

<b>ACTIONS</b>	
<b>Board of Supervisors Meeting of May 12, 2004</b>	
May 13, 2004	
<b><u>AGENDA ITEM/ACTION</u></b>	<b><u>ASSIGNMENT</u></b>
1. Call to Order. <ul style="list-style-type: none"> <li>Meeting was called to order at 6:00 p.m., by the Chairman, Mr. Dorrier. All BOS members were present. Also present were Bob Tucker, Larry Davis, Wayne Cilimberg and Ella Carey.</li> </ul>	
4. From the Public: Matters Not Listed on the Agenda. <ul style="list-style-type: none"> <li>There were none.</li> </ul>	
5. Presentation of Certificates of Appreciation. <ul style="list-style-type: none"> <li>The Chairman presented Certificates of Appreciation to Donna Marshall and Harry Levins for their service on the Board of Social Services.</li> </ul>	
6.2 Adopt Resolution - Enhanced Speeding Fines on Morgantown Road <ul style="list-style-type: none"> <li><b>DEFERRED</b> the request and directed staff to develop criteria to address all such requests.</li> </ul>	Clerk: Schedule on June agenda when information available. <u>Juan Wade</u> : Provide information as requested.
6.3 Adopt Resolution to accept road(s) in Greenfields Court Subdivision into the State Secondary System of Highways. <ul style="list-style-type: none"> <li><b>ADOPTED</b> the attached resolution</li> </ul>	Clerk: Forward resolution to Steve Snell in Engineering (Attachment 1)
6.4 <b><u>ZTA-2003-002. Personal Wireless Service Facilities.</u></b> <ul style="list-style-type: none"> <li><b>CANCELED</b> public hearing and <b>RESCHEDULED</b> for July 14, 2004.</li> </ul>	Clerk: Include on July 14 agenda for public hearing.
6.5 Proclamation recognizing May 2004 as Teen Pregnancy Prevention Month. <ul style="list-style-type: none"> <li><b>ADOPTED</b> proclamation and Chairman presented to Mary Sullivan.</li> </ul>	
<b>NonAgenda.</b> The Chairman recognized Cameron and Tilden Thomas, present at the meeting as part of their Boy Scouts Communications Merit Badge.	
7. Public hearing to consider the adoption of an ordinance to amend section 4-213 of Chapter 4, Animals and Fowl, Article II, Dogs and Other Animals, of the Albemarle County Code to establish the Farmington Subdivision as an additional area of the County where dogs are prohibited from running at large. <ul style="list-style-type: none"> <li><b>ADOPTED</b> the attached Ordinance to designate Farmington Subdivision as an area in which it is unlawful for dogs to run at large.</li> </ul>	Clerk: Forward resolution to County Attorney's office and Animal Control Officer. Notify applicant of Board's approval. (Attachment 2).
8. <b><u>SP-2003-086. Unity Church in Charlottesville Extension (Sign #60).</u></b> <ul style="list-style-type: none"> <li><b>APPROVED SP-2003-086</b>, by a vote of 6:0, subject to the seven conditions recommended by the Planning Commission.</li> </ul>	Clerk: Set out conditions of approval (Attachment 3).
9. <b><u>SP-2003-088. Jazzercise (Sign #67).</u></b> <ul style="list-style-type: none"> <li><b>APPROVED SP-2003-088</b>, by a vote of 6:0, subject to the five conditions recommended by the Planning Commission.</li> </ul>	Clerk: Set out conditions of approval (Attachment 3).
10. <b><u>SP-2003-091. Kappa Sigma International Memorial Headquarters (Sign #56).</u></b>	Clerk: Set out conditions of approval (Attachment 3).

