

AGENDA
FLUVANNA COUNTY PLANNING COMMISSION
Former Board of Supervisors Room
July 11, 2012
7:00 P.M.

PLANNING COMMISSION WORK SESSION

1. Open the Work Session (Mr. Donald Gaines, Vice-Chairman)

2. Public Comment (Limited to Three Minutes per Speaker)

3. Discussion of ZMP 12:02 (Rivanna Resort Rezoning)

A rezoning of Tax Map 30(A)110 and Tax Map 19(A)39C from R-3 (Residential, Planned Community) with proffers to Planned Unit Development (PUD) will be discussed. The subject property spans 227.24 acres in the Palmyra Community Planning Area. The proposal includes up to 1,514 residential units and 110,000 square feet of commercial space.

4. Discussion of Revisions to the Tree Protection, Landscaping, and Off-Street Parking Regulations (ZTA 12:01 and ZTA 12:02)

Revisions to the Tree Protection and Off-Street Parking sections of the zoning ordinance, and related changes to the subdivision ordinance, will be discussed (ZTA 12:01 and ZTA 12:02). The proposed regulations address the following issues: minimum size of plant materials at installation; riparian protection areas; tree canopy requirements; street trees; parking lot landscaping; screening; maintenance; bonding; on-street parking; dimensional standards; parking lot access and interconnectivity; pedestrian facilities; minimum parking requirements; and maximum parking requirements.

5. Comments from the Director of Planning

6. Adjourn

For the Hearing-Impaired – there is a listening device available at the Board of Supervisors Room upon request.. TTY access number is 711 to make arrangements.

For persons with Disabilities – if you have special needs, please call the County Administrator's Office at 591-1910 and relay your request.



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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Memo

To: Fluvanna County Planning Commission
From: Andrew J. Pompei, Planner
Date: July 3, 2012
Re: **ZMP 12:02 – Rezoning of the Former Rivanna Resort**

The owners of the former Rivanna Resort near Palmyra (Tax Map 30-A-110 and 19-A-39C) have submitted an application to rezone the property from R-3 (Residential, Planned Community) with proffers/conditions to PUD (Planned Unit Development). The property spans 227.24 acres between U.S. Route 15 (James Madison Parkway) and the Rivanna River. The proposal includes 1,514 residential units and 105,500 square feet of commercial space. The proposed development has been tentatively named "Walker's Ridge;" the application package (Attachment F), preliminary building elevations (Attachment G), three-dimensional views (Attachment H) and draft architectural guidelines (Attachment I) have been submitted.

The owners' representatives presented preliminary designs for the development at the Planning Commission work session on June 13, 2012. The rezoning application was submitted on July 2, 2012. Included within the packet are a series of questions that the Planning Department would like to discuss further with the Planning Commission; many of these issues were discussed at the previous work session (Attachment B). Also attached a checklist Planning Commission members may use to evaluate how the project incorporates the New Urbanist principles described within the Fluvanna County Zoning Ordinance (Attachment C).

The following documents are attached:

- Property Overview, Rezoning Considerations & Zoning/Subdivision History (Attachment A)
- Questions for the Planning Commission (Attachment B)
- Planned Unit Development: Character of Development Checklist (Attachment C)
- Procedure for Rezoning to Planned Unit Development (PUD) (Attachment D)
- Examples of Village-Style Mixed-Use Development (Attachment E)
- Walkers Ridge Application Package (Attachment F)
- Preliminary Building Elevations for Walkers Ridge (Attachment G)
- 3D Views of Walkers Ridge (Attachment H)
- Draft Architectural Guidelines for Walkers Ridge (Attachment I)

- Preliminary Traffic Impact Analysis (Attachment J)

This rezoning application will be thoroughly reviewed by the Planning Department, the Planning Commission, and the Board of Supervisors over the next few months. The Planning Commission will have several opportunities to review the plan and provide feedback to staff and the applicant (Attachment D).

If you have any concerns, please contact the Planning Department at (434) 591-1910 or via email.

POSSIBLE REZONING OF RIVANNA RESORT

Property Overview, Rezoning Considerations, and Zoning/Subdivision History
Planning Commission: June 2012

Property Overview

Tax Map 30(A)110 and 19(A)39C
227.24 acres combined
Zoned R-3 (with conditions/proffers)
Site of Laurel Ridge Golf Course/Rivanna Resort

Proposed Development

1,514 residential units
 1,346 multi-family units
 95 townhouses
 43 single-family detached units
105,500 square feet of commercial space

Comprehensive Plan

The property is located within the Palmyra Community Planning Area.

According to the Comprehensive Plan (p. 57), the Palmyra Community Planning Area “should remain a village, and surrounding growth should be a mixture of uses and residential dwelling types that serve a variety of incomes . . . A mixture of medium and small commercial businesses combines with office, civic and residential uses to form a village-like neotraditional development or series of interconnected developments. Commercial and office structures do not exceed three stories, and residential density is up to four dwelling units per acre (4 du/ac).”

The *Community Design* chapter of the Comprehensive Plan also addresses the form development should take in the Palmyra Community Planning Area (p. 79 – 82). Part of the section states that “growth in the Palmyra area should occur at a village scale, with economic and residential development complementing the existing conditions and fostering street life.” The appropriate form of residential and commercial development throughout the County is also described on pages 68 through 71. These sections also promote mixed-use, village-style development. The plan states that “the aim is not the creation of cookie-cutter subdivisions, but the integration of neighborhoods that maximize connectivity through the use of green infrastructure, trails, sidewalks, and interconnected roads.”

The Comprehensive Plan also addresses the desired streetscape design, architecture, and phasing (p. 70-71):

- **Streetscapes/Transportation**

The Comprehensive Plan recognizes that streets serve a variety of functions and that their design heavily influences the character of the surrounding area. The plan states that “well-designed streetscapes focus on creating pedestrian-friendly environments and are essential to community preservation” (p. 71).

The plan also states that the pedestrian and bicycle network within the Palmyra area should be enhanced (p. 131a).

- Architecture

The Comprehensive Plan recognizes the impact architecture has on the character and long-term well-being of the community. Architectural styles and detailing should remain consistent throughout a project. It states that “low-maintenance, sturdy, but attractive products should be used,” and that “brick, block, standing seam metal roofing, green roofs, higher-grade asphalt shingles, and other traditional materials are encouraged.” The plan encourages developers “to commit to specific material types and styles as part of a project’s approval, preferably in the form of legally-binding proffers” (p. 71).

- Phasing

The Comprehensive Plan recognizes that larger projects will be constructed in phases. The plan encourages phasing to be done in a manner that “assures the community that this infrastructure will be in place prior to additional demand being placed in the existing community’s resources.” Planned improvements and development “can be proffered in a certain order, during certain time frames, or contingent on the provision of certain infrastructure” (p. 71).

Rezoning to Planned Unit Development (PUD)

The PUD district is intended to accommodate neo-traditional development. Section 22-14-1 specifically states that “planned unit developments should provide unified development that incorporates new urbanism and traditional neighborhood development principles, which includes a mix of residential and commercial uses, an interconnected system of internal roads, pedestrian sidewalks and walkways and well-planned access points along existing roadways. In addition to a mix of residential and commercial uses, planned developments should provide a mix and variety of housing types.” Sec. 22-14-3 states that the following characteristics should be incorporated into PUDs:

- Pedestrian orientation;
- Neighborhood-friendly streets and paths;
- Interconnected streets and transportation networks;
- Parks, recreation improvements, and open space as amenities;
- Neighborhood centers and civic space;
- Buildings and spaces of appropriate scale;
- Relegated parking;
- Mixture of uses and use types;
- Mixture of housing types and affordability;
- Clear boundaries with any surrounding rural areas;
- Environmentally-sensitive design (i.e., sustainability and energy efficiency); and
- Adequate public facilities and infrastructure to serve the community.

The minimum area required for a PUD within the Palmyra Community Planning Area is five (5) acres (Sec. 22-14-6).

The maximum densities for PUDs within the Palmyra Community Planning Area are as follows (Sec. 22-14-8):

- Single-Family Residential: 4 units/acre
- Townhouses: 6 units/acre
- Multi-Family Residential: 12 units/acre

Increases in the maximum residential density may be permitted if affordable housing and/or exceptional amounts of open space are provided.

At least 30% of a PUD must be reserved as open space. At least 15% of the required open space must accommodate active and/or passive recreational activities (Sec. 22-14-7).

In the PUD district, all uses permitted by-right within the R-1, R-2, R-3, R-4, B-1, B-C, and I-1 districts may be permitted as enumerated within the final PUD application package. Uses not specified within the PUD application package shall not be permitted (Sec. 22-14-4).

Zoning/Subdivision History

Rezoning #1

On February 18, 2009, the Board of Supervisors **denied** a request (ZMP 08:05) to rezone Tax Map 30-A-110 and 19-A-39C from A-1 (Agricultural, General) to R-3 (Residential, Planned Community). The request proposed 404 multi-family units and 75,000 square feet of commercial space.

Rezoning #2

On May 20, 2009, the Board of Supervisors **approved** a request (ZMP 09:02) to rezone Tax Map 30-A-110 and 19-A-39C from A-1 (Agricultural, General) to R-3 (Residential, Planned Community). The approved Master Plan shows 254 residential units (duplexes, townhouses, and multi-family units) and 75,000 square feet of commercial space. The rezoning was approved with the following proffers:

1. The units in “The Point at The Rivanna Resort” will be sold subject to the attached “Residential density yield plan dated 02/27/09.”
2. Rivanna Woods Golf Club L.P. proffers the attached Preliminary Master Plan for land use purposes. All vegetative buffers, building and parking locations adjoining existing Public Road Rights-of Ways shall be as per the attached Preliminary Master Plan. Necessary site developments shall be determined during the site plan approval process.
3. The golf course at “The Point at The Rivanna Resort” shall not become a private club but shall remain open to the public. The golf course property (composed of the 18 holes, club

house and support facilities) shall not be used for any land use other than uses associated with the operation and support of the golf course.

4. Rivanna Woods Golf Club L.P. makes a cash proffer of \$5,000.00 per residential unit constructed at the proposed “The Point at The Rivanna Resort” project which funds shall be used for the construction of the new Fluvanna County High School to offset any possible additional expenses that this rezoning might cost the Fluvanna County Public Schools. In the event the proffered funds cannot be used for this purpose, they should be used for the development costs for the Pleasant Grove Community Center. The cash proffer shall be due and payable at closing of the sale of each unit(s) or prior to the issuance of a certificate of occupancy for such unit(s), whichever occurs first.
5. Rivanna Woods Golf Club L.P. shall pay \$1,000.00 to the Fluvanna/Louisa Housing Foundation per residential unit constructed at the proposed “The Point at The Rivanna Resort”. This money shall be earmarked for emergency repairs for Fluvanna County residents earning less than 80% of the area medium income. This proffer shall be due and payable at closing of the sale of each unit(s) or prior to the issuance of a certificate of occupancy for such unit(s), whichever occurs first.
6. Rivanna Woods Golf Club L.P. will improve Rt. 644 / Rt. 15 as provided in the traffic impact study and VDOT’s requirements associated with the site plan approval.
7. The applicant shall proffer up to \$50,000 to the construction of a future traffic light, if required by VDOT as result of future additional development in the area, at the intersection of Route 15 and Route 644. If the construction of the improvements is not started within 5 years of the successful final site plan approval of ZMP 09:02, this proffer shall expire.
8. Rivanna Woods Golf Club L.P. will provide a water and sewer tap connection location for the Palmyra Fire Station, located on Route 15, adjacent to the property. This is to facilitate the expansion of sewer services in the greater Palmyra area as the service area has been designed. Palmyra Fire Department and/or others will be responsible for application for service, application fee, required permitting by any prevailing authority, connection and construction expenses and or other fees and any required engineering.
9. Rivanna Woods Golf Club L.P. will provide one water and sewer tap connection location on Rt. 15 to facilitate the expansion of sewer services in the greater Palmyra area as the service area has been designed. The expanding entity and/or others will be responsible for application for service, application fee, required permitting by any prevailing authority, connection and construction expenses and or other fees and any required engineering.
10. Rivanna Woods Golf Club L.P. shall proffer the exterior commercial architectural guidelines in “Block #1 Commercial Center” at “The Point at The Rivanna Resort” to be consistent with the architectural design and materials use for the new Palmyra Fire Station located on Rt. 15, as determined by the convening County authority for site plan approval.
11. Rivanna Woods Golf Club L.P. shall proffer the following residential exterior architectural guidelines at “the Point at The Rivanna Resort”.

- a. Siding: No vinyl, aluminum, and/or metal siding shall be allowed. Only architectural grade natural siding products should be allowed, such as cement fiberboard siding, wood, or equal.
- b. Roofing: Only architectural grade roofing and metal roofing or any combination thereof shall be allowed. No three tab shingles shall be allowed.
- c. Foundation Covering: All concrete and/or masonry foundations above grade shall be embossed with either a brick and/or stone pattern.

Special Exception Permit/Special Use Permit

SEP 91:05 permitted the resort and conference center (Tax Map 19-A-39).

SUP 95:13 permitted the golf course at Camp Friendship (Tax Map 19-A-39).

Site Plan

There is an approved site plan (SDP 06:11) for the resort and conference center (Tax Map 19-A-39). Amendments to the site plan were approved in 2009 (SUP 09:02).

Subdivision

The ten (10) acres surrounding the resort and conference center was subdivided from Tax Map 19-A-39 (SUB 06:96).

The Planning Commission approved “The Points at Rivanna Resort” major subdivision on September 23, 2009. The preliminary plat was approved by the Planning Department on March 23, 2010. A final plat was not received.

POSSIBLE REZONING OF RIVANNA RESORT
Questions for the Planning Commission
Planning Commission: June 2012

Questions for the Planning Commission

Below are a series of questions for the Planning Commission regarding the proposed rezoning of the Rivanna Resort (Tax Map 30-A-110 and 19-A-39C) from R-3 (Residential, Planned Community) to PUD (Planned Unit Development). These questions are intended to help the applicant and the Planning Department evaluate the preliminary rezoning proposal. Each question relates to a portion of Fluvanna County's Planned Unit Development (PUD) regulations and/or the 2009 Comprehensive Plan.

Question #1: Mixture of Land Uses

Planned unit developments are intended to accommodate mixed-use development. Sec. 22-14-1 (Statement of Intent) states that Planned Unit Developments should include "a mix of residential and commercial uses." Sec. 22-14-3 (Character of Development) also states that these developments should incorporate a "mixture of uses and use types."

According to the Comprehensive Plan (p.57), new growth within the Palmyra area should contain multiple uses. The plan states that "a mixture of medium and small commercial businesses combines with office, civic and residential uses to form a village-like neotraditional development."

The proposal contains 1,514 residential units and 105,500 square feet of commercial space.

What would be the appropriate mixture of land uses for this location?

Question #2: Mixture of Housing Types

Planned unit developments are intended to provide several different housing options. Sec. 22-14-1 (Statement of Intent) states that Planned Unit Developments should include "a mix and variety of housing types." Sec. 22-14-3 (Character of Development) also states that these developments should incorporate a "mixture of housing types and affordability."

According to the Comprehensive Plan (p.57), new growth within the Palmyra area should include a mixture of "residential dwelling types that serve a variety of incomes." The Comprehensive Plan also states that "a wide variety of housing types needs to be included in the community planning areas as part of neighborhood mixed-use communities" (p. 68).

The proposal contains 43 single-family units (2.8% of total units), 95 townhouses (6.3% of total units), and 1,376 multi-family units (90.9% of total units).

What would be the appropriate mixture of housing types for this location (single-family homes, townhouse, apartments, condominiums, etc.)?

How should the different unit types be distributed throughout the site? For example, should single-family homes be in the same area as multi-family units, or should they be completely separate?

Question #3: Residential Density

Planned unit developments are intended to accommodate higher-density development than the other zoning districts. Within the Palmyra Community Planning Area, the maximum permitted densities are as follows:

- Single-Family Residential: 4 units/acre
- Townhouses: 6 units/acre
- Multi-Family Residential: 12 units/acre

According to the Comprehensive Plan (p.57), new growth within the Palmyra area should occur at a village scale. The plan states that “commercial and office structures do not exceed three stories, and residential density is up to four dwelling units per acre (4 du/ac).”

The proposal has a gross residential density of approximately 6.6 units per acre. The proposal has a net residential density of approximately 8.9 units per acre.¹

What is the appropriate residential density for this location?

How many residential units would be appropriate for this location?

Question #4: Appearance from U.S. Route 15

According to the Comprehensive Plan (p. 72-73), U.S. Route 15 (James Madison Highway) is one of Fluvanna County’s primary gateways. One of the Comprehensive Plan’s implementation strategies is to “maintain and enhance primary gateways to ensure a positive identity” (*Community Design: Goal 1, Strategy 10*).

How should new development look from U.S. Route 15?

Should buildings be close to the road, or should there be a landscaped buffer?

Should buildings face U.S. Route 15, or should they face internal roadways?

Question #5: Access from U.S. Route 15

Planned unit developments are intended to have well-planned transportation networks with high interconnectivity. Sec. 22-14-1 (Statement of Intent) states that Planned Unit Developments should have “well-planned access points along existing roadways.”

¹ Note: Net Residential Density = (Total Residential Units)/(Total Acreage – Unbuildable Areas). Unbuildable areas include streams, wetlands, floodplains, and steep slopes.

According to the Comprehensive Plan (p. 80), safety improvements should be made to U.S. Route 15 in the area surrounding Palmyra. Recommended transportation enhancements include “roundabouts or other safety and capacity improvements, a median island, and curb and gutter enhancements for access management.”

The proposal includes a roundabout at the main access point into the development.

How should the entrance to the proposed development be designed? Would a roundabout or a traffic signal be more appropriate for this location?

Question #6: Parking Design

Sec. 22-14-11 (Parking) states that “off-street parking facilities in mixed-use, business, industrial, and multi-family areas shall generally be relegated behind the front building line.”

According to the Comprehensive Plan (p. 70), “parking should be relegated to the back or sides of buildings, or within structures.”

Are the proposed parking facilities appropriately designed and located?

Question #7: Open Space Design

Planned Unit Developments are required to incorporate large amounts of open space. At least 30% of a PUD must be reserved as open space. At least 15% of the required open space must accommodate active and/or passive recreational activities (Sec. 22-14-7).

According to the Comprehensive Plan (p. 57), the area surrounding Palmyra should have different types of open space, including the regional park at Pleasant Grove, a series of neighborhood parks, greenways, and the historic Courthouse Green.

The current proposal includes 143.59 acres of open space (63.2% of the total site). Recreational amenities include walking trails, community gardens, tennis courts, bocce ball facilities, a community pool, a fitness center, and two (2) athletic fields.

What types of open space would be appropriate for this location, considering the type and number of residential units proposed?

Should there be more active (ballfields, playgrounds, etc.) or passive (trails, picnic areas, etc.) recreational activities?

Should there be more unimproved open space?

Planned Unit Development (PUD): Character of Development

Per Section 22-14-13 of the Fluvanna County Zoning Ordinance, “the goal of the PUD district is to allow for and encourage development that incorporates new urbanism principles.” Use the table below to rank, on a scale of one (1) to five (5), how well this proposal incorporates New Urbanist design concepts (1 = Does Not Incorporate New Urbanist Principles, 5 = Successfully Incorporates New Urbanist Principles).

New Urbanist Principle	Notes	Ranking
Pedestrian Orientation		
Neighborhood-Friendly Streets & Paths		
Interconnected Streets & Transportation Networks		
Parks, Recreational Improvements, & Open Space as Amenities		
Neighborhood Centers & Civic Space		
Buildings & Spaces of Appropriate Scale		
Relegated Parking		
Mixture of Uses & Use Types		
Clear Boundaries with the Surrounding Rural Areas		
Environmentally-Sensitive Design		
Adequate Public Facilities & Infrastructure		

FLUVANNA COUNTY, VIRGINIA

GENERAL PLANNING INFORMATION

PROCEDURE FOR REZONING TO PLANNED UNIT DEVELOPMENT (PUD)

Section 22-14-2 of the Fluvanna County Zoning Ordinance establishes the procedure for rezoning a property to Planned Unit Development (PUD).

Pre-Application Meeting

Prior to submitting an official rezoning application, the applicant must hold a pre-application meeting with the Planning Director. At the meeting, the applicant must provide a preliminary sketch plan that shows the general boundary and location of the subject property; the land area to be contained within the PUD; a graphic showing the arrangement of the interior sub-areas; planned mix of uses and densities; and the general approach to addressing transportation facilities and other infrastructure.

Application Submission

After the pre-application with staff, the applicant may submit an application for rezoning to the Fluvanna County Planning Department. The PUD Application Package must include the following primary sections, as described in Section 22-14-2 of the Zoning Ordinance: a narrative, an existing conditions map, a PUD Application Plan, a transportation plan, street design guidelines, lot development criteria, community design guidelines, and a traffic impact analysis.

