

MONTGOMERY COUNTY PLANNING COMMISSION
March 9, 2011 @ 7:00 P.M.
Board Room, Government Center

AGENDA

CALL TO ORDER:

DETERMINATION OF A QUORUM:

APPROVAL OF AGENDA:

PUBLIC ADDRESS:

WORKSESSION:

- Urban Development Areas (UDA) Updates (Renaissance Planning)
 - o Review & Discussion of Population Estimates and UDA Area Calculations
 - o Discussion of Draft TND-Infill Zoning District Regulations
 - o Route 177 Gateway Area Plan Discussion
- Sign Ordinance Amendment Discussion (Brea Hopkins)

NEW BUSINESS:

- Eagle Rock Subdivision – request to allow private streets (Steven Sandy)
- Voting & Conflicts of Interests Discussion (Marty McMahon)

LIAISON REPORTS:

- Board of Supervisors- John Muffo
- Agriculture & Forestal District- Bob Miller
- Blacksburg Planning Commission – Frank Lau
- Christiansburg Planning Commission – Bryan Rice
- Economic Development Committee- John Tuttle
- Public Service Authority – Malvin Wells
- Parks & Recreation- Walt Haynes
- Radford Planning Commission- Bob Miller
- School Board- Bill Seitz
- Transportation Safety Committee- Malvin Wells
- Planning Director’s Report- Steven Sandy

MEETING ADJOURNED:

UPCOMING MEETINGS:

- | | | |
|-------|----------|----------------------------------------------------------------------------------------------------|
| March | 16, 2011 | Planning Commission Site Visit (To Be Determined)
Planning Commission Public Hearing (7:00 pm) |
| April | 13, 2011 | Planning Commission Public Hearing (7:00 pm) |
| April | 20, 2011 | Planning Commission Site Visit (To Be Determined)
Planning Commission Regular Meeting (7:00 pm) |
| April | 27, 2011 | Planning Commission Annual Training (NRVPDC 6:00-9:00pm) |

Calculating UDA Size Requirements Based on 10 Year and 20 Year Population Estimates
 Date: February 23, 2011
 Locality: Montgomery County, VA
 DRAFT Worksheet for Review Purposes - Revised to reflect 2010 Census Figures

Locality	Population					VEC AAGR **	
	1990	2000	2010	2020	2030	2010-2020	2020-2030
Montgomery County Current VEC Projections	73,913	83,629	91,363	96,782	103,244	0.58%	0.65%
Montgomery County Census 2010 Revised Total	73,913	83,629	94,392	99,991	106,667		
Blacksburg 2010 Revised Total	34,922	39,573	42,620	45,146	48,162		
Christiansburg 2010 Revised Total	15,402	15,947	21,041	22,289	23,777		
Unincorporated 2010 Revised Total	23,589	27,109	30,731	32,554	34,727		

VEC - State Demographer Projections will not be available from VEC until December 2010, following the release of the 2010 Census figures. For the purposes of establishing County and Town 10 and 20 year projections, the most recent available VEC data was used to derive an Average Annual Growth Rate. Average annual average growth rates are 0.58% for the 2010-2020 period and .65% for the 2020-2030 period.

The 2020 and 2030 projections shown for UDA have been calculated by applying these growth rates to the latest 2010 US Census base year population for each locality.

Locality	1990	2000	2010	2020	2030
Montgomery County	23,589	27,109	30,731	32,554	34,727
Unincorporated					

Both Christiansburg and Blacksburg are now required to adopt UDAs based on the percent change in population from 2000-2010. All calculations for County UDA reflect only the unincorporated portions of the County since the UDA legislation requires that the populations of any towns that are required to adopt UDAs be EXCLUDED from the County UDA population calculations.

Assumption	Value	Notes
Commercial SF per person:	60	
Household Size:	2.3	Per County Comp Plan
Dwelling Unit/Acre:	4	
FAR	0.4	Minimum UDA
Sq Ft/Acre @ .4 FAR	17,424	

The following assumptions were used for the UDA calculations.

New Population		New Housing Units		Commercial Sq Feet	
10 Years	20 Years	10 Years	20 Years	10 years	20 Years
1,823	3,996	792	1,738	109,365	239,779

The average household size of 2.3 persons per household was used to calculate new housing units. Commercial square feet needed to accommodate new population was estimated at 60 SF of commercial space per person.

Locality	Residential Acres needed		Employment Acreage		Total Acreage Needed	
	10 years	20 Years	10 years	20 Years	10 years	20 Years
Montgomery County Unincorporated	198	434	6	14	204	448

The number of residential acres was calculated by dividing new housing units by the minimum density required in the legislation (4 DU/Acre). Employment acreage was calculated by dividing commercial square feet by the minimum intensity required by the legislation (.4 FAR).

Legislative Requirement: Identify sufficient acreage to meet 10 year but not exceed 20 year requirements (see Table 4 using 4 DUA).
204 - Acres - 10 Year
448 - Acres - 20 Year

NOTE - FOR REFERENCE ONLY - THESE ARE THE OLD REQUIREMENTS PRIOR TO THE NEW CENSUS DATA
426 - Acres - 10 Year
841 - Acres - 20 Year

New UDA Boundary Proposal

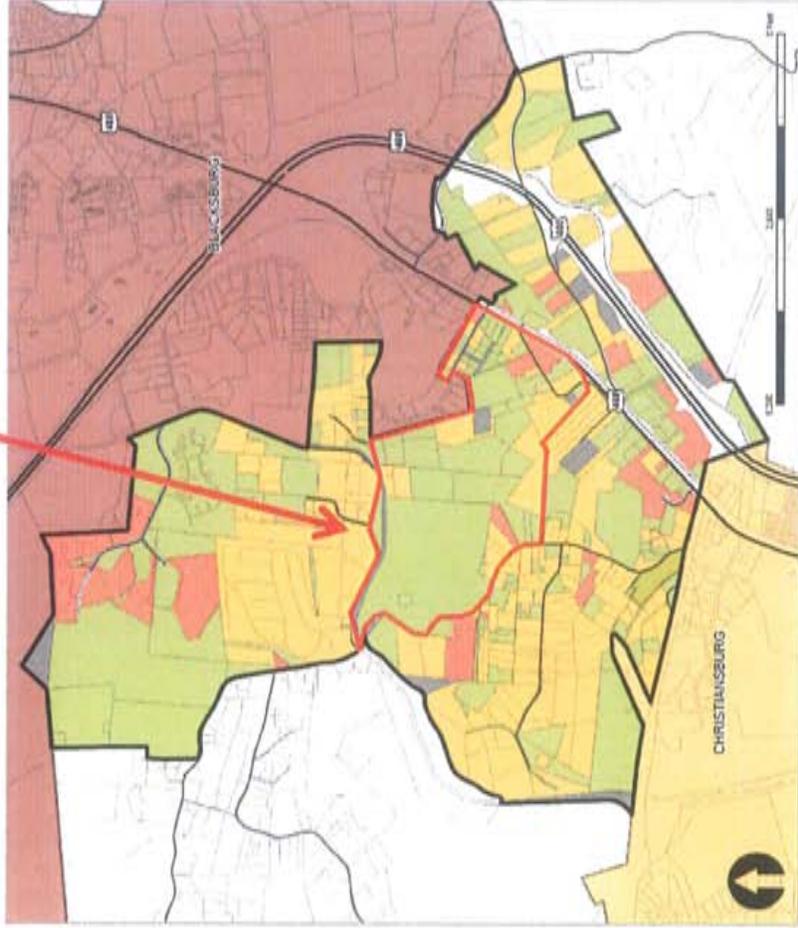
BASED ON NEW 2010
CENSUS DATA

TOTAL = 345 ac.

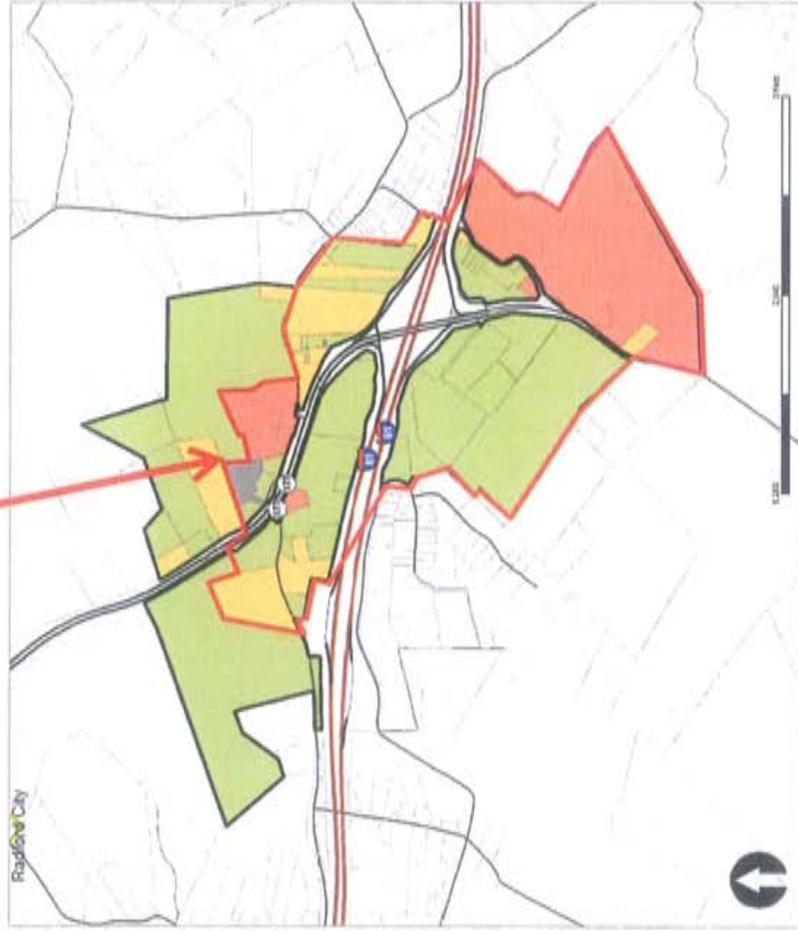
Total UDA area must be
204 - 448 ac.

