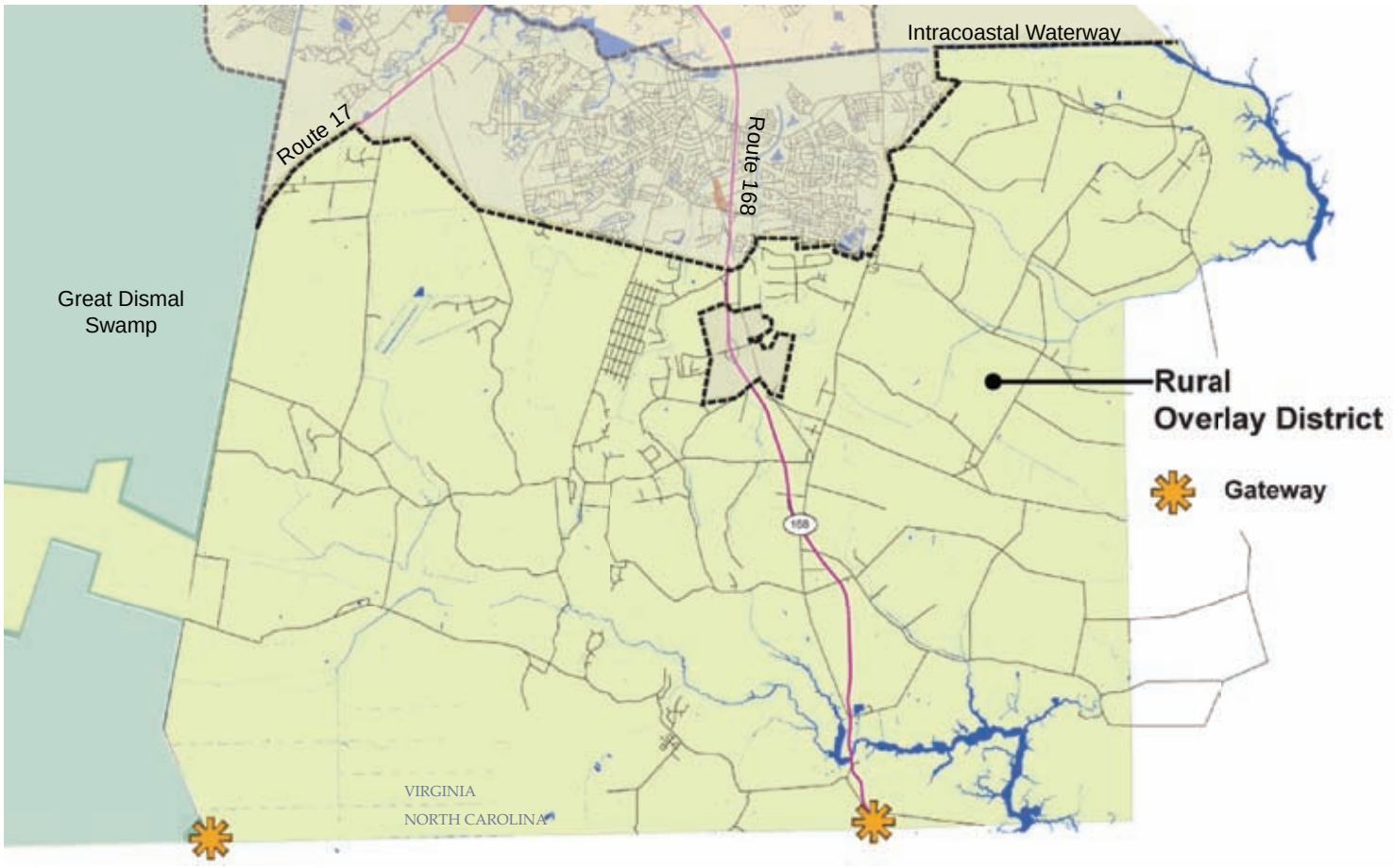


IV. Development in the Rural Overlay District

Route 17 in Chesapeake's Rural Overlay District affords distant views of agricultural land and tree lines.

Ballahack Road is one of the country roads in the Rural Overlay District.

White clapboard siding and standing seam metal roofs are traditional architectural features in the Rural Overlay District.

Intent

The Rural Overlay District lies south of the city's urban service boundary and has been historically agricultural in nature. This district also contains the Northwest River, a major drinking water supply for the city, as well as U. S. Naval Air Landing Field (NALF) Fentress. The 2026 Comprehensive Plan envisions this district as an area of preserved farmland, natural areas, and small-scale rural communities and compatible employment uses. These guidelines address appropriate development within the rural overlay district.