Planning Commission Review

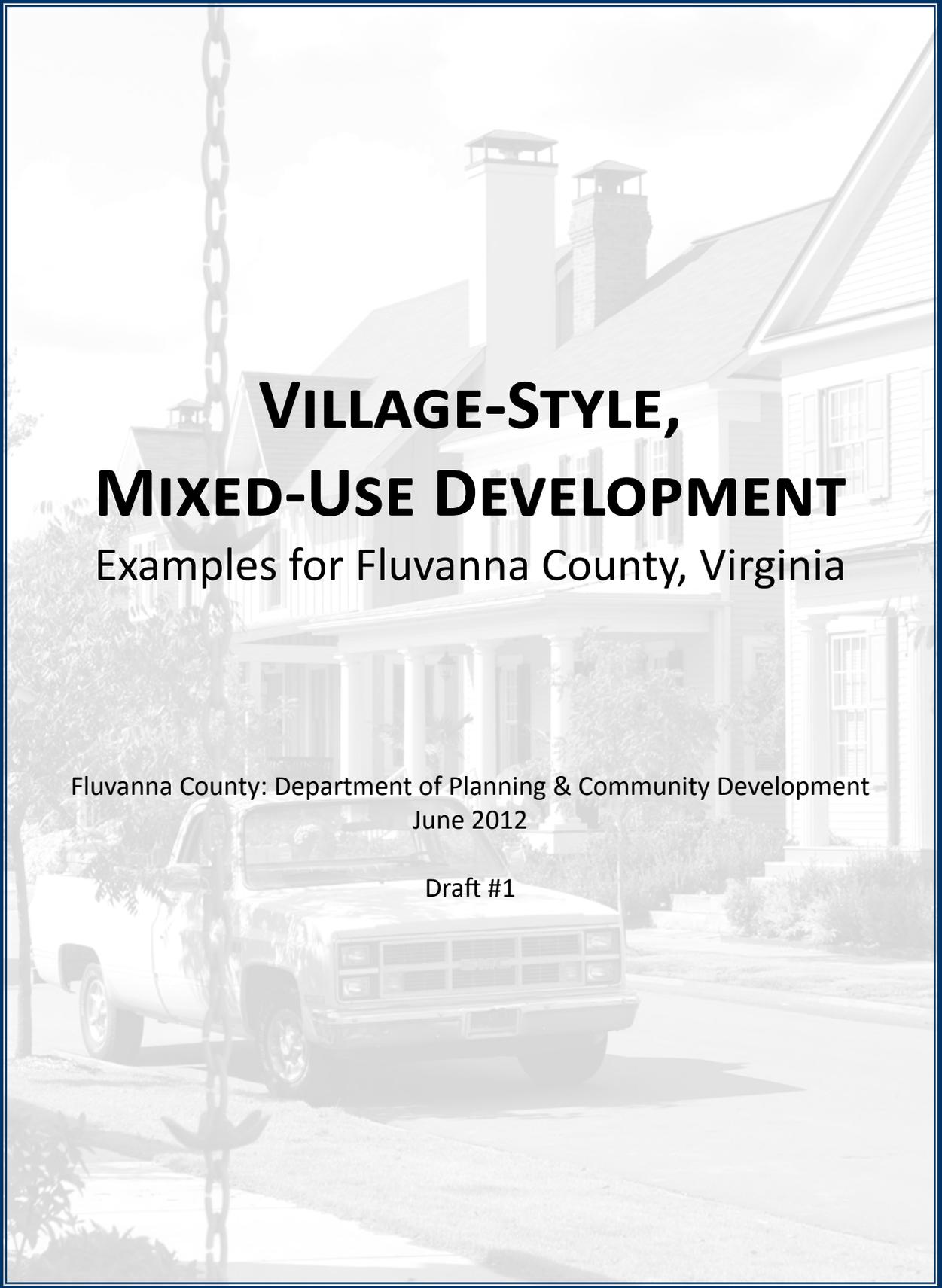
After the Planning Director has deemed the rezoning application complete, the Planning Commission will review the proposal.

1. A public presentation must be made to the Planning Commission at a regularly scheduled meeting, prior to advertising for a public hearing.
2. At its discretion, the Planning Commission may schedule one or more work sessions to discuss the proposal, prior to holding a public hearing.
3. The proposal will be reviewed by the Planning Commission at a public hearing, after which it will make a recommendation to the Board of Supervisors.

Board of Supervisors Review

After the Planning Commission has reviewed the rezoning application, it will be reviewed by the Board of Supervisors.

1. At its discretion, the Board of Supervisors may schedule one or more work sessions to discuss the proposal, prior to holding a public hearing.
2. The proposal will be reviewed by the Board of Supervisors at a public hearing, after which it will either approve, deny, or defer the rezoning application.



VILLAGE-STYLE, MIXED-USE DEVELOPMENT

Examples for Fluvanna County, Virginia

Fluvanna County: Department of Planning & Community Development
June 2012

Draft #1

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Village-Style, Mixed-Use Development in Fluvanna County

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INTRODUCTION

Village-Style Mixed-Use Development in Fluvanna County

Over the past few years, Fluvanna County has adopted policies that promote village-style, mixed-use development within designated growth areas. The county's vision for mixed-use developments are described in the 2009 Comprehensive Plan (most notably in the *Land Use* and *Community Design* chapters) and the Planned Unit Development (PUD) regulations (Article 14 of the Fluvanna County Zoning Ordinance). These developments are intended to accommodate a variety of uses and housing types in a pedestrian-scaled environment that is sensitive to Fluvanna County's rich history and rural heritage. To help residents, developers, and decision makers understand the form and function of these development, examples were compiled and described in the following pages.

2009 Comprehensive Plan

The 2009 Comprehensive Plan states that new development should follow the principles of traditional neighborhood design (pages 37 through 38). Traditional neighborhood developments (TNDs) incorporate a variety of uses into a compact, walkable area. An interconnected street network accommodates pedestrians, bicyclists, automobiles, and mass transit. Other elements of traditional neighborhood design include (page 53c):

- Pedestrian-friendly road design;
- Interconnection of new local streets with existing local streets and roads;
- Connectivity of road and pedestrian networks;
- Preservation of natural areas;
- Mixed-use neighborhoods, including a mix of housing types; and
- Reduction of front and side yard building setbacks.

The purpose of these features is to integrate commercial and residential uses, maximizing the efficiency of new development. Compact, mixed-use, walkable development requires less land, places less demand on the local transportation network, and is a more efficient use of public infrastructure than conventional suburban development. The density of these development is dependent upon the location; higher-density development will occur at Zion Crossroads, while lower-density, smaller-scale development is intended around the existing villages of Palmyra and Fork Union (page 39).

Residential development within the designated growth areas, or community planning areas (CPAs) should incorporate a variety of housing types, including single-family units, duplexes, townhouses, apartments, and other multi-family housing options. Affordable housing should be integrated with market-rate housing, creating a mixed-income community. These different housing types should be linked with other uses by a network of sidewalks, trails, and interconnected streets (page 68).

Commercial areas should be oriented around a well-designed, pedestrian-friendly streetscape.

Parking should be relegated to the rear or sides of a building. Placing commercial uses on the ground floor, below upper-level residential uses, enhances street-level vitality; residents provide an instant customer base, while contributing to the safety of the area. To ensure that these commercial areas are comfortable for pedestrians, developers should carefully consider the design of building facades, sidewalks, benches, lighting, trees, and other essential elements of the streetscape (page 70).



Steeple Street in Mashpee Commons, a New Urbanist mixed-use redevelopment project in Massachusetts (Source: Duany Plater-Zyberk)

The architecture of new buildings contributes to the area’s appeal and sense-of-place. The design for new buildings should be inspired by local building traditions, including historic materials and detailing. Low—maintenance, sturdy, but attractive building materials should be used; the use of brick, stone, standing-seam metal roofing, green roofs, higher-grade asphalt shingles, and other high-quality, locally-inspired materials is encouraged (page 71).

Planned Unit Development (PUD) Regulations

The Planned Unit Development (PUD) regulations, described in Article 14 of the Fluvanna County Zoning Ordinance, reinforce the vision described within the 2009 Comprehensive Plan. Adopted in 2009 and revised in 2011, the PUD is “intended to promote the efficient use of land by allowing flexibility in design standards and variety in densities and land uses to preserve the rural areas of the county.” The regulations state (Sec. 22-14-1) that planned unit developments should:

- Be located within designated growth areas, as described within the Comprehensive Plan;
- Incorporate principles of New Urbanism and Traditional Neighborhood Development (TND);

- Include a mix of residential and commercial uses;
- Include an interconnected system of internal roads, pedestrian sidewalks, and walkways; and
- Provide a mix and variety of housing types.

Different densities and size requirements are described for each of the community planning areas.

The regulations (Sec. 22-14-3) also state the planned unit developments should address the following principles of New Urbanist design:

- Pedestrian orientation;
- Neighborhood-friendly streets and paths;
- Interconnected streets and transportation networks;
- Parks, recreation improvements, and open space as amenities;
- Neighborhood centers and civic space;
- Buildings and spaces of appropriate scale;
- Relegated parking;
- Mixture of uses and housing types;
- Mixture of housing types and affordability;
- Clear boundaries with any surrounding rural areas;
- Environmentally-sensitive design; and
- Adequate public facilities and infrastructure

In addition, at least thirty percent (30%) of the community must be preserved as open space, and at least fifteen percent (15%) of the open space must be dedicated to active and/or passive recreational activities (Sec. 22-14-7). If these principles and requirements are successfully addressed, the planned unit development will be a vibrant, walkable, self-sustaining community.

Design Examples

On the following pages, three (3) different village-style, mixed-use developments are described:

- East Beach (Norfolk, Virginia)
- Habersham (Beaufort, South Carolina)
- Serenbe (Chattahoochee Hills, Georgia)

These communities demonstrate many of the design principles described within the Comprehensive Plan and the PUD regulations.

In addition, different buildings from New Urbanist developments are pictured and described. These buildings also demonstrate different New Urbanist principles and may serve as inspiration for projects in Fluvanna County.

EAST BEACH

Norfolk, Virginia

East Beach is a neo-traditional community on the shores of the Chesapeake Bay in Norfolk, Virginia. Designed by Duany Plater-Zyberk, the redevelopment project covers 100 acres. Upon completion, the community will have about 700 units, including apartments, condominiums, townhouses, single-family homes, and live/work units. Retail space will be located on the ground floor of some of the buildings.

The community is divided into three districts: the Bay Front District, Pleasant Avenue, and the Pretty Lake District. Each district has its own feel, with the Pretty Lake District being the most urban in nature.

Housing units are available in a variety of architectural styles. While some multi-family units are available in mid-rise (4—5 story) buildings, others are in smaller buildings that, to the untrained eye, look like single-family homes. Condominiums in so-called “mansion flats” are nearly indistinguishable from large single-family residences (second from top). These buildings sit comfortably amongst other housing types.

A network of neighborhood parks and greens are spread throughout the community. Many of these spaces protect mature trees. Eight (8) bayfront greens are located at the end of each north-south street, providing easy access to the Chesapeake Bay. The recreational amenities are anchored by The Bay Front Club, a community center that includes a pool and gym.

The street plan is based upon the traditional grid system. Small parks at the end of each north/south street provide residents with access to the Chesapeake Bay. The streets were moved one-half block from the existing street network, so that mature live oaks that were once hidden in backyards were incorporated into linear





streetside parks for the neighborhood to enjoy.

The plan demonstrates several principles described within the Fluvanna County PUD ordinance (Sec. 22-14-3). The neighborhood has a pedestrian orientation, with the gridded street system connecting a variety of uses. Several housing options are available, all of which are designed at a pedestrian scale and respectful of local building traditions. Front porches and small setbacks help the buildings relate to the street, creating a village-like atmosphere.

For more information, visit eastbeachnorfolk.com.



Planned Unit Development (PUD): Character of Development

Per Section 22-14-13 of the Fluvanna County Zoning Ordinance, “the goal of the PUD district is to allow for and encourage development that incorporates new urbanism principles.” Below is a comparison of how well East Beach incorporates New Urbanist principles, as described within the PUD district regulations, into their designs.

New Urbanist Principle	East Beach
Pedestrian Orientation	Yes + Sidewalks along Streets + Multiple Uses/Destinations in Close Proximity
Neighborhood-Friendly Streets & Paths	Yes + Sidewalks along Streets + Narrow Streets
Interconnected Streets & Transportation Networks	Yes + Gridded Network + Few Cul-de-sacs
Parks, Recreational Improvements, & Open Space as Amenities	Yes + Pool, Tennis, Clubhouse, Marina + Chesapeake Bay Frontage + Several Neighborhood Parks/Greens - No Large Recreational Fields
Neighborhood Centers & Civic Space	Yes + Mixed-Use Area along Pretty Lake + Community Space at The Bay Front Club
Buildings & Spaces of Appropriate Scale	Yes + 1—5 story buildings, depending on neighborhood + Vernacular Architecture + Buildings Close to Street
Relegated Parking	Yes + On-Street Parking + Most Buildings Served by Alleys + Parking behind Businesses
Mixture of Uses & Use Types	Yes + Commercial & Residential Uses + Single-Family & Multi-Family Units
Clear Boundaries with the Surrounding Rural Areas	Not Applicable Redevelopment project in urban area.
Environmentally-Sensitive Design	Yes + Mature Trees Preserved + Existing Dunes Re-established - Little Buffer from Pretty Lake
Adequate Public Facilities & Infrastructure	Not Enough Information

HABERSHAM

Beaufort, South Carolina

Habersham is a neo-traditional community just outside of Beaufort, South Carolina. The project, designed by Duany Plater-Zyberk & Company, spans 283 acres, and has frontage on tidal creeks. Upon completion, the community will consist of more than 700 homes, including apartments, condominiums, townhouses, and live/work units. Habersham Marketplace, which is within walking distance of most of the community, includes shops, restaurants, and a farmers' market, as well as multi-family and live/work units (bottom right).

Open space is spread throughout the site. There are a series of smaller pocket parks, as well as larger riverfront spaces. Residents have access to a community pool, tennis complex, playgrounds, dock, and a kayak launch. Open space covers 73 acres (26%) of the site.

The plan demonstrates several principles described within the Fluvanna County PUD ordinance (Sec. 22-14-3). The neighborhood has a pedestrian orientation, with shaded sidewalks lining most streets. Parks and open spaces are within walking distance of all residences. There is a mixed-use village center that serves as a community gathering spot. Several housing options are available, all of which are designed at a pedestrian scale and respectful of local building traditions. All homes are required to have a front porch, which creates an inviting streetscape.

The architecture, small setbacks, and mix of uses creates a village atmosphere. The preservation of existing mature trees also contributes to the rural village atmosphere; before the plan was created, a tree survey was conducted and thousands of trees were identified for preservation.

See www.habershamsc.com for more information.



Planned Unit Development (PUD): Character of Development

Per Section 22-14-13 of the Fluvanna County Zoning Ordinance, “the goal of the PUD district is to allow for and encourage development that incorporates new urbanism principles.” Below is a comparison of how well Habersham incorporates New Urbanist principles, as described within the PUD district regulations, into their designs.

New Urbanist Principle	Habersham
Pedestrian Orientation	Yes + Sidewalks along Streets + Multiple Uses in Close Proximity
Neighborhood-Friendly Streets & Paths	Yes + Sidewalks along Most Streets + Interconnected Street Network + Narrow Streets
Interconnected Streets & Transportation Networks	Yes + Gently-Curving, Gridded Network + Few Cul-de-sacs
Parks, Recreational Improvements, & Open Space as Amenities	Yes + 26% Open Space + Mix of Large & Small Parks + Pool, Tennis, Playgrounds, Dock + Kayak Launch
Neighborhood Centers & Civic Space	Yes + Mixed-Use Center (Marketplace)
Buildings & Spaces of Appropriate Scale	Yes + 1—3 story buildings + Vernacular Architecture + Buildings Close to Street
Relegated Parking	Yes + On-Street Parking + Most Buildings Served by Alleys + Parking behind Businesses
Mixture of Uses & Use Types	Yes + Commercial & Residential Uses + Single-Family & Multi-Family Units
Clear Boundaries with the Surrounding Rural Areas	Yes + Dramatic Decrease in Density along edges
Environmentally-Sensitive Design	Yes + Extensive Tree Preservation + Narrow Streets (Reduce Runoff) - Little/No Riparian Buffer
Adequate Public Facilities & Infrastructure	Not Enough Information

SERENBE

Chattahoochee Hills, GA

Serenbe is a neo-traditional community 32 miles south of Atlanta. The project covers 1,000 acres, of which 70% is reserved as open space. Upon completion, the community will consist of seven “hamlets,” which will contain 1,000 homes, in addition to commercial space. Rural amenities, such as stables, an organic farm, and a country inn, are spread throughout the community.

There will be a mix of housing types within each hamlet, including single-family homes, townhouses, and live/work units. All of the residential units will be built to Earthcraft standards.

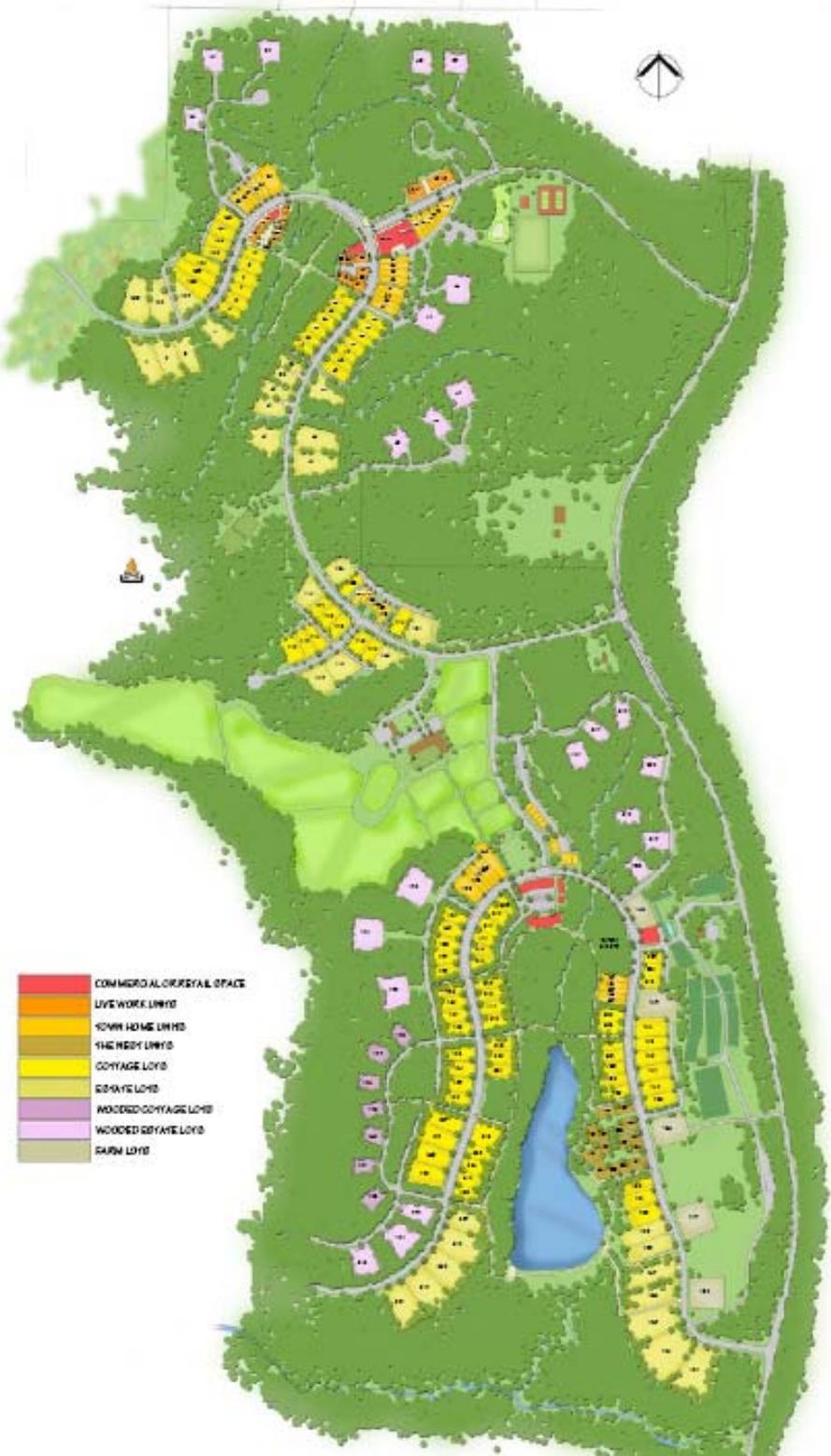
The plan demonstrates several principles described within the Fluvanna County PUD ordinance (Sec. 22-14-3). The neighborhood has a pedestrian orientation, with sidewalks lining streets and a system of pedestrian trails linking the separate hamlets. There is ample open space, which is usable by the community’s residents; many of the residences have views of preserved land. Mixed-use village centers are within walking distance of residences. There are a variety of uses and housing types, all of which are designed at a pedestrian scale and respect of local building traditions. Most buildings are built with energy-efficient features. While the street network is not extremely interconnected, this deficiency is overcome by the proximity of uses and an extensive trail network.

The architecture, small setbacks, mix of uses, and open space create a village environment similar to that of historic Palmyra.



This is the site plan of the first three hamlets of Serenbe. When complete, there will be seven hamlets. Each hamlet is anchored by a commercial center, with density decreasing as one moves away from the core. Most of the homesites front upon open space.

For more information, visit serenbecommunity.com.