138 vacant acres

207 vacant acres



Portion of Mid County Urban
Expansion Area



Portion of 177 Corridor Area

Old UDA Boundary Proposal

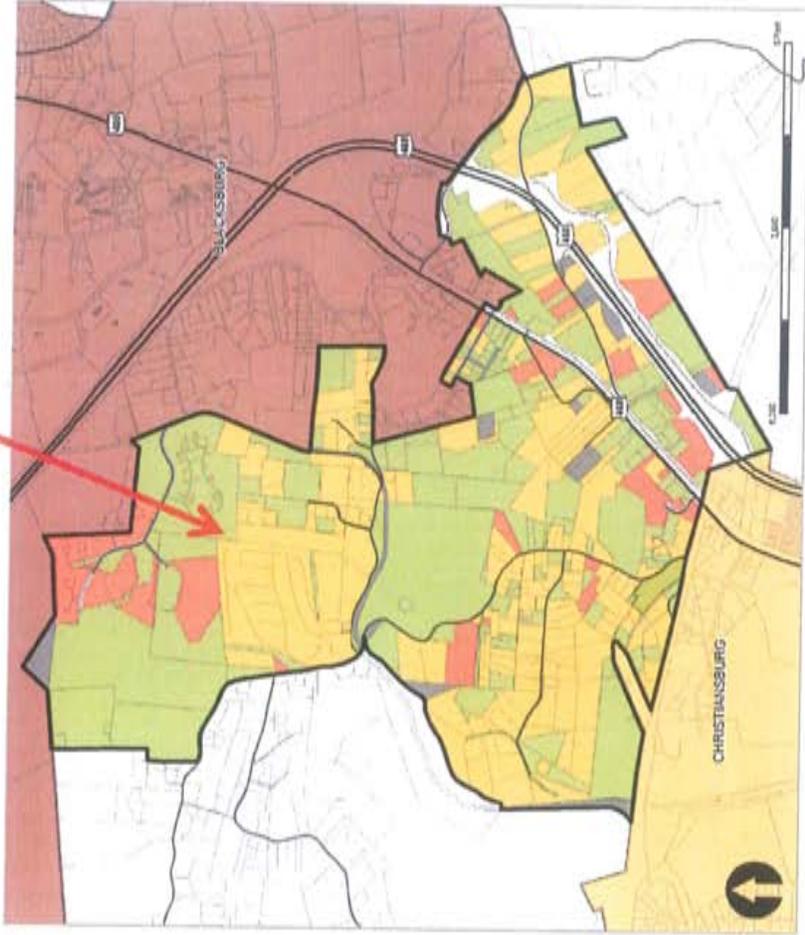
BASED ON OLD 1990-
2000 CENSUS DATA

TOTAL = 933 ac.

Total UDA area must be
426 - 841 ac.

546 vacant acres

387 vacant acres



Mid County Urban Expansion Area



Portion of 177 Corridor Area

**Montgomery County Urban Development area Grant Program
DRAFT TND-Infill Zoning District
March 1, 2011 – Renaissance Planning Group**

Addition to Article III

Sec. 10-38. Traditional Neighborhood Development Infill District

Purpose: The Traditional Neighborhood Development Infill (TND-I) district is intended to enhance and complement existing communities and villages by integrating new uses and structures into the existing community fabric, encouraging reuse and revitalization of existing structures, strengthening connections within communities to improve walkability and expand traditional, human scale, pedestrian oriented neighborhoods, and provide a strong orientation to transit service. This district provides flexible development standards for infill parcels so that properties can be developed in a way that is compatible with adjacent properties in historic communities, to help create a "complete" walkable and transit-friendly community with housing, jobs, services, civic uses and open space. The district is intended to implement specific comprehensive plan recommendations for the County's Villages, Village Expansion Areas, and Urban Expansion Areas and Urban Development Areas to promote the redevelopment of older, historic areas.

(1) The objectives of the TND-Infill District are to:

- a. Build upon the historic development patterns in existing village and community centers to create attractive, walkable neighborhoods;
- b. Encourage adaptive reuse of abandoned, vacant or underutilized buildings or structures where appropriate;
- c. Allow for a mix of new land uses that are appropriate to both the needs of the community and the scale of surrounding neighborhoods so that residents can walk, ride a bicycle, or take transit for many trips between home, work, shopping, and school;
- d. Provide incentives to develop larger parcels at higher densities and to consolidate smaller parcels to encourage coordinated development and fewer access points on public roads.
- e. Make public transit a viable alternative to the automobile by organizing appropriate building densities
- f. Encourage a high level of design quality throughout the district
- g. Stimulate economic investment in older established communities.

The illustration below is advisory only and is intended to show the intent of infill development for this District. Refer to the Code standards for the specific standards in this section.



Figure 1. Example showing how intent of infill development in the TND-I District.

(2) *Qualifying lands.* Lands qualifying for inclusion in the TND-I district shall be tracts located in areas mapped as Urban Development Areas, Urban Expansion Areas, Villages and Village Expansion Areas in the Comprehensive Plan and that are generally served by, or planned for, public sewer and water service. If the proposed development will require public sewer and water service, the applicant must demonstrate to the satisfaction of the Board of Supervisors that there is sufficient available sewer and water capacity to accommodate the proposed development at full build out and/or provide a plan demonstrating that such improvements will be phased to accommodate projected development as it occurs (see also rezoning and submission requirements Sec 10-54). Notwithstanding this requirement, the Board of Supervisors may allow individual structures or existing structures to be served by private wells and on site individual septic facilities if such facilities are deemed sufficient and appropriate and meet the objectives and intent of this district on a case by case basis at the time of rezoning.

(3) *Area Requirements.* The area required for a Traditional Neighborhood Infill TND-I district shall not be more than ten (10) acres since this district is targeted at undeveloped or underdeveloped lots in established communities rather than creating new communities. The tract of land to be developed shall be under single ownership, or shall be the subject of an application filed jointly and subject to a single concept plan.

(4) *Mix of Uses.* A mix of uses is encouraged in Villages, Village Expansion Areas, Urban Development Areas and Urban Expansion Areas. However, the land uses proposed for any individual tract subject to development under the provisions of the TND-I district shall be evaluated to ensure that the proposed use(s) are in substantial conformance with specific Comprehensive Plan policies and recommendations applicable to the site. Mixed Use structures or sites are permitted but only for a combination of neighborhood commercial uses and residential uses.

The illustration below is advisory only and is intended to show the intent of a Mixed Use Structure in this District. Refer to the Code standards for the specific standards in this section.



Figure 1. Example showing how uses can be mixed vertically within an individual structure.

(5) Development Density: The permitted maximum and minimum development densities in the TND-I district shall conform to density guidelines established in the Comprehensive Plan as follows:

1. In areas designated in the Comprehensive Plan as, Village, or Village Expansion areas, gross residential densities shall not exceed three (3) dwelling units per acre. In areas designated in the Comprehensive Plan as Urban Expansion Areas, and Urban Development Areas gross residential densities shall not exceed six (6) dwelling units per acre. Higher density residential development may be approved on a case by case basis if specifically approved by the board of supervisors and recommended in the Comprehensive Plan.
2. In areas designated in the Comprehensive Plan as, Village, or Village expansion areas, non-residential gross floor area ratios shall not exceed 0.25 F.A.R. In areas designated in the Comprehensive Plan as Urban Expansion Areas, Urban Development Areas non-residential gross floor area ratios shall not exceed 0.40 F.A.R.
3. For non-residential or mixed use development less than 1 acre, higher densities may be approved by the board of supervisors to promote redevelopment.
3. Accessory dwelling units (as defined in Sec. 10-41) shall not be included in the calculation of residential density.

(6) *Permitted Traditional Neighborhood Infill District Uses by Category:*

1. Commercial uses.

- a. Retail Sales and Services, no larger than 10,000 square feet in size
- b. Convenience stores and general stores without fuel sales
- c. Restaurants and outdoor seating associated with Restaurants subject to the provisions of Sec. 11.d, below
- d. Financial Services
- e. Office, administrative, business or professional, less than 20,000 square feet in size, and no more than 10,000 square feet per floor_plate.
- f. Day Care Center
- g. Parking areas that are accessory to any permitted or permissible commercial, residential, civic, institutional or open space use.
- h. Funeral Home
- i. Medical Care Facility
- j. Mixed Use Buildings (integrated horizontally or vertically) which include residential and commercial uses.
- k. Laundromat
- l. Printing Services

2. Residential uses.

- a. Single-family detached and attached dwellings, including duplexes, townhouses, row houses;
- b. Accessory dwelling units (as defined in Sec. 10-41) associated with single family dwellings;
- d. Live/work units that combine a residence and the resident's workplace
- e. Home occupation

3. Civic or institutional uses.

- a. Municipal offices, fire stations, libraries, museums, community meeting facilities, community centers, and post offices;
- b. Transit shelters;
- c. Civic club
- d. Church
- d. Open Space

(7) Uses permitted by special use permit. Any of the following uses permitted by special exception may be approved as part of the initial development plan at the time of rezoning; however, the board of supervisors may impose conditions on such uses even if approved as part of the initial development plan.

