

## **CHAPTER EIGHT**

### **IMPLEMENTATION**

The principles and concepts presented in the Rappahannock County Comprehensive Plan have little value unless a strong, well-organized implementation program is developed and set into action. Such a program should ensure that positive plan results are ultimately realized.

Probably the most critical element necessary for implementation of the Plan is leadership. The Rappahannock County Planning Commission, Board of Zoning Appeals, and Board of Supervisors must provide this. Such leadership should ensure that active public participation is encouraged and that the Plan is clearly understood by the County's public and private sector. The Plan should be the center of considerable attention and discussion from which a positive direction can be established.

Further, there are several key methods or "tools" available to the County for implementing the Comprehensive Plan. While these methods are of somewhat limited potential when used singly, they offer considerable promise when used concurrently. Thus, for the Plan to have a working relationship toward the County's future direction, the following methods should receive strong consideration.

#### **Zoning**

Zoning is the legal method authorized by the Code of Virginia Section 15.2-2200 that divides an area into various districts and regulates the use, size, shape, and bulk of development on the land. Zoning is an important tool because it is used to control land uses within areas by allowing certain activities and building while phasing out non-conforming uses. Thus, the future land use pattern that the Plan established can be striven for by this method.

The Board of Supervisors adopted the current Rappahannock County Zoning Ordinance in December 1986. This Ordinance shall be revised to reflect current development trends in the County while maintaining a well-coordinated relationship to the Future Land Use Plan.

#### **Subdivision**

The Subdivision Ordinance regulates the division of land into buildable lots. Such regulations assure that new developments are properly designed and constructed with regard to streets, lots, utilities and drainage systems. The Ordinance provides the quality control of subdivided land, thus serving to protect the public from inferior development.

Because the Subdivision Ordinance provides for orderly growth and development, it is a valuable complement to the Comprehensive Plan. It can be used to ensure that the accessibility, arrangement, public use construction, and physical characteristics of new subdivisions are in agreement with the principles of the Comprehensive Plan.

## **Land Use Assessment**

Title 58, Section 3230, et. seq., of the Code of Virginia authorized localities to adopt a taxing system on agricultural, forestry, horticultural, and open space and recreation land based upon their use value rather than full market value. This law also includes a rollback tax payment when land is changed to other purposes. Such a system of taxation is used by the County to protect the agricultural sector from rising taxes created from development pressures.

## **Agricultural and Forestal Districts**

The creation of agricultural and forestal districts is authorized by the Code of Virginia Title 15.2, Section 4400, et. seq. Such districts are established to protect agricultural and forestal lands from the encroachment of development.

An Agricultural and Forestal District is initiated by eligible landowners and must include a minimum of 200 acres. Such a proposed district is first reviewed by an Advisory Committee appointed by the Board of Supervisors and must ultimately be approved by the County Board of Supervisors. The general affect which designation as an Agricultural and Forestal District has on the land includes:

- That use-value taxation is available to qualifying land lying within such a district;
- That powers of local government over the area are restrained;
- That State agency policies are affected;
- That Government and public service corporation acquisition of land and interests in land becomes subject to limitation;
- That expenditures of public funds for non-farm related purposes are subject to restraints;
- That special assessment and tax levies are restricted.

Creation of agricultural and forestal districts in accordance with the Comprehensive Plan can enhance the County' s agricultural base and serve to promote new development in preferred locations.

## **Open Space Easements**

Open space easements are mechanisms for protecting the vital natural resources of the County while not obtaining fee simple interest in real property. By deeding an open space easement, a property owner limits his heirs' use of the property by agreeing to limit whatever development may be possible in perpetuity. For parcels of 200 acres or larger, conservation easements should achieve a density

of not less than 100-acre parcels. An approved public body takes possession of that easement, and assumes responsibility for protecting it in perpetuity. Under the provisions of the Open Space Land Act, Section 10.1-1700 et. seq., Code of Virginia, 1950 (as amended), public bodies are authorized to acquire or designate property for use as open space land.

The Virginia Outdoors Foundation is the principal public body that accepts open space easements, and currently holds easements on over 16,000 acres of land in Rappahannock County.

