

PROPOSED R-3 ZONING CLASSIFICATION

VISION-OUR IRVINGTON COMMUNITY

Irvington is picturesque small town with a strong sense of community. We value our historic past and take pride in having been named to the National Register of Historic Places. We love the human scale of our community which lets us walk to local amenities, have chance meetings with neighbors, and be recognized by name at our post office and at local businesses. There is little interest in the town growing, and especially NOT in the form of suburban type “cookie cutter” development. We do not want growth that taxes the infrastructure or threatens the quiet and safety that are prized so highly in our community. As small towns all over America succumb to the pressures which growth and development place on their way of life, we know that what we have in Irvington is MORE precious and unique, and we want to keep it that way. We want to maintain the village feel by avoiding high volume retailers; we prefer human scaled businesses that provide friendly, personal services to our residents. We consider green spaces within the town that are devoted to commercial farming a unique characteristic and a reminder of our rural roots. We cherish our environment -especially our beloved Carter's Creek- and want to protect it as well as promote the enjoyment of our natural assets through bike, walking paths, and water access.

154.060 STATEMENT OF INTENT

A. To allow for flexibility in land use and to encourage innovative and creative design for a development plan that:

1. Complements the rural and historic nature of Irvington.
2. Incorporates the architectural detail of the houses built here in the early 20th century.
3. Is environmentally sensitive.
4. Improves the quality of life by providing golf cart paths-where possible, and bike and pedestrian connectivity to the village and surrounding neighborhoods.
5. Incorporates roadway design that promotes healthy neighborhoods by reducing the impact of the automobile and incorporating trees, landscaping, hardscaping and outdoor furniture.
6. Is respectful of the character of nearby neighborhoods by allowing ample buffers and ensuring that new transitional homes are of similar scale to existing homes.
7. Incorporates an agricultural element which is reflective of our rural heritage.
8. Builds on our assets, enhancing our community by reinforcing those aspects which are unique, thereby ensuring that it NOT look like “everyplace else”.

B. The owner of a plat of 40 or more contiguous acres in R-2 Residential District may apply for a rezoning to R-3. In Land Use, “contiguous” means: that parcel lines have to touch each other to be contiguous; plats of land that are divided by a road that is in the state system do not qualify because there is an intervening public right-of-way between the parcels.

154.061 USE REGULATIONS FOR R-3

A. The following comprise the use regulations for R-3:

1. All permitted uses in R-2.

2. Conditional uses in R-2 when permitted by PC and TC.
3. Additional uses as permitted by TC approval of a detailed plan.

154.062 REGULATIONS

A. Assuming that all 70 acres are developed, the maximum number of single family homes is 35. In any case, the maximum number of single family homes allowed on any property developed under R-3 shall not exceed the number that would have been allowed under R-2. Town houses, multi-family homes, and manufactured homes are not allowed. There shall be a minimum of 40 % of the overall acreage set aside for agricultural uses, open space OR recreational uses.

B. The developer understands that there are no preset regulations governing neighborhood design, lot size, setbacks, etc.; HOWEVER, a detailed plan is REQUIRED, and that the suitability of that plan and its approval is entirely at the discretion of the governing bodies of the Town of Irvington.

C. It is understood that it is the developer's responsibility to establish the following:

1. Utility easements.

2. Sewage disposal systems in keeping with the BMPs of Lancaster County and the Commonwealth of Virginia. The developer shall obtain the approval of the health official as a component of the rezoning process. If common (shared) sewage disposal is used, the developer shall establish a non-profit association, corporation, trust or foundation created for the purpose of holding, maintaining and operating the common facilities.

3. Storm water management plan, easements and BMPs.

4. Full compliance with Chesapeake Bay Act-as applicable.

5. It is understood the floodplains (if any) shall not be platted for residential use.

6. Main roadways must meet VDOT standards. Developer is responsible for submitting plans and other data required to gain all required approvals including a traffic impact if requested by the PC or VDOT.

7. Erosion and sediment control as required by Lancaster County ordinance.

8. The intended means by which a non-profit association, corporation, trust, or foundation shall be established to own, manage, and maintain the common open and/or recreational space and facilities; OR to own and manage land dedicated to agricultural uses. All such property shall be conserved by an easement or other legally binding instrument intended to secure the space's use in perpetuity. This may include, but is not limited to, a conservation trust with Northern Neck Land Conservancy where the developer retains transferable ownership rights, leases the property for an agricultural use (such as a vineyard), and receives tax credits.

D. Proof of the establishment of the above (with required documentation) is part of the application and approval process.

