



**AGENDA  
POWHATAN COUNTY BOARD OF SUPERVISORS  
SPECIAL MEETING  
NOVEMBER 3, 2016  
5:00 PM CALL TO ORDER**

1. **Call to Order**
2. **Invocation**
3. **Pledge of Allegiance**
4. **Requests to Postpone Agenda Items and Additions, Deletions or Changes in the Order of Presentation**
5. **Formal Approval of Agenda**
6. **Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)**
7. **Discussion Items**
  - a. Subdivision Ordinance Page 3
  - b. **Planning Commission – Time Certain – 6:30 p.m.**
    - Board of Supervisors Vision and Three-Year Priorities Page 101
    - Comprehensive Plan Update Page 123
    - Transition Base Districts Page 125
    - Roles in Economic Development
  - c. Resiliency Plan Page 151
8. **Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board)**
9. **County Attorney Comments**
10. **County Administrator Comments**
11. **Board Comments**

**12. ~~Closed Meeting, as authorized by the Code of Virginia, Section 2.2-3711(A), to discuss the following matter(s):~~**

~~Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.—§2.2-3711(A)(7) of the Code of Virginia.~~

**13. ~~Closed Meeting Certification~~**

**14. Adjournment**



## **Subdivision Ordinance Amendment (O-2016-50) – Amending and re-enacting Chapter 68, Subdivision, of the Powhatan County Code**

Staff Report prepared for the Board of Supervisors' Workshop

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The following is a summary of how staff has incorporated changes requested by the Board at the August 15, 2016 workshop:

- Private Roads – private roads are only permitted for internal roads in gated residential communities, family divisions of 1-2 lots and industrial/business parks. If built to standards of the ordinance, no Planning Commission or Board approval is required. There is no exception process to build private roads otherwise (except general exception process of ordinance which may be applied, although being similar to the standards for granting of a zoning variance, is a high threshold of hardship to meet).
- Pavement Standard – the County's more stringent 3-layer pavement requirement (formerly 6.1-1.0) has been removed and defaults to 2-layer VDOT's paving standards.
- Large Lot divisions – large lot exception provision which exempted 10+ acre lots from subdivision requirements has been removed.
- Second entrances - 68-170(B)(8) was amended to prohibit the use of a boulevard entrance as a second access point. Developments with 50+ lots will require 2 entrances and those with 250+ lots shall require 3 entrances.
- Floodplain – per 68-170(B)(11) the acreage calculation does not include floodplain area and 68-170(B)(12) requires all newly constructed residences must maintain a ten-foot horizontal and one-foot vertical separation from the flood plain.
- Solid waste receptacles in subdivisions – previous draft included a requirement for the placement of waste receptacles in all subdivisions. This requirement has been removed.
- Utilities – 68-190(B) & (C) specific well and sewage standards removed, defaults to Virginia Dept of Health requirements.
- Iron pins - 68-206, requires the placement of iron pins at all accessible points on the subdivision boundary line and lot corners
- Appeals – the Planning Commission is removed as the body which considers appeals. Appeals are handled as required by State Code (i.e. some administrative appeals to the Board, other administrative and Board appeals going to the Circuit Court).

- Exceptions – 68-145 the Planning Commission is removed as the body which considers exceptions (variances) to the requirements of the Subdivision Ordinance, which would now be considered and acted on by the Board.
- Stormwater/E&S – removed redundant references dictated by State stormwater/E&S law and combined into one environmental reference section.
- Charitable Division – removed Charitable division provision. With other changes, such a division can be handle either as a regular Single-Cut division or considered by Board as an Exception.
- Various changes to comply with Code of Virginia mandated provisions (68-155, 68-110(A)(1), etc.)

Staff seeks clarification on the following items:

- Road Classification System – notes from the August 15<sup>th</sup> workshop indicate the Board wishes to utilize VDOT’s classification system. Is this in-lieu of the classification system listed in 68-175(E)(3)? If so, staff can incorporate a reference to VDOT’s system, however wanted to understand the intent in this change, to ensure it is reflected in what staff drafts.
- Large Lot Divisions – with the removal of 68-120 *Large Lot Subdivision Exceptions*, that particular process is eliminated, however the County’s ordinance still allows the by-right division of agricultural property, to create as many lot’s as the A-10 district’s 10-acre minimum lot size will permit. The deletion of 68-120 would subject such a division to fees, soils analysis, and public road requirements, which would not have been required under a Large Lot Exemption, however one could still perform the same type of large lot agricultural division, subject to minimal requirements. For example, one could divide a 1,000-acre farm into a 100-lot residential subdivision, outside of the Comprehensive Plan’s growth areas, with no Planning Commission review or Board approval, so long as they meet minimum 10-acre lot requirements, perform soil work on each lot, construct a public road and pay the fee, which in this example would be \$3,000. Staff wants to ensure it was the Board’s intent to permit such development, by-right in agriculturally zoned areas.

**AN ORDINANCE AMENDING AND REENACTING PROVISIONS OF THE POWHATAN COUNTY SUBDIVISION ORDINANCE (CHAPTER 68 THE POWHATAN COUNTY CODE OF ORDINANCES) TO REVISE AND CLARIFY PROCEDURES AND STANDARDS OF THE SUBDIVISION ORDINANCE, AND TO ESTABLISH COMPLIANCE WITH THE CODE OF VIRGINIA.**

**WHEREAS**, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

**WHEREAS**, Section 15.2-2240 of the Code of Virginia mandates each local governing body to adopt a subdivision ordinance, pursuant to Sections 15.2-2240 through 15.2-2279 (Land Subdivision and Development) to assure the orderly subdivision of land and its development; and

**WHEREAS**, the proposed amendments detail procedures and standards relating to the division of land within the County for development purposes, as well as standards for access, circulation, streets, and other infrastructure provided as part of subdivisions or other new development; and

**WHEREAS**, the proposed amendments are intended to ensure that subdivisions and other development promote the health, safety, convenience, order, prosperity, and welfare of the present and future residents of the County; and

**WHEREAS**, the proper advertisement and public hearing was conducted as required by law; and

**WHEREAS**, the full text of this amendment was available for public inspection in the Department of Community Development, Powhatan County Administration Building, 3834 Old Buckingham Road, Powhatan, Virginia 23139.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF POWHATAN** that the Subdivision Ordinance of the County of Powhatan is amended and re-enacted as follows:

- 1. The Powhatan County Subdivision Ordinance (Chapter 68 of the Powhatan County Code) is hereby amended as follows:**

**Articles 1 through 11. Repealed**

**Minimum Lot Size Reference Chart. Repealed**

**Appendix A. County Thoroughfare Plan Map. Repealed**

**Appendix B. Access Design Standards. Repealed**

**Appendix C. Spacing Diagram. Repealed**

**Appendix D. Auxiliary Lane Analysis. Repealed**

**Appendix E. Local Road Classifications. Repealed**

## **ARTICLE I. GENERAL PROVISIONS**

### ***Sec. 68-100. Purpose***

The purpose of this chapter is to establish procedures and standards relating to the division of land within the county for development purposes, as well as standards for access, circulation, streets, and other infrastructure provided as part of subdivisions or other new development. More specifically, this chapter is intended to ensure that subdivisions and other development promote the health, safety, convenience, order, prosperity, and welfare of the present and future inhabitants of the county by providing:

- A. For the orderly and harmonious growth and development of the county;
- B. Wholesome living environments, including sound building sites, for county inhabitants;
- C. For the coordination of streets within and contiguous to proposed subdivisions with other existing or planned streets in the general area, and with the county's comprehensive plan and the state highway system;
- D. For site-related improvements necessary to minimize congestion and overcrowding of streets and accommodate vehicular ingress and egress, including traffic signalization and control;
- E. For improvements of streets and installation of water, sanitary sewerage, stormwater management, and other public utilities or community facilities;
- F. For drainage and flood control, failure of impounding structures, and impacts within dam break inundation zones;
- G. For identifying soil characteristics and structures necessary to ensure stability of critical slopes;
- H. Adequate open space for light, air, and recreation;
- I. For conservation of natural, agricultural, historical, scenic, and recreational areas;
- J. For the acceptance of rights-of-way, easements, streets, curbs, gutters, sidewalks, bikeways, drainage facilities, waterlines, sewerage facilities, and other improvements dedicated for public use and maintenance by the county, state, or other public agency;
- K. For the conveyance of easements to franchised operators and public service corporations furnishing cable television, gas, telephone, and electric service to proposed subdivisions;
- L. For installation of monuments establishing street and property lines; and
- M. For administration and enforcement of these subdivision regulations.

### **Sec. 68-101. Applicability**

The procedures and standards in this chapter shall apply to all subdivisions and to all other development in respect to access and circulation and infrastructure.

## **Sec. 68-102. General Authority to Adopt Subdivision Ordinance**

The subdivision ordinance establishes the county's subdivision regulatory authority as authorized by the Code of Virginia, and is adopted in accordance with:

- A. The enabling authority contained in Chapter 22 of Title 15.2 and, most specifically, in § 15.2-2240 et seq., VA Code Ann; and
- B. All other relevant laws of the Commonwealth of Virginia.

## **Sec. 68-103. Director of Community Development (~~Director~~)**

The Director is designated by the County Administrator to administer and enforce the provisions of the Subdivision Ordinance. The Director, or his designee, shall have the following powers and duties under this Subdivision Ordinance:

### **A. General**

To review and decide applications for the following:

1. Preliminary Subdivision Plats;
2. Subdivision Construction Plans;
3. Final Subdivision Plats;
4. Single-Cut Subdivision Plats;
- ~~4. Large Lot Subdivisions;~~
5. Family Divisions;
6. Non-Subdivision Exceptionsplats; and
7. Interpretations of Chapter 68: Subdivisions; and

### **B. Recommendation**

To review and make recommendations on applications for the following:

- ~~1. Charitable Subdivisions;~~
1. ~~Exception Permits~~Exceptions (Subdivision); and
2. Appeals (Subdivision)

## **Sec. 68-104. Reserved**

## ARTICLE II. SPECIFIC REVIEW PROCEDURES

### Sec. 68-105. Overview

#### A. General

This article sets forth supplemental procedures, standards, and related information for each of the specific subdivision review procedures under this Ordinance. They apply in addition to, or instead of, the standard procedures set forth in Sec. 83-122, Standard Procedures of the Powhatan County Zoning Ordinance (Chapter 83)

#### B. Structure of Procedures

For each type of subdivision application reviewed under this Ordinance, the following sections state the purpose of the application and whether each of the steps in the standard procedure set forth in Sec. 83-122, Standard Procedures, is applicable, optional, or not applicable. They also include, for each step, any variations of, or additions to, the standard procedures. This is followed by the review standards for the application type and provisions addressing expiration and amendment of approvals.

### Sec. 68-106. Applicability

No division of land in the county may be recorded with the Clerk of the Circuit Court, and no lot or parcel created by such division of land may be sold or developed, unless the division is expressly exempted from this section or has received final approval in accordance with the procedures of this section.

### Sec. 68-107. Minimum Lot Size

<b>Minimum Lot Size Reference Chart</b>	
<b>Scenario</b>	<b>Result</b>
<b>Lot Line Adjustment (A-10 District)</b>	2 acres; <del>10 acres for all other parcels</del> ; the result of the lot line adjustment may not create any additional non-
<b>Lot Line Adjustment (RR District)</b>	10 acres; parcels less than 10 acres may be increased but not decreased in size by the lot line adjustment
<b>Single-cut subdivision (A-10 District)</b>	2 acres for the single-cut parcel plus 2 acres for the residual parcel (4 acres total)
<del>Single cut subdivision exception; main parcel on private road (A10 District)</del>	<del>2 acres for the single cut parcel plus 10 acres for the residual parcel (12 acres total); private road must be upgraded to state specifications from the state road to the single cut parcel; minimum lot size to be computed outside the 50' right of way</del>
<b>Family division (A-10, R-2 and R-U Districts)</b>	2 acres for the family division parcel plus 2 acres for the residual parcel (4 acres total)
<b>Family division (RR District)</b>	2 acres for the family division parcel plus 10 acres for the residual parcel (12 acres total)

<del>Family member division; main parcel on private road in Large Lot development (A-10 District)</del>	<del>2 acres for the family member division plus 10 acres for the residual parcel (12 acres total); must have consent from property owners that access the private road; minimum lot size to be computed outside the 50' right of way; private road must be upgraded to state specifications if private road serves more than ten (10) lots</del>
<del>Large lot subdivision exception (A-10 District)</del>	<del>10 acre minimum lot size; if on a private road, minimum lot size is to be computed outside the 50' right of way</del>
<del>Charitable exception (A-10 District)</del>	<del>2 acres for the charitable exception parcel plus 10 acres for the residual parcel</del>
<del>Second dwelling for family member (per conditional use permit in A-10 District); main parcel on public road</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member</del>
<del>Second dwelling for guest house or non-family member (per conditional use permit in A-10 District)</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member</del>
<del>Second dwelling on 2 lot private road (regardless of occupant, per conditional use permit in A-10 District)</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member</del>
<del>Second dwelling on 3-10 lot private road (regardless of occupant, per conditional use permit in A-10 District)</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member</del>
<del>Second dwelling on lot in any private road subdivision that is eligible for a single cut (per conditional use permit in A-10 District)</del>	<del>20 acres total (1 dwelling per 10 acres); minimum lot size requirements waived if dwelling is for an elderly or infirmed family member</del>

**Secs. 68-108 — 68-109. Reserved**

## Sec. 68-110. Primary Subdivisions

Approval of a Primary Subdivision (see Article V, Definitions for a description of a Primary Subdivision) involves a three-step process that includes the review and approval of a Preliminary Plat, Construction Plans, and a Final Plat in accordance with the following subsections.

### A. Preliminary Plat

#### 1. Purpose

The purpose of this subsection is to establish the procedure and standards for review of Preliminary Plats. Preliminary Plat review is intended to ensure that the layout and general design of streets, other infrastructure, blocks, and lots in a proposed primary subdivision comply with all applicable standards in this Ordinance and all other applicable county and state regulations. A preliminary plat is required on any subdivision involving greater than fifty (50) lots.

#### 2. Preliminary Plat Review Procedure

##### a) Pre-Application Conference

Applicable (see Sec. 83-122(B) of the Zoning Ordinance).

##### b) Neighborhood Meeting

Not Applicable.

##### c) Application Submittal and Acceptance

Applicable (see Sec. 83-122(D) of the Zoning Ordinance).

##### d) Staff Review and Action

Applicable (see Sec. 83-122(E) of the Zoning Ordinance). The Director shall refer the application to VDOT and other appropriate state, county and local agencies for review, and shall decide the application in accordance with Sec. 83-122(E)(4) of the Zoning Ordinance, Applications Subject to Decision by Director or Administrator, and Sec. 68-110(A)(4), Preliminary Plat Review Standards.

##### e) Public Hearing Scheduling and Public Notification

Not applicable.

##### f) Advisory Body Review and Recommendation

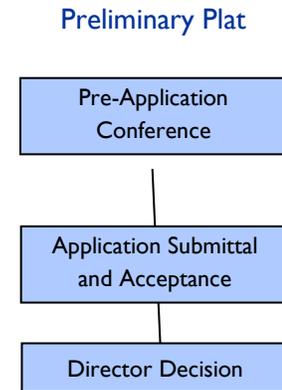
Not applicable.

##### g) Decision-Making Body Review and Decision

Not applicable.

#### 3. Time Limit for Action on Preliminary Plat Applications

The Director shall decide an application for Preliminary Plat approval within 90 days after the date the application is accepted as complete in accordance with Sec. 83-122(D)(6) of the Zoning Ordinance, Determination of Application Completeness. If the Director fails to approve or deny the application within 90 days after the date the application is accepted



**Fig. 68-110 (A)**

as complete, the applicant may petition the Circuit Court of Powhatan County to enter an order regarding the application, in accordance with § 15.2-2260.D VA Code.

#### **4. Preliminary Plat Review Standards**

An application for a Preliminary Plat approval shall be approved upon a finding the applicant has demonstrated the proposed development:

- a) Complies with all applicable standards of this Ordinance;
- b) Complies with other applicable county regulations;
- c) Complies with applicable state regulations;
- d) Complies with requirements of utility entities that will maintain proposed public infrastructure improvements; and
- e) Complies with all standards, conditions, and proffers of any prior applicable permits or development approvals.

#### **5. Effect**

- a) Preliminary Plat approval authorizes the subdivider to submit an application for Construction Plans approval in accordance with Sec. 68-110(B), Construction Plans, for public infrastructure improvements (e.g., streets, sidewalks, bikeways, stormwater management facilities, water distribution facilities, fire hydrants, sewage collection and disposal facilities, street trees, street signs) proposed to serve the subdivision or an approved phase of the subdivision (see Sec. 68-210, Phasing), and to obtain Land Disturbance Permit (Chapter 42, Article III of the Code of Powhatan) and approval of private utilities (e.g., electrical, gas, telephone, and cable distribution facilities) from appropriate agencies.
- b) Preliminary Plat approval also authorizes the subdivider to submit an application for Final Plat approval for the subdivision or an approved phase of the subdivision (see Sec. 68-210, Phasing) in accordance with Sec. 68-110(C), Final Plat, provided Construction Plans for all public infrastructure improvements required to serve the subdivision has been approved and either the improvements have been constructed and accepted or performance and maintenance guarantees ensuring such construction have been approved in accordance with Sec. 68-215, Performance Guarantees.

#### **6. Expiration**

- a) Preliminary Plat approval shall expire if an application for Final Plat approval for the subdivision or an approved phase of the subdivision is not submitted within three years after the date of Preliminary Plat approval, or an extension of this time period granted.
- b) Preliminary Plat approval shall expire where a Final Plat for a phase of the subdivision is recorded and infrastructure improvements serving the phase are constructed and accepted or performance and maintenance guarantees ensuring such construction have been provided, but applications for approval of the remaining phases of the subdivision are not submitted within five years after recordation of the Final Plat for the first phase, or an extension of this time period granted.

**7. Minor Deviations from Approved Preliminary Plat**

Subsequent applications for Construction Plans approval or Final Plat approval for development subject to a Preliminary Plat approval may include minor deviations from the approved plans and conditions, without the need to amend the Preliminary Plat approval, provided such deviations are limited to changes that the Director determines would not:

- a) Increase the number of lots by more than five percent, up to the maximum number of lots allowed in the zoning district;
- b) Decrease the amount of open space;
- c) Substantially change the location or dimensions of open space;
- d) Materially alter the drainage, streets, or other engineering design;
- e) Adversely impact the management of stormwater quality or quantity;
- f) Substantially change any approved phasing plan;
- g) Substantially affect the terms of the original approval; or
- h) Result in significant adverse impacts on the surrounding properties, or the county at large.

**8. Amendments**

Applicable to any modification of development subject to Preliminary Plat approval other than the minor deviations authorized by Sec. 68-110(A)(7), Minor Deviations from Approved Preliminary Plat.

**B. Construction Plans**

**1. Purpose**

The purpose of this subsection is to establish the procedure and standards for review of Construction Plans. Construction Plans review is intended to ensure that the infrastructure improvements in a proposed primary subdivision comply with all applicable standards in this Ordinance and all other applicable regulations of the county, state, and utility entities.

**2. Construction Plans Review Procedure**

**a) Pre-Application Conference**

Optional. Pre-application conferences with VDOT and other appropriate state agencies and utility entities are recommended.

**b) Neighborhood Meeting**

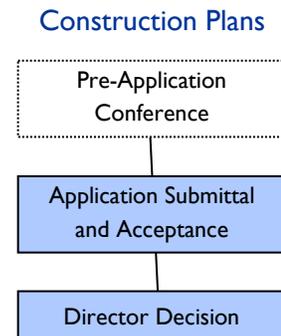
Not Applicable.

**c) Application Submittal and Acceptance**

Applicable (see Sec. 83-122(D) of the Zoning Ordinance).

**d) Staff Review and Action**

Applicable (see Sec. 83-122(E) of the Zoning Ordinance). The Director shall decide the application in



**Fig. 68-110 (B)**

accordance with Sec. 83-122(E)(4) of the Zoning Ordinance, Applications Subject to Decision by Director or Administrator, and Sec. 68-110(B)(3), Construction Plans Review Standards.

**e) Public Hearing Scheduling and Public Notification**

Not applicable.

**f) Advisory Body Review and Recommendation**

Not applicable.

**g) Decision-Making Body Review and Decision**

Not applicable.

**3. Construction Plans Review Standards**

An application for Construction Plans approval shall be approved on a finding the applicant has demonstrated the proposed development:

- a) Is in substantial conformity with the Preliminary Plat approval (see Sec.68-110(A)(7) for allowed deviations from the Preliminary Plat approval);
- b) Complies with all applicable standards of this Ordinance;
- c) Complies with other applicable county regulations;
- d) Complies with applicable state regulations;
- e) Complies with requirements of utility entities that will maintain proposed public infrastructure improvements; and
- f) Complies with all standards, conditions, and proffers of any prior applicable permits or development approvals.

**4. Effect**

Construction Plans approval authorizes the subdivider to start construction or installation of infrastructure improvements in accordance with the approved plans.

**5. Expiration**

Construction Plans approval shall expire if the authorized construction is not started within five years after the date of the Construction Plans approval, or an extension of this time period granted.

**C. Final Plat**

**1. Purpose**

The purpose of this subsection is to establish the procedure and standards for review of Final Plats. All subdivisions shall require the submission of a final plat. Final plat review is intended to ensure that the lots, the open space areas, and the rights-of-way and easements for streets, utilities, drainage, and other infrastructure proposed are appropriately and accurately delineated on a plat that serves as a permanent record of the subdivision.

**2. Final Plat Review Procedure**

**a) Pre-Application Conference**

Not applicable.

**b) Neighborhood Meeting**

Not Applicable.

**c) Application Submittal and Acceptance**

Applicable (see Sec. 83-122(D) of the Zoning Ordinance). An application for Final Plat approval may be submitted only after the Director has determined that construction or installation of all public infrastructure improvements required to serve the area covered by the Final Plat is completed or that such completion is ensured by performance and maintenance guarantees approved by the county in accordance with Sec. 68-215, Performance Guarantees.

**d) Staff Review and Action**

Applicable (see Sec. 83-122(E) of the Zoning Ordinance). The Director shall decide the application in accordance with Sec. 83-122(E)(4) of the Zoning Ordinance, Applications Subject to Decision by Director or Administrator, and Sec. 68-110(C)(4), Final Plat Review Standards.

**e) Public Hearing Scheduling and Public Notification**

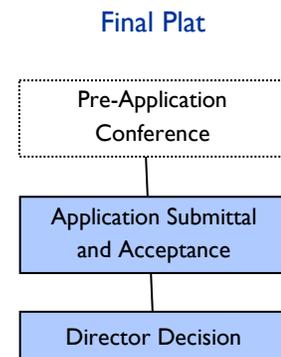
Not applicable.

**f) Advisory Body Review and Recommendation**

Not applicable.

**g) Decision-Making Body Review and Decision**

Not applicable.



**Fig. 68-110 (C)**

**3. Time Limit for Action on Final Plat Applications**

The Director shall decide an application for Final Plat approval within 60 days after the date the application is accepted as complete in accordance with Sec. 83-122(D)(6) of the Zoning Ordinance, Determination of Application Completeness. This time period may be extended as necessary to accommodate any required review and approval by a state department or agency, in accordance with § 15.2-2259(A), VA Code Ann.

**4. Final Plat Review Standards**

An application for Final Plat approval shall be approved on a finding the applicant has demonstrated the proposed Final Plat:

- a) Is in substantial conformity with the Preliminary Plat approval (see Sec. 68-110(A)(7) for allowed deviations from the Preliminary Plat approval);
- b) Complies with all applicable standards of this Ordinance;
- c) Complies with other applicable county regulations;
- d) Complies with applicable state regulations;
- e) Complies with requirements of utility entities that will maintain proposed public infrastructure improvements;
- f) Complies with all standards, conditions, and proffers of any prior applicable permits or development approvals; and

g) Includes all required certificates.

**5. Certification**

If the Final Plat application is approved, the Director shall enter on the plat a signed certification that the plat is approved by the county in accordance with this Ordinance and ready for recordation, as well as any other certifications as may be appropriate.

**6. Recordation**

The subdivider shall file an approved and certified Final Plat with the Office of the Clerk of the Circuit Court, and shall provide proof of recording to the Director.

**7. Effect**

Final Plat approval, certification, and recordation allow the subdivider to proceed with conveying the platted lots by reference to the recorded plat.

**8. Expiration**

Final Plat approval shall expire if the Final Plat is not recorded with the Office of the Clerk of the Circuit Court:

- a) within six months after the date of the Final Plat approval; or
- b) where construction or installation of public infrastructure improvements required to serve the area covered by the Final Plat has commenced in accordance with Construction Plans approval and their completion is ensured by a performance guarantee in accordance with Sec. 68-215, Performance Guarantees, within one year after the date of the Final Plat approval or such further time period specified in the performance guarantee; or
- c) within an extension of the applicable time period established by subsection a) or b) above.

**D. Limitation on Building Permits Pending Public Street Acceptance**

Building Permits shall not be issued on more than 80 percent of the lots shown on a recorded final plat for a primary subdivision, or phase thereof, unless and until all public streets serving the subdivision or phase have been constructed, dedicated, and accepted in accordance with VDOT's secondary street acceptance requirements.

**Secs. 68-111 — 68-114. Reserved**

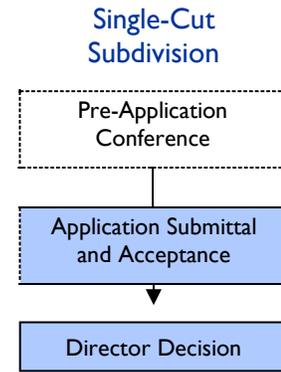
**Sec. 68-115. Single-Cut Subdivision**

**A. Purpose**

The purpose of this section is to establish the procedure and standards for review of Single-Cut Subdivisions (see Article V, Definitions for a description of a Single-Cut Subdivision) Single-Cut Subdivision review is intended to ensure that proposed lots are appropriately and accurately delineated on a plat that serves as a permanent record of the subdivision.

**B. Single-Cut Subdivision Review Procedure**

- 1. Pre-Application Conference**  
Not applicable.
- 2. Neighborhood Meeting**  
Not Applicable.
- 3. Application Submittal and Acceptance**  
Applicable (see Sec. 83-122(D) of the Zoning Ordinance).
- 4. Staff Review and Action**  
Applicable (see Sec. 83-122(E) of the Zoning Ordinance). The Director shall decide the application in accordance with Sec. 83-122(E)(4) of the Zoning Ordinance, Applications Subject to Decision by Director or Administrator, and Sec. 68-115(D), Single-Cut Subdivision Review Standards.
- 5. Public Hearing Scheduling and Public Notification**  
Not applicable.
- 6. Advisory Body Review and Recommendation**  
Not applicable.
- 7. Decision-Making Body Review and Decision**  
Not applicable.



**Fig. 68-115**

**C. Time Limit for Action on Single-Cut Subdivision Applications**

The Director shall decide an application for Single-Cut Subdivision approval within 30 days after the date the application is accepted as complete in accordance with Sec. 83-122(D)(6) of the Zoning Ordinance, Determination of Application Completeness. This time period may be extended as necessary to accommodate any required review and approval by a state department or agency, in accordance with § 15.2-2259(A), VA Code Ann.

**D. Single-Cut Subdivision Review Standards**

An application for Single-Cut Subdivision approval shall be approved on a finding the applicant has demonstrated the proposed Single-Cut Subdivision:

- ~~1. Results in at least one lot having frontage on a public street and each lot meeting the minimum standards of the district set forth in Chapter 83 (Zoning Ordinance);~~
- 1. Complies with the Minimum Lot Size standards in Sec. 68-107, Minimum Lot Size Reference Chart.
- ~~2. Both lots have frontage on a public street and each lot meets the other minimum standards of the district set forth in Chapter 83 (Zoning Ordinance);~~
- ~~2.3.~~ Complies with all other applicable standards of this Subdivision Ordinance and the Zoning Ordinance;
- ~~3.4.~~ Complies with other applicable county regulations;
- ~~4.5.~~ Complies with applicable state regulations;

5.6. Complies with requirements of utility entities that will maintain proposed public infrastructure improvements;

~~6.7.~~ Complies with all standards, conditions, and proffers of any prior applicable permits or development approvals; and

~~7.8.~~ Includes all required certificates.

**E. Certification**

If the Single-Cut Subdivision application is approved, the Director shall enter on the plat of the subdivision a signed certification that the plat is approved by the county in accordance with this Ordinance and ready for recordation, as well as any other certifications as may be appropriate.

**F. Recordation**

The subdivider shall file an approved and certified Single-Cut Subdivision plat with the Office of the Clerk of the Circuit Court, and shall provide proof of recording to the Director.

**G. Effect**

Single-Cut Subdivision approval and certification and recordation of the Single-Cut Subdivision plat allow the subdivider to proceed with conveying the platted lots by reference to the recorded plat.

**H. Expiration**

Single-Cut Subdivision approval shall expire if the Single-Cut Subdivision plat is not recorded with the Office of the Clerk of the Circuit Court:

1. within six months after the date of the Single-Cut Subdivision approval; or
2. where construction or installation of public infrastructure improvements required to serve the area covered by the Single-Cut Subdivision plat has commenced in accordance with the Single-Cut Subdivision approval and their completion is ensured by a performance guarantee in accordance with Sec. 68-215, Performance Guarantees, within one year after the date of the Single-Cut Subdivision approval or such further time period specified in the performance guarantee; or
3. within an extension of the applicable time period established by Sec. 68-110(C)(8)(a) or (b).

Secs. 68-116 — ~~68-119. Reserve~~

~~Sec. 68-120. Large Lot Subdivision~~

~~A. Purpose~~

~~The purpose of this section is to establish the procedure and standards for review of Large Lot Subdivisions (see Article V, Definitions for a description of a Large Lot Development) Large Lot Subdivision review is intended to ensure that proposed lots are appropriately and accurately delineated on a plat that serves as a permanent record of the subdivision.~~

~~B. Large Lot Subdivision Review Procedure~~

~~1. Pre Application Conference~~

~~Not applicable.~~

~~2. Neighborhood Meeting~~

~~Not Applicable.~~

~~3. Application Submittal and Acceptance~~

~~Applicable (see Sec. 83-122(D) of the Zoning Ordinance).~~

~~4.—Staff Review and Action~~

~~Applicable (see Sec. 83-122(E) of the Zoning Ordinance). The Director shall decide the application in accordance with Sec. 83-122(E)(4) of the Zoning Ordinance, Applications Subject to Decision by Director or Administrator, and Sec. 68-120(D), Large Lot Subdivision Review Standards.~~

~~5.—Public Hearing Scheduling and Public Notification~~

~~Not applicable.~~

~~6.—Advisory Body Review and Recommendation~~

~~Not applicable.~~

~~7.—Decision Making Body Review and Decision~~

~~Not applicable.~~

**~~C.—Time Limit for Action on Large Lot Subdivision Applications~~**

~~The Director shall decide an application for Large Lot Subdivision approval within 60 days after the date the application is accepted as complete in accordance with Sec. 83-122(D)(6) of the Zoning Ordinance, Determination of Application Completeness. This time period may be extended as necessary to accommodate any required review and approval by a state department or agency, in accordance with § 15.2-2259(A), VA Code Ann.~~

**~~D.—Large Lot Subdivision Review Standards~~**

~~An application for Large Lot Subdivision approval shall be approved on a finding the applicant has demonstrated the proposed Large Lot Subdivision:~~

- ~~1.—Results in each lot having an area of ten or more acres (excluding any road easement area) and in compliance with the minimum standards of the district set forth in Chapter 83 (Zoning Ordinance);~~
- ~~2.—Complies with the applicable standards in Article III, Subdivision Standards;~~
- ~~3.—Complies with all other applicable standards of this Ordinance;~~
- ~~4.—Complies with other applicable county regulations;~~
- ~~5.—Complies with applicable state regulations;~~
- ~~6.—Complies with requirements of utility entities that will maintain proposed public infrastructure improvements;~~
- ~~7.—Complies with all standards, conditions, and proffers of any prior applicable permits or development approvals; and~~
- ~~8.—Includes all required certificates.~~

**~~E.—Certification~~**

~~If the Large Lot Subdivision application is approved, the Director shall enter on the plat of the subdivision a signed certification that the plat is approved by the county in accordance with this Ordinance and ready for recordation, as well as any other certifications as may be appropriate.~~

**~~F.—Recordation~~**

~~The subdivider shall file an approved and certified Large Lot Subdivision plat with the Office of the Clerk of the Circuit Court, and shall provide proof of recording to the Director. If the subdivision site~~

~~consists of more than one parcel in separate ownerships, the parcels shall be transferred by deed into a single ownership concurrently with recordation of the Large Lot Subdivision plat.~~

**~~G. Effect~~**

~~Large Lot Subdivision approval and certification and recordation of the Large Lot Subdivision plat allow the subdivider to proceed with conveying the platted lots by reference to the recorded plat.~~

**~~H. Expiration~~**

~~Large Lot Subdivision approval shall expire if the Large Lot Subdivision plat is not recorded with the Office of the Clerk of the Circuit Court:~~

- ~~1. within six months after the date of the Large Lot Subdivision approval; or~~
- ~~2. where construction or installation of public infrastructure improvements required to serve the area covered by the Large Lot Subdivision plat has commenced in accordance with the Large Lot Subdivision approval and their completion is ensured by a performance guarantee in accordance with Sec. 68-215, Performance Guarantees, within one year after the date of the Large Lot Subdivision approval or such further time period specified in the performance guarantee; or~~
- ~~3. within an extension of the applicable time period established by Sec. 68-110(C)(8) (a) or (b).~~

**Secs. ~~68-121~~—~~68-124~~. Reserve**

**Sec. 68-125. Family Division**

**A. Purpose**

The purpose of this section is to establish the procedure and standards for review of Family Divisions (see Article V, Definitions for a description of a Family Division). Family Division review is intended to ensure that proposed lots are appropriately and accurately delineated on a plat that serves as a permanent record of the subdivision.

**B. Family Division Review Procedure**

**1. Pre-Application Conference**

Not applicable.

**2. Neighborhood Meeting**

Not Applicable.

**3. Application Submittal and Acceptance**

Applicable (see Sec. 83-122(D) of the Zoning Ordinance).

**4. Staff Review and Action**

Applicable (see Sec. 83-122(E) of the Zoning Ordinance). The Director shall decide the application in accordance with Sec. 83-122(E)(4) of the Zoning Ordinance, Applications Subject to Decision by Director or Administrator, and Sec. 68-125(D), Family Division Review Standards.

**5. Public Hearing Scheduling and Public Notification**

Not applicable.

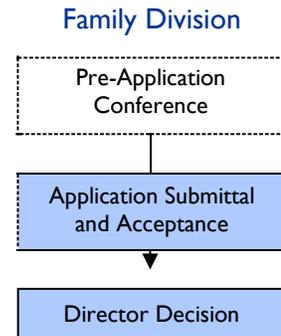
**6. Advisory Body Review and Recommendation**

Not applicable.

**7. Decision-Making Body Review and Decision**

Not applicable.

**C. Time Limit for Action on Family Division Applications**



**Fig. 68-125**

The Director shall decide an application for Family Division approval within 30 days after the date the application is accepted as complete in accordance with Sec. 83-122(D)(6) of the Zoning Ordinance, Determination of Application Completeness. This time period may be extended as necessary to accommodate any required review and approval by a state department or agency, in accordance with § 15.2-2259(A), VA Code Ann.

#### **D. Family Division Review Standards**

An application for Family Division approval shall be approved on a finding the applicant has demonstrated that:

1. The land being divided has been owned by the current owner or member of the owner's immediate family for at least ten consecutive years;
2. The division is the only Family Division that has ever occurred between the land owner and the receiving family member;
3. The owner agrees to place a restrictive covenant on the subdivided lots that would prohibit their transfer to a nonmember of the owner's immediate family for a period of five years, unless the county executes and records a document agreeing to a shorter time period where required by changed circumstances;
4. The division results in no lot with an area less than two acres;
  - a) for 1-2 lots, has reasonable access to a public street via an access easement that is at least 30 feet wide served by a private road constructed to the Driveway Layout and Design standards in Sec. 68-175(E)(9)(a), or
  - b) for 3 or more lots, [has at least 30' of frontage on a public street](#);
5. The division complies with any express requirement contained in the Code of Virginia; and
6. The division is not for the purpose of circumventing the county's subdivision regulations.

#### **E. Certification**

If the Family Division application is approved, the Director shall enter on the plat of the subdivision a signed certification that the plat is approved by the county in accordance with this Ordinance and ready for recordation, as well as any other certifications as may be appropriate.

#### **F. Recordation**

The subdivider shall file an approved and certified Family Division plat with the Office of the Clerk of the Circuit Court, and shall provide proof of recording to the Director.

#### **G. Effect**

1. Except as otherwise provided in subsection (2) below, Family Division approval and certification and recordation of the Family Division plat allow the subdivider to proceed with conveying the platted lots by reference to the recorded plat, provided that
2. For five years after approval of a Family Division (unless the county executes and records a document agreeing to a shorter time period where required by changed circumstances):
  - a) The lot being divided off shall not be sold or transferred to any person other than an immediate family member unless the lot is subject to an involuntary transfer such as by foreclosure, death, judicial sale, condemnation, or bankruptcy. The owner of the property being divided shall place a restrictive covenant on the lot that would prohibit such a transfer.
  - b) No Building Permit shall be issued on the lot being divided off to any person other

than an immediate family member.

- c) No structure on the lot being divided off shall be rented to any person other than an immediate family member.

## H. Expiration

Family Division approval shall expire if the Family Division plat is not recorded with the Office of the Clerk of the Circuit Court:

1. within six months after the date of the Family Division approval; or
2. where construction or installation of public infrastructure improvements required to serve the area covered by the Family Division plat has commenced in accordance with the Family Division approval and their completion is ensured by a performance guarantee in accordance with Sec. 68-215, Performance Guarantees, within one year after the date of the Family Division approval or such further time period specified in the performance guarantee; or
3. within an extension of the applicable time period established by Sec. 68-110(C)(8)(a) or (b).

Secs. 68-126 — ~~68-129. Reserved~~

## ~~Sec. 68-130. Charitable Subdivision~~

### ~~A. Purpose~~

~~The purpose of this section is to establish the procedure and standards for review of Charitable Subdivisions (see Article V, Definitions for a description of a Charitable Subdivision). Charitable Subdivision review is intended to ensure that proposed lots are appropriately and accurately delineated on a plat that serves as a permanent record of the subdivision.~~

### ~~B. Charitable Subdivision Review Procedure~~

#### ~~1. Pre Application Conference~~

~~Not applicable.~~

#### ~~2. Neighborhood Meeting~~

~~Not Applicable.~~

#### ~~3. Application Submittal and Acceptance~~

~~Applicable (see Sec. 83-122(D) of the Zoning Ordinance). The application shall include documentation of a valid 501(c)(3) designation of the charitable organization.~~

#### ~~4. Staff Review and Action~~

~~Applicable (see Sec. 83-122(E) of the Zoning Ordinance).~~

#### ~~5. Public Hearing Scheduling and Public Notification~~

~~Applicable, in accordance with the provisions of Va. Code §15.2-2204~~

#### ~~6. Advisory Body Review and Recommendation~~

~~Not applicable.~~

~~7.—Decision Making Body Review and Decision~~

~~Applicable. The Board of Supervisors shall make a decision on the application for a Charitable Subdivision in accordance with Sec. 68-130(D), Charitable Subdivision Review Standards.—~~

~~**C.—Time Limit for Action on Charitable Subdivision Applications**~~

~~The Director shall decide an application for Charitable Subdivision approval within 30 days after the date the application is accepted as complete in accordance with Sec. 83-122(D)(6) of the Zoning Ordinance, Determination of Application Completeness. This time period may be extended as necessary to accommodate any required review and approval by a state department or agency, in accordance with § 15.2-2259(A), VA Code Ann.~~

~~**D.—Charitable Subdivision Review Standards**~~

~~An application for Charitable Subdivision approval shall be approved on a finding the applicant has demonstrated the proposed Charitable Subdivision:~~

- ~~1.—Involves the division of land in the Agricultural 10 (A-10) zoning district;~~
- ~~2.—Results in the conveyance of a single lot or parcel no less than two acres in area, meeting the minimum standards of the district set forth in Chapter 83 (Zoning Ordinance), to a charitable organization, as demonstrated by documentation that the organization holds a valid 501(c)(3) designation by the U.S. IRS;~~
- ~~3.—Results in a residual parcel no less than ten acres in area, meeting the minimum standards of the district set forth in Chapter 83 (Zoning Ordinance);~~
- ~~4.—Complies with the applicable standards in Article III, Subdivision Standards;~~
- ~~5.—Complies with all other applicable standards of this Ordinance;~~
- ~~6.—Complies with other applicable county regulations;~~
- ~~7.—Complies with applicable state regulations;~~
- ~~8.—Complies with requirements of utility entities that will maintain proposed public infrastructure improvements; and~~
- ~~9.—Includes all required certificates.~~

~~**E.—Appeal**~~

~~A decision of the Board of Supervisors on an application for a Charitable Subdivision may be appealed to the Circuit Court for Powhatan County in accordance with the Code of Virginia~~

~~**F.—Certification**~~

~~If the Charitable Subdivision application is approved, the Director shall enter on the plat of the subdivision a signed certification that the plat is approved by the county in accordance with this Ordinance and ready for recordation, as well as any other certifications as may be appropriate.~~

~~**G.—Recordation**~~

~~The subdivider shall file an approved and certified Charitable Subdivision plat with the Office of the Clerk of the Circuit Court, and shall provide proof of recording to the Director.~~

~~**H.—Effect**~~

- ~~1.—Charitable Subdivision approval and certification and recordation of the Charitable Subdivision plat allow the subdivider to proceed with conveying the platted lots by reference to the recorded plat.~~

~~2.—A Charitable Subdivision approval shall not result in the owner of the residual lot losing any right to obtain Single Cut Subdivision approval in accordance with Sec. 68-115, Single Cut Subdivision.~~

**~~I.—Expiration~~**

~~Charitable Subdivision approval shall expire if the Charitable Subdivision plat is not recorded with the Office of the Clerk of the Circuit Court:~~

- ~~1.—within six months after the date of the Charitable Subdivision approval; or~~
- ~~2.—where construction or installation of public infrastructure improvements required to serve the area covered by the Charitable Subdivision plat has commenced in accordance with the Charitable Subdivision approval and their completion is ensured by a performance guarantee in accordance with Sec. 68-215, Performance Guarantees, within one year after the date of the Charitable Subdivision approval or such further time period specified in the performance guarantee; or~~
- ~~3.—within an extension of the applicable time period established by Sec. 68-110(C)(8)(a) or (b).~~

~~Secs. 68-131 — 68-134. Reserved~~

**Sec. 68-135. Non-Subdivision Exception (Administrative Review Procedure)Plats**

**A. Purpose**

The purpose of this subsection is to establish the procedure and standards for determining whether a proposed division of land is not a “subdivision,” as defined in Article XI of the Zoning Ordinance, Definitions—that is, qualifies for Administrative Approval (see Article V (Definitions), Subdivision-Exception).

