

## **Chapter 2**

# **LAND USE**

## INTRODUCTION

The purpose of the Land Use chapter is to encourage the appropriate use of land, water, and other resources within the County, consistent with the interests of the citizens of Spotsylvania County. The Land Use chapter is a guide for future land use decisions within the County following these general objectives:

- Plan for the orderly development of the County
- Promote a diverse and vibrant economic base
- Maximize the use of existing infrastructure and public facilities to ensure the most efficient operation of facilities and the provision of services
- Accommodate projected residential growth in a manner that is fiscally responsible
- Strive for safe and affordable housing for people of all ages
- Ensure land use policies recognize and accommodate anticipated population increases
- Encourage a community service sector and a commercial base that meets the needs of the citizens and businesses in Spotsylvania County

The element describes land use categories and policies that provide a framework to guide physical development and land use changes in the County. The Future Land Use Map (MAP 1) depicts future land development patterns that are intended promote, preserve, and protect the health, safety, and general welfare of the citizens. The Map is not intended to be parcel specific, but rather provides a flexible guide for the County's desired future development patterns.

Land use designations on the Future Land Use Map do not change a parcel's zoning classification, nor do they impact continuation of existing legal land uses or other uses permitted by existing zoning. Indeed, new development that is in accordance with the Future Land Use Map should ensure appropriate siting and transitions to existing development that may differ from the identified land use on the Map in order to minimize negative impacts on existing development. Additionally, it should be noted that different densities and intensities of development are appropriate within each of the land use categories. Each application should be evaluated within the context of its surrounding existing and proposed development, as well as the timing of the infrastructure necessary to support the development.

Land use decisions should be consistent with the Future Land Use Map. The Future Land Use Map may be amended pursuant to the Code of Virginia §15.2-2.2229.

### **Primary Development Boundary**

A major aim of any Comprehensive Planning process is ensuring that the provision of community facilities and public services is phased with demand. One of the most effective tools for directing the timing and location of new development is the establishment of a Primary Development Boundary to define the area within which public water and sewer utilities will be provided. The Primary Development Boundary is shown on the Future Land Use Map. Land within the boundary is intended to develop with higher residential densities and more intensive non-residential uses than outside of the boundary. By maintaining a Primary Development Boundary, the County encourages the most efficient use of the land while preserving the rural character

and agricultural viability of those portions of the County outside the boundary. This boundary is not permanent and may be adjusted when conditions warrant through the amendment process, in accordance with the policies outlined below.

**Primary Development Boundary Policies:**

1. Rezoning outside of the Primary Development Boundary desiring to connect to public sewer and water should submit a Comprehensive Plan amendment.
  - a. Exceptions include instances pursuant to Spotsylvania County Utility Ordinance (Spotsylvania County Code Section 22-282) and upon satisfaction of the Director of Utilities that a development will not require a County maintained sewer pump station.
2. The ability to extend service pursuant to the above mentioned Utility Ordinance is not sufficient justification to support a rezoning of the property served or of any land through which the utility lines may extend.
3. Expansions may be approved where the County has determined the change is consistent with the Comprehensive Plan.

**Land Use Categories**

Land use categories are described in this section along with policies associated with each land use. The land use categories as shown on the Future Land Use Map depict the long range recommendations for the general development of Spotsylvania County as is required by the Code of Virginia §15.2-2.2223.

**Land Use Policies Applicable to All Land Uses:**

1. Rezoning proposals should address impacts that are specifically attributable to the development.
2. There is an identified need, especially proximate to Fort A. P. Hill, to minimize light pollution.
3. Wherever possible, existing trees and tree buffers should be preserved rather than replacing mature vegetation with new plantings.
4. Provide Fort A.P. Hill an opportunity to comment on rezoning proposals within the Fort A.P. Hill Approach Fan (Map in Appendix A). There is an identified concern with residential development within the Approach Fan which may be impacted by noise associated with Fort A.P. Hill.
5. The County is supportive of the Fort AP Hill Joint Land Use Study recommendations. The study is incorporated by reference into the Comprehensive Plan.
6. Encourage consideration of disabled and elderly citizens in the design and implementation of both new development and redevelopment.
7. There is an identified need for the provision of fiber optic cable and other technological infrastructure throughout the Primary Development Boundary, and to the extent feasible, the County as a whole.
8. Redevelopment and investment in existing developed areas should be encouraged provided that the development does not adversely impact adjoining properties.

