

## Open/Agricultural CCC Analysis

### **Forge Road Analysis**

The developments adjacent to Forge Road consists primarily of scattered single-family residences and agricultural uses on either side, with tree buffering adjacent to the roadway in certain limited areas. There are several + 100-acre farms abutting the roadway that provide significant frontage and contribute greatly to its rural character with housing set far from the roadway. There are multiple existing conservation easements located on either side of the road that establish a large setback within the conserved parcels. Some parcels are not conserved and present an opportunity for residential subdivision and development in the future. There are also shallower lots interspersed between the farms that are utilized primarily for residential use and have structures typically located closer to the road.

Under the current A-1 Zoning District, the setback requirement for Forge Road is 75 feet from the right-of-way. Using the County's Geographic Information System (GIS), staff has measured the setback distance for the closest structures on each parcel adjacent to Forge Road and determined that the average setback distance is approximately 495 feet (this measurement does not include structures on flag lots, which are typically designed to be hundreds of feet away from the right-of-way and are unlikely to impact the viewshed from the road). Staff has also determined that there are approximately 40 structures located within the proposed 400-foot setback, 16 of which are residences on the property. Staff has determined that there are approximately 10 parcels with a lot depth of 500 feet or less (please see Attachment No. 8 for the proposed exempt parcels). Should these parcels be exempted from the enhanced setback, only 10 houses would be within the setback and 21 accessory structures. Staff finds that exempting these parcels would still allow for the 400-foot setback to be effective for the Forge Road Corridor.

#### *Forge Road Structure Analysis*

	Structures Within 400 Feet	Exempt Parcel Structures	Final
Residences	16	-6	10
Accessory Structures	24	-3	21
Total	40	-9	31

As can be seen in Attachment No. 7, EPR has provided the County with a build-out scenario for a stretch of Forge Road. This scenario is based on the County's existing Subdivision and Zoning Ordinance(s) and shows what is permitted "by-right" under the existing setback requirement of 75 feet and the minor subdivision process resulting in nine lots total. As can be seen in the build-out scenario, the 400-foot setback results in greater protection of the scenic viewsheds located along Forge Road when compared to the current requirement of 75 feet.

### **Old Stage Road Analysis**

The development adjacent to Old Stage Road consists primarily of single-family residences, with some larger agricultural and forestal parcels. Excluding the parcels in farm use, most of these parcels are developed as single-family residences, with some buffering on each parcel and cleared area for property access. Most parcels are utilized for single-family residential use and are located on lots that are less than five acres, though there are larger farm parcels adjacent to New Kent County and interspersed along the road. Adjacent to the Primary Service Area line, residences are located closer to the right-of-way and represent a more suburban development style.

Under the current A-1 Zoning District, the setback requirement for Old Stage Road is 75 feet from the right-of-way. Using the County's GIS, staff has measured the setback distance for the structures closest to the

road on parcels adjacent to Old Stage Road and determined that the average setback distance is approximately 170 feet (this measurement does not include structures on flag lots, which are typically designed to be hundreds of feet away from the right-of-way and are unlikely to impact the viewshed from the road). Staff has also determined that there are approximately 72 structures located within the proposed 400-foot setback, 33 of which are residences on the property. Staff has determined that there are approximately 21 parcels with a lot depth of 500 feet or less (please see Attachment No. 9 for the proposed exempt parcels). Should these parcels be exempted from the enhanced setback, 18 houses would be within the setback along with 25 accessory structures. Staff finds that exempting these parcels would still allow for the 400-foot setback to be effective for the Old Stage Road Corridor.

#### *Old Stage Road Structure Analysis*

	Structures Within 400 Feet	Exempt Parcel Structures	Final
Residences	33	-15	18
Accessory Structures	39	-14	25
Total	72	-29	43

As can be seen in Attachment No. 7, EPR has provided the County with a build-out scenario for a stretch of Old Stage Road. Old Stage Road has fewer large tracts of land and is less likely to have a large residential development be submitted for review. This scenario is based on the County's existing Subdivision and Zoning Ordinance(s) and shows what is permitted "by-right" under the existing setback requirement of 75 feet and the minor subdivision process resulting in nine lots total. As can be seen in the build-out scenario, the 400-foot setback results in greater protection of the scenic viewsheds located along the northern portion of Old Stage Road when compared to the current requirement of 75 feet.