- a. Retail Sales and Services, above 10,000 square feet and no larger than 20,000 square feet in size
- a. Multifamily dwellings, including senior housing;
- b. Nursing Home, Congregate Care Facility, and assisted living facilities.
- c. Farm Market
- d. Hotels and Motels
- e. Conference or training center
- f. Home Business
- g. School
- h. Drive-through windows serving or associated with permitted uses provided such facilities are located at the rear or side of the structure and do not conflict with pedestrian travel ways. In no case shall the drive through lane or window abut or face a public street.
- i. Transition House

(8) Lot and Setback Standards:

(8)(i) Residential lot and building standards

(a) Lot standards for residential uses.

Single-family detached dwellings: Minimum Five thousand (5,000) square feet, Maximum Ten Thousand (10,000) square feet.

Single-family attached dwellings:
Minimum Fifteen hundred (1,500) square feet; Maximum of eight (8) single-family attached dwelling units connected together in one (1) group of units

Duplex dwellings: Minimum three thousand (3,000) square feet

Multi-family structures:
Eight thousand five hundred (8,500) square feet;

(b) Minimum lot width for residential uses.

Single-family detached dwellings: Forty (40) feet.

Duplex dwellings: Eighty (80) feet.

Single-family attached dwellings: Eighteen (18) feet.

Multi-family structures: Eighty (80) feet

(c) Maximum lot coverage. Eighty-five (85) percent.

(d) Required yards for residential uses.

1. Front: Front yard setbacks for new residential uses shall be established based on the setbacks of existing residential uses on the same block as follows:

a. The average of the front yard setbacks of new residential dwellings shall not vary more than three (3) feet from the average front yard setbacks of the existing residential dwellings located on either side of the proposed lot.

b. The average front setback of existing residential dwellings shall be established based on the 3 existing lots on either side of the lot in question, along the same block face as the lot in question. In cases where the 3 existing lots extend more than 300 feet from the proposed lot, the average setbacks shall only be calculated within 300 feet of the proposed lot.

c. If any of the 3 existing lots on either side of the proposed lot are more than twice the size of the proposed lot, they shall not be used to calculate average existing setbacks

d. In cases where there are no existing residential dwellings on either side of the proposed lot, the front setback shall be no less than ten (10) feet and no more than twenty (20) feet.

e. In no case shall the front setback less than ten (10) feet. Notwithstanding any other provisions (Sec 10-41), the minimum setback from the front property line to the porch shall be no less than six (6) feet.

2. Side: Side yard setbacks for new residential uses shall be established based on the setbacks of existing residential uses on the same block as follows:

a. The average of the side yard setbacks of new residential dwellings shall not vary more than two (2) feet from the average side yard setbacks of the existing residential dwellings located on either side of the proposed lot.

b. The average side setback of existing residential dwellings shall be established based on the 3 existing lots on either side of the lot in question, along the same block face as the lot in question. In cases where the 3 existing lots extend more than 300 feet from the proposed lot, the average setbacks shall only be calculated within 300 feet of the proposed lot.

c. If any of the 3 existing lots on either side of the proposed lot are more than twice the size of the proposed lot, they shall not be used to calculate average existing setbacks

d. In cases where there are no existing residential dwellings on either side of the proposed lot, the side setback shall be no less than eight (8) feet.

e. In no case shall the side setback less than eight (8) feet.

3. Rear. The Rear Yard Setback shall be not less than 20% of the total lot depth, except that the rear yard shall in no case be no less than fifteen (15) feet.

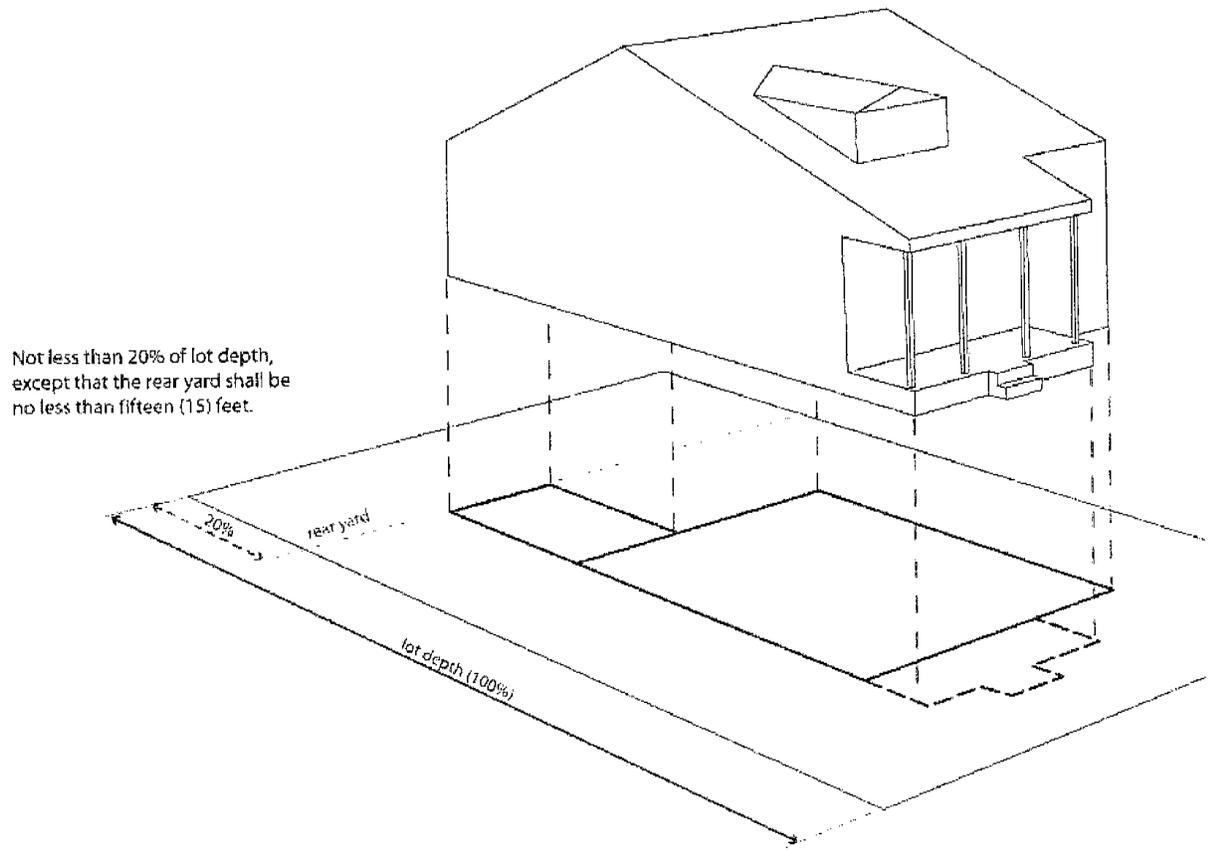


Figure 3. Calculating Rear Yard Setbacks.

4. Required Setback for accessory buildings and garages shall be not closer than five (5) feet to a side or rear lot line; accessory buildings and garages shall not permitted in front yards.

8(ii). Lot standards for Non-Residential Uses and Mixed Use Buildings.

(a) Lot standards for Non-residential Uses and Mixed Use Buildings.

Minimum Lot Size: Five thousand (5,000) square feet.

(b) Minimum Lot Width for Non-residential Uses and Mixed Use Buildings: forty (40) feet.

(c) Maximum lot coverage. Ninety (90) percent.

(d) Required yards for commercial uses.

1. Front.

Minimum: None. A minimum eight (8) foot wide sidewalk shall be provided along all lot frontages in which the setback is less than fifteen (15) feet.

Maximum: None; however, all building setbacks shall be designed so as to achieve the purpose and intent of the district to create streets that are framed by buildings and thus comfortable for pedestrians.

2. *Side.*

Minimum: None, unless adjacent to a residential structure in which case a minimum setback of ten (10) feet' shall be required.

Maximum: None; however, all building setbacks shall be designed so as to achieve the purpose and intent of the district to create streets that are framed by buildings and thus comfortable for pedestrians.

3. *Rear.*

Minimum: None

Maximum: None; however, all building setbacks shall be designed so as to achieve the purpose and intent of the district to create streets that are framed by buildings and thus comfortable for pedestrians.

4. *Accessory buildings.* Required Setback for accessory buildings and garages shall be not closer than five (5) feet to a side or rear lot line; accessory buildings and garages shall not permitted in front yards.

8(iii). *Modification of lot size, lot width standards, setbacks, and yard requirements.* Minimum requirements for lot size, setbacks, yards and other lot standards shall conform with subsection 8 of the TND- I districts, unless otherwise specifically modified by the approved concept development plan at the time of zoning approval. Modifications may be approved by the Board of Supervisors at the time of concept plan approval, provided that they do not:

1. Impair safety from the standpoint of fire and rescue access to properties;
2. Increase danger or probability of accidents involving vehicles and/or pedestrians;
3. Be done with the major purpose to decrease development costs;
4. Be done when the effect is to decrease privacy, adequacy of light and air, or buffering beyond base district regulations' effects; and
5. Result in a modification greater than 20% of the existing requirement.