Planned Unit Development (PUD): Character of Development

Per Section 22-14-13 of the Fluvanna County Zoning Ordinance, “the goal of the PUD district is to allow for and encourage development that incorporates new urbanism principles.” Below is a comparison of how well Serenbe incorporates New Urbanist principles, as described within the PUD district regulations, into their designs.

New Urbanist Principle	Serenbe
Pedestrian Orientation	Yes + Sidewalks along Streets + Extensive Trail Network + Multiple Uses in Close Proximity
Neighborhood-Friendly Streets & Paths	Yes + Sidewalks along Streets + Extensive Trail Network
Interconnected Streets & Transportation Networks	No - Most uses line one street (No Grid System) + Few Cul-de-Sacs + Extensive Trail Network
Parks, Recreational Improvements, & Open Space as Amenities	Yes + 70% Open Space + Preserved Woodlands + Stables, Organic Farm, Inn, Lake + Extensive Trail Network
Neighborhood Centers & Civic Space	Yes + Mixed-Use Center in Each Hamlet
Buildings & Spaces of Appropriate Scale	Yes + 1—3 story buildings + Vernacular Architecture + Buildings Close to Street
Relegated Parking	Yes + On-Street Parking + Most Buildings Served by Alleys + Parking behind Businesses
Mixture of Uses & Use Types	Yes + Commercial & Residential Uses + Single-Family & Multi-Family Units
Clear Boundaries with the Surrounding Rural Areas	No - Gradually declines in density (No Clear Boundary)
Environmentally-Sensitive Design	Yes + Large Amounts of Open Space + Native Plantings Used + Earthcraft-Certified Homes
Adequate Public Facilities & Infrastructure	Not Enough Information

BUILDING PROTOTYPES: MULTI-FAMILY RESIDENTIAL

Examples within New Urbanist Communities



These back-to-back duplexes contain two 1,000-square-foot units, which are affordably priced for the area. Each unit has its own entrance, a sizable porch, and a small garden space. These units can be built at densities of 15 to 20 units per acre, but have the feel of single-family homes (Boulder, CO).

This triplex in Westbury (Portsmouth, VA), a redevelopment project by the Portsmouth Redevelopment and Housing Authority, looks like a traditional single-family home, allowing it to blend in with the surrounding neighborhood. Not only is the building attractive, but it includes affordable housing units.



Each of these condominium buildings in Warwick Grove (Warwick, NY) contains ten (10) units, which are served by an elevator. Designed by Reagan Purcell Architects, each building reflects the Dutch Colonial style common in the region. Each building is U-shaped, forming a private courtyard.

BUILDING PROTOTYPES: MULTI-FAMILY RESIDENTIAL

Examples within New Urbanist Communities



This building, although it appears to be a large single-family home, contains four (4) to six (6) condominiums. Each unit contains 1,300 to 1,500 square feet, with two (2) or three (3) bedrooms. The exteriors vary in style; the building pictured is a modern interpretation of the craftsman style popular in Austin, TX (Mueller Community).

This multi-unit condominium building in East Beach (Norfolk, VA) looks like a large single-family home from the street, allowing it to blend in with surrounding single-family homes. A relatively low number of off-street parking spaces (one per unit) are supplemented by on-street parking.



These three (3) story buildings each contain six (6) condominiums. Each building overlooks a common green space, which is surrounded by a narrow street (between the trees and the buildings the picture). The buildings are located close to the street. Small parking lots are behind each building (Rosemary Beach: Fort Walton Beach, FL).

BUILDING PROTOTYPES: TOWNHOUSES

Examples within New Urbanist Communities



Source: Reagan Purcell Architects

These townhouses in Warwick Grove (Warwick, NY), designed by Reagan Purcell Architects, exemplify the Dutch Colonial style common in the region. The massing and detailing is compatible with both the nearby apartment buildings and single-family homes.

These three-story townhouses are located amongst single-family homes in Serenbe (Chattahoochee Hills, GA). The design's simplicity is in harmony with the area's rural character, and the double porches allow residents to enjoy the adjacent green space.



Source: Serenbe



Source: Duany Plater-Zyberk Architects

These two-story townhouses include a mix of affordable and market-rate units surrounding a central green. The craftsman style of these townhouse blends in with existing and new homes in the area. Existing trees were retained as part of the redevelopment project, and porches encourage neighborly interaction (Willow Oaks: Greensboro, NC).

BUILDING PROTOTYPES: SINGLE-FAMILY RESIDENTIAL

Examples within New Urbanist Communities



Source: Duany Plater-Zyberk

These single-family houses, with their small setbacks and double porches, create a pedestrian-friendly atmosphere. The materials, massing, and architectural style are reminiscent of existing homes in the area. On-street parking is supplemented by garages accessed by rear alleys (Mount Laurel: Birmingham, AL).

These single-family homes in the Village of Hendrix (Conway, Arkansas) are situated close to the street, with front porches welcoming visitors. The houses all have similar massing, although they have different styles. Similar setbacks also create consistency. Rear alleys eliminate the need for front-loading garages.



Source: Duany Plater-Zyberk



Source: Duany Plater-Zyberk

In Habersham (Beaufort, SC), houses of different architectural styles sit next to one another on narrow streets. Front porches help the homes relate to the street, and similar setbacks create continuity. Even though the homes are close to the street, their human scale prevents them from being over-imposing.

BUILDING PROTOTYPES: COMMERCIAL/RETAIL

Examples within New Urbanist Communities



These live/work units in East Beach (Norfolk, VA) include ground-floor commercial space and living space on the upper floors. Each unit includes 3,200 to 4,000 square feet of total space, plus rear-loading garages. Multiple windows and doorways on the first floor increase visibility in and out of the building, increasing safety and creating a vibrant street scene.

These live/work units in Mashpee Commons (Mashpee, MA) contain first-floor retail and office spaces with residential units above. The massing and detailing is similar to that of buildings found in historic New England towns. Buildings are located right up to the sidewalk, and large windows and awnings create an interesting streetscape.



This is one of two commercial buildings located at the entrance to Newport, a New Urbanist community in Beaufort, South Carolina. Combined, the buildings include 8,000 square feet of office and retail space. Parking is between and behind the buildings. Double porches provide access and outdoor dining space.

REZONING APPLICATION PLAN FOR WALKER'S RIDGE

TAX MAP 30, SECTION A, PARCEL 110 and TAX MAP 19, SECTION A, PARCEL 39C PALMYRA DISTRICT, FLUVANNA COUNTY, VIRGINIA

VICINITY MAP SCALE: 1"=2,000'

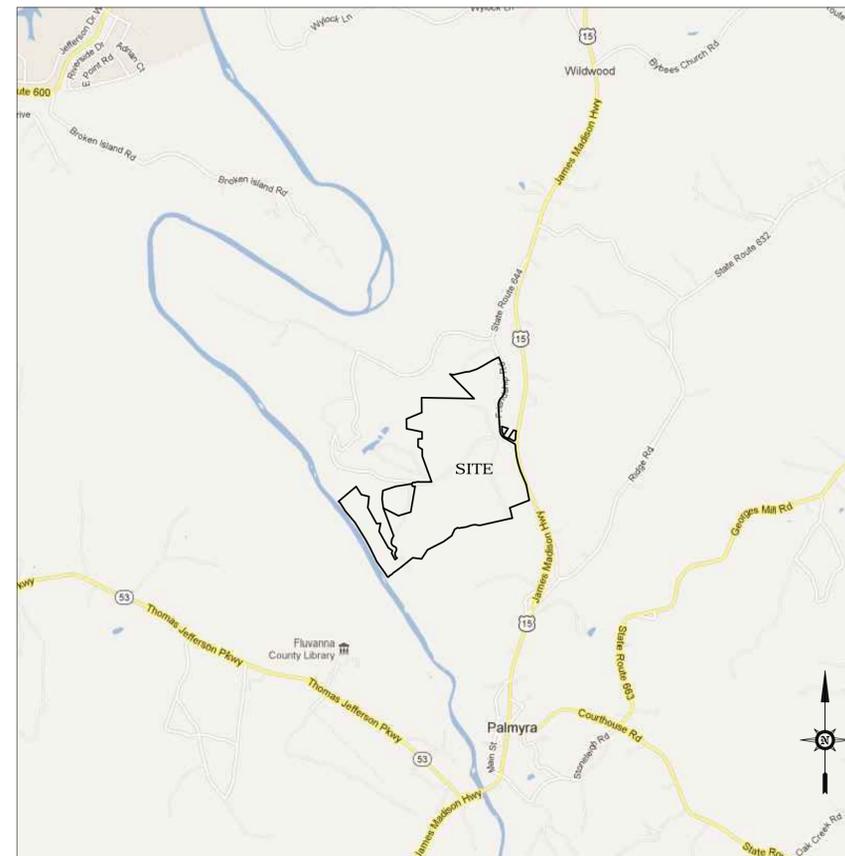


IMAGE PROVIDED BY GOOGLE MAPS

ABOUT "WALKER'S RIDGE"

THE PROJECT NAME IS BASED NOT ON OUR USE OF EXTENSIVE WALKING/RUNNING TRAILS, BUT RATHER A FOUNDER OF PALMYRA, THE REVEREND WALKER TIMBERLAKE. TIMERBERLAKE TOOK PART IN CONSTRUCTION OF THE ORIGINAL VILLAGE OF PALMYRA AND OWNED ALL BUT THE LAND GIVEN TO THE COUNTY FOR PUBLIC BUILDINGS. BUSINESSES IN THE VILLAGE INCLUDED A HOTEL, BLACKSMITH, DOCTORS, ATTORNEYS, A TAVERN AND MORE.

WALKER'S RIDGE IS ABOUT THE RENEWAL OF THAT SPIRIT WITHIN THE PALMYRA COMMUNITY PLANNING AREA.

SHEET INDEX

- C1 - COVER SHEET
- C2 - REGIONAL CONTEXT MAP
 & PARCEL OVERVIEW
- C3 - EXISTING CONDITIONS
- C4 - GENERAL DEVELOPMENT OVERVIEW
- C5 - BLOCK PLAN
- C6 - CODE OF DEVELOPMENT
- C7 - GENERAL DEVELOPMENT PLAN
- C8 - GENERAL DEVELOPMENT PLAN
- C9 - GENERAL DEVELOPMENT PLAN
- C10 - SITE DETAILS

PROPERTY INFORMATION

OWNER/DEVELOPER:
 HOTEL STREET CAPITAL, LLC.
 31 GARRETT ST.
 WARRENTON, VA 20186

LEGAL REFERENCE:
 TAX MAP 30 SECTION A PARCEL 110 (222.00 ACRES) DB 773 PG 725
 TAX MAP 19 SECTION A PARCEL 39C (110.00 ACRES) DB 765 PG 229

MAGISTERIAL DISTRICT:
 PALMYRA

BASE INFORMATION

SOURCE OF BOUNDARY SURVEY:
 PLAT BY DOMINION DEVELOPMENT RESOURCES. DB 773 PG 725 & DB 765 PG 229

SOURCE OF TOPOGRAPHY:
 TWO (2) FOOT CONTOUR INTERVAL TOPOGRAPHY FROM AERIAL SURVEY BY LOUISA AERIAL SURVEYS, INC.

WATER SOURCE:
 REFER TO SHEET 4 - GENERAL DEVELOPMENT PLAN OVERVIEW

SEWER SERVICE:
 PALMYRA REGIONAL WASTE WATER TREATMENT PLANT

THIS PROPERTY IS CURRENTLY ZONED: R3 - RESIDENTIAL

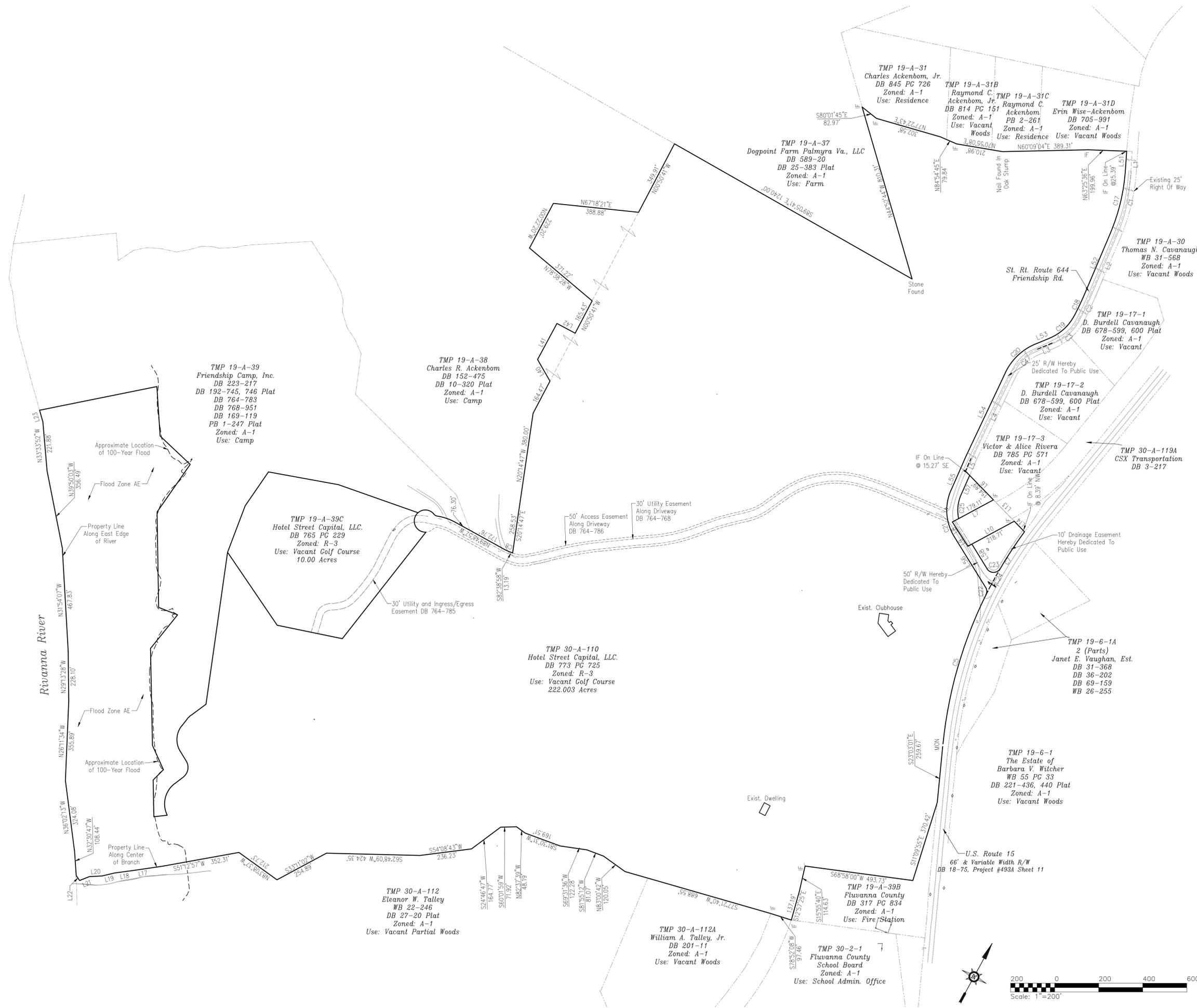
APPLICATION PLAN NOTES:

1. THIS APPLICATION PLAN PROPOSES A CHANGE IN LAND USE FROM R-3 (RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW MIXED USE DEVELOPMENT OF THE SITE.
2. THIS SITE LIES WITHIN THE PALMYRA COMMUNITY PLANNING AREA.
3. REFER TO CODE OF DEVELOPMENT ON SHEET 6 FOR PROJECT DESCRIPTION.

COVER SHEET	
Rev #	Description

REZONING APPLICATION PLAN FOR:
WALKER'S RIDGE
 FLUVANNA COUNTY, VIRGINIA

Date	07/01/2012
Scale	N/A
Sheet No.	1 OF 10
File No.	11.022



Rivanna River

TMP 19-A-31
Charles Ackenbom, Jr.
DB 845 PC 726
Zoned: A-1
Use: Residence

TMP 19-A-31B
Raymond C. Ackenbom, Jr.
DB 814 PC 151
Zoned: A-1
Use: Vacant Woods

TMP 19-A-31C
Raymond C. Ackenbom, Jr.
DB 705-991
Zoned: A-1
Use: Residence

TMP 19-A-31D
Erin Wise-Ackenbom
DB 705-991
Zoned: A-1
Use: Vacant Woods

TMP 19-A-37
Dogpoint Farm Palmyra Va., LLC
DB 589-20
DB 25-383 Plat
Zoned: A-1
Use: Farm

TMP 19-A-38
Charles R. Ackenbom
DB 152-475
DB 10-320 Plat
Zoned: A-1
Use: Camp

TMP 19-A-39
Friendship Camp, Inc.
DB 223-217
DB 192-745, 746 Plat
DB 764-783
DB 768-951
DB 169-119
PB 1-247 Plat
Zoned: A-1
Use: Camp

TMP 19-A-39C
Hotel Street Capital, LLC.
DB 765 PC 229
Zoned: R-3
Use: Vacant Golf Course
10.00 Acres

TMP 30-A-110
Hotel Street Capital, LLC.
DB 773 PC 725
Zoned: R-3
Use: Vacant Golf Course
222.003 Acres

TMP 30-A-112
Eleanor W. Talley
WB 22-246
DB 27-20 Plat
Zoned: A-1
Use: Vacant Partial Woods

TMP 30-A-112A
William A. Talley, Jr.
DB 201-11
Zoned: A-1
Use: Vacant Woods

TMP 30-2-1
Fluvanna County
School Board
Zoned: A-1
Use: School Admin. Office

TMP 19-A-39B
Fluvanna County
DB 317 PC 834
Zoned: A-1
Use: Fire Station

TMP 19-6-1
The Estate of
Barbara V. Wicher
WB 55 PC 33
DB 221-436, 440 Plat
Zoned: A-1
Use: Vacant Woods

TMP 19-6-1A
2 (Parts)
Janet E. Vaughan, Est.
DB 31-368
DB 36-202
DB 69-159
WB 26-255

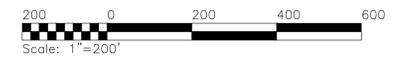
TMP 19-17-1
D. Burdell Cavanaugh
DB 678-599, 600 Plat
Zoned: A-1
Use: Vacant

TMP 19-17-2
D. Burdell Cavanaugh
DB 678-599, 600 Plat
Zoned: A-1
Use: Vacant

TMP 19-17-3
Victor & Alice Rivera
DB 785 PC 571
Zoned: A-1
Use: Vacant

TMP 30-A-119A
CSX Transportation
DB 3-217

TMP 19-A-30
Thomas N. Cavanaugh
WB 31-568
Zoned: A-1
Use: Vacant Woods

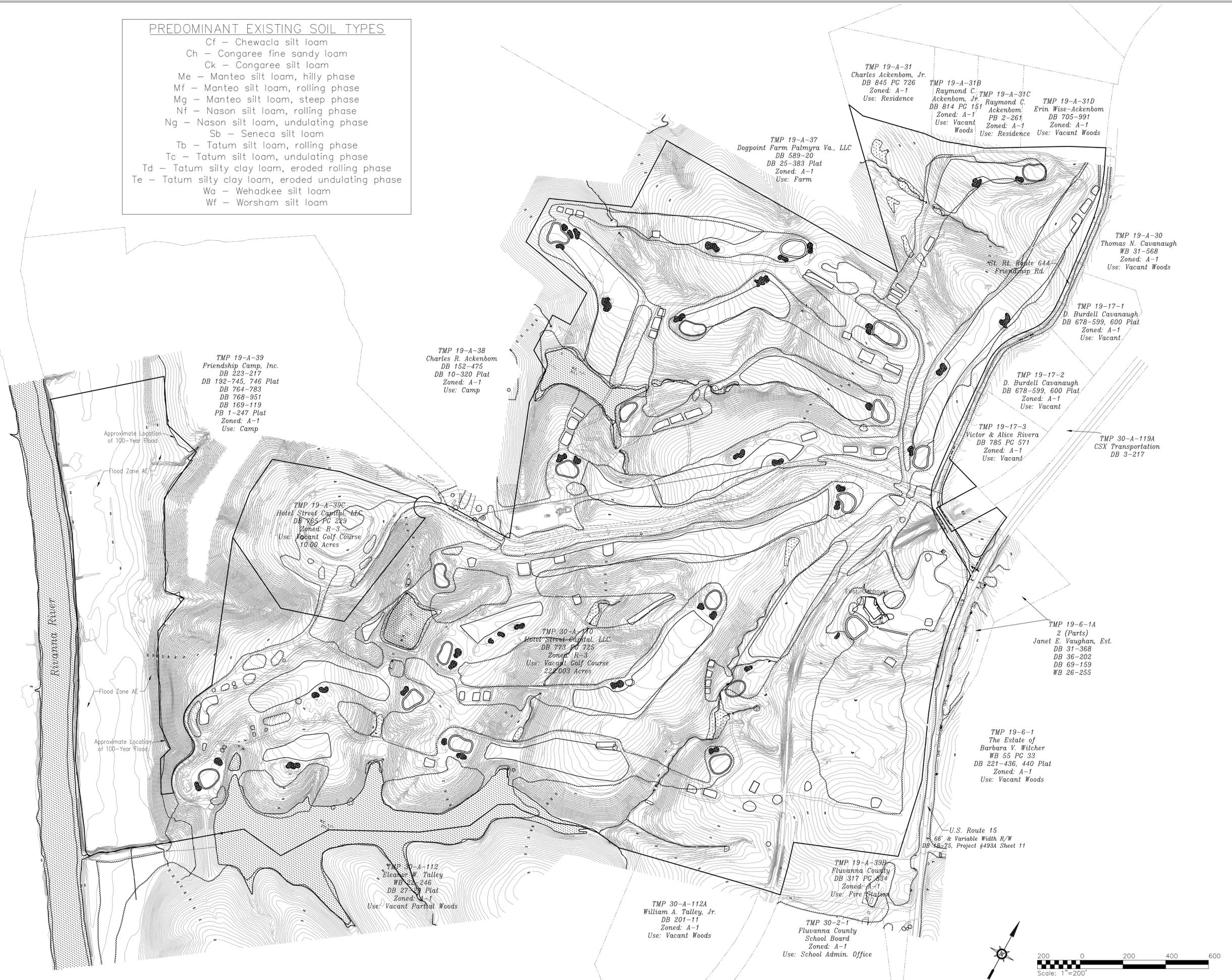


PARCEL OVERVIEW

Rev. #	Date	Description

PREDOMINANT EXISTING SOIL TYPES

- Cf - Chewacla silt loam
- Ch - Congaree fine sandy loam
- Ck - Congaree silt loam
- Me - Manteo silt loam, hilly phase
- Mf - Manteo silt loam, rolling phase
- Mg - Manteo silt loam, steep phase
- Nf - Nason silt loam, rolling phase
- Ng - Nason silt loam, undulating phase
- Sb - Seneca silt loam
- Tb - Tatum silt loam, rolling phase
- Tc - Tatum silt loam, undulating phase
- Td - Tatum silty clay loam, eroded rolling phase
- Te - Tatum silty clay loam, eroded undulating phase
- Wa - Wehadkee silt loam
- Wf - Worsham silt loam