**B. Non-Subdivision ExceptionPlat Review Procedure**

**1. Pre-Application Conference**

Not applicable.

**2. Neighborhood Meeting**

Not Applicable.

**3. Application Submittal and Acceptance**

Applicable (see Sec. 83-122(D) of the Zoning Ordinance).

**4. Staff Review and Action**

Applicable (see Sec. 83-122(E) of the Zoning Ordinance) to the extent that the Director shall decide whether the proposed division of land qualifies as a Subdivision-Exception, as defined in Article V.

**5. Public Hearing Scheduling and Public Notification**

Not applicable.

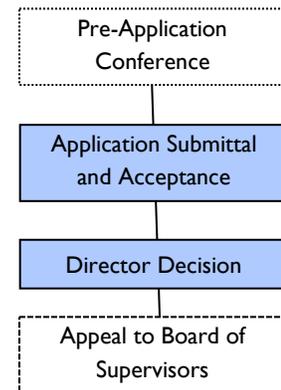
**6. Advisory Body Review and Recommendation**

Not applicable.

~~1.—Decision Making Body Review and Decision~~

~~Not applicable.—~~

Non-Subdivision  
Plats



**Fig. 68-135**

**C. Appeal**

A decision of the Director on an application for a ~~non-Subdivision Exception~~ plat may be appealed to the Board of Supervisors

**D. Certification**

If the proposed division is determined to ~~not~~ be a Subdivision ~~Exception~~, the Director shall enter on the plat a signed certification that the plat is ~~not~~ a Subdivision ~~Exception~~ in accordance with this Ordinance and ready for recordation.

**E. Recordation**

The applicant shall file an approved and certified ~~non-Subdivision Exception~~ plat with the Office of the Clerk of the Circuit Court, and shall provide proof of recording to the Director.

**F. Effect**

Approval, certification, and recordation of a ~~non-Subdivision Exception~~ plat allow the landowner to proceed with conveying the platted lots by reference to the recorded plat.

Secs. 68-136 — 68-139. ~~Reserved~~

~~Sec. 68-140. Private Road Approval Procedure~~

~~A. Purpose~~

~~The purpose of this section is to establish the procedure and standards for review and approval of proposed private roads as an exception to the general intent that vehicular access and circulation within subdivisions be via public streets—an exception that may be appropriate only to the extent the private road better promotes sensitivity to the natural characteristics of the subdivision site and encourages development that is consistent and harmonious with surrounding development. The procedure is intended to provide the Planning Commission the discretion to decide whether a proposed private road complies with the standards of this article and is otherwise appropriate based on characteristics of the site, the subdivision, and surrounding development.~~

~~B. Applicability~~

~~Private roads are allowed only if approved in accordance with the procedure and standards in this section and only where:~~

- ~~1. No more than ten lots would be served by the private road or any combination of connected private roads; and~~
- ~~2. Either~~
  - ~~a) Each subdivision lot served by the private road has an area of at least ten acres (excluding any road easement area), or~~
  - ~~b) The subdivision contains only two lots, each lot has an area of at least two acres (excluding any road easement area), the private road serves only those two lots, and the private road is the sole and direct means of access to a public street.~~

~~C. Private Road Approval Procedure~~

- ~~1. Pre Application Conference~~  
~~Optional (see Sec. 83-122(B) of the Zoning Ordinance).~~

~~2. Neighborhood Meeting~~

~~Not Applicable.~~

~~3. Application Submittal and Acceptance~~

~~Applicable (see Sec. 83-122(D) of the Zoning Ordinance).~~

~~4. Staff Review and Action~~

~~Applicable (see Sec. 83-122(E) of the Zoning Ordinance).~~

~~5. Public Hearing Scheduling and Public Notification~~

~~Applicable, in accordance with the provisions of Va. Code §15.2-2204.~~

~~6. Advisory Body Review and Recommendation~~

~~Not applicable.~~

~~7. Decision Making Body Review and Decision~~

~~Applicable. The Planning Commission shall make a decision on the application for Private Road Approval in accordance with Sec. 68-140(D), Private Road Approval Review Standards.~~

**~~D. Private Road Approval Review Standards~~**

~~A private road may be approved only on a finding that the applicant has demonstrated that:~~

- ~~1. Approval of the private road would alleviate a clearly demonstrable danger of significant degradation of the environment of the subdivision site or adjacent properties that would result from construction of the proposed vehicular accessway as a public street;~~
- ~~2. For a specific identifiable reason, the general public interest—as opposed to the proprietary interest of the subdivider, would be better served by construction of the proposed vehicular accessway as a private road rather than a public street;~~
- ~~3. The private road would be adequate to carry the traffic that may reasonably be expected to be generated on it by the subdivision and constructed to the Private Road Standards in Sec. 68-175(E)(8)(b);~~
- ~~4. The private road would be located within a strip of land owned in fee by the owners of all lots abutting and served by the road or by an association comprised of the owners of all lots in the subdivision, or within a private access easement to the benefit of the owners of all lots abutting and served by the street;~~
- ~~5. The private road would not serve through traffic or intersect a public street in more than one location, unless needed to serve a specific public purpose; and~~
- ~~6. The subdivider agrees that any plat or deed for any lot abutting and served by the private road shall include restrictive covenants that provide for the regular maintenance of the street and notify the lot owners that the road is private, that they have the mutual obligation for maintenance or improvement of the street, that the road will not be accepted or maintained by VDOT or other public agency unless constructed and dedicated in accordance with VDOT's secondary street acceptance requirements.—~~

**~~E. Conditions of Approval~~**

~~In granting a Private Road Approval, the Planning Commission may impose such conditions it may deem necessary in the public interest to ensure compliance with the requirements of this section and to protect the public interest. Such conditions may include a requirement for a performance or maintenance guarantee in accordance with Sec. 68-215, Performance Guarantees. Conditions, where imposed, shall be included as part of the approval.~~

**~~F. Effect~~**

~~Private Road Approval authorizes the applicant to start construction of the private road in accordance with the approved plans, provided that any recorded plat or deed for a lot abutting and served by the private road shall include the restrictive covenants as described in Sec. 68-140(D)(6) above.~~

**~~G. Expiration~~**

~~Private Road Approval shall expire if the authorized road construction is not started within two years after the date of the Private Road Approval, or an extension of this time period.~~

**~~H. Appeal~~**

~~A decision of the Planning Commission on an application for Private Road Approval may be appealed to the Board of Supervisors.~~

**Secs. 68-141 — 68-144. Reserved**

**Sec. 68-145. Exception Permit (Subdivision)**

**A. Purpose**

The purpose of a subdivision exception is to allow certain variations or exceptions to subdivision standards of this Ordinance when the landowner demonstrates that, owing to unusual situations or when strict adherence to the standards of this Ordinance would result in substantial injustice or hardship to the landowner and the variation or exception would not be contrary to the public interest.

**B. Applicability**

Pursuant to the authority granted in § 15.2-2242(1) VA Code Ann., an Exception Permit (Subdivision) procedure may be used to seek hardship relief from the subdivision standards of this Ordinance.

**C. Application for Exception**

Provided that such requirement is not otherwise contrary to law, application for approval of a division as a Subdivision Exception under this Ordinance shall be made prior to recordation of any such division. Application shall be made to the Department of Community Development. The application shall include a plat of survey certified and sealed by a Surveyor, drawn to such scale and including such minimal information sufficient to satisfy the Department of Community Development that the division qualifies as a Subdivision Exception.

**D. Exception Permit (Subdivision) Procedure**

**1. Pre-Application Conference**

Optional (see Sec. 83-122(B) of the Zoning Ordinance).

**2. Neighborhood Meeting**

Optional (see Sec. 83-122(C) of the Zoning Ordinance).

**3. Application Submittal and Acceptance**

Applicable (see Sec. 83-122(D) of the Zoning Ordinance).

**4. Staff Review and Action**

Applicable (see Sec. 83-122(E) of the Zoning Ordinance).

**5. Public Hearing Scheduling and Public Notification**

Applicable, in accordance with the provisions of Va. Code §15.2-2204.

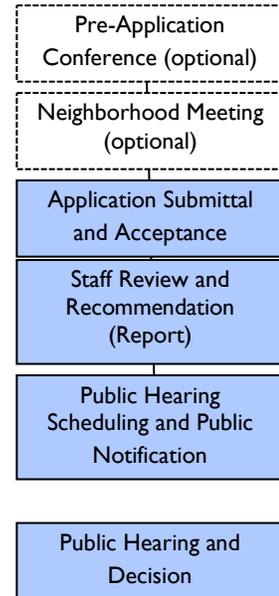
**6. Advisory Body Review and Recommendation**

Not applicable.

**7. Decision-Making Body Review and Decision**

Applicable. The Board of Supervisors, following a public hearing, shall make a decision on the application for an Exception Permit in accordance with Sec. 68-145(D), Exception Permit (Subdivision) Review Standards.

**Exception Permit  
(Subdivision)**



**E. Exception Permit (Subdivision) Review Standards**

**Fig. 68-145**

An Exception Permit (Subdivision) shall be approved on a finding the applicant shows good and sufficient cause and demonstrates that all of the following standards are met:

1. Unusual situations exist or strict adherence to the standard proposed to be varied would result in substantial injustice or hardship to the applicant;
2. The Exception Permit (Subdivision) is the minimum required to provide relief from the unusual situations or substantial injustice or hardship;
3. Any alternative technique, design, or materials allowed by the Exception Permit (Subdivision) are of comparable quality to those required by this Ordinance and achieve results that substantially satisfy or effect the standards in this Ordinance; and

4. Granting of the Exception Permit (Subdivision) will not be detrimental to the public, health, safety, and general welfare, or to the orderly development of the area.

**F. Conditions of Approval**

In authorizing an Exception Permit (Subdivision), the Board of Supervisors may impose such conditions regarding the location, character, and other features of the proposed subdivision granted the exception as it may deem necessary in the public interest to ensure compliance with the requirements of this chapter and to prevent or minimize adverse effects from the proposed variance. Such conditions may include a requirement for a performance or maintenance guarantee in accordance with Sec. 68-215, Performance Guarantees. Conditions, where imposed, shall be included as part of the approval.

**G. Effect**

Approval of an Exception Permit (Subdivision) authorizes only the particular regulatory relief approved. It does not exempt the applicant from the responsibility to obtain all other approvals required by this Ordinance and any other applicable laws, and does not indicate that the subdivision for which the variance is granted should receive other permits or development approvals under this Ordinance unless the relevant and applicable portions of this Ordinance or any other applicable laws are met.

**H. Expiration**

Unless it expires, an Exception Permit (Subdivision), including any conditions of approval, shall run with the land, shall be binding on the landowners and their successors and assigns, and shall not be affected by a change in ownership.

**Secs. 68-146 — 68-149. Reserved**

**Sec. 68-150. Interpretation**

**A. Purpose**

The purpose of this section is to provide a uniform mechanism for rendering formal written interpretations of the text of this chapter's subdivision procedures and standards.

**B. Applicability**

The Director is responsible for making interpretations of all provisions of this article pertaining to subdivisions.

### C. Interpretation Procedure

#### 1. Pre-Application Conference

Optional (see Sec. 83-122(B) of the Zoning Ordinance).

#### 2. Neighborhood Meeting

Not applicable.

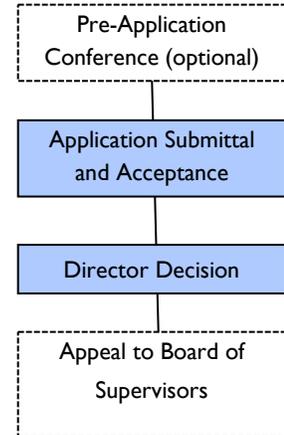
#### 3. Application Submittal and Acceptance

Applicable (see Sec. 83-122(D) of the Zoning Ordinance). An application for a formal written interpretation may be initiated by the Board of Supervisors, the Planning Commission, any resident or landowner in the county, or any person having a contractual interest in land in the county.

#### 4. Staff Review and Action

Applicable (see Sec. 83-122(E) of the Zoning Ordinance). The Director shall make interpretations in accordance with Sec. 83-122(E)(4) of the Zoning Ordinance, Applications Subject

### Interpretation



**Fig. 68-150**

to Decision by Director or Administrator, and Sec. 83-123(P)(4) of the Zoning Ordinance, Interpretation (Floodplain) Standards. Prior to rendering an interpretation, the Director shall consult with the County Attorney and other affected county officials.

**5. Public Hearing Scheduling and Public Notification**

Not applicable.

**6. Advisory Body Review and Recommendation**

Not applicable.

**7. Decision-Making Body Review and Decision**

Not applicable.

**D. Interpretation Standards**

Interpretation of the text of this article and its application shall be based on the standards in Article XII of the Zoning Ordinance, Interpretations, and considerations including, but not limited to, the following:

1. The clear and plain meaning of the provision’s wording, as defined by the meaning and significance given specific terms used in the provision—as established in Article V of this chapter (Definitions) and in Article XI of the Zoning Ordinance (Definitions), and by the common and accepted usage of the term;
2. The intended purpose of the provision, as indicated by purpose statements, its context and consistency with surrounding and related provisions, any legislative history related to its adoption; and
3. The general purposes served by this article and the sections in it.

**E. Effect**

Except as otherwise provided in Sec. 83-122(E)(4)(c) of the Zoning Ordinance, No Change to Relied-Upon Decision, a written interpretation shall be binding on subsequent decisions by the Director or other county administrative officials in applying the same provision of this chapter in the same circumstance.

**F. Official Record**

The Director shall maintain a record of written interpretations that shall be available in the Community Development Department for public inspection, on reasonable request, during normal business hours.

**Secs. 68-151 — 68-154. Reserved**

**Sec. 68-155. Appeal**

**A. Purpose**

The purpose of this section is to establish a procedure and standards for any person aggrieved by ~~any administrative decision~~decisions related to ~~a decision on~~ an application for subdivision approval.

**B. Applicability**

Any person aggrieved, or any officer, department, board, or commission of the County affected, by a decision ~~of the Director~~ on an application for subdivision approval, may appeal the decision (hereinafter “decision”) to the Powhatan County Circuit Court in accordance with the procedures

and standards of this section and § 15.2-2259 VA Code.

**C. Initiation**

An appeal shall be initiated by filing a written Notice of Appeal with the Director, within 60 days of the date of the decision being appealed.

**D. Appeal**

Any person jointly or severally aggrieved by any decision of the Director, or any aggrieved taxpayer or any officer, department, board, or commission of the county, within 30 days of the date of the final decision of the Director, may appeal the decision.

**E. Effect**

An appeal shall stay all proceedings by the county in furtherance of the action appealed, unless the Director certifies that a stay would cause imminent peril to life or property, in which case the proceedings shall not be stayed unless a restraining order is granted by the Circuit Court for Powhatan County, on application and on notice to the Director and for good cause shown.

**F. Other Appeals**

Non-Subdivision Plats Sec. 68-135(C)

**Secs. 68-156 — 68-159. Reserved**

**Sec. 68-160. Vacation of Plats**

Any recorded subdivision plat, or the boundary of any lot or parcel shown on such recorded subdivision plat, may be vacated in accordance with the provisions of §§ 15.2-2271—2278 VA Code Ann. and any other applicable law.

**Secs. 68-161 — 68-169. Reserved**

## **ARTICLE III. SUBDIVISION STANDARDS**

### **Sec. 68-170. General**

#### **A. Name**

The name of a subdivision shall not duplicate or closely approximate (phonetically or in spelling) the name of any other subdivision in Powhatan County,

#### **B. Layout**

The layout of streets, lots, and other elements of a subdivision shall be based on complete site analysis, and shall comply with the following standards:

1. Streets and lots shall be designed and situated to minimize alteration of natural and historic site features to be preserved.
2. The subdivision layout shall consider the practicality and economic feasibility of development of individual lots, including the environmental characteristics and size of the site, and the requirements of this chapter and Chapter 83 (Zoning Ordinance) of the Powhatan County Code.
3. Streets and the buildable areas of lots shall be located outside floodway districts (see Sec. 83-420(D)(1) of the Zoning Ordinance, Floodway District) and, to the maximum extent practicable, outside all other parts of a Floodplain Overlay (FP) district. Public infrastructure improvements and utility facilities shall be located and constructed to minimize exposure to flood hazards.
4. Unique and fragile elements—including, but not limited to, wetlands, steep slopes, and significant stands of mature trees—shall be preserved where practicable, with development reserved for environmentally stable areas.
5. Open space shall be provided in accordance with Sec. 83-470 of the Zoning Ordinance (Development Standards), Open-Space Set-Asides.
6. Riparian buffers shall be provided in accordance with Sec. 83-471(A) of the Zoning Ordinance (Development Standards), Riparian Buffers.
7. The general location, character, and extent of streets, public utilities and service facilities, and parks and other public areas shall be consistent with the comprehensive plan.
8. Subdivisions with 50 or more lots shall have at least two vehicular access points into the subdivision. Subdivisions with 250 or more lots shall have at least three vehicular access points into the subdivision. These access points shall be separated by at least 200 feet or one block length, whichever is greater.
9. Subdivisions that adjoin existing streets will dedicate additional rights-of-way for future street widening to meet the minimum width requirements of the adopted Thoroughfare Plan. One half of the required right-of-way, measured from the centerline of the existing roadway, will be provided. The entire right-of-way will be provided where any part of the subdivision is on both sides of an existing street.
10. No more than 80 percent of building permits in any section of residential subdivision shall be issued until the roads have been constructed to state standards, inspected and accepted into the state highway system.
11. Land within any flood plain district will not be included in minimum lot area requirements and will not be raised by fill. Other land subject to flood may be used to meet minimum lot

area requirements only if filled to such height as will secure a flood-free site based on data submitted by the subdivider and prepared by Engineers, provided such use or fill does not endanger health, life, or property, restrict the flow of water or increase flood heights.

12. All residences constructed on lots within a 100-year HUD designated flood plain area shall maintain a ten-foot horizontal and one-foot vertical separation from the flood plain.

### **C. Blocks**

1. Blocks shall be laid out to provide a functional street pattern and circulation and connectivity in accordance with the standards in Sec. 68-175, Access and Circulation.
2. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth for the zoning district, excluding any water bodies, public alleys, or other public rights-of-way. Exceptions shall be permitted in blocks adjacent to arterial streets, railroads, or waterways, or due to limiting topographical conditions, the size or configuration of the site, or for approved through lots.
3. Blocks shall not exceed 1,600 feet in length except as necessary to secure efficient use of land, or desired features of the street pattern, or to reflect the size and configuration of the site.
4. The lengths, widths, and shapes of blocks shall be determined based on the following:
  - a) Lot area and width standards;
  - b) Needs for convenient access, circulation, control, and safety of vehicular, bicycle, and pedestrian traffic;
  - c) Relationship to existing utilities;
  - d) Layout of the water system with regard to eliminating stagnant water, providing adequate fire flow, appropriately placing fire hydrants, and meeting minimum pressure requirements.;
  - e) Layout of the sanitary sewer system with regard to utilizing gravity sewer system wherever possible and minimizing the use of sewer force mains;
  - f) Layout of the stormwater management system with regard to utilizing natural outfalls adjacent to the land being subdivided, and minimizing the use of existing public stormwater or drainage systems for the new development;
  - g) Location of existing and proposed easements; and
  - h) Limitations and opportunities of topography.

**Secs. 68-171 — 68-174. Reserved.**

### **Sec. 68-175. Access and Circulation**

#### **A. Purpose**

The purpose of this section is to ensure that developments are served by a coordinated multimodal transportation system that permits the safe and efficient movement of motor vehicles, emergency vehicles, transit, bicyclists, and pedestrians within the development and between the development and external transportation systems, neighboring development, and local destination points such as places of employment, schools, parks, and shopping areas. Such a multimodal transportation system is intended to provide transportation options, increase the effectiveness of local service delivery, reduce emergency response times, promote healthy walking and bicycling, facilitate use of public

transportation, contribute to the attractiveness of the development and community, connect neighborhoods and increase opportunities for interaction between neighbors, reduce vehicle miles of travel and travel times and greenhouse gas emissions, improve air quality, minimize congestion and traffic conflicts, and preserve the safety and capacity of community transportation systems. Access management is a continuing process of controlling the location and design of crossovers, traffic signals, intersections, and commercial driveways to protect and enhance safe and efficient traffic movement. Major thoroughfares, including highways and other arterials, serve as the primary network for moving people and goods. These transportation corridors also have served as the focus for commercial and residential development. If access systems are not properly designed, these thoroughfares will be unable to accommodate the access needs of development and retain their primary transportation function. These standards provide and manage access to land development, while preserving traffic flow as it relates to safety, capacity and speed. They also balance the landowners' right to access their property while maintaining the right to the public to safe and efficient travel. These access standards shall apply to all arterials, collectors, and local streets within the County and to all properties that abut the roadways. Except where otherwise noted in this section, the access classification system and standards shall apply to all public roadways within the County. This section is intended to be utilized in conjunction with the compulsory land use development regulations in the Zoning Ordinance, and the guidance provisions in the Powhatan County Comprehensive Plan and US 60 Crossover Study. In the event of conflicting provisions, the more stringent regulation shall be applied. The Director shall be responsible for the application of this section. The Director has the discretion to consult with the Virginia Department of Transportation ("VDOT") to aid in the application of this section.

## **B. Applicability**

### **1. General**

Except as otherwise provided in subsections below or elsewhere in this section, the standards in this section shall apply to all new development and accessways in the county.

### **2. Exception for Agricultural Vehicular Accessways**

The standards in this section shall not apply to private vehicular accessways exclusively serving agricultural operations.

## **C. Consistency with Comprehensive Plan**

The general location, character, and extent of streets and other elements of access and circulation systems associated with a development shall be consistent with the transportation goals, objectives, and actions in the comprehensive plan.

## **D. Multimodal Transportation System**

Access and circulation systems associated with a development shall provide for multiple travel modes (vehicular, transit, bicycle, and pedestrian), as appropriate to the development's size, character, and relationship to existing and planned community transportation systems. Vehicular, transit, bicycle, and pedestrian access and circulation systems shall be coordinated and integrated as necessary to offer the development's occupants and visitors improved transportation choices while enhancing safe and efficient mobility throughout the development and the community.

## **E. Vehicular Access and Circulation**

### **1. Circulation Plan Required**

- a) Applications for Site Plan approval (Sec. 83-123(G) of the Zoning Ordinance) and Preliminary Plat approval (Sec. 68-110(A)) shall include a circulation plan that addresses emergency and service vehicle access, access management, street

connectivity, parking movements, accommodation of loading operations, turning radii, traffic calming measures where future “cut-through” traffic is likely, and similar issues.

- b) The Director may waive the requirement for a circulation plan on determining that a proposed development is expected to have no impact on circulation or proposes no change in existing circulation patterns. This provision shall not be construed to exempt development that includes additional parking, driveways, or substantial modifications to the existing pedestrian network.

## **2. Traffic Impact Analysis Required**

- a) Applications for a Zoning District Map Amendment (Rezoning), Conditional Rezoning, Planned Development, or Conditional Use Permit shall include a VDOT traffic impact statement (VTIS), and applications for a Site Plan or Preliminary Plat shall include a traffic impact statement (TIS), where the proposed development is reasonably anticipated to substantially affect transportation on state-controlled highways, as determined in accordance with VDOT’s traffic impact analysis regulations and criteria for rezoning proposals.
- b) The Director may waive the requirement in subsection (a) above on determining that the proposed development substantially conforms to a small area plan that is incorporated into the comprehensive plan and for which a VTIS was prepared.
- c) The VTIS or TIS shall be prepared in accordance with the requirements for a VTIS in VDOT’s traffic impact analysis regulations.
- d) Traffic impact analyses (TIAs) are studies of the transportation needs and traffic impact of a development on the surrounding road network and should be a major component of the site development review process. TIAs must be conducted by a licensed professional engineer or other professional acceptable to the Director, and shall be reviewed and approved by the County. An analysis acceptable to the Director shall be performed for each of the following situations.
  - (i) All development proposals that will generate more than 100 total new peak hour vehicle trips on the adjacent street.
  - (ii) All development proposals that generates less than 100 new peak hour vehicle trips will require a TIA if it impacts local problem areas such as high accident locations or heavily congested areas.
  - (iii) When the original TIA is more than two (2) years old, access decisions are still outstanding, and changes in development have occurred within the site environs.
  - (iv) This Section shall not apply to agricultural operations or to access roads for family divisions as defined in this Subdivision Ordinance.
- e) The Applicant shall be responsible for providing actual traffic counts for public roads included in the traffic impact analysis if actual traffic counts conducted by the Virginia Department of Transportation (VDOT) are more than 12 months old. Traffic counts shall be performed in accordance with VDOT regulations
- f) The Director has the discretion to waive the requirements of a traffic impact analysis when it is determined that transportation improvements required as a result of the proposed development are apparent without an analysis, and the developer agrees to provide the required improvements.

### 3. Vehicular Accessway Classifications

As a basis for application of many of the vehicular access and circulation standards in this section, proposed and existing vehicular accessways shall be classified in accordance with the following classifications, which reflect the accessway's relative functions in providing access to and from principal origin and destination points and accommodating travel mobility. Driveways represent the lowest basic classification and major arterial streets the highest basic classification.

a) **Driveways**

Driveways include accessways that function solely to provide direct and immediate vehicular access between a street or road and the principal origin and destination points within an abutting development, or part of a large development. They generally handle low vehicular travel speeds and traffic volumes, such as driveways serving single-family dwellings, but may also handle moderate to high vehicular traffic volumes within large commercial and mixed-use developments (e.g., driveways within shopping center parking areas).

b) **Local Streets**

Local streets primarily function to provide direct vehicular access to and from abutting development, or parts of a large development. They also may provide travel mobility by connecting driveways and other local streets with collector streets and arterial streets. Local streets generally handle low to medium vehicular travel speeds and traffic volumes over short distances, but may handle high traffic volumes within large commercial and mixed-use developments or in urbanized areas (e.g., local streets adjacent to village center development).

c) **Minor Collector Streets**

Minor collector streets primarily function both to provide direct vehicular access to and from abutting development, particularly in commercial and industrial areas, and to provide intracounty travel mobility among neighborhoods and activity centers (e.g., village centers, commerce centers, crossroad communities) by connecting local streets and other minor collector streets with major collector streets and arterial streets. They generally handle relatively low to moderate travel speeds and traffic volumes over moderate average trip lengths. Minor collector streets are designated on the Major Thoroughfare Plan.

d) **Major Collector Streets**

Major collector streets primarily function to provide intracounty travel mobility among neighborhoods and activity centers (e.g., village centers, commerce centers, crossroad communities) by connecting local streets and other collector streets with arterial streets. They also may provide direct vehicular access to and from abutting development, particularly in commercial and industrial areas. They generally handle relatively moderate travel speeds and traffic volumes over moderate average trip lengths. Major collector streets are designated on the Major Thoroughfare Plan.

e) **Minor Arterial Streets**

Minor arterial streets primarily function to provide travel mobility between cities, large towns, and other major traffic generators (e.g., village centers, commerce centers) by connecting local streets, collector streets, and other minor arterial streets with major arterial streets. They generally handle relatively high vehicular travel speeds and traffic volumes, and may provide some direct driveway access to abutting development,

particularly in commercial and industrial areas, but to a degree and in a way that minimizes interference with through movements along the arterial street. Minor arterial streets are designated on the Major Thoroughfare Plan.

f) **Major Arterial Streets**

Major arterial streets are freeways and other major highways of regional or statewide significance that primarily function to channel intercity vehicular traffic to and through the county and to provide travel mobility among the county's and region's major traffic generators through connections with minor arterial streets and major collector streets. They generally handle high travel speeds and traffic volumes over relatively long distances, and provide very limited direct driveway access to abutting development. Major arterial streets are designated on the Major Thoroughfare Plan.

g) **Specialized Accessways**

(i) **Frontage or Service Streets**

Frontage or service streets are local streets that run parallel with—and generally within the right-of-way of—limited access major arterial streets, and that function to provide direct vehicular access to and from abutting development. They serve to avoid or minimize access points along the abutting major arterial street so as to both protect the function, safety, and efficiency of travel on the major arterial street and protect the safety of vehicular, bicycle, and pedestrian travel to, from, and between developments along the frontage or service street.

**4. Required Vehicular Access and Circulation**

a) **General**

A development shall be served by a system of vehicular accessways (including driveways, local streets, minor collector streets, major collector streets, minor arterial streets, and major arterial streets, as well as alleys, fire lanes, and parking lot lanes) that permits safe, convenient, efficient, and orderly movement of firefighting and other emergency vehicles, public transit and school buses, garbage trucks, delivery vehicles, service vehicles, and passenger motor vehicles among the following origin and destination points within the development, and between these internal origin and destination points and the external roadway system, as appropriate for the type of vehicle:

- (i) Firefighting and other emergency vehicles: Points within 100 feet of a single-family detached or manufactured home dwelling, and points within 150 feet of all portions of all portions of other buildings and facilities, or such smaller distance required in accordance with requirements for fire apparatus access roads in the Fire Prevention Code.
- (ii) Public transit and school buses: Designated or planned bus stops and shelters.
- (iii) Garbage trucks: Bulk refuse containers and points within 150 feet of individual refuse receptacle storage/collection sites.
- (iv) Large delivery trucks: Off-street loading spaces.
- (v) Small delivery trucks, service vehicles, and passenger motor vehicles: Points within 100 feet of a single-family detached or manufactured home dwelling, and the off-street parking spaces serving any other development.

b) **Emergency Vehicle Access**

Accessways providing required access for firefighting vehicles shall comply with the requirements for fire apparatus access roads set forth in the Fire Prevention Code.

**5. Vehicular Access Management**

a) **Purpose**

The purpose of the access management standards in this section is to control vehicular access to developments from adjacent streets in a way that preserves the safe and efficient flow of the traffic on the streets while providing property owners a right to reasonable access to a general system of streets and highways. Specifically, the standards are intended to limit the number of traffic conflicts, separate basic conflict areas, separate turning volumes from through movements, and maintain progressive speeds along arterials. These standards have been designed to provide adequate sight distance, stopping response times, stacking space for turning movements, and to encourage access sharing, where appropriate. Access spacing shall be measured from the closest edge of pavement to the next closest edge of pavement, as specified in Figure 68-175(E)(5)(d)(ii).

b) **Limitation on Direct Driveway Access Along Arterial Streets**

Direct driveway access to a development's principal origin or destination points may be provided directly from a major or minor arterial street only if such driveway access complies with VDOT's access management standards and:

- (i) No alternative direct vehicular access from a collector or local street, or from an alley or another driveway, is available or feasible to provide; or
- (ii) Development served by the driveway is expected to generate an average daily traffic (ADT) count of 1,000 trips or less, or the Director determines that the origin or destination points accessed by the driveway will generate sufficiently low traffic volumes, and the adjacent arterial street has sufficiently low travel speeds and traffic volumes to allow safe driveway access while preserving the safety and efficiency of travel on the arterial street.

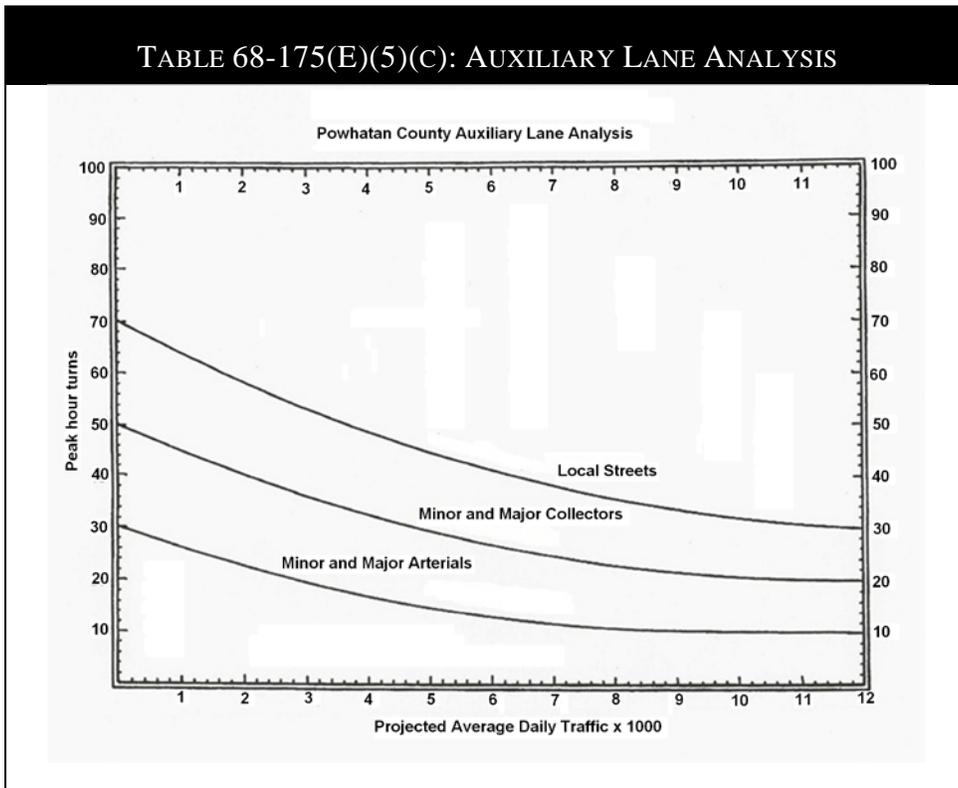
c) **Auxiliary Lane Warrants**

Auxiliary lanes (right and left turn lanes and acceleration lanes) reduce the slowing and stopping of through traffic caused by turning vehicles. The purpose of the auxiliary lane is to enhance safety and prolong the functionality of the thoroughfare road. The lanes are needed whenever the volume of traffic turning at a site entrance is high enough in relation to the through traffic to constitute a potential for disruption. The developer shall submit an auxiliary lane analysis (See Table 68-175(E)(5)(c)) to the County for review prior to approval of a change in land use, or in conjunction with preliminary plan approval for residential uses and site plan approval for commercial or industrial uses. Auxiliary lanes will be required based on the following criteria:

- (i) At a minimum, left and right turn lanes will be required at all access connections onto Major Arterials.
- (ii) Twenty-year traffic projections based upon VDOT's most current Roadway Traffic History shall be utilized when performing auxiliary lane analysis on, Minor Arterials, Major Collectors and Minor Collectors.

- (iii) Acceleration lanes are required when the projected number of exiting right turns are 200 turns per hour or greater on Major and Minor Arterials.
- (iv) Channelized right turn lanes are required when the projected number of entering or exiting right turns is 300 per hour or greater at non-signalized intersections, or 200 right turns per hour or greater at signalized intersections on Major and Minor Arterials.
- (v) Double left turns are required when the number of left turns entering the site at a signalized point of access is 300 left turns per hour or greater on any public roadway.

**TABLE 68-175(E)(5)(C): AUXILIARY LANE ANALYSIS**



**d) Driveway Intersection Standards**

**(i) Along State-Controlled Streets**

Driveway intersections along a VDOT-controlled street shall comply with standards for location, spacing, sight or stopping distance, and entrance design set forth and referenced in VDOT’s access management regulations and road design manual—provided, however, that the driveway spacing standards in Table 68-175(E)(5)(d)(ii) below shall apply where they exceed VDOT driveway spacing standards.

**(ii) Along Private Local Streets**

- A. Intersections of driveways along a private local street shall comply with standards for location, sight or stopping distance, and entrance

design for “private entrances” set forth and referenced in VDOT’s access management regulations and road design manual.

- B. Intersections of driveways along a private local street shall comply with the driveway spacing and corner clearance standards set forth in Table 68-175(E)(5)(d)(ii) below for the classification and design speed of the intersected street. These standards shall also apply to driveway intersections along VDOT-controlled streets to the extent they exceed VDOT driveway intersection spacing standards.

<b>Table 68-175(E)(5)(d)(ii): Driveway Intersection Standards</b>				
CLASSIFICATION OF INTERSECTED STREET <sup>1</sup>	DESIGN SPEED OF STREET <sup>2</sup>	MINIMUM SPACING DISTANCE <sup>3,4</sup>		
		BETWEEN DRIVEWAYS AND FROM INTERSECTION CORNERS	BETWEEN CROSSOVERS	BETWEEN SIGNALS
Major arterial	≤ 45 mph	440 ft	2,640 ft	2,640 ft
	> 45 mph	625 ft		
Minor arterial	≤ 45 mph	440 ft	1,320 ft	2,640 ft
	> 45 mph	625 ft		
Major collector	≤ 45 mph	440 ft	1,320 ft	1,320 ft
	> 45 mph	625 ft		
Minor collector	≤ 45 mph	440 ft	1,320 ft	1,320 ft
	> 45 mph	625 ft		
Local <sup>5</sup>	≤ 45 mph	200 ft	n/a	n/a
	> 45 mph	245 ft		

NOTES: mph = miles per hour ft = feet

- See Sec. 68-175(E)(3), Vehicular Accessway Classification
- As determined by VDOT.
- Measured from the extended edge of pavement or roadbed (if unpaved) of the driveway to the nearest extended edge of pavement or roadbed (if unpaved) of the adjacent driveway or roadway along the same side of the street. (See Fig. 68-175(E)(5)(d)(ii))
- Minimum corner clearance standards shall also apply to the distance between a driveway and the end of the taper of a ramp associated with a freeway interchange with the street intersected by the driveway.
- Does not include cul-de-sac, dead end roads, or subdivision streets.