#### **Non-Conformity Analysis**

If approved, the proposed 400-foot setback would result in existing structures along Forge Road and Old Stage Road becoming lawfully non-conforming, as they would be located within the setback. A lawfully non-conforming structure is not required to be removed by the property owner, nor is the use of structure prevented by being non-conforming. However, the structure would not be permitted to expand further into the setback. As a result, there would be houses that are located entirely within the setback and could not be expanded, even for minor home improvement projects such as a deck expansion. Staff recommends allowing existing structures within the 400 feet be expanded, provided it does not expand further within the setback towards the roadway.



# Rural Roadway Setback Analysis: Forge Road and Old Stage Road



James City County Zoning Update  
**DRAFT January 4, 2023**

*Prepared by EPR,PC*

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# Rural Roadway Setback Analysis: Forge Road and Old Stage Road

## Summary

In 2021, the James City County Board of Supervisors approved a Resolution to initiate the amendment of the James City Zoning and Subdivision ordinances in order to consider additional requirements to protect and preserve scenic roadways such as Forge Road and Old Stage Road. As part of an analysis to consider new standards for protection of these scenic roadways, EPR, PC was asked to develop analytic visualizations of the visual impacts of the viewshed on Forge Road and Old Stage Road.

The results of this analysis are presented here in two parts:

1. **Ground Level Visualizations** - The first part is a series of photomontages depicting renderings of homes within 75 feet and 400 feet of each roadway's edge.
2. **Aerial Visualizations** - The second part is a series of aerial photographs of the Forge Road and Old Stage Road corridors depicting existing property lines, proposed easements, and setbacks of 75 and 400 feet.

It is important to note that, even though these are illustrative visualizations, they are based on actual measured dimensions using computer mapping for the distances, so they represent a reasonably accurate representation of what potential distance standards could look like in reality.

