidelines for the landscaping and screening of development sites subject to site plan approval. These requirements are intended to ensure that site development is harmonious with the surrounding properties, to promote the public health, safety and welfare, in accordance with the guidelines in the Comprehensive Plan; to help to conserve energy by providing shade and wind breaks; to encourage recharge of ground water by providing pervious area; to improve and preserve the air quality and minimize noise, dust and glare; and to preserve the rural character of the County.

### **Sec. 22-24-2. Landscape Plan Specifications.**

- I. A certified Landscape Architect, arborist, horticulturist, land surveyor, or other person deemed qualified by the ~~Director of Planning~~ *Zoning Administrator* shall prepare the plan.
- II. The plan shall be prepared at a scale of not less than 1"=40' for areas along streets and roads, and not less than 1"=20' for areas around buildings, parking lots, and landscape areas.
- III. All landscape plans shall be on sheets not exceeding twenty-four inches (24") by thirty-six inches (36").
- IV. If the plan is prepared on more than one sheet, match lines shall clearly indicate where the several sheets join.

### **Sec. 22-24-3. Landscape Plan Contents.**

- A. The Landscape Plan shall include the following elements
  1. Existing and proposed contours at intervals of five (5) feet or less.
  2. Property boundary lines.
  3. Limits of grading and clearing.
  4. Tree protection zone(s) as applicable.
  5. All proposed improvements.
  6. Existing and proposed underground and overhead utilities, including heights and/or depths.
  7. Rights-of-way and easements.
  8. Botanical and common name, size, spacing, and location of all trees, shrubs, and ground cover, and the location and extent of planting beds in which they are to be planted, if any.
  9. Plants shall be labeled on the plan by direct call-out method ~~and not~~ *or* by symbols keyed to a plant list.
  10. A planting symbol to illustrate the natural canopy/cover of trees and the extent of growth of shrubs at maturity.
  11. A plant list or matrix showing the botanical name, common name, quantity, size, spacing, handling method, and general instruction, if any, specific to each plant.
  12. General details illustrating the method of installation of plants, seeding, and sodding, including but not necessarily limited to size of plant pit, method of placement, backfill material, method of support, preparation of beds, mulch, etc.

13. Special details illustrating special conditions such as supplemental plant pit drainage, pruning for special effects, or other conditions requiring illustrated instructions.
14. General notes specifying the care and maintenance of plants for a period of three years following planting and the replacement of any dead, dying, or diseased vegetation required to be installed by this chapter for the life of the project.
15. Any and all information required for tree protection as indicated in Section B of this article.
16. Provide and identify adequate exterior water source.

**Sec. 22-24-4. Minimum Standards.**

A. The following shall be the minimum size of plant materials at installation:

- |                           |               |
|---------------------------|---------------|
| 1. Large shade trees      | 2" caliper    |
| 2. Medium shade trees     | 1.5" caliper  |
| 3. Ornamental trees       | 1.5" caliper  |
| 4. Large evergreen trees  | 8' in height  |
| 5. Medium evergreen trees | 6' in height  |
| 6. Small evergreen trees  | 4' in height  |
| 7. Large shrubs           | 2' in height  |
| 8. Medium shrubs          | 2' in height  |
| 9. Small shrubs           | 1' in height  |
| 10. Ground cover          | 1 year plants |

- |                       |               |
|-----------------------|---------------|
| 1. Large shade trees  | 1.5" caliper  |
| 2. Medium shade trees | 1.25" caliper |
| 3. Ornamental trees   | 1.25" caliper |
| 4. Evergreen trees    | 5' in height  |
| 5. Shrubs             | 18" in height |
| 6. Ground cover       | 1 year plants |

~~B. All trees to be planted shall meet the specifications of the American Landscape Association. The planting of trees shall be done in accordance with either the standardized landscape specifications jointly adopted by the Virginia Nurserymen's Association, the Virginia Chapter of Landscape Designers, and the Virginia Chapter of the American Society of Landscape Architects, or the Road and Bridge Specifications of the Virginia Department of Transportation. Wheel stops, curbing, or other barriers shall be provided to prevent damage to landscaping by vehicles. Where necessary, trees shall be welled or otherwise protected against change in grade. All pervious areas of the site shall be permanently protected from soil erosion with grass, ground cover, or mulch material.~~

B. All required landscaping shall be planted according to the following standards:

1. All trees to be planted shall meet the specifications of the American Landscape Association.
2. The planting of trees shall be done in accordance with either the standardized landscape specifications jointly adopted by the Virginia Nurserymen's Association, the Virginia

*Chapter of Landscape Designers, and the Virginia Chapter of the American Society of Landscape Architects, or the Road and Bridge Specifications of the Virginia Department of Transportation.*

3. *All required landscaping shall be planted between September 15 and June 30, provided that the ground is not frozen.*
- C. *Wheel stops, curbing, or other barriers shall be provided to prevent damage to landscaping by vehicles.*
- D. *Where necessary, trees shall be welled or otherwise protected against change in grade. Such protection measures shall be sited to minimize disturbance within the drip line of trees designated for protection on the landscape plan.*
- E. *All pervious areas of the site shall be permanently protected from soil erosion with grass, ground cover, or mulch material.*

### **Sec. 22-24-5. Requirements.**

~~A. It is the specific intent of these requirements to promote landscape design and installation to mitigate the effects of new development on surrounding areas and specifically not to use plantings as a means of drawing attention to new development. To promote the protection and preservation of rural character, a palette of plant materials appropriate to the various zoning districts has been prepared and shall be followed as a general guideline in preparing plant plans for the various zones. The Landscape Plan should utilize those plant species that are best suited for the site. To facilitate this, a list of recommended and prohibited plants are broken down into native, assimilated non-native, exotic, and invasive species is available from the Director of Planning. Applicants may add plants to this list with the prior approval of the Director of Planning.~~

- ~~1. Residential zoning districts: Plantings shall be native and assimilated non-native, except in village or commercial settings. In these settings, where plantings are internal and generally not in view of the public road, street, or adjacent property, exotic species may be used.~~
- ~~2. Business and Industrial zoning districts: Plantings shall be native and assimilated non-native, except in areas generally not in view of the public road or adjacent properties. In these areas exotic species may be used.~~
- ~~3. Agricultural and all other districts: Plantings shall be native and assimilated non-native.~~

A. *It is the specific intent of these requirements to promote landscape design and installation to mitigate the effects of new development on surrounding areas and specifically not to use plantings as a means of drawing attention to new development. The landscape plan should help protect and preserve Fluvanna County's rural character.*

B. *The Landscape Plan shall utilize native and assimilated non-native species listed within the Fluvanna County Plant List. Applicants may add plants to this list with the prior approval of the Zoning Administrator, provided that the proposed species have a rated hardiness and growth habit appropriate for the intended location. A mixture of plant species should be used on each site.*

C. ~~Trees~~ *Street trees shall be required along existing or proposed public streets ~~in~~ within or adjacent to any ~~non-residential development, or non-residential part of a mixed use or multi-family development~~ site that is subject to site plan approval, ~~as follows:~~ and all major subdivisions with an average lot size of one (1) acre or less. The placement of street trees shall be in accordance with Virginia Department of Transportation (VDOT) standards and shall not be located within any sight triangle. The required plantings shall be located either within the right-of-way itself or within a ten-foot (10') strip continuous to such right-of-way. Existing, healthy trees with a caliper of eight inches (8") or greater located within ten feet (10') of the right-of-way may be used to satisfy the planting requirement, provided the trees are protected in accordance with the standards contained in this Chapter. Appropriate provisions shall be made for the permanent maintenance and preservation of the required street trees, to the reasonable satisfaction of the county attorney. Such provisions may include a landscape preservation easement dedicated to the property owners' association or other entity approved by the county attorney. The street trees shall be planted at the following rate:*

- ~~1. Two (2) large shade trees per 100 feet, on both sides of the street.~~
  - ~~2. An average of one (1) ornamental tree per one hundred (100) feet, on both sides of the street.~~
  - ~~3. An average of two (2) medium or small evergreen trees per one hundred (100) feet, on both sides of the street. Medium shade trees may be substituted for large shade trees at a ratio of 2 to 1, but may not constitute more than 40% of the total shade trees provided.~~
1. *One (1) large shade tree shall be required for every fifty (50) feet of road frontage; or*
  2. *One (1) medium shade tree shall be required for every forty (40) feet of road frontage.*

D. *Minimum tree canopy coverage shall be provided for all new commercial, industrial, and multi-family residential development in accordance with the following requirements:*

1. *Tree canopy coverage shall include all areas of coverage by plant material exceeding ten feet (10') in height, and shall be measured ten (10) years maturity after planting.*
2. *Tree canopy coverage shall be calculated for new plantings using ten-year tree canopy coverage standards published by the Virginia Nursery and Landscape Association or other set of standards approved by the Zoning Administrator. When a coverage interval is cited in such standards, the smallest coverage figure for each interval shall be used.*
3. *All landscape plans shall include the preservation of existing trees, the planting and replacement of trees, or any combination thereof, to the extent that, at maturity of ten (10) years, a minimum tree canopy shall be provided as follows:*
  - a. *Ten percent (10%) tree canopy for a site developed with commercial, office, institutional, or industrial uses;*
  - b. *Fifteen percent (15%) tree canopy for a multi-family residential site developed at a gross density of more than ten but less than twenty dwelling units per acre; and*
  - c. *Twenty percent (20%) tree canopy for a multi-family residential development developed at a gross density of ten or fewer dwelling units per acre.*

4. *A bonus credit toward tree canopy requirements may be given for the preservation of existing wooded areas, clusters of trees, or mature trees (healthy trees with 12 inches or greater diameter at breast height) as follows:*
  - a. *The credit provided for the preservation of existing trees, wooded areas, or clusters of trees shall be 1.50 multiplied by the area defined by the existing drip line of the tree, wooded area, or cluster of trees.*
  - b. *The credit provided per mature tree shall be 2.0 multiplied by the area defined by the boundaries of the existing drip line of the tree.*
  - c. *A certified landscape architect or arborist shall provide written verification that the trees for which credit will be awarded are in healthy condition; will likely survive for at least twenty (20) years following landscape plan approval; will not be severely impacted by construction activities on site; will not interfere with the growth of other viable landscaping; and will not compromise safety. Credit towards tree canopy requirements shall not be given for any tree deemed to be in poor to fair condition by the Zoning Administrator, nor for any plant designated as invasive on the list maintained by the Zoning Administrator.*
  - d. *In the event that one or more trees to be awarded bonus credit under this section is destroyed, significantly damaged during clearing or construction activities, or is willfully destroyed or removed, the person responsible for such destruction, injury, or removal shall replace each tree destroyed with two (2) large shade trees planted on-site.*
5. *For the purpose of calculating the total area of a site to determine tree canopy coverage requirements, the following areas shall be excluded:*
  - a. *Properties reserved or dedicated for future street construction or other public improvements.*
  - b. *Ponds and un-wooded wetlands.*
  - c. *Properties reserved or dedicated for school sites, playing fields and non-wooded recreation areas, and other facilities and areas of a similar nature.*
  - d. *Portions of a site containing existing structures that are not the subject of a pending application.*

*E. All sites subject to site plan approval and all major subdivisions shall reserve a riparian protection area in accordance with the following requirements:*

1. *The riparian protection area shall be at least 50 feet wide along both sides of all intermittent streams, at least 75 feet wide along both sides of all perennial streams, and at least 100 feet wide along both sides of the Hardware River, Rivanna River, and James River.*
2. *Indigenous vegetation, including existing ground cover, shall be preserved to the maximum extent practicable, consistent with the use or development proposed. Dead, diseased, or dying vegetation may be pruned or removed as necessary, pursuant to sound horticultural practices. No logging or silvicultural activities may take place within the riparian protection area.*
3. *No portion of any on-site sewerage system, drain field, reserve drain field, or building shall be placed within the riparian protection area. This statement shall be on all plats and site plans of affected lots.*

4. *If otherwise authorized by the applicable regulations of this chapter, the following types of development shall be permitted within the riparian protection area, provided that the requirements of this section are met:*
  - a. *A building or structure which existed on the date of adoption of this article may continue at such location. However, nothing in this section authorizes the replacement, expansion, or enlargement of such building or structure.*
  - b. *On-site or regional stormwater management facilities and temporary erosion and sediment control measures, provided that:*
    1. *To the extent practical, as determined by the Zoning Administrator, the location of such facilities shall be outside of the riparian protection area;*
    2. *No more land shall be disturbed as necessary to provide for the construction and maintenance of the facility, as determined by the Zoning Administrator;*
    3. *The facilities are designed to minimize impacts to the functional value of the riparian protection area and to protect water quality; and*
    4. *Facilities located within a floodplain adhere to the floodplain regulations of the County Code.*
  - c. *Water-dependent facilities; water wells; passive recreation areas, such as pedestrian trails and bicycle paths; historic preservation; archaeological activities, provided that all applicable federal, state and local permits are obtained. All pedestrian trails and bicycle paths shall be constructed using permeable paving materials.*
  - d. *Stream crossings of perennial and intermittent streams for roads, streets, or driveways, provided that the stream buffer disturbance shall be the minimum necessary for the lot(s) to be used and developed as permitted within the underlying zoning district. Stream crossings shall not disturb more than thirty (30) linear feet of stream for driveways and sixty (60) linear feet for roads or streets, provided that the Zoning Administrator may allow additional length of stream disturbance where fill slopes or special conditions necessitate additional length.*

~~F. No invasive species shall be planted, except in containers or completely enclosed planting areas that will prevent their spreading beyond the planting area. Certain invasive species indicated on the list maintained by the Director of Planning Zoning Administrator may not be used in any circumstance. Species identified on the Invasive Alien Plant Species of Virginia list published by the Virginia Department of Conservation and Recreation may not be used in any circumstance.~~

G. In areas in view of public roads and rights-of-way, landscape plans should specify plants and their spacing so they may grow in their natural habitat, achieving mature size with minor pruning and shaping.

H. *Where landscaping is required, the property owner or developer shall provide performance guarantees as follows:*

1. *No certificate of occupancy shall be issued until the landscaping is completed in accordance with the approved landscape plan. When the occupancy of a structure is*

*desired prior to the completion of the required landscaping, a certificate of occupancy may be issued only if the owner or developer provides a performance bond or other form of security satisfactory to the Zoning Administrator in an amount equal to the costs of completing the required landscaping. All required landscaping shall be installed and approved by the end of the first planting season following issuance of a certificate of occupancy, or the security described above may be forfeited to Fluvanna County.*

2. *A maintenance bond for the landscaping required by this Chapter shall be posted by the developer in favor of Fluvanna County. If the landscaping is installed prior to the issuance of a certificate of occupancy, then the maintenance bond shall be posted prior to the issuance of the certificate of occupancy. If the landscaping is bonded for installation, rather than installed prior to the issuance of a certificate of occupancy, then the maintenance bond shall be posted when the materials are planted and before the performance bond is released. The maintenance bond shall be in the amount of one-third (1/3) the value of the landscaping and shall be held for a period of three (3) years following the planting date. At the end of the three (3) year time period, the bond shall be released if all plantings are in healthy condition as determined by the Zoning Administrator. If the plantings installed in accordance with an approved landscape plan are not properly maintained by the owner, the security described above may be forfeited to Fluvanna County.*

*I. The landowner shall be responsible for the general maintenance and the timely repair and replacement of all landscaping required by this Chapter. All landscaping shall be maintained as follows:*

1. *Plantings shall be kept mulched to prevent weed growth and to retain soil moisture;*
2. *Plant material shall be pruned to maintain healthy and vigorous growth with all pruning performed in accordance with generally accepted maintenance standard practices;*
3. *All turf areas shall be kept mown, except for areas designated as a natural meadow on the landscape plan;*
4. *All plant and landscape material and landscaped areas shall be kept free of refuse and debris; and*
5. *The landowner shall maintain any plant material required by this Chapter and any plant material that dies shall be replaced in kind, or with a suitable substitute as approved by the Zoning Administrator. Preserved existing trees, that subsequently die, shall be replaced by new trees of a caliper and/or height as would be required by this Chapter.*

*J. Any minor requirements above may be ~~waived or~~ modified by the ~~Director of Planning~~ Zoning Administrator on a site-specific basis, by means of substitution of materials, design, or technique, where the Zoning Administrator finds that, as a result of conditions peculiar to the site, ~~may warrant or~~ the objectives of the ordinance can be better achieved by other means. The ~~Director of Planning~~ Zoning Administrator may also approve minor spacing variations. The decision of the ~~Director of Planning~~ Zoning Administrator in this regard is appealable to the ~~Planning Commission~~ Board of Zoning Appeals.*

## Sec. 22-24-6. Parking lot landscaping.

~~A. The intent, in addition to those stated for landscaping in general, is to achieve a minimum of 50% screening of parking areas from public streets and adjacent properties.~~

A. All development subject to site plan approval shall include the following required landscaping for parking lots consisting of five (5) spaces or more.

B. Minimum planting areas are to be provided as follows:

1. One ~~9' x 18'~~ planting island *containing not less than 200 square feet of planting area* for every ~~twenty-five (25)~~ *twenty (20)* parking spaces in a row and at both ends of a parking bay, *with a minimum width of ten feet (10') in order to protect the landscaping and allow for proper growth.*
2. A ~~nine (9) foot~~ planting strip *at least nine feet (9') in width* between each adjacent area of parking of four (4) bays. ~~Where parking bays are adjacent to the nine (9) foot planting strip, no planting islands are required.~~
3. A ~~nine (9) foot~~ planting strip *at least nine feet (9') in width* shall be provided between access roadways and adjacent properties' parking areas and adjacent property of the same use.
4. A ~~twenty-five (25) foot~~ planting area *at least twenty-five feet (25') in width* shall be provided between parking and adjacent properties of a different use and public streets and rights-of-way. The area shall be measured from the closest parking space to the adjacent property or right-of-way line.

C. ~~Large shade trees~~ *Planting islands* shall be planted as follows:

1. One (1) large shade tree *and four (4) shrubs* ~~in each 9' 12' x 18' planting island~~ *for every 200 square feet.*
2. Large shade trees shall be arranged so that the canopy at maturity will cover thirty-five (35) percent of the parking area placed mainly around the perimeter of the parking area and at the end of parking bays.
3. Medium shade trees may be substituted for large shade trees at a ratio of two (2) to one (1), if appropriately spaced and meeting all other canopy criteria. Medium shade trees shall not exceed forty (40) percent of the total number of shade trees.

~~D. Internal planting strips shall be planted with large shade trees every thirty-five (35) feet, or medium shade trees as specified in the forgoing section. In addition, ornamental trees, small evergreen trees, evergreen shrubs, deciduous shrubs, and ground covers shall be planted to soften the visual impact of parked cars, create visual relief from expanses of pavement, help direct traffic, and create an aesthetically pleasing environment. The selection and arrangement of plant materials in these strips shall be to achieve these goals while avoiding conflict with sight distance, traffic safety standards, and handicapped accessibility. As a guideline, projecting plants sizes to maturity, thirty (30) percent of the strip should be covered by the canopy of ornamental trees, forty (40) percent by small, evergreen trees and~~

~~shrubs, ten percent (10) covered by deciduous shrubs, and the remainder in ground cover, grass, or mulch.~~

D. *Internal planting strips shall be planted as follows:*

1. *One (1) large shade tree and six (6) shrubs every forty (40) linear feet.*
2. *Large shade trees shall be arranged so that the canopy at maturity will cover thirty-five (35) percent of the parking area placed mainly around the perimeter of the parking area and at the end of parking bays.*
3. *Medium shade trees may be substituted for large shade trees at a ratio of two (2) to one (1), if appropriately spaced and meeting all other canopy criteria. Medium shade trees shall not exceed forty (40) percent of the total number of shade trees.*

E. *Parking lots consisting of five (5) spaces or more shall be screened from view of public roads, rights-of-way, and adjacent properties. One of the following landscaping treatment options shall be utilized to meet the minimum screening requirements for parking lots:*

1. *Landscape Strip Option: One (1) tree and ten (10) shrubs shall be planted for each forty (40) linear feet, excluding driveway openings, within a planting strip that is ten feet (10') in width; or*
2. *Berm Option: One (1) tree and five (5) shrubs shall be planted for each forty (40) linear feet, excluding driveway openings. The berm shall be at least thirty (30) inches higher than the finished grade of the parking lot and shall not have a slope steeper than 2:1. The berm shall be stabilized with groundcover or other vegetation; or*
3. *Woodlands Preservation Option: Existing woody vegetation shall be preserved as a buffer strip with a minimum width of thirty-five (35) feet. Additional tree or shrub plantings may be required by the Zoning Administrator. The woodlands preservation area shall be placed in a landscape easement, and the landscape plan shall demonstrate techniques to be used for removing underbrush, pruning, and protecting existing trees from any damage during site development; or*
4. *Structural Option: A wall constructed of brick, stone, or architectural block, no shorter than three (3) feet and no taller than four (4) feet, shall be constructed along the entire width of the parking lot. One (1) tree and three (3) shrubs shall be planted for each forty (40) linear feet, excluding driveway openings.*

F. *The placement of bioretention areas within required planting areas is encouraged, provided that the bioretention techniques utilized are approved as part of an erosion and sediment control plan, stormwater management plan, or similar document. Examples of bioretention techniques include, but are not limited to, rain gardens, swales, infiltration trenches, and tree box filters.*

G. *When retaining existing trees in parking areas, enough ground around the tree should be left to allow for its survival or grass pavers should be used to allow air and moisture to reach the tree roots.*

## Sec. 22-24-7. Screening.

### A. Screening shall be required in the following instances:

1. Commercial and industrial uses shall be screened from view *from* adjacent properties in residential and agricultural zoning districts, except for commercial and industrial uses allowed by right in said districts.
2. Parking lots consisting of five (5) spaces or more shall be screened from view of public roads, rights-of-way, and adjacent properties.
3. Objectionable features, including but not limited to the following, shall be screened from the view of public roads, rights-of-way, and adjacent properties:
  - i. Loading areas
  - ii. Refuse areas
  - iii. Storage yards
  - iv. Dry Detention ponds
  - v. Maintenance areas
4. If the required screening is consistent with an approved Master Plan subject to the requirements of the R-3 Residential zoning district.
5. *The Zoning Administrator may require the screening of any use, or portion thereof, upon determination that the use would otherwise have a direct negative visual impact on a property designated as historic by its inclusion within the Historic Preservation chapter of the Comprehensive Plan.*

~~B. When required, screening shall consist of a planting strip, existing vegetation, berms, a wall or fence (fifty (50) percent solid), or a combination thereof to the reasonable satisfaction of the Director of Planning. When only vegetative screening is provided, such screening shall be provided to the reasonable satisfaction of the Director of Planning, but shall in no event be less than twenty-five (25) feet in depth. Vegetative screening shall consist at a minimum of a double staggered row of large or medium evergreen trees planted at appropriate spacing for the species to achieve no less than thirty (30) percent screening at the time of planting. Areas indicated as tree protection zones may satisfy this requirement for screening.~~

C. *When required, screening shall consist of new plantings, existing vegetation, an opaque masonry wall or wooden fence, or combination thereof, to the reasonable satisfaction of the Zoning Administrator. Unless otherwise specified within this Chapter, one of the following landscaping treatment options shall be utilized to meet the minimum screening requirements:*

1. *Evergreen Option: Two (2) rows of evergreen trees shall be planted ten (10) feet on center and staggered within a planting strip that is twenty-five feet (25') wide; or*
2. *Berm Option: Two (2) rows of evergreen shrubs shall be planted ten (10) feet on center and staggered. The berm shall be at least thirty (30) inches higher than the finished grade of the surrounding area and shall not have a slope steeper than 2:1. The berm shall be stabilized with groundcover or other vegetation; or*
3. *Mixed Vegetation Option: One (1) large shade tree, one (1) medium shade tree, one (1) evergreen tree, and three (3) evergreen shrubs for each twenty (20) linear feet, within a planting strip that is twenty-five feet (25') wide; or*
4. *Woodlands Preservation Option: Existing woody vegetation shall be preserved as a buffer strip with a minimum width of seventy-five (75) feet. Additional tree or shrub*

*plantings may be required by the Zoning Administrator. The woodlands preservation area shall be placed in a landscape easement, and the landscape plan shall demonstrate techniques to be used for removing underbrush, pruning, and protecting existing trees from any damage during site development; or*

5. *Structural Option: A wall or fence, no shorter than six feet (6') in height, shall be provided and one (1) evergreen tree or shrub shall be planted every ten (10') feet along the side of any such wall or fence facing a public street or use for which the screening shall benefit.*

*B. Within commercial, industrial, and multi-family residential developments, dumpsters and other refuse areas visible from public roads, rights-of-way, and parking areas shall be completely screened from view by a masonry wall constructed using architectural block, brick, stone, or a similar material that is compatible with the architecture of the principal structure. Alternative materials that adequately screen the refuse areas and prevent debris from leaving the refuse area may be used with the prior approval of the Zoning Administrator*

*C. Parking lots of five (5) spaces or more shall be screened in accordance with Sec. 22-24-6. .*

**Sec. 22-24-8.1: ~~Statement of Intent~~ Purpose of Tree Protection Plans.**

The purpose of this section is to promote the general health, safety and welfare through the protection and preservation of existing tree stands, individual specimen trees, and understory plants during the land disturbance/site development process. Preservation of existing tree stands, individual specimen trees, and understory plants shall be a primary consideration in the planning for, and implementation of, land development activities. For tree protection, barriers are required to prevent physical damage to trees or understory plants, and to prevent soil disturbance and compaction within tree protection areas. The more intense the development of the site, the greater the need for the protection and preservation of existing trees and understory.

**Sec. 22-24-8.2. ~~When Required~~ Activities Requiring Tree Protection Plans.**

Compliance with the tree protection program of this section is required on all site development plans involving land clearance of more than one-half of one acre (21,780 square feet of cleared land) in size, and all activities requiring a land disturbing permit except for the construction of a single or two family dwelling on an individual lot.

All plans prepared for compliance with this chapter shall clearly delineate areas of tree protection and provide construction details of tree protection barriers. Measures for tree protection shall be outlined in the general notes of the plan, including construction, inspection, and maintenance of barriers. The general notes shall also outline prohibited activities within the tree protection zones. The tree protection zone shall, to the extent possible, conform to the drip line of the trees being protected.