(9) *Lot Access.* Lots shall be accessed from a road in the Virginia Department of Transportation (VDOT) system or from a hard-surfaced private street designed by a professional engineer to meet current VDOT subdivision street requirements (Sec. 8-152 of the County Code). Where parking is located to the rear of a building, parking areas may be accessed via an alley.

(10) *Building Height*

(a) Maximum Building Height. New single family and single family attached (including duplexes and townhouses) shall be no more than 35 feet [3 stories], or 45 feet [4 stories] for non-residential, multifamily residential, or mixed used structures.

(b) Minimum Building Heights. New Non-Residential, Multi-Family and Mixed Use Buildings shall not be less than 2 stories unless a waiver is granted by the Board of Supervisors at the time of rezoning approval.

(11) Additional Provisions for Non-Residential Uses:

(a) Ground floor residential is not permitted in Mixed Use Buildings.

(b) The footprint of the ground floor of a non-residential building, mixed use or multi-family building shall not exceed 10,000 square feet.

(c) Notwithstanding other buffer, landscaping and screening requirements of this chapter, outside storage areas for materials, equipment or trash are accessory uses, may not exceed forty (40) percent of building area, must be located in side or rear yards adjacent to building, and must be screened from view of adjacent streets or adjacent land.

(d) Where outdoor seating areas are proposed, a minimum sidewalk width of five (5) feet must be maintained between the limits of the outdoor seating area and the roadway edge of the sidewalk.

(12) Site and Building Design:

(a) Architectural Standards

All development (residential and non-residential) shall be of a compatible design with residences located on the same block and shall follow these design standards:

1. Building materials shall be of siding, brick, stone or other materials that are similar in color and otherwise in common with other buildings located on the same block face.
2. Buildings shall provide offsets, projections, and or recessed entries located at least every 30 feet along a facade facing a public street.
3. Building size, height, bulk, mass, scale shall be similar in height and size or articulated and subdivided into massing that is more or less proportional to other structures in the area, and maintains the existing architectural rhythm along the same block face as the proposed development.

4. Buildings shall use at least three of the following design elements along the facades facing public streets, provided that the design elements do not conflict with the provisions of Section 10-41(7):

- a) dormers
- b) gables (pitch not less than 4:12)
- c) recessed entries
- d) covered porch entries
- e) cupolas
- f) pillars or posts
- g) bay or bow window (minimum 12 - inch projection)
- h) eaves (minimum 6 - inch projection)
- i) off-sets in building face or roof (minimum 16-inches)

(b) Site Design – Non-Residential, Mixed Use and Multi-Family Units

- 1) Parking areas shall be located to the rear of non-residential, mixed use or multifamily buildings;

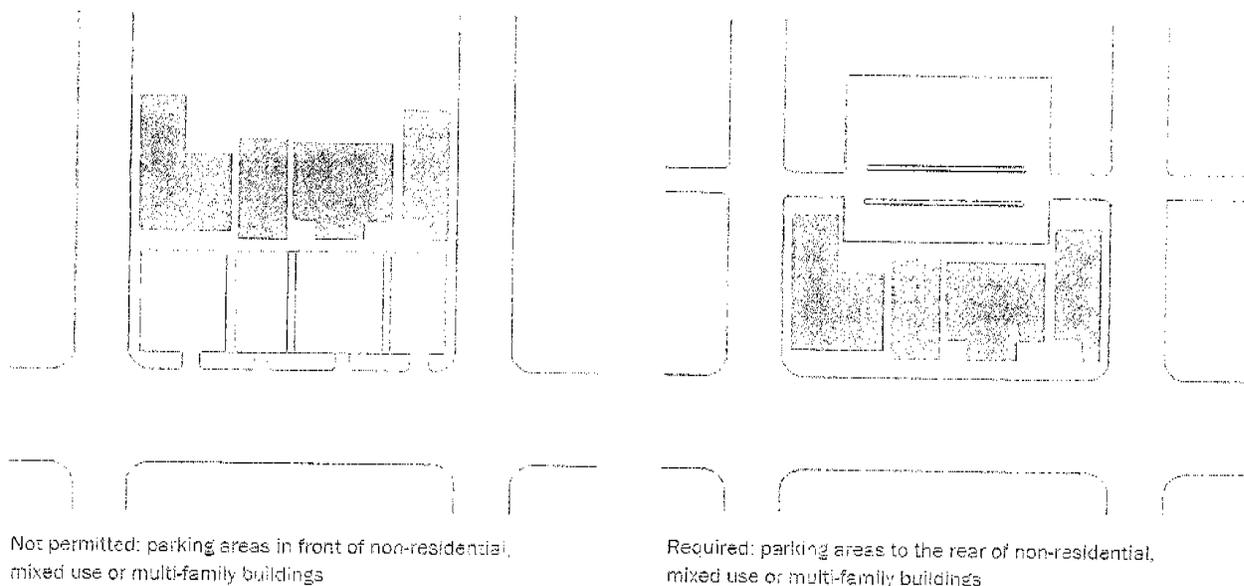


Figure 4. Location of Parking Areas.

- 2) Street level frontage of commercial buildings shall be devoted to entrances, shop windows or other displays;
- 3) Clear pedestrian pathways shall be provided between buildings on the same lot and between buildings on adjacent lots to ensure a continuous pedestrian pathway throughout the district;
- 4) Crosswalks shall be incorporated within the project, at intersections where new streets are proposed, within parking lots, or other needed pedestrian connections as approved by the County, VDOT or the County's designee. Crosswalks shall be designed to be an amenity to the development, e.g. heavy painted lines, pavers, edges, and other methods of emphasizing pedestrian use. Bulb-outs and other pedestrian designs may be used to shorten walking distances across open pavement. Medians may be used in appropriate areas to encourage walking and to act as a refuge for crossing pedestrians;

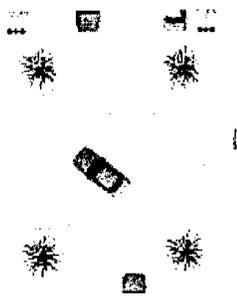


Figure 5. Bulb-outs and crosswalks.



Figure . Crosswalk and Median Refuge.

- 5) Where residential neighborhoods abut commercial, office or mixed use developments, appropriate transitional features shall be used and may include landscaping, open space or parks, or streets with clearly designed pedestrian features;

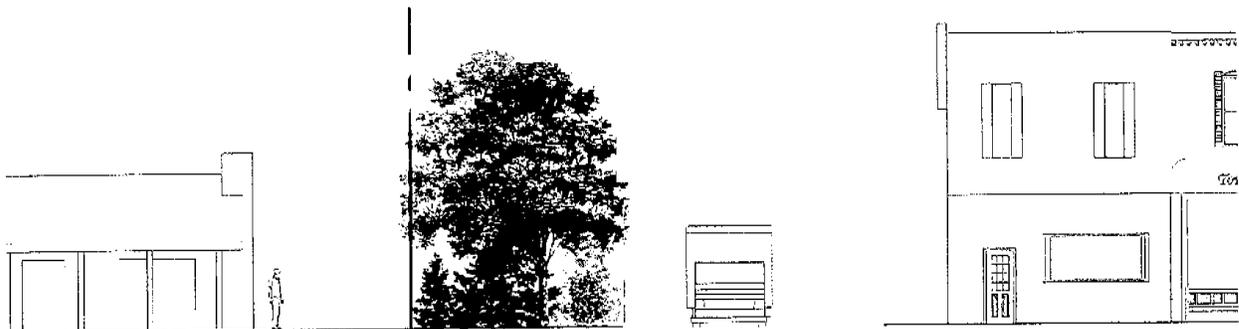


Figure 7. Example of landscaping as a transitional feature between residential and commercial developments.

- 6) Primary entrances to proposed and existing buildings are situated on pedestrian amenities (e.g., sidewalks, plazas or open space) with a minimum width of 10 feet;
- 7) Adequate access for loading and emergency vehicles is maintained on one side of the building; and
- 8) For corner lots, the front of the lot will be determined by the prevailing building pattern, and the front façade of proposed development shall be located along the street frontage that has the majority of front facades within the block on which the subject property is located.

(c) Parking Standards

- 1) Parking and loading spaces shall be provided as required in section 10-44 except that on-street as well as off-street parking spaces may be counted toward satisfying the requirements.
- 2) On-street parking spaces assigned to a building or use shall be those spaces that abut the lot containing that building or use. All required handicapped parking spaces shall be provided off-street.
- 3) Parking requirements provided in section 10-44 may further be reduced upon approval by the zoning administrator of an acceptable mass transportation or alternative transportation plan that adequately documents a reduced need for parking by demonstrating that potential visitors to the site, including residents, employees and customers will be using mass transportation or alternative transportation to visit the site.
- 4) Required off-street parking spaces may be provided cooperatively for two (2) or more uses, subject to arrangements that will assure the permanent availability of such spaces to the satisfaction of the administrator. The amount of such combined space shall equal the sum of the amounts required for the separate uses, provided, however, that the administrator may reduce the total number of spaces if the administrator determines that some or all of the spaces may serve two (2) or more uses by reason of the daily hours of operation or seasonal activity of such uses. Shared parking shall be permitted upon approval by the zoning administrator of a shared parking plan prepared and submitted by the applicant. Upon approval, such a shared parking plan shall result in a reduction in the total amount of required parking, in an amount determined at the time of approval of the rezoning application or by the zoning administrator.
- 5) Off-street parking and loading spaces shall be located behind principal structures and may be served directly or indirectly by alleys.
- 6) Parking lots or garages must provide not less than one bicycle parking space for every ten (10) motor vehicle parking spaces.