<ul style="list-style-type: none"> <li>• <b>APPROVED SP-2003-091</b>, by a vote of 6:0, subject to the seven conditions recommended by the Planning Commission and amended at the Board meeting.</li> </ul>	
<p>11. <b>ZTA-2004-001. Cluster Developments.</b></p> <ul style="list-style-type: none"> <li>• <b>ADOPTED ZTA-2004-001</b> with effective date to be July 1, 2004.</li> <li>• Dennis Rooker requested a copy of an ordinance recently adopted by Fluvanna County requiring cluster developments in the rural areas.</li> </ul>	<p><u>Clerk:</u> Forward adopted ordinance to County Attorney's office and copy appropriate individuals.  <u>Wayne Cilimberg:</u> Provide Board members with copy of ordinance.</p>
<p>12. From the Board: Matters Not Listed on the Agenda.  <u>David Bowerman:</u></p> <ul style="list-style-type: none"> <li>• Requested the Clerk provide Board members with a copy of the letter and petition from the Branchlands community regarding the proposed Hillsdale Drive Extension.</li> </ul> <p><u>Ken Boyd:</u></p> <ul style="list-style-type: none"> <li>• Asked for an update on the earthen dam issue in Key West.</li> <li>• The town hall meeting he spoke about last week has been changed to Hollymead Elementary School from Sutherland Middle School.</li> <li>• Mentioned a letter Board members received regarding Doctor's Crossing in Stony Point. Also discussed Allen Road as a rural rustic road.</li> <li>• Asked about the status of plans for Berkmar Road Extended. Mentioned his conversation with a developer who has offered to pave a portion of the road.</li> </ul> <p><u>Bob Tucker:</u></p> <ul style="list-style-type: none"> <li>• Updated Board on status of state budget and appropriation of County's budget in June.</li> </ul>	
<p>13. Adjourned.</p> <ul style="list-style-type: none"> <li>• The meeting was adjourned at 7:30 p.m.</li> </ul>	

/ewc

- Attachment 1 – Greenfields Court Subdivision Resolution
- Attachment 2 – Ordinance - Farmington Subdivision
- Attachment 3 – Planning Conditions of Approval
- Attachment 4 – ZTA-2004-001 Ordinance

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 12th day of May 2004, adopted the following resolution:

RESOLUTION

WHEREAS, the streets in **Greenfields Court Subdivision**, described on the attached Additions Form SR-5(A) dated **May 12, 2004**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the roads in **Greenfields Court Subdivision**, as described on the attached Additions Form SR-5(A) dated **May 12, 2004**, to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right-of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

\* \* \* \* \*

The road(s) described on Additions Form SR-5(A) are:

- 1) **Greenfields Court (State Route 1398)** from the intersection of Route 1403 to the cul-de-sac, as shown on plat recorded 01/11/2000 in the office the Clerk of Circuit Court of Albemarle County in Deed Book 1886, page 0345, with a 50-foot right-of-way width, for a length of 0.08 mile.

Total Mileage - 0.08 mile.

**ORDINANCE NO. 04-4(1)**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 4, ANIMALS AND FOWL, 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 4, Animals and Fowl, Article II, Dogs and Other Animals, Division 2, Running At Large, Section 4-213, In certain areas, is hereby amended and reordained as follows:

**By Adding:**  
(40)

**CHAPTER 4. ANIMALS AND FOWL**

**ARTICLE II. DOGS AND OTHER ANIMALS**

**DIVISION 2. RUNNING AT LARGE**

**Sec. 4-213 In certain areas.**

A. It shall be unlawful for the owner of any dog to permit such dog to run at large at any time within the following designated areas of the county:

\* \* \* \* \*

(40) Farmington Subdivision as platted and recorded in the Office of the Clerk of the Circuit Court of the County in Deed Book 203, page 53; Deed Book 203, page 233, Deed Book 205, page 504; Deed Book 206, page 44; Deed Book 207, page 370; Deed Book 207, page 483; Deed Book 208, page 130; Deed Book 209, page 195; Deed Book 213, page 296; Deed Book 216, page 44; Deed Book 223, page 146; Deed Book 240, page 203; Deed Book 246, page 183; Deed Book 247, page 315; Deed Book 247, page 355; Deed Book 290, page 214; Deed Book 292, page 485; Deed Book 296, page 205; Deed Book 325, page 225; Deed Book 357, page 527; Deed Book 394, page 63; Deed Book 463, page 72; together with all streets and roads abutting the lots depicted on the said plats.