## Ground Level Visualizations

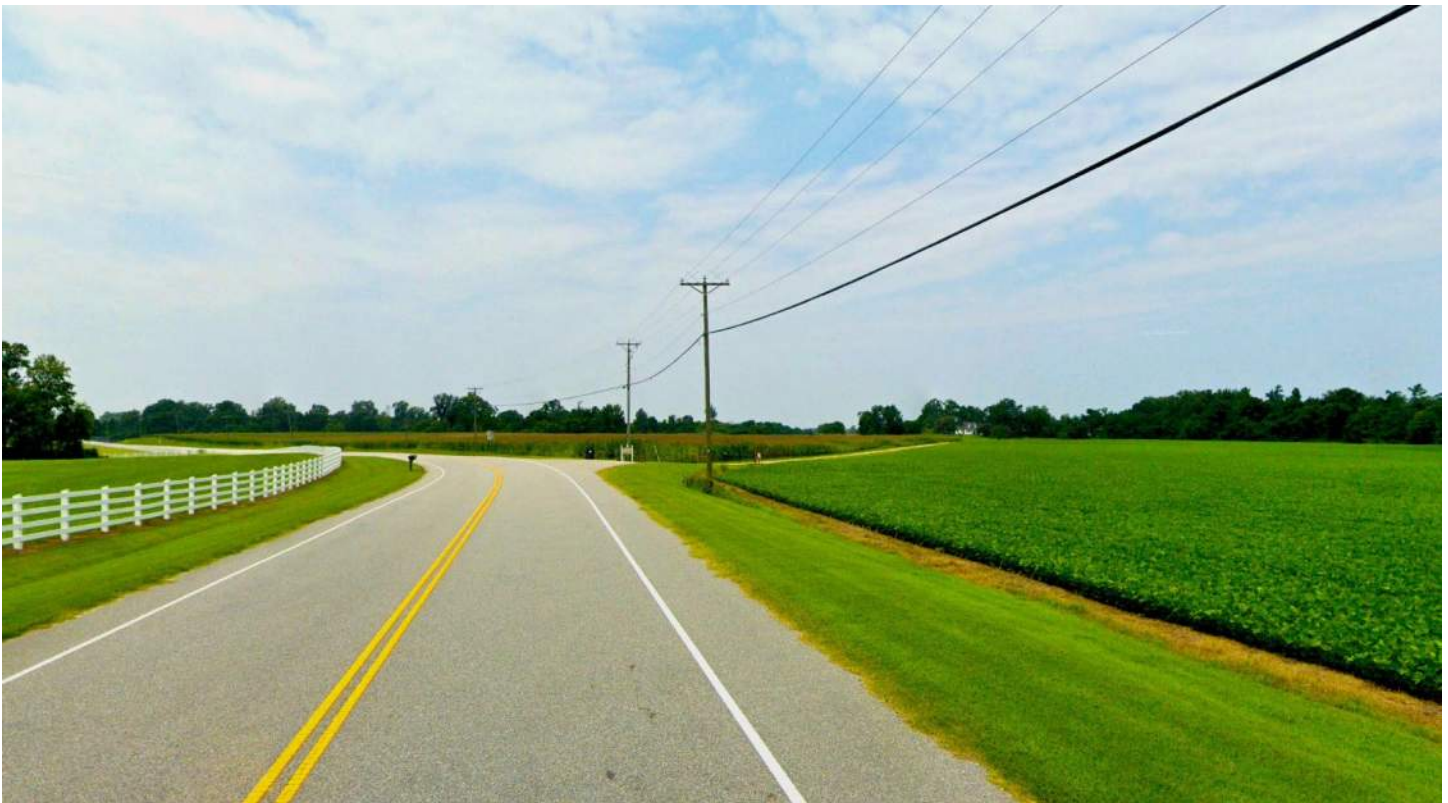


Figure 1. Existing photo of Forge Road





Figure 2. Existing photo of Forge Road with photo visualization of homes set 75' back from edge of right of way



Figure 3. Existing photo of Forge Road with photo visualization of homes set 400' back from edge of right of way