TMP 19-A-39
Friendship Camp, Inc.
DB 223-217
DB 192-745, 746 Plat
DB 764-783
DB 768-951
DB 169-119
PB 1-247 Plat
Zoned: A-1
Use: Camp

TMP 19-A-38
Charles R. Ackenbom
DB 152-475
DB 10-320 Plat
Zoned: A-1
Use: Camp

TMP 19-A-39C
Hotel Street Capital, LLC
DB 765 PC 229
Zoned: R-3
Use: Vacant Golf Course
10.00 Acres

TMP 30-A-170
Hotel Street Capital, LLC
DB 773 PC 725
Zoned: R-3
Use: Vacant Golf Course
22.003 Acres

TMP 19-A-112
Eleanor W. Talley
WB 27-246
DB 27-246 Plat
Zoned: A-1
Use: Vacant Partial Woods

TMP 30-A-112A
William A. Talley, Jr.
DB 201-11
Zoned: A-1
Use: Vacant Woods

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Fluvanna County
School Board
Zoned: A-1
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PB 2-261
Zoned: A-1
Use: Residence

TMP 19-A-31D
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DB 705-391
Zoned: A-1
Use: Vacant Woods

TMP 19-A-37
Dogpoint Farm Palmyra Va., LLC
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Use: Farm

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TMP 19-17-2
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DB 36-202
DB 69-159
WB 26-255

TMP 19-6-1
The Estate of
Barbara V. Witcher
WB 55 PC 33
DB 221-436, 440 Plat
Zoned: A-1
Use: Vacant Woods

U.S. Route 15
66' & Variable Width R/W
DB 48-25, Project #493A Sheet 11

TMP 19-A-39B
Fluvanna County
DB 317 PC 834
Zoned: A-1
Use: Fire Station



EXISTING CONDITIONS

Rev. #	Date	Description



WATER & SEWER NOTES:

1. Walker's Ridge lies within the Palmyra regional WWTP jurisdiction area. All proposed development shall utilize the existing system. The system as constructed while handle initial development, and has room for expansion to accommodate the entire development as proposed.
2. Sewer shall be collected throughout the site and conveyed to a pump station adjacent to the river which will pump effluent to the public sewer line on U.S. Route 53.
3. Water for the development shall be provided by a central water system. If a public system is available to the site, new development shall connect. In the absence of a public system a private water treatment facility will be constructed. The developer shall be required to obtain all VDH/DEQ or other state and federal permits as required.

GRAPHIC LEGEND:

- Wooded Areas
- Existing Ponds/Lakes
- Proposed Stormwater Management
- Proposed Ponds
- Streams

PROPOSED DEVELOPMENT KEY

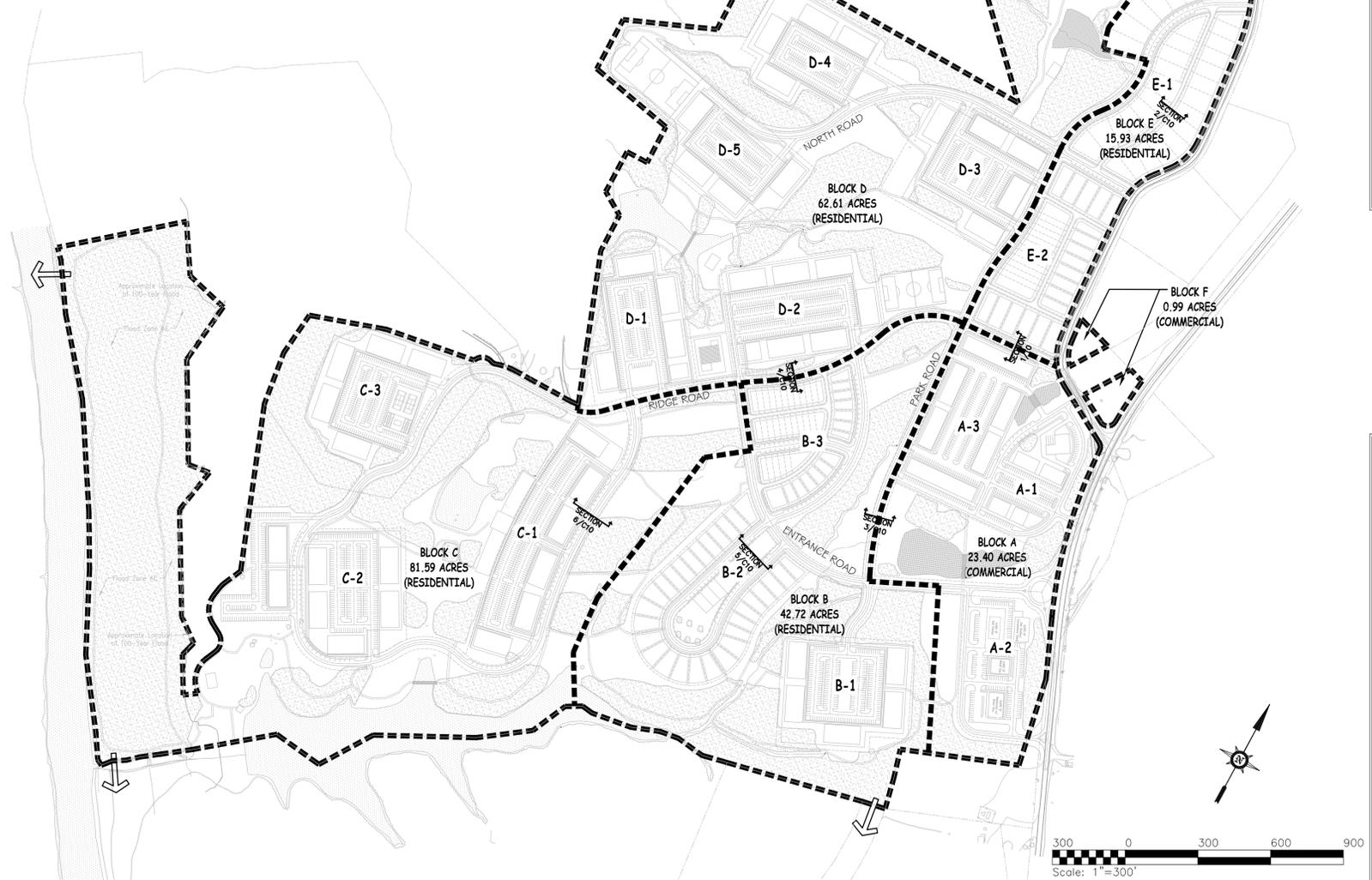
BLOCK	USE	PARKING	AMENITIES
A1	BANK & DRIVE-THRU 4 COMMERCIAL RETAIL PADS		TRAIL CONNECTIONS OPEN SPACE BUFFERS
A2	CONVENIENCE STORE W/ GAS RESTAURANT W/ DRIVE-THRU 1 COMMERCIAL PAD SITE		TRAIL CONNECTIONS OPEN SPACE BUFFERS
A3	2 STORIES COMMERCIAL RETAIL/OFFICE		TRAIL CONNECTIONS POND AND FOOTBRIDGE (1)
B1	144 RESIDENTIAL CONDOMINIUMS	260 Spaces	TRAIL CONNECTIONS
B2	29 SINGLE FAMILY DETACHED LOTS	GARAGES	GARDENS AND GREENHOUSES (2)
B3	29 TOWNHOME LOTS	GARAGES	PICNIC PAVILION (3)
C1	152 RESIDENTIAL CONDOMINIUMS	275 Spaces	GARDENS AND GREENHOUSES (4)
C2	200 RESIDENTIAL CONDOMINIUMS	360 Spaces	RIVER LOOP TRAIL (5)
C3	144 RESIDENTIAL CONDOMINIUMS	260 Spaces	OVERLOOK PAVILION (6) TENNIS AND BOCCIE (7)
D1	120 RESIDENTIAL CONDOMINIUMS	220 Spaces	COMMUNITY BUILDING (8)
D2	168 RESIDENTIAL CONDOMINIUMS	305 Spaces	TERRACED GARDENS AND POOL (9)
D3	128 RESIDENTIAL CONDOMINIUMS	230 Spaces	FITNESS CENTER (10)
D4	112 RESIDENTIAL CONDOMINIUMS	205 Spaces	PICNIC PAVILION (11)
D5	112 RESIDENTIAL CONDOMINIUMS	205 Spaces	BALL FIELD (YOUTH) (12) PICNIC PAVILION (13) BALL FIELD (ADULT) (14)
E1	33 SINGLE FAMILY DETACHED LOTS	GARAGE	
E2	14 TOWNHOME LOTS 19 SINGLE FAMILY DETACHED LOTS	GARAGE GARAGE	
F1	FUTURE COMMERCIAL		
F2	FUTURE COMMERCIAL		

DEVELOPABLE AREA SUMMARY

BLOCK	ACREAGE	EXIST. R.O.W. # EASEMENTS	STREAM & WETLANDS BUFFERS	FLOODPLAIN	CRITICAL SLOPES	NET DEVELOPABLE AREA
BLOCK A	23.40	0.36	0.00	0.00	0.98	22.06
BLOCK B	42.72	0.71	3.75	0.00	3.99	34.27
BLOCK C	81.59	1.26	6.12	21.85	8.61	43.75
BLOCK D	62.61	1.19	2.51	0.00	3.65	55.26
BLOCK E	15.93	0.00	1.05	0.00	0.69	14.19
BLOCK F	0.99	0.00	0.00	0.00	0.00	0.99
TOTAL	227.24	3.52	13.43	21.85	17.92	170.52

PROPOSED BLOCK DEVELOPMENT SUMMARY

BLOCK	SUB BLOCK	ACREAGE (NET)	USE	MAXIMUM RESIDENTIAL DENSITY (per PUD Ordinance)			PROPOSED RESIDENTIAL DENSITY			PROPOSED COMMERCIAL DENSITY (SF)
				MULTI-FAMILY	TOWNHOMES	SINGLE-FAMILY DETACHED	MULTI-FAMILY	TOWNHOMES	SINGLE-FAMILY DETACHED	
BLOCK A		22.06	MIXED-USE	384	192	128	96			105,500
	A1									25,400
	A2									20,100
	A3						96			60,000
BLOCK B		34.27	RESIDENTIAL	596	298	199	144	43	29	
	B1							144		
	B2								29	
	B3							14	29	
BLOCK C		43.75	RESIDENTIAL	761	381	254	496			
	C1							152		
	C2							200		
	C3							144		
BLOCK D		55.26	RESIDENTIAL	962	481	321	640			
	D1							120		
	D2							168		
	D3							128		
	D4							112		
	D5							112		
BLOCK E		14.19	RESIDENTIAL	247	123	82		52	14	
	E1							33		
	E2							19	14	
BLOCK F		0.99	COMMERCIAL	17	9	6				NONE CURRENTLY PROPOSED
TOTAL		170.52		2967	1484	989	1376	95	43	105500



LAND USE SUMMARY

USE	ACREAGE	PERCENTAGE OF TOTAL SITE
COMMERCIAL	12.90	5.7%
RESIDENTIAL	62.25	27.4%
OPEN SPACE	143.59	63.2%
ROAD DEDICATIONS	8.50	3.7%
TOTAL	227.24	100.0%

GENERAL NOTES:

- REFER TO CODE OF DEVELOPMENT ON SHEET 6 FOR DETAILS OF PERMITTED USES.
- MAXIMUM PROPOSED RESIDENTIAL DENSITY IS 1514 UNITS.
- THERE IS NO PROPOSED MAXIMUM COMMERCIAL SQUARE FOOTAGE.

SETBACKS:

- COMMERCIAL BUILDINGS AND PARKING SHALL BE SET BACK A MINIMUM OF 50 FEET FROM THE CURRENT STATE ROUTE 15 RIGHT-OF-WAY.
- COMMERCIAL BUILDINGS AND PARKING SHALL BE SET BACK A MINIMUM OF 10 FEET FROM INTERNAL ACCESS EASEMENTS AND RIGHTS-OF-WAY.
- RESIDENTIAL AND NON-COMMERCIAL BUILDINGS AND PARKING SHALL BE SET BACK A MINIMUM OF 30 FEET FROM STATE ROUTE 644 RIGHT-OF-WAY.
- RESIDENTIAL AND NON-COMMERCIAL BUILDINGS AND PARKING SHALL BE SET BACK A MINIMUM OF 5 FEET FROM INTERNAL AND PRIVATE ROAD EASEMENTS AND RIGHTS-OF-WAY.

LOT FRONTAGE:

- THE MINIMUM LOT FRONTAGE FOR COMMERCIAL USES SHALL BE 25 FT.
- THE MINIMUM LOT FRONTAGE FOR RESIDENTIAL USES SHALL BE 16 FT. ALL SINGLE FAMILY ATTACHED AND DETACHED UNITS SHALL HAVE FRONTAGE ON VEHICULAR STREETS OR EMERGENCY ACCESS.

YARD REGULATIONS:

- THE MINIMUM SIDE OR REAR YARD ADJOINING ANY RESIDENTIAL USE OUTSIDE OF THE PUD SHALL BE 30 FEET.
- THE MINIMUM SIDE OR REAR YARD FOR RESIDENTIAL STRUCTURES THAT DO NOT SHARE A COMMON WALL WITHIN THE PUD SHALL BE 5 FEET.

BUILDING HEIGHTS:

- THE MAXIMUM HEIGHT FOR COMMERCIAL BUILDINGS SHALL BE 50 FEET.
- THE MAXIMUM HEIGHT FOR ALL RESIDENTIAL BUILDINGS SHALL BE 60 FEET.

PARKING:

- OFF-STREET PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE OFF STREET LOADING AND PARKING REQUIREMENTS OF ARTICLE 26 OF THE ZONING ORDINANCE.
- INTERNAL ROAD ON-STREET PARKING SPACES SHALL BE SHARED BY NEARBY COMMERCIAL AND RESIDENTIAL USES AND EACH SPACE MAY BE COUNTED ONCE FOR REQUIRED OFF-STREET COMMERCIAL PARKING AND ONCE FOR REQUIRED OFF-STREET RESIDENTIAL PARKING.

SIGNAGE AND ARCHITECTURE:

- SEE CODE OF DEVELOPMENT ON SHEET 6 FOR SIGNAGE AND ARCHITECTURAL GUIDELINES. ADDITIONAL ARCHITECTURAL GUIDELINES CAN BE FOUND ON THE LATEST WALKER'S RIDGE PUD ARCHITECTURAL GUIDELINES (SUBMITTED AS A SEPARATE DOCUMENT).

BLOCK PLAN

Rev #	Date	Description

REZONING APPLICATION PLAN FOR:

WALKER'S RIDGE
FLUVANNA COUNTY, VIRGINIA

WALKER'S RIDGE CODE OF DEVELOPMENT

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Development Narrative:

The Walkers Ridge property is 232 acres, located in the Palmyra Community Planning Area between James Madison Highway (U.S. 15) and the Rivanna River. More specifically, the Planned Development is adjacent to the Palmyra Fire Station and across the river from the Pleasant Grove property. An existing home site and a golf course (closed) currently occupy the site. There is an existing entrance on State Route 644 (Friendship Road) and a proposed entrance on James Madison Highway. Approximately 75% (170 acres) of the property lies outside of: existing easements and rights-of-way, floodplain, critical slopes, wetlands, and stream buffers

The existing R-3 (Residential-Planned Development) zoning allows: an 18-hole course, A Resort with Restaurant / Meeting Area, Residential Condominiums, Single-Family Attached Residential Units, and a Commercial plaza. The Land Use Section (Chapter 2) of the 2009 Fluvanna County Comprehensive Plan proposes a residential density of 4-10 dwelling units per acre (DUA) (reference Figure LU-28 and Figure LU-21) for the Palmyra Planning Area ; and the PUD ordinance allows for 4-12 dwelling units per acre in the Palmyra Planning Area with bonus densities for affordable housing and open space provisions.

The Walkers Ridge application plan proposes a maximum of 1514 residential units (or 6.5 DUA) along with 105,500 SF of Commercial Space. The Application Plan also provides 63% Open Space and the Applicant will proffer provisions for affordable housing. The Commercial and Mixed-Use centers are relegated to Block A, which includes approximately 10% of the site acreage. The Commercial center is buffered by 50 feet of existing vegetation along James Madison Highway, and a 9-acre Open Space buffer with a pond and footbridge bisects the Commercial Centers and creates an entrance from the Highway.

A limited amount of Commercial uses in Block A are intended to accentuate the existing business in the Village of Palmyra and to attract business from the Route 15 Corridor. The predominant Commercial development proposed is neighborhood services and it is the intent of the Applicant to provide a place where residents can live, work, shop, eat, walk, ride, and play.

The focal point of the design for Walkers Ridge is the conversion of existing fairways and cart paths into a substantial neighborhood park, which is integrated with the new residential blocks. The majority of the residential units will have frontage on the park, providing a rural character to the development; while at the same time providing a generous access to miles of walking, running, and biking trails with interspersed amenities such as fitness, swimming, tennis, gardens, and picnic pavilions. There is also a potential connection from this development to the Fluvanna Heritage Trail, which would provide convenient walking and biking access to the Village of Palmyra and Pleasant Grove.

It is the Applicant's opinion that a golf resort is not a reasonable use of the property and the current R-3 Master Plan and the existing golf course has not been able to succeed in the Palmyra market. The proposed PUD Master Plan will replace the golf resort with a community park and provides a residential density that will sustain the park amenities and neighborhood services that will accompany the plan. It is anticipated that there will be a very large market for this unique style of development in Central Virginia and the Applicant will narrow that market by providing some proffers for affordable housing and by targeting the senior housing market in particular.

Landscaping shall consist of large shade trees lining the proposed streets and commercial frontages as well as within designated parking areas. Where needed, new evergreens will be incorporated into existing trees to assist with screening of parking areas from Route 15 as well as neighboring residences. Lastly, an overall feature of the proposed development shall be achieved through preservation of existing trees and fairways, contingent upon the design process for the proposed neighborhood park.

Block Characteristics:

Block A

Block A shall consist of commercial pad sites along James Madison Highway with a mixed-use block of taller buildings set back 400 feet from the highway. Except as shown on the General Development Plan, parking shall be relegated to the rear of the buildings. The abandoned railroad crossing will be used to create a pond and treat runoff from the buildings on the north side of Block A and a new pond will be integrated into the entrance landscaping to provide a natural appearance from Route 15. Block A-3 shall be designed to serve as a "central plaza" with street level shops and patios and office and residential space above.

Block B

Block B is 43 acres and shall consist of 3-4 housing types, including single family residences, townhomes, and condominiums. Block B-1 shall be visually screened from the entrance road with existing vegetation and shall include a potential future connection to the Rivanna Heritage Trail. Block B-2 shall include a passive recreation area, enclosed by single-family housing, along the ridge on the south side of the entrance road. Block B-3 shall provide single-family attached and/or detached housing in the form of two urban blocks with sidewalks and street trees in front of the homes.

Block C

Block C is 81 acres and shall consist of 3 pods of multi-family housing. Block C-1 and C-2 shall have 2-3 story buildings with parallel parking, sidewalks, street trees, and landscaped entrances along the Ridge Road with relegated parking. Block C-3 shall have parallel parking, a sidewalk, street trees, and tennis courts along Ridge Road with relegated parking and 2-3 story buildings around the perimeter of the parking area. Block C also shall include a trail and footbridge through the open space along the existing lake, a loop trail through the flood plain along the Rivanna River, and a picnic pavilion overlooking the River.

