

IDA AMENDMENT _Adopted June 10, 2024

Tappahannock Zoning Ordinance

Article IX, Part II, Special Overlay District – Chesapeake Bay Preservation (CBPA) Overlay District

Sec. 22-107. Intensely Developed Areas.

- a.** Having examined the pattern of residential, commercial, industrial and institutional development within CBPA's of the Town, Town Council finds that there are areas of existing development and infill sites where little of the natural environment remained as of the date of adoption of the local Chesapeake Bay Preservation Act program by Town Council on October 28, 1991, which meet the requirements of state law to be declared an IDA. Therefore, Town Council hereby designates the following areas of the CBPA to be included in IDA overlay as permitted by law:
 - 1.** Areas within the Resource Protection Areas within the Chesapeake Bay Preservation Area Overlay District meeting the requirements of subsections (a) and (b), below:
 - (a)** Any developed or built-upon lot in an area in which development was concentrated as of October 28, 1991, so that little of the natural environment remained and this criterion has been continuously met since that time that time and remains at this time is hereby designated as an IDA by the Town Council, provided at least one of the following conditions existed as of October 28, 1991:
 - i.** Development had severely altered the natural state of the lot such that it had more than 50 percent (50%) impervious surface; or
 - ii.** Public sewer and water systems, or a constructed stormwater drainage system, or both, have been constructed and served the area by October 28, 1991. This condition does not include areas planned for public sewer and water or constructed stormwater drainage systems; or

The housing density existing in the area of the lot equals or exceeds four dwelling units per acre; and provided, further, that the use existing or proposed on the lot is consistent with the Comprehensive Plan.
 - (b)** Any lot proposed as an IDA that was vacant or undeveloped as of October 28, 1991 is hereby designated as infill IDA by the Town Council if, in addition to satisfying the requirements of subsection (a)(1)(a) above, the development proposed is consistent with the Comprehensive Plan in effect at the time determination of infill IDA status is made, such lot is located in areas served by public water and sewer, and such lot is generally surrounded by intensely developed areas.
- b.** For purposes of subsection (a)(1)(a)(ii), above, a lot is deemed located in an area served by public water and sewer if sewer and water lines have been constructed and served the area on or before October 28, 1991, and if the lot at that time lay within 500 feet of water and sewer lines into which it was or may have been connected.
- c.** The boundaries of an intensely developed area shall ordinarily be determined by reference to the

adopted Chesapeake Bay Preservation Overlay District map adopted herewith or by zoning determination issued by the zoning administrator for areas meeting the criteria identified in subsection (a)(1) above. In the event the map does not depict the boundaries of any lot, the zoning administrator may issue a zoning determination as authorized by Virginia Code § 15.2-2286(A)(4) to confirm whether the lot is in an IDA, i.e., whether the lot meets the criteria within (a)(1) above. An application for zoning determination from the owner shall be accompanied by a certified metes and bounds description and plat depicting the boundary of his lot as well as any verification or evidence required by the Zoning Administrator that the lot qualifies for designation as an IDA.

- d.** Designation of a lot as an intensely developed area or infill IDA shall be an overlay in addition to, and not in lieu of, the designation of Chesapeake Bay Preservation Areas upon such lot. Development or redevelopment upon any lot designated as an intensely developed area or infill IDA shall conform to all requirements for redevelopment as established by this ordinance.