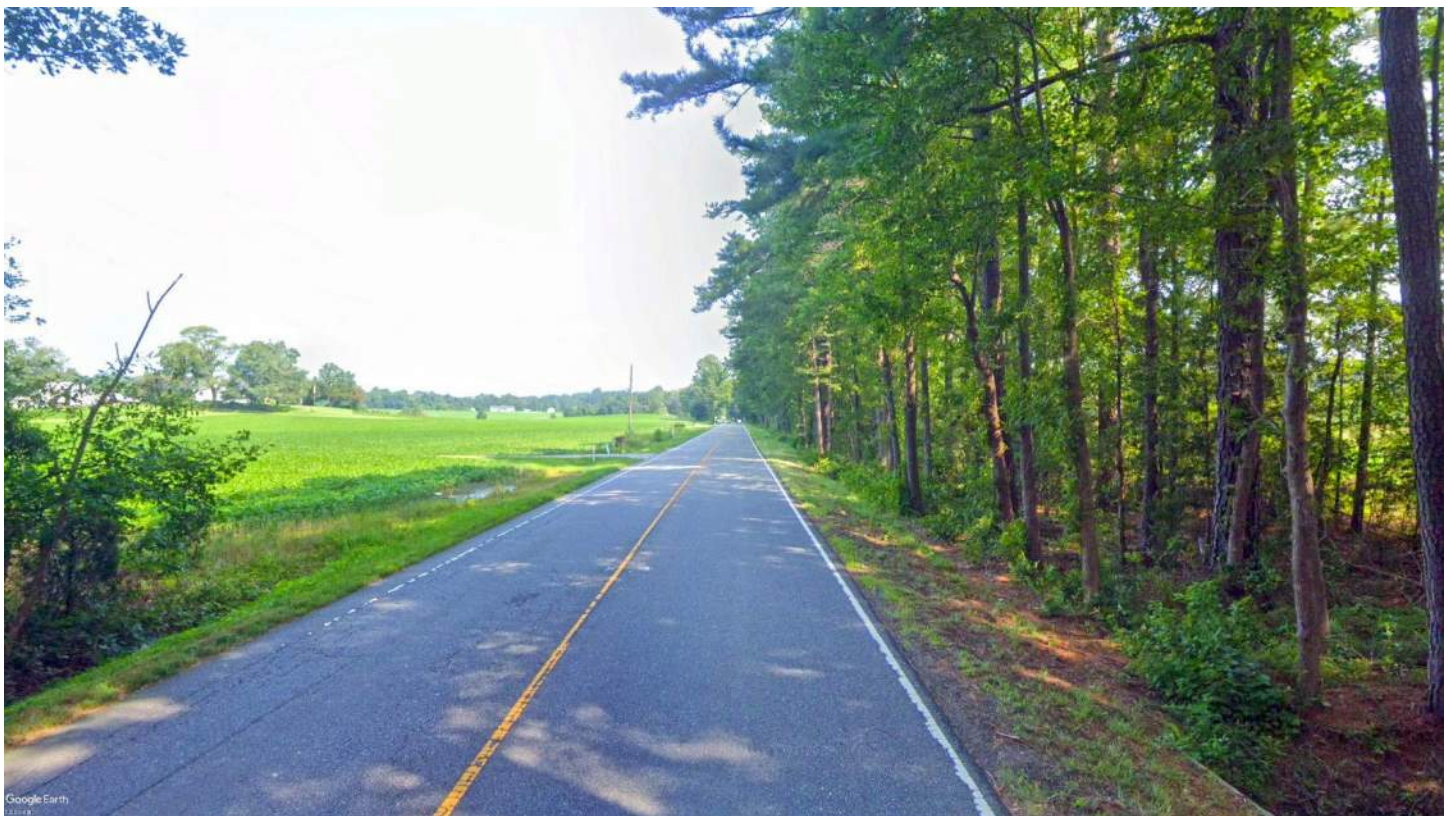


Figure 4. Existing photo of Old Stage Road

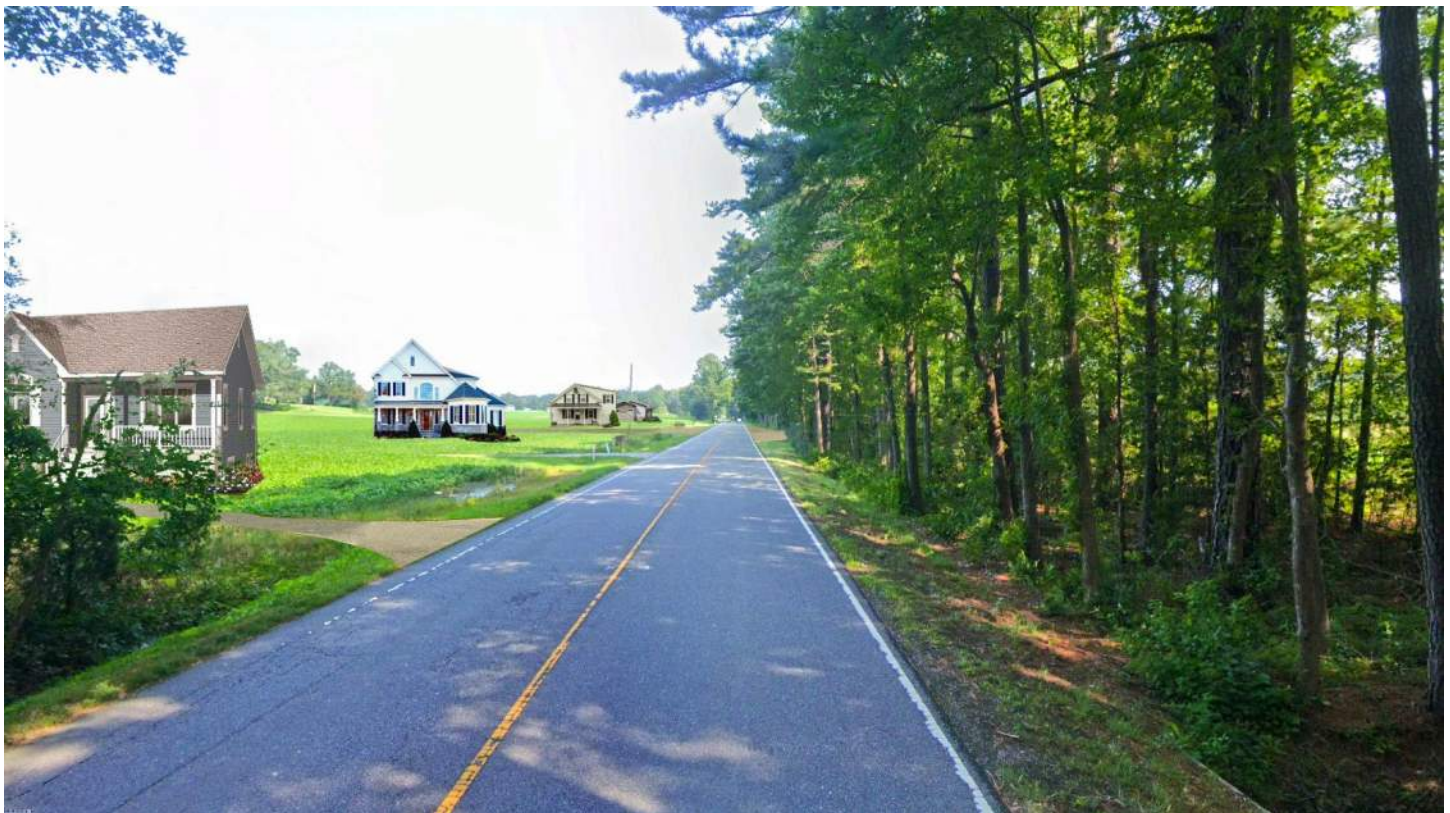


Figure 5. Existing photo of Old Stage Road with photo visualization of homes