Block D

Block D is 63 acres and shall consist of 5 pods of multi-family housing. Pods D-1 and D-2 shall have parallel parking, sidewalks, street trees, and landscaped entrances along Ridge Road with a fitness center, community pool, lake and picnic pavilion located centrally to pods D-1, D-2, and D-5. A small rectangular playing field shall be located near the intersection of Park Road and Ridge Road and a large rectangular playing field shall be located at the end of North Road. Block D-3 shall have parallel parking, sidewalks, street trees, and landscaped entrances along both Park Road and North Road.

Block E

Block E shall consist of lower density single-family residences with single -family detached housing in Pod E-1 and primarily single-family detached housing in Block D-2. All housing that fronts on Ridge Road and Park Road shall have sidewalks, street trees, and landscaped entrances.

Open Space and Amenities:

The Open Space on the Application Plan represents 63% (143 acres) of the site and incorporates the existing flood plain, stream buffers, fairways, and cart paths. To the greatest extent possible, the Open Space shall be incorporated into a Neighborhood Park with trail connections to all residential and commercial development.

Amenities shall include: swimming pool, fitness center, community / meeting room, playing fields, picnic pavilions, gardens, tennis courts, and biking / hiking / walking trails. The amenities shall be interspersed throughout the development with access from the neighborhood park and the swimming / fitness / community facilities shall be centrally located.

Existing Features to be Preserved:

The existing clubhouse and single family residence will not be preserved. The golf course fairways and cart paths shall be preserved, to the greatest extent possible and incorporated into the neighborhood park plan. Trees along Route 15 shall be preserved and, where needed, additional plantings shall be provided, to create a 50 foot screening buffer of commercial parking areas. Existing trees shall be preserved, to the greatest extent possible, as shown on the Application Plan.

Architectural and Landscape Standards:

Form, Massing, and Proportion of structures

Building facades facing a street shall not extend for more than 100 feet without a change in plane. The minimum change in plane shall be 4 feet and the cumulative total length of the change in plane shall extend for no less than 15% of the length of the building façade.

Three and four story buildings shall have visual step backs above the second story.

Permitted Architectural Styles:

To encourage flexibility and diversity of architecture, no restrictions on architectural style are specified in this code of development. Architectural designs shall be reviewed by an architecture subcommittee of the neighborhood association for approval. Initially, the developer/owner will fulfill the role of the neighborhood association.

Permitted Building Materials:

- Exposed foundations shall be finished in stone, brick or stucco,
- Vinyl siding shall not be permitted on the first or second floor exteriors.
- Masonry, wood, and composites of wood are permitted on facades,
- Roofs shall be architectural dimensional shingles, tile, or metal.

Colors and Façade Treatment:

- All exterior wood finishes (except flooring) shall be painted,
- Earth-tone colors must be used for all exterior finishes (an earth-tone color palette will be submitted with the first request for a building permit for county approval),
- All building exteriors shall have a minimum of two colors; one color for siding and a separate color for trim.
- Windows shall be proportional to the building massing.
- For brick finishes, windows shall be headed, keystones are optional.
- Buildings with siding shall have trim boards (minimum 5/4 x 4 width).
- Shutters, when used, shall be one half the size of the adjacent window.
- Visibly discernible stories shall be achieved through the use of windows and/or building entries on each story, using varied building materials, special ground-floor design treatments, and other façade elements or other architectural details.

Roof Pitch and Design:

- Dormers shall match main roof in style and pitch
- Minimum roof pitch shall be 6:12, except for flat roof sections.
- The mass of the commercial buildings in Block A-3 as well as their respective roofs should be broken up in order to achieve an appropriate look for the mixed-use center. A minimum of 2 distinct roof elevations shall be incorporated to achieve this. In addition to steps in the roof elements, other elements should be incorporated such as: balconies, chimneys, dormers, and clerestories.
- For Blocks B, C, D: Dormers, bays, or chimneys shall be incorporated into building design. Front entrances shall be covered and entrance roof designs shall vary.
- For Block E: Dormers, bays, or chimneys shall be incorporated into each building. Front entrances shall be covered and roof designs shall vary. Garage doors should be decorative and screened with landscaping and trim from adjacent streets.

Architectural Review Committee:

The Walkers Ridge Architectural Review Committee shall approve detailed architectural standards based on the Code of Development prior to building permit application to Fluvanna County. Prior to the recordation of the covenants and restrictions for Walker's Ridge, they shall be submitted to the Director of Planning for review to ensure compliance with the Code of Development. The developer shall establish the Walker's Ridge Architectural Review Committee prior to the issuance of the first building permit in order to enforce the Code of Development's architectural and landscape standards set forth herein. A certificate of approval from the Walker's Ridge Architectural Review Committee must be submitted at the time of building permit application.

Landscape Treatment:

Street Trees (minimum 2" diameter) shall be provided along the urban frontage (where curb, gutter, landscape strips, sidewalks, and buildings are shown) of all streets. Minimum spacing for street trees shall be 50 feet. Large shade trees shall be provided for each each parking lot. A minimum of one large shade tree shall be provided for every 10 spaces and additional screening shall be provided to limit visibility of parking lots from adjoining streets. A minimum of four benches and eight large shade trees shall be provided for Block B, Block C, and Block D. Additional ornamental landscaping and shade trees shall be provided for: picnic pavilions, fitness center, community building, and pool.

Table of Uses by Block					
	Block				
Residential Uses	A	B	C	D	E
Dwellings, accessory		P			P
Dwellings, multi-family	P	P	P	P	
Dwellings, single-family attached		P			P
Dwellings, single-family detached		P			P
Dwellings, townhouse		P			P
Dwellings, two-family		P			P
Group homes	P	P	P	P	P
Residential Accessory Uses					
Accessory Apartment		P			P
Accessory Buildings and Uses including Storage Buildings	P	P	P	P	P
	Block				
Miscellaneous Uses	A	B	C	D	E
Electric, gas, oil and communication facilities, excluding tower structures, owned and operated by a public utility	P	P	P	P	P
Public Uses and Buildings	P	P	P	P	P
Outdoor Recreation Facilities		P	P	P	
Greenhouses, non-commercial		P	P	P	
Community Farms		SP	SP	SP	
	Block				
Commercial Uses	A	B	C	D	E
Administrative, Professional Offices	P				
Financial Institutions	P				
Medical Offices	P				
Home Occupation		SP	SP	SP	SP
Retail Store, Neighborhood Convenience	P				
Retail Store, Specialty	P				
Eating Establishments	P			SP	
Drive-thru windows	SP				
Outdoor storage, display and/or sales	SP				
Sporting Goods	P				
Indoor Athletic Facilities	P				
Health Spas	P			SP	
Florists	P				
Musical Instruments	P				
Newsstands, magazines, pipe and tobacco shops	P				
Retail nurseries and greenhouses	P				
Adult Retirement Communities	SP	SP	SP	SP	
Assisted Living Facilities	SP	SP	SP	SP	

SHIMP ENGINEERING, P.C.
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CODE OF DEVELOPMENT

REZONING APPLICATION PLAN FOR:
WALKER'S RIDGE
FLUVANNA COUNTY, VIRGINIA

Date	07/01/2012
Scale	N/A
Sheet No.	6 OF 10
File No.	11.022



SHEET KEY - SCALE: 1"=1,500'



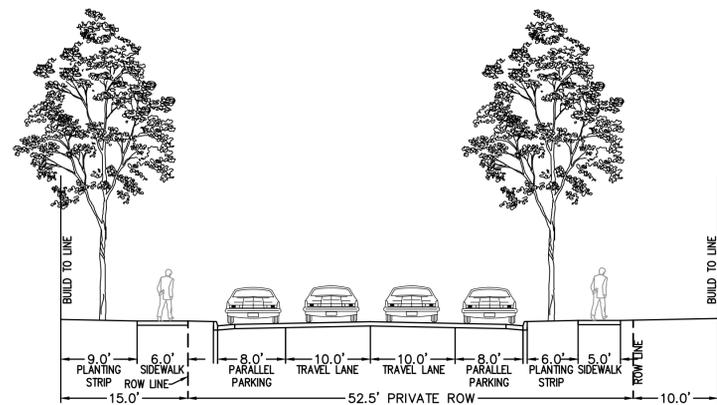
SHIMP ENGINEERING, P.C.
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
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 CHARLOTTEVILLE, VA 22902
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GENERAL DEVELOPMENT PLAN

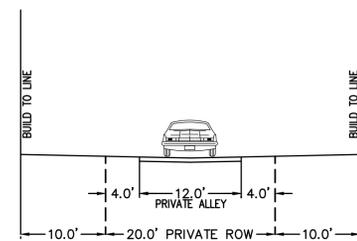
Rev. #	Date	Description

REZONING APPLICATION PLAN FOR:
WALKER'S RIDGE
 FLUVANNA COUNTY, VIRGINIA

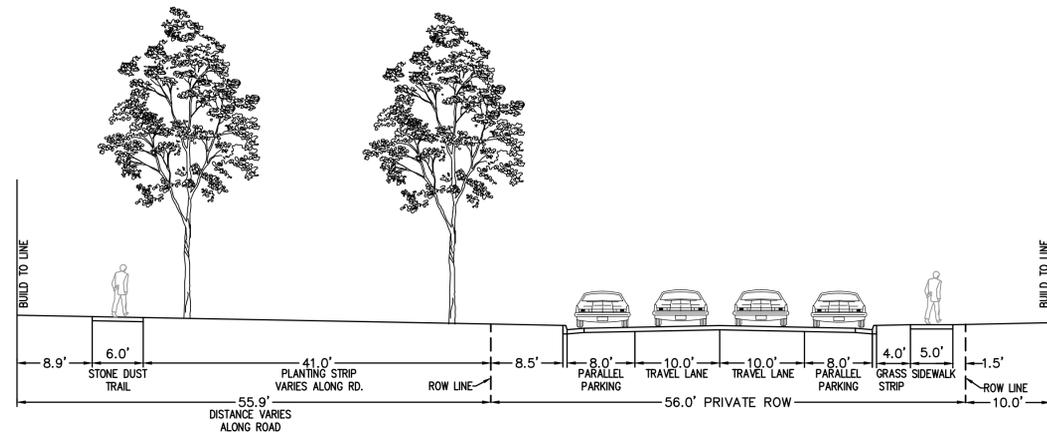
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 Sheet No. 8 OF 10
 File No. 11.022



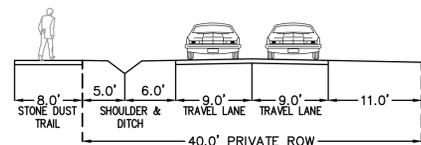
1 ROAD CROSS SECTION DETAIL
C10 SCALE: 1"=10'



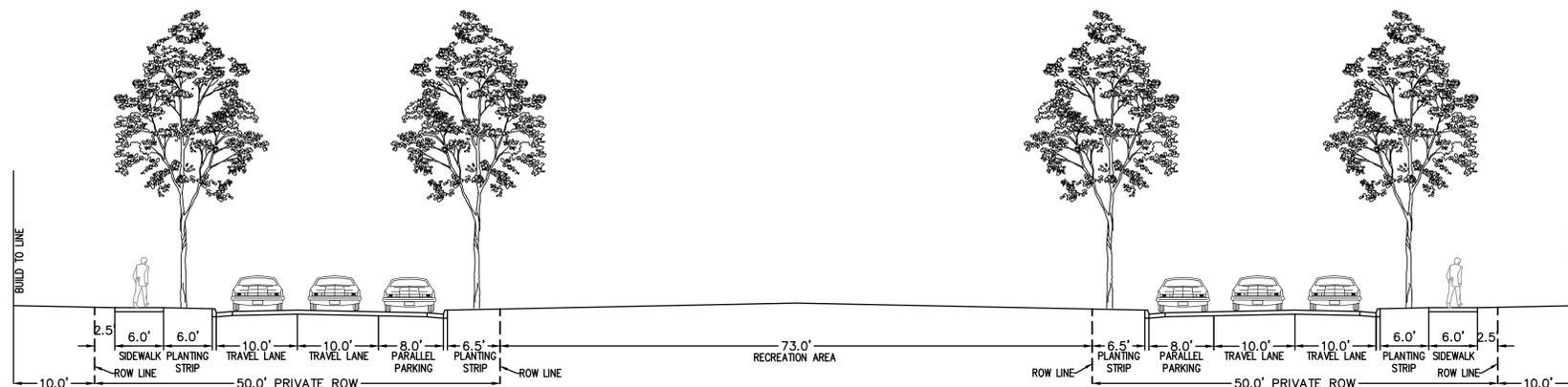
2 ALLEY CROSS SECTION DETAIL
C10 SCALE: 1"=10'



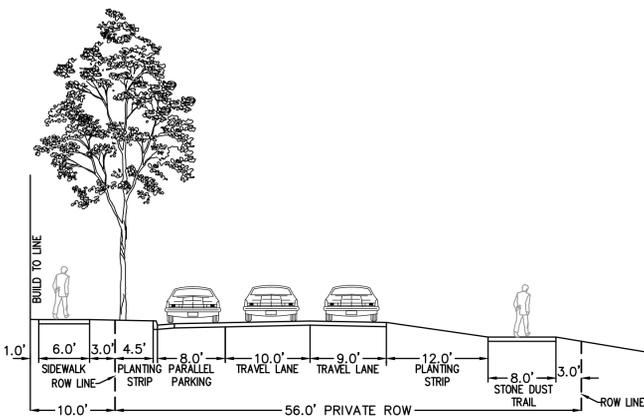
4 ROAD CROSS SECTION DETAIL
C10 SCALE: 1"=10'



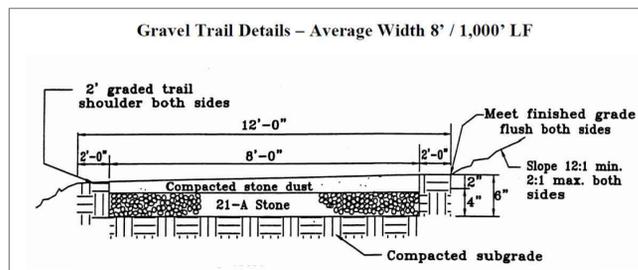
3 ROAD CROSS SECTION DETAIL
C10 SCALE: 1"=10'



5 ROAD CROSS SECTION DETAIL
C10 SCALE: 1"=10'



6 ROAD CROSS SECTION DETAIL
C10 SCALE: 1"=10'



7 TYPICAL STONE DUST TRAIL DETAIL
C10 SCALE: 1"=10'

Road Design Guidelines

Road Type	Design Speed	Min. Horizontal Radius	Maximum Grade	Notes
Primary Connecting Roadway (No On-Street Parking)	35 MPH	150 FT	14 %	Entry Road, Access to Block C, D and Camp Friendship
Primary Connecting Roadway (With On-Street Parking)	25 MPH	110 FT	10 %	Entry Road, Access to Block C, D and Camp Friendship
Subdivision Access Road (TH or SFD) (No On Street Parking)	25 MPH	110 FT	16%	Access to residential area, Blocks B2, B3, E1, E2
Subdivision Access Road (TH or SFD) (With On Street Parking)	20 MPH	110 FT	10 %	Access to residential area, Blocks B2, B3, E1, E2
Internal Access Road within Multifamily or Commercial Development	100' Sight Distance	N/A	12%	Urban roads within parking and multifamily developments
Alleys	100' Sight Distance	N/A	16 %	Private Alleys at the rear of SFD and Townhomes

SITE DETAILS

Rev #	Date	Description

REZONING APPLICATION PLAN FOR:

WALKER'S RIDGE
ALBEMARLE COUNTY, VIRGINIA

Walkers Ridge

at Palmyra

ATTACHMENT G



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



House Type 1

Based on:
+ Various Palmyra house types

Walkers Ridge

at Palmyra



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



House Type 2

Based on:
+ Various Palmyra house types

Walkers Ridge

at Palmyra



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



House Type 3

Based on:
+ Various Palmyra house types

Walkers Ridge

at Palmyra



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



House Type 4

Based on:
+ Various Palmyra house types

Walkers Ridge

at Palmyra



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



Condos

Based on:
+ Mills found in Palmyra
+ Various Palmyra house types

Walkers Ridge

at Palmyra



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



Townhomes

Based on:
+ Various Palmyra house types

Walkers Ridge

at Palmyra



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



Office A

Based on:
+ Palmyra Courthouse

Walkers Ridge

at Palmyra



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



Office B

Based on:
+ Palmyra Courthouse

Walkers Ridge

at Palmyra



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ARCHITECTURE | DESIGN | CONSULTING



Retail

Based on:
+ Palmyra Courthouse

Walkers Ridge

at Palmyra



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



Bank

Based on:
+ Palmyra Courthouse

Walkers Ridge

at Palmyra



THE GAINES GROUP, PLC
ARCHITECTURE | DESIGN | CONSULTING



Gas Station/Cafe

Based on:
+ Mills found in Palmyra
+ Various Palmyra store types



View of Bank, Looking Southwest



View from Roundabout, Looking Northwest



View from Roundabout, Looking Southwest



View of Drive-Through Restaurant, Looking North



View of Block B Apartments, Looking South



View of Offices across Lake, Looking Northeast



View of Offices from Park Road, Looking Northeast



View of Townhouses from Park Road, Looking Northeast



View of Single-Family Homes, Looking Northeas



View of Single Family Homes, Looking East



View of Offices and Single-Family Homes , Looking Northwest

**WALKER'S RIDGE PUD
ARCHITECTURAL
GUIDELINES**

**FLUVANNA COUNTY,
VIRGINIA**

DRAFT

JUNE 29, 2012

WALKER'S RIDGE PUD
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SECTION 1 OVERVIEW & ADMINISTRATION

1.1 Purpose:

- 1.1.1 Walker's Ridge is planned as a distinctive and unique community. Because of its proximity to the historic village of Palmyra and with the objective of establishing and maintaining a consistent and compatible architectural character and to ensure that structures are well designed, constructed, and landscaped, Architectural Guidelines (hereinafter referred to as the "Guidelines") have been developed.

1.2 Administration

- 1.2.1 Policy: The policy of the developer is that construction and landscaping plans be submitted for design review and approval prior to commencement of construction.
- 1.2.2 Residential and commercial structures, site improvements, and landscaping within the PUD are subject to the Guidelines.
- 1.2.3 Architectural Review Committee: To administer the Guidelines, the developer has established the Architectural Review Committee (ARC) to review and comment on submitted plans. Plans that comply with the Guidelines will be approved by the ARC.
- 1.2.4 The ARC shall hold regularly scheduled meetings at least monthly. More frequent meetings may be scheduled at the discretion of the ARC.

1.3 Items Requiring Approval

- 1.3.1 New Construction: ARC Approval is required prior to commencing new construction including, but not necessarily limited to the following:
 - A. Commercial structures
 - B. Single family residences
 - C. Townhouses
 - D. Multi-family structures
 - E. Other Structures

- F. Decks, porches and terraces
 - G. Secondary structures such as detached garages, gazebos, and sheds
 - H. Driveways, parking, and similar site improvements
 - I. Pools
 - J. Landscaping
 - K. Fences and garden walls
 - L. Retaining walls
 - M. Exterior lighting
 - N. Exterior materials and color palette
- 1.3.2 Alterations: ARC Approval is required prior to commencing exterior alterations to structures including, but not necessarily limited to the following:
- A. Alterations to the exterior appearance of structures and improvements requiring approval for new construction.
 - B. Changes in exterior colors or finishes.
 - C. Changes in landscaping

SECTION 2 SUBMITTAL & REVIEW REQUIREMENTS

2.1 Preliminary Approval:

- 2.2.1 Policy: Preliminary Approval of plans is not a required step in the Final Approval process, but is strongly recommended prior to submittal for Final Approval.
- 2.2.2 The ARC will review and comment on sketches and preliminary drawings of conceptual designs and other pertinent documents to provide property owners Preliminary Approval or suggested changes prior to the preparation of final construction documents.
- 2.2.3 Granting of Preliminary Approval does not constitute approval to start clearing of lots and other sitework.
- 2.2.4 Submittal: [place requirements for preliminary submittal here]
- 2.2.5 Fees: There is no fee associated with Preliminary Approval.