(7-19-73; 8-22-73; 9-26-73; 11-15-73; 12-19-73; 1-3-74; 1-23-74; 3-24-77; 5-22-74; 10-9-74, 1-22-75; 3-10-76; 4-21-76; 12-7-77; 5-22-78; 6-21-78; 10-7-81; 5-21-86; 5-13-87; 9-16-87; 11-4-87; 12-16-87; 9-8-88; Ord of 1-17-90; Ord. of 8-8-90; Ord. No. 94-4(2), 8-17-94; Ord. No. 94-4(3), 12-7-94; Ord. No. 95-4(1), 1-4-95; Ord. No. 95-4(2), 9-6-95; Code 1988, § 4-19; Ord. 98-A(1), 8-5-98; Ord. 98-4(1), 12-2-98; Ord. 00-4(1), 5-3-00; Ord. 03-4(2), 3-5-03; Ord. 04-4(1), 5-12-04)

**State law reference**--Authority of county to adopt this section, Va. Code § 3.1-796.93.

### CONDITIONS OF APPROVAL

Agenda Item No. 8. **SP-2003-086. Unity Church in Charlottesville Extension (Sign #60).** Public hearing on a request to allow extension on the expiration date for SUP for church, in accord w/Sec 10.2.2.35 of the Zoning Ord. TM 61, P 4, contains 4.5 acs. Znd RA. Loc on Hydraulic Rd, approx 0.25 mls N of the intersec w/ Lambs Rd. Jack Jouett Dist.

1. Use shall be limited to a maximum two hundred (200)-seat sanctuary and use of the existing building 2 for youth activities accessory to a church use;
2. Construction of the two hundred (200)-seat sanctuary shall commence within thirty (30) months of the approval of this permit or it shall be deemed abandoned and the authority granted by this permit shall thereupon terminate;
3. New approval of septic system from the Health Department;
4. The site shall be developed in general accord with the conceptual plan found on Attachment F of the staff report for SP 2000-02;
5. The property may not be further divided;
6. There shall be only one (1) residential dwelling on this property; and
7. Any expansion of, or addition to, the uses, activities or structures outlined in the staff report for SP-2000-02 shall require additional review and approval by the Board of Supervisors.

Agenda Item No. 9. **SP-2003-088. Jazzercise (Sign #67).** Public hearing on a request to allow establishment of an exercise studio in accord w/Sec 27.2.2(15) of the Zoning Ord. TM 61W, Sec 1, Block A ,P 8 contains 2 acs. Znd LI. Loc on N side of Rt 866 (Greenbrier Dr), approx 1/4 ml W of Rt 29N (Seminole Trail). Rio Dist.

1. This permit is for an indoor athletic facility as described in the SP 2003-088 justification submitted December 22, 2003 and supplementary information received February 23, 2004;
2. Violation 2003-301 shall be corrected to the satisfaction of the Zoning Administrator prior to commencement of the exercise studio use;
3. The indoor athletic facility use shall be limited to three thousand (3,000) square feet of an existing building located at 340 Greenbrier Drive;
4. Class size shall be limited to a maximum of sixty (60) students; and
5. There shall be a fifteen (15)-minute interval scheduled between classes so that class times do not overlap and create parking shortages on the site.

Agenda Item No. 10. **SP-2003-091. Kappa Sigma International Memorial Headquarters (Sign #56).** Public hearing on a request to allow the fraternal headquarters for Kappa Sigma International in accord w/Secs 13.2.2.2 & 5.1.02 of the Zoning Ord. TM 91, P 16, contains 6.14 acs. Znd R-1. Loc on Rt 20 (Scottsville Rd), approx one ml S of Mill Creek Dr. Scottsville Dist.

1. The site shall be developed in general accord with the plans, entitled *Kappa Sigma Fraternity Headquarters*, dated April 2, 2004;
2. Lighting of the site shall be limited as follows:
  - a. Light levels at the property line shall be no greater than 0.001 foot candles;
  - b. No flood lighting of the building is permitted;
  - c. Only the parking lot north of the building shall be allowed pole lights;
  - d. Utilize bollard type lights in place of pole lights whenever possible. Use only full cutoff fixtures; and
  - e. Site and building illumination shall be limited to the satisfaction of the ARB.
3. Final site plans shall show a reservation, or provide a note, for future vehicular and pedestrian connections to adjacent parcels to the north and south;
4. Final site plans shall show a pedestrian connection from the future pedestrian/bike pathway on Route 20 into the site;

5. A right turn and taper shall be constructed at the entrance in Route 20 to the satisfaction of VDOT;
6. Landscaping shall be provided to limit the impact of the storm water area on the Entrance Corridor to the satisfaction of the ARB; and
7. The Applicant shall construct public water service to the site via extension of the existing Albemarle County Service Authority water line located on the west side of Route 20 and public sewer service via extension of the existing Albemarle County Service Authority sewer line located along Route 20 and the Cow Branch Creek, generally as provided in the report entitled, *Preliminary Engineering Report Water and Sewer Facilities for kappa Sigma Headquarters* by Draper Aden Associates, dated March 30, 2004.

**ORDINANCE NO. 04-18(1)**

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, of the Code of the County of Albemarle are amended and reordained as follows:

**By Amending:**

- Sec. 10.2.2 By special use permit
- Sec. 10.3.3.3 Special provisions
- Sec. 10.5.2 Where permitted by special use permit

**Chapter 18. Zoning**

**Article III. District Regulations**

**Sec. 10.2.2 By special use permit**

The following uses shall be permitted only by special use permit approved by the board of supervisors pursuant to section 31.2.4: (Added 10-9-02)

1. Community center (reference 5.1.04).
2. Clubs, lodges, civic, patriotic, fraternal (reference 5.1.02).
3. Fire and rescue squad stations (reference 5.1.09).
4. Swim, golf, tennis or similar athletic facilities (reference 5.1.16).
5. Private schools.
6. Electrical power substations, transmission lines and related towers; gas or oil transmission lines, pumping stations and appurtenances, unmanned telephone exchange centers; micro-wave and radio-wave transmission and relay towers, substations and appurtenances.
7. Day care, child care or nursery facility (reference 5.1.06).
8. (Repealed 3-5-86)
9. Mobile home subdivisions (reference 5.5).
10. (Repealed 11-11-92)
11. (Repealed 3-15-95)
12. Horse show grounds, permanent.
13. Custom slaughterhouse.
14. Sawmills, planing mills and woodyards (reference 5.1.15 and subject to performance standards in 4.14).

15. Group homes and homes for developmentally disabled persons as described in section 15.1-486.2 of the Code (reference 5.1.07).
16. (Repealed 11-15-95)
17. Commercial kennel (reference 5.1.11 and subject to performance standards in 4.14).
18. Veterinary services, animal hospital (reference 5.1.11 and subject to performance standards in 4.14).
19. Private airport, helistop, heliport, flight strip (reference 5.1.01).
20. Day camp, boarding camp (reference 5.1.05).
21. Sanitary landfill (reference 5.1.14).
22. Country store.
23. Commercial fruit or agricultural produce packing plants. (Amended 11-8-89)
24. (Repealed 11-8-89)
25. Flood control dams and impoundments.
26. (Repealed 11-8-89)
27. Restaurants and inns that are:
  - a. Located within an historic landmark as designated in the comprehensive plan, provided: (i) the structure has been used as a restaurant, tavern or inn; and (ii) the structure shall be restored as faithfully as possible to the architectural character of the period and shall be maintained consistent therewith; or
  - b. Nonconforming uses, provided the restaurant or inn is served by existing water and sewerage systems having adequate capacity for both the existing and proposed uses and facilities without expansion of either system. (Amended 11-8-89; 10-18-00)
28. Divisions of land as provided in section 10.5.2.1. (Amended 5-12-04)
29. Boat landings and canoe livery.
30. Permitted residential uses as provided in section 10.5.2.1. (Amended 5-12-04)
31. Home occupation, Class B (reference 5.2).
32. Cemetery.
33. Crematorium.
34. (Repealed 3-21-01)
35. Church building and adjunct cemetery.
36. Gift, craft and antique shops.
37. Public garage. (Added 3-18-81)
38. Exploratory drilling. (Added 2-10-82)
39. Hydroelectric power generation (reference 5.1.26). (Added 4- 28-82)



40. Borrow area, borrow pit not permitted under section 10.2.1.18. (Added 7-6-83)
41. Convent, Monastery (reference 5.1.29). (Added 1-1-87)
42. Temporary events sponsored by local nonprofit organizations which are related to, and supportive of the RA, rural areas, district (reference 5.1.27). (Added 12-2-87)
43. Agricultural Museum (reference 5.1.30). (Added 12-2-87)
44. Theatre, outdoor drama. (Added 6-10-92)
45. Farm sales (reference 5.1.35). (Added 10-11-95)
46. Off-site parking for historic structures or sites (reference 5.1.38) or off-site employee parking for an industrial use in an industrial zoning district (reference 5.1.39).
47. Animal shelter (reference 5.1.11). (Added 6-16-99).