set 75' back from edge of right of way



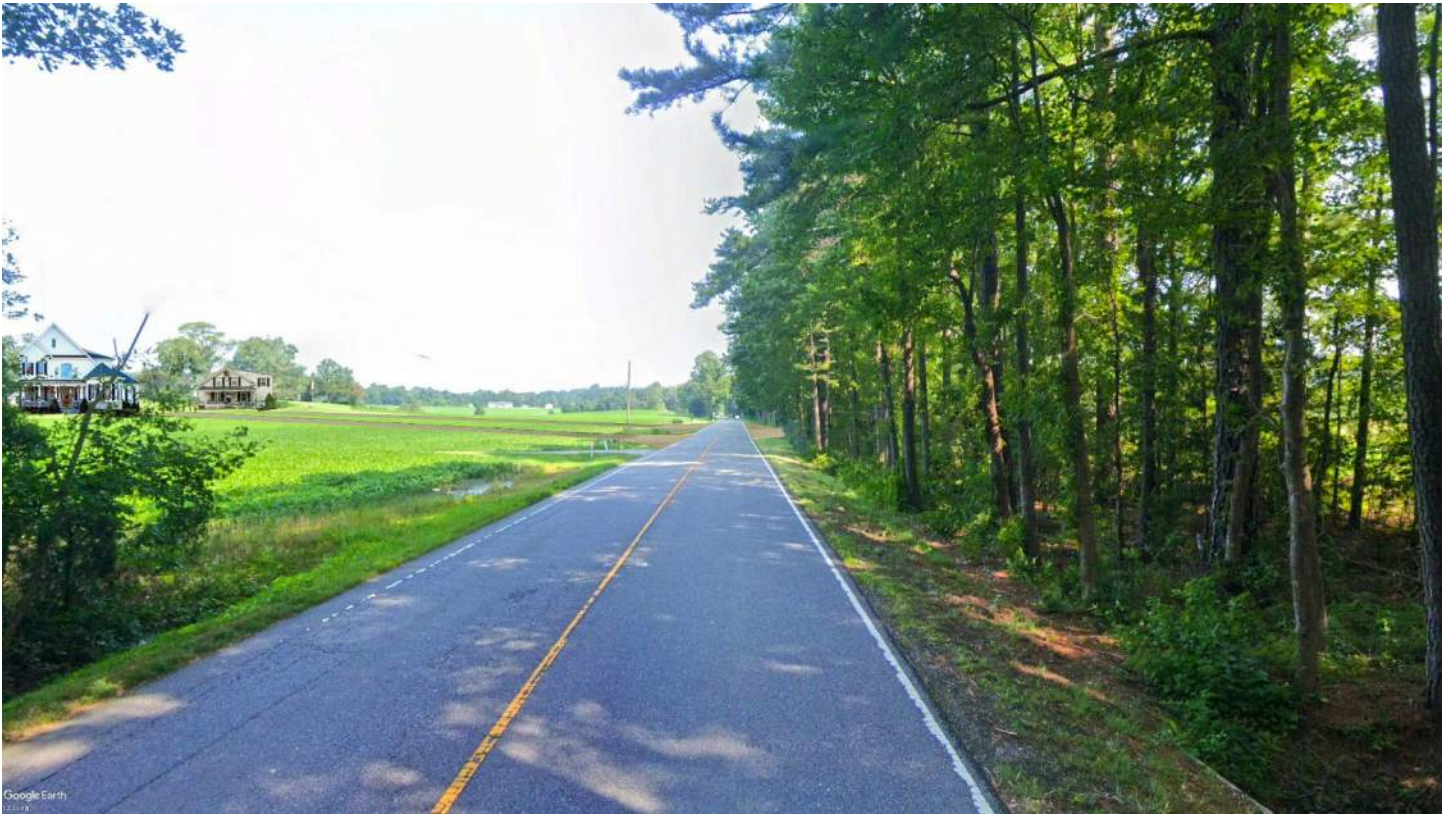


Figure 6. Existing photo of Old Stage Road with photo visualization of homes set 400' back from edge of right of way