Features essential to preservation of the rural character of the City of Chesapeake include distant views of the countryside, topography, natural drainage patterns, country roads, open space including agricultural fields and pastures, fences and hedgerows, barns and other farm buildings. Preservation of agriculture as a continual economic activity is different from the retention of the visual character of agriculture.

The purpose of the Rural Overlay District is to preserve Chesapeake's rural character and to provide a regulatory mechanism through which development can occur with minimal environmental impact. Toward this goal, the City of Chesapeake encourages creative development techniques and flexibility not generally found in conventional subdivision ordinances.

This chapter has been prepared with particular reference to the following two documents:

1. Heyer, Fred. Planning Advisory Service Report Number 429: "Preserving Rural Character." American Planning Association, December 1990.

2. "Southern Watershed Area Management Program: Rural Area Preservation Program." Final Report, September 30, 2001.

Piano-key subdivisions should be avoided to preserve open space and maintain the rural character of existing roads.

Implementation Techniques

Implementation techniques to protect the Rural Overlay District's rural character include the City of Chesapeake's 2026 Comprehensive Plan's designated land use, circulation pattern, and open space for the district. Other implementation techniques are defined in the land development ordinances as well as the development review process. In order to preserve the rural character and natural resources, use of innovative development implementation techniques is encouraged by the City. Such implementation techniques include cluster development which differs from the conventional 'piano key' approach.

Development plans should be driven by existing conditions. Applicants must provide a preliminary design assessment which should consist of a graphic and narrative site features inventory which includes significant site features such as critical areas, vistas, wetlands, floodplains, slopes, tree lines and tree masses, rare and endangered species habitats, drainage courses, waterway buffers, and any additional features uniquely affecting a site. Rare and endangered species habitat should be protected. Existing natural features will be retained and enhanced through restoration. Open space and conservation areas should be contiguous between the site and adjacent areas. This method should be coupled with reduced building envelopes. Sensitive areas outside the reduced building envelopes should be place in conservation easements.

Future non-agricultural development which is incompatible with the rural landscape should be guided to the Urban and Suburban Overlay Districts by such mechanisms as the urban service boundary. Accepting the fact that some development is inevitable, preserving rural character is obtainable when development goals are clearly defined and approached creatively. The master plan, land development ordinances, and development review process can produce the desired result through the joint and cooperative efforts of owners, developers, and the City.

Table 1. Development in the Rural Overlay District

Goals	Objectives
Minimize Visual Impact	1. Structures should not be placed in open fields; the visual impact should be minimized with a preserved or restored natural buffer.
	2. Locate buildings adjacent to tree lines and woodland edges.
	3. Residences should not front directly on off-site existing streets.
	4. Cluster residences to preserve open space and active agriculture.
	5. Maintain a minimum setback from waterbodies.
Retain Rural Features	1. Incorporate existing farm roads into development plans.
	2. Preserve to the greatest extent possible fences, hedgerows, tree lines, and natural vegetation to protect these landscape features during construction.
	3. Preserve and reuse existing agricultural structures where feasible.
	4. Retain treed areas between roads and buildings, and protect these areas during construction.
	5. Prepare a stormwater management plan to control chemical pollutants, such as hydrocarbons and fertilizers.
	6. Monitor water quality.
	7. Design wastewater treatment facilities to protect surface water and groundwater.
Minimize Site Disturbance	1. Minimize disturbance for construction of roads, basins, residences, and other improvements.
Restore Natural Features	1. Restore natural features such as streams, wetlands, and forested areas where possible.

Adapted from APA Planning Advisory Service Report Number 429

Implementation Techniques

Table 1 provides a summary of goals and implementation techniques.

Clustering of lots can yield shared open space.

Land Use and Building Density

Factors to consider in establishing density include environmental constraints such as wetlands, woodlands, floodplains, aquifer recharge areas, rare and endangered species' habitats, prime agricultural soils, groundwater availability, and septic suitability. Additional considerations include the road network, infrastructure availability, historic character, and existing land-use patterns.

Rural densities should be kept relatively low. However, low density alone does not ensure the protection of the environment and the preservation of rural character. A more sensitive and site-specific approach is necessary.

Existing ordinance requirements and City development standards such as street design, drainage, lighting, and road frontages may require adjustments to minimize site disturbance and area of impervious coverage, and engineering requirements for storm water management facilities.