Open space easements help to preserve valuable agricultural, horticultural and scenic land in the County, and should be actively encouraged. The acceptance of open space easements is also an integral part of ensuring the perpetual maintenance of open space created by cluster development, which is encouraged under the County' s Zoning and Subdivision Ordinances.

### **Continuing Planning**

The Rappahannock County Comprehensive Plan presents the County with a reference for making various land use decisions. However, the Plan should not be considered as a rigid framework for planning but rather should be amended and changed as circumstances in the County dictate. Thus, the Plan should be continuously reviewed with amendments made, when necessary, to maintain conformity with the stated goals and objectives and related public facility planning.

## APPENDIX A

# COMMERCIAL AREA PLAN

## Introduction

### Background

To achieve the goals, policies, and standards outlined by the Rappahannock County Comprehensive Plan of 1989, the Rappahannock County Board of Supervisors authorized a study to examine the establishment within the County of a designated commercial area overlay zoning district at a site comprised of parcels with full or partial commercial zoning. The physical character of this overlay zoning district was to be determined in part by regulatory means as amendments to the present commercial district provisions of the Rappahannock County Zoning Ordinance, and partially through the application of design guidelines for reviewing site development and new construction proposals within the designated area. Rappahannock County retained Land and Community Associates (LCA) in March 1990 to complete this project, the Rappahannock Commercial Area Plan.

The following goals, principles, and policies outlined in Chapter 6 of the Rappahannock County Comprehensive Plan, 1989, were considered in the preparation of the Rappahannock Commercial Area Plan:

### Goals

- To preserve and enhance the rural and open space character of unincorporated areas;
- To protect both the natural and the developed environment and thus ensure the quality of life of our citizens;
- To encourage and maintain a viable rural and agricultural economy compatible with the County' s size and character; and
- To provide for the economical delivery of necessary public services consistent with these goals.

### Principles

- Protection of natural resources, including soil, water, air, scenery and fragile ecosystems;
- Preserve and protect the historic character and features of the County;
- Allowance for economic growth that is compatible with the environmental quality and rural character and does not adversely affect

- active farm operations, forestry operations, residential neighborhoods, the tourist industry, and the County' s fiscal stability;
- Protect the County' s fiscal capabilities;
- Encourage citizen involvement in the planning process; and
- Promote the philosophy that land is a finite resource and not a commodity; that all citizens are stewards of the land; and that the use, quality, and area of the land are of prime importance to each present and future citizen.

## **Purpose**

The Rappahannock Commercial Area Plan was prepared to encourage better design and enhance the visual experience within the designated commercial area, and to protect the County' s valuable cultural and natural resources. Increasing awareness among the development community, citizens, and County officials of such characteristics as site organization, building height, massing and scale, construction materials, and the pedestrian environment, can result in the enhancement of the architecture and site development of the County' s commercial areas.

The intent of the Rappahannock Commercial Area Plan is not to restrict innovation, imagination or variety, but rather to promote design principles that provide a better sense of transition from and balance with the intrinsic characteristics of non-commercial areas. The purpose of this document is to provide a framework for Commercial Area Overlay Zoning District and to make developers and property owners within the designated Rappahannock Commercial Area familiar with the planning and design issues that affect the resources, quality of life and appearance of the designated Rappahannock Commercial Area and environs.

## **Study Area and Scope**

The designated Rappahannock Commercial Area is a site consisting of mostly open and gently sloping land located 1.5 miles west of Washington, and 2.5 miles east of Sperryville. The site includes areas north and south of U.S. Route 211/522. The old Toll House and Ginger Hill border the site to the east, Little Jenkins Mountain to the north, and State Route 622 (Shade Road) and Rappahannock County High School to the west. The specific limits of the study area were established by the County and follow current tax map parcel property lines and public rights-of-way.

**Map No. 13: Commercial Area Plan** shows the designated Rappahannock Commercial Area Plan.

## **Other Relevant Documents**

Additional information relating to development can be found in other documents adopted by Rappahannock County. These documents are available from the County Administrator' s office:

- Rappahannock County Code, Chapter 170 “Zoning”
- Real Estate Atlas of Rappahannock County, Virginia

There may be additional documents and regulations that apply to individual sites or buildings. The County Administrator’s office can assist in the identification of these items.

