



Land Use

Goals, Strategies and Actions

Goals:

1. Achieve a pattern of land use and development that reinforces and improves the quality of life for citizens and assists in achieving the goals of the Comprehensive Plan in **Youth Population Needs**, Economic Development, Environment, Housing, Public Facilities, Transportation, Parks and Recreation, and Community Character.
2. ~~Direct growth into designated growth areas in an efficient and low impact manner. Combined with Strategies 1.4.~~
3. ~~Enhance and preserve farm and forestal lands and the predominantly wooded, natural, and small town character of the County.~~
Became Strategy 1.7

Strategies and Actions:

- 1.1 **Promote the use of land in a manner harmonious with other land uses and the environment.**
 - 1.1.1 *Craft regulations and policies in a manner that* ensures that development is compatible in scale, size, and location to surrounding existing and planned development. Protect uses of different intensities through buffers, access control, and other methods.
 - 1.1.2 ~~Ensure that land use development and activities protect water quality in all drinking water reservoirs.~~
 - 1.1.3 *Consider the following during updates to the Zoning Ordinance:*
 - a) Amending the Zoning Ordinance to ensure that allowed densities within residential zoning districts are consistent with densities recommended by the Comprehensive Plan.
 - b) *Amending the Zoning Ordinance to ensure that allowed intensities within commercial zoning districts are consistent with intensities recommended by the Comprehensive Plan.*
 - c) *Amending the Zoning Ordinance to clarify that density for a Continuing Care Retirement Community should be calculated based on the independent living units, with the assisted living rooms and/or skilled nursing beds excluded from this calculation.*

- 1.1.4 ~~Continue using~~ **Use** policy and ordinance tools to ensure the provision of open space. In particular, maintain or increase incentives for cluster development ~~within the Primary Service Area~~ by permitting **higher appropriate** residential densities in exchange for additional open space that provides significant benefits to the community.
- 1.1.5 Require that any development of new public streets, public parks or other public areas, public buildings or public structures, public utility facilities, or public service corporation facilities, inside or outside the Primary Service Area, be subject to individualized review as provided under §15.2-2232, *Legal Status of Plan*, of the *Code of Virginia*, as amended.
- 1.1.6 ~~Continually~~ Monitor land use development trends to ensure continued diversification of the local economy and to ensure an adequate balance between residential and non-residential development.
- 1.1.7 *Provide updates to State Legislation to the Planning Commission through the Planning Director on an as-needed basis should legislative decisions change or joint subcommittee reports be finalized on the major new planning legislation topics (as described in the Land Use Section Technical Report) during non-Comprehensive Plan update years.*

1.2 Promote pedestrian, bicycle, and automotive linkages between adjacent land uses where practical.

- 1.2.1 Plan for and encourage the provision of greenways, sidewalks, and bikeways to connect neighborhoods with retail and employment centers, parks, schools, and other public facilities, and to effectively connect buildings and activities within individual sites.
- 1.2.2 Facilitate the provision of public road interconnections within new developments and between arterial and collector roads by promoting land use and road patterns within the developments which are conducive to such interconnections.

1.3 Promote cooperation among all neighboring localities to ensure compatibility of land use planning activities.

- 1.3.1 Promote regional solutions to managing growth through the following actions:
- a. Support efforts to bolster the urban cores of the Hampton Roads area, particularly the Peninsula.
 - b. Engage in joint planning efforts and allocate resources toward implementation.
 - c. Encourage redevelopment, compact communities, and mass transit throughout the region.
 - d. Guide growth on a regional level toward those areas with existing infrastructure and capacity.

- 1.3.2 ~~Continue to~~ Communicate with neighboring jurisdictions regarding development plans that have potential impacts on neighboring localities and public facilities. Work with them to coordinate plans and to identify and mitigate areas where there are conflicts.