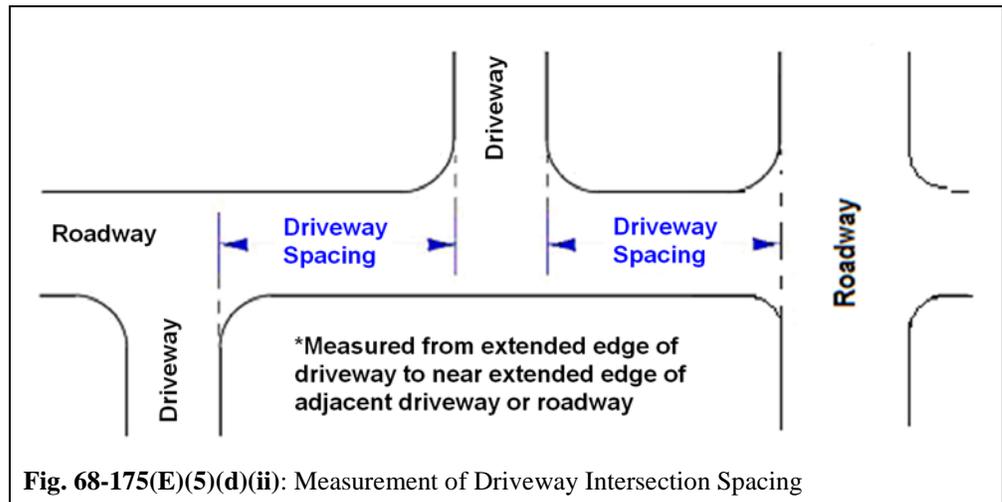


Fig. 68-175(E)(5)(d)(ii): Measurement of Driveway Intersection Spacing

- C. The Director may reduce the driveway intersection spacing standards in Table 68-175(E)(5)(d)(ii) above on determining:
  - 1. A site-specific traffic impact analysis of the proposed driveway intersection demonstrates that the intersection would not create a safety or operational problem; or
  - 2. No compliant driveway intersection location and no shared driveway cross access is feasible, and the spacing of the proposed driveway intersection from adjacent driveways along the street is maximized. In such cases, the Director may require that driveway access be designed to limit traffic movements to right-in and right-out.

e) **Shared Driveways**

- (i) Driveway access shared between adjoining lots is encouraged and may be required to limit direct vehicular access along arterials streets (see Sec. 68-175(E)(5)(b)) or comply with driveway intersection standards (see Sec. 68-175(E)(5)(d), Driveway Intersection Standards).
- (ii) Easements allowing cross-access to and from properties served by a shared driveway, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Office of the Clerk of the Circuit Court before issuance of a Zoning Compliance Permit for the development proposing the shared driveway access.

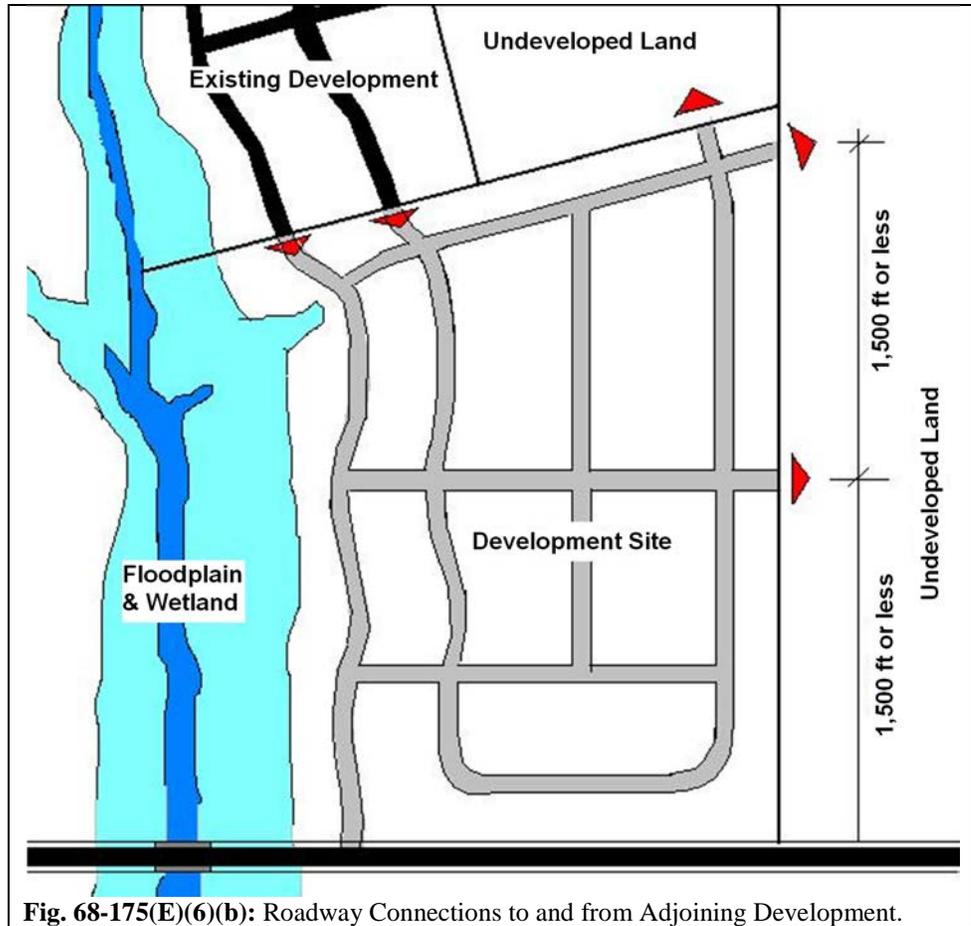
**6. Vehicular Connectivity**

a) **Purpose**

The purpose of the following vehicular connectivity standards is to enhance safe and convenient mobility within and between developments that helps integrate and connect neighborhoods, allow people to conveniently access activity centers without compromising the capacity of the county's streets to accommodate through traffic, improve opportunities for comprehensive and convenient transit service, enhance efficient provision of public services, and improve the speed and effectiveness with which emergency services and police and fire protection can be provided to county properties.

b) **Public Street Connectivity**

- (i) The vehicular access and circulation for a development shall incorporate the continuation and connection of public street roadways and associated rights-of-way that have been extended or connected to the boundary of the development site from existing or approved adjoining developments. It shall also provide for the extension or connection of proposed internal public street roadways and associated rights-of-way to those boundaries of the development site that adjoin potentially developable or redevelopable land. (See Fig. 68-175(E)(6)(b): Roadway Connections to and from Adjoining Development)



- (ii) Roadway extensions and connections to adjoining lands shall be spaced at intervals not exceeding 1,500 feet along each principal boundary direction (north, south, east, west).
- (iii) The Director may require the provision of a temporary turnaround at the end of a roadway extension on determining that the turnaround is needed to facilitate traffic flow or accommodate emergency vehicles pending the roadway's connection to other roadways.
- (iv) The Director may waive or modify the requirements or standards for extension or connection of a roadway from or to adjoining property on determining that such extension is impractical or undesirable because it would:
  - A. Require crossing a significant physical barrier or environmentally sensitive area (e.g., railroads, watercourses, floodplains, wetlands); or
  - B. Provide a direct connection between arterial roads and encourage cut-through traffic at levels inappropriate for the classification of the roadway and character of the neighborhood.
- (v) Where a roadway is extended to, but not yet onto, adjoining land, the developer shall install and maintain a sign at the terminus of the roadway that informs neighboring property owners that the roadway is intended to be extended in the future (e.g., "STREET MAY BE EXTENDED BY

AUTHORITY OF POWHATAN COUNTY"). Notation of that intent shall also be included on the Site Plan or Preliminary Plat, as well as on the Final Plat.

**c) Requirements for Commercial and Industrial Zoned Outparcels and Phased Development Plans**

In the interest of promoting unified access and circulation systems, where multiple tracts of land are developed as a single large entity (as in the case of a shopping center, office park, or similar development), they shall be treated as one tract of land for the purpose of determining the permitted number of access points. The connections permitted shall meet the driveway spacing standards shown in Table 68-175(E)(5)(d)(ii). All necessary easements and other requirements shall be met. All outparcel access must be internalized and utilize a shared circulation system within the development. Access to outparcels shall be designed to avoid excessive movements across parking isles and queuing across surrounding parking and driving aisles.

**d) Shared and Cross Access for Commercial and Industrial Zoned Parcels and Uses**

Adjacent commercial or industrial properties shall provide cross access to allow circulation between sites when development or reclassification results in a 10% or greater increase in vehicular trip generation. A system of shared use service driveways and cross access easements shall be incorporated into the site design using the following:

- (i) A continuous service drive or cross access extending the entire length of each block served to provide for driveway separation consistent with the access classification system and standards.
- (ii) Service driveways of sufficient width to accommodate two-way traffic aisles to accommodate automobiles, service vehicles and loading vehicles.
- (iii) Stub roads and other design elements to make it visually obvious that the abutting properties may be tied-in to provide cross access via a service drive.
- (iv) A unified access and circulation plan that includes coordinated or shared parking is required.
- (v) Pursuant to this section, the owner shall record an easement with the deed allowing cross access to and from other properties to be served by the shared service driveways. Subdivisions with frontage on roads maintained by the Virginia Department of Transportation shall be designed to utilize shared access points to and from the state maintained roadway.

**e) Driveway Design Standards for Commercial and Industrial Zoned Parcels**

- (i) Access driveway widths shall be in accordance with the following guidelines:
  - A. A driveway that is designated as one-way in or one-way out shall be a minimum width of 14 feet and should accommodate the infrequent use by a WB-50 design vehicle as defined by the American Association of State Highway and Transportation Officials (AASHTO). All one-way driveway designs shall include the appropriate signage.
  - B. For two-way access, each lane shall have a minimum width of 12 feet and should accommodate the infrequent use by a WB-50 design

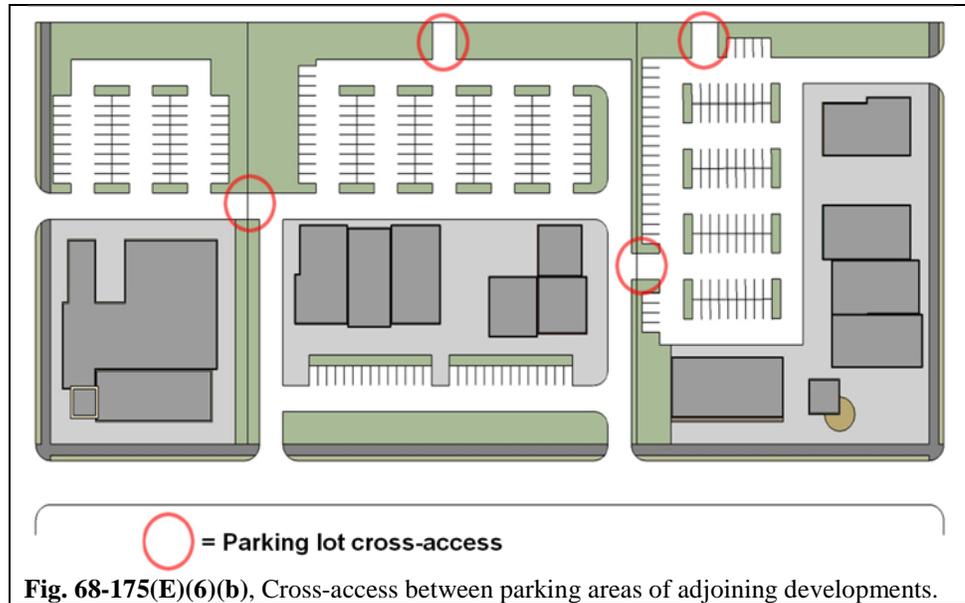
vehicle. All two-way driveway designs shall include VDOT-designated signage.

- C. Access connections that enter the major thoroughfare at traffic signals shall provide at least two outbound lanes (one for each turning direction) with a minimum lane width of 12 feet, and one inbound lane with a minimum width of 14 feet. All access connections that enter a major thoroughfare shall provide VDOT-designated signage.
- (ii) Access driveway grades, turnout radii, approaches and lengths shall conform to current VDOT Standards and Specifications, and the following criteria:
  - A. Access driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Access within acceleration or deceleration lanes and tapers is prohibited.
  - B. The length of access driveways or “throat length” shall be designed to accommodate the anticipated storage length or “queuing” for the entering and exiting vehicles to prevent vehicular back-up onto the public thoroughfare or causing unsafe conflicts with on-site circulation.
- (iii) Access driveways shall be surfaced with asphalt, concrete, brick, stone, pavers, aligned concrete strips, or an equivalent material capable of accommodating the infrequent use by WB-50 design vehicles, as defined by the American Association of State Highway and Transportation Officials.

f) **Cross Access Between Adjoining Development**

To facilitate vehicular access between adjoining developments, encourage shared parking, and minimize access points along streets, new nonresidential and mixed-use development shall comply with the following standards:

- (i) The internal vehicular circulation system shall be designed to allow for vehicular cross-access between the development’s vehicular use areas and those on adjoining lots containing a nonresidential or mixed-use development, or to the boundary of adjoining vacant land zoned to allow nonresidential or mixed-use development. (See Fig. 68-175(E)(6)(b), Cross-access between parking areas of adjoining developments)



- (ii) Required vehicular cross access between the adjoining lots shall be provided through the use of a frontage or service street (if the lots front on a major arterial right-of-way), a single two-way driveway or drive aisle, or two one-way driveways or aisles that are sufficiently wide to accommodate traffic by automobiles, service vehicles, and loading vehicles.
  - (iii) The Director may waive or modify the requirement for vehicular cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area (e.g., railroad, watercourse, floodplain, wetlands), or would create unsafe conditions.
  - (iv) Easements allowing cross access to and from properties served by a vehicular cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Office of the Clerk of the Circuit Court before issuance of a Zoning Compliance Permit for the development.
- g) Reverse Frontage Requirements for Residential Subdivisions and Commercial and Industrial Zoned Parcels and Uses**

Access to double frontage commercial or industrial zoned lots shall be required on the street with the lower functional classification. With the exception of residential secondary driveways permitted by the Director, double frontage lots within proposed residential subdivisions shall access onto the interior subdivision street. A buffer shall be established at the rear of all through lots to preclude access onto the abutting existing roadway. This buffer shall be exclusive of public rights-of-way, utility easements and rear yard setback as required by the County ordinance.

**h) Subdivisions of Land**

- (i) All land parcels having a single tax identification number and recorded prior to April 11, 2005 shall be entitled to one access connection per parcel. When subsequently subdivided, access to all newly created lots shall be provided via the permitted access connection. This may be achieved through subdivision streets, shared or cross accesses and service driveways. For parcels having a single tax map number that are divided by a public road or

roads, each division shall be treated as a separate parcel for the purposes of this ordinance.

- (ii) Parcels in existence as of April 11, 2005 with frontages that exceed the minimum spacing requirements as shown in Table 68-175(E)(5)(d) may be permitted additional access connections.
- (iii) Additional access connections may be allowed where it can be demonstrated upon review of a site-specific traffic impact analysis that safety and efficiency of travel on the thoroughfare will be improved by providing more than one access to the site. Secondary driveways may be permitted for individual residential lots without the provisions of a traffic impact analysis at the Director's discretion.
- (iv) This section shall not apply to agricultural operations or to access roads for family divisions as defined in this Ordinance.

i) **Nonconforming Access Features**

Except as reserved in Sec. 68-175(E)(6)(e), existing and/or approved access connections in place as of April 11, 2005 that do not conform with the standards herein shall be designated as nonconforming and shall be brought into compliance when new access connections are requested for the subject property, or when there is an increase in vehicular trips of 100 during the peak hours as generated by the specific use. If the principal activity on a property with nonconforming access features is discontinued for a consecutive period of two years, then that property must thereafter be brought in conformity, unless otherwise exempted by the Director. If the activity is renewed or the site is redeveloped for a new use, then the property owner must provide a traffic impact analysis to show that the new activity will not increase the number of trips in order to continue usage of the nonconforming access feature(s).

**7. General Accessway Layout and Design**

a) **Coordination with Bicycle and Pedestrian Access and Circulation**

The vehicular access and circulation system of a development shall be coordinated with the bicycle and pedestrian access and circulation systems within and adjacent to the development to minimize conflicts.

b) **Traffic Control and Calming Measures**

Traffic-calming measures—such as, but not limited to, diverters, street gardens, and curvilinear alignments—shall be integrated into a development's vehicular circulation system where necessary to mitigate the impact of potential future cut-through traffic.

**8. Roadway Layout and Design**

a) **Public Streets**

Except as otherwise provided in subsection (b) below, all streets shall be designed and constructed as public streets. The layout, design, and construction of the roadways of public streets shall comply with applicable standards in VDOT's Pavement Design Guidelines for Secondary Roads, unless otherwise specified herein, and the VDOT Road Design Manual, plus the following county standards to the extent they are more restrictive than VDOT standards:

(i) **Pavement**

The minimum pavement requirement for all local streets shall be a pavement design system meeting VDOT standards.

(ii) **Pavement Width**

Pavement width shall conform to VDOT minimum standards.

(iii) **Right-of-Way Width**

The right-of-way of a street shall be at least 50 feet wide unless a narrower width is approved as a condition of rezoning.

(iv) **Cul-de-Sacs**

A. A cul-de-sac’s circular turnaround shall have a right-of-way radius of at least 50 feet.

B. The transition curve radius of the paved area into the cul-de-sac’s circular turnaround shall be at least 35 feet.

b) **Private Roads**

(i) **Serving Single-Family Development**

A. The layout, design, and construction of the roadways of private roads that serve development consisting of single-family detached or manufactured home dwellings or lots intended for single-family detached or manufactured home dwellings shall comply with the standards in the following table, based on the number of lots served by the private road:

TABLE 68-175(E)(8)(b): PRIVATE ROAD STANDARDS FOR SINGLE-FAMILY DEVELOPMENT							
NUMBER OF LOTS SERVED <sup>1</sup>	MINIMUM EASEMENT WIDTH <sup>2</sup>	MINIMUM ROADWAY WIDTH	ROADWAY BASE	ALLOWED SURFACING	MINIMUM SIGHT DISTANCE	MAXIMUM GRADE	MAXIMUM INTERSECTION APPROACH GRADE
2	30 ft	See driveway standards in Section a)				9% <sup>1</sup>	3% <sup>2,3</sup>
NOTES:							
1. May be increased by up to 50% for a distance of no more than 30 feet if the Director determines such increase is warranted by topographic conditions and will not result in a safety hazard.							
2. For a distance of at least 40 feet in all directions, as measured from the edge of the intersected roadway.							
3. May be increased to 4% if the Director determines such increase is warranted by topographic conditions and will not result in a safety hazard.							

B. Provisions for roadway compaction and drainage shall comply with standards in VDOT’s road design manual.

(ii) **Serving Development other than Single-Family Development**

The layout, design, and construction of the roadways of private roads (other than alleys) that serve development other than development consisting of single-family detached or manufactured home dwellings or lots intended for single-family detached or manufactured home dwellings shall comply with standards in VDOT’s subdivision street requirements, secondary street acceptance requirements, and road design manual, and access management shall comply with this Ordinance.

## **9. Driveway Layout and Design**

### **a) Driveways Serving Single-Family Detached and Manufactured Home Dwellings**

Driveways serving parking spaces for single-family detached and manufactured home dwellings shall comply with the following standards:

- (i) Driveways shall provide vehicular access to a distance within 100 feet of the dwelling unit.
- (ii) The driveway shall have a gravel, paved, or other pervious material road bed that is at least ten feet wide, provided that the road bed shall be at least 14 feet wide at any point where there is a curve in the driveway with a radius of less than 100 feet. The use of pervious surface material is encouraged.
- (iii) A cleared buffer at least two feet wide shall be provided on each side of the road bed.
- (iv) The vertical clearance above the road bed shall be at least 12 feet.
- (v) The grade of the driveway shall not exceed nine percent.

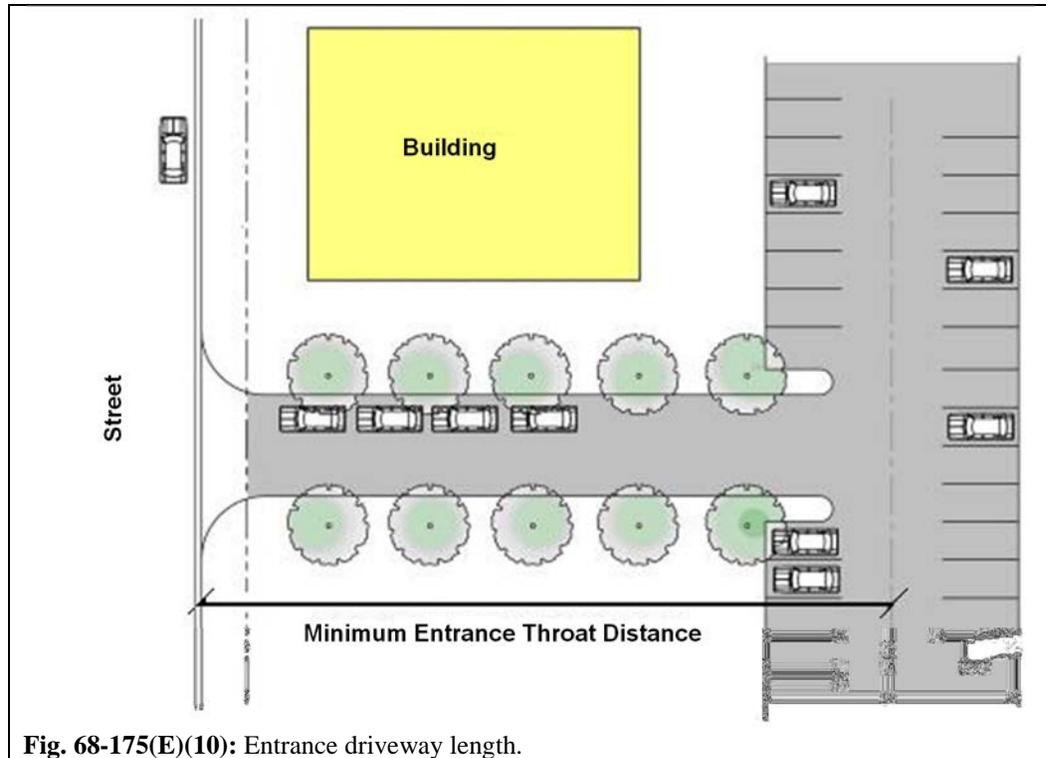
### **b) Other Driveways**

Driveways serving other than single-family detached and manufactured home dwellings shall comply with the following standards:

- (i) If the driveway does not connect back to a street, it shall be no longer than 150 feet unless it includes adequate provision for fire trucks to turn around, as approved by the Director, following consultation with Fire and Emergency Management Services staff.
- (ii) Except as provided for in subsection (iii) below, the driveway shall be surfaced with asphalt, concrete, brick, stone, pavers, aligned concrete strips, or an equivalent material capable of accommodating the infrequent use by WB-50 design vehicle, as defined by the American Association of State Highway and Transportation Officials.
- (iii) A driveway serving the following uses may be surfaced with gravel or at least six inches of stone:
  - A. Places of worship.
  - B. Uses in the Heavy Industrial (I-2) district.
  - C. Conditional uses where the pavement requirement is waived.
- (iv) A driveway designated as one way in or one way out shall be at least 14 feet wide and shall clearly be identified as one-way by appropriate signage. For driveways providing two-way access, each lane shall be at least 12 feet wide.

## **10. Entrance Driveway Length**

For nonresidential development, the minimum length of an entrance driveway from an intersecting street to the first on-site location where the driver of an entering vehicle can make a right or left turn (“entrance throat”) or pull into or back out of an off-street parking space shall comply with the entrance throat length standards in VDOT’s road design manual. (See Fig. 68-175(E)(10): Entrance driveway length)



**Fig. 68-175(E)(10):** Entrance driveway length.

## F. Bicycle Access and Circulation

### 1. Required Bicycle Access

All new development in Village Growth Area districts except individual lot development of a single-family detached, manufactured home, or duplex dwelling shall be served by an internal bicycle circulation system (including shared roadway lanes, widened outside roadway lanes, bike lanes, shoulders, and/or separate bike paths) that permits safe, convenient, efficient, and orderly movement of bicyclists among the following origin and destination points within the development, as well as between the internal bicycle circulation system and adjoining parts of an existing or planned external, community-wide bicycle circulation system and any adjoining public parks, greenways, schools, community centers, and shopping areas:

- a) Bicycle parking facilities or areas near the primary entrance(s) of principal buildings (or the buildable area of lots, for subdivisions);
- b) Any designated or planned bus stops and shelters (on-site or on an adjacent street); and
- c) Recreation facilities and other common use area and amenities.

### 2. Bicycle Connectivity

All new development in Village Growth Area districts except individual lot development of a single-family detached, manufactured home, or duplex dwelling shall comply with the following standards.

- a) Any internal bicycle circulation system shall be designed to allow for bicycle cross access between it and any internal bicycle circulation system on adjoining lots containing development other than individual lot development of a single-family detached, manufactured home, or duplex dwelling, or to the boundary of adjoining vacant land in a Village Growth Area district that is zoned to allow such development.

- b) The Director may waive or modify the requirement for bicycle cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area (e.g., railroad, watercourse, floodplain, wetlands), or would create unsafe conditions.
- c) Easements allowing cross-access to and from properties served by a bicycle cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Office of the Clerk of the Circuit Court before issuance of a Zoning Compliance Permit for the development.

### **3. Bikeway Design**

Bikeways within a street right-of-way or easement shall be designed and constructed in accordance with the standards in VDOT’s road design manual. The types of any bikeways proposed within a street right-of-way or easement shall be of the type called for in the road design manual for use Group C bicyclists on urban sections. Bike paths shall be designed and constructed in accordance with the road design manual’s standards for shared use paths.

## **G. Pedestrian Access and Circulation**

### **1. Required Pedestrian Access**

All new development in Village Growth Area districts except individual lot development of a single-family detached, manufactured home, or duplex dwelling shall be served by an internal pedestrian circulation system walkways (including sidewalks, shared use paths, pedestrian paths, and/or trails) that permits safe, convenient, efficient, and orderly movement of pedestrians among the following origin and destination points within the development, as well as between the internal pedestrian circulation system and adjoining parts of an existing or planned external, community-wide pedestrian circulation system and any adjoining public parks, greenways, schools, community centers, and shopping areas:

- a) The primary entrance(s) of principal buildings (or the buildable area of lots, for subdivisions);
- b) Off-street parking bays;
- c) Any designated or planned bus stops and shelters (on-site or on an adjacent street); and
- d) Recreation facilities and other common use area and amenities.

### **2. Pedestrian Connectivity**

All new development in Village Growth Area districts except individual lot development of a single-family detached, manufactured home, or duplex dwelling shall comply with the following standards:

- a) The internal pedestrian circulation system shall be designed to allow for pedestrian walkway cross access between it and any internal pedestrian circulation system on adjoining lots containing development other than individual lot development of a single-family detached, manufactured home, or duplex dwelling, or to the boundary of adjoining vacant land in a Village Growth Area district that is zoned to allow such development.
- b) The Director may waive or modify the requirement for pedestrian cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally sensitive area (e.g., railroad, watercourse, floodplain, wetlands), or would create unsafe conditions.

- c) Easements allowing cross access to and from properties served by a pedestrian cross access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the Office of the Clerk of the Circuit Court before issuance of a Zoning Compliance Permit for the development.

### **3. General Walkway Design**

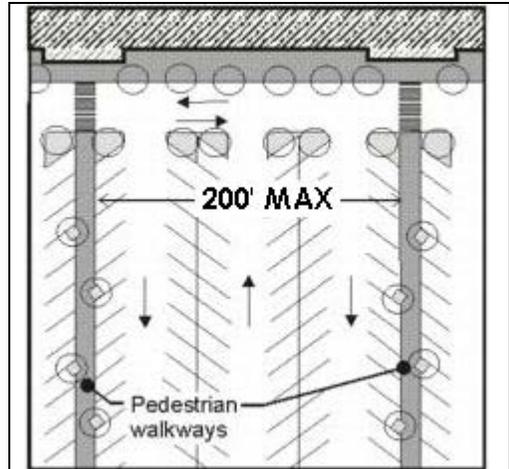
#### **a) General Walkway Standards**

- (i) Sidewalks and shared use paths shall be designed and constructed in accordance with the standards in VDOT's road design manual.
- (ii) Other pedestrian walkways shall be at least five feet wide in residential and industrial zoning districts and seven feet wide in commercial zoning districts;
- (iii) Walkways shall be distinguishable from vehicular traffic lanes they cross by painted markings, a change in pavement material or color, raised paving height, decorative bollards, and/or flashing caution signals;
- (iv) Walkways shall have adequate lighting for security and safety;
- (v) Walkways shall meet the accessibility guidelines promulgated under the Americans with Disabilities Act (ADA).
- (vi) For the safety of pedestrians and children at play, the Director may require sidewalks be provided for access to schools, recreational facilities, commercial establishments, or other areas where obvious future pedestrian traffic is anticipated. Wherever sidewalks can be connected to existing walks or proposed walks in the adjacent areas, such proposed walks should be designed on that side of the street which will make the connection.

#### **b) Pedestrian Walkways through Large Parking Areas and Parking Garages**

- (i) All parking lots and parking structures containing more than 50 parking spaces shall provide a clearly identified pedestrian route between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas, or to a pedestrian walkway providing direct access to the primary building entrance(s).

- (ii) Parking lots containing more than 50 parking spaces shall, at a minimum, include a pedestrian walkway running between at least every three parking bays or at intervals not less than 200 feet apart, whichever is less. (See Fig. 68-175(G)(3)(b): Walkways through parking lots.)



**Fig. 68-175(G)(3)(b):** Walkways through parking lots.

- (iii) Walkways providing pedestrian access between parking areas and associated buildings shall be extended to provide the connections to abutting street sidewalks or to adjoining development required by Sec. 68-175(G)(1), Required Pedestrian Access, and Sec. 68-175(G)(2), Pedestrian Connectivity.

**c) Pedestrian Cut-Through**

- (i) Pedestrian walkways shall be provided between the ends of cul-de-sacs and the nearest existing or proposed sidewalk, pedestrian path, or trail. (See Fig. 68-175(G)(3)(c): Pedestrian cut-through at end of cul-de-sac.)
- (ii) Subdivisions shall provide pedestrian walkways through approximately the centers of blocks that exceed the maximum block length standards in Sec. 68-170(C), Blocks, where necessary to provide convenient pedestrian access within the development or to adjacent schools, recreational facilities, community facilities, or commercial developments.
- (iii) These pedestrian cut-through walkways shall be located within a right-of-way or public access easement at least eight feet wide.

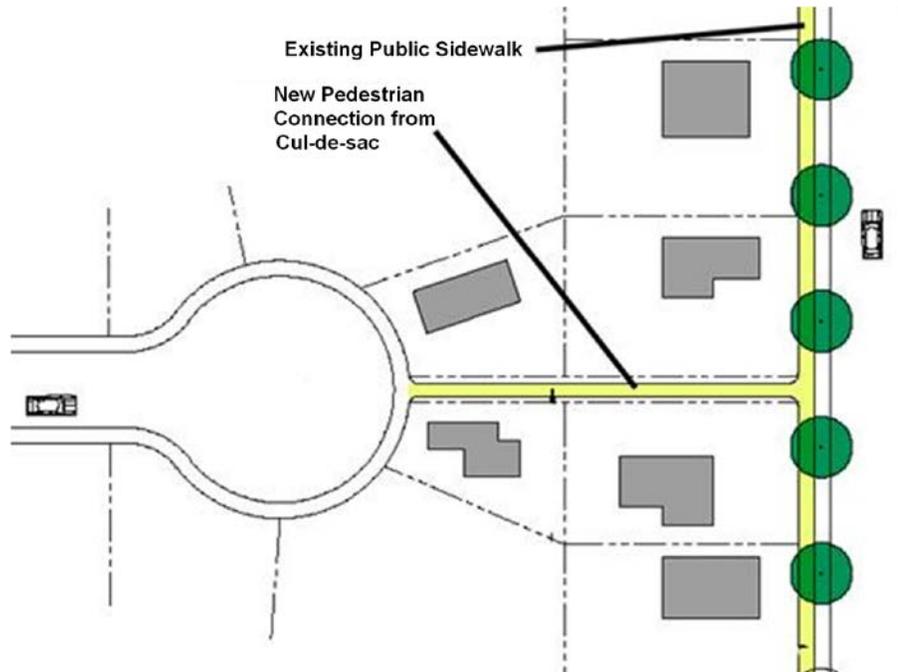


Fig. 68-175(G)(3)(c): Pedestrian cut-through at end of cul-de-sac.

## H. Street Signs

The subdivider shall install street signs at street intersections in accordance with standards in VDOT's road design manual.

## I. Street Trees

### 1. Purpose

Street trees are intended to enhance the aesthetic and environmental benefits of the county's urban streetscape environment by serving as a unifying element for urban street corridors, enhancing the appearance and livability of Village Growth Area, and providing shading of streets and sidewalks.

### 2. Street Trees Required

#### a) Location

New development in Village Growth Area districts shall provide street trees in the landscaped area of streets along which the development site fronts.

#### b) Configuration

- (i) Street trees shall be provided at a ratio of one street tree per 40 feet of street frontage and spaced no closer than 25 feet apart and no farther than 55 feet apart.
- (ii) Street trees shall be canopy trees of species appropriate to the intended functions of street trees and their location next to roadways and sidewalks. The Administrator may allow understory trees to be substituted for required street trees or alternatively located where necessary to accommodate utility lines and planned street widening.
- (iii) The planting and maintenance of street trees along public streets shall comply with VDOT regulations.

~~Secs. 68-176 — 68-179~~184. Reserved

**Sec. 68-185. Stormwater Management**

- A. A complete Stormwater Management Concept Plan or Layout shall be submitted to Powhatan County either with the preliminary plan, preliminary subdivision plat, final subdivision plat or other submittal prior to the final plan in order to evaluate the site characteristics and ensure a comprehensive process for evaluating the existing natural features on the site and the proposed land disturbing activity and the conceptual application of post-construction structural and non-structural stormwater BMPs such that the post-construction condition will meet the pollutant load and runoff volume reduction and quantity control requirements of § 62.1-44.15:24, et seq. (Stormwater Management Act) of the Code of Virginia .
- B. Stormwater management facilities shall be consistent with county and regional stormwater management and drainage plans.
- C. Development shall comply with the requirements and standards in Powhatan County’s Erosion and Sedimentation Control Ordinance (Article III of Chapter 42, Environment, of the Code of the County of Powhatan, Virginia), and with the requirements of § 62.1-44.15:24, et seq. (Stormwater Management Act) of the Code of Virginia—
- D. Stormwater management facilities shall be designed to convey the flow of stormwater runoff away from buildings (or building sites) and on-site wastewater disposal sites, and in a way that avoids, to the maximum extent practicable, adverse impacts on adjacent streets and properties.
- E. All secondary driveway culverts shall be sized to accommodate a 10-year storm event without overtopping.
- F. No permanent foundation structure shall be constructed within ten feet of a drainage swale or other storm water conveyance channel, or a Floodplain Overlay district.
- G. A storm drainage plan will be provided by the developer which includes existing contours and, if necessary, finished contours, existing and proposed water courses, open channels, pipes, culverts, drains, inlets, catch basins, and similar facilities designed to handle storm water and the calculations used in the design of such systems. Plans will clearly indicate the easements required in the construction and maintenance of the drainage system. Said easements will be shown on the construction plans and final plans.
- H. Land within any flood plain district will not be included in minimum lot area requirements and will not be raised by fill. Other land subject to flood may be used to meet minimum lot area requirements only if filled to such height as will secure a flood-free site based on data submitted by the subdivider and prepared by Engineers, provided such use or fill does not endanger health, life, or property, restrict the flow of water or increase flood heights.
- I. All residences constructed on lots within a 100-year HUD designated flood plain area shall maintain a ten-foot horizontal and one-foot vertical separation from the flood plain.

**Secs. 68-186 — 68-189. Reserved**

**Sec. 68-190. Utilities**

**A. General**

**1. Compliance with Provider Standards**

**a) General**

All utility facilities—such as, but not limited to, facilities providing drinking water, sewage disposal, electric power, natural gas, telecommunication, or cable television service—shall be located, designed, and constructed or installed in accordance with the standards of the utility entity providing the utility service.

**b) Utilities Conform to County Design Standards and be Underground**

The design and construction of utilities will conform to the County design standards and specifications and other regulations as may be required by Director. All utilities must be underground and the easement for the utilities must be shown on the plat approved and on file with the County, ~~except for Large Lot Subdivisions.~~

**2. Underground Installation**

**a) General**

Except as otherwise provided in subsection (b) below, all wires, conduits, pipes, cables, and appurtenant equipment that provide utility service to new development and are located between buildings or areas served by the service and the primary distribution lines in the adjacent street, shall be installed underground.

**b) Exceptions**

The following utility facilities need not be installed underground:

- (i) Electric power distribution transformers, primary distribution lines carrying 12.47 kilovolts or more, switch gear, meter pedestals, and telephone pedestals that are normally installed above ground;
- (ii) Meters, service connections, and similar equipment that is normally attached to the outside wall of served buildings;
- (iii) Utility pump stations;
- (iv) Existing overhead lines, including when they are repaired, replaced, or increased in capacity; and
- (v) Temporary overhead lines and facilities required for construction purposes.

**3. Installation**

All utility facilities shall be installed in such a manner and at such a time as to minimize interference with other utility facilities, disruption of roadways or other infrastructure improvements, and disruption of vehicular or pedestrian traffic, and to facilitate maintenance of the facilities without undue damage to infrastructure improvements.

**4. Easements**

Easements shall be provided for utility lines and facilities where necessary.

**B. Drinking Water**

1. All development shall be served by a public drinking water system of a type approved by the State Department of Health whenever the Director determines that connection to such a system is reasonably available.
2. If the Director determines that connection to a public drinking water system is not reasonably available, development shall be served by a community drinking water system and/or individual water supply systems.
3. Connections to and facilities for the treatment and distribution of drinking water to

development from a public or community drinking water system shall be in accordance with Virginia Department of Health regulations and Chapter 80, Water and Wastewater, of the Code of the County of Powhatan, Virginia.

4. Individual water systems shall be designed and installed in accordance with Virginia Department of Health.
5. A water sample shall be obtained by an individual approved by the Health Department and tested with negative results for coliform bacteria prior to the issuance of a County Occupancy Permit.

### C. Sanitary Sewage

1. All development shall be served by a public sanitary sewage system of a type approved by the Virginia Department of Environmental Quality whenever the Director determines that connection to such a system is reasonably available.
2. If the Director determines that connection to a public sewage system is not reasonably available, development shall be served by a community sewage system and/or individual ~~subsurface~~ sanitary sewage systems.
3. Connections to and facilities for the discharge, collection, and treatment of sewage from development to the public or community wastewater system shall be in accordance with sewage collection and treatment regulations promulgated by the Virginia Department of Environmental Quality and Chapter 80, Water and Wastewater, of the Code of the County of Powhatan, Virginia.
4. Sanitary sewer systems, will include all necessary mains, sub-mains, laterals, individual lot connections, manholes, pumping stations, and other sewer facilities as required by the State and Local Regulations, and design standards and specifications.
5. A sanitary sewer plan and profile will be provided by the developer for all existing and proposed sewer mains, laterals, lot connections, and connections with existing systems; individual package treatment plants, etc.
6. Whenever community sewers are to be provided, they will be designed and constructed as required by State and Local regulations to meet the same specifications as those of the public sanitary sewer systems.
7. No subdivision will be developed with lots not served by public sewers, community sewers, or individual sewage treatment facilities.
8. Individual subsurface sewage treatment systems shall be designed and installed in accordance with Virginia Department of Health regulation. ~~In addition, such systems shall have:~~
  - ~~a) Two septic tanks installed in a series; and~~
  - ~~b) A 100 percent drainfield reserve area.~~

## Secs. 68-191 — 68-199. Reserved

### Sec. 68-200. Lots

- A. Each lot shall meet the applicable lot area and width standards ~~set forth in~~, and otherwise be developable in accordance with, the standards in this chapter and Chapter 83 (Zoning Ordinance).
- B. Except that lots created as a Family Division, shall: have at least 30 feet of frontage along a street

internal to the subdivision site.

~~1. Have either~~

~~a) At least 30 feet of frontage along a public street internal to the subdivision site or~~

~~b) Vehicular access to such a public internal street via a private access easement at least 30 feet wide; and~~

~~2. Have readily apparent physical means of pedestrian access from the lot to a street.—~~

- C. To the maximum extent practicable, side lot lines shall be perpendicular to straight front street right-of-way lines and radial to curved front street right-of-way lines.
- D. Lots shall be arranged in relationship to the natural topography, flood hazards, tree protection requirements, or other site conditions to minimize difficulties in providing an acceptable building site and yard area in accordance with requirement of this chapter and Chapter 83 (Zoning Ordinance).
- E. Each lot shall be situated so that stormwater may be easily directed away from buildings in subsequent site-specific development. Lots shall be configured so that buildings and general flood sensitive site facilities are not located in drainage ways.
- F. Each lot within a subdivision shall be of a shape which provides a satisfactory and desirable building site, and shall otherwise be at least the minimum lot width allowed by the applicable provisions of the Zoning Ordinance. No lot shall contain peculiarly shaped elongations designed solely to provide the required square footage of area or frontage on a street, except for Family Divisions and cul-de-sacs. Not more than two flag lot access points to a public street shall abut each other.
- G. Creation of through lots shall be avoided except where necessary to provide access to residential development from other than arterial streets, or to overcome specific disadvantages of topography and orientation.
- H. Dimensions of the corner lots shall be large enough to allow for the minimum required street intersection radii and compliance with applicable driveway intersection spacing requirements (see Sec. 68-175(E)(5)(d), Driveway Intersection Standards),<sup>2</sup> and for erection of buildings in accordance with applicable yard depth standards in Articles III, IV, V and VI of the Zoning Ordinance.