## **Inventory And Analysis**

### **Land Use and Existing Conditions**

Prior to the development of recommended zoning amendments and design guidelines since incorporated into the Zoning Chapter of the Rappahannock County Code, Land & Community Associates (LCA) prepared an inventory and analysis for every parcel within the study area; rather, it identified and documented key existing conditions of both the natural and built environments.

Using available materials provided by Rappahannock County and state agencies, LCA amended the Existing Conditions Map to include the planned road improvements by the Virginia Department of Transportation for the construction of two additional lanes of U. S. Route 211/522 since completed. The U.S.G.S. 7-1/2 Minute Series Map, Washington, Virginia, was used to verify site conditions including stream locations, topography and wooded areas. The presence or absence of 100-year floodplain conditions were verified using FEMA Flood Insurance Mapping.

There has been one significant rezoning in the General Commercial Overlay District created, that of the Rappahannock National Bank. Approved in 2002, the development of the Bank’ s new facility on approximately 1.5 acres is the first of up to five discreet development sites on a total of approximately 20 acres. Proffers approved by the County included full compliance with the design standards of the General Commercial Overlay zone.

### **Opportunities and Constraints**

LCA investigated existing and potential opportunities and constraints that may influence planning and design. LCA used U. S. Department of Agriculture Soil Conservation Service mapping to analyze and document areas where soil characteristics presented potential limitations to construction and/or septic suitability. Steep slopes, identified in the Zoning Ordinance as greater than 25%, were mapped. Significant stream corridors, woodlands, and other natural features and systems were identified. In addition to a physical analysis, LCA considered important views and vistas to and from the site, cultural and historic resources including structures and landscapes, existing and planned facilities and roads, and character-defining features and elements of the site and the region. The maps produced during this phase included the Soil Characteristics/Depth to Bedrock Map, and the Slopes Map. The opportunities and constraints analysis provided the structure and framework to apply alternative commercial development patterns.

## **The County Comprehensive Plan and Existing Zoning**

The study area represents land presently experiencing a mixture of commercial, public facility, and residential development. The County's comprehensive plan has identified the study area as a focal point for future economic and public facility development for over twenty years. Rappahannock County, in anticipation of future short-term and long-term commercial development pressures, sought viable planning tools and design guidance to manage and reduce potential visual and environmental impacts to the County's rural and scenic character. Traditionally, Rappahannock County has relied upon agriculture and tourism for its livelihood. The County is committed to preserving both its scenic resources and quality of life, but also wishes to accommodate sensible and responsible growth within appropriate locations. The focus of the study was the balancing of these goals.

Presently, only a narrow linear band of parcels or portions of parcels fronting Route 211/522 are zoned General Commercial. Consequently, existing zoning patterns may, in fact, prescribe exactly the type of development that the County seeks to avoid. LCA prepared an existing zoning map showing the zoning classification for all parcels within the study area and the parcel number and acreage as indicated in the Real Estate Atlas of Rappahannock County, Virginia.

## **Commercial Development Patterns**

In an effort to apply the appropriate commercial development pattern to the site, LCA evaluated typical commercial development patterns found within the region as well as other parts of the country. A variety of development patterns was considered and tested against the goals and principles of the Comprehensive Plan and the opportunities and constraints of the site.

## **Zoning**

LCA, in consultation with the Commercial Area Steering Committee and the County Administrator, determined that the physical development goals of the Comprehensive Plan could be achieved best in the study area by the establishment of a Commercial Area Overlay District zoning provision. The regulations of the Overlay District would become applicable only with the approved rezoning of existing non-commercial parcels or at the time of commercial site plan amendments. The Overlay District regulations supplement or supersede the specific underlying commercial zoning regulations.

LCA produced a Proposed Zoning map to illustrate the location and dimensions of setbacks and associated landscape development of buffer zones; resource protection areas, including steep slopes and stream corridors; and proposed road and pedestrian systems. The setbacks and landscape development/buffer zones are located primarily along the Commercial Area edges and existing and planned roadways are areas that require vegetative screening and street tree planting. The resource protection areas include setback and preservation areas along two tributary streams that flow into the Rush River and are mapped on

the U.S.G.S. quad map and south facing wooded steep slopes on Little Jenkins Mountain. The planned pedestrian and road systems are intended to provide safe and convenient access to as many existing parcels as possible as well as a minimum of disruption to the environment and burden upon individual parcels. In addition, LCA prepared Proposed Typical Sections illustrating existing and proposed setbacks, screening, plantings, signage, and building heights to augment the Proposed Zoning map.