(13) Additional Submittal Requirements:

(a). In addition to all county submittal requirements outlined in this ordinance, an applicant wishing to rezone to this district will be required to submit a property survey, as prepared by a Licensed Surveyor, showing clearly and accurately all property lines, casements, encumbrances and all existing structures on the property. The survey must have been completed within five (5) years of the time of the application for rezoning, or since any modification to the property, whichever is sooner. The required fees for the rezoning application may be reduced by the Zoning Administrator to offset the cost of the property survey.

SUPPLEMENTAL NOTES:

Summary of Other Sections that may need to be revised to support the new TND-Infill District:

- Sections 10-3 and Sec. 10-5 will need to be reviewed as the TND districts are finalized to determine if there are any conflicts with the way setbacks and yards are measured or established and/or the lot use regulation provisions are structured.
- Sec. 10-41 (1) Supplemental district regulations which include limitations on accessory dwellings would need to be revised to allow for the use of accessory structures as dwelling units in the TND. This should include the number, size (600-800 SF)-of accessory dwelling units, as well as standards for whom or how many may occupy such units.
- Sec. 10-41 (9) Number of dwelling units per parcel should be reviewed to ensure there is no conflict with final TND district standards that allow for new unit types and accessory dwelling units.
- Sec. 10-41 (17) Private street standards requiring design be in accordance with VDOT subdivision standards will need to be evaluated if alley ways are a permitted feature of the TND districts.
- Sec. 10-43. Landscaping and buffering may need to be revised to include provisions for, or be superseded by, the TND district; the current standards don't address mixed use development or structures in a way that is conducive to TND design.
- Sec. 10-44. Off-street parking and loading standards will need to be revised to address reduced parking standards in TND, parking calculations, use of off-site parking to meet requirements, shared parking provisions, and provisions for mixed use buildings.
- Provisions in-Sec. 10-47 relating to non-conformities may need to be revised if the County pursues redevelopment waivers to promote mixed use.

Sign Ordinance Research

Locality	Sign Height	Multi-Business/Tenant Signs	Off-Premise signs	LED Sign Regulations	Other Comments or Notes
Gloucester	10 ft. in all districts except two which allow 12 ft (B4 & I1)	1 freestanding sign allowed per lot. Number of wall signs vary by district and building size.	No more than 1 off-premises sign is allowed for any single business or purpose . Only allowed in Business districts.	No sign shall be illuminated by or contain flashing, rotating, intermittent, or moving light or lights.	
Henrico	25 -45ft. Maximum in Business districts.	1 freestanding sign per detached building. 1 freestanding sign per public street.	No reference found	Prohibits any sign intended to attract attention by sound or by movement of any part of the sign. However, does not apply to signs that indicate the temperature or time by digital displays that change no more frequently than every four seconds. In addition, changeable message signs are specifically permitted in business and industrial districts provided that the message shall not change more frequently than once every ten seconds, entry and exit modes shall be consistent for all frames, and the sign shall not employ hold modes such as twinkle or bijou effects. Prohibits any sign with flashing or intermittent lights, continuous changes of message (such as bijou effects, continuous traveling effects, and animation), lights of changing degrees of intensity, and lights or lighting effects that cause glare.	
Manassas	25 ft.	1 freestanding sign per public street.	Signs for semipublic use, community signs, subdivision signs, and signs for church, chapel, synagogue, temple or other place of worship. One sign is permitted per subdivision, community, or use, subject to the following requirements: The sign shall not exceed 32 square feet. If the sign is not on property belonging to the user, a perpetual easement shall be recorded prior to the issuance of a permit. The easement shall identify the entity responsible for the sign's maintenance.	The message shall not be changed more frequently than three times in a 24 hour period and the content of the message must otherwise be static. Interchanging of time and temperature displays may occur no more than once in a 30 second period. Time and temperature shall not be interchanged with any other message content on the sign.	
Roanoke County	10-25 ft. (larger heights permitted with increased setbacks)	No reference found	No reference found	Prohibits any sign that due to its size, location, color, or illumination obscures a sign displayed by a public authority for the purpose of giving traffic or safety instructions or directions.	References Electronic Message signs; however, could not find any requirements
S rd County	8-12 ft.	1 freestanding sign per public street.	No reference found	Prohibits having any image(s) and/or message(s) which continually, intermittently or regularly change, flash, blink, flicker, flutter or rotate (clockwise and/or counter-clockwise) on any cycle lasting fewer than five (5) seconds. May not be located within five hundred (500) feet of any property having a historic designation. May not have any image(s) and/or message(s) which contain(s) four (4) or more visible colors, including the background, within each image and/or message	

Sign Ordinance Research					
Locality	Sign Height	Multi-Business/Tenant Signs	Off-Premise signs	LED Sign Regulations	Other Comments or Notes
VA Beach	12 ft.	One center identification sign may be erected for each principal entrance. Such identification sign shall specify only the name of the center. Alternatively, such signs may display the names of tenants as well as the name of the center if (i) the portion of a sign on which tenant names are displayed does not exceed sixty (60) percent of the total sign area; (ii) the portion of a sign on which tenant names are displayed is of a uniform color; (iii) the top of the face of such sign does not exceed eight (8) feet in height and the top of any decorative cap on such sign does not exceed ten (10) feet in height; (iv) such sign does not exceed twelve (12) feet in width; and (v) the face of such sign is surrounded by a minimum of six (6) inches of framework constructed of a material matching in color and texture the primary exterior building material of the principal structure in the center	No reference found	No sign shall have blinking, flashing or fluttering lights or other illuminating devices which are so constructed and operated as to constitute a public safety or traffic hazard	Additional Freestanding signs are permitted based on amount of public road frontage.
Williamsburg	12 ft.	Two or more businesses in the same building or on the same lot or on adjoining properties under the same ownership, having shared parking lots and/or driveways. Number of freestanding signs permitted: One sign for each business with a separate main exterior entrance. Where two or more businesses share a main exterior entrance, one sign shall be permitted to be shared by the businesses located therein. Where one or more businesses has a rear entrance from an adjacent parking lot, one additional freestanding sign may be placed at the rear entrance. Other districts allow one freestanding sign per public street.	No reference found	For signs with changeable message panels or zip tracks, the changeable message area of the sign shall not exceed 25 percent of the total sign area, except for gasoline price signs which shall not exceed 75 percent of the total sign area. Reverse white or light-colored lettering with no white background is required. Electronic changeable message boards shall be prohibited. No sign shall display flashing or intermittent lights, or other lights of changing degrees of intensity, brightness or color.	Allows One addl freestanding sign or an increase in the amount of sign area (not more than 25%) by special exception through the BZA. Must prove hardship to receive exception.
Current Ordinance Montgomery County	12 ft.	Additional regulations for shopping centers only- additional wall signage and 1 freestanding sign per public street (Still cannot exceed 150 square ft. in area per lot)	Only permitted in Business and Industrial Zoning Districts	Not regulated	With a SUP through the BZA additional sign height can be obtained for freestanding signs.
Recommendations Montgomery County	12Ft	One center identification sign for each principal entrance. See VA Beach requirements.	For all districts: Signs for semipublic use, community signs, subdivision signs, and signs for church, chapel, synagogue, temple or other place of worship. One sign is permitted per subdivision, community, or use (See additional requirements above- Manassas) Agricultural zoning district: allow other uses to have an off premise sign per above requirements with a SUP from the BZA.	Discussion and suggestions are welcomed	Allow an increase in the amount of sign area (not more than 25%) by SUP through the BZA. Must establish criteria to be met.



MONTGOMERY COUNTY PLANNING & GIS SERVICES

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Board of Supervisors
Planning Commission

FROM: Planning Staff *SSJM*

DATE: March 2, 2011

RE: Eagle Rock Subdivision Request to Allow Private Subdivision Streets of Oilwell Road on
Prices' Mountain (Tax Map 066-A-1, ID # 002706)

Developer: Triple J Investments Inc. (William H. Price, President)

Engineer: Anderson and Associates, Blacksburg VA

PC Site Visit: February 16, 2011

Background

Triple J Investments Inc. purchased 619.2383 acres on Price's Mountain in January 1989. On July 8, 1996 155.14 acres were rezoned from A-1 to R-1, and 251.23 were rezoned from A-1 to R-2 for North Woods Phase 1 Subdivision to be located on Merrimac Road (SR 657). The rezoning was approved with seven (7) conditions (See attached Ordinance 1996-11). In 1996, a portion of this area was proposed to be rezoned to RM-1; however due to a lack of public utilities in the subject portion of the County and public concern regarding increased densities, the area was deemed less than appropriate for RM-1 zoning and the request to rezone that 78 acre area was withdrawn.