### **Sec. 22-24-8.3. Tree Protection Plan Contents.**

- A. All tree protection plans shall indicate tree protection zone(s), in accordance with the following guideline:
1. Existing stands of trees or individual specimen trees whose removal is not necessary for the development of the site or the construction of any facility.
  2. Preservation of existing trees to comply with the Landscape Plan requirements.
- B. All areas of tree protection shall be bounded by a tree protection barrier at the perimeter of the tree protection zone. Barriers shall completely surround the tree protection area, except where the area extends more than one hundred (100) yards beyond the construction zone or routes of access to the construction zone. The tree protection areas, beyond the one hundred (100) yards, shall be flagged every one hundred (100) feet with continuous ribbon with “Do Not Enter” signs stating prohibited activity. Barriers and flagging shall be installed prior to any land disturbing activity. Barriers shall be a minimum of five (5) feet in height, stationary, and constructed of rigid or semi-rigid materials that must be dismantled to be moved. Barriers shall be of a color or flagged to be clearly visible by all people in the vicinity, particularly equipment and vehicle operators. Barriers shall be inspected and repaired on a routine basis and shall be completely removed prior to occupancy of the development. The purpose of the barrier shall be to prevent damage to trees or under story plants and to prevent soil disturbance and compaction within the zone.
- C. The following activities are prohibited within tree protection zones:
1. Operation of any vehicle or machinery, except as may be necessary for the installation of utility lines.
  2. Parking of vehicles or equipment.
  3. Storage of any materials or equipment.
  4. Discharge of any substance that may be injurious to trees or understory plants.
- D. Wherever feasible, utilities shall be designed and routed to avoid tree protection zones. If it is necessary to route utilities through tree protection zones, the following shall apply:
1. Route utility trenches outside the drip line of trees or as far as possible from tree trunks.
  2. In areas of multiple trees, where trenches must go between trees, preference should be given to stay away from larger specimen trees.
  3. Equipment that is the lightest weight and makes the least possible impact shall be used to dig trenches and install utilities.
  4. Rubber-tired, rather than track equipment, shall be used whenever possible.
  5. Excavation materials are not to be placed against tree trunks and shall be placed as far away from trunks as possible.
  6. Where excavation materials are to be placed, indicator ribbons shall be placed on undisturbed areas prior to excavation, to facilitate restoring the area to the original grade.
  7. Areas where excavated material have been placed shall be restored to the original grade with the least amount of disturbance possible.

- E. Any damage done to trees within tree protection zones shall be immediately repaired.
- F. Any clearing within tree protection zones shall be done by hand.
- G. Where grade differences occur between the tree protection area and the finished grade of the adjacent areas, retaining walls and dry wells shall be used to prevent the need for grading in tree protection zones.

## **Article 26. Off-Street Parking and Loading Spaces**

### **Sec. 22-26-1. Statement of Intent.**

The intent of this article is to provide vehicle parking space for a developed site that is adequate to serve the demand generated by the proposed use, while avoiding excessive impervious area. This article will serve to protect valuable natural, historic, and scenic resources within Fluvanna County; to provide safe and convenient internal and external movement of vehicles, *bicycles*, and pedestrians; to provide adequate fire and police protection and stormwater control; and otherwise to protect the health, safety, and welfare of the citizens of Fluvanna County.

### **Sec. 22-26-2. Off-Street Parking and Loading Spaces Required.**

- A. There shall be provided at the time of erection of any building or at the time any main building is enlarged, or at the time of a change in use of a building or site, off-street parking and loading spaces as set forth in this section. No person, firm, or corporation shall build and occupy any structure or initiate the new use of any land without providing the off-street parking and loading spaces as set forth in this section. Parking requirements shall not automatically be considered sufficient for any other use of the property. When there is a change in use of the property, additional parking spaces may be required if necessary to meet the standards established by this section.
- B. Off-street parking and loading spaces shall be maintained in a clean, litter-free, serviceable, and orderly condition, and shall continue as long as the main use of the site is continued. No owner or operator of any structure affected by this section shall discontinue, change, or dispense with the required parking and loading areas without prior approval by the ~~Director of Planning~~ *Zoning Administrator*.
- C. No non-residential off-street parking space or loading space shall be used for the sale, repair, dismantling or servicing of any vehicle, equipment, materials, or supplies, or obstructed in any fashion.
- D. When a use that is non-conforming as to the required off-street parking and loading space is enlarged, additional off-street parking and loading space shall be required only on the basis of the enlargement.
- E. No Certificate of Occupancy for a new or changed use shall be granted unless the requirements of this section are met.

### **Sec. 22-26-3. Location of Off-Street Parking.**

- A. The off-street parking facilities required by this section shall generally be located on the same lot or parcel of land that they are intended to serve.
- B. When consistent with the intent of this article, the ~~Director of Planning~~ *Zoning Administrator* may approve off-street parking on property that is located within six hundred (600) feet of the development site. Before such approval is granted, a written agreement assuring the retention of property for parking use shall be properly drawn and executed by the parties, approved as to form by the County Attorney, recorded with the County Clerk, and filed with the ~~Director of Planning~~ *Zoning Administrator*.

- C. Nothing in this section shall be construed to prevent the joint use of off-street parking between two (2) or more buildings or developments, or uses by two (2) or more owners or operators. In that case, the total number of parking spaces when combined or used together shall not be less than the sum of the requirements for the several individual uses computed separately, unless it can be demonstrated that by the nature of the several uses, the parking spaces will be in use at substantially different times of day. Before such approval is granted, a written agreement assuring the retention of property for parking use shall be properly drawn and executed by the parties, approved as to form by the County Attorney, recorded with the County Clerk, and filed with the ~~Director of Planning~~ *Zoning Administrator*.
- D. Where a parking lot is owned by Fluvanna County or another public body, and its spaces are open for use by the general public, said spaces may be used to meet the on-site parking requirement, provided that said parking lot is within 600 feet of the development site.
- E. *With the approval of the Zoning Administrator, on-street parking spaces located within one-hundred fifty feet (150') of the designated use may count towards the minimum off-street parking requirements. On-street parking spaces may be located on any private street or, with the approval of the Virginia Department of Transportation (VDOT), any public street. Each off-street parking space shall be on a paved area abutting the travelway.*
- F. To the greatest extent possible, parking areas shall not be located between the adjacent public right-of-way and the principal structure(s) on the site.

**Sec. 22-26-4. Parking Space Standards.**

**A. ~~Parking Space Size~~ Dimensional Standards**

- ~~1. Option A: Minimum width of 10' per space, with a minimum length of 18' and a minimum aisle width of 20'.~~
- ~~2. Option B: Minimum width of 9' feet per space, with a minimum length of 18' and a minimum aisle width of 24'.~~

1. *Parking spaces and adjacent aisles shall conform to the dimensions listed in Table 1:*

<i>Table 1: Minimum Parking Space and Aisle Dimensions</i>					
<i>Angle</i>	<i>Type</i>	<i>Width</i>	<i>Stall Depth</i>	<i>One-Way Aisle Width</i>	<i>Two-Way Aisle Width</i>
<i>0° (Parallel)</i>	<i>Standard</i>	<i>9 ft.</i>	<i>20.5 ft.</i>	<i>13 ft.</i>	<i>24 ft.</i>
	<i>Compact</i>	<i>7.5 ft.</i>	<i>18.5 ft.</i>	<i>12 ft.</i>	<i>24 ft.</i>
<i>30°</i>	<i>Standard</i>	<i>9 ft.</i>	<i>17 ft.</i>	<i>13 ft.</i>	<i>N/A</i>
	<i>Compact</i>	<i>8 ft.</i>	<i>14 ft.</i>	<i>12 ft.</i>	<i>N/A</i>
<i>45°</i>	<i>Standard</i>	<i>9 ft.</i>	<i>18 ft.</i>	<i>13 ft.</i>	<i>N/A</i>
	<i>Compact</i>	<i>8 ft.</i>	<i>16 ft.</i>	<i>12 ft.</i>	<i>N/A</i>
<i>60°</i>	<i>Standard</i>	<i>9 ft.</i>	<i>18 ft.</i>	<i>16 ft.</i>	<i>N/A</i>
	<i>Compact</i>	<i>8 ft.</i>	<i>16.5 ft.</i>	<i>15 ft.</i>	<i>N/A</i>
<i>90° (Perpendicular)</i>	<i>Standard</i>	<i>9 ft.</i>	<i>18 ft.</i>	<i>N/A</i>	<i>24 ft.</i>
	<i>Standard</i>	<i>10 ft.</i>	<i>18 ft.</i>	<i>N/A</i>	<i>20 ft.</i>
	<i>Compact</i>	<i>8 ft.</i>	<i>17 ft.</i>	<i>N/A</i>	<i>22 ft.</i>

2. *The minimum stall depth requirements for perpendicular parking spaces may be reduced by up to two feet (2'), if the parking spaces are adjacent to planting strips or other landscaping features that allow for an unobstructed overhang equivalent to the reduction.*
3. *Parking areas containing thirty (30) or more spaces may designate up to twenty percent (20%) of the minimum required parking spaces as compact car spaces. Such spaces shall meet the following requirements:*
  - a. *All compact parking spaces shall conform to the dimensions listed in Table 1.*
  - b. *Compact car parking spaces shall be located in one (1) or more continuous areas and shall not be intermixed with spaces designed for full-size vehicles.*
  - c. *Compact car parking spaces shall be clearly designated by pavement markings and/or appropriate signage.*
4. *Vehicular access roads, when not adjacent to parking spaces, shall meet the following requirements:*
  - a. *The minimum travelway width for two-way access roads shall be twenty-four feet (24').*
  - b. *One-way access roads are permitted, provided that the circulation pattern is contained within the site or sites shown on the site plan and public roadways are not incorporated as part of the circulation pattern. The minimum travelway for one-way access roads shall be twelve feet (12').*

#### B. Handicapped Parking

1. Handicapped parking spaces shall have a minimum width of eight (8) feet, with an adjacent five- (5) foot access aisle to be provided on one side of the handicapped space.
2. Handicapped parking spaces shall have a minimum length of 18'.
3. In any parking lot of more than five (5) spaces, there shall be at least two (2) designated and properly signed as a handicapped space.
4. In parking lots having more than five (5) spaces, at least one (1) per twenty five (25) spaces in addition to the two handicapped spaces already provided in 22-26-4(b)3.
5. Handicapped parking spaces shall be situated so as to provide direct, unobstructed access to buildings by the shortest practical routing.

#### C. Screening

1. Parking lots consisting of five (5) or more spaces shall be screened from view of public roads, rights-of-way, and adjacent property, as specified in Article 22-24 Landscaping and Tree Protection of this ordinance.

#### D. Landscaping

1. Parking lots consisting of five (5) or more spaces are required to be landscaped, as specified in Article 22-24 Landscaping and Tree Protection of this ordinance.

#### E. Lighting

1. Parking lots consisting of five (5) or more spaces are required to have outdoor lighting meeting County requirements, as specified in Article 22-25 Outdoor Lighting Control of this ordinance.

#### F. Design Objectives

1. Parking areas and vehicular circulation areas shall be designed to achieve the following objectives:
  - i. to minimize on-site and off-site traffic hazards in order to provide safe and convenient access to the traveling public and to pedestrians;
  - ii. to reduce or prevent congestion on public streets;
  - iii. to facilitate unimpeded flow of on-site traffic in circulation patterns readily recognizable and predictable to motorists, *bicyclists*, and pedestrians; ~~and~~
  - iv. to facilitate the provision of emergency services;
  - v. *to minimize the negative impacts of stormwater runoff on local water quality;*  
*and*
  - vi. *to minimize the disturbance of existing vegetation.*

#### G. Signage

1. Parking lots of five (5) or more vehicles are required to have signage, as specified in Article 22-15 Sign Regulations of this ordinance.

#### H. ~~Interior Circulation Aisles~~ *Interconnectivity*

- ~~1. Interior circulation aisles for two way traffic adjacent to parking spaces shall have a minimum travel width of twenty (20) feet with appropriate turning radii.~~
- ~~2. Interior circulation aisles for one way traffic adjacent to parking spaces shall have a minimum travel width of ten (10) feet with appropriate turning radii.~~
  1. *When possible, parking facilities shall be designed to connect with other parking facilities on adjacent parcels, eliminating the need to use abutting streets for cross-movements.*
  2. *Pedestrian facilities required by this section shall connect with existing sidewalks within or adjacent to the site, if topography and other environmental conditions allow.*

#### I. Intersections

1. Intersections of vehicular access aisles and public streets shall have an approach angle not exceeding four (4) percent for a distance of not less than forty (40) feet measured from the edge of the travelway of the public road intersected.

2. *Entrances to parking areas from public or private roadways shall be designed and constructed in accordance with Virginia Department of Transportation (VDOT) standards.*
3. *The centerline of any access point shall be set back from the street line of any intersecting street at least fifty feet (50') or one-half the lot frontage, whichever is greater, except that no required setback shall exceed two-hundred feet (200').*
4. *The centerlines of any separate access points shall be spaced at least seventy-five feet (75') apart.*

#### J. Grades

1. Grades of access aisles not abutting parking spaces shall not exceed ten (10) percent.
2. Grades of parking spaces, loading spaces, and access aisles abutting parking or loading spaces shall not exceed seven (7) percent and cross slope grades shall not exceed four (4) percent.

#### K. Drainage

1. All off-street parking and loading facilities shall be drained to eliminate standing water and prevent damage to abutting property and/or public streets and alleys.
2. *The use of low-impact development (LID) techniques to control stormwater runoff generated by parking areas is encouraged. Examples of LID techniques include, but are not limited to, the use of permeable paving materials, rain gardens, bioswales, infiltration trenches, and tree box filters designed to capture stormwater and facilitate on-site infiltration.*

#### L. Pedestrian Facilities

1. *Sidewalks, pedestrian crosswalks, and other pedestrian facilities shall be provided within all parking facilities for five (5) or more vehicles.*
2. *Sidewalks shall be located and aligned to directly and continuously connect points of pedestrian origin and destination, and shall not be located and aligned solely based on the outline of a parking lot configuration that does not provide such direct pedestrian access. Connecting walkways shall link building entrances with existing sidewalks along adjacent streets and with existing or proposed sidewalks on adjacent parcels.*
3. *Sidewalks shall comply with the most recent Virginia Department of Transportation (VDOT) specifications.*
4. *Sidewalks and other pedestrian facilities shall be separated from off-street parking, on-street parking, and loading and service areas by curbing or other protective devices.*
5. *Where sidewalks associated with a parking area cross a public or private roadway, a crosswalk shall be clearly marked in accordance with Virginia Department of Transportation (VDOT) standards. The use of remedial treatments, such as raised pedestrian crossings, forecourts and landings, special paving, signs, lights, and bollards, at pedestrian crossings is encouraged.*

6. *Sidewalks may be paved using hard-surfaced pervious paving materials, such as porous asphalt, porous concrete, or block pavers, as a method of stormwater management, provided that the use of such materials does not compromise the safety of pedestrians.*

#### M. Stacking Lanes

1. Spaces for stacking of vehicles waiting for access to drive-through windows, automatic teller machines (ATMs), fuel pumps, car washes, and similar uses shall be required.
2. Stacking lanes shall be designed so as not to impede on-site or off-site traffic movements, or movements into and out of parking spaces.
3. Stacking lanes shall be separated from other interior drives or aisles by a raised or painted median, and shall be marked so as to be easily identified from a vehicle.
4. No stacking lane shall be placed between any point of access and parking spaces.
5. All stacking spaces shall be at least ten (10) feet wide and eighteen (18) feet long.
6. Spaces in stacking lanes are required as follows:
  - i. convenience store, filling stations: three (3) spaces per drive-in window and one (1) space per fuel pump.
  - ii. financial institutions with drive-in windows, including ATMs accessible from a vehicle: four (4) spaces per first window or ATM and two (2) spaces per each additional window or ATM
  - iii. drive-in restaurants: eight (8) spaces for the first window and two (2) spaces for each additional window.
  - iv. Carwashes, automatic or drive-through: three (3) spaces per bay
  - v. All other uses with drive-through windows: three (3) spaces per window.

#### Sec. 22-26-5. Construction Standards.

- A. All access aisles, parking, and loading facilities for five (5) or more vehicles shall be surfaced in accordance with intensity of usage and such improvement shall not be less than six (6) inches of Virginia Department of Transportation #21 or #21A aggregate base together with prime and double seal or equivalent. *The use of hard-surfaced pervious paving materials, such as porous asphalt, porous concrete, or block pavers, is permitted as a method of stormwater management.*
  1. The foregoing notwithstanding, the required improvement may be reduced to three (3) inches of gravel in the following cases: (1) for parking for places of worship and other assembly uses where ~~usage of such parking area is anticipated to be so infrequent as to not require greater improvement~~ *evidence is presented to the Zoning Administrator that these spaces will not be used regularly on a daily basis or more than three times a week;* (2) for areas of display or storage of vehicles, mobile homes, machinery or other inventory requiring motor vehicle access for placement; provided, in no case, shall grassed or unimproved areas be devoted to inventory storage; or (3) single or two family

dwelling units and uses adjacent or within that unit such as a small home industry, bed and breakfast, home occupation, etc.

2. *Grass pavers may be used, with the approval of the zoning administrator, where it is demonstrated that the vegetation will survive the amount of expected vehicular traffic.*
3. All guardrails in parking and loading facilities shall meet VDOT specifications.
4. All parking and loading facilities shall be marked by painted lines, curbs, wheelstops, bumper blocks, or similar means to indicate individual spaces.

**Sec. 22-26-6. Off-street Loading Spaces.**

- A. All off-street loading spaces shall be provided on the same lot with the use to which they are appurtenant.
- B. All off-street loading spaces shall have a minimum width of twelve (12) feet, a minimum clearance height of 14 ½ feet, and a depth sufficient to accommodate the largest delivery truck serving the establishment, but in no case less than twenty-five (25) feet.
- C. Off-street loading spaces shall be provided in addition to and exclusive of parking spaces on the basis of:
  1. One (1) space for each eight thousand (8,000) square feet of retail space gross feasible area
  2. One (1) space for each eight thousand (8,000) square feet of office space.
  3. One (1) space for each ten thousand (10,000) square feet of industrial area.

**Sec. 22-26-7. Interpretations of Off-street Parking and Loading Requirements.**

- A. The off-street parking and loading requirements are in addition to space for the storage of trucks or other vehicles used in connection with any use.
- B. The off-street parking and loading requirements do not limit special requirements that may be imposed in the case of planned unit developments, conditional uses, or special exceptions.
- C. Where fractional spaces result, the parking spaces and loading spaces required shall be construed to be the next highest whole number.
- D. No inoperable vehicle shall be parked or stored on a lot in any zoning district unless the vehicle is within a fully enclosed building or structure, or are otherwise shielded or screened from view from all public roads and adjoining properties.

**Sec. 22-26-8. Off-street Parking Requirements.**

- A. The off-street parking requirements for various uses are stated on Table 4 2.
- B. *The off-street parking requirements for a use not specifically listed in Table 2 shall be determined by the Zoning Administrator based on the characteristics of the proposed uses; the number of residents or visitors; the minimum requirements for similar uses; and any other relevant characteristics. In making the determination, the Zoning Administrator may consider the recommendations of relevant parking studies as well as traffic generation*

*figures, including information provided by the Institute of Traffic Engineers, peak parking demands, and other information.*

- C. The number of parking spaces in a parking area may not exceed the number of spaces required by this section by more than forty (40%) percent unless approved by the Planning Commission. *To mitigate the environmental and visual impacts of additional impervious cover on the surrounding community, at least one (1) of the following features shall be incorporated into the design upon approval of the excess parking:*
  - 1. *Additional spaces approved by the Planning Commission will be surfaced using pervious paving material, such as porous asphalt, porous concrete, block pavers or a similar material; or*
  - 2. *For every two (2) additional spaces approved by the Planning Commission, one (1) tree and three (3) shrubs will be planted on-site, in addition to the requirements specified in Article 22-24: Tree Protection of this chapter.*
- D. *A reduction in the number of required parking spaces may, at the written request of the applicant, be granted with the approval of the Zoning Administrator as follows:*
  - 1. *A reduction in the number of required parking spaces may be granted in any one (1) of the following instances:*
    - a. *For projects that include fifty (50) or more parking spaces on-site and are located within a designated growth area, the minimum number of parking spaces may be reduced by up to five percent (5%) if the project is located within three-hundred feet (300') of a transit stop and is connected to the transit stop by a sidewalk.*
    - b. *For projects that include fifty (50) or more parking spaces on-site and are located within a designated growth area, the minimum number of required parking spaces may be reduced by one parking space for every one (1) bicycle space provided on a permanently-constructed bicycle rack, provided that the minimum parking required is not reduced by more than five percent (5%).*
    - c. *The minimum number of required parking spaces may be reduced by up to ten percent (10%), provided that one (1) tree and three (3) shrubs are planted for every two (2) spaces reduced, in addition to the requirements set forth in Article 22-24: Tree Protection of this ordinance.*
    - d. *The Zoning Administrator may allow the number of required spaces to be reduced up to ten percent (10%) for projects within a designated growth area that meet new urban/neo-traditional planning principles and further the goals set forth in the Comprehensive Plan. Factors that may be considered when allowing a reduction include the density of the surrounding community; the range of land uses located within convenient walking distance; accessibility to mass transit; and the provision of facilities for bicyclists.*
    - e. *The Zoning Administrator may allow the number of required spaces to be reduced up to twenty-five percent (25%), provided that a professionally-prepared parking study or similar documentation indicates that a reduction in the minimum parking requirements for a specific building or use would provide adequate parking facilities on-site.*
  - 2. *A site may not receive credit for more than one (1) strategy listed above. The possible reductions in the number of required parking spaces are not cumulative.*
  - 3. *When a reduction in the number of required parking spaces is permitted, the Zoning Administrator may, at his discretion, require the applicant to reserve space on-site that*

would accommodate the construction of additional parking in the future. The parking reserve area shall be designated on the site plan, and may not be converted to any other use without amendment of the site plan and the approval of the Zoning Administrator. The parking reserve area shall be sited to allow adequate pedestrian, bicycle, and automobile access, and shall be sized to accommodate a number of parking spaces equal to the amount of the parking reduction awarded. The intent of the parking reserve is to allow expansion of the parking area should the use or parking needs change.

- E. The provisions of this article for the application of individual parking standards for Planned Unit Developments located within the Zion Crossroads Urban Development Area may be modified at the discretion of the Planning Commission, provided that the Applicant submits a parking impact study that fully justifies the modification of the standards based on the mix of uses, the phasing of development, and other factors, including relationship of parking location to individual land uses within the project.

**TABLE 4 2. OFF STREET PARKING REQUIREMENTS**

USE	PARKING REQUIREMENTS
<b>COMMERCIAL</b>	
Animal Hospital, Veterinary Clinic, Animal Shelter	1 per 300 square feet
<i>Automobile Repair Service Establishments</i>	3 spaces plus 2 spaces for each service bay
<i>Beauty and Barber Shops</i>	2 spaces plus 2 spaces for every barber or beautician chair
<i>Financial Institutions</i>	1 per 250 square feet
Funeral Homes, Churches, other public assembly areas	1 per 4 fixed seats or 75 square feet of assembly area, whichever is greater
<i>Furniture, Carpet, or Appliance Store</i>	1 space per 500 square feet of retail sales area
<i>Gas Stations</i>	1.5 spaces per pump plus 2 spaces for each service bay
Greenhouse; nursery	1 per <del>200</del> 250 square feet within retail sales area up to 15,000 gross square feet; 1 per 400 square feet thereafter Plus one per <del>700</del> 1,000 gross square feet located in open storage/growing areas
Laundry	1 per <del>50 square feet open to the public</del> 2 washing machines
<i>Restaurant</i>	1 per 100 gross square feet, minimum of 10
Retail Stores, <del>Convenience Stores, Gas Stations</del>	1 per <del>200</del> 250 square feet of up to 15,000 gross square feet; 1 per 400 square feet thereafter plus any required stacking lanes
Sale of Motor Vehicles, Mobile Homes, Travel Trailers	1 per 2000 square feet of display area
Shopping Center	
Gross Leasable Square Feet	
1 to 15,000	5 4 spaces per 1000 feet
15,000 to 50,000	4.5 3.5 spaces per 1000 feet
Greater than 50,000	4 3 spaces per 1000 feet
<del>EATING ESTABLISHMENT</del>	2 per 100 gross square feet, minimum of 15
<b>LODGING</b>	

Country Inns, Boarding & Touring House, Bed & Breakfast	1 per unit
Hotels, Motels	1 per unit plus 150 square feet for restaurant and/or meeting area compliance with the requirements for each particular additional use located on premise.
<b>RECREATION</b>	
Assembly Hall, Dance Hall, Skating Rink	1 per 100 square feet
Indoor Recreation Facilities, Arcades	1 per 200 square feet
Campground	1 per campsite
Golf Course, Driving Range, Miniature Golf	2 per hole
Unspecified Recreational Use	1 per 125 square feet of usable recreation area
Stadiums, Arenas, Theaters	1 per 4 seats
<b>RESIDENTIAL</b>	
Dwellings, single family, two family, mobile homes	2 per unit
<del>Dwellings, multi-family</del>	<del>2.25 per unit</del>
<i>Dwellings, multi-family, efficiency/studio</i>	<i>1 per unit</i>
<i>Dwellings, multi-family, one bedroom</i>	<i>1.25 per unit</i>
<i>Dwellings, multi-family, two bedroom</i>	<i>1.5 per unit</i>
<i>Dwellings, multi-family, three or more bedrooms</i>	<i>2 per unit</i>
<del>Dwellings, multi-family, elderly</del> <i>Assisted Living Facility, Nursing Home</i>	<del>1.25 per unit plus 1 per employee on the major shift</del> <i>1 space per 3 residents plus 1 space per employee on largest shift</i>
<i>Group Home</i>	<i>0.5 spaces per bed at licensed capacity</i>
<b>OFFICE</b>	
Office (Gross floor area 10,000 square feet or less)	1 space per 200 300 square feet of up to 15,000 square feet, 5 minimum; <i>1 space per 350 sq. ft. thereafter</i>
Office (Gross floor area 10,001 to 50,000 square feet)	<del>1 space per 200 for first 10,000 sq. ft., 1 space per 250 sq. ft. thereafter</del>
Office (Gross floor area 50,000 or greater)	<del>1 space per 200 for first 10,000 sq. ft., 1 space per 300 sq. ft. thereafter</del>
<b>INDUSTRIAL AND COMMERCIAL</b>	
<del>Manufacturing</del>	<del>1 per two employees plus 1 per 200 square feet open to the public</del>
<i>Manufacturing</i>	<i>1 per 2 employees on largest shift plus 1 space per company vehicle</i>
<i>Unspecified Industrial Uses</i>	<i>1 per 2 employees on largest shift plus 1 per 250 square feet open to the public</i>
<b>INSTITUTIONAL</b>	
Day Care, Nursery School, Elementary School	1 per 9 pupils
Middle School	1 per 8 pupils
High School	1 per 3 pupils
Library, Museum, Art Gallery, Community Center	1 per 300 square feet
<i>Professional School</i>	<i>1 space per 2 students at maximum capacity plus 1 space per classroom</i>

Post Office	1 per 250 square feet, minimum of 5
<b>UNSPECIFIED</b>	Sufficient parking for average number of employees and visitors

## MEMORANDUM

To: County of Fluvanna, Office of Planning and Community Development  
From: Fluvanna County Health Department, Environmental Health  
Date: May 10, 2012

SDP 12:09 – Triangle Realtors – Property located on right side of Turkey Sag off of Rt. 53 in existing shopping center. Probable connection to Lake Monticello water & sewer.

