

## Land Development Regulations Pertinent to the Boy Scout Jamboree

The Boy Scout property at Lake Merriweather totals approximately 4034 acres according the Commissioner of Revenue's Office. Most of the property is in the Agricultural and General Uses District (A-2) with the remaining property, which is characterized by steep slopes, is in the Agricultural and Limited Uses District (A-1). A campground is a use by special exception in both of these zoning districts. A club/lodge is a use by special exception in just the A-2 district. The existing uses and facilities at Lake Merriweather are grandfathered. Any expansion of these uses and facilities will require a special exception permit. Additionally, Maury River Road at this location is in the Tourism Corridor Overlay District. Any improvements that occur within 1000 feet of this road right-of-way will also be reviewed by the Corridor Review Board per Section 611 of these same regulations. The final site plan will also have to be approved by the Erosion and Sediment Control Officer and all facility improvements will be approved by the Building Office. The Department of Emergency Services will review the project in terms of fire and rescue services. In addition to local approval, several Federal and State agencies will be involved in this process. VDOT will review the traffic analysis, the Army Corps of Engineers, the Virginia Marine Resources Commission and the Department of Game and Inland Fisheries will review any plans to modify the dam and any other water way and wetland impacts while the Health Department and DEQ will review plans for water and sewer.

The following information is copied from the Land Development Regulations and outlines the process and requirements for approving a special exception permit and final site plan for a campground and club/lodge in these zoning districts.

302.34     Campground. Campground shall mean any plot of ground used, maintained, or held out to the public, wholly, or in part, as temporary accommodation of tents, expandable camp trailers, travel trailers, converted buses or trucks, or such other devices as may be developed and marketed for camping; whether privately or publicly owned; and whether use of such accommodations is granted free of charge or for compensation.

302.41     Club/Lodge. Buildings and facilities, owned or operated by a corporation, association, or persons for a social, educational, or recreational purpose, to which a membership is required for participation and not operated primarily for a profit nor to render a service which is customarily carried on as a business. Night clubs, residential clubhouses, and community centers are excluded.

302.159     Private Seasonal Campground. A building or buildings, structure or structures, temporary or permanent, and related facilities, owned and/or operated by a corporation, association, group of individuals, or a private individual; established for the fraternal, social, educational, religious, recreational or cultural enrichment of users.

602.03     Special Exceptions. In the A-1 District, special exception use permits may be granted for one or more of the following uses:

602.03-2 Campground, private seasonal camp;

603.03 Special Exceptions. In the A-2 District, Special Exceptions may be issued for one or more of the following uses:

603.03-2 Club/lodges;

603.03-15 Campgrounds and private seasonal camp;

802.03 Application Procedures for Special Exceptions. Applications for a special exception shall be submitted to the Zoning Administrator, who shall refer the application to the Governing Body for a public hearing in accordance with the following procedures:

802.03-1 An application shall be accompanied by an acceptable site plan meeting the requirements of Article 13 and Section 802.04-1 as required by the Zoning Administrator or the Planning Commission;

802.03-2 Each application for a special exception shall be accompanied by payment of a fee as set forth in Article 10 to help defray the cost of publicizing and conducting the public hearing. Property shall be posted by the applicant per Section 802.04-3 of these regulations and public notice given per Section 15.2-2204 of the Code of Virginia.

802.03-3 The application shall be sent to the Commission for review and recommendation, and said Commission shall have sixty (60) days within which to submit a report. If the Commission fails to submit a report within a sixty (60) day period, it shall be deemed to have approved the proposed special exception. For projects within the TCO districts, such applications shall first be submitted to the TCO Review Board for a recommendation to the Planning Commission.

802.03-4 The Governing Body shall consider the proposed special exception after notice and public hearing in accordance with Section 15.2.2204 of the Code of Virginia, and shall take action on the proposed special exception within thirty (30) days from the date of the public hearing;

802.03-5 In evaluating the proposed special exception, the Governing Body shall address the following concerns:

(a) The effect of the proposed use or special exception, on existing and projected traffic volumes in the neighborhood;

(b) The current and future need for the proposed use in Rockbridge County;  
and

(c) The character of the existing neighborhood and the effect of the proposed use or special exception on existing property values;

802.03-6 Conditions set forth in Article 802.03-5 for the various special exceptions are minimum. In approving a proposed special exception, the Governing Body may stipulate such additional requirements as are necessary to protect the public interest. The Governing Body may require the applicant to furnish a performance bond in an amount sufficient for and conditioned upon the fulfilling of any and all conditions and requirements stipulated by the Governing Body;

802.03-7 If the Governing Body approves the application for a special exception, the Zoning Administrator shall return a copy of the application indicating the approval and noting any conditions established.