**Secs. 68-201 — 68-204. Reserved**

**Sec. 68-205. Monumentation**

All subdivision plats shall be monumented in accordance with state standards for land boundary surveying practice.

**Sec. 68-206. Lot corners**

Iron pins will be placed at all accessible points on the subdivision boundary lines where there is a change of direction and at all lot corners. A guard stake will be placed next to each pin with the lot number and the number of the adjoining lot plainly lettered on the flat faces of the stake.

**Secs. 68-207 — 68-209. Reserved**

**Sec. 68-210. Phasing**

**A. Phasing of Site Plan Development and Primary Subdivisions Allowed**

Development subject to approval of a Site Plan (Sec. 83-123(G) of the Zoning Ordinance, Site Plan) or Preliminary Plat (Sec. 68-110(A), Preliminary Plat) may be phased in accordance with a phasing plan approved as part of the Site or Preliminary Plat approval, as appropriate, and the standards in this section.

**B. Phasing Criteria**

Phasing of approved development shall be in keeping with an approved phasing plan that shows phase boundaries and describes included development and improvements in accordance with the following criteria:

1. The numbering of phases shall be sequential and coincide with the order in which the different development phases are proposed to be constructed.
2. Each phase shall be designed to include all improvements and other aspects of development necessary to meet all requirements of this Ordinance and other applicable regulations, either as a stand-alone development or in conjunction with completed and accepted phases of the same development.

**C. Temporary Measures**

A phasing plan may include installation of temporary measures as necessary to allow a particular phase to meet the phasing criteria in subsection B above, provided the Zoning Compliance Permit or Construction Plans approval authorizing the temporary measures shall be valid for one year and be accompanied by the provision of a performance guarantee and a maintenance guarantee for the temporary measures in accordance with Sec. 68-215, Performance Guarantees.

**Secs. 68-211 — Sec. 68-214. Reserved**

**Sec. 68-215. Performance Guarantees**

**A. Limit on Building Permits in Residential Subdivisions Pending Acceptance of Public Street**

Building Permits shall not be issued for more than 80 percent of the lots in a phase of a residential subdivision with public streets until the streets have been constructed to VDOT standards, inspected, and accepted into the state highway system.

**B. Performance Guarantees**

**1. General**

A performance guarantee in accordance with the standards in this section shall be required in the following circumstances:

- a) To ensure completion and acceptance of public infrastructure improvements that are required as part of an approved Site Plan (e.g., streets, sidewalks, stormwater management facilities, potable water facilities, wastewater facilities, street lights), but are not installed before occupancy of the development;
- b) To ensure completion of private site improvements (other than landscaping) that are required as part of an approved Site Plan (e.g., walkways, exterior lighting), but are not installed before occupancy of the development—provided that the Director determines that the property may be safely occupied and used pending the delayed installation of the improvements;
- c) To ensure the completion and acceptance of public infrastructure improvements that are required as part of an approved Preliminary Plat (e.g., streets, sidewalks,

stormwater management facilities, potable water facilities, wastewater facilities, street lights), but are not approved as complete before application for Final Plat approval;

- d) To ensure completion of landscaping improvements that are required in accordance with Sec. 83-461 of the Zoning Ordinance, Landscaping and Buffers, but are not installed before occupancy of the development (in conjunction with the grant of an extension to the time limit for installation of required landscaping (see Sec. 83-461(H) of the Zoning Ordinance, Other Landscaping Standards)

## **2. Term of Performance Guarantees**

The term of a performance guarantee shall reflect any time limit for completing installation of required improvements that is included in approval of the Final Plat, Building Permit, or Certificate of Occupancy, as appropriate, but in any case, the term shall not exceed two years. The Director may, for good cause shown and with approval of the provider of the guarantee, grant up to two extensions of the term, with each extension not exceeding one year.

## **3. Form of Performance Guarantee**

- a) Where required, the owner or developer shall furnish a performance guarantee in any of the following acceptable forms:
  - (i) Cash deposit with the county;
  - (ii) Certified check from a Virginia lender based upon a cash deposit, in a form acceptable to the County Attorney;
  - (iii) Irrevocable letter of credit from a Virginia banking institution in a form acceptable to the County Attorney; or
  - (iv) Surety bond from a Virginia surety bonding company in a form acceptable to the County Attorney.
- b) The performance guarantee shall be conditioned on the performance of all work necessary to complete the installation of the required improvements within the term of the performance guarantee. Performance guarantees shall provide that in case of the owner's or developer's failure to complete the guaranteed improvements, the county shall be able to immediately obtain the funds necessary to complete installation of the improvements.

## **4. Amount of Performance Guarantee**

- a) Performance guarantees for required improvements shall be in an amount equal to at least 110 percent of the estimated full cost of completing the installation of the required improvements, including the costs of materials, labor, and project management.
- b) Estimated costs for completing installation of required public infrastructure improvements shall be itemized by improvement type and certified by the owner's or developer's licensed professional engineer, and are subject to approval by the Director. Estimated costs for completing installation of required landscaping or other private site improvements shall be itemized and certified by the owner's or developer's landscape architect or contractor, and are subject to approval by the Director.
- c) If the guarantee is renewed, the Director may require the amount of the performance guarantee be updated to reflect cost increases over time.

- d) The amount of a performance guarantee may be waived or reduced by the Board of Supervisors where the improvements are being installed with federal funds or in other circumstances where similar third-party assurance of their completion exists.

## **5. Release of Performance Guarantees**

### **a) Request for Release**

The owner or developer may submit to the Director a written request for a periodic partial release or a final complete release of a performance guarantee. Such a request shall include:

- (i) certification by the owner's or developer's engineer that construction or installation of the public infrastructure improvements for which release of a performance guarantee is sought has been completed in accordance with approved plans and specifications, and that the improvements have been accepted and taken over for maintenance and operations by a state agency, local government department or agency, or other authority responsible for maintenance and operation of such improvements; or
- (ii) certification by the owner's or developer's landscape architect or contractor that construction or installation of landscaping or other private site improvements for which release of a performance guarantee is sought has been completed in accordance with approved plans and specifications.

### **b) Action on Request for Release**

The Director shall grant a requested release of a performance guarantee only after:

- (i) County staff has performed any needed inspection of the improvements and has certified in writing that the guaranteed improvements have been approved and accepted by the state agency, local government department or agency, or other authority responsible for maintenance and operation of such improvements;
- (ii) The owner or developer has reimbursed the county for all costs associated with conducting any inspection that finds the guaranteed public infrastructure improvements have not been installed in accordance with approved plans and specifications;
- (iii) The owner or developer has provided the Director assurances that liens against guaranteed public infrastructure improvements will not be filed after their acceptance by the county (e.g., through affidavits, releases, or waivers of liens from all contractors and subcontractors); and
- (iv) The owner or developer has provided the Director any required maintenance guarantee for the same public infrastructure improvements.

### **c) Time Limits on Action on Request for Release**

- (i) The Director shall release a performance guarantee within 30 days after receiving a written request for the release unless the Director notifies the requestor in writing of the nonreceipt of applicable state agency approval or of specified defects or deficiencies and suggested corrective measures before expiration of the 30-day period.
- (ii) If the Director fails to take action on a request for release of a performance guarantee within the 30-day period, the request shall be deemed approved and a partial release granted to the owner or developer. In such instances,

no final release shall be granted after expiration of the 30-day period until the owner or developer has submitted a written request for such release to the County Administrator via certified mail, return receipt requested. If the County Administrator fails to take action on the request within ten days after receiving it, the request shall be deemed approved and a final release granted to the owner or developer.

**d) Limit on Partial Releases**

No performance guarantee for improvements shall be partially released until construction or installation of at least 30 percent of the guaranteed improvements has been completed. No performance guarantee shall be reduced to less than ten percent of the full amount of the performance guarantee until construction or installation of all the guaranteed improvements has been completed.

## **6. Default and Forfeiture of Performance Guarantee**

### **a) Notice of Failure to Complete Improvements**

If the owner or developer fails to complete installation of the guaranteed improvements (and in the case of public infrastructure improvements, to have the improvements accepted) within the term of the performance guarantee (as may be extended), the Director shall give the owner or developer 30 ~~days~~<sup>days</sup> written notice of the default by certified mail.

### **b) County Completion of Improvements**

After the 30-day notice period expires, the county may draw on the security and use the funds to perform work necessary to complete installation of the guaranteed improvements. After completing such work, the county shall provide a complete accounting of the expenditures to the owner or developer and, as applicable, refund all unused security deposited, without interest.

**Secs. 68-216 — 68-219. Reserved**

## **Sec. 68-220. Conservation Subdivision**

### **A. Purpose**

The purpose of this section is to provide landowners in the Agricultural-10 (A-10) district a development option that provides additional development flexibility to build on smaller lots when additional open space set-asides are provided, and the development is designed and located in a way that protects the agricultural activities or natural and historic features on the site. This is done in order to:

1. Conserve open land, including those areas containing productive agricultural soils and unique and sensitive natural features such as floodplains, wetlands, river and stream corridors, steep slopes, and significant stands of mature hardwood trees;
2. Retain and protect existing environmental, natural, and cultural resources;
3. Create a linked network of open lands;
4. Promote existing rural character within the agricultural portions of the county; and
5. Provide reasonable economic use of the property.

### **B. Applicability**

This conservation subdivision option may be used for single-family detached subdivisions in the Agricultural-10 (A-10) district.

### **C. Procedure**

#### **1. General**

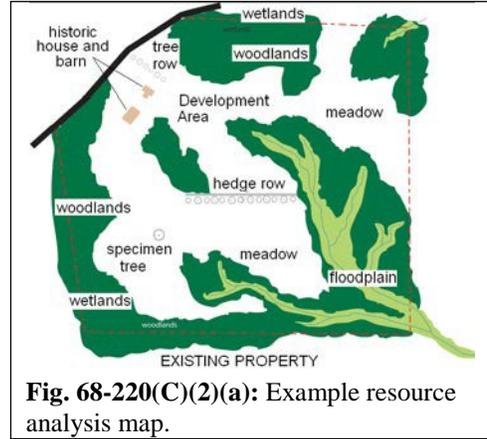
Development utilizing the conservation subdivision option shall require approval in accordance with the procedures and standards in Sec. 68-110, Primary Subdivisions, following development and review of a conservation design plan in accordance with the following subsections.

## 2. Conservation Design Plan

Before submitting an application for Preliminary Plat approval for a conservation subdivision, the applicant shall have a conservation design plan for the subdivision site reviewed and approved, or approved with conditions, by the Director in accordance with the steps in this section and the standards of Sec 68-220(D), Conservation Subdivision Standards.

### a) Step 1: Resource Analysis/Mapping

Using existing maps, data, and information sources, the applicant shall analyze existing conditions on the proposed subdivision site and on land within 500 feet of the site, prepare a resource analysis map that provides information about significant natural, agricultural, and historic resources and open spaces on the site and adjacent land, and submit the resource analysis map to the Director.



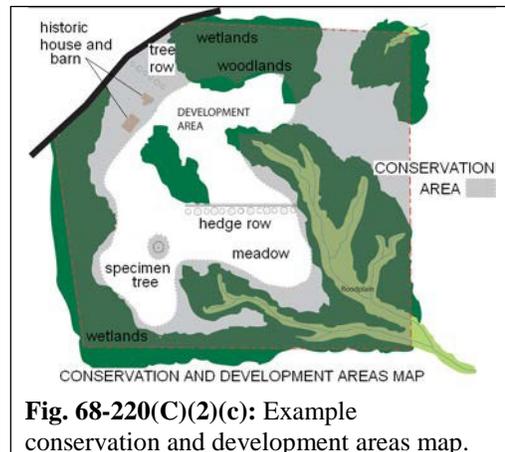
**Fig. 68-220(C)(2)(a):** Example resource analysis map.

### b) Step 2: Site Visit

- (i) After receiving the resource analysis map, the Director shall schedule and conduct a visit to the subdivision site with the applicant or the applicant's representative. The purpose of this site visit is to:
  - A. Familiarize county staff with the existing site conditions and natural and historic features of the site;
  - B. Identify potential site development issues; and
  - C. Provide an opportunity to discuss site development concepts, including the general layout of conservation areas and potential locations for proposed structures, utilities, streets, and other development features.
- (ii) Comments made by the Director or other county staff during the site visit are only suggestive. No official decision on the conservation and development plan shall be made during the site inspection.

### c) Step 3: Conservation and Development Areas Map

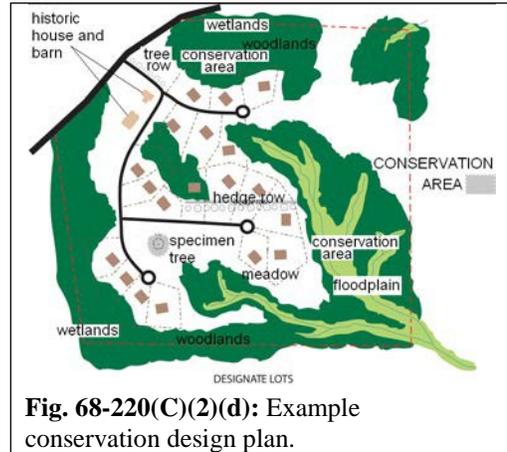
Based on the resource analysis map and information and discussion from the site visit, the applicant shall prepare a conservation and development areas map that depicts proposed primary and secondary conservation areas, and open space, as well as areas suitable for development, in accordance with Sec.68-220(D)(9), Conservation Areas and Development Areas.



**Fig. 68-220(C)(2)(c):** Example conservation and development areas map.

**d) Step 4: Conservation Design Plan**

Based on the conservation and development areas map, the applicant shall prepare a conservation design plan that depicts primary and secondary conservation areas and open space along with proposed site development, including streets, utilities, other development features, buffers (if applicable), and lots in proposed development areas. The applicant shall submit the resource analysis map, conservation and development areas map, and conservation design plan to the Director for review for compliance



**Fig. 68-220(C)(2)(d):** Example conservation design plan.

with the standards of Sec. 68-220(D), Conservation Subdivision Standards. The Director shall notify the applicant of any revisions necessary to allow approval of the conservation subdivision.

**3. Review and Approval of Conservation Subdivision**

Following the Director’s review of the conservation and development plan, an application for Preliminary Plat approval of the conservation subdivision may be submitted and reviewed in accordance with Sec. 68-110(A), Preliminary Plat.

**D. Conservation Subdivision Standards**

**1. Location**

A conservation subdivision shall be located within the Agricultural-10 (A-10) zoning districts.

**2. Minimum Subdivision Size**

A conservation subdivision shall be at least 50 acres in area.

**3. Minimum Open Space**

A conservation subdivision shall set aside a minimum of 40 percent of the total acreage of the site as conservation area open space to be permanently maintained and protected.

**4. Maximum Density; Bonus Densities**

- a) Except as otherwise provided in subsection (b) below, the gross density of single-family lots or dwelling units within a conservation subdivision shall not exceed the maximum density established in Article III of the Zoning Ordinance, Rural Districts for the Agricultural-10 (A-10) zoning district.

- b) The maximum density of single-family lots or dwelling units within a conservation subdivision may be increased from that established for the Agricultural-10 (A-10) zoning district in accordance with the following table:

<b>TABLE 68-220(D)(4): BONUS DENSITIES FOR ADDITIONAL OPEN SPACE</b>	
MINIMUM PERCENTAGE OF TOTAL SUBDIVISION SITE AREA SET ASIDE AS PERMANENT CONSERVATION AREA OPEN SPACE	PERCENTAGE INCREASE OF MAXIMUM DENSITY FROM THAT ESTABLISHED FOR THE ZONING DISTRICT
50%	10%
60%	20%
70%	30%

**5. Modified Lot Area, Lot Width, Lot Coverage, and Yard Depth Standards**

- a) The minimum lot area for individual lots within a conservation subdivision shall be two acres.
- b) The minimum lot width for individual lots within a conservation subdivision shall be 215 feet.
- c) The maximum lot coverage standards for individual lots within a conservation subdivision shall be 60 percent.
- d) ~~Except for yards abutting an arterial street,~~ The minimum yard depth standards for individual lots within a conservation subdivision shall be ~~25 percent of the minimum yard depth standards~~ established in Article III of the Zoning Ordinance, Rural Districts for the zoning district in which the subdivision is located.

**6. Maintain Compatibility**

Conservation subdivisions shall comply with Sec. 83-485 of the Zoning Ordinance, Farmland Compatibility Standards, to the extent the subdivision site abuts land used for agricultural purposes. Farmland compatibility standards shall not apply within the conservation subdivision.

**7. Separation and Buffering from Primary Arterial Streets**

Other than agricultural or historic structures, no lots or structures shall be located within 500 feet of a major arterial street—provided, however, that such separation may be reduced to 100 feet if the Director finds that topography, vegetation, and features such as split-rail fences or stone walls exist or are provided between lots or structures and the major arterial street to maintain the rural character of the site as seen from the major arterial street.

**8. Private Roads**

Conservation subdivisions ~~may~~ shall be served by private roads ~~approved and~~ constructed in accordance with ~~Sec. 68-140, Private Road Approval, and the applicable secondary road standards in Sec. 68-175(E)(8)(b), Private Roads. of VDOT for acceptance as a State-maintained public road.~~

**9. Conservation Areas and Development Areas**

**a) Primary Conservation Areas**

**(i) Features to be Preserved**

The following features shall be located and delineated on the conservation and development areas map as primary conservation areas, and shall be

preserved in the following priority order as primary conservation areas:

- A. The 100-year floodplain (as designated by the Floodplain (FP) Overlay district);
- B. Wetlands (as designated by the U.S. Army Corps of Engineers or the Virginia Department of Environmental Quality in accordance with Section 404 of the Clean Water Act);
- C. Areas containing prime farmland soils (as classified by the USDA Natural Resources Conservation Service);
- D. Areas containing soils susceptible to accelerated erosion (as classified by the USDA Natural Resources Conservation Service); and
- E. Historic and archeological sites (as designated by the Historic Overlay (H) district or as designated on the Virginia Landmarks Register or National Register of Historic Places).

**(ii) Areas to be Set Aside as Conservation Area Open Space**

All primary conservation areas delineated in accordance with subsection (i) ~~(i)~~ above shall be set aside and reserved as open space for conservation purposes in accordance with the following standards:

- A. If the total geographic area occupied by the primary conservation areas does not exceed the minimum open space requirement set forth in Sec. 68-220(D)(3), then all lands comprising the primary conservation areas shall be set aside as conservation area open space.
- B. If the total geographic area occupied by the primary conservation areas exceeds the minimum open space requirement, then lands containing primary conservation areas shall be set aside as conservation area open space in the priority order established in subsection (i) above.

**(iii) Allowable Uses**

Uses located within a primary conservation area shall be limited to:

- A. Agricultural uses permitted by right in the Agricultural-10 (A-10) zoning district in accordance with Article VII of the Zoning Ordinance, Use Standards;
- B. Unpaved pedestrian trails and walkways;
- C. Docks and other water-dependent features as allowed in this Ordinance;
- D. Above ground and below ground public utilities and associated easements, provided no feasible alternative exists;
- E. Street or driveway crossings, provided such crossings do not violate this Ordinance or other state or federal laws; and
- F. Repair, rehabilitation, restoration, or reconstruction of historic structures.

**b) Secondary Conservation Areas**

**(i) Features to be Preserved**

The following features shall be located and delineated on the conservation and development areas map as secondary conservation areas, and shall be preserved in the following priority order as secondary conservation areas:

- A. Existing and mature pastures and non-prime agricultural land;
- B. Existing and mature woodland forests, fields, and meadows (especially those greater than five acres in area);
- C. Significant plant and wildlife habitat;
- D. Open space connections between primary conservation areas;
- E. Scenic corridors and view sheds;
- F. Greenways and trail corridors;
- G. Rural roadside character areas; and
- H. Parks and recreation areas.

**(ii) Areas to be Set Aside as Conservation Area Open Space**

Secondary conservation areas delineated in accordance with subsection (i) above shall be set aside and reserved as open space for conservation purposes in accordance with the following standards:

- A. If the total geographic area occupied by primary conservation areas exceeds the minimum open space requirement set forth in Sec. 68-220(D)(3), no secondary conservation areas shall be required to be set aside as conservation open space.
- B. If the total geographic area occupied by primary conservation areas does not exceed the minimum open space requirement, then lands comprising secondary conservation areas shall be set aside as conservation area open space in the priority order established in subsection (i) above.
- C. If the combined geographic area occupied by all delineated primary and secondary conservation areas does not equal the minimum open space requirement set forth in Sec. 68-220(D)(3), then the applicant shall select additional lands within the subdivision site as necessary to meet the minimum open space requirement and designate them as secondary conservation areas to be set aside as conservation area open space. To the maximum extent practicable, such lands shall connect or abut other primary and secondary conservation areas.

**(iii) Allowable Uses**

Uses located within a secondary conservation area shall be limited to:

- A. All uses allowed in primary conservation areas;
- B. All development allowed in open space set-asides (see Sec. 83-470(C)(5) of the Zoning Ordinance, Development in Open-Space Set-Asides);

- C. Individual or community water supply and septic systems;
- D. Stormwater management systems;
- E. Required drainage or other utility easements; and
- F. Mitigation of development activities, including restoration of disturbed or degraded areas to enhance habitat and scenic value.

**c) Development Areas**

After identifying the primary and secondary conservation areas, development areas shall be identified. They are areas within the subdivision site in which development may occur, including:

- (i) Any clearing or grading activities;
- (ii) Vehicular ingress and egress;
- (iii) Individual or community wells and septic systems (if not located within the secondary conservation area);
- (iv) Streets, utilities, and other similar structures; and
- (v) All allowable uses.

**10. Ownership, Management, and Maintenance**

The conservation area open spaces shall be considered open space set-asides, and shall comply with the ownership, management, and maintenance standards in Sec. 83-470(C)(6) of the Zoning Ordinance, Ownership, Management, and Maintenance of Open-Space Set-Asides.

**Secs. 68-221 — 68-229. Reserved**

## **ARTICLE IV. SPECIFICATIONS FOR PLANS AND PLATS**

### **Sec. 68-230. General**

This article includes submittal requirements for a number of the development applications addressed in this Subdivision Ordinance and in Article II (Administration) of Chapter 83 (Zoning Ordinance) of the Code of Powhatan County.

### **Sec. 68-231. Digital Submission of Plats**

#### **A. Purpose**

The intent of a digital submittal requirement is to enable the required hard copy and digital submission to be produced from the same digital data without any modification by the company submitting the data or by the Department of Community Development staff.

#### **B. Applicability**

In addition to the required hard copy documents, the following plats submitted to the Department of Community Development shall include a completed computer drafted digital drawing file:

1. Preliminary Plats;
2. Final Plats;
3. [Non-Subdivision Plats](#)
- ~~3.4.~~ Plats for Single-Cut Subdivisions
- ~~4.~~ [Plats for Large Lot Subdivisions;](#)
- ~~4.5.~~ Plats for Family Divisions; and
- ~~5.6.~~ Plats for Subdivision Exceptions.

#### **C. Content and Format**

The digital files shall contain all of the information pertaining to the drawings as required by this article. This digital format shall be an exact replica of any required data represented on the submitted hard copy drawing/document. Computer Aided Design and Drafting (CADD) files in DWG format are preferred; however, DGN, or DXF formats may also be acceptable. The digital submittal is not required to have an engineering stamp/certification. Submissions will be accepted on CD, DVD, or by electronic mail (E-mail). The submitted digital data shall be labeled with the project name, filing date, format, and company name.

### **Sec. 68-232. Preliminary Plat**

#### **A. Preparation**

The preliminary plat shall be prepared by a Surveyor or Engineer, and be used for presentation to the Director

#### **B. Drawing**

The preliminary plat shall, at a minimum, be drawn to the specifications and shall contain the information required below.

**1. Subdivision Name**

The proposed name of the subdivision, preceded by the words “Preliminary Plat of \_\_\_\_\_, Powhatan County, Virginia” will be indicated.

**2. Person Identification**

The name and mailing address of the property owner, the developer, the Engineer, and any other persons directly involved in the transaction will be indicated.

**3. Date and Scale**

The date of design of the preliminary plat, north point, and scale shall be indicated.

**4. Total Lot Acreage**

The total acreage of each lot.

**5. Total Road Acreage**

The total acreage of the roads.

**6. Total Acreage**

The total acreage of the site

**7. Acreage of Each Lot**

Such acreage is to be shown within each lot.

**8. Tax Reference Map Number**

**9. Location Sketch**

The sketch showing the general location of the subdivision in relation to the surrounding area will be placed on the sheet, generally in the upper right or left corner. The location sketch will be drawn to a scale large enough to show the proposed subdivision’s relationship to existing and proposed community facilities, such as major traffic arteries, public transportation, schools, recreation areas, shopping areas, and natural features such as rivers, streams, and topographic features.

**10. Plat Information**

Preliminary plats will contain all necessary information pertaining to tract boundaries, contours, streets, utilities, lots, and such other information as may be required by the Department of Community Development.

**11. Boundary Lines on and Adjacent to the Tract**

The location, distance, and bearings for boundary lines and the location and width of all existing easements will be indicated.

**12. Contours**

The preliminary plat will show existing contours developed in the field or from aerial topographic surveys or U.S. Geographical Survey quadrangle maps. Source of topography will be stated on the plat.

- a) Contours will be at intervals of ten feet or at more or less frequent intervals if required by Community Development Staff for land with unusual topography.
- b) Where possible, all contour information will be referenced to the U.S. Geographical Survey datum.

**13. Nonresidential Designation**

The name, acreage, and use of any sites proposed for public use such as parks, playgrounds, etc., and the name, acreage, and use of any uses other than single-family dwellings, such as multifamily dwellings, shopping centers, churches, etc., will be indicated

#### **14. Other Conditions**

Other conditions on the tract to be shown on the preliminary plat will include the information required below.

- a) Existing and proposed zoning designations, highways, parks, schools, or other major improvements will be indicated.
- b) Watercourses, railroads, bridges, or other structures will be indicated.
- c) Soil map prepared by a qualified soil scientist with soil classifications and recommended usage when required by the Commission Staff.
- d) Stream buffers, wetland buffers, and wetland buffer setbacks shall be shown as required by Article VIII (Development Standards) of Chapter 83 (Zoning Ordinance).

#### **Sec. 68-233. Construction Plans**

##### **A. Preparation**

The construction plans shall be prepared by a Surveyor or Engineer

##### **B. Drawing**

The construction plans shall, at a minimum, be drawn on 24" x 36" sheets (or other size as approved by Community Development Staff) and shall contain the information required below:

##### **1. Drainage Plan**

- a) Existing contours
- b) Finished contours
- c) The locations, sizes, and profiles of existing open channels, pipes, culverts, drains, inlets, catch basins, and similar facilities designed to handle stormwater
- d) The locations, sizes, and profiles of proposed open channels, pipes, culverts, drains, inlets, catch basins, and similar facilities designed to handle stormwater
- e) Other pertinent information requisite in dealing with storm drainage problems
- f) Additional requirements for any such drainage plan may be required by Staff
- g) Easements required in the construction and maintenance of the drainage system and required buffers
- h) The date of design of the construction plans
- i) North arrow with datum used for the plans
- j) Scale of plan indicated with a graphic scale shown
- k) Total acreage of the site
- l) Total acreage of the disturbed area
- m) Tax map number(s)
- n) The location sketch showing the general location of the subdivision in relation to the surrounding area will be placed on the sheet, generally in the upper right or left corner. The location sketch will be drawn to a scale large enough to show the proposed subdivision's relationship to existing and proposed community facilities, such as major traffic arteries, public transportation, schools, recreation areas, shopping areas and natural features such as rivers, streams, and topographic features.
- o) The location and width of all existing easements on or adjacent to the subject property. Easements required in the construction and maintenance of the drainage system shall be shown on the construction plans.

- p) Stream buffers, wetland buffers, and buffer setbacks shall be shown.
- q) The drainage plan shall be consistent with local and regional drainage plans

## **2. Existing and Proposed Streets**

The following is required for existing and proposed streets

- a) Streets on and adjacent to the tract will be indicated by the street name, right-of-way width, and location type and width of any surfacing or curbing
- b) The plan and profile of each proposed street indicating the existing ground surface and proposed street grades at a horizontal scale of 1" – 50' and a vertical scale of 1" – 5' or such other scales as may be approved by Staff.
- c) A cross section of each proposed type of street drawn to scale shall show the width of pavement, the location and width of sidewalks and rights-of-way, and the location of utilities.
- d) In order that Staff may more accurately study the construction plans, center lines of all proposed streets in the subdivision will be staked out in the field prior to submission of the construction plans.

## **3. Utilities**

The construction plans will show the following information concerning existing and proposed utilities including sanitary sewers, water lines, and storm sewers. The plans will also show existing gas, telephone, electrical, cable, fiber and all other utility lines. All utility design will conform to County standards and specifications.

- a) The locations, sizes, and capacities, where appropriate, of all water mains, manholes, pumping stations, standpipes, reservoirs, and similar facilities, and the locations and dimensions of specific easement areas related thereto will be indicated.
- b) The plan and profile including invert elevations of all sanitary sewers, manholes, lift stations, and treatment plants, and similar facilities, and the location and dimensions of specific easement areas related thereto.
- c) All easements pertinent to all utilities will be shown.
- d) Areas or space dedicated for utilities will be shown.

## **4. Lot Lines**

The location of lot lines, along with the appropriate lot and block numbers will be shown on the plans.

# **Sec. 68-234. Final Plat**

## **A. Preparation**

The final plat of a subdivision shall, at a minimum, conform substantially to the preliminary plat and will be prepared in accordance with the requirements below.

## **B. General**

### **1. Materials and Size**

The final plat will be drawn on a sheet the size of which shall be specified by the Clerk of the Court.

### **2. Date**

The date of design of the subdivision plat

**3. North Arrow**

North arrow with datum used for the plat

**4. Scale**

The final plat will be drawn to a scale of one hundred (100) feet or less to the inch (or a scale approved by Community Development Staff) and include a graphic scale on the plat

**5. Page Numbering**

When more than one sheet is used for any final plat, each sheet will be numbered consecutively and will contain a notation indicating the total number of sheets in the plat.

**C. Mapping Information**

The final plat will include sufficient data to accurately reproduce the subdivision on the ground

**1. Street Lines on Adjacent Land**

The final plat will show the exact location with dashed lines and the width along the property lines, with street name and route number, for all existing or recorded streets intersecting or paralleling the boundaries of the tract

**2. Monument References on Adjacent Land**

The final plat will show the bearings and distances to nearest established street boundaries, established survey lines, or other official monuments.

**3. Adjacent Land**

For adjacent land which is platted, the final plat will show the intersecting boundaries with dashed lines and the recorded name of the subdivision. For adjacent land which is unplatted, the final plat will show the intersecting boundaries with dashed lines and the name of the owners of record, recording information, and tax map number.

**4. Boundary Lines of Tract**

The final plat will show the tract boundary lines with lengths of courses to hundredths of a foot and bearings to the nearest second.

**5. Monuments of Tract**

The final plat will show the accurate location and type of all permanent reference monuments.

**6. Streets**

For street and alley rights-of-way, the final plat will show the names, bearings, and width including the widths along the line of any obliquely intersecting street; for all arcs, show the length, radius, delta angle, tangent, chord and chord bearing

**7. Easements**

For existing easements show the location, type, width, and recording information. For proposed easements, show the location, type and width.

**8. Easements Along Property Lines**

Any easements along the property lines will be noted on the final plat with the type and width

**9. Lot Lines**

For all lot lines show dimensions to the hundredths of a foot and bearings to the nearest second

**10. Reservations and Dedications on Tract**

The final plat will show the accurate outline of all property which is either offered for dedication to public use or which is reserved by covenant in the deeds for common use of the property owners in the subdivision with the purpose also plainly printed thereon.

**11. Block and Lot Designations**

The lots will be numbered in numerical order and the blocks lettered in alphabetical order

**12. Flood Plain**

The 100-year HUD designated flood plain area of all watercourses shall be shown on the final plat

**13. Streams and Wetlands**

All streams and wetlands shall be shown and labeled

**14. Stream and Wetland Buffers**

All stream buffers, wetland buffers, and buffer setbacks shall be shown and labeled

**15. Drainage Buffers**

Buffers required by this Ordinance shall be shown on the final plat

**16. Covenants**

When the developer intends to regulate land use in the subdivision by the use of covenants, one copy of the final protective or restrictive covenants will be submitted to the Department of Community Development along with the final plat

**17. Soils Analysis**

Prior to final subdivision plat approval, a soils analysis shall be performed and submitted to Staff for review. The soils analysis shall certify that a designated building site for each lot on the final subdivision plat is free of moderate or high shrink swell soils and/or other adverse soil conditions, otherwise a note shall be placed on the plat indicating lots with moderate or high shrink swell soils and/or adverse soil conditions and that engineered footings shall be required for such identified tests and other factors which were used as the basis for the certification. Should an alternate building site be chosen for the use after plat approval, such site shall be assessed for adverse soil conditions in the same manner as the original designated site ~~except for Large Lot Subdivisions.~~

**D. Title Block**

The title block for the final plat drawing will contain the following information required below

1. Subdivision Name: The name of the Subdivision and, where the plat at hand is only part of a larger subdivision bearing the same name, the section number or other necessary identification will be indicated
2. Magisterial District
3. County and State
4. Date
5. Scale of plat

**E. Legend Information**

The legend for the final plat drawing will contain the following information required below

1. Use of Property
2. Zoning Designation
3. Rezoning Case Number (if applicable)
4. Tax Map Number
5. Water Supply
6. Sewer Supply

7. Drainage Type
8. Number of Lots
9. Area in Lots
10. Area in Open Space
11. Area in Roads
12. Total Area
13. FEMA Flood Zone Designation
14. Proffered Conditions
15. Any other information pertinent to the Final Plat

**F. Acreage per Lot**

The acreage for each lot shall be shown within each lot

**G. Graphic Scale**

A graphic scale shall be shown and labeled

**H. Location Sketch**

The sketch showing the general location of the subdivision in relation to the surrounding area will be placed on the sheet, generally in the upper right or left corner. The location sketch will be drawn to a scale large enough to show the proposed subdivision's relationship to existing and proposed community facilities, such as major traffic arteries, public transportation, schools, recreation areas, shopping areas and natural features such as rivers, streams, and topographic features.

**I. Personal Identification**

The name of the property owner, the developer, the Surveyor, and any other persons directly involved with the transaction will be shown

**J. Certifications**

The appropriate Certifications as defined below, with required signatures, will accompany all final plats

**1. Subdivision Certificate**

SUBDIVISION CERTIFICATE

The subdivision of land shown on this plat designated as (name of subdivision) is with free consent and in accordance with the desires of the undersigned owner and trustees. There is (a/no) mortgage on this property. All proposed easements and streets are of the width and extent shown and are dedicated to the County of Powhatan free and unrestricted by previous agreements of easements except as noted on this plat. All easements are for surface and underground drainage and underground and overhead utilities unless otherwise noted. All easements are subject to the right of the County of Powhatan to establish alleys on said easements at any future time without cost for the property involved. Given under my hand and seal this      day of \_\_\_\_\_, 20\_.

\_\_\_\_\_

Owner

(Also leave blanks for Trustees if necessary.)

**2. Surveyor's Certificate**

SURVEYOR'S CERTIFICATE

To the best of my knowledge and belief, all of the requirements as set forth in the ordinance for approving plats of subdivisions for recordation in Powhatan County, Virginia, have been complied with. All monuments and property corners will be set by \_\_\_\_\_ [insert date]

By \_\_\_\_\_ (Name of Company)

**3. Source of Title**

**4. Notary Certificate**

**5. Approval for Recording Certificate (Upon approval and certification of all elements of the final plat, the Department of Community Development will certify the plat for recording as follows)**

Date Approved: \_\_\_\_\_

\_\_\_\_\_  
Powhatan Department of Community Development

**Sec. 68-235. Shared Subdivision Plat Requirements for Single-Cut, ~~Large Lot, Family and Charitable Subdivisions~~ Family Divisions**

Plats of Single-Cut Subdivisions, ~~Large Lot Subdivisions,~~ and Family Divisions ~~and Charitable Subdivisions~~ shall be drawn to scale and shall show the following:

**A. Date**

The date of design of the subdivision plat

**B. North Arrow**

North arrow with datum used for the plat

**C. Scale**

The final plat will be drawn to scale and include a graphic scale on the plat

**D. Page Numbering**

When more than one sheet is used for a subdivision plat, each sheet will be numbered consecutively and will contain a notation indicating the total number of sheets in the plat.

**E. Mapping Information**

The final plat will include sufficient data to accurately reproduce the subdivision on the ground.

**F. Boundary Lines of Tract**

The subdivision plat will show the parcel boundary lines with lengths of courses to hundredths of a foot and bearings to the nearest second.

**G. Monuments of Tract**

The final plat will show the accurate location and type of all permanent reference monuments.

**H. Easements**

For existing easements show the location, type, width, and recording information. For proposed easements, show the location, type and width.

**I. Zoning District**

Show the zoning district of the parcels.

**J. Utilities**

Location of existing utilities and proposed easement access for Utility Entities

**Sec. 68-236. Specific Plat Requirements: Single-Cut Subdivision**

In addition to the requirements listed in Sec. 68-235 above, the plat of a Single-Cut Subdivision shall be drawn to scale and show the following:

**A. Roads**

Show the public road to which the ~~lot has~~lots have access; the single-cut subdivision parcels shall meet the minimum standards of the district set forth in Chapter 83 (Zoning Ordinance).~~(Single-Cut Subdivisions shall be prohibited on private roads where the main parcel does not front on a public road).~~

**B. Certifications**

The appropriate Certifications as defined below, with required signatures, will accompany all Single-Cut Subdivisions

1. Surveyor's Certificate
2. Surveyor's Seal
3. Owner's consent statement

**Sec. 68-237. ~~Specific Plat Requirements: Large Lot Subdivision Plat - Reserved~~**

~~In addition to the requirements listed in Sec. 68-235 above, the plat of a Large Lot Subdivision shall be drawn to scale and show the following:~~

~~**A. Lots and Yards**~~

~~All lot and yard requirements of the Zoning Ordinance shall be satisfied. On corner lots, where the side yard adjoins a street, the side yard setback shall be equal to the front yard setback~~

~~**B. Remnants**~~

~~All parcels smaller than ten acres remaining after subdivision of a tract shall be added to adjacent parcels or lots~~

~~**C. Street Frontage**~~

~~All lots of a Large Lot Development shall meet the minimum standards of the district set forth in Chapter 83 (Zoning Ordinance).~~

~~**D. Separate Ownership**~~

~~Where the land covered by a development includes two or more parcels in separate ownership, and lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to a single ownership, simultaneous with the recording of the final plat. Said deed is to be deposited with the final plat until the subdivider is ready to record the same, and they both be recorded together.~~

~~**E. Restrictive Covenants**~~

~~The deed and plat of each tract in a private street Large Lot Development shall carry a restrictive covenant to the effect that the streets in the subdivision are private in nature and shall not be maintained by VDOT or other public agency and that the maintenance and improvements thereof shall be the mutual obligation of the landowners in the developments abutting said roads that such private roads shall not be taken into the state highway system unless and until the abutting landowners shall have constructed and dedicated the private roads in accordance with VDOT specifications, and thereafter the Supervisors shall have recommended that said road be taken into the state system of highways.~~

~~(Plats shall be labeled with notes describing that the streets are private in nature and shall not be maintained by VDOT or other public agency and that the maintenance and improvements thereof shall be the mutual obligation of the landowners in the development)~~

~~**F. Certifications**~~

~~The appropriate Certifications as defined below, with required signatures, will accompany all Large Lot Subdivisions~~

- ~~1. Surveyor's Certificate~~
- ~~2. Surveyor's Seal~~
- ~~3. Owner's consent statement~~

**Sec. 68-238. Specific Plat Requirements: Family Division**

In addition to the requirements listed in Sec. 68-235 above, the plat of a Family Division shall be drawn to scale and show the following:

**A. Street Frontage**

All lots of a family division ~~resulting in a total of 1-2 lots shall either~~abut a private road by a minimum of 30 feet. All lots of a family division resulting in a total of 3 or more lots shall abut a public road by a minimum of 30 feet ~~or have access to a public road via a dedicated access right of way or easement at least 30 feet in width.~~

**B. One Division Limit**

Only one such division shall be allowed during the lifetime of each family member of the donor or grantor without regard for ownership by the donor or grantor of differing tracts or parcels of land, and shall not be for the purpose of circumventing this Ordinance. Any further division beyond one cut for each family member shall be considered a subdivision subject to the provisions of this Ordinance.