(§ 20-10.2.2, 12-10-80; 3-18-81; 2-10-82; 4-28-82; 7-6-83; 3-5-86; 1-1-87; 12-2-87; 11-8-89; 10-18-00; 3-21-01; 6-10-92; 11-11-92; Ord. 95-20(1), 3-15-95; Ord. 95-20(3), 10-11-95; Ord. 95-20(5), 11-15-95; Code 1998, § 18-10.2.2, Ord. 98-A(1), 8-5-98; Ord 99-18(4), 6-16-99; Ord. 02-18(6), 10-9-02; Ord. 04-18(1), 5-12-04)

**Sec. 10.3.3.3 Special provisions (Added 11-8-89)**

In addition to design standards as set forth in section 10.3.3.2 and other regulation, the following special provisions shall apply to any rural preservation development:

- a. The maximum number of lots within a rural preservation development shall be the same as may be achievable pursuant to section 10.3.1 and section 10.3.2 and other applicable law. Each rural preservation tract shall count as one (1) lot. In the case of any parcel of land which, prior to application for rural preservation development, has been made subject to a conservation, open space or other similar easement which restricts development on the parcel, the total number of lots available for rural preservation development shall not exceed the number available for conventional development as limited by any such previously imposed easement or easements;
- b. Section 10.3.3.3.a notwithstanding, no rural preservation development shall contain more than twenty (20) development lots; (Amended 5-12-04)
- c. Provisions of section 10.3.3, rural preservation development, shall be applied to the entire parcel. Combination of conventional and rural preservation development within the parcel shall not be permitted, provided that the total number of lots achievable under section 10.3.1 and section 10.3.2 shall be permitted by authorization of more than one (1) rural preservation tract. Nothing contained herein shall be deemed to preclude the director of current development and zoning from approving a rural preservation development for multiple tracts of adjoining land, or on land divided or otherwise altered prior to the effective date of this provision; provided that, in either case, the provisions of section 10.3.3 shall be applicable; (Amended 5-12-04)
- d. The area devoted to development lots together with the area of roadway necessary to provide access to such lots shall not exceed the number of development lots multiplied by a factor of six (6) expressed in acres;
- e. No rural preservation development shall contain less than one (1) rural preservation tract. The director of current development and zoning may authorize more than one (1) rural preservation tract in a particular case pursuant to the various purposes of rural preservation

development as set forth in section 10.3.3.2 or in accord with section 10.3.3.3.c, as the case may be; (Amended 5-12-04)

- f. No rural preservation tract shall consist of less than forty (40) acres. Except as specifically permitted by the director of current development and zoning at time of establishment, not more than one (1) dwelling unit shall be located on any rural preservation tract or development lot. No rural preservation tract shall be diminished in area. These restrictions shall be guaranteed by perpetual easement accruable to the County of Albemarle and the public recreational facility authority of Albemarle County in a form acceptable to the board. In accordance with Chapter 14 of the Code of Albemarle, the director of planning and community development shall serve as agent for the board of supervisors to accept such easement. Thereafter, such easement may be modified or abandoned only by mutual agreement of the grantees to the original agreement. (Amended 5-12-04)
- g. Each application for a rural preservation development is subject to the review and approval of the director of current development and zoning. (Amended 5-12-04)

(§ 20-10.3.3.3, 12-10-80; 11-8-89; Code 1998, § 18-10.2.2, Ord. 98-A(1), 8-5-98; Ord. 04-18(1), 5-12-04)

### **Sec. 10.5.2 Where permitted by special use permit**

10.5.2.1 The board of supervisors may authorize the issuance of a special use permit for:

more lots than the total number permitted under section 10.3.1 and section 10.3.2; provided that no such permit shall be issued for property within the boundaries for the watershed of any public drinking water supply impoundment; and further provided that no such permit shall be issued to allow more development lots within a proposed rural preservation development than that permitted by right under section 10.3.3.3(b). (Added 11-8-89; Amended 5-12-04)