Cluster development allows individual lots to be smaller than the minimum allowed under conventional subdivision requirements; however, the total numbers of lots remains the same unless approved by a conditional use permit. Individual lots may be permitted to be less than three acres, yielding shared open space.

Clustering

Cluster Development is a method for allocating the development potential of a site to specific areas in order to serve particular preservation and restoration goals. Cluster design allows for the preservation of resources that define the rural landscape, like mature woodlands, and open vistas and for the restoration of resources that enhance the rural and natural landscape.

Cluster development is more desirable than piano-key development and should be used whenever possible. Piano-key development fronts on off-site roads and is, therefore, highly visible and interrupts views of the rural countryside. Large lot zoning and 'piano key' lots are harmful to both the rural landscape and the rural road network while also potentially fragmenting farmland to the point where agriculture is no longer viable. Therefore, very low residential densities in rural areas should be used cautiously and in conjunction with other land management strategies.

The principal values of clustering are to preserve the aesthetic character of open spaces and to more efficiently utilize land and infrastructure resources.

The keys to effective clustering design are:

1. Preserve in perpetuity the area from which the density for the clustered units is allocated.

2. Ensure that the cluster subdivision is significantly buffered from agricultural activities and other adjacent land uses.

3. Ensure that the cluster subdivision is located so that the visual impact of development is minimized and that the cluster subdivision is not visible from public roads through the preservation or restoration of natural features.

Clustering

4. Control the location and character of structures to ensure visual compatibility with the rural landscape.

5. Ensure that vehicular traffic does not conflict with agricultural vehicles and that access to the rural road network does not unnecessarily impact the capacity of the network.

Conceptual plans for cluster development should be presented to the planning department for further evaluation. The City of Chesapeake will determine when to permit, as a conditional use, the flexible allocation of density within a proposed development site to achieve increased efficiency, improved aesthetics, and preservation of agricultural and scenic resources.

Lots should be arranged in the best possible manner while respecting a site's unique character. A major objective should be to minimize the total amount of site disturbance. Ownership lines should be permitted to follow existing features on the site, such as tree lines or contour lines. The cookie-cutter approach should be avoided. To meet the intent of cluster development a more natural and sensitive design approach is necessary.

In the design process, building envelopes should be more narrowly defined and the most suitable areas for development should be shown. Areas beyond these reduced building envelopes should be restricted against development. Building envelope lines should not be drawn into wetlands or steep slope areas that need not be disturbed.

Clustering

1. Clustering shall be permitted according to the submission requirements of § 6-2200 of the City's Zoning Ordinance and Chapter 70, Article VI of the City Code

2. The minimum tract area for the use of the clustering should be 15 acres.

3. The minimum common open space should be 40% of the total area.

4. No increase in density shall be permitted when using cluster development unless a conditional use permit is approved by City Council.

5. In a subdivision where some of the resultant individual lots exceed 5 acres, no further subdivision of these lots should be permitted, and this restriction should be included in the lot's deed.

Guidelines for Cluster Development

Guidelines for preservation of rural elements should be established to serve principles for the preparation of development plans and for reference by city planners during plan review. The following may serve as a guideline for these goals:

1. Permitted uses: Single-family detached houses, agricultural uses, passive recreation, and wood lot management.

2. Density: The maximum permitted density within the district shall be calculated in accordance with Article 5 of the Chesapeake Zoning Ordinance. The Planning Department will evaluate the feasibility of a density incentive bonus of up to 3 lots per cluster development.

3. Minimum lot size with individual well and septic system: in accordance with the state health department regulations

4. Maximum building envelope size: 40 percent of lot area or 20,000 square feet, whichever is less.

5. Maximum total lot disturbance: Fifty percent of lot area or 25,000 square feet, whichever is less. Site disturbance should include all areas disturbed for the purpose of constructing building and structures as well as all graded areas and lawns. The total should include disturbed areas both inside and outside the buildings envelope.

6. Maximum total tract disturbance for public improvements including streets and stormwater management facilities: 7% of tract area. All improvement-related disturbance should be included in this calculation, including areas of grading and vegetation removal as well as the cartways and basins.

7. Minimum spacing between building envelopes on adjacent lots: 50 feet.

8. Minimum spacing between building envelopes and tract boundary: 150 feet.

This site plan illustrates an example of cluster development on a rural site with retention of agricultural and natural features

Guidelines for Cluster Development

9. Minimum spacing between building envelopes and off-site public street: 300 feet. A restored landscape buffer should be provided within this setback to provide visual screening.