**C. Immediate Family**

For the purposes hereof, a member of the immediate family is defined as any person who is a natural or legally defined offspring, spouse, siblings, grandchild, grandparent, or parent of the owner

**D. Restrictions**

1. No lot hereby created which contains less than ten acres shall qualify as a Family Division unless it ~~has a reasonable access right of way or easement providing ingress and egress to a publicly maintained street or road as follows:~~is served by a road that is constructed in accordance with VDOT's secondary street requirements.
  - ~~a) Minimum of 30 feet for one or two lots served by a private road constructed to the residential driveway standard [see: Sec. 68-175(E)(9)]~~
  - ~~b) Minimum of 50 feet for three to ten lots served by a private road constructed to standards [see: Sec. 68-175(E)(8)]~~
- ~~1. No lot on a private street or road in a Large Lot Development may be deeded as a Family Division unless said lot is ten acres in size or larger and approved under the provisions of this Ordinance, or unless all property owners within such Development with access to such road provide their sworn consent in writing to the creation of a Family Division lot less than ten acres in size but no smaller than two acres in size.~~
2. No Family Division shall be made unless approved by the Director. Additionally, no Family Division shall be approved unless the property has been owned for at least ten consecutive years by the current owner or member of the current owner's immediate

family.

3. During the initial five-year period following the creation of lots by Family Division, no sale of any such lot shall be made and no residential structure on such lot shall be rented to any person other than an immediate family member as defined in Sec. 68-238(C) above unless such lots are subject to an involuntary transfer such as by foreclosure, death, judicial sale, condemnation, or bankruptcy and such transfer is approved by the Director. Furthermore, no building permit shall be issued to the recipient of any such lot if such recipient is not an immediate family member as defined in Sec. 68-238(C) above. The property owner shall also place a restrictive covenant on the subdivided property that would prohibit the transfer of the property to a nonmember of the immediate family for a period of five years.
4. Any family division parcel and the resultant residual parcel that is created from a lot of record ~~that has no access to a public road~~ must be served by a ~~private~~ road that is constructed in accordance with ~~Sec. 68-175(E)(8)(b), Private Roads~~ VDOT's secondary street requirements.

#### **E. Certifications**

The appropriate Certifications as defined below, with required signatures, will accompany all Family Divisions

1. Surveyor's Seal

#### **Sec. 68-239. ~~Specific Plat Requirements: Charitable Subdivision~~**

~~In addition to the requirements listed in Sec. 68-235 above, the plat of a Charitable Subdivision shall be drawn to scale and show the following:~~

##### ~~A. Street Frontage~~

~~All lots of a charitable subdivision shall meet minimum standards of the district set forth in Chapter 83 (Zoning Ordinance)~~

##### ~~B. Requirements~~

- ~~1. A division of one parcel of land may be permitted for conveyance to a bona fide charitable organization.~~
- ~~2. Charitable Exceptions may only be taken from Agricultural zoned parcels.~~
- ~~3. A Charitable Exception division taken from a parent tract shall not result in the loss of the property owner's Single Cut Subdivision exception.~~
- ~~4. A Charitable Exception parcel shall be a minimum of two acres in size and shall produce a residual parcel of not less than ten acres in size. All other lot requirements shall follow the Zoning Ordinance provisions for the Agricultural District~~
- ~~5. Requests for Charitable Exceptions shall be submitted to the Board of Supervisors for consideration along with a conceptual plan showing the dimensions of the proposed Charitable Exception parcel and the residual parcel and written evidence of a valid 501(c)(3) designation. The Board may impose conditions pertaining to the development of the property and may, at its discretion, allow a Charitable Exception parcel to access a state maintained road via exclusive dedicated easement. No fee shall be charged for a Charitable Exception request~~

##### ~~C. Certifications~~

~~The appropriate Certifications as defined below, with required signatures, will accompany all Charitable Subdivisions~~

~~1. Surveyor's Seal~~

## **Sec. - 68-240. Subdivision Exception – Reserved**

### **A. Application for Exception**

~~Provided that such requirement is not otherwise contrary to law, application for approval of a division as a Subdivision Exception under this Ordinance shall be made prior to recordation of any such division. Application shall be made to the Department of Community Development. The application shall include a plat of survey certified and sealed by a Surveyor, drawn to such scale and including such minimal information sufficient to satisfy the Department of Community Development that the division qualifies as a Subdivision Exception.~~

### **B. Recordation of Exception**

~~Provided that such requirement is not otherwise contrary to law, no plat of any division qualifying as a Subdivision Exception shall be recorded unless and until it shall have been submitted to and approved as a Subdivision Exception by the Director. The plat of any such approved Subdivision Exception shall contain a clearly visible indication that it is a Subdivision Exception, and shall be dated and signed by the Director.~~

## **Sec. 68-241. Private Road Approval**

### **A. Review for Private Road Approval**

The ~~Planning Commission~~Board of Supervisors shall review, or cause to be reviewed, the construction of private roads in lieu of public roads and the design standards of any proposed private road to assure that such road meets the eligibility criteria for private roads and will be adequate to serve the subdivision or development of which it is a part. Each entrance onto any public road for vehicular traffic to and from such subdivision or development shall be subject to the approval of the Department of Community Development and shall be constructed in accordance with all applicable VDOT standards. The applicant's licensed professional engineer or surveyor shall certify and provide documentation that VDOT standards are met on any such entrance

### **B. Intent of Regulation of Private Roads**

~~Any new private road shall be subject to approval by the Planning Commission in accordance with this chapter. Additional use of any private road resulting from any division of land shall be subject to the provisions of this chapter.~~ Private roads are intended to be permitted as the exception to construction and dedication of public roads in the subdivision approval process. ~~Granting of private road usage shall be discretionary by the Planning Commission and shall be based on the circumstances and requirements contained herein.~~ Private roads are intended to promote sensitivity toward the natural characteristics of the site and to encourage subdivision consistent and harmonious with surrounding development. Except as otherwise expressly provided herein, no waiver, modification or variation of standards, and no exceptions to the application of these regulations shall be permitted.

### **C. Eligibility Criteria for Private Roads**

The ~~Planning Commission may approve any private road under the following circumstances~~

- ~~1. No lot of a subdivision to be served by such road shall be less than ten acres in land area; or~~
- ~~2. A subdivision contains only two lots and such private road serves only the lots in such subdivision; each lot is not less than two acres in land areas; and is the sole and direct means of road shall serve as internal access to a road in the state highway system.~~

### **A. Additional Eligibility Criteria for Private Roads**

1. ~~In addition to the provisions of Sec. 68-241(C) above, the Planning Commission may approve a subdivision served by one or more controlled-access private roads in any case in which the subdivider, in accordance with Sec. 68-241(P) below, demonstrates to the reasonable satisfaction of the Planning Commission that: (e.g., gated communities):~~
  1. ~~Approval of such roads will alleviate a clearly demonstrable danger of significant degradation to the environment of the site or adjacent properties which would be occasioned by the construction of public roads; or~~
  2. ~~For a specific, identifiable reason, the general public interest, as opposed to the propriety interest of the subdivider, would be better served by the construction of such roads than by the construction of public roads. In the case of any such approval, the Planning Commission may require such assurances from the subdivider in a form acceptable to the County Attorney as it may determine to be necessary to protect the public interest with respect to such roads.~~
  3. ~~In the case of any such approval, the Planning Commission may require such assurances or performance guarantees from the subdivider in a form acceptable to the County Attorney as it may determine to be necessary to protect the public interest with respect to such roads. Such assurances shall be held by the County for a period of one year from the completion of the private road construction for maintenance purposes, including but not limited to road surface integrity and soil stabilization.~~
  4. ~~A private road shall be deemed completed when Community Development Staff has received all required documents from the applicant's licensed professional engineer or surveyor certifying compliance with Sec. 68-241(F) and any other requirements of this Section.~~

**B. Criteria for Final Approval by Planning Commission**

No subdivision or development shall be approved pursuant to Sec. 68-241(C) or Sec. 68-241(D) unless and until the Planning Commission shall determine that:

1. ~~Any such private road will be adequate to carry the traffic volume which may be reasonably expected to be generated by such subdivisions; and~~
2. ~~The fee of such road is to be owned by the owners of all lots abutting the right of way thereof or by an association composed of the owners of all lots on the subdivision, subject in either case to a dedicated right of way for the benefit of all lots served by such road, and~~
3. ~~Except where required by the Planning Commission to serve a specific public purpose, such private road shall not be designed to serve through traffic nor to intersect the state highway system in more than one location.~~
  2. The road shall serve a Family Division resulting in a total of no more than 2 lots; or
  3. The road shall serve as internal access for a commercial, business or industrial park.

**D. Private Road Construction Standards**

All private roads ~~approved pursuant to this Section~~ shall be constructed in accordance with the following. A licensed professional engineer or surveyor shall certify and provide documentation to the Department of Community Development that the private road meets the construction standards of ~~this ordinance. (See Sec. 68-175(E)(8), Private Roads.)~~ VDOT's secondary street acceptance requirements.

**E. Right-of-Way Width**

For any single-family residential use, any private road ~~serving more than two, but not more than ten lots~~ shall have a right-of-way width of 50 feet.

**F. Grade**

For any single-family residential use, a private road shall have a maximum grade of not more than nine percent (9%). The maximum grade of such road may be increased to not more than 50 percent for a distance not more than 30 feet where in the opinion of the applicant's Engineer or Surveyor, topographic features justify such increase and such increase will not result in a safety hazard.

Intersections of private and public roads shall have an approach grade not exceeding three percent for a distance of not less than 40 feet in all directions. Approach grade distances shall be measured from the edge of the roadway being intersected. ~~(See Sec. 68-175(E)(8), Private Roads and See Table 68-175(E)(8)(b), Private Road Standards for Single Family Development)~~

**G. Drainage and Compaction**

Specifications for crowning, ditching, and other provisions for drainage shall meet VDOT standards. Road surface compaction shall also meet VDOT standards.

**H. VDOT Standards**

For any single-family residential use, any private road ~~serving more than ten lots~~ shall be constructed in accordance with the applicable secondary road standards of VDOT for acceptance as a State-maintained public road. ~~No private road may serve more than ten lots. An exception may be granted by the Planning Commission for controlled access private roads (e.g., gated communities) where VDOT regulations will not allow such road to be accepted into the system of State maintained public roads.~~

**I. Road Design**

The developer shall submit to the Department of Community Development a map of proposed subdivision or development having contour intervals not greater than ten feet showing the horizontal alignment together with field-run profiles and typical cross-section of such roads. The Department of Community Development may waive requirements on the field-run profile for the County in the case of an existing road or where deemed appropriate due to topography

**J. Street Signs**

Street signs shall be installed by the developer in accordance with VDOT standards

**K. Pavement Width, Depth**

Minimum pavement width, depth of road base, surface treatment and minimum sight distance of a private road shall be in accordance with ~~the construction standards presented in Table 68-175(E)(8)(b) for residential uses and with the construction standards presented in Sec. 68-175(E)(8) for uses other than residential~~ VDOT's secondary street acceptance requirements

**L. Restrictive Covenants**

The deed and plat of each tract on a private road shall carry a restrictive covenant to the effect that the streets in the subdivision are private in nature and shall not be maintained by VDOT or other public agency and that the maintenance and improvements thereof shall be the mutual obligation of the landowners in the developments abutting said roads. The covenants shall also provide that such private roads shall not be taken into the state highway system unless and until the abutting

landowners shall have constructed and dedicated the private roads in accordance with VDOT specifications, and thereafter the Board of Supervisors shall have recommended that said road be taken into the state system of highways

#### **M. Minimum Right-of-Way Exception**

The minimum right-of-way width requirements of Subsection F above notwithstanding, in the case of a subdivision served by an existing easement of fixed width, which easement cannot be widened by the subdivider after documented good faith effort by the subdivider to acquire additional right-of-way width, the ~~Planning Commission~~Board may approve such subdivision in accordance with Subsection P upon demonstration by the applicant that such easement is of adequate width to accommodate the minimum pavement width and drainage ditch specifications as required by Subsection F, together with area adequate for maintenance of the same.

#### **C. Filing Procedure**

~~An applicant requesting Planning Commission approval pursuant to Sec.68-140, Private Road Approval, shall file with the Department of Community Development a written request which shall state reasons and justifications for such request together with such alternatives as may be proposed by applicant. This request shall include a survey plat of the subject property including all recorded easements and any other rights of way, easement or otherwise. Such request shall be submitted to the Department of Community Development at least 45 days prior to the next Planning Commission meeting. No such request shall be considered by the Planning Commission until the Planning Commission has considered the recommendation of the Department of Community Development. The Department of Community Development may recommend approval, approval with conditions, or denial. A recommendation of approval or conditional approval shall be accompanied by a statement from the Department of Community Development as to public purpose served by such recommendation, particularly in regard to the purpose and intent of this chapter, the Zoning and Subdivision Ordinances, and the Comprehensive Plan~~

#### **Sec. 68-242. Land Disturbance**

~~A complete Land Disturbance application shall comply with the requirements and standards in Chapter 42, Article III of the Powhatan County Code and shall, at a minimum, include the following:~~

##### **A. Land Disturbance Application**

~~Filled out completely~~

##### **B. Erosion and Sediment Control Plans**

~~Plans shall include the following:~~

- ~~1. **Limits of clearing and grading** (Decide which areas must be disturbed in order to accommodate the proposed construction. Pay special attention to critical areas which must be disturbed)~~
- ~~2. **Divide the site into drainage area** (Determine how runoff will travel over the developed site. Consider how erosion and sedimentation can be controlled in each small drainage area before looking at the entire site)~~
- ~~3. **Select erosion and sediment control practices** (Erosion and sediment control practices can be divided into three broad categories: vegetative controls, structural controls, and management measures. Each of these categories has temporary and permanent control measures to be considered.)~~
- ~~4. **Minimum Standards** (All Minimum Standards shall be addressed, 1 through 19 in the Virginia Erosion and Sediment Control handbok, in chart or list form as they apply to the site)~~

## ~~5. Narrative~~

~~Narrative shall contain the following:~~

- ~~a) **Project description**—Briefly describe the nature and purpose of the land-disturbing activity, and the area (acres) to be disturbed.~~
- ~~b) **Existing site conditions**—A description of the existing topography, vegetation and drainage.~~
- ~~c) **Adjacent areas**—A description of neighboring areas such as streams, lakes, residential areas, roads, etc., which might be affected by the land disturbance.~~
- ~~d) **Off-site areas**—Describe any off-site land-disturbing activities that will occur (including borrow sites, waste-of-surplus areas, etc.). Will any other areas be disturbed?~~
- ~~e) **Soils**—A brief description of the soils on the site giving such information as soil name, mapping unit, erodibility, permeability, depth, texture and soil structure.~~
- ~~f) **Critical areas**—A description of areas on the site which have potentially serious erosion problems (e.g., steep slopes, channels, wet weather/underground springs, etc.).~~
- ~~g) **Erosion and sediment control measures**—A description of the methods which will be used to control erosion and sedimentation on the site.~~
- ~~h) **Permanent stabilization**—A brief description, including specifications, of how the site will be stabilized after construction is completed.~~
- ~~i) **Stormwater runoff considerations**—Will the development site cause an increase in peak runoff rates? Will the increase in runoff cause flooding or channel degradation downstream? Describe the strategy to control stormwater runoff.~~
- ~~j) **Calculations**—Detailed calculations for the design of temporary sediment basins, permanent stormwater detention basins, diversions, channels, etc. Include calculations for pre- and post-development runoff.~~

## ~~6. Site Plan~~

~~Site plan shall, at a minimum, contain the following:~~

- ~~a) **Vicinity Map**—A small map locating the site in relation to the surrounding area. Include any landmarks which might assist in locating the site.~~
- ~~b) **Indicate north**—The direction of north in relation to the site.~~
- ~~c) **Existing contours**—The existing contours of the site.~~
- ~~d) **Final contours**—Changes to the existing contours, including final drainage patterns.~~
- ~~e) **Existing vegetation**—The existing tree lines, grassed areas, or unique vegetation.~~
- ~~f) **Stream buffers, perimeter of parcel buffers**—Areas required by the Zoning Ordinance or conditions of rezoning in which existing vegetation shall be retained and protected. (e.g., intermittent stream buffers are 50' on each side of the stream, perennial stream buffers 100' on each side of the stream, wetland buffers are 50' along wetlands, perimeter buffers range 50'—200' in width).~~
- ~~g) **Existing drainage patterns**—The dividing lines and the direction of flow for the different drainage areas. Include the size (acreage) of each drainage area.~~
- ~~h) **Critical erosion areas**—Areas with potentially serious erosion problems. (e.g., steep slopes, channels, underground springs).~~

- i) ~~Off-site areas~~—Identify any neighboring areas such as streams and ponds which could receive direct run off from the site. Identify any off-site land disturbing activities (e.g., borrow sites, waste areas, etc.). Show location of erosion controls.
- j) ~~Limits of clearing and grading~~—Areas which are to be cleared and graded.
- k) ~~Site Development~~—Show all improvements such as buildings, parking lots, access roads, utility construction, etc.
- l) ~~Location of Vegetative, Structural Controls and Management Practices~~—The locations of erosion and sediment controls and stormwater management practices used on the site. Provide detailed drawings.
- m) ~~Maintenance~~—A schedule of regular inspections and repair of erosion and sediment control structures shall be set forth.
- n) ~~Utilities~~—Drawings that show the locations of existing and proposed utilities and locations of existing and proposed utilities easements.

**~~C. Required Land Disturbance Fee~~**

**~~D. Required Stormwater Permit Fees~~**

**~~Sec. 68-243. Stormwater Management Concept Plan~~**

~~A complete Stormwater Management Concept Plan or Layout shall be submitted to Powhatan County either with the preliminary plan, preliminary subdivision plat, final subdivision plat or other submittal prior to the final plan in order to evaluate the site characteristics and ensure a comprehensive process for evaluating the existing natural features on the site and the proposed land disturbing activity and the conceptual application of post-construction structural and non-structural stormwater BMPs such that the post construction condition will meet the pollutant load and runoff volume reduction and quantity control requirements of § 62.1-44.15:24, et seq. (Stormwater Management Act) of the Code of Virginia.~~

~~Secs. 68-244 — 68-299. Reserved~~

**ARTICLE V.**

~~Sec. 68-242 - 68-299. Reserved~~

**ARTICLE V. DEFINITIONS**

**Sec. 68-300. In General**

Definitions of terms shared by the Powhatan County Zoning Ordinance (Chapter 83) and this Subdivision Ordinance (Chapter 68) are found in Article XI (Definitions) of the Zoning Ordinance and are incorporated herein by reference. Definitions of terms specific to the Subdivision Ordinance are as follows:

**Sec. 68-301. Definitions**

**ALLEY**

A narrow street or thoroughfare giving access to the rear of lots or buildings.

**AVERAGE GROUND ELEVATION**

The elevation of the mean finished grade.

**BLOCK**

A surface land area separated and distinguished from other surface land areas by visible physical boundaries such as streets, railroads, rivers, extremely steep land, or other physical barriers.

**BLOCK NUMBER**

The official number or letter assigned to a block for identification purposes.

**BUFFER**

A strip of land with existing vegetation retained and supplemented as required with trees/shrubs and maintained to provide transition and separation, to reduce noise and glare and to partially obstruct the view between adjacent land uses or properties. Buffers shall be maintained as undeveloped space and shall not be cleared, graded or excavated. (See Article VIII: Development Standards of the Powhatan County Zoning Ordinance)

**BUILDABLE AREA OF A LOT**

That portion of a lot bounded by the required rear and side yards and the building setback line

**BUILDING SETBACK LINE**

A line in the interior of a lot which is generally parallel to, and a specified distance from, the street right of way line or lines. No building shall then be placed in the space between the building setback line and the right of way line.

**BUILDING**

A combination of any materials, whether portable or fixed, that forms a structure for use or occupancy by persons or property.

**COMMISSION STAFF**

All administrative agency employees of the County including, but not limited to, the Health Department, the County School Board, the Planning Commission, and other governmental agency employees involved in the subdivision review process, including, but not limited to, VDOT.

**COMMUNITY SEWAGE SYSTEM**

A central sewage system owned, operated and maintained by a private corporation or a property owner's association.

**COMPREHENSIVE PLAN**

A composite of the mapped and written proposals recommending the physical development of the County which has been adopted by the Board of Supervisors.

**CONSTRUCTION PLAN**

Detailed information on the physical improvements to be made to land in the development of the subdivision.

**COUNTY**

Powhatan County, Virginia.

**CUL-DE-SAC**

A street with only one outlet, and having an appropriate turning area for a safe and convenient reverse traffic movement.

**DEDICATION**

Setting aside of land and/or improvements for a particular use.

**DEVELOPER**

Any person, including a governmental agency, undertaking development.

**DIRECTOR**

The Powhatan County, Virginia Director of Community Development. See Article II (Administration) of the Powhatan County Zoning Ordinance.

**DRAINAGE SWALE**

A topographic feature containing free flowing surface water or soil surface saturation greater than seven consecutive days, in which channel dimensions are based on a 10-year storm event.

**EASEMENT**

A grant by a landowner to another or to the public, of a right to occupy or use designated land for specific purposes, such as access, drainage, conservation, the location of public improvements, or other specified purpose. An easement does not constitute fee simple ownership of the land.

**EASEMENT AREA**

A strip of land over, under, or through which an easement has been granted.

**ENGINEER**

A qualified Professional Engineer registered and currently licensed to practice engineering in the Commonwealth of Virginia.

**FEE**

A charge or levy imposed by an official agency.

**HEALTH DEPARTMENT**

Powhatan County Health Department.

**IMPROVEMENTS**

Physical changes made to raw land and structures on or under the land surface in order to make the land more usable for man's activities. Typical improvements in these regulations would include, but are not limited to, grading, street pavement, curbs, gutters, drainage ditches, storm and sanitary sewers, street name signs, and street trees.

**INDIVIDUAL SEWAGE TREATMENT FACILITY**

A sewage disposal system developed to function on an individual lot basis. A septic tank is a type of individual sewage treatment facility.

**LOT**

A parcel of land occupied or intended to be occupied by a principal use or structure, together with any accessory structures or uses and such accessways, parking area, yards, and open spaces required in these regulations.

**LOT, CORNER**

A lot other than a through lot that abuts two or more streets at their intersection.

**LOT, DOUBLE FRONTAGE**

A lot which runs through a block from street to street or which has two non-intersecting sides abutting on two or more streets.

**LOT, FLAG**

A lot consisting of a narrow "flagpole" strip extending from an abutting street to a much wider "flag" section lying immediately behind an abutting lot or lots, or a lot not abutting a street, where the access to the lot is by a narrow "flagpole." Flag Lots shall not be permitted except for Family Divisions and cul-de-sacs.

**LOT, INTERIOR**

A lot abutting only one street.

**LOT, REVERSE FRONTAGE**

A double frontage lot which has its vehicular access point limited to the back of the lot, rather than having access on its front.

**LOT AREA**

The total horizontal land area within the lot lines of a lot, excluding any area within existing or proposed public street rights-of-way or private road easements or the Floodplain Overlay district.

**LOT DEPTH**

The average distance from the street line of the lot to its rear line measured in the general direction of the sidelines of the lot.

**LOT FRONTAGE**

That dimension of a lot or portion of a lot abutting on a street excluding the side dimension of a corner lot.

**LOT LINES**

The lines forming the boundary of a lot.

**LOT LINE ADJUSTMENT**

A reconfiguration of a lot line(s) to establish, straighten or rearrange such boundary lines, or to accomplish conveyance of part of a lot or parcel to an adjoining parcel or lot, provided that the following requirements are met:

1. Such conveyance does not create any additional lots or parcels,
2. At least one (1) boundary line shall remain unchanged as depicted on the recorded plat as of January 8, 2007;
3. No additional non-conforming lots may be created;
4. The conveyance shall not have the effect of circumventing the Subdivision Ordinance, and
5. No parcel may be created less than two (2) acres in size.

**LOT LINE, FRONT**

A lot line separating the lot from an abutting public street right-of-way or private road easement. Where the boundaries of a lot extend into an abutting public street right-of-way or private road easement, the front lot line shall be the outside edge of the right-of-way or easement

**LOT LINE, REAR**

A lot line not abutting a street and connecting the lot's side lot lines – or a side lot line and a front lot line, for corner lots – along the edge of the lot opposite its front lot line.

**LOT LINE, SIDE**

A lot line not abutting a street and connecting the lot's front and rear lot lines.

**LOT NUMBER**

The official number assigned to a lot for identification purposes.

**LOT WIDTH**

The horizontal distance along a line delineating the minimum front yard depth applicable to a lot, between its intersections with the lot's side lot lines. For lots with more than one front yard, lot width applies along the front yard that has the shorter street frontage and for residential lots, fronts the street with the lower traffic volume capacity.

**MAINTENANCE GUARANTEE**

a security which may be accepted, including performance bonds, escrow agreements, and other similar collateral or surety agreements, for a specified time period against defects and faults in materials, workmanship and design, damage or wear. (See Sec. 68-215, Performance Guarantees)

**MONUMENTS**

Markers placed on or in the land.

**PARENT TRACT**

Any lot or parcel which was lawfully recorded by a plat of subdivision and/or deed(s) in the Office of the Clerk of the Circuit Court of Powhatan County prior to April 18, 1988.

**PERFORMANCE GUARANTEE**

Any security which may be accepted in lieu of a requirement that certain improvements be made before the approving body approves a plan, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

**PLANNING COMMISSION**

The Planning Commission of Powhatan County, Virginia.

**PLANNING DEPARTMENT**

The County’s Department of Planning and Community Development.

**PLAT, NON-SUBDIVISION**

The following divisions of lots of parcels of land shall not be considered a “subdivision,” as defined in this Article and thus are not subject to the standards of this subdivision ordinance:

1. A division of land made to establish rights-of-way or well lots.
2. A lot line adjustment

**PLAT, PRELIMINARY**

The material which comprises the first “official” submission of a subdivision scheme to the Director, and which consists of an application and a map showing the material features of the proposed subdivision.

**PRIVATE ROAD**

A road not intended to be used by the general public, but where use is restricted to those with lawful right of access to such road, whether such access is granted by recorded deed or easement.

**PROTECTIVE COVENANTS**

A written statement governing the development of the land.

**PUBLIC HEARING**

A meeting for the review of a matter where opinions may be presented by the public held according to State laws.

**RIGHTS-OF-WAY**

A dedication of land to be used generally for streets, alleys, or other public uses wherein the owner gives up all his rights to the property as long as it is being used for the dedicated purpose. Also, a land measurement term meaning the distance between lot property lines which generally contain not only the street pavement but also the sidewalks, grass area, and utilities.

**ROAD**

For the purpose of these regulations, “road” shall be defined the same as “street”. Unless otherwise stated, road shall mean a road designed and constructed to VDOT standards.

**ROAD, THOROUGHFARE**

A road which provides major circulation movements and accommodates through travel.

**ROADWAY**

The portion of the street right-of-way which contains the street pavement, curb, and gutter, and is used primarily as a channel for vehicular movement and secondarily as a drainage channel for storm water. In these regulations where curbs are required, the pavement is measured from face to face of the curbs; without curbs, it is the measurement of the wearing surface.

**SANITARY SEWER SYSTEM**

A municipal or community sewage system of a type approved by the State Department of Public Health.

**SETBACK**

The distance required to obtain the minimum front, side, and rear yards.

**STORM WATER CONVEYANCE CHANNEL**

A storm water conveyance channel conveys free flowing surface water or soil surface saturation less than seven consecutive days. Channel dimensions based on 10-year storm event.

**STREAM, INTERMITTENT**

For purposes of this Ordinance, a hydrographic feature shown on USGS quadrangle topographic maps (7.5-minute, 1:24,000 scale) as a broken blue line.

**STREAM, PERENNIAL**

For purposes of this Ordinance, a hydrographic feature shown on USGS quadrangle topographic maps (7.5-minute, 1:24,000 scale) as a solid blue line.

**STREET**

A general term used to describe a right-of-way which provides a corridor for vehicular and pedestrian movement between certain points in the community, which may provide for vehicular and pedestrian access to properties adjacent to it, and which may also provide space for the location of underground and above ground utilities.

**STREET, INTERSECTING**

Any street which joins another street at an angle, whether or not it crosses the other.

**STREET GRADE**

The officially established grade of a street, or if no officially established grade exists, the top of the street's roadway at its centerline.

**STREET LINE**

The legal line between street right-of-way and abutting property.

**STUB ROAD**

A road which is shown on a subdivision plat to dead end or terminate at adjacent property.

**SUBDIVIDER**

For the purpose of these regulations, "subdivider" shall be defined the same as "developer".

**SUBDIVISION**

The division of a lot, tract or parcel of land into two or more lots, tracts or parcels, for the purpose, whether immediate or at some future time, of transfer of ownership or building development (with or without a transfer of ownership). The term subdivision includes resubdivision.

**SUBDIVISION, FAMILY DIVISION**

A Family Division is a division of a lot or parcel of land solely for the purpose of a one-time sale or gift of land from the lot or parcel owner to a member of the owner’s immediate family—which is defined for purposes of regulating family divisions as any person who is a natural or legally defined offspring, stepchild, spouse, sibling, grandchild, grandparent, or parent of the lot or parcel owner. Development of a Family Division requires Family Division approval in accordance with Sec. 68-125, Family Division. No parcel may be created less than two acres in size.

**SUBDIVISION, FINAL PLAT**

(See Sec. 68-110(C), Final Plat)

**SUBDIVISION, PRELIMINARY PLAT**

(See Sec. 68-110(A), Preliminary Plat)

**SUBDIVISION, PRIMARY**

A primary subdivision is a division of a lot or parcel of land other than a Family Division. Development of a primary subdivision shall comply with Sec. 68-110, Primary Subdivision.

**SUBDIVISION, SINGLE-CUT**

A Single-Cut Subdivision is a division of a lot or parcel of land lawfully created by a subdivision plat or deed recorded with the Office of the Clerk of the Circuit Court before April 18, 1988, into not more than two lots or parcels. Development of a Single-Cut Subdivision requires Single-Cut Subdivision approval in accordance with Sec. 68-115, Single-Cut Subdivision. No parcel may be created less than two acres in size.

**SUPERVISORS**

The Board of Supervisors of Powhatan County, Virginia.

**SURVEYOR**

A Surveyor registered and currently licensed to survey in the Commonwealth of Virginia.

**THOROUGHFARE PLAN**

A section of the County’s Comprehensive Plan that designates ultimate rights-of-way for major roads and identifies proposed new major roads in order to retain and develop a balanced, effective, and integrated road system.

**USE**

The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term “permitted use” or its equivalent shall not be deemed to include any non-conforming use.

**UTILITY ENTITIES**

A utility district or other entity providing gas, water, sewer, electric, cable or telephone services.

**VDOT**

The Virginia Department of Transportation.

**WAY**

A street or alley or other thoroughfare or easement permanently established for passage of persons or vehicles.

**YARD, FRONT**

The yard between a principal structure on a lot and the lot's frontage along a public street or private road (front lot line), extending the full width of the lot.

**YARD, REAR**

The yard between a principal building on a lot and the rear lot line, extending the full width of the lot.

**YARD, SIDE**

Any lot line not a rear line or front line shall be deemed a side line. The yard between a principal building on a lot and the nearest side lot line, extending between the lot's front yard and rear yards (or for through lots, between the lot's opposite front yards).

**ZONING ORDINANCE**

The duly adopted Zoning Ordinance of Powhatan County, Virginia.

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**POWHATAN COUNTY RESOLUTION R-2016-67**

**ADOPTING THE POWHATAN COUNTY BOARD OF SUPERVISORS VISION 2030**

**WHEREAS**, in August 2014 the Powhatan County Board of Supervisors (2012 Board) adopted their future vision of the County - VISION 2030 and priorities for the next three years - THREE-YEAR PRIORITIES, to move the County towards accomplishing VISION 2030; and

**WHEREAS**, the 2012 Board directed the County Administrator to develop a strategic action plan (Plan) using VISION 2030 and the THREE-YEAR PRIORITIES and the Plan was adopted by the 2012 Board in February 2015; and

**WHEREAS**, on August 24 through 26, 2016, the current Board of Supervisors (Board) reviewed VISION 2030 and the THREE-YEAR PRIORITIES and, to assess progress, identified significant successes and achievements from the past four years; and

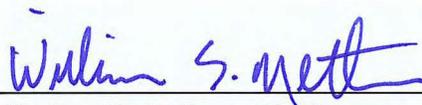
**WHEREAS**, the Board revised VISION 2030 to reflect changes in the environment and its perception of the desired future for the County and to incorporate the input of the more recently elected Supervisors; and

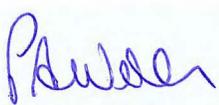
**WHEREAS**, the Board developed the list of priorities for the next three years - THREE-YEAR PRIORITIES, to move the County towards accomplishing the revised VISION 2030;

**NOW, THEREFORE, BE IT RESOLVED** that the Powhatan County Board of Supervisors does hereby adopt the County of Powhatan VISION 2030 and THREE-YEAR PRIORITIES attached to this Resolution.

**BE IT FURTHER RESOLVED** that the Powhatan County Board of Supervisors does hereby direct the County Administrator to develop a strategic action plan to ensure that the THREE-YEAR PRIORITIES are completed professionally, proficiently, prudently and promptly.

**ADOPTED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 26, 2016.**

  
\_\_\_\_\_  
**William E. Melton, Chairman**  
**Powhatan County Board of Supervisors**

**ATTEST:**  
  
\_\_\_\_\_  
**Patricia A. Weiler, Clerk**  
**Powhatan County Board of Supervisors**

*Recorded Vote:*  
David T. Williams      Aye  
Larry J. Nordvig      Aye William E. Melton      Aye  
Angela Y. Cabell      Aye Carson L. Tucker      Aye

**Powhatan County Board of Supervisors Vision 2030  
Attachment to Resolution R-2016-67**



Our local government provides opportunities for a desirable quality of life that is attainable for our diverse citizenry. Our commitment to rural character and an outstanding education system, along with excellent public safety, health, and human services, provides the climate that empowers our residents to achieve their aspirations. Our transparent and responsible decisions enable this future to unfold purposefully.

The Board thoughtfully plans, sets standards, and is accountable for its vision through a focus on the following:

**Stewards of the Land**

Powhatan County is a vibrant rural community that protects, preserves and encourages the responsible use of its natural resources to ensure a strong sense of place where everyone can enjoy open space, farming, and superior outdoor recreational opportunities.

**Strong, Robust Economy**

Powhatan County is a pro-business community. The County utilizes all available tools and infrastructure to attract investment and create jobs to encourage a robust, diverse economy while maintaining our rural character. Our commitment to quality design standards assures a sense of place and a desirable destination for people to live, work, and play.

**Public Health and Safety**

As a community, we recognize the fundamental truth that all public good flows from public order and safety for all citizens. This manifests itself in suitable health care, courteous public safety officials, quick responses to dangers to public health and safety, and ongoing responsiveness to the human service needs of our diverse population.

**Lifelong Quality Education**

An educated citizenry is the foundation of democratic government. We have an outstanding educational system that produces thoughtful, inquisitive, and productive graduates. Our system is transparent, accountable to the community, and implements cutting edge ideas that improve quality, cost-effectiveness, and relevancy to the job market.

**Fiscal Accountability**

Powhatan County is a fiscally responsible, transparent, and accountable community.

**Quality Community**

Residents enjoy a distinctive, appealing quality of life. Every segment of our population can select from a diverse mix of attractive housing choices and enjoy natural parks and excellent recreational facilities, access to our rivers, and well-planned amenities.

**Local and Regional Collaboration**

Through our local and regional partnerships, Powhatan County enhances the overall quality of life of its residents. These efforts save the taxpayer the expense of "carrying the burden alone" and expand the community's ability to benefit from the common effort.

**POWHATAN COUNTY BOARD OF SUPERVISORS THREE-YEAR PRIORITIES  
ATTACHMENT TO RESOLUTION R-2016-67**

*In July 2014, the Board of Supervisors (Board) identified Three-Year Priorities considered most critical to advancing Vision 2030. On August 26, 2016, the Board reviewed the 2014 priorities to determine those to continue and identified new priorities. The numbers are for reference only and do not indicate importance. 2014 Priorities have retained their number and are highlighted in yellow.*

<b>Stewards of the Land</b>	
<b>LD 2</b>	Update the Comprehensive Plan <ul style="list-style-type: none"> <li>• Ensure that we have aesthetically pleasing development to convey our distinct County identity</li> <li>• Reconsider the boundaries of the Special Area Plans on the Countywide Land Use Plan (Map 7)</li> <li>• Follow parcel boundaries when setting the Special Area Plans boundaries on the Countywide Land Use Plan (Map 7)</li> <li>• Consider changing to fewer use categories on the Countywide Land Use Plan (Map 7)</li> <li>• Consider the use of overlays</li> </ul>
LD 5	Update the Zoning and Subdivision Ordinances to comply with the revised Comprehensive Plan <ul style="list-style-type: none"> <li>• Revise standards to improve interconnectivity and walkability of new development</li> <li>• Eliminate conflicting zoning and subdivision requirements</li> </ul>

<b>Strong, Robust Economy</b>	
EC 5	Implement the Economic Development Strategic Plan to include clear deliverables and key metrics to evaluate performance
EC 6	Provide clear direction and appropriate support to the E.D.A. to ensure it can carry out its responsibilities related to goals of the Economic Development Strategic Plan
<b>EC 4</b>	Streamline the building inspection, planning and zoning processes to be more efficient and business friendly, including a checklist and a fast track review process
EC 8	Pursue with our legislators the possible acquisition of the Beaumont site
EC 9	Implement the Powhatan County Water/Wastewater Master Plan as determined by the Board
<b>IN 2</b>	Finalize the agreement for the Cobbs Creek Regional Reservoir
<b>IN 5</b>	Develop a transportation master plan
EC 12	Implement a Countywide broadband system

### Public Health and Safety

HS 5	Work cooperatively with service delivery agencies to develop a joint plan to address the public health and safety needs of our diverse population and bring the plan to the Board consideration
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### Lifelong Quality Education

ED 3	Continue joint meetings with the School Board and work collaboratively to align strategic intent and planning
ED 4	Working with the School Board, community colleges, regional and state agencies, local businesses, and the EDA, determine how best to ensure the employability of our population

### Fiscal Accountability

FA 1	Develop and implement a performance-based budgeting approach that aligns the budget with the priorities, goals, and objectives of the Board
FA 2	Continue to examine, evaluate, and improve systems and processes to enhance the effectiveness of government service delivery, transparency, and accountability
FA 5	Continue to review and update the County's financial policies

### Quality Community

QC 1	Evaluate and update the housing section of the Comprehensive Plan to ensure that a diverse mix of attractive housing choices is available
QC 2	Improve our communication processes to more fully engage our citizens and keep them informed
QC 3	Investigate potential for enhanced public river access and trail development (i.e. bike friendly river trail)
HS 4	Develop a recreation plan that addresses the needs of all citizens, to include revenue potential

### Local and Regional Collaboration

RC 2	Continue to develop Board and staff relationships with regional partners
RC 3	Continue to build strong relationships with our legislative delegation

**VIRGINIA: AT A WORK SESSION OF THE POWHATAN COUNTY BOARD OF SUPERVISORS HELD IN THE POWHATAN COUNTY PUBLIC LIBRARY, 2270 MANN ROAD IN POWHATAN, VIRGINIA, AUGUST 24 - 26, 2016**

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**Board of Supervisors Present:** David T. Williams, District 1  
Larry J. Nordvig, District 2, Vice-Chairman  
Angela Y. Cabell, District 3  
William E. Melton, District 4, Chairman  
Carson L. Tucker, District 5

**Staff Members Present:** Patricia A. Weiler, County Administrator  
March Altman, Deputy County Administrator

**Consultants Present:** Tyler St. Clair, Local Government Consultant

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August 24, 2016

**1. Call to Order**

Chairman Melton called the work session to order on August 24, 2016, at 5:30 p.m. Chairman Melton stated to let the record show all Board of Supervisors members are present at the work session.

**2. Invocation & Pledge of Allegiance**

**3. Workshop Discussion Items**

- a. Identify a long-term direction for the County
- b. Develop a vision, short-term priorities, and operating guidelines

**4. Recess**

At 9:00 p.m., the Board unanimously recessed the meeting until the following morning.

August 25, 2016

**5. Reconvene**

Chairman Melton reconvened the work session at 8:30 a.m. on August 25, 2016.

**6. Recess**

At 5:00 p.m., the Board unanimously recessed the meeting until the following morning.

August 26, 2016

**7. Reconvene**

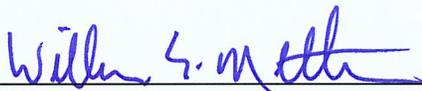
Chairman Melton reconvened the work session at 8:30 a.m. on August 26, 2016.