154.063 DEVELOPMENT AND DESIGN STANDARDS

A. The suitability of the plan and its subsequent acceptance or rejection is largely dependent on the level of incorporation of the following characteristics which the Town would like to see:

1. Quality construction and design, per current industry standards, that features a variety of home plans inspired by Irvington's historic past and reinforcing the importance of our designation as a National Trust Historic District. Critical design details include rooflines, historically proper proportion of doors and windows, porches, high ceilings, quality building materials and appropriate architectural detail.

2. Minimum of 30 % of the homes less than 1800 square feet. Given the current trend to smaller homes, designs less than 1200 sq. feet (all heated) will be allowed provided they are quality construction and design-per-current industry standards.

3. VARIETY in home sizes, plans, lot sizes, siting and neighborhoods is desired. Setbacks should be suited to home size and siting and be similar within neighborhoods.

4. Neighborhood layouts that reflect the look and feel of our rural community are desired. That could include a variety of lot sizes and spacing or the clustering of cottages at the end of long drives as is commonly found in Irvington.

5. Buffers between new homes and existing neighborhoods and existing roadways are required. New homes constructed near existing neighborhoods must be "to scale" to existing houses. In addition, liberal setbacks shall prevent new construction from "crowding up" to existing roadways or neighborhoods.

6. Fences-if used- should be decorative in nature, less than 4 ft. tall, not fully opaque or constructed as privacy fencing.

7. Trash containers, storage areas and outdoor mechanical equipment shall be screened from public view.

8. Main roads shall be constructed to VDOT standards.

9. Connectivity to the Village and nearby neighborhoods-walking paths, bike and golf cart paths-where possible- are desired.

10. Landscape plans using low maintenance trees and plants which thrive in Zone 7.

11. Street and community name signage that is historical in design and in compliance with the current Town Code.

12. Metal buildings of any type are not allowed.

154.064 APPLICATION AND APPROVAL PROCESS

A. The Approval Process will entail:

1. A preliminary meeting with PC to approve basic design parameters.

2. Presentation of a completed detailed plan including roadways, plans for storm water management, utility easements, water and sewer, neighborhood layouts, proposed house plans and elevations, siting, landscape designs, parking plans, public amenities including walkways, outdoor furniture, bicycle and golf cart paths, lighting and signage. Developer shall present evidence of government approvals listed in section 154.062 as stated above herein.

3. Advertised Public Hearings followed by PC recommendation to TC.

4. Presentation to TC.

5. Advertised Public Hearings.
6. Approval or Disapproval by TC.
7. In the event of Disapproval, the applicant may present amendments to the plan as presented.
8. Approval of the final plan of development does NOT constitute a zoning permit or building permit. These permits will need to be secured before construction begins from the Town of Irvington and Lancaster County respectively.

154.65 TIME LIMITS

A. Beginning development. If development has not commenced within two (2) years of approval of the final plan of development and any and all associated plans, instruments and/or documents, the approval expires, the associated rezoning to R-3 is null and void, and the affected parcel(s) shall revert to the underlying zoning district designation, except where any portion of the property has been subdivided, recorded, and conveyed to third parties, said approval related to the conveyed portions(s) remaining valid for an indefinite period of time unless and until any portion is subject to a vacation action.

B. Extension(s) to the commencement of development. The applicant may request in writing to the Town Council an extension of the start of development and the Council may grant one or more extensions for additional periods of time based on a determination that the request is reasonable, taking into consideration the totality of the circumstances that may have delayed the commencement of development.

C. Beginning of construction. Construction should begin as closely as possible to the date shown in the schedule for development in the approved final plan of development. Developers are subject, in total or in phases, to § 153.122 (B) (6) of the Subdivision Ordinance which establishes that Council approval of a plat of subdivision is null and void if construction has not commenced within six (6) months of approval of a final plat of subdivision and/or the acquisition of building permits and § 154.004 of this Zoning Ordinance which establishes in the definition of a zoning permit that such permits are invalid after two (2) years if construction has not commenced.

D. Completion of construction. Once construction commences, it shall proceed and be completed in accordance with the schedule for development included in the approved final plan of development. Failure to complete construction in accordance with the schedule for development included in the approved final plan of development may result in a reconsideration of the approvals associated with the remaining development/construction activities.

E. Extension(s) to the construction schedule. If the pace of construction varies substantially from the schedule for development and/or work is suspended or discontinued for six (6) months, the applicant shall request in writing to the Town Council an extension of the schedule for development in increments of up to six (6) months, not to exceed two (2) extensions and a cumulative time period of twelve (12) months. Failure to request an extension may result in a reconsideration of the approvals associated with the remaining development/construction activities.