2.2 Final Approval:

- 2.2.1 Policy: Approval of Final Construction Plans and Related Data is required prior to commencement of construction.
- 2.2.2 At least two copies of Final Plans & Related Data shall be submitted to the ARC at least seven days prior to the ARC meeting. The ARC will retain one copy and one copy shall be returned to the property owner.
- 2.2.3 Submittal Form: Each Plan Submittal shall be accompanied by a completed ARC Submittal Form and Checklist (see Attachment XX).
- 2.2.4 Plan Review Fee: Review of Final Plans and Related Data requires payment of the fee stated in the schedule of fees (see Attachment YY). Final Review will not take place until said fee is paid.
- 2.2.5 Content of Final Plans: Final Plans shall include the following plus other information requested by the ARC:
 - A. Site Plan at 1" = 20' or larger scale
 - B. Landscaping Plan at 1" = 20' or larger scale

- C. Floor Plans at $\frac{1}{8}'' = 1'-0''$ or larger scale showing exterior walls, location and type of openings, porches and decks, and other information necessary to indicate the exterior appearance of the finished structure and compliance with the Guidelines
- D. Elevations at $\frac{1}{4}'' = 1'-0''$ or larger scale indicating massing, location and character of openings, chimneys and similar appurtenances, exterior materials and finishes, sizes of architectural elements such as columns and trim, and other information, necessary to indicate the exterior appearance of the finished structure and compliance with the Guidelines
- E. Wall Section(s) and Architectural Details of sufficient scale and level of detail necessary to indicate the exterior appearance of the finished structure and compliance with the Guidelines

- 2.2.6 Meeting Attendance: Property owners or their representative shall attend the scheduled ARC meeting to discuss submitted Plans.
- 2.2.7 Design Professionals: Owners are encouraged, to utilize the services of licensed design professionals. Hiring of a design professional is not required except where state law requires a professional seal on drawings and/or other related documents.
- 2.2.8 The ARC will review Final Plans and Related Data in accordance with the Guidelines at its regularly scheduled meeting(s). Approval will be granted when all issues related to the Guidelines are resolved to the satisfaction of the ARC.
- 2.2.9 Review and Approval by the ARC does not constitute approval of requirements of the County of Fluvanna or the Commonwealth of Virginia, nor does it reflect an opinion on the structural and engineering adequacy of the Plans. The ARC, its members, or [developer] assume no liability therefore.

2.3 Plan Modifications:

- 2.3.1 Modifications, amendments, or additions to approved plans which indicate exterior material or color changes shall be submitted to the ARC for approval prior to implementation.
- 2.3.2 Plan Modification Fee: Review of modified or amended Plans and Related Data requires payment of the fee stated in the schedule of fees (see Attachment YY). Final Review will not take place until said fee is paid.

2.4 Pre-Construction Requirements:

- 2.4.1 Stakeout: Prior to the start of construction, buildings, driveways, parking areas, retaining walls, and similar improvements shall be staked out on the site/lot.
- 2.4.2 Approval: Following stakeout and prior to commencement of lot clearing and construction, the owner or owner's representative shall meet with a member of the ARC to review stakeout in relation to the approved site plan.

2.5 Certificate of Compliance:

- 2.5.1 Final Inspection: Following completion of construction activities, the ARC reserves the right to visit the site to confirm that constructed improvements are in accordance with Approved Plans and Related Data. Items to be reviewed include but are not necessarily limited to:
 - A. Siting of buildings and sitework
 - B. Exterior massing and materials
 - C. Exterior detailing
 - D. Landscaping
 - E. Fencing and site walls
- 2.5.2 Notice: A minimum of [48 Hours] advance notice is required to schedule a Final Inspection.
- 2.5.3 Certificate of Compliance: Upon satisfactory completion of the Final Inspection, the ARC will issue a Certificate of Compliance.

SECTION 3 DESIGN STANDARDS

3.1 Architectural Standards:

3.1.1 General Requirements:

3.1.1.1 Structures within Walker's Ridge PUD shall be designed to be generally compatible with the architectural vocabulary of the historic village of Palmyra and the surrounding area of Fluvanna County. This can be accomplished through use of compatible materials, appropriate massing and scale, and detailing of structures.

3.1.1.2 There is no requirement for a particular style of architecture, but forms, roofs, scale, materials, fenestration, and similar features shall be compatible with the existing village. This can be accomplished with architecture that is traditional as well as contemporary.

3.1.1.3 Architectural Zone I: Properties within 750 feet of the western margin of the right-of-way of US Route 15 shall comply with the requirements of Architectural Zone I.

3.1.1.4 Architectural Zone II: Properties within 750 feet of the western margin of the right-of-way of US Route 15 shall comply with the requirements of Architectural Zone II.

3.1.2 Height Limit shall be as permitted by right in the Fluvanna County Zoning Ordinance.

3.1.3 Exterior materials used within the PUD shall be chosen from the materials listed hereinafter for the specific Architectural Zone and be of a low maintenance character in the interest of maintaining a quality appearance.

3.1.3.1 Because multiple siding types and textures are present in the historic village of Palmyra, use of multiple textures is encouraged.

3.1.3.2 Use of shutters on front elevations of residential structures is encouraged, but not required to reflect the historic character of the village and environs.

3.1.4 Where classical columns are used, they shall be architecturally correct for the style and order chosen.

3.1.5 Metal outbuildings are prohibited within the PUD.

3.2 Architectural Standards for Architectural Zone I:

3.2.1 Commercial Structures:

3.2.1.1 Massing of commercial structures shall be broken up in such a manner as to avoid boxy appearing buildings. Use of gables, offsets, and similar details to break down the mass of the building is strongly encouraged.

3.2.1.2 Buildings shall maintain a consistent street edge with at least one street oriented entrance.

3.2.1.3 Use of multiple, yet compatible wall materials is encouraged.

3.2.1.4 Use of arches, columns, quoins, and similar details is encouraged.

3.2.1.5 Storefront metal shall be factory finished. Mill finish aluminum is prohibited.

3.2.2 Single Family Residences:

3.2.2.1 Single family residences in Architectural Zone I shall have at least 2,400 square feet of gross finished floor area.

3.2.2.2 Houses on adjacent lots shall not be constructed from the same plan.

3.2.2.3 Garages shall be rear entry from the alley.

3.2.2.4 Covered front porches are strongly encouraged. Wood visible from the street shall be painted or stained in a manner consistent with the style of the house.

3.2.2.5 Use of multiple, yet compatible wall materials is encouraged.

3.2.2.6 Secondary guest suites or home offices above detached garages are permitted.

3.2.2.7 Minimum roof slope is 5/12. Some styles require a steeper roof slope, and use of steeper roofs is encouraged when appropriate.

3.2.2.8 Minimum exterior trim width is 3¼”.

3.2.3 Multi- Family Structures:

3.2.3.1 Massing of multi-family structures shall be broken up in such a manner as to avoid boxy appearing buildings. Use of gables, offsets, balconies, and similar details to break down the mass of the building is strongly encouraged.

3.2.3.2 Use of multiple, yet compatible wall materials is encouraged.

3.2.3.3 Use of arches, columns, quoins, and similar details is encouraged.

3.2.3.4 Minimum roof slope is 5/12. Some styles require a steeper roof slope, and use of steeper roofs is encouraged when appropriate.

3.2.4 Other Structures:

3.2.4.1 Accessory structures shall be constructed of materials similar to the main structure on the lot.

3.2.4.2 Accessory structures shall be constructed at least three (3) feet from side lot lines.

3.2.5 Permitted Wall Materials

- A. Brick
- B. Stone, natural or portland cement simulated (Cultured Stone or similar)
- C. Fiber reinforced cementitious siding (Hardiplank or similar)
- D. Wood siding, painted or stained
- E. Wood or fiber reinforced cement shingles
- F. Architectural precast concrete (cast stone)
- G. Stucco

3.2.6 Permitted Visible Roofing Materials

- A. Standing seam metal
- B. Slate
- C. Simulated slate
- D. Architectural shingles designed to simulate slate.

3.2.7 Permitted Trim Materials

- A. Fiber reinforced cementitious trim (Hardietrim, Hardiesoffit, or similar)
- B. Cellular PVC

- C. Wood, painted or stained
- D. Factory finished aluminum clad wood (fascia & rake boards)
- E. Vented or unvented aluminum or vinyl soffit panels

3.2.8 Permitted Window Materials

- A. Painted Wood
- B. Clad (aluminum or fiberglass) wood
- C. Extruded fiberglass or aluminum
- D. Aluminum Storefront (commercial buildings only)
- E. Divided light windows shall have SDL or true divided light muntins.

3.2.9 Permitted Door Materials

- A. Wood
- B. Insulated metal
- C. Fiberglass
- D. Aluminum storefront (commercial buildings only)

3.2.10 Other Permitted Materials

- A. Fabric awnings
- B. Cellular PVC railings
- C. Metal railings
- D. Factory finished aluminum or natural copper gutters & downspouts
- E. Wood or vinyl shutters

3.3 Architectural Standards for Architectural Zone II:

3.3.1 Commercial Structures:

- 3.3.1.1 Massing of commercial structures shall be broken up in such a manner as to avoid boxy appearing buildings. Use of gables, offsets, and similar details to break down the mass of the building is strongly encouraged.
- 3.3.1.2 Buildings shall maintain a consistent street edge with at least one street oriented entrance.
- 3.3.1.3 Use of multiple, yet compatible wall materials is encouraged.
- 3.3.1.4 Use of arches, columns, quoins, and similar details is encouraged.
- 3.3.1.5 Storefront metal shall be factory finished. Mill finish aluminum is prohibited.

3.3.2 Single Family Residences:

3.3.2.1 Single family residences in Architectural Zone II shall have at least 1,500 square feet of gross finished floor area.

3.3.2.2 Houses on adjacent lots shall not be constructed from the same plan.

3.3.2.3 Covered front porches are strongly encouraged. Wood visible from the street shall be painted or stained in a manner consistent with the style of the house, except for rear decks.

3.3.2.4 Use of multiple, yet compatible wall materials is encouraged.

3.3.2.5 Minimum roof slope is 5/12. Some styles require a steeper roof slope, and use of steeper roofs is encouraged when appropriate.

3.3.2.6 Minimum exterior trim width is 2”.

3.3.3 Multi- Family Structures:

3.3.3.1 Massing of multi-family structures shall be broken up in such a manner as to avoid boxy appearing buildings. Use of gables, offsets, balconies, and similar details to break down the mass of the building is strongly encouraged.

3.3.3.2 Use of multiple, yet compatible wall materials is encouraged.

3.3.3.3 Use of arches, columns, quoins, and similar details is encouraged.

3.3.3.4 Minimum roof slope is 5/12. Some styles require a steeper roof slope, and use of steeper roofs is encouraged when appropriate.

3.3.4 Townhouses:

3.3.4.1 Townhouses in Architectural Zone II shall have at least 1,250 square feet of gross finished floor area.

3.3.4.2 Townhouse fronts shall stagger at least two feet between units.

3.3.4.3 Covered front porches are strongly encouraged.

3.3.4.4 Use of multiple, yet compatible wall materials is encouraged.

3.3.4.5 Minimum roof slope is 5/12. Some styles require a steeper roof slope, and use of steeper roofs is encouraged when appropriate.

3.3.4.6 Minimum exterior trim width is 2".

3.3.5 Other Structures:

3.3.5.1 Accessory structures shall be constructed of materials similar to the main structure on the lot.

3.3.5.2 Accessory structures shall be constructed at least three (3) feet from side lot lines.

3.3.6 Permitted Wall Materials

- A. Any material permitted in Architectural Zone I plus the following:
- B. Vinyl siding
- C. Aluminum siding
- D. Painted concrete foundations with simulated brick face

3.3.7 Permitted Visible Roofing Materials

- A. Any material permitted in Architectural Zone I plus the following:
- B. Architectural shingles designed to simulate wood shakes (Timberline or similar)

3.3.8 Permitted Trim Materials

- A. Any material permitted in Architectural Zone I plus the following:
- B. Vinyl

3.3.9 Permitted Window Materials

- A. Any material permitted in Architectural Zone I plus the following:
- B. Vinyl

3.3.10 Permitted Door Materials

- A. Any material permitted in Architectural Zone I plus the following:

3.3.11 Other Permitted Materials

- A. Any material permitted in Architectural Zone I plus the following:
- B. Pressure treated wood railings.

3.4 Site Improvement Standards:

3.4.1 Commercial and Multi-Family Sites:

3.4.1.1 Travelways and parking areas shall be paved with at least 2" of VDOT #SM-2A asphalt. Asphalt subbase shall be used where sound engineering practice dictates.

3.4.1.2 Parking areas shall be surrounded with concrete curbing unless otherwise approved by the ARC, and shall be designed to accommodate storm drainage without flooding.

3.4.1.3 In order to create a more pedestrian friendly commercial area, consideration should be given to adding benches, planters, bicycle racks, and similar amenities to commercial sites.

3.4.1.4 Site lighting shall comply with requirements of Article 25 of the Fluvanna County Zoning Ordinance, as amended.

3.4.2 Residential Lots:

3.4.2.1 Driveways shall be paved with at least 2" of VDOT #SM-2A asphalt.

3.4.2.2 Walks shall be constructed at least eight feet (8') away from the house to accommodate landscaping and paved with concrete, brick, precast pavers, or similar slip resistant stable material.

3.5 Landscaping Requirements:

3.5.1 Commercial and Multi-Family Sites: Commercial and multi-family sites shall comply with Article 24 of the Fluvanna County Zoning Ordinance as amended 12-31-08. In the event that the county amends this article, the more stringent of the referenced edition or revised ordinance shall prevail.

3.5.2 Residential Lots:

3.5.2.1 Landscaping shall be installed in accordance with the approved Final Landscapae Plan.

3.5.2.2 A fifteen (15) foot minimum foot strip of lawn is required adjacent to the road. Existing trees of 6" or larger caliper along the road frontage shall be preserved and set off with mulch beds. Additionally, a grass strip shall be maintained through the ditch line .

3.5.2.3 Additional landscaping may be required to address erosion control and other site sensitive areas.

3.5.2.4 Foundation plantings shall be placed in accordance with good landscaping practice along the front of each house.

3.5.2.5 There shall be at least one large shade tree and one ornamental tree in each front yard. This requirement may be waived if, in the opinion of the ARC, there are sufficient existing trees to warrant waiver of this requirement.

3.6 Fourth Category:

3.7 Fifth Category:



TO: JUSTIN SHIMP, P.E.

FROM: BILL WUENSCH, P.E., PTOE

ORGANIZATION: SHIMP ENGINEERING, P.C.

DATE: FEB 22, 2012

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

ASSESSMENT OF INTERSECTION NEEDS FOR ACCESS TO
RIVANNA RESORT DEVELOPMENT

YOUR REFERENCE NUMBER:

MEMORANDUM

 URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY FOR YOUR USE
PURPOSE

A preliminary assessment of traffic impacts and access for the subject site has been performed in order to generally assess the level of traffic and to identify likely intersection geometry for the site access points along Route 15. A formal traffic impact study scoping meeting has not yet occurred with VDOT. The final Chapter 527 traffic study for VDOT will be performed to VDOT specifications. However, at this point in the site planning, the following preliminary analysis will suffice for initial coordination with the County and for site planning needs at this time.

TRAFFIC VOLUMES

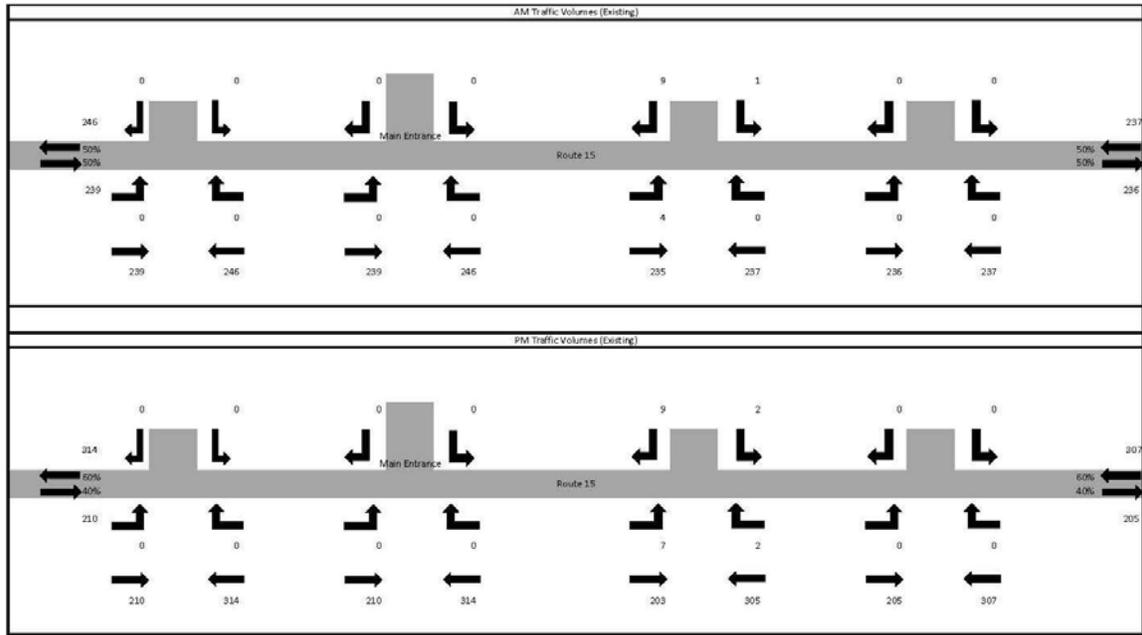
Trip projections were developed based on the currently estimated level of development that is reflected in the current site concept. The following table summarizes the proposed use intensities and resulting estimated trip generation (per the ITE Trip Generation Manual).

Table 1- Trip Generation Table

Use Description	ITE	Qty	Daily	AM		PM	
				in	out	in	out
Apartments	230	1,361	6235	71	346	289	142
General Office	710	54,300	834	101	14	24	116
Shopping	820	96,200	6622	59	38	304	316
		total	13691	231	397	617	574
internal capture				11	52	43	21
Peak Hour Trips After Reductions (driveway trips)				220	345	573	553
Pass-by (25% of Retail)				15	9	76	79
Total New Trips			11100	206	336	497	474
		total peak	11100	542		971	

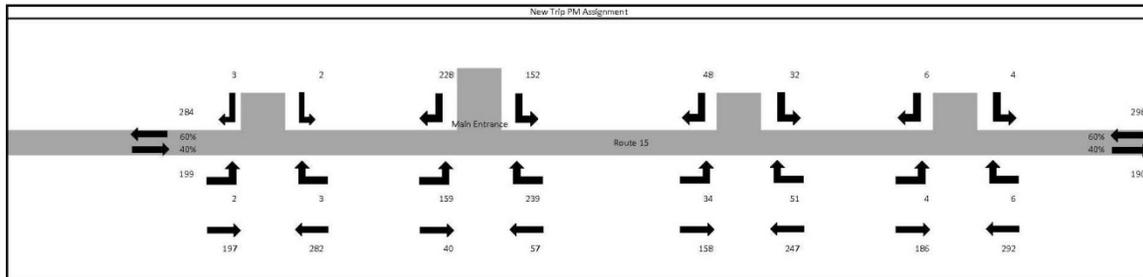
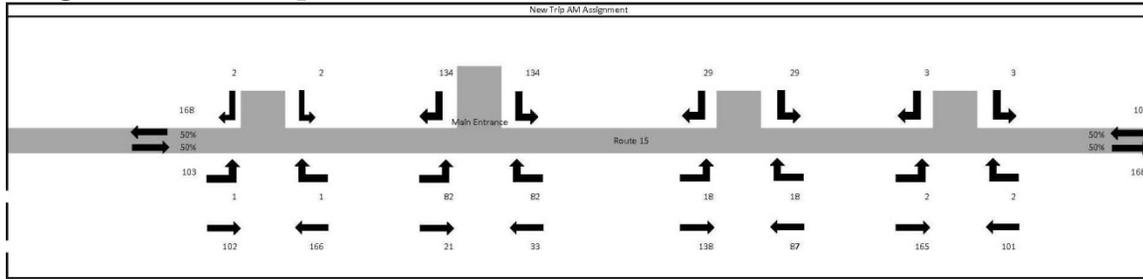
The following diagrams show:

1. The existing traffic as counted in late 2011 along Route 15 at the existing (southerly) Friendship Way intersection with Route 15. The through trips were projected through the network and across what will become the primary site entrance, southerly site entrance, and to the north (right side of graphic), the northerly intersection of Friendship Way at Route 15.



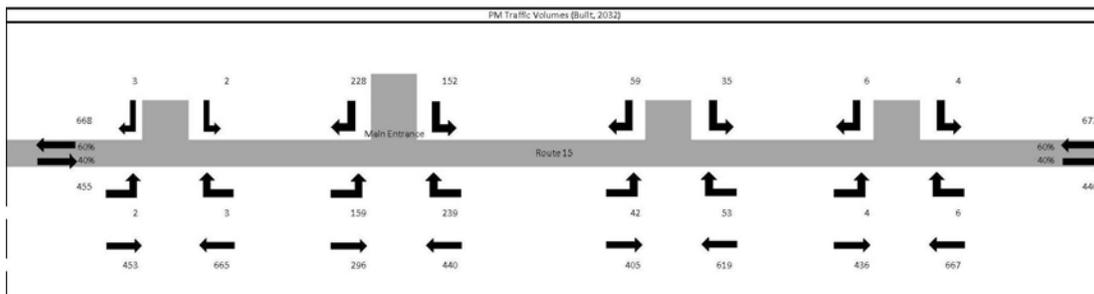
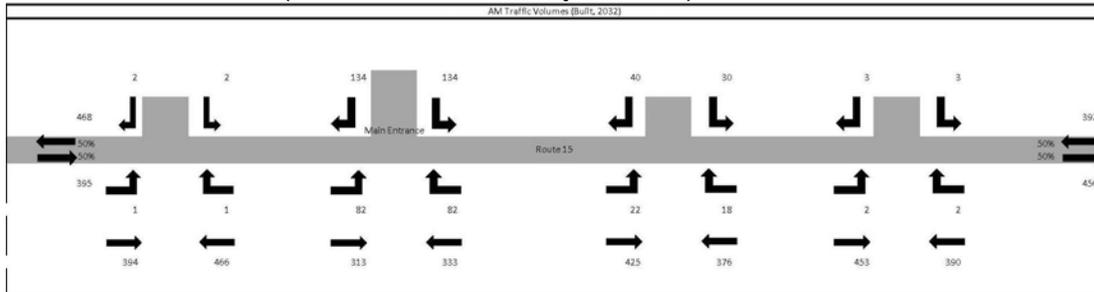
2. The projected site trips per Table 1. The trips were distributed onto Route 15 based on the patterns of the current traffic passing the site. This is to say that if in the afternoon 60% of the traffic on Route 15 is heading southbound, then we'll assume that 60% of the arrivals and departures from the site will occur to/from the south. Furthermore, since a major concern for site access is for the primary site entrance, we assumed that 80% of the site traffic will use this entrance. This conservatively high assumption is useful when performing a "fatal flaw" level analysis of the primary entrance intersection geometry. We then assumed that about 17% of the site traffic might use what is now the southerly Friendship Way intersection, and then the remainder of the site traffic was distributed to the other two intersection that might end up taking some of the site traffic (i.e. southerly site entrance and northerly Friendship Way intersection).