**8. Adjourn**

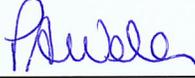
Chairman Melton adjourned the work session at 2:00 p.m. on August 26, 2016.

Attached to the minutes is the **Powhatan County Board of Supervisors Planning Retreat Session Report** which summarizes the discussion of the Board during the workshop on August 24, 25 and 26.

**MINUTES APPROVED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 26, 2016.**

  
\_\_\_\_\_  
**William E. Melton, Chairman**  
**Powhatan County Board of Supervisors**

**ATTEST:**

  
\_\_\_\_\_  
**Patricia A. Weiler, Clerk**  
**Powhatan County Board of Supervisors**

*Recorded Vote:*

David T. Williams        Aye    
Larry J. Nordvig        Aye        William E. Melton        Aye    
Angela Y. Cabell        Aye        Carson L. Tucker        Aye  

POWHATAN COUNTY BOARD OF SUPERVISORS  
WORK SESSION  
August 24 – 26, 2016

# Powhatan County Board of Supervisors Planning Retreat Session Report



August 24-26, 2016  
Powhatan Public Library

A. Tyler St.Clair  
205 Madison Street  
Lynchburg, Virginia 24504  
434-846-2428  
ats6t@virginia.edu

Powhatan Board of Supervisors Planning Retreat  
 Session Report  
 August 24-26, 2016  
 Powhatan County Public Library



**ASSESS PROGRESS**

*The Board was asked to assess progress on its Vision by identifying significant successes or achievements over the past 4 years. Using the identified achievements, the Board identified categories of success factors that define many signs of progress for the County.*

Successes in Financial Management	Successes in Economic Development	Successes in Infrastructure and Amenities
<ul style="list-style-type: none"> <li>• Bond rating maintained despite bond sales</li> <li>• Bond rating up &amp; solid (2)</li> <li>• Capital Maintenance Reserve Fund + repairs (\$3M spent to fix buildings)</li> <li>• Bit off restrained CIP &amp; quit kicking major true needs down the road (3)</li> <li>• Realistic CIP</li> <li>• Developed/passed CIP with School Board input</li> <li>• Great financial planning</li> <li>• Solid finances; effective financial control system</li> <li>• GFOA CAFR award (3)</li> <li>• Developed great financial policies to prepare us for the future (debt, budget, fund balance (2)</li> <li>• Budget clean up - book and process clearer and more transparent (2)</li> <li>• Replacement vehicles program started</li> <li>• Budget surplus each year</li> <li>• Audit</li> </ul>	<ul style="list-style-type: none"> <li>• Economic development plan (5)</li> <li>• Sowers development on 711/Winterfield (2)</li> <li>• Winterfield Place II (2)</li> <li>• 711/288 road improvements underway</li> <li>• Restored funding - Rt. 711</li> <li>• Stavemill Crossing</li> <li>• GIFF Breed revitalized</li> <li>• Growing businesses - Papa Johns, etc.</li> <li>• Water to Beaumont</li> <li>• Beaumont legislative agenda opportunity</li> <li>• Putting people back to work/stimulate economy by reducing proffers</li> <li>• Identify sites for business development</li> <li>• RFPs - ED, broadband, and marketing</li> <li>• Broadband initiative (5)</li> <li>• Revitalized EDA (3)</li> <li>• Walmart attracts others</li> <li>• Wild Ginger</li> </ul>	<ul style="list-style-type: none"> <li>• Water/Wastewater Master Plan (3)</li> <li>• Courthouse sally port</li> <li>• Bond issue (new middle school, Courthouse expansion, public safety communication system, bus garage)</li> <li>• Fighting Creek Park</li> <li>• Fighting Creek Park award</li> <li>• "New" middle school (3)</li> <li>• Convenience Center improvements/replace shack</li> <li>• Greater awareness of infrastructure challenges</li> <li>• Pursuit of Rt. 60 studies</li> <li>• Bus garage</li> <li>• PSP + PSP II ready</li> <li>• Entrance to PSP funded and underway</li> <li>• New JHS underway</li> <li>• DOC water</li> <li>• Exciting events occurring</li> <li>• Dynamic Library (i.e. community center, robotics)</li> <li>• Began addressing parks and recreation needs to meet citizen needs</li> </ul>

<p><b>Successes in Board and School Board Partnership</b></p> <ul style="list-style-type: none"> <li>• BOS working together better</li> <li>• Great School Board and BOS relationship; relations built on trust and respect (4)</li> <li>• Joint work on CIP</li> <li>• County Administrator and School Superintendent have great working relationship</li> <li>• School Board working to help County financially</li> <li>• SRP put to rest</li> </ul>	<p><b>Successes in Human Resource Management</b></p> <ul style="list-style-type: none"> <li>• Employee Handbook updated (2)</li> <li>• Annual evaluation process</li> <li>• Women in leadership</li> <li>• Hired great staff and dept. heads with stretch</li> <li>• New high quality staff managers - (i.e. Ramona Carter, John Melis, Charla Schubert, Steve Singer)</li> <li>• Great staff (qualified, new, awards, etc.)</li> <li>• Developed compensation and classification system that is fair and consistent</li> <li>• County Administrator's relationship with counterparts in other jurisdictions</li> </ul>	<p><b>Successes in Responsible Land Use</b></p> <ul style="list-style-type: none"> <li>• Not sprawling</li> <li>• Rework begun on Comp Plan</li> <li>• Zoning &amp; Subdivision Ordinance close to closure (2)</li> <li>• Work on Subdivision and Zoning Ordinance</li> <li>• Adopted Zoning Ordinance</li> <li>• Building Inspections and Planning/Zoning into Community Development Department</li> </ul>
<p><b>Successes in Imaging</b></p> <ul style="list-style-type: none"> <li>• VACO awards 2014 and 2015</li> <li>• Dynamic citizen involvement</li> <li>• Professional image of offices in Administration Building</li> <li>• New websites (2)</li> <li>• Social media presence (i.e. Facebook, Twitter, etc.)</li> <li>• Brigid as PIO</li> </ul>	<p><b>Successes in Strategic Planning</b></p> <ul style="list-style-type: none"> <li>• Vision (2)</li> <li>• Vision communicated</li> <li>• Strategic Plan</li> <li>• Vision with Priorities</li> <li>• Implementation of Vision and Priorities with County Administrator's regular progress updates</li> </ul>	<p><b>Successes in Public Safety</b></p> <ul style="list-style-type: none"> <li>• Fire/Rescue structure and ordinance</li> <li>• JET program (2)</li> <li>• Updates - Fire/EMS codes</li> <li>• Rocky Ford speed limit</li> <li>• Ladder truck at minimal expense</li> <li>• 911 Plan</li> </ul>

Board Conclusions about County Successes and Progress:

- We have a lot to celebrate
- It is easy to focus on what we haven't done; need to remind ourselves of our successes
- We have sound management
- Our work reflects the importance of successfully growing - the biggest number of achievements or anticipated achievements focus on economic development and sound management. We will grow or die, so we have to grow well.
- We have been doing a lot of planning to develop a foundation and are poised to go
- We have many new policies, systems, and processes to help us be successful
- We need to determine how to get to the next step as we need victories; let's go!

## BOARD VISION BRAINSTORM: EXAMINING THE COUNTY'S STRATEGIC DIRECTION

*The Board responded to the following questions in order to provide input on current strengths, needs, and change initiatives from each Member:*

*Thinking about Powhatan County in the most ideal strategic state that it could achieve in 2030 and keeping a possibility-oriented perspective . . .*

- 1. What would we have to KEEP in order to achieve that ideal state?*
- 2. What would we have to CHANGE in order to achieve that ideal strategic state?*

### Group 1

Billy Melton, David Williams, Angie Cabell, Tyler St.Clair (recorder)

#### Keep:

- Sound, strong fiscal management, including accountability, policies, and procedures
- Rural character
  - Trees, farms as reflected in the Comp Plan
  - Comp Plan with pockets of planned growth and targeted growth areas
- Median on Rt.60 to keep our sense of place and our "green county" identity; it is the most important road in the County
- Commitment to education
  - Quality of our schools
  - Focus on the changing workforce needs
  - Options from daycare to 12<sup>th</sup> grade; affordable daycare
  - Having a private school option (Blessed Sacrament)
- Great park to meet our needs (Fighting Creek)
- Library as a resource to the community; serves as a community center and meets the diverse needs of our population (i.e. the disenfranchised)
- The Village as a focal point and destination
- Sense of community in the county; we are a community that cares
  - We have events, including a Labor Day Parade and a Christmas Parade
  - We are small enough that everyone knows everyone
- Comp Plan that addresses emerging housing trends, including density, walkability, and single family to multi-family trends
- Powhatan State Park, including the opportunity to ride horses and access to the river
- Chamber of Commerce providing networking and education (i.e. 800 website hits a week)
- Many community service organizations that provide citizen-driven services which contribute to our quality of life
- Volunteer firefighters and EMS personnel; creativity of the JET program
- Servant leadership; people who care about the community in leadership positions

#### Change:

- The perception that we are not business friendly
- Implement the Economic Development Strategic Plan TODAY!
  - Bring forward the Technology Zone
  - Look at each recommendation/goal and implement
  - Have a huge consensus among Board Members on economic development
- Go back and update the Comp Plan; quickly deal with the input and get into place
  - Board gave the Planning Commission a list of issues to address

- Have 2 studies that will impact development to include
- Economic Development Strategic Plan has impact on the Comp Plan
- Water/Wastewater Master Plan is being updates (i.e. lines on 522)
- Water/sewer on Rt.60 - need to reflect Board's policies on this
- Board needs to identify the kind of businesses it wants to attract and they need to be businesses for which the County is suited
- Create a Technology Zone - this will enable the Board to create incentives for economic development
- Zoning Ordinance is unwieldy and not user friendly
  - Allows for multiple interpretations
  - Burdensome; too many rules; contradictions when cross referenced
  - Creates frustration in development community - developers want to know what the rules are because "time is money"
  - Need a fast track list and need to speed up reviews
  - Subdivision ordinance allows for multiple interpretations - need unanimity among the Board, development community, and staff
- Need an effective marketing plan for each Small Area Plan that identifies who we are; people don't know enough about County and opportunities; we are a "hidden gem"
- Need more structures and strategies to ensure citizen input as this leads to ownership
  - Consider more committees like the Parks and Recreation Committee or the Broadband Committee
  - Leads to a sense of community and enhanced perception of the Board
  - It's also where future leaders come from
- Create and implement a Business Retention Plan to incentivize expansion of existing business (i.e. loan partnership, revolving loan program)
- Need an aggressive economic development marketing strategy
  - Go after a business office park/professional office park (i.e. Stoney Point)
  - Implement strategies to get prospects to come
  - Emphasize the assets that Powhatan County has over its competitors (i.e. BPOL, costs of doing business, high school achievement rates, low teacher/pupil ratios, etc.)
  - Emphasize the high quality of life in Powhatan to attract businesses here
  - We are poised - we must be next!
  - The foundation is laid; we've worked hard; we've got to brag a bit more and be our own advocates
- Enhance our collective advocacy for economic development (i.e. Chesterfield example)
  - Board must be clear in its intent to shift the resource stream from real estate taxes to an enhanced business tax base; need a clear message for each Member to share
  - All 5 Board Members must communicate this and be able to respond effectively to what has been communicated by others [including perceptions that are not accurate]
  - Every employee should see himself/herself as an economic development advocate
- Need a positive public relations strategy to promote the County and economic development
  - It is normal for the Board to have discourse and disagree on policies; this is not the primary story
  - It would be great for the story to be about progress as opposed to the "ideological divide" on the Board; a positive public relations strategy could emphasize progress
- Eliminate temporary signs; enforce the ordinance
- Have a positive working relationship with the staff and be more supportive
  - Avoid involvement with hiring and firing

- Staff should be able to trust that the Board is not going to get involved in day to day
- Get out of the HR Handbook business; the work of the committee is complete
- Don't want staff to be fearful of the Board; Board and staff are on the same "team"
- We want engaged and empowered staff members that feel good about what they do and feel valued by the Board
- May have some challenges occasionally with performance, but need to trust that this will be managed by the County Administrator
- When a Board Member has concerns about staff members, it is critical to convey them in an appropriate way
- Continue to put funding toward getting the best staff (don't shortcut)

#### Group 2

Carson Tucker, Larry Nordvig, Pat Weiler, March Altman (recorder)

#### Keep:

- Fiscal conservatism, accountability, and transparency
- Love of the land
- Agricultural identity
- Board's commitment to planned growth
- Having identified growth areas
- Commitment to a quality school system in cooperation with the School Board
- Volunteer Fire/Rescue system; volunteer heavy
- Commitment to Parks and Recreation facility expansion
- Commitment to professional staff development
- Continued study of water/wastewater issues
- Effective first responder systems and personnel
- Maintain Board and staff regional involvement
- Evolving concern for natural environment, including use for recreational purposes
- Intent to balance economic development and the quality of life and to maintain our rural character
- Financial oversight processes and protocols
- Relationship with School Board and Constitutional Officers

#### Change:

- Need mixed use development tools and policies
- Enhance the diversity of housing options
- Reputation of not being business friendly
- Change processes to become business friendly
- Need aggressive, make-sense economic development
- Address water/wastewater issues - Routes 288/711 and Village
- Redraw the Growth Area Boundaries
- Align Vision, Strategic Objectives, Strategic Work Plan, Budget, + aligned Comp Plan
- Review zoning labels in Comp Plan - broaden to allow flexibility (i.e. Residential, Mixed Use, Special Purpose)
- More bike/ped friendly development; more trail development
- Identify complementary businesses
- Take better advantage of our natural resources for both citizens and guests (i.e. riverfronts, etc.)
- Need Hotel, B&Bs, country inns, lodges

- Need Business Retention Plan
- Seek out “make sense” regional cooperation ventures
- Improve intersections and signal timing on Rt.60
- Prepare for possibility of Beaumont opportunity
- Investigate if and how Belmead
- Consider Planned Unit Overlays
- Work with the School Board more closely on their strategic intents (i.e. student population, infrastructure, technology, programs; what to do with old Middle School)
- Comprehensively study security needs of County buildings
- Recognize and better use the historic corridor on Rt.711
- Develop an Ag Economic Development Plan
  - Match properties with suitable agribusiness options
  - Include/take advantage of equine industry as part of the Ag Plan
- Employ conservation subdivisions to better protect natural resources; encourage landowners and developers to use
- Promote “New Town” style of development to create desirable options for the new generation which prefers more urban, walkable communities
- Pursue EDA low hanging fruit success
- Farm centered communities
- Need mixed use office park
- Continue to build bench strength in staff including a commitment to professional development and succession planning for department heads
- Better process for keeping the public informed
- Performance based budgeting including continuous improvement and metrics
- Explore how to invite more public participation from all segments of our population and/or constituencies in policy decisions
- Continue to review and modify, if necessary, our financial policies and procedures



BOARD VISION REVIEW  
(see new Vision on page 8)

*The Board revised its vision statement to reflect changes in the environment and its perception of the desired future for the County, along with incorporating the input of new Members. The revised vision will be communicated and shared with the community.*



## Powhatan County Board of Supervisors 2030 Vision August 26, 2016

Our local government provides opportunities for a desirable quality of life that is attainable for our diverse citizenry. Our commitment to rural character and an outstanding education system, along with excellent public safety, health, and human services, provides the climate that empowers our residents to achieve their aspirations. Our transparent and responsible decisions enable this future to unfold purposefully.

The Board thoughtfully plans, sets standards, and is accountable for its vision through a focus on the following:

### **Stewards of the Land**

Powhatan County is a vibrant rural community that protects, preserves and encourages the responsible use of its natural resources to ensure a strong sense of place where everyone can enjoy open space, farming, and superior outdoor recreational opportunities.

### **Strong, Robust Economy**

Powhatan County is a pro-business community. The County utilizes all available tools and infrastructure to attract investment and create jobs to encourage a robust, diverse economy while maintaining our rural character. Our commitment to quality design standards assures a sense of place and a desirable destination for people to live, work, and play.

### **Public Health and Safety**

As a community, we recognize the fundamental truth that all public good flows from public order and safety for all citizens. This manifests itself in suitable health care, courteous public safety officials, quick responses to dangers to public health and safety, and ongoing responsiveness to the human service needs of our diverse population.

### **Lifelong Quality Education**

An educated citizenry is the foundation of democratic government. We have an outstanding educational system that produces thoughtful, inquisitive, and productive graduates. Our system is transparent, accountable to the community, and implements cutting edge ideas that improve quality, cost-effectiveness, and relevancy to the job market.

### **Fiscal Accountability**

Powhatan County is a fiscally responsible, transparent, and accountable community.

### **Quality Community**

Residents enjoy a distinctive, appealing quality of life. Every segment of our population can select from a diverse mix of attractive housing choices and enjoy natural parks and excellent recreational facilities, access to our rivers, and well-planned amenities.

### **Local and Regional Collaboration**

Through our local and regional partnerships, Powhatan County enhances the overall quality of life of its residents. These efforts save the taxpayer the expense of "carrying the burden alone" and expand the community's ability to benefit from the common effort.

**POWHATAN COUNTY BOARD OF SUPERVISORS THREE-YEAR PRIORITIES**

Revised by the Board on August 26, 2016

*In July 2014, the Board of Supervisors identified 3-Year Priorities considered most critical to advancing Vision 2030. On August 26, 2016, the Board reviewed the priorities to determine those to continue and new priorities to identify a new list of 3-Year County Priorities. The numbers, which are for reference only, will be properly assigned by the County Administrator as a system of designating old and new priorities is developed. Please note that previous Infrastructure priorities have been combined with Strong, Robust Economy priorities as these two desired future states were combined in the revised Vision.*

<b>Stewards of the Land</b>	
LD2	Update the Comprehensive Plan <ul style="list-style-type: none"> <li>• Ensure that we have aesthetically pleasing development to convey our distinct County identity</li> <li>• Eliminate split zoning</li> <li>• Reconsider the boundaries of growth areas</li> <li>• Consider the use of overlays</li> <li>• Consider changing to fewer zoning categories in the future land map</li> <li>• Eliminate opportunities for multiple interpretations of County requirements</li> </ul>
	Update the Zoning and Subdivision Ordinances to comply with the revised Comprehensive Plan <ul style="list-style-type: none"> <li>• Revise standards to improve interconnectivity and walkability of new development</li> </ul>

<b>Strong, Robust Economy</b>	
EC 1	Implement the Economic Development Strategic Plan, to include clear deliverables and key metrics to evaluate performance
EC 2	Provide clear direction and appropriate support to the E.D.A. to ensure it can carry out its responsibilities related to goals of the Economic Development Strategic Plan
EC 4	Streamline the building inspection, planning and zoning processes to be more efficient and business friendly, including a fast track review process and checklist
	Pursue with our legislators the possible acquisition of the Beaumont site
IN 1	Implement the Powhatan County Water/Wastewater Master Plan as determined by the Board
IN 2	Finalize the agreement for the Cobbs Creek Regional Reservoir
IN 5	Develop a transportation master plan
IN 7	Implement Countywide broadband system

<b>Public Health and Safety</b>	
	Work cooperatively with service delivery agencies to develop a joint plan to address the public health and safety needs of our diverse population and bring the plan forward for Board consideration

<b>Lifelong Quality Education</b>	
ED 1	Continue joint meetings with the School Board and work collaboratively to align strategic intent and planning
ED 2	Working with the School Board, community colleges, regional and state agencies, local businesses, and the EDA, determine how best to ensure the employability of our population

<b>Fiscal Accountability</b>	
FA 1	Develop and implement a performance-based budgeting approach that aligns the budget with the priorities, goals, and objectives of the Board
FA 2	Continue to examine, evaluate, and improve systems and processes to enhance the effectiveness of government service delivery, transparency, and accountability
FA 3	Continue to review and update the County's financial policies

<b>Quality Community</b>	
QC 1	Evaluate and update the housing section of the Comprehensive Plan to ensure that a diverse mix of attractive housing choices is available
QC 2	Improve our communication processes to more fully engage our citizens and keep them informed
QC 3	Investigate potential for enhanced public river access and trail development (i.e. bike friendly river trail)
HS 4	Develop a recreation plan that addresses the needs of all citizens, to include revenue potential

<b>Local and Regional Collaboration</b>	
RC 2	Continue to develop Board and staff relationships with regional partners
RC 3	Continue to build strong relationships with our legislative delegation

## BOARD ECONOMIC DEVELOPMENT POLICY DISCUSSION

August 26, 2016

*Board Members furthered progress on policy issues related to Strong, Robust Economy through several discussions on economic development. These questions were addressed:*

1. *VISION: What is your individual vision for economic development that describes the transformation that you would like to see in the County in the next 5 years?*
2. *GROWTH: Where do Board Members want growth/economic development to occur? What are the desired growth areas?*
3. *TARGET BUSINESSES: What businesses do you want to see in the County?*

### ECONOMIC DEVELOPMENT VISION (Individual Members)

In a concise statement, what is your individual vision for economic development that describes the transformation that you would like to see in the County in the next 5 years?

Carson Tucker:

We are a community which has crisply defined what its business community - commercial, industrial, retail, and service - will look like and how it will be managed by fair, consistent, and make-sense guidelines. Our guidelines will balance our intent to generate business tax revenues (to relieve the tax burden on homeowners and farmers), on the one hand, and, on the other, protect the natural beauty while maintaining rural character and targeting businesses that are compatible with our rural ambiance. We have decided what kind of businesses we want to recruit, where we want them to be located, what incentives we are willing to offer, and what infrastructure we will have in place to serve them.

Billy Melton:

Well balanced, well planned, attractive facilities that support the citizen and county needs

Angie Cabell:

Increase the business tax base and ensure diversity

David Williams:

Carry forward with the economic development plan with the specific things that we can utilize (i.e. technology zones) including:

- More commercial and less residential within our UDA on Route 60
- Avoid economic development at any expense; have standards so that we bring in the right development. Ensure that when people make investments, they will know what is going to be next to them
- Provide access management as we can't have good economic development without a good access system
- Avoid the mistakes of the past such as "we are ideally suited for tourism." Use market analysis to determine our target businesses; determine the businesses for which we are ideally or uniquely suited

Larry Nordvig: (using a visual presentation that reflected images of ideal development)

Architecture = Place = Destination = \$\$\$

Conclusions: (1) Have standards; (2) Want attractive development; (3) Don't settle

## GROWTH AREAS

Using maps of the County's current growth area boundaries, determine where individual Members want growth/economic development to occur. What are desired growth areas?

Board Members produced maps reflecting individual (and initial) thoughts on new growth area boundaries which are not included in this report. There were, however, some broad observations regarding the similarities in the individual maps, including:

- The Board has a lot of agreement regarding future growth areas
- There are smoother lines than before
- General understanding that growth potential of area in proximity to Rt.288 is important
- Consensus that split zoning should be eliminated; draw new boundary lines
- Growth areas include both commercial and residential development
- Beaumont is a huge possibility for the County
- There is majority agreement on extending the Route 60 growth area to connect with the Village growth area
- There are some key spots that may work for theme oriented village centers; it may be useful to define the themes for specific growth areas and incorporate in design standards
- Planning for the future should consider whether there are distinct economic advantages in the designation of specific corridors (i.e. Technology Zone, Ag-Business Corridor, Historic Corridor)

## TARGET BUSINESSES

What businesses do you want to see in the County?

Businesses the Board would like to see in the County:

(Note that the following list is a brainstorm as opposed to a list that is informed by market or data analysis)

- Diverse, light industrial - Light manufacturing (like WeighPack)
- Hotel/lodge/B&Bs
- High tech (like PieTech)
- Retail
- Non-polluting metal works
- Medical offices
- Medical laboratories
- Banks
- Assisted living
- Ag-business - niche farms, organic farms, equine-related businesses
- Building supply - Home Depot and Lowes
- Warehouse distribution centers/ transportation centers with warehouses
- Sports facility - indoor sports training/playing facilities
- Well-appointed office park (i.e. West Creek)
- Unique small businesses in mixed use - i.e. live above, work below
- Breweries, wineries
- Event venues (i.e. weddings, parties)
- Movie or entertainment venue (indoor/outdoor; amphitheater, cultural)
- Internationally oriented organizations
- Restaurants, cafes

### Conclusions on Target Businesses:

The Board desires to seek high value businesses, which are those that provide high tax revenue and jobs. It wants to zero in on businesses that provide cash flow and will change the County's revenue stream to offset the residential tax rate, along with providing jobs. These target businesses should be informed by market analysis to ensure that staff members and partners such as the EDA seek realistic targets.

These target businesses were identified:

1. Office parks - housing medical/professional/sports entertainment and other businesses
2. Light manufacturing
3. Technology related companies
4. Agri-business
5. Entertainment: River and state park attributes/recreation and natural resource attributes/entertainment and cultural venues

This list is an initial "stake in the ground" to provide direction to the EDA and staff. The Board recognizes that economic development strategies and targets will evolve as opportunities arise and does not wish to prevent the EDA from seeing these potential opportunities, offering ideas, and responding strategically or creatively.

It should be noted that other desired businesses on the list above are potential amenities that will enhance the community's quality of life and further economic development efforts.



## POWHATAN BOARD OF SUPERVISORS ROLES

August 26, 2016

*The Board engaged in a discussion of roles for the Board and County Administrator. It was agreed that further clarification of the desired interface between Board and staff would be beneficial. The Board agreed to clarify at a future meeting how to best interact with staff members so that staff are efficient, which may include reviewing how this is addressed in the Board's Bylaws or Code of Ethics and Standards of Conduct.*

What is the role of the Board?	What is the role of the County Administrator?
<ul style="list-style-type: none"> <li>• Create a big picture vision</li> <li>• Set policy</li> <li>• Adopt the budget</li> <li>• Communicate with citizens</li> <li>• Make sure we give clear direction and guidelines to the County Administrator and effectively use her skilled services</li> <li>• Be accountable under this form of government for our decisions/direction</li> <li>• Be the eyes and ears of the community</li> <li>• Provide feedback about citizen input to County Administrator; be citizen voice</li> <li>• Not our job to be involved in County administration; avoid giving direction to staff or being involved in personnel issues or daily operations</li> <li>• Create the tone for the County (i.e. culture, philosophy, attitude) which is cascaded throughout the organization</li> <li>• Create strategic expectations for staff</li> <li>• Focus on the long term and the future versus tactical or daily operations</li> <li>• Be a buffer - respond appropriately to citizens, provide appropriate referrals, and close the loop by providing feedback where possible</li> <li>• Create a healthy and respectful work environment</li> </ul>	<ul style="list-style-type: none"> <li>• Run operations with oversight of the governing body</li> <li>• Implement policy</li> <li>• Bring the vision to life - Develop a staff work plan/document to address Board vision and priorities and bring to reality</li> <li>• Develop proposed budget</li> <li>• Manage budget</li> <li>• Manage personnel (hire, fire)</li> <li>• Prioritize the bill of work</li> <li>• Makes recommendations to the Board on good ways to do things</li> <li>• Assist the Board in learning</li> <li>• Help set tone/culture of organization</li> <li>• Communicate with citizens</li> <li>• Be the eyes and ears of the community</li> <li>• Keep Board informed about developing issues and the state of the business; avoid surprises; be our "wingman"</li> <li>• Make sure we have good regional relationships and cooperation</li> <li>• Uncover/present best practices to Board</li> <li>• Create a healthy and respectful work environment</li> <li>• Set high expectations for employees and hold them accountable</li> <li>• Help citizens get to the right place whether we provide that service or not</li> </ul>

## NEXT STEPS

### TO ADDRESS BOARD'S VISION AND PRIORITIES ALONG WITH ECONOMIC DEVELOPMENT

1. Facilitator will send the Session Report to the County Administrator
2. County Administrator will distribute Session Report to the Board
3. Board will adopt its revised Vision
4. Do a press release for revised Vision, including message that provides background and shares significant progress (will be opportunity to create new path for communication)
5. Present the Vision at a Board meeting - Consider linking the prior Vision and what has been accomplished with the new Vision, emphasizing progress and the path forward
6. Develop a public relations strategy on the vision and progress, with consideration to:
  - How to proceed with community sharing & full Board ownership (Chair to determine)
  - Staff could develop a presentation for Board Members to use
  - Create plan for presenting and keeping community informed (i.e. meetings, website, regular progress reports, newspaper articles, newsletter, etc.)
  - Board members could present in district meetings
  - Under "Quality Community", the work plan for the priority on communicating with citizens should improve the tone and sharing of County accomplishments and progress
7. Staff will have a strategic work planning retreat to develop implementation steps for each priority (and to assure collaboration, integrated planning, and ownership)
8. Bring the Staff Strategic Work Plan to the Board for adoption
9. Continue progress reports to the Board, including a tool or strategy to report on operational progress on previous priorities (this may be an attachment; will also create a numbering system to designate previous and new priorities, ensuring an original number)
10. Connect Board's work with County Administrator's performance appraisal for 2017

#### Preparation for Board's Economic Development Work Session on August 29, 2016:

- On the Agenda, for #7, Item A which lists 3 bulleted topics, clarify that the Board had a general discussion at its retreat on Special Area Plans, targeted businesses, and did not discuss residential housing types.
- The consultant will do a presentation and is prepared to talk about the role of the Board, policies, and incentives. The Board will also review Goals and Objectives to determine where to go forward.
- Preparation for the Meeting: Please review the Economic Development Goals and Objectives in Section 5 and Section 6 of the Plan and mark according to the following:
  - I am interested in pursuing this
  - I am not interested in pursuing this

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**An Ordinance amending and reenacting provisions contained in Section 83-352, Conditional Uses, in the Residential-Utility (R-U) District, of Article V, Transition Base Districts, of the Zoning Ordinance of the County of Powhatan.**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF POWHATAN** that Section 83-352, of the Zoning Ordinance of the County of Powhatan, is amended and reenacted as follows:

**ARTICLE V – TRANSITION BASE DISTRICTS**

**Sec. 83-350 - Residential Utility (R-U) District.**

**Sec. 83-351. – Permitted uses.**

- .
- .
- .

**Sec. 83-352. - Conditional uses.**

The following uses are allowable as principal uses in the R-U District only on approval of a conditional use permit and subject to any referenced use-specific standards and all other applicable regulations of this chapter:

- (1) Dwelling, manufactured home;
- (2) Dwelling, multifamily;
- (3) Dwelling, three- or four-family;
- (4) Dwelling, townhouse;
- (5) Museum;
- (6) Adult day care center;
- (7) Child day care center;
- (8) College or university;
- (9) Private school;
- (10) Vocational or trade school;
- (11) Government administrative offices;
- (12) Law enforcement facility;
- (13) Post office;
- (14) Hospital;
- (15) Massage clinic;
- (16) Medical or dental clinic;

- (17) Public square or plaza;
- (18) Club or lodge;
- (19) Place of worship;
- (20) Professional offices;
- (21) Country club;
- (22) Golf course;
- (23) Recreation facility, nonprofit;
- ~~(24)~~ Recreation facility, public;
- ~~(25)~~ Conference or training center;
- ~~(24)~~(26) Hotel.

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In all other respects said Zoning Ordinance of the County of Powhatan shall remain unchanged and be in full force and effect.

**APPROVED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON MONTH DAY, 2016.**

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**William E. Melton, Chairman  
Powhatan County Board of Supervisors**

**ATTEST:**

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**Patricia Weiler, Clerk  
Powhatan County Board of Supervisors**

**Recorded Vote:**

**David T. Williams** \_\_\_\_\_  
**Larry J. Nordvig** \_\_\_\_\_  
**Angela Y. Cabell** \_\_\_\_\_  
**William E. Melton** \_\_\_\_\_  
**Carson L. Tucker** \_\_\_\_\_

# Powhatan County Board of Supervisors Workshop

*Moving Forward: Role, Responsibilities and Results*

*Facilitated by The Riverlink Group*

*Liz Povar, Principal*

*October 24, 2016*

1

# ECONOMIC DEVELOPMENT BASICS

# Leadership & Shared Vision

Committed resources - staff and funding

Stakeholders Engaged - Roles & responsibilities defined

Flexible, long-term strategies that transcend elections

Commitment to Confidentiality & ROI

Communication strategies in place

# AT THE BOARD OF SUPERVISORS LEVEL

- *Provide leadership to the community in attaining its goals: BE THE ORCHESTRA CONDUCTOR*
- Do we have...
  - A consensus vision?
  - A realistic economic development strategy?
  - A commitment to long-term incremental success?
  - Human and financial resources to implement?
  - A process for measuring progress against the plan?
  - Designated ownership in the community for various plan elements & implementation?
- Does the plan:
  - Build on our assets & unique business potential?
  - Start with support for our existing businesses and entrepreneurs?
  - Include a real estate strategy with prepared, controlled sites?
  - Include a workforce strategy that fits the regional labor market?
  - Include a public sector philosophy and regulatory environment that supports the business growth strategy?
  - Include leveraging regional and state partners and the private sector?
  - Include transparent communication with stakeholders, especially citizens?



# AT THE PLANNING COMMISSION LEVEL

- Aware of, aligned with, and carrying out responsibilities in the context of, the Board of Supervisors' vision.
- Utilize objective, data-driven analysis of conditions in the community
- Understand the forces are impacting the community and its economic health.
- Ensures knowledge about economic trends is shared with and informs the Board of Supervisors.
- Fully be knowledgeable about the economic base of the community.
- Form the authentic data foundation that pulls together a comprehensive plan, recommend zoning & ordinances to manage development.
- Adapt as strategic plan evolves.

# AT THE ECONOMIC DEVELOPMENT AUTHORITY LEVEL

- Thoroughly understand the economic base of the community.
- Think strategically about strengths, vulnerabilities, and solutions to maintain balance.
- Understand market conditions and alignment with County assets.
- Lead with County strengths. Plan for shortcomings.
- Ensure alignment with County vision.
- Communicate, communicate, communicate.
- Serve as the integrator of stakeholder views.
- Look for collaborations, partnerships, ways to leverage partners' strengths.

# ROLES, RESPONSIBILITIES OF PARTNERS

Functional Activity	Board of Supervisors	Planning Commission	EDA	Comments
County culture	Creates vision & tone	Works within vision & tone	Works within vision & tone	Opportunity for misalignment
Term of office	4 years	4 years	4 years	
Transparency	Open session with executive sessions by law	Open session	Open session	
Administrative	Hire executive (administrator); creates commissions, advisory boards, departments; adopts ordinances	Work with planning staff	Work with administrator or designee	
Policy	Establishes county-wide policy	Works within County policy	Works within County policy	

# ROLES, RESPONSIBILITIES OF PARTNERS

Functional Activity	Board of Supervisors	Planning Commission	EDA	Comments
Fiscal	Approves budget	Works within budget	Informs about impacts	
Fiscal	Sets local tax rates	n/a	Informs about impacts	
Fiscal	Anticipates fiscal status and changes	n/a	Conduit for public funds	Broad authority to invest in projects; make loans
Planning	Acts on recommendations of planning commission	Recommends to BOS long-range and master plans, annual report	Informs and comments on land use plans; develops according to plans	
Land use	Acts on land use plans; may acquire & develop land	Recommends to BOS land use plans, zoning, subdivision ordinances, conditional use <sup>132</sup>	Influences land use plans; may acquire & develop land	

# ROLES, RESPONSIBILITIES OF PARTNERS

Functional Activity	Board of Supervisors	Planning Commission	EDA	Comments
Company formation	n/a	n/a	May form, assist, or participate in forming companies, corporations, joint ventures	
Contractual obligations	May enter into contracts pursuant to law	n/a	May enter into contracts pursuant to law	

# Prepared for Opportunities

Assessing  
the Market

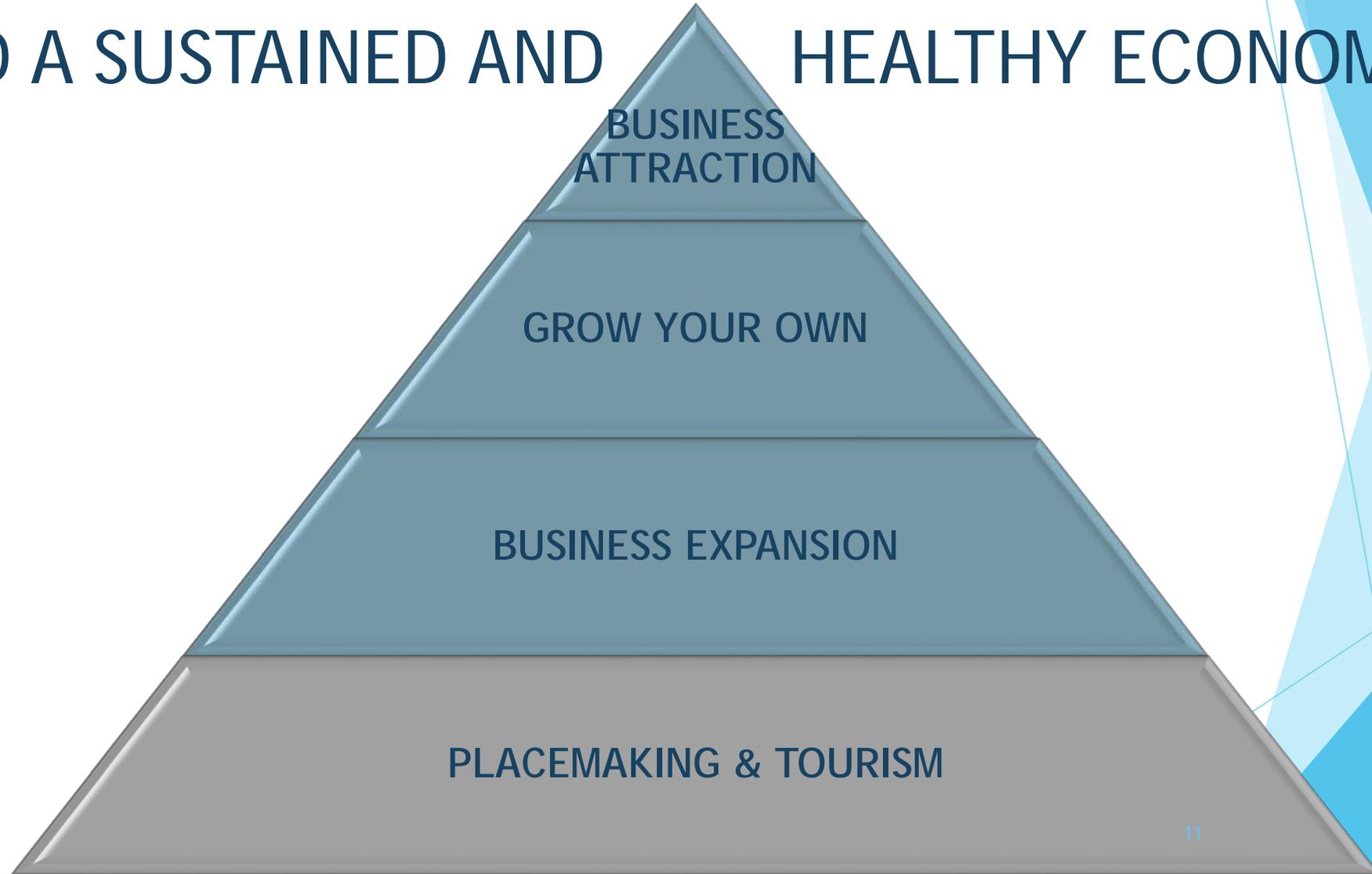
Assessing  
the  
Competition

SWOT  
Analysis

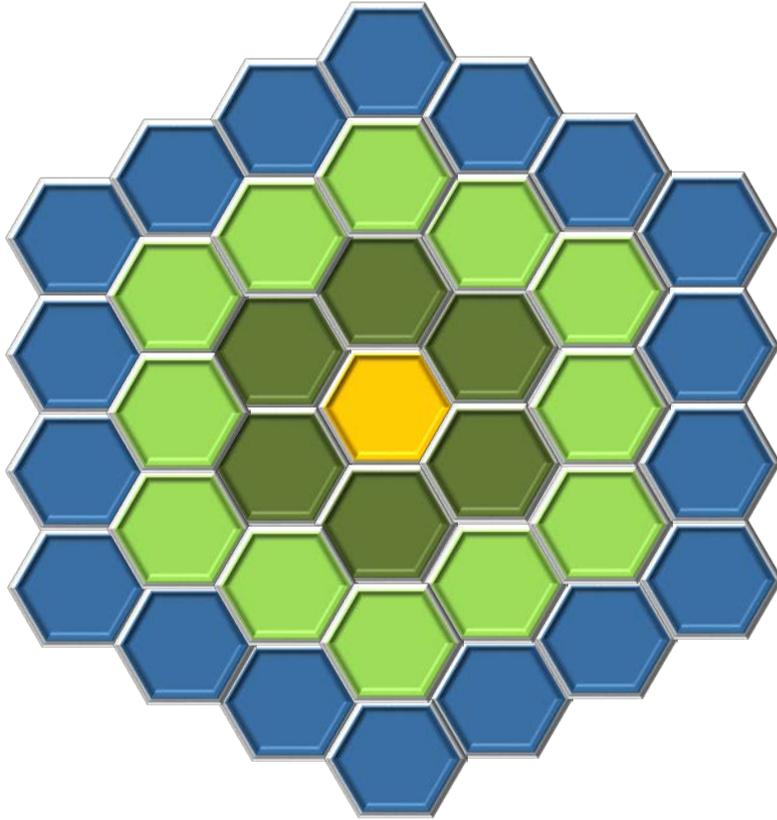
Engages  
Partners

Targeting  
Investments

# FOUR FUNDAMENTALS for PUBLIC ENGAGEMENT TO BUILD A SUSTAINED AND HEALTHY ECONOMY



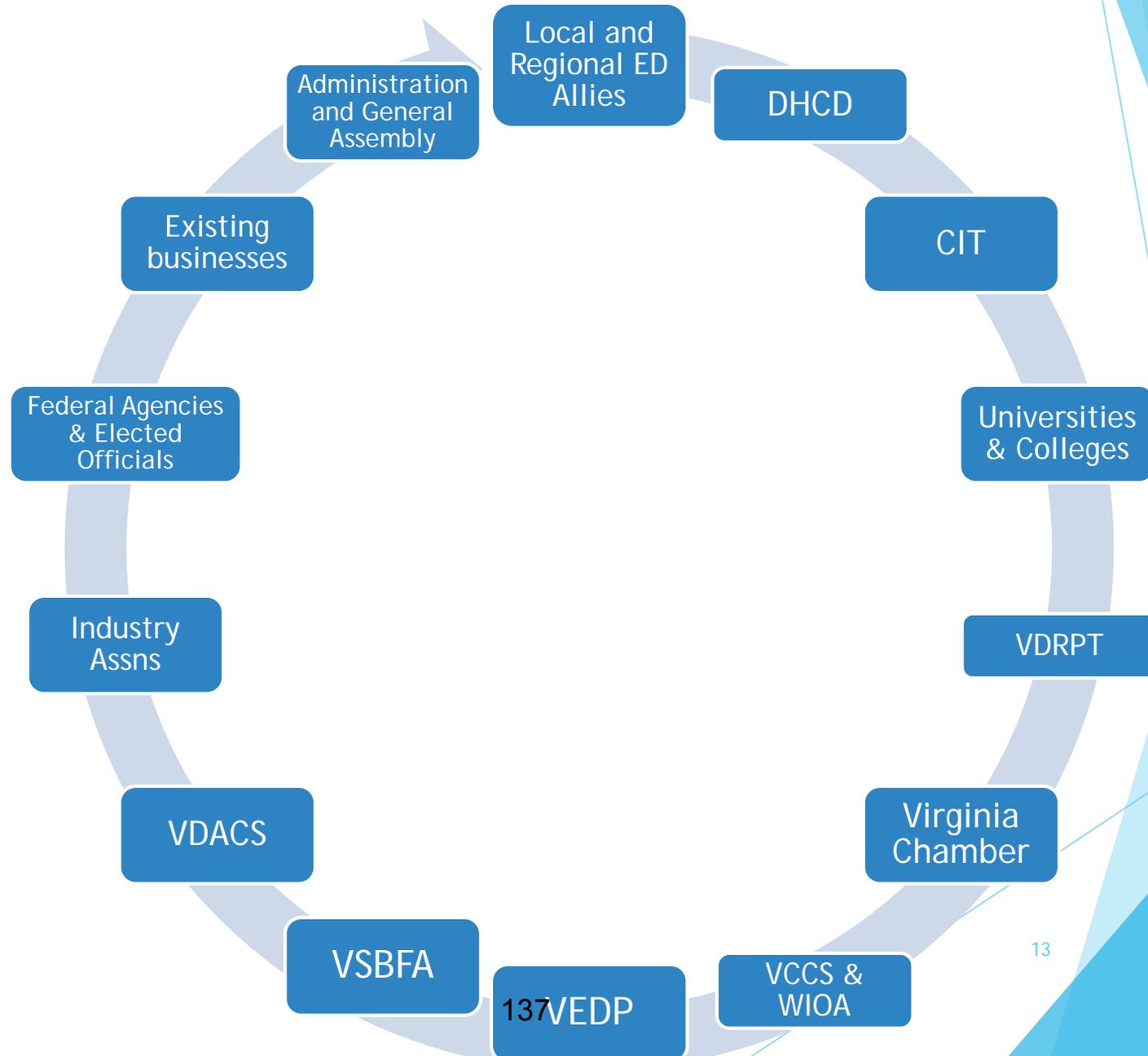
# TYPES OF BUSINESS TO TARGET



-  **Level 3 - Consumer Services (Population Related)**  
Provide services to local residents  
(Retail, personal services, local gov't)