SUP 12:01 – Clear Signal Towers, LLC - Tax Map 39-A-34, property belonging to William Davis. 331.29 acres directly across from Kidd's Store, southside of Rt. 6. Property does not contain any existing buildings, water or sewage systems.

SUP 12:02 – Clear Signal Towers, LLC – Tax Map 48-A-94, property belonging to Michael Gray. 71.46 acres on north side of Rt. 6 past Hardware River. Property does not contain any existing buildings, water or sewage systems.

SUP 12:03 – Clear Signal Towers, LLC – Tax Map 59-A-13B, property belonging to Richard White. 46.6 acres on East side of Rt. 15 before Bremono Bluff. The health department issued a permit for an agricultural well which was installed on June 10, 2009. There is a barn on the property but no septic systems.

SUP 12:04 Clear signal Towers, LLC – Tax Map 50-A-3, property belonging to Margaret Snoddy. 97.7 acres on Rt. 650, south of Rt. 6. Property does not contain any existing buildings, water or sewage systems.

ZTA 12:01 & ZTA 12:02 – Amendments to Zoning and Subdivision Ordinances. No apparent impact on health department regulations.

	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Minimum Size of Plant Materials at Installation</b>								
Deciduous Trees	Large Shade Trees: 2" caliper  Medium Shade Trees: 1.5" caliper	Large Shade Trees: 1.5" caliper  Medium Shade Trees: 1.25" caliper	Large Street Trees: 1.5-1.75" caliper  Medium Street Trees: 1-1.25" caliper	2-2.5" caliper	Unspecified	2.25" caliper	Small: 2.5" caliper  Large: 2.5" caliper	Unspecified
Evergreen Trees	Large Evergreens: 8' tall Medium Evergreens: 6' tall Small Evergreens: 4' tall	5' tall	4' – 5' tall	6' tall	Unspecified	6' tall	5' tall	Unspecified
Ornamental Trees	1.5" caliper	1.25" caliper	Unspecified	1-1.5" caliper	Unspecified	Unspecified	Unspecified	Unspecified
Shrubs	Large Shrubs: 2' tall Medium Shrubs: 2' tall Small Shrubs: 1' tall	18" tall	Screening Purposes: 18-30" tall  Street Planting: 12-18" tall	24" tall	Unspecified	Evergreen Shrubs: 30" tall  Dwarf Deciduous Shrubs: 18"	24" tall	Unspecified
<b>Maintenance</b>								
Maintenance Standards	The landscape plan must include general notes specifying the care and maintenance of plants for a period of three years following planting and the replacement of any dead, dying, or diseased vegetation required to be installed for the life of the project.	The landowner shall be responsible for the general maintenance and the timely repair and replacement of all required landscaping materials.  Planting must be mulched. Plant material must be pruned. All turf areas must be mown. All plant material must be kept free of refuse and debris.	Unspecified	The landowner shall be responsible for the general maintenance, including but the watering of all landscaped areas and the timely repair and replacement of all required landscaping materials.  Planting must be mulched. Plant material must be pruned. All turf areas must be mown. All plant material must be kept free of refuse and debris.	Required street trees must be maintained by the developer for up to 18 months, and replaced if necessary.	The owner is responsible for the maintenance, repair and replacement of all required landscape materials.  All plant material shall be tended and maintained in a healthy growing condition, replaced when necessary and kept free of refuse and debris.  Fences shall be maintained in good repair.	The owner shall be responsible for the maintenance, repair, and replacement of all landscape materials.  All plant material shall be tended and maintained in a healthy growing condition and free from refuse and debris at all times. All unhealthy, dying, or dead plant material shall be replaced during the next planting season.  All landscaped areas shall be provided with a readily available water supply shown on the landscape plan. The utilization of underground storage chambers to collect runoff for irrigation is encouraged.	Required landscaping must be maintained for the life of the development. Maintenance is the responsibility of the property owner.
Performance Guarantees	Unspecified	All landscaped shall be installed by the first planting season following the issuance of a Certificate of Occupancy. A maintenance bond for the landscaping shall be posted prior to the issuance of a Certificate of Occupancy.  The maintenance bond must be equal to 1/3 of the value of the landscaping, and is held for 3 years following the planting date. After 3 years, if the zoning administrator determines the plantings are in healthy condition, the bond will be released.	All landscaped shall be installed by the first planting season following the issuance of a Certificate of Occupancy. A maintenance bond for the landscaping shall be posted prior to the issuance of a Certificate of Occupancy.  The maintenance bond must be equal to 1/3 of the value of the landscaping, and is held for 12 months following the planting date. After 12 months, if the zoning administrator determines the plantings are in healthy condition, the bond will be released.	A bond, escrow, letter of credit or other performance guarantee must be provided in an amount sufficient for and conditioned upon installation and maintenance of all required plantings. The guarantee may be used to correct any violations associated with the landscape plan.	Unspecified	The landscaping shown on the initial plan must be completed or bonded prior to approval of any Certificate of Occupancy.	No certificate of occupancy may be issued until the landscaping plan is completed. When the occupancy of a structure is desired prior to completion of the required landscaping, a certificate of occupancy may be issued only if the owner provides a form of surety satisfactory to the Director of Community Development & Codes Compliance in an amount equal to the costs of completing the required landscaping.	Unspecified

	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Minimum Size of Plant Materials at Installation</b>								
Deciduous Trees	Large Shade Trees: 2" caliper  Medium Shade Trees: 1.5" caliper	Large Shade Trees: 1.5" caliper  Medium Shade Trees: 1.25" caliper	2" caliper	2" caliper	1.5" caliper	Unspecified	10' tall, 4' spread, 2.25" caliper	1.25" caliper
Evergreen Trees	Large Evergreens: 8' tall Medium Evergreens: 6' tall Small Evergreens: 4' tall	5' tall	4 – 6' tall (Depending on Application)	6' tall	Multi-Stemmed: 8' tall Single-Stemmed: 1.25" caliper, 8' tall	Unspecified	8' tall, 4' spread, 2" caliper	Unspecified
Ornamental Trees	1.5" caliper	1.25" caliper	Unspecified	Unspecified	Single-Stemmed: 1.25" caliper, 8' tall Multi-Stemmed: 8' tall	Unspecified	8' tall, 4' spread, 1.75" caliper	Unspecified
Shrubs	Large Shrubs: 2' tall Medium Shrubs: 2' tall Small Shrubs: 1' tall	18" tall	15 – 18" tall	30" spread, 24" tall	Evergreen: 18" tall Deciduous: 22" tall	Unspecified	Deciduous Shrubs: 24" tall Evergreen Shrubs: 18" tall Flowering/Ornamental: 18" tall	Unspecified
<b>Maintenance</b>								
Maintenance Standards	The landscape plan must include general notes specifying the care and maintenance of plants for a period of three years following planting and the replacement of any dead, dying, or diseased vegetation required to be installed for the life of the project.	The landowner shall be responsible for the general maintenance and the timely repair and replacement of all required landscaping materials.  Planting must be mulched. Plant material must be pruned. All turf areas must be mown. All plant material must be kept free of refuse and debris.	All landscaping must be maintained by the property owner and any plants that die or are destroyed must be replaced within 30 days.	Per the Subdivision Ordinance, buffers required around subdivisions must be maintained by the property owner or the homeowners' association.	The owner shall be responsible for the maintenance, repair, and replacement of all required landscaping materials, fences, and barriers.  All plant materials, including existing trees preserved to meet the landscaping requirements, must be tended and maintained in a healthy growing condition, replaced when necessary, and kept free of refuse and debris.  Fences and walls shall be maintained in good repair.	Unspecified	The owner and owner's successors are responsible for the maintenance of all landscaping, fencing and screening materials.  All plant material must be tended and maintained in a healthy condition and replaced when necessary.  All fences, walls and screening shall be maintained in good repair and kept free of litter and debris.	The property owner is responsible for maintaining landscaping and fencing, including the replacement of dead trees and shrubs and the repair of any damaged or broken fencing.
Performance Guarantees	Unspecified	All landscaped shall be installed by the first planting season following the issuance of a Certificate of Occupancy. A maintenance bond for the landscaping shall be posted prior to the issuance of a Certificate of Occupancy.  The maintenance bond must be equal to 1/3 of the value of the landscaping, and is held for 3 years following the planting date. After 3 years, if the zoning administrator determines the plantings are in healthy condition, the bond will be released.	Unspecified	Unspecified	A certificate of occupancy will not be issued until all landscaping has been installed in accordance with the approved landscaped plan unless the installation of any incomplete landscaping is guaranteed.	Unspecified	If the landscape plan cannot be implemented before the Certificate of Occupancy because of seasonal conditions, a letter of credit or cash escrow is required to be submitted to the County for the estimated cost of installation plus a reasonable allowance for estimated administrative costs, inflation, and potential damage to existing vegetation.	Unspecified

	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Screening</b>								
Instances Required	<p>Commercial and industrial uses must be screened from adjacent residential and agricultural uses</p> <p>Loading areas, refuses areas, storage yards, dry detention ponds, and maintenance areas should be screened from public roads and adjacent properties.</p>	<p>Commercial and industrial uses must be screened from adjacent residential and agricultural uses</p> <p>Loading areas, refuses areas, storage yards, dry detention ponds, and maintenance areas should be screened from public roads and adjacent properties.</p> <p>The Zoning Administrator may require screening of a use that would have a direct negative impact on a property designated as historic in the Comp. Plan</p>	<p>Commercial and industrial uses must be screened from adjacent residential and rural area districts.</p> <p>Parking lots with 4 or more spaces must be screened from adjacent residential and rural area districts.</p> <p>Loading areas, refuse areas, storage yards, and detention ponds must be screened from residential and rural area districts and public roads.</p> <p>Double frontage residential lots shall be screened from between the rear of the home and public ROWs.</p> <p>The agent may require screening to protect views of and from properties on the Virginia Historic Landmarks Register.</p>	<p>Non-residential buildings, multi-family residential buildings and parking lots must be screened from adjacent land planned or zoned for agricultural, rural area, and residential uses.</p> <p>Loading and service areas, refuse areas, storage areas, pump stations, and tower sites must be screened from adjacent residential and agricultural uses and public streets.</p> <p>All utility and mechanical equipment must have a natural evergreen planting screen.</p> <p>The Approving Authority may require screening of a use that would have a direct negative impact on a property designated as historic in the Comp. Plan.</p>	Industrial uses must be screened from adjacent business and residential districts.	Screening is required along the perimeter of parcels used for non-residential purposes.	Screening is required long the perimeter of all parcels within the Highway Corridor Overlay District.	<p>Commercial and industrial districts must be screened from adjacent residential, agricultural, and conservation districts</p> <p>Multi-family residential districts must be screened from adjacent single-family residential, duplexes, and townhouses.</p>
Composition	<p>May consist of a planting strip, existing vegetation, berms, a wall or fence (50% solid), or a combination thereof.</p> <p>Vegetative screening shall consist of a double staggered row of large or medium evergreen tress planted to achieve no less than 30% screening at the time of planting.</p>	<p>Five different screening options:</p> <ul style="list-style-type: none"> <li>Evergreen Option: Double staggered row of evergreen trees planted 10' on center</li> <li>Berm Option: Double staggered row of evergreen shrubs planted 10' on center atop a berm at least 30" high.</li> <li>Mixed Vegetation Option: 1 large shade tree, 1 medium shade tree, 1 evergreen tree, and 3 evergreen shrubs for every 20'</li> <li>Woodlands Preservation Option: Existing vegetation preserved with a 75' buffer.</li> <li>Structural Option: 6' high wall with 1 evergreen tree/shrub planted every 10'</li> </ul> <p>Dumpsters must be screened with a masonry wall.</p>	<p>Must consist of a planting strip, existing vegetation, a slightly opaque wall or fence, or combination thereof.</p> <p>Vegetative screening shall consist of a double staggered row of evergreen trees planted 15' on center, or a double staggered row of evergreen shrubs planted 10' on center.</p> <p>Fences or walls must be at least 6' tall and plantings may be required at intervals along the fence.</p>	<p>Screening may consist of new plantings, existing vegetation, an opaque wall or fence, or any combination.</p> <p>If new plantings are installed, it must consist of 2 rows of evergreen trees staggered and planted 10' on center OR a berm (slope 2:1 or less) with 2 rows of evergreen shrubs 20' on center.</p> <p>Alternative screening may be used with the approval of the Approving Authority: 1 large tree, 1 medium shade tree, and 1 evergreen shrub per 500 sq. ft., and 1 shrub per 50 sq. ft. of area.</p> <p>Walls/fences must be 6' high with evergreen plantings planted along the side of the wall facing a public street or use the screen is benefiting.</p>	Unspecified	<p>Front Yard:</p> <ul style="list-style-type: none"> <li>Landscaped Option: 3 Canopy Trees, 3 Understory Trees, and 24 shrubs per 100' (20' depth).</li> <li>Woodland Option: Existing tree buffer (35' depth)</li> </ul> <p>Rear Yard:</p> <p>4 Canopy Trees, 7 Understory Trees, 30 shrubs (75% must be evergreen) (25' depth)</p> <p>Side Yard:</p> <p>2 Canopy Trees, 5 Understory Trees, 20 shrubs (20' depth)</p> <p>Rear or Side Yard Adjacent to Rural or Residential District (Unless the property is designated commercial or industrial in Comp. Plan): 30' dense evergreen tree screen OR Combination Berm 2:1 slope and Evergreen Tree Screen</p>	<p>3 Types (A, B, C) Type A requires the greatest setback, Type C the least.</p> <p>Landscaping Type A: 1 large deciduous tree and 1 small deciduous tree per 50'; 1 evergreen tree per 30'; 1 medium shrub per 15'; low shrubs and groundcover throughout.</p> <p>Landscaping Type B: 1 large deciduous tree per 50'; 1 small deciduous tree and 1 evergreen tree per 30'; 1 medium shrub per 10'; low shrubs and groundcover throughout OR a 3' high berm with Type A plantings</p> <p>Landscaping Type C: 1 large deciduous tree per 50'; 1 small deciduous tree and 1 evergreen tree per 30'; 1 medium shrub per 5' or a continuous hedgeform or white picket fence (3-4' height); low shrubs and groundcover throughout OR a 3' high berm with Type B plantings</p>	<p>Screening yards must contain sufficient vegetation to provide and adequate screen between uses.</p> <p>Evergreen vegetation shall be planted and spaced in staggered rows 15' on center. Existing vegetation, such as hedgerows and trees, may be used to satisfy the screening requirements.</p> <p>Invasive plants are prohibited.</p>

	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Screening</b>								
Instances Required	<p>Commercial and industrial uses must be screened from adjacent residential and agricultural uses</p> <p>Loading areas, refuses areas, storage yards, dry detention ponds, and maintenance areas should be screened from public roads and adjacent properties.</p>	<p>Commercial and industrial uses must be screened from adjacent residential and agricultural uses</p> <p>Loading areas, refuses areas, storage yards, dry detention ponds, and maintenance areas should be screened from public roads and adjacent properties.</p> <p>The Zoning Administrator may require screening of a use that would have a direct negative impact on a property designated as historic in the Comp. Plan</p>	<p>Commercial and industrial uses must be screened from adjacent residential uses.</p>	<p>Screening is required between specified commercial uses (B-0, B-1, B-2, B-3) and residential districts, and between M-2/M-3 sites and AR, R, and A-1 districts.</p> <p>Buffers are required between commercial uses and major thoroughfares.</p> <p>Buffers are required between residential subdivisions in the Suburban Service District and major thoroughfares.</p>	<p>Planting areas are required along existing or planned ROWs.</p> <p>Refuse areas, storage yards, loading areas, and stormwater management facilities must be screened. Sites within view of Virginia Historic Landmarks must be screened. Lots with multiple frontages must be screened between the rear of the building and the ROW.</p> <p>In general, screening (transitional buffers) is required between industrial, commercial, multi-family uses and residential and agricultural districts.</p>	<p>Commercial and industrial uses must be screened from adjacent residential districts.</p>	<p>Matrix establishes buffer requirements. Generally required between commercial, industrial, and residential uses. All non-agricultural uses must be buffered from agricultural lands.</p> <p>Subdivision ordinance requires buffers between residential lots outside designated villages and major and scenic roadways</p>	<p>Most commercial and industrial uses must be screened from adjacent residential and agricultural uses.</p>
Composition	<p>May consist of a planting strip, existing vegetation, berms, a wall or fence (50% solid), or a combination thereof.</p> <p>Vegetative screening shall consist of a double staggered row of large or medium evergreen trees planted to achieve no less than 30% screening at the time of planting.</p>	<p>Five different screening options:</p> <ul style="list-style-type: none"> <li>Evergreen Option: Double staggered row of evergreen trees planted 10' on center</li> <li>Berm Option: Double staggered row of evergreen shrubs planted 10' on center atop a berm at least 30" high.</li> <li>Mixed Vegetation Option: 1 large shade tree, 1 medium shade tree, 1 evergreen tree, and 3 evergreen shrubs for every 20'</li> <li>Woodlands Preservation Option: Existing vegetation preserved with a 75' buffer.</li> <li>Structural Option: 6' high wall with 1 evergreen tree/shrub planted every 10'</li> </ul> <p>Dumpsters must be screened with a masonry wall.</p>	<p>Screening between commercial/industrial and residential sites may be achieved by:</p> <ul style="list-style-type: none"> <li>Double row of 6' evergreen trees planted 10' on center OR</li> <li>2 – 4' tall berm planted with 4' evergreen trees planted 10' on center.</li> </ul>	<p>Screening between Commercial/Residential:</p> <ol style="list-style-type: none"> <li>If left in its natural state, the buffer is 100'.</li> <li>If left in its natural state and the existing vegetation can meet or exceed the required planting specified in (4) by a factor of 3 or the existing vegetation and a screen fence can exceed (4) by a factor of 2, the buffer is 75'.</li> <li>If left in its natural state and the existing vegetation can meet or exceed the required planting specified in (4) by a factor of 4 or the existing vegetation and a screen fence can exceed (4) by a factor of 3, the buffer is 50'.</li> <li>Buffer may be 25' deep with an undulating berm at least 4' high and at least 1 deciduous tree per 20', 1 evergreen tree per 10', 2 shrubs per tree, and suitable ground cover.</li> </ol> <p>Along Major Thoroughfares: 1 deciduous or evergreen tree for every 50' of frontage, and 1 shrub for every 30' of frontage</p>	<p>ROW planting requirements: All existing viable mature trees and specimen trees must be preserved, as well as all understory trees with a DBH of 2" or greater.</p> <p>Transitional screening areas must be left in their undisturbed natural state and supplemented where necessary with additional plantings to provide an effective visual screen.</p>	<p>Unspecified</p>	<p>Three different types of buffers (A, B, C). Different buffer types required between different uses. In general, Type A is required between the least incompatible uses, while Type C is required between the most incompatible uses.</p> <ul style="list-style-type: none"> <li>Type A: 1 large evergreen tree and 1 medium evergreen tree per 15' (35' depth)</li> <li>Type B: 1 large evergreen tree, 1 medium evergreen tree, 2 small evergreen trees or shrubs per 15' (50' depth)</li> <li>Type C: 1 large evergreen tree, 2 medium evergreen trees, 3 small deciduous, ornamental or evergreen trees per 15' (75' depth).</li> </ul> <p>Buffers between residential lots (outside designated villages) and major roadways: 35' depth with landscape preservation easement; 100' depth along scenic byways.</p>	<p>Must be suitably fenced and/or landscaped for C-2/I-1 districts</p> <p>Screening between I-2 districts and residential and agricultural districts must consist of a 8' solid fence or landscaping consisting of 2 rows of evergreen trees (8' tall) planted 20' apart and staggered.</p>

	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Screening (continued)</b>								
Depth	25' (if only vegetative screening is provided)	Evergreen Option: 25' Mixed Vegetation Option: 25' Woodlands Preservation Option: 75'  Other options unspecified	20' (if only vegetative screening is provided)	20' (if only vegetative screening is provided)	Unspecified	Front Yard: 20-35' Rear Yard: 20-30' Side Yard: 20-30'	Front Yard: 50-70' Rear Yard: 20-30' Side Yard: 10-20'  Developers may receive an up to 10' setback reduction for utilizing exceptional architectural treatments on buildings.	20'
<b>Street Trees</b>								
Locations Required	Existing or proposed public streets in any non-residential development, or non-residential part of a mixed-use or multi-family development that is subject to site plan approval.	Existing or proposed public streets within or adjacent to any site subject to site plan approval and all major subdivisions with an average lot size of one (1) acre or less.	Existing or proposed public streets in any development subject to site development plan approval in all commercial and industrial districts and residential districts $\geq 4$ DU/acre.	Existing and proposed public streets in any commercial or industrial development subject to site plan approval and all multi-family residential developments.	Streets in major residential subdivisions.	All areas used for vehicular access within residential uses not requiring site plan approval (landscape plan required with Record Plat or Construction Drawings, whichever comes first).	All roads in major residential subdivisions with an average lot size of 2 acres or less.	Unspecified
Spacing	Large Shade Trees: 1 per 100' of road frontage  Ornamental Trees: 1 per 100' of road frontage  Medium/Small Evergreens: 2 per 100' of road frontage	Large Shade Trees: 1 per 50' of road frontage OR Medium Shade Trees: 1 per 40' of road frontage	Large Street Trees: 1 per 50' of road frontage  Medium Street Trees: 1 per 40' of road frontage	1 tree per 50' of road frontage	1 tree per 50' of road frontage	1 tree per 50' of road frontage	1 tree per 50' of road frontage	Unspecified

	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Screening (continued)</b>								
Depth	25' (if only vegetative screening is provided)	Evergreen Option: 25' Mixed Vegetation Option: 25' Woodlands Preservation Option: 75'  Other options unspecified	Unspecified	25-100' depending on type selected  Along Major Thoroughfares: 15-25' (depending on road)	ROW Landscape Areas: 50' along Community Character Corridors, 30' along other roads.  Transitional buffers range from 30-50', with industrial uses requiring the greatest buffer.	25'	35-75' depending on type required	Unspecified
<b>Street Trees</b>								
Locations Required	Existing or proposed public streets in any non-residential development, or non-residential part of a mixed-use or multi-family development that is subject to site plan approval.	Existing or proposed public streets within or adjacent to any site subject to site plan approval and all major subdivisions with an average lot size of one (1) acre or less.	Unspecified	Unspecified	Along all ROWs within and abutting residential subdivisions.	Unspecified	Along all ROWs within and abutting major subdivisions with lots less than five acres (except industrial)	Unspecified
Spacing	Large Shade Trees: 1 per 100' of road frontage Ornamental Trees: 1 per 100' of road frontage Medium/Small Evergreens: 2 per 100' of road frontage	Large Shade Trees: 1 per 50' of road frontage OR Medium Shade Trees: 1 per 40' of road frontage	Unspecified	Unspecified	Trees: 1 tree every 40' Shrubs: 1 shrub every 20'	Unspecified	1 tree every 40'	Unspecified

	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Plant List</b>								
Is there a plant list?	Yes	Yes	Yes	No Some suggested species are listed within the ordinance.	No	No	No	No
Does it include native plants?	Yes	Yes	Yes	N/A	No	No	No	No
Are the use of native plants required?	No	No	No	No The Culpeper County Design Guidelines promote natives.	No	No	No	No
<b>Tree Preservation</b>								
Are existing trees required to be preserved?	No Encouraged by Code	No Encouraged by Code	No	No	No	No Clear-cutting of projects requiring site plans is limited to areas required for loading, parking, streets, stormwater management, and buildings; in residential subdivisions, it is limited to areas required for house pad, yard, drainfields, streets, stormwater management, and recreational facilities.	Yes Existing trees of 8" in diameter or more must be preserved to the maximum extent possible.	No
Are credits given for the preservation of existing trees?	Yes Areas indicated as tree protection zones may satisfy screening requirements.	Yes Existing trees may be used to meet the screening requirements, and bonuses are awarded for preserving existing trees as part of the canopy requirements	Yes Existing trees or wooded areas may be preserved in lieu of planting new materials in order to satisfy the landscaping and screening requirements.	Yes Existing trees preserved receive bonus credit under the tree canopy requirements.	Unspecified	Yes Existing trees or wooded areas may be preserved in lieu of planting new materials in order to satisfy the landscaping and screening requirements.	Yes Existing trees and shrubs may be preserved in lieu of planting new materials in order to satisfy the landscaping and screening requirements.	Yes Existing vegetation may be used to meet the screening requirements.
Is there a tree preservation buffer along waterways?	No	Yes 50' along all intermittent streams, 75' along all perennial streams, and 100' along the Hardware, James, and Rivanna rivers.  Indigenous vegetation shall be preserved to the maximum extent practical, consistent with the use or development proposed.	In Development Areas: 100' along perennial streams and contiguous wetlands  In Water Supply Protection Area or Rural Land: 100' along perennial or intermittent streams and contiguous wetlands OR limits of floodplain, whichever is greater.  Agricultural Cropland: 25' perennial streams and contiguous wetlands  No live tree with a diameter of 6" or greater within 15' of any perennial stream may be cut down.	All new development subject to stormwater regulations must retain or establish stream buffers.  Rappahannock, Rapidan, Hazel, Thornton Rivers: 100' on each side  Perennial Streams: 50' on each side  Ephemeral streams, intermittent streams, or streams with evidence of channel formation: 25' on each side	No	No	Yes (per CBPA regulations)  100' vegetated buffer adjacent to tidal wetlands, nontidal wetlands connected by surface flow to perennial water bodies, and tidal shores.	No
Is there a tree preservation buffer along roadways?	No	Yes (part of subdivision ordinance)	No	No	No	No	Landscaped areas are required along roadways in the Highway Corridor Overlay District.	No

	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Plant List</b>								
Is there a plant list?	Yes	Yes	No	Yes	Yes	No	Code references the list of native species on the VA DCR website as the plant list.	No
Does it include native plants?	Yes	Yes	No	Yes	Yes	No	Yes	No
Are the use of native plants required?	No	No	No	No	No	No	Yes Unless a certified landscape architect specifies an alternative species that has a hardiness and growth rate suitable for the location.	No
<b>Tree Preservation</b>								
Are existing trees required to be preserved?	No Encouraged by Code	No Encouraged by Code	Yes (within buffers) Trees with a 6" caliper or greater located within buffer areas must be retained.	No	Yes Existing mature trees outside impervious areas must be preserved. The PC may require specific trees to be preserved.	No	No Encouraged within Code	No
Are credits given for the preservation of existing trees?	Yes Areas indicated as tree protection zones may satisfy screening requirements.	Yes Existing trees may be used to meet the screening requirements, and bonuses are awarded for preserving existing trees as part of the canopy requirements	Unspecified	Yes Existing trees or wooded areas may be preserved in lieu of planting new materials in order to satisfy the screening requirements.	Yes 1 existing viable ornamental tree = 1 planted ornamental tree 3 existing viable trees = 1 planted tree 1 viable mature tree = 2 planted trees 1 viable specimen tree = 3 planted trees	Unspecified	Yes Existing trees or wooded areas may be preserved in lieu of planting new materials in order to satisfy the landscaping and screening requirements.	Unspecified
Is there a tree preservation buffer along waterways?	No	Yes 50' along all intermittent streams, 75' along all perennial streams, and 100' along the Hardware, James, and Rivanna rivers.  Indigenous vegetation shall be preserved to the maximum extent practical, consistent with the use or development proposed.	No (generally) Within the Rural Preservation District, a 100' buffer is required along perennial streams and a 50' buffer is required along intermittent streams.	Yes (per CBPA regulations) 100' vegetated buffer adjacent to tidal wetlands, nontidal wetlands connected by surface flow to perennial water bodies, and tidal shores.	Yes (per CBPA regulations) 100' vegetated buffer adjacent to tidal wetlands, nontidal wetlands connected by surface flow to perennial water bodies, and tidal shores.	Forested buffers (25-100') are encouraged, and sometimes required, along Lake Anna	Yes (per CBPA regulations) 100' vegetated buffer adjacent to tidal wetlands, nontidal wetlands connected by surface flow to perennial water bodies, and tidal shores.	No
Is there a tree preservation buffer along roadways?	No	Yes (part of subdivision ordinance)	No	Screening is required along major thoroughfares for most new development.	Landscaped areas are required along roadways.	.No	Landscape preservation areas are required along major roads and scenic roads (see Screening).	No

