

# **Proposed Inputs for the Comprehensive Plan**

**(for following three areas:)**

- 1) “New” – **Introduction**
- 2) “Revised” -- Chapter 1. ~~Introduction~~, Background, and History, **and Recent Developments and Trends**
- 3) “Other” Land Use Issues – Chapters 8. and 9.

## **INTRODUCTION**

- A. Comprehensive Plan Requirements and Background (existing pg 1-1 of Chapter 1)
- B. Public Input Sessions (existing pg 1 of LandDesign Public Input Summary)
- C. Public Inputs and Comments (existing pgs 2-5 of LandDesign Public Input Summary)
- D. Vision Statement (integrated version of FOLC draft Vision Statement and Public Input Summary items)

## **CHAPTER 1. Background, History, and Recent Developments and Trends**

- A. Background and History (virtually “as-is” in Chapter 1)
- B. Recent Developments and Trends (As provided to Jack Larson in “draft” by Bill Warren)
  - ***Significant Increase in Population Projections with likely population growth of approximately 25 percent for the period 2006 through 2010. Note: need valid population projection for 2010 from Weldon Cooper Institute at UVA, or other source). Despite the minimal historical growth rates experienced by the County (e.g.,***

only 0.6 percent during the period 1990 to 2000), significantly increased growth is projected in the near-term future as a result of a number of emergent factors including: 1) 55.7% increase in the number of housing permits issued from 2004 to 2005; 2) 18 recently approved (in last two years) subdivision projects comprising over 1,500 units; and 3) a general nationwide trend of baby-boomers retiring to waterfront areas – As a result, the County will consider the need for new planning tools, zoning requirements, and infrastructure development actions to ensure that this anticipated population growth is well-planned, carefully managed and controlled, and does not place the rural character and community-like atmosphere of the County “at-risk”.

- b. ***In June 2004 the Steamboat Era Museum located in Town of Irvington Opened to the Public*** – Museum offers a significant new historical attraction for both residents and tourists and includes important artifacts, models, photographs, and other memorabilia documenting steamboat era operations on the Chesapeake Bay and its tributaries.
  
- c. ***In 2005, the County Approved Development (by Lane North East, LLC) of the Windmill Point Resort Property as a High-Density 200 Unit Waterfront Condominium Development, including a 250-Person Restaurant and Renovated Marina*** – Proffers offered by the developer will provide a much-needed public boat launching facility located in the Eastern part of the County (with Bay access) as well as several dedicated marine slips for transient use by the public.
  
- d. ***Successful 2006 Completion of the Main Street Revitalization Project in the Town of Kilmarnock*** -- Offers “model” to other County towns and villages to promote business development and commercial growth while enhancing the overall attractiveness of the County to both residents and tourists.

## **CHAPTERS 8 and 9 -- Inputs immediately follow:**

a. ***Significant Increase in Population Projections with likely population growth of approximately 25 percent for the period 2006 through 2010.*** **Note:** need valid population projection for 2010 from Weldon Cooper Institute at UVA, or other source). Despite the minimal historical growth rates experienced by the County (e.g., only 0.6 percent during the period 1990 to 2000), significantly increased growth is projected in the near-term future as a result of a number of emergent factors including: 1) 55.7% increase in the number of housing permits issued from 2004 to 2005; 2) 18 recently approved (in last two years) subdivision projects comprising over 1,500 units; and 3) a general nationwide trend of baby-boomers retiring to waterfront areas – As a result, the County will consider the need for new planning tools, zoning requirements, and infrastructure development actions to ensure that this anticipated population growth is well-planned, carefully managed and controlled, and does not place the rural character and community-like atmosphere of the County “at-risk”. Some of the specific measures that will be considered by the County to accommodate this growth and to retain its rural nature include:

- Increasing Highway Overlay District set-backs from the existing 100 feet to 250 feet, or more, to minimize unattractive commercial development in close proximity to major corridors/roadways.
- Creating new ordinances and modifying the existing subdivision ordinance to permit cluster housing with higher densities while improving aesthetics by significantly increasing open space requirements.
- Designating additional roadways as bi-ways, or as corridor roads, to ensure maintenance of their rural character.

- Enhancing zoning restrictions within the Waterfront Overlay District to protect existing vistas and to mitigate water quality degradation in the Chesapeake Bay and its tributaries resulting from increased development along the waterfront.
- Designating specific areas for “future more intensive development” and potential rezoning in order to promote development in areas near towns/villages and population centers where existing infrastructures and environmental characteristics can adequately support intensive development, and to reduce the potential for spot-zoning issues.
- Initiating and supporting engineering studies aimed at determining those specific areas of the County where the need for improved sewer and water services is critical and then identifying feasible engineered solutions to satisfy those localized needs. An expanded effort will seek to identify those areas where future high-density growth is likely, yet where soils, low-lying land areas, and other natural environmental conditions limit the effective use of affordable septic systems. In those areas, the County will also work with local jurisdictions and consider supporting engineering feasibility studies aimed at identifying viable localized solutions (e.g., package plants, etc.).
- **Jack -- Many more measures in this listing as you and LandDesign may see as appropriate**

*b. Completion of Kilmarnock By-Pass (James B. Jones Memorial Highway, or VSH 688) in 2003 (Note: not sure of date?) Along the Border between the Town of Kilmarnock and the County -- Offers prime land areas that the County will evaluate for designation as suitable for “future intensive development” and associated rezoning to commercial. Also, the County will evaluate the desirability of modifying its existing policies in order to permit*

County landowners and businesses situated on parcels both along and fronting the highway to access Kilmarnock's public sewer and water services that the town residents and businesses situated on the opposite side of the highway will be utilizing.