8.9. Renewable energy generation facilities, such as solar, geothermal, or wind, should be sited and designed to minimize detrimental impacts to neighboring properties, uses, and roadways.

### **Agricultural and Forestal Land Use Category**

The agricultural and forestal land use area represents active agricultural land within the County. The agricultural land is used for both crops and livestock purposes, as well as forestry operations and agribusiness. Prime agricultural and forestry lands should be preserved and protected from development pressures through enrollment in Agricultural/Forestal Districts or other programs with similar goals. The County supports a “right to farm” policy which limits the circumstances in which farming practices and operations can be considered nuisances to surrounding development.

#### Agricultural and Forestal Land Use Policies:

1. Foster the preservation of agricultural and forestal land for its intrinsic economic benefits.
2. Discourage rezonings or special use permits for land uses incompatible with adjacent agricultural, silvicultural, or forestal operations or that would have an adverse effect on the continued viability of these uses.
3. When residential development is considered within the Agricultural Land Use, particular care should be paid to the viewsheds along rural roads and buffering to active agricultural lands.
4. The County should encourage the development of tourist related services. These uses should be compatible with the existing development and may include bed and breakfast type inns, farmers' markets, and resorts.
5. Agribusiness in any form should be encouraged so long as it preserves the rural character of this portion of the County.
6. Road improvements should take into account the movement of agricultural machinery.

### **Residential Land Use Categories**

There are three distinct residential land use categories. The categories differ by types and densities of residential development. The densities that are provided are simply guides. The appropriate density for each proposal needs to be evaluated in the context of the surrounding community, including the availability or provision of needed infrastructure.

*Rural Residential* – This category encompasses most of the area outside the Primary Development Boundary. In general, rural residential development has a density of one unit per two acres and greater, including large lot residential, cluster development, farms, and forestland. These properties are served by private wells and septic systems. The preservation of land through conservation easements or preservation methods defined by the County Code may also be appropriate within this land use.

While the primary goal of the Future Land Use Element in the rural portion of the County is the preservation of farms, forestland, and open space, rural residents also need convenient commercial services. Therefore, neighborhood commercial rezonings should be considered in the rural areas provided that the applicant can demonstrate a need for the commercial node and provided that adequate infrastructure is in place or can be added by the applicant to

accommodate the use. A need can be demonstrated by the lack of similar facilities in the area and/or by population served, or underserved, in the same service area. If public water and sewer are not available, the applicant must demonstrate adequate well and septic capacity. Similarly, transportation elements, such as adequate site distance, signage, and road improvements, must be provided by the applicant to assure safe and convenient access. Site design and architectural elevations should be considered to ensure that the design and appearance of the commercial use is compatible with the architecture and character of the area.

*Low Density Residential*– This category is reserved for single family attached and detached residences typical in a suburban area. The overall density can be as high as four units per acre, but lower densities are also appropriate. This land use is appropriate within the Primary Development Boundary.

*High Density Residential* – This urban scale residential category typically includes single family attached and multifamily housing at densities greater than four units per acre, but clustered single family detached units could also be appropriate within this land use. Typical uses may include duplexes, villas, cluster housing, town homes, residential condominiums, and apartments. Public water and sewer must be available for this type of development to occur, and, therefore, this land use is appropriate within the Primary Development Boundary.

Residential Land Use Policies:

1. Residential subdivisions should provide interparcel connections to adjoining undeveloped properties and connect to developments at existing interparcel access points, where possible, to help improve the connectivity of the transportation network.
2. Residential uses within the Primary Development Boundary should provide inter- and intra-development pedestrian paths to link adjoining subdivisions and form a cohesive residential area and alternative transportation and recreational opportunities.
3. Residential infill development should maintain the neighborhood character established by the existing subdivisions.
4. For residential development outside of the Primary Development Boundary particular care should be paid to preserving the character of the viewsheds along rural roads and buffering to existing agricultural properties.
5. The signage for neighborhood commercial ventures in the rural portions of the County should not exceed six feet in height to preserve the rural viewsheds and character of the area.
6. The County should encourage the development of agribusiness and tourist related services within the Rural Residential areas. These uses should be compatible with the existing development and include bed and breakfast type inns, farmers' markets, campgrounds and resorts.
7. Individual driveways onto the primary rural roads should be discouraged and consolidated wherever possible.
8. Promote the provision of a diverse housing mix by encouraging a range of housing sizes and types that meet the needs of citizens at all income levels throughout all stages of life.
9. Promote the construction of market rate affordable housing units rather than units that are subsidized for the initial sale to ensure that housing remains affordable over time.