Assignment of new trips on the network.



- The “build condition” year 2032 traffic was estimated by combining the existing volumes with the full site buildout volumes. In addition, the existing background volumes (current traffic volumes) were increased by 1% per year to capture growth in traffic resulting from countywide and regional traffic growth. These build condition year 2032 volumes represent a 20 year planning horizon volume set from which the intersection geometry was tested.

Build 2032 Volumes (Full site buildout in year 2032)



Summary of Intersection Analyses

The volumes as identified above for the build year 2032 were input into both a Synchro model for unsignalized and signalized intersections and also the Sidra model for roundabouts.

Based on this analysis, the following findings were identified.

1. A signal or roundabout will be necessary in the future for the primary site entrance. Turn lanes are warranted for a standard intersection, and when we near buildout conditions the sidestreet delays decrease to LOS F (i.e. it is very difficult to find sufficient gaps for the entering volume). Therefore, signalization will likely be required as the site continues to build out. As an alternative, a single lane roundabout could be constructed which would effectively and safely accommodate turning movements while providing a gateway feature to the village of Palmyra.
2. For the southerly Friendship Way intersection, signalization is not necessary in the future, however it is recommended that right and left turn lanes be provided.
3. For the southerly site access intersection, neither a right turn lane nor a left turn lane is required. However, it is recommended that this entrance, at some point in the future depending on volume growth, be restricted to right in/out only.
4. No turn lanes are needed for the northerly entrance to Friendship Way.

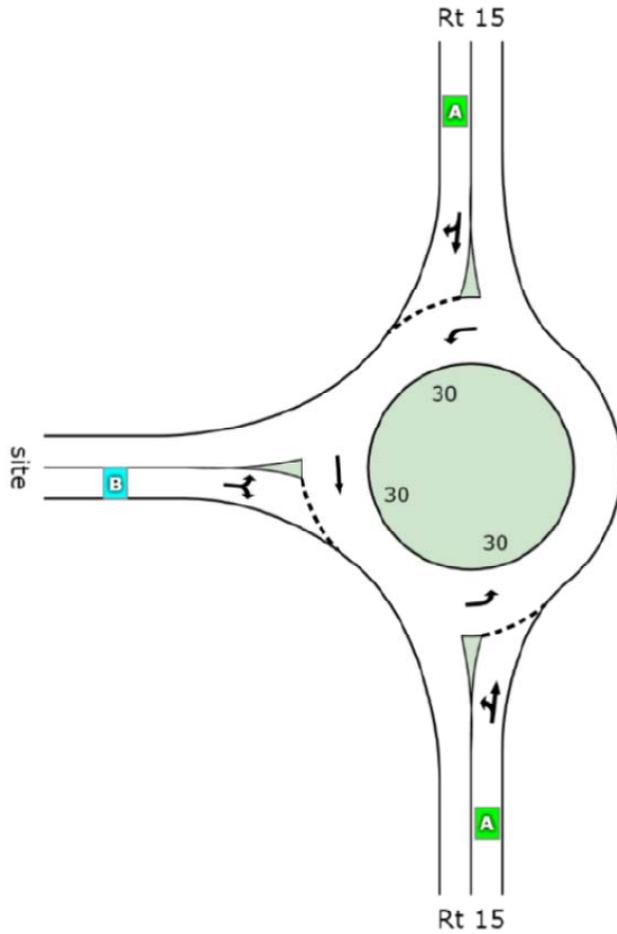
The following graphics illustrate the preliminary recommendations for access to this site.

LEVEL OF SERVICE SUMMARY

Site: Rou 4-way 1i

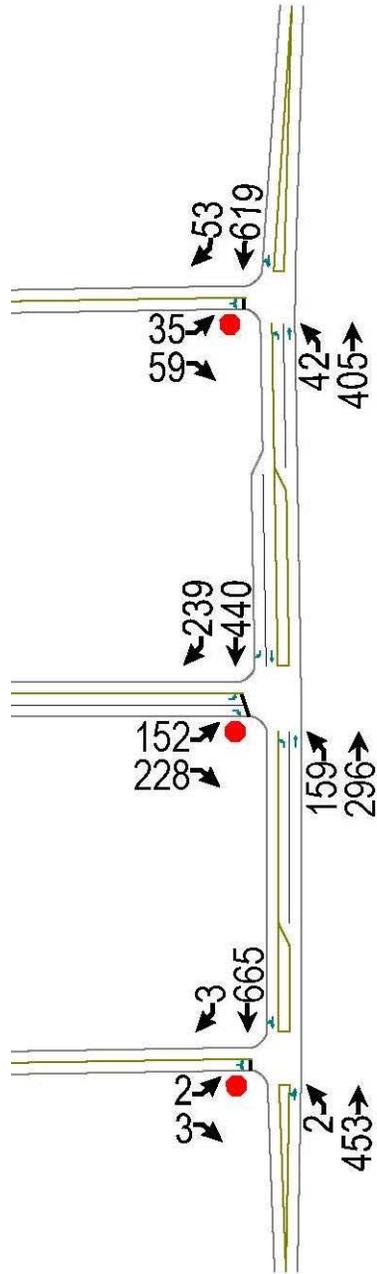
Roundabout with 1 & 2-lane approaches and circulating road
 MUTCD (FHWA 2009) example number: 3C-4
 Roundabout Guide (TRB 2010) example number: A-3

Roundabout



	South	North	West	Intersection
LOS	A	A	B	A

Level of Service (LOS) Method: Delay (HCM 2000).
 Roundabout LOS Method: Same as Signalised Intersections.
 Lane LOS values are based on average delay per lane.
 Intersection and Approach LOS values are based on average delay for all lanes.
 SIDRA Standard Delay Model used.



With the above noted recommendations, the level of service for all approaches will be at or above LOS C in the future year condition.

END OF MEMORANDUM



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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Amendments to the Zoning & Subdivision Ordinance: Tree Protection, Landscaping & Parking (ZTA 12:01 & ZTA 12:02)

Possible Modifications to the Proposed Regulations
Planning Commission Discussion: July 11, 2012 Work Session

Background

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. Based on input received at the work sessions, draft language was developed. Proposed text was reviewed by the Planning Commission at its meeting on May 23, 2012 (ZTA 12:01 and ZTA 12:02). The proposed amendments were forwarded to the Board of Supervisors with a favorable recommendation (4-0; Dr. Babbitt absent). On June 20, 2012, the Board of Supervisors voted to defer the proposed amendments until its meeting on August 1, 2012.

Public Comments

At the Board of Supervisors meeting on June 20, 2012, three (3) people commented on the proposed amendments. Additional written comments were sent to the Planning Commission on June 27, 2012; these letters were from Southern Development, a local real estate development company, and the Free Enterprise Forum, a privately-funded public policy organization (Attachment A & B). The following issues were addressed:

Riparian Protection Areas

- Some felt that the riparian protection areas were too wide, severely restricting the use of some properties.
- One citizen supported the riparian protection areas, but wanted the regulations to be extended to include utility companies and their right-of-ways (e.g. Dominion Power, Central Virginia Electric Cooperative, etc.).
- Some business interests asked that the riparian protection areas on intermittent streams be re-considered, stating that such streams are already regulated by the Army Corps of Engineers and Virginia Department of Environmental Quality (DEQ).
- Some business interests asked that riparian protection areas only be required outside of Community Planning Areas, as designated within the 2009 Comprehensive Plan.

Landscape Preservation Buffers

- Some business interests felt that the landscape preservation buffers were too wide, severely restricting the use of some properties.

- Some business interests felt that landscape preservation buffers should not be required in Community Planning Areas, as designated within the 2009 Comprehensive Plan.
- Some business interests felt that the landscape preservation buffers would block the view of businesses, which rely on visibility to attract customers (Note: The proposed regulations would only apply to reverse-frontage lots along interstate, arterial, and collector roads and scenic byways, not every lot fronting these roads).

Bonding

- One speaker, and some business interests, felt that requiring landscaping maintenance bonds to be posted for a three-year period would create a financial burden for small business owners. They suggested that landscaping maintenance bonds only be required for a maximum of one year, if required at all.

Parking Lot Landscaping

- One developer felt that the landscaping requirements were too restrictive and difficult to understand.

Screening of Dumpsters/Refuse Areas

- One developer suggested that the requirement of masonry walls around dumpsters be removed.

Curb/Gutter and Sidewalk Requirements

- One developer suggested that the requirements for curb and gutter and sidewalks in rural subdivisions be removed (Note: These are existing requirements that are not addressed in ZTA 12:01 or ZTA 12:02; the proposed amendments specifically allow the use of low-impact development techniques for handling stormwater and constructing required infrastructure within new subdivisions).

Per the Planning Commission's request, several organizations involved in local water quality issues, including the Rivanna River Basin Commission and Rivanna Conservation Society, were asked to provide input regarding the proposed amendments. As of July 3, 2012, official comments had not been received.

Possible Changes

Based on the input received, the Planning Commission may consider the following changes to the proposed amendments (ZTA 12:01 and ZTA 12:02). These suggestions address some of the concerns regarding riparian protection areas, landscape preservation buffers, and bonding requirements. Below is a description of the regulations as currently proposed, along with possible changes.

Riparian Protection Areas

Preserving existing vegetation along streams, rivers, and other waterways provides a variety of benefits. These buffers remove excess sediments, nutrients, and other pollutants from stormwater runoff, protecting water quality. Research shows that 100-foot vegetated buffers effectively remove

75 to 85 percent of the sediment suspended in stormwater runoff.¹ Undisturbed riparian buffers also allow for water infiltration; provide wildlife habitat; prevent erosion; and help control flooding. Riparian corridors may provide nearby residents with recreation opportunities.²

Many Virginia localities require buffers along their waterways; as part of the Chesapeake Bay Preservation Act (CBPA), localities in eastern Virginia must require existing vegetation along waterways to be preserved during the development process. Although not required to do so, Albemarle and Culpeper counties have stream buffer ordinances in place. Goochland County requires projects within the Rural Preservation District to preserve streamside vegetation. Louisa County encourages the protection of forested buffers, and, depending on site conditions, requires them along Lake Anna. Loudoun County requires buffers of 150 to 250 feet along waterways that drain 640 acres (one square mile) or more.

Over the past few years, several groups have suggested that Fluvanna County require riparian buffers in connection with new development. In *Reducing Runoff from New Development: Recommendations for Fluvanna County*, the Rivanna Conservation Society (RCS) and others suggested that every major site plan require buffers of 75 feet along perennial and intermittent streams. In *An Evaluation of the Water Quality Benefits Provided by the Codes, Ordinances, and Policies of Fluvanna County, Virginia*, a study from the University of Virginia recommended that the county require a 100-foot setback from perennial streams and a 50-foot setback along intermittent streams for all new development.

Proposed Regulations

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.

The purpose of the proposed regulations is to protect local water quality and environmental health.

Requiring riparian protection areas will help Fluvanna County implement the following strategies outlined within the 2009 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 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*).

¹ See *Riparian Areas: Function and Strategies for Management* by the National Research Council (page 380).

² See *Site Planning for Urban Stream Protection* by Tom Schueler (Center for Watershed Protection) (pages 87 – 127).

As written, the proposed regulations will have the following impacts:

- Protect local water quality, as riparian buffers remove excess sediments, nutrients, and other pollutants from stormwater runoff.
- Limit the impacts of flooding on adjacent and downstream properties.
- Provide wildlife habitat.
- Significantly limit development adjacent to the county's waterways.
- Create additional administrative duties for the Department of Planning & Community Development, since that department will be responsible for enforcing the riparian protection area requirements.
- Reinforce the design standards of rural cluster subdivisions in the A-1 (Agricultural, General) zoning district. Sec. 19-7-2 (Subdivision Design Standards: Rural Cluster Subdivisions) and Sec. 22-4-10.3 (Agricultural, General, District A-1: Rural Cluster Regulations) state that the design for rural cluster subdivisions should protect environmental resources, including riparian corridors, wetlands, and floodplains.

Below are maps showing the impacts of the proposed buffers on developed (Zion Crossroads: Map 1) and undeveloped (intersection of State Route 640 and U.S. Route 15: Map 2) portions of the county. The areas shaded in red are where the riparian protection areas would be applied (Note that the county's GIS did not indicate any intermittent streams in the area; this would need to be verified by field visits).

Map 1: Riparian Protection Areas in a Developed Area (Zion Crossroads: Better Living Drive)



Map 2: Riparian Protection Areas in a Rural Area (Intersection of State Route 640 & U.S. Route 15)



Possible Modifications to the Proposed Regulations

Based on input recently received, the Planning Commission may consider the following changes to the proposed regulations:

- Eliminate the requirements for riparian protection areas OR
- Modify the requirements to apply only to the A-1 (Agricultural, General) zoning district.

Below are the impacts of *eliminating the requirements for riparian protection areas*:

- Permits new development to occur immediately adjacent to local waterways, which may compromise water quality and the health of aquatic ecosystems.
- Creates no additional impacts for developers.
- Does not create additional administrative duties for County Staff.

Below are the impacts for *modifying the requirements to apply only to the A-1 (Agricultural, General) zoning district*:

- Limits development adjacent to the county's waterways in rural areas, but would have no impact on higher-density development within designated growth areas.
- Provides protection for rural waterways, but does not provide additional protection for streams in developed areas which will be most affected by increased impervious cover.
- Protects wildlife habitat in rural areas.

- Creates additional administrative duties for the Department of Planning & Community Development, since that department will be responsible for enforcing the riparian protection area requirements.
- Reinforces the design standards of rural cluster subdivisions in the A-1 (Agricultural, General) zoning district. Sec. 19-7-2 (Subdivision Design Standards: Rural Cluster Subdivisions) and Sec. 22-4-10.3 (Agricultural, General, District A-1: Rural Cluster Regulations) state that the design for rural cluster subdivisions should protect environmental resources, including riparian corridors, wetlands, and floodplains.

Landscape Preservation Buffers

Preserving existing trees along roadways helps create an aesthetically-pleasing streetscape and protect the rural and/or historic character of the surrounding area. These buffers prevent light generated by adjacent uses from shining directly upon passing motorists. In residential areas, these buffers help reduce the impact of automobile traffic (noise, air pollution, etc.) on nearby homes.

Several Virginia localities require existing vegetation to be preserved, or new vegetation installed, along roadways. James City County requires tree preservation areas of varying widths along its roadways; the width may be reduced, with the approval of the Planning Director, if high-quality landscaping and/or architectural features are incorporated into the site design. Spotsylvania County requires that a landscaped buffer be retained or established between single-family residential subdivisions and adjacent interstate highways, primary roads, and secondary roads. The buffer is intended to lessen the impact of vehicle movement upon adjacent residential areas; the width is dependent on the size of the adjacent right-of-way and may be reduced if berms or architecturally-appealing walls are constructed.

Proposed Regulations

Landscape preservation buffers are required on *reverse frontage lots* along all interstate, arterial, and collector roads and scenic byways (as designated by the Virginia Department of Transportation). 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 must be maintained to the greatest extent possible, but no new plantings are required. The proposed regulations would not apply to all lots with frontage on roads with those classifications; it would only apply to newly-created reverse frontage lots, which would have primary access from another roadway.³

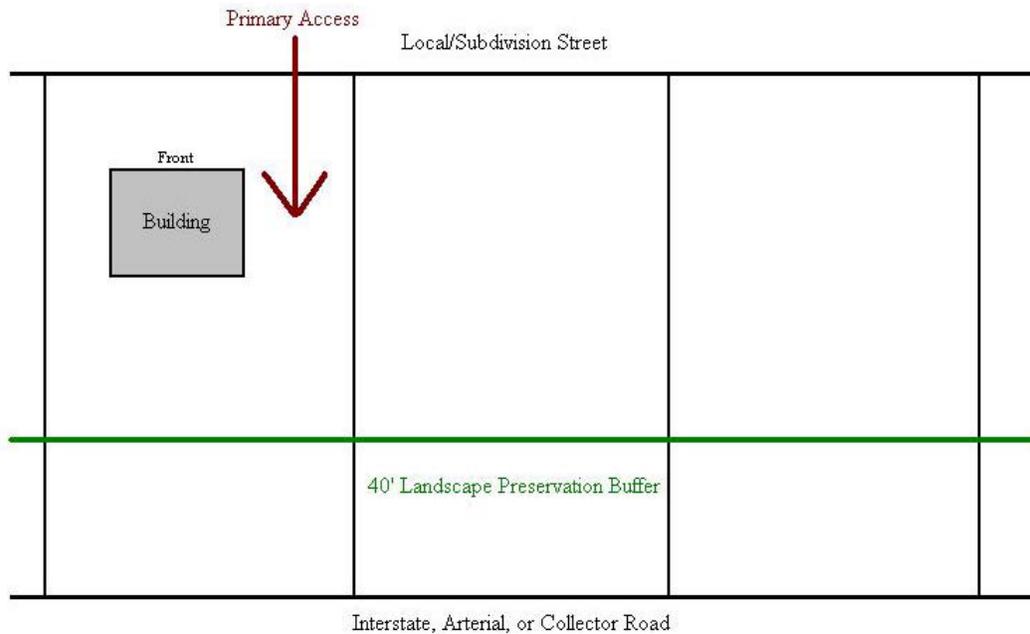
The purpose of the proposed regulations is to protect the rural character of the county's roadways and lessen the impact (noise, air pollution, etc.) of high-speed traffic on lots with reverse frontage, particularly residential properties.

There is an example of an existing business park with reverse frontage lots that have retained a landscape preservation buffer. At Sycamore Square, the Rivahsyde restaurant and adjacent office building are on reverse frontage lots; both lots (Tax Map 18C-1-C2 and 18C-1-C1) have frontage on

³ A reverse frontage lot is defined within the Fluvanna County Zoning Ordinance as "a through lot that is not accessible from one of the parallel or nonintersecting streets upon which it fronts." Lake Monticello has many reverse frontage lots; for example, many homes face, and have access from, Jefferson Drive, but also have frontage on State Route 618 (Lake Monticello Road).

State Route 600 (South Boston Road), a rural major collector, but are accessed from Market Street, a parallel service road. Per the approved site plan (SDP 08:02), there is a thirty-foot wide natural buffer along State Route 600, where the existing vegetation is maintained; this buffer is ten feet (10') less than what would be required under the proposed regulations.

Below is an example of how the proposed regulations would be applied along interstate, arterial, and collector roads:



Requiring landscape preservation buffers, as described within the proposed regulations, will help Fluvanna County implement the following strategies outlined within the 2009 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*).
- 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*).

As written, the proposed regulations will have the following impacts:

- Protect the aesthetic appeal of the county's major transportation corridors and scenic byways.

- Protect occupied buildings on reverse-frontage lots, particularly residential structures, from the noise, air pollution, and other hazards generated by high-speed traffic on major transportation corridors.
- Limit the visibility of commercial and industrial users located on reverse-frontage lots adjacent to collector, arterial, and interstate highways and scenic byways.
- Limit the ability to remove vegetation, place signage, and make similar improvements immediately adjacent to collector, arterial, and interstate highways, as well as scenic byways.⁴
- Limits the design flexibility of developers working on projects along major transportation corridors and scenic byways.
- Reinforce the design standards of rural cluster subdivisions, which are generally located outside of growth areas. Sec. 19-7-2 (Subdivision Design Standards: Rural Cluster Subdivisions) and Sec. 22-4-10.3 (Agricultural, General, District A-1: Rural Cluster Regulations) state that the design for rural cluster subdivisions should protect the rural character of the area.

Possible Modifications to the Proposed Regulations

Based on input recently received, the Planning Commission may consider *allowing the width of the landscape preservation buffer to be reduced, with the approval of the Subdivision Agent*, if high-quality landscaping and/or architectural features are incorporated into the subdivision's design (similar to James City County's regulations). This possible modification would protect the character of local roadways, but provide developers with greater design flexibility.

This possible modification would have the following impacts:

- Protects the aesthetic appeal of the county's major transportation corridors and scenic byways.
- Protect occupied buildings on reverse-frontage lots, particularly residential structures, from the noise, air pollution, and other hazards generated by high-speed traffic on major transportation corridors.
- Limits the ability to remove vegetation, place signage, and make similar improvements immediately adjacent to collector, arterial, and interstate highways, as well as scenic byways.
- Provides greater design flexibility to developers working along major transportation corridors and scenic byways.
- Reduces the impacts on commercial and industrial development, and other types of higher-density projects, within designated growth areas.