802.03-8 If the Governing Body disapproves the application for a special exception, the Governing Body shall inform the applicant of the decision in writing within thirty (30) days from the date of the public hearing, stating the reasons for disapproval. The Zoning Administrator shall retain necessary copies of the site plan and of the refusal, and shall keep them as a public record;

802.03-9 A property owner, or his appointed agent, shall not initiate action for a Special Exception relating to the same special use affecting the same parcel of land more often than once every twelve (12) months; unless new information is presented that substantially changes the request.

802.03-10 A Special Exception must be put into effect six (6) months after the date the permit is issued, unless otherwise provided in the permit itself;

802.03-11 Renewal of a Special Exception does not require a public hearing unless the original conditions in the permit are changed, however notice of the renewal will be shown on the agenda of the Board of Supervisors.

802.04-1 Requirements for Zoning Amendment Application. For zoning amendment applications initiated by a property owner's petition in accord with paragraph A.3. above, the applicant shall be responsible for the preparation and cost of all materials, exhibits, notifications, fees and other considerations related to the application. All petitions for zoning map amendment (rezoning) or zoning ordinance text change related thereto shall include a complete and signed rezoning application as well as other materials as specified hereinafter.

Three (3) copies of the application must be submitted to the office of the Director of Planning and shall include, at a minimum, the following:

1. Names, addresses and relationship to the land of all owners and applicants for rezoning of the property described in the application or who may have an interest in the development of the subject property. Where the application is filed by an agent, contract purchaser or lessee, a written and notarized statement shall be provided signed by the title owner or owners indicating endorsement of the application by the owner or owners and authorizing the applicant to seek the rezoning on their behalf.

2. A notarized affidavit, signed by the applicant(s), stating whether or not any member of the Planning Commission or the Board of Supervisors has any interest in the land

to be rezoned either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settler of an irrevocable trust or whether any member of their immediate household has any such interest in the outcome of the decision.

3. Tax map of the property to be rezoned.
4. A certified plat showing the metes and bounds of the property to be rezoned, with the seal and signature of the Certified Land Surveyor or Engineer preparing the plat.
5. A legal description of property and area (in square feet or acres) of the property to be rezoned.
6. Location of all existing buildings and structures.
7. Statement of purpose, feasibility and justification of the proposed amendment, to include:
  8. A statement addressing the relationship of the proposed zoning to the Comprehensive Plan or any adopted ordinance, land use plan, facility plan or other County document which may be related to the application.
1. A statement addressing the physical, transportation, public infrastructure, community facilities, schools and environmental impact of the proposed land use(s) for the property to be rezoned.
  - c. Description of areas having environmental or historic significance.
  - d. Description of proposed development, including a statement addressing the impact of the development on adjoining properties and neighborhoods.
  - e. A statement addressing the adequacy of public services and infrastructure to serve the proposed land uses.
  - f. A statement addressing special amenities and improvements to be included with the proposed development.
  - g. A statement setting forth the timing and phasing of the proposed development.
  - h. Any conditional elements and additional information that the applicant may desire to proffer in the consideration of the zoning amendment.
  - i. A General Development Plan which graphically depicts the scope and intent of the proposed development to include the following:
    - j. Schematic land use plan (to be prepared on an accurate base map with 10' contour intervals (minimum interval) and a horizontal scale of 1" = 50' or other appropriate scale to be approved by the Director of Planning prior to submission of application.)
    - k. Proposed location and height of building and other physical improvements including parking and loading spaces.
    - l. Proposed location, type, size and area of open spaces, recreational areas and other community facilities.
    - m. Proposed density of development, maximum floor area coverage, dwelling unit count and estimate of net developable areas in accord with the provisions of the applicable zoning district(s).
    - e. Plan of vehicular and pedestrian circulation.