-  **Resources** (Real estate, labor, utilities, education/training, transportation, financing, etc.)
-  **Level 1 - Primary Industries**  
Employers that infuse money into the county from outside sources, such as:
  - ▶ State/Federal Government
  - ▶ Agriculture
  - ▶ Manufacturing
  - ▶ Tourism-Related Businesses
  - ▶ Business Services (with outside clients)
  - ▶ Regional Healthcare Operations
  - ▶ Regional Retail Operations
-  **Level 2 - Business Support Services (Business Activity Related)**  
Provide support service to the primary industries located in the area

# PARTNERS ALIGNED WITH VISION



# Asset-Based Actionable Plan

Focused on  
steps  
toward  
vision

Identifies  
timelines  
and owners

Communicates  
Effectively

Measures  
Results

Adapts to  
changing  
conditions

# FIRST YEAR STEPS: BUILD THE FRAMEWORK

- CONFIRM
  - Target sectors by reaching out to existing businesses & partners
  - Create & implement a business retention/expansion strategy
- COMMUNICATE
  - Create the elevator pitch
  - Educate stakeholders with pitch and encourage them to leverage their networks
- EDUCATE
  - Prioritize regional & state partners to share the Powhatan story
  - Bring regional & state partners to Powhatan to understand their resources

# Competitive Resource Package

Aligned to  
Induce  
Development  
Goals

Makes  
Economic  
Sense

Ensures  
Stewardship  
of Public  
Dollars

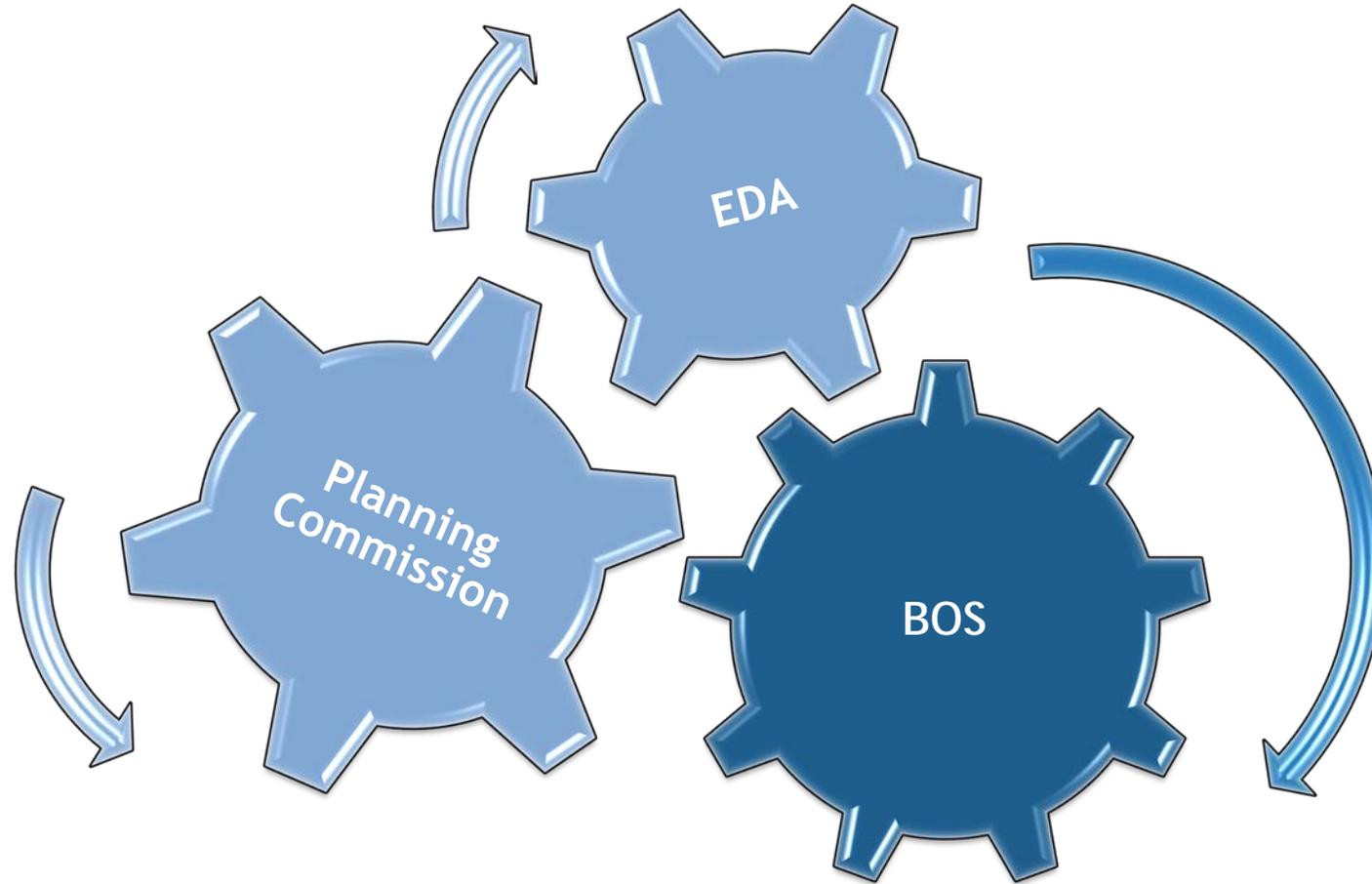
Measures  
Results

Adapts to  
changing  
conditions

# PARTNER INCENTIVE TOOLS

- Governor's Opportunity Fund
- Virginia Investment Partnership Act
- Performance-Based Grants
- Virginia Jobs Investment Program
- Road and Rail Access Programs
- AFID
- Port Grant Incentives
- Enterprise Zones and Specialty Zones
- Tax Credits and Exemptions
- Other Programs
  - Tourism Financing
  - Virginia Small Business Finance
  - Center for Innovative Technology

# BOS, PLANNING COMMISSION, EDA...MUST BE IN SYNC!



*Thank you!*

*Liz Povar, Principal  
The Riverlink Group  
804-399-8297  
riverlinkllc@gmail.com*

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Key Strategy	Priority	Action	Resources & Implementation	Partners	Comments
1. Page 54 Increase # of private sector businesses (embed analysis of agribusiness & tourism)	A	Through existing business survey and communication with partners, validate the target sectors	Staff and/or consultant (\$\$)	Local businesses, VEDP, VDACS, higher ed partners	The strategy is really a goal. To accomplish, it is important to validate the target sector recommendations, which will be the basis for follow-on elements of the workplan
3. 4. 5. 6. Page 57 Maintain discoverpowhatan.com domain and website including calendar information; maintain the VTC/Powhatan website	A	Validate & continue to maintenance of current data; site improvements as determined	Staff	VTC	Site appears to be functional and current; VTC site appears to be updated; confirm with VTC
7. Page 56 Finalize a data-rich economic development website	A	Remove existing economic development website; review comparable community websites; finish Powhatan ED website	Staff and/or consultant (\$\$)	VEDP, VTC	Existing unimproved website will drive potential clients away; better to take off web until recrafted.
5. Page 55 Promoting no BPOL or Merchants' Capital tax	A	Embed in website, collateral materials, etc.	Staff		Incorporate into existing business survey to validate
<i>*Create an internal communications plan including elevator pitch for officials</i>	A	<i>Set framework of content, channels, and frequency; assign task manager</i>	<i>Staff and/or consultant (\$\$)</i>	<i>Selected local and state partners</i>	<i>Recommendation not included in Section 6; necessary to begin stakeholder confidence in County's business case as well as leverage existing networks</i>

Key Strategy	Priority	Action	Resources & Implementation	Partners	Comments
11. Page 56 Establish a formal business visitation program	A	Determine goals; design program; launch and measure	Staff or consultant (\$\$) & volunteer team	Selected local and state partners	Prioritize company list to support target sector analysis & use as validating tool for target sectors
7. Page 57 Become educated on AFID program & other state/regional resources	A	Invite VDACS to EDA meeting to inform about program; <i>develop and implement calendar for continuing education program on other state/regional resources</i>	Staff or consultant (\$\$)	<i>VDACS and other state/regional partners TBD</i>	<i>Ensure awareness of VDACS program; begin to build knowledge and relationships with other state and regional partners. Results in new tools to support Powhatan ED and also extends image and message of Powhatan</i>

<b>Key Strategy</b>	<b>Priority</b>	<b>Action</b>	<b>Resources &amp; Implementation</b>	<b>Partners</b>	<b>Comments</b>
10. Page 56. 15. Page 59 Create local incentive policy, to include tourism zone assessment	B	Collect and review examples of local incentive policies from benchmark communities; create consensus on principles for policy; finalize incentive tools	Staff or consultant (\$\$)	Legal counsel; BOS	Determination of policies dependent on determination of target sectors
2. 4. Page 55 Establish Technology Zone	B	Review other zones; identify geography; identify benefits to include	Staff or consultant (\$\$)	Legal Counsel; BOS	Action dependent on determination of target sectors
4. Page 55 9. 13. Page 58  Modify/assess County's tax structure (including those impacting ag & hospitality)	B	Assess tax structure as it aligns with target sectors; determine necessary modifications	Staff or consultant (\$\$)	Legal Counsel, CFO, BOS	Action dependent on determination of target sectors
8. Page 57 Pursue AFID Planning Grant	B	Meet with VDACS to understand timing and uses of grant; apply in support of Ag Strategy	Staff or consultant (\$\$)	VDACS	Focus grant around development of ag-based assets as one segment of growth

Key Strategy	Priority	Action	Resources & Implementation	Partners	Comments
<p><i>*Develop external communications &amp; outreach strategy (marketing plan)</i></p> <p>1. 2. Page 57 10. Page 58 11. Page 58</p> <p>Include tourism &amp; agribusiness and potential staff support for existing Chamber outreach; include promotion of unique events/experiences</p>	C	<p><i>Determine goal of outreach; assess benchmark communities' outreach channels; determine priority audiences; establish annual plan; launch &amp; measure results</i></p>	<p><i>\$\$, staff or consultant (\$\$); utilize or refresh Agriculture Committee</i></p>	<p><i>VTC, VEDP, Chamber of Commerce</i></p>	<p><i>This overall recommendation was not included in Section 6; will involve \$\$; important to have message and brand developed and tested with friendly audiences first; important to include private sector (brokers, private investors); some elements possible to implement earlier (website, citizen communication, targeted state partners communication)</i></p>
<p>12. Page 58 14. Page 59</p> <p>Assess feasibility of an entrepreneurial growth strategy, to include agribusiness</p>	C	<p>Educate local officials on strategies in benchmark communities; assess regional assets to support strategy; launch</p>	<p>Staff or consultant (\$\$)</p>	<p>VSU, VT, VDACS, DHCD, VCEN</p>	<p>Many good examples in Virginia but significant learning for local officials, prior to launching any effort. Learning can be embedded in initial professional development plan.</p>
<p>3. Page 55</p> <p>Pursue activities associated with recreational industry</p>	C	<p>Embed in external communications strategy</p>	<p>Staff or consultant (\$\$)</p>	<p>VTC</p>	<p>Action dependent on determination of target sectors</p>
<p>8. Page 56</p> <p>Identify &amp; begin communications with landowners for future development</p>	C	<p>Review existing comp, transportation, land use plans; assess neighboring real estate product; align sectors</p>	<p>Staff, EDA members</p>	<p>Planning Dept., VEDP, Real estate brokers, BOS</p>	<p>Ultimate partnerships/implementation dependent on determination of target sectors</p>

**Priority A: within 6 months**

**Priority B: 6-18 months**

**Priority C: 18+ months**

- *This recommended implementation plan addresses the scope of work that the EDA itself could lead.*
- *This recommended implementation plan does not include any of the Strategies outlined in the Powhatan County Economic Development Strategic Plan that were listed under “Infrastructure: Transportation, Water & Wastewater, and Franchise Utilities”, or the “Development Process Review” (pages 59-65). This is not to imply that these strategies are unnecessary.*
- *Work recommended in pages 59-65 should be coordinated with the implementation that the EDA leads.*

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**From:** [Casey, Joe](#)  
**To:** [Pat Weiler](#)  
**Subject:** RE: Henrico's Financial Resiliency Plan  
**Date:** Friday, October 21, 2016 6:07:52 PM

---

Just a behavior manner in how to approach everything. Nothing document.

Joe Casey via mobile phone

-----Original Message-----

**From:** Pat Weiler [[pweiler@powhatanva.gov](mailto:pweiler@powhatanva.gov)]  
**Sent:** Friday, October 21, 2016 04:50 PM Eastern Standard Time  
**To:** Casey, Joe  
**Subject:** Henrico's Financial Resiliency Plan

Joe,

From your presentation at the 2016 VML/VACo Finance Forum, one of my board members understood that Henrico has a written Financial Resiliency Plan.

I could not find one on their website.

Do they have one?

Thanks

Pat

Patricia A. Weiler  
County Administrator  
Powhatan County  
3834 Old Buckingham Road  
Powhatan VA 23139  
804-598-5612 (office)

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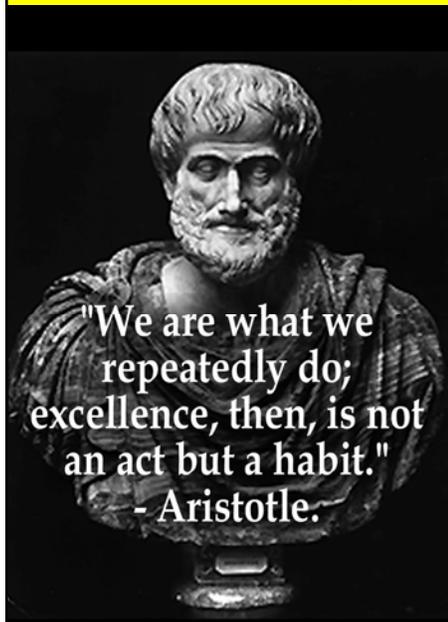
County of Henrico, Virginia  
*Proud of our progress; excited about our future.*



## Resiliency: Virginia Localities Address Economic and Climate Realities

VML-VACO Finance Forum  
Joe Casey, Deputy County Manager Henrico County  
January 2016

### Sustainability Evolving to Resiliency



"We are what we  
repeatedly do;  
excellence, then, is not  
an act but a habit."  
- Aristotle.

### Great Moments in Resiliency

# Great Moments in Non-Resiliency



“The odds of a meltdown are one in 10,000 years”

Vitali Sklyarov,  
minister of power, two  
months before the  
Chernobyl accident



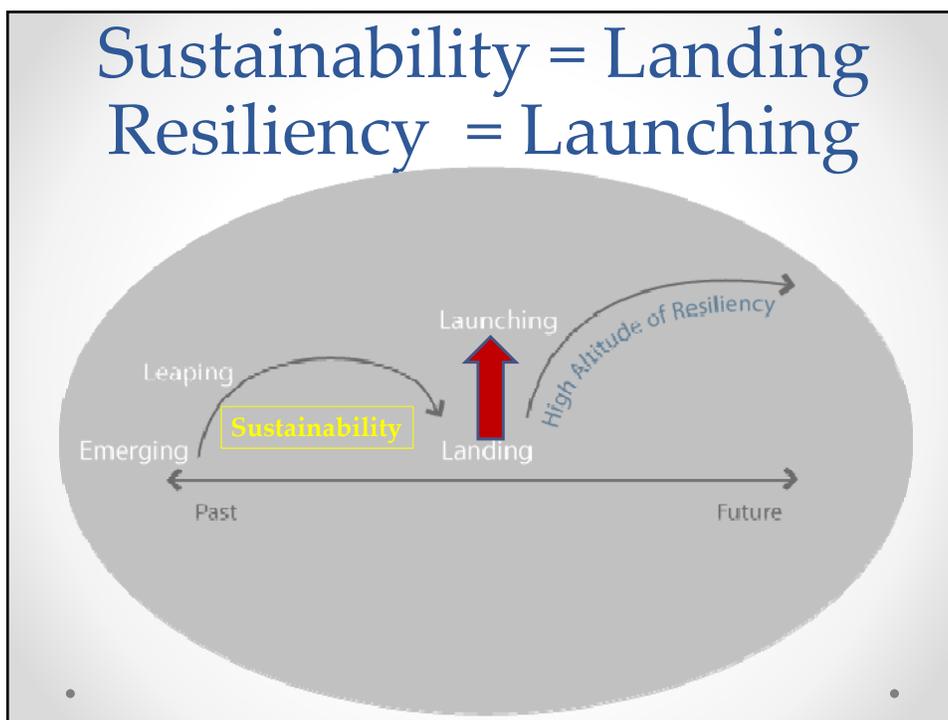
Sustainable  
Community  
(stable,  
maintaining)  
-2001 GFOA Conf

## Go from Living to Loving Life

Resilient  
Community  
(elasticity,  
agility)



-2014 GFOA Conf



## Key Ingredient to “Resources” and “Launching” is Citizen’s Trust

transparency   
 engagement   
 performance   
 accountability 

---

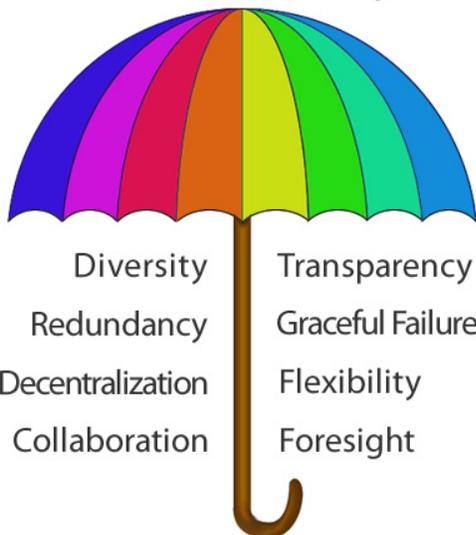
**trust**

ICMA

## Defined via Miriam Webster’s

- |  |   |   |
|--|---|---|
| <u>Sustainability</u>  |  | <u>Resiliency</u>   |
| <ul style="list-style-type: none"> <li>• Able to be used without being completely used up</li> <li>• Methods that do not completely use up or destroy resources</li> <li>• Able to last or continue for a long time</li> </ul> |   | <ul style="list-style-type: none"> <li>• Ability to become healthy or successful again after something bad happens</li> <li>• Ability to return to original shape after being pulled, stretched or pressed</li> </ul> |

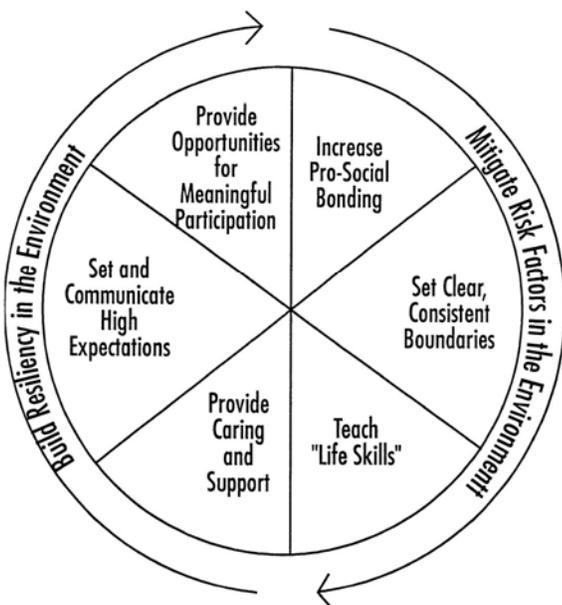
## 8 Principles of Resiliency



- Diversity
- Redundancy
- Decentralization
- Collaboration
- Transparency
- Graceful Failure
- Flexibility
- Foresight

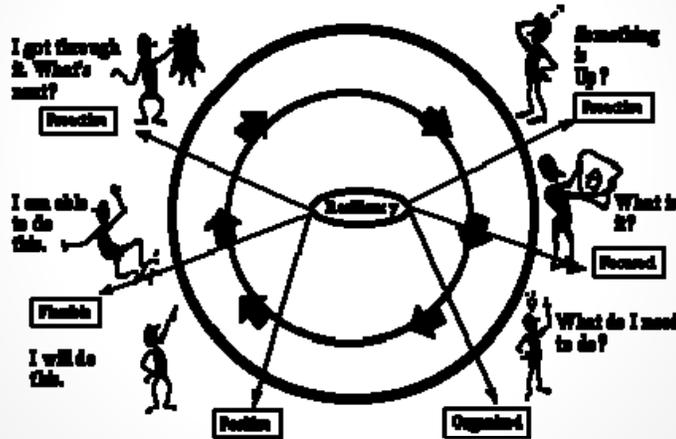
“As we look ahead, we need to strive for an environment, and a civilization, able to *handle unexpected changes* without threatening to collapse. Such a world would be more than simply sustainable; it would be *regenerative* and *diverse*, relying on the *capacity* not only to *absorb shocks* like the popped housing bubble or rising sea levels, but to evolve with them. In a word, it would be resilient.”  
 - James Cascio, Futurist

## The Resiliency Wheel



Applications from this Human Crisis Intervention Program can apply to resilient communities

## Sometimes a Cartoon Can Teach Better Resiliency



## Local Govt Sustainability – Resiliency Comparison

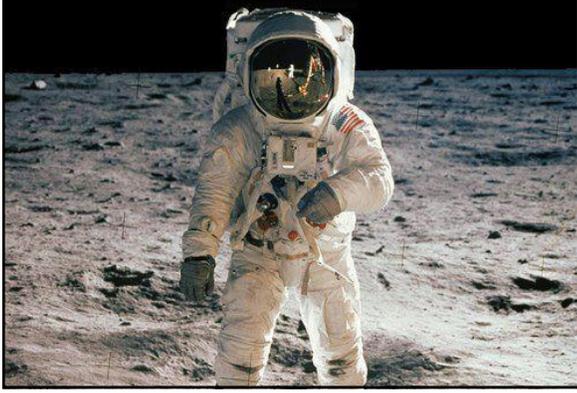
Sustainability - Good ➔ Evolve Resiliency - Great

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• Overall             <ul style="list-style-type: none"> <li>○ Plans 5 years</li> <li>○ Preparedness for common threats</li> </ul> </li> <li>• Fiscal             <ul style="list-style-type: none"> <li>○ Reserves and low debt</li> <li>○ Conservative estimates</li> <li>○ 1- 5 year plans</li> <li>○ Priority service focus                 <ul style="list-style-type: none"> <li>• during recession</li> </ul> </li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Overall             <ul style="list-style-type: none"> <li>○ Plans 50 years = LT vision</li> <li>○ Mitigates risk, positions for high-continuous QOL</li> </ul> </li> <li>• Fiscal             <ul style="list-style-type: none"> <li>○ Connection to future needs &gt;25 years</li> <li>○ Flexible to meet changing times</li> <li>○ Continuum of service during recession</li> </ul> </li> </ul> |
|---|---|

**GFOA Resiliency Task Force**

**“That’s one small step  
for man, one giant leap  
for mankind.”**

Neil Armstrong  
1930 - 2012  
©PATRICKMCHERO.TUMBLR.COM



**Great  
Moments  
in  
Resiliency**

•

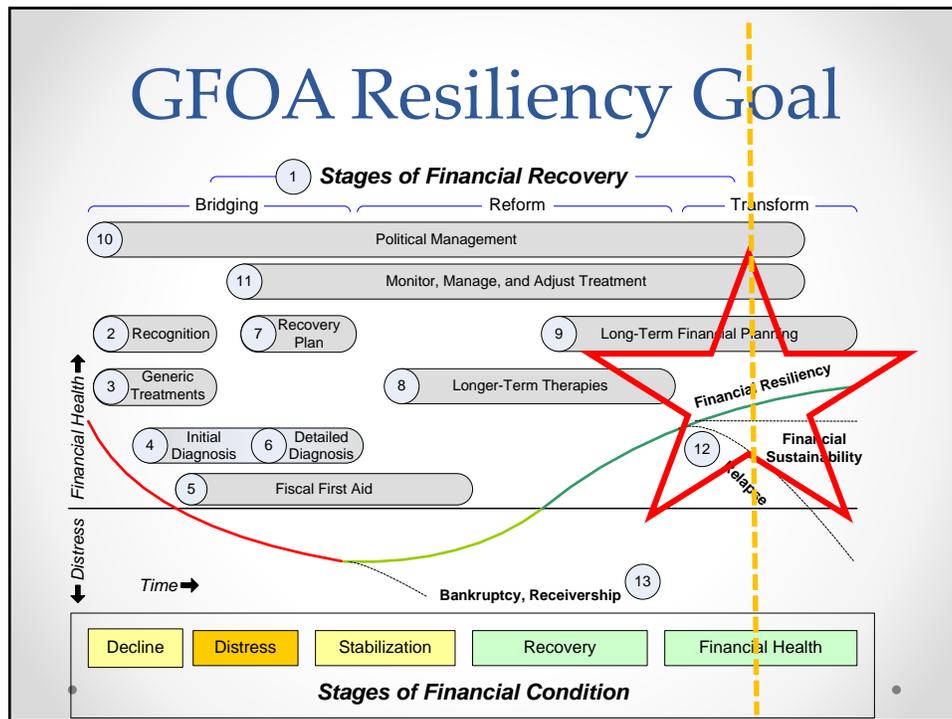
**Great Moments in  
Non-Resiliency**



“Who the hell  
wants to hear  
actor’s talk”

Harry Warner,  
Warner Brothers,  
1927

•



## What Can You Do in Two Slides (1/2)?

- Incorporate opportunity costs into financial decisions
- “Playlist” for financial decision-making
  - Develop guidelines of options to consider (via idea generation)
- Experiments and tripwires
  - Test a decision on a provisional basis before committing
  - Early warnings of impending problem

## What Can You Do in Two Slides (2/2)?

- 10-10-10 analysis
  - Metrics in 10 days-10 months-10 years
- Identify core priorities
  - Expressing values counteract ST emotions highlighting what is truly important
- Building relationships
  - Invest time in relationships with relevant individuals before an issue reaches "crisis"

## Per ICMA, Resilient Managers Are...



facilitators  
of vision



community  
builders



designers



voice in  
policy



ethics +  
values



reformers +  
reformed



## ICMA Practices - Resilient Themes for Managers

- Add value to the quality of public policy and produce results that matter to their communities
- Take a long-term and community-wide perspective
- Commit themselves to ethical practices
- Help build community and support community values
- Promote equitable, fair outcomes and processes
- Develop-sustain org excellence, promote innovation

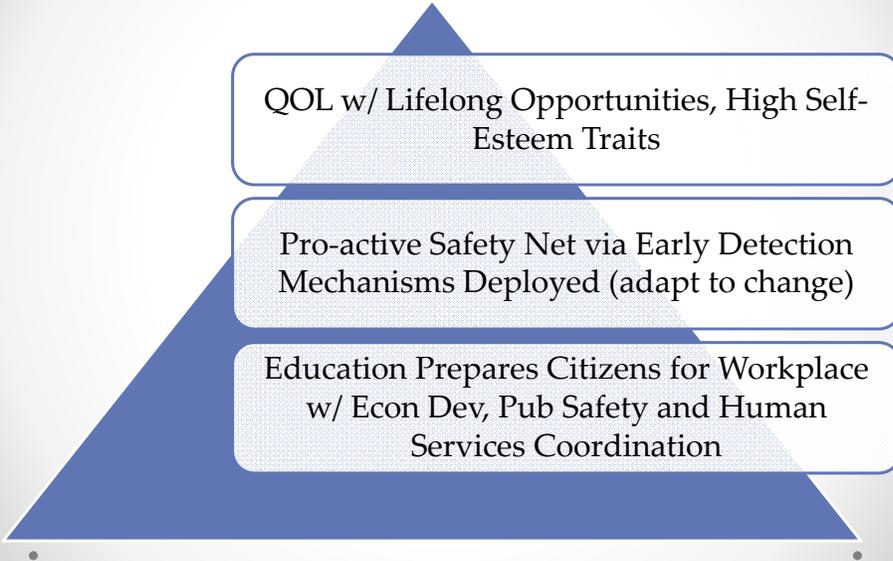
• Source: Nalbandian, et al; *PM Magazine*, 3/07

## QOL Generally Accepted Attributes

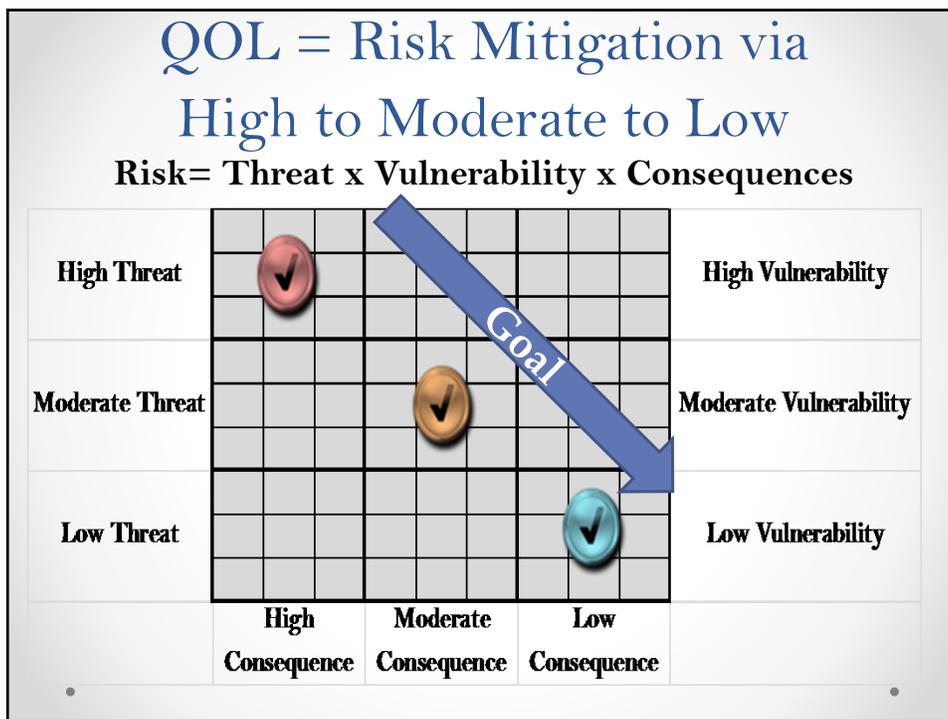
 jobs	 environment	 safety
 education	 healthcare	 infrastructure

ICMA

## HPO – “Firing on All Cylinders”

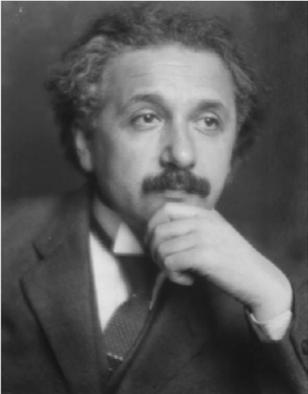


- QOL w/ Lifelong Opportunities, High Self-Esteem Traits
- Pro-active Safety Net via Early Detection Mechanisms Deployed (adapt to change)
- Education Prepares Citizens for Workplace w/ Econ Dev, Pub Safety and Human Services Coordination



**Resiliency Benefits - HPO**

**Great Moments in  
Resiliency**



**“Imagination is more important than knowledge”**

Albert Einstein

## Great Moments in Non-Resiliency



"We don't like your boys' sound. Groups are out; four-piece groups with guitars, particularly finished"

Decca Records letter to Beatles Manager Brian Epstein in 1962 in not wanting to give the Beatles a contract

We're the Federal Govt and We're Here to "Help"



# GOVERNMENT

IF YOU THINK THE PROBLEMS WE CREATE ARE BAD,  
JUST WAIT UNTIL YOU SEE OUR SOLUTIONS.

26

# Closing - Great Moments in Resiliency and Non-Resiliency

“What we have to learn to do, we learn by doing”

— *Aristotle*



# Join and Use the ICMA Knowledge Network (Free)

**ICMA**  
Leaders at the Core of Better Communities

ICMA UNIVERSITY PRESS RESULTS NETWORKS INTERNAL

## Knowledge Network

Home People & Places My Profile Topics Questions Groups Documents Blogs Wikis Help

**KNOWLEDGE NETWORK VISION**  
Committed to fostering excellence and innovation in local government, the Knowledge Network is an online community built on the following ideals: rich content, social networking and knowledge exchange, partnering, and global scope.  
▶ Learn more...

**WELCOME...**  
Couch, Thomas  
County Manager,  
County of Bulloch  
Statesboro, GA

**QUESTIONS & ANSWERS**  
Asset Management  
0 answers  
Online budget book  
2 answers  
Adjunct Faculty Online

**LATEST BLOG POSTS**  
The Green Tape Doctor: Is It Time To Write a Rule?  
Leisha DeHart-Davis  
The weekend before the real business

**HOT TOPICS**  
Management  
Public Safety  
Public Works  
Community Development

**TWITTER**  
Check out this mo @icmaonline Publ Management for @CityofSandyCR :axenby's article "1 Street Face Lift" @LocalManagers i cves a year ago · reply · favorite

Read the latest @localmanagers



## Tune-Up: 10 Second Test

FINISHED FILES ARE THE  
RESULT OF YEARS OF SCIENTIFIC  
STUDY COMBINED WITH THE  
EXPERIENCE OF YEARS

Even the best plans may not have 100% community support.....



**Times-Dispatch  
Headline: "County  
Backs Off Toilet Tiff -  
Farm Owners Still  
Protest Sewage Plan  
for Property"**

Even w/ "Policies", Politicians...



# Closing



## SURVIVAL

When you are in deep trouble,  
say nothing, and try to look like  
you know what you're doing.

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## Building a Financially Resilient Government through Long-Term Financial Planning



# Building a Financially Resilient Government through Long-Term Financial Planning

By Shayne Kavanagh, GFOA senior manager of research

The concept of “sustainability” has captured the attention of local government leaders across the United States and Canada over the past few years. This includes finance officers, as the term “financial sustainability” has come to signify practices such as directing one-time revenues away from recurring sources of expenditure and taking into account long-term maintenance and operating costs when planning and evaluating capital projects.

However, the current recession has taught us that sustainability is a necessary but insufficient condition to ensure the ongoing financial health of local government. A sustainable system is balanced, but an external shock (like a severe economic downturn) can unbalance the system and perhaps even collapse it. Local governments will continue to face serious challenges from outside, including but not limited to economic adjustments, natural disasters, and important policy changes by other levels of government. As such, finance officers must strive to help their organizations go beyond sustainability to a system that is adaptable and regenerative – in a word: resilient.

Jamais Cascio, a fellow at the Institute for Ethics and Emerging Technologies, identifies eight essential characteristics of a resilient system:<sup>1</sup>

- **Diversity:** Avoid a single point of failure or reliance on a single solution.
- **Redundancy:** Have more than one path of escape.
- **Decentralization:** Centralized systems look strong, but when they fail, the failure is catastrophic.
- **Transparency:** Don't hide your systems. Transparency makes it easier to figure out where a problem may lie. Share your plans and preparations, and listen when people point out flaws.
- **Collaboration:** Work together to become stronger.
- **Fail Gracefully:** Failure happens. Make sure a failure state won't make things worse.
- **Flexibility:** Be ready to change when plans aren't working. Don't count on stability.
- **Foresight:** You can't predict the future, but you can hear its footsteps approaching. Think and prepare.

A sustainable system is balanced but potentially brittle. A resilient system not only survives shocks, it thrives even under conditions of adversity.

This article explores these characteristics as they relate to creating a financially resilient government and the central role that long-term financial planning plays in financial resiliency. You can use these characteristics to evaluate your own financial planning process and prepare a road map for its evolution. The Government Finance Officers Association (GFOA) interviewed officials at several local governments that have been practicing long-term financial planning for a number of years (some as long as 15 or 20) and that have, as a consequence, achieved financial resiliency. Below are some examples of how these governments are not just surviving the current economic downturn, but thriving in it.



**AAA Bond Ratings Achieved.** Several of our research subjects have had their bond ratings recently upgraded to AAA, and one had its existing AAA reaffirmed. The rating agencies pointed to long-term financial planning as evidence of management’s dedication to the practices that maintain long-term financial health. This is a stark illustration of the “flight to quality” that has been occurring in all investment markets.