10. No building envelope should be placed closer than five feet to any lot line.

11. Minimum spacing of building envelope from on-site public streets: 35 feet.

12. Minimum setback of building envelope from lakes or ponds: 100 feet.

13. Lot Frontage: Where a lot abuts a public street, the minimum lot frontage should be 50 feet. Lots using private drives for access should not be required to have frontage on a public street.

LOCATING BUILDING ENVELOPES

1. Building envelopes should avoid open fields or minimize the visual impact with a preserved or restored natural buffer.

2. Building envelopes should be located on the edges of fields and in wooded areas to minimize the visual impact of development.

3. Building envelopes should not include wetlands, existing woodlands, and floodplains.

CONSERVATION EASEMENTS AND DEED RESTRICTIONS

1. Conservation easements shall be required for all designated conservation lands.

2. All subdivision plats shall contain a reference to any required conservation easement.

3. If lots are created that exceed 5 acres or more in size, these lots should

Guidelines for Cluster Development

include a deed restriction against further subdivision.

DESIGN STANDARDS FOR PUBLIC ROADS

1. Right-of-way width: 50 feet

2. Cartway width: 24 feet

3. Curbing: Swales are the preferred method of providing stormwater management within the cluster development. Curbing should be used only where necessary. Where curbing is required, Belgian block or equivalent material should be required.

4. Roadways should follow existing contours to minimize the extent or cuts and fills.

5. Where sites include linear features such as existing access roads, tree lines, and stone rows, roadways should follow these features to minimize their visual impact.

6. Roadways should be buffered by existing or restored natural features to minimize visual impact.

DRIVEWAYS

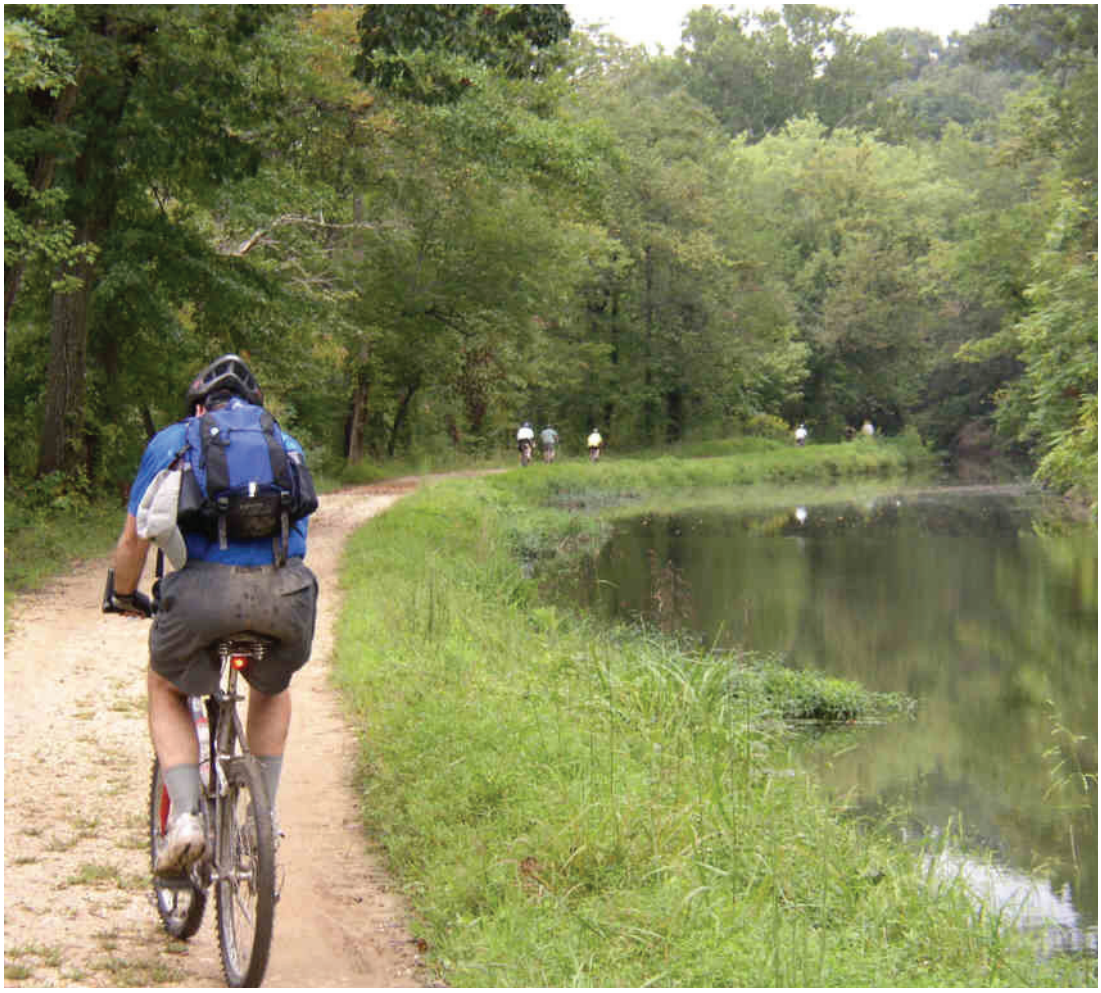
1. The number of driveways accessing off-site public streets should be kept to a minimum.

