

MEMORANDUM

DATE: February 7, 2018

TO: The Planning Commission

FROM: W. Scott Whyte, Senior Landscape Planner II

SUBJECT: Case No. ZO-0003-2017 and SO-0001-2017. Zoning Ordinance and Subdivision Ordinance Amendments for Streetscapes

INTRODUCTION

The County's Streetscape Guidelines Policy was first adopted by the Board of Supervisors in 1999 and was amended in 2004 and 2010. The Policy was first proposed as a result of the 1997 Comprehensive Plan recommendation and subsequent Zoning Ordinance revisions. The goal of the Policy was to establish or preserve a tree canopy along residential streets and to achieve a 20% canopy coverage within a 20-year period.

Since that time, the Streetscape Policy elements have been incorporated into the Community Appearance Guide, the Toano, Five Forks and New Town design guidelines and have been supported in all revisions of the Comprehensive Plan. Most major subdivisions since 1999 that were approved via either a Special Use Permit or proffered rezoning also implemented the Streetscape Policy. The Policy has worked very well since it was created, with slight revisions made in 2004 and 2010.

At its 2016 Session, the Virginia General Assembly approved Senate Bill 549, which was signed into law by the Governor as Chapter 322. Chapter 322 created new Section 15.2-2303.4 to the Code of Virginia, 1950, as amended (the "Virginia Code") which fundamentally changed the conditional zoning system in the Commonwealth of Virginia. As a result, the County no longer accepts proffers for new residential rezoning applications or the residential component of multi-use rezoning applications. On September 14, 2017, the Policy Committee met to discuss initial planning for policies and ordinance amendments to address the topic. At the meeting, the Committee expressed interest in retaining the existing adopted Streetscape Guidelines Policy to serve as the guide for major subdivisions which have either proffered or conditioned streetscape improvements per the adopted Policy. At the meeting, the Committee also expressed interest in having staff create a draft of the Streetscape Policy as an ordinance requirement. This would enable staff to require street trees within all major subdivisions. The ordinance is modeled after York County's street tree ordinance which has been in existence for a long time and retains many elements of the existing Streetscape Guidelines Policy.

Staff has worked to incorporate feedback from this meeting, as well as feedback from the County Attorney's Office, into draft regulations. On December 14, 2017 the Policy Committee met to review the draft regulations, and upon no farther requested changes, directed staff to bring forward the regulations to the Planning Commission.

DRAFT ORDINANCE LANGUAGE

The draft subdivision ordinance language is included as Attachment No. 2 and accomplishes the following:

- In the Subdivision Ordinance, amends Section 19-27 (Preliminary Plan - submittal requirements):
 - Adds submission of a landscape plan to the list of preliminary plan submittal requirements.

- In the Subdivision Ordinance Section, creates new Section 19-74 (Street Trees):
 - Creates a new section that lists the standards and specifications for street trees in major subdivisions.
- In the Zoning Ordinance which is included as Attachment No. 1, Article II, Special Regulations, Division 4 (Landscaping), creates new Section 24-102 (Street Trees);
 - Creates a new section that lists standards and specifications for street trees in multi-family and apartment developments, or areas of multi-family or apartment units within a larger development. The existing Streetscape Guidelines Policy would be retained to serve as the guide for past development cases which have either proffered or conditioned streetscape improvements per the adopted policy.

CHANGES SINCE THE DECEMBER 14, 2017, (STAGE II), POLICY COMMITTEE MEETING

None

RECOMMENDATION

Staff recommends the Planning Commission recommend approval of the attached Subdivision and Zoning Ordinance revisions to the Board of Supervisors.

WSW/nb
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Attachments:

1. Proposed Zoning Ordinance Amendments
2. Proposed Subdivision Ordinance Amendments
3. York County's Subdivision Ordinance
4. Minutes from September 14, 2017, Policy Committee Meeting
5. Minutes from December 14, 2017, Policy Committee Meeting