

## **ORDINANCE NO. 18-18(6)**

### **AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE III, DISTRICT REGULATIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA**

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article III, District Regulations, is hereby amended and reordained as follows:

#### **By Amending:**

Sec. 30.6.2 Boundaries of the district.

### **Chapter 18. Zoning**

#### **Article III. District Regulations**

##### **Section 30. Overlay Districts**

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#### **30.6 Entrance Corridor Overlay District - EC (Added 10-3-90)**

##### **30.6.1 Purpose and Intent**

The purpose of this section 30.6 is to implement the enabling authority in Virginia Code § 15.2-2306(A) by identifying those arterial streets and highways found to be significant routes of tourist access to the county and to designated historic landmarks, structures or districts within the county or in contiguous localities, and to require that the erection, reconstruction, alteration or restoration of structures, including signs, on parcels contiguous to those streets and highways as provided herein, be architecturally compatible with those historic landmarks or structures.

The comprehensive plan provides that scenic resources contribute to the community's desirability as a place to live, enhance and protect property values, and contribute to the overall quality of life for the county's residents. The comprehensive plan also acknowledges that scenic resources are important to visitors as well as the county's residents, and that visitors to the Blue Ridge Mountains and the county's rural historic structures gather a lasting impression of the county as they travel the county's scenic roadways. The significant routes of tourist access within the entrance corridor overlay district provide access to the county and to many of the county's historic landmarks, structures and districts including, but not limited to Monticello, the home of Thomas Jefferson, which is on the World Heritage List administered by the United Nations and a National Historic Landmark, Ash Lawn-Highland, the home of James Monroe, the University of Virginia, whose Rotunda is on the World Heritage List and a National Historic Landmark, and whose academical village is on the World Heritage List, a National Historic Landmark and a National Register Historic District, and the county's eight historic districts on the National Register of Historic Places, including the Southwest Mountains Rural Historic District and the Southern Albemarle Rural Historic District.

The entrance corridor overlay district is intended to implement the comprehensive plan's goal to preserve the county's scenic resources because they are essential to the county's character, economic vitality and quality of life. An objective of this goal is to maintain the visual integrity of the county's roadways by using design guidelines. The entrance corridor overlay district will ensure that development is compatible with the county's natural, scenic, historic and architectural resources by providing for review of new construction along the identified significant routes of tourist access by an architectural review board under design guidelines promulgated by that board and ratified by the board of supervisors.

(§ 30.6.1, 10-3-90; Ord. 10-18(5), 5-12-10)

### 30.6.2 Boundaries of the District

The entrance corridor overlay district is established upon and comprised of those parcels contiguous to significant routes of tourist access, regardless of the underlying zoning district or the existence of other applicable overlay districts, as provided in section 30.6.2(b) as follows:

- a. *Significant routes of tourist access.* The following arterial streets and highway are found to be significant routes of tourist access and are hereinafter referred to in section 30.6 as “EC streets”:
  1. U.S. Route 250 East (Richmond Road).
  2. U.S. Route 29 North (Seminole Trail).
  3. U.S. Route 29 South (Monacan Trail).
  4. Virginia Route 20 South (Monticello Avenue and Scottsville Road).
  5. Virginia Route 631 (5<sup>th</sup> Street and Old Lynchburg Road) from Charlottesville City limits to Route 708 (Red Hill Road) and Virginia Route 631 (Rio Road West) from U.S. Route 29 North (Seminole Trail) to Route 743 (Earlysville Road). (Amended 11-14-90, 4-12-00)
  6. U.S. Route 250 West (Ivy Road and Rockfish Gap Turnpike).
  7. Virginia Route 6 (Irish Road).
  8. Virginia Route 151 (Critzers Shop Road).
  9. Interstate Route 64.
  10. Virginia Route 20 North (Stony Point Road).
  11. Virginia Route 22 (Louisa Road).
  12. Virginia Route 53 (Thomas Jefferson Parkway).
  13. Virginia Route 231 (Gordonsville Road).
  14. Virginia Route 240 (Three Notch’d Road).
  15. U.S. Route 29 Business (Fontaine Avenue)
  16. U.S. Route 29/250 Bypass.
  17. Virginia Route 654 (Barracks Road). (Added 11-14-90)
  18. Virginia Route 742 (Avon Street). (Added 11-14-90)
  19. Virginia Route 649 (Airport Road) from U.S. Route 29 North (Seminole Trail) to Virginia Route 606 (Dickerson Road). (Added 4-12-00)
  20. Virginia Route 743 (Hydraulic Road and Earlysville Road) from U.S. Route 29 North (Seminole Trail) to Virginia Route 676 (Woodlands Road). (Added 4-12-00)
  21. Virginia Route 631 (Rio Road) from U.S. Route 29 North (Seminole Trail) easterly to the Norfolk Southern Railway tracks. (Added 11-2-05)
  22. Virginia Route 631 (Rio Road) between the Norfolk Southern Railway tracks and Virginia Route 2500 (John W. Warner Parkway).
  23. Virginia Route 2500 (John W. Warner Parkway).

b. *Parcels contiguous to EC streets.* Parcels contiguous to EC streets are:

1. *Parcels sharing boundary with an EC street on reference date.* Each parcel that had a boundary that was shared at any point with the right-of-way of an EC street on one of the following applicable reference dates: (i) on October 3, 1990 for those parcels sharing a boundary with an EC street identified in section 30.6.2(a)(1) through (16); (ii) on November 14, 1990 for those parcels sharing a boundary with an EC street identified in section 30.6.2(a)(17) and (18); (iii) on April 12, 2000 for those parcels sharing a boundary with an EC street identified in section 30.6.2(a)(19) and (20); (iv) on November 2, 2005 for those parcels sharing a boundary with an EC street identified in section 30.6.2(a)(21); and (v) on December 5, 2018 for those parcels sharing a boundary with an EC street identified in section 30.6.2(a)(22) and (23) (hereinafter, the “applicable reference date”).
2. *Parcels not sharing boundary with an EC street.* Each parcel within five hundred (500) feet of the right-of-way of an EC street that did not share at any point a boundary with the right-of-way of an EC street on the applicable reference date.

c. *Extent of overlay district.* The overlay district extends across the entire width of each parcel contiguous to an EC street. The overlay district extends to the depth of each parcel as follows:

1. *Parcels sharing boundary with an EC street on reference date.* If the parcel shared a boundary with an EC street on the applicable reference date as provided in section 30.6.2(b)(1), the overlay district extends to the full depth of the parcel.
2. *Parcels not sharing boundary with an EC street.* If the parcel is within five hundred (500) feet of an EC street and did not share a boundary with an EC street on the applicable reference date as provided in section 30.6.2(b)(2), the overlay district extends to a depth of five hundred (500) feet from the right-of-way of the EC street.

d. *Effect of subsequent change to parcel boundaries.* The subdivision, boundary line adjustment, or any other change to the boundaries of a parcel after the applicable reference date shall not reduce the area subject to this section 30.6 without a zoning map amendment that changes the boundaries to the entrance corridor overlay district.

(§ 30.6.2, 10-3-90; 11-14-90; 9-9-92; Ord. 00-18(4), 4-12-00; Ord. 01-18(3), 5-9-01; Ord. 05-18(9), 11-2-05; Ord. 10-18(5), 5-12-10)

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of to, as recorded below, at a regular meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Supervisors

|              | Aye   | Nay   |
|--------------|-------|-------|
| Mr. Dill     | _____ | _____ |
| Mr. Gallaway | _____ | _____ |
| Ms. Mallek   | _____ | _____ |
| Ms. McKeel   | _____ | _____ |
| Ms. Palmer   | _____ | _____ |
| Mr. Randolph | _____ | _____ |