

ARTICLE I. GENERAL PROVISIONS

Chapter 1: Authority, Establishment, Purpose and Official Zoning Map

Section 1.1 Authority and Enactment

This ordinance, to be cited as the Town of Scottsville Zoning Ordinance, is hereby ordained, enacted and published by the Town Council of Scottsville, Virginia pursuant to the provisions of Title 15.2, Chapter 22, Article 1, Code of Virginia, 1950, and amendments thereto. This article shall be liberally construed to the end that the health, safety, order, prosperity, conservation of natural resources and general welfare of the public shall be furthered.

By the act of the General Assembly of Virginia as recorded in Title 15.2, Chapter 22, Article 7, section 2280 through 2315, Code of Virginia, 1950 and amendments thereto, the governing body of any county or municipality may, by ordinance, classify the territory under its jurisdiction or any substantial portion thereof into districts of such number, shape, or area as it may deem best suited to carry out the purposes of this article and in each district it may regulate, restrict, permit, prohibit, and determine the following:

- a. The use of land, buildings, structures, and other premises for agricultural, business, industrial, residential, flood plain and other specific uses;
- b. The size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing, or removal of structures;
- c. The areas and dimensions of land, water, and air space to be occupied by buildings, structures and uses, and of courts, yards, and other open spaces to be left unoccupied by uses and structures, including variations in the sizes of lots based on whether a public or community water supply or sewer system is available and used; and
- d. The excavation or mining of soil or other natural resources.

Section 1.2 Adoption

Be it ordained by the Town Council of the Town of Scottsville, Virginia: That the following ordinance, known as the Town of Scottsville Zoning Ordinance, together with the zoning map attached thereto be adopted effective immediately upon the date set forth below.

Section 1.3 Effective Date, Repeal of Conflicting Ordinances

This Town of Scottsville Zoning Ordinance shall be effective at and after 12:00 pm, the 20th day of May, 1996 and at the same time the following ordinances are hereby repealed: Town of Scottsville Zoning Ordinance and the associated zoning map both adopted April 20, 1987; the Architectural Design Control Ordinance, adopted January 17, 1972; the Scottsville Sign

Ordinance, adopted March 16, 1992; the ordinance adopting the Albemarle County Zoning Ordinance for the newly expanded area of Town, adopted January 31, 1994; and all other conflicting ordinances adopted prior to the date of this ordinance, the pertinent sections of these prior ordinances having been amended and incorporated herein.

Section 1.4 Purpose and Intent

This ordinance, insofar as is practicable, is intended to be in accord with and to implement the Comprehensive Plan of the Town of Scottsville, Virginia, adopted on August 15, 1994, pursuant to the provisions of Title 15.2, Chapter 22, Article 3, Code of Virginia, and has the purposes and intent set forth in Title 15.2, Chapter 22, Article 7.

The general purpose of this ordinance shall be to promote the health, safety or general welfare of the public and of further accomplishing the objectives of Title 15.2, section 2200 of the Code of Virginia. To these ends, this ordinance is designed to

- a. Provide for adequate light, air, convenience of access, and safety from fire, flood and other dangers;
- b. Reduce or prevent congestion in the public streets;
- c. Facilitate the creation of a convenient, attractive and harmonious community;
- d. Facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, and other public requirements;
- e. Protect against destruction of or encroachment upon historic landmarks and areas;
- f. Protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health or property from fire, flood, panic or other dangers;
- g. Encourage economic development activities that provide desirable employment and enlarge the tax base;
- h. Provide for the preservation of agricultural and forestal lands and other land of significance for the protection of the natural environment.
- i. Promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the locality as well as a reasonable proportion of the current and future needs of the planning district in which the locality is situated.

The ordinance may also include reasonable provisions, not inconsistent with applicable state water quality standards, to protect surface water and groundwater as defined in Title 62.1, section 44.85(8) of the Code of Virginia.

Section 1.5 Relation to the Town of Scottsville Comprehensive Plan and Compatibility with the Zoning Ordinance of Albemarle County, Virginia

This ordinance is intended to assist the citizens, Town Council, the Planning Commission, other boards and commissions and officials of the Town of Scottsville in guiding land development in the Town of Scottsville. The Town of Scottsville Zoning Ordinance is designed to be a tool for implementing the Scottsville Comprehensive Plan. The official zoning map of the Town of Scottsville is declared to be a part of this ordinance. The content and structure of this ordinance, where practicable, is intended to achieve administrative compatibility with the zoning ordinance of the County of Albemarle. The intent is to promote consistency of the review and enforcement provisions described herein between Albemarle County and the Town. This intent is not to infer that the Albemarle County zoning ordinance is to be used in interpreting, clarifying, or in any other respect in the applicability or use of this ordinance.

Section 1.6 Compatibility with Comprehensive Plan

This ordinance, insofar as is practicable, is intended to be in accord with and to implement the Town of Scottsville Comprehensive Plan, adopted August 15, 1994 or successors, pursuant to the provisions of Title 15.2, Chapter 22, Article 3, Code of Virginia, 1950, as amended. The Comprehensive Plan has established the following vision for Scottsville's future: **Scottsville should preserve its small town character, protect its historic, scenic, and natural areas, and be guided by a thoughtful and harmonious development plan which will best promote the well-being of its residents and maintain quality of life for all.**

This ordinance shall be administered with the intent of maintaining compatibility with the comprehensive plan to fulfill this vision statement and the goals, objectives, implementation strategies and standards of the comprehensive plan.

Section 1.7: Official Zoning Map

The areas of the Town of Scottsville are hereby divided into districts, as indicated on a set of map sheets titled *Zoning Map of the Town of Scottsville* which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance. The zoning map shall be identified by the signature of the Mayor of the Town of Scottsville, attested by the Clerk of the Town Council, together with the date of adoption of this ordinance. The official zoning map shall be located in the Municipal Building and shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the Town.

1.7.1 Amendment of Zoning Map

At such times as amendments are made to the zoning map by action of the Town Council such amendments shall be incorporated onto the official zoning map at such time and in such manner as the Town Council may prescribe. Such changes shall be validated with reference to correct notation by the Clerk of the Town Council, who shall affix his/her signature thereto, thereby certifying that approved amendments to the zoning map have been correctly incorporated. The date of official action and nature of the change shall be entered on the map. Any such change shall have the effect of law at 12:01 a.m. on the day following its legal adoption, or on its effective date, if officially established as other than on the day following its legal adoption, whether or not it has been shown on said zoning map.

1.7.2 Unauthorized Changes

No changes of any nature shall be made on said zoning map or any matter shown thereon except in conformity with the procedures and requirements of this ordinance. It shall be unlawful for any person to make unauthorized changes on the zoning map. Violations of this provision shall be punishable as provided in Article V, section 27, Penalties.

Section 1.8 Certified Copy, Filing

A certified copy of the Town of Scottsville Zoning Ordinance and zoning map shall be filed in the office of the Zoning Administrator for the Town of Scottsville, in the office of the Zoning Administrator of Albemarle County, Virginia, in the office of the Clerk of the Town of Scottsville, and in the office of the Clerk of the Circuit Court of Albemarle County, Virginia.

Section 1.9 Severability of Parts of this Ordinance

Sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance.

Section 1.10 Diagrams for Illustrative Purposes Only

The diagrams and graphics in this document provide are for illustrative purposes only and may not represent the complete descriptions of all zoning requirements. All standards and regulations presented within the text of this Ordinance shall be used as controlling requirements.