⁴ Note that, in most zoning districts, the setback from state-maintained roads is greater than forty feet (40'), the minimum landscape preservation buffer width along arterial, collector, and interstate highways. The minimum setbacks for *state-maintained roads* are as follows: A-1: 125'; R-1: 75'; R-2: 50'; R-4: 25'; B-1: 50' for buildings, 25' for parking lots; B-C: 50' for buildings, 25' for parking lots; I-1: 100' for buildings, 50' for parking lots; and I-2: 200' for buildings.

Bonding

Landscaping bonds, or performance guarantees, ensure that the required landscaping is properly installed and replaced when necessary.

Some Virginia localities require that a landscaping bond be submitted, but others do not. Many localities (Albemarle, Culpeper, Fauquier, Gloucester, James City, Loudoun, and New Kent counties) require a landscape bond to be submitted if the landscaping is not installed before the Certificate of Occupancy is granted; the bond is released once the landscaping is complete. Albemarle County may retain a landscaping maintenance bond for up to one year after the planting date; the maintenance bond, which is equal to one-third (1/3) the value of the landscaping, is released if the zoning administrator determines that the plantings are healthy. Spotsylvania County retains fifty percent (50%) of the landscaping maintenance bond for at least two (2) years after planting.

When interviewed last fall, a local developer stated that several localities he has worked with have required landscape maintenance bonds, and that these requirements have not been overly burdensome. Many landscapers place one-year warranties on their plantings; dying plants can be replaced in that period without cost to the developer.

Proposed Regulations

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. If a developer wants to obtain a certificate of occupancy prior to installing the required landscaping, a performance bond must be submitted that is equal to the costs of completing the required landscaping; the bond will be released once the landscaping is installed.

The purpose of the proposed regulations is to enable the county to better enforce the current requirement that landscaping be maintained in healthy condition for at least three (3) years after installation (Sec. 22-24-3.A.14); the county would be able to use the bond to replace dead vegetation required by the ordinance.

Requiring performance guarantees and landscaping maintenance bonds, as described within the proposed regulations, will help Fluvanna County implement the following strategies outlined within the 2009 Comprehensive Plan:

- 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).

As written, the proposed regulations will have the following impacts:

- Provide the county with an additional mechanism to ensure that required landscaping is properly installed, maintained, and replaced for a three (3) year period following installation.
- Require business owners to dedicate funds towards the landscaping bond for a period of three (3) years, which may create financial hardships.

- Create additional administrative duties for the Department of Planning & Community Development, since that department will be responsible for tracking and releasing landscaping performance and maintenance bonds.

Possible Modifications to the Proposed Regulations

Based on input recently received, the Planning Commission may consider requiring developers to submit a landscaping maintenance bond that will be retained for *one (1) year* following initial planting. The maintenance bond must be equal to one-third (1/3) the value of the required landscaping.

The performance bond requirements would remain the same as those within the proposed regulations. If a developer wants to obtain a certificate of occupancy prior to installing the required landscaping, a performance bond must be submitted equal to the costs of completing the required landscaping; the bond will be released once the landscaping is installed.

This possible modification would have the following impacts, when compared to the proposed regulations:

- Provide the county with an additional mechanism to ensure that required landscaping is properly installed, maintained, and replaced for a one (1) year period.
- Require business owners to dedicate funds towards the landscaping bond for a period of one (1) year, which is less burdensome for business owners and comparable to other Virginia localities.
- Create additional administrative duties for the Department of Planning & Community Development, since that department will be responsible for tracking and releasing landscaping performance and maintenance bonds.

Other Concerns

Other concerns regarding parking lot landscaping; the screening of dumpsters/refuse areas; and curb/gutter and sidewalk requirements were addressed. Most of these issues were thoroughly discussed by the Planning Commission at earlier work sessions, and the proposed regulations reflect these previous discussions. Below is a brief discussion of these concerns and how they are addressed within the proposed regulations.

Parking Lot Landscaping

Most localities require parking lots to have interior landscaping, as well as perimeter plantings that screen the parking area from adjacent uses and roadways. Parking lot landscaping shades the parking area; helps improve air quality; and enhances the community's appearance. When properly designed, landscaped areas within parking lots may be used to help control stormwater runoff.

The proposed regulations regarding parking lot landscaping are similar to the existing regulations. Most of the language has remained the same, but there are slight increases in the area dedicated to landscaping and the number of plants required. As part of the proposed regulations, the following design elements have been modified:

- *Parking Island Size:* The minimum size requirements for parking islands would increase from 9' x 18' (162 square feet) to 200 square feet. This increase is intended to ensure that trees planted

within the island have enough space to grow properly. The minimum width of the island must be ten feet (10'). Overall dimensions are not specified for planting islands, since angled parking is permitted within the proposed regulations; the island's dimensions may vary, based on the orientation of the angled spaces (Note: Only perpendicular parking spaces are permitted within the existing regulations).

- *Parking Island Spacing:* The maximum spacing for parking islands would decrease from one (1) island for every twenty-five (25) spaces in a row (about 225 feet) to one (1) island for every twenty (spaces) in a row (about 180 feet). This decrease in spacing is to ensure there is adequate tree coverage within parking areas.
- *Number of Plantings Required per Parking Island:* The amount of landscaping within parking areas would increase from one (1) tree per island to one (1) tree and four (4) shrubs per island. The placement of bioretention areas within parking islands is specifically permitted.
- *Plantings within Internal Planting Strips:* One (1) large shade tree and six (6) shrubs would be required for every forty feet (40') within internal planting strips. The existing regulations are not as clear: one (1) shade tree is required for every thirty-five feet (35'); ornamental trees must cover thirty percent (30%) of the strip; small evergreen trees must cover forty percent (40%) of the strip; deciduous shrubs must cover ten percent (10%) of the strip; and the remainder must be covered in ground cover or mulch.
- *Parking Lot Screening:* Four (4) different screening options are specified within the proposed regulations. These screening options vary in width and plant density; if structural options are provided, the number of plantings required decreases. These screening options are not intended to block the view of businesses, but decrease the visibility of parking areas from adjacent roadways.

As part of the proposed regulations, the term “parking bay” would also be defined, further clarifying the regulations regarding parking lot landscaping.

These changes to the parking lot landscaping requirements are related to proposed changes to the off-street parking regulations. Proposed changes to Article 26 (Off-Street Parking and Loading Spaces) of the zoning ordinance address several transportation and environmental issues. For example, the use of low-impact development techniques is specifically permitted and encouraged; the minimum parking requirements are further defined and reduced for several uses; and the use of compact car spaces and angled parking is permitted.

The changes to the parking lot landscaping requirements, as described within the proposed regulations, will help Fluvanna County implement the following strategies outlined within the 2009 Comprehensive Plan:

- Review zoning and subdivision regulations to maximize the 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 the environmental impact through the effective utilization of green infrastructure, low-impact development practices, and other innovative and sustainable development practices (Natural Environment: Goal 2, Strategy 1).
- Require vegetated buffer zones between existing agricultural land and new developments to protect the interests of both the active farmer and the future residents (*Community Design*: Goal 1, Strategy 4).
- 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).

Scenario #1: Parking Islands

If a developer would like to install a row of parking with fifty (50) spaces, below is a comparison of the landscaping requirements described within the current and proposed regulations:

Design Element	Current Regulations	Proposed Regulations
Number of Parking Islands Required	3 (1 on each end of the row + 1 in the middle)	4 (1 on each end of the row + 2 in the middle)
Area Dedicating to Parking Islands	486 square feet (3 islands x 162 square feet per island)	800 square feet (4 islands x 200 square feet per islands)
Number of Plantings Required	3 large shade trees (1 large shade tree per island)	4 large shade trees + 16 shrubs (1 large shade tree + 4 shrubs per island)
Area Dedicated to Parking Spaces	8,100 square feet (50 spaces X 162 square feet per space)	8,100 square feet (50 spaces X 162 square feet per space)
% of Total Row Dedicated to Landscaping	6%	9.9%

As written, the proposed regulations will have the following impacts:

- Ensure that new development is compatible with existing development and the rural character of Fluvanna County.
- Create an attractive streetscape along the county’s commercial corridors.
- Reduce the impacts of new development on local air and water quality.
- Provide shade to those living, working, and visiting Fluvanna Coutny.
- Provide habitat for native wildlife.
- May result in a slight increase in the area dedicated to landscaping and the number of plantings required, when compared to the existing regulations (see Scenario 1).

Screening of Dumpsters/Refuse Areas

The proposed regulations would require dumpsters and other refuse areas visible from public roads and parking areas within commercial, industrial, and multi-family residential developments to be screened with a masonry wall constructed using architectural block, brick, stone, or a similar material compatible with the architecture of the principal structure. A masonry wall lasts longer than a wooden fence; requires little maintenance; better prevents trash from leaving the site; and may limit the spread of fire. The Planning Commission discussed the impacts of these requirements in-depth, including the higher costs associated with constructing masonry walls.

The changes to the screening requirements related to dumpsters/refuse areas, as described within the proposed regulations, will help Fluvanna County implement the following strategies outlined within the 2009 Comprehensive Plan:

- Review zoning and subdivision regulations to maximize the 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).
- Maintain and enhance primary gateways to ensure a positive identity (*Community Design*: Goal 1, Strategy 10).

As written, the proposed regulations would have the following impacts:

- Ensure that the screening around dumpsters is adequately constructed using low-maintenance, sturdy materials that, for the life of the project, will prevent trash from leaving the site; block refuse areas from public view; and remain functional and attractive.
- Create additional upfront costs for developers, since masonry walls are significantly more expensive than wood fencing or evergreen shrubs.

Curb/Gutter and Sidewalk Requirements

The current storm drainage (curb/gutter) and sidewalk requirements described within the subdivision ordinance are largely unchanged from the existing regulations.⁵ The proposed regulations specifically allow and encourage the use of low-impact development (LID) techniques when constructing infrastructure improvements. Based on a recommendation from the Rivanna Conservation Society (RCS), the use of perforated curbs and landscaped islands within cul-de-sacs are permitted. Sidewalks may be paved using hard-surfaced pervious paving materials as a method of stormwater management.

The Planning Commission did not discuss further changes to the storm drainage or sidewalk requirements. The sidewalk requirements were recently adopted (May 2011).

The changes to the curb/gutter and sidewalk requirements allowing the use of low-impact development (LID) techniques, as described within the proposed regulations, will help Fluvanna County implement the following strategies outline within the 2009 Comprehensive Plan:

⁵ Per Sec. 19-8-4, curb and gutter are required on both sides of a street serving 200 or more lots, or one side of a street serving 50 or more lots. Per Sec. 19-8-8, sidewalks are required on both sides of the street within major subdivisions in the R-1, R-2, R-3, and R-4 zoning districts.

- Review zoning and subdivision regulations to maximize the 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).
- Promote development projects that minimize the environmental impact through the effective utilization of green infrastructure, low-impact development practices, and other innovative and sustainable development practices (*Natural Environment*: Goal 2, Strategy 1).

When compared to the existing regulations, the proposed regulations will have the following impacts:

- Provide developers with greater flexibility when designing required infrastructure.
- Encourage developers to utilize low-impact development (LID) techniques, which protect local water quality.
- Keep the existing regulations regarding curb and gutter and sidewalks as-is.

Next Steps

The Planning Commission may consider making changes to the proposed amendments, based on the comments received at the Board of Supervisors meeting. Any changes may be discussed by the Planning Commission at its work session on July 11. The Board of Supervisors will reconsider the amendments, including any changes made by the Planning Commission, at its meeting on August 1; any changes must be complete and submitted to the Board of Supervisors by July 25. If substantial changes are made, the Planning Commission will have to hold another public hearing on the issue.

Attachments

A: Letter from Southern Development (June 27, 2012)

B: Letter from the Free Enterprise Forum (June 27, 2012)

C: Proposed Amendments to the Zoning Ordinance (ZTA 12:01)

D: Proposed Amendments to the Subdivision Ordinance (ZTA 12:02)

June 26, 2012

Andrew Pompei
Planner, Fluvanna County
P.O. Box 540
Palmyra, Virginia 22963

Re: ZTA 2012:01 and ZTA 2012:02

Dear Mr. Pompei:

I write to thank you for the steps you and Fluvanna are undertaking to improve the Zoning and Subdivision Ordinances to achieve the vision the County has set forth in the Comprehensive Plan. The proposed Zoning Text Amendments have many proposed changes that will be beneficial to the County for years to come.

I do, however, have concern that some of the proposed changes will have unintended consequences that seriously impact Fluvanna's potential for economic development in the future. The topic of economic development and the critical nature of Fluvanna's need to attract tax revenue from businesses has been a pervasive topic of discussion at every Board of Supervisors meeting for the past couple of years. The importance of removing tax burden from the backs of Fluvanna residents probably trumps almost any other issue at the moment. Accordingly, I imagine we all agree that we need to be sure that any zoning changes will not negatively impact Fluvanna's opportunity for increased economic vitality.

Specifically, I and many other business owners who do business in on the Fluvanna side of Zion Crossroads have concerns that the following items will have negative unintended consequences, and respectfully ask that the ordinance be revised to reflect the below:

- 1) Delete requirements for buffers on intermittent streams: In our area, intermittent streams are channels that only have water during wet weather. They do not regularly flow. The Army Corps of Engineers and Virginia Department of Environmental Quality already regulate intermittent streams, allowing no more than 300' of disturbance without significant mitigation. We ask that you delete any proposed regulation of intermittent streams.
- 2) Delete stream buffers requirements in the Community Planning Areas: To achieve the village style development envisioned for the Community Planning Areas, development must be able to proceed in an orderly way. If, for example, a piece of real estate on Rte 250 is ideally suited for economic development except

that it has a small stream through the middle of it, I would argue that in many cases the orderly development of that parcel and the economic benefit it would bring to the County are more important than a buffer on that particular stream, as long as storm water management best practices are followed on the site. Please delete the requirement for stream buffers in the CPAs.

- 3) Revise or delete the requirement extended bonding of landscaping: A small business trying to get off the ground needs to reinvest every available dollar back into the business. Having to give the County a 3-year bond for landscaping that has already been installed and paid for by the business is a serious drain on cash flow that is likely to discourage businesses from locating in Fluvanna. For those businesses who do locate in Fluvanna, this bonding requirement would put them at a disadvantage because they will have cash tied up in long term bonds that they could otherwise use to grow their business. Please consider eliminating this requirement.
- 4) Revise the parking island requirements: The wording of the requirements for landscaped parking islands is confusing. If I am interpreting it correctly, landscaping would in every case occupy at least 25%, and in many cases as much as 50% of the parking lot area. While I agree that landscaping beautifies a parking lot, there needs to be a better balance. For many commercial businesses, the number of parking spaces available is the limiting factor for the number of employees they can have or the square footage of the building they can locate on the site. If 50% of the parking area is required to be landscaping, the business needs twice as much land for the same size building. If they have to buy twice as much land in order to bring their business to Fluvanna, they are going to locate elsewhere. Please reduce the landscaping requirement.
- 5) Delete the requirement for screening and wooded buffers in Community Planning Areas: To succeed, many, if not most, businesses need to be seen. This was well articulated by one Board member at the meeting last week. A wooded buffer is contrary to the needs of nearly all retailers, and I can assure you that Fluvanna will be at a distinct disadvantage when trying to attract large retail employers if their store is required to be hidden from the road behind 100' of woods. Please delete the requirements to screen businesses from public roadways, and the requirement to screen parking areas from adjacent like-zoned properties (both ZTAs).
- 6) Delete the requirement to build masonry walls around dumpsters: Though ornamental brick and stone walls are beautiful, they're very expensive. Other materials (such as wood fences or mature shrubbery) can screen dumpsters quite well, and in industrial areas screening may not be necessary at all if dumpsters can be shielded from public roadways behind buildings or topography. Please modify this requirement.

- 7) Remove Curb, Gutter and Sidewalk requirements for all areas other than Community Planning Areas: Curb, gutter, & sidewalk seem unnecessary in rural areas, and are potentially inconsistent with “rural character” in many cases. VDOT already regulates these items very specifically. I suggest removing these requirements and letting the VDOT standards govern.

Generally, most of the ordinance changes are appropriate for Rural Preservation area. There are also some very thoughtful changes proposed that will modernize outdated ordinance provisions. The majority of the concern with the proposed ordinance lies with how it will negatively the success of the Community Planning areas—success that is absolutely critical to Fluvanna’s future economic development potential.

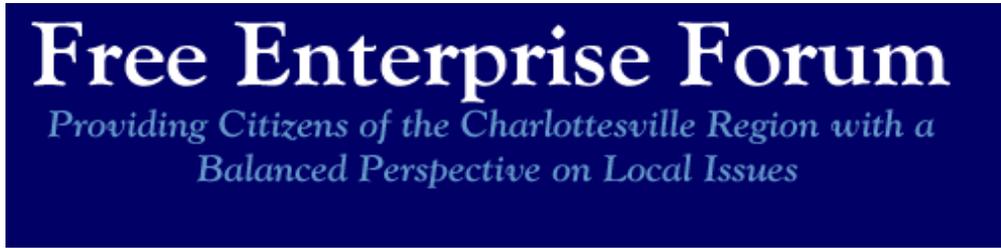
Thank you for your consideration of these comments, and thank you for the tremendous effort put into the proposed ordinance changes. I hope you find these comments constructive and see the benefit they will bring to the County.

Sincerely,



Charlie Armstrong

cc: Board of Supervisors
Planning Commission
Steven Nichols
Bobby Popowicz
Allyson Finchum



27 June 2012

Fluvanna County Planning Commission
P.O. Box 540
Palmyra, Virginia 22963

VIA ELECTRONIC TRANSMISSION

Dear Planning Commissioners,

Thank you for taking the time to reconsider the impact the proposed regulations will have on the economic viability of land in the Community Development area.

Stream Buffers – The stream buffers, as proposed, work exceedingly well in the rural preservation area but the Free Enterprise Forum believes there is a better solution for the lands you have designated for economic development.

The Virginia Department of Environmental Quality and the Army Corps of Engineers have regulatory jurisdiction over the streams today. As these two science based organizations regularly review their regulatory guidelines to keep up with emerging science, the Free Enterprise Forum believes the regulation of stream buffers in the community development areas remain with the DEQ and the Army Corps. This seems to be a better balance of the desired outcomes of environmental protection and economic development.

Wooded Landscape Buffers – Visibility and proper signage is a critical aspect of any business location. While we understand the desire to keep rural scenic byways as such, we also see the need for a more balanced approach to permitting signage on parcel frontage. The intensity of the signage can be regulated but a strict prohibition, in the community development area, should be removed.

Landscape Bond - As Charlie Armstrong commented to the Board of Supervisors, a three year landscape bond is excessive. Most plants come with a 1 year guarantee and are sufficiently established (or not) after 12 months. We encourage the Planning Commission to endorse a 12 month landscape bond tied to the installation date of the landscaping.

If these changes are made, the Free Enterprise Forum believes the ordinance will protect both the environment and the economic development potential in Fluvanna County.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Neil Williamson", is written over a light blue horizontal line.

Neil Williamson, President

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.

BICYLCE 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, 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

recording. 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 seq. 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 it's 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 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.~~

B. *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.*

C. *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*

D. *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 1 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, including, but not limited to, porous asphalt, porous concrete, or block pavers; 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 ordinance.*
- 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 1 2. OFF STREET PARKING REQUIREMENTS

USE	PARKING REQUIREMENTS
COMMERCIAL	
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 200 250 square feet within retail sales area up to 15,000 gross square feet; 1 per 400 square feet thereafter Plus one per 700 1,000 gross square feet located in open storage/growing areas
Laundry	1 per 50 square feet open to the public 2 washing machines
<i>Restaurant</i>	1 per 100 gross square feet, minimum of 10
Retail Stores, Convenience Stores, Gas Stations	1 per 200 250 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
EATING ESTABLISHMENT	2 per 100 gross square feet, minimum of 15
LODGING	
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.

RECREATION	
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
RESIDENTIAL	
Dwellings, single family, two family, mobile homes	2 per unit
Dwellings, multi-family <i>Dwellings, multi-family, efficiency/studio</i>	2.25 per unit <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>
Dwellings, multi-family, elderly <i>Assisted Living Facility, Nursing Home</i>	1.25 per unit plus 1 per employee on the major shift <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>
OFFICE	
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)	1 space per 200 for first 10,000 sq. ft., 1 space per 250 sq. ft. thereafter
Office (Gross floor area 50,000 or greater)	1 space per 200 for first 10,000 sq. ft., 1 space per 300 sq. ft. thereafter
INDUSTRIAL AND COMMERCIAL	
	1 per two employees plus 1 per 200 square feet open to the public
<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>
INSTITUTIONAL	
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
UNSPECIFIED	Sufficient parking for average number of employees and visitors

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

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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

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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:

Number of Lots	Right-of-Way Width	Minimum Width of Travelway	Surface Treatment	Minimum Ditchline	Maximum Grade
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 code¹, 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.*

¹ *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 $\frac{1}{2}$ acre or more shall be located within $\frac{1}{2}$ 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 within 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.*