## Aerial Visualizations

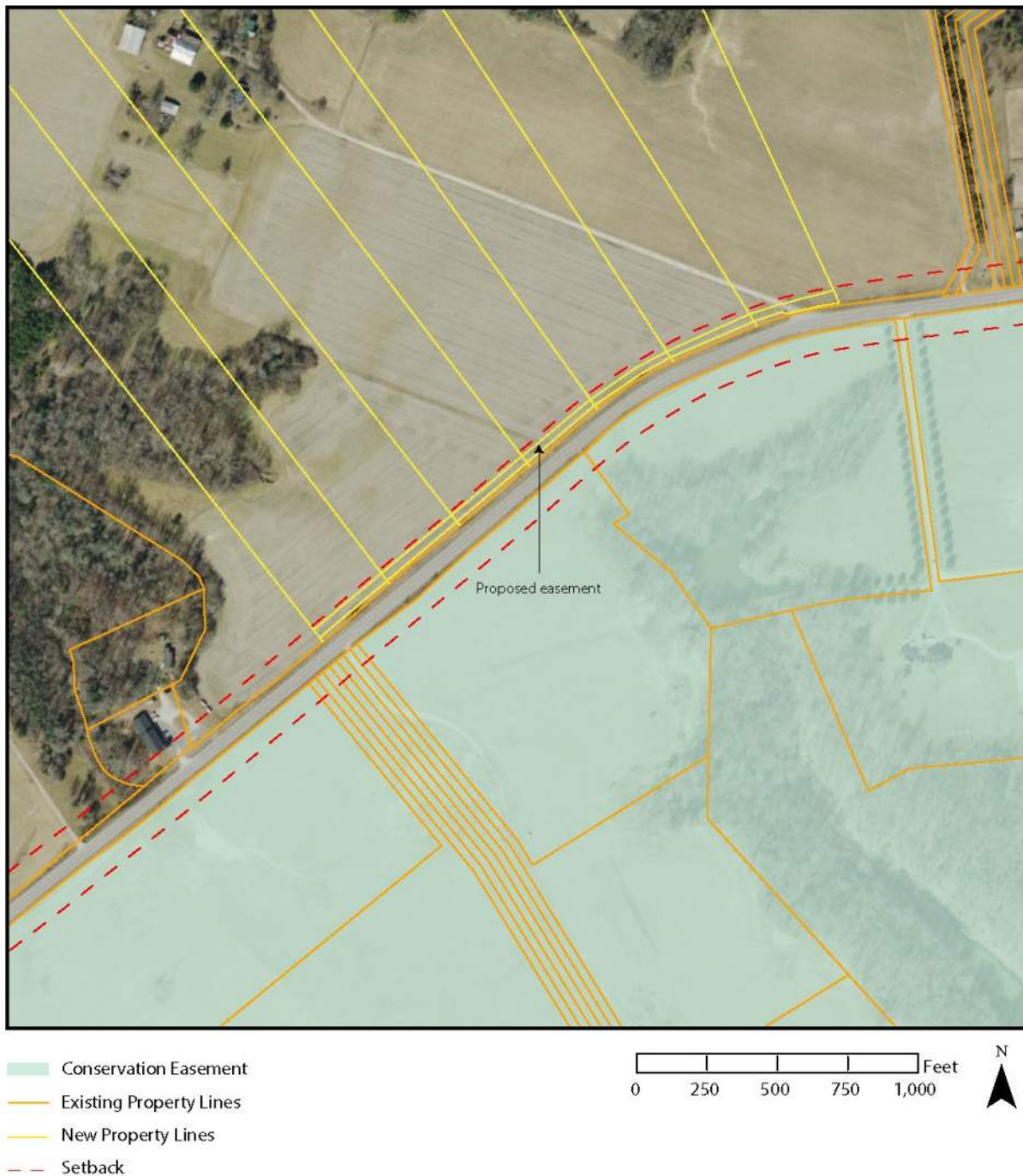


Figure 7. Map of Forge Road showing existing property lines, conservation easements, new property lines, and potential development with common access easement and 75 ft. setback from right of way