The board of supervisors shall determine that such division is compatible with the neighborhood as set forth in section 31.2.4.1 of this chapter,- with reference to the goals and objectives of the comprehensive plan relating to rural areas including the type of division proposed and specifically, as to this section only, with reference to the following: (Amended 11-8-89; 5-12-04))

1. The size, shape, topography and existing vegetation of the property in relation to its suitability for agricultural or forestal production as evaluated by the United States Department of Agriculture Soil Conservation Service or the Virginia Department of Forestry.
2. The actual suitability of the soil for agricultural or forestal production as the same shall be shown on the most recent published maps of the United States Department of Agriculture Soil Conservation Service or other source deemed of equivalent reliability by the Soil Conservation Service.
3. The historic commercial agricultural or forestal uses of the property since 1950, to the extent that is reasonably available.
4. If located in an agricultural or forestal area, the probable effect of the proposed development on the character of the area. For the purposes of this section, a property shall be deemed to be in an agricultural or forestal area if fifty (50) percent or more of the land within one (1) mile of the border of such property has been in commercial agricultural or forestal use within five (5) years of the date of the application for special use permit. In making this determination, mountain ridges, major streams and other physical barriers which detract from the cohesiveness of an area shall be considered.
5. The relationship of the property in regard to developed rural areas. For the purposes of this section, a property shall be deemed to be located in a developed rural area if fifty (50) percent or more of the land within one (1) mile of the boundary of such property was in parcels of record of five (5) acres or less on the adoption date of this ordinance. In making this determination, mountain ridges, major streams and other physical barriers which detract from the cohesiveness of an area shall be considered.

6. The relationship of the proposed development to existing and proposed population centers, services and employment centers. A property within areas described below shall be deemed in proximity to the area or use described:
  - a. Within one mile roadway distance of the urban area boundary as described in the comprehensive plan; (Amended 11-8-89)
  - b. Within one-half mile roadway distance of a community boundary as described in the comprehensive plan; (Amended 11-8-89)
  - c. Within one-half mile roadway distance of a village as described in the comprehensive plan. (Amended 11-8-89)
7. The probable effect of the proposed development on capital improvements programming in regard to increased provision of services.
8. The traffic generated from the proposed development would not, in the opinion of the Virginia Department of Transportation: (Amended 11-8-89)
  - a. Occasion the need for road improvement;
  - b. Cause a tolerable road to become a nontolerable road;
  - c. Increase traffic on an existing nontolerable road.
9. With respect to applications for special use permits for land lying wholly or partially within the boundaries for the watershed of any public drinking water impoundment, the following additional factors shall be considered: (Amended 5-12-04)
  - a. The amount and quality of existing vegetative cover as related to filtration of sediment, phosphorous, heavy metals, nitrogen and other substances determined harmful to water quality for human consumption;
  - b. The extent to which existing vegetative cover would be removed or disturbed during the construction phase of any development;
  - c. The amount of impervious cover which will exist after development;
  - d. The proximity of any paved (pervious or impervious) area, structure, or drain field to any perennial or intermittent stream or impoundment; or during the construction phase, the proximity of any disturbed area to any such stream or impoundment;
  - e. The type and characteristics of soils including suitability for septic fields and erodability;
  - f. The percentage and length of all slopes subject to disturbance during construction or upon which any structure, paved area (pervious or impervious) or active recreational area shall exist after development;
  - g. The estimated duration and timing of the construction phase of any proposed development and extent to which such duration and timing are unpredictable;
  - h. The degree to which original topography or vegetative cover have been altered in anticipation of filing for any permit hereunder;
  - i. The extent to which the standards of Chapter 17 et seq. of the Code of Albemarle can only be met through the creation of artificial devices, which devices will:
    1. Require periodic inspection and/or maintenance;

2. Are susceptible to failure or overflow for run-off associated with any one hundred year or more intense storm.

(§ 20-10.5.2, 12-10-80; 11-8-89; Code 1998, § 18-10.2.2, Ord. 98-A(1), 8-5-98; Ord. 04-18(1), 5-12-04)

#### **10.5.2.2 MATERIALS TO BE SUBMITTED BY THE APPLICANT**

The commission and the board of supervisors may require the applicant to submit such information as deemed necessary for the adequate review of such application provided that such information shall be directly related to items 1, 2, 3 and 9 of section 10.5.2.1.

This ordinance shall become effective July 1, 2004.