

Nelson County Zoning and Subdivision Ordinance Update

Planning Commission and Board of Supervisors
Joint Kickoff Meeting
August 28, 2024





Agenda

- Ordinance Purpose and Content
- Project Intent
- Project Overview & Schedule
- Land Use Evaluation Review
 - Zoning Ordinance Diagnostic
 - Subdivision Ordinance Diagnostic
 - Comprehensive Plan Strategies Diagnostic
- Community Engagement
- Next Steps
- Keys to Success

Ordinance Purpose and Content

Zoning Ordinance

Regulates

Use of Land & Structures
Size, Height, Area, Location

Ensures

Light & Air
Conveniences & Safety

Facilitates

Public Services & Amenities

Protects From

Destruction & Obstruction
Encroachment & Congestion
Dangers & Adverse Impacts



Subdivision Ordinance

Regulates

Land Division – Number & Size
Development Standards

Provides

Standards for
Adequate Streets & ROWs
Utilities, Services, Drainage

Establishes

Procedures and Regulations

Project Intent

Comply	Comply with Code of Virginia
Clarify	Clarify Language
Address	Address Modern Zoning and Subdivision Issues
Consider	Consider Zoning Flexibility
Revise	Revise for Compatibility with Comprehensive Plan

Project Overview & Schedule



****See Attachment A: Meeting Schedule***

Land Use Evaluation Review

1. Overview
 2. Zoning and Subdivision Ordinances
 3. Next Steps
 4. Conclusion
- Appendix A: Zoning Ordinance Code of Virginia Diagnostic Matrix
 - Appendix B: Subdivision Ordinance Code of Virginia Diagnostic Matrix
 - Appendix C: Comprehensive Plan: Diagnostic: Implementation Strategies

Land Use Policy Evaluation

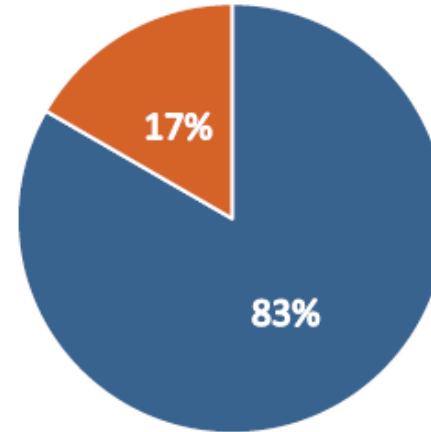
Nelson County, Virginia

August 28, 2024

****See Attachment B: Land Use Policy Evaluation***

Diagnostic Review – Zoning Ordinance

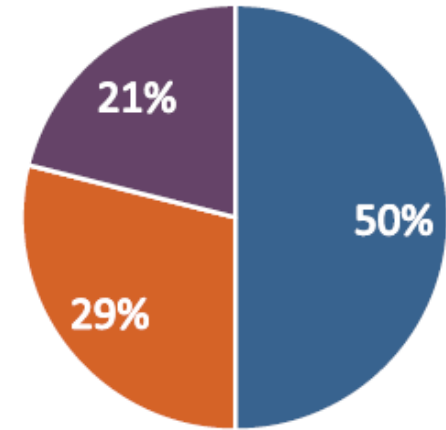
Chart 1
Applicability of
Code of Virginia Sections



Applicable
(110 Sections)

Not Applicable
(22 Sections)

Chart 2
Compliance with Mandatory* Sections
* Chart does not include Optional or Non-Applicable percentages

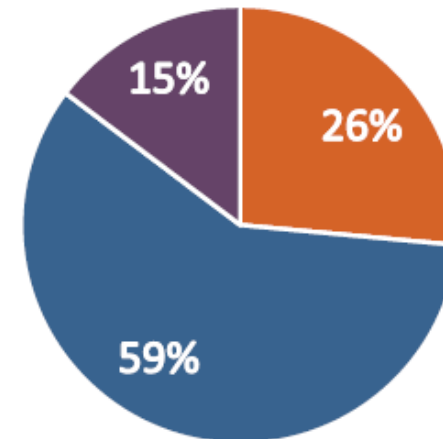


Included
(38 Sections)

Not Included
(22 Sections)

Partially Included
(16 Sections)

Chart 3
Optional* Provisions Usage
* Total Optional Provisions: 26% of all provisions



Included
(9 Sections)

Not Included
(20 Sections)

Partially Included
(5 Sections)

