

Scottsville Planning Commission

Regular Meeting
Monday, July 3, 2023, 7:00 p.m.
Victory Hall
401 Valley Street
Scottsville, Virginia

Members:
Molly Angevine
Lisa Caltabiano, *chair*
Matthew Johnson
Dan Gritsko, *Council liaison*
Shannon Strassner, *vice-chai*

Agenda

- 1. Town Administrator Call to Order, Establishment of Quorum and Agree to the Agenda*** ***7:00P.M.***
- 2. Town Administrator Call for Nominations and Election of Chairman for the 23/24 Fiscal Year***
- 3. Chairman Call for Nominations and Election of Vice Chairman for the 23/24 Fiscal Year***
- 4. Review and Approval of June 5, 2023, Minutes*** ***7:10 P.M***
- 5. Report on Relevant Actions by the Town Council***
- 6. Matters from the Public*** ***7:15P.M.***
- 7. Old Business***
 - 1. Continued Comprehensive Plan Work Session***
 - 2. Scottsville Zoning Updates***
 - 3. Update of VDOT Round Table Meeting***
- 8. New Business*** ***8:45 P.M.***
- 9. Adjournment*** ***9:00 P.M.***

In addition to accessible facilities at Town Hall, remote public access and participation is available [online at this link or call 301-715-8592](#), then enter meeting ID 823 4720 4889 and pass code 1744.

The Town of Scottsville is committed to the letter and spirit of the Americans with Disabilities Act. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Town of Scottsville should contact the Town Administrator at 401 Valley Street, Scottsville, VA 24590, telephone 434-286-9267, as soon as possible but no later than 48 hours before the scheduled event.

Planning Commission

July 3, 2023

Attachments

- 1. Scottsville Zoning Update Planning Documents.**
- 2. Javier will send the Minutes prior to the meeting.**
- 3. I will send you Lincolns Comprehensive Plan Documents in a separate email.**

Scottsville Zoning Updates

Consistent with the Comprehensive Plan and West Downtown Small Area Plan

Workflow Consideration for Planning Commission, February 1, 2021

"Easy" Items:	"Hard" Items:
An up/down decision on a clause or paragraph, fixing an error, or making a simple change.	Adding a page or more of new text, or negotiating multiple details without known consensus.
Map Amendments	Map Amendments
Bruce Park, Confederate St. lots	Tire Plant upper hillside
Irish Rd. house added to town	Tire Plant factory grounds
Doctor's office on Page St.	
Zoning Text Amendments	Zoning Text Amendments
Chapter 1: Purpose and Intent to match state code and comp. plan	Chapter 4: General Regulations Required parking minimums
Chapter 3: Definitions. Several terms used in other sections: triplex, quadraplex, family, and accessory dwelling unit.	Chapter 4: General Regulations Glare Model from Dark Sky Ass'n
Chapter 4: General Regulations height limit for fire code review	Chapter 4: General Regulations Parking incentive for bicycles
Chapter 4: General Regulations telephone booths obsolete	Chapter 5: Supplemental Regs. Urban Agriculture (bees, chickens, goats, etc.)
Chapter 5: Supplemental Regs. Gaming Machines as new use	Chapter 5: Supplemental Regs. Accessory Dwelling Units
Chapter 9: Village Residential Cluster development bonuses	Chapter 10: Commercial By-right and SUP uses list
	Chapter 14: Heavy Industry Repeal and replace with Scottsville Planned Unit Development

Scottsville Zoning Updates

Consistent with the Comprehensive Plan and West Downtown Small Area Plan

Introduction and Purpose

The zoning ordinance defines property rights and sets rules for what buildings and uses can happen in what parts of town. Most of Scottsville's zoning law dates to 1994 and has changed little since then; the Town simply copied the Albemarle County zoning when the town boundaries grew. Notably, the Town Council did adopt improvements for tourist lodgings in 2018 and for the Downtown Residential ordinance in 2019. Scottsville's adopted plans call for further updates to the zoning ordinance. In adopting the West Downtown Small Area Plan, Town Council's only edit was to make the zoning changes a higher priority for more urgent action. Staff therefore prepares this package of policy options.

The Zoning Ordinance has two parts: a map and a set of regulations

Both have errors and obsolete features. The zoning ordinance text defines regulations which apply in different parts of town. The zoning map then applies those regulations to specific parcels. Amending the map changes regulations on a parcel-by-parcel basis and tends to be more specific. Amending the ordinance text changes property right for all parcels in the zone and is therefore the preferred tool for broader reform.

Summary of Proposed Revisions

Map amendments are listed first. There are five. Two of these are Town parks which were not rezoned to Public when the Town purchased them. One is a nonconforming commercial building in a residential zone. These are straightforward. The two more difficult ones are the tire plant parcels. Rezoning them away from purely Industrial is a consensus position, but the details of the new zoning need work.