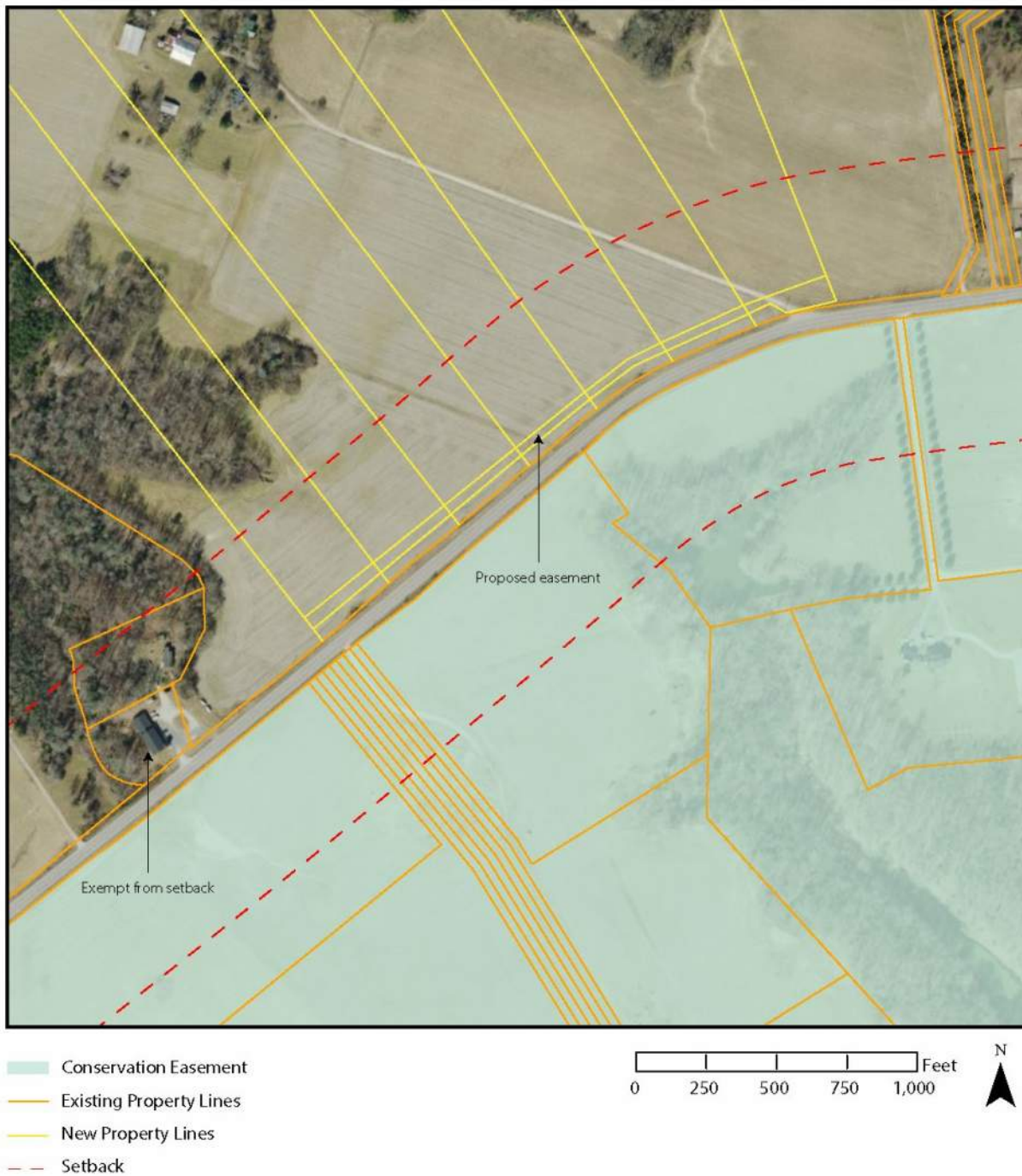


Figure 8. Map of Forge Road showing existing property lines, conservation easements, new property lines, and potential development with common access easement and 400 ft. setback from right of way