Diagnostic Review – Zoning Ordinance

Update	Update to align with Code of Virginia
Organize	Reorganize and consolidate articles
Consider	Consider adopting optional provisions
Incorporate	Incorporate additional and/or clarified provisions
Consolidate	Consolidate uses into broad categories
Modernize	Modernize and streamline uses

Diagnostic Review – Zoning Ordinance

Improvement	Result
Code of Virginia references and recent amendments	Compliance with Code of Virginia
Clear process details for zoning actions	Clarity for applicants and administration
Tables and graphics of regulations	Readability and easier administration
Reevaluate districts and refine district standards	Flexibility and user-friendly Ordinance; Achieve Comp Plan Goals & Strategies
Create a Use Matrix	Better readability and easier administration

Diagnostic Review — Zoning Ordinance

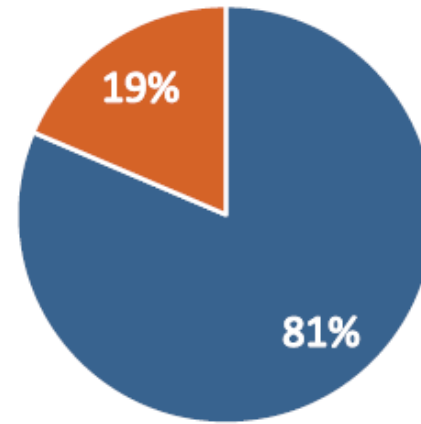
Improvement	Result
Reorganize and improve use standards	Readability and accessibility; compatibility with Comprehensive Plan Goals & Strategies
Review and update definitions to ensure every land use/term has a clear accompanying definition	Internal consistency; readability; avoid interpretation issues
Modernize uses to align with today's economy and provide flexibility	Ease administrative burden; business-friendly; easy to introduce new beneficial land uses.
Incorporate and refine design standards (lighting, landscaping, signs, etc.)	Ease administrative burden and beautify the community

Diagnostic Review – Zoning Ordinance

Improvement – Specific Land Uses	Result
Telecommunications: Update to include applicable Code of Virginia requirements	Ensure compliance with Code of Virginia
Accessory Dwelling Units: Consider permissions and standards; include definitions	Internal consistency; clarity and readability; avoid interpretation issues
Green Infrastructure: Allow for innovative approaches to infrastructure and better connectivity to natural environment.	Address specific goals and strategies of the Comprehensive Plan.
Short-term Rentals: Review and reevaluate standards.	Control overdevelopment and protect sensitive areas and housing market.

Diagnostic Review — Subdivision Ordinance

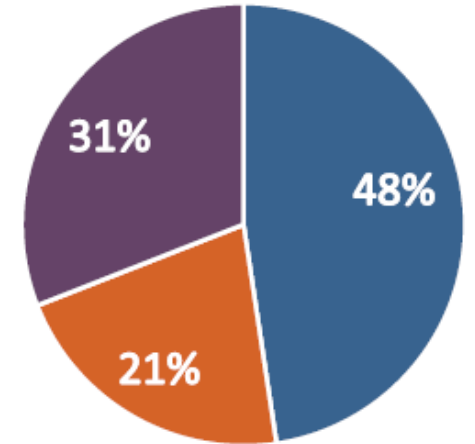
Chart 1
Applicability of
Code of Virginia Sections



Applicable
(57 Sections)

Not Applicable
(13 Sections)

Chart 2
Compliance with Mandatory* Sections
* Chart does not include Optional or Non-Applicable percentages

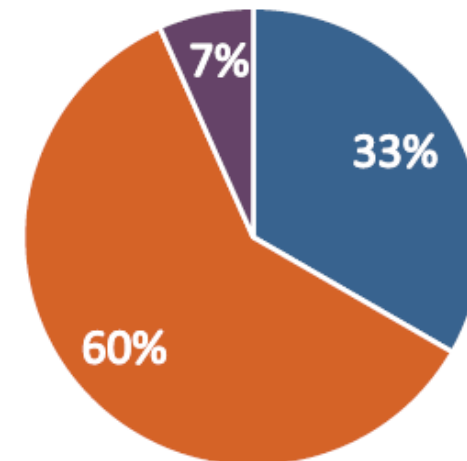


Included
(20 Sections)

Not Included
(9 Sections)

Partially Included
(13 Sections)

Chart 3
Optional* Provisions Usage
* Total Optional Provisions: 21% of all provisions



Included
(9 Sections)

Not Included
(20 Sections)

Partially Included
(5 Sections)