Comparison of Landscaping Requirements among Virginia Localities

	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Tree Canopy Requirements</b>								
Requirements	None	Commercial, Office, Institutional or Industrial Uses: 10% canopy  Multi-Family Residential (Density 10-20 DU/ac): 15% canopy  Multi-Family Residential (Density ≤10 DU/ac): 20% canopy	Commercial, Office, or Industrial Uses: 10% canopy  Residential Site (Density ≥20 DU/ac): 10% canopy  Residential Site (Density 10-20 DU/ac): 15% canopy  Residential Site (Density ≤10 DU/ac): 20% canopy	Commercial, Office, Institutional or Industrial Uses: 10% canopy  Multi-Family Residential (Density 10-20 DU/ac): 15% canopy  Multi-Family Residential (Density ≤10 DU/ac): 20% canopy	None	Commercial or Industrial Zoned Properties requiring a Site Plan: 10% canopy  Residential or PUD Zoned Properties requiring a Site Plan: 15% canopy  Residential Subdivisions not requiring a Site Plan: 15%	None	None
Existing Tree Credits	N/A	Bonus credit is awarded for preserving existing wooded areas, clusters of trees or mature trees (DBH ≥12")  Mature Trees: Credit of 2.0x the area defined by the drip line  Wooded Areas/Clusters: Credit of 1.5x the area defined by the drip line	Where existing trees are maintained, a canopy bonus is granted as follows: <ul style="list-style-type: none"> <li>The canopy area is calculated at 10 additional years of maturity;</li> <li>The resultant area is multiplied by 1.25.</li> </ul>	Bonus credit is awarded for preserving existing wooded areas, clusters of trees or mature trees (circum. ≥42" 5' above grade).  Mature Trees: Credit of 2.0x the area defined by the drip line  Wooded Areas/Clusters: Credit of 1.5x the area defined by the drip line	N/A	Existing trees may be counted as part of the tree canopy calculations.	N/A	N/A

	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Tree Canopy Requirements</b>								
Requirements	None	Commercial, Office, Institutional or Industrial Uses: 10% canopy  Multi-Family Residential (Density 10-20 DU/ac): 15% canopy  Multi-Family Residential (Density ≤10 DU/ac): 20% canopy	None	None	None	None	None	None
Existing Tree Credits	N/A	Bonus credit is awarded for preserving existing wooded areas, clusters of trees or mature trees (DBH ≥12")  Mature Trees: Credit of 2.0x the area defined by the drip line  Wooded Areas/Clusters: Credit of 1.5x the area defined by the drip line	N/A	N/A	N/A	N/A	N/A	N/A

	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Parking Lot Landscaping</b>								
Interior Landscape Area	<p>1 planting island (9' x 18') per 25 parking spaces in a row at both ends of the parking bay.</p> <p>9' planting strip between 4 adjacent parking bays</p> <p>9' planting strip between access roadways</p>	<p>1 planting island (12' x 18') per 20 parking spaces in a row at both ends of the parking bay.</p> <p>9' planting strip between 4 adjacent parking bays</p> <p>9' planting strip between access roadways</p>	<p>An area equal to 5% of the paved parking area must be landscaped</p> <p>1 shade tree is required per 10 parking spaces</p>	<p>An area equal to 5% of the paved parking area must be landscaped</p> <p>1 canopy tree is required per 10 parking spaces</p> <p>120 sq. ft. of contiguous pervious area is required per tree</p>	Unspecified	No parking space may be more than 80' from a landscaped open space or a canopy tree.	<p>20 sq. ft. of interior landscaping per parking space</p> <p>1 small deciduous tree per 100 sq. ft. of landscaped area OR 1 large deciduous tree per 200 sq. ft. of landscaped area</p> <p>All landscape areas shall be planted with shrubs and other vegetative ground cover compatible with tree landscaping, so that no bare ground exists.</p>	<p>An area equal to 5% of the paved parking area must be landscaped</p> <p>In plans that bioretention is used as a stormwater feature, the planting areas may be 3% or more of the total parking area</p>
Landscaped Islands	<p>1 planting island (9' x 18') per 25 parking spaces in a row at both ends of the parking bay.</p> <p>1 large shade tree per island</p> <p>1 large shade tree for every 35' of internal planting strip</p>	<p>1 planting island (12' x 18') per 20 parking spaces in a row at both ends of the parking bay.</p> <p>1 large shade tree and 4 shrubs per island</p> <p>1 large shade tree and 6 shrubs per 35' of internal planting strip</p>	Must be evenly dispersed throughout the parking lot	<p>No size requirements</p> <p>Must be evenly dispersed throughout the parking lot</p>	Unspecified	<p>Islands must be located at the end of each row of parking. They must be 6' wide and equal in length to the adjacent parking space.</p> <p>1 canopy tree is required per island.</p> <p>Curbs are required around the islands.</p> <p>Must be evenly dispersed throughout the parking lot</p>	Each island must be at least 100 sq. ft. and have a minimum width of 9'.	Islands must be at least 150 sq. ft. and have at least 1 tree and 3 shrubs for every 150 sq. ft.
Canopy Requirements	<p>35%</p> <p>1 large shade tree per island</p> <p>Medium shade trees may be used instead of large trees at a ratio of 2:1. Medium shade trees may not exceed 40% of required trees.</p>	<p>35%</p> <p>1 large shade tree per island</p> <p>Medium shade trees may be used instead of large trees at a ratio of 2:1. Medium shade trees may not exceed 40% of required trees.</p>	1 shade tree per 10 parking spaces	1 canopy tree per 10 parking spaces	Unspecified	<p>1 tree per 10 parking spaces</p> <p>Plus 1 tree per island</p>	<p>1 small deciduous tree per 100 sq. ft. of landscaped area OR 1 large deciduous tree per 200 sq. ft. of landscaped area</p> <p>Existing large deciduous trees of 8" or greater in diameter at DBH shall be credited as 2 newly-planted large deciduous trees.</p>	Unspecified

	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Parking Lot Landscaping</b>								
Interior Landscape Area	<p>1 planting island (9' x 18') per 25 parking spaces in a row at both ends of the parking bay.</p> <p>9' planting strip between 4 adjacent parking bays</p> <p>9' planting strip between access roadways</p>	<p>1 planting island (12' x 18') per 20 parking spaces in a row at both ends of the parking bay.</p> <p>9' planting strip between 4 adjacent parking bays</p> <p>9' planting strip between access roadways</p>	<p>Each zoning district has its own requirements regarding parking lot landscaping.</p> <p>All Commercial and Industrial zones are required to have the following planting requirements between the parking lot and the street: A 3' evergreen hedge or 2'-4' berm with a 2' evergreen hedge is required.</p>	Unspecified	<p>Interior landscaping area must be equal to at least 10% of the surface area parking.</p> <p>1 tree and 2 shrubs are required for every 5 parking spaces.</p> <p>1 viable mature tree that is preserved may substitute for 2 planted trees; 1 viable specimen tree substitutes for 3 planted trees.</p> <p>At least 35% of trees must be evergreen, at least 50% of trees must be deciduous shade trees, and at least 50% of shrubs must be evergreen.</p>		<p>2 trees required for every 10 parking spaces.</p> <p>4 shrubs are required for every 10 parking spaces.</p>	<p>200 sq. ft. of landscaped area per 10 parking spaces</p> <p>1 shade tree per 10 parking spaces</p>
Landscaped Islands	<p>1 planting island (9' x 18') per 25 parking spaces in a row at both ends of the parking bay.</p> <p>1 large shade tree per island</p> <p>1 large shade tree for every 35' of internal planting strip</p>	<p>1 planting island (12' x 18') per 20 parking spaces in a row at both ends of the parking bay.</p> <p>1 large shade tree and 4 shrubs per island</p> <p>1 large shade tree and 6 shrubs per 35' of internal planting strip</p>		Unspecified	<p>Parking spaces must be grouped into bays; at the end of each bay, there must be a landscaped island that is at least 9' x 15'. No parking bay may be more than 150' long without the construction of a landscaped island.</p> <p>Islands must be protected by curbs or buffers.</p>		<p>Landscaped islands are required at the end of each parking bay.</p> <p>Each island must be at least 10' x 15'.</p>	1 shade tree per 10 parking spaces
Canopy Requirements	<p>35%</p> <p>1 large shade tree per island</p> <p>Medium shade trees may be used instead of large trees at a ratio of 2:1. Medium shade trees may not exceed 40% of required trees.</p>	<p>35%</p> <p>1 large shade tree per island</p> <p>Medium shade trees may be used instead of large trees at a ratio of 2:1. Medium shade trees may not exceed 40% of required trees.</p>		Unspecified	<p>Trees may be spaced no more than 75' apart throughout the parking lot.</p> <p>Parking lots shall be designed to preserve existing viable trees to the maximum extent possible.</p>		<p>2 trees required for every 10 parking spaces.</p>	<p>1 shade tree per 10 parking spaces</p> <p>At least 1 shade tree is required for every 50' of frontage.</p> <p>If 20 or more trees are required, no more than 1/4 of the trees may be any one species.</p>

	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Parking Lot Landscaping (continued)</b>								
Buffer from Roadways	There should be a minimum of 50% screening of parking areas from public streets and adjacent properties.	<p>Four different screening options:</p> <ul style="list-style-type: none"> <li>Landscape Strip Option: 1 tree and 10 shrubs per 40' of frontage</li> <li>Berm Option: 1 tree and 5 shrubs per 40' of frontage with a berm that is at least 30" tall</li> <li>Woodlands Preservation Option: Existing vegetation preserved with a 35' buffer.</li> <li>Structural Option: 3-4' high wall with 1 tree and 3 shrubs per 40' of frontage</li> </ul>	<p>Large street trees must be planted along the public street frontage which abuts a parking lot. 1 large shade tree is required for every 50 feet of road frontage. Medium shade trees may be used if there are spacing constraints; if medium shade trees are used, 1 tree is required per 40 feet of road frontage.</p> <p>When parked cars are visible from a public street, a buffer of low shrubs is required. Shrubs should be planted in a single row and spaced 5' apart. Alternative modes of screening may be approved by the reviewer.</p>	<p>Parking lots must be screened from adjacent land planned or zoned for agricultural, rural area, and residential uses.</p> <p>Lots with 10 or more spaces visible from public streets must be screened with a single row of shrubs between the parking lot and the street. The plantings must provide a continuous barrier at one year's maturity. Alternative methods of screening (low walls, berms) may be used with if approved by the Approving Authority.</p>	Unspecified	<p>All parking lots with more than 20 spaces must have landscaping along the perimeter of the parking area with a minimum of 1 canopy tree per 10 spaces.</p> <p>A 10' wide landscaping strip is required between the parking lot and street ROW. The parking area must be screened to a height of 30". The screening options are:</p> <ul style="list-style-type: none"> <li>Landscape Strip Option: 1 canopy tree and 10 shrubs should be planted per 35 linear feet of frontage (excluding driveway openings) in a 10' wide strip.</li> <li>Berm Option: 1 canopy tree and 5 shrubs per 35 linear feet of frontage (excluding driveway openings). The berm must be at least 30" higher than the finished grade of the parking lot, and it may have a slope no steeper than 2:1. There are no set dimensions regarding the width of the buffer.</li> <li>Woodlands Preservation Option: Allows for the preservation of an existing woodlands strip with a minimum width of 35'. No additional plantings are required. The strip must be placed in easement, and the landscape plan must include techniques to be used for removing underbrush, pruning, and to protect the trees from any damage during site development.</li> </ul>	<p>Lots with more than 5 spaces visible from a public ROW must be screened. There are 3 options for screening:</p> <ul style="list-style-type: none"> <li>A continuous evergreen hedge at least 3' tall;</li> <li>A continuous undulating earthen berm at least 3' tall and landscaped with groundcover and other stabilizing vegetation; and/or</li> <li>A continuous picket fence, 3-4' tall, painted white or whitewashed (a plastic composition fence, designed to look like a white picket fence, shall also be permitted).</li> </ul>	<p>50% of the required landscape shall be planted around the building and perimeter of the parcel. 1 tree and 3 shrubs are required for every 150 sq. ft.</p> <p>A minimum 10' wide buffer is required between the parking lot and adjacent right-of-way. There may be:</p> <ul style="list-style-type: none"> <li>1 small tree and 3 shrubs per 20 linear feet; or</li> <li>1 large tree and 5 shrubs per 40 linear feet.</li> </ul>

	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Parking Lot Landscaping (continued)</b>								
Buffers from Roadways	There should be a minimum of 50% screening of parking areas from public streets and adjacent properties.	<p>Four different screening options:</p> <ul style="list-style-type: none"> <li>• Landscape Strip Option: 1 tree and 10 shrubs per 40' of frontage</li> <li>• Berm Option: 1 tree and 5 shrubs per 40' of frontage with a berm that is at least 30" tall</li> <li>• Woodlands Preservation Option: Existing vegetation preserved with a 35' buffer.</li> <li>• Structural Option: 3-4' high wall with 1 tree and 3 shrubs per 40' of frontage</li> </ul>	<p>Each zoning district has its own requirements regarding parking lot landscaping.</p> <p>All Commercial and Industrial zones are required to have the following planting requirements between the parking lot and the street: A 3' evergreen hedge or 2'-4' berm with a 2' evergreen hedge is required.</p>	<p>All commercial uses on a designated major thoroughfare must have a buffer of at least 15' along the road frontage; no parking areas are allowed in the buffer. The buffer increases to 25' along select primary roads.</p> <p>The buffer must include: 1 deciduous or evergreen tree for 50' of frontage, 1 shrub for 30' of frontage, and reasonably-dispersed ground cover</p> <p>When a berm that is at least 3' tall is provided (and does not have a slope greater than 3:1), there is a 50% reduction in the number of required trees.</p>	All parking lots must be screened from the public ROW by evergreen plantings or berms to create a screen at least 3' high.	Minimum 10' buffer between parking lot and ROW	<p>Minimum 10' buffer is required between the parking lot and the ROW and adjacent property liens.</p> <p>The required strip along the side lot lines may be reduced by 5' if an equal amount is added to the buffer along the ROW.</p> <p>Existing trees and natural vegetation should be retained wherever possible.</p>	<p>Parking lots must be set back 15' from any front property line.</p> <p>At least 1 shade tree is required for every 50' of frontage.</p>

Comparison of Minimum Parking Requirements among Virginia Localities for Select Uses

October 2011

Use	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Residential Uses</b>								
Single-Family Unit	2 spaces per unit	2 spaces per unit	2 spaces per unit	2 spaces per unit	1 space per unit	2 spaces per unit	2 spaces per unit	2 spaces per unit
Townhouse Unit	2.25 spaces per unit	Same as Multi-Family (Below)	2 spaces per unit	Same as Multi-Family (Below)	1 space per unit	2 spaces per unit Plus 1 space per 2 units (guests) Plus 1 space per 5 units (Boats, RVs, etc.)	2 spaces per unit 1 space per 3 units for visitor parking 1 bicycle space per 15 units	2 spaces per unit
<b>Multi-Family Units</b>								
Efficiency	2.25 spaces per unit	1 space per unit	1.25 spaces per unit	1 space per unit	1 space per unit	2 spaces per unit 1 space per 3 units (guests) 1 space per 5 units (Boats, RVs, etc.)	1.5 spaces per unit Plus 1 space per 3 units for visitor parking 1 bicycle space per 10 units	2 spaces per unit
One Bedroom	2.25 spaces per unit	1.25 spaces per unit	1.50 spaces per unit	1.25 spaces per unit	1 space per unit			2 spaces per unit
Two+Bedrooms	2.25 spaces per unit	Two Bedrooms: 1.5 spaces per unit  Three Bedrooms: 2 spaces per unit	2 spaces per unit	Two Bedrooms: 1.5 spaces per unit  Three Bedrooms: 2 spaces per unit	1 space per unit			2 spaces per unit
Group Home	Unspecified	0.5 spaces per bed at licensed capacity	Unspecified	0.5 spaces per bed at licensed capacity	Unspecified	1 space for guest accommodations	1 space per 3 beds Plus 1 space per employee at largest shift	Unspecified

Use	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Residential Uses</b>								
Single-Family Unit	2 spaces per unit	2 spaces per unit	1 space per unit	2 spaces per unit	2 spaces per unit	1 space per unit	2 spaces per unit	2 spaces per unit
Townhouse Unit	2.25 spaces per unit	Same as Multi-Family (Below)	2 spaces per unit	2 space per unit	2.5 spaces per unit	2 spaces per unit	2 spaces per unit	2 spaces per unit 1 space per 8 units (guest)
<b>Multi-Family Units</b>								
Efficiency	2.25 spaces per unit	1 space per unit	2 spaces per unit	2 spaces per unit	1.5 spaces per unit	2 spaces per unit	2 spaces per unit	2 spaces per unit Plus 1 space per 8 units (guest)
One Bedroom	2.25 spaces per unit	1.25 spaces per unit	2 spaces per unit	2 spaces per unit	1.5 spaces per unit	2 spaces per unit	2 spaces per unit	
Two+ Bedrooms	2.25 spaces per unit	Two Bedrooms: 1.5 spaces per unit  Three Bedrooms: 2 spaces per unit	2 spaces per unit	2 space per unit	2.2 spaces per unit	2 spaces per unit	2 spaces per unit	
Group Home	Unspecified	0.5 spaces per bed at licensed capacity	1 space per sleeping room Plus 1 space for owner	1 space per bedroom	Total of one more parking space than the total number of rooms rented	1 per sleeping room	1 space per sleeping room Plus 1 space for owner	Unspecified

Comparison of Minimum Parking Requirements for Select Virginia Localities

Use	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Commercial and Industrial Uses</b>								
Assisted Living Facility	1.25 spaces per unit Plus 1 space per employee on major shift	1 space per 3 residents Plus 1 space per employee on largest shift	1 space per 3 beds	0.5 spaces per bed at licensed capacity	Unspecified	1 space per 3 residents Plus 1 space per employee	1 space per 3 residents Plus 1 space per employee on the largest shift	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)
Automobile Repair/Service	Unspecified	3 spaces Plus 2 spaces for each service bay	1 space per employee Plus 2 spaces per each service stall Plus any accessory uses	1 space per 200 gross sq. ft. Minimum 5 spaces	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)	2 spaces per bay Plus 1 space per employee Minimum 5 spaces	1 space per 2 gasoline pumps Plus 2 spaces per service bay	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)
Bank	Unspecified	1 space per 250 sq. ft.	1 space per 150 square feet  Requirement may be reduced by 25 sq. ft. per drive-in aisle	1 space per 250 gross sq. ft.	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)	1 space per 250 square feet  If drive-in, 8 stacking spaces for first window plus 2 stacking spaces for each additional window.	1 space per 300 square feet  Additional requirements if drive-in window  1 bicycle space per 15,000 sq. ft.	1 space per 200 square feet of floor area
Barber/Beauty Shop	Unspecified	2 spaces Plus 2 spaces for every barber or beautician chair	1 space per employee Plus 1 space per 200 sq. ft. gross floor area	Unspecified	Unspecified	1 space per 200 sq. ft. gross floor area	1 space per 300 square feet	1 space per 200 sq. ft. of floor area
Church or Other Place of Worship	1 space per 4 fixed seats or 1 space per 75 sq. ft. of assembly area, whichever is greater	1 space per 4 fixed seats or 1 space per 75 sq. ft. of assembly area, whichever is greater	In Development Area and seats more than 100 people: 1 space per 3 fixed seats or 1 space per 75 sq. ft. of assembly area, whichever is greater  In Development Area and seats 100 people or less: 1 space per 4 fixed seats or 1 space per 75 sq. ft. of assembly area, whichever is greater  In Rural Areas, the number of required spaces determined by the Zoning Administrator based on a parking study.	1 space per 4 fixed seats and/or one space per 6 occupants based on maximum occupancy rating of the facility for area without fixed seats	1 space per 5 fixed seats	1 space per 4 seats in the principal place of worship	1 space per 4 fixed seats in the main assembly area  Plus 1 space per each 60 square feet of assembly area without fixed seats  1 bicycle space per 5,000 sq. ft.	1 space for every 5 fixed seats within the building, if the seats are fixed.  If the seats are unfixed, 1 space per 100 square feet of usable floor space.

Comparison of Minimum Parking Requirements for Select Virginia Localities

Use	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Commercial and Industrial Uses</b>								
Assisted Living Facility	1.25 spaces per unit Plus 1 space per employee on major shift	1 space per 3 residents Plus 1 space per employee on largest shift	1 space per 3 patient beds Plus 1 space per employee	2 spaces Plus 0.5 spaces per bedroom	1 space per 4 residents Plus 1 space per employee on the largest shift	1 space per 3 patient beds	1 space per 2 beds	1 space per 2 beds
Automobile Repair/Service	Unspecified	3 spaces Plus 2 spaces for each service bay	1 space per employee Plus 4 spaces per bay Plus 1 space per 200 sq. ft. of sales floor area	4 spaces per 1,000 sq. ft. for retail, display, and office floor area 1 space per 2000 sq. ft. for storage and shop Minimum 10 spaces for auto sales/service	1 space per 250 sq. ft.	1 space per employee Plus 2 spaces per service bay	1 space per 500 sq. ft. of enclosed rental and service floor area Plus 1 space per 25 sales/rental lot area Plus 2 spaces per service bay Plus 1 space per employee Minimum 5 spaces	3 spaces Plus 2 spaces for each service bay
Bank	Unspecified	1 space per 250 sq. ft.	1 space per 200 square feet of floor area	4 spaces per 1,000 square feet for the first 1,000 square feet of gross floor area 4.5 spaces per 1,000 square feet of gross square feet thereafter	1 space per 250 square feet	1 space per 200 square feet of floor area	1 space per 250 square feet	6 spaces for the first 1,000 square feet Plus 1 space for each additional 300 square feet of gross floor area
Barber/Beauty Shop	Unspecified	2 spaces Plus 2 spaces for every barber or beautician chair	1 space per 200 square feet of floor area	4 spaces per 1,000 square feet for the first 1,000 square feet of gross floor area 4.5 spaces per 1,000 square feet of gross square feet thereafter	3 spaces Plus 2 spaces per barber/beauty chair	1 space per 200 square feet of floor area	1 space per 200 square feet for the first 1,000 square feet of gross floor area 6 spaces for each 1,000 square feet thereafter	Unspecified
Church or Other Place of Worship	1 space per 4 fixed seats or 1 space per 75 sq. ft. of assembly area, whichever is greater	1 space per 4 fixed seats or 1 space per 75 sq. ft. of assembly area, whichever is greater	1 space per 4 seats in the principal place of worship Requirements may be reduced up to 50 percent if the place of worship is within 500 feet of any public parking lot or commercial parking lot where sufficient spaces are available by permission of the owner without charge during the time of service.	1 space per 4 seats in the principal place of worship	1 space per 5 seats based on maximum capacity	1 space per 4 seats in main auditorium	1 space per 4 seats in the principal place of worship Requirements may be reduced up to 50 percent if the place of worship is within 300 feet of any public parking lot or commercial parking lot where sufficient spaces are available by permission of the owner without charge during the time of service.	1 space per 4 seats or 1 space per 50 square feet of gross floor area

Comparison of Minimum Parking Requirements for Select Virginia Localities

Use	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Commercial and Industrial Uses (Continued)</b>								
Daycare	1 space per 9 children	1 space per 9 children	1 space per 10 children enrolled in the major class  Plus 1 space per employee	1 space per 300 gross sq. ft.  Plus 3 spaces for off-street loading and unloading	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)	2 spaces per 3 employees  Plus spaces for all people at facility under normal operating conditions	1 space per employee on the maximum shift  Plus 1 space per 20 enrolled individuals  1 bicycle space per 30,000 sq. ft. of floor area	Unspecified
Furniture, Carpet, or Appliance Store	Unspecified	1 space per 500 sq. ft. of retail sales area	1 space per 400 sq. ft. of retail sales area	1 space per 500 sq. ft.  Plus 1 space per employee	Unspecified	1 space per 500 sq. ft. net floor area  Plus 1 space per employee	1 space per 500 square feet	Unspecified
Gas Station	1 space per 200 square feet for the first 15,000 square feet of gross floor area 1 space per 400 square feet of gross floor area thereafter  Plus any required stacking lanes	1.5 spaces per pump  Plus 2 spaces for each service bay	Unspecified	1 space per 500 sq. ft.  Plus 1 space per employee	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)	1 space per 200 gross sq. ft. for the first 1000 square feet, plus 6 spaces for each additional 1,000 sq. ft.	1 space per 2 gasoline pumps  Plus 2 spaces per service bay	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)
Hotel	1 space per each guest room  Plus 1 space for 150 square feet for attached restaurant and/or meeting area	1 per unit  Plus compliance with the requirements for each particular additional use located on premise	1 space per each guest room  Plus compliance with the requirements for each particular additional use located on premise	1.1 space per guest room  Plus requirements for accessory uses	1 space per guest room	1 space per rental unit  Plus required spaces for affiliated facilities	1 space per room for first 100 units 0.9 spaces per room for units 101-200 0.8 spaces per room for units 201-300 0.7 spaces per room for units above 300  1 bicycle space per 100 units	1 space per each guest room  Plus 1 space for every 2 employees  Plus compliance with the requirements for each particular additional use located on premise
Manufacturing	1 space per 2 employees  Plus 1 space per 200 sq. ft. open to the public	1 space per 2 employees on the largest shift  Plus 1 space per company vehicle	1 space per employee on the largest shift  Plus 1 space per 500 sq. ft. open to the public (min. 2 customer parking spaces)	1 space per 750 gross sq. ft.	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)	1 space per 1.5 employees on major shift  Plus 1 space per company vehicle and piece of mobile equipment	1 space per employee on maximum shift  Plus 1 space per company vehicle  1 bicycle space per 15,000 sq. ft. of office space	1 parking space per 2 employees, based on the maximum number of employees on a shift  Plus 1 space per company vehicle and piece of mobile equipment
Office	≤10,000 sq. ft: 1 space per 200 sq. ft. 5 spaces min.  10,001 to 50,000 sq. ft: 1 space per 200 sq. ft. for first 10,000 sq. ft., 1 space per 250 sq. ft. thereafter  >50,000 sq. ft: 1 space per 200 sq. ft. for first 10,000 sq. ft., 1 space per 350 sq. ft. thereafter	1 space per 300 sq. ft., 5 spaces minimum, 1 space per 350 sq. ft. thereafter	1 space per 200 square feet of net office floor area	Up to 3,000 sq. ft.: 1 space per 200 sq. ft.  Plus 1 space per 300 sq. ft. 3,001 – 10,000 sq. ft.  Plus 1 space per 325 sq. ft. above 10,000 sq. ft.	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)	4.5 spaces per 1000 square feet of gross floor area  Plus 1 space per company vehicle	1 space per 300 square feet  Minimum 3 spaces  1 bicycle space per 15,000 sq. ft. of office space	1 space per 200 square feet of floor area