2. The appropriate use of common driveways is encouraged. Where lots will access an off-site public street, common driveways should be used where appropriate to minimize the number of curb cuts required.

3. The maximum number of units served by a common driveway should be four.

4. Minimum common driveway width: 12 feet with two-foot graded and stoned shoulders.

5. Paving should be required in areas where driveways grade is an excess of six percent.



Guidelines for Cluster Development

6. Maximum length of common driveway: 1,000 feet.

7. All driveways in excess of 500 feet should provide a 10'X 30' turnout. The exact location of the turnout should be determined by the Planning Department with the review of the City Fire Department.

8. All driveway areas should be included in the total lot disturbance calculation for the lot on which the site is located.

9. All lots using common driveways should provide a common driveway maintenance agreement to be approved by the Planning Department with the review by the City Attorney's Office.

STORM WATER MANAGEMENT

1. Existing natural drainage ways should be retained.

2. All stormwater management facilities should require landscaping plans. Stromwater basins should resemble natural ponds to the maximum extent possible and meander through the development as a greenbelt, rather then a single structure.

3. Basin landscaping materials that contain native species and enhance wildlife habitats should be selected.

CENTRAL WATER FACILITIES

1. Where central water facilities are used, their visual impact should be minimized consistent with the rural character of the district. The overall size, height, location should be considered.

2. Where a tract contains barns or silos, these structures may be used to conceal a water storage water facility.

Guidelines for Cluster Development

NORTHWEST RIVER SETBACK

1. No land disturbance should take place within 1000 ft. of the top of bank of the Northwest River main channel.

LANDSCAPING AND LAWNS

1. Existing vegetation should be preserved in areas where disturbance is not necessary outside the building envelope.

2. The creation of lawn areas in excess of 10,000 square feet is strongly discouraged. Lawn areas should be included in the total site disturbance calculation. In instances where a lot includes open field areas, these areas may be seeded without being included in the 10,000-square-foot total or the total site disturbance calculation.

3. Native species should be included in all landscape designs.

4. Where building envelopes are located in woodlands, a treed area of at least 30 feet between the building envelope and the common drive or roadway should be retained.

FENCING

1. Perimeter fencing of lots is not permitted.

2. Fencing may be constructed on the perimeter of or within the building envelope area of lots.

3. The fencing restriction should not apply to agricultural uses as defined in the zoning ordinance.

SIGNAGE

1. On-site development identification signs should be limited to thirty-two square feet, its construction should be of natural materials (i.e., wood and stone), should not be illuminated, should not exceed eight feet in height, and the base area should be appropriately landscaped.

Guidelines for Cluster Development

LIGHTING

1. Lighting should be provided only where site-specific safety conditions warrant.

2. Where street lighting is required, its location and intensity should be consistent with International Dark Sky Association principles.

CONCRETE ENGINEERED STRUCTURES

1. The use of dyed and textured concrete as well as of other natural materials is encouraged for visible structures such as curbing, culverts, walls, and outlet structures to minimize the visual impact.