A long list of ordinance revisions follows, in sequential order by section in the current ordinance. Some changes are very simple updates to definitions and removal of legal contradictions. The most complex matters are parking standards, the cluster section of Village Residential, and the new Scottsville Planned Unit Development (SPUD) zone.

Zoning Chapter 1: Authority and Purpose

1.4 Purpose and Intent. *The list is missing recent updates to the Code of Virginia.*

Insert as consistent with state law, the small area plan, and the regional housing plan

- 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 within which the locality is situated

1.6 Compatibility with Comprehensive Plan. *The vision statement changed in 2018.*

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.

Chapter 4: General Regulations.

4.9.2.1 Fire Protection *Albemarle County incorporates international fire code which has tighter standards. Unknown why Scottsville deviates. This change does not prohibit tall buildings, but it applies greater design scrutiny for emergency access to/exit from upper stories.*

No building exceeding thirty-five (~~3530~~) feet in height above grade shall be erected without certification from the Town fire official that such building, as proposed to be located, constructed and equipped, and particularly occupants of upper stories, can be properly protected in case of fire. In the case of structures other than buildings exceeding thirty-five (~~3530~~) feet in height, the Planning Commission may require such certification where a determination is made that there is substantial fire danger to such structure or to surrounding properties.

4.10.2.2 Public Telephone Booths. *Delete entire section, archaic. Reserve the numbering for future technology with similar footprint, such as electric vehicle chargers, backyard solar panels, or 5G miniature cellular beacons.*

Parking Requirements. *Historic Scottsville developed before cars and with no parking regulations. Many planners contend that excessive parking damages historic character, makes communities less walkable, harms the environment, and increases the cost of new construction. Scottsville's plans call for adequate, but not excessive, vehicle storage. It must balance environmental and economic goals, and the needs of residents and visitors.*

4.11.6.6.2 Schedule of specific requirements for number of off-street parking spaces. *Reduce required parking to support uses shown as community priorities, which have excessive requirements. The assumption is that some users will walk, bike, or use nearby public parking.*

Barber Shop, Beauty Shop: One (1) space per employee plus ~~two (2)~~ **one (1)** spaces per station.

Eating Establishment: One (1) space per employee on the major shift plus one (1) space per ~~four (4)~~ **three (3)** seats.

Medical and Dental Clinic: One (1) space per employee on the major shift, plus ~~one (1) three (3)~~ spaces per exam room.

Offices: Business, Administrative, Professional: One (1) space per employee plus one (1) space per ~~one thousand (1,000) five hundred (500)~~ square feet of net office area, but in all cases a minimum of three (3) customer spaces.

4.13.3. Glare. *Strengthen for Dark Sky protection. Use Dark Sky Association guidance.*

Accessory Dwelling Units. *Rear cottages and in-law suites are a historical feature in town and on nearby farms, but they are illegal in current zoning. Adding ADU language to Supplemental Regulations is consistent with the Town's workforce housing and homeownership goals, and it matches the framework provided for home occupations.*

5.4 Accessory Dwelling Units.

a. This section provides for accessory dwelling units (ADU) on lots developed or proposed to be developed with single family dwellings. Such accessory dwellings contribute needed housing to the community's housing stock. Thus, accessory dwelling units are a residential use which is consistent with the Comprehensive Plan objectives and zoning regulations and which enhances housing opportunities.

b. The provisions of this section apply to all lots that are occupied with a single family dwelling unit and zoned residential (RA, VR or DR). Accessory dwelling units do exceed the allowable density for the lot upon which the accessory dwelling unit is located, and they are a residential use that is consistent with the Comprehensive Plan and zoning designation for the lot.

c. The development standards for accessory dwelling units are:

1. The unit is not intended for sale separate from the primary residence and may be rented.
2. The lot is zoned for residential and contains an existing, single-family dwelling.
3. The accessory dwelling unit is either attached to the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.
4. The increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,000 square feet.
5. The total area of floor space for a detached accessory dwelling unit shall not exceed 1,000 square feet.
6. Local building code requirements that apply to detached dwellings, as appropriate, including fire code and health department review of sewage capacity.
7. No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
8. No setback shall be required for an existing garage that is converted to a accessory dwelling unit, and a setback of no more than six (6) feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
9. One parking space shall be designated on the site for the ADU.

d. In order to deny the by-right zoning clearance of an ADU, the Zoning Administrator must find that the Accessory Dwelling Unit would be detrimental to the public health and safety or would introduce unreasonable privacy impacts to the immediate neighbors. Such finding is appealable to the Board of Zoning Appeals.

nuisance impacts more serious, to include noise, smell, risk of escape or attack, known disease or parasite transmission to humans or other animals, or similar nuisance concern.

f. Horses, Cows, Pigs, Ostrich, and similar larger livestock are not permitted under this ordinance, but rather under the Agriculture use in the RA and VR zones.

h. Chapter 18 of the Town Code of Ordinances pertains to the care and maintenance of animals, including prevention of cruelty and disposal of carcasses. These health and safety regulations also apply to permitted urban agriculture uses and shall be enforced.

11. Commercial. Match the by-right use list to Town strategy. Put SUP scrutiny on less desirable uses and remove it from strategic goals.

Remove 11.10.1 b. 22 (b) Automobile service stations located in a historic overlay district. The Town's strategy should apply stricter scrutiny to this auto-oriented use with nuisance potential.

Move to make by-right instead of by SUP, from 11.10.2 (m)-9 to 11.10.1 (d): Accessory uses and buildings, including home occupation Classes A and B (reference 5.2, Home Occupations) and storage buildings. These are desirable infill and entrepreneurial options.

Clubs, lodges, civic, fraternal, patriotic. Delete contradiction at 11.10.2 (i) and make by-right. The use is listed in both the by-right and SUP sections.

Fire and rescue squad stations. Delete contradiction at 11.10.2 (j) and make by-right. The use is listed in both the by-right and SUP sections.

11.10.1 (a) 4. Drug store, pharmacy, **including state-regulated cannabis dispensaries**. Clarify and align this definition as by-right in anticipation of new state-level regulation and taxation.

Move several uses to make them possible by SUP in the historic district. They are already existing and should be considered for expansion, sale, or movement.

- 11.10.3 d Veterinary office and hospital. Move to 11.10.2. The veterinary office already exists in the historic district and should be considered for continuation if sold.
- Move 11.10.3 g Automobile, truck repair and/or body shop, ~~permitted in the uptown commercial center only~~. From 11.10.3 to 11.10.2. The existing repair shop in the historic district should be permissible by SUP to continue if it changes ownership.
- 11.10.3 j Swim, golf, tennis or similar athletic facilities. Move to 11.10.2. Tennis already exists in the historic district, and aquatic recreation is a popular community demand.

14.0 Scottsville Planned Unit Development Districts (SPUD)

14.1 Objective

A planned unit development means a form of development with unified site design. It integrates a common open space, a variety of building types and designs, clustering of buildings, and a mix of land uses. Project planning and density calculations are made for the entire development rather than for individual buildings and lots. SPUD districts become established by an amendment to the Zoning Map.

In reviewing an application for a SPUD, in addition to the general considerations applicable to any rezoning, the Planning Commission and Town Council shall consider whether the application meets the following objectives of a SPUD district, in priority order:

- a. Provide for developments, especially those of mixed use, designed to function as cohesive and unified projects contributing to the balanced and sustainable growth of the town
- b. Promote a variety of uses and a variety of housing types, or a variety building sizes, which extends the town's traditional character
- c. Encourage innovative arrangements of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design
- d. Enable commercial, office, and light industrial development appropriate to the site and beneficial to the community as a whole, bolstering the local economy
- e. Promote bike and pedestrian travel for trips within the development and to other areas of town, using design elements to reduce automotive traffic
- f. Encourage developments of equal or higher density than otherwise possible by strict application of the zoning district regulations that would otherwise govern
- g. Protect the environment and water quality, and scenic assets and natural features such as dark sky, trees, streams, floodplain, and topography
- h. Provide a variety of open space including parks, squares, and playgrounds within neighborhoods
- i. Provide coordinated linkages among internal buildings and uses, and external connections at a scale appropriate to the development and adjacent neighborhoods
- j. Accommodate variation in lot size, density, and frontage
- k. Cluster the single-family homes for more efficient use of land and preservation of open space
- l. Coordinate architecture within the development as well as in relationship to the architecture of the town

14.2 Permitted Uses

A SPUD may include any one or more uses shown on an approved development plan. Uses may combine any of those listed in the Town's other zoning districts, consistent with the objectives of the SPUD.

14.3 Configuration

A SPUD may be comprised of one or more parcels. The lots or parcels proposed for a SPUD, and all acreage therein, shall either be contiguous or in close proximity. The lots or parcels shall be integrated by means of walkways or trails, bicycle paths, and/or streets internal to the development and connected to the surrounding community.

in property located within the SPUD shall contain covenants and restrictions sufficient to ensure that such areas are preserved. Deed covenants and restrictions shall run with the land and be for the benefit of present as well as future residents and shall contain a prohibition against partition.

14.6 Dimensional Standards

Dimensional standards refer to, but are not limited to, restrictions of the height, area, location and arrangement of buildings and structures, lot area requirements, and required yards. The dimensional standards and landscaping requirements within a SPUD district shall consist of: (i) any specific requirements or limitations set forth in this article, (ii) those shown on the approved development plan of the SPUD, and (iii) those described within any approved proffers.