Figure 9. Map of Old Stage Road showing existing property lines and potential new subdivision and homes with 75' setback from right of way



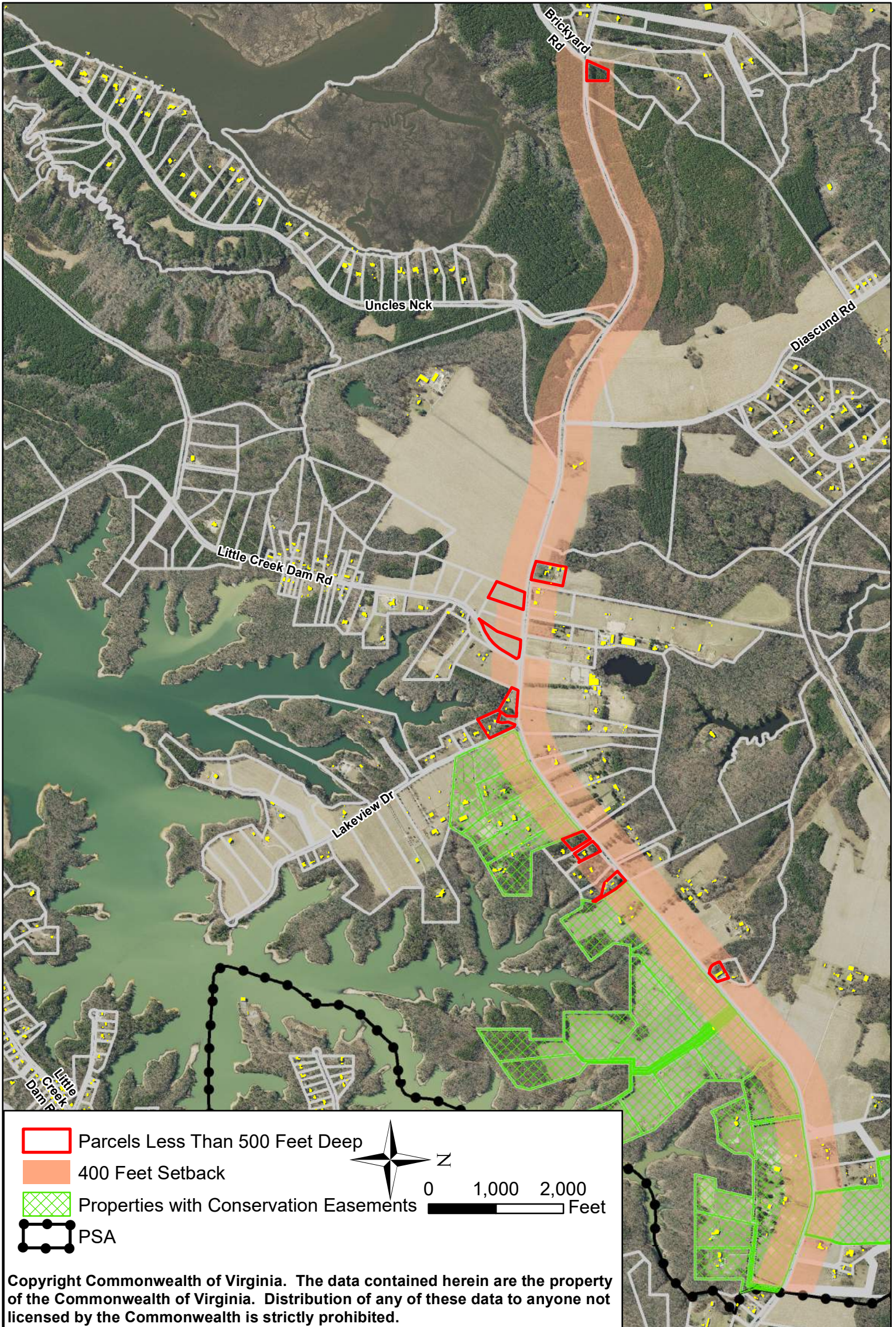


Figure 10. Map of Old Stage Road showing existing property lines and potential new subdivision and homes with 400' setback from right of way





# JCC ORD-22-0001, Amendments for Scenic Roadway Protection. Forge Road Corridor







# JCC ORD-22-0001, Amendments for Scenic Roadway Protection. Old Stage Road Corridor