ACCESSORY BUILDINGS AND STRUCTURES

1. Accessory buildings should be located within the building envelope areas.

2. Accessory structures should be located within building envelopes except as otherwise permitted by this ordinance.

3. Septics, wells, and driveways may be located outside the building envelopes.

EXISTING STRUCTURES

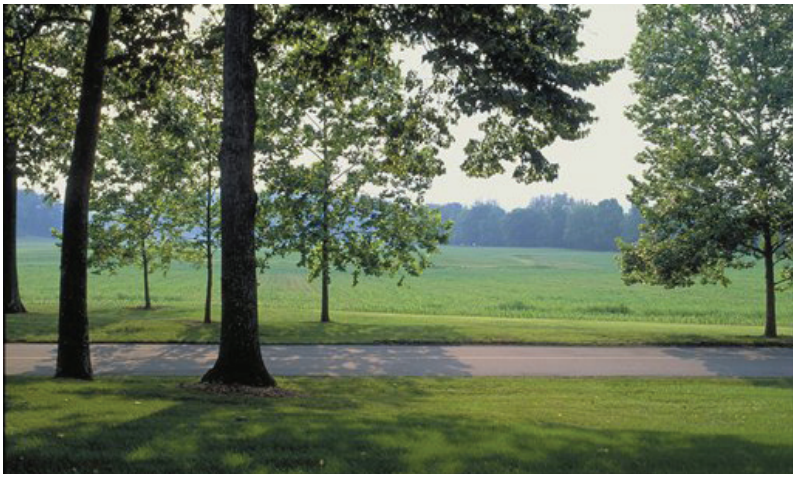
1. When a tract contains existing structures deemed to be of historic or architectural significance and where these structures are suitable for rehabilitation, the structures should be retained.

2. Adaptive reuse of existing structures for residential use or permitted accessory residential uses should be permitted.

GUARDRAILS

1. Where guardrails are necessary, they should be constructed of wood or rustic metal.

The new visitor center at the Biltmore estate in Asheville, North Carolina, is a good example of site planning and architectural design that is appropriate to its rural agricultural setting. The building is sensitively located behind the tree line overlooking the cultivated field.



Guidelines for Non-Cluster Development

The purpose for these guidelines is to provide standards for infill rural residential development on land under the 15 acre minimum threshold for cluster development.

1. Permitted uses: Single-family detached houses, agricultural uses, and wood lot management.

2. Density: The maximum permitted density within the district shall be calculated in accordance with Article 5 of the Chesapeake Zoning Ordinance.

3. Minimum lot size with individual well and septic system: 3 acres

4. Maximum building envelope size: 40 percent of lot area or 20,000 square feet, whichever is less.

5. Maximum total lot disturbance: Fifty percent of lot area or 25,000 square feet, whichever is less. Site disturbance should include all areas disturbed for the purpose of constructing building and structures as well as all graded areas and lawns. The total should include disturbed areas both inside and outside the buildings envelope.

6. Minimum distance between building envelopes and on existing off –site public roads: 300 feet. A restored landscaped buffer should be provided within this setback to provide visual screening.

DRIVEWAYS

1. The number of driveways accessing off-site public streets should be kept to a minimum.

2. The appropriate use of common driveways is encouraged. Where lots will access an off-site public street, common driveways should be used where appropriate to minimize the number of curb cuts required.

3. The maximum number of units served by a common driveway should be two.

Guidelines for Non-Cluster Development

4. Minimum common driveway width: 12 feet with two-foot graded and stoned shoulders.

5. Paving should be required in areas where driveways grade is an excess of six percent.

6. Maximum length of common driveway: 1,000 feet.

7. All driveways in excess of 500 feet should provide a 10′X 30′ turnout. The exact location of the turnout should be determined by the Planning Department with the review of the City Fire Department.

8. All driveway areas should be included in the total lot disturbance calculation for the lot on which the site is located.

9. All lots using common driveways should provide a common driveway maintenance agreement to be approved by the Planning Department with the review by the City Attorney's Office.

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3. Native species should be included in all landscape designs.

4. Where building envelopes are located in woodlands, a treed area of at least 30 feet between the building envelope and

the common drive or roadway should be retained.

LIGHTING

1. Lighting should be provided only where site-specific safety conditions warrant.

2. Where street lighting is required, its location and intensity should be consistent with International Dark Sky Association principles.

RURAL GATEWAYS AND VISITORS CENTERS

Rural gateways to the City of Chesapeake located on the state line with North Carolina are opportunities for receiving visitors and spotlighting local attractions. Development of appropriate gateways in these locations to identify the City is a goal of the Comprehensive Plan. These gateways may incorporate facilities for visitors such as welcome centers, food service, guest accommodations, parking, and access to recreational trails and waterways. Such Gateway developments should comply with the guidelines for development within the Rural Overlay District.