### **Conceptual Development Plan and Design Guidelines**

Using the previously prepared site inventory and analysis and Proposed Zoning map, LCA, in consultation with the County Administrator and the Commercial Area Steering Committee, prepared Conceptual Development Plan and associated Design Guidelines. The Conceptual Development Plan is an indication of potential development scenarios combined with the application of the recommended Overlay District regulations and proposed design guidelines. The Conceptual Development Plan is only a guide for future development but is not a rezoning or regulatory document.

Existing commercial developments, existing zoning, and land ownership patterns were considered in making recommendations for the future assemblage of some parcels. Proposed conceptual roads and pedestrian systems and parcel entrances allow for convenient access and reduce unsafe and visually disruptive roadway conditions. Development zones are indicated as Land Bays and include undevelopable or buildable areas. Steep slopes and stream corridors are to be set-aside as conservation areas. The term "Land Bays" is not a term of art, but a convenient description of one or more parcels of land that comprise a discretely developable assemblage of land. The intensity or amount of building and paved areas associated with future commercial development within land bays would be tied directly to sewage treatment alternatives.

On-site potable water systems and stormwater management systems may require additional available buildable area within land bays. In addition, proposed street and vegetative screening patterns are indicated. Recommendations for proposed road and access improvements at the Rappahannock Elementary School have been made to accommodate the proposed realignment of Schoolhouse Road (Rt. 636).

The Conceptual Development Plan and Design Guidelines were incorporated into the Rappahannock County Zoning Chapter 170-45.1 General Commercial Overlay District (GCO) [added 3-7-1994].

### **Low-Impact Development**

#### **Summary**

The primary goal of Low Impact Development (LID) methods is to mimic the predevelopment site hydrology by using site design techniques that store, infiltrate, evaporate, and detain runoff. Use of these techniques helps to reduce off-site runoff

and ensure adequate groundwater recharge.

There is a wide array of impact reduction and site design techniques that allow the site planner/engineer to create stormwater control mechanisms that function in a manner similar to that of natural control mechanisms. If LID techniques can be used for a particular site, the net result will be to more closely mimic the watershed's natural hydrologic functions or the water balance between runoff, infiltration, storage, groundwater recharge, and evapotranspiration.

With the LID approach, receiving waters may experience fewer negative impacts in the volume, frequency, and quality of runoff, so as to maintain base flows and more closely approximate predevelopment runoff conditions.

### **Main Goals And Principles of LID**

- Provide an improved technology for environmental protection of receiving waters.
- Develop the full potential of environmentally sensitive site planning and design.
- Reduce construction and maintenance costs of the stormwater infrastructure.
- Introduce new concepts, technologies, and objectives for stormwater management such as micromanagement and multifunctional landscape features (bioretention areas, "rain gardens", swales, and conservation areas).
- Mimic or replicate hydrologic function.
- Maintain the ecological/biological integrity of receiving streams.
- Encourage flexibility in regulations that allows innovative engineering and site development

LID is a comprehensive technology-based approach to managing stormwater. Stormwater is managed in small, cost-effective landscape features located on each lot rather than being conveyed and managed in large, costly pond facilities located at the bottom of drainage areas. The source control concept is quite different from conventional treatment (pipe and pond stormwater management site design). Hydrologic functions such as infiltration, frequency and volume of discharges, and groundwater recharge can be maintained with the use of reduced impervious surfaces, functional grading, open channel sections, disconnection of hydrologic flow paths, and the use of bioretention/filtration landscape areas.

LID also incorporates multifunctional site design elements into the stormwater management plan. Such alternative stormwater management practices as on-lot microstorage, functional landscaping, open drainage swales, reduced imperviousness, flatter grades, increased runoff travel time, and depression storage can be integrated into a multifunctional site design.