Comparison of Minimum Parking Requirements for Select Virginia Localities

Use	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Commercial and Industrial Uses (Continued)</b>								
Daycare	1 space per 9 children	1 space per 9 children	1space per 20 children  Plus 1 space per facility vehicle  Plus 5 spaces for unloading and loading children	1 space per 350 square feet of gross floor area	Unspecified	Unspecified	2 spaces per 3 employees	1 space per 6 children of design capacity
Furniture, Carpet, or Appliance	Unspecified	1 space per 500 sq. ft. of retail sales area	Unspecified	1 space per 1,000 sq. ft. gross floor area	1 space per 400 sq. ft. of retail floor area	Unspecified	1 space per 500 sq. ft of gross floor area	1 space per 750 sq. ft. of gross floor area
Gas Stations	1 space per 200 square feet for the first 15,000 square feet of gross floor area 1 space per 400 square feet of gross floor area thereafter  Plus any required stacking lanes	1.5 spaces per pump  Plus 2 spaces for each service bay	Unspecified  (Unspecified uses require 1 parking space for each 200 sq. ft. of business floor area)	Unspecified	Unspecified	Unspecified	1 space for every 150 sq. ft. of gross floor space  Such spaces shall be separated by the driveway and general apron areas which give access to the gasoline and air pumps and any service areas; all parking spaces shall be located between the retail facility and the gasoline dispensing pumps.	Unspecified
Hotel	1 space per each guest room  Plus 1 space for 150 square feet for attached restaurant and/or meeting area	1 per unit  Plus compliance with the requirements for each particular additional use located on premise	1 space per employee  Plus 1 space per sleeping room or suite	1 space per guest room  Plus 5 additional spaces (for employees)	1 space per guest room  Plus 1 space per 50 rooms  Plus 1 space per 5 person of the maximum capacity of each meeting room	1 space per employee  Plus 1 space per sleeping room or suite	1 spaces per each guest room  Plus 1 space per employee  Plus compliance with the requirements for each particular additional use located on premise	Unspecified
Manufacturing	1 space per 2 employees  Plus 1 space per 200 sq. ft. open to the public	1 space per 2 employees on the largest shift  Plus 1 space per company vehicle	2 spaces per each 3 employees on maximum working shift  Plus 1 space per company vehicle	1 space per 5,000 sq. ft. gross floor area  Plus 1 space per 400 sq. ft. of office area	1 space per 2 employees on the largest shift	1 space per employee on maximum working shift  Plus 1 space per company vehicle and piece of mobile equipment	1 parking space for each employee on the maximum work shift  Plus 1 space per company vehicle	1 space for each employee working at any time
Office	≤10,000 sq. ft: 1 space per 200 sq. ft. 5 spaces min.  10,001 to 50,000 sq. ft: 1 space per 200 sq. ft. for first 10,000 square feet., 1 space per 250 sq. ft. thereafter  >50,000 sq. ft: 1 space per 200 sq. ft. for first 10,000 square feet, 1 space per 350 sq. ft. thereafter	1 space per 300 sq. ft. for the first 15,000 square feet, 5 spaces minimum, 1 space per 350 sq. ft. thereafter	1 space per 300 square feet of floor area  Plus space for storage of each truck or other vehicle used in connection with the business or industry  3 spaces minimum	1 space per 400 square feet of gross floor area	1 space per 250 square feet	1 space per 400 square feet of floor area  3 spaces minimum	1 space per 200 square feet of gross floor area	6 spaces for the first 1,000 square feet  Plus 1 space for each additional 300 square feet of gross floor area

Use	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Commercial and Industrial Uses (Continued)</b>								
Restaurant (General)	2 spaces per 100 gross square feet, 15 spaces min.	1 space per 100 gross square feet, 10 spaces min.	13 spaces per 1,000 square feet of gross floor area  Drive-thru lanes require 5 queue spaces per lane	1 space per 150 gross sq. ft.	1 space per 250 square feet	1 space per 4 seats  Plus 1 space per 2 employees for sit-down restaurants, 1 space per 2 employees where seating is at a counter	1 space per 100 square feet  1 bicycle space per 5,000 sq. ft.	1 parking space per table or booth  Plus 6 parking spaces for employees
Restaurant (Fast Food)	2 spaces per 100 gross square feet, 15 spaces min.	1 space per 100 gross square feet, 10 spaces min.	13 spaces per 1,000 square feet of gross floor area  Drive-thru lanes require 5 queue spaces per lane	1 space per 75 gross sq. ft.  Minimum 5 spaces	1 space per 250 square feet	1 space per 4 seats  Plus 1 space per 2 employees for sit-down restaurants, 1 space per 2 employees where seating is at a counter	1 space per 100 square feet  Plus 10 stacking spaces for the 1 <sup>st</sup> drive-in window, 3 spaces for each window thereafter  1 bicycle space per 5,000 sq. ft.	1 parking space per table or booth  Plus 6 parking spaces for employees
Retail	1 space per 200 square feet for the first 15,000 square feet of gross floor area 1 space per 400 square feet of gross floor area thereafter	1 space per 250 sq. ft. for the first 15,000 square feet, 1 space per 350 sq. ft. thereafter	1 space per 100 square feet of retail sales area for the first 5,000 square feet  1 space per 200 square feet of retail sales area thereafter	Up to 20,000 sq. ft.: 1 space per 250 sq. ft.  Plus 1 space per 275 sq. ft. 20,001 – 100,000 sq. ft.  Plus 1 space per 300 sq. ft. above 100,000 sq. ft.	1 space per 250 square feet of retail floor space	1 space per 200 gross sq. ft. for the first 1000 square feet, plus 6 spaces for each additional 1,000 sq. ft.	1 space per 200 square feet  1 bicycle space per 5,000 sq. ft.	1 space per 200 square feet of floor area
Shopping Centers	≤10,000 sq. ft.: 5 spaces per 1,000 square feet  15,000 to 50,000 sq. ft.: 4.5 spaces per 1,000 square feet  >50,000 sq. ft.: 4 spaces per 1,000 square feet	≤10,000 sq. ft.: 4 spaces per 1,000 square feet  15,000 to 50,000 sq. ft.: 3.5 spaces per 1,000 square feet  >50,000 sq. ft.: 3 spaces per 1,000 square feet	10,000 - 24,999 sq. ft.: 5.5 spaces per 1,000 sq. ft.  25,000 - 50,000 sq. ft.: 5 spaces per 1,000 sq. ft.  50,001 - 200,000 sq. ft.: 4.75 sq. ft.  200,001 - 600,000 sq. ft.: 4.5 spaces per 1,000 sq. ft.  600,001 - 750,000 sq. ft.: 4.75 spaces per 1,000 sq. ft.  750,001 sq. ft. or larger: 5 spaces per 1,000 sq. ft.	Up to 20,000 sq. ft.: 1 space per 250 sq. ft.  Plus 1 space per 275 sq. ft. for 20,001 – 100,000 sq. ft.  Plus 1 space per 300 sq. ft. above 100,000 sq. ft.	1 space per 250 square feet of retail floor space	1 space per 200 gross sq. ft. for the first 1000 square feet, plus 6 spaces for each additional 1,000 sq. ft.	1 space per 200 square feet	1 space per 200 square feet of floor area

Comparison of Minimum Parking Requirements for Select Virginia Localities

Use	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Commercial and Industrial Uses (Continued)</b>								
Restaurant (General)	2 spaces per 100 gross square feet, 15 spaces min.	1 space per 100 gross square feet, 10 spaces min.	1 space per 3 seats  Plus 1 space per each employee on the largest shift	1 space per 100 square feet of gross floor area	1 space per 4 seats based on maximum capacity	1 space per 200 square feet of floor area	1 space for every 3 seats or 1 space for every 3 persons of rated building capacity  Drive-thru lanes require 6 queue spaces per lane	1 space per 100 square feet
Restaurant (Fast Food)	2 spaces per 100 gross square feet, 15 spaces min.	1 space per 100 gross square feet, 10 spaces min.	1 space per 3 seats  Plus 1 space per each employee on the largest shift	1.75 spaces per 100 sq. ft. of gross floor area	1 space per 4 seats based on maximum capacity	1 space per 200 square feet of floor area	1 space for every 3 seats or 1 space for every 3 persons of rated building capacity  Drive-thru lanes require 6 queue spaces per lane	1 space per 100 square feet
Retail	1 space per 200 square feet for the first 15,000 square feet of gross floor area 1 space per 400 square feet of gross floor area thereafter	1 space per 250 sq. ft. for the first 15,000 square feet, 1 space per 350 sq. ft. thereafter	1 space per 200 square feet of floor area	4 spaces per 1,000 square feet for the first 1,000 square feet of gross floor area  4.5 spaces per 1,000 square feet of gross square feet thereafter	1 space per 200 square feet	1 space per 200 square feet of floor area	1 space per 200 square feet for the first 1,000 square feet of gross floor area  6 spaces for each 1,000 square feet thereafter	1 space per 200 square feet
Shopping Centers	≤10,000 sq. ft.: 5 spaces per 1,000 square feet  15,000 to 50,000 sq. ft.: 4.5 spaces per 1,000 square feet  >50,000 sq. ft.: 4 spaces per 1,000 square feet	≤10,000 sq. ft.: 4 spaces per 1,000 square feet  15,000 to 50,000 sq. ft.: 3.5 spaces per 1,000 square feet  >50,000 sq. ft.: 3 spaces per 1,000 square feet	<25,000 sq. ft.: 5 spaces per 1,000 square feet of rental floor area  >25,000 sq. ft.: 4 spaces per 1,000 of renal floor area	4 spaces per 1,000 square feet for the first 1,000 square feet of gross floor area  4.5 spaces per 1,000 square feet of gross square feet thereafter	<300,000 sq. ft.: 4 spaces per 1,000 square feet  >300,000 sq. ft.: 4.5 spaces per 1,000 square feet	<25,000 sq. ft.: 1 space per 200 square feet of floor area  Larger centers not specified	10,000 to 25,000 sq. ft.: 5 spaces per 1,000 sq. ft.  25,000 to 400,000 sq. ft.: 4 spaces per 1,000 sq. ft.  400,000 to 600,000 sq. ft.: 4.5 sq. ft.  Over 600,000 sq. ft.: 5 spaces per 1,000 sq. ft.	1 space per 225 square feet

Comparison of Minimum Parking Requirements for Select Virginia Localities

Use	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Civic &amp; Recreational Uses</b>								
Professional School	Unspecified	1 space per 2 students at maximum capacity Plus 1 space per classroom	Determination made by Zoning Administrator based on a parking study	1 space per 300 gross square feet	Unspecified	2 spaces per each 3 employees  Plus enough spaces to accommodate all persons at the establishment during normal operations	1 space per 2 students at the maximum capacity  Plus 1 space per classroom  1 bicycle space per 30 students at capacity	1 space per teacher, employee, or administrator  Plus auditorium parking requirements
Community Center	1 space per 300 square feet	1 space per 300 square feet	1 space per 3 fixed seats or 1 space per 75 sq. ft., whichever is greater	1 space per 4 fixed seats and/or 1 space per 6 occupants based on maximum occupancy	1 space for every 5 fixed seats	Unspecified	As required for uses specifically listed, plus additional spaces to accommodate anticipated demand.  1 bicycle space per 10 patrons, based on maximum demand	1 space per 100 sq. ft. of usable floor space
Golf Course or Club	2 spaces per hole	2 spaces per hole	4 spaces per hole  Plus 1 for each employee	3 spaces per hole  Plus required parking for accessory uses	Unspecified  (Unspecified commercial buildings require 1 space per 100 square feet)	1 space per 4 members based on maximum anticipated membership	50 spaces per 9 holes	25 parking spaces

Use	Existing Ordinance	Proposed Ordinance	Gochoiland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Civic &amp; Recreational Uses</b>								
Professional School	Unspecified	1 space per 2 students at maximum capacity Plus 1 space per classroom	Unspecified	Unspecified	Unspecified	Unspecified	Unspecified	Unspecified
Community Center	1 space per 300 square feet	1 space per 300 square feet	Unspecified	10 spaces  Plus 1 space per 300 sq. ft. gross floor area in excess of 1,000 sq. ft.	1 space per 200 square feet	Unspecified	1 space per 100 sq. ft. of gross floor area	1 space per 50 sq. ft. of gross floor area in main assembly area
Golf Course or Club	2 spaces per hole	2 spaces per hole	1 space per 2 employees  Plus 3 spaces per hole	5 spaces per hole (including putting green) and 1 space per tee for a driving range	Unspecified	1 space per 5 members or 1 for every 400 sq. ft. of floor area, whichever is greater	8 parking spaces per tee	5 spaces per hole

Use	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Parking Lot Specifications</b>								
Parking Requirements	Parking lots for 5 or more vehicles must be surfaced with at least 6" of VDOT #21 or #21A aggregate base  May be reduced to a base of 3" for some low-traffic uses	Parking lots for 5 or more vehicles must be surfaced with at least 6" of VDOT #21 or #21A aggregate base  May be reduced to a base of 3" for some low-traffic uses  Hard-surface permeable paving permitted; grass pavers permitted with special approval	Parking lots for 4 or more vehicles must be surfaced with a material approved by the County Engineer, based on the intensity of usage and VDOT paving guidelines.	Unspecified	All public parking areas must be surfaced with asphalt or concrete.	Parking lots for 4 or more vehicles must be constructed with a dustless surface.  For preliminary site plans, the Planning Director may not require dustless surfaces if the area will be used temporarily or infrequently. The Planning Commission may grant similar exemption for final site plans.	Unspecified	All parking spaces and access driveways must be covered with an all-weather surface.  Every public parking area must be surfaced with gravel, stone, asphalt, or concrete.
Stall Size	20' Aisle: 10' x 18' 24' Aisle: 9' x 18'	20' Aisle: 10' x 18' 24' Aisle: 9' x 18' Parallel: 9' x 20.5' Other angles defined	20' Aisle: 10' x 18' 24' Aisle: 9' x 18' Parallel: 9' x 20'	Standard: 9' x 19' Parallel: 9' x 20.5'	Unspecified	Unspecified	Standard: 9' x 18'	20' Aisle: 10' x 18' 24' Aisle: 9' x 18'
Compact Cars	Unspecified	Up to 20% of spaces may be designated for compact cars in lots with ≥30 spaces  Perpendicular: 8' x 17' Parallel: 7.5' x 18.5' Other angles defined	Unspecified	Up to 20% of spaces may be designated for compact cars  Size: 8' x 17'	Unspecified	Unspecified	Unspecified	Unspecified
On-Street Parking	May not count towards parking requirements	On-street parking spaces in a public or private ROW with 150' of use may count towards the parking requirements. If located in a public ROW, must be approved by VDOT.	On-street parking spaces in a public or private ROW abutting the lot may count towards the parking requirements. If located in a public ROW, must be approved by VDOT.	Unspecified	Unspecified	Unspecified	Unspecified	Unspecified
Siting in Relation to Building	To the greatest extent possible, parking areas shall not be located between the right-of-way and the principal structure.	To the greatest extent possible, parking areas shall not be located between the right-of-way and the principal structure.	Unspecified	Parking lot setbacks: From Arterial Streets: 20' From Other Streets: 10' Along a Lot Line: 5' Along Alleys: 0'	Unspecified	Unspecified	Unspecified	Unspecified
Access Management	Unspecified	Only two access points are permitted per lot per street.  The centerlines of any separate access points must be spaced at least 75 feet apart and be set back from the street line of any intersecting street at least 50' or ½ of the lot frontage, whichever is greater, except for in no case may the setback distance exceed 200'.	On multi-lane divided highways, no parking lot entrance, unless it is directly across from a crossover, may be within 500 feet of a crossover, unless there is no other reasonable alternative.  Connections with adjoining properties may be required.	No specified standards  Ordinance states that parking lot access should not interfere with traffic capacity or flow on adjacent streets	Unspecified	Unspecified	No specific standards  Ordinance states that access points should be located so that vehicles entering or leaving the use can be clearly visible from a reasonable distance to any pedestrian or motorist on the adjacent roadway.	Unspecified

Use	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Parking Lot Specifications</b>								
Parking Requirements	Parking lots for 5 or more vehicles must be surfaced with at least 6" of VDOT #21 or #21A aggregate base  May be reduced to a base of 3" for some low-traffic uses	Parking lots for 5 or more vehicles must be surfaced with at least 6" of VDOT #21 or #21A aggregate base  May be reduced to a base of 3" for some low-traffic uses  Hard-surface permeable paving permitted; grass pavers permitted with special approval	All parking lots with more than 10 spaces must be paved with an all-weather surface.  Parking lots less than 10 spaces may be covered with gravel; the handicapped spaces must be paved.	Unspecified	All parking areas must be surfaced with gravel, stone, asphalt, or concrete.  The use of grass pavers may be permitted in low-traffic areas upon approval of the planning director, where it can be demonstrated that the vegetation will survive the amount of expected traffic.	All parking lots must be paved with an all-weather surface consisting of gravel, stone, asphalt or concrete.	All parking lots with more than 50 spaces must be paved with asphalt, concrete, or tar and gravel.  Parking lots with less than 50 spaces must be dust-free.	All parking lots shall be surfaced with gravel, asphalt, or concrete.
Stall Size	20' Aisle: 10' x 18' 24' Aisle: 9' x 18'	20' Aisle: 10' x 18' 24' Aisle: 9' x 18' Parallel: 9' x 20.5' Other angles defined	Standard: 9' x 18'	Standard: 9' x 18'	Standard: 9' x 18' Parallel: 8' x 22'	Standard: 9' x 18' Compact: 8' x 16'	Standard: 9' x 18'	Standard: 9' x 18'
Compact Cars	Unspecified	Up to 20% of spaces may be designated for compact cars in lots with ≥30 spaces  Perpendicular: 8' x 17' Parallel: 7.5' x 18.5' Other angles defined	Unspecified	Unspecified	Unspecified	Up to 20% of spaces may be designated for compact cars	Unspecified	Unspecified
On-Street Parking	Unspecified	On-street parking spaces in a public or private ROW with 150' of use may count towards the parking requirements. If located in a public ROW, must be approved by VDOT.	Parking space specifically defined as not being located in a street or alley.	Unspecified	Unspecified	Unspecified	Unspecified	Unspecified
Siting in Relation to Building	To the greatest extent possible, parking areas shall not be located between the right-of-way and the principal structure.	To the greatest extent possible, parking areas shall not be located between the right-of-way and the principal structure.	Parking areas may be located in any required yard.	Unspecified	Unspecified	Unspecified	Unspecified	Unspecified
Access Management	Unspecified	Only two access points are permitted per lot per street.  The centerlines of any separate access points must be spaced at least 75 feet apart and be set back from the street line of any intersecting street at least 50' or ½ of the lot frontage, whichever is greater, except for in no case may the setback distance exceed 200'.	Not more than 1 entrance and 1 exit, or 1 combined entrance, should be allowed along primary roads.	Non-commercial or industrial uses may only have 1 entrance and 1 exit, or 1 combined entrance, along any street.  Commercial and industrial sites may only have 1 point of access to the public road for every 300' of frontage.	While reviewing the site plan, the Planning Commission may require the location, number, and/or size of proposed entrances to be modified, limited, or increased.	Generally, no more than 1 entrance and 1 exit. 1 combined entrance/exit per street is encouraged.	Only two access points are permitted per lot per street.  The centerlines of any separate access points: <ul style="list-style-type: none"> <li>• Must be spaced at least 65 feet apart;</li> <li>• Must be at least 12.5' from any side property line; and</li> <li>• Be set back from the street line of any intersecting street at least 50' or ½ of the lot frontage, whichever is greater, except for in no case may the setback distance exceed 200'.</li> </ul>	

Use	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Parking Lot Specifications (Continued)</b>								
Parking Maximum	May not exceed required spaces by 40% without Planning Commission approval	May not exceed required spaces by 40% without Planning Commission approval and use of permeable paving or additional landscaping	May not exceed required spaces by 20%	Unspecified	Unspecified	Unspecified	Unspecified	Unspecified
Modifications	Unspecified	<p>In designated growth areas, the minimum parking requirements may be reduced by up to 5% for lots of 50 or more spaces if:</p> <ul style="list-style-type: none"> <li>Site is located within 300' of a transit stop and connected to it by a sidewalk; or</li> <li>Bicycle parking is provided (1 bicycle space = 1 parking space reduction)</li> </ul> <p>The minimum parking requirements may be reduced up to 10% if :</p> <ul style="list-style-type: none"> <li>Additional landscaping is provided (1 tree, 3 shrubs for every two spaces reduced); or</li> <li>New Urbanist principles are used on-site.</li> </ul> <p>The minimum parking spaces may be reduced up to 25% with the submission of a parking study and approval of the Zoning Administrator.</p> <p>Possible modifications are not cumulative.</p> <p>The Zoning Administrator may require a reserve parking area to be shown on the site plan, so additional parking can be constructed if needed.</p> <p>May be reduced within the PUD</p>	<p>May be permitted in commercial and industrial districts, or for projects utilizing Transportation Demand Management practices, with the approval of the Zoning Administrator.</p> <p>The applicant must submit a parking study.</p> <p>Zoning Administrator may impose conditions on the modification, including the requirement of a reserve area for parking expansion if needed.</p>	<p>May be permitted in connection with the approval of a site plan where the Planning Commission specifically grants a modification</p>	Unspecified	<p>Neighborhood retail commercial uses oriented towards pedestrian or bicycle traffic may receive a 20% reduction in parking requirements with the approval of the Board of Supervisors.</p> <p>If an applicant can demonstrate through technical studies, shared parking agreements, or other evidence that the parking requirements are excessive, the Planning Director may determine the number of required spaces.</p>	<p>Developments that generate 1,000 or more ADT and are located on major collectors (or higher) must dedicate land for transit operations. If a transit route exists or will exist within a year on the site, a bus shelter must be constructed. When transit provisions are required, the parking requirements are reduced by 5%.</p> <p>Employers that adopt and certify their continued support for a transportation demand management program that encourages alternative modes of transportation may receive a 5% reduction for each of the following:</p> <ul style="list-style-type: none"> <li>Rideshare program</li> <li>Flexible work schedules</li> <li>On-site child care</li> <li>Telecommuting program</li> <li>Special bicycle facilities, including employee showers and lockers and covered bicycle parking.</li> </ul> <p>When off-street parking credit is given, a land area sufficient to construct 50% of the spaces credited shall be reserved.</p> <p>If a use within the Courthouse Village can not reasonably comply with the parking requirements, the Zoning Administrator may modify or waive the requirements.</p>	Unspecified

Use	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Parking Lot Specifications (Continued)</b>								
Parking Maximum	May not exceed required spaces by 40% without Planning Commission approval	May not exceed required spaces by 40% without Planning Commission approval and use of permeable paving or additional landscaping	Unspecified	Unspecified	Unspecified	Unspecified	May not exceed minimum parking by more than 10%  The zoning administrator may permit parking beyond this limit if, after the facility is in operation, it is clearly demonstrated by the owner that additional parking is required.	Unspecified
Modifications	Unspecified	<p>In designated growth areas, the minimum parking requirements may be reduced by up to 5% for lots of 50 or more spaces if:</p> <ul style="list-style-type: none"> <li>• Site is located within 300' of a transit stop and connected to it by a sidewalk; or</li> <li>• Bicycle parking is provided (1 bicycle space = 1 parking space reduction)</li> </ul> <p>The minimum parking requirements may be reduced up to 10% if:</p> <ul style="list-style-type: none"> <li>• Additional landscaping is provided (1 tree, 3 shrubs for every two spaces reduced); or</li> <li>• New Urbanist principles are used on-site.</li> </ul> <p>The minimum parking spaces may be reduced up to 25% with the submission of a parking study and approval of the Zoning Administrator.</p> <p>Possible modifications are not cumulative.</p> <p>The Zoning Administrator may require a reserve parking area to be shown on the site plan, so additional parking can be constructed if needed.</p> <p>May be reduced within the PUD</p>	Unspecified	<p>If multiple uses are located within the same building or premises, the required parking may be reduced up to 30% with the approval of the Planning Director.</p> <p>Exceptions to the standards may be granted by the Board of Supervisors.</p> <p>The Board of Supervisors may allow for shared parking and/or off-site parking for properties owned by a community development authority.</p>	<p>The minimum number of parking spaces may be reduced with approval of a mass transportation or alternate transportation plan. A reserve area must be set aside that is equal to the size of the number of spaces that were reduced. The Planning Director and Transit Manager must review the plan every two years; if they determine the mass transportation plan has not reduced the demand for parking, more parking may be required to be built in the reserve area.</p> <p>The Planning Commission may grant a waiver reducing the minimum off-street parking requirements if unique circumstances indicate that the minimum amount of parking will not be needed.</p>	<p>The applicant may, with the submission of a parking study, request a reduction in the minimum parking requirements of up to 20%. This reduction must be approved by the Planning Commission and Zoning Administrator.</p> <p>The Zoning Administrator may reduce the minimum parking requirements by up to 10% based on how effectively a site accommodates inter-parcel connectivity and pedestrian movement (walkability).</p>	Unspecified	Unspecified

Use	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Parking Lot Specifications (Continued)</b>								
Shared Parking	20' Aisle: 10' x 18' 24' Aisle: 9' x 18'	Permitted with the approval of the Planning Director and County Attorney. A shared parking agreement is required.  Public parking spaces may count toward parking requirements if within 600' of subject property	Shared parking agreements are permitted between certain uses with the recordation of the written agreement.	Shared parking agreements are permitted with the approval of the Board of Supervisors. The agreement may result in a reduction of up to 20%.	Shared parking is permitted with the approval of the Planning Director, with the submission of a parking analysis and shared parking agreement approved by the County Attorney.	Shared parking agreements are permitted between certain uses.	A reduction in the number of parking spaces can be made by the Zoning Administrator if it can be clearly demonstrated that peak utilization of the parking facility by the users occurs at different times of day.	Unspecified
Pedestrian Connections	Unspecified	For parking lots with 5 or more spaces, sidewalks must connect points of pedestrian origin and destination.  Sidewalks must comply with the most recent VDOT standards.	Sidewalks must be provided between the parking area and the use/structure they serve.	Pedestrian facilities are addressed throughout the ordinance.  The ordinance states that "layout and design of parking lots shall specifically address the interrelation of pedestrians, vehicular and bicycle traffic to provide continuous, direct pedestrian access with a minimum of driveway and drive aisle crossings. Remedial treatment such as raised pedestrian crossings, forecourts and landings, special paving, signs, lights and bollards shall be provided at significant points of conflict. Large parking lots shall include internal walkways that are located in places that are logical and convenient for pedestrians" (Sec. 10-6d).  Connections must link to existing or planned pedestrian facilities.	Unspecified	Unspecified	Pedestrian accommodations shall be provided in all developments anticipated to have at least 25 employees on any shift or 500 ADT.	Unspecified
Minimum Parking Requirements Schedule	30 uses grouped into categories by type of use	40 uses grouped into categories by type of use  If a use is not listed, the Zoning Administrator determines the parking requirements, based on specified criteria.	63 uses listed alphabetically  If a use is not listed, the Zoning Administrator determines the parking requirements. A parking study may be required to make the decision.	62 uses grouped into categories by type of use (Residential, Commercial, etc.)  If a use is not listed, the Zoning Administrator determines the parking requirements.	8 types of uses listed. Similar uses are placed in small groups (1 – 5 uses) seemingly based on traffic generation. About 23 uses defined in all.  Commercial uses not listed must have 1 parking space per 100 sq. ft. of building area. No other provisions are listed.	53 uses grouped into categories by type of use (Residential, Commercial, etc.)  If a use is not listed, the Planning Director determines the parking requirements.	107 uses grouped into categories by type of use (Agricultural, Recreational, Residential, Commercial, Industrial, and Miscellaneous). Each category shows the included uses in a table.	9 types of uses listed. Similar uses are placed in small groups (1 – 5 uses) seemingly based on traffic generation. About 25 uses defined in all.  Commercial uses not listed must have 1 parking space per 100 sq. ft. of building area. No other provisions are listed.

