

CHAPTER 11

IMPLEMENTING THE PLAN

The Comprehensive Plan is intended to capture a vision of the future Town of Tappahannock. As such it provides a basis for a wide variety of public and private actions and development decisions which are to be undertaken in the town over time. It is not a static document because a community is not static, but one which provides general guidelines to the local community in order that piecemeal improvements or day to day decisions can be properly evaluated against their long-range impact upon the community and their relationship to existing settlement patterns.

The Plan and, in particular, the Land Use Element indicates the proposed general or conceptual development pattern of the community projected to 2026. However it is not a detailed blueprint. Local conditions, values, and philosophies change as a result of economic and political pressures and the Plan must subsequently be responsive to these changes. The Plan is not a document which encourages regimentation. It is, however, a guide which encourages patterns of development which permit orderly and economical growth of the community in a manner which can be more efficiently served with a variety of governmental services and facilities. Implementation involves the concerted actions of both town elected officials and certain appointed boards. This chapter addresses two aspects of plan implementation that need additional treatment: Administration and Enforcement; and Development Standards and Design Guidelines.

ADMINISTRATION AND ENFORCEMENT

One of the most important, yet often neglected, issues to be considered in the formulation of the Comprehensive Plan, Zoning Ordinance and Subdivision Regulations is administration and enforcement. Even the most well conceived plans and ordinances will lose effectiveness (and in some cases be invalidated) without consistent and equitable administration and enforcement. The responsibility for administering and enforcing the Comprehensive Plan and its associated ordinances and regulations rests primarily with the Town Council, Planning Commission, Board of Zoning Appeals and the town staff. Each group has a different role in administration and enforcement. Their roles need to be defined and understood in the context of this Plan.

Implementation Plan

The actions needed to guide construction of plan implementation tools, particularly the preparation of new land use and development regulations, as well as operational features of future administrative structure are summarized below:

1. Where possible, use clear measurable performance standards in ordinances to minimize interpretive confusion.
2. Where uses are subject to Board of Zoning Appeals special exception approval, enumerate minimum standards by use and improve the criteria or standards which the Board uses as a yardstick to determine the appropriateness of a given use in the respective zoning district.
3. Reduce the number of special exception uses where possible by establishing clear standards by which they may be permitted by right and subjected to established standards.
4. Establish a policy for reasonable time frames for review of rezoning applications, special exception uses, subdivisions, and uses subject to site plan review and approval.
5. Establish clearer administrative procedures documenting applicant, staff and approval authority responsibilities for processing rezoning & special exception uses, subdivisions, and uses subject to site plan review and approval. Minor site and subdivision plans should be approved by the authority of the Town Manager; however, the major site plans and subdivision plans should be reviewed and approved by the Planning Commission.
6. Utilize standard forms and sheets for ministerial and administrative procedures which clarify for all parties various application submission requirements, improvement guarantees, and inspection procedures.
7. Review and refine rules of procedure for use by the Town Council and Boards for all zoning forms of action which require public hearings.
8. Provide adequate budget and staff as well as training and support for administrative procedures and inspection functions, and attempt to coordinate and/or integrate inspection and administrative functions to the maximum extent possible.
9. Revise the penalty section of the Zoning Ordinance to allow civil penalties for less serious violations.
10. Require the annual revision to the Town's Capital improvements Program to be coordinated with the Comprehensive Plan and any recommended amendments resulting from the annual review of the Plan and planning process.
11. The Plan should be reviewed and updated every five (5) years.

DEVELOPMENT STANDARDS AND DESIGN GUIDELINES

This section addresses many aspects of development design. Development design can be generally defined as the management of the visual and physical development of the built environment. Primary emphasis is placed on the preservation of the town's character. The intention is to respond to growing public concern about the increasing transformation of

Tappahannock's traditional townscape to sprawling suburban residential and strip commercial development similar in nature to the land use pattern ringing most of the metropolitan centers throughout the Hampton Roads region and the nation. Concern is that, if measures are not taken now, Tappahannock could become conventionally suburban with only vestiges of the traditional townscape remaining.

Managing development design to maintain and enhance the aesthetics of the town is an important component of Tappahannock's Comprehensive Plan. Application of development design standards is appropriate anywhere human features are present, and where the physical and visual properties of development can significantly influence the character of the town's suburban areas, as well as urban areas. Development design guidance, or the lack thereof, significantly affects real estate values, community pride, a sense of obligation to private property, personal enjoyment and satisfaction, and the overall investment climate in Tappahannock.

This section will discuss and recommend various approaches to positively influencing the development design of areas throughout Tappahannock.

Density and Intensity Regulations

Density and intensity regulations control growth by regulating the number of units that may be built on a particular site or by regulating the intensity of that development. Zoning is the traditional technique used to set density and intensity standards. Density standards are typically applied to residential development, where growth is managed by limiting the number of homes that may be built per acre as opposed to regulating lot size. Intensity standards are more often applied to commercial, office, and industrial developments and are related to the bulk and height of buildings permitted in a particular area.