14.7 Context

Within a SPUD district, the scale of building within a SPUD shall enhance the character of existing development in town, taking into consideration:

- a. The location of natural, topographical, cultural, and other unique features of the site.
- b. The location of public utilities, streets and trails, and of associated easements.
- c. The number, type, and size of the various buildings proposed within the SPUD.
- d. The nature of existing uses, and of uses anticipated in the Comprehensive Plan, adjacent to and in the neighborhood of the SPUD site. Where a SPUD is established on property that shares a block pattern with improved property, the SPUD blocks so facing shall be harmonious, though not necessarily identical, as to their buildings' mass, height, lot coverage, and setbacks.
- e. The objectives of the SPUD.

14.8 Landscaping

14.8.1 Landscaped open areas are required if the SPUD includes commercial uses. An amount greater than or equal to 10% of the aggregate gross floor area of commercial uses within the development shall be maintained as landscaped open area.

14.8.2 In addition to the requirements of section 14.8.1 above, landscaping within the SPUD shall:

- a. Provide visual connections, transitions, or buffers, as appropriate, between uses and areas of different intensity or character, and between the SPUD and adjacent districts.
- b. Protect and enhance the scenic, natural, or recreational features of a site; priority shall be given to preservation of in-place natural buffers, wetlands, and existing wooded areas.
- c. Support the local ecology through the use of native plant species, consistent with Scottsville's status as a Bee City.
- d. Harmonize and integrate the street frontage and connections between the SPUD and adjacent properties.
- e. Enhance the streetscapes through pocket parks and the planting of street trees.
- f. Minimize the impact of noise, heat, and light emanating from a building or use upon adjacent buildings and uses.

14.9 Sensitive Areas

The following areas shall be left natural and undisturbed, except for street and trail crossings, recreation facilities, utilities, and stormwater management/erosion control devices:

- a. floodway and floodway fringe
- b. wetlands
- c. steep slopes of 25% or greater

- b. A survey plat describing and depicting the entire land area to be included within the development site, including identification of present ownership, existing zoning district classification of the parcels to be included within the SPUD.
- c. A Development Plan. Such plan will identify:
 - i. Land uses and their general locations, including all buildings and setbacks.
 - ii. Residential density calculations.
 - iii. Transportation showing internal pedestrian, bicycle, and road improvements, with typical sections for each project street category.
 - iv. Location and acreage of required open space.
 - v. A general landscape plan which focuses on the location and type of landscaping to be used within the project as well as special transitional treatments for connections or buffers relative to adjoining zoning districts.
 - vi. If development is to be phased, the organization of the site into phase areas or land bays, wherein all of the information specified within this section is indicated and provided with respect to each phase, with an overall schedule provided.
- d. A concept plan, supporting maps, and written or photographic data and analyses that show:
 - i. Adjacent parcels within a 300 foot radius of the perimeter of the SPUD, identified by tax map parcel number and applicable street address, with their current zoning district classification.
 - ii. Site details on the significant natural, environmental, and cultural features. At a minimum, these should include historic landmarks on any state or federal register, vegetation, wetlands, topography at contour intervals of 5 feet or less, steep slopes of 25% or greater. A plan will show how the SPUD design and function serves to incorporate, utilize, protect, and preserve these features.
 - iii. Public utilities and infrastructure, both existing and proposed.
 - iv. Wooded areas, their general location and specifically noting areas proposed for clearing. Within areas to be cleared, note existing trees with caliper of 10 inches or greater and indicate whether these will be removed or preserved.
 - v. Examples of outdoor lighting systems.
 - vi. Examples of signs consistent with the sign requirements of the Scottsville Zoning Ordinance.

14.15 Approval

14.15.1 Approval of the rezoning application establishes the maximum density/intensity, height and other dimensional requirements, and the general location of each use and street shown on the development plan. Together with any approved proffers, the approved development plan shall establish the zoning requirement applicable to the SPUD. Any change in use, increase in density/intensity, substantial change in the amount of open space, substantial change in the location of permitted uses or streets, and any other substantial change from what is shown on the approved development plan shall be deemed a substantial deviation requiring an amendment of the SPUD approval. Factors to be considered in determining whether a change is substantial include, but are not limited to: the extent of the locational change and the expected impact on adjacent properties.

14.15.2 Following approval of a SPUD development plan, preliminary and final subdivision and site plan approvals shall be required. All such plans shall conform to the approved SPUD development plan. No building or structure shall be erected, no building permits issued, and no final subdivision plats recorded, unless:

- a. A final site plan has been approved;
- b. Any required dedications, reservations, or required improvements have been made in accordance with the final site plan and SPUD phasing schedule; and