Use	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Parking Lot Specifications (Continued)</b>								
Shared Parking	Permitted with the approval of the Planning Director and County Attorney. A shared parking agreement is required.  Public parking spaces may count toward parking requirements if within 600' of subject property	Permitted with the approval of the Planning Director and County Attorney. A shared parking agreement is required.  Public parking spaces may count toward parking requirements if within 600' of subject property	Permitted with the approval of the Zoning Administrator.  The applicant must submit a parking study.  Maximum Reduction: 35%	Permitted with the approval of the Planning Commission in conjunction with site plan approval	Unspecified	Permitted with the approval of the Board of Supervisors	Permitted with the approval of the Zoning Administrator.  The applicant must submit a written agreement with the application of a zoning permit.	Unspecified
Pedestrian Connections	Unspecified	For parking lots with 5 or more spaces, sidewalks must connect points of pedestrian origin and destination.  Sidewalks must comply with the most recent VDOT standards.	Unspecified	Unspecified	Sidewalk plans providing internal pedestrian access between parking areas, buildings, and public areas are required for multi-family residential and nonresidential development sites.	Unspecified  Reductions may be permitted if the use is connected to other uses with pedestrian facilities.	Sidewalk is required adjacent to a business or industrial building and must be at least 4' wide. If vehicles overhang the sidewalk, it must be 6.5' wide.	Unspecified
Minimum Parking Requirements Schedule	30 uses grouped into categories by type of use	40 uses grouped into categories by type of use  If a use is not listed, the Zoning Administrator determines the parking requirements, based on specified criteria.	32 uses included in a table	32 uses included in a table  If a use is not listed, the Planning Director determines the parking requirements.	53 uses listed  Uses grouped in categories according to type of use (Residential, Commercial, Industrial)  Commercial uses divided into 3 subcategories: High Demand, Moderate Demand, and Unique Requirements  If a use is not listed, the Planning Director determines the parking requirements.	18 uses listed  If a use is not listed, the Zoning Administrator determines the parking requirements	34 uses included in a table	16 uses listed

Comparison of Minimum Parking Requirements for Select Virginia Localities

Use	Existing Ordinance	Proposed Ordinance	Albemarle County	Culpeper County	Cumberland County	Fauquier County	Gloucester County	Greene County
<b>Bicycles</b>								
Bicycle Parking Requirements	Unspecified	Unspecified	Unspecified	<p>Minimum Number: 5% of automobile spaces provided; no less than 1 and no more than 20 shall be required for any one development.</p> <p>Bicycles must be considered in the parking lot design.</p> <p>The on-site bicycle network must connect to an adjacent bikeway network if it exists.</p>	Unspecified	Unspecified	<p>Bicycle accommodations shall be provided in all developments anticipated to have at least 25 employees on any shift or 500 ADT.</p> <p>Minimum parking requirements schedule includes bicycle parking requirements for select uses.</p> <p>Required bicycle parking may not be more than 250' from the principal use being served.</p>	Unspecified

Use	Existing Ordinance	Proposed Ordinance	Goochland County	Hanover County	James City County	Louisa County	New Kent County	Orange County
<b>Bicycles</b>								
Bicycle Parking Requirements	Unspecified	Unspecified	Unspecified	Unspecified	<p>Bicycle parking facilities are required for all retail and office development 20,000 sq. ft. in floor area and above.</p> <p>20,000 – 50,000 sq. ft.: 1 facility with at least 5 parking spaces</p> <p>50,001 – 200,000 sq. ft.: 2 facilities with at least 5 parking spaces each</p> <p>200,001 sq. ft. or more: 3 facilities with at least 5 parking spaces each</p>	Unspecified	Unspecified	Unspecified

### Explanation of Proposed Changes to the Zoning Ordinance (ZTA 12:01)

Section	Explanation
Sec. 22-24-3(A)9	Modified to allow the use of symbols to label plants within the landscape plan (per recommendation of local landscape architect)
Sec. 22-24-4(A)	Modified to Allow for Smaller Plantings  Large Shade Trees: 1.5” (comparable to Albemarle, James City, Orange)  Medium Shade Trees: 1.25” (comparable to Albemarle, James City, Orange)  Ornamental Trees: 1.25” (comparable to Culpeper, James City)  Evergreen Trees: 5’ tall (consolidated for simplification, comparable to Albemarle, Gloucester, Goochland)  Shrubs: 18” (consolidated for simplification, comparable to Albemarle, Fauquier, Goochland, James City, New Kent)
Sec. 22-24-4(B)1	Within Existing Regulations (Comparable to Albemarle, Culpeper, Fauquier, Loudoun)
Sec. 22-24-4(B)2	Within Existing Regulations (Comparable to Albemarle, Culpeper, Fauquier, Loudoun)
Sec. 22-24-4(B)3	Planting season proposal promoted by Planning Commission. Season length (Sept. 15 – June 30, provided ground is not frozen) was suggested by local landscape architect
Sec. 22-24-4(C)	Within Existing Regulations (Comparable to Albemarle, Culpeper)
Sec. 22-24-4(D)	Requires protective wells to be sited to limit disturbance within the drip line of trees that are to be protected, based on a suggestion from a local landscape architect. Expands upon existing regulations.
Sec. 22-24-4(E)	Within Existing Regulations (Comparable to Albemarle, Culpeper)
Sec. 22-24-5(B)	Requires use of species from Fluvanna County Plant List Comparable to New Kent
Sec. 22-24-5(C)	Expands upon existing regulations by requiring trees within major subdivisions; reduces the number of street trees required for site plan approval.  Street trees required within all new developments requiring site plan approval and within major residential subdivisions with an average lot size of one acre or less (comparable to Charlottesville, New Kent)  Spacing comparable to Albemarle, Culpeper, Cumberland, Fauquier

Explanation of Proposed Changes to the Zoning Ordinance (ZTA 12:01)

Section	Explanation
Sec. 22-24-5(D)	<p>New Tree Canopy Requirements (Comparable to Albemarle, Culpeper)</p> <p>Bonus Tree Credits Available (Comparable to Culpeper County)</p> <p>Replacement Requirements for Destroyed Trees receiving Bonus Credit (comparable to the City of Chesapeake)</p> <p>Part 5 taken from language recommendations from RCS/UVA (memo dated 11/30/2010).</p>
Sec. 22-24-5 (E)	<p>Riparian Buffer Provisions (Part 2 Comparable to New Kent; Part 3,4,5 per RCS/UVA Recommendations: Memo 11/30/2010)</p>
Sec. 22-24-5(F)	<p>Changed language prohibiting invasive species, defining which species are invasive (Comparable to Culpeper)</p>
Sec. 22-24-5(H)1	<p>Added Performance Bonding Requirements (Comparable to Gloucester)</p>
Sec. 22-24-5(H)2	<p>Added Maintenance Bonding Requirements (Comparable to Albemarle)</p>
Sec. 22-24-5(I)	<p>Added Maintenance Requirements (Comparable to Culpeper)</p>
Sec. 22-24-6(A) old	<p>Removed because lacked clarity</p>
Sec. 22-24-6(B)1	<p>Changed 25 parking spaces to 20 parking spaces in a row (about 180' long rows, longer than 150' rows permitted in James City)</p>
Sec. 22-24-6(B)2	<p>Removed provision that parking spaces adjacent to planting rows do not need islands.</p>
Sec. 22-24-6(C)1	<p>Added shrub requirements (Comparable to Greene) Changed from letters to numbers to conform to the rest of the section.</p>
Sec. 22-24-6(D)	<p>Divided into sub-sections for clarity Added shrub requirements (Comparable to James City, New Kent County)</p>
Sec. 22-24-6(E)	<p>Moved parking lot screening requirements to the parking lots section. Screening Options Offered (Comparable to Fauquier, Gloucester)</p>
Sec. 22-24-6(F)	<p>Specifically permit the use of bioretention areas within parking areas.</p>
Sec. 22-24-6(G)	<p>Language encouraging the design of properly-designed islands when existing trees are preserved (City of Chesapeake Landscaping Design Manual)</p>
Sec. 22-24-7(A)	<p>Screening Options Offered (Comparable to Culpeper, Hanover)</p>
Sec. 22-24-7(B)5	<p>Added screening from historic sites requirements (Comparable to Culpeper)</p>

Explanation of Proposed Changes to the Zoning Ordinance (ZTA 12:01)

Section	Explanation
Sec. 22-24-7(C)	Added screening requirements for dumpsters, to ensure the long-term durability and structural integrity of dumpster enclosures.
Sec. 22-26-3E	Allows on-street parking to count towards off-street parking requirements in certain instances (comparable to Albemarle)
Sec. 22-26-4A(1)	Specifies sizes for all types of parking spaces, including angled spaces. Current size requirements remain the same, others added (comparable to Culpeper)
Sec. 22-26-4A(2)	Allows reduced parking stall size if adjacent to green space (comparable to Albemarle)
Sec. 22-26-4A(3)	Allows compact cars spaces (comparable to Culpeper, Louisa)
Sec. 22-26-4A(4)	Specifies width requirements for travelways not adjacent to parking spaces (comparable to Albemarle)
Sec. 22-26-4F	Added language regarding stormwater, tree protection
Sec. 22-26-4H(1)	Requires interconnectivity of parking lots (comparable to Chapel Hill, North Carolina)
Sec. 22-26-4H(2)	Requires interconnectivity of pedestrian facilities associated with parking lots
Sec. 22-26-4I(2)	Requires entrances to be designed to VDOT standards (codifying existing policies)
Sec. 22-26-4I(3)	Specifies setbacks of entrances from intersections (comparable to New Kent)
Sec. 22-26-4I(4)	Specifies setbacks between entrances (comparable to New Kent)
Sec. 22-26-4K	Encourages the use of LID techniques
Sec. 22-26-4L	Requires the provision of pedestrian facilities within parking lots (comparable to Culpeper)
Sec. 22-26-5A	Specifically allows the use of permeable paving materials
Sec. 22-26-5A(2)	Allows the use of grass pavers with the approval of the Zoning Administrator (comparable to James City)
Sec. 22-26-8B	Explanation for uses not included in Table 1 Comparable to Albemarle, Hanover)
Sec. 22-26-8C	Requires applicants requesting additional parking to choose one of two mitigation strategies. Virginia Beach requires excess parking to be paved using permeable materials. The landscaping provisions are comparable to current County policies.
Sec. 22-26-8D(1)	Allows for deviations from the minimum parking standards in certain instances. The provision of bicycle parking spaces may lead to parking reductions (comparable to Lexington-Fayette County, Kentucky). Reduction for New Urbanist/Neo-traditional projects comparable to language used for setback waivers within the current ordinance. Reductions based on a parking study are comparable to Louisa County's provisions.

Explanation of Proposed Changes to the Zoning Ordinance (ZTA 12:01)

Section	Explanation
Sec. 22-26-8D(2)	Specifies that possible reductions are not cumulative, which would allow for significant deviations from the minimum standards.
Sec. 22-26-8D(3)	Developers receiving a reduction may be required to set aside a parking reserve area (based <i>Pennsylvania Standards for Residential Site Development</i> )
Sec. 22-26-8E	Language copied from the PUD regulations

Explanation of Proposed Changes to the Zoning Ordinance (ZTA 12:01)

**Explanation of Minimum Parking Requirements per Use**

Use	Explanation
Assisted Living Facility, Nursing Home	Changed “dwelling, multi-family, elderly” to assisted living facility because the former was not defined within the zoning ordinance. Comparable to Albemarle, Fauquier, Goochland, Louisa
Automobile Repair Service Establishments	Not Included in Previous Schedule Comparable to Orange
Beauty and Barber Shops	Comparable to James City
Churches	No Change Comparable to Albemarle, Culpeper, Fauquier, Gloucester, Goochland, Hanover, Louisa, New Kent, Orange
Community Center	No Change Comparable to James City
Daycare	No Change Comparable to Albemarle
Eating Establishment	Comparable to Gloucester, Hanover, Orange (Louisa, Culpeper, Cumberland require less parking)
Financial Institutions	Comparable to Culpeper, Fauquier, James City, New Kent
Furniture, Carpet, and Appliance Stores	Comparable to Culpeper, Fauquier, New Kent
Gas Stations	Comparable to Gloucester
Greenhouse, Nursery	Change Consistent with Retail Adjustments Outdoor area parking requirements comparable to New Kent
Group Home	Comparable to Culpeper
Hotels, Motels	Additional language comparable to Albemarle, Greene, New Kent
Industrial/Commercial	Removed requirements, since new uses were added to the schedule.
Laundry	Comparable to Albemarle
Manufacturing	Comparable to Greene, James City
Multi-Family Dwellings	Required Parking Based on Number of Bedrooms Comparable to Albemarle, Culpeper
Office	Comparable to Culpeper, Gloucester, Goochland RCS recommended 3 spaces/1,000 square feet Hanover, Louisa require less parking
Professional School	Comparable to Gloucester
Retail Stores, Convenience Stores, Gas Stations	Comparable to Culpeper, Hanover RCS recommended 3 spaces per 1,000 square feet
Shopping Centers	Comparable to Culpeper RCS recommended 3 spaces per 1,000 square feet



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# COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 [www.co.fluvanna.va.us](http://www.co.fluvanna.va.us)

## STAFF REPORT

**To:** Fluvanna County Board of Supervisors  
**Case Number:** ZTA 12:02

**From:** Andrew Pompei  
**Date:** June 20, 2012

*General Information:* This request is to be heard by the Board of Supervisors on Wednesday, June 20, 2012 at 7:00 pm in the Circuit Courtroom in the Courts Building.

*Applicant/Representative:* Fluvanna County

*Requested Action:* Amend the Fluvanna County Subdivision Ordinance to update and strengthen regulations regarding landscaping and similar improvements (Chapter 19, Article 7: *Subdivision Design Standards*; Chapter 19, Article 8: *Required Improvements*).

### Analysis

The applicant is proposing to amend several portions of the Fluvanna County Subdivision Ordinance to update and strengthen regulations regarding landscaping and similar improvements (Attachment A). The proposed amendment is intended to:

- Ensure that new development is compatible with existing development and the rural character of Fluvanna County;
- Provide greater design flexibility for developers;
- Minimize the impacts of new development on local air and water quality;
- Provide shade to those living, working, and visiting Fluvanna County; and
- Provide habitat for native wildlife.

The amendment would affect Chapter 19, Article 7: *Subdivision Design Standards* and Chapter 19, Article 8: *Required Improvements* (Attachment B).

### Project History

Over the past year, the Planning Commission and Department of Planning and Community Development have worked together to amend the zoning and subdivision ordinances, so that these policies are consistent with the intent of the current Comprehensive Plan. Since late 2011, the Planning Commission has considered changes to the *Tree Protection* and *Off-Street Parking and Loading* sections of the zoning ordinance, and related changes to the subdivision ordinance.

Possible amendments were discussed at the Planning Commission work sessions in January, February, and March.

The proposed amendments are based on input from the Planning Commission, local landscape architects, real estate developers, and non-profit organizations, and were influenced by similar regulations adopted by neighboring localities.

### Text Amendments

The proposed regulations address several different aspects of subdivision design, and include:

- Riparian Protection Areas

All major subdivisions with an average lot size of one (1) acre or less must reserve a riparian protection area along both sides of intermittent and perennial streams (50' along intermittent streams; 75' along perennial streams; and 100' along the Hardware, Rivanna, and James rivers). Existing vegetation within the riparian protection area must be retained to the greatest extent possible; certain exceptions are clearly specified.

- Low-Impact Development (LID)

The use of low-impact development (LID) techniques within new subdivisions is specifically permitted and encouraged. Examples of LID techniques include permeable paving materials, rain gardens, bioswales, infiltration trenches, and tree box filters. These features are designed to capture stormwater and facilitate on-site infiltration.

- Street Trees

Street trees are required along existing or proposed streets within or adjacent to all major subdivisions with an average lot size of one (1) acre or less. One shade tree is required for every fifty feet (50') of road frontage, or one medium shade tree is required for every forty feet (40') of road frontage. The existing ordinance does not require street trees to be planted within single-family residential subdivisions.

- Landscape Preservation Buffers

Landscape preservation buffers are required on reverse frontage lots along all interstate, arterial, and collector roads and scenic byways. The buffer must be at least forty feet (40') wide along interstate, arterial, and collector roads and one-hundred feet (100') wide along all designated scenic byways. Existing vegetation within the buffer area must be preserved.

These regulations are consistent with a related amendment to the tree protection, landscaping, and off-street parking provisions of the zoning ordinance (Article 22: *Definitions*; Article 24: *Tree Protection*; and Article 26: *Off-Street Parking and Loading Spaces*), which is being considered concurrently (ZTA 12:01).

## Comprehensive Plan

The Comprehensive Plan encourages “well-planned, compact development, that efficiently utilizes green infrastructure, creating interconnected, walkable, and fiscally-sustainable communities that employ the latest in environmental controls” (page 8). The proposed regulations are intended to promote environmentally-sensitive, aesthetically-pleasing development countywide.

The proposed amendment is consistent with the following goals of the Comprehensive Plan:

- Develop land-use policies and regulations that will preserve and enhance the county’s natural environment (*Natural Environment: Goal 1*).
- Protect environmental resources (*Natural Environment: Goal 2*).
- Manage and protect surface water and groundwater resources (*Natural Environment: Goal 3*).
- Enable well-planned, coordinated, and sustainable development to occur throughout the County (*Land Use: Goal 2*).
- Preserve and enhance Fluvanna’s unique identity and rural character (*Community Design: Goal 1*).

The proposed amendment will help Fluvanna County implement several of the strategies described within the Comprehensive Plan:

- Review zoning and subdivision regulations to maximize environmental benefits through best management practices such as low-impact development, dark-sky lighting, quality and quantity stormwater controls, adequate buffering/screening, native landscaping, pervious surfaces, and walkability (*Natural Environment: Goal 1, Strategy 6*).
- Require aesthetic landscaping to buffer residential, business, and industrial development from public highways and adjacent rural and residential areas (*Natural Environment: Goal 1, Strategy 10*).
- Promote development projects that minimize environmental impact through the effective utilization of green infrastructure, low-impact development practices, and other innovative sustainable development practices (*Natural Environment: Goal 2, Strategy 1*).
- Require riparian buffers adjacent to waterways to protect local and regional water resources such as perennial streams, floodplains, wetlands, steep slopes, and highly-erodible soils (*Natural Environment: Goal 2, Strategy 8*).
- Promote BMPs, particularly those recommended by the Rivanna River Basin Commission, to reduce non-point source pollution from development, farming, and other sources (*Natural Environment: Goal 3, Strategy 3*).

- Maintain and enhance primary gateways to ensure a positive identity (*Community Design: Goal 1, Strategy 10*).
- Development along state Scenic Byways and bicycle routes should be carefully screened to ensure that development is compatible with the scenic character and tourist value of the route (*Transportation: Goal 1, Strategy 5*).

### **Technical Review Committee**

The Technical Review Committee Meeting was held on May 10, 2012. Several agencies commented on the request:

- The Virginia Department of Forestry (VDOF) commented that arborists should be certified by the International Society of Arboriculture (ISA), and that plantings should be maintained following ISA standards. Like large shade trees, medium shade and ornamental trees should be at least 1.5” caliper at planting; it results in a minimal cost increase (Note: VDOF was unable to attend the meeting, but commented on May 8, 2012 in person.)
- The Fire Department stated that there have been issues with overgrown plants blocking street signs, which hinders the efforts of emergency personnel responding to calls.
- The Health Department stated that the proposed regulations will have no apparent impact on health regulations (Attachment C).

### **Planning Commission**

The Planning Commission received initial research regarding changes to the landscaping and off-street parking regulations in December 2011. Work sessions were held in January, February, and March discussing these issues. The Planning Commission initiated the proposed amendment at its regular meeting on April 25, 2012.

The Planning Commission held a public hearing regarding this request on May 23, 2012. No members of the public spoke regarding this request.

The Planning Commission **recommended approval** with a vote of 4-0 (Dr. Babbitt was absent).

### **Conclusion**

The proposed amendment to the subdivision ordinance (Chapter 19) will help ensure that adequate landscaping is installed and retained within new subdivisions, protecting Fluvanna County’s economic and environmental health, as well as the quality-of-life of its citizens. This proposal is intended to balance the environmental, aesthetic, and transportation needs of the community with those of local businesses and landowners.

## **Suggested Motion**

I move that the Board of Supervisors [approve/deny] ZTA 12:02, a request to amend the Fluvanna County Subdivision Ordinance (Article 7: *Subdivision Design Standards* and Article 8: *Required Improvements*) to update and strengthen regulations regarding landscaping and similar improvements.

## **Attachments**

A: Application

B: Proposed Text

C: TRC Comments (Health Department)

D: Explanation of Proposed Changes to the Subdivision Ordinance

Copy:

Applicant/Representative: Fluvanna County



COMMONWEALTH OF VIRGINIA  
**COUNTY OF FLUVANNA**  
**Application for**  
**Zoning Text Amendment**

**Owner of Record: Fluvanna County**

E911 Address: **132 Main Street, Palmyra, VA 22963**

Phone: **(434) 591-1910** Fax: **(434) 591-1911**

Email: **apompei@co.fluvanna.va.us**

**Representative: Andrew Pompei (Planner)**

E911 Address: **132 Main Street, Palmyra, VA 22963**

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Email: **apompei@co.fluvanna.va.us**

**Applicant of Record: Fluvanna County**

E911 Address: **132 Main Street, Palmyra, VA 22963**

Phone: **(434) 591-1910** Fax: **(434) 591-1911**

Email: **apompei@co.fluvanna.va.us**

**Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.**

Proposed amendment to the Zoning Ordinance: (attach additional sheets as necessary)  
 If the amendment proposes to replace existing text, please provide a full copy of the existing text for the affected section.

Location of Parcel: **N/A**

Section: \_\_\_\_\_

Amendment of the Fluvanna County Subdivision Ordinance to update and strengthen regulations regarding landscaping and similar improvements (Chapter 19, Article 7: Subdivision Design Standards; Chapter 19, Article 8: Proposed Text: Required Improvements).

The proposed amendment was initiated by the Planning Commission on April 25, 2012.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, the Board of Supervisors, and the Board of Zoning Appeals during the normal discharge of their duties in regard to this request.

Date: 4/30/12 Signature of Owner/Applicant: *Andrew Pompei*

Subscribed and sworn to before me this 30<sup>th</sup> day of April, 2012 Register # 7509714

My commission expires: 3/31/2015 Notary Public: *Lauren M. Ryalls*

Date Received:	Pre-Application Meeting:	PH Sign Deposit Received:	Application #: <b>ZTA 12: 02</b>
\$550 fee paid:			
Advertisement Dates:	<u>May 10<sup>th</sup> + 17<sup>th</sup></u>	Advertisement Dates:	<u>June 7<sup>th</sup> + 14<sup>th</sup></u>
APO Notification:	<u>May 9, 2012</u>	APO Notification:	<u>June 6, 2012</u>
Date of Hearing:	<u>May 23, 2012</u>	Date of Hearing:	<u>June 20, 2012</u>
Decision:		Decision:	

**AN ORDINANCE TO AMEND AND RE-ENACT PORTIONS OF CHAPTER 19,  
ARTICLE 7 “SUBDIVISION DESIGN STANDARDS” AND CHAPTER 19, ARTICLE 8  
“REQUIRED IMPROVEMENTS” OF THE FLUVANNA COUNTY CODE**

BE IT ORDAINED BY THE FLUVANNA COUNTY BOARD OF SUPERVISORS, pursuant to Virginia Code Section 15.2-2253, that the Fluvanna County Code be, and it is hereby, amended, by the revisions there to of Section 19-7 and Section 19-8, as follows:

***Article 7. Subdivision Design Standards***

**Sec. 19-7-1. Generally.**

The subdivider and the county shall be mutually responsible for the orderly development of the land. Nothing herein shall be deemed to require the approval of any plat which the Subdivision Agent shall determine to be contrary to sound engineering or surveying practice or which shall constitute a danger to the public health, safety or general welfare. The Subdivision Agent shall review all subdivisions, and may require reasonable changes to the design of such plats to ensure that the development is in conformity with the Comprehensive Plan, rationally designed, suitably adapted to the topography, efficient for the provision of utilities and services, coordinated with the future provision of capital improvements in the surrounding area, and has minimal negative impact on adjoining property. Their discretion shall be guided by the standards set forth in this article.

**Sec. 19-7-2. Rural Cluster subdivisions.**

All subdividers shall strive to conserve the noteworthy features of the parcel to be subdivided and the rural landscape, in accordance with the Comprehensive Plan and the purpose of this chapter. To achieve these objectives, the subdivider shall follow the process set forth below in developing rural cluster subdivisions for the subdivision of a tract. All major subdivisions in the A-1 Agricultural General Zoning District Classification shall be Rural Cluster subdivisions and subject to this section.

- (a) Determine the number of lots desired, not exceeding the number allowed to be subdivided from the tract under the density provisions of Chapter 22;
- (b) Delineate areas of the tract to be conserved due to their noteworthy features and value to the continued rural character of the county, including, but not limited to, lands with high value for continued agricultural or forestry production, high scenic value including riparian corridors and wildlife habitat; high environmental sensitivity such as steep slopes, wetlands, floodplains; high recreational value and/or having noteworthy historical, natural, or cultural features;
- (c) Locate potential house sites on the area of the tract not delineated as conservation areas, with due consideration for topography, soil suitability for construction and septic system use, and efficient service by public or central water and/or sewerage systems, as applicable;

- (d) Align streets to serve house sites, with due consideration for topography and connections to existing, planned or potential streets in adjacent areas, and align pedestrian trails if planned; and
- (e) Delineate boundaries of individual residential lots and any residue, in accordance with the lot size, dimension, setback, and yard requirements of Chapter 22.

**Sec. 19-7-3. Rational design.**

Lot sizes and shapes, block sizes and shapes, and street networks and alignments shall be designed in accordance with accepted planning practices to produce a rational and economical system without undue clearing or grading.

**Sec. 19-7-4. Suitability to topography.**

If the site contains floodplains, wetlands or slopes steeper than 20%, the proposed development shall be designed to protect against such dangers as erosion, sedimentation, flooding, landslide or subsidence.

**Sec. 19-7-5. Infrastructure.**

All streets, water systems, sewer systems, storm drainage systems, solid waste collection systems, and other utilities and services shall be coordinated with the existing and planned systems in the surrounding area, and shall be designed and constructed so as to minimize the cost of operation and maintenance and so as to maximize the safety, convenience and efficiency thereof. All lots shall be designed to provide for safe and convenient vehicular access to public streets. Driveway locations, which shall conform to good engineering practice and, in particular, to the regulations of the Virginia Department of Transportation, shall be specified on the plat.

**Sec. 19-7-5.1. Street layout.**

The following requirements and standards of street layout shall apply:

- (a) The subdivision street layout shall conform in all essential respects with any adopted small area plan and the transportation element and other aspects of the Comprehensive Plan. Proposed streets shall provide for the continuation of existing, planned or platted streets on adjacent tracts, unless such continuation shall be prevented by topography or other physical condition, or unless such extension is found by the Subdivision Agent to be unnecessary for the coordination of development between the subdivision and such adjacent tract.
- (b) Where the subdivision abuts or contains an existing public road, the Subdivision Agent may require that measures be taken to reduce the impact of heavy traffic on the lots abutting or fronting upon such road, and to conserve the capacity of such road to serve through traffic, by one of the following means:

1. By providing vehicular access to such lots by means of a service drive separated from the existing public road by a planting strip and connecting therewith at infrequent intervals.
2. By designing reverse frontage lots having access only from a parallel minor street or from cul-de-sac or loop streets, and with vehicular access to such lots from the existing public road prohibited by deed restrictions or other means.
3. By increasing setbacks by not less than 25% for all structures and requiring the joint use of driveways.

The choice of the most appropriate method of accomplishing the desired purpose in a specific instance shall be made by the Subdivision Agent giving consideration to topography and other physical conditions, the character of existing and contemplated development in the subdivision and its surroundings, and other pertinent factors.

- (c) Cul-de-sacs shall serve five or fewer lots, and shall be connected to other streets by pedestrian paths.
- (d) Intersections of streets shall be at an angle as nearly 90 degrees as topography and good design will permit.
- (e) Alleys may be provided in the rear of lots.
- (f) Cross access easements may be provided for any commercial, multi-family, and industrial subdivision and shall meet the surfacing requirements of the proposed off-street parking as required by the type of use and development contemplated, in compliance with Chapter 22 of this code. Any such easement is subject to the approval of the County Attorney.

#### **Sec. 19-7-5.2. Lot layout.**

The lot arrangement, design and orientation shall be such that all lots will provide satisfactory building sites, properly related to topography and the character of surrounding development. All lots shall be designed to provide for safe and convenient vehicular access to public streets.

- (a) Where lots must have direct access to an existing thoroughfare rather than an internal street, driveway locations shall conform to good engineering practice and, in particular, the regulations of the Virginia Department of Transportation. Joint access driveways shall be provided where practical. All restrictions regarding lot access and driveway location shall be specified on the plat.

If a tract is subdivided into fewer lots than the maximum allowed by its zoning classification, or the Comprehensive Plan designates the tract for a higher density of development than its present zoning classification allows, the Subdivision Agent may require the subdivider to arrange the lots so as to allow the opening of future streets and logical further subdivision.

- (b) The dimensions and layout of lots reserved or planned for commercial, multi-family, and industrial purposes shall be adequate to provide for any off-street parking and service facilities required by the type of use and development contemplated, in compliance with Chapter 22 of this code. The Subdivision Agent may require the subdivider to demonstrate compliance by providing a schematic layout of the anticipated development of such lots.

### **Sec. 19-7-5.3. Easements.**

Where a proposed subdivision is traversed by any stream, water course or drainageway, or a drainageway is proposed, the subdivider shall make adequate provision for the proper drainage of surface water, including the provision of easements along such streams, water courses, and drainageways. The Subdivision Agent may require permanent easements of appropriate width for poles, wires, conduits, storm and sanitary sewers, gas, water mains, and other public utilities, and temporary easements for the future construction thereof, along all lot lines and in other locations deemed necessary to adequately and efficiently serve all subdivision lots and the surrounding area. Such easements may be required for both existing and planned utilities.

### **Sec. 19-7-5.4. Lands designated for public or common ownership.**

When the subdivider proposes to designate lands for public or common ownership, the following standards shall apply:

Where the proposed subdivision includes lands proposed for use as public parks, school sites, or public water or sewer provision under the Comprehensive Plan, the Subdivision Agent shall request the subdivider to indicate the location of such lands on the subdivision plat. The Subdivider shall also provide the written agreement for the acquisition of the lands or facilities between the subdivider and the receiving agency. No public agency is compelled by this chapter to accept any proposed land or facilities.

### **Sec. 19-7-6. Phasing.**

If the subdivider desires to complete the improvements shown on the preliminary plat over a period of more than one year, he may submit a preliminary plat showing the entire development at completion, and delineating two or more phases to be improved in succession, together with a schedule for completion of each phase. After such plat has been approved, he may construct the improvements in, and submit a final plat for, each phase, consistent with the approved schedule. Pursuant to the requirements of Section 15.2-2241(5) of the Code of Virginia, if a developer records a final plat which is a section of a subdivision as shown on an

approved preliminary plat, the developer shall have the right to record the remaining sections shown on the preliminary plat for a period of five years from the recordation date of the first section.

**Sec. 19-7-7. Noise, glare and pollution.**

The proposed development shall be designed to minimize the impact of noise, glare and pollution on adjoining property, and to protect the surrounding lands from the same.

**Sec. 19-7-7.1. Riparian protection areas.**

*To protect local water quality, all major subdivisions shall reserve a riparian protection area in accordance with the following requirements:*

- (a) *The riparian protection area shall be at least 50 feet wide along both sides of all intermittent streams, at least 75 feet wide along both sides of all perennial streams, and at least 100 feet wide along both sides of the Hardware River, Rivanna River, and James River.*
- (b) *Indigenous vegetation, including existing ground cover, shall be preserved to the maximum extent practicable, consistent with the use or development proposed. Dead, diseased, or dying vegetation may be pruned or removed as necessary, pursuant to sound horticultural practices. No logging or silvicultural activities may take place within the riparian protection area.*
- (c) *No portion of any on-site sewerage system, drain field, reserve drain field, or building shall be placed within the riparian protection area. This statement shall be on all plats and site plans of affected lots.*
- (d) *If otherwise authorized by the applicable regulations of this chapter, the following types of development shall be permitted within the riparian protection area, provided that the requirements of this section are met:*
  - 1. *A building or structure which existed on the date of adoption of this article may continue at such location. However, nothing in this section authorizes the replacement, expansion, or enlargement of such building or structure.*
  - 2. *On-site or regional stormwater management facilities and temporary erosion and sediment control measures, provided that:*
    - a. *To the extent practical, as determined by the agent, the location of such facilities shall be outside of the riparian protection area;*
    - b. *No more land shall be disturbed as necessary to provide for the construction and maintenance of the facility, as determined by the agent;*
    - c. *The facilities are designed to minimize impacts to the functional value of the riparian protection area and to protect water quality; and*
    - d. *Facilities located within a floodplain adhere to the floodplain regulations of the County Code.*
  - 3. *Water-dependent facilities; water wells; passive recreation areas, such as pedestrian trails and bicycle paths; historic preservation; archaeological*

*activities, provided that all applicable federal, state and local permits are obtained. All pedestrian trails and bicycle paths shall be constructed using permeable paving materials.*

4. *Stream crossings of perennial and intermittent streams for roads, streets, or driveways, provided that the stream buffer disturbance shall be the minimum necessary for the lot(s) to be used and developed as permitted within the underlying zoning district. Stream crossings shall not disturb more than thirty (30) linear feet of stream for driveways and sixty (60) linear feet for roads or streets, provided that the agent may allow additional length of stream disturbance where fill slopes or special conditions necessitate additional length.*

**Sec. 19-7-8. Compliance with Chapter 22 of this code.**

No subdivision plat shall be approved unless and until it shall be determined that the same complies with Chapter 22 of this code. Subdivisions that are prepared consistent with approved Master Plans as provided in Chapter 22 of this code, shall be subject to the street and lot layout design and improvement standards provided for in that Master Plan.

## **Article 8. Required Improvements**

### **Sec. 19-8-1. Streets.**

An adequate system of streets shall be constructed to provide access from all lots to the state highway system.

- (a) In any major subdivision, as defined herein, all streets shall be designed and constructed in conformance with the Virginia Department of Transportation's subdivision street requirements. Preliminary plans for all such streets shall have been approved by the Virginia Department of Transportation prior to approval of the preliminary plat.
- (b) Proposed street names shall be shown on the preliminary plat, and may be changed by the Subdivision Agent. Names of new streets shall not duplicate names of existing streets, irrespective of suffixes. Any street that is a continuation of an existing street shall bear the name of the existing street. The governing body may institute a fee in order to acquire and install all street identification signs. Where a street is planned for future extension, and a stub street serving three or more lots is proposed for construction as part of a subdivision, a temporary turnaround shall be provided on such stub street. Such turnaround shall be of adequate location, size and design as determined by the Subdivision Agent. All stub streets shall be marked with a metal sign clearly providing public notice that the street is subject to future extension.
- (c) Any private road in a subdivision which will not be constructed to Virginia Department of Transportation standards shall be located in a right-of-way or easement at least 50 feet in width and shall be so designed and built as to provide adequate access by ordinary passenger vehicles in all weather, in accordance with the provisions of this section as set forth hereinafter. All lots that are within a subdivision which is served by any private road shall be prohibited direct vehicular access from an existing public road by deed restriction or other means. Except in the case of lots intended, designed and used (a) for attached single-family, two-family or multi-family dwellings; (b) for rural cluster lots; or (c) for commercial or industrial uses, no lot served by a private road may be less than 10 acres in area, and no such private road shall serve more than 5 lots. The plat, and each deed, shall clearly state that the county and Commonwealth are not responsible for the maintenance of the roads. A road maintenance agreement, approved by the county attorney and the Subdivision Agent, shall be filed with the deeds of all lots to be served by such private road. Such agreement shall require the landowners, jointly and severally, to cooperate in and pay for the maintenance of the road such that emergency vehicles and other necessary traffic can reach all of the lots with reasonable ease. Each plat showing any such private road shall contain a certification from a registered surveyor or engineer in substantially the following form: "The private road shown on this plat will provide reasonable

access to all lots served by such road by emergency vehicles and ordinary passenger vehicles as required by Section 19-8-1 of the Fluvanna County Code.” Private roads shall conform to the following minimum specific construction standards:

<b>Number of Lots</b>	<b>Right-of-Way Width</b>	<b>Minimum Width of Travelway</b>	<b>Surface Treatment</b>	<b>Minimum Ditchline</b>	<b>Maximum Grade</b>
1-5	50 feet	14 feet	Gravel (#25 or #26), 3 inches in depth over suitable base	4 feet in width, with a minimum of 4% slope from the travelway and ditches a minimum of 18 inches in depth	9%

(Ord. 11-17-04)

**Sec. 19-8-2. Water supply.**

The subdivider shall provide evidence satisfactory to the Subdivision Agent that each lot which is proposed to be created shall have available to it potable water sufficient in quantity and quality to provide for the uses to which such lot may lawfully be put. For any major subdivision, all phases included, one or more sources of water of acceptable quality and quantity shall be approved by the county prior to submittal of the preliminary plat. The water supply shall meet all applicable federal, state and local regulations and the Hydrogeologic Test Requirements.

**Sec. 19-8-2.1. Hydrogeologic test requirements.**

Prior to the approval of the preliminary plat, the subdivider shall provide evidence that the parcel proposed to be subdivided has sufficient supply of potable water to serve each of the proposed lots. In the case of a subdivision which is proposed to be served by either a public water system, a public service company or a central water supply, the subdivider shall demonstrate that the subdivision has a capacity equal to 1 gallon per minute for each proposed lot after a 48 hour continuous constant rate test. (Ord. 03-15-06)

**Sec. 19-8-2.2. Quality.**

Water quality shall comply with the requirements defined in the Virginia Department of Health Waterworks Regulations.

**Sec. 19-8-2.3. Quantity.**

If the proposed subdivision is to be served by individual groundwater wells, the sufficiency of the quantity of water shall comply with the requirements of the Virginia Department of Health Private Well Regulations at the time that a certificate of occupancy is sought as to any occupied building on each lot. If any subdivision is to be served by an existing public or central water system, the subdivider shall obtain a certificate of availability from the operator of the water system. If it is to be served by a new public or central water system, the subdivider shall obtain the necessary permits from all applicable reviewing bodies, including, without limitation, the governing body, the State Corporation Commission, the Virginia Department of Health and the Virginia Water Control Board, and approval of the design and written commitment to operate and maintain the system from an agency approved by the county. (Ord. 06-21-06)

**Sec. 19-8-2.4. Fire protection.**

The subdivider shall make reasonable provision for fire protection. For any subdivision with a public or central water system, the subdivider shall provide a fire protection system consisting of fire hydrants at intervals of no more than 1,000 feet served by water lines six inches or larger in diameter, or a system of comparable effectiveness. Such plans shall be reviewed and approved by the Fluvanna County Fire Department Chief prior to preliminary plat approval.

**Sec. 19-8-2.5. Maintenance.**

Upon their completion and final approval, all water systems, other than those connected to a public system, shall be dedicated to an agency approved by the county for ownership, operation and maintenance.

**Sec. 19-8-3. Wastewater treatment.**

A wastewater collection, treatment and disposal system shall be provided to remove wastewater from the proposed development without undue threat of contamination of surface water or groundwater. Such preliminary plans shall have been approved by the Virginia Department of Environmental Quality or appropriate state agency prior to approval of the preliminary plat.

- (a) If individual sewerage systems are proposed, the subdivider shall demonstrate that each lot which is proposed to be created complies with Section 22-17-10 of this code. (Ord. 9-17-08)

- (b) If a central sewerage system is proposed, the subdivider shall secure approval of the design, and written commitment to operate and maintain the system, from an agency approved by the county, including any special use permit which is required pursuant to Chapter 22 of this code<sup>1</sup>, prior to approval of the preliminary plat. (Ord. 9-17-08)
- (c) If a proposed system is subject to regulation by the any state agency, the subdivider shall secure the necessary permits prior to plat approval.

**Sec. 19-8-3.1. Maintenance.**

Upon their completion, all central sewerage systems, other than those connected to a public system, shall be dedicated to an agency approved by the county for ownership.

**Sec. 19-8-4. Storm drainage.**

Proper and adequate storm drainage systems shall be installed as required by the Virginia Department of Transportation and/or Chapter 6 of this code, such that the proposed development will not result in undue increase in runoff, erosion or sedimentation to any downhill or downstream area. Such plans shall have been reviewed by the Soil and Water Conservation District office, and approved by the county and the Virginia Department of Transportation, as applicable, prior to the approval of the preliminary plat.

- (a) Wherever required by the Virginia Department of Transportation, or under an approved Master Plan or Conditional Zoning provisions of Chapter 22, concrete curb and gutter shall be installed along both sides of street serving 200 or more lots, and on at least one side of every street serving 50 or more lots, and an ~~enclosed~~ *engineered* storm drainage system shall be installed. *The use of perforated curbs and cul-de-sacs with landscaped islands is permitted.* All such improvements shall comply with Virginia Department of Transportation standards.
- (b) Drainage easements of an appropriate width, not less than six feet, shall be reserved where necessary, and shall be shown on the plat.
- (c) All streets and building sites shall be at least one foot above the floodplain elevation.
- (d) *The use of low-impact development (LID) techniques to control stormwater runoff is encouraged. Examples of LID techniques include, but are not limited to, the use of permeable paving materials, rain gardens, bioswales, infiltration trenches, and tree box filters designed to capture stormwater and facilitate on-site infiltration.*

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<sup>1</sup> *Editor's Note:* Capitalization corrected by editor.

**Sec. 19-8-5. Monuments.**

Iron rods or pipes shall be set at all lot corners and at all points of curvature or tangent on streets. Rods or pipes shall be at least one-half inch in diameter and 24 inches long, and shall be set flush with the finished grade.

**Sec. 19-8-6. Recreation.**

For any major subdivision, as defined in this chapter, if the average lot size for that subdivision is five acres or less, except for Rural Cluster Subdivisions, the subdivider shall provide space and facilities for recreation. Such space shall be clearly labeled on the plat, and shall be dedicated to an entity approved by the county for ownership and maintenance.

- (a) Space for recreation shall be provided at the rate of 5,000 square feet per lot in the subdivision or 15% of the total acreage of the subdivision, whichever is more. This area shall not be developed for parking, roadways, refuse collection, or similar use. An area of ½ acre or more shall be located within ½ mile of each proposed dwelling unit as part of the recreation area, and shall be improved with facilities for sports, picnicking, tot lot equipment, active playground with equipment, or similar uses.
- (b) Each area reserved for recreation shall be of a size and shape conducive to the proposed recreational use.

**Section 19-8-7. Utilities.**

For major and minor subdivisions, all utilities including, but not limited to, wires, cables, pipes, conduits and appurtenant equipment for electric, telephone, gas, cable television, or similar services shall be placed underground except, however, the following shall be permitted above ground.

- (a) Electric transmission lines and facilities in excess of 50 kilovolts.
- (b) Equipment, including electric distribution transformers, switch gear, meter pedestals, telephone pedestals, streetlighting poles or standards, radio antennae, traffic control devices, and associated equipment which is, in conformance with accepted utility practices, normally installed above ground.
- (c) Meters, service connections and similar equipment normally attached to the outside wall of a customer's premises.
- (d) Temporary above ground facilities required in conjunction with an authorized construction project.
- (e) Existing utilities located above ground in proposed subdivisions may be maintained, repaired or upgraded to maintain current levels of service.

- (f) Whenever any existing above ground utilities internal to a major subdivision require relocation for any reason they shall be placed underground.

### **Sec. 19-8-8. Sidewalks**

For all major subdivisions within all zoning districts, sidewalks shall be provided along both sides of all proposed public roads and private roads with a sidewalk compliant with current VDOT standards.

Sidewalks shall also provide connections to active or passive open space, schools, or to adjacent commercial and residential developments.

*Sidewalks may be paved using hard-surfaced pervious paving materials, such as porous asphalt, porous concrete, or block pavers, as a method of stormwater management, provided that the use of such materials does not compromise the safety of pedestrians.*

(Ord. 5-4-11)

### **Sec. 19-8-8.1. Sidewalk variation**

A variation to the sidewalk regulations may be granted by the Planning Commission for projects where:

- a) The Virginia Department of Transportation prohibits the construction of sidewalks;
- b) The physical conditions on the lot or adjoining lots, including but not limited to, existing structure and parking areas, existing utility easements, environmental features, or the size and shape of the lot, make it impossible or unfeasible to provide the required sidewalks;
- c) The application of the before mentioned requirements would not further the goals of the Comprehensive Plan or otherwise serve the greater public's health, safety, and welfare.

The applicant shall file a written request with the Department of Planning and Community Development stating why application of a sidewalk variation is necessary and how the before mentioned circumstances may apply to the property.

The Planning Commission shall act on the variation request in conjunction with the county's action on the site plan, subdivision plat or special use permit or, if no such action is required, within sixty (60) days of the date the application was submitted and determined to be complete. The Planning Commission may grant the variation if it determines that one or more applicable circumstances exist. In granting a variation, the Planning Commission may impose conditions deemed necessary to protect the public health, safety, or welfare.

The denial of a variation, or the approval of a variation with conditions objectionable to the applicant, may be appealed to the Board of Supervisors. In considering a variation on appeal, the Board of Supervisors may grant or deny the variation based upon its determination of whether one or more applicable circumstances exist, amend any condition imposed by the Planning Commission, or impose any conditions deemed necessary to protect the public health, safety, or welfare.

**Section 19-8-9. Street trees.**

*Street trees shall be required along existing or proposed public streets within or adjacent to any major subdivisions within an average lot site of one (1) acre or less. The placement of street trees shall be in accordance with Virginia Department of Transportation (VDOT) standards and shall not be located within any sight triangle. The required plantings shall be located either within the right-of-way itself or within a ten-foot (10') strip continuous to such right-of-way. Existing trees with a caliper of eight inches (8") or greater located within ten feet (10') of the right-of-way may be used to satisfy the planting requirement, provided the trees are protected in accordance with the standards contained in the Virginia Erosion and Sediment Control Handbook. Appropriate provisions shall be made for the permanent maintenance and preservation of the required street trees, to the reasonable satisfaction of the county attorney. Such provisions may include a landscape easement dedicated to the property owners' association or other entity approved by the county attorney. The street trees shall be planted at the following rate:*

- (a) One (1) large shade tree shall be required for every fifty (50) feet of road frontage;*  
*or*
- (b) One (1) medium shade tree shall be required for every forty (40) feet of road frontage.*

**Section 19-8-10. Landscape Preservation Buffers.**

*All reverse frontage lots within all zoning districts shall provide a landscape preservation buffer along all interstate, arterial and collector roads and all scenic byways, as designated by the Virginia Department of Transportation (VDOT).*

- (a) The minimum width of landscape preservation buffers shall be forty feet (40') measured from the edge of the existing or reserved right-of-way. Along all scenic byways, the landscaped buffer shall be no less than one-hundred feet (100') in width.*
- (b) Appropriate provisions shall be made for the permanent maintenance and preservation of the required landscape preservation buffers, to the reasonable satisfaction of the county attorney. Such provisions may include a landscape preservation easement dedicated to the property owners' association or other entity approved by the county attorney.*
- (c) The preservation of existing trees and shrubs within the required buffers shall be maximized to provide continuity and improved screening. All trees located within the buffer shall be retained, unless removal is necessary to accommodate utilities that run generally perpendicular to the buffer. Dead, diseased, or dying vegetation may be pruned or removed as necessary, pursuant to sound horticultural practices. No logging or silvicultural activities may take place within the landscape preservation buffer. Pastureland and fields existing at the time of the subdivision may remain as open land, provided no healthy trees or shrubs existing at the time of subdivision are removed. Fences or walls may be constructed within the landscape*

*preservation buffer, provided that such features are no taller than five feet (5') in height and are designed to be compatible with the rural nature of the surrounding area. Berms may also be constructed within the landscape preservation buffer, provided that such features are no taller than five feet (5') in height, do not have a slope steeper than 2:1, and disturb as little existing vegetation as possible.*

- (d) Additional plantings within the landscape preservation buffer are permitted and encouraged. Any plantings required by County Code may be located within the landscape preservation buffer.*

## MEMORANDUM

To: County of Fluvanna, Office of Planning and Community Development  
From: Fluvanna County Health Department, Environmental Health  
Date: May 10, 2012

SDP 12:09 – Triangle Realtors – Property located on right side of Turkey Sag off of Rt. 53 in existing shopping center. Probable connection to Lake Monticello water & sewer.

SUP 12:01 – Clear Signal Towers, LLC - Tax Map 39-A-34, property belonging to William Davis. 331.29 acres directly across from Kidd's Store, southside of Rt. 6. Property does not contain any existing buildings, water or sewage systems.

SUP 12:02 – Clear Signal Towers, LLC – Tax Map 48-A-94, property belonging to Michael Gray. 71.46 acres on north side of Rt. 6 past Hardware River. Property does not contain any existing buildings, water or sewage systems.

SUP 12:03 – Clear Signal Towers, LLC – Tax Map 59-A-13B, property belonging to Richard White. 46.6 acres on East side of Rt. 15 before Bremo Bluff. The health department issued a permit for an agricultural well which was installed on June 10, 2009. There is a barn on the property but no septic systems.

SUP 12:04 Clear signal Towers, LLC – Tax Map 50-A-3, property belonging to Margaret Snoddy. 97.7 acres on Rt. 650, south of Rt. 6. Property does not contain any existing buildings, water or sewage systems.

ZTA 12:01 & ZTA 12:02 – Amendments to Zoning and Subdivision Ordinances. No apparent impact on health department regulations.

**Explanation of Proposed Changes to the Subdivision Ordinance (ZTA 12:02)**

Section	Explanation
Sec. 19-7-8	<p>Added language from proposed tree protection changes specifically requiring riparian preservation areas within major subdivisions.</p> <p>Riparian Buffer Provisions</p> <p>Part 2 is taken from New Kent's CBPA regulations</p> <p>Part 3, 4, 5 taken from RCS/UVA recommendations (Memo 11/30/2010)</p>
Sec. 19-8-4(A)	Specifically allow the use of perforated curbs and landscaped islands per RCS/UVA recommendation
Sec. 19-8-4(D)	<p>Specifically allow/encourage the use of LID techniques</p> <p>Language from proposed parking changes</p>
Sec. 19-8-8	Added language from proposed parking changes specifically allowing the use of pervious paving materials for sidewalks
Sec. 19-8-9	<p>Added language from proposed tree protection changes requiring street trees in major subdivisions</p> <p>Street trees required within major residential subdivisions with an average lot size of one acre or less (comparable to Charlottesville, New Kent).</p> <p>Existing trees may count towards requirements if encumbered by a tree preservation easement (comparable to New Kent).</p>
Sec. 19-8-10	<p>Requires landscape preservation buffers along major roads and scenic byways, shielding the rear of houses from view and reducing the impact of heavy traffic on residences.</p> <p>(Comparable to New Kent)</p>



# FLUVANNA COUNTY PUBLIC SCHOOLS

<b>TO:</b>	Board of Supervisor Members
<b>FROM:</b>	Ms. Gena C. Keller, Superintendent
<b>SUBJECT:</b>	Efficiency Study Information
<b>DATE:</b>	6/14/2012
<b>CC:</b>	Mr. Steve Nichols, County Administrator

The Board of Supervisors at their May 16, 2012 "directed staff to research adversarial audit options for Schools/County."

The Schools have been on the State schedule for a School Efficiency Review (SER) for a considerable length of time. School Efficiency Reviews are established by statute, § 2.2.-1502.1.