1.3.3 *Participate in regional planning process with York County and the City of Williamsburg.*

1.4 Direct growth into designated growth areas in an efficient and low-impact manner.

- 1.4.1 ~~Enforce policies of the Comprehensive Plan to ensure all land uses are located at appropriate sites in the Primary Service Area. Ensure that all land uses are located at appropriate sites in the Primary Service Area in accordance with the policies of this plan.~~

- 1.4.1 Provide for low density and moderate density residential development in appropriate locations inside the Primary Service Area (PSA) and prohibit such development on rural lands outside the PSA.

- 1.4.2 Study and reaffirm the PSA boundary and policies through the following actions:
- Monitor the development potential of the PSA and the rural lands.
 - Examine the PSA boundary and policies in the greater context of the County's resources and the region's overall development potential.
 - Revise the Zoning Ordinance to provide more linkages to the PSA policies in specific zoning districts.

- 1.4.3 Restrict the extension of water and sewer utilities, and the formation of new central sewer systems in areas outside the PSA. Extend water and sewer service in the Primary Service Area according to a ~~pre-determined~~ phased plan ~~as set forth in this plan and the County's master water and sewer plans~~ *in accordance with the County's Comprehensive Plan and master water/sewer planning.*

- 1.4.4 ~~Identify target areas for~~ Promote infill, redevelopment, *revitalization*, and rehabilitation within the PSA. ~~Analyze opportunities and obstacles in advance of private and/or public action. Pursue developing those areas most suitable for public action, and encourage developers to pursue those areas best suited for private action.~~ *Consider the following strategies as appropriate:*
- Use of financial tools such as public-private partnerships or tax increment financing;*
 - Revisions to the zoning and/or subdivision ordinances or development of guidelines to provide additional flexibility, clear standards, or incentives such as expedited plan review;*
 - Revisions to the zoning ordinance to create a form based code or code overlay that could apply to specific areas, such as Toano;*
 - Partnering with government agencies, non-profits and private entities to facilitate areas identified for redevelopment.*

- 1.4.5 Encourage developments which provide true mixed use development, *as further defined in the Mixed Use Land Use Designation and Development Standards*, within

the Primary Service Area. Support design flexibility to promote mixing of various types of residential and non-residential uses and structures.

1.4.6 Encourage commercial and industrial uses to develop in compact nodes in well-defined locations within the Primary Service Area by:

1.4.6.1 Encouraging multiple uses within office parks in the PSA to assure employees convenient access to shopping, services, and open space;

1.4.6.2 Accomplishing rezonings for commercial and light industrial uses with sites of five acres or more under a binding master plan;

1.4.6.3 Through the development process, reinforcing clear and logical boundaries for commercial and industrial property within the PSA by:

- a. Providing sufficient buffering and open space from nearby residential uses, and
- b. Developing in a node pattern with a grid of internal parcels, internal streets, and judicious external connections rather than in a strip pattern with individual connections along a single street.

1.4.6.4 Emphasizing the economic potential of interstate interchanges, especially industrial potential, by encouraging mixed use development and promoting industry and offices as the primary uses for interstate interchange land. Maintain land use policies and other measures to achieve this strategy.

1.5 Promote the use of land consistent with the capacity of existing and planned public facilities and services and the County's ability to provide such facilities and services.

1.5.1 Through the following measures, ensure that the allowable densities and intensities of proposed developments do not exceed the capacities and availability of water, public roads, schools, and other facilities and services.

- a. ~~Investigate development of a model or models to assess and track the cumulative impact of development proposals and development on existing and planned public facilities and services. Develop and recommend adequate public facilities policies for water, roads, and schools. These policies would link approval of new rezonings and other legislative actions for development to the adequacy of the available or committed public facilities.~~
- b. Support State enabling legislation for adequate public facilities ordinances to extend the policies to already zoned lands.
- c. Permit higher densities and more intensive development in accordance with the Land Use Map where such facilities and services are adequately provided.