The developer desires to subdivide 132 acres on the north side of Price's Mountain into nine (9) individual lots to be served by well and septic and to be accessed using a proposed private road, in excess of 1800 feet in length, ending in a cul-de-sac. The sketch provided by Anderson and Associates, dated February 3, 2011, shows eight (8) potential home lots ranging in size from 4.57 to 10.41 acres, and one (1) remainder tract totaling 72.29 acres that would use a private road to access Oilwell Road (Rt. 824). The nine (9) proposed lots are the maximum allowed in Montgomery County under the existing Agricultural A-1 zoning, due to the sliding scale of permissible density.

Subdivision Ordinance

Under Section 8-152(b)(3) of the Subdivision Ordinance, the Montgomery County Board of Supervisors **may** allow private streets in single-family developments provided – "Private streets may be permitted only if the subdivision has a median lot size of three (3) acres or greater, and a length of street per lot ratio of one hundred fifty (150) feet per lot or greater. Such streets shall have a maximum grade of eighteen (18) percent and a minimum width of all-weather surface or pavement of (18) feet. Approval will be based upon review of an access plan that shall include construction specifications, as well as maintenance plan or agreement". This proposal does appear to meet the requirements for consideration by the board of supervisors.

Moreover, Section 8-114 explains the purpose of the Subdivision Ordinance as: (a) The purpose of this article is to establish certain subdivision standards and procedures for the county as provided for by the Code of Virginia and (b) These regulations and standards are part of a long-range plan to guide and facilitate the orderly, beneficial growth of the community and to promote the public health, safety, convenience, comfort, prosperity, and general welfare. More specifically, the purpose of these standards and procedures is to:

1. Provide a guide for the change that occurs when lands become urban in character as a result of development for residential, business, or industrial purposes;
2. Provide assurance that the purchasers of lots are buying a commodity that is suitable for development and use;
3. Make possible the provision of public services in a safe, adequate, and efficient manner;
4. Insure proper legal description and marketing of subdivided land;
5. Provide for orderly development in accordance with the policies of the County Comprehensive Plan and applicable zoning regulations

Comprehensive Plan

This area is designated as Residential Transition in the Montgomery County 2025 Comprehensive Plan. According to PLU 1.5 Residential Transition Areas are generally defined as "stable, low density residential neighborhoods in close proximity to Municipalities and Urban Expansion or areas of higher density residential development outside of Villages, Village Expansion Areas, and Rural Communities, such as major subdivisions and mobile home parks. These areas include undeveloped land that has been previously zoned for residential development. There is limited public sewer and/or water service in some of these areas".

PLU 1.5.1 states that "the predominant and preferred land use in Residential Transition areas is residential. The type of residential developments depends upon the location of the residential transition area and may include single family detached homes or manufactured home parks". SFY 1.4 encourages the County to proactively consider public safety issues in the review and approval of new residential, commercial, industrial, and institutional developments.

Impacts

The applicant has indicated that a private street would increase privacy with reduced disturbance to the land. The applicant has stated that the proposed street would have a 50 foot right of way and a maximum grade of 17%. This grade on a "north facing" slope could pose icing problems in winter months. VDOT secondary street regulations allow state maintained streets to have a 40 foot right of way for low volume roads and a grade of up to 16% in some cases. It would appear that the road could be built to meet VDOT standards. The County has experienced problems in the past with allowance of private streets. Residents often approach the board of supervisors after several years requesting that their private road be taken into the VDOT system. Oftentimes this is due to maintenance issues and the lack of services, such as school bus service and post office delivery.

Recently, the board of supervisors approved a request for private streets on Fort Lewis Mountain in the H.S. Tejas Subdivision. To address private road concerns expressed by staff and the planning commission, the board attached a number of conditions to the approval including the requirement that a "Notice to Potential Purchasers" be included with the real estate documents. This

notice was in addition the required maintenance agreement and private road notes on the subdivision plat.

Staff Recommendation

Planning Staff preliminarily recommends **denial** of the request to allow the use of private streets for a nine (9) lot subdivision on Price's Mountain for the following reasons:

1. The request would allow development that may not be adequately or safely served by fire and/or rescue personnel in the event of an emergency.
2. The road is over 1800 feet in length and the County Emergency Services Coordinator has expressed concern that the proposed subdivision does not have a water supply for fire protection.
3. Other portions of Northwoods Subdivision have received preliminary subdivision approval but have never been platted and recorded.
4. The road could be built to VDOT standards with little additional design and construction.
5. Private streets do not allow use by school buses and the United States Postal Service.

Attachments:

Letter dated February 9, 2011 from William H. Price, outlining the intent of the developer, construction specifications for proposed private road, and draft Declaration of Road Maintenance

Preliminary Plat dated February 3, 2011 showing the preliminary plan, and preliminary road profiles

Ordinance 1996-11

Zoning Map



PRICE REAL ESTATE • *William H. Price* • *Broker*

2401 SOUTH MAIN STREET, SUITE E • POST OFFICE DRAWER 199 • BLACKSBURG, VIRGINIA 24063 • Telephone: 540 / 552-6897
FAX: 540 / 951-0243

February 9, 2011

Steve Sandy, Planning Director
Montgomery County Planning Dept.
755 Roanoke St., Suite 2A
Christiansburg, VA 24073

RE: North Woods West (Prices Mountain) Prices Fork Magisterial District

Dear Mr. Sandy:

Enclosed is our submittal for approval to divide a portion of the above property into 8 (eight) parcels of approximately 5 – 10 acres each after having talked with 2 or 3 prospects desiring larger parcels of land that are somewhat prestigious with increased privacy without a typical subdivision atmosphere.

To accomplish the objective of increased privacy with reduced disturbance to the land, we are requesting to construct a private road to be maintained by the owners that would not be a part of the VDOT system.

Some adjustment to the proposed property lines could be needed to accommodate approved well and septic system requirements to be determined by our soil engineer.

Some years ago, we requested county approval to construct townhomes in this area and at that time learned that not only Blacksburg but our neighbors preferred density lower than the 180 townhomes proposed. Our current plan seems more in line with that thinking and preserves the residual for forestry or other possible uses as appropriate for A-1 zoning.

We anticipate using the name of Eagle Rock Drive or Eagle's Landing, subject to 911 approval.

I appreciate your continued assistance and guidance as we desire to move forward with some development in balance with needs as well as current economic conditions.

Should you have any questions, concerns or recommendations please advise.

Sincerely,

TRIPLE J INVESTMENTS, INC.

William H. Price, President

WHP/sm
Enclosures

2/4/11

Construction Specifications for Eagle Rock Drive:

Private Streets shall comply with Section 8-152(b)(3) of the Montgomery County Code, as follows:

1. Length of street per lot ratio of one hundred fifty (150) feet per lot or greater.
2. Streets shall have a maximum grade of eighteen (18) percent.
3. Street shall have a minimum width of all-weather surface or pavement of eighteen (18) feet.
4. Dead-end streets shall have cul-de-sac type turnarounds at their ends, with radius equal to the right-of-way width.
5. Street identification signs of a design approved by the agent shall be installed at the intersection of Oilwell Road.
6. Street shall be centered within the private access easement.
7. Private access easement width shall be a width of (40) forty feet in width or greater.

DECLARATION OF ROAD MAINTENANCE

THIS DECLARATION made this ____ day of _____, 2011, by **Triple J Investments, Inc., a Virginia Corporation**, hereinafter referred to as "Declarant";

WHEREAS, the Declarant is the owner of a certain tract or parcel of land situated in the Prices Fork Magisterial District of Montgomery County, Virginia, more particularly described as "Plat of Major Subdivision of the _____", hereinafter named Major Subdivision; and

WHEREAS, THE Declarant has subdivided said parcel as shown on that certain plat of subdivision named "Major Subdivision", dated _____, made by Anderson and Associates, marked as Exhibit A, attached hereto and incorporated herein by reference as a part hereof; and

WHEREAS, the Declarant desires to subject said lots in such subdivision to the fifty foot access easement hereinafter set forth and to subject such lots to the covenants, liens, and charges for private maintenance and improvement of the Access Easement as hereinafter set forth, which are for the benefit of the lots served by such Access Easement and the Owners hereof.

NOW, THEREFORE, the Declarant declares that the lots shown on the said subdivision plat named "_____" and attached hereto as Exhibit "A", shall be held, transferred, sold, conveyed and occupied subject to the covenants, easements, liens and charges hereinafter set forth which are hereby imposed to enhance and protect the value and desirability of said lots. The provisions set forth herein shall run with the land and shall be binding upon any and all parties who have, or shall acquire any right, title or interest in all of any part of the said lots and shall inure to the benefit of each Owner thereof.

ARTICLE ONE

DEFINITIONS

The following words, which used in this Declaration, shall have the following meanings:

1. **“Access Easement”** shall mean and refer to the fifty foot (50’) easement established in Article Two hereof.
2. **“Owner”** shall mean and refer to the record Owner, whether one or more persons or entities, including Declarant, of the fee simple title to each lot served by the Access Easement including contract sellers, but excluding those having such interests merely as security for the performance of an obligation. In the case where any such lot is held by one or more persons for life with the remainder to another or other, the term **“Owner”** shall mean and refer only to such life tenant or tenants until such time as the remainderman or remaindermen come into use, possession or enjoyment of such lot. In the case where any such lot is beneficially owned by more than one person, such persons may exercise the rights provided herein as they may choose among themselves; provided, however, that each lot shall be entitled to only a single vote; and provided further that each such person shall be jointly and severally liable for any assessment made with respect to such lot.