- f. Environmental features (including 100 year flood plain, wetlands, sinkholes, quarried and filled land and other sensitive environmental areas.)
- g. Schematic plan for storm drainage and stormwater management improvements.
- h. Schematic plan for public water and sewer services.
- i. Schematic plan depicting how adjacent and neighboring properties shall be protected from any adverse effects of the proposed development, including screening, buffering, fencing and related landscape treatments.
  - ii. Schematic development and/or subdivision plan depicting the phasing of the proposed development if the project is to be developed in more than one phase.
- iii. When deemed necessary by the Director of Planning or the Planning Commission, the following studies and additional information shall be provided:
  - iv. A traffic impact assessment showing the effect of traffic generated by this project on surrounding streets and neighborhoods.
  - v. A public infrastructure utility impact analysis, showing the effect (location, demands, cost, etc.) of the project on public water, sewer and storm drainage facilities.
  - vi. A fiscal impact analysis indicating the relative public revenues and expenditures of the proposed development.
  - vii. Any additional information which is deemed necessary to fully evaluate a zoning amendment proposed within an adopted overlay district.

1300.10 Major Site Plan Review and Approval Procedures. Six (6) copies of the major site plan shall be submitted to the Director of Planning. One 11" x 17" reduced copy of the major site plan shall be provided. The site plan shall be accompanied by payment of fees for review and processing. The fee shall be based on a fee schedule as may be adopted and modified by the County Board of Supervisors.

Staff shall have seven (7) calendar days to review the application, plans, and support materials in order to determine that the submission and content requirements have been met. Once the application is reviewed, written notification of the rejection of the submission shall be sent to the applicant by mail not later than ten (10) days after the date of submission. If accepted, the submission shall be officially filed. If rejected, the submission package will be returned to the applicant with a list of deficiencies which the applicant may correct. Upon review and acceptance of the corrected submission, the application shall be considered officially filed. If rejected again, the submission package will be returned as stated above.

Site plans deemed to be complete shall be forwarded to all necessary reviewing agencies and staff within five (5) working days following a determination of

completeness. The applicant shall be notified of this finding in writing.

The major site plan review process shall include participation by County staff and other reviewing agencies as determined by the Director of Planning. Final approval of any site plan shall be granted by majority vote of the Planning Commission or the Review Board at a regularly scheduled meeting.

Staff and agency reviews and comments shall be completed within thirty (30) calendar days from the date of issuance of the site plan for review. Staff and agency comments shall be provided in writing to the Director of Planning, who shall be responsible for preparing a final site plan review report with recommendations for approval, approval with conditions, or disapproval within ten (10) calendar days after receipt of all staff and agency comments.

Upon receipt of staff and agency comments by the Director of Planning, the applicant shall be provided with all staff and agency review comments and recommendations. In cases where site plan revisions, deletions, or additions are necessary, the applicant shall be so notified, in writing, within ten (10) calendar days after receipt of all staff and agency comments by the Director of Planning.

Upon receipt of staff and agency comments, the site plan shall be revised by the applicant to comply with all requirements of staff and reviewing agencies and shall submit such revisions together with any required re-submittal fee. Where the revised site plan does not include all requested or required revisions, the applicant will be notified in writing that the site plan review process shall not proceed until the requested or required revisions are complete. Site plans requiring only minor revisions will be reviewed within ten (10) calendar days upon re-submission. Plans requiring substantial revisions will be reviewed on the time frame of a new submission.

Within ten (10) calendar days after receipt of all staff and agency comments, the Director of Planning shall schedule the site plan for a public meeting before the Planning Commission or the Review Board..

Within forty-five (45) days of receipt of staff comments, the Planning Commission or the Review Board shall act on the application and shall render a decision to approve, approve with conditions, defer or disapprove the site plan upon action at a regularly scheduled meeting.

In consideration of site plan revisions, such revisions may be approved administratively by the Director of Planning upon input from the Planning Commission or the Review Board, provided that where the Planning Commission or the Review Board is of the opinion that the site plan revision is of such a magnitude and impact that a decision on the revision should be reached only after another public meeting. The applicant shall be notified in writing of action by the Planning Commission or the Review Board within five (5) calendar days of the

action taken.

Under certain conditions based on the magnitude or unique nature of the project, approval by other agencies not specifically referred to herein above shall be a prerequisite to approval by the County.

In denying a site plan, specific reasons shall be provided by the Planning Commission or the Review Board. Reasons for denial shall relate in general terms to such modifications or corrections as will permit approval of the site plan.

Final approval of any site plan (with the exception of erosion and sediment control plans) submitted under the provisions of this ordinance shall expire five (5) years after the date of such approval in accordance with Section 15.2-2261 of the Code of Virginia, 1950, as amended, thereafter requiring re-submittal for approval. Erosion and sediment control plans expire in accordance with applicable sections of the County Code.