### **Mixed Land Use Category**

Mixed Land Use communities should serve as a place for Spotsylvania residents to live, work, shop, and play by providing for a variety of land uses in a compact, walkable community with a more dense development pattern. The Mixed Land Use category encompasses a variety of uses, including traditional neighborhoods; higher density residential; non-traditional residential (garage apartments as well as residential units situated over commercial uses); commercial uses (retail and office); light industrial; educational facilities; recreation facilities, and compatible public and other civic facilities. The intensity of the development within the mixed-use category will vary depending upon location, surrounding uses and the availability of mass transit. Larger scale mixed use developments may be proposed under this category or developers may propose smaller projects that that are or will be integrated into a larger mixed use area. This should be accomplished by utilizing the principles described throughout this category description, with particular attention paid to the massing, street layout, building location on the lot, general aesthetic of the development, parking design and location, and pedestrian accessibility.

Alternative modes of transportation are desired within mixed use areas to encourage pedestrian access and discourage automobile reliance. Tracts of land should be developed to provide continuity among the various land uses and to create a compact and walkable living environment and workplace. Transitional uses are required to protect lower intensity and density uses from more intense/dense development. Building heights should be stepped down adjacent to lower intensity and density uses. Road, street, and pedestrian corridors should be established in a grid pattern and connect wherever possible to adjoining developments. Mixed use developments will often include both on and off street parking, sidewalks, bike lanes, benches, pedestrian scale lighting, tree lined streets that soften the hardscape and provide shade for pedestrians, fountains and other civic embellishments that create identity, a sense of community, and uniqueness.

#### Mixed Land Use Policies:

1. Mixed land use developments should display characteristics that provide a unique sense of place (examples could include: design guidelines, architectural features, or common color palette, among others).
2. Appropriate transitions in scale of building and/or buffering should be provided from mixed land use developments to adjoining existing developments.
3. Vehicular and pedestrian connections should be made to adjoining developments at appropriate locations, including at existing interparcel access points.
4. A grid pattern of connected streets should be supported by the County. Cul-de-sacs should be discouraged and only employed in rare instances.
5. The County should support public open space and pedestrian accommodations integrated throughout the development.
6. Mixed Use developments should be designed so that multiple vehicle trips can be combined into one stop by providing several destinations within easy walking distance. This can be encouraged by closely monitoring the provision of parking and ensuring that there is not an excess supply that encourages additional auto trips. Drive-through's should be limited and carefully designed to ensure integration into the character of the development.
7. Mixed land use development at Lake Anna should provide local shopping and professional services as well as tourist related uses such as hotels, inns and restaurants.

8. Parking should be located to the rear and sides of buildings with the building facades clearly visible from the street.
9. The County should support a diverse housing mix with a range of housing sizes and types that meet the needs of citizens throughout all stages of life and income levels.
10. Promote the construction of market rate affordable housing units.
11. Quality open spaces should be integrated into developments and may include passive and active areas, pavilions, walking paths, gardens, forested areas, and lakes, among other features.

### **Commercial Land Use Category**

The commercial land use area consists of a variety of retail and office uses, examples of which include, but are not limited to: medical facilities, shopping centers, restaurants, automobile service and sales facilities, and similar uses. The majority of the existing commercial developments within the County are located along Jefferson Davis Highway (U.S. Route 1), Plank Road (U.S. Route 3), and Southpoint Parkway.

#### **Commercial Land Use Policies:**

1. Street patterns for new development should follow an interconnected network to reduce congestion and provide routing alternatives for local traffic.
2. New development should provide interparcel connections to adjoining properties, where appropriate, and should connect to existing interparcel access points.
3. Sidewalks and paths between commercial and office buildings and through parking lots should be provided to ensure safe pedestrian routes and, when possible, connect to FRED bus routes.
4. The County should encourage development patterns that redirect traffic patterns to alleviate congestion. Direct access to existing roads by individual uses or lots should be discouraged.
5. Development should proceed sequentially along and back from the major thoroughfares. Development should not isolate an existing land use or undeveloped parcel.
6. Encourage the retention and expansion of existing business operations, as well as the attraction of new businesses and investment.
7. Encourage non-retail commercial operations.