ARTICLE TWO

ACCESS EASEMENT

1. **Establishment of Access Easement:** The Declarant does hereby establish and impose a perpetual non-exclusive access easement fifty (50') feet in width from the North Side of Oil Well Road (Public Right-of-Way) on Prices Mountain, across the lots created by the plat, designated as a 50' Access & PUE Easement on the aforesaid plat of survey.
2. **Maintenance:** The Access Easement is private and requires private maintenance as hereinafter set forth. The cost of repair, maintenance, upkeep, improvement or replacement of the Access Easement and the private road located therein will not be borne by the County of Montgomery, the Commonwealth of Virginia, or any other public agency, but rather shall be the responsibility of and borne as follows:
 - a. **Declarant:** The costs of the initial improvements to the existing private road (grading, seeding, drainage ditches, culvert pipe, etc.) within the Access Easement shall be borne and completed by the Declarant. Upon the completion of such initial improvements, the Declarant shall have the rights of an Owner to each lot actually owned by it; except that, as to any assessment made pursuant to paragraph 3 of this Article, the Declarant shall have one vote per lot that it owns.
 - b. **Owners of Lots:** The Owners of the lots shall be responsible for and shall bear equally, the costs of maintenance of the private road and related improvements within the Access Easement.
 - c. **Damage from Construction Activities:** Notwithstanding the foregoing, each Owner shall be solely and exclusively responsible for the shall fully bear the cost of maintenance within the access easement necessitated by construction activities on his/her lot, and each Owner shall restore any portion of the Access

Easement damaged by his/her construction activities to at least the Access Easement's prior condition upon completion of such construction.

3. **Assessments:**

- a. **Standards of Maintenance:** The Owners of the lots served by the Access Easement shall determine (by a majority decision) the standards to which the Access Easement and private road located therein shall be maintained; provided, however, that any portion of the private road and related improvements shall be maintained in such condition that the private road is passable at all times for ordinary use by passenger vehicles, excepting only severe, temporary conditions such as snow or ice, with gravel of appropriate type, depth and width, and drainage ditches and culverts as necessary. Periodic removal of ice and snow shall be deemed to be maintenance if the Owners of a majority of the lots shall so determine. The expense of such maintenance shall be assessed against each lot served by the Access Easement in equal shares. A notice of such assessment shall be delivered to the Owner of each such lot. Each notice of assessment shall be presumed to have been delivered in accordance with this Article if it shall be mailed, by first class mail, postage prepaid, to the Owner of such lot at the address listed in the Office of the Commissioner of Revenue of Montgomery County for such Owner for real estate tax purposes.

- b. **Improvements by Individual Owners:** Any Owner may, at his/her own expense, make such improvements to the Access Easement as he/she may deem advisable, from time to time; provided, however, that all such improvements shall be carried out in a manner consistent with good engineering practice and without interruption of service for the Owners of a majority of the lots served by the Access Easement, any Owner making such improvements shall be solely liable for all additional liability for additional maintenance expenses proximately caused by such improvements. Such liability for additional maintenance

expenses may only be enforced by assessment as provided in this Article.

- c. **Other Improvements:** In the event that it shall be determined by a majority of the lots served by the Access Easement that it is desirable to make improvements thereto, other than ordinary maintenances, the owner of each lot served by the Access Easement shall be liable for his/her proportionate share of such expense, which expense shall be divided equally among all the lots served by the Access Easement. Such liability shall be evidenced by an assessment made by vote of the majority of the Owners of the lots served by the access Easement. A Notice of such assessment shall be delivered to the Owner of each lot served by the Access Easement. Each notice of assessment shall be presumed to have been delivered, in accordance with this Article, if it shall be mailed, by first class mail, postage prepaid, to the Owner of such lot at the address listed in the Office of the Commissioner of Revenue of Montgomery County for such Owner for real estate tax purposes.

4. **Collection of Assessments:**

- a. **Personal Liability:** Each Owner shall be personally liable and responsible for his/her share of the assessments provided in this Article, which are incurred during his/her Owners of his/her lot, and shall pay to the person or corporation performing the work for such assessment was made, his/her share within fifteen (15) days following completion of such work.
- b. **Enforcement:** If any Owner shall fail to pay his/her proportionate share of the costs of maintenance for which he/she is responsible, as provided herein, any other Owner or the person or corporation performing such maintenance, may bring an action at law against each Owner failing to pay his/her proportionate share, and/or foreclosure the lien provided herein against said Owner's Lot. The amount due by any delinquent Owner shall bear interest at the maximum judgment rate

provided by law from the date of completion of the maintenance, and the delinquent Owner shall be liable for all cost of collection, including, but not limited to, reasonable attorney's fees.

- c. **Liens:** There shall be a continuing lien on each of the said lots to secure the payment of the assessments described herein. Such lien shall be at all times subject to the provisions of paragraph 4(d) of this Article and shall be enforceable in the same manner as a non-judicial foreclosure proceeding.
- d. **First and Second Deeds of Trust:** The lien provided by this Article shall be at all times subject to any first or second deed of trust placed on any lot at any time until notice of such lien is recorded in the Office of the Clerk of the Circuit Court as hereinafter provided. If any assessment is not paid by any Owner of a subject lot within fifteen (15) days after the same becomes due and payable, a notice of such non-payment as to such lot may be recorded by any other Owner or by the person or corporation of Montgomery County, Virginia, and from the time of such recordation the amount stated in the notice, together with interest, costs of collection, and reasonable attorney's fees shall become a lien prior to any first or second deed of trust recorded subsequent to the date and time of recordation of such notice of assessment.

ARTICLE THREE

FURTHER SUBDIVISION OF A LOT

No lot served by the Access Easement shall be re-subdivided without the express written consent of the Owners of all lots served by the Access Easement. Further Subdivision of any lot may be governed by the "Lot Assignment", made by the Declarant and reflected in the "Lot Assignment Table", as shown on the plat as required by Montgomery County.

ARTICLE FOUR
IMPROVEMENT TO PUBLIC ROAD STANDARDS;
DEDICATED TO PUBLIC USE

The Access Easement is not a public road and is not eligible for inclusion in the Virginia Secondary Highway System.

ARTICLE FIVE
ASSIGNMENT OF RIGHTS

The rights set forth herein relating to assessments for maintenance and improvement, including the collection thereof, may be assigned by the Owners to an association incorporated for that purpose. The members of any such membership in the association shall be the Owners of all lots in the subdivision, and membership in the association shall be non-servable from the ownership of each such lot. The voting rights of the members of any such association as to assessments for maintenance and improvements shall be the same as the voting right of Owners pursuant to this Declaration. Such assignment shall be in writing, signed by the Owners of all lots in the subdivision and recorded in the Clerk's Office of the Circuit Court of Montgomery County, Virginia.

ARTICLE SIX
GOVERNING LAW; VENUE

This declaration shall be construed and enforced in accordance with the laws of the Commonwealth of Virginia. Exclusive venue for any dispute arising hereunder shall be in the courts of Montgomery County, Virginia.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be executed on its behalf by its duly authorized parties hereto affix their signature and seal.

Triple J Investments, Inc.

BY: _____ (SEAL)

STATE OF VIRGINIA
COUNTY OF MONTGOMERY, TO-WIT:

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by _____ on behalf of Triple J Investments, Inc.

Notary Registration Number: _____

My Commission Expires: _____

Notary Public

NOTES:

1. A-1 ZONING AREA = 132 Ac±
2. PROPOSED ROAD SHALL BE PRIVATELY MAINTAINED
3. MAINTENANCE AGREEMENT FOR THE ROAD SHALL BE PREPARED BEFORE FINAL PLAT APPROVAL
4. LOTS SHALL BE SERVED BY PRIVATE WATER AND SEWER (WELL AND DRAIN FIELDS)
5. THIS PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE DURING FINAL DESIGN. NOT FOR RECORDATION OR CONSTRUCTION.