Diagnostic Review — Subdivision Ordinance

Update

Update to align with Code of Virginia

Organize

Reorganize subdivision ordinance as an Article in Zoning Ordinance

Consider

Consider adopting optional provisions

Diagnostic Review — Subdivision Ordinance

Improvement	Result
Update preliminary plat requirements	Ensure compliance with Code of Virginia
Include provisions for the vacation of plats	Ensure compliance with Code of Virginia
Include validity of plats	Ensure compliance with Code of Virginia
Update performance bond partial release allowances	Ensure compliance with Code of Virginia
Consider requiring Environmental Assessments and remediation plans	Reduce environmental impact of large-scale development
Expand cluster subdivision (density zoning) regulations	Address goals and strategies of Comprehensive Plan

Diagnostic Review — Comp Plan

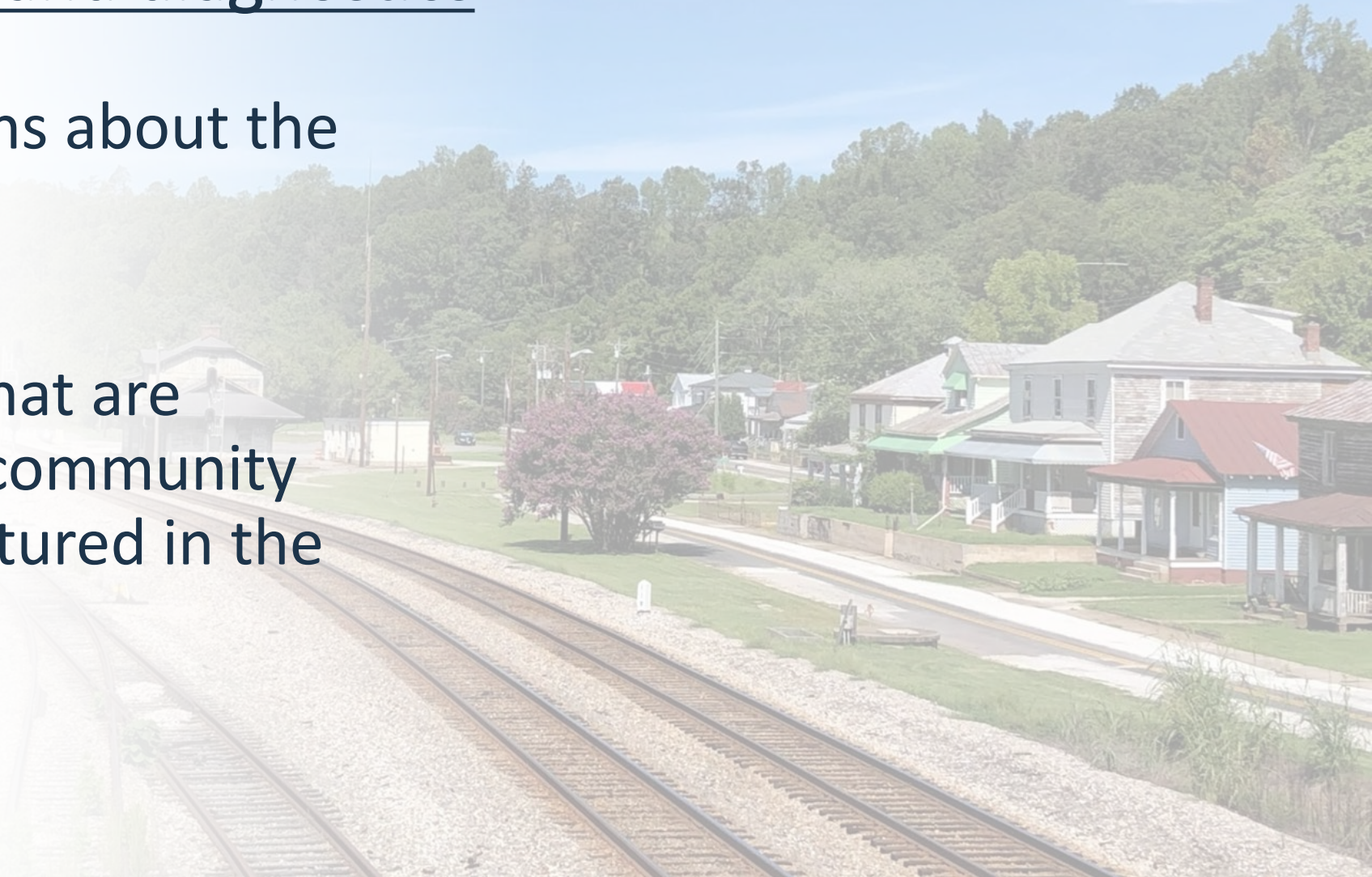
Strategy Text:	Action to be Taken in ZO + SO Update:
Chapter 3 Shaping Community Character	
ive energy standards to ensure the adopted character and the interests of the community.	<ul style="list-style-type: none">• Allow for accessory solar and wind energy facilities to primary land uses to include both rooftop mounted and ground mounted solar, up to an appropriate size to both serve the community and protect rural landscapes.
itive energy on private development through the Code of Virginia permitted solar tax and commercial small-scale solar installations.	<ul style="list-style-type: none">• No land use regulation action required.
ees for residential solar installations.	<ul style="list-style-type: none">• Adopt a fee schedule ordinance with reduced fees for solar energy permits.
ergy-efficient lighting and investigate outdoor light impacts of over-lighting, glare, and light pollution.	<ul style="list-style-type: none">• Create lighting design standards that apply to new developments in each Zoning District.
g and development provisions to update parking age permeable paving and other materials that mwater.	<ul style="list-style-type: none">• Consider a reducing the number of required parking spaces, found in Section 12-7-6 of the Zoning Ordinance, and allowing pervious and semi-pervious materials such as open joint pavers, reinforced grass grids, within Section 12-7-8D. Establish a minimum number of parking spaces to trigger improved surface lots (i.e. lots of 8 spaces or more require an improved surface).
tions to require the placement of shade trees native plants in all commercial and institutional	<ul style="list-style-type: none">• Modify the regulations of Section 12-7-8L to apply to any parking lots that meet a minimum size threshold. Include provisions that require the planting of native trees and shrubbery, as approved by the Administrator.• Create landscaping design standards that apply to all industrial and commercial properties. Buffer landscaping should be required in setback areas and should identify how much space must be landscaped. Ensure that all landscape includes only native trees and shrubbery. Modify existing landscaping requirements to refer to this new landscaping design standard section.