**Making Believers Out of Skeptics.** One government recently had a new chief operating officer who was skeptical of the value of long-term financial planning in the current economy. “What use are multi-year forecasts and strategies under conditions of such volatility?” the COO reasoned. However, the COO was soon converted when she witnessed how the fund balances built up in the good times could be used to buffer shocks, how the governing board was highly engaged in serving as an effective steward over long-term financial health, and how the government was spared the need to suddenly and reflexively resort to the same wrenching retrenchment tactics as many of its neighbors. Of course, receiving an AAA bond rating played no small role in the COO’s change of opinion.

**Preparing for the Future.** Our resiliency research subjects have not only been able to avoid the most painful retrenchment tactics, but have been able to make sound investments in their futures. For example, while many state governments have been using stimulus funds to backfill their operating budgets and thereby defer tough budget decisions, the City of Coral Springs, Florida, has been using stimulus funding to invest in labor-saving technologies. The city’s managers and officials believe that the economy is entering a “new normal” where former levels of revenue can’t be expected to return. While long-term planning and financial reserves have bought the city some time, this doesn’t mean the city can continue on indefinitely as it has. Therefore, officials have been supportive of long-term technology investments that will allow the city to maintain its current service levels with fewer employees, as well as many other program and staffing adjustments that, while not immediately necessary, will reduce the cost of city government over the long term.

**Saving Jobs.** One of the most feared consequences of any recession is job loss. Our research subjects for this paper have been able to avoid layoffs so far. Hanover County, Virginia, is particularly enthusiastic about the potential of long-term planning to help to preserve jobs. In Hanover County’s experience, the organization-wide perspective provided by a financial plan has been instrumental in encouraging departments to shift underutilized employees to areas of greater need. For example, the recession has reduced construction and the demand for building inspectors, so the county has been able to use them for in-house construction projects and similar tasks where a contractor may have otherwise been used. Hence, the county has been able to shift building inspectors across tasks, thereby filling a real need while preserving jobs.

The rest of this paper will describe how long-term financial planning supports each of the eight essential characteristics of a resilient system.

### Our Featured Local Governments

City of San Clemente, California  
City of Sunnyvale, California  
City of Coral Springs, Florida  
County of Hanover, Virginia  
Mentor Public Schools, Ohio



**Diversity.** Avoiding a single point of failure or reliance on a single solution.

- ❖ Keep a multi-faceted perspective on financial health.
- ❖ Maintain a diversity of funds to reduce reliance on the general fund.
- ❖ Enlarge the base of supportive constituents.

The most fundamental aspect of “diversity” in financial planning is a multi-faceted perspective on financial health. The planners’ viewpoint should not be limited to focusing on revenues and expenditures. Land-use patterns, demographic trends, and long-term liabilities (such as pensions) must all be carefully monitored. For example, long-term financial planning has highlighted the connection between land-use policy and financial condition for many of our research subjects, thereby directly influencing land-use policies. In Florida, the state distributes sales taxes on a per-capita basis, rather than the point-of-sale method found in many other states. As a result, cities in Florida don’t have the same powerful incentive for commercial development that many other cities have. Coral Springs, though, has recognized that commercial properties are not subject to the same property tax restrictions as residential properties, so commercial properties remain important as net contributors to financial health.<sup>2</sup> This nuance has led Coral Springs to emphasize diversity in local land use, while many other cities in the area are primarily residential.

In another example, the City of Sunnyvale, California, like many cities in the state, is part of the California Public Employees’ Retirement System (CalPERS). Warned by CalPERS about potential rate increases, the city performed an independent analysis and discovered that it may experience a 35 to 45 percent increase in required contributions in the future. This has allowed the city to begin planning now to mitigate and absorb this risk.



Another common theme among our research subjects is diversity in the funds maintained. Different funds can be used to account for non-current liabilities such as OPEB, workers’ compensation, depreciation, and replacement of assets. Self-supporting internal service funds contribute to efficient overhead services. These practices reduce the burden on the general fund and keep it from becoming a single point of failure.

Finally, Mentor Public Schools in Ohio has consciously cultivated constituent diversity. For a school district, parents are the most engaged constituents. However, district taxpayers who don’t have children are an indispensable source of funding. Therefore, Mentor Schools takes special care to demonstrate its financial responsibility to parents and non-parents alike, and to find out what non-parents think of the school district’s performance. For example, Mentor Schools has an important use fee component to its extracurricular activities (it is not 100 percent tax-supported) and has been mindful of keeping its asset portfolio consistent with future service demands – for example, two properties were recently sold, thereby eliminating maintenance costs, generating a one-time revenue, and placing the property back on the tax rolls. Enhancing financial management credibility by taking highly visible actions like these enlarges Mentor Schools’ base of supporters.



## Redundancy. Avoid having only one path of escape or rescue.

- ❖ Maintain a reserve policy to prevent use for recurring expenditures and to specify the purpose of reserves.
- ❖ Institutionalize financial planning through governance practices like financial policies and citizen engagement.
- ❖ Pursue multiple strategies for long-term financial health.

Fund balances, or reserves, are the key to redundancy. Focusing on reserve levels across multiple funds helps make sure each fund has appropriate backup. Our subjects agreed that the basis of strong reserves is good financial policy on reserves. A policy should prohibit fund balances from being used for recurring expenditures, save notable exceptions like working capital, or providing temporary budgetary stabilization in an economic downturn. Reserves must be taken very seriously by all managers and officials, so prohibiting unsustainable uses of fund balance emphasizes the preservation of fund balance as the means of rescue from crisis situations.

Our subjects also agreed that it is important to create reserves for specific purposes and to record these purposes in a policy. This preserves the credibility of the reserve system – the reserves are there for a widely understood and agreed-upon reason, not as a slush fund. This, in turn, protects the integrity of the reserve – people see the restriction as important and are less likely to propose inappropriate uses and such proposals, even if made, are unlikely to receive support. The City of San Clemente, California, for example, recently created a reserve for asset maintenance, an activity that has been widely underfunded in many local governments.

Reserves must be taken seriously by all managers and officials, so prohibiting unsustainable uses of fund balance emphasizes the preservation of fund balance as the means of rescue from crisis situations.

Financially resilient governments are distinguished by the adoption of a policy supporting a financial planning process that assesses the long-term financial implications of current and proposed operating and capital budgets, financial policies, and service policies. In financially resilient governments, long-term financial planning is institutionalized in the governance of the organization. This leads to consistent decisions. Financial policies are the cornerstone of redundancy because they help preserve good practices through changes in elected officials and top management personnel. The GFOA Best Practice, *Adoption of Financial Policies*, describes many of the most important policies.<sup>3</sup>

In addition to formal policies, community engagement can help assure the continuity of financial planning and related practices. For example, Mentor Schools has a special citizen subcommittee focused on financial planning. While the school board fully supports financial planning, it is subject to a variety of pressures and must address a plethora of issues. However, the subcommittee never lets the school board forget the importance of Mentor School's long-term financial health. In Sunnyvale, citizens took a powerful step to institutionalize financial planning. The city's charter study committee (made up of citizens) recently recommended amending the city charter to require 10-year financial plans.



Citizen engagement can also create more grassroots or viral support for financial planning in the community. Coral Springs has an extensive citizen volunteer program, where citizens help with special projects, like canal clean-up, as well as ongoing services like police patrol and call-center staffing. In addition to reducing staffing costs for the government, the volunteer program gives the city the opportunity to educate and fully engage citizens in the Coral Springs business and financial planning model. The city has found that volunteers take accurate information about the city's financial condition and practices back to their friends and neighbors and often become advocates for these practices. Thus, citizens come to expect a long-term, strategic approach to financial problems from the city.



Finally, resilient governments don't bank on just one strategy to remain financially healthy – they rely on a combination of strategies: short- and long-term revenue enhancement and expenditure reduction. For example, Sunnyvale has modeled a combination of expenditure reductions, revenue enhancements, and draw-downs on the city's budget stabilization reserve to cope with the economic downturn. While the short-term pressure is the most immediate concern for many in Sunnyvale, the financial strategy also includes a two-tiered retirement system (i.e., reduced benefits for new employees) that doesn't save much right

away but saves \$1.5 million annually by the eighth year of the plan, and a total of \$44 million in the general fund over a 20-year period – in a general fund operating budget of about \$125 million.

## **Decentralization.** Centralized systems look strong, but failure is catastrophic.

- ❖ Make managers manage their cost and revenue structures.
- ❖ Engage departments in identifying issues, analyzing them, and developing strategies.
- ❖ Engage departments in financial modeling and forecasting.
- ❖ Develop an organization-wide strategic framework that departments can innovate within.

Decentralization is about engaging operating departments in financial planning so that all departments think more strategically about finance, rather than long-term financial health relying solely on the efforts of central administration.

The bedrock of decentralization is for all departments to be responsible for their own budgets. For instance, a large county in the western United States made departments more responsible for program revenues by directly linking their budget allocations to program revenue income. In one large Midwestern city, budget analysts had been assigned to each department in order to monitor budget compliance and, where necessary, cajole the department into compliance. In search of a better approach, the analysts were withdrawn and re-assigned to other tasks, while department heads who exceeded their budgets were called in front of the board's finance subcommittee, in a public meeting, to explain the negative variances and what is being done to correct the situation. The department head must then return to these meetings until the problem is corrected and for a period afterward to guard against relapse. Needless to say, department heads prefer to avoid these meetings and are therefore much more rigorous in managing their budgets than before.



Sunnyvale goes beyond these fundamental steps by making departments fully responsible for their long-term cost and revenue structure, including the operating impact of proposed capital projects. In fact, there was recently a high level of interest in a new park in the community, and the recreation director was one of the most vocal advocates for having a long-term funding strategy for maintenance in place before committing to building the park.

With this basic ethos of making managers manage their budget in place, it becomes possible to take a decentralized approach to financial plan development. Through its financial planning process, the finance and operating staff at the City of San Clemente identifies a number of “critical issues” that could affect the future financial health of the city. A number of cross-functional “issue teams” are then formed to analyze each issue and suggest strategies. San Clemente has found that staff members are eager to participate on the teams (some even requesting a spot a year in advance) because they know that the decisions made during the planning process are important and that positive involvement is a key to advancement at the city. The consistent and meaningful involvement of departments in identifying issues, analyzing them, and developing strategies is a consistent theme in financially resilient governments.



Involving departments in financial forecasting and modeling hones their understanding of financial condition, and, hence, their perception of the need for a solid, long-term financial strategy. It also improves the quality of the forecast. Hanover County realized that in the new economic reality, historical data was not as useful as it had been in making projections.

Qualitative judgment was more important than ever. The county formed cross-departmental teams to examine major revenue sources and develop key forecast assumptions. For example, community development, economic development, and assessor personnel were all involved in analyzing the property tax.

Finally, and perhaps most importantly, long-term planning fosters a strategic framework for creating value for the public through government programs. The long-term plan articulates the service objectives the government is striving for and defines the parameters within which the government will pursue these objectives. Departments can then develop their own plans and budgets, yet remain aligned with the big picture. A plan drives action and prevents paralysis by analysis or inertia. The plan grants permission to try new things to further the plan’s objectives.

All of these characteristics promote the innovation that is needed to adapt to changing financial conditions. When it is accepted that everyone is working toward the same objective, innovation is more likely because commonality of purpose makes new ideas that diverge from the established order permissible – if the innovation is intended to achieve a high-priority strategic goal, then the effort is respected.

As an illustration of how planning can create shared goals, Hanover County has found that its planning process has been very important in creating a widely held acceptance of the value of teamwork across departmental lines.



In Hanover, objectives are established through the planning process, and reliable information relative to the objectives and financial condition is disseminated. The county then reinforces the importance of inter-departmental information sharing by creating communication channels across departmental lines. For example, training and professional development is often one of the first expenditures to come under pressure during a revenue downturn, yet training is a primary source of the innovations that are needed to improve cost-effectiveness. Hanover has used its planning process to establish and support an objective for high-quality professional development across the organization, including encouraging joint training opportunities across departments.

**Transparency.** Make it easier to figure out where a problem may lie. Share plans and listen when people point out flaws.

- ❖ Promote transparency in key areas like goals and objectives, forecast assumptions, and reserve standards.
- ❖ Use full-cost (direct and indirect) accounting for programs.

Transparency implies openness, communication, and accountability. Transparency pervades the financial planning practices of financially resilient governments. Following is some of the most important information to make transparent.

- **The Organization's Goals and Objectives.** Make sure everyone knows what the goals are, how they were arrived at, and what activities will be undertaken in pursuit of the goals.
- **Forecast Assumptions.** The assumptions that drive revenue and expenditure trends should be available for examination. Some key assumptions include population/enrollment trends, employee headcount, changes in property values, and changes in consumer behavior.
- **Reserve Standards.** What amounts will the government endeavor to hold in reserve, and why? What amounts are actually being held? Are these amounts too much or too little? Clarity on these questions (especially when the amounts held are high) is essential to maintaining the credibility and integrity of the reserve system.

The GFOA's research subjects have also found that full-cost accounting for services (direct and indirect costs) is essential to resiliency. Full-cost accounting makes the cost of doing business transparent. Transparency leads to trust, as everyone can see what the true cost of doing business is for all services, including support services such as budgeting and finance. Transparency and trust leads to better-informed discussions about the relevance and contribution of services, and to opportunities for enhancing revenues, for increasing operational efficiencies, and for enhancing the credibility of the financial management system among management, elected officials, and the public.<sup>4</sup>

**Collaboration.** Working together to become stronger.

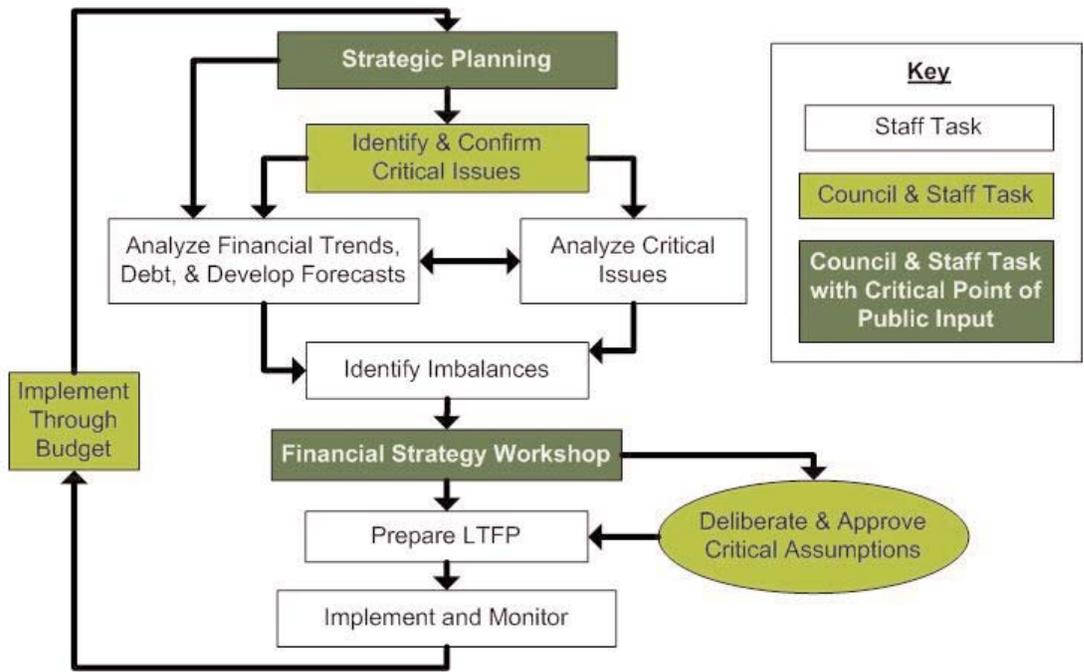
- ❖ Build elected officials’ service priorities into the plan.
- ❖ Provide elected officials a role in that planning process – a role they can thrive in.
- ❖ Orient elected officials to the planning process.
- ❖ Use key indicators to help elected officials stay abreast of financial condition.

Elected officials have an incalculable impact on financial health because they have the final say over tax policies and budgets. Therefore, resilient governments foster close collaboration between elected officials and staff to help both groups become more savvy financial decision makers, better recognize problems, and enact appropriate solutions.

The first step is to engage elected officials by building their service priorities into the financial plan. In addition to demonstrating that the plan is relevant to their service goals, this step provides a common basis for participation in the planning process – although not every official will be comfortable discussing financial issues, all can discuss and appreciate service issues.

The next step is to provide elected officials with a role in the planning. Exhibit 1 provides an overview of the City of San Clemente’s planning process and how elected officials are engaged. The shaded boxes are crucial points of involvement. The Council sets service goals through strategic planning, helps to identify issues that affect the

**Exhibit 1: Council Involvement in San Clemente’s Planning Process**



financial health of the city, and reviews and approves the critical assumptions behind the staff's suggested financial strategies – assumptions that will shape how the annual budget is developed.

When new officials are elected, they must be introduced and acclimated to planning process. Resilient governments have a formal orientation program and periodic refreshers. San Clemente, for example, has an annual financial poli-



cy compliance self-review of its policy portfolio. San Clemente has found this is a good way to keep elected officials engaged with financial policies. In addition to these formal mechanisms, regular one-on-one meetings on financial issues give officials a chance to ask questions that they may not be comfortable asking in a public meeting. The impact of all of these efforts is to create a culture on the governing board in favor of financially resilient decisions. Once in place, the culture can become self-sustaining as new officials are subject to peer pressure and existing officials take their own actions to promote resiliency (such as Sunnyvale's aforementioned charter amendment, which was driven by public rather than staff action).

Finally, key indicators of financial condition should be established and communicated to help elected officials remain confident that they have a handle on financial condition. Mentor Public Schools, for example, keeps its board up-to-date on three key indicators:

- Percent of budget spent on personnel (with 85 percent as an upper threshold).
- Recurring revenue versus expenditures (including biannual forecast updates).
- Enrollment trends versus staffing (keeping student to staff ratios consistent).

## **Fail Gracefully.** Failure happens. Make sure failure won't make things worse.

- ❖ Recognize changing conditions to make a soft landing.
- ❖ Promote credibility and open dialogue to learn from and correct failure.

Financially resilient governments recognize, through forecasts and environmental scanning, changing conditions in order to make a soft landing. When Sunnyvale adopted its fiscal year 08/09 budget in June of 2008, staff had predicted an economic downturn, but had not yet seen any evidence in their revenues because city revenues typically lag the economy. By August 2008, the city began to see slight indications, but economic information (from constant scanning of the environment) led them to believe that things were going to be substantially worse. Hence, they began to plan for a serious fiscal challenge and were therefore better able to cope with the economic crisis that finally manifested. In 2004, Coral Springs recognized that politics in the state were headed toward major residential property tax reform, including austere restrictions on local tax autonomy. At that point, the city started making changes such as diversifying its tax base and streamlining operations to make sure its workforce didn't expand beyond the city's means. When reform eventually came in 2007, Coral Springs was prepared.



Few, however, predicted the full breadth and severity of the current economic downturn. When caught in a financial decline, resilient governments quickly recognize it and react by updating forecasts, modeling new scenarios to define the financial parameters within which they must develop strategies, continually monitoring the environment for change, and maintaining open communication with departments so they can take corrective action. Hanover County has found it particularly important to maintain open communication with the board. If news of failure is attenuated in an effort to reduce political fallout, the board will not fully appreciate the gravity of the situation, thereby lessening their support for retrenchment and recovery strategies, eventually making the situation even worse.



Financially resilient governments use long-term planning to enhance the credibility of the financial management system and promote open dialogue about financial condition. A projected imbalance isn't cause for recrimination – it is an opportunity to take preventative action to avoid crisis. Financially resilient governments are careful not to position forecasts as a “prediction” of future financial position, but rather as a tool to: 1) recognize longer-term issues that require a strategic approach; and 2) establish financial parameters within which service strategies must operate.

Resilient governments are also skilled at setting and managing to measurable financial goals. Communication of these goals (including deviations from planned performance) is essential for credibility and encouraging fact-based, data-driven financial decision making. For example, Hanover County's financial goals include protecting its AAA bond rating and getting through the financial downturn without layoffs – two very measurable goals, the importance of which are easy to communicate.

### **Flexibility.** Be ready to change when plans aren't working. Don't expect stability.

- ❖ Regularly diagnose the strategic environment to know when flexibility may be required.
- ❖ Create financial models to show the impact of changes.
- ❖ Evolve and adapt the financial planning process itself.

Financially resilient governments are constantly monitoring their environment and financial condition to see if financial strategies are working and to learn of conditions that might call for a change in approach. Regular plan updates are a formal tool all the GFOA's research subjects use, but they have also all developed an institutional habit of taking time to look beyond the day-to-day business of government for issues that could affect financial health. These “strategic diagnosis” exercises are important for strengthening this critical capacity.

Resilient governments also have financial modeling and scenario analysis capabilities to determine the impact of changes in assumptions and financial strategies. For example, Hanover County used its models to show how

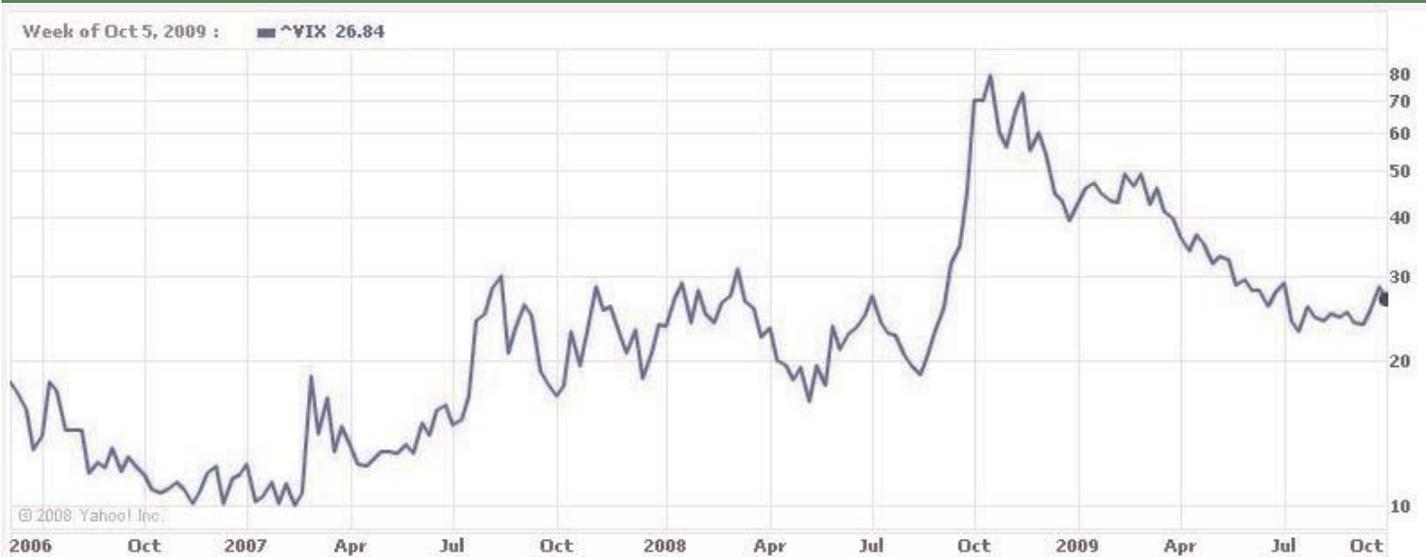


deferred maintenance would affect the life cycle of capital assets. This allowed the county to make informed decisions on deferment, including the long-term cost required to make up the impact of these deferments later.

Finally, resilient governments evolve their planning process as needed to address new issues, accommodate new stakeholders, keep up with best practices, and otherwise adapt to the changing needs of the organization. For example, the diagram in Exhibit 1 was developed by San Clemente a few years ago as part of a redesign of its financial planning process to improve the elected officials' involvement in planning. San Clemente also designates a special "theme" for each planning cycle to capture the issues that are driving planning that year. For example, the theme for most recent planning cycle was "Fiscal Tune-Up," acknowledging the need to reaffirm fundamental good financial management practices in a time of financial pressure.

### Exhibit 2: Don't Expect Stability

VIX is the ticker symbol for the Chicago Board Options Exchange Volatility Index, a popular measure of the implied volatility of S&P 500 index options. A high value corresponds to a more volatile market. Sometimes referred to as the "fear index," it represents one measure of the market's expectation of volatility over the next 30-day period.<sup>5</sup> Unsurprisingly the VIX reached all-time highs in the fall of 2008 and has been well above historical levels over the past 12 months.<sup>6</sup>



## **Foresight.** Think and prepare.

- ❖ Develop effective forecasting techniques.
- ❖ Build capacity among staff and elected officials for strategic diagnosis.
- ❖ Complement financial planning with other long-term plans.

Financial forecasts are at the crux of foresight. Our research subjects suggest:

- Using forecasts to identify the parameters within which to develop and execute strategies, rather than to try to “predict” the future.
- Involve others in forecasting. Operating departments can improve the qualitative judgment applied to the forecast. Elected officials can review critical assumptions.
- Develop capacity for flexible scenario modeling to show the impact of different possible futures.

Regular review of the environment is essential for diagnosing strategic issues. Elected officials and executive management should be involved in strategic diagnosis to promote informed and realistic financial decision making. Coral Springs found that its strategic diagnosis helped officials and management accept that a return to the halcyon conditions of the early 2000s was unlikely and that the city should begin positioning itself early to operate effectively under new fiscal realities – this included opening union contracts, revising personnel schedules and deployment, and automating work processes.

Successful long-term financial planning builds interest in better long-term planning in other areas.

Other departments outside of finance often put a great deal of effort into their own long-term plans. These plans can be a source of foresight into financial condition. Resilient governments connect their long-term financial planning process to these other plans to increase the quality of their forecasting and strategic diagnosis. For example, a comprehensive land use plan might suggest long-range facility requirements.

Resilient governments have also found that successful long-term financial planning builds interest in better long-term planning in other areas. Mentor Public Schools, for instance, has seen improvement in its long-term plans and studies for capital, maintenance, technology, instruction, equipment replacement, and enrollment trending as a result of the interest in the long term generated by financial planning. These plans improve the quality of the forecast and help identify possible points of future fiscal failure.

## **Conclusion**

Financial resiliency is essential to continuing a consistent program of public services despite the current volatile economic environment. A number of local governments from across the country have achieved financial resiliency and realized benefits such as AAA bond ratings and a soft landing in the current recession. Most importantly, though, these governments have been able to maintain the trust and confidence of their constituents and continue to create value for the public through government action.



## Notes

<sup>1</sup> Jamais Cascio, “The Next Big Thing: Resilience,” *Foreign Policy*, May/June 2009.

<sup>2</sup> “Net contributor” means that a constituent contributes more in tax revenues that are used in services.

<sup>3</sup> All GFOA best practices are available at [www.gfoa.org](http://www.gfoa.org).

<sup>4</sup> Jon Johnson and Chris Fabian, “Leading the Way to Fiscal Health,” *Government Finance Review*, December 2008, pp. 16-26.

<sup>5</sup> Description of VIX taken from Wikipedia.

<sup>6</sup> Graph from Yahoo.com.

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# GUIDING PRINCIPLES FOR FINANCIAL RESILIENCY



BY HEATHER JOHNSTON

Most governments are developing ways to provide a high level of services with fewer resources. The best way to accomplish that over the long term is to weave strong, goal-oriented financial practices into the fabric of your organization. These are the organization's guiding principles, and they ultimately lead to resiliency, which can be defined as an ability to recover from or adjust easily to misfortune or change. Given the many changes that are underway in local government, anything we can do to make it easier for the organization to adapt to change is critically important.

## BENEFITS

**Avoid Short-Term Thinking.** As much as government officials want to act in the best interest of the public, pressing challenges sometimes arise that require immediate reaction — and that can lead to decisions that are inadvertently in conflict with an organization's long-term interests. To help avoid this situation, governments should adopt guiding principles that articulate the organization's values. Doing so ensures the government's long-term ability to provide valuable services to its citizens, which is what financial resiliency is all about — making sure that decisions are aligned with the organization's most fundamental beliefs about what is in the best interest of the community in the long run.

**Identify Conflicts and Alignment.** The guiding principles are intended to provide direction to everyone — elected officials, appointed managers, finance officers, and departmental staff. It's helpful to achieve some distance from short-term emotions and compare your decision to the organization's guiding principles for financial resiliency. In this way, you can better identify any potential conflicts and make sure you are aligning the organization's allocation of resources with its goals.

## DEVELOPMENT

**Help Leaders Express their Vision.** People typically find it difficult to articulate what guides their decision making, but there are ways to help them with this. The finance officer can get the process started by talking with elected officials and members of the governing board about their vision for

the future of the organization. The organization's goals and values are an excellent place to start the conversation. Ask probing questions about the future — for example, ask elected officials to describe what a thriving, growing organization would look like in the future, while also identifying some of the risks to achieving that vision. The ensuing discussion will help shape the guiding principles.

**Review Past Decisions.** It's also possible to discern the organization's core values by reviewing past decisions, both good and bad. For example, all the council members of one city referred to a downtown redevelopment project as a major positive turning point because it was funded not just by the city, but in cooperation with community groups and private businesses. The council was excited about the possibility of extending this type of cooperative spirit to other challenges faced by the community. Hence, a principle for budget decision making in this city could be, "The city will always attempt to work with others so it can do more than it would be able to do alone."

This would discourage programs that might be easier in the short term (because the city doesn't have to do the hard work of lining up partnerships) but more expensive in the long run (because the city would have to rely on its own resources).

**Keep It Authentic.** After discovering the standards that provide the foundation of the organization, a set of formal principles should be drafted by someone who can keep his or her own interests separate from the task at hand. Wherever possible, the wording and phrases should be consistent with what elected officials, senior management, and other decision makers have said. After participants have been given the opportunity to review the draft and suggest modifications, the governing board should formally adopt the principles as official guidance for board and executive management decisions.

## BEST PRACTICES

**Link to the Organization's Work.** Guiding principles are not helpful unless they are easily understood and can be linked to the work of the organization. The guiding principles for financial resiliency are intended to support the government in the pursuit of its mission and vision, so they should

Given the many changes that are underway in local government, anything we can do to make it easier for the organization to adapt to change is critically important.

be broadly consistent and parallel the community's overarching values. One example of a guiding principle used by Yolo County, California, is to "provide fiscally sound, dynamic, and responsive services." This is supported by departmental objectives such as "managers are aware of the full cost of their decisions" and "the county should know whether customer needs are met."

It's helpful to achieve some distance from short-term emotions and compare your decision to the organization's guiding principles for financial resiliency.

**Embody the Principles in the Budget Process.** The annual budget process is where the principles often have their greatest impact. The finance officer can design the process to directly reflect these tenets. For instance, Yolo County's budget ensures that services will continue and that the government will operate within its means. The budget process might then include provisions to identify and divest under-performing

programs and to make sure that non-recurring revenues such as asset sales are not used to fund ongoing expenditures such as sheriff salaries, for example.

### **Provide Guidance for the Future.**

Next, the principles should provide forward-looking guidance regarding the way trends might affect the government in the long term. For example, a community that is expecting rapid growth will emphasize a long-term balance between the cost of servicing new growth and the revenues received from growth, compared to a community that expects little to no growth.

**Be Clear.** Third, and perhaps most challenging, the principles must be specific. In the public sector, mission statements and strategic goals are often purposely written in vague and ambiguous language in order to accommodate a wide range of stakeholder viewpoints. But if the organization's guiding principles are too open-ended, they can be used to justify almost any decision. Yolo County has made its principles concrete by embedding them in a complete framework of goals and objectives for the financial health of the county (see Exhibit 1).

**Reflect the Principles in Decision Making.** Leadership staff should understand the guiding principles and reflect their purpose by setting the example for department staff, demonstrating that the guiding principles are the basis of decision making for the organization. This can be reflected in the questions leaders ask, the analysis they request, and so on.

## **CONTINUING RELEVANCE**

**Incorporate the Principles into Training.** The guiding principles can be used to instruct new members of the organization about its values. An orientation session for new board members might include a review, along with some examples of principled decisions that past boards have made, and the positive results. The principles can also be used when training departments in the budget process.

## **PART OF THE PROCESS**

Ultimately, the principles should be integral to what the organization is doing, and how.

All staff should be trained about how the guiding principles are relevant to their day-to-day work. For example, some segments of a city distrusted government leaders because they felt that urban renewal projects hadn't been planned with adequate consideration to the ways local residents would be affected. As a result, one of the city's major guiding principles addressed this issue by directing the organization to solicit public input and engage neighborhoods in planning, economic development, and resource allocation.

One day, the parks and recreation department began renovations on a neighborhood park, which included removing obsolescent structures such as an underused softball backstop. The local residents were worried that this foreshadowed full-scale development of the park site, and a large public



## Exhibit I: Framework for Implementing Financial Sustainability

Strategic Goal	Financially Sustainable County Government				
Meaning	A financially sustainable county government provides valuable services to county residents within available means while proactively taking measures to build and preserve its ability to provide services in the long run.				
Key Concepts	Valuable Services	Within Available Means	Proactive Measures	Preserve Ability	Long-run View
Principles	Ensure continuing value of services in the future	Operate within available means and with minimal debt	Take charge of the organization's financial destiny	Build and preserve ability to produce	Plan to stay in business for the long term
Policy Objectives	<ul style="list-style-type: none"> <li>■ The county should periodically assess the current and future needs of its customers.</li> <li>■ The county should know whether customer needs are met.</li> <li>■ The county should periodically adjust the mix of services to maintain optimal usefulness.</li> </ul>	<ul style="list-style-type: none"> <li>■ Annual budgets are balanced, that is, financing sources equal total financing uses and no deficit exists.</li> <li>■ Budgetary controls are enforced.</li> <li>■ Managers are aware of the full cost of their decisions.</li> <li>■ Financial responsibility is everyone's responsibility.</li> <li>■ Department heads are accountable for budgetary resources under their control.</li> <li>■ County debts are at healthy level.</li> </ul>	<ul style="list-style-type: none"> <li>■ The county should identify key threats to financial health and plan to address them.</li> <li>■ The county should foster entrepreneurial activities that permit self-sufficiency.</li> <li>■ County management periodically assess the county's financial health and take the necessary corrective action to stay on course with the financial plan.</li> <li>■ The county should take measures, (reserves succession plans) to protect core services from destabilizing events.</li> <li>■ The county should identify stakeholders in the county's financial health and partner with them to chart and control the county's financial destiny.</li> </ul>	<ul style="list-style-type: none"> <li>■ The county should identify key assets, including infrastructure, financial capital and human resources and maintain their productivity.</li> <li>■ Cost recovery should be based on the objective of preserving ability.</li> </ul>	<ul style="list-style-type: none"> <li>■ The county should forecast long-term trends in services and resources and adopt strategies to maintain financial health.</li> <li>■ County management should consider the longterm effect of key decisions.</li> <li>■ The county should develop and maintain a long-term financial plan that is consistent with the county mission and other long-term plans such as the General Plan and capital improvement plans.</li> </ul>

backlash ensued. It is not difficult to imagine how telling new parks and recreation employees this story would impress upon them the need to seek public consultation when planning significant changes to community assets.

**Keep the Principles in Front of People.**

There will be times when short-term pressures will inevitably distract decision makers from the guiding principles, so the government should take steps to keep them in mind — especially when decisions are being made that have the potential to significantly affect the organization’s financial condition. For example, collective bargaining sessions could begin with a review. Go over the principles at the very beginning of the budget process to provide context for how budget requests and decisions should be made, and again as the organization is making its final allocation decisions.

Including every department in the development phase means the principles could be included in every group’s plans and documents, making it clear that they are for the organization as a whole, not just the finance department. They could also be referenced or built upon in every depart-

Before you can honor the organization’s principles, of course, you have to know what they are.

ment’s missions and goals, keeping them at the forefront of the entire organization.

**CONCLUSIONS**

Finance officers are well versed in the nature of tradeoffs in financial decision making. Weaving the financial resiliency principles into the organization’s culture makes these trade-

offs clear to others. Perhaps more importantly, this integration allows decision makers to link all of their choices about resources to the overall goals of the organization. Doing so helps the organization weather the inevitable storms that come along, making sure that all parties continue moving in the same direction toward a vibrant future. |

**Note**

1. Chip Heath and Dean Heath, the authors of *Decisive: How to Make Better Choices in Life and Work* (New York: Random House, 2013), talk about “honoring your core priorities” and letting those core priorities guide your decision making. The idea of principles of financial resiliency is partially derived from their work.

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## Characteristics of a Financially Resilient Government

There are eight characteristics of a financially resilient government. You can learn much more about financial resiliency and its characteristics in [GFOA's resiliency whitepaper](#).

- **Diversity.** Avoiding a single point of failure or reliance on a single solution.
  - Keep a multi-faceted perspective on financial health. Consider more than revenues and expenditures. Keep in mind land-uses, demographics, long-term liabilities, and other factors impacting financial position.
  - Maintain a diversity of funds to reduce reliance on the general fund. For example, use internal service funds for support services or special funds to account for non-current liabilities like OPEB.
  - Enlarge the base of supportive constituents. Engage those beyond your core constituency. They also may pay taxes, vote in elections, and volunteer to help.
  
- **Redundancy.** Having more than one path of escape.
  - Maintain a reserve policy to prevent the use of reserves for recurring expenditures. Specify the purpose of reserves in the policy.
  - Institutionalize financial planning through governance practices like financial policies. This will help make sure good practice continues beyond the tenure of current officials.
  - Engage citizens in financial planning so that citizens come to recognize the value of financial planning and demand it from their government.
  - Pursue multiple strategies for long-term financial health.
  
- **Decentralization.** Centralized systems look strong, but when they fail, the failure is catastrophic.
  - Make managers manage their cost and revenue structures so that budget control does not depend on centralized monitoring.

- Engage departments in identifying financial issues, analyzing them, and developing strategies. This creates strategic financial thinking in the departments.
  - Engage departments in financial modeling and forecasting. Use HR to help forecast personnel costs. Use departments to help project the revenues they generate. This improves the quality of the forecast and the credibility of the forecast with audiences.
  - Develop an organization-wide strategic framework that departments can innovate within. A strategic framework helps make sure everyone pulls in the same direction and provides for a common basis of discussion about organizational goals and, consequently, what money should be spent on.
- **Transparency.** Don't hide your systems. Transparency makes it easier to figure out where a problem may lie. Share your plans and preparations, and listen when people point out flaws.
    - Promote transparency in areas like goals and objectives, forecast assumptions, and reserve standards. Transparency leads to trust in the system. People are more likely to support and follow a system they trust.
    - Use full-cost (direct and indirect) accounting for programs. This makes the cost of doing business transparent and leads to better decisions on resource allocation.
- **Collaboration.** Working together to become stronger.
    - Build elected officials' service priorities into the long-term financial plan. Elected officials will be more supportive of a plan that is aligned with their service goals.
    - Provide elected officials a role in that planning process — a role they can thrive in. Roles particularly well suited to elected officials are defining service priorities, identifying critical issues that could impact the financial health of the government, and validating key forecast assumptions.
    - Orient elected officials to the planning process. Use workshops, one-on-one meetings, and peer interactions to help new and existing officials learn about resilient characteristics.

- Use key indicators to help elected officials stay abreast of financial condition.
  
- **Fail gracefully.** Failure happens. Make sure a failure state won't make things worse.
  - Recognize changing conditions to make a soft landing through regular forecasting and environmental scanning. Update forecasts regularly and communicate deteriorating conditions promptly and openly to the board.
  - Promote financial plan credibility and open dialogue to learn from and correct failure. A projected imbalance isn't cause for recrimination — it is an opportunity to take preventative action to avoid crisis.
  
- **Flexibility.** Be ready to change when plans are not working. Don't count on stability.
  - Regularly diagnose the strategic environment to know when flexibility may be required. Develop an institutional habit of taking time to look beyond the day-to-day business of government for issues that could impact financial health.
  - Create financial models to show the impact of changes.
  - Evolve and adapt the financial planning process itself to accommodate new issues and participants, keep up with best practices, and otherwise adapt to the needs of a changing organization.
  
- **Foresight.** You can't predict the future, but you can hear its footsteps approaching. Think and prepare.
  - Develop effective forecasting techniques. Use forecasts to identify the parameters within which to develop and execute strategies, rather than to try to —predict— the future. Develop capacity for flexible scenario modeling to show the impact of different possible futures.
  - Build capacity among staff and elected officials for diagnosing strategic issues. Strategic diagnosis is like a muscle — if it is not used, it will atrophy.

- Complement financial planning with other long-term plans. Connect long-term financial planning to the long-term plans prepared by operating departments to increase the quality of forecasting and analysis of the economic and financial environment.