### **Employment Center Land Use Category**

The employment center land use area is envisioned to be the primary location for new office and industrial development within the County, with the focus on larger scale office complexes, industrial users, and business parks. The Route 1 corridor south of Massaponax to the Thornburg interchange, known as the Jackson Gateway, is envisioned to be an economic driver for the County in the future. High end office parks and campus settings with class A office space is desired here as outlined within the Jackson Gateway Plan developed by the Department of Economic Development and Tourism.

In the interests of maintaining a balanced economic base, industrial development within the County is also desired. Both light and heavy industrial uses are appropriate and should be encouraged within the Employment Center category with the careful consideration of their location and transition to adjoining properties. Light industrial uses are usually more consumer-oriented than business-oriented and are manufacturing activities that use moderate amounts of

partially processed materials to produce items of relatively high value per unit. Examples include, but are not limited to, the manufacturing of: clothes, shoes, furniture, consumer electronics and home appliances. Processing, assembly or disassembly operations could also fall into this category. Typically these uses cause little pollution. Heavy industrial uses tend to be larger in scale and often can have pollution impacts (noise, smell, etc.) on the surrounding area. While these impacts should be minimized, there is the recognition that not all negative effects can be completely mitigated. The location of these users within industrial parks, both new and existing, should be encouraged to help ensure appropriate transitions that minimize any pollution impacts on neighboring properties. Examples of heavy industrial uses include, but are not limited to: mining operations; refineries, power plants; and the fabrication and assembly of large items.

Some limited commercial development is also appropriate within the designated Employment Center areas. The commercial development is intended to be secondary to these uses, playing a supportive role the office and industrial development. The County's commercial centers with 'big box' retailers, identified on the Future Land Use Map as the red 'Commercial' category, are intended to be in the eastern Route 3 and Massaponax areas

Employment Center Land Use Policies:

1. Enhance and promote the existing industrial parks and mitigate conflicts with nearby residential areas.
2. Street patterns for new development should follow an interconnected network to reduce congestion and provide routing alternatives for local traffic.
3. Truck dependent businesses should be located where they have access to major thoroughfare and do not have to rely on local roads.
4. New development should provide interparcel connections to adjoining properties where appropriate.
5. Sidewalks and paths between commercial and office buildings and through parking lots should be provided to ensure safe pedestrian routes and, when possible, connect to bus routes.
6. Encourage development patterns that redirect traffic patterns to alleviate congestion.
  - a. Direct access to existing roads by individual uses or lots should be discouraged
  - b. Discourage strip commercial and 'big box' development and promote office and industrial centers in a campus like setting that are linked by pedestrian/bicycle paths, where appropriate, and access roads.
7. Commercial development should only be encouraged to support existing office and industrial development.
8. Development should proceed sequentially along and back from the major thoroughfares.
9. Promote the following components of campus style office development over traditional strip commercial development:
  - a. Minimal entrances and conflict points
  - b. Landscaped median strip with few stoplights and crossovers allowing for free flowing traffic
  - c. Berms, landscaping and trails or sidewalks along major transportation routes
  - d. Pedestrian networks along internal roadways and between complexes
  - e. Maximized interparcel connections
  - f. Mixed uses provide on-site services



- g. Minimize the visibility of parking lots from the major transportation routes
- 10. Encourage job creation that provides sufficient income for employees to be able to afford housing within the County.
- 11. Encourage the retention and expansion of existing business operations as well as the attraction of new businesses and investment.
- 12. Encourage a balance of uses within the Employment Center category to include light industry, heavy industry and office uses.
- 13. Distribution centers should be located in areas in close geographic proximity to the interstate with the necessary transportation infrastructure so as to minimize adverse impacts on the County's transportation network.

### **Open Space Land Use Category**

The open space land use category includes park and recreation facilities owned and operated by the County for passive recreation, State and Federal Government parks, as well those areas deemed worthy of preservation and conservation, such as buffers along major roadways to preserve the rural character in the proximity of the County's historic resources. Common open spaces in private developments are also included as they serve as a passive recreation location. Active recreation opportunities would likely be located either in the Commercial/Mixed Use (privately run) or Institutional (County run) Land Use Categories.

### **Open Space Land Use Policies**

- 1. Viewsheds from County roads should be preserved.
- 2. Development in these areas should be generally discouraged, however, if it is to occur, it should occur in such a way to best blend into the existing landscape.

### **Institutional Land Use Category**

The institutional land use category includes County facilities, private and public schools, active recreation parks, and large public service uses such as hospitals. This category focuses on existing land uses and does not reflect any aspirational locations of various public facilities.