- c. ***In 2003, a Commercial Waterfront Zoning ordinance (permitting commercial uses including restaurants, boat building/repair/sales, multi-family dwellings, and cluster homes) proposed by the County to enhance public access to water areas by rezoning a number of residentially zones sites that were used historically as seafood processing facilities was abandoned as a result of strong citizen opposition to the introduction of high-density commercial uses at these waterfront sites. (Note: This action taken by the County was consistent with Chapter 9, Section II, Paragraph 6 on pg 9-9 of the existing Comprehensive Plan) --*** Although the need for enhanced public access to waterfront areas in the County is acknowledged by most citizens, opposition to the proposed rezoning was largely based on concerns that it would cause intensive commercial development in waterfront areas thereby posing environmental risks, may require supporting extensive infrastructure developments in residential areas, and could change the rural character of those areas selected to be rezoned. Based on citizen feedback and expressed concerns, the County will consider other alternatives to provide enhanced public access to water areas. These alternatives will include the development of public boat ramps and/or park areas as well as the identification and selection of areas/sites where rezoning for commercial water uses is feasible based on a careful consideration of site-specific factors. Factors that will be used in the evaluation of areas/sites for potential rezoning include: 1) location in proximity to existing population centers, 2) availability of requisite infrastructures, 3) potential to adversely impact environmentally sensitive areas and/or resources, and 4) potential impacts on existing residential properties in the area.
- d. ***In late 2004, a Planned Unit Development (PUD) ordinance as proposed by the County to provide variety and flexibility in land use; to promote economical and efficient land use; and to improve levels of amenities, creative design, and a better***

*environment was abandoned in early 2005 as a result of strong citizen opposition to the proposed introduction of "by right" high density PUD developments (including separate residential, mixed commercial, and waterfront residential PUDs) within the County's existing zoning districts. (Note: This action taken by the County was consistent with Chapter 9, Section II, Paragraph 6 on pg 9-9 of the existing Comprehensive Plan) – citizen opposition to the proposed ordinance was exceptionally strong during the public hearing process as well as in the local media for several months preceding the hearings. Most of the citizen opposition to the PUD ordinance was centered around four primary concerns: 1) it would result in extensive high density development that was not consistent with the character of the County; 2) the permitted three-fold increase in the density of waterfront development and the associated expansion of more intensive waterfront uses, would result in degraded water quality and was inconsistent with the County's Chesapeake Bay Preservation Ordinance; 3) the proposed "by right" nature associated with all three PUD development categories would circumvent the "public hearing" process and deny citizens the ability to oppose developments that could potentially impact them; and 4) it would reduce the County's ability to control growth and likely result in greatly accelerated growth especially in waterfront areas. In addition, the County's unfortunate choice of language associated with the proposed Waterfront Residential PUD that was touted as offering a "greater return on investment than traditional development" was offensive to citizens and immediately labeled the ordinance as too developer friendly. Based on citizen feedback and expressed concerns, the County will encourage controlled growth consistent with existing ordinances and only propose ordinance changes that support limited high density developments within selected areas. Areas to be considered for high density development will be located in close proximity to existing population centers, possess requisite supporting infrastructures, and permit such development with minimal adverse environmental impact.*

- e. Several Timbering/Clear-cuts in 2005 Resulted in the Blight of Residentially Zoned Areas, including two Clear-cuts Impacting*

***Historic Christ Church and the Historically Black Sharon Baptist Church(at intersection of VSH 646 and VSH 202), that Spawned Citizen Support for a Buffer Ordinance*** -- In October 2005, the Board of Supervisors directed the Planning Commission to consider a proposed Buffer Ordinance during Comprehensive Plan process to protect historic sites and residential communities from timbering activities within residentially zoned areas. During the recent “Public Input Sessions” conducted as part of the Comprehensive Plan process, numerous citizens voiced their concerns over several recent timbering/clear-cuts that have impacted the rural character of the area, historic and cultural resources, and residential areas as well. Also, a considerable number of citizens wrote letters to the County and to the local newspaper requesting that the County initiate appropriate action to protect itself and its citizens from unregulated timbering activities in residentially zoned areas. As a result, the County will carefully evaluate the need for a so-called timbering, or buffer ordinance, and will hold a public hearing on the subject prior to making a recommendation to the Board of Supervisors.

f. ***In 2005 a proposed Public Service Authority (PSA) to bring water and sewer infrastructure and central service to citizens and businesses on a county-wide was rejected by a unanimous vote of the Board of Supervisors (in October) based on strong opposition to the concept as voiced by citizens at several public hearings and as evidenced by the 712 citizens who signed a petition opposing the concept*** -- Although the need for improved sewer and water services in certain areas within the County (e.g., White Stone and Irvington areas) is acknowledged by many citizens, opposition to the PSA was largely based on concerns that county-wide sewer and water services would accelerate increased development and jeopardize the County’s existing rural character. Based on citizen feedback and expressed concerns, the County will work with local jurisdictions and consider supporting engineering feasibility studies aimed at identifying viable localized solutions (e.g., package plants, etc.) within those areas that need improved sewer and water services.

g. ***2006 Approval of a WalMart Superstore on Route 3 near the Western Edge of Kilmarnock*** -- Although the superstore will

located within the Town of Kilmarnock, the County will continue to consider actions as may be needed to mitigate any adverse traffic impacts along the Route 3 corridor in the vicinity of White Stone to the East and Lancaster/Lively to the West. These actions will include: 1) the consideration of by-passes to either (or both) of the affected town/villages, 2) alternate routes, and 3) enhancements to affected existing highways.