1.5.2 Expect developments ~~subject to zoning or special use permit review~~ to mitigate their impacts through the following means:

- 1.5.2.1 Require sufficient documentation to determine the impacts of a proposed development including but not limited to studies of traffic impact, capacity of public schools, historic and archaeological resources, water quality and quantity, other environmental considerations, and fiscal impact. *Develop clear guidelines for the content and methodology to be used to develop the traffic impact (to include upcoming developments on adjacent corridors), fiscal impact (to focus on "as developed" revenues versus costs), and environmental inventory documents.*
- 1.5.2.2 Require that the recommendations of such studies be adequately addressed prior to preparation of development plans, or in instances where a rezoning or special use permit is required, as part of those applications. Methods of addressing such impacts include road improvements, cash and other proffers, building and site design, facility construction and dedication, conservation easements, and other measures.
- 1.5.2.3 Consider developing clear guidelines for proffers tied to the full mitigation of impacts of a development and applying these guidelines in the review of new development proposals.
- a. *Consider developing proffer guidelines for Fire/EMS, general government, libraries, and transportation.*
 - b. *Continue to provide proffer guidelines for schools, parks and recreation, and water/sewer.*
 - c. *Consider developing additional guidance on the interaction between the Adequate Public Schools Facilities Test and the Cash Proffer Policy for Schools.*

1.6 Enhance and preserve farm and forestall *character and values of Rural* Lands and the predominantly wooded, natural, and small-town character of the County.

1.6.1 *Craft regulations and policies in a manner that recognizes the value of, and promotes the conservation of, prime farmland soils and environmentally sensitive areas.*

1.6.2 Encourage residential development that occurs outside the Primary Service Area to develop in a pattern that preserves farm and forestal lands by:

1.6.2.1 ~~Examining~~ *Revising* the rural cluster provisions in the A-1 zoning district ~~for their consistency~~ *to be more consistent* with the rural lands description and development standards.

1.6.2.2 Amending the subdivision ordinance, zoning ordinance, utility regulations, and related policies to guide rural residential development, if it is to occur, into a very low density pattern. Amendments will establish a system of incentives for very low density residential developments. The Planning Director will closely monitor rural development patterns and report to the Planning Commission and Board of Supervisors on the

effect of very low density development incentives on an annual basis. In addition to other revisions, the proposed revisions could include the following:

- a. Easing the subdivision requirements for very low density development (such as waiving the central well requirement, allowing private streets, making very low density development a streamlined by-right use, etc.);
- b. *Should the Zoning Ordinance continue to permit it, strengthening the requirements for conventional 3-acre development (such as increasing road design standards such as tighter restrictions on cul-de-sac length and firm requirements for providing inter-parcel access, increasing the minimum frontage on existing and new public roads, increasing the design standards for central well systems, adopting strict standards for early identification and protection of critical environmental features), lowering the major subdivision definition, keeping the central well requirement, increasing setback requirements, increasing the financial responsibility for central well systems, and considering requiring a special use permit for all non-very-low density subdivisions).*

1.6.2.3 Encouraging conservation easements and the use of land trusts to facilitate open space preservation. Support funding for programs such as the Purchase of Development Rights (PDR) program, the greenspace fund, and the Greenways Plan as a complement to private sector actions.

1.6.3 Protect farming and forestry uses from conflicting activities *by encouraging buffers and open space design for developments.*

1.6.4 Promote the economic viability of farming and forestry as industries *by continuing to support the use value assessment and Agricultural and Forestal (AFD) programs; and by exploring and implementing other programs that incentivize agricultural uses.*

1.6.5 Consider amending the zoning ordinance after re-evaluating the list of permitted and specially permitted uses in Rural Lands. Investigate adding a development standards policy for those uses that might benefit from a rural location. *Specifically look at non-residential uses that may be appropriate, such as agri-business and eco-tourism uses.*

1.7 Work to ensure compatibility of codes, ordinances and regulations with the tenets of Sustainability.

1.7.1 *Conduct a sustainability audit of Planning Division codes, ordinances and regulations prior to conducting comprehensive updates.*