Mark A. Heberle
Instr. No. 2002007364
Tax Map ID: 065-A-78C
Zoning: A1

Line Assignment Table, A-1 Zoning District		
Before Subdivision		
Parcel	A-1 Area	Lot Assignment
Tax Parcel 66(A)1	5,749,920 Sq. Ft. 132 Acres	9
After Subdivision		
New Parcel 1	208,652 Sq. Ft. 4.79 Acres±	1
New Parcel 2	199,069 Sq. Ft. 4.57 Acres±	1
New Parcel 3	273,992 Sq. Ft. 6.29 Acres±	1
New Parcel 4	348,915 Sq. Ft. 8.01 Acres±	1
New Parcel 5	271,814 Sq. Ft. 6.24 Acres±	1
New Parcel 6	453,459 Sq. Ft. 10.41 Acres±	1
New Parcel 7	376,794 Sq. Ft. 8.65 Acres±	1
New Parcel 8	373,744 Sq. Ft. 8.58 Acres±	1
Remainder Tax Parcel 66(A)1	3,148,952 Sq. Ft. 72.29 Acres	1

N85° 36' 06.86"W
143.147

SBA Properties, Inc.
Db. 1246 Pg. 87
Tax Map ID: 065-A-84, 66(c)
Zoning: A1

Peter Anderson
Judith Anderson
Instr. No. 2002006243
Tax Map ID: 066-A-168C
Zoning: R1

Joyce Arditti
Db. 781 Pg. 552
Tax Map ID: 066-9-2
Zoning: R1

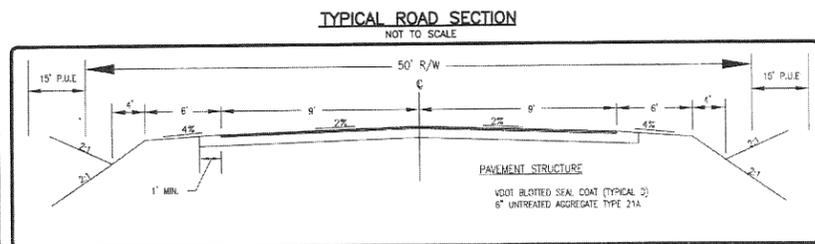
Triple J Investments, Inc.
Db. 781 Pg. 552
Tax Map ID: 066-9-3
Zoning: R1

Randall Robinson
Sharon Robinson
Tax Map ID: 066-A-157A
Zoning: R1

Donald Melia
Evelyn Melia
Instr. No. 2002008432
Tax Map ID: 066-A-157
Zoning: R1

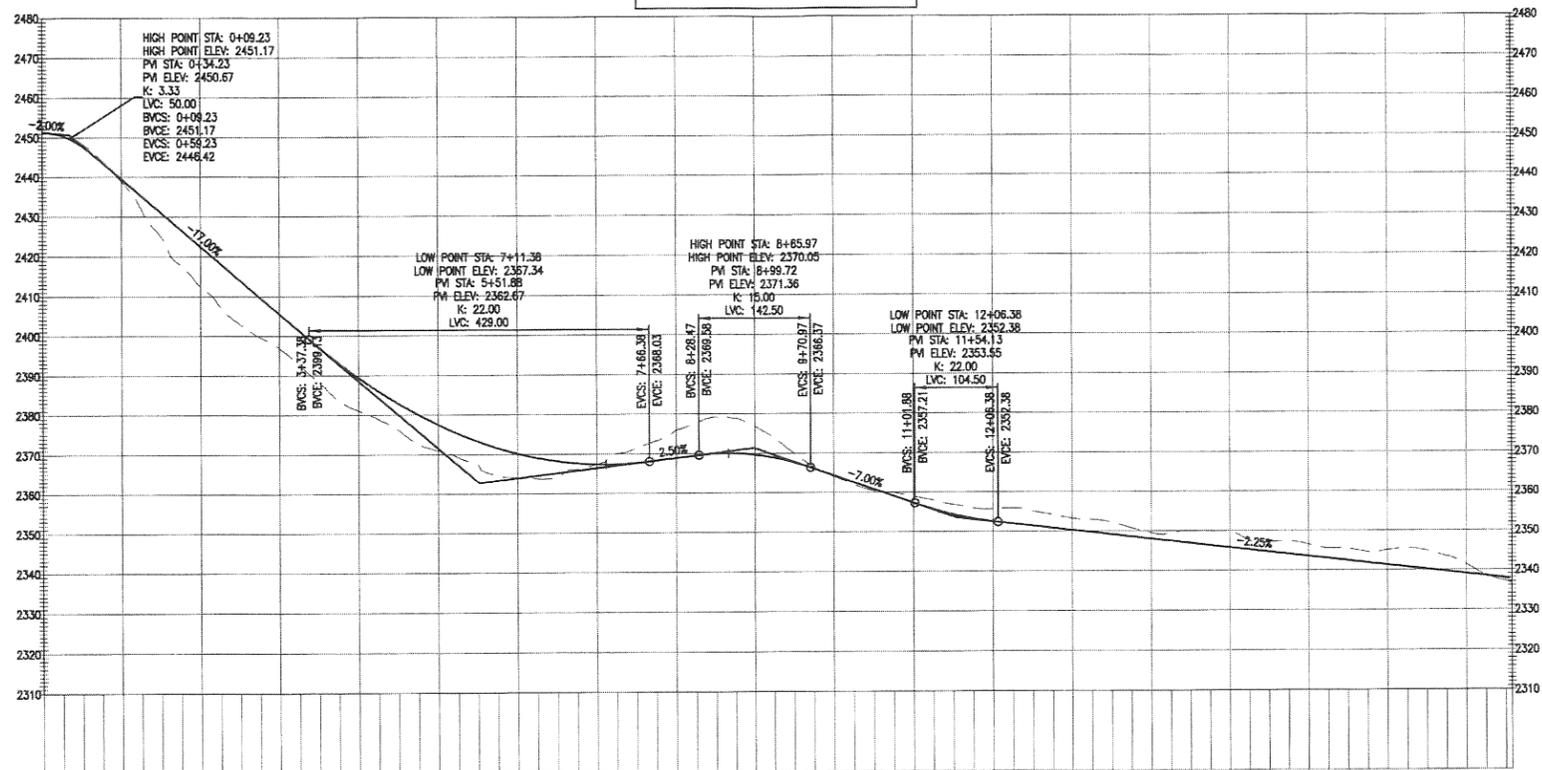
Triple J Investments, Inc.
Db. 642 Pg. 259
Tax Map ID: 066-A-1
Zoning: A1

Triple J Investments, Inc.
Db. 642 Pg. 259
Tax Map ID: 066-A-1
Zoning: A1



Bowman, Lowell / 2/7/2011 4:53 PM / c:\users\lowman\desktop\engie_r\rock.dwg

EAGLE ROCK DRIVE
From STA 0+00.00 to STA 18+57.63



AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 8TH DAY OF JULY, 1996 AT 7:00 P.M. IN THE BOARD CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried,

ORDINANCE 1996-11

An Ordinance Amending or Changing the Zoning Classification of 147.96 Acres (Parcel #3) from Agriculture (A-1) to Residential (R-1); 251.23 Acres (Parcel #4) from Agriculture (A-1) to Residential (R-2); and 7.18 Acres from Agriculture (A-1) to Residential (R-1)

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of approximately 147.96 acres (Parcel #3) of land is hereby changed, amended and rezoned from the zoning classification of Agriculture (A-1) to Residential (R-1); 251.23 acres (Parcel #4) of land is hereby changed, amended and rezoned from the zoning classification of Agriculture (A-1) to Residential (R-2) and 7.18 acres from Agriculture (A-1) to Residential (R-1) subject to the following nine proffered conditions:

- 1) No more than 74 dwelling units shall be constructed in Parcel 3.
- 2) No more than 250 dwelling units shall be constructed in Parcel 4.
- 3) Dedicated open space shall be provided within each parcel, as shown below:

Parcel 3	29.59 acres minimum
Parcel 4	50.25 acres minimum

All open space shall conform to the criteria for ownership and maintenance contained in Section 10-214(d) of the County zoning ordinance.
- 4) A site suitable for a water tank shall be given to the Montgomery County Public Service Authority as recommended in the preliminary Engineering Report.
- 5) In addition to deeding the right of way for Oilwell Road developers will provide 3 of intermediate 1-2 asphalt, V.D.O.T. Engineer Mr. Dan Brugh will provide specifications and assist developer to insure appropriate installation is completed. Asphalt will extend approximately .65 miles (end of present road improvements to the end of road by communication towers).
- 6) A new road shall be built to (V.D.O.T. standard) connecting Oilwell Road to Merrimac Road on the north side of Prices Mountain.

- 7) The development and construction of all public water and sewer facilities shall meet Public Service Authority standards and specifications including, but not limited to:
- Developer prepare Preliminary Engineering Report on water and sewer needs.
 - Developer pay for all on-site and off-site costs associated with design and construction of water and sewer facilities.
 - Developer construct water storage tank of sufficient size to provide adequate pressures and to serve as storage for fire protection purposes for the proposed development.
 - Upon completion of water and sewer lines and water storage tank, the developer shall turn all facilities over to the Public Service Authority for ownership, maintenance and operation.
 - Design of all water and sewer facilities shall be approved by the State Department of Health and/or State Department of Environmental Quality.

This action was commenced upon the application of Triple J Investments c/o Price Development Corporation and John P. Ramsey.

These tracts or parcels of land are identified as being property shown on Tax Parcel Nos. 66-A-166 and a portion of 66-A-1 located on Prices Mountain in the Prices Fork Magisterial District.

BE IT FURTHER ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that the Zoning Administrator is directed to require a guarantee for satisfactory execution of proffered condition #5.

BE IT FURTHER ORDAINED, By the Board of Supervisors of Montgomery County, Virginia hereby acknowledges Triple J Investments c/o Price Development Corporation withdrawal of a request to rezone Parcel #1 of approximately 107.11 acres from Agricultural (A-1) to Multiple-Family Residential (RM-1) and Parcel #2 of approximately 30.40 acres from Agricultural (A-1) to Residential (R-2).

This ordinance shall take effect upon adoption.

ATTEST:



COUNTY ADMINISTRATOR



Eagle Rock Subdivision

Parcel ID(s): 002706 (Part)

Legend

- State Roads
- Interstate Highway
- Private Roads (Named)
- Planned Highway
- Railroad
- Huckleberry Trail
- Hydrology
- Tax Parcels
- Eagle Rock Subdivision

County Zoning

- A1 - Agriculture
- CB - Community Business
- M1 - Manufacturing
- R1 - Residential
- R2 - Residential



Montgomery County, Virginia
2015.04.08

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