We are in the queue and could possibly be reviewed during FY 2013, as early as September if the School Board is interested. The SER is in – depth and examines actual operations of the division, including: (1) Division Administration, (2) Financial Management, (3) Purchasing, (4) Education Service Delivery and costs, (5) Special Education (6) Human Resources, (7) Facility Use and Management, (8) Transportation, (9) Technology Management, (10) Nutrition Services. The team performing and SER is under the direction of the Virginia Departments of Planning & Budget and Education. They follow a standard protocol and the whole process can take up to six months to complete. Members of the team are subject area experts in the areas they review. Locally Charlottesville City (2009) and Louisa (2006) were reviewed.

The attached sheet shows the program results.

BUDGET CATEGORY (IES)	AMOUNT	IMPLICATIONS / NOTES:
<input checked="" type="checkbox"/> N/A	\$	Click here to enter text.
<input type="checkbox"/> Instruction	\$	Click here to enter text.
<input type="checkbox"/> Administration	\$	Click here to enter text.
<input type="checkbox"/> Transportation	\$	Click here to enter text.
<input type="checkbox"/> Operations	\$	Click here to enter text.
<input type="checkbox"/> Technology	\$	Click here to enter text.
<input type="checkbox"/> Debt Service	\$	Click here to enter text.



## The Virginia School Efficiency Review Program

### What it is.

Total expenditures for the operations of public elementary and secondary schools includes over \$13 billion in state, federal and local money.

The goal of the school efficiency review program is to ensure that non-instructional functions are running efficiently so that as much of this funding as possible goes directly into the classroom. The program identifies savings that can be gained in the school division through best practices in divisional administration, human resources, finance, purchasing, educational service delivery costs, special education, facilities, transportation, technology, management, and food service.

Business practices in the school divisions that appear to be more efficient than those found elsewhere are documented and shared in the review and with other school divisions across the state.

The approach of the school review program is modeled after Texas' protocols administered by that state's Comptroller. Arizona and Oklahoma are also modeling on these procedures, and most recently Minnesota has introduced legislation to begin similar reviews using Virginia's approach.

### What we've done.

Virginia first developed the concept for our review program in 2003. Three pilot reviews were completed by Department of Planning and Budget staff in 2004. The program was codified in the Code of Virginia in 2005.

Since 2005, 35 additional reviews have been completed using private sector consultants with oversight and review provided by the Department of Planning and Budget. To date, school reviews have been completed in the following school divisions and recommended net savings of the reviews have been significant - almost \$42 million total annually and over \$1.1 million annually per review -- as shown in the following table.

Study#	School Division	Report Released	Implementation %	Annual Savings
1	New Kent	1/6/2004	86.96%	\$238,768
2	Roanoke County	4/22/2004	81.25%	\$294,816
3	Richmond City	8/23/2004	85.19%	\$2,139,292
4	Stafford	1/11/2005	96.77%	\$1,027,712
5	Portsmouth	4/4/2005	90.00%	\$2,132,821
6	Surry	4/12/2005	96.67%	\$327,638
7	Spotsylvania	4/28/2005	98.55%	\$1,508,460
8	Williamsburg	6/23/2005	88.89%	-\$195,890
9	Campbell	10/28/2005	91.03%	\$389,079
10	Smyth	3/16/2006	95.40%	\$45,026
11	Lancaster	3/17/2006	94.44%	\$18,928
12	Dinwiddie	3/23/2006	91.82%	\$1,604,706
13	Winchester	3/24/2006	90.91%	\$134,103
14	York	3/24/2006	92.68%	\$323,728
15	Isle of Wight	6/13/2006	93.68%	-\$437,184
16	Culpeper	6/12/2006	90.43%	\$364,081
17	Louisa	6/20/2006	90.67%	\$764,333
18	Bath	6/22/2006	80.52%	\$46,923
19	Clarke	8/21/2006	98.92%	-\$42,961
20	Petersburg	1/10/2007	98.90%	\$3,999,757
21	Alleghany	2/28/2007	78.00%	\$887,009
22	Covington	2/28/2007	87.50%	\$428,195
23	Montgomery	5/15/2007	87.06%	\$738,922
24	Roanoke City	5/21/2007	93.00%	\$1,871,044
25	Mecklenburg	6/12/2007	97.46%	\$1,030,306
26	Alexandria	6/20/2007	88.73%	-\$568,568
27	Prince William	6/21/2007	84.62%	\$262,877
28	Prince Edward	8/8/2007	96.61%	\$356,687
29	Rappahannock	2/22/2008	90.67%	-\$53,325
30	Franklin County	5/12/2008	81.48%	-\$61,142
31	Norfolk	5/21/2008	92.31%	\$2,555,680
32	Loudoun	8/12/2008	86.67%	\$436,178
33	Charlottesville	1/8/2009	90.32%	\$3,406,331
34	Hampton	5/20/2009	91.92%	\$8,683,089
35	Martinsville	2/11/2010	98.91%	\$798,196
36	Chesterfield	2/26/2010	92.21%	\$4,565,408
37	Hanover	6/14/2011	95.83%	\$842,796

38	Arlington	5/10/2012	\$635,062
	Average	91.00%	\$1,103,369
	Total		\$41,928,023

Negative numbers indicate that the efficiency review contained net costs to implement all the suggested recommendations. These reviews include many savings opportunities as well. Since the purpose of the reviews is school efficiency, there are instances where recommendations suggest school divisions spend money in order to become more efficient and effective in delivering services.

#### What we've achieved.

Although the reports contain recommendations and not requirements, there are requirements for implementation of the review recommendations. The goal of these requirements is to ensure that reviews are used for improvement and do not 'sit on the shelf.'

If the school division does not initiate at least half of the recommendations or experience half of the budgetary savings offered in the review, the school division must provide a recovery local share of 25% of the costs of the school efficiency review into the general fund of the state treasury. Local school divisions are implementing the vast majority of the recommendations. The table above reflects the implementation percentage of past reviews and the total implementation percentage for the program. As of May 2012, the overall implementation rate of the program is 91%. Because the implementation rate of all school divisions is well over 50%, no school divisions have been required to pay this additional recovery cost.

#### What we've learned.

Some divisions may find that not all recommendations can be implemented for a variety of reasons. The reports are intended to generate options for the consideration of locally elected and divisional administration officials.

While the challenges facing school divisions as they attempt to fulfill their core mission are very similar, there are enough differences in funding, community issues, and history to support the assertion that there can be no "one size fits all" solution to these challenges.

This program is gaining national attention as a "best practice." Other states are now modeling programs on Virginia's approach.

Full text versions of all completed reviews are available on the Virginia Department of Education's website at

[http://www.doe.virginia.gov/school\\_finance/efficiency\\_reviews/index.shtml](http://www.doe.virginia.gov/school_finance/efficiency_reviews/index.shtml).

[Web Site Index](#) | [Web Policy](#)

For comments or questions concerning this program's web pages, contact the [webmaster](#).



# FLUVANNA COUNTY PUBLIC SCHOOLS

<b>TO:</b>	Board of Supervisor Members
<b>FROM:</b>	Ms. Gena C. Keller, Superintendent
<b>SUBJECT:</b>	Funding Request
<b>DATE:</b>	6/14/2012
<b>CC:</b>	Mr. Steve Nichols, County Administrator

On Wednesday, June 13, 2012, the Fluvanna County School Board authorized Ms. Gena C. Keller, Superintendent, to request \$539,545 to off-set the increasing health insurance premium for staff during the 2012-2013 school year.

BUDGET CATEGORY (IES)	AMOUNT	IMPLICATIONS / NOTES:
<input checked="" type="checkbox"/> N/A	\$	Click here to enter text.
<input type="checkbox"/> Instruction	\$	Click here to enter text.
<input type="checkbox"/> Administration	\$	Click here to enter text.
<input type="checkbox"/> Transportation	\$	Click here to enter text.
<input type="checkbox"/> Operations	\$	Click here to enter text.
<input type="checkbox"/> Technology	\$	Click here to enter text.
<input type="checkbox"/> Debt Service	\$	Click here to enter text.

# Meals Tax Review and Options

Information is forthcoming and  
will be available night of  
meeting

# VRS Contribution Options

Information is forthcoming and  
will be available night of  
meeting

# **Erosion and Sediment Control Position**

**Information is forthcoming and  
will be available night of  
meeting**

# Scottsville EMS Mutual Aid

Information is forthcoming and  
will be available night of  
meeting

**MOTION:** I move to appoint \_\_\_\_\_ and \_\_\_\_\_ to the Parks & Recreation Advisory Board, Student positions, with terms to begin July 1, 2012, and to terminate on June 30, 2014, or until they graduate.

**AGENDA BOARD OF SUPERVISORS DATE: June 20, 2012**

**SUBJECT:** Appointment to Parks & Recreation Advisory Board, Student Positions

**RECOMMENDATION:** Approval

**TIMING** Normal

**FISCAL IMPLICATIONS:** None

**POLICY IMPLICATIONS:** None

**DISCUSSION:** Both Jackie Cook and Terry Crickenberger, the former student representatives have graduated. The student term is for two years or until graduation.

Applicants who are interested in this appointment:

Haden Parrish  
Kelsey Schlein

**LEGISLATIVE HISTORY:** None

Staff: Mary L Weaver, Clerk to the Board of Supervisors

Copy: Jason Smith, Parks & Recreation Director

Enclosure: Boards and Commissions Applications

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County Administrator's Use Only  
*Comments*



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Steven M. Nichols, County Administrator

**Interest in Parks and Recreation Advisory Board**

**Columbia**

**Last Name** Parrish **First Name** Haden **Date Recieved** 6/5/2012  
**Mailing Address** PO Box 85 **City** Palmyra **State** VA **Postal Code** 22963-  
**Home Phone** (434) 589-6077 **Work Phone** 4345818412 **Cell Phone/Other** (434) 981-9312  
**Fax** (434) 584-3202 **Email Address** hadenp8747@hotmail.com  
**Physical Address** 1173 Courthouse Road **City** Palmyra **State** VA **Postal Code** 22963

***Education and Experience:***

Sophomore at Fluvanna County High School

***Civic Activities and Committee Memberships:***

Special needs baseball coach; Fluvanna Youth Baseball Board member; Farm Bureau Board member; Fluvanna County Rescue Squad Observer; Medical Examiner Observer; Interact Club Vice President; UVA Hospital Junior Volunteer; Beta Club; 4H Livestock Club

***Interest in Committee:***

I am interested in becoming a Parks and Recreation Advisory Board member, because I want to help serve my fellow community members; and I would also like to see an increase in activities for people with special needs and for senior citizens.

***Comments:***

**Interest in Parks and Recreation Advisory Board**

<b>Last Name</b>	Schlein	<b>First Name</b>	Kelsey	<b>Date Recieved</b>	
<b>Mailing Address</b>		<b>City</b>		<b>State</b>	
<b>Home Phone</b>		<b>Work Phone</b>		<b>Cell Phone/Other</b>	
<b>Fax</b>		<b>Email Address</b>	kelseyschlein@gmail.com		
<b>Physical Address</b>		<b>City</b>		<b>State</b>	

**Education and Experience:**

**Civic Activities and Committee Memberships:**

**Interest in Committee:**

**Comments:**

**MOTION:** I move to appoint \_\_\_\_\_ to the Parks & Recreation Advisory Board, At Large position, with a term to begin July 1, 2012, and to terminate on June 30, 2013.

**AGENDA BOARD OF SUPERVISORS DATE: June 20, 2012**

**SUBJECT:** Appointment to Parks & Recreation Advisory Board, At Large Position

**RECOMMENDATION:** Approval

**TIMING** Normal

**FISCAL IMPLICATIONS:** None

**POLICY IMPLICATIONS:** None

**DISCUSSION:** David Tatman is currently serving in this position and does not wish to be reappointed. The new member would serve a one-year term.

Applicants who are interested in this appointment:

David A. Perry  
Amy Reese

**LEGISLATIVE HISTORY:** None

Staff: Mary L Weaver, Clerk to the Board of Supervisors

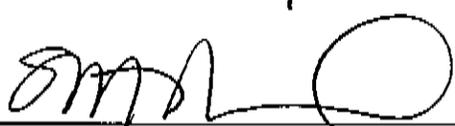
Copy: Jason Smith, Parks & Recreation Director

Enclosure: Boards and Commissions Applications

\*\*\*\*\*

County Administrator's Use Only

*Comments*

  
\_\_\_\_\_  
Steven M. Nichols, County Administrator

Interest in Parks and Recreation Advisory Board

Cunningham

<b>Last Name</b>	Perry	<b>First Name</b>	David A.	<b>Date Recieved</b>	9/29/2011		
<b>Mailing Address</b>	316 Taylor Ridge Way	<b>City</b>	Palmyra	<b>State</b>	VA	<b>Postal Code</b>	22963-
<b>Home Phone</b>	(434) 589-1385	<b>Work Phone</b>		<b>Cell Phone/Other</b>	(949) 275-4814		
<b>Fax</b>		<b>Email Address</b>	davidaperry49@yahoo.com				
<b>Physical Address</b>	316 Taylor Ridge Way	<b>City</b>	Palmyra	<b>State</b>	VA	<b>Postal Code</b>	22963

**Education and Experience:**

20 years CEO/President of technology based manufacturing business (resume enclosed)

**Civic Activities and Committee Memberships:**

Virginia Herpetological Society

**Interest in Committee:**

Economic Development Authority, Economic Development Commission, Fork Union sanitary District Advisory Committee, Parks & Recreation Advisory Board, Planning Commission, Southeast Rural Community Assistance Project, Inc., Thomas Jefferson Partnership for Economic Development

**Comments:**

**Interest in Parks and Recreation Advisory Board**

**Cunningham**

<b>Last Name</b>	Reese	<b>First Name</b>	Amy	<b>Date Recieved</b>	2/22/2011
<b>Mailing Address</b>	1972 Sclaters Ford Road	<b>City</b>	Palmyra	<b>State</b>	VA
		<b>Postal Code</b>	22963-		
<b>Home Phone</b>	(434) 589-5596	<b>Work Phone</b>	4345898933	<b>Cell Phone/Other</b>	(434) 531-9939
<b>Fax</b>		<b>Email Address</b>	amreese@ntelos.net - hm/areese@mail.fluco.org -wk		
<b>Physical Address</b>	1972 Sclaters Ford Road	<b>City</b>	Palmyra	<b>State</b>	VA
		<b>Postal Code</b>	22963		

**Education and Experience:**

Graduate of Fluvanna High School. Graduate of Virginia Tech (BS degree - Hospitality & Tourism Management). Currently employed by Piedmont Virginia Community College (part-time) as Career Coach at Fluvanna High School.

**Civic Activities and Committee Memberships:**

Member, Cunningham Methodist Church. Vacation Bible School Director - 6 years; Youth Director - 2 years; Sunday School Superintendent - 1 year. Fluvanna Girls' Softball League - Board Member - 3 years.

**Interest in Committee:**

I have lived in Fluvanna County for 45 years. It is very imptant to me that this County offer great programs and facilities for the youth in our community and for our community as a whole. With acquiring Pleasant Grove, this a crucial time in our County for the proper planning and development of the Parks and Rec Department. I travel to other counties (my daughter uses their recreation facilities) and I see what they have to offer their communities. I think it is time for a Fluvanna "native" and a mother of two children (ages 10 and under) to get involved and make this community a better one.

**Comments:**

**MOTION:** I move to reappoint \_\_\_\_\_ to the Parks & Recreation Advisory Board, At Large position, with a term to begin July 1, 2012, and to terminate on June 30, 2015.

**AGENDA BOARD OF SUPERVISORS DATE: June 20, 2012**

**SUBJECT:** Appointment to Parks & Recreation Advisory Board, At Large Position

**RECOMMENDATION:** Approval

**TIMING** Normal

**FISCAL IMPLICATIONS:** None

**POLICY IMPLICATIONS:** None

**DISCUSSION:** Wade Parrish is currently serving in this capacity and wishes to be reappointed. Since he has served for one year already, he is now eligible for a three-year term.

Applicants who are interested in this appointment:  
Wade Parrish, current member

**LEGISLATIVE HISTORY:** None

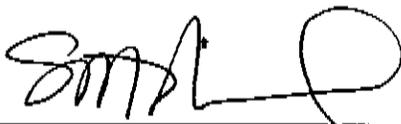
Staff: Mary L Weaver, Clerk to the Board of Supervisors

Copy: Jason Smith, Parks & Recreation Director

Enclosure: Boards and Commissions Applications

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County Administrator's Use Only  
*Comments*



\_\_\_\_\_  
Steven M. Nichols, County Administrator

**Interest in Parks and Recreation Advisory Board**

**Columbia**

**Last Name**  **First Name**  **Date Recieved**

**Mailing Address**  **City**  **State**  **Postal Code**

**Home Phone**  **Work Phone**  **Cell Phone/Other**

**Fax**  **Email Address**

**Physical Address**  **City**  **State**  **Postal Code**

**Education and Experience:**

High School Graduate

**Civic Activities and Committee Memberships:**

Fluvanna Youth Baseball Board for 12 Years, Currently president of League, farm Bureau Board of Directors, byrd Chapel Church, Active in 4H with son

**Interest in Committee:**

I am interested in serving on the Parks and Rec. Advisory board. A life time resident and intrest in youth sports, I would like to see the program continue to grow and take care of all needs.

**Comments:**

**MOTION:** I move to appoint/reappoint \_\_\_\_\_ to the Economic Development Commission (EDC), At Large position, with a term to begin July 1, 2012, and to terminate on June 30, 2016.

**AGENDA BOARD OF SUPERVISORS DATE: June 20, 2012**

**SUBJECT:** Appointment to Economic Development Commission (EDC), At Large Position

**RECOMMENDATION:** Approval

**TIMING** Normal

**FISCAL IMPLICATIONS:** None

**POLICY IMPLICATIONS:** None

**DISCUSSION:** Stephen Scott is currently serving in this position and wishes to be reappointed.

Applicants who are interested in this appointment:

**Stephen Scott, current member**

Tom Barnes, currently serving on the Agricultural/Forestral Advisory  
Committee until 2014

William Grigg

David A. Perry

**LEGISLATIVE HISTORY:** None

Staff: Mary L Weaver, Clerk to the Board of Supervisors

Copy: Jason Smith, Parks & Recreation Director

Enclosure: Boards and Commissions Applications

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County Administrator's Use Only

*Comments*

  
\_\_\_\_\_  
Steven M. Nichols, County Administrator

Interest in Economic Development Commission (EDC)

Columbia

**Last Name** | Scott | **First Name** | Stephen | **Date Recieved** | 1/5/2006 |  
**Mailing Address** | 111 Andergar Lane | **City** | Kents Store | **State** | VA | **Postal Code** | 23084- |  
**Home Phone** | (434) 589-1249 | **Work Phone** | 4345911349 | **Cell Phone/Other** | |  
**Fax** | | **Email Address** | stevescott@vanta.net |  
**Physical Address** | | **City** | | **State** | | **Postal Code** | |

**Education and Experience:**

MBA - R.H. Smith School of Buisness, University of MD; BBA-Double major in Business & Philosophy, College of William and Mary; Business consultant for private and public sector; (Strategy, Technology, Operations, and Marketing); Project Manager; Federal Government Consulting(Federal clients: USPS and US Agency for InternationalDevelopment). Developed an award-winning financial system that tracks billions of dollars for a federal government agency. Expert in performance inprovement, information systems and business modernization. Public and legislative affairs experience; wrote reports for prominent executives such as the Secretary ofState(Poweel and Rice).

**Civic Activities and Committee Memberships:**

Beulah Baptist Church; Society for International development; Leader to Leader Institute; Sunday school leader for previous church; Alpha Kappa Psi

**Interest in Committee:**

Would like to get active in the community and make a positive impact.

**Comments:**

**Last Name** Barnes **First Name** Tom **Date Recieved** 10/1/2008

**Mailing Address** 8 Colonial Road **City** Palmyra **State** VA **Postal Code** 22963-

**Home Phone** (434) 589-8473 **Work Phone** 4348725066 **Cell Phone/Other** (434) 509-5441

**Fax** **Email Address** tombarnes813@comcast.net

**Physical Address** Same **City** **State** **Postal Code**

**Education and Experience:**

BS Biology, Glenville State College, Assoc. Forest Technology, 23yrs in insurance industry

**Civic Activities and Committee Memberships:**

Supervisor Committee of State Farm Federal Credit Union, United Way Campaign Chair; Member of Central VA Chapter of CPCU, Society of SCLA, Lake Christian Church

**Interest in Committee:**

I have always been involved in the communities where I have lived. This will also allow me to increase my knowledge along w/volunteering.

**Comments:**

**Last Name** Grigg **First Name** William **Date Recieved** 4/24/2009

**Mailing Address** 1837 Central Plains Road **City** Palmyra **State** VA **Postal Code** 22963-

**Home Phone** (434) 589-5558 **Work Phone** **Cell Phone/Other**

**Fax** **Email Address** grigg9111@earthlink.net

**Physical Address** **City** **State** **Postal Code**

**Education and Experience:**

President of ECIS, ACI, ASCE, VRMCA

**Civic Activities and Committee Memberships:**

Ruritan Club, Board at Holiday Lake, Emery & Henry College; Fork Union Baptist Church, Fluvanna Ruritan Club

**Interest in Committee:**

To bring knowledge about business to help the county succeed. To give insight from my experience

**Comments:**

**Interest in Economic Development Commission (EDC)**

**Cunningham**

<b>Last Name</b>	Perry	<b>First Name</b>	David A.	<b>Date Recieved</b>	9/29/2011		
<b>Mailing Address</b>	316 Taylor Ridge Way	<b>City</b>	Palmyra	<b>State</b>	VA	<b>Postal Code</b>	22963-
<b>Home Phone</b>	(434) 589-1385	<b>Work Phone</b>		<b>Cell Phone/Other</b>	(949) 275-4814		
<b>Fax</b>		<b>Email Address</b>	davidaperry49@yahoo.com				
<b>Physical Address</b>	316 Taylor Ridge Way	<b>City</b>	Palmyra	<b>State</b>	VA	<b>Postal Code</b>	22963

**Education and Experience:**

20 years CEO/President of technology based manufacturing business (resume enclosed)

**Civic Activities and Committee Memberships:**

Virginia Herpetological Society

**Interest in Committee:**

Economic Development Authority, Economic Development Commission, Fork Union sanitary District Advisory Committee, Parks & Recreation Advisory Board, Planning Commission, Southeast Rural Community Assistance Project, Inc., Thomas Jefferson Partnership for Economic Development

**Comments:**

**MOTION:** I move to appoint \_\_\_\_\_ to the Youth Advisory Council, Citizen Representative position, with a term to begin July 1, 2012, and to terminate on June 30, 2014.

**AGENDA BOARD OF SUPERVISORS DATE: June 20, 2012**

**SUBJECT:** Appointment to Youth Advisory Council, Citizen Representative Position

**RECOMMENDATION:** Approval

**TIMING** Normal

**FISCAL IMPLICATIONS:** None

**POLICY IMPLICATIONS:** None

**DISCUSSION:** The past representative, Jay Shively, has moved to Goochland.

Applicants who are interested in this appointment:

Libby Edwards, currently serving on MACAA, until 2014, and on the Parks and Recreation Advisory Board, until 2013  
Harvey J. Sorum

**LEGISLATIVE HISTORY:** None

**Staff:** Mary L Weaver, Clerk to the Board of Supervisors

**Copy:** Dr. Jacqueline Meyers, CSA Director

**Enclosure:** Boards and Commissions Applications

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County Administrator's Use Only

*Comments*



Steven M. Nichols, County Administrator

Interest in Youth Advisory Council

Rivanna

<b>Last Name</b>	Edwards	<b>First Name</b>	Libby	<b>Date Recieved</b>	1/24/2012
<b>Mailing Address</b>	627 Fox Hollow Lane	<b>City</b>	Palmyra	<b>State</b>	VA
<b>Postal Code</b>	22963-	<b>Home Phone</b>	(434) 589-5015	<b>Work Phone</b>	4349798299
<b>Cell Phone/Other</b>		<b>Fax</b>		<b>Email Address</b>	libby@allbaugh.com
<b>Physical Address</b>		<b>City</b>		<b>State</b>	
<b>Postal Code</b>					

**Education and Experience:**

UW Madison Political Science; Own & Operate own tax business

**Civic Activities and Committee Memberships:**

LMOA Social & Recreation Committee, Fluvanna Youth Soccer Association; President, Rec Coordinator & Administrator, Boy Scout pack 54 (Den Leader); Piedmont CASA volunteer, Virginia Discovery Museum (Board of Directors); Charlottesville Albemarle Jaycee (President, Community Development VP), Virginia Jaycees (State Program manager)

**Interest in Committee:**

Interest in county government

**Comments:**

**Interest in Youth Advisory Council**

**Fork Union**

<b>Last Name</b>	Sorum	<b>First Name</b>	Harvey J.	<b>Date Recieved</b>	8/20/2010		
<b>Mailing Address</b>	1341 Spring Road	<b>City</b>	Bremo Bluff	<b>State</b>	VA	<b>Postal Code</b>	23022-
<b>Home Phone</b>	(434) 842-3001	<b>Work Phone</b>		<b>Cell Phone/Other</b>			
<b>Fax</b>		<b>Email Address</b>	sorumh@nexet.net				
<b>Physical Address</b>		<b>City</b>		<b>State</b>		<b>Postal Code</b>	

**Education and Experience:**

B.S. University of Wisconsin; Chairman of President Regan's first global technology transfer with Soviet Union. Consultative Council, National Institute of Building Sciences, NIBS; Forum Chairman, NIBS, Metric Symposium

**Civic Activities and Committee Memberships:**

Scottsville United Methodist - Lay Preacher

**Interest in Committee:**

Take Part in growth of Fluvanna County

**Comments:**



# COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540, Palmyra, VA 22963 · (434) 591-1910 · FAX (434) 591-1911 · www.co.fluvanna.va.us

## MEMORANDUM

TO: Board of Supervisors  
FROM: Eric Dahl, Budget Analyst  
SUBJECT: Contingency Balance  
DATE: June 12, 2012

The balance for the BOS contingency line for FY12 is as follows:

<u>Board of Supervisors Contingency:</u>	\$100,000.00
Minus Donation to Town of Columbia 8.3.11	3,000.00
Minus Reimbursement of Livestock Claims 9.7.11	2,540.00
Minus Legal Services from Lawsuit 10.19.11	5,598.45
Minus Create Economic Development Director 10.19.11	54,000.00
Minus Erosion and Sediment Control Plan 11.2.11	7,800.00
Minus Legal Services from Lawsuit 11.16.11	2,923.70
Minus Legal Services from Lawsuit 12.7.11	11,928.91
Minus Facilities Work at the SPCA 12.7.11	10,000.00
Minus Award to Rothamel 12.21.11	2,208.94
Add Previously Approved Eckert Seamans 12.21.11	21,987.53
Minus Impact Study for Water Line TJPDC 12.21.11	4,000.00
Add EMS Contract Services Funds 2.1.12	<u>150,000.00</u>
Total Board of Supervisors Contingency	<u>\$ 167,987.53</u>