Diagnostic Review – Comp Plan

Improvement	Strategy #
Incorporate and refine community design standards (landscaping, lighting, noise, signs, etc.) and incorporate green infrastructure principles.	3.1, 3.4, 3.5, 3.6, 3.9, 3.15, 3.17, 4.11, 6.3, 6.4, 6.14, 6.15
Allow for alternative housing options such as multi-family and accessory dwelling units.	3.14, 5.1, 5.2, 5.4, 5.5, 8.29
Standards for new development to include interconnectivity, shared use trails, and recreation amenities.	3.7, 3.16, 4.6, 4.7, 4.9, 4.10, 5.11, 8.33
Overlay zoning districts such as village, mountain ridge district, tourism development district.	5.14, 6.1, 6.17, 6.20, 6.22, 6.24, 7.7

Discussion: Land Use Ordinance Evaluation report and diagnostics

- Are there questions about the land use report?
- Are there issues that are important to the community that were not captured in the diagnostic?



Community Engagement

Public Workshop

Gathers input from community members on specific zoning concerns

Focus Group Sessions

Gathers insights from community experts

Focus Groups Sessions



Group 1
Business &
Economic
Development



Group 2
Development &
Real Estate



Group 3
Agriculture



Group 4
Natural & Cultural
Preservation

Discussion: Project Priorities & Goals

- *What do you **like** about the Zoning/Subdivision Ordinances?*
- *What do you **dislike** about the Zoning/Subdivision Ordinances?*
- Do you have any new zoning items you would like added to the Ordinance?
- Are there any other zoning or subdivision issues that are important to discuss?

Next Steps

- ☒ Joint Kickoff Work Session
- ☐ Public Workshop – October TBD
- ☐ Focus Groups – October TBD
- ☐ Work Session 1: Public Engagement Summary and Table of Contents Crosswalk – December 18
- ☐ Draft Ordinance
- ☐ Work Sessions 2-6 – Feb. 2025 through Oct. 2025
- ☐ Public Open House and Review – Nov. 2025
- ☐ Pre-Adoption Worksession – December 2025
- ☐ Final Revisions
- ☐ Public Hearings & Adoption – Feb. & March 2026

Keys To Success

- 🔑 Engage from start to finish
- 🔑 Inform and listen to constituents
- 🔑 Get input from staff
- 🔑 Communicate with stakeholders
- 🔑 Stay involved and do your homework!



Contacts



Chris Musso, Planner II
chris.musso@bgllc.net



Cecile Gaines, Senior Planner
cecile.gaines@bgllc.net