Intensity is a broader standard of measurement than density. The intensity of a building or a development on a parcel of land refers to the impact it has on neighboring land uses. The greater the intensity of development, the greater the impact and potential for nuisances. For example, greater intensity may result in decreased open space, increased runoff from paved surfaces, increased bulk and height of buildings, increased traffic with associated noise and congestion, increased exterior lighting visible from neighboring property, and other nuisances.

Tappahannock Zoning Ordinance identifies various densities within the same zoning District, which ends up producing development with different characters adjacent to each other. Figure 11-1 illustrates the varying densities currently permitted for different dwelling types.

**Figure 11-1
Permitted Densities
(Dwelling Units Per Acre)
Tappahannock Zoning Ordinance**

	Single Family	Town Houses	Apartments
R-1	3.6		
R-2	4.8		
R-3	8.7	6	6
R-4	10.8	14	14
MH-1	6	--	--

Zoning Districts

The land use plan and zoning map serves as an additional tool that can be used to manage growth. Together, they indicate the appropriate land use for parcels and areas of land throughout the town. It is recommended that the town reorder the zoning districts, if necessary, to ensure compatibility among land uses and meet the other identified objectives of the town. It may also be necessary to revise the permitted uses within residential zones to ensure that compatibility among land uses is achieved.

Performance Standards

Performance standards address how the land uses are placed on the ground rather than what is placed on the land. A wide variety of performance standards can be used to control community character, many of which are discussed in other sections, such as buffer yards, landscaping, and density. In addition to these performance standards, it is recommended that standards for other development related elements be incorporated in the zoning ordinance, e.g., minimum open space requirements. Open space requirements will be varied by the character to be preserved or enhanced. For example, a 15% open space ratio may be adequate for townhouses in an urban setting, but 40% may be needed to preserve the character of a particular suburban area.

Single Family Cluster

More flexibility in the zoning ordinance for the cluster options that do not by themselves change the overall density permitted in the zoning district is encouraged. While the minimum lot size will be reduced, gross density would remain that of the existing zoning district. This type of zoning is a positive influence to any attempt to preserve character and still permits some

development. Cluster development is recommended for use, particularly when it preserves the small town character and valued natural areas.

Planned Developments

It is the intent that the planned development provisions in the town continue to permit a variety of dwelling unit types within the same development and to permit much more intense clustering. It is not the intent of this plan to permit a higher density by right than the underlying zoning district; however additional density may be made available through bonus densities. Bonuses could be granted for such things as providing additional developed parkland or some other amenity that is in excess of that required or for addressing affordable housing needs.

Residential Planned Developments should permit and even encourage the elements found in traditional neighborhoods so that the new developments become extensions of the town rather than isolated pockets of residential development. The planned developments should be tied to the older parts of town by a street and sidewalk system. Development should be permitted to be oriented around neighborhood services and accessible by pedestrians. A degree of mixed residential and commercial should be permitted in the neighborhood centers within planned developments.

Landscaping and Tree Preservation

Implementation of landscaping and tree preservation objectives should address the three broad issues relating to landscaping in Tappahannock. One is the apparent absence of street tree requirements in single family and townhouse developments. Two is the lack or lack of quality of landscaping in the commercial areas. Three is the practice of clear cutting mature woodlands for development rather than designing with tree preservation in mind.

First, the town should require a minimum number of trees per linear feet of street. A minimum standard of a 10 foot tree every 25 to 35 feet planted in a minimum tree space of five to seven feet is recommended. Townhouse development should provide equivalent plantings in planting islands to break up the large expanses of parking.

Second, the town should require minimum landscape area - expressed as a "landscape surface ratio (LSR)" - for commercial development. Minimum LSRs of 15% to 20% should be used in the town setting. Requirements for parking lot landscaping should be very specific for different planning districts within the town. Interior landscaping standards should specify the number of planting islands per number of parking spaces with a minimum number of shade trees to be provided.

Third, the town should place limits on clear cutting of mature woodlands. Cutting of a certain percent of stands of trees of a certain diameter should be prohibited unless for a valid purpose such as roads, buildings, parking, etc. The town should include tree preservation recommendations which include the protection of existing trees during construction.

Section 15.2 - 961 of the Virginia Code allows Tappahannock to adopt an ordinance providing for the planting and replacement of trees during the development process. The law appears to prescribe the minimum as well as maximum tree canopies for towns; however, there is some language to suggest that a town could require less stringent regulations. Use of this provision will require State agency interpretation of the law.

Buffer yard Standards

One of zoning's most important functions is the division of land uses into districts that have similar character and contain compatible uses. AR uses permitted in any district have generally similar nuisance characteristics. In theory, the location of districts is supposed to provide protection, but in Tappahannock this is not the case because uses that are as diverse as single-family residential and commercial are occasionally found adjacent to one another. Buffer yards can be used to minimize the negative impact of any redevelopment or future use of vacant land on neighboring uses (Figure 11-2).

A buffer yard is a combination of setback and a visual buffer or barrier and is a yard or area together with the planting required thereon. Both the amount of land and the type and amount of planting specified for each buffer yard requirement are designed to minimize nuisances between adjacent zoning districts to ensure the desired character along public streets and roads. The planting units required of buffer yards can be calculated to ensure that they do, in fact, function as "buffers".

Buffer yards should be required to separate different zoning districts from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.

Figure 11-2
Buffer yards:



